

38173 DUPONT BOULEVARD P.O. BOX 169 SELBYVILLE, DE 19975 PHONE: 302-436-9637

FAX: 302-436-9639

December 10, 2019

ERI PROJECT: 736#0829

Mr. Tyler Brown, Program Manager
Delaware Department of Natural Resources and Environmental Control
Division of Water Resources, Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901

RE: The Townes At Bayshore Village (aka Fenwick Light)
Modification WSLS Permit Application – Bulkhead Reconstruction in Artificial Lagoon
Tax Map Parcel 134-23.00-3.02
Baltimore Hundred, Sussex County, Delaware

Waterway: Lighthouse Cove

Attn: Ms. Julie Molina

Dear Mr. Brown,



Environmental Resources, Inc. (ERI) is writing you as the agent for both Lighthouse Cove Investors and Christopher at The Townes At Bayshore Village, LLC. in order to notify you that Christopher At the Townes at Bayshore Village LLC took possession of this property on December 6, 2019. Enclosed is a copy of the deed transferring ownership. Enclosed please find a revised basic application executed by the new owner.

I also received a comment from Julie Molina regarding the three proposed boat lift slips at the head of the west lagoon. In response, slip widths have been reduced to 13.5 feet. This produces a 17.6 foot offset to the bulkhead on the adjoining property to the west. A revised Sheet 2 plan, Appendix Λ and Project Description are enclosed.

Please notify me of the date for the publication. If you have any questions, I am available at your convenience.

Sincerely,

ENVIRONMENTAL RESOURCES-INC.

Edwayd M Launay, Principal

Cc: Craig Havenner CTBV, LLC

Section 1: Applicant Identification

1.	Applicant's Name: Christopher At The		vnes At Bayshore Village, LLC			#: <u>703-352-5950</u>
	Mailing Address: P.O. Box 18 Sute 1 Ocean View, DE 199			Fax #: E-mai		aig@christophercompanies.com
				E-mai	l	ang germotopholocompanies.com
2.	Consultant's Name: Edward M. Launa Mailing Address: 38173 DuPont Blvd Selbyville, DE 199	I. / P	O. Box 169	Compa Teleph Fax #: E-mail	one	Name: Environmental Resources, Inc. #: 302-436-9637 302-436-9639 elaunay@ericonsultants.com
3.	Contractor's Name:Mailing Address:			Compa Teleph Fax #: E-mail	one i	Vame:
Sec	tion 2: Project Description					
5. Con of 1	B boats is proposed involving the reconstruction	hee opme of t	ts as necessary); ent of the 2.3 acre18 townhome res wo existing docks and the adddition portion of 6 foot wide timber board	idential cor	nmunit ifts at	ucture? (If checked, must answer #16) by, The Towns At Bayshore Village. Capacity for the mooring the dock locations. Minor maintenance dredging of oject's 700 linear foot shoreline will be supported by a
6.	Check each Appendix that is enclos	ed	with this application:			
4	A. Boat Docking Facilities	Z	G. Bulkheads		V,	N. Preliminary Marina Checklist
-	B. Boat Ramps C. Road Crossings	_	H. Fill		$ \vee $	O. Marinas
-	D. Channel Modifications/Dams	-	I. Rip-Rap Sills and Reve J. Vegetative Stabilization		-	P. Stormwater Management
-0-	E. Utility Crossings		K. Jetties, Groins, Breaky			Q. Ponds and Impoundments R. Maintenance Dredging
	F. Intake or Outfall Structures		M. Activities in State We		Y	S. New Dredging
7.	ion 3: Project Location Project Site Address: house Cove Lane & Lighthouse Road (SR54)		County: Site ow. Address	ner name	(if d	N.C. Kent Sussex ifferent from applicant):
Fron	Driving Directions: n the intersection of Coastal Highway (SR1) & L				ouse	UL C
	nch a vicinity map identifying road nach a vicin		,			The Townes at Bayshore Village rmerly Lighthouse Cove aka Fenwick Light)
WSI	LS Use Only: Permit #s:					
ур	SP SL SL St	J 🗆	WE 🗆 WQ 🗆	LA		SA O MP O WA O
lece	os Permit: SPGP 18 🗆 20 🗆 Nati		Project Scientist:			dividual Permit #
	Received? Yes \(\Bar{\cup} \) No \(\Bar{\cup} \) Amt:		Receipt :	#:		
'ubl	ic Notice #: Public	: No	otice Dates: ON		OF	F

Last Revised on: March 28, 2017

Section 3: Project Loca	ation (Continued)		
10. Name of waterbody	at Project Location: unnamed lagoon	waterbody is a tril	outary to: Lighthouse Cove / Little Assawoman Bay
11. Is the waterbody:	√Tidal 🗆 Non-tidal W	aterbody width at mean lov	v or ordinary high water
12. Is the project:	On public subaqueous lands? In State-regulated wetlands?	On private subaqueou	
Lighthouse Cove Investors,			
(Written permission from	n the private subaqueous lands own	er must be included with the	is application)
13. Present Zoning:	☐ Agricultural ✓ Residential	☐ Commercial ☐ In	dustrial Other
Section 4: Miscellaneou	IS		THE PARTY OF THE P
14. A. List the names a project (attach addit	and complete mailing addresses of ional sheets as necessary): see attach		g property owners on all sides of the
			Ť
foot radius of the project	(attach additional sheets as necessa see attache DNREC and/or Army Corps of Engin	ury): ed sheet	you have discussed the project with:
Julie Molina, DNREC WSLS			
B. Has the project be	tate Jurisdictional Determination per sen reviewed in a monthly Joint Per st the date of the meeting?		☐ Yes ✓ No ☐ Yes ✓ No
16. Are there existing str *If yes, provide	ructures or fill at the project site in s the permit and/or lease number(s):	subaqueous lands?	✓Yes No G E I V E D DEC 1 7 2019
*If no, were stru	ctures and/or fill in place prior to 19	969? □ Yes	□ No □ Z
17. Have you applied for □ No □ Pend	or obtained a Federal permit from ing ✓issued □ Den		
Type of Permit:SP	GP 18	Federal Permit or ID #:	
18. Have you applied for ☑ No ☐ Pendi	permits from other Sections within ing Issued Den:		Permit or ID #:
Type of permit (circle all	that apply): Septic Well	NPDES Storm Water	
Other:	•		

that amount, 52 cubic yards will be dredged from public subaqueous lands. Dredging will be conducted using land based excavators. Spoils will be retained on-site and incorporated into a 22' x 110' landscaped berm for disposal as identified on the project plans. The spoil site will be enclosed with a supersilt fence during construction. Spoil height will be approximately 2 feet. Once spoil material dries out the spoils will be covered with topsoil and graded to form a 22' x 110' grassed landscaped berm.

Boat Docking & Marina Operations – A maximum of 18 vessels will be moored along the bulkheaded face of the property. As shown on Project Plans, three 13.5'x24' slips at the head of the west lagoon will be fitted with 10,000 lb. capacity boatlifts. Two 16' x 24' slips will be fitted with 10,000 capacity boat lifts located at the head of the east lagoon.

An additional thirteen 12' x 24' boat mooring spaces are proposed along the bulkhead surrounding the property. Of this amount only six of the boat mooring spaces are situated over public subaqueous lands. Boats will simply tie up along the bulkhead at these locations, no outboard mooring piles are proposed.

The combination of piers, boatlifts and docking spaces will be operated as a community marina facility accommodating a maximum of 18 vessels to be permitted by the Delaware Department of Natural Resources and Environmental Control (DNREC). The marina facility will operate under an Operations and Maintenance Plan (O&M Plan) approved by DNREC. Marina signage with emergency contact numbers and an emergency spill kit will be located at the head of the north lagoon. Marina pump out capability will be contracted through the nearby Sharks Cove Marina located on the west side of the Fenwick Ditch and State Route 54. Dockside electric & water service will be provided. Boat owners have restrooms and parking available at their individual residences.

Dock space units will be assigned to residential units through condominium 17 2019 documents. Docking is for the exclusive use of The Townes At Bayshore Village residents.

<u>Waterfront Boardwalk</u> – A 6 foot wide timber boardwalk will be constructed along the 700 linear foot perimeter of the project's bulkheaded shoreline. A 16 inch wide portion of the boardwalk will extend channelward of the vinyl bulkhead

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wall face. However, the boardwalk edge will not extend beyond the face of the bulkhead support piles.

On it's channelward side, the boardwalk decking will be supported by a 2" x 8" stringer bolted through each bulkhead piling and resting upon the top of the vinyl sheet pile wall. A second 10 inch diameter salt treated piling will support the boardwalk on it's landward side. Salt treated 2" x 6" decking will be secured to the whaler attached to each piling. In effect, the boardwalk will form a pile cap overtop bulkhead support pilings.



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Section 5: Signature Page

19.	Agent	Authorization:
	LABOUT	TRACTION (ESTELOIL)

If you choose to complete this section, all future correspondence to the Department may be signed by the duly authorized

agent. In addition, the agent will become the primary point of contact for all correspondence from the Department. I do not wish to authorize an agent to act on my behalf \square I wish to authorize an agent as indicated below V Mr. Craig Havenner , hereby designate and authorize Edward M. Launay, Environmental Resources, Inc. (Name of Applicant) (Name of Agent) to act on my behalf in the processing of this application and to furnish any additional information requested by the Department. Authorized Agent's Name: Edward M. Launay Telephone #: 302-436-9637 Mailing Address: Environmental Resources, Inc. Fax #: 302-436-9639 P.O. Box 169 / 38173 DuPont Blvd. E-mail: elaunay@ericonsultants.com Salbyvilla, DE 19975 20. Agent's Signature: certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge. multhal the Department may request information in addition to that set forth herein if deemed necessary to application Applicant's Signature I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application. I grant permission to authorized Department representatives to enter upon the premises for inspection purposes during working hours. Applicant's Signature Mr. Craig Havenner, Christopher At The Townes of Bayshore Village, LLC. Print Name 22. Contractor's Signature: I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge, and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application. Contractor's Name Date

Last Revised on: March 28, 2017

Print Name

BOAT DOCKING FACILITIES

Any boat docking facility for more than four (4) vessels is considered a marina facility (see definitions and explanations section) and requires the applicant to complete Appendices N and O, and make application to the U. S. Army Corps of Engineers for approval.

Please make sure answers to all of the questions in this appendix correspond with information on the application drawings.

