PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
BRIAN BUTLER
GREGORY SCOTT COLLINS
J. BRUCE MEARS
HOLLY WINGATE

Sussex County
DELAWARE
sussexcountyde.gov
(302) 855-7878 T
(302) 854-5079 F
JAMIE WHITEHOUSE
DIRECTOR

Sussex County
Planning & Zoning Commission

AGENDA

April 2, 2025

5:00 PM

Call to Order

Approval of Agenda

Approval of Minutes

Public Comment

Other Business

Other Business Memo - 04/02/2025 P&ZC

Cambria Hotel – Parcel B SC
Revised Final Site Plan

S-24-76 Five Points Square SC
Preliminary Site Plan

S-24-47 Sunrise Condominiums BM
Revised Final Site Plan

Lands of Teodoro and Missi Andrade HW
Minor Subdivision Plan off of a proposed 30-ft easement

Lands of Jerome and Catherine Stratton HW
Minor Subdivision Plan off of a proposed 30-ft easement

Lands of Benigno Morales BB
Minor Subdivision Plan off of a proposed 40-ft easement

Lands of King Development BB
Minor Subdivision Plan off of a proposed 30-ft easement

EQUAL HOUSING OPPORTUNITY

Old Business

C/Z 2001 Belmead Farm, LLC SC

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-4 Planned Commercial District for certain parcels of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 39.22 acres, more or less. The property is lying on the east side of John J. Williams Highway (Route 24) approximately 0.31 mile southwest of Mulberry Knoll Road (S.C.R. 284). 911 Address: 20033 John J. Williams Highway, Lewes. Tax Parcel Nos.: 334-18.00-40.01 & 40.06.

TO ANNOUNCE RECEIPT OF SCHOOL DISTRICT RESPONSE

ORD. 24-04 HW

An Ordinance to amend the Future Land Use Map of the Comprehensive Plan in relation to Tax Parcel No. 135-11.00-65.00. The Parcel containing approximately 9.623 acres of land, lying and being within Georgetown Hundred, and located on the northeast side of Gravel Hill Road (Route 30), approximately 0.02 mile east of the intersection of Gravel Hill Road (Route 30) and Lewes Georgetown Highway (Route 9).

Public Hearings

C/Z 2049 Toney Floyd Trucking, LLC HW

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from a B-2 Community Business District to an AR-1 Agricultural Residential District for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.95 acres, more or less. The property is lying on the southeast side of John J. Williams Highway (Rt. 24), approximately 520 feet northeast of Layton Avenue. 911 Address: N/A. Tax Map Parcel: 234-32.00-60.00.

C/U 2580 Toney Floyd Trucking, LLC HW

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for commercial hauling, goods and materials delivery services, and driveway installation business together with storage of vehicles, equipment, and materials to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.95 acres, more or less. The property is lying on the southeast side of John J. Williams Highway (Rt. 24), approximately 520 feet northeast of Layton Avenue. 911 Address: N/A. Tax Map Parcel: 234-32.00-60.00.

C/Z 2016 MARLIN COVE, LLC BM

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Density Residential District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 60.84 acres, more or less. The property is lying on the west side of New Road (S.C.R. 391), approximately 65 feet north of Lighthouse Road (Rt. 54). 911 Address: N/A. Tax Map Parcel: 533-19.00-7.00, 8.01, & 9.00.

C/U 2459 Marlin Cove BM

An Ordinance to grant a Conditional Use of land in an MR Medium-Density Residential District for multi-family dwellings (106 units) to be located on certain parcels of land lying and being in Baltimore Hundred, Sussex County, containing 23.90 acres, more or less. The property is lying on the west side of New Road (S.C.R. 391), approximately 65 feet north of Lighthouse Road (Rt. 54). 911 Address: N/A. Tax Map Parcel: 533-19.00-7.00 & 8.01.

2023-08 MARLIN COVE BM

A Coastal Area cluster subdivision to divide 60.84 acres +/- into one hundred and seven (107) single-family lots and one hundred and six (106) duplex housing units on fifty-three (53) lots. The properties are located on the west side of New Road (S.C.R. 391), approximately 65 feet north of Lighthouse Road (Rt. 54). 911 Addresses: N/A. Tax Parcels: 533-19.00-7.00, 8.01 & 9.00. Zoning: AR-1 (Agricultural Residential).

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on _____.at 3:30 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

-MEETING DETAILS-

The meeting will be streamed live at: https://sussexcountyde.gov/council-chamber-broadcast

The Planning & Zoning Commission meeting materials, including the "packet", are electronically accessible on the County's website at: **https://sussexcountyde.gov/**

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments are encouraged to be submitted by 4:00 P.M on _____.

# # # #

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members

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

CC: Vince Robertson, Assistant County Attorney

Date: March 26, 2025

RE: Other Business for the April 2, 2025, Planning Commission Meeting

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This Memo provides background for the Planning Commission to consider as a part of the Other Business to be reviewed during the Wednesday, April 2, 2025, Meeting of the Planning & Zoning Commission.

Cambria Hotel – Parcel B

SC

Revised Final Site Plan

This is a Revised Final Site Plan for Cambria Hotel – Parcel B for the construction of a 10,800 square foot building for office use and other site improvements. At their meeting of October 13, 2021, the Planning and Zoning Commission approved the Final Site Plan for Cambria Hotel and Restaurant with parking in the front yard setback. Parcel B was subdivided from the main parcel on September 20, 2022 (PB 380/20). The parcel is located on the northeast corner of Hood Road and Lexus Lane. This project is also located within the Henlopen Transportation District (TID) and shall be subject to DelDOT's requirements. The Revised Final Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 334-12.00-127.13. Zoning: Commercial Residential (CR-1) Zoning District. Staff are in receipt of all agency approvals. Therefore, the Plans are eligible for final approval.

S-24-76 Five Points Square

SC

Preliminary Site Plan

This is a Preliminary Site Plan for Five Points Square for the construction of a 5,600 square foot building for Commercial and Retail use and other site improvements. The parcel is located on the north side of Marsh Road (S.C.R.269B) and the south side of Savannah Road (S.C.R. 18). The Revised Final Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 334-6.00-26.02. Zoning: General Commercial (C-1) Zoning District. Staff are awaiting agency approvals. Should the Commission desire to act favorably on this proposal, staff are requesting that final approval be made subject to staff upon the receipt of all agency approvals

S-24-47 Sunrise Condominiums

BM

Revised Final Site Plan

This is a Revised Final Site Plan for Sunrise Condominiums proposing six (6) detached condominium structures, stormwater management, parking, and internal road to be located on (1.28) acres +/-. Conditional Use No. 2497 (Multifamily use) was approved by the Sussex County Council at their meeting of Tuesday, June 11th, 2024, through Ordinance No. 3022. The Plan received Preliminary Sitew Plan Approval at the Planning & Zoning commission meeting of August 21, 2024 and was stamped with Final Approval by P&Z on October 3, 2024. The only changes from the previously approved Site Plan are the removal of the pavilion and “Gathering Area” as well as relocation of the mailbox facility. The property is located on the east side of Coastal Highway (Rt. 1), approximately 0.19 mile north of the intersection of Coastal Highway (Route 1) and Indian Harbor Villas Drive. The Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 134-5.00-4.00. Zoning: MR (Medium-Density Residential Zoning District). Staff are in receipt of all agency approvals. Therefore, the Plans are eligible for Final approval.

Lands of Teodoro and Missi Andrade

HW Minor Subdivision Plan off of a proposed 30-ft easement

This is a Minor Subdivision Plan for the creation of two (2) lots plus the residual lands with access off a proposed 30-ft wide ingress/egress access easement. Proposed Lot 1 will consist of 0.752-acres +/-proposed Lot 2 will consist of 0.751-acres +/-, and the residual lands will contain 2.137-acres +/-. A shared use maintenance agreement shall be established for the use of the shared access road. The property is located west of Brittingham Road (S.C.R. 455). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 532-22.00-34.00 Zoning: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals. Therefore, the Plans are eligible for both preliminary and final approval

Lands of Jerome and Catherine Stratton

HW

Minor Subdivision Plan off of a proposed 30-ft easement

This is a Minor Subdivision Plan for the creation of three (3) lots plus the residual lands with access off a proposed 30-ft wide ingress/egress access easement. Proposed Parcel A will consist of 1.0102-acres +/-, proposed Parcel B will consist of 1.0102-acres +/-, proposed Parcel C will consist of 1.0102-acres +/-, and the residual lands will contain 1.9694-acres +/-. A shared use maintenance agreement shall be established for the use of the shared access road. The property is located east of Josephs Road (S.C.R. 281), approximately 1,570-feet south of Lewes Georgetown Highway (Route 9). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes.

Tax Parcel: 334-10.00-30.07 Zoning: AR-1 (Agricultural Residential District). Staff are awaiting agency approvals. Should the Commission desire to act favorably on this proposal, staff are requesting that final approval be made subject to staff upon the receipt of all agency approvals

Lands of Benigno Morales

BB Minor Subdivision Plan off of a proposed 40-ft easement

This is a Minor Subdivision Plan for the creation of two (2) lots plus the residual lands with access off a proposed 40-ft wide ingress/egress access easement. Proposed Lot 1 will consist of 1.168-acres +/-proposed Lot 2 will consist of 1.132-acres +/-, and the residual lands will contain 1.180-acres +/-. A shared use maintenance agreement shall be established for the use of the shared access road. The property is located northeast of Deer Forest Road (S.C.R. 565), approximately 1,981 feet +/- southeast of Oak Road (S.C.R. 594). The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 430-16.00-40.12 Zoning: AR-1 (Agricultural Residential District). Staff are in receipt of all agency approvals. Therefore, the Plans are eligible for both preliminary and final approval

Lands of King Development, LLC

BB Minor Subdivision Plan off of a proposed 30-ft easement

This is a Minor Subdivision Plan for the creation of two (2) lots plus the residual lands with access off a proposed 30-ft wide ingress/egress access easement. Proposed Lot A will consist of 0.76 acres +/-and proposed Lot B will consist of 0.75 acres +/-. Lots A and B will have access off of the proposed shared access easement, a shared use maintenance agreement shall be established for the use of the proposed shared access road. The residual lands will contain have access off of an existing 30 ft. ingress/egress access easement. The property is located on the south side of Brick Granary Road (S.C.R. 224), approximately 75 ft. east of Holly Branch Way. The Minor Subdivision Plan complies with the Sussex County Zoning and Subdivision Codes. Tax Parcel: 230-7.00-138.01 Zoning: GR (General Residential District). Staff are awaiting agency approvals. Should the Commission desire to act favorably on this proposal, staff are requesting that final approval be made subject to staff upon the receipt of all agency approvals

RECORD PLAN
FOR
CAMBRIA HOTEL * PARCEL B
LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

GENERAL NOTES

1. These drawings show information obtained from the best available records regarding pipes, conduits, telephone lines, and other structures and conditions which exist along the lines of the work at and below the surface of the ground. The owner and engineer disclaim any responsibilities for the accuracy or completeness of said information given. If the contractor relies on said information, he does so at his own risk. The giving of the information on the contract drawings will not relieve the contractor of his obligations to support and protect all pipes, conduit, telephone lines, and other structures/improvements.

2. The contractor shall notify the following, two (2) weeks prior to the start of construction and shall coordinate construction and erosion control with the utility companies involved:

   Miss Utility.....1–800–282–8555
   Sussex County Conservation District.....1–302–856–2105
   Sussex County Department of Public Works.....1–302–855–7703
   Larson Engineering Group, Inc.....1–302–731–7434

3. All construction shall be marked for traffic and pedestrian safety.

4. The contractor shall provide all equipment, labor, and materials for any miscellaneous or test pit excavations required by the engineer.

5. The owner is responsible for the acquisition of all easements, both permanent and temporary.

6. The contractor assumes all responsibility for any deviations from these plans unless said deviation is approved by the engineer. Contractor shall receive written permission from the engineer if a deviation of the plans is necessary.

7. All sidewalks shall meet each door at finished floor elevation.

7. All disturbed areas shall be smoothly graded to provide positive drainage in the direction of flow arrows herein and stabilized with topsoil, seed, and mulch. If settlement occurs, topsoil seed, and mulching shall be repeated until settlement subsides (see erosion and sediment control specifications).

8. Trenches shall not remain open overnight. If it is necessary for trenches to remain open, steel plates capable of bearing traffic shall be used to completely cover the trench openings.

9. All sediment and erosion control facilities shall conform to Delaware Erosion and Sediment Control Handbook February 2019, or newest edition.

10. All fire lanes, fire hydrants, and Fire Department connections shall be marked in accordance with the State Fire Protection regulations.

11. Topography was field generated by Larson Engineering Group, Inc. in January 2023.

12. Boundary information was prepared by Larson Engineering Group, Inc. in January 2023.

13. The Sussex Conservation District reserves the right to add, modify or delete any erosion and sediment control measures as it deems necessary.

14. All construction/demolition debris shall be removed off–site to an approved solid waste facility.

15. All construction shall be done in accordance with Delaware Department of Transportation Standard Specifications for Road and Bridge Construction, dated August 2016, and Standard Construction Details, dated 2018 or as updated.

16. All sidewalk, handicap accessible features and parking spaces are to be constructed and signage placed in accordance with A.D.A. regulations.

17. The site is not located in a flood zone per F.I.R.M # 10005C0332K and dated 3/16/2015.

18. All proposed signage shall require a separate permit from Sussex County.

DELDOT RECORD SITE PLAN (3/21/2019)

1. No landscaping shall be allowed within right–of–way unless the plans are compliant with Section 3.7 of the Development Coordination Manual.

2. 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.

3. All entrances shall conform to the Delaware Department of Transportation's (DelDOT's) current Development Coordination Manual and shall be subject to its approval.

4. 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.

5. The sidewalk shall be the responsibility of the Developer, the property owners or both within this subdivision. The State of Delaware assumes no responsibility for the future maintenance for the sidewalk.

6. 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.

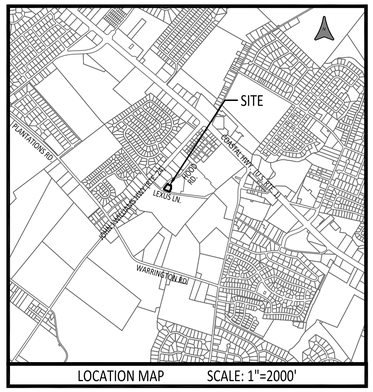
7. All lots shall have access from the internal subdivision entrance.

8. Driveways will not be permitted to be placed at catch basin locations.

9. To minimize rutting and erosion of the roadside due to on–street parking, driveway and building layouts must be configured to allow for vehicles to be stored in the driveway beyond the right–of–way, without interfering with sidewalk access and clearance.

10. The Developer shall be required to furnish and place right–of–way monuments in accordance with DelDOT's Development Coordination Manual.

11. 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.



DATA COLUMN

Plan Purpose: Show proposed basement, which will be used for storage, in office building.

Tax Parcel Number: 334–12.00–127.13

Owner: DITKO Properties LLC
1004 South State Street
Suite 1
Dover, DE 19901

Deed Reference: PB 380, PG 20

Present Use: Vacant
Proposed Use: Office

Datum: Horizontal – NAD83 (DE State Plain)
Vertical – NAVD88

Future Land Use Designation: Coastal Area

Site Area: 27,878.40± Sq. Ft.; 0.64± Acs.

Total Number of Lots: Existing – 1
Proposed – 1

Zoning: CR–1 Commercial Residential

Building Setback: Front = 60' (Per 115–83.8 B) There should not be a front yard of at least 15 feet on the side of streets of a corner lot in any direction.
Side = 5'
Rear = 5'

Maximum Building Height = 42'
Proposed Building Height = 25'

Building Area: Office 7,200 Sq. Ft.
Basement 3,600 Sq. Ft.
Total 10,800 Sq. Ft.

Impervious Area = 24,003 Sq. Ft. (86.1%)

Net Development Area: 24,003 Sq. Ft.

Parking Required: 1 Space per 200 Sq. Ft.
7,200 Sq. Ft./200 Sq. Ft. = 36 Spaces
*NOTE: Basement does not count toward required parking calculation.

Parking Provided: 36 Spaces
Handicap Spaces: Required 2 Spaces
Provided 2 Spaces

Loading Space: Required 1 Space
Provided 1 Space

Sewer Service: Sussex County (Gravity)

Water Service: Tidewater Utilities

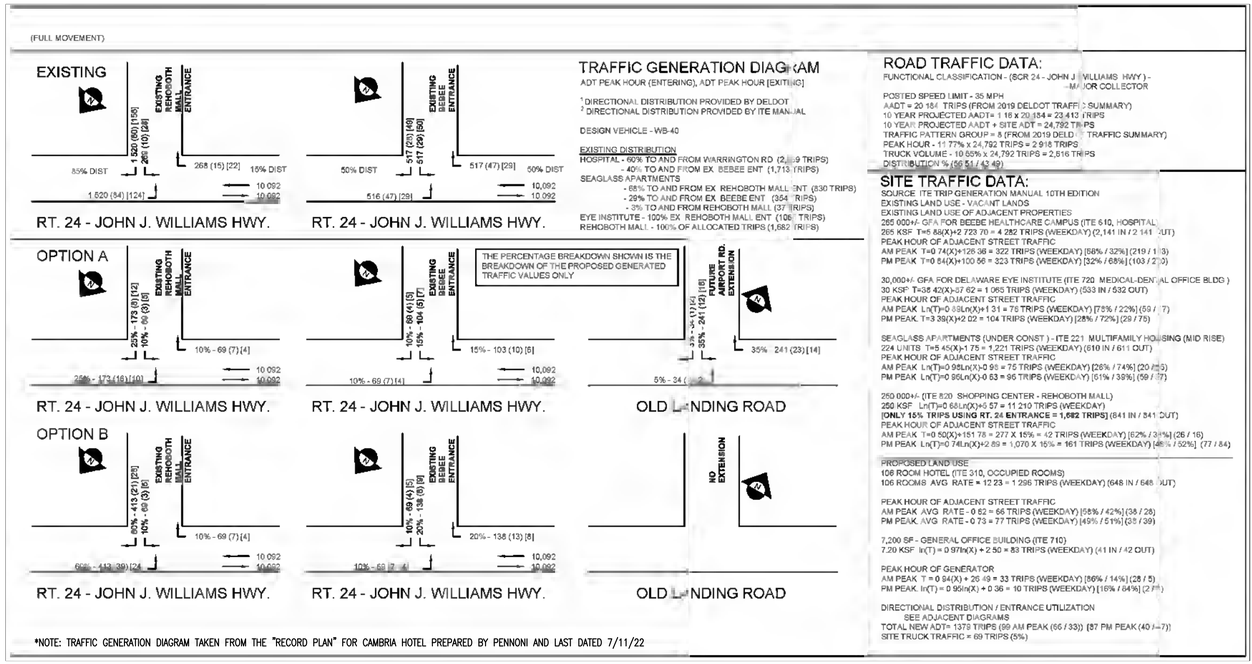
Site is not located in a Source Water Protection Area

This site is located in Investment Level 2 of 2020 State Strategies for Spending

This site is located within the Henlopen Traffic Improvement District

Wetlands Area: 0.0 Acres

Basement shall be used for storage only. No additional leasable area will be created by this application.



ROAD TRAFFIC DATA:
FUNCTIONAL CLASSIFICATION - (SCR 24 - JOHN J. WILLIAMS HWY) - MAJOR COLLECTOR

POSTED SPEED LIMIT - 35 MPH
AADT = 20,154 TRIPS (FROM 2019 DELDOT TRAFFIC SUMMARY)
10 YEAR PROJECTED AADT= 1.16 x 20,154 = 23,413 TRIPS
10 YEAR PROJECTED AADT + SITE ADT = 24,792 TRIPS
TRAFFIC PATTERN GROUP = 5 (FROM 2019 DELDOT TRAFFIC SUMMARY)
PEAK HOUR - 11.77% x 24,792 TRIPS = 2,918 TRIPS
TRUCK VOLUME - 10.65% x 24,792 TRIPS = 2,816 TRIPS
DISTRIBUTION % (56 IN / 44 OUT)

SITE TRAFFIC DATA:
SOURCE: ITE TRIP GENERATION MANUAL 10TH EDITION
EXISTING LAND USE - VACANT LANDS
EXISTING LAND USE OF ADJACENT PROPERTIES
265,000+/- GFA FOR BEEBE HEALTHCARE CAMPUS (ITE 610, HOSPITAL)
265 KSF T=5.86(X)+2,723.70 = 4,282 TRIPS (WEEKDAY) (2,141 IN / 2,141 OUT)
PEAK HOUR OF ADJACENT STREET TRAFFIC
AM PEAK T=0.74(X)+126.38 = 322 TRIPS (WEEKDAY) (68% / 32%) (219 / 103)
PM PEAK T=0.64(X)+100.56 = 323 TRIPS (WEEKDAY) (32% / 68%) (103 / 220)

30,000+/- GFA FOR DELAWARE EYE INSTITUTE (ITE 720 MEDICAL-DENTAL OFFICE BLDG)
30 KSF T=36.42(X)-37.62 = 1,055 TRIPS (WEEKDAY) (533 IN / 532 OUT)
PEAK HOUR OF ADJACENT STREET TRAFFIC
AM PEAK Ln(T)=0.88Ln(X)+1.31 = 75 TRIPS (WEEKDAY) (75% / 25%) (59 / 17)
PM PEAK T=3.39(X)+2.02 = 104 TRIPS (WEEKDAY) (28% / 72%) (29 / 75)

SEAGLASS APARTMENTS (UNDER CONST.) - ITE 221 MULTIFAMILY HOUSING (MID RISE)
224 UNITS T=5.45(X)+75 = 1,221 TRIPS (WEEKDAY) (610 IN / 611 OUT)
PEAK HOUR OF ADJACENT STREET TRAFFIC
AM PEAK Ln(T)=0.95Ln(X)-0.90 = 75 TRIPS (WEEKDAY) (26% / 74%) (20 / 55)
PM PEAK Ln(T)=0.96Ln(X)-0.63 = 96 TRIPS (WEEKDAY) (61% / 39%) (59 / 37)

250,000+/- (ITE 820 SHOPPING CENTER - REHOBOTH MALL)
250 KSF Ln(T)=0.68Ln(X)+3.57 = 1,210 TRIPS (WEEKDAY)
(ONLY 15% TRIPS USING RT. 24 ENTRANCE = 1,082 TRIPS) (541 IN / 541 OUT)
PEAK HOUR OF ADJACENT STREET TRAFFIC
AM PEAK T=0.52(X)+151.78 = 277 X 15% = 42 TRIPS (WEEKDAY) (62% / 38%) (26 / 16)
PM PEAK Ln(T)=0.74Ln(X)+2.89 = 1,070 X 15% = 161 TRIPS (WEEKDAY) (48% / 52%) (77 / 84)

PROPOSED LAND USE
106 ROOM HOTEL (ITE 310, OCCUPIED ROOMS)
106 ROOMS AVG RATE = 12.23 = 1,296 TRIPS (WEEKDAY) (648 IN / 648 OUT)

PEAK HOUR OF ADJACENT STREET TRAFFIC
AM PEAK AVG. RATE - 0.62 = 66 TRIPS (WEEKDAY) (58% / 42%) (38 / 28)
PM PEAK AVG. RATE - 0.73 = 77 TRIPS (WEEKDAY) (49% / 51%) (38 / 39)

7,200 SF - GENERAL OFFICE BUILDING (ITE 710)
7.20 KSF ln(T) = 0.97ln(X) + 2.50 = 83 TRIPS (WEEKDAY) (41 IN / 42 OUT)

PEAK HOUR OF GENERATOR
AM PEAK T = 0.84(X) + 26.49 = 33 TRIPS (WEEKDAY) (86% / 14%) (28 / 5)
PM PEAK. ln(T) = 0.95ln(X) + 0.36 = 10 TRIPS (WEEKDAY) (16% / 84%) (2 / 8)

DIRECTIONAL DISTRIBUTION / ENTRANCE UTILIZATION
SEE ADJACENT DIAGRAMS
TOTAL NEW ADT= 1379 TRIPS (69 AM PEAK (66 / 33)) (87 PM PEAK (40 / 47))
SITE TRUCK TRAFFIC = 69 TRIPS (5%)

SHEET INDEX

RECORD PLAN – TITLE SHEET	RP–1
RECORD PLAN	RP–2
RECORD PLAN – CROSS ACCESS EASEMENT PLAN	RP–3
LANDSCAPE PLAN	LS–1

DATE	SCALE
2/11/25	AS NOTED
JOB NO.	DRAWN BY
22–041	YATuroczy
APPLICATION NO.:	DESIGNED BY:
	DJLiberman
APPROVED BY:	CHECKED BY:
DJLiberman	DJLiberman

DATE	REVISION

SIGNATURE DATE

RECORD PLAN – TITLE SHEET

FOR

CAMBRIA HOTEL * PARCEL B

LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

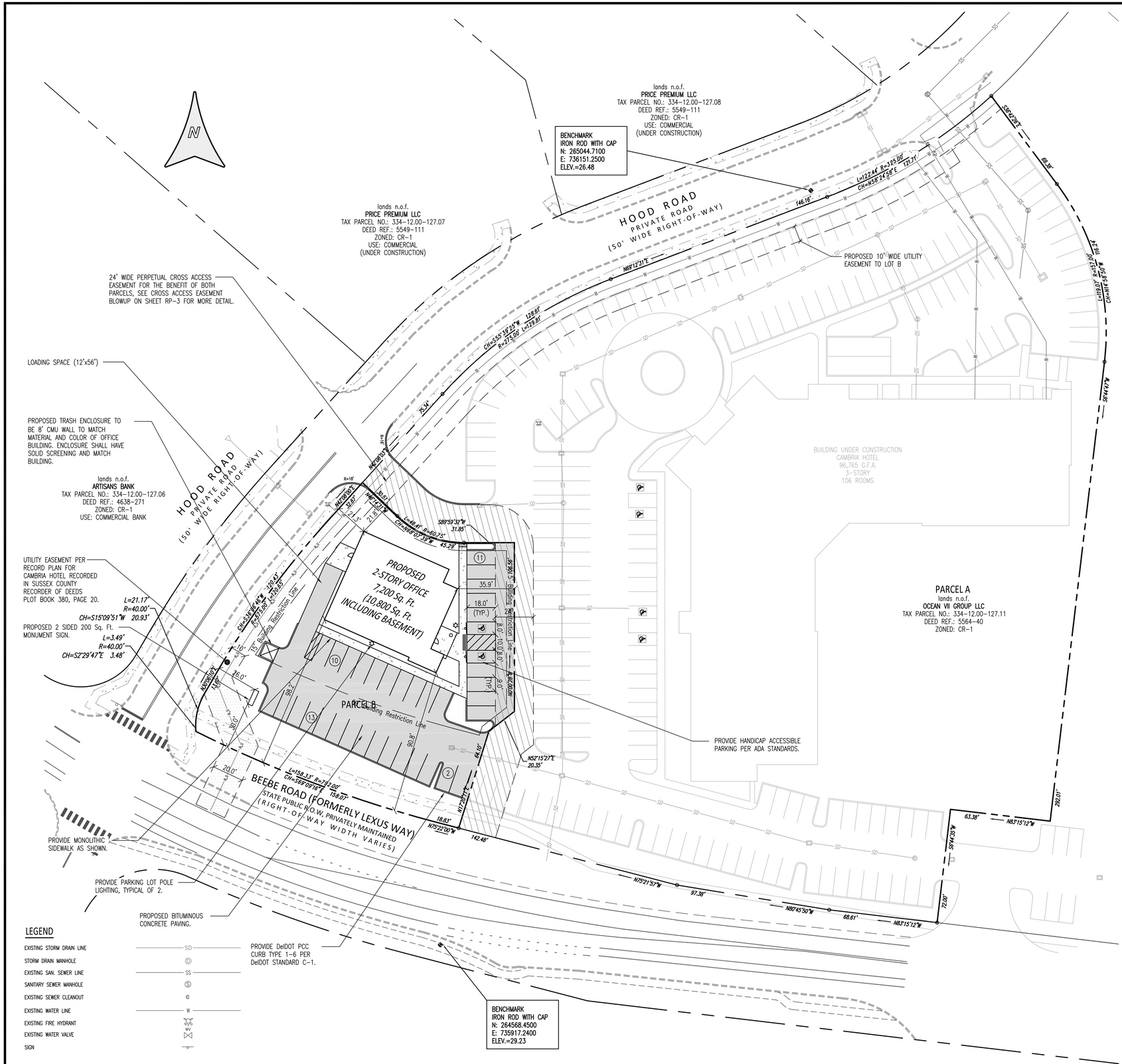
PREPARED FOR: DITKO PROPERTIES LLC

CADD FILE: DelDOT Record Plan_Cover Sheet.dwg

LARSON ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING
910 SOUTH CHAPEL STREET • SUITE 200
NEWARK, DE 19713
Phone: (302) 731–7434
Fax: (302) 731–8211

SHEET NO.: RP–1

Notice: These drawings and design are the exclusive property of Larson Engineering Group, Inc., and shall not be used, altered or copied without written permission.



DATE: 2/11/25	SCALE: 1"=30'
JOB NO.: 22-041	DRAWN BY: YATuroczy
APPLICATION NO.:	DESIGNED BY: DJLiberman
APPROVED BY: DJLiberman	CHECKED BY: DJLiberman

DATE	REVISION

RECORD PLAN

FOR

CAMBRIA HOTEL * PARCEL B

LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

PREPARED FOR: DITKO PROPERTIES LLC

CADD FILE: DelDOT Record Plan_Cambria.dwg

SIGNATURE DATE

LARSON ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING
910 SOUTH CHAPEL STREET • SUITE 200
NEWARK, DE 19713
Phone: (302) 731-7434
Fax: (302) 731-8211

SHEET NO.: RP-2

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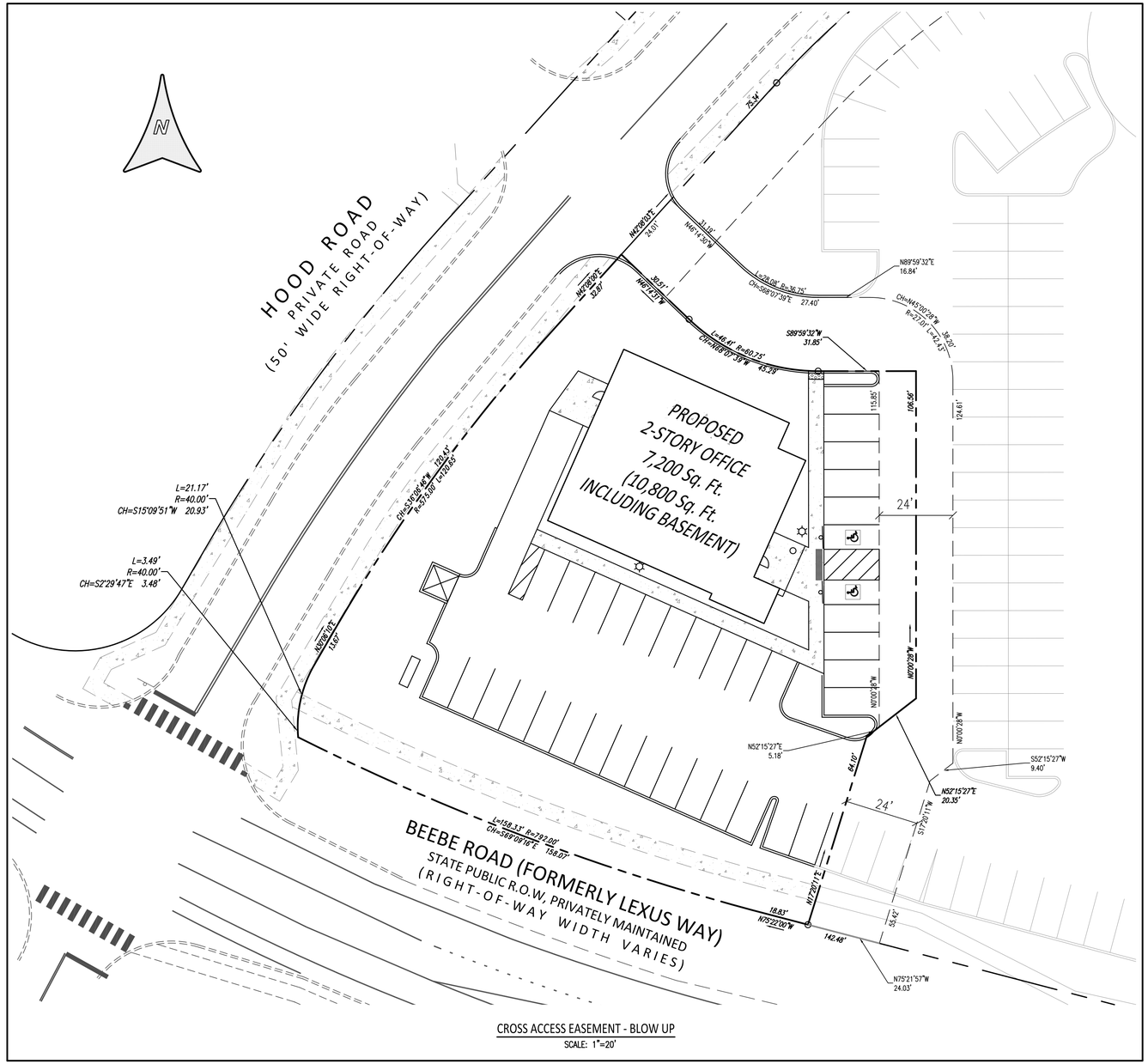


CROSS ACCESS EASEMENT - BLOW UP

SCALE: 1"=20'

DATE: 2/11/25	SCALE: AS NOTED
JOB NO.: 22-041	DRAWN BY: YATuroczy
APPLICATION NO.:	DESIGNED BY: DJLiberman
APPROVED BY: DJLiberman	CHECKED BY: DJLiberman

DATE	REVISION

SIGNATURE DATE

RECORD PLAN–CROSS ACCESS EASEMENT PLAN

FOR

CAMBRIA HOTEL * PARCEL B

LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

PREPARED FOR: DITKO PROPERTIES LLC

CADD FILE: DeDOT\Recordplan_Cambriahotel

LARSON
ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING
910 SOUTH CHAPEL STREET • SUITE 200
NEWARK, DE 19713
Phone: (302) 731-7434
Fax: (302) 731-8211

SHEET NO.: RP-3

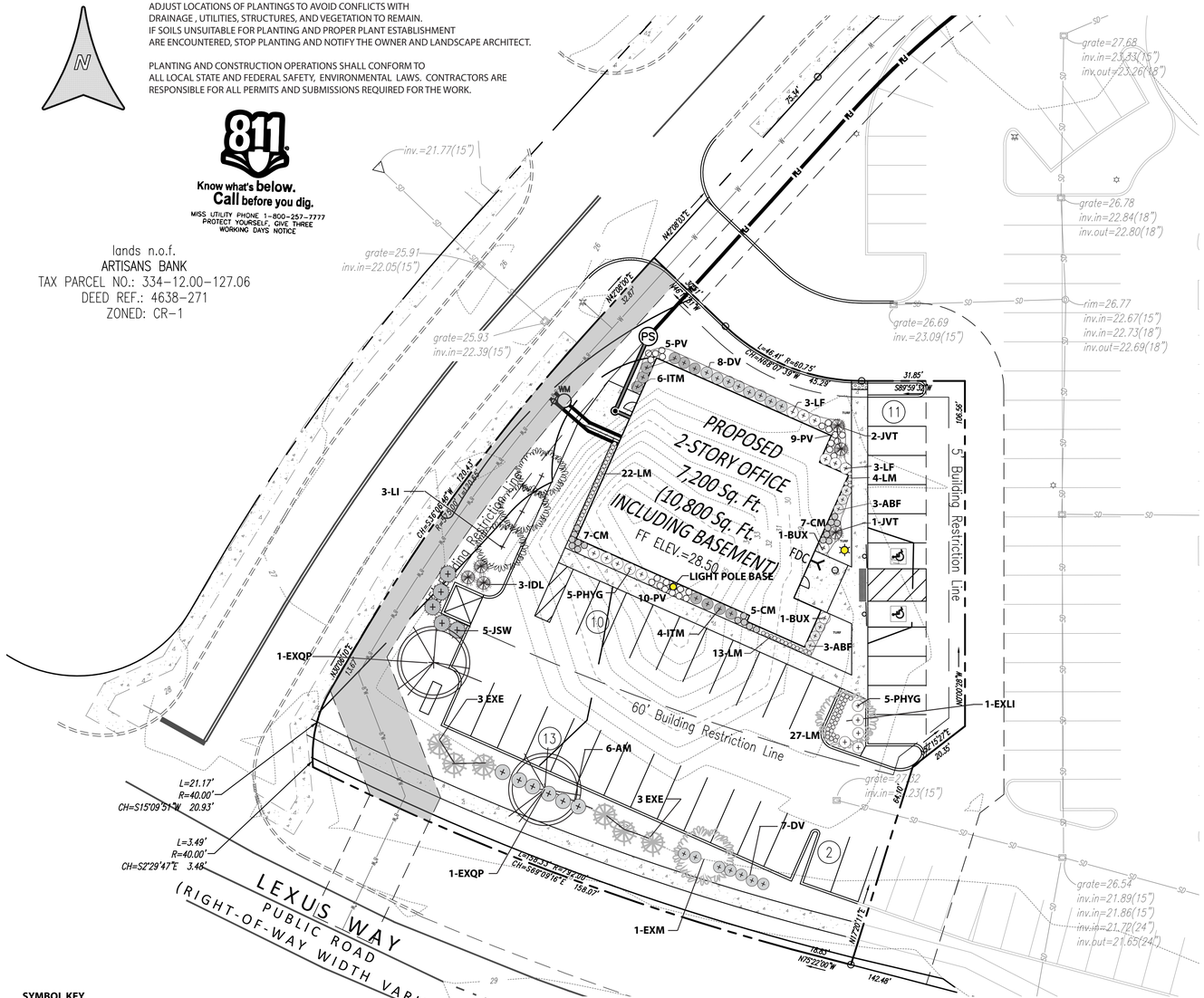
Notice: These drawings and design are the exclusive property of Larson Engineering Group, Inc., and shall not be used, altered or copied without written permission.

FIELD LOCATE ALL UTILTIES PRIOR TO DIGGING
ADJUST LOCATIONS OF PLANTINGS TO AVOID CONFLICTS WITH
DRAINAGE , UTILITIES, STRUCTURES, AND VEGETATION TO REMAIN.
IF SOILS UNSUITABLE FOR PLANTING AND PROPER PLANT ESTABLISHMENT
ARE ENCOUNTERED, STOP PLANTING AND NOTIFY THE OWNER AND LANDSCAPE ARCHITECT.

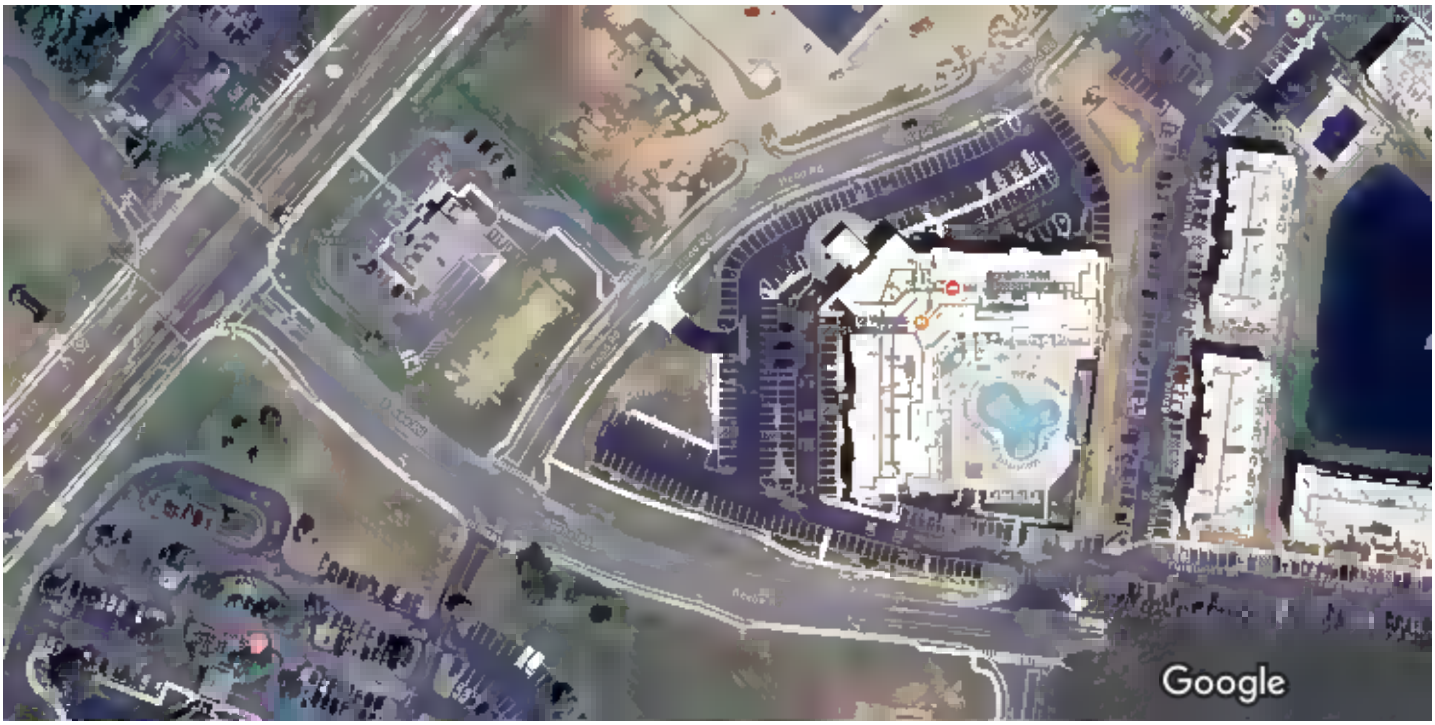
PLANTING AND CONSTRUCTION OPERATIONS SHALL CONFORM TO
ALL LOCAL STATE AND FEDERAL SAFETY, ENVIRONMENTAL LAWS. CONTRACTORS ARE
RESPONSIBLE FOR ALL PERMITS AND SUBMISSIONS REQUIRED FOR THE WORK.

811 Know what's below. Call before you dig.
MISS UTILITY PHONE 1-800-257-7777
PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE

lands n.o.f.
ARTISANS BANK
TAX PARCEL NO.: 334-12.00-127.06
DEED REF.: 4638-271
ZONED: CR-1


PROPOSED 2-STORY OFFICE 7,200 Sq. Ft. (10,800 Sq. Ft. INCLUDING BASEMENT)
FF ELEV.=28.50
LIGHT POLE BASE
FDC
PS
WM
5-PV
8-DV
6-ITM
3-LF
9-PV
2-JVT
3-LF
4-LM
3-ABF
1-JVT
1-BUX
7-CM
22-LM
3-LI
3-IDL
5-PHYG
10-PV
5-CM
1-BUX
4-ITM
13-LM
3-ABF
5-JSW
1-EXQP
3 EXE
6-AM
3 EXE
7-DV
1-EXQP
1-EXM
5-PHYG
27-LM
1-EXLI
1100 Building Restriction Line
57' Building Restriction Line
60' Building Restriction Line
LEXUS WAY
PUBLIC ROAD
(RIGHT-OF-WAY WIDTH VARIES)
N72°08'17"E 75.00'
N17°51'43"W 15.00'
S72°08'17"W 75.00'
S17°51'43"E 15.00'

Google Maps lexus way, rehoboth de



Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 Google 50 ft

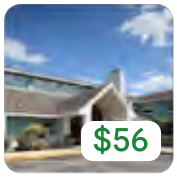
Guest rating Amenities Hotel class

Results

Sort by Share

Hotel Wave Rehoboth Beach

3.6 (708)
2-star hotel
Simple hotel with free Wi-Fi & breakfast

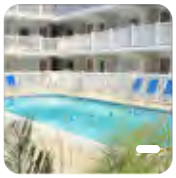


Pool Free parking Free breakfast Free Wi-Fi

DEAL 24% less than usual

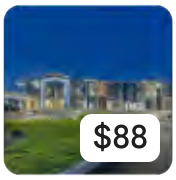
The Oceanus - Rehoboth Beach

4.5 (192)
2-star hotel
Basic lodging with an outdoor pool



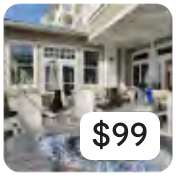
Pool Free parking Free Wi-Fi Wi-Fi

Cambria Hotel Rehoboth Beach
4.5 (88)
4-star hotel



Pool Free parking Free Wi-Fi Air-conditioned

The Avenue Inn & Spa
4.6 (608)
Hotel
Casual hotel with an indoor pool & a spa



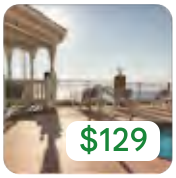
Pool Spa Free parking Free breakfast

Crosswinds Rehoboth Beach
4.6 (141)
Hotel
Modern lodging with airy, casual rooms



Free parking Free Wi-Fi Air-conditioned Wi-Fi

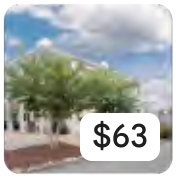
Boardwalk Plaza Hotel
4.6 (950)
4-star hotel
Traditional lodging with dining & a pool



Pool Free parking Beach access
Air-conditioned

DEAL 23% less than usual

Rodeway Inn & Suites
3.2 (633)
2-star hotel
Low-key budget hotel with free breakfast



Pool Spa Free parking Free breakfast

About pricing

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

SHANTÉ A. HASTINGS
SECRETARY

March 06, 2025

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

SUBJECT: **Letter of No Contention Approval**
Cambria Hotel - Lot B Office building
Tax Parcel # 334-12.00-127.13
JOHN J. WILLIAMS HWY (SCR 24)
Lewes & Rehoboth Hundred, Sussex

Dear Mr. Whitehouse:

The Delaware Department of Transportation (DelDOT) has reviewed a request, dated February 28, 2025, to obtain a Letter of No Contention (LONC) to use an existing commercial building and site entrance for the above referenced project, and has approved the request. This determination is based on the project information as provided in the completed Permit Application, and verification of the requirements on the LONC approval checklist. This approval shall be valid for a period of **one (1) year**.

The following conditions are provided with this approval:

1) Site shall have access from the existing entrance located on John J Williams Highway (SCR 024).
2) No entrance modifications or traffic pattern changes are proposed or authorized under this LONC approval.
3) DelDOT reserves the right to review, modify or revoke this LONC approval in the future if proposed activities create traffic conflicts, safety concerns or operational issues.
4) The property owner is responsible to:
   a. Submit information to DelDOT, regarding any future operational or site changes, (including but not limited to: rezoning, site layout changes, changes in use, entrance modifications, expanded/additional uses, new uses, etc.). Changes of this nature may alter the flow and/or volume of traffic and could require a new LONC or formal review for Approvals and/or Permits.

b. Establish and maintain clear sight lines at the entrance. There shall be no placement of structures, signs, objects, items for sale or parking of vehicles within State right-of-way or entrance limits. Shrubbery, Plantings, trees and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited.

5) The property owner and applicant are responsible to coordinate with DelDOT Outdoor Advertising & Roadside Control at (302) 853-1327, for information on obtaining specific permits for sign installation on private property. Permits for Utilities construction within State right-of-way require separate permit applications please contact DelDOT's South District at (302) 853-1345.

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

Sincerely,



John Pietrobono
Sussex County Review Coordinator,
Development Coordination

cc: Michael Glick
Doug Liberman, Larson Engineering, Inc.
Sussex County Planning & Zoning
Matt Schlitter, South District Public Works Engineer
Travis Schirmer, South District Public Works Supervisor
James Argo, South District Project Reviewer
James Smith, South District Entrance Permit Supervisor
Wendy L. Polasko, P.E., Subdivision Engineer
Kevin Hickman, Sussex County Reviewer

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2024-04-218184-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 334-12.00-127.13
Date: 08/28/2024

Project

Cambria Hotel Lot B

Cambria Hotel Rehoboth Beach Property - 17210 Hood Road

17210 Hood Road
Rehoboth Beach DE 19971

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District:

Occupant Load Inside:
Occupancy Code: 9681

Applicant

Doug Liberman
910 S Chapel Street Ste 200
Newark, DE 19713

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

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

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

A final inspection is required

This Plan Review Project was prepared by:

Walter Johnson

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2024-04-218184-MJS-01 **Tax Parcel Number:** 334-12.00-127.13
Status: Approved as Submitted **Date:** 08/28/2024

PROJECT COMMENTS

1002 A This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov.These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. The Office of the State Fire Marshal recommends theinstallation of fire sprinkler systems in all residential occupancies, including one- and two-family dwellings, duplexes, and townhomes. For additional information on residential sprinkler systems, please see here:https://statefiremarshal.delaware.gov /wp-content/uploads/sites /110/2017/07/Home_Sprinkler_Brochure.pdf

1040 A This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 1,000 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 800' on center.

1180 A This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.

1190 A Separate plan submittal is required for the building(s) proposed for this project.

2500 A A final inspection is required for this project prior to occupancy (DSFPR Part I, Section 4-7). Contact this Agency to schedule this inspection. Please have the plan review number available. A MINIMUM OF FIVE (5) WORKING DAYS NOTICE IS REQUIRED.

2710 A The following items will be field verified by this Agency at the time of final inspection:

1130 A Provide a water flow test on the subdivision hydrant(s) once they have been installed, and before they are placed into service (DSFPR Reg 701, Chap 4 and Reg 703, Chapter 3). Results are to be forwarded to this Agency for review.

1132 A Fire hydrants shall be color coded in accordance with the DSFPR, Reg 703, Chap 3. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.

1232 A All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located.DSFPR Reg 703, Chap 1

1233 A The fire department that responds to this location is using 5" storz fittings on the steamer.

1332 A The distance between a fire hydrant and the nearest edge of the street shall not be greater than ten feet (10') unless an alternate distance is approved by the State Fire Marshal. DSFPR Reg 705, Chap 6, Section 2.6

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

1198 A All standpipe and sprinkler connections shall be marked and identified in accordance with DSFPR Regulation 705, Chapter 6, Section 3.0). NOTE: No objects, stands, displays, or other impediments (such as parking) shall be located within the demarcationarea. This will be field verified at the final inspection. Noncompliance may cause a delay in approval for Certificate of Occupancy.

1199 A The fire department connection shall be located per the site plan as approved by this Agency. This will be field verified at the final inspection. Noncompliance may cause a delay in approval for Certificate of Occupancy.

1299 A The required Fire Lane Access and Perimeter Access and all fire lane markings shall be in accordance with the site plan as approved by this Agency. This will be field verified at the final inspection. Noncompliance may cause a delay in approval forCertificate of Occupancy.

1150 I A lock box containing keys for fire department access shall be provided for any occupancy greater than 10,000 aggregate gross sq.ft. that contains a fire alarm system that is monitored off site (DSFPR Part V, Section 1 2.6.a).

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

Sussex Conservation District

23818 Shortly Road
Georgetown, DE 19947
302-856-2105
www.sussexconservation.org

APPLICATION FOR STANDARD PLAN APPROVAL

NON-RESIDENTIAL CONSTRUCTION WITH LESS THAN 1.0 ACRE DISTURBED

Applicability Criteria

1. The disturbed area for construction of the improvements will not exceed 1.0 acre.
2. Within the disturbed area, the pre-development land use is not classified as forest.
3. For project site locations within an area previously managed for stormwater quantity and quality under an approved Sediment and Stormwater Plan, the post construction condition meets the original stormwater design criteria.
4. For project site locations within an area previously unmanaged for stormwater quantity and quality under an approved Sediment and Stormwater Plan, one of the following is met:
   a. Comparison of the existing parcel curved number (CN) based upon the Department's 2017 aerial photography to the proposed CN for the parcel after non-residential construction results in less than one whole number change in the CN, OR
   b. No new impervious area is proposed as a result of construction.

Site Information

Project Name: CAMERIA HOTEL – LOT B
Site Location: SOUTHEAST CORNER OF LEWIS WAY & HOOD ROAD
Previous Plan Name: CAMERIA HOTEL
Previous Plan Approval Number:
Tax Parcel ID: 334-12.00-127.13

Parcel Total Acres (nearest 0.1ac): 0.6
Disturbed Acres (nearest 0.1ac): 0.6
Proposed Impervious Area (square feet): 24,003 SF
Wooded area to be cleared: 0
Pre CN: 78 Post CN: 93

Applicant Information

Owner: DITKO PROPERTIES, LLC
Mailing Address: 1004 SOUTH STATE STREET, SUITE 1
DOVER, DE 19901
Owner Phone: 302-396-9645
Owner Email: douglasditty@hotmail.com

Applicant: DITKO PROPERTIES, LLC
Mailing Address: 1004 SOUTH STATE STREET, SUITE 1
DOVER, DE 19901
Applicant Phone: 302-396-9645
Applicant Email: douglasditty@hotmail.com

Approval Information (for office use only)

Approval #: 2024-436 Fee Paid: $ 1150.00
Approved by: [signature] Approval Date: 4/19/2024
Title: Program Manager Expiration Date: 4/19/2029

RECEIVED
FEB - 5 2024

Standard Conditions

1. Discharges from rooftops will be disconnected using one of the following methods or another method approved by the Department or Delegated Agency:
    a. Individual downspouts will discharge to lawn or landscape area.
    b. Discharges from downspouts will be collected to discharge to a rain garden.
    c. Discharges from downspouts will be collected in rain barrels or cisterns for reuse.
2. Driveways, sidewalks, patios, and other impervious surfaces will be graded to sheet flow to lawn or other pervious areas to the maximum extent practicable.
3. Unless waived in writing by the Department or Delegated Agency a construction site stormwater management plan in accordance with Department or Delegated Agency guidance for this Standard Plan shall be followed. The attached checklist has been developed to serve as guidance for preparing the construction site stormwater management plan.
4. Approval of this Standard Plan does not relieve the applicant from complying with any and all federal, state, county or municipal laws and regulations.

Stabilization Conditions

1. Following initial soil disturbance or redisturbance, temporary or permanent stabilization with seed and mulch shall be completed within 14 calendar days to the surface of all disturbed areas not actively under construction.
2. Specific stabilization recommendations may be found in the Delaware Erosion and Sediment Control Handbook, 3.4.3 Standard and Specifications for Vegetative Stabilization.

Applicant Certification

I, the undersigned, certify that the information supplied on this Application for Standard Plan Approval is accurate, the proposed land disturbing activity meets the criteria established, and all conditions of this Standard Plan Approval will be met by the applicant, builder, contractor, and owner during construction and post construction.

Applicant Signature: _____ Date: 8/16/23

Applicant Printed Name: Douglas Dilly Title: _____

THIS STANDARD PLAN APPLICATION FORM MUST BE MAINTAINED ON THE SITE AT ALL TIMES DURING CONSTRUCTION

23818 Shortly Road
Georgetown, DE 19947
302-856-2105
www.sussexconservation.org

Standard Plan for Non-Residential Construction <1.0 acre Disturbed
Plan Review Checklist

DATE RECEIVED: _____ **PROJECT NUMBER:** _____

PROJECT NAME: CAMBRIA HOTEL - LOT B

- ☑ Scale bar
- ☑ Legend
- ☑ Parcel information, including the following:
  - ☑ Site address or location
  - ☑ Tax parcel ID
  - ☑ Parcel size in acres
  - ☑ Wetland delineation line, if applicable
  - ☑ Floodplain line, if applicable
  - ☑ Tax ditch rights-of-way, if applicable - N/A
  - ☑ Building setback line, if applicable
  - ☑ Any other easements or rights-of-way, if applicable

- ☑ Project information, including the following:
  - ☑ Estimated disturbed area
  - ☑ Existing and proposed grading
  - ☑ Existing and proposed pervious and impervious area
  - ☑ Construction sequence, including notification, construction of perimeter controls, and vegetative stabilization.
  - ☑ Construction site stormwater BMP standard details, including construction site waste management and spill control and concrete washout
  - ☑ Vegetated stabilization requirements

- ☑ Owner contact information

- ☑ Signed owner certification as follows: "I, the undersigned, certify that all land clearing, construction and development shall be done pursuant to the approved standard plan and that responsible personnel (i.e., Blue Card Holder) involved in the land disturbance will have a Certification of Training prior to initiation of the project, at a DNREC sponsored or approved training course for the control of erosion and sediment during construction. In addition, I grant the DNREC Sediment and Stormwater Program and/or the relevant Delegated Agency the right to conduct on-site reviews."

Standard Plan for Non-Residential Construction <1.0 acre Disturbed

Plan Review Checklist

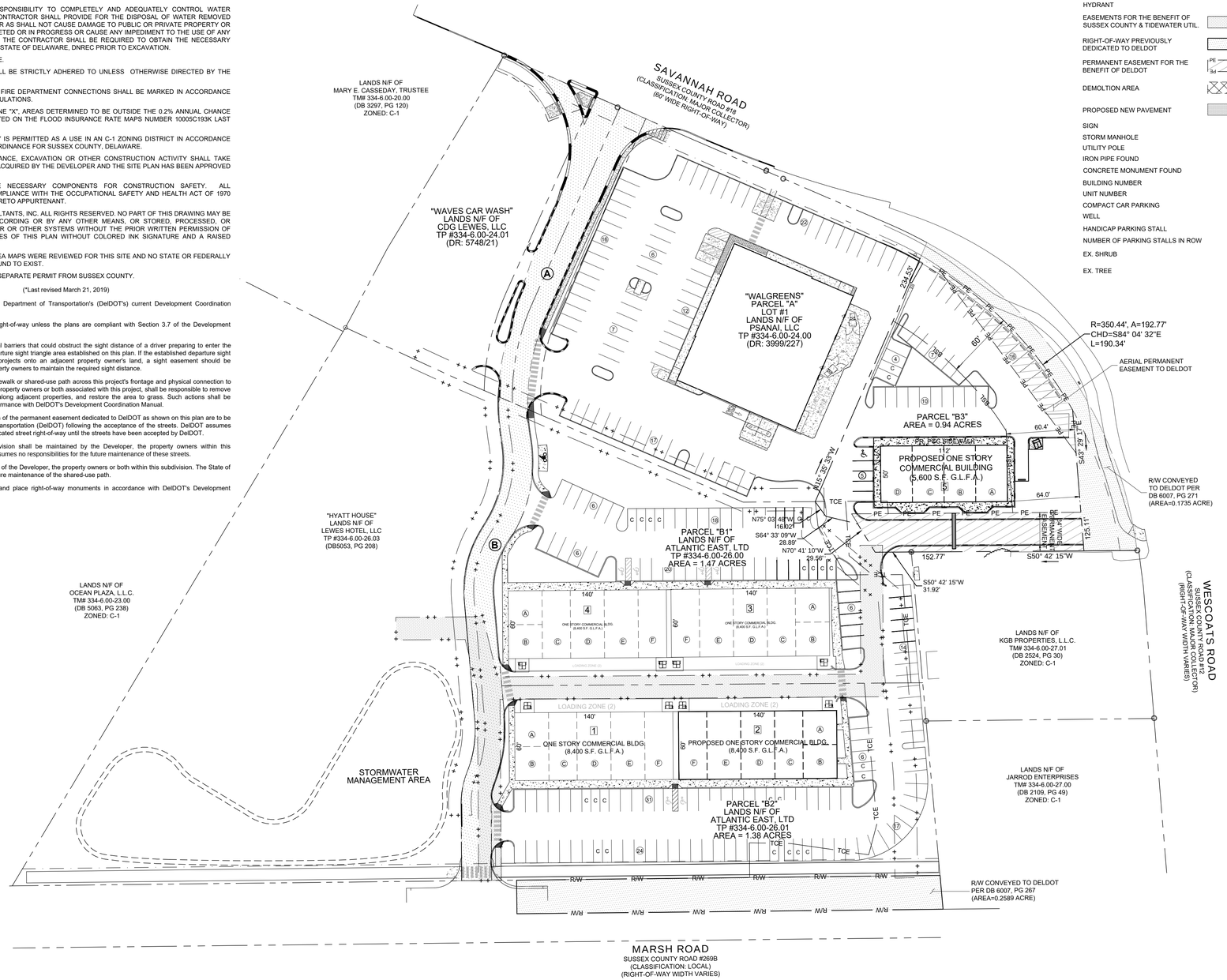
- ☑ General notes
  - ☑ The DNREC Sediment and Stormwater Program (or Delegated Agency) shall be notified in writing 5 days prior to commencing with construction. Failure to do so constitutes a violation of the approved Sediment and Stormwater Management Plan.
  - ☑ Review and/or approval of the Sediment and Stormwater Management Plan shall not relieve the contractor from his or her responsibilities for compliance with the requirements of the Delaware Sediment and Stormwater Regulations, nor shall it relieve the contractor from errors or omissions in the approved plan.
  - ☑ If the approved plan needs to be modified, additional sediment and stormwater control measures may be required as deemed necessary by DNREC or the Delegated Agency.
  - ☑ Following soil disturbance or redisturbance, permanent or temporary stabilization shall be completed for all perimeter sediment controls, soil stockpiles, and all other disturbed or graded areas on the project site within 14 calendar days unless more restrictive Federal requirements apply.
  - ☑ All erosion and sediment control practices shall comply with the Delaware Erosion and Sediment Control Handbook, latest edition.
  - ☑ At any time a dewatering operation is used, it shall be previously approved by the Agency Construction Site Reviewer for a non-erosive point of discharge, and a dewatering permit should be approved by the DNREC Well Permitting Branch.
  - ☑ Approval of a Sediment and Stormwater Management Plan does not grant or imply a right to discharge stormwater runoff. The owner/developer is responsible for acquiring any and all agreements, easements, etc., necessary to comply with State drainage and other applicable laws.
  - ☑ The contractor shall at all times protect against sediment or debris laden runoff or wind from leaving the site. Perimeter controls shall be checked daily and adjusted or repaired to fully contain and control sediment from leaving the site. Accumulated sediment shall be removed when it has reached half of the effective capacity of the control. In addition, the contractor may need to adjust or alter measures in times of adverse weather conditions, or as directed by the Agency Construction Site Reviewer.
  - ☑ Best available technology (BAT) shall be employed to manage turbid discharges in accordance with requirements of 7. Del C. Ch 60, Regulations Governing the Control of Water Pollution, Section 9.1.02, known as Special Conditions for Stormwater Discharges Associated with Construction Activities, and DNREC policies, procedures, and guidance.

GENERAL NOTES:

1. ALL CONSTRUCTION AND MATERIALS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STATE OF DELAWARE STATE HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS, DATED JUNE 2022 AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, DATED FEBRUARY 2019, AND ALL AMENDMENTS THERETO.
2. EXISTING UTILITIES, UNLESS OTHERWISE NOTED ON THE PLANS, 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.
3. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE. ANY AND ALL DAMAGES DONE TO EXISTING UTILITIES DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPETENTLY REPAIRED AT HIS/HER EXPENSE.
4. THE CONTRACTOR SHALL PRESERVE ALL TREES ON THE SITE EXCEPT WHERE NECESSARY TO CONSTRUCT PROPOSED BUILDINGS, UTILITIES, DRIVEWAYS, OR PARKING AREAS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LICENSING AND INSURANCE REQUIRED FOR CONSTRUCTION.
6. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO COMPLETELY AND ADEQUATELY CONTROL WATER PRESENT IN THE EXCAVATION. THE CONTRACTOR SHALL PROVIDE FOR THE DISPOSAL OF WATER REMOVED FROM EXCAVATIONS, IN SUCH A MANNER AS SHALL NOT CAUSE DAMAGE TO PUBLIC OR PRIVATE PROPERTY OR TO ANY PORTION OF THE WORK COMPLETED OR IN PROGRESS OR CAUSE ANY IMPEDIMENT TO THE USE OF ANY AREA BY THE PUBLIC, IF APPLICABLE. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN THE NECESSARY DEWATERING WELL PERMITS FROM THE STATE OF DELAWARE, DNREC PRIOR TO EXCAVATION.
7. NO DEBRIS WILL BE BURIED ON THIS SITE.
8. PLAN LOCATION AND DIMENSIONS SHALL BE STRICTLY ADHERED TO UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
9. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
10. THIS SITE IS LOCATED ENTIRELY IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD (100-YEAR FLOOD) AS DESIGNATED ON THE FLOOD INSURANCE RATE MAPS NUMBER 10005C193K LAST REVISED 16th MARCH 2015.
11. THE INTENDED USE OF THIS PROPERTY IS PERMITTED AS A USE IN AN C-1 ZONING DISTRICT IN ACCORDANCE WITH SECTION 115-22 OF THE ZONING ORDINANCE FOR SUSSEX COUNTY, DELAWARE.
12. NO SITE PREPARATION, SITE DISTURBANCE, EXCAVATION OR OTHER CONSTRUCTION ACTIVITY SHALL TAKE PLACE UNTIL ALL PERMITS HAVE BEEN ACQUIRED BY THE DEVELOPER AND THE SITE PLAN HAS BEEN APPROVED AND RECORDED, IF APPLICABLE.
13. 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.
14. COPYRIGHT © 2025 MERESTONE CONSULTANTS, INC. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED, OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF MERESTONE CONSULTANTS, INC. COPIES OF THIS PLAN WITHOUT COLORED INK SIGNATURE AND A RAISED IMPRESSION SEAL ARE NOT VALID.
15. THE STATE OF DELAWARE CRITICAL AREA MAPS WERE REVIEWED FOR THIS SITE AND NO STATE OR FEDERALLY REGULATED VETLAND AREAS WERE FOUND TO EXIST.
16. ALL PROPOSED SIGNS WILL REQUIRE A SEPARATE PERMIT FROM SUSSEX COUNTY.

GENERAL NOTES: Record Plan ("Last revised March 21, 2019)

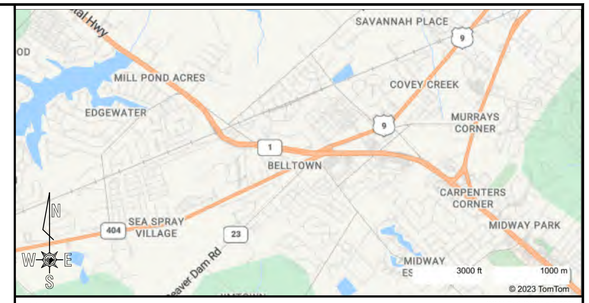
1. All entrances shall conform to the Delaware Department of Transportation's (DelDOT's) current Development Coordination Manual and shall be subject to its approval.
2. No landscaping shall be allowed within the right-of-way unless the plans are compliant with Section 3.7 of the Development Coordination Manual.
3. Shrubbery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited within the defined departure sight triangle area established on this plan. If the established departure sight triangle area is outside the right-of-way or projects onto an adjacent property owner's land, a sight easement should be established and recorded with all affected property owners to maintain the required sight distance.
4. 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.
5. Subdivision streets constructed within the limits of the permanent easement dedicated to DelDOT as shown on this plan are to be maintained by the Delaware Department of Transportation (DelDOT) following the acceptance of the streets. DelDOT assumes no maintenance responsibilities within the dedicated street right-of-way until the streets have been accepted by DelDOT.
6. 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.
7. 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.
6. The Developer shall be required to furnish and place right-of-way monuments in accordance with DelDOT's Development Coordination Manual.



LEGEND

	EXISTING	PROPOSED
PARCEL LINE		
BUILDING RESTRICTION LINE	BSL	BSL
PROPOSED R/W		R/W
SANITARY SEWER	SS — (S) MH	SS — (S) MH
WATER LINE	W — W.V.	W — W.V.
STORM SEWER	24"RCP	24"RCP — C.B.
ELECTRIC	E — U.P.	E — U.P.
CONTOUR	18	8
CURB		
HYDRANT		
EASEMENTS FOR THE BENEFIT OF SUSSEX COUNTY & TIDEWATER UTIL.		
RIGHT-OF-WAY PREVIOUSLY DEDICATED TO DELDOT	R/W	R/W
PERMANENT EASEMENT FOR THE BENEFIT OF DELDOT	PE 3d	PE 3d
DEMOLTION AREA		
PROPOSED NEW PAVEMENT		

SIGN	
STORM MANHOLE	D
UTILITY POLE	
IRON PIPE FOUND	
CONCRETE MONUMENT FOUND	
BUILDING NUMBER	1
UNIT NUMBER	A
COMPACT CAR PARKING	C
WELL	W
HANDICAP PARKING STALL	
NUMBER OF PARKING STALLS IN ROW	8
EX. SHRUB	
EX. TREE	



LOCATION MAP SCALE: 1 INCH = 3,000'

PLAN DATA:

PARCEL I.D. NO.	*	334-6.00-26.02
DEED REFERENCE	*	DB 1688, PG 1
PLAT REFERENCE	*	PB 139, PG 86
ZONING DISTRICT	*	C-1 (GENERAL COMMERCIAL)
SEWAGE DISPOSAL	*	SUSSEX COUNTY SEWERAGE IS SUBJECT TO APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	*	TIDEWATER UTILITIES, INC. WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
WATERSHED	*	CANARY CREEK - BROADKILL RIVER
OWNER & DEVELOPER	*	ATLANTIC EAST, LTD. C/O STEVE LOBO 6 PELICANS WAY SOUTH BETHANY BEACH, DE 19930 PHONE: 302-539-8350
LOCAL LAND USE AGENCY	*	SUSSEX COUNTY PLANNING AND ZONING
HORIZONTAL DATUM	*	NAD 1983 (NA 2011) EPOCH 2010
EXISTING USE	*	COMMERCIAL OFFICE & RETAIL
PROPOSED USE	*	COMMERCIAL OFFICE & RETAIL
NO. OF PARCELS	*	1 EXISTING, 1 PROPOSED
LOT AREA RATIONALE (PARCELS B1, B2 & B3)	*	PARCEL B1 AREA (AC.)= 1.47 PARCEL B2 AREA (AC.)= 1.38 PARCEL B3 AREA (AC.)= 1.12 GROSS AREA (AC.)= 3.97 DEL DOT DEDICATION AREA (AC.)= 0.18 NET DEVELOPMENT AREA= 3.79
HEIGHT, AREA & BULK TABLE	*	MAX. BUILDING HEIGHT (FT.)= 42 MINIMUM LOT SIZE (S.F.) = 10,000 MINIMUM LOT WIDTH (FT.) = 75 MINIMUM LOT DEPTH (FT.) = 100 MINIMUM FRONT YARD (FT.) = 60 MINIMUM SIDE YARD (FT.) = 5 MINIMUM REAR YARD (FT.) = 5
PARKING RATIONALE (PARCELS B1, B2 & B3)	*	RETAIL USE: 39,200 SF OF GLFA (29,400 SF (75%)) DEDICATED TO SALES @ 1 SPACE PER 200 SF + 50 EMPLOYEES @ 1 SPACE PER 2 EMPLOYEES TOTAL PARKING REQUIRED= 172 SPACES TOTAL PARKING PROVIDED= 190 SPACES COMPACT SPACES (8'x20') 25 SPACES (13%) PR. LOADING SPACE @ 1 PER 2,000 - 10,000 S.F. TOTAL LOADING SPACES REQUIRED= 6 SPACES TOTAL LOADING SPACES PROVIDED= 7 SPACES
FIRE MARSHAL NOTES	*	N.F.P.A BUILDING TYPE = TYPE-V (WOOD FRAME) FIRE SUPPRESSION = NO AUTOMATIC SPRINKLERS ARE PROPOSED MAX. BUILDING HEIGHT = H<35' A.) AN AUTOMATIC FIRE ALARM SYSTEM AND SIGNALING SYSTEM PLANS AND SPECIFICATIONS SHALL BE SUBMITTED FOR REVIEW PER DSFPR FIRE REGULATION 702, CHAPTER 6, SECTION 3 B.) A LOCK BOX IS REQUIRED, CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
SITE ADDRESS	*	33527 - 33529 CROSSING AVENUE, LEWES, DE 19958
FUTURE LAND USE DESIGNATION	*	COMMERCIAL
FEMA FLOODPLAIN REFERENCE	*	ZONE X (AREAS OF MINIMAL FLOOD HAZARD)
JURISDICTIONAL WETLANDS	*	NONE PER USFW NWI MAPS

SUPERSEDENCE NOTE:

THIS PLAN SUPERCEDES, IN PART, THE RECORD RESUBDIVISION PLAN FOR FIVE POINTS SQUARE AS RECORDED IN THE RECORDER OF DEEDS OFFICE, IN AND FOR, SUSSEX COUNTY, STATE OF DELAWARE IN PLAT BOOK 139, PAGE 86 BY THE FOLLOWING REVISIONS:
1) PARCEL B3 HAS BEEN REVISED TO SHOW A RIGHT-OF-WAY CONVEYANCE AND PERMANENT EASEMENTS TO DEL DOT PER DEED BOOK 6007, PAGE 271.
2) PARCEL B3 HAS BEEN REVISED TO REPLACE THE TWO COMMERCIAL BUILDINGS TOTALING 8,100 SQUARE FEET WITH ONE 5,600 SQUARE FOOT, COMMERCIAL BUILDING.

REVISED COMMERCIAL SITE PLAN

FOR PROPERTY KNOWN AS:

PARCEL B3 * FIVE POINTS SQUARE

ALSO KNOWN AS:

33527 & 33529 CROSSING AVENUE

SITUATE IN:

LEWES & REHOBOTH HUNDRED * SUSSEX COUNTY
STATE OF DELAWARE
TAX PARCEL #: 334-6.00-26.02
SCALE: 1"=50'

GRAPHIC SCALE
50 0 50 150
1 inch = 50 ft.

DEVELOPER'S CERTIFICATION

I, STEVE LOBO HEREBY CERTIFY THAT ATLANTIC EAST, LTD. IS THE LEGAL OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT ITS DIRECTION, THAT IT ACKNOWLEDGES THE SAME TO BE ITS ACT, AND DESIRES THE PLAN TO BE RECORDED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

STEVE LOBO DATE:
ATLANTIC EAST, LTD.
6 PELICANS WAY SOUTH
BETHANY BEACH, DE 19930
(302) 539-8350

ENGINEER'S CERTIFICATION

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

ROGER A. GROSS, P.E. 03/25/2025 9:31:07 AM
DATE:
MERESTONE CONSULTANTS, INC.
33516 CROSSING AVENUE, UNIT 1
FIVE POINTS SQUARE
LEWES, DELAWARE 19958
(302) 226-5880

DATE	REVISION	CHK'D
03/25/25	PER SUSSEX P & Z REVIEW	R.A.G.
03/20/25	PER SUSSEX P & Z REVIEW	R.A.G.

DRAWN BY: R.A.G. DATE: 10 MARCH 2025 SHEET#: SP-1

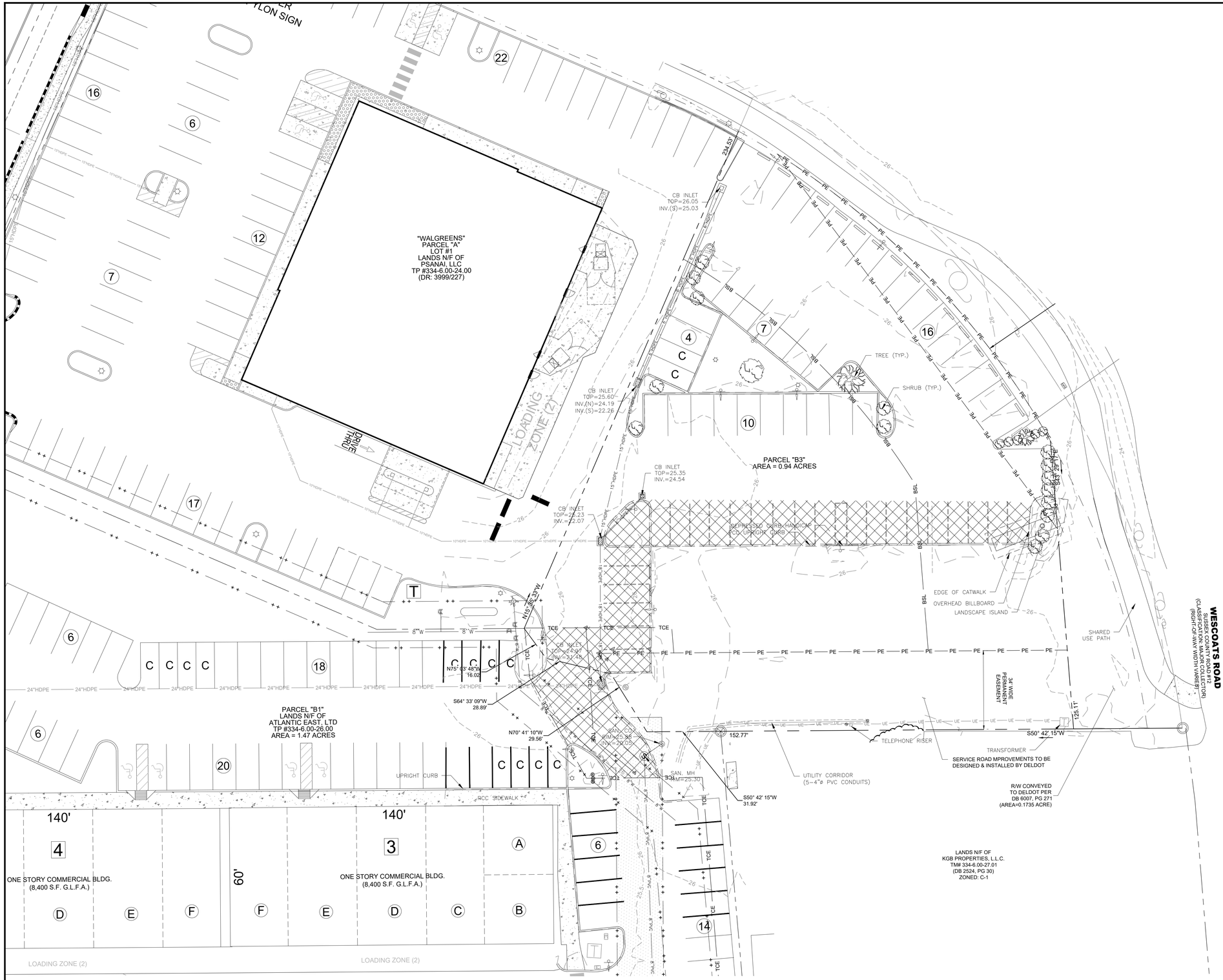
MERESTONE CONSULTANTS, INC.

5215 W. WOODMILL DRIVE
WILMINGTON, DE 19808
PHONE: 302-992-7900

33516 CROSSING AVENUE, UNIT #1
LEWES, DE 19958 PHONE:
302-226-5880

MERESTONE CONSULTANTS, INC.© 2025

PLAN #: 20364R-333872



LEGEND

	EXISTING	PROPOSED
PARCEL LINE		
BUILDING RESTRICTION LINE	BSL	BSL
PROPOSED R/W		R/W
SANITARY SEWER	SS — (S) MH	SS — (S) MH
WATER LINE	W — W.V.	W — W.V.
STORM SEWER	24"RCP	24"RCP — C.B.
ELECTRIC	E — U.P.	E — U.P.
CONTOUR	18	8
CURB		
HYDRANT		
EASEMENTS FOR THE BENEFIT OF SUSSEX COUNTY & TIDEWATER UTIL.		
RIGHT-OF-WAY PREVIOUSLY DEDICATED TO DELDOT	R/W	R/W
PERMANENT EASEMENT FOR THE BENEFIT OF DELDOT	PE 3d	PE 3d
DEMOLTION AREA		
PROPOSED NEW PAVEMENT		
SIGN		
STORM MANHOLE		
UTILITY POLE		
IRON PIPE FOUND		
CONCRETE MONUMENT FOUND		
BUILDING NUMBER		1
UNIT NUMBER		A
COMPACT CAR PARKING		C
WELL		W
HANDICAP PARKING STALL		
NUMBER OF PARKING STALLS IN ROW		8
EX. SHRUB		
EX. TREE		

EXISTING CONDITIONS PLAN

FOR PROPERTY KNOWN AS:

PARCEL "B"
FIVE POINTS SQUARE

PREPARED FOR:

ATLANTIC EAST, LTD.

SITUATE IN:

LEWES & REHOBOTH HUNDRED * SUSSEX COUNTY

STATE OF DELAWARE

TAX PARCEL #: 3-34-6.00-26.02

SCALE: 1" = 20'

GRAPHIC SCALE
20 0 20 60
1 inch = 20 ft.

APPROVED:

ROGER A. GROSS, P.E. — DATE: 03/25/2025 9:31:23 AM

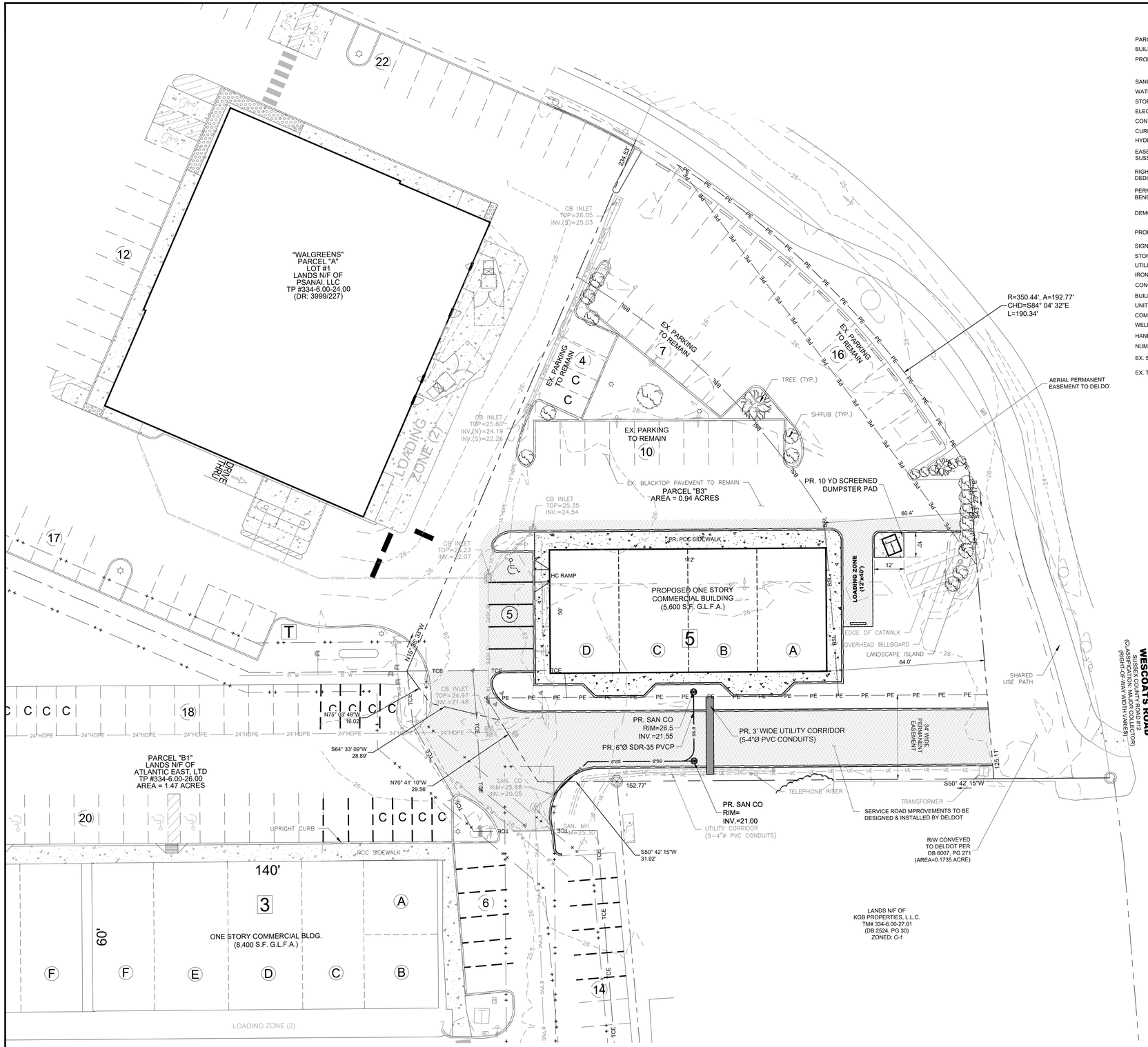
DATE	REVISION	CHKD.
03/20/25	PER SUSSEX P & Z REVIEW	R.A.G.

MERESTONE CONSULTANTS, INC.
ENGINEERS - PLANNERS - SURVEYORS
5215 W. WOODMILL DRIVE
WILMINGTON, DE 19808
PHONE: 302-992-7900
33516 CROSSING AVENUE, UNIT #1
LEWES, DE 19958 PHONE:
302-226-5880

DRAWN BY: R.A.G. | DATE: 10 MARCH 2025 | SHEET#: SP-2

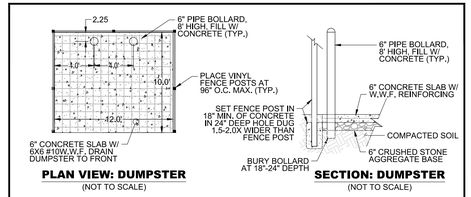
PLAN #: 20364R-333872

MERESTONE CONSULTANTS, INC.© 2025



LEGEND

PARCEL LINE	
BUILDING RESTRICTION LINE	BSL BSL
PROPOSED R/W	R/W
	EXISTING / PROPOSED
SANITARY SEWER	SS — (S) MH / SS — (S) MH
WATER LINE	W — W.V. / W — W.V.
STORM SEWER	24"RCP / 24"RCP — C.B.
ELECTRIC	E — U.P. / E — U.P.
CONTOUR	18 / 8
CURB	
HYDRANT	
EASEMENTS FOR THE BENEFIT OF SUSSEX COUNTY & TIDEWATER UTIL.	
RIGHT-OF-WAY PREVIOUSLY DEDICATED TO DELDOT	R/W R/W / M/M M/M
PERMANENT EASEMENT FOR THE BENEFIT OF DELDOT	PE 3d
DEMOLTION AREA	
PROPOSED NEW PAVEMENT	
SIGN	
STORM MANHOLE	
UTILITY POLE	
IRON PIPE FOUND	
CONCRETE MONUMENT FOUND	
BUILDING NUMBER	1
UNIT NUMBER	A
COMPACT CAR PARKING	C
WELL	W
HANDICAP PARKING STALL	
NUMBER OF PARKING STALLS IN ROW	8
EX. SHRUB	
EX. TREE	

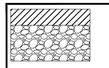


PLAN VIEW: DUMPSTER (NOT TO SCALE)

SECTION: DUMPSTER (NOT TO SCALE)

DETAIL: SCREENED DUMPSTER PAD

(SIZED FOR A 10 YARD DUMPSTER)
(NOT TO SCALE)



2" WARM MIX, HOT LAID, BITUMINOUS CONCRETE TYPE "C"

6" GRADED AGGREGATE BASE COURSE (ONE LIFT)

NOTE: SUBGRADE SHALL BE PREPARED IN ACCORDANCE TO DEL. D.O.T. STANDARD SPECIFICATIONS.

MINIMUM INTERNAL PAVEMENT SECTION DETAIL

(NOT TO SCALE)

Approved Trip Generation*

Use	Office		Strip Retail		Car Wash (2 tunnels)		Pharmacy		Hotel		Totals	
ITE Code#	710		822		948		881		311		N/A	
GLFS (SF)	20,850		20,850		3,629		14,820		96 Units		N/A	
Site ADT	297		1,110		1,550		1,606		422		4,986	
Enter/Exit	149	149	555	555	775	775	803	803	211	211	2,493	2,493
AM Peak	43		47		155		55		33		333	
Enter/Exit	38	5	28	19	78	78	29	26	17	16	190	143
PM Peak	45		131		155		152		31		514	
Enter/Exit	8	37	66	66	78	78	76	76	15	16	242	272

* Per ITE Trip Generation Manual, 11th Edition

Proposed Trip Generation*

Use	Office		Strip Retail		Car Wash (2 tunnels)		Pharmacy		Hotel		Totals		CHANGE	
ITE Code#	710		822		948		881		311		N/A		N/A	
GLFS (SF)	19,600		19,600		3,629		14,820		96 Units		N/A		N/A	
Site ADT	281		1,057		1,550		1,606		422		4,917		-69	
Enter/Exit	141	141	529	529	775	775	803	803	211	211	2,458	2,458	-35	-35
AM Peak	42		45		155		55		36		333		0	
Enter/Exit	37	5	27	18	78	78	29	26	19	17	189	144	-1	+1
PM Peak	43		126		155		152		36		512		-2	
Enter/Exit	7	36	63	63	78	78	76	76	18	18	241	271	-0	-2

* Per ITE Trip Generation Manual, 11th Edition

APPROVED:

ROGER A. GROSS, P.E.

03/25/2025
9:31:30 AM
DATE:

REVISED COMMERCIAL SITE PLAN

FOR PROPERTY KNOWN AS:

PARCEL "B"
FIVE POINTS SQUARE

PREPARED FOR:
ATLANTIC EAST, LTD.

SITUATE IN:
LEWES & REHOBOTH HUNDRED * SUSSEX COUNTY
STATE OF DELAWARE

TAX PARCEL #: 3-34-6.00-26.02
SCALE: 1" = 20'

GRAPHIC SCALE
20 0 20 60
1 inch = 20 ft.

DATE	REVISION	CHKD.
01/11/10	PER SUSSEX P & Z REVIEW	R.A.G.

MERESTONE CONSULTANTS, INC.
ENGINEERS - PLANNERS - SURVEYORS
5215 W. WOODMILL DRIVE
WILMINGTON, DE 19808
PHONE: 302-992-7900
33516 CROSSING AVENUE, UNIT #1
LEWES, DE 19958 PHONE:
302-226-5880

DRAWN BY: R.A.G. | DATE: 10 MARCH 2025 | SHEET#: SP-3

PLAN #: 20364R-333872

MERESTONE CONSULTANTS, INC.© 2025

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIR
J. BRUCE MEARS
GREGORY SCOTT COLLINS
BRIAN BUTLER



Sussex County

DELAWARE
SUSSEXCOUNTYDE.GOV
302-855-7878

JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING AND ZONING

March 18, 2025

Roger A. Gross, P.E.
Merestone Consultants, Inc.
33516 Crossing Avenue, Unit 1
Five Points Square
Lewes, DE 19958

By email to: roger.gross@merestoneconsultants.com

RE: Staff Review of the Revised Site Plan for Five Points Square (S-24-76) for the construction of a 1-story 5,600 square foot building for Commercial Office and Retail use and other site improvements and accessed on the north side of Marsh Road (S.C.R. 276) and the south side of Savannah Road (Rt. 9) through the private roads Five Points Square and Crossing Avenue
Tax Parcel: 334-6.00-26.02

Dear Roger A. Gross,

Further to your submission of March 10, 2024, the Planning and Zoning Department has reviewed the submitted Revised Final Site Plan for Five Points Square (S-24-43) for the proposed structure and other site improvements. The parcel is located on the north side of Marsh Road and the south side of Savannah Road and is zoned General Commercial (C-1) District. Staff have reviewed the submitted plan for compliance with the Sussex County Zoning Code and have the following comments:

Preliminary Site Plan

1. Please include the parcels Future Land Use Map designation in the Site Data Column.
2. Please include the Net Development area in the Site Data Column. The Net Development Area shall refer to the total area of land available for development and shall not include open space, drainage land, regional roads, and land use for other public facilities (§ 115-220B (6)).
3. Please include the location of all wetlands on the Site Plan (§ 115-220B (13)) & (§ 115-221B (14)).
4. Please include the location of one-hundred floodplains, based on current Flood Insurance Rate Maps, on the Site Plan (§ 115-220B (14)).
5. Please include the nature of any proposed lighting on the Plan (§ 115-221B (5)).
6. Please indicate with parking spaces are to be added and which are existing.
7. Please include the location of loading spaces for the proposed building on the Site Plan. (§ 115-221B (5)).
8. Please include a landscaping plan including any proposed fencing, walls, and/or screen planting (§ 115-221B (9)).
9. Staff note that location and orientation of proposed sign is included on plan. Please include character, size, and height of proposed sign.

10. All proposed signage to require a separate permit from Sussex County. Please include a General Note on the Plans clarifying this.
11. Please include the location of the dumpster and the nature of dumpster screening on the Plan.
12. The plan resubmittal fee for this Site Plan is $300.00 and should be made payable to Sussex County.
13. Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office:
    a. **State Fire Marshal**
    b. **DelDOT**
    c. **Sussex Conservation District**

Please provide **one (1) full-size copy** and **one (1) electronic copy** of a Revised Preliminary Site Plan if you wish your application to be considered at the nearest possible Planning and Zoning Commission meeting.

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

Sincerely,

Ann Lepore

Ann Lepore
Planner I

MERESTONE
Consultants, Inc.

Civil Engineers - Land Surveyors - Site Planners

24 March 2025

Ann Lepore, Planner I
Sussex County
Department of Planning & Zoning
2 The Circle, P.O. Box 417
Georgetown, DE 19947

Via email: *ann.lepore@sussexcountyde.gov*

Re: Parcel B3, Five Points Square
P & Z Staff Review (Application #S-24-43)

Dear Ms. Lepore:

Enclosed for your review and approval of the above-mentioned project, please find revised site plans as per your review, dated March 18, 2025. The Owner/Developer has decided to develop Parcel B3 in accordance with the latest recorded plan for Five Points Square (PB 139, PG 86). The recorded plan shows two (2) buildings with a total GFA of 8,100 square feet. Due to a dedication of 0.2 acres to Del DOT for Wescoates Road improvements, the new plan has a reduction to 5,600 square feet of GFA. The required parking will be met by the existing parking to remain.
The following items have been addressed.

1. **Comment addressed; future land use designation is noted in the plan data.**
2. **Comment addressed; the net development area for Parcels B1, B2 & B3 are noted in the plan data.**
3. **Comment addressed; In accordance with the USFW, NWI Maps there are no jurisdictional wetlands on this site and has been noted in the plan data.**
4. **Comment addressed; there are no 100-year floodplains located on this site and has been noted in the plan data.**
5. **Comment addressed; site lighting exists within the center island and is now shown darker for clarity purposes.**
6. **Comment addressed; existing parking to remain has been labeled.**
7. **Comment addressed; a loading space for this parcel has been added to the plan.**
8. **Comment addressed; the parking lot islands have already been landscaped by the owner and are now shown on the plan. No additional landscaping is proposed.**
9. **Comment addressed; signs will be wall signs located on the front facing walls of the units, similar to the existing buildings.**
10. **Comment addressed: note 16 has been added to the general notes.**
11. **Comment addressed; dumpster pad location has been added to the plan and a screened dumpster pad detail is shown on sheet SP-3.**
12. **Comment addressed; a $300 review fee has been included with this submission.**
13. **Comment acknowledged.**

If any additional information is required for this review, please reach out at your earliest convenience. Thanks for your time and consideration regarding this matter.

Sincerely,

Roger A. Gross, P.E.

Digitally signed by Roger A. Gross, P.E.
DN: C=US, E=roger.gross@merestoneconsultants.com, O="Merestone Consultants, Inc.", CN="Roger A. Gross, P.E."
Date: 2025.03.24 15:39:07-04'00'

Roger A. Gross, P.E.
Merestone Consultants, Inc.

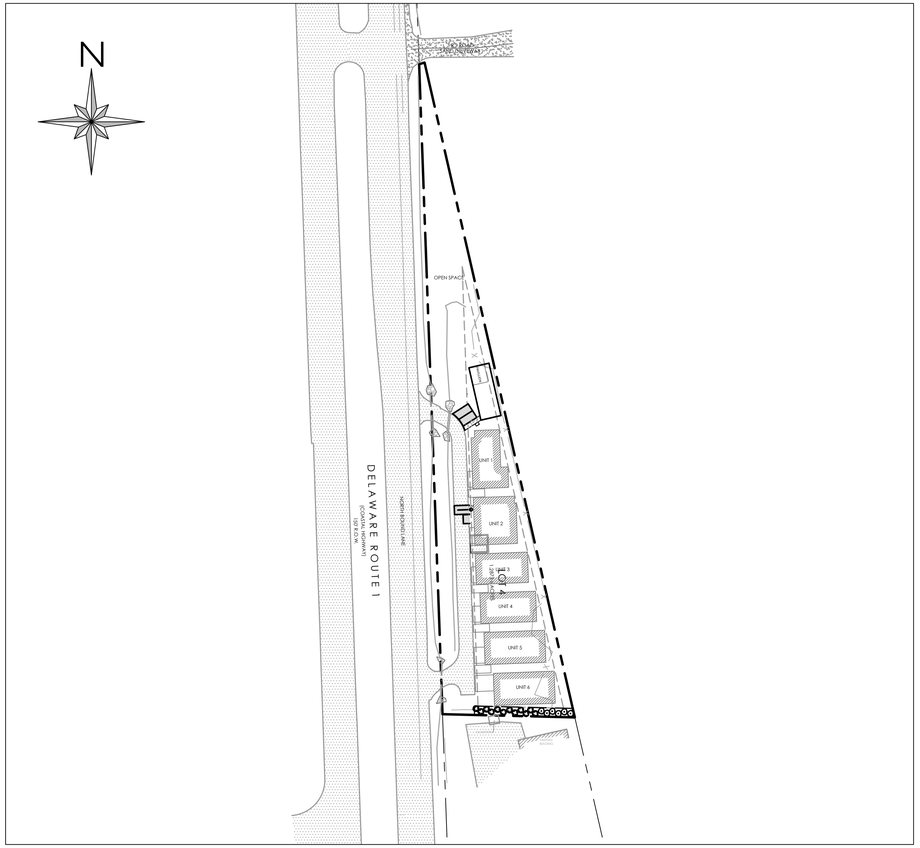
cc: Client, file

CONDITIONAL USE PLAN
FOR
SUNRISE CONDOMINIUMS

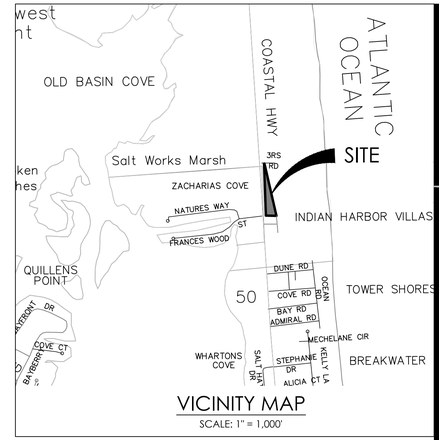
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
SETBACK LINE		
R.O.W. LINE		
IRON PIPE FOUND	IPF	
CONCRETE MONUMENT FOUND	CMF	
BENCH MARK	BM	
SPOT ELEV. LABEL	+ 19.25	
MAJOR CONTOUR		
MINOR CONTOUR		
ROAD CENTERLINE		
PAINT STRIPE		
CURB		
PAVEMENT		
CLAM SHELL PARKING		
BUILDING OUTLINE		
BUILDING HATCH		
SIDEWALK		
FENCE LINE	x	
SIGN		
SOIL BORING		
STORM PIPE		
CENTERLINE OF DITCH		
RIP RAP		
SANITARY MANHOLE	S	
SANITARY CLEANOUT	C/O	
SANITARY PIPE	SS	
WATER MANHOLE	W	
WATER VALVE	WV	
WATER PIPE	W	
FIRE HYDRANT		
UTILITY POLE		
ELECTRIC MANHOLE	E	
ELECTRIC METER	EM	
GUY WIRE		
TELEPHONE PEDESTAL	T	



SITE
SCALE: 1" = 80'



VICINITY MAP
SCALE: 1" = 1,000'

SITE DATA:

OWNER: PIOS BETHANY LOTS, LP
50 APPLIED CARD WAY
GLEN MILLS, PA 19342

DEVELOPER: BETHANY COURT VENTURES, LLC
102 ANCHORAGE DRIVE
BETHANY BEACH, DE 19930
CONTACT: BEVAN CONNELL

- ENGINEER: SOLUTIONS IPEM, LLC
303 NORTH BEDFORD STREET
GEORGETOWN, DE 19947
302.297.9215
CONTACT: JASON PALKEWICZ, PE
- TAX MAP 134-5.00-4.00
- DEED REFERENCE: 3580/235
- EXISTING ZONING: MR (COASTAL AREA)
- PROPOSED ZONING: MR W/ CONDITIONAL USE
PROPERTY SETBACKS:
FRONT YARD = 40'
REAR YARD = 10'
SIDE YARD = 10'
MAXIMUM BUILDING HEIGHT: 42'
- TOTAL AREA = 1.2873 AC.±
TOTAL NUMBER OF UNITS = 6 UNITS
DENSITY = 6/1.2873 = 4.66 UNITS PER ACRE
PREVIOUSLY APPROVED PER ORD. 1864
- BOUNDARY AND TOPOGRAPHY AS SHOWN HEREON ARE AS PROVIDED BY SOLUTIONS IPEM LLC
- FLOOD ZONE:
PROPERTY IS LOCATED IN ZONE AE, EL 6 - SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATION DETERMINED PER FIRM MAP NUMBER 10005C0508K, MAP REVISED MARCH 16, 2015.
- WATER SUPPLY:
SUSSEX SHORES
- SANITARY SEWER:
SUSSEX COUNTY
- ONE CONSTRUCTION PHASE IS ANTICIPATED
- THE PROPERTY IS NOT LOCATED WITHIN A WELL HEAD PROTECTION AREA
- THE PROPERTY IS LOCATED WITHIN GOOD GROUNDWATER RECHARGE AREA.
- PARKING:
REQUIRED = 2 x 6 = 12
PROVIDED: 21 HEAD-IN SPACES
12 INTERNAL GARAGES
2 OVERFLOW
2 DRIVEWAY (UNIT 6)
5 CLAM SHELL (UNITS 1-5)
- WOODS
EXISTING WOODS = 0.00 AC.±
- STATE AND NON-TIDAL WETLANDS = 0.00 AC±
- OPEN SPACE = 0.37AC.± (28.7%)

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JASON PALKEWICZ — 24077 — PROFESSIONAL ENGINEER — 07/08/24

REVISIONS

NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE COVER SHEET
for
SUNRISE CONDOMINIUMS
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	AS NOTES
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 1

File Name: 23055-conditional-cover

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

Sussex County
DELAWARE
sussexcountyde.gov

June 21st, 2024

Bethany Court Ventures, LLC
Attn: Bevan Connell
102 Anchorage Drive
Bethany Beach, DE 19930

By email to: tntrombetti@gmail.com

RE: Notice of Decision Letter for Conditional Use C/U 2497 Sunrise Condos, filed by Bethany Court Ventures, LLC to allow for multifamily dwellings (6 Units) to be located on a Parcel lying on the east side of Coastal Highway (Rt. 1), approximately 0.19 mile north of the intersection of Coastal Highway (Rt. 1) and Indian Harbor Villas Drive and consisting of a total of 1.28 acres +/-.
Tax Parcel: 134-5.00-4.00

Mr. Connell:

At their meeting of **Tuesday, June 11th, 2024**, the Sussex County Council **approved the Conditional Use (C/U 2497)** Application for multifamily dwellings (6 Units) that has been filed by Bethany Court Ventures, LLC. The Conditional Use shall be substantially underway within three (3) years of the County Council approval otherwise the Conditional Use shall expire. A Site Plan showing the conditions of approval shall be reviewed and approved by the Planning Commission prior to commencement of the use on the parcel. This approval is subject to twelve (12) conditions, and they are as follows:

a. The maximum number of residential units shall be six.
b. The developer and then the condominium association shall be responsible for the perpetual maintenance of the project's stormwater management facilities, erosion and sedimentation control facilities, roadways, and other common areas.
c. All entrance, intersection, roadway, and multi-modal improvements shall be completed by the developer as required by DelDOT.
d. The trash receptacles shall be standard roll-out residential containers assigned to the six units. They shall be stored in an enclosed area on the area of this site where the building is located. No dumpster shall be permitted.
e. The project shall be served by Sussex County sewer. The developer shall comply with all Sussex County Engineering Department requirements including any offsite upgrades necessary to provide service to the project.
f. The project shall be served by central water to provide drinking water and fire protection.
g. Construction activities, including site work and deliveries, shall only occur between 8:00 a.m. and 5:30 p.m. Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on Saturdays. There shall be no construction activities at the site on Sundays. A twenty-four inch by thirty-six inch "NOTICE" sign in English and Spanish confirming these hours shall be prominently displayed at all entrances to the site during construction.

h. The Final Site Plan shall contain the approval of the Sussex County Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities. The system shall be designed and maintained using best management practices.
i. The Final Site Plan shall include a Grading Plan for the site. No building permits shall be issued until an individual lot grading plan has been supplied to and approved by Sussex County. No certificate of occupancy shall be issued until a grading certificate is submitted to the Building Code Department demonstrating general conformity with the individual site grading plan.
j. A 10-foot-wide landscaped buffer shall be installed along the southern boundary of this property as depicted on the Preliminary Site Plan. A landscape plan showing the landscape throughout this project and including this buffer area shall be included as part of the Final Site Plan.
k. A construction fence shall be erected that is high enough to act as a sufficient barrier against blown or discarded construction materials and debris scattering across or impacting the adjacent beach, State land, Coastal Highway or other adjacent properties. In addition, all construction dumpsters shall be covered when not actively in use.
l. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

The Final Site Plan shall be prepared by a licensed Delaware Surveyor or Engineer and shall contain the Conditions of Approval on the Plan. The Final Site Plan shall be approved prior to the commencement of the use on the property. The Site Plan shall be reviewed and approved by the Planning Commission. Agency approvals include but are not limited to: the Delaware Department of Transportation (DelDOT), Sussex Conservation District, and the Office of the State Fire Marshal.

Please submit a minimum of two (2) full size paper copies and an electronic copy (PDF) of the Preliminary Site Plan to the Planning and Zoning Office for review.

An approved copy of the Ordinance granting approval of the Conditional Use will be sent to you from the Clerk of Council.

Please feel free to contact the Planning and Zoning Department with any questions during business hours 8:30 a.m. to 4:30 p.m., Monday through Friday, at (302)-855-7878.

Sincerely,

Mr. Michael Lowrey
Planner III

CC: Mr. Mark A. Rogers, Sussex County Chief Constable – Assessment/Constable's Office

Mr. Andy Wright, Chief of Building Code – Sussex County Building Code
Mr. John Ashman, Director of Utility Planning & Design – Engineering
Ms. Jennifer Norwood, Manager - Planning & Zoning
Ms. Lisa M. Walls, Engineering Project Coordinator Engineering – Public Works
Mr. James A. Fuqua, Jr. Esq., Applicant's Representative – Fuqua, Willard, & Schab PA

COUNTY ADMINISITRATIVE OFFICES
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JASON PALKEWICZ
DELAWARE
11/3/2023
PROFESSIONAL ENGINEER

REVISIONS

NO.	DATE	DESCRIPTION
1	7/18/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE - CONDITIONS OF APPROVAL

for

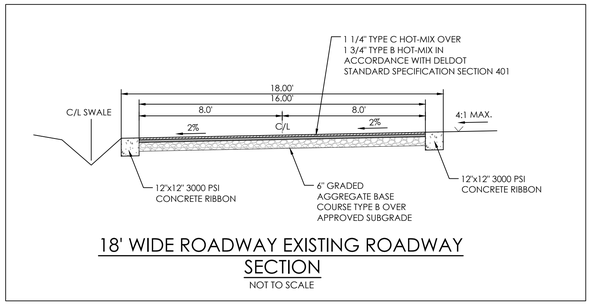
SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date: 11/3/23
Job Number: G23055
Scale: AS NOTES
Drawn By: ML
Designed By: JP
Approved By: JP

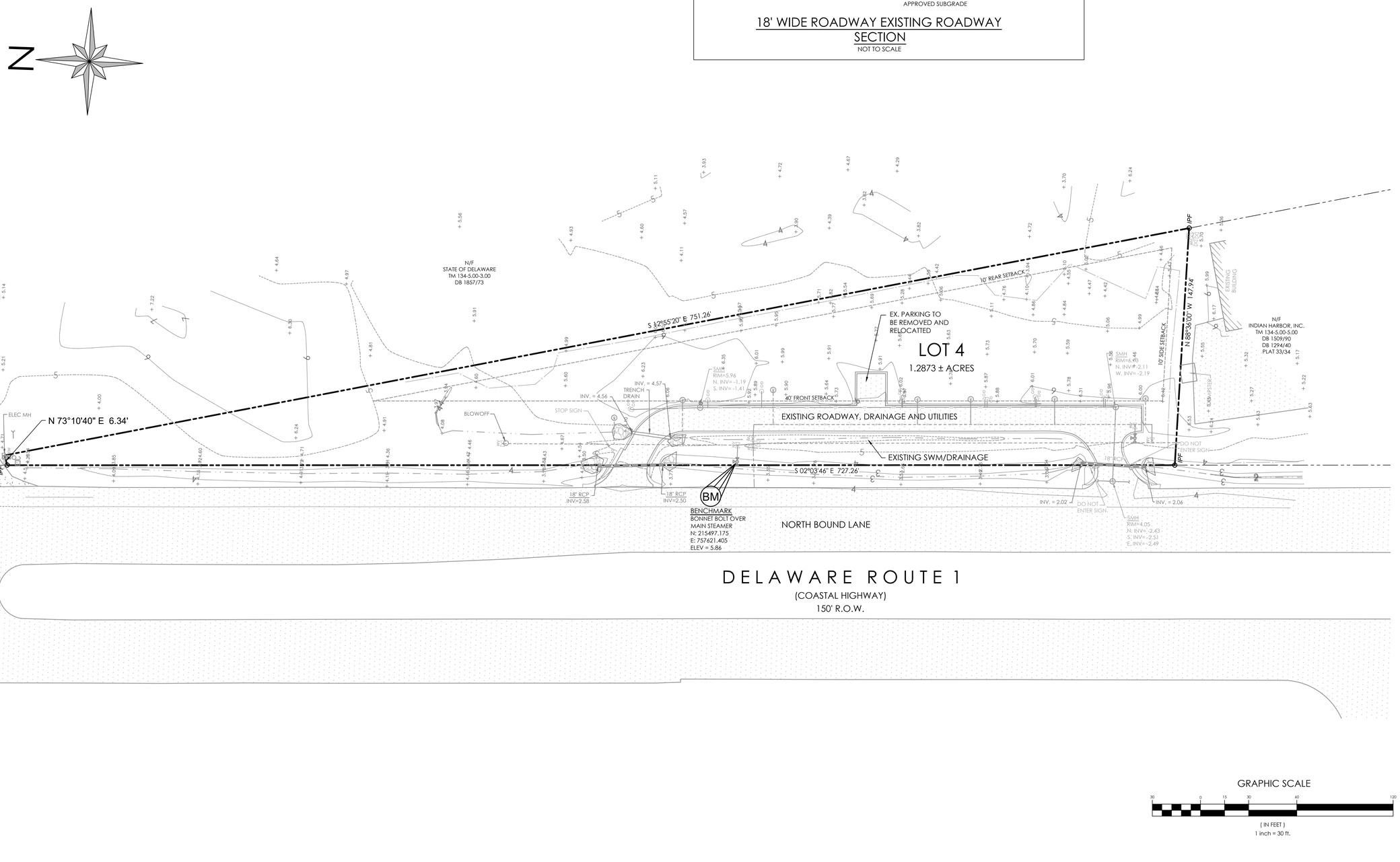
Sheet No.: 2

File Name: 23055-conditional-cover



18' WIDE ROADWAY EXISTING ROADWAY SECTION

NOT TO SCALE



GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

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DELAWARE
No. 17209
PROFESSIONAL ENGINEER
07/08/24

REVISIONS		
NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE EXISTING CONDITIONS

for

SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

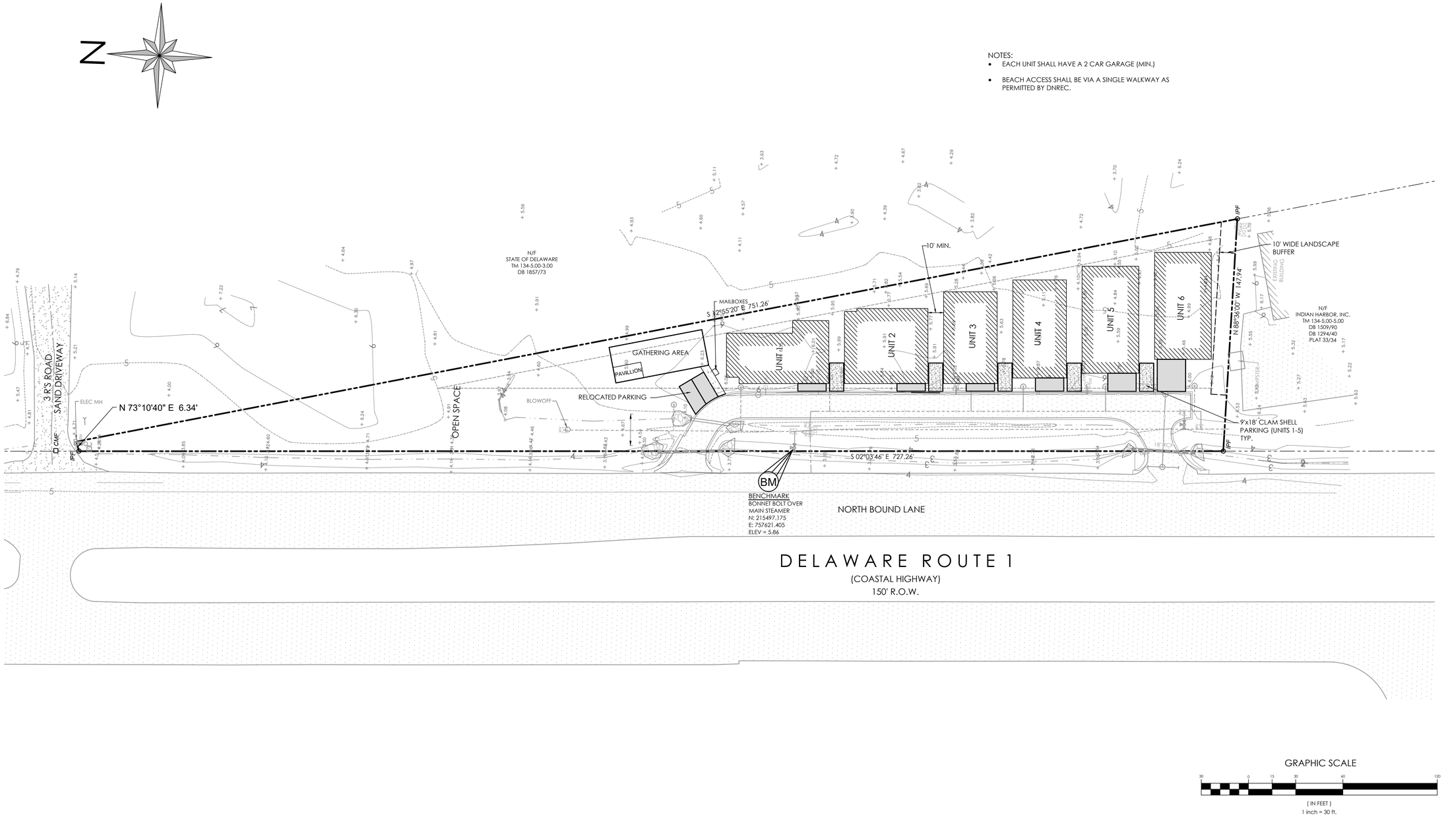
Date: 11/3/23
Job Number: G23055
Scale: 1"=30'
Drawn By: ML
Designed By: JP
Approved By: JP

Sheet No.: 3

File Name: 23055-conditional-existing

NOTES:

- EACH UNIT SHALL HAVE A 2 CAR GARAGE (MIN.)
- BEACH ACCESS SHALL BE VIA A SINGLE WALKWAY AS PERMITTED BY DNREC.



GRAPHIC SCALE

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(IN FEET)
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JASON PALKEWICZ — 10794 — DELAWARE — PROFESSIONAL ENGINEER — 09/06/24

NO.	DATE	REVISIONS DESCRIPTION
1	7/18/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE SITE PLAN

for

SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	1"=30'
Drawn By:	MIL
Designed By:	JP
Approved By:	JP

Sheet No.: 4

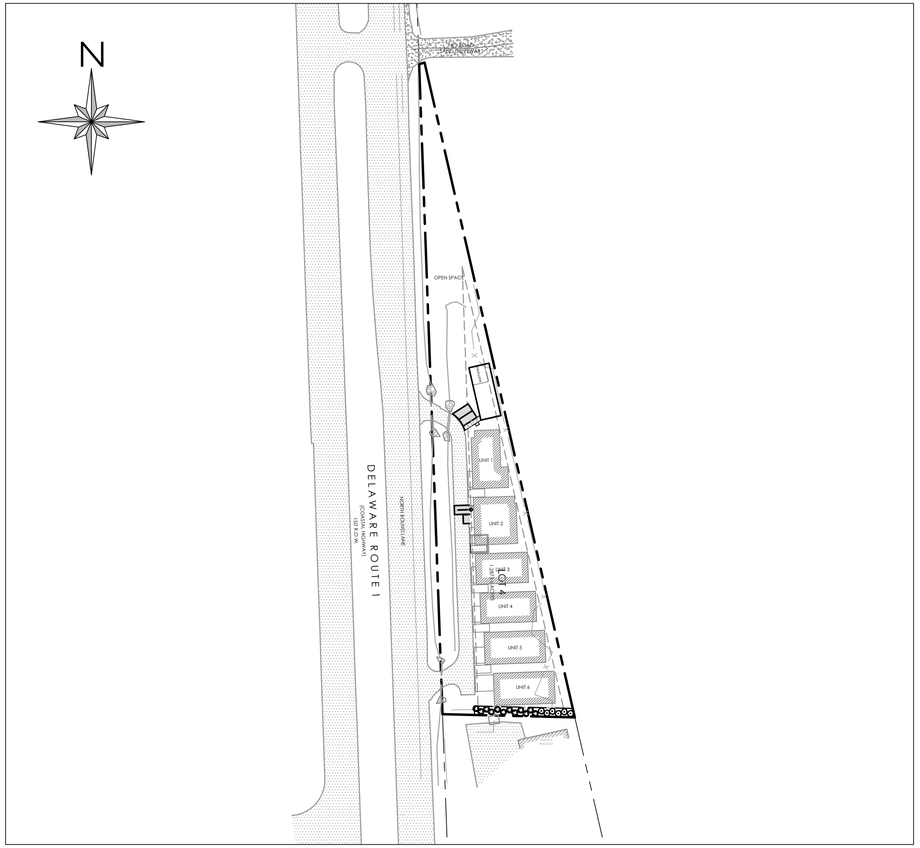
File Name: 23055-conditional-site

CONDITIONAL USE PLAN
FOR
SUNRISE CONDOMINIUMS

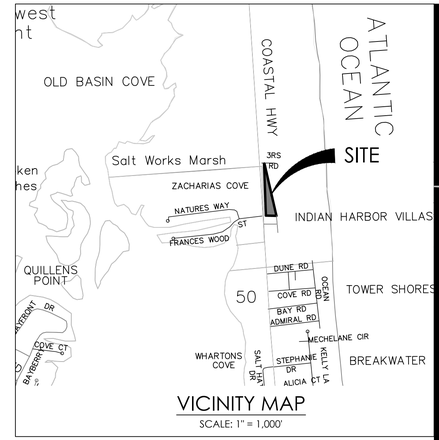
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
SETBACK LINE		
R.O.W. LINE		
IRON PIPE FOUND	IPF	
CONCRETE MONUMENT FOUND	CMF	
BENCH MARK	BM	
SPOT ELEV. LABEL	+ 19.25	
MAJOR CONTOUR		
MINOR CONTOUR		
ROAD CENTERLINE		
PAINT STRIPE		
CURB		
PAVEMENT		
CLAM SHELL PARKING		
BUILDING OUTLINE		
BUILDING HATCH		
SIDEWALK		
FENCE LINE	x	
SIGN		
SOIL BORING		
STORM PIPE		
CENTERLINE OF DITCH		
RIP RAP		
SANITARY MANHOLE	S	
SANITARY CLEANOUT	C/O	
SANITARY PIPE	SS	
WATER MANHOLE	W	
WATER VALVE	WV	
WATER PIPE	W	
FIRE HYDRANT		
UTILITY POLE		
ELECTRIC MANHOLE	E	
ELECTRIC METER	EM	
GUY WIRE		
TELEPHONE PEDESTAL	T	



SITE
SCALE: 1" = 80'



VICINITY MAP
SCALE: 1" = 1,000'

SITE DATA:

OWNER: PIOS BETHANY LOTS, LP
50 APPLIED CARD WAY
GLEN MILLS, PA 19342

DEVELOPER: BETHANY COURT VENTURES, LLC
102 ANCHORAGE DRIVE
BETHANY BEACH, DE 19930
CONTACT: BEVAN CONNELL

- ENGINEER: SOLUTIONS IPEM, LLC
303 NORTH BEDFORD STREET
GEORGETOWN, DE 19947
302.297.9215
CONTACT: JASON PALKEWICZ, PE
- TAX MAP 134-5.00-4.00
- DEED REFERENCE: 3580/235
- EXISTING ZONING: MR (COASTAL AREA)
- PROPOSED ZONING: MR W/ CONDITIONAL USE
PROPERTY SETBACKS:
FRONT YARD = 40'
REAR YARD = 10'
SIDE YARD = 10'
MAXIMUM BUILDING HEIGHT: 42'
- TOTAL AREA = 1.2873 AC.±
TOTAL NUMBER OF UNITS = 6 UNITS
DENSITY = 6/1.2873 = 4.66 UNITS PER ACRE
PREVIOUSLY APPROVED PER ORD. 1864
- BOUNDARY AND TOPOGRAPHY AS SHOWN HEREON ARE AS PROVIDED BY SOLUTIONS IPEM LLC
- FLOOD ZONE:
PROPERTY IS LOCATED IN ZONE AE, EL 6 - SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATION DETERMINED PER FIRM MAP NUMBER 10005C0508K, MAP REVISED MARCH 16, 2015.
- WATER SUPPLY:
SUSSEX SHORES
- SANITARY SEWER:
SUSSEX COUNTY
- ONE CONSTRUCTION PHASE IS ANTICIPATED
- THE PROPERTY IS NOT LOCATED WITHIN A WELL HEAD PROTECTION AREA
- THE PROPERTY IS LOCATED WITHIN GOOD GROUNDWATER RECHARGE AREA.
- PARKING:
REQUIRED = 2 x 6 = 12
PROVIDED: 21 HEAD-IN SPACES
12 INTERNAL GARAGES
2 OVERFLOW
2 DRIVEWAY (UNIT 6)
5 CLAM SHELL (UNITS 1-5)
- WOODS
EXISTING WOODS = 0.00 AC.±
- STATE AND NON-TIDAL WETLANDS = 0.00 AC±
- OPEN SPACE = 0.37AC.± (28.7%)

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REVISIONS

NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE COVER SHEET
for
SUNRISE CONDOMINIUMS
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date: 11/3/23
Job Number: G23055
Scale: AS NOTES
Drawn By: ML
Designed By: JP
Approved By: JP

Sheet No.: 1

File Name: 23055-conditional-cover

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

Sussex County
DELAWARE
sussexcountyde.gov

June 21st, 2024

Bethany Court Ventures, LLC
Attn: Bevan Connell
102 Anchorage Drive
Bethany Beach, DE 19930

By email to: tntrombetti@gmail.com

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Please submit a minimum of two (2) full size paper copies and an electronic copy (PDF) of the Preliminary Site Plan to the Planning and Zoning Office for review.

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Please feel free to contact the Planning and Zoning Department with any questions during business hours 8:30 a.m. to 4:30 p.m., Monday through Friday, at (302)-855-7878.

Sincerely,

Mr. Michael Lowrey
Planner III

CC: Mr. Mark A. Rogers, Sussex County Chief Constable – Assessment/Constable's Office

Mr. Andy Wright, Chief of Building Code – Sussex County Building Code
Mr. John Ashman, Director of Utility Planning & Design – Engineering
Ms. Jennifer Norwood, Manager - Planning & Zoning
Ms. Lisa M. Walls, Engineering Project Coordinator Engineering – Public Works
Mr. James A. Fuqua, Jr. Esq., Applicant's Representative – Fuqua, Willard, & Schab PA

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JASON PALKEWICZ
DELAWARE
11/1/2023
07108124
PROFESSIONAL ENGINEER

REVISIONS

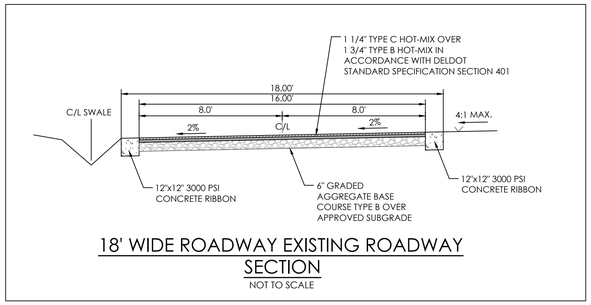
NO.	DATE	DESCRIPTION
1	7/18/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE - CONDITIONS OF APPROVAL
for
SUNRISE CONDOMINIUMS
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date: 11/3/23
Job Number: G23055
Scale: AS NOTED
Drawn By: MIL
Designed By: JP
Approved By: JP

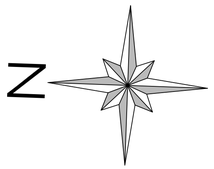
Sheet No.: 2

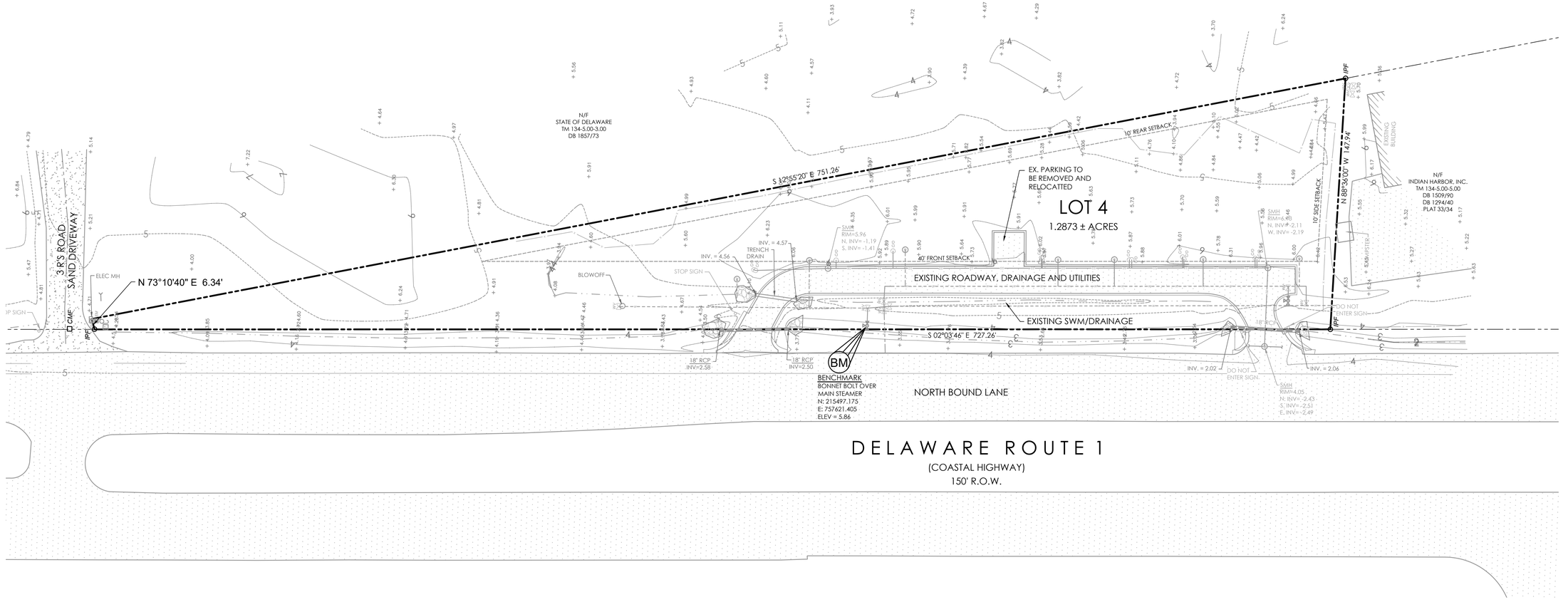
File Name: 23055-conditional-cover



18' WIDE ROADWAY EXISTING ROADWAY SECTION

NOT TO SCALE





GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

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JASON PALKEWICZ
DELAWARE
No. 17209
PROFESSIONAL ENGINEER
07/08/24

REVISIONS

NO.	DATE	DESCRIPTION
1	7/18/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE EXISTING CONDITIONS

for

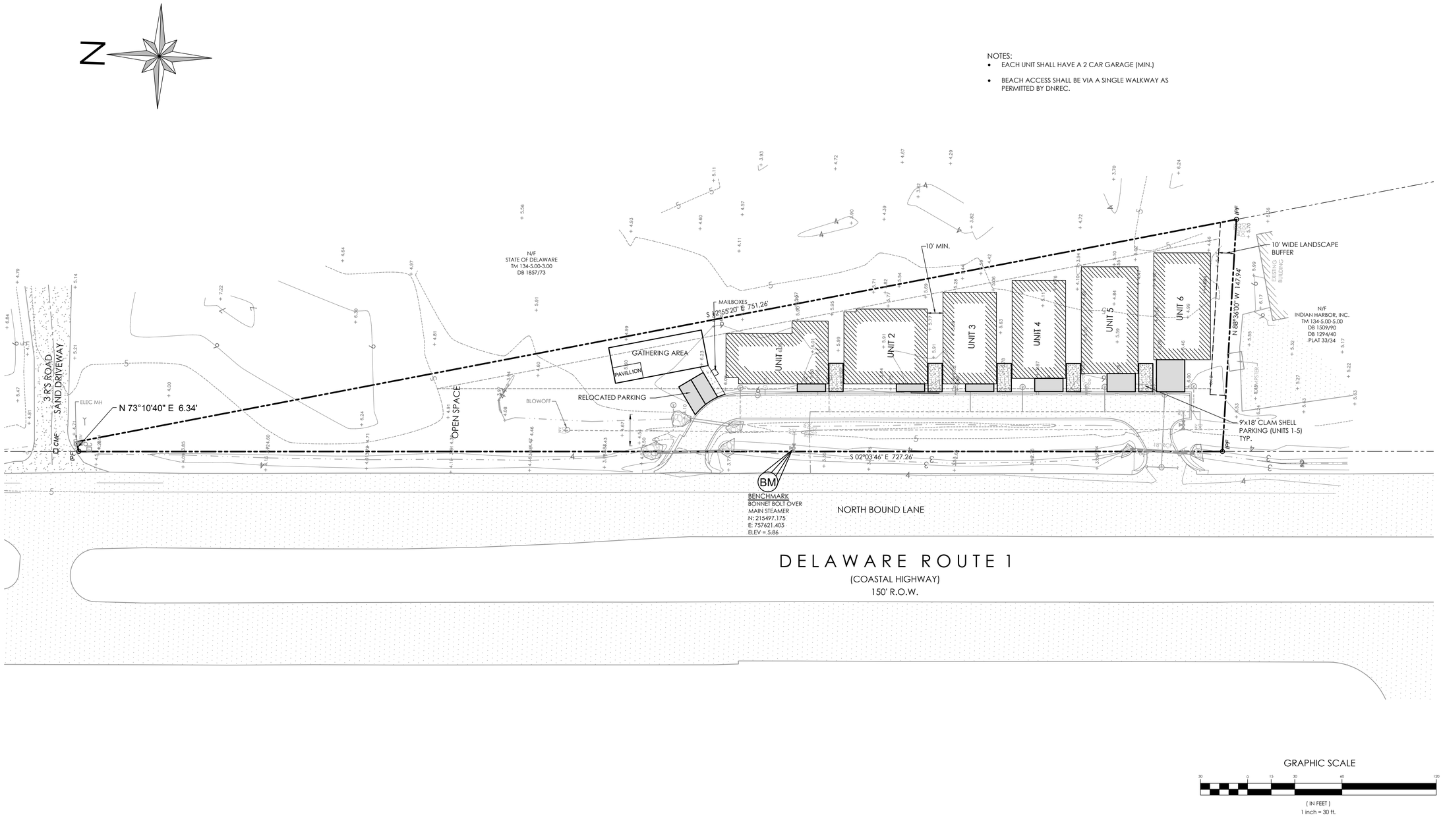
SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	1"=30'
Drawn By:	MIL
Designed By:	JP
Approved By:	JP

Sheet No.: 3

File Name: 23055-conditional-existing



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REVISIONS

NO.	DATE	DESCRIPTION
1	7/18/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE SITE PLAN

for

SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	1"=30'
Drawn By:	MIL
Designed By:	JP
Approved By:	JP

Sheet No.: 4

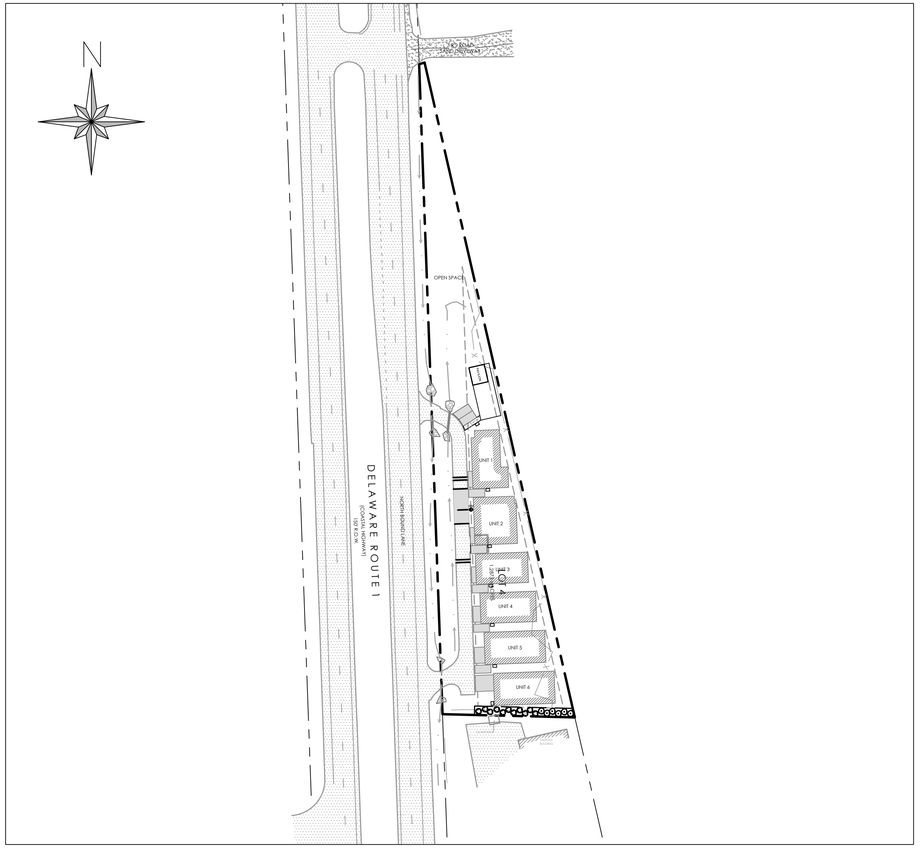
File Name: 23055-conditional-site

CONDITIONAL USE PLAN
FOR
SUNRISE CONDOMINIUMS

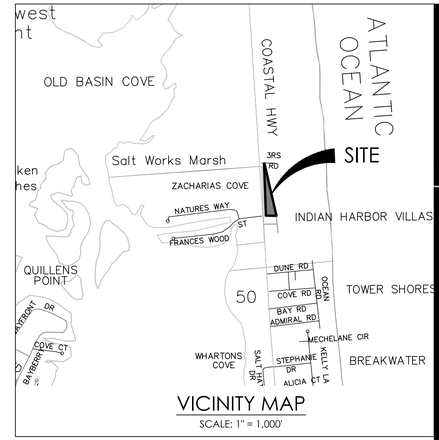
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
SETBACK LINE		
R.O.W. LINE		
IRON PIPE FOUND	IPF	
CONCRETE MONUMENT FOUND	CMF	
BENCH MARK	BM	
SPOT ELEV. LABEL	+ 19.25	
MAJOR CONTOUR		
MINOR CONTOUR		
SPOT ELEVATION	6.25 +	6.25+
ROAD CENTERLINE		
PAINT STRIPE		
CURB		
PAVEMENT		
CLAM SHELL PARKING		
BUILDING OUTLINE		
BUILDING HATCH		
SIDEWALK		
FENCE LINE	x	
SIGN		
SOIL BORING		
STORM PIPE		
CENTERLINE OF DITCH		
RIP RAP		
SANITARY MANHOLE	S	
SANITARY CLEANOUT	C/O	
SANITARY PIPE	SS	
WATER MANHOLE	W	
WATER VALVE	WV	
WATER PIPE	W	
FIRE HYDRANT		
UTILITY POLE		
ELECTRIC MANHOLE	E	
ELECTRIC METER	EM	
GUY WIRE		
TELEPHONE PEDESTAL	T	
LIGHT POLE		



SITE
SCALE: 1" = 80'



VICINITY MAP
SCALE: 1" = 1,000'

SITE DATA:

OWNER: PIOS BETHANY LOTS, LP
50 APPLIED CARD WAY
GLEN MILLS, PA 19342

DEVELOPER: BETHANY COURT VENTURES, LLC
102 ANCHORAGE DRIVE
BETHANY BEACH, DE 19930
CONTACT: BEVAN CONNELL

- ENGINEER: SOLUTIONS IPEM, LLC
303 NORTH BEDFORD STREET
GEORGETOWN, DE 19947
302.297.9215
CONTACT: JASON PALKEWICZ, PE
- TAX MAP 134-5.00-4.00
- DEED REFERENCE: 3580/235
- EXISTING ZONING: MR (COASTAL AREA)
- PROPOSED ZONING: MR W/ CONDITIONAL USE
PROPERTY SETBACKS:
FRONT YARD = 40'
REAR YARD = 10'
SIDE YARD = 10'
MAXIMUM BUILDING HEIGHT: 42'
- TOTAL AREA = 1.2873 AC.±
TOTAL NUMBER OF UNITS = 6 UNITS
DENSITY = 6/1.2873 = 4.66 UNITS PER ACRE
PREVIOUSLY APPROVED PER ORD. 1864
- NET DEVELOPMENT AREA = 1.2873 - 0.0 (STATE WETLANDS) = 1.2873 AC. - 0.13 (EXISTING ROAD) = 1.16 NET DEVELOPMENT AREA
- BOUNDARY AND TOPOGRAPHY AS SHOWN HEREON ARE AS PROVIDED BY SOLUTIONS IPEM LLC
- FLOOD ZONE:
PROPERTY IS LOCATED IN ZONE AE, EL 6 - SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATION DETERMINED PER FIRM MAP NUMBER 10005C0508K, MAP REVISED MARCH 16, 2015.
- WATER SUPPLY:
SUSSEX SHORES
- SANITARY SEWER:
SUSSEX COUNTY
- ONE CONSTRUCTION PHASE IS ANTICIPATED
- THE PROPERTY IS NOT LOCATED WITHIN A WELL HEAD PROTECTION AREA
- THE PROPERTY IS LOCATED WITHIN GOOD GROUNDWATER RECHARGE AREA.
- PARKING:
REQUIRED = 2 x 6 = 12
PROVIDED: 21 HEAD-IN SPACES
12 INTERNAL GARAGES
2 OVERFLOW
2 DRIVEWAY (UNIT 6)
5 CLAM SHELL (UNITS 1-5)
- WOODS
EXISTING WOODS = 0.00 AC.±
- STATE AND NON-TIDAL WETLANDS = 0.00 AC±
- OPEN SPACE = 0.37AC.± (28.7%)
- ANY FUTURE ACCESSORY STRUCTURES WILL BE SUBJECT TO SITE PLAN REVIEW.
- THE DEVELOPER AND THEN THE CONDOMINIUM ASSOCIATION SHALL BE RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES, EROSION AND SEDIMENT CONTROL FACILITIES, ROADWAYS AND OTHER COMMON AREAS.

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JASON PALKEWICZ — 24869 — PROFESSIONAL ENGINEER — DELAWARE — 07/08/24

REVISIONS

NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE COVER SHEET
for
SUNRISE CONDOMINIUMS
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	AS NOTES
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 1

File Name: 23055-conditional-cover

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

Sussex County
DELAWARE
sussexcountyde.gov

June 21st, 2024

Bethany Court Ventures, LLC
Attn: Bevan Connell
102 Anchorage Drive
Bethany Beach, DE 19930

By email to: tntrombetti@gmail.com

RE: Notice of Decision Letter for Conditional Use C/U 2497 Sunrise Condos, filed by Bethany Court Ventures, LLC to allow for multifamily dwellings (6 Units) to be located on a Parcel lying on the east side of Coastal Highway (Rt. 1), approximately 0.19 mile north of the intersection of Coastal Highway (Rt. 1) and Indian Harbor Villas Drive and consisting of a total of 1.28 acres +/-.
Tax Parcel: 134-5.00-4.00

Mr. Connell:

At their meeting of **Tuesday, June 11th, 2024**, the Sussex County Council **approved the Conditional Use (C/U 2497)** Application for multifamily dwellings (6 Units) that has been filed by Bethany Court Ventures, LLC. The Conditional Use shall be substantially underway within three (3) years of the County Council approval otherwise the Conditional Use shall expire. A Site Plan showing the conditions of approval shall be reviewed and approved by the Planning Commission prior to commencement of the use on the parcel. This approval is subject to twelve (12) conditions, and they are as follows:

a. The maximum number of residential units shall be six.
b. The developer and then the condominium association shall be responsible for the perpetual maintenance of the project's stormwater management facilities, erosion and sedimentation control facilities, roadways, and other common areas.
c. All entrance, intersection, roadway, and multi-modal improvements shall be completed by the developer as required by DelDOT.
d. The trash receptacles shall be standard roll-out residential containers assigned to the six units. They shall be stored in an enclosed area on the area of this site where the building is located. No dumpster shall be permitted.
e. The project shall be served by Sussex County sewer. The developer shall comply with all Sussex County Engineering Department requirements including any offsite upgrades necessary to provide service to the project.
f. The project shall be served by central water to provide drinking water and fire protection.
g. Construction activities, including site work and deliveries, shall only occur between 8:00 a.m. and 5:30 p.m. Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on Saturdays. There shall be no construction activities at the site on Sundays. A twenty-four inch by thirty-six inch "NOTICE" sign in English and Spanish confirming these hours shall be prominently displayed at all entrances to the site during construction.

h. The Final Site Plan shall contain the approval of the Sussex County Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities. The system shall be designed and maintained using best management practices.
i. The Final Site Plan shall include a Grading Plan for the site. No building permits shall be issued until an individual lot grading plan has been supplied to and approved by Sussex County. No certificate of occupancy shall be issued until a grading certificate is submitted to the Building Code Department demonstrating general conformity with the individual site grading plan.
j. A 10-foot-wide landscaped buffer shall be installed along the southern boundary of this property as depicted on the Preliminary Site Plan. A landscape plan showing the landscape throughout this project and including this buffer area shall be included as part of the Final Site Plan.
k. A construction fence shall be erected that is high enough to act as a sufficient barrier against blown or discarded construction materials and debris scattering across or impacting the adjacent beach, State land, Coastal Highway or other adjacent properties. In addition, all construction dumpsters shall be covered when not actively in use.
l. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

The Final Site Plan shall be prepared by a licensed Delaware Surveyor or Engineer and shall contain the Conditions of Approval on the Plan. The Final Site Plan shall be approved prior to the commencement of the use on the property. The Site Plan shall be reviewed and approved by the Planning Commission. Agency approvals include but are not limited to: the Delaware Department of Transportation (DelDOT), Sussex Conservation District, and the Office of the State Fire Marshal.

Please submit a minimum of two (2) full size paper copies and an electronic copy (PDF) of the Preliminary Site Plan to the Planning and Zoning Office for review.

An approved copy of the Ordinance granting approval of the Conditional Use will be sent to you from the Clerk of Council.

Please feel free to contact the Planning and Zoning Department with any questions during business hours 8:30 a.m. to 4:30 p.m., Monday through Friday, at (302)-855-7878.

Sincerely,

Mr. Michael Lowrey
Planner III

CC: Mr. Mark A. Rogers, Sussex County Chief Constable – Assessment/Constable's Office

Mr. Andy Wright, Chief of Building Code – Sussex County Building Code
Mr. John Ashman, Director of Utility Planning & Design – Engineering
Ms. Jennifer Norwood, Manager - Planning & Zoning
Ms. Lisa M. Walls, Engineering Project Coordinator Engineering – Public Works
Mr. James A. Fuqua, Jr. Esq., Applicant's Representative – Fuqua, Willard, & Schab PA

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REVISIONS

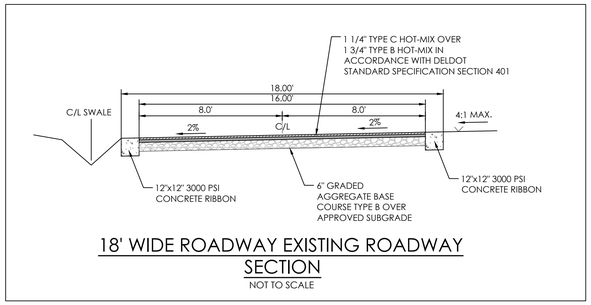
NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE - CONDITIONS OF APPROVAL
for
SUNRISE CONDOMINIUMS
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date: 11/3/23
Job Number: G23055
Scale: AS NOTES
Drawn By: MIL
Designed By: JP
Approved By: JP

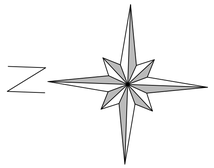
Sheet No.: 2

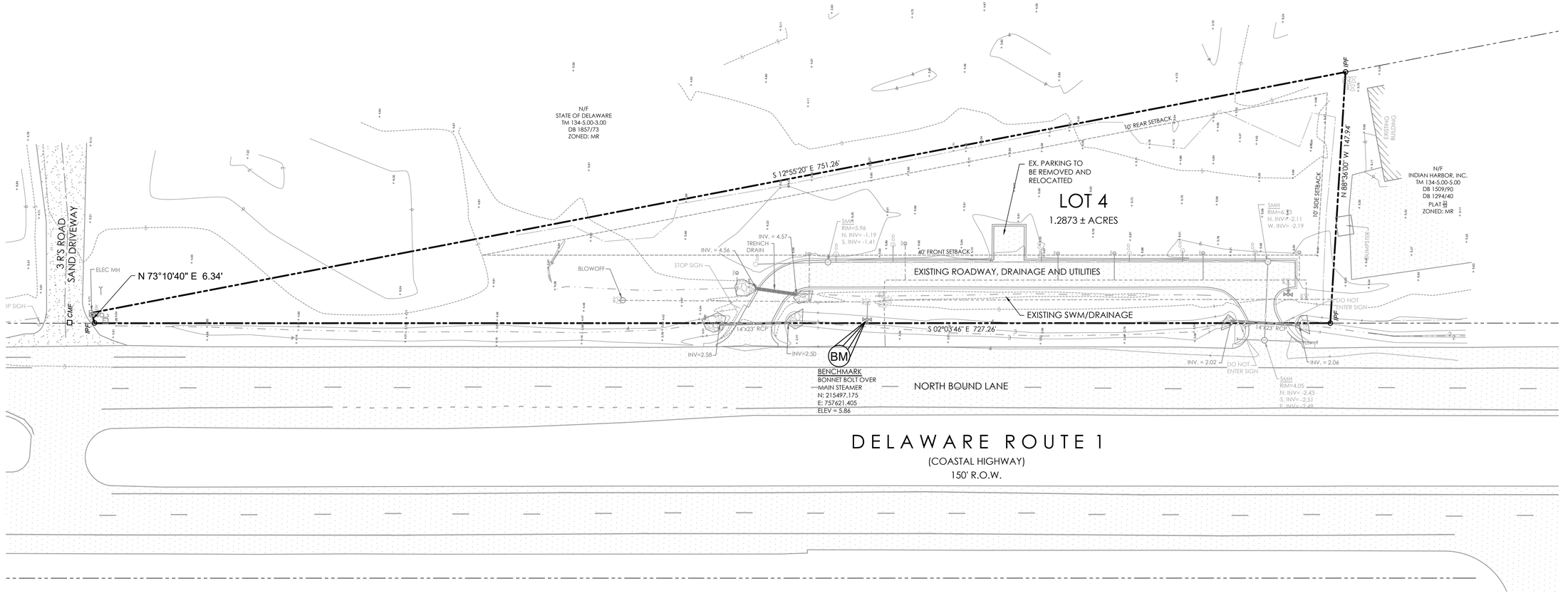
File Name: 23055-conditional-cover



18' WIDE ROADWAY EXISTING ROADWAY SECTION

NOT TO SCALE





GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

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JASON PALKEWICZ
DELAWARE
No. 17023
PROFESSIONAL ENGINEER
11/06/24

REVISIONS

NO.	DATE	DESCRIPTION
1	7/18/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE EXISTING CONDITIONS

for

SUNRISE CONDOMINIUMS

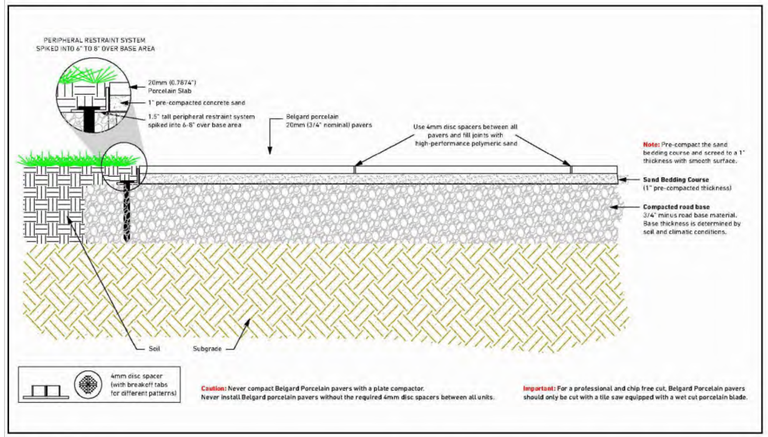
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	1"=30'
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 3

File Name: 23055-conditional-existing

SAND SET OVER COMPACTED ROAD BASE INSTALLATION



INSTALLATION NOTES:

Follow the detail drawing.

Base material is to be over based 6 to 8 inches beyond the edge of the pavement.

The required edge restraint system is a low profile edge restraint with a vertical height of 1½ inches as shown in the drawing.

Ensure that pavement is constructed with a 2% slope that it is pitched away from any building.

Ensure the plastic 4mm spacers are installed at all corners of the installed pavers.

PLANKS

When installing porcelain planks (16 x 48, 12 x 48 & 8 x 48), always lay the pattern of ⅓'s. These should not be placed next to each other at 50%.

BELGARD PORECLAIN PAVER TYPICAL INSTALLATION

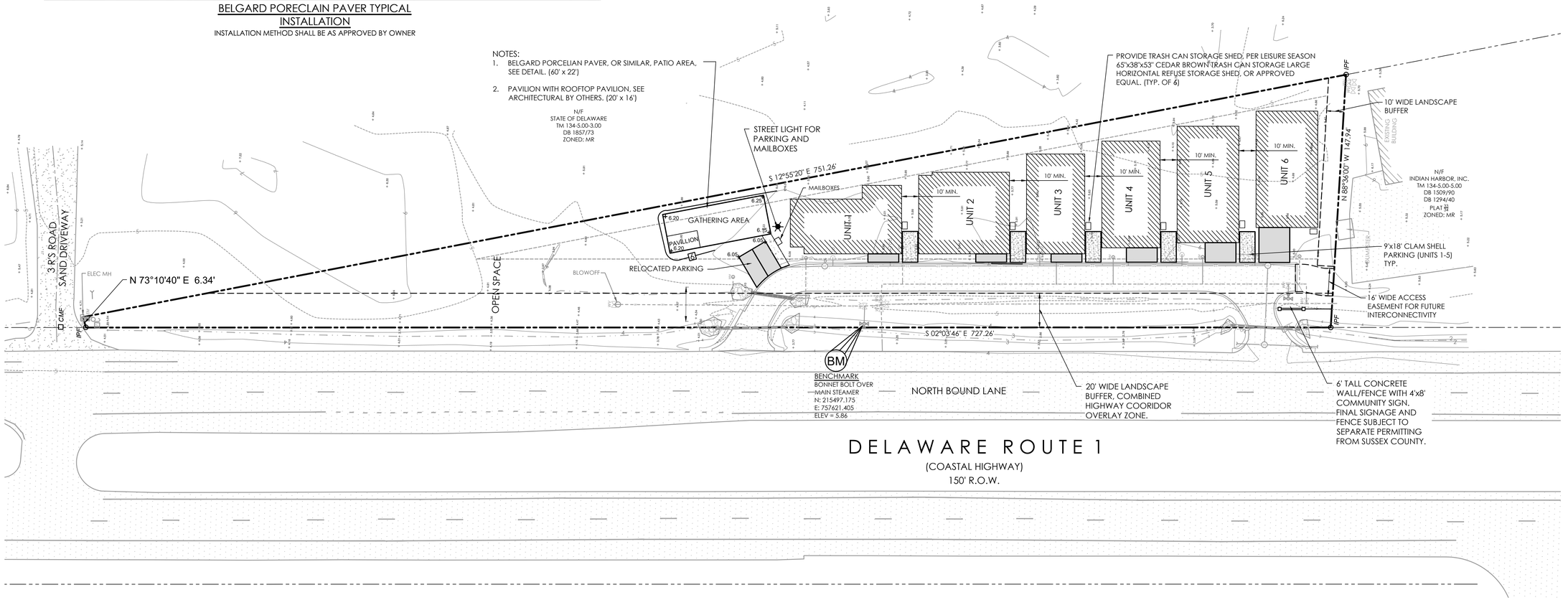
INSTALLATION METHOD SHALL BE AS APPROVED BY OWNER

NOTES:

- EACH UNIT SHALL HAVE A 2 CAR GARAGE (MIN.)
- BEACH ACCESS SHALL BE VIA A SINGLE WALKWAY AS PERMITTED BY DNREC.

NOTES:

1. BELGARD PORCELIAN PAVER, OR SIMILAR, PATIO AREA, SEE DETAIL. (60' x 22')
2. PAVILION WITH ROOFTOP PAVILION, SEE ARCHITECTURAL BY OTHERS. (20' x 16')



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(IN FEET)
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JASON PALKEWICZ — DELAWARE — 11/7/2023 — 07/08/24 — PROFESSIONAL ENGINEER

REVISIONS		
NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL

CONDITIONAL USE SITE PLAN

for

SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	1"=30'
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 4

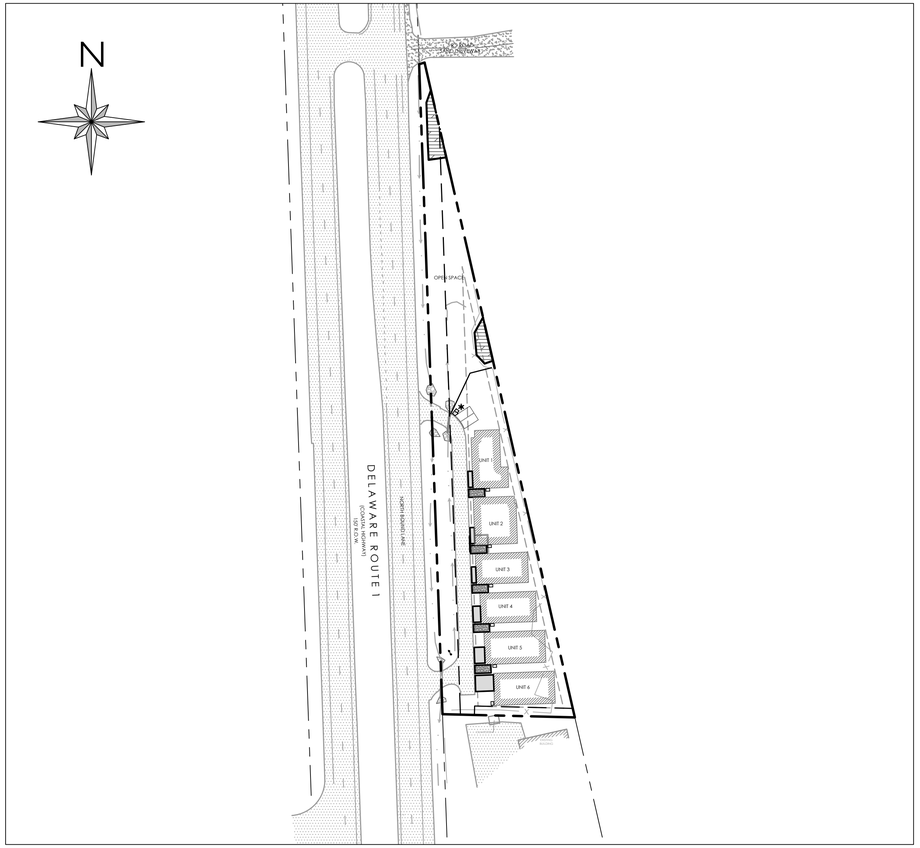
File Name: 23055-conditional-site

CONDITIONAL USE PLAN
FOR
SUNRISE CONDOMINIUMS

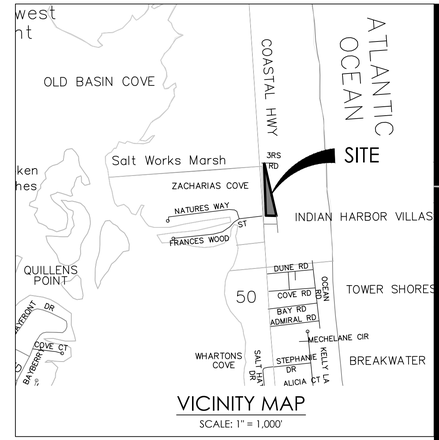
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
SETBACK LINE		
R.O.W. LINE		
IRON PIPE FOUND	IPF	
CONCRETE MONUMENT FOUND	CMF	
BENCH MARK	BM	
SPOT ELEV. LABEL	+ 19.25	
MAJOR CONTOUR		
MINOR CONTOUR		
SPOT ELEVATION	6.25+	6.25+
ROAD CENTERLINE		
PAINT STRIPE		
CURB		
PAVEMENT		
CLAM SHELL PARKING		
BUILDING OUTLINE		
BUILDING HATCH		
SIDEWALK		
FENCE LINE	x	
SIGN		
SOIL BORING		
STORM PIPE		
CENTERLINE OF DITCH		
RIP RAP		
SANITARY MANHOLE	S	
SANITARY CLEANOUT	C/O	C/O
SANITARY PIPE	SS	
WATER MANHOLE	W WV	W
WATER VALVE		
WATER PIPE	W	
FIRE HYDRANT		
UTILITY POLE		
ELECTRIC MANHOLE	E	
ELECTRIC METER	EM	
GUY WIRE		
TELEPHONE PEDESTAL	T	
LIGHT POLE		
INTERDUNAL SWALE AREAS TO BE PRESERVED		



SITE
SCALE: 1" = 80'



VICINITY MAP
SCALE: 1" = 1,000'

SITE DATA:

- OWNER/DEVELOPER: SCHELL BROTHERS, LLC
  20184 PHILLIPS STREET
  REHOBOTH BEACH, DE 19971
  302.226.1994
  CONTACT: TIM GREEN
- ENGINEER: SOLUTIONS IPEM, LLC
  303 NORTH BEDFORD STREET
  GEORGETOWN, DE 19947
  302.297.9215
  CONTACT: JASON PALKEWICZ, PE
- TAX MAP 134-5.00-4.00
- DEED REFERENCE: 3580/235
- EXISTING ZONING: MR (COASTAL AREA)
- PROPOSED ZONING: MR W/ CONDITIONAL USE
  PROPERTY SETBACKS:
  FRONT YARD = 40'
  REAR YARD = 10'
  SIDE YARD = 10'
  MAXIMUM BUILDING HEIGHT: 42'
- TOTAL AREA = 1.2873 AC.±
  TOTAL NUMBER OF UNITS = 6 UNITS
  DENSITY = 6/1.2873 = 4.66 UNITS PER ACRE
  PREVIOUSLY APPROVED PER ORD. 1864
- NET DEVELOPMENT AREA = 1.2873 - 0.0 (STATE WETLANDS) = 1.2873 AC. - 0.13 (EXISTING ROAD) = 1.16 NET DEVELOPMENT AREA
- BOUNDARY AND TOPOGRAPHY AS SHOWN HEREON ARE AS PROVIDED BY SOLUTIONS IPEM LLC
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  PROPERTY IS LOCATED IN ZONE AE, EL 6 - SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATION DETERMINED PER FIRM MAP NUMBER 10005C0508K, MAP REVISED MARCH 16, 2015.
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  SUSSEX SHORES
- SANITARY SEWER:
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PURPOSE STATEMENT:
THE PURPOSES OF THIS REVISED CONDITIONAL USE PLAN ARE TO REMOVE THE GATHERING AREA AND PAVILLION AND TO RELOCATE THE MAILBOXES. THE CHANGES ARE IN COMPLIANCE WITH THE CONDITIONS OF APPROVAL, DATED JUNE 21, 2024.

NOTE:
THIS REVISED CONDITIONAL USE PLAN SUPERCEDES, IN ITS ENTIRETY, THE PREVIOUS CONDITIONAL USE PLAN OF RECORD IN PLAT BOOK 437, PAGE 1.

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REVISIONS

NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL
2	8/28/24	REVISIONS PER DNREC COMMENTS
3	3/5/25	REMOVAL OF GATHERING AREA AND PAVILLION, RELOCATED MAILBOXES AND ADDED ENTRANCE MONUMENT

CONDITIONAL USE COVER SHEET
for
SUNRISE CONDOMINIUMS
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	AS NOTES
Drawn By:	ML
Designed By:	JP
Approved By:	JP

Sheet No.: 1

File Name: 23055-conditional-cover

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

Sussex County
DELAWARE
sussexcountyde.gov

June 21st, 2024

Bethany Court Ventures, LLC
Attn: Bevan Connell
102 Anchorage Drive
Bethany Beach, DE 19930

By email to: tntrombetti@gmail.com

RE: Notice of Decision Letter for Conditional Use C/U 2497 Sunrise Condos, filed by Bethany Court Ventures, LLC to allow for multifamily dwellings (6 Units) to be located on a Parcel lying on the east side of Coastal Highway (Rt. 1), approximately 0.19 mile north of the intersection of Coastal Highway (Rt. 1) and Indian Harbor Villas Drive and consisting of a total of 1.28 acres +/-.
Tax Parcel: 134-5.00-4.00

Mr. Connell:

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d. The trash receptacles shall be standard roll-out residential containers assigned to the six units. They shall be stored in an enclosed area on the area of this site where the building is located. No dumpster shall be permitted.
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The Final Site Plan shall be prepared by a licensed Delaware Surveyor or Engineer and shall contain the Conditions of Approval on the Plan. The Final Site Plan shall be approved prior to the commencement of the use on the property. The Site Plan shall be reviewed and approved by the Planning Commission. Agency approvals include but are not limited to: the Delaware Department of Transportation (DelDOT), Sussex Conservation District, and the Office of the State Fire Marshal.

Please submit a minimum of two (2) full size paper copies and an electronic copy (PDF) of the Preliminary Site Plan to the Planning and Zoning Office for review.

An approved copy of the Ordinance granting approval of the Conditional Use will be sent to you from the Clerk of Council.

Please feel free to contact the Planning and Zoning Department with any questions during business hours 8:30 a.m. to 4:30 p.m., Monday through Friday, at (302)-855-7878.

Sincerely,

Mr. Michael Lowrey
Planner III

CC: Mr. Mark A. Rogers, Sussex County Chief Constable – Assessment/Constable's Office

Mr. Andy Wright, Chief of Building Code – Sussex County Building Code
Mr. John Ashman, Director of Utility Planning & Design – Engineering
Ms. Jennifer Norwood, Manager - Planning & Zoning
Ms. Lisa M. Walls, Engineering Project Coordinator Engineering – Public Works
Mr. James A. Fuqua, Jr. Esq., Applicant's Representative – Fuqua, Willard, & Schab PA

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REVISIONS

NO.	DATE	DESCRIPTION
1	7/18/24	ADDED CONDITIONS OF APPROVAL
2	8/28/24	REVISIONS PER DNREC COMMENTS
3	3/5/25	REMOVAL OF GATHERING AREA AND PAVILLION, RELOCATED MAILBOXES AND ADDED ENTRANCE MONUMENT

CONDITIONAL USE - CONDITIONS OF APPROVAL

for

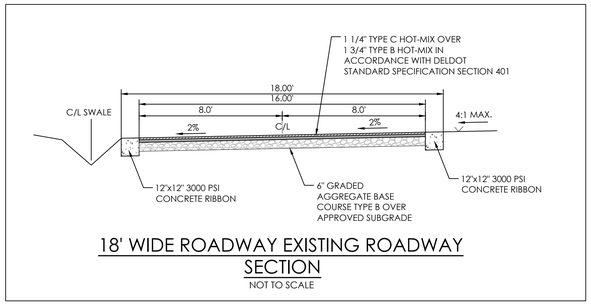
SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date: 11/3/23
Job Number: G23055
Scale: AS NOTED
Drawn By: MIL
Designed By: JP
Approved By: JP

Sheet No.: 2

File Name: 23055-conditional-cover

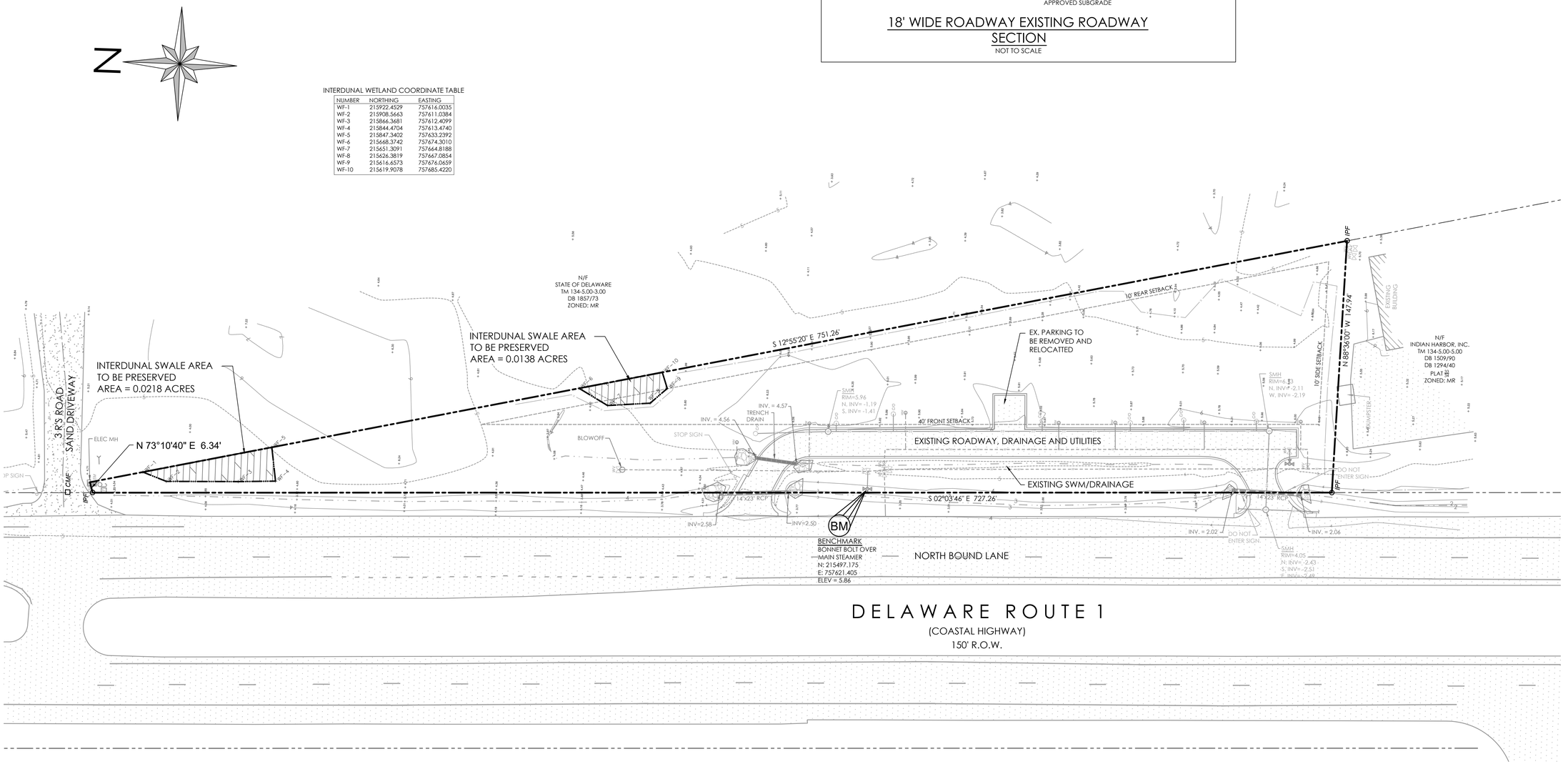


18' WIDE ROADWAY EXISTING ROADWAY SECTION

NOT TO SCALE

INTERDUNAL WETLAND COORDINATE TABLE

NUMBER	NORTHING	EASTING
WF-1	215922.4529	757616.0035
WF-2	215908.5663	757611.0384
WF-3	215866.3681	757612.4099
WF-4	215844.4704	757613.4740
WF-5	215847.3402	757633.2392
WF-6	215668.3742	757674.3010
WF-7	215651.3091	757664.8188
WF-8	215626.3819	757667.0854
WF-9	215616.6573	757676.0659
WF-10	215619.9078	757685.4220



GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

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2	8/28/24	REVISIONS PER DNREC COMMENTS
3	3/5/25	REMOVAL OF GATHERING AREA AND PAVILLION, RELOCATED MAILBOXES AND ADDED ENTRANCE MONUMENT

CONDITIONAL USE EXISTING CONDITIONS

for

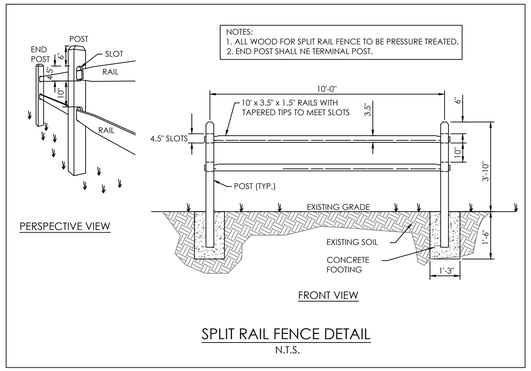
SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date: 11/3/23
Job Number: G23055
Scale: 1"=30'
Drawn By: ML
Designed By: JP
Approved By: JP

Sheet No.: 3

File Name: 23055-conditional-existing



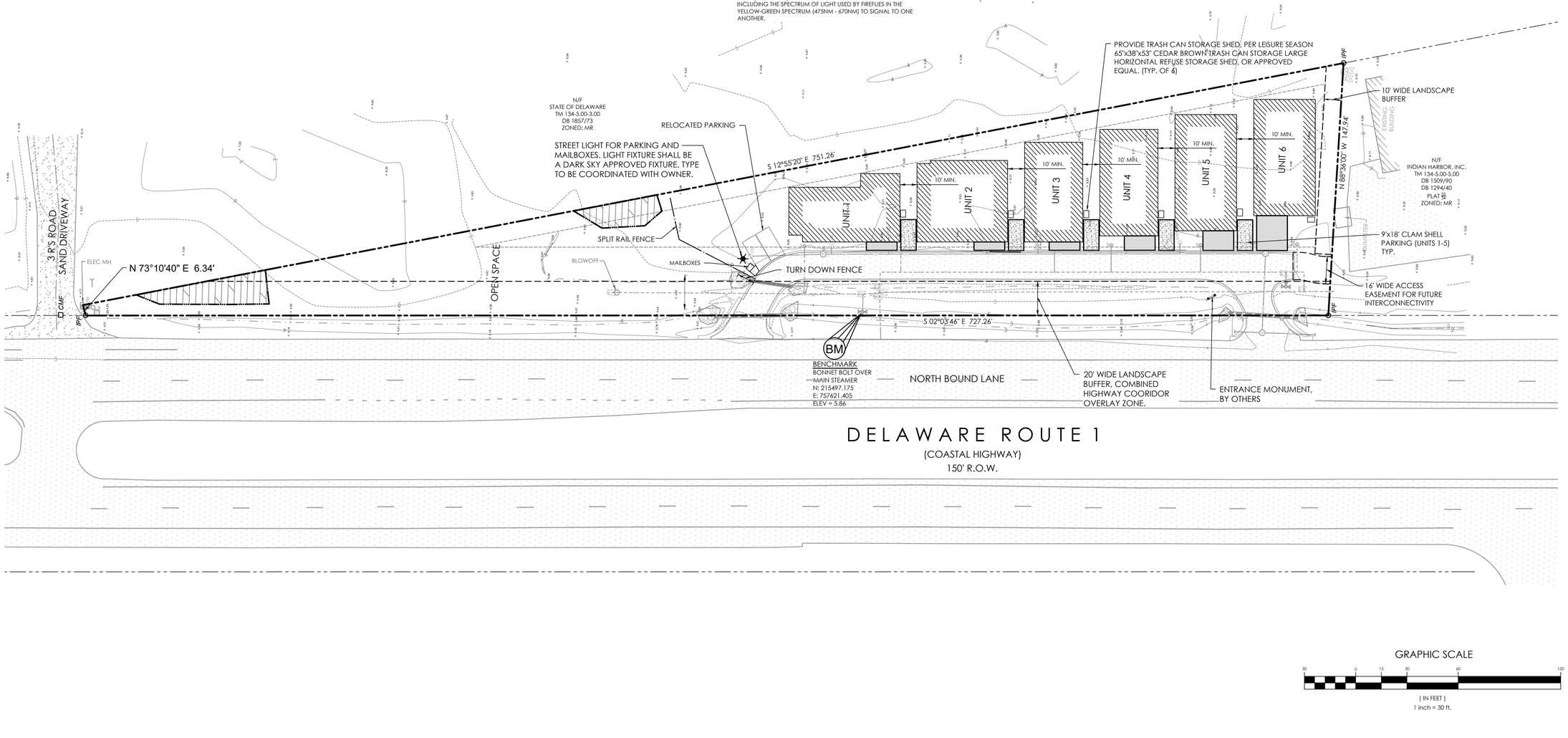
SPLIT RAIL FENCE DETAIL
N.T.S.

RECOMMENDATIONS FOR LIGHT COLOR TO CONSERVE FIREFLIES:

- USE WARM YELLOW, AMBER OR RED COLORED LED LIGHTS. AMBER COLORED LIGHTS WITH A YELLOW/ORANGE HUE OCCUR IN THE 600NM-700NM RANGE AND DO NOT INTERFERE WITH FIREFLIES LIGHT AS MUCH AS OTHER SOURCES. EXTENDED WAVELENGTH COLORS (YELLOW AND ORANGE) ARE LESS VISIBLE TO INSECTS, AND MOST OF THEM CAN'T SEE THE RED LIGHT AT ALL. SCIENTISTS HAVE DISCOVERED THESE LIGHTS ALSO HAVE THE BENEFIT OF ATTRACTING LESS "OTHER" BUGS TO OUTDOOR LIGHTS AS WELL.
- AVOID USING INCANDESCENT LIGHT BULBS, CFL, HALOGEN GLOBES, AND COOL-COLOURED LEDS DIRECTLY IN YOUR FIREFLY HABITAT.
- AVOID BRIGHT BLUISH WHITE LED LIGHTS THAT EMIT A SPECTRUM OF LIGHT (430-700NM) THAT WASHES OUT MOST COLORS OF LIGHT, INCLUDING THE SPECTRUM OF LIGHT USED BY FIREFLIES IN THE YELLOW-GREEN SPECTRUM (475NM - 670NM) TO SIGNAL TO ONE ANOTHER.

NOTES:

- EACH UNIT SHALL HAVE A 2 CAR GARAGE (MIN.)
- BEACH ACCESS SHALL BE VIA A SINGLE WALKWAY AS PERMITTED BY DNREC.



GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

solutions
303 North Bedford Street
Georgetown, DE 19947
T. 302.297.9215

3003 Merritt Mill Road
Salisbury, MD 21804
T. 410.572.8833

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REVISIONS

NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL
2	8/28/24	REVISIONS PER DNREC COMMENTS
3	3/5/25	REMOVAL OF GATHERING AREA AND PAVILLION, RELOCATED MAILBOXES AND ADDED ENTRANCE MONUMENT

CONDITIONAL USE SITE PLAN

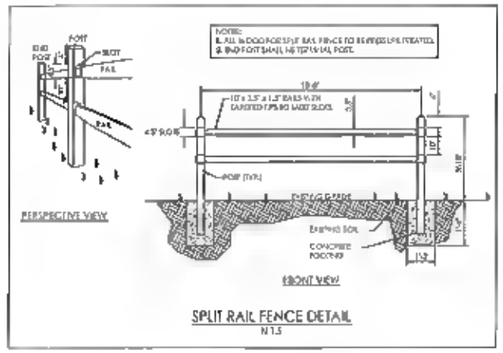
SUNRISE CONDOMINIUMS
for
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	1"=30'
Drawn By:	ML
Designed By:	JP
Approved By:	JP

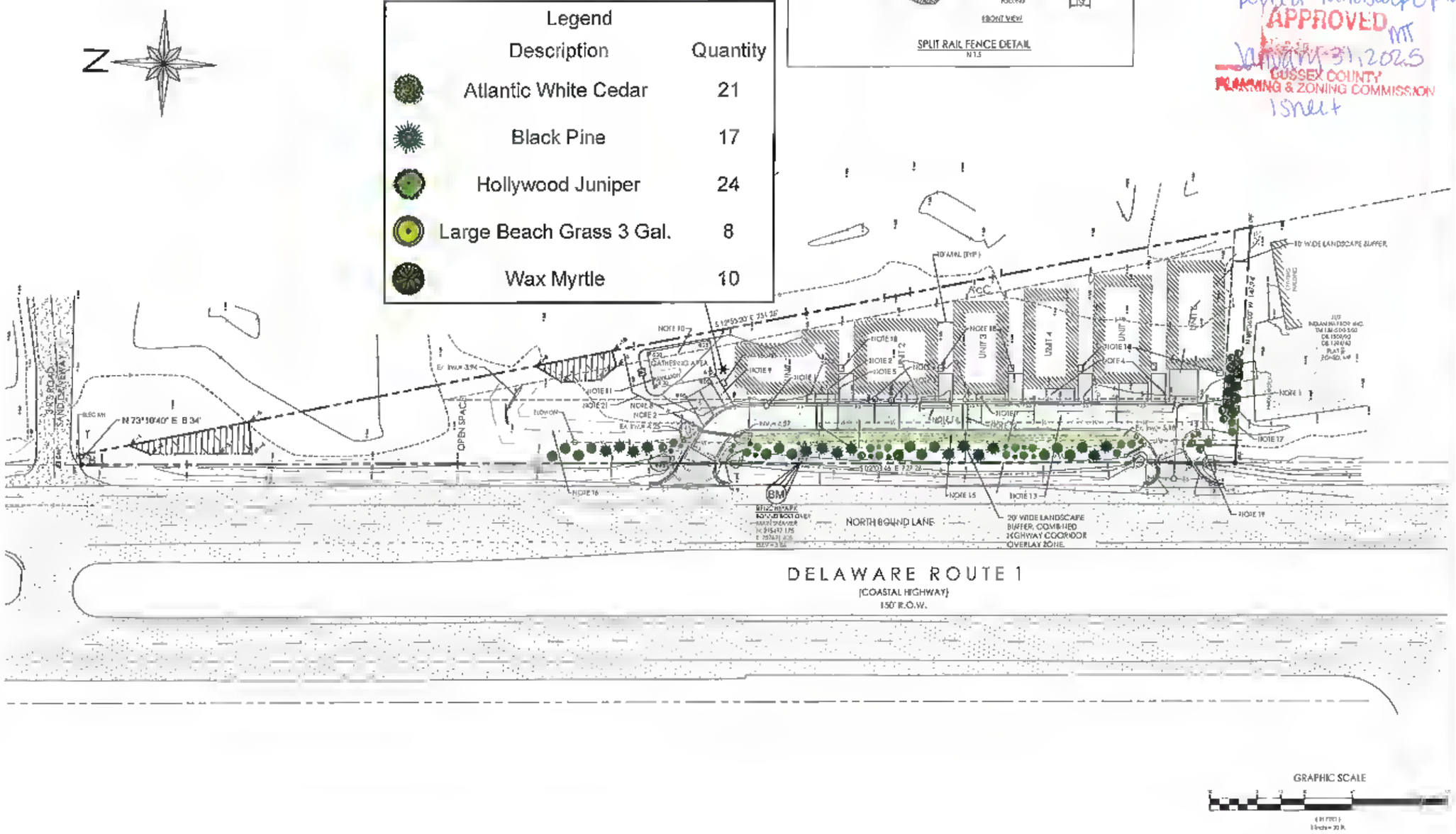
Sheet No.: 4

File Name: 23055-conditional-site

Legend		
	Description	Quantity
	Atlantic White Cedar	21
	Black Pine	17
	Hollywood Juniper	24
	Large Beach Grass 3 Gal.	8
	Wax Myrtle	10



Revised landscape plan
APPROVED MT
January 31, 2025
SUSSEX COUNTY
PLANNING & ZONING COMMISSION
1 Sheet

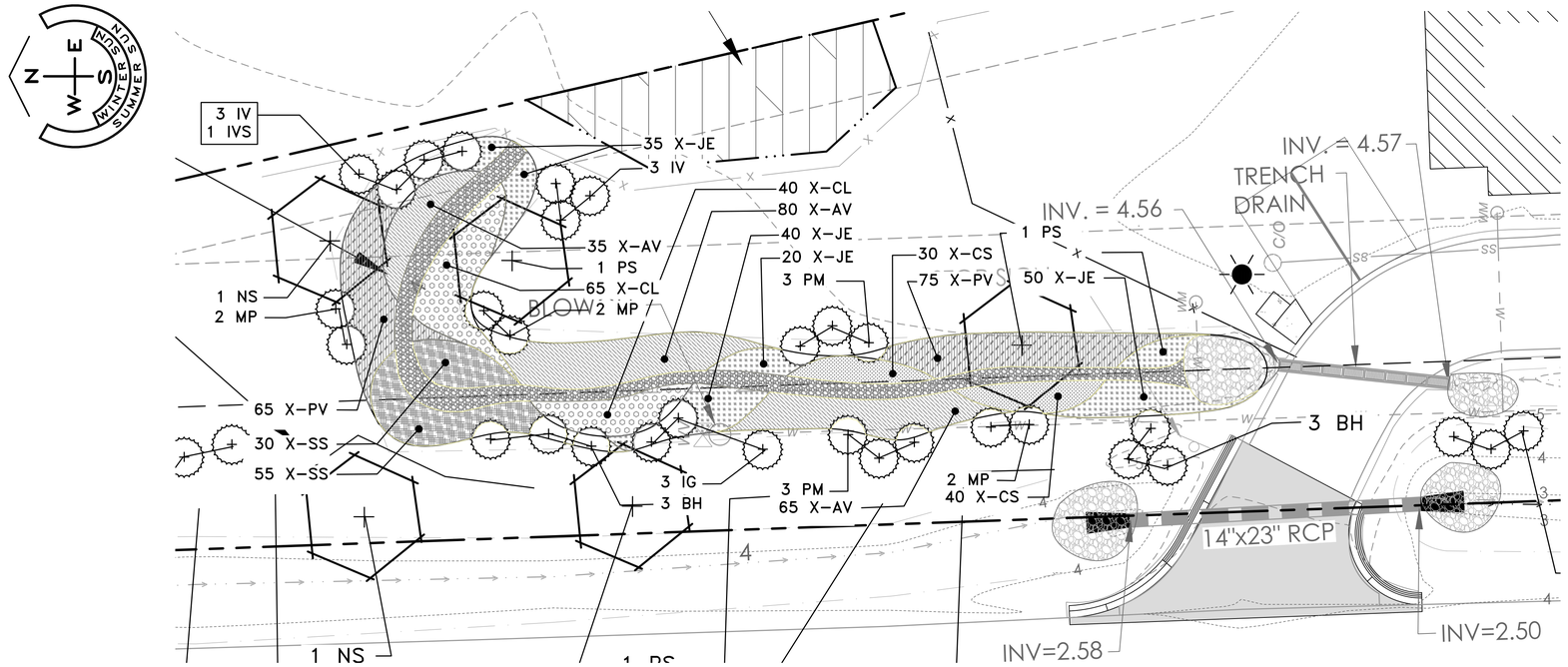


REVISIONS

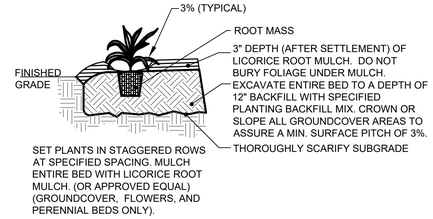
SITE PLAN
for
SUNRISE CONDOMINIUMS
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Sheet No.:

File Name:



ENLARGEMENT - BIO SWALE



SET PLANTS IN STAGGERED ROWS AT SPECIFIED SPACING. MULCH ENTIRE BED WITH LICORICE ROOT MULCH. (OR APPROVED EQUAL) (GROUNDCOVER, FLOWERS, AND PERENNIAL BEDS ONLY).

DETAIL: PERENNIAL PLANTING

SCALE: NOT TO SCALE

LANDSCAPE NOTES

1. MULCH ALL TREE PITS, PLANT BEDS, AND GROUND COVER AREAS WITH A MINIMUM 3" DEPTH (AFTER SETTLEMENT) OF MULCH OR AS NOTED.
2. THIS DRAWING TO BE USED FOR LANDSCAPE DEVELOPMENT PURPOSES ONLY.
3. ALL TREE STAKING, GUYING, AND WRAPPING SHALL BE REMOVED AFTER ONE YEAR.
4. ALL SHRUB, FLOWER, AND GROUND COVER BEDS SHALL BE PITCHED OR CROWNED TO ASSURE A MINIMUM SURFACE PITCH OF 3% FOR POSITIVE SURFACE DRAINAGE. NOT APPLICABLE TO BIORETENTION AREA.
5. ALL PROPOSED LANDSCAPE PLANT MATERIAL TO BE GUARANTEED FOR A PERIOD OF TWELVE MONTHS FROM THE DATE OF ACCEPTANCE, AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM NEGLECT BY OWNER, ABUSE OR DAMAGE BY OTHERS, OR UNUSUAL PHENOMENA OR INCIDENTS WHICH ARE BEYOND LANDSCAPE INSTALLER CONTROL. CONTRACTOR, IF NOT MAINTAINING THE PROPERTY DURING THE GUARANTEE PERIOD, SHALL BE RESPONSIBLE FOR MAKING MONTHLY INSPECTIONS AND ISSUING WRITTEN REPORTS DETAILING ANY MAINTENANCE PRACTICES HE OBSERVES WHICH WOULD IN ANYWAY NEGATE HIS GUARANTEE OBLIGATION.
6. ALL AREAS BEYOND THE LIMIT OF LAWN/GROUNDCOVER THAT ARE DISTURBED BY CONSTRUCTION OPERATIONS SHALL BE REPAIRED TO PRE-CONSTRUCTION CONDITION AND/OR TO COMPLY WITH STANDARDS INDICATED ON THE SOIL EROSION AND SEDIMENT CONTROL PLAN.
7. ALL TREES ADJACENT TO CURBS (OR EDGE OF PAVEMENT) SHALL BE PLACED 5'-0" AWAY FROM THE CURB FACE MEASURED TO THE CENTERLINE OF THE TREE TRUCK. IF PLACED IN THE MEDIAN ISLAND, THEY SHALL BE CENTERED IN THE SPACE BETWEEN THE CURBS OR AS NOTED ON THE LANDSCAPE PLAN. ALL TREES PLANTED ADJACENT TO PEDESTRIAN WALKWAYS SHALL BE BRANCHED AT 6' INITIALLY.
8. NO PLANT MATERIAL ABOVE 24" WILL BE INSTALLED WITHIN ANY APPROVED SIGHT TRIANGLE.
9. PLANT BACKFILL MIX SHALL CONTAIN THE FOLLOWING:
   1 PART AMENDED TOPSOIL (SCREENED) WITH FERTILIZATION AS REQUIRED BELOW:

   AMENDED TOPSOIL: SHALL BE WITHOUT ADMIXTURE OF SUBSOIL OF SLAG AND SHALL BE FREE OF STONES, LUMPS, PLANTS OR THEIR ROOTS, STICKS AND EXTRANEOUS MATTER, AND SHALL NOT BE MOVED, PLACED OR USED WHILE IN FROZEN OR MUDDY CONDITION. TOPSOIL SHALL HAVE AN ACIDITY RANGE OF pH 5.0 TO 7.0 AND SHALL CONTAIN NOT LESS THAN 5% ORGANIC MATTER AS DETERMINED BY THE "WALKLEY-BLACK METHOD" (COLORIMETRIC VERSION). SUFFICIENT LIMESTONE SHALL BE ADDED TO TOPSOIL USED TO BRING SOIL TO RANGE OF pH 6.0 TO pH 6.5. THERE SHALL BE A MINIMUM OF 12" OF TOPSOIL (AFTER SETTLEMENT) IN ALL PLANT BEDS, OR GROUND COVER AREAS AND 3" IN ALL FINE LAWN, SEEDED AREAS OR AS CALLED FOR.

   FERTILIZATION: 1. FOR TREES, SHRUBS AND ALL GROUND COVER (HERBACEOUS AND CONIFEROUS): "TERRA-SORB" AG AT THE RATE OF 32 OZ PER CUBIC YARD OF SOIL MIX.
   2. FOR TREES AND SHRUBS (EXCLUDING CONIFEROUS GROUND COVER): PHC HEALTHY START 3-4-3 ORGANIC FERTILIZER/SOIL CONDITIONER, SHALL BE APPLIED AT 1/2 LB. PER TRUNK DIAMETER (CAL. INCH) FOR TREES.
   FOR SHRUBS USE THE FOLLOWING TABLE:

PLANT SIZE	RATE CUPS	LBS.	#PLANT BAG
1 GALLON	1/2	1/4	100
5 GALLON	1	1/2	50
15 GALLON	2	1	25
24" BALL/BOX	3	1 1/2	16
36" BALL/BOX	5	2 1/2	10
42" BALL/BOX	6	3	8
54" BALL/BOX	8	4	6
72" BALL/BOX	10	5	5

   FOR HERBACEOUS AND CONIFEROUS GROUND COVER: DRY ROOTS 2 SHALL BE APPLIED AT THE FOLLOWING RATES:

   CONIFEROUS GROUND COVER:

PLANT SIZE	RATE CUPS	LBS.	#PLANT BAG
15-18" B&B	1 1/2	3/4	37

   HERBACEOUS GROUND COVER: 20LBS./1000 SQUARE FEET.

   FOR LAWN AND SEEDED AREAS: 10-6-4 50% ORGANIC FERTILIZER AT THE RATE OF 20LBS. PER 1,000 SQUARE FEET (OR AS REQUIRED BY TOPSOIL ANALYSIS REPORT).
10. ALL PLANT MATERIAL MUST COMPLY WITH THE RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 "STANDARD FOR NURSERY STOCK".
11. PLANT QUANTITIES ARE GIVEN FOR COMPARISON PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR CONFIRMING PLANT COUNTS AND SHALL BE RESPONSIBLE FOR PROVIDING ALL PLANT MATERIAL SHOWN ON THE DRAWING. ANY DISCREPANCIES BETWEEN PLANT SCHEDULE QUANTITIES AND PLANS SHALL IMMEDIATELY BE BROUGHT TO THE LANDSCAPE ARCHITECTS ATTENTION PRIOR TO SUBMISSION OF BID. NO SUBSTITUTIONS OF TYPE OF PLANT MATERIAL OR SIZES OF PLANT MATERIAL WILL BE ACCEPTABLE UNLESS APPROVED BY THE LANDSCAPE ARCHITECT. ANY CHANGES TO AN APPROVED LANDSCAPE PLAN MUST BE AUTHORIZED BY THE LANDSCAPE ARCHITECT OR APPROVAL AUTHORITIES.
12. APPLY ANTI-DESICCANT PRIOR TO THE ONSET OF WINTER AND AGAIN IN MID-WINTER, USING POWER SPRAY TO PROVIDE AN ADEQUATE FILM OVER TRUNKS, BRANCHES, STEMS, TWIGS, AND FOLIAGE. IF DECIDUOUS TREES OR SHRUBS ARE MOVED IN FULL-LEAF, SPRAY WITH ANTI-DESICCANT AT NURSERY BEFORE MOVING AND AGAIN TWO WEEKS AFTER INSTALLATION.
13. ALL PLANTED TREES, SHRUBS, GROUND COVERS AND ANNUAL FLOWERS, SHALL BE MAINTAINED UNTIL FINAL ACCEPTANCE OF THE COMPLETED CONTRACT, OR WHEN INSTALLATION IS ACCEPTED AND MAINTENANCE IS TRANSFERRED TO OWNER. MAINTENANCE SHALL INCLUDE WATERING, CULTIVATING, CONTROL OF INSECTS, FUNGUS, AND OTHER HORTICULTURAL OPERATIONS NECESSARY FOR THE PROPER GROWTH OF ALL PLANT MATERIAL.
14. PLANT LOCATIONS SHOWN ON THE PLAN ARE APPROXIMATE AND SUBJECT TO FIELD AND UTILITY LOCATIONS.

PLANT LIST

KEY	QUAN	BOTANICAL NAME	COMMON NAME	SIZE		ROOT	COMMENTS
		CANOPY TREES					
AR	2	ACER RUBRUM	RED MAPLE	1-1.5" CAL; 6-7' HT.		B&B	
QA	3	QUERCUS ALBA	WHITE OAK	1-1.5" CAL; 6-7' HT.		B&B	
		UNDERSTORY TREES					
NS	5	NYSSA SYLVATICA	BLACK GUM	5 - 6' HT.		B&B	
PS	5	PRUNUS SEROTINA	BLACK CHERRY	5 - 6' HT.		B&B	
		EVERGREEN TREES					
CT	8	CHAMAECYPARIS THYOIDES	ATLANTIC WHITE CEDAR	5 - 6' HT.		B&B	10' O.C.
JC	5	JUNIPERUS CHINENSIS 'TORULOSA'	HOLLYWOOD JUNIPER	5 - 6' HT.		B&B	10' O.C.
JV	9	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	5 - 6' HT.		B&B	10' O.C.
PT	9	PINUS TAEDA	LOBLOLLY PINE	5 - 6' HT.		B&B	10' O.C.
		SHRUBS					
BH	16	BACCHARIS HALIMIFOLIA	SALT SHRUB	24-30" HT.		5 GAL.	5' O.C.
IG	15	ILEX GLABRA	INKBERRY HOLLY	18-24" HT.		5 GAL.	5' O.C.
IV	12	ILEX VERTICILLATA 'BERRY HEAVY	BERRY HEAVY WINTERBERRY HOLLY	24-30" HT.		5 GAL.	5' O.C.
IVS	2	ILEX VERTICILLATA 'MR. POPPINS' (MALE)	MR. POPPINS WINTERBERRY	24-30" HT.		5 GAL.	5' O.C.
MP	20	MYRICA PENSYVANICA	NORTHERN BAYBERRY	24-30" HT.		5 GAL.	5' O.C.
PM	6	PRUNUS MARITIMA	BEACH PLUM	18-24" HT.		5 GAL.	5' O.C.
		PERENNIALS					
X-AV	180	ANDROPOGON VIRGINICUS	BROOMSEDGE BLUESTEM	F.P.E.	4" PLUG		1.5' O.C.
X-CL	105	CHASMAUTHIUM LATIFOLIUM	SEA OATS	F.P.E.	4" PLUG		1.5' O.C.
X-CS	70	CAREX STRICTA	TUSSOCK SEDGE	F.P.E.	4" PLUG		1.25' O.C.
X-JE	160	JUNCUS EFFUSUS	SOFT RUSH	F.P.E.	4" PLUG		1.25' O.C.
X-PV	140	PANICUM VIRGATUM	SWITCHGRASS	F.P.E.	4" PLUG		1.5' O.C.
X-SS	85	SOLIDAGO SPECIOSA	SHOWY GOLDENROD	F.P.E.	4" PLUG		1.5' O.C.

NOTE: F.P.E. = FULL TO POT EDGE.

BULK TABLE CHCOZ BUFFER REQUIREMENTS		
ITEM	REQUIRED/ALLOWED (@ 20' WIDE)	PROVIDED (@ 20' WIDE)
TREES	12 TREES PER 100 LF OF PROPERTY LINE	
(DECIDUOUS/EVERGREEN)	561 LF (Excluding Pavement Egress & Interdunel Swale Area)/100 = 5.61 X 12 = 68 Trees. Water Utility Line 50% Reduction. 420 LF /100 = 4.2 X 12 = 51 X 50% = 25 Trees. 68 - 25 = 43 Trees	5 SHADE TREES 7 UNDERSTORY TREES 31 EVERGREEN TREES
SHRUBS	10 Shrubs per 100 Linear Feet.	
	561 LF (Excluding Pavement Egress & Interdunel Swale Area)/100 = 5.61 X 10 = 56 Shrubs.	57 SHRUBS

Ernst Conservation Seeds

IPDF Images\ERNMX-154-MixSheet14dx2968.png

Ernst Conservation Seeds
8884 Mercer Pike
Meadville, PA 16335
(800) 873-3321 Fax (814) 336-5191
~~www.ernstseed.com~~

Date: February 08, 2024

PROPOSED SWALE AREA SEED MIX

Floodplain Mix - ERNMX-154

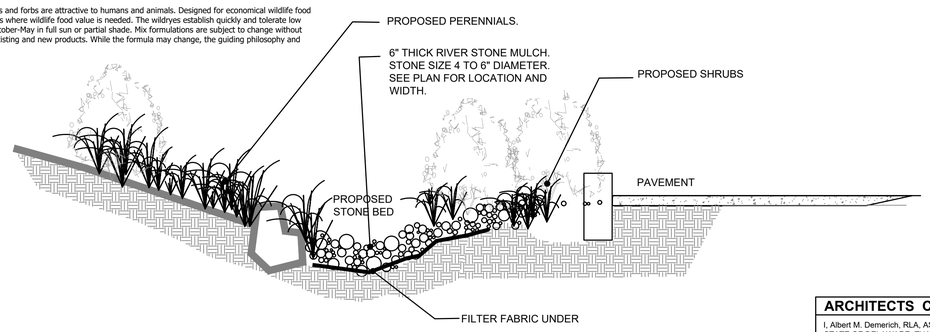
Botanical Name	Common Name
20.00 % Elymus virginicus, Madison-NY Ecotype	Virginia Wildrye, Madison-NY Ecotype
14.50 % Panicum clandestinum, Tioga	Deertongue, Tioga
14.00 % Andropogon gerardii, 'Niagara'	Big Bluestem, 'Niagara'
14.00 % Sorghastrum nutans, PA Ecotype	Indiangrass, PA Ecotype
10.00 % Carex vulpinoidea, PA Ecotype	Fox Sedge, PA Ecotype
6.30 % Carex lurida, PA Ecotype	Lurid Sedge, PA Ecotype
6.30 % Carex scoparia, PA Ecotype	Blunt Broom Sedge, PA Ecotype
3.00 % Verbena hastata, PA Ecotype	Blue Vervain, PA Ecotype
2.40 % Zizia aurea, PA Ecotype	Golden Alexanders, PA Ecotype
2.00 % Asclepias incarnata, PA Ecotype	Swamp Milkweed, PA Ecotype
2.00 % Juncus effusus	Soft Rush
1.00 % Verbena urticifolia, PA Ecotype	White Vervain, PA Ecotype
0.60 % Solidago rugosa, PA Ecotype	Wrinkleleaf Goldenrod, PA Ecotype
0.50 % Aster lanceolatus	Lance Leaved Aster
0.50 % Aster novae-angliae, PA Ecotype	New England Aster, PA Ecotype
0.50 % Aster puniceus, PA Ecotype	Purplestem Aster, PA Ecotype
0.50 % Heliopsis helianthoides, PA Ecotype	Oxeye Sunflower, PA Ecotype
0.40 % Eupatorium perfoliatum, PA Ecotype	Boneset, PA Ecotype
0.40 % Monarda fistulosa, Fort Indiantown Gap-PA Ecotype	Wild Bergamot, Fort Indiantown Gap-PA Ecotype
0.30 % Lycopus americanus, PA Ecotype	American Water Horehound, PA Ecotype
0.30 % Mimulus ringens, PA Ecotype	Square Stemmed Monkeyflower, PA Ecotype
0.30 % Scirpus cyperinus, PA Ecotype	Woolgrass, PA Ecotype
0.20 % Lobelia siphilitica, PA Ecotype	Great Blue Lobelia, PA Ecotype

100.00 %

Seeding Rate: 20 lb per acre with a cover crop of grain rye at 30 lb per acre

Grasses & Grass-like Species - Herbaceous Perennial; Herbaceous Flowering Species - Herbaceous Perennial; Riparian Sites

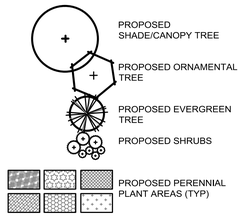
The diverse annual and perennial grasses and forbs are attractive to humans and animals. Designed for economical wildlife food and habitat in newly established wetlands where wildlife food value is needed. The wildryes establish quickly and tolerate low fertility in wet or dry soils. Seed from October-May in full sun or partial shade. Mix formulations are subject to change without notice depending on the availability of existing and new products. While the formula may change, the guiding philosophy and function of the mix will not.



DETAIL: STONE BED FOR BIO-RETENTION (TYP)

SCALE: NOT TO SCALE

LANDSCAPE LEGEND



ARCHITECTS CERTIFICATION

I, Albert M. Demerich, RLA, ASLA, HEREBY CERTIFY THAT I AM A REGISTERED LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE LANDSCAPE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF, REPRESENTS GOOD LANDSCAPE PRACTICES.

ALBERT M. DEMERICH, RLA, ASLA LICENSE #: S1-0000394 DATE

solutions
303 North Bedford Street
Georgetown, DE 19947
T. 302.297.9210

3003 Merrill Mill Road
Salisbury, MD 21804
T. 410.572.8833

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REVISIONS

NO.	DATE	DESCRIPTION
1	7/8/24	ADDED CONDITIONS OF APPROVAL
2	8/28/24	REVISIONS PER DNREC COMMENTS
3	3/5/25	REMOVAL OF GATHERING AREA AND PAVILLION, RELOCATED MAILBOXES AND ADDED ENTRANCE MONUMENT

CONDITIONAL USE LANDSCAPE PLAN - BIOSWALE

for

SUNRISE CONDOMINIUMS

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Date:	11/3/23
Job Number:	G23055
Scale:	1"=30'
Drawn By:	MJL
Designed By:	JP
Approved By:	JP

Sheet No.: 6

File Name: 23055-conditional-landscape

PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIRMAN
J. BRUCE MEARS
GREGORY SCOTT COLLINS
BRIAN BUTLER

Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR

August 5, 2024

Mr. Jason Palkewicz, P.E.
Solutions IPEM
303 North Bedford Street
Georgetown, DE 19947

By email to: jpalkewicz@solutionsipem.com

RE: Staff Review Letter for the Preliminary Site Plan for Sunrise Condominiums (S-24-47) lying on the east side of Coastal Highway (Rt. 1), approximately 0.19 mile north of the intersection of Coastal Highway (Rt. 1) and Indian Harbor Villas Drive and consisting of a total of 1.28 acres +/- .
Tax Parcel: 134-5.00-4.00

Dear Mr. Palkewicz,

The Planning and Zoning Department has reviewed the Preliminary Site Plan for Sunrise Condominiums (S-24-47) proposing the creation of a community comprised of six (6) detached condominium structures totaling six (6) dwelling units, an amenity area, stormwater management, parking, and internal road to be located on (1.287) acres +/-. The parcel is lying on the east side of Coastal Highway (Rt. 1), approximately 1.1-mile(s) south of Indian River Inlet on the southeast corner of the intersection of Coastal Highway (Rt. 1) and Three Rs Road (Rt. 24). Staff have reviewed the proposed site plan for compliance with the Sussex County Zoning Code as well as the Conditions of Approval for Conditional Use (CU 2497) and have the following comments:

Preliminary Site Plan

1. Please include dimensioning for all structures proposed on the plan (§115-220(B)(8)).
2. Please include more detail and specific labeling regarding the amenities area on the Plan. Please include the details, dimensions, location, materials, character, and labeling for any proposed improvements as appropriate (Gathering Area, Pavilion, etc.)
3. Please include the seal and signature of a registered Delaware land surveyor or registered professional engineer (§115-220(B)(1)).
4. Please include if any phasing is proposed for the project on the Plan (§115-220(B)(12)).
5. Please remove "Proposed" Zoning from the Site Data Column.
6. Staff note the design proposes a (10) foot minimum separation distance between structures. County code for multifamily structure requires separation of (2 Side Yards (10)(feet)(each)) *Table 115 Attachment 2* Table II.pdf (ecode360.com) Please revise the plan to meet the required separation distance to provide two (2) side yards of (10) feet for separation between each multifamily structure to more reflect the requirements of (§115-188(E)(1&2))
7. Please include the multifamily setbacks required as in included in *Table 115 Attachment 2* - in Data Column in addition to the MR Setbacks to include (2 Side Yards (10)(feet)(each).

8. Please note, any accessory structures which may be proposed in the future by the HOA or any individual resident is subject to site plan review (§115-188(E)(3)).
9. Please include a landscape plan as required under (§115-194.1(E)(6)(a))
10. Please include the planted landscape buffers as required under "Condition j" for the southern parcel boundary buffer as well as CHCOZ requirements for buffer plantings along the frontage on Route 1 (§115-194.1(E)(6)(b)).
11. Please ensure the landscape plan includes a planting schedule meeting the species and distribution requirements for plantings (*Forested and/or Landscaped Buffer Strip* - CH 99 Definitions (A-K)) https://ecode360.com/8882552
12. Please note, the landscape plan for the buffer areas shall be designed and signed by a Delaware licensed landscape architect.
13. Interconnectivity to adjacent parcels is required per (§115-194.1(G)(1)(c)) & (§115-221(B)(18)). Staff recommend the Plan include an easement at the stub for future connection to improvements which may occur in the future adjacent at Parcel # 134-5.00-5.00 (§115-220(B)(16)), (§115-221(B)(6)), & (§115-221(B)(18)).
14. Staff request clarification as to how the plan meets the requirement for the "accommodation of pedestrian movement throughout the site" (§115-194.1(G)(1)(b)).
15. Please include the number of bedrooms proposed within each individual unit to ensure the plan meets the Requirements for the provision of parking under (§115-162(B)(1)).
16. Please include the proposed location of the enclosed area for the rollout trash receptacles as required under "Condition D" of the Conditions of Approval for CU 2497. "Condition D" requires that no dumpster is on the site and requires that the area be "enclosed" and "on the area of this site where the building is located." Please include the location, character, and materials of any such enclosures on the plan.
17. Please include the location of any proposed lighting on the Plan (§115-221(B)(5)). Please note lighting of the parking areas is required under (§115-166(G)).
18. Please include all building separation distances drawn on the Plan (§115-221(B)(5)).
19. Please include the proposed location, height and material of all fences, screen plantings, and landscaping (§115-221(B)(9)).
20. Please include a Loading Zone on the Plan. If no loading zone is proposed, please submit a waiver request letter (§115-167).
21. Please include the zoning district of all adjacent parcels on the plan (§115-220(B)(2)) (§115-221(B)(2)).
22. Please include the Net Development Area (§115-220(B)(6)) (§115-221(B)(3)).
23. Please include dimensioning for all structures including total floor area for each unit as well as dimensioning for the "Pavilion" & "Gathering Area" (§115-220(B)(8)) (§115-221(B)(7)).
24. Please include details about the nature and materials of the gathering area and pavilion (§115-221(B)(9)).
25. Please include the proposed location, character, size, height, and orientation of any proposed signs (§115-221(B)(11). Staff request clarification if a sign with a community name will be proposed on the site. Please include a note on the Plan indicating that any sign with require a separate permit from the County.
26. Please include a bulk grading plan (§115-221(B)(17))
27. Please include "Condition b" of the Conditions of Approval for CU 2497 relating to perpetual maintenance in the Site Data column.

28. Prior to Final Site Plan approval, please include an AutoCAD drawing file for the project (§115-221(E)).
29. Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office (All bolded items still need submitted. All checked items have been received by the department.):
    a. **Delaware Department of Transportation (DelDOT)**
    b. **State Fire Marshal (OSFM)**
    c. **Sussex Conservation District (SCD)**
    d. **Sussex County Engineering (SCED)**
    e. **Site Plan Review Fee ($1000 plus $50 per dwelling unit)**

Please provide **one (1) full-size copy** and **one (1) electronic copy** of a Revised Preliminary Site Plan once all comments have been addressed. The Revised Plan will then be scheduled for the next available Planning and Zoning Commission meeting.

Please feel free to contact me with any questions at 302-855-7878.

Sincerely,



Michael Lowrey
Planner III

August 15, 2024

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

RE: Sunrise Condominiums (S-24-47 / CU 2497)

Dear Michael:

Solutions IPEM has received Sussex County's Planning & Zoning comments dated August 5, 2024 and has addressed all comments. Please find enclosed with this submittal one full size copy and one electronic copy.

The infrastructure for this project is largely in place. Based on meetings and discussions with agencies, there will be some retrofit work (moving cleanouts, repavement, etc).

Preliminary Site Plan

1. Please include dimensioning for all structures proposed on the plan (§115-220(B)(8)). Dimensions have been provided for the pavilion and gathering area. The dimensions of the six individual homes have typically not been dimensioned on the site plans. See Inland Bays, Marlin Chase, The Overlook, etc.
2. Please include more detail and specific labeling regarding the amenities area on the Plan. Please include the details, dimensions, location, materials, character, and labeling for any proposed improvements as appropriate (Gathering Area, Pavilion, etc.) Dimensions and details regarding the materials proposed for the gathering area are shown on the plans.
3. Please include the seal and signature of a registered Delaware land surveyor or registered professional engineer (§115-220(B)(1)). Noted.
4. Please include if any phasing is proposed for the project on the Plan (§115-220(B)(12)). The proposed improvements. The work described above will be performed in one phase.
5. Please remove "Proposed" Zoning from the Site Data Column. The proposed zoning has been removed.
6. Staff note the design proposes a (10) foot minimum separation distance between structures. County code for multifamily structure requires separation of (2 Side Yards (10)(feet)(each)) *Table 115 Attachment 2* Table II.pdf (ecode360.com) Please revise the plan to meet the required separation distance to provide two (2) side yards of (10) feet for separation between each multifamily structure to more reflect the requirements of (§115-188(E)(1&2)). The plan that was presented to Planning Commission and County Council showed a proposed separation of ten feet between each home. Furthermore, the proposed homes are to be condominium ownership, without lot lines. Single-family homes approved in this manner have

been approved with 10' (or less) between buildings, see Inland Bays, Marlin Chase, Arbor Lyn, The Overlook, The Peninsula, etc.

7. Please include the multifamily setbacks required as in included in *Table 115 Attachment 2* - in Data Column in addition to the MR Setbacks to include (2 Side Yards (10)(feet)(each). No subdivision of the parcel is being proposed. The setbacks would apply to the outbounds of the existing parcel. See response to comment 6 above.
8. Please note, any accessory structures which may be proposed in the future by the HOA or any individual resident is subject to site plan review (§115-188(E)(3)). Note added to plan.
9. Please include a landscape plan as required under (§115-194.1(E)(6)(a)). A landscaping plan will be provided at final site plan.
10. Please include the planted landscape buffers as required under "Condition j" for the southern parcel boundary buffer as well as CHCOZ requirements for buffer plantings along the frontage on Route 1 (§115-194.1(E)(6)(b)). Buffer area are shown on the plan. Buffer plantings will be shown on the final site plan.
11. Please ensure the landscape plan includes a planting schedule meeting the species and distribution requirements for plantings (*Forested and/or Landscaped Buffer Strip* - CH 99 Definitions (A-K)) https://ecode360.com/8882552 The Council approved the 10' wide buffer along the southern property line. As it is narrower than CH 99 requirements, the final site plan will conform as much as practicable.
12. Please note, the landscape plan for the buffer areas shall be designed and signed by a Delaware licensed landscape architect. Buffer plants will be designed and signed by a landscape architect.
13. Interconnectivity to adjacent parcels is required per (§115-194.1(G)(1)(c)) & (§115-221(B)(18)). Staff recommend the Plan include an easement at the stub for future connection to improvements which may occur in the future adjacent at Parcel # 134-5.00- 5.00 (§115-220(B)(16)), (§115-221(B)(6)), & (§115-221(B)(18)). An easement has been provided.
14. Staff request clarification as to how the plan meets the requirement for the "accommodation of pedestrian movement throughout the site" (§115-194.1(G)(1)(b)). There are no transit stops near the property. The parking areas are at each unit. There are no sidewalks or paths to connect to.
15. Please include the number of bedrooms proposed within each individual unit to ensure the plan meets the Requirements for the provision of parking under (§115-162(B)(1)). The proposed homes are single family detached homes. The requirement of 2 spaces per unit are met.
16. Please include the proposed location of the enclosed area for the rollout trash receptacles as required under "Condition D" of the Conditions of Approval for CU 2497. "Condition D" requires that no dumpster is on the site and requires that the area be "enclosed" and "on the area of this site where the building is located." Please include the location, character, and materials of any such enclosures on the plan. Individual residential enclosures are noted on the plan.
17. Please include the location of any proposed lighting on the Plan (§115-221(B)(5)). Please note lighting of the parking areas is required under (§115-166(G)). Lighting is provided for the overflow parking and mailbox location.
18. Please include all building separation distances drawn on the Plan (§115-221(B)(5)). The minimum 10' separation is noted on the plans.

• T: 302.297.9215
• T: 410.572.8833
• E: ideas@solutionsipem.com

303 North Bedford Street • 3003 Merritt Mill Road
Georgetown, DE 19947 • Salisbury, MD 21804

19. Please include the proposed location, height and material of all fences, screen plantings, and landscaping (§115-221(B)(9)). Planting details are shown on the landscape plan. Entrance wall / fence location and height are noted on the plan.
20. Please include a Loading Zone on the Plan. If no loading zone is proposed, please submit a waiver request letter (§115-167). A loading zone is not required per code for single-family detached homes.
21. Please include the zoning district of all adjacent parcels on the plan (§115-220(B)(2)) (§115-221(B)(2)). Zoning of the adjacent parcels is shown on the plan.
22. Please include the Net Development Area (§115-220(B)(6)) (§115-221(B)(3)). Net development area is included in the site data.
23. Please include dimensioning for all structures including total floor area for each unit as well as dimensioning for the "Pavilion" & "Gathering Area" (§115-220(B)(8)) (§115-221(B)(7)). Dimensions have been provided for the pavilion and gathering area. The dimensions of the six individual homes have typically not been dimensioned on the site plans. See Inland Bays, Marlin Chase, The Overlook, etc.
24. Please include details about the nature and materials of the gathering area and pavilion (§115-221(B)(9)). Details of the pavilion gathering area have been provided on the plan.
25. Please include the proposed location, character, size, height, and orientation of any proposed signs (§115-221(B)(11). Staff request clarification if a sign with a community name will be proposed on the site. Please include a note on the Plan indicating that any sign with require a separate permit from the County. The wall / fence and sign location, including height and area, are shown on the plan. Final details will be provided as part of the signage and fence permits.
26. Please include a bulk grading plan (§115-221(B)(17)). The infrastructure for the project has been previously constructed. No bulk grading is proposed. Detailed grading around the gathering area is included. Detailed grading of the homes will be provided on an individual lot grading plan as part of the building permitting process.
27. Please include "Condition b" of the Conditions of Approval for CU 2497 relating to perpetual maintenance in the Site Data column. The note has been added to the site data.
28. Prior to Final Site Plan approval, please include an AutoCAD drawing file for the project (§115-221(E)). Noted.
29. Prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office (All bolded items still need submitted. All checked items have been received by the department.):
    - **Delaware Department of Transportation (DelDOT)**
    - **State Fire Marshal (OSFM)**
    - **Sussex Conservation District (SCD)**
    - **Sussex County Engineering (SCED)**
    - **Site Plan Review Fee ($1000 plus $50 per dwelling unit)**

Please provide **one (1) full-size copy** and **one (1) electronic copy** of a Revised Preliminary Site Plan once all comments have been addressed. The Revised Plan will then be scheduled for the next available Planning and Zoning Commission meeting.

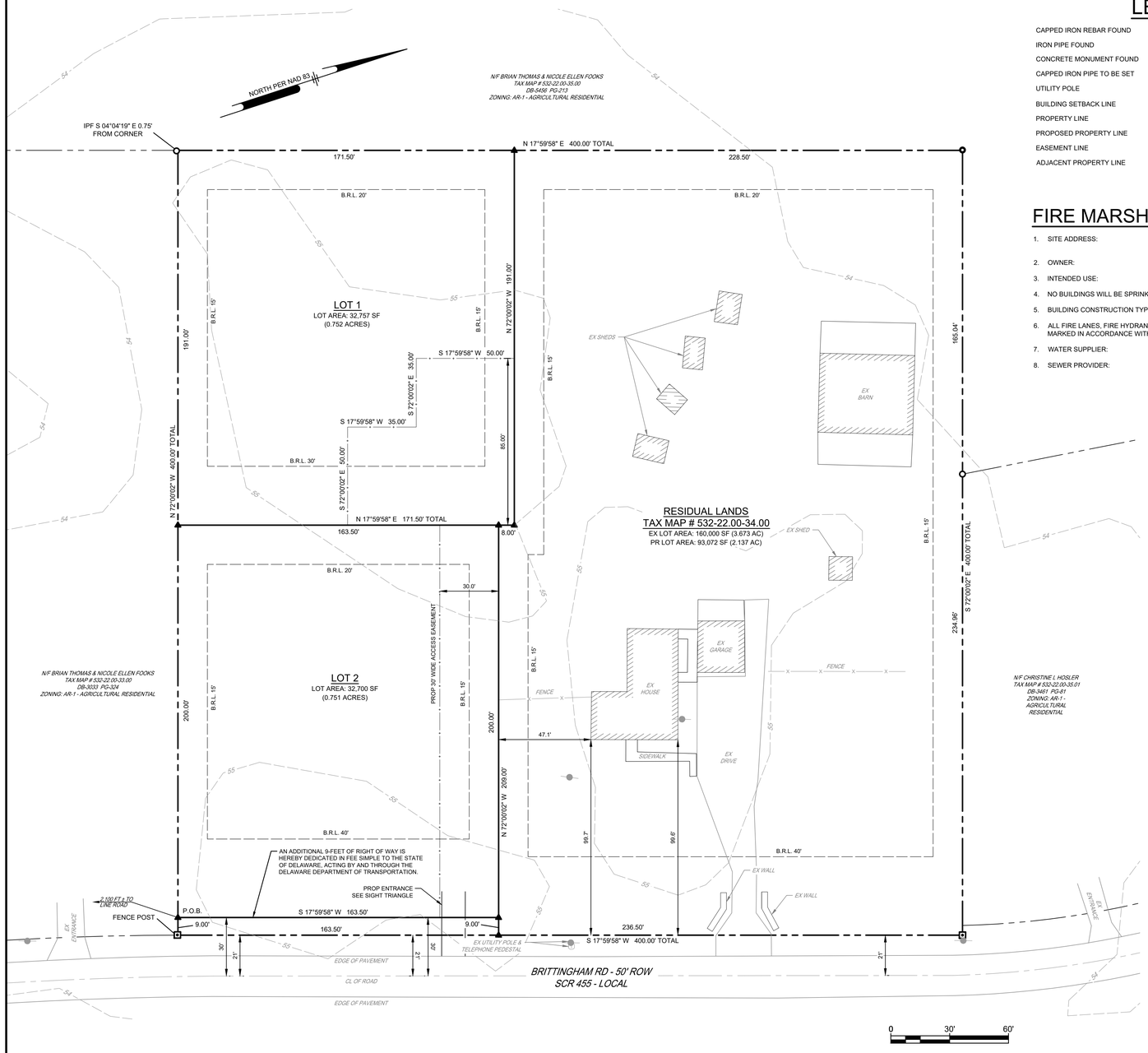
Sincerely,
Solutions, IPEM

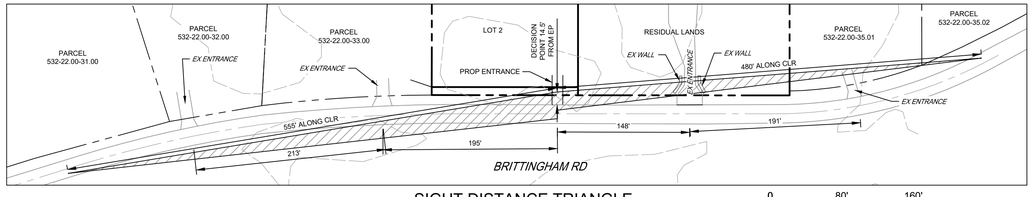
Jason Palkewicz

Jason Palkewicz, PE
CEO

T: 302.297.9215
T: 410.572.8833
E: ideas@solutionsipem.com

303 North Bedford Street • 3003 Merritt Mill Road
Georgetown, DE 19947 • Salisbury, MD 21804





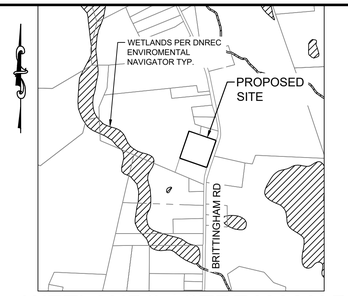
SIGHT DISTANCE TRIANGLE

SCALE: 1" = 80'

0 80' 160'

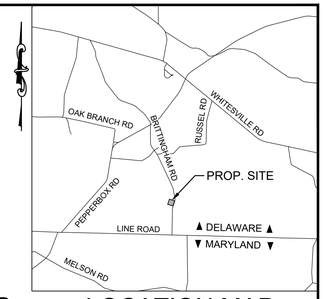
LEGEND

- CAPPED IRON REBAR FOUND
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- CAPPED IRON PIPE TO BE SET
- UTILITY POLE
- BUILDING SETBACK LINE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- EASEMENT LINE
- ADJACENT PROPERTY LINE



WETLANDS / STREAM MAP

SCALE: 1" = 1,000'



LOCATION MAP

SCALE: 1" = 1 MILE

FIRE MARSHAL NOTES

1. SITE ADDRESS: 38256 BRITTINGHAM RD, DELMAR, DE 19940
2. OWNER: TEODORO A & MISSIE L ANDRADE
3. INTENDED USE: RESIDENTIAL
4. NO BUILDINGS WILL BE SPRINKLED
5. BUILDING CONSTRUCTION TYPE: NPPA TYPE V WOOD FRAME
6. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
7. WATER SUPPLIER: PRIVATE ON SITE WELL
8. SEWER PROVIDER: PRIVATE SEPTIC SYSTEM

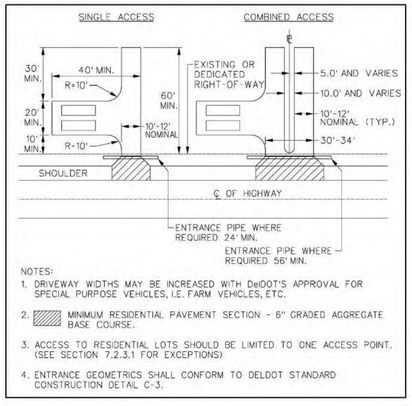
SITE DATA:

1. TAX PARCELS AND OWNERS OF RECORD:
   PARCEL 532-22.00-34.00 - TEODORO A & MISSIE L ANDRADE
   SOURCE OF TITLE: DB 4002 PG 167
2. PARCEL AREA:

	EXISTING	PROPOSED
PARCEL 532-22.00-34.00	3.673 AC (160,000 SF)	2.137 AC (93,072 SF)
LOT 1	N/A	0.752 AC (32,757 SF)
LOT 2	N/A	0.751 AC (32,700 SF)
AREA DEDICATED TO DELDOT	N/A	0.033 AC (1,471 SF)
GROSS PROPERTY AREA:	3.673 AC (160,000 SF)	3.673 AC (160,000 SF)

3. DENSITY: 1.224 ACRES PER LOT / 0.817 LOTS PER ACRE
4. SITE ADDRESS: 38256 BRITTINGHAM RD, DELMAR, DE 19940
5. EXISTING & PROPOSED LOTS: EXISTING LOTS = 1; PROPOSED LOTS = 2 PLUS RESIDUAL
6. GOVERNMENTAL ENTITY RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY
7. HUNDRED/COUNTY: LITTLE CREEK / SUSSEX COUNTY
8. CURRENT ZONING: AR-1
9. PRESENT USE: RESIDENTIAL
10. PROPOSED USE: RESIDENTIAL
11. MINIMUM AR-1 LOT SIZE: AREA = 32,670 SF; WIDTH = 100 FEET; DEPTH = 100 FEET
12. REQUIRED AR-1 SETBACKS (B.R.L.): FRONT: 40-FEET; SIDE: 15-FEET; REAR: 20-FEET
13. MAXIMUM HEIGHT REQUIREMENT: 42-FEET
14. WATER: PRIVATE ON-SITE WELL
15. SEWER: PRIVATE ON-SITE WASTE WATER DISPOSAL
16. PERMANENT MONUMENTS: 5 MONUMENTS FOUND; 7 MONUMENTS TO BE SET
17. THE SITE IS NOT IMPACTED BY THE 100-YEAR FLOODPLAIN PER FEMA FLOOD MAP PANEL NUMBER: 10005C0600K, EFFECTIVE MARCH 16, 2015.
18. POSTED SPEED LIMIT: BRITTINGHAM RD (SCR 445): 45 MPH
19. 2020 STATE INVESTMENT AREA: STATE STRATEGIES LEVEL 4
20. PROXIMITY TO T.I.D.: APPROXIMATELY 15.2 MILES NORTHEAST TO ROXANNA T.I.D.

Figure 7.2.3.3-a Residential Access Design Requirements



DELDOT GENERAL NOTES

REVISED MARCH 21, 2019

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
5. LOTS 1 & 2 SHALL HAVE ACCESS TO SCR 455 VIA THE PROPOSED 30' WIDE INGRESS/EGRESS EASEMENT.
6. THE RESIDUAL LANDS SHALL CONTINUE TO USE THE EXISTING ACCESS.
7. A SHARED USE MAINTENANCE AGREEMENT SHALL BE ESTABLISHED FOR THE USE OF THE SHARED ACCESS ROAD

NOTES

1. THE PURPOSE OF THIS PLAN IS TO CREATE ONE ADDITIONAL LOT
2. LEVEL OF ACCURACY IS BASED ON "SUBURBAN SURVEY" STANDARDS
3. SURVEY DATE: 1/15/25
4. HORIZONTAL DATUM: NAD 83
5. THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
6. NO WETLANDS ARE PRESENT ON THIS PARCEL PER THE DNREC ENVIRONMENTAL NAVIGATOR.
7. NO BUILDING STRUCTURE OR OTHER PERMANENT STRUCTURE SHALL BE PLACED ON ANY EASEMENT.

OWNER(S) CERTIFICATION

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

TEODORO A ANDRADE — DATE
38256 BRITTINGHAM RD,
DELMAR, DE 19940

MISSIE L ANDRADE — DATE
38256 BRITTINGHAM RD,
DELMAR, DE 19940

ENGINEERS CERTIFICATION

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

EDWIN TENNEFOSS, P.E. (DE LICENSE 13386) — DATE
39 COMMERCE STREET
HARRINGTON, DE 19952

SITEWORKS ENGINEERING
PO BOX 2 | 39 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 841-7901

MINOR SUBDIVISION PLAN

TEODORO A & MISSIE L ANDRADE

TAX PARCEL NO. 532-22.00-34.00

BRITTINGHAM ROAD (SCR445) LOCAL

LITTLE CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

ISSUE / REVISION BLOCK
1/22/25 - ORIGINAL PLAN
3/18/25 - SUSSEX COUNTY

SCALE	PROJECT #	DRAWN BY
1" = 30'	24-544	DMH

DRAWING NUMBER

1

SHEET 1 OF 1

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

SHANTÉ A. HASTINGS
SECRETARY

March 19, 2025

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

SUBJECT: Minor Subdivision - Letter of No Objection to Recordation
Andrade Minor Subdivision
Tax Parcel # 532-22.00-34.00
BRITTINGHAM ROAD (SCR 455)
Little Creek Hundred, Sussex County

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated January 22, 2025 (last revised March 18, 2025), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

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

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

The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,



John Pietrobono
Sussex County Review Coordinator
Development Coordination

cc: Edwin Tennefoss, SiteWorks Engineering, LLC.
Sussex County Planning & Zoning
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
Travis Schirmer, South District Public Works Supervisor
James Argo, South District Project Reviewer
James Smith, South District Entrance Permit Supervisor
Wendy L. Polasko, P.E., Subdivision Engineer
José Quixtan, Sussex County Reviewer

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2025-04-219896-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 532-22.00-34.00
Date: 03/07/2025

Project

Andrade Minor Subdivision

Andrade Property - Brittingham Road

38256 Brittingham Road
Delmar DE 19940

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 74 - Delmar Volunteer Fire Dept Inc

Occupant Load Inside:
Occupancy Code:

Applicant

Edwin Tennefoss
PO Box 2 19 Commerce Street
Greenwood, DE 19950

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

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

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

A final inspection is required.

This Plan Review Project was prepared by:

William Kelly
Fire Protection Specialist III

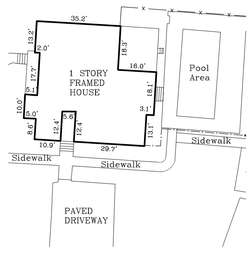
FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2025-04-219896-MIS-01 **Tax Parcel Number:** 532-22.00-34.00

Status: Approved as Submitted **Date:** 03/07/2025

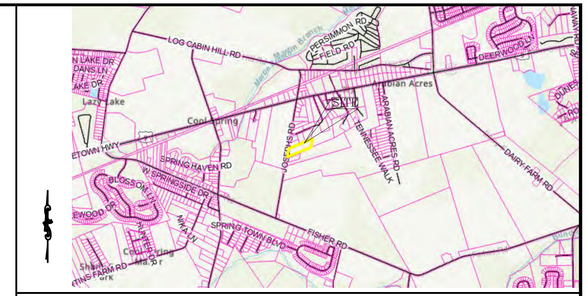
PROJECT COMMENTS

1002 A	**This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov.These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. The Office of the State Fire Marshal recommends theinstallation of fire sprinkler systems in all residential occupancies, including one- and two-family dwellings, duplexes, and townhomes. For additional information on residential sprinkler systems, please see here:https://statefiremarshal.delaware.gov /wp-content/uploads/sites /110/2017/07/Home_Sprinkler_Brochure.pdf**
1011 A	**Per Fire Flow Table 1, the following occupancies: One and Two Family Detached Dwellings, Multi Family & Other Residential, Rowhouses & Townhouses Shall not exceed 10,000 aggregate gross square footage; shall not exceed 35"" or three stories; and Shallhave a minimum setback of 15"" from all property lines and 10"" setback from exposure hazards on the same property. Additionally, Rowhouses & Townhouses shall have an internal fire separation of two hour fire rated walls per SFPR Reg 702, Chapter 2.**
2500 A	**A final inspection is required for this project prior to occupancy (DSFPR Part I, Section 4-7). Contact this Agency to schedule this inspection. Please have the plan review number available. A MINIMUM OF FIVE (5) WORKING DAYS NOTICE IS REQUIRED.**
2710 A	**The following items will be field verified by this Agency at the time of final inspection:**
1408 A	**All premises where emergency personnel may be called upon to provide emergency services, which are not readily accessible from streets, shall be provided with suitable gates, access roads, and fire lanes so that all buildings on thepremises are accessible to emergency apparatus. (DSFPR Regulation 705, Chapter 5, Section 2).**

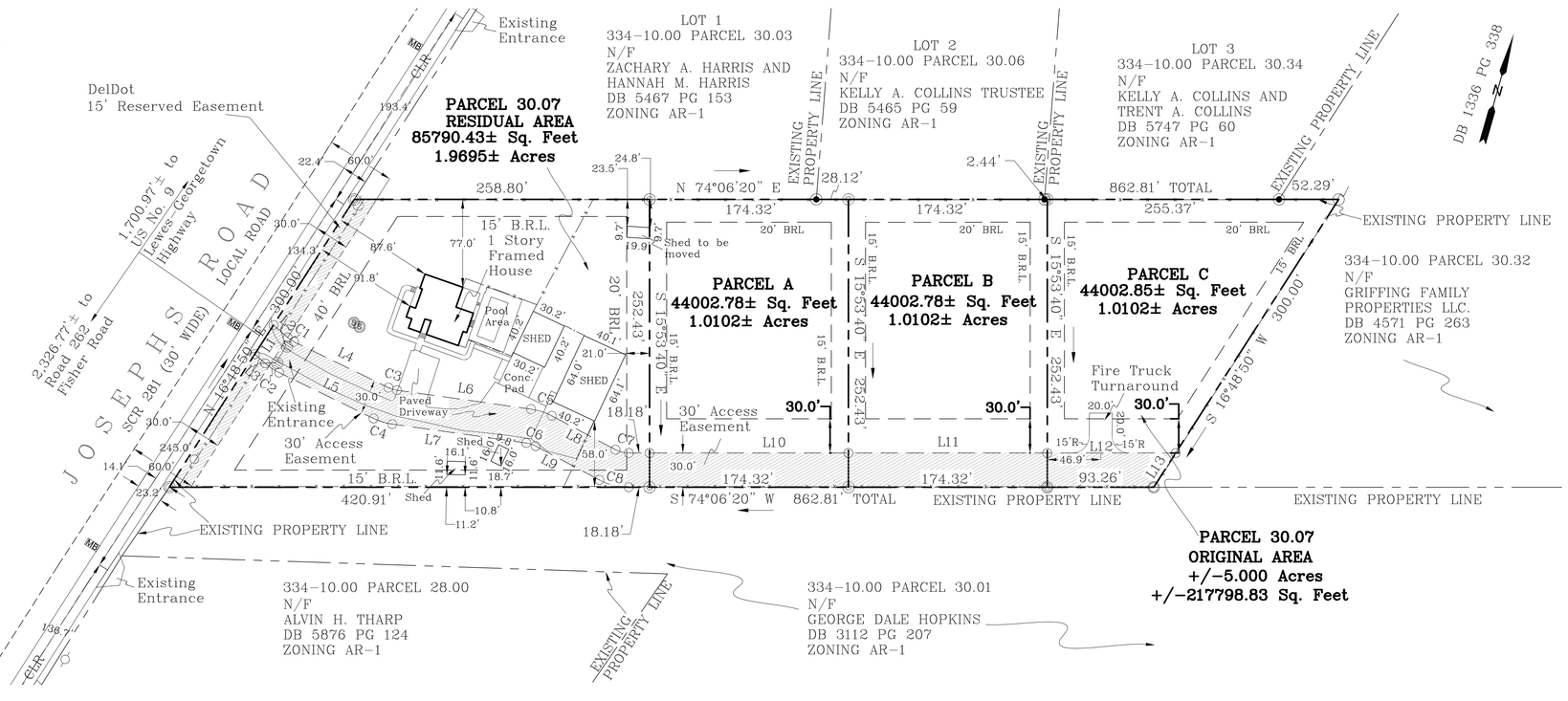


HOUSE-DETAILS
1" = 30'

ZONING CLASSIFICATION: AR-1
YARD REQUIREMENTS:
FRONT YARD: 40'
SIDEYARD: 15'
REARYARD: 20'



LOCATION MAP — SCALE: 1 INCH = 2,000 FEET



PLAN VIEW
1" = 100'

LEGEND
- CAPPED REBAR FOUND
- CAPPED REBAR SET
- IRON PIPE FOUND
- PROPERTY CORNER
- DISK FOUND
- SEWER LID
- POWER POLE
- LIGHT POLE
- FENCE POST-LIGHT POLE
- MB MAIL BOX
- T TELEPHONE PEDESTAL
- PROPERTY LINE
- x — x — FENCE LINE
- BUILDING RESTRICTION LINE

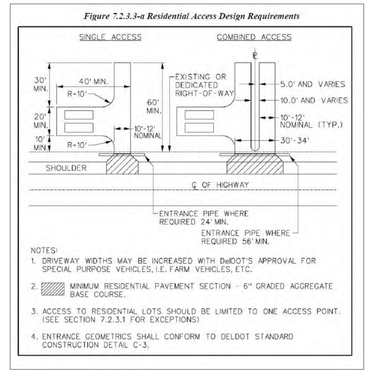
ACCESS EASEMENT- LINE TABLE

LINE	BEARING	DISTANCE
L1	N 16°48'50" E	30.33'
L2	S 64°40'22" E	16.46'
L3	S 64°40'22" E	12.16'
L4	S 79°57'27" E	91.97'
L5	S 79°57'27" E	91.97'
L6	N 82°06'19" E	118.58'
L7	N 82°06'19" E	118.58'
L8	S 77°51'37" E	63.21'
L9	S 77°51'37" E	63.21'
L10	N 74°06'20" E	174.32'
L11	N 74°06'20" E	174.32'
L12	N 74°06'20" E	112.53'
L13	S 16°48'50" W	35.65'

ACCESS EASEMENT- CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	6.67'	6.65'	S 72°18'54" E	15°17'05"
C2	55.00'	14.67'	14.63'	S 72°18'54" E	15°17'05"
C3	25.00'	7.83'	7.79'	S 88°55'34" E	17°56'14"
C4	55.00'	17.22'	17.15'	S 88°55'34" E	17°56'14"
C5	55.00'	19.23'	19.13'	S 87°52'39" E	20°02'04"
C6	25.00'	8.74'	8.70'	S 87°52'39" E	20°02'04"
C7	25.00'	12.23'	12.11'	S 88°07'22" W	28°02'03"
C8	55.00'	26.91'	26.64'	S 88°07'22" W	28°02'03"

Figure 7.2.3.3-a Residential Access Design Requirements



PLAN DATA:

PARCEL I.D. No	*	334-10.00-30.07
PLAT REFERENCE	*	D.B. 1336, PAGE 338
ZONING DISTRICT	*	AR-1 (ZONING CLASSIFICATION)
ROADWAY CLASSIFICATION	*	SCR 281 (LOCAL ROAD)
POSTED SPEED LIMIT	*	45 MPH
SEWAGE DISPOSAL	*	INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS (PRIVATE) SEWERAGE IS SUBJECT TO APPROVAL OF THE THE DELAWARE STATE DEPARTMENT NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	*	INDIVIDUAL ON-SITE WELLS (PRIVATE) WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
OWNER	*	JEROME E. STRATTON AND CATHERINE A. STRATTON 18595 JOSEPHS ROAD MILTON, DE 19968
LOT AREA RATIONALE	*	AREA IN LOTS PARCEL 30.07 ORIGINAL AREA = 5.00 ± ACRES AREA IN PARCEL (A) = 1.01 ± ACRES AREA IN PARCEL (B) = 1.01 ± ACRES AREA IN PARCEL (C) = 1.01 ± ACRES AREA IN REMAINING LANDS = 1.97 ± ACRES
TOTAL No. OF LOTS	*	3 LOTS AND A RESIDUAL SINGLE FAMILY DWELLING UNITS
(TID) PROXIMITY	*	5 MILES

DELDOT NOTES:

1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
2. 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.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. LOT A,B AND C SHALL HAVE ACCESS FROM SCR 281 VIA THE 30' WIDE INGRESS/EGRESS EASEMENT, IN WHICH THE ENTRANCE SHALL BE ALONG THE SOUTHERN PROPERTY LINE. SHOULD ADDITIONAL LOTS EVER BE DEVELOPED FROM THE RESIDUAL LANDS, THEN THE SINGLE ACCESS SHALL BE CONVERTED TO A COMBINED ACCESS.
5. I/WE, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY/OUR DIRECTION, AND THAT I/WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT I/WE DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.
6. A 15' FOOT WIDE STRIP IS HEREBY RESERVED FOR THE STATE OF DELAWARE AS PER THIS PLAT, FOR FUTURE RIGHT-OF-WAY NEEDS.
7. I CERTIFY THAT TITLE 17, SECTION 530 IS APPLICABLE TO THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN BY VIRTUE OF: (CHECK APPLICABLE SECTION)

JEROME E. STRATTON
18595 JOSEPHS ROAD
MILTON, DE 19968

CATHERINE A. STRATTON

DATE

NOTES

1. THIS SURVEY IS CLASSIFIED AS A "SUBURBAN" SURVEY.
2. UNLESS THIS PLAT HAS A SEAL WITH AN ORIGINAL SIGNATURE OF ENGINEER, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.
3. THE SURVEY DOES NOT VERIFY THE EXISTENCE OF OR NONEXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS.

ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

JOHN B. ROACH, JR., P.E. DATE

0' 50' 100' 200' 300'
SCALE: 1" = 100'

RECORD MINOR SUBDIVISION PLAN

FOR PROPERTY KNOWN AS:

LANDS OF "JEROME E. STRATTON AND CATHERINE A. STRATTON"

ALSO KNOWN AS:

"18595 JOSEPHS ROAD MILTON DE"

SITUATE IN:

LEWES AND REHOBOTH HUNDRED * SUSSEX COUNTY
STATE OF DELAWARE

TAX MAP#: 334-10.00-30.07

Number	Date	Description

JOHN B. ROACH Engineering LLC

22184 MELSON ROAD
GEORGETOWN, DE 19947
PHONE NO. 302-856-4912

DRAWN BY: JBR | DATE: 02/13/2025

SCALE: 1" = 100 | SHEET 1 OF 1

DelDOT NOTES

1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
2. 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 THE PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION THEN ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. THE POSTED SPEED LIMIT FOR SCR 565 (DEER FOREST ROAD) IS 50MPH.
5. LOT 1, LOT 2, AND RESIDUAL LANDS SHALL HAVE ACCESS TO SCR 565 VIA THE 40-FOOT WIDE INGRESS/EGRESS EASEMENT.

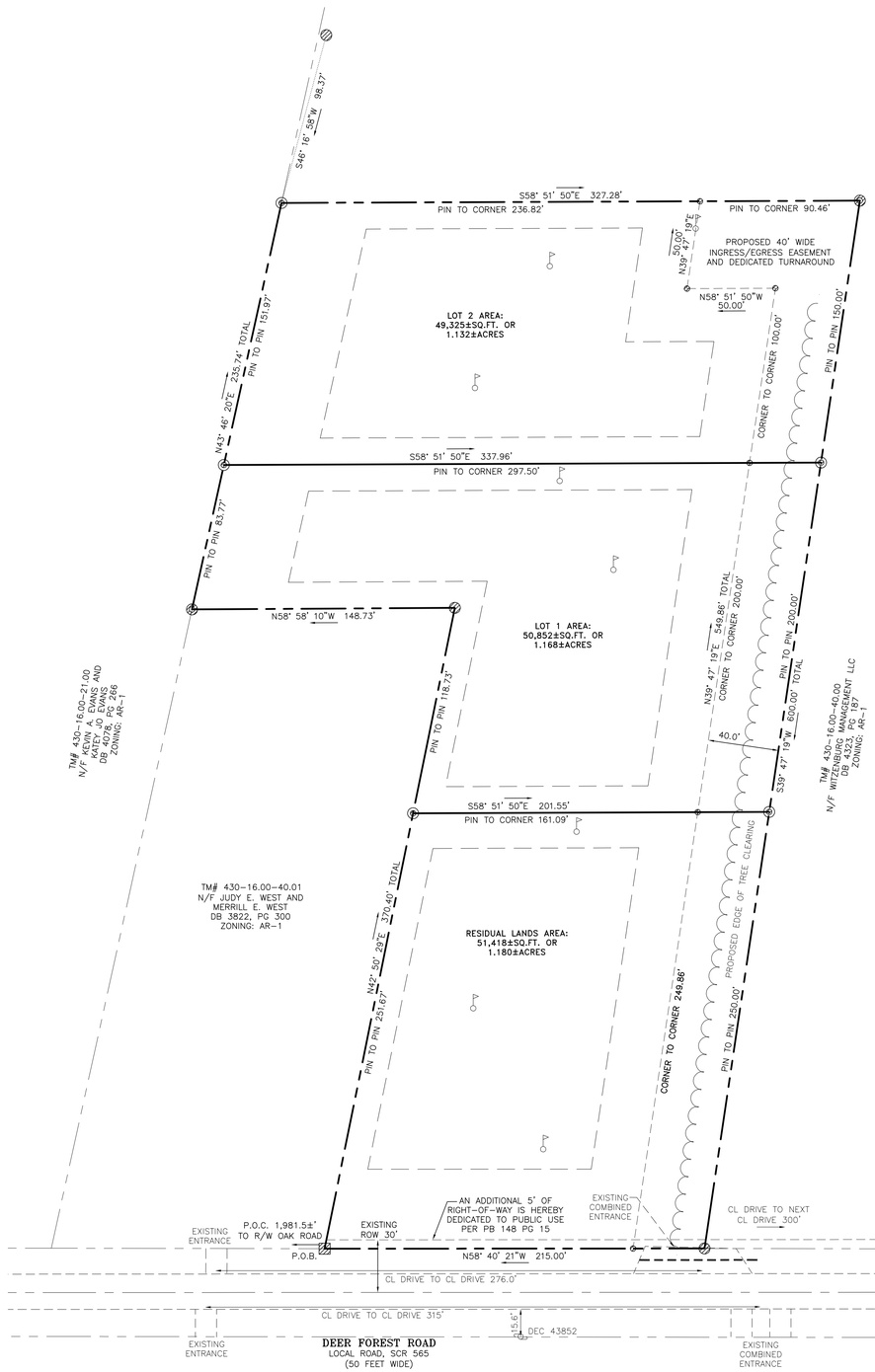
FIRE MARSHAL

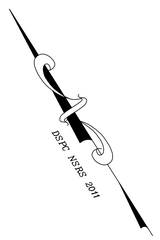
1. PROPOSED BUILDING USE RESIDENTIAL.
2. MAXIMUM HEIGHT PER SUSSEX COUNTY CODE 42FT.
3. PROPOSED CONSTRUCTION WOOD FRAMED.
4. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
5. AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.

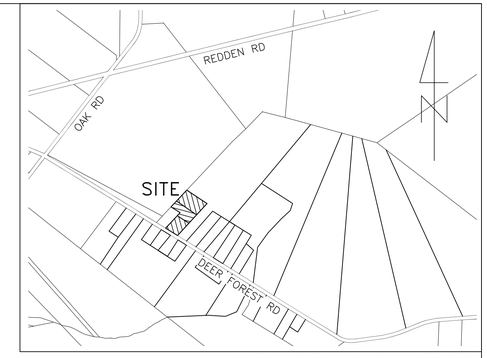
AGRICULTURE NOTES

1. THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES UNLESS THE APPLICANT ACQUIRES A LETTER OF CONSENT FROM THE ADJACENT OWNER.

99-6 (G) STATEMENT - FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN 300 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES, THE OWNER OF THE DEVELOPMENT SHALL PROVIDE IN THE DEED RESTRICTIONS AND ANY LEASES OR AGREEMENTS OF SALE FOR ANY RESIDENTIAL LOT OR DWELLING UNIT THE FOLLOWING NOTICE: "THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES."







LOCATION MAP SCALE 1 INCH = 1000 FEET

SITE DATA

1. TAX PARCEL (ALL): 430-16.00-40.12, DB 3984, PG 286, PB 148, PG 15.
   OWNER'S NAME: BENIGNO MORALES
   PROPERTY ADDRESS: DEER FOREST ROAD, BRIDGEVILLE, DE 19933

2. TABLE OF AREAS:
AREA PRIOR TO SUBDIVISION: 3.480±ACRES

LOT 1	SQUARE FEET	ACRE(S)
TOTAL AREA	50,852±SQ.FT.	1.168±ACRE
LOT 2	SQUARE FEET	ACRE(S)
TOTAL AREA	49,325±SQ.FT.	1.132±ACRE
RESIDUAL LANDS	SQUARE FEET	ACRE(S)
AREA POST SUBDIVISION	51,418±SQ.FT.	1.180±ACRES

3. ZONING: "AR-1"
PRESENT USE: AGRICULTURAL RESIDENTIAL
PROPOSED USE: AGRICULTURAL RESIDENTIAL
SEWER: ON SITE PRIVATE SEPTIC
WATER: ON SITE PRIVATE WELL

BUILDING SETBACKS:
FRONT (NUMBERED ROAD): 40FT
FRONT (SUBDIVISION ROAD): 30FT
SIDE: 15FT
REAR (RESIDUAL LANDS): 20FT
REAR (LOT 1 AND 2): 50 FT

4. EXISTING NUMBER OF LOTS: 1
   PROPOSED NUMBER OF LOTS: 3 INCLUDING RESIDUAL LANDS

5. THIS PROPERTY IS LOCATED 10.32± MILES OUTSIDE OF THE MILTON TRANSPORTATION IMPROVEMENT DISTRICT.

6. ACCORDING TO FEMA FIRM MAP 10005C0260K, DATED 03/16/2015, THE PROPERTY HEREIN LIES ENTIRELY IN ZONE X.

7. NO TITLE SEARCH PERFORMED OR PROVIDED IN PREPARATION OF THIS PLAN.

8. THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.

9. THERE ARE NO APPARENT WETLANDS ON THE SITE ACCORDING TO THE SITE EVALUATOR.

10. LOT 1, LOT 2, AND RESIDUAL LANDS WILL HAVE SHARED MAINTENANCE AND USE OF THE PROPOSED 40FT WIDE INGRESS/EGRESS AND TURNAROUND EASEMENT.

11. NO BUILDING STRUCTURE OR OTHER PERMANENT OBSTRUCTION SHALL BE PLACED ON ANY EASEMENT.

SCALE
40 0 15 40 80
(IN FEET)
1 INCH = 40 FEET

LEGEND:
- SOIL BORING
- CORNER NOT MARKED
- CAPPED IRON PIN SET
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- UTILITY POLE
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- ADJOINING PROPERTY LINE
- BUILDING RESTRICTION LINE
- ROAD EDGE
- ROAD SEAM

OWNER OF RECORD

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

BENIGNO MORALES — DATE
715 E MARKET ST, GEORGETOWN, DE 19947
302-682-1941

SURVEYOR'S CERTIFICATION

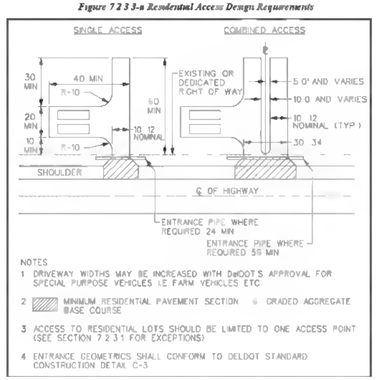
I, ALAN O'DALE KENT REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

ALAN O'DALE KENT, PLS#738 — DATE
ALAN O KENT LAND SURVEYING LLC
9505 SUSSEX STREET
SEAFORD, DE 19973
PHONE: (302) 745-1735
EMAIL: aokllc@outlook.com

JOB # 2024140 THIS IS A SUBURBAN CLASS SURVEY

DelDOT Development Coordination Manual

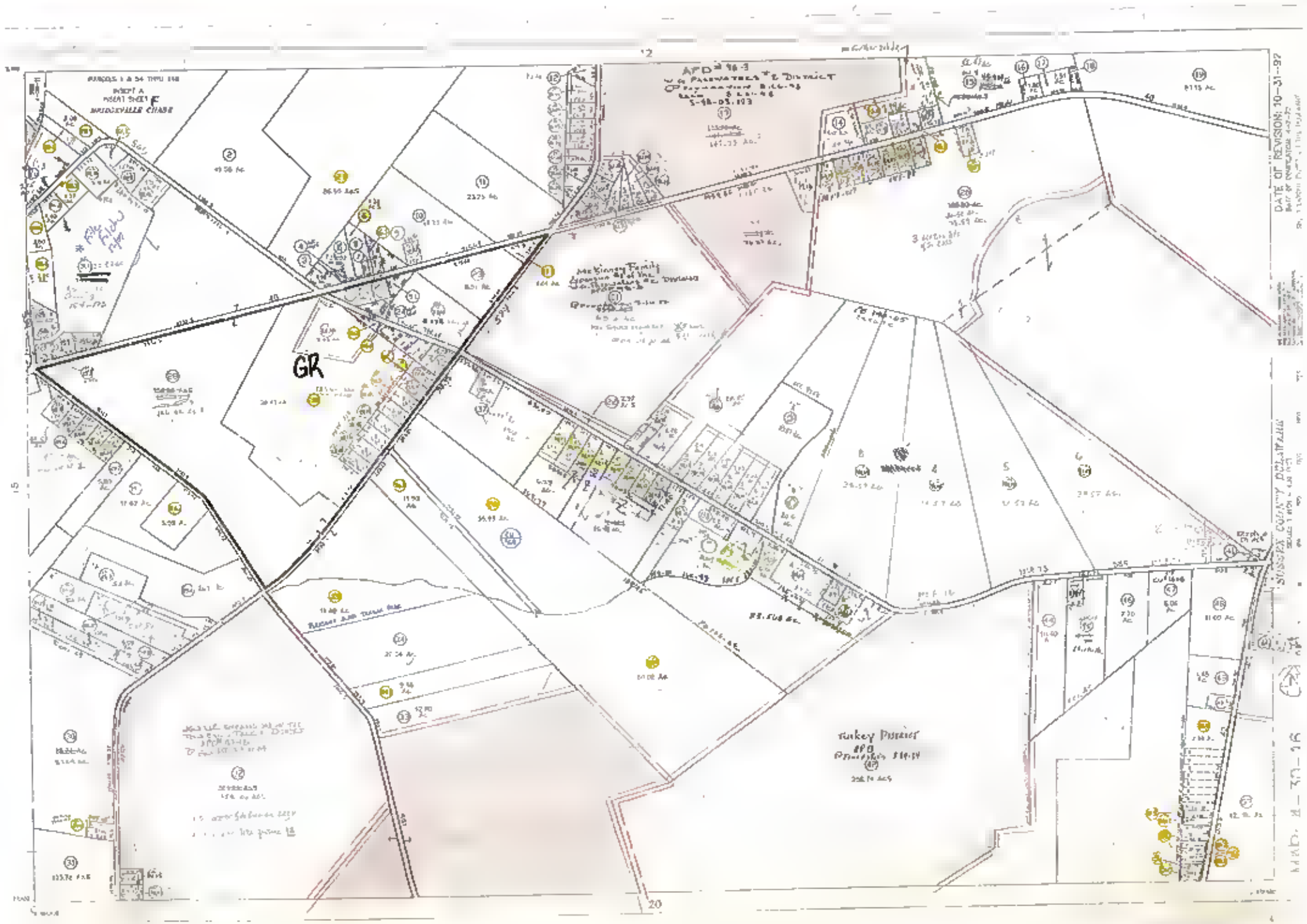
Figure 7 2 3 3-a Residential Access Design Requirements



NOTES
1 DRIVEWAY WIDTHS MAY BE INCREASED WITH DelDOT'S APPROVAL FOR SPECIAL PURPOSE VEHICLES I E FARM VEHICLES ETC
2 MINIMUM RESIDENTIAL PAVEMENT SECTION 6 GRADED AGGREGATE BASE COURSE
3 ACCESS TO RESIDENTIAL LOTS SHOULD BE LIMITED TO ONE ACCESS POINT (SEE SECTION 7 2 3 1 FOR EXCEPTIONS)
4 ENTRANCE GEOMETRICS SHALL CONFORM TO DelDOT STANDARD CONSTRUCTION DETAIL C-3

REV 20 MAR 2025, PER SCD COMMENTS

DATE OF PLAN	MINOR SUBDIVISION PLAN OF THE LANDS NOW OR FORMERLY OF BENIGNO MORALES
06 AUG 2024	SCR 565, BRIDGEVILLE, DE NANTICOKE HUNDRED, SUSSEX COUNTY
DATE OF LAST FIELD WORK	PREPARED BY ALAN O KENT LAND SURVEYING, LLC SEAFORD, DE 19973 (302) 745-1735
05 AUG 2024	


GR
Turkey District
DATE OF REVISION: 10-31-97

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

SHANTÉ A. HASTINGS
SECRETARY

March 04, 2025

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

SUBJECT: **Minor Subdivision - Letter of No Objection to Recordation**
2024140 MORALES MIN SUB
Tax Parcel # 430-16.00-40.12
Deer Forest Road (SCR565)
Nanticoke Hundred, Sussex County

RECEIVED
MAR 07 2025
SUSSEX COUNTY
PLANNING & ZONING

Dear Mr. Whitehouse:

The Department of Transportation has reviewed the Minor Subdivision Plan dated August 6, 2024 (sealed by the Surveyor on February 28, 2025), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawing. This "No Objection to Recordation" approval shall be valid for a period of **five (5) years**. If the Minor Subdivision Plan is not recorded and/or an entrance permit is not issued for the lot(s) prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

Entrances(s) must be installed prior to the sale of the lot(s). All entrances shall conform to DelDOT's Development Coordination Manual and shall be subject to its approval. **This letter does not authorize the commencement of entrance construction.**

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

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

The owner shall be responsible to submit a copy of the **recorded Minor Subdivision Plan** showing all appropriate signatures, seals, plot book and page number to the South District Public Works office (302) 853-1341 in order to obtain the entrance permit(s) for the proposed minor subdivision.