Briefly describe the project. (Attach additional sheets as necessary.)
 See Project Description Section 2, item 5

2. Please provide numbers and dimensions as follows:

Structure Type	Number	of			I D:					
otractare type		OI		Channelward of				elward of	New,	•
	Support		MHW or OHW	/)	MLW-	n/a	for	non-tidal	or main	ntain
	Pilings				water)					
Dock, Pier, Lift,			Width	Length	Width		Len	gth		
gangway			ft.	ft.	ft.		ft.	7		
East Pier	6		6	24	6		24		Replace	
West Pier	6		6	24	6		24		Replace	
(5) Boat Lifts	20		varies 13.5 /16	10	13		10		New	
										G
Freestanding	Number									
Pilings	0	ı								
										=

M	ooring Buoy:	How many moorings will be installed?	ES SEE CHEER DE LES ES
		What will be used for the anchor(s)?	
		Anchor/Mooring Block Weight	13
		Anchor Line Scope (Length or Ratio)	DEC 17 2019
		Water Depth at Mooring Location	The Contract of the Contract o
			Ry
3.	Approximat	ely how wide is the waterway at this project site? 60-82	ft. (measured from MLW to MLW)

- 4. What will be the mean low water depth at the most channelward end of the mooring facility? _3.5 ft.
- 5. What type of material(s) will be used for construction of the mooring facility (e.g. salt treated wood, aluminum, fiberglass floats, etc.) Use of creosote-treated wood is prohibited.

 Two pile supported piers constructed with salt treated pilings and timbers, 4 PWC Floats & 5 10,000 lb Boat Lifts.
- Circle any of the following items that are proposed over subaqueous lands:
 Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other (Describe)

If any of the items are circled above, include their dimensions and location on the application drawings.

Describe the vessels that will be berthed at the docking facility. Please draw proposed vessel location plans and drawings.	ns on
Make/model length width draft Make/model length width draft Make/model length width draft Make/model length width draft	
Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for motorized vessel listed above.	each
10. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be on vessels to be docked at the facility. unknowp	used
11. Is there currently a residence on the property? Yes No	
12. Do you plan to reach the boat docking facility from your own upland property? Yes No If 'explain your proposed means of access and provide documentation of easement or documentation authorizing access if you intend to cross someone else's property.	'No", ation
13. Will any portion of the structure be located in privately owned underwater land (such as a pond or lag owned by someone other than the applicant? YesNo. If yes, written permission of the underwater land owner must be provided with this application. Applicant	oon)
14. What is the width of the waterfront property frontage adjacent to subaqueous lands? 700 ft. Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property I Yes No	ine?
If yes, a letter of no objection from the adjacent property owner must be included with this application.	
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MAINTENANCE DREDGING OR EXCAVATING

- If dredged material is to be placed in a disposal site, a separate map showing the location of the disposal site should be attached. This drawing must indicate the proposed retention levees, weirs, spillways, and/or devices for retaining the materials.
- Bottom samples to determine heavy metals or other toxic materials must be taken and analyzed if deemed necessary by the DNREC staff. The responsibility, as well as the expense incurred for obtaining and analyzing these samples, must be borne by the applicant.
- If maintenance dredging is to be done, evidence of previous dredging <u>must</u> be provided. Any previously issued permit with drawings which indicates the date the dredging occurred, the area involved and dredging depth constitutes acceptable proof.
- Please make sure answers to all of the questions in this appendix correspond to information on the application drawings.

1.	How many cubic yards	of material will be MAINTEN	ANCE DREDG	iED or excavated	d channelward of the:
	a. Tidal waters:	mean high water line?	180	cu. vds.	

mean low water line? 180 cu. yds.
b. Non-tidal waters: ordinary high water line? cu. yds.

Does this account for the total volume of proposed dredging for the project? Yes No If there is new dredging associated with this project (dredging beyond previously authorized dimensions) please fill out appendix S for new dredging.

- 2. What will be the dimensions of the dredged or excavated area relative to mean low water (for tidal areas only) or ordinary water level (for non-tidal areas only)?
 varies length _____ depth ____ base width ____ top width
- 3. What are average existing depths in area of proposed dredging? 2-6 _____ft. (mlw/ohw) Include a survey of proposed and existing depths on application drawings.

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- 4. What is the proposed dredging depth in relation to surrounding bathymetry? 3.5 ft.(mlw/ohw) Indicate both proposed depths and surrounding depths on attached drawings.
- 5. By what method(s) (hydraulic, clamshell or other) will the dredging be done? If other, explain:

Excavator working from land

6. What is proximity of the dredging project to the nearest creek bank or banks? $\underline{0}$ ft. What are existing land uses along this bank(s)?

Existing Residential on Lagoons

Describe the existing shoreline along this bank (vegetation, rip-rap, bulkhead, etc.).

Bulkheaded

- 7. Describe characteristics of the material to be disposed including:
 - a. Physical nature of material (i.e. sand, silt, clay, etc.). Give percentages of various fractions if available.

 70% sand, 20% silt, 10% clay
 - b. Chemical composition of material Many areas have sediments with high concentration of pollutants (chemicals, organics etc.) which may be re-suspended or reintroduced into the water.
 For heavily industrialized sites, a chemical analysis of this material should be provided (if applicable).
 - c. What are the dewatering properties of material to be disposal of?

Good

- 8. How will the dredged or excavated material be transported to its disposal area? sealed dump truck bed
- 9. Land Disposal Areas.

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- a. Describe dimensions, characteristics and exact locations of the proposed dredged material disposal site (provide photographs, directions to, and complete plans of disposal site). 110'x22" on-site upland area
- b. Describe method of dredged material containment (embarkment, behind bulkhead, etc.) super silt fence enclosure
- c. What type of leachates will be produced by the spoil material and what is planned for the protection of groundwater? None
- d. Disposal site coordinates 38.452209 latitude -75.057211 longitude
- e. What methods will be used to ensure that spoil water does not adversely affect water quality both during construction and after completion of the project?

 not applicable due to mechanical dredging
- f. Describe present land use of the disposal site.

developed uplands

10. Water Disposal Areas/ Beneficial Use Projects

Describe methods to be used for water disposal including volumes and site selection, and containment (if applicable). Include Fill or Wetland Appendix if applicable.

- 11. Describe the existing water characteristics at the site, including chemical analysis for water quality.
- 12. Identify the dredging and disposal schedule to ensure that operations do not degrade water quality during times of anadromous fish migration.
- 13. Has an Erosion and Sediment Control Plan been approved by the designated plan approval agency for the project? An Erosion and Sediment Control Plan is required for any project disturbing more than 5,000 square feet of uplands. Final approved plans must be received by this office prior to permit issuance.

 Yes ____ No ____ Not required submitted

Important time of year restriction information:

Please be advised that all dredging in the Inland Bays must be undertaken between September 1 and December 31 in order to protect summer and winter flounder and other aquatic species. Dredging in other Delaware waters may also be subject to certain time of year restrictions in order to protect fish and wildlife. Contact DNREC for more specific information regarding the restrictions that may apply within your project area.

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PRELIMINARY MARINA SCREENING CHECKLIST

(To be submitted at least one week prior to the pre-application meeting)

*	Provide the following information and/or answer the following with regard to the proposed marina project:
1	Applicant's (Property Owners) Name Address: Lighthouse Cove Investors, LLC P.O. Box 18 Georgetown, DE 19947 Telephone Number Home (): Work (703:352-5950
Pr	oject Name: Fenwick Light / Christopher @ Millville LLC
2.	Provide an aerial photograph of the site, if available.
	What are the existing land uses on the site? Lighthouse Cove - Residential Community What are the existing land uses on adjacent properties within 1000 feet of the proposed marina or marina alteration, including the opposite shore? Residential - mixed with other marina & commercial use.
5.	Name and distance of nearest municipality. Town of Fenwick Island - 57 Feet
6.	Is the proposed project an open water or enclosed basin marina? Open water Enclosed basin
7. l	s the marina on a creek, river, or open bay? Name of the water body? Jnnamed Lagoons Attached to Lighthouse Cove
	ndicate the number of wet slips. Proposed 18 Existing 8
9. Ir 10. W	ndicate the number of dry stack spaces. Proposed <u>0</u> Existing <u>0</u> OCT 2 9 2019 /ill the proposed marina or marina alteration require dredging? Yes No
	If yes, approximate the amount in cubic yards. 225 cubic yards
	the project requires dredging, do you own or have access to an upland site for dredged material disposal? Yes No If yes, where is it located? on site
	ot, how do you propose to dispose of your dredged material?
13. Ho	w many years of maintenance dredge spoil capacity does the spoil site possess?30Years

Appendix N 14. Will the proposed project require the use of any State wetlands? ____ Yes ____ No If yes, approximate the amount of wetlands required in acres and the intended use. 15. What is the tide range at the marina site? Normal tide 0.8 Neap tide 0.0What is the source of this information? ERI - Historic Tide Gage Observations 16. What is the approximate MLW depth at the marina site? 2-6 Ft. What is the source of this information? 17. If the site includes residential development, indicate: Number of units platted 18 Length of shoreline owned 700 Acreage of upland property 2.3 Indicate the number of on-site parking spaces for: cars trailers cars with trailers Proposed oversize vehicles 65 Existing 24 18. What utilities will be provided on or in the marina or dock area proper? Be specific, e.g. fuel, electricity, sewage pump-out, water, etc. Electric & Water Dock Side 19. What additional shore-based facilities are included in the proposed marina or marina alteration? Be specific, e.g., Marina signage & spill kit, marine pump ouy capability contracted with Sharks Cove Marina 20. Will the marina project be available to the general public? If so, on what basis? 21. Are existing public facilities, services, and transportation adequate to accommodate the project and associated development impacts? Yes _____ No If no, please describe the upgrades required:

23. If no market study has been completed, please describe briefly the intended market, particularly the types and sizes

Homeowner Vessels, 24 feet long or less

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22. Has a market study been completed for the project? _____ Yes V____ No

If so, please attach the study report.

MARINAS

Marina applicants must complete this appendix and any other appendices that may apply to the proposed project (see "List of Appendices").

Please be sure that answers to all of the questions in this appendix correspond to information on the application drawings.