Sincerely,

John Pietrobono
Sussex County Review Coordinator
Development Coordination

cc: Alan Kent, Alan O Kent Land Surveying LLC
Jessica L. Watson, Sussex Conservation District
Matt Schlitter, South District Public Works Engineer
Travis Schirmer, South District Public Works Supervisor
James Argo, South District Project Reviewer
James Smith, South District Entrance Permit Supervisor
Wendy L. Polasko, P.E., Subdivision Engineer
Derek Sapp, Sussex County Reviewer

OFFICE OF THE STATE FIRE MARSHAL
Technical Services

22705 Park Avenue
Georgetown, DE 19947

SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2024-04-218615-MIS-01
Status: Approved as Submitted

Tax Parcel Number: 430-16.00-40.12
Date: 10/04/2024

Project

Morales Mini Subdivision

Morales Bridgeville Property - Deer Forest Road

Deer Forest Road
Bridgeville DE 19933

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District:

Occupant Load Inside:
Occupancy Code: 9601

Applicant

Alan Kent
9505 Sussex Street
Seaford, DE 19973

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

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

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

A final inspection is required.

This Plan Review Project was prepared by:

Walter Johnson

RECEIVED
MAR 07 2025
SUSSEX COUNTY
PLANNING & ZONING

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2024-04-218615-MIS-01
Status: Approved as Submitted
Tax Parcel Number: 430-16.00-40.12
Date: 10/04/2024

PROJECT COMMENTS

1002 A	This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2021. The Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov.These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. The Office of the State Fire Marshal recommends theinstallation of fire sprinkler systems in all residential occupancies, including one- and two-family dwellings, duplexes, and townhomes. For additional information on residential sprinkler systems, please see here:https://statefiremarshal.delaware.gov /wp-content/uploads/sites /110/2017/07/Home_Sprinkler_Brochure.pdf
1010 A	The following water for fire protection requirements apply: NONE. On-Site Wells Proposed. this site meets Water Flow Table 1. therefore the provisions of NFPA 1142 shall apply to this site (DSFPR Regulation 702, Chapter 6, Section 3).Since wells are proposed for this site, no additional requirements will be made by this Agency for water for fire protection.
1180 A	This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
1501 A	If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes orrevisions to the plans occur, plans are required to be submitted, reviewed, and approved.

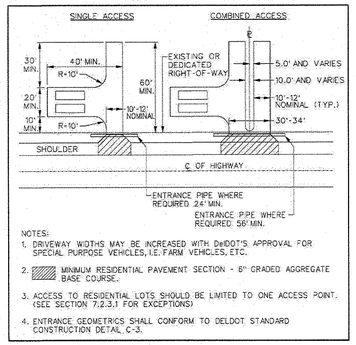
SITE DATA:

1. TAX MAP NUMBERS : 230-7.00-138.01
2. OWNER INFO: KING DEVELOPMENT, LLC
   5256 BRICK GRANARY ROAD
   LINCOLN, DE 19960
   DB 6116 PG 56
3. SITE ADDRESS : BRICK GRANARY ROAD
   LINCOLN, DE 19960
   CEDAR CREEK HUNDRED
   SUSSEX COUNTY, DE
4. EXISTING TOTAL ACREAGE: 98,698±SQ.FT. (2.26±AC)
5. PROPOSED TOTAL ACREAGE:
   RESIDUAL LANDS: 32,763±SQ.FT. (0.75±AC)
   LOT A: 33,011±SQ.FT. (0.76±AC)
   LOT B: 32,925±SQ.FT. (0.75±AC)
6. EXISTING LOTS: 1
7. PROPOSED LOTS: 3
8. MONUMENTS FOUND: 0
9. MONUMENTS SET: 3
10. EXISTING ZONING: GR (GENERAL RESIDENTIAL)
11. PROPOSED ZONING: GR (GENERAL RESIDENTIAL)
12. PRESENT USE: RESIDENTIAL
13. PROPOSED USE: RESIDENTIAL
14. DISTANCE TO NEAREST INTERSECTION: 134.38 FEET S-W (HOLLY BRANCH WAY)
16. MINIMUM LOT SIZE: (§115-42A)
    LOT AREA: .75 ACRES
    LOT WIDTH: 100'
    *NOTE: A LOT FRONTING ON A NUMBERED ROAD SHOWN ON THE GENERAL HIGHWAY MAP FOR SUSSEX COUNTY OF 1964, AS REVISED, SHALL HAVE A MINIMUM LOT WIDTH OF 150 FEET.
17. BUILDING RESTRICTION LINES: GR (GENERAL RESIDENTIAL)(§115-42B)
    FRONT- 40'
    SIDE- 10'
    REAR - 10'
    *NOTE: ANY LOT FRONTING ON A SUBDIVISION STREET AND NOT FRONTING ON A NUMBERED ROAD SHOWN ON THE GENERAL HIGHWAY MAP FOR SUSSEX COUNTY OF 1964, AS REVISED JANUARY 1979, SHALL HAVE A SETBACK OF NOT LESS THAN 30 FEET
18. BUILDING HEIGHT MAXIMUM: 42' (§115-42C)
19. LONGITUDE AND LATITUDE: LONGITUDE: W075°21'30.77"
    STATE PLAIN COORDINATE: LATITUDE: N038°52'30.71"
20. SEWER PROVIDER: ON-SITE PRIVATE SEPTIC
21. WATER PROVIDER: ON- SITE PRIVATE WELL
    WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENTS OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH
22. SPEED LIMIT: 35 MPH (BRICK GRANARY RD)
23. PROXIMITY TO (TID): NOT INCLUDED
24. 2019 FUTURE LAND USE AREA: EXISTING DEVELOPMENT AREA
25. CHAPTER 69- SOURCE WATER PROTECTION:
    A. SUBJECT PROPERTY IS WITHIN A AREA OF "FAIR" GROUNDWATER RECHARGE POTENTIAL.
    B. SUBJECT PROPERTY IS NOT LOCATED IN A WELLHEAD PROTECTION AREA EXCEPT FOR THE SMALL EXISTING OVERLAP FOR THE WELLS LOCATED ON PARCEL 47.00 AS SHOWN.
26. WATERSHED: CEDAR CREEK- DELAWARE BAY
27. STATE TAX DITCH AREAS AND RIGHT OF WAY LIMITS: NOT APPLICABLE
28. TIDAL FORESTED: NO WETLANDS PER MICHAEL A. MARRA, PWS #3557 IN MARCH 2024.
    REGULATED WETLANDS AREA: 0.00 AC±
    NON TIDAL WETLANDS AREA: 0.00 AC±
    AREA IMPACTED: 0.00 AC±
29. 2020 STATE INVESTMENT AREA: LEVEL 4
30. FIRE DISTRICT: 42 (CARLISLE)
31. SCHOOL DISTRICT: MILFORD SCHOOL DISTRICT
32. DATUM: HORIZONTAL = NAD83(2011) STATE PLANE
    VERTICAL = NAVD88
33. LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL: SUSSEX COUNTY

DELDOT NOTES:

1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
2. 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.
3. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEVELOPED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE PARCELS CREATED BY THIS MINOR SUBDIVISION PLAN MAY BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
4. THE RESIDUAL LANDS, SHALL HAVE ACCESS TO BRICK GRANARY ROAD VIA THE 30-FOOT WIDE INGRESS/EGRESS EASEMENT.SHOULD ADDITIONAL LOTS EVER BE DEVELOPED FROM THE RESIDUAL LANDS, THEN THE SINGLE ACCESS SHALL BE CONVERTED TO A COMBINED ACCESS.
5. LOTS A & B SHALL HAVE A SINGLE ACCESS TO BRICK GRANARY ROAD VIA A 30-FOOT WIDE INGRESS/EGRESS EASEMENT.

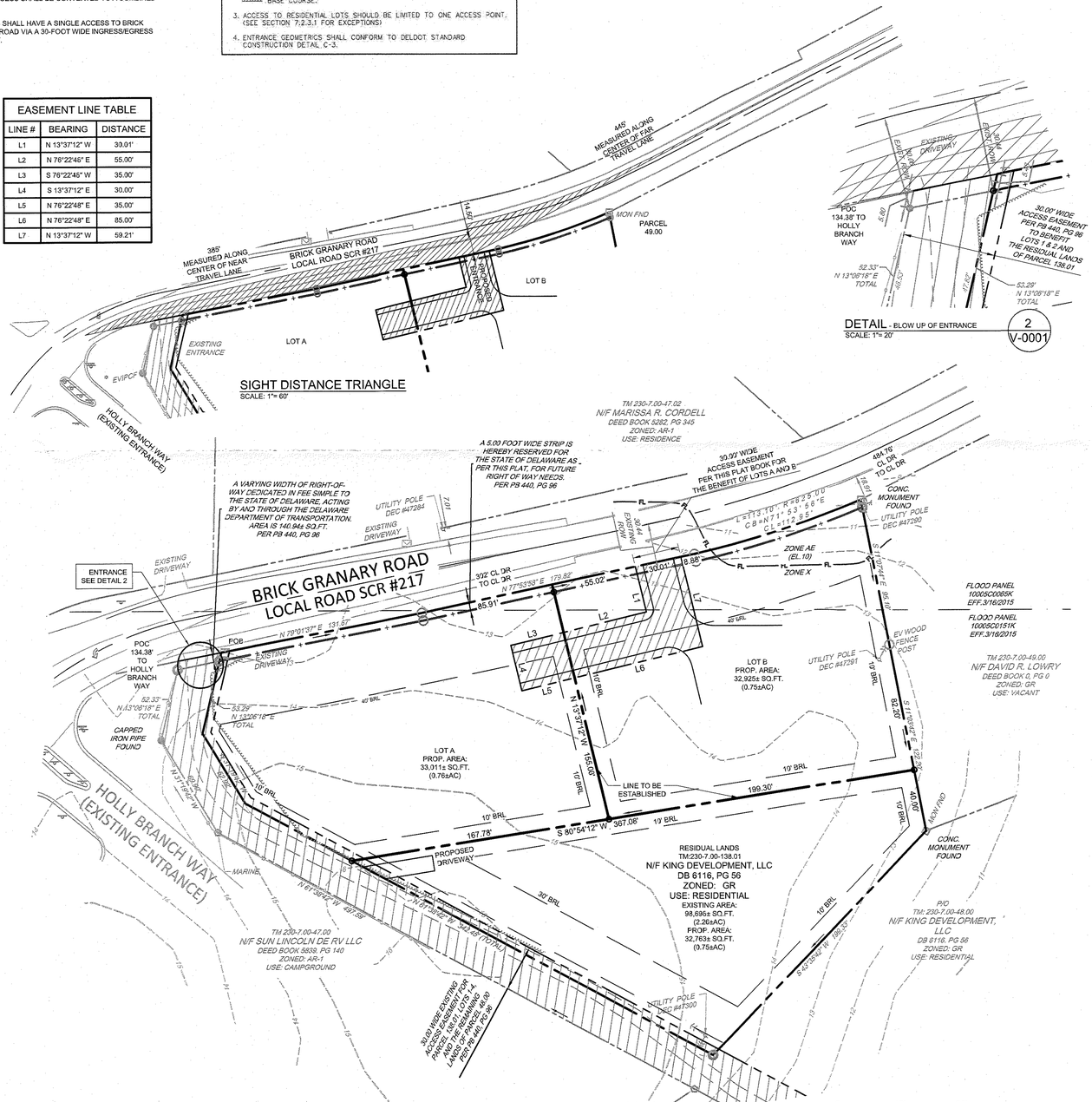
Figure 7.2.3.3-a Residential Access Design Requirements

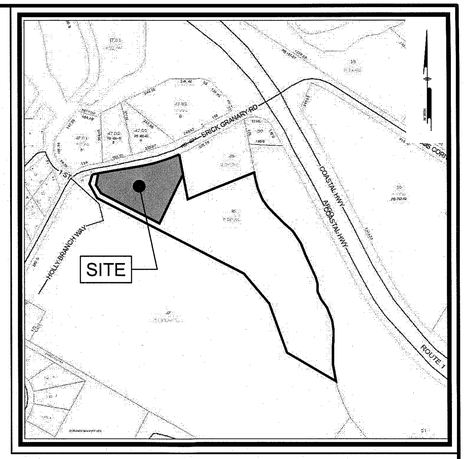


EASEMENT LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 13°37'12" W	30.01'
L2	N 76°22'46" E	55.00'
L3	S 76°22'46" W	35.00'
L4	S 13°37'12" E	30.00'
L5	N 76°22'48" E	35.00'
L6	N 76°22'48" E	85.00'
L7	N 13°37'12" W	59.21'

FIRE MARSHALS NOTES:

1. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
2. TYPICAL RESIDENTIAL HOME CONSTRUCTION IS WOOD FRAME - NFPA TYPE V (000). IT IS ASSUMED THE HOUSES WILL NOT HAVE FIRE SUPRESSION SYSTEM AND CONSTRUCTED TO BE 1 OR 2 STORIES. THIS COULD CHANGE DUE TO INDIVIDUAL HOMEOWNER AND BUILDERS IN THE FUTURE.





LOCATION MAP
Scale: NOT TO SCALE

GENERAL NOTES:

1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAT WAS TAKEN FROM DB 6116, PG 56 AND A FIELD SURVEY PERFORMED BY PENNONI ASSOCIATES IN APRIL 2024.
2. THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED. OTHER THAN THOSE SHOWN.
3. THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP AS 230-7.00-138.01
4. CLASS OF SURVEY: SUBURBAN
5. THERE ARE NO WETLANDS ON SUBJECT PROPERTY PER FIELD INVESTIGATION PERFORMED BY PENNONI, MICHAEL A. MARRA, PWS #3557 IN MARCH 2024.
6. THIS PROPERTY IS LOCATED ON THE FEMA INSURANCE RATE MAP NUMBER 10005C0065K & 10005C0151K MAP REVISED MARCH 16, 2015. PROPERTY LIES WITH IN ZONE X, UNSHADED, AN AREA WHICH HAS BEEN DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN AND IT ALSO LIES IN ZONE AE WITH A BASE FLOOD ELEVATION OF 10.
7. FOR ANY NEW SUBDIVISION DEVELOPMENT LOCATED IN WHOLE OR IN PART WITHIN 330 FEET OF THE BOUNDARY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES, THE OWNER OF THE DEVELOPMENT SHALL PROVIDE IN THE DEED RESTRICTIONS AND ANY LEASES OR AGREEMENTS OF SALE FOR ANY RESIDENTIAL LOT OR DWELLING UNIT THE FOLLOWING NOTICE: "THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES."
8. 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.
9. **PRIVATE ROAD SHARED USE MAINTENANCE AGREEMENT**
   IT IS THE RESPONSIBILITY OF THE OWNER AND THE FUTURE OWNERS OF LOTS, AND RESIDUAL LANDS TO MAINTAIN THE EXISTING ROAD THAT RUNS INSIDE THE 30' WIDE EASEMENT THAT PROVIDED INGRESS AND EGRESS TO LOT TO REMAIN PASSABLE.
10. NO BUILDING STRUCTURE OR OTHER PERMANENT OBSTRUCTION SHALL BE PLACED ON ANY EASEMENT.

LEGEND

- EDGE OF PAVEMENT
- CENTERLINE OF ROAD
- EXISTING DRIVE
- PROPOSED DRIVE
- POWER, UTILITY POLE
- PROPERTY, LINE
- PROPERTY, ADJOINING LINE
- PROPOSED PROPERTY, LINE
- PROPERTY, CORNER TO BE SET
- PROPERTY, IRON PIPE FOUND
- PROPERTY, CONCRETE MONUMENT FOUND
- PROPERTY, FIELD STONE FOUND
- PROPERTY, POINT ON LINE
- PROPERTY, PROPOSED POINT ON LINE
- EDGE OF TRAVEL LANE
- EXISTING RIGHT OF WAY LINE
- SITE, MAILBOX
- SITE, TRAFFIC SIGN
- SITE, WELLHEAD
- VEGETATION, TREE LINE
- EXISTING FLOOD ZONE LINE
- EXISTING FLOOD ZONE PANEL LINE
- PROP. ACCESS EASEMENT

OWNER CERTIFICATION:
IT IS HEREBY CERTIFIED THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE DATE
KING DEVELOPMENT, LLC
8256 BRICK GRANARY RD
LINCOLN, DE 19960
ZACK@EASYSPEAKSPIRITS.COM
(302)-541-0963

ENGINEER CERTIFICATION:
IT IS HEREBY CERTIFIED THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE

SIGNATURE DATE
ROBERT HURWITZ, PE (DE PE##13979)
PENNONI ASSOCIATES, INC
18072 DAVIDSON DRIVE MILTON, DE 19968
RHURWITZ@PENNONI.COM
302-684-8030

Pennoni

PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

LANDS N/F OF KING DEVELOPMENT, LLC
TM# 230-7.00-138.01
BRICK GRANARY ROAD, LINCOLN, DE 19960
CEDAR CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

MINOR SUBDIVISION FOR PARCEL 138.01

PREPARED FOR:
KING DEVELOPMENT, LLC
8256 BRICK GRANARY ROAD
LINCOLN, DELAWARE 19960

NO.	DATE	REVISIONS	BY
2	2025-02-21	REVISED PER P&Z COMMENTS ON 2025-02-20	LAC
1	2025-01-20	REVISED PER DELDOT COMMENTS ON 2025-01-16	LAC

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES; AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	MCORD24001
DATE	2025-01-08
DRAWING SCALE	AS SHOWN
DRAWN BY	LAC
APPROVED BY	RH

V-1001

SHEET 1 OF 1

U:\Accounts\MCORD\MCORD24001 - Brick Granary\ASESIGN_SHEETS\V-1001.dwg PLOTTED: 3/12/2025 2:34 PM BY: Lindsay Conway PLOTSTYLE: Pennoni NCS.ctb

File #: CZ 2001

2022 17041

Planning & Zoning Commission Application
Sussex County, Delaware

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

NOV 23 2022
SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✔

Site Address of Conditional Use/Zoning Map Amendment

33
20044(+/-) John J Williams Hwy - Belle Mead Farm - Route 24

Type of Conditional Use Requested:

Tax Map #: 334-18.00-40.01 **Size of Parcel(s):** 39.19 AC +/-

Current Zoning: AR-1 **Proposed Zoning:** C4 **Size of Building:** TBD

Land Use Classification: COMMERCIAL

Water Provider: TIDEWATER **Sewer Provider:** SUSSEX COUNTY

Applicant Information

Applicant Name: BELMEAD FARM LLC
Applicant Address: 105 FOULK ROAD
City: WILMINGTON State: DE ZipCode: 19803
Phone #: 429-8700 E-mail: ___

Owner Information

Owner Name: BELMEAD FARM LLC
Owner Address: 105 FOULK ROAD
City: WILMINGTON State: DE Zip Code: 19803
Phone #: 429-8700 E-mail: ___

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: BECKER MORGAN GROUP, INC
Agent/Attorney/Engineer Address: 309 S. GOVERNORS AVE
City: DOVER State: DE Zip Code: 19904
Phone #: 734-7950 E-mail: MRIEMANN@BECKERMORGAN.COM

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

X **Completed Application**

___ **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

X **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

X **DelDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney Date: 11/22/22

Signature of Owner Date: 11/14/2022

For office use only:

Date Submitted: 11/23/22 Fee: Check #: ___

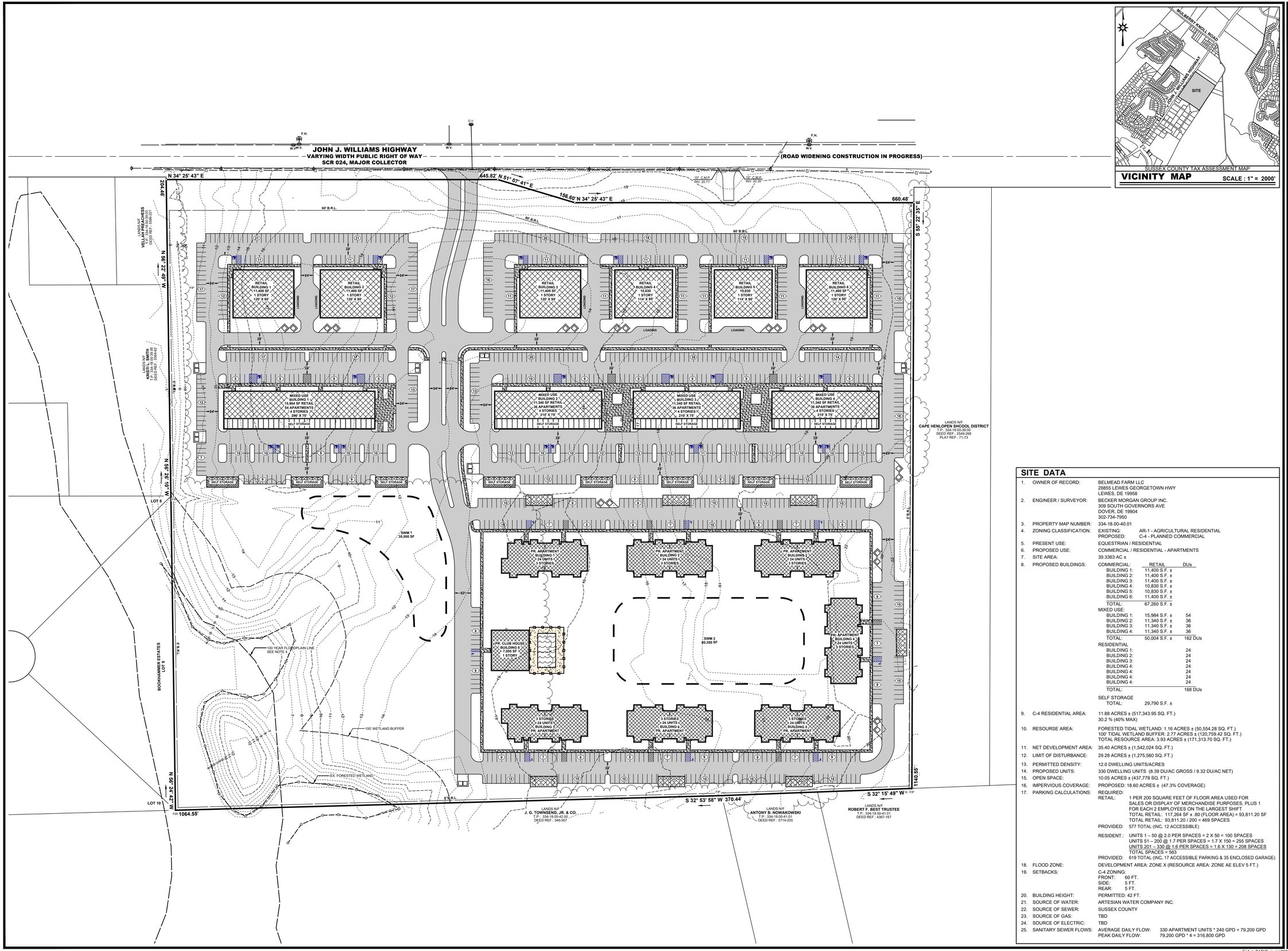
Staff accepting application: AA Application & Case #: 2022-104

Location of property: ___

Subdivision: ___

Date of PC Hearing: ___ Recommendation of PC Commission: ___

Date of CC Hearing: ___ Decision of CC: ___



VICINITY MAP SCALE : 1" = 2000'

SITE DATA

1. OWNER OF RECORD: BELMEAD FARM LLC, 28855 LEWES GEORGETOWN HWY, LEWES, DE 19958
2. ENGINEER / SURVEYOR: BECKER MORGAN GROUP INC., 309 SOUTH GOVERNORS AVE, DOVER, DE 19904, 302-734-7950
3. PROPERTY MAP NUMBER: 334-18.00-40.01
4. ZONING CLASSIFICATION: EXISTING: AR-1 - AGRICULTURAL RESIDENTIAL; PROPOSED: C-4 - PLANNED COMMERCIAL
5. PRESENT USE: EQUESTRIAN / RESIDENTIAL
6. PROPOSED USE: COMMERCIAL / RESIDENTIAL - APARTMENTS
7. SITE AREA: 39.3363 AC ±
8. PROPOSED BUILDINGS:

COMMERCIAL:	RETAIL	DUs
BUILDING 1:	11,400 S.F. ±	
BUILDING 2:	11,400 S.F. ±	
BUILDING 3:	11,400 S.F. ±	
BUILDING 4:	10,830 S.F. ±	
BUILDING 5:	10,830 S.F. ±	
BUILDING 6:	11,400 S.F. ±	
TOTAL:	67,260 S.F. ±	

MIXED USE:		
BUILDING 1:	15,984 S.F. ±	54
BUILDING 2:	11,340 S.F. ±	36
BUILDING 3:	11,340 S.F. ±	36
BUILDING 4:	11,340 S.F. ±	36
TOTAL:	50,004 S.F. ±	162 DUs

RESIDENTIAL	
BUILDING 1:	24
BUILDING 2:	24
BUILDING 3:	24
BUILDING 4:	24
BUILDING 4:	24
BUILDING 4:	24
TOTAL:	168 DUs

SELF STORAGE TOTAL: 29,790 S.F. ±

9. C-4 RESIDENTIAL AREA: 11.88 ACRES ± (517,343.95 SQ. FT.) 30.2 % (40% MAX)
10. RESOURSE AREA: FORESTED TIDAL WETLAND: 1.16 ACRES ± (50,554.28 SQ. FT.); 100' TIDAL WETLAND BUFFER: 2.77 ACRES ± (120,759.42 SQ. FT.); TOTAL RESOURCE AREA: 3.93 ACRES ± (171,313.70 SQ. FT.)
11. NET DEVELOPMENT AREA: 35.40 ACRES ± (1,542,024 SQ. FT.)
12. LIMIT OF DISTURBANCE: 29.28 ACRES ± (1,275,560 SQ. FT.)
13. PERMITTED DENSITY: 12.0 DWELLING UNITS/ACRES
14. PROPOSED UNITS: 330 DWELLING UNITS (8.39 DU/AC GROSS / 9.32 DU/AC NET)
15. OPEN SPACE: 10.05 ACRES ± (437,778 SQ. FT.)
16. IMPERVIOUS COVERAGE: PROPOSED: 18.60 ACRES ± (47.3% COVERAGE)
17. PARKING CALCULATIONS: REQUIRED:
    RETAIL: 1 PER 200 SQUARE FEET OF FLOOR AREA USED FOR SALES OR DISPLAY OF MERCHANDISE PURPOSES, PLUS 1 FOR EACH 2 EMPLOYEES ON THE LARGEST SHIFT
    TOTAL RETAIL: 117,264 SF x .80 (FLOOR AREA) = 93,811.20 SF
    TOTAL RETAIL: 93,811.20 / 200 = 469 SPACES
    PROVIDED: 577 TOTAL (INC. 12 ACCESSIBLE)
    RESIDENT.: UNITS 1 – 50 @ 2.0 PER SPACES = 2 X 50 = 100 SPACES
    UNITS 51 – 200 @ 1.7 PER SPACES = 1.7 X 150 = 255 SPACES
    UNITS 201 – 330 @ 1.6 PER SPACES = 1.6 X 130 = 208 SPACES
    TOTAL SPACES = 563
    PROVIDED: 619 TOTAL (INC. 17 ACCESSIBLE PARKING & 35 ENCLOSED GARAGE)
18. FLOOD ZONE: DEVELOPMENT AREA: ZONE X (RESOURCE AREA: ZONE AE ELEV 5 FT.)
19. SETBACKS: C-4 ZONING: FRONT: 60 FT.; SIDE: 5 FT.; REAR: 5 FT.
20. BUILDING HEIGHT: PERMITTED: 42 FT.
21. SOURCE OF WATER: ARTESIAN WATER COMPANY INC.
22. SOURCE OF SEWER: SUSSEX COUNTY
23. SOURCE OF GAS: TBD
24. SOURCE OF ELECTRIC: TBD
25. SANITARY SEWER FLOWS: AVERAGE DAILY FLOW: 330 APARTMENT UNITS * 240 GPD = 79,200 GPD; PEAK DAILY FLOW: 79,200 GPD * 4 = 316,800 GPD

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

NAD83/DSP

PROJECT TITLE

LANDS OF
BELLE MEADE FARM LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

CONCEPT PLAN

0 40 80 160
SCALE: 1" = 80'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: BNDY TOPO

PROJECT NO.: 2022079.00
DATE: 03/30/23
SCALE: 1" = 60'
DRAWN BY: C.D.C. | PROJ. MGR.: C.D.C.

SHEET
1 OF 1

COPYRIGHT 2021

F:\AutoCAD\Projects\2022\2022079\DWG\2022079-SITE-C3D21.dwg, Jan 11, 2024 - 10:47am

PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIRMAN
SCOTT COLLINS
J. BRUCE MEARS
BRIAN BUTLER



Sussex County
DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: March 19th, 2025
Sussex County Council Public Hearing Date: May 20th, 2025

Application:	C/Z 2001 Belmead Farm LLC
Applicant:	Belmead Farm LLC 105 Foulk road Wilmington, DE 19803
Owner:	Belmead Farm LLC 105 Foulk road Wilmington, DE 19803
Site Location:	Located on east side of John J. Williams Highway (Rt. 24) approximately 0.31 mile southwest of Mulberry Knoll Road (S.C.R. 284)
Current Zoning:	Agricultural Residential (AR-1) Zoning District
Proposed Zoning:	Planned Commercial (C-4) Zoning District
TID:	Parcel is within the Henlopen Transportation Improvement District
Comprehensive Land Use Plan Reference:	Commercial Area & Coastal Area (p/o)
Councilmanic District:	Ms. Gruenebaum
School District:	Cape Henlopen School District
Fire District:	Rehoboth Beach Fire Co.
Sewer:	Public (Sussex County)
Water:	Private (Tidewater)
Site Area:	39.22
Tax Map ID.:	334-18.00-40.01 & 40.06



CZ 2001 Belmead Farm LLC
Aerial Map
TM#s 334-18.00-40.01
334 - 18.00-40.06

CZ 2001 Belmead Farm

N

Feet

0 250 500


© All EagleView Technolo



CZ 2001 Belmead Farm LLC
Streets Map
TM#s 334-18.00-40.01
334-18.00-40.06

CZ 2001 Belmead Farm

N

0 0.25 0.5 Miles

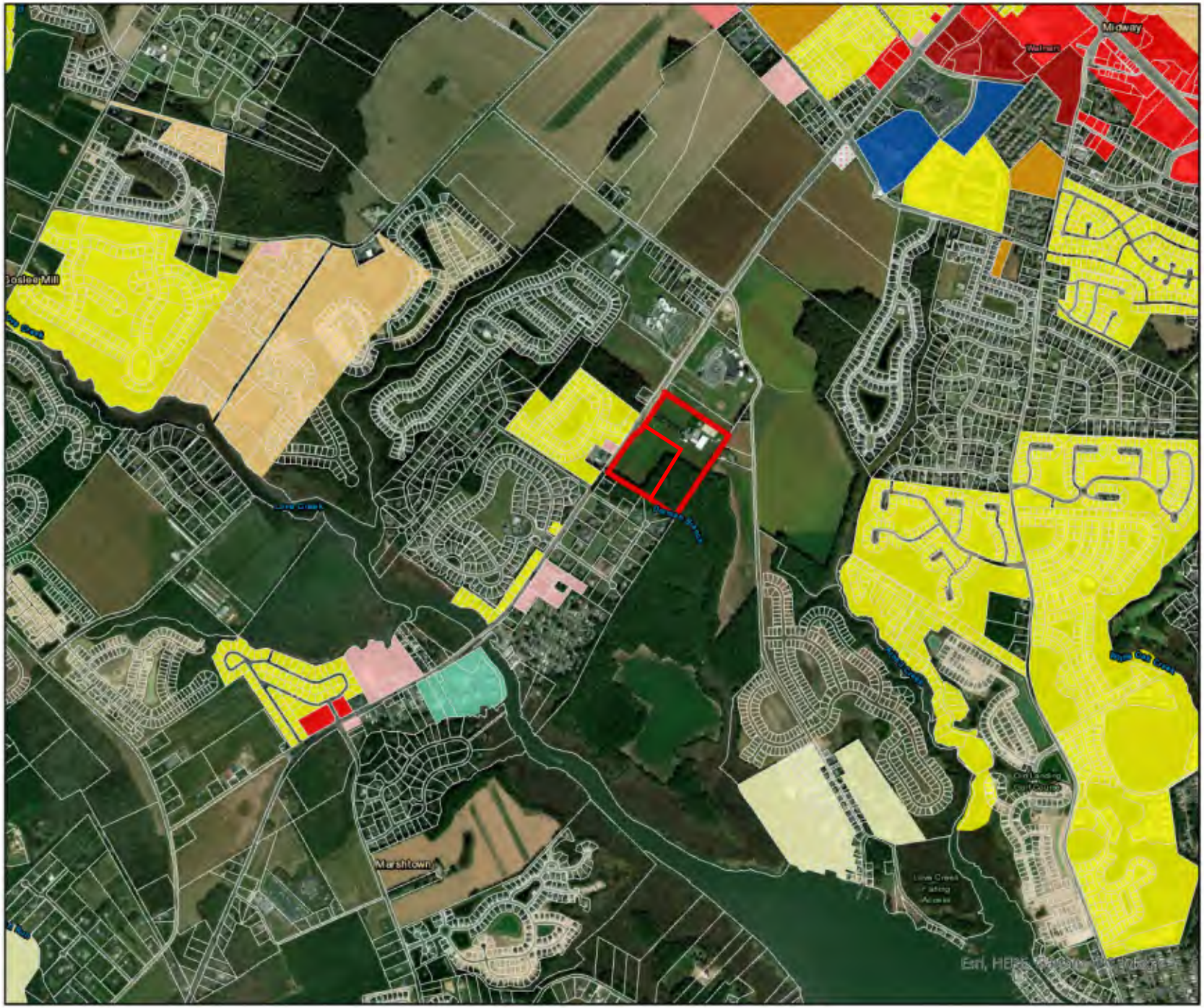


CZ 2001 Belmead Farm LLC
Streets Map
TM#s 334-18.00-40.01
334-18.00-40.06

CZ 2001 Belmead Farm

N

0 500 1,000 Feet



Zoning

- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- C1: General Commercial
- C2: Medium Commercial
- C3: Heavy Commercial
- C4: Planned Commercial
- C5: Service/Limited Manufacturing
- B-1: Neighborhood Business
- B-2: Business Community District
- B-3: Business Research

CZ 2001 Belmead Farm LLC
Zoning Map
TM#s 334-18.00-40.01
334-18.00-40.06

CZ 2001 Belmead Farm

N

0 0.25 0.5 1 Miles



CZ 2001 Belmead Farm LLC
Mailing Map
TM#s 334-18.00-40.01
334-18.00-40.06

CZ 2001 Mailing List Parcels

CZ 2001 Belmead Farm

N

0 0.25 0.5 Miles

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

NICOLE MAJESKI
SECRETARY

October 27, 2022

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Becker Morgan Group, Inc** proposed land use application, which we received on October 21, 2022. This application is for an approximate 40.00- acre parcel (Tax Parcel: 334-18.00-40.01). The subject land is located on the southeast side of John J Williams Highway (Delaware Route 24) approximately 1,700 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned C-1 (General Commercial), with a proposed zoning of C-4 (Planned Commercial) to build 125,000 square feet of commercial/ retail space and up to 480 multifamily housing units.

Per the 2021 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along John J Williams Highway from Plantation Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), is 17,338 and 22,294 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For residential and non-residential developments that are consistent with the Land Use and

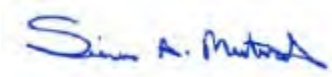
Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee per dwelling unit and a fee per square foot of non-residential space in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is not consistent with the LUTP, therefore, the developer will be required to perform a TIS to determine if the Level of Service (LOS) analyzed by the TID is consistent with the inclusion of the proposed development. If the LOS determined by the TIS is compliant with the TID, the proposed development is to pay the TID fee as stated above. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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

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

Sincerely,



Sireen Muhtaseb, PE
TIS Group Manager
Development Coordination

SM:afm
cc: Becker Morgan Group, Inc, Applicant
Lauren DeVore, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
Sussex Reviewer, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
James Argo, South District Project Reviewer, Maintenance & Operations
Todd Sammons, Assistant Director, Development Coordination
Kevin Hickman, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Reviewer, Development Coordination
Brian Yates, Subdivision Reviewer, Development Coordination
Thomas Gagnon, Subdivision Reviewer, Development Coordination
Joshua Johnson, Subdivision Reviewer, Development Coordination
Claudy Joinville, TIS Group Project Engineer, Development Coordination
Annamaria Furmato, TIS Group Project Engineer, Development Coordination

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
PO BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

June 4, 2024

Christopher Duke, P E
Becker Morgan Group, Inc
100 Discovery Blvd, Suite 102
Newark, DE 19713

Dear Mr Duke

The enclosed Traffic Impact Study (TIS) review letter for the proposed **Belle Meade** (Tax Parcel 334-18 00-40 01) multi-use development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware They have found the TIS to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies DelDOT accepts this letter and concurs with the recommendations If you have any questions concerning this letter or the enclosed review letter, please contact me at Annamaria.Furmato@delaware.gov

Sincerely,

Annamaria Furmato
TIS Group Project Engineer

AF km
Enclosures
cc with enclosures William Krapf, Capano Group, L P
David L. Edgell, Office of State Planning Coordination
Jamie Whitehouse, Sussex County Planning & Zoning
Andrew J Parker, McCormick Taylor, Inc
Tucker Smith, McCormick Taylor, Inc
DelDOT Distribution

DelDOT Distribution

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Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
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John Pietrobono, Acting Sussex County Review Coordinator, Development Coordination, Planning
Kevin Hickman, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Steve Bayer, Regional Transportation Planner, Statewide & Regional Planning

June 3, 2024

Ms. Annamaria Furmato
Project Engineer
DelDOT Division of Planning
P.O. Box 778
Dover, DE 19903

RE: Agreement No. 1946F
Traffic Impact Study Services
Task No. 5A Subtask 08A – Belle Meade

Dear Ms. Furmato:

McCormick Taylor has completed its review of the Traffic Impact Study (TIS) for the Belle Meade development prepared by Becker Morgan Group, Inc. dated February 2024. Becker Morgan Group prepared the report in a manner generally consistent with DelDOT's Development Coordination Manual.

The TIS evaluates the impacts of the proposed Belle Meade development, along the south side of Delaware Route 24 (Sussex Road 24), approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. The proposed development would consist of 125,00 square feet of retail space and 480 low-rise multi-family houses. One signalized access point is proposed on Delaware Route 24 opposite Lexington Avenue. Construction is anticipated to be completed in 2032.

The subject land is located on an approximately 38.33-acre parcel. The subject land is currently zoned AR-1 (Agricultural Residential) and the developer plans to rezone the land to C-4 (Planned Commercial).

Relevant and On-Going Projects and Studies

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS and making off-site improvements in accordance with the TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The TID buildout year is 2045 and the minimum acceptable is LOS D.

Summary of Analysis Results

Based on our review, we have the following comments and recommendations:

The following intersections exhibit level of service (LOS) deficiencies without the implementation of physical roadway and/or traffic control improvements:

Intersection	***Existing Traffic Control***	***Situations for which deficiencies occur***
1. SR 24 / Lexington Avenue / Site Entrance	Unsignalized	2032 with development AM, PM, SAT (Case 3)
4. SR 24 / Plantation Road / Warrington Road	Signalized	2032 with development PM (Case 3)
6. SR 24 / Bryn Mawr Drive	Unsignalized	2032 without development PM and SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
9. Warrington Road / Old Landing Road	Unsignalized	2022 Existing SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
10. Mulberry Knoll Road / Cedar Grove Road	Unsignalized	2032 without development SAT (Case 2) 2032 with development PM and SAT (Case 3)
12. SR 24 / Spencer Lane / Williams Way	Unsignalized	2022 Existing PM and SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
13. SR 24 / Camp Arrowhead Road	Signalized	2032 with development SAT (Case 3)

14. SR 24 / Harts Road	Unsignalized	2022 Existing PM (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
16. SR 24 / Jolyns Way	Unsignalized	2032 without development SAT (Case 2) 2032 with development SAT (Case 3)

1. SR 24 / Lexington Avenue / Site Entrance (See Recommendations 2 and 3 & Table 2, Page 22)
This unsignalized intersection experiences LOS deficiencies during the AM, PM, and Saturday peaks in Case 3. In Case 3 during the PM and Saturday peaks, the northbound and southbound approaches are expected to operate at LOS F with over 2,500 seconds of delay. The developer proposes to construct a traffic signal at this intersection to mitigate the LOS deficiency. A Traffic Signal Justification Study (TSJS) has been prepared by the Department demonstrating that the warrants for a traffic signal are met with Case 3 volumes. If the intersection were signalized with the lane configuration as proposed in the *SR 24, Love Creek to Mulberry Knoll* project, the intersection will still operate at LOS F in the Saturday peak. The Henlopen TID proposes to widen SR 24 through this intersection to provide two through lanes in each direction. With signalization and the TID improvements the intersection is expected to operate at LOS C or better during all three peak periods. It is recommended that the developer widen SR 24 within the limits of their site frontage to increase the capacity and mitigate the LOS deficiency at the proposed signal at the site entrance. The developer will be granted credit against their TID fee for this work.

4. SR 24 / Plantation Road / Warrington Road (See Recommendation 4 & Table 5, Page 25)
This signalized intersection experiences LOS deficiencies during the PM peak in Case 3. In Case 3 during the PM peak, the northbound approach is expected to operate at LOS F with 81.7 seconds of delay while the overall intersection will operate at LOS E with 60.8 seconds of delay. Queues on the northbound approach are expected to be over 838 feet long which exceeds the available storage. The Henlopen TID proposes to widen the Plantation Road and Warrington Road approaches to include two left-turn lanes, two through lanes, and one right turn lane. With the TID improvements at this intersection, the intersection is expected to operate at LOS D with 49.5 seconds of delay. It is recommended that the developer pay the Henlopen TID fee.

6. SR 24 / Bryn Mawr Drive (Table 7, Page 27)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peaks in Case 2 and the AM, PM, and Saturday Peaks in Case 3. In Case 3 during the PM peak, the southbound approach is expected to operate at LOS F with 62.5 seconds of delay and queues over 65 feet long. A signal could mitigate the LOS deficiencies at his intersection. However, a signal is not recommended because of the proximity to adjacent signals and the low minor street volumes. Bryn Mawr Drive is a private road and the delay is only experienced on the minor street approach without impact to Delaware Route 24. No mitigating improvements are recommended at this intersection from the Belle Meade developer.

9. Warrington Road / Old Landing Road (See Recommendation 4 & Table 10, Page 30)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 during the PM peak, the intersection has failing LOS on three approaches with the overall intersection operating at LOS F with 69 seconds of delay. The Henlopen TID proposes a roundabout at this intersection which will mitigate the LOS deficiency. It is recommended that the developer pay the Henlopen TID fee.

10. Mulberry Knoll Road / Cedar Grove Road (See Recommendation 4 & Table 11, Page 31)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 2 and the PM and Saturday peaks in Case 3. In Case 3 during the Saturday peak, the northbound Mulberry Knoll Road approach is expected to operate at LOS F with 837.7 seconds of delay and queues over 753 feet long. The developer recommends the construction of a dedicated eastbound right-turn lane on Cedar Grove Road. However, this improvement fails to fully mitigate the LOS deficiency. The Henlopen TID proposes a roundabout at this intersection. It is recommended that the developer pay the Henlopen TID fee.

12. SR 24 / Spencer Lane / Williams Way (See Recommendation 4 & Table 13, Page 33)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peak hours in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3, during the PM peak, the southbound approach is expected to operate at LOS F with 505.6 seconds of delay and queues over 63 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection. With that improvement, the intersection continues to experience LOS deficiencies. It should be noted that the delay is only experienced on the minor street approach, which is a private road. A signal is not recommended at this intersection due to the low minor street volumes. Additionally, the northbound volume during all peak hours is less than 10 vehicles. It is recommended that the developer pay the Henlopen TID fee.

13. SR 24 / Camp Arrowhead Road (See Recommendation 4 & Table 14, Page 34)
This signalized intersection experiences LOS deficiencies during the Saturday peak in Case 3. In Case 3 during the Saturday peak, the eastbound approach is expected to operate at LOS F with 95 seconds of delay and queues over 1,573 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection which mitigates the LOS deficiency. It is recommended that the developer pay the Henlopen TID fee.

14. SR 24 / Harts Road (See Recommendation 4 & Table 15, Page 35)
This unsignalized intersection experiences LOS deficiencies during the PM peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 in the PM peak hour the southbound Harts Road approach is expected to operate at LOS F with 989.9 seconds of delay. The Henlopen TID proposes the elimination of this intersection. It is recommended that the developer pay the Henlopen TID fee.

16. SR 24 / Jolyns Way (See Recommendation 4 & Table 17, Page 37)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Cases 2 and 3. In Case 3 during the Saturday peak, the northbound Jolyns Way approach is expected to

operate at LOS E with 45.3 seconds of delay and queues of less than one vehicle. It should be noted that the forecasted volume on this approach is five (5) vehicles in the Saturday peak hour. The Henlopen TID proposes to signalize this intersection, widen SR 24 to include two through lanes in each direction, and add a northern leg to the intersection that will connect to Robinsonville Road. These improvements will mitigate the LOS deficiencies. It is recommended that the developer pay the Henlopen TID fee.

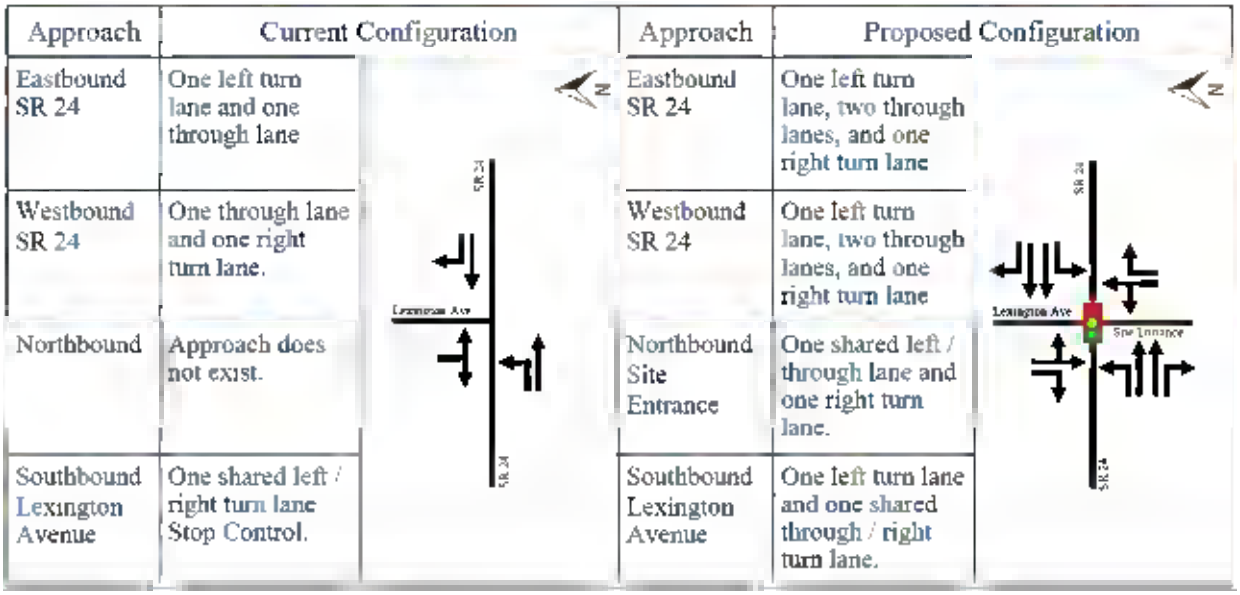
Development Improvements

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

1. The developer shall improve the State-maintained Roads on which they front (Delaware Route 24), within the limits of their frontage. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. "Frontage" means the length along the state right-of-way of a single property tract where an entrance is proposed or required. If a single property tract has frontage along multiple roadways, any segment of roadway including an entrance shall be improved to meet DelDOT's Functional Classification criteria as found in Section 1.1 of the Development Coordination Manual and elsewhere therein, and/or improvements established in the Traffic Operational Analysis and/or Traffic Impact Study. "Secondary Frontage" means the length along the state right-of-way of a single property tract where no entrance is proposed or required. The segment of roadway may be upgraded by improving the pavement condition of the existing roadway width. The Pavement Management Section and Subdivision Section will determine the requirements to improve the pavement condition.

2. The developer should construct the full-movement Site Entrance on Delaware Route 24. The proposed configuration is shown in the table below.

Approach	Current Configuration	Approach	Proposed Configuration
Eastbound SR 24	One left turn lane and one through lane	Eastbound SR 24	One left turn lane, two through lanes, and one right turn lane
Westbound SR 24	One through lane and one right turn lane.	Westbound SR 24	One left turn lane, two through lanes, and one right turn lane
Northbound	Approach does not exist.	Northbound Site Entrance	One shared left / through lane and one right turn lane.
Southbound Lexington Avenue	One shared left / right turn lane Stop Control.	Southbound Lexington Avenue	One left turn lane and one shared through / right turn lane.



At the proposed Site Entrance intersection, an eastbound right-turn lane is warranted on SR 24 based on DelDOT's Auxiliary Lane Worksheet, Figure 5.2.9.1-b. Initial recommended minimum turn lane length (excluding taper) is a 400-foot right-turn lane on eastbound SR 24. The left turn lane should be designed to accommodate the 95th percentile queues. Initial recommended minimum turn lane length (excluding taper) is a 400-foot left-turn lane on westbound SR 24. The developer should coordinate with DelDOT's Development Coordination Section to determine final turn lane lengths and other design details during the site plan review.

3. The developer should enter into a traffic signal agreement to design and construct a traffic signal with pedestrian crossings. SR 24 should be widened to include two through lanes in each direction within the extents of the site frontage. At the signalized intersection there should be dedicated left-turn lanes and channelized right turn lanes on each SR 24 approach, on the northbound and southbound approaches there should be a shared left / through lane and a channelized right turn lane. At the signalized intersection the developer should also construct signalized pedestrian crossings on all approaches.

4. The developer shall pay the Henlopen TID fee in place of making physical mitigating improvements at the following intersections.

   a. SR 24 / Plantation Road / Warrington Road

   b. Mulberry Knoll Road / Cedar Grove Road

   c. Warrington Road / Old Landing Road

   d. SR 24 / Spencer Lane / Williams Way

   e. SR 24 / Camp Arrowhead Road

   f. SR 24 / Harts Road

   g. SR 24 / Jolyns Way

5. The following bicycle and pedestrian improvements should be included:

   a. Per the DelDOT Development Coordination Manual section 5.2.9.2, bicycle lanes are required where right-turn lanes are being installed.

   b. Appropriate bicycle symbols, directional arrows, pavement markings, and signing should be included along bicycle facilities and turn lanes within the project limits.

   c. Utility covers should be made flush with the pavement.

   d. A minimum 15-foot-wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT within the site frontages along Delaware Route 24. Within the easement, a minimum of a 10-foot wide shared-use path should be constructed. The shared-use path should meet AASHTO and ADA standards and should have a minimum of a five-foot buffer from the roadway. At the property boundaries, the shared-use path should connect to the adjacent property or to the shoulder in accordance with DelDOT's Shared-Use Path and/or Sidewalk Termination Reference Guide dated August 1, 2018. The developer shall coordinate with DelDOT's Development Coordination Section through the plan review process to determine the details of the shared-use path design and connections/terminations at or before both boundaries of the property.

   e. ADA compliant curb ramps and crosswalks should be provided at all pedestrian crossings, including all site entrances. Type 3 curb ramps are discouraged.

   f. Internal sidewalks for pedestrian safety and to promote walking as a viable transportation alternative should be constructed within the development. These

sidewalks should each be a minimum of five-feet wide (with a minimum of a five-foot buffer from the roadway) and should meet current AASHTO and ADA standards. Internal sidewalks in the development should connect to the proposed shared-use path along the site frontages.

g. Construct a bus stop pad on SR 24 within the site frontage. Bus stop pad should connect to shared use paths and sidewalks along the site frontage. Location, size, and type of bus pad will be determined through coordination with the Delaware Transit Corporation (DTC).

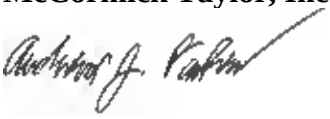
Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at http://deldot.gov/Publications/manuals/de_mutcd/index.shtml.

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

Additional details on our review of this TIS are attached. Please contact me at (610) 640-3500 or through e-mail at ajparker@mccormicktaylor.com if you have any questions concerning this review.

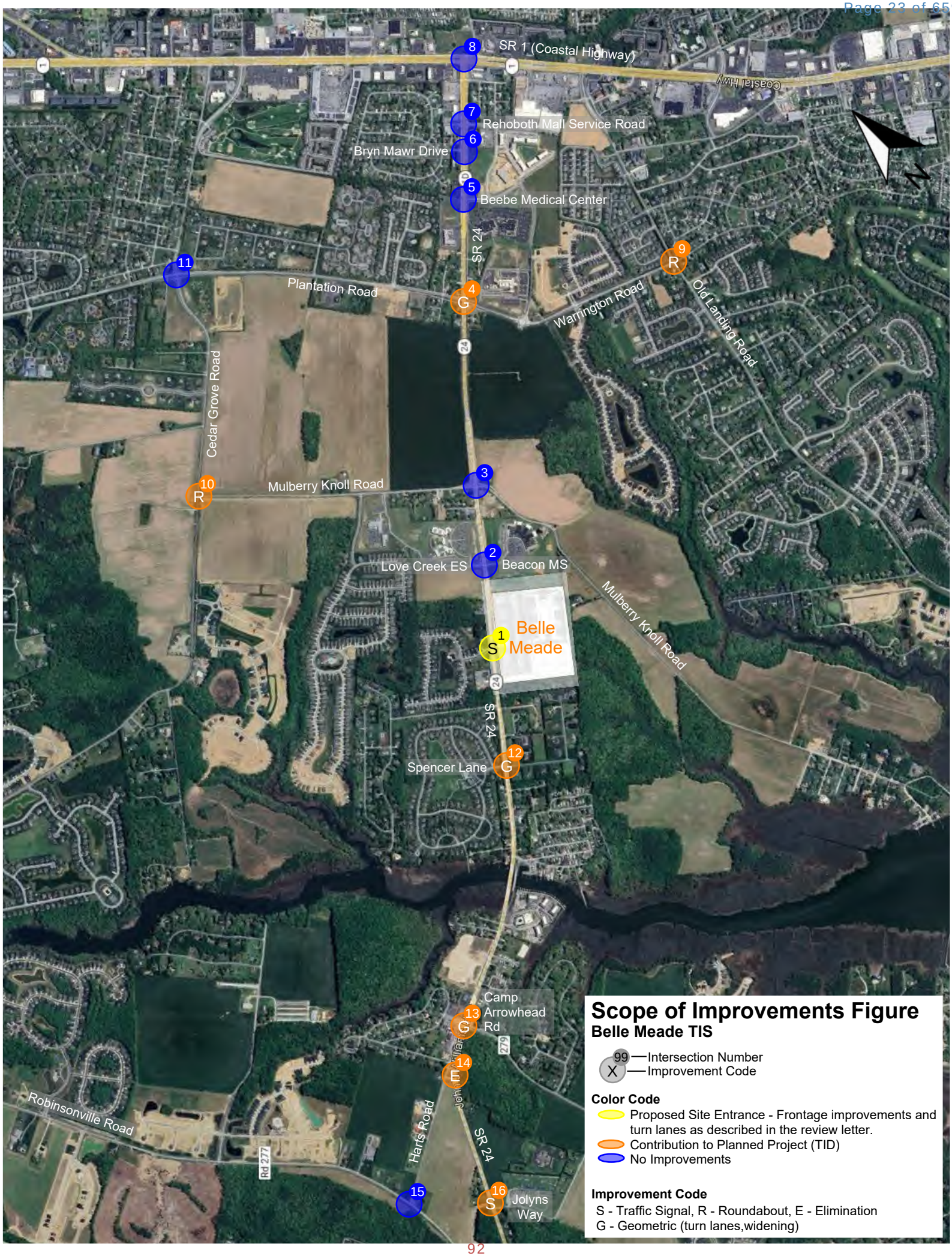
Sincerely,

McCormick Taylor, Inc.



Andrew J. Parker, PE, PTOE
Project Manager

Enclosure



Scope of Improvements Figure
Belle Meade TIS

99 — Intersection Number
X — Improvement Code

Color Code

- Proposed Site Entrance - Frontage improvements and turn lanes as described in the review letter.
- Contribution to Planned Project (TID)
- No Improvements

Improvement Code

S - Traffic Signal, R - Roundabout, E - Elimination
G - Geometric (turn lanes,widening)

General Information

Report date: February 2024
Prepared by: Becker Morgan Group, Inc
Prepared for: Capano Management, Inc.
Tax parcel: 334-18.00-40.01
Generally consistent with DelDOT's Development Coordination Manual: Yes

Project Description and Background

Description: The proposed Belle Meade development consists of 125,000 square feet of retail space, 480 low-rise multi-family houses.
Location: The site is located along the south side of Delaware Route 24, approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. A site location map is included on page 11.
Amount of land to be developed: an approximately 38.33-acre parcel.
Land use approval(s) needed: The subject land is currently zoned AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial).
Proposed completion year: 2032
Proposed access locations: One full access point is proposed on Delawar Route 24 opposite Lexington Avenue.
Average Daily Traffic Volumes (per DelDOT Traffic Summary 2022):

- Delaware Route 24: 18,591 vehicles/day


Mulberry Knoll Road
SR 24
N
Mulberry Knoll Road
SR 24
Site Location Map
Proposed Entrance

2020 Delaware Strategies for State Policies and Spending

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed Belle Meade development is located within Investment Level 2.

Investment Level 2
This investment level has many diverse characteristics. These areas can be composed of less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas, smaller towns and rural villages that should grow consistently with their historic character, and suburban areas with public water, wastewater, and utility services. These areas have been shown to be the most active portion of Delaware's developed landscape. They serve as transition areas between Level 1 and the more open, less populated areas. They generally contain a limited variety of housing types, predominantly detached single-family dwellings.

In Investment Level 2, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity.

Investments should encourage departure from the typical single-family-dwelling developments and promote a broader mix of housing types and commercial sites encouraging compact, mixed-use development where applicable. Overall, the State's intent is to use spending and management tools to promote well-designed development in these areas. Such development provides for a variety of housing types, user-friendly transportation systems, and provides essential open spaces and recreational facilities, other public facilities, and services to promote a sense of community. Investment Level 2 areas are prime locations for designating "pre-permitted areas."

Proposed Development's Compatibility with Strategies for State Policies and Spending:
The proposed Belle Meade development falls within Investment Level 2 and is to be developed as 125,000 square feet of retail space, 480 low-rise multi-family houses. The proposed development is consistent with the character of Investment Level 2. It is therefore concluded that the proposed development appears to generally comply with the policies stated in the 2020 "Strategies for State Policies and Spending."

Comprehensive Plan

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

The Sussex County Comprehensive Plan Future Land Use Map indicates that the proposed Belle Meade site is planned for "Commercial" land use. It would appear that the proposed Belle Meade development generally fits within the intended land use for this location.

Proposed Development's Compatibility with Comprehensive Plan:
The proposed development appears to comply with the Sussex County Comprehensive Plan. The Belle Meade development is proposed on land that is planned for Commercial use. The land is

zoned as AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial). The proposed development generally aligns with both the Future Land Use Map and the proposed zoning.

Relevant Projects in the DelDOT Capital Transportation Program

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS and making off-site improvements in accordance with the TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development.

Trip Generation

Trip generation for the proposed development was computed using comparable land uses and equations contained in Trip Generation, Eleventh Edition, published by the Institute of Transportation Engineers (ITE). The following land use was utilized to estimate the amount of new traffic generated for this development:

- 480 low-rise multi-family dwelling units (ITE Land Use Code 220)
- 125,000 square-foot Retail Space (ITE Land Use Code 821)

Table 1
Peak Hour Trip Generation

Land Use	Phase	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
LUC 220	Gross	173	211	384	249	211	460	336	315	651
LUC 821	Pass-by	0	0	0	114	106	220	127	116	243
Total Trips		**173**	**211**	**384**	**363**	**317**	**680**	**463**	**431**	**894**

Overview of TIS

Intersections examined:

1) Site Entrance / Lexington Avenue / Delaware Route 24
2) Delaware Route 24 / Love Creek Elementary School / Beacon Middle School (backfill)
3) Delaware Route 24 / Mulberry Knoll Road (Sussex Road 284)
4) Delaware Route 24 / Plantations Road / Warrington Road (Sussex Road 275)
5) Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn) (backfill)
6) Delaware Route 24 / Bryn Mawr Drive (backfill)
7) Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way (backfill)
8) Delaware Route 1 / Delaware Route 24
9) Warrington Road / Old Landing Road (Sussex Road 274)
10) Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)
11) Cedar Grove Road / Plantations Road
12) Delaware Route 24 / Spencer Lane / Williams Way (backfill)
13) Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)
14) Delaware Route 24 / Harts Road (Sussex Road 277C)*
15) Robinsonville Road (Sussex Road 277) / Harts Road*
16) Delaware Route 24 / Jolyns Way (Sussex Road 289)

Conditions examined:

1) Existing (2022) (Case 1)
2) 2032 without development (Case 2)
3) 2032 with development (Case 3)

Peak hours evaluated: Weekday morning and evening and Saturday mid-day peak hours

Committed developments considered:

1) Scenic Manor f.k.a. Estates at Mulberry Knoll (320 single-family detached houses)
2) V&M, LLC (5,000 square-foot super convenience store with gas pumps and a 12,000 square-foot office)
3) Belle Terre (269 single-family detached houses)
4) Arbor-Lyn (142 single-family detached houses)
5) Beebe Health Care (100-employee hospital) – might be fully built already; if so, please exclude from study.
6) Seaglass f.k.a. Herola Property (216 apartment units) – might be fully built already: if so, please exclude from study.
7) Osprey Point (217 single-family detached houses)
8) Delaware State Police Troop 7 (25,270 square-foot administrative facility and a 10,115 square-foot maintenance facility) – might be fully built already; if so, please exclude from study.
9) Welshes Pond f.k.a. Fieldstone (247 single-family detached houses)
10) Wellesley (132 single-family detached houses)
11) Centre at Love Creek f.k.a. Pelican Landing (84,576 square-foot shopping center)
12) Rehoboth Point Yacht Club (f.k.a. Love Creek Marina) (180 units of three-story apartments, 5,000 square-foot quality restaurant, and a 500 square-foot retail facility) – might be fully built already; if so, please exclude from study.
13) Henlopen Meadows (f.k.a. Windswept at Lewes) (201 single-family detached houses, 178 townhouses)
14) Marsh Island (139 single-family detached houses)
15) Acadia Landing (f.k.a Insight at Lewes Point) (238 single-family detached houses)
16) Chase Oaks f.k.a. Charter Oak (249 single-family detached houses)
17) Brentwood (f.k.a. Coral Lakes) (198 single-family detached houses)
18) Tanager Woods (f.k.a. Street Property) (173 single-family detached houses)
19) Middle Creek Preserve (313 single-family detached houses)
20) Hailey's Glen (f.k.a. Kielbasa Property) (68 single-family detached houses)
21) Beachtree Preserve (155 single-family detached houses)

Intersection Descriptions

1) **Site Entrance/Lexington Avenue & Delaware Route 24**
   Type of Control: Currently unsignalized and proposed to be signalized.
   Eastbound Approach: (DE 24) existing one through and one left turn lane; proposed two through, one left turn, and one right turn lane.
   Westbound Approach: (DE 24) existing one through and one right turn lane; proposed two through, one left turn, and one right turn lane.
   Northbound Approach: (Site Entrance) stop-controlled; proposed one shared through-left and one right-turn lane.
   Southbound Approach: (Site Entrance) stop-controlled; currently one shared left-right turn lane; proposed one shared through-left and one right-turn lane.

2) **Delaware Route 24 / Love Creek Elementary School / Beacon Middle School**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) existing two through lanes and one exclusive lane for each turning movement.
   Westbound Approach: (DE 24) existing two through lanes and one exclusive lane for each turning movement.
   Northbound Approach: (Beacon Middle School) existing one shared through-left lane and one right turn lane.
   Southbound Approach: (Love Creek Elementary School) existing one shared through-left lane and one right turn lane.

3) **Delaware Route 24 & Mulberry Knoll Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) existing two through lanes and one exclusive lane for each turning movement.
   Westbound Approach: (DE 24) existing two through lanes and one exclusive lane for each turning movement.
   Northbound Approach: (Mulberry Knoll Road) existing one shared through-left lane and one right turn lane.
   Southbound Approach: (Mulberry Knoll Road) existing one shared through-left lane and one right turn lane.

4) **Delaware Route 24 & Plantation Road / Warrington Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) existing one left-turn lane, two through lanes, and one channelized right-turn lane.
   Westbound Approach: (DE 24) existing one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Warrington Road) existing one exclusive left-turn lane, one shared through-left lane, one exclusive through lane, and one right-turn lane.
   Southbound Approach: (Plantation Road) existing one exclusive left-turn lane, one shared through-left lane, one exclusive through lane, and one right-turn lane.

5) **Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) existing one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) existing one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Beebe Road) existing one exclusive right-turn lane and one shared through-left lane.
Southbound Approach: (Entrance to Residence Inn) existing one exclusive right-turn lane and one shared through-left lane.

6) **Delaware Route 24 / Bryn Mawr Drive**
Type of Control: three-leg stop controlled intersection.
Eastbound Approach: (DE 24) existing one left-turn lane and two through lanes.
Westbound Approach: (DE 24) existing one right-turn lane and two through lanes.
Southbound Approach: (Bryn Mawr Drive) stop-controlled; existing one shared left-right turn lane.

7) **Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) existing one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) existing one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Rehoboth Mall Service Road) existing one exclusive right-turn lane and one shared through-left lane.
Southbound Approach: (Hudson Way) existing one exclusive right-turn lane and one shared through-left lane.

8) **Delaware Route 1 / Delaware Route 24**
Type of Control: signalized three-leg intersection.
Eastbound Approach: (DE 24) existing three left-turn lanes and two right-turn lanes.
Northbound Approach: (DE 1) existing two exclusive left-turn lanes and three through lanes.
Southbound Approach: (DE 1) existing two exclusive left-turn lanes, three through lanes, and one U-turn lane.

9) **Warrington Road / Old Landing Road (Sussex Road 274)**
Type of Control: all-way stop-controlled four-leg intersection.
Eastbound Approach: (Warrington Road) existing one exclusive left-turn lane and one shared through-right lane.
Westbound Approach: (Strawberry Road) existing one shared through-left-right lane.
Northbound Approach: (Old Landing Road) existing one shared through-left-right lane.
Southbound Approach: (Old Landing Road) existing one shared through-left-right lane.

10) Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)

Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (Cedar Grove Road) existing one shared through -right lane; proposed to be one through lane and one right-turn (stop-controlled) lane.
Westbound Approach: (Cedar Grove Road) existing one shared through-left lane.
Northbound Approach: (Mulberry Knoll Road) stop-controlled; existing one shared left-right lane.

11) Cedar Grove Road / Plantation Road

Type of Control: signalized four-leg intersection.
Eastbound Approach: (Cedar Grove Road) existing one through lane, one channelized right-turn lane, and one left-turn lane.
Westbound Approach: (Cedar Grove Road) existing one through lane, one channelized right-turn lane, and one left-turn lane.
Northbound Approach: (Plantation Road) existing one through lane, one channelized right-turn lane, and one left-turn lane.
Southbound Approach: (Plantation Road) existing one through lane, one channelized right-turn lane, and one left-turn lane.

12) Delaware Route 24 / Spencer Lane / Williams Way

Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) existing one through lane, one right-turn lane, and one left-turn lane.
Westbound Approach: (DE 24) existing one through lane, one right-turn lane, and one left-turn lane.
Northbound Approach: (Williams Way) existing one shared through-left-right lane (stop-controlled).
Southbound Approach: (Spencer Lane) existing one right-turn lane and one left-turn lane (stop-controlled).

13) Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)

Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) existing one through lane, one channelized right-turn lane, and one left-turn lane.
Westbound Approach: (DE 24) existing one through lane, one right-turn lane, and one left-turn lane.
Northbound Approach: (Camp Arrowhead Road) existing one through lane, one channelized right-turn lane, and one left-turn lane.
Southbound Approach: (Fairfield Road) existing one shared through-right lane and one left-turn lane.

14) **Delaware Route 24 / Harts Road (Sussex Road 277C)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) existing one through lane and one left-turn lane.
Westbound Approach: (DE 24) existing one through lane and one right-turn lane.
Southbound Approach: (Harts Road) existing one right-turn lane and one left-turn lane (stop-controlled).

15) **Robinsonville Road (Sussex Road 277) / Harts Road**
Type of Control: stop-controlled three-leg intersection.
Westbound Approach: (Harts Road) existing one shared left-right turn lane (stop-controlled).
Northbound Approach: (Robinsonville Road) existing one shared through-right turn lane.
Southbound Approach: (Robinsonville Road) existing one shared through-left turn lane.

16) **Delaware Route 24 / Jolyns Way (Sussex Road 289)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) existing one shared through-right turn lane.
Westbound Approach: (DE 24) existing one shared through-left turn lane.
Northbound Approach: (Jolyns Way) existing one shared left-right turn lane (stop-controlled).

Safety Evaluation

Crash Data: Delaware Crash Analysis Reporting System (CARS) data was provided in the TIS for the three-year period from January 1, 2021, through December 31, 2023. A total of 7 reportable crashes occurred within 0.1 miles of the site access. Three were rear-end, two were sideswipe, one was an angle, and one was a single-vehicle crash. None of the crashes caused any injury or involved pedestrians or bicyclists.

Sight Distance: The study area generally consists of relatively flat roadways and there are few visual obstructions. As always adequacy of available sight distance should be confirmed during the site plan review process for all proposed movements at the site accesses.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Based on the current DART Bus Stop Map, the Delaware Transit Corporation (DTC) currently operates one fixed-route transit bus route in the area of the proposed Belle Meade development. Route 215 Millsboro/Rehoboth runs along DE 24 with the nearest stops located west of the site at the Love Creek Marina and east of the site at Beebe Medical Center.

Planned transit service: Delaware Transit Corporation (DTC) has requested that the developer construct a bus stop pad on SR 24 within the site frontage. The location, size, and type of bus pad will be determined through coordination with DTC.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, Delaware Route 24 is designated as a High-Traffic Regional Bicycle Route with a Bikeway. Plantation Road is designated as a High-Traffic Statewide Bicycle Route with a Bikeway. Recent DelDOT projects along SR 24 have or are in the process of adding bicycle lanes along SR 24 between Love Creek and SR 1. The same projects have also added sidewalks or shared use paths along the same segment of SR 24, except for the segment between Mulberry Knoll Road and Plantation Road / Warrington Road.

Planned bicycle and pedestrian facilities: The developer should maintain the existing sidewalk or shared use path along the site frontage that was constructed by the "SR 24, Love Creek to Mulberry Knoll" project. In addition, a signalized pedestrian crossing of SR 24 should be included at the proposed signal at the intersection of SR 24 and Lexington Avenue.

Previous Comments

The initial scoping memorandum between the developer and DelDOT was dated December 9, 2022.

In a review letter dated October 6, 2023, DelDOT commented on the traffic counts and seasonally adjusted traffic volumes. The developer was asked to include additional committed developments that were originally included in the scoping memorandum. DelDOT also provided additional count data and directed the developer to update the volume figures.

In a second review letter dated October 30, 2023, DelDOT requested additional revisions to the committed development volumes due to construction detours in the area during the traffic counts. The developer was asked to address the noted issues and proceed with the Preliminary TIS.

In a third review letter dated December 28, 2023, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and distribution. The developer was then directed to resubmit the Preliminary TIS.

In a fourth review letter dated January 25, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and then resubmit the Preliminary TIS.

In a fifth review letter dated February 15, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to revise how growth factors were applied to volumes provided by the Henlopen TID and associated volume figures then resubmit the Preliminary TIS.

In a sixth review letter dated February 19, 2024, DelDOT noted that the Preliminary TIS was acceptable as submitted and directed the developer to proceed with the Final TIS.

It appears that all substantive comments from DelDOT's TIS Scoping Memorandum, Traffic Count Review, Preliminary TIS Review, and other correspondence were addressed in the Final TIS submission.

General HCS Analysis Comments
(see table footnotes on the following pages for specific comments)

1) Both the TIS and McCormick Taylor utilized Highway Capacity Software (HCS) version 2023 to complete the traffic analyses.

2) The TIS and McCormick Taylor generally used heavy vehicle percentages (HV%) from turning movement counts for existing and future conditions (as per DelDOT's Development Coordination Manual section 2.2.8.11.6.H). McCormick Taylor and the TIS assumed 3% HV for future movements and at the proposed site entrance.

3) The TIS and McCormick Taylor determined overall intersection peak hour factors (PHF) for each intersection based on the turning movement counts. Future PHFs were determined as per the DelDOT Development Coordination Manual section 2.2.8.11.6.F where applicable. The application of future PHFs in the TIS was inconsistent between intersections and volume scenarios.

4) For analyses of all intersections, McCormick Taylor and the TIS assumed 0% grade for all movements.

Table 2
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [1] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
1. SR 24 / Lexington Avenue / Site Entrance	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 – Left	A (8.1)	B (10.4)	A (8.7)	A (8.1)	B (10.5)	A (8.8)
Southbound Lexington Avenue	D (30.0)	E (42.7)	E (35.7)	D (30.5)	E (43.0)	E (36.3)
2032 No Build (Case 2) [2]						
Eastbound SR 24 – Left	A (9.0)	B (13.3)	B (10.5)	A (9.0)	B (13.2)	B (10.4)
Southbound Lexington Avenue	E (36.8)	F (90.0)	F (53.2)	F (108.0)	F (251.2)	F (150.1)
2032 Build (Case 3) [2]						
Eastbound SR 24 – Left	A (9.0)	B (12.8)	B (10.1)	A (9.0)	B (12.7)	B (10.1)
Westbound SR 24 – Left	B (13.9)	C (17.7)	D (34.9)	B (13.8)	C (16.6)	E (35.8)
Northbound Site Entrance	F (333.4)	F (3337.9)	F (10913)	F (1486.8)	F (17804.0)	F (44574.1)
Southbound Lexington Avenue	F (354.3)	F (2563.7)	F (6644.9)	F (3163.6)	F (13387.7)	[3]
2032 Build (Case 3) Signal [2]						
Overall	-	-	-	B (14.1)	C (28.3)	F (92.9)
2032 Build (Case 3 w/ TID) Signal [4]						
Overall	B (10.2)	B (11.6)	B (19.2)	B (12.0)	B (16.0)	C (25.0)

[1] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[2] TIS modeled Case 2 and 3 with two through lanes in both eastbound and westbound directions on SR 24. MT modeled with one through lane in each direction based on the proposed condition in the SR 24, Love Creek to Mulberry Knoll Road Project.
[3] Capacity cannot be calculated as intersection volume exceeds HCM limitations.
[4] Henlopen TID proposes two through lanes in each direction along SR 24.

Table 3
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [5]	**LOS per TIS**			**LOS per McCormick Taylor**		
2. SR 24 / Love Creek Elementary School / Beacon Middle School	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1) [6]						
Overall	A (9.6)	A (7.7)	A (2.0)	B (14.2)	B (10.4)	A (6.6)
2032 No Build (Case 2)						
Overall	A (6.4)	A (4.6)	A (0.6)	B (10.3)	A (5.4)	C (20.3)
2032 Build (Case 3)						
Overall	A (5.9)	A (4.5)	A (0.8)	C (23.3)	A (7.3)	D (41.3)

[5] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[6] TIS modeled intersection in Case 1 with one through lane in each direction. Existing conditions, following the completion of the SR 24, Love Creek to Mulberry Knoll Road Project, will have two through lanes in each direction along SR 24.

Table 4
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [7]	**LOS per TIS**			**LOS per McCormick Taylor**		
3. SR 24 / Mulberry Knoll Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (8.8)	A (9.3)	B (18.1)	A (8.9)	A (8.3)	B (17.0)
2032 No Build (Case 2)						
Overall	C (30.5)	D (46.0)	E (78.1)	B (19.9)	C (23.3)	C (28.5)
2032 Build (Case 3)						
Overall	D (37.0)	D (52.3)	F (85.0)	C (20.7)	C (24.9)	C (30.1)
2032 Build (Case 3 w/ TID)[8]						
Overall	-	-	-	B (17.1)	B (16.4)	C (23.5)

[7] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[8] Henlopen TID proposes the addition of dedicated right-turn lanes on both minor street approaches. The turn lanes are modeled with 180-foot storage length.

Table 5
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [9]	**LOS per TIS**			**LOS per McCormick Taylor**		
4. SR 24 / Plantation Road / Warrington Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	C (23.3)	C (31.8)	C (34.6)	D (36.6)	D (44.1)	D (50.4)
2032 No Build (Case 2)						
Overall	C (26.1)	C (35.6)	D (39.0)	C (32.4)	D (53.6)	D (50.1)
2032 Build (Case 3)						
Overall	C (26.7)	D (37.5)	D (40.7)	C (31.5)	E (60.8)	D (54.8)
2032 Build (Case 3 w/ TID) [10]						
Overall	-	-	-	C (28.8)	D (49.5)	D (42.0)

[9] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[10] The Henlopen TID conceptual design includes two left turn lanes, two through lanes, and one right turn lane on the Warrington Road and Plantation Road approaches.

Table 6
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [11]	**LOS per TIS**			**LOS per McCormick Taylor**		
5. SR 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (1.5)	A (5.1)	A (1.3)	A (1.8)	A (9.4)	A (7.3)
2032 No Build (Case 2)						
Overall	A (1.3)	A (3.8)	A (1.3)	A (1.3)	B (10.9)	B (11.3)
2032 Build (Case 3)						
Overall	A (1.3)	A (3.7)	A (1.3)	A (1.7)	B (11.1)	B (12.2)

[11] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 7
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [12] Two-Way Stop-Control	**LOS per TIS [13]**			**LOS per McCormick Taylor**		
6. SR 24 / Bryn Mawr Drive	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	B (10.4)	B (11.4)	B (11.7)	A (8.5)	A (9.5)	A (8.8)
Southbound Bryn Mawr Drive	C (15.1)	C (20.1)	C (21.8)	C (18.7)	C (20.1)	C (23.7)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	B (12.4)	C (17.0)	C (18.1)	A (8.9)	B (11.3)	B (11.1)
Southbound Bryn Mawr Drive	C (17.4)	D (29.6)	D (33.7)	D (30.6)	E (49.5)	F (56.3)
2032 Build (Case 3)						
Eastbound SR 24 - Left	B (11.5)	B (14.1)	C (15.1)	A (9.1)	B (11.7)	B (11.7)
Southbound Bryn Mawr Drive	C (17.1)	D (25.7)	D (29.4)	E (35.8)	F (62.4)	F (75.2)

[12] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[13] TIS modeled this intersection with three though lanes in each direction on SR 24 which does not match the existing or proposed conditions.

Table 8
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [14]	**LOS per TIS**			**LOS per McCormick Taylor**		
7. SR 24 / Rehoboth Mall Service Road / Hudson Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (3.1)	A (8.0)	A (5.4)	A (3.8)	B (10.7)	A (5.9)
2032 No Build (Case 2)						
Overall	A (2.5)	A (6.0)	A (4.3)	A (2.5)	A (7.4)	A (5.0)
2032 Build (Case 3)						
Overall	A (2.4)	A (5.7)	A (4.1)	A (3.2)	A (7.1)	A (4.2)

[14] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 9
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [15]	**LOS per TIS**			**LOS per McCormick Taylor**		
8. SR 24 / SR 1	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (19.7)	C (23.0)	D (39.2)	B (17.8)	C (22.9)	C (24.0)
2032 No Build (Case 2)						
Overall	D (43.2)	D (52.2)	E (77.3)	C (23.6)	C (32.1)	C (29.7)
2032 Build (Case 3)						
Overall	D (46.2)	E (56.5)	F (83.9)	C (29.8)	D (35.1)	C (33.1)

[15] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 10
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [16] All-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
9. Warrington Road / Old Landing Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound Warrington Road	D (31.6)	C (23.3)	F (116.1)	D (28.4)	C (20.4)	F (102.7)
Westbound Strawberry Way	A (9.5)	A (9.6)	B (11.1)	A (9.6)	A (9.7)	B (11.2)
Northbound Old Landing Road	C (15.7)	B (12.9)	C (22.5)	C (15.6)	B (12.8)	C (22.3)
Southbound Old Landing Road	B (12.3)	C (20.3)	D (31.6)	B (12.3)	C (20.0)	D (31.2)
Overall	C (22.9)	C (20.0)	F (66.0)	C (21.2)	C (18.7)	F (60.0)
2032 No Build (Case 2)						
Eastbound Warrington Road	F (130.4)	F (131.1)	F (336.8)	F (75.9)	F (51.7)	F (216.8)
Westbound Strawberry Way	B (10.7)	B (12.1)	B (12.9)	B (10.8)	B (12.1)	B (13.0)
Northbound Old Landing Road	C (22.4)	c (20.2)	E (42.8)	C (22.1)	C (20)	E (42.4)
Southbound Old Landing Road	C (15.2)	F (88.0)	F (103.2)	C (15.1)	F (89.9)	F (101.8)
Overall	F (76.7)	F (91.8)	F (192.0)	E (48.5)	F (60.2)	F (138.3)
2032 Build (Case 3)						
Eastbound Warrington Road	F (161.0)	F (155.6)	F (380.1)	F (115.3)	F (62.0)	F (243.9)
Westbound Strawberry Way	B (10.8)	B (12.2)	B (13.0)	B (10.9)	B (12.3)	B (13.1)
Northbound Old Landing Road	C (23.4)	C (20.9)	E (46.7)	C (23.1)	C (20.8)	E (46.3)
Southbound Old Landing Road	C (16.1)	F (105.0)	F (128.6)	C (16.0)	F (103.4)	F (127.6)
Overall	F (93.3)	F (108.9)	F (221.0)	F (57.0)	F (69.8)	F (159.9)
2032 Build (Case 3 w/ TID) Roundabout						
Overall	B (10.6)	B (11.7)	C (20.4)	B (10.6)	B (11.7)	C (20.4)

[16] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 11
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [17] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
10. Mulberry Knoll Road / Cedar Grove Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Cedar Grove Road - Left	A (8.2)	A (7.6)	A (9.8)	A (8.1)	A (7.6)	A (9.9)
Northbound Mulberry Knoll Road	B (11.5)	B (11.1)	C (20.5)	B (11.8)	B (11.1)	C (20.9)
2032 No Build (Case 2)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.3)	A (8.9)	A (8.3)	B (12.3)
Northbound Mulberry Knoll Road	C (20.1)	D (32.5)	F (614.3)	C (20.1)	D (32.5)	F (614.3)
2032 Build (Case 3)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (22.3)	E (40.4)	F (837.7)	C (22.3)	E (40.4)	F (837.7)
2032 Build (Case 3) w/ improvements [18]						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (19.3)	D (33.9)	F (581.4)	C (19.3)	D (33.9)	F (581.4)
2032 Build (Case 3) Roundabout [19]						
Overall	-	-	-	A (6.9)	A (6.7)	C (18.0)

[17] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[18] The TIS proposes to construct a dedicated eastbound right-turn lane on Cedar Grove Road.
[19] Henlopen TID proposes a roundabout at this intersection.

Table 12
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [20]	**LOS per TIS**			**LOS per McCormick Taylor**		
11. Cedar Grove Road / Plantation Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (18.3)	B (18.3)	C (31.2)	B (17.6)	B (17.7)	C (34.7)
2032 No Build (Case 2)						
Overall	B (19.8)	C (22.5)	D (41.4)	B (18.8)	C (21.0)	C (34.1)
2032 Build (Case 3)						
Overall	C (20.2)	C (23.3)	D (44.4)	B (19.1)	B (21.9)	D (44.8)

[20] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 13
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [21] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
12. SR 24 / Spencer Lane / Williams Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.6)	B (10.4)	A (8.6)	A (8.6)	B (10.4)	A (8.6)
Westbound SR 24 - Left	A (9.8)	A (8.9)	B (10.0)	A (9.8)	A (8.9)	B (10.0)
Northbound Williams Way	C (24.3)	F (56.0)	D (31.2)	C (24.3)	F (56.0)	D (31.2)
Southbound Spencer Lane	C (24.3)	E (44.1)	E (40.6)	C (24.3)	E (44.1)	E (40.6)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.6)	B (12.9)	B (10.2)	A (9.6)	B (13.5)	B (10.4)
Westbound SR 24 - Left	B (11.5)	B (10.6)	B (12.3)	B (11.5)	B (10.9)	B (12.7)
Northbound Williams Way	F (52.4)	F (220.3)	F (97.8)	F (52.4)	F (284.6)	F (115.8)
Southbound Spencer Lane	F (65.8)	F (233.6)	F (221.1)	F (65.8)	F (330.5)	F (291.9)
2032 Build (Case 3)						
Eastbound SR 24 - Left	A (10.0)	B (13.5)	B (10.8)	A (10.0)	B (14.2)	B (11.0)
Westbound SR 24 - Left	B (11.9)	B (11.1)	B (13.3)	B (11.9)	B (11.4)	B (13.8)
Northbound Williams Way	F (65.5)	F (305.4)	F (148.5)	F (65.5)	F (406.1)	F (181.6)
Southbound Spencer Lane	F (91.3)	F (535.2)	F (408.7)	F (91.3)	F (505.6)	F (547.1)
2032 Build (Case 3 w/ TID) [22]						
Eastbound SR 24 - Left	-	-	-	B (10.4)	B (14.5)	B (11.1)
Westbound SR 24 - Left	-	-	-	B (12.0)	B (11.5)	B (13.9)
Northbound Williams Way	-	-	-	E (41.9)	F (130.2)	F (86.1)
Southbound Spencer Lane	-	-	-	D (33.3)	F (176.2)	F (117.7)

[21] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[22] Henlopen TID proposes left-turn lanes, two through lanes, and right turn lanes on both SR 24 approach at this intersection.

Table 14
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [23]	**LOS per TIS**			**LOS per McCormick Taylor**		
13. SR 24 / Camp Arrowhead Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (10.5)	B (13.7)	B (14.6)	B (12.4)	B (15.8)	B (16.6)
2032 No Build (Case 2)						
Overall	C (27.4)	E (59.5)	F (88.3)	B (10.6)	B (17.8)	B (18.2)
2032 Build (Case 3)						
Overall	D (45.3)	F (89.5)	F (129.1)	B (12.3)	D (38.9)	E (58.6)
2032 Build (Case 3 w/ TID) [24]						
Overall	-	-	-	A (6.5)	B (11.0)	B (12.2)

[23] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[24] Henlopen TID proposes an additional through lane in both directions of SR 24.

Table 15
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [25] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
14. SR 24 / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.4)	A (9.4)	A (8.5)	A (8.2)	A (9.5)	A (8.5)
Southbound Harts Road	C (16.8)	E (37.7)	D (31.7)	C (18.6)	E (38.6)	D (32.3)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.3)	B (11.5)	A (9.9)	A (9.3)	B (11.5)	A (9.9)
Southbound Harts Road	F (109.5)	F (648.1)	F (541.0)	F (109.5)	F (648.1)	F (541.0)
2032 Build (Case 3) [26]						
Eastbound SR 24 - Left	A (9.6)	B (11.9)	B (10.4)	A (9.6)	B (11.9)	B (10.4)
Southbound Harts Road	F (198.1)	F (989.8)	F (982.7)	F (198.1)	F (989.8)	F (982.7)

[25] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[26] Henlopen TID proposes the removal of this intersection.

Table 16
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [27] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
15. Robinsonville Road / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Harts Road	B (10.1)	B (13.2)	B (12.7)	B (10.1)	B (13.2)	B (12.7)
Southbound Robinsonville Road - Left	A (7.8)	A (7.6)	A (7.9)	A (7.8)	A (7.6)	A (7.9)
2032 No Build (Case 2)						
Westbound Harts Road	B (11.5)	A (25.1)	C (19.8)	B (11.8)	A (29.5)	C (19.8)
Southbound Robinsonville Road - Left	A (8.2)	A (8.2)	A (8.7)	A (8.2)	A (8.3)	A (8.7)
2032 Build (Case 3)						
Westbound Harts Road	B (11.7)	D (29.7)	C (23.2)	B (12.0)	D (29.7)	C (20.5)
Southbound Robinsonville Road - Left	A (8.2)	A (8.3)	A (8.8)	A (8.3)	A (8.3)	A (8.7)

[27] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 17
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [28] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
16. SR 24 / Jolyns Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound SR 24 - Left	A (8.7)	A (8.3)	A (9.1)	A (9.0)	A (8.3)	A (9.1)
Northbound Jolyns Way	C (16.0)	C (15.6)	C (20.8)	C (16.6)	C (16.1)	C (20.8)
2032 No Build (Case 2)						
Westbound SR 24 - Left	A (9.4)	A (9.1)	B (10.2)	A (9.4)	A (9.1)	B (10.2)
Northbound Jolyns Way	C (22.2)	C (24.5)	E (37.1)	C (22.2)	C (24.5)	E (37.1)
2032 Build (Case 3)						
Westbound SR 24 - Left	A (9.6)	A (9.3)	B (10.6)	A (9.6)	A (9.3)	B (10.6)
Northbound Jolyns Way	C (24.3)	D (27.5)	E (45.3)	C (24.3)	D (27.5)	E (45.3)
2032 Build (Case 3 w/ TID) Signal [29]						
Overall	-	-	-	A (1.5)	A (1.6)	A (1.4)

[28] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

[29] Henlopen TID proposes to signalize this intersection with two through lanes and dedicated turn lanes in each direction along SR 24, extending Jolyns Way north of SR 24 to connect to Robinsonville Road forming a northern leg of the intersection, and adding dedicated right turn lanes on both Jolyns Way approaches. The capacity analysis for the Case 3 with TID results above modeled the intersection without the proposed northern leg because traffic volumes have not been prepared for this condition.

Michael Lowrey

From: Valerie Thompson
Sent: Tuesday, February 18, 2025 1:53 PM
To: Michael Lowrey
Cc: Lauren DeVore; Christin Scott; Ann Lepore; Susan Isaacs
Subject: RE: CZ 2001 Belmead Farm LLC

Good afternoon Michael,

I have completed my review of the Belmead Farm LLC DAR prepared by Becker Morgan. The report complies with Sussex County Code Section 115-193-F(2).

Valerie Thompson
Sediment and Stormwater Designer

Sussex County Engineering
2 The Circle, Georgetown DE 19947
Office: 302-855-7790
Cell: 443-783-8063
Email: valerie.thompson@sussexcountyde.gov

From: Michael Lowrey <michael.lowrey@sussexcountyde.gov>
Sent: Friday, February 14, 2025 4:27 PM
To: Valerie Thompson <valerie.thompson@sussexcountyde.gov>
Cc: Lauren DeVore <lauren.devore@sussexcountyde.gov>; Christin Scott <christin.scott@sussexcountyde.gov>; Ann Lepore <ann.lepore@sussexcountyde.gov>; Susan Isaacs <sisaacs@sussexcountyde.gov>
Subject: CZ 2001 Belmead Farm LLC

RE: CZ 2001
Belmead Farm LLC
TM# 334-18.00-40.01

Valerie,

Good afternoon.

I have another DAR that just arrived. I have attached all materials submitted by the Applicant as part of the submission.
It is my understanding that the Public Hearing for this Application is tentatively scheduled for 3/19/2025.

Feel free to reach out if there are any questions.
I'll wish you a good weekend, ...again.

Mike

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

The Planning Division has updated it's fee schedule for applications and services as of July 1, 2022. The updated fee schedule can be found at:
https://sussexcountyde.gov/sites/default/files/PDFs/Planning_and_Zoning_Fees.pdf
Much of the County's Planning and Zoning Information can be found online at:
https://sussexcountyde.gov/sussex-county-mapping-applications
Information on the 2018 Sussex County Comprehensive Plan can be found at:
https://sussexcountyde.gov/2018-comp-plan-documents

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

RECEIVED
MAR 06 2025
SUSSEX COUNTY
PLANNING & ZONING

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **3/4/2025**

APPLICATION: **CZ 2001 Belmead Farm, LLC**

APPLICANT: **Belmead Farm, LLC**

FILE NO: **GC-1.09**

TAX MAP & PARCEL(S): **334-18.00-40.01 & 40.06**

LOCATION: **Lying on the east side of John J. Williams Highway (Rt. 24), approximately 0.31 mile southwest of Mulberry Knoll Road (SCR 284).**

NO. OF UNITS: **Upzone from AR-1 (Agricultural Residential) to C-4 (Planned Commercial).**

GROSS ACREAGE: **39.22**

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

SEWER:

(1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes ☐ No ☒

a. If yes, see question (2).
b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 2**

(3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A.**

(4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes**

If yes, the current System Connection Charge Rate is **Unified $7,700.00** per EDU. Please contact **Christine Fletcher** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**

☒ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **Yes**

(8). Comments: **A sanitary sewer easement and pipeline will be required along John J. Williams Highway (Rt. 24) across both parcels for future connections to avoid future impacts to parcels 40.01 & 40.06. Upgrades to Pump Station**

(9). Is a Sewer System Concept Evaluation required? **Already Completed, See Attached**

(10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

(11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:

John J. Ashman
Director of Utility Planning & Design Review

Xc: Mike Harmer, P.E.
Christine Fletcher
Choose an item.

Lauren DeVore

From:	Lauren DeVore
Sent:	Thursday, March 20, 2025 9:06 AM
To:	Fulton Robert; Crisci Richard
Cc:	Jamie Whitehouse; Michael Lowrey; Jessica Iarussi; Ashley Paugh; Amy Hollis; Marina Truitt; Vince Robertson
Subject:	Notification of Upcoming Applications - Change of Zone No. 2001 Belmead Farm, LLC
Attachments:	CZ 2001 Belmead Farm, LLC - Revised Plan 3.11.2025 (OB).pdf; CZ 2001 Belmead Farm, LLC - Application.pdf
Importance:	High

Good Morning, Mr. Fulton and Mr. Crisci,

The purpose of this email is to serve as official notice of a Residential/Commercial Change of Zone Application proposed to be located within the Cape Henlopen School District.

Title 9, Chapter 69, Section §6924 directs County Governments to notify the local school district *"at least 7 days prior"* with respect to *"any proposed residential zoning change."*

The project is called "Belmead Farm, LLC" or Change of Zone No. 2001 for a Change of Zone from Agricultural Residential (AR-1) to a Planned Commercial (C-4) District.

The project consists of the establishment of 166 apartments to be housed within 45,940 square feet of structures of mixed commercial and residential use and seven (7) three-story, 24-unit apartment buildings containing 168 apartment units total (for a combined total of 334 multifamily units), a clubhouse amenity, private garages and storage units, five (5) commercial structures containing a total of 26,065 square feet of commercial uses (to potentially include two (2) drive-thru facilities), related parking and associated site improvements to be located on a 39.22 acre parcel of land

More information on this and other Applications may be found on the **County's Land Use Application Docket** in the link below:

C/Z 2001 Belmead Farm, LLC
AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN C-4 PLANNED COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 39.22 ACRES, MORE OR LESS. The property is lying on the east side of John J. Williams Highway (Route 24) approximately 0.31 mile southwest of Mulberry Knoll Road (S.C.R. 284). 911 Address: 20033 John J. Williams Highway, Lewes. Tax Parcel Nos.: 334-18.00-40.01 & 40.06.

At their meeting of Wednesday, March 19, 2025, the Planning & Zoning Commission voted to leave the record open for 10 business days for receipt of any comments from the Cape Henlopen School District regarding this proposal.

If you wish to provide the County with comments regarding this proposal, the Planning and Zoning Department kindly requests that any comments provided be received no later than 12PM on Wednesday,

April 2, 2025, for consideration at the Wednesday, April 2, 2025, meeting of the Planning and Zoning Commission. The Commission also voted to leave the record open for 10 further business days for Public Comment on any comments received from the Cape Henlopen School District, of which the deadline would be no later than 12 PM on the day of the Wednesday, April 16, 2025, Planning & Zoning Commission Meeting.

Written comments may be submitted in-person, mailed to the address in my signature below or emailed to pandz@sussexcountyde.gov.

A copy of the Site Plan and the Application have been included as attachments to this email.

We thank you for your time, expertise, and consideration in this matter.

Best Regards,

-Lauren

Lauren DeVore, AICP

Planner III
Department of Planning and Zoning
2 The Circle
P.O. Box 417
Georgetown, DE 19947
Tel: (302)855-7878
8:30AM-4:30PM

SUSSEX COUNTY
DELAWARE

PLEASE NOTE: As of July 1st, 2024 the Department of Planning and Zoning has updated its list of Service Fees. Please find the Department's Listing of Service Fees here: https://sussexcountyde.gov/sites/default/files/PDFs/Planning_and_Zoning_Fees.pdf

The County has recently overhauled its Land Use Docket. For information on pending Land Use Applications in the County, please visit the Application Docket: Sussex - Land Use Application Docket (sussexcountyde.gov)

Lauren DeVore

From: Hale Jason <Jason.Hale@cape.k12.de.us>
Sent: Friday, March 21, 2025 1:06 PM
To: Lauren DeVore
Cc: Fulton Robert; Nauman Jennifer; Jamie Whitehouse; Michael Lowrey; Jessica Iarussi; Ashley Paugh; Amy Hollis; Marina Truitt; Vince Robertson
Subject: Notification of Upcoming Applications - Change of Zone No. 2001 Belmead Farm, LLC

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

Dear Ms. DeVore,

Thank you for allowing the Cape Henlopen School District to comment on the proposed Change of Zone No. 2001 – Belmead Farm, LLC.

The Cape Henlopen School District operates at or near capacity across all our school facilities. Any additional residential development that results in an increase in student enrollment could significantly impact our ability to provide adequate educational services and space for students.

Given these circumstances, we respectfully recommend that no additional residential development be approved until such time that a school construction impact fee or Voluntary School Assessment (VSA) can be implemented. This would allow the district to responsibly plan for and accommodate growth in a way that does not place the financial burden solely on our existing taxpayers.

Without such a mechanism in place, we are increasingly challenged to meet the demands of a growing student population with limited resources. A coordinated approach that includes funding for school expansion is essential to maintaining the high standards our community expects and deserves.

We appreciate the opportunity to share these concerns and thank you for your consideration.

Jason S. Hale, Ed.D., CPA
Director of Operations
(302) 645-6686 ext. 992110
www.capehenlopenschools.com
@Cape_sd
Excellence, Equity & Responsiveness. *Every* Student, *Every* Classroom, *Every* Day

From: Lauren DeVore <lauren.devore@sussexcountyde.gov>
Date: Thursday, March 20, 2025 at 9:06 AM
To: Fulton Robert <Robert.Fulton@cape.k12.de.us>, Crisci Richard <Richard.Crisci@cape.k12.de.us>
Cc: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>, Michael Lowrey <michael.lowrey@sussexcountyde.gov>, Jessica Iarussi <jessica.iarussi@sussexcountyde.gov>, Ashley Paugh <ashley.paugh@sussexcountyde.gov>, Amy Hollis <amy.hollis@sussexcountyde.gov>, Marina

Jamie Whitehouse

From: Hale Jason <Jason.Hale@cape.k12.de.us>
Sent: Friday, March 21, 2025 1:06 PM
To: Lauren DeVore
Cc: Fulton Robert; Nauman Jennifer; Jamie Whitehouse; Michael Lowrey; Jessica Iarussi; Ashley Paugh; Amy Hollis; Marina Truitt; Vince Robertson
Subject: Notification of Upcoming Applications - Change of Zone No. 2001 Belmead Farm, LLC

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From: Lauren DeVore <lauren.devore@sussexcountyde.gov>
Date: Thursday, March 20, 2025 at 9:06 AM
To: Fulton Robert <Robert.Fulton@cape.k12.de.us>, Crisci Richard <Richard.Crisci@cape.k12.de.us>
Cc: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>, Michael Lowrey <michael.lowrey@sussexcountyde.gov>, Jessica Iarussi <jessica.iarussi@sussexcountyde.gov>, Ashley Paugh <ashley.paugh@sussexcountyde.gov>, Amy Hollis <amy.hollis@sussexcountyde.gov>, Marina

Truitt <marina.truitt@sussexcountyde.gov>, Vince Robertson <vrobertson@pgslegal.com>
Subject: [External] Notification of Upcoming Applications - Change of Zone No. 2001 Belmead Farm, LLC

WARNING: External Email - This email originated outside of the State email system.
DO NOT CLICK links or attachments unless you recognize the sender and *are expecting* the email.

Good Morning, Mr. Fulton and Mr. Crisci,

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Written comments may be submitted in-person, mailed to the address in my signature below or emailed to pandz@sussexcountyde.gov.

A copy of the Site Plan and the Application have been included as attachments to this email.

We thank you for your time, expertise, and consideration in this matter.

Best Regards,

-Lauren

Lauren DeVore, AICP

Planner III
Department of Planning and Zoning
2 The Circle
P.O. Box 417
Georgetown, DE 19947
Tel: (302)855-7878
8:30AM-4:30PM

SUSSEX COUNTY
DELAWARE

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STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

February 20, 2025

Jon Falkowski
Becker Morgan Group, Inc.
309 S. Governors Ave.
Dover, DE 19904

RE: PLUS review – 2025-01-06; Belle Mead

Dear Mr. Falkowski:

Thank you for meeting with State agency planners on January 22, 2025, to discuss Belle Mead C4 Master Plan. According to the information received, you are seeking review of a proposed rezoning and site plan for a mixed-use development on 40 acres, featuring 480 multifamily rental units and 125,000 square feet of commercial development. The property is currently zoned AR-1 (Agricultural Residential District), with a proposed rezoning to C-4 (Planned Commercial District), and is primarily classified as State Strategies Level 2, with Levels 3-5 in the back corner of the site.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located primarily in a Level 2 investment area, which is consistent with the 2020 Strategies for State Policies and Spending. There is also some level 3, 4, and Out of Play on the site; however, from the application and site plan it does not appear that you will disturb the areas in levels 4 and 5. This site is also located in the Coastal area of the Sussex County comp plan and within the Henlopen TID

Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Development in Level 2 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this master plan provided it meets the relevant codes and ordinances of the county.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The site access on all State maintained roads must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Section 1.7 of the Development Coordination Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- In terms of traffic analysis, based on the expected trip generation this project will require a Traffic Impact Study (TIS). This process was completed on June 6, 2024 and will direct site access and any necessary off-site improvements.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 50 feet of right-of-way from the physical centerline of Rt. 24. The following right-of-way dedication note is required, "**An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- In accordance with Section 3.2.5.1.2 of the Development Coordination Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- Referring to Section 3.4.2.1 of the Development Coordination Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 300 feet of the proposed entrances on John J. Williams Highway (Rt. 24).

- Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- In accordance with Section 3.8 of the Development Coordination Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 50 feet from the ultimate State right-of-way along all State maintained roads.

- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required. DelDOT anticipates requiring a SUP along the site frontage on Burbage Road.

- In accordance with Section 5.2.9 of the Development Coordination Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.4 of the Development Coordination Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Development Coordination Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

DART First State – Contact Jared Kauffman 302-576-6062

- Improve the soon to be implemented northbound stop (ID 4166) to a shelter pad

- It is recommended to place bicycle parking throughout the commercial area and free covered bicycle parking for the apartment residents.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Stormwater Management
The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency, prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically https://enoi.dnrec.delaware.gov/, (select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

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

General Stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
Hydrologic Soil Group D, poorly drained soils, have been identified in the south corner of the site. These soil types could worsen existing drainage issues if present and are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins. These practices must meet minimum infiltration requirements.

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

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Wastewater Disposal Systems – Small Systems (Septic)
An expired permit (permit # 219467) exists for this site in the Small System Branch database. The On Site Regulations are listed within Section 5 (Small Systems) or Section 6 (Large Systems) of the Regulations Governing the Design, Installation and Operation of the On-site Wastewater Treatment and Disposal Systems at: https://documents.dnrec.delaware.gov/Water/Septics/delaware-on-site-regulations-with-exhibits.pdf. A list of licensed Class D soil scientists can be found at the following website: https://data.delaware.gov/Energy-and-Environment/Class-D-Site-Evaluator-Licensees-Based-on-Licensed/s3gu-gt88/data_preview

- The applicant must follow current regulations to properly abandon these systems.
- Contact the DNREC Commercial and Government Services Section to discuss requirements for properly abandoning these systems.

Contact: DNREC Commercial and Government Services Section at (302) 739-9947.
Website: https://dnrec.delaware.gov/water/residential/septic-systems/

Wastewater Disposal Systems – Large Systems
For wastewater conveyance offsite by way of a new sewer connection, flow rates exceeding 2,500 gallons of liquid waste per day will require a Wastewater Pollution Collection and Conveyance (WPCC) permit from the Commercial and Government Services section.

Contact: DNREC Commercial and Government Services Section at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/

Wetlands and Waterways
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands in the south corner of the site, as well as a potential blue line stream (Dorman Branch) located in the south corner. The application indicates that wetlands have been delineated. The application states that the project does not propose direct impacts to the wetlands/waterways.

State Requirements:

- If plans change and wetlands are disturbed, please contact the Wetlands and Waterways Section for more information on permitting requirements.
- Include all streams and waterways on site plans.

State Contact: DNREC Wetlands and Waterways Section at (302) 739-9943.
Website: https://dnrec.delaware.gov/water/wetlands/

Special Flood Hazard Area
According to the newest Flood Insurance Rate Maps (FIRM), a portion of this parcel is situated within a Special Flood Hazard Area, specifically within the mapped 100-year floodplain (1% annual chance of flooding). The Special Flood Hazard Area identified on the site lies within zone AE. In lands contained within the 100-year floodplain, the National Flood Insurance Program's floodplain management regulations must be enforced through the local floodplain ordinance, which can have higher standards. Although rental units are proposed outside of the Special Flood Hazard Area (SFHA), the property owner may still be required by lenders to purchase flood insurance, based on the proximity to the SFHA. Additionally, because this property will offer rentals, the property manager may require tenants to obtain flood insurance policies.

- The applicant must comply with the local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at https://floodplanning.dnrec.delaware.gov/

Contact: DNREC Shoreline and Waterway Management Section at (302) 608-5500.
Website: https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/

Electric Vehicle Charging Requirements
Electric vehicle charging infrastructure is now required for all residential dwellings in Delaware (see 80 Del. Laws, c. 145 § 8001- § 8006) for which:

1. A building permit is issued on or after January 1, 2024 (single family), or

2. The final site plan is approved on or after January 1, 2025 (multi-family).

Requirements are summarized below. Consult the Delaware Code directly for further details.

Multi-family Dwellings, effective 2025:

- The developer of a multi-family residential dwelling shall install electric vehicle parking spaces, where at least 5% of the total parking spaces for the multi-family residential dwelling must be electric vehicle capable parking spaces.

- In addition, a developer of a multi-family residential dwelling shall provide at least one electric vehicle charging infrastructure parking space in an area available for use by all residents of the multi-family residential dwelling (example: community centers).

- Construction documents must indicate the location of proposed electric vehicle charging infrastructure parking spaces and electric vehicle capable parking spaces.

- Parking space dimensions must comply with the county or municipal building code applicable to the multi-family residential dwelling.

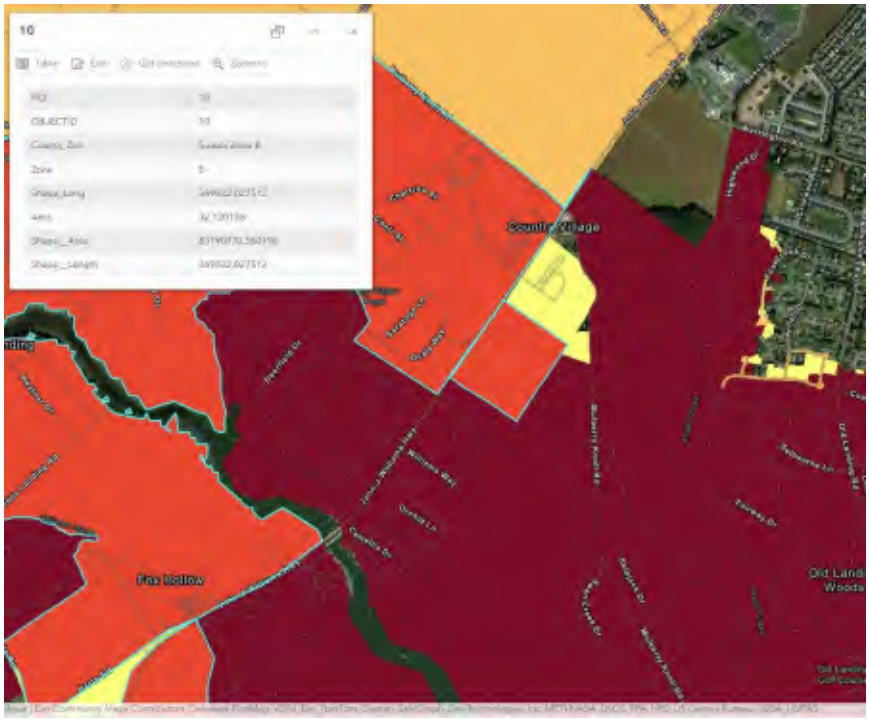
Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- The majority of this parcel is located within an area of **Minimal Flood Concern of 1000 years or greater**. However, there is a 100-year flood zone located to along the southern portions of the parcel. According to the submitted sketch, no facilities are being constructed within a flood zone.

Parcel Status within County Evacuation Zone Location

- The parcel is located within Sussex County's Evacuation Zone B.



Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- Nearest water source is the edge of Dorman Branch. According to the plans provided the construction is avoiding the out-of-play zone. Soils are well drained. There is a

historic archaeological site on the northern adjacent parcel. There are precontact archaeological sites further down the branch in similar contexts.

- The Delaware State Historic Preservation Office recommends an archaeological survey prior to any ground disturbing activities at least in the southern half of the parcel.

  If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office.

Fire Protection Water Requirements:

- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Mercantile)

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly and Townhouses)

- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements

- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.

- Show Fire Lanes and Sign Detail as shown in DSFPR

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from John J Williams Highway must be constructed so fire department apparatus may negotiate it.

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

Gas Piping and System Information:

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

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations.”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Townhouse 2-hr separation wall details shall be shown on site plans
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Recommendations/Additional Information

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

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at https://www.deldot.gov/Business/subdivisions/

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Removal of Mature Forest withing Key Wildlife Habitat and Delaware Ecological Network
The preliminary plan proposes the elimination of approximately 5 of 10 acres of forest on the site. An analysis of historical data indicates that the forest area located on the southern portion of the site has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.

The forested wetlands on this property are mapped as a Key Wildlife Habitat in the Delaware Wildlife Action Plan because it is part of a large wetland complex/large forest block that can support an array of plant and animal species across the landscape.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible.

- The forested area on this site occurs within the Delaware Ecological Network, a statewide network of interconnected lands having significant ecological value. Avoid disturbance within

these habitats.

- In general, contiguous forest and connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement from one area to another while reducing roadway mortality.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Vegetated Buffer Zones

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of forested wetlands on the south corner of the site. This habitat type is known to support an array of plants and animals, most notably wetland dependent species such as amphibians.

To reduce impacts to these species, the following is recommended:

- Do not disturb forested wetlands. Maintain an upland buffer of at least 100 feet along all wetlands, waterways, and sensitive habitats, including those containing existing forest or natural vegetative cover.

- Maintain habitat connections to undeveloped open space, which are especially important for species movement across the landscape.

- Vegetated buffer zones should be identified outside of the Limit of Disturbance on the engineering plans.

- Maintain vegetated buffer zones as native species meadows or forest.

- Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/conservation/

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

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

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Drainage

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/

Water Quality

This site lies within the Rehoboth Bay Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable. Break up large parking lots with planted islands.

- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.

- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. https://dnrec.alpha.delaware.gov/watershed-stewardship/

Sea Level Rise and Flooding

The south corner of this site is vulnerable to permanent inundation from sea level rise. By 2050, mean sea levels are projected to rise by 0.7 – 1.9 feet; by end of century sea levels are projected to increase by 1.7 – 5.0 feet. In addition to permanent inundation, as mean sea levels rise, the frequency and severity of tidal flooding events is expected to increase.

- In areas within 5 feet of expected sea level rise, avoid construction of permanent structures and infrastructure. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

- All infrastructure and structures on the site should incorporate the effects of sea level rise through the expected lifespan of the structures. This may include increasing freeboard of structures, ensuring that critical infrastructure is elevated to withstand future sea level rise, construction of flood control measures, and incorporating green infrastructure for flood control.

Contact: DNREC Climate and Sustainability Section at (302) 735-3480.
Website: https://dnrec.delaware.gov/coastal-programs/planning-training/adapting-to-sea-level-rise/

Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks and covered bike storage where feasible to help facilitate non-vehicular travel modes.

- Use renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.delaware.gov/climate-coastal-energy/renewable/assistance/).

- Consider planting select areas with native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an

increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Consider planting select areas with meadow comprised of native species. Native plants are well-suited to our climate and require limited maintenance. Mowing in these areas should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.

- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.

- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.
Website: https://dnrec.delaware.gov/climate-coastal-energy/

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Population

- The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block(s) the project is located on has a total population of 202, though, with development, this will undoubtedly change. The 12 adjacent blocks aggregated bring the area to a total population of 1197.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hal, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.



- According to FEMA's National Risk Index, the parcel **is** considered **relatively low** for overall natural hazards risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience is rated as **relatively moderate** whereas its social vulnerability is rated as **very low.**

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **electricity** as the predominant fuel type for heating purposes.

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs or solar panels where applicable and allowable, and the like.

- Lastly, in reference to the county evacuation zones, DEMA encourages this information be made readily available to any and all persons residing there. This can be done simply through pamphlets or a neighborhood sign.

<u>Delaware State Housing Authority - Contact Rachel Alfano 302-739-4263</u>

- DSHA supports this proposal for 480 multi-family residential units as well as commercial space on 40.01 acres located on Route 4 in Sussex County. This proposal is consistent with State Strategy Investment levels 2-5.

- According to DSHA's Housing Reform Map, this project is in an Area of Opportunity where diverse housing types should be supported. This means the area has high-quality schools, supportive infrastructure, and the capacity to support diverse and affordable housing types. This is a high-density project for market-rate units that should continue to support the balance of housing type and affordability.

If you have questions or would like more information on the above recommendations, please feel free to e-mail at Rachel.Alfano@Delaware.gov.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

David L. Edgell, AICP
Director, Office of State Planning Coordination

Attachments:

- Sussex County Community Development & Housing Comments

BRANDY BENNETT NAUMAN
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Sussex County
DELAWARE
sussexcountyde.gov

January 30, 2025

Mr. Jon Falkowski
Becker Morgan Group, Inc.
309 S. Governors Ave.
Dover, DE 19904

RE: PLUS Review (PLUS 2025-01-06) – Belle Mead

Dear Mr. Falkowski,

Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state, and county sources, as well as private funding sources that also promote affordable housing in Sussex County. **Please visit www.sussexcountyde.gov/housing-trust-fund for information on the County's Housing Trust Fund.**

Further, the County's newly approved Work Force Housing Zoning Ordinance permits up to 12 units per acre, by right, in eligible areas for projects that set aside 25% of the total units for affordable rentals. For more information on eligibility and design criteria, please review the Ordinance at www.sussexcountyde.gov/affordably-priced-rental-units . The application can be found on the Planning & Zoning website at https://sussexcountyde.gov/sites/default/files/forms/SussexCountyRentalProgram_Application.pdf .

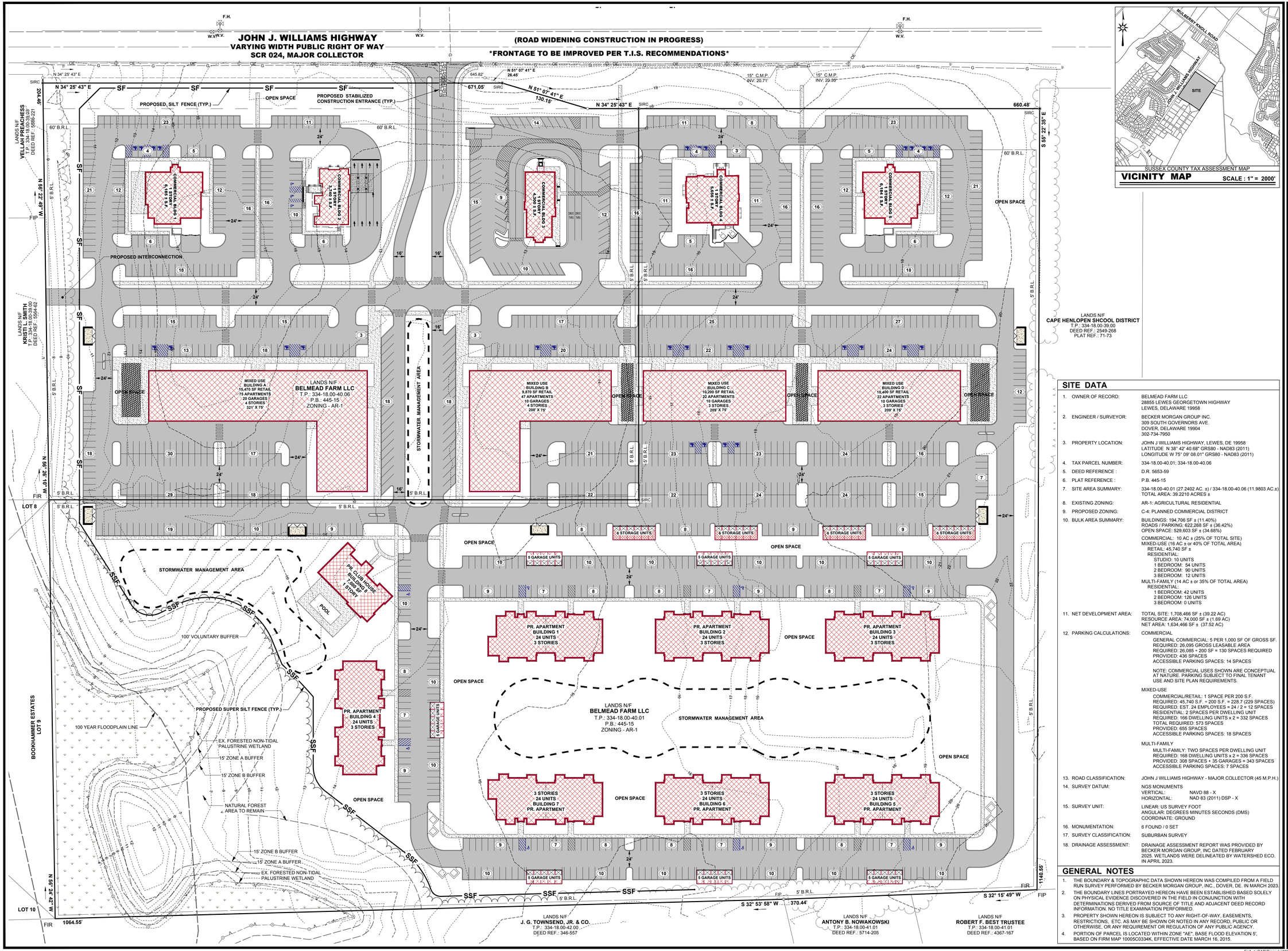
Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Thank you,



Brandy B. Nauman
Director



VICINITY MAP SCALE : 1" = 2000'

SITE DATA

1.	OWNER OF RECORD:	BELMEAD FARM LLC 28855 LEWES GEORGETOWN HIGHWAY LEWES, DELAWARE 19958
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DELAWARE 19904 302-734-7950
3.	PROPERTY LOCATION:	JOHN J WILLIAMS HIGHWAY, LEWES, DE 19958 LATITUDE N 38° 42' 40.68" GRS80 - NAD83 (2011) LONGITUDE W 75° 09' 08.01" GRS80 - NAD83 (2011)
4.	TAX PARCEL NUMBER:	334-18.00-40.01; 334-18.00-40.06
5.	DEED REFERENCE :	D.R. 5653-59
6.	PLAT REFERENCE :	P.B. 445-15
7.	SITE AREA SUMMARY:	334-18.00-40.01 (27.2402 AC. ±) / 334-18.00-40.06 (11.9803 AC.±) TOTAL AREA: 39.2210 ACRES ±
8.	EXISTING ZONING:	AR-1: AGRICULTURAL RESIDENTIAL
9.	PROPOSED ZONING:	C-4: PLANNED COMMERCIAL DISTRICT
10.	BULK AREA SUMMARY:	BUILDINGS: 194,706 SF ± (11.40%) ROADS / PARKING: 622,268 SF ± (36.42%) OPEN SPACE: 529,603 SF ± (34.68%) COMMERCIAL: 10 AC ± (25% OF TOTAL SITE) MIXED-USE (16 AC ± or 40% OF TOTAL AREA) RETAIL: 45,740 SF ± RESIDENTIAL: STUDIO: 10 UNITS 1 BEDROOM: 54 UNITS 2 BEDROOM: 90 UNITS 3 BEDROOM: 12 UNITS MULTI-FAMILY (14 AC ± or 35% OF TOTAL AREA) RESIDENTIAL: 1 BEDROOM: 42 UNITS 2 BEDROOM: 126 UNITS 3 BEDROOM: 0 UNITS
11.	NET DEVELOPMENT AREA:	TOTAL SITE: 1,708,466 SF ± (39.22 AC) RESOURCE AREA: 74,000 SF ± (1.69 AC) NET AREA: 1,634,466 SF ± (37.52 AC)
12.	PARKING CALCULATIONS:	COMMERCIAL GENERAL COMMERCIAL- 5 PER 1,000 SF OF GROSS SF. REQUIRED: 26,095 GROSS LEASABLE AREA REQUIRED: 26,085 ÷ 200 SF = 130 SPACES REQUIRED PROVIDED: 436 SPACES ACCESSIBLE PARKING SPACES: 14 SPACES NOTE: COMMERCIAL USES SHOWN ARE CONCEPTUAL AT NATURE. PARKING SUBJECT TO FINAL TENANT USE AND SITE PLAN REQUIREMENTS. MIXED-USE COMMERCIAL/RETAIL: 1 SPACE PER 200 S.F. REQUIRED: 45,740 S.F. ÷ 200 S.F. = 228.7 (229 SPACES) REQUIRED: EST. 24 EMPLOYEES = 24 / 2 = 12 SPACES RESIDENTIAL: 2 SPACES PER DWELLING UNIT REQUIRED: 166 DWELLING UNITS x 2 = 332 SPACES TOTAL REQUIRED: 573 SPACES PROVIDED: 655 SPACES ACCESSIBLE PARKING SPACES: 18 SPACES MULTI-FAMILY MULTI-FAMILY: TWO SPACES PER DWELLING UNIT REQUIRED: 168 DWELLING UNITS x 2 = 336 SPACES PROVIDED: 308 SPACES + 35 GARAGES = 343 SPACES ACCESSIBLE PARKING SPACES: 7 SPACES
13.	ROAD CLASSIFICATION:	JOHN J WILLIAMS HIGHWAY - MAJOR COLLECTOR (45 M.P.H.)
14.	SURVEY DATUM:	NGS MONUMENTS VERTICAL: NAVD 88 - X HORIZONTAL: NAD 83 (2011) DSP - X
15.	SURVEY UNIT:	LINEAR: US SURVEY FOOT ANGULAR: DEGREES MINUTES SECONDS (DMS) COORDINATE: GROUND
16.	MONUMENTATION:	6 FOUND / 0 SET
17.	SURVEY CLASSIFICATION:	SUBURBAN SURVEY
18.	DRAINAGE ASSESSMENT:	DRAINAGE ASSESSMENT REPORT WAS PROVIDED BY BECKER MORGAN GROUP, INC DATED FEBRUARY 2025. WETLANDS WERE DELINEATED BY WATERSHED ECO. IN APRIL 2023.

GENERAL NOTES

1. THE BOUNDARY & TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM A FIELD RUN SURVEY PERFORMED BY BECKER MORGAN GROUP, INC., DOVER, DE. IN MARCH 2023.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION. NO TITLE EXAMINATION PERFORMED.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
4. PORTION OF PARCEL IS LOCATED WITHIN ZONE "AE", BASE FLOOD ELEVATION 5', BASED ON FIRM MAP 10005C0334K, EFFECTIVE DATE MARCH 16, 2015.

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
Dover
302.734.7950
Newark
302.369.3700
Maryland
Salisbury
410.546.9100
North Carolina
Charlotte
980.270.9100
Raleigh
919.243.1332
Wilmington
910.341.7600

www.beckermorgan.com

NAD83/DSP

PROJECT TITLE

LANDS OF
BELMEAD FARM, LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

REZONING SITE PLAN

0 30 60 120
SCALE: 1" = 60'

ISSUE	BLOCK	
MARK	DATE	DESCRIPTION

LAYER STATE: C001

PROJECT NO.: 2022079.00
DATE: 03/11/2025
SCALE: 1" = 60'
DRAWN BY: C.D.C. | PROJ. MGR.: J.S.F.

SHEET
C-001

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JOHN J. WILLIAMS HIGHWAY
VARYING WIDTH PUBLIC RIGHT OF WAY
SCR 024, MAJOR COLLECTOR

(ROAD WIDENING CONSTRUCTION IN PROGRESS)

FRONTAGE TO BE IMPROVED PER T.I.S. RECOMMENDATIONS

PROPOSED INTERCONNECTION

LANDS N/F
VELLAH PREACHESS
T.P.: 334-18.00-39.03
DEED REF.: 3666-225

LANDS N/F
KRISTY L. SMITH
T.P.: 334-18.00-39.00
DEED REF.: 5564-62

LANDS N/F
BELMEAD FARM LLC
T.P.: 334-18.00-40.06
P.B.: 445-15
ZONING - AR-1

LANDS N/F
CAPE HENLOPEN SHCOO
T.P.: 334-18.00-39.0
DEED REF.: 2549-2
PLAT REF.: 71-72

LANDS N/F
J. G. TOWNSEND, JR. & CO.
T.P.: 334-18.00-42.00
DEED REF.: 346-557

LANDS N/F
ANTONY B. NOWAKOWSKI
T.P.: 334-18.00-41.01
DEED REF.: 5714-205

LANDS N/F
ROBERT F. BEST TRUSTEE
T.P.: 334-18.00-41.01
DEED REF.: 4367-167

BOOKHAMMER ESTATES
LOT 9

LOT 8

LOT 10

COMMERCIAL BLDG 1
6,189 ± S.F.

COMMERCIAL BLDG 2
1 STORY
3,160 ± S.F.

COMMERCIAL BLDG 3
4,390 ± S.F.

COMMERCIAL BLDG 4
5,568 ± S.F.

COMMERCIAL BLDG 5
6,184 ± S.F.

MIXED USE
BUILDING A
15,475 SF RETAIL
75 APARTMENTS
20 GARAGES
4 STORIES
321' X 75'

MIXED USE
BUILDING B
9,975 SF RETAIL
47 APARTMENTS
10 GARAGES
4 STORIES
208' X 75'

MIXED USE
BUILDING C
10,200 SF RETAIL
22 APARTMENTS
10 GARAGES
3 STORIES
209' X 75'

MIXED USE
BUILDING D
10,400 SF RETAIL
22 APARTMENTS
10 GARAGES
3 STORIES
209' X 75'

PR. CLUB HOUSE
BUILDING 8
1,600 SF
1 STORY

POOL

PR. APARTMENT
BUILDING 1
24 UNITS
3 STORIES

PR. APARTMENT
BUILDING 2
24 UNITS
3 STORIES

PR. APARTMENT
BUILDING 3
24 UNITS
3 STORIES

PR. APARTMENT
BUILDING 4
24 UNITS
3 STORIES

3 STORIES
24 UNITS
BUILDING 7
PR. APARTMENT

3 STORIES
24 UNITS
BUILDING 6
PR. APARTMENT

3 STORIES
24 UNITS
BUILDING 5
PR. APARTMENT

6 STORAGE UNITS

5 GARAGE UNITS

STORMWATER MANAGEMENT AREA

100' VOLUNTARY BUFFER

100 YEAR FLOODPLAIN LINE

EX. FORESTED NON-TIDAL PALUSTRINE WETLAND

15' ZONE A BUFFER

15' ZONE B BUFFER

NATURAL FOREST AREA TO REMAIN

60' B.R.L.

5' B.R.L.

15" C.M.P.
INV: 20.71'

15" C.M.P.
INV: 20.95'

N 34° 25' 43" E 645.82'

N 51° 07' 41" E 26.45'

N 51° 07' 41" E 130.15'

N 34° 25' 43" E 671.05'

N 34° 25' 43" E 660.48'

S 55° 22' 35" E 1140.55'

S 32° 15' 49" W

S 32° 53' 58" W 370.44'

N 55° 27' 49" W 1064.55'

N 55° 26' 10" W

N 55° 26' 42" W

F.H.
W.V.

SITE

MULBERRY KNOLL ROAD

JOHN J. WILLIAMS HIGHWAY

SUSSEX COUNTY TAX ASSESSMENT MAP

VICINITY MAP

SCALE : 1" = 2000'

LANDSCAPE LEGEND

- INTERIOR PARKING LOT DECIDUOUS CANOPY TREE
- BUFFERYARD EVERGREEN TREE
- ORNAMENTAL TREE

0 30 60 120

SCALE: 1" = 60'

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

LANDS OF
BELLE MEADE FARM LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

REZONING LANDSCAPE PLAN

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LANDSCAPE LABEL

PROJECT NO.:	2022079.00
DATE:	03/11/2025
SCALE:	1" = 60'
DRAWN BY: C.D.C.	PROJ. MGR.: J.S.F.

SHEET
L-001

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JOHN J. WILLIAMS HIGHWAY
VARYING WIDTH PUBLIC RIGHT OF WAY
SCR 024, MAJOR COLLECTOR

(ROAD WIDENING CONSTRUCTION IN PROGRESS)

FRONTAGE TO BE IMPROVED PER T.I.S. RECOMMENDATIONS

PHASE 3B
3.4 AC ±

PHASE 3A
5.4 AC ±

PHASE 2B
3.8 AC ±

PHASE 2A
7.0 AC ±

PHASE 1
14.9 AC ±

LANDS N/F
VELLAH PREACHESS
T.P.: 334-18.00-39.03
DEED REF.: 3668-223

LANDS N/F
KRISTY SMITH
T.P.: 334-18.00-39.00
DEED REF.: 5564-62

LANDS N/F
BELMEAD FARM LLC
T.P.: 334-18.00-40.06
P.B.: 445-15
ZONING - AR-1

LANDS N/F
CAPE HENLOPEN SHCOOL DISTRICT
T.P.: 334-18.00-39.00
DEED REF.: 2549-268
PLAT REF.: 71-73

LANDS N/F
BELMEAD FARM LLC
T.P.: 334-18.00-40.01
P.B.: 445-15
ZONING - AR-1

LANDS N/F
J. G. TOWNSEND, JR. & CO.
T.P.: 334-18.00-42.00
DEED REF.: 346-557

LANDS N/F
ANTONY B. NOWAKOWSKI
T.P.: 334-18.00-41.01
DEED REF.: 5714-205

LANDS N/F
ROBERT F. BEST TRUSTEE
T.P.: 334-18.00-41.01
DEED REF.: 4367-167

BOOKHAMMER ESTATES
LOT 9

LOT 8

LOT 10

100 YEAR FLOODPLAIN LINE

N 34° 25' 43" E 202.46'

N 55° 22' 49" W 671.05'

N 66° 28' 10" W

N 66° 24' 42" W 1064.55'

N 34° 25' 43" E 645.82'

N 51° 07' 41" E 26.45'

N 51° 07' 41" E 130.16'

N 34° 25' 43" E 660.48'

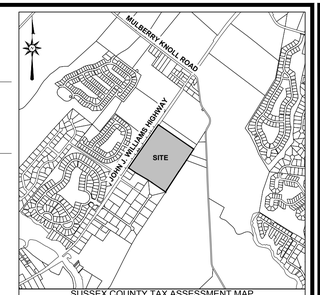
S 55° 22' 35" E 1140.55'

S 32° 53' 58" W 370.44'

S 32° 15' 49" W

15" C.M.P. INV: 20.71'

15" C.M.P. INV: 29.35'



SUSSEX COUNTY TAX ASSESSMENT MAP

VICINITY MAP SCALE : 1" = 2000'

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

LANDS OF
BELLE MEADE FARM LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

PRELIMINARY PHASING PLAN

(SUBJECT TO CHANGE)

0 30 60 120

SCALE: 1" = 60'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: C-501

PROJECT NO.:	2022079.00
DATE:	03/11/2025
SCALE:	1" = 60'
DRAWN BY: C.D.C.	PROJ. MGR.: J.S.F.

SHEET
C-501

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JOHN J. WILLIAMS HIGHWAY
VARYING WIDTH PUBLIC RIGHT OF WAY
SCR 024, MAJOR COLLECTOR

(ROAD WIDENING CONSTRUCTION IN PROGRESS)

FRONTAGE TO BE IMPROVED PER T.I.S. RECOMMENDATIONS

PROPOSED, SILT FENCE (TYP.)

PROPOSED STABILIZED CONSTRUCTION ENTRANCE (TYP.)

PROPOSED INTERCONNECTION

COMMERCIAL BLDG 1 5,189 ± S.F.

COMMERCIAL BLDG 2 1 STORY 3,160 ± S.F.

COMMERCIAL BLDG 3 4,390 ± S.F.

COMMERCIAL BLDG 4 5,568 ± S.F.

COMMERCIAL BLDG 5 6,184 ± S.F.

MIXED USE BUILDING A 15,475 SF RETAIL 75 APARTMENTS 20 GARAGES 4 STORIES 321' X 75'

MIXED USE BUILDING B 9,875 SF RETAIL 47 APARTMENTS 10 GARAGES 4 STORIES 208' X 75'

MIXED USE BUILDING C 10,200 SF RETAIL 22 APARTMENTS 10 GARAGES 3 STORIES 209' X 75'

MIXED USE BUILDING D 10,400 SF RETAIL 22 APARTMENTS 10 GARAGES 3 STORIES 209' X 75'

STORMWATER MANAGEMENT AREA

PR. CLUBHOUSE BUILDING 8 1,000 SF 1 STORY

POOL

PR. APARTMENT BUILDING 1 24 UNITS 3 STORIES

PR. APARTMENT BUILDING 2 24 UNITS 3 STORIES

PR. APARTMENT BUILDING 3 24 UNITS 3 STORIES

PR. APARTMENT BUILDING 4 24 UNITS 3 STORIES

3 STORIES 24 UNITS BUILDING 7 PR. APARTMENT

3 STORIES 24 UNITS BUILDING 6 PR. APARTMENT

3 STORIES 24 UNITS BUILDING 5 PR. APARTMENT

6 STORAGE UNITS

5 GARAGE UNITS

100' WETLAND BUFFER

100 YEAR FLOODPLAIN LINE

PROPOSED SUPER SILT FENCE (TYP.)

EX. FORESTED WETLAND

LANDS N/F
BELMEAD FARM LLC
T.P.: 334-18.00-40.06
P.B.: 445-15
ZONING - AR-1

LANDS N/F
BELMEAD FARM LLC
T.P.: 334-18.00-40.01
P.B.: 445-15
ZONING - AR-1

LANDS N/F
CAPE HENLOPEN SHCOOL DISTRICT
T.P.: 334-18.00-39.00
DEED REF.: 2549-268
PLAT REF.: 71-73

LANDS N/F
VELLAH PREACHESS
T.P.: 334-18.00-39.03
DEED REF.: 2666-223

LANDS N/F
KRISTEL SMITH
T.P.: 334-18.00-39.00
DEED REF.: 5564-62

LANDS N/F
J. G. TOWNSEND, JR. & CO.
T.P.: 334-18.00-42.00
DEED REF.: 346-557

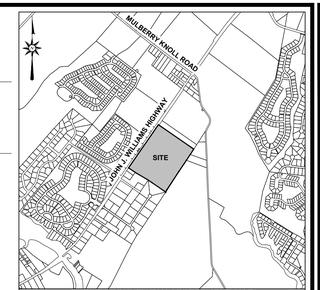
LANDS N/F
ANTONY B. NOWAKOWSKI
T.P.: 334-18.00-41.01
DEED REF.: 5714-205

LANDS N/F
ROBERT F. BEST TRUSTEE
T.P.: 334-18.00-41.01
DEED REF.: 4367-167

BOOKHAMMER ESTATES LOT 9

LOT 8

LOT 10



SUSSEX COUNTY TAX ASSESSMENT MAP

VICINITY MAP SCALE : 1" = 2000'

SITE DATA

1. OWNER OF RECORD: BELMEAD FARM LLC, 28855 LEWES GEORGETOWN HIGHWAY, LEWES, DELAWARE 19958
2. ENGINEER / SURVEYOR: BECKER MORGAN GROUP INC., 309 SOUTH GOVERNORS AVE., DOVER, DELAWARE 19904, 302-734-7950
3. PROPERTY LOCATION: JOHN J WILLIAMS HIGHWAY, LEWES, DE 19958; LATITUDE: N 38° 42' 40.68" GRS80 - NAD83 (2011); LONGITUDE W 75° 09' 08.01" GRS80 - NAD83 (2011)
4. TAX PARCEL NUMBER: 334-18.00-40.01; 334-18.00-40.06
5. DEED REFERENCE : D.R. 5653-59
6. PLAT REFERENCE : P.B. 445-15
7. SITE AREA SUMMARY: 334-18.00-40.01 (27.2402 AC. ±) / 334-18.00-40.06 (11.9803 AC.±) TOTAL AREA: 39.2210 ACRES ±
8. EXISTING ZONING: AR-1: AGRICULTURAL RESIDENTIAL
9. PROPOSED ZONING: C-4: PLANNED COMMERCIAL DISTRICT
10. PARKING CALCULATIONS:
    COMMERCIAL (10 AC ± or 25% OF TOTAL AREA)
    GENERAL COMMERCIAL: 5 PER 1,000 SF OF GROSS SF.
    REQUIRED: 26,095 GROSS LEASABLE AREA
    REQUIRED: 26,095 ÷ 200 SF = 130 SPACES REQUIRED
    PROVIDED: 436 SPACES
    ACCESSIBLE PARKING SPACES: 14 SPACES
    NOTE: COMMERCIAL USES SHOWN ARE CONCEPTUAL AT NATURE. PARKING SUBJECT TO FINAL TENANT USE AND SITE PLAN REQUIREMENTS.
    MIXED-USE (16 AC ± or 40% OF TOTAL AREA)
    COMMERCIAL/RETAIL: 1 SPACE PER 200 S.F.
    REQUIRED: 45,740 S.F. ÷ 200 S.F. = 228.7 (229 SPACES)
    REQUIRED: EST. 24 EMPLOYEES = 24 / 2 = 12 SPACES
    RESIDENTIAL: 2 SPACES PER DWELLING UNIT
    REQUIRED: 166 DWELLING UNITS x 2 = 332 SPACES
    TOTAL REQUIRED: 573 SPACES
    PROVIDED: 555 SPACES
    ACCESSIBLE PARKING SPACES: 18 SPACES
    MULTI-FAMILY (14 AC ± or 35% OF TOTAL AREA)
    MULTI-FAMILY: TWO SPACES PER DWELLING UNIT
    REQUIRED: 168 DWELLING UNITS x 2 = 336 SPACES
    PROVIDED: 308 SPACES + 35 GARAGES = 343 SPACES
    ACCESSIBLE PARKING SPACES: 7 SPACES
11. ROAD CLASSIFICATION: JOHN J WILLIAMS HIGHWAY - MAJOR COLLECTOR (45 M.P.H.)
12. SURVEY DATUM: NGS MONUMENTS; VERTICAL: NAVD 88 - X; HORIZONTAL: NAD 83 (2011) DSP - X
13. SURVEY UNIT: LINEAR: US SURVEY FOOT; ANGULAR: DEGREES MINUTES SECONDS (DMS); COORDINATE: GROUND
14. MONUMENTATION: ⊙ FOUND / ⊙ SET
15. SURVEY CLASSIFICATION: SUBURBAN SURVEY

GENERAL NOTES

1. THE BOUNDARY & TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM A FIELD RUN SURVEY PERFORMED BY BECKER MORGAN GROUP, INC., DOVER, DE. IN MARCH 2023.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION. NO TITLE EXAMINATION PERFORMED.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
4. PORTION OF PARCEL IS LOCATED WITHIN ZONE "AE", BASE FLOOD ELEVATION 5', BASED ON FIRM MAP 10005C0334K, EFFECTIVE DATE MARCH 16, 2015.

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
Dover
302.734.7950
Newark
302.369.3700

Maryland
Salisbury
410.546.9100

North Carolina
Charlotte
980.270.9100
Raleigh
919.243.1332
Wilmington
910.341.7600

www.beckermorgan.com

NAD83/DSP

0 30 60 120

SCALE: 1" = 60'

ISSUE	BLOCK	
MARK	DATE	DESCRIPTION

LAYER STATE: C001

PROJECT TITLE

LANDS OF
BELMEAD FARM, LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

REZONING SITE PLAN

PROJECT NO.:	2022079.00
DATE:	02/24/2025
SCALE:	1" = 60'
DRAWN BY: C.D.C.	PROJ. MGR.: J.S.F.

SHEET
C-001

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JOHN J. WILLIAMS HIGHWAY
VARYING WIDTH PUBLIC RIGHT OF WAY
SCR 024, MAJOR COLLECTOR

(ROAD WIDENING CONSTRUCTION IN PROGRESS)

FRONTAGE TO BE IMPROVED PER T.I.S. RECOMMENDATIONS

F.H. W.V.W.V. | W.V. | F.H. W.V.

N 34° 25' 43" E 671.05' SIRC

N 51° 07' 41" E 130.15'

N 51° 07' 41" E 26.45'

645.82'

N 34° 25' 43" E SIRC 660.48'

S 55° 22' 35" E

15" C.M.P. INV: 20.71'

15" C.M.P. INV: 20.35'

LANDS N/F
VELLAH PREACHESS
T.P.: 334-18.00-39.03
DEED REF.: 3668-223

N 55° 22' 49" W 204.49'

FIP

PROPOSED INTERCONNECTION

LANDS N/F
KRISTEN SMITH
T.P.: 334-18.00-39.00
DEED REF.: 5564-62

N 35° 32' 10" W

FIR

LOT 8

COMMERCIAL BLDG 1
1 STORY
6,189 ± S.F.

COMMERCIAL BLDG 2
1 STORY
3,240 ± S.F.

COMMERCIAL BLDG 3
1 STORY
4,390 ± S.F.

COMMERCIAL BLDG 4
1 STORY
5,568 ± S.F.

COMMERCIAL BLDG 5
1 STORY
6,184 ± S.F.

MIXED USE
BUILDING A
15,475 SF RETAIL
75 APARTMENTS
20 GARAGES
4 STORIES
321' X 75'

LANDS N/F
BELMEAD FARM LLC
T.P.: 334-18.00-40.06
P.B.: 445-15
ZONING - AR-1

STORMWATER MANAGEMENT AREA

MIXED USE
BUILDING B
9,875 SF RETAIL
47 APARTMENTS
10 GARAGES
4 STORIES
208' X 75'

MIXED USE
BUILDING C
10,200 SF RETAIL
22 APARTMENTS
10 GARAGES
3 STORIES
209' X 75'

MIXED USE
BUILDING D
10,400 SF RETAIL
22 APARTMENTS
10 GARAGES
3 STORIES
209' X 75'

LANDS N/F
CAPE HENLOPEN SHCOOL DISTRICT
T.P.: 334-18.00-39.00
DEED REF.: 2549-268
PLAT REF.: 71-73

6 STORAGE UNITS

5 GARAGE UNITS

STORMWATER MANAGEMENT AREA

PR. CLUB HOUSE
BUILDING 8
1,600 S.F.
1 STORY

POOL

100' WETLAND BUFFER

PR. APARTMENT
BUILDING 1
24 UNITS
3 STORIES

PR. APARTMENT
BUILDING 2
24 UNITS
3 STORIES

PR. APARTMENT
BUILDING 3
24 UNITS
3 STORIES

PR. APARTMENT
BUILDING 4
24 UNITS
3 STORIES

LANDS N/F
BELMEAD FARM LLC
T.P.: 334-18.00-40.01
P.B.: 445-15
ZONING - AR-1

STORMWATER MANAGEMENT AREA

3 STORIES
24 UNITS
BUILDING 7
PR. APARTMENT

3 STORIES
24 UNITS
BUILDING 6
PR. APARTMENT

3 STORIES
24 UNITS
BUILDING 5
PR. APARTMENT

BOOKHAMMER ESTATES
LOT 9

100 YEAR FLOODPLAIN LINE

EX. FORESTED WETLAND

N 42° 24' 59" W

LOT 10

FIR

1064.55'

S 32° 53' 58" W 370.44'

1140.55'

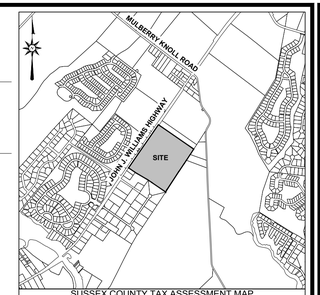
S 32° 15' 49" W

FIP

LANDS N/F
J. G. TOWNSEND, JR. & CO.
T.P.: 334-18.00-42.00
DEED REF.: 346-557

LANDS N/F
ANTONY B. NOWAKOWSKI
T.P.: 334-18.00-41.01
DEED REF.: 5714-205

LANDS N/F
ROBERT F. BEST TRUSTEE
T.P.: 334-18.00-41.01
DEED REF.: 4367-167



SUSSEX COUNTY TAX ASSESSMENT MAP

VICINITY MAP

SCALE : 1" = 2000'

LANDSCAPE LEGEND

- INTERIOR PARKING LOT CANOPY TREE
- BUFFERYARD EVERGREEN TREE
- ORNAMENTAL TREE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

LANDS OF
BELLE MEADE FARM LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

REZONING LANDSCAPE PLAN

0 30 60 120

SCALE: 1" = 60'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: LAS1

PROJECT NO.:	2022079.00
DATE:	02/24/2024
SCALE:	1" = 60'
DRAWN BY: C.D.C.	PROJ. MGR.: J.S.F.

SHEET
L-001

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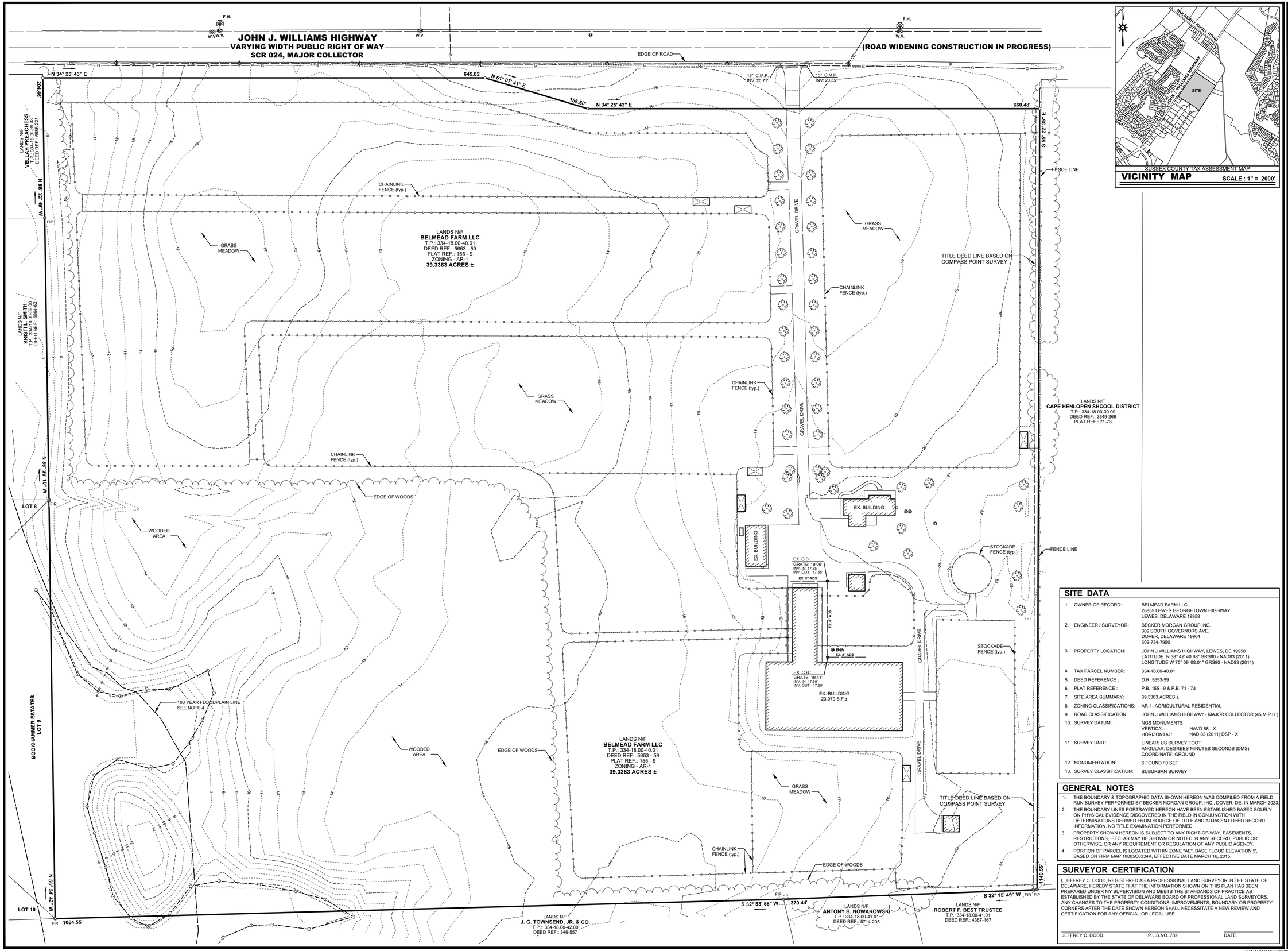

SITE DATA

1.	OWNER OF RECORD:	BELMEAD FARM LLC 28855 LEWES GEORGETOWN HIGHWAY LEWES, DELAWARE 19958
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DELAWARE 19904 302-734-7950
3.	PROPERTY LOCATION:	JOHN J WILLIAMS HIGHWAY, LEWES, DE 19958 LATITUDE N 38° 42' 40.68" GRS80 - NAD83 (2011) LONGITUDE W 75° 09' 08.01" GRS80 - NAD83 (2011)
4.	TAX PARCEL NUMBER:	334-18.00-40.01
5.	DEED REFERENCE :	D.R. 5653-59
6.	PLAT REFERENCE :	P.B. 155 - 9 & P.B. 71 - 73
7.	SITE AREA SUMMARY:	39.3363 ACRES ±
8.	ZONING CLASSIFICATIONS:	AR-1- AGRICULTURAL RESIDENTIAL
9.	ROAD CLASSIFICATION:	JOHN J WILLIAMS HIGHWAY - MAJOR COLLECTOR (45 M.P.H.)
10.	SURVEY DATUM:	NGS MONUMENTS VERTICAL: NAVD 88 - X HORIZONTAL: NAD 83 (2011) DSP - X
11.	SURVEY UNIT:	LINEAR: US SURVEY FOOT ANGULAR: DEGREES MINUTES SECONDS (DMS) COORDINATE: GROUND
12.	MONUMENTATION:	6 FOUND / 0 SET
13.	SURVEY CLASSIFICATION:	SUBURBAN SURVEY

GENERAL NOTES

1. THE BOUNDARY & TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM A FIELD RUN SURVEY PERFORMED BY BECKER MORGAN GROUP, INC., DOVER, DE. IN MARCH 2023.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION. NO TITLE EXAMINATION PERFORMED.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
4. PORTION OF PARCEL IS LOCATED WITHIN ZONE "AE", BASE FLOOD ELEVATION 5', BASED ON FIRM MAP 10005C0334K, EFFECTIVE DATE MARCH 16, 2015.

SURVEYOR CERTIFICATION

I, JEFFREY C. DODD, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

JEFFREY C. DODD P.L.S.NO. 782 DATE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

NAD83/DSP

PROJECT TITLE

LANDS OF
BELMEAD FARM LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

BOUNDARY & TOPOGRAPHIC SURVEY

0 30 60 120

SCALE: 1" = 60'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: BNDY TOPO

PROJECT NO.:	2022079.00
DATE:	03/30/23
SCALE:	1" = 60'
DRAWN BY: B.G.	PROJ. MGR.: J.C.D.

SHEET
1 OF 1

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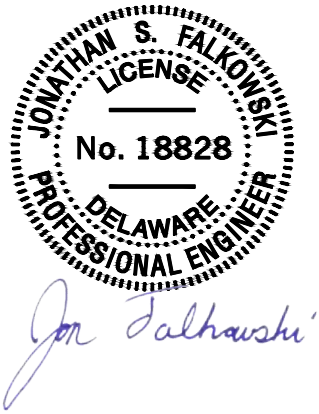
ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITIES EVALUATION REPORT (EAPFR)

FOR

BELMEAD FARM LLC
(CZ 2001)

Sussex County, Delaware

February 2025



Prepared by:

Becker Morgan Group, Inc.
309 S. Governors Avenue
Dover, DE 19904

TABLE OF CONTENTS

SECTION

1.0 **APPLICATION**
- a. Rezoning Application
- b. Deed and Legal Description (Bk 5734 Pg 290)

2.0 **ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITIES EVALUATION**
- a. Summary in accordance with §115-194.3 – Coastal Area, Subparagraph B(2).

3.0 **APPENDIX**
- a. Site Location
- b. County Zoning Map
- c. Future Land Use Map
- d. Wetlands Delineation Report
- e. US Fish and Wildlife Service – Threatened and Endangered Species List
- f. DelDOT Service Level Evaluation Request Response Letter
- g. DelDOT Final Traffic Impact Study (TIS)

1.0 Rezoning Application

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

PLANNING FOR CLIENTS' SUCCESS

November 23, 2022

Sussex County
Planning and Zoning
2 The Circle
Georgetown, DE 19947
Attn: Mr. Jamie Whitehouse

RE: Rezoning Application
BELLE MEAD FARM
John J Williams Hwy
Lewes, Delaware
2022079.00

Dear Mr. Whitehouse:

Please find attached Zoning Map Amendment Application and Fee for the property otherwise known as the Belle Mead Farm in Lewes, Delaware. As previously discussed with you, we will be following up the application with the required site plans and other documents at a later date. It was agreed that the submittal of the Zoning Map Application and Fee would be adequate to get this project into the queue for a hearing scheduling.

If you have any questions, please feel free to contact us at any time.

Kind regards,

J. Michael Riemann, PE
Becker Morgan Group
Vice President

BECKER MORGAN GROUP, INC.
309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3200

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

3333 JACKSON DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

www.beckermorgan.com

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✔

Site Address of Conditional Use/Zoning Map Amendment

20044(+/-) John J Williams Hwy - Belle Mead Farm - Route 24

Type of Conditional Use Requested:

Tax Map #: 334-18.00-40.01 & 334-18.00-40.06 **Size of Parcel(s):** 39.22 +/- ac.

Current Zoning: AR-1 **Proposed Zoning:** C4 **Size of Building:** TBD

Land Use Classification: COMMERCIAL

Water Provider: TIDEWATER **Sewer Provider:** SUSSEX COUNTY

Applicant Information

Applicant Name: BELMEAD FARM LLC
Applicant Address: 105 FOULK ROAD
City: WILMINGTON State: DE ZipCode: 19803
Phone #: 429-8700 E-mail: _____

Owner Information

Owner Name: BELMEAD FARM LLC
Owner Address: 105 FOULK ROAD
City: WILMINGTON State: DE Zip Code: 19803
Phone #: 429-8700 E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: BECKER MORGAN GROUP, INC
Agent/Attorney/Engineer Address: 309 S. GOVERNORS AVE
City: DOVER State: DE Zip Code: 19904
Phone #: 734-7950 E-mail: MRIEMANN@BECKERMORGAN.COM

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- [x] **Completed Application**
- [x] **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description
- [x] **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**
- [ ] **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- [x] **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- [x] **DelDOT Service Level Evaluation Request Response**
- [x] **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney Date: 11/22/22

Signature of Owner Date: 11/14/2022

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

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

NICOLE MAJESKI
SECRETARY

October 27, 2022

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Becker Morgan Group, Inc** proposed land use application, which we received on October 21, 2022. This application is for an approximate 40.00- acre parcel (Tax Parcel: 334-18.00-40.01). The subject land is located on the southeast side of John J Williams Highway (Delaware Route 24) approximately 1,700 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned C-1 (General Commercial), with a proposed zoning of C-4 (Planned Commercial) to build 125,000 square feet of commercial/ retail space and up to 480 multifamily housing units.

Per the 2021 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along John J Williams Highway from Plantation Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), is 17,338 and 22,294 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For residential and non-residential developments that are consistent with the Land Use and

DelDOT

Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee per dwelling unit and a fee per square foot of non-residential space in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is not consistent with the LUTP, therefore, the developer will be required to perform a TIS to determine if the Level of Service (LOS) analyzed by the TID is consistent with the inclusion of the proposed development. If the LOS determined by the TIS is compliant with the TID, the proposed development is to pay the TID fee as stated above. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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

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

Sincerely,

Sireen Muhtaseb, PE
TIS Group Manager
Development Coordination

SM:afm
cc: Becker Morgan Group, Inc, Applicant
Lauren DeVore, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
Sussex Reviewer, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
James Argo, South District Project Reviewer, Maintenance & Operations
Todd Sammons, Assistant Director, Development Coordination
Kevin Hickman, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Reviewer, Development Coordination
Brian Yates, Subdivision Reviewer, Development Coordination
Thomas Gagnon, Subdivision Reviewer, Development Coordination
Joshua Johnson, Subdivision Reviewer, Development Coordination
Claudy Joinville, TIS Group Project Engineer, Development Coordination
Annamaria Furmato, TIS Group Project Engineer, Development Coordination

Document# 2022000032608 BK: 5734 PG: 290
Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
Consideration: $5,100,000.00 County/Town: $76,500.00 State: $127,500.00 Total: $204,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX PARCEL #: 3-34-18.00-40.01

PREPARED BY & RETURN TO:
Parkowski, Guerke & Swayze, P.A.
19354C Miller Road
Rehoboth Beach, DE 19971
File No. 015-22/VGR

NO SURVEY WAS PERFORMED OR REQUESTED

THIS DEED, made this 3 day of June, 2022,

- BETWEEN -

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED and **THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED**, of 722 NE 2nd Street, Delray Beach, FL 33483, parties of the first part,

- AND -

BELMEAD FARM, LLC, a Delaware limited liability company, of 28855 Lewes Georgetown Hwy, Lewes, DE 19958, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars and 00/100 ($10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece and parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County and State of Delaware, lying and being along the southeastern right of way of State Route 24 (50 feet wide), more particularly described as follows, to wit:

BEGINNING at an iron pipe situate along the aforesaid southwesterly right of way of State Route 24, said point being the common boundary of these lands and lands now or formerly of Mudiwa and Preachess Vellah Munyikwa; thence by and with said right of way North 42 degrees 12 minutes 08 seconds East, 1,451.40 feet to a capped rebar; thence leaving the aforesaid right of way and running by and with lands now or formerly of Cape Henlopen School District South 47 degrees 36 minutes 26 seconds East, 1,205.68 feet to a found rebar; thence running by and with lands now or formerly of Alfred G. Best, Trustee, and lands now or formerly of Linda Elizabeth Best, South 40 degrees 01 minutes 32 seconds West, 365.05 feet to an iron pipe;

thence by and with other lands of Grantor, South 40 degrees 40 minutes 22 seconds West, 1,064.47 feet to a found rebar; thence by and with lands now or formerly of John and Deanna Hoover, North 48 degrees 38 minutes 42 seconds West, 611.81 feet to a found rebar; thence by and with lands now or formerly of Frank and Marlene Bracale, North 48 degrees 40 minutes 10 seconds West, 411.81 feet to an iron pipe; thence by and with lands now or formerly of Mudiwa and Preachess Vellah Munyikwa, North 48 degrees 36 minutes 49 seconds West, 224.47 feet to the point and place of Beginning, said to contain 40.61 acres of land as depicted on the Perimeter Survey prepared by Compass Point Associates dated January 17, 2011, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEING the same lands and premises which were conveyed unto Mark H. Ronald Trust dated 3/8/2007, as amended, Mark H. Ronald and Mary Ann Ronald, Trustees, either of whom may act independently, and Mary Ann Ronald Trust dated 3/8/2007, as amended, Mary Ann Ronald and Mark H. Ronald, Trustees, either of whom may act independently, by Deed of J.G. Townsend, Jr. & Co. dated January 28, 2011, and recorded February 1, 2011, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 3862, Page 170.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mark H. Ronald, Trustee

THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mary Ann Ronald, Trustee

STATE OF Florida, COUNTY OF Palm Beach: to-wit

BE IT REMEMBERED, that on 06/03, 2022, personally came before me, the subscriber, Mark H. Ronald, Trustee of the Mark H. Ronald Trust dated March 8, 2007, as amended, and Mary Ann Ronald, Trustee, of the Mary Ann Ronald Trust dated March 8, 2007, as amended, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

JUNAE MCPHERSON
Notary Public - State of Florida
Commission # HH 206991
My Comm. Expires Dec 13, 2025

Notary Public

My Commission Expires: 12/13/25

2.0 Environmental Assessment and Public Facility Evaluation Report

Belmead Farm, LLC

Tax Maps:	334-18.00-40.01 & 40.06
Parcel Acreage:	±39.22 Acres
Existing Zoning:	AR-1: Agricultural Residential
Proposed Zoning:	C-4: Planned Commercial District
2019 Future Land Use:	Commercial and Coastal Area
Site Investment Area:	Level 2, 3 & 4
Chapter 89 Water Source:	"Fair" Groundwater Recharge Area
	"No" Wellhead Protection Area
Wetlands:	Freshwater Forested & Shrub Wetland (PFO1R)
Flood Zone:	Zone X – Map 10005C0334K; 03/16/2015
Watershed:	Rehoboth Bay Watershed
TID:	Henlopen
Access / Road Frontage:	John J. Williams Hwy. (SR00024)
Sanitary Sewer Supplier:	Tier 2 – Sussex County Planning Area
Water Supplier:	Tidewater Utilities Inc.

§115-194.3 – Coastal Area, Subparagraph B (2).

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

The proposed development of the parcels will follow all applicable State and local stormwater management regulations and will meet or exceed quality and quantity management standards. Through the use of Green Technology Best Management Practices (GTBMP's), the proposed stormwater management facilities will reduce the phosphorous and nitrogen loading. The improvements are not anticipated to produce other pollutants such as petroleum hydrocarbons or metals. Should a commercial tenant require the need for petroleum pollutant measures, appropriate filtration will be utilized in accordance with State and local regulations.

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

The parcels are located in Tidewater Utilities area and will serve the project's water source. The proposed water system design will be in accordance with all codes and regulations set forth by Sussex County, DHSS Office of Drinking Water and Tidewater. Tidewater's franchise area has been evaluated for groundwater impacts to ensure no adverse impacts. The anticipated water demand is 68,625 gallons/day.

c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on site septic systems*

The parcels are located within Sewer Tier 2 – Sussex County Planning area and a future request to annex to the Tier 1 - Unified Sanitary Sewer District will be made as the parcels are directly adjacent to the Tier 1 District. It is anticipated that a gravity sewer collection system will be designed and installed to collect and convey wastewater. All sewer systems will be designed to follow all the codes and regulations of the Sussex County Ordinance.

d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.*

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The Final TIS recommendations from DelDOT included development improvements as follows: frontage improvements, full movement signalized Site Entrance at the intersection of Lexington Ave. and DE Rt. 24 with auxiliary turn lanes, bicycle and pedestrian improvements and Henlopen TID fees to be paid as determined by DelDOT.

e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.*

A Rare Species Search per the United States Fish and Wildlife Service (USFWS) database for the likelihood of rare and endangered species was performed. Two potential species were identified based on the search. The tri-colored bat, which the USFWS usually suggests that if tree clearing is required within the breeding season, then a summer survey should be conducted to determine whether the bats are present. Tree clearing is usually restricted to the time period between Oct. 1 and March 31 to avoid impacts to the listed bat species. The Monarch Butterly requires specialized habitat (milkweed) for breeding. Suitable habitat for the species is not likely or anticipated to occur within the development area.

f) *The preservation and protection from loss of tidal or nontidal wetlands on the site.*

Freshwater Forested/Shrub Wetland habitat was identified on the subjected site. No wetlands will be disturbed with the proposed development and the County required buffers will be respected. A wetlands delineation report is included with the project packet.

g) *Provisions for open space as defined in § 115-4*

The project offers recreational facilities such as a clubhouse, swimming pool, play areas and walking paths. Several stormwater management facilities are proposed which have a demonstrated recreational value and provide scenic vistas, while providing wildlife corridors. The project will respect all buffers and maintain significant forested areas and will not disturb existing wetlands found on-site.

h) *A description of provisions of public and private infrastructure*

The project proposes a mix of both public and private infrastructure. Public infrastructure includes construction of water and sewer main that will be turned over to respective utility providers. In addition, significant improvements along DE Rt. 24 will be constructed, including auxiliary turn lanes, traffic signal with pedestrian crossings and a paved shared-use path, providing multi-modal transportation network paths. Private infrastructure includes roadways, sidewalks, parking, other utilities and stormwater management areas, etc. which will be privately owned and maintained.

i) *Economic, recreational or other benefits*

The project holds significant potential not only for job creation but also for addressing critical gaps in workforce development within Sussex County. By providing commercial job growth opportunity, economic development and affordable housing, the project aims to deliver much needed services and housing to the local community.

j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places*

No existing presence of historic or cultural resources were listed per the National Register of Historic Places.

k) *A description of how the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan*

The current Sussex County Comprehensive Plan includes a Future Land Use Map to help determine how land should be zoned, to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has land use designation of "Commercial Area" and "Coastal Area." The parcels would otherwise be entirely identified as "Commercial Area" if not for a small portion of "Coastal Area" on parcel 40.01, which is not planned for development as it is located within a wetland area along Dorman Branch, in the southwestern most portion of the parcel.

As outlined in the Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. As this area is

not intended to be developed, the development plan is consistent with the Comprehensive Plan for Coastal Areas. (Sussex County Comprehensive Plan, 4-15).

Commercial Areas include retail and service uses that are mainly located along higher functional classification roadways such as highways and arterials. Route 24 is classified by DelDOT as a "Principal Arterial". As opposed to small, traditional downtown areas that are often historic and pedestrian-friendly, Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic. In addition to primary shopping destinations, this area would also be the appropriate place to locate hotels, motels, car washes, auto dealerships, l and other medium and larger scale commercial uses not primarily targeted to the residents of immediately adjacent residential areas. These more intense uses should be located along main roads or near major intersections. Institutional and commercial uses may be appropriate depending on surrounding uses. Mixed-use buildings may also be appropriate for these areas (Sussex County Comprehensive Plan, 4-17). The development plan includes a mix of retail, service uses, medium scale commercial and mixed use buildings as is consistent with the Comprehensive Plan.

The proposed zoning of C-4: Planned Commercial District is consistent with the intended Future Land Use designation of Commercial Use as an applicable zoning district within the Growth Area. The C-4 zoning allows for a maximum of forty (40) percent of its developable area to consist of duplexes, townhouses or multifamily dwellings which helps promote development designed to support both residential and commercial uses as noted in 4.6.3.

The subject parcels are also located within the planned Henlopen Transportation Improvement District, which DelDOT is working alongside Sussex County to correspond with their Comprehensive Plan.

l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) of the manner in which they are consistent with the Comprehensive Plan.*

All mitigation measures, identified relevant to sections (a) through (k) are identified above in each respective section.

3.0 Appendix



LAYER STATE: LOCATIONS

SITE LOCATION MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG:	2022079.00
SCALE:	1" = 250'
DATE:	12/23/24
DRAWN BY:	J.N.K.

SITE

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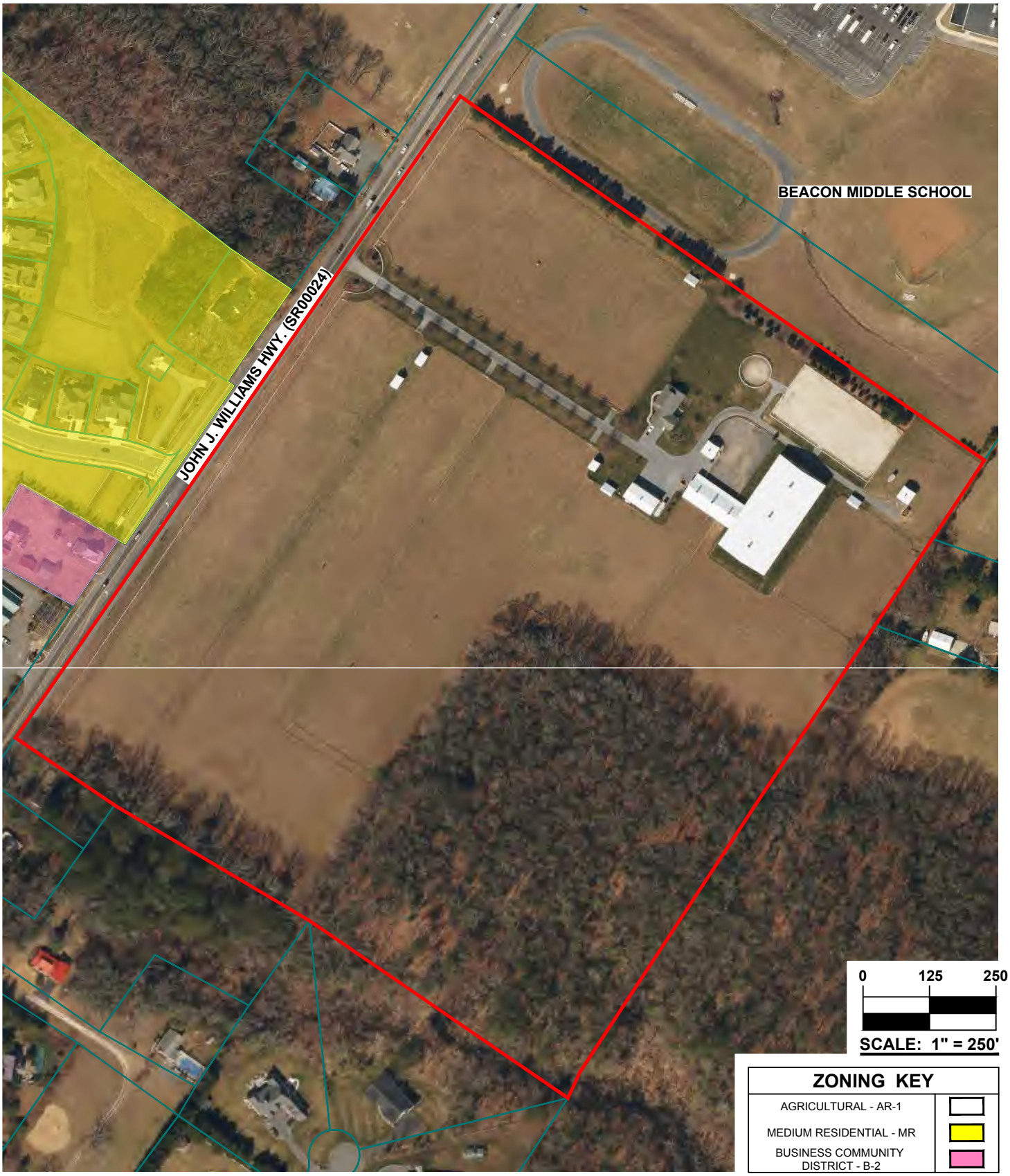

LAYER STATE: ZONING

ZONING MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

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BMG: 2022079.00
SCALE: 1" = 250'
DATE: 12/23/24
DRAWN BY: J.N.K.

ZONING

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LAYER STATE: FUTURE LAND USE

FUTURE LAND USE MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

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BMG: 2022079.00
SCALE: 1" = 250'
DATE: 12/23/24
DRAWN BY: J.N.K.

FUTURE

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Wetland Delineation Report

Wetland Delineation – Belmead Farm, Lewes, Delaware



James C. McCulley IV, PWS
Watershed Eco, LLC
April 30, 2023
Jim@WatershedEco.com

Introduction



At the request of Becker Morgan Group, Inc., Watershed Eco, LLC. has reviewed background materials and conducted site visits to determine the previous and current site conditions related to waters, wetlands, and drainage.

James McCulley, the investigator, and report author has over 30 years of experience in wetland delineation and permitting. He previously worked as a biologist in the Regulatory Section of the U.S. Army Corps of Engineers, Philadelphia District and was selected as one of 17 wetland scientists nationwide to serve on the National Academy of Sciences, Wetlands Characterization Committee which authored "Wetlands: Characteristics and Boundaries". He was chosen as one of four committee members to present the committee findings at a press conference on Capitol Hill.

Mr. McCulley is a Senior Professional Wetland Scientist, #000471 as certified by the Society of Wetland Scientists, an international scientific association.

All opinions in this report are to a reasonable degree of scientific certainty.

Executive Summary

Watershed Eco, LLC reviewed background information and conducted a wetland delineation at the Belmead Farm, LLC. property and determined that palustrine forested wetlands were present in the southeastern portion of the property abutting a Dorman Branch. These wetlands and waters were flagged in the field and depicted on the attached wetland delineation map.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut the perennial stream Dorman Branch, a tributary to Love Creek and Rehoboth Bay, both Traditional Navigable Waterways. The flagging placed in the field represents the outer boundary of these resources.

The site conditions at the time of the investigation are detailed in this report.

Contents

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Executive Summary 1

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Definition of Jurisdictional Waters and Wetlands

The Navigable Waters Protection Rule (NWPR) became effective on June 22, 2020. This rule codifies the definition of Waters of the United States (WOTUS), including jurisdictional wetlands. Discussions of Jurisdiction related to Waters and Wetlands in this report are based on the NWPR Section 404 of the Clean Water Act and as described in the definitions in this section as well as all guidance currently in effect and based on professional experience.

The scope of Federal jurisdiction is established in the Clean Water Act (CWA) is limited to WOTUS, which is defined in the Act as Navigable Waters, including the Territorial Seas. The Act does not further define WOTUS and has left the interpretation to the agencies (U.S. EPA and U.S. Army Corps of Engineers). The agencies have defined WOTUS by regulation since the 1970s with the latest definition becoming effective on June 22, 2020 in the NWPR.

The NWPR defines four categories of WOTUS, 1. Territorial Seas and Traditional Navigable Waters, 2. Tributaries to 1., 3. Lakes and Ponds, and impoundments of Jurisdictional Waters and 4. Adjacent Wetlands. All other Waters are determined by the rule to be non-jurisdictional and the rule further clarifies exclusions which are not jurisdictional.

In this case we are interested in the jurisdictional status of mapped Waters in the form of non-tidal wetlands within the Subject Property. The mapped wetlands have been classified as adjacent wetlands. In the NWPR, adjacent wetlands are defined as follows: abutting, meaning to touch, or inundated by flooding from waters 1-3 above, separated only be a berm, bank or dune or an artificial dike or barrier. The NWPR further clarifies that an adjacent wetland must have a direct hydrologic surface connection to a water listed in 1-3 above in a typical year. The NWPR further clarifies that a tributary is a river or stream, or similar naturally occurring surface water channel that contributes surface water flow to a water identified in paragraph (a)(1) of this definition in a typical year either directly or through one or more waters. A tributary must be intermittent or perennial. It is assumed that the mapped wetlands have a direct surface connection to Dorman Branch and would be regulated by the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers recently vacated the Navigable Water Protection Rule. At the present time the U.S. Army Corps of Engineers is following the 2023 Wetland Rules. The U.S. Army Corps of Engineers Philadelphia District and DNREC Subaqueous Lands Division should be consulted prior to any impacts to any wetlands or waterways within the subject property.

Waters are mapped by determining the Ordinary High-Water Mark (OHWM) of features with a bed and bank as defined above and in accordance with various guidance as discussed below.

Wetlands are mapped using three criteria: 1. Vegetation, 2. Soils and 3. Hydrology which are further described in the Manual and appropriate Regional Supplement. Hydrophytic (wetland) vegetation is specifically adapted for life in saturated soils and listed by species and indicator status on the National Wetland Plant List maintained by the U.S. Army Corps of Engineers. Hydric (wetland) soils formed under conditions of saturation, flooding or ponding long enough to develop anaerobic conditions and are listed on the United States Department of Agriculture, Hydric Soils Database. Wetland hydrology is described as recurrent, sustained water at or near the surface for extended periods of time.

Subject Property

The Subject Property is located at 28855 Lewes Georgetown Highway in Lewes, Sussex County, Delaware. The Subject Property is located at Latitude and Longitude 38.711454and -75.152545 and is identified as Sussex County Tax Parcel No. 334-18.00-40.01 consisting of approximately 39.19 Acres.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of mowed pastures associated with equestrian use and woodlands in the southeast.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut Dorman Branch and drain southeasterly off-site to Love Creek, a tributary to Rehoboth Bay.

Documents Considered

The following documents were considered as part of this study:

- Current National Wetland Inventory (NWI) Map
- Current USGS Mapping
- Historical Aerial Photos
- NRCS Soils Mapping
- National Hydrography Dataset Mapping

Findings

Background Research

The NWI Map (Figure 2) depicts palustrine forested wetlands in the southeastern portion of the subject property.

The USGS Mapping (Figure 3) depicts a blue-line stream identified as Dorman Branch in the southeastern portion of the property. The subject property is relatively flat with elevations ranging from 20 feet above sea level in the northwest to 10 feet asl in the southeast.

The National Hydrography Dataset map (Figure 4) depicts a blue-line stream feature with abutting palustrine forested wetlands in the southeastern portion of the property.

The 1937 aerial photo (Figure 5) depicts the property in agricultural use with woodlands in the southeast. The surrounding land use is predominantly agricultural and wooded with a few scattered residential properties.

The 1954 aerial photo (Figure 6) and 1968 imagery (Figure 7) depicts similar site conditions as the 1937 imagery. No significant changes in surrounding land use are apparent.

The 1992 aerial photo (Figure 8) depicts no significant changes within the subject property since 1968. Surrounding land use remains largely agricultural and wooded with residential development to the southwest and west.

The 2002 aerial photo (Figure 9) depicts no significant changes within the subject property or surrounding land since the 1992 imagery. Some site grading is apparent to the north.

The 2015 aerial photo (Figure 10) depicts a dwelling and barn have been constructed in the northeastern portion of the subject property. Woodlands remain in the southeast. New commercial development is apparent to the north and additional residential development is apparent to the south.

The 2022 aerial photo (Figure 11) depicts similar conditions as the 2015 imagery within the subject property. An additional residential subdivision has been constructed to the west.

The NRCS Soil Mapping (Figure 12) indicates the property is primarily underlain with well-drained Downer sandy loam (DoA and DodB), and Rosedale loamy sand (RoB). An area of poorly drained Hurlock sandy loam (HvA) is mapped within the woodlands in the southeastern portion of the property.

Field Investigation

Watershed Eco LLC., conducted a field investigation on April 26, 2023. The purpose of the investigation was to conduct a wetland delineation within the subject property.

These investigations consisted of a visual review of the entire site with special attention paid to vegetative communities and topography. The wetland boundary was walked, and wetland boundaries were flagged in the field and locations noted using handheld global positioning systems (GPS). Wetland flags were located by GPS during the field investigation and plotted on the attached plans.

Vegetation was identified using delineator experience and confirmed using field guides for the following strata:

Trees – woody plants 6 meters or more in height and 7.6 centimeters or larger in diameter at breast height.

Saplings – woody plants 6 meters or more in height and less than 7.6 centimeters in diameter at breast height.

Shrubs – woody plants 1 to 6 meters in height.

Herbs – all herbaceous plants regardless of size and woody plants less than 1 meter in height.

Woody Vines – all woody vines regardless of height.

The indicator status for each dominant species was recorded based on the USACE 2018 Atlantic, Gulf and Coastal Plain Region Plant List.

Soil borings were advanced to an approximate depth of 20 inches using a 3-inch diameter Dutch auger. Soil colors were visually estimated using a Munsell Soil Color Chart and texture was estimated using standard soil texture criteria. Soil characteristics were compared to the Hydric Soil Indicator Guide in order to identify whether hydric soils were present at each data point location.

Wetland hydrology characteristics were visually observed where present based on the USACE Wetland Delineation Manual and Regional Supplement. No additional hydrology studies were performed at the site (ie. Piezometers, Observation Wells or Modeling) and potential wetland hydrology was based on observations on the day of the field investigation and professional experience.

Results

Palustrine forested wetlands were observed in the southeastern portion of the property. These wetlands abut Dorman Branch which drains southeasterly off-site to Love Creek, a tributary to Rehoboth Bay, a Traditional Navigable Waterway. These wetlands would be classified as Section 404 wetlands regulated by U.S. Army Corps of Engineers. The flagging placed in the field represents the outer boundary of these resources.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of horse pastures with woodlands in the southeast.

Representative photographs of the site and flagged areas are included in this report.

Jurisdiction

Federal Jurisdiction – WOTUS

The wetlands flagged on the site were assumed to be WOTUS up to the OHWM or to the edge of adjacent wetlands.

The limits of wetlands flagged represent the upper limit of wetlands and in most cases the "Section 404" wetlands line. The U.S. Army Corps of Engineers should be consulted prior to any impacts of these aquatic resources.

State Jurisdiction – Subaqueous Lands

Typically, "blue-line" streams are regulated as State Subaqueous Lands. The perennial stream Dorman Branch is located inside of the delineated wetland boundary and would be regulated by DNREC as Subaqueous Lands

Conclusions

All opinions are to a reasonable degree of scientific certainty.

It is the opinion of Watershed Eco LLC. that federally jurisdictional palustrine forested wetlands are located within the southeastern portion of the subject property. These wetlands have a direct surface connection to Dorman Branch along the southern boundary of the property which drains off-site to Love Creek and Rehoboth Bay and would be regulated as Section 404 wetlands. The U.S. Army Corps of Engineers Philadelphia District should be consulted prior to any impacts to any wetlands mapped within the subject property.

Dorman Branch, along the southern property boundary would be regulated by DNREC as Subaqueous Lands. Dorman Branch was not delineated separately from the wetlands.

The mapped Waters can be found on the attached map prepared by Watershed Eco, LLC (Figure 13). Jurisdictional limits can only be determined by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Department of Agriculture and the State of Delaware, Wetlands and Subaqueous Lands Branch.

Figures

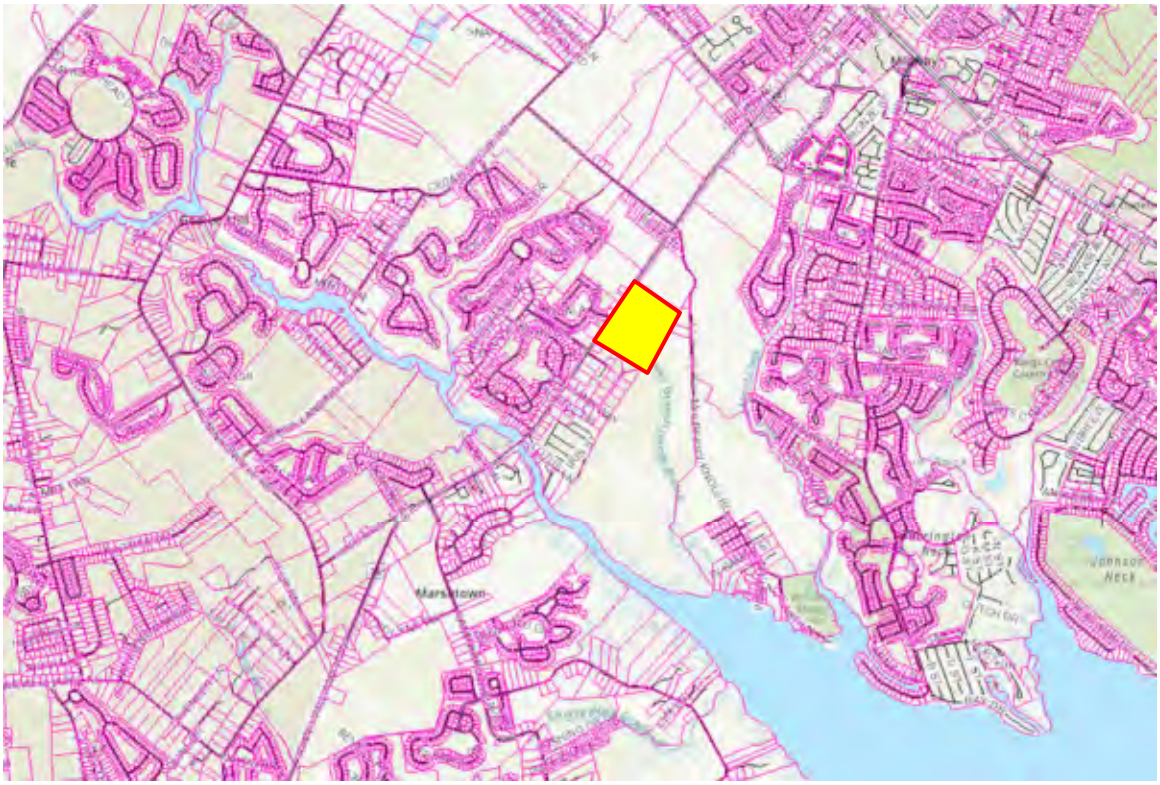


Figure 1: Location Map



Figure 2: National Wetland Inventory Map.

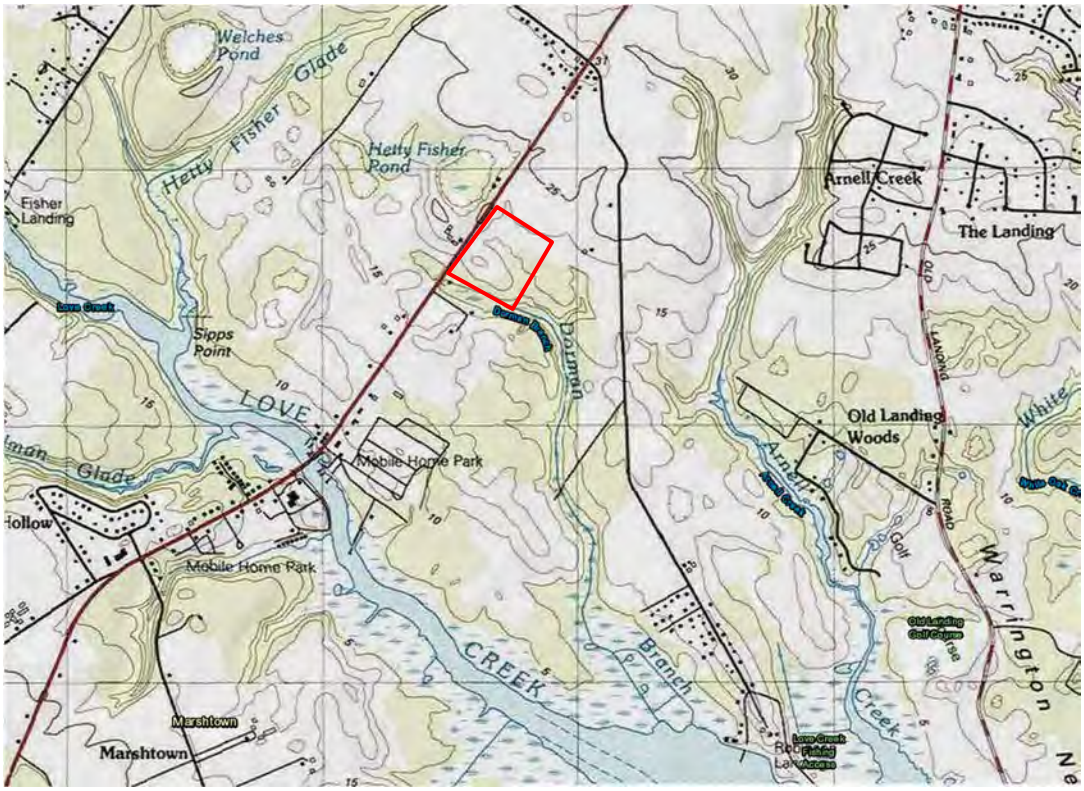


Figure 3: USGS Mapping.



Figure 4: NHD Map.

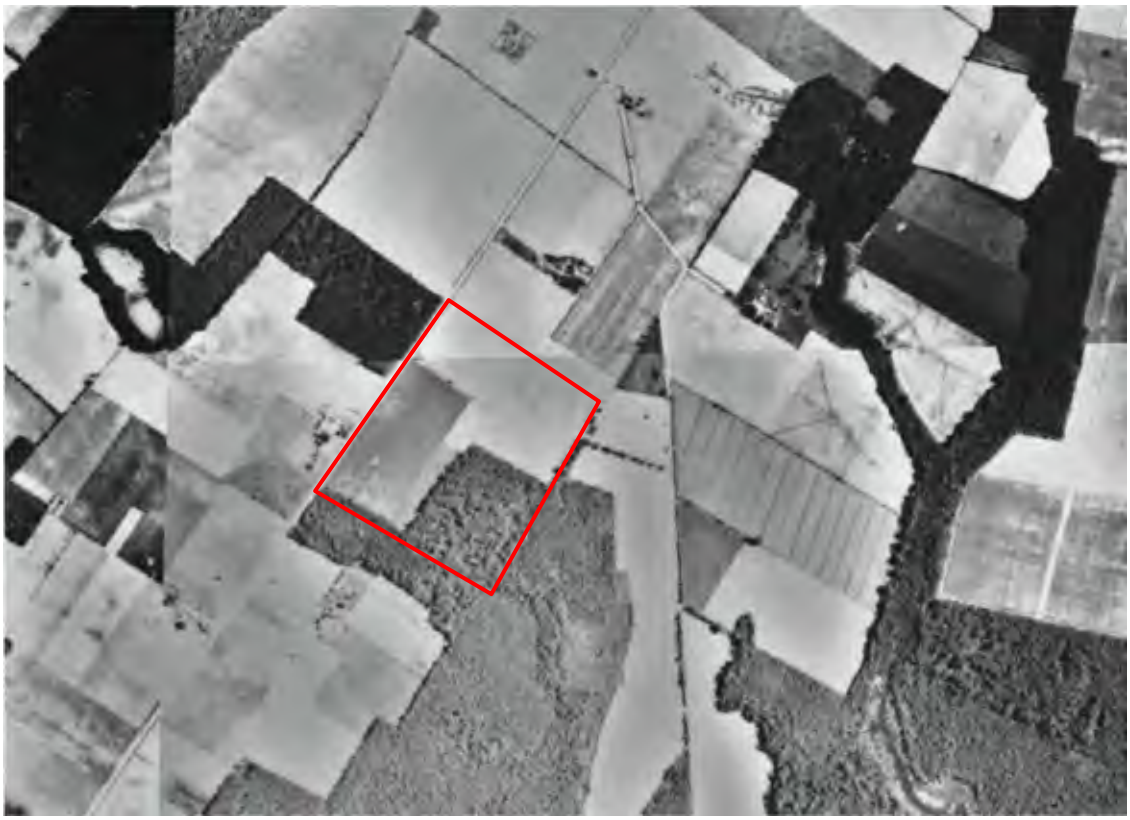


Figure 5: 1937 Aerial Photograph.



Figure 6: 1954 Aerial Photograph

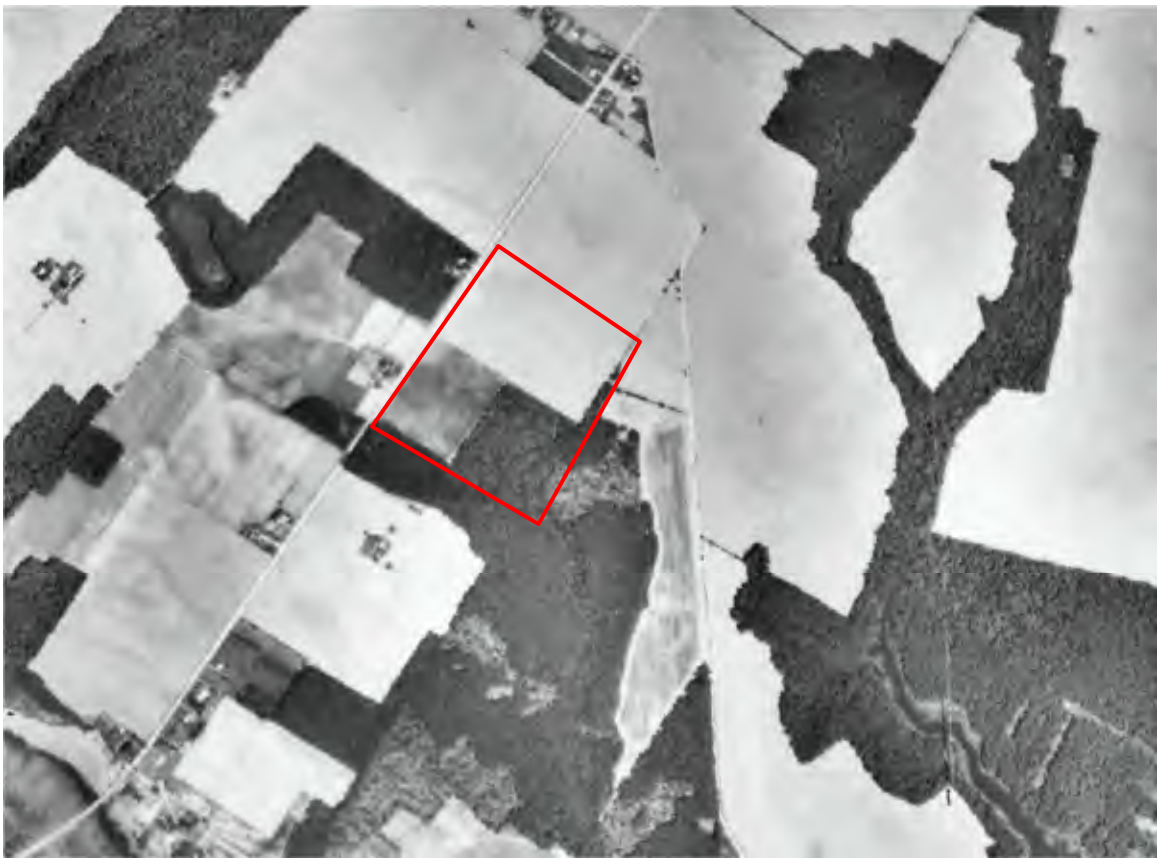


Figure 7: 1968 Aerial Photograph.



Figure 8: 1992 Aerial Photograph.



Figure 9: 2002 Aerial Photograph.



Figure 10: 2015 Aerial Photograph.



Figure 11: 2022 Aerial Photograph



Figure 12: USDA Soil Survey Map.



Figure 13: Wetland Delineation Map

Credentials

James C. McCulley IV

Senior Professional Wetland Scientist, P.W.S. (#000471)

Education:

- B.A. Biology, Rutgers University
- M.S. Biology, Rutgers University
- Wetland Sedges, Grasses and Rushes, The Swamp School
- Hydric Soils Indicators, The Swamp School
- Wetland Ferns, The Swamp School
- Wetland Delineation, Rutgers Continuing Education
- Wetland Hydrology, Rutgers Continuing Education
- Wetland Regulation, Corps of Engineers Training Program

Topics Presented:

- Presented Wetland Rules, Regulations and Policies, Delaware State Bar
- Presented Wetlands Rules, Regulations and Policies, Pennsylvania State Bar
- Presented Wetland Rules, Regulations and Policies, Maryland Architects
- Presented Environmental Rule Changes, Homebuilders Association of Delaware
- Chaired Panel Discussion at Annual Meeting of Society of Wetland Scientists (SWS)
- Presented on “No Net Loss” at Association of State Wetland Managers Meeting
- Presented on Wetlands Legislation to Environmental Law Institute
- Presented on Wetland Delineation at State Parks Managers Meeting
- Part of Panel to present NAS findings to Congress on Wetlands Legislation
- Treatment of Storm Water Run-Off by Wetlands to SWS Annual Meeting

Committees:

- State of Delaware, Wetlands Advisory Committee
- National Association of Homebuilders, Environmental Issues Committee
- National Association of Homebuilders, Land Use Policy Committee
- Homebuilders Association of Delaware, Life Director
- National Academy of Sciences Wetlands Characterization Committee
- State of Delaware, Freshwater Wetlands Legislation Committee
- New Castle County Comprehensive Plan Update
- New Castle County, Riparian Buffer Ordinance Committee
- Board of Directors, Homebuilders Association of Delaware

Publications:

- Wetlands: Characteristics and Boundaries, National Academy of Sciences Press
- Integrated Natural Resource Management Plan, PAX Naval Air Station

Community:

- Mentored Honors Biology Program at Glasgow High School
- Curriculum Development Committee for Hodgson Vo-Tech (HVT), Environmental Landscape Technology Program
- Graded Senior Projects for HVT, Environmental Program
- Assisted Talley Middle School with Artificial Wetland Creation Project
- Donated Plants for Brader Elementary School, Wetland Creation Project
- Donated Plants for Ohio State University Wetland Creation Project
- Presented Career Opportunities to Sussex Vo-Tech Environmental Program
- Donated Numerous Environmental Studies for Habitat for Humanity Projects

Selected Projects:

Firefly Music Festival – Dover, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting and Wetland Mitigation Design for the 2012, 2013, 2014 and 2015 festivals. The festival has grown every year and has required increased impacts in wetlands to accommodate the larger crowds and safe access. Permitting was always o a short time frame for this project.

Breakwater Beach – Bethany Beach, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting. For 30 years the property owner attempted to get approval to build the final eight homes on the beach but couldn't get the Corps of Engineer approvals. Watershed Eco, through creative design implementation, secured approval to construct these homes.

Peninsula – Millsboro, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting, Wetland Mitigation Design, Submerged Aquatic Vegetation Study, Fisheries Study, Forest Delineation and Assessment, Water Quality Monitoring and Environmental Features Construction Oversight.

The Reserves – Ocean View, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Ditch Characterization, Wetland Permitting, Wetland Mitigation Design and Delmarva Fox Squirrel Habitat Study.

Warrington Property/Oak Creek – Rehoboth, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Successful Appeal of JD for Isolated Wetlands, Revision to State Tidal Mapping and Consultation on Storm Water BMPs.

Shipyard Shops – Wilmington, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting.

Delaware Outdoor Advertising - Wilmington, Delaware

Provided Violation Resolution with the Corps of Engineers and the State for Billboards along I-95, Design of Wetland Mitigation, Construction Oversight and Wetland Mitigation Monitoring.

Townsend Station – Townsend, Delaware

Provided Violation Resolution with the Corps of Engineers for Illegal Wetland Fills, Design of Restoration and Mitigation Plans, Construction Oversight and Monitoring of Wetland Areas.

State Route 1, Phase II, Scott Run to Smyrna – Delaware

Provided Wetland Delineation, Jurisdictional Determination, Habitat Studies, Wetland Permitting, Wetland Mitigation Design, Construction Oversight, Wetland Mitigation Area Monitoring.

Photographs



Paved driveway in the northwestern portion of the property, looking east.



Pasture surrounding barn in the northeastern portion of the property, looking northeast.



Pasture area in the north-central portion of the property, looking northeast.



Pasture bordering woodlands in the southwestern portion of the property, looking west.



Pasture area in the southwestern portion of the property, looking northeast.



Typical forested upland in the south-central portion of the property.



Forested wetland abutting Dorman Branch in the southeastern portion of the property.



Forested wetland in the southeastern portion of the property.



Forested upland in the southeastern portion of the property, looking northwest.



Pasture area bordering woodlands in the central portion of the subject property, looking south.

Appendices

Belle Meade Farm, Lewes, Delaware

Wetland Delineation Map

Legend

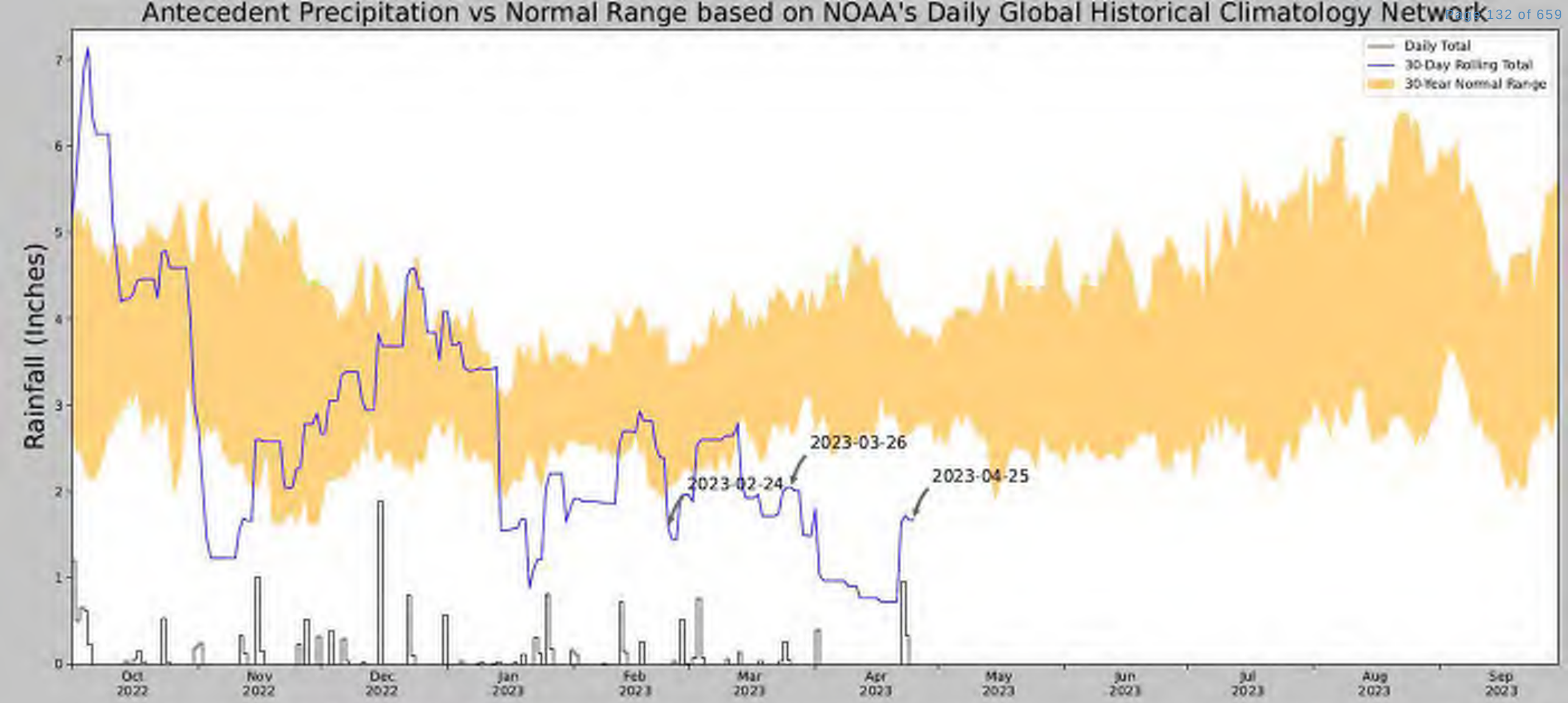
- Flag ID#
- Property Boundary
- Wetland Boundary

Saratoga Ln
Ocala Wy
Tanglewood Dr
Old Meadow Ln
Greener Tirl Ln
Mulberry Knoll Rd
24

Google Earth

800 ft

N



Coordinates	38.711454, -75.152545
Observation Date	2023-04-25
Elevation (ft)	14.925
Drought Index (PDSI)	Severe drought (2023-03)
WebWIMP H_2O Balance	Wet Season

30 Days Ending	30th %ile (in)	70th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2023-04-25	2.712992	3.902362	1.669291	Dry	1	3	3
2023-03-26	2.679134	4.098032	2.047244	Dry	1	2	2
2023-02-24	2.05748	3.448032	1.57874	Dry	1	1	1
Result							Drier than Normal - 6

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
GEORGETOWN-DELAWARE COASTAL AP	38.6897, -75.3625	49.869	11.421	34.944	5.538	9080	88
MILTON 3.8 SSE	38.7271, -75.287	38.058	4.822	11.811	2.227	1	1
GEORGETOWN 5 SW	38.6333, -75.45	44.948	6.121	4.921	2.785	1940	0
GEORGETOWN 5.8 W	38.6972, -75.4931	35.105	7.062	14.764	3.282	1	0
LEWES	38.7842, -75.1581	9.843	12.806	40.026	6.275	331	0
Linear Interpolation	N/A	N/A	N/A	N/A	N/A	0	1

Belmead Farm, Lewes, Delaware

Data Point Location Map

Legend

- Data Point Location
- Flag ID#
- Property Boundary
- Wetland Boundary

UPL-3

UPL-1

WET-1

UPL-2

WET-2

Google Earth

N

300 ft

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-1

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 2-5

Subregion (LRR or MLRA): LRR T Lat: 38.709160 Long: -75.152600 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DodB) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-1

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Liriodendron tulipifera*	20	yes	FACU
2. *Quercus alba*	25	yes	FACU
3. *Quercus rubra*	20	yes	FACU
4. *Pinus taeda*	20	yes	FAC
5.			
6.			
	85 = Total Cover		
50% of total cover: 42.5	20% of total cover: 17		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Quercus alba*	10	yes	FACU
3. *Liquidambar styraciflua*	5	yes	FAC
4. *Nyssa sylvatica*	5	yes	FAC
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Cornus florida*	15	yes	FACU
3.			
4.			
5.			
6.			
	35 = Total Cover		
50% of total cover: 17.5	20% of total cover: 7		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes _____ No _____

Remarks (If observed, list morphological adaptations below)

SOIL Sampling Point: UPL-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					loamy sand	
3-9	10YR 4/3	100					loamy sand	
9-20	10YR 4/6	100					sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-1 in the south-central portion of the property.



Soil profile at UPL-1.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: WET-1

Investigator(s): W. Twupack Section, Township, Range:

Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Concave Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.709046 Long: -75.152399 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ✓ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ____	**Is the Sampled Area within a Wetland?** Yes ✓ No ____
Hydric Soil Present?	Yes ✓	No ____	
Wetland Hydrology Present?	Yes ✓	No ____	

Remarks:

Forested wetland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ✓ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No ____	Depth (inches): 1"	
Water Table Present?	Yes ✓	No ____	Depth (inches): 0	
Saturation Present? (includes capillary fringe)	Yes ✓	No ____	Depth (inches): 0	**Wetland Hydrology Present?** Yes ✓ No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: WET-1

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Acer rubrum*	60	yes	FAC
2. *Nyssa sylvatica*	10	no	FAC
3.			
4.			
5.			
6.			
	70 = Total Cover		
50% of total cover: 35	20% of total cover: 14		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Acer rubrum*	15	yes	FAC
3.			
4.			
5.			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Magnolia virginiana*	5	yes	FACW
3.			
4.			
5.			
6.			
	10 = Total Cover		
50% of total cover: 5	20% of total cover: 2		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus effusus*	10	yes	OBL
2. *Carex lurida*	5	no	OBL
3. *Juncus tenuis*	5	no	FAC
4. *Woodwardia areolata*	10	yes	OBL
5. *Phragmites australis*	10	yes	FACW
6.			
7.			
8.			
9.			
10.			
11.			
	40 = Total Cover		
50% of total cover: 20	20% of total cover: 8		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is ≤3.0[1]
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL Sampling Point: WET-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 2/1	100					muck	saturated
9-20	10YR 3/2	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ✓ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A,B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, S, T)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks



Forested wetland at Data Point WET-1 in the south-central portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-2

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.708934 Long: -75.151363 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-2

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Quercus falcata*	15	yes	FACU
2. *Quercus alba*	30	yes	FACU
3. *Quercus rubra*	15	yes	FACU
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	15	yes	FAC
2. *Cornus florida*	10	yes	FACU
3.			
4.			
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	30	yes	FAC
2.			
3.			
4.			
5.			
6.			
	30 = Total Cover		
50% of total cover: 12	20% of total cover: 6		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ___ No ✓

Remarks (If observed, list morphological adaptations below)

SOIL Sampling Point: UPL-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					sandy loam	
3-6	10YR 4/3	100					sandy loam	
6-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-2 in the southeastern portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: WET-2

Investigator(s): W. Twupack Section, Township, Range:

Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Concave Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.708819 Long: -75.151184 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ✓ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ____	**Is the Sampled Area within a Wetland?** Yes ✓ No ____
Hydric Soil Present?	Yes ✓	No ____	
Wetland Hydrology Present?	Yes ✓	No ____	

Remarks:

Forested wetland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ✓ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No ____	Depth (inches): 0.5"	
Water Table Present?	Yes ✓	No ____	Depth (inches): 0	
Saturation Present? (includes capillary fringe)	Yes ✓	No ____	Depth (inches): 0	**Wetland Hydrology Present?** Yes ✓ No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants. Sampling Point WET-2

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Acer rubrum*	60	yes	FAC
2.			
3.			
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1 *Nyssa sylvatica*	10	yes	FAC
2 *Magnolia virginiana*	10	yes	FACW
3.			
4.			
5			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Vaccinium corymbosum*	10	yes	FACW
3			
4			
5			
6			
	15 = Total Cover		
50% of total cover: 7.5	20% of total cover: 3		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus tenuis*	10	yes	FAC
2 *Woodwardia areolata*	5	yes	OBL
3. *Juncus effusus*	5	no	OBL
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is ≤3.0[1]
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL Sampling Point: WET-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-20	10YR 3/1	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No _____

Remarks



Forested wetland at Data Point WET-2 in the southeastern portion of the property.



Saturated soils encountered at WET-2.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-3

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.710365 Long: -75.151586 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DoA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the east-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants. Sampling Point UPL-3

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Quercus falcata*	35	yes	FACU
2. *Liquidambar styraciflua*	30	yes	FAC
3. *Ilex opaca*	10	no	FAC
4.			
5.			
6.			
	75 = Total Cover		
50% of total cover: 37.5	20% of total cover: 15		
Sapling Stratum (Plot size 30 ft)			
1 *Ilex opaca*	45	yes	FAC
2 *Nyssa sylvatica*	5	yes	FAC
3.			
4.			
5			
6.			
	50 = Total Cover		
50% of total cover: 25	20% of total cover: 10		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Smilax rotundofolia*	5	yes	FAC
3			
4			
5			
6			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Herb Stratum (Plot size: 30 ft)			
1.			
2			
3.			
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover.		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 7 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 71.4 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

__ 1 - Rapid Test for Hydrophytic Vegetation

✓ 2 - Dominance Test is >50%

__ 3 - Prevalence Index is ≤3.0[1]

__ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height

Hydrophytic Vegetation Present? Yes ✓ No __

Remarks (If observed, list morphological adaptations below)

SOIL Sampling Point: UPL-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2	100					sandy loam	
4-9	10YR 4/3	100					sandy loam	
9-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-3 in the east-central portion of the property.



Soil profile at UPL-3.

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Sussex County, Delaware

Belmeade Farm, Lewes, DE



April 29, 2023

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

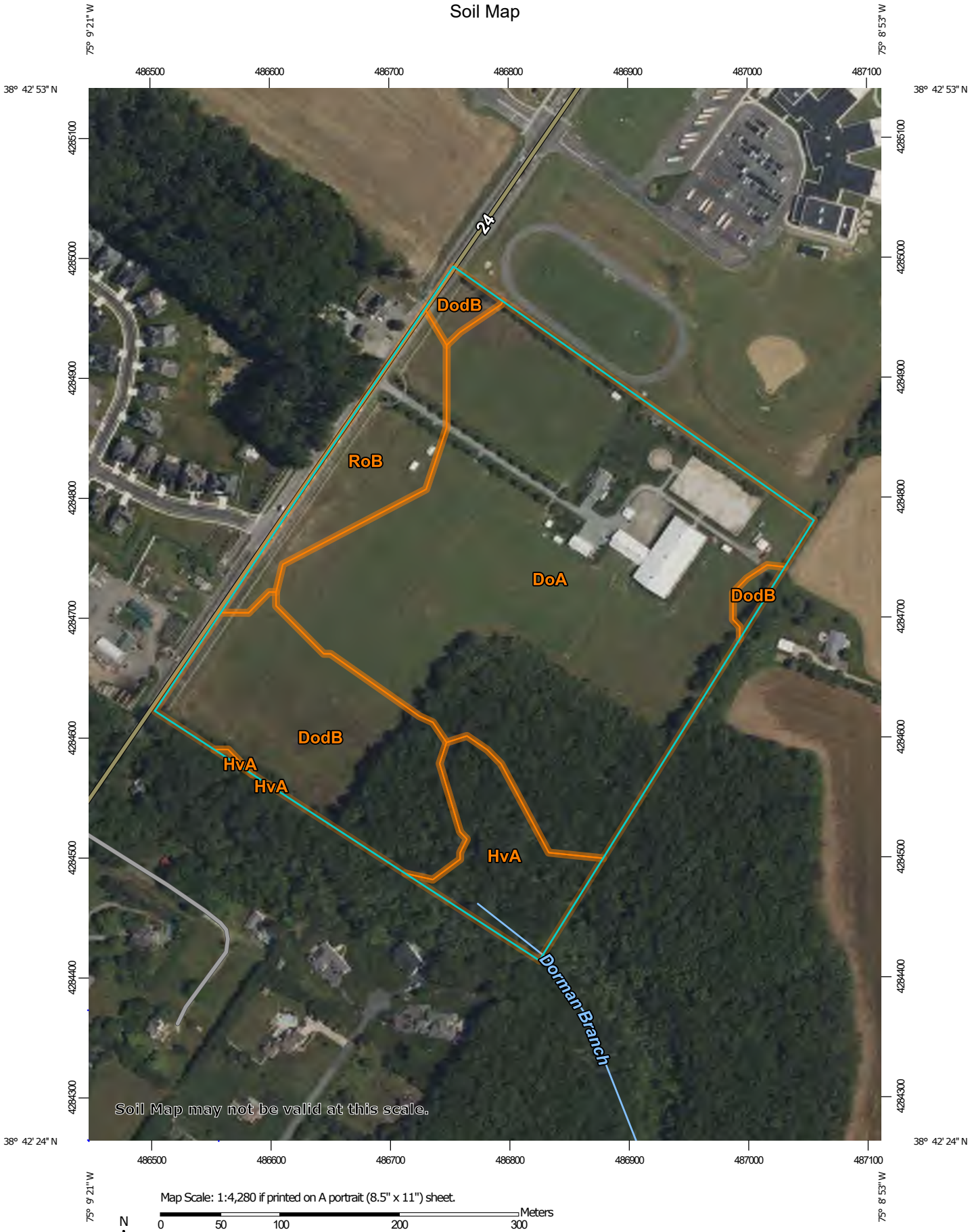
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

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

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

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

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

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 23, Sep 14, 2022

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

Date(s) aerial images were photographed: May 30, 2022—Jul 4, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	25.9	63.1%
DodB	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area	8.2	20.1%
HvA	Hurlock sandy loam, 0 to 2 percent slopes	3.2	7.9%
RoB	Rosedale loamy sand, 2 to 5 percent slopes	3.7	8.9%
Totals for Area of Interest		**41.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Sussex County, Delaware

DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwd
Elevation: 0 to 190 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 250 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Knolls, flats, low hills
Landform position (two-dimensional): Summit, shoulder
Landform position (three-dimensional): Interfluve, rise
Down-slope shape: Convex, linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Talf
Down-slope shape: Convex, linear
Across-slope shape: Linear
Hydric soil rating: No

DodB—Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwh
Elevation: 0 to 210 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 260 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Flats, knolls, low hills
Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Convex, linear
Across-slope shape: Convex, linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Flats, broad interstream divides
Landform position (two-dimensional): Footslope, shoulder
Landform position (three-dimensional): Dip
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Low hills, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Linear
Across-slope shape: Convex

Hydric soil rating: No

HvA—Hurlock sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qth9
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hurlock, drained, and similar soils: 42 percent
Hurlock, undrained, and similar soils: 38 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hurlock, Drained

Setting

Landform: Swales, depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
Eg - 10 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 10 to 20 inches
Frequency of flooding: None
Frequency of ponding: Rare
Available water supply, 0 to 60 inches: Moderate (about 6.7 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Description of Hurlock, Undrained

Setting

Landform: Drainageways, depressions, swales, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material
A - 2 to 4 inches: sandy loam
Eg - 4 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 0 to 10 inches
Frequency of flooding: None
Frequency of ponding: Occasional
Available water supply, 0 to 60 inches: Moderate (about 7.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Minor Components

Mullica, drained

Percent of map unit: 5 percent
Landform: Drainageways, depressions, swales, flats
Landform position (three-dimensional): Dip
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: Yes

Hammonton

Percent of map unit: 5 percent
Landform: Flats, drainageways
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Woodstown

Percent of map unit: 5 percent
Landform: Flats, fluviomarine terraces, broad interstream divides
Landform position (three-dimensional): Tread, rise
Down-slope shape: Linear

Across-slope shape: Linear
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

RoB—Rosedale loamy sand, 2 to 5 percent slopes

Map Unit Setting

National map unit symbol: 1qtjy
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Rosedale and similar soils: 75 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rosedale

Setting

Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy eolian deposits over fluviomarine deposits

Typical profile

A - 0 to 9 inches: loamy sand
E - 9 to 25 inches: loamy sand
Bt - 25 to 38 inches: sandy loam
C - 38 to 68 inches: loamy sand
2Cg - 68 to 80 inches: sandy clay loam

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 5.95 in/hr)
Depth to water table: About 40 to 72 inches
Frequency of flooding: None
Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 5.3 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Evesboro

Percent of map unit: 10 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Galloway

Percent of map unit: 5 percent
Landform: Flats, depressions
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

Hambrook

Percent of map unit: 5 percent
Landform: Depressions, flats, fluviomarine terraces
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

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Fish and Wildlife Threatened and Endangered Species List

United States Department of the Interior

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

In Reply Refer To: 01/20/2025 15:56:33 UTC
Project Code: 2025-0044405
Project Name: Belmeade Farm

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

To Whom It May Concern:

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

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

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

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

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

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

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

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

PROJECT SUMMARY

Project Code: 2025-0044405
Project Name: Belmeade Farm
Project Type: New Constr - Above Ground
Project Description: Above ground development.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.71070505,-75.15219081081176,14z



Counties: Sussex County, Delaware

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

WETLANDS

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

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1R
- PFO1B

DelDOT Service Level Evaluation Request Response Letter

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

NICOLE MAJESKI
SECRETARY

October 27, 2022

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Becker Morgan Group, Inc** proposed land use application, which we received on October 21, 2022. This application is for an approximate 40.00- acre parcel (Tax Parcel: 334-18.00-40.01). The subject land is located on the southeast side of John J Williams Highway (Delaware Route 24) approximately 1,700 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned C-1 (General Commercial), with a proposed zoning of C-4 (Planned Commercial) to build 125,000 square feet of commercial/ retail space and up to 480 multifamily housing units.

Per the 2021 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along John J Williams Highway from Plantation Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), is 17,338 and 22,294 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For residential and non-residential developments that are consistent with the Land Use and

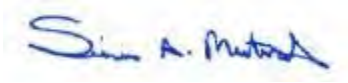
Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee per dwelling unit and a fee per square foot of non-residential space in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is not consistent with the LUTP, therefore, the developer will be required to perform a TIS to determine if the Level of Service (LOS) analyzed by the TID is consistent with the inclusion of the proposed development. If the LOS determined by the TIS is compliant with the TID, the proposed development is to pay the TID fee as stated above. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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

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

Sincerely,



Sireen Muhtaseb, PE
TIS Group Manager
Development Coordination

SM:afm
cc: Becker Morgan Group, Inc, Applicant
Lauren DeVore, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
Sussex Reviewer, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
James Argo, South District Project Reviewer, Maintenance & Operations
Todd Sammons, Assistant Director, Development Coordination
Kevin Hickman, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Reviewer, Development Coordination
Brian Yates, Subdivision Reviewer, Development Coordination
Thomas Gagnon, Subdivision Reviewer, Development Coordination
Joshua Johnson, Subdivision Reviewer, Development Coordination
Claudy Joinville, TIS Group Project Engineer, Development Coordination
Annamaria Furmato, TIS Group Project Engineer, Development Coordination

DelDOT Final Traffic Impact Study (TIS)

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

NICOLE MAJESKI
SECRETARY

June 4, 2024
Revised: June 24, 2024

Christopher Duke, P.E.
Becker Morgan Group, Inc.
100 Discovery Blvd, Suite 102
Newark, DE 19713

Dear Mr. Duke:

The enclosed Traffic Impact Study (TIS) review letter for the proposed **Belle Meade** (Tax Parcel: 334-18.00-40.01) multi-use development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TIS to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. This letter has been revised to clarify and to fix grammatical and formatting errors. The recommendation items and analysis results they are based on have not changed. On Page 1, a typo was fixed in the retail square footage. On Page 6, Item 3, turn lane lengths and minimum tapers and the name of the intersection in the body of Item 3 were added. DelDOT accepts this letter and concurs with the recommendations.

If you have any questions concerning this letter or the enclosed review letter, please contact me at Annamaria.Furmato@delaware.gov.

Sincerely,

Annamaria Furmato
TIS Group Project Engineer

AF:km
Enclosures
cc with enclosures: William Krapf, Capano Group, L.P.
David L. Edgell, Office of State Planning Coordination
Jamie Whitehouse, Sussex County Planning & Zoning
Andrew J. Parker, McCormick Taylor, Inc.
Tucker Smith, McCormick Taylor, Inc.
DelDOT Distribution

DelDOT

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Pamela Steinebach, Director, Planning
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
John Pietrobono, Acting Sussex County Review Coordinator, Development Coordination, Planning
Kevin Hickman, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Steve Bayer, Regional Transportation Planner, Statewide & Regional Planning

June 6, 2024

Ms. Annamaria Furmato
Project Engineer
DelDOT Division of Planning
P.O. Box 778
Dover, DE 19903

RE: Agreement No. 1946F
Traffic Impact Study Services
Task No. 5A Subtask 08A – Belle Meade

Dear Ms. Furmato:

McCormick Taylor has completed its review of the Traffic Impact Study (TIS) for the Belle Meade development prepared by Becker Morgan Group, Inc. dated February 2024. Becker Morgan Group prepared the report in a manner generally consistent with DelDOT's Development Coordination Manual.

The TIS evaluates the impacts of the proposed Belle Meade development, along the south side of Delaware Route 24 (Sussex Road 24), approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. The proposed development would consist of 125,000 square feet of retail space and 480 low-rise multi-family houses. One signalized access point is proposed on Delaware Route 24 opposite Lexington Avenue. Construction is anticipated to be completed in 2032.

The subject land is located on an approximately 38.33-acre parcel. The subject land is currently zoned AR-1 (Agricultural Residential) and the developer plans to rezone the land to C-4 (Planned Commercial).

Relevant and On-Going Projects and Studies

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The TID buildout year is 2045 and the minimum acceptable is LOS D.

Summary of Analysis Results

Based on our review, we have the following comments and recommendations:

The following intersections exhibit level of service (LOS) deficiencies without the implementation of physical roadway and/or traffic control improvements:

Intersection	***Existing Traffic Control***	***Situations for which deficiencies occur***
1. SR 24 / Lexington Avenue / Site Entrance	Unsignalized	2032 with development AM, PM, SAT (Case 3)
4. SR 24 / Plantation Road / Warrington Road	Signalized	2032 with development PM (Case 3)
6. SR 24 / Bryn Mawr Drive	Unsignalized	2032 without development PM and SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
9. Warrington Road / Old Landing Road	Unsignalized	2022 Existing SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
10. Mulberry Knoll Road / Cedar Grove Road	Unsignalized	2032 without development SAT (Case 2) 2032 with development PM and SAT (Case 3)
12. SR 24 / Spencer Lane / Williams Way	Unsignalized	2022 Existing PM and SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
13. SR 24 / Camp Arrowhead Road	Signalized	2032 with development SAT (Case 3)

14. SR 24 / Harts Road	Unsignalized	2022 Existing PM (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
16. SR 24 / Jolyns Way	Unsignalized	2032 without development SAT (Case 2) 2032 with development SAT (Case 3)

1. SR 24 / Lexington Avenue / Site Entrance (See Recommendations 2 and 3 & Table 2, Page 22)
This unsignalized intersection experiences LOS deficiencies during the AM, PM, and Saturday peaks in Case 3. In Case 3 during the PM and Saturday peaks, the northbound and southbound approaches are expected to operate at LOS F with over 2,500 seconds of delay. The developer proposes to construct a traffic signal at this intersection to mitigate the LOS deficiency. A Traffic Signal Justification Study (TSJS) has been prepared by the Department demonstrating that the warrants for a traffic signal are met with Case 3 volumes. If the intersection were signalized with the lane configuration as proposed in the *SR 24, Love Creek to Mulberry Knoll* project, the intersection will still operate at LOS F in the Saturday peak. The Henlopen TID proposes to widen SR 24 through this intersection to provide two through lanes in each direction. With signalization and the TID improvements the intersection is expected to operate at LOS C or better during all three peak periods.

4. SR 24 / Plantation Road / Warrington Road (See Recommendation 4 & Table 5, Page 25)
This signalized intersection experiences LOS deficiencies during the PM peak in Case 3. In Case 3 during the PM peak, the northbound approach is expected to operate at LOS F with 81.7 seconds of delay while the overall intersection will operate at LOS E with 60.8 seconds of delay. Queues on the northbound approach are expected to be over 838 feet long which exceeds the available storage. The Henlopen TID proposes to widen the Plantation Road and Warrington Road approaches to include two left-turn lanes, two through lanes, and one right turn lane. With the TID improvements at this intersection, the intersection is expected to operate at LOS D with 49.5 seconds of delay.

6. SR 24 / Bryn Mawr Drive (Table 7, Page 27)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peaks in Case 2 and the AM, PM, and Saturday Peaks in Case 3. In Case 3 during the PM peak, the southbound approach is expected to operate at LOS F with 62.5 seconds of delay and queues over 65 feet long. A signal could mitigate the LOS deficiencies at his intersection. However, a signal is not recommended because of the proximity to adjacent signals and the low minor street volumes. Bryn Mawr Drive is a private road and the delay is only experienced on the minor street approach without impact to Delaware Route 24.

9. Warrington Road / Old Landing Road (See Recommendation 4 & Table 10, Page 30)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 during the PM peak, the intersection has failing LOS on three approaches with the overall intersection operating at LOS F with 69 seconds of delay. The Henlopen TID proposes a roundabout at this intersection which will mitigate the LOS deficiency.

10. Mulberry Knoll Road / Cedar Grove Road (See Recommendation 4 & Table 11, Page 31)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 2 and the PM and Saturday peaks in Case 3. In Case 3 during the Saturday peak, the northbound Mulberry Knoll Road approach is expected to operate at LOS F with 837.7 seconds of delay and queues over 753 feet long. The developer recommends the construction of a dedicated eastbound right-turn lane on Cedar Grove Road. However, this improvement fails to fully mitigate the LOS deficiency. The Henlopen TID proposes a roundabout at this intersection.

12. SR 24 / Spencer Lane / Williams Way (See Recommendation 4 & Table 13, Page 33)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peak hours in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3, during the PM peak, the southbound approach is expected to operate at LOS F with 505.6 seconds of delay and queues over 63 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection. With that improvement, the intersection continues to experience LOS deficiencies. It should be noted that the delay is only experienced on the minor street approach, which is a private road. A signal is not recommended at this intersection due to the low minor street volumes. Additionally, the northbound volume during all peak hours is less than 10 vehicles.

13. SR 24 / Camp Arrowhead Road (See Recommendation 4 & Table 14, Page 34)
This signalized intersection experiences LOS deficiencies during the Saturday peak in Case 3. In Case 3 during the Saturday peak, the eastbound approach is expected to operate at LOS F with 95 seconds of delay and queues over 1,573 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection which mitigates the LOS deficiency.

14. SR 24 / Harts Road (See Recommendation 4 & Table 15, Page 35)
This unsignalized intersection experiences LOS deficiencies during the PM peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 in the PM peak hour the southbound Harts Road approach is expected to operate at LOS F with 989.9 seconds of delay. The Henlopen TID proposes the elimination of this intersection.

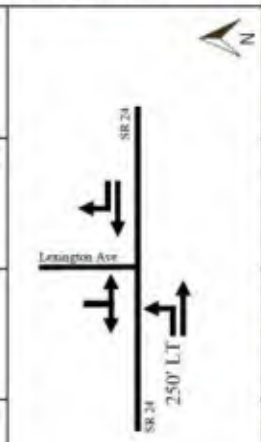
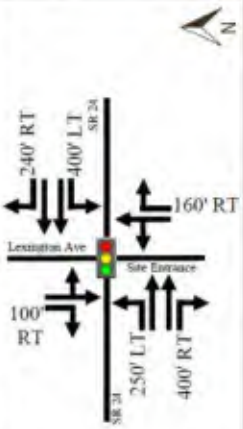
16. SR 24 / Jolyns Way (See Recommendation 4 & Table 17, Page 37)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Cases 2 and 3. In Case 3 during the Saturday peak, the northbound Jolyns Way approach is expected to operate at LOS E with 45.3 seconds of delay and queues of less than one vehicle. It should be noted that the forecasted volume on this approach is five (5) vehicles in the Saturday peak hour. The Henlopen TID proposes to signalize this intersection, widen SR 24 to include two through lanes in each direction, and add a northern leg to the intersection that will connect to Robinsonville Road. These improvements will mitigate the LOS deficiencies.

Development Improvements

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

1. The developer shall improve the State-maintained Roads on which they front (Delaware Route 24), within the limits of their frontage. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. "Frontage" means the length along the state right-of-way of a single property tract where an entrance is proposed or required. If a single property tract has frontage along multiple roadways, any segment of roadway including an entrance shall be improved to meet DelDOT's Functional Classification criteria as found in Section 1.1 of the Development Coordination Manual and elsewhere therein, and/or improvements established in the Traffic Operational Analysis and/or Traffic Impact Study. "Secondary Frontage" means the length along the state right-of-way of a single property tract where no entrance is proposed or required. The segment of roadway may be upgraded by improving the pavement condition of the existing roadway width. The Pavement Management Section and Subdivision Section will determine the requirements to improve the pavement condition.

2. The developer should construct the full-movement Site Entrance on Delaware Route 24. The proposed configuration is shown in the table below.

Approach	Current Configuration		Approach	Proposed Configuration	
Eastbound SR 24	One left turn lane and one through lane		Eastbound SR 24	One left turn lane, two through lanes, and one right turn lane	
Westbound SR 24	One through lane and one right turn lane.		Westbound SR 24	One left turn lane, two through lanes, and one right turn lane	
Northbound	Approach does not exist.		Northbound Site Entrance	One shared left / through lane and one right turn lane.	
Southbound Lexington Avenue	One shared left / right turn lane. Stop Control.		Southbound Lexington Avenue	One shared left / through lane and one right turn lane.	

At the proposed Site Entrance intersection, an eastbound right-turn lane is warranted on SR 24 based on DelDOT's Auxiliary Lane Worksheet, Figure 5.2.9.1-b. Initial recommended minimum turn lane length (excluding taper) is a 400-foot right-turn lane on eastbound SR 24. The westbound left-turn lane should be designed to accommodate the 95th percentile queues. Initial recommended minimum turn lane length (excluding taper) is a 400-foot left-turn lane on westbound SR 24. The developer should coordinate with DelDOT's Development Coordination Section to determine final turn lane lengths and other design details during the site plan review.

3. The developer should enter into a traffic signal agreement to design and construct a traffic signal with pedestrian crossings at the intersection of Site Entrance / Lexington Avenue and SR 24. SR 24 should be widened to include two 11-foot through lanes and 5-foot bicycle lanes in each direction within the extents of the site frontage. Beginning at the western extent of the site frontage, a minimum 150-foot eastbound lane addition taper should be provided to add the second eastbound through lane. Beginning west of the intersection, a minimum 495-foot westbound lane drop taper should be provided. At the signalized intersection there should be dedicated left-turn lanes and channelized right-turn lanes on each SR 24 approach, and on the northbound and southbound approaches there should be a shared left / through lane and a channelized right-turn lane. Initial recommended minimum turn lane lengths (excluding tapers) are a 250-foot eastbound left-turn lane, a 240-foot westbound right-turn lane, a 160-foot northbound right-turn lane, and a 100-foot southbound right-turn lane. At the signalized intersection the developer should also construct signalized pedestrian crossings on all approaches. The developer should coordinate with DelDOT's Development Coordination Section to determine final turn lane

lengths and other design details during the site plan review. The developer will be granted credit against their TID fee for this work.

4. The developer shall pay the Henlopen TID fee. The developer should coordinate with DelDOT regarding the TID fee amount and payment terms.

5. The following bicycle and pedestrian improvements should be included:

   a. Per the DelDOT Development Coordination Manual section 5.2.9.2, bicycle lanes are required where right-turn lanes are being installed.

   b. Appropriate bicycle symbols, directional arrows, pavement markings, and signing should be included along bicycle facilities and turn lanes within the project limits.

   c. Utility covers should be made flush with the pavement.

   d. A minimum 15-foot-wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT within the site frontages along Delaware Route 24. Within the easement, a minimum of a 10-foot wide shared-use path should be constructed. The shared-use path should meet AASHTO and ADA standards and should have a minimum of a five-foot buffer from the roadway. At the property boundaries, the shared-use path should connect to the adjacent property or to the shoulder in accordance with DelDOT's Shared-Use Path and/or Sidewalk Termination Reference Guide dated August 1, 2018. The developer shall coordinate with DelDOT's Development Coordination Section through the plan review process to determine the details of the shared-use path design and connections/terminations at or before both boundaries of the property.

   e. ADA compliant curb ramps and crosswalks should be provided at all pedestrian crossings, including all site entrances. Type 3 curb ramps are discouraged.

   f. Internal sidewalks for pedestrian safety and to promote walking as a viable transportation alternative should be constructed within the development. These sidewalks should each be a minimum of five-feet wide (with a minimum of a five-foot buffer from the roadway) and should meet current AASHTO and ADA standards. Internal sidewalks in the development should connect to the proposed shared-use path along the site frontages.

   g. Construct a bus stop pad on SR 24 within the site frontage. Bus stop pad should connect to shared use paths and sidewalks along the site frontage. Location, size, and type of bus pad will be determined through coordination with the Delaware Transit Corporation (DTC).

Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at http://deldot.gov/Publications/manuals/de_mutcd/index.shtml.

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

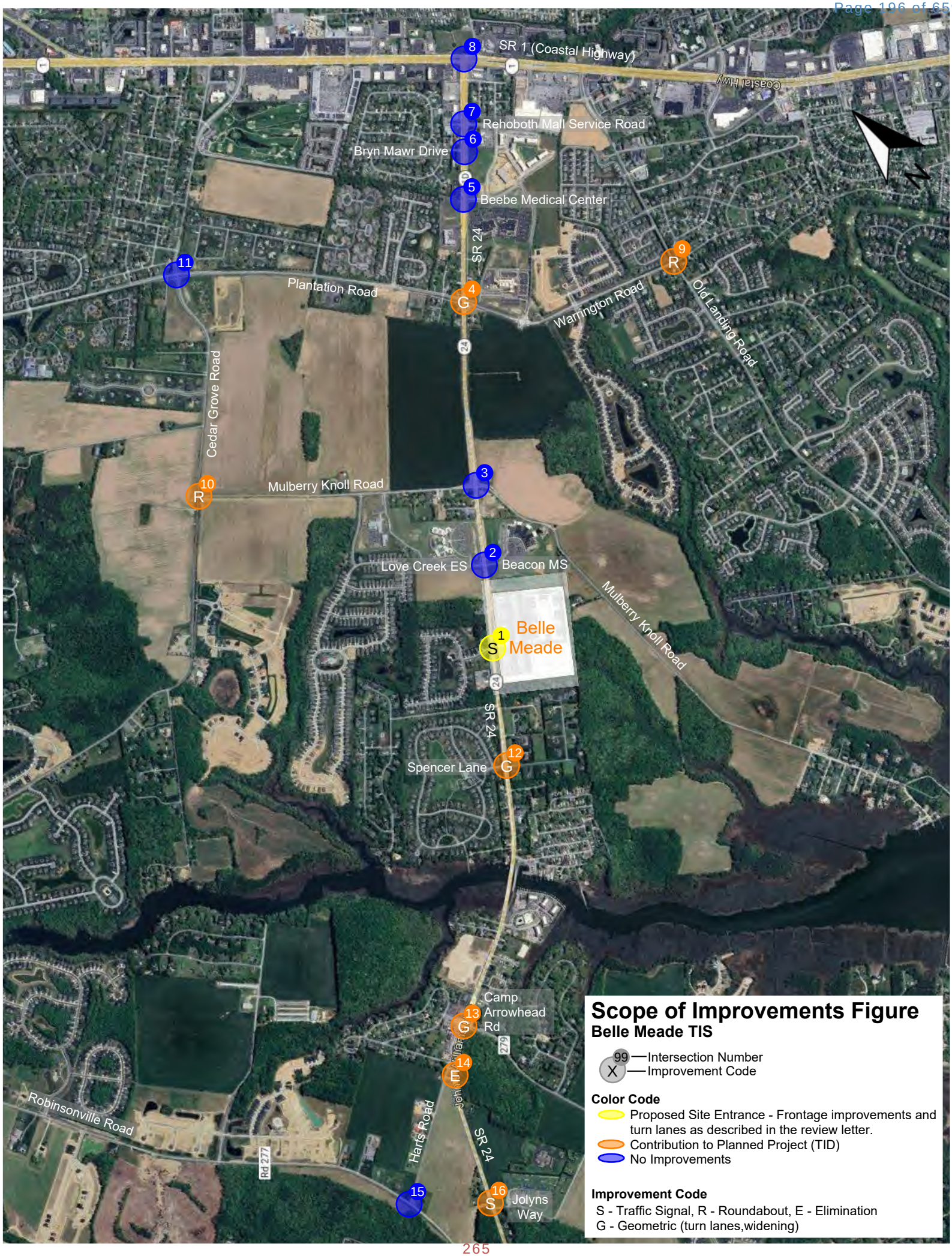
Additional details on our review of this TIS are attached. Please contact me at (610) 640-3500 or through e-mail at ajparker@mccormicktaylor.com if you have any questions concerning this review.

Sincerely,

McCormick Taylor, Inc.

Andrew J. Parker, PE, PTOE
Project Manager

Enclosure



Scope of Improvements Figure

Belle Meade TIS

99 — Intersection Number
X — Improvement Code

Color Code

- Proposed Site Entrance - Frontage improvements and turn lanes as described in the review letter.
- Contribution to Planned Project (TID)
- No Improvements

Improvement Code

S - Traffic Signal, R - Roundabout, E - Elimination
G - Geometric (turn lanes,widening)

General Information

Report date: February 2024
Prepared by: Becker Morgan Group, Inc
Prepared for: Capano Management, Inc.
Tax parcel: 334-18.00-40.01
Generally consistent with DelDOT's Development Coordination Manual: Yes

Project Description and Background

Description: The proposed Belle Meade development consists of 125,000 square feet of retail space, 480 low-rise multi-family houses.
Location: The site is located along the south side of Delaware Route 24, approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. A site location map is included on page 11.
Amount of land to be developed: an approximately 38.33-acre parcel.
Land use approval(s) needed: The subject land is currently zoned AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial).
Proposed completion year: 2032
Proposed access locations: One full access point is proposed on Delawar Route 24 opposite Lexington Avenue.
Average Daily Traffic Volumes (per DelDOT Traffic Summary 2022):

- Delaware Route 24: 18,591 vehicles/day


Mulberry Knoll Road
SR 24
N
Mulberry Knoll Road
SR 24
Site Location Map
Proposed Entrance

2020 Delaware Strategies for State Policies and Spending

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed Belle Meade development is located within Investment Level 2.

Investment Level 2
This investment level has many diverse characteristics. These areas can be composed of less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas, smaller towns and rural villages that should grow consistently with their historic character, and suburban areas with public water, wastewater, and utility services. These areas have been shown to be the most active portion of Delaware's developed landscape. They serve as transition areas between Level 1 and the more open, less populated areas. They generally contain a limited variety of housing types, predominantly detached single-family dwellings.

In Investment Level 2, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity.

Investments should encourage departure from the typical single-family-dwelling developments and promote a broader mix of housing types and commercial sites encouraging compact, mixed-use development where applicable. Overall, the State's intent is to use spending and management tools to promote well-designed development in these areas. Such development provides for a variety of housing types, user-friendly transportation systems, and provides essential open spaces and recreational facilities, other public facilities, and services to promote a sense of community. Investment Level 2 areas are prime locations for designating "pre-permitted areas."

Proposed Development's Compatibility with Strategies for State Policies and Spending:
The proposed Belle Meade development falls within Investment Level 2 and is to be developed as 125,000 square feet of retail space, 480 low-rise multi-family houses. The proposed development is consistent with the character of Investment Level 2. It is therefore concluded that the proposed development appears to generally comply with the policies stated in the 2020 "Strategies for State Policies and Spending."

Comprehensive Plan

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

The Sussex County Comprehensive Plan Future Land Use Map indicates that the proposed Belle Meade site is planned for "Commercial" land use. It would appear that the proposed Belle Meade development generally fits within the intended land use for this location.

Proposed Development's Compatibility with Comprehensive Plan:
The proposed development appears to comply with the Sussex County Comprehensive Plan. The Belle Meade development is proposed on land that is planned for Commercial use. The land is

zoned as AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial). The proposed development generally aligns with both the Future Land Use Map and the proposed zoning.

Relevant Projects in the DelDOT Capital Transportation Program

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The TID buildout year is 2045 and the minimum acceptable is LOS D.

Trip Generation

Trip generation for the proposed development was computed using comparable land uses and equations contained in Trip Generation, Eleventh Edition, published by the Institute of Transportation Engineers (ITE). The following land use was utilized to estimate the amount of new traffic generated for this development:

- 480 low-rise multi-family dwelling units (ITE Land Use Code 220)
- 125,000 square-foot Retail Space (ITE Land Use Code 821)

Table 1
Peak Hour Trip Generation

Land Use	Phase	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
LUC 220	Gross	173	211	384	249	211	460	336	315	651
LUC 821	Pass-by	0	0	0	114	106	220	127	116	243
Total Trips		**173**	**211**	**384**	**363**	**317**	**680**	**463**	**431**	**894**

Overview of TIS

Intersections examined:

1) Site Entrance / Lexington Avenue / Delaware Route 24
2) Delaware Route 24 / Love Creek Elementary School / Beacon Middle School
3) Delaware Route 24 / Mulberry Knoll Road (Sussex Road 284)
4) Delaware Route 24 / Plantations Road / Warrington Road (Sussex Road 275)
5) Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)
6) Delaware Route 24 / Bryn Mawr Drive
7) Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way
8) Delaware Route 1 / Delaware Route 24
9) Warrington Road / Old Landing Road (Sussex Road 274)
10) Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)
11) Cedar Grove Road / Plantations Road
12) Delaware Route 24 / Spencer Lane / Williams Way
13) Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)
14) Delaware Route 24 / Harts Road (Sussex Road 277C)
15) Robinsonville Road (Sussex Road 277) / Harts Road
16) Delaware Route 24 / Jolyns Way (Sussex Road 289)

Conditions examined:

1) 2022 Existing (Case 1)
2) 2032 without development (Case 2)
3) 2032 with development (Case 3)

Peak hours evaluated: Weekday morning, evening, and Saturday mid-day peak hours

Committed developments considered:

1) Scenic Manor f.k.a. Estates at Mulberry Knoll (320 single-family detached houses)
2) V&M, LLC (5,000 square-foot super convenience store with gas pumps and a 12,000 square-foot office)
3) Belle Terre (269 single-family detached houses)
4) Arbor-Lyn (142 single-family detached houses)
5) Osprey Point (217 single-family detached houses)
6) Welshes Pond f.k.a. Fieldstone (247 single-family detached houses)
7) Wellesley (132 single-family detached houses)
8) Centre at Love Creek f.k.a. Pelican Landing (84,576 square-foot shopping center)
9) Marsh Island (139 single-family detached houses)
10) Chase Oaks f.k.a. Charter Oak (249 single-family detached houses)
11) Brentwood f.k.a. Coral Lakes (198 single-family detached houses)
12) Tanager Woods f.k.a. Street Property (173 single-family detached houses)
13) Middle Creek Preserve (313 single-family detached houses)
14) Hailey's Glen f.k.a. Kielbasa Property (68 single-family detached houses)
15) Beachtree Preserve (155 single-family detached houses)

Intersection Descriptions

1) **Site Entrance/Lexington Avenue & Delaware Route 24**
   Type of Control: Currently unsignalized and proposed to be signalized.
   Eastbound Approach: (DE 24) existing one left-turn lane and one through lane; proposed one left-turn, two through, and one right-turn lane.
   Westbound Approach: (DE 24) existing one through and one right-turn lane; proposed one left-turn, two through, and one right-turn lane.
   Northbound Approach: (Site Entrance) proposed one shared left-through and one right-turn lane.
   Southbound Approach: (Lexington Avenue) stop-controlled; currently one shared left/right-turn lane; proposed one shared left/through and one right-turn lane.

2) **Delaware Route 24 / Love Creek Elementary School / Beacon Middle School**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Beacon Middle School) one shared left/through lane and one right-turn lane.
   Southbound Approach: (Love Creek Elementary School) one shared left/through lane and one right-turn lane.

3) **Delaware Route 24 & Mulberry Knoll Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Mulberry Knoll Road) one shared left/through lane and one right-turn lane.
   Southbound Approach: (Mulberry Knoll Road) one shared left/through lane and one right-turn lane.

4) **Delaware Route 24 & Plantation Road / Warrington Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Warrington Road) one left-turn lane, one shared left/through lane, one through lane, and one right-turn lane.
   Southbound Approach: (Plantation Road) one left-turn lane, one shared left/through lane, one through lane, and one right-turn lane.

5) **Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Beebe Road) one shared left/through lane and one right-turn lane.
Southbound Approach: (Entrance to Residence Inn) one shared left/through lane and one right turn lane.

6) **Delaware Route 24 / Bryn Mawr Drive**
Type of Control: three-leg stop controlled intersection.
Eastbound Approach: (DE 24) one left-turn lane and two through lanes.
Westbound Approach: (DE 24) one right-turn lane and two through lanes.
Southbound Approach: (Bryn Mawr Drive) stop-controlled; one shared left-right turn lane.

7) **Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Rehoboth Mall Service Road) one shared left-through lane and one right turn lane.
Southbound Approach: (Hudson Way) one shared left-through lane and one right turn lane.

8) **Delaware Route 1 / Delaware Route 24**
Type of Control: signalized three-leg intersection.
Eastbound Approach: (DE 24) three left-turn lanes and two right-turn lanes.
Northbound Approach: (DE 1) two left-turn lanes and three through lanes.
Southbound Approach: (DE 1) one U-turn lane, three through lanes, and one right turn.

9) **Warrington Road / Old Landing Road (Sussex Road 274)**
Type of Control: all-way stop-controlled four-leg intersection.
Eastbound Approach: (Warrington Road) one left-turn lane and one shared through/right-turn lane.
Westbound Approach: (Strawberry Road) one shared left/through/right-turn lane.
Northbound Approach: (Old Landing Road) one shared left/through/right-turn lane.
Southbound Approach: (Old Landing Road) one shared left/through/right-turn lane.

10) **Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (Cedar Grove Road) one shared through/right-turn lane.
Westbound Approach: (Cedar Grove Road) one shared left-turn/through lane.
Northbound Approach: (Mulberry Knoll Road) stop-controlled; one shared left/right-turn lane.

11) **Cedar Grove Road / Plantation Road**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (Cedar Grove Road) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (Cedar Grove Road) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Plantation Road) one left-turn lane, one through lane, and one right-turn lane.
Southbound Approach: (Plantation Road) one left-turn lane, one through lane, and one right-turn lane.

12) **Delaware Route 24 / Spencer Lane / Williams Way**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Williams Way) stop-controlled; one shared left/through/right-turn lane.
Southbound Approach: (Spencer Lane) stop-controlled; one shared left/through lane and one right-turn lane.

13) **Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Camp Arrowhead Road) one left-turn lane, one through lane, and one right-turn lane.
Southbound Approach: (Fairfield Road) one left-turn lane and one shared through/right-turn lane.

14) **Delaware Route 24 / Harts Road (Sussex Road 277C)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane and one through lane.
Westbound Approach: (DE 24) one through lane and one right-turn lane.
Southbound Approach: (Harts Road) stop-controlled; one right-turn lane and one left-turn lane.

15) **Robinsonville Road (Sussex Road 277) / Harts Road**
Type of Control: stop-controlled three-leg intersection.
Westbound Approach: (Harts Road) stop-controlled; one shared left/right-turn lane.
Northbound Approach: (Robinsonville Road) existing one shared through/right-turn lane.
Southbound Approach: (Robinsonville Road) existing one shared left-turn/through lane.

16) **Delaware Route 24 / Jolyns Way (Sussex Road 289)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one shared through/right-turn lane.
Westbound Approach: (DE 24) one shared left-turn/through lane.
Northbound Approach: (Jolyns Way) stop-controlled; one shared left/right-turn lane.

Safety Evaluation

Crash Data: Delaware Crash Analysis Reporting System (CARS) data was provided in the TIS for the three-year period from January 1, 2021, through December 31, 2023. A total of 7 reportable crashes occurred within 0.1 miles of the site access. Three were rear-end, two were sideswipe, one was an angle, and one was a single-vehicle crash. None of the crashes caused any injury or involved pedestrians or bicyclists.

Sight Distance: The study area generally consists of relatively flat roadways and there are few visual obstructions. As always adequacy of available sight distance should be confirmed during the site plan review process for all proposed movements at the site accesses.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Based on the current DART Bus Stop Map, the Delaware Transit Corporation (DTC) currently operates one fixed-route transit bus route in the area of the proposed Belle Meade development. Route 215 Millsboro/Rehoboth runs along DE 24 with the nearest stops located west of the site at the Love Creek Marina and east of the site at Beebe Medical Center.

Planned transit service: Delaware Transit Corporation (DTC) has requested that the developer construct a bus stop pad on SR 24 within the site frontage. The location, size, and type of bus pad will be determined through coordination with DTC.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, Delaware Route 24 is designated as a High-Traffic Regional Bicycle Route with a Bikeway. Plantation Road is designated as a High-Traffic Statewide Bicycle Route with a Bikeway. Recent

DelDOT projects along SR 24 have or are in the process of adding bicycle lanes along SR 24 between Love Creek and SR 1. The same projects have also added sidewalks or shared use paths along the same segment of SR 24, except for the segment between Mulberry Knoll Road and Plantation Road / Warrington Road.

Planned bicycle and pedestrian facilities: The developer should maintain the existing sidewalk or shared use path along the site frontage that was constructed by the "SR 24, Love Creek to Mulberry Knoll" project. In addition, a signalized pedestrian crossing of SR 24 should be included at the proposed signal at the intersection of SR 24 and Lexington Avenue.

Previous Comments

The initial scoping memorandum between the developer and DelDOT was dated December 9, 2022.

In a review letter dated October 6, 2023, DelDOT commented on the traffic counts and seasonally adjusted traffic volumes. The developer was asked to include additional committed developments that were originally included in the scoping memorandum. DelDOT also provided additional count data and directed the developer to update the volume figures.

In a second review letter dated October 30, 2023, DelDOT requested additional revisions to the committed development volumes due to construction detours in the area during the traffic counts. The developer was asked to address the noted issues and proceed with the Preliminary TIS.

In a third review letter dated December 28, 2023, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and distribution. The developer was then directed to resubmit the Preliminary TIS.

In a fourth review letter dated January 25, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and then resubmit the Preliminary TIS.

In a fifth review letter dated February 15, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to revise how growth factors were applied to volumes provided by the Henlopen TID and associated volume figures then resubmit the Preliminary TIS.

In a sixth review letter dated February 19, 2024, DelDOT noted that the Preliminary TIS was acceptable as submitted and directed the developer to proceed with the Final TIS.

It appears that all substantive comments from DelDOT's TIS Scoping Memorandum, Traffic Count Review, Preliminary TIS Review, and other correspondence were addressed in the Final TIS submission.

General HCS Analysis Comments
(see table footnotes on the following pages for specific comments)

1) Both the TIS and McCormick Taylor utilized Highway Capacity Software (HCS) version 2023 to complete the traffic analyses.

2) The TIS and McCormick Taylor generally used heavy vehicle percentages (HV%) from turning movement counts for existing and future conditions (as per DelDOT's Development Coordination Manual section 2.2.8.11.6.H). McCormick Taylor and the TIS assumed 3% HV for future movements and at the proposed site entrance.

3) The TIS and McCormick Taylor determined overall intersection peak hour factors (PHF) for each intersection based on the turning movement counts. Future PHFs were determined as per the DelDOT Development Coordination Manual section 2.2.8.11.6.F where applicable. The application of future PHFs in the TIS was inconsistent between intersections and volume scenarios.

4) For analyses of all intersections, McCormick Taylor and the TIS assumed 0% grade for all movements.

Table 2
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [1] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
1. SR 24 / Lexington Avenue / Site Entrance	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 – Left	A (8.1)	B (10.4)	A (8.7)	A (8.1)	B (10.5)	A (8.8)
Southbound Lexington Avenue	D (30.0)	E (42.7)	E (35.7)	D (30.5)	E (43.0)	E (36.3)
2032 No Build (Case 2) [2]						
Eastbound SR 24 – Left	A (9.0)	B (13.3)	B (10.5)	A (9.0)	B (13.2)	B (10.4)
Southbound Lexington Avenue	E (36.8)	F (90.0)	F (53.2)	F (108.0)	F (251.2)	F (150.1)
2032 Build (Case 3) [2]						
Eastbound SR 24 – Left	A (9.0)	B (12.8)	B (10.1)	A (9.0)	B (12.7)	B (10.1)
Westbound SR 24 – Left	B (13.9)	C (17.7)	D (34.9)	B (13.8)	C (16.6)	E (35.8)
Northbound Site Entrance	F (333.4)	F (3337.9)	F (10913)	F (1486.8)	F (17804.0)	F (44574.1)
Southbound Lexington Avenue	F (354.3)	F (2563.7)	F (6644.9)	F (3163.6)	F (13387.7)	[3]
2032 Build (Case 3) Signal [2]						
Overall	-	-	-	B (14.1)	C (28.3)	F (92.9)
2032 Build (Case 3 w/ TID) Signal [4]						
Overall	B (10.2)	B (11.6)	B (19.2)	B (12.0)	B (16.0)	C (25.0)

[1] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[2] TIS modeled Case 2 and 3 with two through lanes in both eastbound and westbound directions on SR 24. MT modeled with one through lane in each direction based on the proposed condition in the SR 24, Love Creek to Mulberry Knoll Road Project.
[3] Capacity cannot be calculated as intersection volume exceeds HCM limitations.
[4] Henlopen TID proposes two through lanes in each direction along SR 24.

Table 3
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [5]	**LOS per TIS**			**LOS per McCormick Taylor**		
2. SR 24 / Love Creek Elementary School / Beacon Middle School	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1) [6]						
Overall	A (9.6)	A (7.7)	A (2.0)	B (14.2)	B (10.4)	A (6.6)
2032 No Build (Case 2)						
Overall	A (6.4)	A (4.6)	A (0.6)	B (10.3)	A (5.4)	C (20.3)
2032 Build (Case 3)						
Overall	A (5.9)	A (4.5)	A (0.8)	C (23.3)	A (7.3)	D (41.3)

[5] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[6] TIS modeled intersection in Case 1 with one through lane in each direction. Existing conditions, following the completion of the SR 24, Love Creek to Mulberry Knoll Road Project, will have two through lanes in each direction along SR 24.

Table 4
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [7]	**LOS per TIS**			**LOS per McCormick Taylor**		
3. SR 24 / Mulberry Knoll Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (8.8)	A (9.3)	B (18.1)	A (8.9)	A (8.3)	B (17.0)
2032 No Build (Case 2)						
Overall	C (30.5)	D (46.0)	E (78.1)	B (19.9)	C (23.3)	C (28.5)
2032 Build (Case 3)						
Overall	D (37.0)	D (52.3)	F (85.0)	C (20.7)	C (24.9)	C (30.1)
2032 Build (Case 3 w/ TID)[8]						
Overall	-	-	-	B (17.1)	B (16.4)	C (23.5)

[7] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[8] Henlopen TID proposes the addition of dedicated right-turn lanes on both minor street approaches. The turn lanes are modeled with 180-foot storage length.

Table 5
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [9]	**LOS per TIS**			**LOS per McCormick Taylor**		
4. SR 24 / Plantation Road / Warrington Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	C (23.3)	C (31.8)	C (34.6)	D (36.6)	D (44.1)	D (50.4)
2032 No Build (Case 2)						
Overall	C (26.1)	C (35.6)	D (39.0)	C (32.4)	D (53.6)	D (50.1)
2032 Build (Case 3)						
Overall	C (26.7)	D (37.5)	D (40.7)	C (31.5)	E (60.8)	D (54.8)
2032 Build (Case 3 w/ TID) [10]						
Overall	-	-	-	C (28.8)	D (49.5)	D (42.0)

[9] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[10] The Henlopen TID conceptual design includes two left turn lanes, two through lanes, and one right turn lane on the Warrington Road and Plantation Road approaches.

Table 6
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [11]	**LOS per TIS**			**LOS per McCormick Taylor**		
5. SR 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (1.5)	A (5.1)	A (1.3)	A (1.8)	A (9.4)	A (7.3)
2032 No Build (Case 2)						
Overall	A (1.3)	A (3.8)	A (1.3)	A (1.3)	B (10.9)	B (11.3)
2032 Build (Case 3)						
Overall	A (1.3)	A (3.7)	A (1.3)	A (1.7)	B (11.1)	B (12.2)

[11] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 7
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [12] Two-Way Stop-Control	**LOS per TIS [13]**			**LOS per McCormick Taylor**		
6. SR 24 / Bryn Mawr Drive	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	B (10.4)	B (11.4)	B (11.7)	A (8.5)	A (9.5)	A (8.8)
Southbound Bryn Mawr Drive	C (15.1)	C (20.1)	C (21.8)	C (18.7)	C (20.1)	C (23.7)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	B (12.4)	C (17.0)	C (18.1)	A (8.9)	B (11.3)	B (11.1)
Southbound Bryn Mawr Drive	C (17.4)	D (29.6)	D (33.7)	D (30.6)	E (49.5)	F (56.3)
2032 Build (Case 3)						
Eastbound SR 24 - Left	B (11.5)	B (14.1)	C (15.1)	A (9.1)	B (11.7)	B (11.7)
Southbound Bryn Mawr Drive	C (17.1)	D (25.7)	D (29.4)	E (35.8)	F (62.4)	F (75.2)

[12] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[13] TIS modeled this intersection with three though lanes in each direction on SR 24 which does not match the existing or proposed conditions.

Table 8
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [14]	**LOS per TIS**			**LOS per McCormick Taylor**		
7. SR 24 / Rehoboth Mall Service Road / Hudson Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (3.1)	A (8.0)	A (5.4)	A (3.8)	B (10.7)	A (5.9)
2032 No Build (Case 2)						
Overall	A (2.5)	A (6.0)	A (4.3)	A (2.5)	A (7.4)	A (5.0)
2032 Build (Case 3)						
Overall	A (2.4)	A (5.7)	A (4.1)	A (3.2)	A (7.1)	A (4.2)

[14] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 9
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [15]	**LOS per TIS**			**LOS per McCormick Taylor**		
8. SR 24 / SR 1	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (19.7)	C (23.0)	D (39.2)	B (17.8)	C (22.9)	C (24.0)
2032 No Build (Case 2)						
Overall	D (43.2)	D (52.2)	E (77.3)	C (23.6)	C (32.1)	C (29.7)
2032 Build (Case 3)						
Overall	D (46.2)	E (56.5)	F (83.9)	C (29.8)	D (35.1)	C (33.1)

[15] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 10
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [16] All-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
9. Warrington Road / Old Landing Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound Warrington Road	D (31.6)	C (23.3)	F (116.1)	D (28.4)	C (20.4)	F (102.7)
Westbound Strawberry Way	A (9.5)	A (9.6)	B (11.1)	A (9.6)	A (9.7)	B (11.2)
Northbound Old Landing Road	C (15.7)	B (12.9)	C (22.5)	C (15.6)	B (12.8)	C (22.3)
Southbound Old Landing Road	B (12.3)	C (20.3)	D (31.6)	B (12.3)	C (20.0)	D (31.2)
Overall	C (22.9)	C (20.0)	F (66.0)	C (21.2)	C (18.7)	F (60.0)
2032 No Build (Case 2)						
Eastbound Warrington Road	F (130.4)	F (131.1)	F (336.8)	F (75.9)	F (51.7)	F (216.8)
Westbound Strawberry Way	B (10.7)	B (12.1)	B (12.9)	B (10.8)	B (12.1)	B (13.0)
Northbound Old Landing Road	C (22.4)	c (20.2)	E (42.8)	C (22.1)	C (20)	E (42.4)
Southbound Old Landing Road	C (15.2)	F (88.0)	F (103.2)	C (15.1)	F (89.9)	F (101.8)
Overall	F (76.7)	F (91.8)	F (192.0)	E (48.5)	F (60.2)	F (138.3)
2032 Build (Case 3)						
Eastbound Warrington Road	F (161.0)	F (155.6)	F (380.1)	F (115.3)	F (62.0)	F (243.9)
Westbound Strawberry Way	B (10.8)	B (12.2)	B (13.0)	B (10.9)	B (12.3)	B (13.1)
Northbound Old Landing Road	C (23.4)	C (20.9)	E (46.7)	C (23.1)	C (20.8)	E (46.3)
Southbound Old Landing Road	C (16.1)	F (105.0)	F (128.6)	C (16.0)	F (103.4)	F (127.6)
Overall	F (93.3)	F (108.9)	F (221.0)	F (57.0)	F (69.8)	F (159.9)
2032 Build (Case 3 w/ TID) Roundabout						
Overall	B (10.6)	B (11.7)	C (20.4)	B (10.6)	B (11.7)	C (20.4)

[16] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 11
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [17] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
10. Mulberry Knoll Road / Cedar Grove Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Cedar Grove Road - Left	A (8.2)	A (7.6)	A (9.8)	A (8.1)	A (7.6)	A (9.9)
Northbound Mulberry Knoll Road	B (11.5)	B (11.1)	C (20.5)	B (11.8)	B (11.1)	C (20.9)
2032 No Build (Case 2)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.3)	A (8.9)	A (8.3)	B (12.3)
Northbound Mulberry Knoll Road	C (20.1)	D (32.5)	F (614.3)	C (20.1)	D (32.5)	F (614.3)
2032 Build (Case 3)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (22.3)	E (40.4)	F (837.7)	C (22.3)	E (40.4)	F (837.7)
2032 Build (Case 3) w/ improvements [18]						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (19.3)	D (33.9)	F (581.4)	C (19.3)	D (33.9)	F (581.4)
2032 Build (Case 3) Roundabout [19]						
Overall	-	-	-	A (6.9)	A (6.7)	C (18.0)

[17] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[18] The TIS proposes to construct a dedicated eastbound right-turn lane on Cedar Grove Road.
[19] Henlopen TID proposes a roundabout at this intersection.

Table 12
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [20]	**LOS per TIS**			**LOS per McCormick Taylor**		
11. Cedar Grove Road / Plantation Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (18.3)	B (18.3)	C (31.2)	B (17.6)	B (17.7)	C (34.7)
2032 No Build (Case 2)						
Overall	B (19.8)	C (22.5)	D (41.4)	B (18.8)	C (21.0)	C (34.1)
2032 Build (Case 3)						
Overall	C (20.2)	C (23.3)	D (44.4)	B (19.1)	B (21.9)	D (44.8)

[20] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 13
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [21] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
12. SR 24 / Spencer Lane / Williams Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.6)	B (10.4)	A (8.6)	A (8.6)	B (10.4)	A (8.6)
Westbound SR 24 - Left	A (9.8)	A (8.9)	B (10.0)	A (9.8)	A (8.9)	B (10.0)
Northbound Williams Way	C (24.3)	F (56.0)	D (31.2)	C (24.3)	F (56.0)	D (31.2)
Southbound Spencer Lane	C (24.3)	E (44.1)	E (40.6)	C (24.3)	E (44.1)	E (40.6)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.6)	B (12.9)	B (10.2)	A (9.6)	B (13.5)	B (10.4)
Westbound SR 24 - Left	B (11.5)	B (10.6)	B (12.3)	B (11.5)	B (10.9)	B (12.7)
Northbound Williams Way	F (52.4)	F (220.3)	F (97.8)	F (52.4)	F (284.6)	F (115.8)
Southbound Spencer Lane	F (65.8)	F (233.6)	F (221.1)	F (65.8)	F (330.5)	F (291.9)
2032 Build (Case 3)						
Eastbound SR 24 - Left	A (10.0)	B (13.5)	B (10.8)	A (10.0)	B (14.2)	B (11.0)
Westbound SR 24 - Left	B (11.9)	B (11.1)	B (13.3)	B (11.9)	B (11.4)	B (13.8)
Northbound Williams Way	F (65.5)	F (305.4)	F (148.5)	F (65.5)	F (406.1)	F (181.6)
Southbound Spencer Lane	F (91.3)	F (535.2)	F (408.7)	F (91.3)	F (505.6)	F (547.1)
2032 Build (Case 3 w/ TID) [22]						
Eastbound SR 24 - Left	-	-	-	B (10.4)	B (14.5)	B (11.1)
Westbound SR 24 - Left	-	-	-	B (12.0)	B (11.5)	B (13.9)
Northbound Williams Way	-	-	-	E (41.9)	F (130.2)	F (86.1)
Southbound Spencer Lane	-	-	-	D (33.3)	F (176.2)	F (117.7)

[21] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[22] Henlopen TID proposes left-turn lanes, two through lanes, and right turn lanes on both SR 24 approach at this intersection.

Table 14
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [23]	**LOS per TIS**			**LOS per McCormick Taylor**		
13. SR 24 / Camp Arrowhead Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (10.5)	B (13.7)	B (14.6)	B (12.4)	B (15.8)	B (16.6)
2032 No Build (Case 2)						
Overall	C (27.4)	E (59.5)	F (88.3)	B (10.6)	B (17.8)	B (18.2)
2032 Build (Case 3)						
Overall	D (45.3)	F (89.5)	F (129.1)	B (12.3)	D (38.9)	E (58.6)
2032 Build (Case 3 w/ TID) [24]						
Overall	-	-	-	A (6.5)	B (11.0)	B (12.2)

[23] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[24] Henlopen TID proposes an additional through lane in both directions of SR 24.

Table 15
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [25] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
14. SR 24 / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.4)	A (9.4)	A (8.5)	A (8.2)	A (9.5)	A (8.5)
Southbound Harts Road	C (16.8)	E (37.7)	D (31.7)	C (18.6)	E (38.6)	D (32.3)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.3)	B (11.5)	A (9.9)	A (9.3)	B (11.5)	A (9.9)
Southbound Harts Road	F (109.5)	F (648.1)	F (541.0)	F (109.5)	F (648.1)	F (541.0)
2032 Build (Case 3) [26]						
Eastbound SR 24 - Left	A (9.6)	B (11.9)	B (10.4)	A (9.6)	B (11.9)	B (10.4)
Southbound Harts Road	F (198.1)	F (989.8)	F (982.7)	F (198.1)	F (989.8)	F (982.7)

[25] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[26] Henlopen TID proposes the removal of this intersection.

Table 16
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [27] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
15. Robinsonville Road / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Harts Road	B (10.1)	B (13.2)	B (12.7)	B (10.1)	B (13.2)	B (12.7)
Southbound Robinsonville Road - Left	A (7.8)	A (7.6)	A (7.9)	A (7.8)	A (7.6)	A (7.9)
2032 No Build (Case 2)						
Westbound Harts Road	B (11.5)	A (25.1)	C (19.8)	B (11.8)	A (29.5)	C (19.8)
Southbound Robinsonville Road - Left	A (8.2)	A (8.2)	A (8.7)	A (8.2)	A (8.3)	A (8.7)
2032 Build (Case 3)						
Westbound Harts Road	B (11.7)	D (29.7)	C (23.2)	B (12.0)	D (29.7)	C (20.5)
Southbound Robinsonville Road - Left	A (8.2)	A (8.3)	A (8.8)	A (8.3)	A (8.3)	A (8.7)

[27] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 17
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [28] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
16. SR 24 / Jolyns Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound SR 24 - Left	A (8.7)	A (8.3)	A (9.1)	A (9.0)	A (8.3)	A (9.1)
Northbound Jolyns Way	C (16.0)	C (15.6)	C (20.8)	C (16.6)	C (16.1)	C (20.8)
2032 No Build (Case 2)						
Westbound SR 24 - Left	A (9.4)	A (9.1)	B (10.2)	A (9.4)	A (9.1)	B (10.2)
Northbound Jolyns Way	C (22.2)	C (24.5)	E (37.1)	C (22.2)	C (24.5)	E (37.1)
2032 Build (Case 3)						
Westbound SR 24 - Left	A (9.6)	A (9.3)	B (10.6)	A (9.6)	A (9.3)	B (10.6)
Northbound Jolyns Way	C (24.3)	D (27.5)	E (45.3)	C (24.3)	D (27.5)	E (45.3)
2032 Build (Case 3 w/ TID) Signal [29]						
Overall	-	-	-	A (1.5)	A (1.6)	A (1.4)

[28] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

[29] Henlopen TID proposes to signalize this intersection with two through lanes and dedicated turn lanes in each direction along SR 24, extending Jolyns Way north of SR 24 to connect to Robinsonville Road forming a northern leg of the intersection, and adding dedicated right turn lanes on both Jolyns Way approaches. The capacity analysis for the Case 3 with TID results above modeled the intersection without the proposed northern leg because traffic volumes have not been prepared for this condition.

Off-Site Improvements – Opinion of Cost

The Final TIS recommendations from DelDOT included development improvements as follows: frontage improvements, full movement signalized Site Entrance at the intersection of Lexington Ave. and DE Rt. 24 with auxiliary turn lanes, bicycle and pedestrian improvements and Henlopen TID fees to be paid as determined by DelDOT.

Based on the 2025 rate schedule the project's contribution to the Henlopen TID is estimated at approximately $2,800,000.00.

In addition to the TID, the project's frontage improvements, as recommended by the Traffic Impact Study, are estimated at approximately $1,400,000.00

There are no off-site drainage, sewer, or water costs anticipated with the project scope. Impact fees to the appropriate infrastructure owner's will be calculated at the time of payment, based on the most currently adopted rate schedules.

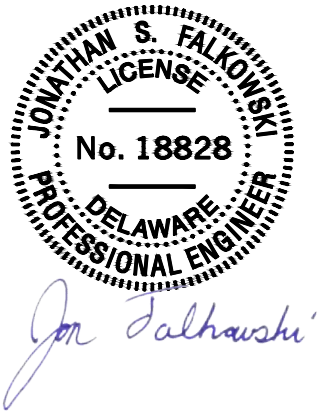
ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITIES EVALUATION REPORT (EAPFR)

FOR

BELMEAD FARM LLC
(CZ 2001)

Sussex County, Delaware

February 2025



Prepared by:

Becker Morgan Group, Inc.
309 S. Governors Avenue
Dover, DE 19904

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- a. Summary in accordance with §115-194.3 – Coastal Area, Subparagraph B(2).

3.0 **APPENDIX**
- a. Site Location
- b. County Zoning Map
- c. Future Land Use Map
- d. Wetlands Delineation Report
- e. US Fish and Wildlife Service – Threatened and Endangered Species List
- f. DelDOT Service Level Evaluation Request Response Letter
- g. DelDOT Final Traffic Impact Study (TIS)

1.0 Rezoning Application

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

PLANNING OUR CLIENTS' SUCCESS

November 23, 2022

Sussex County
Planning and Zoning
2 The Circle
Georgetown, DE 19947
Attn: Mr. Jamie Whitehouse

RE: Rezoning Application
BELLE MEAD FARM
John J Williams Hwy
Lewes, Delaware
2022079.00

Dear Mr. Whitehouse:

Please find attached Zoning Map Amendment Application and Fee for the property otherwise known as the Belle Mead Farm in Lewes, Delaware. As previously discussed with you, we will be following up the application with the required site plans and other documents at a later date. It was agreed that the submittal of the Zoning Map Application and Fee would be adequate to get this project into the queue for a hearing scheduling.

If you have any questions, please feel free to contact us at any time.

Kind regards,

J. Michael Riemann, PE
Becker Morgan Group
Vice President

BECKER MORGAN GROUP, INC.
309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3200

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

3333 JACKSON DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

www.beckermorgan.com

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✔

Site Address of Conditional Use/Zoning Map Amendment

20044(+/-) John J Williams Hwy - Belle Mead Farm - Route 24

Type of Conditional Use Requested:

Tax Map #: 334-18.00-40.01 & 334-18.00-40.06 **Size of Parcel(s):** 39.22 +/- ac.

Current Zoning: AR-1 **Proposed Zoning:** C4 **Size of Building:** TBD

Land Use Classification: COMMERCIAL

Water Provider: TIDEWATER **Sewer Provider:** SUSSEX COUNTY

Applicant Information

Applicant Name: BELMEAD FARM LLC
Applicant Address: 105 FOULK ROAD
City: WILMINGTON State: DE ZipCode: 19803
Phone #: 429-8700 E-mail: _____

Owner Information

Owner Name: BELMEAD FARM LLC
Owner Address: 105 FOULK ROAD
City: WILMINGTON State: DE Zip Code: 19803
Phone #: 429-8700 E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: BECKER MORGAN GROUP, INC
Agent/Attorney/Engineer Address: 309 S. GOVERNORS AVE
City: DOVER State: DE Zip Code: 19904
Phone #: 734-7950 E-mail: MRIEMANN@BECKERMORGAN.COM

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- [x] **Completed Application**

- [x] **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description

- [x] **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**

- [ ] **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

- [x] **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

- [x] **DelDOT Service Level Evaluation Request Response**

- [x] **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

Date: 11/22/22

Signature of Owner

Date: 11/14/2022

For office use only:

Date Submitted: _____ Fee: Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

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

NICOLE MAJESKI
SECRETARY

October 27, 2022

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Becker Morgan Group, Inc** proposed land use application, which we received on October 21, 2022. This application is for an approximate 40.00- acre parcel (Tax Parcel: 334-18.00-40.01). The subject land is located on the southeast side of John J Williams Highway (Delaware Route 24) approximately 1,700 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned C-1 (General Commercial), with a proposed zoning of C-4 (Planned Commercial) to build 125,000 square feet of commercial/ retail space and up to 480 multifamily housing units.

Per the 2021 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along John J Williams Highway from Plantation Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), is 17,338 and 22,294 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For residential and non-residential developments that are consistent with the Land Use and

DelDOT

Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee per dwelling unit and a fee per square foot of non-residential space in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is not consistent with the LUTP, therefore, the developer will be required to perform a TIS to determine if the Level of Service (LOS) analyzed by the TID is consistent with the inclusion of the proposed development. If the LOS determined by the TIS is compliant with the TID, the proposed development is to pay the TID fee as stated above. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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

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

Sincerely,

Sireen Muhtaseb, PE
TIS Group Manager
Development Coordination

SM:afm
cc: Becker Morgan Group, Inc, Applicant
Lauren DeVore, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
Sussex Reviewer, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
James Argo, South District Project Reviewer, Maintenance & Operations
Todd Sammons, Assistant Director, Development Coordination
Kevin Hickman, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Reviewer, Development Coordination
Brian Yates, Subdivision Reviewer, Development Coordination
Thomas Gagnon, Subdivision Reviewer, Development Coordination
Joshua Johnson, Subdivision Reviewer, Development Coordination
Claudy Joinville, TIS Group Project Engineer, Development Coordination
Annamaria Furmato, TIS Group Project Engineer, Development Coordination

Document# 2022000032608 BK: 5734 PG: 290
Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
Consideration: $5,100,000.00 County/Town: $76,500.00 State: $127,500.00 Total: $204,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX PARCEL #: 3-34-18.00-40.01

PREPARED BY & RETURN TO:
Parkowski, Guerke & Swayze, P.A.
19354C Miller Road
Rehoboth Beach, DE 19971
File No. 015-22/VGR

NO SURVEY WAS PERFORMED OR REQUESTED

THIS DEED, made this 3 day of June, 2022,

- BETWEEN -

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED and **THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED**, of 722 NE 2nd Street, Delray Beach, FL 33483, parties of the first part,

- AND -

BELMEAD FARM, LLC, a Delaware limited liability company, of 28855 Lewes Georgetown Hwy, Lewes, DE 19958, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars and 00/100 ($10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece and parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County and State of Delaware, lying and being along the southeastern right of way of State Route 24 (50 feet wide), more particularly described as follows, to wit:

BEGINNING at an iron pipe situate along the aforesaid southwesterly right of way of State Route 24, said point being the common boundary of these lands and lands now or formerly of Mudiwa and Preachess Vellah Munyikwa; thence by and with said right of way North 42 degrees 12 minutes 08 seconds East, 1,451.40 feet to a capped rebar; thence leaving the aforesaid right of way and running by and with lands now or formerly of Cape Henlopen School District South 47 degrees 36 minutes 26 seconds East, 1,205.68 feet to a found rebar; thence running by and with lands now or formerly of Alfred G. Best, Trustee, and lands now or formerly of Linda Elizabeth Best, South 40 degrees 01 minutes 32 seconds West, 365.05 feet to an iron pipe;

thence by and with other lands of Grantor, South 40 degrees 40 minutes 22 seconds West, 1,064.47 feet to a found rebar; thence by and with lands now or formerly of John and Deanna Hoover, North 48 degrees 38 minutes 42 seconds West, 611.81 feet to a found rebar; thence by and with lands now or formerly of Frank and Marlene Bracale, North 48 degrees 40 minutes 10 seconds West, 411.81 feet to an iron pipe; thence by and with lands now or formerly of Mudiwa and Preachess Vellah Munyikwa, North 48 degrees 36 minutes 49 seconds West, 224.47 feet to the point and place of Beginning, said to contain 40.61 acres of land as depicted on the Perimeter Survey prepared by Compass Point Associates dated January 17, 2011, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEING the same lands and premises which were conveyed unto Mark H. Ronald Trust dated 3/8/2007, as amended, Mark H. Ronald and Mary Ann Ronald, Trustees, either of whom may act independently, and Mary Ann Ronald Trust dated 3/8/2007, as amended, Mary Ann Ronald and Mark H. Ronald, Trustees, either of whom may act independently, by Deed of J.G. Townsend, Jr. & Co. dated January 28, 2011, and recorded February 1, 2011, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 3862, Page 170.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mark H. Ronald, Trustee

THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mary Ann Ronald, Trustee

STATE OF Florida, COUNTY OF Palm Beach: to-wit

BE IT REMEMBERED, that on 06/03, 2022, personally came before me, the subscriber, Mark H. Ronald, Trustee of the Mark H. Ronald Trust dated March 8, 2007, as amended, and Mary Ann Ronald, Trustee, of the Mary Ann Ronald Trust dated March 8, 2007, as amended, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

JUNAE MCPHERSON
Notary Public - State of Florida
Commission # HH 206991
My Comm. Expires Dec 13, 2025

Notary Public

My Commission Expires: 12/13/25

2.0 Environmental Assessment and Public Facility Evaluation Report

Belmead Farm, LLC

Tax Maps:	334-18.00-40.01 & 40.06
Parcel Acreage:	±39.22 Acres
Existing Zoning:	AR-1: Agricultural Residential
Proposed Zoning:	C-4: Planned Commercial District
2019 Future Land Use:	Commercial and Coastal Area
Site Investment Area:	Level 2, 3 & 4
Chapter 89 Water Source:	"Fair" Groundwater Recharge Area
	"No" Wellhead Protection Area
Wetlands:	Freshwater Forested & Shrub Wetland (PFO1R)
Flood Zone:	Zone X – Map 10005C0334K; 03/16/2015
Watershed:	Rehoboth Bay Watershed
TID:	Henlopen
Access / Road Frontage:	John J. Williams Hwy. (SR00024)
Sanitary Sewer Supplier:	Tier 2 – Sussex County Planning Area
Water Supplier:	Tidewater Utilities Inc.

§115-194.3 – Coastal Area, Subparagraph B (2).

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

The proposed development of the parcels will follow all applicable State and local stormwater management regulations and will meet or exceed quality and quantity management standards. Through the use of Green Technology Best Management Practices (GTBMP's), the proposed stormwater management facilities will reduce the phosphorous and nitrogen loading. The improvements are not anticipated to produce other pollutants such as petroleum hydrocarbons or metals. Should a commercial tenant require the need for petroleum pollutant measures, appropriate filtration will be utilized in accordance with State and local regulations.

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

The parcels are located in Tidewater Utilities area and will serve the project's water source. The proposed water system design will be in accordance with all codes and regulations set forth by Sussex County, DHSS Office of Drinking Water and Tidewater. Tidewater's franchise area has been evaluated for groundwater impacts to ensure no adverse impacts. The anticipated water demand is 68,625 gallons/day.

c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on site septic systems*

The parcels are located within Sewer Tier 2 – Sussex County Planning area and a future request to annex to the Tier 1 - Unified Sanitary Sewer District will be made as the parcels are directly adjacent to the Tier 1 District. It is anticipated that a gravity sewer collection system will be designed and installed to collect and convey wastewater. All sewer systems will be designed to follow all the codes and regulations of the Sussex County Ordinance.

d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.*

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The Final TIS recommendations from DelDOT included development improvements as follows: frontage improvements, full movement signalized Site Entrance at the intersection of Lexington Ave. and DE Rt. 24 with auxiliary turn lanes, bicycle and pedestrian improvements and Henlopen TID fees to be paid as determined by DelDOT.

e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.*

A Rare Species Search per the United States Fish and Wildlife Service (USFWS) database for the likelihood of rare and endangered species was performed. Two potential species were identified based on the search. The tri-colored bat, which the USFWS usually suggests that if tree clearing is required within the breeding season, then a summer survey should be conducted to determine whether the bats are present. Tree clearing is usually restricted to the time period between Oct. 1 and March 31 to avoid impacts to the listed bat species. The Monarch Butterly requires specialized habitat (milkweed) for breeding. Suitable habitat for the species is not likely or anticipated to occur within the development area.

f) *The preservation and protection from loss of tidal or nontidal wetlands on the site.*

Freshwater Forested/Shrub Wetland habitat was identified on the subjected site. No wetlands will be disturbed with the proposed development and the County required buffers will be respected. A wetlands delineation report is included with the project packet.

g) *Provisions for open space as defined in § 115-4*

The project offers recreational facilities such as a clubhouse, swimming pool, play areas and walking paths. Several stormwater management facilities are proposed which have a demonstrated recreational value and provide scenic vistas, while providing wildlife corridors. The project will respect all buffers and maintain significant forested areas and will not disturb existing wetlands found on-site.

h) *A description of provisions of public and private infrastructure*

The project proposes a mix of both public and private infrastructure. Public infrastructure includes construction of water and sewer main that will be turned over to respective utility providers. In addition, significant improvements along DE Rt. 24 will be constructed, including auxiliary turn lanes, traffic signal with pedestrian crossings and a paved shared-use path, providing multi-modal transportation network paths. Private infrastructure includes roadways, sidewalks, parking, other utilities and stormwater management areas, etc. which will be privately owned and maintained.

i) *Economic, recreational or other benefits*

The project holds significant potential not only for job creation but also for addressing critical gaps in workforce development within Sussex County. By providing commercial job growth opportunity, economic development and affordable housing, the project aims to deliver much needed services and housing to the local community.

j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places*

No existing presence of historic or cultural resources were listed per the National Register of Historic Places.

k) *A description of how the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan*

The current Sussex County Comprehensive Plan includes a Future Land Use Map to help determine how land should be zoned, to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has land use designation of "Commercial Area" and "Coastal Area." The parcels would otherwise be entirely identified as "Commercial Area" if not for a small portion of "Coastal Area" on parcel 40.01, which is not planned for development as it is located within a wetland area along Dorman Branch, in the southwestern most portion of the parcel.

As outlined in the Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. As this area is

not intended to be developed, the development plan is consistent with the Comprehensive Plan for Coastal Areas. (Sussex County Comprehensive Plan, 4-15).

Commercial Areas include retail and service uses that are mainly located along higher functional classification roadways such as highways and arterials. Route 24 is classified by DelDOT as a "Principal Arterial". As opposed to small, traditional downtown areas that are often historic and pedestrian-friendly, Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic. In addition to primary shopping destinations, this area would also be the appropriate place to locate hotels, motels, car washes, auto dealerships, l and other medium and larger scale commercial uses not primarily targeted to the residents of immediately adjacent residential areas. These more intense uses should be located along main roads or near major intersections. Institutional and commercial uses may be appropriate depending on surrounding uses. Mixed-use buildings may also be appropriate for these areas (Sussex County Comprehensive Plan, 4-17). The development plan includes a mix of retail, service uses, medium scale commercial and mixed use buildings as is consistent with the Comprehensive Plan.

The proposed zoning of C-4: Planned Commercial District is consistent with the intended Future Land Use designation of Commercial Use as an applicable zoning district within the Growth Area. The C-4 zoning allows for a maximum of forty (40) percent of its developable area to consist of duplexes, townhouses or multifamily dwellings which helps promote development designed to support both residential and commercial uses as noted in 4.6.3.

The subject parcels are also located within the planned Henlopen Transportation Improvement District, which DelDOT is working alongside Sussex County to correspond with their Comprehensive Plan.

l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) of the manner in which they are consistent with the Comprehensive Plan.*

All mitigation measures, identified relevant to sections (a) through (k) are identified above in each respective section.

3.0 Appendix



LAYER STATE: LOCATIONS

SITE LOCATION MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
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BMG:	2022079.00
SCALE:	1" = 250'
DATE:	12/23/24
DRAWN BY:	J.N.K.

SITE

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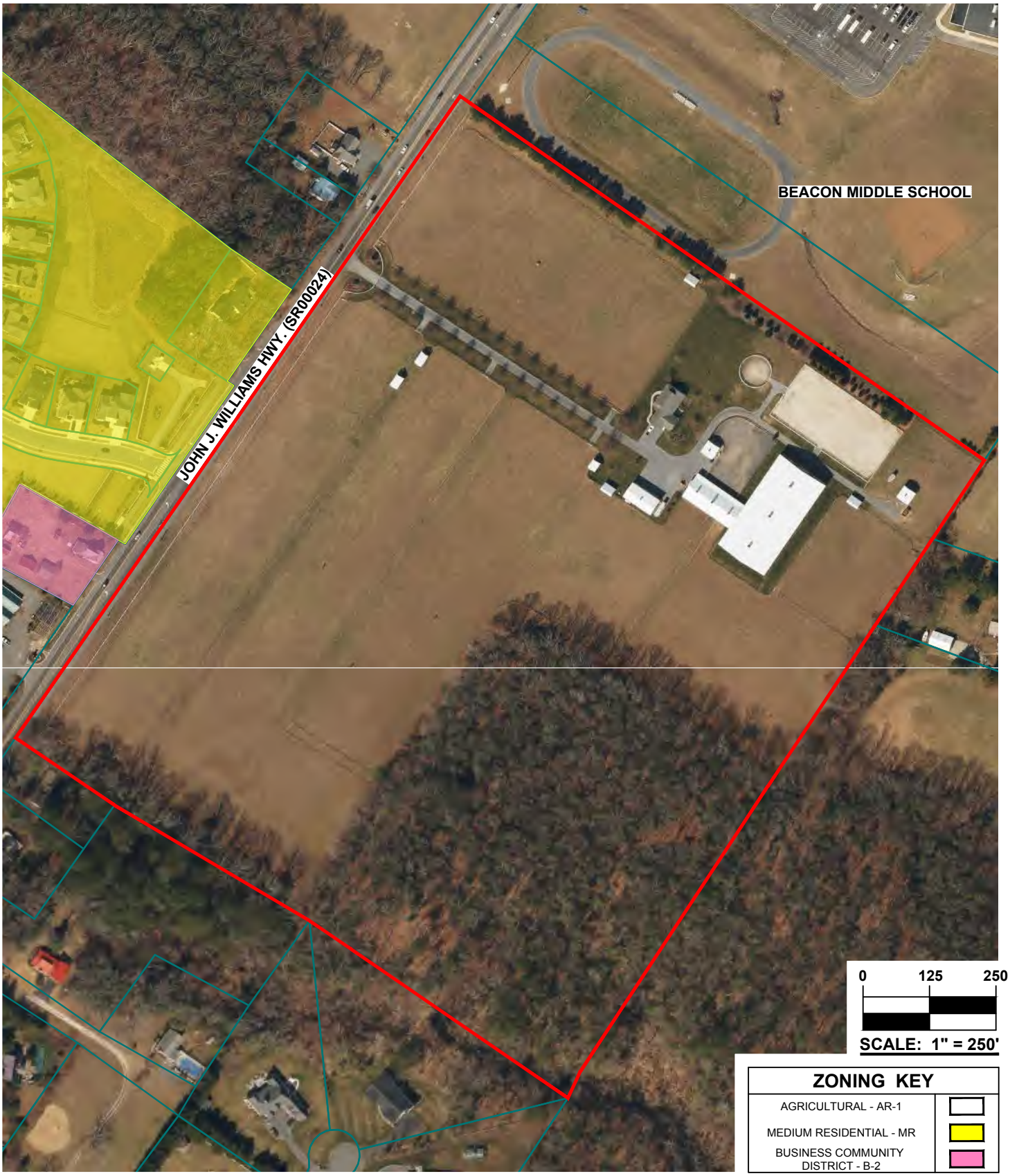

LAYER STATE: ZONING

ZONING MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

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SCALE: 1" = 250'
DATE: 12/23/24
DRAWN BY: J.N.K.

ZONING

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LAYER STATE: FUTURE LAND USE

FUTURE LAND USE MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

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SCALE: 1" = 250'
DATE: 12/23/24
DRAWN BY: J.N.K.

FUTURE

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Wetland Delineation Report

Wetland Delineation – Belmead Farm, Lewes, Delaware



James C. McCulley IV, PWS
Watershed Eco, LLC
April 30, 2023
Jim@WatershedEco.com

Introduction



At the request of Becker Morgan Group, Inc., Watershed Eco, LLC. has reviewed background materials and conducted site visits to determine the previous and current site conditions related to waters, wetlands, and drainage.

James McCulley, the investigator, and report author has over 30 years of experience in wetland delineation and permitting. He previously worked as a biologist in the Regulatory Section of the U.S. Army Corps of Engineers, Philadelphia District and was selected as one of 17 wetland scientists nationwide to serve on the National Academy of Sciences, Wetlands Characterization Committee which authored "Wetlands: Characteristics and Boundaries". He was chosen as one of four committee members to present the committee findings at a press conference on Capitol Hill.

Mr. McCulley is a Senior Professional Wetland Scientist, #000471 as certified by the Society of Wetland Scientists, an international scientific association.

All opinions in this report are to a reasonable degree of scientific certainty.

Executive Summary

Watershed Eco, LLC reviewed background information and conducted a wetland delineation at the Belmead Farm, LLC. property and determined that palustrine forested wetlands were present in the southeastern portion of the property abutting a Dorman Branch. These wetlands and waters were flagged in the field and depicted on the attached wetland delineation map.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut the perennial stream Dorman Branch, a tributary to Love Creek and Rehoboth Bay, both Traditional Navigable Waterways. The flagging placed in the field represents the outer boundary of these resources.

The site conditions at the time of the investigation are detailed in this report.

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Definition of Jurisdictional Waters and Wetlands

The Navigable Waters Protection Rule (NWPR) became effective on June 22, 2020. This rule codifies the definition of Waters of the United States (WOTUS), including jurisdictional wetlands. Discussions of Jurisdiction related to Waters and Wetlands in this report are based on the NWPR Section 404 of the Clean Water Act and as described in the definitions in this section as well as all guidance currently in effect and based on professional experience.

The scope of Federal jurisdiction is established in the Clean Water Act (CWA) is limited to WOTUS, which is defined in the Act as Navigable Waters, including the Territorial Seas. The Act does not further define WOTUS and has left the interpretation to the agencies (U.S. EPA and U.S. Army Corps of Engineers). The agencies have defined WOTUS by regulation since the 1970s with the latest definition becoming effective on June 22, 2020 in the NWPR.

The NWPR defines four categories of WOTUS, 1. Territorial Seas and Traditional Navigable Waters, 2. Tributaries to 1., 3. Lakes and Ponds, and impoundments of Jurisdictional Waters and 4. Adjacent Wetlands. All other Waters are determined by the rule to be non-jurisdictional and the rule further clarifies exclusions which are not jurisdictional.

In this case we are interested in the jurisdictional status of mapped Waters in the form of non-tidal wetlands within the Subject Property. The mapped wetlands have been classified as adjacent wetlands. In the NWPR, adjacent wetlands are defined as follows: abutting, meaning to touch, or inundated by flooding from waters 1-3 above, separated only be a berm, bank or dune or an artificial dike or barrier. The NWPR further clarifies that an adjacent wetland must have a direct hydrologic surface connection to a water listed in 1-3 above in a typical year. The NWPR further clarifies that a tributary is a river or stream, or similar naturally occurring surface water channel that contributes surface water flow to a water identified in paragraph (a)(1) of this definition in a typical year either directly or through one or more waters. A tributary must be intermittent or perennial. It is assumed that the mapped wetlands have a direct surface connection to Dorman Branch and would be regulated by the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers recently vacated the Navigable Water Protection Rule. At the present time the U.S. Army Corps of Engineers is following the 2023 Wetland Rules. The U.S. Army Corps of Engineers Philadelphia District and DNREC Subaqueous Lands Division should be consulted prior to any impacts to any wetlands or waterways within the subject property.

Waters are mapped by determining the Ordinary High-Water Mark (OHWM) of features with a bed and bank as defined above and in accordance with various guidance as discussed below.

Wetlands are mapped using three criteria: 1. Vegetation, 2. Soils and 3. Hydrology which are further described in the Manual and appropriate Regional Supplement. Hydrophytic (wetland) vegetation is specifically adapted for life in saturated soils and listed by species and indicator status on the National Wetland Plant List maintained by the U.S. Army Corps of Engineers. Hydric (wetland) soils formed under conditions of saturation, flooding or ponding long enough to develop anaerobic conditions and are listed on the United States Department of Agriculture, Hydric Soils Database. Wetland hydrology is described as recurrent, sustained water at or near the surface for extended periods of time.

Subject Property

The Subject Property is located at 28855 Lewes Georgetown Highway in Lewes, Sussex County, Delaware. The Subject Property is located at Latitude and Longitude 38.711454and -75.152545 and is identified as Sussex County Tax Parcel No. 334-18.00-40.01 consisting of approximately 39.19 Acres.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of mowed pastures associated with equestrian use and woodlands in the southeast.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut Dorman Branch and drain southeasterly off-site to Love Creek, a tributary to Rehoboth Bay.

Documents Considered

The following documents were considered as part of this study:

- Current National Wetland Inventory (NWI) Map
- Current USGS Mapping
- Historical Aerial Photos
- NRCS Soils Mapping
- National Hydrography Dataset Mapping

Findings

Background Research

The NWI Map (Figure 2) depicts palustrine forested wetlands in the southeastern portion of the subject property.

The USGS Mapping (Figure 3) depicts a blue-line stream identified as Dorman Branch in the southeastern portion of the property. The subject property is relatively flat with elevations ranging from 20 feet above sea level in the northwest to 10 feet asl in the southeast.

The National Hydrography Dataset map (Figure 4) depicts a blue-line stream feature with abutting palustrine forested wetlands in the southeastern portion of the property.

The 1937 aerial photo (Figure 5) depicts the property in agricultural use with woodlands in the southeast. The surrounding land use is predominantly agricultural and wooded with a few scattered residential properties.

The 1954 aerial photo (Figure 6) and 1968 imagery (Figure 7) depicts similar site conditions as the 1937 imagery. No significant changes in surrounding land use are apparent.

The 1992 aerial photo (Figure 8) depicts no significant changes within the subject property since 1968. Surrounding land use remains largely agricultural and wooded with residential development to the southwest and west.

The 2002 aerial photo (Figure 9) depicts no significant changes within the subject property or surrounding land since the 1992 imagery. Some site grading is apparent to the north.

The 2015 aerial photo (Figure 10) depicts a dwelling and barn have been constructed in the northeastern portion of the subject property. Woodlands remain in the southeast. New commercial development is apparent to the north and additional residential development is apparent to the south.

The 2022 aerial photo (Figure 11) depicts similar conditions as the 2015 imagery within the subject property. An additional residential subdivision has been constructed to the west.

The NRCS Soil Mapping (Figure 12) indicates the property is primarily underlain with well-drained Downer sandy loam (DoA and DodB), and Rosedale loamy sand (RoB). An area of poorly drained Hurlock sandy loam (HvA) is mapped within the woodlands in the southeastern portion of the property.

Field Investigation

Watershed Eco LLC., conducted a field investigation on April 26, 2023. The purpose of the investigation was to conduct a wetland delineation within the subject property.

These investigations consisted of a visual review of the entire site with special attention paid to vegetative communities and topography. The wetland boundary was walked, and wetland boundaries were flagged in the field and locations noted using handheld global positioning systems (GPS). Wetland flags were located by GPS during the field investigation and plotted on the attached plans.

Vegetation was identified using delineator experience and confirmed using field guides for the following strata:

Trees – woody plants 6 meters or more in height and 7.6 centimeters or larger in diameter at breast height.

Saplings – woody plants 6 meters or more in height and less than 7.6 centimeters in diameter at breast height.

Shrubs – woody plants 1 to 6 meters in height.

Herbs – all herbaceous plants regardless of size and woody plants less than 1 meter in height.

Woody Vines – all woody vines regardless of height.

The indicator status for each dominant species was recorded based on the USACE 2018 Atlantic, Gulf and Coastal Plain Region Plant List.

Soil borings were advanced to an approximate depth of 20 inches using a 3-inch diameter Dutch auger. Soil colors were visually estimated using a Munsell Soil Color Chart and texture was estimated using standard soil texture criteria. Soil characteristics were compared to the Hydric Soil Indicator Guide in order to identify whether hydric soils were present at each data point location.

Wetland hydrology characteristics were visually observed where present based on the USACE Wetland Delineation Manual and Regional Supplement. No additional hydrology studies were performed at the site (ie. Piezometers, Observation Wells or Modeling) and potential wetland hydrology was based on observations on the day of the field investigation and professional experience.

Results

Palustrine forested wetlands were observed in the southeastern portion of the property. These wetlands abut Dorman Branch which drains southeasterly off-site to Love Creek, a tributary to Rehoboth Bay, a Traditional Navigable Waterway. These wetlands would be classified as Section 404 wetlands regulated by U.S. Army Corps of Engineers. The flagging placed in the field represents the outer boundary of these resources.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of horse pastures with woodlands in the southeast.

Representative photographs of the site and flagged areas are included in this report.

Jurisdiction

Federal Jurisdiction – WOTUS

The wetlands flagged on the site were assumed to be WOTUS up to the OHWM or to the edge of adjacent wetlands.

The limits of wetlands flagged represent the upper limit of wetlands and in most cases the "Section 404" wetlands line. The U.S. Army Corps of Engineers should be consulted prior to any impacts of these aquatic resources.

State Jurisdiction – Subaqueous Lands

Typically, "blue-line" streams are regulated as State Subaqueous Lands. The perennial stream Dorman Branch is located inside of the delineated wetland boundary and would be regulated by DNREC as Subaqueous Lands

Conclusions

All opinions are to a reasonable degree of scientific certainty.

It is the opinion of Watershed Eco LLC. that federally jurisdictional palustrine forested wetlands are located within the southeastern portion of the subject property. These wetlands have a direct surface connection to Dorman Branch along the southern boundary of the property which drains off-site to Love Creek and Rehoboth Bay and would be regulated as Section 404 wetlands. The U.S. Army Corps of Engineers Philadelphia District should be consulted prior to any impacts to any wetlands mapped within the subject property.

Dorman Branch, along the southern property boundary would be regulated by DNREC as Subaqueous Lands. Dorman Branch was not delineated separately from the wetlands.

The mapped Waters can be found on the attached map prepared by Watershed Eco, LLC (Figure 13). Jurisdictional limits can only be determined by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Department of Agriculture and the State of Delaware, Wetlands and Subaqueous Lands Branch.

Figures

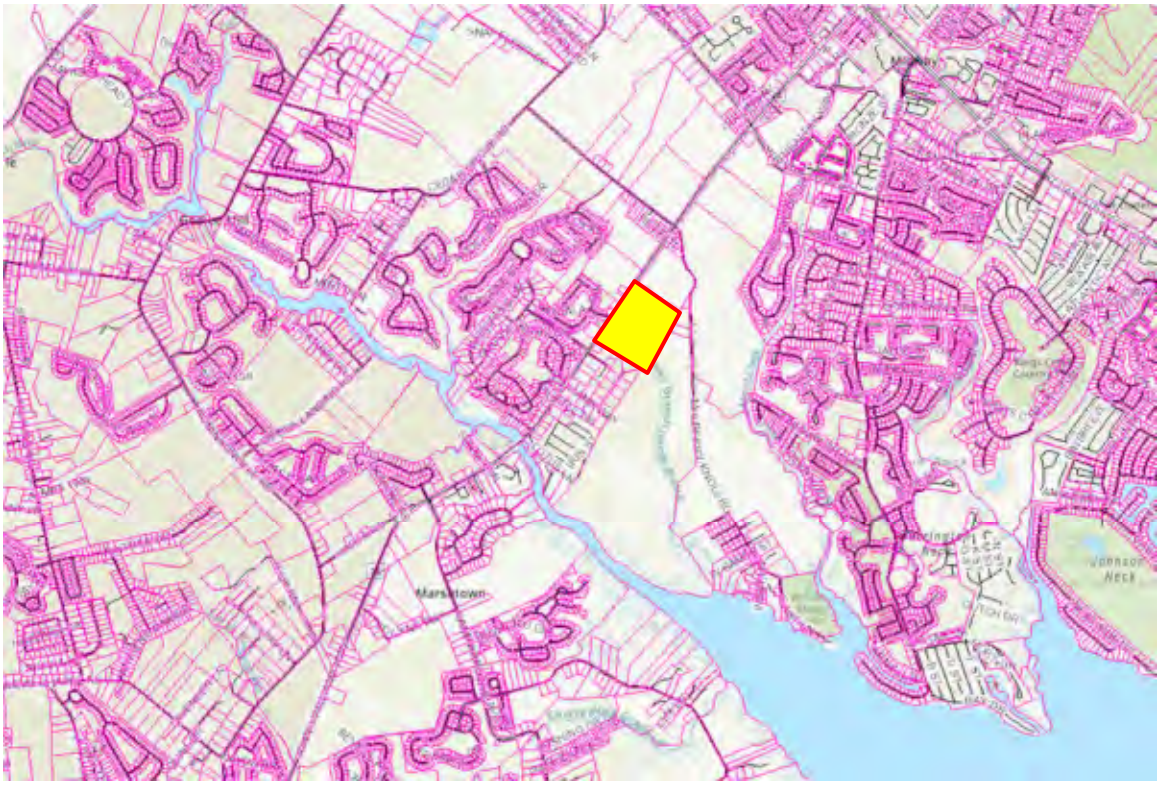


Figure 1: Location Map



Figure 2: National Wetland Inventory Map.

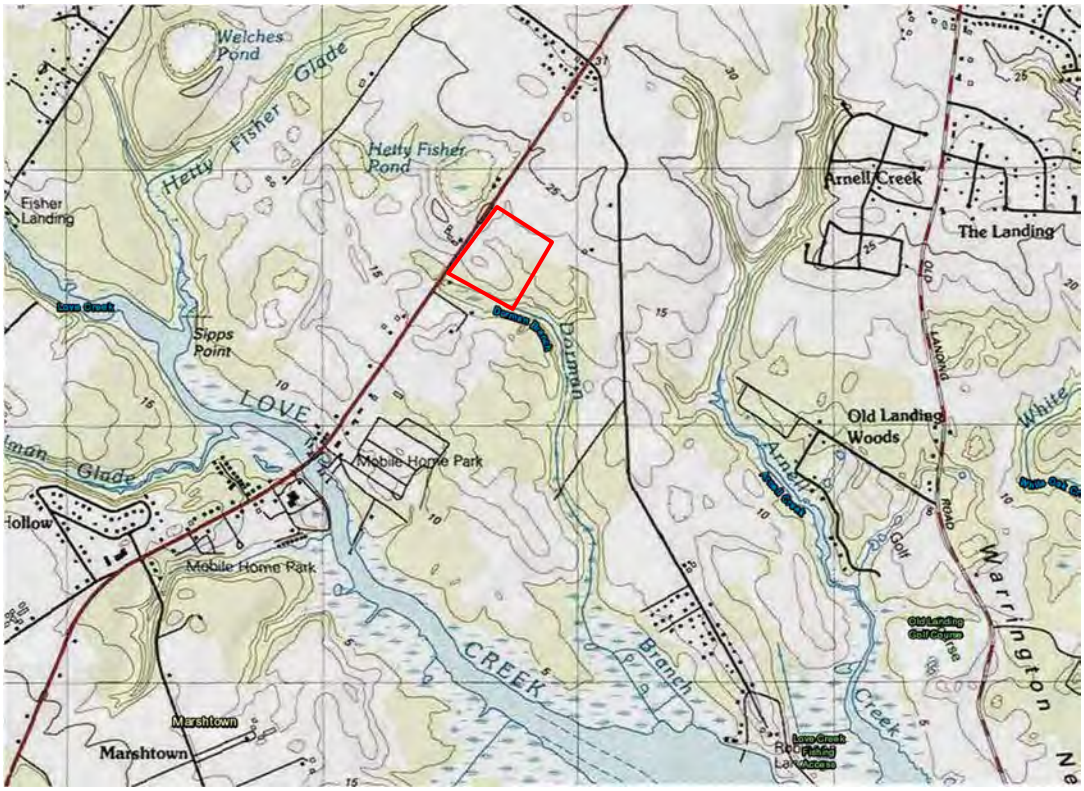


Figure 3: USGS Mapping.



Figure 4: NHD Map.

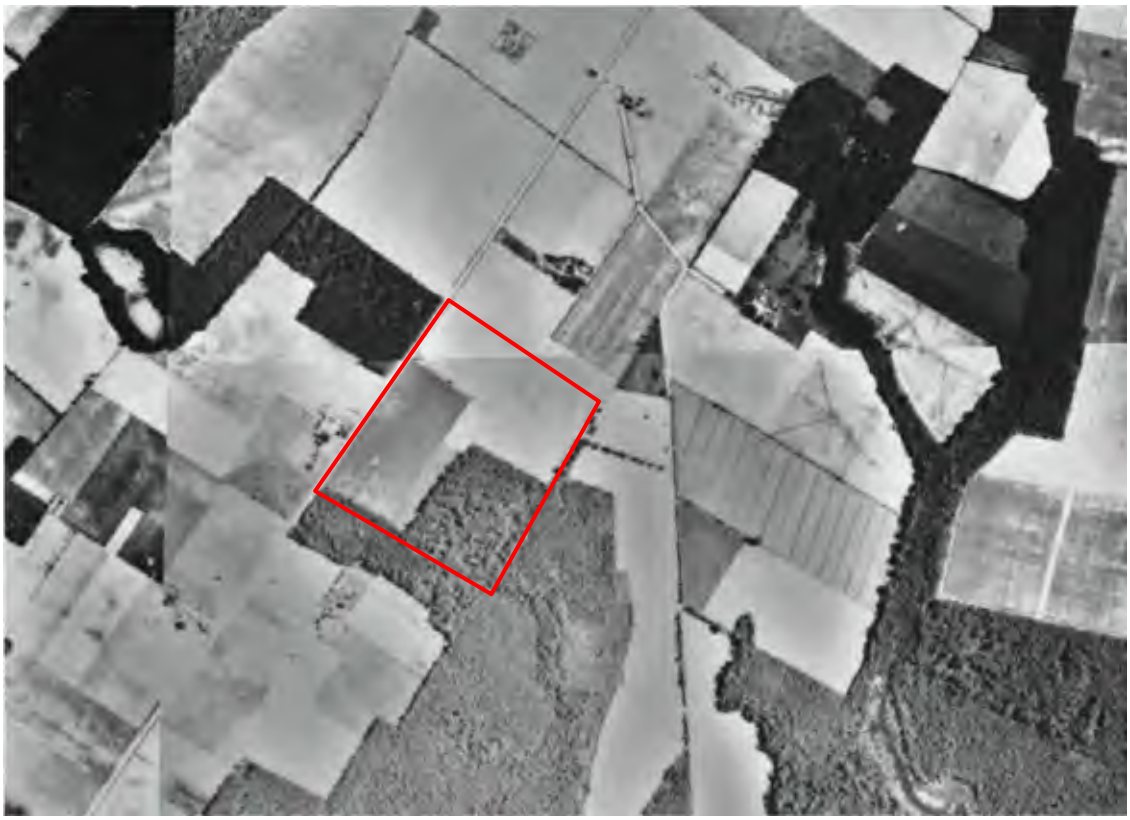


Figure 5: 1937 Aerial Photograph.



Figure 6: 1954 Aerial Photograph

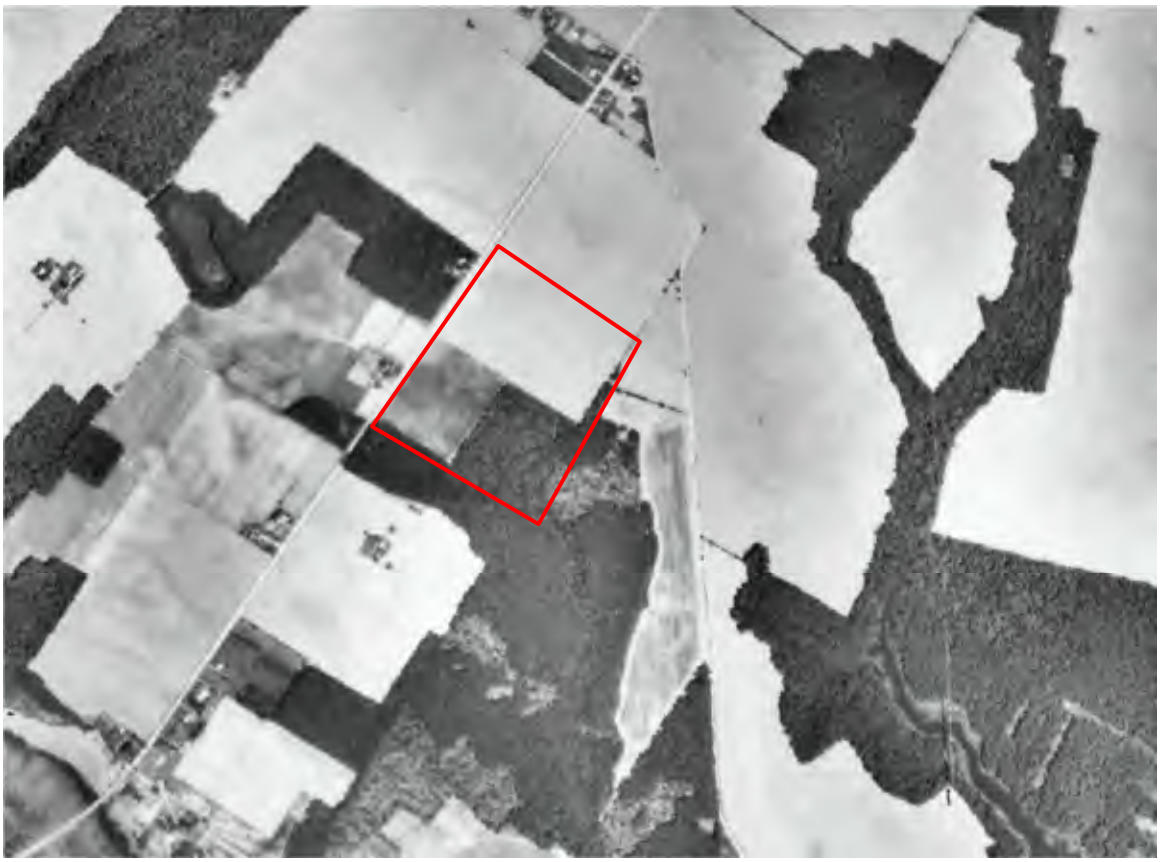


Figure 7: 1968 Aerial Photograph.



Figure 8: 1992 Aerial Photograph.



Figure 9: 2002 Aerial Photograph.



Figure 10: 2015 Aerial Photograph.



Figure 11: 2022 Aerial Photograph



Figure 12: USDA Soil Survey Map.



Figure 13: Wetland Delineation Map

Credentials

James C. McCulley IV

Senior Professional Wetland Scientist, P.W.S. (#000471)

Education:

- B.A. Biology, Rutgers University
- M.S. Biology, Rutgers University
- Wetland Sedges, Grasses and Rushes, The Swamp School
- Hydric Soils Indicators, The Swamp School
- Wetland Ferns, The Swamp School
- Wetland Delineation, Rutgers Continuing Education
- Wetland Hydrology, Rutgers Continuing Education
- Wetland Regulation, Corps of Engineers Training Program

Topics Presented:

- Presented Wetland Rules, Regulations and Policies, Delaware State Bar
- Presented Wetlands Rules, Regulations and Policies, Pennsylvania State Bar
- Presented Wetland Rules, Regulations and Policies, Maryland Architects
- Presented Environmental Rule Changes, Homebuilders Association of Delaware
- Chaired Panel Discussion at Annual Meeting of Society of Wetland Scientists (SWS)
- Presented on “No Net Loss” at Association of State Wetland Managers Meeting
- Presented on Wetlands Legislation to Environmental Law Institute
- Presented on Wetland Delineation at State Parks Managers Meeting
- Part of Panel to present NAS findings to Congress on Wetlands Legislation
- Treatment of Storm Water Run-Off by Wetlands to SWS Annual Meeting

Committees:

- State of Delaware, Wetlands Advisory Committee
- National Association of Homebuilders, Environmental Issues Committee
- National Association of Homebuilders, Land Use Policy Committee
- Homebuilders Association of Delaware, Life Director
- National Academy of Sciences Wetlands Characterization Committee
- State of Delaware, Freshwater Wetlands Legislation Committee
- New Castle County Comprehensive Plan Update
- New Castle County, Riparian Buffer Ordinance Committee
- Board of Directors, Homebuilders Association of Delaware

Publications:

- Wetlands: Characteristics and Boundaries, National Academy of Sciences Press
- Integrated Natural Resource Management Plan, PAX Naval Air Station

Community:

- Mentored Honors Biology Program at Glasgow High School
- Curriculum Development Committee for Hodgson Vo-Tech (HVT), Environmental Landscape Technology Program
- Graded Senior Projects for HVT, Environmental Program
- Assisted Talley Middle School with Artificial Wetland Creation Project
- Donated Plants for Brader Elementary School, Wetland Creation Project
- Donated Plants for Ohio State University Wetland Creation Project
- Presented Career Opportunities to Sussex Vo-Tech Environmental Program
- Donated Numerous Environmental Studies for Habitat for Humanity Projects

Selected Projects:

Firefly Music Festival – Dover, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting and Wetland Mitigation Design for the 2012, 2013, 2014 and 2015 festivals. The festival has grown every year and has required increased impacts in wetlands to accommodate the larger crowds and safe access. Permitting was always o a short time frame for this project.

Breakwater Beach – Bethany Beach, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting. For 30 years the property owner attempted to get approval to build the final eight homes on the beach but couldn't get the Corps of Engineer approvals. Watershed Eco, through creative design implementation, secured approval to construct these homes.

Peninsula – Millsboro, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting, Wetland Mitigation Design, Submerged Aquatic Vegetation Study, Fisheries Study, Forest Delineation and Assessment, Water Quality Monitoring and Environmental Features Construction Oversight.

The Reserves – Ocean View, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Ditch Characterization, Wetland Permitting, Wetland Mitigation Design and Delmarva Fox Squirrel Habitat Study.

Warrington Property/Oak Creek – Rehoboth, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Successful Appeal of JD for Isolated Wetlands, Revision to State Tidal Mapping and Consultation on Storm Water BMPs.

Shipyard Shops – Wilmington, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting.

Delaware Outdoor Advertising - Wilmington, Delaware

Provided Violation Resolution with the Corps of Engineers and the State for Billboards along I-95, Design of Wetland Mitigation, Construction Oversight and Wetland Mitigation Monitoring.

Townsend Station – Townsend, Delaware

Provided Violation Resolution with the Corps of Engineers for Illegal Wetland Fills, Design of Restoration and Mitigation Plans, Construction Oversight and Monitoring of Wetland Areas.

State Route 1, Phase II, Scott Run to Smyrna – Delaware

Provided Wetland Delineation, Jurisdictional Determination, Habitat Studies, Wetland Permitting, Wetland Mitigation Design, Construction Oversight, Wetland Mitigation Area Monitoring.

Photographs



Paved driveway in the northwestern portion of the property, looking east.



Pasture surrounding barn in the northeastern portion of the property, looking northeast.



Pasture area in the north-central portion of the property, looking northeast.



Pasture bordering woodlands in the southwestern portion of the property, looking west.



Pasture area in the southwestern portion of the property, looking northeast.



Typical forested upland in the south-central portion of the property.



Forested wetland abutting Dorman Branch in the southeastern portion of the property.



Forested wetland in the southeastern portion of the property.



Forested upland in the southeastern portion of the property, looking northwest.



Pasture area bordering woodlands in the central portion of the subject property, looking south.

Appendices

Belle Meade Farm, Lewes, Delaware

Wetland Delineation Map

Legend

- Flag ID#
- Property Boundary
- Wetland Boundary

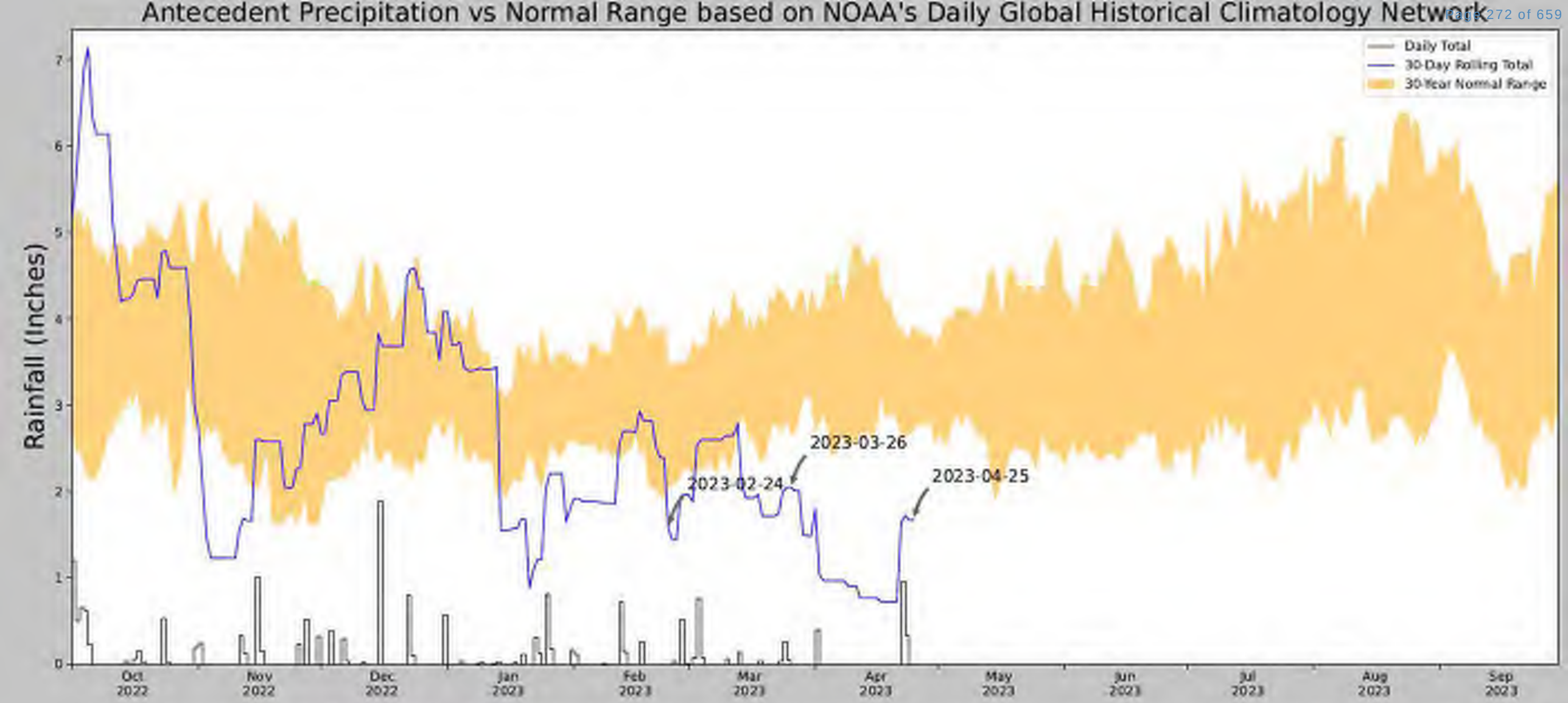
Saratoga Ln
Ocala Wy
Tanglewood Dr
Old Meadow Ln
Greener Turf Ln
Mulberry Knoll Rd
24



Google Earth

N

800 ft



Coordinates	38.711454, -75.152545
Observation Date	2023-04-25
Elevation (ft)	14.925
Drought Index (PDSI)	Severe drought (2023-03)
WebWIMP H_2O Balance	Wet Season

30 Days Ending	30th %ile (in)	70th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2023-04-25	2.712992	3.902362	1.669291	Dry	1	3	3
2023-03-26	2.679134	4.098032	2.047244	Dry	1	2	2
2023-02-24	2.05748	3.448032	1.57874	Dry	1	1	1
Result							Drier than Normal - 6

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
GEORGETOWN-DELAWARE COASTAL AP	38.6897, -75.3625	49.869	11.421	34.944	5.538	9080	88
MILTON 3.8 SSE	38.7271, -75.287	38.058	4.822	11.811	2.227	1	1
GEORGETOWN 5 SW	38.6333, -75.45	44.948	6.121	4.921	2.785	1940	0
GEORGETOWN 5.8 W	38.6972, -75.4931	35.105	7.062	14.764	3.282	1	0
LEWES	38.7842, -75.1581	9.843	12.806	40.026	6.275	331	0
Linear Interpolation	N/A	N/A	N/A	N/A	N/A	0	1

Belmead Farm, Lewes, Delaware

Data Point Location Map

Legend

- Data Point Location
- Flag ID#
- Property Boundary
- Wetland Boundary

UPL-3

UPL-1

WET-1

UPL-2

WET-2

A 001 A 002 A 003 A 004 A 005 A 006 A 007 A 008 A 009 A 010 A 011 A 012 A 013 A 014 A 015 A 016 A 017 A 018 A 019 A 020 A 021 A 022 A 023 A 024 A 025 A 026 A 027 A 028 A 029 A 030 A 031 A 032 A 033 A 034

Google Earth

N

300 ft

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-1

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 2-5

Subregion (LRR or MLRA): LRR T Lat: 38.709160 Long: -75.152600 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DodB) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants. Sampling Point UPL-1

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Liriodendron tulipifera*	20	yes	FACU
2. *Quercus alba*	25	yes	FACU
3. *Quercus rubra*	20	yes	FACU
4 *Pinus taeda*	20	yes	FAC
5.			
6.			
	85 = Total Cover		
50% of total cover: 42.5	20% of total cover: 17		
Sapling Stratum (Plot size 30 ft)			
1 *Ilex opaca*	5	yes	FAC
2 *Quercus alba*	10	yes	FACU
3. *Liquidambar styraciflua*	5	yes	FAC
4. *Nyssa sylvatica*	5	yes	FAC
5			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Cornus florida*	15	yes	FACU
3			
4			
5			
6			
	35 = Total Cover		
50% of total cover: 17.5	20% of total cover: 7		
Herb Stratum (Plot size: 30 ft)			
1.			
2			
3.			
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
50% of total cover	20% of total cover.		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height

Hydrophytic Vegetation Present? Yes _____ No _____

Remarks (If observed, list morphological adaptations below)

SOIL Sampling Point: UPL-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					loamy sand	
3-9	10YR 4/3	100					loamy sand	
9-20	10YR 4/6	100					sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-1 in the south-central portion of the property.



Soil profile at UPL-1.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: WET-1

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Concave Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.709046 Long: -75.152399 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes ✓ No _____
Hydric Soil Present?	Yes ✓	No _____	
Wetland Hydrology Present?	Yes ✓	No _____	

Remarks:

Forested wetland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ✓ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No _____	Depth (inches): 1"	
Water Table Present?	Yes ✓	No _____	Depth (inches): 0	
Saturation Present? (includes capillary fringe)	Yes ✓	No _____	Depth (inches): 0	**Wetland Hydrology Present?** Yes ✓ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants. Sampling Point WET-1

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Acer rubrum*	60	yes	FAC
2. *Nyssa sylvatica*	10	no	FAC
3.			
4.			
5.			
6.			
	70 = Total Cover		
50% of total cover: 35	20% of total cover: 14		
Sapling Stratum (Plot size 30 ft)			
1 *Ilex opaca*	5	yes	FAC
2 *Acer rubrum*	15	yes	FAC
3.			
4.			
5			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Magnolia virginiana*	5	yes	FACW
3			
4			
5			
6			
	10 = Total Cover		
50% of total cover: 5	20% of total cover: 2		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus effusus*	10	yes	OBL
2 *Carex lurida*	5	no	OBL
3. *Juncus tenuis*	5	no	FAC
4. *Woodwardia areolata*	10	yes	OBL
5. *Phragmites australis*	10	yes	FACW
6			
7.			
8.			
9			
10.			
11.			
	40 = Total Cover		
50% of total cover: 20	20% of total cover: 8		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover.		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

__ 1 - Rapid Test for Hydrophytic Vegetation

✓ 2 - Dominance Test is >50%

__ 3 - Prevalence Index is ≤3.0[1]

__ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height

Hydrophytic Vegetation Present? Yes ✓ No __

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL Sampling Point: WET-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 2/1	100					muck	saturated
9-20	10YR 3/2	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ✓ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks



Forested wetland at Data Point WET-1 in the south-central portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-2

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.708934 Long: -75.151363 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-2

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Quercus falcata*	15	yes	FACU
2. *Quercus alba*	30	yes	FACU
3. *Quercus rubra*	15	yes	FACU
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	15	yes	FAC
2. *Cornus florida*	10	yes	FACU
3.			
4.			
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	30	yes	FAC
2.			
3.			
4.			
5.			
6.			
	30 = Total Cover		
50% of total cover: 12	20% of total cover: 6		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ___ No ✓

Remarks (If observed, list morphological adaptations below)

SOIL Sampling Point: UPL-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					sandy loam	
3-6	10YR 4/3	100					sandy loam	
6-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-2 in the southeastern portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: WET-2

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Concave Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.708819 Long: -75.151184 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes ✓ No _____
Hydric Soil Present?	Yes ✓	No _____	
Wetland Hydrology Present?	Yes ✓	No _____	

Remarks:

Forested wetland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ✓ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No _____	Depth (inches): 0.5"	
Water Table Present?	Yes ✓	No _____	Depth (inches): 0	
Saturation Present? (includes capillary fringe)	Yes ✓	No _____	Depth (inches): 0	**Wetland Hydrology Present?** Yes ✓ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: WET-2

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Acer rubrum*	60	yes	FAC
2.			
3.			
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1 *Nyssa sylvatica*	10	yes	FAC
2 *Magnolia virginiana*	10	yes	FACW
3.			
4.			
5			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Vaccinium corymbosum*	10	yes	FACW
3			
4			
5			
6			
	15 = Total Cover		
50% of total cover: 7.5	20% of total cover: 3		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus tenuis*	10	yes	FAC
2 *Woodwardia areolata*	5	yes	OBL
3. *Juncus effusus*	5	no	OBL
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is ≤3.0[1]
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL Sampling Point: WET-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-20	10YR 3/1	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks



Forested wetland at Data Point WET-2 in the southeastern portion of the property.



Saturated soils encountered at WET-2.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-3

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.710365 Long: -75.151586 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DoA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the east-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-3

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size 30 ft)			
1. *Quercus falcata*	35	yes	FACU
2. *Liquidambar styraciflua*	30	yes	FAC
3. *Ilex opaca*	10	no	FAC
4.			
5.			
6.			
	75 = Total Cover		
50% of total cover: 37.5	20% of total cover: 15		
Sapling Stratum (Plot size 30 ft)			
1 *Ilex opaca*	45	yes	FAC
2 *Nyssa sylvatica*	5	yes	FAC
3.			
4.			
5			
6.			
	50 = Total Cover		
50% of total cover: 25	20% of total cover: 10		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Smilax rotundofolia*	5	yes	FAC
3			
4			
5			
6			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Herb Stratum (Plot size: 30 ft)			
1.			
2			
3.			
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 7 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 71.4 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is ≤3.0[1]
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks (If observed, list morphological adaptations below)

SOIL Sampling Point: UPL-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2	100					sandy loam	
4-9	10YR 4/3	100					sandy loam	
9-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-3 in the east-central portion of the property.



Soil profile at UPL-3.

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Sussex County, Delaware

Belmeade Farm, Lewes, DE



April 29, 2023

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

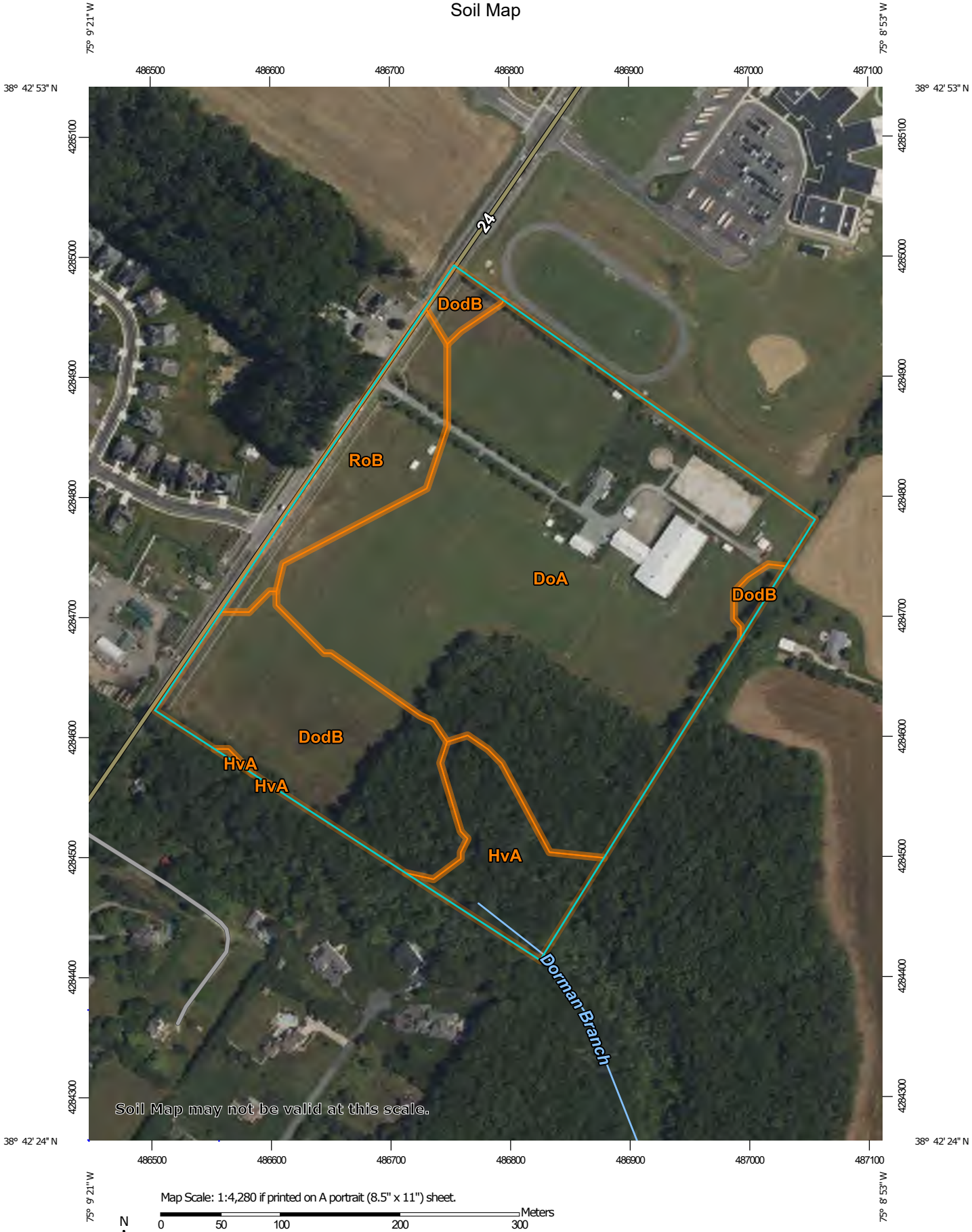
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:4,280 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

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

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

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

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

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

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

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 23, Sep 14, 2022

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

Date(s) aerial images were photographed: May 30, 2022—Jul 4, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	25.9	63.1%
DodB	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area	8.2	20.1%
HvA	Hurlock sandy loam, 0 to 2 percent slopes	3.2	7.9%
RoB	Rosedale loamy sand, 2 to 5 percent slopes	3.7	8.9%
Totals for Area of Interest		**41.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Sussex County, Delaware

DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwd
Elevation: 0 to 190 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 250 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Knolls, flats, low hills
Landform position (two-dimensional): Summit, shoulder
Landform position (three-dimensional): Interfluve, rise
Down-slope shape: Convex, linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Talf
Down-slope shape: Convex, linear
Across-slope shape: Linear
Hydric soil rating: No

DodB—Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwh
Elevation: 0 to 210 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 260 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Flats, knolls, low hills
Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Convex, linear
Across-slope shape: Convex, linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Flats, broad interstream divides
Landform position (two-dimensional): Footslope, shoulder
Landform position (three-dimensional): Dip
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Low hills, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Linear
Across-slope shape: Convex

Hydric soil rating: No

HvA—Hurlock sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qth9
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hurlock, drained, and similar soils: 42 percent
Hurlock, undrained, and similar soils: 38 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hurlock, Drained

Setting

Landform: Swales, depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
Eg - 10 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 10 to 20 inches
Frequency of flooding: None
Frequency of ponding: Rare
Available water supply, 0 to 60 inches: Moderate (about 6.7 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Description of Hurlock, Undrained

Setting

Landform: Drainageways, depressions, swales, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material
A - 2 to 4 inches: sandy loam
Eg - 4 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 0 to 10 inches
Frequency of flooding: None
Frequency of ponding: Occasional
Available water supply, 0 to 60 inches: Moderate (about 7.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Minor Components

Mullica, drained

Percent of map unit: 5 percent
Landform: Drainageways, depressions, swales, flats
Landform position (three-dimensional): Dip
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: Yes

Hammonton

Percent of map unit: 5 percent
Landform: Flats, drainageways
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Woodstown

Percent of map unit: 5 percent
Landform: Flats, fluviomarine terraces, broad interstream divides
Landform position (three-dimensional): Tread, rise
Down-slope shape: Linear

Across-slope shape: Linear
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

RoB—Rosedale loamy sand, 2 to 5 percent slopes

Map Unit Setting

National map unit symbol: 1qtjy
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Rosedale and similar soils: 75 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rosedale

Setting

Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy eolian deposits over fluviomarine deposits

Typical profile

A - 0 to 9 inches: loamy sand
E - 9 to 25 inches: loamy sand
Bt - 25 to 38 inches: sandy loam
C - 38 to 68 inches: loamy sand
2Cg - 68 to 80 inches: sandy clay loam

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 5.95 in/hr)
Depth to water table: About 40 to 72 inches
Frequency of flooding: None
Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 5.3 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Evesboro

Percent of map unit: 10 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Galloway

Percent of map unit: 5 percent
Landform: Flats, depressions
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

Hambrook

Percent of map unit: 5 percent
Landform: Depressions, flats, fluviomarine terraces
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

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Fish and Wildlife Threatened and Endangered Species List

United States Department of the Interior

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

In Reply Refer To: 01/20/2025 15:56:33 UTC
Project Code: 2025-0044405
Project Name: Belmeade Farm

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

To Whom It May Concern:

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

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

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

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

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

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

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

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

PROJECT SUMMARY

Project Code: 2025-0044405
Project Name: Belmeade Farm
Project Type: New Constr - Above Ground
Project Description: Above ground development.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.71070505,-75.15219081081176,14z



Counties: Sussex County, Delaware

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

WETLANDS

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

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1R
- PFO1B

DelDOT Service Level Evaluation Request Response Letter

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

NICOLE MAJESKI
SECRETARY

October 27, 2022

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Becker Morgan Group, Inc** proposed land use application, which we received on October 21, 2022. This application is for an approximate 40.00- acre parcel (Tax Parcel: 334-18.00-40.01). The subject land is located on the southeast side of John J Williams Highway (Delaware Route 24) approximately 1,700 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned C-1 (General Commercial), with a proposed zoning of C-4 (Planned Commercial) to build 125,000 square feet of commercial/ retail space and up to 480 multifamily housing units.

Per the 2021 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along John J Williams Highway from Plantation Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), is 17,338 and 22,294 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For residential and non-residential developments that are consistent with the Land Use and

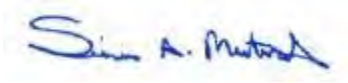
Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee per dwelling unit and a fee per square foot of non-residential space in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is not consistent with the LUTP, therefore, the developer will be required to perform a TIS to determine if the Level of Service (LOS) analyzed by the TID is consistent with the inclusion of the proposed development. If the LOS determined by the TIS is compliant with the TID, the proposed development is to pay the TID fee as stated above. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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

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

Sincerely,



Sireen Muhtaseb, PE
TIS Group Manager
Development Coordination

SM:afm
cc: Becker Morgan Group, Inc, Applicant
Lauren DeVore, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
Sussex Reviewer, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
James Argo, South District Project Reviewer, Maintenance & Operations
Todd Sammons, Assistant Director, Development Coordination
Kevin Hickman, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Reviewer, Development Coordination
Brian Yates, Subdivision Reviewer, Development Coordination
Thomas Gagnon, Subdivision Reviewer, Development Coordination
Joshua Johnson, Subdivision Reviewer, Development Coordination
Claudy Joinville, TIS Group Project Engineer, Development Coordination
Annamaria Furmato, TIS Group Project Engineer, Development Coordination

DelDOT Final Traffic Impact Study (TIS)

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

NICOLE MAJESKI
SECRETARY

June 4, 2024
Revised: June 24, 2024

Christopher Duke, P.E.
Becker Morgan Group, Inc.
100 Discovery Blvd, Suite 102
Newark, DE 19713

Dear Mr. Duke:

The enclosed Traffic Impact Study (TIS) review letter for the proposed **Belle Meade** (Tax Parcel: 334-18.00-40.01) multi-use development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TIS to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. This letter has been revised to clarify and to fix grammatical and formatting errors. The recommendation items and analysis results they are based on have not changed. On Page 1, a typo was fixed in the retail square footage. On Page 6, Item 3, turn lane lengths and minimum tapers and the name of the intersection in the body of Item 3 were added. DelDOT accepts this letter and concurs with the recommendations.

If you have any questions concerning this letter or the enclosed review letter, please contact me at Annamaria.Furmato@delaware.gov.

Sincerely,

Annamaria Furmato
TIS Group Project Engineer

AF:km
Enclosures
cc with enclosures: William Krapf, Capano Group, L.P.
David L. Edgell, Office of State Planning Coordination
Jamie Whitehouse, Sussex County Planning & Zoning
Andrew J. Parker, McCormick Taylor, Inc.
Tucker Smith, McCormick Taylor, Inc.
DelDOT Distribution

DelDOT

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Pamela Steinebach, Director, Planning
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
John Pietrobono, Acting Sussex County Review Coordinator, Development Coordination, Planning
Kevin Hickman, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Steve Bayer, Regional Transportation Planner, Statewide & Regional Planning

June 6, 2024

Ms. Annamaria Furmato
Project Engineer
DelDOT Division of Planning
P.O. Box 778
Dover, DE 19903

RE: Agreement No. 1946F
Traffic Impact Study Services
Task No. 5A Subtask 08A – Belle Meade

Dear Ms. Furmato:

McCormick Taylor has completed its review of the Traffic Impact Study (TIS) for the Belle Meade development prepared by Becker Morgan Group, Inc. dated February 2024. Becker Morgan Group prepared the report in a manner generally consistent with DelDOT's Development Coordination Manual.

The TIS evaluates the impacts of the proposed Belle Meade development, along the south side of Delaware Route 24 (Sussex Road 24), approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. The proposed development would consist of 125,000 square feet of retail space and 480 low-rise multi-family houses. One signalized access point is proposed on Delaware Route 24 opposite Lexington Avenue. Construction is anticipated to be completed in 2032.

The subject land is located on an approximately 38.33-acre parcel. The subject land is currently zoned AR-1 (Agricultural Residential) and the developer plans to rezone the land to C-4 (Planned Commercial).

Relevant and On-Going Projects and Studies

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The TID buildout year is 2045 and the minimum acceptable is LOS D.

Summary of Analysis Results

Based on our review, we have the following comments and recommendations:

The following intersections exhibit level of service (LOS) deficiencies without the implementation of physical roadway and/or traffic control improvements:

Intersection	***Existing Traffic Control***	***Situations for which deficiencies occur***
1. SR 24 / Lexington Avenue / Site Entrance	Unsignalized	2032 with development AM, PM, SAT (Case 3)
4. SR 24 / Plantation Road / Warrington Road	Signalized	2032 with development PM (Case 3)
6. SR 24 / Bryn Mawr Drive	Unsignalized	2032 without development PM and SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
9. Warrington Road / Old Landing Road	Unsignalized	2022 Existing SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
10. Mulberry Knoll Road / Cedar Grove Road	Unsignalized	2032 without development SAT (Case 2) 2032 with development PM and SAT (Case 3)
12. SR 24 / Spencer Lane / Williams Way	Unsignalized	2022 Existing PM and SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
13. SR 24 / Camp Arrowhead Road	Signalized	2032 with development SAT (Case 3)

14. SR 24 / Harts Road	Unsignalized	2022 Existing PM (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
16. SR 24 / Jolyns Way	Unsignalized	2032 without development SAT (Case 2) 2032 with development SAT (Case 3)

1. SR 24 / Lexington Avenue / Site Entrance (See Recommendations 2 and 3 & Table 2, Page 22)
This unsignalized intersection experiences LOS deficiencies during the AM, PM, and Saturday peaks in Case 3. In Case 3 during the PM and Saturday peaks, the northbound and southbound approaches are expected to operate at LOS F with over 2,500 seconds of delay. The developer proposes to construct a traffic signal at this intersection to mitigate the LOS deficiency. A Traffic Signal Justification Study (TSJS) has been prepared by the Department demonstrating that the warrants for a traffic signal are met with Case 3 volumes. If the intersection were signalized with the lane configuration as proposed in the *SR 24, Love Creek to Mulberry Knoll* project, the intersection will still operate at LOS F in the Saturday peak. The Henlopen TID proposes to widen SR 24 through this intersection to provide two through lanes in each direction. With signalization and the TID improvements the intersection is expected to operate at LOS C or better during all three peak periods.

4. SR 24 / Plantation Road / Warrington Road (See Recommendation 4 & Table 5, Page 25)
This signalized intersection experiences LOS deficiencies during the PM peak in Case 3. In Case 3 during the PM peak, the northbound approach is expected to operate at LOS F with 81.7 seconds of delay while the overall intersection will operate at LOS E with 60.8 seconds of delay. Queues on the northbound approach are expected to be over 838 feet long which exceeds the available storage. The Henlopen TID proposes to widen the Plantation Road and Warrington Road approaches to include two left-turn lanes, two through lanes, and one right turn lane. With the TID improvements at this intersection, the intersection is expected to operate at LOS D with 49.5 seconds of delay.

6. SR 24 / Bryn Mawr Drive (Table 7, Page 27)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peaks in Case 2 and the AM, PM, and Saturday Peaks in Case 3. In Case 3 during the PM peak, the southbound approach is expected to operate at LOS F with 62.5 seconds of delay and queues over 65 feet long. A signal could mitigate the LOS deficiencies at his intersection. However, a signal is not recommended because of the proximity to adjacent signals and the low minor street volumes. Bryn Mawr Drive is a private road and the delay is only experienced on the minor street approach without impact to Delaware Route 24.

9. Warrington Road / Old Landing Road (See Recommendation 4 & Table 10, Page 30)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 during the PM peak, the intersection has failing LOS on three approaches with the overall intersection operating at LOS F with 69 seconds of delay. The Henlopen TID proposes a roundabout at this intersection which will mitigate the LOS deficiency.

10. Mulberry Knoll Road / Cedar Grove Road (See Recommendation 4 & Table 11, Page 31)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 2 and the PM and Saturday peaks in Case 3. In Case 3 during the Saturday peak, the northbound Mulberry Knoll Road approach is expected to operate at LOS F with 837.7 seconds of delay and queues over 753 feet long. The developer recommends the construction of a dedicated eastbound right-turn lane on Cedar Grove Road. However, this improvement fails to fully mitigate the LOS deficiency. The Henlopen TID proposes a roundabout at this intersection.

12. SR 24 / Spencer Lane / Williams Way (See Recommendation 4 & Table 13, Page 33)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peak hours in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3, during the PM peak, the southbound approach is expected to operate at LOS F with 505.6 seconds of delay and queues over 63 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection. With that improvement, the intersection continues to experience LOS deficiencies. It should be noted that the delay is only experienced on the minor street approach, which is a private road. A signal is not recommended at this intersection due to the low minor street volumes. Additionally, the northbound volume during all peak hours is less than 10 vehicles.

13. SR 24 / Camp Arrowhead Road (See Recommendation 4 & Table 14, Page 34)
This signalized intersection experiences LOS deficiencies during the Saturday peak in Case 3. In Case 3 during the Saturday peak, the eastbound approach is expected to operate at LOS F with 95 seconds of delay and queues over 1,573 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection which mitigates the LOS deficiency.

14. SR 24 / Harts Road (See Recommendation 4 & Table 15, Page 35)
This unsignalized intersection experiences LOS deficiencies during the PM peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 in the PM peak hour the southbound Harts Road approach is expected to operate at LOS F with 989.9 seconds of delay. The Henlopen TID proposes the elimination of this intersection.

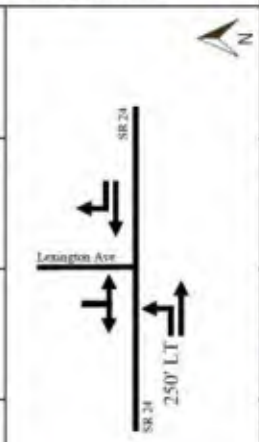
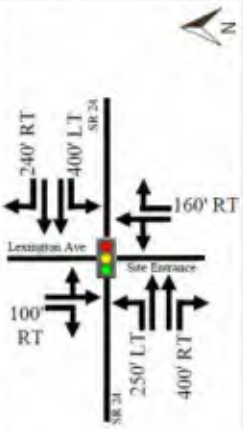
16. SR 24 / Jolyns Way (See Recommendation 4 & Table 17, Page 37)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Cases 2 and 3. In Case 3 during the Saturday peak, the northbound Jolyns Way approach is expected to operate at LOS E with 45.3 seconds of delay and queues of less than one vehicle. It should be noted that the forecasted volume on this approach is five (5) vehicles in the Saturday peak hour. The Henlopen TID proposes to signalize this intersection, widen SR 24 to include two through lanes in each direction, and add a northern leg to the intersection that will connect to Robinsonville Road. These improvements will mitigate the LOS deficiencies.

Development Improvements

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

1. The developer shall improve the State-maintained Roads on which they front (Delaware Route 24), within the limits of their frontage. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. "Frontage" means the length along the state right-of-way of a single property tract where an entrance is proposed or required. If a single property tract has frontage along multiple roadways, any segment of roadway including an entrance shall be improved to meet DelDOT's Functional Classification criteria as found in Section 1.1 of the Development Coordination Manual and elsewhere therein, and/or improvements established in the Traffic Operational Analysis and/or Traffic Impact Study. "Secondary Frontage" means the length along the state right-of-way of a single property tract where no entrance is proposed or required. The segment of roadway may be upgraded by improving the pavement condition of the existing roadway width. The Pavement Management Section and Subdivision Section will determine the requirements to improve the pavement condition.

2. The developer should construct the full-movement Site Entrance on Delaware Route 24. The proposed configuration is shown in the table below.

Approach	Current Configuration		Approach	Proposed Configuration	
Eastbound SR 24	One left turn lane and one through lane		Eastbound SR 24	One left turn lane, two through lanes, and one right turn lane	
Westbound SR 24	One through lane and one right turn lane.		Westbound SR 24	One left turn lane, two through lanes, and one right turn lane	
Northbound	Approach does not exist.		Northbound Site Entrance	One shared left / through lane and one right turn lane.	
Southbound Lexington Avenue	One shared left / right turn lane. Stop Control.		Southbound Lexington Avenue	One shared left / through lane and one right turn lane.	

At the proposed Site Entrance intersection, an eastbound right-turn lane is warranted on SR 24 based on DelDOT's Auxiliary Lane Worksheet, Figure 5.2.9.1-b. Initial recommended minimum turn lane length (excluding taper) is a 400-foot right-turn lane on eastbound SR 24. The westbound left-turn lane should be designed to accommodate the 95th percentile queues. Initial recommended minimum turn lane length (excluding taper) is a 400-foot left-turn lane on westbound SR 24. The developer should coordinate with DelDOT's Development Coordination Section to determine final turn lane lengths and other design details during the site plan review.

3. The developer should enter into a traffic signal agreement to design and construct a traffic signal with pedestrian crossings at the intersection of Site Entrance / Lexington Avenue and SR 24. SR 24 should be widened to include two 11-foot through lanes and 5-foot bicycle lanes in each direction within the extents of the site frontage. Beginning at the western extent of the site frontage, a minimum 150-foot eastbound lane addition taper should be provided to add the second eastbound through lane. Beginning west of the intersection, a minimum 495-foot westbound lane drop taper should be provided. At the signalized intersection there should be dedicated left-turn lanes and channelized right-turn lanes on each SR 24 approach, and on the northbound and southbound approaches there should be a shared left / through lane and a channelized right-turn lane. Initial recommended minimum turn lane lengths (excluding tapers) are a 250-foot eastbound left-turn lane, a 240-foot westbound right-turn lane, a 160-foot northbound right-turn lane, and a 100-foot southbound right-turn lane. At the signalized intersection the developer should also construct signalized pedestrian crossings on all approaches. The developer should coordinate with DelDOT's Development Coordination Section to determine final turn lane

lengths and other design details during the site plan review. The developer will be granted credit against their TID fee for this work.

4. The developer shall pay the Henlopen TID fee. The developer should coordinate with DelDOT regarding the TID fee amount and payment terms.

5. The following bicycle and pedestrian improvements should be included:

   a. Per the DelDOT Development Coordination Manual section 5.2.9.2, bicycle lanes are required where right-turn lanes are being installed.

   b. Appropriate bicycle symbols, directional arrows, pavement markings, and signing should be included along bicycle facilities and turn lanes within the project limits.

   c. Utility covers should be made flush with the pavement.

   d. A minimum 15-foot-wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT within the site frontages along Delaware Route 24. Within the easement, a minimum of a 10-foot wide shared-use path should be constructed. The shared-use path should meet AASHTO and ADA standards and should have a minimum of a five-foot buffer from the roadway. At the property boundaries, the shared-use path should connect to the adjacent property or to the shoulder in accordance with DelDOT's Shared-Use Path and/or Sidewalk Termination Reference Guide dated August 1, 2018. The developer shall coordinate with DelDOT's Development Coordination Section through the plan review process to determine the details of the shared-use path design and connections/terminations at or before both boundaries of the property.

   e. ADA compliant curb ramps and crosswalks should be provided at all pedestrian crossings, including all site entrances. Type 3 curb ramps are discouraged.

   f. Internal sidewalks for pedestrian safety and to promote walking as a viable transportation alternative should be constructed within the development. These sidewalks should each be a minimum of five-feet wide (with a minimum of a five-foot buffer from the roadway) and should meet current AASHTO and ADA standards. Internal sidewalks in the development should connect to the proposed shared-use path along the site frontages.

   g. Construct a bus stop pad on SR 24 within the site frontage. Bus stop pad should connect to shared use paths and sidewalks along the site frontage. Location, size, and type of bus pad will be determined through coordination with the Delaware Transit Corporation (DTC).

Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at http://deldot.gov/Publications/manuals/de_mutcd/index.shtml.

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

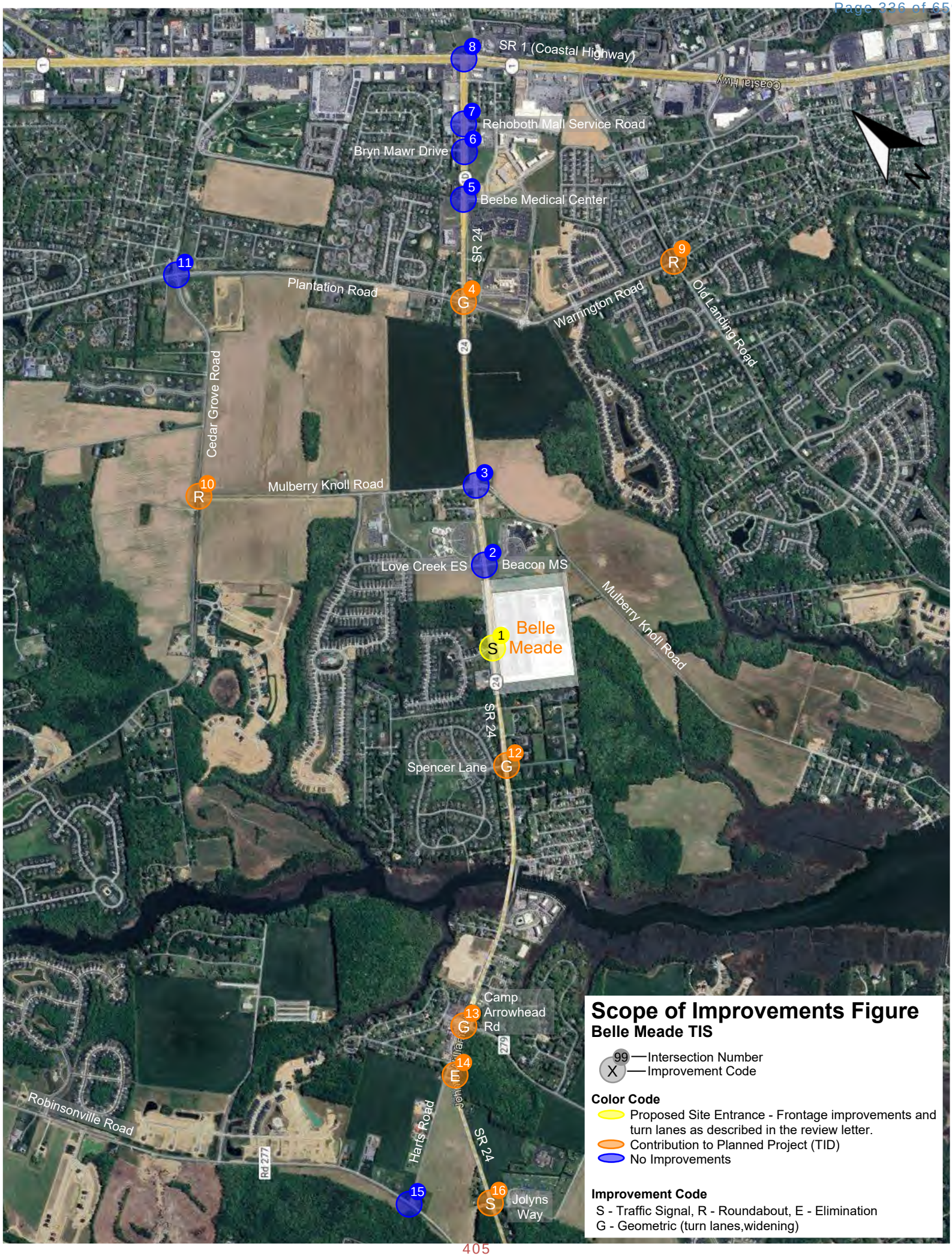
Additional details on our review of this TIS are attached. Please contact me at (610) 640-3500 or through e-mail at ajparker@mccormicktaylor.com if you have any questions concerning this review.

Sincerely,

McCormick Taylor, Inc.

Andrew J. Parker, PE, PTOE
Project Manager

Enclosure


SR 1 (Coastal Highway)
Coastal Hwy
Rehoboth Mall Service Road
Bryn Mawr Drive
Beebe Medical Center
SR 24
Plantation Road
Warrington Road
Old Landing Road
Cedar Grove Road
Mulberry Knoll Road
Love Creek ES
Beacon MS
Belle Meade
Spencer Lane
Camp Arrowhead Rd
Robinsonville Road
Harts Road
Jolyns Way
Rd 277
279
8
7
6
5
4
9
11
10
3
2
1
12
13
14
15
16
Scope of Improvements Figure
Belle Meade TIS
99 — Intersection Number
X — Improvement Code
Color Code
Proposed Site Entrance - Frontage improvements and turn lanes as described in the review letter.
Contribution to Planned Project (TID)
No Improvements
Improvement Code
S - Traffic Signal, R - Roundabout, E - Elimination
G - Geometric (turn lanes,widening)

General Information

Report date: February 2024
Prepared by: Becker Morgan Group, Inc
Prepared for: Capano Management, Inc.
Tax parcel: 334-18.00-40.01
Generally consistent with DelDOT's Development Coordination Manual: Yes

Project Description and Background

Description: The proposed Belle Meade development consists of 125,000 square feet of retail space, 480 low-rise multi-family houses.
Location: The site is located along the south side of Delaware Route 24, approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. A site location map is included on page 11.
Amount of land to be developed: an approximately 38.33-acre parcel.
Land use approval(s) needed: The subject land is currently zoned AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial).
Proposed completion year: 2032
Proposed access locations: One full access point is proposed on Delawar Route 24 opposite Lexington Avenue.
Average Daily Traffic Volumes (per DelDOT Traffic Summary 2022):

- Delaware Route 24: 18,591 vehicles/day


Mulberry Knoll Road
SR 24
N
SR 24
Mulberry Knoll Road
Site Location Map
Proposed Entrance

2020 Delaware Strategies for State Policies and Spending

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed Belle Meade development is located within Investment Level 2.

Investment Level 2
This investment level has many diverse characteristics. These areas can be composed of less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas, smaller towns and rural villages that should grow consistently with their historic character, and suburban areas with public water, wastewater, and utility services. These areas have been shown to be the most active portion of Delaware's developed landscape. They serve as transition areas between Level 1 and the more open, less populated areas. They generally contain a limited variety of housing types, predominantly detached single-family dwellings.

In Investment Level 2, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity.

Investments should encourage departure from the typical single-family-dwelling developments and promote a broader mix of housing types and commercial sites encouraging compact, mixed-use development where applicable. Overall, the State's intent is to use spending and management tools to promote well-designed development in these areas. Such development provides for a variety of housing types, user-friendly transportation systems, and provides essential open spaces and recreational facilities, other public facilities, and services to promote a sense of community. Investment Level 2 areas are prime locations for designating "pre-permitted areas."

Proposed Development's Compatibility with Strategies for State Policies and Spending:
The proposed Belle Meade development falls within Investment Level 2 and is to be developed as 125,000 square feet of retail space, 480 low-rise multi-family houses. The proposed development is consistent with the character of Investment Level 2. It is therefore concluded that the proposed development appears to generally comply with the policies stated in the 2020 "Strategies for State Policies and Spending."

Comprehensive Plan

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

The Sussex County Comprehensive Plan Future Land Use Map indicates that the proposed Belle Meade site is planned for "Commercial" land use. It would appear that the proposed Belle Meade development generally fits within the intended land use for this location.

Proposed Development's Compatibility with Comprehensive Plan:
The proposed development appears to comply with the Sussex County Comprehensive Plan. The Belle Meade development is proposed on land that is planned for Commercial use. The land is

zoned as AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial). The proposed development generally aligns with both the Future Land Use Map and the proposed zoning.

Relevant Projects in the DelDOT Capital Transportation Program

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The TID buildout year is 2045 and the minimum acceptable is LOS D.

Trip Generation

Trip generation for the proposed development was computed using comparable land uses and equations contained in Trip Generation, Eleventh Edition, published by the Institute of Transportation Engineers (ITE). The following land use was utilized to estimate the amount of new traffic generated for this development:

- 480 low-rise multi-family dwelling units (ITE Land Use Code 220)
- 125,000 square-foot Retail Space (ITE Land Use Code 821)

Table 1
Peak Hour Trip Generation

Land Use	Phase	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
LUC 220	Gross	173	211	384	249	211	460	336	315	651
LUC 821	Pass-by	0	0	0	114	106	220	127	116	243
Total Trips		**173**	**211**	**384**	**363**	**317**	**680**	**463**	**431**	**894**

Overview of TIS

Intersections examined:

1) Site Entrance / Lexington Avenue / Delaware Route 24
2) Delaware Route 24 / Love Creek Elementary School / Beacon Middle School
3) Delaware Route 24 / Mulberry Knoll Road (Sussex Road 284)
4) Delaware Route 24 / Plantations Road / Warrington Road (Sussex Road 275)
5) Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)
6) Delaware Route 24 / Bryn Mawr Drive
7) Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way
8) Delaware Route 1 / Delaware Route 24
9) Warrington Road / Old Landing Road (Sussex Road 274)
10) Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)
11) Cedar Grove Road / Plantations Road
12) Delaware Route 24 / Spencer Lane / Williams Way
13) Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)
14) Delaware Route 24 / Harts Road (Sussex Road 277C)
15) Robinsonville Road (Sussex Road 277) / Harts Road
16) Delaware Route 24 / Jolyns Way (Sussex Road 289)

Conditions examined:

1) 2022 Existing (Case 1)
2) 2032 without development (Case 2)
3) 2032 with development (Case 3)

Peak hours evaluated: Weekday morning, evening, and Saturday mid-day peak hours

Committed developments considered:

1) Scenic Manor f.k.a. Estates at Mulberry Knoll (320 single-family detached houses)
2) V&M, LLC (5,000 square-foot super convenience store with gas pumps and a 12,000 square-foot office)
3) Belle Terre (269 single-family detached houses)
4) Arbor-Lyn (142 single-family detached houses)
5) Osprey Point (217 single-family detached houses)
6) Welshes Pond f.k.a. Fieldstone (247 single-family detached houses)
7) Wellesley (132 single-family detached houses)
8) Centre at Love Creek f.k.a. Pelican Landing (84,576 square-foot shopping center)
9) Marsh Island (139 single-family detached houses)
10) Chase Oaks f.k.a. Charter Oak (249 single-family detached houses)
11) Brentwood f.k.a. Coral Lakes (198 single-family detached houses)
12) Tanager Woods f.k.a. Street Property (173 single-family detached houses)
13) Middle Creek Preserve (313 single-family detached houses)
14) Hailey's Glen f.k.a. Kielbasa Property (68 single-family detached houses)
15) Beachtree Preserve (155 single-family detached houses)

Intersection Descriptions

1) **Site Entrance/Lexington Avenue & Delaware Route 24**
   Type of Control: Currently unsignalized and proposed to be signalized.
   Eastbound Approach: (DE 24) existing one left-turn lane and one through lane; proposed one left-turn, two through, and one right-turn lane.
   Westbound Approach: (DE 24) existing one through and one right-turn lane; proposed one left-turn, two through, and one right-turn lane.
   Northbound Approach: (Site Entrance) proposed one shared left-through and one right-turn lane.
   Southbound Approach: (Lexington Avenue) stop-controlled; currently one shared left/right-turn lane; proposed one shared left/through and one right-turn lane.

2) **Delaware Route 24 / Love Creek Elementary School / Beacon Middle School**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Beacon Middle School) one shared left/through lane and one right-turn lane.
   Southbound Approach: (Love Creek Elementary School) one shared left/through lane and one right-turn lane.

3) **Delaware Route 24 & Mulberry Knoll Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Mulberry Knoll Road) one shared left/through lane and one right-turn lane.
   Southbound Approach: (Mulberry Knoll Road) one shared left/through lane and one right-turn lane.

4) **Delaware Route 24 & Plantation Road / Warrington Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Warrington Road) one left-turn lane, one shared left/through lane, one through lane, and one right-turn lane.
   Southbound Approach: (Plantation Road) one left-turn lane, one shared left/through lane, one through lane, and one right-turn lane.

5) **Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Beebe Road) one shared left/through lane and one right-turn lane.
Southbound Approach: (Entrance to Residence Inn) one shared left/through lane and one right turn lane.

6) **Delaware Route 24 / Bryn Mawr Drive**
Type of Control: three-leg stop controlled intersection.
Eastbound Approach: (DE 24) one left-turn lane and two through lanes.
Westbound Approach: (DE 24) one right-turn lane and two through lanes.
Southbound Approach: (Bryn Mawr Drive) stop-controlled; one shared left-right turn lane.

7) **Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Rehoboth Mall Service Road) one shared left-through lane and one right turn lane.
Southbound Approach: (Hudson Way) one shared left-through lane and one right turn lane.

8) **Delaware Route 1 / Delaware Route 24**
Type of Control: signalized three-leg intersection.
Eastbound Approach: (DE 24) three left-turn lanes and two right-turn lanes.
Northbound Approach: (DE 1) two left-turn lanes and three through lanes.
Southbound Approach: (DE 1) one U-turn lane, three through lanes, and one right turn.

9) **Warrington Road / Old Landing Road (Sussex Road 274)**
Type of Control: all-way stop-controlled four-leg intersection.
Eastbound Approach: (Warrington Road) one left-turn lane and one shared through/right-turn lane.
Westbound Approach: (Strawberry Road) one shared left/through/right-turn lane.
Northbound Approach: (Old Landing Road) one shared left/through/right-turn lane.
Southbound Approach: (Old Landing Road) one shared left/through/right-turn lane.

10) **Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (Cedar Grove Road) one shared through/right-turn lane.
Westbound Approach: (Cedar Grove Road) one shared left-turn/through lane.
Northbound Approach: (Mulberry Knoll Road) stop-controlled; one shared left/right-turn lane.

11) **Cedar Grove Road / Plantation Road**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (Cedar Grove Road) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (Cedar Grove Road) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Plantation Road) one left-turn lane, one through lane, and one right-turn lane.
Southbound Approach: (Plantation Road) one left-turn lane, one through lane, and one right-turn lane.

12) **Delaware Route 24 / Spencer Lane / Williams Way**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Williams Way) stop-controlled; one shared left/through/right-turn lane.
Southbound Approach: (Spencer Lane) stop-controlled; one shared left/through lane and one right-turn lane.

13) **Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Camp Arrowhead Road) one left-turn lane, one through lane, and one right-turn lane.
Southbound Approach: (Fairfield Road) one left-turn lane and one shared through/right-turn lane.

14) **Delaware Route 24 / Harts Road (Sussex Road 277C)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane and one through lane.
Westbound Approach: (DE 24) one through lane and one right-turn lane.
Southbound Approach: (Harts Road) stop-controlled; one right-turn lane and one left-turn lane.

15) **Robinsonville Road (Sussex Road 277) / Harts Road**
Type of Control: stop-controlled three-leg intersection.
Westbound Approach: (Harts Road) stop-controlled; one shared left/right-turn lane.
Northbound Approach: (Robinsonville Road) existing one shared through/right-turn lane.
Southbound Approach: (Robinsonville Road) existing one shared left-turn/through lane.

16) **Delaware Route 24 / Jolyns Way (Sussex Road 289)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one shared through/right-turn lane.
Westbound Approach: (DE 24) one shared left-turn/through lane.
Northbound Approach: (Jolyns Way) stop-controlled; one shared left/right-turn lane.

Safety Evaluation

Crash Data: Delaware Crash Analysis Reporting System (CARS) data was provided in the TIS for the three-year period from January 1, 2021, through December 31, 2023. A total of 7 reportable crashes occurred within 0.1 miles of the site access. Three were rear-end, two were sideswipe, one was an angle, and one was a single-vehicle crash. None of the crashes caused any injury or involved pedestrians or bicyclists.

Sight Distance: The study area generally consists of relatively flat roadways and there are few visual obstructions. As always adequacy of available sight distance should be confirmed during the site plan review process for all proposed movements at the site accesses.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Based on the current DART Bus Stop Map, the Delaware Transit Corporation (DTC) currently operates one fixed-route transit bus route in the area of the proposed Belle Meade development. Route 215 Millsboro/Rehoboth runs along DE 24 with the nearest stops located west of the site at the Love Creek Marina and east of the site at Beebe Medical Center.

Planned transit service: Delaware Transit Corporation (DTC) has requested that the developer construct a bus stop pad on SR 24 within the site frontage. The location, size, and type of bus pad will be determined through coordination with DTC.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, Delaware Route 24 is designated as a High-Traffic Regional Bicycle Route with a Bikeway. Plantation Road is designated as a High-Traffic Statewide Bicycle Route with a Bikeway. Recent

DelDOT projects along SR 24 have or are in the process of adding bicycle lanes along SR 24 between Love Creek and SR 1. The same projects have also added sidewalks or shared use paths along the same segment of SR 24, except for the segment between Mulberry Knoll Road and Plantation Road / Warrington Road.

Planned bicycle and pedestrian facilities: The developer should maintain the existing sidewalk or shared use path along the site frontage that was constructed by the "SR 24, Love Creek to Mulberry Knoll" project. In addition, a signalized pedestrian crossing of SR 24 should be included at the proposed signal at the intersection of SR 24 and Lexington Avenue.

Previous Comments

The initial scoping memorandum between the developer and DelDOT was dated December 9, 2022.

In a review letter dated October 6, 2023, DelDOT commented on the traffic counts and seasonally adjusted traffic volumes. The developer was asked to include additional committed developments that were originally included in the scoping memorandum. DelDOT also provided additional count data and directed the developer to update the volume figures.

In a second review letter dated October 30, 2023, DelDOT requested additional revisions to the committed development volumes due to construction detours in the area during the traffic counts. The developer was asked to address the noted issues and proceed with the Preliminary TIS.

In a third review letter dated December 28, 2023, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and distribution. The developer was then directed to resubmit the Preliminary TIS.

In a fourth review letter dated January 25, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and then resubmit the Preliminary TIS.

In a fifth review letter dated February 15, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to revise how growth factors were applied to volumes provided by the Henlopen TID and associated volume figures then resubmit the Preliminary TIS.

In a sixth review letter dated February 19, 2024, DelDOT noted that the Preliminary TIS was acceptable as submitted and directed the developer to proceed with the Final TIS.

It appears that all substantive comments from DelDOT's TIS Scoping Memorandum, Traffic Count Review, Preliminary TIS Review, and other correspondence were addressed in the Final TIS submission.

General HCS Analysis Comments
(see table footnotes on the following pages for specific comments)

1) Both the TIS and McCormick Taylor utilized Highway Capacity Software (HCS) version 2023 to complete the traffic analyses.

2) The TIS and McCormick Taylor generally used heavy vehicle percentages (HV%) from turning movement counts for existing and future conditions (as per DelDOT's Development Coordination Manual section 2.2.8.11.6.H). McCormick Taylor and the TIS assumed 3% HV for future movements and at the proposed site entrance.

3) The TIS and McCormick Taylor determined overall intersection peak hour factors (PHF) for each intersection based on the turning movement counts. Future PHFs were determined as per the DelDOT Development Coordination Manual section 2.2.8.11.6.F where applicable. The application of future PHFs in the TIS was inconsistent between intersections and volume scenarios.

4) For analyses of all intersections, McCormick Taylor and the TIS assumed 0% grade for all movements.

Table 2
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [1] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
1. SR 24 / Lexington Avenue / Site Entrance	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 – Left	A (8.1)	B (10.4)	A (8.7)	A (8.1)	B (10.5)	A (8.8)
Southbound Lexington Avenue	D (30.0)	E (42.7)	E (35.7)	D (30.5)	E (43.0)	E (36.3)
2032 No Build (Case 2) [2]						
Eastbound SR 24 – Left	A (9.0)	B (13.3)	B (10.5)	A (9.0)	B (13.2)	B (10.4)
Southbound Lexington Avenue	E (36.8)	F (90.0)	F (53.2)	F (108.0)	F (251.2)	F (150.1)
2032 Build (Case 3) [2]						
Eastbound SR 24 – Left	A (9.0)	B (12.8)	B (10.1)	A (9.0)	B (12.7)	B (10.1)
Westbound SR 24 – Left	B (13.9)	C (17.7)	D (34.9)	B (13.8)	C (16.6)	E (35.8)
Northbound Site Entrance	F (333.4)	F (3337.9)	F (10913)	F (1486.8)	F (17804.0)	F (44574.1)
Southbound Lexington Avenue	F (354.3)	F (2563.7)	F (6644.9)	F (3163.6)	F (13387.7)	[3]
2032 Build (Case 3) Signal [2]						
Overall	-	-	-	B (14.1)	C (28.3)	F (92.9)
2032 Build (Case 3 w/ TID) Signal [4]						
Overall	B (10.2)	B (11.6)	B (19.2)	B (12.0)	B (16.0)	C (25.0)

[1] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[2] TIS modeled Case 2 and 3 with two through lanes in both eastbound and westbound directions on SR 24. MT modeled with one through lane in each direction based on the proposed condition in the SR 24, Love Creek to Mulberry Knoll Road Project.
[3] Capacity cannot be calculated as intersection volume exceeds HCM limitations.
[4] Henlopen TID proposes two through lanes in each direction along SR 24.

Table 3
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [5]	**LOS per TIS**			**LOS per McCormick Taylor**		
2. SR 24 / Love Creek Elementary School / Beacon Middle School	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1) [6]						
Overall	A (9.6)	A (7.7)	A (2.0)	B (14.2)	B (10.4)	A (6.6)
2032 No Build (Case 2)						
Overall	A (6.4)	A (4.6)	A (0.6)	B (10.3)	A (5.4)	C (20.3)
2032 Build (Case 3)						
Overall	A (5.9)	A (4.5)	A (0.8)	C (23.3)	A (7.3)	D (41.3)

[5] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[6] TIS modeled intersection in Case 1 with one through lane in each direction. Existing conditions, following the completion of the SR 24, Love Creek to Mulberry Knoll Road Project, will have two through lanes in each direction along SR 24.

Table 4
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [7]	**LOS per TIS**			**LOS per McCormick Taylor**		
3. SR 24 / Mulberry Knoll Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (8.8)	A (9.3)	B (18.1)	A (8.9)	A (8.3)	B (17.0)
2032 No Build (Case 2)						
Overall	C (30.5)	D (46.0)	E (78.1)	B (19.9)	C (23.3)	C (28.5)
2032 Build (Case 3)						
Overall	D (37.0)	D (52.3)	F (85.0)	C (20.7)	C (24.9)	C (30.1)
2032 Build (Case 3 w/ TID)[8]						
Overall	-	-	-	B (17.1)	B (16.4)	C (23.5)

[7] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[8] Henlopen TID proposes the addition of dedicated right-turn lanes on both minor street approaches. The turn lanes are modeled with 180-foot storage length.

Table 5
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [9]	**LOS per TIS**			**LOS per McCormick Taylor**		
4. SR 24 / Plantation Road / Warrington Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	C (23.3)	C (31.8)	C (34.6)	D (36.6)	D (44.1)	D (50.4)
2032 No Build (Case 2)						
Overall	C (26.1)	C (35.6)	D (39.0)	C (32.4)	D (53.6)	D (50.1)
2032 Build (Case 3)						
Overall	C (26.7)	D (37.5)	D (40.7)	C (31.5)	E (60.8)	D (54.8)
2032 Build (Case 3 w/ TID) [10]						
Overall	-	-	-	C (28.8)	D (49.5)	D (42.0)

[9] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[10] The Henlopen TID conceptual design includes two left turn lanes, two through lanes, and one right turn lane on the Warrington Road and Plantation Road approaches.

Table 6
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [11]	**LOS per TIS**			**LOS per McCormick Taylor**		
5. SR 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (1.5)	A (5.1)	A (1.3)	A (1.8)	A (9.4)	A (7.3)
2032 No Build (Case 2)						
Overall	A (1.3)	A (3.8)	A (1.3)	A (1.3)	B (10.9)	B (11.3)
2032 Build (Case 3)						
Overall	A (1.3)	A (3.7)	A (1.3)	A (1.7)	B (11.1)	B (12.2)

[11] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 7
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [12] Two-Way Stop-Control	**LOS per TIS [13]**			**LOS per McCormick Taylor**		
6. SR 24 / Bryn Mawr Drive	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	B (10.4)	B (11.4)	B (11.7)	A (8.5)	A (9.5)	A (8.8)
Southbound Bryn Mawr Drive	C (15.1)	C (20.1)	C (21.8)	C (18.7)	C (20.1)	C (23.7)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	B (12.4)	C (17.0)	C (18.1)	A (8.9)	B (11.3)	B (11.1)
Southbound Bryn Mawr Drive	C (17.4)	D (29.6)	D (33.7)	D (30.6)	E (49.5)	F (56.3)
2032 Build (Case 3)						
Eastbound SR 24 - Left	B (11.5)	B (14.1)	C (15.1)	A (9.1)	B (11.7)	B (11.7)
Southbound Bryn Mawr Drive	C (17.1)	D (25.7)	D (29.4)	E (35.8)	F (62.4)	F (75.2)

[12] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[13] TIS modeled this intersection with three though lanes in each direction on SR 24 which does not match the existing or proposed conditions.

Table 8
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [14]	**LOS per TIS**			**LOS per McCormick Taylor**		
7. SR 24 / Rehoboth Mall Service Road / Hudson Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (3.1)	A (8.0)	A (5.4)	A (3.8)	B (10.7)	A (5.9)
2032 No Build (Case 2)						
Overall	A (2.5)	A (6.0)	A (4.3)	A (2.5)	A (7.4)	A (5.0)
2032 Build (Case 3)						
Overall	A (2.4)	A (5.7)	A (4.1)	A (3.2)	A (7.1)	A (4.2)

[14] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 9
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [15]	**LOS per TIS**			**LOS per McCormick Taylor**		
8. SR 24 / SR 1	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (19.7)	C (23.0)	D (39.2)	B (17.8)	C (22.9)	C (24.0)
2032 No Build (Case 2)						
Overall	D (43.2)	D (52.2)	E (77.3)	C (23.6)	C (32.1)	C (29.7)
2032 Build (Case 3)						
Overall	D (46.2)	E (56.5)	F (83.9)	C (29.8)	D (35.1)	C (33.1)

[15] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 10
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [16] All-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
9. Warrington Road / Old Landing Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound Warrington Road	D (31.6)	C (23.3)	F (116.1)	D (28.4)	C (20.4)	F (102.7)
Westbound Strawberry Way	A (9.5)	A (9.6)	B (11.1)	A (9.6)	A (9.7)	B (11.2)
Northbound Old Landing Road	C (15.7)	B (12.9)	C (22.5)	C (15.6)	B (12.8)	C (22.3)
Southbound Old Landing Road	B (12.3)	C (20.3)	D (31.6)	B (12.3)	C (20.0)	D (31.2)
Overall	C (22.9)	C (20.0)	F (66.0)	C (21.2)	C (18.7)	F (60.0)
2032 No Build (Case 2)						
Eastbound Warrington Road	F (130.4)	F (131.1)	F (336.8)	F (75.9)	F (51.7)	F (216.8)
Westbound Strawberry Way	B (10.7)	B (12.1)	B (12.9)	B (10.8)	B (12.1)	B (13.0)
Northbound Old Landing Road	C (22.4)	c (20.2)	E (42.8)	C (22.1)	C (20)	E (42.4)
Southbound Old Landing Road	C (15.2)	F (88.0)	F (103.2)	C (15.1)	F (89.9)	F (101.8)
Overall	F (76.7)	F (91.8)	F (192.0)	E (48.5)	F (60.2)	F (138.3)
2032 Build (Case 3)						
Eastbound Warrington Road	F (161.0)	F (155.6)	F (380.1)	F (115.3)	F (62.0)	F (243.9)
Westbound Strawberry Way	B (10.8)	B (12.2)	B (13.0)	B (10.9)	B (12.3)	B (13.1)
Northbound Old Landing Road	C (23.4)	C (20.9)	E (46.7)	C (23.1)	C (20.8)	E (46.3)
Southbound Old Landing Road	C (16.1)	F (105.0)	F (128.6)	C (16.0)	F (103.4)	F (127.6)
Overall	F (93.3)	F (108.9)	F (221.0)	F (57.0)	F (69.8)	F (159.9)
2032 Build (Case 3 w/ TID) Roundabout						
Overall	B (10.6)	B (11.7)	C (20.4)	B (10.6)	B (11.7)	C (20.4)

[16] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 11
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [17] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
10. Mulberry Knoll Road / Cedar Grove Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Cedar Grove Road - Left	A (8.2)	A (7.6)	A (9.8)	A (8.1)	A (7.6)	A (9.9)
Northbound Mulberry Knoll Road	B (11.5)	B (11.1)	C (20.5)	B (11.8)	B (11.1)	C (20.9)
2032 No Build (Case 2)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.3)	A (8.9)	A (8.3)	B (12.3)
Northbound Mulberry Knoll Road	C (20.1)	D (32.5)	F (614.3)	C (20.1)	D (32.5)	F (614.3)
2032 Build (Case 3)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (22.3)	E (40.4)	F (837.7)	C (22.3)	E (40.4)	F (837.7)
2032 Build (Case 3) w/ improvements [18]						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (19.3)	D (33.9)	F (581.4)	C (19.3)	D (33.9)	F (581.4)
2032 Build (Case 3) Roundabout [19]						
Overall	-	-	-	A (6.9)	A (6.7)	C (18.0)

[17] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[18] The TIS proposes to construct a dedicated eastbound right-turn lane on Cedar Grove Road.
[19] Henlopen TID proposes a roundabout at this intersection.

Table 12
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [20]	**LOS per TIS**			**LOS per McCormick Taylor**		
11. Cedar Grove Road / Plantation Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (18.3)	B (18.3)	C (31.2)	B (17.6)	B (17.7)	C (34.7)
2032 No Build (Case 2)						
Overall	B (19.8)	C (22.5)	D (41.4)	B (18.8)	C (21.0)	C (34.1)
2032 Build (Case 3)						
Overall	C (20.2)	C (23.3)	D (44.4)	B (19.1)	B (21.9)	D (44.8)

[20] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 13
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [21] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
12. SR 24 / Spencer Lane / Williams Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.6)	B (10.4)	A (8.6)	A (8.6)	B (10.4)	A (8.6)
Westbound SR 24 - Left	A (9.8)	A (8.9)	B (10.0)	A (9.8)	A (8.9)	B (10.0)
Northbound Williams Way	C (24.3)	F (56.0)	D (31.2)	C (24.3)	F (56.0)	D (31.2)
Southbound Spencer Lane	C (24.3)	E (44.1)	E (40.6)	C (24.3)	E (44.1)	E (40.6)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.6)	B (12.9)	B (10.2)	A (9.6)	B (13.5)	B (10.4)
Westbound SR 24 - Left	B (11.5)	B (10.6)	B (12.3)	B (11.5)	B (10.9)	B (12.7)
Northbound Williams Way	F (52.4)	F (220.3)	F (97.8)	F (52.4)	F (284.6)	F (115.8)
Southbound Spencer Lane	F (65.8)	F (233.6)	F (221.1)	F (65.8)	F (330.5)	F (291.9)
2032 Build (Case 3)						
Eastbound SR 24 - Left	A (10.0)	B (13.5)	B (10.8)	A (10.0)	B (14.2)	B (11.0)
Westbound SR 24 - Left	B (11.9)	B (11.1)	B (13.3)	B (11.9)	B (11.4)	B (13.8)
Northbound Williams Way	F (65.5)	F (305.4)	F (148.5)	F (65.5)	F (406.1)	F (181.6)
Southbound Spencer Lane	F (91.3)	F (535.2)	F (408.7)	F (91.3)	F (505.6)	F (547.1)
2032 Build (Case 3 w/ TID) [22]						
Eastbound SR 24 - Left	-	-	-	B (10.4)	B (14.5)	B (11.1)
Westbound SR 24 - Left	-	-	-	B (12.0)	B (11.5)	B (13.9)
Northbound Williams Way	-	-	-	E (41.9)	F (130.2)	F (86.1)
Southbound Spencer Lane	-	-	-	D (33.3)	F (176.2)	F (117.7)

[21] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[22] Henlopen TID proposes left-turn lanes, two through lanes, and right turn lanes on both SR 24 approach at this intersection.

Table 14
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [23]	**LOS per TIS**			**LOS per McCormick Taylor**		
13. SR 24 / Camp Arrowhead Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (10.5)	B (13.7)	B (14.6)	B (12.4)	B (15.8)	B (16.6)
2032 No Build (Case 2)						
Overall	C (27.4)	E (59.5)	F (88.3)	B (10.6)	B (17.8)	B (18.2)
2032 Build (Case 3)						
Overall	D (45.3)	F (89.5)	F (129.1)	B (12.3)	D (38.9)	E (58.6)
2032 Build (Case 3 w/ TID) [24]						
Overall	-	-	-	A (6.5)	B (11.0)	B (12.2)

[23] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[24] Henlopen TID proposes an additional through lane in both directions of SR 24.

Table 15
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [25] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
14. SR 24 / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.4)	A (9.4)	A (8.5)	A (8.2)	A (9.5)	A (8.5)
Southbound Harts Road	C (16.8)	E (37.7)	D (31.7)	C (18.6)	E (38.6)	D (32.3)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.3)	B (11.5)	A (9.9)	A (9.3)	B (11.5)	A (9.9)
Southbound Harts Road	F (109.5)	F (648.1)	F (541.0)	F (109.5)	F (648.1)	F (541.0)
2032 Build (Case 3) [26]						
Eastbound SR 24 - Left	A (9.6)	B (11.9)	B (10.4)	A (9.6)	B (11.9)	B (10.4)
Southbound Harts Road	F (198.1)	F (989.8)	F (982.7)	F (198.1)	F (989.8)	F (982.7)

[25] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[26] Henlopen TID proposes the removal of this intersection.

Table 16
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [27] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
15. Robinsonville Road / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Harts Road	B (10.1)	B (13.2)	B (12.7)	B (10.1)	B (13.2)	B (12.7)
Southbound Robinsonville Road - Left	A (7.8)	A (7.6)	A (7.9)	A (7.8)	A (7.6)	A (7.9)
2032 No Build (Case 2)						
Westbound Harts Road	B (11.5)	A (25.1)	C (19.8)	B (11.8)	A (29.5)	C (19.8)
Southbound Robinsonville Road - Left	A (8.2)	A (8.2)	A (8.7)	A (8.2)	A (8.3)	A (8.7)
2032 Build (Case 3)						
Westbound Harts Road	B (11.7)	D (29.7)	C (23.2)	B (12.0)	D (29.7)	C (20.5)
Southbound Robinsonville Road - Left	A (8.2)	A (8.3)	A (8.8)	A (8.3)	A (8.3)	A (8.7)

[27] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 17
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [28] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
16. SR 24 / Jolyns Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound SR 24 - Left	A (8.7)	A (8.3)	A (9.1)	A (9.0)	A (8.3)	A (9.1)
Northbound Jolyns Way	C (16.0)	C (15.6)	C (20.8)	C (16.6)	C (16.1)	C (20.8)
2032 No Build (Case 2)						
Westbound SR 24 - Left	A (9.4)	A (9.1)	B (10.2)	A (9.4)	A (9.1)	B (10.2)
Northbound Jolyns Way	C (22.2)	C (24.5)	E (37.1)	C (22.2)	C (24.5)	E (37.1)
2032 Build (Case 3)						
Westbound SR 24 - Left	A (9.6)	A (9.3)	B (10.6)	A (9.6)	A (9.3)	B (10.6)
Northbound Jolyns Way	C (24.3)	D (27.5)	E (45.3)	C (24.3)	D (27.5)	E (45.3)
2032 Build (Case 3 w/ TID) Signal [29]						
Overall	-	-	-	A (1.5)	A (1.6)	A (1.4)

[28] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

[29] Henlopen TID proposes to signalize this intersection with two through lanes and dedicated turn lanes in each direction along SR 24, extending Jolyns Way north of SR 24 to connect to Robinsonville Road forming a northern leg of the intersection, and adding dedicated right turn lanes on both Jolyns Way approaches. The capacity analysis for the Case 3 with TID results above modeled the intersection without the proposed northern leg because traffic volumes have not been prepared for this condition.

Off-Site Improvements – Opinion of Cost

The Final TIS recommendations from DelDOT included development improvements as follows: frontage improvements, full movement signalized Site Entrance at the intersection of Lexington Ave. and DE Rt. 24 with auxiliary turn lanes, bicycle and pedestrian improvements and Henlopen TID fees to be paid as determined by DelDOT.

Based on the 2025 rate schedule the project's contribution to the Henlopen TID is estimated at approximately $2,800,000.00.

In addition to the TID, the project's frontage improvements, as recommended by the Traffic Impact Study, are estimated at approximately $1,400,000.00

There are no off-site drainage, sewer, or water costs anticipated with the project scope. Impact fees to the appropriate infrastructure owner's will be calculated at the time of payment, based on the most currently adopted rate schedules.

APPLICATION FOR REZONING
CZ 2001

BELLE MEAD FARM



MARCH 2025

PREPARED BY:

BECKER MORGAN GROUP, INC.
309 S. GOVERNORS AVE.
DOVER, DE 19904

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Project Overview – (Rezoning – Belle Mead Farm.)

1.1 Executive Summary

The proposed property is located on Route 24, John J. Williams Highway, in Sussex County Delaware. The existing zoning is AR-1 (Agricultural Residential), and the proposed zoning is C-4 (Planned Commercial). This site is located within Investment Levels 2 and 3, per the Delaware Strategies for State Policies and Spending. This site is located within the Henlopen Transportation Improvement District (TID). The 39.33 ± acre site is labeled as commercial located within the Coastal Area according to the Sussex County Comprehensive Plan Future Land Use, Dated January 2019.

The site fronts John J. Williams Highway, a Principal Arterial which has recently completed road widening improvements as part of the Henlopen TID / DelDOT CTP. Directly to the north of the property is Beacon Middle School, in the Cape Henlopen School District. To the east of the parcel is agricultural land, and directly to the south is Bookhammer Estates, a residential subdivision. Within the vicinity of the site there are several other commercial sites, including Love Creek Elementary School, Delaware State Police Troop 7, and several small businesses, as well as a proposed shopping center to the north (Atlantic Fields). This is an area for which commercial zoning is targeted as shown on the future land use map, and additional commercial properties are currently being built. The subject site itself is currently a mixture of agricultural and wooded areas.

The proposed project is a mixed-use development featuring multi-family housing, mixed-use buildings with retail as well as residential, and commercial pad sites along the Route 24 frontage. Superior land planning has been provided to protect all existing natural resources on the site. Mixed use developments promote physical activity, create diverse housing options and align with the values of eco-conscious residents and businesses. This project will create a pedestrian friendly environment, which blends different residential housing types, with retail and commercial uses within a walkable community with uninterrupted pedestrian connections.

This mixed use project will provide a percentage of the total dwelling units to affordable housing. These units will seek to better protect the health, safety and welfare of Sussex County's residents and workforce by providing affordable rental housing for residents with low and moderate incomes

This project intends to use a combination of stormwater facilities including green technology BMPs as well as wet ponds. The ultimate goal is a reduction in volume discharge from the site per the Delaware Sediment and Stowmwater Regulations.

The site will be served by public water and public sewer. A high quality, reliable source of potable drinking water and fire protection service will be provided by Tidewater Utilities, Inc. A gravity sewer collection system is proposed. The property is adjacent to the Sussex County Unified Sewer District.

In summary, the proposed site will become an anchor to both the residential and commercial areas that surround the site. With superior land planning this site will enhance the surrounding properties, will feature excellent architectural design, and will provide additional housing to the rapidly growing Route 24 corridor.

1.2 Project Team – (Rezoning – Belle Mead Farm)

Applicant / Developer:	**Belmead Farm LLC.** Contact: Bill Krapf 105 Foulk Road Wilmington, DE 19803 Telephone: (302)-429-8700 e-mail: bkrapf@capanoinc.com
Attorney:	**Brockstedt Mandalas Federico, LLC.** Contact: John Paradee 6 S. State St. Dover, DE 19901 Telephone: (302) 677-0061 Fax: (302) 677-0065 e-mail: jparadee@lawbmf.com
Civil Engineer / Surveyor:	**Becker Morgan Group, Inc** Contact: Michael Riemann, P.E. 309 South Governors Avenue Dover, DE 19904 Telephone: (302) 734-7950 Fax: (302) 734-7965 e-mail: mriemann@beckermorgan.com
Architect:	**Becker Morgan Group, Inc** Contact: Jack Mumford III, AIA Port Exchange Bldg 312 West Main St, Ste 300 Salisbury, MD 21801 Telephone: (410)-546-9100 e-mail: jmumford@beckermorgan.com

1.3 Project Data – (Rezoning – Belle Mead Farm)

Total Site Area:	39.33 ± Acres
Current Zoning District:	AR-1 (Agricultural Residential)
Proposed Zoning:	C-4 (Planned Commercial District)
Proposed Use:	Mixed-use, multifamily, and commercial
Tax Parcel:	334-18.00-40.01 & 334-18.00-40.06
Woodlands:	Existing: 10.96 ± Acres
Setbacks: C-4	
Front:	60 ft
Side:	5 ft
Rear:	5 ft
Maximum Building Height:	42 ft
Utilities:	
Sewer:	Sussex County
Water:	Tidewater
Electric:	Delmarva Power
Telephone:	Verizon

Access roads: John J. Williams Highway (SCR 024, Principal Arterial)

Floodplain: Zone X (Areas with less than 0.2% chance of flooding)
Zone AE (Base flood elevation determined to be 5')
No development is being proposed within the floodplain

1.4 Existing Conditions – (Rezoning – Belle Mead Farm)

A boundary survey of the proposed site (parcel numbers 334-18.00-40.01 & 334-18.00-40.06) was surveyed by Becker Morgan Group in March of 2023. The total area of the site is 39.33 ± acres. The survey indicates the forested areas to be approximately 10.96 ± acres.

The land currently consists of a mixture of agricultural and forested land.

The existing topography of the survey indicates that a majority of the site is sloping towards the interior of the site, and the steepest slopes occurring in the southeast corner of the site. Overall existing drainage of the site indicates that most of the runoff flows to the middle of the site, then down towards the southeast corner into the wetlands. The greatest elevation change on the site is about 18 feet.

The USDA soil survey of Sussex County, Delaware shows the site to be a majority (~60%) Downer sandy loam 0 to 2 percent slopes, (~20%) Downer sandy loam 2 to 5 percent slopes, (~10%) Hurlock sandy loam, 0 to 2 percent slopes, and (~10%) Rosedale loamy sand 2 to 5 percent slopes.

Per the National Wetland Inventory Map, there is a small area of nontidal wetlands found on the subject site. Additionally, there are no state regulated wetlands found on site. According to the FEMA Flood Map #10005C0334K Revised March 16, 2015, the majority of the subject property is located within Zone X, with a small portion of the site located within Zone AE (Base Flood Elevation 5') although no development is proposed within this floodplain area.

The subject property is not known to be identified as a Historic Property. The property has been in agricultural use since at least 1927. Currently, there is 1 residential building on site, and 5 existing agricultural structures on the site. No endangered species have been identified on the subject property. Also, the absence of identified wetlands, including Atlantic White Cedar Wetlands (AWCW) on the site makes evaluations for threatened plant species unnecessary.

Tidewater has an existing water main running parallel to John J. Williams Highway Tidewater has provided a "Willing and Able to Serve" letter for both water and fire protection to the subject site.

The subject development is located within the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intention of the TID is to plan comprehensively and thereby enable both land development and transportation improvements needed to support it.

1.5 Traffic (TIS / TID)

A Traffic Impact Study was completed 2024. The study looked at not only the effect of the Belle Meade project on surrounding roadway infrastructure, but also the impacts of 15 additional committed developments that are planned for the area. In total, 16 intersections were examined along SR 24 and the surrounding roadways. Though either construction improvements that will be made directly by the developer, or monetary contributions from the developer to DelDOT projects and programs to fund future projects, each of the 16 intersections are expected to operate at acceptable levels of service in the future.

Even though the project is located within the Henlopen TID limits, a project specific Traffic Impact Study was performed because the TID did not account for the specific land use that is proposed. As such, the TIS served to supplement the TID in this way, accounting for development at the project site that the TID did not. The TIS studied the impacts of future traffic anticipated during the Weekday AM and PM peak hours as well as the Summer Saturday peak hour conditions.

Of the 16 intersections studied, several were identified as needing improvements to existing conditions to provide adequate level-of-service in the full-build analysis year. At each, either the TID proposes improvements to satisfy what is required, or the developer will be required to fund the necessary improvements directly. To supplement the TID funds set aside for these improvements, the developer will be required to make a monetary contribution.

Specifically, the TIS requires the following:

1. The developer shall improve the State-maintained roads on which they front (Delaware Route 24) within the limits of the frontage.
2. The developer should construct a full-movement access on Delaware Route 24, with turn lanes. The developer should enter into a signal agreement with DelDOT for this access to be signalized.
3. SR 24 should be widened to include two 11’ lanes and 5’ bicycle lanes in each direction within the extents of the site frontage.
4. The developer shall pay the Henlopen TID fee.
5. Include relevant bicycle and pedestrian improvements.

1.6 Landscaping and Screening (Rezoning – Belle Mead Farm)

The subject site will plan on providing a landscaped area on all perimeter edges that are not currently adjacent to wooded areas, except along the parcel's John J. Williams Highway road frontage. The landscaped area or retained woodland will serve as a screen to minimize the visual effects between the subject site and adjacent properties. All landscaping on site shall be native trees and shrubs to further integrate the project into the existing landscape.

Furthermore, the site will be attractively landscaped throughout to provide a seamless integration into the surrounding area and promote a healthy and vibrant place to live and visit. Landscape materials used will be focused on native species which will provide wildlife support, water conservation, and minimal maintenance, while providing biodiversity.

The developer of the subject site will make every attempt to preserve as much of the existing woodland as practical. Scenic views of the existing woodland will be preserved as much as practical. Studies show that wooded areas and trees contribute to an overall feeling of wellbeing and serenity.

Disturbance of the site will be minimized to include only those areas required for clearing of building pads, roads, parking, and utility installation. All undisturbed vegetation that matches and fits in the surrounding vegetation shall remain. Grade changes to the site shall be limited to those necessary to provide positive drainage and proper cover over utilities.

1.7 Stormwater Management Regulations– (Rezoning – Belle Mead Farm)

A detailed plan review is required through Sussex Conservation District and will include review of stormwater management, drainage, and erosion and sediment control.

The site currently drains to the Rehoboth Bay Watershed.

This project will meet current stormwater rules and regulations regarding stormwater management. This project intends to use a combination of stormwater facilities including green technology BMPs as well as wet ponds. The ultimate goal is a reduction in volume discharge from the site per the Delaware Sediment and Stormwater Regulations.

Erosion and sediment control will be provided by methods approved by Sussex Conservation District and Sussex County. Any post-development discharge rates will be controlled to discharge less than or equal to the discharge rates of pre-development conditions.

1.8 Rezoning of the Subject Site – (Rezoning – Belle Mead Farm)

The intent of this application is to amend the Sussex County Comprehensive Zoning Map from AR-1 Agricultural Residential District to a C-4 Planned Commercial District for the subject property containing 39.33 ± acres. It will also be the intent of the developer to provide an aesthetically pleasing site with amenities for its users, while keeping it environmentally friendly and preserving as much of the natural land as possible. The developer intends to not only comply with state and county standards but exceed these standards with superior planning and design.

Per the 2018 Comprehensive Plan, the subject property is within the Coastal Area, defined as a growth zone. This region is among the most desirable locations in Sussex County for new development, as is reflected in new construction data and real estate prices. Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. This application proposes rezoning to C-4, which is an applicable zoning district within the Coastal Area. Additionally, the proposed commercial, mixed-use, and residential uses match the goals and objectives of the Comprehensive Plan.

1.9 Proposed Finding of Facts – (Rezoning – Belle Mead Farm)

1. This is an application to amend the comprehensive zoning map from AR-1 (Agricultural Residential) to C-4 (Planned Commercial) with an area of 39.33 ± acres more or less, in Lewes & Rehoboth Hundred located on the southeast side of Delaware Route 24 (John J. Williams Highway) approximately ½ mile southwest of the Mulberry Knoll intersection.

2. The subject property is a parcel owned by Belmead Farm, LLC. The applicant is Belmead Farm, LLC, a Delaware limited liability company.

3. The subject property is located on Route 24 which is classified by DelDOT as a principle arterial road. Based upon its review, DelDOT has approved a TIS. A copy of the TIS approval letter has been attached to this booklet. The applicant will comply with the provisions of the TIS. Additionally, this project is located within the Henlopen TID, and as a result of the TIS a contribution of approximately $2.8m to the TID will be required.

4. The proposed site for the Belle Mead project is located in an area surrounded by existing communities, institutional, and commercial uses. The site is currently in agricultural use.

5. In the 2018 Sussex County Comprehensive Plan, the area for the proposed project is identified for the purposes for future land use as Commercial, within the Coastal Area.

6. In the 2018 Plan, the area is designated as commercial within the Coastal Area and C-4 Planned Commercial is an applicable district for future land use.

7. The State Strategies for Policies and Spending identify the area as located primarily within Investment Level 2 & with a small portion within Level 3. Level 2 areas are in rapidly growing areas within the county that have, or will have, public water and wastewater services and utilities. These are areas that are generally adjacent to or near Level 1 areas. Level 3 Areas are in longer-term growth plans, and/or areas within growth areas that have some environmental constraints. Although growth is planned here, infrastructure and other investments may be made further into the future.

8. The applicant proposes to use the site for a mixed-use commercial and residential development. The proposed project is consistent with the character of the area.

9. The application specifically meets the purpose of the C-4 Planned Commercial District by providing a site for commercial and service activities along a principle arterial, where improvements have recently been completed.

10. This proposed mixed-use area lessens congestion on roads and streets by providing commercial activities and residences along Route 24 – John J. Williams Highway so that residents and visitors along the west side of the coastal area may have their commercial needs met without the necessity of commuting to the Route 1 corridor.

11. The proposed mixed-use project will be served with central water by Tidewater Utilities, Inc., the holder for the Certificate of Public Convenience and Necessity for the area.

12. The present site plan adjacent to the Sussex County Unified Sanitary Sewer District, operated and maintained by the Sussex County Engineering Department for wastewater treatment.

13. The proposed mixed-use plan meets the general purpose of the Zoning Ordinance by promoting the orderly growth, convenience, order, prosperity, and welfare of the County.

14. Delaware State Housing Authority supports this proposal per the PLUS comments dated February 20th, 2025. According to the DSHA's Housing Reform Map, this project is in an Area of Opportunity where diverse housing types should be supported. This means that this area has high-quality schools, supportive infrastructure, and the capacity to support diverse and affordable housing types. This project should continue to support the balance of housing type and affordability.

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✔

Site Address of Conditional Use/Zoning Map Amendment

20044 (+/-) John J Williams Hwy - Belle Mead Farm - Route 24

Type of Conditional Use Requested:

Tax Map #: 334-18.00-40.01 & 334-18.00-40.06 **Size of Parcel(s)**: 39.22 acres

Current Zoning: AR-1 **Proposed Zoning:** C-4 **Size of Building**: TBD

Land Use Classification: Commercial

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

Applicant Information

Applicant Name: BELMEAD FARM LLC
Applicant Address: 105 FOULK ROAD
City: WILMINGTON State: DE ZipCode: 19803
Phone #: (302) 429-8700 E-mail:

Owner Information

Owner Name: BELMEAD FARM LLC
Owner Address: 105 FOULK ROAD
City: WILMINGTON State: DE Zip Code: 19803
Phone #: (302) 429-8700 E-mail:

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: BECKER MORGAN GROUP, INC
Agent/Attorney/Engineer Address: 309 S. GOVERNORS AVE
City: DOVER State: DE Zip Code: 19904
Phone #: (302) 734-7950 E-mail: MRIEMANN@BECKERMORGAN.COM

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✔ **Completed Application**

✔ **Provide two (2) paper copies** and one (1) electronic copy **of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description
- Drainage Assessment Report (if required, please refer to Section 115-193 (F))
- TIS or Area Wide Study Fee Memo (if required, please refer to the MOU)

✔ **Provide relevant** Application Fee (please refer to fees effective July 1, 2022)

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

✔ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

✔ **DelDOT Service Level Evaluation Request Response**

✔ **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney _____ Date: 11/22/22

Signature of Owner _____ Date: 11/14/2022

For office use only:

Date Submitted: _____ Fee: Check #: _____

Staff accepting application: _____ Application & Case #: _____

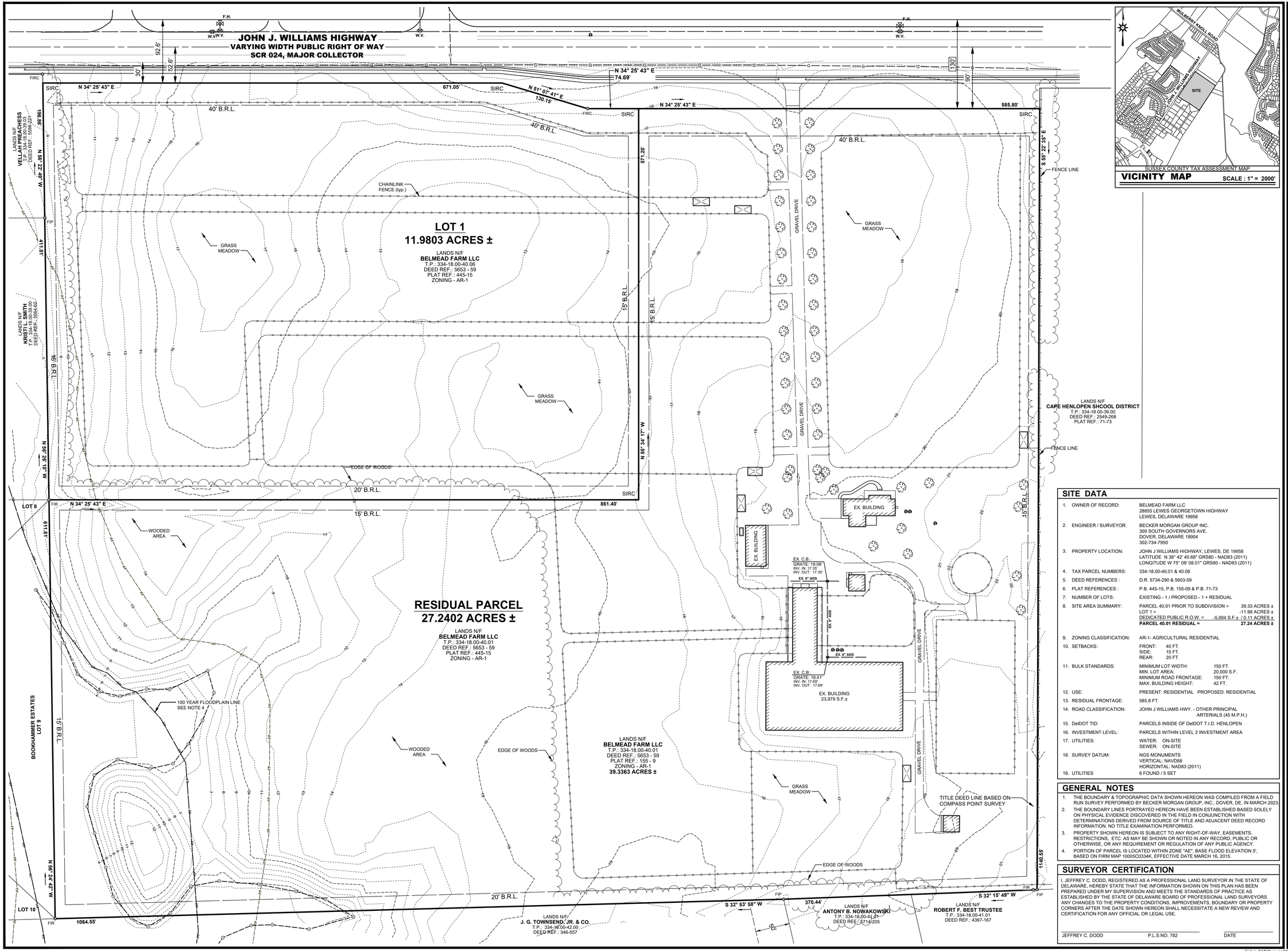
Location of property: _____

_____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____



SITE DATA

1.	OWNER OF RECORD:	BELMEAD FARM LLC 28855 LEWES GEORGETOWN HIGHWAY LEWES, DELAWARE 19958
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DELAWARE 19904 302-734-7950
3.	PROPERTY LOCATION:	JOHN J WILLIAMS HIGHWAY, LEWES, DE 19958 LATITUDE N 38° 42' 40.68" GRS80 - NAD83 (2011) LONGITUDE W 75° 09' 08.01" GRS80 - NAD83 (2011)
4.	TAX PARCEL NUMBERS:	334-18.00-40.01 & 40.06
5.	DEED REFERENCES :	D.R. 5734-290 & 5653-59
6.	PLAT REFERENCES :	P.B. 445-15, P.B. 155-09 & P.B. 71-73
7.	NUMBER OF LOTS:	EXISTING - 1 / PROPOSED - 1 + RESIDUAL
8.	SITE AREA SUMMARY:	PARCEL 40.01 PRIOR TO SUBDIVISION = 39.33 ACRES ± LOT 1 = -11.98 ACRES ± DEDICATED PUBLIC R.O.W. = -5.004 S.F.± / 0.11 ACRES ± **PARCEL 40.01 RESIDUAL = 27.24 ACRES ±**
9.	ZONING CLASSIFICATION:	AR-1- AGRICULTURAL RESIDENTIAL
10.	SETBACKS:	FRONT: 40 FT. SIDE: 15 FT. REAR: 20 FT.
11.	BULK STANDARDS:	MINIMUM LOT WIDTH: 150 FT. MIN. LOT AREA: 20,000 S.F. MINIMUM ROAD FRONTAGE: 150 FT. MAX. BUILDING HEIGHT: 42 FT.
12.	USE:	PRESENT: RESIDENTIAL PROPOSED: RESIDENTIAL
13.	RESIDUAL FRONTAGE:	585.8 FT.
14.	ROAD CLASSIFICATION:	JOHN J WILLIAMS HWY. - OTHER PRINCIPAL ARTERIALS (45 M.P.H.)
15.	DelDOT TID:	PARCELS INSIDE OF DelDOT T.I.D. HENLOPEN
16.	INVESTMENT LEVEL:	PARCELS WITHIN LEVEL 2 INVESTMENT AREA
17.	UTILITIES:	WATER: ON-SITE SEWER: ON-SITE
18.	SURVEY DATUM:	NGS MONUMENTS VERTICAL: NAVD88 HORIZONTAL: NAD83 (2011)
19.	UTILITIES	6 FOUND / 5 SET

GENERAL NOTES

1. THE BOUNDARY & TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM A FIELD RUN SURVEY PERFORMED BY BECKER MORGAN GROUP, INC., DOVER, DE. IN MARCH 2023.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION. NO TITLE EXAMINATION PERFORMED.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
4. PORTION OF PARCEL IS LOCATED WITHIN ZONE "AE", BASE FLOOD ELEVATION 5', BASED ON FIRM MAP 10005C0334K, EFFECTIVE DATE MARCH 16, 2015.

SURVEYOR CERTIFICATION

I, JEFFREY C. DODD, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

JEFFREY C. DODD P.L.S.NO. 782 DATE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

NAD83/DSP

PROJECT TITLE

LANDS OF
BELMEAD FARM LLC

JOHN J WILLIAMS HIGHWAY
LEWES, DELAWARE 19958
SUSSEX COUNTY

SHEET TITLE

BOUNDARY & TOPOGRAPHIC SURVEY

0 30 60 120

SCALE: 1" = 60'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: BNDY TOPO

PROJECT NO.:	2022079.00
DATE:	03/07/25
SCALE:	1" = 60'
DRAWN BY:	B.G. PROJ. MGR.: J.C.D.

SHEET

1 OF 1

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LAYER STATE: 2.3_AERIAL-MAP-1000

AERIAL MAP - SITE LOCATION
BELLE MEAD FARM

20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 1000'
DATE: MAR. 2025
DRAWN BY: M.J.A.

AERIAL

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LAYER STATE: 2.4_ZONING-MAP-2-1500

SUSSEX COUNTY ZONING - SITE LOCATION
BELLE MEAD FARM

20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP
ARCHITECTURE
ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 1000'
DATE: MAR. 2025
DRAWN BY: M.J.A.

ZONING

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THE SUSSEX PLAN

Sussex County Comprehensive Plan

Existing Land Use

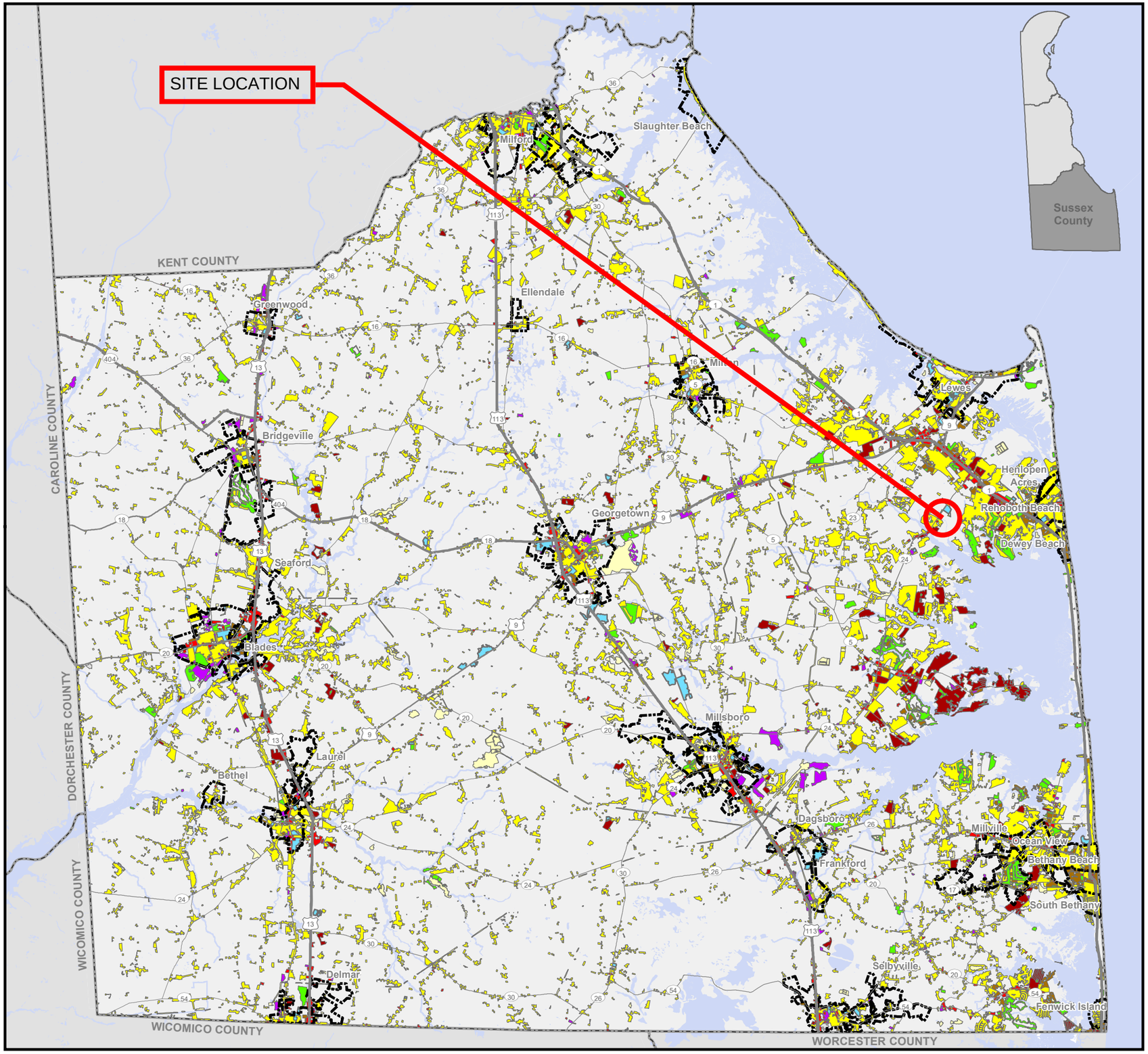
- Single-Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Institutional
- Mixed Use
- Agricultural & Undeveloped Lands
- Recreation
- Utilities
- County Boundaries
- Municipalities
- Major Rivers
- Waterbodies

Sources: DE FirstMap - 2012 Existing Land Use, Sussex County Mapping Dept., Office of Management and Budget, State of Delaware, Delaware Geographic Data Committee

McCORMICK TAYLOR

0 2.5 5 Miles

N



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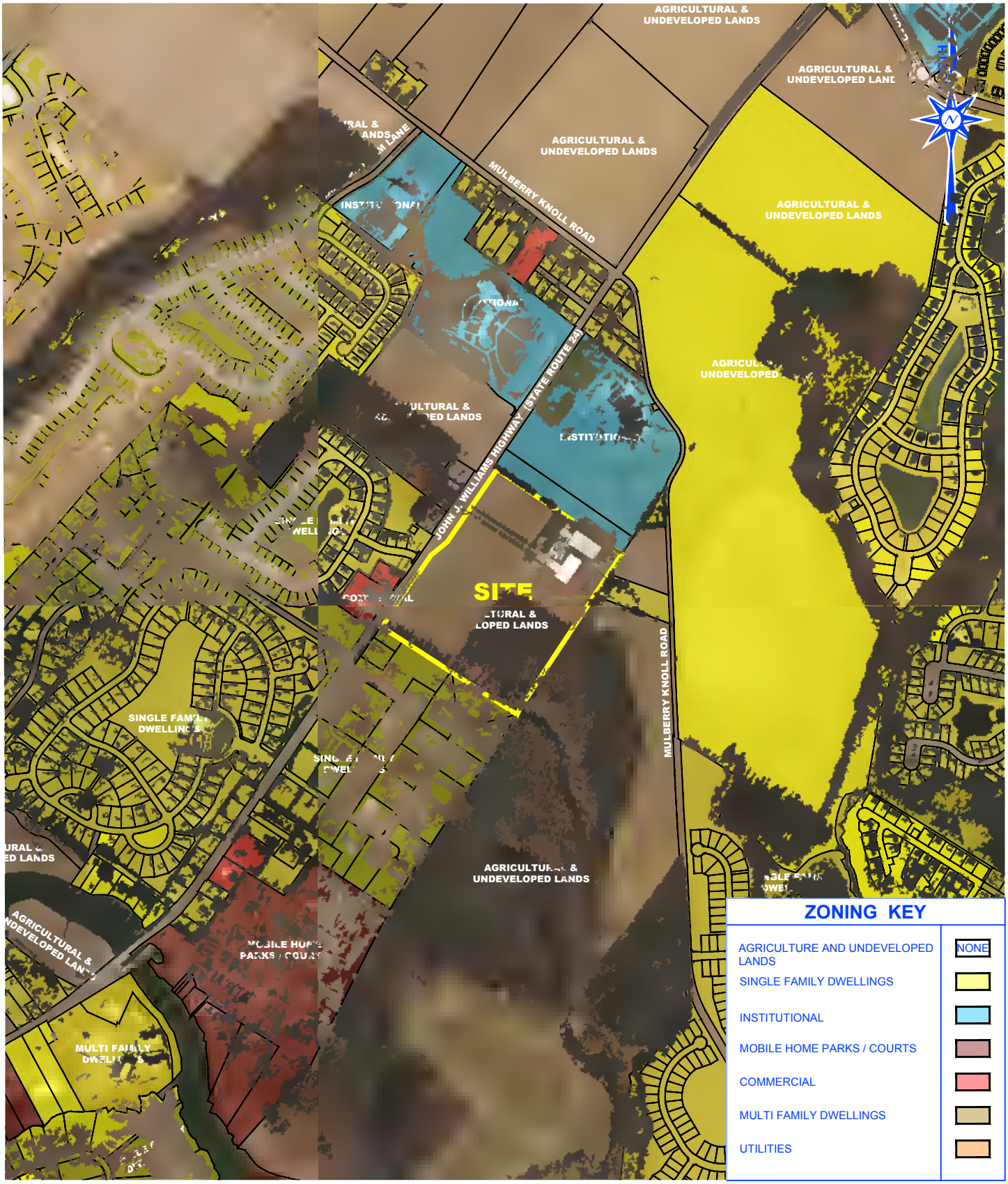

LAYER STATE: 2.5_EXISTING LAND USE-1000

EXISTING LAND USES - SITE LOCATION
BELLE MEAD FARM

20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP
ARCHITECTURE
ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 1000'
DATE: MAR. 2025
DRAWN BY: M.J.A.

EXISTING

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LAYER STATE 2 10 - ICINITY MAP 5X30

VICINITY MAP - SITE LOCATION
BELLE MEAD FARM
SURROUNDING COMMERCIAL
20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING
Dover, DE
309 S Governors Ave
Dover DE 19904
Ph. 302 734 7950
Fax 302 734 7965

BMG 2022079.00
SCALE 1" = 3000'
DATE MAR 2025
DRAWN BY M.J.A.

VICINITY

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THE SUSSEX PLAN

Sussex County Comprehensive Plan

2045 Future Land Use Map

Growth Areas
- Municipalities
- Town Center
- Developing Area
- Existing Development Area
- Coastal Area
- Commercial
- Industrial Area

Rural Areas
- Low Density
- Protected Land
- Ag. Preservation District
- Ag. Preservation Easement

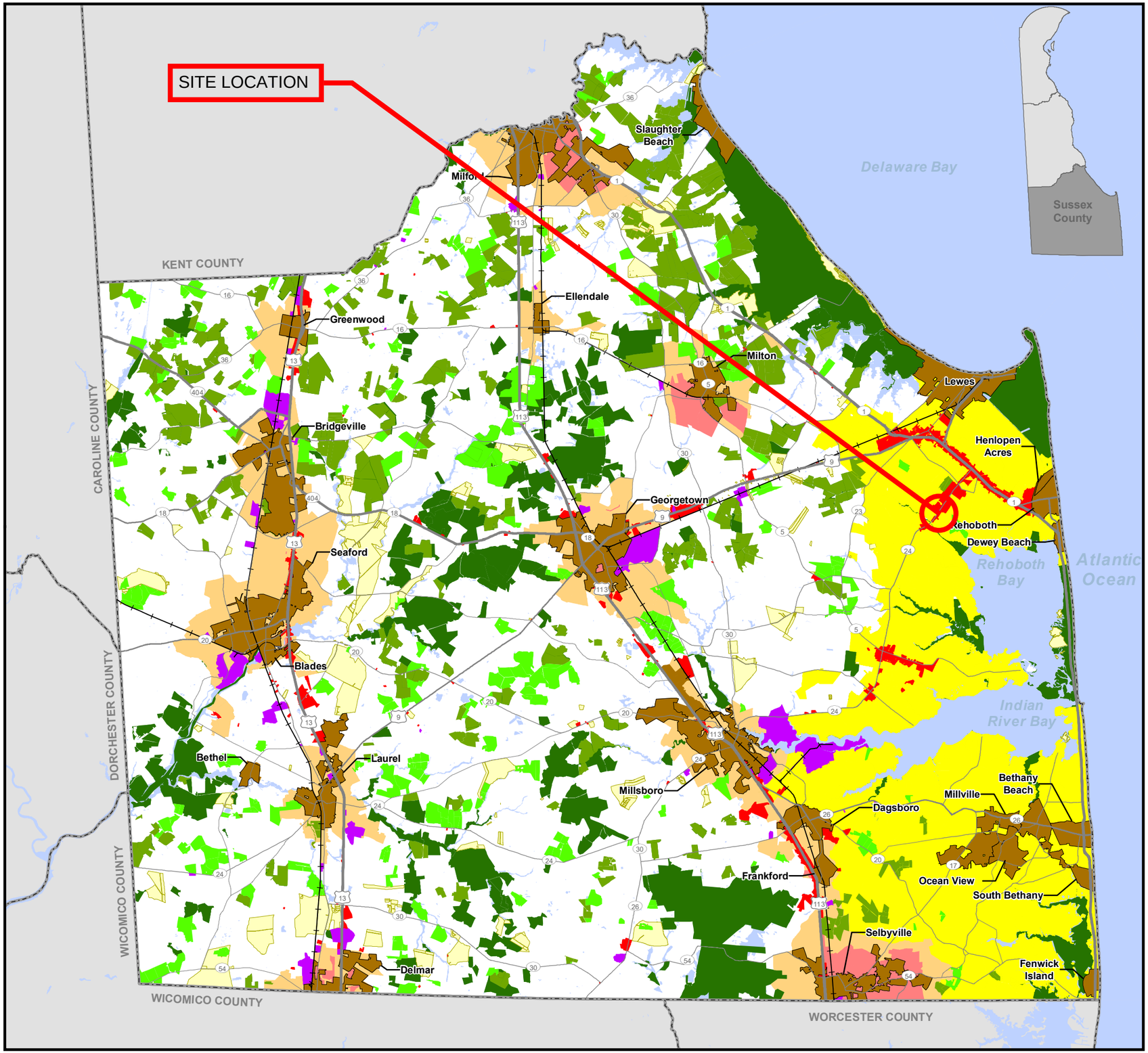
Sources: DE FirstMap, Sussex County Mapping Dept.
Land Use Data from 2008, State Forest Data from 2013, Forest Conservation Easements Data from 2016, Municipal Annexation Areas 2016

*The official depiction of the protected lands can be found on the Protected Land Map (Figure 5.2-1)

McCORMICK TAYLOR

0 2.5 5 Miles

N



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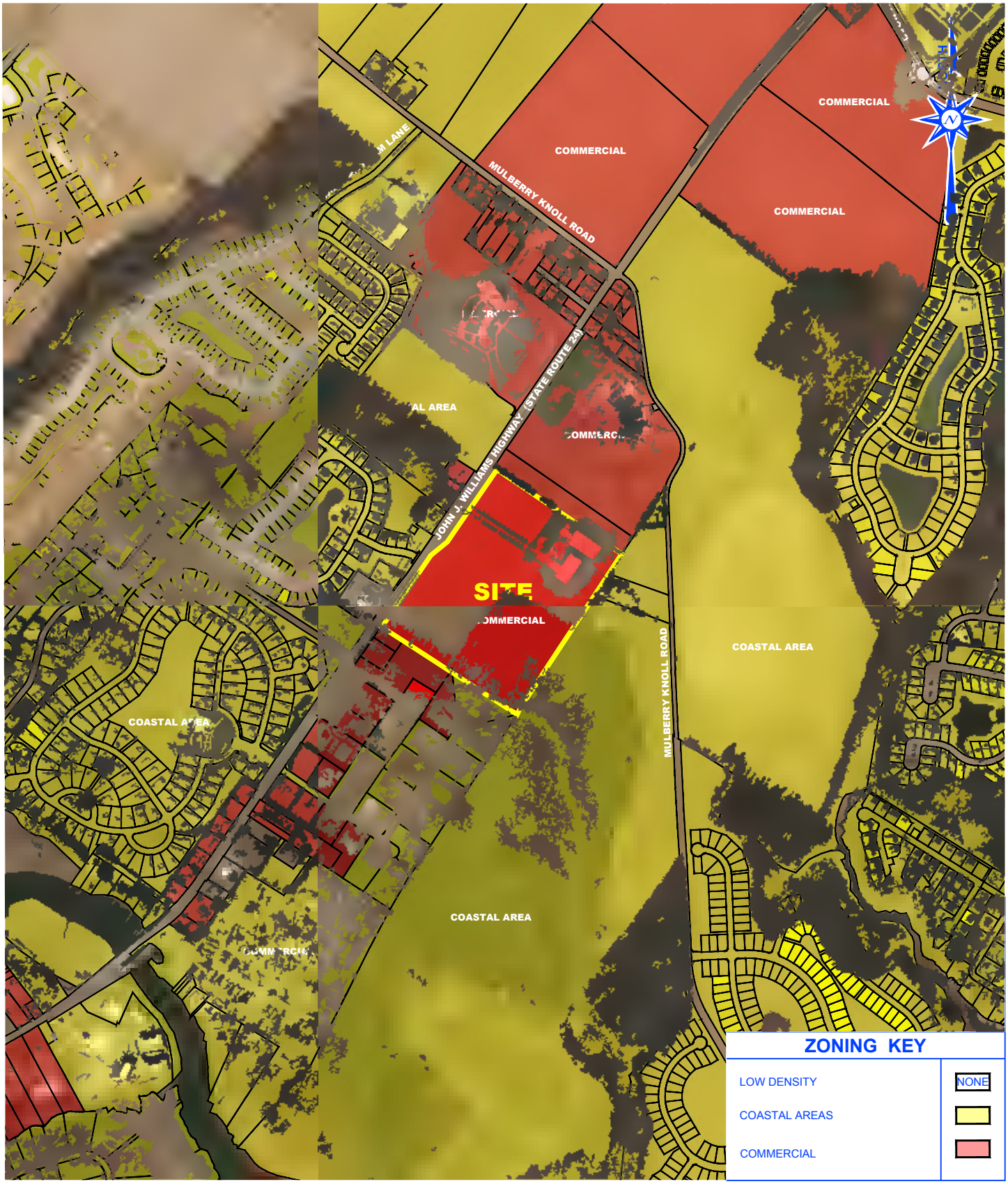

LAYER STATE: 2.6_FUTURE LAND USE-1000

2045 FUTURE LAND USE - SITE LOCATION
BELLE MEAD FARM

20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP
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ENGINEERING
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309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 1000'
DATE: MAR. 2025
DRAWN BY: M.J.A.

FUTURE

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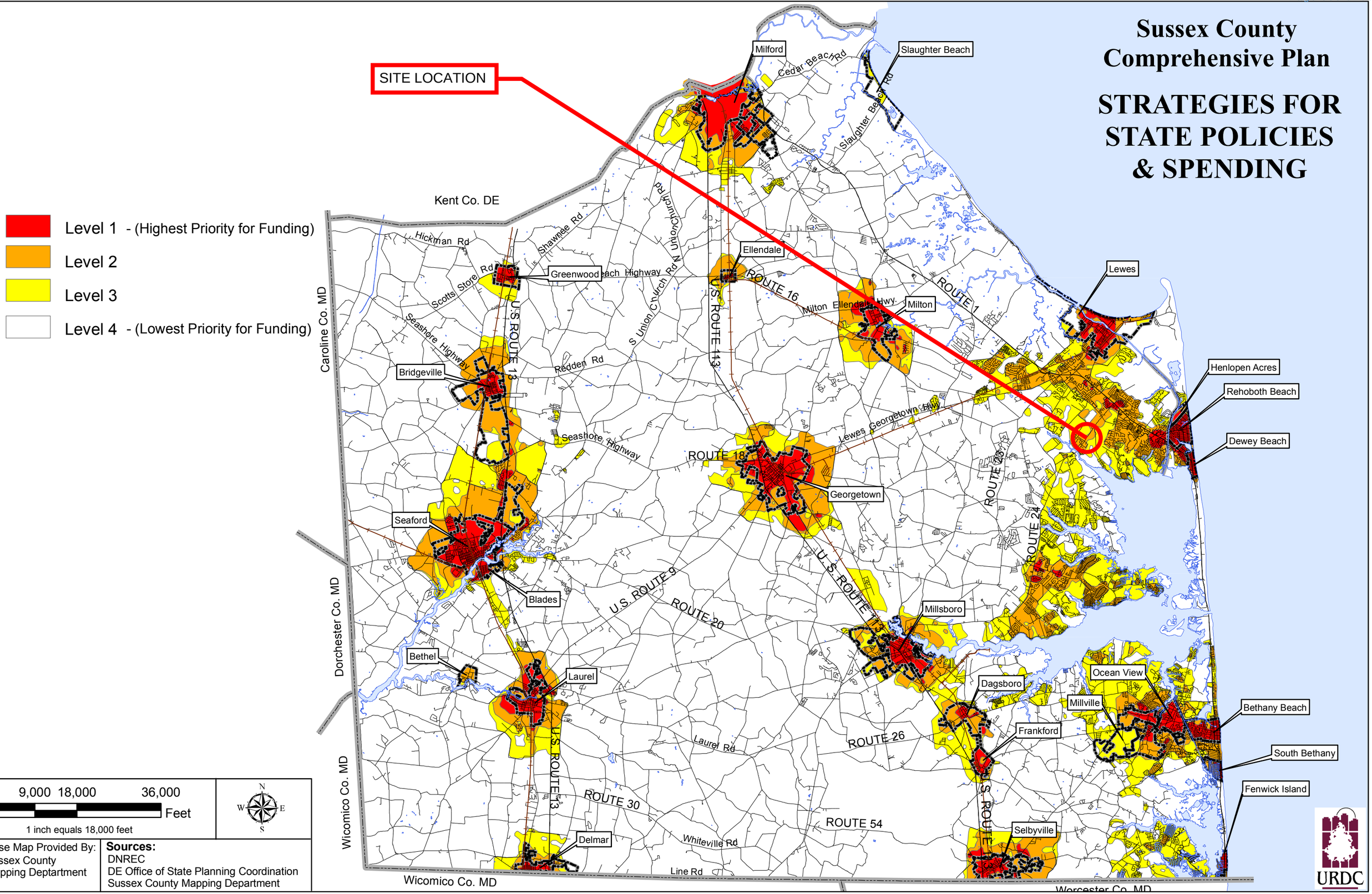
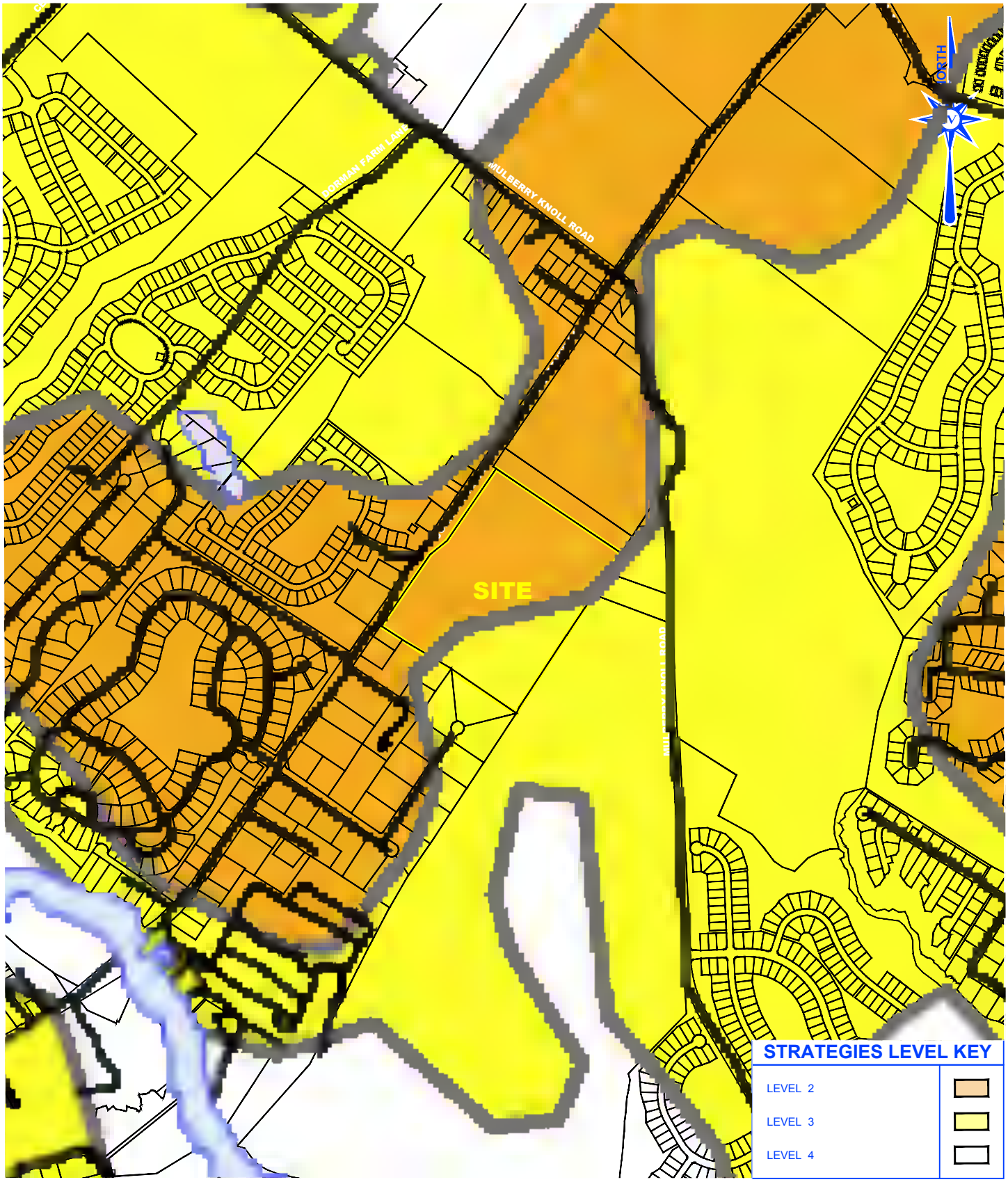
Sussex County Comprehensive Plan

STRATEGIES FOR STATE POLICIES & SPENDING





LAYER STATE: 2.8_STRATEGIES SPENDING-1000

STRATEGIES FOR STATE POLICIES & SPENDING - SITE LOCATION

BELLE MEAD FARM

20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP
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ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 1000'
DATE: MAR. 2025
DRAWN BY: M.J.A.

STRATEGIES

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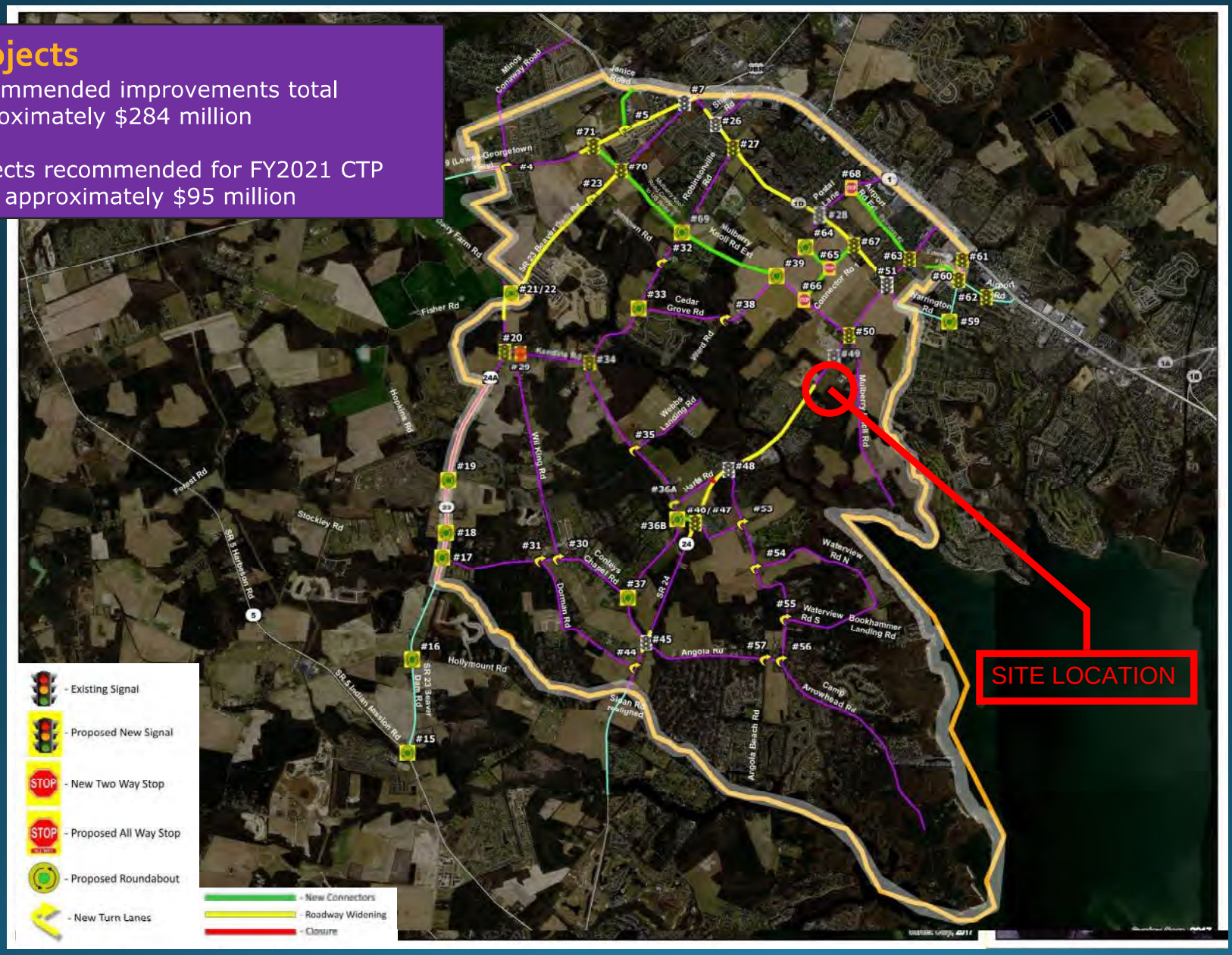
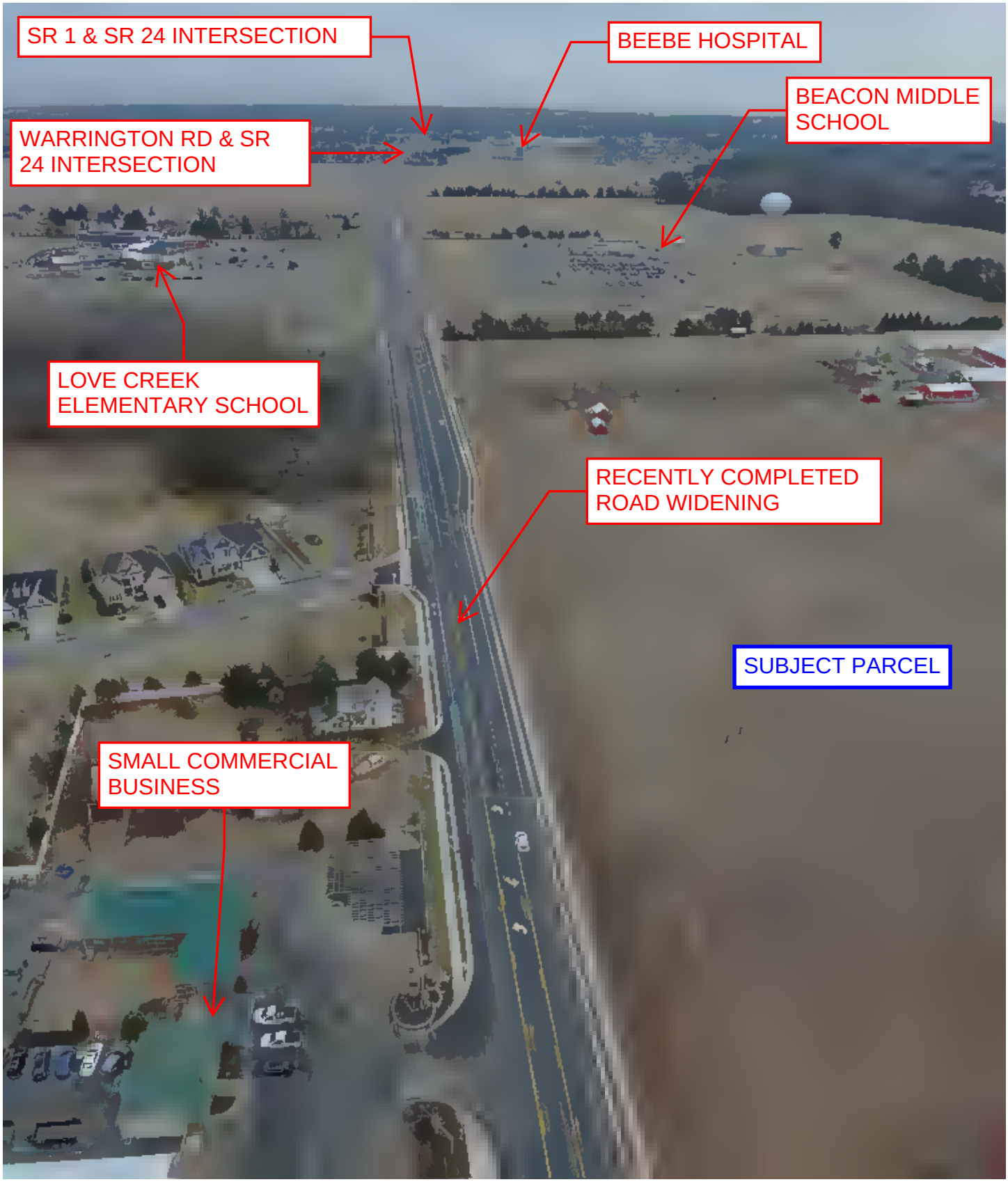
Proposed Improvement Type & Location

All Projects

- Recommended improvements total approximately $284 million
- Projects recommended for FY2021 CTP total approximately $95 million





LAYER STATE: IMPROVEMENT-AERIALS

AERIAL PHOTOGRAPH - SITE LOCATION
BELLE MEAD FARM

20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP
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Dover, DE
309 S. Governors Ave.
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Ph. 302.734.7950
Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 1000'
DATE: MAR. 2025
DRAWN BY: M.J.A.

AERIAL

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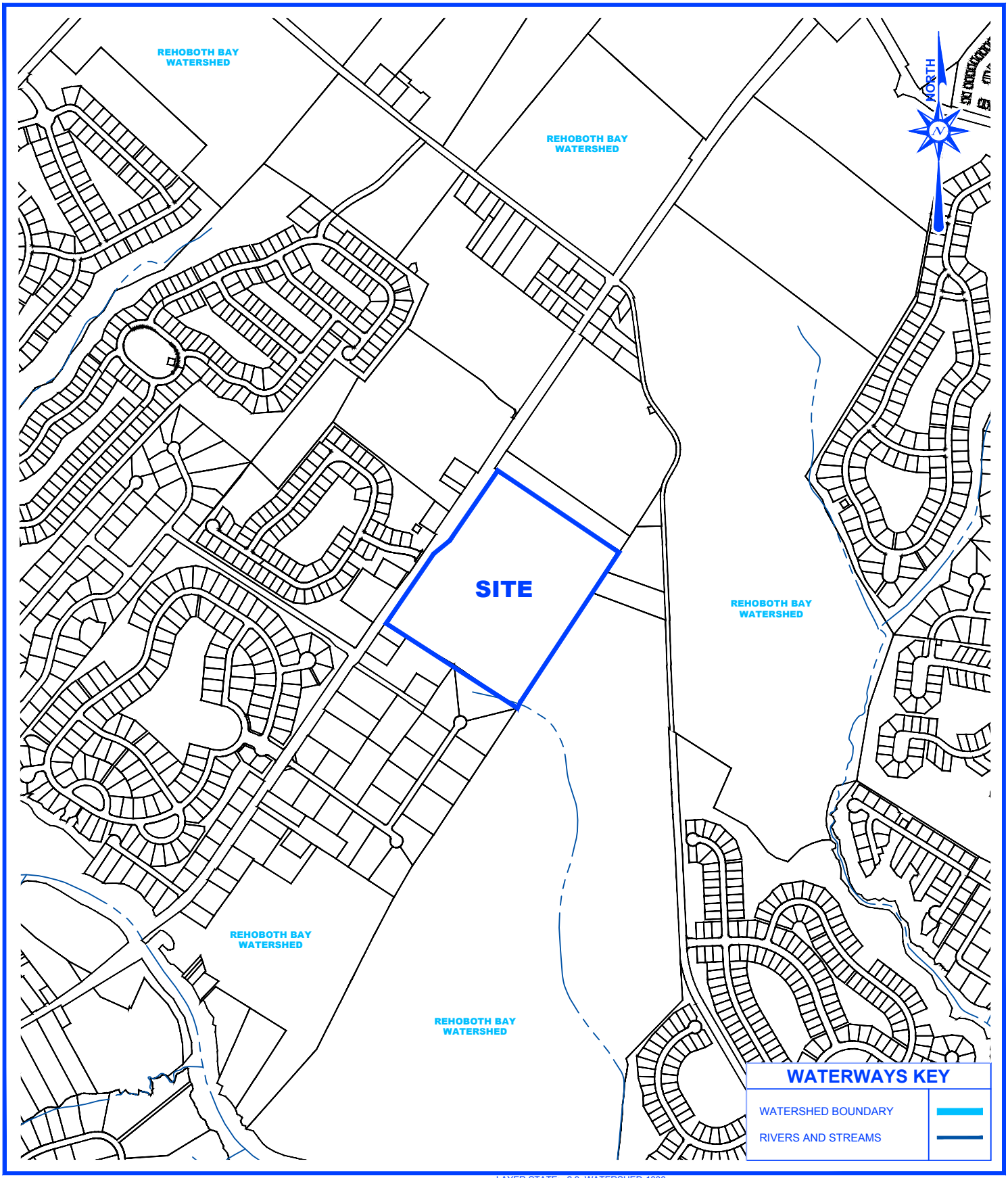

LAYER STATE: 2.9_WATERSHED-1000

WATERSHED & WATERWAYS - SITE LOCATION
BELLE MEAD FARM

20044 ± JOHN J. WILLIAMS HIGHWAY (SR 24)
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP
ARCHITECTURE
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Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 1000'
DATE: MAR. 2025
DRAWN BY: M.J.A.

WATERSHED

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FEMA Flood Plain



10/23/2024, 3:46:36 PM

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.19 km

Parcels

FEMA Flood Maps

AE

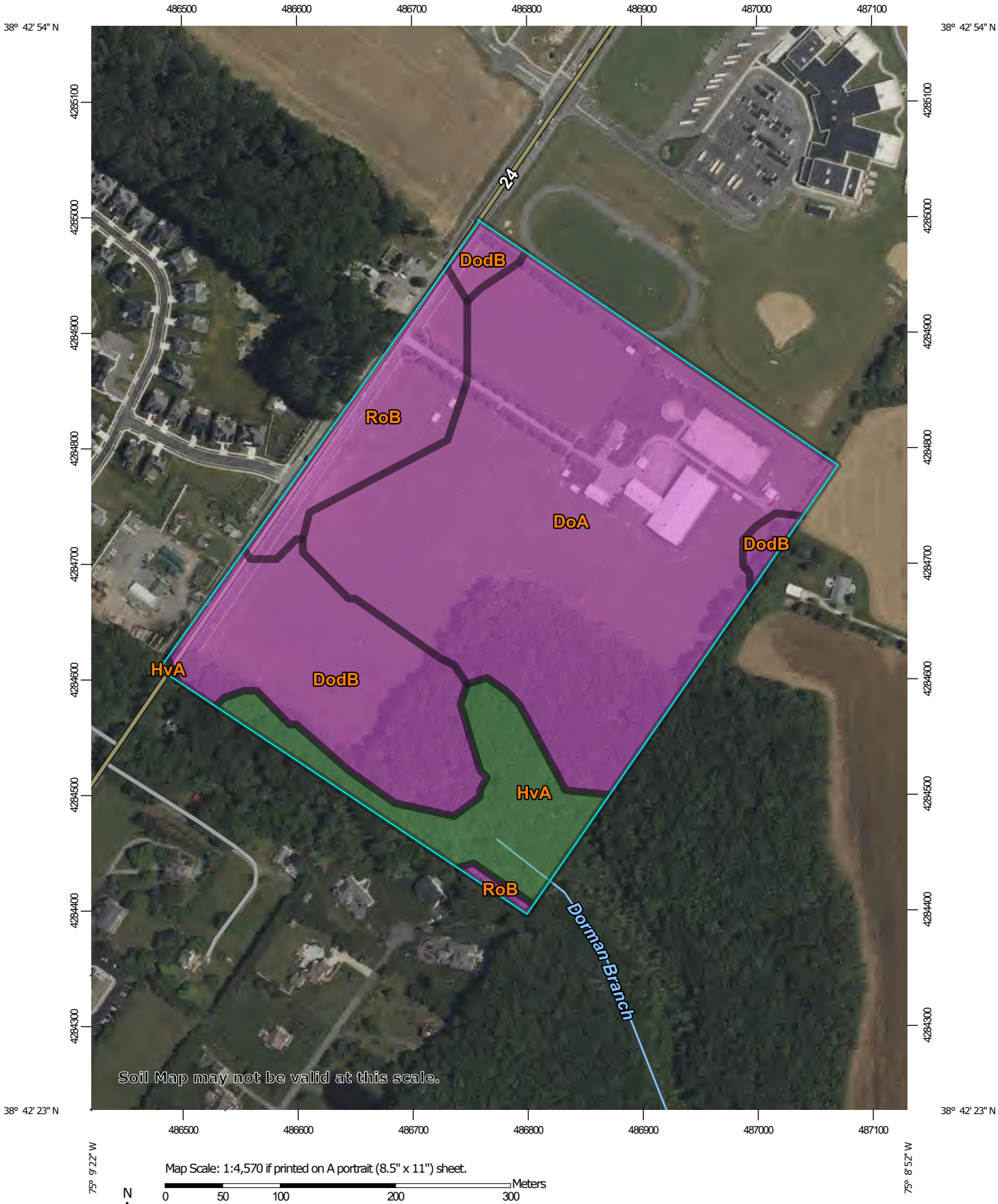
X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

FIRM Panel

FEMA, Surdex Corp

DNREC Stormwater
2018

Hydrologic Soil Group—Sussex County, Delaware
(2022079.00 Belle Mead)



Map Scale: 1:4,570 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 50 100 200 300

Feet
0 200 400 800 1200

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

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

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

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

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

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

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 25, Aug 31, 2024

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

Date(s) aerial images were photographed: May 30, 2022—Jul 4, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	A	26.7	59.6%
DodB	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area	A	9.2	20.5%
HvA	Hurlock sandy loam, 0 to 2 percent slopes	A/D	4.8	10.6%
RoB	Rosedale loamy sand, 2 to 5 percent slopes	A	4.1	9.2%
Totals for Area of Interest			**44.8**	**100.0%**

SADDLE RIDGE

JOHN J. WILLIAMS HIGHWAY / ROUTE 24

COMMERCIAL BUILDING #1 8,185 SF

COMM BLDG #2 7,40 SF

COMM BLDG #3 4,300 SF

COMMERCIAL BUILDING #4 2,556 SF

COMMERCIAL BUILDING #5 6,185 SF

EXISTING FOREST TO REMAIN

EXI BUFFER R IN

MIXED USE BUILDING A 15,470 RSF/ 77 UNITS

MIXED USE BUILDING B 9,87 F 7 NITS

MIXED USE BUILDING C 10,200 RSF / 22 UNITS

MIXED USE BUILDING D 10,200 RSF / 22 UNITS

SWM

CLUB HOUSE

PR. APARTMENT BUILDING 1 24 UNITS

PR. APARTMENT BUILDING 2 24 UNITS

PR. APARTMENT BUILDING 3 24 UNITS

PR. APARTMENT BUILDING 4 24 UNITS

SWM

SWM

PR. APARTMENT BUILDING 7 24 UNITS

PR. APARTMENT BUILDING 6 24 UNITS

PR. APARTMENT BUILDING 5 24 UNITS

EXISTING FOREST TO REMAIN

100' WETLAND BUFFER

FORESTED WETLANDS

BOOKHAMMER ESTATES

CAPE HENLOPEN SCHOOL DISTRICT
BEACON MIDDLE SCHOOL

BECKER MORGAN GROUP
ARCHITECTURE ENGINEERING

BELLE MEAD - C4 REZONING

CONCEPT MASTER PLAN

FEBRUARY 2025

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING



MIXED-USE BUILDING



1 WEST ELEVATION

SCALE: 3/32" = 1'-0"



2 NORTH ELEVATION

SCALE: 3/32" = 1'-0"



3 SOUTH ELEVATION

SCALE: 3/32" = 1'-0"



4 EAST ELEVATION

SCALE: 3/32" = 1'-0"

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
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Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main St, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

BELLE MEADE FARM-MIXED USE APT. - A

John J. Williams Hgy.
Lewes, DE 19958
Sussex County

PRELIMINARY

DESIGN CONCEPT ONLY, SUBJECT TO FURTHER REVISIONS, NOT FOR CONSTRUCTION NOT FOR PERMITS

ISSUED: 03/07/2025

SHEET TITLE

EXTERIOR ELEVATIONS

0' 4' 8' 16' 24'

SCALE: 3/32" = 1'-0"

ISSUE BLOCK

Mark	Date	Description

PROJECT NO:	202207901
DATE:	03/07/2025
SCALE:	3/32" = 1'-0"
DRAWN BY: SMG	PROJ MGR: DJB

A201

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1 WEST ELEVATION

SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION

SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



4 EAST ELEVATION

SCALE: 1/8" = 1'-0"

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 S Governors Ave
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main St, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

BELLE MEADE FARM-MIXED USE APT. - B

John J. Williams Hgy.
Lewes, DE 19958
Sussex County

PRELIMINARY

DESIGN CONCEPT ONLY, SUBJECT TO FURTHER REVISIONS, NOT FOR CONSTRUCTION NOT FOR PERMITS

ISSUED: 03/07/2025

SHEET TITLE

EXTERIOR ELEVATIONS

0' 4' 8' 16'

SCALE: 1/8" = 1'-0"

ISSUE BLOCK

Mark	Date	Description

PROJECT NO:	202207901
DATE:	03/07/2025
SCALE:	1/8" = 1'-0"
DRAWN BY: SMG	PROJ MGR: DJB

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BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING



GARDEN STYLE APARTMENT



1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

BELLE MEADE FARM - GARDEN STYLE APARTMENTS

John J. Williams Hgy.
Lewes, DE 19958
Sussex County

PRELIMINARY
DESIGN CONCEPT ONLY, SUBJECT TO FURTHER REVISIONS, NOT FOR CONSTRUCTION NOT FOR PERMITS.
ISSUED: 03/07/2025

SHEET TITLE

EXTERIOR ELEVATIONS

0' 4' 8' 16'
SCALE: 1/8" = 1'-0"

ISSUE BLOCK

Mark	Date	Description

PROJECT NO:	202207901
DATE:	03-07-2025
SCALE:	1/8" = 1'-0"
DRAWN BY: SMG	PROJ MGR: DJB

A201

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3/7/2025 7:32:40 AM Autodesk Docs://Belle Meade Farm, LLC/202207901_GARDEN APT_V2.rvt

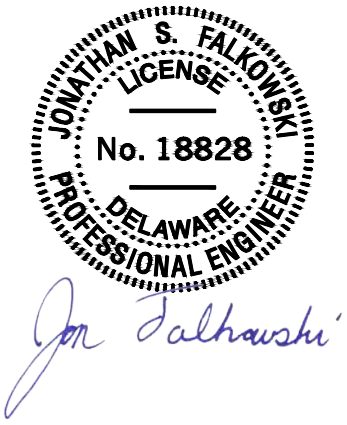
DRAINAGE ASSESSMENT REPORT

FOR

BELMEAD FARM LLC
(CZ 2001)

Sussex County, Delaware

February 2025



Prepared by:

Becker Morgan Group, Inc.
309 S. Governors Avenue
Dover, DE 19904

SUSSEX COUNTY ENGINEERING

DRAINAGE ASSESSMENT REPORT REVIEW CHECKLIST

The items contained in this checklist are necessary to evaluate the completeness of the Drainage Assessment Report submitted to Sussex County under Ch 115-193. All items are to be completed. If an item is not applicable, mark "N/A".

X 1. Cover page
X 2. Table of Contents
X 3. Project Narrative
- X a. Introduction
- X b. Existing Conditions (land use, land cover, drainage patterns, existing features).
- X c. Date(s) of field investigation.
- X d. Identification of any unstable or eroding stream bank or conveyance requiring stabilization or restoration measures.
- X e. The location of any stream blockages, such as debris jams, fallen or unstable trees, beaver dams or similar impediments to conveyance.
- X f. The location of any sand or gravel deposition within a channel or conveyance which impedes flow of water produced by a storm having an annual probability of occurrence of 10%.
- X g. A discussion of all recommended measures to remedy any impediment to drainage conveyance or drainage stability.
- X h. A summary of required local, state and federal permits required to remedy any impediment to drainage conveyance.
- X i. The easement width and a sufficient number of easements to provide adequate access to the resource for maintenance.

X 4. Site Investigation Documentation
- X a. Captioned photographs detailing the field investigation and its findings.
- N/A b. Conveyance or channel cross sections (Note: provide a section at each geometry transition. Additional cross sections are required at locations of unstable or eroding banks, areas requiring stabilization or restoration, stream blockages or impediments to conveyance, and areas of sand or gravel deposits.)

N/A 5. Environmental Conditions and Habitat Assessment Report (provided by the wetland delineator)
- N/A a. General context of the site with respect to land types within the property.
- N/A b. Period of Investigation
- N/A c. Soil Conditions
- N/A d. History of forest stands found on the property.
- N/A e. Identification of streams or other conveyances.
- N/A f. Condition and conveyance capability of streams or other conveyances.
- N/A g. Identification of the extent and types of wetlands.
- N/A h. The occurrence of any threatened or endangered species or the presence of any associated designated critical habitats listed by the Endangered Species Act of 1977.
- N/A i. Summary/Conclusion

X 6. Existing Conditions Mapping
- X a. Site Location with aerial
- X b. Tax Ditch (watershed, channel location, rights-of-way)
- X c. FEMA Flood Plain
- X d. Wetland Mapping
- X e. NRCS Soils
- X f. Head of Tide
- X g. Contours (1-ft LiDAR)

TABLE OF CONTENTS

SECTION		PAGE
1.0	**SITE NARRATIVE**	Pg. 2
2.0	**SITE INVESTIGATION DOCUMENTATION**	Pg. 3
3.0	**ENVIRONMENTAL CONDITIONS & HABITAT ASSESSMENT REPORT**	Pg. 3
4.0	**EXISTING CONDITIONS MAPPING**	Pg. 4

Appendix A: Captioned Field Visits Photos
Appendix B: Watershed Eco Wetlands Delineation Report
Fish and Wildlife Threatened and Endangered Species List
Appendix C: Existing Conditions Mapping

1.0 SITE NARRATIVE

1.1 Introduction:

In accordance with section 115-193F(2) of the Sussex County Code, Becker Morgan Group, Inc. has prepared the following Drainage Assessment Report ("DAR") in support of the Belmead Farm LLC. The subject site contains an existing perennial nontidal stream known as "Dorman Branch" with an associated 100-foot-wide resource buffer. The proposed development does not propose disturbance within said resource buffer; the closest part of development is approximately 700 feet the buffer limit.

This report serves to identify the presence of the following "concerning measures needed for drainage conveyances" in accordance with section 115-193F(2) of the Sussex County Code and the Drainage Assessment Report Review Checklist

1.2 Existing Conditions:

The subject property currently exists primarily as a horseback riding farm with open meadows, stables, barns and other existing structures. With a wooded area in the southern portion of the property. The property has one primary drainage outfall location which flows south towards Dorman Branch in the southern portion of the property.

1.3 Date(s) of field investigation:

Becker Morgan Group performed a topographic survey of this site in March of 2023.

1.4 Identification of any unstable or eroding stream banks or conveyance requiring stabilization or restoration measures:

No instability or erosion was observed along stream banks – the existing topography slopes gently from the forested uplands down to the wetlands and Dorman Branch.

1.5 The location of any stream blockages, such as debris jams, fallen or unstable trees, beaver dams or similar impediments to conveyance:

No stream blockages or beaver activity were observed along the stream or within the upstream drainage area to Dorman Branch. The extensive wetland area surrounding Pemberton Branch helps to attenuate high flow volumes.

1.6 The location of any sand or gravel deposition within a channel or conveyance which impedes the flow of water produced by a storm having an annual probability of occurrence of 10%:

No sand or gravel deposition was observed within the Dorman Branch that would impede the flow of water. Typical scouring of the stream during relatively large rain events was observed. Stream exhibited a normal base flow along the thalweg.

1.7 A discussion of all recommended measures to remedy any impediment to drainage conveyance or drainage stability:

As noted above, no impediments to drainage conveyance or drainage stability were observed along Dorman Branch or the surrounding areas.

1.8 A summary of required local, state or federal permits required to remedy any impediment to drainage conveyance:

As noted above, no impediments to drainage conveyance or drainage stability were observed along Dorman Branch or the surrounding areas.

1.9 The easement width and a sufficient number of easements to provide adequate access to the resource for maintenance:

Adequate access easements shall be provided from the proposed residential streets to the protected resource buffers associated with Dorman Branch.

2.0 SITE INVESTIGATION DOCUMENTATION

2.1 Captioned photographs detailing the field investigation and its findings:

Please see Appendix A for captioned photographs from field visits.

2.2 Conveyance or channel cross sections:

A detailed stormwater management design will be developed for the proposed development which will demonstrate no adverse impacts to the Dorman Branch using runoff-reduction practices in accordance with the Delaware Sediment and Stormwater Standards (DSSR). Such practices will be required by the DSSR to manage runoff generated by the proposed development to a rate less than or equal to that of the existing condition, and to discharge runoff in a non-erosive manner. This development will thus have no adverse impact on the Dorman Branch, and as such we do not believe it necessary to provide detailed cross-sections.

3.0 ENVIRONMENTAL CONDITIONS AND HABITAT ASSESSMENT REPORT

The U.S Fish & Wildlife Service has mapped a small portion of the site to be PFO1R Wetlands (Palustrine Forested Wetland, Tifal Freshwater). Which is mapped out and avoided on the site plan.

See Appendix B for the wetland's delineation report.

A Rare Species Search per the United States Fish and Wildlife Service (USFWS) database for the likelihood of rare and endangered species was performed. Two potential species were identified based on the search. The tri-colored bat, which the USFWS usually suggests that if tree clearing

is required within the breeding season, then a summer survey should be conducted to determine whether the bats are present. Tree clearing is usually restricted to the time period between Oct. 1 and March 31 to avoid impacts to the listed bat species. The Monarch Butterly requires specialized habitat (milkweed) for breeding. Suitable habitat for the species is not likely or anticipated to occur within the development area.

See Appendix B for the Species List.

4.0 EXISTING CONDITIONS MAPPING

Please see Appendix C for the following existing conditions mapped in accordance with the Drainage Assessment Report Review Checklist:

4.1 Site location with aerial
4.2 Tax ditch (watershed, channel location, rights-of-way)
4.3 FEMA flood plain
4.4 Wetland mapping
4.5 NRCS soils
4.6 Head of tide
4.7 Contours (1-ft LIDAR)

APPENDIX A

CAPTIONED FIELD VISIT PHOTOS



Photo 1: Dorman Branch and Surrounding Wetlands



Photo 2: Dorman Branch and Surrounding Wetlands



Photo 3: Newly constructed Swale



Photo 4: Newly Constructed Swale with Box Culvert Outlet

APPENDIX B

Watershed Eco Wetland Delineation Report

Wetland Delineation – Belmead Farm, Lewes, Delaware



James C. McCulley IV, PWS
Watershed Eco, LLC
April 30, 2023
Jim@WatershedEco.com

Introduction



At the request of Becker Morgan Group, Inc., Watershed Eco, LLC. has reviewed background materials and conducted site visits to determine the previous and current site conditions related to waters, wetlands, and drainage.

James McCulley, the investigator, and report author has over 30 years of experience in wetland delineation and permitting. He previously worked as a biologist in the Regulatory Section of the U.S. Army Corps of Engineers, Philadelphia District and was selected as one of 17 wetland scientists nationwide to serve on the National Academy of Sciences, Wetlands Characterization Committee which authored "Wetlands: Characteristics and Boundaries". He was chosen as one of four committee members to present the committee findings at a press conference on Capitol Hill.

Mr. McCulley is a Senior Professional Wetland Scientist, #000471 as certified by the Society of Wetland Scientists, an international scientific association.

All opinions in this report are to a reasonable degree of scientific certainty.

Executive Summary

Watershed Eco, LLC reviewed background information and conducted a wetland delineation at the Belmead Farm, LLC. property and determined that palustrine forested wetlands were present in the southeastern portion of the property abutting a Dorman Branch. These wetlands and waters were flagged in the field and depicted on the attached wetland delineation map.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut the perennial stream Dorman Branch, a tributary to Love Creek and Rehoboth Bay, both Traditional Navigable Waterways. The flagging placed in the field represents the outer boundary of these resources.

The site conditions at the time of the investigation are detailed in this report.

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Definition of Jurisdictional Waters and Wetlands

The Navigable Waters Protection Rule (NWPR) became effective on June 22, 2020. This rule codifies the definition of Waters of the United States (WOTUS), including jurisdictional wetlands. Discussions of Jurisdiction related to Waters and Wetlands in this report are based on the NWPR Section 404 of the Clean Water Act and as described in the definitions in this section as well as all guidance currently in effect and based on professional experience.

The scope of Federal jurisdiction is established in the Clean Water Act (CWA) is limited to WOTUS, which is defined in the Act as Navigable Waters, including the Territorial Seas. The Act does not further define WOTUS and has left the interpretation to the agencies (U.S. EPA and U.S. Army Corps of Engineers). The agencies have defined WOTUS by regulation since the 1970s with the latest definition becoming effective on June 22, 2020 in the NWPR.

The NWPR defines four categories of WOTUS, 1. Territorial Seas and Traditional Navigable Waters, 2. Tributaries to 1., 3. Lakes and Ponds, and impoundments of Jurisdictional Waters and 4. Adjacent Wetlands. All other Waters are determined by the rule to be non-jurisdictional and the rule further clarifies exclusions which are not jurisdictional.

In this case we are interested in the jurisdictional status of mapped Waters in the form of non-tidal wetlands within the Subject Property. The mapped wetlands have been classified as adjacent wetlands. In the NWPR, adjacent wetlands are defined as follows: abutting, meaning to touch, or inundated by flooding from waters 1-3 above, separated only be a berm, bank or dune or an artificial dike or barrier. The NWPR further clarifies that an adjacent wetland must have a direct hydrologic surface connection to a water listed in 1-3 above in a typical year. The NWPR further clarifies that a tributary is a river or stream, or similar naturally occurring surface water channel that contributes surface water flow to a water identified in paragraph (a)(1) of this definition in a typical year either directly or through one or more waters. A tributary must be intermittent or perennial. It is assumed that the mapped wetlands have a direct surface connection to Dorman Branch and would be regulated by the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers recently vacated the Navigable Water Protection Rule. At the present time the U.S. Army Corps of Engineers is following the 2023 Wetland Rules. The U.S. Army Corps of Engineers Philadelphia District and DNREC Subaqueous Lands Division should be consulted prior to any impacts to any wetlands or waterways within the subject property.

Waters are mapped by determining the Ordinary High-Water Mark (OHWM) of features with a bed and bank as defined above and in accordance with various guidance as discussed below.

Wetlands are mapped using three criteria: 1. Vegetation, 2. Soils and 3. Hydrology which are further described in the Manual and appropriate Regional Supplement. Hydrophytic (wetland) vegetation is specifically adapted for life in saturated soils and listed by species and indicator status on the National Wetland Plant List maintained by the U.S. Army Corps of Engineers. Hydric (wetland) soils formed under conditions of saturation, flooding or ponding long enough to develop anaerobic conditions and are listed on the United States Department of Agriculture, Hydric Soils Database. Wetland hydrology is described as recurrent, sustained water at or near the surface for extended periods of time.

Subject Property

The Subject Property is located at 28855 Lewes Georgetown Highway in Lewes, Sussex County, Delaware. The Subject Property is located at Latitude and Longitude 38.711454and -75.152545 and is identified as Sussex County Tax Parcel No. 334-18.00-40.01 consisting of approximately 39.19 Acres.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of mowed pastures associated with equestrian use and woodlands in the southeast.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut Dorman Branch and drain southeasterly off-site to Love Creek, a tributary to Rehoboth Bay.

Documents Considered

The following documents were considered as part of this study:

- Current National Wetland Inventory (NWI) Map
- Current USGS Mapping
- Historical Aerial Photos
- NRCS Soils Mapping
- National Hydrography Dataset Mapping

Findings

Background Research

The NWI Map (Figure 2) depicts palustrine forested wetlands in the southeastern portion of the subject property.

The USGS Mapping (Figure 3) depicts a blue-line stream identified as Dorman Branch in the southeastern portion of the property. The subject property is relatively flat with elevations ranging from 20 feet above sea level in the northwest to 10 feet asl in the southeast.

The National Hydrography Dataset map (Figure 4) depicts a blue-line stream feature with abutting palustrine forested wetlands in the southeastern portion of the property.

The 1937 aerial photo (Figure 5) depicts the property in agricultural use with woodlands in the southeast. The surrounding land use is predominantly agricultural and wooded with a few scattered residential properties.

The 1954 aerial photo (Figure 6) and 1968 imagery (Figure 7) depicts similar site conditions as the 1937 imagery. No significant changes in surrounding land use are apparent.

The 1992 aerial photo (Figure 8) depicts no significant changes within the subject property since 1968. Surrounding land use remains largely agricultural and wooded with residential development to the southwest and west.

The 2002 aerial photo (Figure 9) depicts no significant changes within the subject property or surrounding land since the 1992 imagery. Some site grading is apparent to the north.

The 2015 aerial photo (Figure 10) depicts a dwelling and barn have been constructed in the northeastern portion of the subject property. Woodlands remain in the southeast. New commercial development is apparent to the north and additional residential development is apparent to the south.

The 2022 aerial photo (Figure 11) depicts similar conditions as the 2015 imagery within the subject property. An additional residential subdivision has been constructed to the west.

The NRCS Soil Mapping (Figure 12) indicates the property is primarily underlain with well-drained Downer sandy loam (DoA and DodB), and Rosedale loamy sand (RoB). An area of poorly drained Hurlock sandy loam (HvA) is mapped within the woodlands in the southeastern portion of the property.

Field Investigation

Watershed Eco LLC., conducted a field investigation on April 26, 2023. The purpose of the investigation was to conduct a wetland delineation within the subject property.

These investigations consisted of a visual review of the entire site with special attention paid to vegetative communities and topography. The wetland boundary was walked, and wetland boundaries were flagged in the field and locations noted using handheld global positioning systems (GPS). Wetland flags were located by GPS during the field investigation and plotted on the attached plans.

Vegetation was identified using delineator experience and confirmed using field guides for the following strata:

Trees – woody plants 6 meters or more in height and 7.6 centimeters or larger in diameter at breast height.

Saplings – woody plants 6 meters or more in height and less than 7.6 centimeters in diameter at breast height.

Shrubs – woody plants 1 to 6 meters in height.

Herbs – all herbaceous plants regardless of size and woody plants less than 1 meter in height.

Woody Vines – all woody vines regardless of height.

The indicator status for each dominant species was recorded based on the USACE 2018 Atlantic, Gulf and Coastal Plain Region Plant List.

Soil borings were advanced to an approximate depth of 20 inches using a 3-inch diameter Dutch auger. Soil colors were visually estimated using a Munsell Soil Color Chart and texture was estimated using standard soil texture criteria. Soil characteristics were compared to the Hydric Soil Indicator Guide in order to identify whether hydric soils were present at each data point location.

Wetland hydrology characteristics were visually observed where present based on the USACE Wetland Delineation Manual and Regional Supplement. No additional hydrology studies were performed at the site (ie. Piezometers, Observation Wells or Modeling) and potential wetland hydrology was based on observations on the day of the field investigation and professional experience.

Results

Palustrine forested wetlands were observed in the southeastern portion of the property. These wetlands abut Dorman Branch which drains southeasterly off-site to Love Creek, a tributary to Rehoboth Bay, a Traditional Navigable Waterway. These wetlands would be classified as Section 404 wetlands regulated by U.S. Army Corps of Engineers. The flagging placed in the field represents the outer boundary of these resources.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of horse pastures with woodlands in the southeast.

Representative photographs of the site and flagged areas are included in this report.

Jurisdiction

Federal Jurisdiction – WOTUS

The wetlands flagged on the site were assumed to be WOTUS up to the OHWM or to the edge of adjacent wetlands.

The limits of wetlands flagged represent the upper limit of wetlands and in most cases the "Section 404" wetlands line. The U.S. Army Corps of Engineers should be consulted prior to any impacts of these aquatic resources.

State Jurisdiction – Subaqueous Lands

Typically, "blue-line" streams are regulated as State Subaqueous Lands. The perennial stream Dorman Branch is located inside of the delineated wetland boundary and would be regulated by DNREC as Subaqueous Lands

Conclusions

All opinions are to a reasonable degree of scientific certainty.

It is the opinion of Watershed Eco LLC. that federally jurisdictional palustrine forested wetlands are located within the southeastern portion of the subject property. These wetlands have a direct surface connection to Dorman Branch along the southern boundary of the property which drains off-site to Love Creek and Rehoboth Bay and would be regulated as Section 404 wetlands. The U.S. Army Corps of Engineers Philadelphia District should be consulted prior to any impacts to any wetlands mapped within the subject property.

Dorman Branch, along the southern property boundary would be regulated by DNREC as Subaqueous Lands. Dorman Branch was not delineated separately from the wetlands.

The mapped Waters can be found on the attached map prepared by Watershed Eco, LLC (Figure 13). Jurisdictional limits can only be determined by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Department of Agriculture and the State of Delaware, Wetlands and Subaqueous Lands Branch.

Figures

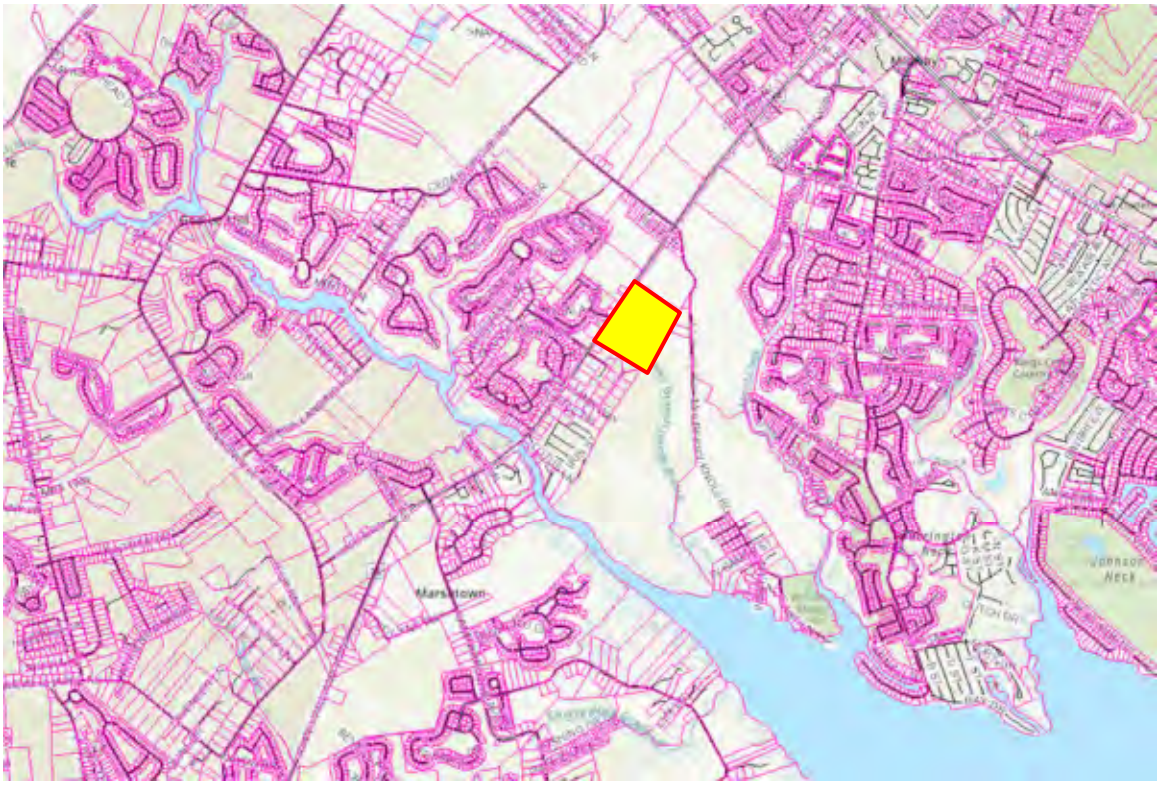


Figure 1: Location Map



Figure 2: National Wetland Inventory Map.

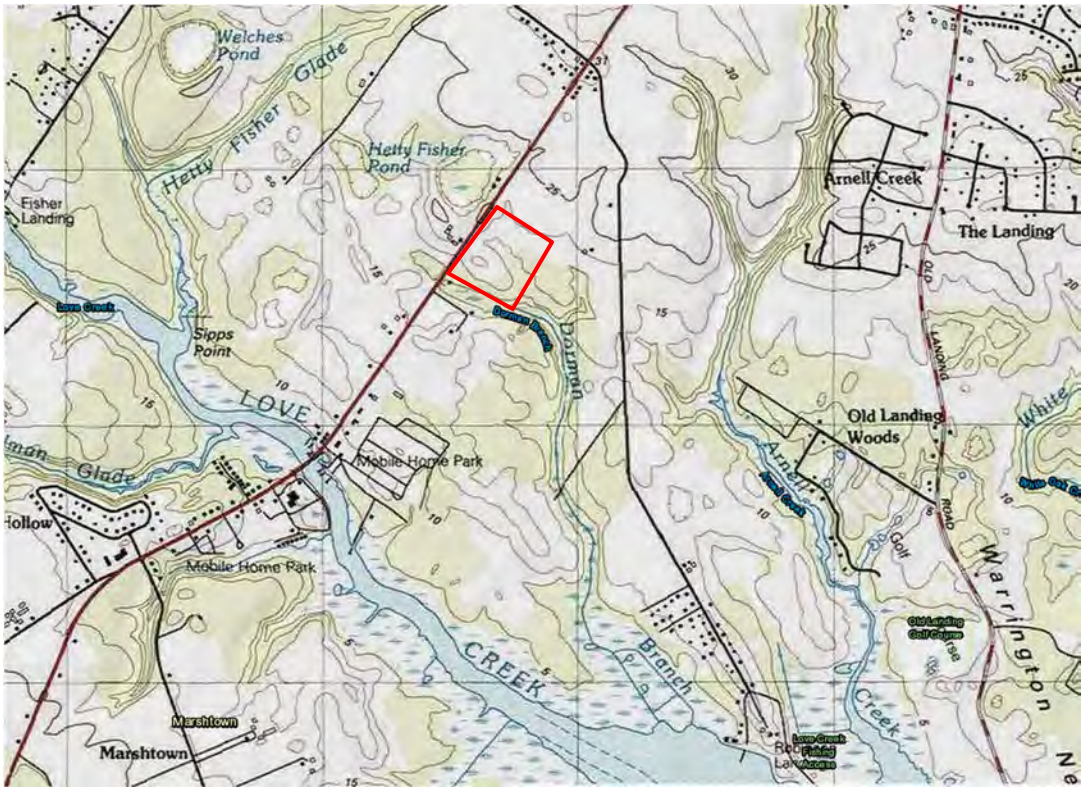


Figure 3: USGS Mapping.



Figure 4: NHD Map.

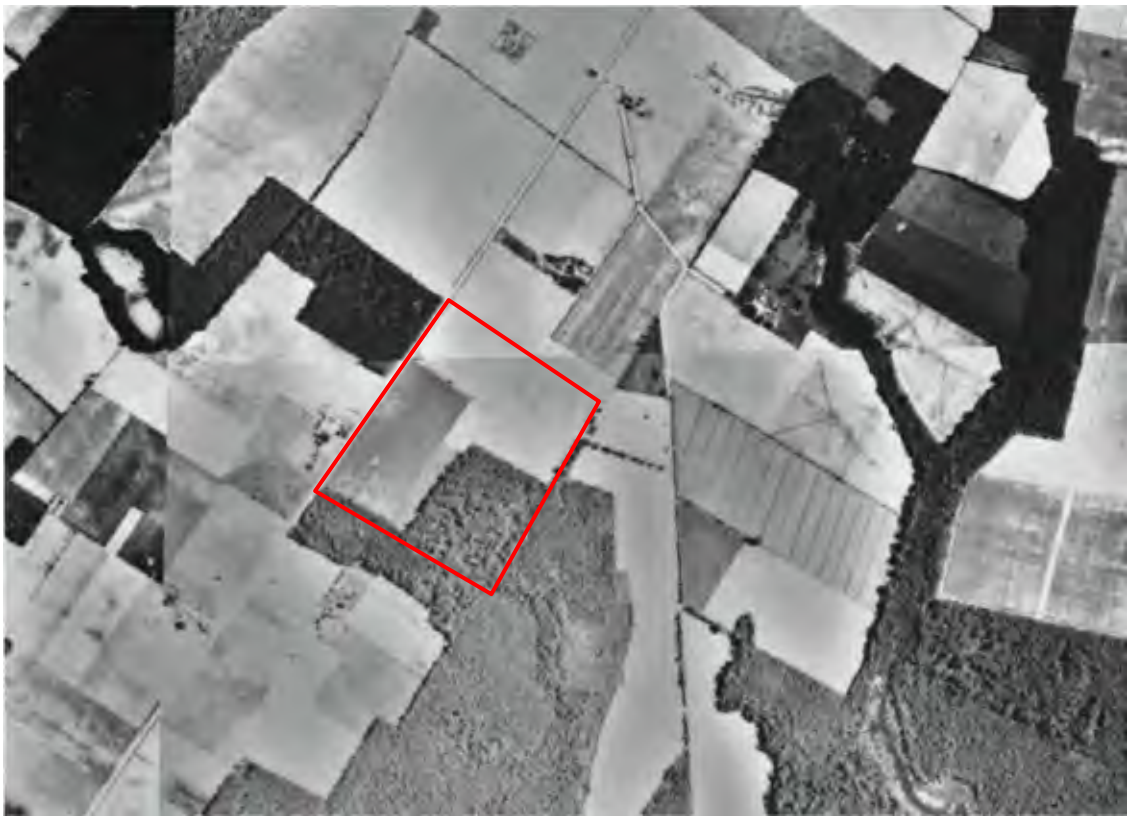


Figure 5: 1937 Aerial Photograph.



Figure 6: 1954 Aerial Photograph

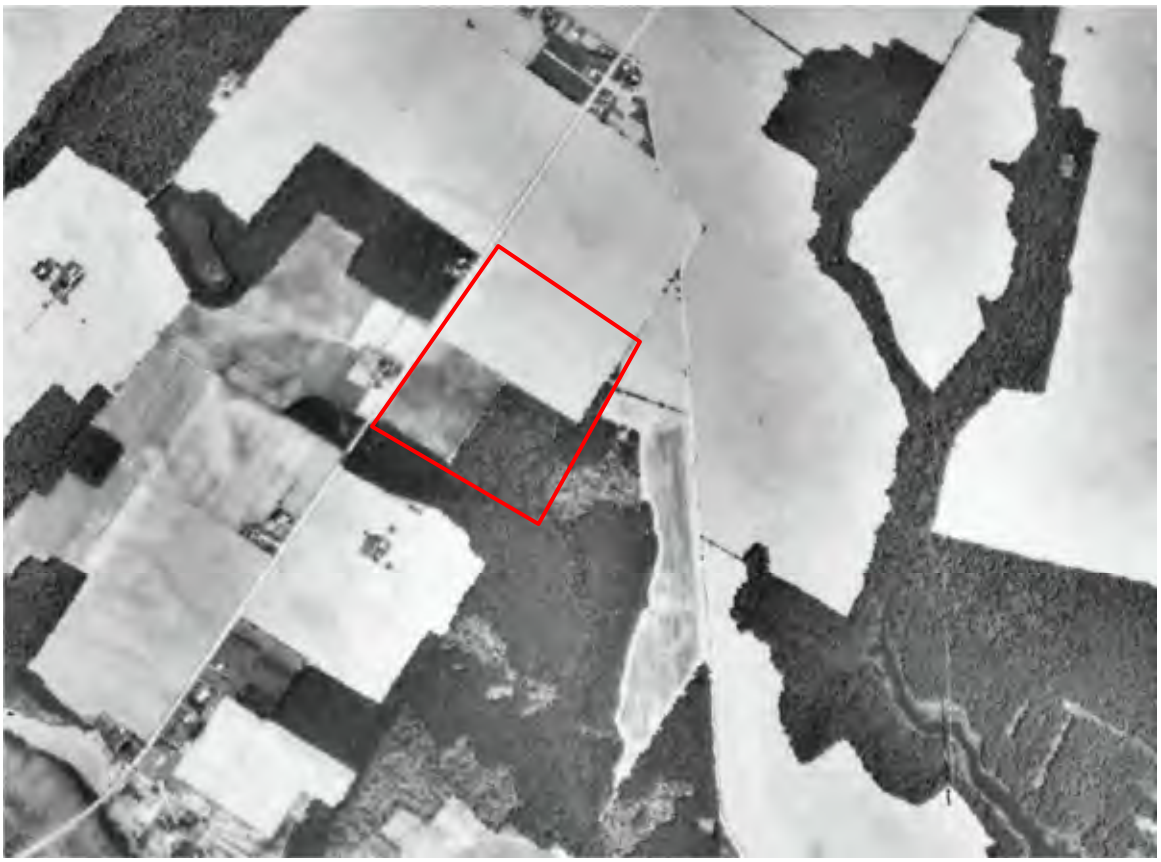


Figure 7: 1968 Aerial Photograph.



Figure 8: 1992 Aerial Photograph.



Figure 9: 2002 Aerial Photograph.



Figure 10: 2015 Aerial Photograph.



Figure 11: 2022 Aerial Photograph



Figure 12: USDA Soil Survey Map.



Figure 13: Wetland Delineation Map

Credentials

James C. McCulley IV

Senior Professional Wetland Scientist, P.W.S. (#000471)

Education:

- B.A. Biology, Rutgers University
- M.S. Biology, Rutgers University
- Wetland Sedges, Grasses and Rushes, The Swamp School
- Hydric Soils Indicators, The Swamp School
- Wetland Ferns, The Swamp School
- Wetland Delineation, Rutgers Continuing Education
- Wetland Hydrology, Rutgers Continuing Education
- Wetland Regulation, Corps of Engineers Training Program

Topics Presented:

- Presented Wetland Rules, Regulations and Policies, Delaware State Bar
- Presented Wetlands Rules, Regulations and Policies, Pennsylvania State Bar
- Presented Wetland Rules, Regulations and Policies, Maryland Architects
- Presented Environmental Rule Changes, Homebuilders Association of Delaware
- Chaired Panel Discussion at Annual Meeting of Society of Wetland Scientists (SWS)
- Presented on “No Net Loss” at Association of State Wetland Managers Meeting
- Presented on Wetlands Legislation to Environmental Law Institute
- Presented on Wetland Delineation at State Parks Managers Meeting
- Part of Panel to present NAS findings to Congress on Wetlands Legislation
- Treatment of Storm Water Run-Off by Wetlands to SWS Annual Meeting

Committees:

- State of Delaware, Wetlands Advisory Committee
- National Association of Homebuilders, Environmental Issues Committee
- National Association of Homebuilders, Land Use Policy Committee
- Homebuilders Association of Delaware, Life Director
- National Academy of Sciences Wetlands Characterization Committee
- State of Delaware, Freshwater Wetlands Legislation Committee
- New Castle County Comprehensive Plan Update
- New Castle County, Riparian Buffer Ordinance Committee
- Board of Directors, Homebuilders Association of Delaware

Publications:

- Wetlands: Characteristics and Boundaries, National Academy of Sciences Press
- Integrated Natural Resource Management Plan, PAX Naval Air Station

Community:

- Mentored Honors Biology Program at Glasgow High School
- Curriculum Development Committee for Hodgson Vo-Tech (HVT), Environmental Landscape Technology Program
- Graded Senior Projects for HVT, Environmental Program
- Assisted Talley Middle School with Artificial Wetland Creation Project
- Donated Plants for Brader Elementary School, Wetland Creation Project
- Donated Plants for Ohio State University Wetland Creation Project
- Presented Career Opportunities to Sussex Vo-Tech Environmental Program
- Donated Numerous Environmental Studies for Habitat for Humanity Projects

Selected Projects:

Firefly Music Festival – Dover, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting and Wetland Mitigation Design for the 2012, 2013, 2014 and 2015 festivals. The festival has grown every year and has required increased impacts in wetlands to accommodate the larger crowds and safe access. Permitting was always o a short time frame for this project.

Breakwater Beach – Bethany Beach, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting. For 30 years the property owner attempted to get approval to build the final eight homes on the beach but couldn't get the Corps of Engineer approvals. Watershed Eco, through creative design implementation, secured approval to construct these homes.

Peninsula – Millsboro, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting, Wetland Mitigation Design, Submerged Aquatic Vegetation Study, Fisheries Study, Forest Delineation and Assessment, Water Quality Monitoring and Environmental Features Construction Oversight.

The Reserves – Ocean View, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Ditch Characterization, Wetland Permitting, Wetland Mitigation Design and Delmarva Fox Squirrel Habitat Study.

Warrington Property/Oak Creek – Rehoboth, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Successful Appeal of JD for Isolated Wetlands, Revision to State Tidal Mapping and Consultation on Storm Water BMPs.

Shipyard Shops – Wilmington, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting.

Delaware Outdoor Advertising - Wilmington, Delaware

Provided Violation Resolution with the Corps of Engineers and the State for Billboards along I-95, Design of Wetland Mitigation, Construction Oversight and Wetland Mitigation Monitoring.

Townsend Station – Townsend, Delaware

Provided Violation Resolution with the Corps of Engineers for Illegal Wetland Fills, Design of Restoration and Mitigation Plans, Construction Oversight and Monitoring of Wetland Areas.

State Route 1, Phase II, Scott Run to Smyrna – Delaware

Provided Wetland Delineation, Jurisdictional Determination, Habitat Studies, Wetland Permitting, Wetland Mitigation Design, Construction Oversight, Wetland Mitigation Area Monitoring.

Photographs



Paved driveway in the northwestern portion of the property, looking east.



Pasture surrounding barn in the northeastern portion of the property, looking northeast.



Pasture area in the north-central portion of the property, looking northeast.



Pasture bordering woodlands in the southwestern portion of the property, looking west.



Pasture area in the southwestern portion of the property, looking northeast.



Typical forested upland in the south-central portion of the property.



Forested wetland abutting Dorman Branch in the southeastern portion of the property.



Forested wetland in the southeastern portion of the property.



Forested upland in the southeastern portion of the property, looking northwest.



Pasture area bordering woodlands in the central portion of the subject property, looking south.

Appendices

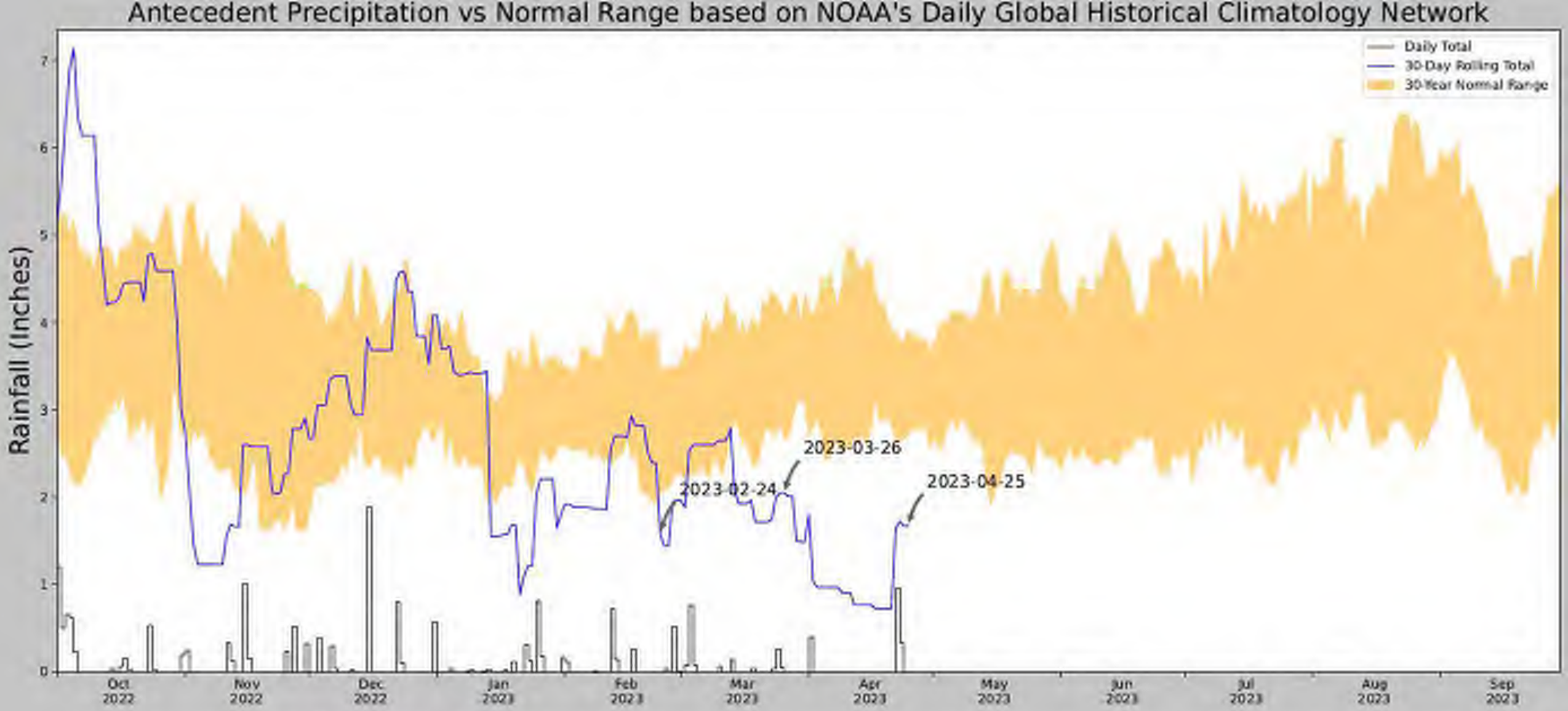
Belle Meade Farm, Lewes, Delaware

Wetland Delineation Map

Legend

- Flag ID#
- Property Boundary
- Wetland Boundary

Saratoga Ln
Ocala Wy
Tanglewood Dr
Old Meadow Ln
Greener Tirl Ln
Mulberry Knoll Rd
24
A 001
A 002
A 003
A 004
A 005
A 006
A 007
A 008
A 009
A 010
A 011
A 012
A 013
A 014
A 015
A 016
A 017
A 018
A 019
A 020
A 021
A 022
A 023
A 024
A 025
A 026
A 027
A 028
A 029
A 030
A 031
A 032
A 033
A 034
Google Earth
N
800 ft



Coordinates	38.711454, -75.152545
Observation Date	2023-04-25
Elevation (ft)	14.925
Drought Index (PDSI)	Severe drought (2023-03)
WebWIMP H_2O Balance	Wet Season

30 Days Ending	30th %ile (in)	70th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2023-04-25	2.712992	3.902362	1.669291	Dry	1	3	3
2023-03-26	2.679134	4.098032	2.047244	Dry	1	2	2
2023-02-24	2.05748	3.448032	1.57874	Dry	1	1	1
Result							Drier than Normal - 6

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
GEORGETOWN-DELAWARE COASTAL AP	38.6897, -75.3625	49.869	11.421	34.944	5.538	9080	88
MILTON 3.8 SSE	38.7271, -75.287	38.058	4.822	11.811	2.227	1	1
GEORGETOWN 5 SW	38.6333, -75.45	44.948	6.121	4.921	2.785	1940	0
GEORGETOWN 5.8 W	38.6972, -75.4931	35.105	7.062	14.764	3.282	1	0
LEWES	38.7842, -75.1581	9.843	12.806	40.026	6.275	331	0
Linear Interpolation	N/A	N/A	N/A	N/A	N/A	0	1

Belmead Farm, Lewes, Delaware

Data Point Location Map

Legend

- Data Point Location
- Flag ID#
- Property Boundary
- Wetland Boundary

UPL-3

UPL-1

WET-1

UPL-2

WET-2

A 001 A 002 A 003 A 004 A 005 A 006 A 007 A 008 A 010 A 011 A 012 A 013 A 014 A 015 A 016 A 017 A 018 A 019 A 020 A 021 A 022 A 023 A 024 A 025 A 026 A 027 A 028 A 029 A 030 A 032 A 033 A 034

Google Earth

N

300 ft

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-1

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 2-5

Subregion (LRR or MLRA): LRR T Lat: 38.709160 Long: -75.152600 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DodB) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-1

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Liriodendron tulipifera*	20	yes	FACU
2. *Quercus alba*	25	yes	FACU
3. *Quercus rubra*	20	yes	FACU
4. *Pinus taeda*	20	yes	FAC
5.			
6.			
	85 = Total Cover		
50% of total cover: 42.5	20% of total cover: 17		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Quercus alba*	10	yes	FACU
3. *Liquidambar styraciflua*	5	yes	FAC
4. *Nyssa sylvatica*	5	yes	FAC
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Cornus florida*	15	yes	FACU
3.			
4.			
5.			
6.			
	35 = Total Cover		
50% of total cover: 17.5	20% of total cover: 7		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
50% of total cover	20% of total cover.		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes _____ No _____

Remarks (If observed, list morphological adaptations below)

SOIL

Sampling Point: UPL-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					loamy sand	
3-9	10YR 4/3	100					loamy sand	
9-20	10YR 4/6	100					sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A,B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, S, T)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-1 in the south-central portion of the property.



Soil profile at UPL-1.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm | City/County: Lewes, Sussex | Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. | State: DE | Sampling Point: WET-1

Investigator(s): W. Twupack | Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Depression | Local relief (concave, convex, none): Concave | Slope (%): 0-2

Subregion (LRR or MLRA): LRR T | Lat: 38.709046 | Long: -75.152399 | Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) | NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes ✓ No _____
Hydric Soil Present?	Yes ✓	No _____	
Wetland Hydrology Present?	Yes ✓	No _____	

Remarks:

Forested wetland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ✓ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No _____	Depth (inches): 1"
Water Table Present?	Yes ✓	No _____	Depth (inches): 0
Saturation Present? (includes capillary fringe)	Yes ✓	No _____	Depth (inches): 0

Wetland Hydrology Present? Yes ✓ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: WET-1

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer rubrum*	60	yes	FAC
2. *Nyssa sylvatica*	10	no	FAC
3.			
4.			
5.			
6.			
	70 = Total Cover		
50% of total cover: 35	20% of total cover: 14		
Sapling Stratum (Plot size 30 ft)			
1 *Ilex opaca*	5	yes	FAC
2 *Acer rubrum*	15	yes	FAC
3.			
4.			
5			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Magnolia virginiana*	5	yes	FACW
3			
4			
5			
6			
	10 = Total Cover		
50% of total cover: 5	20% of total cover: 2		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus effusus*	10	yes	OBL
2 *Carex lurida*	5	no	OBL
3. *Juncus tenuis*	5	no	FAC
4. *Woodwardia areolata*	10	yes	OBL
5. *Phragmites australis*	10	yes	FACW
6			
7.			
8.			
9			
10.			
11.			
	40 = Total Cover		
50% of total cover: 20	20% of total cover: 8		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

__ 1 - Rapid Test for Hydrophytic Vegetation

✓ 2 - Dominance Test is >50%

__ 3 - Prevalence Index is ≤3.0[1]

__ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No __

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL

Sampling Point: WET-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 2/1	100					muck	saturated
9-20	10YR 3/2	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ✓ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No _____

Remarks



Forested wetland at Data Point WET-1 in the south-central portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-2

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.708934 Long: -75.151363 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-2

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Quercus falcata*	15	yes	FACU
2. *Quercus alba*	30	yes	FACU
3. *Quercus rubra*	15	yes	FACU
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	15	yes	FAC
2. *Cornus florida*	10	yes	FACU
3.			
4.			
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	30	yes	FAC
2.			
3.			
4.			
5.			
6.			
	30 = Total Cover		
50% of total cover: 12	20% of total cover: 6		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ___ No ✓

Remarks (If observed, list morphological adaptations below)

SOIL

Sampling Point: UPL-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					sandy loam	
3-6	10YR 4/3	100					sandy loam	
6-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A,B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, S, T)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-2 in the southeastern portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm | City/County: Lewes, Sussex | Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. | State: DE | Sampling Point: WET-2

Investigator(s): W. Twupack | Section, Township, Range:

Landform (hillslope, terrace, etc.): Depression | Local relief (concave, convex, none): Concave | Slope (%): 0-2

Subregion (LRR or MLRA): LRR T | Lat: 38.708819 | Long: -75.151184 | Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) | NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ✓ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ____	**Is the Sampled Area within a Wetland?** Yes ✓ No ____
Hydric Soil Present?	Yes ✓	No ____	
Wetland Hydrology Present?	Yes ✓	No ____	

Remarks:

Forested wetland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ✓ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No ____	Depth (inches): 0.5"
Water Table Present?	Yes ✓	No ____	Depth (inches): 0
Saturation Present? (includes capillary fringe)	Yes ✓	No ____	Depth (inches): 0

Wetland Hydrology Present? Yes ✓ No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: WET-2

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer rubrum*	60	yes	FAC
2.			
3.			
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1 *Nyssa sylvatica*	10	yes	FAC
2 *Magnolia virginiana*	10	yes	FACW
3.			
4.			
5			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Vaccinium corymbosum*	10	yes	FACW
3			
4			
5			
6			
	15 = Total Cover		
50% of total cover: 7.5	20% of total cover: 3		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus tenuis*	10	yes	FAC
2 *Woodwardia areolata*	5	yes	OBL
3. *Juncus effusus*	5	no	OBL
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is ≤3.0[1]
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL

Sampling Point: WET-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-20	10YR 3/1	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No _____

Remarks



Forested wetland at Data Point WET-2 in the southeastern portion of the property.



Saturated soils encountered at WET-2.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-3

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.710365 Long: -75.151586 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DoA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the east-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-3

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Quercus falcata*	35	yes	FACU
2. *Liquidambar styraciflua*	30	yes	FAC
3. *Ilex opaca*	10	no	FAC
4.			
5.			
6.			
	75 = Total Cover		
50% of total cover: 37.5	20% of total cover: 15		
Sapling Stratum (Plot size 30 ft)			
1 *Ilex opaca*	45	yes	FAC
2 *Nyssa sylvatica*	5	yes	FAC
3.			
4.			
5			
6.			
	50 = Total Cover		
50% of total cover: 25	20% of total cover: 10		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Smilax rotundofolia*	5	yes	FAC
3			
4			
5			
6			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Herb Stratum (Plot size: 30 ft)			
1.			
2			
3.			
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover.		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 7 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 71.4 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

__ 1 - Rapid Test for Hydrophytic Vegetation

✓ 2 - Dominance Test is >50%

__ 3 - Prevalence Index is ≤3.0[1]

__ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No __

Remarks (If observed, list morphological adaptations below)

SOIL

Sampling Point: UPL-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2	100					sandy loam	
4-9	10YR 4/3	100					sandy loam	
9-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-3 in the east-central portion of the property.



Soil profile at UPL-3.