1.	Name of marina: The Townes At Bayshore Vi	llage Community Dock
2,	Complete mailing address for marina:	Christopher At Millville LLC Attn: Mr. Craig Havenner 10461 White Granite Drive Suite 103
		Oakton VA 22124
	Telephone Number: 703-352-5950	
Attn	me and complete address for Harbormaster, istopher At Millville LLC : Mr. Craig Havenner 61 White Granite Drive Suite 103 ton VA 22124	if applicable:
4. Chec	ck appropriate box: 🛛 New Marina	☑ Alteration to Existing Marina
5. Num	ber of Slips: Complete Appendix A for detai	ls of docking facilities.
b c.		Dry Storage Spaces
• If Oi	this is an alteration to an existing marina, ally to the altered portion(s) of the facility.	please be advised that the questions that follow pertain
6. Shellf area? Assess	ish Resources: Is any part of the marina lo This information can be obtained from sment Section (302-739-9939) Yes No If yes, how is the area currently classified? Approved Area	
	Conditionally Approved Area	Conditionally Restricted Area Prohibited Area
	Restricted Area	Trombited Alea
7. Subme areas?	rged Aquatic Vegetation (SAV): Are any SAV	/ beds located within the marina basin or adjacent

Natural Areas Inventory, or that provide habita	or adjacent to an area classified as a critical habitat by the ? Critical habitat areas are those that are included in the it for species included in the State Endangered Species Act of these areas, contact the Division of Parks and Recreation
9. Dredging and Dredged material Disposal: Comp	lete Appendices R and/or S.
10. Shoreline Protection Structures: Complete appro	ppriate Appendices.
11. Water Supply: Describe the existing or proposed Public water system. Identify: Sus Private well. If existing, include the lift there are plans to construct a new well, a permit Section prior to well construction.	sex County
12. Wastewater Facilities:	
 a. How many restroom facilities are planned If none, please explain: Boat owners will to b. How will the wastewater from the facility Public sewer, identify: Sussex County On-site septic system Other, describe: 	use their homes.
c. Identify the permit numbers for any trooposed wastewater factors who will be transporting wast not applicable	eatment, storage or disposal permits that have been illities, including name and permit number for any waste ewater or septage.
	e not yet been obtained, have permit applications been plication was mailed. If no, describe all proposed plans sheets as necessary.
not applicable	
13. Parking:	OCT 2 9 2019
How many parking spaces will be provided? 65 Does the proposed parking plan conform to: Local planning codes or requirements; (Contact the	County Planning Department and/or local municipal
government offices for this information). The 0.5 spaces/slip rebuttable presumption from the M If no, please explain:	

- 14. Stormwater Management: Describe in detail the plans to detain the first one-half inch of stormwater runoff from the disturbed portion of the site and release it over a 24 hour period. Attach additional sheets and drawings as necessary.

Incorporated into County & SCD approved Delvelpment Plan for Fenwick Light

15.	Solid	Waste	Management	:
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How many trash receptacles/ recycling bins will be provided at the marina? 0If trash receptacles will not be provided, what measures will be taken to ensure that solid wastes are properly Privately contracted trash dumpster on-site.

16. Boat Maintenance Areas and Activities:

- a. Describe in detail how boat maintenance by-products, debris, residues, spills and maintenance areas will be controlled in accordance with the Marina Regulations. Attach separate sheets if necessary. none
- b. Will special containers for waste oils and other maintenance wastes be provided? Ves _____No Explain:

Private trash services will be contracted for The Townes At Bayshore Village Residential Community

c. Describe in detail how materials used in maintenance and repair operations will be handled and stored. Materials of concern include, but are not limited to, paints, solvents, oils, greases, preservatives, pesticides, epoxies and corrosive cleaners. Indicate whether local fire codes or national Fire Protection Association (NFPA) standards have been used in developing the proposed handling and storage. Attach separate sheets if necessary.

On-site hydrants

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17. Fuel Storage and Delivery Facilities/Spill Contingency Plan:

a. Describe in detail all procedures for storage, handling and dispensing of fuel. whether local five codes or National Fire Protection Association (NFPA) standards have been used in developing proposed procedures. A permit from the Department's Underground Storage Tank Branch may also be required. Attach separate sheets as necessary.

not applicable

b. Describe in detail procedures that will be used to contain and clean any fuel spills that occur as a result of marina operations. Notification procedures should also be described. Attach separate See Operations & Maintenance Plan

	Page 4
18. Fire Protection Systems: Describe the fire prowhether local fire codes or National Fire Prochoosing and designing the systems. Attach ad Hydrants per Site Delelopment Plan 19. Life Safety Equipment:	tection systems that are proposed for the facility. Indicate of tection Association (NFPA) standards have been used in ditional sheets as necessary. Approved by State Fire Marshall
 a. For alterations to existing marinas: Do structures? Yes No If yes, b. How many floatation devices will be prolocated? None 	es the alteration involve the addition of new water-based complete 20 B. If no, skip to question 21. ovided around the marina and how far apart will they be
20. Fish Waste:	
Will fish cleaning stations be provided? Yes If yes, how many? (Be sure to show their locat Will the marina provide a live bait concession?	ion on the engine with the
21. Piers and Docks: Complete Appendix A.	
22. Drawing Requirements: At a minimum, all marin	a applicants must submit at least the following drawings:
a. Elevation or Section View	
b. Vicinity Map c. Plan View	
i i i i i i i i i i i i i i i i i i i	d in construction. If dredging or filling is involved, show
a. Elevation or Section View	the grade to be used. OCT 2 9 2019
The elevation or section view includes the following, items must be included.	
X_ Mean high and low water lines;	
X Construction details for all water-based structur	es (e.g. piers docks, pilings);
 Construction details for all bulkheads, rip-rap an Intake and outfall structures 	d other shoreline protection structures;

b. Vicinity Map

Other

Boat Ramps

_ Intake and outfall structures

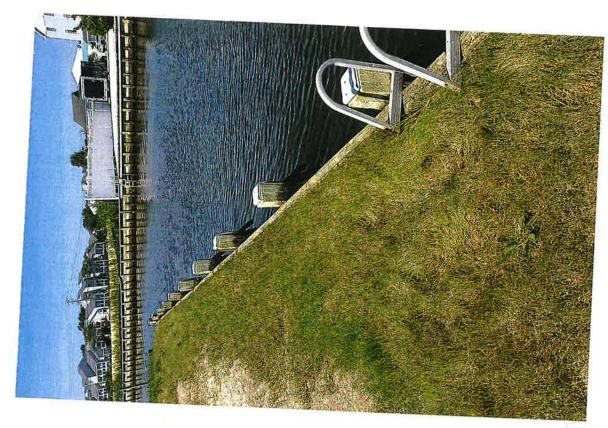
Channel or basin modifications (proposed dredging areas)

c. Plan View

The plan view should be prepared on 8 1/2" x 11" paper, and in a standard blue print size and format, and contain the locations of the following features, as applicable (Check all those which apply to the project and include these items on the plan view drawing):

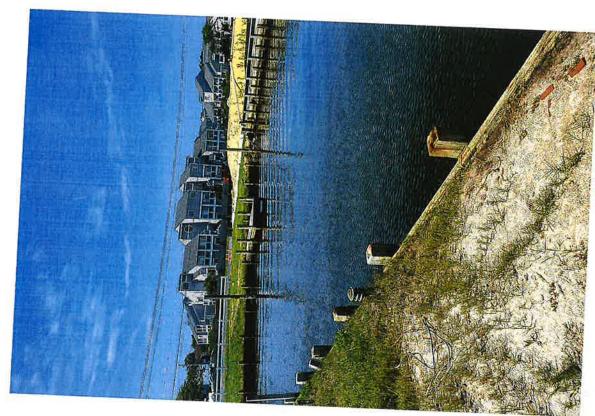
X	Property boundaries
X	Shoreline
X	Mean high and low water lines
X	Direction of river flow/ebb and flow of tide
X	Proposed channel
X	Navigation Aids
X	Piers, docks, pilings, bulkheads, moorings, anchorages, jetties, groins, breakwaters and other water
bas	sed structures
<u>X</u>	Slips (Wet)
	Slips (Dry)
	Boat ramp(s)
<u>X</u>	Buildings, other structures (identify each)
	Boat storage areas/facilities
	Boat maintenance area(s)
	Extent of roof coverage (e.g. over maintenance areas, boat storage areas, etc.)
X	Koadways (identify surface, e.g. asphalt, gravel dirt, etc.)
<u>X</u>	Parking areas (identify surface, e.g. asphalt, gravel, dirt, grass, etc.)
	iviaintenance materials storage areas(s)
	Public telephone(s)
	Public restroom(s)
	Fish cleaning station(s)
	Life safety equipment station(s)
	Fuel dispensing pump(s) underground storage tank
	Septic tank
	Sewer connection/wastewater collection system
	_ Water supply well
17	Portable fire extinguisher(s), fire hydrant(s)
X	Spill containment equipment storage areas(s) UCT 2 9 2019
×	Trash receptacle(s) waste oil - other waste receptacles
	_ Stormwater management facilities
	Compensation area for wetlands
	_ Other





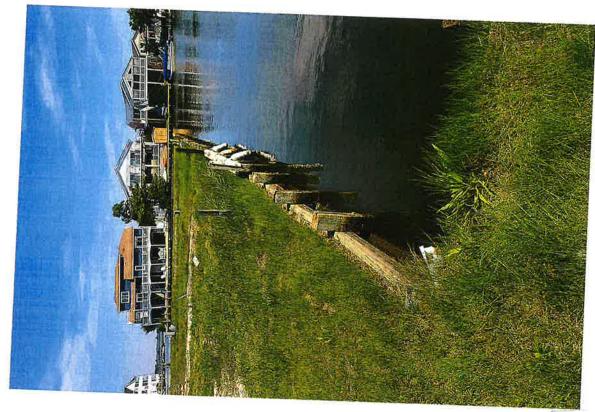


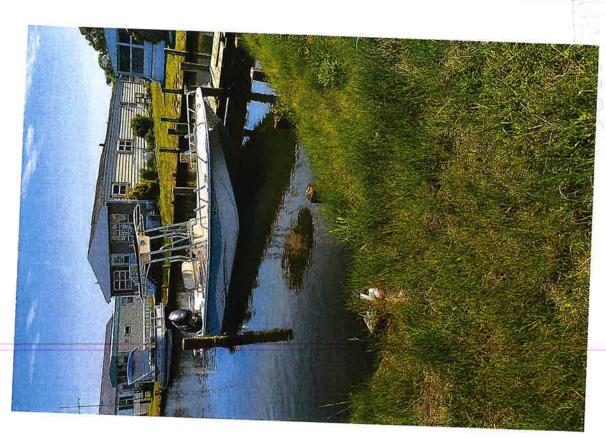


















PLANNING & ZONING COMMISSION

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



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JANELLE CORNWELL, AICP
DIRECTOR

March 6, 2019

Scott Roberts
Civil Engineering Associates, LLC.
55 West Main Street
Middletown, DE 19709

Sent by email to: sroberts@cea-de.com

Re: Notice of Decision for Preliminary Site Plan for Fenwick Light (S-19-07) Tax Parcel: 134-23.00-3.02

Dear Mr. Roberts,

At their meeting of February 28, 2019, the Planning and Zoning Commission approved the submitted Preliminary Site Plan for Fenwick Light (S-19-07) for 19 multifamily units, amenities and other site improvements off Lighthouse Road.

After all comments in this department's letter dated December 14, 2018 have been addressed and you are in receipt of all agency approvals it is recommended that a check print is submitted to the Planning and Zoning Office for review and comment. Please submit a minimum of three (3) signed and sealed paper copies of a Final Site Plan to the Planning and Zoning Office for review and approval by staff.

Once approved, the Planning Office will retain two (2) copies of the Final Site Plan and the other copy will be returned to the applicant and shall be submitted as part of any Building Permit application process. Additional copies of the plan may be submitted for endorsement by staff.

Please note that the Final Site Plan shall be valid for a period of five years from the date of approval by the County. Any such Final Site Plan shall be rendered null and void if substantial construction is not actively and continuously underway on the use within five years of the date of approval by the County.

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

Sincerely,

Samantha Bulkilvish

Samantha Bulkilvish

Planner I

OCT 2 9 2019

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



Section 4, Item 14 Property Owners Within a 1,000 foot Radius of Property

Lighthouse Cove Investors, LLC. Tax Map Parcel 134-23.00-3.02

October 15, 2019

ERI Project No. 736#0829

OCT **2 9** 2019

134-23.00-3.00
BalsamorNorino Properties LLC
BIOO Harford Rd. Baltimore MD 21234

134-23,00-301 Reilly Thomas H Michael C. 8015 McLean VA 22102

Lighthause View LLC JOS: FOULK Rd. Wilmington DE 19803

134-23,00-3,04 Balsamo & Norino Properties LLC BIOD Harford Rd Baltimore MD 21234

134-23.20-9.02 Adkins Margaret A. Trustee 13 Ringed Neck Ln. Camolen Wyoming 19934

134-23.00-5.00 Bonaventure Develo Priment Paranership 32996 Lighthouse Rd. Selbyville, DE 19975

OCT 2 9 2019

134-23,20-74,00 State of Delaware Lighthouse Park P.O. Box 778 Dover DE 19903 134-23.20-7600 Long Faurily Of Sussex 28867 Cypress Rd Selbyrille DE 19978 17.20=NJG Properties LLC 11615A Coastal Hwy. Ocean City MD 21842 78.00- Delayare Cart Inc P.O. 651 Delaware City DE 19706 Ja. Do-Brinay Breeze Limited Partnership XeDID ROXANA Rd. Frankford DE 19945 134-23.20, ED. CO JAC/RAC Invest. Co. 37558 Lighthouse Rd. Fenwick Js. DE 73.00 Cropper R.O. P.O. 751 Gorgetown DE 19947 199461 3.03 Lighthouse View LLC-Condo 105 FOURK Rd. Wilmington DE 19803 OUT **2 9** 2019

50.00- Fryer Real Estate DiAt Venture. 305 Paul Dr. Smyrna DE 190772 51.03-Rickards Center, LC.
Madison M. Gray Lots 7891011
HD149 Delaware Ave Fennick Is DE 71.00 Harvaii an Village Associates P.O. Box 17339 Borthuore MD 21297 Multi-Town of Fenwick Island Attn: Municiple Clerk 800 Coastal they. Fenwer Js, DE 19944 60.00 - Willow LLC 229 S. Mountain Ave Montelair NJ 0704 Miss Delcy Trailer Court Inc.
P.O USI Belaware City P.O. Losi
DE, 19706 Fenwick Mobile Home RV 37520 Lighthouse RT Fenwick Is. DE 19944 REM Steele Properties LIC 4015-7 Delanfaire Ave Fennick IS: DEGREH OCT 2 9 2019

134-23.00-5.01 Fenwer Mubile House Rark 37520 Lighthouse Ra Fenwick Island, DE. 19944.

134-23.00-157.00 Magae David & Patricia 31022 Holts Landing Rd. Dagsboro DE 19939

134-23.16-164.00 King Edna H. 3413 Duke St. College Park MD 20740

134-23,16-165.00 Titus, Frances & Robert Am 39 Madison Ave, Fenwick Island DE 19944

Ruble, Allen & Sharan
Lil Madison Ave Fenwick Island DE 19944

134-23,16-167.00/168.00/170. Chiaramonte, Francis P. 510 Cothedra I Dr. Alexandria VA 22314 134-23.16-171.00 Weigle, Richard & Patricia 4320 Prince Rd. ROCKVIIIE MD 20853

Getschel Leonard & Laura 3 Brierleigh Ct. Lutherville, MD 21093

134-23.16-173.00 Nichols Frederick & Alice 18623 Brook Rd. Sandy Spring MD 20860

134-23.16-174.00 Marchese, Louis 8 Long Knott Way Kingsville, MD 2108.7

134-23, 16-174.01/175.00 Schiavino, Jeroue & Pauela 59 Madison Ave Fenwicks. DE 19944

134-23.16-176.00 Triuble James L& Gail N. 1116 Morningside Ln. Alexandria VA 22309

134-23.16-177.00. Tuloba David 62 Madison Av. Fernick Is, DE UCI 2 9 2019

134-23.16-183.00 Schell Deborah & William 9 Equastrian G. Derwood, MD 20355 134-23.16-184.00 Bradley, Christopher 38 Madison Ave Fenwick Is. DE 19944 134-23.16-185.00 Costello, John 16805 Excaliber Way Sandy Spring MD 2086) 1134-23.16-186.00 Mattera, Christina 7 Birch Knoll Rd. Wilmington, DE 19810 134-2316-187.00 Collistraw, William C. 9505 Seddon Ct. Bethesda, MI) 20817 134-23.16-188.00 B319 Wild Cherry Ct. Laurel MD 20723

134-23.16-188.01 Douglass Earle 4325 Jennifer St. NW Washington OCT 2 9 2019

DC 20015 134-23.16-189.00 Spaceo, James F. 13535 Jarrettsville Pike Phoenix, MD 21131

134-23.16-189.01 Liberatore Dante F. 2134-Misty Meadow Dr. Finksburg MD 21048

134-23.16-190.00 Housley, Barbara "For Life" 1052 Orthonwood Ct. Marco Is F1 34145

134-23.16-191.00
Roberts Mark & Christing "George Roberts Lvg"
743 Rolling View Dr. Amapolis, Mid 21409

134-23,16-191.01 Barther John JR TTE RV TR 26 Bayside Dr. Fenwick Island, DE 19944

134-23.16-214.00 Avendal Rout & Rita > 3120 Appleton St. NW Washington IC 20008

134-23.14. 215.00 Deam Harold E. 5 Dyster Bay Dr. Fennyck Is OCT 2 9 2019

DE 19944 134-23.16-216.00 Nedwick, Stanley A. Trustee Rev. 19 Oysler Bay Dr. Fenwick Is DE 19944

134-23.16-217.00 Kucik, George & Tamara 4506 Puller Dr. Kensington, MD 20895

134-23.16-218.00 Moyer Darryl & Bonnie 308 Lenker Dr. Camphill, PA 17011

134-23, 20-1,00 Shumusic, Thomas & Frances 43 Cordelle Rd. Newark, DE 19711

134-23,20-10,00 Wingate, Laurie 1218 Boyce Ave. Batturore MD 21204

134-23,20-11.00 Zeccola, Michael A & Kathleen 1082 Old Churchuans Rd. Newark DE 19713

MCLONGHIM, James & Joanne 108 3rd Ave Haddon Heights NJ 838

134-23.20-13.00 Prior, John M& Beverly B. 1065 Westwood Dr. Birmingham MI 48099 134-23:20-13.01 ABU-RUSTUM Node en 15 EIM St TEMPTY NJ 7670 134-23.20-14.00 Marquess, Linda W. 143 Shinn Circle Wilmington DE 19808 134-23:20-15:00 Hecker Cary & Janet Trustees 12101 Maycheck Ln. Bowle MD 20715 134-237D-16.00/17.00 Garriot Charles & Cloo 211 Willow Valley Sq. D204 Lancaster PA 17602 Harrington St. Fenwick IS, DE 1994 134-23.20-18.00 Smpler, Theodore B/Marilyn 31 WBayard St Fenwick Is de 1994

134-23.16-178.00 | 179.00 Strickland, William 36 Maple Dale Rd. Dover DE 19904

134-23.16-180.00 Craig Malone 104 Fairwort Dr. Bel Air MD 21014

134-23.16-180.01 Geiver, Maureen & William 3305 Glenway Dr. Kensington, MD 20895

134-23, 16-181,00 Bainbridge K. Trustee 408 Feather Rock Dr. Rockville MD 20850

134-23.16-181.01 Dorman, Michael B. 4115 Everett St. Kensington MD 20895

134-23.16-182.00 /182.02 SMith John A. Trustee 37767 Cedar Rd Selbyville, DE 19975

134-23.16-182.01/182.03

Boxler, Paul 12 Rock, Hill Lin. Landenberg PA
19350

Couturier Eileen 416 Main St. Hightstown NJ 852D

Franks Eugene O TTEE 6603 Braeburn Pky. Bethesda, MD 20817

134-23.20-53.00 Bive Horizons LP 11004 Trappe Creek Dr. Berlin MD 21811 134-23.20-5400 Dansk LLC 11004 Trappe Creek Dr. Burlin 21811

FOT " 199ULI
134-23.20-3.00 - Hubley, George & Arr 55 Bayside Dr. Fenry (V. Isl. 1994
3000- Milhael Nardo 36 Dister Bay Dr Fermick Ist. DE 1994L
31.00-Washington, Gary & Theresa 34 Dyster Bay Dr F. I., DE 19944
32 Oyster Bay Dr F. I. DE 19944
33.00 - William & DEPTRA MCKINNEY 30 Dyster Bay DR F.I. DE 19944
34.00 - Robert Burkholder C. 28 Dyster Bay Dr. F.I., DE 19944
35.00 - Meredith Nelson W. JR. 24 Dyster Bay Dr. F.I. DE 19944
36.00 - HAGAN TIMOTHY & CATHERINE 22 Dysler Bay DR. F. I DE PAGUL
37.00 - Stricklin BARRY 20 Oyster BAY DR. I'L DE 19914
OCT 2 9 2019

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14 DYSTER BAY F.I. DE 19944 28.00-MUENGI NO PERTEMBEL 40 DYSTER BAY FII. DE 19944 27.04- Melissa Moleski 50 Dyster Bay Dr FII DE 19941 27.03- Raymond FAGER 44 DYSTER BAY DR FIT DE 19944 48.00 Fell, BARTRY & BRENCHA 19 HIGHTIDE LIN. FIT DE 19944 48.01-ROBERT BOUGHER 19 HIGH TICLE LAINE OCT 2 9 2019 FIT DE 19914