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Sussex County, Delaware

Belmeade Farm, Lewes, DE



April 29, 2023

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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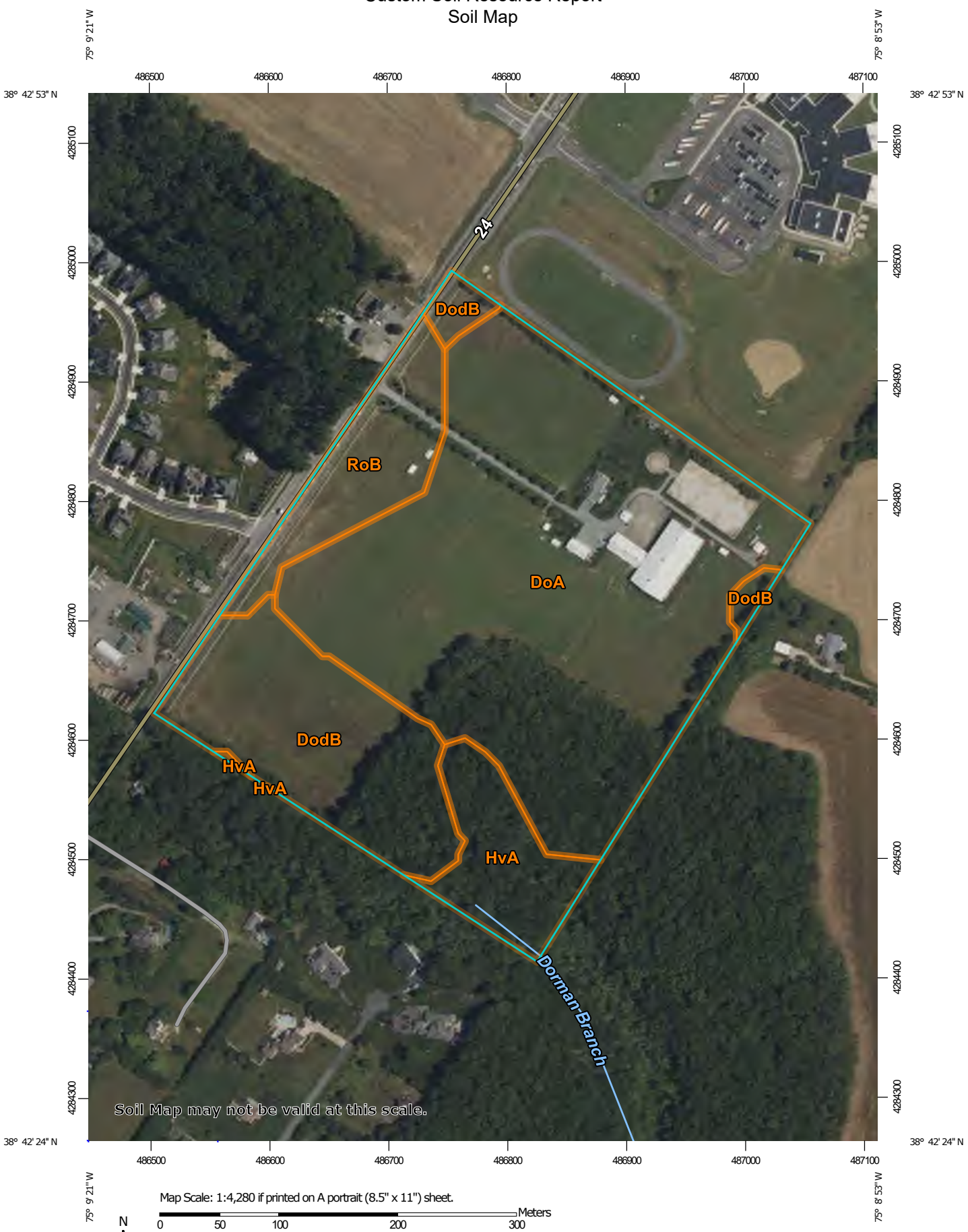
Custom Soil Resource Report
Soil Map



Map Scale: 1:4,280 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

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

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

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

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

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

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

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 23, Sep 14, 2022

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

Date(s) aerial images were photographed: May 30, 2022—Jul 4, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	25.9	63.1%
DodB	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area	8.2	20.1%
HvA	Hurlock sandy loam, 0 to 2 percent slopes	3.2	7.9%
RoB	Rosedale loamy sand, 2 to 5 percent slopes	3.7	8.9%
Totals for Area of Interest		**41.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Sussex County, Delaware

DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwd
Elevation: 0 to 190 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 250 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Knolls, flats, low hills
Landform position (two-dimensional): Summit, shoulder
Landform position (three-dimensional): Interfluve, rise
Down-slope shape: Convex, linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Talf
Down-slope shape: Convex, linear
Across-slope shape: Linear
Hydric soil rating: No

DodB—Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwh
Elevation: 0 to 210 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 260 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Flats, knolls, low hills
Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Convex, linear
Across-slope shape: Convex, linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Flats, broad interstream divides
Landform position (two-dimensional): Footslope, shoulder
Landform position (three-dimensional): Dip
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Low hills, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Linear
Across-slope shape: Convex

Hydric soil rating: No

HvA—Hurlock sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qth9
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hurlock, drained, and similar soils: 42 percent
Hurlock, undrained, and similar soils: 38 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hurlock, Drained

Setting

Landform: Swales, depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
Eg - 10 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 10 to 20 inches
Frequency of flooding: None
Frequency of ponding: Rare
Available water supply, 0 to 60 inches: Moderate (about 6.7 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Description of Hurlock, Undrained

Setting

Landform: Drainageways, depressions, swales, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material
A - 2 to 4 inches: sandy loam
Eg - 4 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 0 to 10 inches
Frequency of flooding: None
Frequency of ponding: Occasional
Available water supply, 0 to 60 inches: Moderate (about 7.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Minor Components

Mullica, drained

Percent of map unit: 5 percent
Landform: Drainageways, depressions, swales, flats
Landform position (three-dimensional): Dip
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: Yes

Hammonton

Percent of map unit: 5 percent
Landform: Flats, drainageways
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Woodstown

Percent of map unit: 5 percent
Landform: Flats, fluviomarine terraces, broad interstream divides
Landform position (three-dimensional): Tread, rise
Down-slope shape: Linear

Across-slope shape: Linear
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

RoB—Rosedale loamy sand, 2 to 5 percent slopes

Map Unit Setting

National map unit symbol: 1qtjy
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Rosedale and similar soils: 75 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rosedale

Setting

Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy eolian deposits over fluviomarine deposits

Typical profile

A - 0 to 9 inches: loamy sand
E - 9 to 25 inches: loamy sand
Bt - 25 to 38 inches: sandy loam
C - 38 to 68 inches: loamy sand
2Cg - 68 to 80 inches: sandy clay loam

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 5.95 in/hr)
Depth to water table: About 40 to 72 inches
Frequency of flooding: None
Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 5.3 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Evesboro

Percent of map unit: 10 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Galloway

Percent of map unit: 5 percent
Landform: Flats, depressions
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

Hambrook

Percent of map unit: 5 percent
Landform: Depressions, flats, fluviomarine terraces
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

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APPENDIX B

Fish and Wildlife Threatened and Endangered Species List

United States Department of the Interior

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

In Reply Refer To: 01/20/2025 15:56:33 UTC
Project Code: 2025-0044405
Project Name: Belmeade Farm

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

To Whom It May Concern:

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

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

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

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

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

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

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

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

PROJECT SUMMARY

Project Code: 2025-0044405
Project Name: Belmeade Farm
Project Type: New Constr - Above Ground
Project Description: Above ground development.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.71070505,-75.15219081081176,14z



Counties: Sussex County, Delaware

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

---

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

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

WETLANDS

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

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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

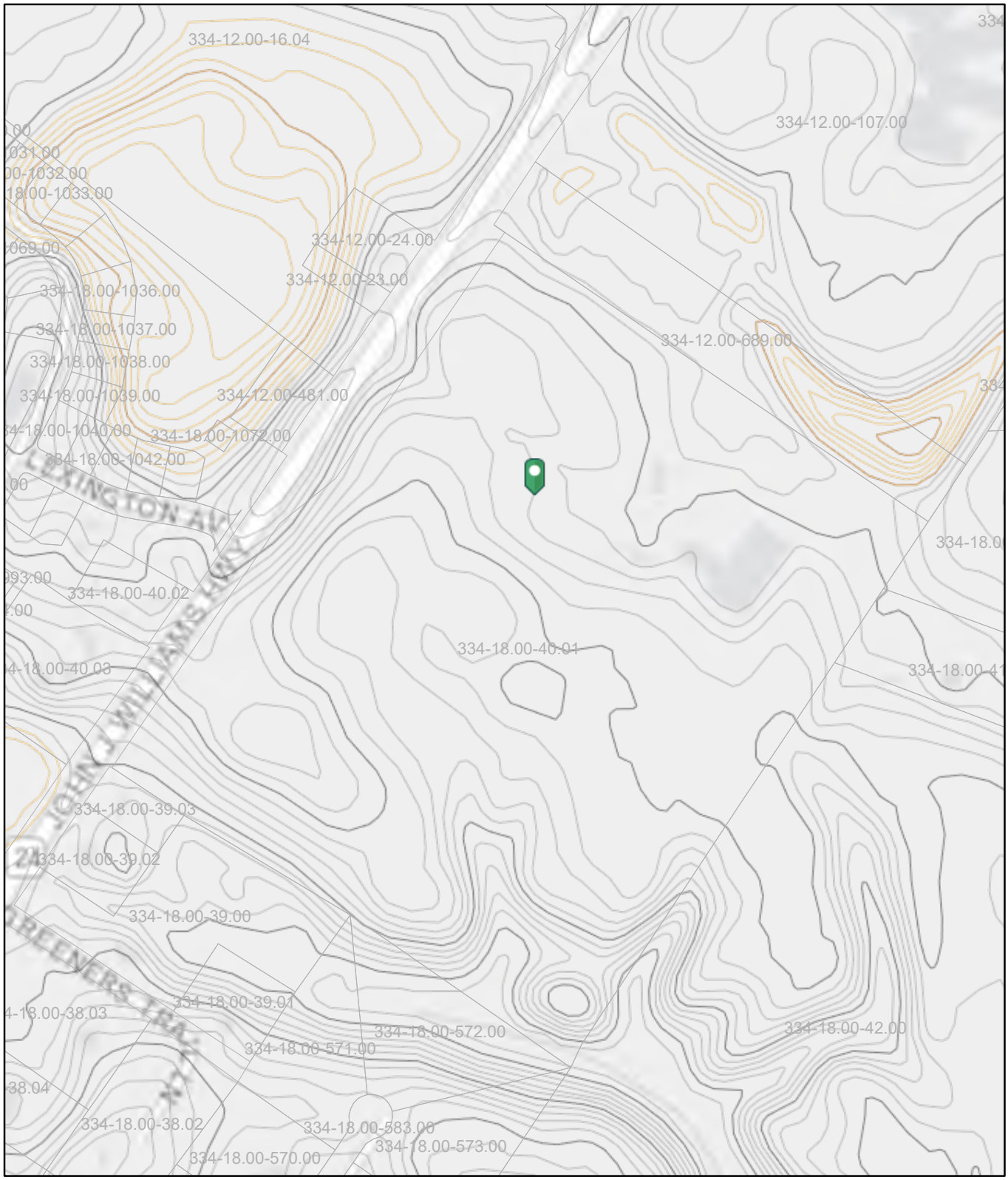
FRESHWATER FORESTED/SHRUB WETLAND

- PFO1R
- PFO1B

APPENDIX C

Existing Conditions Mapping

Contours



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0 0.03 0.06 0.12 mi

0 0.05 0.1 0.19 km

Parcels

Sussex_Co

Depression Index

Depression Intermediate

Normal Index

Normal Intermediate

County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Delaware Geological Survey, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

DNREC Stormwater
2018

FEMA Flood Plain



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Parcels

FEMA Flood Maps

AE

X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

FIRM Panel

FEMA, Surdex Corp

DNREC Stormwater
2018

Head of Tide



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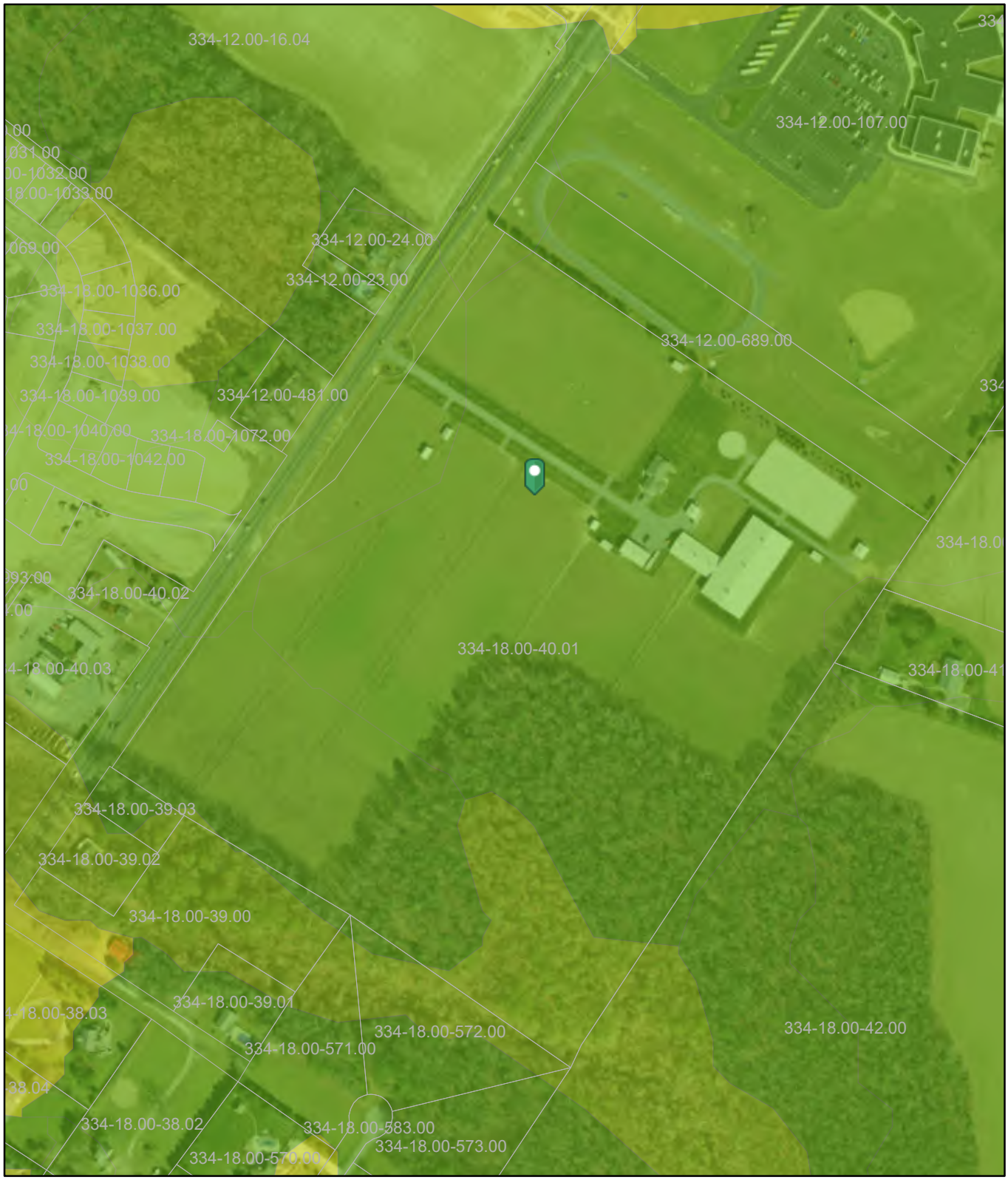
Parcels

Head of Tide Wetlands 2007

Surdex Corp

DNREC Stormwater
2018

NRCS Soils



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Parcels

Soils Sussex County

A

A/D

B

Surdex Corp

DNREC Stormwater
2018

Site Location



10/23/2024, 3:44:41 PM

Parcels

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Surdex Corp

DNREC Stormwater
2018

State Wetlands Mapping



12/19/2024, 9:36:58 AM

1:4,514

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State Wetlands Mapping Project

- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine
- Parcels

Surdex Corp

DNREC Stormwater
2018

Tax Ditch



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Parcels

1:4,514

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Surdex Corp

DNREC Stormwater
2018

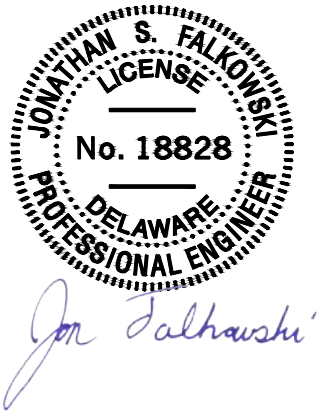
ENVIRONMENTAL ASSESSMENT & PUBLIC FACILITIES EVALUATION REPORT (EAPFR)

FOR

BELMEAD FARM LLC
(CZ 2001)

Sussex County, Delaware

February 2025



Prepared by:

Becker Morgan Group, Inc.
309 S. Governors Avenue
Dover, DE 19904

TABLE OF CONTENTS

SECTION

1.0 **APPLICATION**

a. Rezoning Application
b. Deed and Legal Description (Bk 5734 Pg 290)

2.0 **ENVIRONMENTAL ASSESSMENT AND PUBLIC FACILITIES EVALUATION**

a. Summary in accordance with §115-194.3 – Coastal Area, Subparagraph B(2).

3.0 **APPENDIX**

a. Site Location
b. County Zoning Map
c. Future Land Use Map
d. Wetlands Delineation Report
e. US Fish and Wildlife Service – Threatened and Endangered Species List
f. DelDOT Service Level Evaluation Request Response Letter
g. DelDOT Final Traffic Impact Study (TIS)

1.0 Rezoning Application

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

PLANNING OUR CLIENTS' SUCCESS

November 23, 2022

Sussex County
Planning and Zoning
2 The Circle
Georgetown, DE 19947
Attn: Mr. Jamie Whitehouse

RE: Rezoning Application
BELLE MEAD FARM
John J Williams Hwy
Lewes, Delaware
2022079.00

Dear Mr. Whitehouse:

Please find attached Zoning Map Amendment Application and Fee for the property otherwise known as the Belle Mead Farm in Lewes, Delaware. As previously discussed with you, we will be following up the application with the required site plans and other documents at a later date. It was agreed that the submittal of the Zoning Map Application and Fee would be adequate to get this project into the queue for a hearing scheduling.

If you have any questions, please feel free to contact us at any time.

Kind regards,

J. Michael Riemann, PE
Becker Morgan Group
Vice President

BECKER MORGAN GROUP, INC.
309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3200

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

3333 JACKSON DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

www.beckermorgan.com

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✔

Site Address of Conditional Use/Zoning Map Amendment

20044(+/-) John J Williams Hwy - Belle Mead Farm - Route 24

Type of Conditional Use Requested:

Tax Map #: 334-18.00-40.01 & 334-18.00-40.06 **Size of Parcel(s):** 39.22 +/- ac.

Current Zoning: AR-1 **Proposed Zoning:** C4 **Size of Building:** TBD

Land Use Classification: COMMERCIAL

Water Provider: TIDEWATER **Sewer Provider:** SUSSEX COUNTY

Applicant Information

Applicant Name: BELMEAD FARM LLC
Applicant Address: 105 FOULK ROAD
City: WILMINGTON State: DE ZipCode: 19803
Phone #: 429-8700 E-mail: _____

Owner Information

Owner Name: BELMEAD FARM LLC
Owner Address: 105 FOULK ROAD
City: WILMINGTON State: DE Zip Code: 19803
Phone #: 429-8700 E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: BECKER MORGAN GROUP, INC
Agent/Attorney/Engineer Address: 309 S. GOVERNORS AVE
City: DOVER State: DE Zip Code: 19904
Phone #: 734-7950 E-mail: MRIEMANN@BECKERMORGAN.COM

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

X **Completed Application**

X **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

X **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**

__ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

X **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

X **DelDOT Service Level Evaluation Request Response**

X **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

Date: 11/22/22

Signature of Owner

Date: 11/14/2022

For office use only:

Date Submitted: _____ Fee: Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

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

NICOLE MAJESKI
SECRETARY

October 27, 2022

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Becker Morgan Group, Inc** proposed land use application, which we received on October 21, 2022. This application is for an approximate 40.00- acre parcel (Tax Parcel: 334-18.00-40.01). The subject land is located on the southeast side of John J Williams Highway (Delaware Route 24) approximately 1,700 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned C-1 (General Commercial), with a proposed zoning of C-4 (Planned Commercial) to build 125,000 square feet of commercial/ retail space and up to 480 multifamily housing units.

Per the 2021 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along John J Williams Highway from Plantation Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), is 17,338 and 22,294 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For residential and non-residential developments that are consistent with the Land Use and

Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee per dwelling unit and a fee per square foot of non-residential space in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is not consistent with the LUTP, therefore, the developer will be required to perform a TIS to determine if the Level of Service (LOS) analyzed by the TID is consistent with the inclusion of the proposed development. If the LOS determined by the TIS is compliant with the TID, the proposed development is to pay the TID fee as stated above. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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

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

Sincerely,

Sireen Muhtaseb, PE
TIS Group Manager
Development Coordination

SM:afm
cc: Becker Morgan Group, Inc, Applicant
Lauren DeVore, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
Sussex Reviewer, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
James Argo, South District Project Reviewer, Maintenance & Operations
Todd Sammons, Assistant Director, Development Coordination
Kevin Hickman, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Reviewer, Development Coordination
Brian Yates, Subdivision Reviewer, Development Coordination
Thomas Gagnon, Subdivision Reviewer, Development Coordination
Joshua Johnson, Subdivision Reviewer, Development Coordination
Claudy Joinville, TIS Group Project Engineer, Development Coordination
Annamaria Furmato, TIS Group Project Engineer, Development Coordination

Document# 2022000032608 BK: 5734 PG: 290
Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
Consideration: $5,100,000.00 County/Town: $76,500.00 State: $127,500.00 Total: $204,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX PARCEL #: 3-34-18.00-40.01

PREPARED BY & RETURN TO:
Parkowski, Guerke & Swayze, P.A.
19354C Miller Road
Rehoboth Beach, DE 19971
File No. 015-22/VGR

NO SURVEY WAS PERFORMED OR REQUESTED

THIS DEED, made this 3 day of June, 2022,

- BETWEEN -

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED and **THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED**, of 722 NE 2nd Street, Delray Beach, FL 33483, parties of the first part,

- AND -

BELMEAD FARM, LLC, a Delaware limited liability company, of 28855 Lewes Georgetown Hwy, Lewes, DE 19958, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars and 00/100 ($10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece and parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County and State of Delaware, lying and being along the southeastern right of way of State Route 24 (50 feet wide), more particularly described as follows, to wit:

BEGINNING at an iron pipe situate along the aforesaid southwesterly right of way of State Route 24, said point being the common boundary of these lands and lands now or formerly of Mudiwa and Preachess Vellah Munyikwa; thence by and with said right of way North 42 degrees 12 minutes 08 seconds East, 1,451.40 feet to a capped rebar; thence leaving the aforesaid right of way and running by and with lands now or formerly of Cape Henlopen School District South 47 degrees 36 minutes 26 seconds East, 1,205.68 feet to a found rebar; thence running by and with lands now or formerly of Alfred G. Best, Trustee, and lands now or formerly of Linda Elizabeth Best, South 40 degrees 01 minutes 32 seconds West, 365.05 feet to an iron pipe;

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Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
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thence by and with other lands of Grantor, South 40 degrees 40 minutes 22 seconds West, 1,064.47 feet to a found rebar; thence by and with lands now or formerly of John and Deanna Hoover, North 48 degrees 38 minutes 42 seconds West, 611.81 feet to a found rebar; thence by and with lands now or formerly of Frank and Marlene Bracale, North 48 degrees 40 minutes 10 seconds West, 411.81 feet to an iron pipe; thence by and with lands now or formerly of Mudiwa and Preachess Vellah Munyikwa, North 48 degrees 36 minutes 49 seconds West, 224.47 feet to the point and place of Beginning, said to contain 40.61 acres of land as depicted on the Perimeter Survey prepared by Compass Point Associates dated January 17, 2011, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEING the same lands and premises which were conveyed unto Mark H. Ronald Trust dated 3/8/2007, as amended, Mark H. Ronald and Mary Ann Ronald, Trustees, either of whom may act independently, and Mary Ann Ronald Trust dated 3/8/2007, as amended, Mary Ann Ronald and Mark H. Ronald, Trustees, either of whom may act independently, by Deed of J.G. Townsend, Jr. & Co. dated January 28, 2011, and recorded February 1, 2011, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 3862, Page 170.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mark H. Ronald, Trustee

THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mary Ann Ronald, Trustee

Document# 20220000032608 BK: 5734 PG: 292
Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
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STATE OF Florida, COUNTY OF Palm Beach: to-wit

BE IT REMEMBERED, that on 06/03, 2022, personally came before me, the subscriber, Mark H. Ronald, Trustee of the Mark H. Ronald Trust dated March 8, 2007, as amended, and Mary Ann Ronald, Trustee, of the Mary Ann Ronald Trust dated March 8, 2007, as amended, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

JUNAE MCPHERSON
Notary Public - State of Florida
Commission # HH 206991
My Comm. Expires Dec 13, 2025

Notary Public

My Commission Expires: 12/13/25

2.0 Environmental Assessment and Public Facility Evaluation Report

Belmead Farm, LLC

Tax Maps:	334-18.00-40.01 & 40.06
Parcel Acreage:	±39.22 Acres
Existing Zoning:	AR-1: Agricultural Residential
Proposed Zoning:	C-4: Planned Commercial District
2019 Future Land Use:	Commercial and Coastal Area
Site Investment Area:	Level 2, 3 & 4
Chapter 89 Water Source:	"Fair" Groundwater Recharge Area
	"No" Wellhead Protection Area
Wetlands:	Freshwater Forested & Shrub Wetland (PFO1R)
Flood Zone:	Zone X – Map 10005C0334K; 03/16/2015
Watershed:	Rehoboth Bay Watershed
TID:	Henlopen
Access / Road Frontage:	John J. Williams Hwy. (SR00024)
Sanitary Sewer Supplier:	Tier 2 – Sussex County Planning Area
Water Supplier:	Tidewater Utilities Inc.

§115-194.3 – Coastal Area, Subparagraph B (2).

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

The proposed development of the parcels will follow all applicable State and local stormwater management regulations and will meet or exceed quality and quantity management standards. Through the use of Green Technology Best Management Practices (GTBMP's), the proposed stormwater management facilities will reduce the phosphorous and nitrogen loading. The improvements are not anticipated to produce other pollutants such as petroleum hydrocarbons or metals. Should a commercial tenant require the need for petroleum pollutant measures, appropriate filtration will be utilized in accordance with State and local regulations.

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

The parcels are located in Tidewater Utilities area and will serve the project's water source. The proposed water system design will be in accordance with all codes and regulations set forth by Sussex County, DHSS Office of Drinking Water and Tidewater. Tidewater's franchise area has been evaluated for groundwater impacts to ensure no adverse impacts. The anticipated water demand is 68,625 gallons/day.

c) *Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on site septic systems*

The parcels are located within Sewer Tier 2 – Sussex County Planning area and a future request to annex to the Tier 1 - Unified Sanitary Sewer District will be made as the parcels are directly adjacent to the Tier 1 District. It is anticipated that a gravity sewer collection system will be designed and installed to collect and convey wastewater. All sewer systems will be designed to follow all the codes and regulations of the Sussex County Ordinance.

d) *Analysis of the increase in traffic and the effect on the surrounding roadway system.*

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The Final TIS recommendations from DelDOT included development improvements as follows: frontage improvements, full movement signalized Site Entrance at the intersection of Lexington Ave. and DE Rt. 24 with auxiliary turn lanes, bicycle and pedestrian improvements and Henlopen TID fees to be paid as determined by DelDOT.

e) *The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.*

A Rare Species Search per the United States Fish and Wildlife Service (USFWS) database for the likelihood of rare and endangered species was performed. Two potential species were identified based on the search. The tri-colored bat, which the USFWS usually suggests that if tree clearing is required within the breeding season, then a summer survey should be conducted to determine whether the bats are present. Tree clearing is usually restricted to the time period between Oct. 1 and March 31 to avoid impacts to the listed bat species. The Monarch Butterly requires specialized habitat (milkweed) for breeding. Suitable habitat for the species is not likely or anticipated to occur within the development area.

f) *The preservation and protection from loss of tidal or nontidal wetlands on the site.*

Freshwater Forested/Shrub Wetland habitat was identified on the subjected site. No wetlands will be disturbed with the proposed development and the County required buffers will be respected. A wetlands delineation report is included with the project packet.

g) *Provisions for open space as defined in § 115-4*

The project offers recreational facilities such as a clubhouse, swimming pool, play areas and walking paths. Several stormwater management facilities are proposed which have a demonstrated recreational value and provide scenic vistas, while providing wildlife corridors. The project will respect all buffers and maintain significant forested areas and will not disturb existing wetlands found on-site.

h) *A description of provisions of public and private infrastructure*

The project proposes a mix of both public and private infrastructure. Public infrastructure includes construction of water and sewer main that will be turned over to respective utility providers. In addition, significant improvements along DE Rt. 24 will be constructed, including auxiliary turn lanes, traffic signal with pedestrian crossings and a paved shared-use path, providing multi-modal transportation network paths. Private infrastructure includes roadways, sidewalks, parking, other utilities and stormwater management areas, etc. which will be privately owned and maintained.

i) *Economic, recreational or other benefits*

The project holds significant potential not only for job creation but also for addressing critical gaps in workforce development within Sussex County. By providing commercial job growth opportunity, economic development and affordable housing, the project aims to deliver much needed services and housing to the local community.

j) *The presence of any historic or cultural resources that are listed on the National Register of Historic Places*

No existing presence of historic or cultural resources were listed per the National Register of Historic Places.

k) *A description of how the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan*

The current Sussex County Comprehensive Plan includes a Future Land Use Map to help determine how land should be zoned, to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has land use designation of "Commercial Area" and "Coastal Area." The parcels would otherwise be entirely identified as "Commercial Area" if not for a small portion of "Coastal Area" on parcel 40.01, which is not planned for development as it is located within a wetland area along Dorman Branch, in the southwestern most portion of the parcel.

As outlined in the Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. As this area is

not intended to be developed, the development plan is consistent with the Comprehensive Plan for Coastal Areas. (Sussex County Comprehensive Plan, 4-15).

Commercial Areas include retail and service uses that are mainly located along higher functional classification roadways such as highways and arterials. Route 24 is classified by DelDOT as a "Principal Arterial". As opposed to small, traditional downtown areas that are often historic and pedestrian-friendly, Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic. In addition to primary shopping destinations, this area would also be the appropriate place to locate hotels, motels, car washes, auto dealerships, l and other medium and larger scale commercial uses not primarily targeted to the residents of immediately adjacent residential areas. These more intense uses should be located along main roads or near major intersections. Institutional and commercial uses may be appropriate depending on surrounding uses. Mixed-use buildings may also be appropriate for these areas (Sussex County Comprehensive Plan, 4-17). The development plan includes a mix of retail, service uses, medium scale commercial and mixed use buildings as is consistent with the Comprehensive Plan.

The proposed zoning of C-4: Planned Commercial District is consistent with the intended Future Land Use designation of Commercial Use as an applicable zoning district within the Growth Area. The C-4 zoning allows for a maximum of forty (40) percent of its developable area to consist of duplexes, townhouses or multifamily dwellings which helps promote development designed to support both residential and commercial uses as noted in 4.6.3.

The subject parcels are also located within the planned Henlopen Transportation Improvement District, which DelDOT is working alongside Sussex County to correspond with their Comprehensive Plan.

l) *Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) of the manner in which they are consistent with the Comprehensive Plan.*

All mitigation measures, identified relevant to sections (a) through (k) are identified above in each respective section.

3.0 Appendix



LAYER STATE: LOCATIONS

SITE LOCATION MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG:	2022079.00
SCALE:	1" = 250'
DATE:	12/23/24
DRAWN BY:	J.N.K.

SITE

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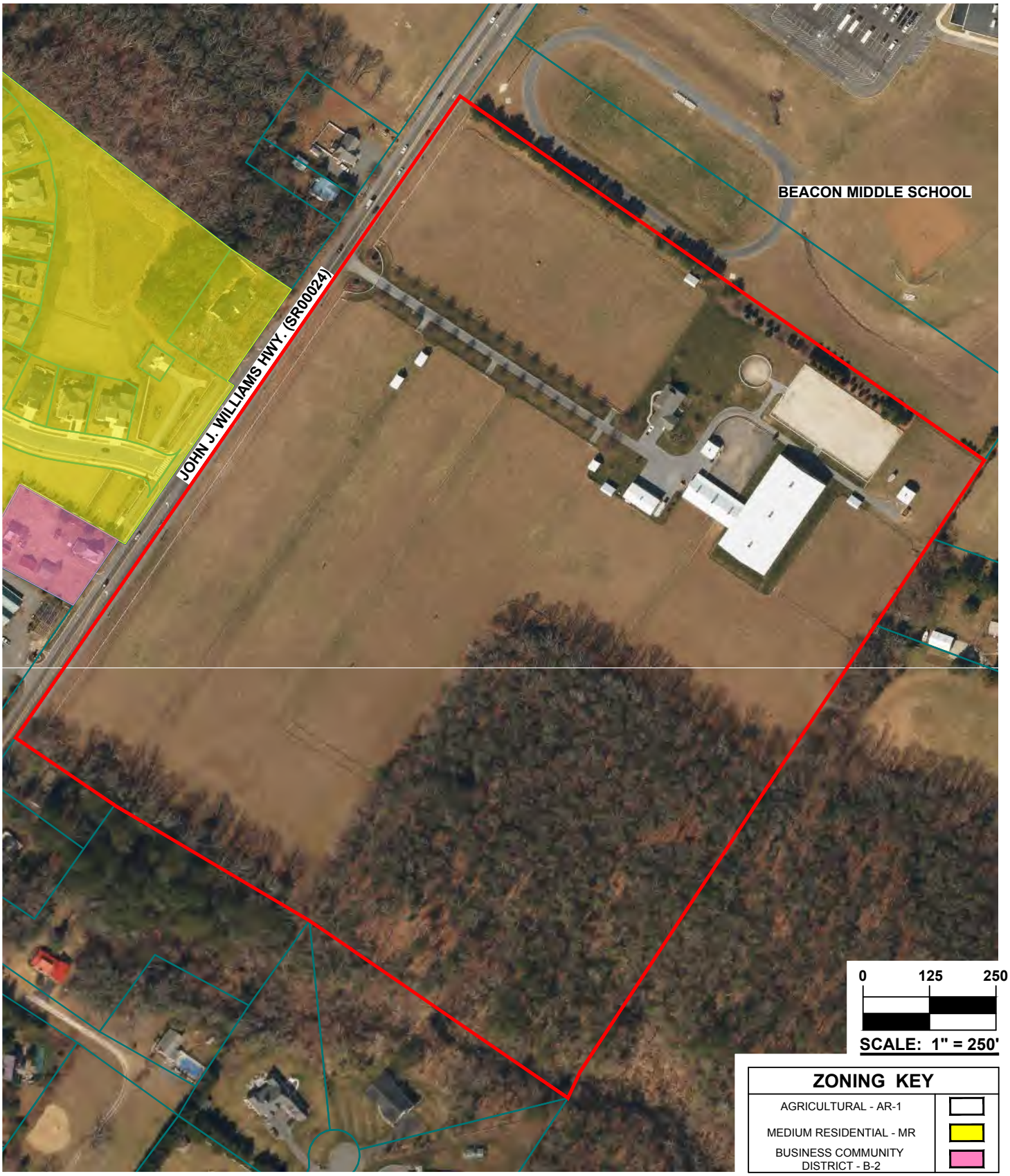

LAYER STATE: ZONING

ZONING MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

BECKER MORGAN GROUP

ARCHITECTURE
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Dover, DE 19904
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Fax 302.734.7965

BMG: 2022079.00
SCALE: 1" = 250'
DATE: 12/23/24
DRAWN BY: J.N.K.

ZONING

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LAYER STATE: FUTURE LAND USE

FUTURE LAND USE MAP
BELLE MEADE FARMS

REHOBOTH BEACH
SUSSEX COUNTY / DELAWARE

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DRAWN BY: J.N.K.

FUTURE

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Wetland Delineation Report

Wetland Delineation – Belmead Farm, Lewes, Delaware



James C. McCulley IV, PWS
Watershed Eco, LLC
April 30, 2023
Jim@WatershedEco.com

Introduction



At the request of Becker Morgan Group, Inc., Watershed Eco, LLC. has reviewed background materials and conducted site visits to determine the previous and current site conditions related to waters, wetlands, and drainage.

James McCulley, the investigator, and report author has over 30 years of experience in wetland delineation and permitting. He previously worked as a biologist in the Regulatory Section of the U.S. Army Corps of Engineers, Philadelphia District and was selected as one of 17 wetland scientists nationwide to serve on the National Academy of Sciences, Wetlands Characterization Committee which authored "Wetlands: Characteristics and Boundaries". He was chosen as one of four committee members to present the committee findings at a press conference on Capitol Hill.

Mr. McCulley is a Senior Professional Wetland Scientist, #000471 as certified by the Society of Wetland Scientists, an international scientific association.

All opinions in this report are to a reasonable degree of scientific certainty.

Executive Summary

Watershed Eco, LLC reviewed background information and conducted a wetland delineation at the Belmead Farm, LLC. property and determined that palustrine forested wetlands were present in the southeastern portion of the property abutting a Dorman Branch. These wetlands and waters were flagged in the field and depicted on the attached wetland delineation map.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut the perennial stream Dorman Branch, a tributary to Love Creek and Rehoboth Bay, both Traditional Navigable Waterways. The flagging placed in the field represents the outer boundary of these resources.

The site conditions at the time of the investigation are detailed in this report.

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Definition of Jurisdictional Waters and Wetlands

The Navigable Waters Protection Rule (NWPR) became effective on June 22, 2020. This rule codifies the definition of Waters of the United States (WOTUS), including jurisdictional wetlands. Discussions of Jurisdiction related to Waters and Wetlands in this report are based on the NWPR Section 404 of the Clean Water Act and as described in the definitions in this section as well as all guidance currently in effect and based on professional experience.

The scope of Federal jurisdiction is established in the Clean Water Act (CWA) is limited to WOTUS, which is defined in the Act as Navigable Waters, including the Territorial Seas. The Act does not further define WOTUS and has left the interpretation to the agencies (U.S. EPA and U.S. Army Corps of Engineers). The agencies have defined WOTUS by regulation since the 1970s with the latest definition becoming effective on June 22, 2020 in the NWPR.

The NWPR defines four categories of WOTUS, 1. Territorial Seas and Traditional Navigable Waters, 2. Tributaries to 1., 3. Lakes and Ponds, and impoundments of Jurisdictional Waters and 4. Adjacent Wetlands. All other Waters are determined by the rule to be non-jurisdictional and the rule further clarifies exclusions which are not jurisdictional.

In this case we are interested in the jurisdictional status of mapped Waters in the form of non-tidal wetlands within the Subject Property. The mapped wetlands have been classified as adjacent wetlands. In the NWPR, adjacent wetlands are defined as follows: abutting, meaning to touch, or inundated by flooding from waters 1-3 above, separated only be a berm, bank or dune or an artificial dike or barrier. The NWPR further clarifies that an adjacent wetland must have a direct hydrologic surface connection to a water listed in 1-3 above in a typical year. The NWPR further clarifies that a tributary is a river or stream, or similar naturally occurring surface water channel that contributes surface water flow to a water identified in paragraph (a)(1) of this definition in a typical year either directly or through one or more waters. A tributary must be intermittent or perennial. It is assumed that the mapped wetlands have a direct surface connection to Dorman Branch and would be regulated by the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers recently vacated the Navigable Water Protection Rule. At the present time the U.S. Army Corps of Engineers is following the 2023 Wetland Rules. The U.S. Army Corps of Engineers Philadelphia District and DNREC Subaqueous Lands Division should be consulted prior to any impacts to any wetlands or waterways within the subject property.

Waters are mapped by determining the Ordinary High-Water Mark (OHWM) of features with a bed and bank as defined above and in accordance with various guidance as discussed below.

Wetlands are mapped using three criteria: 1. Vegetation, 2. Soils and 3. Hydrology which are further described in the Manual and appropriate Regional Supplement. Hydrophytic (wetland) vegetation is specifically adapted for life in saturated soils and listed by species and indicator status on the National Wetland Plant List maintained by the U.S. Army Corps of Engineers. Hydric (wetland) soils formed under conditions of saturation, flooding or ponding long enough to develop anaerobic conditions and are listed on the United States Department of Agriculture, Hydric Soils Database. Wetland hydrology is described as recurrent, sustained water at or near the surface for extended periods of time.

Subject Property

The Subject Property is located at 28855 Lewes Georgetown Highway in Lewes, Sussex County, Delaware. The Subject Property is located at Latitude and Longitude 38.711454and -75.152545 and is identified as Sussex County Tax Parcel No. 334-18.00-40.01 consisting of approximately 39.19 Acres.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of mowed pastures associated with equestrian use and woodlands in the southeast.

Based on the information reviewed and discussed in this report, it was concluded that there were palustrine forested wetlands in the southeastern portion of the property. These wetlands abut Dorman Branch and drain southeasterly off-site to Love Creek, a tributary to Rehoboth Bay.

Documents Considered

The following documents were considered as part of this study:

- Current National Wetland Inventory (NWI) Map
- Current USGS Mapping
- Historical Aerial Photos
- NRCS Soils Mapping
- National Hydrography Dataset Mapping

Findings

Background Research

The NWI Map (Figure 2) depicts palustrine forested wetlands in the southeastern portion of the subject property.

The USGS Mapping (Figure 3) depicts a blue-line stream identified as Dorman Branch in the southeastern portion of the property. The subject property is relatively flat with elevations ranging from 20 feet above sea level in the northwest to 10 feet asl in the southeast.

The National Hydrography Dataset map (Figure 4) depicts a blue-line stream feature with abutting palustrine forested wetlands in the southeastern portion of the property.

The 1937 aerial photo (Figure 5) depicts the property in agricultural use with woodlands in the southeast. The surrounding land use is predominantly agricultural and wooded with a few scattered residential properties.

The 1954 aerial photo (Figure 6) and 1968 imagery (Figure 7) depicts similar site conditions as the 1937 imagery. No significant changes in surrounding land use are apparent.

The 1992 aerial photo (Figure 8) depicts no significant changes within the subject property since 1968. Surrounding land use remains largely agricultural and wooded with residential development to the southwest and west.

The 2002 aerial photo (Figure 9) depicts no significant changes within the subject property or surrounding land since the 1992 imagery. Some site grading is apparent to the north.

The 2015 aerial photo (Figure 10) depicts a dwelling and barn have been constructed in the northeastern portion of the subject property. Woodlands remain in the southeast. New commercial development is apparent to the north and additional residential development is apparent to the south.

The 2022 aerial photo (Figure 11) depicts similar conditions as the 2015 imagery within the subject property. An additional residential subdivision has been constructed to the west.

The NRCS Soil Mapping (Figure 12) indicates the property is primarily underlain with well-drained Downer sandy loam (DoA and DodB), and Rosedale loamy sand (RoB). An area of poorly drained Hurlock sandy loam (HvA) is mapped within the woodlands in the southeastern portion of the property.

Field Investigation

Watershed Eco LLC., conducted a field investigation on April 26, 2023. The purpose of the investigation was to conduct a wetland delineation within the subject property.

These investigations consisted of a visual review of the entire site with special attention paid to vegetative communities and topography. The wetland boundary was walked, and wetland boundaries were flagged in the field and locations noted using handheld global positioning systems (GPS). Wetland flags were located by GPS during the field investigation and plotted on the attached plans.

Vegetation was identified using delineator experience and confirmed using field guides for the following strata:

Trees – woody plants 6 meters or more in height and 7.6 centimeters or larger in diameter at breast height.

Saplings – woody plants 6 meters or more in height and less than 7.6 centimeters in diameter at breast height.

Shrubs – woody plants 1 to 6 meters in height.

Herbs – all herbaceous plants regardless of size and woody plants less than 1 meter in height.

Woody Vines – all woody vines regardless of height.

The indicator status for each dominant species was recorded based on the USACE 2018 Atlantic, Gulf and Coastal Plain Region Plant List.

Soil borings were advanced to an approximate depth of 20 inches using a 3-inch diameter Dutch auger. Soil colors were visually estimated using a Munsell Soil Color Chart and texture was estimated using standard soil texture criteria. Soil characteristics were compared to the Hydric Soil Indicator Guide in order to identify whether hydric soils were present at each data point location.

Wetland hydrology characteristics were visually observed where present based on the USACE Wetland Delineation Manual and Regional Supplement. No additional hydrology studies were performed at the site (ie. Piezometers, Observation Wells or Modeling) and potential wetland hydrology was based on observations on the day of the field investigation and professional experience.

Results

Palustrine forested wetlands were observed in the southeastern portion of the property. These wetlands abut Dorman Branch which drains southeasterly off-site to Love Creek, a tributary to Rehoboth Bay, a Traditional Navigable Waterway. These wetlands would be classified as Section 404 wetlands regulated by U.S. Army Corps of Engineers. The flagging placed in the field represents the outer boundary of these resources.

The northeastern portion of the property consists of a dwelling with several barn structures. The remainder of the property consists of horse pastures with woodlands in the southeast.

Representative photographs of the site and flagged areas are included in this report.

Jurisdiction

Federal Jurisdiction – WOTUS

The wetlands flagged on the site were assumed to be WOTUS up to the OHWM or to the edge of adjacent wetlands.

The limits of wetlands flagged represent the upper limit of wetlands and in most cases the "Section 404" wetlands line. The U.S. Army Corps of Engineers should be consulted prior to any impacts of these aquatic resources.

State Jurisdiction – Subaqueous Lands

Typically, "blue-line" streams are regulated as State Subaqueous Lands. The perennial stream Dorman Branch is located inside of the delineated wetland boundary and would be regulated by DNREC as Subaqueous Lands

Conclusions

All opinions are to a reasonable degree of scientific certainty.

It is the opinion of Watershed Eco LLC. that federally jurisdictional palustrine forested wetlands are located within the southeastern portion of the subject property. These wetlands have a direct surface connection to Dorman Branch along the southern boundary of the property which drains off-site to Love Creek and Rehoboth Bay and would be regulated as Section 404 wetlands. The U.S. Army Corps of Engineers Philadelphia District should be consulted prior to any impacts to any wetlands mapped within the subject property.

Dorman Branch, along the southern property boundary would be regulated by DNREC as Subaqueous Lands. Dorman Branch was not delineated separately from the wetlands.

The mapped Waters can be found on the attached map prepared by Watershed Eco, LLC (Figure 13). Jurisdictional limits can only be determined by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Department of Agriculture and the State of Delaware, Wetlands and Subaqueous Lands Branch.

Figures

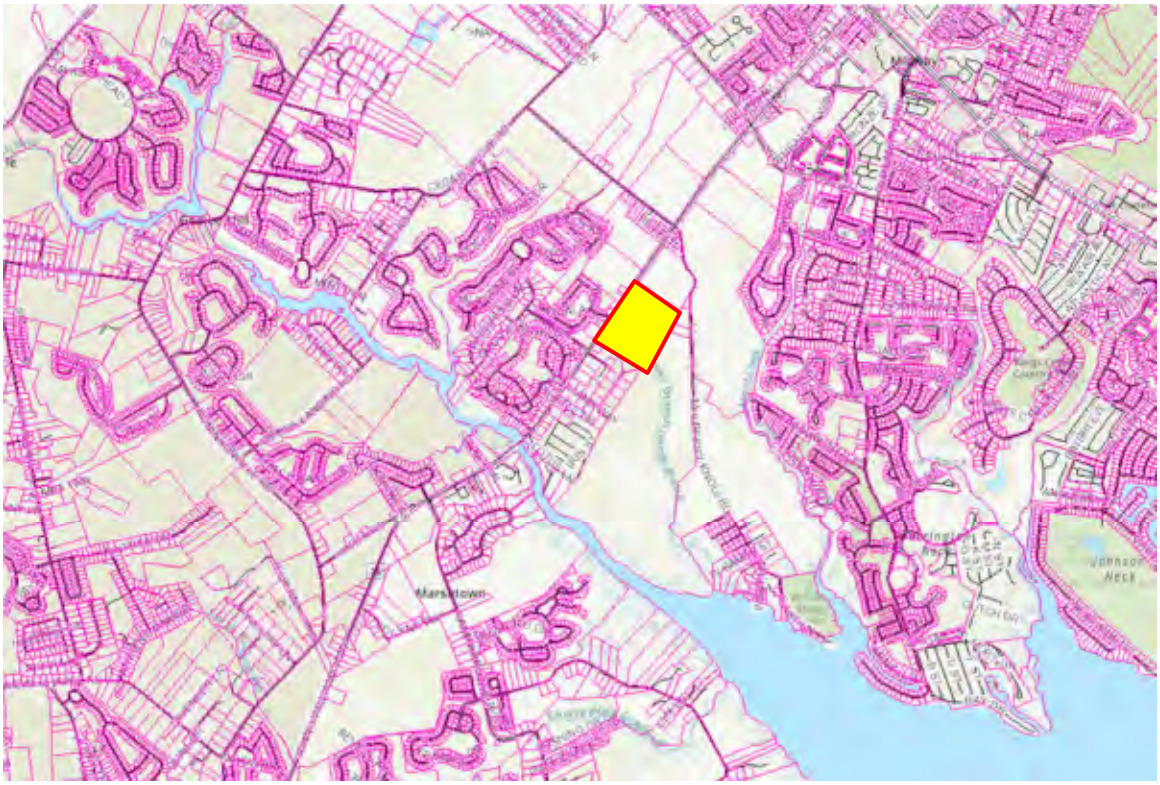


Figure 1: Location Map



Figure 2: National Wetland Inventory Map.

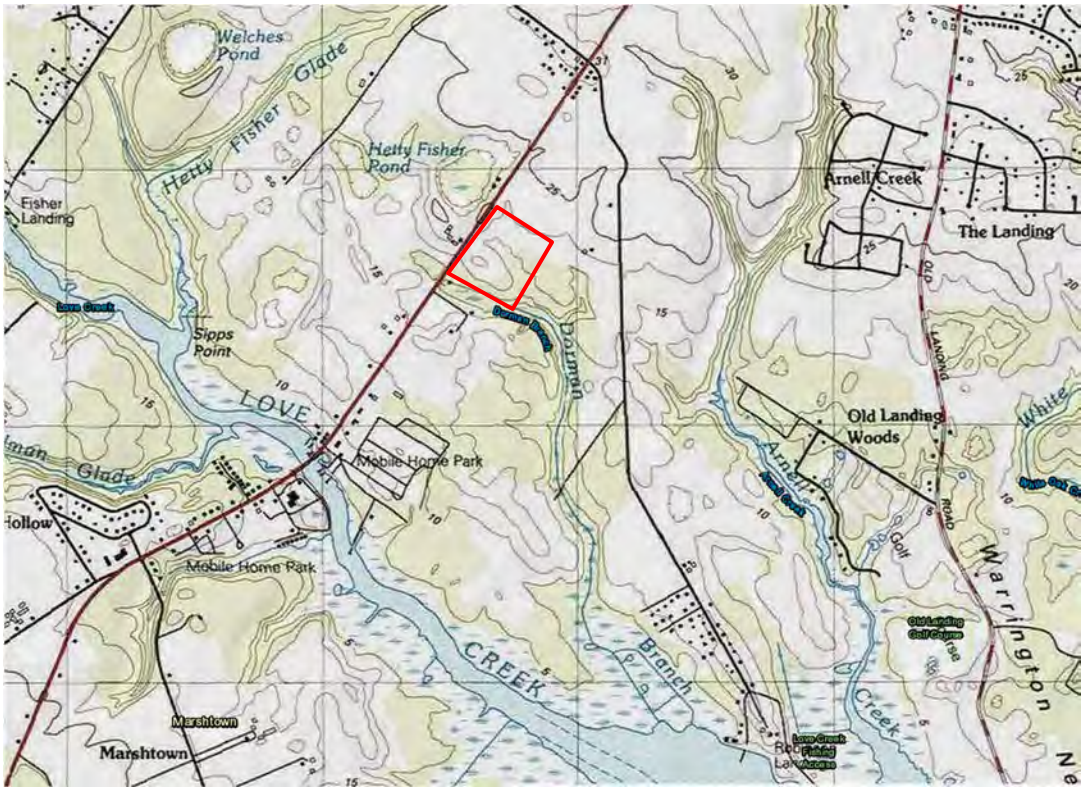


Figure 3: USGS Mapping.



Figure 4: NHD Map.

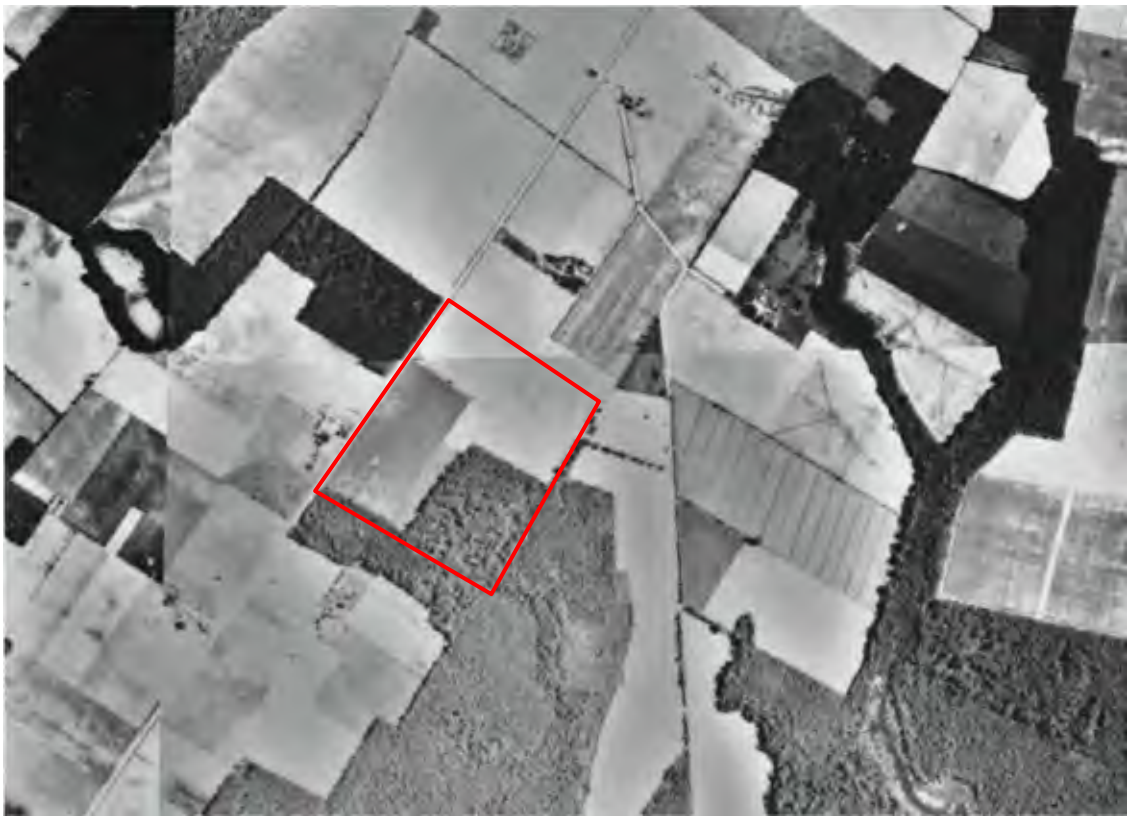


Figure 5: 1937 Aerial Photograph.



Figure 6: 1954 Aerial Photograph

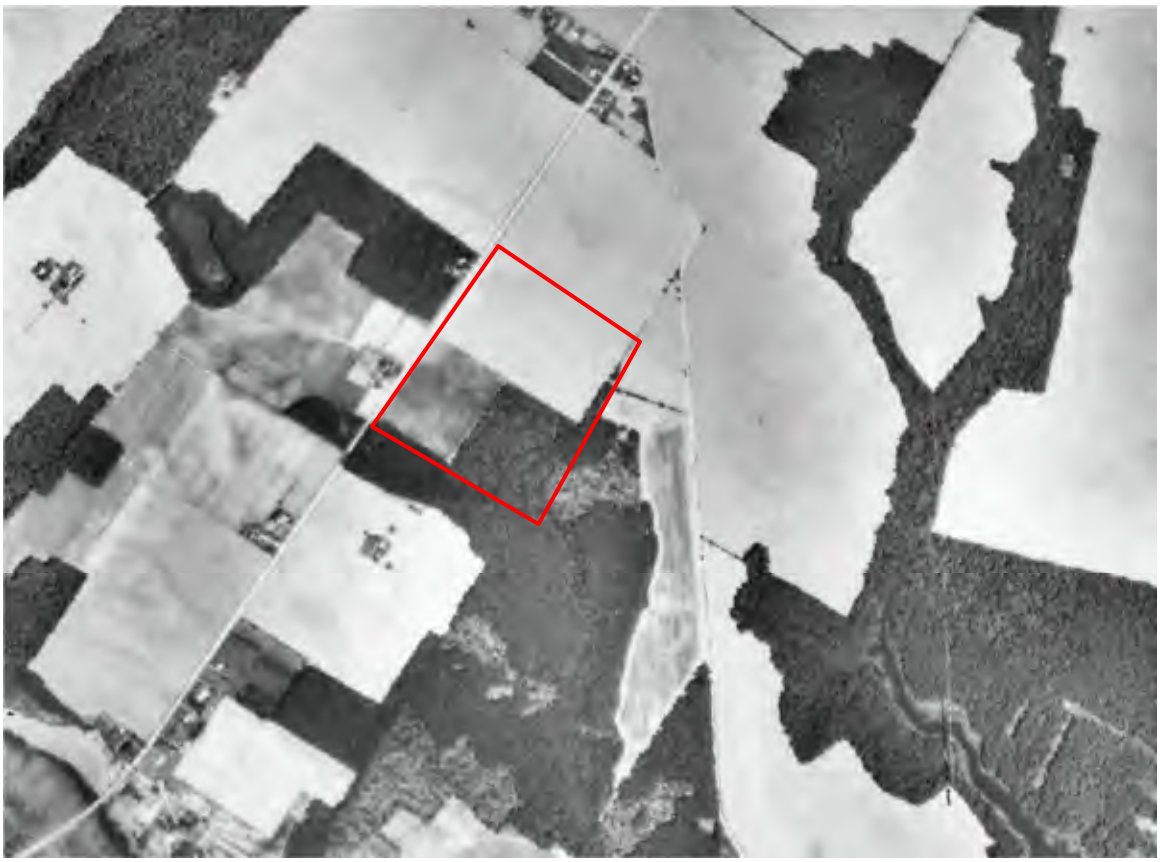


Figure 7: 1968 Aerial Photograph.



Figure 8: 1992 Aerial Photograph.



Figure 9: 2002 Aerial Photograph.



Figure 10: 2015 Aerial Photograph.



Figure 11: 2022 Aerial Photograph



Figure 12: USDA Soil Survey Map.



Figure 13: Wetland Delineation Map

Credentials

James C. McCulley IV

Senior Professional Wetland Scientist, P.W.S. (#000471)

Education:

- B.A. Biology, Rutgers University
- M.S. Biology, Rutgers University
- Wetland Sedges, Grasses and Rushes, The Swamp School
- Hydric Soils Indicators, The Swamp School
- Wetland Ferns, The Swamp School
- Wetland Delineation, Rutgers Continuing Education
- Wetland Hydrology, Rutgers Continuing Education
- Wetland Regulation, Corps of Engineers Training Program

Topics Presented:

- Presented Wetland Rules, Regulations and Policies, Delaware State Bar
- Presented Wetlands Rules, Regulations and Policies, Pennsylvania State Bar
- Presented Wetland Rules, Regulations and Policies, Maryland Architects
- Presented Environmental Rule Changes, Homebuilders Association of Delaware
- Chaired Panel Discussion at Annual Meeting of Society of Wetland Scientists (SWS)
- Presented on “No Net Loss” at Association of State Wetland Managers Meeting
- Presented on Wetlands Legislation to Environmental Law Institute
- Presented on Wetland Delineation at State Parks Managers Meeting
- Part of Panel to present NAS findings to Congress on Wetlands Legislation
- Treatment of Storm Water Run-Off by Wetlands to SWS Annual Meeting

Committees:

- State of Delaware, Wetlands Advisory Committee
- National Association of Homebuilders, Environmental Issues Committee
- National Association of Homebuilders, Land Use Policy Committee
- Homebuilders Association of Delaware, Life Director
- National Academy of Sciences Wetlands Characterization Committee
- State of Delaware, Freshwater Wetlands Legislation Committee
- New Castle County Comprehensive Plan Update
- New Castle County, Riparian Buffer Ordinance Committee
- Board of Directors, Homebuilders Association of Delaware

Publications:

- Wetlands: Characteristics and Boundaries, National Academy of Sciences Press
- Integrated Natural Resource Management Plan, PAX Naval Air Station

Community:

- Mentored Honors Biology Program at Glasgow High School
- Curriculum Development Committee for Hodgson Vo-Tech (HVT), Environmental Landscape Technology Program
- Graded Senior Projects for HVT, Environmental Program
- Assisted Talley Middle School with Artificial Wetland Creation Project
- Donated Plants for Brader Elementary School, Wetland Creation Project
- Donated Plants for Ohio State University Wetland Creation Project
- Presented Career Opportunities to Sussex Vo-Tech Environmental Program
- Donated Numerous Environmental Studies for Habitat for Humanity Projects

Selected Projects:

Firefly Music Festival – Dover, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting and Wetland Mitigation Design for the 2012, 2013, 2014 and 2015 festivals. The festival has grown every year and has required increased impacts in wetlands to accommodate the larger crowds and safe access. Permitting was always o a short time frame for this project.

Breakwater Beach – Bethany Beach, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting. For 30 years the property owner attempted to get approval to build the final eight homes on the beach but couldn't get the Corps of Engineer approvals. Watershed Eco, through creative design implementation, secured approval to construct these homes.

Peninsula – Millsboro, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Wetland Permitting, Wetland Mitigation Design, Submerged Aquatic Vegetation Study, Fisheries Study, Forest Delineation and Assessment, Water Quality Monitoring and Environmental Features Construction Oversight.

The Reserves – Ocean View, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Ditch Characterization, Wetland Permitting, Wetland Mitigation Design and Delmarva Fox Squirrel Habitat Study.

Warrington Property/Oak Creek – Rehoboth, Delaware

Provided Wetland Delineation, Jurisdictional Determination, Successful Appeal of JD for Isolated Wetlands, Revision to State Tidal Mapping and Consultation on Storm Water BMPs.

Shipyard Shops – Wilmington, Delaware

Provided Wetland Delineation, Jurisdictional Determination and Wetland Permitting.

Delaware Outdoor Advertising - Wilmington, Delaware

Provided Violation Resolution with the Corps of Engineers and the State for Billboards along I-95, Design of Wetland Mitigation, Construction Oversight and Wetland Mitigation Monitoring.

Townsend Station – Townsend, Delaware

Provided Violation Resolution with the Corps of Engineers for Illegal Wetland Fills, Design of Restoration and Mitigation Plans, Construction Oversight and Monitoring of Wetland Areas.

State Route 1, Phase II, Scott Run to Smyrna – Delaware

Provided Wetland Delineation, Jurisdictional Determination, Habitat Studies, Wetland Permitting, Wetland Mitigation Design, Construction Oversight, Wetland Mitigation Area Monitoring.

Photographs



Paved driveway in the northwestern portion of the property, looking east.



Pasture surrounding barn in the northeastern portion of the property, looking northeast.



Pasture area in the north-central portion of the property, looking northeast.



Pasture bordering woodlands in the southwestern portion of the property, looking west.



Pasture area in the southwestern portion of the property, looking northeast.



Typical forested upland in the south-central portion of the property.



Forested wetland abutting Dorman Branch in the southeastern portion of the property.



Forested wetland in the southeastern portion of the property.



Forested upland in the southeastern portion of the property, looking northwest.



Pasture area bordering woodlands in the central portion of the subject property, looking south.

Appendices

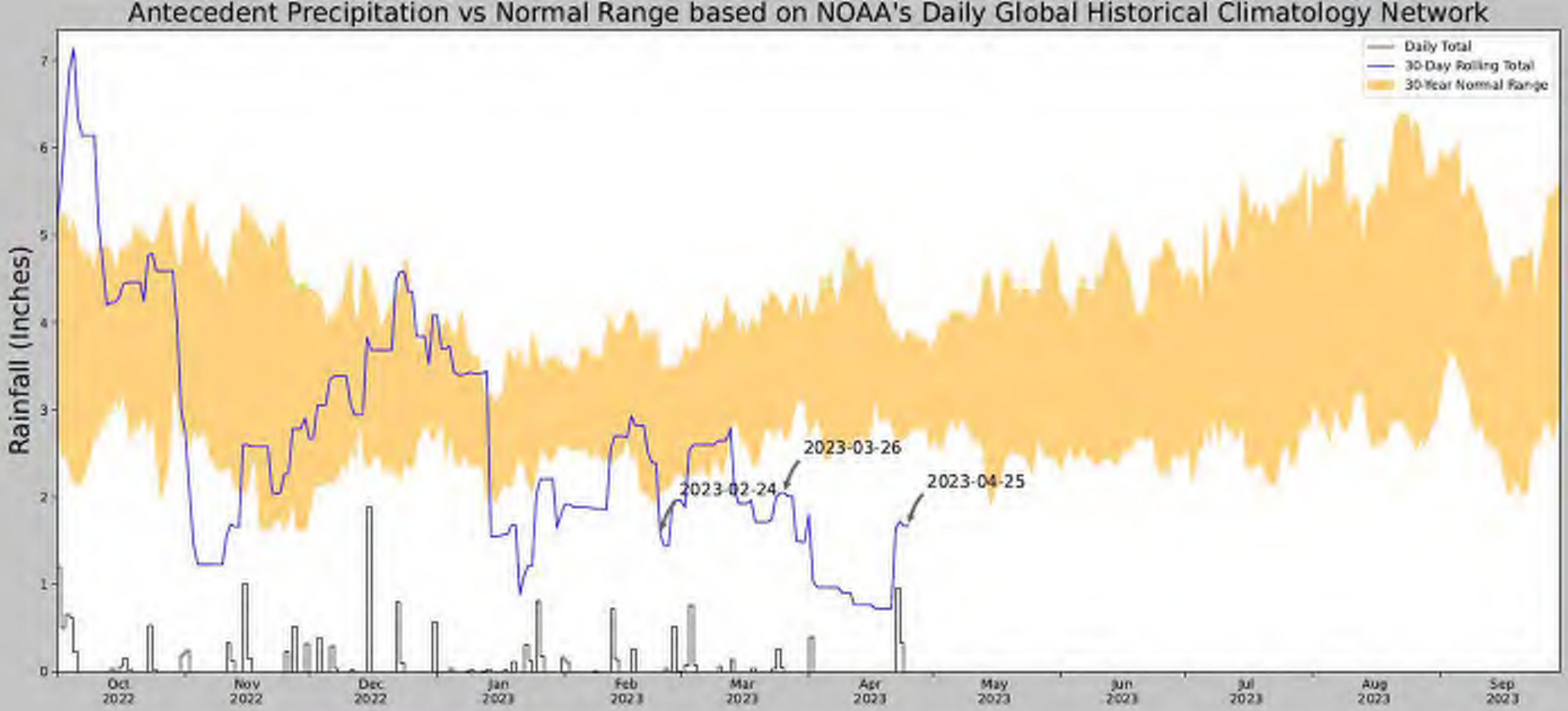
Belle Meade Farm, Lewes, Delaware

Wetland Delineation Map

Legend

- Flag ID#
- Property Boundary
- Wetland Boundary

Saratoga Ln
Ocala Wy
Tanglewood Dr
Old Meadow Ln
Greener Tirl Ln
Mulberry Knoll Rd
24
A 001
A 002
A 003
A 004
A 005
A 006
A 007
A 008
A 009
A 010
A 011
A 012
A 013
A 014
A 015
A 016
A 017
A 018
A 019
A 020
A 021
A 022
A 023
A 024
A 025
A 026
A 027
A 028
A 029
A 030
A 031
A 032
A 033
A 034
Google Earth
N
800 ft



Coordinates	38.711454, -75.152545
Observation Date	2023-04-25
Elevation (ft)	14.925
Drought Index (PDSI)	Severe drought (2023-03)
WebWIMP H_2O Balance	Wet Season

30 Days Ending	30th %ile (in)	70th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2023-04-25	2.712992	3.902362	1.669291	Dry	1	3	3
2023-03-26	2.679134	4.098032	2.047244	Dry	1	2	2
2023-02-24	2.05748	3.448032	1.57874	Dry	1	1	1
Result							Drier than Normal - 6

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
GEORGETOWN-DELAWARE COASTAL AP	38.6897, -75.3625	49.869	11.421	34.944	5.538	9080	88
MILTON 3.8 SSE	38.7271, -75.287	38.058	4.822	11.811	2.227	1	1
GEORGETOWN 5 SW	38.6333, -75.45	44.948	6.121	4.921	2.785	1940	0
GEORGETOWN 5.8 W	38.6972, -75.4931	35.105	7.062	14.764	3.282	1	0
LEWES	38.7842, -75.1581	9.843	12.806	40.026	6.275	331	0
Linear Interpolation	N/A	N/A	N/A	N/A	N/A	0	1

Belmead Farm, Lewes, Delaware

Data Point Location Map

Legend

- Data Point Location
- Flag ID#
- Property Boundary
- Wetland Boundary

UPL-3

UPL-1

WET-1

UPL-2

WET-2

A 001 A 002 A 003 A 004 A 005 A 006 A 007 A 008 A 010 A 011 A 012 A 013 A 014 A 015 A 016 A 017 A 018 A 019 A 020 A 021 A 022 A 023 A 024 A 025 A 026 A 027 A 028 A 029 A 030 A 032 A 033 A 034

Google Earth

N

300 ft

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-1

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 2-5

Subregion (LRR or MLRA): LRR T Lat: 38.709160 Long: -75.152600 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DodB) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-1

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Liriodendron tulipifera*	20	yes	FACU
2. *Quercus alba*	25	yes	FACU
3. *Quercus rubra*	20	yes	FACU
4. *Pinus taeda*	20	yes	FAC
5.			
6.			
	85 = Total Cover		
50% of total cover: 42.5	20% of total cover: 17		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Quercus alba*	10	yes	FACU
3. *Liquidambar styraciflua*	5	yes	FAC
4. *Nyssa sylvatica*	5	yes	FAC
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Cornus florida*	15	yes	FACU
3.			
4.			
5.			
6.			
	35 = Total Cover		
50% of total cover: 17.5	20% of total cover: 7		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
50% of total cover	20% of total cover.		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes _____ No _____

Remarks (If observed, list morphological adaptations below)

SOIL

Sampling Point: UPL-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					loamy sand	
3-9	10YR 4/3	100					loamy sand	
9-20	10YR 4/6	100					sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A,B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, S, T)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-1 in the south-central portion of the property.



Soil profile at UPL-1.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm | City/County: Lewes, Sussex | Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. | State: DE | Sampling Point: WET-1

Investigator(s): W. Twupack | Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Depression | Local relief (concave, convex, none): Concave | Slope (%): 0-2

Subregion (LRR or MLRA): LRR T | Lat: 38.709046 | Long: -75.152399 | Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) | NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes ✓ No _____
Hydric Soil Present?	Yes ✓	No _____	
Wetland Hydrology Present?	Yes ✓	No _____	

Remarks:

Forested wetland in the south-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ✓ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No _____	Depth (inches): 1"
Water Table Present?	Yes ✓	No _____	Depth (inches): 0
Saturation Present? (includes capillary fringe)	Yes ✓	No _____	Depth (inches): 0

Wetland Hydrology Present? Yes ✓ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: WET-1

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer rubrum*	60	yes	FAC
2. *Nyssa sylvatica*	10	no	FAC
3.			
4.			
5.			
6.			
	70 = Total Cover		
50% of total cover: 35	20% of total cover: 14		
Sapling Stratum (Plot size 30 ft)			
1 *Ilex opaca*	5	yes	FAC
2 *Acer rubrum*	15	yes	FAC
3.			
4.			
5			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Magnolia virginiana*	5	yes	FACW
3			
4			
5			
6			
	10 = Total Cover		
50% of total cover: 5	20% of total cover: 2		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus effusus*	10	yes	OBL
2 *Carex lurida*	5	no	OBL
3. *Juncus tenuis*	5	no	FAC
4. *Woodwardia areolata*	10	yes	OBL
5. *Phragmites australis*	10	yes	FACW
6			
7.			
8.			
9			
10.			
11.			
	40 = Total Cover		
50% of total cover: 20	20% of total cover: 8		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

__ 1 - Rapid Test for Hydrophytic Vegetation

✓ 2 - Dominance Test is >50%

__ 3 - Prevalence Index is ≤3.0[1]

__ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No __

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL

Sampling Point: WET-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 2/1	100					muck	saturated
9-20	10YR 3/2	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ✓ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No _____

Remarks



Forested wetland at Data Point WET-1 in the south-central portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-2

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.708934 Long: -75.151363 Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes _____	No ✓	Depth (inches): _____
Water Table Present?	Yes _____	No ✓	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No ✓	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-2

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Quercus falcata*	15	yes	FACU
2. *Quercus alba*	30	yes	FACU
3. *Quercus rubra*	15	yes	FACU
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	15	yes	FAC
2. *Cornus florida*	10	yes	FACU
3.			
4.			
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	30	yes	FAC
2.			
3.			
4.			
5.			
6.			
	30 = Total Cover		
50% of total cover: 12	20% of total cover: 6		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ___ No ✓

Remarks (If observed, list morphological adaptations below)

SOIL

Sampling Point: UPL-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/2	100					sandy loam	
3-6	10YR 4/3	100					sandy loam	
6-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A,B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, S, T)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-2 in the southeastern portion of the property.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm | City/County: Lewes, Sussex | Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. | State: DE | Sampling Point: WET-2

Investigator(s): W. Twupack | Section, Township, Range:

Landform (hillslope, terrace, etc.): Depression | Local relief (concave, convex, none): Concave | Slope (%): 0-2

Subregion (LRR or MLRA): LRR T | Lat: 38.708819 | Long: -75.151184 | Datum: NAD 83

Soil Map Unit Name: Hurlock sandy loam (HvA) | NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ✓ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No ____	**Is the Sampled Area within a Wetland?** Yes ✓ No ____
Hydric Soil Present?	Yes ✓	No ____	
Wetland Hydrology Present?	Yes ✓	No ____	

Remarks:

Forested wetland in the southeastern portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ✓ Inundation Visible on Aerial Imagery (B7)
- ✓ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ✓ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✓ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ✓ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ✓	No ____	Depth (inches): 0.5"
Water Table Present?	Yes ✓	No ____	Depth (inches): 0
Saturation Present? (includes capillary fringe)	Yes ✓	No ____	Depth (inches): 0

Wetland Hydrology Present? Yes ✓ No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland appears to intercept groundwater table and receives sheet flow runoff from adjacent forested uplands.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: WET-2

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer rubrum*	60	yes	FAC
2.			
3.			
4.			
5.			
6.			
	60 = Total Cover		
50% of total cover: 30	20% of total cover: 12		
Sapling Stratum (Plot size 30 ft)			
1 *Nyssa sylvatica*	10	yes	FAC
2 *Magnolia virginiana*	10	yes	FACW
3.			
4.			
5			
6.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	5	yes	FAC
2. *Vaccinium corymbosum*	10	yes	FACW
3			
4			
5			
6			
	15 = Total Cover		
50% of total cover: 7.5	20% of total cover: 3		
Herb Stratum (Plot size: 30 ft)			
1. *Juncus tenuis*	10	yes	FAC
2 *Woodwardia areolata*	5	yes	OBL
3. *Juncus effusus*	5	no	OBL
4.			
5.			
6			
7.			
8.			
9			
10.			
11.			
	20 = Total Cover		
50% of total cover: 10	20% of total cover: 4		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is ≤3.0[1]
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No ___

Remarks (If observed, list morphological adaptations below)

Buttressed tree roots and sphagnum moss observed within wetland.

SOIL

Sampling Point: WET-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-20	10YR 3/1	100					muck	saturated

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ✓ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✓ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No _____

Remarks



Forested wetland at Data Point WET-2 in the southeastern portion of the property.



Saturated soils encountered at WET-2.

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Belmead Farm City/County: Lewes, Sussex Sampling Date: 4/26/2023

Applicant/Owner: Becker Morgan, Inc. State: DE Sampling Point: UPL-3

Investigator(s): W. Twupack Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 0-2

Subregion (LRR or MLRA): LRR T Lat: 38.710365 Long: -75.151586 Datum: NAD 83

Soil Map Unit Name: Downer sandy loam (DoA) NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No ✓ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No _____	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Forested upland in the east-central portion of the subject property. Based on the Antecedent Precipitation Tool hydrologic conditions were drier than normal at the time of the site investigation.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators observed at the time of the site investigation.

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: UPL-3

Tree Stratum (Plot size 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Quercus falcata*	35	yes	FACU
2. *Liquidambar styraciflua*	30	yes	FAC
3. *Ilex opaca*	10	no	FAC
4.			
5.			
6.			
	75 = Total Cover		
50% of total cover: 37.5	20% of total cover: 15		
Sapling Stratum (Plot size 30 ft)			
1. *Ilex opaca*	45	yes	FAC
2. *Nyssa sylvatica*	5	yes	FAC
3.			
4.			
5.			
6.			
	50 = Total Cover		
50% of total cover: 25	20% of total cover: 10		
Shrub Stratum (Plot size 30 ft)			
1. *Ilex opaca*	20	yes	FAC
2. *Smilax rotundofolia*	5	yes	FAC
3.			
4.			
5.			
6.			
	25 = Total Cover		
50% of total cover: 12.5	20% of total cover: 5		
Herb Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	0 = Total Cover		
50% of total cover:	20% of total cover:		
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
50% of total cover	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 7 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 71.4 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

__ 1 - Rapid Test for Hydrophytic Vegetation

✓ 2 - Dominance Test is >50%

__ 3 - Prevalence Index is ≤3.0[1]

__ Problematic Hydrophytic Vegetation[1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Five Vegetation Strata:

Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine – All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ✓ No __

Remarks (If observed, list morphological adaptations below)

SOIL

Sampling Point: UPL-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2	100					sandy loam	
4-9	10YR 4/3	100					sandy loam	
9-20	10YR 5/4	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Loamy Soils (F20) **(MLRA 149A, 153C, 153D)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR O**)
- ___ 2 cm Muck (A10) (**LRR S**)
- ___ Reduced Vertic (F18) (**outside MLRA 150A,B**)
- ___ Piedmont Floodplain Soils (F19) (**LRR P, S, T**)
- ___ Anomalous Bright Loamy Soils (F20) (**MLRA 153B**)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks



Forested upland at Data Point UPL-3 in the east-central portion of the property.



Soil profile at UPL-3.

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Sussex County, Delaware

Belmeade Farm, Lewes, DE



April 29, 2023

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

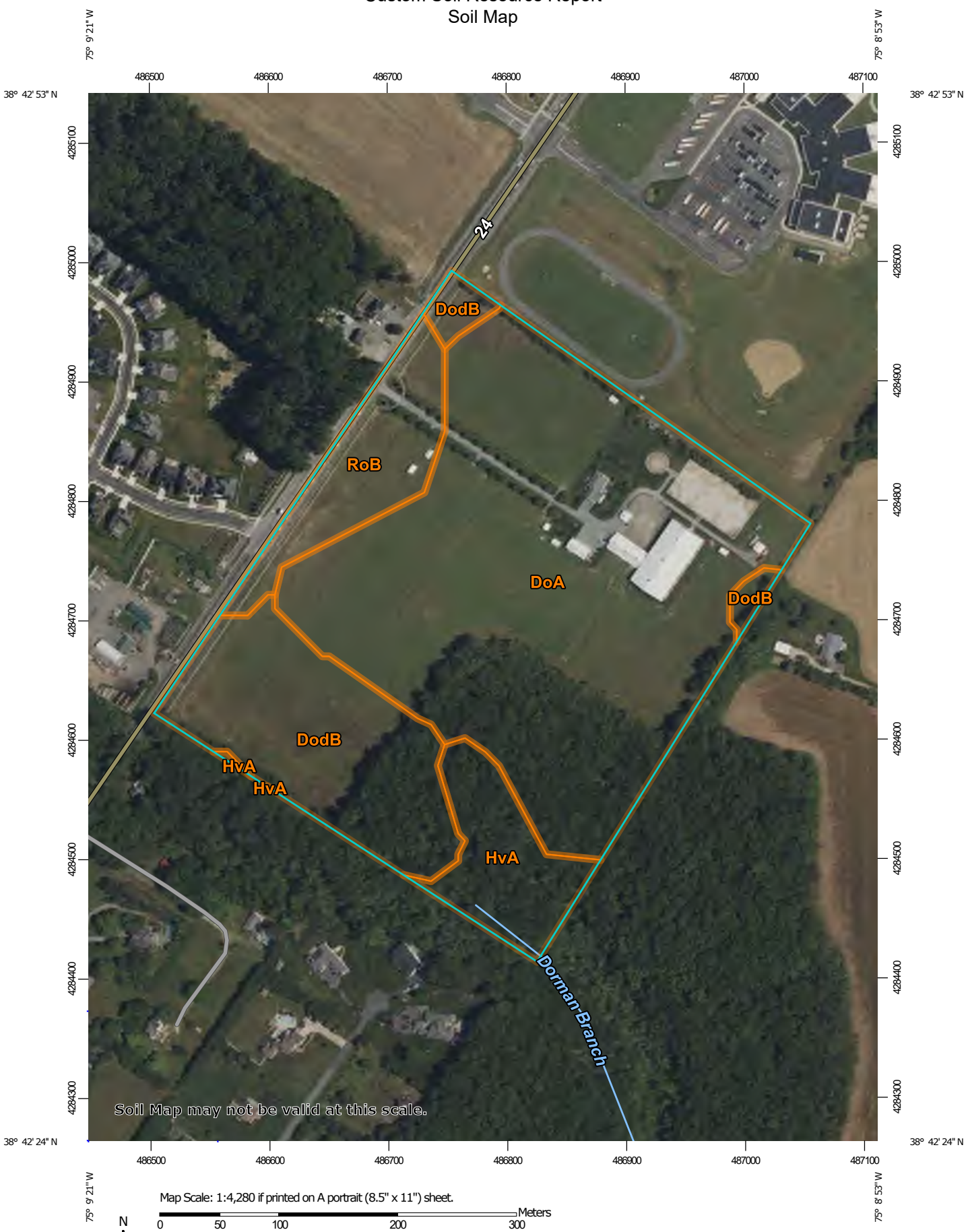
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:4,280 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

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

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

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

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

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

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

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 23, Sep 14, 2022

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

Date(s) aerial images were photographed: May 30, 2022—Jul 4, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	25.9	63.1%
DodB	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area	8.2	20.1%
HvA	Hurlock sandy loam, 0 to 2 percent slopes	3.2	7.9%
RoB	Rosedale loamy sand, 2 to 5 percent slopes	3.7	8.9%
Totals for Area of Interest		**41.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Sussex County, Delaware

DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwd
Elevation: 0 to 190 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 250 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Knolls, flats, low hills
Landform position (two-dimensional): Summit, shoulder
Landform position (three-dimensional): Interfluve, rise
Down-slope shape: Convex, linear
Across-slope shape: Linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Flats
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Talf
Down-slope shape: Convex, linear
Across-slope shape: Linear
Hydric soil rating: No

DodB—Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area

Map Unit Setting

National map unit symbol: 2thwh
Elevation: 0 to 210 feet
Mean annual precipitation: 41 to 50 inches
Mean annual air temperature: 46 to 64 degrees F
Frost-free period: 190 to 260 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Downer and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Downer

Setting

Landform: Flats, knolls, low hills
Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Convex, linear
Across-slope shape: Convex, linear
Parent material: Loamy fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
BE - 10 to 16 inches: loamy sand
Bt - 16 to 28 inches: sandy loam
C1 - 28 to 48 inches: loamy sand
C2 - 48 to 80 inches: sand

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Galestown

Percent of map unit: 10 percent
Landform: Broad interstream divides, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Hammonton

Percent of map unit: 5 percent
Landform: Flats, broad interstream divides
Landform position (two-dimensional): Footslope, shoulder
Landform position (three-dimensional): Dip
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

Ingleside

Percent of map unit: 5 percent
Landform: Low hills, flats
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Nose slope, rise
Down-slope shape: Linear
Across-slope shape: Convex

Hydric soil rating: No

HvA—Hurlock sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 1qth9
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hurlock, drained, and similar soils: 42 percent
Hurlock, undrained, and similar soils: 38 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hurlock, Drained

Setting

Landform: Swales, depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Ap - 0 to 10 inches: sandy loam
Eg - 10 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 10 to 20 inches
Frequency of flooding: None
Frequency of ponding: Rare
Available water supply, 0 to 60 inches: Moderate (about 6.7 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Description of Hurlock, Undrained

Setting

Landform: Drainageways, depressions, swales, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Parent material: Loamy fluviomarine sediments fluviomarine deposits

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material
A - 2 to 4 inches: sandy loam
Eg - 4 to 13 inches: sandy loam
Btg - 13 to 25 inches: sandy loam
Cg - 25 to 63 inches: loamy sand
2Cg - 63 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 5.95 in/hr)
Depth to water table: About 0 to 10 inches
Frequency of flooding: None
Frequency of ponding: Occasional
Available water supply, 0 to 60 inches: Moderate (about 7.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Minor Components

Mullica, drained

Percent of map unit: 5 percent
Landform: Drainageways, depressions, swales, flats
Landform position (three-dimensional): Dip
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: Yes

Hammonton

Percent of map unit: 5 percent
Landform: Flats, drainageways
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Woodstown

Percent of map unit: 5 percent
Landform: Flats, fluviomarine terraces, broad interstream divides
Landform position (three-dimensional): Tread, rise
Down-slope shape: Linear

Across-slope shape: Linear
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

RoB—Rosedale loamy sand, 2 to 5 percent slopes

Map Unit Setting

National map unit symbol: 1qtjy
Elevation: 0 to 120 feet
Mean annual precipitation: 42 to 48 inches
Mean annual air temperature: 52 to 58 degrees F
Frost-free period: 180 to 220 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Rosedale and similar soils: 75 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rosedale

Setting

Landform: Flats
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy eolian deposits over fluviomarine deposits

Typical profile

A - 0 to 9 inches: loamy sand
E - 9 to 25 inches: loamy sand
Bt - 25 to 38 inches: sandy loam
C - 38 to 68 inches: loamy sand
2Cg - 68 to 80 inches: sandy clay loam

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 5.95 in/hr)
Depth to water table: About 40 to 72 inches
Frequency of flooding: None
Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 5.3 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Evesboro

Percent of map unit: 10 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Galloway

Percent of map unit: 5 percent
Landform: Flats, depressions
Down-slope shape: Linear, concave
Across-slope shape: Linear, concave
Hydric soil rating: No

Klej

Percent of map unit: 5 percent
Landform: Depressions, flats
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

Hambrook

Percent of map unit: 5 percent
Landform: Depressions, flats, fluviomarine terraces
Down-slope shape: Concave, linear
Across-slope shape: Concave, linear
Hydric soil rating: No

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Fish and Wildlife Threatened and Endangered Species List

United States Department of the Interior

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

In Reply Refer To: 01/20/2025 15:56:33 UTC
Project Code: 2025-0044405
Project Name: Belmeade Farm

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

To Whom It May Concern:

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

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

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

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

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

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

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

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

PROJECT SUMMARY

Project Code: 2025-0044405
Project Name: Belmeade Farm
Project Type: New Constr - Above Ground
Project Description: Above ground development.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.71070505,-75.15219081081176,14z



Counties: Sussex County, Delaware

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

WETLANDS

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

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

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

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1R
- PFO1B

DelDOT Service Level Evaluation Request Response Letter

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

NICOLE MAJESKI
SECRETARY

October 27, 2022

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Becker Morgan Group, Inc** proposed land use application, which we received on October 21, 2022. This application is for an approximate 40.00- acre parcel (Tax Parcel: 334-18.00-40.01). The subject land is located on the southeast side of John J Williams Highway (Delaware Route 24) approximately 1,700 feet south of the intersection with Mulberry Knoll Road (Sussex Road 284). The subject land is currently zoned C-1 (General Commercial), with a proposed zoning of C-4 (Planned Commercial) to build 125,000 square feet of commercial/ retail space and up to 480 multifamily housing units.

Per the 2021 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along John J Williams Highway from Plantation Road (Sussex Road 275) to Camp Arrowhead Road (Sussex Road 279), is 17,338 and 22,294 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use would generate more than 50 vehicle trips in any hour or 500 vehicle trips per day, and would be considered to have a **Major** impact to the local area roadways. In this instance, the Department considers a Major impact to be when a proposed land use would generate more than 200 vehicle trips in any hour of the week and / or 2,000 vehicle trips per day. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, (trip generation). These numbers of trips meet DelDOT's warrants for requiring a Traffic Impact Study (TIS).

However, the subject development is located in the Henlopen Transportation Improvement District (TID), adopted by DelDOT and Sussex County in accordance with Section 2.4 of the Development Coordination Manual. The intent of the TID is to plan comprehensively and thereby to enable both land development and the transportation improvements needed to support it. For residential and non-residential developments that are consistent with the Land Use and

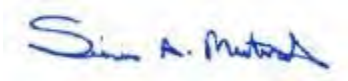
Transportation Plan (LUTP) developed for the TID, the applicant is required to pay a fee per dwelling unit and a fee per square foot of non-residential space in lieu of doing a TIS and making off-site improvements in accordance therewith. The proposed development is not consistent with the LUTP, therefore, the developer will be required to perform a TIS to determine if the Level of Service (LOS) analyzed by the TID is consistent with the inclusion of the proposed development. If the LOS determined by the TIS is compliant with the TID, the proposed development is to pay the TID fee as stated above. Any improvements required by DelDOT beyond the site entrance construction will be creditable toward the fee.

The applicant should contact Ms. Sarah Coakley, Principal Planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.

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

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

Sincerely,



Sireen Muhtaseb, PE
TIS Group Manager
Development Coordination

SM:afm
cc: Becker Morgan Group, Inc, Applicant
Lauren DeVore, Sussex County Planning & Zoning
Elliott Young, Sussex County Planning & Zoning
Sussex Reviewer, Sussex County Planning & Zoning
David Edgell, State Planning Coordinator, Cabinet Committee on State Planning Issues
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
James Argo, South District Project Reviewer, Maintenance & Operations
Todd Sammons, Assistant Director, Development Coordination
Kevin Hickman, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Reviewer, Development Coordination
Brian Yates, Subdivision Reviewer, Development Coordination
Thomas Gagnon, Subdivision Reviewer, Development Coordination
Joshua Johnson, Subdivision Reviewer, Development Coordination
Claudy Joinville, TIS Group Project Engineer, Development Coordination
Annamaria Furmato, TIS Group Project Engineer, Development Coordination

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

NICOLE MAJESKI
SECRETARY

June 4, 2024
Revised: June 24, 2024

Christopher Duke, P.E.
Becker Morgan Group, Inc.
100 Discovery Blvd, Suite 102
Newark, DE 19713

Dear Mr. Duke:

The enclosed Traffic Impact Study (TIS) review letter for the proposed **Belle Meade** (Tax Parcel: 334-18.00-40.01) multi-use development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TIS to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. This letter has been revised to clarify and to fix grammatical and formatting errors. The recommendation items and analysis results they are based on have not changed. On Page 1, a typo was fixed in the retail square footage. On Page 6, Item 3, turn lane lengths and minimum tapers and the name of the intersection in the body of Item 3 were added. DelDOT accepts this letter and concurs with the recommendations.

If you have any questions concerning this letter or the enclosed review letter, please contact me at Annamaria.Furmato@delaware.gov.

Sincerely,

Annamaria Furmato
TIS Group Project Engineer

AF:km
Enclosures
cc with enclosures: William Krapf, Capano Group, L.P.
David L. Edgell, Office of State Planning Coordination
Jamie Whitehouse, Sussex County Planning & Zoning
Andrew J. Parker, McCormick Taylor, Inc.
Tucker Smith, McCormick Taylor, Inc.
DelDOT Distribution

DelDOT

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Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Pamela Steinebach, Director, Planning
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
John Pietrobono, Acting Sussex County Review Coordinator, Development Coordination, Planning
Kevin Hickman, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Steve Bayer, Regional Transportation Planner, Statewide & Regional Planning

June 6, 2024

Ms. Annamaria Furmato
Project Engineer
DelDOT Division of Planning
P.O. Box 778
Dover, DE 19903

RE: Agreement No. 1946F
Traffic Impact Study Services
Task No. 5A Subtask 08A – Belle Meade

Dear Ms. Furmato:

McCormick Taylor has completed its review of the Traffic Impact Study (TIS) for the Belle Meade development prepared by Becker Morgan Group, Inc. dated February 2024. Becker Morgan Group prepared the report in a manner generally consistent with DelDOT's Development Coordination Manual.

The TIS evaluates the impacts of the proposed Belle Meade development, along the south side of Delaware Route 24 (Sussex Road 24), approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. The proposed development would consist of 125,000 square feet of retail space and 480 low-rise multi-family houses. One signalized access point is proposed on Delaware Route 24 opposite Lexington Avenue. Construction is anticipated to be completed in 2032.

The subject land is located on an approximately 38.33-acre parcel. The subject land is currently zoned AR-1 (Agricultural Residential) and the developer plans to rezone the land to C-4 (Planned Commercial).

Relevant and On-Going Projects and Studies

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The TID buildout year is 2045 and the minimum acceptable is LOS D.

Summary of Analysis Results

Based on our review, we have the following comments and recommendations:

The following intersections exhibit level of service (LOS) deficiencies without the implementation of physical roadway and/or traffic control improvements:

Intersection	***Existing Traffic Control***	***Situations for which deficiencies occur***
1. SR 24 / Lexington Avenue / Site Entrance	Unsignalized	2032 with development AM, PM, SAT (Case 3)
4. SR 24 / Plantation Road / Warrington Road	Signalized	2032 with development PM (Case 3)
6. SR 24 / Bryn Mawr Drive	Unsignalized	2032 without development PM and SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
9. Warrington Road / Old Landing Road	Unsignalized	2022 Existing SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
10. Mulberry Knoll Road / Cedar Grove Road	Unsignalized	2032 without development SAT (Case 2) 2032 with development PM and SAT (Case 3)
12. SR 24 / Spencer Lane / Williams Way	Unsignalized	2022 Existing PM and SAT (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
13. SR 24 / Camp Arrowhead Road	Signalized	2032 with development SAT (Case 3)

14. SR 24 / Harts Road	Unsignalized	2022 Existing PM (Case 1) 2032 without development AM, PM, SAT (Case 2) 2032 with development AM, PM, SAT (Case 3)
16. SR 24 / Jolyns Way	Unsignalized	2032 without development SAT (Case 2) 2032 with development SAT (Case 3)

1. SR 24 / Lexington Avenue / Site Entrance (See Recommendations 2 and 3 & Table 2, Page 22)
This unsignalized intersection experiences LOS deficiencies during the AM, PM, and Saturday peaks in Case 3. In Case 3 during the PM and Saturday peaks, the northbound and southbound approaches are expected to operate at LOS F with over 2,500 seconds of delay. The developer proposes to construct a traffic signal at this intersection to mitigate the LOS deficiency. A Traffic Signal Justification Study (TSJS) has been prepared by the Department demonstrating that the warrants for a traffic signal are met with Case 3 volumes. If the intersection were signalized with the lane configuration as proposed in the *SR 24, Love Creek to Mulberry Knoll* project, the intersection will still operate at LOS F in the Saturday peak. The Henlopen TID proposes to widen SR 24 through this intersection to provide two through lanes in each direction. With signalization and the TID improvements the intersection is expected to operate at LOS C or better during all three peak periods.

4. SR 24 / Plantation Road / Warrington Road (See Recommendation 4 & Table 5, Page 25)
This signalized intersection experiences LOS deficiencies during the PM peak in Case 3. In Case 3 during the PM peak, the northbound approach is expected to operate at LOS F with 81.7 seconds of delay while the overall intersection will operate at LOS E with 60.8 seconds of delay. Queues on the northbound approach are expected to be over 838 feet long which exceeds the available storage. The Henlopen TID proposes to widen the Plantation Road and Warrington Road approaches to include two left-turn lanes, two through lanes, and one right turn lane. With the TID improvements at this intersection, the intersection is expected to operate at LOS D with 49.5 seconds of delay.

6. SR 24 / Bryn Mawr Drive (Table 7, Page 27)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peaks in Case 2 and the AM, PM, and Saturday Peaks in Case 3. In Case 3 during the PM peak, the southbound approach is expected to operate at LOS F with 62.5 seconds of delay and queues over 65 feet long. A signal could mitigate the LOS deficiencies at his intersection. However, a signal is not recommended because of the proximity to adjacent signals and the low minor street volumes. Bryn Mawr Drive is a private road and the delay is only experienced on the minor street approach without impact to Delaware Route 24.

9. Warrington Road / Old Landing Road (See Recommendation 4 & Table 10, Page 30)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 during the PM peak, the intersection has failing LOS on three approaches with the overall intersection operating at LOS F with 69 seconds of delay. The Henlopen TID proposes a roundabout at this intersection which will mitigate the LOS deficiency.

10. Mulberry Knoll Road / Cedar Grove Road (See Recommendation 4 & Table 11, Page 31)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Case 2 and the PM and Saturday peaks in Case 3. In Case 3 during the Saturday peak, the northbound Mulberry Knoll Road approach is expected to operate at LOS F with 837.7 seconds of delay and queues over 753 feet long. The developer recommends the construction of a dedicated eastbound right-turn lane on Cedar Grove Road. However, this improvement fails to fully mitigate the LOS deficiency. The Henlopen TID proposes a roundabout at this intersection.

12. SR 24 / Spencer Lane / Williams Way (See Recommendation 4 & Table 13, Page 33)
This unsignalized intersection experiences LOS deficiencies during the PM and Saturday peak hours in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3, during the PM peak, the southbound approach is expected to operate at LOS F with 505.6 seconds of delay and queues over 63 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection. With that improvement, the intersection continues to experience LOS deficiencies. It should be noted that the delay is only experienced on the minor street approach, which is a private road. A signal is not recommended at this intersection due to the low minor street volumes. Additionally, the northbound volume during all peak hours is less than 10 vehicles.

13. SR 24 / Camp Arrowhead Road (See Recommendation 4 & Table 14, Page 34)
This signalized intersection experiences LOS deficiencies during the Saturday peak in Case 3. In Case 3 during the Saturday peak, the eastbound approach is expected to operate at LOS F with 95 seconds of delay and queues over 1,573 feet long. The Henlopen TID proposes to widen SR 24 to include two through lanes in each direction at this intersection which mitigates the LOS deficiency.

14. SR 24 / Harts Road (See Recommendation 4 & Table 15, Page 35)
This unsignalized intersection experiences LOS deficiencies during the PM peak in Case 1, and the AM, PM, and Saturday peaks in Cases 2 and 3. In Case 3 in the PM peak hour the southbound Harts Road approach is expected to operate at LOS F with 989.9 seconds of delay. The Henlopen TID proposes the elimination of this intersection.

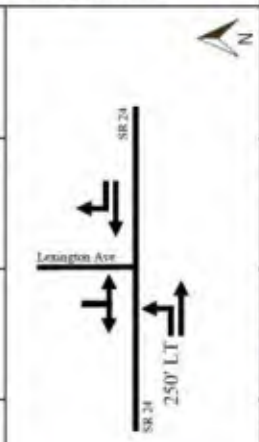
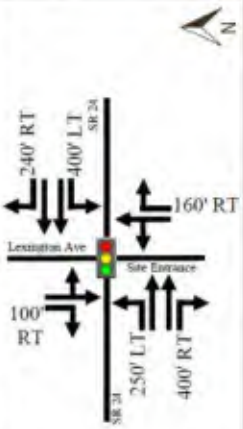
16. SR 24 / Jolyns Way (See Recommendation 4 & Table 17, Page 37)
This unsignalized intersection experiences LOS deficiencies during the Saturday peak in Cases 2 and 3. In Case 3 during the Saturday peak, the northbound Jolyns Way approach is expected to operate at LOS E with 45.3 seconds of delay and queues of less than one vehicle. It should be noted that the forecasted volume on this approach is five (5) vehicles in the Saturday peak hour. The Henlopen TID proposes to signalize this intersection, widen SR 24 to include two through lanes in each direction, and add a northern leg to the intersection that will connect to Robinsonville Road. These improvements will mitigate the LOS deficiencies.

Development Improvements

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

1. The developer shall improve the State-maintained Roads on which they front (Delaware Route 24), within the limits of their frontage. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. "Frontage" means the length along the state right-of-way of a single property tract where an entrance is proposed or required. If a single property tract has frontage along multiple roadways, any segment of roadway including an entrance shall be improved to meet DelDOT's Functional Classification criteria as found in Section 1.1 of the Development Coordination Manual and elsewhere therein, and/or improvements established in the Traffic Operational Analysis and/or Traffic Impact Study. "Secondary Frontage" means the length along the state right-of-way of a single property tract where no entrance is proposed or required. The segment of roadway may be upgraded by improving the pavement condition of the existing roadway width. The Pavement Management Section and Subdivision Section will determine the requirements to improve the pavement condition.

2. The developer should construct the full-movement Site Entrance on Delaware Route 24. The proposed configuration is shown in the table below.

Approach	Current Configuration		Approach	Proposed Configuration	
Eastbound SR 24	One left turn lane and one through lane		Eastbound SR 24	One left turn lane, two through lanes, and one right turn lane	
Westbound SR 24	One through lane and one right turn lane.		Westbound SR 24	One left turn lane, two through lanes, and one right turn lane	
Northbound	Approach does not exist.		Northbound Site Entrance	One shared left / through lane and one right turn lane.	
Southbound Lexington Avenue	One shared left / right turn lane. Stop Control.		Southbound Lexington Avenue	One shared left / through lane and one right turn lane.	

At the proposed Site Entrance intersection, an eastbound right-turn lane is warranted on SR 24 based on DelDOT's Auxiliary Lane Worksheet, Figure 5.2.9.1-b. Initial recommended minimum turn lane length (excluding taper) is a 400-foot right-turn lane on eastbound SR 24. The westbound left-turn lane should be designed to accommodate the 95th percentile queues. Initial recommended minimum turn lane length (excluding taper) is a 400-foot left-turn lane on westbound SR 24. The developer should coordinate with DelDOT's Development Coordination Section to determine final turn lane lengths and other design details during the site plan review.

3. The developer should enter into a traffic signal agreement to design and construct a traffic signal with pedestrian crossings at the intersection of Site Entrance / Lexington Avenue and SR 24. SR 24 should be widened to include two 11-foot through lanes and 5-foot bicycle lanes in each direction within the extents of the site frontage. Beginning at the western extent of the site frontage, a minimum 150-foot eastbound lane addition taper should be provided to add the second eastbound through lane. Beginning west of the intersection, a minimum 495-foot westbound lane drop taper should be provided. At the signalized intersection there should be dedicated left-turn lanes and channelized right-turn lanes on each SR 24 approach, and on the northbound and southbound approaches there should be a shared left / through lane and a channelized right-turn lane. Initial recommended minimum turn lane lengths (excluding tapers) are a 250-foot eastbound left-turn lane, a 240-foot westbound right-turn lane, a 160-foot northbound right-turn lane, and a 100-foot southbound right-turn lane. At the signalized intersection the developer should also construct signalized pedestrian crossings on all approaches. The developer should coordinate with DelDOT's Development Coordination Section to determine final turn lane

lengths and other design details during the site plan review. The developer will be granted credit against their TID fee for this work.

4. The developer shall pay the Henlopen TID fee. The developer should coordinate with DelDOT regarding the TID fee amount and payment terms.

5. The following bicycle and pedestrian improvements should be included:

   a. Per the DelDOT Development Coordination Manual section 5.2.9.2, bicycle lanes are required where right-turn lanes are being installed.

   b. Appropriate bicycle symbols, directional arrows, pavement markings, and signing should be included along bicycle facilities and turn lanes within the project limits.

   c. Utility covers should be made flush with the pavement.

   d. A minimum 15-foot-wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT within the site frontages along Delaware Route 24. Within the easement, a minimum of a 10-foot wide shared-use path should be constructed. The shared-use path should meet AASHTO and ADA standards and should have a minimum of a five-foot buffer from the roadway. At the property boundaries, the shared-use path should connect to the adjacent property or to the shoulder in accordance with DelDOT's Shared-Use Path and/or Sidewalk Termination Reference Guide dated August 1, 2018. The developer shall coordinate with DelDOT's Development Coordination Section through the plan review process to determine the details of the shared-use path design and connections/terminations at or before both boundaries of the property.

   e. ADA compliant curb ramps and crosswalks should be provided at all pedestrian crossings, including all site entrances. Type 3 curb ramps are discouraged.

   f. Internal sidewalks for pedestrian safety and to promote walking as a viable transportation alternative should be constructed within the development. These sidewalks should each be a minimum of five-feet wide (with a minimum of a five-foot buffer from the roadway) and should meet current AASHTO and ADA standards. Internal sidewalks in the development should connect to the proposed shared-use path along the site frontages.

   g. Construct a bus stop pad on SR 24 within the site frontage. Bus stop pad should connect to shared use paths and sidewalks along the site frontage. Location, size, and type of bus pad will be determined through coordination with the Delaware Transit Corporation (DTC).

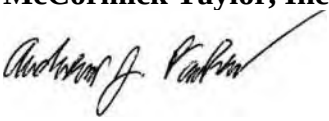
Improvements in this TIS may be considered "significant" under DelDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DelDOT's website at http://deldot.gov/Publications/manuals/de_mutcd/index.shtml.

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

Additional details on our review of this TIS are attached. Please contact me at (610) 640-3500 or through e-mail at ajparker@mccormicktaylor.com if you have any questions concerning this review.

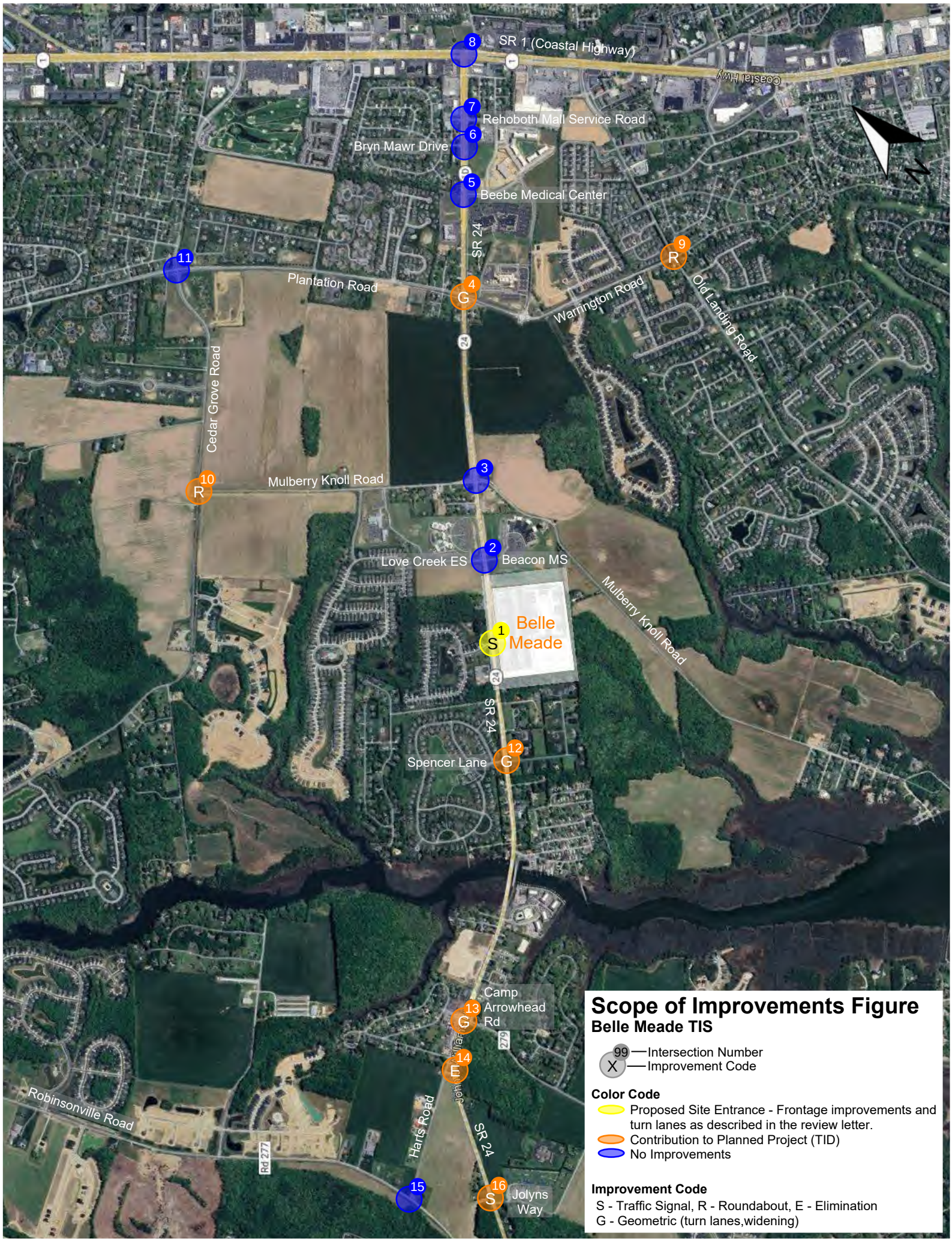
Sincerely,

McCormick Taylor, Inc.



Andrew J. Parker, PE, PTOE
Project Manager

Enclosure


SR 1 (Coastal Highway)
Coastal Hwy
Rehoboth Mall Service Road
Bryn Mawr Drive
Beebe Medical Center
SR 24
Plantation Road
Warrington Road
Old Landing Road
Cedar Grove Road
Mulberry Knoll Road
Love Creek ES
Beacon MS
Belle Meade
Spencer Lane
Camp Arrowhead Rd
John J. Williams Hwy
Harris Road
Robinsonville Road
Rd 277
Rd 279
Jolyns Way
8
7
6
5
11
4
9
10
3
2
1
12
13
14
15
16
S
G
R
E
X
Scope of Improvements Figure
Belle Meade TIS
99 — Intersection Number
X — Improvement Code
Color Code
Proposed Site Entrance - Frontage improvements and turn lanes as described in the review letter.
Contribution to Planned Project (TID)
No Improvements
Improvement Code
S - Traffic Signal, R - Roundabout, E - Elimination
G - Geometric (turn lanes,widening)

General Information

Report date: February 2024
Prepared by: Becker Morgan Group, Inc
Prepared for: Capano Management, Inc.
Tax parcel: 334-18.00-40.01
Generally consistent with DelDOT's Development Coordination Manual: Yes

Project Description and Background

Description: The proposed Belle Meade development consists of 125,000 square feet of retail space, 480 low-rise multi-family houses.
Location: The site is located along the south side of Delaware Route 24, approximately 1,800 feet southwest of the intersection with Mulberry Knoll Road (Sussex Road 284), in Sussex County, Delaware. A site location map is included on page 11.
Amount of land to be developed: an approximately 38.33-acre parcel.
Land use approval(s) needed: The subject land is currently zoned AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial).
Proposed completion year: 2032
Proposed access locations: One full access point is proposed on Delawar Route 24 opposite Lexington Avenue.
Average Daily Traffic Volumes (per DelDOT Traffic Summary 2022):

- Delaware Route 24: 18,591 vehicles/day


Mulberry Knoll Road
SR 24
N
Mulberry Knoll Road
SR 24
Site Location Map
Proposed Entrance

2020 Delaware Strategies for State Policies and Spending

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed Belle Meade development is located within Investment Level 2.

Investment Level 2
This investment level has many diverse characteristics. These areas can be composed of less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas, smaller towns and rural villages that should grow consistently with their historic character, and suburban areas with public water, wastewater, and utility services. These areas have been shown to be the most active portion of Delaware's developed landscape. They serve as transition areas between Level 1 and the more open, less populated areas. They generally contain a limited variety of housing types, predominantly detached single-family dwellings.

In Investment Level 2, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity.

Investments should encourage departure from the typical single-family-dwelling developments and promote a broader mix of housing types and commercial sites encouraging compact, mixed-use development where applicable. Overall, the State's intent is to use spending and management tools to promote well-designed development in these areas. Such development provides for a variety of housing types, user-friendly transportation systems, and provides essential open spaces and recreational facilities, other public facilities, and services to promote a sense of community. Investment Level 2 areas are prime locations for designating "pre-permitted areas."

Proposed Development's Compatibility with Strategies for State Policies and Spending:
The proposed Belle Meade development falls within Investment Level 2 and is to be developed as 125,000 square feet of retail space, 480 low-rise multi-family houses. The proposed development is consistent with the character of Investment Level 2. It is therefore concluded that the proposed development appears to generally comply with the policies stated in the 2020 "Strategies for State Policies and Spending."

Comprehensive Plan

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

The Sussex County Comprehensive Plan Future Land Use Map indicates that the proposed Belle Meade site is planned for "Commercial" land use. It would appear that the proposed Belle Meade development generally fits within the intended land use for this location.

Proposed Development's Compatibility with Comprehensive Plan:
The proposed development appears to comply with the Sussex County Comprehensive Plan. The Belle Meade development is proposed on land that is planned for Commercial use. The land is

zoned as AR-1 (Agricultural Residential), and the developer plans to rezone the land to C-4 (Planned Commercial). The proposed development generally aligns with both the Future Land Use Map and the proposed zoning.

Relevant Projects in the DelDOT Capital Transportation Program

Currently, DelDOT has two relevant and ongoing projects within the area of study.

The *SR 24, Love Creek to Mulberry Knoll* (State Contract No. T201212201) project will improve safety and increase capacity on Delaware Route 24 from Love Creek to Mulberry Knoll Road. Dual lanes along Delaware Route 24 will extend from SR 1 to west of the school entrances located west of Mulberry Knoll Road. The dualized portion of the project will include a 12-foot center-left-turn lane along with two 11-foot travel lanes in each direction, an 8-foot shoulder eastbound and a 5-foot shoulder/bike lane westbound. Improvements at the intersection of Delaware Route 24 and Mulberry Knoll Road will include signalization, changing the Delaware Route 24 approaches so they each have one left-turn lane, two through lanes, and one right-turn lane, along with widening the Mulberry Knoll Road approaches so they each have one left-turn lane and one shared through/right turn lane. Construction is expected to be completed in 2024.

The proposed development is located within the boundary of the operational Henlopen Transportation Improvement District (TID). The TID is a planning concept that seeks to proactively align transportation infrastructure spending and improvements with land use projections and future development within the designated district. The intersections in the study area of the proposed development are within the TID boundary.

Although the proposed development is within the Henlopen TID, the proposed plan for the development is inconsistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS. However, as the proposed development is inconsistent with the LUTP, a TIS was required to determine if the TID improvements are still adequate given the additional trips associated with this development. The TID buildout year is 2045 and the minimum acceptable is LOS D.

Trip Generation

Trip generation for the proposed development was computed using comparable land uses and equations contained in Trip Generation, Eleventh Edition, published by the Institute of Transportation Engineers (ITE). The following land use was utilized to estimate the amount of new traffic generated for this development:

- 480 low-rise multi-family dwelling units (ITE Land Use Code 220)
- 125,000 square-foot Retail Space (ITE Land Use Code 821)

Table 1
Peak Hour Trip Generation

Land Use	Phase	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
LUC 220	Gross	173	211	384	249	211	460	336	315	651
LUC 821	Pass-by	0	0	0	114	106	220	127	116	243
Total Trips		**173**	**211**	**384**	**363**	**317**	**680**	**463**	**431**	**894**

Overview of TIS

Intersections examined:

1) Site Entrance / Lexington Avenue / Delaware Route 24
2) Delaware Route 24 / Love Creek Elementary School / Beacon Middle School
3) Delaware Route 24 / Mulberry Knoll Road (Sussex Road 284)
4) Delaware Route 24 / Plantations Road / Warrington Road (Sussex Road 275)
5) Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)
6) Delaware Route 24 / Bryn Mawr Drive
7) Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way
8) Delaware Route 1 / Delaware Route 24
9) Warrington Road / Old Landing Road (Sussex Road 274)
10) Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)
11) Cedar Grove Road / Plantations Road
12) Delaware Route 24 / Spencer Lane / Williams Way
13) Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)
14) Delaware Route 24 / Harts Road (Sussex Road 277C)
15) Robinsonville Road (Sussex Road 277) / Harts Road
16) Delaware Route 24 / Jolyns Way (Sussex Road 289)

Conditions examined:

1) 2022 Existing (Case 1)
2) 2032 without development (Case 2)
3) 2032 with development (Case 3)

Peak hours evaluated: Weekday morning, evening, and Saturday mid-day peak hours

Committed developments considered:

1) Scenic Manor f.k.a. Estates at Mulberry Knoll (320 single-family detached houses)
2) V&M, LLC (5,000 square-foot super convenience store with gas pumps and a 12,000 square-foot office)
3) Belle Terre (269 single-family detached houses)
4) Arbor-Lyn (142 single-family detached houses)
5) Osprey Point (217 single-family detached houses)
6) Welshes Pond f.k.a. Fieldstone (247 single-family detached houses)
7) Wellesley (132 single-family detached houses)
8) Centre at Love Creek f.k.a. Pelican Landing (84,576 square-foot shopping center)
9) Marsh Island (139 single-family detached houses)
10) Chase Oaks f.k.a. Charter Oak (249 single-family detached houses)
11) Brentwood f.k.a. Coral Lakes (198 single-family detached houses)
12) Tanager Woods f.k.a. Street Property (173 single-family detached houses)
13) Middle Creek Preserve (313 single-family detached houses)
14) Hailey's Glen f.k.a. Kielbasa Property (68 single-family detached houses)
15) Beachtree Preserve (155 single-family detached houses)

Intersection Descriptions

1) **Site Entrance/Lexington Avenue & Delaware Route 24**
   Type of Control: Currently unsignalized and proposed to be signalized.
   Eastbound Approach: (DE 24) existing one left-turn lane and one through lane; proposed one left-turn, two through, and one right-turn lane.
   Westbound Approach: (DE 24) existing one through and one right-turn lane; proposed one left-turn, two through, and one right-turn lane.
   Northbound Approach: (Site Entrance) proposed one shared left-through and one right-turn lane.
   Southbound Approach: (Lexington Avenue) stop-controlled; currently one shared left/right-turn lane; proposed one shared left/through and one right-turn lane.

2) **Delaware Route 24 / Love Creek Elementary School / Beacon Middle School**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Beacon Middle School) one shared left/through lane and one right-turn lane.
   Southbound Approach: (Love Creek Elementary School) one shared left/through lane and one right-turn lane.

3) **Delaware Route 24 & Mulberry Knoll Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Mulberry Knoll Road) one shared left/through lane and one right-turn lane.
   Southbound Approach: (Mulberry Knoll Road) one shared left/through lane and one right-turn lane.

4) **Delaware Route 24 & Plantation Road / Warrington Road**
   Type of Control: signalized four-leg intersection.
   Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
   Northbound Approach: (Warrington Road) one left-turn lane, one shared left/through lane, one through lane, and one right-turn lane.
   Southbound Approach: (Plantation Road) one left-turn lane, one shared left/through lane, one through lane, and one right-turn lane.

5) **Delaware Route 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Beebe Road) one shared left/through lane and one right-turn lane.
Southbound Approach: (Entrance to Residence Inn) one shared left/through lane and one right turn lane.

6) **Delaware Route 24 / Bryn Mawr Drive**
Type of Control: three-leg stop controlled intersection.
Eastbound Approach: (DE 24) one left-turn lane and two through lanes.
Westbound Approach: (DE 24) one right-turn lane and two through lanes.
Southbound Approach: (Bryn Mawr Drive) stop-controlled; one shared left-right turn lane.

7) **Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, two through lanes, and one right-turn lane.
Northbound Approach: (Rehoboth Mall Service Road) one shared left-through lane and one right turn lane.
Southbound Approach: (Hudson Way) one shared left-through lane and one right turn lane.

8) **Delaware Route 1 / Delaware Route 24**
Type of Control: signalized three-leg intersection.
Eastbound Approach: (DE 24) three left-turn lanes and two right-turn lanes.
Northbound Approach: (DE 1) two left-turn lanes and three through lanes.
Southbound Approach: (DE 1) one U-turn lane, three through lanes, and one right turn.

9) **Warrington Road / Old Landing Road (Sussex Road 274)**
Type of Control: all-way stop-controlled four-leg intersection.
Eastbound Approach: (Warrington Road) one left-turn lane and one shared through/right-turn lane.
Westbound Approach: (Strawberry Road) one shared left/through/right-turn lane.
Northbound Approach: (Old Landing Road) one shared left/through/right-turn lane.
Southbound Approach: (Old Landing Road) one shared left/through/right-turn lane.

10) **Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (Cedar Grove Road) one shared through/right-turn lane.
Westbound Approach: (Cedar Grove Road) one shared left-turn/through lane.
Northbound Approach: (Mulberry Knoll Road) stop-controlled; one shared left/right-turn lane.

11) **Cedar Grove Road / Plantation Road**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (Cedar Grove Road) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (Cedar Grove Road) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Plantation Road) one left-turn lane, one through lane, and one right-turn lane.
Southbound Approach: (Plantation Road) one left-turn lane, one through lane, and one right-turn lane.

12) **Delaware Route 24 / Spencer Lane / Williams Way**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Williams Way) stop-controlled; one shared left/through/right-turn lane.
Southbound Approach: (Spencer Lane) stop-controlled; one shared left/through lane and one right-turn lane.

13) **Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)**
Type of Control: signalized four-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Westbound Approach: (DE 24) one left-turn lane, one through lane, and one right-turn lane.
Northbound Approach: (Camp Arrowhead Road) one left-turn lane, one through lane, and one right-turn lane.
Southbound Approach: (Fairfield Road) one left-turn lane and one shared through/right-turn lane.

14) **Delaware Route 24 / Harts Road (Sussex Road 277C)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one left-turn lane and one through lane.
Westbound Approach: (DE 24) one through lane and one right-turn lane.
Southbound Approach: (Harts Road) stop-controlled; one right-turn lane and one left-turn lane.

15) **Robinsonville Road (Sussex Road 277) / Harts Road**
Type of Control: stop-controlled three-leg intersection.
Westbound Approach: (Harts Road) stop-controlled; one shared left/right-turn lane.
Northbound Approach: (Robinsonville Road) existing one shared through/right-turn lane.
Southbound Approach: (Robinsonville Road) existing one shared left-turn/through lane.

16) **Delaware Route 24 / Jolyns Way (Sussex Road 289)**
Type of Control: stop-controlled three-leg intersection.
Eastbound Approach: (DE 24) one shared through/right-turn lane.
Westbound Approach: (DE 24) one shared left-turn/through lane.
Northbound Approach: (Jolyns Way) stop-controlled; one shared left/right-turn lane.

Safety Evaluation

Crash Data: Delaware Crash Analysis Reporting System (CARS) data was provided in the TIS for the three-year period from January 1, 2021, through December 31, 2023. A total of 7 reportable crashes occurred within 0.1 miles of the site access. Three were rear-end, two were sideswipe, one was an angle, and one was a single-vehicle crash. None of the crashes caused any injury or involved pedestrians or bicyclists.

Sight Distance: The study area generally consists of relatively flat roadways and there are few visual obstructions. As always adequacy of available sight distance should be confirmed during the site plan review process for all proposed movements at the site accesses.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Based on the current DART Bus Stop Map, the Delaware Transit Corporation (DTC) currently operates one fixed-route transit bus route in the area of the proposed Belle Meade development. Route 215 Millsboro/Rehoboth runs along DE 24 with the nearest stops located west of the site at the Love Creek Marina and east of the site at Beebe Medical Center.

Planned transit service: Delaware Transit Corporation (DTC) has requested that the developer construct a bus stop pad on SR 24 within the site frontage. The location, size, and type of bus pad will be determined through coordination with DTC.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, Delaware Route 24 is designated as a High-Traffic Regional Bicycle Route with a Bikeway. Plantation Road is designated as a High-Traffic Statewide Bicycle Route with a Bikeway. Recent

DelDOT projects along SR 24 have or are in the process of adding bicycle lanes along SR 24 between Love Creek and SR 1. The same projects have also added sidewalks or shared use paths along the same segment of SR 24, except for the segment between Mulberry Knoll Road and Plantation Road / Warrington Road.

Planned bicycle and pedestrian facilities: The developer should maintain the existing sidewalk or shared use path along the site frontage that was constructed by the "SR 24, Love Creek to Mulberry Knoll" project. In addition, a signalized pedestrian crossing of SR 24 should be included at the proposed signal at the intersection of SR 24 and Lexington Avenue.

Previous Comments

The initial scoping memorandum between the developer and DelDOT was dated December 9, 2022.

In a review letter dated October 6, 2023, DelDOT commented on the traffic counts and seasonally adjusted traffic volumes. The developer was asked to include additional committed developments that were originally included in the scoping memorandum. DelDOT also provided additional count data and directed the developer to update the volume figures.

In a second review letter dated October 30, 2023, DelDOT requested additional revisions to the committed development volumes due to construction detours in the area during the traffic counts. The developer was asked to address the noted issues and proceed with the Preliminary TIS.

In a third review letter dated December 28, 2023, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and distribution. The developer was then directed to resubmit the Preliminary TIS.

In a fourth review letter dated January 25, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to make additional revisions to the committed development volumes and then resubmit the Preliminary TIS.

In a fifth review letter dated February 15, 2024, DelDOT commented on the Preliminary TIS. The developer was asked to revise how growth factors were applied to volumes provided by the Henlopen TID and associated volume figures then resubmit the Preliminary TIS.

In a sixth review letter dated February 19, 2024, DelDOT noted that the Preliminary TIS was acceptable as submitted and directed the developer to proceed with the Final TIS.

It appears that all substantive comments from DelDOT's TIS Scoping Memorandum, Traffic Count Review, Preliminary TIS Review, and other correspondence were addressed in the Final TIS submission.

General HCS Analysis Comments
(see table footnotes on the following pages for specific comments)

1) Both the TIS and McCormick Taylor utilized Highway Capacity Software (HCS) version 2023 to complete the traffic analyses.

2) The TIS and McCormick Taylor generally used heavy vehicle percentages (HV%) from turning movement counts for existing and future conditions (as per DelDOT's Development Coordination Manual section 2.2.8.11.6.H). McCormick Taylor and the TIS assumed 3% HV for future movements and at the proposed site entrance.

3) The TIS and McCormick Taylor determined overall intersection peak hour factors (PHF) for each intersection based on the turning movement counts. Future PHFs were determined as per the DelDOT Development Coordination Manual section 2.2.8.11.6.F where applicable. The application of future PHFs in the TIS was inconsistent between intersections and volume scenarios.

4) For analyses of all intersections, McCormick Taylor and the TIS assumed 0% grade for all movements.

Table 2
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [1] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
1. SR 24 / Lexington Avenue / Site Entrance	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 – Left	A (8.1)	B (10.4)	A (8.7)	A (8.1)	B (10.5)	A (8.8)
Southbound Lexington Avenue	D (30.0)	E (42.7)	E (35.7)	D (30.5)	E (43.0)	E (36.3)
2032 No Build (Case 2) [2]						
Eastbound SR 24 – Left	A (9.0)	B (13.3)	B (10.5)	A (9.0)	B (13.2)	B (10.4)
Southbound Lexington Avenue	E (36.8)	F (90.0)	F (53.2)	F (108.0)	F (251.2)	F (150.1)
2032 Build (Case 3) [2]						
Eastbound SR 24 – Left	A (9.0)	B (12.8)	B (10.1)	A (9.0)	B (12.7)	B (10.1)
Westbound SR 24 – Left	B (13.9)	C (17.7)	D (34.9)	B (13.8)	C (16.6)	E (35.8)
Northbound Site Entrance	F (333.4)	F (3337.9)	F (10913)	F (1486.8)	F (17804.0)	F (44574.1)
Southbound Lexington Avenue	F (354.3)	F (2563.7)	F (6644.9)	F (3163.6)	F (13387.7)	[3]
2032 Build (Case 3) Signal [2]						
Overall	-	-	-	B (14.1)	C (28.3)	F (92.9)
2032 Build (Case 3 w/ TID) Signal [4]						
Overall	B (10.2)	B (11.6)	B (19.2)	B (12.0)	B (16.0)	C (25.0)

[1] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[2] TIS modeled Case 2 and 3 with two through lanes in both eastbound and westbound directions on SR 24. MT modeled with one through lane in each direction based on the proposed condition in the SR 24, Love Creek to Mulberry Knoll Road Project.
[3] Capacity cannot be calculated as intersection volume exceeds HCM limitations.
[4] Henlopen TID proposes two through lanes in each direction along SR 24.

Table 3
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [5]	**LOS per TIS**			**LOS per McCormick Taylor**		
2. SR 24 / Love Creek Elementary School / Beacon Middle School	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1) [6]						
Overall	A (9.6)	A (7.7)	A (2.0)	B (14.2)	B (10.4)	A (6.6)
2032 No Build (Case 2)						
Overall	A (6.4)	A (4.6)	A (0.6)	B (10.3)	A (5.4)	C (20.3)
2032 Build (Case 3)						
Overall	A (5.9)	A (4.5)	A (0.8)	C (23.3)	A (7.3)	D (41.3)

[5] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[6] TIS modeled intersection in Case 1 with one through lane in each direction. Existing conditions, following the completion of the SR 24, Love Creek to Mulberry Knoll Road Project, will have two through lanes in each direction along SR 24.

Table 4
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [7]	**LOS per TIS**			**LOS per McCormick Taylor**		
3. SR 24 / Mulberry Knoll Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (8.8)	A (9.3)	B (18.1)	A (8.9)	A (8.3)	B (17.0)
2032 No Build (Case 2)						
Overall	C (30.5)	D (46.0)	E (78.1)	B (19.9)	C (23.3)	C (28.5)
2032 Build (Case 3)						
Overall	D (37.0)	D (52.3)	F (85.0)	C (20.7)	C (24.9)	C (30.1)
2032 Build (Case 3 w/ TID)[8]						
Overall	-	-	-	B (17.1)	B (16.4)	C (23.5)

[7] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[8] Henlopen TID proposes the addition of dedicated right-turn lanes on both minor street approaches. The turn lanes are modeled with 180-foot storage length.

Table 5
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [9]	**LOS per TIS**			**LOS per McCormick Taylor**		
4. SR 24 / Plantation Road / Warrington Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	C (23.3)	C (31.8)	C (34.6)	D (36.6)	D (44.1)	D (50.4)
2032 No Build (Case 2)						
Overall	C (26.1)	C (35.6)	D (39.0)	C (32.4)	D (53.6)	D (50.1)
2032 Build (Case 3)						
Overall	C (26.7)	D (37.5)	D (40.7)	C (31.5)	E (60.8)	D (54.8)
2032 Build (Case 3 w/ TID) [10]						
Overall	-	-	-	C (28.8)	D (49.5)	D (42.0)

[9] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[10] The Henlopen TID conceptual design includes two left turn lanes, two through lanes, and one right turn lane on the Warrington Road and Plantation Road approaches.

Table 6
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [11]	**LOS per TIS**			**LOS per McCormick Taylor**		
5. SR 24 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn)	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (1.5)	A (5.1)	A (1.3)	A (1.8)	A (9.4)	A (7.3)
2032 No Build (Case 2)						
Overall	A (1.3)	A (3.8)	A (1.3)	A (1.3)	B (10.9)	B (11.3)
2032 Build (Case 3)						
Overall	A (1.3)	A (3.7)	A (1.3)	A (1.7)	B (11.1)	B (12.2)

[11] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 7
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [12] Two-Way Stop-Control	**LOS per TIS [13]**			**LOS per McCormick Taylor**		
6. SR 24 / Bryn Mawr Drive	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	B (10.4)	B (11.4)	B (11.7)	A (8.5)	A (9.5)	A (8.8)
Southbound Bryn Mawr Drive	C (15.1)	C (20.1)	C (21.8)	C (18.7)	C (20.1)	C (23.7)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	B (12.4)	C (17.0)	C (18.1)	A (8.9)	B (11.3)	B (11.1)
Southbound Bryn Mawr Drive	C (17.4)	D (29.6)	D (33.7)	D (30.6)	E (49.5)	F (56.3)
2032 Build (Case 3)						
Eastbound SR 24 - Left	B (11.5)	B (14.1)	C (15.1)	A (9.1)	B (11.7)	B (11.7)
Southbound Bryn Mawr Drive	C (17.1)	D (25.7)	D (29.4)	E (35.8)	F (62.4)	F (75.2)

[12] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[13] TIS modeled this intersection with three though lanes in each direction on SR 24 which does not match the existing or proposed conditions.

Table 8
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [14]	**LOS per TIS**			**LOS per McCormick Taylor**		
7. SR 24 / Rehoboth Mall Service Road / Hudson Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	A (3.1)	A (8.0)	A (5.4)	A (3.8)	B (10.7)	A (5.9)
2032 No Build (Case 2)						
Overall	A (2.5)	A (6.0)	A (4.3)	A (2.5)	A (7.4)	A (5.0)
2032 Build (Case 3)						
Overall	A (2.4)	A (5.7)	A (4.1)	A (3.2)	A (7.1)	A (4.2)

[14] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 9
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [15]	**LOS per TIS**			**LOS per McCormick Taylor**		
8. SR 24 / SR 1	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (19.7)	C (23.0)	D (39.2)	B (17.8)	C (22.9)	C (24.0)
2032 No Build (Case 2)						
Overall	D (43.2)	D (52.2)	E (77.3)	C (23.6)	C (32.1)	C (29.7)
2032 Build (Case 3)						
Overall	D (46.2)	E (56.5)	F (83.9)	C (29.8)	D (35.1)	C (33.1)

[15] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 10
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [16] All-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
9. Warrington Road / Old Landing Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound Warrington Road	D (31.6)	C (23.3)	F (116.1)	D (28.4)	C (20.4)	F (102.7)
Westbound Strawberry Way	A (9.5)	A (9.6)	B (11.1)	A (9.6)	A (9.7)	B (11.2)
Northbound Old Landing Road	C (15.7)	B (12.9)	C (22.5)	C (15.6)	B (12.8)	C (22.3)
Southbound Old Landing Road	B (12.3)	C (20.3)	D (31.6)	B (12.3)	C (20.0)	D (31.2)
Overall	C (22.9)	C (20.0)	F (66.0)	C (21.2)	C (18.7)	F (60.0)
2032 No Build (Case 2)						
Eastbound Warrington Road	F (130.4)	F (131.1)	F (336.8)	F (75.9)	F (51.7)	F (216.8)
Westbound Strawberry Way	B (10.7)	B (12.1)	B (12.9)	B (10.8)	B (12.1)	B (13.0)
Northbound Old Landing Road	C (22.4)	c (20.2)	E (42.8)	C (22.1)	C (20)	E (42.4)
Southbound Old Landing Road	C (15.2)	F (88.0)	F (103.2)	C (15.1)	F (89.9)	F (101.8)
Overall	F (76.7)	F (91.8)	F (192.0)	E (48.5)	F (60.2)	F (138.3)
2032 Build (Case 3)						
Eastbound Warrington Road	F (161.0)	F (155.6)	F (380.1)	F (115.3)	F (62.0)	F (243.9)
Westbound Strawberry Way	B (10.8)	B (12.2)	B (13.0)	B (10.9)	B (12.3)	B (13.1)
Northbound Old Landing Road	C (23.4)	C (20.9)	E (46.7)	C (23.1)	C (20.8)	E (46.3)
Southbound Old Landing Road	C (16.1)	F (105.0)	F (128.6)	C (16.0)	F (103.4)	F (127.6)
Overall	F (93.3)	F (108.9)	F (221.0)	F (57.0)	F (69.8)	F (159.9)
2032 Build (Case 3 w/ TID) Roundabout						
Overall	B (10.6)	B (11.7)	C (20.4)	B (10.6)	B (11.7)	C (20.4)

[16] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 11
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [17] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
10. Mulberry Knoll Road / Cedar Grove Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Cedar Grove Road - Left	A (8.2)	A (7.6)	A (9.8)	A (8.1)	A (7.6)	A (9.9)
Northbound Mulberry Knoll Road	B (11.5)	B (11.1)	C (20.5)	B (11.8)	B (11.1)	C (20.9)
2032 No Build (Case 2)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.3)	A (8.9)	A (8.3)	B (12.3)
Northbound Mulberry Knoll Road	C (20.1)	D (32.5)	F (614.3)	C (20.1)	D (32.5)	F (614.3)
2032 Build (Case 3)						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (22.3)	E (40.4)	F (837.7)	C (22.3)	E (40.4)	F (837.7)
2032 Build (Case 3) w/ improvements [18]						
Westbound Cedar Grove Road - Left	A (8.9)	A (8.3)	B (12.8)	A (8.9)	A (8.3)	B (12.8)
Northbound Mulberry Knoll Road	C (19.3)	D (33.9)	F (581.4)	C (19.3)	D (33.9)	F (581.4)
2032 Build (Case 3) Roundabout [19]						
Overall	-	-	-	A (6.9)	A (6.7)	C (18.0)

[17] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[18] The TIS proposes to construct a dedicated eastbound right-turn lane on Cedar Grove Road.
[19] Henlopen TID proposes a roundabout at this intersection.

Table 12
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [20]	**LOS per TIS**			**LOS per McCormick Taylor**		
11. Cedar Grove Road / Plantation Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (18.3)	B (18.3)	C (31.2)	B (17.6)	B (17.7)	C (34.7)
2032 No Build (Case 2)						
Overall	B (19.8)	C (22.5)	D (41.4)	B (18.8)	C (21.0)	C (34.1)
2032 Build (Case 3)						
Overall	C (20.2)	C (23.3)	D (44.4)	B (19.1)	B (21.9)	D (44.8)

[20] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 13
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [21] Two-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
12. SR 24 / Spencer Lane / Williams Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.6)	B (10.4)	A (8.6)	A (8.6)	B (10.4)	A (8.6)
Westbound SR 24 - Left	A (9.8)	A (8.9)	B (10.0)	A (9.8)	A (8.9)	B (10.0)
Northbound Williams Way	C (24.3)	F (56.0)	D (31.2)	C (24.3)	F (56.0)	D (31.2)
Southbound Spencer Lane	C (24.3)	E (44.1)	E (40.6)	C (24.3)	E (44.1)	E (40.6)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.6)	B (12.9)	B (10.2)	A (9.6)	B (13.5)	B (10.4)
Westbound SR 24 - Left	B (11.5)	B (10.6)	B (12.3)	B (11.5)	B (10.9)	B (12.7)
Northbound Williams Way	F (52.4)	F (220.3)	F (97.8)	F (52.4)	F (284.6)	F (115.8)
Southbound Spencer Lane	F (65.8)	F (233.6)	F (221.1)	F (65.8)	F (330.5)	F (291.9)
2032 Build (Case 3)						
Eastbound SR 24 - Left	A (10.0)	B (13.5)	B (10.8)	A (10.0)	B (14.2)	B (11.0)
Westbound SR 24 - Left	B (11.9)	B (11.1)	B (13.3)	B (11.9)	B (11.4)	B (13.8)
Northbound Williams Way	F (65.5)	F (305.4)	F (148.5)	F (65.5)	F (406.1)	F (181.6)
Southbound Spencer Lane	F (91.3)	F (535.2)	F (408.7)	F (91.3)	F (505.6)	F (547.1)
2032 Build (Case 3 w/ TID) [22]						
Eastbound SR 24 - Left	-	-	-	B (10.4)	B (14.5)	B (11.1)
Westbound SR 24 - Left	-	-	-	B (12.0)	B (11.5)	B (13.9)
Northbound Williams Way	-	-	-	E (41.9)	F (130.2)	F (86.1)
Southbound Spencer Lane	-	-	-	D (33.3)	F (176.2)	F (117.7)

[21] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[22] Henlopen TID proposes left-turn lanes, two through lanes, and right turn lanes on both SR 24 approach at this intersection.

Table 14
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Signalized Intersection [23]	**LOS per TIS**			**LOS per McCormick Taylor**		
13. SR 24 / Camp Arrowhead Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Overall	B (10.5)	B (13.7)	B (14.6)	B (12.4)	B (15.8)	B (16.6)
2032 No Build (Case 2)						
Overall	C (27.4)	E (59.5)	F (88.3)	B (10.6)	B (17.8)	B (18.2)
2032 Build (Case 3)						
Overall	D (45.3)	F (89.5)	F (129.1)	B (12.3)	D (38.9)	E (58.6)
2032 Build (Case 3 w/ TID) [24]						
Overall	-	-	-	A (6.5)	B (11.0)	B (12.2)

[23] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[24] Henlopen TID proposes an additional through lane in both directions of SR 24.

Table 15
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [25] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
14. SR 24 / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Eastbound SR 24 - Left	A (8.4)	A (9.4)	A (8.5)	A (8.2)	A (9.5)	A (8.5)
Southbound Harts Road	C (16.8)	E (37.7)	D (31.7)	C (18.6)	E (38.6)	D (32.3)
2032 No Build (Case 2)						
Eastbound SR 24 - Left	A (9.3)	B (11.5)	A (9.9)	A (9.3)	B (11.5)	A (9.9)
Southbound Harts Road	F (109.5)	F (648.1)	F (541.0)	F (109.5)	F (648.1)	F (541.0)
2032 Build (Case 3) [26]						
Eastbound SR 24 - Left	A (9.6)	B (11.9)	B (10.4)	A (9.6)	B (11.9)	B (10.4)
Southbound Harts Road	F (198.1)	F (989.8)	F (982.7)	F (198.1)	F (989.8)	F (982.7)

[25] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.
[26] Henlopen TID proposes the removal of this intersection.

Table 16
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [27] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
15. Robinsonville Road / Harts Road	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound Harts Road	B (10.1)	B (13.2)	B (12.7)	B (10.1)	B (13.2)	B (12.7)
Southbound Robinsonville Road - Left	A (7.8)	A (7.6)	A (7.9)	A (7.8)	A (7.6)	A (7.9)
2032 No Build (Case 2)						
Westbound Harts Road	B (11.5)	A (25.1)	C (19.8)	B (11.8)	A (29.5)	C (19.8)
Southbound Robinsonville Road - Left	A (8.2)	A (8.2)	A (8.7)	A (8.2)	A (8.3)	A (8.7)
2032 Build (Case 3)						
Westbound Harts Road	B (11.7)	D (29.7)	C (23.2)	B (12.0)	D (29.7)	C (20.5)
Southbound Robinsonville Road - Left	A (8.2)	A (8.3)	A (8.8)	A (8.3)	A (8.3)	A (8.7)

[27] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

Table 17
Peak Hour Levels of Service (LOS)
Based on Belle Meade Traffic Impact Study – April 2024
Prepared by Becker Morgan Group, Inc.

Unsignalized Intersection [28] One-Way Stop-Control	**LOS per TIS**			**LOS per McCormick Taylor**		
16. SR 24 / Jolyns Way	Weekday AM	Weekday PM	Summer Saturday	Weekday AM	Weekday PM	Summer Saturday
2022 Existing (Case 1)						
Westbound SR 24 - Left	A (8.7)	A (8.3)	A (9.1)	A (9.0)	A (8.3)	A (9.1)
Northbound Jolyns Way	C (16.0)	C (15.6)	C (20.8)	C (16.6)	C (16.1)	C (20.8)
2032 No Build (Case 2)						
Westbound SR 24 - Left	A (9.4)	A (9.1)	B (10.2)	A (9.4)	A (9.1)	B (10.2)
Northbound Jolyns Way	C (22.2)	C (24.5)	E (37.1)	C (22.2)	C (24.5)	E (37.1)
2032 Build (Case 3)						
Westbound SR 24 - Left	A (9.6)	A (9.3)	B (10.6)	A (9.6)	A (9.3)	B (10.6)
Northbound Jolyns Way	C (24.3)	D (27.5)	E (45.3)	C (24.3)	D (27.5)	E (45.3)
2032 Build (Case 3 w/ TID) Signal [29]						
Overall	-	-	-	A (1.5)	A (1.6)	A (1.4)

[28] For both unsignalized and signalized analyses, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds. For signalized analyses, LOS analysis results are given for only the overall intersection delay.

[29] Henlopen TID proposes to signalize this intersection with two through lanes and dedicated turn lanes in each direction along SR 24, extending Jolyns Way north of SR 24 to connect to Robinsonville Road forming a northern leg of the intersection, and adding dedicated right turn lanes on both Jolyns Way approaches. The capacity analysis for the Case 3 with TID results above modeled the intersection without the proposed northern leg because traffic volumes have not been prepared for this condition.

Off-Site Improvements – Opinion of Cost

The Final TIS recommendations from DelDOT included development improvements as follows: frontage improvements, full movement signalized Site Entrance at the intersection of Lexington Ave. and DE Rt. 24 with auxiliary turn lanes, bicycle and pedestrian improvements and Henlopen TID fees to be paid as determined by DelDOT.

Based on the 2025 rate schedule the project's contribution to the Henlopen TID is estimated at approximately $2,800,000.00.

In addition to the TID, the project's frontage improvements, as recommended by the Traffic Impact Study, are estimated at approximately $1,400,000.00

There are no off-site drainage, sewer, or water costs anticipated with the project scope. Impact fees to the appropriate infrastructure owner's will be calculated at the time of payment, based on the most currently adopted rate schedules.

STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

February 20, 2025

Jon Falkowski
Becker Morgan Group, Inc.
309 S. Governors Ave.
Dover, DE 19904

RE: PLUS review – 2025-01-06; Belle Mead

Dear Mr. Falkowski:

Thank you for meeting with State agency planners on January 22, 2025, to discuss Belle Mead C4 Master Plan. According to the information received, you are seeking review of a proposed rezoning and site plan for a mixed-use development on 40 acres, featuring 480 multifamily rental units and 125,000 square feet of commercial development. The property is currently zoned AR-1 (Agricultural Residential District), with a proposed rezoning to C-4 (Planned Commercial District), and is primarily classified as State Strategies Level 2, with Levels 3-5 in the back corner of the site.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located primarily in a Level 2 investment area, which is consistent with the 2020 Strategies for State Policies and Spending. There is also some level 3, 4, and Out of Play on the site; however, from the application and site plan it does not appear that you will disturb the areas in levels 4 and 5. This site is also located in the Coastal area of the Sussex County comp plan and within the Henlopen TID

Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Development in Level 2 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this master plan provided it meets the relevant codes and ordinances of the county.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The site access on all State maintained roads must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Section 1.7 of the Development Coordination Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- In terms of traffic analysis, based on the expected trip generation this project will require a Traffic Impact Study (TIS). This process was completed on June 6, 2024 and will direct site access and any necessary off-site improvements.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 50 feet of right-of-way from the physical centerline of Rt. 24. The following right-of-way dedication note is required, "**An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- In accordance with Section 3.2.5.1.2 of the Development Coordination Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- Referring to Section 3.4.2.1 of the Development Coordination Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Depiction of all existing entrances within 300 feet of the proposed entrances on John J. Williams Highway (Rt. 24).

- Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- In accordance with Section 3.8 of the Development Coordination Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 50 feet from the ultimate State right-of-way along all State maintained roads.

- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required. DelDOT anticipates requiring a SUP along the site frontage on Burbage Road.

- In accordance with Section 5.2.9 of the Development Coordination Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.4 of the Development Coordination Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Development Coordination Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

DART First State – Contact Jared Kauffman 302-576-6062

- Improve the soon to be implemented northbound stop (ID 4166) to a shelter pad

- It is recommended to place bicycle parking throughout the commercial area and free covered bicycle parking for the apartment residents.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Stormwater Management
The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency, prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically https://enoi.dnrec.delaware.gov/, (select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

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

General Stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Hydrologic Soils Group
Hydrologic Soil Group D, poorly drained soils, have been identified in the south corner of the site. These soil types could worsen existing drainage issues if present and are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins. These practices must meet minimum infiltration requirements.

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

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Wastewater Disposal Systems – Small Systems (Septic)
An expired permit (permit # 219467) exists for this site in the Small System Branch database. The On Site Regulations are listed within Section 5 (Small Systems) or Section 6 (Large Systems) of the Regulations Governing the Design, Installation and Operation of the On-site Wastewater Treatment and Disposal Systems at: https://documents.dnrec.delaware.gov/Water/Septics/delaware-on-site-regulations-with-exhibits.pdf. A list of licensed Class D soil scientists can be found at the following website: https://data.delaware.gov/Energy-and-Environment/Class-D-Site-Evaluator-Licensees-Based-on-Licensed/s3gu-gt88/data_preview

- The applicant must follow current regulations to properly abandon these systems.
- Contact the DNREC Commercial and Government Services Section to discuss requirements for properly abandoning these systems.

Contact: DNREC Commercial and Government Services Section at (302) 739-9947.
Website: https://dnrec.delaware.gov/water/residential/septic-systems/

Wastewater Disposal Systems – Large Systems
For wastewater conveyance offsite by way of a new sewer connection, flow rates exceeding 2,500 gallons of liquid waste per day will require a Wastewater Pollution Collection and Conveyance (WPCC) permit from the Commercial and Government Services section.

Contact: DNREC Commercial and Government Services Section at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/

Wetlands and Waterways
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands in the south corner of the site, as well as a potential blue line stream (Dorman Branch) located in the south corner. The application indicates that wetlands have been delineated. The application states that the project does not propose direct impacts to the wetlands/waterways.

State Requirements:

- If plans change and wetlands are disturbed, please contact the Wetlands and Waterways Section for more information on permitting requirements.
- Include all streams and waterways on site plans.

State Contact: DNREC Wetlands and Waterways Section at (302) 739-9943.
Website: https://dnrec.delaware.gov/water/wetlands/

Special Flood Hazard Area
According to the newest Flood Insurance Rate Maps (FIRM), a portion of this parcel is situated within a Special Flood Hazard Area, specifically within the mapped 100-year floodplain (1% annual chance of flooding). The Special Flood Hazard Area identified on the site lies within zone AE. In lands contained within the 100-year floodplain, the National Flood Insurance Program's floodplain management regulations must be enforced through the local floodplain ordinance, which can have higher standards. Although rental units are proposed outside of the Special Flood Hazard Area (SFHA), the property owner may still be required by lenders to purchase flood insurance, based on the proximity to the SFHA. Additionally, because this property will offer rentals, the property manager may require tenants to obtain flood insurance policies.

- The applicant must comply with the local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at https://floodplanning.dnrec.delaware.gov/

Contact: DNREC Shoreline and Waterway Management Section at (302) 608-5500.
Website: https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/

Electric Vehicle Charging Requirements
Electric vehicle charging infrastructure is now required for all residential dwellings in Delaware (see 80 Del. Laws, c. 145 § 8001- § 8006) for which:

1. A building permit is issued on or after January 1, 2024 (single family), or

2. The final site plan is approved on or after January 1, 2025 (multi-family).

Requirements are summarized below. Consult the Delaware Code directly for further details.

Multi-family Dwellings, effective 2025:

- The developer of a multi-family residential dwelling shall install electric vehicle parking spaces, where at least 5% of the total parking spaces for the multi-family residential dwelling must be electric vehicle capable parking spaces.

- In addition, a developer of a multi-family residential dwelling shall provide at least one electric vehicle charging infrastructure parking space in an area available for use by all residents of the multi-family residential dwelling (example: community centers).

- Construction documents must indicate the location of proposed electric vehicle charging infrastructure parking spaces and electric vehicle capable parking spaces.

- Parking space dimensions must comply with the county or municipal building code applicable to the multi-family residential dwelling.

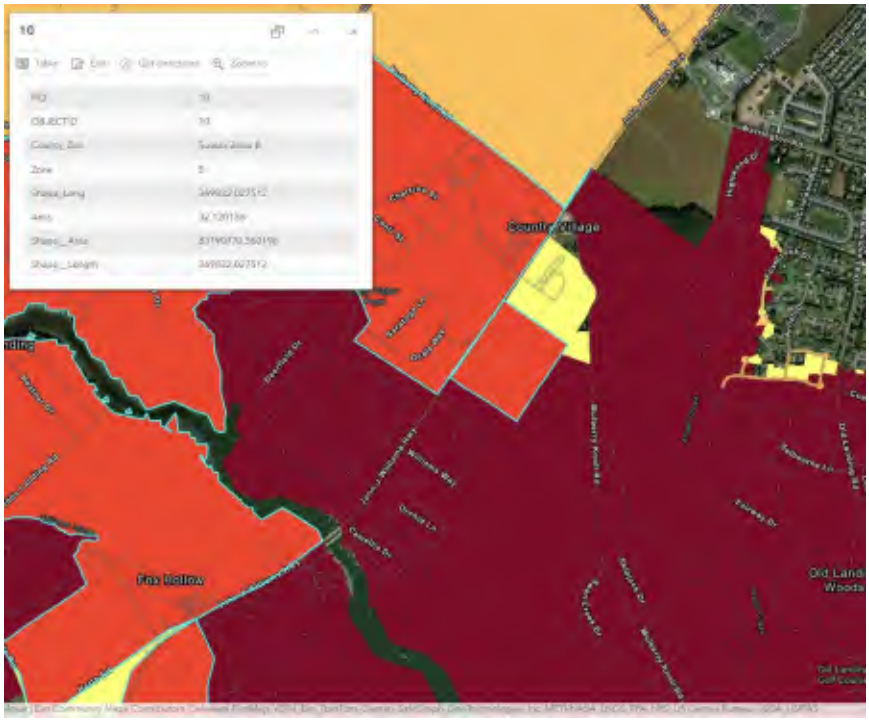
Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- The majority of this parcel is located within an area of **Minimal Flood Concern of 1000 years or greater**. However, there is a 100-year flood zone located to along the southern portions of the parcel. According to the submitted sketch, no facilities are being constructed within a flood zone.

Parcel Status within County Evacuation Zone Location

- The parcel is located within Sussex County's Evacuation Zone B.



Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- Nearest water source is the edge of Dorman Branch. According to the plans provided the construction is avoiding the out-of-play zone. Soils are well drained. There is a

historic archaeological site on the northern adjacent parcel. There are precontact archaeological sites further down the branch in similar contexts.

- The Delaware State Historic Preservation Office recommends an archaeological survey prior to any ground disturbing activities at least in the southern half of the parcel.

  If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office.

Fire Protection Water Requirements:

- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Mercantile)

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly and Townhouses)

- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

- Buildings greater than 10,000 sq. ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements

- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.

- Show Fire Lanes and Sign Detail as shown in DSFPR

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from John J Williams Highway must be constructed so fire department apparatus may negotiate it.

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

Gas Piping and System Information:

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

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations.”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Townhouse 2-hr separation wall details shall be shown on site plans
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Recommendations/Additional Information

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

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at https://www.deldot.gov/Business/subdivisions/

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Removal of Mature Forest withing Key Wildlife Habitat and Delaware Ecological Network
The preliminary plan proposes the elimination of approximately 5 of 10 acres of forest on the site. An analysis of historical data indicates that the forest area located on the southern portion of the site has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.

The forested wetlands on this property are mapped as a Key Wildlife Habitat in the Delaware Wildlife Action Plan because it is part of a large wetland complex/large forest block that can support an array of plant and animal species across the landscape.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible.

- The forested area on this site occurs within the Delaware Ecological Network, a statewide network of interconnected lands having significant ecological value. Avoid disturbance within

these habitats.

- In general, contiguous forest and connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement from one area to another while reducing roadway mortality.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Vegetated Buffer Zones

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of forested wetlands on the south corner of the site. This habitat type is known to support an array of plants and animals, most notably wetland dependent species such as amphibians.

To reduce impacts to these species, the following is recommended:

- Do not disturb forested wetlands. Maintain an upland buffer of at least 100 feet along all wetlands, waterways, and sensitive habitats, including those containing existing forest or natural vegetative cover.

- Maintain habitat connections to undeveloped open space, which are especially important for species movement across the landscape.

- Vegetated buffer zones should be identified outside of the Limit of Disturbance on the engineering plans.

- Maintain vegetated buffer zones as native species meadows or forest.

- Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/conservation/

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

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

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Drainage

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/

Water Quality

This site lies within the Rehoboth Bay Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable. Break up large parking lots with planted islands.

- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.

- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. https://dnrec.alpha.delaware.gov/watershed-stewardship/

Sea Level Rise and Flooding

The south corner of this site is vulnerable to permanent inundation from sea level rise. By 2050, mean sea levels are projected to rise by 0.7 – 1.9 feet; by end of century sea levels are projected to increase by 1.7 – 5.0 feet. In addition to permanent inundation, as mean sea levels rise, the frequency and severity of tidal flooding events is expected to increase.

- In areas within 5 feet of expected sea level rise, avoid construction of permanent structures and infrastructure. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

- All infrastructure and structures on the site should incorporate the effects of sea level rise through the expected lifespan of the structures. This may include increasing freeboard of structures, ensuring that critical infrastructure is elevated to withstand future sea level rise, construction of flood control measures, and incorporating green infrastructure for flood control.

Contact: DNREC Climate and Sustainability Section at (302) 735-3480.
Website: https://dnrec.delaware.gov/coastal-programs/planning-training/adapting-to-sea-level-rise/

Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks and covered bike storage where feasible to help facilitate non-vehicular travel modes.

- Use renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.delaware.gov/climate-coastal-energy/renewable/assistance/).

- Consider planting select areas with native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an

increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Consider planting select areas with meadow comprised of native species. Native plants are well-suited to our climate and require limited maintenance. Mowing in these areas should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.

- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.

- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.
Website: https://dnrec.delaware.gov/climate-coastal-energy/

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Population

- The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block(s) the project is located on has a total population of 202, though, with development, this will undoubtedly change. The 12 adjacent blocks aggregated bring the area to a total population of 1197.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hal, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.



- According to FEMA's National Risk Index, the parcel **is** considered **relatively low** for overall natural hazards risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience is rated as **relatively moderate** whereas its social vulnerability is rated as **very low.**

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **electricity** as the predominant fuel type for heating purposes.

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs or solar panels where applicable and allowable, and the like.

- Lastly, in reference to the county evacuation zones, DEMA encourages this information be made readily available to any and all persons residing there. This can be done simply through pamphlets or a neighborhood sign.

<u>Delaware State Housing Authority - Contact Rachel Alfano 302-739-4263</u>

- DSHA supports this proposal for 480 multi-family residential units as well as commercial space on 40.01 acres located on Route 4 in Sussex County. This proposal is consistent with State Strategy Investment levels 2-5.

- According to DSHA's Housing Reform Map, this project is in an Area of Opportunity where diverse housing types should be supported. This means the area has high-quality schools, supportive infrastructure, and the capacity to support diverse and affordable housing types. This is a high-density project for market-rate units that should continue to support the balance of housing type and affordability.

If you have questions or would like more information on the above recommendations, please feel free to e-mail at Rachel.Alfano@Delaware.gov.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

David L. Edgell, AICP
Director, Office of State Planning Coordination

Attachments:

- Sussex County Community Development & Housing Comments

BRANDY BENNETT NAUMAN
DIRECTOR OF COMMUNITY
DEVELOPMENT & HOUSING
(302) 855-7777 T
(302) 854-5397 F
bnauman@sussexcountyde.gov

Sussex County
DELAWARE
sussexcountyde.gov

January 30, 2025

Mr. Jon Falkowski
Becker Morgan Group, Inc.
309 S. Governors Ave.
Dover, DE 19904

RE: PLUS Review (PLUS 2025-01-06) – Belle Mead

Dear Mr. Falkowski,

Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state, and county sources, as well as private funding sources that also promote affordable housing in Sussex County. **Please visit www.sussexcountyde.gov/housing-trust-fund for information on the County's Housing Trust Fund.**

Further, the County's newly approved Work Force Housing Zoning Ordinance permits up to 12 units per acre, by right, in eligible areas for projects that set aside 25% of the total units for affordable rentals. For more information on eligibility and design criteria, please review the Ordinance at www.sussexcountyde.gov/affordably-priced-rental-units . The application can be found on the Planning & Zoning website at https://sussexcountyde.gov/sites/default/files/forms/SussexCountyRentalProgram_Application.pdf .

Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Thank you,



Brandy B. Nauman
Director

TIDEWATER
UTILITIES, INC.
A Middlesex Water Company Affiliate

March 6, 2025

Becker Morgan Group, Inc.
Attn: Chad Carter
309 South Governors Ave.
Dover, DE 19904

RE: Willing & Able Letter – (Tax Parcel Number: 334-18.00-40.01 & 40.06)

Dear Mr. Friedman:

Tidewater Utilities, Inc. (Tidewater) is willing and able to serve public water, *including fire protection*, to the following parcel(s) identified as Tax Map Parcel Numbers 334-18.00-40.01 & 40.06. This parcel is located within Tidewater's existing water Certificate of Public Convenience and Necessity franchise area.

Please feel free to contact me at 302-747-1304 if you have any questions or concerns regarding this matter. Tidewater looks forward to meeting the water needs of this project.

Sincerely,

Kelly R. Bailey

Kelly Bailey
Manager of Contract Administration

PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIRMAN
BRIAN BUTLER
J. BRUCE MEARS
G. SCOTT COLLINS

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

March 7, 2025

Mr. J. Michael Riemann, P.E.
Principal
Becker Morgan Group, Inc.
309 S. Governors Avenue
Dover, DE 19904

By email to: mriemann@beckermorgan.com

RE: Staff Review of the Preliminary Site Plan for Belmead Farm, LLC (C/Z 2001) for the establishment of 166 apartments to be housed in 45,940 square feet of mixed commercial structures and seven (7), three-story, 24-unit apartment buildings containing 168 apartment units total (for a combined total of 334 multifamily units), a clubhouse amenity, private garages and storage units, five (5) commercial structures containing a total of 26,065 square feet of commercial uses (to potentially include two (2) drive-thru facilities), related parking and associated site improvements to be located on a 39.22 acre parcel of land the east side of John J. Williams Highway (Route 24), approximately 0.31-mile southwest of Mulberry Knoll Road (S.C.R. 284) in Lewes, Delaware
Tax Parcels: 334-18.00-40.01 & 40.06

Dear Mr. Riemann,

Further to your submission of February 25th, 2025, Staff have reviewed the Preliminary Site Plan for Belmead Farm, LLC (C/Z 2001) for the establishment of 166 apartments to be housed within 45,940 square feet of structures of mixed commercial and residential use and seven (7) three-story, 24-unit apartment buildings containing 168 apartment units total (for a combined total of 334 multifamily units), a clubhouse amenity, private garages and storage units, five (5) commercial structures containing a total of 26,065 square feet of commercial uses (to potentially include two (2) drive-thru facilities), related parking and associated site improvements to be located on a 39.22 acre parcel of land. The parcel is zoned Agricultural Residential (AR-1) District, and the related Change of Zone Application is to facilitate a Change of Zone to a Planned Commercial (C-4) District.

The property is lying on the east side of John J. Williams Highway (Route 24), approximately 0.-31 mile southwest of Mulberry Knoll Road (S.C.R. 284) in Lewes, Delaware. The majority of the parcels have a Growth Area Future Land Use Designation of "Commercial Area" with a small portion on the southeastern corner of Parcel 40.01 being located in the "Coastal Area" per Sussex County's 2018 Comprehensive Plan Update. The subject property is located within the Henlopen Transportation Improvement District (TID). However, the Applicant has completed a Traffic Impact Study (TIS) at the request of the Delaware Department of Transportation (DelDOT) as it was noted that the proposed development is not consistent with the Land Use and Transportation Plan (LUTP).

Staff engaged in a series of Pre-Application Meetings with the Applicant. The first meeting took place on Wednesday, June 29th, 2022, where Staff met with the Applicant provided high-level commentary regarding the proposal. The second meeting took place on Thursday, February 13th, 2025, in which Staff reviewed the design of the project and provided more detailed feedback regarding the Site design and the status of required document submittals.

Staff have reviewed the submitted Preliminary Site Plan for compliance with Chapter 115 (the Zoning Ordinance) and the Planned Commercial (C-4) District Site Plan specific criteria outlined in §115-83.25(F)(2)(a-h) and §115-83.25(F)(4)(a-d) and the provisions and goals outlined within Sussex County's 2018 Comprehensive Plan. Staff have the following comments for your consideration with regard to the Revised Preliminary Site Plan:

Overall Site Plan Comments

1. **Staff recommend that the Applicant consider an applying a Master Planning approach when incorporating the various design elements of the Plan to ensure an appropriate juxtaposition and harmony of the various uses proposed. Doing so will ensure that the intent of the C-4 District to *"provide an integrated Master Plan setting for uses in the Planned Commercial Development District"* is fully achieved (§115-83.25(f)(4)).**
    - *BMG Response: The plan presented as part of the rezoning package is a result of applying a master plan approach to design. There was a thoughtful process to include the clients goals within the context of the site, while conforming to the C-4 District objectives. While the final plan does not show all the iterations of master planning, it is the culmination of all that is being presented.*
2. **Staff note that the purpose of the Planned Commercial District is to encourage carefully planned large-scale commercial, retail, and mixed-use developments as a means of creating a superior shopping, working and living environment through unified developments, and to provide for the application of design ingenuity while protecting existing and future developments. Please ensure that these elements are fully demonstrated and addressed in the Plans and any supporting statements (§115-83.24).**
    - *BMG Response: We believe that the plan presented as part of the rezoning package creates harmony between commercial, mixed use, and residential uses throughout the site, without detrimental harm to surrounding development, both existing and future.*
3. Please show the location and design details of all refuse areas on the Plans (ie: dumpster facilities) and include the nature of any proposed screening to be provided.
    - *BMG Response: Locations of refuse areas are shown on the plans. Final details of the screening structures will be provided at final site plan.*
4. Staff note that for a proposal of 308 individual parking spaces (301 to 400 parking spaces total) for the multifamily units that 8 ADA Accessible Spaces are required. It appears that 7 spaces have been provided. Please include one (1) further ADA Accessible Space in order to comply with the 2012 International Building Code Requirements (2012 International Building Code, 11-14 - Table 1106.1 "Accessible Parking Spaces").
    - *BMG Response: It is our intent to adhere to all ADA requirements. We will*

include an additional ADA space to comply with this requirement.

5. Staff do note that a small portion of the subject property on the southwest side contains a Future Land Use Map designation of "Coastal Area." Therefore, Staff ask that the Applicant please ensure that design consideration is given by the Applicant toward the establishment of a greenways which utilizes schools, parks, wildlife habitat areas, river and stream corridors, wetlands, floodplains, historic sites, business parks, urban sidewalks, abandoned rail lines, roads, beach areas and vacant land. Greenways should provide benefits like safe pedestrian, bicycling and equestrian routes for recreationists and commuters; and natural wildlife corridors and biological reserves (§115-194.3(E)).
    - *BMG Response: Development has been limited to those areas outside of the Coastal Area, and the existing greenway will be maintained to the highest extent practicable.*

6. Staff request that the nature, character and location of all transit facilities be shown on the Plans. Please note that the location of any transit facilities will have to be coordinated with the Delaware Transit Corporation (DTC), a Division of the Delaware Department of Transportation (DelDOT) in accordance with their siting requirements.

    - *BMG Response: We will coordinate our plans with DTC and show all proposed transit facilities prior to final site plan.*

<u>Staff Review Comments Regarding Application of Sussex County Comprehensive Plan Elements</u>

1. **Please ensure that any open space or public spaces provided serve a valuable public purpose and is inter-connected. Wherever feasible, open space should be provided in locations that can connect to existing public or semi-public open spaces or preserve land along a waterway (Sussex County Comprehensive Plan, 12-10).**
    - *BMG Response: The intent of the proposed master plan is to provide public, and semi-public open space to the greatest extent practical while meeting the goals and objectives of the client's development goals, as well as the C-4 Planned Commercial District. Open spaces provide the users with valuable spaces to utilize, for both active and passive recreation and congregation.*
2. **Please ensure that the new development complements the character of the existing surrounding communities by providing an appropriate distribution and intensity of uses to include buffers and downlighting where appropriate (Sussex County Comprehensive Plan, 4-9).**
    - *BMG Response: The proposed development has been thoughtfully planned to compliment the surrounding area and provide a distribution of development intensity across the site.*
3. Staff request that the character of all proposed lighting be shown on the Plans. The Comprehensive Plan states, "screening of outdoor lights on residential and commercial properties should be provided whenever feasible to prevent intrusions into adjoining residential areas" (Sussex County Comprehensive Plan, 12-4).
    - *BMG Response: Character and proposed lighting has not been determined at the time of master plan. It would be the intent to provide adequate and attractive lighting to the site, while adhering to all screening and light pollution standards to prevent any light intrusion on to neighboring properties.*

4. Please consider placement of parking to the rear or side of buildings, where practicable, so that the front yard can be landscaped. Doing so provides for a less intense and more aesthetically pleasing corridor sightline (Sussex County Comprehensive Plan 12-4).
    - *BMG Response: Placement of parking has been thoughtfully designed in a way to not create large expanses of parking which would be visible from the public right-of-way. Residential parking for the mixed-use buildings have been located to the rear of the buildings, to enhance the pedestrian experience of the retail and commercial areas.*
5. Street trees and shade trees within existing parking lots are encouraged to lessen the intensity of large parking areas (Sussex County Comprehensive Plan, 12-12). Staff recommend a robust street tree design along the primary lateral corridors of internal vehicle and pedestrian circulation in order to enhance the pedestrian design on the site.
    - *BMG Response: The landscape plan that has been provided is general in nature as required per the C-4 rezoning requirements. A thorough landscape plan will be developed as the plans progress to include an attractive site, with seasonal interest, which will enhance the user experience. Landscaping will be focused on native species, and appropriate for the coastal area.*
6. Staff recommend sidewalks wider than 5 feet along the major pedestrian corridors throughout the site to more fully meet the intent of (Sussex County Comprehensive Plan, 12-7).
    - *BMG Response: Understood.*

<u>Planned Commercial District (C-4) - Site Plan Review Requirements</u>

1. **Staff request that a tabular summary of the percentage of the Site devoted to buildings, open space, streets and parking areas and total floor area of all residential and non-residential structures (§115-83.25(F)(2)(c)).**
    - *BMG Response: Site Data table has been updated reflect areas noted above.*
2. **Please provide Architectural Sketches or typical proposed structures and typical landscaping and screening areas (§115-83.25(F)(2)(e)).**
    - *BMG Response: Architectural renderings and elevations have been provided as part of the rezoning booklet provided to staff for distribution.*
3. Staff request that the required setback lines (BRLs) be clearly delineated on the Plans to ensure compliance with minimum District requirements and that measurements be provided of the various development structures to the property lines (§115-83.25(F)(2)(a)).
    - *BMG Response: Building restriction lines have been added to the Plans.*
4. Staff request that further details be provided on the Landscape Plan and that the Landscape Plan show the proposed height and type of trees to be provided within the development project. For example, please clarify that the "interior parking lot canopy trees" to be included are deciduous trees (§115-83.25(F)(2)(b)).
    - *BMG Response: The landscape plan that has been provided is general in nature as required per the C-4 rezoning requirements. A detailed landscape plan will be developed as the plans progress to include an attractive site, with seasonal interest, which will enhance the user experience. Landscaping will be focused on native species, and appropriate for the coastal area.*
5. Staff note that a Plan showing proposed generalized parking arrangements has been included in the Applicant's submittal (§115-83.25(F)(2)(d)). Staff request the Plan include a breakdown of the number of bedrooms in the proposed multifamily units in both the apartment and

mixed-use buildings to ensure a design compliant with the parking provisioning requirements in (§115-162(B)(1)). Please note any parking reductions based on (§115-162(B)(2)) will require the Plan to show that "the land area saved shall be used only for open space, landscaping or pedestrian walkways."

- *BMG Response: The breakdown of bedrooms proposed in the multifamily and mixed use buildings has been provided in the Site Data column.*

6. **Staff reviewed the Plan in terms of the requirements of (§115-83.25(F)(2)) which requires the Plan display the requirements of (§115-220 – *Preliminary Site Plan Requirements*) and have the following comments:**
   - Please include Zoning District boundaries (§115-220(B)(2)).
     - Please include the location and nature of all proposed construction, excavation or grading, including but not limited to buildings, streets and utilities (§115-220(B)(5)). *BMG Response: The subject parcel is zoned AR-1 and all adjacent parcels are also zoned AR-1, therefore district boundaries are not within the view of the plan. In addition, the plans show locations of construction items such as buildings and streets. The proposed utility networks will be designed in accordance with all applicable agency requirements, including but not limited to Tidewater Utilities, Sussex County Engineering, DHSS Office of Drinking Water, DNREC Division of Water and the DE State Fire Marshal. Detailed designs of these networks will be provided after further coordination with each office has occurred. Please refer to the Public Facilities Evaluation Report for additional information related to utility availability and design.*
   - Please include the Net Development Area (§115-220(B)(6)).
     - Please include approximate location and size of nonresidential areas, if any (parking areas, loading areas or other) (§115-220(B)(9)).

       BMG Response: The net development area has been provided.
   - Please include approximate location and size of recreational areas, if any (§115-220(B)(10)).
     - Please include the number of construction phases proposed, if any, with the plot showing the approximate boundaries of each phase and the proposed completion date of each phase (§115-220(B)(12)).

       BMG Response: The project will be constructed in three (3) phases. Phase 1 – Multifamily; Phase 2 -Mixed Use; Phase 3 – Commercial. The proposed completion date of each phase is unknown at this time. A phase plan has been included with this submission to depict the approximate location and size of each phase, as indicated above.
     - Please show location of all wetlands (both state and federal) shall be indicated, in order to facilitate compliance with state and federal wetlands requirements (§115-220(B)(13)).

       BMG Response: The existing wetlands are shown on the Site Plan and a copy of the Wetlands Delineation Report was included within the Drainage Assessment Report (DAR). Federally jurisdictional palustrine forested wetlands are located in the southern corner of the subject property. These are likely also regulated as Section 404 wetlands by DNREC Subaqueous Lands. The wetlands and associated buffers will not be impacted by these development plans. In fact, a 100 ft buffer is provided, rather than the minimum 30 ft buffer. Please refer to the DAR for a detailed report of wetland findings.

- Please include the designation of all areas proposed as open space on the Plan (§115- 220(B)(15)).
  BMG Response: Open space label designations have been added to the Plans.
- Please provide interconnectivity (Stub/Easement) to all parcels adjacent to Parcels 40.01 & 40.06 on the Plan (§115-220(B)(16)).
  BMG Response: The plans currently show an interconnectivity stub to the western adjacent parcel 39.00, along the east/west access road. The project considered connectivity to the east, but the connection would stub to an existing running track at the Beacon Middle School. Should the School District desire an interconnection, we can revisit the feasibility of that connection. At this time, the interconnection would not provide benefit to either parcel. Any subject interconnection would be subject to a cross access easement and agreement with the adjacent parcel owners.
- Please provide all items listed in (§115-220(B)(17)(a-h)) related to wetland resources on the site on the Plan:
  BMG Response: The existing wetlands on-site are non-tidal wetlands requiring a 30 ft. resource buffer. We have voluntarily provided a 100 ft. buffer, as the resources are located in the forested areas to remain undisturbed. An access easement is not proposed as the buffer is not a constructed buffer enhancement, requiring regular maintenance.
- Boundary and wetland type
  BMG Response: Wetland type has been added to the plans.
- All existing forest by type as indicated in (§115-220(B)(17)(b)).
  BMG Response: Forest type has been added to the plans.
- Proposed access easement layout (§115-220B(17)(f)).
  BMG Response: Proposed access easement provisions are subject to coordination with each subject adjacent parcel. Should the adjacent parcel owners be willing to enter
- A reference by title, author and date, to the DAR (§115-220(B)(17)(g)).
  BMG Response: A DAR reference was added to the Site Data Table.
- Any walking trails, including the method of construction and the materials used to establish the trails (§115-220B(17)(h)).
  BMG Response: No walking trails are proposed to be constructed with resource buffer areas. Concrete sidewalks are proposed to be constructed throughout the facility as shown on the plans.

7. Please include all proposed setbacks for both Parcels on the Plan (§115-83.25F(2)(a)).
   BMG Response: Proposed setbacks have been added to the plans however please note that it is intended to consolidate the parcels in the future.
8. Please include the required Tabular Summary (§115-83.25F(2)(c)).
   BMG Response: The Site Data table was updated to include tabular summaries of all appropriate areas.
9. Please include architectural sketches of typical proposed structures and typical landscaping and screening areas (§115-83.25(F)(2)(e)). Staff request that the architectural plans clearly show the active frontages and orientation of the buildings and how these buildings relate to public realm.
   BMG Response: A supplemental booklet was provided on March 7th, 2025 which included renderings and architectural elevations of the proposed buildings.

10. Please include plan or report indicating the extent, timing and estimate costs of all off-site improvements such as roads, sewer and drainage facilities necessary to the construction of the planned development. Such plan or report shall relate to the sequence of development (§115-83.25F(2)(f)).
    BMG Response: An Offsite Improvements – Opinion of cost was provided within the Environmental Assessment & Public Facilities Evaluation Report (EAPFR). See pg 140 (last page) of the document.
11. Please provide a Report or Plan showing the adequacy of public facilities and services such as water, sewer drainage, streets and roads to serve the proposed development (§115-83.25F(2)(g)).
    BMG Response: An Environmental Assessment & Public Facilities Evaluation Report (EAPFR) was provided with the application package. Section 2.0 of the report discusses public facilities and services.
12. Please include a general plan for sedimentation and erosion control and stormwater management (§115-83.25F(2)(h)).
    BMG Response: The Site Plan includes provisions for sedimentation, E&S control and stormwater management. Please note the locations of silt fence and a stabilized construction entrance, as well as stormwater management areas that will be utilized as temporary sediment traps during construction. In addition, all stormwater management practices and erosion and sediment control devices will be in accordance with DNREC 5101 Sediment and Stormwater Regulations.
13. Staff request the Applicant consider more landscape buffering between the exclusively residential use (Apartments) and the mixed-use structures as well as around the proposed Clubhouse (§115-83.25F(4)(c)).
    BMG Response: Additional landscaping has been considered and shown on the Site Plan rendering graphic that was provided within the supplemental booklet provided on March 7, 2025. A dense evergreen buffer will be provided and details will be further developed as the plan progresses into final site plan stage.

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

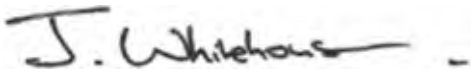
- **Delaware Department of Transportation (DelDOT)**
- **Sussex Conservation District**
- **Office of the State Fire Marshal**

BMG Response: Noted. Agency approvals will be provided upon receipt.

Once all of the above matters have been addressed, please provide **one (1) full-size copy and one (1) electronic copy of a Revised Preliminary Site Plan**. This Application has been scheduled for a Public Hearing on **Wednesday, March 19th, 2025**. Therefore, please submit all required materials no later than the close of business on **Tuesday, March 11th, 2025.**

Please feel free to contact the Department with any questions during business hours, 8:30 A.M. – 4:30 P.M., Monday through Friday at 302-855-7878.

Sincerely,



Mr. Jamie Whitehouse, AICP MRTPI
Director, Department of Planning and Zoning

CC: Mr. Jonathan S. Falkowski, P.E., Associate Principal – Becker Morgan Group, Inc.
Mr. Chad D. Carter, P.E., Senior Associate – Becker Morgan Group, Inc.
Change of Zone No. 2001 Belmead Farm, LLC file

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENTS' SUCCESS

March 11, 2025

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
2 The Circle, P.O. Box 589
Georgetown, Delaware 19947

RE: **Zoning Map Amendment Application (Supplemental Information)**
BELLE MEAD FARM
Sussex County, DE
BMG Project No.: 2022079.00
C/Z: 2001

Dear Jamie:

On behalf of our client, Belmead Farm, LLC, Becker Morgan Group, Inc. is hereby submitting a point by point response to the staff comments received on 3/07/202.

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

Sincerely,

BECKER MORGAN GROUP, INC.

Jon S. Falkowski, P.E.
Associate Principal

Cc: Mike Riemann – Becker Morgan Group, Inc. (mriemann@beckermorgan.com)
Chad Carter – Becker Morgan Group, Inc. (ccarter@beckermorgan.com)

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SALISBURY, MARYLAND 21801
410.546.9100

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

1942 EAST 7TH STREET, SUITE 240
CHARLOTTE, NORTH CAROLINA 28204
980.270.9100

314 EAST MAIN STREET
CLAYTON, NORTH CAROLINA 27520
919.243.1332

www.beckermorgan.com



BELLE MEAD

C/Z 2001

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C-4 PLANNED COMMERCIAL DISTRICT

Purpose:

To encourage carefully planned large-scale commercial, retail, and mixed-use developments as a means of creating a superior shopping, working and living environment through unified developments, and to provide for the application of design ingenuity while protecting existing and future developments and achieving the goals of the Comprehensive Plan.

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COUNTY CRITERIA

Minimum District Requirements for C-4 Zoning

A.	The land area shall have access to an existing or planned arterial or collector road.	✓ This site has immediate access to SR 24, which is an Other Principal Arterial.
B.	The land area shall be served by adequate existing or planned infrastructure.	✓ This site will easily be served by nearby infrastructure, both onsite and offsite, as implemented in the master plan and by DelDOT's recent transportation improvements.
C.	The land areas may contain a single parcel or multiple parcels. The minimum district area is three acres.	✓ This site contains two parcels and contains more than three acres.
D.	The land need not be under single ownership, provided that proper assurances are given, through the procedures contained in this section or elsewhere in these regulations, that the project can be successfully completed and maintained.	✓ The land is under single ownership.
E.	The district may have a maximum of 40% of its developable area consist of duplexes, townhouses or multifamily dwellings.	✓ This project provides roughly 35% of its developable land consisting of multifamily dwellings.
F.	Site plan review requirements.	✓ All site plan requirements are being followed and will continue to be met.

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VICINITY MAP



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AERIAL



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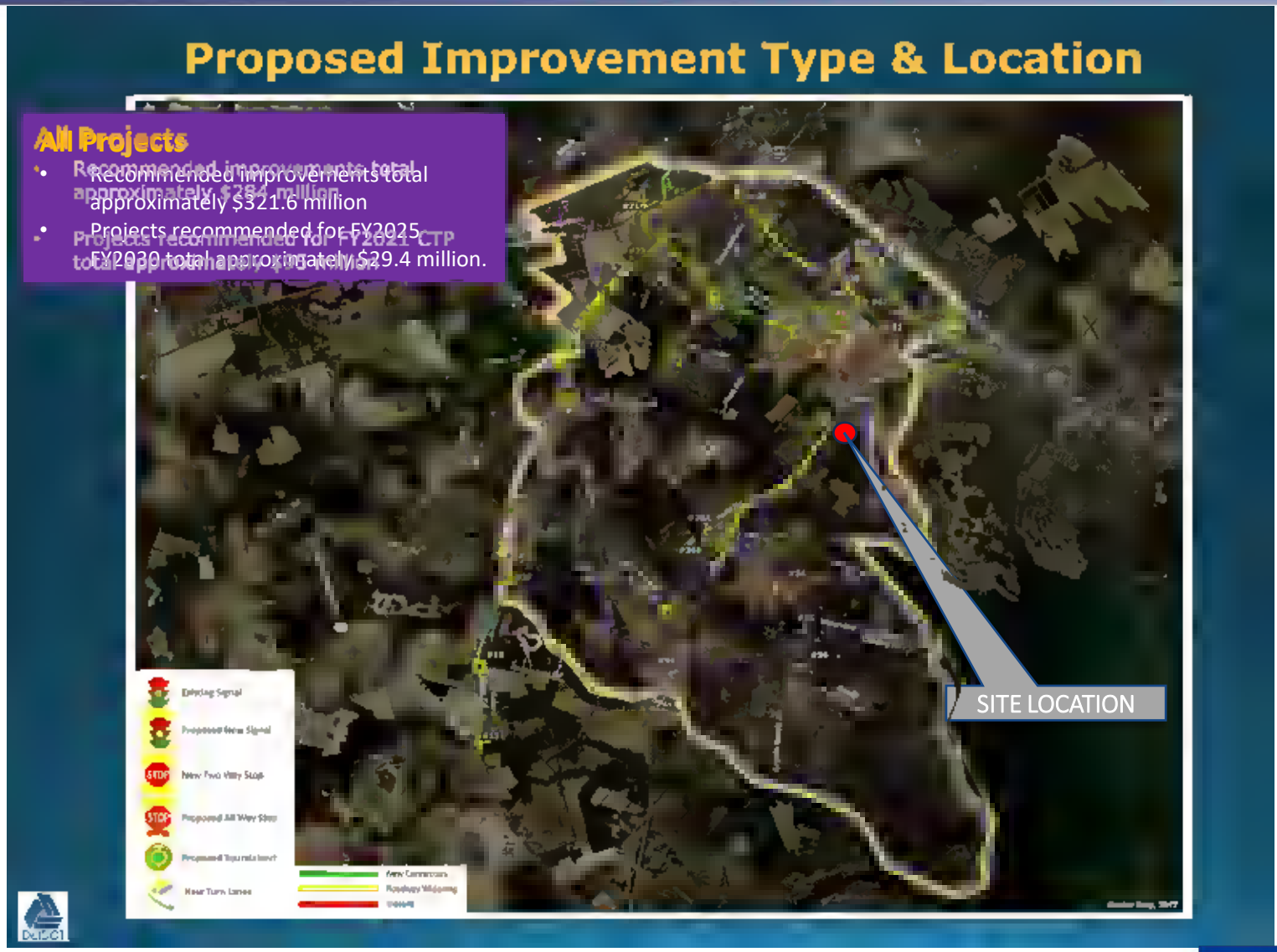
Proposed Improvement Type & Location



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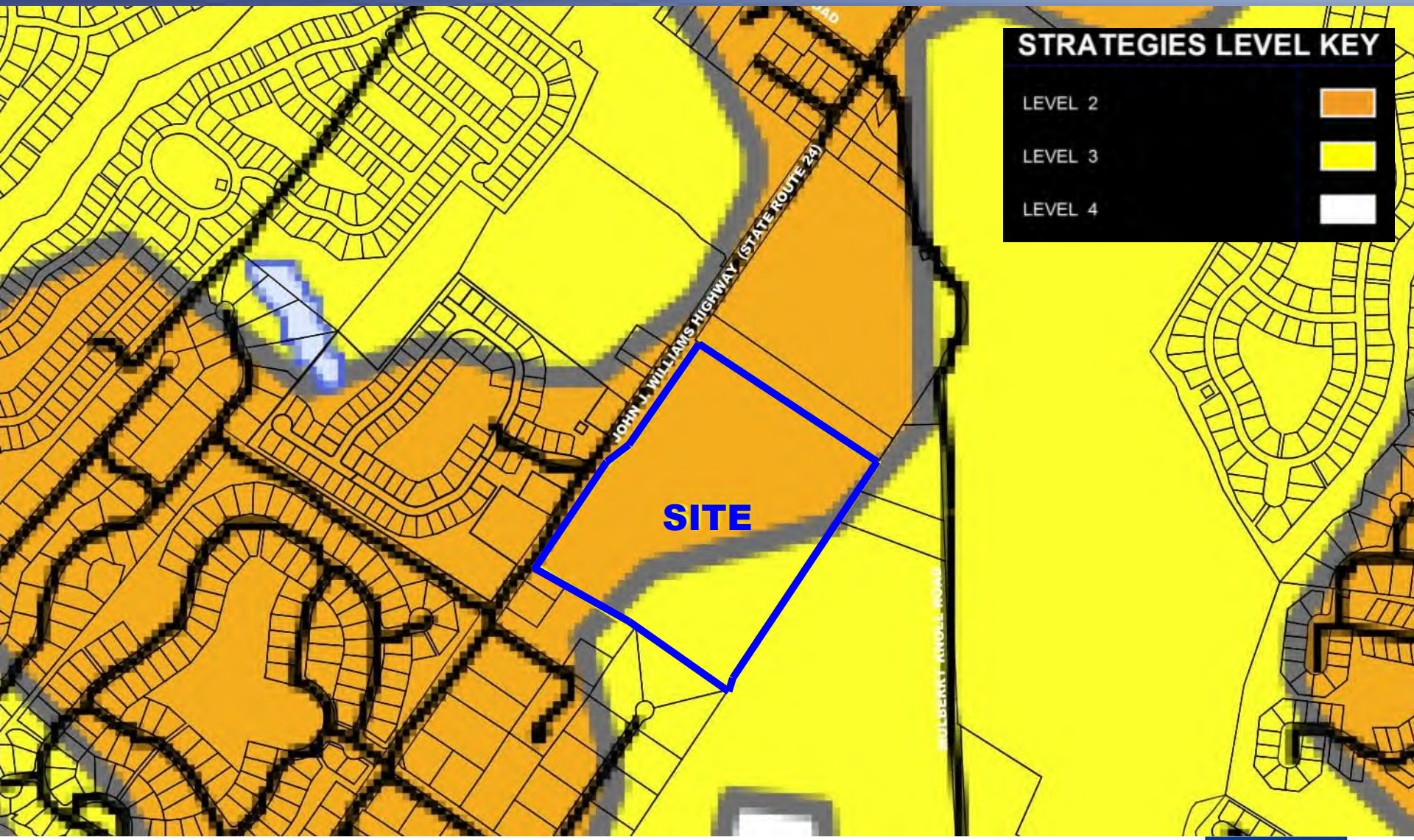
STATE STRATEGIES & SPENDING



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EXISTING LAND USE



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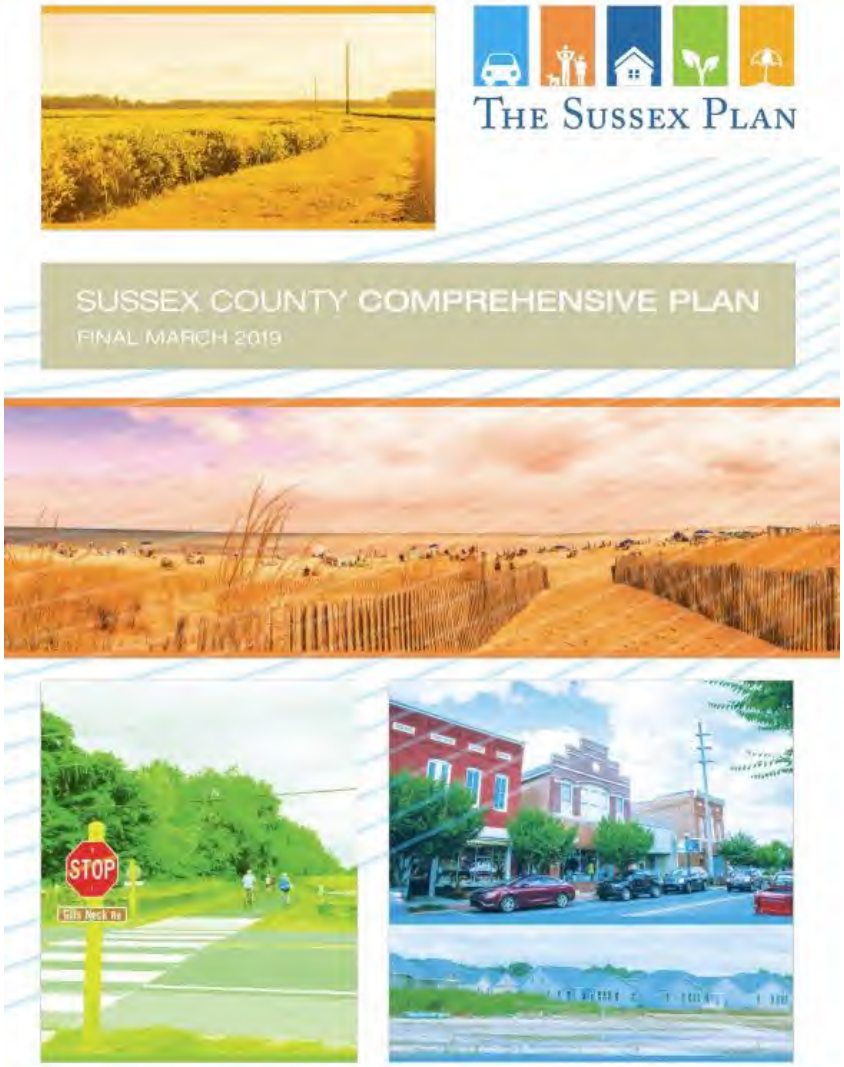
2018 SUSSEX COUNTY COMP PLAN



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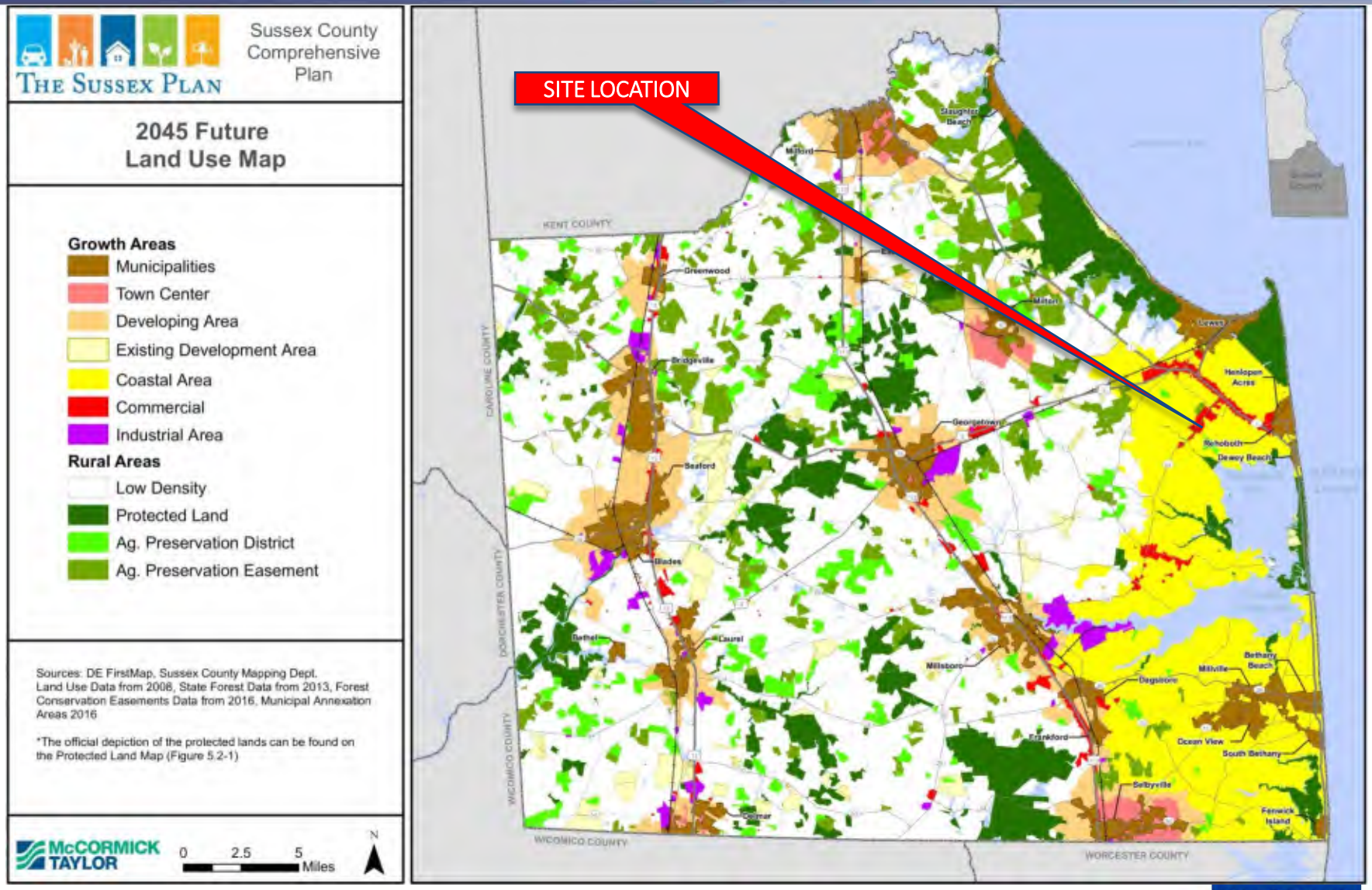
FUTURE LAND USE



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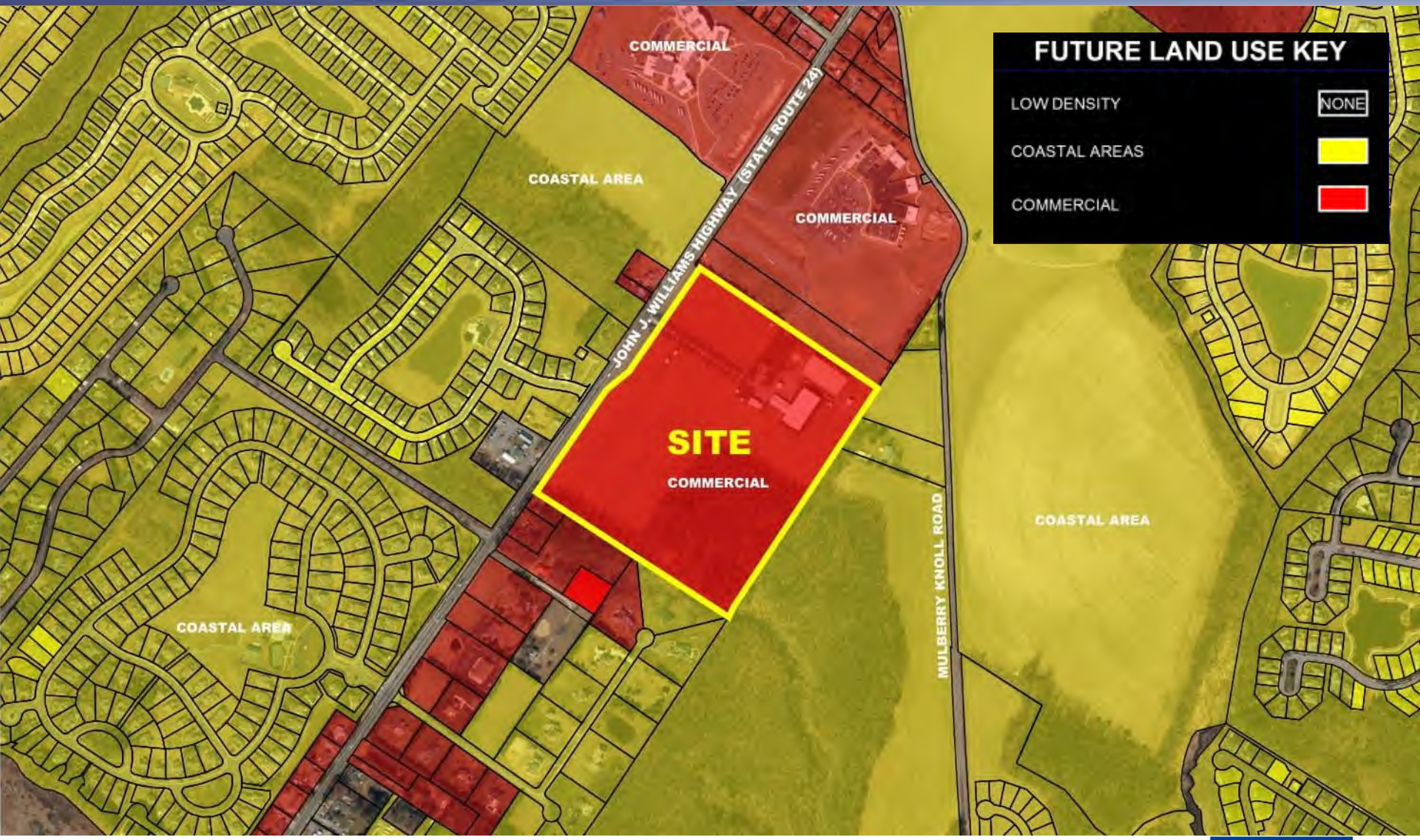
FUTURE LAND USE



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FUTURE LAND USE

According to the Approved Version of the 2018 Sussex County Comprehensive Plan:

The following guidelines should apply to future growth in Commercial Areas:

Commercial Areas include concentrations of retail and service uses that are mainly located along arterials, and highways. ….Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic. ….**Mixed-use buildings may also be appropriate for these areas.**

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2045 FUTURE LAND USE

The following zoning districts shall be allowed within Commercial Areas:

Table 4.5-2 Zoning Districts Applicable to Future Land Use Categories

FUTURE LAND USE PLAN CATEGORY	APPLICABLE ZONING DISTRICT
Commercial Area	Agricultural Residential District (AR-1) Business Community District (B-2) Business Research (B-3) Medium Commercial District (C-2) Heavy Commercial District (C-3) Planned Commercial District (C-4) Service/Limited Manufacturing District (C-5) Institutional District (I-1) Marine District (M) New Zoning Districts

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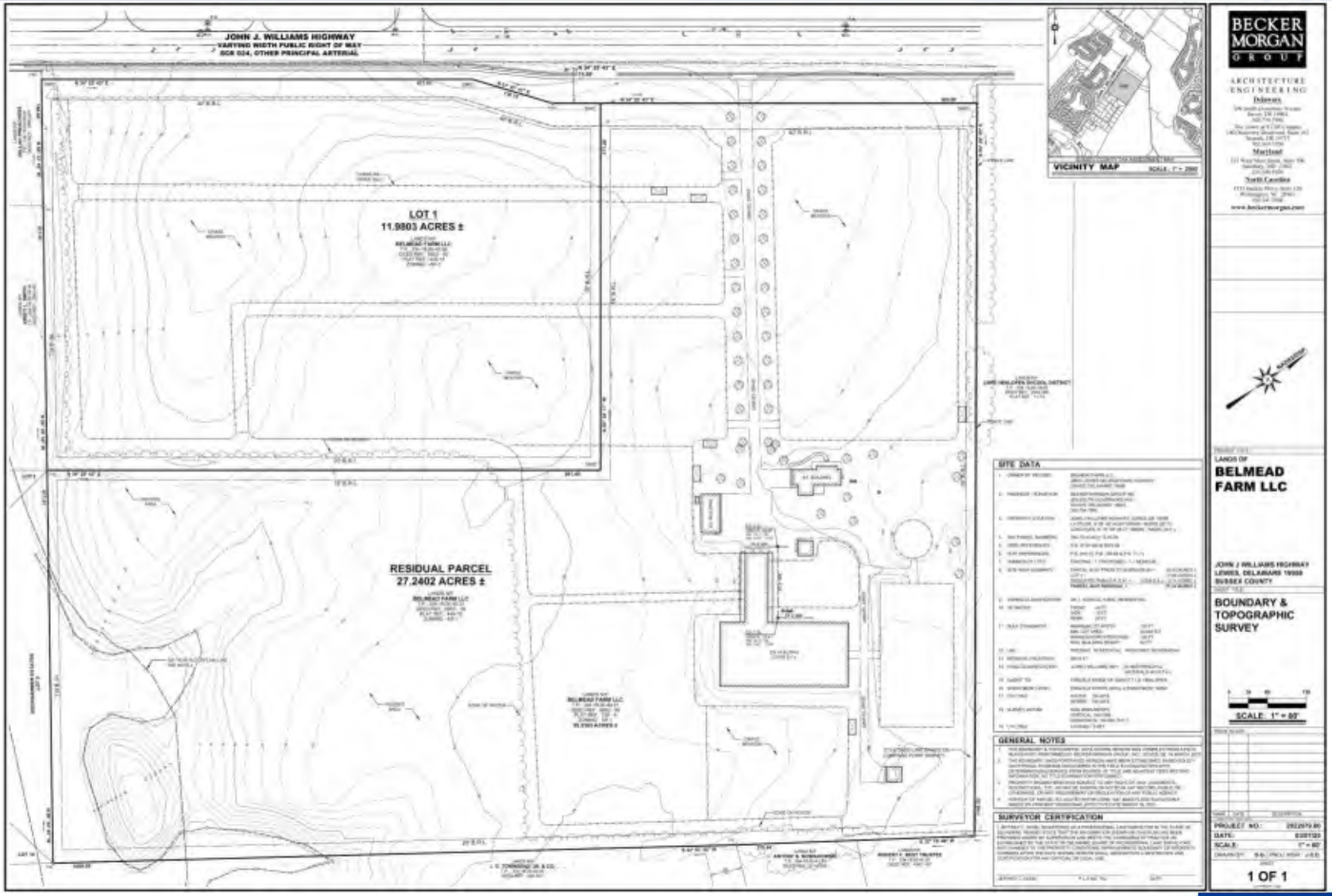
SITE SURVEY PLAN



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UTILITY AVAILABILITY



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MASTER PLAN



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MASTER PLAN



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MASTER PLAN



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MASTER PLAN



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Proposed Improvement Type & Location

All Projects

- Recommended improvements total approximately $321.6 million
- Projects recommended for FY2025-FY2030 total approximately $29.4 million.



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TRAFFIC IMPACT STUDY COMPLETED

A Traffic Impact Study (TIS) was completed in 2024. The TIS studied the impacts of future traffic anticipated during the Weekday AM and PM peak hours as well as the Summer Saturday peak hour conditions. A total of 16 intersections were studied.

Subsequent improvements were then suggested for the surrounding intersections to supplement the Henlopen TID.

The following intersection were studied:

1. Delaware Route 24 / Lexington Avenue / Site Entrance
2. Delaware Route 24 / Love Creek Elementary School / Beacon Middle School
3. Delaware Route 24 / Mulberry Knoll Road (Sussex Road 284)
4. Delaware Route 24 / Plantation Road / Warrington Road (Sussex Road 275)
5. Delaware Route 25 / Lexus Way (Beebe Medical Center campus) / Colonial Oaks (Residence Inn) (backfill)
6. Delaware Route 24 / Bryn Mawr Drive (backfill)
7. Delaware Route 24 / Rehoboth Mall Service Road / Hudson Way (backfill)
8. Delaware Route 1 / Delaware Route 24
9. Warrington Road / Old Landing Road (Sussex Road 274)
10. Mulberry Knoll Road / Cedar Grove Road (Sussex Road 283)
11. Cedar Grove Road / Plantation Road
12. Delaware Route 24 / Spencer Lane / Williams Way (backfill)
13. Delaware Route 24 / Camp Arrowhead Road (Sussex Road 279)
14. Delaware Route 24 / Harts Road (Sussex Road 277C)
15. Robinsonville Road (Sussex Road 277) / Harts Road
16. Delaware Route 24 / Jolyns Way (Sussex Road 289)

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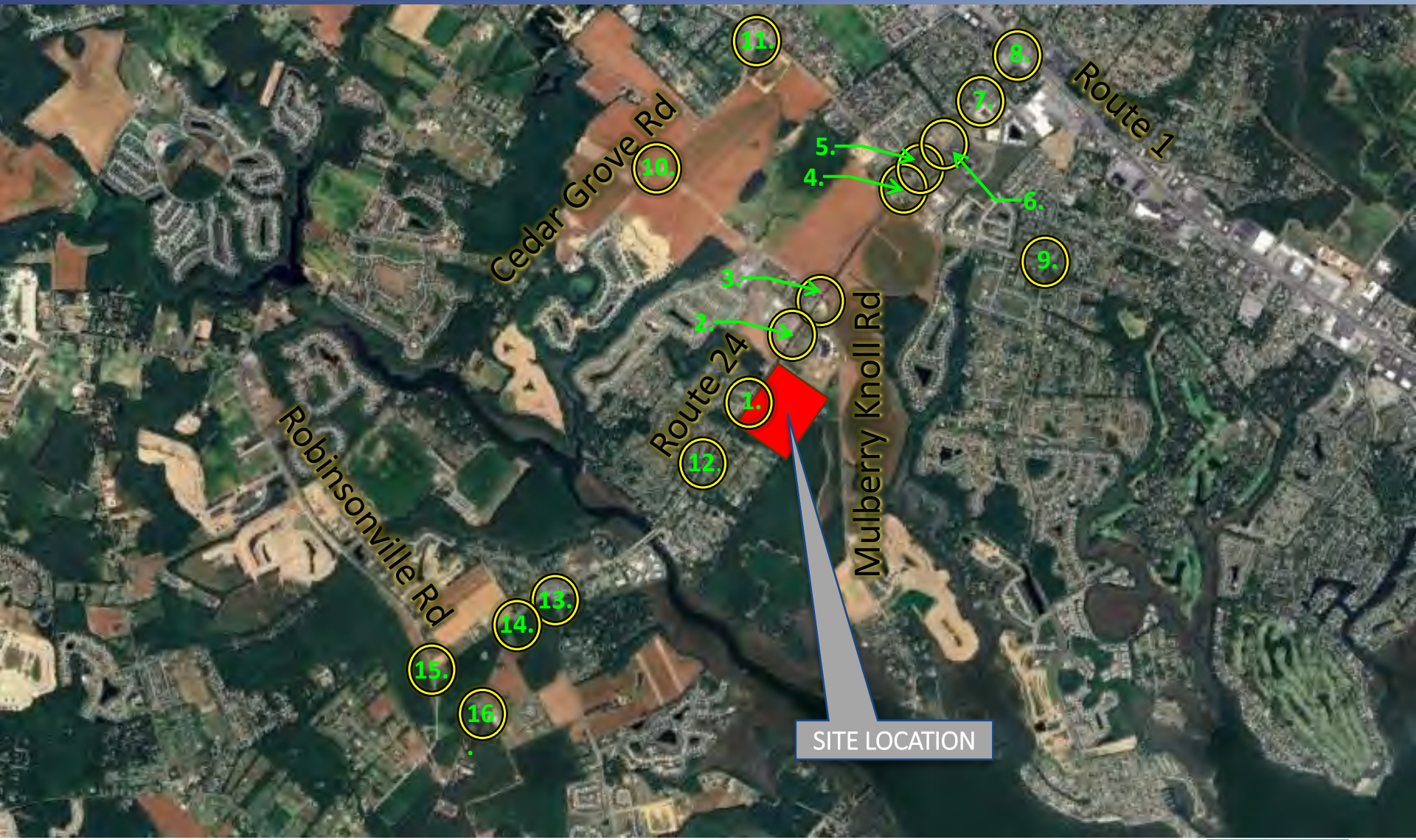
TIS INTERSECTIONS STUDIED



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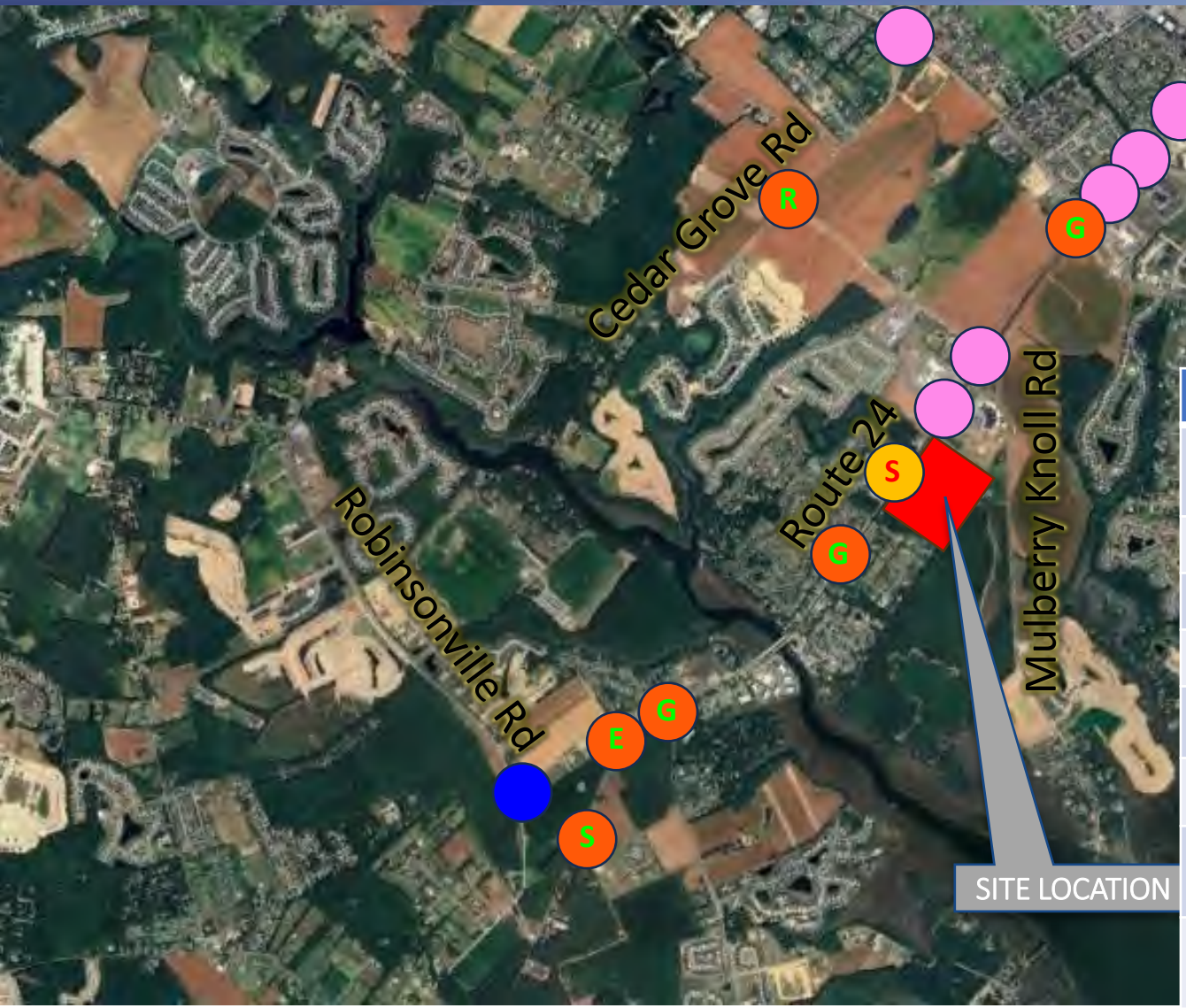
TIS INTERSECTION IMPROVEMENTS



SCOPE OF IMPROVEMENTS	
G	Geometric Improvement
S	Traffic Signal
R	Roundabout
E	Elimination
	Completed improvements
	No improvements
	Proposed signalized site entrance
	TID contribution to planned project

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TRAFFIC IMPROVEMENT RESPONSIBILITES

Monetary contributions will be required to be paid by the developer to the Henlopen TID to aid in DelDOT Projects.

A signalized intersection will also be required at the intersection of the proposed site entrance / Route 24 / Lexington Avenue.

Contribution Rates for 2025

Valid through January 30, 2026

Henlopen TID 2025 Fee Schedule	
Residential Rates	
Single family detached residential	$5,716 per unit by phase
	$6,002 per unit by lot
Multi-family residential, low-rise, 1-2 floors	$4,459 per unit by phase
	$4,682 per unit by lot
Multi-family residential, mid-rise, 3 or more floors	$3,314 per unit by phase
	$3,480 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	$3.34 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	$3.92 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	$4.51 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	$5.09 per sq ft
200 or more trips per 1,000 SF GFA	$5.68 per sq ft
Notes: Low-rise Multi-family rate is 78% of single-family detached rate. Mid-rise Multi-family rate is 58% of single-family detached rate. Townhomes are considered low-rise multi-family. All non-residential rates are based on the number of trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 10th Edition.	

TIS ESTIMATED FEE: $2,704,070.00

FIREMEN'S ENHANCEMENT FUNDING PROGRAM – BUILDING PERMIT SURCHARGE OF 0.25% OF CONSTRUCTION VALUES.

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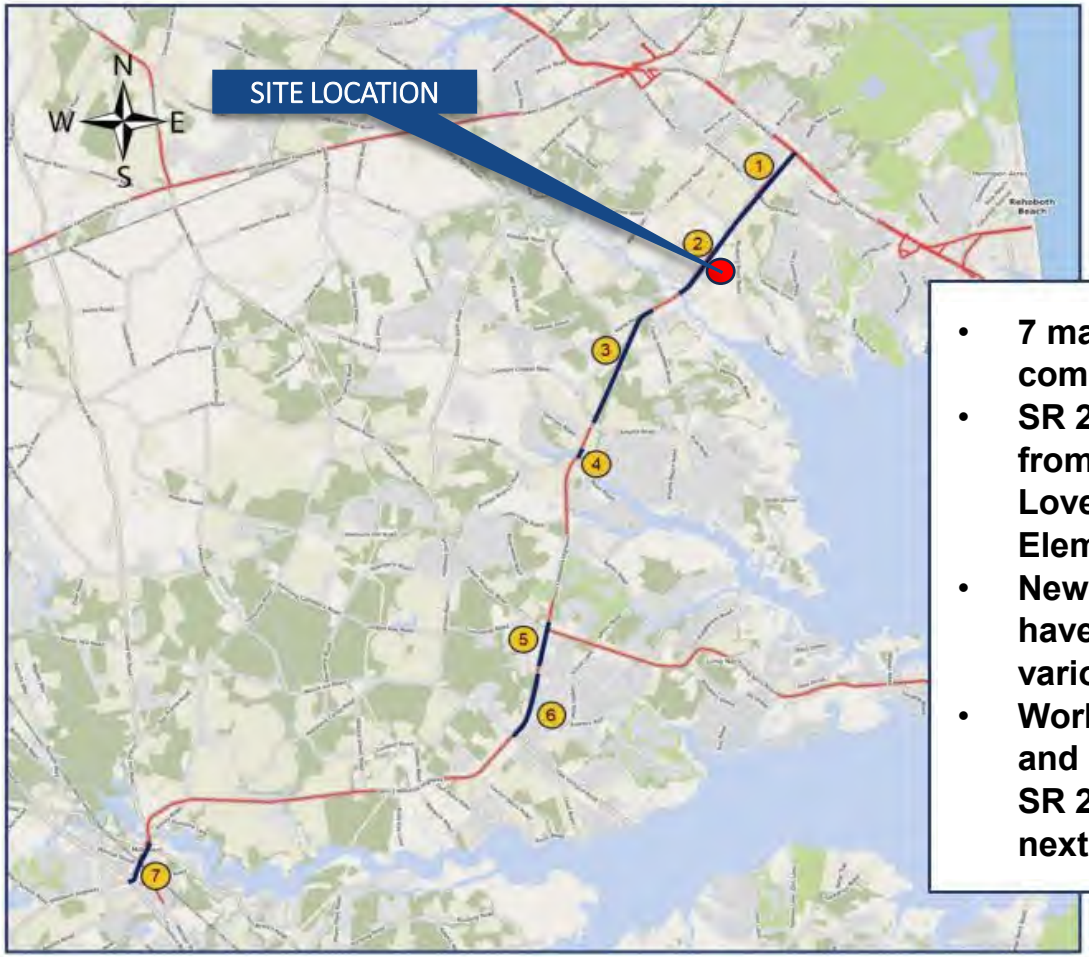
DELDOT IMPROVEMENTS ALONG SR 24

SR 24 Capital Project Coordination



- 7 major projects completed since 2021.
- SR 24 was widened from 1500 ft west of Love Creek Elementary to SR 1.
- New traffic signals have been installed in various locations
- Work is continuing and proposed along SR 24 going into the next 5 years.

DelDOT

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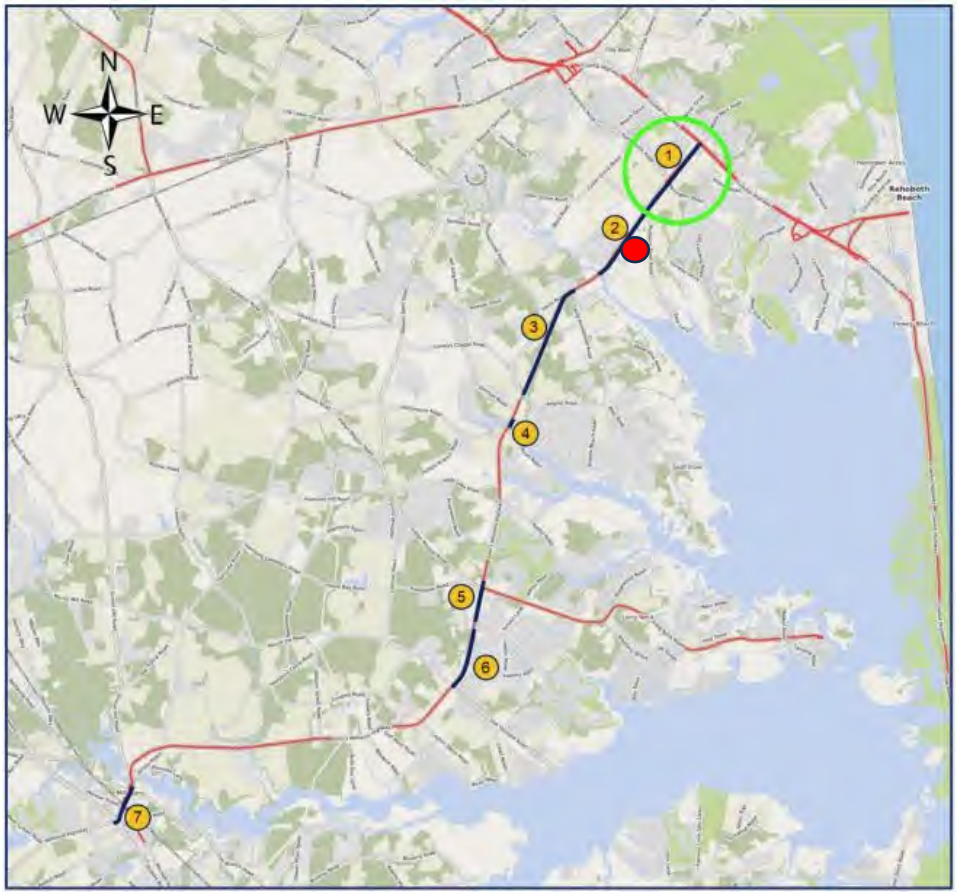
DELDOT ROAD IMPROVEMENTS

SR 24, MULBERRY KNOLL TO SR 1

(Contract No. T200411209)

- Safety and operational improvements are currently being constructed throughout the limits of the project
  - Two through lanes in each direction
  - Center left-turn lane – Right-turn lanes at intersections
  - Side-street upgrades at key intersection

- Multi-modal improvements will be made throughout the project limits as well as traffic signal upgrades



COMPLETED

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COMPLETED CONSTRUCTION

IMAGERY DATE 2/11/2025



BECKER MORGAN GROUP

COMPLETED CONSTRUCTION

IMAGERY DATE 2/11/2025



BECKER MORGAN GROUP

COMPLETED CONSTRUCTION

IMAGERY DATE 2/11/2025



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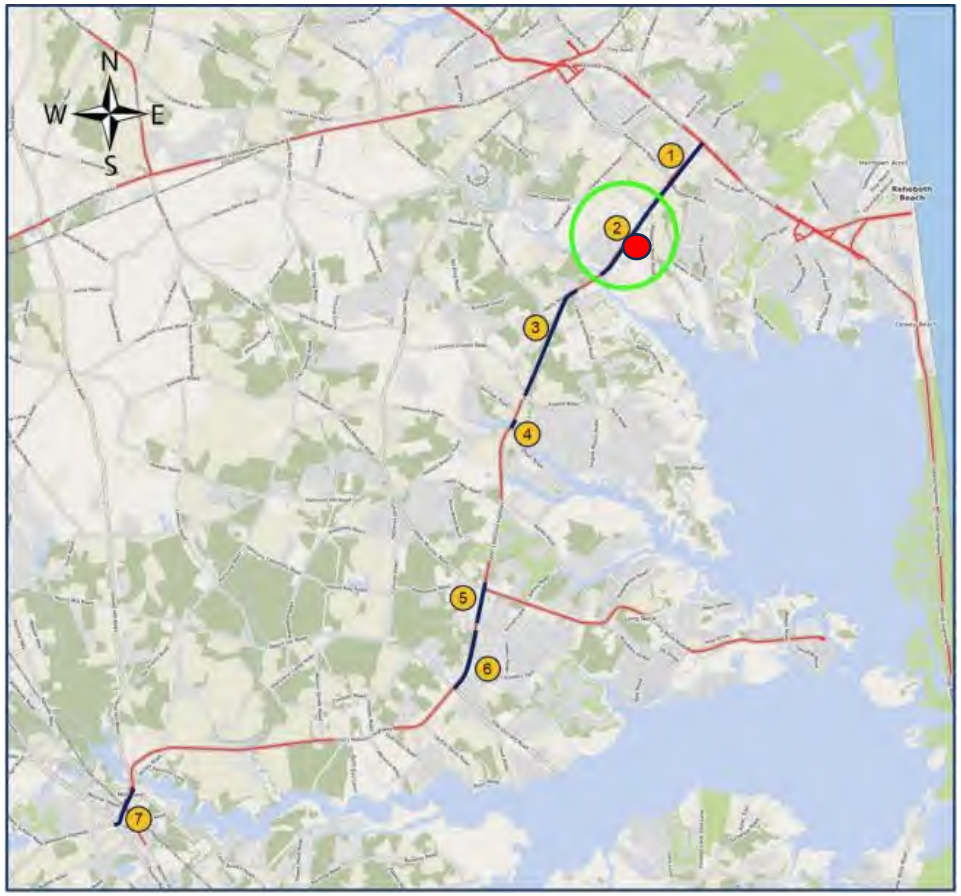
DELDOT IMPROVEMENTS ALONG SR 24

SR 24, LOVE CREEK TO MULBERRY KNOLL

(Contract No. T201212201)

- SR 24 will be widened to include two lanes in each direction from 1500’ west of Love Creek Elementary to connect with ongoing improvements east of Mulberry Knoll
- New signal installed at SR 24 and Mulberry Knoll Road
- New bus stops, bike lanes, sidewalks, and pedestrian crossings at both the Love Creek Elementary and Mulberry Knoll intersections

COMPLETED



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COMPLETED CONSTRUCTION

IMAGERY DATE 2/11/2025



BECKER MORGAN GROUP

COMPLETED CONSTRUCTION

IMAGERY DATE 2/11/2025



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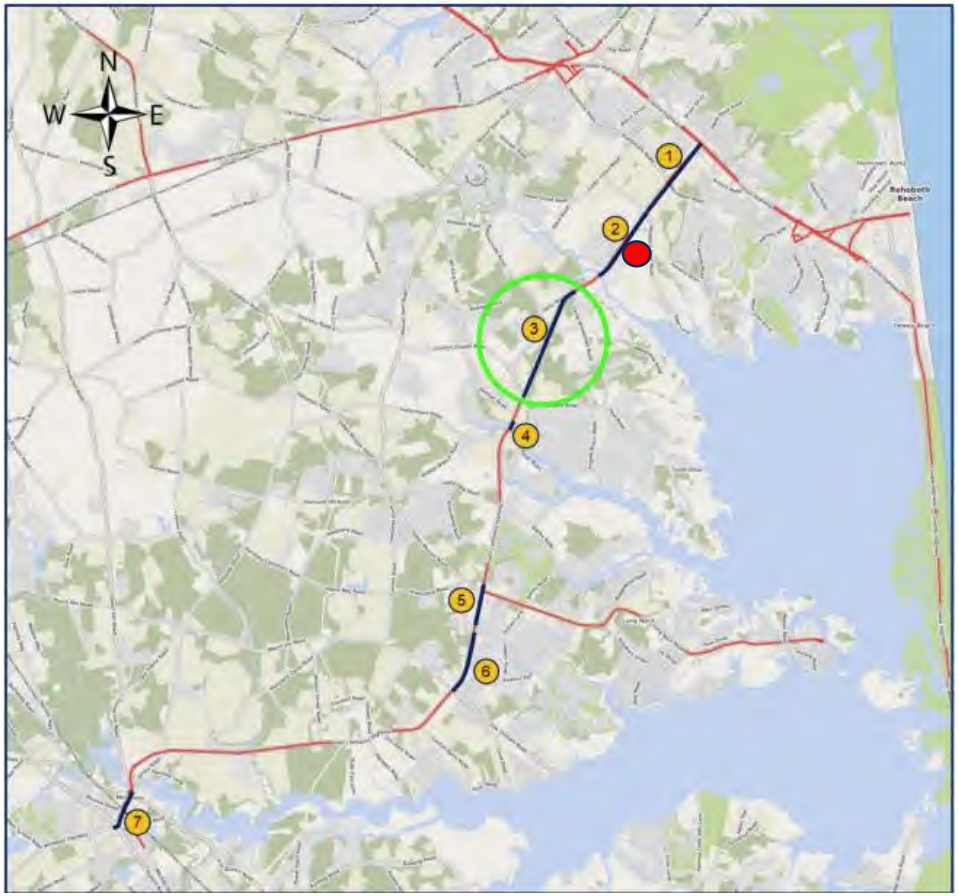
DELDOT IMPROVEMENTS ALONG SR 24

SR 24 at CAMP ARROWHEAD ROAD & ANGOLA ROAD

(Contract No. T201200902)

- Camp Arrowhead Road will be widened to include 11’ travel lanes and 5’ shoulders
- Right-turn and left-turn lanes will be extended / added on all approaches
- Bike lanes will be added on SR 24 and Camp Arrowhead Road
- New sidewalk and pedestrian crossings

COMPLETED



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COMPLETED CONSTRUCTION

IMAGERY DATE 3/11/2025



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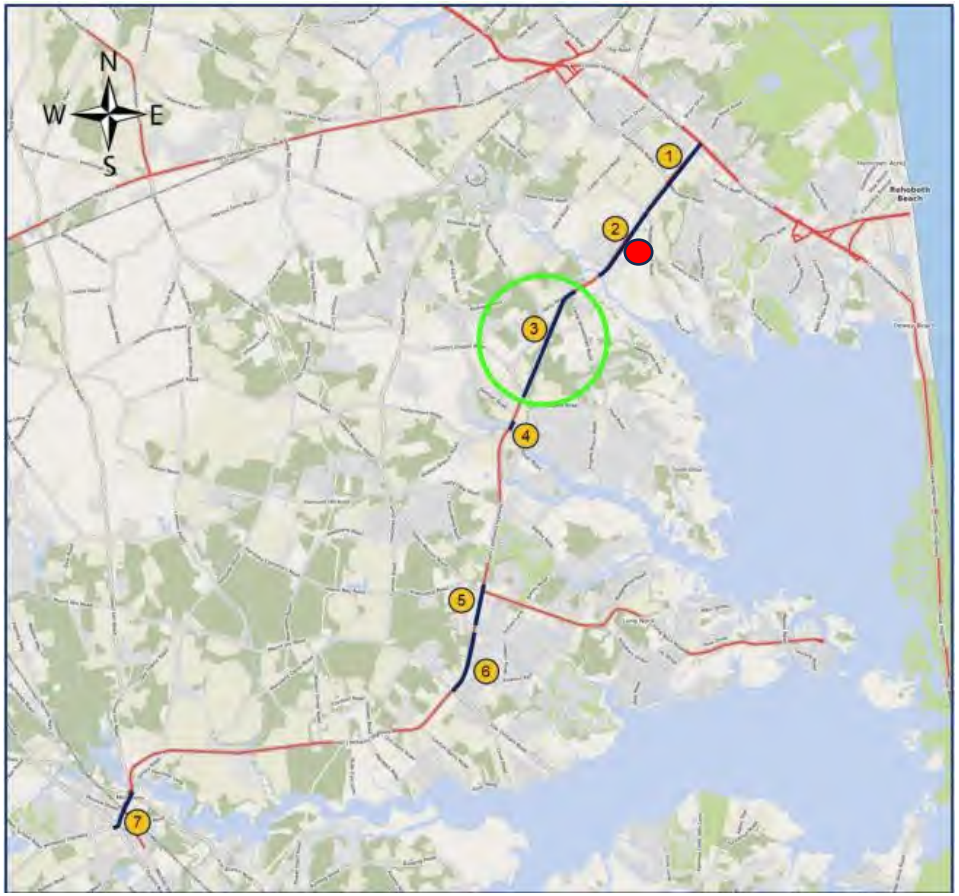
DELDOT IMPROVEMENTS ALONG SR 24

SR 24 at ANGOLA ROAD

(Contract No. T201200902)

- Angola Road and Robinsonville Road will be widened to include 11’ travel lanes and 5’ shoulders
- Robinsonville Road will be re-aligned to improve sight distance for drivers turning onto SR 24
- Right- and left-turn lanes will be extended/ added on all approaches
- Bike lanes will be added on SR 24, Angola Road and Robinsonville Road



COMPLETED

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COMPLETED CONSTRUCTION

IMAGERY DATE 3/11/2025



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RECENT DELDOT ROAD IMPROVEMENTS



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UPCOMING DELDOT IMPROVEMENTS 2025 - 2030



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HENLOPEN TID PUBLIC TRANSIT



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MIXED USE BUILDING VIEW



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APARTMENT BUILDING VIEW



AFFORDABLE HOUSING

Household Income as a Percentage of Area Median Income, by State and County, 2023

Percentage of AMI	Delaware	New Castle County	Kent County	Sussex County
30% AMI	$23,450	$26,800	$19,720	$21,350
50% AMI	$39,100	$44,650	$32,700	$35,600
60% AMI	$46,920	$53,580	$39,240	$42,720
80% AMI	$62,550	$71,400	$52,300	$56,900
100% AMI	$78,200	$89,300	$65,400	$71,200
120% AMI	$93,840	$107,160	$78,480	$85,440

Source: 2023 HUD Median Income Limits for a 2-Person Household

Maximum Affordable Housing Costs by Percentage of AMI, by State and County, 2023

Percentage of AMI	Delaware	New Castle County	Kent County	Sussex County
30% AMI	$586	$670	$493	$534
50% AMI	$978	$1,116	$818	$890
60% AMI	$1,173	$1,340	$981	$1,068
80% AMI	$1,564	$1,785	$1,308	$1,423
100% AMI	$1,955	$2,233	$1,635	$1,780
120% AMI	$2,346	$2,679	$1,962	$2,136

Source: 2023 HUD Median Income Limits for a 2-Person Household; Delaware State Housing Authority

Market Rate Rents for this project will be in the range of $1,695 to $2,295

This project will commit at least 10% of the units priced for 120% AMI or less

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CONCLUSION – THE RIGHT PROJECT IN THE RIGHT PLACE

1. This project is located in the coastal development area.
2. This projected is located in the Henlopen Transportation Improvement District.
3. This project is located in State Investment Levels 2 and 3.
4. This project is located along a DART bus route.
5. There are numerous road improvements completed or planned along Route 24.
6. Utilities and necessary infrastructure are easily accessible to the site.
7. Schools and a newly constructed police station are located within a half-mile of the site.
8. This project provides affordable housing for Delawareans.
9. This project is mixed use and provides retail for those living west of Route 1 along Route 24.
10. This project exceeds minimum code requirements and provides additional environmental protections.
11. This will be a pedestrian friendly, walkable community with a designed focused on quality.
12. There are no objections from the Office of State Planning.
13. This project has recommendations from the Delaware State Housing Authority from its PLUS review.

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QUESTIONS

BECKER MORGAN GROUP

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✔

Site Address of Conditional Use/Zoning Map Amendment

20044(+/-) John J Williams Hwy - Belle Mead Farm - Route 24

Type of Conditional Use Requested:

Tax Map #: 334-18.00-40.01 & 334-18.00-40.06 **Size of Parcel(s):** 39.22 +/- ac.

Current Zoning: AR-1 **Proposed Zoning:** C4 **Size of Building:** TBD

Land Use Classification: COMMERCIAL

Water Provider: TIDEWATER **Sewer Provider:** SUSSEX COUNTY

Applicant Information

Applicant Name: BELMEAD FARM LLC
Applicant Address: 105 FOULK ROAD
City: WILMINGTON State: DE ZipCode: 19803
Phone #: 429-8700 E-mail: _____

Owner Information

Owner Name: BELMEAD FARM LLC
Owner Address: 105 FOULK ROAD
City: WILMINGTON State: DE Zip Code: 19803
Phone #: 429-8700 E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: BECKER MORGAN GROUP, INC
Agent/Attorney/Engineer Address: 309 S. GOVERNORS AVE
City: DOVER State: DE Zip Code: 19904
Phone #: 734-7950 E-mail: MRIEMANN@BECKERMORGAN.COM

PLANNING & ZONING COMMISSION
ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIRMAN
BRIAN BUTLER
J. BRUCE MEARS
G. SCOTT COLLINS

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

March 7, 2025

Mr. J. Michael Riemann, P.E.
Principal
Becker Morgan Group, Inc.
309 S. Governors Avenue
Dover, DE 19904

By email to: mriemann@beckermorgan.com

RE: Staff Review of the Preliminary Site Plan for Belmead Farm, LLC (C/Z 2001) for the establishment of 166 apartments to be housed in 45,940 square feet of mixed commercial structures and seven (7), three-story, 24-unit apartment buildings containing 168 apartment units total (for a combined total of 334 multifamily units), a clubhouse amenity, private garages and storage units, five (5) commercial structures containing a total of 26,065 square feet of commercial uses (to potentially include two (2) drive-thru facilities), related parking and associated site improvements to be located on a 39.22 acre parcel of land the east side of John J. Williams Highway (Route 24), approximately 0.31-mile southwest of Mulberry Knoll Road (S.C.R. 284) in Lewes, Delaware
Tax Parcels: 334-18.00-40.01 & 40.06

Dear Mr. Riemann,

Further to your submission of February 25th, 2025, Staff have reviewed the Preliminary Site Plan for Belmead Farm, LLC (C/Z 2001) for the establishment of 166 apartments to be housed within 45,940 square feet of structures of mixed commercial and residential use and seven (7) three-story, 24-unit apartment buildings containing 168 apartment units total (for a combined total of 334 multifamily units), a clubhouse amenity, private garages and storage units, five (5) commercial structures containing a total of 26,065 square feet of commercial uses (to potentially include two (2) drive-thru facilities), related parking and associated site improvements to be located on a 39.22 acre parcel of land. The parcel is zoned Agricultural Residential (AR-1) District, and the related Change of Zone Application is to facilitate a Change of Zone to a Planned Commercial (C-4) District.

The property is lying on the east side of John J. Williams Highway (Route 24), approximately 0.-31 mile southwest of Mulberry Knoll Road (S.C.R. 284) in Lewes, Delaware. The majority of the parcels have a Growth Area Future Land Use Designation of "Commercial Area" with a small portion on the southeastern corner of Parcel 40.01 being located in the "Coastal Area" per Sussex County's 2018 Comprehensive Plan Update. The subject property is located within the Henlopen Transportation Improvement District (TID). However, the Applicant has completed a Traffic Impact Study (TIS) at the request of the Delaware Department of Transportation (DelDOT) as it was noted that the proposed development is not consistent with the Land Use and Transportation Plan (LUTP).

Staff engaged in a series of Pre-Application Meetings with the Applicant. The first meeting took place on Wednesday, June 29th, 2022, where Staff met with the Applicant provided high-level commentary regarding the proposal. The second meeting took place on Thursday, February 13th, 2025, in which Staff reviewed the design of the project and provided more detailed feedback regarding the Site design and the status of required document submittals.

Staff have reviewed the submitted Preliminary Site Plan for compliance with Chapter 115 (the Zoning Ordinance) and the Planned Commercial (C-4) District Site Plan specific criteria outlined in §115-83.25(F)(2)(a-h) and §115-83.25(F)(4)(a-d) and the provisions and goals outlined within Sussex County's 2018 Comprehensive Plan. Staff have the following comments for your consideration with regard to the Revised Preliminary Site Plan:

Overall Site Plan Comments

1. **Staff recommend that the Applicant consider an applying a Master Planning approach when incorporating the various design elements of the Plan to ensure an appropriate juxtaposition and harmony of the various uses proposed. Doing so will ensure that the intent of the C-4 District to *"provide an integrated Master Plan setting for uses in the Planned Commercial Development District"* is fully achieved (§115-83.25(f)(4)).**
2. **Staff note that the purpose of the Planned Commercial District is to encourage carefully planned large-scale commercial, retail, and mixed-use developments as a means of creating a superior shopping, working and living environment through unified developments, and to provide for the application of design ingenuity while protecting existing and future developments. Please ensure that these elements are fully demonstrated and addressed in the Plans and any supporting statements (§115-83.24).**
3. Please show the location and design details of all refuse areas on the Plans (ie: dumpster facilities) and include the nature of any proposed screening to be provided.
4. Staff note that for a proposal of 308 individual parking spaces (301 to 400 parking spaces total) for the multifamily units that 8 ADA Accessible Spaces are required. It appears that 7 spaces have been provided. Please include one (1) further ADA Accessible Space in order to comply with the 2012 International Building Code Requirements (2012 International Building Code, 11-14 - Table 1106.1 "Accessible Parking Spaces").
5. Staff do note that a small portion of the subject property on the southwest side contains a Future Land Use Map designation of "Coastal Area." Therefore, Staff ask that the Applicant please ensure that design consideration is given by the Applicant toward the establishment of a greenways which utilizes schools, parks, wildlife habitat areas, river and stream corridors, wetlands, floodplains, historic sites, business parks, urban sidewalks, abandoned rail lines, roads, beach areas and vacant land. Greenways should provide benefits like safe pedestrian, bicycling and equestrian routes for recreationists and commuters; and natural wildlife corridors and biological reserves (§115-194.3(E)).

6. Staff request that the nature, character and location of all transit facilities be shown on the Plans. Please note that the location of any transit facilities will have to be coordinated with the Delaware Transit Corporation (DTC), a Division of the Delaware Department of Transportation (DelDOT) in accordance with their siting requirements.

Staff Review Comments Regarding Application of Sussex County Comprehensive Plan Elements

1. **Please ensure that any open space or public spaces provided serve a valuable public purpose and is inter-connected. Wherever feasible, open space should be provided in locations that can connect to existing public or semi-public open spaces or preserve land along a waterway (Sussex County Comprehensive Plan, 12-10).**
2. **Please ensure that the new development complements the character of the existing surrounding communities by providing an appropriate distribution and intensity of uses to include buffers and downlighting where appropriate (Sussex County Comprehensive Plan, 4-9).**
3. Staff request that the character of all proposed lighting be shown on the Plans. The Comprehensive Plan states, "screening of outdoor lights on residential and commercial properties should be provided whenever feasible to prevent intrusions into adjoining residential areas" (Sussex County Comprehensive Plan, 12-4).
4. Please consider placement of parking to the rear or side of buildings, where practicable, so that the front yard can be landscaped. Doing so provides for a less intense and more aesthetically pleasing corridor sightline (Sussex County Comprehensive Plan 12-4).
5. Street trees and shade trees within existing parking lots are encouraged to lessen the intensity of large parking areas (Sussex County Comprehensive Plan, 12-12). Staff recommend a robust street tree design along the primary lateral corridors of internal vehicle and pedestrian circulation in order to enhance the pedestrian design on the site.
6. Staff recommend sidewalks wider than 5 feet along the major pedestrian corridors throughout the site to more fully meet the intent of (Sussex County Comprehensive Plan, 12-7).

Planned Commercial District (C-4) - Site Plan Review Requirements

1. **Staff request that a tabular summary of the percentage of the Site devoted to buildings, open space, streets and parking areas and total floor area of all residential and non-residential structures (§115-83.25(F)(2)(c)).**
2. **Please provide Architectural Sketches or typical proposed structures and typical landscaping and screening areas (§115-83.25(F)(2)(e)).**
3. Staff request that the required setback lines (BRLs) be clearly delineated on the Plans to ensure compliance with minimum District requirements and that measurements be provided of the various development structures to the property lines (§115-83.25(F)(2)(a)).
4. Staff request that further details be provided on the Landscape Plan and that the Landscape Plan show the proposed height and type of trees to be provided within the development project. For example, please clarify that the "interior parking lot canopy trees" to be included are deciduous trees (§115-83.25(F)(2)(b)).

5. Staff note that a Plan showing proposed generalized parking arrangements has been included in the Applicant's submittal (§115-83.25(F)(2)(d)). Staff request the Plan include a breakdown of the number of bedrooms in the proposed multifamily units in both the apartment and mixed-use buildings to ensure a design compliant with the parking provisioning requirements in (§115-162(B)(1)). Please note any parking reductions based on (§115-162(B)(2)) will require the Plan to show that "the land area saved shall be used only for open space, landscaping or pedestrian walkways."
6. **Staff reviewed the Plan in terms of the requirements of (§115-83.25(F)(2)) which requires the Plan display the requirements of (§115-220 – *Preliminary Site Plan Requirements*) and have the following comments:**
    a) Please include Zoning District boundaries (§115-220(B)(2)).
    b) Please include the location and nature of all proposed construction, excavation or grading, including but not limited to buildings, streets and utilities (§115-220(B)(5)).
    c) Please include the Net Development Area (§115-220(B)(6)).
    d) Please include approximate location and size of nonresidential areas, if any (parking areas, loading areas or other) (§115-220(B)(9)).
    e) Please include approximate location and size of recreational areas, if any (§115-220(B)(10)).
    f) Please include the number of construction phases proposed, if any, with the plot showing the approximate boundaries of each phase and the proposed completion date of each phase (§115-220(B)(12)).
    g) Please show location of all wetlands (both state and federal) shall be indicated, in order to facilitate compliance with state and federal wetlands requirements (§115-220(B)(13)).
    h) Please include the designation of all areas proposed as open space on the Plan (§115-220(B)(15)).
    i) Please provide interconnectivity (Stub/Easement) to all parcels adjacent to Parcels 40.01 & 40.06 on the Plan (§115-220(B)(16)).
    j) Please provide all items listed in (§115-220(B)(17)(a-h)) related to wetland resources on the site on the Plan:
        - Boundary and wetland type
        - All existing forest by type as indicated in (§115-220(B)(17)(b)).
        - Proposed access easement layout (§115-220B(17)(f)).
        - A reference by title, author and date, to the DAR (§115-220(B)(17)(g)).
        - Any walking trails, including the method of construction and the materials used to establish the trails (§115-220B(17)(h)).
7. Please include all proposed setbacks for both Parcels on the Plan (§115-83.25F(2)(a)).
8. Please include the required Tabular Summary (§115-83.25F(2)(c)).
9. Please include architectural sketches of typical proposed structures and typical landscaping and screening areas (§115-83.25(F)(2)(e)). Staff request that the architectural plans clearly show the active frontages and orientation of the buildings and how these buildings relate to public realm.
10. Please include plan or report indicating the extent, timing and estimate costs of all off-site improvements such as roads, sewer and drainage facilities necessary to the construction of the

planned development. Such plan or report shall relate to the sequence of development (§115-83.25F(2)(f)).

11. Please provide a Report or Plan showing the adequacy of public facilities and services such as water, sewer drainage, streets and roads to serve the proposed development (§115-83.25F(2)(g)).
12. Please include a general plan for sedimentation and erosion control and stormwater management (§115-83.25F(2)(h)).
13. Staff request the Applicant consider more landscape buffering between the exclusively residential use (Apartments) and the mixed-use structures as well as around the proposed Clubhouse (§115-83.25F(4)(c)).

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

- **Delaware Department of Transportation (DelDOT)**
- **Sussex Conservation District**
- **Office of the State Fire Marshal**

Once all of the above matters have been addressed, please provide **one (1) full-size copy and one (1) electronic copy of a Revised Preliminary Site Plan**. This Application has been scheduled for a Public Hearing on **Wednesday, March 19th, 2025**. Therefore, please submit all required materials no later than the close of business on **Tuesday, March 11th, 2025.**

Please feel free to contact the Department with any questions during business hours, 8:30 A.M. – 4:30 P.M., Monday through Friday at 302-855-7878.

Sincerely,

J. Whitehouse

Mr. Jamie Whitehouse, AICP MRTPI
Director, Department of Planning and Zoning

CC: Mr. Jonathan S. Falkowski, P.E., Associate Principal – Becker Morgan Group, Inc.
Mr. Chad D. Carter, P.E., Senior Associate – Becker Morgan Group, Inc.
Change of Zone No. 2001 Belmead Farm, LLC file

Document# 2022000032608 BK: 5734 PG: 290
Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
Consideration: $5,100,000.00 County/Town: $76,500.00 State: $127,500.00 Total: $204,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX PARCEL #: 3-34-18.00-40.01

PREPARED BY & RETURN TO:
Parkowski, Guerke & Swayze, P.A.
19354C Miller Road
Rehoboth Beach, DE 19971
File No. 015-22/VGR

NO SURVEY WAS PERFORMED OR REQUESTED

THIS DEED, made this 3 day of June, 2022,

- BETWEEN -

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED and **THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED**, of 722 NE 2nd Street, Delray Beach, FL 33483, parties of the first part,

- AND -

BELMEAD FARM, LLC, a Delaware limited liability company, of 28855 Lewes Georgetown Hwy, Lewes, DE 19958, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars and 00/100 ($10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece and parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County and State of Delaware, lying and being along the southeastern right of way of State Route 24 (50 feet wide), more particularly described as follows, to wit:

BEGINNING at an iron pipe situate along the aforesaid southwesterly right of way of State Route 24, said point being the common boundary of these lands and lands now or formerly of Mudiwa and Preachess Vellah Munyikwa; thence by and with said right of way North 42 degrees 12 minutes 08 seconds East, 1,451.40 feet to a capped rebar; thence leaving the aforesaid right of way and running by and with lands now or formerly of Cape Henlopen School District South 47 degrees 36 minutes 26 seconds East, 1,205.68 feet to a found rebar; thence running by and with lands now or formerly of Alfred G. Best, Trustee, and lands now or formerly of Linda Elizabeth Best, South 40 degrees 01 minutes 32 seconds West, 365.05 feet to an iron pipe;

Document# 20220000032608 BK: 5734 PG: 291
Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
Doc Surcharge Paid

thence by and with other lands of Grantor, South 40 degrees 40 minutes 22 seconds West, 1,064.47 feet to a found rebar; thence by and with lands now or formerly of John and Deanna Hoover, North 48 degrees 38 minutes 42 seconds West, 611.81 feet to a found rebar; thence by and with lands now or formerly of Frank and Marlene Bracale, North 48 degrees 40 minutes 10 seconds West, 411.81 feet to an iron pipe; thence by and with lands now or formerly of Mudiwa and Preachess Vellah Munyikwa, North 48 degrees 36 minutes 49 seconds West, 224.47 feet to the point and place of Beginning, said to contain 40.61 acres of land as depicted on the Perimeter Survey prepared by Compass Point Associates dated January 17, 2011, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEING the same lands and premises which were conveyed unto Mark H. Ronald Trust dated 3/8/2007, as amended, Mark H. Ronald and Mary Ann Ronald, Trustees, either of whom may act independently, and Mary Ann Ronald Trust dated 3/8/2007, as amended, Mary Ann Ronald and Mark H. Ronald, Trustees, either of whom may act independently, by Deed of J.G. Townsend, Jr. & Co. dated January 28, 2011, and recorded February 1, 2011, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 3862, Page 170.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

THE MARK H. RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mark H. Ronald, Trustee

THE MARY ANN RONALD TRUST DATED MARCH 8, 2007, AS AMENDED

Witness

By: _____ Trustee (SEAL)
Mary Ann Ronald, Trustee

Document# 20220000032608 BK: 5734 PG: 292
Recorder of Deeds, Scott Dailey On 7/7/2022 at 1:08:33 PM Sussex County, DE
Doc Surcharge Paid

STATE OF Florida, COUNTY OF Palm Beach: to-wit

BE IT REMEMBERED, that on 06/03, 2022, personally came before me, the subscriber, Mark H. Ronald, Trustee of the Mark H. Ronald Trust dated March 8, 2007, as amended, and Mary Ann Ronald, Trustee, of the Mary Ann Ronald Trust dated March 8, 2007, as amended, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

JUNAE MCPHERSON
Notary Public - State of Florida
Commission # HH 206991
My Comm. Expires Dec 13, 2025

Notary Public

My Commission Expires: 12/13/25

File #: ORD 24-04
20241202 5

Sussex County Comprehensive Plan Amendment Request Form

Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
☎ 302-855-7878
✉ pandz@sussexcountyde.gov

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PLANNING & ZONING

Type of Amendment Requested (e.g Future Land Use Map, Existing Land Use Map, or Text Revision)
Future Land Use Map

Year that Comprehensive Plan was Adopted:
2019

If Applicable, the Date(s) of any PLUS Review by the State of Delaware
N/A

Tax Map #: 135-11.00-65.00 **Total Acreage:** +/- 9.623 Acres

Applicant Information
Applicant Name: J AND C INVESTMENT PROPERTIES, LLC, successors and assigns
Applicant Address: 29762 Oliver Wolcott Drive
City: Millsboro State: DE ZipCode: 19966
Phone #: (302) 632-2711 E-mail: cetelt@msn.com

Developer Information
Developer Name: J AND C INVESTMENT PROPERTIES, LLC, successors and assigns

Attorney Information (If Applicable)
Attorney Name: Saul Ewing LLP c/o Mackenzie Peet, Esquire
Attorney Address: 1201 N. Market Street, Suite 2300
City: Wilmington State: DE ZipCode: 19801
Phone #: (302) 421-6865 E-mail: mackenzie.peet@saul.com

Sussex County, DE - Comprehensive Plan Amendment Request

Description of Request: (Please provide a written description of the request, along with details of the Tax Parcel ID(s) of the relevant parcels to which the amendment request relates. If you are requesting a text amendment to the Comprehensive Plan, please also clearly explain which Chapters of the Comprehensive Plan your request relates)

See attached.

Check List for Comprehensive Plan Amendment Request Applications

The following shall be submitted with any request

[X] **Completed Application (including relevant Application Fee)**

[X] **A scaled survey drawing is appended to this Application that clearly shows the location of all parcels to which the amendment request relates.**

[X] **The Applicant understands that Sussex County Council may submit a copy of this application, along with copies of all documents received, to the State of Delaware Office of Management and Budget for the purposes of any enabling the State of Delaware to review the requested revision.**

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

Signature of Applicant/Attorney

_____

For office use only:
Date Submitted: 8-24-2024
Staff member receiving Application: _____

Application & Case # : CPA 24-04
Fee: $1,000.00, Check #: Receipt No. 360977

Location of property: _____

_____

Date of Commission Hearing: _____ Recommendation: _____

Date of Council Hearing: _____

Sussex County, DE Comprehensive Plan Amendment Request Form Attachment

Owner: J AND C INVESTMENT PROPERTIES, LLC[1]

Property; Tax Map Parcel No: Silver Oaks Trailer Park, Lewes-Georgetown Highway, Georgetown, Delaware 19947;135-11.00-65.00 (the "Property")[2]

Current Future Land Use Designation: Low Density

Proposed Future Land Use Designation: Commercial Area

Current and Proposed Zoning District: AR-1 Agricultural Residential District, an applicable zoning district in the Commercial Area.

Existing Use

Silver Oaks Trailer Park, which was established on April 6, 1966.[3]

Intended Use of the Property

The proposed project involves the development of a multifamily community consisting of approximately 108 rental units under the Sussex County Rental Program (SCRP),[4] as more fully shown on the attached Conceptual Site Plan prepared by Merestone Consultants, Inc.

Surrounding Land Use Districts and Future Land Use Designations

Adjacent properties are zoned AR-1 and are designated as Low Density. Properties in the vicinity of the site are zoned AR-1, C-1, C-2, B-1, HI-1, MR and CR1.[5] Properties in the vicinity of the site have varying Future Land Use Classifications, including Low Density, Commercial, Industrial, Existing Development and Developing Area.[6]

Surrounding Uses[7]

Weston Willows Apartment Complex, Azalea Woods, Hawthorne, Besche Furniture, A.P. Croll & Sons, Peninsula Paving, DelDOT Area 4

Sussex County Comprehensive Plan Considerations:

The proposed development would be consistent with the goals and objectives established in Sussex County Comprehensive Plan (the "Plan"), particularly regarding the Commercial Area and vision for Route 9. Specifically, 4-17 of the Plan describes the Commercial Area as follows:

> Commercial Areas include concentrations of retail and service uses that are mainly located along arterials, and highways. As opposed to small, traditional downtown

[1] *See* Property Information Sheet and Property Deed attached as Exhibit A.
[2] *See* Aerial Map of Property attached as Exhibit B.
[3] *See* Exhibit C.
[4] *See* copy of SCRP Code requirements attached as Exhibit D.
[5] *See* Zoning District Map attached as Exhibit E.
[6] *See* Future Land Use Map attached as Exhibit F.
[7] *See* Surrounding Uses Aerial Image attached as Exhibit G.

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AUG 1 4 2024
SUSSEX COUNTY
PLANNING & ZONING

> areas that are often historic and pedestrian-friendly, Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic. In addition to primary shopping destinations, this area would also be the appropriate place to locate hotels, motels, car washes, auto dealerships, l and other medium and larger scale commercial uses not primarily targeted to the residents of immediately adjacent residential areas. These more intense uses should be located along main roads or near major intersections. Institutional and commercial uses may be appropriate depending on surrounding uses. Mixed-use buildings may also be appropriate for these areas.

This SCRP development will not only provide essential housing options for local residents but will also support the commercial landscape of the area by increasing the population base that can access nearby services and amenities.

Furthermore, Chapter 13.3.4 of the plan discusses the vision for Route 9 as a business corridor that integrates residential and commercial uses, ensuring that local residents have convenient access to necessary services. The development will contribute to this vision by facilitating housing population in this area, which can drive demand for local businesses along Route 9.

File #: C/Z 2049

202502585

Planning & Zoning Commission Application
Sussex County, Delaware

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

RECEIVED

FEB 28 2025

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment X

Site Address of Conditional Use/Zoning Map Amendment
Southeast side of John J Williams Highway (DE Route 24) approximately 520 feet northeast from the intersection of Layton Avenue and John J Williams Highway, Millsboro, Delaware

Type of Conditional Use Requested: Traveling with CU 2580
Applicant seeks to downzone the property from B2 to AR-1. This Application is associated with Applicant's conditional use request to operate a commercial hauling, goods and materials delivery service, and driveway installation company, together with storage of vehicles, equipment and materials in connection with the business.

Tax Map #: 234-32.00-60.00 **Size of Parcel(s):** +/- 0.9505 Acre

Current Zoning: B2 **Proposed Zo g:** AR-1 **S ze of Bu d g:** TBD

Land Use Classification: Developing Area

Water Provider: _____ **Sewer Provider:** _____

Applicant Information

Applicant Name: Toney Floyd Trucking LLC c/o Toney Floyd and Charletta Speaks-Floyd
Applicant Address: 27346 William Street Road
City: Millsboro State: DE ZipCode: 19966
Phone #: (302) 381-1819 E-mail: leta31268@gmail.com

Owner Information

Owner Name: Toney Floyd and Charletta Speaks-Floyd
Owner Address: 27346 William Street Road
City: Millsboro State: DE Zip Code: 19966
Phone #: (302) 381-1819 E-mail: leta31268@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Saul Ewing LLP c/o Mackenzie Peet, Esquire
Agent/Attorney/Engineer Address: 1201 N. Market Street, Suite 2300
City: Wilmington State: DE Zip Code: 19801
Phone #: (302) 421-6826 E-mail: mackenzie.peet@saul.com

Applicant's Engineer Information:
Vista Design, Inc. c/o Steve Engel and Bruce Howe
11634 Worcester Highway, Showell, MD 21862
sengel@vistadesigninc.com; bhowe@vistadesigninc.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

x **Completed Application**

x **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description
- Drainage Assessment Report (if required, please refer to Section 115-193 (F)) - N/A
- TIS or Area Wide Study Fee Memo (if required, please refer to the MOU) - N/A

x **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**

To be provided **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

___ **DelDOT Service Level Evaluation Request Response**

N/A **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 2/25/2025

Signature of Owner

_____ Date: _____

For office use only:

Date Submitted: _____ Fee: Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision:

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

X Completed Application

X Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property

- Survey shall show the location of existing & proposed buildings, building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be emailed to a staff member)

Deed or Legal description

Tax Parcel Assessment Report (if required, please refer to Section 115-193 (F)) N/A

Traffic Impact Study Fee Memo (if required, please refer to the MOU) N/A

X Provide relevant Application Fee (please refer to fees effective July 1, 2022)

Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting

Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

DelDOT Service Level Evaluation Request Response

N/A PLUS Response Letter (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: _____

Signature of Owner

_____ Date: _____

For office use only:

Date Submitted _____ Fee _____ Check # _____

Staff accepting application _____ Application & Case # _____

Location of property: _____

Subdivision _____

Date of PC Hearing _____ Recommendation of PC Commission: _____

Date of CC Hearing _____ Decision of CC: _____

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

Completed Application

X Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property

[illegible] existing or proposed buildings, building setbacks, [illegible] wells (if more than one is existing, please indicate which one is to be used)

[illegible] (may be required by DelDOT)

[illegible] Agreement (if applicable, see also Section 115-193 (E)) N/A

[illegible] Map (if required, please refer to the Map) - N/A

X Provide relevant Application Fee (please refer to fees effective July 1, 2022)

Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they must be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

___ DelDOT Service Level Evaluation Request Response

N/A PLUS Response Letter (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: _____

Signature of Owner

_____ Date: _____

For office use only:

Date Fee Received: _____ Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

Revised 12/2/2022

SAUL EWING LLP

CHECK DATE: 02/25/2025

CHECK NO: 920456

VENDOR : 36324 Sussex County Council

Invoice Date	Invoice Number	Invoice Description	Amount Paid
02/25/2025	22525	Filing fee for Conditional Use Application and Rezoning Application	$1,500.00

TOTAL: $1,500.00

CU 2580 & 20250281
CZ 2049

CU 2580 & CZ 2049

Sussex County Government
Treasury
2 The Circle, PO Box 601
Georgetown, DE 19947

03/03/2025 01:25PM Lindsay S
33029058-0014 001170075

PERMITS / INSPECTIONS
2025 2025025811Z010 $1,500.00

$1,500.00

Subtotal $1,500.00
Total $1,500.00

CHECK $1,500.00
Check Number920456

Change due $0.00

Paid by: SAN EWING LLP

Thank you for your payment.

CUSTOMER COPY

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Susan Isaacs, Planner I
CC: Vince Robertson, Assistant County Attorney, and applicant
Date: March 27, 2025
RE: Staff Analysis for C/Z 2049 Toney Floyd Trucking, LLC

The purpose of this memo is to provide background and analysis for the Planning & Zoning Commission to consider as a part of Application C/Z 2049 Toney Floyd Trucking, LLC to be reviewed at the April 2, 2025, Planning & Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

Please note that the following Staff Analysis is for informational purposes only and does not prejudice any decision that the Sussex County Planning & Zoning Commission or Sussex County Council may wish to make as part of any Application submitted to the Department.

Tax Parcel ID: 234-32.00-60.00

Proposal: The request is for a Change of Zone for Tax Parcel 234-32.00-60.00 to allow for a change of zone from a Business Community (B-2) District to an Agricultural Residential (AR-1) District. The property is lying on the southeast side of John J. Williams Highway (Route 24), approximately 520 feet northeast of Layton Avenue. The Parcel contains 0.95 aces +/-.

Staff note that a related Application (CU 2580) proposing a Conditional Use for commercial hauling, goods and materials delivery services, and driveway installation business together with storage of vehicles, equipment, and materials accompanies this application.

Zoning Information: The parcel is zoned B-2 Community Business District. Adjacent parcel to the west is zoned B-1 Neighborhood Business and parcels to the north, south and east are zoned Agricultural Residential (AR-1).

Future Land Use Map Designation - (Comprehensive Plan): Developing Area

Comprehensive Plan Analysis: The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Developing Area". All adjacent parcels to the north, south, and also have a Future Land Use Map designation of "Developing Area".

Recommendations/Guidelines for land categorized as *Developing Area* per the Future land Use Classification in the Comprehensive Plan:

- *Developing Areas* are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers (Page 4-14).
- Permitted Uses: A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home (Page 4-14).

Site Considerations:

- **Density:** N/A
- **Open Space Provisions:** N/A
- **Agricultural Areas:** N/A
- **Transportation Improvement District (TID):** N/A
- **Forested Areas:** N/A
- **Wetlands Buffers/Waterways:** N/A
- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The Parcel is located within the "X" Flood Zone with a small portion of the Parcel within a Well Head Protection Area at the northwest Boundary of Parcel.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from B-2 Community Business District to Agricultural Residential (AR-1) District could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.

Existing Changes of Zone within the Vicinity of the Subject Site: A Data Table has been supplied which provides further background regarding the approval status of Applications in the area, including the location of all other Change of Zone Applications that are within 1 mile +/- distance from the subject site.

Changes of Zone

(Within a 1-mile radius of the subject site)

Application CZ Number	Application Name	Zoning District	Proposed Zoning	CC Decision	CC Decision Date	Ordinance Number
1824	Tomark, LLC	AR-1	CR-1	Approved	10/10/2017	2526
1941	Charletta Speaks-Floyd	AR-1	B-2	Approved	12/14/2021	2824




CZ (1941)(2021)
AR-1 to B-2
(CZ 1824)(2017)
AR-1 to CR-1
Toney Floyd Trucking LLC
(CU 2850) & (CZ 2049)
CZ Vicinity Map (1 Mile Radius)
TM#s 234-32.00-60.00
(CU 2580 & CZ 2049)
1-Mile Radius
N
0
0.15
0.3
Miles



CZ 2049 Toney Floyd Trucking, LLC
Street Map
Tax Map No. 234-32.00-60.00

CZ 2049 Toney Floyd Trucking, LLC

N

0 200 400 800 Feet

795



CZ 2049 Toney Floyd Trucking, LLC
Street Map
Tax Map No. 234-32.00-60.00

CZ 2049 Toney Floyd Trucking, LLC

N

0 200 400 800 Feet



Zoning

- Agricultural Residential AR-1
- Agricultural Residential - AR 2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI 1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- C1: General Commercial
- C2: Medium Commercial
- C3: Heavy Commercial
- C4 Planned Commercial
- C5: Service/Limited Manufacturing
- B-1 Neighborhood Business
- B-2 Business Community District
- B-3 Business Research

CZ 2049 Toney Floyd Trucking, LLC
Zoning Map
TM# 234-32.00-60.00

CZ 2049 Toney Floyd Trucking, LLC

N

0 500 1,000 2,000 Feet

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

SHANTÉ A. HASTINGS
SECRETARY

February 19, 2025

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Toney Floyd and Charletta Speaks-Floyd (John J Williams Highway, Millsboro, Delaware 19966)** proposed land use application, which we received on February 17, 2025. This application is for an approximate 0.9505-acre parcel (Tax Parcel: 234-32.00-60.00). The parcel is located on the southeast side of John J Highway (Delaware Route 24) approximately 520 feet northeast from the intersection of Layton Avenue (Not a State Maintained Road) and John J Williams Highway. The subject land is currently zoned B2 (Business Community District) with a proposed zoning of AR-1 (Agricultural Residential District) and the applicant seeks a conditional use approval to operate a Commercial hauling, goods and materials delivery service, and driveway installation company (known as Toney Floyd Trucking LLC), together with storage of vehicles, equipment, and materials in connection with the business.