1 X 19944 134-23,20-48,02 Tanise Curning HAM 17 High Tide Vo. F.I DE 19944 48.03 - RICHARD GIBERT 13 High Tide LA FI DE 19944 48.05 Regina Meiners of High Tide In. FIT DE 19944 18 ab Jannuzzio Nary Trustee 15 High TILE In FII DE UBID + HIRTWELL EDWARD JR. 23 HIGHTIDELD FIJ DE UBLY FRANCIS WISNIEWSKI 25 HIGH TIDE LA FILL DE 48.10 HOLLS ARNESON 31 HIGH TIDE LA FIT DE 48.11 29 HOH TIDELD, FIL DE 48,08- by FRICHARD HilkORY LJY = 9 2019

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(9/24/9) 134-23,20-17.01 (33 Oyster Bay Dr)
Starr C. Walter Jr. & Kimberry Hosslinger West
14008 Cuba Road Cickeys Ville, MD 21030

Hills, James S. Jr. 39 Cyster Bay Fernick De 19941

Chambers, Cregory & Army Thuts Rivers View Court Columbia, MD 21044

Laden Richard H. 47 Bayside Dr. Fenwick_Island DE 19944

Brobst, Mathery & Ivone 3832) Maple Lane Selbyville, DE 19975

Chance, Harold 142 Worths Bridge Rd. Oxford, PA 19363

Dombay, Richard 334 Sylvania Ave Folsou, 7A 19033

Riggin, Joseph & Patricia New Maryland Ave Fenwick Island, DE 19944 134-23,20-61.00 Liberman Nicolas Trustee 171 Sammil Rd. Landenberg PA 19350

134-23.20-62.00 Sellentin Stephen & Ting 706 Fox Tail Circle Leesvarg VA 20176

Hilleary, Richard & Joyce 5427 Brushland Rd. Alexandria, VA 22310

Crycler, David Wayne & Kothken 37148 Solitade Dr. Selbyville, DE 19775

Maivel, Richard & Debra TTEE 24411 Beaver Dam Dr. Seaford, DE 19973

Leiphalt, Larry & Jean 18 Forest Hills Rd. Red Lion, PA 17356

Gray, Robbin & Angela 36967 Willow Lane Fenwck Island, DE 19944

Reilly, Thomas AlMichael Timethy J. Trustees of 8015 Agin Court McLean VA 22102

Naylor, Thouas & Dobra 112 East Christian St. Wilmington, DE 19804

Moute you conserve itel 24 Groves Ave. Alexandria, Va. 22305

MCKnight Melanie S. 204 Patrixent Record Laviel, MD 20707

Willis, Kenneth & Betty / Barbara Blades 14552 American Corners Rd. Federalsburg, UD

Willey Naomi 'For Life' | George Willey 271 Hicken Way Conterville, MD 21617

Schutz, (Maries J. Lecto youngstown Ave. Bathwere, UD 21222

Edward Fehskens 150 Old What Rd Ocean City MD 21842

Keth Coffin P.D. Box 4347 Ocean City MD ZIBUZ

SCOTT James P. 11 Trustee OCT 29 2019 1501 Milltown Rd. Wilmington, DE 19808

Polinka, Dorothy & Clifford D Jewell 53 bayside Drive Fenwick Island DE 19944

Fryer Real Estate Jont Venture 305 Pavi Dr. Smyrna DE 19977

Powell, Kelli A. & Robert E. 12 Glen Lyon Court Phoenix, MD 21132

Colevas, Gregorijs, & Anne V. 1437 Spring Palley Avenue McLean VA 22101

Document # 2019000046819 BK: 5164 PG: 286 On 12/9/2019 at 8:58:56 AM

RECORDER OF DEEDS Scott Dailey

Sussex County, DE

Consideration: \$2,500,000.00 County/Town: \$37,500.00 State: \$62,500.00Total: \$100,000.00 Doc Surcharge Paic

Tax Parcel No.: 134 23.00 3.02 PREPARED BY & RETURN TO: Stephen P. Ellis Law Firm, LLC P.O. Box 574 Georgetown, DE 19947

NO TITLE EXAMINATION PERFORMED OR REQUESTED

THIS DEED is made this _____ day of December, 2019,

- BETWEEN -

CANDACE F. ABBOTT, TRUSTEE OF THE CANDACE F. REVOCABLE TRUST DATED AUGUST 17, 2016, of 107 Elizabeth Street, Georgetown, Delaware 19947, J. TIMOTHY ABBOTT, a/k/a JAMES T. ABBOTT, of 24954 Hollis Road, Georgetown, Delaware 19947, ABBOTT REAL ESTATE PARTNERSHIP, of 111 West Market Street, Georgetown, Delaware 19947, and JAY DEAN ABBOTT, of 5240 North E. 6th Ave. 26E, Oakland Park, Florida 33334, parties of the first part,

- AND -

CHRISTOPHER AT THE TOWNES AT BAYSHORE VILLAGE, LLC, of 118 Atlantic Avenue, Suite 401, Ocean View, Delaware 19970, 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 party of the second part, its successors and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, Delaware.

ALL that certain tract, piece or parcel of land situate, lying and being in Baltimore Hundred, Sussex County and State of Delaware, lying on the Northerly side of Route 54 and being more particularly described as follows, to wit:

BEGINNING at an iron pipe found along the Northerly right-of-way line of Route 54, said point of beginning being a corner for these lands and lands now or formerly of Joseph Balsamo, et al.; thence from said point of beginning and running along and with the line of lands now or formerly of Joseph Balsamo, et al., North 14 degrees 32 minutes 19 seconds East 288.17 feet to a point; thence turning and running South 72 degrees 08 minutes 04 seconds East 362.78 feet to a point, said point being a corner for these lands and in line of lands now or formerly of Charlotte H. Spicer; thence turning and running along and with the line of lands now or formerly of Charlotte H. Spicer, South 13 degrees 27 minutes 28 seconds West 161.55 feet to a point;

thence South 15 degrees 11 minutes 16 seconds West 101.46 feet to a concrete marker found along the Northerly right-of-way line of Route 54; thence turning and running with the line of Route 54, North 76 degrees 06 minutes 50 seconds West 364.09 feet to an iron pipe found, the point and place of beginning, said to contain 2.30 acres of land be the same more or less, as surveyed by McCann, Inc., Daniel J. McCann, Professional Land Surveyor, March 21, 2000.

AND BEING MORE RECENTLY DESCRIBED AS:

ALL that certain parcel of land with improvements erected thereon being Tax Parcel #1-34-23.00-3.02, situated in Baltimore Hundred, Sussex County, Delaware, described in a Deed recorded in the Office of the Recorder of Deeds in and for Sussex County, at Deed Book 2471, Page 166, and more recently described in a survey performed by Civil Engineering Associates LLC, in the Delaware State Plan Coordinate System, as follows, to wit:

BEGINNING at a point located along the northerly side of S.R. 54 a.k.a Lighthouse DEC 1 7 2019 Road (at varying widths), said point being a common corner of the herein described parcel and lands now or formerly of Lighthouse View, LLC, said point being the first mentioned point and place of beginning, thence, leaving said northerly side of Lighthouse Road and along the division line of the herein described parcel and said lands of Lighthouse North 01 degrees, 23 minutes, 35 seconds West, a distance of 288.17 feet to a point located along the Assawoman Bay, thence along the division line of the herein described parcel and said Assawoman Bay South 88 degrees, 03 minutes, 58 seconds East, a distance of 362.78 feet to a point, said point still located along said Assawoman Bay and being a common corner of the herein described parcel and lands now or formerly of Michael C. Reilly, thence, along the division line of the herein described parcel and lands of Reilly the following two (2) described courses and distances: 1) South 02 degrees, 28 minutes, 26 seconds East a distance of 161.55 feet to a point, thence, 2) South 00 degrees, 44 minutes, 38 seconds East a distance of 101.46 feet to a point, located along said northerly side of Lighthouse Road, thence, with same, South 87 degrees, 57 minutes, 16 seconds West, a distance of 364.09 feet to a point, said point being the first mentioned point and place of beginning. Containing within the said described metes and bounds 100,305.3 square feet (2.30 acres) of land

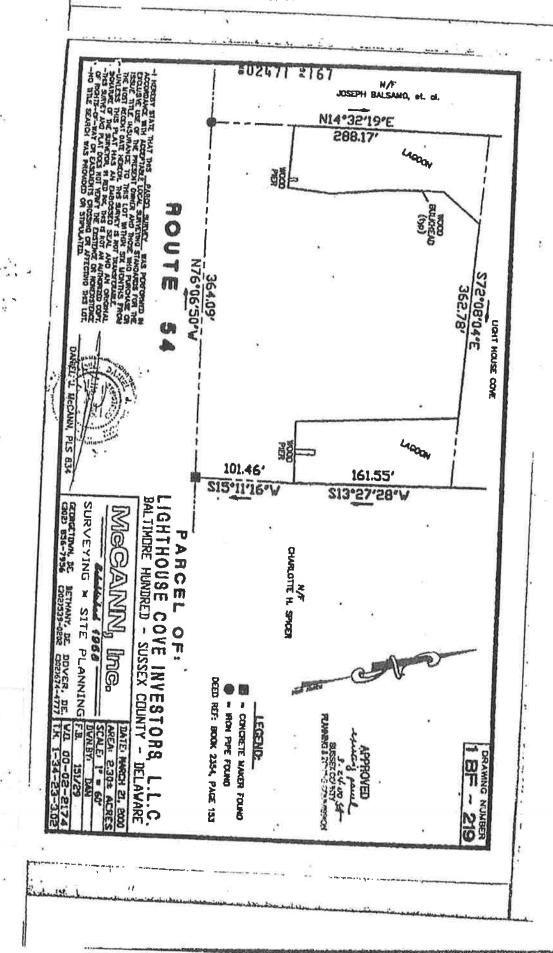
THIS CONVEYANCE IS SUBJECT to any and all restrictions, reservations, conditions, easements, agreements, and out conveyances of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

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:	**
	Candace F. Abbott, Trustee (SEAL)
	J. Timothy Abbott, a/k/a James T. Abbott
	By: Howard S. Abbott, Managing Partner
	By: Kathleen M. Abbott, Managing Partner
	ay Ipean Abbott (SEAL)
STATE OF DELAWARE :	MEGEOVEN
COUNTY OF SUSSEX : ss.	DEU 1 7 2019
BE IT REMEMBERED, that on I the subscriber, Candace F. Abbott, Trustee S. Abbott and Kathleen M. Abbott, Mana Jay Dean Abbott, parties of the first part t and acknowledged this Indenture to be his a	e, J. Timothy Abbott, a/k/a James T. Abbott, Howard ging Partners of Abbott Real Estate Partnership, and
Given under my Hand and Seal of or	ffice the day and year aforesaid.
	_// Q Q

Motary Public

VERONICA O. FAUST Attorney at Lew Notary Officer, State of Deleware Fursuant to 29 Del.C.§4323 (a)(3) My Commission Has No Expiration Date



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SITING AND DESIGN STUDY THE TOWNES AT BAYSHORE VILLAGE COMMUNITY MARINA

Tax Map Parcel: 134-23.00-3.02

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

October 15, 2019

Prepared for:

CHRISTOPHER AT MILLVILLE, LLC. 10461 White Granite Drive Suite 103 Oakton, VA 22124





Prepared By:

ENVIRONMENTAL RESOURCES, INC. 38173 DuPont Blvd.
P.O. Box 169
Selbyville, DE 19975
Phone: 302-436-9637

ERI Project No: 736#829

SITING AND DESIGN STUDY FOR THE TOWNES AT BAYSHORE VILLAGE COMMUNITY MARINA

BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

Table of Contents:

Project Description
Environmental Setting
Water Quality Conditions
Siting and Design Study Conclusions4

List of Exhibits:

OCT 2 9 2019

Exhibit 1: Historic Water Quality Conditions - DEMAC Water Quality Portal Station 30511 Lewes-Rehoboth Canal @ Rt. 1

Exhibit 2: Permit Drawings, "Community Docking Plan" prepared by Civil Engineering Associates, LLC.

Sheets 1 through 6, dated: October 21, 2019

PROJECT DESCRIPTION AND LOCATION

The proposed project involves providing a community docking facility associated with the redevelopment of the former 2.3 acre Lighthouse Cove Residential Community located on the north side of Lighthouse Road, State Route 54, Baltimore Hundred, Sussex County, Delaware. The property includes lagoons which are private subaqueous lands on it's east and west sides. The northerly boundary is a lagoon which lies in the Baltimore Hundred of Sussex County which is public subaqueous lands. The site is located 0.28 miles west of the intersection of State Route 54 and Coastal Highway (State Route 1). The site is identified in Sussex County land records as Tax Map Parcel 134-23.00-3.02.

The redeveloped project will be known as The Townes At Bayshore Village. It will consist of 18 townhomes. Similar to the original community, mooring of homeowner owned vessels is proposed along the project's lagoon frontage. As more than 4 vessels will be moored, a DNREC Marina Permit is technically required. An existing pier is currently located at the end of the east and west lagoons. Reconstruction of these structures and minor maintenance dredging is proposed as part of the site redevelopment. A Subaqueous Lands Permit for this work is also required. Individual project elements Are described as follows:

<u>Pier Replacement</u> – A 5'x20' existing pier is found at the head of the east and west lagoons which are private subaqueous lands. Each pier will be replaced with a similarly situated 6'x24' pier as future slips adjacent to the piers will be fitted with boat lifts. Proposed piers will be pile supported and of typical marine construction using salt treated whalers, stringers, decking and galvanized hardware.

Minor Maintenance Dredging – As identified by project plans, maintenance dredging is proposed to clean out sediment accumulation at the head of the east and west lagoons and within a small area along the northwestern bulkhead face. The total area of maintenance dredging is 6,132 square feet. Proposed depth will match existing -3.5foot mean low depths. Estimated volume is 180 cubic yards. Of that amount, 52 cubic yards will be dredged from public subaqueous lands. Dredging will be conducted using land based excavators. Spoils will be retained on-site and incorporated into a 22' x 110' landscaped berm for disposal as identified on the project plans. The spoil site will be enclosed with a supersilt fence during construction. Spoil height will be approximately 2 feet. Once spoil material dries out the spoils will be covered with topsoil and graded to form a 22' x 110' grassed landscaped berm.

Boat Docking & Marina Operations — A maximum of 18 vessels will be moored along the bulkheaded face of the Townes At Bayshore Village property. As shown on Project Plans, three 15'x24' slips at the head of the west lagoon will be fitted with 10,000 lb. capacity boatlifts. Two 16' x 24' slips will be fitted with 10,000 capacity boat lifts located at the head of the east lagoon.

An additional thirteen 12' x 24' boat mooring spaces are proposed along the bulkhead surrounding the property. Of this amount only six of the boat mooring spaces are situated over public subaqueous lands. Boats will simply tie up along the bulkhead at these locations, no outboard mooring piles are proposed.

The combination of piers, boatlifts and docking spaces will be operated as a community marina facility accommodating a maximum of 18 vessels to be permitted by the Delaware Department of Natural Resources and Environmental Control (DNREC). The marina facility will operate under an Operations and Maintenance Plan (O&M Plan) approved by DNREC. Marina signage with emergency contact numbers and an emergency spill kit will be located at the head of the north lagoon. Marina pump out capability will be contracted through the nearby Sharks Cove Marina located on the west side of the Fenwick Ditch and State Route 54. Dockside electric & water service will be provided. Boat owners have restrooms and parking available at their individual residences.

Dock space units will be assigned to residential units through condominium documents. Docking is for the exclusive use of The Townes At Bayshore Village residents.

<u>Waterfront Boardwalk</u> – A 6 foot wide timber boardwalk will be constructed along the 700 linear foot perimeter of the project's bulkheaded shoreline. A 16 inch wide portion of the boardwalk will extend channelward of the vinyl bulkhead wall face. However, the boardwalk edge will not extend beyond the face of the bulkhead support piles.

On it's channelward side, the boardwalk decking will be supported by a 2" x 8" stringer bolted through each bulkhead piling and resting upon the top of the vinyl sheet pile wall. A second 10 inch diameter salt treated piling will support the boardwalk on it's landward side. Salt treated 2" x 6" decking will be secured to the whaler attached to each piling. In effect, the boardwalk will form a pile cap overtop bulkhead support pilings.



ENVIRONMENTAL SETTING

The subject site is 2.30 acres in size. The site includes lagoons on it's east and west side which are private subaqueous lands. The northerly boundary of the site is also lagoon frontage. This lagoon is public subaqueous land. Historically these lagoons were created by realigning and dredging tidal guts which were part of Lighthouse Cove. Lighthouse Cove borders the east side of Fenwick Ditch which connects Assawoman Bay and Little Assawoman Bay. The site is well situated with respect to navigation and recreational boating opportunities. All of the lagoon frontage is bulkheaded. No wetlands exist on or in the vicinity of the site. No submerged aquatic vegetation, shellfish growing areas or any threatened or endangered species or their critical habitat are present on the site. The existing site is developed with residential uses. Similar residential and light commercial uses along SR54 surround the subject site. Existing water depths within the lagoons average from about -3.5 feet to 6.0 feet deep NAVD88. Mean low water is elevation 0.0 NAVD88 and mean high water is elevation +0.8 feet.

WATER QUALITY CONDITIONS

A summary of historic water quality data representative of conditions for the project location was obtained from the Delaware Environmental Monitoring and Analysis Center (DEMAC) Water Quality Portal which is provided in **Exhibit 1** of this study. The monitoring station (Station 310011) is located at the State Route 54 Bridge and the Fenwick Ditch. This location is only water 0.5 miles west of the project site.

Dissolved oxygen (DO) concentrations in Delaware's shallow inland bays have dissolved oxygen levels that naturally cycle over 24 hours. During the day, plants and algae release oxygen into the water through photosynthesis. At night, plants, algae, and animals continue to respire and draw oxygen out of the water. Nutrient pollution can make these cycles extreme by fueling algal blooms. When the excessive algae respire at night, they can cause oxygen to drop below healthy levels. Literature suggests that a healthy minimum standard for DO levels in the inland bays is generally considered to be a DO of at least 4.0 mg/l.

Data collected in the canal between 2000 and 2016 showed no DO concentrations lower than 4.0 mg/l throughout the year and peak concentrations as high as14.0 mg/l. Generally, DO concentrations are well above 5.0 mg/l. Therefore, DO concentrations at the project site can be expected to exceed the standards for healthy DO concentrations in the inland bays.

Other parameters such as Water Temperature, pH, Total Nitrogen, Total Phosphorous, Enterococcus, Salinity, Total Suspended Solids, Chlorophyll A are also reported at this station. These are typical of Little Assawoman Bay.

SITING AND DESIGN STUDY CONCLUSIONS

The design of the Townes At Bayshore Village Community Marina facility meets all regulatory requirements and design standards of DNREC's Marina and Subaqueous Lands Regulations. The existing bulkheaded site operated for many years as a docking facility for the Lighthouse Cove residential community without the formal benefit of DNREC Marina or Subaqueous Permits. The site constituted a "Minor Marina" prior to and defined by DNREC's 1991 Marina Regulations. Therefore, the currently proposed project is considered a minor modification of an existing marina. As part of redeveloping the site with 18 condominium townhomes, DNREC requested the developer to seek a Marina Permit. It is considered a minor marina facility as the capacity overall of the facility is 18 small recreation craft. The proposed location is favorable as it is redevelopment of a previously existing residential property and developed shoreline. Project impacts are thereby minimized, and no wetland impacts will result from the project. Adequate water depths exist without the need for substantial dredging even on a long-term basis. The project does not adversely impact boat navigation within the canal system since it meets the navigation standards of DNREC's Subaqueous Lands Regulations. This small community facility does not impact any nearby piers or other development; therefore, the facility has no impacts on neighboring properties. It is primarily located over private subaqueous lands owned by the applicant.

No shellfish resources or submerged aquatic vegetation exist at or nearby the community dock location. The community marina lies within waters prohibited for shellfishing. Existing water quality conditions at and nearby the project site are favorable and the addition of approximately 10 boats within the extensive network of existing lagoons will not result in a violation of state water quality standards. In order to protect water quality the marina will operate under an approved Operation and Maintenance Plan (O&M Plan). Use of a marina pump out station at the nearby Sharks Cove Marina will be contracted. The residential development site is serviced by public water and sanitary sewer. Fish cleaning at the facility is prohibited by the O&M Plan. Redevelopment of the site includes a comprehensive stormwater management plan approved by the Sussex Conservation District. Lastly, endangered species or historic and cultural resources will not be impacted. Based on this summary of conclusions, the development of the proposed community marina is well situated and will not have an adverse impact to the public interest.