Per the 2023 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J Williams Highway, where the subject land is located, which is from Gravel Hill Road (Delaware Route 30) to Jersey Road / Hollyville Road (Sussex County Road 4,327), is 15,610 and 21,296 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in

DelDOT

other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

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

Please contact Ms. Tijah Jones, at tijah.jones@delaware.gov, if you have questions concerning this correspondence.

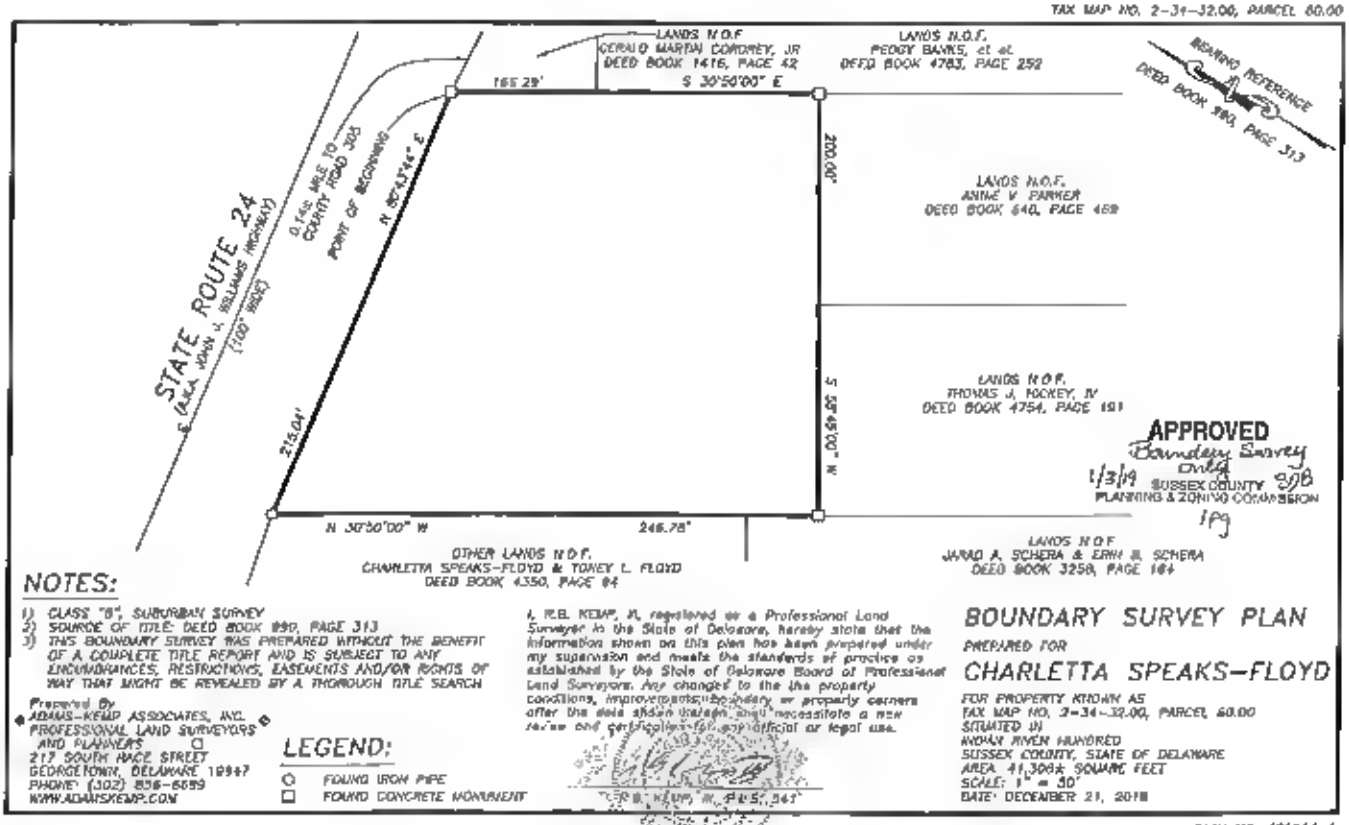
Sincerely,

Sireen Muhtaseb, PE
TIS Engineer
Development Coordination

SAM:tjm
cc: Toney Floyd and Charletta Speaks-Floyd, Applicant
Amy Hollis, Sussex County Planning & Zoning
Sussex County Planning & Zoning
David Edgell, State Planning Director, Office of State Planning Coordination
Matt Schlitter, South District Public Works Engineer, M&O
James Argo, South District Project Reviewer, M&O
Tara Summers-Strong, South District Public Works Admin, M&O
Todd Sammons, Assistant Director, Development Coordination, Planning
John Pietrobono, Acting Sussex Review Coordinator, Dev Coord, Planning
Kevin Hickman, Sussex Reviewer, Development Coordination, Planning
Derek Sapp, Sussex Review Engineer, Development Coordination, Planning
Thomas Gagnon, Sussex Review Engineer, Development Coordination, Planning
José Quixtan, Sussex Review Engineer, Development Coordination, Planning
Annamaria Furmato, TIS Review Engineer, Development Coordination, Planning
Ben Fisher, TIS Review Engineer, Development Coordination, Planning
Tijah Jones, TIS Review Engineer, Development Coordination, Planning

Document# 20191000010928 BK: 5002 PG: 263
Recorder of Deeds, Scott Dailey On 11/8/2019 at 3:06:06 PM Sussex County, DE
One Straight Fold

TAX MAP NO. 2-34-32.00, PARCEL 60.00



NOTES:

1) CLASS "S", SUBURBAN SURVEY
2) SOURCE OF TITLE: DEED BOOK 990, PAGE 313
3) THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH

Prepared By
ADAMS-KEMP ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
AND PLANNERS
217 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699
WWW.ADAMSKEMP.COM

LEGEND:

○ FOUND IRON PIPE
□ FOUND CONCRETE MONUMENT

I, R.B. KEMP, JR, registered as a Professional Land Surveyor in the State of Delaware, hereby state that the information shown on this plan has been prepared under my supervision and meets the standards of practice as established by the State of Delaware Board of Professional Land Surveyors. Any changes to the the property conditions, improvements, boundary or property corners after the date shown hereon, shall necessitate a new review and certification for any official or legal use.

R. B. KEMP, JR. P.L.S. 547

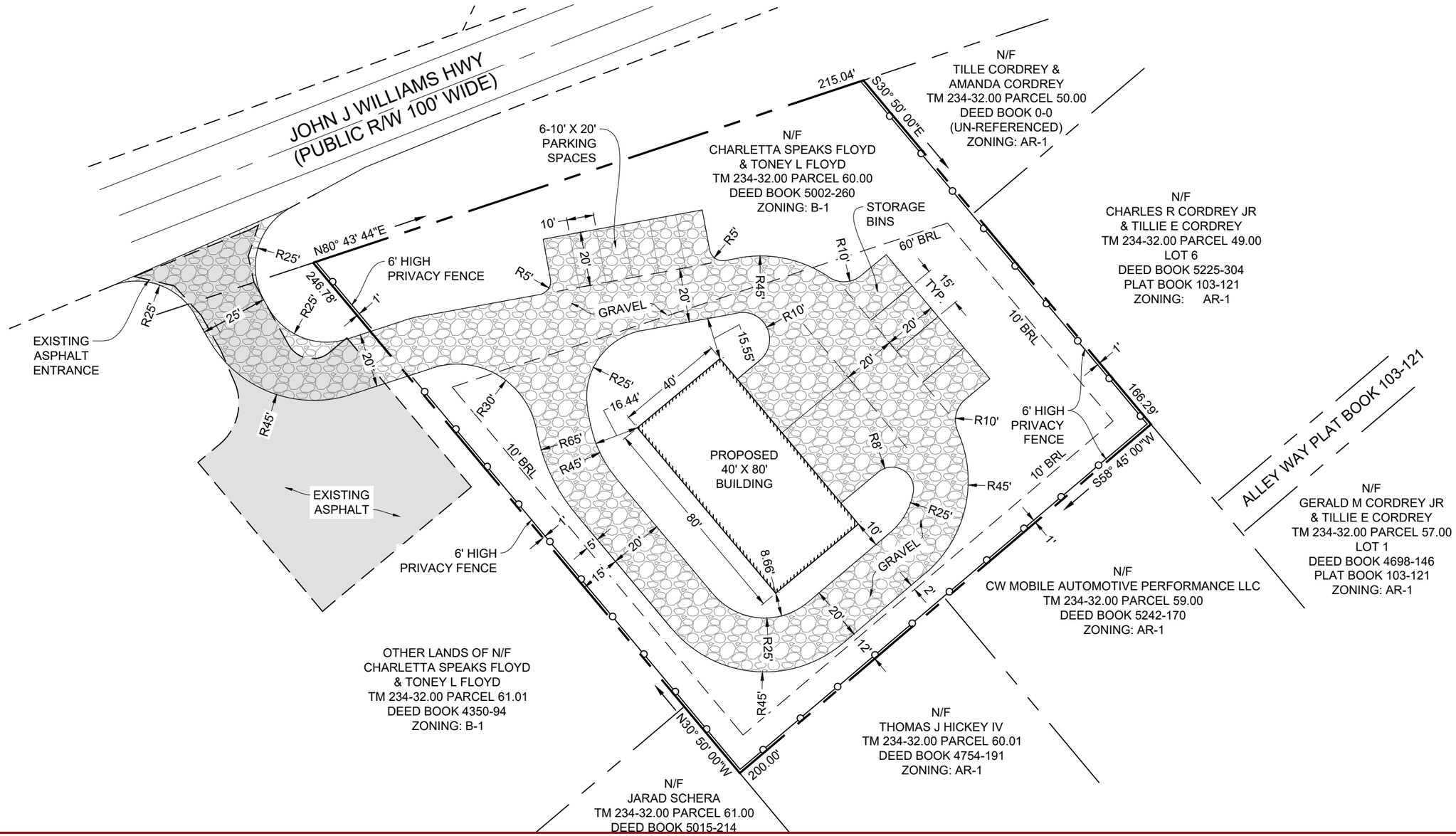
BOUNDARY SURVEY PLAN

PREPARED FOR

CHARLETTA SPEAKS-FLOYD

FOR PROPERTY KNOWN AS
TAX MAP NO. 2-34-32.00, PARCEL 60.00
SITUATED IN
INDIAN RIVER HUNDRED
SUSSEX COUNTY, STATE OF DELAWARE
AREA: 41,308± SQUARE FEET
SCALE: 1" = 30'
DATE: DECEMBER 21, 2018

PLAN NO. 181214-A



NOTES:

SITE IN FLOOD ZONE UNSHADED "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP PANEL 10005C0456L, REVISED JUNE 20, 2018

0 20 40 80 120

SCALE: 1" = 40'

N/F
CHARLETTA SPEAKS FLOYD
& TONEY L FLOYD
TM 234-32.00 PARCEL 60.00
DEED BOOK 5002-260
ZONING: B-1 NEIGHBORHOOD BUSINESS

NOTE:
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NOTE:
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.

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
1064 Wheatsheaf Hwy. Showell, MD 21862
Ph. 410-352-3874 • • www.vistadesigninc.com

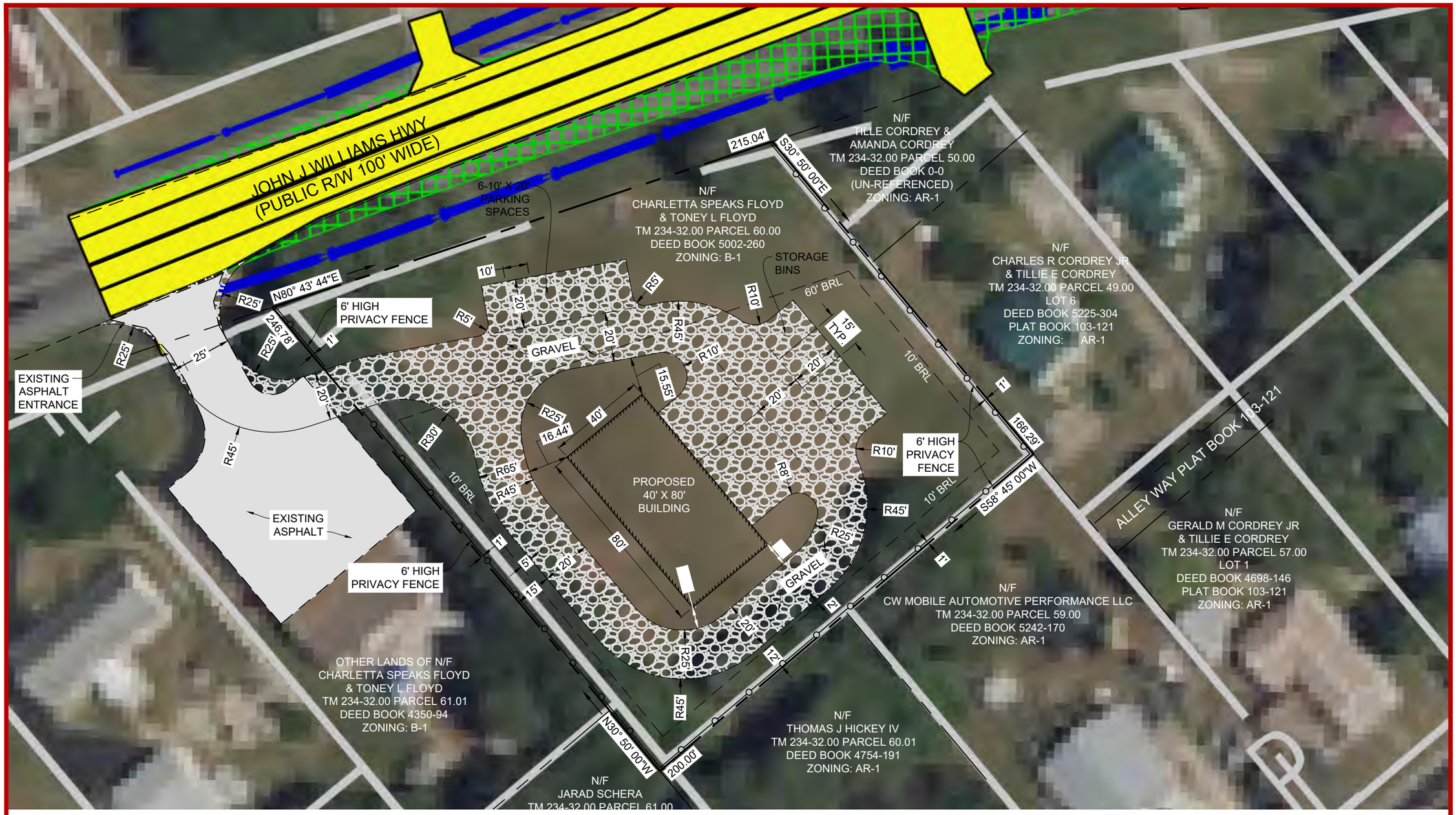
PRELIMINARY
CONDITIONAL USE
ALT ENT PLAN

FLOYD PROPERTY
JOHN J. WILLIAMS HWY
MILLSBORO, DE 19966

PROJECT DATA
Project No.: 24-024
File Name: P.60 Cond Use-Alt Ent.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 12/18/14

Scale:
1" = 40'

Sheet No.:
1 of 1



NOTES:

SITE IN FLOOD ZONE UNSHADED "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP PANEL 10005C0456L, REVISED JUNE 20, 2018

0 20 40 80 120

SCALE: 1" = 40'

N/F
CHARLETTA SPEAKS FLOYD
& TONEY L FLOYD
TM 234-32.00 PARCEL 60.00
DEED BOOK 5002-260
ZONING: B-1 NEIGHBORHOOD BUSINESS

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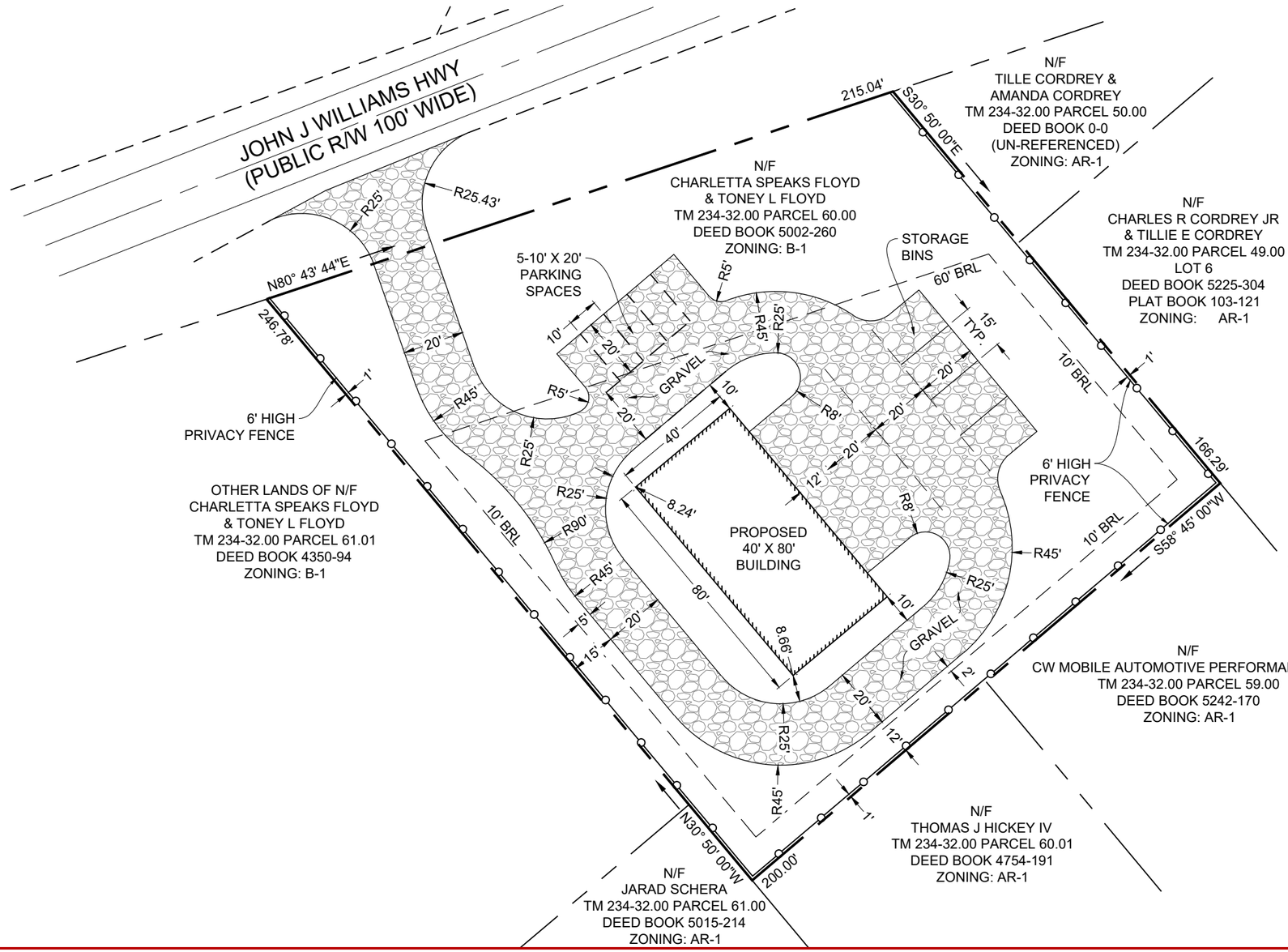
PRELIMINARY
CONDITIONAL USE
ALT ENT PLAN

FLOYD PROPERTY
JOHN J. WILLIAMS HWY
MILLSBORO, DE 19966

PROJECT DATA
Project No.: 24-024
File Name:D:60 Cond Use-Alt Ent.dg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 03/11/25

Scale:
1" = 40'

Sheet No.:
1 of 1



NOTES:

SITE IN FLOOD ZONE UNSHADED "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP PANEL 10005C0456L, REVISED JUNE 20, 2018

0 20 40 80 120

SCALE: 1" = 40'

N/F
CHARLETTA SPEAKS FLOYD
& TONEY L FLOYD
TM 234-32.00 PARCEL 60.00
DEED BOOK 5002-260
ZONING: B-1 NEIGHBORHOOD BUSINESS

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Ph. 410-352-3874 • • www.vistadesigninc.com

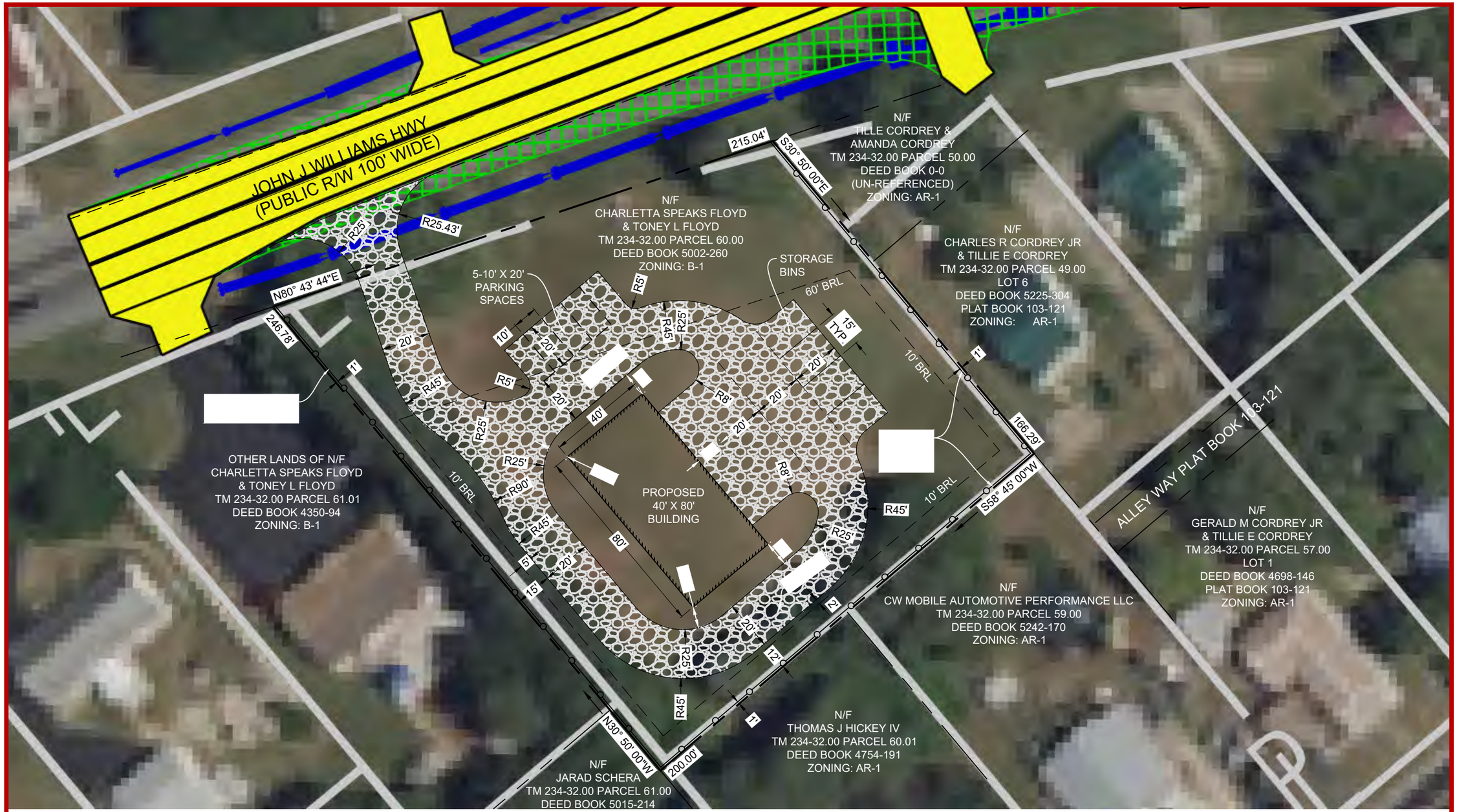
PRELIMINARY
CONDITIONAL USE
PLAN

FLOYD PROPERTY
JOHN J. WILLIAMS HWY
MILLSBORO, DE 19966

PROJECT DATA
Project No.: 24-024
File Name: Parcel 60 Cond. Use.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 12/18/14

Scale:
1" = 40'

Sheet No.:
1 of 1



NOTES:

SITE IN FLOOD ZONE UNSHADED "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP PANEL 10005C0456L, REVISED JUNE 20, 2018

0 20 40 80 120

SCALE: 1" = 40'

N/F
CHARLETTA SPEAKS FLOYD
& TONEY L FLOYD
TM 234-32.00 PARCEL 60.00
DEED BOOK 5002-260
ZONING: B-1 NEIGHBORHOOD BUSINESS

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PRELIMINARY
CONDITIONAL USE
PLAN

FLOYD PROPERTY
JOHN J. WILLIAMS HWY
MILLSBORO, DE 19966

PROJECT DATA

Project No.:	24-024
File Name:	Parcel 60 Cond. Use.dwg
	BALTIMORE HUNDRED
	SUSSEX COUNTY, DELAWARE
Date:	03/11/25

Scale:
1" = 40'

Sheet No.:
1 of 1

Sussex County



February 25, 2025

1:4,514

0 0.04 0.09 0.17 mi

0 0.05 0.1 0.2 km

polygonLayer
- Override 1
- Override 2

Zoning
- Commercial Residential - CR-1
- C1: General Commercial
- B-1: Neighborhood Business
- B-2: Business Community District

Tax Parcels

Streets

County Boundaries

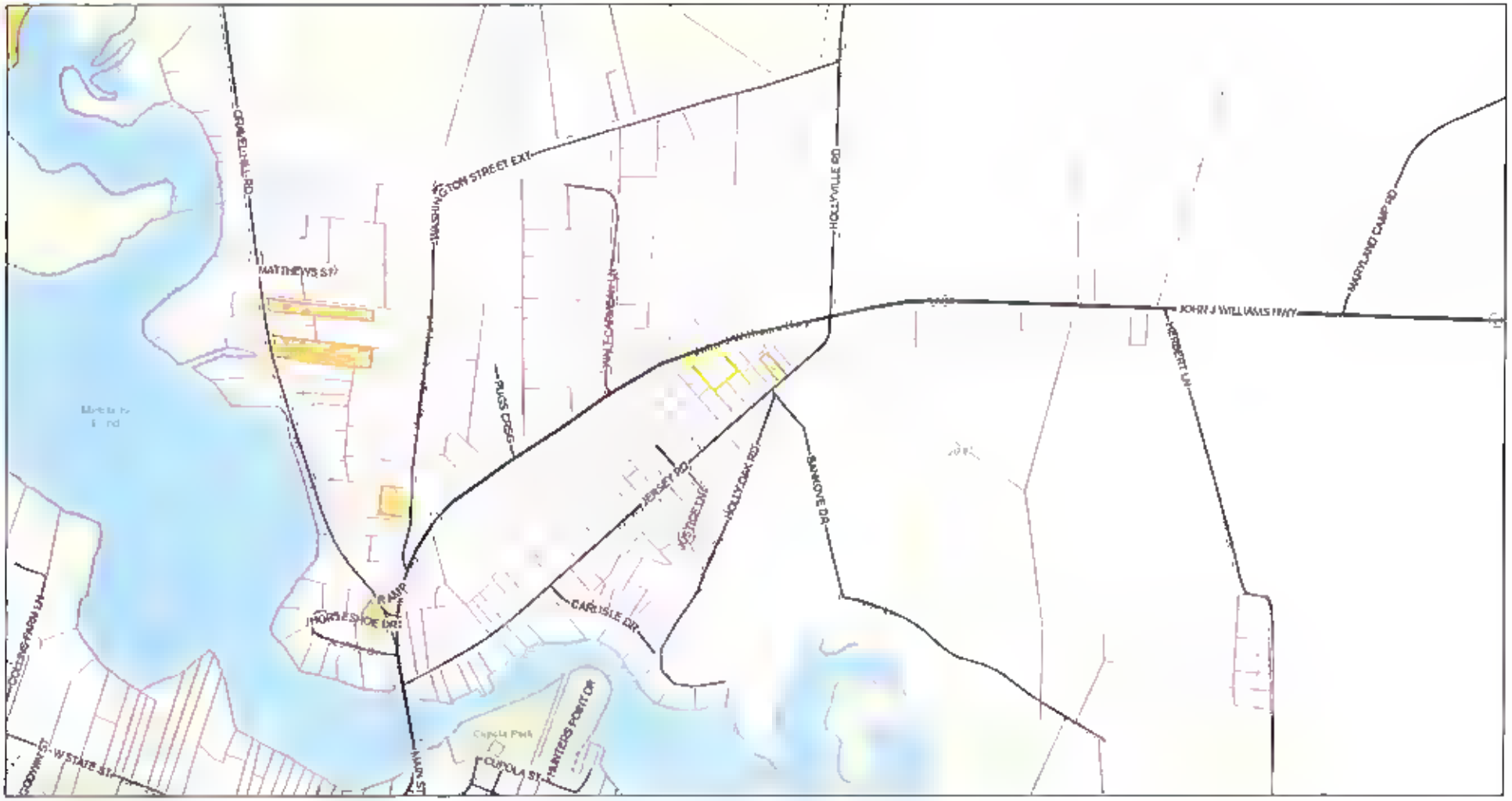
layer1
- Red: Band_1
- Green: Band_2
- Blue: Band_3

County of Sussex, DE, Delaware FirstMap, Vita, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Sussex County Government

Sussex County



Sussex County



February 25, 2025

polygonLayer
Override 1
Override 2
Conditional Use
Tax Parcels
Streets
County Boundaries
layer1
Red: Band_1
Green: Band_2
Blue: Band_3

1:9,028

0 0.07 0.15 0.3 mi
0 0.13 0.25 0.5 km

County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, Maxmap, USGS, NETTHASA, EPA, USDA, Sussex County Government

ORDINANCE NO. 2824

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 0.95 ACRES, MORE OR LESS

WHEREAS, on the 9th day of March 2021, a zoning application, denominated Change of Zone No. 1941 was filed on behalf of Charletta Speaks-Floyd; and

WHEREAS, on the 18th day of November 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 9th day of December 2021 said Planning and Zoning Commission recommended that Change of Zone No. 1941 be approved; and

WHEREAS, on the 14th day of December 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation B-2 Business Community District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying on the south east side of John J. Williams Highway (Rt. 24) approximately 0.15 mile south west of Hollyville Road (S.C.R. 305) and being more particularly described in the attached legal description prepared by Fuqua, Willard, Stevens & Schab, P.A.., said parcel containing 0.95 ac., more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2824 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 14TH DAY OF DECEMBER 2021.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

The Council found that the Change of Zone was appropriate legislative action based on the following Findings of Fact:

A. This is the application of Charletta Speaks-Floyd to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a B-2 Business Community District for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.95 acres, more or less (property lying on the southeast side of John J. Williams Highway (Route 24), approximately 0.15 mile southwest of Hollyville Road [S.C.R. 305]) (Tax I.D. No. 234-32.00-60.00) (911 Address: None Available).

B. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that Charletta Speaks-Floyd was present on behalf of her Application; that she is the owner of the property and the adjacent property; that she operates a child care center that she wishes to expand; that due to being at maximum capacity, she is currently unable to expand; and that the expansion would be on the adjacent site where she wants to construct another facility so that there will be more room for additional children.

C. Based on the Planning and Zoning Commission's Findings (1 through 9), Council found that:

1. B-2 Business Community Zoning is designed to allow office, retail shopping and personal service uses that serve a relatively small area, including low density and medium density neighborhoods.

2. The site is in the Developing Area according to the current Sussex County Comprehensive Plan. B-2 is an appropriate zoning classification in the Developing Area according to the Plan.

3. The adjacent property to the west is zoned B-1 along with several other parcels to the west and southwest. Further west, there are parcels that are zoned C-1 and CR-1. The property is also relatively near the boundary of the Town of Millsboro and the business and commercial uses that exist there. B-2 Zoning is appropriate in this location under these circumstances.

4. This location is along Route 24, which is a major arterial roadway between eastern and western Sussex County. B-2 zoning is appropriate along this section of Route 24 near Millsboro where other similar zoning exists.

5. The rezoning will not adversely affect area roadways or traffic.

6. The rezoning will also not adversely affect nearby properties or property values.

7. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.

8. No parties appeared in opposition to the application.

9. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

D. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, the Council approved this Application.

Document# 20190000000928 BK: 5002 PG: 260
Recorder of Deeds, Scott Dailey On 1/8/2019 at 3:06:06 PM Sussex County, DE
Consideration: $55,000.00 County/Town: $825.00 State: $1,375.00 Total: $2,200.00
Doc Surcharge Paid Town: SUSSEX COUNTY

Parcel #2-34-32.00-60.00
Prepared by:
Fuqua, Willard, Stevens & Schab, PA
9 Chestnut Street
Georgetown, DE 19947
File No. 180406

Return to:
Charletta Speaks-Floyd
Toney L. Floyd
27346 William Street Road
Millsboro, DE 19966

THIS DEED is made this 7th day of January, 2019, between:

Ray C. Burton, Gene R. Burton, Beatrice B. Keenan and James H. Burton, of c/o P.O. Box 1072, Millsboro, DE 19966, parties of the first part,

and

Charletta Speaks-Floyd and Toney L. Floyd, of 27346 William Street Road, Millsboro, DE 19966, parties of the second part, as tenants by the entirety.

WITNESSETH: That the parties of the first part, for and in consideration of the sum of Fifty-Five Thousand and 00/100 Dollars ($55,000.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, the following described lands, situate, lying and being in Sussex County, State of Delaware;

ALL that certain lot, piece or parcel of land situate, lying and being in Indian River Hundred, Sussex County, State of Delaware, lying on the south side of Delaware Route 24, and more particularly described in that certain December 21, 2019, survey prepared by R.B. Kemp, III, P.L.S., of Adams-Kemp Associates, Inc. (Plan No. 181214-A), as follows, to wit:

Document# 20190000000928 BK: 5002 PG: 261
Recorder of Deeds, Scott Dailey On 1/8/2019 at 3:06:06 PM Sussex County, DE
Doc Surcharge Paid

BEGINNING at a found concrete monument on the southeasterly right of way line of State Route 24 (a/k/a John J Williams Highway) (at 100 feet wide), being 0.14 miles, more or less, South of County Road 305, and marking a corner for this lot and lands now or formerly of Gerald Martin Cordrey, Jr.; thence running by and with the division line of this lot, lands now or formerly of Cordrey and lands now or formerly of Peggy Banks, et al. South 30 degrees 50 minutes 00 seconds East 166.29 feet to a found concrete monument in the line of lands now or formerly of Banks, marking a corner for this lot and lands now or formerly of Annie V. Parker; thence turning and running by and with the division line of this lot, lands now or formerly of Parker and lands now or formerly of Thomas J. Hickey, IV, South 58 degrees 45 minutes 00 seconds West 200.00 feet to a found concrete monument in the line of lands now or formerly of Jarad A. & Erin B. Schera, marking a corner for this lot, lands now or formerly of Hickey, and lands now or formerly of Schera; thence turning and running by and with the division line of this lot and lands now or formerly of Schera and other lands now or formerly of Charletta Speaks-Floyd & Toney L. Floyd, North 30 degrees 50 minutes 00 seconds West 246.78 feet to an iron pipe found on the southeasterly right of way line of State Route 24, marking a corner for this lot and other lands now or formerly of Floyd; thence turning and running by and with the southeasterly right of way line of State Route 24, North 80 degrees 43 minutes 44 seconds East 215.04 feet to a found concrete monument, marking a corner for this lot and lands now or formerly of Cordrey, being the point and place of beginning, said to contain 41,306.00 square feet of land, more or less, together with any and all improvements located thereon.

BEING the same land conveyed unto Cecil J. Burton and Marian H. Burton, by Deed of Margaret L. Atkins Vickers and Elwood Vickers, dated January 14, 1980, and recorded January 14, 1980, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 990, Page 313. Cecil J. Burton died on April 19, 1998, leaving Marian H. Burton surviving tenant by the entirety. Marian H. Burton died intestate on October 2, 2006, leaving her four children, Ray C. Burton, Gene R. Burton, Beatrice B. Keenan and James H. Burton, as her heirs and grantors herein.

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

Document# 20190000000928 BK: 5002 PG: 262
Recorder of Deeds, Scott Dailey On 1/8/2019 at 3:06:06 PM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the parties of the first part has hereunto set their hands and seals the day and year written below.

Witness

Ray C. Burton {SEAL}

Witness

Gene R. Burton {SEAL}

Witness

Beatrice B. Keenan {SEAL}

Witness

James H. Burton {SEAL}

State of Delaware)
: S.S.
County of Sussex)

BE IT REMEMBERED, that on this 7th of January, 2019, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Ray C. Burton, Gene R. Burton, Beatrice B. Keenan, and James H. Burton parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

WILLIAM SCHAB, ESQ.
NOTORIAL OFFICER
PURSUANT TO
29 DEL. C. SEC 4323(a)(3)

Notary Public
Printed Name:
My Commission Expires:

File #: C/U 2580

202502581

Planning & Zoning Commission Application
Sussex County, Delaware

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

RECEIVED

FEB 28 2025

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)
Conditional Use X
Zoning Map Amendment ___

Site Address of Conditional Use/Zoning Map Amendment
Southeast side of John J Williams Highway (DE Route 24) approximately 520 feet northeast from the intersection of Layton Avenue and John J Williams Highway, Millsboro, Sussex County, Delaware

Type of Conditional Use Requested:
to operate a commercial hauling, goods and materials delivery service, and driveway installation company, together with storage of vehicles, equipment, and materials in connection with the business.
Trawling with C/Z 2049

Tax Map #: 234-32.00-60.00 **Size of Parcel(s):** +/- 0.9505 Acre

Current Zoning: B2 **Proposed Zoning:** AR-1 **Size of Building:** TBD

Land Use Classification: Developing Area

Water Provider: _____ **Sewer Provider:** _____

Applicant Information

Applicant Name: Toney Floyd Trucking LLC c/o Toney Floyd and Charletta Speaks-Floyd
Applicant Address: 27346 William Street Road
City: Millsboro State: DE ZipCode: 19966
Phone #: (302) 381-1819 E-mail: leta31268@gmail.com

Owner Information

Owner Name: Toney Floyd and Charletta Speaks-Floyd
Owner Address: 27346 William Street Road
City: Millsboro State: DE Zip Code: 19966
Phone #: (302) 381-1819 E-mail: leta31268@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Saul Ewing LLP c/o Mackenzie Peet, Esquire
Agent/Attorney/Engineer Address: 1201 N. Market Street, Suite 2300
City: Wilmington State: DE Zip Code: 19801
Phone #: (302) 421-6826 E-mail: mackenzie.peet@saul.com

Applicant's Engineer Information:
Vista Design, Inc. c/o Steve Engel, PLA and Bruce Howe
11634 Worcester Highway, Showell, MD 21862
sengel@vistadesigninc.com; bhowe@vistadesigninc.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

x **Completed Application**

x **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**
- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description
- Drainage Assessment Report (if required, please refer to Section 115-193 (F)) - N/A
- TIS or Area Wide Study Fee Memo (if required, please refer to the MOU) - N/A

x **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**

To be provided **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

x **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

x **DelDOT Service Level Evaluation Request Response**

N/A **PLUS Response Letter** (if required)

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

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

Signature of Applicant/Agent/Attorney

_____ Date: 2/25/2025

Signature of Owner

_____ Date: _____

For office use only:

Date Submitted: _____ Fee: Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

X Completed Application

X Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property

Survey that shows the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc

Provide a PDF of Plans (may be e-mailed to a staff member)

Deed or Legal description

Drainage Assessment Report (if required, please refer to Section 115-193(E)) N/A

Tax or Area Wide Study Fee Memo (if required, please refer to the MOU) N/A

__ Provide relevant Application Fee (please refer to fees effective July 1, 2022)

To be provided Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

__ DelDOT Service Level Evaluation Request Response

N/A PLUS Response Letter (if required)

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

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Signature of Applicant/Agent/Attorney

_____ Date: _____

Signature of Owner

_____ Date: _____

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

SAUL EWING LLP

CHECK DATE: 02/25/2025

CHECK NO: 920456

VENDOR : 36324 Sussex County Council

Invoice Date	Invoice Number	Invoice Description	Amount Paid
02/25/2025	22525	Filing fee for Conditional Use Application and Rezoning Application	$1,500.00

TOTAL: $1,500.00

CU 2580 & 20250281
CZ 2049

CU 2580 & CZ 2049

Sussex County Government
Treasury
2 The Circle, PO Box 601
Georgetown, DE 19947

03/03/2025 01:25PM Lindsey S
330290S8-0014 001170075

PERMITS / INSPECTIONS
2025 202502501|2010 $1,500.00

$1,500.00

Subtotal $1,500.00
Total $1,500.00

CHECK $1,500.00
Check Number 920456

Change due $0.00

Paid by: SAM EWING LLP

Thank you for your payment.

CUSTOMER COPY



CU 2580 Toney Floyd Trucking, LLC
Aerial Map
Tax Map No. 234-32.00-60.00

CU 2580 Toney Floyd Trucking, LLC

N

0 200 400 800 Feet



CU 2580 Toney Floyd Trucking, LLC
Aerial Map
Tax Map No. 234-32.00-60.00

CU 2580 Toney Floyd Trucking, LLC

N

0 200 400 800 Feet



Zoning

- Agricultural Residential AR-1
- Agricultural Residential - AR 2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI 1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- C1: General Commercial
- C2: Medium Commercial
- C3: Heavy Commercial
- C4 Planned Commercial
- C5: Service/Limited Manufacturing
- B-1 Neighborhood Business
- B-2 Business Community District
- B-3 Business Research

CZ 2049 Toney Floyd Trucking, LLC
Zoning Map
TM# 234-32.00-60.00

CU 2580 Toney Floyd Trucking, LLC

N

0 500 1,000 2,000 Feet

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Susan Isaacs, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: March 27, 2025
RE: Staff Analysis for C/U 2580 Toney Floyd Trucking, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of Application C/U 2580 Toney Floyd Trucking, LLC to be reviewed during the April 2, 2025, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

Please note that the following staff analysis is for informational purposes only and does not prejudice any decision that the Sussex County Planning & Zoning Commission or Sussex County Council may wish to make as part of any Application submitted to the Department.

Tax Parcel ID: 234-32.00-60.00

Proposal: The request is for a Conditional Use for Tax Parcel 234-32.00-60.00 to allow for commercial hauling, goods and materials delivery services, and driveway installation business together with storage of vehicles, equipment, and materials on a parcel lying on the southeast side of John J. Williams Highway (Rt. 24), approximately 520 feet northeast of Layton Avenue. The Parcel contains 0.95 aces +/-.

Zoning: The parcel is zoned Business Community (B-2) District. Adjacent parcel to the west is zoned Neighborhood Business (B-1) District and parcels to the north, south and east are zoned Agricultural Residential (AR-1) District.

Future Land Use Map Designation w/in Comprehensive Plan: Developing Area

Comprehensive Plan Analysis: The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Developing Area". All adjacent parcels to the north, south, and also have a Future Land Use Map designation of "Developing Area".

Recommendations/Guidelines for land categorized as *Developing Area* per the Future land Use Classification in the Comprehensive Plan:

- *Developing Areas* are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers (Page 4-14).

- Permitted Uses: A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home (Page 4-14).

Site Considerations:

- **Density:** N/A
- **Open Space Provisions:** N/A
- **Agricultural Areas:** The site is not within the vicinity of active agricultural areas.
- **Interconnectivity:** N/A
- **Transportation Improvement District (TID):** The parcels are not within the Henlopen Transportation Improvement District.
- **Forested Areas:** N/A
- **Wetlands Buffers/Waterways:** There are no wetlands located on the property nor is the property adjacent to any waterways.
- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The Parcel is located within the "X" Flood Zone with a small portion of the Parcel within a Well Head Protection Area at the northwest Boundary of Parcel.

Based on the analysis of the land use, surrounding zoning and uses, a Conditional Use Application to allow for commercial hauling, goods and materials delivery services, and driveway installation business together with storage of vehicles, equipment, and materials subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

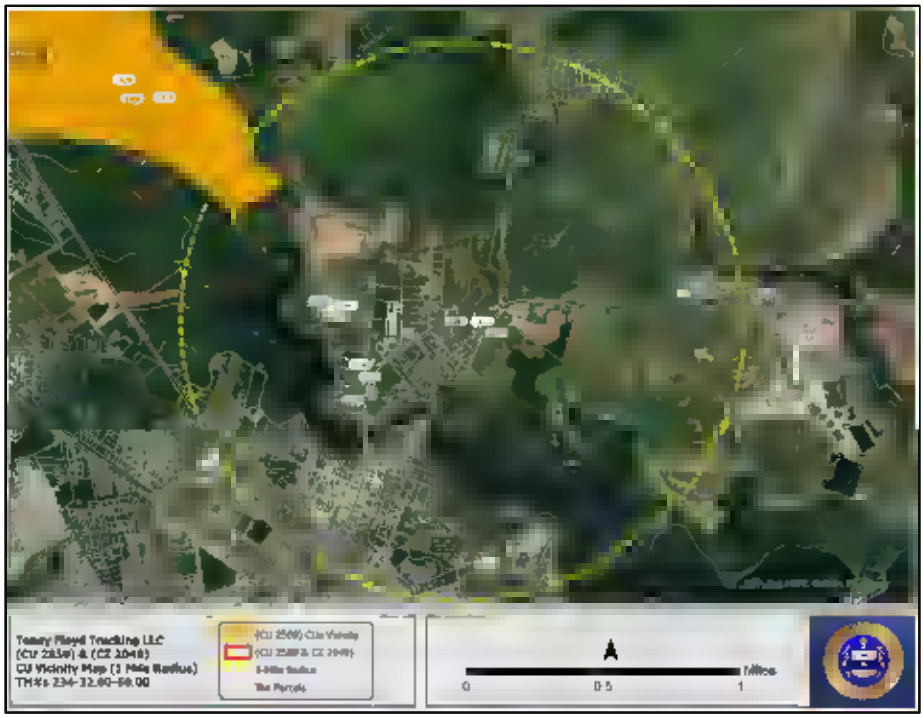
Existing Conditional Uses within the Vicinity of the Subject Site: A Data Table has been supplied which provides further background regarding the approval status of Applications in the area, including the location of all other Conditional Use Applications that are 1 mile +/- distance from the subject site.

Conditional Use Applications

(Within a 1-mile radius of the subject site)

Application CU Number	Application Name	Zoning District	Proposed Use	CC Decision	CC Decision Date	Ordinance Number
13	Dallas Wilkerson	AR-1	Beauty Salon	Approved	7/13/1971	N/A
246	Agnes M Goff	AR-1	Flower Shop	Approved	12/3/1974	N/A
306	Agnes M Goff	AR-1	Addition To Manufactured Home for Home Florist Shop	Approved	12/9/1975	N/A
567	Millsboro Cemetery, Inc.	AR-1	Addition To Existing Cemetery	Approved	4/29/1980	N/A
1135	Sandra Gordon	AR-1	Mini Storage	Withdrawn	N/A	N/A
1146	Sandra Gordon	AR-1	Mini-Storage	Withdrawn	N/A	N/A
1408	Indian River School District (Stockley Site)	AR-1	Public School	Approved	7/24/2001	1481
1626	Julie Bernick & Deborah Safee	AR-1	Dog Grooming	Approved	11/15/2005	1807
1628	State of Delaware	AR-1	Government Building	Approved	6/14/2005	1782
1717	State of Delaware	AR-1	State Health Care Facility	Approved	12/5/2006	1880

	Division of Facilities					
1977	Matthew T. Favinger	AR-1	Doctors Office	Approved	1/7/2014	2333
2303	Antonia Lopez	AR-1	Food Vendor	Denied	8/23/2022	N/A
2411	Joshua Zuppo	AR-1	Tree Business	Approved	5/14/2024	3015
2580	Toney Floyd Trucking, LLC	B-2	Commercial Hauling, Goods, & Material Delivery Service, Driveway Installation Co., Storage Of Vehicles, Equipment & Materials In Connection With The Business	N/A	N/A	N/A




Toney Floyd Trucking LLC
(CU 2850) & (CZ 2049)
CU Vicinity Map (1 Mile Radius)
TM#s 234-32.00-60.00
(CU 2580) CUs Vicinity
(CU 2580 & CZ 2049)
1-Mile Radius
Tax Parcels
N
0
0.15
0.3
Miles

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

SHANTE A. HASTINGS
SECRETARY

February 19, 2025

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Toney Floyd and Charletta Speaks-Floyd (John J Williams Highway, Millsboro, Delaware 19966)** proposed land use application, which we received on February 17, 2025. This application is for an approximate 0.9505-acre parcel (Tax Parcel: 234-32.00-60.00). The parcel is located on the southeast side of John J Highway (Delaware Route 24) approximately 520 feet northeast from the intersection of Layton Avenue (Not a State Maintained Road) and John J Williams Highway. The subject land is currently zoned B2 (Business Community District) with a proposed zoning of AR-1 (Agricultural Residential District) and the applicant seeks a conditional use approval to operate a Commercial hauling, goods and materials delivery service, and driveway installation company (known as Toney Floyd Trucking LLC), together with storage of vehicles, equipment, and materials in connection with the business.

Per the 2023 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along John J Williams Highway, where the subject land is located, which is from Gravel Hill Road (Delaware Route 30) to Jersey Road / Hollyville Road (Sussex County Road 4,327), is 15,610 and 21,296 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in

DelDOT

other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

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

Please contact Ms. Tijah Jones, at tijah.jones@delaware.gov, if you have questions concerning this correspondence.

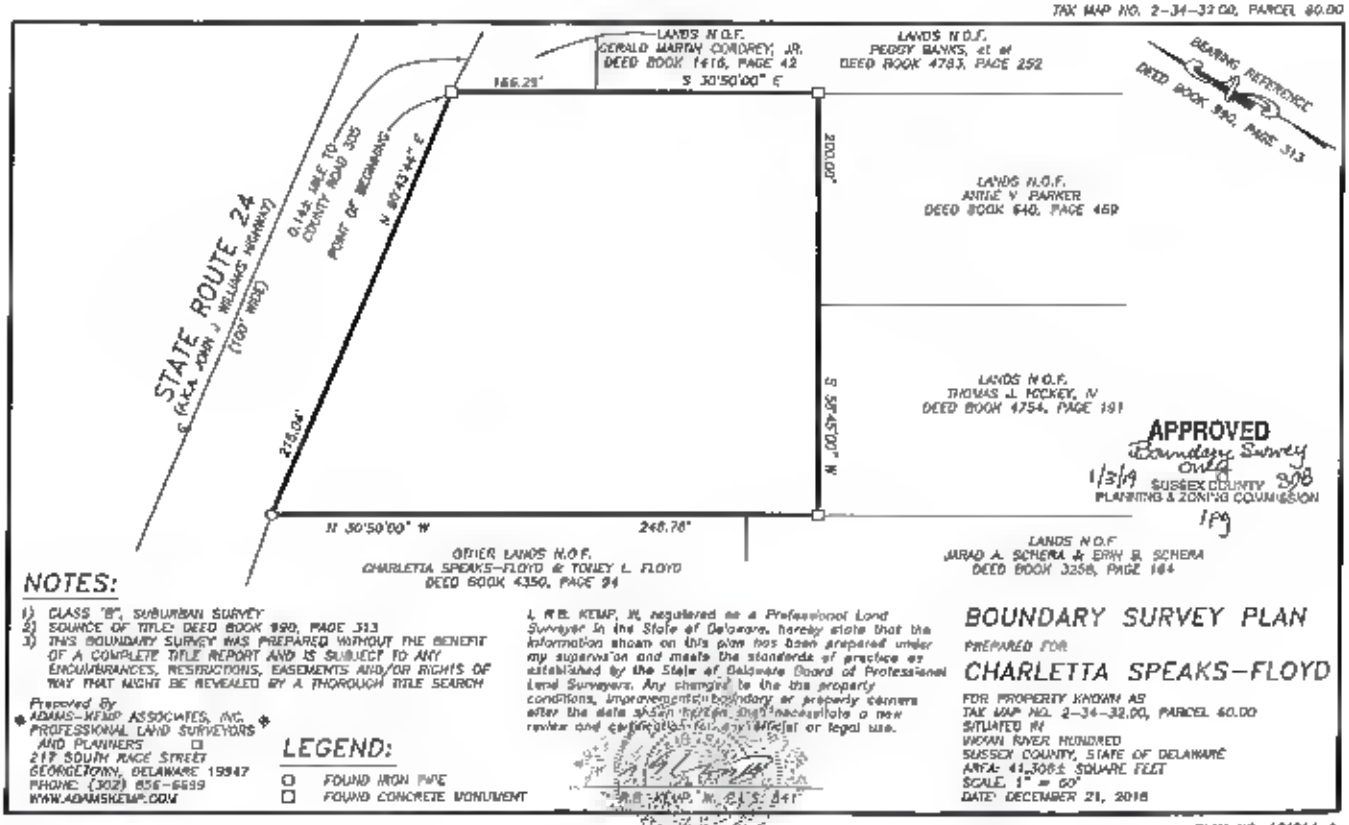
Sincerely,

Sireen Muhtaseb, PE
TIS Engineer
Development Coordination

SAM:tjm
cc: Toney Floyd and Charletta Speaks-Floyd, Applicant
Amy Hollis, Sussex County Planning & Zoning
Sussex County Planning & Zoning
David Edgell, State Planning Director, Office of State Planning Coordination
Matt Schlitter, South District Public Works Engineer, M&O
James Argo, South District Project Reviewer, M&O
Tara Summers-Strong, South District Public Works Admin. M&O
Todd Sammons, Assistant Director, Development Coordination, Planning
John Pietrobono, Acting Sussex Review Coordinator, Dev Coord, Planning
Kevin Hickman, Sussex Reviewer, Development Coordination, Planning
Derek Sapp, Sussex Review Engineer, Development Coordination, Planning
Thomas Gagnon, Sussex Review Engineer, Development Coordination, Planning
José Quixtan, Sussex Review Engineer, Development Coordination, Planning
Annamaria Furmato, TIS Review Engineer, Development Coordination, Planning
Ben Fisher, TIS Review Engineer, Development Coordination, Planning
Tijah Jones, TIS Review Engineer, Development Coordination, Planning

Document# 20190000009218 BK: 5003 PG: 263
Recorder of Deeds, Scott Dailey On 1/8/2019 at 3:06:06 PM Sussex County, DE
Doc Surcharge Paid

TAX MAP NO. 2-34-32.00, PARCEL 60.00



NOTES:

1) CLASS "B", SUBURBAN SURVEY
2) SOURCE OF TITLE: DEED BOOK 990, PAGE 313
3) THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH

Prepared By
ADAMS-KEMP ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
AND PLANNERS
217 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699
WWW.ADAMSKEMP.COM

LEGEND:

- FOUND IRON PIPE
- FOUND CONCRETE MONUMENT

I, R.B. KEMP, JR. registered as a Professional Land Surveyor in the State of Delaware, hereby state that the information shown on this plan has been prepared under my supervision and meets the standards of practice as established by the State of Delaware Board of Professional Land Surveyors. Any changes to the this property conditions, improvements, boundary or property corners after the date shown hereon, may necessitate a new review and certification for any intended or legal use.

R.B. KEMP, JR., P.L.S. #411

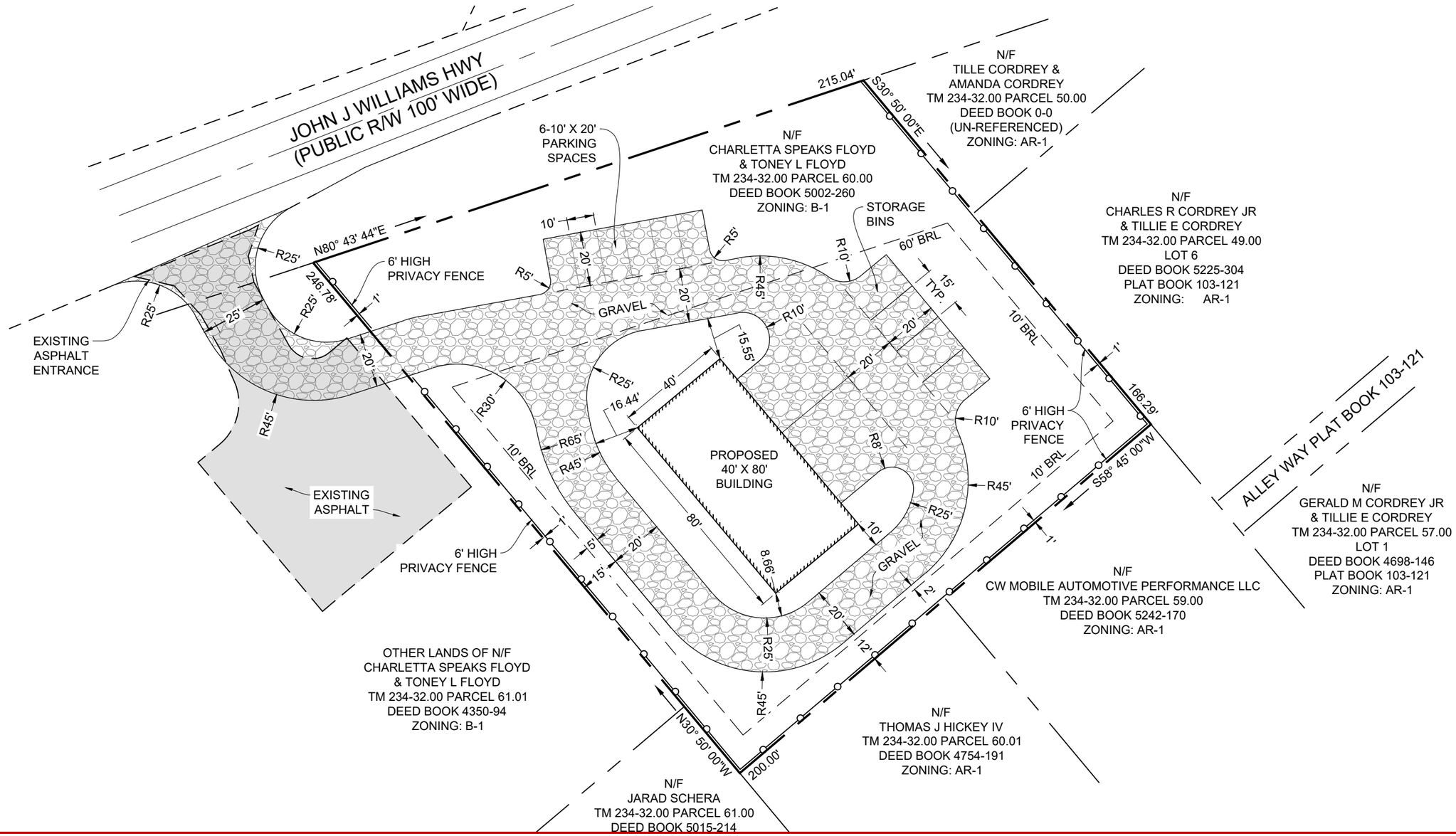
BOUNDARY SURVEY PLAN

PREPARED FOR

CHARLETTA SPEAKS-FLOYD

FOR PROPERTY KNOWN AS
TAX MAP NO. 2-34-32.00, PARCEL 60.00
SITUATED IN
INDIAN RIVER HUNDRED
SUSSEX COUNTY, STATE OF DELAWARE
AREA: 41,306± SQUARE FEET
SCALE: 1" = 60'
DATE: DECEMBER 21, 2018

PLAN NO. 181214-A



NOTES:

SITE IN FLOOD ZONE UNSHADED "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP PANEL 10005C0456L, REVISED JUNE 20, 2018

0 20 40 80 120

SCALE: 1" = 40'

N/F
CHARLETTA SPEAKS FLOYD
& TONEY L FLOYD
TM 234-32.00 PARCEL 60.00
DEED BOOK 5002-260
ZONING: B-1 NEIGHBORHOOD BUSINESS

NOTE:
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NOTE:
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.

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
1064 Wheatsheaf Hwy. Showell, MD 21862
Ph. 410-352-3874 • • www.vistadesigninc.com

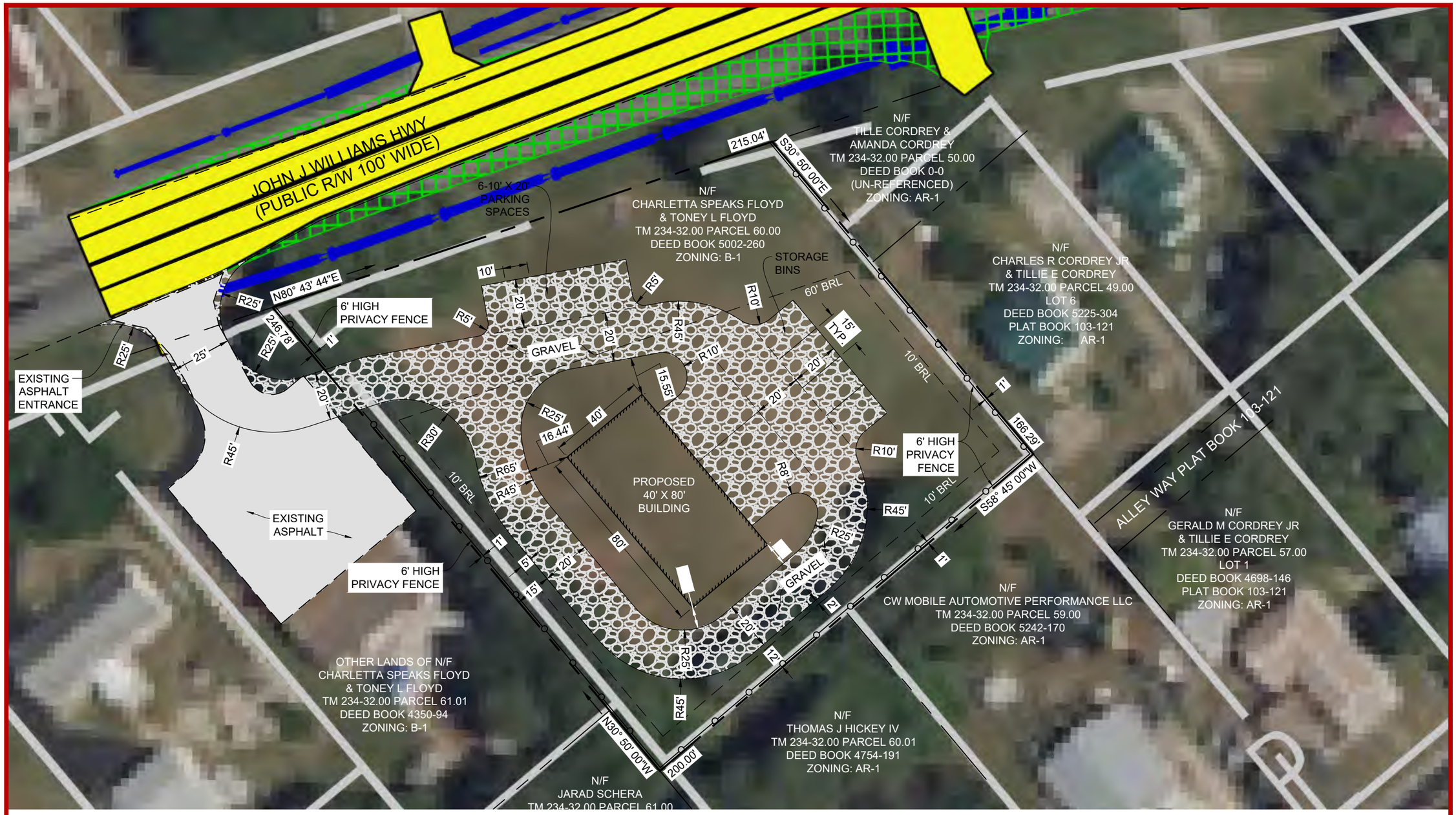
PRELIMINARY
CONDITIONAL USE
ALT ENT PLAN

FLOYD PROPERTY
JOHN J. WILLIAMS HWY
MILLSBORO, DE 19966

PROJECT DATA
Project No.: 24-024
File Name: P.60 Cond Use-Alt Ent.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 12/18/14

Scale:
1" = 40'

Sheet No.:
1 of 1



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10634 Worcester Hwy. Showell, MD 21862
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PRELIMINARY
CONDITIONAL USE
ALT ENT PLAN

FLOYD PROPERTY
JOHN J. WILLIAMS HWY
MILLSBORO, DE 19966

PROJECT DATA
Project No.: 24-024
File Name:D:60 Cond Use-Alt Ent.dg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 03/11/25

Scale:
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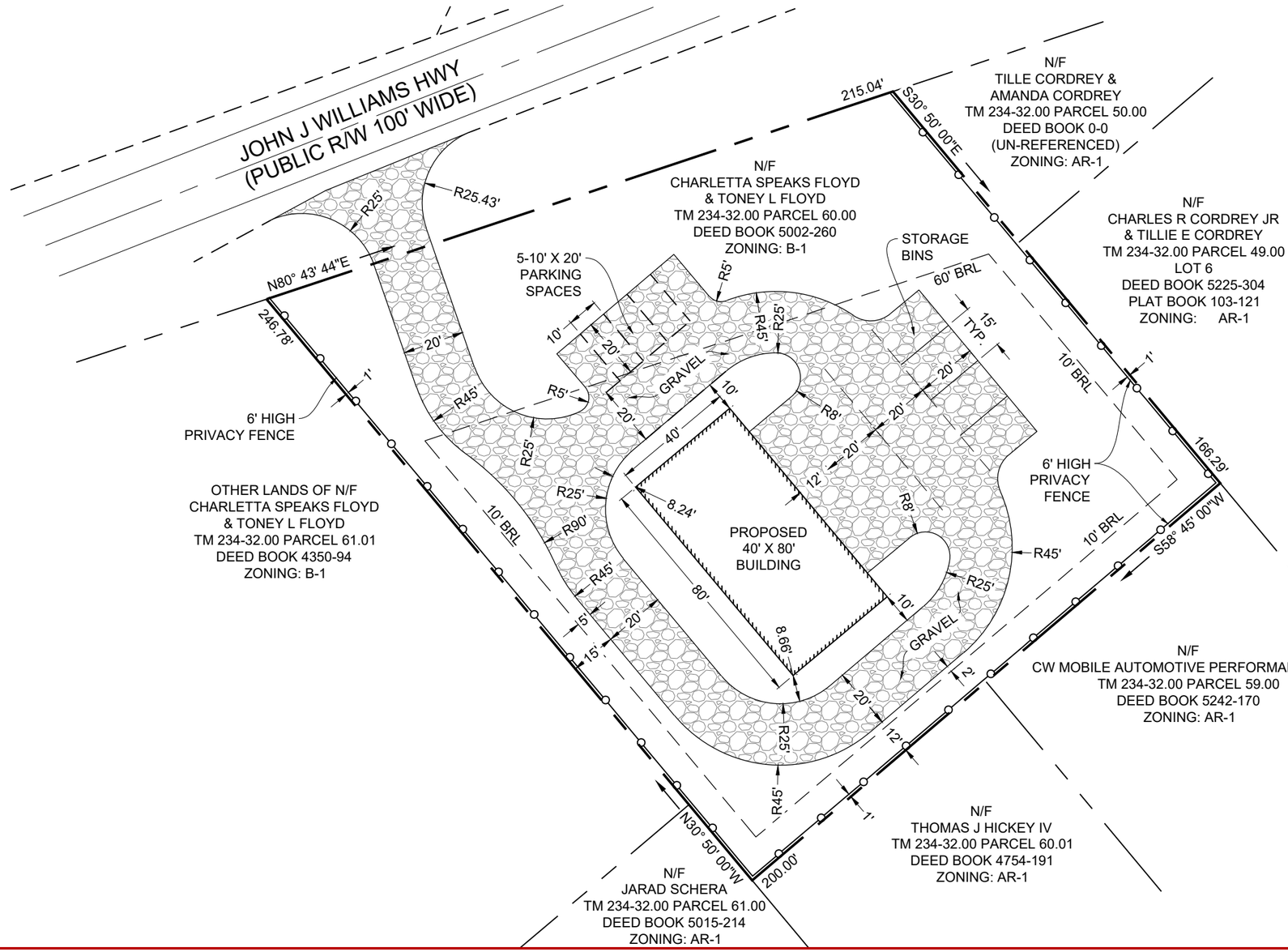
Sheet No.:
1 of 1



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1634 Wrangler Hwy. Showell, MD 21862
Ph. 410-352-3874 • • www.vistadesigninc.com

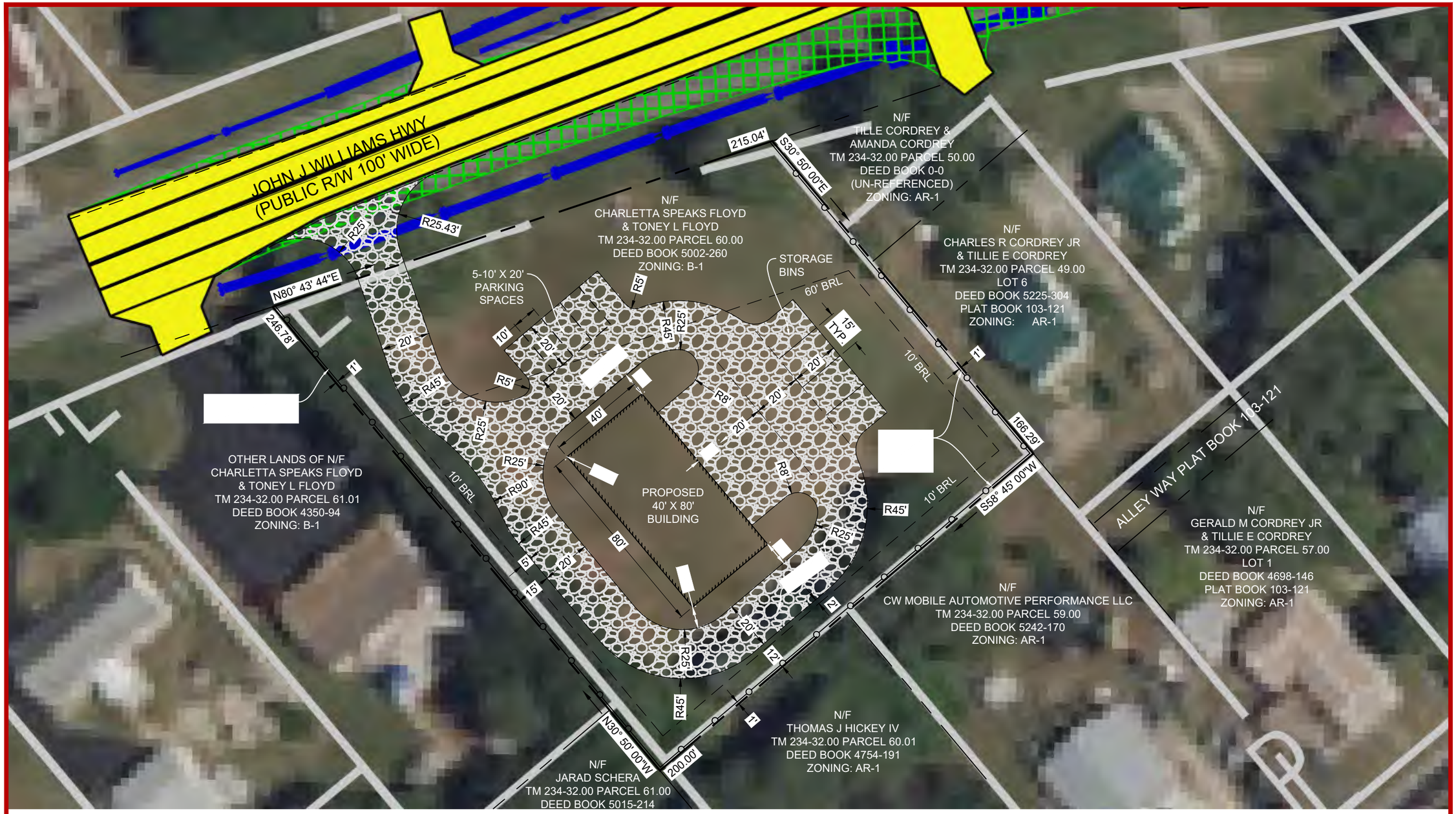
PRELIMINARY
CONDITIONAL USE
PLAN

FLOYD PROPERTY
JOHN J. WILLIAMS HWY
MILLSBORO, DE 19966

PROJECT DATA
Project No.: 24-024
File Name: Parcel 60 Cond. Use.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 12/18/14

Scale:
1" = 40'

Sheet No.:
1 of 1



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& TONEY L FLOYD
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PRELIMINARY
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FLOYD PROPERTY
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File Name: Parcel 60 Cond. Use.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 03/11/25

Scale:
1" = 40'

Sheet No.:
1 of 1

ORDINANCE NO. 2824

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 0.95 ACRES, MORE OR LESS

WHEREAS, on the 9th day of March 2021, a zoning application, denominated Change of Zone No. 1941 was filed on behalf of Charletta Speaks-Floyd; and

WHEREAS, on the 18th day of November 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 9th day of December 2021 said Planning and Zoning Commission recommended that Change of Zone No. 1941 be approved; and

WHEREAS, on the 14th day of December 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation B-2 Business Community District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying on the south east side of John J. Williams Highway (Rt. 24) approximately 0.15 mile south west of Hollyville Road (S.C.R. 305) and being more particularly described in the attached legal description prepared by Fuqua, Willard, Stevens & Schab, P.A., said parcel containing 0.95 ac., more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2824 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 14TH DAY OF DECEMBER 2021.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

The Council found that the Change of Zone was appropriate legislative action based on the following Findings of Fact:

A. This is the application of Charletta Speaks-Floyd to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a B-2 Business Community District for a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.95 acres, more or less (property lying on the southeast side of John J. Williams Highway (Route 24), approximately 0.15 mile southwest of Hollyville Road [S.C.R. 305]) (Tax I.D. No. 234-32.00-60.00) (911 Address: None Available).

B. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that Charletta Speaks-Floyd was present on behalf of her Application; that she is the owner of the property and the adjacent property; that she operates a child care center that she wishes to expand; that due to being at maximum capacity, she is currently unable to expand; and that the expansion would be on the adjacent site where she wants to construct another facility so that there will be more room for additional children.

C. Based on the Planning and Zoning Commission's Findings (1 through 9), Council found that:

1. B-2 Business Community Zoning is designed to allow office, retail shopping and personal service uses that serve a relatively small area, including low density and medium density neighborhoods.

2. The site is in the Developing Area according to the current Sussex County Comprehensive Plan. B-2 is an appropriate zoning classification in the Developing Area according to the Plan.

3. The adjacent property to the west is zoned B-1 along with several other parcels to the west and southwest. Further west, there are parcels that are zoned C-1 and CR-1. The property is also relatively near the boundary of the Town of Millsboro and the business and commercial uses that exist there. B-2 Zoning is appropriate in this location under these circumstances.

4. This location is along Route 24, which is a major arterial roadway between eastern and western Sussex County. B-2 zoning is appropriate along this section of Route 24 near Millsboro where other similar zoning exists.

5. The rezoning will not adversely affect area roadways or traffic.

6. The rezoning will also not adversely affect nearby properties or property values.

7. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.

8. No parties appeared in opposition to the application.

9. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

D. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, the Council approved this Application.

Document# 20190000000928 BK: 5002 PG: 260
Recorder of Deeds, Scott Dailey On 1/8/2019 at 3:06:06 PM Sussex County, DE
Consideration: $55,000.00 County/Town: $825.00 State: $1,375.00 Total: $2,200.00
Doc Surcharge Paid Town: SUSSEX COUNTY

Parcel #2-34-32.00-60.00
Prepared by:
Fuqua, Willard, Stevens & Schab, PA
9 Chestnut Street
Georgetown, DE 19947
File No. 180406

Return to:
Charletta Speaks-Floyd
Toney L. Floyd
27346 William Street Road
Millsboro, DE 19966

THIS DEED is made this 7th day of January, 2019, between:

Ray C. Burton, Gene R. Burton, Beatrice B. Keenan and James H. Burton, of c/o P.O. Box 1072, Millsboro, DE 19966, parties of the first part,

and

Charletta Speaks-Floyd and Toney L. Floyd, of 27346 William Street Road, Millsboro, DE 19966, parties of the second part, as tenants by the entirety.

WITNESSETH: That the parties of the first part, for and in consideration of the sum of Fifty-Five Thousand and 00/100 Dollars ($55,000.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, the following described lands, situate, lying and being in Sussex County, State of Delaware;

ALL that certain lot, piece or parcel of land situate, lying and being in Indian River Hundred, Sussex County, State of Delaware, lying on the south side of Delaware Route 24, and more particularly described in that certain December 21, 2019, survey prepared by R.B. Kemp, III, P.L.S., of Adams-Kemp Associates, Inc. (Plan No. 181214-A), as follows, to wit:

Document# 20190000000928 BK: 5002 PG: 261
Recorder of Deeds, Scott Dailey On 1/8/2019 at 3:06:06 PM Sussex County, DE
Doc Surcharge Paid

BEGINNING at a found concrete monument on the southeasterly right of way line of State Route 24 (a/k/a John J Williams Highway) (at 100 feet wide), being 0.14 miles, more or less, South of County Road 305, and marking a corner for this lot and lands now or formerly of Gerald Martin Cordrey, Jr.; thence running by and with the division line of this lot, lands now or formerly of Cordrey and lands now or formerly of Peggy Banks, et al. South 30 degrees 50 minutes 00 seconds East 166.29 feet to a found concrete monument in the line of lands now or formerly of Banks, marking a corner for this lot and lands now or formerly of Annie V. Parker; thence turning and running by and with the division line of this lot, lands now or formerly of Parker and lands now or formerly of Thomas J. Hickey, IV, South 58 degrees 45 minutes 00 seconds West 200.00 feet to a found concrete monument in the line of lands now or formerly of Jarad A. & Erin B. Schera, marking a corner for this lot, lands now or formerly of Hickey, and lands now or formerly of Schera; thence turning and running by and with the division line of this lot and lands now or formerly of Schera and other lands now or formerly of Charletta Speaks-Floyd & Toney L. Floyd, North 30 degrees 50 minutes 00 seconds West 246.78 feet to an iron pipe found on the southeasterly right of way line of State Route 24, marking a corner for this lot and other lands now or formerly of Floyd; thence turning and running by and with the southeasterly right of way line of State Route 24, North 80 degrees 43 minutes 44 seconds East 215.04 feet to a found concrete monument, marking a corner for this lot and lands now or formerly of Cordrey, being the point and place of beginning, said to contain 41,306.00 square feet of land, more or less, together with any and all improvements located thereon.

BEING the same land conveyed unto Cecil J. Burton and Marian H. Burton, by Deed of Margaret L. Atkins Vickers and Elwood Vickers, dated January 14, 1980, and recorded January 14, 1980, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 990, Page 313. Cecil J. Burton died on April 19, 1998, leaving Marian H. Burton surviving tenant by the entirety. Marian H. Burton died intestate on October 2, 2006, leaving her four children, Ray C. Burton, Gene R. Burton, Beatrice B. Keenan and James H. Burton, as her heirs and grantors herein.

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

Document# 20190000000928 BK: 5002 PG: 262
Recorder of Deeds, Scott Dailey On 1/8/2019 at 3:06:06 PM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the parties of the first part has hereunto set their hands and seals the day and year written below.

Witness

Ray C. Burton {SEAL}

Witness

Gene R. Burton {SEAL}

Witness

Beatrice B. Keenan {SEAL}

Witness

James H. Burton {SEAL}

State of Delaware)
: S.S.
County of Sussex)

BE IT REMEMBERED, that on this 7th of January, 2019, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Ray C. Burton, Gene R. Burton, Beatrice B. Keenan, and James H. Burton parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

WILLIAM SCHAB, ESQ.
NOTORIAL OFFICER
PURSUANT TO
29 DEL. C. SEC 4323(a)(3)

Notary Public
Printed Name:
Commission Expires:

Sussex County



Sussex County



Sussex County



File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ___
Zoning Map Amendment ✔

Site Address of Conditional Use/Zoning Map Amendment

+/- 75' north of Intersection of Lighthouse Road (DE RT 54, SCR 58) and New Road (SCR 391)

Type of Conditional Use Requested:

114 Single Family Detached homes and 106 Duplex (semi-detached) housing units

Tax Map #: 533-19.00-7,-8.01&-9 **Size of Parcel(s)**: (60.84 Ac) 13.76, 10.13 &

Current Zoning: AR-1 **Proposed Zoning:** MR/CU **Size of Building**: _____

Land Use Classification: Coastal Area

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

Applicant Information

Applicant Name: Marlin Cove, LLC/ Russ Garufi
Applicant Address: 37795 New Road
City: Selbyville State: DE ZipCode: 19975
Phone #: (410) 320-6277 E-mail: atlanticbuildingassociates@gmail.com

Owner Information

Owner Name: Marlin Cove, LLC/ Russ Garufi
Owner Address: 37795 New Road
City: Selbyville State: DE Zip Code: 19975
Phone #: (410) 320-6277 E-mail: atlanticbuildingassociates@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Hudson Jones Jaywork & Fisher, LLC / Richard E. Berl Jr. Esq.
Agent/Attorney/Engineer Address: 34382 Carpenters Way, Ste. 3
City: Lewes State: DE Zip Code: 19958
Phone #: (302) 644-8330 E-mail: rberl@delawarelaw.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**

— **Optional - Additional Information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.**

✓ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

✓ **DelDOT Service Level Evaluation Request Response**

✓ **PLUS Response Letter (if required)**

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

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

Signature of Applicant/Agent/Attorney

Date: 6.15.23

Signature of Owner

Date: 6-21-2023

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

Exhibit F.10

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

NICOLE MAJESKI
SECRETARY

April 24, 2023

Ms. Betty H. Tustin, PE
The Traffic Group, Inc.
104 Kenwood Court
Berlin, Maryland 21811

Dear Ms. Tustin,

The enclosed Traffic Operational Analysis (TOA) review letter for the **Marlin Cove** (Tax Parcels: 533-19.00-7.00, 8.01, and 9.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TOA to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
TIS Group Project Engineer

CJ:km
Enclosures
cc with enclosures: Mr. Russell Garufi, Marlin Cove, LLC
Mr. Rich Polk, Vista Design, Inc.
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning & Zoning
Ms. Joanne M. Arellano, Johnson, Mirmiran, & Thompson, Inc.
Mr. Mir Wahed, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
Kevin Hickman, Sussex County Review Coordinator, Development Coordination, Planning
Thomas Gagnon, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Annamaria Furmato, TIS Group Project Engineer, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Jennifer Cinelli, Transportation Planner, Statewide & Regional Planning

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Mrs. Christin Scott, Planner II
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: March 27, 2025
RE: Staff Analysis for C/Z 2016 Marlin Cove

This memo is to provide background and analysis for the Planning & Zoning Commission to consider as a part of application C/Z 2016 Marlin Cove to be reviewed during the April 2nd, 2025, Planning & Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

Please note that the following staff analysis is for informational purposes only and does not prejudice any decision that the Sussex County Planning & Zoning Commission or Sussex County Council may wish to make as part of any Application submitted to the Department.

Tax Parcel ID: 533-19.00-7.00, 8.01, & 9.00

Proposal: The request is for a Change of Zone for Tax Parcels: 533-19.00-7.00, 8.01, & 9.00 from Agricultural Residential (AR-1) Zoning District to Medium Density (MR) Zoning District. The Parcels are located on the west side of New Road (S.C.R. 391) approximately 65 ft. north of the intersection with Lighthouse Road (Rt. 54) and comprised of a total of 60.84 acres +/-.

Staff note that related Applications (C/U 2459 and 2023-08 Marlin Cove) requesting a Conditional Use to allow for multifamily use (Single-family detached condominiums – 106 Units) and 107 single family cluster lots with a total of 213 units accompanies this Application.

Zoning: The Parcels are zoned Agricultural Residential (AR-1) Zoning District with adjacent properties to the north, south, east, and west of the Parcels being zoned Agricultural Residential (AR-1) Zoning District. Parcels directly across Lighthouse Road (Rt. 54) and further east are zoned Medium Density (MR) District, Neighborhood Business (B-1) District, General Commercial (C-1) District, Medium Commercial (C-2) District, and Heavy Commercial (C-3) District.

In terms of permitted residential density, if this Change of Zone to Medium Density (MR) Zoning District and the accompanying (CU 2459) were to be approved, the proposed density of ≈ (3.5) dwelling units per acre would comply with the County Code requirements for multifamily improvement in an (MR) District which allows up to (12) multifamily dwelling units per acre when serviced by a central sewer system (§115-Attachment 2 – Table II)(§115-31).

Future Land Use Map Designation - (Comprehensive Plan): Coastal Area

Applicability to Comprehensive Plan: The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Coastal Area" with all adjacent parcels also categorized under the Future Land Use Map designation of "Coastal Area".

As outlined within the 2018 Sussex County Comprehensive Plan, *Coastal Areas* are growth areas that the County encourages only the appropriate forms of concentrated new development, especially when environmental features are in play. The *Coastal Area* designation is intended to recognize the characteristics of both anticipated growth and ecologically important and sensitive characteristics. The Plan notes, "this region contains ecologically important and sensitive characteristics as well as other coastal lands which help to absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats. And these factors are themselves part of the reason that this Area is so desirable - making the protection of them important to both the environment and the economy" (2018 Sussex County Comprehensive Plan, 4-15).

In terms or residential/dwelling improvements, the Plan notes, "A range of housing types should be permitted in *Coastal Areas,* including single-family homes, townhouses, and multi-family units" (2018 Sussex County Comprehensive Plan, 4-15). In terms of density the Plan notes:

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 (2018 Sussex County Comprehensive Plan, 4-16).

Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" in the 2018 Sussex County Comprehensive Plan notes that the proposed zoning of Medium Commercial (MR) in an applicable Zoning Districts within the "Coastal Area" Future Land Use Map Designation.

Further Site Considerations

- **Density:** In terms of permitted residential density, if this Conditional Use for multifamily use and the accompanying Change of Zone (C/Z 2016 AR-1 to MR) were to be approved, the proposed density of ≈ (3.5) dwelling units per acre would comply with the County Code requirements for multifamily improvement in an (MR) District which allows up to (12) multifamily dwelling units per acre when serviced by a central sewer system (§115-Attachment 2 – Table II)(§115-31).

- **Open Space Provisions:** The proposed plan includes (19.69) acres +/- (out of a total of (60.84) acres) of open space which equates to approximately (32.4%) of the project site.

- **Agricultural Areas:** The site is located within the vicinity of lands use for agricultural purposes.

- **Interconnectivity: N/A**

- **Transportation Improvement District (TID): N/A**

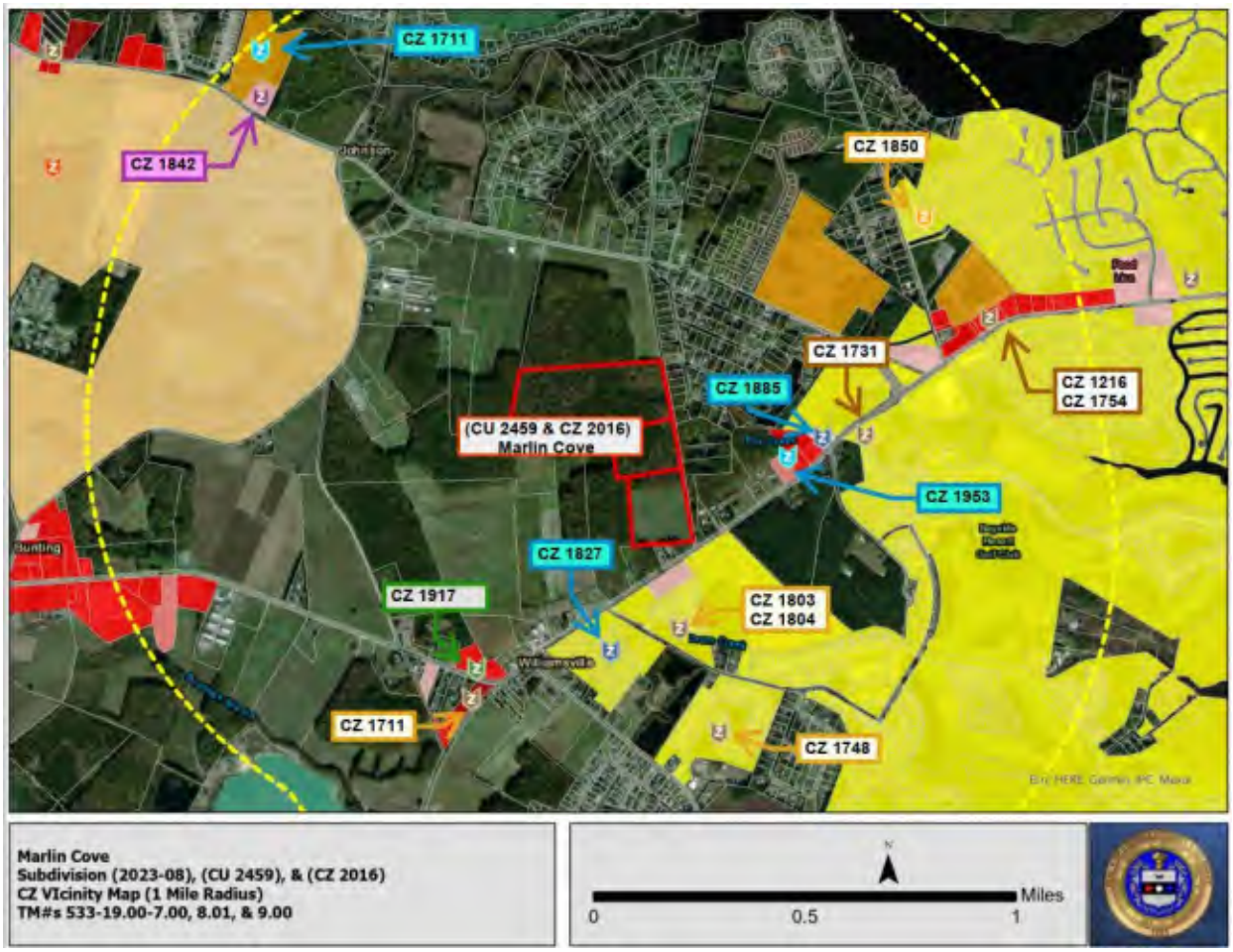
- **Forested Areas:** N/A.

- **Wetlands Buffers/Waterways:** County data indicates the presence of jurisdictional Nonidal Wetlands areas on a portion of the site which are required to meet the Resource Buffer Protection Section of the Zoning Code (§115-193). Staff note that the Applicant submitted a Drainage Assessment Report (DAR) as required under (§115-193F) and the submission was reviewed by SCED, with all of SCED's comments addressed.

- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The Parcels are located within Flood Zones "X" and Staff note there are no Wellhead Protection Areas on the site. The Parcel is classified as within areas of "Fair" in terms of Groundwater Recharge Potential on the site per data from the State of Delaware.

Based on the analysis provided, the application to allow for a change of zone from an Agricultural Residential (AR-1) zoning district to a Medium Density (MR) zoning district in this location could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

Existing Changes of Zone within the Vicinity of the Subject Site: There have been (13) historic Changes of Zone within a 1-mile radius of the site.


CZ 1711
CZ 1842
CZ 1850
CZ 1731
CZ 1885
CZ 1216
CZ 1754
(CU 2459 & CZ 2016)
Marlin Cove
CZ 1953
CZ 1827
CZ 1917
CZ 1803
CZ 1804
CZ 1711
CZ 1748
Marlin Cove
Subdivision (2023-08), (CU 2459), & (CZ 2016)
CZ VIcinity Map (1 Mile Radius)
TM#s 533-19.00-7.00, 8.01, & 9.00
N
Miles
0
0.5
1

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
5TH ELECTION DISTRICT

SITE DATA

OWNERS

PARCEL 533-19.00-7.00
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

PARCELS 533-19.00-8.01 & 9.00
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

AGENT/LEGAL COUNSEL

HUDSON, JONES, JAYWORK & FISHER, LLC.
34382 CARPENTERS WAY, STE. 3
LEWES, DELAWARE 19958
PHONE: (302) 644-8330
CONTACT: FRED A. TOWNSEND III, ESQ.

ENGINEER/SURVEYOR

VISTA DESIGN, INC.
11634 WORCESTER HIGHWAY
SHOWELL, MARYLAND 21862
PHONE: (410) 352-3874
CONTACT: RICHARD POLK, PE

ENVIRONMENTAL CONSULTANT

ENVIRONMENTAL RESOURCES, INC.
38173 DUPONT BOULEVARD
SELBYVILLE, DELAWARE 19975
PHONE: (302) 436-9637
CONTACT: EDWARD LAUNAY, PWS

TAX MAP & ZONING INFORMATION

TAX MAP ID'S	533-19.00-7.00, 533-19.00-8.01 & 533-19.00-9.00
SITE ADDRESS	NEW ROAD (CR 391), SELBYVILLE, DE 19975
EXISTING LAND USE	AGRICULTURAL/FORESTED
PROPOSED LAND USE	RESIDENTIAL
EXISTING ZONING	AR-1 - AGRICULTURAL RESIDENTIAL
PROPOSED ZONING	MR - MEDIUM RESIDENTIAL/CLUSTER OPTION CONDITIONAL USE PERMIT - DUPLEX HOMES

SITE AREA

Parcel 7.00	±13.76 Acres
Parcel 8.01	±10.13 Acres
Parcel 9.00	±36.95 Acres
TOTAL AREA OF PARCELS	±60.84 Acres

SITE INFORMATION

PROPOSED UNITS
- ○ 114 SINGLE FAMILY DETACHED CLUSTER LOTS (75' MIN. 75' FRONT TYP., 100' DEPTH, 7,500 SF TYP.)
- ○ 106 HOMES (53 DUPLEX LOTS) DUPLEX (28'-30' PER DUPLEX UNIT WIDTH) FAMILY LOTS - (76' MIN. 80' FRONT, 100' DEPTH, 8,000 SF TYP.)

220 TOTAL FAMILY UNITS

TOTAL SITE AREA	± 60.84 AC
AREAS OF:	
PROPOSED LOTS	32.06 AC
PROPOSED AMENITY LOT	0.61 AC
PROPOSED PRIVATE ROW	10.07 AC
PROPOSED ROW DEDICATION	0.79 AC (ALONG NEW ROAD)
OPEN SPACE	
REQUIRED	± 18.25 AC (30% OF SITE AREA)
PROVIDED	± 18.46 AC (30.4% OF SITE AREA) [30.7% OF SITE AREA AFTER ROW DEDICATION]
PROPOSED DENSITY	3.62 UNITS / ACRE (MR-MAX = 4 UNITS / ACRE)

PROPOSED MINIMUM YARD REQUIREMENTS:

FRONT YARD	30 FT
SIDE YARD	10 FT
REAR YARD	10 FT
MINIMUM FRONTAGE WIDTH	75 FT (DETACHED SINGLE FAMILIES) 76 FT (DUPLEX)

ANTICIPATED NUMBER OF DEVELOPMENT PHASES: 6
ANTICIPATED LIMIT OF DISTURBANCE WITHIN OWNER PARCELS: 55.05 AC

FLOOD ZONE

THIS SITE IS NOT WITHIN THE LIMITS OF A FEMA FLOODPLAIN, AND IS SHOWN AS BEING IN ZONE 'X':
AREAS OF MINIMAL FLOOD HAZARD ON:
FEMA MAP NO. 10005C0635 K
MAP REVISED - MARCH 16, 2015

SEWER PROVIDER

SEWER SERVICES SHALL BE SUPPLIED BY SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT WITHIN THE SUB-AREA DESIGNATED AS FENWICK ISLAND SANITARY SEWER DISTRICT.
- 533-19.00-7.00 - SEWER TIER 1
- 533-19.00-8.01 - SEWER TIER 1
- 533-19.00-9.00 - SEWER PLANNING TIER 2 (Utility Planning & Design Review Complete Received 1/31/2022)

WATER PROVIDER

WATER SERVICES SHALL BE SUPPLIED BY ARTESIAN WATER COMPANY IN SERVICE AREA "EASTERN SUSSEX 4".

HORIZONTAL DATUM

NAD 83/2011 DELAWARE STATE PLANE GRID

WETLANDS

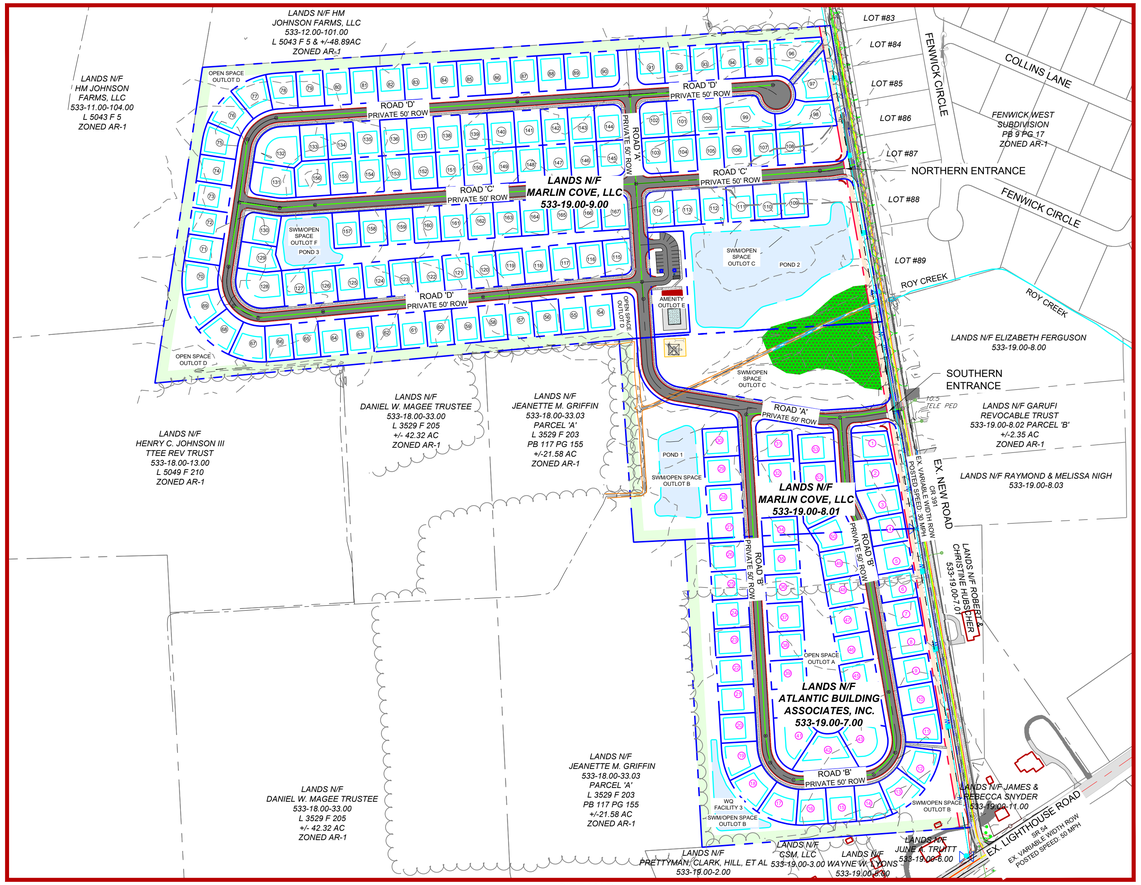
NON-TIDAL WETLANDS WERE IDENTIFIED ALONG ROY CREEK DURING FALL 2020 FIELD INVESTIGATION BY EDWARD LAUNAY, PWS, OF ENVIRONMENTAL RESOURCES, INC.

SOILS CLASSIFICATION

HmA	HAMMONTON LOAMY SAND, 0 - 2 PERCENT SLOPES B SOIL CLASSIFICATION
HuA	HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES A/D SOIL CLASSIFICATION
KsA	KLEJ LOAMY SAND, 0-2 PERCENT SLOPES A/D SOIL CLASSIFICATION
RuA	RUNCLINT LOAMY SAND, 0-2 PERCENT SLOPES A SOIL CLASSIFICATION

PROPOSED LAND USE

DETACHED SINGLE FAMILY HOMES & DUPLEX HOMES

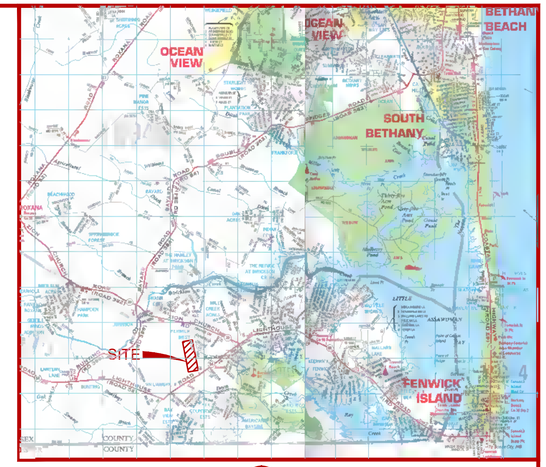


SITE MAP
SCALE: 1" = 200'

NORTH
DE STATE PLANE
DATUM (NAD83)

NORTH

0 100 200 400 600
SCALE: 1" = 200'



SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	EXISTING CONDITIONS PLAN
SHEET 3	NON-TIDAL WETLANDS/BUFFER ZONE PLAN
SHEET 4	PROPOSED OVERALL SUBDIVISION PLAN/INDEX SHEET
SHEET 5	PROPOSED SUBDIVISION PLAN
SHEET 6	PROPOSED SUBDIVISION PLAN
SHEET 7	PROPOSED SUBDIVISION PLAN
SHEET 8	PROPOSED SUBDIVISION PLAN
SHEET 9	PROPOSED ENTRANCE LAYOUT
SHEET 10	TYPICAL SUBDIVISION DETAILS
SHEET 11	LINE, CURVE & LOT AREA TABLES

LEGEND

Ex. Property Line	Pr. Water Line
Ex. Adjacent Property Line	Pr. Storm Drain Pipe
Ex. Building	Pr. Edge of Pavement
Ex. Waters of the U.S.	Pr. Roadway
Ex. Intermittent County Buffers	Pr. Woods Line
Ex. Non-Tidal Wetlands	Pr. Agriculture/Forested
Ex. Wetland County Buffers	Buffer Easement
Ex. Edge of Pavement	Pr. Shared Use Path
Ex. Roadway	Pr. Drainage Culverts
Ex. Centerline of New Road	
Ex. Driveway	
Ex. 1X Contour	
Ex. 5X Contour	
Ex. Soil Test Pit	
Ex. Soil Delineation	
Ex. Woods Lines	
Ex. Benchmark	
Ex. Sanitary Sewer	
Ex. Water Line	
Ex. Electric Line	
Ex. Utility Easement	
Pr. Property Line/ROW	
BLDG Setback Line	
Pr. Multi-Use Path Easement	
Pr. Sanitary Sewer Easement	
Pr. Water Easement	
Pr. 1X Contour	
Pr. 5X Contour	
Pr. Stormwater Facility	
Pr. Sanitary Sewer	

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST SUSSEX COUNTY SPECIFICATIONS, THE LATEST SUSSEX COUNTY DETAIL MANUAL AND IN ACCORDANCE WITH ALL OTHER APPLICABLE COUNTY AND STATE ORDINANCES.
2. CONTRACTOR IS RESPONSIBLE FOR CONTACTING "MISS UTILITY" AT 1-800-282-8555, 48 HOURS PRIOR TO ANY EXCAVATION WORK TO LOCATE ALL UTILITIES IN THE WORK AREA. ANY CONFLICTS MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER IMMEDIATELY.
3. WATER SERVICE WILL BE PROVIDED BY A PROPOSED EXTENSION OF EXISTING PUBLIC FACILITIES. ALL DISTRIBUTION EQUIPMENT WILL BE MAINTAINED BY ARTESIAN UTILITIES, INC. ALL PROPOSED FACILITIES WILL BE SUBJECT TO REVIEW AND APPROVAL BY ARTESIAN UTILITIES, SUSSEX COUNTY AND DELAWARE DIVISION OF PUBLIC HEALTH.
4. WASTEWATER TREATMENT AND DISPOSAL WILL BE PROVIDED BY CONNECTION TO THE EXISTING FENWICK ISLAND SANITARY SEWER DISTRICT WASTEWATER FACILITIES. THE COLLECTION AND TRANSMISSION SYSTEM WILL CONSIST OF VARIOUS DIAMETER GRAVITY SEWERS. THE COLLECTION AND TRANSMISSION SYSTEM WILL BE SUBJECT TO REVIEW AND APPROVAL BY SUSSEX COUNTY AND DNREC.
5. AGRICULTURAL PROPERTIES GREATER THAN 10 ACRES DIRECTLY ABUT THE SUBDIVISION PROPERTY. THE ADJOINING AREAS ARE PREDOMINATELY WOODED.
6. NO DELAWARE STATE WETLANDS EXIST ON THE PROPERTY.
7. STORMWATER MANAGEMENT PRACTICES WILL BE DESIGNED TO MEET STORMWATER QUALITY AND QUANTITY MANAGEMENT REQUIREMENTS. ALL STORMWATER MANAGEMENT DESIGN WILL BE IN ACCORDANCE WILL DELAWARE STORMWATER DESIGN MANUAL STANDARDS.
8. ALL ROADS WILL BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY SPECIFICATIONS FOR PRIVATE ROADS. TYPICAL ROAD SECTIONS AND SETBACK INFORMATION IS PROVIDED ON SHEET 10 of 11.
9. STREET NAMES WILL BE ESTABLISHED WHICH DO NOT DUPLICATE NOR CLOSELY RESEMBLE EXISTING NAMES IN THE SAME HUNDRED OR POSTAL DISTRICT. STREET NAMES SHOWN HEREON WILL BE SUBJECT TO SUSSEX COUNTY REVIEW AND APPROVAL.
10. EASEMENTS SHALL BE PROVIDED WHERE NECESSARY TO MEET PUBLIC UTILITY REQUIREMENTS. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION WHERE IT BORDERS ACTIVE AGRICULTURAL LAND SHALL BE NO LESS THAN THIRTY (30) FEET IN WIDTH IN THE INTERIOR SIDE OF THE BOUNDARY.

OWNER'S AND/OR DEVELOPER'S CERTIFICATION

I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHOULD BE DONE IN PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E. BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ONSITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT AS REFERENCED ON THIS EOVERSHEET.

6-21-2023
DATE

PARCEL 533-19.00-7.00 - RUSS GARUFI
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277

6-21-2023
DATE

PARCEL 533-19.00-8.01 & 9.00 - RUSS GARUFI
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975

WETLAND CERTIFICATION

WETLAND STATEMENT

I, Edward M. Launay, SPWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE FOR CLARIFICATION AND INTERPRETATION OF THE 1987 MANUAL, INCLUDING SACKETT vs. ENVIRONMENTAL PROTECTION AGENCY. THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

IN ACCORDANCE WITH DNREC TIDAL WETLAND MAPS, THERE ARE NO STATE REGULATED WETLANDS ON THE SITE.

6/21/2023
Date

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

PROFESSIONAL CERTIFICATION

I, RICHARD F. POLK, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED PROFESSIONAL STANDARDS AND PRACTICES AND BY SUSSEX COUNTY SUBDIVISION AND LAND DEVELOPMENT STANDARDS.

6/21/23
DATE

RICHARD F. POLK, P.E.
VISTA DESIGN, INC.
11634 WORCESTER HWY.
SHOWELL, MD 21862

LICENSE NO. 12968 EXPIRATION DATE: 6/30/2024

NOTE:
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NOTE:
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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: AS SHOWN

COVER SHEET

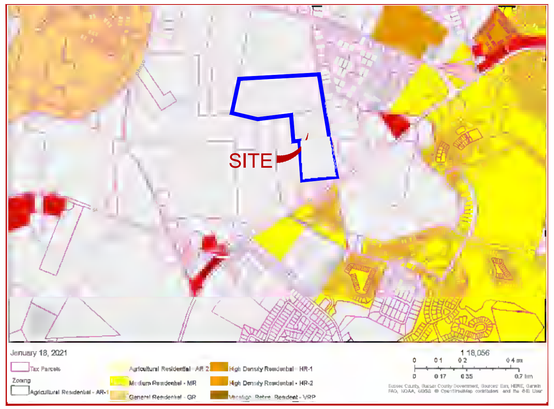
MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

RICHARD F. POLK — No. 12968 — REGISTERED PROFESSIONAL ENGINEER — STATE OF DELAWARE

Sheet No.:
1 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



BENCHMARK INFORMATION

BENCHMARK IDENTIFIER	TYPE	NORTHING	EASTING	ELEVATION (FT)
1	SS MH RIM	169440.3200	739687.5700	13.03
2	REBAR	169757.0100	738904.6000	13.22
3	REBAR	170796.5900	739069.1700	8.55
4	REBAR	170586.4200	739474.2100	10.78
5	FH TOP	170244.0800	739539.9700	15.07

HORIZONTAL & VERTICAL CONTROL

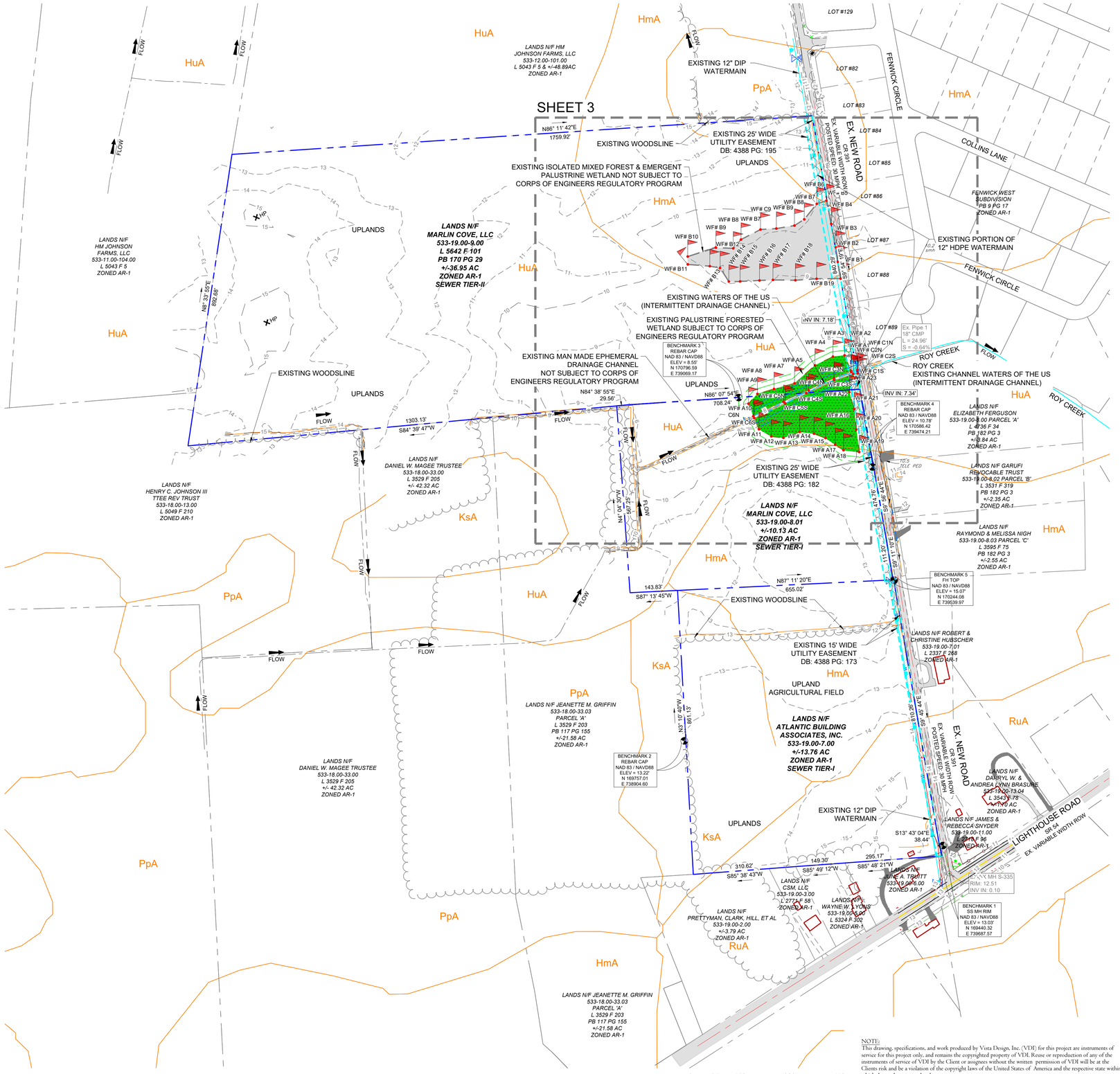
HORIZONTAL: NAD 83 DELAWARE STATE PLANE, US FEET
VERTICAL: NAVD 88

EXISTING SOILS ON SITE

SOIL SYMBOL	SOIL TYPE NAME	HYDROLOGIC SOIL GROUP
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D
RuA	Runclint loamy sand, 0 to 2 percent slopes	A
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A

NOTES

1. SANITARY SEWER TO BE PROVIDED BY SUSSEX COUNTY VIA TWO MANHOLES. FIRST, A MANHOLE AND STUB NORTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND LIGHTHOUSE ROAD (SR-54). SECOND, A MANHOLE AND STUB SOUTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND ZION CHURCH ROAD (SR-20). EXISTING PARCELS 533-19.00-7.00 AND 533-19.00-8.01 ARE LOCATED WITHIN THE SEWER TIER 1 FENWICK ISLAND SANITARY SEWER DISTRICT. EXISTING PARCEL 533-19.00-9.00 IS LOCATED WITHIN THE SEWER TIER 2 AND IS PROPOSED TO BE ANNEXED INTO THE FENWICK ISLAND SANITARY SEWER DISTRICT.
2. AN EXISTING 12" DIP AND HDPE WATERMAIN MANAGED BY ARTESIAN WATER COMPANY INC. IS LOCATED ALONG THE ENTIRE FRONTAGE OF PARCELS 533-19.00-7.00, 533-19.00-8.01 AND 533-19.00-9.00 ALONG NEW ROAD. AS PART OF THE DEVELOPMENT, HYDRANTS AND VALVES MAY NEED TO BE RELOCATED DUE TO NEW ROAD WIDENING.



0 75 150 300 450
SCALE: 1" = 150'

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 150'

EXISTING CONDITIONS PLAN

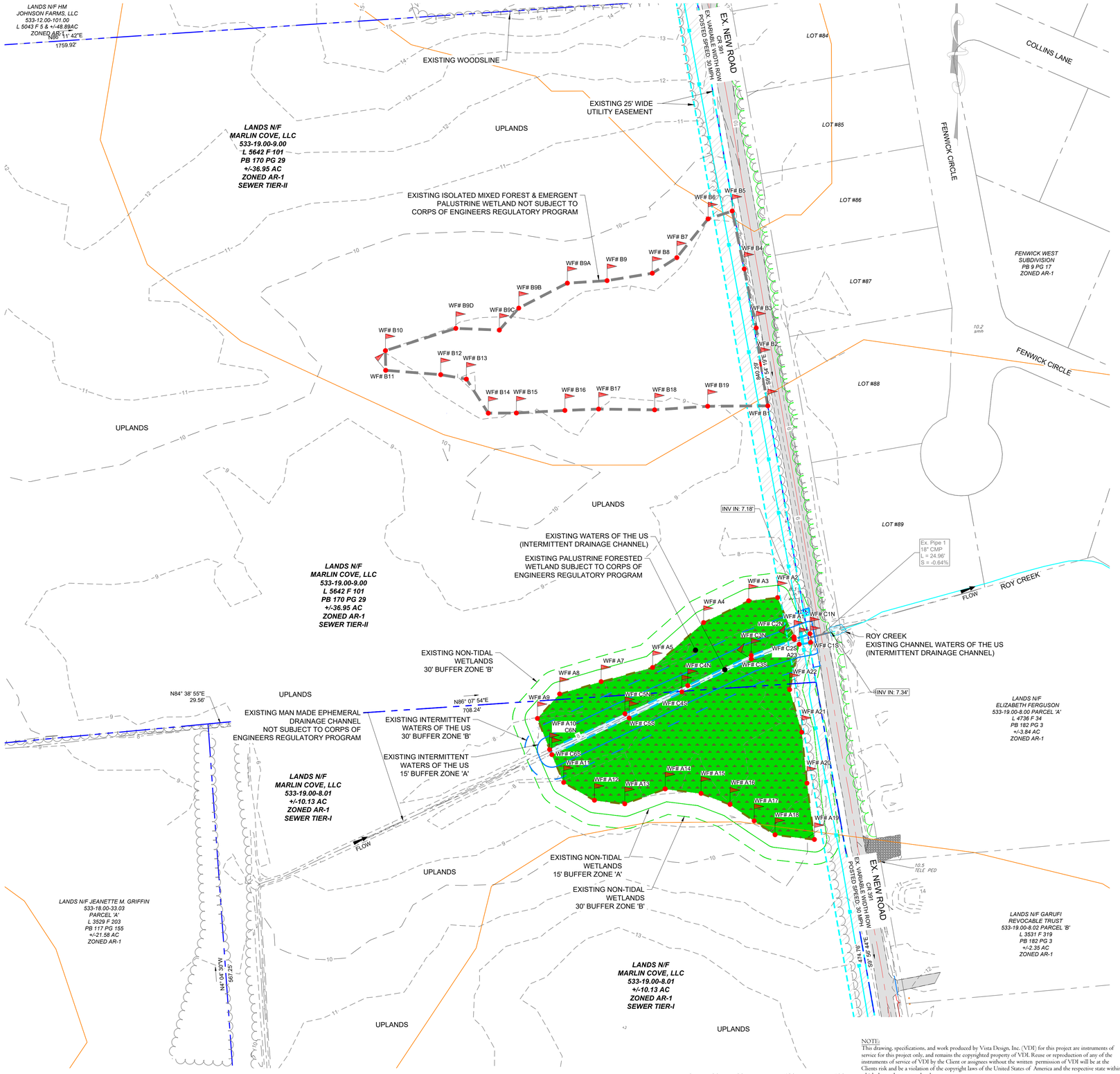
MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
114 S. Worcester Hwy, Showell, MD 21862
Ph: 410.352.3870 • www.vistadesigninc.com

HOWARD F. YORK III 25918 DELAWARE LICENSED PROFESSIONAL ENGINEER

Sheet No.: 2 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



EXISTING SOILS ON SITE		
SOIL SYMBOL	SOIL TYPE NAME	HYDROLOGIC SOIL GROUP
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D
RuA	Runclint loamy sand, 0 to 2 percent slopes	A
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 60'

NON-TIDAL
WETLANDS/BUFFER
ZONE PLAN

MARLIN COVE
SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

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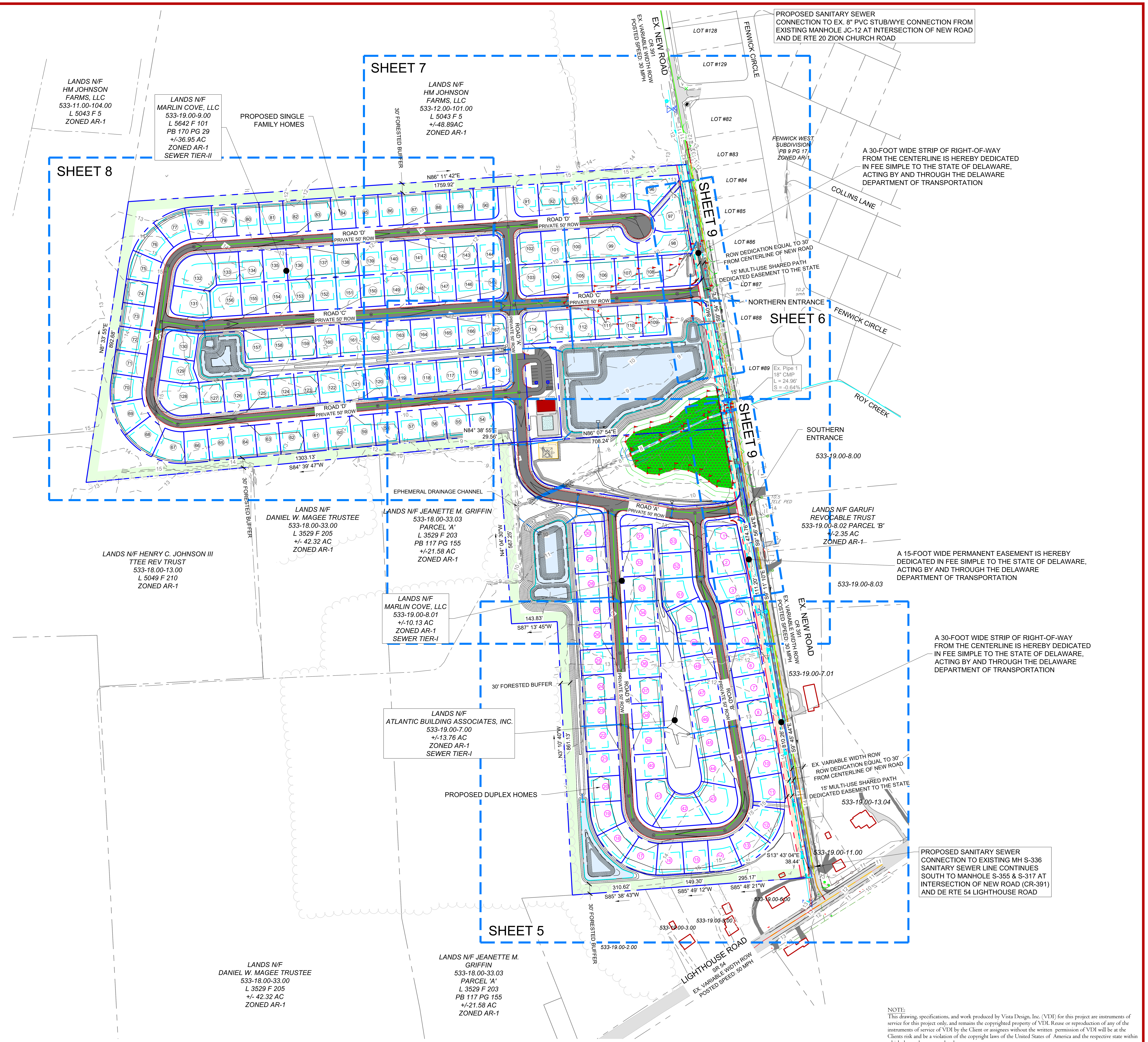
Sheet No.:
3 of 11



0 75 150 300 450

SCALE: 1" = 150'

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 020723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 5/13/2022
Scale: 1" = 150'

PROPOSED OVERALL SITE PLAN/SHEET INDEX

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION
CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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RICHARD F. POLK REGISTERED PROFESSIONAL ENGINEER DELAWARE NO. 12968

Sheet No.: 4 of 11

MATCHLINE SHEET 6

LOT #27 8,000.00 SF (0.18 AC)
LOT #26 8,000.00 SF (0.18 AC)
LOT #25 8,000.00 SF (0.18 AC)
LOT #24 8,000.00 SF (0.18 AC)
LOT #23 8,000.00 SF (0.18 AC)
LOT #22 8,000.00 SF (0.18 AC)
LOT #21 8,000.00 SF (0.18 AC)
LOT #20 8,000.00 SF (0.18 AC)
LOT #19 8,804.44 SF (0.20 AC)
LOT 18 9,032.26 SF (0.21 AC)
LOT #17 9,032.26 SF (0.21 AC)
LOT #16 8,298.72 SF (0.19 AC)
LOT #15 8,000.00 SF (0.18 AC)
LOT #14 8,694.27 SF (0.20 AC)
LOT #13 9,032.26 SF (0.21 AC)
LOT #12 9,032.26 SF (0.21 AC)
LOT #11 8,415.98 SF (0.19 AC)
LOT #10 8,000.00 SF (0.18 SF)
LOT #9 8,000.00 SF (0.18 SF)
LOT #8 8,000.00 SF (0.18 SF)
LOT #7 8,000.00 SF (0.18 SF)
LOT #6 8,000.00 SF (0.18 SF)
LOT #5 8,000.00 SF (0.18 SF)
LOT #4 7,958.68 SF (0.18 AC)
LOT #34 8,000.00 SF (0.18 AC)
LOT #35 8,000.00 SF (0.18 AC)
LOT #36 8,000.00 SF (0.18 AC)
LOT #37 8,000.00 SF (0.18 AC)
LOT #38 8,000.00 SF (0.18 AC)
LOT #39 8,000.00 SF (0.18 AC)
LOT #40 8,000.00 SF (0.18 AC)
LOT #41 12,300.56 SF (0.28 AC)
LOT #42 13,110.03 SF (0.30 AC)
LOT #43 12,712.20 SF (0.29 AC)
LOT #44 9,292.32 SF (0.21 AC)
LOT #45 8,000.00 SF (0.18 AC)
LOT #46 8,000.00 SF (0.18 AC)
LOT #47 8,000.00 SF (0.18 AC)
LOT #48 8,000.00 SF (0.18 AC)
LOT #49 8,000.00 SF (0.18 AC)
LOT #50 9,208.42 SF (0.21 AC)

OPEN SPACE OUTLOT A 54,180.45 SF (1.24 AC)
OPEN SPACE OUTLOT A 54,180.45 SF (1.24 AC)
OPEN SPACE OUTLOT B 233,927.10 SF (5.37 AC)
OPEN SPACE OUTLOT B 233,927.10 SF (5.37 AC)
WQ FACILITY 3
SWM/OPEN SPACE OUTLOT B

PR 8" WATERMAIN
PR 8" WATERMAIN
PR 8" WATERMAIN
PR 8" SANITARY SEWER
PR 8" SANITARY SEWER
PR FIRE HYDRANT
PR FIRE HYDRANT
EXISTING FIRE HYDRANT TO BE RELOCATED
EXISTING FIRE HYDRANT
EXISTING 12" DIP WATERMAIN
EXISTING 8" SANITARY SEWER

PR 30' FORESTED BUFFER
PR 30' FORESTED BUFFER
PROPOSED 4' WIDE NATURAL TRAIL IN BUFFER TO BE FIELD LOCATED TO NOT REMOVE TREES

PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')
PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PR 15' WIDTH MULTI-USE PATH EASEMENT

EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 312
EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 317

NEW ROAD — EX. VARIABLE WIDTH ROW POSTED SPEED: 35 MPH
LIGHTHOUSE ROAD — SR 54 — EX. VARIABLE WIDTH ROW POSTED SPEED: 50 MPH
PRIVATE ST ROW

LANDS N/F JEANETTE M. GRIFFIN 533-18.00-33.03 PARCEL 'A' L 3529 F 203 PB 117 PG 155 +/-21.58 AC ZONED AR-1
LANDS N/F JEANETTE M. GRIFFIN 533-18.00-33.03 PARCEL 'A' L 3529 F 203 PB 117 PG 155 +/-21.58 AC ZONED AR-1
LANDS N/F ROBERT & CHRISTINE HUBSCHER 533-19.00-7.01 L 2337 F 268 ZONED AR-1
LANDS N/F ATLANTIC BUILDING ASSOCIATES, INC. 533-19.00-7.00 +/-13.76 AC ZONED AR-1
LANDS N/F DARRYL W. & ANDREA LYNN BRASURE 533-19.00-13.04 L 3543 F 78 +/-1.70 AC ZONED AR-1
LANDS N/F JAMES & REBECCA SNYDER 533-19.00-11.00 L 2718 F 96 ZONED AR-1
LANDS N/F JUNE A. TRUITT 533-19.00-6.00 ZONED AR-1
LANDS N/F CSM, LLC 533-19.00-3.00 L 2771 F 58 ZONED AR-1
LANDS N/F PRETTYMAN, CLARK, HILL, ET AL 533-19.00-2.00 +/-3.79 AC ZONED AR-1
LANDS N/F WAYNE W. LYONS 533-19.00-5.00 L 5324 F 302 ZONED AR-1

MH S-336 RIM: 13.06 INV IN 0.41 INV OUT 0.25
EX EX MH S-335 RIM: 12.51 INV IN: 0.10

S87° 13' 45"W 143.83'
S13° 43' 04"E 38.44'
S85° 48' 21"W 295.17'
S85° 49' 12"W 149.30'
S85° 38' 43"W 310.62'
N13° 40' 10"W 198.13'

0 25 50 100 150
SCALE: 1" = 50'

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.4076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED SUBDIVISION PLAN

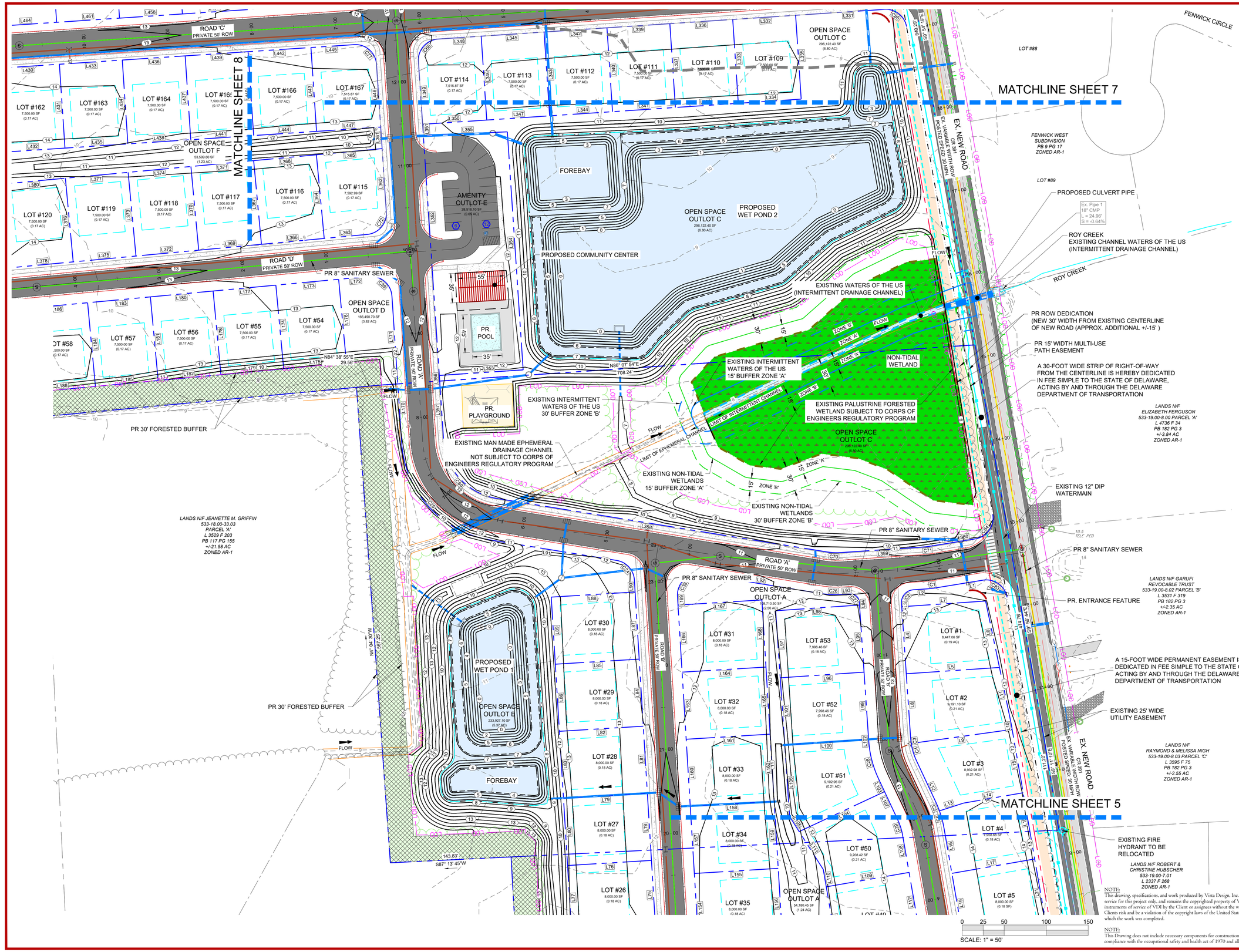
MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
114 S.W. Worcester Hwy, Showell, MD 21862
Ph: 410-352-3878 • www.vistadesigninc.com

HAROLD F. YORK 21598 LICENSED PROFESSIONAL ENGINEER DELAWARE

Sheet No.: 5 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED SUBDIVISION PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

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Land Planning Consultants • GIS Services
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RICHARD F. HOLK JR. REGISTERED PROFESSIONAL ENGINEER NO. 19849 STATE OF DELAWARE

Sheet No.: 6 of 11

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NOTE:
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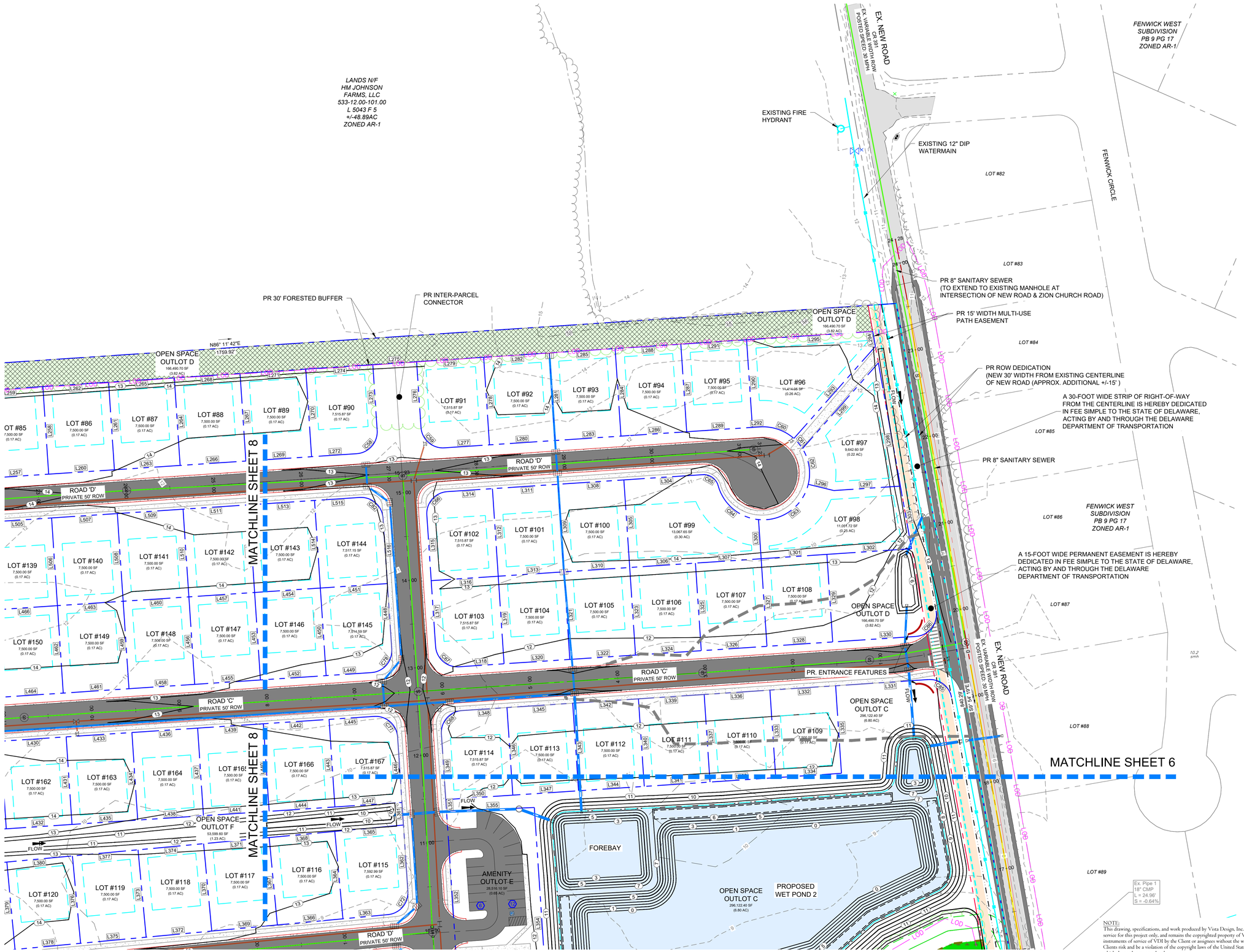
MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 80'

PROPOSED
SUBDIVISION
PLAN

MARLIN COVE
SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

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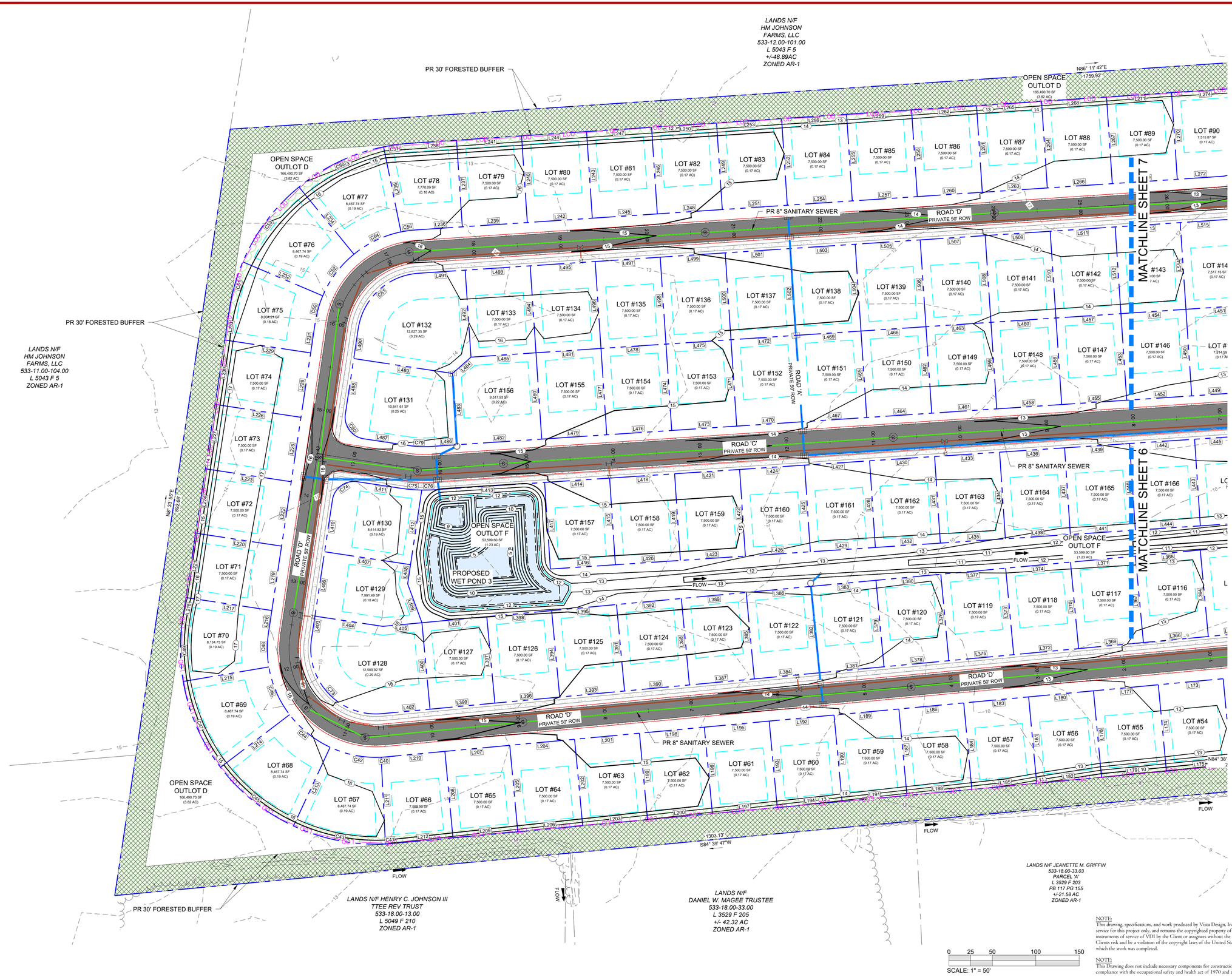
DAVID R. BOLL
REGISTERED
No. 19949
PROFESSIONAL ENGINEER
STATE OF DELAWARE

Sheet No.:
7 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED
SUBDIVISION
PLAN

MARLIN COVE
SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

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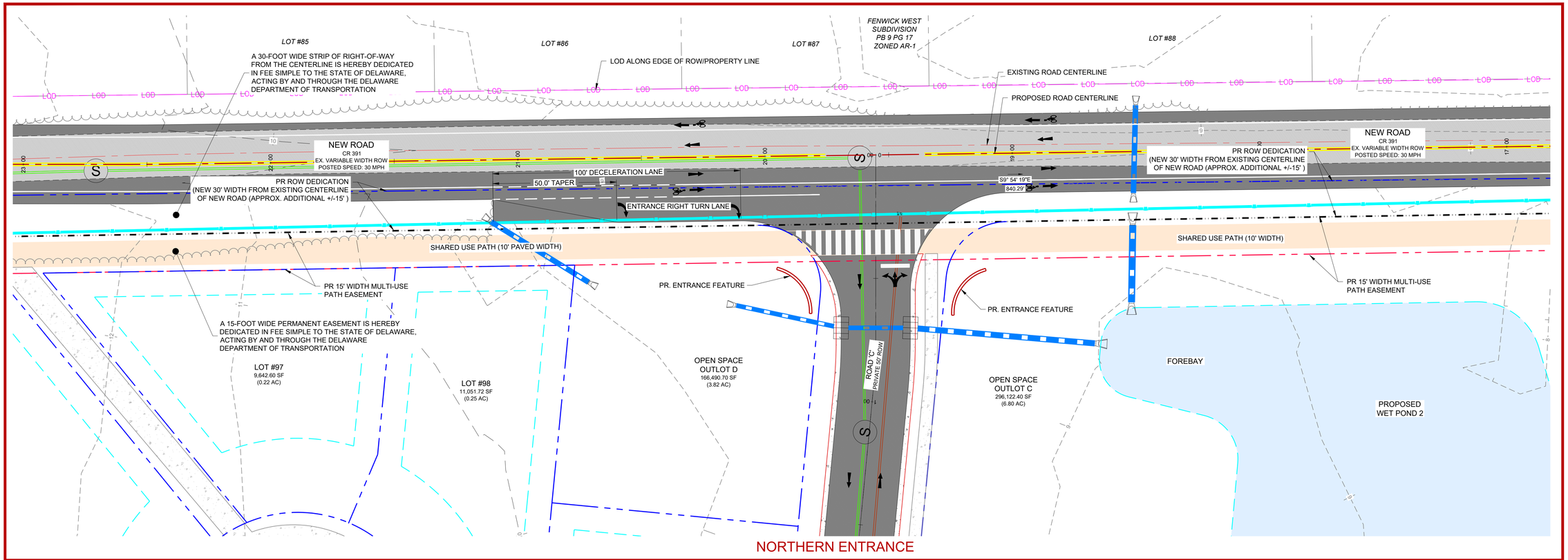
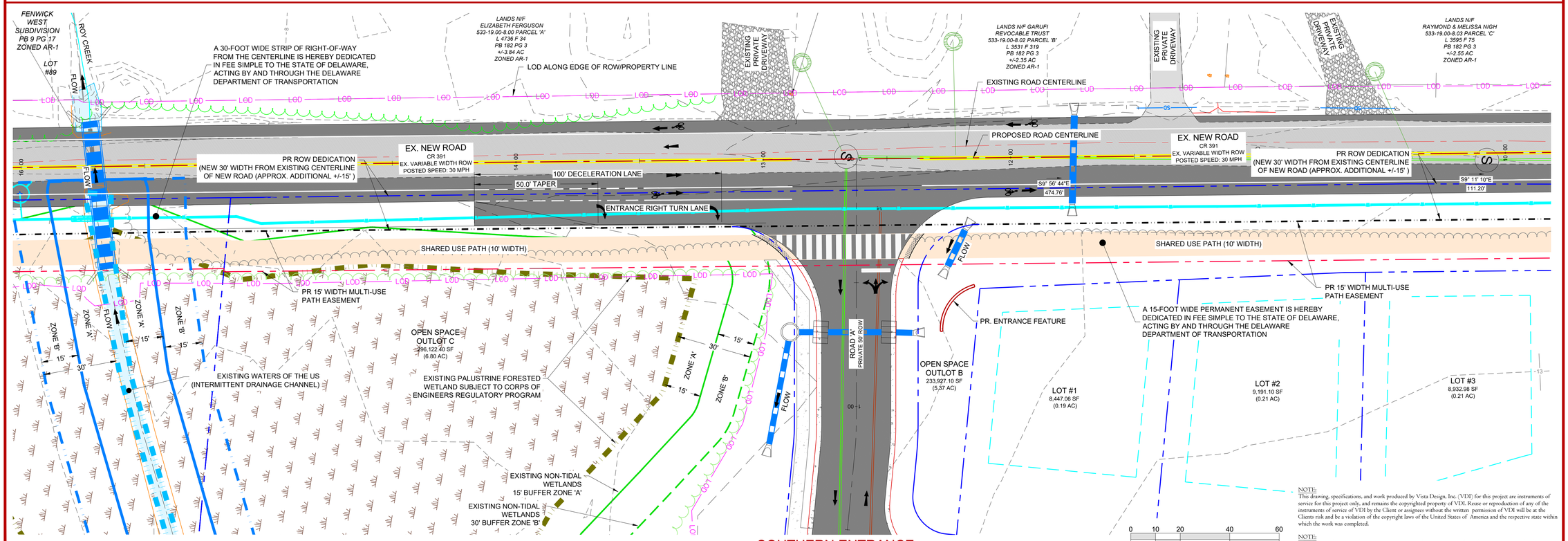
HOWARD F. WOLK
No. 21678
PROFESSIONAL ENGINEER
DELAWARE

Sheet No.:
8 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



NORTHERN ENTRANCE



SOUTHERN ENTRANCE

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 20'

PROPOSED ENTRANCE LAYOUT

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

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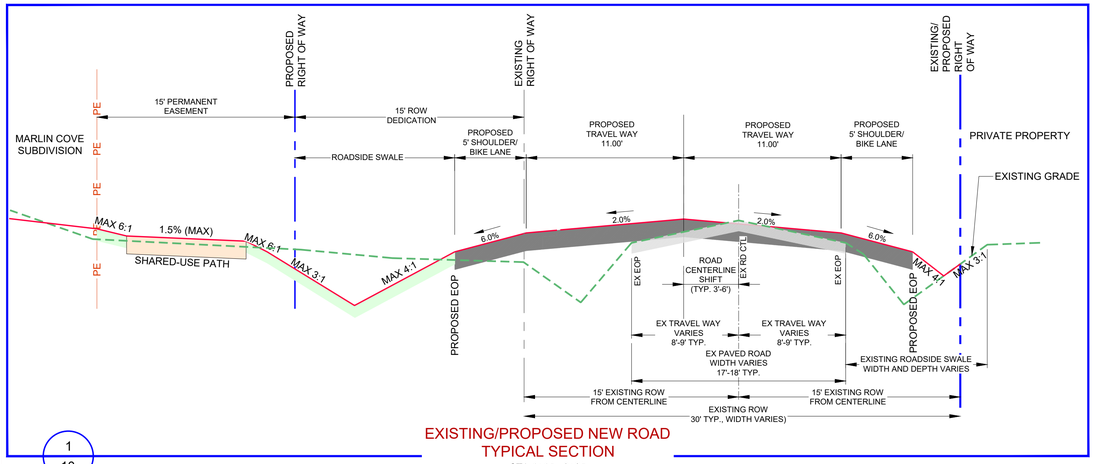
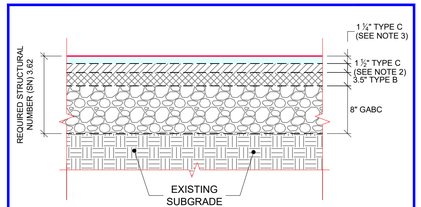
Sheet No.:
9 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 1+15 - 9+25
N.T.S.

1
10

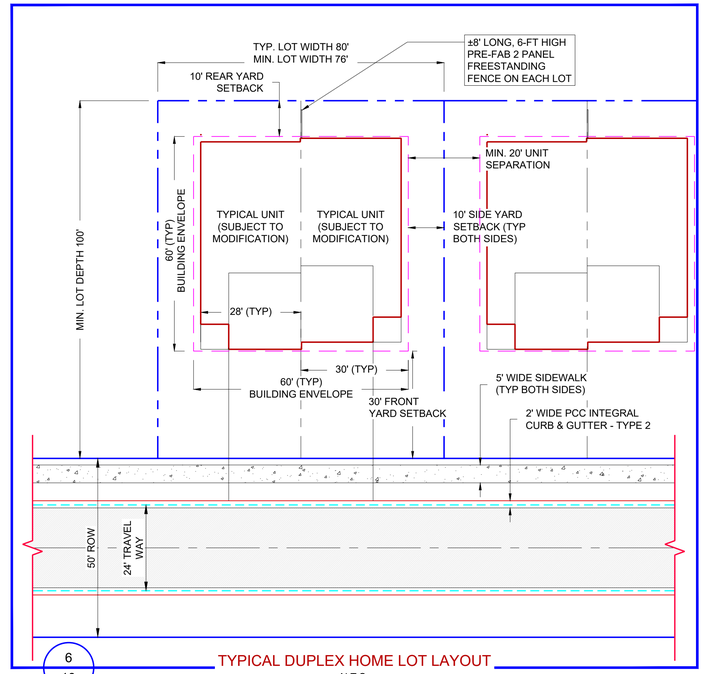


PAVEMENT SECTION

NOTES:
1. VARIATIONS FROM THE SECTIONS PROVIDED MUST BE APPROVED BY DelDOT
2. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED WITH TYPE B GABC.
3. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED JUST PRIOR TO DelDOT ACCEPTANCE.

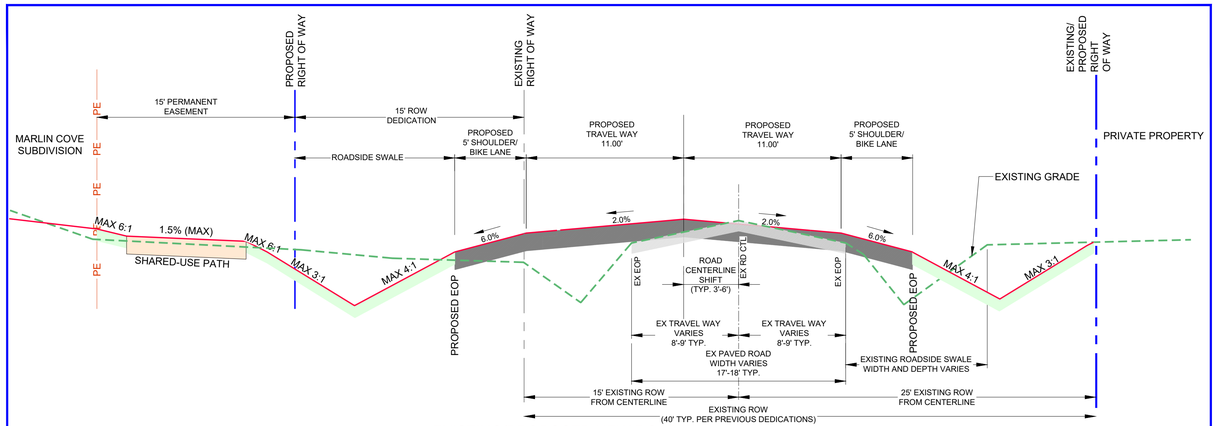
DelDOT PAVEMENT CLASS II
NEW ROAD IMPROVEMENTS
TRAFFIC VOLUME 501 TO 2000 ADT
LESS THAN 15 LIGHT DUTY TRUCKS PER DAY
NOT TO SCALE

5
10



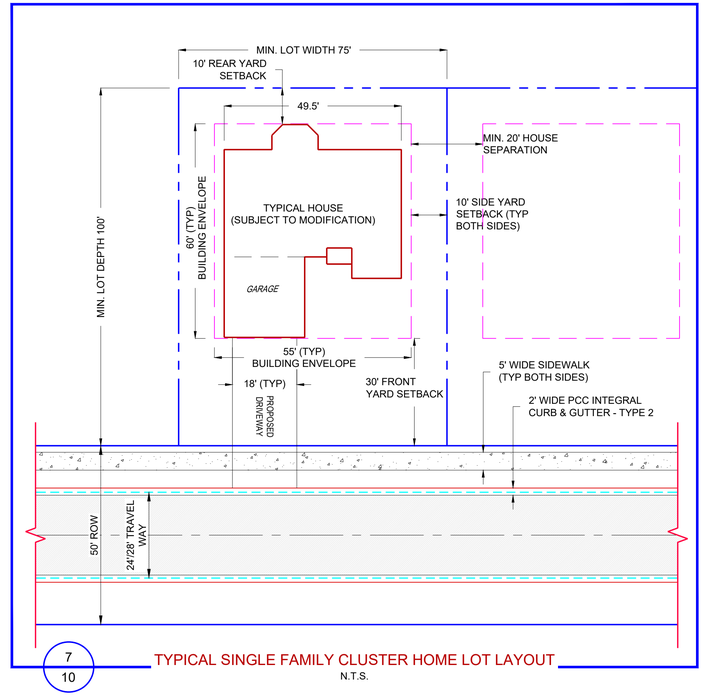
TYPICAL DUPLEX HOME LOT LAYOUT
N.T.S.

6
10



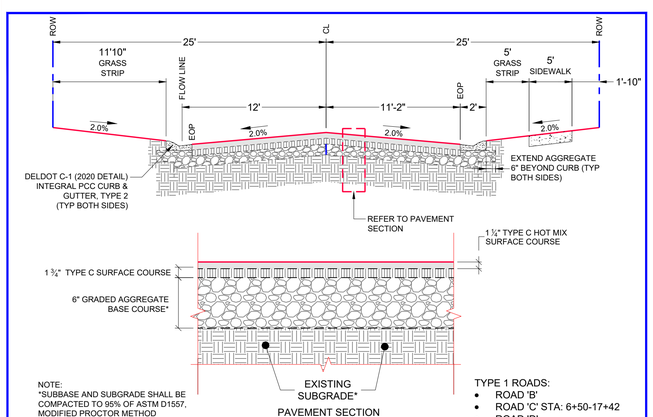
EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 9+25 - 23+57
N.T.S.

2
10



TYPICAL SINGLE FAMILY CLUSTER HOME LOT LAYOUT
N.T.S.

7
10



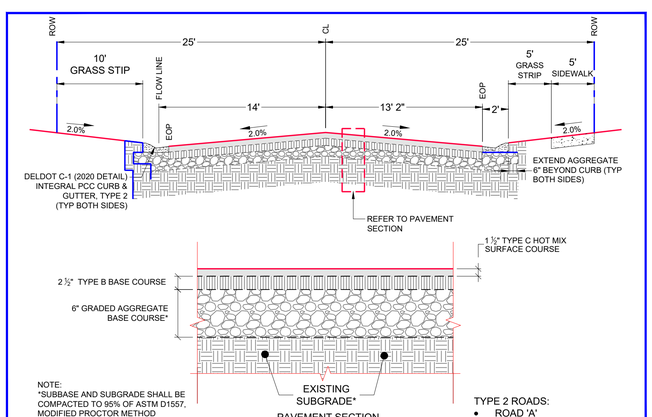
NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 1 ROADS:
- ROAD 'B'
- ROAD 'C' STA: 6+50-17+42
- ROAD 'D'

TYPICAL TYPE 1 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.

3
10



NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 2 ROADS:
- ROAD 'A'
- ROAD 'C' 0+00-6+50

TYPICAL TYPE 2 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.

4
10

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: N.T.S.

TYPICAL SUBDIVISION DETAILS

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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RICHARD F. OLK, JR. REGISTERED PROFESSIONAL ENGINEER NO. 19849 STATE OF DELAWARE

Sheet No.: 10 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

Line Table		
Line #	Length	Direction
L1	80.93	S80° 43' 44"W
L2	15.94	S86° 07' 54"W
L3	4.13	S3° 52' 53"E
L4	80.00	S3° 52' 53"E
L5	111.13	N86° 07' 54"E
L6	80.77	S11° 46' 38"E
L7	100.02	N86° 07' 54"E
L8	77.27	S3° 52' 53"E
L9	121.24	S82° 06' 51"W
L10	8.23	S9° 51' 48"E
L11	67.05	S11° 46' 38"E
L12	54.10	S25° 03' 57"E
L13	29.98	N72° 07' 22"E
L14	72.13	N80° 08' 12"E
L15	76.47	S9° 51' 48"E
L16	54.41	S9° 51' 48"E
L17	100.00	N80° 08' 12"E
L18	80.00	S9° 51' 48"E
L19	80.00	S9° 51' 48"E
L20	100.00	N80° 08' 12"E
L21	80.00	S9° 51' 48"E
L22	80.00	S9° 51' 48"E
L23	100.00	N80° 08' 12"E
L24	80.00	S9° 51' 48"E
L25	80.00	S9° 51' 48"E
L26	100.00	N80° 08' 12"E
L27	80.00	S9° 51' 48"E
L28	80.00	S9° 51' 48"E
L29	100.00	N80° 08' 12"E
L30	80.00	S9° 51' 48"E
L31	80.00	S9° 51' 48"E
L32	100.00	N80° 08' 12"E
L33	80.00	S9° 51' 48"E
L34	80.00	S9° 51' 48"E
L35	100.00	N80° 08' 12"E
L36	80.00	S9° 51' 48"E
L37	47.76	S9° 51' 48"E
L38	100.00	S87° 56' 47"E
L39	47.76	S9° 51' 48"E
L40	100.00	S52° 49' 47"E
L41	100.00	S82° 24' 06"E
L42	100.00	S23° 15' 28"E
L43	28.52	S85° 46' 20"W
L44	100.00	S4° 13' 40"E
L45	28.52	S85° 46' 20"W
L46	80.00	S85° 46' 20"W
L47	100.00	S4° 13' 40"E
L48	80.00	S85° 46' 20"W
L49	56.85	S85° 46' 20"W
L50	100.00	S4° 19' 48"W
L51	56.85	S85° 46' 20"W
L52	100.00	S33° 54' 07"W
L53	100.00	S63° 28' 26"W
L54	17.66	S3° 28' 50"E
L55	100.00	S86° 31' 10"W
L56	17.66	N3° 28' 50"W
L57	80.00	N3° 28' 50"W
L58	100.00	S86° 31' 10"W
L59	80.00	N3° 28' 50"W
L60	80.00	N3° 28' 50"W
L61	100.00	S86° 31' 10"W
L62	80.00	N3° 28' 50"W
L63	80.00	N3° 28' 50"W
L64	100.00	S86° 31' 10"W
L65	80.00	N3° 28' 50"W
L66	80.00	N3° 28' 50"W
L67	100.00	S86° 31' 10"W
L68	80.00	N3° 28' 50"W
L69	80.00	N3° 28' 50"W
L70	100.00	S86° 31' 10"W
L71	80.00	N3° 28' 50"W
L72	80.00	N3° 28' 50"W
L73	100.00	S86° 31' 10"W
L74	80.00	N3° 28' 50"W
L75	80.00	N3° 28' 50"W
L76	100.00	S86° 31' 10"W
L77	80.00	N3° 28' 50"W
L78	80.00	N3° 28' 50"W
L79	100.00	S86° 31' 10"W
L80	80.00	N3° 28' 50"W
L81	80.00	N3° 28' 50"W
L82	100.00	S86° 31' 10"W
L83	80.00	N3° 28' 50"W
L84	80.00	N3° 28' 50"W
L85	100.00	S86° 31' 10"W
L86	80.00	N3° 28' 50"W
L87	80.00	N3° 28' 50"W
L88	100.00	S86° 31' 10"W
L89	80.00	N3° 28' 50"W
L90	14.42	N3° 28' 50"W
L91	153.17	N80° 47' 47"W
L92	142.52	S80° 47' 47"E
L93	7.62	N86° 07' 54"E
L94	3.82	S3° 53' 40"E
L95	80.00	N3° 53' 56"W
L96	99.98	S86° 07' 54"W
L97	80.00	N3° 52' 06"W
L98	99.94	S86° 07' 54"W
L99	80.00	N3° 53' 00"W
L100	100.00	S86° 07' 54"W
L101	80.00	N3° 52' 06"W
L102	2.18	N3° 53' 00"W

Line Table		
Line #	Length	Direction
L103	17.32	N25° 03' 57"W
L104	112.18	S64° 56' 03"W
L105	21.19	N32° 25' 45"W
L106	85.47	S3° 52' 06"E
L107	36.77	S25° 03' 57"E
L108	44.57	S9° 51' 48"E
L109	100.00	N80° 08' 12"E
L110	20.92	S9° 51' 48"E
L111	53.47	S32° 25' 45"E
L112	80.00	N9° 51' 48"W
L113	100.00	N80° 08' 12"E
L114	80.00	N9° 51' 48"W
L115	80.00	N9° 51' 48"W
L116	100.00	N80° 08' 12"E
L117	80.00	N9° 51' 48"W
L118	80.00	N9° 51' 48"W
L119	100.00	N80° 08' 12"E
L120	80.00	N9° 51' 48"W
L121	80.00	N9° 51' 48"W
L122	100.00	N80° 08' 12"E
L123	80.00	N9° 51' 48"W
L124	80.00	N9° 51' 48"W
L125	100.00	N80° 08' 12"E
L126	80.00	N9° 51' 48"W
L127	111.04	N9° 51' 48"W
L128	110.19	N79° 42' 49"W
L129	54.84	N9° 51' 48"W
L130	26.57	N9° 51' 48"W
L131	10.60	N85° 46' 20"E
L132	116.46	N30° 03' 26"W
L133	154.77	S85° 46' 20"W
L134	129.52	N33° 12' 36"E
L135	6.62	S85° 46' 20"W
L136	79.05	N3° 28' 50"W
L137	100.00	S86° 31' 10"W
L138	3.07	N3° 28' 50"W
L139	80.00	S3° 28' 50"E
L140	100.00	S86° 31' 10"W
L141	80.00	S3° 28' 50"E
L142	80.00	S3° 28' 50"E
L143	100.00	S86° 31' 10"W
L144	80.00	S3° 28' 50"E
L145	80.00	S3° 28' 50"E
L146	100.00	S86° 31' 10"W
L147	80.00	S3° 28' 50"E
L148	80.00	S3° 28' 50"E
L149	100.00	S86° 31' 10"W
L150	80.00	S3° 28' 50"E
L151	80.00	S3° 28' 50"E
L152	100.00	S86° 31' 10"W
L153	80.00	S3° 28' 50"E
L154	80.00	S3° 28' 50"E
L155	100.00	S86° 31' 10"W
L156	80.00	S3° 28' 50"E
L157	80.00	S3° 28' 50"E
L158	100.00	S86° 31' 10"W
L159	80.00	S3° 28' 50"E
L160	80.00	S3° 28' 50"E
L161	100.00	S86° 31' 10"W
L162	80.00	S3° 28' 50"E
L163	80.00	S3° 28' 50"E
L164	100.00	S86° 31' 10"W
L165	80.00	S3° 28' 50"E
L166	80.00	S3° 28' 50"E
L167	100.00	S86° 31' 10"W
L168	80.00	S3° 28' 50"E
L169	10.52	S3° 28' 50"E
L170	70.64	N3° 48' 18"W
L171	104.87	N3° 48' 18"W
L172	36.30	S84° 39' 47"W
L173	75.00	S84° 39' 47"W
L174	100.00	S5° 20' 13"E
L175	75.00	N84° 39' 47"E
L176	100.00	S5° 20' 13"E
L177	75.00	S84° 39' 47"W
L178	100.00	S5° 20' 13"E
L179	75.00	S84° 39' 47"W
L180	75.00	S84° 39' 47"W
L181	100.00	S5° 20' 13"E
L182	75.00	S84° 39' 47"W
L183	75.00	S84° 39' 47"W
L184	100.00	S5° 20' 13"E
L185	75.00	S84° 39' 47"W
L186	75.00	S84° 39' 47"W
L187	100.00	S5° 20' 13"E
L188	75.00	S84° 39' 47"W
L189	75.00	S84° 39' 47"W
L190	100.00	S5° 20' 13"E
L191	75.00	S84° 39' 47"W
L192	75.00	S84° 39' 47"W
L193	100.00	S5° 20' 13"E
L194	75.00	S84° 39' 47"W
L195	75.00	S84° 39' 47"W
L196	100.00	S5° 20' 13"E
L197	75.00	S84° 39' 47"W
L198	75.00	S84° 39' 47"W
L199	100.00	S5° 20' 13"E
L200	75.00	S84° 39' 47"W
L201	75.00	S84° 39' 47"W
L202	100.00	S5° 20' 13"E
L203	75.00	S84° 39' 47"W
L204	75.00	S84° 39' 47"W

Line Table		
Line #	Length	Direction
L205	100.00	S5° 20' 13"E
L206	75.00	S84° 39' 47"W
L207	75.00	S84° 39' 47"W
L208	100.00	S5° 20' 13"E
L209	75.00	S84° 39' 47"W
L210	68.11	S84° 39' 47"W
L211	100.00	S2° 47' 25"E
L212	68.11	S84° 39' 47"W
L213	100.00	S24° 56' 00"W
L214	100.00	S52° 39' 26"W
L215	100.00	S80° 22' 51"W
L216	25.81	N8° 33' 55"E
L217	100.00	N81° 26' 05"W
L218	25.81	S8° 33' 55"W
L219	75.00	N8° 33' 55"E
L220	100.00	N81° 26' 05"W
L221	75.00	N8° 33' 55"E
L222	75.00	N8° 33' 55"E
L223	100.00	N81° 26' 05"W
L224	75.00	N8° 33' 55"E
L225	75.00	N8° 33' 55"E
L226	100.00	N81° 26' 05"W
L227	75.00	N8° 33' 55"E
L228	75.00	N8° 33' 55"E
L229	100.00	N81° 26' 05"W
L230	75.00	N8° 33' 55"E
L231	35.92	N8° 33' 55"E
L232	100.00	S66° 59' 25"E
L233	35.92	N8° 33' 55"E
L234	100.00	S39° 15' 59"E
L235	100.00	S11° 32' 34"E
L236	54.07	N86° 11' 42"E
L237	100.00	S3° 48' 18"E
L238	54.07	S86° 11' 42"W
L239	75.00	N86° 11' 42"E
L240	100.00	S3° 48' 18"E
L241	75.00	N86° 11' 42"E
L242	75.00	N86° 11' 42"E
L243	100.00	S3° 48' 18"E
L244	75.00	N86° 11' 42"E
L245	75.00	N86° 11' 42"E
L246	100.00	S3° 48' 18"E
L247	75.00	N86° 11' 42"E
L248	75.00	N86° 11' 42"E
L249	100.00	S3° 48' 18"E
L250	75.00	N86° 11' 42"E
L251	75.00	N86° 11' 42"E
L252	100.00	S3° 48' 18"E
L253	75.00	N86° 11' 42"E
L254	75.00	N86° 11' 42"E
L255	100.00	S3° 48' 18"E
L256	75.00	N86° 11' 42"E
L257	75.00	N86° 11' 42"E
L258	100.00	S3° 48' 18"E
L259	75.00	N86° 11' 42"E
L260	75.00	N86° 11' 42"E
L261	100.00	S3° 48' 18"E
L262	75.00	N86° 11' 42"E
L263	75.00	N86° 11' 42"E
L264	100.00	S3° 48' 18"E
L265	75.00	N86° 11' 42"E
L266	75.00	N86° 11' 42"E
L267	100.00	S3° 48' 18"E
L268	75.00	N86° 11' 42"E
L269	75.00	N86° 11' 42"E
L270	100.00	S3° 48' 18"E
L271	75.00	N86° 11' 42"E
L272	51.50	N86° 11' 42"E
L273	75.00	N3° 48' 18"W
L274	76.50	N86° 11' 42"E
L275	50.00	N86° 11' 42"E
L276	75.00	N3° 48' 18"W
L277	51.50	N86° 11' 42"E
L278	100.00	S3° 48' 18"E
L279	76.50	N86° 11' 42"E
L280	75.00	N86° 11' 42"E
L281	100.00	S3° 48' 18"E
L282	75.00	N86° 11' 42"E
L283	75.00	N86° 11' 42"E
L284	100.00	S3° 48' 18"E
L285	75.00	N86° 11' 42"E
L286	75.00	S86° 11' 42"W
L287	100.00	S3° 48' 18"E
L288	75.00	N86° 11' 42"E
L289	75.00	N86° 11' 42"E
L290	100.00	S3° 48' 18"E
L291	75.00	N86° 11' 42"E
L292	8.59	S86° 11' 42"W
L293	140.09	N41° 30' 16"E
L294	17.31	N10° 07' 45"W
L295	143.96	N86° 11' 42"E
L296	30.29	S76° 18' 37"E
L297	75.93	N86° 11' 42"E
L298	142.60	N10° 07' 45"W
L299	130.38	N41° 30' 16"E
L300	44.00	N3° 48' 18"W
L301	75.00	N86° 11' 42"E
L302	96.66	N86° 11' 42"E
L303	72.49	S10° 07' 45"E
L304	90.00	S86° 11' 42"W
L305	100.00	S3° 48' 18"E
L306	75.00	N86° 11' 42"E

Line Table		
Line #	Length	Direction
L307	75.00	N86° 11' 42"E
L308	75.00	S86° 11' 42"W
L309	100.00	S3° 48' 18"E
L310	75.00	N86° 11' 42"E
L311	75.00	S86° 11' 42"W
L312	100.00	S3° 48' 18"E
L313	75.00	N86° 11' 42"E
L314	51.50	S86° 11' 42"W
L315	75.00	S3° 48' 18"E
L316	76.50	S86° 11' 42"W
L317	75.00	S3° 48' 18"E
L318	51.50	N86° 11' 42"E
L319	100.00	S3° 48' 18"E
L320	75.00	N86° 11' 42"E
L321	100.00	S3° 48' 18"E
L322	75.00	N86° 11' 42"E
L323	100.00	S3° 48' 18"E
L324	75.00	N86° 11' 42"E
L325	100.00	S3° 48' 18"E
L326	75.00	N86° 11' 42"E
L327	100.00	S3° 48' 18"E
L328	75.00	N86° 11' 42"E
L329	100.00	S3° 48' 18"E
L330	122.84	N86° 11' 42"E
L331	128.38	N86° 11' 42"E
L332	75.00	N86° 11' 42"E
L333	100.00	S3° 48' 18"E
L334	75.00	N86° 11' 42"E
L335	100.00	S3° 48' 18"E
L336	75.00	N86° 11' 42"E
L337	100.00	S3° 48' 18"E
L338	75.00	N86° 11' 42"E
L339	75.00	N86° 11' 42"E
L340	100.00	S3° 48' 18"E
L341	75.00	N86° 11' 42"E
L342	75.00	N86° 11' 42"E
L343	100.00	S3° 48' 18"E
L344	75.00	N86° 11' 42"E
L345	75.00	N86° 11' 42"E
L346	100.00	S3° 48' 18"E
L347	75.00	N86° 11' 42"E
L348	51.50	N86° 11' 42"E
L349	75.00	N3° 48' 18"W
L350	76.50	N86° 11' 42"E
L351	13.06	N3° 48' 18"W
L352	286.46	N3° 48' 18"W
L353	100.00	N86° 11' 42"E
L354	283.86	N3° 48' 18"W
L355	100.03	N87° 40' 52"E
L356	6.73	N3° 48' 18"W
L357	70.71	N3° 48' 18"W
L358	398.19	N80° 47' 47"W
L359	98.60	S86° 07' 54"W
L360	80.46	S80° 43' 44"W
L361	25.70	S3° 48' 18"E
L362	75.70	N3° 48' 18"W
L363	51.51	S84° 39' 47"W
L364	100.00	N5° 20' 13"W
L365	78.53	N84° 39' 47"E
L366	75.00	S84° 39' 47"W
L367	100.00	N5° 20' 13"W
L368	75.00	S84° 39' 47"W
L369	75.00	S84° 39' 47"W
L370	100.00	N5° 20' 13"W
L371	75.00	S84° 39' 47"W
L372	75.00	S84° 39' 47"W
L373	100.00	N5° 20' 13"W
L374	75.00	S84° 39' 47"W
L375	75.00	S84° 39' 47"W
L376	100.00	N5° 20' 13"W
L377	75.00	S84° 39' 47"W
L378	75.00	S84° 39' 47"W
L379	100.00	N5° 20' 13"W
L380	75.00	S84° 39' 47"W
L381	75.00	S84° 39' 47"W
L382	100.00	N5° 20' 13"W
L383	75.00	S84° 39' 47"W
L384	75.00	S84° 39' 47"W
L385	100.00	N5° 20' 13"W
L386	75.00	S84° 39' 47"W
L387	75.00	S84° 39' 47"W
L388	100.00	N5° 20' 13"W
L389	75.00	S84° 39' 47"W
L390	75.00	S84° 39' 47"W
L391	100.00	N5° 20' 13"W
L392	75.00	S84° 39' 47"W
L393	75.00	S84° 39' 47"W
L394	100.00	N5° 20' 13"W
L395	75.00	S84° 39' 47"W
L396	75.00	S84° 39' 47"W
L397	100.00	N5° 20' 13"W
L398	75.00	S84° 39' 47"W
L399	75.00	S84° 39' 47"W
L400	100.00	N5° 20' 13"W
L401	75.00	S84° 39' 47"W
L402	55.57	N84° 39' 47"E
L403	26.77	S8° 33' 55"W
L404	79.10	N81° 26' 05"W
L405	45.16	S84° 39' 47"W
L406	75.00	N8° 33' 55"E
L407	100.00	N81° 26' 05"W
L408	22.26	S8° 33' 55"W

Line Table		
Line #	Length	Direction
L409	47.76	S20° 08' 18"E
L410	60.37	N8° 33' 55"E
L411	51.87	N81° 26' 05"W
L412	86.91	S8° 33' 55"W
L413	127.16	S86° 11' 42"W
L414	75.00	S86° 11' 42"W
L415	100.00	N3° 48' 18"W
L416	75.00	S86° 11' 42"W
L417	100.00	N3° 48' 18"W
L418	75.00	S86° 11' 42"W
L419	100.00	N3° 48' 18"W
L420	75.00	S86° 11' 42"W
L421	75.00	S86° 11' 42"W
L422	100.00	N3° 48' 18"W
L423	75.00	S86° 11' 42"W
L424	75.00	S86° 11' 42"W
L425	100.00	N3° 48' 18"W
L426	75.00	S86° 11' 42"W
L427	75.00	S86° 11' 42"W
L428	100.00	N3° 48' 18"W
L429	75.00	S86° 11' 42"W
L430	75.00	S86° 11' 42"W
L431	100.00	N3° 48' 18"W
L432	75.00	S86° 11' 42"W
L433	75.00	S86° 11' 42"W
L434	100.00	N3° 48' 18"W
L435	75.00	S86° 11' 42"W
L436	75.00	S86° 11' 42"W
L437	100.00	N3° 48' 18"W
L438	75.00	S86° 11' 42"W
L439	75.00	S86° 11' 42"W
L440	100.00	N3° 48' 18"W
L441	75.00	S86° 11' 42"W
L442	75.00	S86° 11' 42"W
L443	100.00	N3° 48' 18"W
L444	75.00	S86° 11' 42"W
L445	51.50	S86° 11' 42"W
L446	75.00	S3° 48' 18"E
L447	76.50	S86° 11' 42"W
L448	75.00	N3° 48' 18"W
L449	51.50	N86° 11' 42"E
L450	100.00	N3° 48' 18"W
L451	76.50	S86° 10' 11"W
L452	75.00	S86° 11' 42"W
L453	100.00	N3° 48' 18"W
L454	75.00	S86° 11' 42"W
L455	75.00	S86° 11' 42"W
L456	100.00	N3° 48' 18"W
L457	75.00	S86° 11' 42"W
L458	75.00	S86° 11' 42"W
L459	100.00	N3° 48' 18"W
L460	75.00	S86° 11' 42"W
L461	75.00	S86° 11' 42"W
L462	100.00	N3° 48' 18"W
L463	75.00	S86° 11' 42"W
L464	75.00	S86° 11' 42"W
L465	100.00	N3° 48' 18"W
L466	75.00	S86° 11' 42"W
L467	75.00	S86° 11' 42"W
L468	100.00	N3° 48' 18"W
L469	75.00	S86° 11' 42"W
L470	75.00	S86° 11' 42"W
L471	100.00	N3° 48' 18"W
L472	75.00	S86° 11' 42"W
L473	75.00	S86° 11' 42"W
L474	100.00	N3° 48' 18"W
L475	75.00	S86° 11' 42"W
L476	75.00	S86° 11' 42"W
L477	100.00	N3° 48' 18"W
L478	75.00	S86° 11' 42"W
L479	75.00	N86° 11' 42"E
L480	100.00	N3° 48' 18"W
L481	75.00	S86° 11' 42"W
L482	97.50	N86° 11' 42"E
L483	82.28	S3° 48' 18"E
L484	28.40	S48° 36' 10"W
L485	75.00	S85° 53' 38"W
L486	29.66	N86° 11' 42"E
L487	51.87	S81° 26' 05"E
L488	64.63	S8° 33' 55"W
L489	114.99	N81° 26' 05"W
L490	34.96	S8° 33' 55"W
L491	54.07	S86° 11' 42"W
L492	100.39	N3° 48' 18"W
L493	75.00	S86° 11' 42"W
L494	100.00	N3° 48' 18"W
L495	75.00	S86° 11' 42"W
L496	100.00	N3° 48' 18"W
L497	75.00	S86° 11' 42"W
L498	100.00	N3° 48' 18"W
L499	75.00	S86° 11' 42"W
L500	100.00	N3° 48' 18"W
L501	75.00	S86° 11' 42"W
L502	100.00	N3° 48' 18"W
L503	75.00	S86° 11' 42"W
L504	100.00	N3° 48' 18"W
L505	75.00	S86° 11' 42"W
L506	100.00	N3° 48' 18"W
L507	75.00	S86° 11' 42"W
L508	100.00	N3° 48' 18"W
L509	75.00	S86° 11' 42"W
L510	100.00	N3° 48' 18"W

Line Table		
Line #	Length	Direction
L511	75.00	S86° 11' 42"W
L512	100.00	N3° 48' 18"W
L513	75.00	S86° 11' 42"W
L514	100.00	N3° 48' 18"W
L515	51.50	S86° 11' 42"W
L516	75.00	S3° 48' 18"E

Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C1	11.79	125.00	5.4028	11.78
C2	23.57	15.00	90.0133	21.22
C3	6.24	75.00	4.7684	6.24
C4	21.49	75.00	16.4159	21.41
C5	11.66	125.00	5.3442	11.66
C6	21.51	125.00	9.8581	21.48
C7	26.00	125.00	11.9169	25.95
C8	46.80	225.00	11.9169	46.71
C9	12.10	125.00	5.5448	12.09
C10	64.52	125.00	29.5720	63.80
C11	116.13	225.00	29.5720	114.84
C12	64.52	125.00	29.5720	63.80
C13	116.13	225.00	29.5720	114.84
C14	41.52	125.00	19.0298	41.33
C15	74.73	225.00	19.0298	74.39
C16	18.67	125.00	8.5578	18.65
C17	33.61	225.00	8.5578	33.58
C18	64.52	125.00	29.5720	63.80
C19	116.13	225.00	29.5720	114.84
C20	64.52	125.00	29.5720	63.80
C21	116.13	225.00	29.5720	114.84
C22	50.28	125.00	23.0455	49.94
C23	90.50	225.00	23.0455	89.89
C24	33.74	25.00	77.3160	31.23
C25	167.97	125.00	76.9914	155.61
C26	28.52	125.00	13.0718	28.46
C27	15.70	10.00	89.9738	14.14
C28	46.25	125.00	21.1975	45.98
C29	19.90	75.00	15.2024	19.84
C30	18.66	50.00	21.3846	18.55
C31	126.89	72.13	100.7924	111.15
C32	42.66	50.00	48.8793	41.37
C33	33.66	73.96	26.0760	33.37
C34	32.01	50.00	36.6782	31.46
C35	22.14	50.00	25.3717	21.96
C36	85.60	73.96	66.3150	80.90
C37	47.18	50.00	54.0691	45.45
C38	44.80	25.00	102.6840	39.04
C39	39.94	25.00	91.5319	35.82
C40	5.56	125.00	2.5467	5.56
C41	10.00	225.00	2.5467	10.00
C42	60.48	125.00	27.7238	59.90
C43	108.87	225.00	27.7238	107.81
C44	60.48	125.00	27.7238	59.90
C45	108.87	225.00	27.7238	107.81
C46	60.48	125.00	27.7238	59.90
C47	108.87	225.00	27.7238	107.81
C48	39.67	125.00	18.1843	39.51
C49	71.41	225.00	18.1843	71.11
C50	31.51	125.00	14.4445	31.43
C51	56.72	225.00	14.4445	56.57
C52	60.48	125.00	27.7238	59.90
C53	108.87	225.00	27.7238	107.81
C54	60.48	125.00	27.7238	59.90
C55	108.87	225.00	27.7238	107.81
C56	16.88	125.00	7.7375	16.87
C57	30.39	225.00	7.7375	30.36
C58	39.27	25.00	90.0000	35.36
C59	39.27	25.00	90.0000	35.36
C60	41.91	53.00	45.3097	40.83
C61	15.21	53.00	16.4405	15.16
C62	42.31	53.00	45.7447	41.20
C63	75.58	53.00	81.7113	69.34
C64	64.06	53.00	69.2576	60.24
C65	23.28	17.01	78.4240	21.51
C66	39.27	25.00	90.0000	35.36
C67	39.27	25.00	90.0000	35.36
C68	39.27	25.00	90.0000	35.36
C69	100.78	75.00	76.9914	93.37
C70	17.11	75.00	13.0718	17.07
C71	7.07	75.00	5.4028	7.07
C72	38.60	25.00	88.4681	34.88
C73	136.01	75.00	103.9023	118.12
C74	39.27	25.00	90.0000	35.36
C75	23.20	175.00	7.5963	23.18
C76	14.58	175.00	4.7741	14.58
C77	39.27	25.00	90.0000	35.36
C78	39.27	25.00	90.0000	35.36
C79	26.99	125.00	12.3704	26.94
C80	39.27	25.00	90.0000	35.36
C81	101.62	75.00	77.6296	94.02
C82	39.27	25.00	90.0000	35.36
C83	39.03	25.00	89.4589	35.19
C84	39.51	25.00	90.5411	35.52
C85	36.51	25.00	83.6759	33.35
C86	42.03	25.00	96.3241	37.25

LOT TABLE

LOT #	FRONTAGE	LOT AREA (SQ. FT.)	LOT AREA (ACRE)
OPEN SPACE 'A'	ROAD 'A'	54,180.45	1.24
OPEN SPACE 'B'	ROAD 'A'	233,927.14	5.37
OPEN SPACE 'C'	ROAD 'A' & 'C'	296,122.43	6.80
OPEN SPACE 'D'	ROAD 'A' & 'C'	166,490.69	3.82
OPEN SPACE 'E'	ROAD 'A'	28,516.10	0.65
OPEN SPACE 'F'	ROAD 'C'	53,599.60	1.23
1	ROAD 'C'	8,447.06	0.19
2	ROAD 'C'	9,191.10	0.21
3	ROAD 'C'	8,932.98	0.21
4	ROAD 'C'	7,958.68	0.18
5	ROAD 'C'	8,000.00	0.18
6	ROAD 'C'	8,000.00	0.18
7	ROAD 'C'	8,000.00	0.18
8	ROAD 'C'	8,000.00	0.18
9	ROAD 'C'	8,000.00	0.18
10	ROAD 'C'	8,000.00	0.18
11	ROAD 'C'	8,415.98	0.19
12	ROAD 'C'	9,032.26	0.21
13	ROAD 'C'	9,032.26	0.21
14	ROAD 'C'	8,664.27	0.20
15	ROAD 'C'	8,000.00	0.18
16	ROAD 'C'	8,298.72	0.19
17	ROAD 'C'	9,032.26	0.21
18	ROAD 'C'	9,032.26	0.21
19	ROAD 'C'	8,804.44	0.20
20	ROAD 'C'	8,000.00	0.18
21	ROAD 'C'	8,000.00	0.18
22	ROAD 'C'	8,000.00	0.18
23	ROAD 'C'	8,000.00	0.18
24	ROAD 'C'	8,000.00	0.18
25	ROAD 'C'	8,000.00	0.18
26	ROAD 'C'	8,000.00	0.18
27	ROAD 'C'	8,000.00	0.18
28	ROAD 'C'	8,000.00	0.18
29	ROAD 'C'	8,000.00	0.18
30	ROAD 'C'	8,000.00	0.18
31	ROAD 'C'	8,000.00	0.18
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MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
5TH ELECTION DISTRICT

SITE DATA

OWNERS

PARCEL 533-19.00-7.00
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

PARCELS 533-19.00-8.01 & 9.00
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

AGENT/LEGAL COUNSEL

HUDSON, JONES, JAYWORK & FISHER, LLC.
34382 CARPENTERS WAY, STE. 3
LEWES, DELAWARE 19958
PHONE: (302) 644-8330
CONTACT: FRED A. TOWNSEND III, ESQ.

ENGINEER/SURVEYOR

VISTA DESIGN, INC.
11634 WORCESTER HIGHWAY
SHOWELL, MARYLAND 21862
PHONE: (410) 352-3874
CONTACT: RICHARD POLK, PE

ENVIRONMENTAL CONSULTANT

ENVIRONMENTAL RESOURCES, INC.
38173 DUPONT BOULEVARD
SELBYVILLE, DELAWARE 19975
PHONE: (302) 436-9537
CONTACT: EDWARD LAUNAY, PWS

TAX MAP & ZONING INFORMATION

TAX MAP ID'S	533-19.00-7.00, 533-19.00-8.01 & 533-19.00-9.00
SITE ADDRESS	NEW ROAD (CR 391), SELBYVILLE, DE 19975
EXISTING LAND USE	AGRICULTURAL/FORESTED
PROPOSED LAND USE	RESIDENTIAL
EXISTING ZONING	AR-1 - AGRICULTURAL RESIDENTIAL
PROPOSED ZONING	MR - MEDIUM RESIDENTIAL/CLUSTER OPTION CONDITIONAL USE PERMIT - DUPLEX HOMES

SITE AREA

Parcel 7.00	±13.76 Acres
Parcel 8.01	±10.13 Acres
Parcel 9.00	±36.95 Acres
TOTAL AREA OF PARCELS	±60.84 Acres

SITE INFORMATION

PROPOSED UNITS
- ○ 107 SINGLE FAMILY DETACHED CLUSTER LOTS (75' MIN. 75' FRONT TYP., 100' DEPTH, 7,500 SF TYP.)
- ○ 106 HOMES (53 DUPLEX LOTS) DUPLEX (28'-30' PER DUPLEX UNIT WIDTH) FAMILY LOTS - (76' MIN. 80' FRONT, 100' DEPTH, 8,000 SF TYP.)

213 TOTAL FAMILY UNITS

TOTAL SITE AREA	± 60.84 AC
AREAS OF:	
PROPOSED LOTS	32.06 AC
PROPOSED AMENITY LOT	0.61 AC
PROPOSED PRIVATE ROW	10.07 AC
PROPOSED ROW DEDICATION	0.79 AC (ALONG NEW ROAD)
OPEN SPACE	
REQUIRED	± 18.25 AC (30% OF SITE AREA)
PROVIDED	± 19.69 AC (32.4% OF SITE AREA)
PROPOSED DENSITY	3.50 UNITS / ACRE (MR-MAX = 4 UNITS / ACRE)

PROPOSED MINIMUM YARD REQUIREMENTS:

FRONT YARD	30 FT
SIDE YARD	10 FT
REAR YARD	10 FT
MINIMUM FRONTAGE WIDTH	75 FT (DETACHED SINGLE FAMILIES) 76 FT (DUPLEX)

ANTICIPATED NUMBER OF DEVELOPMENT PHASES: 6
ANTICIPATED LIMIT OF DISTURBANCE WITHIN OWNER PARCELS: 55.05 AC

FLOOD ZONE

THIS SITE IS NOT WITHIN THE LIMITS OF A FEMA FLOODPLAIN, AND IS SHOWN AS BEING IN ZONE 'X':
AREAS OF MINIMAL FLOOD HAZARD ON:
FEMA MAP NO. 10005C0635 K
MAP REVISED - MARCH 16, 2015

SEWER PROVIDER

SEWER SERVICES SHALL BE SUPPLIED BY SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT WITHIN THE SUB-AREA DESIGNATED AS FENWICK ISLAND SANITARY SEWER DISTRICT.
- 533-19.00-7.00 - SEWER TIER 1
- 533-19.00-8.01 - SEWER TIER 1
- 533-19.00-9.00 - SEWER PLANNING TIER 2 (Utility Planning & Design Review Complete Received 1/31/2022)

WATER PROVIDER

WATER SERVICES SHALL BE SUPPLIED BY ARTESIAN WATER COMPANY IN SERVICE AREA "EASTERN SUSSEX 4".

HORIZONTAL DATUM

NAD 83/2011 DELAWARE STATE PLANE GRID

WETLANDS

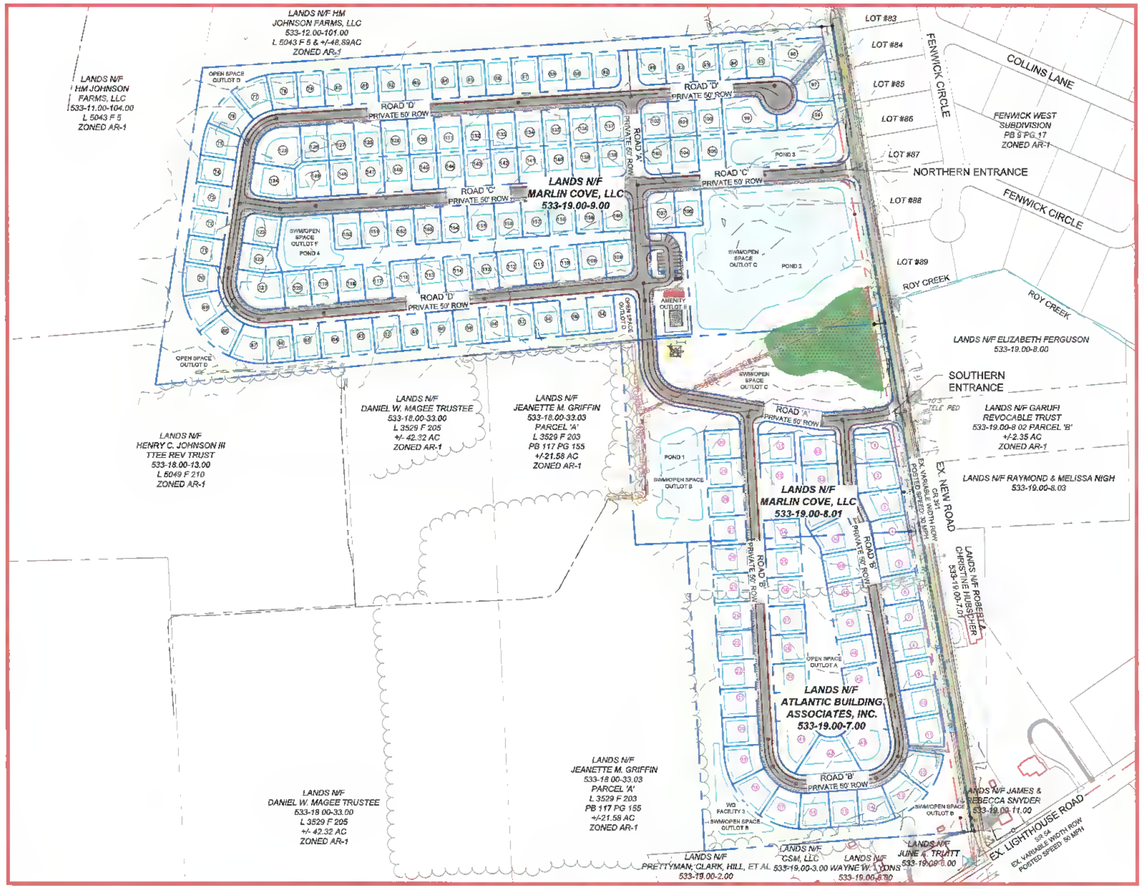
NON-TIDAL WETLANDS WERE IDENTIFIED ALONG ROY CREEK DURING FALL 2020 FIELD INVESTIGATION BY EDWARD LAUNAY, PWS, OF ENVIRONMENTAL RESOURCES, INC.

SOILS CLASSIFICATION

HmA	HAMMONTON LOAMY SAND, 0 - 2 PERCENT SLOPES B SOIL CLASSIFICATION
HuA	HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES A/D SOIL CLASSIFICATION
KsA	KLEJ LOAMY SAND, 0-2 PERCENT SLOPES A/D SOIL CLASSIFICATION
RuA	RUNCLINT LOAMY SAND, 0-2 PERCENT SLOPES A SOIL CLASSIFICATION

PROPOSED LAND USE

DETACHED SINGLE FAMILY HOMES & DUPLEX HOMES



SITE MAP
SCALE: 1" = 200'

NORTH
DE STATE PLANE DATUM (NAD83)

NORTH

0 100 200 400 600
SCALE: 1" = 200'



LOCATION MAP
SCALE 1" = 1 MILE
ADC MAP 42 GRID G10 & G11
NORTH

0 0.5 1 2 3
SCALE: 1" = 1 MILE

SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	EXISTING CONDITIONS PLAN
SHEET 3	PROPOSED OVERALL SUBDIVISION PLAN/INDEX SHEET
SHEET 4	PROPOSED SUBDIVISION PLAN
SHEET 5	PROPOSED SUBDIVISION PLAN
SHEET 6	PROPOSED SUBDIVISION PLAN
SHEET 7	PROPOSED SUBDIVISION PLAN
SHEET 8	PROPOSED ENTRANCE LAYOUT
SHEET 9	TYPICAL SUBDIVISION DETAILS
SHEET 10	LINE, CURVE & LOT AREA TABLES
SHEET 11	PROPOSED RESOURCE BUFFER AND DRAINAGE CHANNEL MAINTENANCE PLAN

LEGEND

Ex. Property Line	Pr. Water Line
Ex. Adjacent Property Line	Pr. Storm Drain Pipe
Ex. Building	Pr. Edge of Pavement
Ex. Waters of the U.S.	Pr. Roadway
Ex. Intermittent County Buffers	Pr. Woods Line
Ex. Non-Tidal Wetlands	Pr. Agriculture/Forested
Ex. Wetland County Buffers	Buffer Easement
Ex. Edge of Pavement	Pr. Shared Use Path
Ex. Roadway	Pr. Drainage Culverts
Ex. Centerline of New Road	
Ex. Driveway	
Ex. 1X Contour	
Ex. 5X Contour	
Ex. Soil Test Pit	
Ex. Soil Delineation	
Ex. Woods Lines	
Ex. Benchmark	
Ex. Sanitary Sewer	
Ex. Water Line	
Ex. Electric Line	
Ex. Utility Easement	
Pr. Property Line/ROW	
BLDG Setback Line	
Pr. Multi-Use Path Easement	
Pr. Sanitary Sewer Easement	
Pr. Water Easement	
Pr. 1X Contour	
Pr. 5X Contour	
Pr. Stormwater Facility	
Pr. Sanitary Sewer	

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST SUSSEX COUNTY SPECIFICATIONS, THE LATEST SUSSEX COUNTY DETAIL MANUAL AND IN ACCORDANCE WITH ALL OTHER APPLICABLE COUNTY AND STATE ORDINANCES.
2. CONTRACTOR IS RESPONSIBLE FOR CONTACTING "MISS UTILITY" AT 1-800-282-8555, 48 HOURS PRIOR TO ANY EXCAVATION WORK TO LOCATE ALL UTILITIES IN THE WORK AREA. ANY CONFLICTS MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER IMMEDIATELY.
3. WATER SERVICE WILL BE PROVIDED BY A PROPOSED EXTENSION OF EXISTING PUBLIC FACILITIES. ALL DISTRIBUTION EQUIPMENT WILL BE MAINTAINED BY ARTESIAN UTILITIES, INC. ALL PROPOSED FACILITIES WILL BE SUBJECT TO REVIEW AND APPROVAL BY ARTESIAN UTILITIES, SUSSEX COUNTY AND DELAWARE DIVISION OF PUBLIC HEALTH.
4. WASTEWATER TREATMENT AND DISPOSAL WILL BE PROVIDED BY CONNECTION TO THE EXISTING FENWICK ISLAND SANITARY SEWER DISTRICT WASTEWATER FACILITIES. THE COLLECTION AND TRANSMISSION SYSTEM WILL CONSIST OF VARIOUS DIAMETER GRAVITY SEWERS. THE COLLECTION AND TRANSMISSION SYSTEM WILL BE SUBJECT TO REVIEW AND APPROVAL BY SUSSEX COUNTY AND DNREC.
5. AGRICULTURAL PROPERTIES GREATER THAN 10 ACRES DIRECTLY ABUT THE SUBDIVISION PROPERTY. THE ADJOINING AREAS ARE PREDOMINATELY WOODED.
6. NO DELAWARE STATE WETLANDS EXIST ON THE PROPERTY.
7. STORMWATER MANAGEMENT PRACTICES WILL BE DESIGNED TO MEET STORMWATER QUALITY AND QUANTITY MANAGEMENT REQUIREMENTS. ALL STORMWATER MANAGEMENT DESIGN WILL BE IN ACCORDANCE WILL DELAWARE STORMWATER DESIGN MANUAL STANDARDS.
8. ALL ROADS WILL BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY SPECIFICATIONS FOR PRIVATE ROADS. TYPICAL ROAD SECTIONS AND SETBACK INFORMATION IS PROVIDED ON SHEET 10 of 11.
9. STREET NAMES WILL BE ESTABLISHED WHICH DO NOT DUPLICATE NOR CLOSELY RESEMBLE EXISTING NAMES IN THE SAME HUNDRED OR POSTAL DISTRICT. STREET NAMES SHOWN HEREON WILL BE SUBJECT TO SUSSEX COUNTY REVIEW AND APPROVAL.
10. EASEMENTS SHALL BE PROVIDED WHERE NECESSARY TO MEET PUBLIC UTILITY REQUIREMENTS. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION WHERE IT BORDERS ACTIVE AGRICULTURAL LAND SHALL BE NO LESS THAN THIRTY (30) FEET IN WIDTH IN THE INTERIOR SIDE OF THE BOUNDARY.

OWNER'S AND/OR DEVELOPER'S CERTIFICATION

I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHOULD BE DONE IN PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E. BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ONSITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT AS REFERENCED ON THIS COVERSHEET.

6-21-2023
DATE

PARCEL 533-19.00-7.00 - RUSS GARUFI
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277

6-21-2023
DATE

PARCEL 533-19.00-8.01 & 9.00 - RUSS GARUFI
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975

WETLAND CERTIFICATION

WETLAND STATEMENT

I, Edward M. Launay, SPWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE FOR CLARIFICATION AND INTERPRETATION OF THE 1987 MANUAL, INCLUDING SACKETT vs. ENVIRONMENTAL PROTECTION AGENCY. THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

IN ACCORDANCE WITH DNREC TIDAL WETLAND MAPS, THERE ARE NO STATE REGULATED WETLANDS ON THE SITE.

6/21/2023
Date

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

PROFESSIONAL CERTIFICATION

I, RICHARD F. POLK, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED PROFESSIONAL STANDARDS AND PRACTICES AND BY SUSSEX COUNTY SUBDIVISION AND LAND DEVELOPMENT STANDARDS.

6/21/23
DATE

RICHARD F. POLK, P.E.
VISTA DESIGN, INC.
11634 WORCESTER HWY.
SHOWELL, MD 21862

LICENSE NO. 12998 EXPIRATION DATE: 6/30/2024

NOTE:
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NOTE:
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.

NORTH

REVISIONS

PROJECT DATA
Project No: 20-076
File Name: Prelim Plan 020924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/26/2023
Scale: AS SHOWN

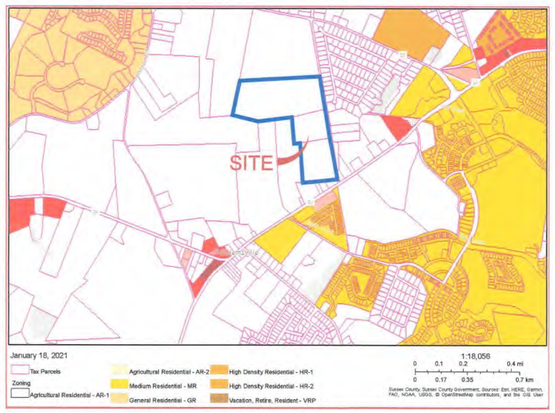
COVER SHEET

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

RICHARD F. POLK — 12998 — STATE OF DELAWARE — PROFESSIONAL ENGINEER — NOV 2018

Sheet No.: 1 of 11



BENCHMARK INFORMATION

BENCHMARK IDENTIFIER	TYPE	NORTHING	EASTING	ELEVATION (FT)
1	SS MH RIM	169440.3200	739687.5700	13.03
2	REBAR	169757.0100	738904.6000	13.22
3	REBAR	170796.5900	739069.1700	8.55
4	REBAR	170586.4200	739474.2100	10.78
5	FH TOP	170244.0800	739539.9700	15.07

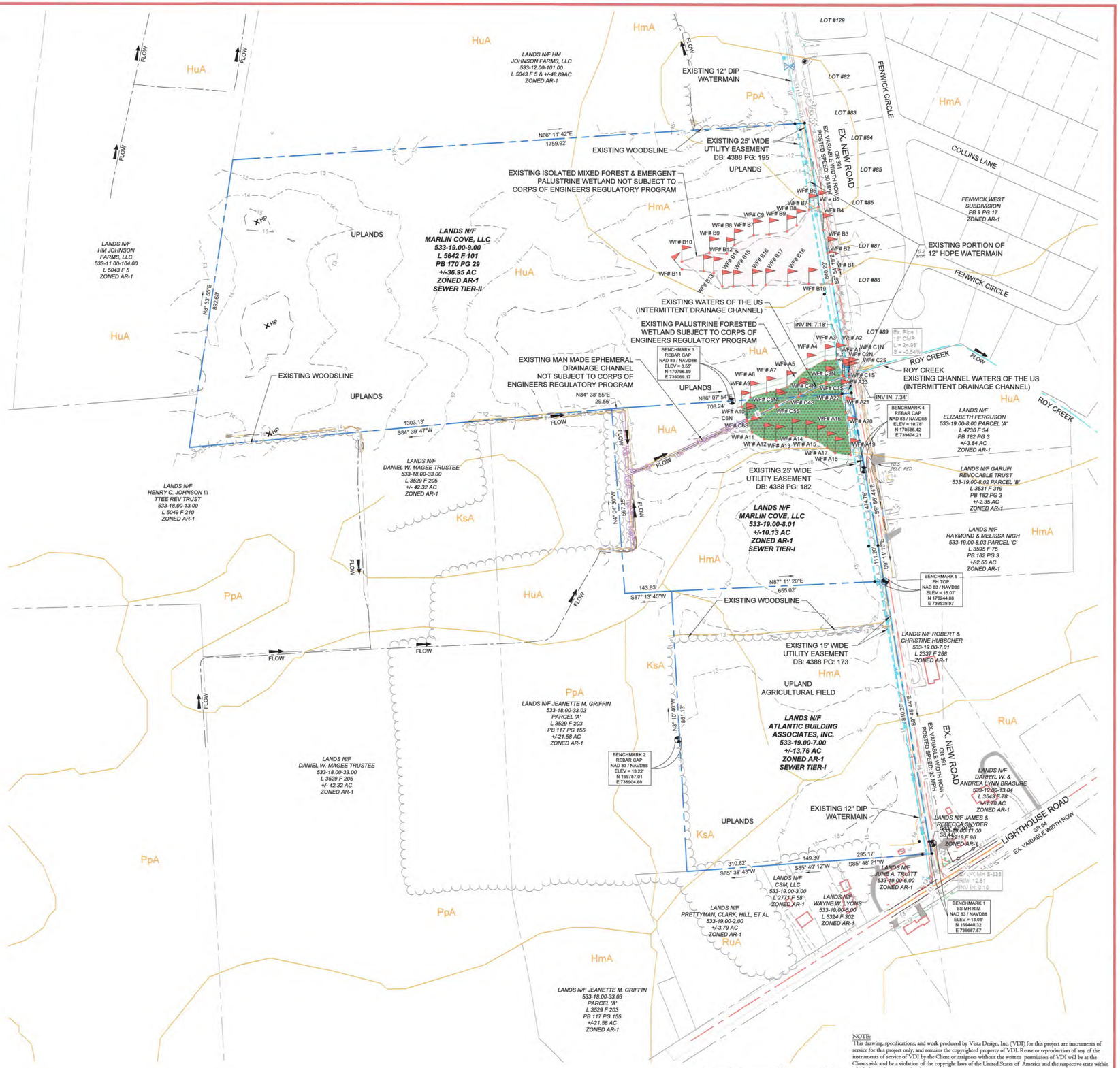
HORIZONTAL & VERTICAL CONTROL
HORIZONTAL: NAD 83 DELAWARE STATE PLANE, US FEET
VERTICAL: NAVD 88

EXISTING SOILS ON SITE

SOIL SYMBOL	SOIL TYPE NAME	HYDROLOGIC SOIL GROUP
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D
RuA	Runclint loamy sand, 0 to 2 percent slopes	A
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A

NOTES

1. SANITARY SEWER TO BE PROVIDED BY SUSSEX COUNTY VIA TWO MANHOLES. FIRST, A MANHOLE AND STUB NORTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND LIGHTHOUSE ROAD (SR-54). SECOND, A MANHOLE AND STUB SOUTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND ZION CHURCH ROAD (SR-20). EXISTING PARCELS 533-19.00-7.00 AND 533-19.00-8.01 ARE LOCATED WITHIN THE SEWER TIER 1 FENWICK ISLAND SANITARY SEWER DISTRICT. EXISTING PARCEL 533-19.00-9.00 IS LOCATED WITHIN THE SEWER TIER 2 AND IS PROPOSED TO BE ANNEXED INTO THE FENWICK ISLAND SANITARY SEWER DISTRICT.
2. AN EXISTING 12" DIP AND HDPE WATERMAIN MANAGED BY ARTESIAN WATER COMPANY INC. IS LOCATED ALONG THE ENTIRE FRONTAGE OF PARCELS 533-19.00-7.00, 533-19.00-8.01 AND 533-19.00-9.00 ALONG NEW ROAD. AS PART OF THE DEVELOPMENT, HYDRANTS AND VALVES MAY NEED TO BE RELOCATED DUE TO NEW ROAD WIDENING.



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NOTE:
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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 150'

EXISTING CONDITIONS PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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Land Planning Consultants • GIS Services
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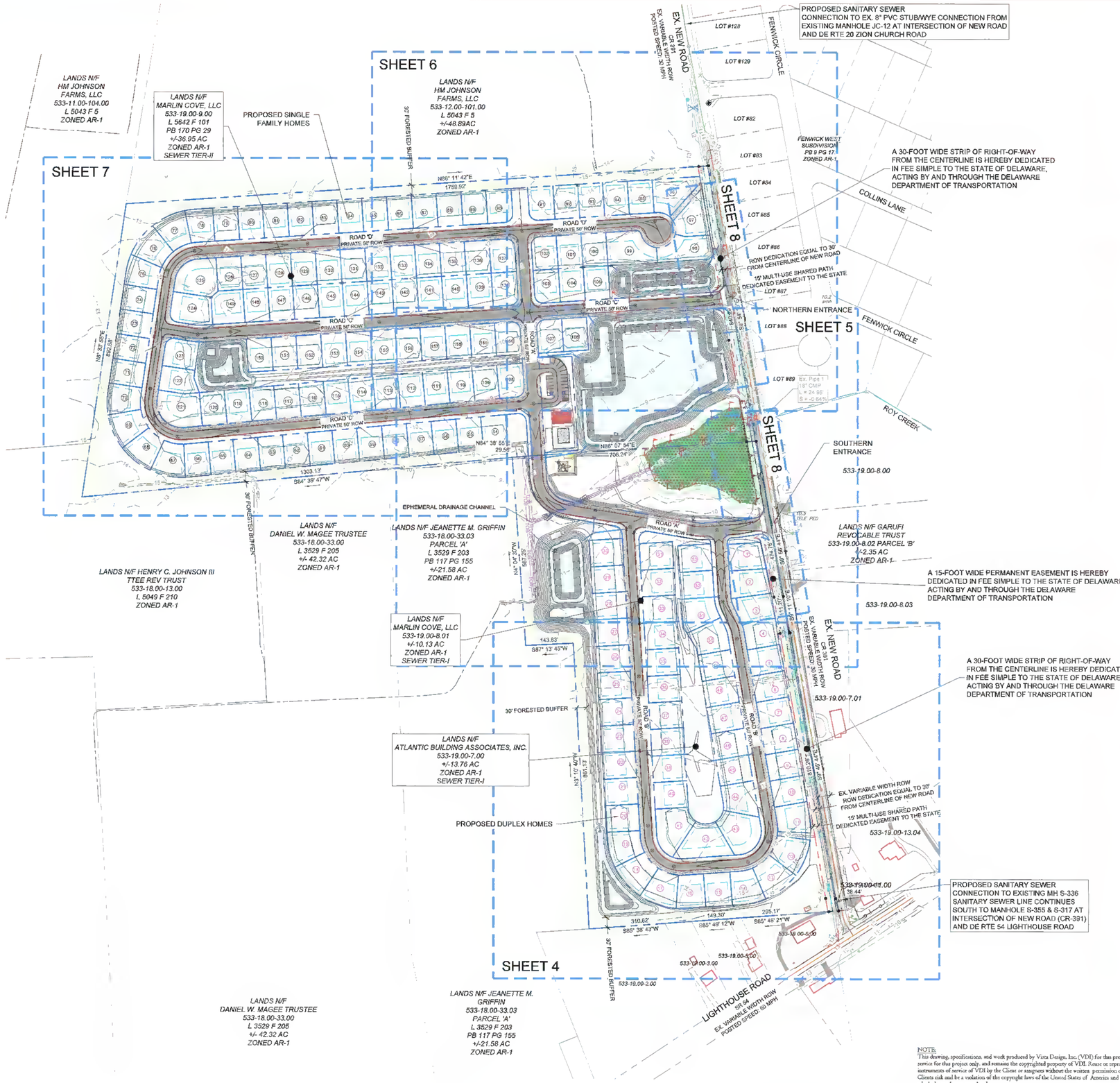
Ph. 410-352-3674 • www.vistadesigninc.com

Sheet No.: 2 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Profiles Plan 102824.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 5/13/2022
Scale: 1" = 150'

PROPOSED OVERALL SITE PLAN/SHEET INDEX

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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Land Planning Consultants • GIS Services
11434 Waterfront Pkwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

HAROLD F. ROLE JR. REGISTERED PROFESSIONAL ENGINEER NO. 12969 STATE OF DELAWARE

Sheet No.:
3 of 11

MATCHLINE SHEET 5

EXISTING FIRE HYDRANT TO BE RELOCATED

PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')

PR 8" WATERMAIN

NEW ROAD
EX. VARIABLE WIDTH ROW
POSTED SPEED 30 MPH

PR 8" SANITARY SEWER

LANDS N/F ROBERT & CHRISTINE HUBSCHER
533-19.00-7.01
L 2337 F 288
ZONED AR-1

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PR 15' WIDTH MULTI-USE PATH EASEMENT

EXISTING 12" DIP WATERMAIN

A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')

LANDS N/F DARRYL W. & ANDREA LYNN BRASURE
533-19.00-13.04
L 3543 F 78
+/-1.70 AC
ZONED AR-1

PR 8" SANITARY SEWER

LANDS N/F JAMES & REBECCA SNYDER
533-19.00-11.00
L 2718 F 96
ZONED AR-1

MH S-336
RIM: 13.06
INV IN 0.41
INV OUT 0.35

EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 312

EXISTING 8" SANITARY SEWER

EX. EX MH S-333
RIM: 12.51
INV IN: 0.10

LANDS N/F JUNE A. TRUITT
533-19.00-6.00
ZONED AR-1

EXISTING FIRE HYDRANT

EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 317

LIGHTHOUSE ROAD
SR 54
EX. VARIABLE WIDTH ROW
POSTED SPEED 50 MPH

PR FIRE HYDRANT

PR 8" WATERMAIN

OPEN SPACE OUTLOT A
54,180.45 SF
(1.24 AC)

OPEN SPACE OUTLOT B
233,927.10 SF
(5.37 AC)

WQ FACILITY 3

SWM/OPEN SPACE OUTLOT B

PR 30' FORESTED BUFFER

PROPOSED 4' WIDE NATURAL TRAIL IN BUFFER TO BE FIELD LOCATED TO NOT REMOVE TREES

LANDS N/F JEANETTE M. GRIFFIN
533-18.00-33.03
PARCEL 'A'
L 3529 F 203
PB 117 PG 155
+/-21.58 AC
ZONED AR-1

LANDS N/F ATLANTIC BUILDING ASSOCIATES, INC.
533-19.00-7.00
+/-13.76 AC
ZONED AR-1

LANDS N/F CSM, LLC
533-19.00-3.00
L 2771 F 58
ZONED AR-1

LANDS N/F WAYNE W. LYONS
533-19.00-5.00
L 5324 F 302
ZONED AR-1

LANDS N/F PRETTYMAN, CLARK, HILL, ET AL
533-19.00-2.00
+/-3.79 AC
ZONED AR-1

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NOTE:
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0 25 50 100 150
SCALE: 1" = 50'

NORTH

REVISIONS

PROJECT DATA
Project No: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

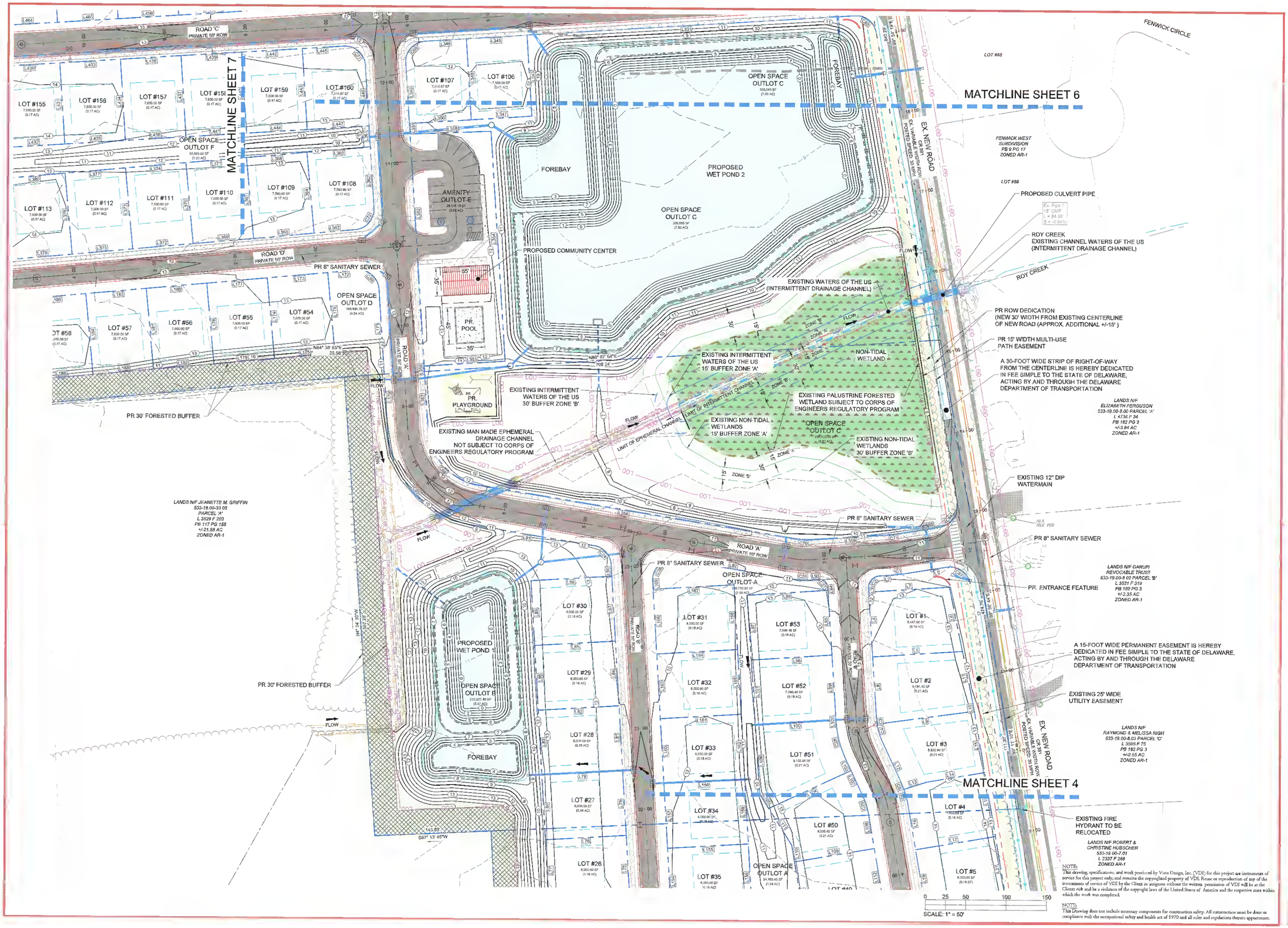
PROPOSED SUBDIVISION PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF DELAWARE. NO. 12948 — RICHARD F. POLK — 9-30-24 — PROFESSIONAL ENGINEER

Sheet No: 4 of 11



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 10/2/24.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED SUBDIVISION PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC
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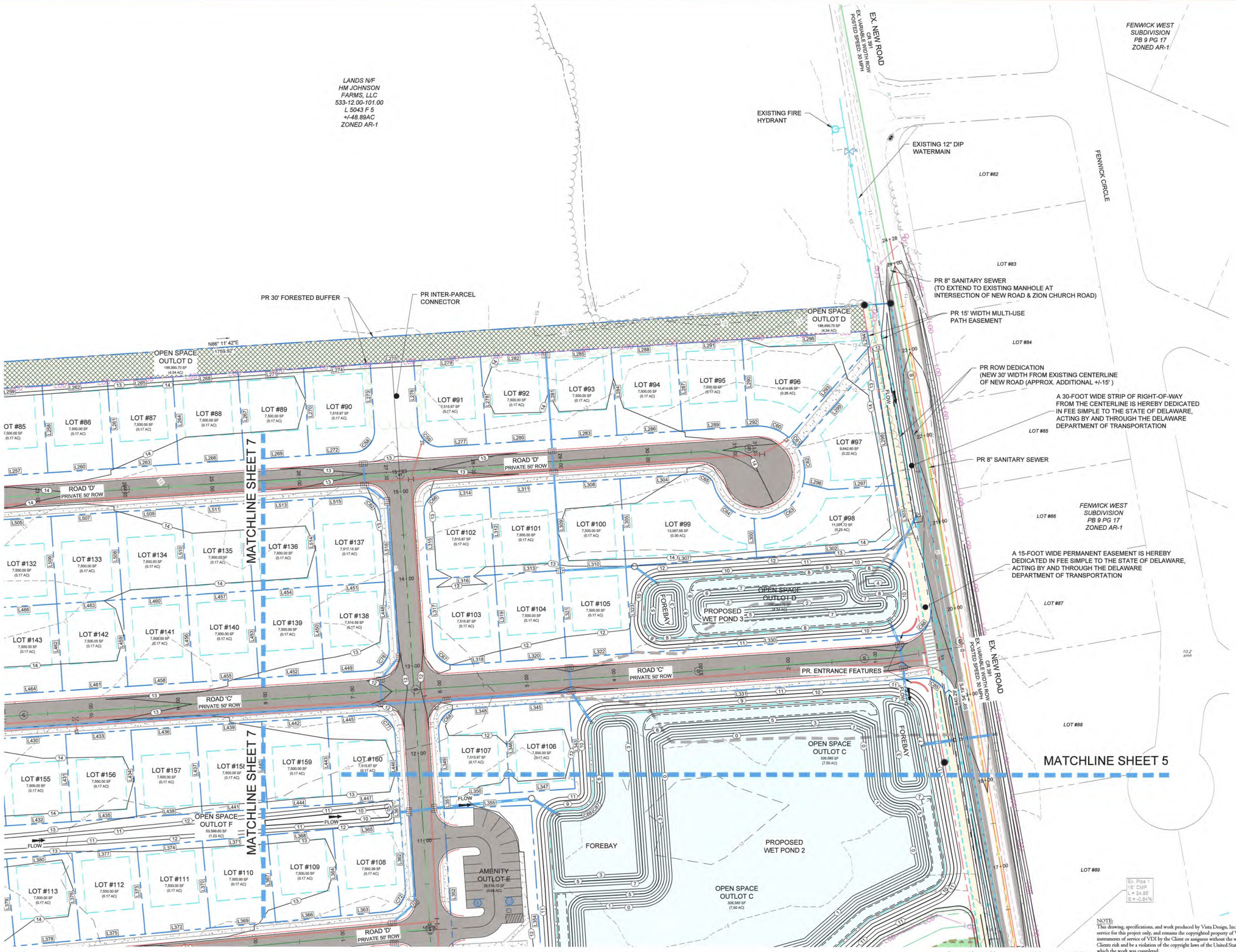
Land Planning Consultants • GIS Services
1 634 Worcester Hwy Showell, MD 21862
Ph: 410-352-3674 • www.vistadesigninc.com

LARRY F. HOLT JR. LICENSED PROFESSIONAL ENGINEER No. 29213

Sheet No.:
5 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



NORTH

REVISIONS

PROJECT DATA

Project No.: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 80'

PROPOSED
SUBDIVISION
PLAN

MARLIN COVE
SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

RICHARD F. FOLK
REGISTERED
NO. 21949
PROFESSIONAL
ENGINEER
DELAWARE

Sheet No.:
6 of 11

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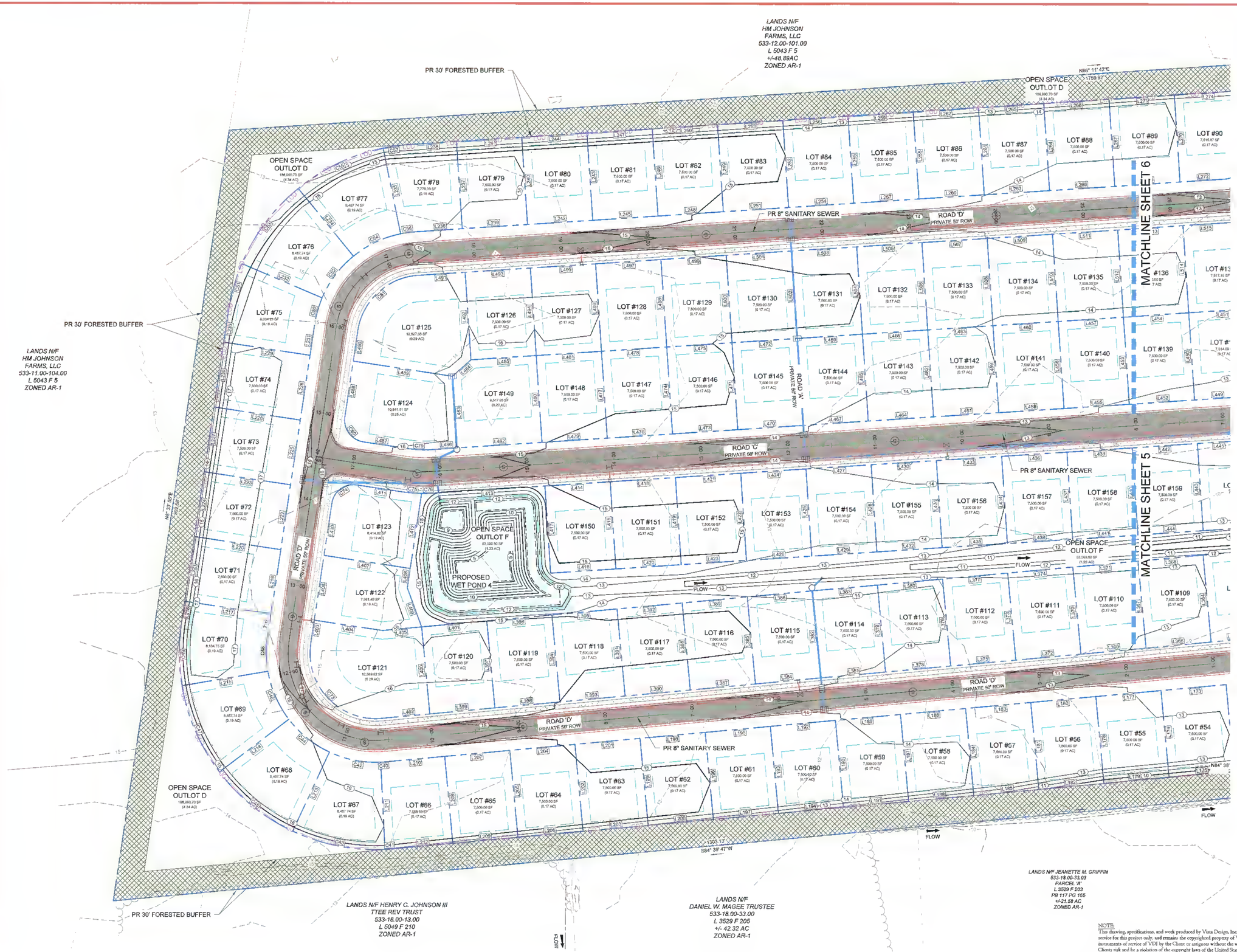
MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plat 072924.dwg
SALTMARSH HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED
SUBD VISION
P AN

MARLIN COVE
SUBD VISION
PRELIMINAR SUBDIVISION/
CONDITIO AL USE PLAN

VISTA DESIGN, INC
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
16A W. Stephen Hwy, Stowell, MD 21862
Ph. 410-352-3870 • www.vistadesign.com

Sheet No:
7 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

LOT #85

LOT #86

LOT #87

FENWICK WEST SUBDIVISION PB 9 PG 17 ZONED AR-1

LOT #88

A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

LOD ALONG EDGE OF ROW/PROPERTY LINE

EXISTING ROAD CENTERLINE

PROPOSED ROAD CENTERLINE

NEW ROAD
CR 391
EX. VARIABLE WIDTH ROW
POSTED SPEED: 30 MPH

PR ROW DEDICATION
(NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')

100' DECELERATION LANE

50.0' TAPER

ENTRANCE RIGHT TURN LANE

S9° 54' 19"E
840.23'

SHARED USE PATH (10' PAVED WIDTH)

SHARED USE PATH (10' WIDTH)

PR 15' WIDTH MULTI-USE PATH EASEMENT

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PR. ENTRANCE FEATURE

FOREBAY

LOT #97
9,542.80 SF
(0.22 AC)

LOT #98
11,051.72 SF
(0.25 AC)

OPEN SPACE OUTLOT D
199,950.78 SF
(4.94 AC)

PROPOSED WET POND 3

ROAD 'C'
PRIVATE 50' ROW

OPEN SPACE OUTLOT C
926,565.59 SF
(7.50 AC)

PROPOSED WET POND 2

NORTHERN ENTRANCE

FENWICK WEST SUBDIVISION PB 9 PG 17 ZONED AR-1

LOT #89

ROY CREEK

FLOW

LANDS N/F ELIZABETH FERGUSON 533-19.00-8.00 PARCEL 'A' L 4736 F 34 PB 182 PG 3 +/-3.84 AC ZONED AR-1

EXISTING PRIVATE DRIVEWAY

LANDS N/F GARUFI REVOCABLE TRUST 533-19.00-8.02 PARCEL 'B' L 3531 F 319 PB 182 PG 3 +/-2.35 AC ZONED AR-1

EXISTING PRIVATE DRIVEWAY

LANDS N/F RAYMOND & MELISSA HIGH 533-19.00-8.03 PARCEL 'C' L 3595 F 75 PB 182 PG 3 +/-2.55 AC ZONED AR-1

EX. NEW ROAD
CR 391
EX. VARIABLE WIDTH ROW
POSTED SPEED: 30 MPH

S9° 55' 44"E
474.76'

S9° 11' 10"E
111.20'

ZONE 'A'

ZONE 'B'

EXISTING WATERS OF THE US (INTERMITTENT DRAINAGE CHANNEL)

OPEN SPACE OUTLOT C
286,122.40 SF
(6.50 AC)

EXISTING PALUSTRINE FORESTED WETLAND SUBJECT TO CORPS OF ENGINEERS REGULATORY PROGRAM

EXISTING NON-TIDAL WETLANDS 15' BUFFER ZONE 'A'

EXISTING NON-TIDAL WETLANDS 30' BUFFER ZONE 'B'

ROAD 'A'
PRIVATE 50' ROW

OPEN SPACE OUTLOT B
233,927.10 SF
(5.37 AC)

LOT #1
8,447.06 SF
(0.19 AC)

LOT #2
9,191.10 SF
(0.21 AC)

LOT #3
6,932.68 SF
(0.21 AC)

SOUTHERN ENTRANCE

0 10 20 40 60
SCALE: 1" = 20'

NOTE:
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NOTE:
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.

NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 9/20/2023
Scale: 1" = 20'

PROPOSED ENTRANCE LAYOUT

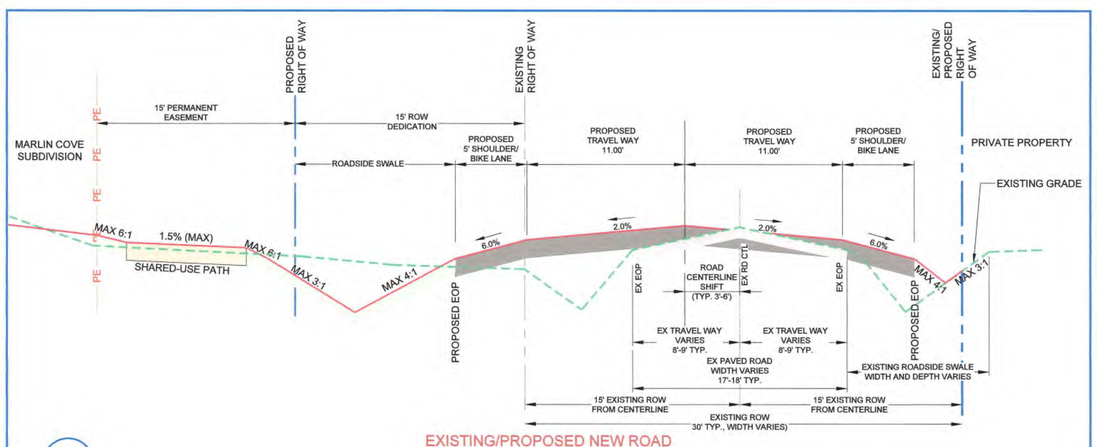
MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
17434 Worcester Hwy. Stockell, MD 21862
Ph. 410-352-3674 • www.vistadesigninc.com

RICHARD T. ROLLO
No. 12958
REGISTERED PROFESSIONAL ENGINEER
STATE OF DELAWARE

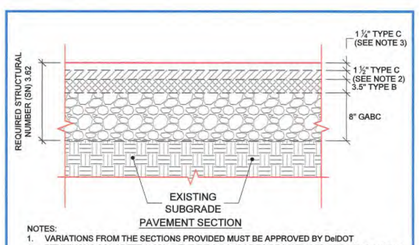
Sheet No.:
8 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



1
10

EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 1+15 - 9+25
N.T.S.

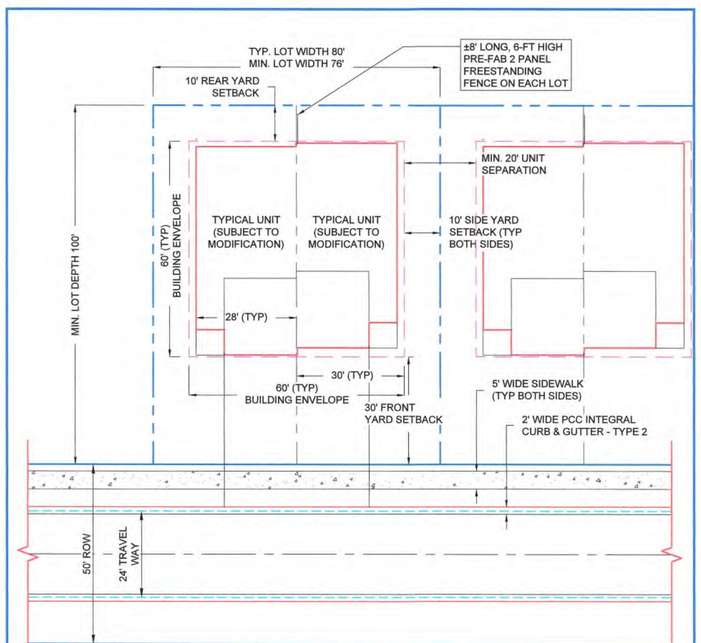


PAVEMENT SECTION

NOTES:
1. VARIATIONS FROM THE SECTIONS PROVIDED MUST BE APPROVED BY DelDOT
2. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED WITH TYPE B GABC.
3. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED JUST PRIOR TO DelDOT ACCEPTANCE.

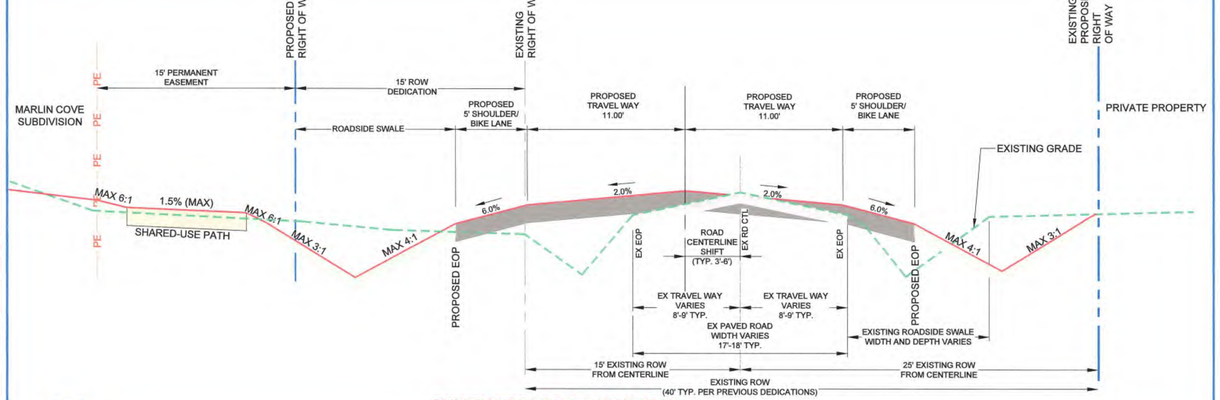
5
10

DelDOT PAVEMENT CLASS II
NEW ROAD IMPROVEMENTS
TRAFFIC VOLUME 501 TO 2000 ADT
LESS THAN 15 LIGHT DUTY TRUCKS PER DAY
NOT TO SCALE



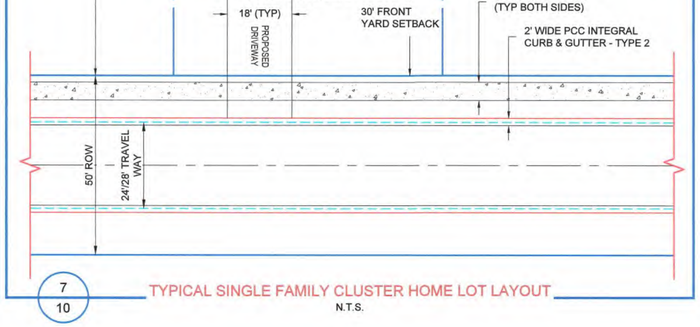
6
10

TYPICAL DUPLEX HOME LOT LAYOUT
N.T.S.



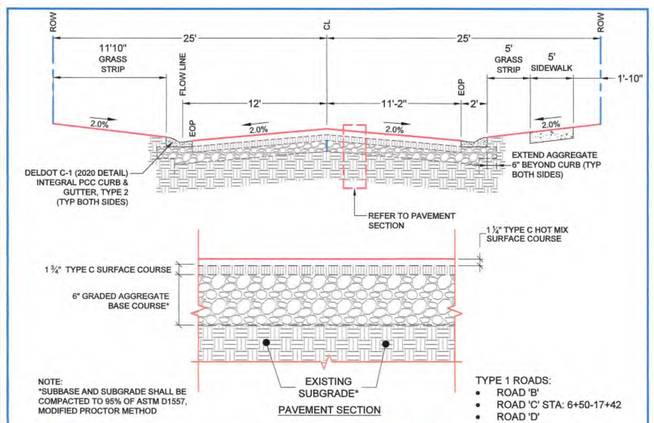
2
10

EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 9+25 - 23+57
N.T.S.



7
10

TYPICAL SINGLE FAMILY CLUSTER HOME LOT LAYOUT
N.T.S.



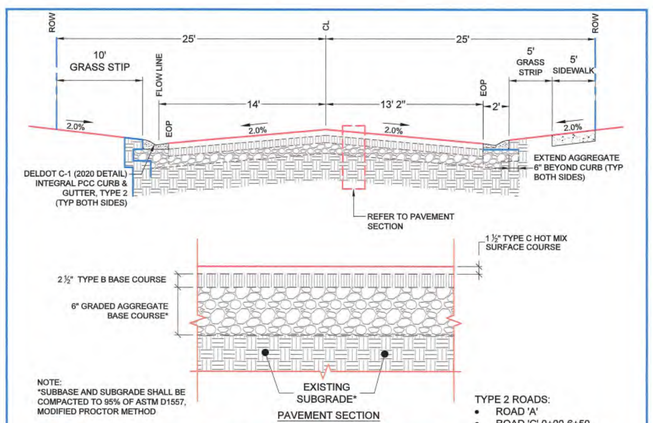
NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 1 ROADS:
- ROAD 'B'
- ROAD 'C' STA: 6+50-17+42
- ROAD 'D'

3
10

TYPICAL TYPE 1 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.



NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 2 ROADS:
- ROAD 'A'
- ROAD 'C' 0+00-6+50

4
10

TYPICAL TYPE 2 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plat 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: N.T.S.

TYPICAL SUBDIVISION DETAILS

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
16 Penns Way, New Castle, DE 19720
Ph. 410-352-3874 • www.vistadesigninc.com

RICHARD E. POLK — 29581 — NOV 2024 — PROFESSIONAL ENGINEER

Sheet No.:
9 of 11

Line Table		
Line #	Length	Direction
L1	80.93	S80° 43' 44"W
L2	15.94	S86° 07' 54"W
L3	4.13	S3° 52' 53"E
L4	80.00	S3° 52' 53"E
L5	111.13	N86° 07' 54"E
L6	80.77	S11° 46' 38"E
L7	100.02	N86° 07' 54"E
L8	77.27	S3° 52' 53"E
L9	121.24	S82° 06' 51"W
L10	8.23	S9° 51' 48"E
L11	67.05	S11° 46' 38"E
L12	54.10	S25° 03' 57"E
L13	29.98	N72° 07' 22"E
L14	72.13	N80° 08' 12"E
L15	76.47	S9° 51' 48"E
L16	54.41	S9° 51' 48"E
L17	100.00	N80° 08' 12"E
L18	80.00	S9° 51' 48"E
L19	80.00	S9° 51' 48"E
L20	100.00	N80° 08' 12"E
L21	80.00	S9° 51' 48"E
L22	80.00	S9° 51' 48"E
L23	100.00	N80° 08' 12"E
L24	80.00	S9° 51' 48"E
L25	80.00	S9° 51' 48"E
L26	100.00	N80° 08' 12"E
L27	80.00	S9° 51' 48"E
L28	80.00	S9° 51' 48"E
L29	100.00	N80° 08' 12"E
L30	80.00	S9° 51' 48"E
L31	80.00	S9° 51' 48"E
L32	100.00	N80° 08' 12"E
L33	80.00	S9° 51' 48"E
L34	80.00	S9° 51' 48"E
L35	100.00	N80° 08' 12"E
L36	80.00	S9° 51' 48"E
L37	47.76	S9° 51' 48"E
L38	100.00	S87° 56' 47"E
L39	47.76	S9° 51' 48"E
L40	100.00	S52° 49' 47"E
L41	100.00	S82° 24' 06"E
L42	100.00	S23° 15' 28"E
L43	28.52	S85° 46' 20"W
L44	100.00	S4° 13' 40"E
L45	28.52	S85° 46' 20"W
L46	80.00	S85° 46' 20"W
L47	100.00	S4° 13' 40"E
L48	80.00	S85° 46' 20"W
L49	56.85	S85° 46' 20"W
L50	100.00	S4° 19' 48"W
L51	56.85	S85° 46' 20"W
L52	100.00	S33° 54' 07"W
L53	100.00	S63° 28' 26"W
L54	17.66	S3° 28' 50"E
L55	100.00	S86° 31' 10"W
L56	17.66	N3° 28' 50"W
L57	80.00	N3° 28' 50"W
L58	100.00	S86° 31' 10"W
L59	80.00	N3° 28' 50"W
L60	80.00	N3° 28' 50"W
L61	100.00	S86° 31' 10"W
L62	80.00	N3° 28' 50"W
L63	80.00	N3° 28' 50"W
L64	100.00	S86° 31' 10"W
L65	80.00	N3° 28' 50"W
L66	80.00	N3° 28' 50"W
L67	100.00	S86° 31' 10"W
L68	80.00	N3° 28' 50"W
L69	80.00	N3° 28' 50"W
L70	100.00	S86° 31' 10"W
L71	80.00	N3° 28' 50"W
L72	80.00	N3° 28' 50"W
L73	100.00	S86° 31' 10"W
L74	80.00	N3° 28' 50"W
L75	80.00	N3° 28' 50"W
L76	100.00	S86° 31' 10"W
L77	80.00	N3° 28' 50"W
L78	80.00	N3° 28' 50"W
L79	100.00	S86° 31' 10"W
L80	80.00	N3° 28' 50"W
L81	80.00	N3° 28' 50"W
L82	100.00	S86° 31' 10"W
L83	80.00	N3° 28' 50"W
L84	80.00	N3° 28' 50"W
L85	100.00	S86° 31' 10"W
L86	80.00	N3° 28' 50"W
L87	80.00	N3° 28' 50"W
L88	100.00	S86° 31' 10"W
L89	80.00	N3° 28' 50"W
L90	14.42	N3° 28' 50"W
L91	153.17	N80° 47' 47"W
L92	142.52	S80° 47' 47"E
L93	7.62	N86° 07' 54"E
L94	3.82	S3° 53' 40"E
L95	80.00	N3° 53' 56"W
L96	99.98	S86° 07' 54"W
L97	80.00	N3° 52' 06"W
L98	99.94	S86° 07' 54"W
L99	80.00	N3° 53' 00"W
L100	100.00	S86° 07' 54"W
L101	80.00	N3° 52' 06"W
L102	2.18	N3° 53' 00"W

Line Table		
Line #	Length	Direction
L103	17.32	N25° 03' 57"W
L104	112.18	S64° 56' 03"W
L105	21.19	N32° 25' 45"W
L106	85.47	S3° 52' 06"E
L107	36.77	S25° 03' 57"E
L108	44.57	S9° 51' 48"E
L109	100.00	N80° 08' 12"E
L110	20.92	S9° 51' 48"E
L111	53.47	S32° 25' 45"E
L112	80.00	N9° 51' 48"W
L113	100.00	N80° 08' 12"E
L114	80.00	N9° 51' 48"W
L115	80.00	N9° 51' 48"W
L116	100.00	N80° 08' 12"E
L117	80.00	N9° 51' 48"W
L118	80.00	N9° 51' 48"W
L119	100.00	N80° 08' 12"E
L120	80.00	N9° 51' 48"W
L121	80.00	N9° 51' 48"W
L122	100.00	N80° 08' 12"E
L123	80.00	N9° 51' 48"W
L124	80.00	N9° 51' 48"W
L125	100.00	N80° 08' 12"E
L126	80.00	N9° 51' 48"W
L127	111.04	N9° 51' 48"W
L128	110.19	N79° 42' 49"W
L129	54.84	N9° 51' 48"W
L130	26.57	N9° 51' 48"W
L131	10.60	N85° 46' 20"E
L132	116.46	N30° 03' 26"W
L133	154.77	S85° 46' 20"W
L134	129.52	N33° 12' 36"E
L135	6.62	S85° 46' 20"W
L136	79.05	N3° 28' 50"W
L137	100.00	S86° 31' 10"W
L138	3.07	N3° 28' 50"W
L139	80.00	S3° 28' 50"E
L140	100.00	S86° 31' 10"W
L141	80.00	S3° 28' 50"E
L142	80.00	S3° 28' 50"E
L143	100.00	S86° 31' 10"W
L144	80.00	S3° 28' 50"E
L145	80.00	S3° 28' 50"E
L146	100.00	S86° 31' 10"W
L147	80.00	S3° 28' 50"E
L148	80.00	S3° 28' 50"E
L149	100.00	S86° 31' 10"W
L150	80.00	S3° 28' 50"E
L151	80.00	S3° 28' 50"E
L152	100.00	S86° 31' 10"W
L153	80.00	S3° 28' 50"E
L154	80.00	S3° 28' 50"E
L155	100.00	S86° 31' 10"W
L156	80.00	S3° 28' 50"E
L157	80.00	S3° 28' 50"E
L158	100.00	S86° 31' 10"W
L159	80.00	S3° 28' 50"E
L160	80.00	S3° 28' 50"E
L161	100.00	S86° 31' 10"W
L162	80.00	S3° 28' 50"E
L163	80.00	S3° 28' 50"E
L164	100.00	S86° 31' 10"W
L165	80.00	S3° 28' 50"E
L166	80.00	S3° 28' 50"E
L167	100.00	S86° 31' 10"W
L168	80.00	S3° 28' 50"E
L169	10.52	S3° 28' 50"E
L170	70.64	N3° 48' 18"W
L171	104.87	N3° 48' 18"W
L172	36.30	S84° 39' 47"W
L173	75.00	S84° 39' 47"W
L174	100.00	S5° 20' 13"E
L175	75.00	N84° 39' 47"E
L176	100.00	S5° 20' 13"E
L177	75.00	S84° 39' 47"W
L178	100.00	S5° 20' 13"E
L179	75.00	S84° 39' 47"W
L180	75.00	S84° 39' 47"W
L181	100.00	S5° 20' 13"E
L182	75.00	S84° 39' 47"W
L183	75.00	S84° 39' 47"W
L184	100.00	S5° 20' 13"E
L185	75.00	S84° 39' 47"W
L186	75.00	S84° 39' 47"W
L187	100.00	S5° 20' 13"E
L188	75.00	S84° 39' 47"W
L189	75.00	S84° 39' 47"W
L190	100.00	S5° 20' 13"E
L191	75.00	S84° 39' 47"W
L192	75.00	S84° 39' 47"W
L193	100.00	S5° 20' 13"E
L194	75.00	S84° 39' 47"W
L195	75.00	S84° 39' 47"W
L196	100.00	S5° 20' 13"E
L197	75.00	S84° 39' 47"W
L198	75.00	S84° 39' 47"W
L199	100.00	S5° 20' 13"E
L200	75.00	S84° 39' 47"W
L201	75.00	S84° 39' 47"W
L202	100.00	S5° 20' 13"E
L203	75.00	S84° 39' 47"W
L204	75.00	S84° 39' 47"W

Line Table		
Line #	Length	Direction
L205	100.00	S5° 20' 13"E
L206	75.00	S84° 39' 47"W
L207	75.00	S84° 39' 47"W
L208	100.00	S5° 20' 13"E
L209	75.00	S84° 39' 47"W
L210	68.11	S84° 39' 47"W
L211	100.00	S2° 47' 25"E
L212	68.11	S84° 39' 47"W
L213	100.00	S24° 56' 00"W
L214	100.00	S52° 39' 26"W
L215	100.00	S80° 22' 51"W
L216	25.81	N8° 33' 55"E
L217	100.00	N81° 26' 05"W
L218	25.81	S8° 33' 55"W
L219	75.00	N8° 33' 55"E
L220	100.00	N81° 26' 05"W
L221	75.00	N8° 33' 55"E
L222	75.00	N8° 33' 55"E
L223	100.00	N81° 26' 05"W
L224	75.00	N8° 33' 55"E
L225	75.00	N8° 33' 55"E
L226	100.00	N81° 26' 05"W
L227	75.00	N8° 33' 55"E
L228	75.00	N8° 33' 55"E
L229	100.00	N81° 26' 05"W
L230	75.00	N8° 33' 55"E
L231	35.92	N8° 33' 55"E
L232	100.00	S66° 59' 25"E
L233	35.92	N8° 33' 55"E
L234	100.00	S39° 15' 59"E
L235	100.00	S11° 32' 34"E
L236	54.07	N86° 11' 42"E
L237	100.00	S3° 48' 18"E
L238	54.07	S86° 11' 42"W
L239	75.00	N86° 11' 42"E
L240	100.00	S3° 48' 18"E
L241	75.00	N86° 11' 42"E
L242	75.00	N86° 11' 42"E
L243	100.00	S3° 48' 18"E
L244	75.00	N86° 11' 42"E
L245	75.00	N86° 11' 42"E
L246	100.00	S3° 48' 18"E
L247	75.00	N86° 11' 42"E
L248	75.00	N86° 11' 42"E
L249	100.00	S3° 48' 18"E
L250	75.00	N86° 11' 42"E
L251	75.00	N86° 11' 42"E
L252	100.00	S3° 48' 18"E
L253	75.00	N86° 11' 42"E
L254	75.00	N86° 11' 42"E
L255	100.00	S3° 48' 18"E
L256	75.00	N86° 11' 42"E
L257	75.00	N86° 11' 42"E
L258	100.00	S3° 48' 18"E
L259	75.00	N86° 11' 42"E
L260	75.00	N86° 11' 42"E
L261	100.00	S3° 48' 18"E
L262	75.00	N86° 11' 42"E
L263	75.00	N86° 11' 42"E
L264	100.00	S3° 48' 18"E
L265	75.00	N86° 11' 42"E
L266	75.00	N86° 11' 42"E
L267	100.00	S3° 48' 18"E
L268	75.00	N86° 11' 42"E
L269	75.00	N86° 11' 42"E
L270	100.00	S3° 48' 18"E
L271	75.00	N86° 11' 42"E
L272	51.50	N86° 11' 42"E
L273	75.00	N3° 48' 18"W
L274	76.50	N86° 11' 42"E
L275	50.00	N86° 11' 42"E
L276	75.00	N3° 48' 18"W
L277	51.50	N86° 11' 42"E
L278	100.00	S3° 48' 18"E
L279	76.50	N86° 11' 42"E
L280	75.00	N86° 11' 42"E
L281	100.00	S3° 48' 18"E
L282	75.00	N86° 11' 42"E
L283	75.00	N86° 11' 42"E
L284	100.00	S3° 48' 18"E
L285	75.00	N86° 11' 42"E
L286	75.00	S86° 11' 42"W
L287	100.00	S3° 48' 18"E
L288	75.00	N86° 11' 42"E
L289	75.00	N86° 11' 42"E
L290	100.00	S3° 48' 18"E
L291	75.00	N86° 11' 42"E
L292	8.59	S86° 11' 42"W
L293	140.09	N41° 30' 16"E
L294	17.31	N10° 07' 45"W
L295	143.96	N86° 11' 42"E
L296	30.29	S76° 18' 37"E
L297	75.93	N86° 11' 42"E
L298	142.60	N10° 07' 45"W
L299	130.38	N41° 30' 16"E
L300	44.00	N3° 48' 18"W
L302	171.66	N86° 11' 42"E
L303	72.49	S10° 07' 45"E
L304	90.00	S86° 11' 42"W
L305	100.00	S3° 48' 18"E
L307	150.00	N86° 11' 42"E
L308	75.00	S86° 11' 42"W

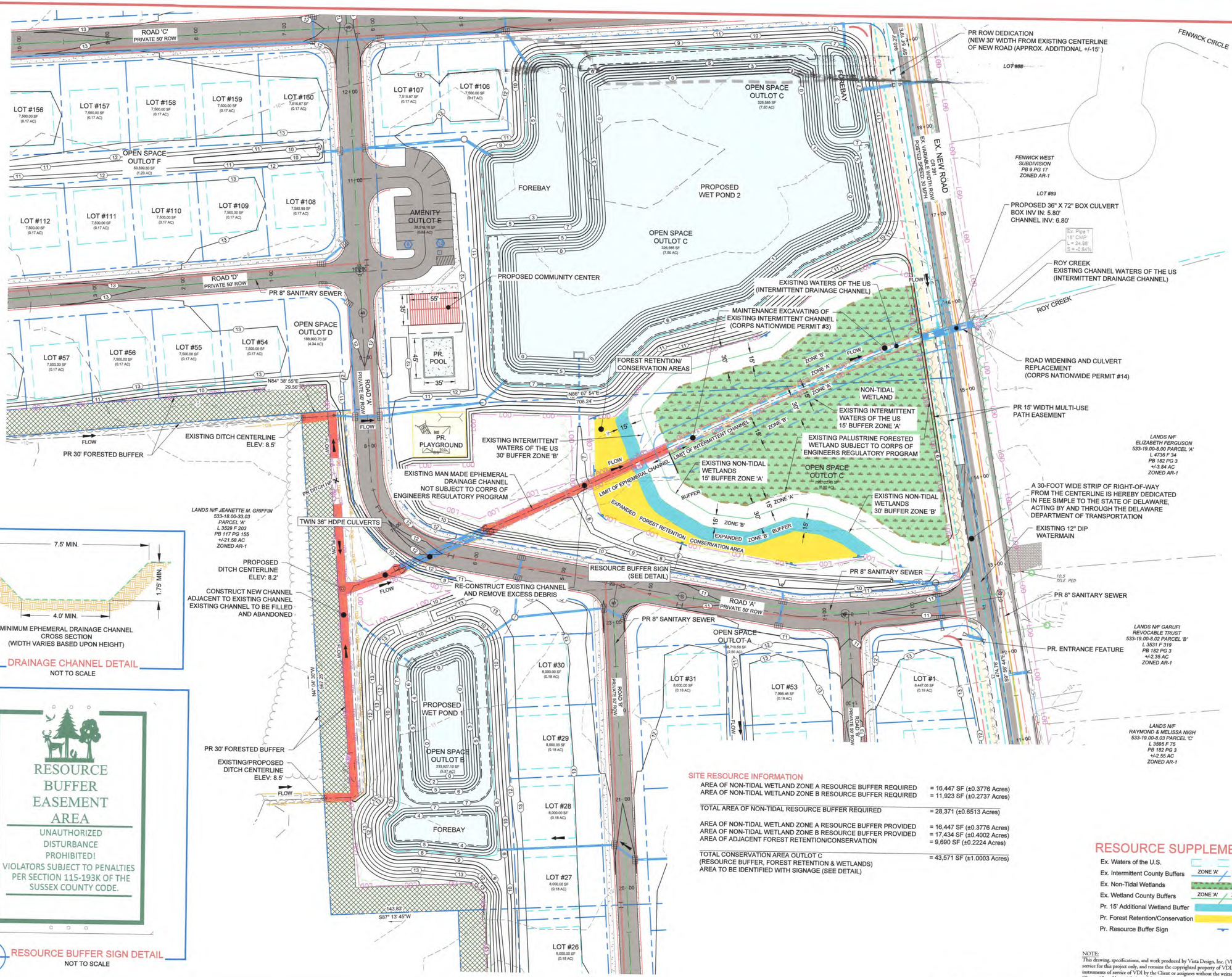
Line Table		
Line #	Length	Direction
L309	100.00	S3° 48' 18"E
L310	75.00	N86° 11' 42"E
L311	75.00	S86° 11' 42"W
L312	100.00	S3° 48' 18"E
L313	75.00	N86° 11' 42"E
L314	51.50	S86° 11' 42"W
L315	75.00	S3° 48' 18"E
L316	76.50	S86° 11' 42"W
L317	75.00	S3° 48' 18"E
L318	51.50	N86° 11' 42"E
L319	100.00	S3° 48' 18"E
L320	75.00	N86° 11' 42"E
L321	100.00	S3° 48' 18"E
L322	75.00	N86° 11' 42"E
L323	100.00	S3° 48' 18"E
L330	319.91	N86° 11' 42"E
L331	406.00	N86° 11' 42"E
L343	100.00	S3° 48' 18"E
L345	75.00	N86° 11' 42"E
L346	100.00	S3° 48' 18"E
L347	75.00	N86° 11' 42"E
L348	51.50	N86° 11' 42"E
L349	75.00	N3° 48' 18"W
L350	76.50	N86° 11' 42"E
L351	13.06	N3° 48' 18"W
L352	286.46	N3° 48' 18"W
L353	100.00	N86° 11' 42"E
L354	283.86	N3° 48' 18"W
L355	100.03	N87° 40' 52"E
L356	6.73	N3° 48' 18"W
L357	70.71	N3° 48' 18"W
L358	398.19	N80° 47' 47"W
L359	98.60	S86° 07' 54"W
L360	80.46	S80° 43' 44"W
L361	25.70	S3° 48' 18"E
L362	75.70	N3° 48' 18"W
L363	51.51	S84° 39' 47"W
L364	100.00	N5° 20' 13"W
L365	78.53	N84° 39' 47"E
L366	75.00	S84° 39' 47"W
L367	100.00	N5° 20' 13"W
L368	75.00	S84° 39' 47"W
L369	75.00	S84° 39' 47"W
L370	100.00	N5° 20' 13"W
L371	75.00	S84° 39' 47"W
L372	75.00	S84° 39' 47"W
L373	100.00	N5° 20' 13"W
L374	75.00	S84° 39' 47"W
L375	75.00	S84° 39' 47"W
L376	100.00	N5° 20' 13"W
L377	75.00	S84° 39' 47"W
L378	75.00	S84° 39' 47"W
L379	100.00	N5° 20' 13"W
L380	75.00	S84° 39' 47"W
L381	75.00	S84° 39' 47"W
L382	100.00	N5° 20' 13"W
L383	75.00	S84° 39' 47"W
L384	75.00	S84° 39' 47"W
L385	100.00	N5° 20' 13"W
L386	75.00	S84° 39' 47"W
L387	75.00	S84° 39' 47"W
L388	100.00	N5° 20' 13"W
L389	75.00	S84° 39' 47"W
L390	75.00	S84° 39' 47"W
L391	100.00	N5° 20' 13"W
L392	75.00	S84° 39' 47"W
L393	75.00	S84° 39' 47"W
L394	100.00	N5° 20' 13"W
L395	75.00	S84° 39' 47"W
L396	75.00	S84° 39' 47"W
L397	100.00	N5° 20' 13"W
L398	75.00	S84° 39' 47"W
L399	75.00	S84° 39' 47"W
L400	100.00	N5° 20' 13"W
L401	75.00	S84° 39' 47"W
L402	55.57	N84° 39' 47"E
L403	26.77	S8° 33' 55"W
L404	79.10	N81° 26' 05"W
L405	45.16	S84° 39' 47"W
L406	75.00	N8° 33' 55"E
L407	100.00	N81° 26' 05"W
L408	22.26	S8° 33' 55"W
L409	47.76	S20° 08' 18"E
L410	60.37	N8° 33' 55"E
L411	51.87	N81° 26' 05"W
L412	86.91	S8° 33' 55"W
L413	127.16	S86° 11' 42"W
L414	75.00	S86° 11' 42"W
L415	100.00	N3° 48' 18"W
L416	75.00	S86° 11' 42"W
L417	100.00	N3° 48' 18"W
L418	75.00	S86° 11' 42"W
L419	100.00	N3° 48' 18"W
L420	75.00	S86° 11' 42"W
L421	75.00	S86° 11' 42"W
L422	100.00	N3° 48' 18"W
L423	75.00	S86° 11' 42"W
L424	75.00	S86° 11' 42"W
L425	100.00	N3° 48' 18"W
L426	75.00	S86° 11' 42"W
L427	75.00	S86° 11' 42"W
L428	100.00	N3° 48' 18"W

Line Table		
Line #	Length	Direction
L429	75.00	S86° 11' 42"W
L430	75.00	S86° 11' 42"W
L431	100.00	N3° 48' 18"W
L432	75.00	S86° 11' 42"W
L433	75.00	S86° 11' 42"W
L434	100.00	N3° 48' 18"W
L435	75.00	S86° 11' 42"W
L436	75.00	S86° 11' 42"W
L437	100.00	N3° 48' 18"W
L438	75.00	S86° 11' 42"W
L439	75.00	S86° 11' 42"W
L440	100.00	N3° 48' 18"W
L441	75.00	S86° 11' 42"W
L442	75.00	S86° 11' 42"W
L443	100.00	N3° 48' 18"W
L444	75.00	S86° 11' 42"W
L445	51.50	S86° 11' 42"W
L446	75.00	S3° 48' 18"E
L447	76.50	S86° 11' 42"W
L448	75.00	N3° 48' 18"W
L449	51.50	N86° 11' 42"E
L450	100.00	N3° 48' 18"W
L451	76.50	S86° 10' 11"W
L452	75.00	S86° 11' 42"W
L453	100.00	N3° 48' 18"W
L454	75.00	S86° 11' 42"W
L455	75.00	S86° 11' 42"W
L456	100.00	N3° 48' 18"W
L457	75.00	S86° 11' 42"W
L458	75.00	S86° 11' 42"W
L459	100.00	N3° 48' 18"W
L460	75.00	S86° 11' 42"W
L461	75.00	S86° 11' 42"W
L462	100.00	N3° 48' 18"W
L463	75.00	S86° 11' 42"W
L464	75.00	S86° 11' 42"W
L465	100.00	N3° 48' 18"W
L466	75.00	S86° 11' 42"W
L467	75.00	S86° 11' 42"W
L468	100.00	N3° 48' 18"W
L469	75.00	S86° 11' 42"W
L470	75.00	S86° 11' 42"W
L471	100.00	N3° 48' 18"W
L472	75.00	S86° 11' 42"W
L473	75.00	S86° 11' 42"W
L474	100.00	N3° 48' 18"W
L475	75.00	S86° 11' 42"W
L476	75.00	S86° 11' 42"W
L477	100.00	N3° 48' 18"W
L478	75.00	S86° 11' 42"W
L479	75.00	N86° 11' 42"E
L480	100.00	N3° 48' 18"W
L481	75.00	S86° 11' 42"W
L482	97.50	N86° 11' 42"E
L483	82.28	S3° 48' 18"E
L484	28.40	S48° 36' 10"W
L485	75.00	S85° 53' 38"W
L486	29.66	N86° 11' 42"E
L487	51.87	S81° 26' 05"E
L488	64.63	S8° 33' 55"W
L489	114.99	N81° 26' 05"W
L490	34.96	S8° 33' 55"W
L491	54.07	S86° 11' 42"W
L492	100.39	N3° 48' 18"W
L493	75.00	S86° 11' 42"W
L494	100.00	N3° 48' 18"W
L495	75.00	S86° 11' 42"W
L496	100.00	N3° 48' 18"W
L497	75.00	S86° 11' 42"W
L498	100.00	N3° 48' 18"W
L499	75.00	S86° 11' 42"W
L500	100.00	N3° 48' 18"W
L501	75.00	S86° 11' 42"W
L502	100.00	N3° 48' 18"W
L503	75.00	S86° 11' 42"W
L504	100.00	N3° 48' 18"W
L505	75.00	S86° 11' 42"W
L506	100.00	N3° 48' 18"W
L507	75.00	S86° 11' 42"W
L508	100.00	N3° 48' 18"W
L509	75.00	S86° 11' 42"W
L510	100.00	N3° 48' 18"W
L511	75.00	S86° 11' 42"W
L512	100.00	N3° 48' 18"W
L513	75.00	S86° 11' 42"W
L514	100.00	N3° 48' 18"W
L515	51.50	S86° 11' 42"W
L516	75.00	S3° 48' 18"E

Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C1	11.79	125.00	5.4028	11.78
C2	23.57	15.00	90.0133	21.22
C3	6.24	75.00	4.7684	6.24
C4	21.49	75.00	16.4159	21.41
C5	11.66	125.00	5.3442	11.66
C6	21.51	125.00	9.8581	21.48
C7	26.00	125.00	11.9169	25.95
C8	46.80	225.00	11.9169	46.71
C9	12.10	125.00	5.5448	12.09
C10	64.52	125.00	29.5720	63.80
C11	116.13	225.00	29.5720	114.84
C12	64.52	125.00	29.5720	63.80
C13	116.13	225.00	29.5720	114.84
C14	41.52	125.00	19.0298	41.33
C15	74.73	225.00	19.0298	74.39
C16	18.67	125.00	8.5578	18.65
C17	33.61	225.00	8.5578	33.58
C18	64.52	125.00	29.5720	63.80
C19	116.13	225.00	29.5720	114.84
C20	64.52	125.00	29.5720	63.80
C21	116.13	225.00	29.5720	114.84
C22	50.28	125.00	23.0455	49.94
C23	90.50	225.00	23.0455	89.89
C24	33.74	25.00	77.3160	31.23
C25	167.97	125.00	76.9914	155.61
C26	28.52	125.00	13.0718	28.46
C27	15.70	10.00	89.9738	14.14
C28	46.25	125.00	21.1975	45.98
C29	19.90	75.00	15.2024	19.84
C30	18.66	50.00	21.3846	18.55
C31	126.89	72.13	100.7924	111.15
C32	42.66	50.00	48.8793	41.37
C33	33.68	73.96	26.0760	33.37
C34	32.01	50.00	36.6782	31.46
C35	22.14	50.00	25.3717	21.96
C36	85.60	73.96	66.3150	80.90
C37	47.18	50.00	54.0691	45.45
C38	44.80	25.00	102.6840	39.04
C39	39.94	25.00	91.5319	35.82
C40	5.56	125.00	2.5467	5.56
C41	10.00	225.00	2.5467	10.00
C42	60.48	125.00	27.7238	59.90
C43	108.87	225.00	27.7238	107.81
C44	60.48	125.00	27.7238	59.90
C45	108.87	225.00	27.7238	107.81
C46	60.48	125.00	27.7238	59.90
C47	108.87	225.00	27.7238	107.81
C48	39.67	125.00	18.1843	39.51
C49	71.41	225.00	18.1843	71.11
C50	31.51	125.00	14.4445	31.43
C51	56.72	225.00	14.4445	56.57
C52	60.48	125.00	27.7238	59.90
C53	108.87	225.00	27.7238	107.81
C54	60.48	125.00	27.7238	59.90
C55	108.87	225.00	27.7238	107.81
C56	16.88	125.00	7.7375	16.87
C57	30.39	225.00	7.7375	30.36
C58	39.27	25.00	90.0000	35.36
C59	39.27	25.00	90.0000	35.36
C60	41.91	53.00	45.3097	40.83
C61	15.21	53.00	16.4405	15.16
C62	42.31	53.00	45.7447	41.20
C63	75.58	53.00	81.7113	69.34
C64	64.06	53.00	69.2576	60.24
C65	23.28	17.01	78.4240	21.51
C66	39.27	25.00	90.0000	35.36
C67	39.27	25.00	90.0000	35.36
C68	39.27	25.00	90.0000	35.36
C69	100.78	75.00	76.9914	93.37
C70	17.11	75.00	13.0718	17.07
C71	7.07	75.00	5.4028	7.07
C72	38.60	25.00	88.4681	34.88
C73	136.01	75.00	103.9023	118.12
C74	39.27	25.00	90.0000	35.36
C75	23.20	175.00	7.5963	23.18
C76	14.58	175.00	4.7741	14.58
C77	39.27	25.00	90.0000	35.36
C78	39.27	25.00	90.0000	35.36
C79	26.99	125.00	12.3704	26.94
C80	39.27	25.00	90.0000	35.36
C81	101.62	75.00	77.6296	94.02
C82	39.27	25.00	90.0000	35.36
C83	39.03	25.00	89.4589	35.19
C84	39.51	25.00	90.5411	35.52
C85	36.51	25.00	83.6759	33.35
C86	42.03	25.00	96.3241	37.25



LOT TABLE			
LOT #	FRONTAGE	LOT AREA (SQ. FT.)	LOT AREA (ACRE)
OPEN SPACE 'A'	ROAD 'A'	54,180.45	1.24
OPEN SPACE 'B'	ROAD 'A'	233,927.14	5.37
OPEN SPACE 'C'	ROAD 'A' & 'C'	296,122.43	6.80
OPEN SPACE 'D'	ROAD 'A' & 'C'	166,490.69	3.82
OPEN SPACE 'E'	ROAD 'A'	28,516.10	0.65
OPEN SPACE 'F'	ROAD 'C'	53,599.60	1.23
1	ROAD 'C'	8,447.06	0.19
2	ROAD 'C'	9,191.10	0.21
3	ROAD 'C'	8,932.98	0.21
4	ROAD 'C'	7,958.68	0.18
5	ROAD 'C'	8,000.00	0.18
6	ROAD 'C'	8,000.00	0.18
7	ROAD 'C'	8,000.00	0.18
8	ROAD 'C'	8,000.00	0.18
9	ROAD 'C'	8,000.00	0.18
10	ROAD 'C'	8,000.00	0.18
11	ROAD 'C'	8,415.98	0.19
12	ROAD 'C'	9,032.26	0.21
13	ROAD 'C'	9,032.26	0.21
14	ROAD 'C'	8,664.27	0.20
15	ROAD 'C'	8,000.00	0.18
16	ROAD 'C'	8,298.72	0.19
17	ROAD 'C'	9,032.26	0.21
18	ROAD 'C'	9,032.26	0.21
19	ROAD 'C'	8,804.44	0.20
20	ROAD 'C'	8,000.00	0.18
21	ROAD 'C'	8,000.00	0.18
22	ROAD 'C'	8,000.00	0.18
23	ROAD 'C'	8,000.00	0.18
24	ROAD 'C'	8,000.00	0.18
25	ROAD 'C'	8,000.00	0.18
26	ROAD 'C'	8,000.00	0.18
27	ROAD 'C'	8,000.00	0.18
28	ROAD 'C'	8,000.00	0.18
29	ROAD 'C'	8,000.00	0.18
30	ROAD 'C'	8,000.00	0.18
31	ROAD 'C'	8,000.00	0.18
32	ROAD 'C'	8,000.00	0.18
33	ROAD



MINIMUM EPHEMERAL DRAINAGE CHANNEL
CROSS SECTION
(WIDTH VARIES BASED UPON HEIGHT)

1
11
DRAINAGE CHANNEL DETAIL
NOT TO SCALE

2
11
RESOURCE BUFFER SIGN DETAIL
NOT TO SCALE

SITE RESOURCE INFORMATION

AREA OF NON-TIDAL WETLAND ZONE A RESOURCE BUFFER REQUIRED	= 16,447 SF (±0.3776 Acres)
AREA OF NON-TIDAL WETLAND ZONE B RESOURCE BUFFER REQUIRED	= 11,923 SF (±0.2737 Acres)
TOTAL AREA OF NON-TIDAL RESOURCE BUFFER REQUIRED	= 28,371 (±0.6513 Acres)
AREA OF NON-TIDAL WETLAND ZONE A RESOURCE BUFFER PROVIDED	= 16,447 SF (±0.3776 Acres)
AREA OF NON-TIDAL WETLAND ZONE B RESOURCE BUFFER PROVIDED	= 17,434 SF (±0.4002 Acres)
AREA OF ADJACENT FOREST RETENTION/CONSERVATION	= 9,690 SF (±0.2224 Acres)
TOTAL CONSERVATION AREA OUTLOT C (RESOURCE BUFFER, FOREST RETENTION & WETLANDS) AREA TO BE IDENTIFIED WITH SIGNAGE (SEE DETAIL)	= 43,571 SF (±1.0003 Acres)

RESOURCE SUPPLEMENT LEGEND

- Ex. Waters of the U.S.
- Ex. Intermittent County Buffers — ZONE 'A' / ZONE 'B'
- Ex. Non-Tidal Wetlands
- Ex. Wetland County Buffers — ZONE 'A' / ZONE 'B'
- Pr. 15' Additional Wetland Buffer
- Pr. Forest Retention/Conservation
- Pr. Resource Buffer Sign

0 25 50 100 150
SCALE: 1" = 50'

NOTE:
This drawing, specifications, and work produced by Vista Design, Inc. (VDI) for this project are instruments of service for this project only, and remains the copyrighted property of VDI. Reuse or reproduction of any of the instruments of service of VDI by the Client or assignees without the written permission of VDI will be at the Clients risk and be a violation of the copyright laws of the United States of America and the respective state within which the work was completed.