Upon conducting a review of the local network of lagoons associated with Lighthouse Cove, one finds that some of the widest widths occur in the vicinity of the northerly lagoon frontage of the property. The narrowest point occurs at the midpoint of the northern lagoon frontage where the width is 60 feet. Lagoon widths of 50 feet are not uncommon elsewhere in the existing Fenwick Island lagoon system with some locations being as little as 45 feet.

DNREC's Subaqueous Lands regulations prohibit any structures from being placed within a waterway or lagoon which would restrict more than 20 percent of the distance across the waterbody in order to protect the ability to navigate. No structures are proposed along the northerly lagoon frontage at the Townes At Bayshore Village. Only the mooring of up to five resident vessels will be permitted along the bulkhead face at this location. This is no different than what has been permitted and allowed to occur within any lagoon in the project vicinity subject to Subaqueous Lands regulations.

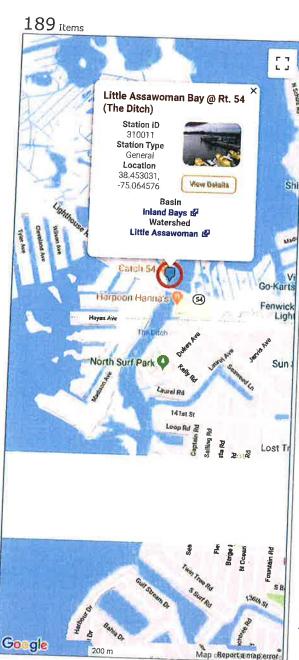
The Townes At Bayshore Village minor marina modification being proposed herein by the applicant meets all required standards of DNREC's Subaqueous Lands and Marina Regulations. This applicant seeks nothing more than the rights and privileges routinely granted by DNREC to neighboring landowners; the mooring of vessels along their bulkheaded lagoon shorelines. In addition, a new 24 slip marina adjacent to this project was recently authorized.

EXHIBIT 1

Historic Water Quality Conditions
DEMAC Water Quality Portal
Station 31011
Little Assawoman Bay @ SR 54
(The Ditch)

Home About Contact

Text Search



Station Type Select a Basin Select a Watershed 27 Beach 30 Chesapeake Bay 8 Appoquinimink River 22 Boat Run 93 Delaware Bay and 4 Army Creek 140 General Estuary Basin 1 Assawoman 44 Inland Bays 3 Blackbird Creek 22 Piedmont 3 Brandywine Creek 6 Broad Creek Data Table 310011 Station Information Station ID: 310011 Station Name: Little Assawoman Bay @ Rt. 54 (The Ditch) Period of Record: Mar 08, 2000 - Jul 30, 2018

Latest Water Quality Samples

Basin: Inland Bays &

Watershed: Little Assawoman &

View Historical Station Data

Download Historical Station Data (.csv)

Parameter 1	Value 🕦	ResultType 🚯	Date
Water Temp	26.0 °C	Actual	Jul 29, 2018
pH	7.8	Actual	Jul 29, 2018
Salinity	20.26 ppt	Actual	Jul 29, 2018
Enterococcus	30.0 cfu/100 ml	Actual	Jul 29, 2018
Dissolved Oxygen	6.18 mg/l	Actual	Jul 29, 2018
Total Nitrogen	0.92 mg/l	Actual	Jul 29, 2018
Total Phosphorus	0.06 mg/l	Actual	Jul 29, 2018
Chlorophyll A	21.50 mg/l	Actual	Jul 29, 2018
Total Suspended Solids	12.6 mg/I	Actual	Jul 29, 2018

OCT 2 9 2019





O Beach Boat Run General

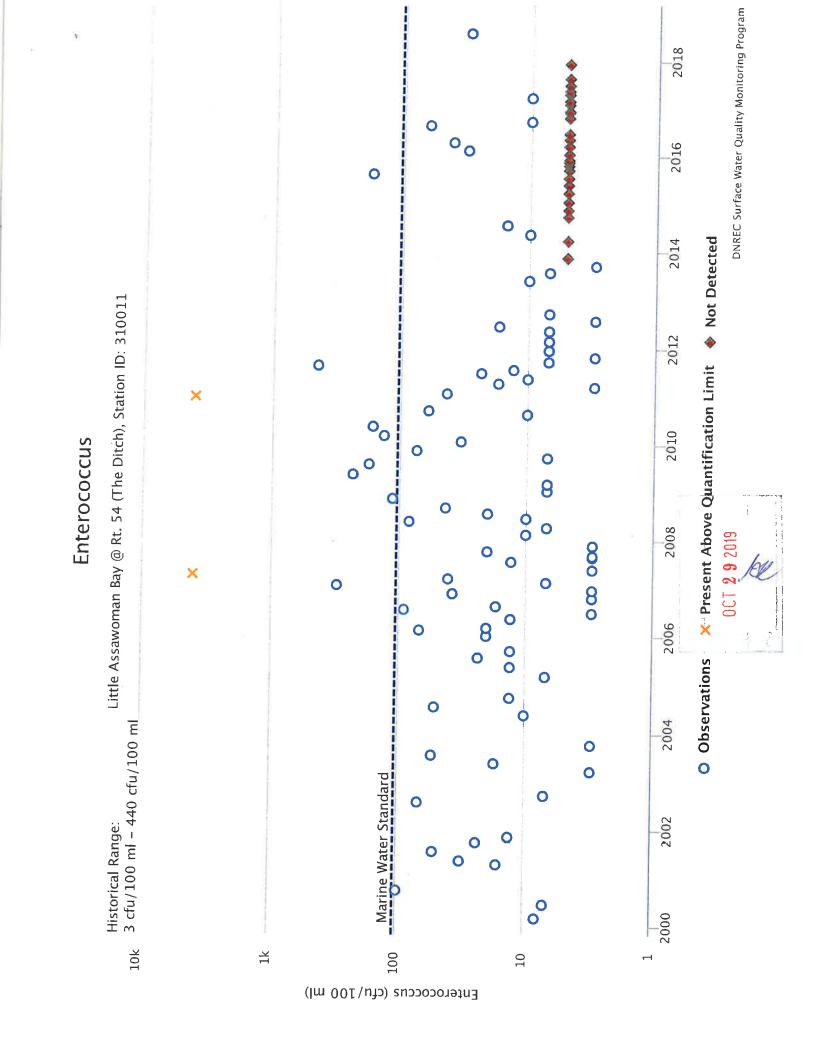


This site was developed by the Delaware Environmental Observing Sytem and the Delaware Environmental Monitoring & Analysis Center in coordinateion with the DNREC Watershed Assessment Section. All data for this site were obtained from the National Water Quality Monitoring Council's National Water Quality Portal (www.waterqualitydata.us).



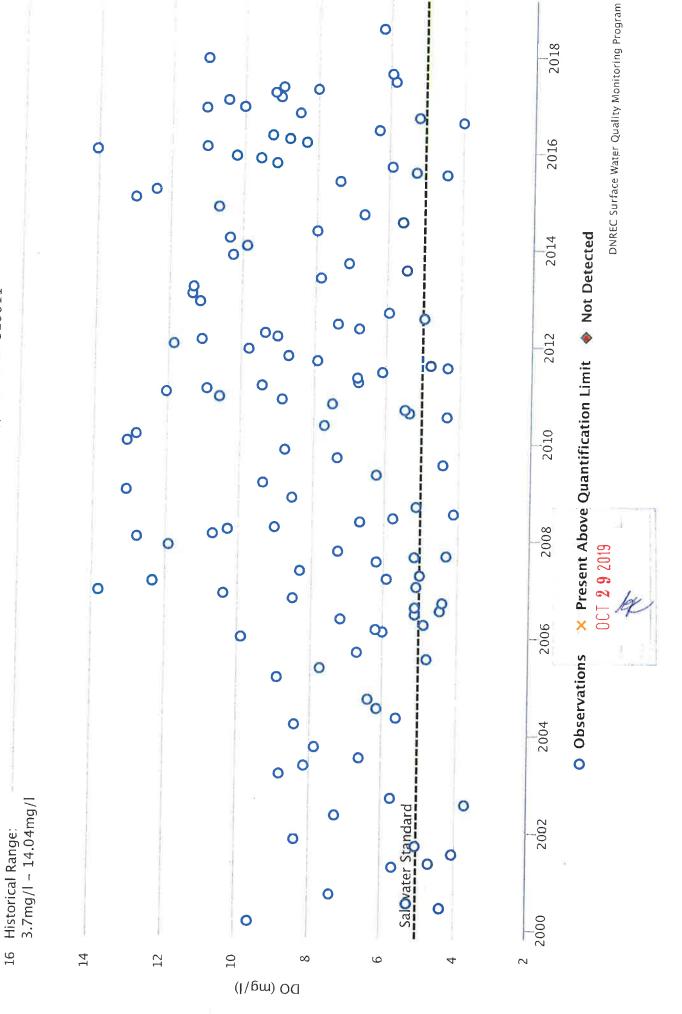
Zoom to this station

OHighlight Location



Dissolved Oxygen (DO)

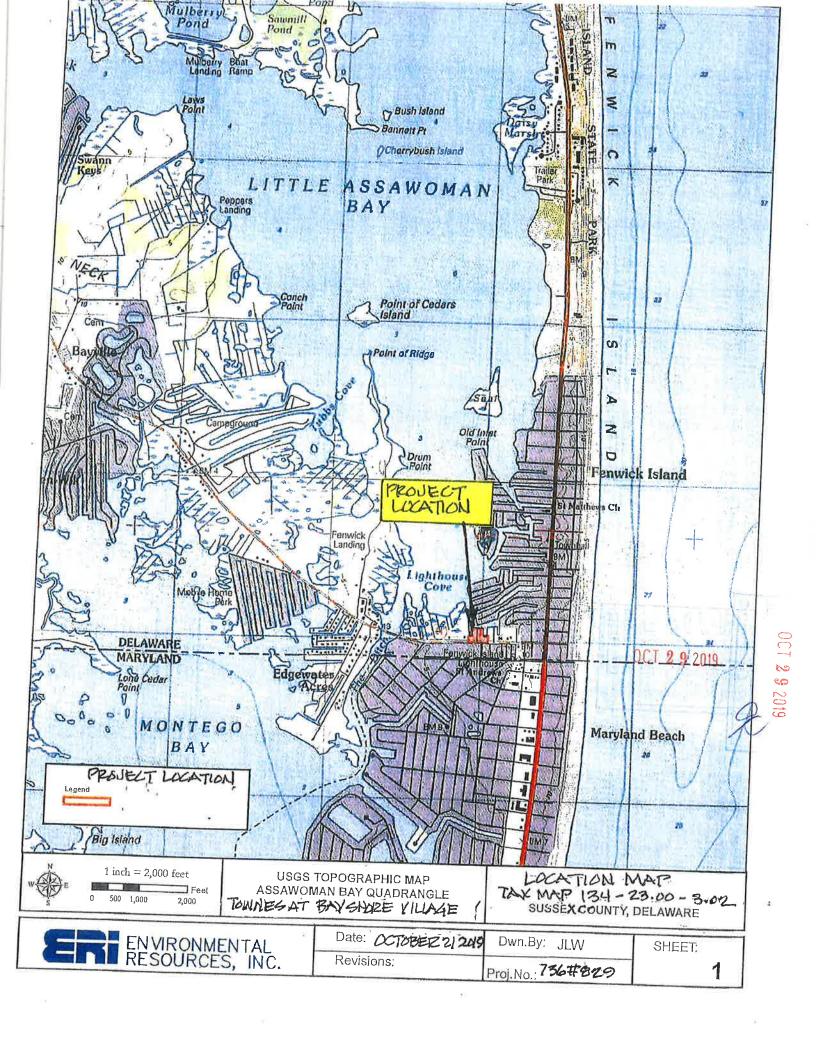
Little Assawoman Bay @ Rt. 54 (The Ditch), Station ID: 310011

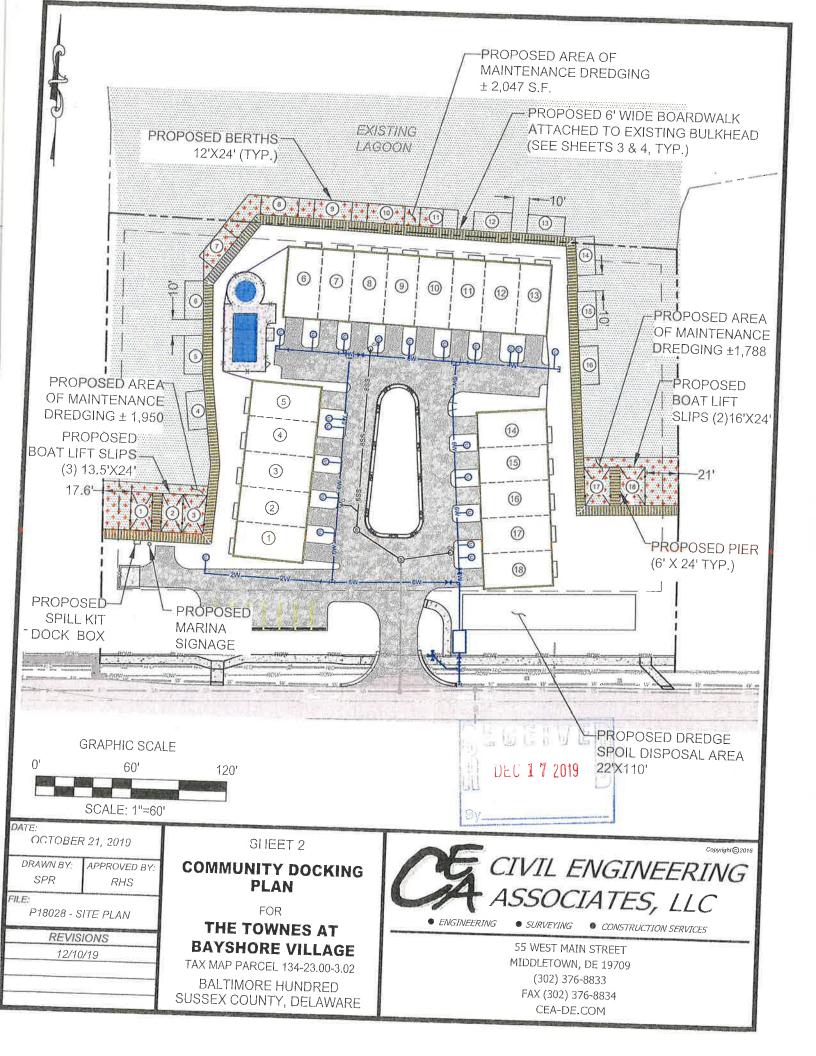


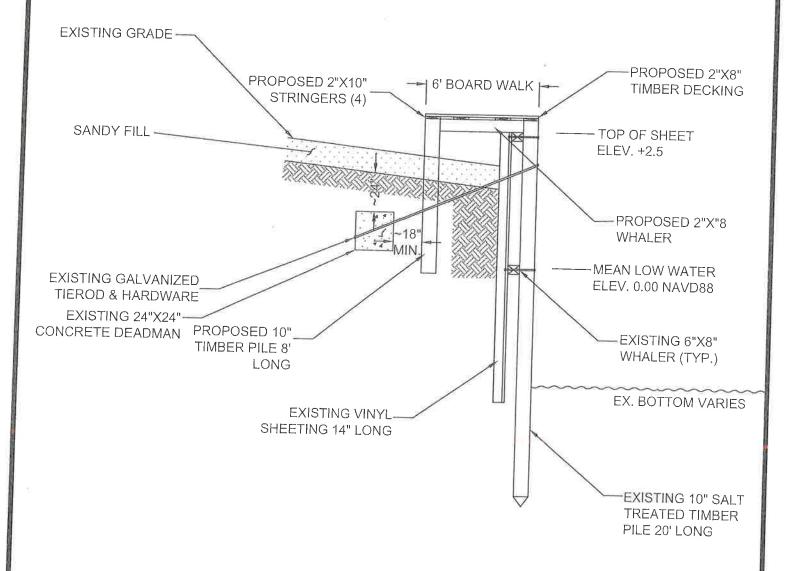
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EXHIBIT 2

Permit Drawings
"Community Docking Plan"
Prepared by
Civil Engineering Associates, LLC.







PROPOSED BOARDWALK
PILE CAP FOR EXISTING
BULKHEAD

OCT 2 9 2019



DATE:
OCTOBER 21, 2019

DRAWN BY: | APPROVED BY:

APPROVED BY. RHS

FILE: P18028 - SITE PLAN

SPR

REVISIONS

SHEET 3

COMMUNITY DOCKING PLAN

FOR

THE TOWNES AT BAYSHORE VILLAGE

TAX MAP PARCEL 134-23.00-3.02

BALTIMORE HUNDRED SUSSEX COUNTY, DELAWARE

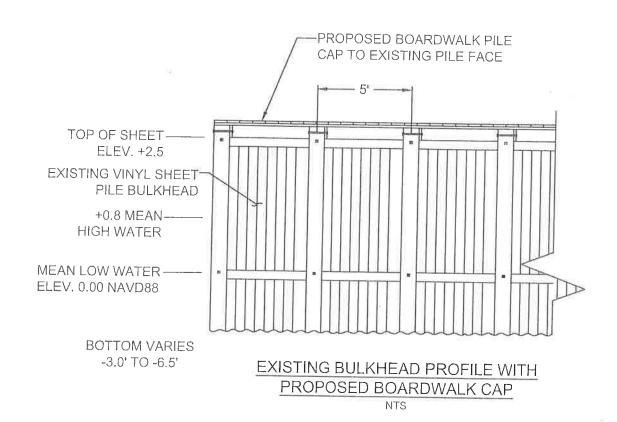


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OCT 2 9 2019

DATE: OCTOBER 21, 2019

DRAWN BY: APPROVED BY: SPR RHS

FILE:

P18028 - SITE PLAN

REVISIONS

SHEET 4

COMMUNITY DOCKING PLAN

FOR

THE TOWNES AT **BAYSHORE VILLAGE**

TAX MAP PARCEL 134-23.00-3.02

BALTIMORE HUNDRED SUSSEX COUNTY, DELAWARE

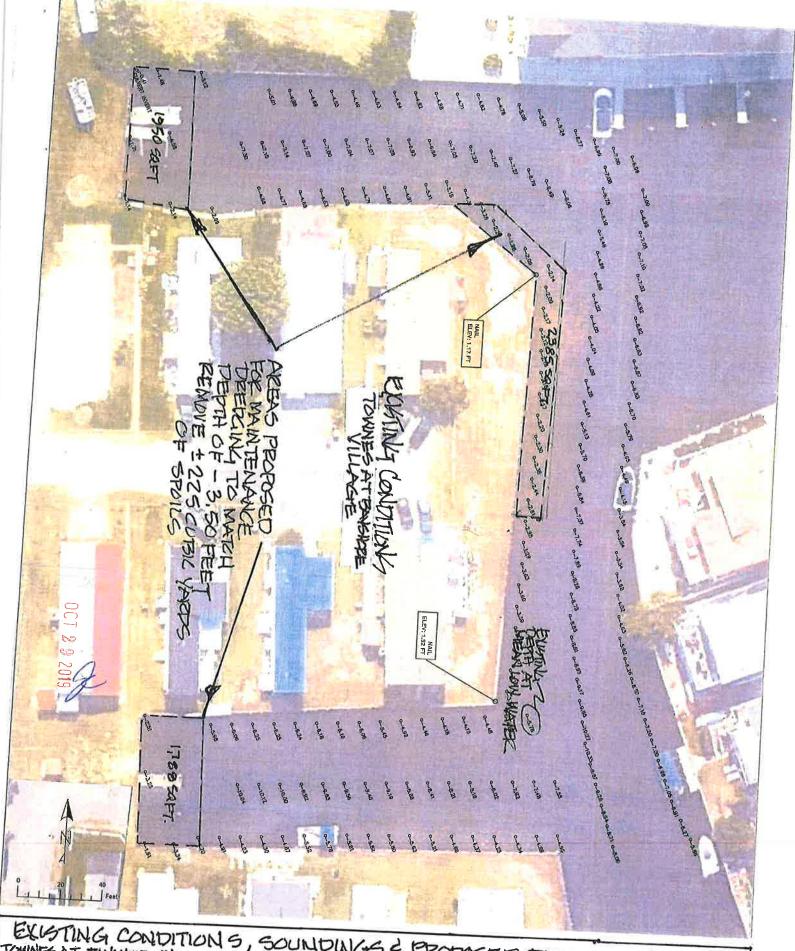


CIVIL ENGINEERING

ENGINEERING

SURVEYING
 CONSTRUCTION SERVICES

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EXISTING CONDITIONS, SOUNDINGS & PROPOSED DREDGING LOCATIONS TOWNES AT EMPHRE VILLAGE TAX MAP PARCEL 134-23.00-3.02_
BALTIMORE HUNDRED SUSSEX COUNTY DELAWARE

SCALE: AS SHOWN SHEET 5