NOTE:
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.

NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102824.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 10/8/2024
Scale: 1" = 50'

PROPOSED RESOURCE BUFFER AND DRAINAGE CHANNEL MAINTENANCE PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3674 • www.vistadesignic.com

RICHARD F. POLK
NO. 21698
REGISTERED
PROFESSIONAL ENGINEER
STATE OF DELAWARE

Sheet No.:
11 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

Document# 2020000040256 BK: 5304 PG: 148
Recorder of Deeds, Scott Dailey On 9/2/2020 at 2:05:38 PM Sussex County, DE
Consideration: $800,000.00 County/Town: $12,000.00 State: $20,000.00 Total: $32,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #:
533-19.00-7.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way, Suite 3
Lewes, DE 19958
File No. 2-3303/REB

THIS DEED, made this 1st day of September, 2020,

- BETWEEN -

MICHAEL JOHN TRUITT, of 36261 Zion Church Rd., Selbyville, DE 19975 and **TRACY LYNN BERRY**, of 13051 Muskrattown Rd., Bishopville, MD 21813, parties of the first part,

- AND -

ATLANTIC BUILDING ASSOCIATES, INC., of 13053 Old Stage Road, Bishopville, MD 21813, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **TEN DOLLARS ($10.00)**, lawful money of the United States of America and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

Beginning at a PK nail set along the westerly side of New Road, said PK nail being approximately 64 feet north of the right of way line of Lighthouse Road; thence proceeding South 85 degrees 48 minutes 21 seconds West 295.17 feet to a concrete monument found along the common boundary of these lands, lands now or formerly of June A. Truitt, and lands now or formerly of Anita E. Adkins, Trustee; thence proceeding South 85 degrees 49 minutes 12 seconds West 149.30 feet to another concrete monument found along the common boundary of these lands, the Adkins lands, and lands now or formerly of CSM, LLC; thence South 85 degrees 38 minutes 43 seconds West 310.62 feet to a 5/8 inch rebar found along the common boundary

of these lands, lands now or formerly of Audrey Prettyman, *et al.*, and lands now or formerly of Jeanette M. Griffin; thence by and with the Griffin lands North 03 degrees 10 minutes 40 seconds West 861.13 feet to another 5/8 inch rebar found along the common boundary of these lands and lands now or formerly of MDP Partners LLC; thence by and with the MDP lands North 87 degrees 11 minutes 20 seconds East 655.02 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence by and with the westerly side of New Road south 09 degrees 45 minutes 44 seconds east 810.26 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence continuing with New Road South 13 degrees 43 minutes 04 seconds East 38.44 feet to the place of beginning, containing 13.7642 acres, as is more particularly set forth on a certain survey prepared by Simpler Surveying and Associate, Inc., dated August 20, 2020, referenced to which may be had.

BEING the same lands which were conveyed unto Michael John Truitt and Tracy Lynn Berry by Deed of June A. Truitt dated 4/9/2015 and recorded in the Office of the Recorder of Deeds in and for Sussex County on 4/15/2015 in Deed Book 4383, Page 341.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____

_____

_____(SEAL)
Michael John Truitt

_____(SEAL)
Tracy Lynn Berry

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on September 1, 2020, personally came before me, the subscriber, Michael John Truitt and Tracy Lynn Berry, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323 (a) (3)

_____
Notary Public

My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
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Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

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STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

VISTA
DESIGN, INC.

MARLIN COVE SUBDIVISION
PLANNING INFORMATION PACKET

TM: 533-19.00-7.00
533-19.00-8.01
533-19.00-9.00

Prepared for:

Sussex County Planning & Zoning Commission
2 The Circle
Georgetown, Delaware 19947

Submitted by:

Vista Design, Inc.
11634 Worcester Highway
Showell, Maryland 21862
Phone: (410) 352-3874
www.vistadesigninc.com

MARLIN COVE
Supplemental Planning Information

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DESIGN, INC.

SECTION A
PROJECT SUMMARY

Marlin Cove

Section A
Project Summary
Change of Zone
Conditional Use

The proposed Marlin Cove Subdivision is to be located along the west side of New Road (CR-391) and is to consist of 114 single family detached cluster lots and 106 semi-detached (duplex) units. The subdivision is proposed to have duplex dwelling units in the southern half of the project and single family detached lots in the northern half. Two proposed entrances to Marlin Cove are located on New Road. The southern entrance is ±1,250' north of Lighthouse Road (SR-54) and the northern entrance ±1,700' south of Zion Church (SR-20). The 220-unit subdivision proposes to combine three existing parcels 533-19.00-7.00 (13.76 acres), 533-19.00-8.01 (10.13 acres) and 533-19.00-9.00 (36.95 acres) totaling 60.84 acres.

The existing zoning of all three parcels is AR-1 (Agricultural Residential) within the Coastal Area land use overlay zone. The Marlin Cove subdivision proposes to change the zoning of all three parcels to Medium-Density Residential (MR) with Cluster Option with a Conditional Use to permit Duplex Homes.

The northern parcels -8.01 & -9.00 are entirely wooded with second and third growth forests after recent log harvesting operations, and the southern parcel -7.00 is partially wooded with a farm field of row crops. Parcels -8.01 and -9.00 contain an unnamed tributary drainage ditch to Roy Creek and associated ephemeral drainage channels with runoff induced stormflow travelling across the site generally in a west to east direction. Delineated areas of Corps of Engineers regulated non-tidal wetlands are located within the property along the eastern extent of the drainage network near New Road, and Waters of the US have been established along portions of the unnamed tributary to Roy Creek upstream of New Road. Other than as required by DelDOT for the widening of New Road, no impacts are proposed to the onsite regulated non-tidal wetlands or Waters of the US.

The northern and western boundaries of the existing overall site borders forested and row crop agricultural parcels zoned AR-1, while the southern boundary of the site abuts existing single family detached homes zoned AR-1, and the eastern boundary of the site borders New Road with existing single family homes, zoned AR-1, on the east side of New Road.

The Preliminary Plan Submission proposes 114 single family detached cluster lots and 53 duplex lots (for a total of 106 duplex homes). The proposed single-family detached cluster lots have a 7,500 sq. ft. minimum lot area and minimum road frontage of 75'. The proposed single family detached cluster lot sizes range from 7,500 sq. ft. to 13,100 sq. ft., with an average lot size of 7,840 sq. ft. The proposed duplex home lots have a 7,600 sq. ft. minimum lot area with a minimum road frontage of 76'. The proposed duplex home lot sizes range from 8,000 sq. ft. to 13,100 sq. ft., with an average lot size of 8,500 sq. ft. The open space lots spread throughout the site are proposed to total 18.46 acres and will comprise 30.4% of the site, which is above the required 30% open space for cluster developments. The open space parcels include the 30' forested agricultural land buffer (which is intended to buffer Marlin Cove from its neighbors to the north, south and west), stormwater facilities, drainage swales, shared use paths, natural trails and environmental features that include portions of the retained forest, the preserved non-tidal wetlands, the preserved Waters of the US, and their associated buffers. The Marlin Cove Subdivision will adhere to the 2019 Approved Sussex County Comprehensive Plan and all applicable building and design regulations as stipulated in the Sussex County Code and design standards.

Per the Sussex County Comprehensive Plan, the following characteristics are described in the plan for Coastal Areas:

- Permitted Uses – *A range of housing types are appropriate in Coastal Areas, including single family homes, townhouses, and multi-family units*

- Densities – *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 & 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*

The requested Change of Zone from Agricultural Residential (AR-1) to Medium-Density Residential (MR) with Cluster Option and Conditional Use to allow for duplex units are in harmony with these requirements as set forth in the 2019 Approved Comprehensive Plan. A further detailed review of this development's compliance with the Comprehensive Plan is addressed in Section 2 of this exhibit book.

In summary, the requested Change of Zone with Cluster Option and the Conditional Use will result in 114 single family detached cluster lots and 106 semi-detached (duplex) units on 60.84 acres along New Road, ±100' north of the intersection Lighthouse Road (SR-54) at a density of less than 4 units per acre. It is consistent with the character and trend of development in the area and in particular with three existing, or currently under development, subdivisions in close proximity to Marlin Cove, as listed below:

- Bayside Phase VII
    - CZ #1803 – an adjacent residential project with an approved density of 4.8 Units per acre,
- Fenwick Commons
    - CZ #1896 & CU #2197 - a nearby residential duplex development
- Bay Knolls
    - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

In summary, Marlin Cove has been planned in a manner that will fit sensibly within its surroundings, providing a recognizable sense of place and neighborhood for its residents while, at the same time, providing economic and environmental benefits to the community at large.

VISTA
DESIGN, INC.

SECTION B
AFFIRMATION OF CONFORMANCE WITH SUBDIVISION 2019 COMPREHENSIVE PLAN – COASTAL AREA

Marlin Cove

Section B
Affirmation of Conformance with the Comprehensive Plan – Coastal Area

In accordance with Sussex County's Comprehensive Plan, the Future Land Use Map designates this project as State Investment Level 3 growth zone and State Investment Level 4 within the Coastal Area. Items specifically in the Comprehensive Plan regarding Coastal Area have been identified in italics below with the method of the plans compliance as follows:

- **This region is among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices.**

  - *Marlin Cove provides housing options in an area recognized by the County to be desirable for housing.*

- **This region contains ecologically important and sensitive characteristics as well as other coastal lands which help absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats.**

  - *18.46 Acres or 30.4% of the site will remain in open space and will include a community center and swimming pool, playground, stormwater management and conveyance features, preservation of existing vegetation and critical natural resources and a proposed forested buffer around the northern, western, and southern boundaries of the property.*

- **Careful control of stormwater runoff is also an important concern in keeping sediment and other pollutants out of the Inland Bays.**

  - *The stormwater management design will incorporate Best Management Practices in accordance with State of Delaware and Sussex Conservation District regulations.*

- **Permitted Uses – A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units.**

  - *Marlin Cove provides multiple housing options that are permitted and desired within the Costal Areas and that are in harmony with similar surrounding residential developments.*

- **Densities – 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**

      - *Existing parcels 533-19.00-7.00 and 533-19.00-8.01 are currently located within the Sewer Tier 1 Fenwick Island Sanitary Sewer District of the Sussex County Unified Sanitary Sewer District (SCUSSD. A sewer annexation request for Parcel 533-19.00-9.00 has been submitted to the Utility Planning Division for approval of Tier change pending zoning approval. Wastewater for the proposed subdivision is planned to be collected via 8" gravity sewer and connected to two existing sanitary manholes within New Road. The northern half of the site will connect to an existing sanitary manhole near the intersection of New Road and Zion Church Road near the Fenwick West Subdivision. The southern half of the site will connect to an existing sanitary manhole near the intersection of Lighthouse Road*

and New Road near parcel 533-19.00-11.00. Each dwelling unit within the subdivision will have a separate service lateral. In addition, as requested by the Sussex County Utility Planning Department, sanitary sewer service will be extended to four existing parcels along New Road as part of this project, including Parcels 533-19.00-7.01, -8.00, 8.02. These four lots are currently served by on-site septic systems, and the connection to public sewer will help remove pollutants from the groundwater that will help improve adjacent waterways, as well as the inland bays. The future wastewater network will be managed by the Sussex County Engineering Department.

- *Public water service is to be supplied to the site by Artesian Water Company, Inc., and the existing parcels are currently within their service area entitled Eastern Sussex 4. Artesian recently installed a 12" watermain fronting the proposed subdivision along New Road, which connected Artesian watermains along Lighthouse (Rt. 54) and Zion Church (Rt. 20) Roads. The existing 12" PVC and DIP watermain, per the as-built plans shared by Artesian, is located within a 15' easement on Parcel 7.00 and within a 25'easement on Parcels 8.01 and 9.00. These easements have been honored by the proposed Marlin Cove subdivision and are depicted on the Preliminary Plan. Extensions of this existing watermain throughout the Marlin Cove site will provide sufficient domestic and fire flows to satisfy State regulations. Separate water service lines and meters will be provided to each dwelling unit. The subdivision will also have fire hydrants located to satisfy State Delaware Fire Marshal requirements.*

- **Near sufficient commercial uses and employment centers;**

  - *Existing, developed, C-1 General Commercial lands are located ±0.5 miles west (Williamsville) and +/-0.25 miles east (Bayside) of the project, and*
  - *Existing, developed, B-1 Neighborhood Business Lands are located ±200 feet west of the project (Williamsville)*

- **Where it is in keeping with the character of the area;**

  - Bayside Phase VII
    - CZ #1803 – a nearby residential development with an approved density of 4.8 Units per acre,
  - Fenwick Commons
    - CZ #1896 & CU #2197 - a nearby residential duplex development
  - Bay Knolls
    - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

- **Where it is along a main road or at/or near a major intersection;**

  - *Marlin Cove fronts onto New Road (S.C.R. 391), ±100' north of the intersection with DE Route 54 (Lighthouse Road) and New Road. DE Route 54 (Lighthouse Road) is classified by the Delaware Department of Transportation (DelDOT) as a Major Collector. New Road is classified as a Local Road with a posted speed limit posted of 30 M.P.H.*

- **The preservation of natural resources or open space is strongly encouraged in this land use classification.**

  - *18.46 Acres or 30.4% of the site will remain in open space and will include a community center and swimming pool, playground, stormwater management and conveyance features, preservation of existing vegetation and critical natural resources and a proposed a forested buffer around the perimeter of the property.*

- **Infrastructure – Central water and sewer facilities are strongly encouraged. If central utilities are not possible, permitted densities should be limited to two units per acre provided a septic permit can be approved.**

  - *Two of the three parcels which comprise the proposed Marlin Cove subdivision are already within the Sussex County Unified Sewer District. Sussex County has available sewer capacity to permit the third parcel to be brought into the Sewer District following zoning approvals, and for the overall subdivision to be developed at the proposed density of 3.62 DU/AC. Artesian Water Company has already extended central water to the property sufficient to satisfy all domestic and fire protection flow requirements.*

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DESIGN, INC.

SECTION C
AFFIRMATION OF CONFORMANCE WITH COUNTY SUBDIVISION ORDINANCE 99-9C

Marlin Cove

Section C
Affirmation of Conformance with Subdivision ordinance §99-9C

In the design and layout of the Marlin Cove Preliminary / Conditional Use Plan, the following items have been considered from the Subdivision Ordinance, § 99-9C:

- **§ 99-9C (1) – Integration of the proposed subdivision into existing terrain and surrounding landscape:**
  Marlin Cove (parcels 7.00, 8.01, & 9.00) has been designed to integrate within the natural landscape, nestled along the preserved buffer of Roy Creek, surrounding farm land, forest and New Road. The lands to the north were previously approved to be a neighborhood entitled Fenwick West. Marlin Cove plans to request a Change of Zone and Conditional Use for the subdivision. The development will have two entrances onto New Road, and proposes one inter-parcel connection to the property to the north. All immediately adjacent properties will be buffered by 30' wide forested buffer located in common open space where existing woods will be preserved, or supplemented through new plantings, to achieve a substantial buffer in accordance with County regulations.

- **§ 99-9C (2) – Minimal use of wetlands and floodplains:**
  Environmental Resources, Inc. (ERI) reviewed the existing environmental features of the three existing parcels comprising the subdivision in the fall of 2022. The existing unnamed tributary to Roy Creek drainage channels are located along the northern border of parcel 533-19.00-8.01 and southern border of parcel 533-19.00-9.00. The drainage channel transitions from an ephemeral/intermittent channel near the existing culvert under New Road and ERI has delineated an area of non-tidal wetlands upstream of New Road. The intermittent channel downstream of New Road (Roy Creek) has also been identified as a Waters of US. As part of the Marlin Cove development, there are no disturbances to the delineated non-tidal wetlands and Waters of the US except those required by DelDOT for the widening of New Road and the installation of a Multi-Purpose trail along the site's frontage. All other areas of regulated wetlands and Waters will be protected by a minimum 30' undisturbed existing forest buffer in accordance with Sussex County Buffer Ordinance. This forested buffer is located in the proposed open space outlet parcel 'C' which will be protected by deeded covenants that will be managed initially by the developer and later transferred to the future homeowner's association.

  The site is located in a FEMA Zone 'X', which indicates the property is outside of both the 100- and 500-year flood zones (Panel 10005C0635K).

- **§ 99-9C (3) – Preservation of natural and historical features:**
  The site is comprised of agricultural fields and recently harvested forests. A proposed perimeter forested/landscape buffer will help maintain quality environmental features. During the initial site investigation by ERI, no evidence of historic or cultural resources were identified on the properties. No federal permits are anticipated at this time, however, ERI has requested a Jurisdictional Determination (JD) be issued by the Corps of Engineers for the site. If, during construction, artifacts or evidence of historic or cultural resources are discovered, the Delaware State Historic Preservation Office will be consulted.

- **§ 99-9C (4) – Preservation of open space and scenic views:**
  The existing three parcels that comprise the Marlin Cove subdivision total +/- 60.84 acres. The proposed MR with Cluster Option and Condition Use to permit duplex homes development requires 30% (18.25 acres) of the platted area to remain 'open' space. The Marlin Cove subdivision proposes 30.4% (18.46 acres) of open space area that includes the 30' forested buffer along the northern, western and southern perimeter of the proposed subdivision. The open space is proposed to be divided into several open space outlots that will include the site's existing environmental features, stormwater ponds and portions

of the drainage networks. In addition, a Community Recreational Outlot will include a community center, a pool, playground and parking lot for the community's use while patroning these amenities. Dwelling sizes will adhere to all County regulations, including the maximum 42 height limitation.

- **§ 99-9C (5) – Minimization of tree, vegetation and soil removal and grade changes:**
  Portions of the site are currently farmed, while others have recently undergone a timber harvesting operation. The three parcels currently contain ±48 acres of forested area and the proposed Marlin Cove development will preserve over 8 acres of forest. Soil removal and grade changes will be minimized during the final design and limited to only those necessary to provide positive drainage or cover over proposed utilities. The pond sizing may be adjusted as necessary during final engineering to both satisfy State of Delaware regulations and potentially help balance the site's earthwork.

- **§ 99-9C (6) – Screening of objectional features from neighboring properties and roadways:**
  Screening will be accomplished through the 30' wide forested buffer area proposed around the perimeter of the development. Structure heights are limited by County regulations to not exceed 42 feet in height, and the anticipated buffer will be preserved, or supplemented, with a combination of tall and short plantings to help ensure the buffer is capable of screening the visual impact of the development from the outside.

- **§ 99-9C (7) – Provisions for water supply:**
  The Marlin Cove site lies within the service area of Artesian Water Company. Potable water, including both domestic and fire flows, will be provided through an extension of existing Artesian Water Company service lines in the vicinity of the site. Based upon an average water consumption of a single family, detached, and semi-detached units, of 250 gallons per day (GPD), the proposed 220-unit Marlin Cove subdivision may be anticipated to consume approximately 56,000 GPD. As this site is to be served by extensions of existing Artesian Water Company facilities, no impacts to the surrounding private wells are anticipated.

- **§ 99-9C (8) – Provisions for Sewer Disposal:**
  Existing parcels 533-19.00-7.00 and 533-19.00-8.01 are located within the Sewer Tier 1 Fenwick Island Sanitary Sewer District of the Sussex County Unified Sanitary Sewer District (SCUSSD). A sewer annexation request for Parcel 533-19.00-9.00 has been submitted to the Utility Planning Division for approval of Tier change pending zoning approval. The site is anticipated to be served through an extension of existing Sussex County sewer infrastructure. All wastewater is anticipated to be ultimately treated and disposed of at the County's South Coastal Regional Wastewater Facility. As this site is anticipated to be served by extensions of existing Sussex County facilities, and no wastewater will be treated or disposed of onsite, no impacts to the surrounding surface or ground waters are expected.

- **§ 99-9C (9) – Prevention of pollution of surface and groundwater:**
  The existing property currently contains approximately ±10.5 acres of row crop farmland. Agricultural practices used to support these operations typically include application of poultry manure to fertilize the agricultural fields during the growing season. The removal of this source of potentially contaminated runoff will enhance both adjacent surface waters and groundwater supplies. In addition to the reduction in surface runoff contamination, the Marlin Cove development shall include Best Management Practices (BMPs) that will further enhance surface water quality. At this time, it is anticipated that the site will include wet extended detention basins and possibly other Sussex Conservation District (SCD) accepted water quality facilities. In addition, development of the site with central sanitary sewer provided by Sussex County, as well as the extension of sewer services to four off-site lots currently utilizing on-site septic systems, further minimizes any negative environmental impacts.

- **§ 99-9C (10) – Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that groundwater recharge is maximized:**
  The implementation of the forested buffer around the perimeter of the Marlin Cove site, as well as the natural buffer proposed to be maintained around the regulated non-tidal wetlands, will result in a site

development that minimizes erosion. Furthermore, the removal of the row crop farmland will result in a permanent vegetative cover thus reducing erosion that could currently occur on the property. The proposed stormwater BMP's will also aid in the removal of eroded sediment prior to the site's stormwater being released. During construction, Sussex Conservation District (SCD) approved erosion and sediment control measures will be implemented to limit sediment laden runoff from exiting the site.

- **§ 99-9C (11) – Provisions for safe vehicular and pedestrian movement within the site and to adjacent ways:**
  The Marlin Cove subdivision has been designed to accommodate vehicular circulation and promote community interaction and cohesion through a pedestrian friendly development pattern with proposed sidewalks on one side of every street that connect to the proposed Multi-Purpose Trail along New Road and the vehicular interconnection to the property to the north. Road dimensions are designed to meet or exceed County and Fire Marshal requirements to ensure safe vehicular movements for emergency equipment. Improvements to New Road proposed by this project will also add 5' wide shoulders for bike lanes and the 10' Multi-Purpose shared use path along the eastern frontage of the neighborhood.

- **§ 99-9C (12) – Effect on Property Values:**
  The Marlin Cove subdivision will provide quality single-family attached and detached homes to a growing area, with both onsite recreational amenities and proximity to existing, established, recreational areas and commercial facilities. The development is in close proximity to Fenwick Island, and the Fenwick Island State Park, and will benefit the local and state economies. All these attributes will also increase the value of the subject property, thereby helping to increase the value of surrounding properties.

- **§ 99-9C (13) – Preservation and conservation of farmland:**
  This site currently contains a cultivated farm field and forested lands in an area adjacent to both existing farms and rapidly developing residential parcels within the County's Coastal Area Land Use area. This indicates the County's planners understand this site may not always be economically viable to stay as an agricultural use. Once developed, this project will generate additional revenue through taxable improvements (through increased property values, additional income from residents, etc.) to benefit local and state governments, which can in turn be used to benefit farmland conservation projects for properties, including those outside of the designated Coastal Area Land Use zone.

- **§ 99-9C (14) – Effect on schools, public buildings and community facilities:**
  The proposed Marlin Cove development is located within the Indian River School District. Similar to other developments in the immediate area, it is envisioned that these homes will be desirable for second home purchasers and recent retirees. However there are currently no anticipation to restrict home purchasers to just these two categories, and it is anticipated that some homes will be bought and inhabited by families with school age children. This mix of owners is desired, and ensures that Marlin Cove will come together as a viable, long-term stable community. It is anticipated that this development will increase property values not only for the current parcels, but also adjacent parcels. It will, therefore, increase property taxes received by the school district while being located along a roadway already served by busses while minimally impacting the public school's number of students.

- **§ 99-9C (15) – Effect on area roadways and public transportation:**
  The Marlin Cove development is proposed to contain 220 dwelling units. Based upon the latest traffic projections from the Institute of Transportation Engineers Traffic Generation Manual, the site is expected to generate less than 2,000 vehicle trips per day (1,956 per Table 1 from Detailed TOA Review in F.10 in Section F, Dated April 20, 2023). Road improvements related to the entrance, including Right-of-Way dedication and/or a permanent easement dedication along the New Road frontage will be provided in accordance with the DelDOT TOA approval letter, dated April 20, 2023 (see Section F).

- **§ 99-9C (16) – Compatibility with other land uses:**
  The proposed 220 dwelling units within the Marlin Cove development has a proposed density of 3.62 units per acre and is consistent with other existing land uses in the vicinity, as described below:
    - Bayside Phase VII
        - CZ #1803 – a nearby residential development with an approved density of 4.8 Units per acre,
    - Fenwick Commons
        - CZ #1896 & CU #2197 - a nearby residential duplex development
    - Bay Knolls
        - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

  The adjacent parcels are also zoned AR-1, located in the Coastal Area Zone, and may be anticipated to potentially be developed at similar densities in the future. Marlin Cove is located close to Lighthouse and Zion Church Roads, allowing easy access to established communities and commercial locations within a ±0.5 mile radius.

- **§ 99-9C (17) – Effect on area waterways:**
  The conversion of the property from agricultural and recently harvested woodlands to single-family homes will result in the elimination of agricultural runoff, which may contaminate surface runoff with significant pollutants and negatively affect adjacent ditch networks. The Marlin Cove subdivision will be designed to comply with all required state and federal stormwater discharge requirements.

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SECTION D
PROPOSED CONDITIONS OF APPROVAL

Atlantic Building Associates, Inc. and Marlin Cove, LLC.
Marlin Cove Subdivision
Proposed Conditions of Approval

A. There shall be no more than 220 units within the Conditional Use Area.
B. The Applicant shall form a homeowners' association responsible for perpetual maintenance of streets, roads, environmental buffers, stormwater management facilities and other common areas.
C. The storm water management system shall meet or exceed the requirements of State of Delaware and Sussex County.
D. Entrances shall comply with all of DelDOT's requirements, as outlined in the TOA approval letter dated April 24, 2023, or as may be amended in the future.
E. Interior street design shall comply with or exceed Sussex County standards and shall include sidewalks or multi-modal pathways on one side of all streets with street lighting.
F. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
G. The Final Subdivision Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas.
H. There shall be a vegetated forested buffer that is at least 30 feet wide installed/maintained around the northern, western and southern portions of the development. The Final Subdivision 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 area.
I. Recreational amenities shall be completed within the project prior to issuance of the 100th building permit.
J. Central sewer shall be provided to the development by Sussex County. The Developer shall comply with all requirements and specifications of the Sussex County Engineering Department.
K. The development shall be served by a central water system providing adequate potable water and fire protection.
L. Construction, Subdivision work, excavation, grading and deliveries to or from the property shall only occur between the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday. A 24 inch x 36 inch "NOTICE" sign in English and Spanish confirming these hours shall be prominently displayed at all entrances to the subdivision during construction.
M. The Final Subdivision Plan shall be subject to the review and approval of the Planning and Zoning Commission.

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DESIGN, INC.

SECTION E
COPY OF DEEDS

Document# 2020000040256 BK: 5304 PG: 148
Recorder of Deeds, Scott Dailey On 9/2/2020 at 2:05:38 PM Sussex County, DE
Consideration: $800,000.00 County/Town: $12,000.00 State: $20,000.00 Total: $32,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #:
533-19.00-7.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way, Suite 3
Lewes, DE 19958
File No. 2-3303/REB

THIS DEED, made this 1st day of September, 2020,

- BETWEEN -

MICHAEL JOHN TRUITT, of 36261 Zion Church Rd., Selbyville, DE 19975 and **TRACY LYNN BERRY**, of 13051 Muskrattown Rd., Bishopville, MD 21813, parties of the first part,

- AND -

ATLANTIC BUILDING ASSOCIATES, INC., of 13053 Old Stage Road, Bishopville, MD 21813, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **TEN DOLLARS ($10.00)**, lawful money of the United States of America and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

Beginning at a PK nail set along the westerly side of New Road, said PK nail being approximately 64 feet north of the right of way line of Lighthouse Road; thence proceeding South 85 degrees 48 minutes 21 seconds West 295.17 feet to a concrete monument found along the common boundary of these lands, lands now or formerly of June A. Truitt, and lands now or formerly of Anita E. Adkins, Trustee; thence proceeding South 85 degrees 49 minutes 12 seconds West 149.30 feet to another concrete monument found along the common boundary of these lands, the Adkins lands, and lands now or formerly of CSM, LLC; thence South 85 degrees 38 minutes 43 seconds West 310.62 feet to a 5/8 inch rebar found along the common boundary

of these lands, lands now or formerly of Audrey Prettyman, *et al.*, and lands now or formerly of Jeanette M. Griffin; thence by and with the Griffin lands North 03 degrees 10 minutes 40 seconds West 861.13 feet to another 5/8 inch rebar found along the common boundary of these lands and lands now or formerly of MDP Partners LLC; thence by and with the MDP lands North 87 degrees 11 minutes 20 seconds East 655.02 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence by and with the westerly side of New Road south 09 degrees 45 minutes 44 seconds east 810.26 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence continuing with New Road South 13 degrees 43 minutes 04 seconds East 38.44 feet to the place of beginning, containing 13.7642 acres, as is more particularly set forth on a certain survey prepared by Simpler Surveying and Associate, Inc., dated August 20, 2020, referenced to which may be had.

BEING the same lands which were conveyed unto Michael John Truitt and Tracy Lynn Berry by Deed of June A. Truitt dated 4/9/2015 and recorded in the Office of the Recorder of Deeds in and for Sussex County on 4/15/2015 in Deed Book 4383, Page 341.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____

_____

_____(SEAL)
Michael John Truitt

_____(SEAL)
Tracy Lynn Berry

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on September 1, 2020, personally came before me, the subscriber, Michael John Truitt and Tracy Lynn Berry, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323 (a) (3)

_____
Notary Public

My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
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TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

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IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

VISTA
DESIGN, INC.

SECTION F
SUPPLEMENTAL EXHIBITS

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

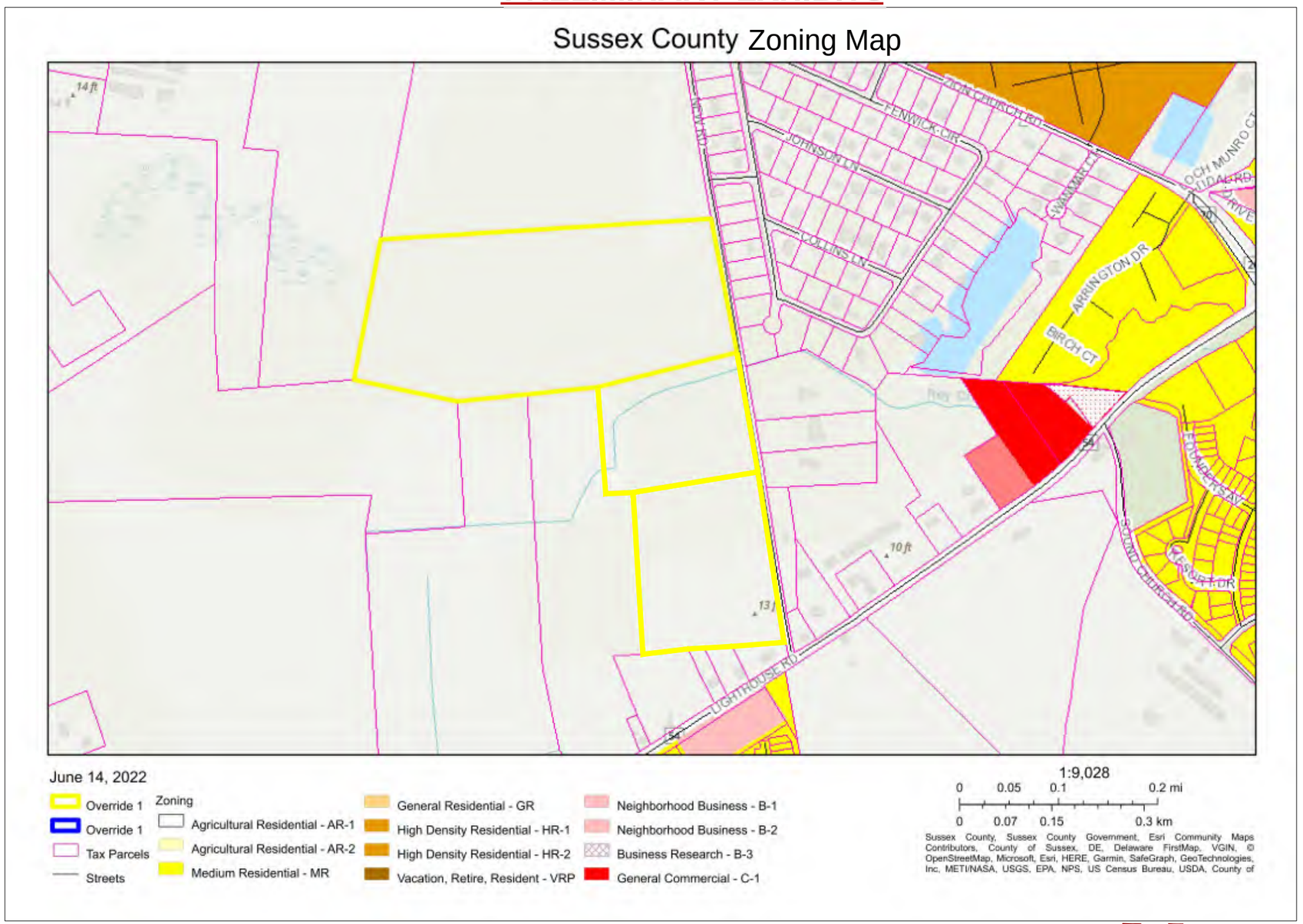

Exhibit F.1

NORTH

NOTE:
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VISTA DESIGN, INC.
Architects, Engineers, Surveyors, Landscape Architects, Land Planning Consultants
11634 Worcester Hwy, Showell, MD 21862
ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

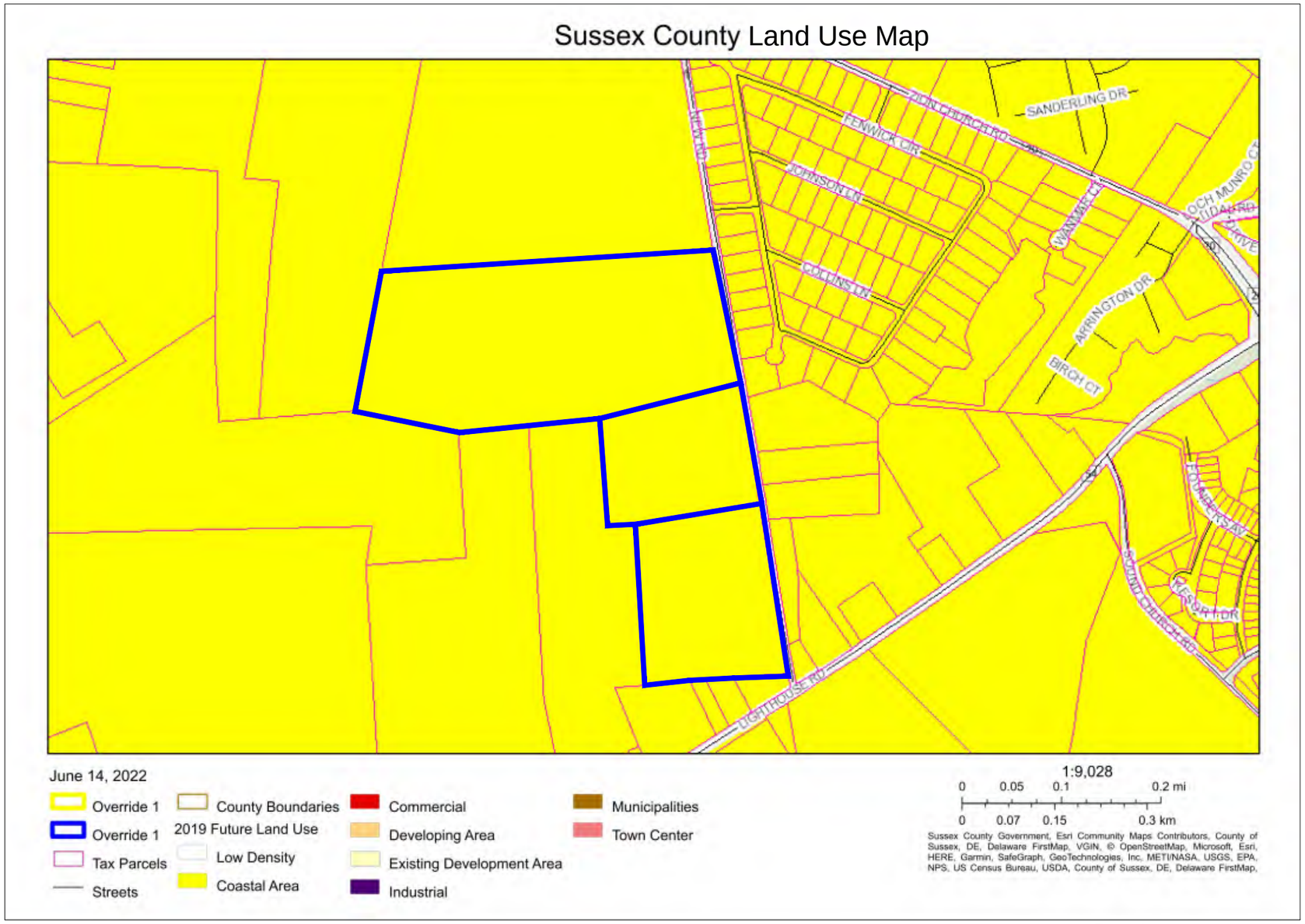

Exhibit F.2

NORTH

NOTE:
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VISTA DESIGN, INC.
Architects, Engineers, Surveyors, Landscape Architects, Land Planning Consultants
11634 Worcester Hwy, Showell, MD 21862
ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

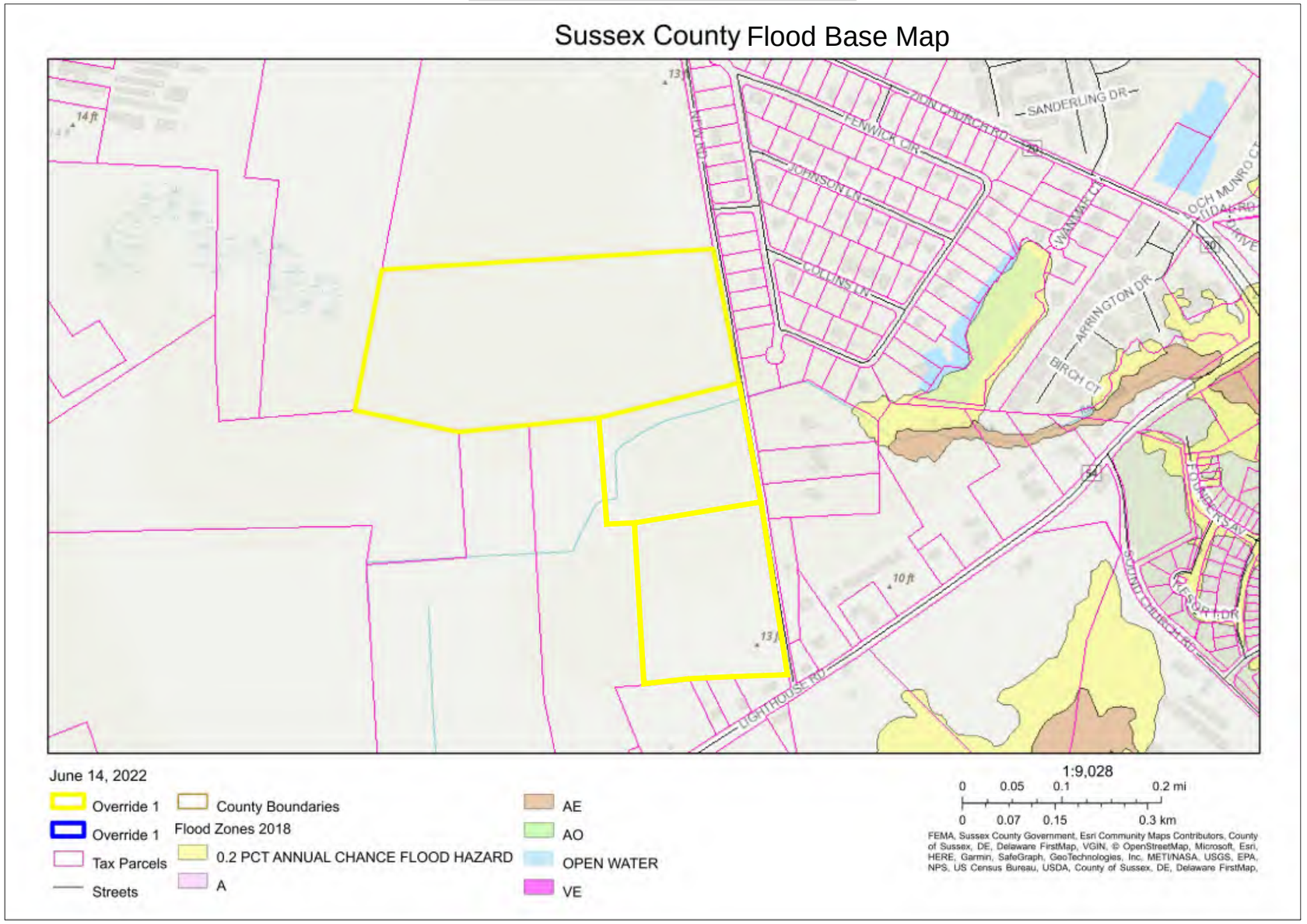

Exhibit F.3

NORTH

NOTE:
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VISTA DESIGN, INC.
Architects, Engineers, Surveyors, Landscape Architects, Land Planning Consultants
11634 Worcester Hwy, Showell, MD 21862
ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

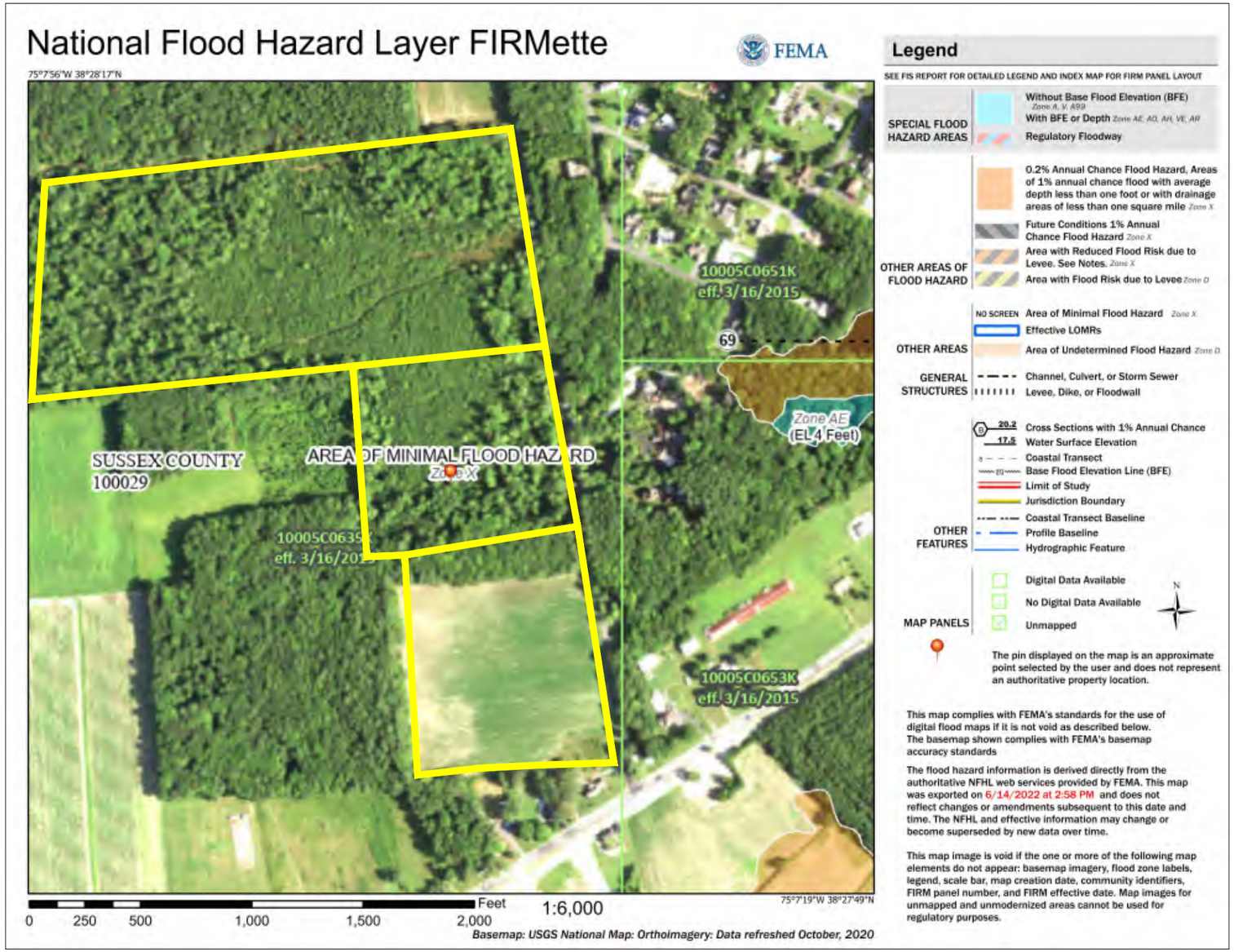

Exhibit F.4

NORTH

NOTE:
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VISTA DESIGN, INC.
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11634 Worcester Hwy, Showell, MD 21862
ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

NOTES TO USERS

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

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

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

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

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

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

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

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

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

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

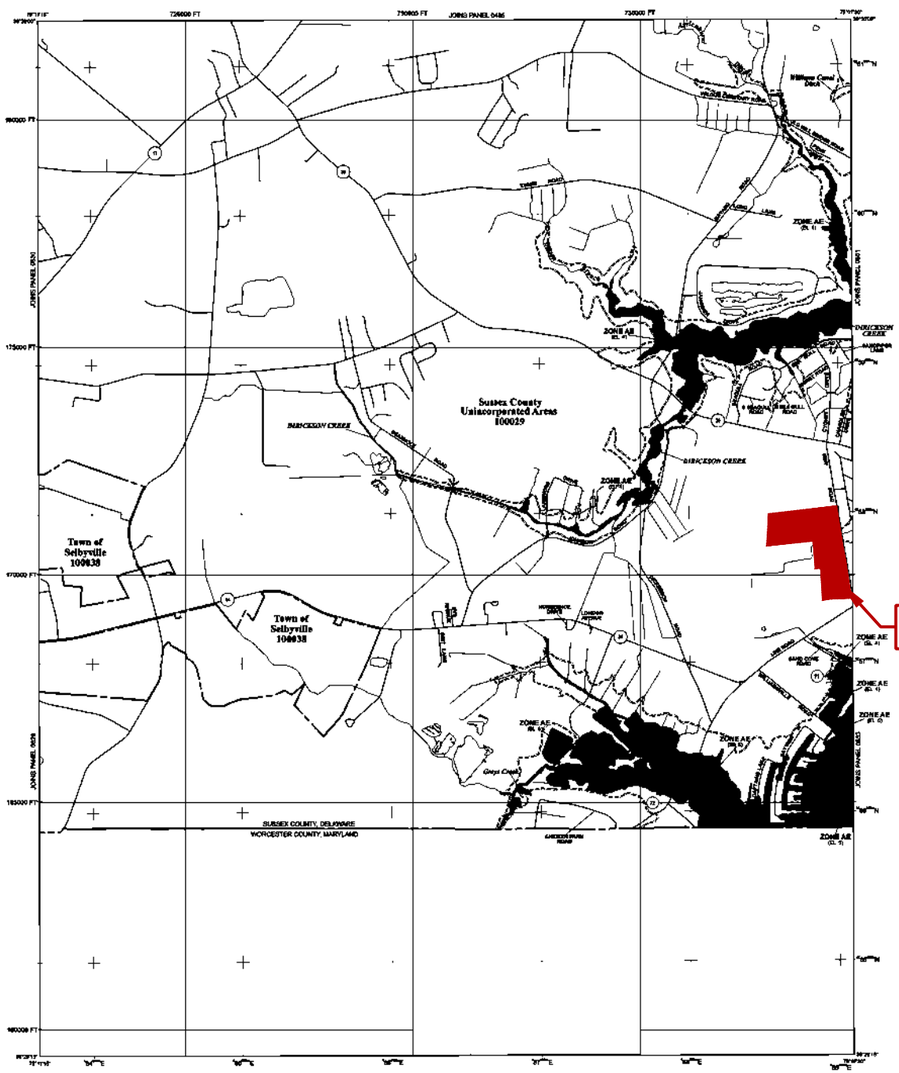
This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result,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

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

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

Contact the FEMA Map Information eXchange at 1-877-336-2627 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Information eXchange may also be reached by Fax at 1-800-358-9620 and its website at http://www.msc.fema.gov.

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



LEGEND

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

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

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

FLOODWAY AREAS IN ZONE AE

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

OTHER FLOOD AREAS

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

OTHER AREAS

ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

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

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Limit of Moderate Wave Action
- Advisory line delineating flooding outside if dams are breached during a 0.2% annual chance flood event
- 513 — Base Flood Elevation line and value; elevation in feet*
- EL 987 — Base Flood Elevation value where uniform within zone; elevation in feet*
- * Referenced to the North American Vertical Datum of 1988
- Cross section line
- Transect line
- 97°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western hemisphere
- 1000-meter Universal Transverse Mercator grid values, zone 18N
- 5000-foot grid values: Delaware State Plane coordinate system (FIPSZONE 0700), Transverse Mercator projection
- Bench mark (see explanation in notes to users section of this FIRM panel)
- River Mile
- MAP REPOSITORY — Refer to listing of Map Repositories on Map Index
- EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP — June 16, 1986
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL — For the initial countywide mapping of this area, dates listed were June 16, 1986
- For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.
- To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

PANEL 0635K

FIRM
FLOOD INSURANCE RATE MAP

SUSSEX COUNTY, DELAWARE AND INCORPORATED AREAS

PANEL 635 OF 680
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY, UNINCORPORATED AREAS	100029	0635	K
SELBYVILLE, TOWN OF	100038	0635	K

Notice: This map was released on May 26, 2015 to make a correction. This version replaces any previous versions. See the Notice to User page and supporting data correction for details.

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

MAP NUMBER
10005C0635K
MAP REVISED
MARCH 16, 2015

Federal Emergency Management Agency

Exhibit F.5

NORTH

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MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

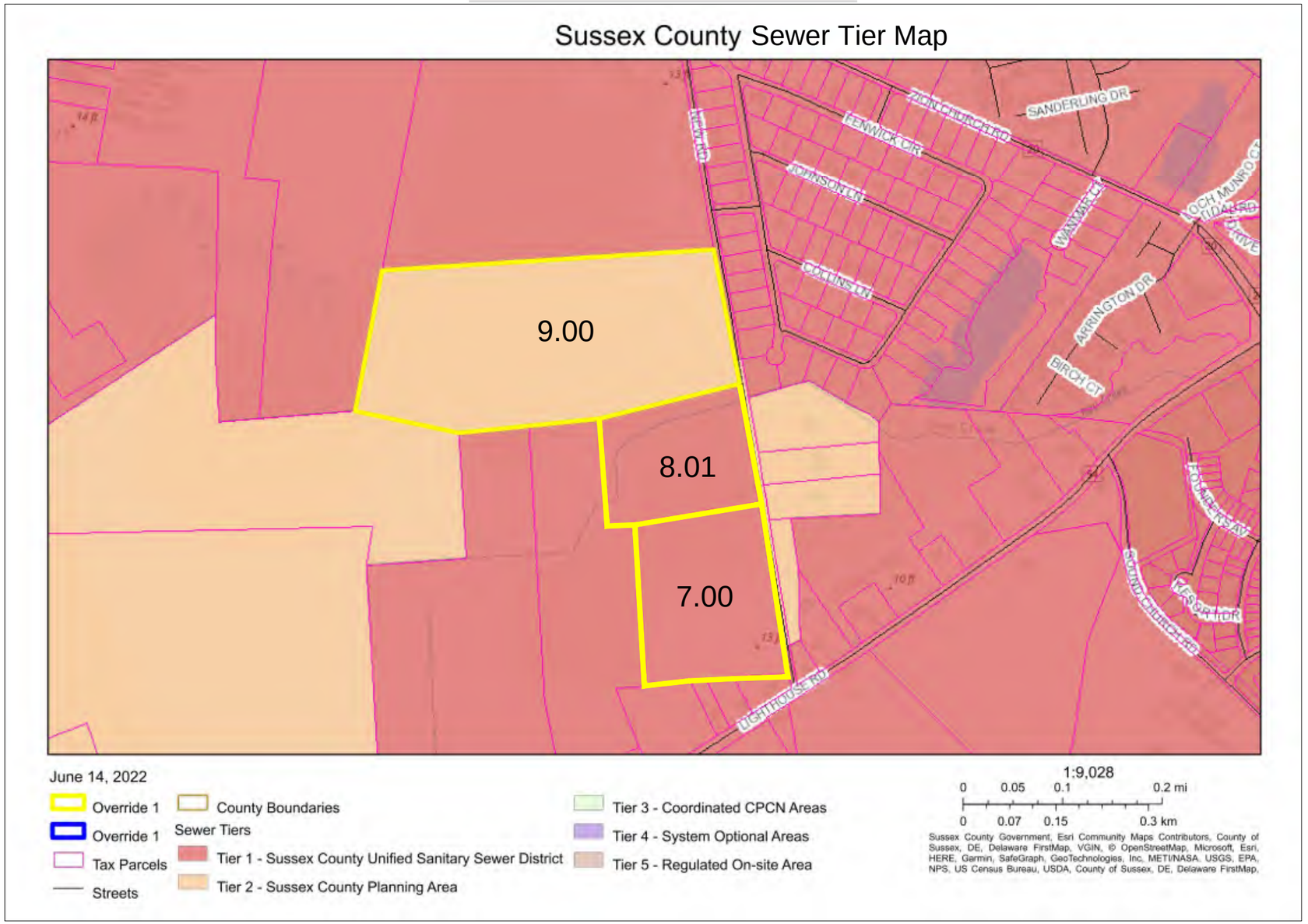

Exhibit F.6

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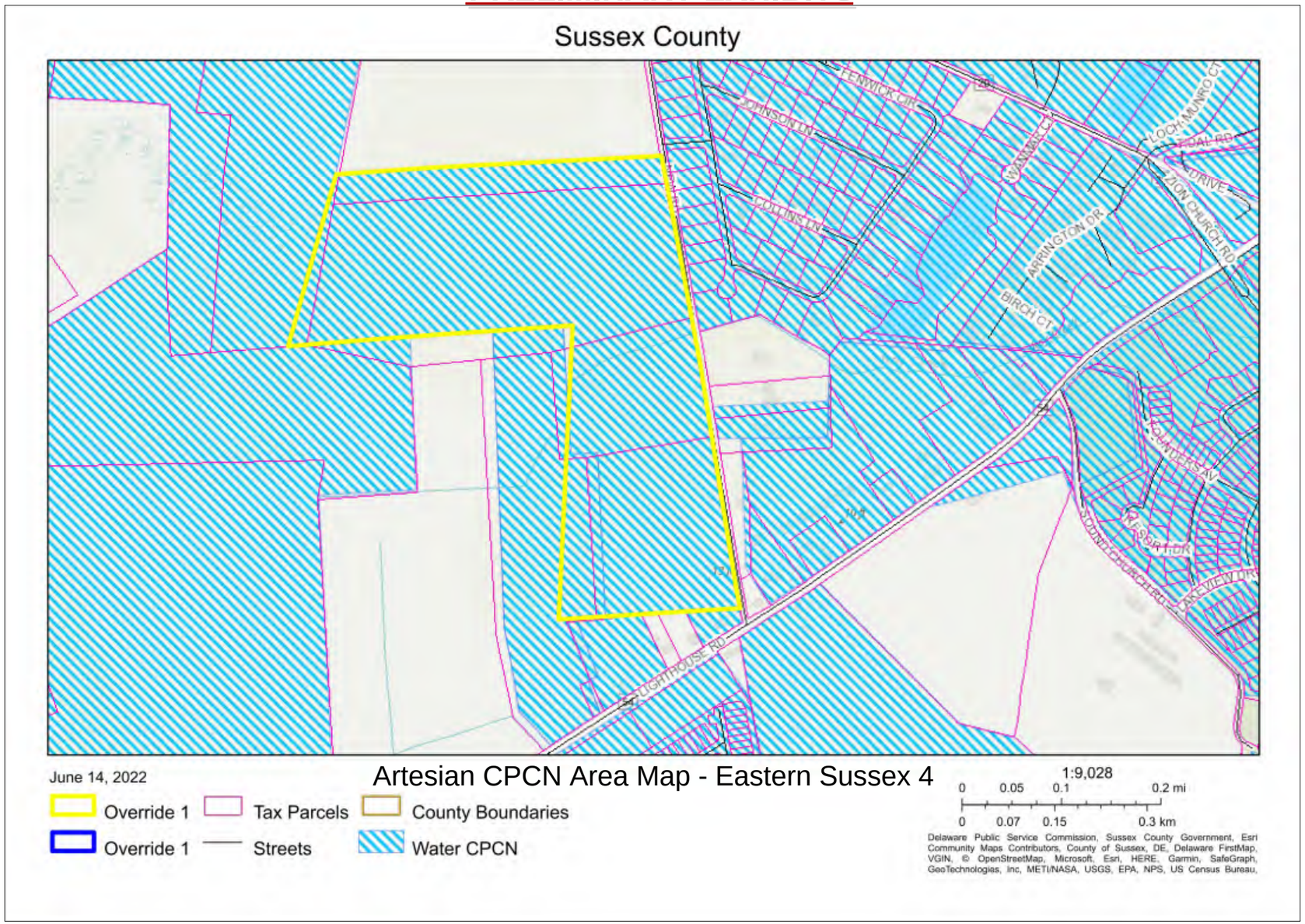
PRELIMINARY EXHIBITS



Artesian CPCN Area Map - Eastern Sussex 4

Exhibit F.7

NORTH

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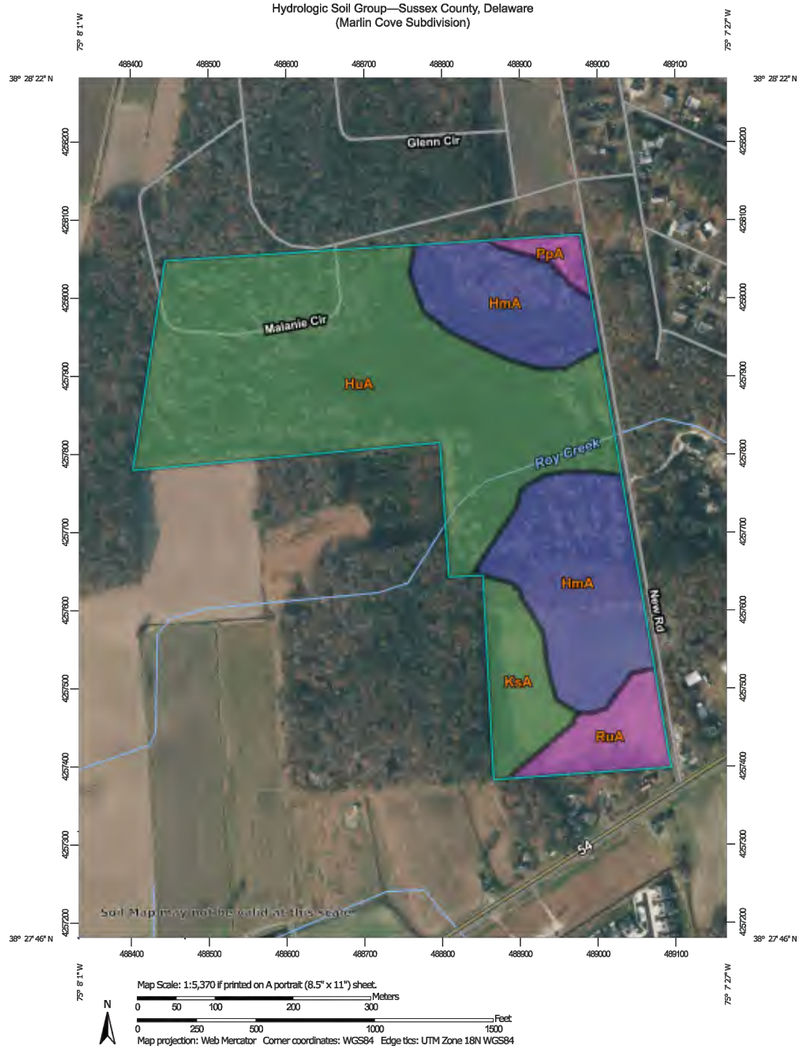
MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

Hydrologic Soil Group—Sussex County, Delaware
(Marlin Cove Subdivision)



Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B	17.6	29.0%
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D	34.1	56.1%
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D	4.5	7.4%
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A	1.0	1.7%
RuA	Runclint loamy sand, 0 to 2 percent slopes	A	3.6	5.9%
Totals for Area of Interest			**60.8**	**100.0%**

Exhibit F.8

USDA WEB SOIL SURVEY

NORTH

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Exhibit F.9

ARTESIAN RESOURCES

OVER 100 YEARS OF SUPERIOR SERVICE

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

July 20, 2022

Eric Jones, P.E.
Vista Design, Inc.
11634 Worcester Highway
Showell, MD 21862

RE: Marlin Cove Ability to Serve Approval Letter

With reference to your request concerning Water Service ("Service") for the proposed Marlin Cove project on New Road in Baltimore Hundred, Sussex County, Delaware known as Tax Parcel Numbers 533-19.00-7.00, 533-19.00-8.01 and 533-19.00-9.00 consisting of a mix of 228 single family homes and duplexes (the "Property"), please be advised as follows:

Subject to the following conditions, Artesian Water Company, Inc. ("Artesian") is willing and able to provide Service to the Property that meets all applicable State of Delaware, Delaware Department of Natural Resources and Environmental Control standards. Artesian currently has the water Certificates of Public Convenience and Necessity ("CPCN") from the Delaware Public Service Commission (the "Commission"). Artesian will provide Service in accordance with Artesian's Commission approved tariffs, as amended from time to time.

Based on current conditions and subject to the development entity and Artesian entering Water Service Agreements ("Agreements") that addresses the financial terms of the provision of Service for the Property, in accordance with Artesian's tariff, Artesian is willing and able to provide the required Service for this Property.

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

Yours very truly,

ARTESIAN WATER COMPANY, INC.

Adam Gould
Manager, Systems Planning & Design

664 Churchmans Road, Newark, Delaware 19702, P.O. Box 15004 Wilmington Delaware 19850 Phone (302) 453-6900 Fax (302) 453-6957
14701 Coastal Highway, Milton, Delaware 19968 Phone (302) 645-7299 Fax: (302) 645-8233
email: artesian@artesianwater.com Website: artesianwater.com

Exhibit F.10

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

NICOLE MAJESKI
SECRETARY

April 24, 2023

Ms. Betty H. Tustin, PE
The Traffic Group, Inc.
104 Kenwood Court
Berlin, Maryland 21811

Dear Ms. Tustin,

The enclosed Traffic Operational Analysis (TOA) review letter for the **Marlin Cove** (Tax Parcels: 533-19.00-7.00, 8.01, and 9.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TOA to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
TIS Group Project Engineer

CJ:km
Enclosures
cc with enclosures: Mr. Russell Garufi, Marlin Cove, LLC
Mr. Rich Polk, Vista Design, Inc.
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning & Zoning
Ms. Joanne M. Arellano, Johnson, Mirmiran, & Thompson, Inc.
Mr. Mir Wahed, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
Kevin Hickman, Sussex County Review Coordinator, Development Coordination, Planning
Thomas Gagnon, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Annamaria Furmato, TIS Group Project Engineer, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Jennifer Cinelli, Transportation Planner, Statewide & Regional Planning

April 20, 2023

Mr. Claudy Joinville
Project Engineer
Delaware Department of Transportation
Development Coordination, Division of Planning
800 Bay Road
Dover, DE 19901

RE: Agreement No. 1945F
Project Number T202069012/PO#611882
Traffic Impact Study Services
Task 11-10A – Marlin Cove TOA

Dear Mr. Joinville:

Johnson, Mirmiran, and Thompson (JMT) has completed a review of the Traffic Operational Analysis (TOA) for the Marlin Cove development, which was prepared by The Traffic Group, Inc. dated January 13, 2023. This review was assigned as Task Number 11-10A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TOA evaluates the impacts of a proposed residential development in Sussex County, Delaware. The proposed development would consist of 114 single family detached homes and 114 duplexes on an approximately 61.98-acre assemblage of parcels. The land is currently zoned as AR-1 (Agricultural Residential), and the developer does plan to rezone the land to MR (Medium-Density Residential) with a conditional use approval to permit the multi-family (duplex) homes.

The development is located on the west side of New Road (Sussex Road 391), approximately 80 feet north of the intersection with Delaware Route 54. Two full access points are proposed on New Road. Construction is expected to be complete in 2027.

The developer has decided to pursue payment of the Area Wide Study Fee (AWSF) in lieu of doing a TIS. However, DelDOT requested the TOA to determine if turn lanes would be required at the Delaware Route 54 and New Road intersection when the development is built.

DelDOT does not have any relevant and ongoing improvement projects within the study area. However, DelDOT has a traffic study in the area called the *Southeast Sussex Study*. The study focuses on identifying existing circulation issues, future growth potential and opportunities for operational, safety and infrastructure improvements for the study area which includes the Delaware Route 54 and New Road intersection. The study began in 2021 and has looked at existing conditions including traffic volumes, travel speeds, crash assessments and intersection performance. The next steps include growth projections, future traffic estimates, future performance estimates, and identification of potential short, medium, and long-term improvements. Those steps should be complete by Summer of 2023. More information regarding the study can be found at https://deldot.gov/projects/Studies/southeast-sussex/.

Based on our review of the TOA, we have the following comments and recommendations:

There are no intersections that exhibit level of service (LOS) deficiencies. However, based on the DelDOT *Road Design Manual* and DelDOT's *Development Coordination Manual*, an eastbound left turn lane and a westbound right turn lane are warranted along Delaware Route 54 at the New Road intersection. As such, it is recommended the developer improve the intersection to provide turn lanes.

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

1. The developer shall improve New Road within the limits of their frontage to meet DelDOT's standards for their Functional Classification as found in Section 1.1 of the *Development Coordination Manual* and elsewhere therein. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. Frontage is defined in Section 1 of the *Development Coordination Manual*, which states "This length includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway." The developer should coordinate with the DelDOT Subdivision Review Coordinator to determine the design details during the plan review.

2. The developer should construct an unsignalized full access Site Entrance A for the proposed Marlin Cove development along New Road, approximately 1,925 feet north of the intersection with Delaware Route 54. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Eastbound Site Entrance A	Approach does not exist	One shared left turn/right turn lane
Northbound New Road	One through lane	One shared left turn/through lane
Southbound New Road	One through lane	One through lane and one right turn lane

   Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the southbound right turn lane is 50 feet. The projected queues from the HCS analysis can be accommodated within the recommended storage lengths.

3. The developer should construct an unsignalized full access Site Entrance B for the proposed Marlin Cove development along New Road, approximately 1,350 feet north of

the intersection with Delaware Route 54. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Eastbound Site Entrance B	Approach does not exist	One shared left turn/right turn lane
Northbound New Road	One through lane	One shared left turn/through lane
Southbound New Road	One through lane	One through lane and one right turn lane

Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the southbound right turn lane is 50 feet. The projected queues from the HCS analysis can be accommodated within the recommended storage lengths.

4. The developer should construct an eastbound left turn lane and a westbound right turn lane along Delaware Route 54 at the intersection with New Road, as they are warranted per the DelDOT *Road Design Manual*. Based on the DelDOT *Road Design Manual*, the recommended minimum storage length (excluding taper) of the eastbound left turn lane is 100 feet. Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the westbound right turn lane is 240 feet. The developer should coordinate with DelDOT Development Coordination Section during the plan review process to determine the design of the intersection.

5. The following bicycle, pedestrian, and transit improvements should be included:

    a. A minimum of fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the New Road site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP). The SUP should be designed to meet current AASHTO and ADA standards. A minimum five-foot setback should be maintained from the edge of the pavement to the SUP. If feasible, the SUP should be placed behind utility poles and street trees should be provided within the buffer area. The developer should coordinate with DelDOT's Development Coordination Section during the plan review process to identify the exact location of the SUP.

    b. At least one internal connection of a sidewalk or SUP in the vicinity of the site entrances from the SUP along New Road should be provided.

    c. ADA compliant curb ramps and marked crosswalks should be provided along the site entrances.

d. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the New Road approaches to the site entrances.

e. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/SUP or should be flush with the pavement.

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

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

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

Sincerely,
Johnson, Mirmiran, and Thompson, Inc.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE
Tanner Chiamprasert, E.I.T.

Enclosure

General Information

Report date: January 13, 2023
Prepared by: The Traffic Group, Inc.
Prepared for: Marlin Cove, LLC
Tax Parcels: 533-19.00-7.00, 8.01 and 9.00
Generally consistent with DelDOT's *Development Coordination Manual (DCM)*: Yes

Project Description and Background

Description: The proposed residential development consists of 114 single-family detached houses and 114 single-family attached homes (duplexes).
Location: The site is located on the west side of New Road (Sussex Road 391), approximately 80 feet north of the intersection with Delaware Route 54, in Sussex County, Delaware.
Amount of Land to be developed: An approximately 61.98-acre assemblage of parcels.
Land Use approval(s) needed: Entrance Plan, Rezoning.
Proposed completion date: 2027.
Proposed access locations: Two full access points are proposed on New Road.

Daily Traffic Volumes:

- 2022 Average Annual Daily Traffic on New Road: 298 vehicles per day

*AADT is sourced from ATR data provided by the TOA report. Data taken from seven full days starting October 8, 2022.

Site Map



**Graphic is an approximation based on the Marlin Cove Subdivision Preliminary Plat prepared by Vista Design, Inc. dated May 16, 2022.*

Relevant and On-going Projects

DelDOT does not have any relevant and ongoing improvement projects within the study area. However, DelDOT has a traffic study in the area called the *Southeast Sussex Study*. The study focuses on identifying existing circulation issues, future growth potential and opportunities for operational, safety and infrastructure improvements for the study area which includes the Delaware Route 54 and New Road intersection. The study began in 2021 and has looked at existing conditions including traffic volumes, travel speeds, crash assessments and intersection performance. The next steps include growth projections, future traffic estimates, future performance estimates, and identification of potential short, medium, and long-term improvements. Those steps should be complete by Summer of 2023. More information regarding the study can be found at https://deldot.gov/projects/Studies/southeast-sussex/.

Livable Delaware

(Source: Delaware Strategies for State Policies and Spending, 2020)

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed development is located within Investment Level 3 and Level 4.

Investment Level 3

Investment Level 3 Areas generally fall into two categories. The first category covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during a five-year planning period (or longer). In these instances, development in Investment Level 3 may be least appropriate for new growth and development in the near term. The second category includes lands that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2. Environmentally sensitive features, agricultural-preservation issues, or other infrastructure issues most often impact these lands. In these instances, development and growth may be appropriate in the near term, but the resources on the site and in the surrounding area should be carefully considered and accommodated by state agencies and local government with land-use authority. Investment Level 3 is further characterized by areas with new development separated from existing development by a substantial amount of vacant land that is not contiguous with existing infrastructure, areas that are experiencing some development pressure, areas with existing but disconnected development, and possible lack of adequate infrastructure.

The state will consider investing in infrastructure within Investment Level 3 Areas once the Investment Level 1 and 2 Areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area. The priorities in the Level 3 Areas are for DelDOT to focus on regional movements between towns and other population centers. DelDOT also supports the development and implementation of Transportation Improvement Districts in Investment Level 3 areas. Local roadway improvements will be made by developers and property owners as development occurs. Lower priority is given to transportation system–capacity improvements and transit-system enhancements.

Investment Level 4

Delaware's Investment Level 4 Areas are rural in nature and are where the bulk of the state's open space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements. They typically include historic crossroads or points of trade, often with rich cultural ties. Delaware's Investment Level 4 Areas are also the location of scattered residential uses, featuring almost entirely single-family detached residential structures. Delaware's Investment Level 4 Areas also include many unincorporated communities, typically with their own distinctive character and identity. Investment Level 4 Areas depend on a transportation system primarily of secondary roads linked to roadways used as regional thoroughfares for commuting and trucking.

It is the state's intent to discourage additional urban and suburban development in Investment Level 4 Areas unrelated to agriculture and to the areas' needs. In Investment Level 4 Areas, the state's investments and policies should retain the rural landscape and preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development. The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business. The lowest priority is given to transit system enhancements.

Proposed Development's Compatibility with Livable Delaware:
The proposed site is located within Investment Level 3 and Level 4. Investment Level 3 consists of areas adjacent to fast growing areas. The proposed site is within close proximately to Delaware and Maryland beaches. Investment Level 4 areas consist of scattered residential uses, predominately single-family detached homes, for individuals that value quiet and isolation provided by locations away from more developed settings. Therefore, the proposed development is consistent with the 2020 update of the Livable Delaware "Strategies for State Policies and Spending."

Comprehensive Plan

(Source: Sussex County Comprehensive Plan, 2019)

Sussex County Comprehensive Plan:
Per the *Sussex County Comprehensive Plan Existing Land Uses Map,* the proposed development appears to be currently zoned as Agricultural and Undeveloped Land. Per the *Sussex County Comprehensive Plan Future Land Use Map,* the proposed development is in an area designated as Coastal Growth Area.

Proposed Development's Compatibility with the Sussex County Comprehensive Plan:
The *Sussex County Comprehensive Plan* states that Coastal Growth areas are the most desirable locations for new housing. Therefore, the proposed development is consistent with the *Sussex County Comprehensive Plan*.

The developer plans to rezone the land to Medium-Density Residential with a conditional use approval to permit the single-family attached homes (duplexes).

Trip Generation

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the 11th Edition of the ITE *Trip Generation Manual*, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 210 (Single-Family Detached Houses) and ITE Land Use Code 215 (Single-Family Attached Houses). Trip generation was reviewed by DelDOT as part of the Preliminary TOA (PTOA) submission.

Table 1
Marlin Cove Trip Generation

Land Use	ADT	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Midday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
114 Units Single-Family Detached Houses (ITE – 210)	1,138	22	62	84	71	41	112	58	50	108
114 Units Single-Family Attached Houses (ITE – 215)	818	17	37	54	36	28	64	36	39	75
Total	1,956	39	99	138	107	69	176	94	89	183

Overview of TOA

Intersections examined:

1. Site Entrance A / New Road (Sussex Road 391)
2. Site Entrance B / New Road
3. Delaware Route 54 / New Road

Conditions examined:

1. Case 1 – 2022 existing
2. Case 2 – 2027 without development
3. Case 3 – 2027 with development

Committed Developments considered:

1. Estuary
2. Old Mill Bridge Road Property
3. Melson Property
4. Bay Knolls
5. Kingfisher

*DelDOT provided TDM-based background volumes for use in the TOA in lieu of generating peak hour volumes for each individual committed development.

Peak hours evaluated: Weekday AM, weekday PM, and summer Saturday midday.

Intersection Descriptions

1. **Site Entrance A / New Road (Sussex Road 391)**
   Type of Control: Proposed two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Site Entrance A) Proposed one shared left turn/right turn lane, stop-controlled.
   Northbound Approach: (New Road) Existing one through lane; proposed one shared left turn/through lane.
   Southbound Approach: (New Road) Existing one through lane; proposed one shared through lane/right turn lane.

2. **Site Entrance B / New Road**
   Type of Control: Proposed two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Site Entrance B) Proposed one shared left turn/right turn lane, stop-controlled.
   Northbound Approach: (New Road) Existing one through lane; proposed one shared left turn/through lane.
   Southbound Approach: (New Road) Existing one through lane; proposed one shared through lane/right turn lane.

3. **Delaware Route 54 / New Road**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Delaware Route 54) Existing one shared left turn/through lane.
   Westbound Approach: (Delaware Route 54) Existing one shared through/right turn lane.
   Southbound Approach: (New Road) Existing one shared left turn/right turn lane, stop-controlled.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Per DelDOT Gateway, there are no bus routes that run through the study area.

Planned transit service: Per email correspondence on January 27, 2023, with Mr. Jared Kauffman, Fixed-Route Planner for DART, the Delaware Transit Corporation does not have any transit specific comments for this project.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, Delaware Route 24 is considered a regional bicycle route. Delaware Route 54 has bike lanes in the eastbound and westbound directions.

Planned bicycle and pedestrian facilities: Per email response received on February 21, 2023 from Mr. John Fiori and Ms. Linda Osiecki, there are pedestrian and bicycle recommendations for the site:

- It is highly recommended to install a 10' wide shared-use path along the property frontage of New Road with angled terminations into the shoulder and have the shared-use path extended to the property lines to the northern and southern property limits due to the surrounding vicinity of the site, as there are destinations people can bike or walk in lieu of using a vehicle.
- An internal connection(s) from the SUP along New Road shall be required.
- At this time, Active Transportation & Community Connections (ATCC) has no bicycle/pedestrian improvement projects within the area of this project.
- Per the Development Coordination Manual (DCM), the site shall dedicate right-of-way per the roadway classification and establish a 15' wide permanent easement along all property roadway frontages. The current plans submitted show a 15' multi-use path easement and should be revised to current standards in the DCM.
- All entrance, roadway and/or intersection improvements required shall incorporate bicycle and pedestrian facilities. Per the DCM, if the right turn lane is warranted, then a separate bike lane shall be incorporated along the right turn lane; if a left turn lane is required, any roadway improvements shall include a shoulder matching the roadway functional classification or existing conditions (minimum 5-feet).
- There could be additional and/or revised comments once project is discussed at a pre-submittal meeting and/or plans are submitted for LONO/ENT review/approval.

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

- New Road LTS: 2

Crash Evaluation

Per the crash data included in the TOA from January 4, 2020, to January 4, 2023, provided by the Delaware Department of Transportation (DelDOT), a total of 2 crashes were reported within the study area. Of the 2 crashes reported, no fatalities occurred.

The Delaware Route 54 and New Road intersection had two crashes reported with the primary contributing cause a deer in the roadway.

Previous Comments

All comments from the PTOA have been addressed in the Final TOA.

Sight Distance Evaluation

No sight distance constraints were noted at the proposed site entrance locations per a field visit conducted on January 26, 2023.

General HCS Analysis Comments

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

1) The TOA used HCS Version 2023, whereas JMT used version 7.9.6 of HCS7 to complete the analysis.

2) Per DelDOT's *Development Coordination Manual,* JMT utilized the existing PHF for the existing condition (Case 1) whereas the TOA used different values.

3) Per DelDOT's *Development Coordination Manual,* JMT utilized the future intersection PHF of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph, or used the existing PHF if higher, whereas the TOA used different values.

4) JMT utilized the existing heavy vehicle percentage for each movement greater than 100 vph in the Case 1 existing scenario while the TOA utilized the existing heavy vehicle percentage for each movement.

5) Per DelDOT's *Development Coordination Manual*, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in the Case 2 and Case 3 future scenario analysis, unless the existing heavy vehicle percentage was greater than 3% and there was no significant increase of vehicles along that movement, in which case the existing heavy vehicle percentage was used for the analysis of future scenarios.

6) Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways in the analyses.

Table 2
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control [1] (T-Intersection)	**LOS per TOA**			**LOS per JMT**		
Site Entrance A / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2027 with Development (Case 3)						
Eastbound Site Entrance A Approach	A (9.1)	A (9.2)	A (9.4)	A (9.2)	A (9.3)	A (9.5)
Northbound New Road Left Turn	A (7.3)	A (7.4)	A (7.4)	A (7.4)	A (7.5)	A (7.5)

[1] For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

Table 3
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control (T-Intersection)	**LOS per TOA**			**LOS per JMT**		
Site Entrance B / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2027 with Development (Case 3)						
Eastbound Site Entrance B Approach	A (9.0)	A (9.0)	A (9.2)	A (9.1)	A (9.2)	A (9.4)
Northbound New Road Left Turn	A (7.4)	A (7.4)	A (7.4)	A (7.4)	A (7.4)	A (7.5)

Table 4
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control[1]	**LOS per TOA**			**LOS per JMT**		
Delaware Route 54 / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2022 Existing (Case 1)						
Eastbound Delaware Route 54 Left Turn	A (7.8)	A (8.2)	A (8.2)	A (7.9)	A (8.3)	A (8.2)
Southbound New Road Approach	B (10.7)	B (12.6)	B (12.1)	B (10.8)	B (12.5)	B (12.1)
2027 without Development (Case 2)						
Eastbound Delaware Route 54 Left Turn	A (7.9)	A (8.4)	A (8.4)	A (8.0)	A (8.5)	A (8.4)
Southbound New Road Approach	B (11.5)	B (14.9)	B (14.2)	B (11.7)	B (14.9)	B (14.3)
2027 with Development (Case 3)						
Eastbound Delaware Route 54 Left Turn	A (8.0)	A (8.6)	A (8.6)	A (8.0)	A (8.7)	A (8.5)
Southbound New Road Approach	B (13.2)	C (18.7)	C (18.5)	B (13.4)	C (18.8)	C (18.7)

Exhibit F.11

VISTA DESIGN, INC. *Engineers • Architects • Surveyors • Landscape Architects • Land Planning Consultants • GIS Services*

May 4, 2023

Mr. David L. Edgell, AICP
Director, Office of State Planning Coordination
State of Delaware

Strategies for State Policies and Spending

This project is in Investment Levels 3 and 4 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

Because development within an Investment Level 4 is inconsistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning is opposed to development in the Level 4 area. Therefore, the applicant should concentrate the development of this parcel to the Level 3 area and remove any development within the Level 4 area.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Annamaria Furmato 302-760-2710

- **The site access on New Road (Sussex Road 391) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.**
    - *The northern and southern entrances from the Marlin Cove Subdivision to New Road will be designed per the DELDOT's Development Coordination Manual.*
- **Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?080220 17.**
    - *A pre-submittal meeting will be requested prior to submission of the entrance plan.*

- **Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.**

    - *The developer acknowledges the fees that will be collected as part of the review and approval process.*

Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development would generate 1,948 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 136 and 165, respectively. Therefore, a TIS would normally be required.

- *The applicant has agreed to participate in the funding of the Area Wide Study. Furthermore, a TOA scoping meeting was held between the applicant, the applicants consultants and DelDOT on August 8h, 2020 and a final report in accordance with the results of that meeting was submitted to DelDOT on January 13th 2023. DelDOT issued their TOA approval letter entitled Marlin Cove TOA on April 24th, 2023, and the applicant agrees to be bound by those commitments.*

Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as $10 per daily trip or, in this case, $19,480. AWS Fees are used to fund traffic studies, not to build improvements.

- *This applicant has agreed to participate in the AWS through the payment of the AWS Fee.*

The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve New Road, within the limits of their frontage, to meet DelDOT's standards associated with its Functional Classification. New Road is a Local Road, for which the standard includes 11-foot lanes and 5-foot shoulders.

- *Through acceptance of DelDOT's TOA approval letter, the applicant has agreed to improve New Road within the limits of their frontage.*

The improvements are anticipated to include culvert extensions where Roy Creek and Perch Creek cross under the road. DelDOT anticipates requiring that underground utility construction along New Road be completed before the road improvements are begun. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway. DelDOT estimates that the projected frontage begins about the north corner of the development on New Road and ends about 75 north of the intersection with Fenwick Road (State Route 54). DelDOT anticipates requiring that the frontage improvements be extended to Fenwick Road and that the developer provide left-turn and right-turn lanes on Fenwick Road as warranted. Right-turn lanes necessarily include 5-foot bike lanes as a standard part of their design.

- *Through the acceptance of DelDOT TOA approval letter, the applicant acknowledges the potential roadway improvements and agrees to be bound by them, per underlying DelDOT design warrants.*

Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. R. Stephen McCabe. Mr. McCabe may be reached at Richard.McCabe@delaware.gov or (302) 760-2276.

- **As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on New Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of the road. The following right-of-way dedication note is required, "An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
  - *The required right-of-way dedication note will be included on all future plans / plats as requested.*
- **In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
  - *A 15-foot wide permanent easement along the proposed subdivision frontage will be incorporated as part of this subdivision. The requested dedication note will be included on all plans / plat, as appropriate.*
- **Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:**
  - **A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.**
    - *A traffic generation diagram will be included on the record plan.*

- **Depiction of all existing entrances within 300 feet of the proposed entrance on New Road.**
    - *Existing entrances to the surrounding properties will be shown on the record plan and dedicated, as appropriate.*
- **Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.**
    - *Required notes identifying off-site improvements to surrounding areas will be appropriately shown on the record plan.*

- **Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is at DelDOT's discretion. DelDOT anticipates requiring the developer to build SUP along their frontage.**
    - *The developer is aware of the Shared Use Path requirement along the frontage of the project on New Road and is currently proposing to construct the requested path within the requested 15-foot wide permanent easement along the road frontage.*
- **Section 3.5.4.4 of the Manual addresses accessways, paved pathways connecting a sidewalk or path along a road frontage to an internal sidewalk or path. DelDOT anticipates requiring two accessways into the subject development from the SUP along New Road, one to the proposed cul-de-sac and one at the south end of the development, near Lot 14.**
    - *A minimum of two interconnections are anticipated to connect to internal sidewalks to the SUP.*
- **In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along New Road.**
    - *The proposed on-site storm water management facilities will be located a minimum of 20' from the ultimately dedicated right-of-way of New Road.*
- **In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.**
    - *Auxiliary Lane Worksheets were submitted to DelDOT as part of the TOA report. The results of the TOA indicated that southbound right turn auxiliary lanes were warranted.*

- **In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.**
    - *Sight distance data will be provided to DelDOT, as appropriate.*
- **In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.**
    - *All known existing utilities are shown along New Road. If existing infrastructure is in conflict, the developer will work with the utility to relocate as part of the improvements of New Road, as appropriate.*
- **The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to New Road.**
    - *This development does not require a substation and/or wastewater facility.*

Department of Natural Resources and Environmental Control – Contact Claire Quinlan 302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project. Developers and municipal officials are encouraged to reach out to Clare Quinlan at (302) 735-3480 if they have any specific requests for information.

Concerns Identified Within the Development Footprint
Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site, as well as a perennial stream (Roy Creek). The application indicates that wetlands have been delineated. The application does not propose direct impacts to the wetlands but does propose a road crossing over the stream.

Requirements:

- **State permits from the DNREC Wetlands and Subaqueous Lands Section may be necessary if dredge or fill is proposed in tidal wetlands, streams, or State Subaqueous Lands.**
    - *Acknowledged. If required, appropriate permits will be obtained prior to project commencement.*

- **An application for a Subaqueous Lands permit must be submitted to the DNREC Wetlands and Subaqueous Lands Section for review and approval. To apply for a permit online, please visit their website at https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/permits/.**

    - *Acknowledged. If required, a permit application will be submitted to DNREC Wetlands and Subaqueous Land Section.*

- **If the site design changes and dredge or fill of wetlands becomes necessary, federal permits from the U.S. Army Corps of Engineers may also be necessary. A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the U.S. Army Corps of Engineers to determine the appropriate permitting requirements if federal permits are required.**

    - *A qualified Wetland Specialist has reviewed the site and delineated areas of Regulated Non-Tidal Wetlands and Waters of the US. If required, the applicant will work with USACE and DNREC to determine appropriate permitting requirements.*

Vegetated Buffer Zones

Site plans show a 30-foot vegetated buffer along non-tidal wetlands and streams. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutant loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- *Acknowledged. All applicable natural resource buffers will be adhered to as part of this project.*

Requirements:

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

    - *Acknowledged. All minimum vegetated buffer widths will be adhered to by this project.*

Stormwater Management

This application proposes greater than 5,000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's Sediment and Stormwater Regulations.

- *Acknowledged. The applicant will coordinate with the Sussex Conservation District to obtain all approvals required prior to commencing construction.*

Requirements:

- **A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.**
    - *Acknowledged. An erosion and sediment control and stormwater management plan will be prepared and submitted to the Sussex Conservation District for review and approval prior to commencement of construction.*
- **Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically. (https://apps.dnrec.delaware.gov/enoi/, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.**
    - *Acknowledged. An NOI will be submitted for this project to DNREC.*
- **Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.**
    - *Acknowledged. A Stormwater Assessment Study Checklist will be submitted to Sussex County and a pre-submission meeting will be held with the Sussex Conservation District, as appropriate.*

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

Hydrologic Soils Group

Hydrologic Soil Group A/D soils have been identified over much of the site, particularly in the western and central portions. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- *Acknowledged. At this time, infiltration practices are not contemplated.*

Requirements:

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

- *Acknowledged. Additional testing will be conducted if the project proposes to utilize infiltration or natural recharge practices for stormwater treatment.*

Tax Ditches

The project lies within the Henry C. Johnson and Perch Creek Tax Ditch Watersheds. Tax ditches are man-made channels created to move normal water flow off agricultural lands. The parcels in this project review possess no Tax Ditches and are currently not subject Tax Ditch Rights of Way (ROWs)

Requirements:

- **Development of the site may result in a change to the drainage pattern and associated Tax Ditch watershed boundary. To change existing Tax Ditch watershed boundaries, a Court Order Change must be submitted by the DNREC Drainage Program. The associated Land Development Project Review Request form is attached.**
    - *Acknowledged. At this time, no impacts to the Tax Ditch watersheds are anticipated. If required, the applicant will coordinate appropriately with the DNREC Drainage Program.*
- **All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.**
    - *Acknowledged. Stormwater facilities will enhance and prolong the detention of on-site development runoff and will not negatively impact downstream drainage patterns.*

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water, and cover. Wildlife displaced by encroaching development may also become a nuisance for homeowners.

Requirements:

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

- *Acknowledged.*

Wastewater permits – Large Systems
Sussex County holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch for wastewater disposal.

Requirements:

If additional flows to Sussex County's system will require capacity updates, it is the responsibility of the permitee (Sussex County) to notify the Large Systems Branch.

- *This subdivision is proposed to be part of the existing Sussex County Unified Sewer District, and Artesian Water's water distribution network. At this time, we are unaware of any capacity issues.*

Nutrient Management Plan

This project proposes open space of 18 acres.

Requirements:

A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

- *The Marlin Cove project does not propose to spread nutrients to the open space areas of the subdivision that would necessitate an NPDES permit. A nutrient management plan is not expected to be required at this time.*

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- **There is high potential for archaeological resources on within these parcels. Roy Creek runs through the center of the parcels, and on either side is moderately well-drained uplands. These are considered favorable environmental conditions for past human occupation, and therefore there is high potential for prehistoric archaeological sites.**
    - *Acknowledged. Based upon a review by ERI, there are no known historical and/or archaeological resources present on the site.*
- **There are four recorded historic archaeological sites to the immediate south of the parcel. According to historic aerials and topographic maps, the parcel has remained a consistent mix of agricultural fields and wooded areas with minimal disturbance. There are no recorded structures on the parcels. However, as there are known historic occupations to the immediate south, there is high potential for additional historic archaeological resources in the southern half of the project area. This Office recommends an archaeological survey prior to any ground disturbance.**
  If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
    - *Noted, there was no visible evidence identified on-site during the review by ERI, nor historical and/or archaeological resources identified. The developer will adhere to all applicable historic archaeological guidelines, and will consult with the State Historic Preservation Office, if any evidence arises, as appropriate.*
- **If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov**
    - *Noted, the developer will adhere to Section 106 of the National Historic Preservation Act as part of obtaining any required Wetland Permits.*

  If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

The comments below are informational only. This does not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulations (DSFPR):

Fire Protection Water Requirements:

- **Where a water distribution system is proposed for single-family dwellings, it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 800 feet spacing on center are required. (One & Two- Family Dwelling).**
    - *Acknowledged. The applicant will work with Artesian Water to fulfill all domestic and fire flow requirements for the development. Fire Hydrants will be installed to satisfy all State of Delaware requirements.*
- **Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems. One- and Two-Family dwellings are required by law to offer the homeowner an automatic sprinkler system, therefore infrastructure should accommodate water needs.**
    - *Acknowledged. Currently, 8" watermains are anticipated to be looped from the existing 12" watermain along the New Road frontage of the project. Proposed watermains will be installed to meet the neighborhoods requirements for flow amounts and pressure.*

Accessibility

- **All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision must be constructed so fire department apparatus may negotiate it.**
    - *The proposed private subdivision roads shall be designed per the latest Sussex County and DelDOT standards with cul-da-sacs at the end of all dead end roads.*
- **Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door. Streets designed without parking need to develop a plan for enforcement once HOA takes charge. Fire apparatus still need to negotiate the streets.**
    - *The HOA covenants shall have language for parking enforcement to ensure the preservation of fire department access.*
- **Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be**

38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- *Acknowledged. Interior roads shall be designed to loop around to intersections and cul-da-sacs are proposed for dead-end streets. Minimum design standards for cul-da-sacs will be adhered to for design.*

- **The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.**

  - *If proposed, speed bumps and/or traffic speed reduction techniques will meet DelDOT standards.*

- **The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.**

  - *At this time, no permanent gates are proposed to limit access to any portion of the neighborhood. If gates are later proposed, the developer will seek written approval from the local Fire Chief.*

Gas Piping and System Information:

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

  - *All proposed fuel types and locations of bulk containers shall be shown on the plan and individual house plans per State Fire Marshall Requirements.*

Required Notes:

- **Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"**
- **Proposed Use**
- **Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units**
- **Square footage of each structure (Total of all Floors)**
- **National Fire Protection Association (NFPA) Construction Type**
- **Maximum Height of Buildings (including number of stories)**
- **Note indicating if building(s) is/are to be sprinklered**
- **Name of Water Provider**
- **Letter from Water Provider approving the system layout**
- **Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered**
- **Provide Road Names, even for County Roads**

  - *All required notes and labels shall be incorporated into the final plan set for review and approval.*

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 302-760-2109

- **The subject development is located within an area being considered for the development of a Transportation Improvement District (TID). Once the TID is in operation, the development may have the opportunity to convert to TID participation instead of building or contributing to off-site improvements.**
    - *Noted, if the TID is established, the developer may contact DelDOT to discuss this process and feasibility. However, the developer has already submitted a completed TOA report in accordance with a TOA Scoping Meeting, which has resulted in DelDOT issuing an approval letter entitled Marlin Cove TOA dated April 24, 2023. The applicant has agree to be bound by the terms of the TOA approval letter, subject to DelDOT warrants for the required improvements.*
- **The developer should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.**
    - *Acknowledged.*
- **The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.**
    - *Acknowledged.*
- **Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022.**
    - *Updated Standard General Notes will be incorporated into the applicable plan sets for review and approval upon submission.*

Department of Natural Resources and Environmental Control – Contact Claire Quinlan 302-735-3480

Wetlands and Subaqueous Lands

- **Do not disturb streams or wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.**
    - *As part of the internal subdivision improvements, no regulated non-tidal wetlands or Waters of the US are proposed to be disturbed. Per the DelDOT TOA approval letter, improvements to New Road (road widening, Shared Use Paths, swale and culvert upgrades) may require disturbance to existing non-tidal wetlands and Waters of the US. Impacts will be minimized, and if required, a permit will be obtained if any non-tidal wetlands, Waters of the US and/or associated buffers are proposed to be disturbed.*

Vegetated Buffer Zones

- **Expand the 30-foot buffer to no less than 100 feet from the edge of wetlands and all waterways (rivers, streams, ditches, ponds, etc.) to protect water quality and to provide an additional margin of safety for flooding.**
    - *The minimum buffers from the edge of non-tidal wetlands and perennial waterways are provided. If possible, additional buffer widths beyond the minimum have been provided in some locations to further enhance water quality and provide additional capacity for ditch/stream flows.*
- **Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.**
    - *The 30' perimeter vegetation buffers are proposed to remain undisturbed in areas where existing forest is present, as shown on the plans. Sections of existing unforested areas that are to be vegetated as part of a buffer zone will be planted during construction and left undisturbed thereafter.*
- **Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.**
    - *The perimeter buffer zones are proposed to be located within open space parcels. Appropriate signage will be installed along the edge of the buffer zones.*

- **Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.**

    - *The proposed vegetated buffer zones are stipulated to be forested.*

- **Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.**

    - *The proposed vegetated buffer zones are stipulated to be forested therefore no mowing is anticipated within buffer.*

Removal of Forest

- **The preliminary plan proposes the elimination of approximately 40 of 48 acres of forest on the site.**

    The onsite forested areas have been the subject of timber harvesting several times in the past. The current growth is only a few years old and is not of high quality. The highest quality trees are located along the perimeter of the site and are proposed to be preserved within the proposed 30' buffer.

- **Removing forested areas for development should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.**

    - *Acknowledged. As indicated above, the forested areas proposed for removal have been the subject of multiple timber harvesting operations. As such, they are of low quality. The most mature trees are located along the site's boundary and are proposed for preservation as part of the 30' forested buffer.*

- **To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.**

    - *Noted, efforts will be made to limit tree clearing and mowing during development during the time frame stipulated from April 1st to July 31st.*

Key Wildlife Habitat

- **The forest block and stream on this property are mapped as Key Wildlife Habitat in the Delaware Wildlife Action Plan because they have the potential to harbor a high diversity of Species of Greatest Conservation Need (SGCN).**

    - *Noted.*

- **Topographic maps, wetland maps, and aerial photos indicate that the headwaters of a small tributary of Roy Creek occur within the project area. Headwater streams can be ecologically valuable, supporting a variety of plants, amphibians, and insects. Headwater streams are critical to the survival of aquatic organisms that occur downstream. Additionally, state endangered Banded Sunfish (Enneacanthus obesus) were previously documented in the headwaters of nearby Dirickson Creek. It is possible that the banded sunfish may exist at this site if habitat is suitable for its survival.**

    - *Noted.*

- **Scientists from the Division of Fish & Wildlife request a site visit to conduct a survey of the property to evaluate habitat and determine the potential for SGCN. Recommendations resulting from the survey would allow the applicant the opportunity to reduce potential impacts to rare species and unique habitats and to ensure that the project is environmentally sensitive. Contact the DNREC Division of Fish & Wildlife at (302) 223-2446 to schedule a site visit.**

    - *At this time, the owner of the property cordially declines the offer from the Division of Fish & Wildlife to conduct a survey or a site visit.*

Stormwater Management

- **Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.**

    - *The current soil analysis from the Web Soil Survey shows that the existing soils on the site are poor for infiltration practices. Additional soil exploration will need to be conducted and submitted to the Sussex Conservation District if an infiltration practice is proposed.*

- **For improved stormwater management, preserve existing trees, wetlands, and passive open space.**

    - *These spaces are proposed to be preserved to the maximum extent practicable.*

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Tax Ditches

All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- **Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.**

    - *If required, the onsite ditches shall be considered for cleaning. Permits will be obtained, as appropriate.*

Drainage

- **All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.**
    - *If required, the onsite ditches shall be considered for cleaning. Permits will be obtained, as appropriate.*
- **Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.**
    - *If the plan proposes disturbance to regulated resources, applicable permits will be obtained prior to said disturbances.*
- **All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.**
    - *Acknowledged. Properly sized detention facilities shall be designed and installed within the proposed subdivision so as to not hinder upstream flow thru the property and stormwater will be released at a rate that will not create off-site downstream drainage problems.*

Water Quality (Pollution Control Strategies)

This site lies within the Inland Bays Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- **Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.**
    - *Vegetated resource buffers will be retained on-site in accordance with all regulations.*
- **Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.**
    - *No excess impervious surfaces are proposed as part of this project.*
- **Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.**
    - *The current soil analysis from the Web Soil Survey shows that the existing soils on the property are poor for infiltration practices. Additional soil exploration will need to be conducted and submitted to the Sussex Conservation District if an infiltration practice is proposed prior to approval. Existing forest, wetlands and open spaces are to be preserved to the maximum extent practicable.*

- **Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.**

    - *Open spaces around proposed stormwater facilities will be maintained as meadow and/or forested to enhance the natural nutrient filtration of those land uses. Maintenance of these open space areas will be kept to a minimum to further improve the natural environment in the open space parcels.*

Wildlife Displacement

- **Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests are key habitat types for wildlife in Delaware.**

    - *Noted, portions of the existing forests on-site have been timbered in the last decade and the wooded areas have evidence of being second and third growth. Existing areas of forest are proposed to be preserved to the maximum extent practicable.*

- **Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Reduce the potential for future conflicts between future residents and wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas. A 300-foot safety zone is recommended.**

    - *Noted.*

Additional Sustainable Practices

- **Build garages and parking spaces to be "EV-ready." Many manufacturers have pledged to sell only electric vehicles in the next 10-15 years. Installing a 240-volt outlet in one or two locations in a garage will enable a resident to easily (and cheaply) install a level 2 electric vehicle charger. This will increasingly be a selling point for homes.**

    - *The incorporation of a 240-volt outlet in garages will be explored and discussed with the area's electric provider.*

- **Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. For community facilities, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/).**

    - *It is anticipated that solar systems will be evaluated and offered for all homes within the subdivision.*

- **Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.**

    - *A shared use path is proposed along the frontage of the property as required by DelDOT. Four connection points between the internal sidewalks and the shared use path are shown on the plan submitted to Sussex County Planning and Zoning. Furthermore, bike racks are anticipated to be installed at the Community Recreation Center.*

- **Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.**

    - *Energy Star rated products and materials are proposed to be utilized in the construction of this subdivision.*

- **Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.**

    - *Acknowledged.*

- **Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.**

    - *Recycled materials will be utilized, where applicable, to reduce waste.*

<u>Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325</u>

- **This parcel is located within an area of minimal flood concern (1000 years or greater. The First Street Foundation rates the community risk level of 4 for Selbyville, which suggests a severe risk from flooding, combining risks associated between residential properties, commercial properties, critical infrastructure facilities, social infrastructure facilities, and roads, and is expected to increase between now and the next 30 years.**

    - *The proposed Finished First Floor Elevations are anticipated to be located above elevation 10' and internal roads above elevation 9'. Future flooding risks will be evaluated for the road, culvert and stormwater infrastructure.*

- **The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block the project is located has a total population of 52 people, though, with development, this will certainly change. The adjacent blocks in the aggregate bring the area to a total population of 767.**

    - *Noted.*

- **The parcel is currently assigned to Sussex County's evacuation zone B but is not within the 10-mile EPZ zone for the Salem Nuclear Power Plant. DEMA recommends this information be made available to residents there through simply a sign, pamphlet other materials. According to FEMA's National Risk Index, the parcel is considered relatively high for overall natural hazards risks. Its community resilience and social vulnerability are rated as relatively moderate.**
    - *A pamphlet will be made available to future residents of the neighborhood, including available information from DEMA and FEMA regarding flooding, evacuation routes and the 10-mile EPZ zone for the Salem Nuclear Power Plant.*
- **In terms of energy use and consumption, the region utilizes electricity as the predominant fuel type for heating purposes. As such, the parcel has a photovoltaic power potential of 1495 kWh per kWp. As such, should solar panels be utilized, we recommend an optimum tilt of the photovoltaic modules to be at approximately 34 degrees which could provide a potential of 1815 kWh/m2.**
    - *Noted*
- **DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. In terms of utilities, DEMA suggests incorporating 90% series furnaces/ HVAC systems, the closer to 99% the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless hot water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure.**
    - *Noted, energy efficient products are anticipated to be utilized in all homes built in this community.*
- **Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.**
    - *Noted*

<u>Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394</u>

- **Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings.**
    - *Information will be made available to future homeowners about the benefits of a home sprinkler system.*

- **The Office of the State Fire Marshal reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website: http://delcode.delaware.gov/title6/c036/sc03/index.shtml**
    - *This development will adhere to the requirements set forth in the "New Home Buyers Fire Protection Act," as applicable.*
- **Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.**
    - *Noted, a preliminary meeting with a fire protection specialist will be requested when appropriate.*

Should you have any questions about any of our responses, please don't hesitate to call.

Sincerely,
Vista Design, Inc.



Eric Jones, PE

Drainage Assessment Report

Marlin Cove Residential Subdivision
Tax Map Parcels 533-19.00-7.00, 8.01 & 9.00
Baltimore Hundred, Sussex County, DE

October 29, 2024

Prepared for

Marlin Cove, LLC &
Atlantic Building Associates, Inc.
13053 Old Stage Road
Bishopville, MD 21813

Prepared by

Vista Design, Inc.
11634 Worcester Highway
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&

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ERI Project No. 0786#0752

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EXHIBITS

1. USGS Topographic Map
2. USDA Soil Survey
3. FEMA Flood Insurance Rate Maps
4. Site Photographs

INTRODUCTION

In accordance with Sussex County Code Section 115-193-F (2) Vista Design, Inc., Mr. Richard Polk, P.E. and Environmental Resource Insights, Mr. Edward Launay, SPWS No. 875 have prepared this "Drainage Assessment Report" for land being developed as the Marlin Cove residential community. The overall Marlin Cove project site consists of three existing tax map parcels (533-19.00-7.00, 8.01 & 9.01) totaling 60.84 acres of land located in the Baltimore Hundred.

The purpose of this Drainage Assessment Report is to identify and evaluate features which convey waters through and from the future development site so that existing conditions can be considered during the County's development review and approval process. In the case of the proposed project, the following six items are to be addressed:

a. Identification of any unstable or eroding stream banks or conveyance requiring stabilization or restoration measures.
b. The location of any stream blockages, such as debris jams, fallen or unstable trees, beaver dams or similar impediments to conveyance.
c. The location of any sand or gravel deposition within a channel or conveyance which impedes the flow of water produced by a storm having an annual probability of occurrence of 10%.
d. A discussion of all recommended measures to remedy any impediment to drainage conveyance or drainage stability.
e. A summary of required local, state or federal permits required to remedy any impediment to drainage conveyance.
f. The easement width and a sufficient number of easements to provide adequate access to the resource for maintenance.

Prior to performing this assessment Environmental Resource Insights (ERI) delineated the boundary of all state and federally regulated waters and wetlands within the project boundaries. Unregulated federal wetlands not subject to the Corps of Engineers Regulatory Program were identified as well. This was done in accordance with the standards of the 1987 Corps of Engineers Wetland Delineation Manual and associated guidance, along with the 2023 Waters of the U.S. Rule, amended August 29, 2023 as informed by *Sackett v. EPA* and *Rapanos v. U.S.* In accordance with Department of Natural Resources and Environmental Control (DNREC) wetlands mapping, no state regulated wetland occurs within or nearby this project site.

As part of the process of considering a plan for development and determining the extent of wetlands and waters on the project site, resource guidance maps such as the USGS Topographic Survey, USDA Soil Survey, U.S. Fish and Wildlife Service, National Wetland Inventory Maps and FEMA National Flood Insurance Mapping were carefully reviewed. In the case of this project site, all this guidance information is generally consistent with the existing conditions shown on the "Marlin Cove – Preliminary Subdivision Conditional Use Plan" as prepared by Vista Design, Inc. (Vista), Bishopville, Maryland which accompanies this report (Subdivision Plan). Sheet 11 of that plan set "Proposed Resource Buffer and Drainage Maintenance Plan" (Drainage Plan) illustrates existing drainage conveyances and activities proposed to improve those features.

Exhibit One of this report is the U.S. Geological Survey Topographic Survey with the project boundaries highlighted. Local stream courses are identified on that Exhibit. Exhibit Two of this report is the U.S. Department of Agriculture Soil Survey. Onsite investigations found the extent of hydric or wetland soils (Hurlock loamy sand, HuA) was less extensive than mapped by the USDA Soil Survey. Exhibit Three is Federal Emergency Management Administration Flood Insurance Maps illustrating the floodways associated with the nearby waters of Roy Creek. The 100 year floodplain of Roy Creek does not extend onto the subject site. Exhibit Four provides photographs of existing site conditions.

PERIOD OF INVESTIGATION

Specific investigations for this Drainage Assessment Report were conducted on October 6, 2024. Photographs included in this report were taken on that day. The period of time prior to the site investigation can be characterized as having precipitation levels below normal. ERI's delineation of wetland areas was conducted in February 2023, during a period of normal precipitation.

EXISTING CONDITIONS

The project fronts along the westerly side of New Road (SCR 391). Low density single family homes exist on the east side of New Road. The project site is surrounded by existing woodlands and agricultural uses. Wetlands were delineated by ERI. On the northeast portion of the project site a 1.38 acre topographically isolated wetland was identified which is not subject to the Corps of Engineers Regulatory Program. There were no ditches, channels, or connections from this wetland to the downstream navigable water of Roy Creek. This area will be modified under the proposed project plan. ERI believes that this wet area was created as a result of compaction during timbering operations that occurred in 2011, as wetlands did not exist at this location previously based upon an ERI site investigation conducted prior to logging.

In the central portion of the site, ERI identified a palustrine forested wetland area totaling 1.29 acres. Interior to that is a 0.05 acre manmade channel with intermittent flow. This wetland is subject to the Corps of Engineers Regulatory Program. This channel drains to an existing eighteen inch corrugated metal culvert beneath New Road. The culvert drains into an offsite channel which connects with the navigable waters of Roy Creek southeast of State Route 54 and State Route 20.

West of New Road the channel continues, and divides into a small network of channels extending into the forest and agricultural lands west of the site. Various guidance maps label this as part of Roy Creek however, these channels are relatively dry, manmade excavations through uplands with only ephemeral flow. While these channels do provide a potential conveyance for drainage from offsite properties, the benefit and function provided is low.

This channel network is small and, in some areas, very poorly defined. Small trees grow within the channels and dead trees and other debris create potential blockages. In many areas parts of the channel system is overgrown and almost nonexistent. Photographs 3 through 14 of this report illustrate existing conditions. As described below, it is proposed that this channel network will be completely reconstructed as part of the project. Existing drainage patterns into and from the site will be maintained. The ephemeral channels are shown on the Drainage Plan (Sheet 11, Subdivision Plan).

PROPOSED DRAINAGE PLAN

The proposed project will maintain existing drainage patterns and improve the existing channels conveying offsite drainage into the 1.29 jurisdictional wetland (highlighted in red on Drainage Plan), including upgrades to the existing culvert under New Road.

All of the onsite channel network will be reconstructed and recontoured as shown on cross section 1/11 as provided on the Drainage Plan. All debris and blockages will be removed during this process.

As shown on the Drainage Plan there will be a single subdivision road crossing of a portion of ephemeral channel anticipated to consist of twin thirty-six inch diameter HDPE culverts.

The existing eighteen inch diameter culvert under New Road is anticipated to be upgraded to a 36"x72" box culvert. All culverts will be slightly depressed below the reconstructed channel invert to allow for the free passage of aquatic organisms.

The entire channel network is part of the project open space and away from proposed single family lots. Access for any future maintenance of drainage channels can occur directly from the New Road right of way or from Subdivision Road "A."

Improvements to the channel section interior to jurisdictional wetlands will be done in accordance with the Corps of Engineers Nationwide Permit No. 3 (Maintenance).

The proposed dedication of New Road right of way to DelDOT, road widening and associated culvert upgrade will require authorization from the Corps of Engineers through Nationwide Permit No. 14 (Linear Transportation Projects).

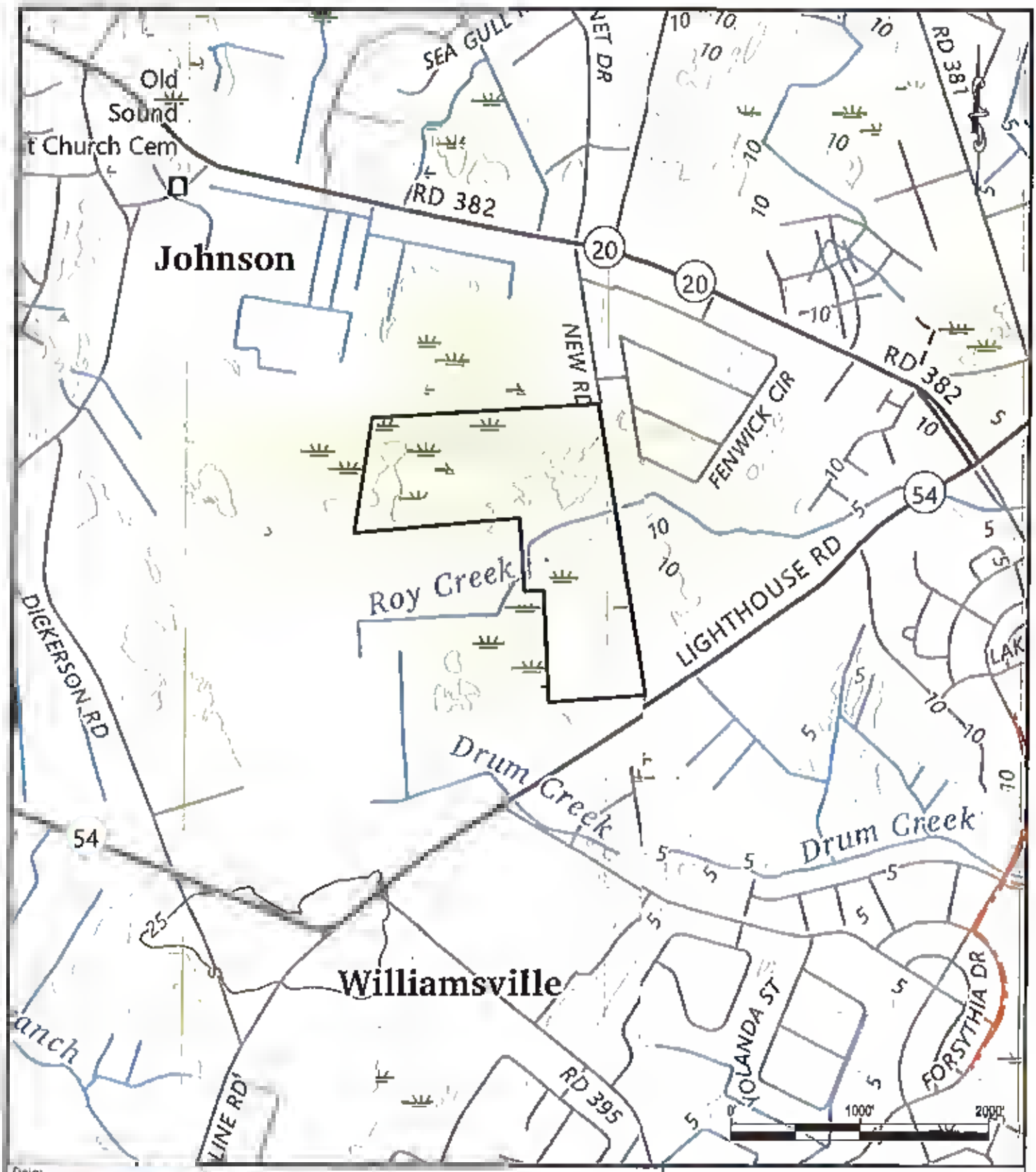
CONCLUSION

A limited network of shallow, poorly maintained, manmade drainage channels provide conveyance for drainage from properties west of the project site. These ephemeral channels drain to a culvert under New Road through a 1.29 acre federally regulated wetland.

The design of the proposed project provides for a complete reconstruction of this channel network, including the upgrade of the culvert at New Road. The proposed Marlin Cove project will maintain the currently existing drainage channel network and upgrade the drainage capacity of this system as necessary.

EXHIBIT 1

U.S. GEOLOGICAL SURVEY
TOPOGRAPHIC SURVEY



Date:	OCTOBER, 2024
Scale:	1" = 1000'
Dwn.By:	KWW
Proj.No.:	0786#0752
SELBYVILLE/ASSAWOMAN BAY QUADRANGLE	
Dwg.No.:	SHEET 1

USGS TOPO MAP

MARLIN COVE

TAX MAP PARCELS:
533-19.00-7.00, 8.01, & 9.00
BALTIMORE HUNDRED, SUSSEX COUNTY, DE

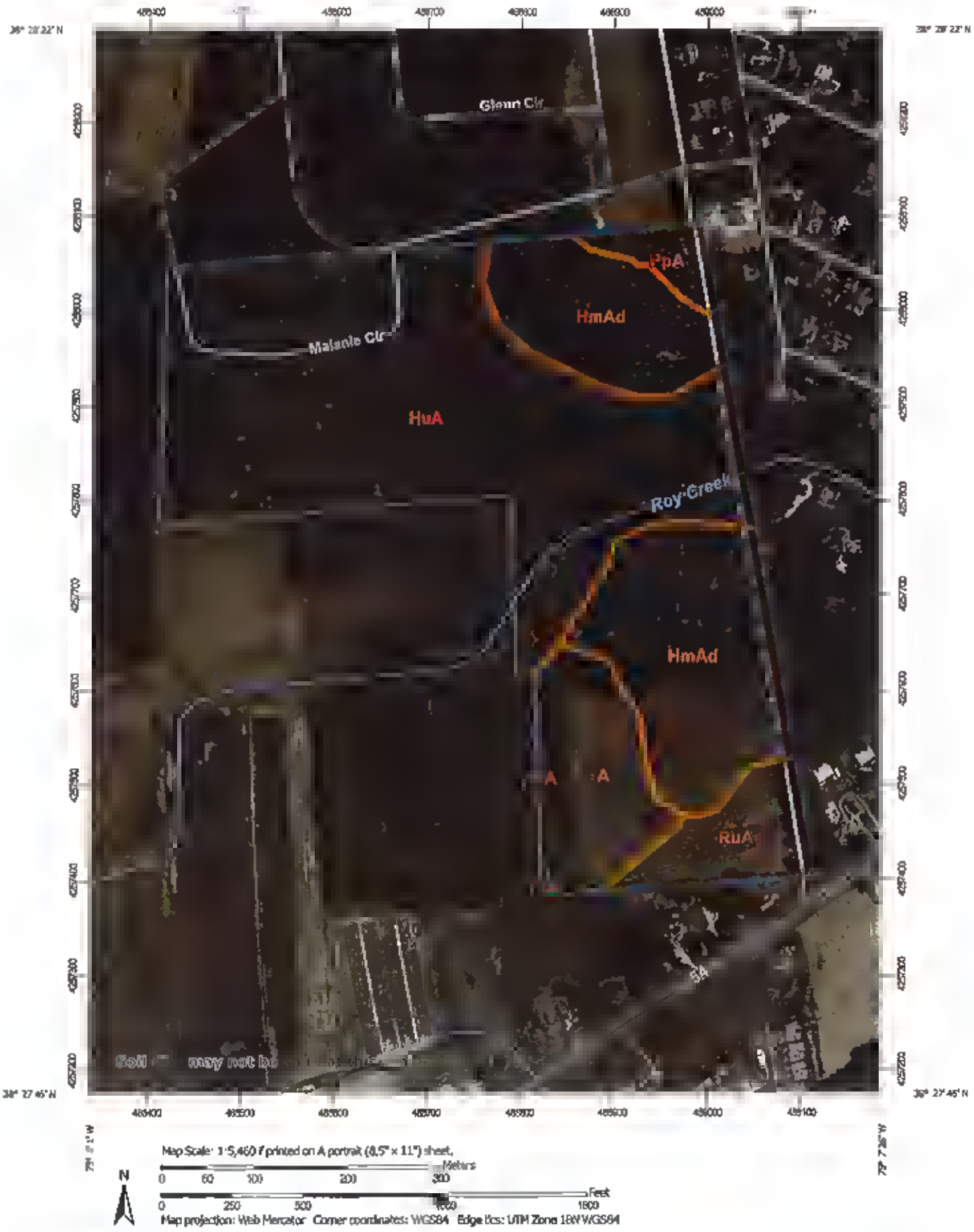
ENVIRONMENTAL RESOURCE INSIGHTS
A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.

©2024

EXHIBIT 2

U.S. DEPARTMENT OF AGRICULTURE
SOIL SURVEY

Soil Map—Sussex County, Delaware
(USDA Soil Survey)



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

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

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

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

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

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 25, Aug 31, 2024

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

Date(s) aerial images were photographed: May 30, 2022—Jul 4, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

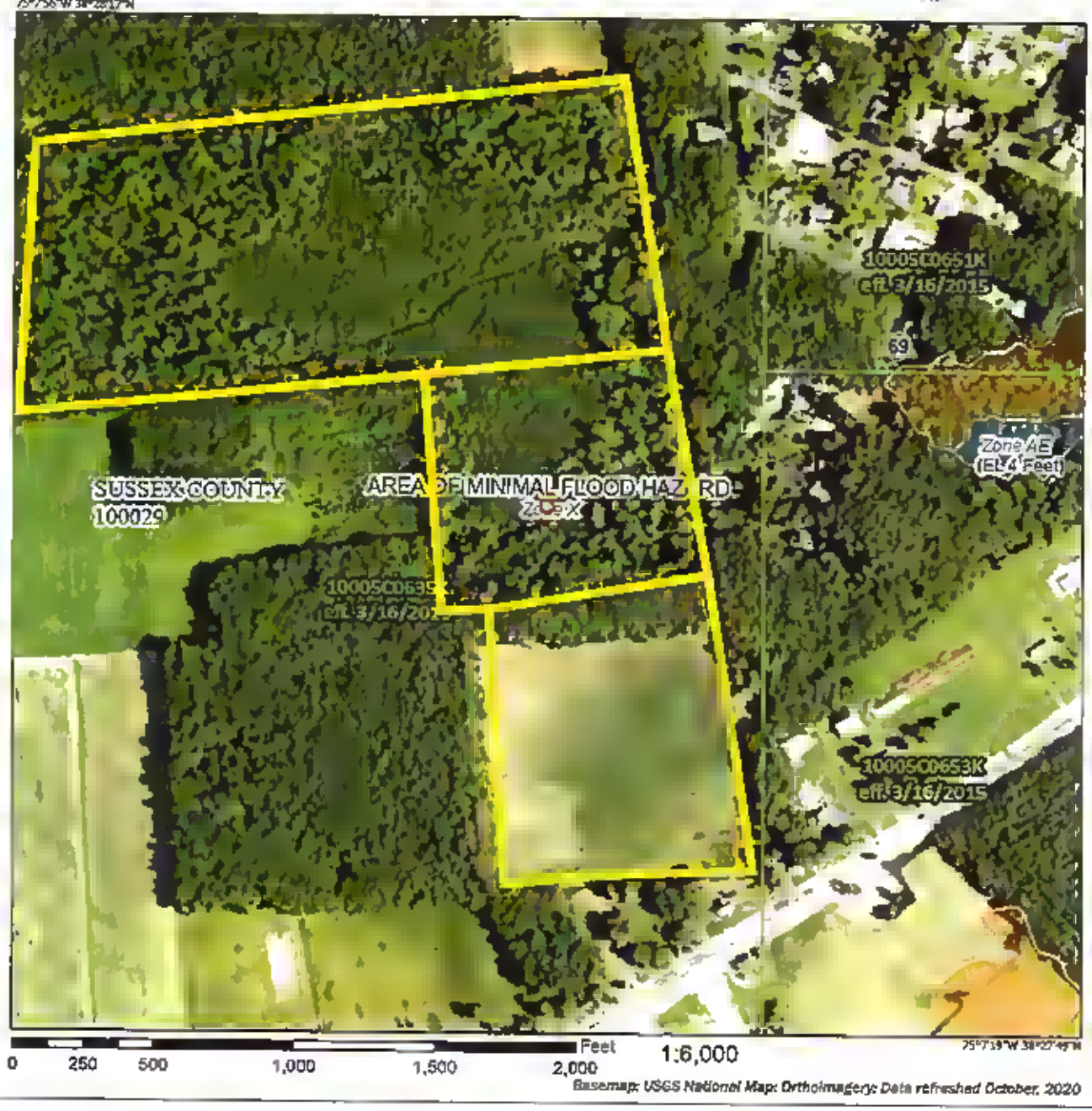
Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HmAd	Hammonton loamy sand, 0 to 2 percent slopes, Northern Tidewater Area	19.3	28.0%
HuA	Hurlock loamy sand, 0 to 2 percent slopes	37.0	53.7%
KsA	Klej loamy sand, 0 to 2 percent slopes	6.8	9.9%
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	1.7	2.5%
RuA	Runclint loamy sand, 0 to 2 percent slopes	4.1	5.9%
Totals for Area of Interest		68.8	100.0%

EXHIBIT 3

FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION FLOOD INSURANCE MAPS

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **6/14/2022 at 2:58 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

EXHIBIT 4

SITE PHOTOGRAPHS

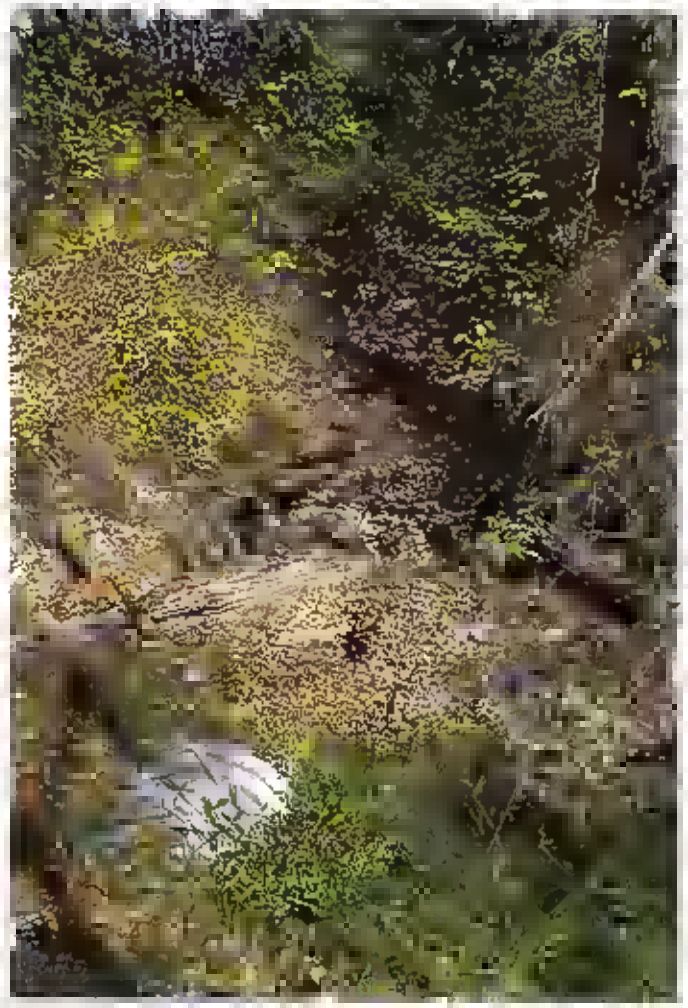


Photo 1 View of tributary channel to Roy Creek and 18" diam. Culvert under New Road oppsite project site & 1.29 acre Corps regulated wetland

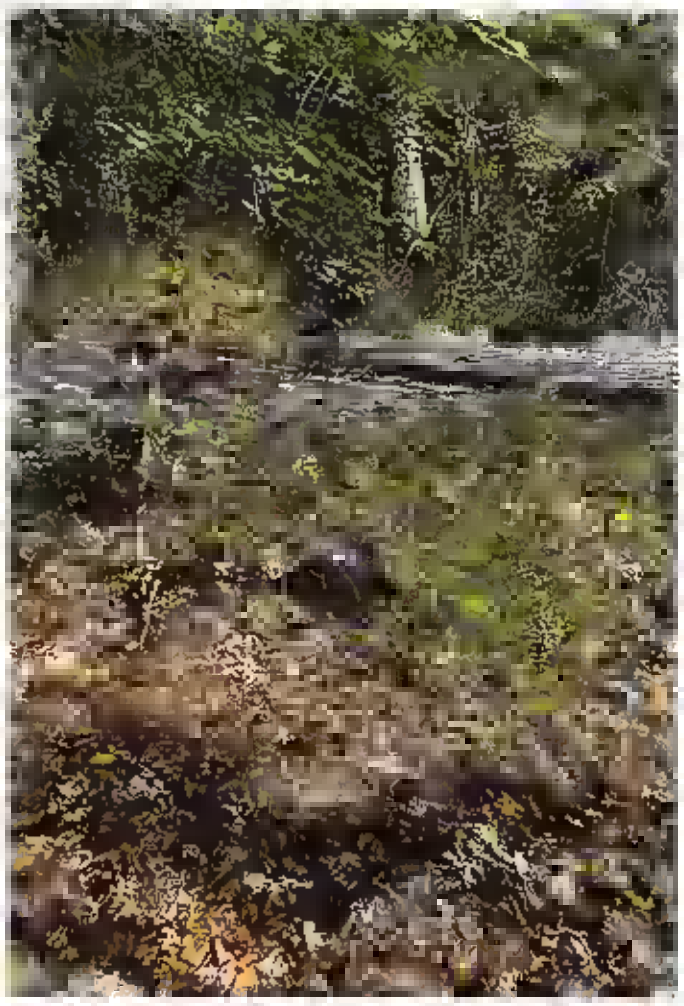


Photo 2 View of 18" culvert under New Road and shallow intermittent man made stream channel within 1.29 acre Corps regulated Wetland

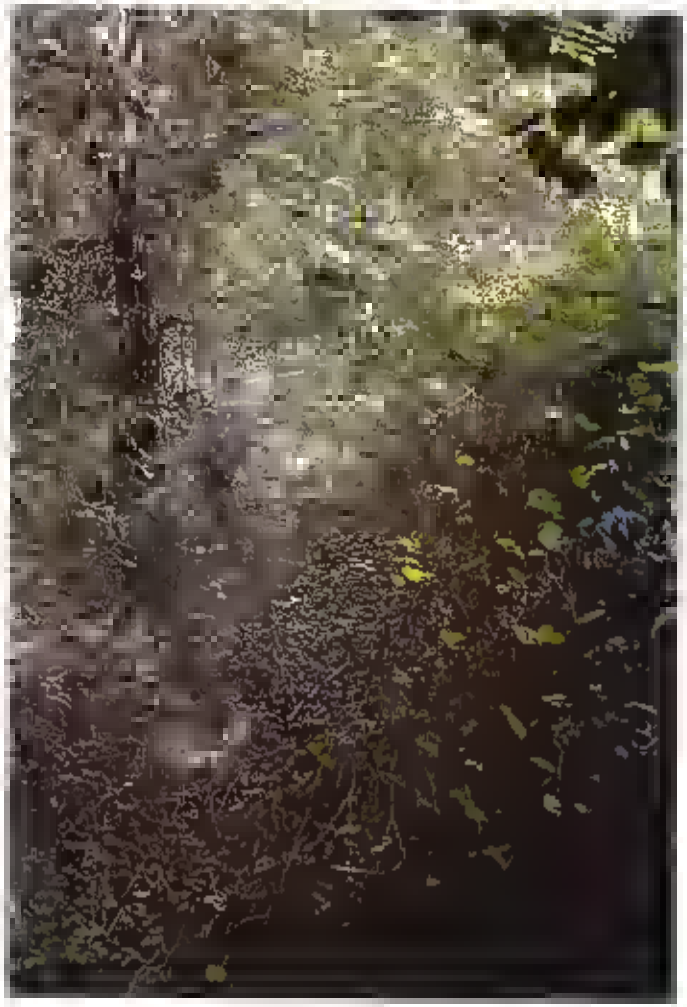


Photo 3 View of man made intermittent channel within 1.29 acre Corps regulated Wetland 25 feet West of new road..

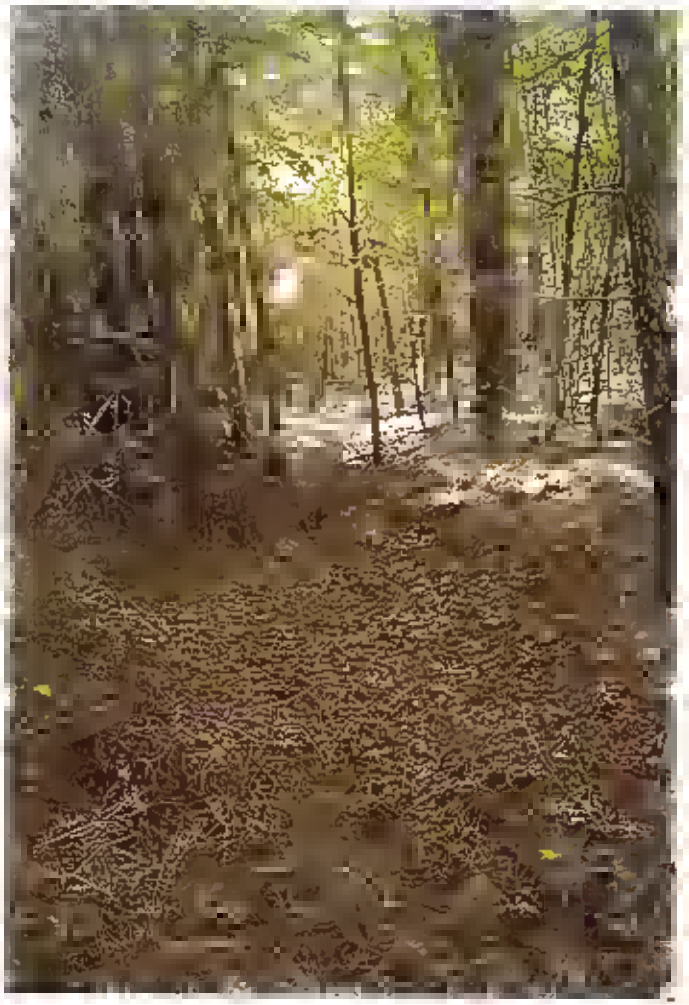


Photo 4 View of man-made intermittent channel approx. 100 feet west of New Road within Wetland, Shallow, low bank height & poorly defined with small pine trees in channel



Photo 5 - Shallow & poorly defined man made channel within Corps regulated wetland about 150 feet West of New Road. Impacted by woody debris & tree falls.



Photo 6 Shallow & poorly defined man made channel within Corps regulated wetland about 250 feet West of New Road. Impacted by woody debris and tree falls.



Photo 7 Start of ephemeral Channel in uplands, west of Corps regulated wetland. Shallow Channel impacted by woody debris & treefalls.



Photo 8 Ephemeral man made channel in uplands approx. 230 feet west of Corps regulated wetland. Poorly defined, shallow & impacted by woody debris



Photo 9 - View of ephemeral channel at approximate location of Road A culvert crossing looking west to channel intersection near western property line



Photo 10 View of "T" intersection of north-south ephemeral channels in uplands



Photo 11 View of "L" intersection with south channel coming from Griffin property near project property line Channel shallow & overgrown.



Photo 12 View of north channel approximately 50' feet north of channel draining to New Road. Very poorly defined, overgrown and impacted by large abutting trees.



Photo 13 Second view of north ephemeral channel section approaching "L" intersection with north channel coming off Griffin property. Channel is almost absent



Photo 14 View of ephemeral channel looking north onto Griffin property immediately west of property line & "L" intersection

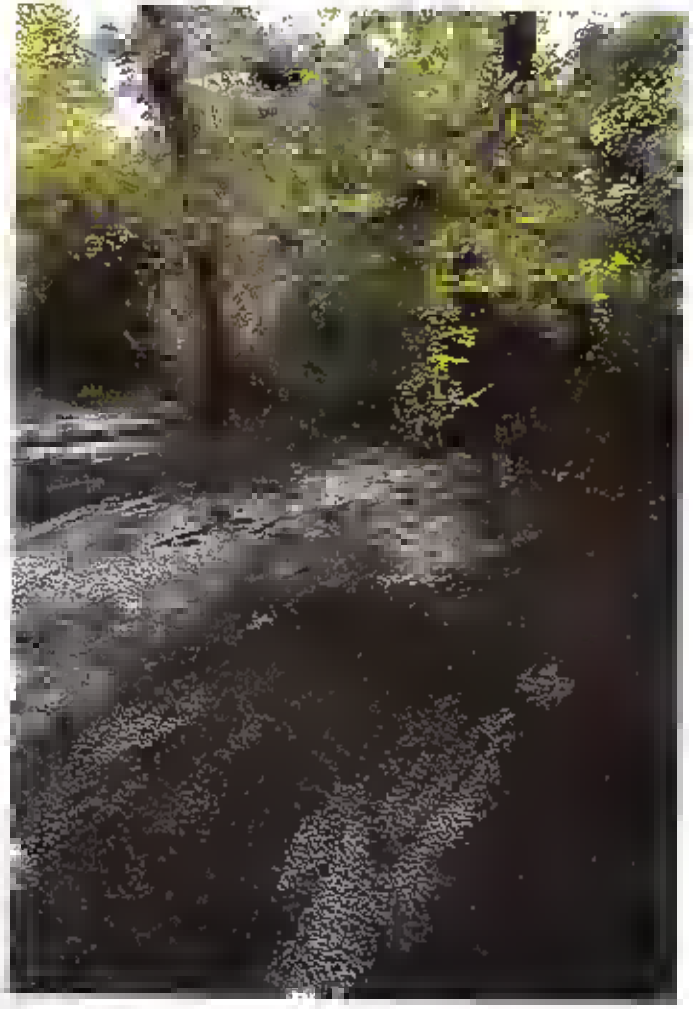


Photo 15 - Roadside view into topographically isolated 1.38 acre "non-jurisdictional" wetland created during 2011 timbering operations.

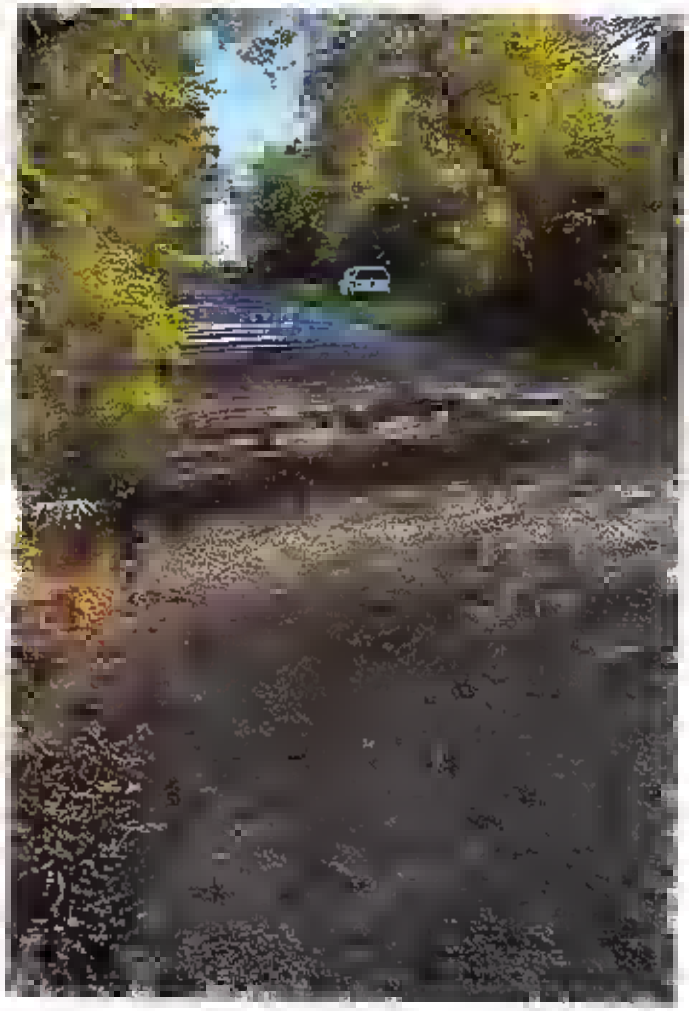


Photo 16 View south along New Road just north of 18 inch culvert draining 1.29 acre Corps regulated wetland and off-site properties to the west.

Resource Buffer Management Plan

Marlin Cove Residential Subdivision
Tax Map Parcels 533-19.00-7.00, 8.01 & 9.00
Baltimore Hundred, Sussex County, DE

October 29, 2024

Prepared for

Marlin Cove, LLC &
Atlantic Building Associates, Inc.
13053 Old Stage Road
Bishopville, MD 21813

Prepared by

Vista Design, Inc.
11634 Worcester Highway
Showell, MD 21862

&

Edward M. Launay, SPWS No. 875
Environmental Resource Insights
One Park Avenue
Milford, DE 19963

ERI Project No. 0786#0752

Introduction & Project Description

The Marlin Cove Subdivision occupies 60.84 acres of land in an unincorporated area of the Baltimore Hundred. It consists of three tax parcels identified in the Sussex County tax records as Tax Map Parcels 533-19.00-7.00, 8.01 & 9.00. These parcels front along the western side of New Road (Sussex County Road 391).

In accordance with Department of Natural Resources and Environmental Control (DNREC) maps, no state regulated wetlands occur on or near the subject site. Environmental Resource Insights (ERI) delineated the boundary of federally regulated wetlands and waters on the subject site in accordance with the *1987 Corps of Engineers Wetland Delineation Manual* and all currently applicable supplemental guidance including the *Atlantic & Gulf Coast Regional Manual* (Version 2.0) and the *2023 Waters of the U.S. Rule*, amended August 29, 2023 in accordance with *Sackett v. EPA* and *Rapanos v. U.S.* which defines the jurisdiction of the Clean Water Act of 1972 and the limits of the Corps Regulatory Program.

The locations of both wetlands and waters subject to the Corps Regulatory Program and other non-jurisdictional wetlands are illustrated on "Marlin Cove Subdivision – Preliminary Subdivision / Conditional Use Plan" as prepared by Vista Design, Inc., Showell, Maryland (Subdivision Plans).

This project is subject to ordinances which require the establishment of Resource Buffers from state or federally regulated waters and wetlands, and the Subdivision Plan illustrates how the proposed project will comply with Sussex County Code. The project site contains non-tidal wetlands and within those jurisdictional wetlands, a drainage channel classified as having intermittent flow connects to nearby Roy Creek. These features are defined as "Resources" under Sussex County Code and establishment of Resource Buffers is required to protect these features. The purpose of the Resource Buffers as stated in Sussex County Code as adopted by Ordinance 2852 (Drainage & Resource Buffers) is to:

- *Protect the resources and their associated functions.*
- *Improve/protect water quality via sediment filtration, reduce impact of nutrient loading on Resources, moderate water temperature, and enhance infiltration and stabilization of channel banks.*
- *Provide wildlife habitat via nesting, breeding and feeding opportunities; provide sanctuary/refuge during high water events; protect critical water's edge habitat; and protect rare, threatened, and endangered species associated with each resource and its upland edge.*
- *Enhance and/or maintain the flood plain storage functionality via reduction of flood conveyance velocities as well as dissipation of stormwater discharge energy.*

Existing Site Conditions & Establishment of Resource Buffers

The 60.84 acre project site consists of 12.30 acres of active agricultural field and other open grassland (see Subdivision Plan – Existing Conditions). The remaining 48.54 acres consists of wooded land. Of that amount, approximately 36 acres within tax map parcels 533-19.00-8.01, & 9.00 were heavily impacted by timber harvest activities in 2011. Based on ERI's site investigations that occurred prior to logging, a currently existing topographically isolated non-jurisdictional wetland totaling 1.38 acre was created from former uplands due to the land disturbance and compaction that occurred during timbering operations.

A second area of longstanding palustrine forested wetlands totaling 1.33 acres was avoided during timber harvest operations along with upland forest occurring on tax map parcel 533-19.00-7.00. This wetland is connected to the downstream navigable waters of Roy Creek and Assawoman Bay by an internal man-made intermittent stream channel totaling 0.05 acres. This channel drains southeast under New Road via an existing 18" diameter corrugated metal culvert. This wetland and the intermittent stream channel within it are subject to the Corps of Engineers Regulatory Program. Accordingly, these two features are considered "Resources" under Sussex County Code and a 30 foot perimeter resource buffer is required.

In the case of the topographically non tidal wetland located wholly on tax map parcel 533-19.00-9.00 resulting from 2011 logging operations, no resource buffer is required. This area will be filled for development and partially converted into a stormwater management facility.

Ordinance No. 2852 as adopted by Sussex County Council was careful to define that only those wetlands and waters under either state or federal wetland regulation, would be considered as "Resources" from which buffers would be required.

Ordinance No. 2852 defined a "Non-Tidal Wetland" as follows - "*Non-Tidal Wetlands are those wetlands, not classified by this Chapter as Tidal Wetlands, which lie contiguous or abutting to Tidal Waters, Tidal Wetlands, Perennial Streams or those Intermittent Streams providing a surface water connection between adjacent Wetlands and ultimately downstream navigable waters. Non-Tidal Wetlands also include those Wetlands only separated from otherwise contiguous or abutting Wetlands by constructed dikes, barriers, culverts, natural river berms and beach dunes*". Therefore, this 1.38 acre non-jurisdictional wetland does not require a resource buffer and there are no regulations prohibiting its use and development.

The Marlin Cove project has been designed to exceed resource buffer requirements. As part of developing the project, DelDOT requires dedication of an additional 30 foot right of way for the widening of New Road. This also involves the replacement and lengthening of the 18 inch diameter culvert under the road connecting the jurisdictional wetland to the downstream tidal waters of Roy Creek. This infrastructure activity will be subject to an authorization to be obtained from the U.S. Army Corps of Engineers under their Nationwide Permit Program

(*Nationwide Permit No. 14 – Linear Transportation Projects*). Total impacts to wetlands and waters will be 0.06 acre.

This aspect of the project is a "Permitted Activity" as listed in Table 2 of Ordinance 2852 and the extent of the resource buffer is therefore calculated based upon the as built condition after DelDOT required road widening. Sheet 11 of the Subdivision Plan (Proposed Resource Buffer and Drainage Channel Maintenance Plan) provides specific detail with respect to the location and extent of the proposed resource buffer.

The required 30 foot resource buffer for the jurisdictional non tidal wetland and the associated portion of the intermittent stream totals 28,371 square feet. No buffer averaging is proposed. However, as an element of superior design, where possible, the Zone B resource buffer has been expanded to 45 feet, the maximum resource buffer width permitted under Code. An additional 5,511 square feet of resource buffer is thereby provided (Total Resource Buffer = 23,881 square feet). Additional forest retention is also proposed abutting the resource buffer and protected wetland in the form of a designated Forest Retention Area totaling 9,690 square feet. The Forest Retention Area, resource buffer and associate wetland and waters will provide for a 1.003 acre (43,571 square feet) "Conservation Area" post development located within open space Outlot C.

In lieu of posting the resource buffer boundary with signage at 100 foot intervals, the project proposes to post the overall "Conservation Area" boundary with signage and the entire Conservation Area will be subject to the Resource Buffer Management Plan as described herein. A detail of proposed signage is provided on Sheet 11 of the Subdivision Plan.

Access for management or maintenance of the Conservation Area and associated intermittent stream channel will be obtained from the New Road right-of-way or the portion of subdivision "Road A" which directly borders it.

Resource Buffer Management Plan

In the case of the proposed Conservation Area, the Resource Buffer Management Plan will consist of a hands-off approach. No land disturbing maintenance activities within this area or the associated intermittent stream channel is anticipated in the future. As described in the Marlin Cove Drainage Assessment Report, reconstruction and restoration of the intermittent and ephemeral portions of the drainage channel conveying potential runoff through the project site will occur during construction.

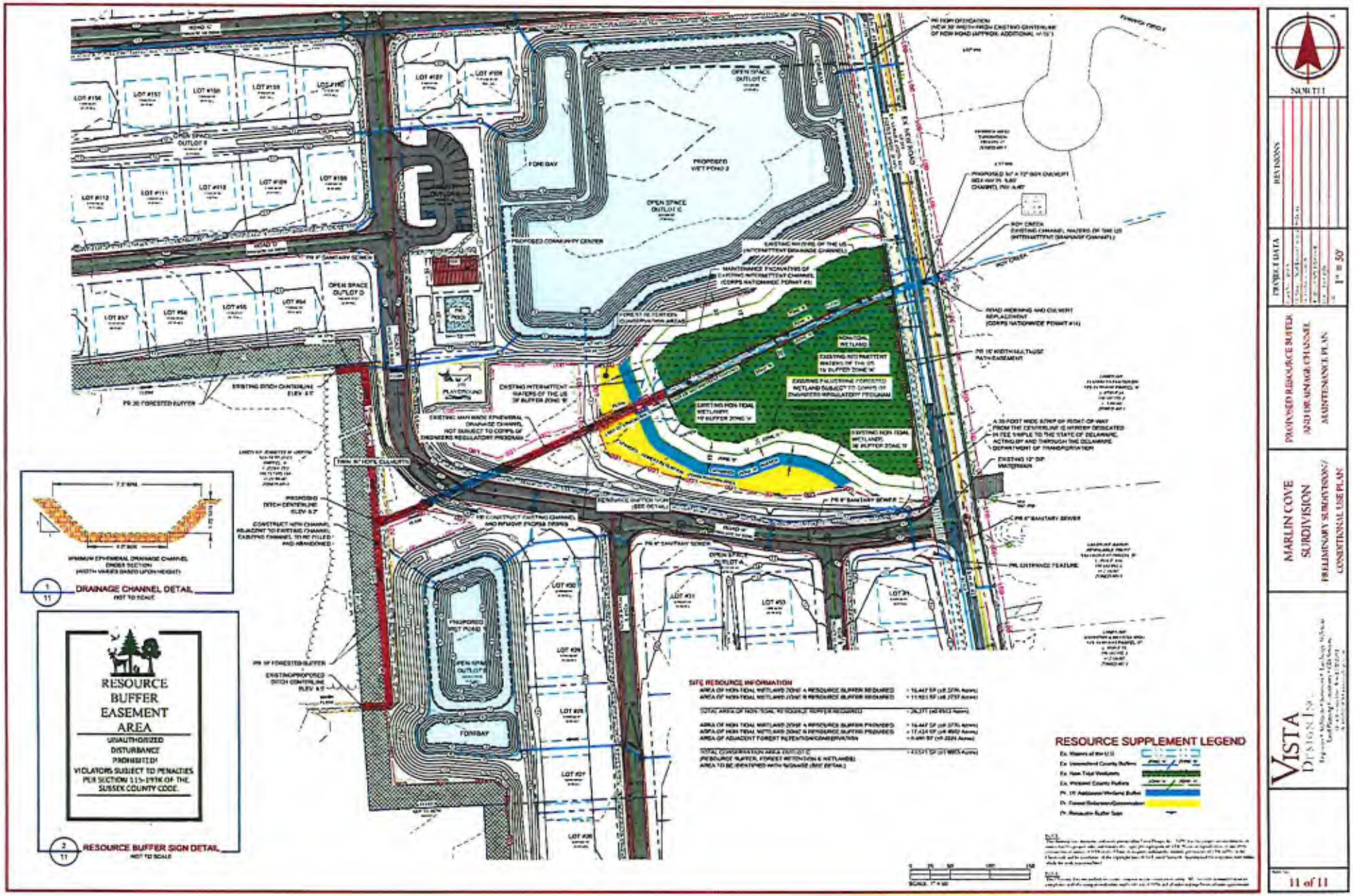
Should any emergency removal of vegetation endangering residents, infrastructure or activities for maintaining capacity of the onsite drainageways or intermittent stream be required in the future, those activities are permitted to occur. As specified by the Drainage and Resource Buffer Ordinance No. 2852, such work will be conducted under the supervision of a qualified professional as designated by the Code. No lots are situated near the proposed Conservation Area, so emergency situations are unlikely.

This Resource Buffer Management Plan will serve as the guideline for the future Homeowners Association. Silvicultural or Pest Management Plans to promote the health of the Resource Buffer is also permitted as needed, under the supervision of a qualified professional.

The outer permitter of the Conservation Area will be marked with signage as specified by Sheet 11 of the Subdivision Plan. The developer, succeeded by the future Homeowners Association, shall be responsible for inspecting signage and making any required repairs at a minimum two-year interval.

EXHIBIT ONE

Resource Buffer (Reduced Size)
&
Drainage Channel Maintenance Plan
Sheet 11 – Preliminary Subdivision Plan


RESOURCE BUFFER EASEMENT AREA
UNAUTHORIZED DISTURBANCE PROHIBITED!
VIOLATORS SUBJECT TO PENALTIES PER SECTION 115-193K OF THE SUSSEX COUNTY CODE.
RESOURCE BUFFER SIGN DETAIL
DRAINAGE CHANNEL DETAIL
SITE RESOURCE INFORMATION
RESOURCE SUPPLEMENT LEGEND
PROPOSED RESOURCE BUFFER AND DRAINAGE CHANNEL MAINTENANCE PLAN
MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN
VISTA
11 of 11

MARLIN COVE

(2023-08, CZ 2016, C/U 2459)



Marlin Cove

VISTA DESIGN INC

MARLIN COVE

- 3 Existing Parcels located on New Road
  - 533-19.00-(-7.00, -8.01 & -9.00)
- Between Selbyville and Fenwick
- 0.5 miles east of Williamsville
- 100 feet north of Lighthouse Road (DE Rt 54)
- 1,300 feet south of Zion Church Road (DE Rt 20)



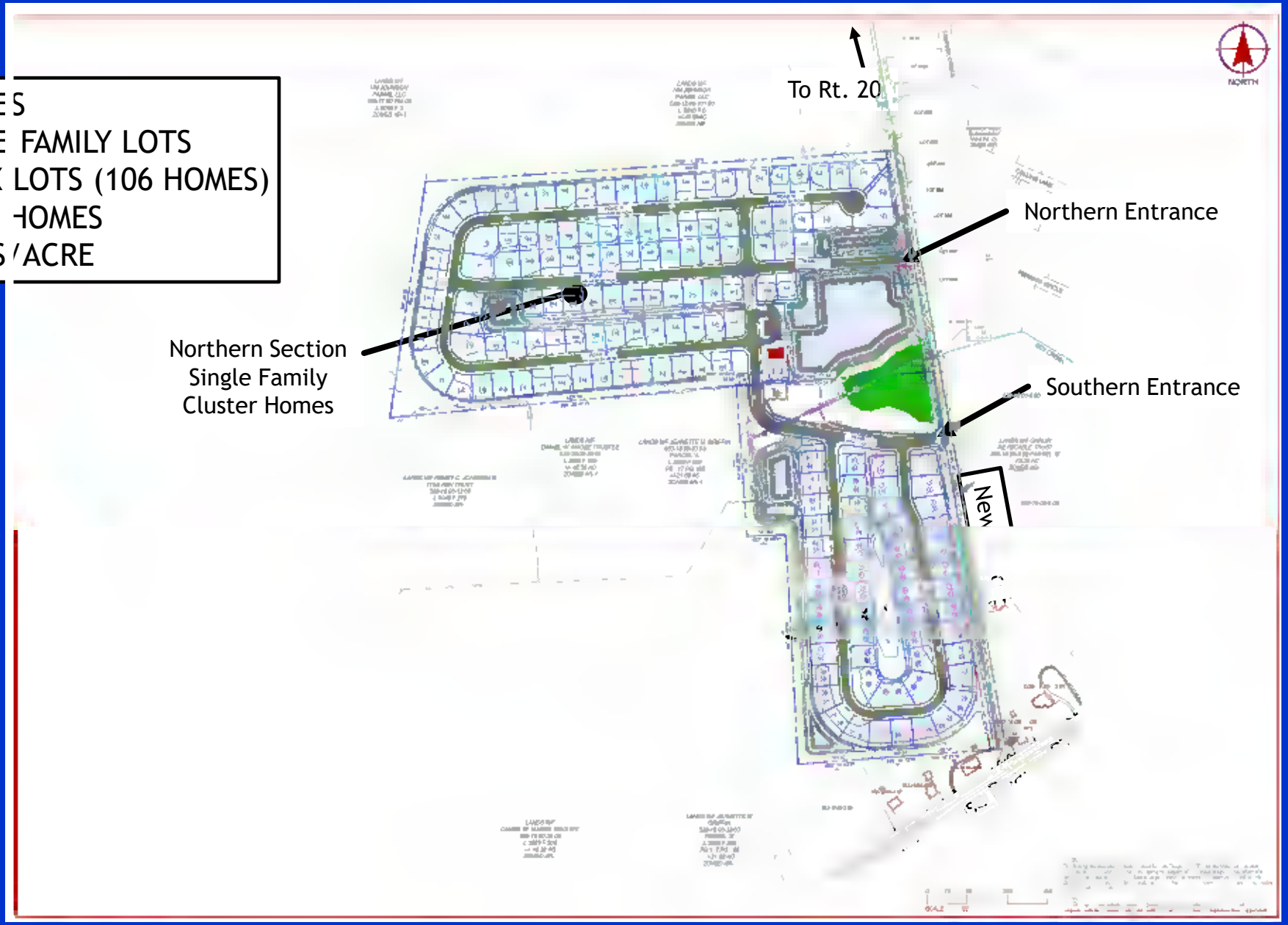
Marlin Cove

Map Source: ADC The Map People
Sussex County, Delaware
Date Published: 2005

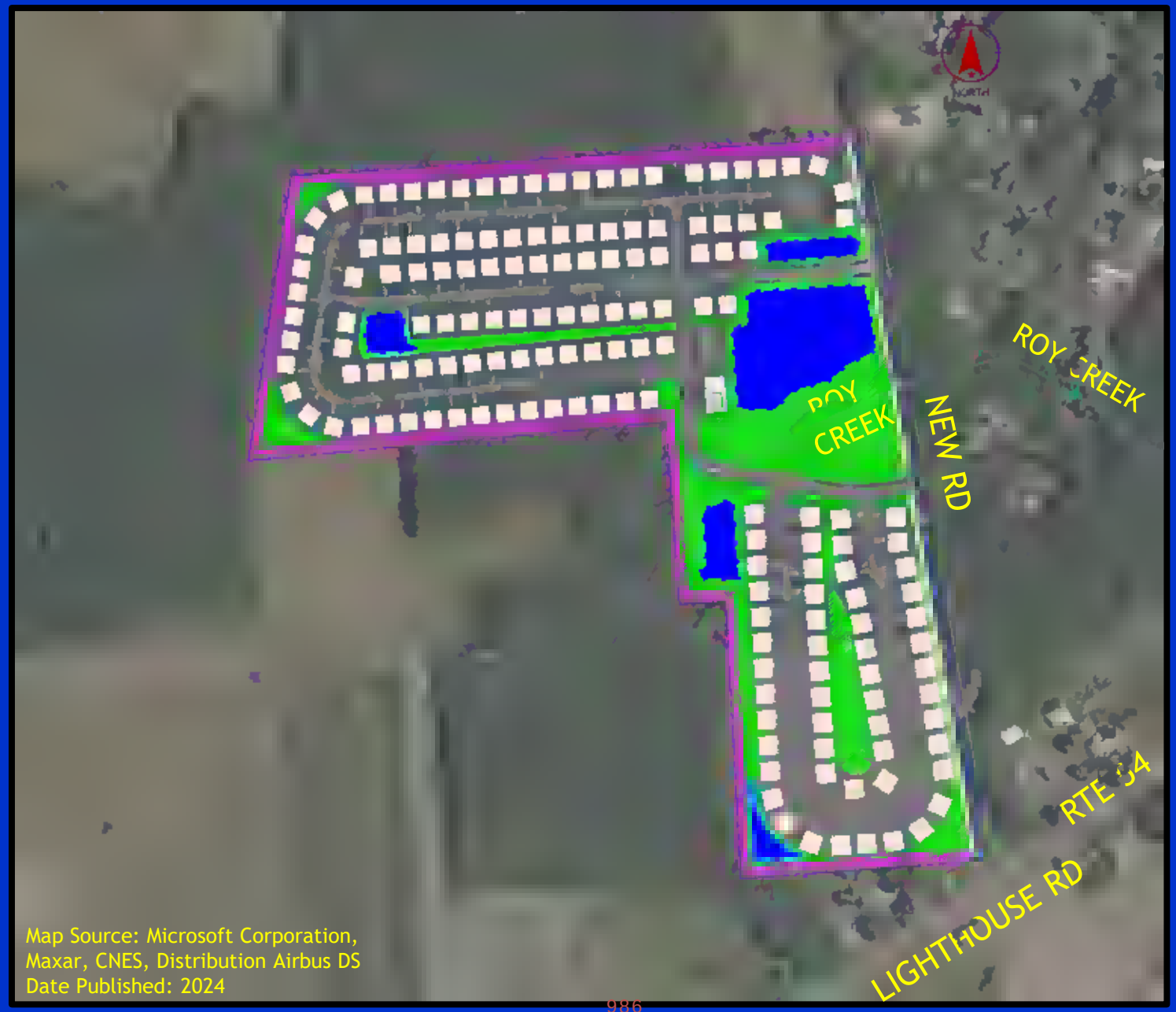
VISTA DESIGN INC

Marlin Cove - Subdivision

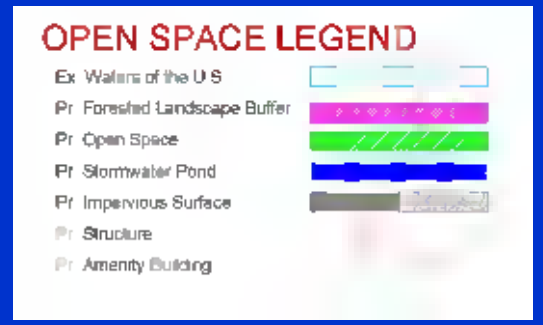
- 60.84 ACRES
- 107 SINGLE FAMILY LOTS
- 53 DUPLEX LOTS (106 HOMES)
- 213 TOTAL HOMES
- 3.50 UNITS/ACRE



MARLIN COVE - PROPOSED COMMUNITY OPEN SPACE



- OPEN SPACE
  - 30% REQUIRED
    - 18.25 AC
  - 32.4% PROVIDED
    - 19.69 AC

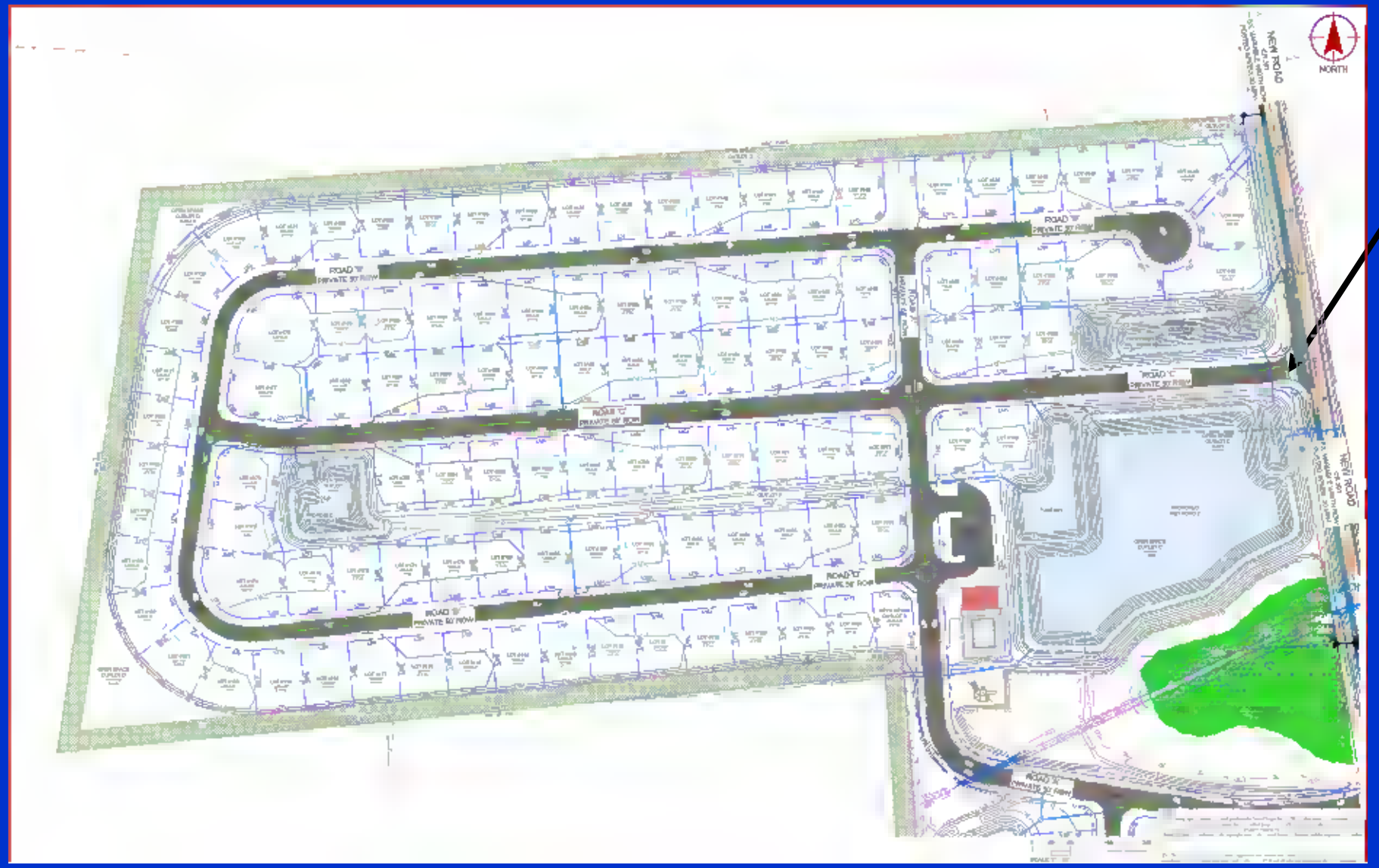


Marlin Cove

VISTA DESIGN INC

MARLIN COVE - NORTHERN SECTION

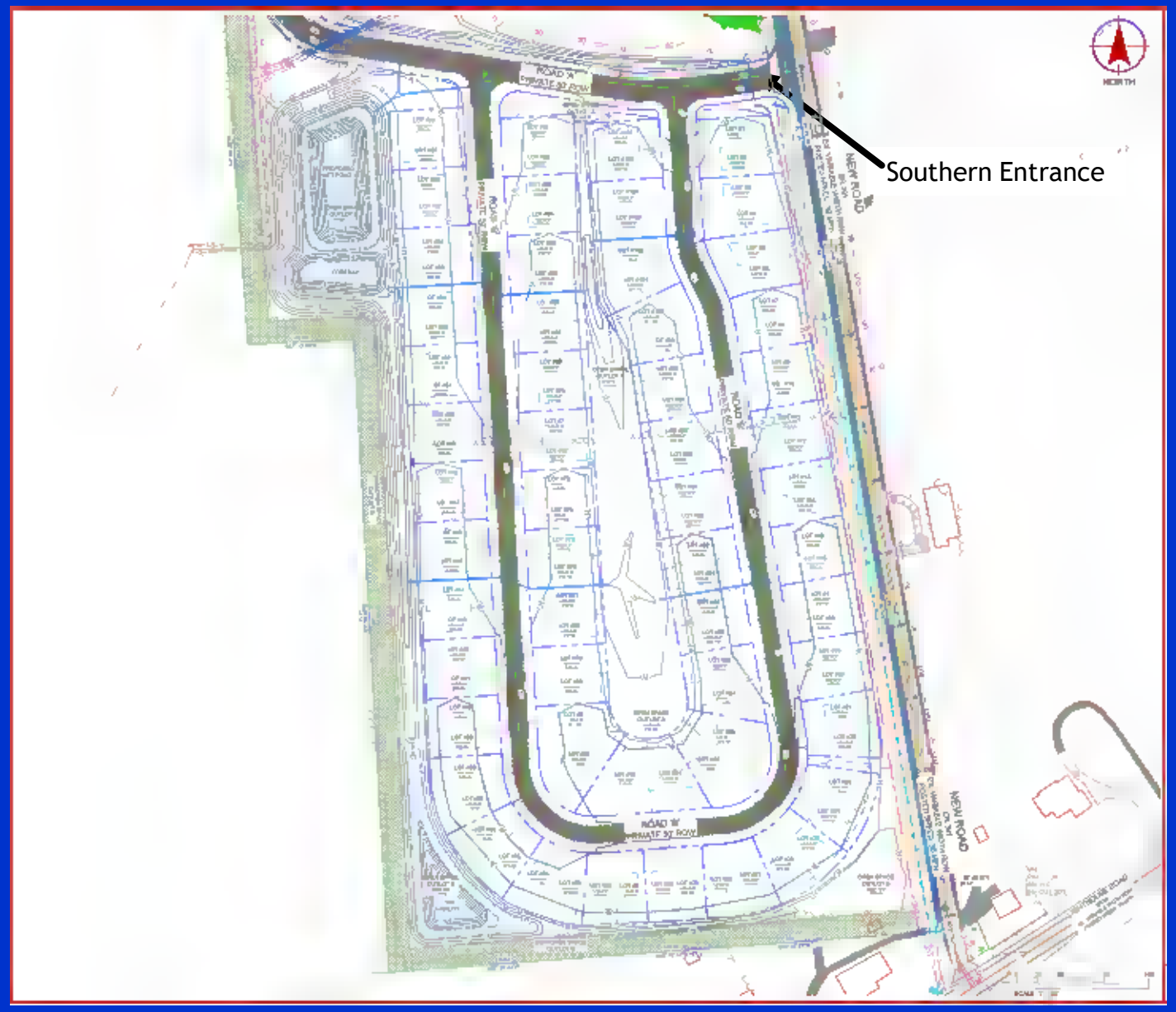
PARCEL 9.00 – 107 SINGLE FAMILY CLUSTER LOTS



Northern Entrance

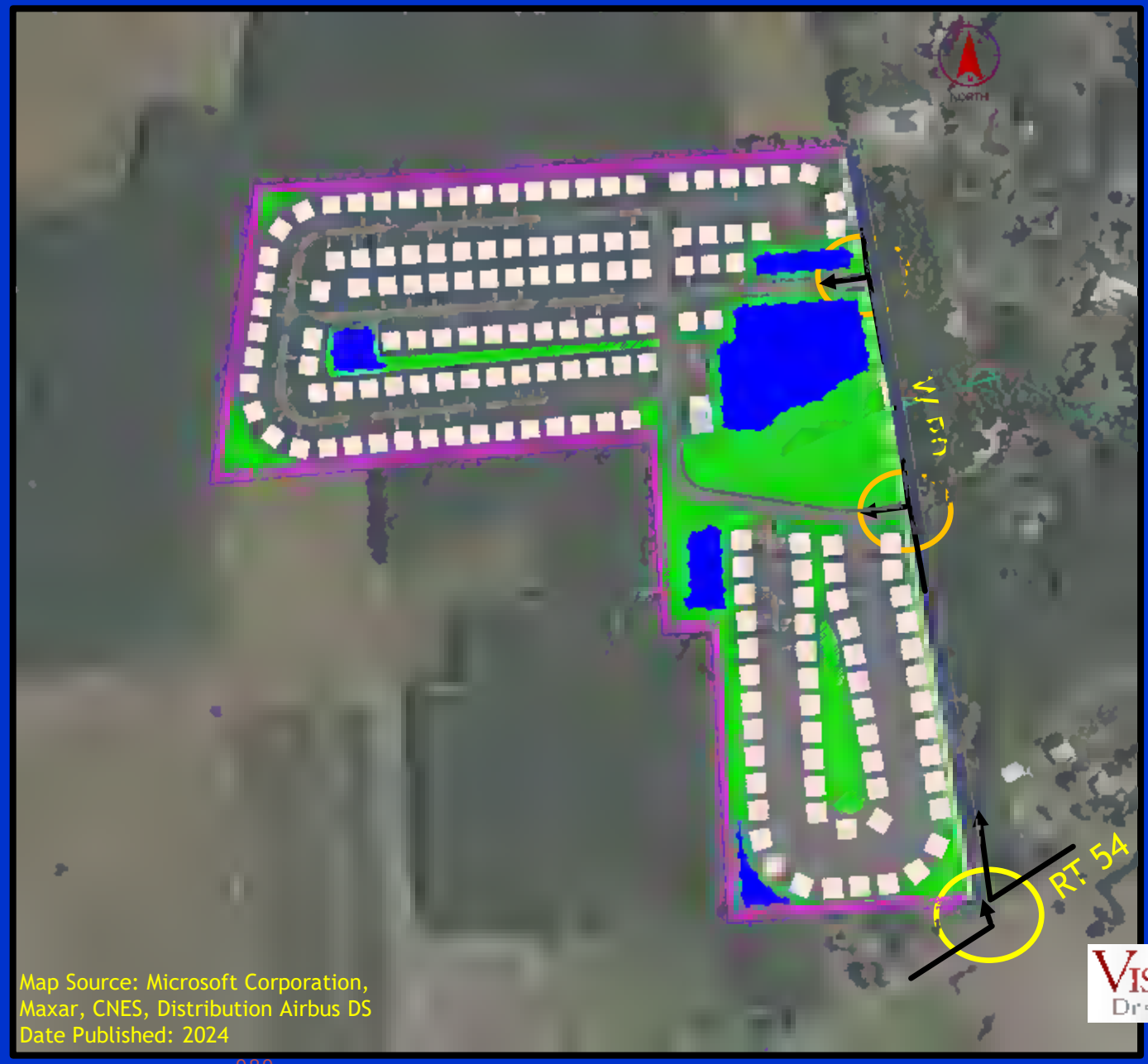
MARLIN COVE - SOUTHERN SECTION

PARCELS 7.00 & 8.01 – 53 DUPLEX LOTS (106 HOMES)



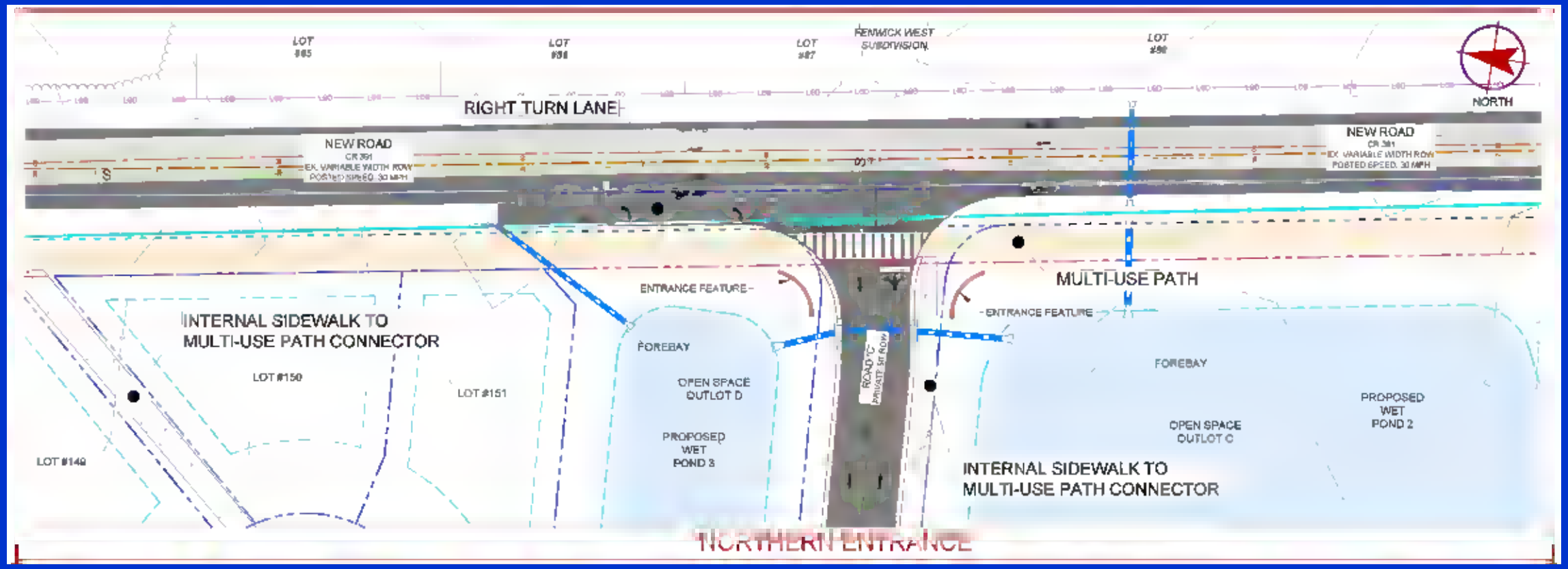
MARLIN COVE - DELDOT IMPROVEMENTS

- PER DELDOT TOA AGREEMENT #1945F ISSUED ARPIL 24, 2023
- FRONTAGE IMPROVEMENTS:
  - ROW DEDICATION
  - WIDENING TO DELDOT STANDARDS ACROSS FRONTAGE
  - SUBDIVISION ENTRANCES EACH WITH RIGHT TURN LANE INTO NEIGHBORHOOD
  - MULTI-USE PATH
- NEW RD/LIGHTHOUSE RD (RT. 54) INTERSECTION:
  - LEFT TURN FROM EASTBOUND RT. 54 TO NEW ROAD
  - RIGHT TURN FROM WESTBOUND RT. 54 TO NEW ROAD

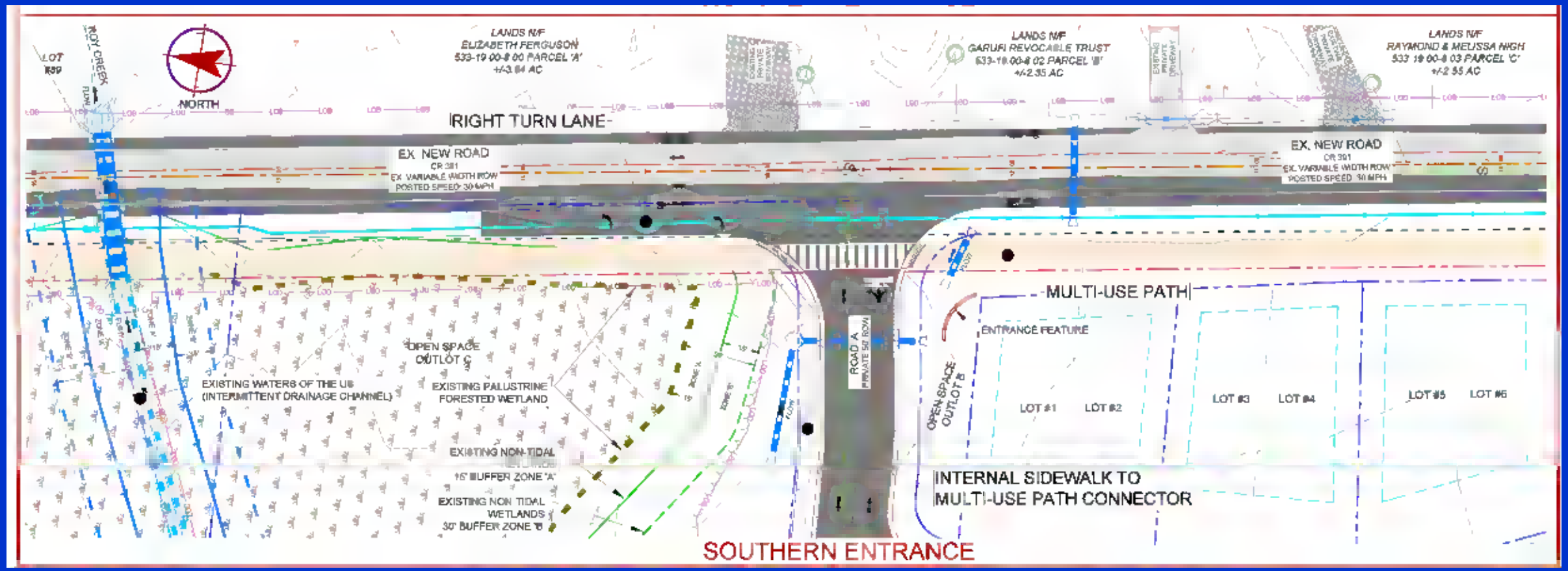


Marlin Cove

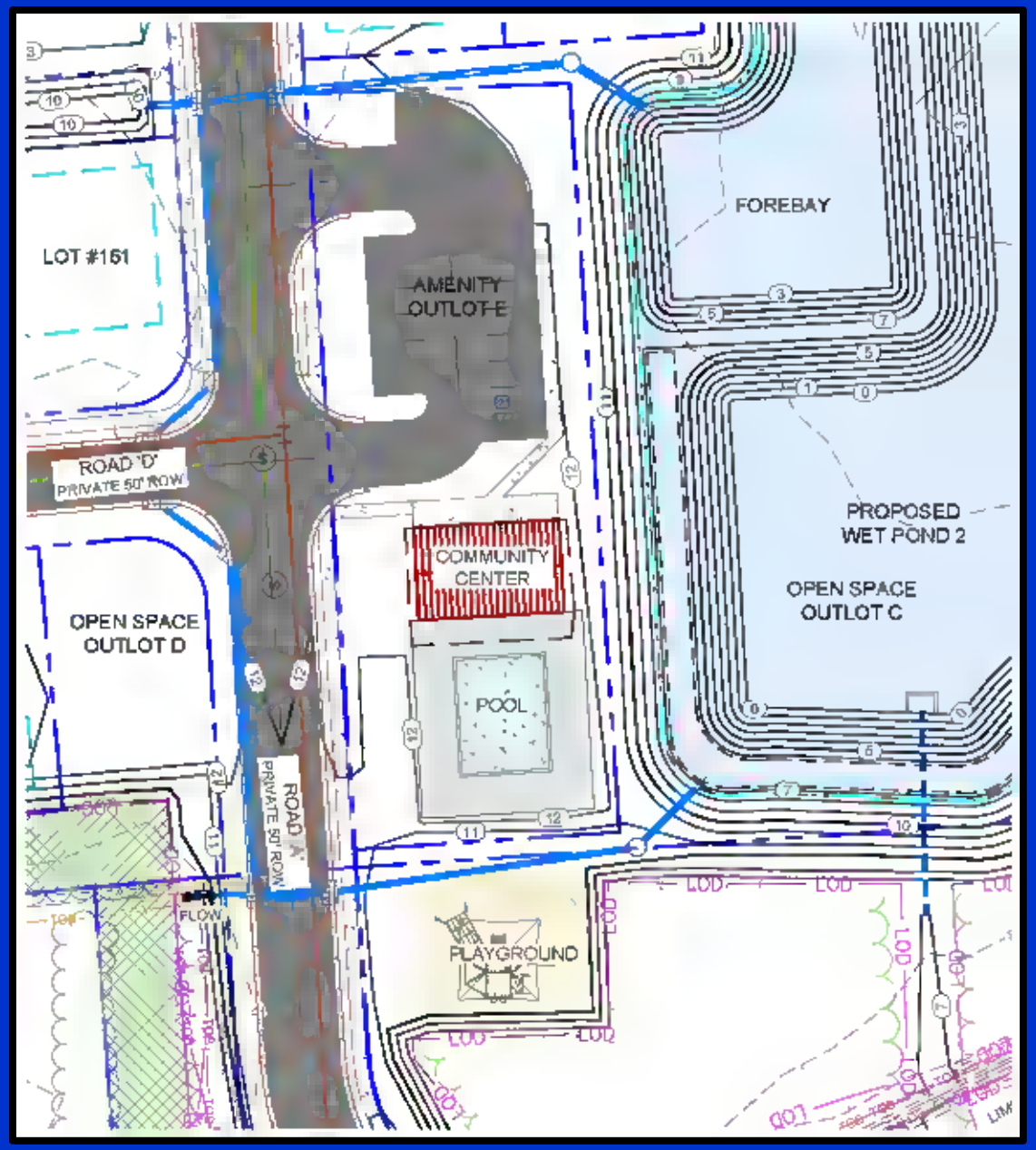
MARLIN COVE - NORTHERN ENTRANCE



MARLIN COVE - SOUTHERN ENTRANCE



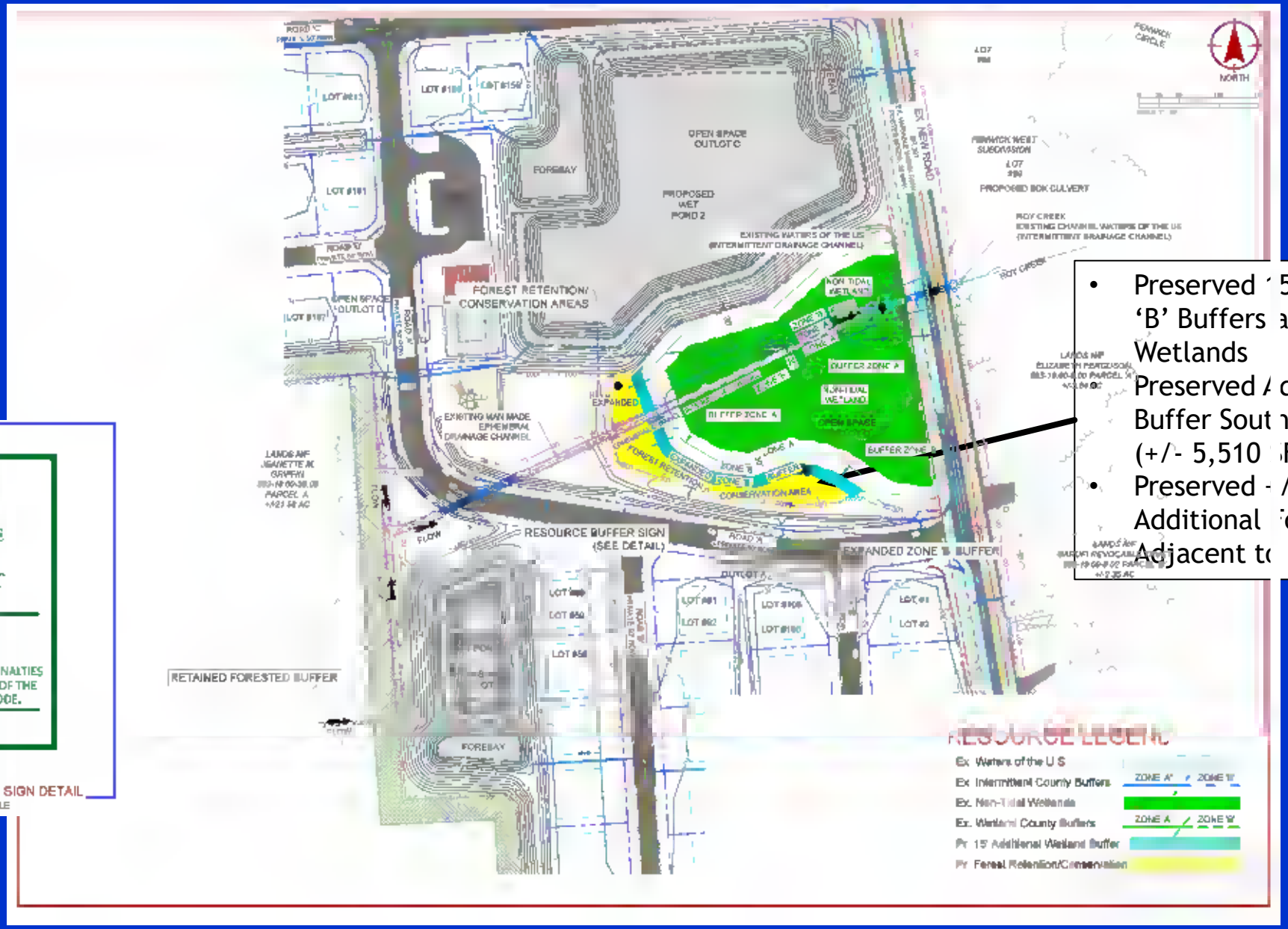
MARLIN COVE - COMMUNITY CENTER AND AMENITIES



- COMMUNITY CENTER
  - COMMUNITY ROOMS
  - BATH CHANGING ROOMS
  - POOL DECK
  - POOL
- PARKING
- ACTIVE SPACE
  - PLAYGROUND OR PICKLEBALL COURTS

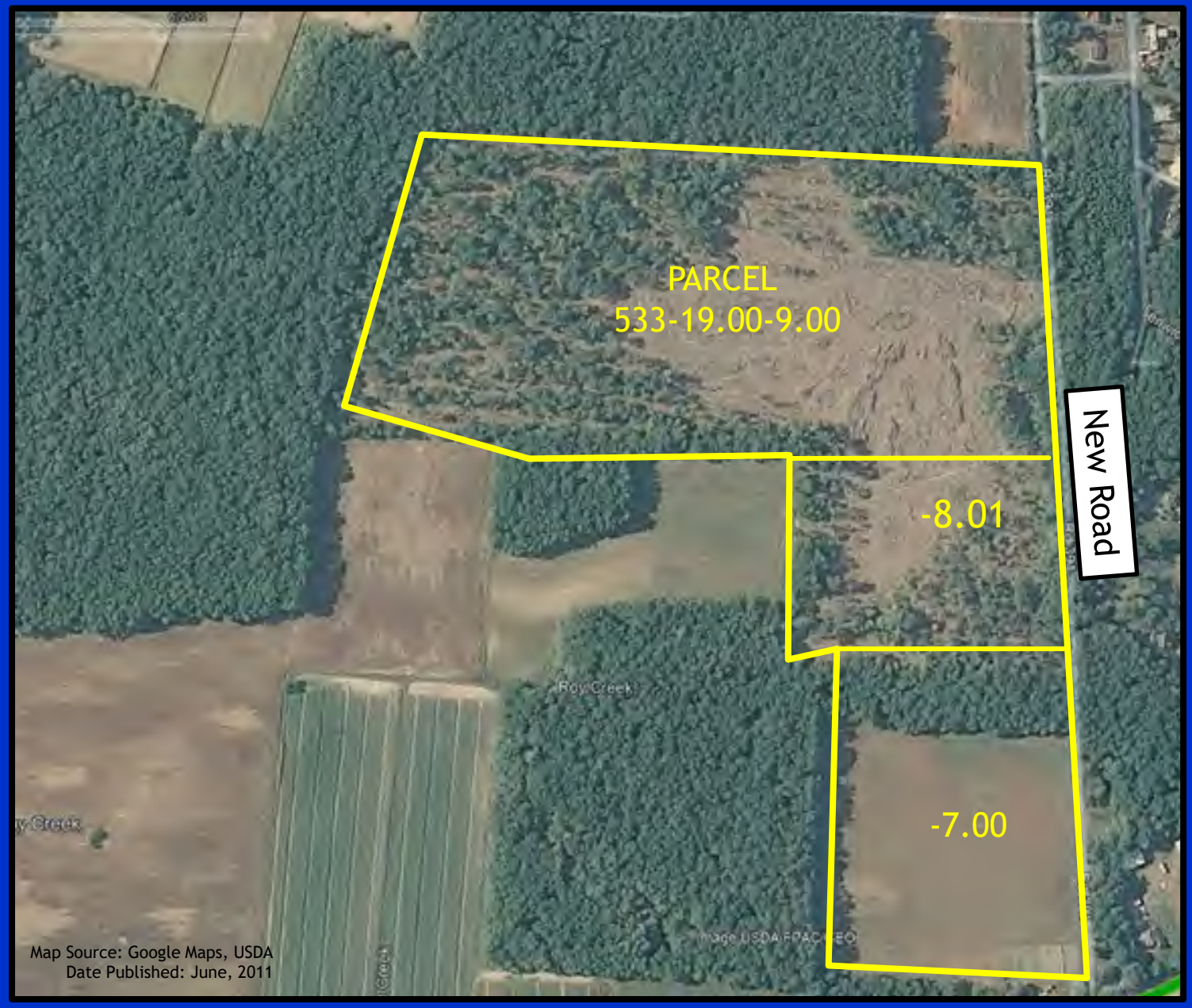
MARLIN COVE - RESOURCE BUFFER PRESERVATION





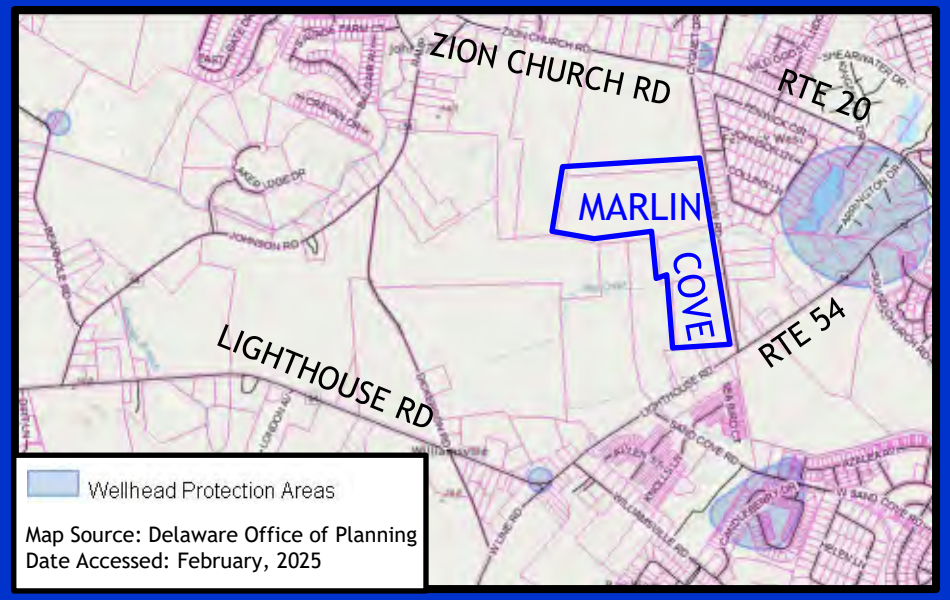
- Preserved 15' Zone 'A' & 15' Zone 'B' Buffers around Regulated Wetlands
- Preserved Additional 15' Zone 'B' Buffer South & West of Wetlands (+/- 5,510 SF)
- Preserved +/- 9,690 SF of Additional Forested Areas Adjacent to Expanded Buffers

MARLIN COVE - 2011 PREVIOUS ON-SITE TIMBERING

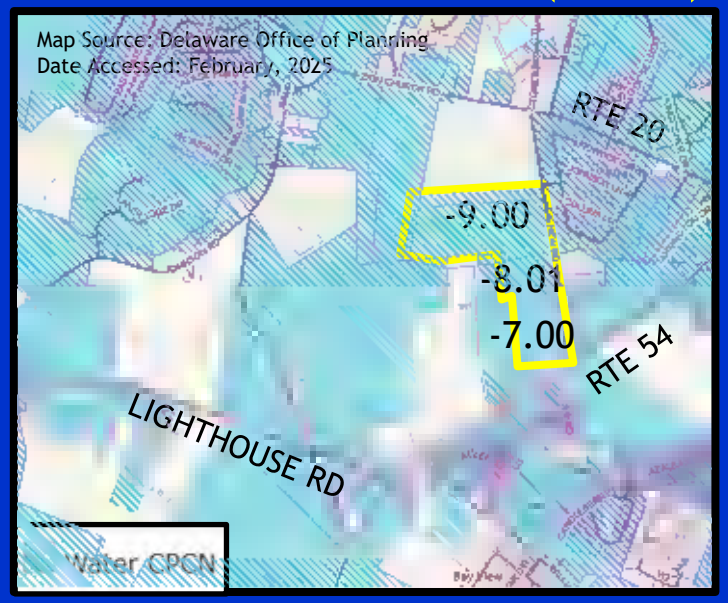


MARLIN COVE

SUSSEX COUNTY WELLHEAD PROTECTION AREA



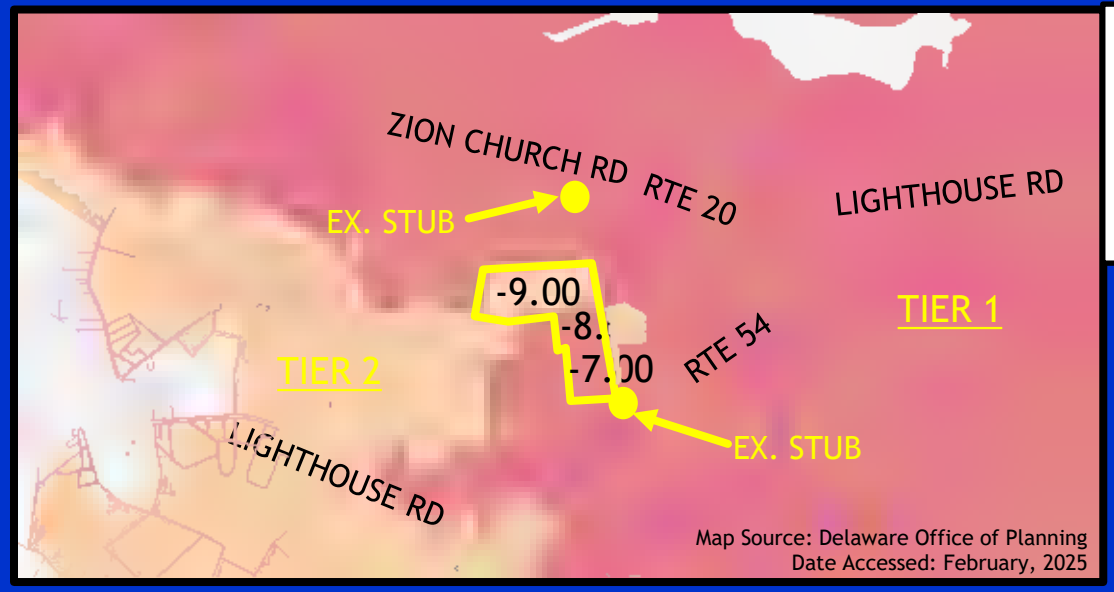
ARTESIAN WATER SERVICE AREA (CPCN)



WILLING AND ABLE TO SERVE LETTER ISSUED BY ARTESIAN

SANITARY SEWER SERVICE

- PARCELS:
  - TIER 1
    - 533-19.00-7.00 &
    - 533-19.00-8.01
  - TIER 2
    - 533-19.00-9.00
- EXISTING SEWER MANHOLES
  - NORTH
    - EX. 8” STUB IN NEW RD @ ZION CHURCH RD
  - SOUTH
    - EX. 8” STUB IN NEW RD



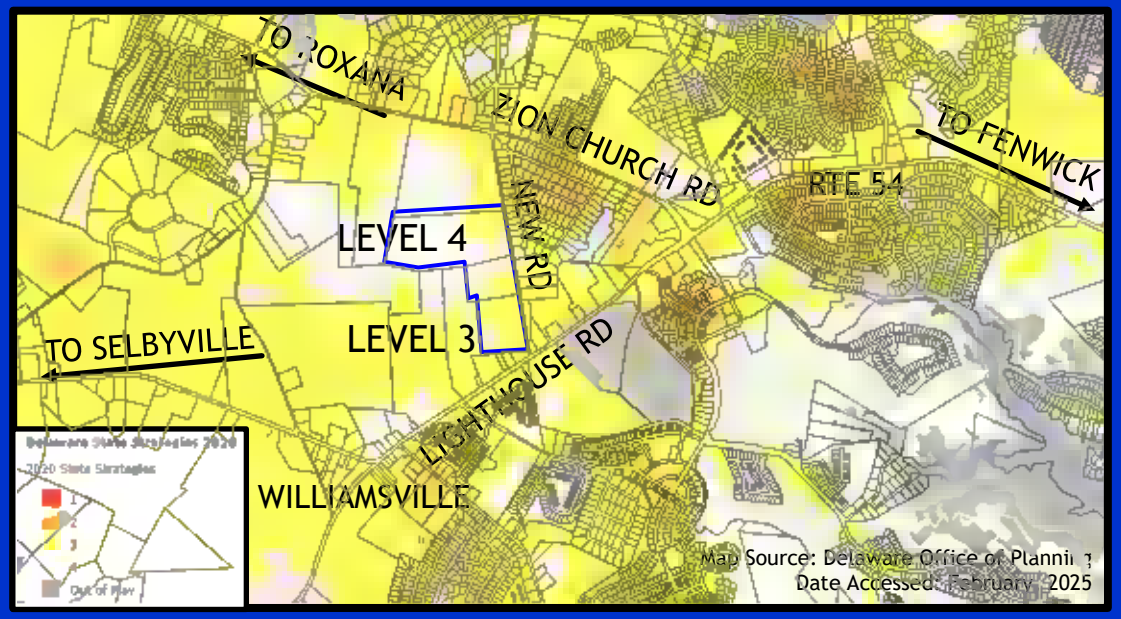


Marlin Cove

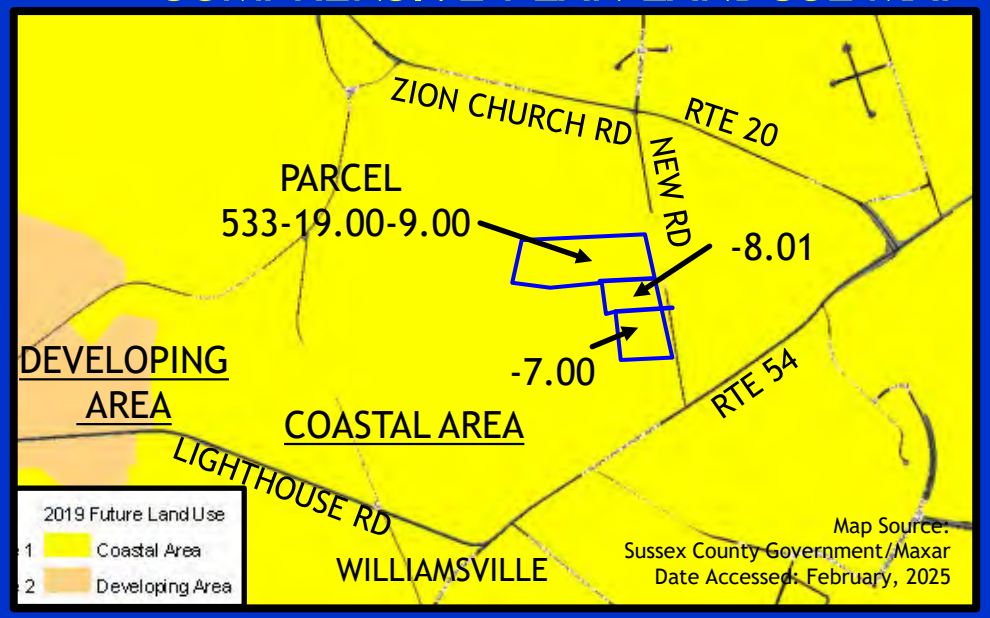
VISTA DESIGN INC

MARLIN COVE

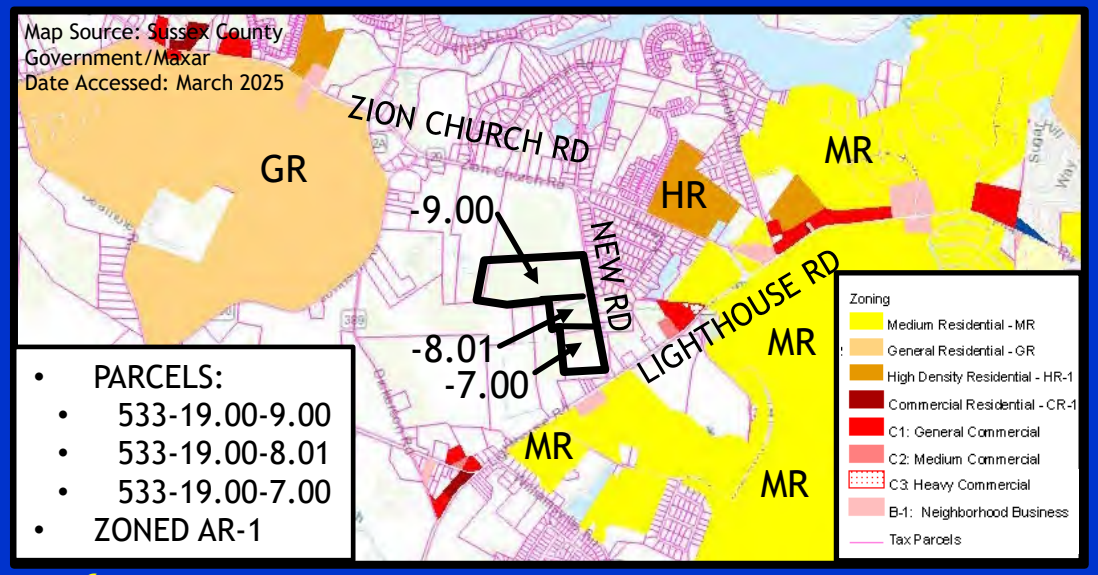
2020 STATE STRATEGEY MAP



2019 SUSSEX COUNTY COMPRENSIVE PLAN LANDUSE MAP

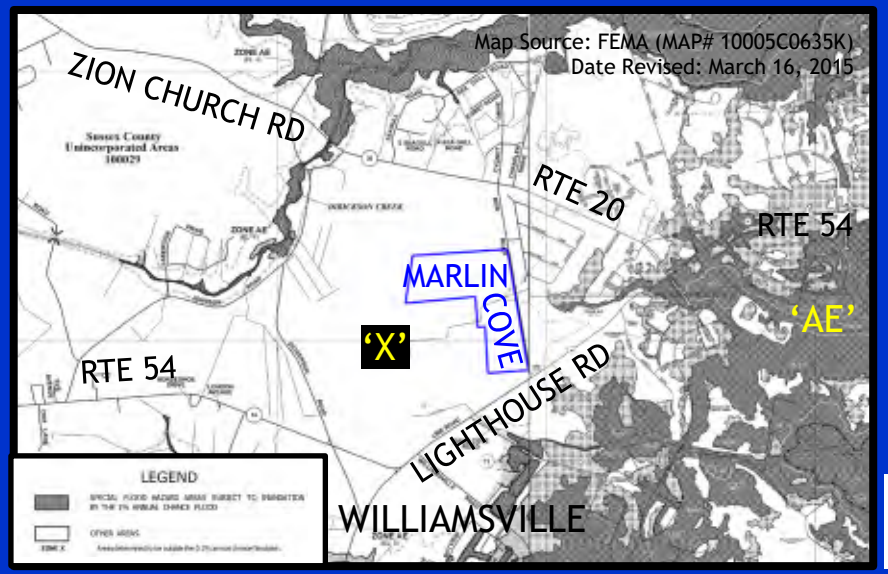


SUSSEX COUNTY ZONING MAP



- PARCELS:
  - 533-19.00-9.00
  - 533-19.00-8.01
  - 533-19.00-7.00
- ZONED AR-1

FEMA FLOOD ZONE MAP



VISTA DESIGN INC

MARLIN COVE – DEVELOPMENT COMPATIBILITY MAP



VISTA DESIGN INC

MARLIN COVE



QUESTIONS?

File #: _____

Planning & Zoning Commission Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Conditional Use ✔
Zoning Map Amendment ___

Site Address of Conditional Use/Zoning Map Amendment

+/- 75' north of Intersection of Lighthouse Road (DE RT 54, SCR 58) and New Road (SCR 391)

Type of Conditional Use Requested:

114 Single Family Detached homes and 106 Duplex (semi-detached) housing units

Tax Map #: 533-19.00-7,-8.01&-9 **Size of Parcel(s)**: (60.84 Ac) 13.76, 10.13 &

Current Zoning: AR-1 **Proposed Zoning:** MR/CU **Size of Building**: _____

Land Use Classification: Coastal Area

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

Applicant Information

Applicant Name: Marlin Cove, LLC/ Russ Garufi
Applicant Address: 37795 New Road
City: Selbyville State: DE ZipCode: 19975
Phone #: (410) 320-6277 E-mail: atlanticbuildingassociates@gmail.com

Owner Information

Owner Name: Marlin Cove, LLC/ Russ Garufi
Owner Address: 37795 New Road
City: Selbyville State: DE Zip Code: 19975
Phone #: (410) 320-6277 E-mail: atlanticbuildingassociates@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Hudson Jones Jaywork & Fisher, LLC / Richard E. Berl Jr. Esq.
Agent/Attorney/Engineer Address: 34382 Carpenters Way, Ste. 3
City: Lewes State: DE Zip Code: 19958
Phone #: (302) 644-8330 E-mail: rberl@delawarelaw.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

✓ **Completed Application**

✓ **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**

___ **Optional - Additional Information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.**

✓ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

✓ **DelDOT Service Level Evaluation Request Response**

✓ **PLUS Response Letter (if required)**

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

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

Signature of Applicant/Agent/Attorney

Date: 6.15.23

Signature of Owner

Date: 6-21-2023

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
5TH ELECTION DISTRICT

SITE DATA

OWNERS

PARCEL 533-19.00-7.00
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

PARCELS 533-19.00-8.01 & 9.00
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

AGENT/LEGAL COUNSEL

HUDSON, JONES, JAYWORK & FISHER, LLC.
34382 CARPENTERS WAY, STE. 3
LEWES, DELAWARE 19958
PHONE: (302) 644-8330
CONTACT: FRED A. TOWNSEND III, ESQ.

ENGINEER/SURVEYOR

VISTA DESIGN, INC.
11634 WORCESTER HIGHWAY
SHOWELL, MARYLAND 21862
PHONE: (410) 352-3874
CONTACT: RICHARD POLK, PE

ENVIRONMENTAL CONSULTANT

ENVIRONMENTAL RESOURCES, INC.
38173 DUPONT BOULEVARD
SELBYVILLE, DELAWARE 19975
PHONE: (302) 436-9537
CONTACT: EDWARD LAUNAY, PWS

TAX MAP & ZONING INFORMATION

TAX MAP ID'S	533-19.00-7.00, 533-19.00-8.01 & 533-19.00-9.00
SITE ADDRESS	NEW ROAD (CR 391), SELBYVILLE, DE 19975
EXISTING LAND USE	AGRICULTURAL/FORESTED
PROPOSED LAND USE	RESIDENTIAL
EXISTING ZONING	AR-1 - AGRICULTURAL RESIDENTIAL
PROPOSED ZONING	MR - MEDIUM RESIDENTIAL/CLUSTER OPTION CONDITIONAL USE PERMIT - DUPLEX HOMES

SITE AREA

Parcel 7.00	±13.76 Acres
Parcel 8.01	±10.13 Acres
Parcel 9.00	±36.95 Acres
TOTAL AREA OF PARCELS	±60.84 Acres

SITE INFORMATION

PROPOSED UNITS
- ○ 107 SINGLE FAMILY DETACHED CLUSTER LOTS (75' MIN. 75' FRONT TYP., 100' DEPTH, 7,500 SF TYP.)
- ○ 106 HOMES (53 DUPLEX LOTS) DUPLEX (28'-30' PER DUPLEX UNIT WIDTH) FAMILY LOTS - (76' MIN. 80' FRONT, 100' DEPTH, 8,000 SF TYP.)

213 TOTAL FAMILY UNITS

TOTAL SITE AREA	± 60.84 AC
AREAS OF:	
PROPOSED LOTS	32.06 AC
PROPOSED AMENITY LOT	0.61 AC
PROPOSED PRIVATE ROW	10.07 AC
PROPOSED ROW DEDICATION	0.79 AC (ALONG NEW ROAD)
OPEN SPACE	
REQUIRED	± 18.25 AC (30% OF SITE AREA)
PROVIDED	± 19.69 AC (32.4% OF SITE AREA)
PROPOSED DENSITY	3.50 UNITS / ACRE (MR-MAX = 4 UNITS / ACRE)

PROPOSED MINIMUM YARD REQUIREMENTS:

FRONT YARD	30 FT
SIDE YARD	10 FT
REAR YARD	10 FT
MINIMUM FRONTAGE WIDTH	75 FT (DETACHED SINGLE FAMILIES) 76 FT (DUPLEX)

ANTICIPATED NUMBER OF DEVELOPMENT PHASES: 6
ANTICIPATED LIMIT OF DISTURBANCE WITHIN OWNER PARCELS: 55.05 AC

FLOOD ZONE

THIS SITE IS NOT WITHIN THE LIMITS OF A FEMA FLOODPLAIN, AND IS SHOWN AS BEING IN ZONE 'X': AREAS OF MINIMAL FLOOD HAZARD ON:
FEMA MAP NO. 10005C0635 K
MAP REVISED - MARCH 16, 2015

SEWER PROVIDER

SEWER SERVICES SHALL BE SUPPLIED BY SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT WITHIN THE SUB-AREA DESIGNATED AS FENWICK ISLAND SANITARY SEWER DISTRICT.
- 533-19.00-7.00 - SEWER TIER 1
- 533-19.00-8.01 - SEWER TIER 1
- 533-19.00-9.00 - SEWER PLANNING TIER 2 (Utility Planning & Design Review Complete Received 1/31/2022)

WATER PROVIDER

WATER SERVICES SHALL BE SUPPLIED BY ARTESIAN WATER COMPANY IN SERVICE AREA "EASTERN SUSSEX 4".

HORIZONTAL DATUM

NAD 83/2011 DELAWARE STATE PLANE GRID

WETLANDS

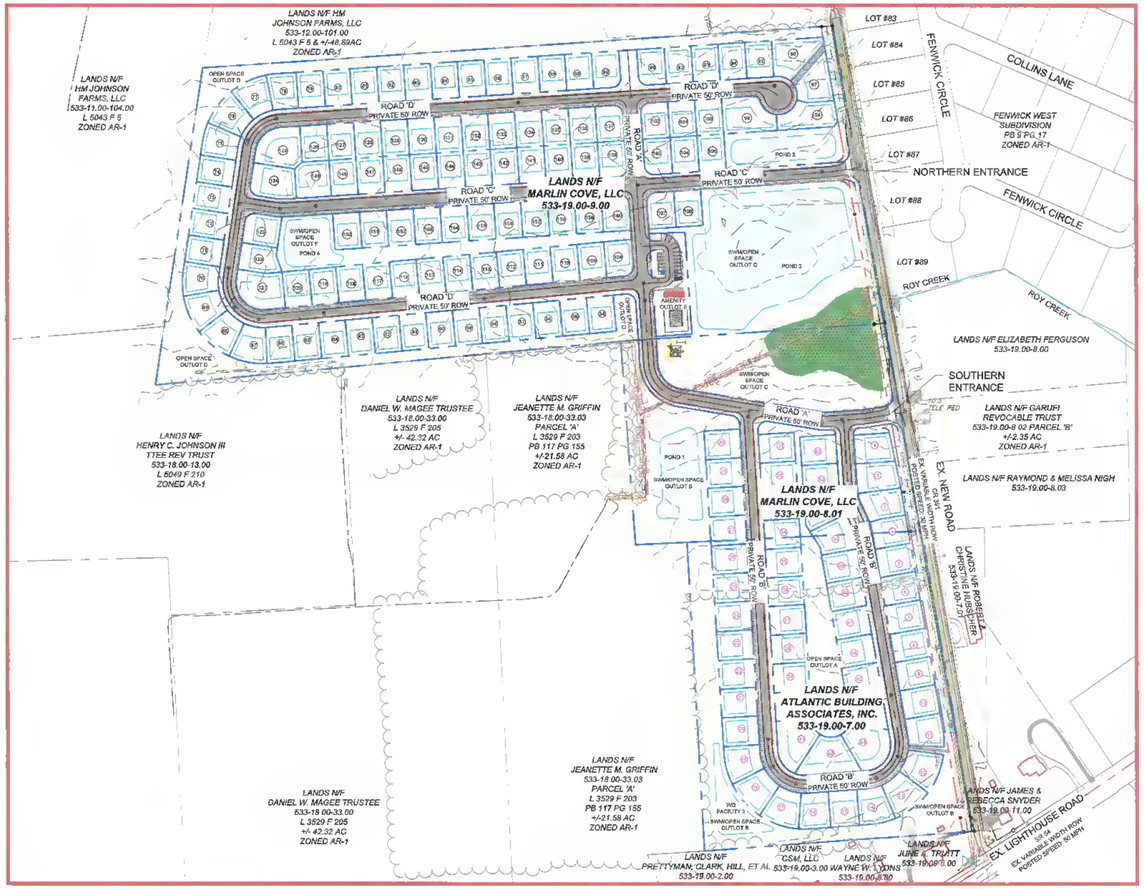
NON-TIDAL WETLANDS WERE IDENTIFIED ALONG ROY CREEK DURING FALL 2020 FIELD INVESTIGATION BY EDWARD LAUNAY, PWS, OF ENVIRONMENTAL RESOURCES, INC.

SOILS CLASSIFICATION

HmA	HAMMONTON LOAMY SAND, 0 - 2 PERCENT SLOPES B SOIL CLASSIFICATION
HuA	HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES A/D SOIL CLASSIFICATION
KsA	KLEJ LOAMY SAND, 0-2 PERCENT SLOPES A/D SOIL CLASSIFICATION
RuA	RUNCLINT LOAMY SAND, 0-2 PERCENT SLOPES A SOIL CLASSIFICATION

PROPOSED LAND USE

DETACHED SINGLE FAMILY HOMES & DUPLEX HOMES



SITE MAP
SCALE: 1" = 200'

NORTH
DE STATE PLANE DATUM (NAD83)

0 100 200 400 600
SCALE: 1" = 200'



SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	EXISTING CONDITIONS PLAN
SHEET 3	PROPOSED OVERALL SUBDIVISION PLAN/INDEX SHEET
SHEET 4	PROPOSED SUBDIVISION PLAN
SHEET 5	PROPOSED SUBDIVISION PLAN
SHEET 6	PROPOSED SUBDIVISION PLAN
SHEET 7	PROPOSED SUBDIVISION PLAN
SHEET 8	PROPOSED ENTRANCE LAYOUT
SHEET 9	TYPICAL SUBDIVISION DETAILS
SHEET 10	LINE, CURVE & LOT AREA TABLES
SHEET 11	PROPOSED RESOURCE BUFFER AND DRAINAGE CHANNEL MAINTENANCE PLAN

LEGEND

Ex. Property Line	Pr. Water Line
Ex. Adjacent Property Line	Pr. Storm Drain Pipe
Ex. Building	Pr. Edge of Pavement
Ex. Waters of the U.S.	Pr. Roadway
Ex. Intermittent County Buffers (ZONE 'A' / ZONE 'B')	Pr. Woods Line
Ex. Non-Tidal Wetlands	Pr. Agriculture/Forested
Ex. Wetland County Buffers (ZONE 'A' / ZONE 'B')	Buffer Easement
Ex. Edge of Pavement	Pr. Shared Use Path
Ex. Roadway	Pr. Drainage Culverts
Ex. Centerline of New Road	
Ex. Driveway	
Ex. 1X Contour	
Ex. 5X Contour	
Ex. Soil Test Pit	
Ex. Soil Delineation	
Ex. Woods Lines	
Ex. Benchmark	
Ex. Sanitary Sewer	
Ex. Water Line	
Ex. Electric Line	
Ex. Utility Easement	
Pr. Property Line/ROW	
BLDG Setback Line	
Pr. Multi-Use Path Easement	
Pr. Sanitary Sewer Easement	
Pr. Water Easement	
Pr. 1X Contour	
Pr. 5X Contour	
Pr. Stormwater Facility	
Pr. Sanitary Sewer	

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST SUSSEX COUNTY SPECIFICATIONS, THE LATEST SUSSEX COUNTY DETAIL MANUAL AND IN ACCORDANCE WITH ALL OTHER APPLICABLE COUNTY AND STATE ORDINANCES.
2. CONTRACTOR IS RESPONSIBLE FOR CONTACTING "MISS UTILITY" AT 1-800-282-8555, 48 HOURS PRIOR TO ANY EXCAVATION WORK TO LOCATE ALL UTILITIES IN THE WORK AREA. ANY CONFLICTS MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER IMMEDIATELY.
3. WATER SERVICE WILL BE PROVIDED BY A PROPOSED EXTENSION OF EXISTING PUBLIC FACILITIES. ALL DISTRIBUTION EQUIPMENT WILL BE MAINTAINED BY ARTESIAN UTILITIES, INC. ALL PROPOSED FACILITIES WILL BE SUBJECT TO REVIEW AND APPROVAL BY ARTESIAN UTILITIES, SUSSEX COUNTY AND DELAWARE DIVISION OF PUBLIC HEALTH.
4. WASTEWATER TREATMENT AND DISPOSAL WILL BE PROVIDED BY CONNECTION TO THE EXISTING FENWICK ISLAND SANITARY SEWER DISTRICT WASTEWATER FACILITIES. THE COLLECTION AND TRANSMISSION SYSTEM WILL CONSIST OF VARIOUS DIAMETER GRAVITY SEWERS. THE COLLECTION AND TRANSMISSION SYSTEM WILL BE SUBJECT TO REVIEW AND APPROVAL BY SUSSEX COUNTY AND DNREC.
5. AGRICULTURAL PROPERTIES GREATER THAN 10 ACRES DIRECTLY ABUT THE SUBDIVISION PROPERTY. THE ADJOINING AREAS ARE PREDOMINATELY WOODED.
6. NO DELAWARE STATE WETLANDS EXIST ON THE PROPERTY.
7. STORMWATER MANAGEMENT PRACTICES WILL BE DESIGNED TO MEET STORMWATER QUALITY AND QUANTITY MANAGEMENT REQUIREMENTS. ALL STORMWATER MANAGEMENT DESIGN WILL BE IN ACCORDANCE WILL DELAWARE STORMWATER DESIGN MANUAL STANDARDS.
8. ALL ROADS WILL BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY SPECIFICATIONS FOR PRIVATE ROADS. TYPICAL ROAD SECTIONS AND SETBACK INFORMATION IS PROVIDED ON SHEET 10 of 11.
9. STREET NAMES WILL BE ESTABLISHED WHICH DO NOT DUPLICATE NOR CLOSELY RESEMBLE EXISTING NAMES IN THE SAME HUNDRED OR POSTAL DISTRICT. STREET NAMES SHOWN HEREON WILL BE SUBJECT TO SUSSEX COUNTY REVIEW AND APPROVAL.
10. EASEMENTS SHALL BE PROVIDED WHERE NECESSARY TO MEET PUBLIC UTILITY REQUIREMENTS. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION WHERE IT BORDERS ACTIVE AGRICULTURAL LAND SHALL BE NO LESS THAN THIRTY (30) FEET IN WIDTH IN THE INTERIOR SIDE OF THE BOUNDARY.

OWNER'S AND/OR DEVELOPER'S CERTIFICATION

I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHOULD BE DONE IN PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E. BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ONSITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT AS REFERENCED ON THIS COVERSHEET.

6-21-2023
DATE

PARCEL 533-19.00-7.00 - RUSS GARUFI
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277

6-21-2023
DATE

PARCEL 533-19.00-8.01 & 9.00 - RUSS GARUFI
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975

WETLAND CERTIFICATION

WETLAND STATEMENT

I, Edward M. Launay, SPWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE FOR CLARIFICATION AND INTERPRETATION OF THE 1987 MANUAL, INCLUDING SACKETT vs. ENVIRONMENTAL PROTECTION AGENCY. THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

IN ACCORDANCE WITH DNREC TIDAL WETLAND MAPS, THERE ARE NO STATE REGULATED WETLANDS ON THE SITE.

6/21/2023
Date

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

PROFESSIONAL CERTIFICATION

I, RICHARD F. POLK, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED PROFESSIONAL STANDARDS AND PRACTICES AND BY SUSSEX COUNTY SUBDIVISION AND LAND DEVELOPMENT STANDARDS.

6/21/23
DATE

RICHARD F. POLK, P.E.
VISTA DESIGN, INC.
11634 WORCESTER HWY.
SHOWELL, MD 21862

LICENSE NO. 12998 EXPIRATION DATE: 6/30/2024

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NOTE:
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.

NORTH

REVISIONS

PROJECT DATA
Project No: 20-076
File Name: Prelim Plan 020924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: AS SHOWN

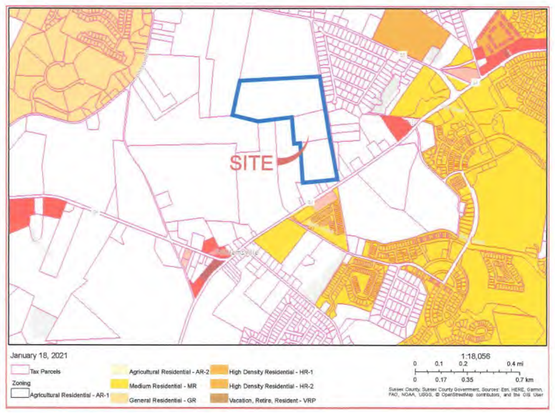
COVER SHEET

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

RICHARD F. POLK — 12998 — STATE OF DELAWARE — PROFESSIONAL ENGINEER — NOV 29, 1995

Sheet No.: 1 of 11



BENCHMARK INFORMATION

BENCHMARK IDENTIFIER	TYPE	NORTHING	EASTING	ELEVATION (FT)
1	SS MH RIM	169440.3200	739687.5700	13.03
2	REBAR	169757.0100	738904.6000	13.22
3	REBAR	170796.5900	739069.1700	8.55
4	REBAR	170586.4200	739474.2100	10.78
5	FH TOP	170244.0800	739539.9700	15.07

HORIZONTAL & VERTICAL CONTROL

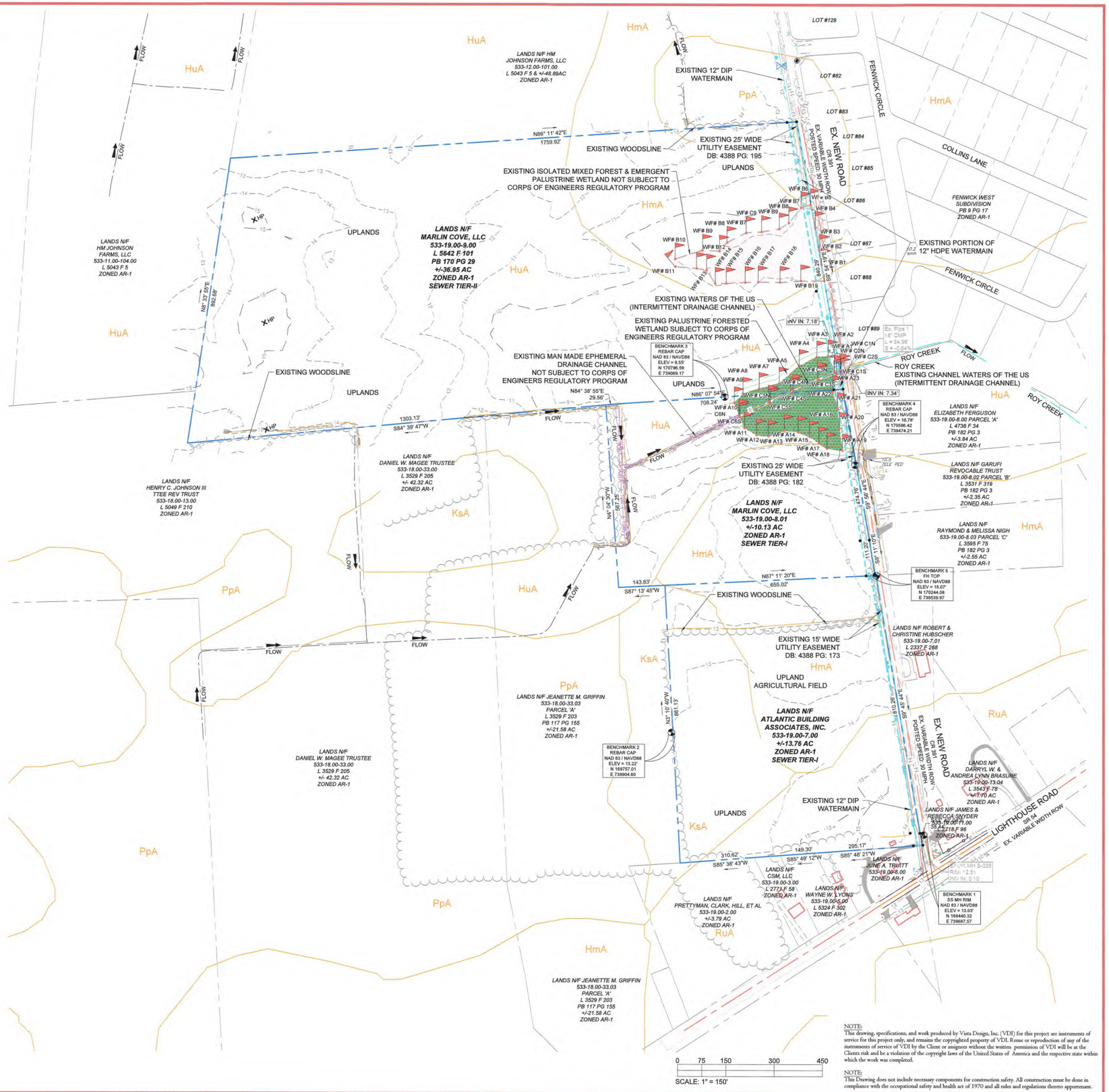
HORIZONTAL: NAD 83 DELAWARE STATE PLANE, US FEET
VERTICAL: NAVD 88

EXISTING SOILS ON SITE

SOIL SYMBOL	SOIL TYPE NAME	HYDROLOGIC SOIL GROUP
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D
RuA	Runclint loamy sand, 0 to 2 percent slopes	A
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A

NOTES

1. SANITARY SEWER TO BE PROVIDED BY SUSSEX COUNTY VIA TWO MANHOLES. FIRST, A MANHOLE AND STUB NORTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND LIGHTHOUSE ROAD (SR-54). SECOND, A MANHOLE AND STUB SOUTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND ZION CHURCH ROAD (SR-20). EXISTING PARCELS 533-19.00-7.00 AND 533-19.00-8.01 ARE LOCATED WITHIN THE SEWER TIER 1 FENWICK ISLAND SANITARY SEWER DISTRICT. EXISTING PARCEL 533-19.00-9.00 IS LOCATED WITHIN THE SEWER TIER 2 AND IS PROPOSED TO BE ANNEXED INTO THE FENWICK ISLAND SANITARY SEWER DISTRICT.
2. AN EXISTING 12" DIP AND HDPE WATERMAIN MANAGED BY ARTESIAN WATER COMPANY INC. IS LOCATED ALONG THE ENTIRE FRONTAGE OF PARCELS 533-19.00-7.00, 533-19.00-8.01 AND 533-19.00-9.00 ALONG NEW ROAD. AS PART OF THE DEVELOPMENT, HYDRANTS AND VALVES MAY NEED TO BE RELOCATED DUE TO NEW ROAD WIDENING.



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NOTE:
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.

NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 150'

EXISTING CONDITIONS PLAN

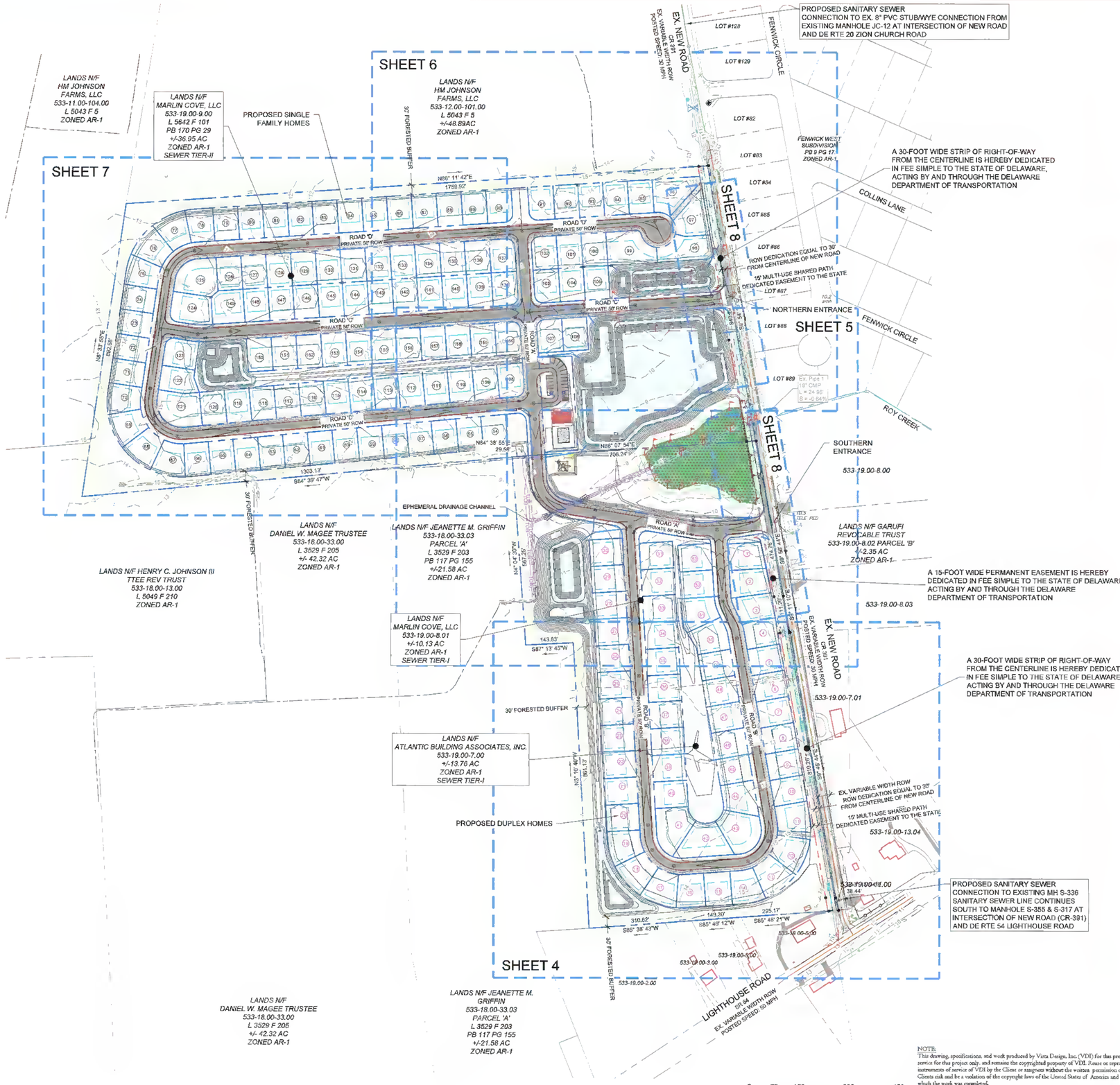
MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3674 • www.vistadesigninc.com



Sheet No.:
2 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Profile Plan 102854.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 5/13/2022
Scale: 1" = 150'

PROPOSED OVERALL SITE PLAN/SHEET INDEX

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11434 Waterfront Pkwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

HAROLD F. ROLE JR. REGISTERED PROFESSIONAL ENGINEER NO. 17969 STATE OF DELAWARE

Sheet No.:
3 of 11

NOTE:
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MATCHLINE SHEET 5

EXISTING FIRE HYDRANT TO BE RELOCATED

PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')

PR 8" WATERMAIN

NEW ROAD
EX. VARIABLE WIDTH ROW
POSTED SPEED 30 MPH

PR 8" SANITARY SEWER

LANDS N/F ROBERT & CHRISTINE HUBSCHER
533-19.00-7.01
L 2337 F 268
ZONED AR-1

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PR 15' WIDTH MULTI-USE PATH EASEMENT

EXISTING 12" DIP WATERMAIN

A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')

LANDS N/F DARRYL W. & ANDREA LYNN BRASURE
533-19.00-13.04
L 3543 F 78
+/-1.70 AC
ZONED AR-1

PR 8" SANITARY SEWER

LANDS N/F JAMES & REBECCA SNYDER
533-19.00-11.00
L 2718 F 96
ZONED AR-1

MH S-336
RIM: 13.06
INV IN 0.41
INV OUT 0.35

S13° 43' 04"E
38.44'

EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 312

EXISTING 8" SANITARY SEWER

EX. EX MH S-333
RIM: 12.51
INV IN: 0.10

LANDS N/F JEANETTE M. GRIFFIN
533-18.00-33.03
PARCEL 'A'
L 3529 F 203
PB 117 PG 155
+/-21.58 AC
ZONED AR-1

PR 30' FORESTED BUFFER

SWM/OPEN SPACE OUTLOT B

OPEN SPACE OUTLOT B
233,927.10 SF
(5.37 AC)

WQ FACILITY 3

OPEN SPACE OUTLOT A
54,180.45 SF
(1.24 AC)

OPEN SPACE OUTLOT A
54,180.45 SF
(1.34 AC)

LANDS N/F ATLANTIC BUILDING ASSOCIATES, INC.
533-19.00-7.00
+/-13.76 AC
ZONED AR-1

PROPOSED 4' WIDE NATURAL TRAIL IN BUFFER TO BE FIELD LOCATED TO NOT REMOVE TREES

PR FIRE HYDRANT

PR 8" WATERMAIN

PR FIRE HYDRANT

EXISTING FIRE HYDRANT

EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 317

LANDS N/F JUNE A. TRUITT
533-19.00-6.00
ZONED AR-1

LANDS N/F CSM, LLC
533-19.00-3.00
L 2771 F 58
ZONED AR-1

LANDS N/F WAYNE W. LYONS
533-19.00-5.00
L 5324 F 302
ZONED AR-1

LANDS N/F PRETTYMAN, CLARK, HILL, ET AL
533-19.00-2.00
+/-3.79 AC
ZONED AR-1

LANDS N/F JEANETTE M. GRIFFIN
533-18.00-33.03
PARCEL 'A'
L 3529 F 203
PB 117 PG 155
+/-21.58 AC
ZONED AR-1

LANDS N/F JEANETTE M. GRIFFIN
533-18.00-33.03
PARCEL 'A'
L 3529 F 203
PB 117 PG 155
+/-21.58 AC
ZONED AR-1

LIGHTHOUSE ROAD
SR 54
EX. VARIABLE WIDTH ROW
POSTED SPEED 50 MPH

ROAD 'B'
PRIVATE 50' ROW

LOT #1 8,000.00 SF (0.18 AC)
LOT #2 8,000.00 SF (0.18 AC)
LOT #3 8,000.00 SF (0.18 AC)
LOT #4 7,668.68 SF (0.18 AC)
LOT #5 8,000.00 SF (0.18 SF)
LOT #6 8,000.00 SF (0.18 SF)
LOT #7 8,000.00 SF (0.18 SF)
LOT #8 8,000.00 SF (0.18 SF)
LOT #9 8,000.00 SF (0.18 SF)
LOT #10 8,000.00 SF (0.18 SF)
LOT #11 8,415.98 SF (0.19 AC)
LOT #12 9,032.26 SF (0.21 AC)
LOT #13 9,032.26 SF (0.21 AC)
LOT #14 8,684.27 SF (0.20 AC)
LOT #15 8,000.00 SF (0.18 AC)
LOT #16 8,298.72 SF (0.19 AC)
LOT #17 9,032.26 SF (0.21 AC)
LOT #18 9,032.26 SF (0.21 AC)
LOT #19 8,804.44 SF (0.20 AC)
LOT #20 8,000.00 SF (0.18 AC)
LOT #21 8,000.00 SF (0.18 AC)
LOT #22 8,000.00 SF (0.18 AC)
LOT #23 8,000.00 SF (0.18 AC)
LOT #24 8,000.00 SF (0.18 AC)
LOT #25 8,000.00 SF (0.18 AC)
LOT #26 8,000.00 SF (0.18 AC)
LOT #27 8,000.00 SF (0.18 AC)
LOT #34 8,000.00 SF (0.18 AC)
LOT #35 8,000.00 SF (0.18 AC)
LOT #36 8,000.00 SF (0.18 AC)
LOT #37 8,000.00 SF (0.18 AC)
LOT #38 8,000.00 SF (0.18 AC)
LOT #39 8,000.00 SF (0.18 AC)
LOT #40 8,000.00 SF (0.18 AC)
LOT #41 12,300.56 SF (0.28 AC)
LOT #42 13,110.03 SF (0.30 AC)
LOT #43 12,712.20 SF (0.29 AC)
LOT #44 9,282.32 SF (0.21 AC)
LOT #45 8,000.00 SF (0.18 AC)
LOT #46 8,000.00 SF (0.18 AC)
LOT #47 8,000.00 SF (0.18 AC)
LOT #48 8,000.00 SF (0.18 AC)
LOT #49 8,000.00 SF (0.18 AC)
LOT #50 9,208.42 SF (0.21 AC)

S87° 13' 45"W 143.83'
N3° 10' 40"W 561.15'
S85° 38' 43"W 310.62'
S85° 49' 12"W 149.30'
S85° 48' 21"W 295.17'

0 25 50 100 150
SCALE: 1" = 50'

NOTE:
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NOTE:
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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED SUBDIVISION PLAN

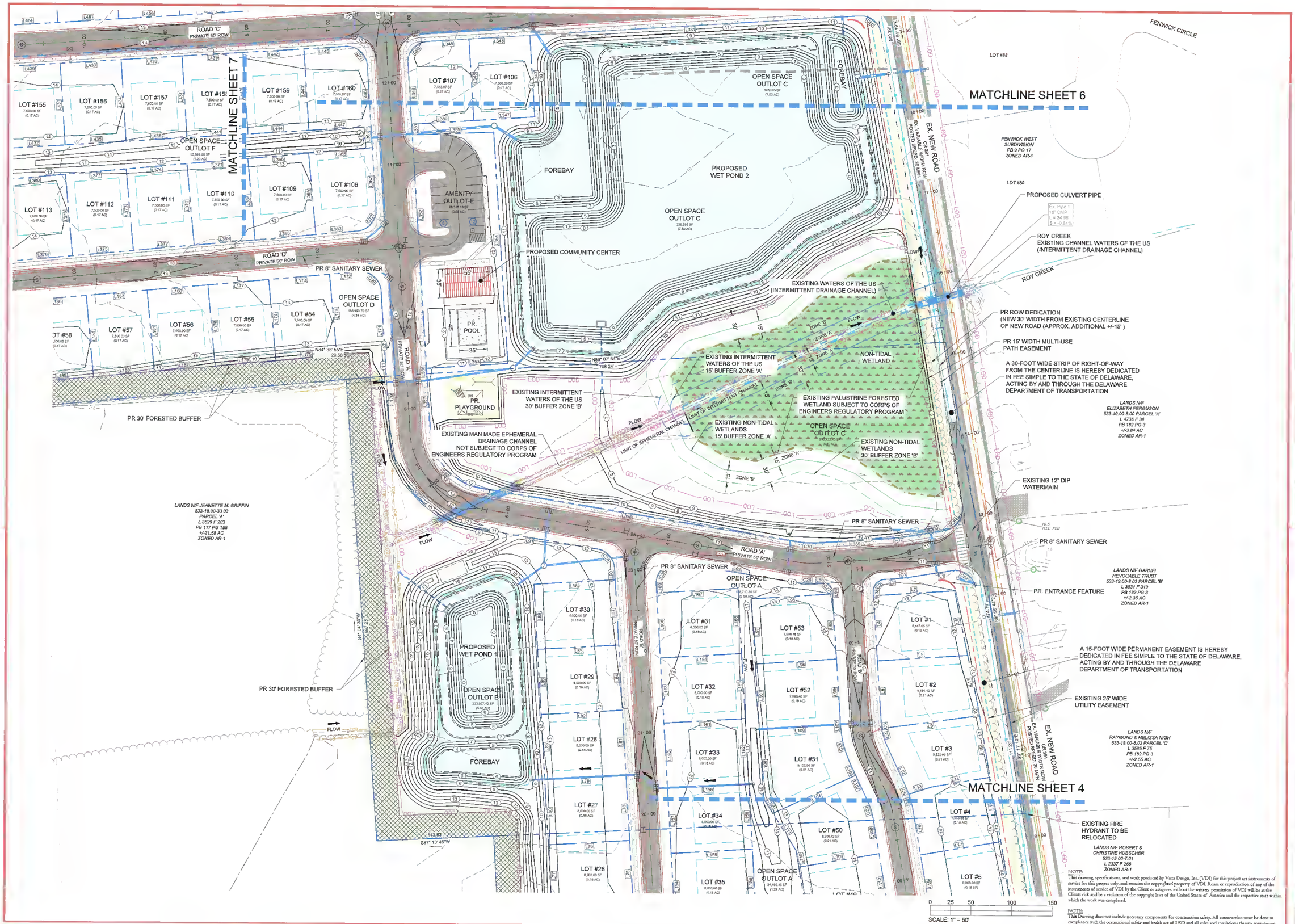
MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

JOHN F. HOLKO JR. 21468 REGISTERED PROFESSIONAL ENGINEER STATE OF DELAWARE

Sheet No.:
4 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102324.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED SUBDIVISION PLAN

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

VISTA DESIGN, INC
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1 634 Worcester Hwy Showell, MD 21862
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LARRY F. HOLT
LICENSED
No. 29213
PROFESSIONAL ENGINEER
STATE OF DELAWARE

Sheet No.:
5 of 11

LANDS N/F
HM JOHNSON
FARMS, LLC
533-12.00-101.00
L 5043 F 5
+/-48.89AC
ZONED AR-1

EX. NEW ROAD
RT 991
EX VARIABLE WIDTH ROW
POSTED SPEED: 35 MPH

FENWICK WEST
SUBDIVISION
PB 9 PG 17
ZONED AR-1

EXISTING FIRE
HYDRANT

EXISTING 12" DIP
WATERMAIN

FENWICK CIRCLE

LOT #82

LOT #83

PR 8" SANITARY SEWER
(TO EXTEND TO EXISTING MANHOLE AT
INTERSECTION OF NEW ROAD & ZION CHURCH ROAD)

PR 15' WIDTH MULTI-USE
PATH EASEMENT

LOT #84

PR ROW DEDICATION
(NEW 30' WIDTH FROM EXISTING CENTERLINE
OF NEW ROAD (APPROX. ADDITIONAL +/-15')

A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY
FROM THE CENTERLINE IS HEREBY DEDICATED
IN FEE SIMPLE TO THE STATE OF DELAWARE,
ACTING BY AND THROUGH THE DELAWARE
DEPARTMENT OF TRANSPORTATION

LOT #85

PR 8" SANITARY SEWER

FENWICK WEST
SUBDIVISION
PB 9 PG 17
ZONED AR-1

LOT #86

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY
DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE,
ACTING BY AND THROUGH THE DELAWARE
DEPARTMENT OF TRANSPORTATION

LOT #87

LOT #88

LOT #89

PR 30' FORESTED BUFFER

PR INTER-PARCEL
CONNECTOR

OPEN SPACE
OUTLOT D
188,990.70 SF
(4.34 AC)

N86° 11' 42"E
1759.92'

MATCHLINE SHEET 7

MATCHLINE SHEET 5

ROAD 'D'
PRIVATE 50' ROW

ROAD 'C'
PRIVATE 50' ROW

PR. ENTRANCE FEATURES

LOT #85 7,500.00 SF (0.17 AC)
LOT #86 7,500.00 SF (0.17 AC)
LOT #87 7,500.00 SF (0.17 AC)
LOT #88 7,500.00 SF (0.17 AC)
LOT #89 7,500.00 SF (0.17 AC)
LOT #90 7,515.87 SF (0.17 AC)
LOT #91 7,515.87 SF (0.17 AC)
LOT #92 7,500.00 SF (0.17 AC)
LOT #93 7,500.00 SF (0.17 AC)
LOT #94 7,500.00 SF (0.17 AC)
LOT #95 7,500.00 SF (0.17 AC)
LOT #96 11,414.05 SF (0.26 AC)
LOT #97 9,642.60 SF (0.22 AC)
LOT #98 11,095.72 SF (0.25 AC)
LOT #99 13,067.66 SF (0.30 AC)
LOT #100 7,500.00 SF (0.17 AC)
LOT #101 7,500.00 SF (0.17 AC)
LOT #102 7,515.87 SF (0.17 AC)
LOT #103 7,515.87 SF (0.17 AC)
LOT #104 7,500.00 SF (0.17 AC)
LOT #105 7,500.00 SF (0.17 AC)
LOT #106 7,500.00 SF (0.17 AC)
LOT #107 7,515.87 SF (0.17 AC)
LOT #108 7,592.99 SF (0.17 AC)
LOT #109 7,500.00 SF (0.17 AC)
LOT #110 7,500.00 SF (0.17 AC)
LOT #111 7,500.00 SF (0.17 AC)
LOT #112 7,500.00 SF (0.17 AC)
LOT #113 7,500.00 SF (0.17 AC)
LOT #132 7,500.00 SF (0.17 AC)
LOT #133 7,500.00 SF (0.17 AC)
LOT #134 7,500.00 SF (0.17 AC)
LOT #135 7,500.00 SF (0.17 AC)
LOT #136 7,500.00 SF (0.17 AC)
LOT #137 7,517.15 SF (0.17 AC)
LOT #138 7,514.99 SF (0.17 AC)
LOT #139 7,500.00 SF (0.17 AC)
LOT #140 7,500.00 SF (0.17 AC)
LOT #141 7,500.00 SF (0.17 AC)
LOT #142 7,500.00 SF (0.17 AC)
LOT #143 7,500.00 SF (0.17 AC)
LOT #155 7,500.00 SF (0.17 AC)
LOT #156 7,500.00 SF (0.17 AC)
LOT #157 7,500.00 SF (0.17 AC)
LOT #158 7,500.00 SF (0.17 AC)
LOT #159 7,500.00 SF (0.17 AC)
LOT #160 7,515.87 SF (0.17 AC)

OPEN SPACE
OUTLOT F
53,599.60 SF
(1.23 AC)

OPEN SPACE
OUTLOT E
28,516.10 SF
(0.65 AC)

OPEN SPACE
OUTLOT C
326,585 SF
(7.50 AC)

OPEN SPACE
OUTLOT D
188,990.70 SF
(4.34 AC)

PROPOSED
WET POND 3

PROPOSED
WET POND 2

FOREBAY

AMENITY
OUTLOT E

FLOW

EX. PIPE 1
18" CMP
L = 24.95'
S = -0.84%

0 40 80 160 240
SCALE: 1" = 80'

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 80'

PROPOSED
SUBDIVISION
PLAN

MARLIN COVE
SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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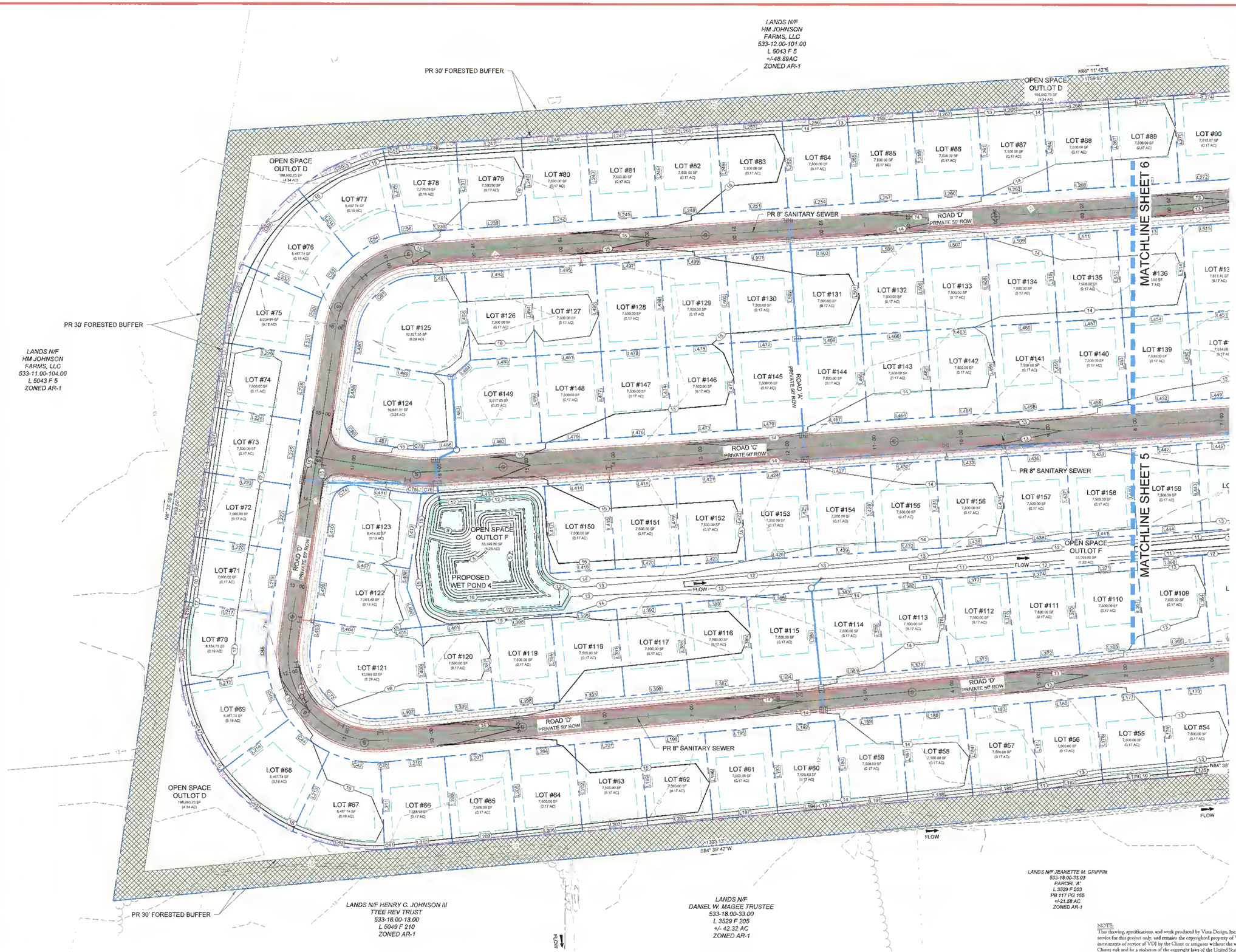
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

HAROLD F. FOLK III
REGISTERED
NO. 21949
PROFESSIONAL ENGINEER
DELAWARE

Sheet No.:
6 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plat 072924.dwg
SALTMARSH HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

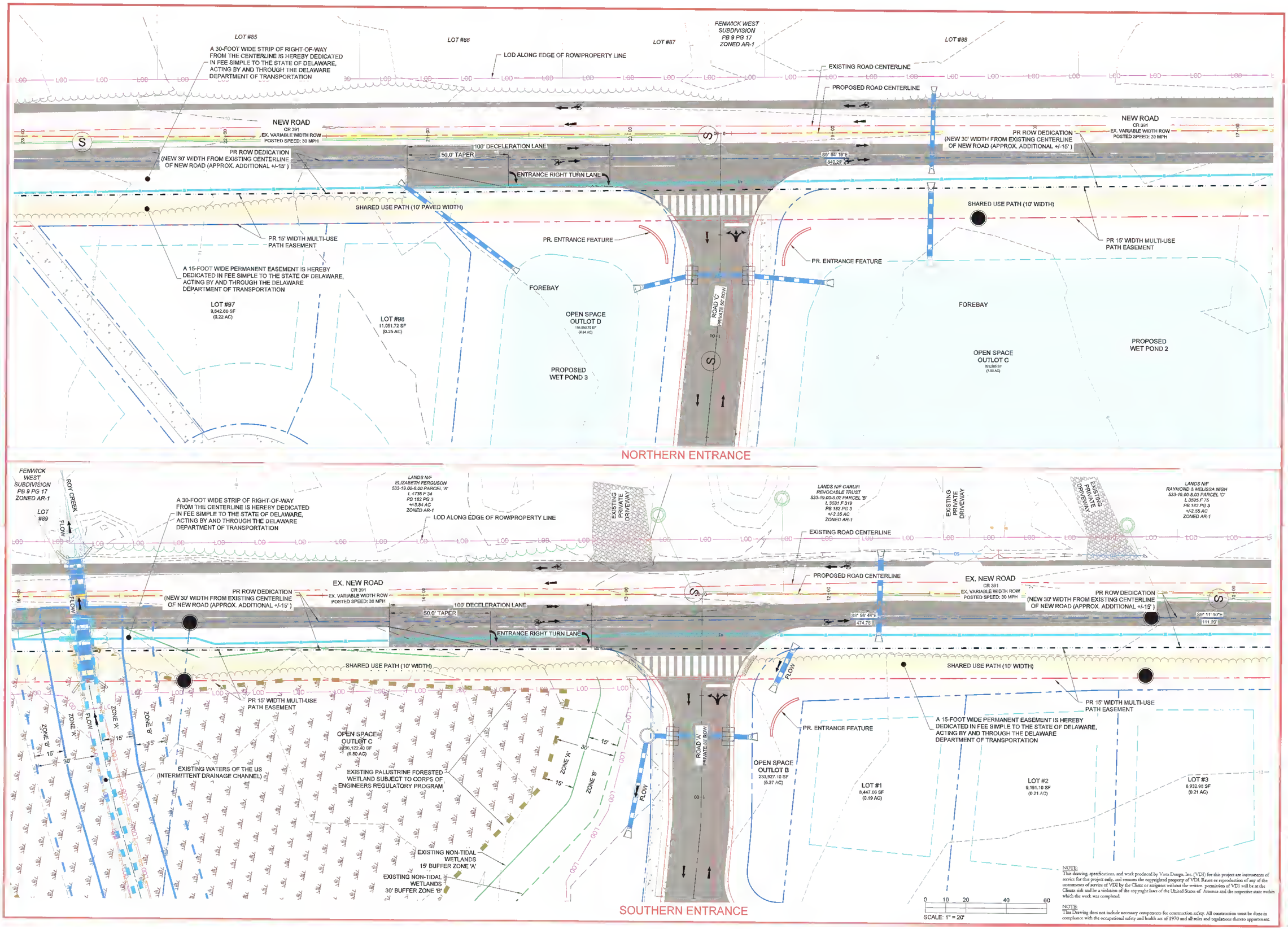
PROPOSED
SUBD VISION
P AN

MARLIN COVE
SUBD VISION
PRELIMINAR SUBDIVISION/
CONDITIO AL USE PLAN

VISTA DESIGN, INC
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
16A W. Market Street, Salisbury, MD 21801
Ph. 410-742-3774 • www.vistadesigninc.com

Sheet No:
7 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 9/20/2023
Scale: 1" = 20'

PROPOSED ENTRANCE LAYOUT

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

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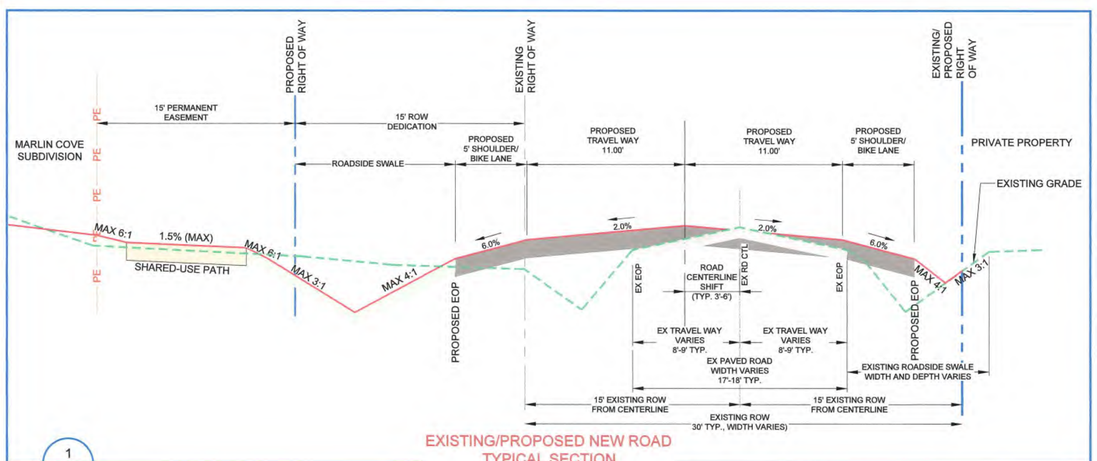
Land Planning Consultants • GIS Services
17434 Worcester Hwy. Stockell, MD 21863
Ph. 410-352-3674 • www.vistadesigninc.com

RICHARD T. ROLLINS No. 12958 REGISTERED PROFESSIONAL ENGINEER

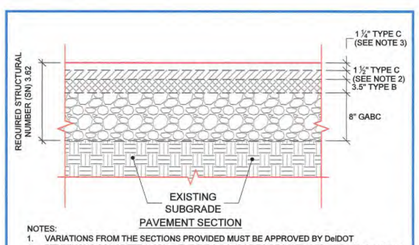
Sheet No.:
8 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



1
10

EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 1+15 - 9+25
N.T.S.

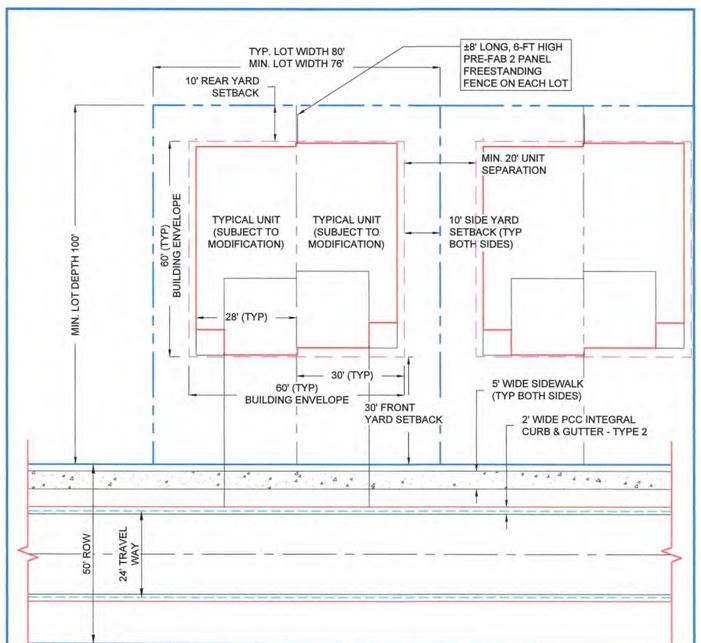


PAVEMENT SECTION

NOTES:
1. VARIATIONS FROM THE SECTIONS PROVIDED MUST BE APPROVED BY DelDOT
2. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED WITH TYPE B GABC.
3. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED JUST PRIOR TO DelDOT ACCEPTANCE.

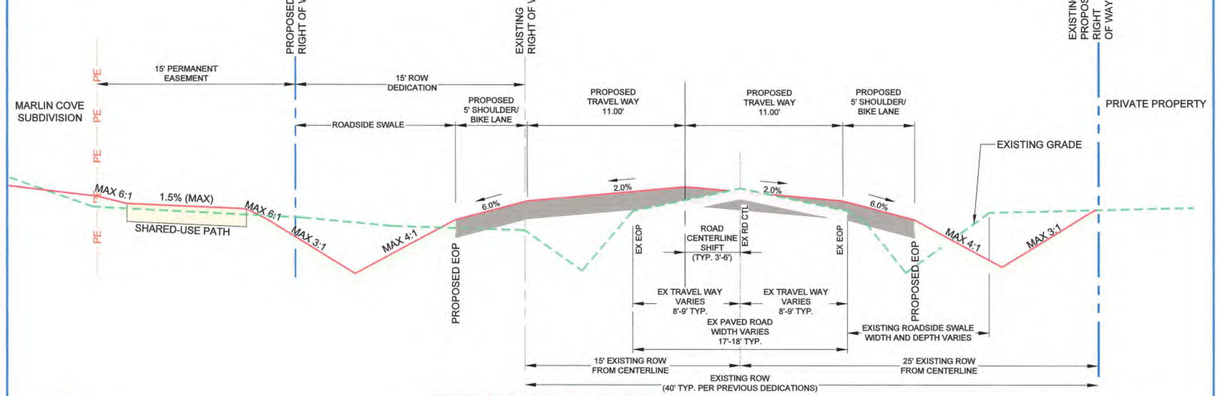
5
10

DelDOT PAVEMENT CLASS II
NEW ROAD IMPROVEMENTS
TRAFFIC VOLUME 501 TO 2000 ADT
LESS THAN 15 LIGHT DUTY TRUCKS PER DAY
NOT TO SCALE



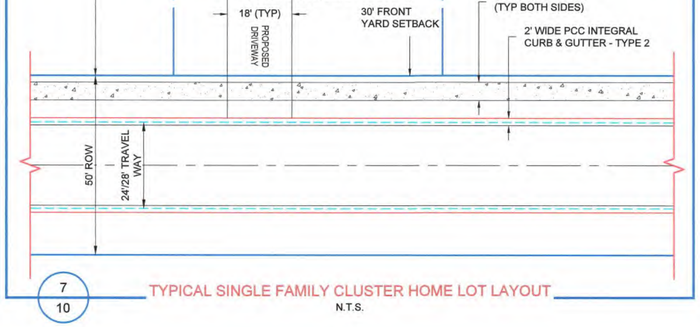
6
10

TYPICAL DUPLEX HOME LOT LAYOUT
N.T.S.



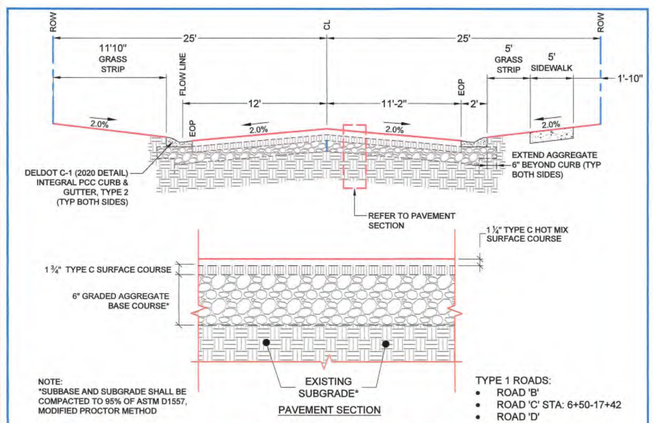
2
10

EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 9+25 - 23+57
N.T.S.



7
10

TYPICAL SINGLE FAMILY CLUSTER HOME LOT LAYOUT
N.T.S.



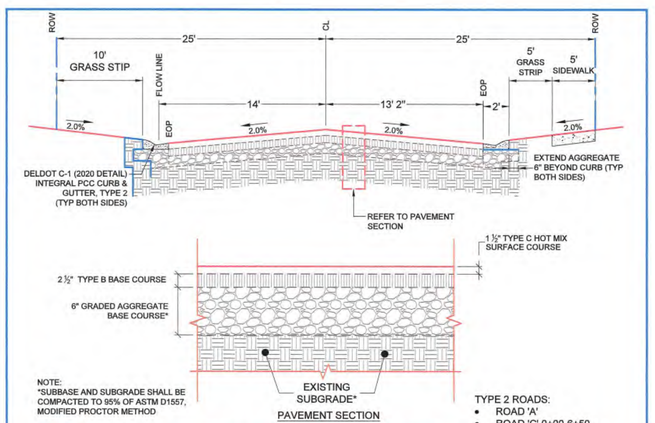
NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 1 ROADS:
- ROAD 'B'
- ROAD 'C' STA: 6+50-17+42
- ROAD 'D'

3
10

TYPICAL TYPE 1 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.



NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 2 ROADS:
- ROAD 'A'
- ROAD 'C' 0+00-6+50

4
10

TYPICAL TYPE 2 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plat 102924.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: N.T.S.

TYPICAL SUBDIVISION DETAILS

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
16 Industrial Park Drive, Frederica, DE 19946
Ph. 410-352-3674 • www.vistadesigninc.com

RICHARD E. POLK — 29588 — NOV — PROFESSIONAL ENGINEER — STATE OF DELAWARE

Sheet No.:
9 of 11

Line Table		
Line #	Length	Direction
L1	80.93	S80° 43' 44"W
L2	15.94	S86° 07' 54"W
L3	4.13	S3° 52' 53"E
L4	80.00	S3° 52' 53"E
L5	111.13	N86° 07' 54"E
L6	80.77	S11° 46' 38"E
L7	100.02	N86° 07' 54"E
L8	77.27	S3° 52' 53"E
L9	121.24	S82° 06' 51"W
L10	8.23	S9° 51' 48"E
L11	67.05	S11° 46' 38"E
L12	54.10	S25° 03' 57"E
L13	29.98	N72° 07' 22"E
L14	72.13	N80° 08' 12"E
L15	76.47	S9° 51' 48"E
L16	54.41	S9° 51' 48"E
L17	100.00	N80° 08' 12"E
L18	80.00	S9° 51' 48"E
L19	80.00	S9° 51' 48"E
L20	100.00	N80° 08' 12"E
L21	80.00	S9° 51' 48"E
L22	80.00	S9° 51' 48"E
L23	100.00	N80° 08' 12"E
L24	80.00	S9° 51' 48"E
L25	80.00	S9° 51' 48"E
L26	100.00	N80° 08' 12"E
L27	80.00	S9° 51' 48"E
L28	80.00	S9° 51' 48"E
L29	100.00	N80° 08' 12"E
L30	80.00	S9° 51' 48"E
L31	80.00	S9° 51' 48"E
L32	100.00	N80° 08' 12"E
L33	80.00	S9° 51' 48"E
L34	80.00	S9° 51' 48"E
L35	100.00	N80° 08' 12"E
L36	80.00	S9° 51' 48"E
L37	47.76	S9° 51' 48"E
L38	100.00	S87° 56' 47"E
L39	47.76	S9° 51' 48"E
L40	100.00	S52° 49' 47"E
L41	100.00	S82° 24' 06"E
L42	100.00	S23° 15' 28"E
L43	28.52	S85° 46' 20"W
L44	100.00	S4° 13' 40"E
L45	28.52	S85° 46' 20"W
L46	80.00	S85° 46' 20"W
L47	100.00	S4° 13' 40"E
L48	80.00	S85° 46' 20"W
L49	56.85	S85° 46' 20"W
L50	100.00	S4° 19' 48"W
L51	56.85	S85° 46' 20"W
L52	100.00	S33° 54' 07"W
L53	100.00	S63° 28' 26"W
L54	17.66	S3° 28' 50"E
L55	100.00	S86° 31' 10"W
L56	17.66	N3° 28' 50"W
L57	80.00	N3° 28' 50"W
L58	100.00	S86° 31' 10"W
L59	80.00	N3° 28' 50"W
L60	80.00	N3° 28' 50"W
L61	100.00	S86° 31' 10"W
L62	80.00	N3° 28' 50"W
L63	80.00	N3° 28' 50"W
L64	100.00	S86° 31' 10"W
L65	80.00	N3° 28' 50"W
L66	80.00	N3° 28' 50"W
L67	100.00	S86° 31' 10"W
L68	80.00	N3° 28' 50"W
L69	80.00	N3° 28' 50"W
L70	100.00	S86° 31' 10"W
L71	80.00	N3° 28' 50"W
L72	80.00	N3° 28' 50"W
L73	100.00	S86° 31' 10"W
L74	80.00	N3° 28' 50"W
L75	80.00	N3° 28' 50"W
L76	100.00	S86° 31' 10"W
L77	80.00	N3° 28' 50"W
L78	80.00	N3° 28' 50"W
L79	100.00	S86° 31' 10"W
L80	80.00	N3° 28' 50"W
L81	80.00	N3° 28' 50"W
L82	100.00	S86° 31' 10"W
L83	80.00	N3° 28' 50"W
L84	80.00	N3° 28' 50"W
L85	100.00	S86° 31' 10"W
L86	80.00	N3° 28' 50"W
L87	80.00	N3° 28' 50"W
L88	100.00	S86° 31' 10"W
L89	80.00	N3° 28' 50"W
L90	14.42	N3° 28' 50"W
L91	153.17	N80° 47' 47"W
L92	142.52	S80° 47' 47"E
L93	7.62	N86° 07' 54"E
L94	3.82	S3° 53' 40"E
L95	80.00	N3° 53' 56"W
L96	99.98	S86° 07' 54"W
L97	80.00	N3° 52' 06"W
L98	99.94	S86° 07' 54"W
L99	80.00	N3° 53' 00"W
L100	100.00	S86° 07' 54"W
L101	80.00	N3° 52' 06"W
L102	2.18	N3° 53' 00"W

Line Table		
Line #	Length	Direction
L103	17.32	N25° 03' 57"W
L104	112.18	S64° 56' 03"W
L105	21.19	N32° 25' 45"W
L106	85.47	S3° 52' 06"E
L107	36.77	S25° 03' 57"E
L108	44.57	S9° 51' 48"E
L109	100.00	N80° 08' 12"E
L110	20.92	S9° 51' 48"E
L111	53.47	S32° 25' 45"E
L112	80.00	N9° 51' 48"W
L113	100.00	N80° 08' 12"E
L114	80.00	N9° 51' 48"W
L115	80.00	N9° 51' 48"W
L116	100.00	N80° 08' 12"E
L117	80.00	N9° 51' 48"W
L118	80.00	N9° 51' 48"W
L119	100.00	N80° 08' 12"E
L120	80.00	N9° 51' 48"W
L121	80.00	N9° 51' 48"W
L122	100.00	N80° 08' 12"E
L123	80.00	N9° 51' 48"W
L124	80.00	N9° 51' 48"W
L125	100.00	N80° 08' 12"E
L126	80.00	N9° 51' 48"W
L127	111.04	N9° 51' 48"W
L128	110.19	N79° 42' 49"W
L129	54.84	N9° 51' 48"W
L130	26.57	N9° 51' 48"W
L131	10.60	N85° 46' 20"E
L132	116.46	N30° 03' 26"W
L133	154.77	S85° 46' 20"W
L134	129.52	N33° 12' 36"E
L135	6.62	S85° 46' 20"W
L136	79.05	N3° 28' 50"W
L137	100.00	S86° 31' 10"W
L138	3.07	N3° 28' 50"W
L139	80.00	S3° 28' 50"E
L140	100.00	S86° 31' 10"W
L141	80.00	S3° 28' 50"E
L142	80.00	S3° 28' 50"E
L143	100.00	S86° 31' 10"W
L144	80.00	S3° 28' 50"E
L145	80.00	S3° 28' 50"E
L146	100.00	S86° 31' 10"W
L147	80.00	S3° 28' 50"E
L148	80.00	S3° 28' 50"E
L149	100.00	S86° 31' 10"W
L150	80.00	S3° 28' 50"E
L151	80.00	S3° 28' 50"E
L152	100.00	S86° 31' 10"W
L153	80.00	S3° 28' 50"E
L154	80.00	S3° 28' 50"E
L155	100.00	S86° 31' 10"W
L156	80.00	S3° 28' 50"E
L157	80.00	S3° 28' 50"E
L158	100.00	S86° 31' 10"W
L159	80.00	S3° 28' 50"E
L160	80.00	S3° 28' 50"E
L161	100.00	S86° 31' 10"W
L162	80.00	S3° 28' 50"E
L163	80.00	S3° 28' 50"E
L164	100.00	S86° 31' 10"W
L165	80.00	S3° 28' 50"E
L166	80.00	S3° 28' 50"E
L167	100.00	S86° 31' 10"W
L168	80.00	S3° 28' 50"E
L169	10.52	S3° 28' 50"E
L170	70.64	N3° 48' 18"W
L171	104.87	N3° 48' 18"W
L172	36.30	S84° 39' 47"W
L173	75.00	S84° 39' 47"W
L174	100.00	S5° 20' 13"E
L175	75.00	N84° 39' 47"E
L176	100.00	S5° 20' 13"E
L177	75.00	S84° 39' 47"W
L178	100.00	S5° 20' 13"E
L179	75.00	S84° 39' 47"W
L180	75.00	S84° 39' 47"W
L181	100.00	S5° 20' 13"E
L182	75.00	S84° 39' 47"W
L183	75.00	S84° 39' 47"W
L184	100.00	S5° 20' 13"E
L185	75.00	S84° 39' 47"W
L186	75.00	S84° 39' 47"W
L187	100.00	S5° 20' 13"E
L188	75.00	S84° 39' 47"W
L189	75.00	S84° 39' 47"W
L190	100.00	S5° 20' 13"E
L191	75.00	S84° 39' 47"W
L192	75.00	S84° 39' 47"W
L193	100.00	S5° 20' 13"E
L194	75.00	S84° 39' 47"W
L195	75.00	S84° 39' 47"W
L196	100.00	S5° 20' 13"E
L197	75.00	S84° 39' 47"W
L198	75.00	S84° 39' 47"W
L199	100.00	S5° 20' 13"E
L200	75.00	S84° 39' 47"W
L201	75.00	S84° 39' 47"W
L202	100.00	S5° 20' 13"E
L203	75.00	S84° 39' 47"W
L204	75.00	S84° 39' 47"W

Line Table		
Line #	Length	Direction
L205	100.00	S5° 20' 13"E
L206	75.00	S84° 39' 47"W
L207	75.00	S84° 39' 47"W
L208	100.00	S5° 20' 13"E
L209	75.00	S84° 39' 47"W
L210	68.11	S84° 39' 47"W
L211	100.00	S2° 47' 25"E
L212	68.11	S84° 39' 47"W
L213	100.00	S24° 56' 00"W
L214	100.00	S52° 39' 26"W
L215	100.00	S80° 22' 51"W
L216	25.81	N8° 33' 55"E
L217	100.00	N81° 26' 05"W
L218	25.81	S8° 33' 55"W
L219	75.00	N8° 33' 55"E
L220	100.00	N81° 26' 05"W
L221	75.00	N8° 33' 55"E
L222	75.00	N8° 33' 55"E
L223	100.00	N81° 26' 05"W
L224	75.00	N8° 33' 55"E
L225	75.00	N8° 33' 55"E
L226	100.00	N81° 26' 05"W
L227	75.00	N8° 33' 55"E
L228	75.00	N8° 33' 55"E
L229	100.00	N81° 26' 05"W
L230	75.00	N8° 33' 55"E
L231	35.92	N8° 33' 55"E
L232	100.00	S66° 59' 25"E
L233	35.92	N8° 33' 55"E
L234	100.00	S39° 15' 59"E
L235	100.00	S11° 32' 34"E
L236	54.07	N86° 11' 42"E
L237	100.00	S3° 48' 18"E
L238	54.07	S86° 11' 42"W
L239	75.00	N86° 11' 42"E
L240	100.00	S3° 48' 18"E
L241	75.00	N86° 11' 42"E
L242	75.00	N86° 11' 42"E
L243	100.00	S3° 48' 18"E
L244	75.00	N86° 11' 42"E
L245	75.00	N86° 11' 42"E
L246	100.00	S3° 48' 18"E
L247	75.00	N86° 11' 42"E
L248	75.00	N86° 11' 42"E
L249	100.00	S3° 48' 18"E
L250	75.00	N86° 11' 42"E
L251	75.00	N86° 11' 42"E
L252	100.00	S3° 48' 18"E
L253	75.00	N86° 11' 42"E
L254	75.00	N86° 11' 42"E
L255	100.00	S3° 48' 18"E
L256	75.00	N86° 11' 42"E
L257	75.00	N86° 11' 42"E
L258	100.00	S3° 48' 18"E
L259	75.00	N86° 11' 42"E
L260	75.00	N86° 11' 42"E
L261	100.00	S3° 48' 18"E
L262	75.00	N86° 11' 42"E
L263	75.00	N86° 11' 42"E
L264	100.00	S3° 48' 18"E
L265	75.00	N86° 11' 42"E
L266	75.00	N86° 11' 42"E
L267	100.00	S3° 48' 18"E
L268	75.00	N86° 11' 42"E
L269	75.00	N86° 11' 42"E
L270	100.00	S3° 48' 18"E
L271	75.00	N86° 11' 42"E
L272	51.50	N86° 11' 42"E
L273	75.00	N3° 48' 18"W
L274	76.50	N86° 11' 42"E
L275	50.00	N86° 11' 42"E
L276	75.00	N3° 48' 18"W
L277	51.50	N86° 11' 42"E
L278	100.00	S3° 48' 18"E
L279	76.50	N86° 11' 42"E
L280	75.00	N86° 11' 42"E
L281	100.00	S3° 48' 18"E
L282	75.00	N86° 11' 42"E
L283	75.00	N86° 11' 42"E
L284	100.00	S3° 48' 18"E
L285	75.00	N86° 11' 42"E
L286	75.00	S86° 11' 42"W
L287	100.00	S3° 48' 18"E
L288	75.00	N86° 11' 42"E
L289	75.00	N86° 11' 42"E
L290	100.00	S3° 48' 18"E
L291	75.00	N86° 11' 42"E
L292	8.59	S86° 11' 42"W
L293	140.09	N41° 30' 16"E
L294	17.31	N10° 07' 45"W
L295	143.96	N86° 11' 42"E
L296	30.29	S76° 18' 37"E
L297	75.93	N86° 11' 42"E
L298	142.60	N10° 07' 45"W
L299	130.38	N41° 30' 16"E
L300	44.00	N3° 48' 18"W
L302	171.66	N86° 11' 42"E
L303	72.49	S10° 07' 45"E
L304	90.00	S86° 11' 42"W
L305	100.00	S3° 48' 18"E
L307	150.00	N86° 11' 42"E
L308	75.00	S86° 11' 42"W

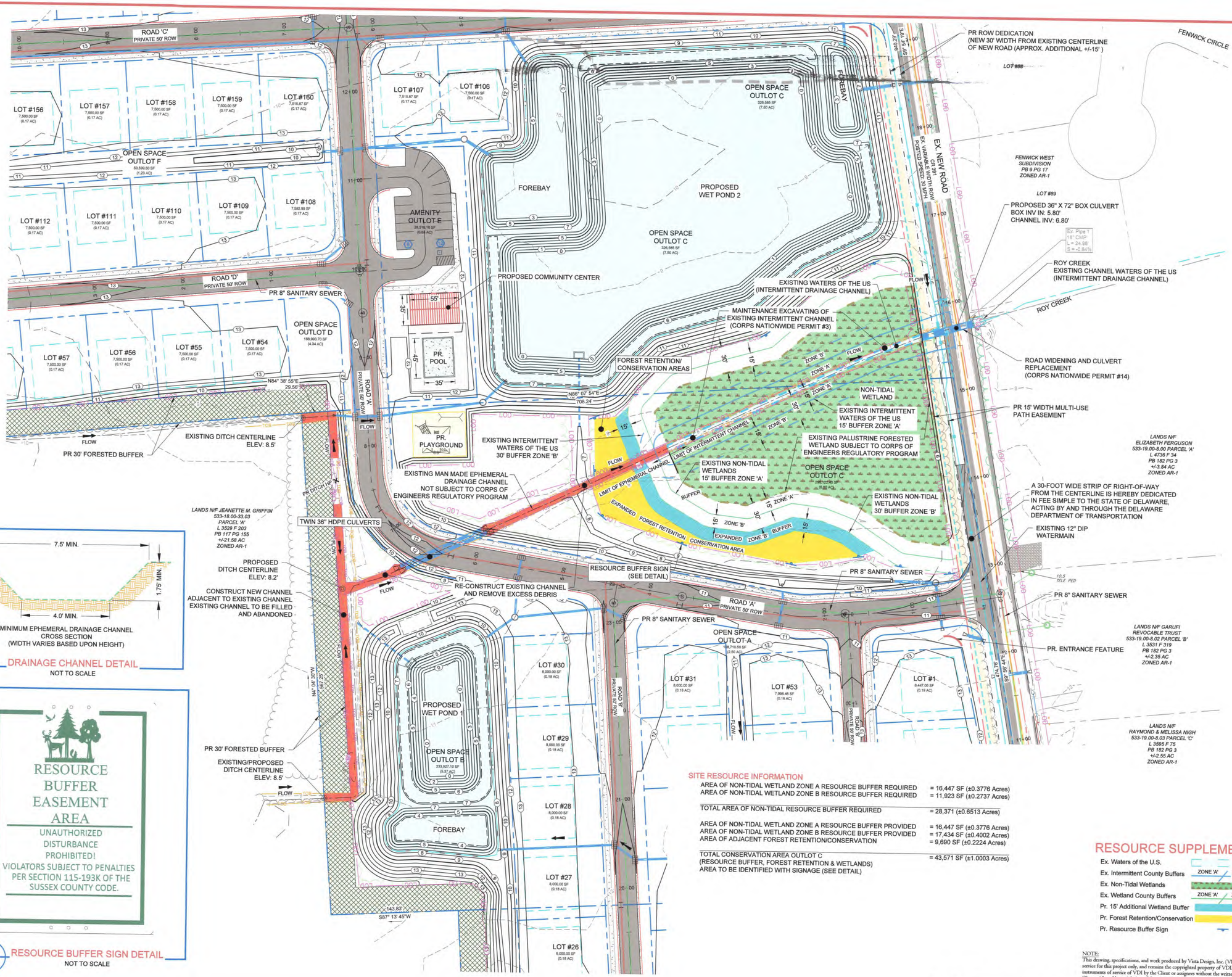
Line Table		
Line #	Length	Direction
L309	100.00	S3° 48' 18"E
L310	75.00	N86° 11' 42"E
L311	75.00	S86° 11' 42"W
L312	100.00	S3° 48' 18"E
L313	75.00	N86° 11' 42"E
L314	51.50	S86° 11' 42"W
L315	75.00	S3° 48' 18"E
L316	76.50	S86° 11' 42"W
L317	75.00	S3° 48' 18"E
L318	51.50	N86° 11' 42"E
L319	100.00	S3° 48' 18"E
L320	75.00	N86° 11' 42"E
L321	100.00	S3° 48' 18"E
L322	75.00	N86° 11' 42"E
L323	100.00	S3° 48' 18"E
L330	319.91	N86° 11' 42"E
L331	406.00	N86° 11' 42"E
L343	100.00	S3° 48' 18"E
L345	75.00	N86° 11' 42"E
L346	100.00	S3° 48' 18"E
L347	75.00	N86° 11' 42"E
L348	51.50	N86° 11' 42"E
L349	75.00	N3° 48' 18"W
L350	76.50	N86° 11' 42"E
L351	13.06	N3° 48' 18"W
L352	286.46	N3° 48' 18"W
L353	100.00	N86° 11' 42"E
L354	283.86	N3° 48' 18"W
L355	100.03	N87° 40' 52"E
L356	6.73	N3° 48' 18"W
L357	70.71	N3° 48' 18"W
L358	398.19	N80° 47' 47"W
L359	98.60	S86° 07' 54"W
L360	80.46	S80° 43' 44"W
L361	25.70	S3° 48' 18"E
L362	75.70	N3° 48' 18"W
L363	51.51	S84° 39' 47"W
L364	100.00	N5° 20' 13"W
L365	78.53	N84° 39' 47"E
L366	75.00	S84° 39' 47"W
L367	100.00	N5° 20' 13"W
L368	75.00	S84° 39' 47"W
L369	75.00	S84° 39' 47"W
L370	100.00	N5° 20' 13"W
L371	75.00	S84° 39' 47"W
L372	75.00	S84° 39' 47"W
L373	100.00	N5° 20' 13"W
L374	75.00	S84° 39' 47"W
L375	75.00	S84° 39' 47"W
L376	100.00	N5° 20' 13"W
L377	75.00	S84° 39' 47"W
L378	75.00	S84° 39' 47"W
L379	100.00	N5° 20' 13"W
L380	75.00	S84° 39' 47"W
L381	75.00	S84° 39' 47"W
L382	100.00	N5° 20' 13"W
L383	75.00	S84° 39' 47"W
L384	75.00	S84° 39' 47"W
L385	100.00	N5° 20' 13"W
L386	75.00	S84° 39' 47"W
L387	75.00	S84° 39' 47"W
L388	100.00	N5° 20' 13"W
L389	75.00	S84° 39' 47"W
L390	75.00	S84° 39' 47"W
L391	100.00	N5° 20' 13"W
L392	75.00	S84° 39' 47"W
L393	75.00	S84° 39' 47"W
L394	100.00	N5° 20' 13"W
L395	75.00	S84° 39' 47"W
L396	75.00	S84° 39' 47"W
L397	100.00	N5° 20' 13"W
L398	75.00	S84° 39' 47"W
L399	75.00	S84° 39' 47"W
L400	100.00	N5° 20' 13"W
L401	75.00	S84° 39' 47"W
L402	55.57	N84° 39' 47"E
L403	26.77	S8° 33' 55"W
L404	79.10	N81° 26' 05"W
L405	45.16	S84° 39' 47"W
L406	75.00	N8° 33' 55"E
L407	100.00	N81° 26' 05"W
L408	22.26	S8° 33' 55"W
L409	47.76	S20° 08' 18"E
L410	60.37	N8° 33' 55"E
L411	51.87	N81° 26' 05"W
L412	86.91	S8° 33' 55"W
L413	127.16	S86° 11' 42"W
L414	75.00	S86° 11' 42"W
L415	100.00	N3° 48' 18"W
L416	75.00	S86° 11' 42"W
L417	100.00	N3° 48' 18"W
L418	75.00	S86° 11' 42"W
L419	100.00	N3° 48' 18"W
L420	75.00	S86° 11' 42"W
L421	75.00	S86° 11' 42"W
L422	100.00	N3° 48' 18"W
L423	75.00	S86° 11' 42"W
L424	75.00	S86° 11' 42"W
L425	100.00	N3° 48' 18"W
L426	75.00	S86° 11' 42"W
L427	75.00	S86° 11' 42"W
L428	100.00	N3° 48' 18"W

Line Table		
Line #	Length	Direction
L429	75.00	S86° 11' 42"W
L430	75.00	S86° 11' 42"W
L431	100.00	N3° 48' 18"W
L432	75.00	S86° 11' 42"W
L433	75.00	S86° 11' 42"W
L434	100.00	N3° 48' 18"W
L435	75.00	S86° 11' 42"W
L436	75.00	S86° 11' 42"W
L437	100.00	N3° 48' 18"W
L438	75.00	S86° 11' 42"W
L439	75.00	S86° 11' 42"W
L440	100.00	N3° 48' 18"W
L441	75.00	S86° 11' 42"W
L442	75.00	S86° 11' 42"W
L443	100.00	N3° 48' 18"W
L444	75.00	S86° 11' 42"W
L445	51.50	S86° 11' 42"W
L446	75.00	S3° 48' 18"E
L447	76.50	S86° 11' 42"W
L448	75.00	N3° 48' 18"W
L449	51.50	N86° 11' 42"E
L450	100.00	N3° 48' 18"W
L451	76.50	S86° 10' 11"W
L452	75.00	S86° 11' 42"W
L453	100.00	N3° 48' 18"W
L454	75.00	S86° 11' 42"W
L455	75.00	S86° 11' 42"W
L456	100.00	N3° 48' 18"W
L457	75.00	S86° 11' 42"W
L458	75.00	S86° 11' 42"W
L459	100.00	N3° 48' 18"W
L460	75.00	S86° 11' 42"W
L461	75.00	S86° 11' 42"W
L462	100.00	N3° 48' 18"W
L463	75.00	S86° 11' 42"W
L464	75.00	S86° 11' 42"W
L465	100.00	N3° 48' 18"W
L466	75.00	S86° 11' 42"W
L467	75.00	S86° 11' 42"W
L468	100.00	N3° 48' 18"W
L469	75.00	S86° 11' 42"W
L470	75.00	S86° 11' 42"W
L471	100.00	N3° 48' 18"W
L472	75.00	S86° 11' 42"W
L473	75.00	S86° 11' 42"W
L474	100.00	N3° 48' 18"W
L475	75.00	S86° 11' 42"W
L476	75.00	S86° 11' 42"W
L477	100.00	N3° 48' 18"W
L478	75.00	S86° 11' 42"W
L479	75.00	N86° 11' 42"E
L480	100.00	N3° 48' 18"W
L481	75.00	S86° 11' 42"W
L482	97.50	N86° 11' 42"E
L483	82.28	S3° 48' 18"E
L484	28.40	S48° 36' 10"W
L485	75.00	S85° 53' 38"W
L486	29.66	N86° 11' 42"E
L487	51.87	S81° 26' 05"E
L488	64.63	S8° 33' 55"W
L489	114.99	N81° 26' 05"W
L490	34.96	S8° 33' 55"W
L491	54.07	S86° 11' 42"W
L492	100.39	N3° 48' 18"W
L493	75.00	S86° 11' 42"W
L494	100.00	N3° 48' 18"W
L495	75.00	S86° 11' 42"W
L496	100.00	N3° 48' 18"W
L497	75.00	S86° 11' 42"W
L498	100.00	N3° 48' 18"W
L499	75.00	S86° 11' 42"W
L500	100.00	N3° 48' 18"W
L501	75.00	S86° 11' 42"W
L502	100.00	N3° 48' 18"W
L503	75.00	S86° 11' 42"W
L504	100.00	N3° 48' 18"W
L505	75.00	S86° 11' 42"W
L506	100.00	N3° 48' 18"W
L507	75.00	S86° 11' 42"W
L508	100.00	N3° 48' 18"W
L509	75.00	S86° 11' 42"W
L510	100.00	N3° 48' 18"W
L511	75.00	S86° 11' 42"W
L512	100.00	N3° 48' 18"W
L513	75.00	S86° 11' 42"W
L514	100.00	N3° 48' 18"W
L515	51.50	S86° 11' 42"W
L516	75.00	S3° 48' 18"E

Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C1	11.79	125.00	5.4028	11.78
C2	23.57	15.00	90.0133	21.22
C3	6.24	75.00	4.7684	6.24
C4	21.49	75.00	16.4159	21.41
C5	11.66	125.00	5.3442	11.66
C6	21.51	125.00	9.8581	21.48
C7	26.00	125.00	11.9169	25.95
C8	46.80	225.00	11.9169	46.71
C9	12.10	125.00	5.5448	12.09
C10	64.52	125.00	29.5720	63.80
C11	118.13	225.00	29.5720	114.84
C12	64.52	125.00	29.5720	63.80
C13	116.13	225.00	29.5720	114.84
C14	41.52	125.00	19.0298	41.33
C15	74.73	225.00	19.0298	74.39
C16	18.67	125.00	8.5578	18.65
C17	33.61	225.00	8.5578	33.58
C18	64.52	125.00	29.5720	63.80
C19	116.13	225.00	29.5720	114.84
C20	64.52	125.00	29.5720	63.80
C21	116.13	225.00	29.5720	114.84
C22	50.28	125.00	23.0455	49.94
C23	90.50	225.00	23.0455	89.89
C24	33.74	25.00	77.3160	31.23
C25	167.97	125.00	76.9914	155.61
C26	28.52	125.00	13.0718	28.46
C27	15.70	10.00	89.9738	14.14
C28	46.25	125.00	21.1975	45.98
C29	19.90	75.00	15.2024	19.84
C30	18.66	50.00	21.3846	18.55
C31	126.89	72.13	100.7924	111.15
C32	42.66	50.00	48.8793	41.37
C33	33.68	73.96	26.0760	33.37
C34	32.01	50.00	36.6782	31.46
C35	22.14	50.00	25.3717	21.96
C36	85.60	73.96	66.3150	80.90
C37	47.18	50.00	54.0691	45.45
C38	44.80	25.00	102.6840	39.04
C39	39.94	25.00	91.5319	35.82
C40	5.56	125.00	2.5467	5.56
C41	10.00	225.00	2.5467	10.00
C42	60.48	125.00	27.7238	59.90
C43	108.87	225.00	27.7238	107.81
C44	60.48	125.00	27.7238	59.90
C45	108.87	225.00	27.7238	107.81
C46	60.48	125.00	27.7238	59.90
C47	108.87	225.00	27.7238	107.81
C48	39.67	125.00	18.1843	39.51
C49	71.41	225.00	18.1843	71.11
C50	31.51	125.00	14.4445	31.43
C51	56.72	225.00	14.4445	56.57
C52	60.48	125.00	27.7238	59.90
C53	108.87	225.00	27.7238	107.81
C54	60.48	125.00	27.7238	59.90
C55	108.87	225.00	27.7238	107.81
C56	16.88	125.00	7.7375	16.87
C57	30.39	225.00	7.7375	30.36
C58	39.27	25.00	90.0000	35.36
C59	39.27	25.00	90.0000	35.36
C60	41.91	53.00	45.3097	40.83
C61	15.21	53.00	16.4405	15.16
C62	42.31	53.00	45.7447	41.20
C63	75.58	53.00	81.7113	69.34
C64	64.06	53.00	69.2576	60.24
C65	23.28	17.01	78.4240	21.51
C66	39.27	25.00	90.0000	35.36
C67	39.27	25.00	90.0000	35.36
C68	39.27	25.00	90.0000	35.36
C69	100.78	75.00	76.9914	93.37
C70	17.11	75.00	13.0718	17.07
C71	7.07	75.00	5.4028	7.07
C72	38.60	25.00	88.4681	34.88
C73	136.01	75.00	103.9023	118.12
C74	39.27	25.00	90.0000	35.36
C75	23.20	175.00	7.5963	23.18
C76	14.58	175.00	4.7741	14.58
C77	39.27	25.00	90.0000	35.36
C78	39.27	25.00	90.0000	35.36
C79	26.99	125.00	12.3704	26.94
C80	39.27	25.00	90.0000	35.36
C81	101.62	75.00	77.6296	94.02
C82	39.27	25.00	90.0000	35.36
C83	39.03	25.00	89.4589	35.19
C84	39.51	25.00	90.5411	35.52
C85	36.51	25.00	83.6759	33.35
C86	42.03	25.00	96.3241	37.25



LOT TABLE			
LOT #	FRONTAGE	LOT AREA (SQ. FT.)	LOT AREA (ACRE)
OPEN SPACE 'A'	ROAD 'A'	54,180.45	1.24
OPEN SPACE 'B'	ROAD 'A'	233,927.14	5.37
OPEN SPACE 'C'	ROAD 'A' & 'C'	296,122.43	6.80
OPEN SPACE 'D'	ROAD 'A' & 'C'	166,490.69	3.82
OPEN SPACE 'E'	ROAD 'A'	28,516.10	0.65
OPEN SPACE 'F'	ROAD 'C'	53,599.60	1.23
1	ROAD 'C'	8,447.06	0.19
2	ROAD 'C'	9,191.10	0.21
3	ROAD 'C'	8,932.98	0.21
4	ROAD 'C'	7,958.68	0.18
5	ROAD 'C'	8,000.00	0.18
6	ROAD 'C'	8,000.00	0.18
7	ROAD 'C'	8,000.00	0.18
8	ROAD 'C'	8,000.00	0.18
9	ROAD 'C'	8,000.00	0.18
10	ROAD 'C'	8,000.00	0.18
11	ROAD 'C'	8,415.98	0.19
12	ROAD 'C'	9,032.26	0.21
13	ROAD 'C'	9,032.26	0.21
14	ROAD 'C'	8,664.27	0.20
15	ROAD 'C'	8,000.00	0.18
16	ROAD 'C'	8,298.72	0.19
17	ROAD 'C'	9,032.26	0.21
18	ROAD 'C'	9,032.26	0.21
19	ROAD 'C'	8,804.44	0.20
20	ROAD 'C'	8,000.00	0.18
21	ROAD 'C'	8,000.00	0.18
22	ROAD 'C'	8,000.00	0.18
23	ROAD 'C'	8,000.00	0.18
24	ROAD 'C'	8,000.00	0.18
25	ROAD 'C'	8,000.00	0.18
26	ROAD 'C'	8,000.00	0.18
27	ROAD 'C'	8,000.00	0.18
28	ROAD 'C'	8,000.00	0.18
29	ROAD 'C'	8,000.00	0.18
30	ROAD 'C'	8,000.00	0.18
31	ROAD 'C'	8,000.00	0.18
32	ROAD 'C'	8,



MINIMUM EPHEMERAL DRAINAGE CHANNEL
CROSS SECTION
(WIDTH VARIES BASED UPON HEIGHT)

1
11
DRAINAGE CHANNEL DETAIL
NOT TO SCALE

2
11
RESOURCE BUFFER SIGN DETAIL
NOT TO SCALE

SITE RESOURCE INFORMATION

AREA OF NON-TIDAL WETLAND ZONE A RESOURCE BUFFER REQUIRED	= 16,447 SF (±0.3776 Acres)
AREA OF NON-TIDAL WETLAND ZONE B RESOURCE BUFFER REQUIRED	= 11,923 SF (±0.2737 Acres)
TOTAL AREA OF NON-TIDAL RESOURCE BUFFER REQUIRED	= 28,371 (±0.6513 Acres)
AREA OF NON-TIDAL WETLAND ZONE A RESOURCE BUFFER PROVIDED	= 16,447 SF (±0.3776 Acres)
AREA OF NON-TIDAL WETLAND ZONE B RESOURCE BUFFER PROVIDED	= 17,434 SF (±0.4002 Acres)
AREA OF ADJACENT FOREST RETENTION/CONSERVATION	= 9,690 SF (±0.2224 Acres)
TOTAL CONSERVATION AREA OUTLOT C (RESOURCE BUFFER, FOREST RETENTION & WETLANDS) AREA TO BE IDENTIFIED WITH SIGNAGE (SEE DETAIL)	= 43,571 SF (±1.0003 Acres)

RESOURCE SUPPLEMENT LEGEND

- Ex. Waters of the U.S.
- Ex. Intermittent County Buffers — ZONE 'A' / ZONE 'B'
- Ex. Non-Tidal Wetlands
- Ex. Wetland County Buffers — ZONE 'A' / ZONE 'B'
- Pr. 15' Additional Wetland Buffer
- Pr. Forest Retention/Conservation
- Pr. Resource Buffer Sign

0 25 50 100 150
SCALE: 1" = 50'

NOTE:
This drawing, specifications, and work produced by Vista Design, Inc. (VDI) for this project are instruments of service for this project only, and remains the copyrighted property of VDI. Reuse or reproduction of any of the instruments of service of VDI by the Client or assignees without the written permission of VDI will be at the Clients risk and be a violation of the copyright laws of the United States of America and the respective state within which the work was completed.

NOTE:
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.

NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 102824.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 10/8/2024
Scale: 1" = 50'

PROPOSED RESOURCE BUFFER AND DRAINAGE CHANNEL MAINTENANCE PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3674 • www.vistadesignic.com

RICHARD F. POLK
REGISTERED
NO. 21698
PROFESSIONAL ENGINEER
DELAWARE

Sheet No.:
II of II

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

Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mrs. Christin Scott, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: March 27, 2025
RE: Staff Analysis for C/U 2459 Marlin Cove

This memo is to provide background and analysis for the Planning & Zoning Commission to consider as a part of application C/U 2459 Marlin Cove to be reviewed during the April 2nd, 2025, Planning & Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

Please note that the following staff analysis is for informational purposes only and does not prejudice any decision that the Sussex County Planning & Zoning Commission or Sussex County Council may wish to make as part of any Application submitted to the Department.

Tax Parcel ID: 533-19.00-7.00, 8.01, & 9.00

Proposal: The request is for a Conditional Use for Tax Parcels: 533-19.00-7.00, 8.01, & 9.00 to allow for Multi-Family Dwellings (Single-family detached condominiums – 106 Units) to be located on the west side of New Road (S.C.R. 391) approximately 65 ft. north of the intersection with Lighthouse Road (Rt. 54) and comprised of a total of 23.90 acres +/-.

Staff note that related Applications (C/Z 2015 and 2023-08 Marlin Cove) requesting a Change of Zone from Agricultural Residential (AR-1) to Medium Density Residential (MR) and 107 single family cluster lots with a total of 213 units accompanies this Application.

Zoning: The Parcels are zoned Agricultural Residential (AR-1) Zoning District with adjacent properties to the north, south, east, and west of the Parcels being zoned Agricultural Residential (AR-1) Zoning District. Parcels directly across Lighthouse Road (Rt. 54) and further east are zoned Medium Density (MR) District, Neighborhood Business (B-1) District, General Commercial (C-1) District, Medium Commercial (C-2) District, and Heavy Commercial (C-3) District. The multifamily use at the site is also the subject of accompanying Change of Zone Application (C/Z 2016) requesting a change from Agricultural Residential (AR-1) District to Medium-Density Residential (MR) District.

In terms of permitted residential density, if this Change of Zone to Medium Density (MR) Zoning District and the accompanying (CU 2459) were to be approved, the proposed density of ≈ (3.5) dwelling units per acre would comply with the County Code requirements for multifamily improvement in an (MR) District which allows up to (12) multifamily dwelling units per acre when serviced by a central sewer system (§115-Attachment 2 – Table II)(§115-31).

Future Land Use Map Designation w/in Comprehensive Plan: Coastal Area

Applicability to Comprehensive Plan: The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Coastal Area" with all adjacent parcels also categorized under the Future Land Use Map designation of "Coastal Area".

As outlined within the 2018 Sussex County Comprehensive Plan, *Coastal Areas* are growth areas that the County encourages only the appropriate forms of concentrated new development, especially when environmental features are in play. The *Coastal Area* designation is intended to recognize the characteristics of both anticipated growth and ecologically important and sensitive characteristics. The Plan notes, "this region contains ecologically important and sensitive characteristics as well as other coastal lands which help to absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats. And these factors are themselves part of the reason that this Area is so desirable - making the protection of them important to both the environment and the economy" (2018 Sussex County Comprehensive Plan, 4-15).

In terms or residential/dwelling improvements, the Plan notes, "A range of housing types should be permitted in *Coastal Areas,* including single-family homes, townhouses, and multi-family units" (2018 Sussex County Comprehensive Plan, 4-15). In terms of density the Plan notes:

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 (2018 Sussex County Comprehensive Plan, 4-16).

Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" in the 2018 Sussex County Comprehensive Plan notes that the proposed zoning of Medium Commercial (MR) in an applicable Zoning Districts within the "Coastal Area" Future Land Use Map Designation.

Further Site Considerations

- **Density:** In terms of permitted residential density, if this Conditional Use for multifamily use and the accompanying Change of Zone (C/Z 2016 AR-1 to MR) were to be approved, the proposed density of ≈ (3.5) dwelling units per acre would comply with the County Code requirements for multifamily improvement in an (MR) District which allows up to (12) multifamily dwelling units per acre when serviced by a central sewer system (§115-Attachment 2 – Table II)(§115-31).

- **Open Space Provisions:** The proposed plan includes (19.69) acres +/- (out of a total of (60.84) acres) of open space which equates to approximately (32.4%) of the project site.

- **Agricultural Areas:** The site is located within the vicinity of lands use for agricultural purposes.

- **Interconnectivity: N/A**

- **Transportation Improvement District (TID): N/A**

- **Forested Areas:** N/A.

- **Wetlands Buffers/Waterways:** County data indicates the presence of jurisdictional Nonidal Wetlands areas on a portion of the site which are required to meet the Resource Buffer Protection Section of the Zoning Code (§115-193). Staff note that the Applicant submitted a Drainage Assessment Report (DAR) as required under (§115-193F) and the submission was reviewed by SCED, with all of SCED's comments addressed.

- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The Parcels are located within Flood Zones "X" and Staff note there are no Wellhead Protection Areas on the site. The Parcel is classified as within areas of "Fair" in terms of Groundwater Recharge Potential on the site per data from the State of Delaware.

Based on the analysis provided, the Conditional Use to allow for a multifamily dwelling use at the site, could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

Existing Conditional Uses within the Vicinity of the Subject Site: Staff notes there have been (15) Conditional Use application within a one (1) mile radius of the application site. A Data Table and Supplemental Map have been supplied to provide additional background regarding the approval status of Applications in the area to include the location of all other Conditional Use Applications since 2011 that are less than 1 mile distance from the subject site.

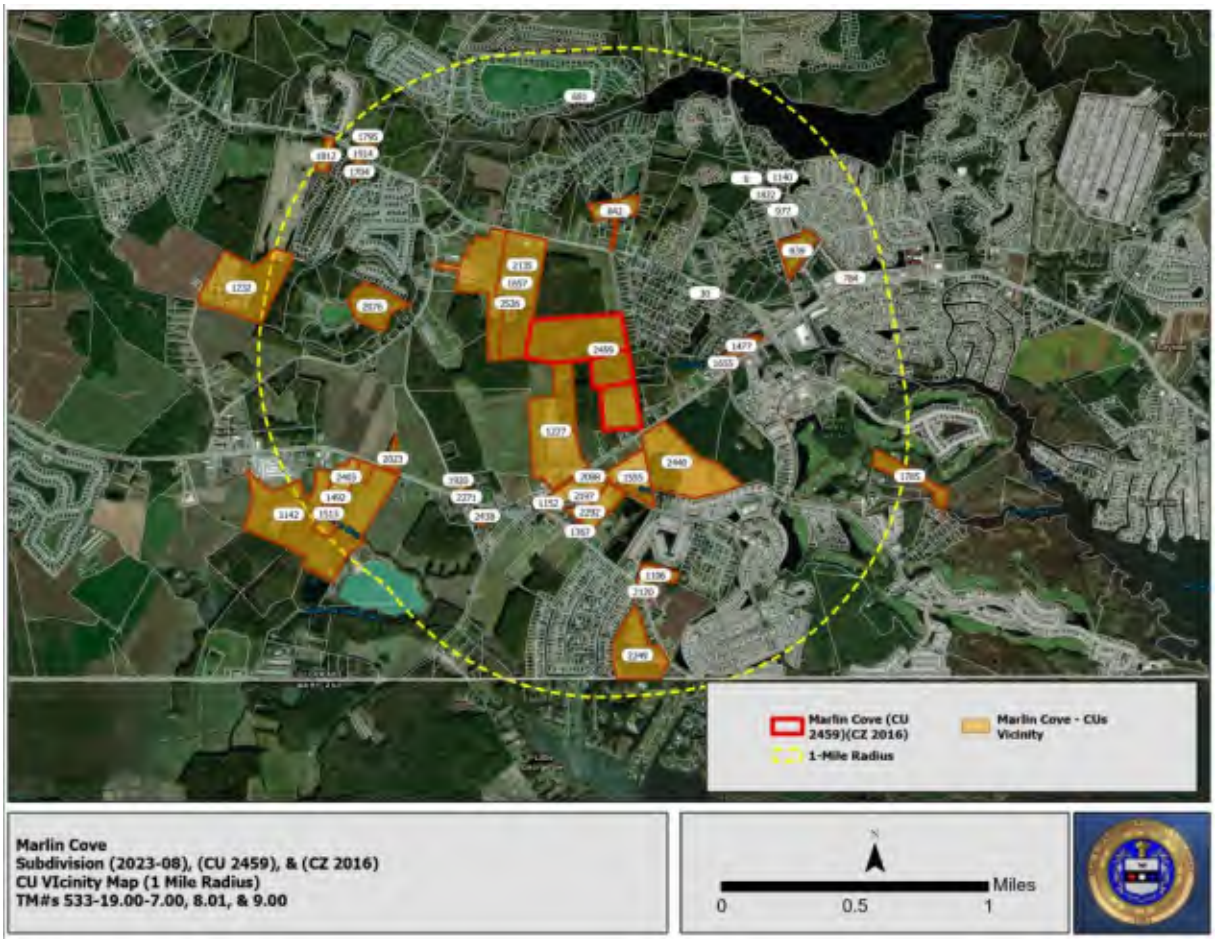
Conditional Use Applications

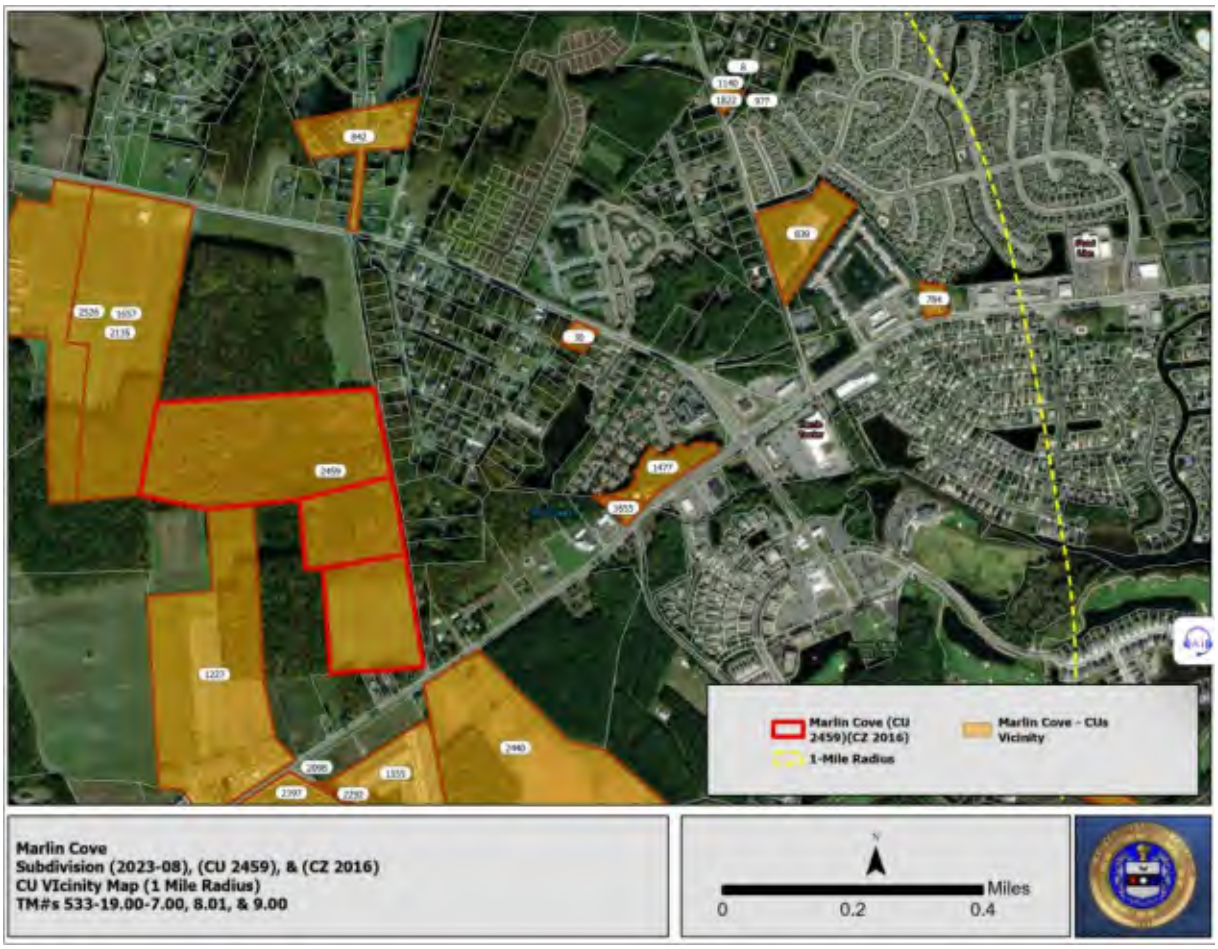
(Within a 1-mile radius of the subject site)

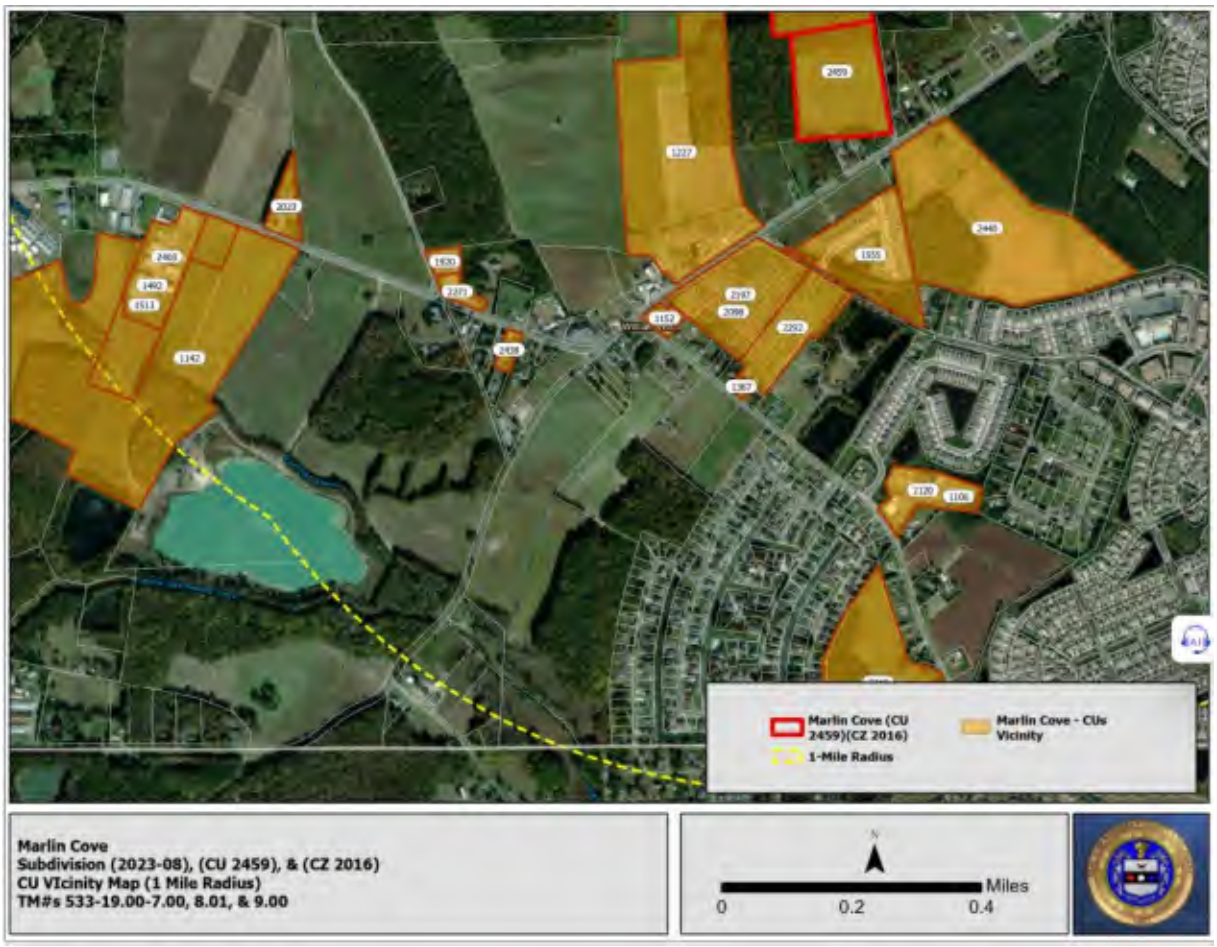
Application CU Number	Application Name	Zoning District	Proposed Use	CC Decision	CC Decision Date	Ord Number
1914	Steven Krebs & Barbara Krebs	AR-1	Barbeque Prep and Sales	Approved	1/17/2012	2233

1920	Collins 54, LLC	AR-1	Storage Garage for Trucks and Equipment and a Parking Area	Approved	2/7/2012	2240
2023	Frank Miranda	AR-1	veterinarian office	Approved	9/15/2015	2416
2076	Joseph Mark Zdurienick	AR-1	event facility/center	Approved	6/13/2017	2504
2098	Fenwick Commons. LLC	MR	Multi-family (62 Duplex Units)	Denied	1/23/2018	
2120	PJM Properties, LLC	AR-1	amend conditions of approval of CU 1106	Approved	5/15/2018	2575
2135	Void - Henry Clay Johnson V	AR-1	amendment to CU 1657 to allow retail and cooking facilities			
2197	Fenwick Commons, LLC	MR	Multi-family (62 Duplex units)	Approved	12/17/2019	2701
2249	Mayapple Farm, LLC	AR-1	Multi Family (41 Units)	Approved	10/26/2021	2806
2271	Chris Brasure	AR-1	Office for pest control business - amendment to Ordinance 2240 CU 1920	Approved	11/16/2021	2814
2292	Gulfstream Development, LLC	AR-1	32 Multi-Family Units (Duplexes)	Approved	9/21/2021	2804
2403	Beach Buggies, LLC	AR-1	Retail Sales			
2438	Robert Frey (Sandy Hill Acre, LLC)	AR-1	Professional Office			

2440	CU 2440 Double H Development, LLC c.o R Horsey	AR-1	Multifamily Condominium (108 UNITS)			
2526	Common Ground Hospitality	AR-1	Converting Farmers Market into a Restaurant	Approved	12/17/2024	3066




Marlin Cove (CU 2459)(CZ 2016)
Marlin Cove - CUs Vicinity
1-Mile Radius
Marlin Cove
Subdivision (2023-08), (CU 2459), & (CZ 2016)
CU VIcinity Map (1 Mile Radius)
TM#s 533-19.00-7.00, 8.01, & 9.00
N
0
0.2
0.4
Miles


Marlin Cove (CU 2459)(CZ 2016)
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Marlin Cove
Subdivision (2023-08), (CU 2459), & (CZ 2016)
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TM#s 533-19.00-7.00, 8.01, & 9.00
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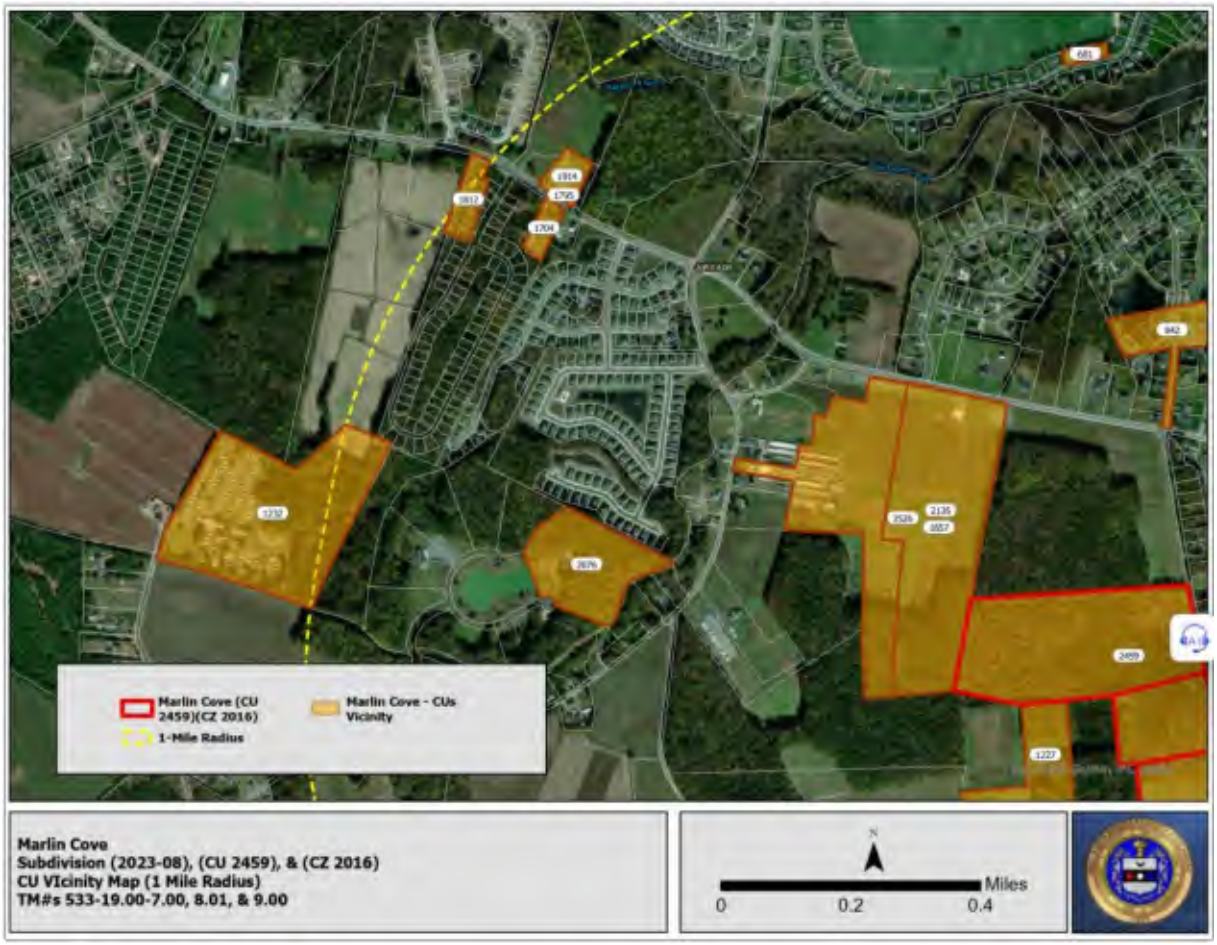
Marlin Cove (CU 2459)(CZ 2016)
1-Mile Radius
Marlin Cove - CUs Vicinity
Marlin Cove
Subdivision (2023-08), (CU 2459), & (CZ 2016)
CU VIcinity Map (1 Mile Radius)
TM#s 533-19.00-7.00, 8.01, & 9.00
N
0
0.2
0.4
Miles

Exhibit F.10

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

NICOLE MAJESKI
SECRETARY

April 24, 2023

Ms. Betty H. Tustin, PE
The Traffic Group, Inc.
104 Kenwood Court
Berlin, Maryland 21811

Dear Ms. Tustin,

The enclosed Traffic Operational Analysis (TOA) review letter for the **Marlin Cove** (Tax Parcels: 533-19.00-7.00, 8.01, and 9.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TOA to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
TIS Group Project Engineer

CJ:km
Enclosures
cc with enclosures: Mr. Russell Garufi, Marlin Cove, LLC
Mr. Rich Polk, Vista Design, Inc.
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning & Zoning
Ms. Joanne M. Arellano, Johnson, Mirmiran, & Thompson, Inc.
Mr. Mir Wahed, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
Kevin Hickman, Sussex County Review Coordinator, Development Coordination, Planning
Thomas Gagnon, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Annamaria Furmato, TIS Group Project Engineer, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Jennifer Cinelli, Transportation Planner, Statewide & Regional Planning

Document# 2020000040256 BK: 5304 PG: 148
Recorder of Deeds, Scott Dailey On 9/2/2020 at 2:05:38 PM Sussex County, DE
Consideration: $800,000.00 County/Town: $12,000.00 State: $20,000.00 Total: $32,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #:
533-19.00-7.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way, Suite 3
Lewes, DE 19958
File No. 2-3303/REB

THIS DEED, made this 1st day of September, 2020,

- BETWEEN -

MICHAEL JOHN TRUITT, of 36261 Zion Church Rd., Selbyville, DE 19975 and **TRACY LYNN BERRY**, of 13051 Muskrattown Rd., Bishopville, MD 21813, parties of the first part,

- AND -

ATLANTIC BUILDING ASSOCIATES, INC., of 13053 Old Stage Road, Bishopville, MD 21813, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **TEN DOLLARS ($10.00)**, lawful money of the United States of America and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

Beginning at a PK nail set along the westerly side of New Road, said PK nail being approximately 64 feet north of the right of way line of Lighthouse Road; thence proceeding South 85 degrees 48 minutes 21 seconds West 295.17 feet to a concrete monument found along the common boundary of these lands, lands now or formerly of June A. Truitt, and lands now or formerly of Anita E. Adkins, Trustee; thence proceeding South 85 degrees 49 minutes 12 seconds West 149.30 feet to another concrete monument found along the common boundary of these lands, the Adkins lands, and lands now or formerly of CSM, LLC; thence South 85 degrees 38 minutes 43 seconds West 310.62 feet to a 5/8 inch rebar found along the common boundary

of these lands, lands now or formerly of Audrey Prettyman, *et al.*, and lands now or formerly of Jeanette M. Griffin; thence by and with the Griffin lands North 03 degrees 10 minutes 40 seconds West 861.13 feet to another 5/8 inch rebar found along the common boundary of these lands and lands now or formerly of MDP Partners LLC; thence by and with the MDP lands North 87 degrees 11 minutes 20 seconds East 655.02 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence by and with the westerly side of New Road south 09 degrees 45 minutes 44 seconds east 810.26 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence continuing with New Road South 13 degrees 43 minutes 04 seconds East 38.44 feet to the place of beginning, containing 13.7642 acres, as is more particularly set forth on a certain survey prepared by Simpler Surveying and Associate, Inc., dated August 20, 2020, referenced to which may be had.

BEING the same lands which were conveyed unto Michael John Truitt and Tracy Lynn Berry by Deed of June A. Truitt dated 4/9/2015 and recorded in the Office of the Recorder of Deeds in and for Sussex County on 4/15/2015 in Deed Book 4383, Page 341.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____

_____

_____(SEAL)
Michael John Truitt

_____(SEAL)
Tracy Lynn Berry

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on September 1, 2020, personally came before me, the subscriber, Michael John Truitt and Tracy Lynn Berry, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323 (a) (3)

_____
Notary Public

My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

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- AND -

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IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

VISTA
DESIGN, INC.

MARLIN COVE SUBDIVISION
PLANNING INFORMATION PACKET

TM: 533-19.00-7.00
533-19.00-8.01
533-19.00-9.00

Prepared for:

Sussex County Planning & Zoning Commission
2 The Circle
Georgetown, Delaware 19947

Submitted by:

Vista Design, Inc.
11634 Worcester Highway
Showell, Maryland 21862
Phone: (410) 352-3874
www.vistadesigninc.com

MARLIN COVE
Supplemental Planning Information

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DESIGN, INC.

SECTION A
PROJECT SUMMARY

Marlin Cove

Section A
Project Summary
Change of Zone
Conditional Use

The proposed Marlin Cove Subdivision is to be located along the west side of New Road (CR-391) and is to consist of 114 single family detached cluster lots and 106 semi-detached (duplex) units. The subdivision is proposed to have duplex dwelling units in the southern half of the project and single family detached lots in the northern half. Two proposed entrances to Marlin Cove are located on New Road. The southern entrance is ±1,250' north of Lighthouse Road (SR-54) and the northern entrance ±1,700' south of Zion Church (SR-20). The 220-unit subdivision proposes to combine three existing parcels 533-19.00-7.00 (13.76 acres), 533-19.00-8.01 (10.13 acres) and 533-19.00-9.00 (36.95 acres) totaling 60.84 acres.

The existing zoning of all three parcels is AR-1 (Agricultural Residential) within the Coastal Area land use overlay zone. The Marlin Cove subdivision proposes to change the zoning of all three parcels to Medium-Density Residential (MR) with Cluster Option with a Conditional Use to permit Duplex Homes.

The northern parcels -8.01 & -9.00 are entirely wooded with second and third growth forests after recent log harvesting operations, and the southern parcel -7.00 is partially wooded with a farm field of row crops. Parcels -8.01 and -9.00 contain an unnamed tributary drainage ditch to Roy Creek and associated ephemeral drainage channels with runoff induced stormflow travelling across the site generally in a west to east direction. Delineated areas of Corps of Engineers regulated non-tidal wetlands are located within the property along the eastern extent of the drainage network near New Road, and Waters of the US have been established along portions of the unnamed tributary to Roy Creek upstream of New Road. Other than as required by DelDOT for the widening of New Road, no impacts are proposed to the onsite regulated non-tidal wetlands or Waters of the US.

The northern and western boundaries of the existing overall site borders forested and row crop agricultural parcels zoned AR-1, while the southern boundary of the site abuts existing single family detached homes zoned AR-1, and the eastern boundary of the site borders New Road with existing single family homes, zoned AR-1, on the east side of New Road.

The Preliminary Plan Submission proposes 114 single family detached cluster lots and 53 duplex lots (for a total of 106 duplex homes). The proposed single-family detached cluster lots have a 7,500 sq. ft. minimum lot area and minimum road frontage of 75'. The proposed single family detached cluster lot sizes range from 7,500 sq. ft. to 13,100 sq. ft., with an average lot size of 7,840 sq. ft. The proposed duplex home lots have a 7,600 sq. ft. minimum lot area with a minimum road frontage of 76'. The proposed duplex home lot sizes range from 8,000 sq. ft. to 13,100 sq. ft., with an average lot size of 8,500 sq. ft. The open space lots spread throughout the site are proposed to total 18.46 acres and will comprise 30.4% of the site, which is above the required 30% open space for cluster developments. The open space parcels include the 30' forested agricultural land buffer (which is intended to buffer Marlin Cove from its neighbors to the north, south and west), stormwater facilities, drainage swales, shared use paths, natural trails and environmental features that include portions of the retained forest, the preserved non-tidal wetlands, the preserved Waters of the US, and their associated buffers. The Marlin Cove Subdivision will adhere to the 2019 Approved Sussex County Comprehensive Plan and all applicable building and design regulations as stipulated in the Sussex County Code and design standards.

Per the Sussex County Comprehensive Plan, the following characteristics are described in the plan for Coastal Areas:

- Permitted Uses – *A range of housing types are appropriate in Coastal Areas, including single family homes, townhouses, and multi-family units*

- Densities – *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 & 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*

The requested Change of Zone from Agricultural Residential (AR-1) to Medium-Density Residential (MR) with Cluster Option and Conditional Use to allow for duplex units are in harmony with these requirements as set forth in the 2019 Approved Comprehensive Plan. A further detailed review of this development's compliance with the Comprehensive Plan is addressed in Section 2 of this exhibit book.

In summary, the requested Change of Zone with Cluster Option and the Conditional Use will result in 114 single family detached cluster lots and 106 semi-detached (duplex) units on 60.84 acres along New Road, ±100' north of the intersection Lighthouse Road (SR-54) at a density of less than 4 units per acre. It is consistent with the character and trend of development in the area and in particular with three existing, or currently under development, subdivisions in close proximity to Marlin Cove, as listed below:

- Bayside Phase VII
    - CZ #1803 – an adjacent residential project with an approved density of 4.8 Units per acre,
- Fenwick Commons
    - CZ #1896 & CU #2197 - a nearby residential duplex development
- Bay Knolls
    - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

In summary, Marlin Cove has been planned in a manner that will fit sensibly within its surroundings, providing a recognizable sense of place and neighborhood for its residents while, at the same time, providing economic and environmental benefits to the community at large.

VISTA
DESIGN, INC.

SECTION B
AFFIRMATION OF CONFORMANCE WITH SUBDIVISION 2019 COMPREHENSIVE PLAN – COASTAL AREA

Marlin Cove

Section B
Affirmation of Conformance with the Comprehensive Plan – Coastal Area

In accordance with Sussex County's Comprehensive Plan, the Future Land Use Map designates this project as State Investment Level 3 growth zone and State Investment Level 4 within the Coastal Area. Items specifically in the Comprehensive Plan regarding Coastal Area have been identified in italics below with the method of the plans compliance as follows:

- **This region is among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices.**

  - *Marlin Cove provides housing options in an area recognized by the County to be desirable for housing.*

- **This region contains ecologically important and sensitive characteristics as well as other coastal lands which help absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats.**

  - *18.46 Acres or 30.4% of the site will remain in open space and will include a community center and swimming pool, playground, stormwater management and conveyance features, preservation of existing vegetation and critical natural resources and a proposed forested buffer around the northern, western, and southern boundaries of the property.*

- **Careful control of stormwater runoff is also an important concern in keeping sediment and other pollutants out of the Inland Bays.**

  - *The stormwater management design will incorporate Best Management Practices in accordance with State of Delaware and Sussex Conservation District regulations.*

- **Permitted Uses – A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units.**

  - *Marlin Cove provides multiple housing options that are permitted and desired within the Costal Areas and that are in harmony with similar surrounding residential developments.*

- **Densities – 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**

    - *Existing parcels 533-19.00-7.00 and 533-19.00-8.01 are currently located within the Sewer Tier 1 Fenwick Island Sanitary Sewer District of the Sussex County Unified Sanitary Sewer District (SCUSSD. A sewer annexation request for Parcel 533-19.00-9.00 has been submitted to the Utility Planning Division for approval of Tier change pending zoning approval. Wastewater for the proposed subdivision is planned to be collected via 8" gravity sewer and connected to two existing sanitary manholes within New Road. The northern half of the site will connect to an existing sanitary manhole near the intersection of New Road and Zion Church Road near the Fenwick West Subdivision. The southern half of the site will connect to an existing sanitary manhole near the intersection of Lighthouse Road*

and New Road near parcel 533-19.00-11.00. Each dwelling unit within the subdivision will have a separate service lateral. In addition, as requested by the Sussex County Utility Planning Department, sanitary sewer service will be extended to four existing parcels along New Road as part of this project, including Parcels 533-19.00-7.01, -8.00, 8.02. These four lots are currently served by on-site septic systems, and the connection to public sewer will help remove pollutants from the groundwater that will help improve adjacent waterways, as well as the inland bays. The future wastewater network will be managed by the Sussex County Engineering Department.

- *Public water service is to be supplied to the site by Artesian Water Company, Inc., and the existing parcels are currently within their service area entitled Eastern Sussex 4. Artesian recently installed a 12" watermain fronting the proposed subdivision along New Road, which connected Artesian watermains along Lighthouse (Rt. 54) and Zion Church (Rt. 20) Roads. The existing 12" PVC and DIP watermain, per the as-built plans shared by Artesian, is located within a 15' easement on Parcel 7.00 and within a 25'easement on Parcels 8.01 and 9.00. These easements have been honored by the proposed Marlin Cove subdivision and are depicted on the Preliminary Plan. Extensions of this existing watermain throughout the Marlin Cove site will provide sufficient domestic and fire flows to satisfy State regulations. Separate water service lines and meters will be provided to each dwelling unit. The subdivision will also have fire hydrants located to satisfy State Delaware Fire Marshal requirements.*

- **Near sufficient commercial uses and employment centers;**

  - *Existing, developed, C-1 General Commercial lands are located ±0.5 miles west (Williamsville) and +/-0.25 miles east (Bayside) of the project, and*
  - *Existing, developed, B-1 Neighborhood Business Lands are located ±200 feet west of the project (Williamsville)*

- **Where it is in keeping with the character of the area;**

  - Bayside Phase VII
    - CZ #1803 – a nearby residential development with an approved density of 4.8 Units per acre,
  - Fenwick Commons
    - CZ #1896 & CU #2197 - a nearby residential duplex development
  - Bay Knolls
    - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

- **Where it is along a main road or at/or near a major intersection;**

  - *Marlin Cove fronts onto New Road (S.C.R. 391), ±100' north of the intersection with DE Route 54 (Lighthouse Road) and New Road. DE Route 54 (Lighthouse Road) is classified by the Delaware Department of Transportation (DelDOT) as a Major Collector. New Road is classified as a Local Road with a posted speed limit posted of 30 M.P.H.*

- **The preservation of natural resources or open space is strongly encouraged in this land use classification.**

  - *18.46 Acres or 30.4% of the site will remain in open space and will include a community center and swimming pool, playground, stormwater management and conveyance features, preservation of existing vegetation and critical natural resources and a proposed a forested buffer around the perimeter of the property.*

- **Infrastructure – Central water and sewer facilities are strongly encouraged. If central utilities are not possible, permitted densities should be limited to two units per acre provided a septic permit can be approved.**

  - *Two of the three parcels which comprise the proposed Marlin Cove subdivision are already within the Sussex County Unified Sewer District. Sussex County has available sewer capacity to permit the third parcel to be brought into the Sewer District following zoning approvals, and for the overall subdivision to be developed at the proposed density of 3.62 DU/AC. Artesian Water Company has already extended central water to the property sufficient to satisfy all domestic and fire protection flow requirements.*

VISTA
DESIGN, INC.

SECTION C
AFFIRMATION OF CONFORMANCE WITH COUNTY SUBDIVISION ORDINANCE 99-9C

Marlin Cove

Section C
Affirmation of Conformance with Subdivision ordinance §99-9C

In the design and layout of the Marlin Cove Preliminary / Conditional Use Plan, the following items have been considered from the Subdivision Ordinance, § 99-9C:

- **§ 99-9C (1) – Integration of the proposed subdivision into existing terrain and surrounding landscape:**
  Marlin Cove (parcels 7.00, 8.01, & 9.00) has been designed to integrate within the natural landscape, nestled along the preserved buffer of Roy Creek, surrounding farm land, forest and New Road. The lands to the north were previously approved to be a neighborhood entitled Fenwick West. Marlin Cove plans to request a Change of Zone and Conditional Use for the subdivision. The development will have two entrances onto New Road, and proposes one inter-parcel connection to the property to the north. All immediately adjacent properties will be buffered by 30' wide forested buffer located in common open space where existing woods will be preserved, or supplemented through new plantings, to achieve a substantial buffer in accordance with County regulations.

- **§ 99-9C (2) – Minimal use of wetlands and floodplains:**
  Environmental Resources, Inc. (ERI) reviewed the existing environmental features of the three existing parcels comprising the subdivision in the fall of 2022. The existing unnamed tributary to Roy Creek drainage channels are located along the northern border of parcel 533-19.00-8.01 and southern border of parcel 533-19.00-9.00. The drainage channel transitions from an ephemeral/intermittent channel near the existing culvert under New Road and ERI has delineated an area of non-tidal wetlands upstream of New Road. The intermittent channel downstream of New Road (Roy Creek) has also been identified as a Waters of US. As part of the Marlin Cove development, there are no disturbances to the delineated non-tidal wetlands and Waters of the US except those required by DelDOT for the widening of New Road and the installation of a Multi-Purpose trail along the site's frontage. All other areas of regulated wetlands and Waters will be protected by a minimum 30' undisturbed existing forest buffer in accordance with Sussex County Buffer Ordinance. This forested buffer is located in the proposed open space outlet parcel 'C' which will be protected by deeded covenants that will be managed initially by the developer and later transferred to the future homeowner's association.

  The site is located in a FEMA Zone 'X', which indicates the property is outside of both the 100- and 500-year flood zones (Panel 10005C0635K).

- **§ 99-9C (3) – Preservation of natural and historical features:**
  The site is comprised of agricultural fields and recently harvested forests. A proposed perimeter forested/landscape buffer will help maintain quality environmental features. During the initial site investigation by ERI, no evidence of historic or cultural resources were identified on the properties. No federal permits are anticipated at this time, however, ERI has requested a Jurisdictional Determination (JD) be issued by the Corps of Engineers for the site. If, during construction, artifacts or evidence of historic or cultural resources are discovered, the Delaware State Historic Preservation Office will be consulted.

- **§ 99-9C (4) – Preservation of open space and scenic views:**
  The existing three parcels that comprise the Marlin Cove subdivision total +/- 60.84 acres. The proposed MR with Cluster Option and Condition Use to permit duplex homes development requires 30% (18.25 acres) of the platted area to remain 'open' space. The Marlin Cove subdivision proposes 30.4% (18.46 acres) of open space area that includes the 30' forested buffer along the northern, western and southern perimeter of the proposed subdivision. The open space is proposed to be divided into several open space outlots that will include the site's existing environmental features, stormwater ponds and portions

of the drainage networks. In addition, a Community Recreational Outlot will include a community center, a pool, playground and parking lot for the community's use while patroning these amenities. Dwelling sizes will adhere to all County regulations, including the maximum 42 height limitation.

- **§ 99-9C (5) – Minimization of tree, vegetation and soil removal and grade changes:**
  Portions of the site are currently farmed, while others have recently undergone a timber harvesting operation. The three parcels currently contain ±48 acres of forested area and the proposed Marlin Cove development will preserve over 8 acres of forest. Soil removal and grade changes will be minimized during the final design and limited to only those necessary to provide positive drainage or cover over proposed utilities. The pond sizing may be adjusted as necessary during final engineering to both satisfy State of Delaware regulations and potentially help balance the site's earthwork.

- **§ 99-9C (6) – Screening of objectional features from neighboring properties and roadways:**
  Screening will be accomplished through the 30' wide forested buffer area proposed around the perimeter of the development. Structure heights are limited by County regulations to not exceed 42 feet in height, and the anticipated buffer will be preserved, or supplemented, with a combination of tall and short plantings to help ensure the buffer is capable of screening the visual impact of the development from the outside.

- **§ 99-9C (7) – Provisions for water supply:**
  The Marlin Cove site lies within the service area of Artesian Water Company. Potable water, including both domestic and fire flows, will be provided through an extension of existing Artesian Water Company service lines in the vicinity of the site. Based upon an average water consumption of a single family, detached, and semi-detached units, of 250 gallons per day (GPD), the proposed 220-unit Marlin Cove subdivision may be anticipated to consume approximately 56,000 GPD. As this site is to be served by extensions of existing Artesian Water Company facilities, no impacts to the surrounding private wells are anticipated.

- **§ 99-9C (8) – Provisions for Sewer Disposal:**
  Existing parcels 533-19.00-7.00 and 533-19.00-8.01 are located within the Sewer Tier 1 Fenwick Island Sanitary Sewer District of the Sussex County Unified Sanitary Sewer District (SCUSSD). A sewer annexation request for Parcel 533-19.00-9.00 has been submitted to the Utility Planning Division for approval of Tier change pending zoning approval. The site is anticipated to be served through an extension of existing Sussex County sewer infrastructure. All wastewater is anticipated to be ultimately treated and disposed of at the County's South Coastal Regional Wastewater Facility. As this site is anticipated to be served by extensions of existing Sussex County facilities, and no wastewater will be treated or disposed of onsite, no impacts to the surrounding surface or ground waters are expected.

- **§ 99-9C (9) – Prevention of pollution of surface and groundwater:**
  The existing property currently contains approximately ±10.5 acres of row crop farmland. Agricultural practices used to support these operations typically include application of poultry manure to fertilize the agricultural fields during the growing season. The removal of this source of potentially contaminated runoff will enhance both adjacent surface waters and groundwater supplies. In addition to the reduction in surface runoff contamination, the Marlin Cove development shall include Best Management Practices (BMPs) that will further enhance surface water quality. At this time, it is anticipated that the site will include wet extended detention basins and possibly other Sussex Conservation District (SCD) accepted water quality facilities. In addition, development of the site with central sanitary sewer provided by Sussex County, as well as the extension of sewer services to four off-site lots currently utilizing on-site septic systems, further minimizes any negative environmental impacts.

- **§ 99-9C (10) – Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that groundwater recharge is maximized:**
  The implementation of the forested buffer around the perimeter of the Marlin Cove site, as well as the natural buffer proposed to be maintained around the regulated non-tidal wetlands, will result in a site

development that minimizes erosion. Furthermore, the removal of the row crop farmland will result in a permanent vegetative cover thus reducing erosion that could currently occur on the property. The proposed stormwater BMP's will also aid in the removal of eroded sediment prior to the site's stormwater being released. During construction, Sussex Conservation District (SCD) approved erosion and sediment control measures will be implemented to limit sediment laden runoff from exiting the site.

- **§ 99-9C (11) – Provisions for safe vehicular and pedestrian movement within the site and to adjacent ways:**
  The Marlin Cove subdivision has been designed to accommodate vehicular circulation and promote community interaction and cohesion through a pedestrian friendly development pattern with proposed sidewalks on one side of every street that connect to the proposed Multi-Purpose Trail along New Road and the vehicular interconnection to the property to the north. Road dimensions are designed to meet or exceed County and Fire Marshal requirements to ensure safe vehicular movements for emergency equipment. Improvements to New Road proposed by this project will also add 5' wide shoulders for bike lanes and the 10' Multi-Purpose shared use path along the eastern frontage of the neighborhood.

- **§ 99-9C (12) – Effect on Property Values:**
  The Marlin Cove subdivision will provide quality single-family attached and detached homes to a growing area, with both onsite recreational amenities and proximity to existing, established, recreational areas and commercial facilities. The development is in close proximity to Fenwick Island, and the Fenwick Island State Park, and will benefit the local and state economies. All these attributes will also increase the value of the subject property, thereby helping to increase the value of surrounding properties.

- **§ 99-9C (13) – Preservation and conservation of farmland:**
  This site currently contains a cultivated farm field and forested lands in an area adjacent to both existing farms and rapidly developing residential parcels within the County's Coastal Area Land Use area. This indicates the County's planners understand this site may not always be economically viable to stay as an agricultural use. Once developed, this project will generate additional revenue through taxable improvements (through increased property values, additional income from residents, etc.) to benefit local and state governments, which can in turn be used to benefit farmland conservation projects for properties, including those outside of the designated Coastal Area Land Use zone.

- **§ 99-9C (14) – Effect on schools, public buildings and community facilities:**
  The proposed Marlin Cove development is located within the Indian River School District. Similar to other developments in the immediate area, it is envisioned that these homes will be desirable for second home purchasers and recent retirees. However there are currently no anticipation to restrict home purchasers to just these two categories, and it is anticipated that some homes will be bought and inhabited by families with school age children. This mix of owners is desired, and ensures that Marlin Cove will come together as a viable, long-term stable community. It is anticipated that this development will increase property values not only for the current parcels, but also adjacent parcels. It will, therefore, increase property taxes received by the school district while being located along a roadway already served by busses while minimally impacting the public school's number of students.

- **§ 99-9C (15) – Effect on area roadways and public transportation:**
  The Marlin Cove development is proposed to contain 220 dwelling units. Based upon the latest traffic projections from the Institute of Transportation Engineers Traffic Generation Manual, the site is expected to generate less than 2,000 vehicle trips per day (1,956 per Table 1 from Detailed TOA Review in F.10 in Section F, Dated April 20, 2023). Road improvements related to the entrance, including Right-of-Way dedication and/or a permanent easement dedication along the New Road frontage will be provided in accordance with the DelDOT TOA approval letter, dated April 20, 2023 (see Section F).

- **§ 99-9C (16) – Compatibility with other land uses:**
  The proposed 220 dwelling units within the Marlin Cove development has a proposed density of 3.62 units per acre and is consistent with other existing land uses in the vicinity, as described below:
    - Bayside Phase VII
        - CZ #1803 – a nearby residential development with an approved density of 4.8 Units per acre,
    - Fenwick Commons
        - CZ #1896 & CU #2197 - a nearby residential duplex development
    - Bay Knolls
        - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

  The adjacent parcels are also zoned AR-1, located in the Coastal Area Zone, and may be anticipated to potentially be developed at similar densities in the future. Marlin Cove is located close to Lighthouse and Zion Church Roads, allowing easy access to established communities and commercial locations within a ±0.5 mile radius.

- **§ 99-9C (17) – Effect on area waterways:**
  The conversion of the property from agricultural and recently harvested woodlands to single-family homes will result in the elimination of agricultural runoff, which may contaminate surface runoff with significant pollutants and negatively affect adjacent ditch networks. The Marlin Cove subdivision will be designed to comply with all required state and federal stormwater discharge requirements.

VISTA
DESIGN, INC.

SECTION D
PROPOSED CONDITIONS OF APPROVAL

Atlantic Building Associates, Inc. and Marlin Cove, LLC.
Marlin Cove Subdivision
Proposed Conditions of Approval

A. There shall be no more than 220 units within the Conditional Use Area.
B. The Applicant shall form a homeowners' association responsible for perpetual maintenance of streets, roads, environmental buffers, stormwater management facilities and other common areas.
C. The storm water management system shall meet or exceed the requirements of State of Delaware and Sussex County.
D. Entrances shall comply with all of DelDOT's requirements, as outlined in the TOA approval letter dated April 24, 2023, or as may be amended in the future.
E. Interior street design shall comply with or exceed Sussex County standards and shall include sidewalks or multi-modal pathways on one side of all streets with street lighting.
F. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
G. The Final Subdivision Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas.
H. There shall be a vegetated forested buffer that is at least 30 feet wide installed/maintained around the northern, western and southern portions of the development. The Final Subdivision 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 area.
I. Recreational amenities shall be completed within the project prior to issuance of the 100th building permit.
J. Central sewer shall be provided to the development by Sussex County. The Developer shall comply with all requirements and specifications of the Sussex County Engineering Department.
K. The development shall be served by a central water system providing adequate potable water and fire protection.
L. Construction, Subdivision work, excavation, grading and deliveries to or from the property shall only occur between the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday. A 24 inch x 36 inch "NOTICE" sign in English and Spanish confirming these hours shall be prominently displayed at all entrances to the subdivision during construction.
M. The Final Subdivision Plan shall be subject to the review and approval of the Planning and Zoning Commission.

VISTA
DESIGN, INC.

SECTION E
COPY OF DEEDS

Document# 2020000040256 BK: 5304 PG: 148
Recorder of Deeds, Scott Dailey On 9/2/2020 at 2:05:38 PM Sussex County, DE
Consideration: $800,000.00 County/Town: $12,000.00 State: $20,000.00 Total: $32,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #:
533-19.00-7.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way, Suite 3
Lewes, DE 19958
File No. 2-3303/REB

THIS DEED, made this 1st day of September, 2020,

- BETWEEN -

MICHAEL JOHN TRUITT, of 36261 Zion Church Rd., Selbyville, DE 19975 and **TRACY LYNN BERRY**, of 13051 Muskrattown Rd., Bishopville, MD 21813, parties of the first part,

- AND -

ATLANTIC BUILDING ASSOCIATES, INC., of 13053 Old Stage Road, Bishopville, MD 21813, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **TEN DOLLARS ($10.00)**, lawful money of the United States of America and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

Beginning at a PK nail set along the westerly side of New Road, said PK nail being approximately 64 feet north of the right of way line of Lighthouse Road; thence proceeding South 85 degrees 48 minutes 21 seconds West 295.17 feet to a concrete monument found along the common boundary of these lands, lands now or formerly of June A. Truitt, and lands now or formerly of Anita E. Adkins, Trustee; thence proceeding South 85 degrees 49 minutes 12 seconds West 149.30 feet to another concrete monument found along the common boundary of these lands, the Adkins lands, and lands now or formerly of CSM, LLC; thence South 85 degrees 38 minutes 43 seconds West 310.62 feet to a 5/8 inch rebar found along the common boundary

of these lands, lands now or formerly of Audrey Prettyman, *et al.*, and lands now or formerly of Jeanette M. Griffin; thence by and with the Griffin lands North 03 degrees 10 minutes 40 seconds West 861.13 feet to another 5/8 inch rebar found along the common boundary of these lands and lands now or formerly of MDP Partners LLC; thence by and with the MDP lands North 87 degrees 11 minutes 20 seconds East 655.02 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence by and with the westerly side of New Road south 09 degrees 45 minutes 44 seconds east 810.26 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence continuing with New Road South 13 degrees 43 minutes 04 seconds East 38.44 feet to the place of beginning, containing 13.7642 acres, as is more particularly set forth on a certain survey prepared by Simpler Surveying and Associate, Inc., dated August 20, 2020, referenced to which may be had.

BEING the same lands which were conveyed unto Michael John Truitt and Tracy Lynn Berry by Deed of June A. Truitt dated 4/9/2015 and recorded in the Office of the Recorder of Deeds in and for Sussex County on 4/15/2015 in Deed Book 4383, Page 341.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____

_____

_____(SEAL)
Michael John Truitt

_____(SEAL)
Tracy Lynn Berry

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on September 1, 2020, personally came before me, the subscriber, Michael John Truitt and Tracy Lynn Berry, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323 (a) (3)

_____
Notary Public

My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

VISTA
DESIGN, INC.

SECTION F
SUPPLEMENTAL EXHIBITS

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

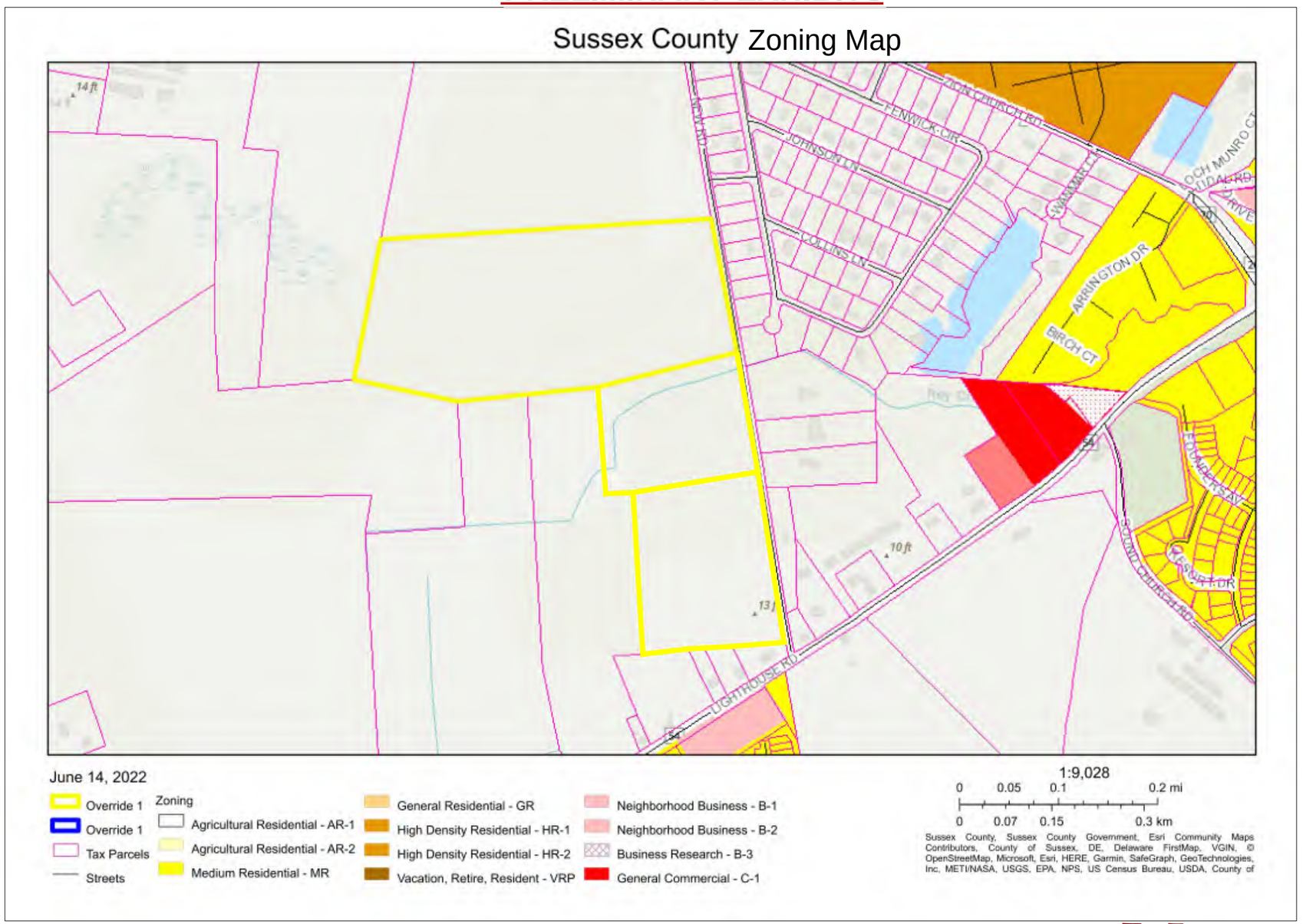

Exhibit F.1

NORTH

NOTE:
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11634 Worcester Hwy, Showell, MD 21862
ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

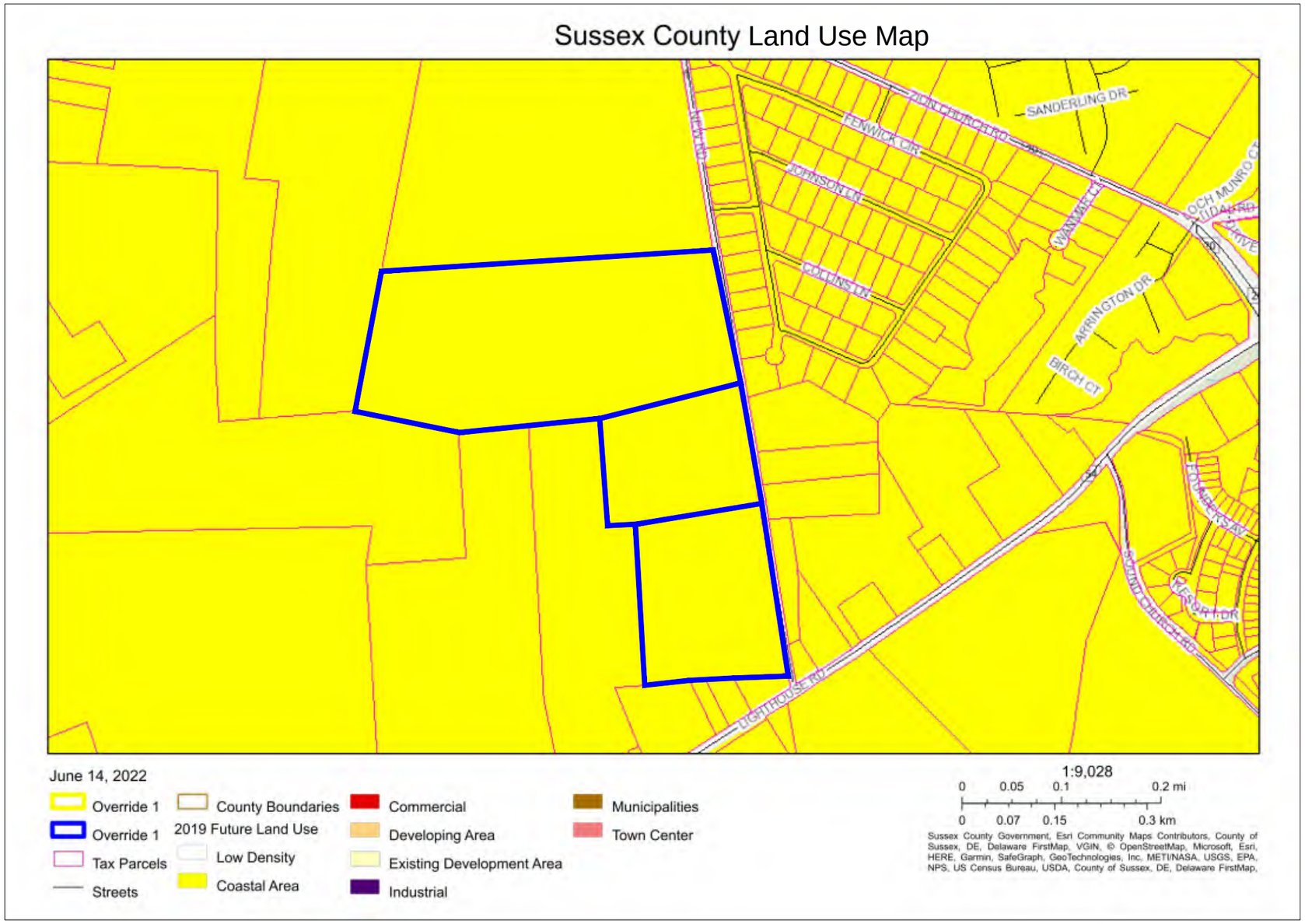

Exhibit F.2

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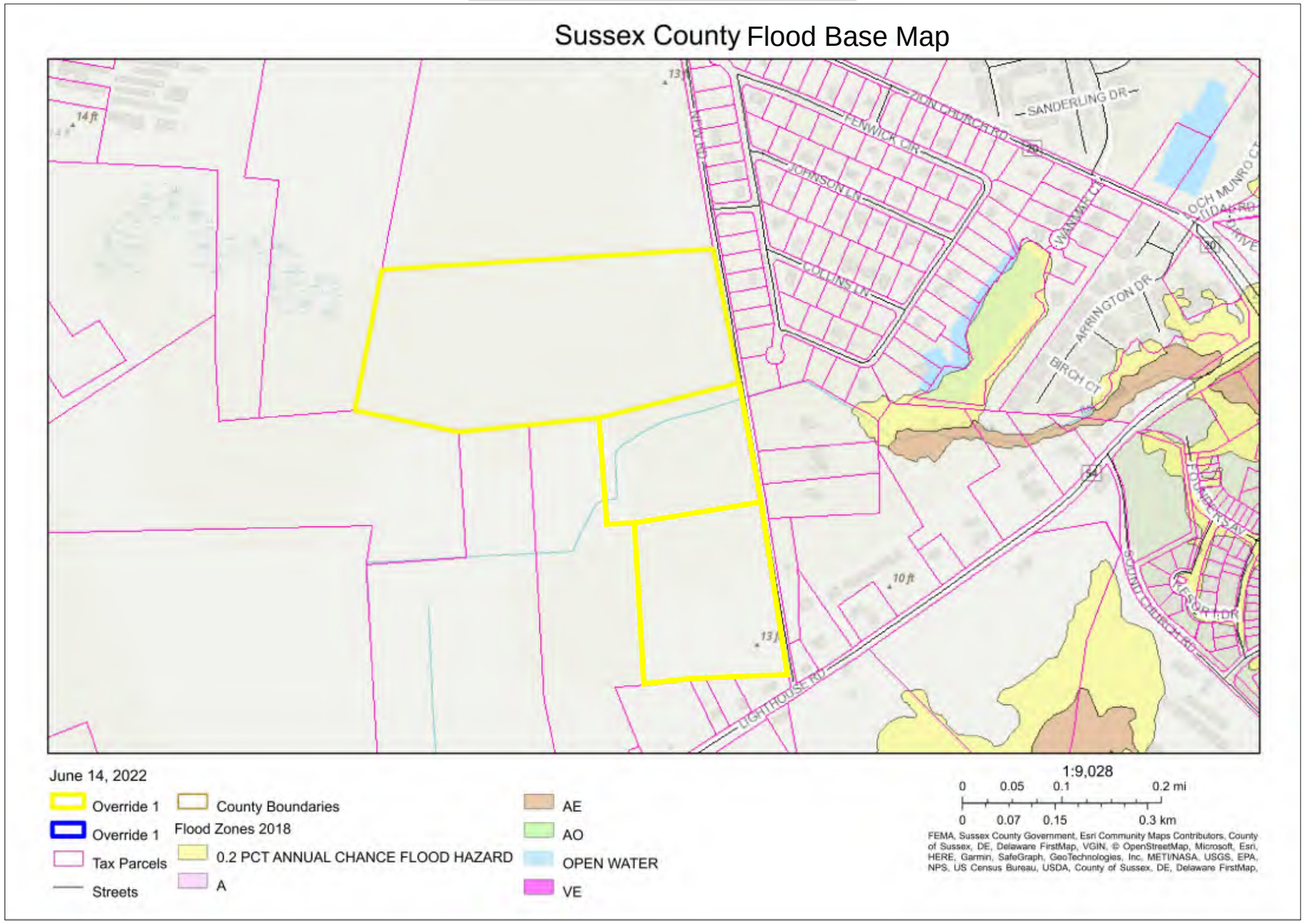

Exhibit F.3

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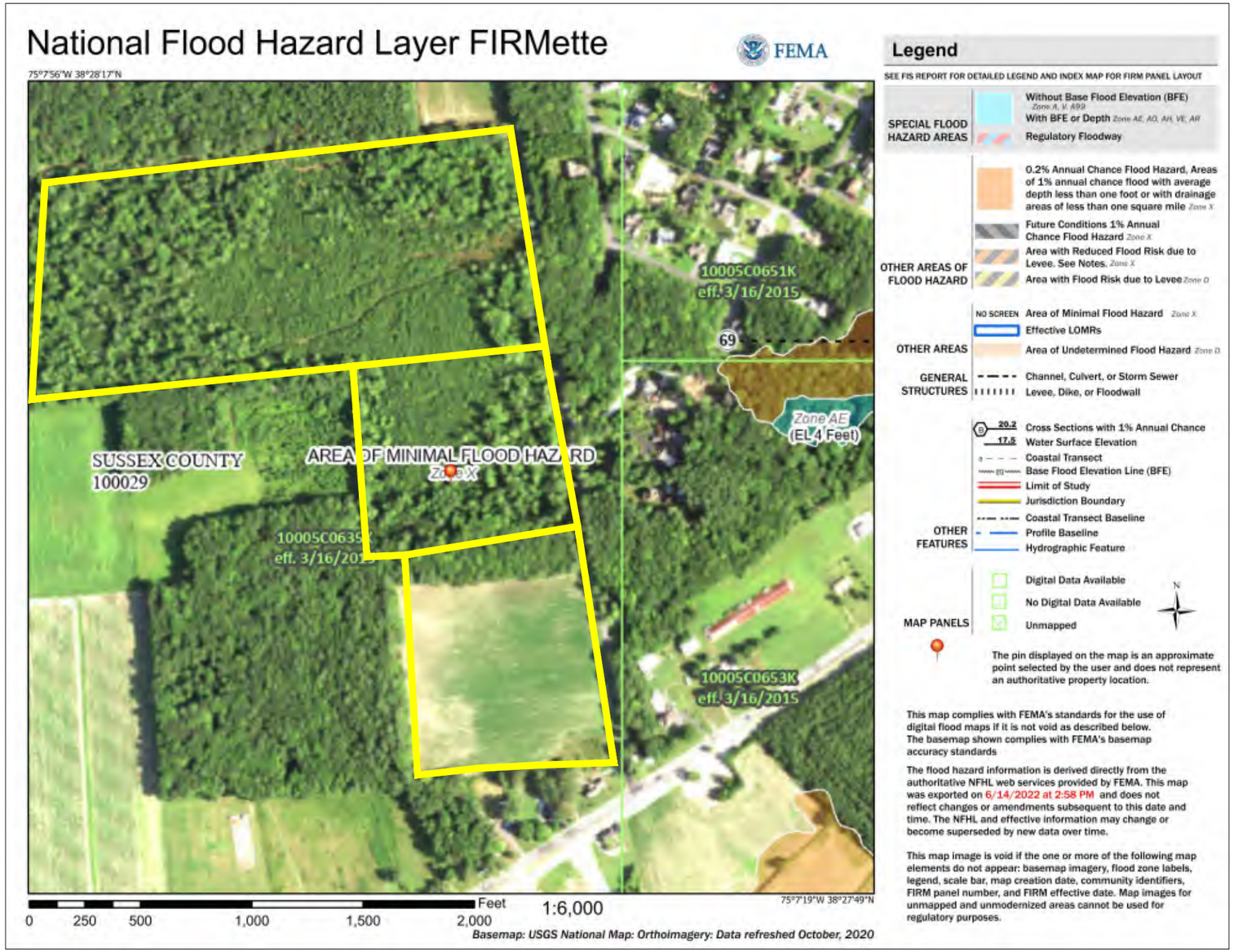

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ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

NOTES TO USERS

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

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

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

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

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

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

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

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

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

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

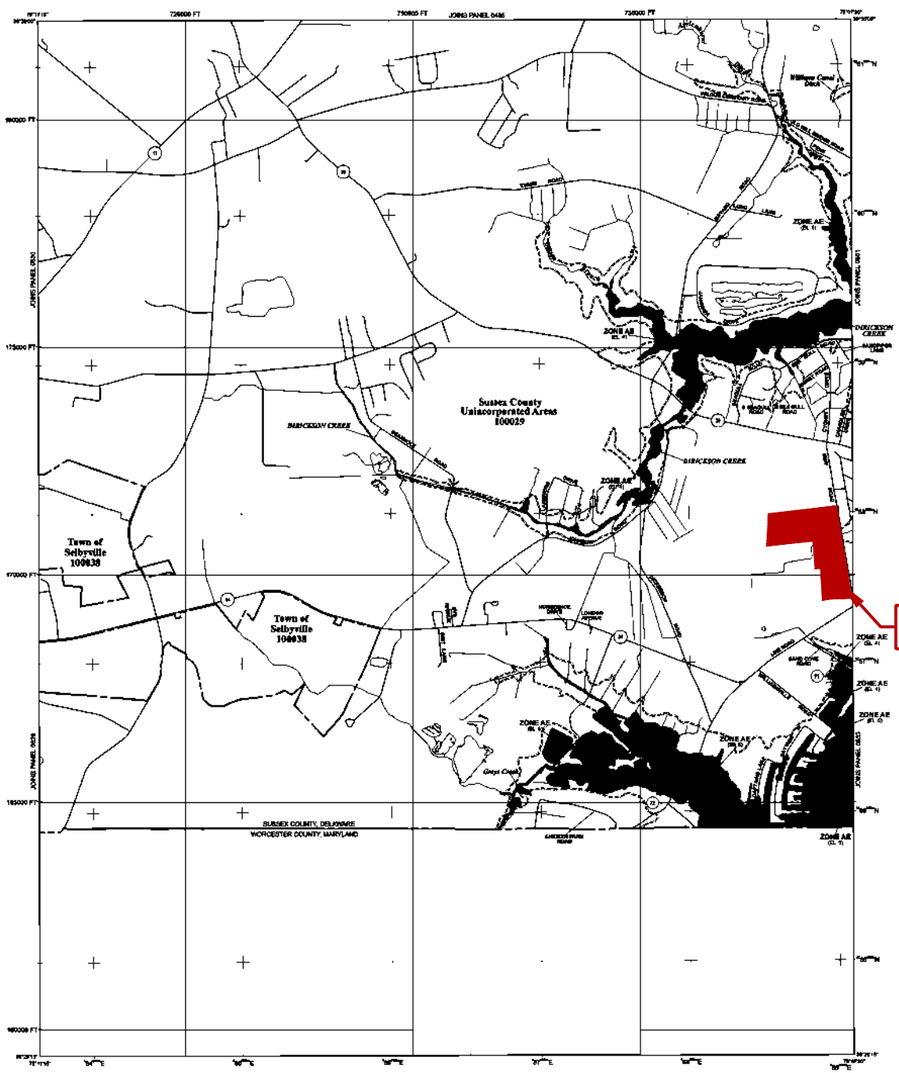
This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result,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

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

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

Contact the FEMA Map Information eXchange at 1-877-336-2627 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Information eXchange may also be reached by Fax at 1-800-358-9620 and its website at http://www.msc.fema.gov.

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



LEGEND

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

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

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

FLOODWAY AREAS IN ZONE AE

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

OTHER FLOOD AREAS

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

OTHER AREAS

ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

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

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Limit of Moderate Wave Action
- Advisory line delineating flooding caused by 1 if dams are breached during a 0.2% annual chance flood event
- 513 — Base Flood Elevation line and value; elevation in feet*
- EL 987 — Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988

- Cross section line
- Transect line
- 97°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator grid values, zone 18N
- 5000-foot grid values: Delaware State Plane coordinate system (FIPSZONE 0700), Transverse Mercator projection
- Bench mark (see explanation in notes to users section of this FIRM panel)
- River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
June 16, 1986

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
For the initial countywide FIS report for the jurisdiction dated June 16, 1986

For communities with multiple revision dates, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

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

MAP SCALE 1" = 1000'

PANEL 0635K

FIRM
FLOOD INSURANCE RATE MAP

SUSSEX COUNTY, DELAWARE AND INCORPORATED AREAS

PANEL 635 OF 680
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY, UNINCORPORATED AREAS	100029	0635	K
TOWN OF SELBYVILLE	100038	0635	K

Notice: This map was revised on May 20, 2015 to make a correction. This version replaces any previous versions. See the Notice to User Letter and supporting data for details.

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

MAP NUMBER
10005C0635K

MAP REVISED
MARCH 16, 2015

Federal Emergency Management Agency

Exhibit F.5

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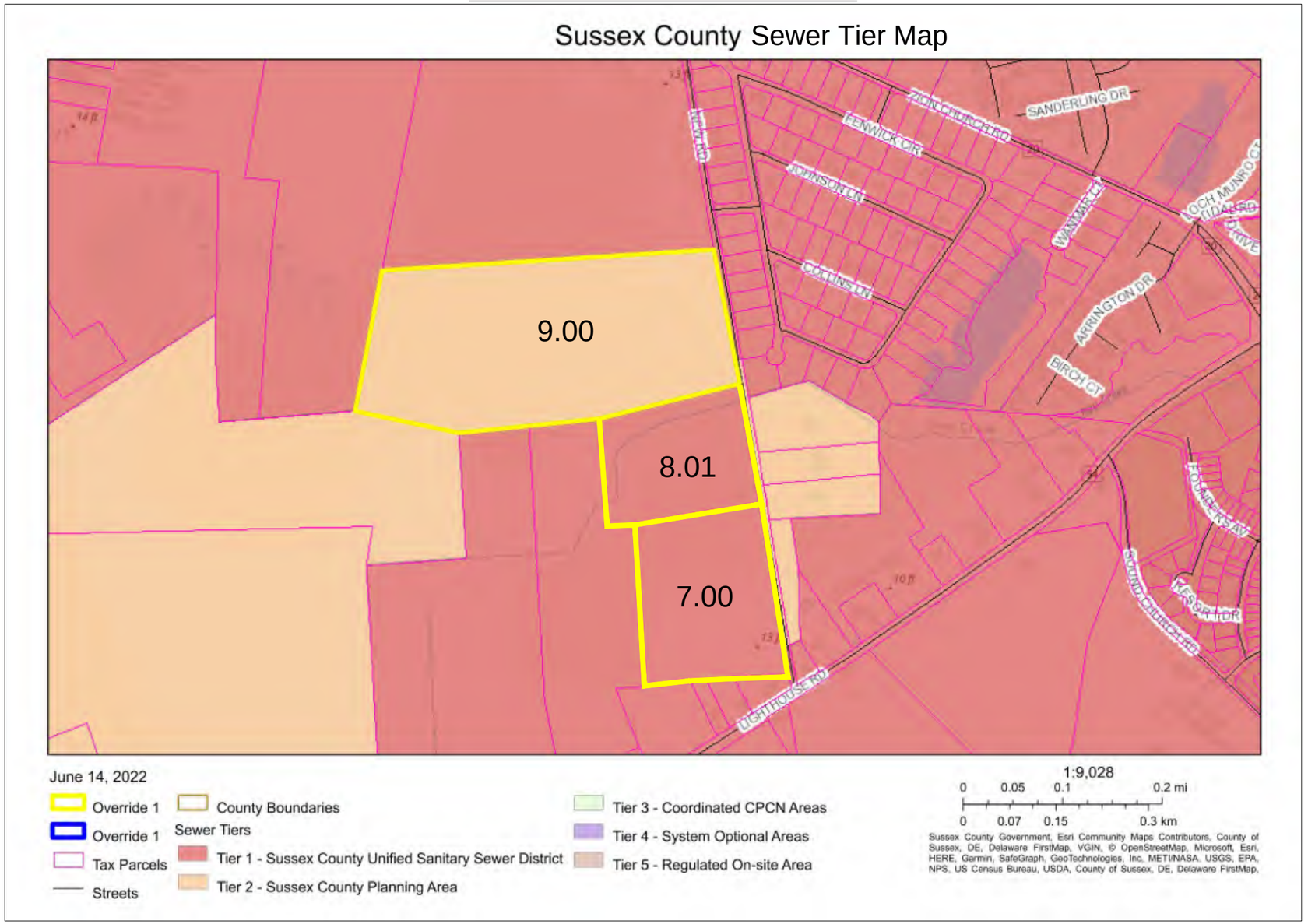

Exhibit F.6

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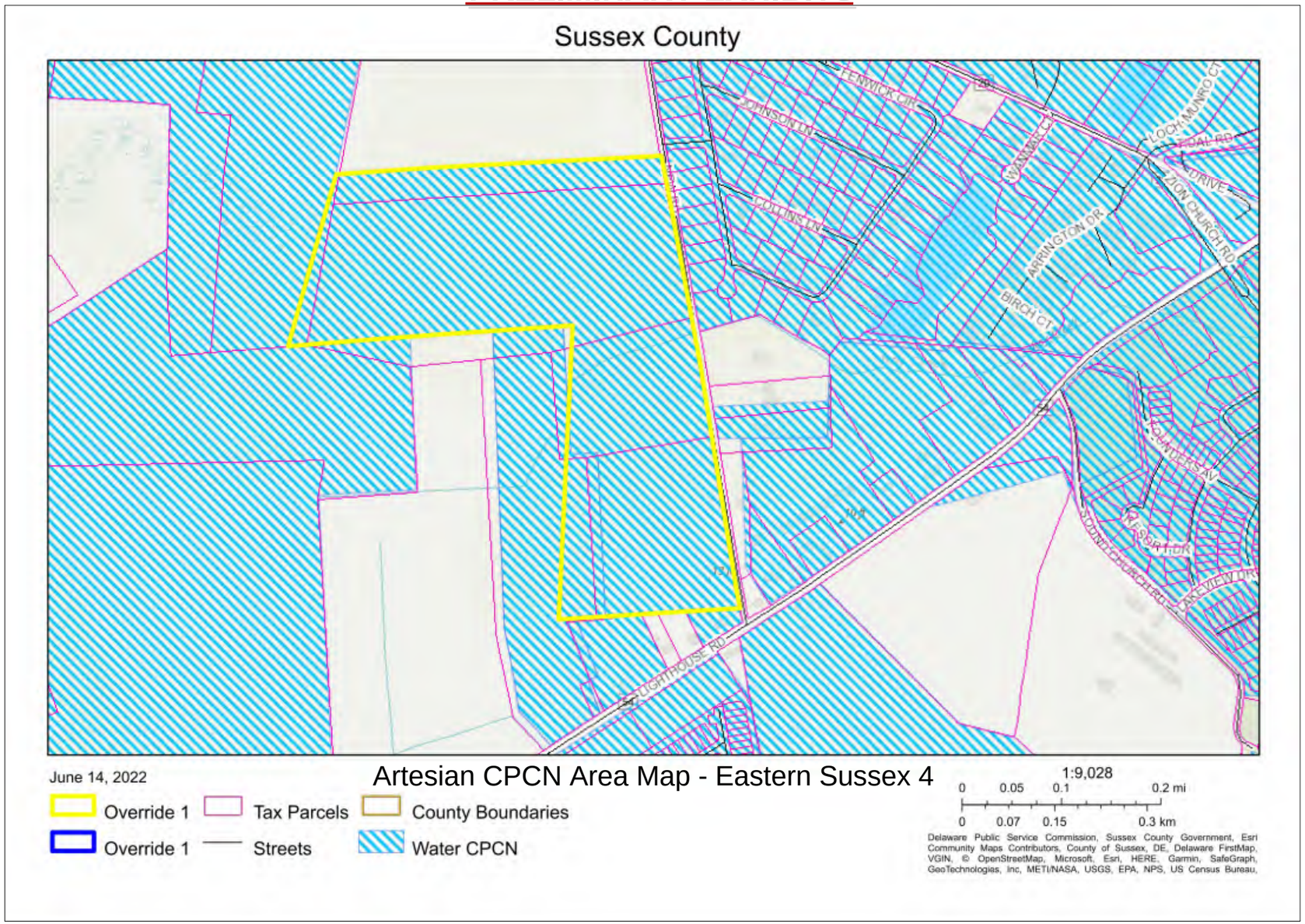

Artesian CPCN Area Map - Eastern Sussex 4

Exhibit F.7

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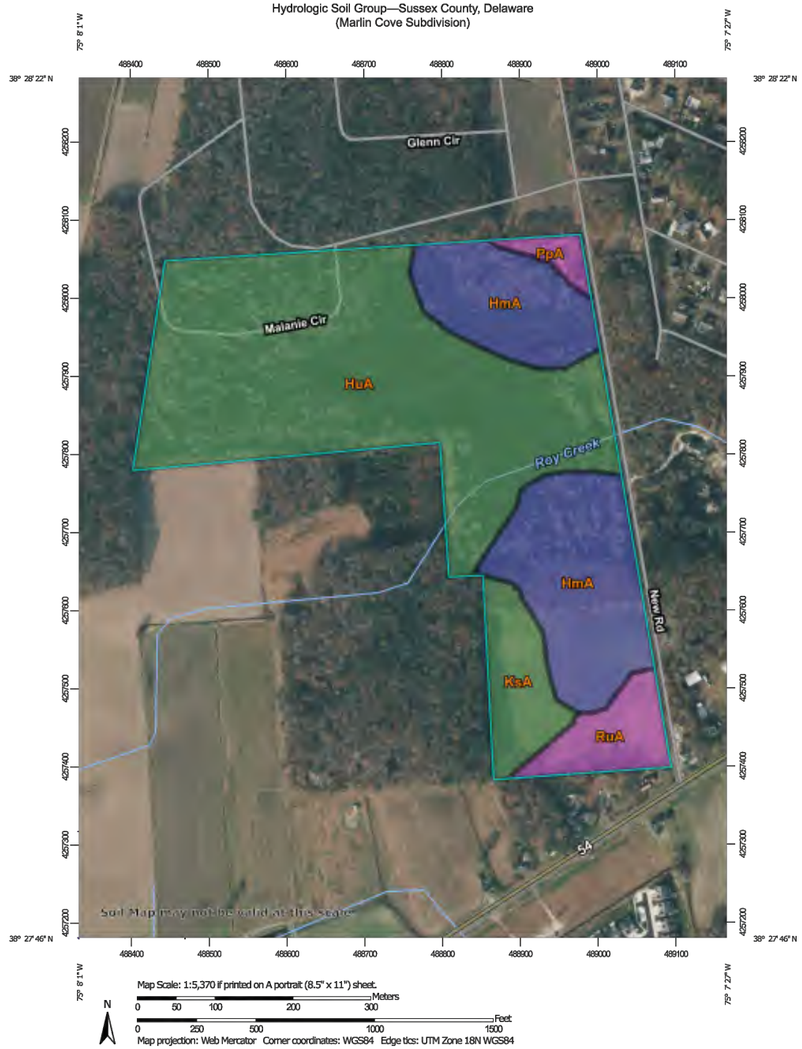
MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

Hydrologic Soil Group—Sussex County, Delaware
(Marlin Cove Subdivision)



Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B	17.6	29.0%
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D	34.1	56.1%
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D	4.5	7.4%
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A	1.0	1.7%
RuA	Runclint loamy sand, 0 to 2 percent slopes	A	3.6	5.9%
Totals for Area of Interest			**60.8**	**100.0%**

Exhibit F.8

USDA WEB SOIL SURVEY

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Exhibit F.9

July 20, 2022

Eric Jones, P.E.
Vista Design, Inc.
11634 Worcester Highway
Showell, MD 21862

RE: Marlin Cove Ability to Serve Approval Letter

With reference to your request concerning Water Service ("Service") for the proposed Marlin Cove project on New Road in Baltimore Hundred, Sussex County, Delaware known as Tax Parcel Numbers 533-19.00-7.00, 533-19.00-8.01 and 533-19.00-9.00 consisting of a mix of 228 single family homes and duplexes (the "Property"), please be advised as follows:

Subject to the following conditions, Artesian Water Company, Inc. ("Artesian") is willing and able to provide Service to the Property that meets all applicable State of Delaware, Delaware Department of Natural Resources and Environmental Control standards. Artesian currently has the water Certificates of Public Convenience and Necessity ("CPCN") from the Delaware Public Service Commission (the "Commission"). Artesian will provide Service in accordance with Artesian's Commission approved tariffs, as amended from time to time.

Based on current conditions and subject to the development entity and Artesian entering Water Service Agreements ("Agreements") that addresses the financial terms of the provision of Service for the Property, in accordance with Artesian's tariff, Artesian is willing and able to provide the required Service for this Property.

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

Yours very truly,

ARTESIAN WATER COMPANY, INC.

Adam Gould
Manager, Systems Planning & Design

664 Churchmans Road, Newark, Delaware 19702, P.O. Box 15004 Wilmington Delaware 19850 Phone (302) 453-6900 Fax (302) 453-6957
14701 Coastal Highway, Milton, Delaware 19968 Phone (302) 645-7299 Fax: (302) 645-8233
email: artesian@artesianwater.com Website: artesianwater.com

Exhibit F.10

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

NICOLE MAJESKI
SECRETARY

April 24, 2023

Ms. Betty H. Tustin, PE
The Traffic Group, Inc.
104 Kenwood Court
Berlin, Maryland 21811

Dear Ms. Tustin,

The enclosed Traffic Operational Analysis (TOA) review letter for the **Marlin Cove** (Tax Parcels: 533-19.00-7.00, 8.01, and 9.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TOA to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
TIS Group Project Engineer

CJ:km
Enclosures
cc with enclosures: Mr. Russell Garufi, Marlin Cove, LLC
Mr. Rich Polk, Vista Design, Inc.
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning & Zoning
Ms. Joanne M. Arellano, Johnson, Mirmiran, & Thompson, Inc.
Mr. Mir Wahed, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
Kevin Hickman, Sussex County Review Coordinator, Development Coordination, Planning
Thomas Gagnon, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Annamaria Furmato, TIS Group Project Engineer, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Jennifer Cinelli, Transportation Planner, Statewide & Regional Planning

April 20, 2023

Mr. Claudy Joinville
Project Engineer
Delaware Department of Transportation
Development Coordination, Division of Planning
800 Bay Road
Dover, DE 19901

RE: Agreement No. 1945F
Project Number T202069012/PO#611882
Traffic Impact Study Services
Task 11-10A – Marlin Cove TOA

Dear Mr. Joinville:

Johnson, Mirmiran, and Thompson (JMT) has completed a review of the Traffic Operational Analysis (TOA) for the Marlin Cove development, which was prepared by The Traffic Group, Inc. dated January 13, 2023. This review was assigned as Task Number 11-10A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TOA evaluates the impacts of a proposed residential development in Sussex County, Delaware. The proposed development would consist of 114 single family detached homes and 114 duplexes on an approximately 61.98-acre assemblage of parcels. The land is currently zoned as AR-1 (Agricultural Residential), and the developer does plan to rezone the land to MR (Medium-Density Residential) with a conditional use approval to permit the multi-family (duplex) homes.

The development is located on the west side of New Road (Sussex Road 391), approximately 80 feet north of the intersection with Delaware Route 54. Two full access points are proposed on New Road. Construction is expected to be complete in 2027.

The developer has decided to pursue payment of the Area Wide Study Fee (AWSF) in lieu of doing a TIS. However, DelDOT requested the TOA to determine if turn lanes would be required at the Delaware Route 54 and New Road intersection when the development is built.

DelDOT does not have any relevant and ongoing improvement projects within the study area. However, DelDOT has a traffic study in the area called the *Southeast Sussex Study*. The study focuses on identifying existing circulation issues, future growth potential and opportunities for operational, safety and infrastructure improvements for the study area which includes the Delaware Route 54 and New Road intersection. The study began in 2021 and has looked at existing conditions including traffic volumes, travel speeds, crash assessments and intersection performance. The next steps include growth projections, future traffic estimates, future performance estimates, and identification of potential short, medium, and long-term improvements. Those steps should be complete by Summer of 2023. More information regarding the study can be found at https://deldot.gov/projects/Studies/southeast-sussex/.

Based on our review of the TOA, we have the following comments and recommendations:

There are no intersections that exhibit level of service (LOS) deficiencies. However, based on the DelDOT *Road Design Manual* and DelDOT's *Development Coordination Manual*, an eastbound left turn lane and a westbound right turn lane are warranted along Delaware Route 54 at the New Road intersection. As such, it is recommended the developer improve the intersection to provide turn lanes.

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

1. The developer shall improve New Road within the limits of their frontage to meet DelDOT's standards for their Functional Classification as found in Section 1.1 of the *Development Coordination Manual* and elsewhere therein. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. Frontage is defined in Section 1 of the *Development Coordination Manual*, which states "This length includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway." The developer should coordinate with the DelDOT Subdivision Review Coordinator to determine the design details during the plan review.

2. The developer should construct an unsignalized full access Site Entrance A for the proposed Marlin Cove development along New Road, approximately 1,925 feet north of the intersection with Delaware Route 54. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Eastbound Site Entrance A	Approach does not exist	One shared left turn/right turn lane
Northbound New Road	One through lane	One shared left turn/through lane
Southbound New Road	One through lane	One through lane and one right turn lane

   Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the southbound right turn lane is 50 feet. The projected queues from the HCS analysis can be accommodated within the recommended storage lengths.

3. The developer should construct an unsignalized full access Site Entrance B for the proposed Marlin Cove development along New Road, approximately 1,350 feet north of

the intersection with Delaware Route 54. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Eastbound Site Entrance B	Approach does not exist	One shared left turn/right turn lane
Northbound New Road	One through lane	One shared left turn/through lane
Southbound New Road	One through lane	One through lane and one right turn lane

Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the southbound right turn lane is 50 feet. The projected queues from the HCS analysis can be accommodated within the recommended storage lengths.

4. The developer should construct an eastbound left turn lane and a westbound right turn lane along Delaware Route 54 at the intersection with New Road, as they are warranted per the DelDOT *Road Design Manual*. Based on the DelDOT *Road Design Manual*, the recommended minimum storage length (excluding taper) of the eastbound left turn lane is 100 feet. Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the westbound right turn lane is 240 feet. The developer should coordinate with DelDOT Development Coordination Section during the plan review process to determine the design of the intersection.

5. The following bicycle, pedestrian, and transit improvements should be included:

    a. A minimum of fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the New Road site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP). The SUP should be designed to meet current AASHTO and ADA standards. A minimum five-foot setback should be maintained from the edge of the pavement to the SUP. If feasible, the SUP should be placed behind utility poles and street trees should be provided within the buffer area. The developer should coordinate with DelDOT's Development Coordination Section during the plan review process to identify the exact location of the SUP.

    b. At least one internal connection of a sidewalk or SUP in the vicinity of the site entrances from the SUP along New Road should be provided.

    c. ADA compliant curb ramps and marked crosswalks should be provided along the site entrances.

d. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the New Road approaches to the site entrances.

e. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/SUP or should be flush with the pavement.

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

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

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

Sincerely,
Johnson, Mirmiran, and Thompson, Inc.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE
Tanner Chiamprasert, E.I.T.

Enclosure

General Information

Report date: January 13, 2023
Prepared by: The Traffic Group, Inc.
Prepared for: Marlin Cove, LLC
Tax Parcels: 533-19.00-7.00, 8.01 and 9.00
Generally consistent with DelDOT's *Development Coordination Manual (DCM)*: Yes

Project Description and Background

Description: The proposed residential development consists of 114 single-family detached houses and 114 single-family attached homes (duplexes).
Location: The site is located on the west side of New Road (Sussex Road 391), approximately 80 feet north of the intersection with Delaware Route 54, in Sussex County, Delaware.
Amount of Land to be developed: An approximately 61.98-acre assemblage of parcels.
Land Use approval(s) needed: Entrance Plan, Rezoning.
Proposed completion date: 2027.
Proposed access locations: Two full access points are proposed on New Road.

Daily Traffic Volumes:

- 2022 Average Annual Daily Traffic on New Road: 298 vehicles per day

*AADT is sourced from ATR data provided by the TOA report. Data taken from seven full days starting October 8, 2022.

Site Map



**Graphic is an approximation based on the Marlin Cove Subdivision Preliminary Plat prepared by Vista Design, Inc. dated May 16, 2022.*

Relevant and On-going Projects

DelDOT does not have any relevant and ongoing improvement projects within the study area. However, DelDOT has a traffic study in the area called the *Southeast Sussex Study*. The study focuses on identifying existing circulation issues, future growth potential and opportunities for operational, safety and infrastructure improvements for the study area which includes the Delaware Route 54 and New Road intersection. The study began in 2021 and has looked at existing conditions including traffic volumes, travel speeds, crash assessments and intersection performance. The next steps include growth projections, future traffic estimates, future performance estimates, and identification of potential short, medium, and long-term improvements. Those steps should be complete by Summer of 2023. More information regarding the study can be found at https://deldot.gov/projects/Studies/southeast-sussex/.

Livable Delaware

(Source: Delaware Strategies for State Policies and Spending, 2020)

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed development is located within Investment Level 3 and Level 4.

Investment Level 3

Investment Level 3 Areas generally fall into two categories. The first category covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during a five-year planning period (or longer). In these instances, development in Investment Level 3 may be least appropriate for new growth and development in the near term. The second category includes lands that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2. Environmentally sensitive features, agricultural-preservation issues, or other infrastructure issues most often impact these lands. In these instances, development and growth may be appropriate in the near term, but the resources on the site and in the surrounding area should be carefully considered and accommodated by state agencies and local government with land-use authority. Investment Level 3 is further characterized by areas with new development separated from existing development by a substantial amount of vacant land that is not contiguous with existing infrastructure, areas that are experiencing some development pressure, areas with existing but disconnected development, and possible lack of adequate infrastructure.

The state will consider investing in infrastructure within Investment Level 3 Areas once the Investment Level 1 and 2 Areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area. The priorities in the Level 3 Areas are for DelDOT to focus on regional movements between towns and other population centers. DelDOT also supports the development and implementation of Transportation Improvement Districts in Investment Level 3 areas. Local roadway improvements will be made by developers and property owners as development occurs. Lower priority is given to transportation system–capacity improvements and transit-system enhancements.

Investment Level 4

Delaware's Investment Level 4 Areas are rural in nature and are where the bulk of the state's open space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements. They typically include historic crossroads or points of trade, often with rich cultural ties. Delaware's Investment Level 4 Areas are also the location of scattered residential uses, featuring almost entirely single-family detached residential structures. Delaware's Investment Level 4 Areas also include many unincorporated communities, typically with their own distinctive character and identity. Investment Level 4 Areas depend on a transportation system primarily of secondary roads linked to roadways used as regional thoroughfares for commuting and trucking.

It is the state's intent to discourage additional urban and suburban development in Investment Level 4 Areas unrelated to agriculture and to the areas' needs. In Investment Level 4 Areas, the state's investments and policies should retain the rural landscape and preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development. The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business. The lowest priority is given to transit system enhancements.

Proposed Development's Compatibility with Livable Delaware:
The proposed site is located within Investment Level 3 and Level 4. Investment Level 3 consists of areas adjacent to fast growing areas. The proposed site is within close proximately to Delaware and Maryland beaches. Investment Level 4 areas consist of scattered residential uses, predominately single-family detached homes, for individuals that value quiet and isolation provided by locations away from more developed settings. Therefore, the proposed development is consistent with the 2020 update of the Livable Delaware "Strategies for State Policies and Spending."

Comprehensive Plan

(Source: Sussex County Comprehensive Plan, 2019)

Sussex County Comprehensive Plan:
Per the *Sussex County Comprehensive Plan Existing Land Uses Map,* the proposed development appears to be currently zoned as Agricultural and Undeveloped Land. Per the *Sussex County Comprehensive Plan Future Land Use Map,* the proposed development is in an area designated as Coastal Growth Area.

Proposed Development's Compatibility with the Sussex County Comprehensive Plan:
The *Sussex County Comprehensive Plan* states that Coastal Growth areas are the most desirable locations for new housing. Therefore, the proposed development is consistent with the *Sussex County Comprehensive Plan*.

The developer plans to rezone the land to Medium-Density Residential with a conditional use approval to permit the single-family attached homes (duplexes).

Trip Generation

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the 11th Edition of the ITE *Trip Generation Manual*, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 210 (Single-Family Detached Houses) and ITE Land Use Code 215 (Single-Family Attached Houses). Trip generation was reviewed by DelDOT as part of the Preliminary TOA (PTOA) submission.

Table 1
Marlin Cove Trip Generation

Land Use	ADT	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Midday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
114 Units Single-Family Detached Houses (ITE – 210)	1,138	22	62	84	71	41	112	58	50	108
114 Units Single-Family Attached Houses (ITE – 215)	818	17	37	54	36	28	64	36	39	75
Total	1,956	39	99	138	107	69	176	94	89	183

Overview of TOA

Intersections examined:

1. Site Entrance A / New Road (Sussex Road 391)
2. Site Entrance B / New Road
3. Delaware Route 54 / New Road

Conditions examined:

1. Case 1 – 2022 existing
2. Case 2 – 2027 without development
3. Case 3 – 2027 with development

Committed Developments considered:

1. Estuary
2. Old Mill Bridge Road Property
3. Melson Property
4. Bay Knolls
5. Kingfisher

*DelDOT provided TDM-based background volumes for use in the TOA in lieu of generating peak hour volumes for each individual committed development.

Peak hours evaluated: Weekday AM, weekday PM, and summer Saturday midday.

Intersection Descriptions

1. **Site Entrance A / New Road (Sussex Road 391)**
   Type of Control: Proposed two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Site Entrance A) Proposed one shared left turn/right turn lane, stop-controlled.
   Northbound Approach: (New Road) Existing one through lane; proposed one shared left turn/through lane.
   Southbound Approach: (New Road) Existing one through lane; proposed one shared through lane/right turn lane.

2. **Site Entrance B / New Road**
   Type of Control: Proposed two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Site Entrance B) Proposed one shared left turn/right turn lane, stop-controlled.
   Northbound Approach: (New Road) Existing one through lane; proposed one shared left turn/through lane.
   Southbound Approach: (New Road) Existing one through lane; proposed one shared through lane/right turn lane.

3. **Delaware Route 54 / New Road**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Delaware Route 54) Existing one shared left turn/through lane.
   Westbound Approach: (Delaware Route 54) Existing one shared through/right turn lane.
   Southbound Approach: (New Road) Existing one shared left turn/right turn lane, stop-controlled.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Per DelDOT Gateway, there are no bus routes that run through the study area.

Planned transit service: Per email correspondence on January 27, 2023, with Mr. Jared Kauffman, Fixed-Route Planner for DART, the Delaware Transit Corporation does not have any transit specific comments for this project.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, Delaware Route 24 is considered a regional bicycle route. Delaware Route 54 has bike lanes in the eastbound and westbound directions.

Planned bicycle and pedestrian facilities: Per email response received on February 21, 2023 from Mr. John Fiori and Ms. Linda Osiecki, there are pedestrian and bicycle recommendations for the site:

- It is highly recommended to install a 10' wide shared-use path along the property frontage of New Road with angled terminations into the shoulder and have the shared-use path extended to the property lines to the northern and southern property limits due to the surrounding vicinity of the site, as there are destinations people can bike or walk in lieu of using a vehicle.
- An internal connection(s) from the SUP along New Road shall be required.
- At this time, Active Transportation & Community Connections (ATCC) has no bicycle/pedestrian improvement projects within the area of this project.
- Per the Development Coordination Manual (DCM), the site shall dedicate right-of-way per the roadway classification and establish a 15' wide permanent easement along all property roadway frontages. The current plans submitted show a 15' multi-use path easement and should be revised to current standards in the DCM.
- All entrance, roadway and/or intersection improvements required shall incorporate bicycle and pedestrian facilities. Per the DCM, if the right turn lane is warranted, then a separate bike lane shall be incorporated along the right turn lane; if a left turn lane is required, any roadway improvements shall include a shoulder matching the roadway functional classification or existing conditions (minimum 5-feet).
- There could be additional and/or revised comments once project is discussed at a pre-submittal meeting and/or plans are submitted for LONO/ENT review/approval.

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

- New Road LTS: 2

Crash Evaluation

Per the crash data included in the TOA from January 4, 2020, to January 4, 2023, provided by the Delaware Department of Transportation (DelDOT), a total of 2 crashes were reported within the study area. Of the 2 crashes reported, no fatalities occurred.

The Delaware Route 54 and New Road intersection had two crashes reported with the primary contributing cause a deer in the roadway.

Previous Comments

All comments from the PTOA have been addressed in the Final TOA.

Sight Distance Evaluation

No sight distance constraints were noted at the proposed site entrance locations per a field visit conducted on January 26, 2023.

General HCS Analysis Comments

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

1) The TOA used HCS Version 2023, whereas JMT used version 7.9.6 of HCS7 to complete the analysis.

2) Per DelDOT's *Development Coordination Manual,* JMT utilized the existing PHF for the existing condition (Case 1) whereas the TOA used different values.

3) Per DelDOT's *Development Coordination Manual,* JMT utilized the future intersection PHF of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph, or used the existing PHF if higher, whereas the TOA used different values.

4) JMT utilized the existing heavy vehicle percentage for each movement greater than 100 vph in the Case 1 existing scenario while the TOA utilized the existing heavy vehicle percentage for each movement.

5) Per DelDOT's *Development Coordination Manual*, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in the Case 2 and Case 3 future scenario analysis, unless the existing heavy vehicle percentage was greater than 3% and there was no significant increase of vehicles along that movement, in which case the existing heavy vehicle percentage was used for the analysis of future scenarios.

6) Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways in the analyses.

Table 2
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control [1] (T-Intersection)	**LOS per TOA**			**LOS per JMT**		
Site Entrance A / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2027 with Development (Case 3)						
Eastbound Site Entrance A Approach	A (9.1)	A (9.2)	A (9.4)	A (9.2)	A (9.3)	A (9.5)
Northbound New Road Left Turn	A (7.3)	A (7.4)	A (7.4)	A (7.4)	A (7.5)	A (7.5)

[1] For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

Table 3
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control (T-Intersection)	**LOS per TOA**			**LOS per JMT**		
Site Entrance B / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2027 with Development (Case 3)						
Eastbound Site Entrance B Approach	A (9.0)	A (9.0)	A (9.2)	A (9.1)	A (9.2)	A (9.4)
Northbound New Road Left Turn	A (7.4)	A (7.4)	A (7.4)	A (7.4)	A (7.4)	A (7.5)

Table 4
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control[1]	**LOS per TOA**			**LOS per JMT**		
Delaware Route 54 / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2022 Existing (Case 1)						
Eastbound Delaware Route 54 Left Turn	A (7.8)	A (8.2)	A (8.2)	A (7.9)	A (8.3)	A (8.2)
Southbound New Road Approach	B (10.7)	B (12.6)	B (12.1)	B (10.8)	B (12.5)	B (12.1)
2027 without Development (Case 2)						
Eastbound Delaware Route 54 Left Turn	A (7.9)	A (8.4)	A (8.4)	A (8.0)	A (8.5)	A (8.4)
Southbound New Road Approach	B (11.5)	B (14.9)	B (14.2)	B (11.7)	B (14.9)	B (14.3)
2027 with Development (Case 3)						
Eastbound Delaware Route 54 Left Turn	A (8.0)	A (8.6)	A (8.6)	A (8.0)	A (8.7)	A (8.5)
Southbound New Road Approach	B (13.2)	C (18.7)	C (18.5)	B (13.4)	C (18.8)	C (18.7)

Exhibit F.11

VISTA DESIGN, INC. *Engineers • Architects • Surveyors • Landscape Architects • Land Planning Consultants • GIS Services*

May 4, 2023

Mr. David L. Edgell, AICP
Director, Office of State Planning Coordination
State of Delaware

Strategies for State Policies and Spending

This project is in Investment Levels 3 and 4 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

Because development within an Investment Level 4 is inconsistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning is opposed to development in the Level 4 area. Therefore, the applicant should concentrate the development of this parcel to the Level 3 area and remove any development within the Level 4 area.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Annamaria Furmato 302-760-2710

- **The site access on New Road (Sussex Road 391) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.**
    - *The northern and southern entrances from the Marlin Cove Subdivision to New Road will be designed per the DELDOT's Development Coordination Manual.*
- **Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?080220 17.**
    - *A pre-submittal meeting will be requested prior to submission of the entrance plan.*

- **Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.**

    - *The developer acknowledges the fees that will be collected as part of the review and approval process.*

Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development would generate 1,948 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 136 and 165, respectively. Therefore, a TIS would normally be required.

- *The applicant has agreed to participate in the funding of the Area Wide Study. Furthermore, a TOA scoping meeting was held between the applicant, the applicants consultants and DelDOT on August 8h, 2020 and a final report in accordance with the results of that meeting was submitted to DelDOT on January 13th 2023. DelDOT issued their TOA approval letter entitled Marlin Cove TOA on April 24th, 2023, and the applicant agrees to be bound by those commitments.*

Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as $10 per daily trip or, in this case, $19,480. AWS Fees are used to fund traffic studies, not to build improvements.

- *This applicant has agreed to participate in the AWS through the payment of the AWS Fee.*

The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve New Road, within the limits of their frontage, to meet DelDOT's standards associated with its Functional Classification. New Road is a Local Road, for which the standard includes 11-foot lanes and 5-foot shoulders.

- *Through acceptance of DelDOT's TOA approval letter, the applicant has agreed to improve New Road within the limits of their frontage.*

The improvements are anticipated to include culvert extensions where Roy Creek and Perch Creek cross under the road. DelDOT anticipates requiring that underground utility construction along New Road be completed before the road improvements are begun. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway. DelDOT estimates that the projected frontage begins about the north corner of the development on New Road and ends about 75 north of the intersection with Fenwick Road (State Route 54). DelDOT anticipates requiring that the frontage improvements be extended to Fenwick Road and that the developer provide left-turn and right-turn lanes on Fenwick Road as warranted. Right-turn lanes necessarily include 5-foot bike lanes as a standard part of their design.

- *Through the acceptance of DelDOT TOA approval letter, the applicant acknowledges the potential roadway improvements and agrees to be bound by them, per underlying DelDOT design warrants.*

Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. R. Stephen McCabe. Mr. McCabe may be reached at Richard.McCabe@delaware.gov or (302) 760-2276.

- **As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on New Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of the road. The following right-of-way dedication note is required, "An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
  - *The required right-of-way dedication note will be included on all future plans / plats as requested.*
- **In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
  - *A 15-foot wide permanent easement along the proposed subdivision frontage will be incorporated as part of this subdivision. The requested dedication note will be included on all plans / plat, as appropriate.*
- **Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:**
  - **A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.**
    - *A traffic generation diagram will be included on the record plan.*

- **Depiction of all existing entrances within 300 feet of the proposed entrance on New Road.**
    - *Existing entrances to the surrounding properties will be shown on the record plan and dedicated, as appropriate.*
- **Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.**
    - *Required notes identifying off-site improvements to surrounding areas will be appropriately shown on the record plan.*

- **Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is at DelDOT's discretion. DelDOT anticipates requiring the developer to build SUP along their frontage.**
    - *The developer is aware of the Shared Use Path requirement along the frontage of the project on New Road and is currently proposing to construct the requested path within the requested 15-foot wide permanent easement along the road frontage.*
- **Section 3.5.4.4 of the Manual addresses accessways, paved pathways connecting a sidewalk or path along a road frontage to an internal sidewalk or path. DelDOT anticipates requiring two accessways into the subject development from the SUP along New Road, one to the proposed cul-de-sac and one at the south end of the development, near Lot 14.**
    - *A minimum of two interconnections are anticipated to connect to internal sidewalks to the SUP.*
- **In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along New Road.**
    - *The proposed on-site storm water management facilities will be located a minimum of 20' from the ultimately dedicated right-of-way of New Road.*
- **In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.**
    - *Auxiliary Lane Worksheets were submitted to DelDOT as part of the TOA report. The results of the TOA indicated that southbound right turn auxiliary lanes were warranted.*

- **In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.**
    - *Sight distance data will be provided to DelDOT, as appropriate.*
- **In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.**
    - *All known existing utilities are shown along New Road. If existing infrastructure is in conflict, the developer will work with the utility to relocate as part of the improvements of New Road, as appropriate.*
- **The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to New Road.**
    - *This development does not require a substation and/or wastewater facility.*

Department of Natural Resources and Environmental Control – Contact Claire Quinlan 302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project. Developers and municipal officials are encouraged to reach out to Clare Quinlan at (302) 735-3480 if they have any specific requests for information.

Concerns Identified Within the Development Footprint
Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site, as well as a perennial stream (Roy Creek). The application indicates that wetlands have been delineated. The application does not propose direct impacts to the wetlands but does propose a road crossing over the stream.

Requirements:

- **State permits from the DNREC Wetlands and Subaqueous Lands Section may be necessary if dredge or fill is proposed in tidal wetlands, streams, or State Subaqueous Lands.**
    - *Acknowledged. If required, appropriate permits will be obtained prior to project commencement.*

- **An application for a Subaqueous Lands permit must be submitted to the DNREC Wetlands and Subaqueous Lands Section for review and approval. To apply for a permit online, please visit their website at https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/permits/.**
    - *Acknowledged. If required, a permit application will be submitted to DNREC Wetlands and Subaqueous Land Section.*

- **If the site design changes and dredge or fill of wetlands becomes necessary, federal permits from the U.S. Army Corps of Engineers may also be necessary. A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the U.S. Army Corps of Engineers to determine the appropriate permitting requirements if federal permits are required.**
    - *A qualified Wetland Specialist has reviewed the site and delineated areas of Regulated Non-Tidal Wetlands and Waters of the US. If required, the applicant will work with USACE and DNREC to determine appropriate permitting requirements.*

Vegetated Buffer Zones

Site plans show a 30-foot vegetated buffer along non-tidal wetlands and streams. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutant loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- *Acknowledged. All applicable natural resource buffers will be adhered to as part of this project.*

Requirements:

- **The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.**
    - *Acknowledged. All minimum vegetated buffer widths will be adhered to by this project.*

Stormwater Management

This application proposes greater than 5,000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's Sediment and Stormwater Regulations.

- *Acknowledged. The applicant will coordinate with the Sussex Conservation District to obtain all approvals required prior to commencing construction.*

Requirements:

- **A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.**
    - *Acknowledged. An erosion and sediment control and stormwater management plan will be prepared and submitted to the Sussex Conservation District for review and approval prior to commencement of construction.*
- **Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically. (https://apps.dnrec.delaware.gov/enoi/, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.**
    - *Acknowledged. An NOI will be submitted for this project to DNREC.*
- **Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.**
    - *Acknowledged. A Stormwater Assessment Study Checklist will be submitted to Sussex County and a pre-submission meeting will be held with the Sussex Conservation District, as appropriate.*

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

Hydrologic Soils Group

Hydrologic Soil Group A/D soils have been identified over much of the site, particularly in the western and central portions. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- *Acknowledged. At this time, infiltration practices are not contemplated.*

Requirements:

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

- *Acknowledged. Additional testing will be conducted if the project proposes to utilize infiltration or natural recharge practices for stormwater treatment.*

Tax Ditches

The project lies within the Henry C. Johnson and Perch Creek Tax Ditch Watersheds. Tax ditches are man-made channels created to move normal water flow off agricultural lands. The parcels in this project review possess no Tax Ditches and are currently not subject Tax Ditch Rights of Way (ROWs)

Requirements:

- **Development of the site may result in a change to the drainage pattern and associated Tax Ditch watershed boundary. To change existing Tax Ditch watershed boundaries, a Court Order Change must be submitted by the DNREC Drainage Program. The associated Land Development Project Review Request form is attached.**
    - *Acknowledged. At this time, no impacts to the Tax Ditch watersheds are anticipated. If required, the applicant will coordinate appropriately with the DNREC Drainage Program.*
- **All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.**
    - *Acknowledged. Stormwater facilities will enhance and prolong the detention of on-site development runoff and will not negatively impact downstream drainage patterns.*

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water, and cover. Wildlife displaced by encroaching development may also become a nuisance for homeowners.

Requirements:

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

- *Acknowledged.*

Wastewater permits – Large Systems
Sussex County holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch for wastewater disposal.

Requirements:

If additional flows to Sussex County's system will require capacity updates, it is the responsibility of the permitee (Sussex County) to notify the Large Systems Branch.

- *This subdivision is proposed to be part of the existing Sussex County Unified Sewer District, and Artesian Water's water distribution network. At this time, we are unaware of any capacity issues.*

Nutrient Management Plan

This project proposes open space of 18 acres.

Requirements:

A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

- *The Marlin Cove project does not propose to spread nutrients to the open space areas of the subdivision that would necessitate an NPDES permit. A nutrient management plan is not expected to be required at this time.*

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- **There is high potential for archaeological resources on within these parcels. Roy Creek runs through the center of the parcels, and on either side is moderately well-drained uplands. These are considered favorable environmental conditions for past human occupation, and therefore there is high potential for prehistoric archaeological sites.**
    - *Acknowledged. Based upon a review by ERI, there are no known historical and/or archaeological resources present on the site.*
- **There are four recorded historic archaeological sites to the immediate south of the parcel. According to historic aerials and topographic maps, the parcel has remained a consistent mix of agricultural fields and wooded areas with minimal disturbance. There are no recorded structures on the parcels. However, as there are known historic occupations to the immediate south, there is high potential for additional historic archaeological resources in the southern half of the project area. This Office recommends an archaeological survey prior to any ground disturbance.**
  If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
    - *Noted, there was no visible evidence identified on-site during the review by ERI, nor historical and/or archaeological resources identified. The developer will adhere to all applicable historic archaeological guidelines, and will consult with the State Historic Preservation Office, if any evidence arises, as appropriate.*
- **If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov**
    - *Noted, the developer will adhere to Section 106 of the National Historic Preservation Act as part of obtaining any required Wetland Permits.*

  If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

The comments below are informational only. This does not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulations (DSFPR):

Fire Protection Water Requirements:

- **Where a water distribution system is proposed for single-family dwellings, it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 800 feet spacing on center are required. (One & Two- Family Dwelling).**
    - *Acknowledged. The applicant will work with Artesian Water to fulfill all domestic and fire flow requirements for the development. Fire Hydrants will be installed to satisfy all State of Delaware requirements.*
- **Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems. One- and Two-Family dwellings are required by law to offer the homeowner an automatic sprinkler system, therefore infrastructure should accommodate water needs.**
    - *Acknowledged. Currently, 8" watermains are anticipated to be looped from the existing 12" watermain along the New Road frontage of the project. Proposed watermains will be installed to meet the neighborhoods requirements for flow amounts and pressure.*

Accessibility

- **All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision must be constructed so fire department apparatus may negotiate it.**
    - *The proposed private subdivision roads shall be designed per the latest Sussex County and DelDOT standards with cul-da-sacs at the end of all dead end roads.*
- **Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door. Streets designed without parking need to develop a plan for enforcement once HOA takes charge. Fire apparatus still need to negotiate the streets.**
    - *The HOA covenants shall have language for parking enforcement to ensure the preservation of fire department access.*
- **Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be**

38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- *Acknowledged. Interior roads shall be designed to loop around to intersections and cul-da-sacs are proposed for dead-end streets. Minimum design standards for cul-da-sacs will be adhered to for design.*

- **The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.**

  - *If proposed, speed bumps and/or traffic speed reduction techniques will meet DelDOT standards.*

- **The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.**

  - *At this time, no permanent gates are proposed to limit access to any portion of the neighborhood. If gates are later proposed, the developer will seek written approval from the local Fire Chief.*

Gas Piping and System Information:

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

  - *All proposed fuel types and locations of bulk containers shall be shown on the plan and individual house plans per State Fire Marshall Requirements.*

Required Notes:

- **Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"**
- **Proposed Use**
- **Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units**
- **Square footage of each structure (Total of all Floors)**
- **National Fire Protection Association (NFPA) Construction Type**
- **Maximum Height of Buildings (including number of stories)**
- **Note indicating if building(s) is/are to be sprinklered**
- **Name of Water Provider**
- **Letter from Water Provider approving the system layout**
- **Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered**
- **Provide Road Names, even for County Roads**

  - *All required notes and labels shall be incorporated into the final plan set for review and approval.*

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 302-760-2109

- **The subject development is located within an area being considered for the development of a Transportation Improvement District (TID). Once the TID is in operation, the development may have the opportunity to convert to TID participation instead of building or contributing to off-site improvements.**
    - *Noted, if the TID is established, the developer may contact DelDOT to discuss this process and feasibility. However, the developer has already submitted a completed TOA report in accordance with a TOA Scoping Meeting, which has resulted in DelDOT issuing an approval letter entitled Marlin Cove TOA dated April 24, 2023. The applicant has agree to be bound by the terms of the TOA approval letter, subject to DelDOT warrants for the required improvements.*
- **The developer should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.**
    - *Acknowledged.*
- **The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.**
    - *Acknowledged.*
- **Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022.**
    - *Updated Standard General Notes will be incorporated into the applicable plan sets for review and approval upon submission.*

Department of Natural Resources and Environmental Control – Contact Claire Quinlan 302-735-3480

Wetlands and Subaqueous Lands

- **Do not disturb streams or wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.**
    - *As part of the internal subdivision improvements, no regulated non-tidal wetlands or Waters of the US are proposed to be disturbed. Per the DelDOT TOA approval letter, improvements to New Road (road widening, Shared Use Paths, swale and culvert upgrades) may require disturbance to existing non-tidal wetlands and Waters of the US. Impacts will be minimized, and if required, a permit will be obtained if any non-tidal wetlands, Waters of the US and/or associated buffers are proposed to be disturbed.*

Vegetated Buffer Zones

- **Expand the 30-foot buffer to no less than 100 feet from the edge of wetlands and all waterways (rivers, streams, ditches, ponds, etc.) to protect water quality and to provide an additional margin of safety for flooding.**
    - *The minimum buffers from the edge of non-tidal wetlands and perennial waterways are provided. If possible, additional buffer widths beyond the minimum have been provided in some locations to further enhance water quality and provide additional capacity for ditch/stream flows.*

- **Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.**
    - *The 30' perimeter vegetation buffers are proposed to remain undisturbed in areas where existing forest is present, as shown on the plans. Sections of existing unforested areas that are to be vegetated as part of a buffer zone will be planted during construction and left undisturbed thereafter.*

- **Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.**
    - *The perimeter buffer zones are proposed to be located within open space parcels. Appropriate signage will be installed along the edge of the buffer zones.*

- **Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.**

    - *The proposed vegetated buffer zones are stipulated to be forested.*

- **Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.**

    - *The proposed vegetated buffer zones are stipulated to be forested therefore no mowing is anticipated within buffer.*

Removal of Forest

- **The preliminary plan proposes the elimination of approximately 40 of 48 acres of forest on the site.**

    The onsite forested areas have been the subject of timber harvesting several times in the past. The current growth is only a few years old and is not of high quality. The highest quality trees are located along the perimeter of the site and are proposed to be preserved within the proposed 30' buffer.

- **Removing forested areas for development should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.**

    - *Acknowledged. As indicated above, the forested areas proposed for removal have been the subject of multiple timber harvesting operations. As such, they are of low quality. The most mature trees are located along the site's boundary and are proposed for preservation as part of the 30' forested buffer.*

- **To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.**

    - *Noted, efforts will be made to limit tree clearing and mowing during development during the time frame stipulated from April 1st to July 31st.*

Key Wildlife Habitat

- **The forest block and stream on this property are mapped as Key Wildlife Habitat in the Delaware Wildlife Action Plan because they have the potential to harbor a high diversity of Species of Greatest Conservation Need (SGCN).**

    - *Noted.*

- **Topographic maps, wetland maps, and aerial photos indicate that the headwaters of a small tributary of Roy Creek occur within the project area. Headwater streams can be ecologically valuable, supporting a variety of plants, amphibians, and insects. Headwater streams are critical to the survival of aquatic organisms that occur downstream. Additionally, state endangered Banded Sunfish (Enneacanthus obesus) were previously documented in the headwaters of nearby Dirickson Creek. It is possible that the banded sunfish may exist at this site if habitat is suitable for its survival.**

    - *Noted.*

- **Scientists from the Division of Fish & Wildlife request a site visit to conduct a survey of the property to evaluate habitat and determine the potential for SGCN. Recommendations resulting from the survey would allow the applicant the opportunity to reduce potential impacts to rare species and unique habitats and to ensure that the project is environmentally sensitive. Contact the DNREC Division of Fish & Wildlife at (302) 223-2446 to schedule a site visit.**

    - *At this time, the owner of the property cordially declines the offer from the Division of Fish & Wildlife to conduct a survey or a site visit.*

Stormwater Management

- **Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.**

    - *The current soil analysis from the Web Soil Survey shows that the existing soils on the site are poor for infiltration practices. Additional soil exploration will need to be conducted and submitted to the Sussex Conservation District if an infiltration practice is proposed.*

- **For improved stormwater management, preserve existing trees, wetlands, and passive open space.**

    - *These spaces are proposed to be preserved to the maximum extent practicable.*

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Tax Ditches

All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- **Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.**

    - *If required, the onsite ditches shall be considered for cleaning. Permits will be obtained, as appropriate.*

Drainage

- **All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.**
    - *If required, the onsite ditches shall be considered for cleaning. Permits will be obtained, as appropriate.*
- **Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.**
    - *If the plan proposes disturbance to regulated resources, applicable permits will be obtained prior to said disturbances.*
- **All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.**
    - *Acknowledged. Properly sized detention facilities shall be designed and installed within the proposed subdivision so as to not hinder upstream flow thru the property and stormwater will be released at a rate that will not create off-site downstream drainage problems.*

Water Quality (Pollution Control Strategies)

This site lies within the Inland Bays Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- **Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.**
    - *Vegetated resource buffers will be retained on-site in accordance with all regulations.*
- **Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.**
    - *No excess impervious surfaces are proposed as part of this project.*
- **Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.**
    - *The current soil analysis from the Web Soil Survey shows that the existing soils on the property are poor for infiltration practices. Additional soil exploration will need to be conducted and submitted to the Sussex Conservation District if an infiltration practice is proposed prior to approval. Existing forest, wetlands and open spaces are to be preserved to the maximum extent practicable.*

- **Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.**

    - *Open spaces around proposed stormwater facilities will be maintained as meadow and/or forested to enhance the natural nutrient filtration of those land uses. Maintenance of these open space areas will be kept to a minimum to further improve the natural environment in the open space parcels.*

Wildlife Displacement

- **Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests are key habitat types for wildlife in Delaware.**

    - *Noted, portions of the existing forests on-site have been timbered in the last decade and the wooded areas have evidence of being second and third growth. Existing areas of forest are proposed to be preserved to the maximum extent practicable.*

- **Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Reduce the potential for future conflicts between future residents and wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas. A 300-foot safety zone is recommended.**

    - *Noted.*

Additional Sustainable Practices

- **Build garages and parking spaces to be "EV-ready." Many manufacturers have pledged to sell only electric vehicles in the next 10-15 years. Installing a 240-volt outlet in one or two locations in a garage will enable a resident to easily (and cheaply) install a level 2 electric vehicle charger. This will increasingly be a selling point for homes.**

    - *The incorporation of a 240-volt outlet in garages will be explored and discussed with the area's electric provider.*

- **Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. For community facilities, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/).**

    - *It is anticipated that solar systems will be evaluated and offered for all homes within the subdivision.*

- **Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.**

    - *A shared use path is proposed along the frontage of the property as required by DelDOT. Four connection points between the internal sidewalks and the shared use path are shown on the plan submitted to Sussex County Planning and Zoning. Furthermore, bike racks are anticipated to be installed at the Community Recreation Center.*

- **Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.**

    - *Energy Star rated products and materials are proposed to be utilized in the construction of this subdivision.*

- **Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.**

    - *Acknowledged.*

- **Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.**

    - *Recycled materials will be utilized, where applicable, to reduce waste.*

<u>Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325</u>

- **This parcel is located within an area of minimal flood concern (1000 years or greater. The First Street Foundation rates the community risk level of 4 for Selbyville, which suggests a severe risk from flooding, combining risks associated between residential properties, commercial properties, critical infrastructure facilities, social infrastructure facilities, and roads, and is expected to increase between now and the next 30 years.**

    - *The proposed Finished First Floor Elevations are anticipated to be located above elevation 10' and internal roads above elevation 9'. Future flooding risks will be evaluated for the road, culvert and stormwater infrastructure.*

- **The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block the project is located has a total population of 52 people, though, with development, this will certainly change. The adjacent blocks in the aggregate bring the area to a total population of 767.**

    - *Noted.*

- **The parcel is currently assigned to Sussex County's evacuation zone B but is not within the 10-mile EPZ zone for the Salem Nuclear Power Plant. DEMA recommends this information be made available to residents there through simply a sign, pamphlet other materials. According to FEMA's National Risk Index, the parcel is considered relatively high for overall natural hazards risks. Its community resilience and social vulnerability are rated as relatively moderate.**
    - *A pamphlet will be made available to future residents of the neighborhood, including available information from DEMA and FEMA regarding flooding, evacuation routes and the 10-mile EPZ zone for the Salem Nuclear Power Plant.*
- **In terms of energy use and consumption, the region utilizes electricity as the predominant fuel type for heating purposes. As such, the parcel has a photovoltaic power potential of 1495 kWh per kWp. As such, should solar panels be utilized, we recommend an optimum tilt of the photovoltaic modules to be at approximately 34 degrees which could provide a potential of 1815 kWh/m2.**
    - *Noted*
- **DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. In terms of utilities, DEMA suggests incorporating 90% series furnaces/ HVAC systems, the closer to 99% the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless hot water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure.**
    - *Noted, energy efficient products are anticipated to be utilized in all homes built in this community.*
- **Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.**
    - *Noted*

<u>Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394</u>

- **Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings.**
    - *Information will be made available to future homeowners about the benefits of a home sprinkler system.*

- **The Office of the State Fire Marshal reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website: http://delcode.delaware.gov/title6/c036/sc03/index.shtml**
    - *This development will adhere to the requirements set forth in the "New Home Buyers Fire Protection Act," as applicable.*
- **Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.**
    - *Noted, a preliminary meeting with a fire protection specialist will be requested when appropriate.*

Should you have any questions about any of our responses, please don't hesitate to call.

Sincerely,
Vista Design, Inc.

Eric J. Jones

Eric Jones, PE

Parcel ID: 2-33-5.00-146.00
PREPARED BY & RETURN TO:
Aleman & Associates Attorneys At Law
326 High Street Suite 101
Seaford, DE 19973
File No.: 24-139

THIS DEED, made this 27th day of August, 2024,

- BETWEEN -

DAVID W. FRAZIER, SUBSTITUTE TRUSTEE OF THE VIRGINIA T. FRAZIER REVOCABLE TRUST DATED JULY 13, 1993, WINIFRED KEE, DONNA WHITE MARTIN, GARY L. DOCKHAM TRUSTEE OF THE MARY M. DOCKHAM FAMILY TRUST DATED MARCH 5, 2013, AND SARAH M. ANDERSON, of Sussex County, parties of the first part,

- AND -

3RD ARRAY LLC, A DELAWARE LIMITED LIABILITY COMPANY, of 1401 Pennsylvania Avenue, Suite 105, Wilmington, DE 19806, party of the second part, as **sole owner.**

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **EIGHT HUNDRED TWENTY NINE THOUSAND FIVE HUNDRED TWENTY AND 00/100 ($829,520.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto 3rd Array LLC, the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, Delaware:

PARCEL 1

All that certain parcel of land situate in the Dagsboro Hundred, Sussex County, Delaware being on the southwesterly side of Dupont Boulevard, also known as U. S. Route 113, a 200 foot wide right-of-way, and being more particularly described as follows:

COMMENCING at the intersection of the southeasterly right-of-way of Mollyfield Road, a 50 foot wide right-of-way with the southwesterly right-of-way of Dupont Boulevard, also known as U. S. Route 113, a 200 foot wide right-of-way; thence along the southwesterly right-of-way of Dupont Boulevard, the following course and distance;

1. South 34° 15° 00" East 647.34 feet to the POINT OF BEGINNING.

BEGINNING at a point on the southwesterly right-of-way of Dupont Boulevard, a 200 foot wide right-of-way, said point being the southeasterly corner of lands now or formerly belonging Merrill Evans and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 4380 page 340.

THENCE binding on the southwesterly right-of-way of Dupont Boulevard, the following course and distance,

2. South 34° 15' 00" East 100.00 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to Noel Keith Ware and Karen Faye Ware and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 1670 page 305, the following course and distance,

3. South 55° 45° 00" West 250.00 feet to a point.

THENCE continuing along the lands of Ware and along the lands now or formerly belonging to Rhonda M. Tingle and Nathan Tingle and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 2505 page 15, and along the lands now or formerly belonging to Virgil W. Hudson and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 1700 page 305, and along the lands now or formerly belonging to George W. Mitchell and Joann Mitchell and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 787 page 289, and along the lands now or formerly belonging to 226 Main Street, LLC and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 4153 page 132, and along the lands now or formerly belonging to Delmarva Power and Light Co. and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 613 page 339, the following course and distance,

4. South 34° 15' 00" East 1000.00 feet to a point.

THENCE along the lands of said Delmarva Power and Light Co., the following course and distance,

5. North 55° 45° 00" East 250.00 feet to a point.

THENCE binding on the southwesterly right-of-way of Dupont Boulevard, the following course and distance,

6. South 34° 15 00" East 200.00 feet to a point being North 34° 15' 00" West 100.00 feet from a rebar and cap found.

THENCE leaving said lands and binding along the lands now or formerly belonging to Danielle L. Lecates and Darryl Brian Lecates and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 5891 page 173, the following course and distance,

7. South 55° 45' 00" West 250.00 feet to a point.

THENCE continuing along the lands of said Lecates and along the lands now or formerly belonging to Peter Kornack, Wilma Kornack and Kelly K. Marcus and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 3406 page 34, the following course and distance,

8. South 34° 15° 00" East 200.00 feet to a point.

THENCE continuing along the lands of said Kornack & Marcus, the following course and distance,

9. North 55° 45 00" East 250.00 feet to a point.

THENCE binding on the southwesterly right-of-way of Dupont Boulevard, the following course and distance,

10. South 34° 15° 00" East 300.00 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to John D. Stevens and Vallilla Ann Stevens and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 866 page 311, the following three (3) courses and distances,

11. South 55° 45° 00" West 250.00 feet to a point.

12. South 34° 15° 00" East 200.00 feet to a point.

13. North 55° 45' 00" East 250.00 feet to a point.

THENCE binding on the southwesterly right-of-way of Dupont Boulevard, the following course and distance,

14. South 34° 15° 00" East 700.00 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to Tunnell Companies LP and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 5177 page 231, the following course and distance,

15. South 77° 13' 14" West 268.77 feet to a concrete monument found.

THENCE leaving said lands and binding along the lands now or formerly belonging to Comerica Bank and Trust, N.A., as Trustee and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 5639 page 91, the following three (3) courses and distances,

16. North 34° 04 44" West 376.08 feet to a concrete monument found.

17. South 83° 43° 32" West 2107.26 feet to a concrete monument found.

18. North 04° 36> 47" West 424.09 feet to a rebar and cap found.

THENCE binding on the southeasterly right-of-way of Mollyfield Road, a 50 foot wide right-of-way, the following three (3) courses and distances,

19. By and with a curve to the left having a radius of 425.00 feet, an arc length of 405.04 feet and subtended by a chord bearing North 37° 11' 38 East 389.88 feet to a point of tangency.

20. North 09° 53' 57" East 332.70 feet to a point of curvature.

21. By and with a curve to the left having a radius of 821.96 feet, an arc length of 258.89 feet and subtended by a chord bearing North 01° 44' 58 East 257.82 feet to a point on curve.

THENCE leaving said lands and binding along the lands now or formerly belonging to Keith A. Brasure and Carol L. Cook-Brasure and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 2806 page 267, and Plot Book 78 Page 205 the following sixteen (16) courses and distances,

22. South 84° 57 30" East 386.78 feet to a point in the approximate center of Whartons Branch.

THENCE along Whartons Branch,

23. North 13° 17° 55" West 34.31 feet to a point.

24. North 77° 25° 52" East 86.12 feet to a point.

25. North 58° 22° 31" East 68.07 feet to a point.

26. North 15° 03' 52" East 28.39 feet to a point.

27. North 41° 10' 40" West 46.05 feet to a point.

28. North 16° 40' 16" West 95.53 feet to a point.

29. North 25° 32° 50" West 50.37 feet to a point.

30. North 21° 37' 49" East 35.34 feet to a point.

31. North 20° 53° 49" West 71.48 feet to a point.

THENCE leaving Whartons Branch and following a ditch line,

32. South 51° 27' 36" West 41.22 feet to a point.

33. South 14° 04' 10" West 39.43 feet to a point.

34. South 47° 04' 41" West 94.49 feet to a point.

35. North 87° 47° 40" West 52.08 feet to a point.

36. North 75° 28° 17" West 261.49 feet to a point.

37. North 86° 37' 40" West 69.09 feet to a point.

THENCE binding on the southeasterly right-of-way of Mollyfield Road, the following three (3) courses and distances,

38. North 10° 09' 02" West 77.02 feet to a point of curvature.

39. By and with a curve to the right having a radius of 457.82 feet, an arc length of 227.06 feet and subtended by a chord bearing North 04° 03' 27" East 224.74 feet to a point of tangency.

40. North 18° 15' 57" East 24.33 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to Jullion M. Cuffe, Jr. and Coretta M. Cuffee and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume1650 page 145, the following three (3) courses and distances,

41. South 71° 44' 03" East 200.00 feet to a point.

42. North 18° 15' 57" East 100.00 feet to a point.

43. North 72° 07° 31" West 50.05 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to CMH Homes, Inc. and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 6054 page 31, and being Lot 3 of Plot Book 44 page 123, the following course and distance,

44. North 18° 19' 36" East 180.00 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to Juan C. Leonard and Gloria Leonard and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 3281 page 38, and being Lot 2 of Plot Book 44 page 123, the following course and distance,

45. North 22° 21° 24" East 163.17 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to Sara Granados and filed for record at the Sussex County Recorder of Deeds Office in Deed Book

Volume 4383 page 263, and being Lot 1 of Plot Book 44 page 123, the following course and distance,

46. North 39° 33' 45" East 117.15 feet to a point.

THENCE leaving said lands and binding along the lands now or formerly belonging to Softail, LLC and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 3279 page 184, and shown on Plot Book 103 page 14, the following course and distance,

47. South 44° 40' 14" East 112.66 feet to a point.

THENCE leaving said lands and binding along the lands of said Merrill Evans, the following two (2) courses and distances, 48. South 34° 15° 00" East 300.00 feet to a point. 49. North 55° 45° 00" East 250.00 feet to the POINT OF BEGINNING.

CONTAINING 64.523 acres of land, more or less, as surveyed by Torre Engineering, LLC in July 2024.

PARCEL 2

ALL that certain parcel of land situate in the Dagsboro Hundred, Sussex County, Delaware being on the northeasterly side of Dupont Boulevard, also known as U. S. Route 113, a 200 foot wide right-of-way, and being more particularly described as follows:

COMMENCING at the intersection of the southeasterly right-of-way of Mollyfield Road, a 50 foot wide right-of-way with the southwesterly right-of-way of Dupont Boulevard, also known as U. S. Route 113, a 200 foot wide right-of-way; thence along the southwesterly right-of-way of Dupont Boulevard, the following course and distance;

1. South 34° 15' 00" East 1879.78 feet to a point.

THENCE crossing Dupont Boulevard, the following course and distance,

2. North 55° 45° 00" East 200.00 feet to the POINT OF BEGINNING.

BEGINNING at a point on the northeasterly right-of-way of Dupont Boulevard, a 200 foot wide right-of-way, said point being the southwesterly corner of lands now or formerly belonging to Bay to Beach Storage, LLC and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 6113 page 274.

THENCE binding along the lands of said Bay to Beach Storage. LLC, the following course and distance,

3. North 55° 30' 10" East 629.40 feet to a rebar found.

THENCE binding on the lands now or formerly belonging to Augustus C. Wagner, Trustee and Deborah K. Wagner, Trustee and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 5755 page 208, and Deed Book Volume 5738 page 245, and along a portion of the lands now or formerly belonging to Riverview Associates III, LLC and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 2966 page 102, the following course and distance,

4. South 30° 17' 48" East 1563.00 feet to a point.

THENCE binding on the lands now or formerly belonging to Tunnell Companies LP and filed for record at the Sussex County Recorder of Deeds Office in Deed Book Volume 5177 page 231, the following course and distance,

5. South 61° 56' 20" West 524.69 feet to a point. THENCE binding on the northeasterly right-of-way of Dupont Boulevard, the following course and distance,

6. North 34° 15' 00" West 1500.00 feet to the POINT OF BEGINNING.

CONTAINING 20.243 acres of land, more or less, as surveyed by TORRE Engineering, LLC in July 2024.

BEING the same lands and premises which J and Y Parker Family Limited Partnership , by Deed dated August 22, 2019 and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Corrective Deed Record 5112 Page 181 granted and conveyed unto Winifred Kee, Donna White Martin, Virginia T. Frazier, Mary M. Dockham and Sarah M. Anderson, as tenants in common, in fee.

SUBSEQUENTLY, the said Virginia T. Frazier departed this life on August 26, 2023, leaving Will dated NA and filed in the Office of the Register of Wills in and for Sussex, Delaware, in File No. 30150. Title thereby vested in David W. Frazier, Substitute Trustee of the Virginia T. Frazier Revocable Trust dated July 13, 1993, Winifred Kee, Donna White Martin, Virginia T. Frazier, Mary M. Dockham and Sarah M. Anderson, as tenants in common.

SUBSEQUENTLY, the said Mary M. Dockham departed this life on or about August 14, 2024, leaving Will dated March 5, 2013. Article 3 of said Last Will and Testament of Mary M. Dockham leaves all her residuary estate to the Mary M. Dockham Family Trust dated March 5, 2013.

The said Sarah M. Anderson executed a power of attorney, naming Winifred Kee her attorney in fact. Said power of attorney is recorded in the Office of the Recorder of Deeds, in and for Sussex County, in Book _____, Page _____.

The said Donna White Martin executed a power of attorney, naming Winifred Kee her attorney in fact. Said power of attorney is recorded in the Office of the Recorder of Deeds, in and for Sussex County, in Book _____, Page _____.

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

IN WITNESS WHEREOF, the said The Virginia T. Frazier Trust dated July 13, 1993 has caused its name to be hereunto set under seal by David W., Frazier, Substitute Trustee of The Virginia T. Frazier Trust dated July 13, 1993, the day and year first above written.

Signed, sealed and delivered in the presence of:

WITNESS:

VIRGINIA T. FRAZIER REV TRUST
SUBSTITUTE TRUSTEE OF THE

David W. Frazier, Substitute Trustee of The Virginia T. Frazier Trust dated July 13, 1993

STATE OF DELAWARE
COUNTY OF SUSSEX, to-wit

BE IT REMEMBERED, that on this 20th day of August, A.D. 2024, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, David W. Frazier, Substitute Trustee of The Virginia T. Frazier Trust dated July 13, 1993, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed.

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

MACKENZIE ELIZABETH LATSCH
MY COMMISSION EXPIRES ON 08-31-2024
NOTARY PUBLIC
STATE OF DELAWARE

Mackenzie Latsch
Notary Public

My Commission Expires: 08-31-2024

IN WITNESS WHEREOF, the said The Mary M. Dockham Family Trust dated March 5, 2013 has caused its name to be hereunto set under seal by Gary L. Dockham, Trustee of The Mary M. Dockham Family Trust dated March 5, 2013, the day and year first above written.

Signed, sealed and delivered in the presence of:

The Mary M. Dockham Family Trust dated March 5, 2013, as amended

WITNESS:

By: Gary L. Dockham, Trustee

STATE OF [illegible]
COUNTY OF [illegible] to-wit

BE IT REMEMBERED, that on this [illegible] day of August, A.D. 2024, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Gary L. Dockham, Trustee of The Mary M. Dockham Family Trust dated March 5, 2013 party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed.

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

Notary Public

Notary Public State of Florida
Yvette De Leon
My Commission HH 563633
Expires 8/11/2026

My Commission Expires: [illegible]

IN WITNESS WHEREOF, the said parties have caused their name to be hereunto set under seal the day and year first above written.

Signed, sealed and delivered in the presence of:

WITNESS:

WINIFRED KEE

WITNESS:

DONNA WHITE MARTIN
BY: WINIFRED KEE HER ATTORNEY IN FACT

WITNESS:

SARAH M. ANDERSON
BY: WINIFRED KEE HER ATTORNEY IN FACT

STATE OF DELAWARE
COUNTY OF SUSSEX, to-wit

BE IT REMEMBERED, that on this 27th day of August, A.D. 2024, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Winifred Kee, Donna White Martin, By Winifred Kee her attorney in fact, and Sarah M. Anderson by Winifred Kee her attorney-in-fact, parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed.

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

CRAIG M. ALEMAN
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C SEC 4323 (A)3

Notary Public

My Commission Expires: _____

GRANTEE ADDRESS:
1401 Pennsylvania Avenue
Wilmington De. 19806

MARLIN COVE

(2023-08, CZ 2016, C/U 2459)



Marlin Cove

VISTA DESIGN INC

MARLIN COVE

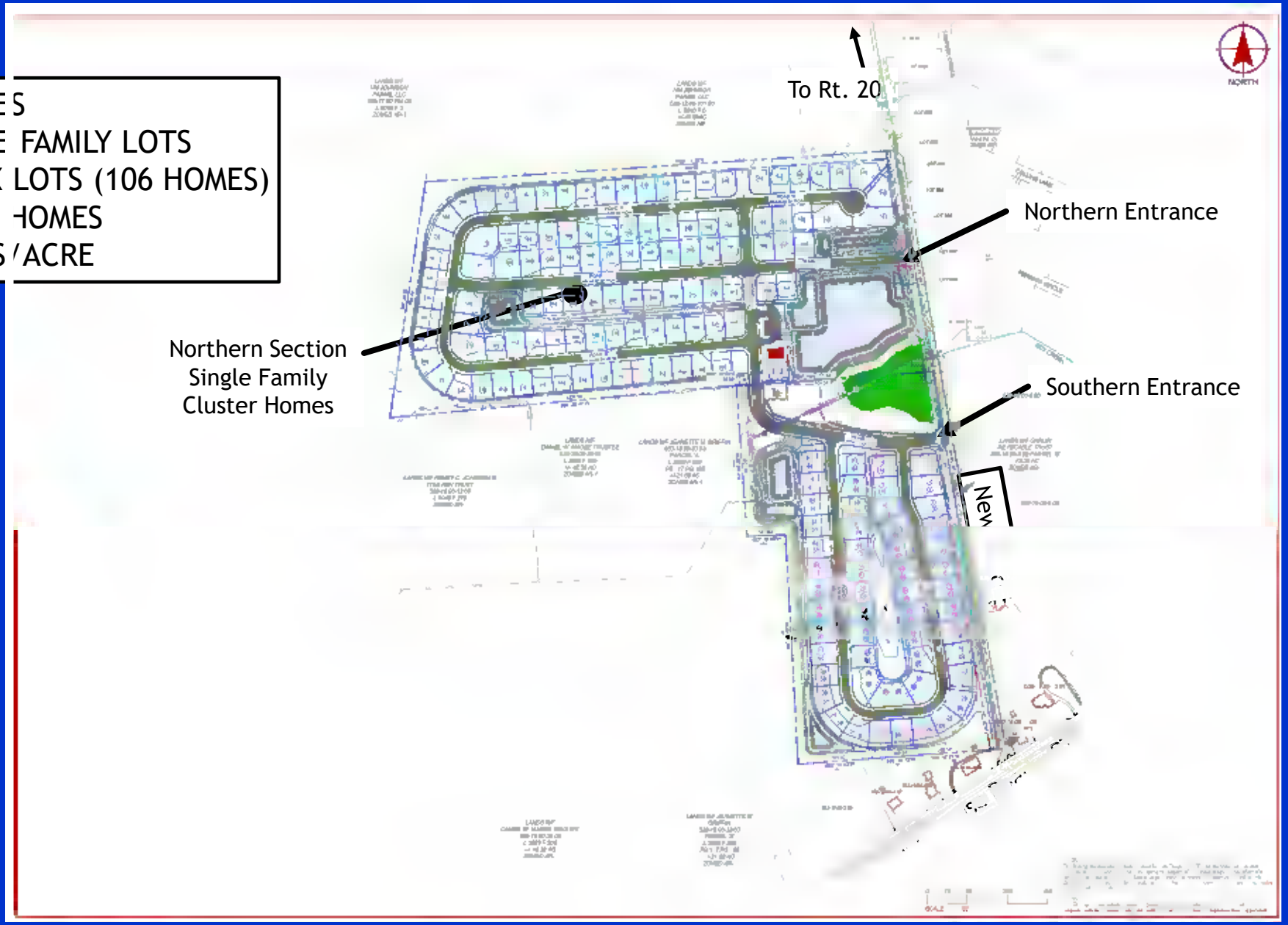
- 3 Existing Parcels located on New Road
  - 533-19.00-(-7.00, -8.01 & -9.00)
- Between Selbyville and Fenwick
- 0.5 miles east of Williamsville
- 100 feet north of Lighthouse Road (DE Rt 54)
- 1,300 feet south of Zion Church Road (DE Rt 20)



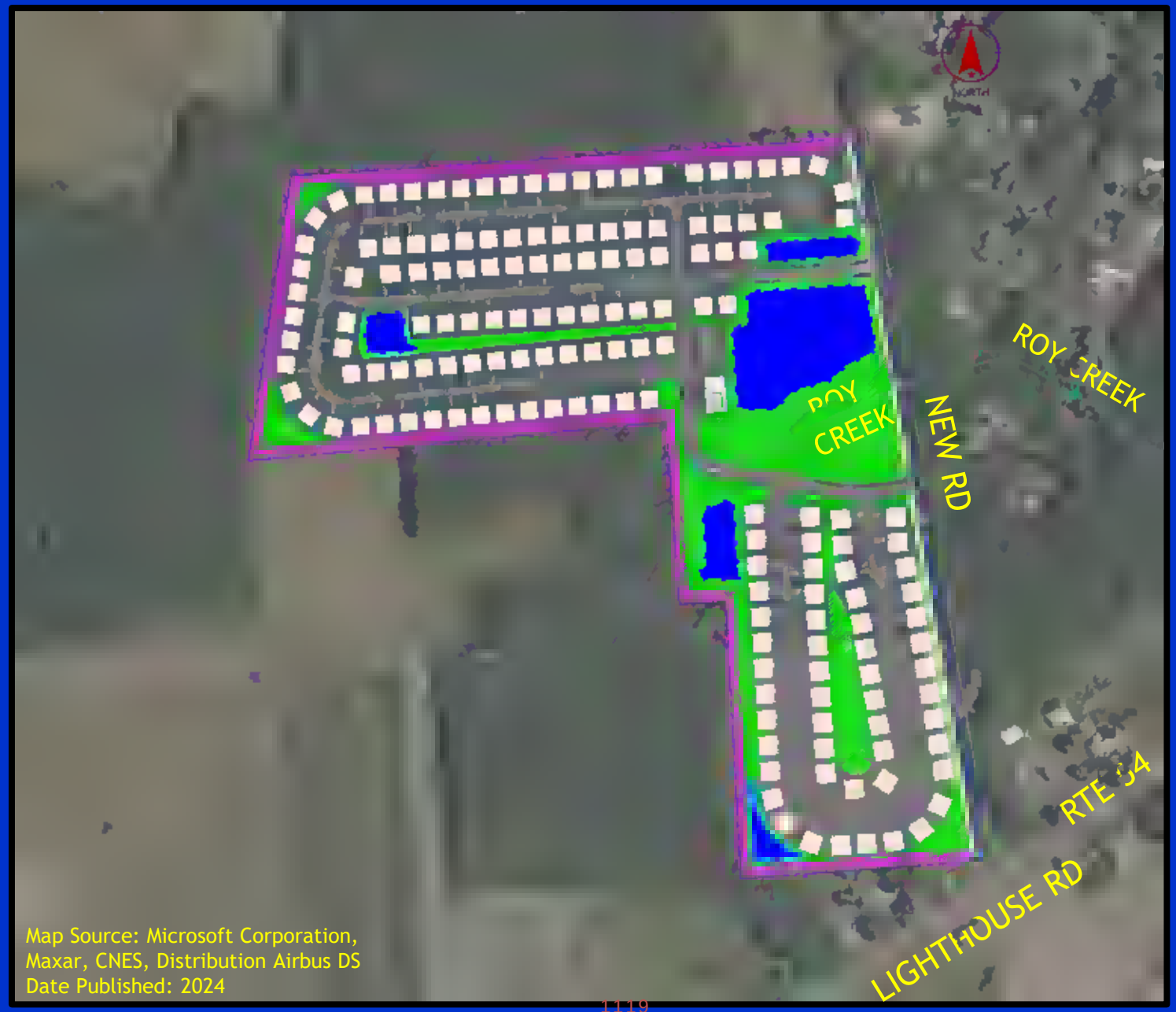
Map Source: ADC The Map People
Sussex County, Delaware
Date Published: 2005

Marlin Cove - Subdivision

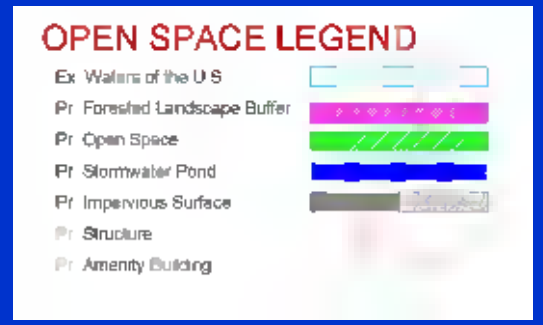
- 60.84 ACRES
- 107 SINGLE FAMILY LOTS
- 53 DUPLEX LOTS (106 HOMES)
- 213 TOTAL HOMES
- 3.50 UNITS/ACRE



MARLIN COVE - PROPOSED COMMUNITY OPEN SPACE

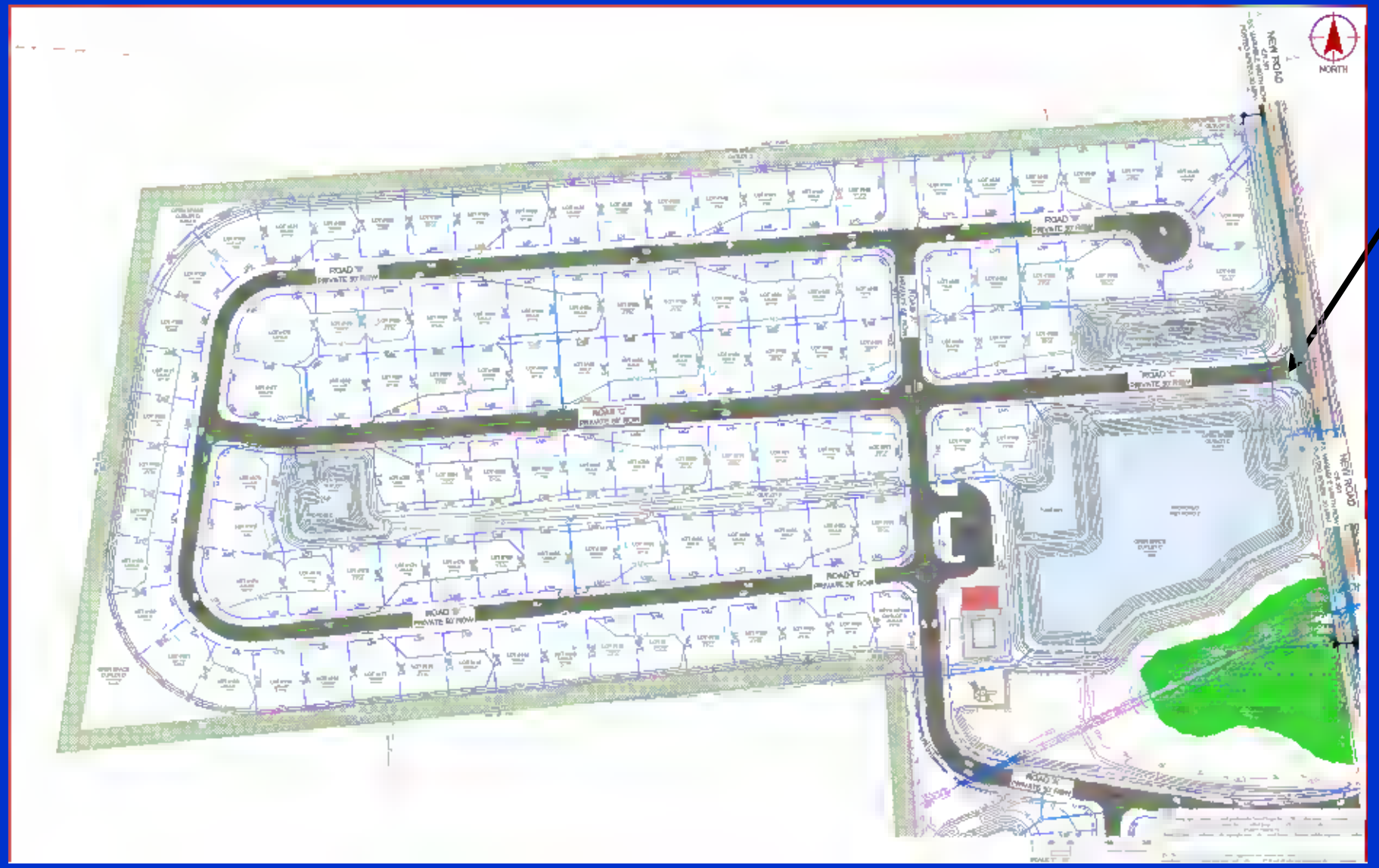


- OPEN SPACE
  - 30% REQUIRED
    - 18.25 AC
  - 32.4% PROVIDED
    - 19.69 AC



MARLIN COVE - NORTHERN SECTION

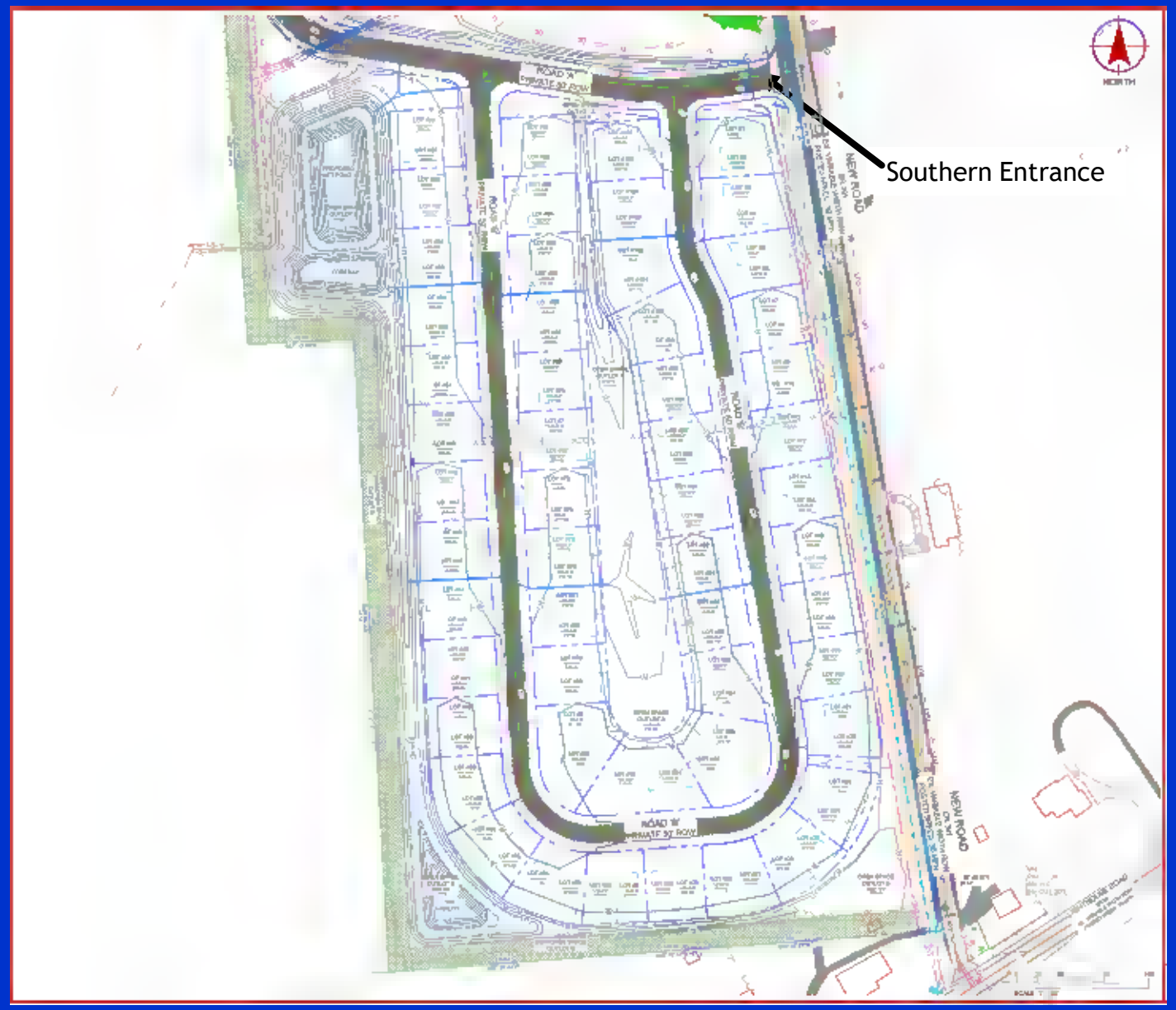
PARCEL 9.00 – 107 SINGLE FAMILY CLUSTER LOTS



Northern Entrance

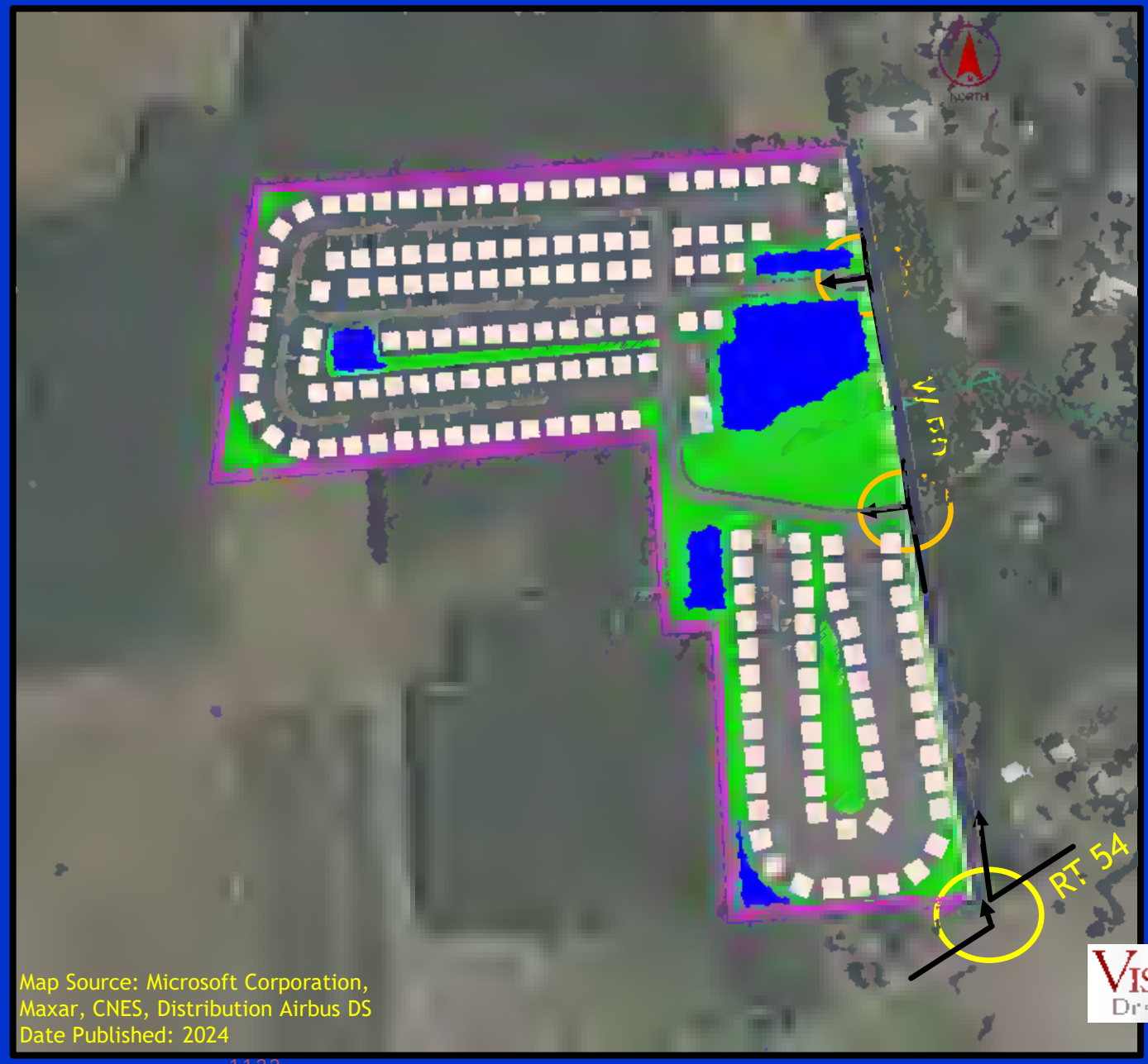
MARLIN COVE - SOUTHERN SECTION

PARCELS 7.00 & 8.01 – 53 DUPLEX LOTS (106 HOMES)



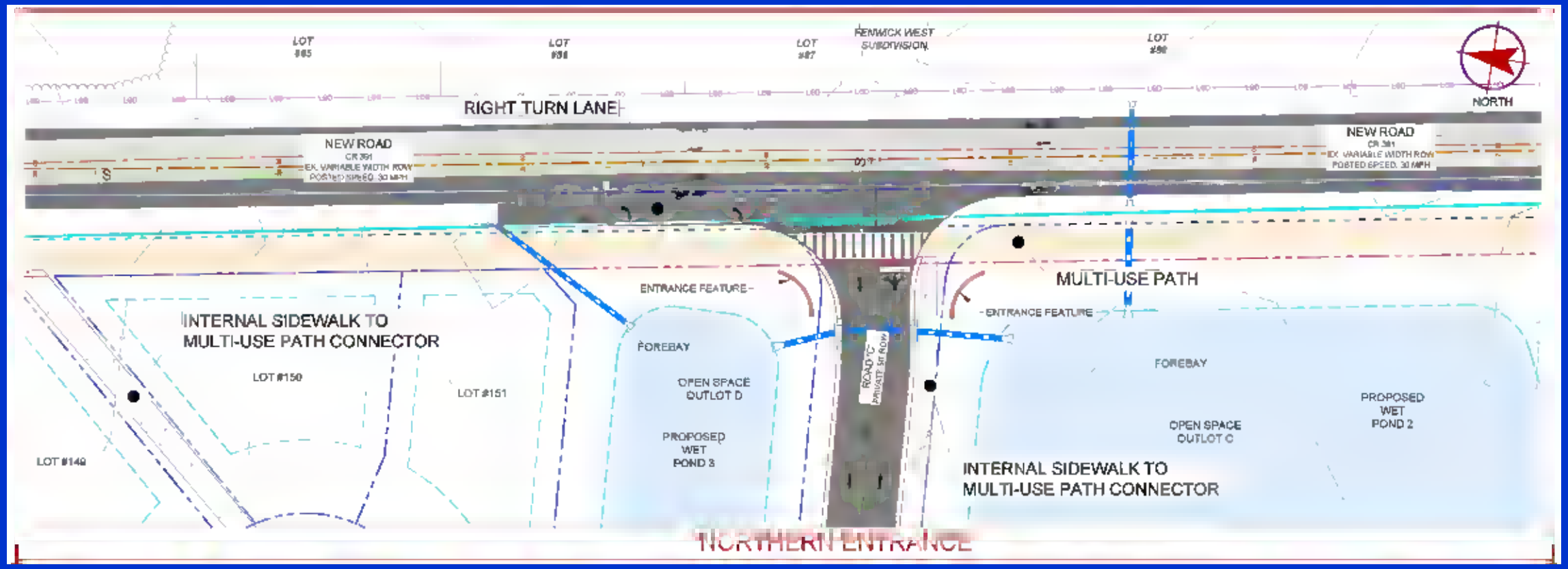
MARLIN COVE - DELDOT IMPROVEMENTS

- PER DELDOT TOA AGREEMENT #1945F ISSUED ARPIL 24, 2023
- FRONTAGE IMPROVEMENTS:
  - ROW DEDICATION
  - WIDENING TO DELDOT STANDARDS ACROSS FRONTAGE
  - SUBDIVISION ENTRANCES EACH WITH RIGHT TURN LANE INTO NEIGHBORHOOD
  - MULTI-USE PATH
- NEW RD/LIGHTHOUSE RD (RT. 54) INTERSECTION:
  - LEFT TURN FROM EASTBOUND RT. 54 TO NEW ROAD
  - RIGHT TURN FROM WESTBOUND RT. 54 TO NEW ROAD

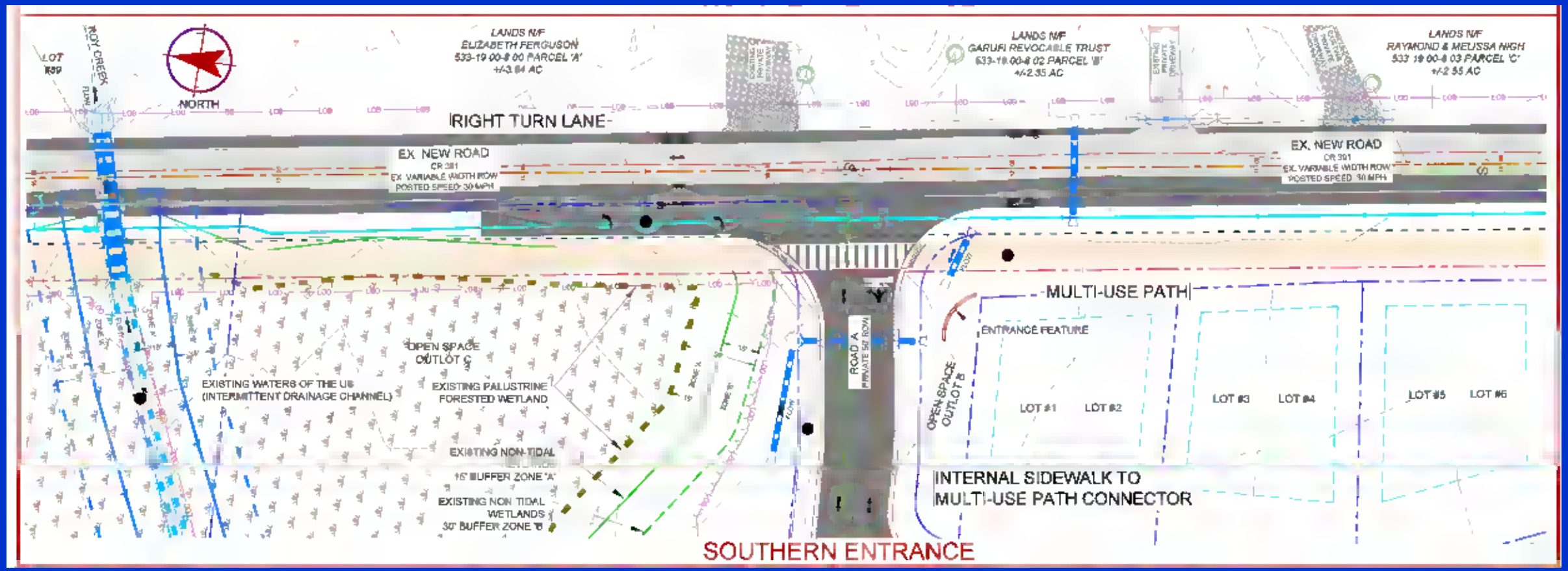


Marlin Cove

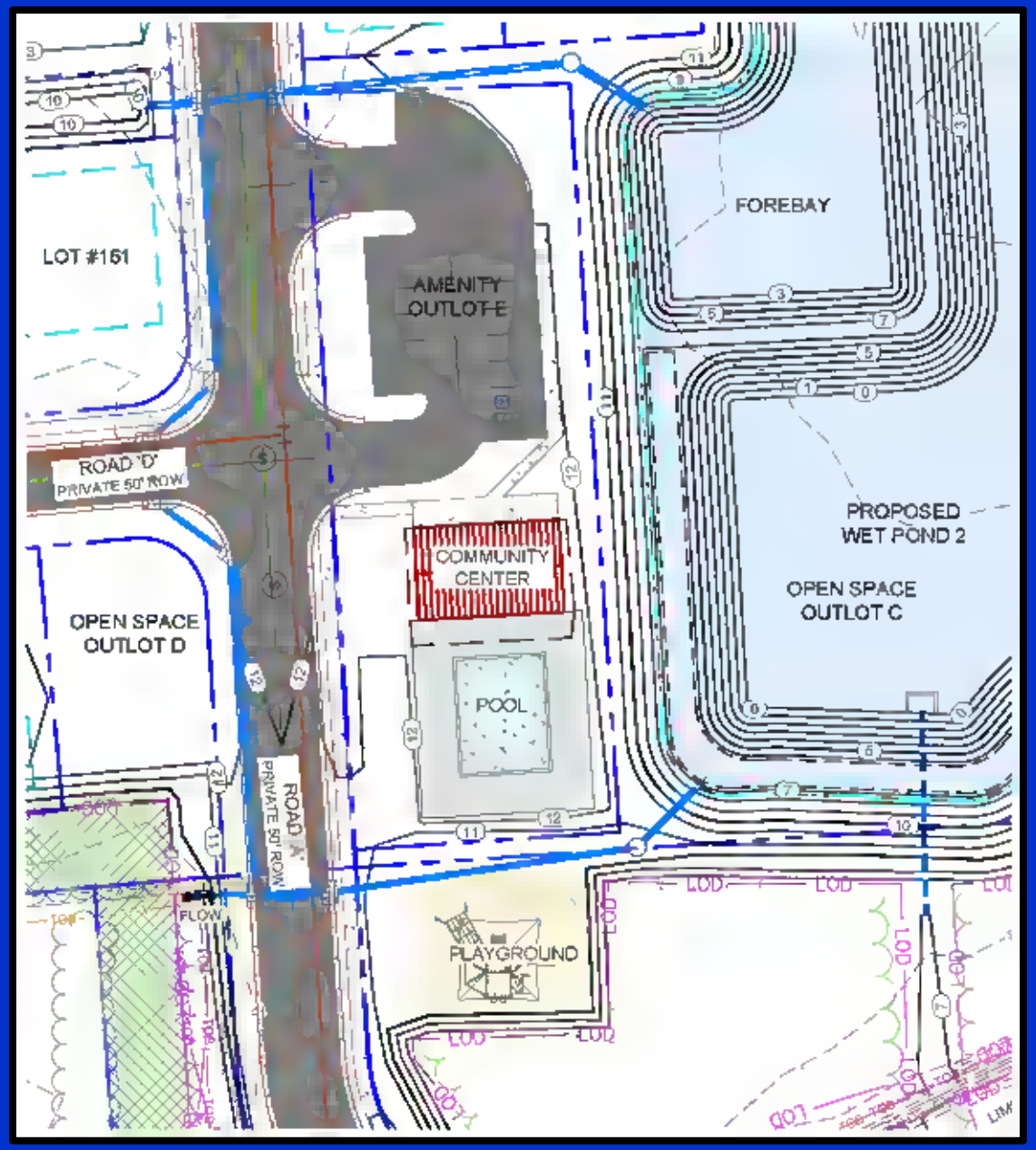
MARLIN COVE - NORTHERN ENTRANCE



MARLIN COVE - SOUTHERN ENTRANCE

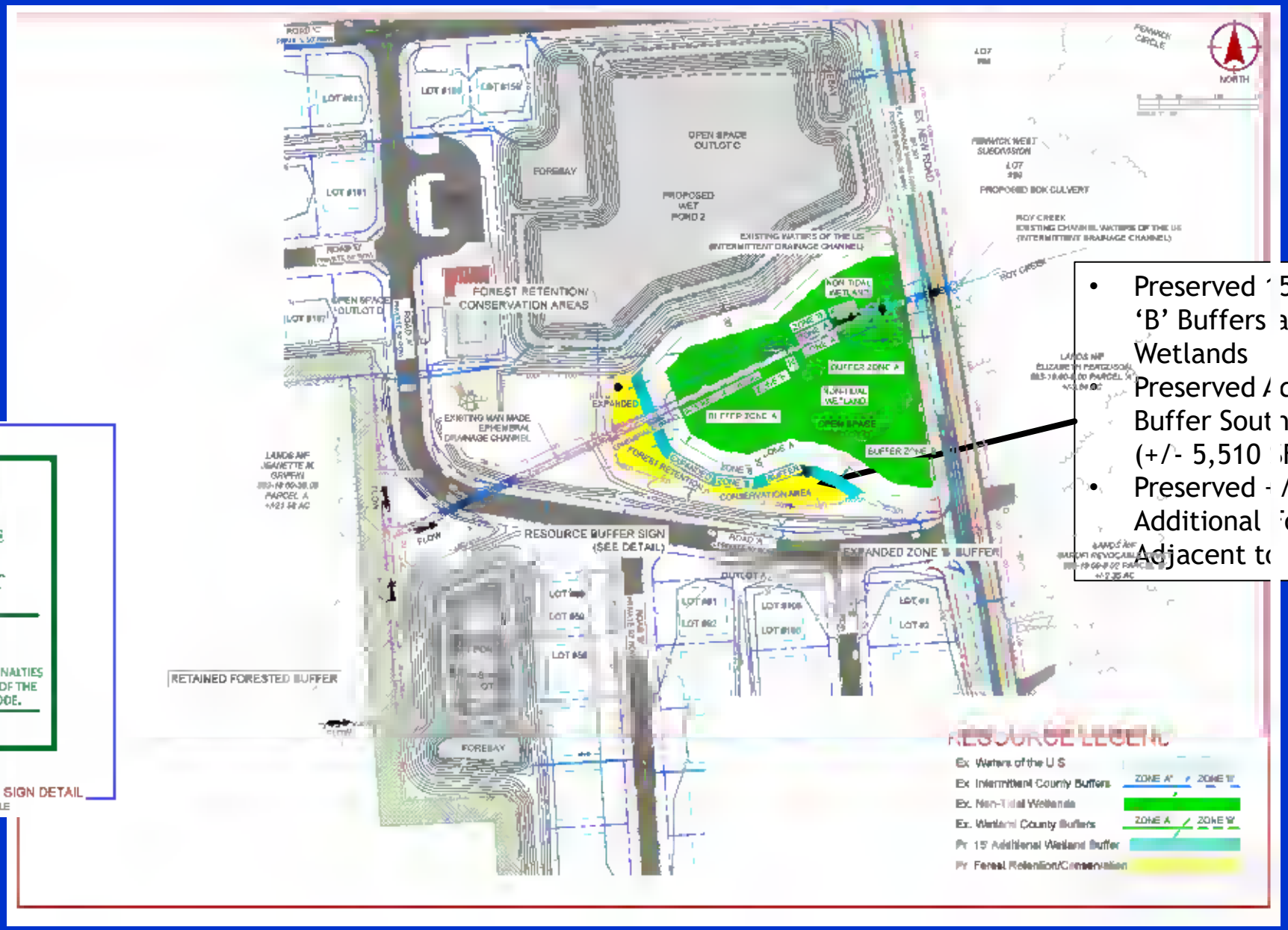


MARLIN COVE - COMMUNITY CENTER AND AMENITIES



- COMMUNITY CENTER
  - COMMUNITY ROOMS
  - BATH CHANGING ROOMS
  - POOL DECK
  - POOL
- PARKING
- ACTIVE SPACE
  - PLAYGROUND OR PICKLEBALL COURTS

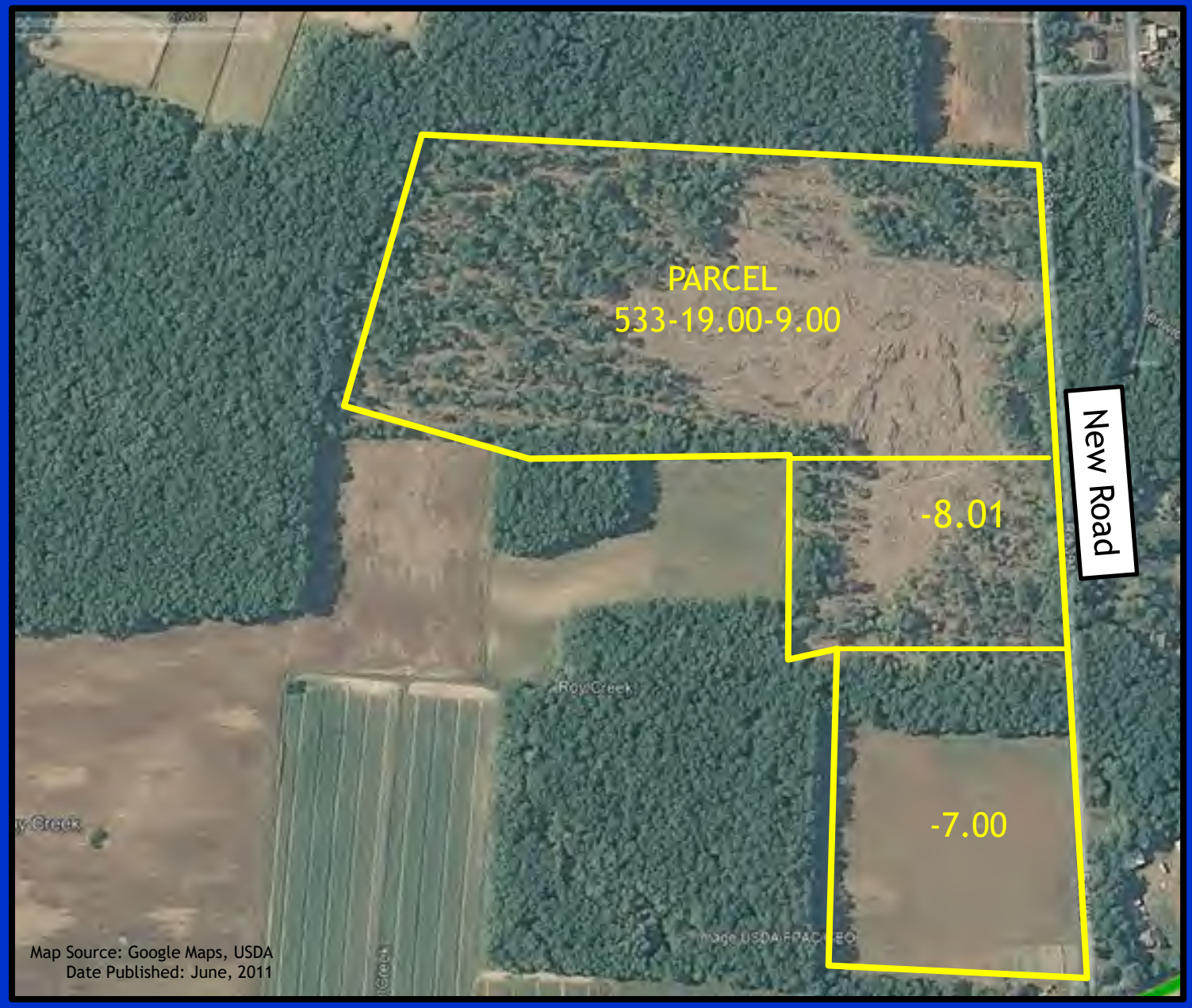
MARLIN COVE - RESOURCE BUFFER PRESERVATION



- Preserved 15' Zone 'A' & 15' Zone 'B' Buffers around Regulated Wetlands
- Preserved Additional 15' Zone 'B' Buffer South & West of Wetlands (+/- 5,510 SF)
- Preserved +/- 9,690 SF of Additional Forested Areas Adjacent to Expanded Buffers

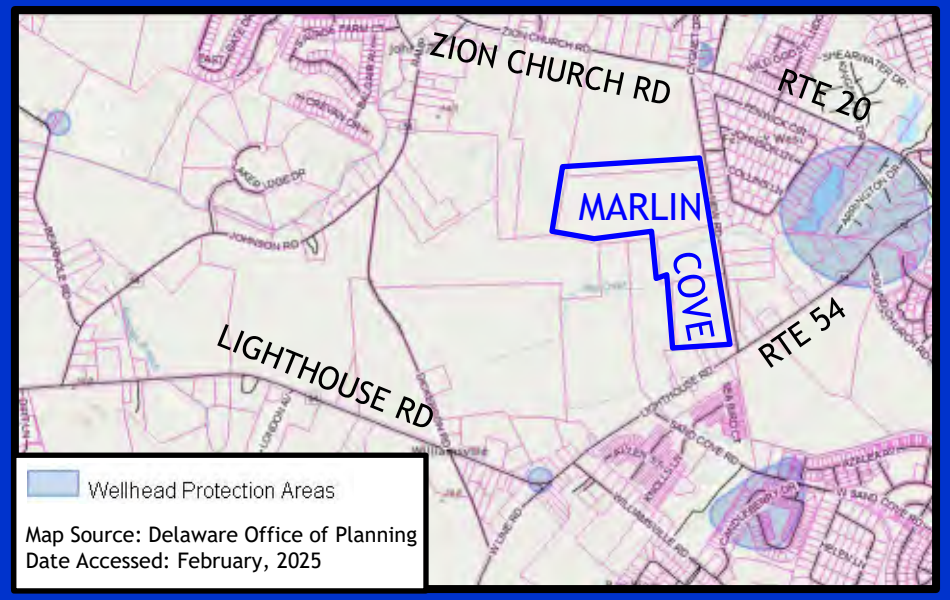


MARLIN COVE - 2011 PREVIOUS ON-SITE TIMBERING

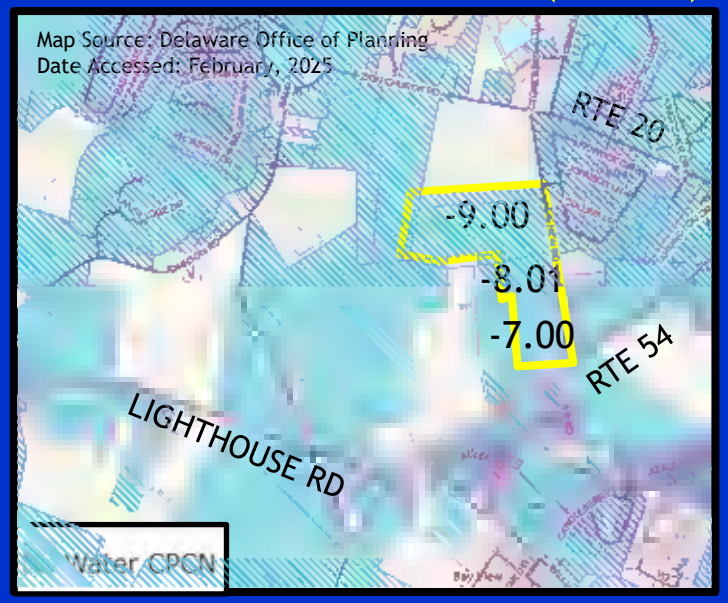


MARLIN COVE

SUSSEX COUNTY WELLHEAD PROTECTION AREA



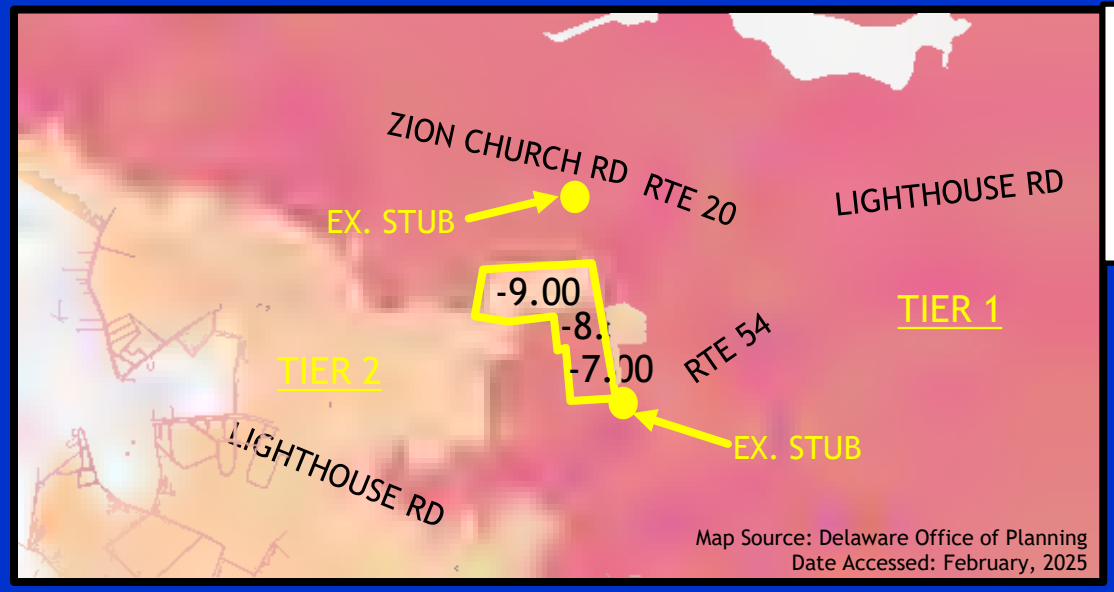
ARTESIAN WATER SERVICE AREA (CPCN)



WILLING AND ABLE TO SERVE LETTER ISSUED BY ARTESIAN

SANITARY SEWER SERVICE

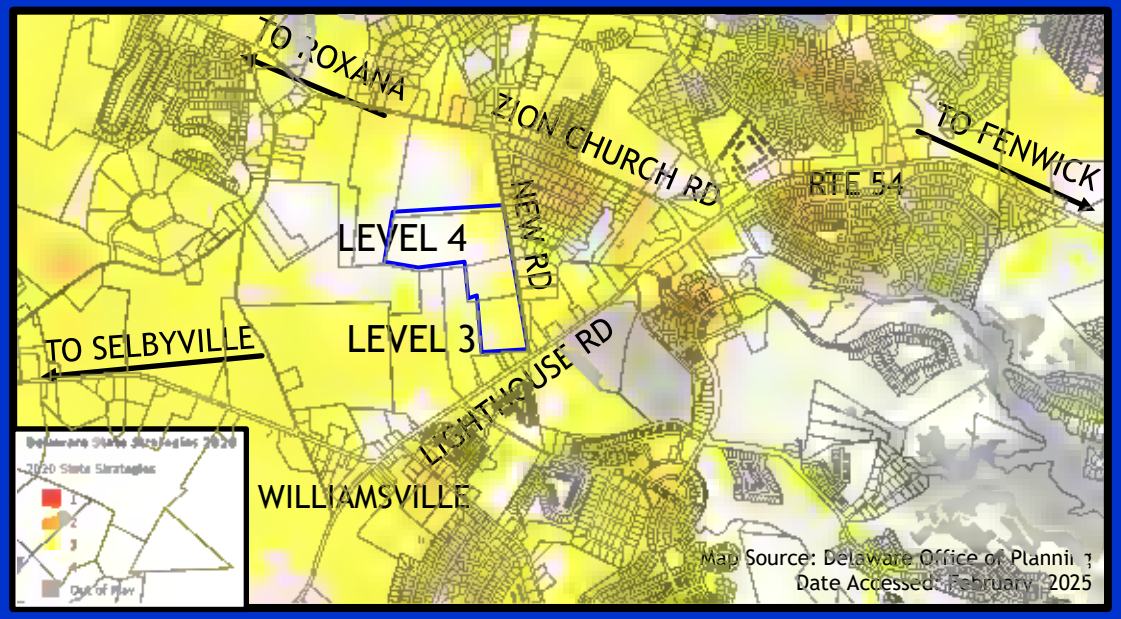
- PARCELS:
  - TIER 1
    - 533-19.00-7.00 &
    - 533-19.00-8.01
  - TIER 2
    - 533-19.00-9.00
- EXISTING SEWER MANHOLES
  - NORTH
    - EX. 8” STUB IN NEW RD @ ZION CHURCH RD
  - SOUTH
    - EX. 8” STUB IN NEW RD



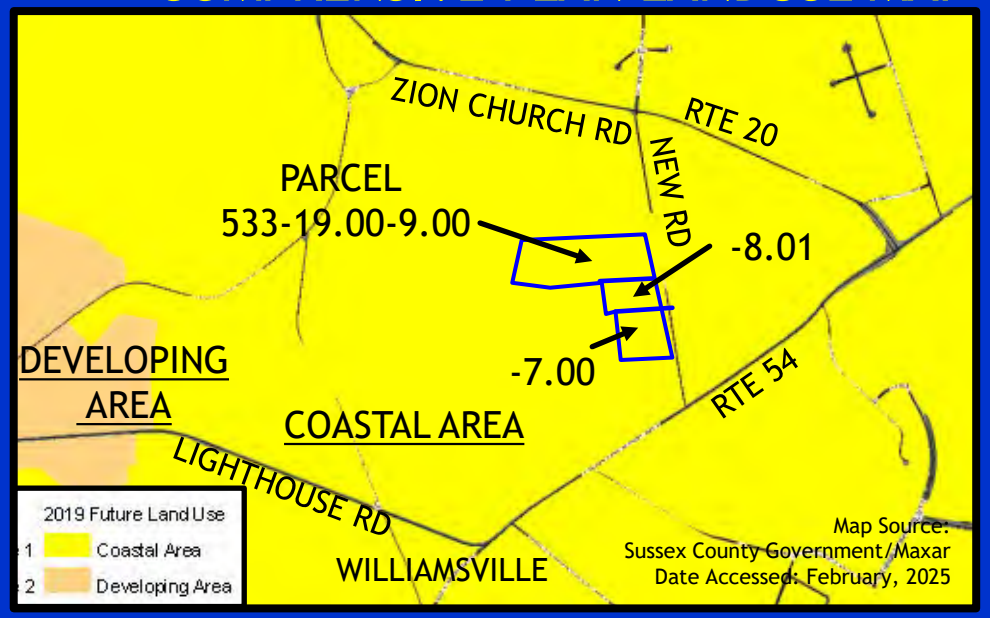


MARLIN COVE

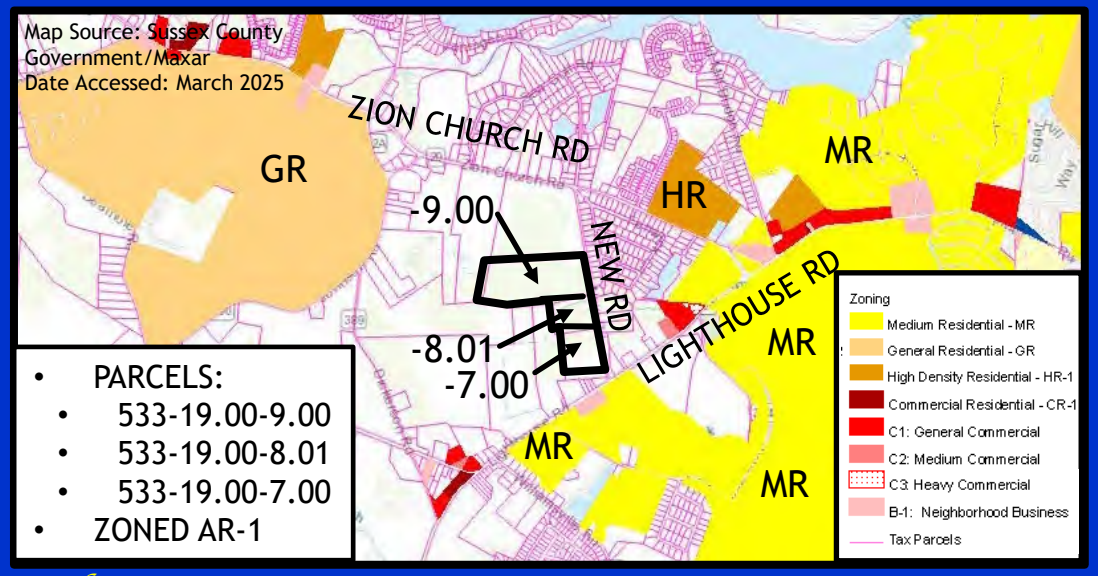
2020 STATE STRATEGEY MAP



2019 SUSSEX COUNTY COMPRENSIVE PLAN LANDUSE MAP

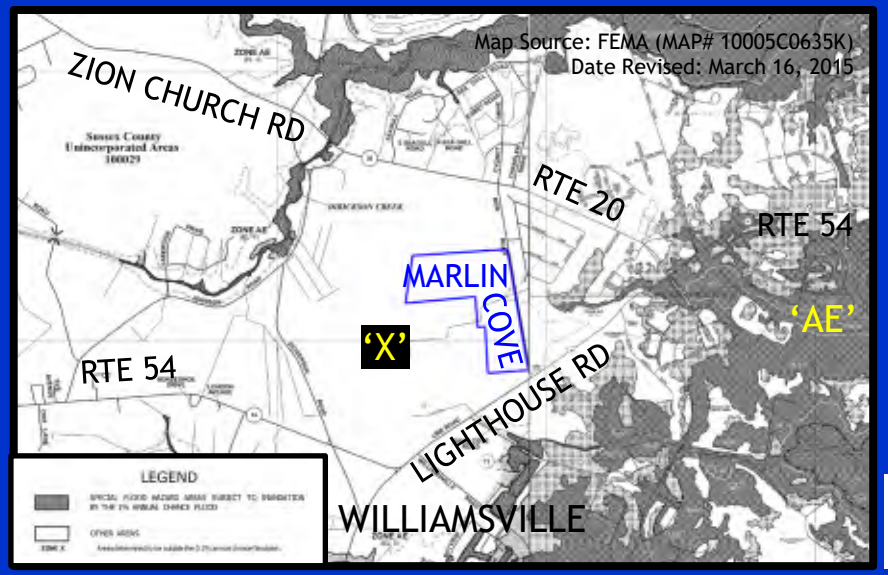


SUSSEX COUNTY ZONING MAP



- PARCELS:
  - 533-19.00-9.00
  - 533-19.00-8.01
  - 533-19.00-7.00
- ZONED AR-1

FEMA FLOOD ZONE MAP



VISTA DESIGN INC

MARLIN COVE - DEVELOPMENT COMPATIBILITY MAP



MARLIN COVE



QUESTIONS?

File #: _____
Pre-App Date:_____

Sussex County Major Subdivision Application
Sussex County, Delaware

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

Type of Application: (please check applicable)
Standard: __
Cluster: ✔
Coastal Area: ✔

Location of Subdivision:

+/- 75' north of Intersection of Lighthouse Road (DE RT 54, SCR 58) and New Road (SCR 391)

Proposed Name of Subdivision:

Marlin Cove

Tax Map #: 533-19.00-7,-8.01&-9 Total Acreage: 60.84

Zoning: MR/CU **Density**: 3.62 **Minimum Lot Size:** 7500SF **Number of Lots:** 167 (220 Uni

Open Space Acres: 18.07

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

Applicant Information

Applicant Name: Marlin Cove, LLC/ Russ Garufi
Applicant Address: 37795 New Road
City: Selbyville State: DE ZipCode: 19975
Phone #: (410) 320-6277 E-mail: atlanticbuildingassociates@gmail.com

Owner Information

Owner Name: Marlin Cove, LLC/ Russ Garufi
Owner Address: 37795 New Road
City: Selbyville State: DE Zip Code: 19975
Phone #: (410) 320-6277 E-mail: atlanticbuildingassociates@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Hudson Jones Jaywork & Fisher, LLC / Richard E. Berl Jr. Esq.
Agent/Attorney/Engineer Address: 34382 Carpenters Way, Ste. 3
City: Lewes State: DE Zip Code: 19958
Phone #: (302) 644-8330 E-mail: rberl@delawarelaw.com

Check List for Sussex County Major Subdivision Applications

The following shall be submitted with the application

✓ Completed Application

✓ Provide ten (10) copies of the Site Plan or Survey of the property and a PDF (via e-mail)
- Plan shall show the existing conditions, setbacks, roads, floodplain, wetlands, topography, proposed lots, landscape plan, etc. Per Subdivision Code 99-22, 99-23 & 99-24
- Provide compliance with Section 99-9.
- Deed or Legal description, copy of proposed deed restrictions, soil feasibility study

✓ Provide Fee $500.00

___ Optional - Additional information for the Commission to consider (ex. photos, exhibit books, etc.) If provided submit seven (7) copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting

✓ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

✓ PLUS Response Letter (if required) ☑ Environmental Assessment & Public Facility Evaluation Report (if within Coastal Area)

___ 51% of property owners consent if applicable

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

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

Signature of Applicant/Agent/Attorney

Date: 6.13.23

Signature of Owner

Date: 6-15-2023

For office use only.

Date Submitted _____ Fee: $500.00 Check # _____

Staff accepting application. _____ Application & Case #. _____

Location of property: _____

Date of PC Hearing. _____ Recommendation of PC Commission. _____

Exhibit F.10

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

NICOLE MAJESKI
SECRETARY

April 24, 2023

Ms. Betty H. Tustin, PE
The Traffic Group, Inc.
104 Kenwood Court
Berlin, Maryland 21811

Dear Ms. Tustin,

The enclosed Traffic Operational Analysis (TOA) review letter for the **Marlin Cove** (Tax Parcels: 533-19.00-7.00, 8.01, and 9.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TOA to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
TIS Group Project Engineer

CJ:km
Enclosures
cc with enclosures: Mr. Russell Garufi, Marlin Cove, LLC
Mr. Rich Polk, Vista Design, Inc.
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning & Zoning
Ms. Joanne M. Arellano, Johnson, Mirmiran, & Thompson, Inc.
Mr. Mir Wahed, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
Kevin Hickman, Sussex County Review Coordinator, Development Coordination, Planning
Thomas Gagnon, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Annamaria Furmato, TIS Group Project Engineer, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Jennifer Cinelli, Transportation Planner, Statewide & Regional Planning

USDA

United States Department of Agriculture

Natural Resources
Conservation Service

Georgetown
Service Center

21315 Berlin Road
Unit 3
Georgetown, DE
19947

Voice 302.856.3990
Fax 855.306 8272

August 8, 2023

Jamie Whitehouse, Director
Sussex County Planning & Zoning
Sussex County Courthouse
Georgetown, DE 19947

RE: Marlin Cove
Baltimore Hundred
106 duplex housing units

Dear Mr. Whitehouse:

Soils within the delineated area on the enclosed map are:

HmA	Hammonton loamy sand, 0 to 2 percent slopes
HuA	Hurlock loamy sand, 0 to 2 percent slopes
KsA	Klej loamy sand, 0 to 2 percent slopes
PpA	Pepperbox loamy sand, 0 to 2 percent slopes

Soil Interpretation Guide

Soil Limitation Class

Buildings

Map Symbol	Urbanizing Subclass	With Basement	Without Basement	Septic Filter Fields
HmA	Y2	Very limited	Somewhat limited	Very limited
HuA	R2	Very limited	Very limited	Very limited
KsA	R2	Very limited	Very limited	Very limited
PpA	Y2	Very limited	Somewhat limited	Very limited

Definition of soil limitation ratings classes:

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

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

An Equal Opportunity Provider and Employer

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

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

R2:
The soils in this classification are nearly or gently sloping, very poorly, poorly, and somewhat poorly drained. Seasonal high water tables, local ponding, and high potential frost action severely limit these soils for residential developments. The principal soil limitations are: 1) soil is highly susceptible to frost action, 2) excavations are likely to fill with water in late winter or early spring, 3) wet foundations or basements probable, and 4) hazard of temporary ponding of water in areas lacking outlets. Loose running sand commonly encountered in deep excavations.

Y2:
The soils in this classification are nearly level or gently sloping, moderately well drained or well drained with ground water between four to six feet from the surface, and are subject to seasonal high water tables. Seasonal wetness and seepage around foundations moderately limits these soils for residential use. The principal soil limitations are: 1) lateral seepage in subsoil causes concentration of water around foundations, 2) soil is highly susceptible to frost action, 3) excavations are likely to fill with water in late winter or early spring, and 4) wet basements or foundations are probable.

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

Sincerely,

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

TDS/bh

An Equal Opportunity Provider and Employer



2023-08
TM #533-19.00-7.00, 533-19.00-8.01, & 533-19.00-9.00
Marlin Cove



2023-08
TM #533-19.00-7.00, 533-19.00-8.01, & 533-19.00-9.00
Marlin Cove

Document# 2020000040256 BK: 5304 PG: 148
Recorder of Deeds, Scott Dailey On 9/2/2020 at 2:05:38 PM Sussex County, DE
Consideration: $800,000.00 County/Town: $12,000.00 State: $20,000.00 Total: $32,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #:
533-19.00-7.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way, Suite 3
Lewes, DE 19958
File No. 2-3303/REB

THIS DEED, made this 1st day of September, 2020,

- BETWEEN -

MICHAEL JOHN TRUITT, of 36261 Zion Church Rd., Selbyville, DE 19975 and **TRACY LYNN BERRY**, of 13051 Muskrattown Rd., Bishopville, MD 21813, parties of the first part,

- AND -

ATLANTIC BUILDING ASSOCIATES, INC., of 13053 Old Stage Road, Bishopville, MD 21813, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **TEN DOLLARS ($10.00)**, lawful money of the United States of America and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

Beginning at a PK nail set along the westerly side of New Road, said PK nail being approximately 64 feet north of the right of way line of Lighthouse Road; thence proceeding South 85 degrees 48 minutes 21 seconds West 295.17 feet to a concrete monument found along the common boundary of these lands, lands now or formerly of June A. Truitt, and lands now or formerly of Anita E. Adkins, Trustee; thence proceeding South 85 degrees 49 minutes 12 seconds West 149.30 feet to another concrete monument found along the common boundary of these lands, the Adkins lands, and lands now or formerly of CSM, LLC; thence South 85 degrees 38 minutes 43 seconds West 310.62 feet to a 5/8 inch rebar found along the common boundary

of these lands, lands now or formerly of Audrey Prettyman, *et al.*, and lands now or formerly of Jeanette M. Griffin; thence by and with the Griffin lands North 03 degrees 10 minutes 40 seconds West 861.13 feet to another 5/8 inch rebar found along the common boundary of these lands and lands now or formerly of MDP Partners LLC; thence by and with the MDP lands North 87 degrees 11 minutes 20 seconds East 655.02 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence by and with the westerly side of New Road south 09 degrees 45 minutes 44 seconds east 810.26 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence continuing with New Road South 13 degrees 43 minutes 04 seconds East 38.44 feet to the place of beginning, containing 13.7642 acres, as is more particularly set forth on a certain survey prepared by Simpler Surveying and Associate, Inc., dated August 20, 2020, referenced to which may be had.

BEING the same lands which were conveyed unto Michael John Truitt and Tracy Lynn Berry by Deed of June A. Truitt dated 4/9/2015 and recorded in the Office of the Recorder of Deeds in and for Sussex County on 4/15/2015 in Deed Book 4383, Page 341.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____

_____

_____(SEAL)
Michael John Truitt

_____(SEAL)
Tracy Lynn Berry

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on September 1, 2020, personally came before me, the subscriber, Michael John Truitt and Tracy Lynn Berry, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323 (a) (3)

_____
Notary Public

My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
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TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
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Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

VISTA
DESIGN, INC.

MARLIN COVE SUBDIVISION
PLANNING INFORMATION PACKET

TM: 533-19.00-7.00
533-19.00-8.01
533-19.00-9.00

Prepared for:

Sussex County Planning & Zoning Commission
2 The Circle
Georgetown, Delaware 19947

Submitted by:

Vista Design, Inc.
11634 Worcester Highway
Showell, Maryland 21862
Phone: (410) 352-3874
www.vistadesigninc.com

MARLIN COVE
Supplemental Planning Information

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VISTA
DESIGN, INC.

SECTION A
PROJECT SUMMARY

Marlin Cove

Section A
Project Summary
Change of Zone
Conditional Use

The proposed Marlin Cove Subdivision is to be located along the west side of New Road (CR-391) and is to consist of 114 single family detached cluster lots and 106 semi-detached (duplex) units. The subdivision is proposed to have duplex dwelling units in the southern half of the project and single family detached lots in the northern half. Two proposed entrances to Marlin Cove are located on New Road. The southern entrance is ±1,250' north of Lighthouse Road (SR-54) and the northern entrance ±1,700' south of Zion Church (SR-20). The 220-unit subdivision proposes to combine three existing parcels 533-19.00-7.00 (13.76 acres), 533-19.00-8.01 (10.13 acres) and 533-19.00-9.00 (36.95 acres) totaling 60.84 acres.

The existing zoning of all three parcels is AR-1 (Agricultural Residential) within the Coastal Area land use overlay zone. The Marlin Cove subdivision proposes to change the zoning of all three parcels to Medium-Density Residential (MR) with Cluster Option with a Conditional Use to permit Duplex Homes.

The northern parcels -8.01 & -9.00 are entirely wooded with second and third growth forests after recent log harvesting operations, and the southern parcel -7.00 is partially wooded with a farm field of row crops. Parcels -8.01 and -9.00 contain an unnamed tributary drainage ditch to Roy Creek and associated ephemeral drainage channels with runoff induced stormflow travelling across the site generally in a west to east direction. Delineated areas of Corps of Engineers regulated non-tidal wetlands are located within the property along the eastern extent of the drainage network near New Road, and Waters of the US have been established along portions of the unnamed tributary to Roy Creek upstream of New Road. Other than as required by DelDOT for the widening of New Road, no impacts are proposed to the onsite regulated non-tidal wetlands or Waters of the US.

The northern and western boundaries of the existing overall site borders forested and row crop agricultural parcels zoned AR-1, while the southern boundary of the site abuts existing single family detached homes zoned AR-1, and the eastern boundary of the site borders New Road with existing single family homes, zoned AR-1, on the east side of New Road.

The Preliminary Plan Submission proposes 114 single family detached cluster lots and 53 duplex lots (for a total of 106 duplex homes). The proposed single-family detached cluster lots have a 7,500 sq. ft. minimum lot area and minimum road frontage of 75'. The proposed single family detached cluster lot sizes range from 7,500 sq. ft. to 13,100 sq. ft., with an average lot size of 7,840 sq. ft. The proposed duplex home lots have a 7,600 sq. ft. minimum lot area with a minimum road frontage of 76'. The proposed duplex home lot sizes range from 8,000 sq. ft. to 13,100 sq. ft., with an average lot size of 8,500 sq. ft. The open space lots spread throughout the site are proposed to total 18.46 acres and will comprise 30.4% of the site, which is above the required 30% open space for cluster developments. The open space parcels include the 30' forested agricultural land buffer (which is intended to buffer Marlin Cove from its neighbors to the north, south and west), stormwater facilities, drainage swales, shared use paths, natural trails and environmental features that include portions of the retained forest, the preserved non-tidal wetlands, the preserved Waters of the US, and their associated buffers. The Marlin Cove Subdivision will adhere to the 2019 Approved Sussex County Comprehensive Plan and all applicable building and design regulations as stipulated in the Sussex County Code and design standards.

Per the Sussex County Comprehensive Plan, the following characteristics are described in the plan for Coastal Areas:

- Permitted Uses – *A range of housing types are appropriate in Coastal Areas, including single family homes, townhouses, and multi-family units*

- Densities – *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 & 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*

The requested Change of Zone from Agricultural Residential (AR-1) to Medium-Density Residential (MR) with Cluster Option and Conditional Use to allow for duplex units are in harmony with these requirements as set forth in the 2019 Approved Comprehensive Plan. A further detailed review of this development's compliance with the Comprehensive Plan is addressed in Section 2 of this exhibit book.

In summary, the requested Change of Zone with Cluster Option and the Conditional Use will result in 114 single family detached cluster lots and 106 semi-detached (duplex) units on 60.84 acres along New Road, ±100' north of the intersection Lighthouse Road (SR-54) at a density of less than 4 units per acre. It is consistent with the character and trend of development in the area and in particular with three existing, or currently under development, subdivisions in close proximity to Marlin Cove, as listed below:

- Bayside Phase VII
    - CZ #1803 – an adjacent residential project with an approved density of 4.8 Units per acre,
- Fenwick Commons
    - CZ #1896 & CU #2197 - a nearby residential duplex development
- Bay Knolls
    - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

In summary, Marlin Cove has been planned in a manner that will fit sensibly within its surroundings, providing a recognizable sense of place and neighborhood for its residents while, at the same time, providing economic and environmental benefits to the community at large.

VISTA
DESIGN, INC.

SECTION B
AFFIRMATION OF CONFORMANCE WITH SUBDIVISION 2019 COMPREHENSIVE PLAN – COASTAL AREA

Marlin Cove

Section B
Affirmation of Conformance with the Comprehensive Plan – Coastal Area

In accordance with Sussex County's Comprehensive Plan, the Future Land Use Map designates this project as State Investment Level 3 growth zone and State Investment Level 4 within the Coastal Area. Items specifically in the Comprehensive Plan regarding Coastal Area have been identified in italics below with the method of the plans compliance as follows:

- **This region is among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices.**

  - *Marlin Cove provides housing options in an area recognized by the County to be desirable for housing.*

- **This region contains ecologically important and sensitive characteristics as well as other coastal lands which help absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats.**

  - *18.46 Acres or 30.4% of the site will remain in open space and will include a community center and swimming pool, playground, stormwater management and conveyance features, preservation of existing vegetation and critical natural resources and a proposed forested buffer around the northern, western, and southern boundaries of the property.*

- **Careful control of stormwater runoff is also an important concern in keeping sediment and other pollutants out of the Inland Bays.**

  - *The stormwater management design will incorporate Best Management Practices in accordance with State of Delaware and Sussex Conservation District regulations.*

- **Permitted Uses – A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units.**

  - *Marlin Cove provides multiple housing options that are permitted and desired within the Costal Areas and that are in harmony with similar surrounding residential developments.*

- **Densities – 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**

      - *Existing parcels 533-19.00-7.00 and 533-19.00-8.01 are currently located within the Sewer Tier 1 Fenwick Island Sanitary Sewer District of the Sussex County Unified Sanitary Sewer District (SCUSSD. A sewer annexation request for Parcel 533-19.00-9.00 has been submitted to the Utility Planning Division for approval of Tier change pending zoning approval. Wastewater for the proposed subdivision is planned to be collected via 8" gravity sewer and connected to two existing sanitary manholes within New Road. The northern half of the site will connect to an existing sanitary manhole near the intersection of New Road and Zion Church Road near the Fenwick West Subdivision. The southern half of the site will connect to an existing sanitary manhole near the intersection of Lighthouse Road*

and New Road near parcel 533-19.00-11.00. Each dwelling unit within the subdivision will have a separate service lateral. In addition, as requested by the Sussex County Utility Planning Department, sanitary sewer service will be extended to four existing parcels along New Road as part of this project, including Parcels 533-19.00-7.01, -8.00, 8.02. These four lots are currently served by on-site septic systems, and the connection to public sewer will help remove pollutants from the groundwater that will help improve adjacent waterways, as well as the inland bays. The future wastewater network will be managed by the Sussex County Engineering Department.

- *Public water service is to be supplied to the site by Artesian Water Company, Inc., and the existing parcels are currently within their service area entitled Eastern Sussex 4. Artesian recently installed a 12" watermain fronting the proposed subdivision along New Road, which connected Artesian watermains along Lighthouse (Rt. 54) and Zion Church (Rt. 20) Roads. The existing 12" PVC and DIP watermain, per the as-built plans shared by Artesian, is located within a 15' easement on Parcel 7.00 and within a 25'easement on Parcels 8.01 and 9.00. These easements have been honored by the proposed Marlin Cove subdivision and are depicted on the Preliminary Plan. Extensions of this existing watermain throughout the Marlin Cove site will provide sufficient domestic and fire flows to satisfy State regulations. Separate water service lines and meters will be provided to each dwelling unit. The subdivision will also have fire hydrants located to satisfy State Delaware Fire Marshal requirements.*

- **Near sufficient commercial uses and employment centers;**

  - *Existing, developed, C-1 General Commercial lands are located ±0.5 miles west (Williamsville) and +/-0.25 miles east (Bayside) of the project, and*
  - *Existing, developed, B-1 Neighborhood Business Lands are located ±200 feet west of the project (Williamsville)*

- **Where it is in keeping with the character of the area;**

  - Bayside Phase VII
    - CZ #1803 – a nearby residential development with an approved density of 4.8 Units per acre,
  - Fenwick Commons
    - CZ #1896 & CU #2197 - a nearby residential duplex development
  - Bay Knolls
    - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

- **Where it is along a main road or at/or near a major intersection;**

  - *Marlin Cove fronts onto New Road (S.C.R. 391), ±100' north of the intersection with DE Route 54 (Lighthouse Road) and New Road. DE Route 54 (Lighthouse Road) is classified by the Delaware Department of Transportation (DelDOT) as a Major Collector. New Road is classified as a Local Road with a posted speed limit posted of 30 M.P.H.*

- **The preservation of natural resources or open space is strongly encouraged in this land use classification.**

  - *18.46 Acres or 30.4% of the site will remain in open space and will include a community center and swimming pool, playground, stormwater management and conveyance features, preservation of existing vegetation and critical natural resources and a proposed a forested buffer around the perimeter of the property.*

- **Infrastructure – Central water and sewer facilities are strongly encouraged. If central utilities are not possible, permitted densities should be limited to two units per acre provided a septic permit can be approved.**

  - *Two of the three parcels which comprise the proposed Marlin Cove subdivision are already within the Sussex County Unified Sewer District. Sussex County has available sewer capacity to permit the third parcel to be brought into the Sewer District following zoning approvals, and for the overall subdivision to be developed at the proposed density of 3.62 DU/AC. Artesian Water Company has already extended central water to the property sufficient to satisfy all domestic and fire protection flow requirements.*

VISTA
DESIGN, INC.

SECTION C
AFFIRMATION OF CONFORMANCE WITH COUNTY SUBDIVISION ORDINANCE 99-9C

Marlin Cove

Section C
Affirmation of Conformance with Subdivision ordinance §99-9C

In the design and layout of the Marlin Cove Preliminary / Conditional Use Plan, the following items have been considered from the Subdivision Ordinance, § 99-9C:

- **§ 99-9C (1) – Integration of the proposed subdivision into existing terrain and surrounding landscape:**
  Marlin Cove (parcels 7.00, 8.01, & 9.00) has been designed to integrate within the natural landscape, nestled along the preserved buffer of Roy Creek, surrounding farm land, forest and New Road. The lands to the north were previously approved to be a neighborhood entitled Fenwick West. Marlin Cove plans to request a Change of Zone and Conditional Use for the subdivision. The development will have two entrances onto New Road, and proposes one inter-parcel connection to the property to the north. All immediately adjacent properties will be buffered by 30' wide forested buffer located in common open space where existing woods will be preserved, or supplemented through new plantings, to achieve a substantial buffer in accordance with County regulations.

- **§ 99-9C (2) – Minimal use of wetlands and floodplains:**
  Environmental Resources, Inc. (ERI) reviewed the existing environmental features of the three existing parcels comprising the subdivision in the fall of 2022. The existing unnamed tributary to Roy Creek drainage channels are located along the northern border of parcel 533-19.00-8.01 and southern border of parcel 533-19.00-9.00. The drainage channel transitions from an ephemeral/intermittent channel near the existing culvert under New Road and ERI has delineated an area of non-tidal wetlands upstream of New Road. The intermittent channel downstream of New Road (Roy Creek) has also been identified as a Waters of US. As part of the Marlin Cove development, there are no disturbances to the delineated non-tidal wetlands and Waters of the US except those required by DelDOT for the widening of New Road and the installation of a Multi-Purpose trail along the site's frontage. All other areas of regulated wetlands and Waters will be protected by a minimum 30' undisturbed existing forest buffer in accordance with Sussex County Buffer Ordinance. This forested buffer is located in the proposed open space outlet parcel 'C' which will be protected by deeded covenants that will be managed initially by the developer and later transferred to the future homeowner's association.

  The site is located in a FEMA Zone 'X', which indicates the property is outside of both the 100- and 500-year flood zones (Panel 10005C0635K).

- **§ 99-9C (3) – Preservation of natural and historical features:**
  The site is comprised of agricultural fields and recently harvested forests. A proposed perimeter forested/landscape buffer will help maintain quality environmental features. During the initial site investigation by ERI, no evidence of historic or cultural resources were identified on the properties. No federal permits are anticipated at this time, however, ERI has requested a Jurisdictional Determination (JD) be issued by the Corps of Engineers for the site. If, during construction, artifacts or evidence of historic or cultural resources are discovered, the Delaware State Historic Preservation Office will be consulted.

- **§ 99-9C (4) – Preservation of open space and scenic views:**
  The existing three parcels that comprise the Marlin Cove subdivision total +/- 60.84 acres. The proposed MR with Cluster Option and Condition Use to permit duplex homes development requires 30% (18.25 acres) of the platted area to remain 'open' space. The Marlin Cove subdivision proposes 30.4% (18.46 acres) of open space area that includes the 30' forested buffer along the northern, western and southern perimeter of the proposed subdivision. The open space is proposed to be divided into several open space outlots that will include the site's existing environmental features, stormwater ponds and portions

of the drainage networks. In addition, a Community Recreational Outlot will include a community center, a pool, playground and parking lot for the community's use while patroning these amenities. Dwelling sizes will adhere to all County regulations, including the maximum 42 height limitation.

- **§ 99-9C (5) – Minimization of tree, vegetation and soil removal and grade changes:**
  Portions of the site are currently farmed, while others have recently undergone a timber harvesting operation. The three parcels currently contain ±48 acres of forested area and the proposed Marlin Cove development will preserve over 8 acres of forest. Soil removal and grade changes will be minimized during the final design and limited to only those necessary to provide positive drainage or cover over proposed utilities. The pond sizing may be adjusted as necessary during final engineering to both satisfy State of Delaware regulations and potentially help balance the site's earthwork.

- **§ 99-9C (6) – Screening of objectional features from neighboring properties and roadways:**
  Screening will be accomplished through the 30' wide forested buffer area proposed around the perimeter of the development. Structure heights are limited by County regulations to not exceed 42 feet in height, and the anticipated buffer will be preserved, or supplemented, with a combination of tall and short plantings to help ensure the buffer is capable of screening the visual impact of the development from the outside.

- **§ 99-9C (7) – Provisions for water supply:**
  The Marlin Cove site lies within the service area of Artesian Water Company. Potable water, including both domestic and fire flows, will be provided through an extension of existing Artesian Water Company service lines in the vicinity of the site. Based upon an average water consumption of a single family, detached, and semi-detached units, of 250 gallons per day (GPD), the proposed 220-unit Marlin Cove subdivision may be anticipated to consume approximately 56,000 GPD. As this site is to be served by extensions of existing Artesian Water Company facilities, no impacts to the surrounding private wells are anticipated.

- **§ 99-9C (8) – Provisions for Sewer Disposal:**
  Existing parcels 533-19.00-7.00 and 533-19.00-8.01 are located within the Sewer Tier 1 Fenwick Island Sanitary Sewer District of the Sussex County Unified Sanitary Sewer District (SCUSSD). A sewer annexation request for Parcel 533-19.00-9.00 has been submitted to the Utility Planning Division for approval of Tier change pending zoning approval. The site is anticipated to be served through an extension of existing Sussex County sewer infrastructure. All wastewater is anticipated to be ultimately treated and disposed of at the County's South Coastal Regional Wastewater Facility. As this site is anticipated to be served by extensions of existing Sussex County facilities, and no wastewater will be treated or disposed of onsite, no impacts to the surrounding surface or ground waters are expected.

- **§ 99-9C (9) – Prevention of pollution of surface and groundwater:**
  The existing property currently contains approximately ±10.5 acres of row crop farmland. Agricultural practices used to support these operations typically include application of poultry manure to fertilize the agricultural fields during the growing season. The removal of this source of potentially contaminated runoff will enhance both adjacent surface waters and groundwater supplies. In addition to the reduction in surface runoff contamination, the Marlin Cove development shall include Best Management Practices (BMPs) that will further enhance surface water quality. At this time, it is anticipated that the site will include wet extended detention basins and possibly other Sussex Conservation District (SCD) accepted water quality facilities. In addition, development of the site with central sanitary sewer provided by Sussex County, as well as the extension of sewer services to four off-site lots currently utilizing on-site septic systems, further minimizes any negative environmental impacts.

- **§ 99-9C (10) – Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that groundwater recharge is maximized:**
  The implementation of the forested buffer around the perimeter of the Marlin Cove site, as well as the natural buffer proposed to be maintained around the regulated non-tidal wetlands, will result in a site

development that minimizes erosion. Furthermore, the removal of the row crop farmland will result in a permanent vegetative cover thus reducing erosion that could currently occur on the property. The proposed stormwater BMP's will also aid in the removal of eroded sediment prior to the site's stormwater being released. During construction, Sussex Conservation District (SCD) approved erosion and sediment control measures will be implemented to limit sediment laden runoff from exiting the site.

- **§ 99-9C (11) – Provisions for safe vehicular and pedestrian movement within the site and to adjacent ways:**
  The Marlin Cove subdivision has been designed to accommodate vehicular circulation and promote community interaction and cohesion through a pedestrian friendly development pattern with proposed sidewalks on one side of every street that connect to the proposed Multi-Purpose Trail along New Road and the vehicular interconnection to the property to the north. Road dimensions are designed to meet or exceed County and Fire Marshal requirements to ensure safe vehicular movements for emergency equipment. Improvements to New Road proposed by this project will also add 5' wide shoulders for bike lanes and the 10' Multi-Purpose shared use path along the eastern frontage of the neighborhood.

- **§ 99-9C (12) – Effect on Property Values:**
  The Marlin Cove subdivision will provide quality single-family attached and detached homes to a growing area, with both onsite recreational amenities and proximity to existing, established, recreational areas and commercial facilities. The development is in close proximity to Fenwick Island, and the Fenwick Island State Park, and will benefit the local and state economies. All these attributes will also increase the value of the subject property, thereby helping to increase the value of surrounding properties.

- **§ 99-9C (13) – Preservation and conservation of farmland:**
  This site currently contains a cultivated farm field and forested lands in an area adjacent to both existing farms and rapidly developing residential parcels within the County's Coastal Area Land Use area. This indicates the County's planners understand this site may not always be economically viable to stay as an agricultural use. Once developed, this project will generate additional revenue through taxable improvements (through increased property values, additional income from residents, etc.) to benefit local and state governments, which can in turn be used to benefit farmland conservation projects for properties, including those outside of the designated Coastal Area Land Use zone.

- **§ 99-9C (14) – Effect on schools, public buildings and community facilities:**
  The proposed Marlin Cove development is located within the Indian River School District. Similar to other developments in the immediate area, it is envisioned that these homes will be desirable for second home purchasers and recent retirees. However there are currently no anticipation to restrict home purchasers to just these two categories, and it is anticipated that some homes will be bought and inhabited by families with school age children. This mix of owners is desired, and ensures that Marlin Cove will come together as a viable, long-term stable community. It is anticipated that this development will increase property values not only for the current parcels, but also adjacent parcels. It will, therefore, increase property taxes received by the school district while being located along a roadway already served by busses while minimally impacting the public school's number of students.

- **§ 99-9C (15) – Effect on area roadways and public transportation:**
  The Marlin Cove development is proposed to contain 220 dwelling units. Based upon the latest traffic projections from the Institute of Transportation Engineers Traffic Generation Manual, the site is expected to generate less than 2,000 vehicle trips per day (1,956 per Table 1 from Detailed TOA Review in F.10 in Section F, Dated April 20, 2023). Road improvements related to the entrance, including Right-of-Way dedication and/or a permanent easement dedication along the New Road frontage will be provided in accordance with the DelDOT TOA approval letter, dated April 20, 2023 (see Section F).

- **§ 99-9C (16) – Compatibility with other land uses:**
  The proposed 220 dwelling units within the Marlin Cove development has a proposed density of 3.62 units per acre and is consistent with other existing land uses in the vicinity, as described below:
    - Bayside Phase VII
        - CZ #1803 – a nearby residential development with an approved density of 4.8 Units per acre,
    - Fenwick Commons
        - CZ #1896 & CU #2197 - a nearby residential duplex development
    - Bay Knolls
        - CZ #1945 & CU #2292 – a nearby residential duplex development with an approved density of 3.84 Units per acre.

  The adjacent parcels are also zoned AR-1, located in the Coastal Area Zone, and may be anticipated to potentially be developed at similar densities in the future. Marlin Cove is located close to Lighthouse and Zion Church Roads, allowing easy access to established communities and commercial locations within a ±0.5 mile radius.

- **§ 99-9C (17) – Effect on area waterways:**
  The conversion of the property from agricultural and recently harvested woodlands to single-family homes will result in the elimination of agricultural runoff, which may contaminate surface runoff with significant pollutants and negatively affect adjacent ditch networks. The Marlin Cove subdivision will be designed to comply with all required state and federal stormwater discharge requirements.

VISTA
DESIGN, INC.

SECTION D
PROPOSED CONDITIONS OF APPROVAL

Atlantic Building Associates, Inc. and Marlin Cove, LLC.
Marlin Cove Subdivision
Proposed Conditions of Approval

A. There shall be no more than 220 units within the Conditional Use Area.
B. The Applicant shall form a homeowners' association responsible for perpetual maintenance of streets, roads, environmental buffers, stormwater management facilities and other common areas.
C. The storm water management system shall meet or exceed the requirements of State of Delaware and Sussex County.
D. Entrances shall comply with all of DelDOT's requirements, as outlined in the TOA approval letter dated April 24, 2023, or as may be amended in the future.
E. Interior street design shall comply with or exceed Sussex County standards and shall include sidewalks or multi-modal pathways on one side of all streets with street lighting.
F. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
G. The Final Subdivision Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas.
H. There shall be a vegetated forested buffer that is at least 30 feet wide installed/maintained around the northern, western and southern portions of the development. The Final Subdivision 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 area.
I. Recreational amenities shall be completed within the project prior to issuance of the 100th building permit.
J. Central sewer shall be provided to the development by Sussex County. The Developer shall comply with all requirements and specifications of the Sussex County Engineering Department.
K. The development shall be served by a central water system providing adequate potable water and fire protection.
L. Construction, Subdivision work, excavation, grading and deliveries to or from the property shall only occur between the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday. A 24 inch x 36 inch "NOTICE" sign in English and Spanish confirming these hours shall be prominently displayed at all entrances to the subdivision during construction.
M. The Final Subdivision Plan shall be subject to the review and approval of the Planning and Zoning Commission.

VISTA
DESIGN, INC.

SECTION E
COPY OF DEEDS

Document# 2020000040256 BK: 5304 PG: 148
Recorder of Deeds, Scott Dailey On 9/2/2020 at 2:05:38 PM Sussex County, DE
Consideration: $800,000.00 County/Town: $12,000.00 State: $20,000.00 Total: $32,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #:
533-19.00-7.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way, Suite 3
Lewes, DE 19958
File No. 2-3303/REB

THIS DEED, made this 1st day of September, 2020,

- BETWEEN -

MICHAEL JOHN TRUITT, of 36261 Zion Church Rd., Selbyville, DE 19975 and **TRACY LYNN BERRY**, of 13051 Muskrattown Rd., Bishopville, MD 21813, parties of the first part,

- AND -

ATLANTIC BUILDING ASSOCIATES, INC., of 13053 Old Stage Road, Bishopville, MD 21813, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **TEN DOLLARS ($10.00)**, lawful money of the United States of America and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

Beginning at a PK nail set along the westerly side of New Road, said PK nail being approximately 64 feet north of the right of way line of Lighthouse Road; thence proceeding South 85 degrees 48 minutes 21 seconds West 295.17 feet to a concrete monument found along the common boundary of these lands, lands now or formerly of June A. Truitt, and lands now or formerly of Anita E. Adkins, Trustee; thence proceeding South 85 degrees 49 minutes 12 seconds West 149.30 feet to another concrete monument found along the common boundary of these lands, the Adkins lands, and lands now or formerly of CSM, LLC; thence South 85 degrees 38 minutes 43 seconds West 310.62 feet to a 5/8 inch rebar found along the common boundary

of these lands, lands now or formerly of Audrey Prettyman, *et al.*, and lands now or formerly of Jeanette M. Griffin; thence by and with the Griffin lands North 03 degrees 10 minutes 40 seconds West 861.13 feet to another 5/8 inch rebar found along the common boundary of these lands and lands now or formerly of MDP Partners LLC; thence by and with the MDP lands North 87 degrees 11 minutes 20 seconds East 655.02 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence by and with the westerly side of New Road south 09 degrees 45 minutes 44 seconds east 810.26 feet to a 5/8 inch rebar with cap set along the westerly side of New Road; thence continuing with New Road South 13 degrees 43 minutes 04 seconds East 38.44 feet to the place of beginning, containing 13.7642 acres, as is more particularly set forth on a certain survey prepared by Simpler Surveying and Associate, Inc., dated August 20, 2020, referenced to which may be had.

BEING the same lands which were conveyed unto Michael John Truitt and Tracy Lynn Berry by Deed of June A. Truitt dated 4/9/2015 and recorded in the Office of the Recorder of Deeds in and for Sussex County on 4/15/2015 in Deed Book 4383, Page 341.

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

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____

_____

_____(SEAL)
Michael John Truitt

_____(SEAL)
Tracy Lynn Berry

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on September 1, 2020, personally came before me, the subscriber, Michael John Truitt and Tracy Lynn Berry, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323 (a) (3)

_____
Notary Public

My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

Document# 2022000006952 BK: 5642 PG: 101
Recorder of Deeds, Scott Dailey On 2/8/2022 at 3:26:23 PM Sussex County, DE
Consideration: $3,200,000.00 County/Town: $48,000.00 State: $80,000.00 Total: $128,000.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP AND PARCEL #: 533-19.00-8.01 & 533-19.00-9.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
34382 Carpenter's Way
Suite 3
Lewes, DE 19958
File No. 2-3493/REB

THIS DEED, made this 28th day of January, 2022,

- BETWEEN -

M.D.P. PARTNERS, LLC, of 12417 Ocean Gateway, Suite 25, Ocean City, MD 21842, party of the first part,

- AND -

MARLIN COVE, LLC, of 37795 New Road, Selbyville, DE 19975, party of the second part.

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

Parcel 1: 533-19.00-8.01

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and being more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe set on the westerly right-of-way of Sussex County Road 391, said iron pipe being 891.4' +/- northerly of Route 54, said iron pipe being a corner of these lands and lands N/F of John Emory Truitt; thence by and with said lands N/F of John Emory Truitt, N83°36'01"W, 796.41' to an iron pipe being a corner of these lands and lands N/F of Daniel W. Magee; thence by and with said lands N/F of Daniel W. Magee, N05°08'59"E, 567.25' to an iron pipe being a corner of these lands, lands N/F of Daniel S. Magee and other lands of this Grantor; thence by and with other lands of this Grantor, S84°38'37"E, 708.24' to a point situate on the aforesaid westerly right-of-way of Sussex County Road 391; thence by and with said westerly

right-of-way of Sussex County Road 391, the following two courses and distances, S00°43'15"E, 474.76' to a point; thence S00°02'19"W, 110.90' to the point and place of beginning, containing 10.13 acres of land, more or less.

Parcel 2: 533-19.00-9.00

ALL that certain lot, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, more particularly described according to a survey prepared by DC Group, dated June 2000, as follows to wit:

BEGINNING at an iron pipe situate the westerly right-of-way of Sussex County Road 391 and being a corner of these lands and lands N/F of Henry C. Johnson, III; thence, by and with said westerly right-of-way of Sussex County Road 391, S00°43'15"E, 841.38' to a point being the division line between TRACT 5 PARCEL 1 and these lands; thence by and with said division line, N84°38'37"W, 708.24' to an iron pipe being a corner of these lands, TRACT 5, and lands N/F of Daniel W. Magee; thence by and with said lands of Daniel W. Magee, N86°07'36"W, 776.50' to a rebar being a corner of these lands, lands N/F of Daniel W. Magee and lands N/F of Taylor M. Dickerson, et al; thence by and with said lands N/F of Taylor M. Dickerson, et al, N86°07'36"W, 527.00' to a rebar being a corner of these lands, lands N/F of Taylor M. Dickerson and lands N/F of Henry C. Johnson, III; thence by and with said lands N/F of Henry C. Johnson, III, S84°38'37"E, 1,759.92' to the point and place of beginning, containing 36.95 acres of land, more or less.

BEING part of the same lands and premises which were conveyed unto M D P Partners, LLC, by deed of John Townsend Tubbs, Trustee of the John Townsend Tubbs Revocable Trust, Dated September 10, 1999 dated July 13, 2000, and recorded in the Office of the Recorder of Deeds in and for Sussex County, DELAWARE, on July 26, 2000, in Book 2506, Page 124.

IN WITNESS WHEREOF, the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, and the said M.D.P. Partners, LLC has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

Witness

M.D.P. PARTNERS, LLC

By: _____(SEAL)
Nelida E. Rodriguez, Member

Witness

By: _____(SEAL)
Stephen W. Rodriguez, Member

By: _____(SEAL)
Alejandro F. Rodriguez, Member

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 26th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Nelida E. Rodriguez, Stephen W. Rodriguez, and Alejandro F. Rodriguez, Members of M.D.P. Partners, LLC, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature of the President is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

RICHARD E. BERL, JR.
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. C. § 4323(a)(3)

Notary Public
Printed Name: _____
My Commission Expires: _____

VISTA
DESIGN, INC.

SECTION F
SUPPLEMENTAL EXHIBITS

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

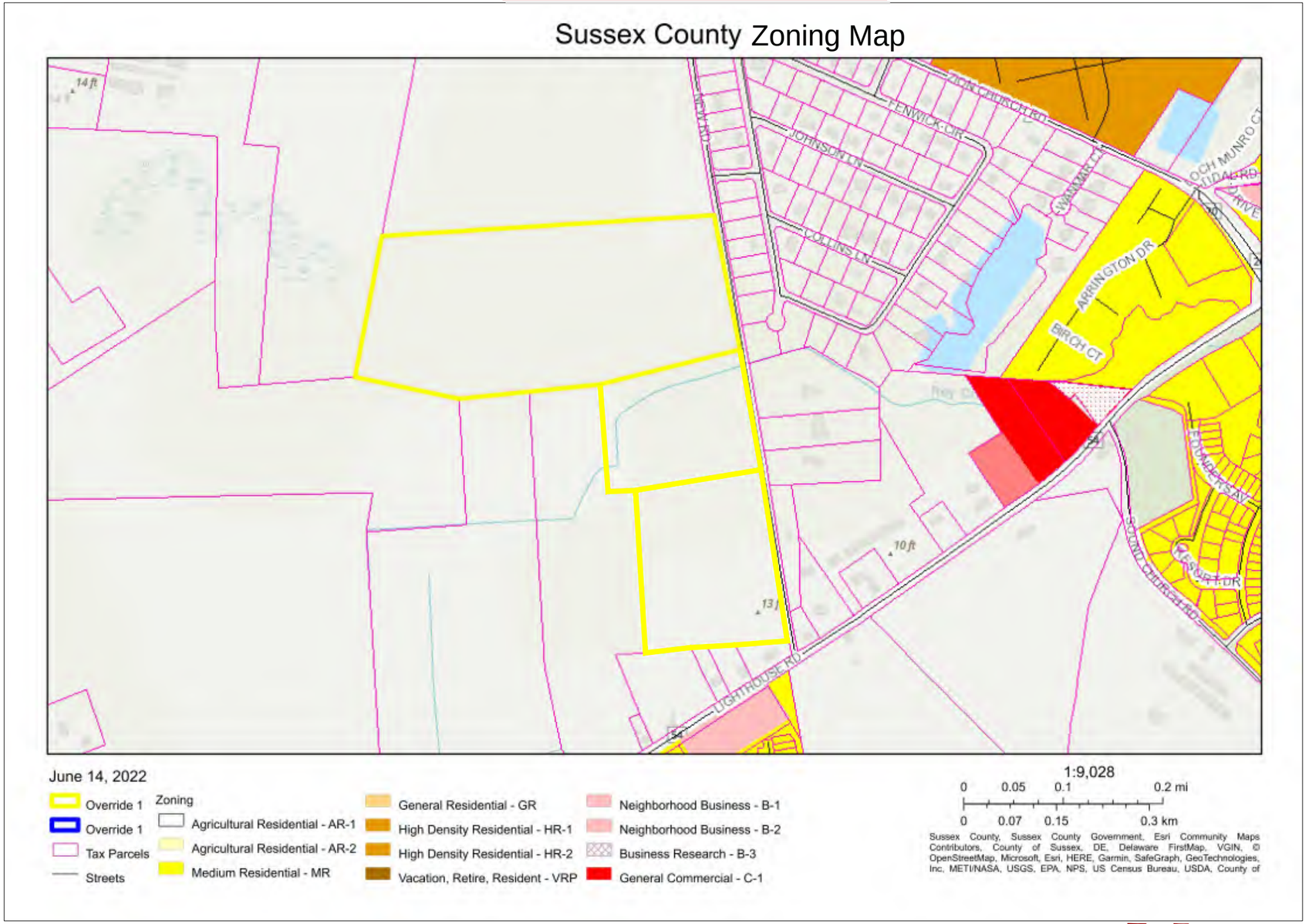

Exhibit F.1

NORTH

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Architects, Engineers, Surveyors, Landscape Architects, Land Planning Consultants
11634 Worcester Hwy, Showell, MD 21862
ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

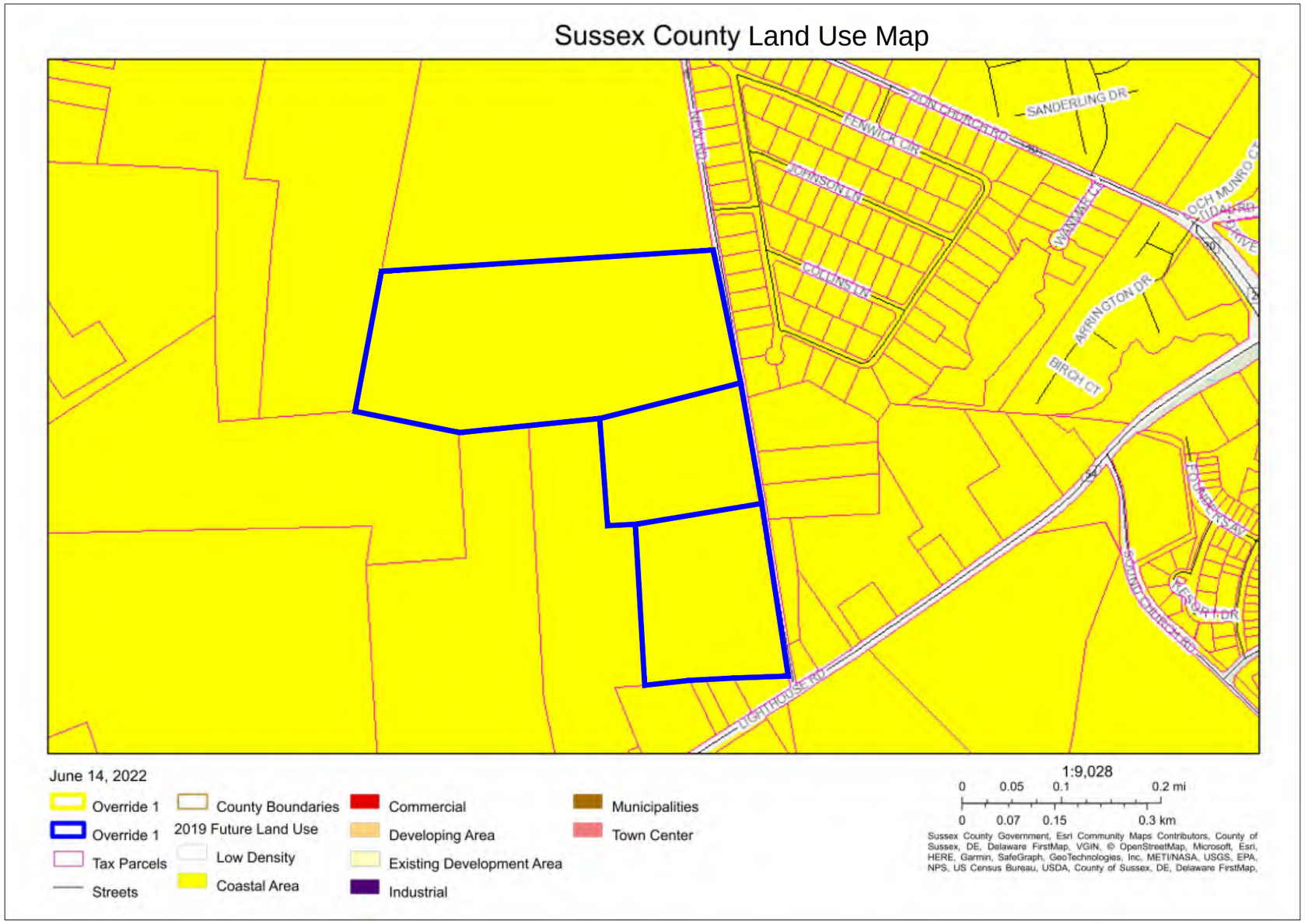

Exhibit F.2

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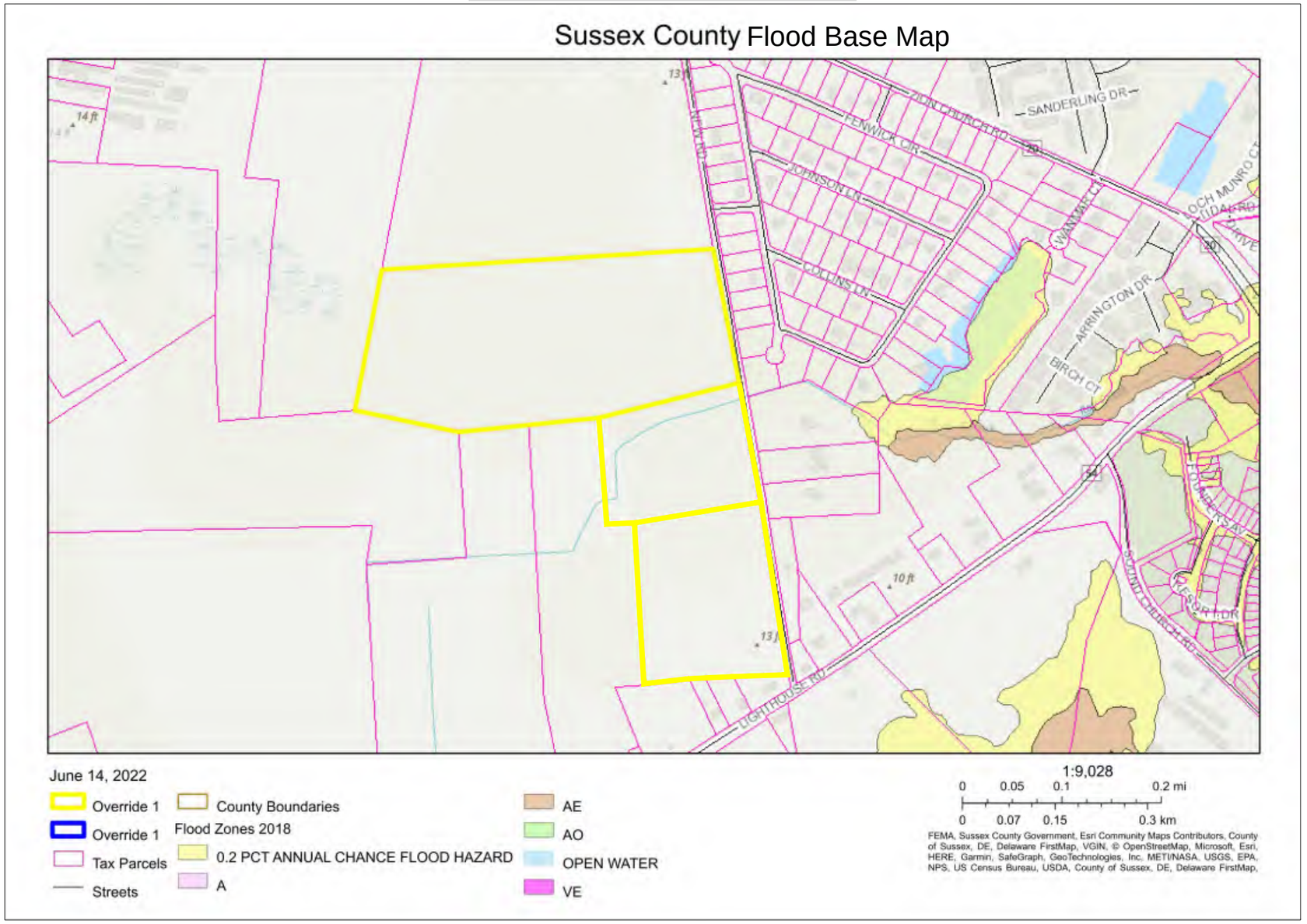

Exhibit F.3

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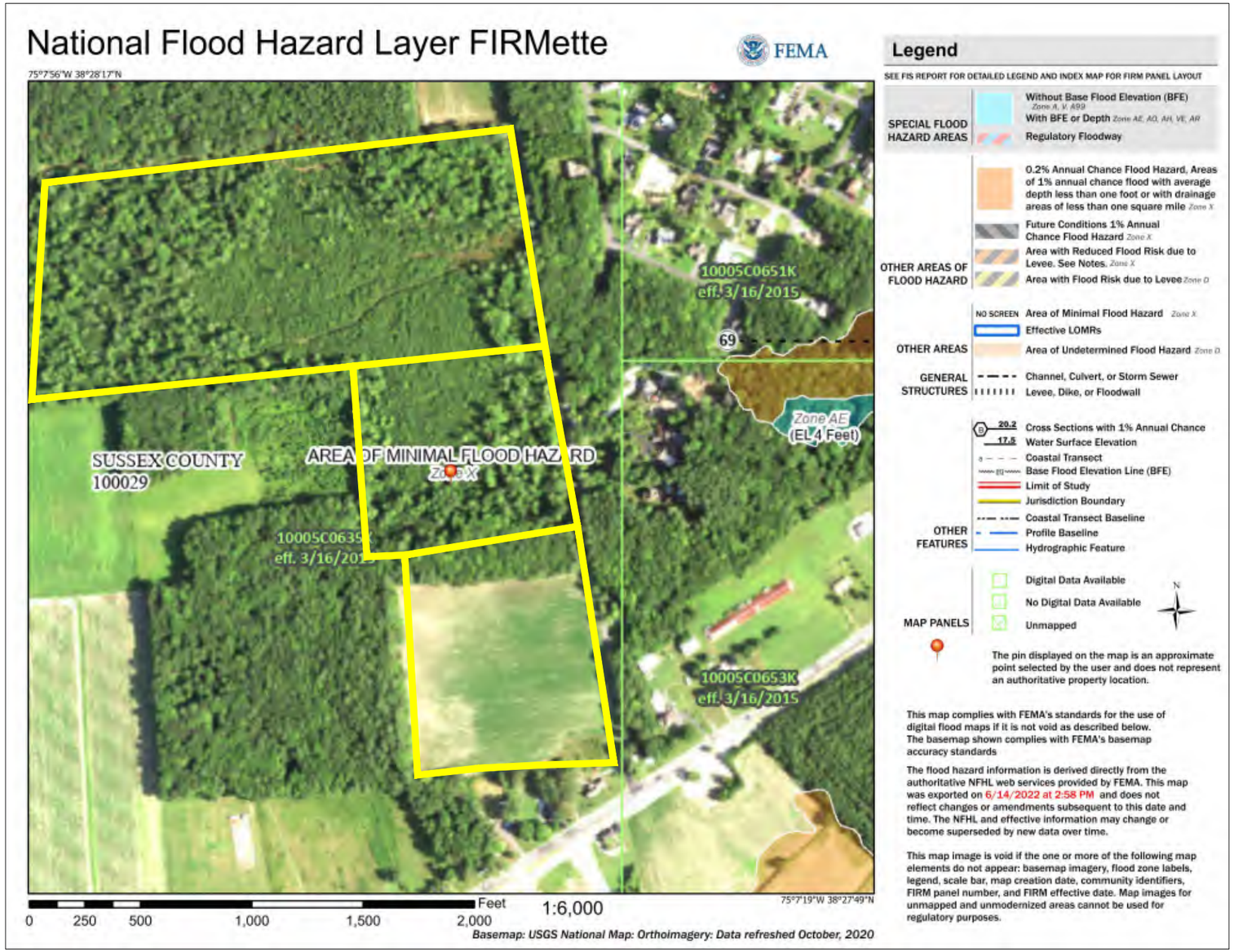

Exhibit F.4

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MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

NOTES TO USERS

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

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

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

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

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

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

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

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

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

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

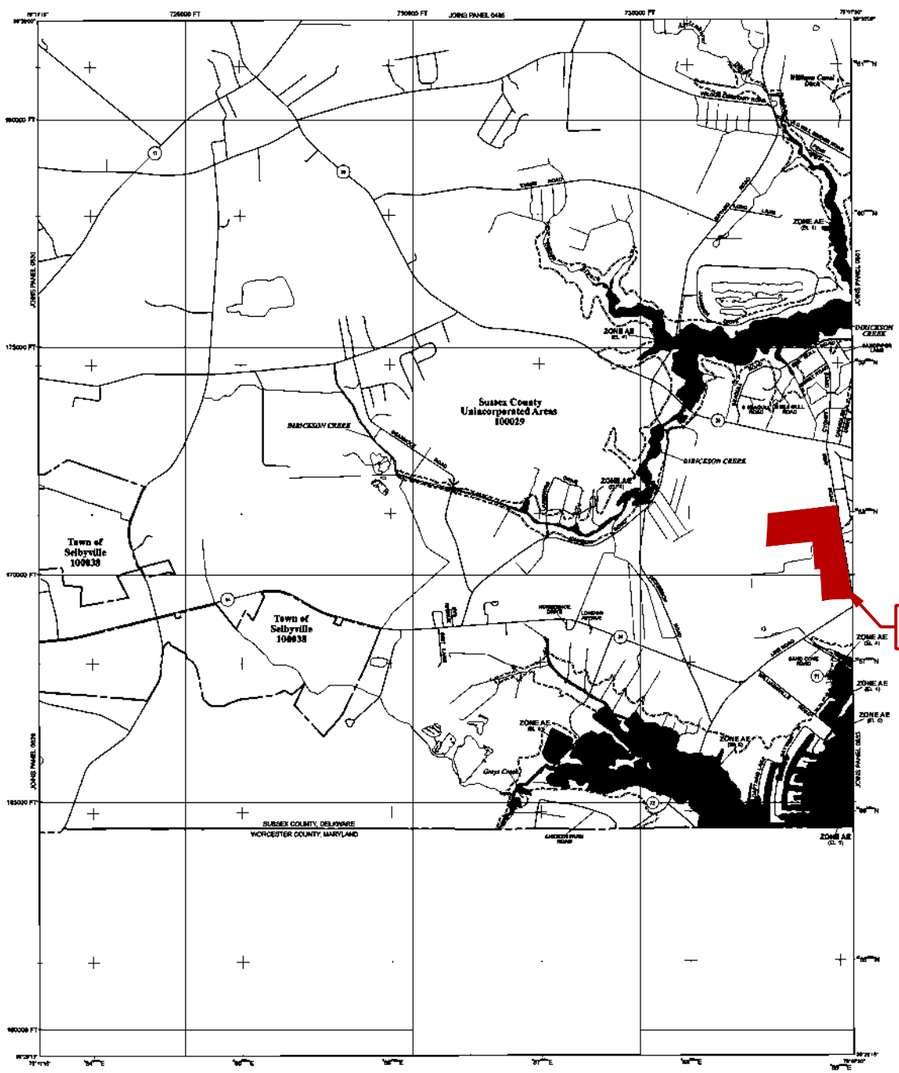
This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result,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

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

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

Contact the FEMA Map Information eXchange at 1-877-336-2627 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Information eXchange may also be reached by Fax at 1-800-358-9620 and its website at http://www.msc.fema.gov.

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



LEGEND

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

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

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

FLOODWAY AREAS IN ZONE AE

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

OTHER FLOOD AREAS

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

OTHER AREAS

ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

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

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas (areas and boundaries dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities).
- Limit of Moderate Wave Action
- Advisory line delineating flooding extents if dams are breached during a 0.2% annual chance flood event
- 513 — Base Flood Elevation line and value; elevation in feet*
- EL 987 — Base Flood Elevation value where uniform within zone; elevation in feet*
- * Referenced to the North American Vertical Datum of 1988
- Cross section line
- Transect line
- 97°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator grid values, zone 18N
- 5000-foot grid values: Delaware State Plane coordinate system (FIPSZONE 0700), Transverse Mercator projection
- Bench mark (see explanation in notes to users section of this FIRM panel)
- River Mile
- MAP REPOSITORY — Refer to listing of Map Repositories on Map Index
- EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP — June 16, 1986
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL — For the initial countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction. To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

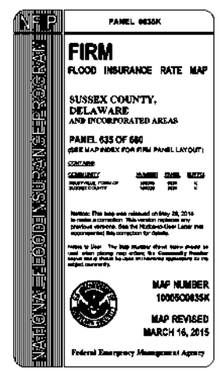


Exhibit F.5

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ph. 410-352-3874 email vista@vistadesigninc.com

MARLIN COVE SUBDIVISION
PRELIMINARY EXHIBITS

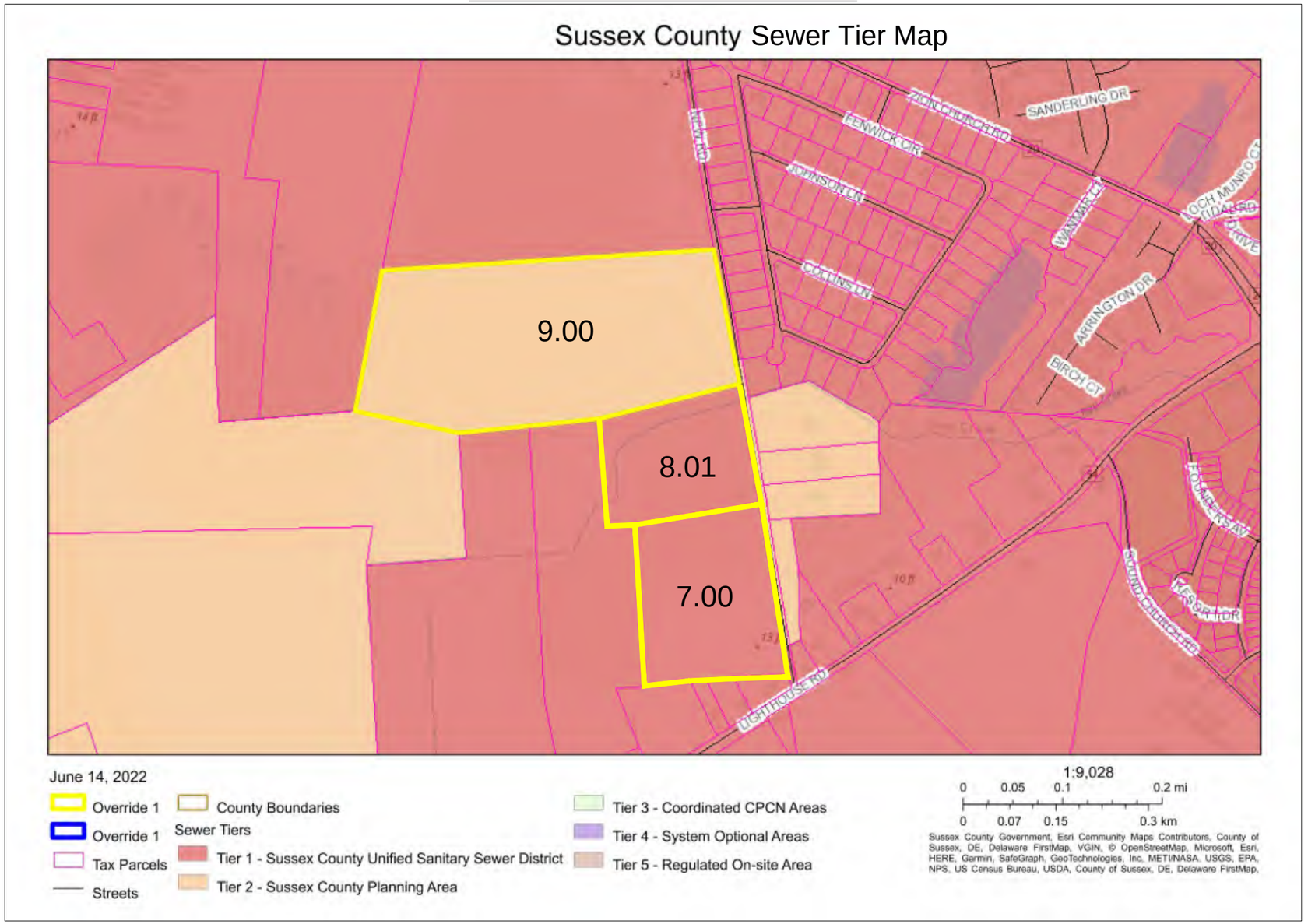

Exhibit F.6

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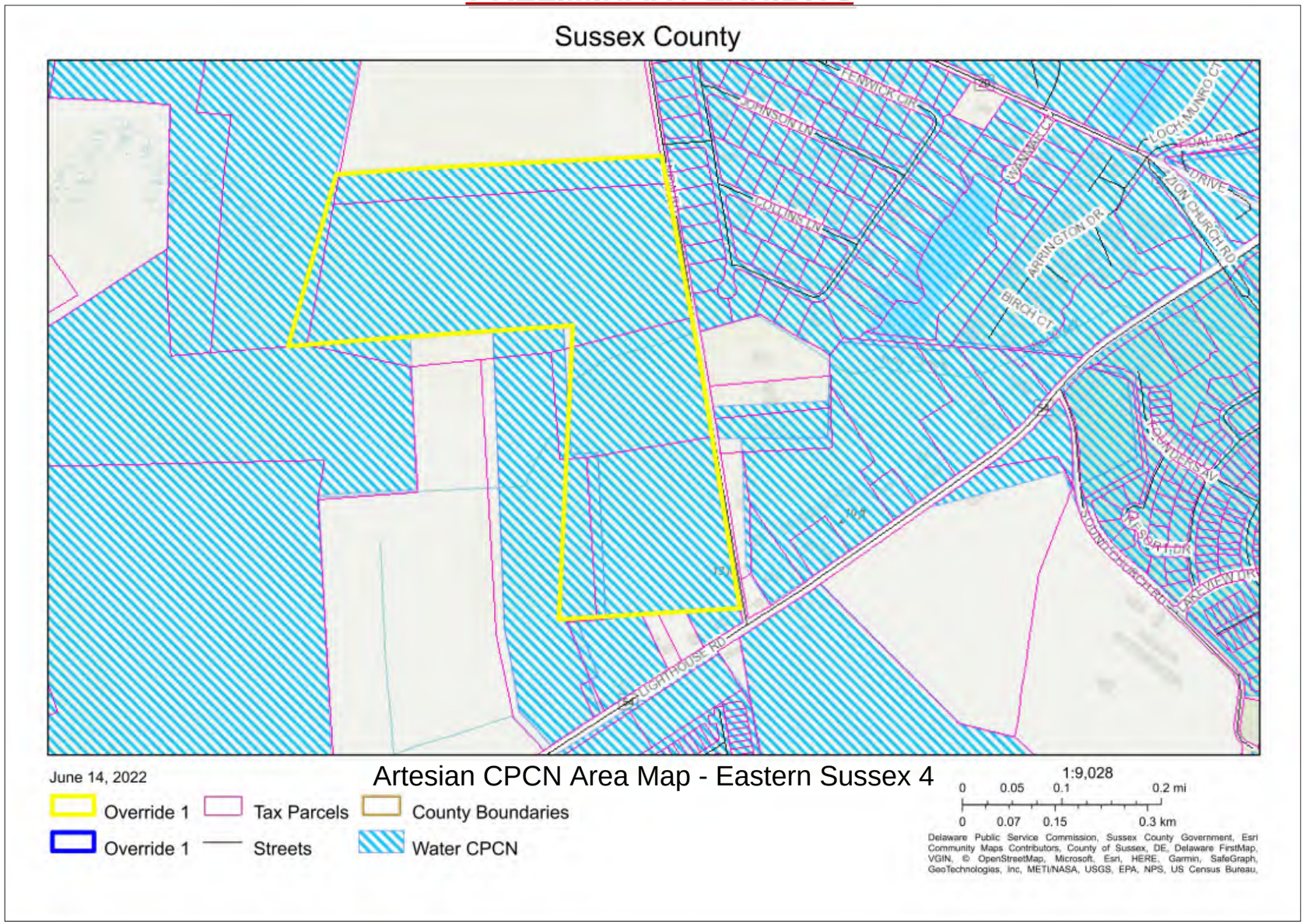

Artesian CPCN Area Map - Eastern Sussex 4

Exhibit F.7

NORTH

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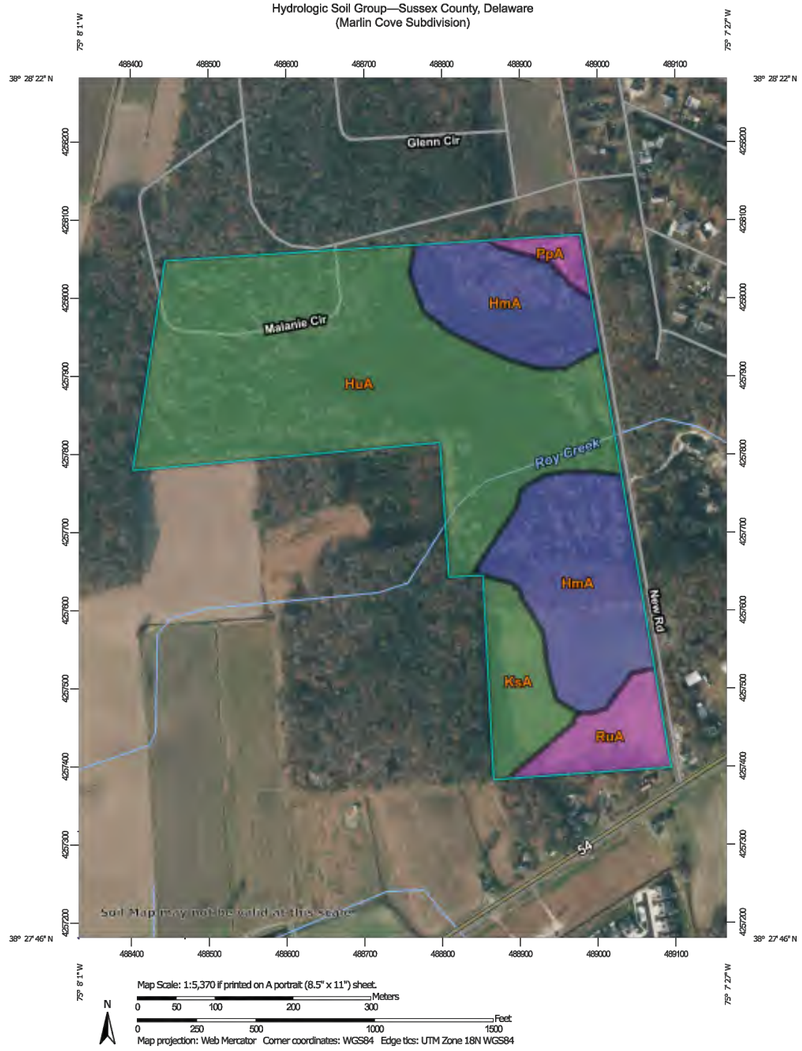

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B	17.6	29.0%
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D	34.1	56.1%
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D	4.5	7.4%
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A	1.0	1.7%
RuA	Runclint loamy sand, 0 to 2 percent slopes	A	3.6	5.9%
Totals for Area of Interest			**60.8**	**100.0%**

Exhibit F.8

USDA WEB SOIL SURVEY

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ph. 410-352-3874 email vista@vistadesigninc.com

Exhibit F.9

ARTESIAN RESOURCES

OVER 100 YEARS OF SUPERIOR SERVICE

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

July 20, 2022

Eric Jones, P.E.
Vista Design, Inc.
11634 Worcester Highway
Showell, MD 21862

RE: Marlin Cove Ability to Serve Approval Letter

With reference to your request concerning Water Service ("Service") for the proposed Marlin Cove project on New Road in Baltimore Hundred, Sussex County, Delaware known as Tax Parcel Numbers 533-19.00-7.00, 533-19.00-8.01 and 533-19.00-9.00 consisting of a mix of 228 single family homes and duplexes (the "Property"), please be advised as follows:

Subject to the following conditions, Artesian Water Company, Inc. ("Artesian") is willing and able to provide Service to the Property that meets all applicable State of Delaware, Delaware Department of Natural Resources and Environmental Control standards. Artesian currently has the water Certificates of Public Convenience and Necessity ("CPCN") from the Delaware Public Service Commission (the "Commission"). Artesian will provide Service in accordance with Artesian's Commission approved tariffs, as amended from time to time.

Based on current conditions and subject to the development entity and Artesian entering Water Service Agreements ("Agreements") that addresses the financial terms of the provision of Service for the Property, in accordance with Artesian's tariff, Artesian is willing and able to provide the required Service for this Property.

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

Yours very truly,

ARTESIAN WATER COMPANY, INC.

Adam Gould
Manager, Systems Planning & Design

664 Churchmans Road, Newark, Delaware 19702, P.O. Box 15004 Wilmington Delaware 19850 Phone (302) 453-6900 Fax (302) 453-6957
14701 Coastal Highway, Milton, Delaware 19968 Phone (302) 645-7299 Fax: (302) 645-8233
email: artesian@artesianwater.com Website: artesianwater.com

Exhibit F.10

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

NICOLE MAJESKI
SECRETARY

April 24, 2023

Ms. Betty H. Tustin, PE
The Traffic Group, Inc.
104 Kenwood Court
Berlin, Maryland 21811

Dear Ms. Tustin,

The enclosed Traffic Operational Analysis (TOA) review letter for the **Marlin Cove** (Tax Parcels: 533-19.00-7.00, 8.01, and 9.00) residential development has been completed under the responsible charge of a registered professional engineer whose firm is authorized to work in the State of Delaware. They have found the TOA to conform to DelDOT's Development Coordination Manual and other accepted practices and procedures for such studies. DelDOT accepts this letter and concurs with the recommendations. If you have any questions concerning this letter or the enclosed review letter, please contact me at (302) 760-2124.

Sincerely,

Claudy Joinville
TIS Group Project Engineer

CJ:km
Enclosures
cc with enclosures: Mr. Russell Garufi, Marlin Cove, LLC
Mr. Rich Polk, Vista Design, Inc.
Mr. David Edgell, Office of State Planning Coordination
Mr. Jamie Whitehouse, Sussex County Planning & Zoning
Ms. Joanne M. Arellano, Johnson, Mirmiran, & Thompson, Inc.
Mr. Mir Wahed, Johnson, Mirmiran, & Thompson, Inc.
DelDOT Distribution

DelDOT Distribution

Brad Eaby, Deputy Attorney General
Shanté Hastings, Deputy Secretary / Director of Transportation Solutions (DOTS)
Pamela Steinebach, Director, Planning
Mark Luszcz, Deputy Director, DelDOT Traffic, DOTS
Michael Simmons, Assistant Director, Project Development South, DOTS
Peter Haag, Chief Traffic Engineer, DelDOT Traffic, DOTS
Wendy Carpenter, Traffic Calming & Subdivision Relations Manager, DelDOT Traffic, DOTS
Sean Humphrey, Traffic Engineer, DelDOT Traffic, DOTS
Todd Sammons, Assistant Director, Development Coordination, Planning
Wendy Polasko, Subdivision Engineer, Development Coordination, Planning
Kevin Hickman, Sussex County Review Coordinator, Development Coordination, Planning
Thomas Gagnon, Sussex County Subdivision Reviewer, Development Coordination, Planning
Sireen Muhtaseb, TIS Group Manager, Development Coordination, Planning
Annamaria Furmato, TIS Group Project Engineer, Development Coordination, Planning
Philip Lindsey, TIS Group Project Engineer, Development Coordination, Planning
Matt Schlitter, South District Public Works Engineer, Maintenance & Operations
Jared Kauffman, Service Development Planner, Delaware Transit Corporation
Tremica Cherry, Service Development Planner, Delaware Transit Corporation
Anthony Aglio, Planning Supervisor, Statewide & Regional Planning, Planning
Jennifer Cinelli, Transportation Planner, Statewide & Regional Planning

April 20, 2023

Mr. Claudy Joinville
Project Engineer
Delaware Department of Transportation
Development Coordination, Division of Planning
800 Bay Road
Dover, DE 19901

RE: Agreement No. 1945F
Project Number T202069012/PO#611882
Traffic Impact Study Services
Task 11-10A – Marlin Cove TOA

Dear Mr. Joinville:

Johnson, Mirmiran, and Thompson (JMT) has completed a review of the Traffic Operational Analysis (TOA) for the Marlin Cove development, which was prepared by The Traffic Group, Inc. dated January 13, 2023. This review was assigned as Task Number 11-10A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TOA evaluates the impacts of a proposed residential development in Sussex County, Delaware. The proposed development would consist of 114 single family detached homes and 114 duplexes on an approximately 61.98-acre assemblage of parcels. The land is currently zoned as AR-1 (Agricultural Residential), and the developer does plan to rezone the land to MR (Medium-Density Residential) with a conditional use approval to permit the multi-family (duplex) homes.

The development is located on the west side of New Road (Sussex Road 391), approximately 80 feet north of the intersection with Delaware Route 54. Two full access points are proposed on New Road. Construction is expected to be complete in 2027.

The developer has decided to pursue payment of the Area Wide Study Fee (AWSF) in lieu of doing a TIS. However, DelDOT requested the TOA to determine if turn lanes would be required at the Delaware Route 54 and New Road intersection when the development is built.

DelDOT does not have any relevant and ongoing improvement projects within the study area. However, DelDOT has a traffic study in the area called the *Southeast Sussex Study*. The study focuses on identifying existing circulation issues, future growth potential and opportunities for operational, safety and infrastructure improvements for the study area which includes the Delaware Route 54 and New Road intersection. The study began in 2021 and has looked at existing conditions including traffic volumes, travel speeds, crash assessments and intersection performance. The next steps include growth projections, future traffic estimates, future performance estimates, and identification of potential short, medium, and long-term improvements. Those steps should be complete by Summer of 2023. More information regarding the study can be found at https://deldot.gov/projects/Studies/southeast-sussex/.

Based on our review of the TOA, we have the following comments and recommendations:

There are no intersections that exhibit level of service (LOS) deficiencies. However, based on the DelDOT *Road Design Manual* and DelDOT's *Development Coordination Manual*, an eastbound left turn lane and a westbound right turn lane are warranted along Delaware Route 54 at the New Road intersection. As such, it is recommended the developer improve the intersection to provide turn lanes.

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

1. The developer shall improve New Road within the limits of their frontage to meet DelDOT's standards for their Functional Classification as found in Section 1.1 of the *Development Coordination Manual* and elsewhere therein. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. Frontage is defined in Section 1 of the *Development Coordination Manual*, which states "This length includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway." The developer should coordinate with the DelDOT Subdivision Review Coordinator to determine the design details during the plan review.

2. The developer should construct an unsignalized full access Site Entrance A for the proposed Marlin Cove development along New Road, approximately 1,925 feet north of the intersection with Delaware Route 54. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Eastbound Site Entrance A	Approach does not exist	One shared left turn/right turn lane
Northbound New Road	One through lane	One shared left turn/through lane
Southbound New Road	One through lane	One through lane and one right turn lane

   Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the southbound right turn lane is 50 feet. The projected queues from the HCS analysis can be accommodated within the recommended storage lengths.

3. The developer should construct an unsignalized full access Site Entrance B for the proposed Marlin Cove development along New Road, approximately 1,350 feet north of

the intersection with Delaware Route 54. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Eastbound Site Entrance B	Approach does not exist	One shared left turn/right turn lane
Northbound New Road	One through lane	One shared left turn/through lane
Southbound New Road	One through lane	One through lane and one right turn lane

Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the southbound right turn lane is 50 feet. The projected queues from the HCS analysis can be accommodated within the recommended storage lengths.

4. The developer should construct an eastbound left turn lane and a westbound right turn lane along Delaware Route 54 at the intersection with New Road, as they are warranted per the DelDOT *Road Design Manual*. Based on the DelDOT *Road Design Manual*, the recommended minimum storage length (excluding taper) of the eastbound left turn lane is 100 feet. Based on DelDOT's *Development Coordination Manual,* the recommended minimum storage length (excluding taper) of the westbound right turn lane is 240 feet. The developer should coordinate with DelDOT Development Coordination Section during the plan review process to determine the design of the intersection.

5. The following bicycle, pedestrian, and transit improvements should be included:

    a. A minimum of fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the New Road site frontage. Within the easement, the developer should construct a ten-foot wide shared-use path (SUP). The SUP should be designed to meet current AASHTO and ADA standards. A minimum five-foot setback should be maintained from the edge of the pavement to the SUP. If feasible, the SUP should be placed behind utility poles and street trees should be provided within the buffer area. The developer should coordinate with DelDOT's Development Coordination Section during the plan review process to identify the exact location of the SUP.

    b. At least one internal connection of a sidewalk or SUP in the vicinity of the site entrances from the SUP along New Road should be provided.

    c. ADA compliant curb ramps and marked crosswalks should be provided along the site entrances.

d. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the New Road approaches to the site entrances.

e. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/SUP or should be flush with the pavement.

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

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

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

Sincerely,
Johnson, Mirmiran, and Thompson, Inc.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE
Tanner Chiamprasert, E.I.T.

Enclosure

General Information

Report date: January 13, 2023
Prepared by: The Traffic Group, Inc.
Prepared for: Marlin Cove, LLC
Tax Parcels: 533-19.00-7.00, 8.01 and 9.00
Generally consistent with DelDOT's *Development Coordination Manual (DCM)*: Yes

Project Description and Background

Description: The proposed residential development consists of 114 single-family detached houses and 114 single-family attached homes (duplexes).
Location: The site is located on the west side of New Road (Sussex Road 391), approximately 80 feet north of the intersection with Delaware Route 54, in Sussex County, Delaware.
Amount of Land to be developed: An approximately 61.98-acre assemblage of parcels.
Land Use approval(s) needed: Entrance Plan, Rezoning.
Proposed completion date: 2027.
Proposed access locations: Two full access points are proposed on New Road.

Daily Traffic Volumes:

- 2022 Average Annual Daily Traffic on New Road: 298 vehicles per day

*AADT is sourced from ATR data provided by the TOA report. Data taken from seven full days starting October 8, 2022.

Site Map



**Graphic is an approximation based on the Marlin Cove Subdivision Preliminary Plat prepared by Vista Design, Inc. dated May 16, 2022.*

Relevant and On-going Projects

DelDOT does not have any relevant and ongoing improvement projects within the study area. However, DelDOT has a traffic study in the area called the *Southeast Sussex Study*. The study focuses on identifying existing circulation issues, future growth potential and opportunities for operational, safety and infrastructure improvements for the study area which includes the Delaware Route 54 and New Road intersection. The study began in 2021 and has looked at existing conditions including traffic volumes, travel speeds, crash assessments and intersection performance. The next steps include growth projections, future traffic estimates, future performance estimates, and identification of potential short, medium, and long-term improvements. Those steps should be complete by Summer of 2023. More information regarding the study can be found at https://deldot.gov/projects/Studies/southeast-sussex/.

Livable Delaware

(Source: Delaware Strategies for State Policies and Spending, 2020)

Location with respect to the Strategies for State Policies and Spending Map of Delaware:
The proposed development is located within Investment Level 3 and Level 4.

Investment Level 3

Investment Level 3 Areas generally fall into two categories. The first category covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during a five-year planning period (or longer). In these instances, development in Investment Level 3 may be least appropriate for new growth and development in the near term. The second category includes lands that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2. Environmentally sensitive features, agricultural-preservation issues, or other infrastructure issues most often impact these lands. In these instances, development and growth may be appropriate in the near term, but the resources on the site and in the surrounding area should be carefully considered and accommodated by state agencies and local government with land-use authority. Investment Level 3 is further characterized by areas with new development separated from existing development by a substantial amount of vacant land that is not contiguous with existing infrastructure, areas that are experiencing some development pressure, areas with existing but disconnected development, and possible lack of adequate infrastructure.

The state will consider investing in infrastructure within Investment Level 3 Areas once the Investment Level 1 and 2 Areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area. The priorities in the Level 3 Areas are for DelDOT to focus on regional movements between towns and other population centers. DelDOT also supports the development and implementation of Transportation Improvement Districts in Investment Level 3 areas. Local roadway improvements will be made by developers and property owners as development occurs. Lower priority is given to transportation system–capacity improvements and transit-system enhancements.

Investment Level 4

Delaware's Investment Level 4 Areas are rural in nature and are where the bulk of the state's open space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements. They typically include historic crossroads or points of trade, often with rich cultural ties. Delaware's Investment Level 4 Areas are also the location of scattered residential uses, featuring almost entirely single-family detached residential structures. Delaware's Investment Level 4 Areas also include many unincorporated communities, typically with their own distinctive character and identity. Investment Level 4 Areas depend on a transportation system primarily of secondary roads linked to roadways used as regional thoroughfares for commuting and trucking.

It is the state's intent to discourage additional urban and suburban development in Investment Level 4 Areas unrelated to agriculture and to the areas' needs. In Investment Level 4 Areas, the state's investments and policies should retain the rural landscape and preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development. The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business. The lowest priority is given to transit system enhancements.

Proposed Development's Compatibility with Livable Delaware:
The proposed site is located within Investment Level 3 and Level 4. Investment Level 3 consists of areas adjacent to fast growing areas. The proposed site is within close proximately to Delaware and Maryland beaches. Investment Level 4 areas consist of scattered residential uses, predominately single-family detached homes, for individuals that value quiet and isolation provided by locations away from more developed settings. Therefore, the proposed development is consistent with the 2020 update of the Livable Delaware "Strategies for State Policies and Spending."

Comprehensive Plan

(Source: Sussex County Comprehensive Plan, 2019)

Sussex County Comprehensive Plan:
Per the *Sussex County Comprehensive Plan Existing Land Uses Map,* the proposed development appears to be currently zoned as Agricultural and Undeveloped Land. Per the *Sussex County Comprehensive Plan Future Land Use Map,* the proposed development is in an area designated as Coastal Growth Area.

Proposed Development's Compatibility with the Sussex County Comprehensive Plan:
The *Sussex County Comprehensive Plan* states that Coastal Growth areas are the most desirable locations for new housing. Therefore, the proposed development is consistent with the *Sussex County Comprehensive Plan*.

The developer plans to rezone the land to Medium-Density Residential with a conditional use approval to permit the single-family attached homes (duplexes).

Trip Generation

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the 11th Edition of the ITE *Trip Generation Manual*, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 210 (Single-Family Detached Houses) and ITE Land Use Code 215 (Single-Family Attached Houses). Trip generation was reviewed by DelDOT as part of the Preliminary TOA (PTOA) submission.

Table 1
Marlin Cove Trip Generation

Land Use	ADT	Weekday AM Peak Hour			Weekday PM Peak Hour			Saturday Midday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
114 Units Single-Family Detached Houses (ITE – 210)	1,138	22	62	84	71	41	112	58	50	108
114 Units Single-Family Attached Houses (ITE – 215)	818	17	37	54	36	28	64	36	39	75
Total	1,956	39	99	138	107	69	176	94	89	183

Overview of TOA

Intersections examined:

1. Site Entrance A / New Road (Sussex Road 391)
2. Site Entrance B / New Road
3. Delaware Route 54 / New Road

Conditions examined:

1. Case 1 – 2022 existing
2. Case 2 – 2027 without development
3. Case 3 – 2027 with development

Committed Developments considered:

1. Estuary
2. Old Mill Bridge Road Property
3. Melson Property
4. Bay Knolls
5. Kingfisher

*DelDOT provided TDM-based background volumes for use in the TOA in lieu of generating peak hour volumes for each individual committed development.

Peak hours evaluated: Weekday AM, weekday PM, and summer Saturday midday.

Intersection Descriptions

1. **Site Entrance A / New Road (Sussex Road 391)**
   Type of Control: Proposed two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Site Entrance A) Proposed one shared left turn/right turn lane, stop-controlled.
   Northbound Approach: (New Road) Existing one through lane; proposed one shared left turn/through lane.
   Southbound Approach: (New Road) Existing one through lane; proposed one shared through lane/right turn lane.

2. **Site Entrance B / New Road**
   Type of Control: Proposed two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Site Entrance B) Proposed one shared left turn/right turn lane, stop-controlled.
   Northbound Approach: (New Road) Existing one through lane; proposed one shared left turn/through lane.
   Southbound Approach: (New Road) Existing one through lane; proposed one shared through lane/right turn lane.

3. **Delaware Route 54 / New Road**
   Type of Control: Existing two-way stop-controlled intersection (T-intersection).
   Eastbound Approach: (Delaware Route 54) Existing one shared left turn/through lane.
   Westbound Approach: (Delaware Route 54) Existing one shared through/right turn lane.
   Southbound Approach: (New Road) Existing one shared left turn/right turn lane, stop-controlled.

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Per DelDOT Gateway, there are no bus routes that run through the study area.

Planned transit service: Per email correspondence on January 27, 2023, with Mr. Jared Kauffman, Fixed-Route Planner for DART, the Delaware Transit Corporation does not have any transit specific comments for this project.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County Bicycle Map, Delaware Route 24 is considered a regional bicycle route. Delaware Route 54 has bike lanes in the eastbound and westbound directions.

Planned bicycle and pedestrian facilities: Per email response received on February 21, 2023 from Mr. John Fiori and Ms. Linda Osiecki, there are pedestrian and bicycle recommendations for the site:

- It is highly recommended to install a 10' wide shared-use path along the property frontage of New Road with angled terminations into the shoulder and have the shared-use path extended to the property lines to the northern and southern property limits due to the surrounding vicinity of the site, as there are destinations people can bike or walk in lieu of using a vehicle.
- An internal connection(s) from the SUP along New Road shall be required.
- At this time, Active Transportation & Community Connections (ATCC) has no bicycle/pedestrian improvement projects within the area of this project.
- Per the Development Coordination Manual (DCM), the site shall dedicate right-of-way per the roadway classification and establish a 15' wide permanent easement along all property roadway frontages. The current plans submitted show a 15' multi-use path easement and should be revised to current standards in the DCM.
- All entrance, roadway and/or intersection improvements required shall incorporate bicycle and pedestrian facilities. Per the DCM, if the right turn lane is warranted, then a separate bike lane shall be incorporated along the right turn lane; if a left turn lane is required, any roadway improvements shall include a shoulder matching the roadway functional classification or existing conditions (minimum 5-feet).
- There could be additional and/or revised comments once project is discussed at a pre-submittal meeting and/or plans are submitted for LONO/ENT review/approval.

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

- New Road LTS: 2

Crash Evaluation

Per the crash data included in the TOA from January 4, 2020, to January 4, 2023, provided by the Delaware Department of Transportation (DelDOT), a total of 2 crashes were reported within the study area. Of the 2 crashes reported, no fatalities occurred.

The Delaware Route 54 and New Road intersection had two crashes reported with the primary contributing cause a deer in the roadway.

Previous Comments

All comments from the PTOA have been addressed in the Final TOA.

Sight Distance Evaluation

No sight distance constraints were noted at the proposed site entrance locations per a field visit conducted on January 26, 2023.

General HCS Analysis Comments

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

1) The TOA used HCS Version 2023, whereas JMT used version 7.9.6 of HCS7 to complete the analysis.

2) Per DelDOT's *Development Coordination Manual,* JMT utilized the existing PHF for the existing condition (Case 1) whereas the TOA used different values.

3) Per DelDOT's *Development Coordination Manual,* JMT utilized the future intersection PHF of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph, or used the existing PHF if higher, whereas the TOA used different values.

4) JMT utilized the existing heavy vehicle percentage for each movement greater than 100 vph in the Case 1 existing scenario while the TOA utilized the existing heavy vehicle percentage for each movement.

5) Per DelDOT's *Development Coordination Manual*, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in the Case 2 and Case 3 future scenario analysis, unless the existing heavy vehicle percentage was greater than 3% and there was no significant increase of vehicles along that movement, in which case the existing heavy vehicle percentage was used for the analysis of future scenarios.

6) Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways in the analyses.

Table 2
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control [1] (T-Intersection)	**LOS per TOA**			**LOS per JMT**		
Site Entrance A / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2027 with Development (Case 3)						
Eastbound Site Entrance A Approach	A (9.1)	A (9.2)	A (9.4)	A (9.2)	A (9.3)	A (9.5)
Northbound New Road Left Turn	A (7.3)	A (7.4)	A (7.4)	A (7.4)	A (7.5)	A (7.5)

[1] For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

Table 3
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control (T-Intersection)	**LOS per TOA**			**LOS per JMT**		
Site Entrance B / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2027 with Development (Case 3)						
Eastbound Site Entrance B Approach	A (9.0)	A (9.0)	A (9.2)	A (9.1)	A (9.2)	A (9.4)
Northbound New Road Left Turn	A (7.4)	A (7.4)	A (7.4)	A (7.4)	A (7.4)	A (7.5)

Table 4
Peak Hour Levels Of Service (LOS)
Based on Final Traffic Operational Analysis for Marlin Cove
Report Dated: January 13, 2023
Prepared by: The Traffic Group, Inc.

Unsignalized Intersection Two-Way Stop Control[1]	**LOS per TOA**			**LOS per JMT**		
Delaware Route 54 / New Road	Weekday AM	Weekday PM	Saturday Peak	Weekday AM	Weekday PM	Saturday Peak
2022 Existing (Case 1)						
Eastbound Delaware Route 54 Left Turn	A (7.8)	A (8.2)	A (8.2)	A (7.9)	A (8.3)	A (8.2)
Southbound New Road Approach	B (10.7)	B (12.6)	B (12.1)	B (10.8)	B (12.5)	B (12.1)
2027 without Development (Case 2)						
Eastbound Delaware Route 54 Left Turn	A (7.9)	A (8.4)	A (8.4)	A (8.0)	A (8.5)	A (8.4)
Southbound New Road Approach	B (11.5)	B (14.9)	B (14.2)	B (11.7)	B (14.9)	B (14.3)
2027 with Development (Case 3)						
Eastbound Delaware Route 54 Left Turn	A (8.0)	A (8.6)	A (8.6)	A (8.0)	A (8.7)	A (8.5)
Southbound New Road Approach	B (13.2)	C (18.7)	C (18.5)	B (13.4)	C (18.8)	C (18.7)

Exhibit F.11

VISTA DESIGN, INC. *Engineers • Architects • Surveyors • Landscape Architects • Land Planning Consultants • GIS Services*

May 4, 2023

Mr. David L. Edgell, AICP
Director, Office of State Planning Coordination
State of Delaware

Strategies for State Policies and Spending

This project is in Investment Levels 3 and 4 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

Because development within an Investment Level 4 is inconsistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning is opposed to development in the Level 4 area. Therefore, the applicant should concentrate the development of this parcel to the Level 3 area and remove any development within the Level 4 area.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Annamaria Furmato 302-760-2710

- **The site access on New Road (Sussex Road 391) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.**
    - *The northern and southern entrances from the Marlin Cove Subdivision to New Road will be designed per the DELDOT's Development Coordination Manual.*
- **Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?080220 17.**
    - *A pre-submittal meeting will be requested prior to submission of the entrance plan.*

- **Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.**

    - *The developer acknowledges the fees that will be collected as part of the review and approval process.*

Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development would generate 1,948 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 136 and 165, respectively. Therefore, a TIS would normally be required.

- *The applicant has agreed to participate in the funding of the Area Wide Study. Furthermore, a TOA scoping meeting was held between the applicant, the applicants consultants and DelDOT on August 8h, 2020 and a final report in accordance with the results of that meeting was submitted to DelDOT on January 13th 2023. DelDOT issued their TOA approval letter entitled Marlin Cove TOA on April 24th, 2023, and the applicant agrees to be bound by those commitments.*

Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as $10 per daily trip or, in this case, $19,480. AWS Fees are used to fund traffic studies, not to build improvements.

- *This applicant has agreed to participate in the AWS through the payment of the AWS Fee.*

The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve New Road, within the limits of their frontage, to meet DelDOT's standards associated with its Functional Classification. New Road is a Local Road, for which the standard includes 11-foot lanes and 5-foot shoulders.

- *Through acceptance of DelDOT's TOA approval letter, the applicant has agreed to improve New Road within the limits of their frontage.*

The improvements are anticipated to include culvert extensions where Roy Creek and Perch Creek cross under the road. DelDOT anticipates requiring that underground utility construction along New Road be completed before the road improvements are begun. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway. DelDOT estimates that the projected frontage begins about the north corner of the development on New Road and ends about 75 north of the intersection with Fenwick Road (State Route 54). DelDOT anticipates requiring that the frontage improvements be extended to Fenwick Road and that the developer provide left-turn and right-turn lanes on Fenwick Road as warranted. Right-turn lanes necessarily include 5-foot bike lanes as a standard part of their design.

- *Through the acceptance of DelDOT TOA approval letter, the applicant acknowledges the potential roadway improvements and agrees to be bound by them, per underlying DelDOT design warrants.*

Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. R. Stephen McCabe. Mr. McCabe may be reached at Richard.McCabe@delaware.gov or (302) 760-2276.

- **As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on New Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of the road. The following right-of-way dedication note is required, "An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
  - *The required right-of-way dedication note will be included on all future plans / plats as requested.*
- **In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
  - *A 15-foot wide permanent easement along the proposed subdivision frontage will be incorporated as part of this subdivision. The requested dedication note will be included on all plans / plat, as appropriate.*
- **Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:**
  - **A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.**
    - *A traffic generation diagram will be included on the record plan.*

- **Depiction of all existing entrances within 300 feet of the proposed entrance on New Road.**
    - *Existing entrances to the surrounding properties will be shown on the record plan and dedicated, as appropriate.*
- **Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.**
    - *Required notes identifying off-site improvements to surrounding areas will be appropriately shown on the record plan.*

- **Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is at DelDOT's discretion. DelDOT anticipates requiring the developer to build SUP along their frontage.**
    - *The developer is aware of the Shared Use Path requirement along the frontage of the project on New Road and is currently proposing to construct the requested path within the requested 15-foot wide permanent easement along the road frontage.*
- **Section 3.5.4.4 of the Manual addresses accessways, paved pathways connecting a sidewalk or path along a road frontage to an internal sidewalk or path. DelDOT anticipates requiring two accessways into the subject development from the SUP along New Road, one to the proposed cul-de-sac and one at the south end of the development, near Lot 14.**
    - *A minimum of two interconnections are anticipated to connect to internal sidewalks to the SUP.*
- **In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along New Road.**
    - *The proposed on-site storm water management facilities will be located a minimum of 20' from the ultimately dedicated right-of-way of New Road.*
- **In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.**
    - *Auxiliary Lane Worksheets were submitted to DelDOT as part of the TOA report. The results of the TOA indicated that southbound right turn auxiliary lanes were warranted.*

- **In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.**
    - *Sight distance data will be provided to DelDOT, as appropriate.*
- **In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.**
    - *All known existing utilities are shown along New Road. If existing infrastructure is in conflict, the developer will work with the utility to relocate as part of the improvements of New Road, as appropriate.*
- **The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to New Road.**
    - *This development does not require a substation and/or wastewater facility.*

Department of Natural Resources and Environmental Control – Contact Claire Quinlan 302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project. Developers and municipal officials are encouraged to reach out to Clare Quinlan at (302) 735-3480 if they have any specific requests for information.

Concerns Identified Within the Development Footprint
Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site, as well as a perennial stream (Roy Creek). The application indicates that wetlands have been delineated. The application does not propose direct impacts to the wetlands but does propose a road crossing over the stream.

Requirements:

- **State permits from the DNREC Wetlands and Subaqueous Lands Section may be necessary if dredge or fill is proposed in tidal wetlands, streams, or State Subaqueous Lands.**
    - *Acknowledged. If required, appropriate permits will be obtained prior to project commencement.*

- **An application for a Subaqueous Lands permit must be submitted to the DNREC Wetlands and Subaqueous Lands Section for review and approval. To apply for a permit online, please visit their website at https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/permits/.**

    - *Acknowledged. If required, a permit application will be submitted to DNREC Wetlands and Subaqueous Land Section.*

- **If the site design changes and dredge or fill of wetlands becomes necessary, federal permits from the U.S. Army Corps of Engineers may also be necessary. A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the U.S. Army Corps of Engineers to determine the appropriate permitting requirements if federal permits are required.**

    - *A qualified Wetland Specialist has reviewed the site and delineated areas of Regulated Non-Tidal Wetlands and Waters of the US. If required, the applicant will work with USACE and DNREC to determine appropriate permitting requirements.*

Vegetated Buffer Zones

Site plans show a 30-foot vegetated buffer along non-tidal wetlands and streams. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutant loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- *Acknowledged. All applicable natural resource buffers will be adhered to as part of this project.*

Requirements:

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

    - *Acknowledged. All minimum vegetated buffer widths will be adhered to by this project.*

Stormwater Management

This application proposes greater than 5,000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's Sediment and Stormwater Regulations.

- *Acknowledged. The applicant will coordinate with the Sussex Conservation District to obtain all approvals required prior to commencing construction.*

Requirements:

- **A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.**
    - *Acknowledged. An erosion and sediment control and stormwater management plan will be prepared and submitted to the Sussex Conservation District for review and approval prior to commencement of construction.*
- **Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically. (https://apps.dnrec.delaware.gov/enoi/, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.**
    - *Acknowledged. An NOI will be submitted for this project to DNREC.*
- **Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.**
    - *Acknowledged. A Stormwater Assessment Study Checklist will be submitted to Sussex County and a pre-submission meeting will be held with the Sussex Conservation District, as appropriate.*

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

Hydrologic Soils Group

Hydrologic Soil Group A/D soils have been identified over much of the site, particularly in the western and central portions. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- *Acknowledged. At this time, infiltration practices are not contemplated.*

Requirements:

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

- *Acknowledged. Additional testing will be conducted if the project proposes to utilize infiltration or natural recharge practices for stormwater treatment.*

Tax Ditches

The project lies within the Henry C. Johnson and Perch Creek Tax Ditch Watersheds. Tax ditches are man-made channels created to move normal water flow off agricultural lands. The parcels in this project review possess no Tax Ditches and are currently not subject Tax Ditch Rights of Way (ROWs)

Requirements:

- **Development of the site may result in a change to the drainage pattern and associated Tax Ditch watershed boundary. To change existing Tax Ditch watershed boundaries, a Court Order Change must be submitted by the DNREC Drainage Program. The associated Land Development Project Review Request form is attached.**
    - *Acknowledged. At this time, no impacts to the Tax Ditch watersheds are anticipated. If required, the applicant will coordinate appropriately with the DNREC Drainage Program.*
- **All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.**
    - *Acknowledged. Stormwater facilities will enhance and prolong the detention of on-site development runoff and will not negatively impact downstream drainage patterns.*

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water, and cover. Wildlife displaced by encroaching development may also become a nuisance for homeowners.

Requirements:

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

- *Acknowledged.*

Wastewater permits – Large Systems
Sussex County holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch for wastewater disposal.

Requirements:

If additional flows to Sussex County's system will require capacity updates, it is the responsibility of the permitee (Sussex County) to notify the Large Systems Branch.

- *This subdivision is proposed to be part of the existing Sussex County Unified Sewer District, and Artesian Water's water distribution network. At this time, we are unaware of any capacity issues.*

Nutrient Management Plan

This project proposes open space of 18 acres.

Requirements:

A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

- *The Marlin Cove project does not propose to spread nutrients to the open space areas of the subdivision that would necessitate an NPDES permit. A nutrient management plan is not expected to be required at this time.*

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- **There is high potential for archaeological resources on within these parcels. Roy Creek runs through the center of the parcels, and on either side is moderately well-drained uplands. These are considered favorable environmental conditions for past human occupation, and therefore there is high potential for prehistoric archaeological sites.**
    - *Acknowledged. Based upon a review by ERI, there are no known historical and/or archaeological resources present on the site.*
- **There are four recorded historic archaeological sites to the immediate south of the parcel. According to historic aerials and topographic maps, the parcel has remained a consistent mix of agricultural fields and wooded areas with minimal disturbance. There are no recorded structures on the parcels. However, as there are known historic occupations to the immediate south, there is high potential for additional historic archaeological resources in the southern half of the project area. This Office recommends an archaeological survey prior to any ground disturbance.**
  If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
    - *Noted, there was no visible evidence identified on-site during the review by ERI, nor historical and/or archaeological resources identified. The developer will adhere to all applicable historic archaeological guidelines, and will consult with the State Historic Preservation Office, if any evidence arises, as appropriate.*
- **If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov**
    - *Noted, the developer will adhere to Section 106 of the National Historic Preservation Act as part of obtaining any required Wetland Permits.*

If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

The comments below are informational only. This does not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulations (DSFPR):

Fire Protection Water Requirements:

- **Where a water distribution system is proposed for single-family dwellings, it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 800 feet spacing on center are required. (One & Two- Family Dwelling).**
    - *Acknowledged. The applicant will work with Artesian Water to fulfill all domestic and fire flow requirements for the development. Fire Hydrants will be installed to satisfy all State of Delaware requirements.*
- **Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems. One- and Two-Family dwellings are required by law to offer the homeowner an automatic sprinkler system, therefore infrastructure should accommodate water needs.**
    - *Acknowledged. Currently, 8" watermains are anticipated to be looped from the existing 12" watermain along the New Road frontage of the project. Proposed watermains will be installed to meet the neighborhoods requirements for flow amounts and pressure.*

Accessibility

- **All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision must be constructed so fire department apparatus may negotiate it.**
    - *The proposed private subdivision roads shall be designed per the latest Sussex County and DelDOT standards with cul-da-sacs at the end of all dead end roads.*
- **Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door. Streets designed without parking need to develop a plan for enforcement once HOA takes charge. Fire apparatus still need to negotiate the streets.**
    - *The HOA covenants shall have language for parking enforcement to ensure the preservation of fire department access.*
- **Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be**

38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- *Acknowledged. Interior roads shall be designed to loop around to intersections and cul-da-sacs are proposed for dead-end streets. Minimum design standards for cul-da-sacs will be adhered to for design.*

- **The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.**

  - *If proposed, speed bumps and/or traffic speed reduction techniques will meet DelDOT standards.*

- **The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.**

  - *At this time, no permanent gates are proposed to limit access to any portion of the neighborhood. If gates are later proposed, the developer will seek written approval from the local Fire Chief.*

Gas Piping and System Information:

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

  - *All proposed fuel types and locations of bulk containers shall be shown on the plan and individual house plans per State Fire Marshall Requirements.*

Required Notes:

- **Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"**
- **Proposed Use**
- **Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units**
- **Square footage of each structure (Total of all Floors)**
- **National Fire Protection Association (NFPA) Construction Type**
- **Maximum Height of Buildings (including number of stories)**
- **Note indicating if building(s) is/are to be sprinklered**
- **Name of Water Provider**
- **Letter from Water Provider approving the system layout**
- **Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered**
- **Provide Road Names, even for County Roads**

  - *All required notes and labels shall be incorporated into the final plan set for review and approval.*

Recommendations/Additional Information

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

Department of Transportation – Contact Bill Brockenbrough 302-760-2109

- **The subject development is located within an area being considered for the development of a Transportation Improvement District (TID). Once the TID is in operation, the development may have the opportunity to convert to TID participation instead of building or contributing to off-site improvements.**
    - *Noted, if the TID is established, the developer may contact DelDOT to discuss this process and feasibility. However, the developer has already submitted a completed TOA report in accordance with a TOA Scoping Meeting, which has resulted in DelDOT issuing an approval letter entitled Marlin Cove TOA dated April 24, 2023. The applicant has agree to be bound by the terms of the TOA approval letter, subject to DelDOT warrants for the required improvements.*
- **The developer should contact Ms. Sarah Coakley, a principal planner in DelDOT's Regional Systems Planning Section, for information regarding the TID and the associated fees. Ms. Coakley may be reached at Sarah.Coakley@delaware.gov or (302) 760-2236.**
    - *Acknowledged.*
- **The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.**
    - *Acknowledged.*
- **Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022.**
    - *Updated Standard General Notes will be incorporated into the applicable plan sets for review and approval upon submission.*

Department of Natural Resources and Environmental Control – Contact Claire Quinlan 302-735-3480

Wetlands and Subaqueous Lands

- **Do not disturb streams or wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.**
    - *As part of the internal subdivision improvements, no regulated non-tidal wetlands or Waters of the US are proposed to be disturbed. Per the DelDOT TOA approval letter, improvements to New Road (road widening, Shared Use Paths, swale and culvert upgrades) may require disturbance to existing non-tidal wetlands and Waters of the US. Impacts will be minimized, and if required, a permit will be obtained if any non-tidal wetlands, Waters of the US and/or associated buffers are proposed to be disturbed.*

Vegetated Buffer Zones

- **Expand the 30-foot buffer to no less than 100 feet from the edge of wetlands and all waterways (rivers, streams, ditches, ponds, etc.) to protect water quality and to provide an additional margin of safety for flooding.**
    - *The minimum buffers from the edge of non-tidal wetlands and perennial waterways are provided. If possible, additional buffer widths beyond the minimum have been provided in some locations to further enhance water quality and provide additional capacity for ditch/stream flows.*
- **Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.**
    - *The 30' perimeter vegetation buffers are proposed to remain undisturbed in areas where existing forest is present, as shown on the plans. Sections of existing unforested areas that are to be vegetated as part of a buffer zone will be planted during construction and left undisturbed thereafter.*
- **Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.**
    - *The perimeter buffer zones are proposed to be located within open space parcels. Appropriate signage will be installed along the edge of the buffer zones.*

- **Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.**

    - *The proposed vegetated buffer zones are stipulated to be forested.*

- **Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.**

    - *The proposed vegetated buffer zones are stipulated to be forested therefore no mowing is anticipated within buffer.*

Removal of Forest

- **The preliminary plan proposes the elimination of approximately 40 of 48 acres of forest on the site.**

    The onsite forested areas have been the subject of timber harvesting several times in the past. The current growth is only a few years old and is not of high quality. The highest quality trees are located along the perimeter of the site and are proposed to be preserved within the proposed 30' buffer.

- **Removing forested areas for development should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.**

    - *Acknowledged. As indicated above, the forested areas proposed for removal have been the subject of multiple timber harvesting operations. As such, they are of low quality. The most mature trees are located along the site's boundary and are proposed for preservation as part of the 30' forested buffer.*

- **To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.**

    - *Noted, efforts will be made to limit tree clearing and mowing during development during the time frame stipulated from April 1st to July 31st.*

Key Wildlife Habitat

- **The forest block and stream on this property are mapped as Key Wildlife Habitat in the Delaware Wildlife Action Plan because they have the potential to harbor a high diversity of Species of Greatest Conservation Need (SGCN).**

    - *Noted.*

- **Topographic maps, wetland maps, and aerial photos indicate that the headwaters of a small tributary of Roy Creek occur within the project area. Headwater streams can be ecologically valuable, supporting a variety of plants, amphibians, and insects. Headwater streams are critical to the survival of aquatic organisms that occur downstream. Additionally, state endangered Banded Sunfish (Enneacanthus obesus) were previously documented in the headwaters of nearby Dirickson Creek. It is possible that the banded sunfish may exist at this site if habitat is suitable for its survival.**

    - *Noted.*

- **Scientists from the Division of Fish & Wildlife request a site visit to conduct a survey of the property to evaluate habitat and determine the potential for SGCN. Recommendations resulting from the survey would allow the applicant the opportunity to reduce potential impacts to rare species and unique habitats and to ensure that the project is environmentally sensitive. Contact the DNREC Division of Fish & Wildlife at (302) 223-2446 to schedule a site visit.**

    - *At this time, the owner of the property cordially declines the offer from the Division of Fish & Wildlife to conduct a survey or a site visit.*

Stormwater Management

- **Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.**

    - *The current soil analysis from the Web Soil Survey shows that the existing soils on the site are poor for infiltration practices. Additional soil exploration will need to be conducted and submitted to the Sussex Conservation District if an infiltration practice is proposed.*

- **For improved stormwater management, preserve existing trees, wetlands, and passive open space.**

    - *These spaces are proposed to be preserved to the maximum extent practicable.*

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Tax Ditches

All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- **Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.**

    - *If required, the onsite ditches shall be considered for cleaning. Permits will be obtained, as appropriate.*

Drainage

- **All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.**
    - *If required, the onsite ditches shall be considered for cleaning. Permits will be obtained, as appropriate.*
- **Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.**
    - *If the plan proposes disturbance to regulated resources, applicable permits will be obtained prior to said disturbances.*
- **All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.**
    - *Acknowledged. Properly sized detention facilities shall be designed and installed within the proposed subdivision so as to not hinder upstream flow thru the property and stormwater will be released at a rate that will not create off-site downstream drainage problems.*

Water Quality (Pollution Control Strategies)

This site lies within the Inland Bays Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- **Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.**
    - *Vegetated resource buffers will be retained on-site in accordance with all regulations.*
- **Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.**
    - *No excess impervious surfaces are proposed as part of this project.*
- **Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.**
    - *The current soil analysis from the Web Soil Survey shows that the existing soils on the property are poor for infiltration practices. Additional soil exploration will need to be conducted and submitted to the Sussex Conservation District if an infiltration practice is proposed prior to approval. Existing forest, wetlands and open spaces are to be preserved to the maximum extent practicable.*

- **Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.**

    - *Open spaces around proposed stormwater facilities will be maintained as meadow and/or forested to enhance the natural nutrient filtration of those land uses. Maintenance of these open space areas will be kept to a minimum to further improve the natural environment in the open space parcels.*

Wildlife Displacement

- **Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests are key habitat types for wildlife in Delaware.**

    - *Noted, portions of the existing forests on-site have been timbered in the last decade and the wooded areas have evidence of being second and third growth. Existing areas of forest are proposed to be preserved to the maximum extent practicable.*

- **Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Reduce the potential for future conflicts between future residents and wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas. A 300-foot safety zone is recommended.**

    - *Noted.*

Additional Sustainable Practices

- **Build garages and parking spaces to be "EV-ready." Many manufacturers have pledged to sell only electric vehicles in the next 10-15 years. Installing a 240-volt outlet in one or two locations in a garage will enable a resident to easily (and cheaply) install a level 2 electric vehicle charger. This will increasingly be a selling point for homes.**

    - *The incorporation of a 240-volt outlet in garages will be explored and discussed with the area's electric provider.*

- **Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. For community facilities, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/).**

    - *It is anticipated that solar systems will be evaluated and offered for all homes within the subdivision.*

- **Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.**

    - *A shared use path is proposed along the frontage of the property as required by DelDOT. Four connection points between the internal sidewalks and the shared use path are shown on the plan submitted to Sussex County Planning and Zoning. Furthermore, bike racks are anticipated to be installed at the Community Recreation Center.*

- **Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.**

    - *Energy Star rated products and materials are proposed to be utilized in the construction of this subdivision.*

- **Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.**

    - *Acknowledged.*

- **Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.**

    - *Recycled materials will be utilized, where applicable, to reduce waste.*

<u>Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325</u>

- **This parcel is located within an area of minimal flood concern (1000 years or greater. The First Street Foundation rates the community risk level of 4 for Selbyville, which suggests a severe risk from flooding, combining risks associated between residential properties, commercial properties, critical infrastructure facilities, social infrastructure facilities, and roads, and is expected to increase between now and the next 30 years.**

    - *The proposed Finished First Floor Elevations are anticipated to be located above elevation 10' and internal roads above elevation 9'. Future flooding risks will be evaluated for the road, culvert and stormwater infrastructure.*

- **The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block the project is located has a total population of 52 people, though, with development, this will certainly change. The adjacent blocks in the aggregate bring the area to a total population of 767.**

    - *Noted.*

- **The parcel is currently assigned to Sussex County's evacuation zone B but is not within the 10-mile EPZ zone for the Salem Nuclear Power Plant. DEMA recommends this information be made available to residents there through simply a sign, pamphlet other materials. According to FEMA's National Risk Index, the parcel is considered relatively high for overall natural hazards risks. Its community resilience and social vulnerability are rated as relatively moderate.**
    - *A pamphlet will be made available to future residents of the neighborhood, including available information from DEMA and FEMA regarding flooding, evacuation routes and the 10-mile EPZ zone for the Salem Nuclear Power Plant.*
- **In terms of energy use and consumption, the region utilizes electricity as the predominant fuel type for heating purposes. As such, the parcel has a photovoltaic power potential of 1495 kWh per kWp. As such, should solar panels be utilized, we recommend an optimum tilt of the photovoltaic modules to be at approximately 34 degrees which could provide a potential of 1815 kWh/m2.**
    - *Noted*
- **DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. In terms of utilities, DEMA suggests incorporating 90% series furnaces/ HVAC systems, the closer to 99% the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless hot water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure.**
    - *Noted, energy efficient products are anticipated to be utilized in all homes built in this community.*
- **Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.**
    - *Noted*

<u>Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394</u>

- **Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to consider the benefits of home sprinkler protection in dwellings.**
    - *Information will be made available to future homeowners about the benefits of a home sprinkler system.*

- **The Office of the State Fire Marshal reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website: http://delcode.delaware.gov/title6/c036/sc03/index.shtml**
    - *This development will adhere to the requirements set forth in the "New Home Buyers Fire Protection Act," as applicable.*
- **Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.**
    - *Noted, a preliminary meeting with a fire protection specialist will be requested when appropriate.*

Should you have any questions about any of our responses, please don't hesitate to call.

Sincerely,
Vista Design, Inc.

Eric J. Jones

Eric Jones, PE

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
5TH ELECTION DISTRICT

SITE DATA

OWNERS

PARCEL 533-19.00-7.00
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

PARCELS 533-19.00-8.01 & 9.00
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975
PHONE: (410) 320-6277
CONTACT: RUSS GARUFI

AGENT/LEGAL COUNSEL

HUDSON, JONES, JAYWORK & FISHER, LLC.
34382 CARPENTERS WAY, STE. 3
LEWES, DELAWARE 19958
PHONE: (302) 644-8330
CONTACT: FRED A. TOWNSEND III, ESQ.

ENGINEER/SURVEYOR

VISTA DESIGN, INC.
11634 WORCESTER HIGHWAY
SHOWELL, MARYLAND 21862
PHONE: (410) 352-3874
CONTACT: RICHARD POLK, PE

ENVIRONMENTAL CONSULTANT

ENVIRONMENTAL RESOURCES, INC.
38173 DUPONT BOULEVARD
SELBYVILLE, DELAWARE 19975
PHONE: (302) 436-9637
CONTACT: EDWARD LAUNAY, PWS

TAX MAP & ZONING INFORMATION

TAX MAP ID'S	533-19.00-7.00, 533-19.00-8.01 & 533-19.00-9.00
SITE ADDRESS	NEW ROAD (CR 391), SELBYVILLE, DE 19975
EXISTING LAND USE	AGRICULTURAL/FORESTED
PROPOSED LAND USE	RESIDENTIAL
EXISTING ZONING	AR-1 - AGRICULTURAL RESIDENTIAL
PROPOSED ZONING	MR - MEDIUM RESIDENTIAL/CLUSTER OPTION CONDITIONAL USE PERMIT - DUPLEX HOMES

SITE AREA

Parcel 7.00	±13.76 Acres
Parcel 8.01	±10.13 Acres
Parcel 9.00	±36.95 Acres
TOTAL AREA OF PARCELS	±60.84 Acres

SITE INFORMATION

PROPOSED UNITS
- ○ 114 SINGLE FAMILY DETACHED CLUSTER LOTS (75' MIN. 75' FRONT TYP., 100' DEPTH, 7,500 SF TYP.)
- ○ 106 HOMES (53 DUPLEX LOTS) DUPLEX (28'-30' PER DUPLEX UNIT WIDTH) FAMILY LOTS - (76' MIN. 80' FRONT, 100' DEPTH, 8,000 SF TYP.)

220 TOTAL FAMILY UNITS

TOTAL SITE AREA	± 60.84 AC
AREAS OF:	
PROPOSED LOTS	32.06 AC
PROPOSED AMENITY LOT	0.61 AC
PROPOSED PRIVATE ROW	10.07 AC
PROPOSED ROW DEDICATION	0.79 AC (ALONG NEW ROAD)
OPEN SPACE	
REQUIRED	± 18.25 AC (30% OF SITE AREA)
PROVIDED	± 18.46 AC (30.4% OF SITE AREA) [30.7% OF SITE AREA AFTER ROW DEDICATION]
PROPOSED DENSITY	3.62 UNITS / ACRE (MR-MAX = 4 UNITS / ACRE)

PROPOSED MINIMUM YARD REQUIREMENTS:

FRONT YARD	30 FT
SIDE YARD	10 FT
REAR YARD	10 FT
MINIMUM FRONTAGE WIDTH	75 FT (DETACHED SINGLE FAMILIES) 76 FT (DUPLEX)

ANTICIPATED NUMBER OF DEVELOPMENT PHASES: 6
ANTICIPATED LIMIT OF DISTURBANCE WITHIN OWNER PARCELS: 55.05 AC

FLOOD ZONE

THIS SITE IS NOT WITHIN THE LIMITS OF A FEMA FLOODPLAIN, AND IS SHOWN AS BEING IN ZONE 'X':
AREAS OF MINIMAL FLOOD HAZARD ON:
FEMA MAP NO. 10005C0635 K
MAP REVISED - MARCH 16, 2015

SEWER PROVIDER

SEWER SERVICES SHALL BE SUPPLIED BY SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT WITHIN THE SUB-AREA DESIGNATED AS FENWICK ISLAND SANITARY SEWER DISTRICT.
- 533-19.00-7.00 - SEWER TIER 1
- 533-19.00-8.01 - SEWER TIER 1
- 533-19.00-9.00 - SEWER PLANNING TIER 2 (Utility Planning & Design Review Complete Received 1/31/2022)

WATER PROVIDER

WATER SERVICES SHALL BE SUPPLIED BY ARTESIAN WATER COMPANY IN SERVICE AREA "EASTERN SUSSEX 4".

HORIZONTAL DATUM

NAD 83/2011 DELAWARE STATE PLANE GRID

WETLANDS

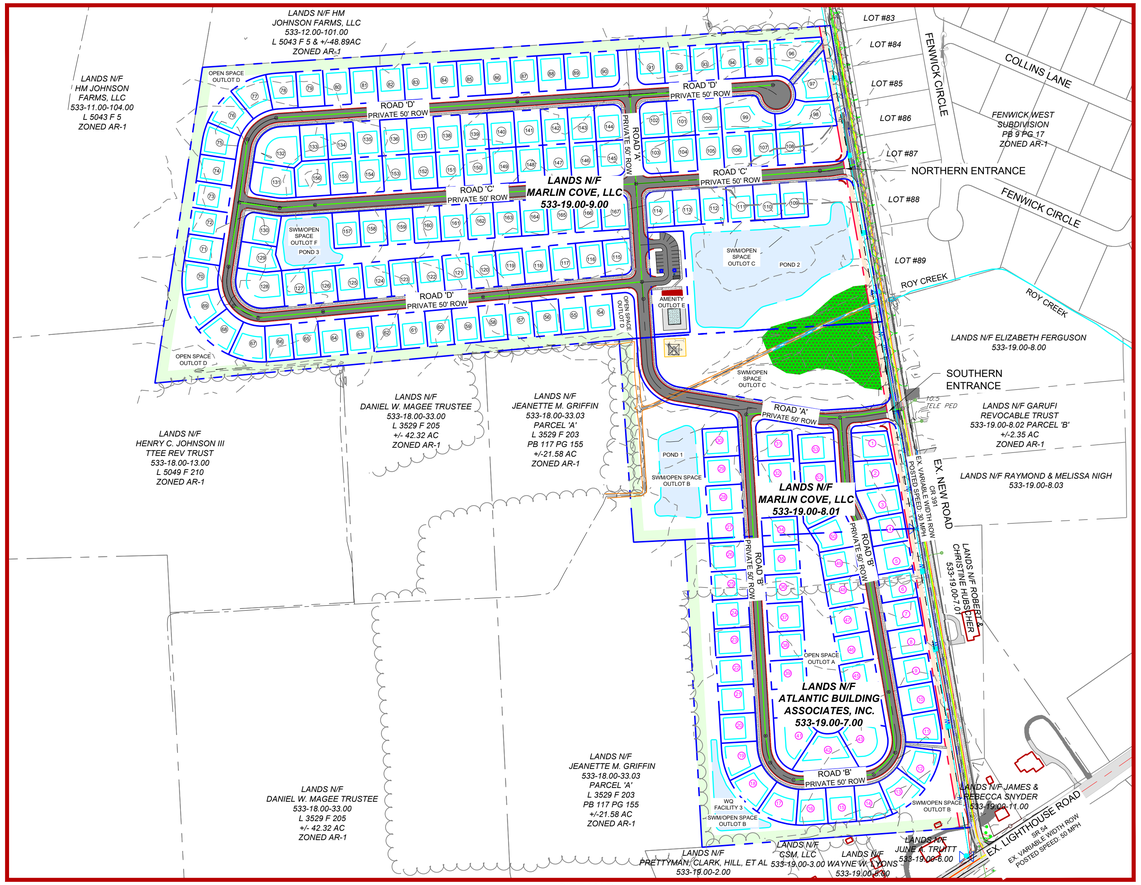
NON-TIDAL WETLANDS WERE IDENTIFIED ALONG ROY CREEK DURING FALL 2020 FIELD INVESTIGATION BY EDWARD LAUNAY, PWS, OF ENVIRONMENTAL RESOURCES, INC.

SOILS CLASSIFICATION

HmA	HAMMONTON LOAMY SAND, 0 - 2 PERCENT SLOPES B SOIL CLASSIFICATION
HuA	HURLOCK LOAMY SAND, 0 TO 2 PERCENT SLOPES A/D SOIL CLASSIFICATION
KsA	KLEJ LOAMY SAND, 0-2 PERCENT SLOPES A/D SOIL CLASSIFICATION
RuA	RUNCLINT LOAMY SAND, 0-2 PERCENT SLOPES A SOIL CLASSIFICATION

PROPOSED LAND USE

DETACHED SINGLE FAMILY HOMES & DUPLEX HOMES

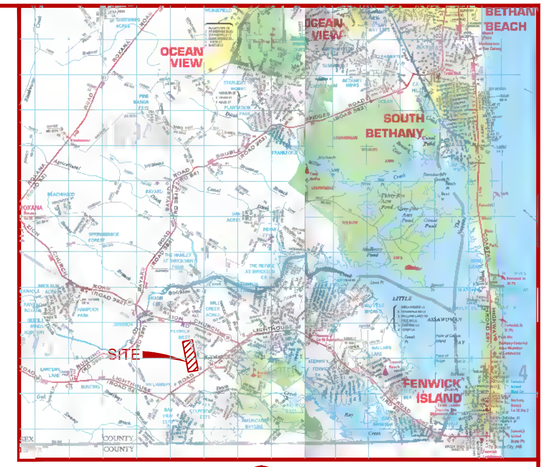


SITE MAP
SCALE: 1" = 200'

NORTH
DE STATE PLANE
DATUM (NAD83)

NORTH

0 100 200 400 600
SCALE: 1" = 200'



LOCATION MAP
SCALE 1" = 1 MILE
ADC MAP 42 GRID G10 & G11

NORTH

0 0.5 1 2 3
SCALE: 1" = 1 MILE

SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	EXISTING CONDITIONS PLAN
SHEET 3	NON-TIDAL WETLANDS/BUFFER ZONE PLAN
SHEET 4	PROPOSED OVERALL SUBDIVISION PLAN/INDEX SHEET
SHEET 5	PROPOSED SUBDIVISION PLAN
SHEET 6	PROPOSED SUBDIVISION PLAN
SHEET 7	PROPOSED SUBDIVISION PLAN
SHEET 8	PROPOSED SUBDIVISION PLAN
SHEET 9	PROPOSED ENTRANCE LAYOUT
SHEET 10	TYPICAL SUBDIVISION DETAILS
SHEET 11	LINE, CURVE & LOT AREA TABLES

LEGEND

Ex. Property Line	Pr. Water Line
Ex. Adjacent Property Line	Pr. Storm Drain Pipe
Ex. Building	Pr. Edge of Pavement
Ex. Waters of the U.S.	Pr. Roadway
Ex. Intermittent County Buffers	Pr. Woods Line
Ex. Non-Tidal Wetlands	Pr. Agriculture/Forested
Ex. Wetland County Buffers	Buffer Easement
Ex. Edge of Pavement	Pr. Shared Use Path
Ex. Roadway	Pr. Drainage Culverts
Ex. Centerline of New Road	
Ex. Driveway	
Ex. 1X Contour	
Ex. 5X Contour	
Ex. Soil Test Pit	
Ex. Soil Delineation	
Ex. Woods Lines	
Ex. Benchmark	
Ex. Sanitary Sewer	
Ex. Water Line	
Ex. Electric Line	
Ex. Utility Easement	
Pr. Property Line/ROW	
BLDG Setback Line	
Pr. Multi-Use Path Easement	
Pr. Sanitary Sewer Easement	
Pr. Water Easement	
Pr. 1X Contour	
Pr. 5X Contour	
Pr. Stormwater Facility	
Pr. Sanitary Sewer	

ZONE 'A' ZONE 'B'

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST SUSSEX COUNTY SPECIFICATIONS, THE LATEST SUSSEX COUNTY DETAIL MANUAL AND IN ACCORDANCE WITH ALL OTHER APPLICABLE COUNTY AND STATE ORDINANCES.
2. CONTRACTOR IS RESPONSIBLE FOR CONTACTING "MISS UTILITY" AT 1-800-282-8555, 48 HOURS PRIOR TO ANY EXCAVATION WORK TO LOCATE ALL UTILITIES IN THE WORK AREA. ANY CONFLICTS MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER IMMEDIATELY.
3. WATER SERVICE WILL BE PROVIDED BY A PROPOSED EXTENSION OF EXISTING PUBLIC FACILITIES. ALL DISTRIBUTION EQUIPMENT WILL BE MAINTAINED BY ARTESIAN UTILITIES, INC. ALL PROPOSED FACILITIES WILL BE SUBJECT TO REVIEW AND APPROVAL BY ARTESIAN UTILITIES, SUSSEX COUNTY AND DELAWARE DIVISION OF PUBLIC HEALTH.
4. WASTEWATER TREATMENT AND DISPOSAL WILL BE PROVIDED BY CONNECTION TO THE EXISTING FENWICK ISLAND SANITARY SEWER DISTRICT WASTEWATER FACILITIES. THE COLLECTION AND TRANSMISSION SYSTEM WILL CONSIST OF VARIOUS DIAMETER GRAVITY SEWERS. THE COLLECTION AND TRANSMISSION SYSTEM WILL BE SUBJECT TO REVIEW AND APPROVAL BY SUSSEX COUNTY AND DNREC.
5. AGRICULTURAL PROPERTIES GREATER THAN 10 ACRES DIRECTLY ABUT THE SUBDIVISION PROPERTY. THE ADJOINING AREAS ARE PREDOMINATELY WOODED.
6. NO DELAWARE STATE WETLANDS EXIST ON THE PROPERTY.
7. STORMWATER MANAGEMENT PRACTICES WILL BE DESIGNED TO MEET STORMWATER QUALITY AND QUANTITY MANAGEMENT REQUIREMENTS. ALL STORMWATER MANAGEMENT DESIGN WILL BE IN ACCORDANCE WILL DELAWARE STORMWATER DESIGN MANUAL STANDARDS.
8. ALL ROADS WILL BE CONSTRUCTED IN ACCORDANCE WITH SUSSEX COUNTY SPECIFICATIONS FOR PRIVATE ROADS. TYPICAL ROAD SECTIONS AND SETBACK INFORMATION IS PROVIDED ON SHEET 10 of 11.
9. STREET NAMES WILL BE ESTABLISHED WHICH DO NOT DUPLICATE NOR CLOSELY RESEMBLE EXISTING NAMES IN THE SAME HUNDRED OR POSTAL DISTRICT. STREET NAMES SHOWN HEREON WILL BE SUBJECT TO SUSSEX COUNTY REVIEW AND APPROVAL.
10. EASEMENTS SHALL BE PROVIDED WHERE NECESSARY TO MEET PUBLIC UTILITY REQUIREMENTS. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION WHERE IT BORDERS ACTIVE AGRICULTURAL LAND SHALL BE NO LESS THAN THIRTY (30) FEET IN WIDTH IN THE INTERIOR SIDE OF THE BOUNDARY.

OWNER'S AND/OR DEVELOPER'S CERTIFICATION

I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHOULD BE DONE IN PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E. BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ONSITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT AS REFERENCED ON THIS ESVERSHEET.

6-21-2023
DATE

PARCEL 533-19.00-7.00 - RUSS GARUFI
ATLANTIC BUILDING ASSOCIATES, INC.
13053 OLD STAGE ROAD
BISHOPVILLE, MD 21813
PHONE: (410) 320-6277

6-21-2023
DATE

PARCEL 533-19.00-8.01 & 9.00 - RUSS GARUFI
MARLIN COVE, LLC.
37795 NEW ROAD
SELBYVILLE, DE 19975

WETLAND CERTIFICATION

WETLAND STATEMENT

I, Edward M. Launay, SPWS, STATE THAT THE BOUNDARIES OF WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON THIS PLAN HAVE BEEN DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE FOR CLARIFICATION AND INTERPRETATION OF THE 1987 MANUAL, INCLUDING SACKETT vs. ENVIRONMENTAL PROTECTION AGENCY. THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL PURPOSES.

IN ACCORDANCE WITH DNREC TIDAL WETLAND MAPS, THERE ARE NO STATE REGULATED WETLANDS ON THE SITE.

6/21/2023
Date

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

PROFESSIONAL CERTIFICATION

I, RICHARD F. POLK, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED PROFESSIONAL STANDARDS AND PRACTICES AND BY SUSSEX COUNTY SUBDIVISION AND LAND DEVELOPMENT STANDARDS.

6/21/23
DATE

RICHARD F. POLK, P.E.
VISTA DESIGN, INC.
11634 WORCESTER HWY.
SHOWELL, MD 21862

LICENSE NO. 12968 EXPIRATION DATE: 6/30/2024

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NOTE:
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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: AS SHOWN

COVER SHEET

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

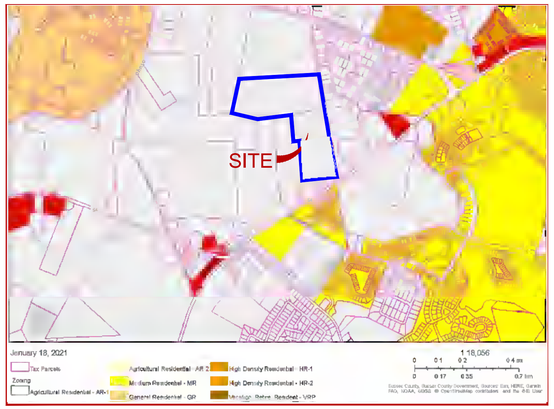
VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

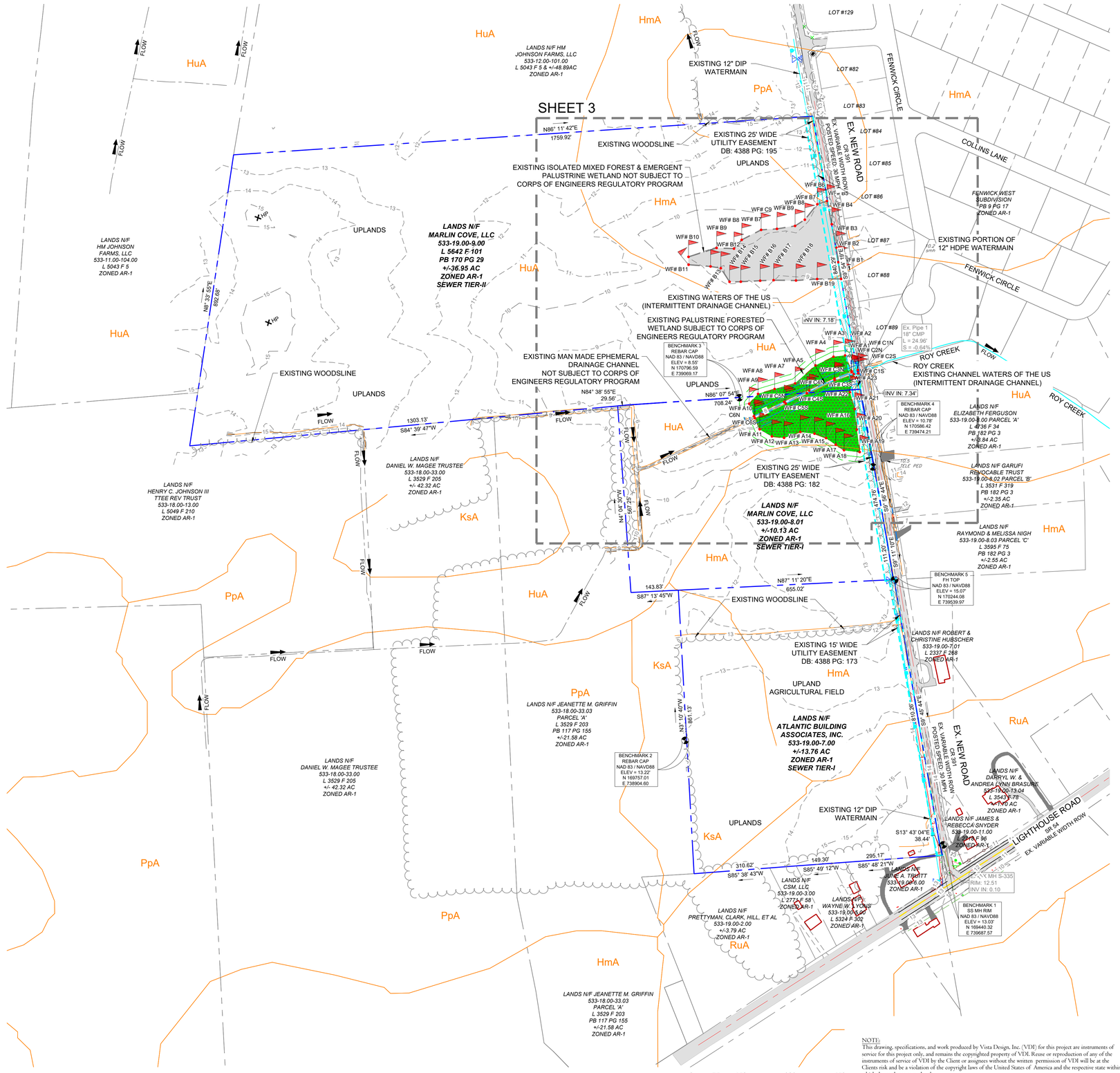
RICHARD F. POLK No. 12968 REGISTERED PROFESSIONAL ENGINEER STATE OF DELAWARE

Sheet No.:
1 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN





BENCHMARK INFORMATION

BENCHMARK IDENTIFIER	TYPE	NORTHING	EASTING	ELEVATION (FT)
1	SS MH RIM	169440.3200	739687.5700	13.03
2	REBAR	169757.0100	738904.6000	13.22
3	REBAR	170796.5900	739069.1700	8.55
4	REBAR	170586.4200	739474.2100	10.78
5	FH TOP	170244.0800	739539.9700	15.07

HORIZONTAL & VERTICAL CONTROL

HORIZONTAL: NAD 83 DELAWARE STATE PLANE, US FEET
VERTICAL: NAVD 88

EXISTING SOILS ON SITE

SOIL SYMBOL	SOIL TYPE NAME	HYDROLOGIC SOIL GROUP
HmA	Hammonton loamy sand, 0 to 2 percent slopes	B
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D
KsA	Klej loamy sand, 0 to 2 percent slopes	A/D
RuA	Runclint loamy sand, 0 to 2 percent slopes	A
PpA	Pepperbox loamy sand, 0 to 2 percent slopes	A

NOTES

1. SANITARY SEWER TO BE PROVIDED BY SUSSEX COUNTY VIA TWO MANHOLES. FIRST, A MANHOLE AND STUB NORTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND LIGHTHOUSE ROAD (SR-54). SECOND, A MANHOLE AND STUB SOUTH OF THE INTERSECTION OF NEW ROAD (CR-391) AND ZION CHURCH ROAD (SR-20). EXISTING PARCELS 533-19.00-7.00 AND 533-19.00-8.01 ARE LOCATED WITHIN THE SEWER TIER 1 FENWICK ISLAND SANITARY SEWER DISTRICT. EXISTING PARCEL 533-19.00-9.00 IS LOCATED WITHIN THE SEWER TIER 2 AND IS PROPOSED TO BE ANNEXED INTO THE FENWICK ISLAND SANITARY SEWER DISTRICT.
2. AN EXISTING 12" DIP AND HDPE WATERMAIN MANAGED BY ARTESIAN WATER COMPANY INC. IS LOCATED ALONG THE ENTIRE FRONTAGE OF PARCELS 533-19.00-7.00, 533-19.00-8.01 AND 533-19.00-9.00 ALONG NEW ROAD. AS PART OF THE DEVELOPMENT, HYDRANTS AND VALVES MAY NEED TO BE RELOCATED DUE TO NEW ROAD WIDENING.

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 150'

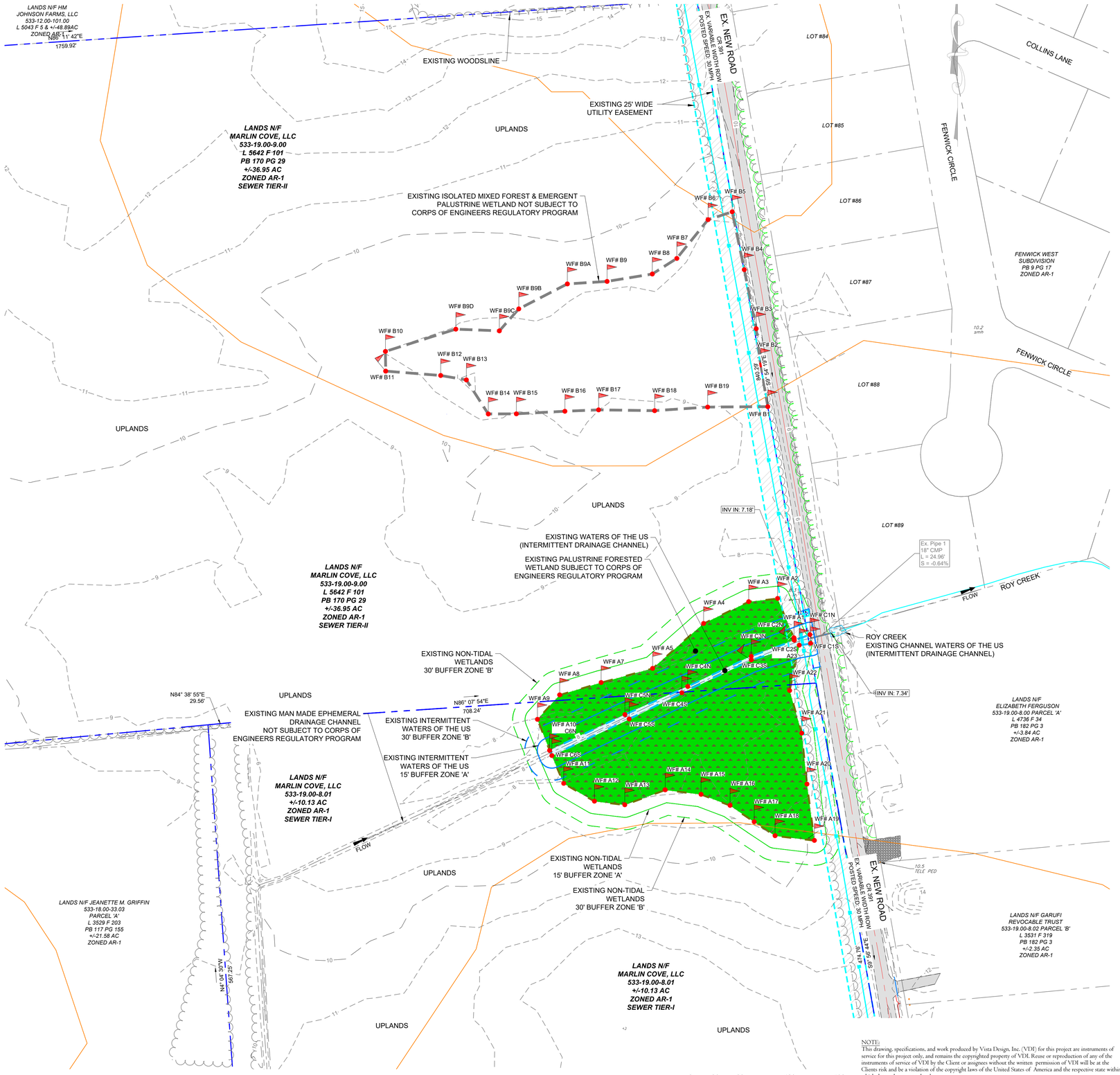
EXISTING CONDITIONS PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
114 W. Worcester Hwy, Showell, MD 21862
Ph: 410.352.3870 • www.vistadesigninc.com

Sheet No.:
2 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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SOIL SYMBOL	SOIL TYPE NAME	HYDROLOGIC SOIL GROUP
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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 60'

NON-TIDAL
WETLANDS/BUFFER
ZONE PLAN

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

MARLIN COVE
SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

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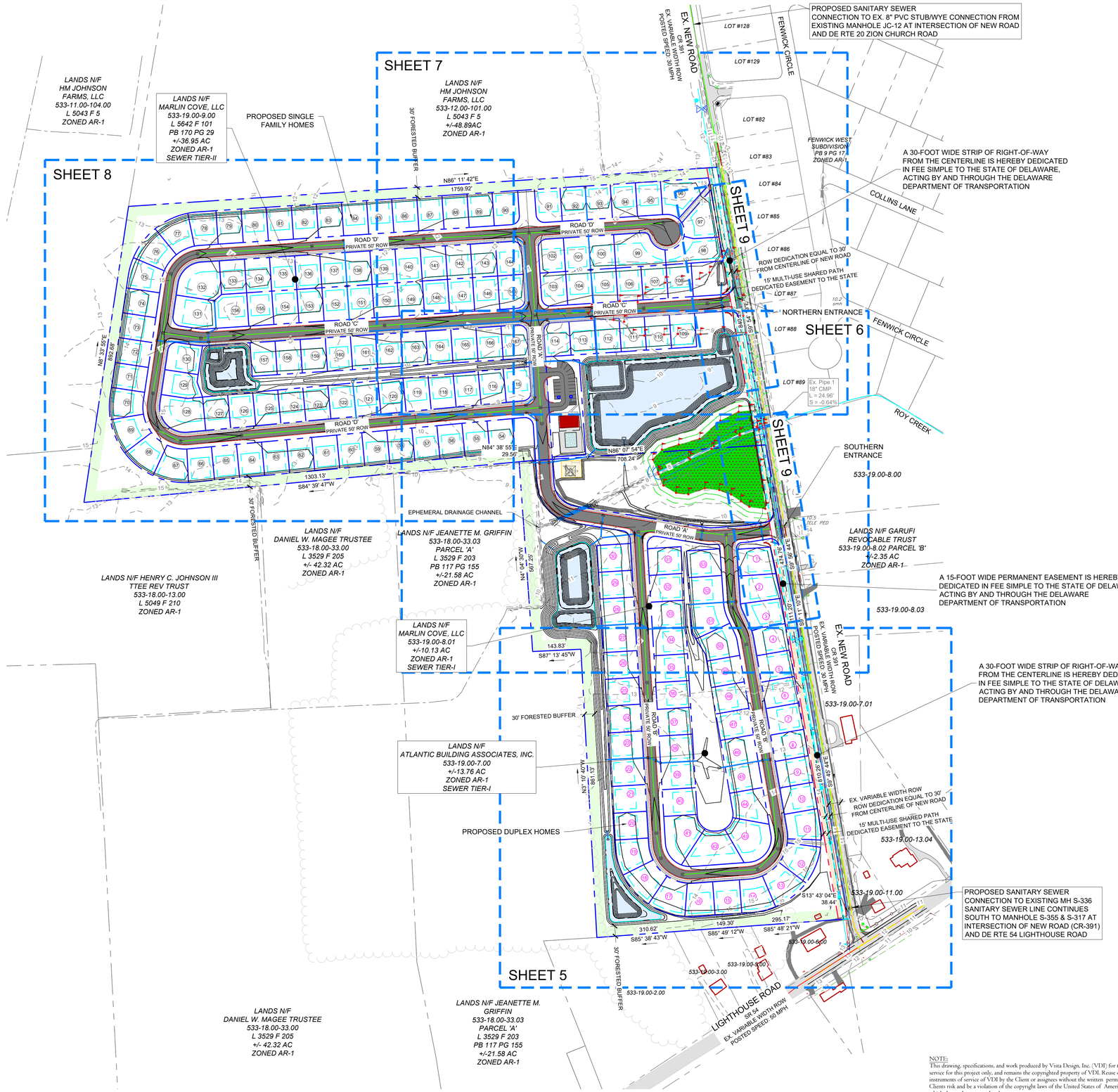
Sheet No.:
3 of 11



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REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 5/13/2022
Scale: 1" = 150'

PROPOSED OVERALL SITE PLAN/SHEET INDEX

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION & CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
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RICHARD F. POLK, JR. 19943 REGISTERED PROFESSIONAL ENGINEER STATE OF DELAWARE

Sheet No.: 4 of 11

MATCHLINE SHEET 6

LOT #27 8,000.00 SF (0.18 AC)
LOT #26 8,000.00 SF (0.18 AC)
LOT #25 8,000.00 SF (0.18 AC)
LOT #24 8,000.00 SF (0.18 AC)
LOT #23 8,000.00 SF (0.18 AC)
LOT #22 8,000.00 SF (0.18 AC)
LOT #21 8,000.00 SF (0.18 AC)
LOT #20 8,000.00 SF (0.18 AC)
LOT #19 8,804.44 SF (0.20 AC)
LOT 18 9,032.26 SF (0.21 AC)
LOT #17 9,032.26 SF (0.21 AC)
LOT #16 8,298.72 SF (0.19 AC)
LOT #15 8,000.00 SF (0.18 AC)
LOT #14 8,694.27 SF (0.20 AC)
LOT #13 9,032.26 SF (0.21 AC)
LOT #12 9,032.26 SF (0.21 AC)
LOT #11 8,415.98 SF (0.19 AC)
LOT #10 8,000.00 SF (0.18 SF)
LOT #9 8,000.00 SF (0.18 SF)
LOT #8 8,000.00 SF (0.18 SF)
LOT #7 8,000.00 SF (0.18 SF)
LOT #6 8,000.00 SF (0.18 SF)
LOT #5 8,000.00 SF (0.18 SF)
LOT #4 7,958.68 SF (0.18 AC)
LOT #34 8,000.00 SF (0.18 AC)
LOT #35 8,000.00 SF (0.18 AC)
LOT #36 8,000.00 SF (0.18 AC)
LOT #37 8,000.00 SF (0.18 AC)
LOT #38 8,000.00 SF (0.18 AC)
LOT #39 8,000.00 SF (0.18 AC)
LOT #40 8,000.00 SF (0.18 AC)
LOT #41 12,300.56 SF (0.28 AC)
LOT #42 13,110.03 SF (0.30 AC)
LOT #43 12,712.20 SF (0.29 AC)
LOT #44 9,292.32 SF (0.21 AC)
LOT #45 8,000.00 SF (0.18 AC)
LOT #46 8,000.00 SF (0.18 AC)
LOT #47 8,000.00 SF (0.18 AC)
LOT #48 8,000.00 SF (0.18 AC)
LOT #49 8,000.00 SF (0.18 AC)
LOT #50 9,208.42 SF (0.21 AC)

OPEN SPACE OUTLOT A 54,180.45 SF (1.24 AC)
OPEN SPACE OUTLOT A 54,180.45 SF (1.24 AC)
OPEN SPACE OUTLOT B 233,927.10 SF (5.37 AC)
OPEN SPACE OUTLOT B 233,927.10 SF (5.37 AC)
SWM/OPEN SPACE OUTLOT B
WQ FACILITY 3

PR 8" WATERMAIN
PR 8" SANITARY SEWER
PR FIRE HYDRANT
PR 30' FORESTED BUFFER
PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')
PR 15' WIDTH MULTI-USE PATH EASEMENT
PROPOSED 4' WIDE NATURAL TRAIL IN BUFFER TO BE FIELD LOCATED TO NOT REMOVE TREES

EXISTING FIRE HYDRANT TO BE RELOCATED
EXISTING 12" DIP WATERMAIN
EXISTING 8" SANITARY SEWER
EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 312
EXISTING PERMANENT EASEMENT TO DELDOT DB: 2600 PG: 317

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')

NEW ROAD
SF 54
EX. VARIABLE WIDTH ROW
POSTED SPEED: 30 MPH

LIGHTHOUSE ROAD
SF 54
EX. VARIABLE WIDTH ROW
POSTED SPEED: 50 MPH

ROAD 'B'
PRIVATE 50' ROW

LANDS N/F JEANETTE M. GRIFFIN
533-18.00-33.03
PARCEL 'A'
L 3529 F 203
PB 117 PG 155
+/-21.58 AC
ZONED AR-1

LANDS N/F ROBERT & CHRISTINE HUBSCHER
533-19.00-7.01
L 2337 F 268
ZONED AR-1

LANDS N/F ATLANTIC BUILDING ASSOCIATES, INC.
533-19.00-7.00
+/-13.76 AC
ZONED AR-1

LANDS N/F DARRYL W. & ANDREA LYNN BRASURE
533-19.00-13.04
L 3543 F 78
+/-1.70 AC
ZONED AR-1

LANDS N/F JAMES & REBECCA SNYDER
533-19.00-11.00
L 2718 F 96
ZONED AR-1

LANDS N/F JUNE A. TRUITT
533-19.00-6.00
ZONED AR-1

LANDS N/F CSM, LLC
533-19.00-3.00
L 2771 F 58
ZONED AR-1

LANDS N/F PRETTYMAN, CLARK, HILL, ET AL
533-19.00-2.00
+/-3.79 AC
ZONED AR-1

LANDS N/F WAYNE W. LYONS
533-19.00-5.00
L 5324 F 302
ZONED AR-1

MH S-336
RIM: 13.06
INV IN 0.41
INV OUT 0.25

EX EX MH S-335
RIM: 12.51
INV IN: 0.10

143.83'
S87° 13' 45"W

S13° 43' 04"E
38.44'

295.17'
S85° 48' 21"W

149.30'
S85° 49' 12"W

310.62'
S85° 38' 43"W

198.13'
N10° 40' 10"W

0 25 50 100 150
SCALE: 1" = 50'

NOTE:
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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.4076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED SUBDIVISION PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
114 S.W. Worcester Hwy, Showell, MD 21862
Ph: 410-352-3878 • www.vistadesigninc.com

RICHARD F. YORK
LICENSED
DELAWARE
10793
PROFESSIONAL ENGINEER
6/20/23

Sheet No.: 5 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

MATCHLINE SHEET 8

ROAD 'C'
PRIVATE 50' ROW

ROAD 'D'
PRIVATE 50' ROW

ROAD 'A'
PRIVATE 50' ROW

ROAD 'B'
PRIVATE 50' ROW

LOT #162 7,500.00 SF (0.17 AC)
LOT #163 7,500.00 SF (0.17 AC)
LOT #164 7,500.00 SF (0.17 AC)
LOT #165 7,500.00 SF (0.17 AC)
LOT #166 7,500.00 SF (0.17 AC)
LOT #167 7,515.87 SF (0.17 AC)
LOT #120 7,500.00 SF (0.17 AC)
LOT #119 7,500.00 SF (0.17 AC)
LOT #118 7,500.00 SF (0.17 AC)
LOT #117 7,500.00 SF (0.17 AC)
LOT #116 7,500.00 SF (0.17 AC)
LOT #115 7,592.99 SF (0.17 AC)
LOT #58 7,500.00 SF (0.17 AC)
LOT #57 7,500.00 SF (0.17 AC)
LOT #56 7,500.00 SF (0.17 AC)
LOT #55 7,500.00 SF (0.17 AC)
LOT #54 7,500.00 SF (0.17 AC)

OPEN SPACE OUTLOT F 53,599.60 SF (1.23 AC)
OPEN SPACE OUTLOT D 166,490.70 SF (3.82 AC)
AMENITY OUTLOT E 28,516.10 SF (0.65 AC)
OPEN SPACE OUTLOT C 296,122.40 SF (6.80 AC)
OPEN SPACE OUTLOT E 233,927.10 SF (5.37 AC)
OPEN SPACE OUTLOT A 316,710.50 SF (7.50 AC)

LOT #114 7,515.87 SF (0.17 AC)
LOT #113 7,500.00 SF (0.17 AC)
LOT #112 7,500.00 SF (0.17 AC)
LOT #111 7,500.00 SF (0.17 AC)
LOT #110 7,500.00 SF (0.17 AC)
LOT #109 7,500.00 SF (0.17 AC)

LOT #31 8,000.00 SF (0.18 AC)
LOT #30 8,000.00 SF (0.18 AC)
LOT #29 8,000.00 SF (0.18 AC)
LOT #28 8,000.00 SF (0.18 AC)
LOT #27 8,000.00 SF (0.18 AC)
LOT #26 8,000.00 SF (0.18 AC)
LOT #32 8,000.00 SF (0.18 AC)
LOT #33 8,000.00 SF (0.18 AC)
LOT #34 8,000.00 SF (0.18 AC)
LOT #35 8,000.00 SF (0.18 AC)
LOT #53 7,998.46 SF (0.18 AC)
LOT #52 7,998.46 SF (0.18 AC)
LOT #51 9,102.96 SF (0.21 AC)
LOT #50 9,208.42 SF (0.21 AC)
LOT #1 8,447.06 SF (0.19 AC)
LOT #2 9,191.10 SF (0.21 AC)
LOT #3 8,932.98 SF (0.21 AC)
LOT #4 7,998.68 SF (0.18 AC)
LOT #5 8,000.00 SF (0.18 SF)

FOREBAY
PROPOSED WET POND 1
FOREBAY
PROPOSED WET POND 2
PROPOSED COMMUNITY CENTER
PR. POOL
PR. PLAYGROUND

EXISTING WATERS OF THE US (INTERMITTENT DRAINAGE CHANNEL)
EXISTING INTERMITTENT WATERS OF THE US 15' BUFFER ZONE 'A'
EXISTING INTERMITTENT WATERS OF THE US 30' BUFFER ZONE 'B'
EXISTING MAN MADE EPHEMERAL DRAINAGE CHANNEL NOT SUBJECT TO CORPS OF ENGINEERS REGULATORY PROGRAM
EXISTING PALUSTRINE FORESTED WETLAND SUBJECT TO CORPS OF ENGINEERS REGULATORY PROGRAM
NON-TIDAL WETLAND
EXISTING NON-TIDAL WETLANDS 15' BUFFER ZONE 'A'
EXISTING NON-TIDAL WETLANDS 30' BUFFER ZONE 'B'
LIMIT OF INTERMITTENT CHANNEL
LIMIT OF EPHEMERAL CHANNEL
ZONE 'A'
ZONE 'B'

PR 30' FORESTED BUFFER
PR 8" SANITARY SEWER
PROPOSED CULVERT PIPE
Ex. Pipe 1
18" CMP
L = 24.96'
S = -0.64%
ROY CREEK
EXISTING CHANNEL WATERS OF THE US (INTERMITTENT DRAINAGE CHANNEL)
PR ROW DEDICATION (NEW 30' WIDTH FROM EXISTING CENTERLINE OF NEW ROAD (APPROX. ADDITIONAL +/-15')
PR 15' WIDTH MULTI-USE PATH EASEMENT
A 30-FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION
EXISTING 12" DIP WATERMAIN
PR 8" SANITARY SEWER
PR. ENTRANCE FEATURE
A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION
EXISTING 25' WIDE UTILITY EASEMENT
EXISTING FIRE HYDRANT TO BE RELOCATED

EX. NEW ROAD
EX. VARIABLE WIDTH ROW
POSTED SPEED 30 MPH
GS 391

EX. NEW ROAD
EX. VARIABLE WIDTH ROW
POSTED SPEED 30 MPH

MATCHLINE SHEET 7
MATCHLINE SHEET 5

FENWICK CIRCLE
LOT #88
LOT #89
FENWICK WEST SUBDIVISION PB 9 PG 17 ZONED AR-1

LANDS N/F JEANETTE M. GRIFFIN 533-18.00-33.03 PARCEL 'A' L 3529 F 203 PB 117 PG 155 +/-21.58 AC ZONED AR-1

LANDS N/F ELIZABETH FERGUSON 533-19.00-8.00 PARCEL 'A' L 4736 F 34 PB 182 PG 3 +/-3.84 AC ZONED AR-1

LANDS N/F GARUFI REVOCABLE TRUST 533-19.00-8.02 PARCEL 'B' L 3531 F 319 PB 182 PG 3 +/-2.35 AC ZONED AR-1

LANDS N/F RAYMOND & MELISSA NIGH 533-19.00-8.03 PARCEL 'C' L 3595 F 75 PB 182 PG 3 +/-2.55 AC ZONED AR-1

LANDS N/F ROBERT & CHRISTINE HUBSCHER 533-19.00-7.01 L 2337 F 268 ZONED AR-1

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0 25 50 100 150
SCALE: 1" = 50'

NORTH

REVISIONS

PROJECT DATA
Project No.: 20-076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED SUBDIVISION PLAN

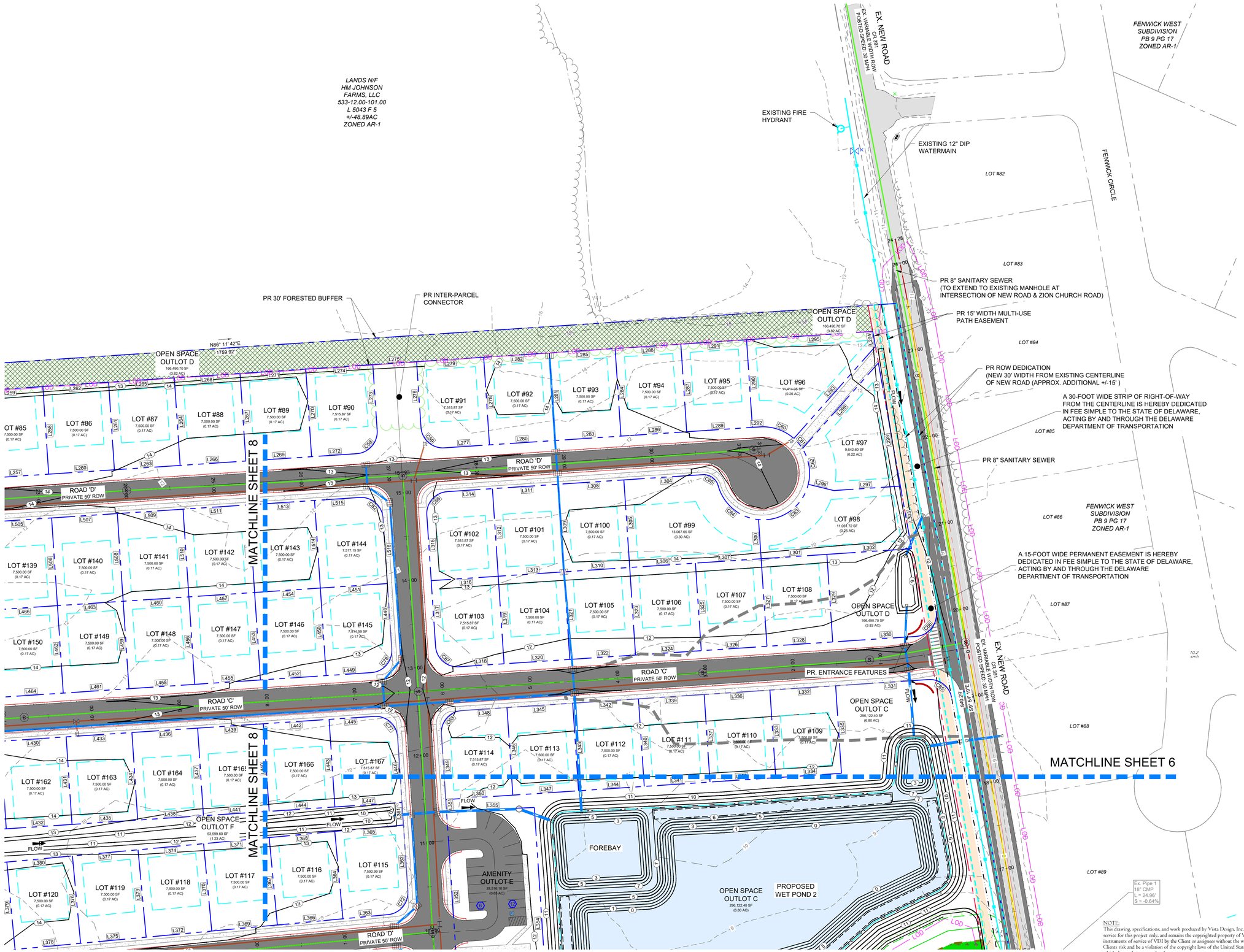
MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3674 • www.vistadesigninc.com

DAVID F. HOLKA JR. REGISTERED PROFESSIONAL ENGINEER NO. 19849 STATE OF DELAWARE

Sheet No.: 6 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 80'

PROPOSED SUBDIVISION PLAN

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

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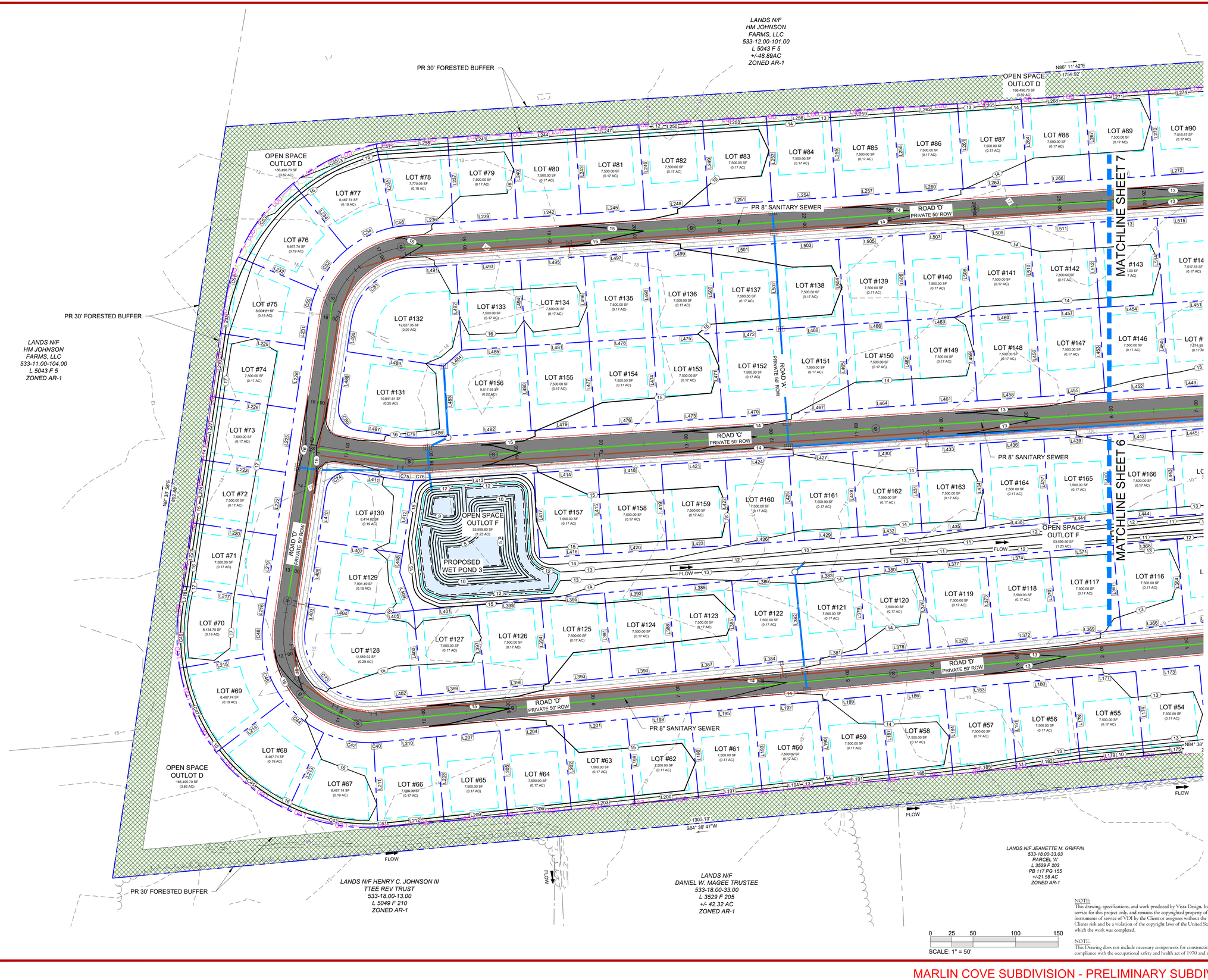
RICHARD E. HOLLAND III
REGISTERED
No. 19499
PROFESSIONAL ENGINEER
STATE OF DELAWARE

Sheet No.:
7 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 50'

PROPOSED
SUBDIVISION
PLAN

MARLIN COVE
SUBDIVISION
PRELIMINARY SUBDIVISION/
CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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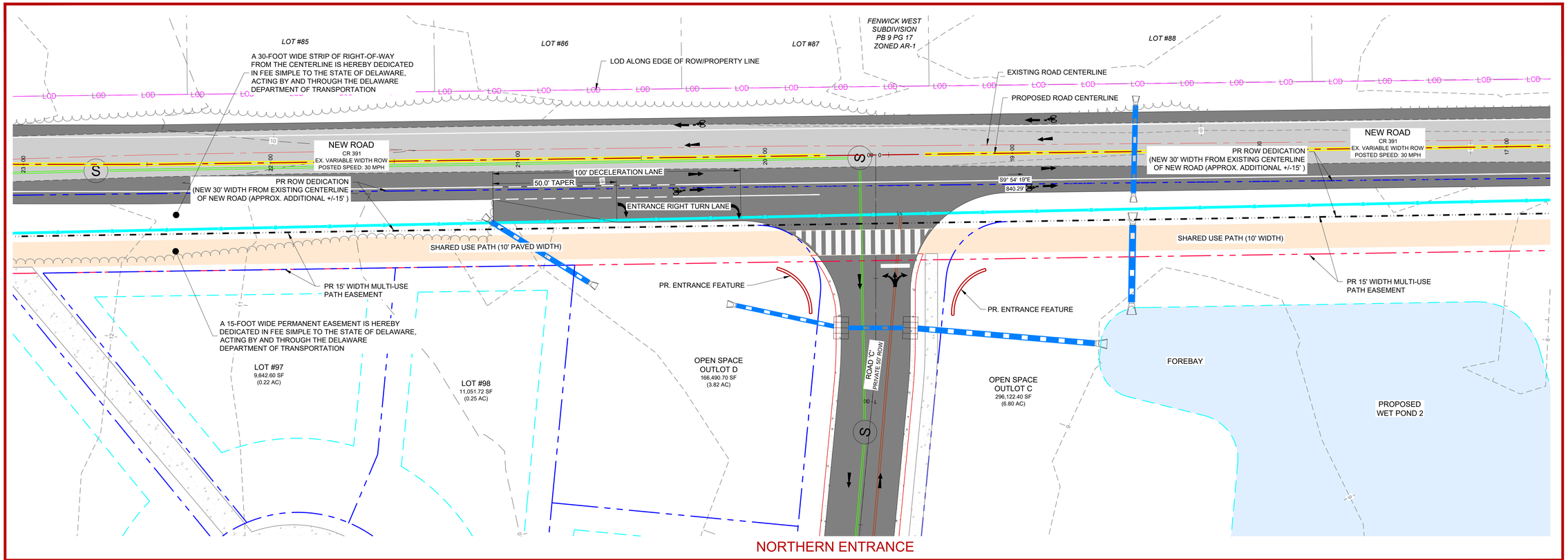
Ph. 410-352-3870 • www.vistadesigninc.com

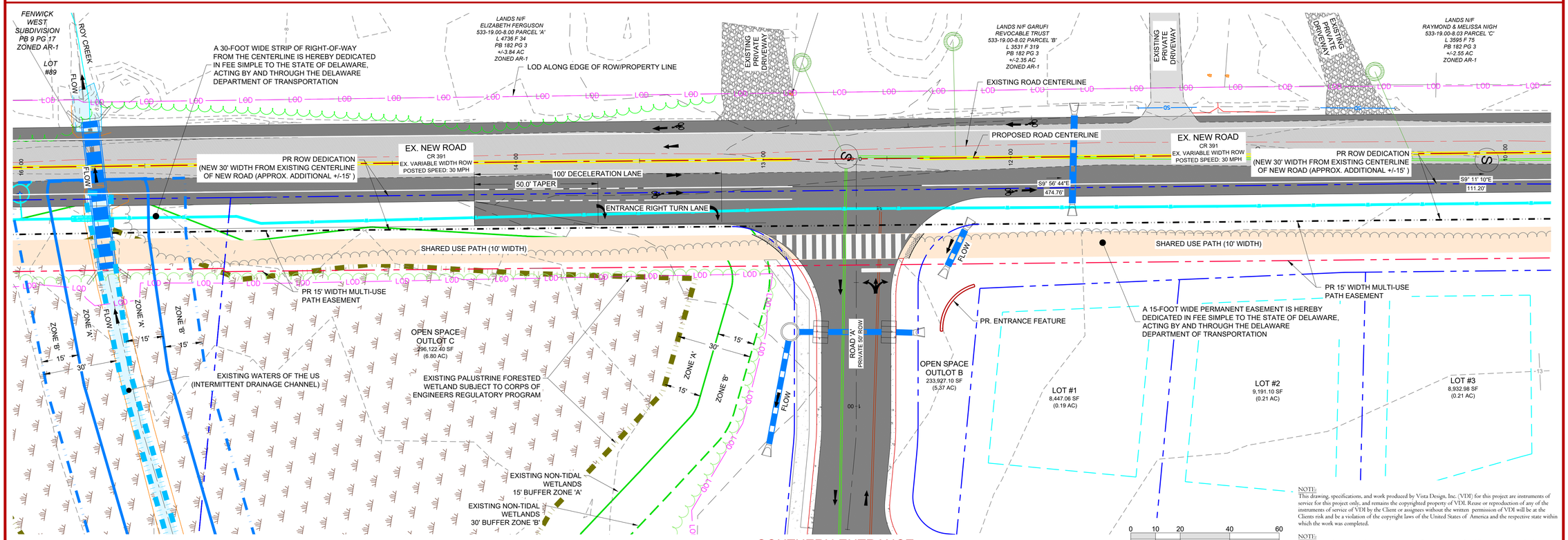
HAROLD F. HOLLOCK
No. 21678
PROFESSIONAL ENGINEER
DELAWARE

Sheet No.:
8 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



NORTHERN ENTRANCE



SOUTHERN ENTRANCE

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: 1" = 20'

PROPOSED ENTRANCE LAYOUT

MARLIN COVE SUBDIVISION

PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
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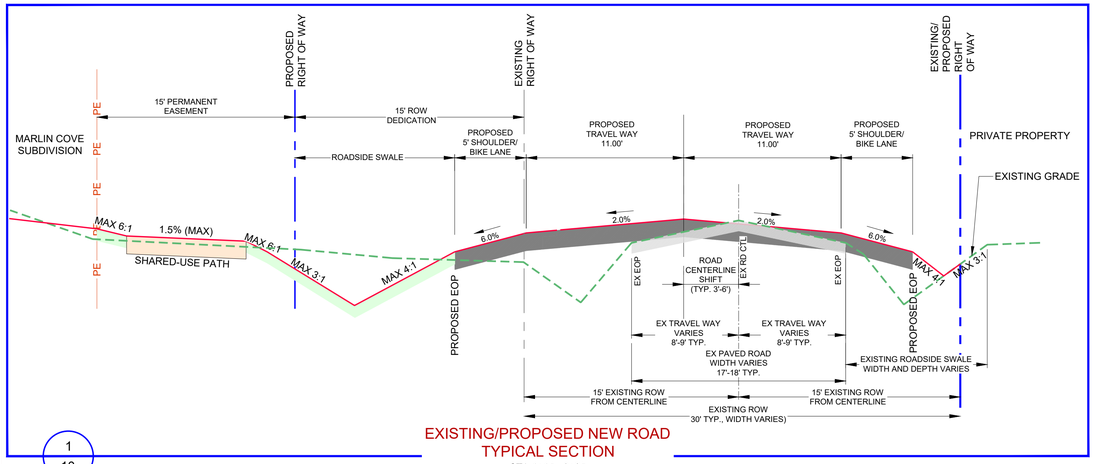
Land Planning Consultants • GIS Services
114 34 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3674 • www.vistadesigninc.com

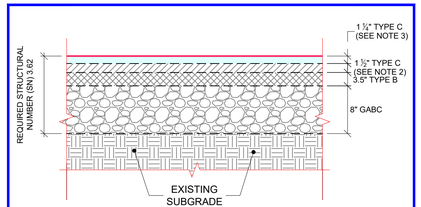
Sheet No.:
9 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN



EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 1+15 - 9+25
N.T.S.

1
10

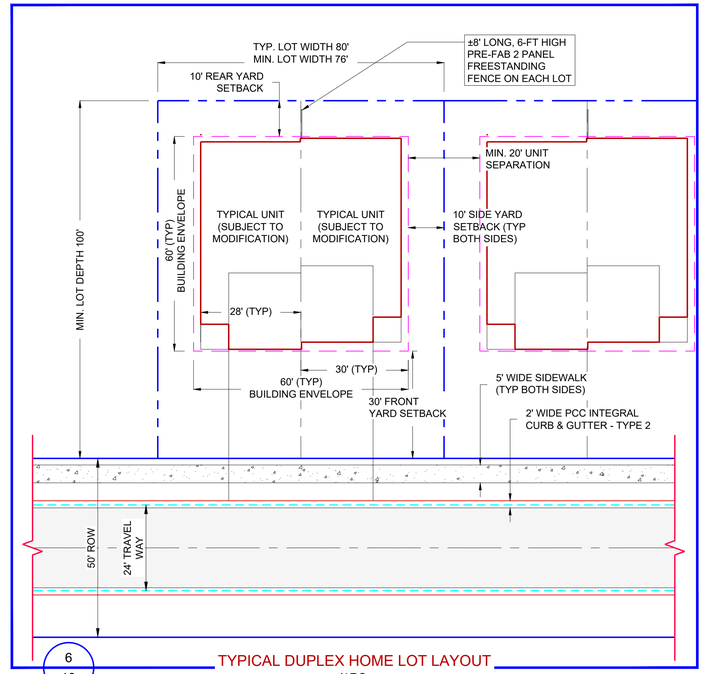


PAVEMENT SECTION

NOTES:
1. VARIATIONS FROM THE SECTIONS PROVIDED MUST BE APPROVED BY DelDOT
2. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED WITH TYPE B GABC.
3. BITUMINOUS CONCRETE (ASPHALT) TYPE C COURSE TO BE INSTALLED JUST PRIOR TO DelDOT ACCEPTANCE.

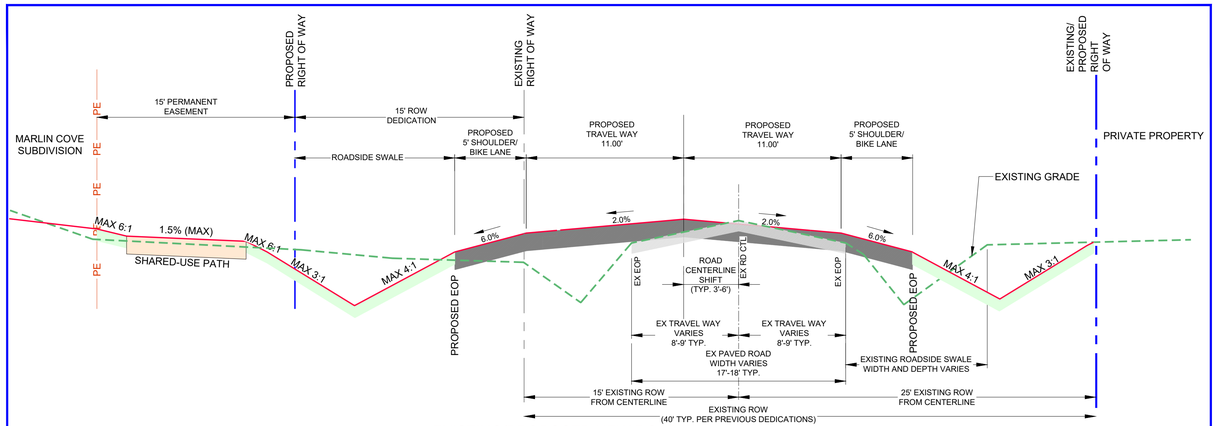
DelDOT PAVEMENT CLASS II
NEW ROAD IMPROVEMENTS
TRAFFIC VOLUME 501 TO 2000 ADT
LESS THAN 15 LIGHT DUTY TRUCKS PER DAY
NOT TO SCALE

5
10



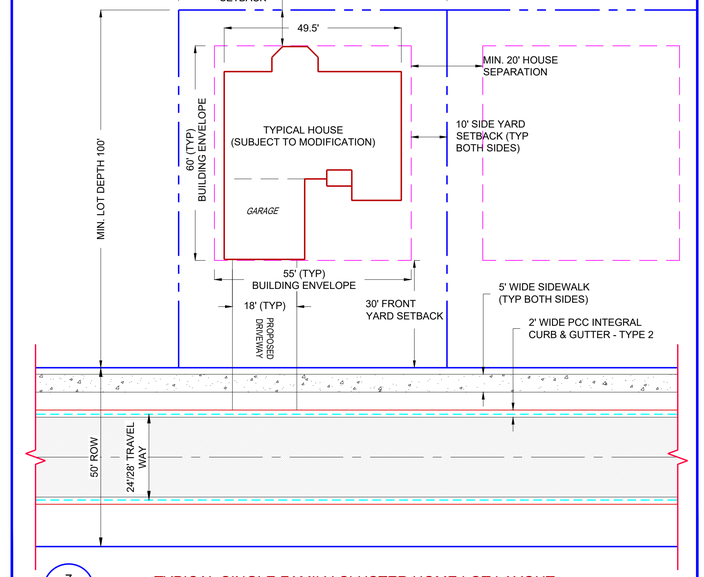
TYPICAL DUPLEX HOME LOT LAYOUT
N.T.S.

6
10



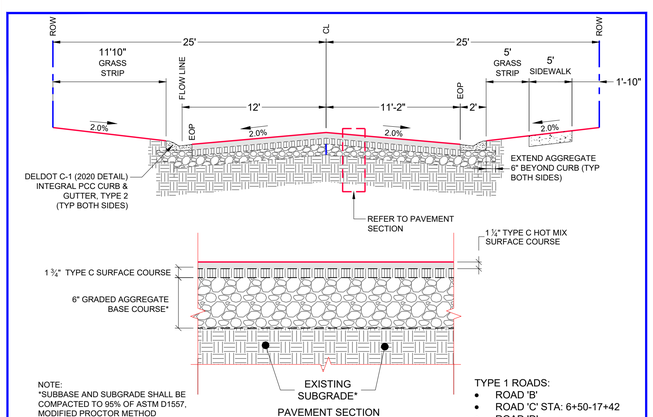
EXISTING/PROPOSED NEW ROAD
TYPICAL SECTION
STA 9+25 - 23+57
N.T.S.

2
10



TYPICAL SINGLE FAMILY CLUSTER HOME LOT LAYOUT
N.T.S.

7
10



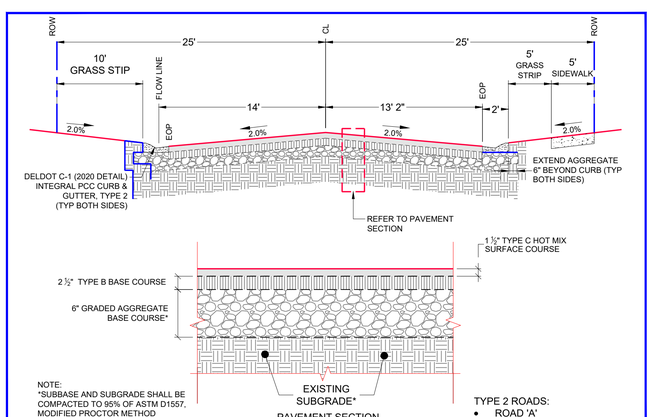
NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 1 ROADS:
- ROAD 'B'
- ROAD 'C' STA: 6+50-17+42
- ROAD 'D'

TYPICAL TYPE 1 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.

3
10



NOTE:
*SUBBASE AND SUBGRADE SHALL BE COMPACTED TO 95% OF ASTM D1557, MODIFIED PROCTOR METHOD

PAVEMENT SECTION

TYPE 2 ROADS:
- ROAD 'A'
- ROAD 'C' 0+00-6+50

TYPICAL TYPE 2 PRIVATE ROAD
CLOSED CROSS SECTION - 50' ROW
N.T.S.

4
10

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NORTH

REVISIONS

PROJECT DATA
Project No.: 20.076
File Name: Prelim Plan 030723.dwg
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE
Date: 6/20/2023
Scale: N.T.S.

TYPICAL SUBDIVISION DETAILS

MARLIN COVE SUBDIVISION
PRELIMINARY SUBDIVISION/ CONDITIONAL USE PLAN

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Showell, MD 21862
Ph. 410-352-3874 • www.vistadesigninc.com

RICHARD F. POLK, JR. REGISTERED PROFESSIONAL ENGINEER NO. 19849 STATE OF DELAWARE

Sheet No.:
10 of 11

MARLIN COVE SUBDIVISION - PRELIMINARY SUBDIVISION/CONDITIONAL USE PLAN

Line Table		
Line #	Length	Direction
L1	80.93	S80° 43' 44"W
L2	15.94	S86° 07' 54"W
L3	4.13	S3° 52' 53"E
L4	80.00	S3° 52' 53"E
L5	111.13	N86° 07' 54"E
L6	80.77	S11° 46' 38"E
L7	100.02	N86° 07' 54"E
L8	77.27	S3° 52' 53"E
L9	121.24	S82° 06' 51"W
L10	8.23	S9° 51' 48"E
L11	67.05	S11° 46' 38"E
L12	54.10	S25° 03' 57"E
L13	29.98	N72° 07' 22"E
L14	72.13	N80° 08' 12"E
L15	76.47	S9° 51' 48"E
L16	54.41	S9° 51' 48"E
L17	100.00	N80° 08' 12"E
L18	80.00	S9° 51' 48"E
L19	80.00	S9° 51' 48"E
L20	100.00	N80° 08' 12"E
L21	80.00	S9° 51' 48"E
L22	80.00	S9° 51' 48"E
L23	100.00	N80° 08' 12"E
L24	80.00	S9° 51' 48"E
L25	80.00	S9° 51' 48"E
L26	100.00	N80° 08' 12"E
L27	80.00	S9° 51' 48"E
L28	80.00	S9° 51' 48"E
L29	100.00	N80° 08' 12"E
L30	80.00	S9° 51' 48"E
L31	80.00	S9° 51' 48"E
L32	100.00	N80° 08' 12"E
L33	80.00	S9° 51' 48"E
L34	80.00	S9° 51' 48"E
L35	100.00	N80° 08' 12"E
L36	80.00	S9° 51' 48"E
L37	47.76	S9° 51' 48"E
L38	100.00	S87° 56' 47"E
L39	47.76	S9° 51' 48"E
L40	100.00	S52° 49' 47"E
L41	100.00	S82° 24' 06"E
L42	100.00	S23° 15' 28"E
L43	28.52	S85° 46' 20"W
L44	100.00	S4° 13' 40"E
L45	28.52	S85° 46' 20"W
L46	80.00	S85° 46' 20"W
L47	100.00	S4° 13' 40"E
L48	80.00	S85° 46' 20"W
L49	56.85	S85° 46' 20"W
L50	100.00	S4° 19' 48"W
L51	56.85	S85° 46' 20"W
L52	100.00	S33° 54' 07"W
L53	100.00	S63° 28' 26"W
L54	17.66	S3° 28' 50"E
L55	100.00	S86° 31' 10"W
L56	17.66	N3° 28' 50"W
L57	80.00	N3° 28' 50"W
L58	100.00	S86° 31' 10"W
L59	80.00	N3° 28' 50"W
L60	80.00	N3° 28' 50"W
L61	100.00	S86° 31' 10"W
L62	80.00	N3° 28' 50"W
L63	80.00	N3° 28' 50"W
L64	100.00	S86° 31' 10"W
L65	80.00	N3° 28' 50"W
L66	80.00	N3° 28' 50"W
L67	100.00	S86° 31' 10"W
L68	80.00	N3° 28' 50"W
L69	80.00	N3° 28' 50"W
L70	100.00	S86° 31' 10"W
L71	80.00	N3° 28' 50"W
L72	80.00	N3° 28' 50"W
L73	100.00	S86° 31' 10"W
L74	80.00	N3° 28' 50"W
L75	80.00	N3° 28' 50"W
L76	100.00	S86° 31' 10"W
L77	80.00	N3° 28' 50"W
L78	80.00	N3° 28' 50"W
L79	100.00	S86° 31' 10"W
L80	80.00	N3° 28' 50"W
L81	80.00	N3° 28' 50"W
L82	100.00	S86° 31' 10"W
L83	80.00	N3° 28' 50"W
L84	80.00	N3° 28' 50"W
L85	100.00	S86° 31' 10"W
L86	80.00	N3° 28' 50"W
L87	80.00	N3° 28' 50"W
L88	100.00	S86° 31' 10"W
L89	80.00	N3° 28' 50"W
L90	14.42	N3° 28' 50"W
L91	153.17	N80° 47' 47"W
L92	142.52	S80° 47' 47"E
L93	7.62	N86° 07' 54"E
L94	3.82	S3° 53' 40"E
L95	80.00	N3° 53' 56"W
L96	99.98	S86° 07' 54"W
L97	80.00	N3° 52' 06"W
L98	99.94	S86° 07' 54"W
L99	80.00	N3° 53' 00"W
L100	100.00	S86° 07' 54"W
L101	80.00	N3° 52' 06"W
L102	2.18	N3° 53' 00"W

Line Table		
Line #	Length	Direction
L103	17.32	N25° 03' 57"W
L104	112.18	S64° 56' 03"W
L105	21.19	N32° 25' 45"W
L106	85.47	S3° 52' 06"E
L107	36.77	S25° 03' 57"E
L108	44.57	S9° 51' 48"E
L109	100.00	N80° 08' 12"E
L110	20.92	S9° 51' 48"E
L111	53.47	S32° 25' 45"E
L112	80.00	N9° 51' 48"W
L113	100.00	N80° 08' 12"E
L114	80.00	N9° 51' 48"W
L115	80.00	N9° 51' 48"W
L116	100.00	N80° 08' 12"E
L117	80.00	N9° 51' 48"W
L118	80.00	N9° 51' 48"W
L119	100.00	N80° 08' 12"E
L120	80.00	N9° 51' 48"W
L121	80.00	N9° 51' 48"W
L122	100.00	N80° 08' 12"E
L123	80.00	N9° 51' 48"W
L124	80.00	N9° 51' 48"W
L125	100.00	N80° 08' 12"E
L126	80.00	N9° 51' 48"W
L127	111.04	N9° 51' 48"W
L128	110.19	N79° 42' 49"W
L129	54.84	N9° 51' 48"W
L130	26.57	N9° 51' 48"W
L131	10.60	N85° 46' 20"E
L132	116.46	N30° 03' 26"W
L133	154.77	S85° 46' 20"W
L134	129.52	N33° 12' 36"E
L135	6.62	S85° 46' 20"W
L136	79.05	N3° 28' 50"W
L137	100.00	S86° 31' 10"W
L138	3.07	N3° 28' 50"W
L139	80.00	S3° 28' 50"E
L140	100.00	S86° 31' 10"W
L141	80.00	S3° 28' 50"E
L142	80.00	S3° 28' 50"E
L143	100.00	S86° 31' 10"W
L144	80.00	S3° 28' 50"E
L145	80.00	S3° 28' 50"E
L146	100.00	S86° 31' 10"W
L147	80.00	S3° 28' 50"E
L148	80.00	S3° 28' 50"E
L149	100.00	S86° 31' 10"W
L150	80.00	S3° 28' 50"E
L151	80.00	S3° 28' 50"E
L152	100.00	S86° 31' 10"W
L153	80.00	S3° 28' 50"E
L154	80.00	S3° 28' 50"E
L155	100.00	S86° 31' 10"W
L156	80.00	S3° 28' 50"E
L157	80.00	S3° 28' 50"E
L158	100.00	S86° 31' 10"W
L159	80.00	S3° 28' 50"E
L160	80.00	S3° 28' 50"E
L161	100.00	S86° 31' 10"W
L162	80.00	S3° 28' 50"E
L163	80.00	S3° 28' 50"E
L164	100.00	S86° 31' 10"W
L165	80.00	S3° 28' 50"E
L166	80.00	S3° 28' 50"E
L167	100.00	S86° 31' 10"W
L168	80.00	S3° 28' 50"E
L169	10.52	S3° 28' 50"E
L170	70.64	N3° 48' 18"W
L171	104.87	N3° 48' 18"W
L172	36.30	S84° 39' 47"W
L173	75.00	S84° 39' 47"W
L174	100.00	S5° 20' 13"E
L175	75.00	N84° 39' 47"E
L176	100.00	S5° 20' 13"E
L177	75.00	S84° 39' 47"W
L178	100.00	S5° 20' 13"E
L179	75.00	S84° 39' 47"W
L180	75.00	S84° 39' 47"W
L181	100.00	S5° 20' 13"E
L182	75.00	S84° 39' 47"W
L183	75.00	S84° 39' 47"W
L184	100.00	S5° 20' 13"E
L185	75.00	S84° 39' 47"W
L186	75.00	S84° 39' 47"W
L187	100.00	S5° 20' 13"E
L188	75.00	S84° 39' 47"W
L189	75.00	S84° 39' 47"W
L190	100.00	S5° 20' 13"E
L191	75.00	S84° 39' 47"W
L192	75.00	S84° 39' 47"W
L193	100.00	S5° 20' 13"E
L194	75.00	S84° 39' 47"W
L195	75.00	S84° 39' 47"W
L196	100.00	S5° 20' 13"E
L197	75.00	S84° 39' 47"W
L198	75.00	S84° 39' 47"W
L199	100.00	S5° 20' 13"E
L200	75.00	S84° 39' 47"W
L201	75.00	S84° 39' 47"W
L202	100.00	S5° 20' 13"E
L203	75.00	S84° 39' 47"W
L204	75.00	S84° 39' 47"W

Line Table		
Line #	Length	Direction
L205	100.00	S5° 20' 13"E
L206	75.00	S84° 39' 47"W
L207	75.00	S84° 39' 47"W
L208	100.00	S5° 20' 13"E
L209	75.00	S84° 39' 47"W
L210	68.11	S84° 39' 47"W
L211	100.00	S2° 47' 25"E
L212	68.11	S84° 39' 47"W
L213	100.00	S24° 56' 00"W
L214	100.00	S52° 39' 26"W
L215	100.00	S80° 22' 51"W
L216	25.81	N8° 33' 55"E
L217	100.00	N81° 26' 05"W
L218	25.81	S8° 33' 55"W
L219	75.00	N8° 33' 55"E
L220	100.00	N81° 26' 05"W
L221	75.00	N8° 33' 55"E
L222	75.00	N8° 33' 55"E
L223	100.00	N81° 26' 05"W
L224	75.00	N8° 33' 55"E
L225	75.00	N8° 33' 55"E
L226	100.00	N81° 26' 05"W
L227	75.00	N8° 33' 55"E
L228	75.00	N8° 33' 55"E
L229	100.00	N81° 26' 05"W
L230	75.00	N8° 33' 55"E
L231	35.92	N8° 33' 55"E
L232	100.00	S66° 59' 25"E
L233	35.92	N8° 33' 55"E
L234	100.00	S39° 15' 59"E
L235	100.00	S11° 32' 34"E
L236	54.07	N86° 11' 42"E
L237	100.00	S3° 48' 18"E
L238	54.07	S86° 11' 42"W
L239	75.00	N86° 11' 42"E
L240	100.00	S3° 48' 18"E
L241	75.00	N86° 11' 42"E
L242	75.00	N86° 11' 42"E
L243	100.00	S3° 48' 18"E
L244	75.00	N86° 11' 42"E
L245	75.00	N86° 11' 42"E
L246	100.00	S3° 48' 18"E
L247	75.00	N86° 11' 42"E
L248	75.00	N86° 11' 42"E
L249	100.00	S3° 48' 18"E
L250	75.00	N86° 11' 42"E
L251	75.00	N86° 11' 42"E
L252	100.00	S3° 48' 18"E
L253	75.00	N86° 11' 42"E
L254	75.00	N86° 11' 42"E
L255	100.00	S3° 48' 18"E
L256	75.00	N86° 11' 42"E
L257	75.00	N86° 11' 42"E
L258	100.00	S3° 48' 18"E
L259	75.00	N86° 11' 42"E
L260	75.00	N86° 11' 42"E
L261	100.00	S3° 48' 18"E
L262	75.00	N86° 11' 42"E
L263	75.00	N86° 11' 42"E
L264	100.00	S3° 48' 18"E
L265	75.00	N86° 11' 42"E
L266	75.00	N86° 11' 42"E
L267	100.00	S3° 48' 18"E
L268	75.00	N86° 11' 42"E
L269	75.00	N86° 11' 42"E
L270	100.00	S3° 48' 18"E
L271	75.00	N86° 11' 42"E
L272	51.50	N86° 11' 42"E
L273	75.00	N3° 48' 18"W
L274	76.50	N86° 11' 42"E
L275	50.00	N86° 11' 42"E
L276	75.00	N3° 48' 18"W
L277	51.50	N86° 11' 42"E
L278	100.00	S3° 48' 18"E
L279	76.50	N86° 11' 42"E
L280	75.00	N86° 11' 42"E
L281	100.00	S3° 48' 18"E
L282	75.00	N86° 11' 42"E
L283	75.00	N86° 11' 42"E
L284	100.00	S3° 48' 18"E
L285	75.00	N86° 11' 42"E
L286	75.00	S86° 11' 42"W
L287	100.00	S3° 48' 18"E
L288	75.00	N86° 11' 42"E
L289	75.00	N86° 11' 42"E
L290	100.00	S3° 48' 18"E
L291	75.00	N86° 11' 42"E
L292	8.59	S86° 11' 42"W
L293	140.09	N41° 30' 16"E
L294	17.31	N10° 07' 45"W
L295	143.96	N86° 11' 42"E
L296	30.29	S76° 18' 37"E
L297	75.93	N86° 11' 42"E
L298	142.60	N10° 07' 45"W
L299	130.38	N41° 30' 16"E
L300	44.00	N3° 48' 18"W
L301	75.00	N86° 11' 42"E
L302	96.66	N86° 11' 42"E
L303	72.49	S10° 07' 45"E
L304	90.00	S86° 11' 42"W
L305	100.00	S3° 48' 18"E
L306	75.00	N86° 11' 42"E

Line Table		
Line #	Length	Direction
L307	75.00	N86° 11' 42"E
L308	75.00	S86° 11' 42"W
L309	100.00	S3° 48' 18"E
L310	75.00	N86° 11' 42"E
L311	75.00	S86° 11' 42"W
L312	100.00	S3° 48' 18"E
L313	75.00	N86° 11' 42"E
L314	51.50	S86° 11' 42"W
L315	75.00	S3° 48' 18"E
L316	76.50	S86° 11' 42"W
L317	75.00	S3° 48' 18"E
L318	51.50	N86° 11' 42"E
L319	100.00	S3° 48' 18"E
L320	75.00	N86° 11' 42"E
L321	100.00	S3° 48' 18"E
L322	75.00	N86° 11' 42"E
L323	100.00	S3° 48' 18"E
L324	75.00	N86° 11' 42"E
L325	100.00	S3° 48' 18"E
L326	75.00	N86° 11' 42"E
L327	100.00	S3° 48' 18"E
L328	75.00	N86° 11' 42"E
L329	100.00	S3° 48' 18"E
L330	122.84	N86° 11' 42"E
L331	128.38	N86° 11' 42"E
L332	75.00	N86° 11' 42"E
L333	100.00	S3° 48' 18"E
L334	75.00	N86° 11' 42"E
L335	100.00	S3° 48' 18"E
L336	75.00	N86° 11' 42"E
L337	100.00	S3° 48' 18"E
L338	75.00	N86° 11' 42"E
L339	75.00	N86° 11' 42"E
L340	100.00	S3° 48' 18"E
L341	75.00	N86° 11' 42"E
L342	75.00	N86° 11' 42"E
L343	100.00	S3° 48' 18"E
L344	75.00	N86° 11' 42"E
L345	75.00	N86° 11' 42"E
L346	100.00	S3° 48' 18"E
L347	75.00	N86° 11' 42"E
L348	51.50	N86° 11' 42"E
L349	75.00	N3° 48' 18"W
L350	76.50	N86° 11' 42"E
L351	13.06	N3° 48' 18"W
L352	286.46	N3° 48' 18"W
L353	100.00	N86° 11' 42"E
L354	283.86	N3° 48' 18"W
L355	100.03	N87° 40' 52"E
L356	6.73	N3° 48' 18"W
L357	70.71	N3° 48' 18"W
L358	398.19	N80° 47' 47"W
L359	98.60	S86° 07' 54"W
L360	80.46	S80° 43' 44"W
L361	25.70	S3° 48' 18"E
L362	75.70	N3° 48' 18"W
L363	51.51	S84° 39' 47"W
L364	100.00	N5° 20' 13"W
L365	78.53	N84° 39' 47"E
L366	75.00	S84° 39' 47"W
L367	100.00	N5° 20' 13"W
L368	75.00	S84° 39' 47"W
L369	75.00	S84° 39' 47"W
L370	100.00	N5° 20' 13"W
L371	75.00	S84° 39' 47"W
L372	75.00	S84° 39' 47"W
L373	100.00	N5° 20' 13"W
L374	75.00	S84° 39' 47"W
L375	75.00	S84° 39' 47"W
L376	100.00	N5° 20' 13"W
L377	75.00	S84° 39' 47"W
L378	75.00	S84° 39' 47"W
L379	100.00	N5° 20' 13"W
L380	75.00	S84° 39' 47"W
L381	75.00	S84° 39' 47"W
L382	100.00	N5° 20' 13"W
L383	75.00	S84° 39' 47"W
L384	75.00	S84° 39' 47"W
L385	100.00	N5° 20' 13"W
L386	75.00	S84° 39' 47"W
L387	75.00	S84° 39' 47"W
L388	100.00	N5° 20' 13"W
L389	75.00	S84° 39' 47"W
L390	75.00	S84° 39' 47"W
L391	100.00	N5° 20' 13"W
L392	75.00	S84° 39' 47"W
L393	75.00	S84° 39' 47"W
L394	100.00	N5° 20' 13"W
L395	75.00	S84° 39' 47"W
L396	75.00	S84° 39' 47"W
L397	100.00	N5° 20' 13"W
L398	75.00	S84° 39' 47"W
L399	75.00	S84° 39' 47"W
L400	100.00	N5° 20' 13"W
L401	75.00	S84° 39' 47"W
L402	55.57	N84° 39' 47"E
L403	26.77	S8° 33' 55"W
L404	79.10	N81° 26' 05"W
L405	45.16	S84° 39' 47"W
L406	75.00	N8° 33' 55"E
L407	100.00	N81° 26' 05"W
L408	22.26	S8° 33' 55"W

Line Table		
Line #	Length	Direction
L409	47.76	S20° 08' 18"E
L410	60.37	N8° 33' 55"E
L411	51.87	N81° 26' 05"W
L412	86.91	S8° 33' 55"W
L413	127.16	S86° 11' 42"W
L414	75.00	S86° 11' 42"W
L415	100.00	N3° 48' 18"W
L416	75.00	S86° 11' 42"W
L417	100.00	N3° 48' 18"W
L418	75.00	S86° 11' 42"W
L419	100.00	N3° 48' 18"W
L420	75.00	S86° 11' 42"W
L421	75.00	S86° 11' 42"W
L422	100.00	N3° 48' 18"W
L423	75.00	S86° 11' 42"W
L424	75.00	S86° 11' 42"W
L425	100.00	N3° 48' 18"W
L426	75.00	S86° 11' 42"W
L427	75.00	S86° 11' 42"W
L428	100.00	N3° 48' 18"W
L429	75.00	S86° 11' 42"W
L430	75.00	S86° 11' 42"W
L431	100.00	N3° 48' 18"W
L432	75.00	S86° 11' 42"W
L433	75.00	S86° 11' 42"W
L434	100.00	N3° 48' 18"W
L435	75.00	S86° 11' 42"W
L436	75.00	S86° 11' 42"W
L437	100.00	N3° 48' 18"W
L438	75.00	S86° 11' 42"W
L439	75.00	S86° 11' 42"W
L440	100.00	N3° 48' 18"W
L441	75.00	S86° 11' 42"W
L442	75.00	S86° 11' 42"W
L443	100.00	N3° 48' 18"W
L444	75.00	S86° 11' 42"W
L445	51.50	S86° 11' 42"W
L446	75.00	S3° 48' 18"E
L447	76.50	S86° 11' 42"W
L448	75.00	N3° 48' 18"W
L449	51.50	N86° 11' 42"E
L450	100.00	N3° 48' 18"W
L451	76.50	S86° 10' 11"W
L452	75.00	S86° 11' 42"W
L453	100.00	N3° 48' 18"W
L454	75.00	S86° 11' 42"W
L455	75.00	S86° 11' 42"W
L456	100.00	N3° 48' 18"W
L457	75.00	S86° 11' 42"W
L458	75.00	S86° 11' 42"W
L459	100.00	N3° 48' 18"W
L460	75.00	S86° 11' 42"W
L461	75.00	S86° 11' 42"W
L462	100.00	N3° 48' 18"W
L463	75.00	S86° 11' 42"W
L464	75.00	S86° 11' 42"W
L465	100.00	N3° 48' 18"W
L466	75.00	S86° 11' 42"W
L467	75.00	S86° 11' 42"W
L468	100.00	N3° 48' 18"W
L469	75.00	S86° 11' 42"W
L470	75.00	S86° 11' 42"W
L471	100.00	N3° 48' 18"W
L472	75.00	S86° 11' 42"W
L473	75.00	S86° 11' 42"W
L474	100.00	N3° 48' 18"W
L475	75.00	S86° 11' 42"W
L476	75.00	S86° 11' 42"W
L477	100.00	N3° 48' 18"W
L478	75.00	S86° 11' 42"W
L479	75.00	N86° 11' 42"E
L480	100.00	N3° 48' 18"W
L481	75.00	S86° 11' 42"W
L482	97.50	N86° 11' 42"E
L483	82.28	S3° 48' 18"E
L484	28.40	S48° 36' 10"W
L485	75.00	S85° 53' 38"W
L486	29.66	N86° 11' 42"E
L487	51.87	S81° 26' 05"E
L488	64.63	S8° 33' 55"W
L489	114.99	N81° 26' 05"W
L490	34.96	S8° 33' 55"W
L491	54.07	S86° 11' 42"W
L492	100.39	N3° 48' 18"W
L493	75.00	S86° 11' 42"W
L494	100.00	N3° 48' 18"W
L495	75.00	S86° 11' 42"W
L496	100.00	N3° 48' 18"W
L497	75.00	S86° 11' 42"W
L498	100.00	N3° 48' 18"W
L499	75.00	S86° 11' 42"W
L500	100.00	N3° 48' 18"W
L501	75.00	S86° 11' 42"W
L502	100.00	N3° 48' 18"W
L503	75.00	S86° 11' 42"W
L504	100.00	N3° 48' 18"W
L505	75.00	S86° 11' 42"W
L506	100.00	N3° 48' 18"W
L507	75.00	S86° 11' 42"W
L508	100.00	N3° 48' 18"W
L509	75.00	S86° 11' 42"W
L510	100.00	N3° 48' 18"W

Line Table		
Line #	Length	Direction
L511	75.00	S86° 11' 42"W
L512	100.00	N3° 48' 18"W
L513	75.00	S86° 11' 42"W
L514	100.00	N3° 48' 18"W
L515	51.50	S86° 11' 42"W
L516	75.00	S3° 48' 18"E

Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C1	11.79	125.00	5.4028	11.78
C2	23.57	15.00	90.0133	21.22
C3	6.24	75.00	4.7684	6.24
C4	21.49	75.00	16.4159	21.41
C5	11.66	125.00	5.3442	11.66
C6	21.51	125.00	9.8581	21.48
C7	26.00	125.00	11.9169	25.95
C8	46.80	225.00	11.9169	46.71
C9	12.10	125.00	5.5448	12.09
C10	64.52	125.00	29.5720	63.80
C11	116.13	225.00	29.5720	114.84
C12	64.52	125.00	29.5720	63.80
C13	116.13	225.00	29.5720	114.84
C14	41.52	125.00	19.0298	41.33
C15	74.73	225.00	19.0298	74.39
C16	18.67	125.00	8.5578	18.65
C17	33.61	225.00	8.5578	33.58
C18	64.52	125.00	29.5720	63.80
C19	116.13	225.00	29.5720	114.84
C20	64.52	125.00	29.5720	63.80
C21	116.13	225.00	29.5720	114.84
C22	50.28	125.00	23.0455	49.94
C23	90.50	225.00	23.0455	89.89
C24	33.74	25.00	77.3160	31.23
C25	167.97	125.00	76.9914	155.61
C26	28.52	125.00	13.0718	28.46
C27	15.70	10.00	89.9738	14.14
C28	46.25	125.00	21.1975	45.98
C29	19.90	75.00	15.2024	19.84
C30	18.66	50.00	21.3846	18.55
C31	126.89	72.13	100.7924	111.15
C32	42.66	50.00	48.8793	41.37
C33	33.66	73.96	26.0760	33.37
C34	32.01	50.00	36.6782	31.46
C35	22.14	50.00	25.3717	21.96
C36	85.60	73.96	66.3150	80.90
C37	47.18	50.00	54.0691	45.45
C38	44.80	25.00	102.6840	39.04
C39	39.94	25.00	91.5319	35.82
C40	5.56	125.00	2.5467	5.56
C41	10.00	225.00	2.5467	10.00
C42	60.48	125.00	27.7238	59.90
C43	108.87	225.00	27.7238	107.81
C44	60.48	125.00	27.7238	59.90
C45	108.87	225.00	27.7238	107.81
C46	60.48	125.00	27.7238	59.90
C47	108.87	225.00	27.7238	107.81
C48	39.67	125.00	18.1843	39.51
C49	71.41	225.00	18.1843	71.11
C50	31.51	125.00	14.4445	31.43
C51	56.72	225.00	14.4445	56.57
C52	60.48	125.00	27.7238	59.90
C53	108.87	225.00	27.7238	107.81
C54	60.48	125.00	27.7238	59.90
C55	108.87	225.00	27.7238	107.81
C56	16.88	125.00	7.7375	16.87
C57	30.39	225.00	7.7375	30.36
C58	39.27	25.00	90.0000	35.36
C59	39.27	25.00	90.0000	35.36
C60	41.91	53.00	45.3097	40.83
C61	15.21	53.00	16.4405	15.16
C62	42.31	53.00	45.7447	41.20
C63	75.58	53.00	81.7113	69.34
C64	64.06	53.00	69.2576	60.24
C65	23.28	17.01	78.4240	21.51
C66	39.27	25.00	90.0000	35.36
C67	39.27	25.00	90.0000	35.36
C68	39.27	25.00	90.0000	35.36
C69	100.78	75.00	76.9914	93.37
C70	17.11	75.00	13.0718	17.07
C71	7.07	75.00	5.4028	7.07
C72	38.60	25.00	88.4681	34.88
C73	136.01	75.00	103.9023	118.12
C74	39.27	25.00	90.0000	35.36
C75	23.20	175.00	7.5963	23.18
C76	14.58	175.00	4.7741	14.58
C77	39.27	25.00	90.0000	35.36
C78	39.27	25.00	90.0000	35.36
C79	26.99	125.00	12.3704	26.94
C80	39.27	25.00	90.0000	35.36
C81	101.62	75.00	77.6296	94.02
C82	39.27	25.00	90.0000	35.36
C83	39.03	25.00	89.4589	35.19
C84	39.51	25.00	90.5411	35.52
C85	36.51	25.00	83.6759	33.35
C86	42.03	25.00	96.3241	37.25



LOT TABLE			
LOT #	FRONTAGE	LOT AREA (SQ. FT.)	LOT AREA (ACRE)
OPEN SPACE 'A'	ROAD 'A'	54,180.45	1.24
OPEN SPACE 'B'	ROAD 'A'	233,927.14	5.37
OPEN SPACE 'C'	ROAD 'A' & 'C'	296,122.43	6.80
OPEN SPACE 'D'	ROAD 'A' & 'C'	166,490.69	3.82
OPEN SPACE 'E'	ROAD 'A'	28,516.10	0.65
OPEN SPACE 'F'	ROAD 'C'	53,599.60	1.23
1	ROAD 'C'	8,447.06	0.19
2	ROAD 'C'	9,191.10	0.21
3	ROAD 'C'	8,932.98	0.21
4	ROAD 'C'	7,958.68	0.18
5	ROAD 'C'	8,000.00	0.18
6	ROAD 'C'	8,000.00	0.18
7	ROAD 'C'	8,000.00	0.18
8	ROAD 'C'	8,000.00	0.18
9	ROAD 'C'	8,000.00	0.18
10	ROAD 'C'	8,000.00	0.18
11	ROA

MARLIN COVE

(2023-08, CZ 2016, C/U 2459)



Marlin Cove

VISTA DESIGN INC

MARLIN COVE

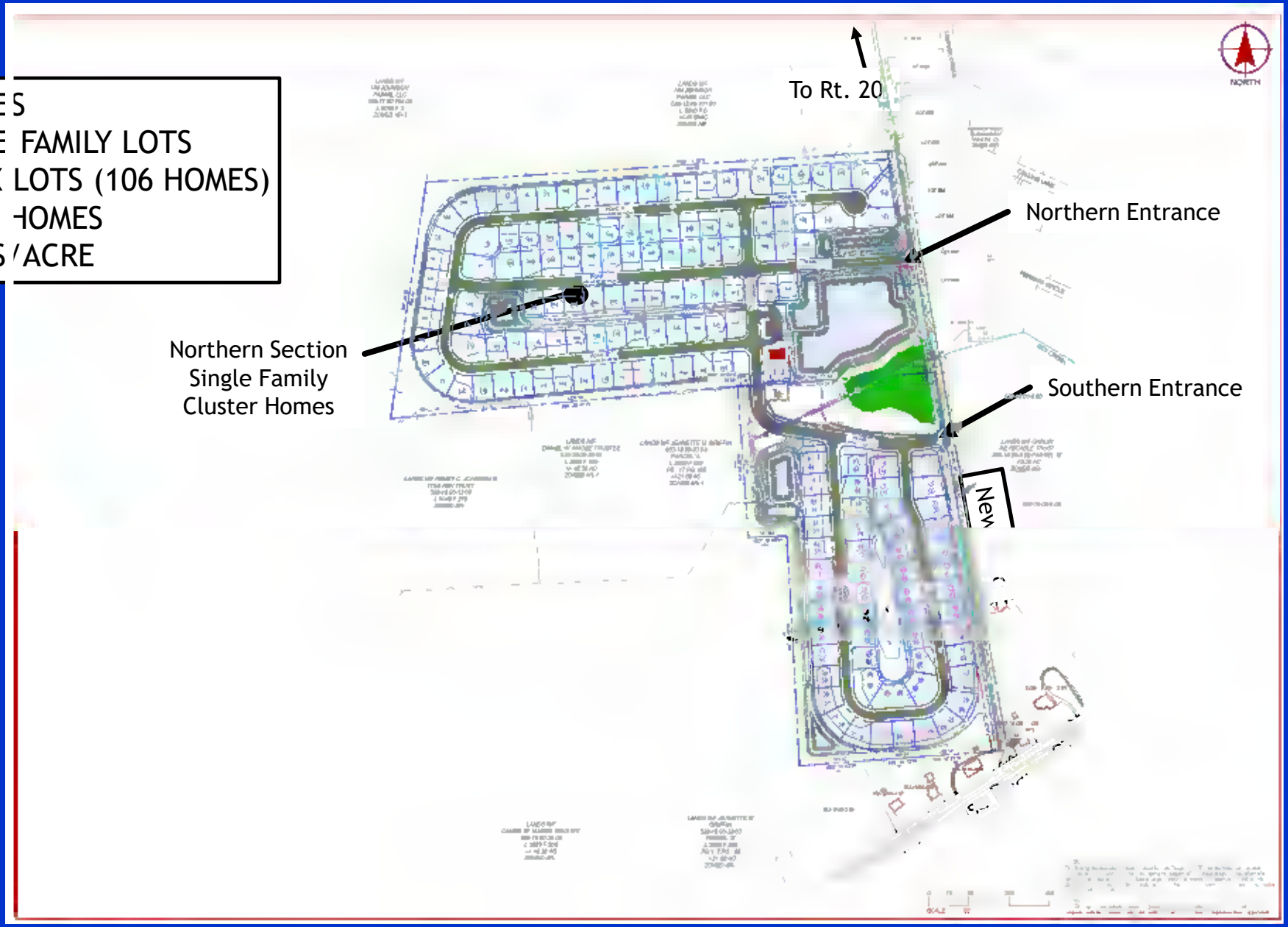
- 3 Existing Parcels located on New Road
  - 533-19.00-(-7.00, -8.01 & -9.00)
- Between Selbyville and Fenwick
- 0.5 miles east of Williamsville
- 100 feet north of Lighthouse Road (DE Rt 54)
- 1,300 feet south of Zion Church Road (DE Rt 20)



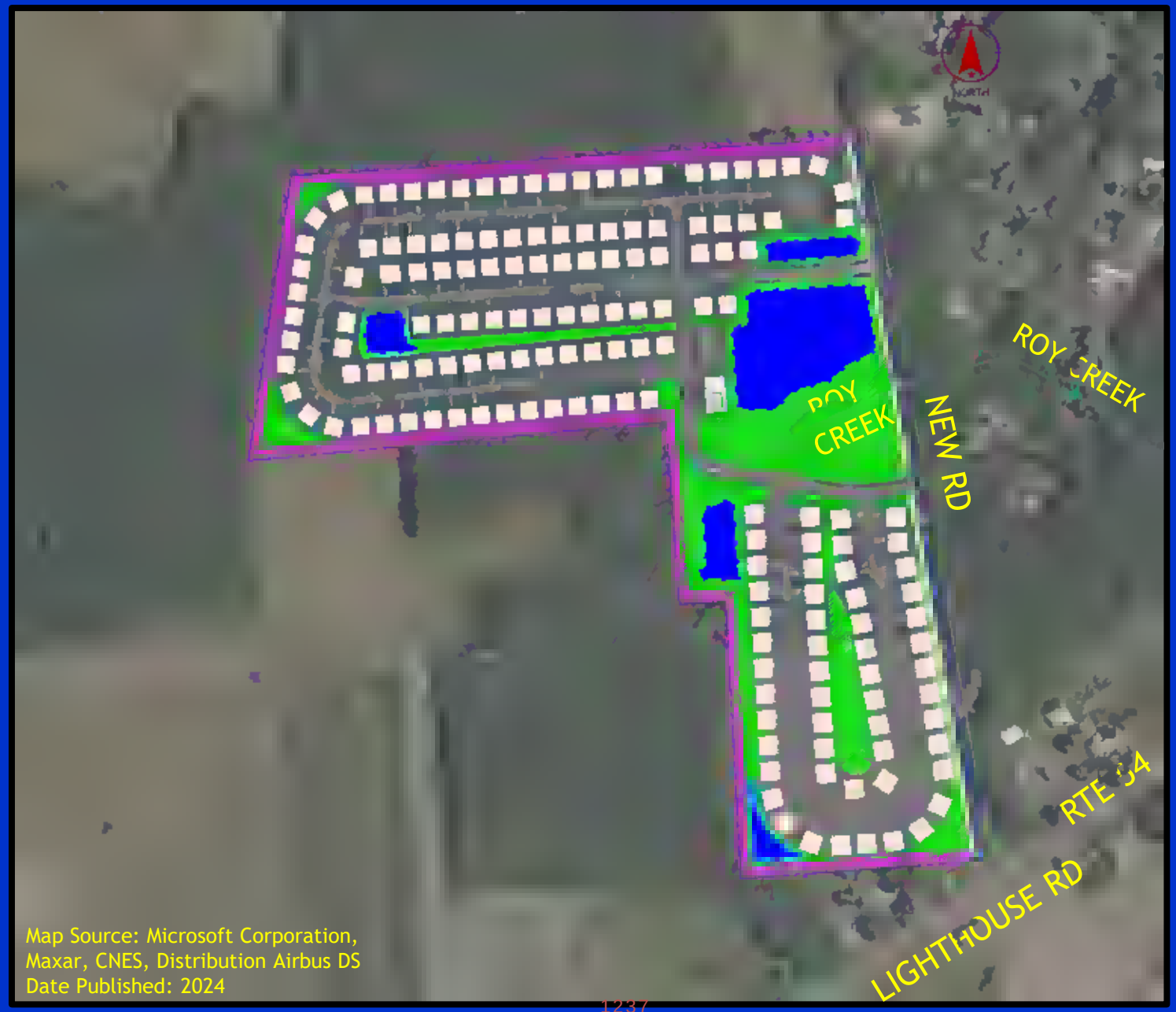
Map Source: ADC The Map People
Sussex County, Delaware
Date Published: 2005

Marlin Cove - Subdivision

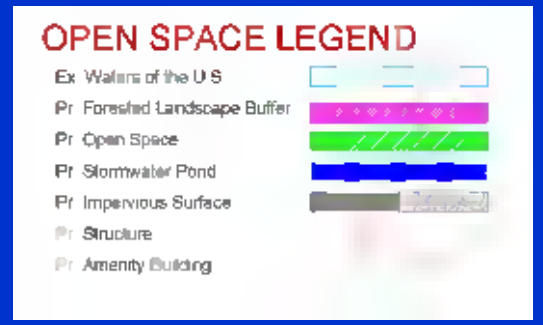
- 60.84 ACRES
- 107 SINGLE FAMILY LOTS
- 53 DUPLEX LOTS (106 HOMES)
- 213 TOTAL HOMES
- 3.50 UNITS/ACRE



MARLIN COVE - PROPOSED COMMUNITY OPEN SPACE

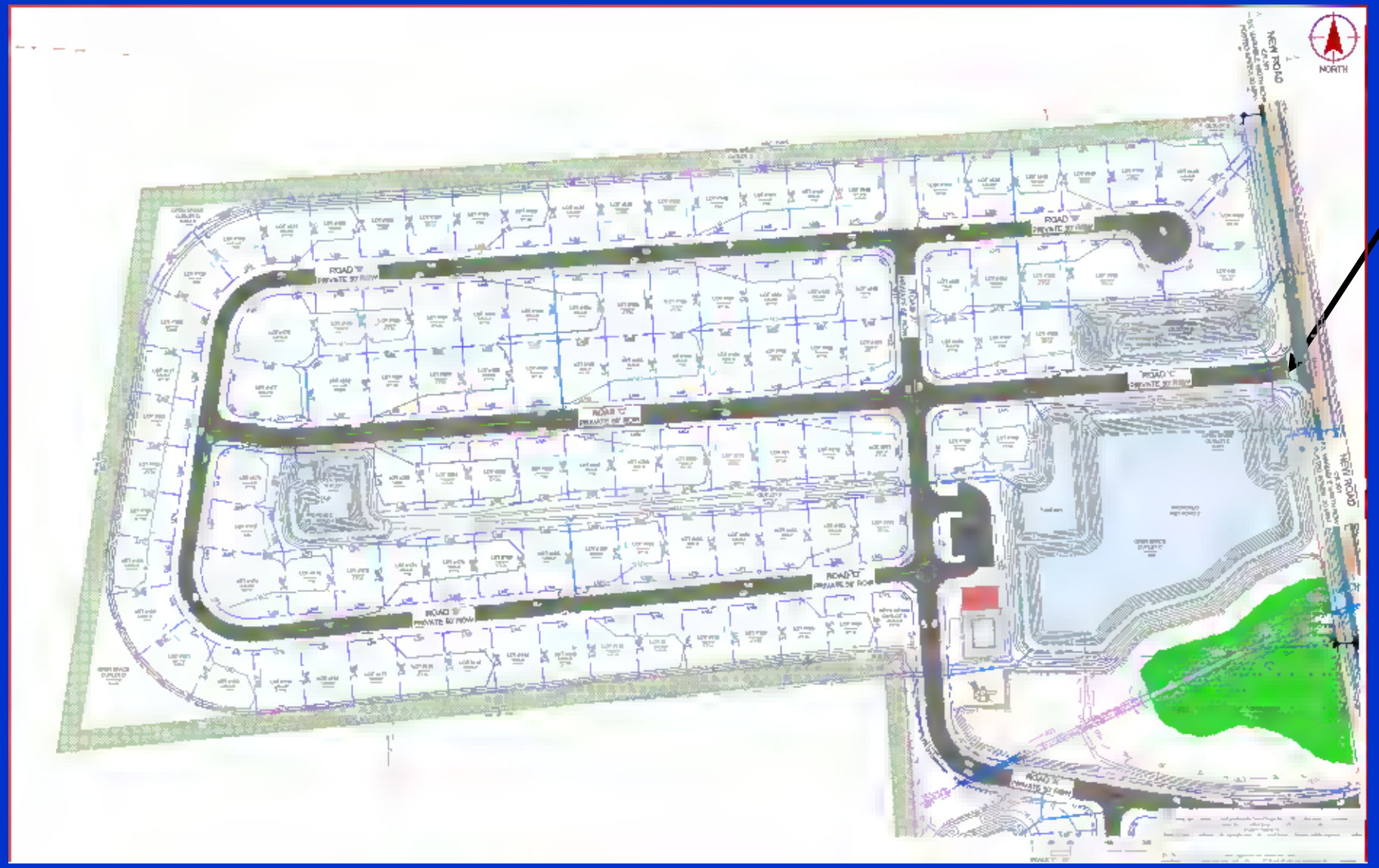


- OPEN SPACE
  - 30% REQUIRED
    - 18.25 AC
  - 32.4% PROVIDED
    - 19.69 AC



MARLIN COVE - NORTHERN SECTION

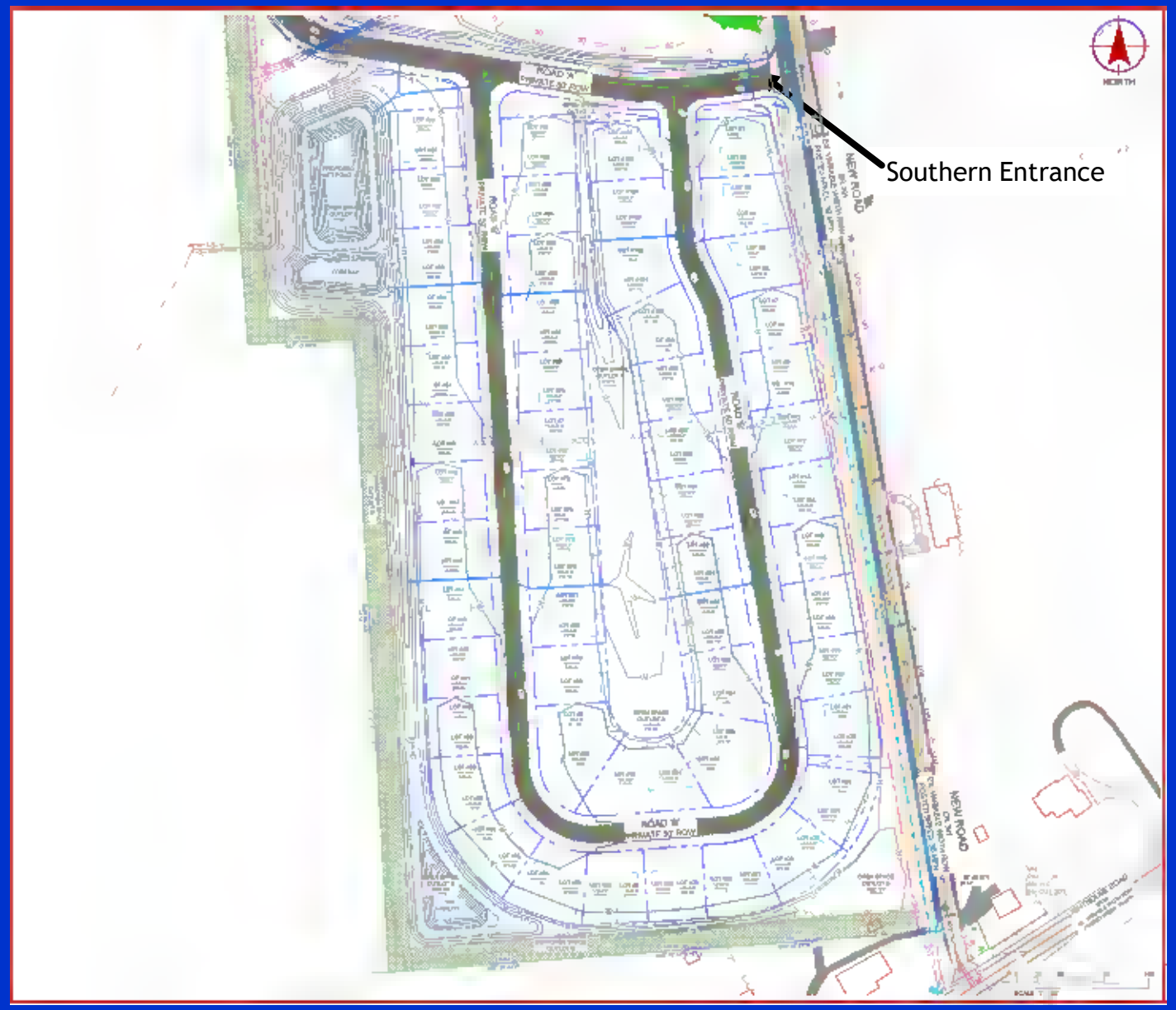
PARCEL 9.00 – 107 SINGLE FAMILY CLUSTER LOTS



Northern Entrance

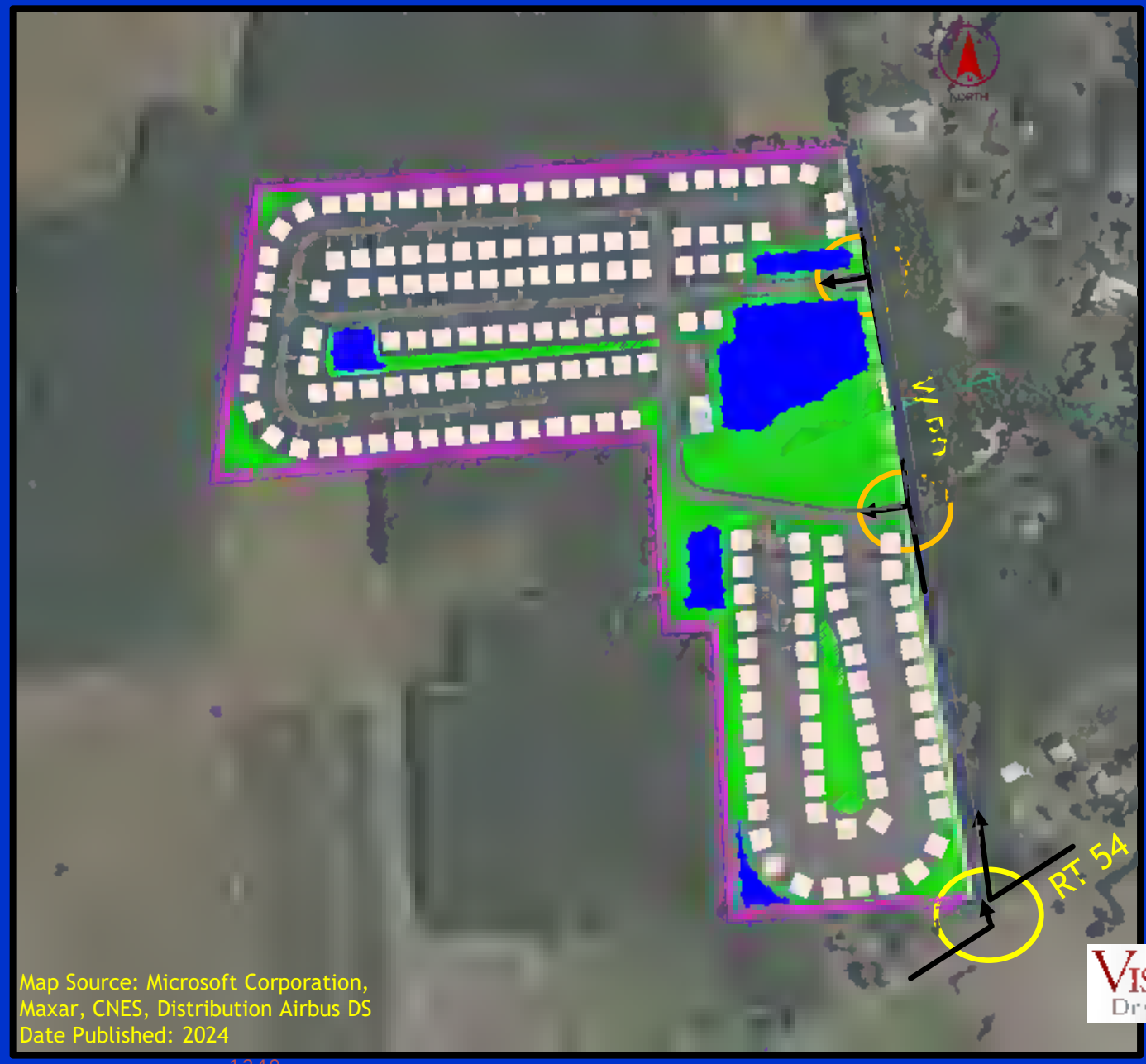
MARLIN COVE - SOUTHERN SECTION

PARCELS 7.00 & 8.01 – 53 DUPLEX LOTS (106 HOMES)



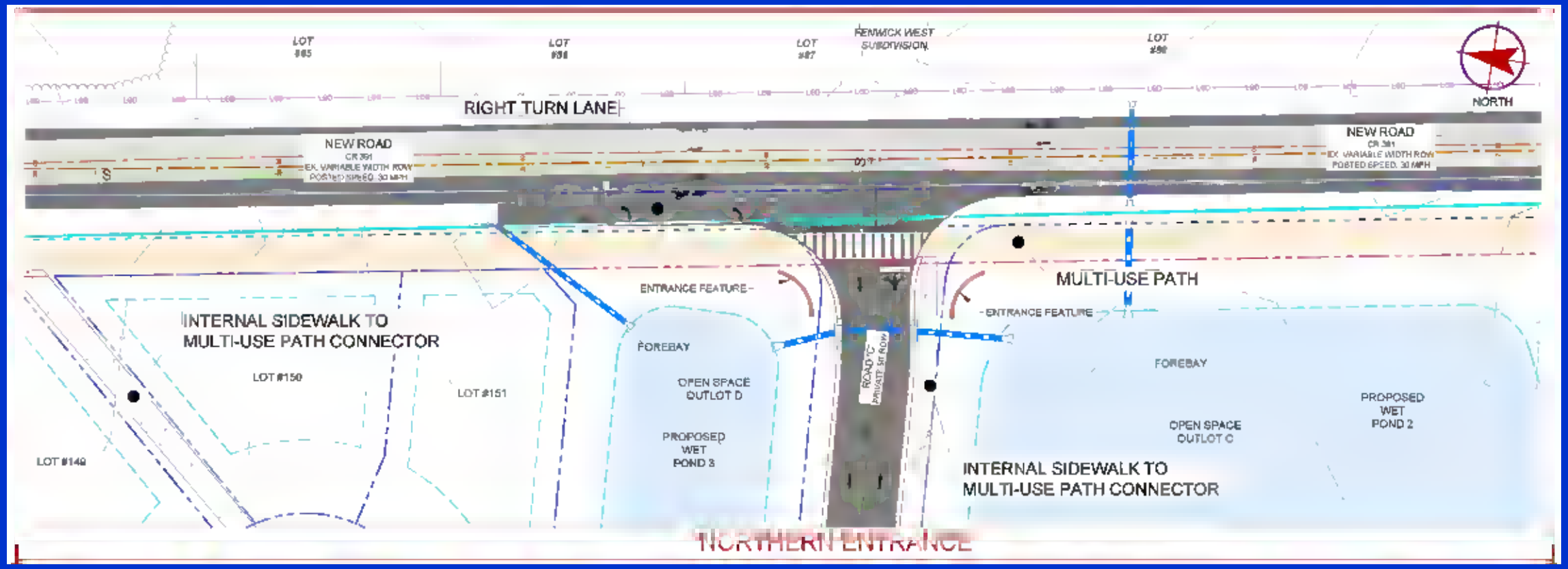
MARLIN COVE - DELDOT IMPROVEMENTS

- PER DELDOT TOA AGREEMENT #1945F ISSUED ARPIL 24, 2023
- FRONTAGE IMPROVEMENTS:
  - ROW DEDICATION
  - WIDENING TO DELDOT STANDARDS ACROSS FRONTAGE
  - SUBDIVISION ENTRANCES EACH WITH RIGHT TURN LANE INTO NEIGHBORHOOD
  - MULTI-USE PATH
- NEW RD/LIGHTHOUSE RD (RT. 54) INTERSECTION:
  - LEFT TURN FROM EASTBOUND RT. 54 TO NEW ROAD
  - RIGHT TURN FROM WESTBOUND RT. 54 TO NEW ROAD

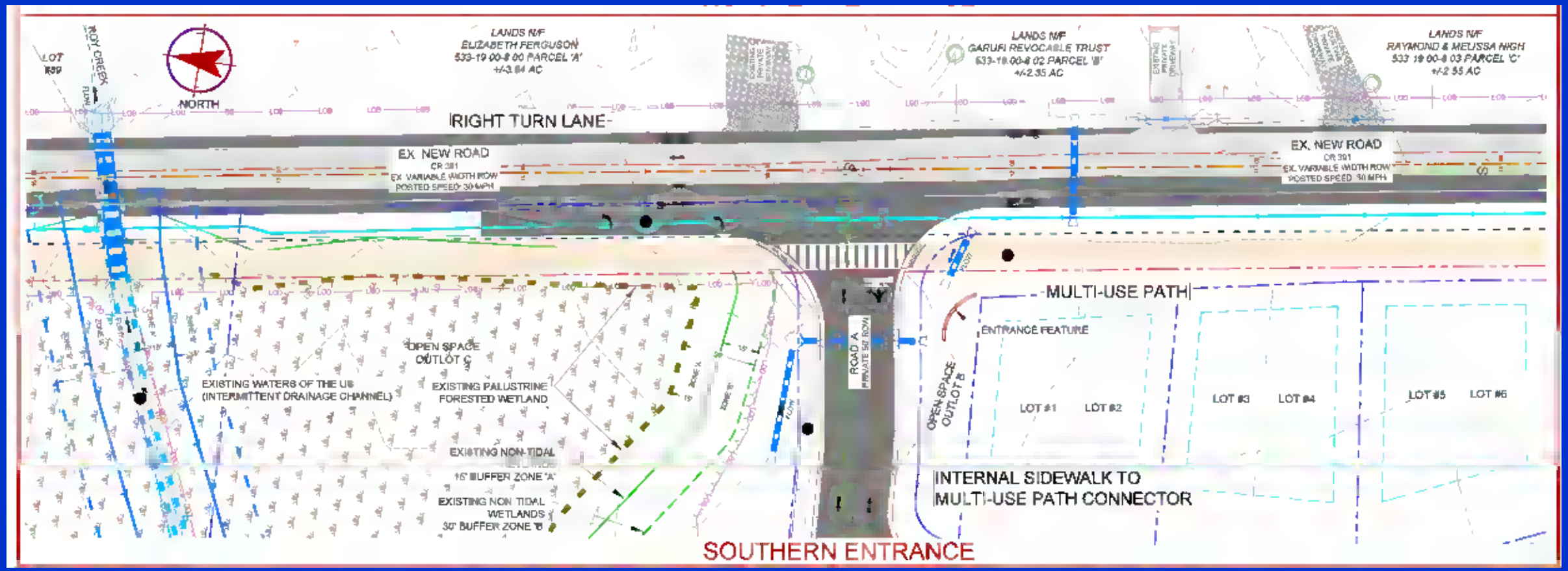


Marlin Cove

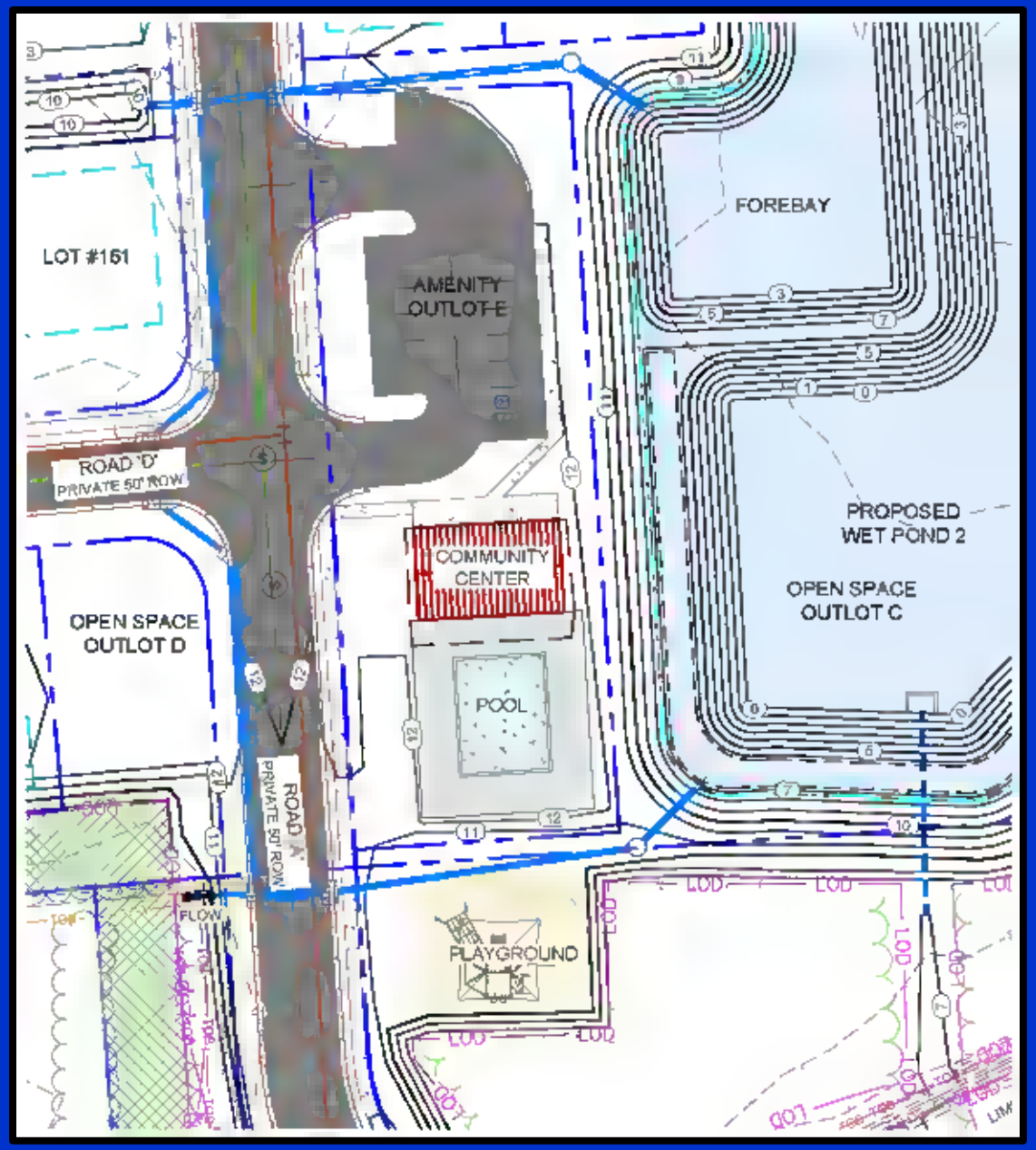
MARLIN COVE - NORTHERN ENTRANCE



MARLIN COVE - SOUTHERN ENTRANCE

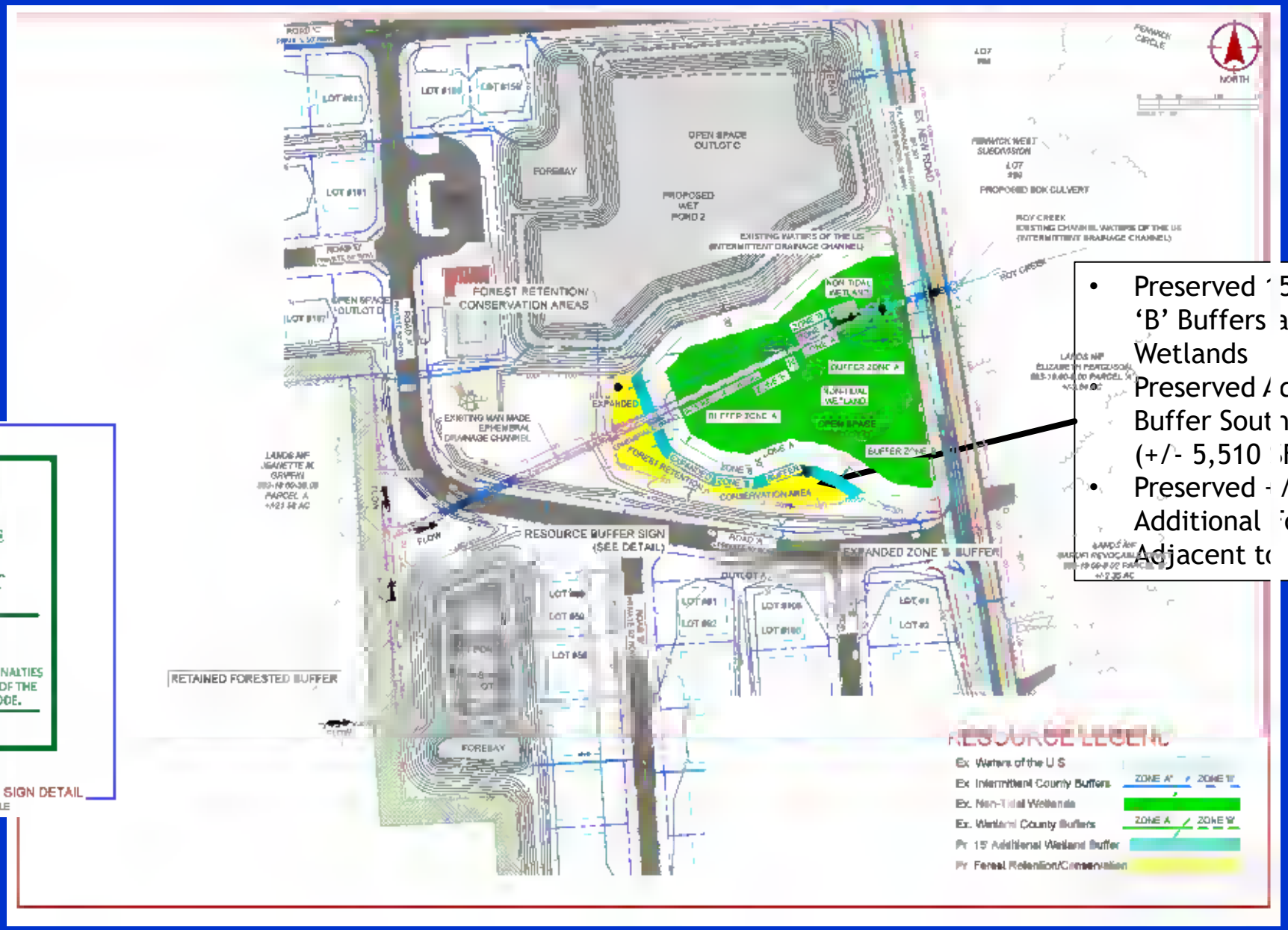


MARLIN COVE - COMMUNITY CENTER AND AMENITIES



- COMMUNITY CENTER
  - COMMUNITY ROOMS
  - BATH CHANGING ROOMS
  - POOL DECK
  - POOL
- PARKING
- ACTIVE SPACE
  - PLAYGROUND OR PICKLEBALL COURTS

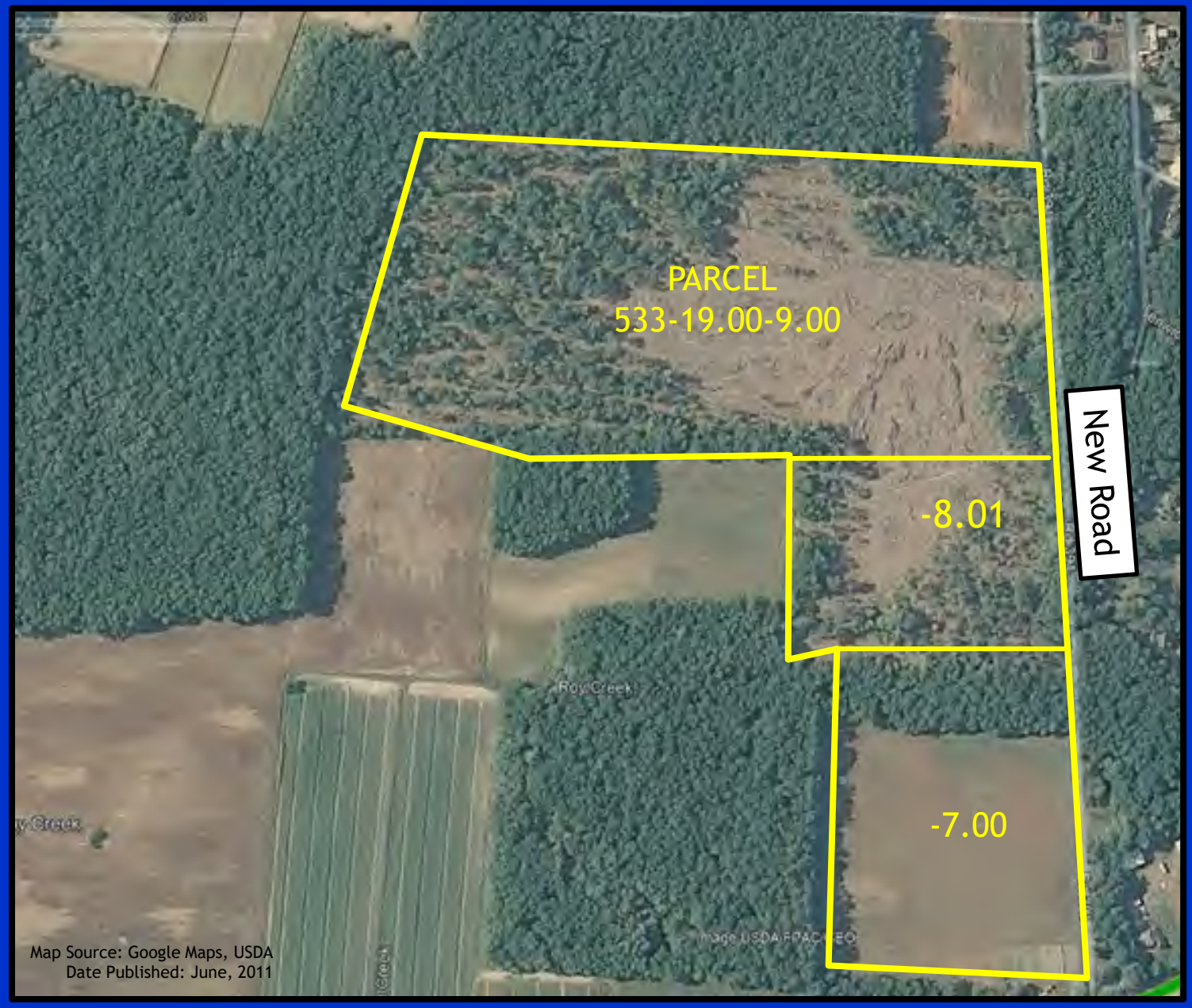
MARLIN COVE - RESOURCE BUFFER PRESERVATION



- Preserved 15' Zone 'A' & 15' Zone 'B' Buffers around Regulated Wetlands
- Preserved Additional 15' Zone 'B' Buffer South & West of Wetlands (+/- 5,510 SF)
- Preserved +/- 9,690 SF of Additional Forested Areas Adjacent to Expanded Buffers

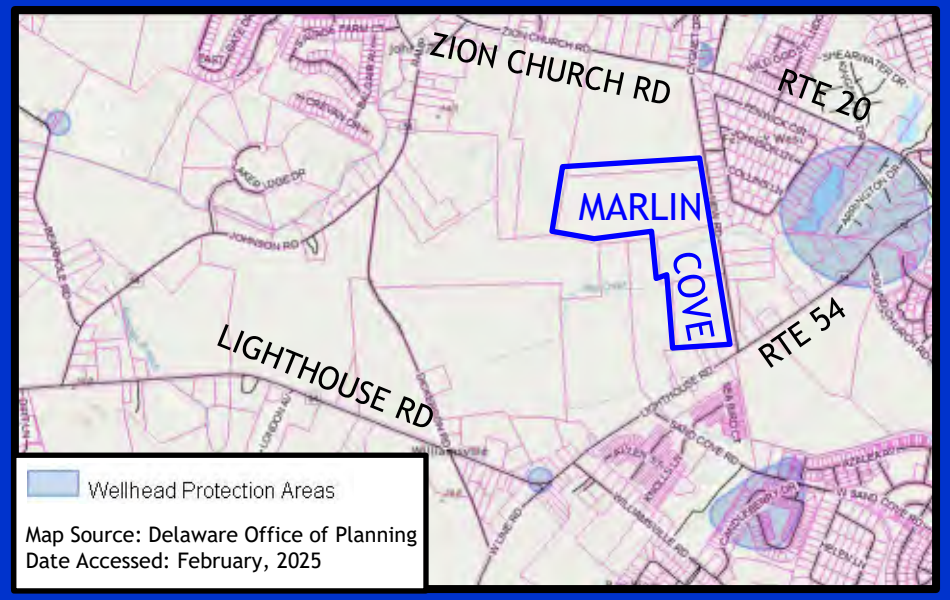


MARLIN COVE - 2011 PREVIOUS ON-SITE TIMBERING

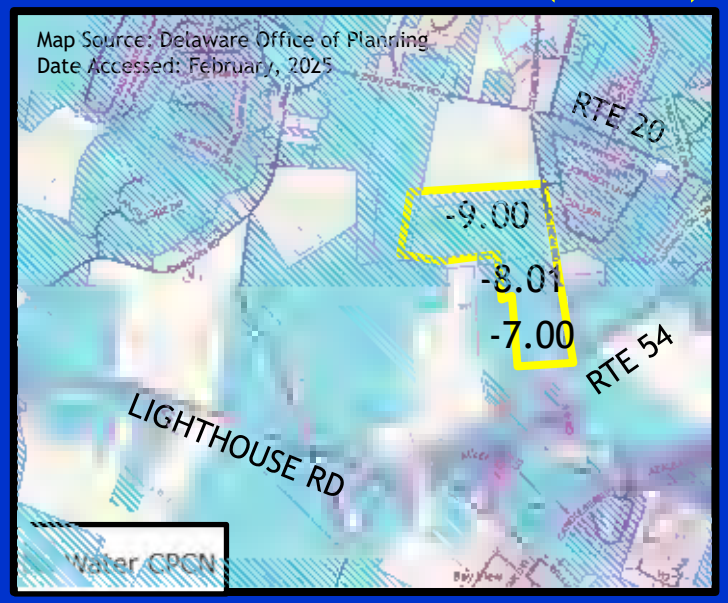


MARLIN COVE

SUSSEX COUNTY WELLHEAD PROTECTION AREA



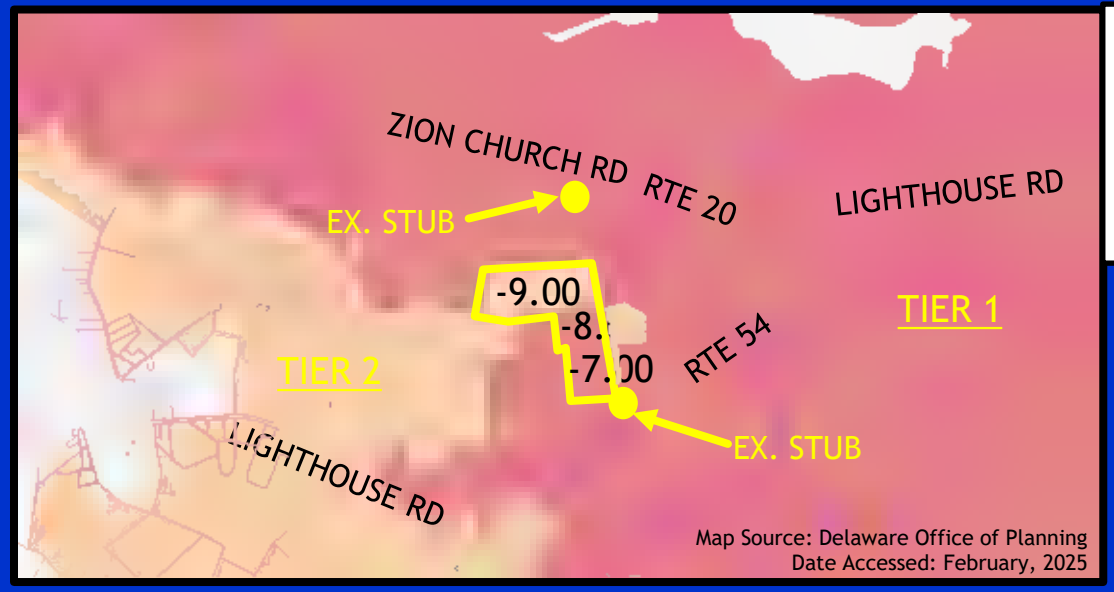
ARTESIAN WATER SERVICE AREA (CPCN)



WILLING AND ABLE TO SERVE LETTER ISSUED BY ARTESIAN

SANITARY SEWER SERVICE

- PARCELS:
  - TIER 1
    - 533-19.00-7.00 &
    - 533-19.00-8.01
  - TIER 2
    - 533-19.00-9.00
- EXISTING SEWER MANHOLES
  - NORTH
    - EX. 8” STUB IN NEW RD @ ZION CHURCH RD
  - SOUTH
    - EX. 8” STUB IN NEW RD

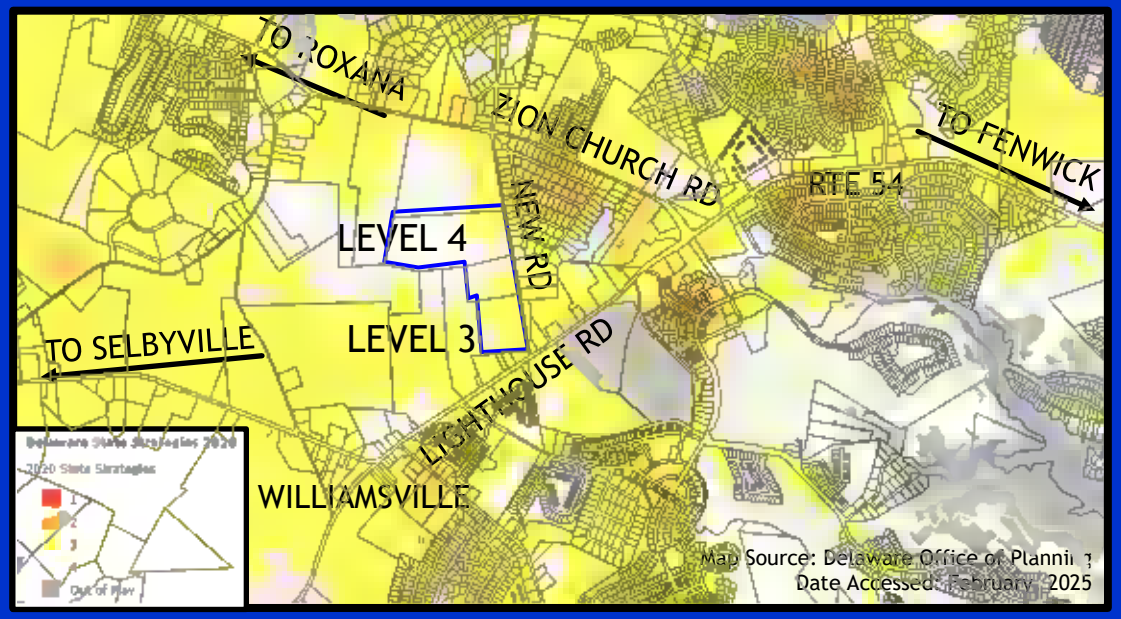




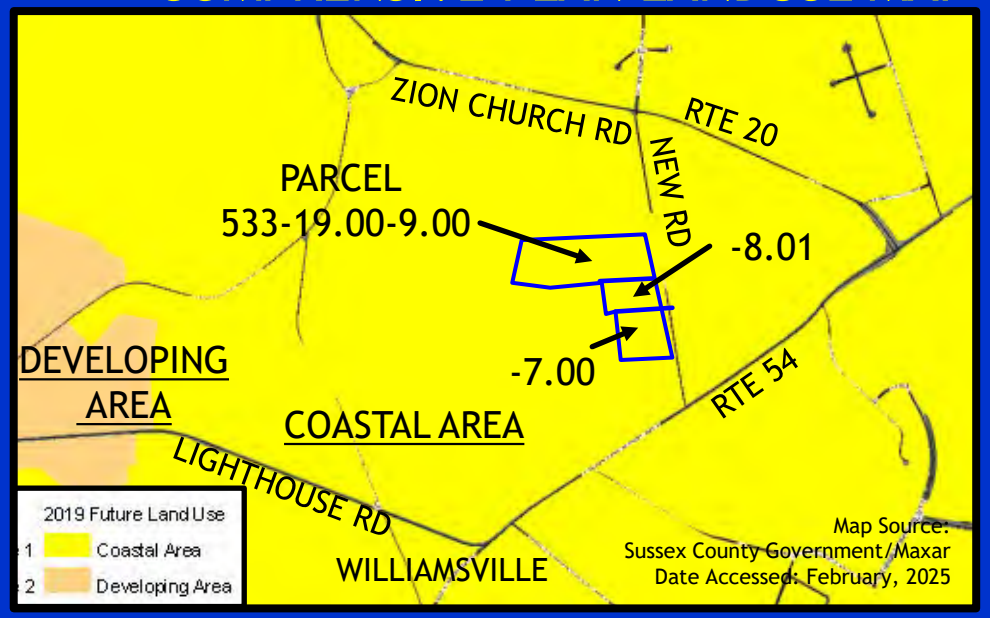
Marlin Cove

MARLIN COVE

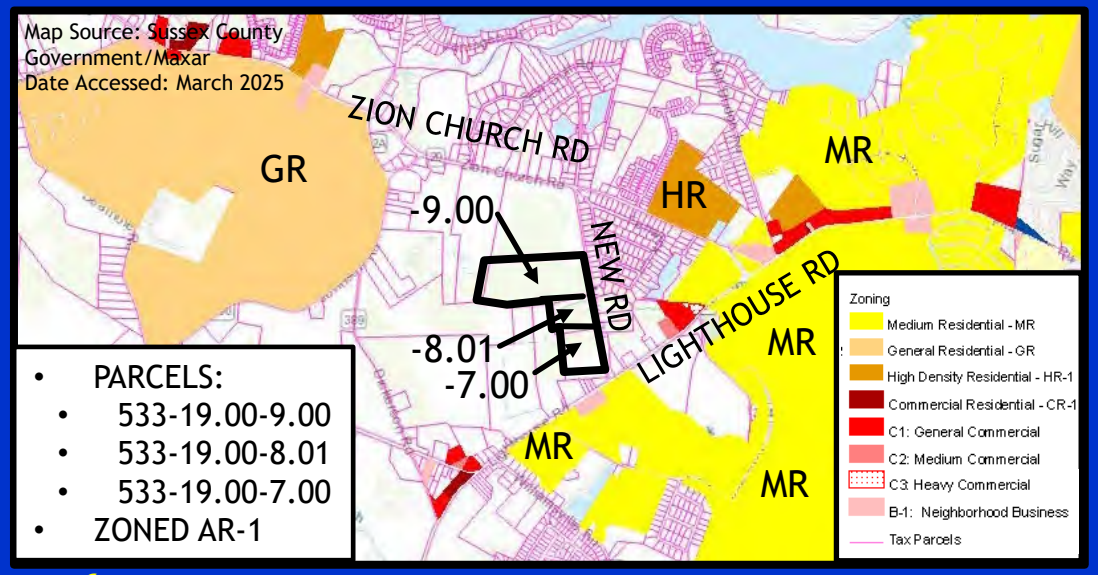
2020 STATE STRATEGEY MAP



2019 SUSSEX COUNTY COMPRENSIVE PLAN LANDUSE MAP

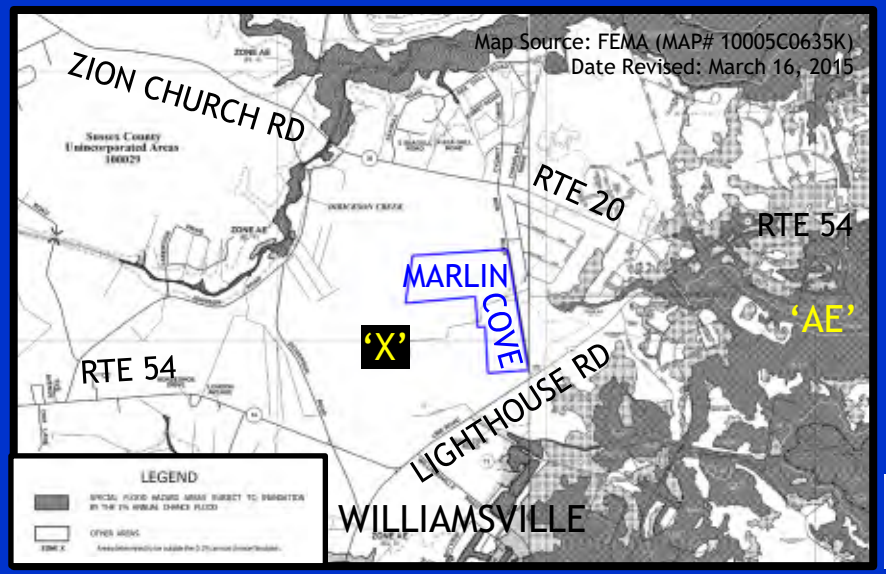


SUSSEX COUNTY ZONING MAP



- PARCELS:
  - 533-19.00-9.00
  - 533-19.00-8.01
  - 533-19.00-7.00
- ZONED AR-1

FEMA FLOOD ZONE MAP



VISTA DESIGN INC

MARLIN COVE - DEVELOPMENT COMPATIBILITY MAP



MARLIN COVE



QUESTIONS?