



**Kent County Regional Planning Commission Business Meeting
Meeting Notice and Agenda**

555 Bay Rd.

Dover, DE 19901

Levy Court Chambers - Room 203

Thursday, February 12, 2026

6:00 PM, RPC BUSINESS MEETING

REVISED

In addition to the live meeting, this meeting may also be held virtually by phone and video conferencing to enable the applicant, owner, and/or members of the public to provide their testimony on the applications described below.

Join the meeting via Webex by going to:

[https://kentcountyde.webex.com/kentcountyde/j.php?](https://kentcountyde.webex.com/kentcountyde/j.php?MTID=m81b0e34f85659dc281e4599cbeab3246)

[MTID=m81b0e34f85659dc281e4599cbeab3246](https://kentcountyde.webex.com/kentcountyde/j.php?MTID=m81b0e34f85659dc281e4599cbeab3246)

or by phone, by calling 1-408-418-9388. Meeting number (access code) 2345 326 2357

Meeting password: ieUmMVdH238

Call to Order for Business Meeting

The Pledge of Allegiance

Roll Call and Determination of Quorum

Approval of Agenda

Approval of Minutes

January 15, 2026 - Draft

Levy Court Action on Commission Recommendations

<u>Application:</u>	<u>RPC Rec.</u>	<u>L.C. Action</u>
CZ-26-01 King, Allen E. & Amanda L.	Modified Approval	Modified Approval
CS-26-01 DE State Fire School	Conditional Approval	Conditional Approval

Old Business

SLV-25-40 DE Army National Guard: Requesting a Waiver from §187-77 C. Wetlands areas to enable filling non-jurisdictional wetlands to install a stormwater management pond for the future construction of a DEARNG Readiness Center located Inside the Growth Zone Overlay District. / LC-00-046.00-01-08.00-000

SLV-25-42 Ebert, Taylor: Requesting a Waiver from §187-57.B. Floodplain areas and §187-77.C. Wetlands areas to enable the submission of a 2-lot minor subdivision plan located inside the Growth Zone Overlay District. / NM-00-119.00-02-30.00-000

New Business

~~**SL-26-01 Thompson Ridge:** Request for preliminary approval of a 107 lot single-family dwelling major subdivision located inside the Growth Zone Overlay District / Parcel: NM-00-104.00-01-66.00-000~~

CS-26-02 Berean Community Church Inc: Request for Conditional Use Site Plan Approval to construct a Sanctuary, Family Center and Education building totaling 29,022 sq ft. located outside the Growth Zone Overlay District / Parcel # MD-00-172.00-01-45.00 & MD-00-172.00-01-45.01-000

S-26-01 Shiv Shanker, Inc: Request for Site Plan approval to Construct an 11,902 sq. ft. for a Micro-Brewery and Retail space located inside the Growth Zone Overlay District / Parcel # DC-00-019.00-02-17.00-000

Public Comment

Commission Comments

Other Business

Adjournment

POSTING DATE: 2/2/2026

REVISED DATE: 2/11/26

POSTING TIME: 10:00 AM

REVISED POSTING TIME: 4:00PM

POSTED BY: K.Andrews, Planning Tech

REVISED BY: J. Berry, Land Use Supervisor

TAKE DOWN: 2/13/2023

29 Del.C. §10004(e)(2). The Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the meeting.

**REGIONAL PLANNING COMMISSION
BUSINESS MEETING MINUTES
January 15, 2026**

The meeting of the Regional Planning Commission was held Thursday, January 15, 2026 in the Levy Court Chambers of the Kent County Administrative Complex, 555 Bay Road, Dover, Delaware 19901.

CALL TO ORDER FOR BUSINESS MEETING (Video Conference included)

The Business Meeting was called to order at 6:00 PM

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL AND DETERMINATION OF QUORUM

The following members were present:

David Peterman
Peter Servon
Denise Kaercher
Glen Gauvry
Delbert Mills
Paul Davis (telephone)
Bill Jester

Also present were:

Sarah Keifer, Director of Planning
Tanner Jameson, Attorney

APPROVAL OF AGENDA

On a motion made by Mr. Mills and seconded by Mr. Gauvry, the Regional Planning Commission voted unanimously to APPROVE the agenda of January 15, 2026 Business Meeting Hearing.

APPROVAL OF MINUTES

Including corrections to show attendance to include Denise Kaercher and name correction notes as Mrs. Kaercher throughout the minutes, on a motion made by Mrs. Kaercher and seconded by Mr. Mills, the Regional Planning Commission voted unanimously to APPROVE the minutes of December 11, 2025 Business Meeting.

Levy Court Action:	RPC Rec	LC Action
CZ-26-01 King, Allen E. & Amanda L.	Modified Approval	Modified Approval
CS-26-01 DE State Fire School	Conditional Approval	Conditional Approval

Old Business: None

New Business:

CZ-26-01 / LC-25-29 King, Allen E. & Amanda L: Request to amend the Zoning Map from AR (Agricultural Residential) & IG (General Industrial) to AR (Agricultural Residential) & BG (General Business) located outside the Growth Zone Overlay District / Parcel # ED-00-066.00-01-55.00-000

Mr. Jester: I had a chance to visit it this week, it is a very well run location and with the modified location I know Mr. King has had time to address the modification and I think everything is alright. Would someone like to make a motion?

On a motion made by Mr. Mills and seconded by Mrs. Kaercher the Regional Planning Commission recommend **modified approval** of ordinance LC25-29, amending the Zoning Map from AR (Agricultural Residential) & IG (General Industrial) to AR (Agricultural Residential) & BG (General Business) located outside the Growth Zone Overlay District. This is based on Exhibit A – Staff Recommendation Report dated January 8, 2026, Exhibit B – Public Hearing Testimony dated January 8, 2026, revised Exhibit E reflecting 1.1 acres of BG zoning rather than the originally requested 1.3 acres, and the findings of the fact that:

- a. There was no mistake in the Zoning Map. A 0.7 acre portion of the property was rezoned in 1974 to IG.
- b. The applicant agreed to reduce the requested area of BG to 1.1. acres.
- c. Replacing Industrial Zoning with General Business will permit less intensive uses.
- d. The relatively small size of the area will limit the scope of any commercial use.

Mr. Peterman:	Yes, to approve
Mr. Servon:	Yes, to approve
Mrs. Kaercher	Yes, to approve
Mr. Gauvry:	Yes, to approve
Mr. Mills:	Yes, to approve.
Mr. Davis:	Yes, to approve per motion.
Mr. Jester:	Yes, to approve

The Commission voted unanimously in favor of recommending a **modified approval** of ordinance LC25-29 / CZ-26-01.

CS-26-01 DE State Fire School: Request Conditional Use Site Plan Approval of a Comprehensive signage package located inside the Growth Zone Overlay District. / Parcel: ED-00-066.00-02-46.00-000

On a motion made by Mrs. Kaercher and seconded Mr. Mills that the Regional Planning Commission recommend conditional approval of application CS-26-01, a conditional use site plan application for a Comprehensive signage package located inside the Growth Zone Overlay District. This is based on Exhibit A - Staff Recommendation Report dated January 8, 2026, Exhibit B - Public Hearing Testimony dated January 8, 2026, and the findings of fact that:

- a. The use is within an institutional complex, professional office, medical or educational

- campus, or business park.
- b. The plan complies with the conditions of approval for the use.
- c. The application is compliant with the Comprehensive Plan.

Pursuant to Chapter 205 of the Kent County Code and pursuant to 9 Del. C. §§4802 and 4811, the Commission has reviewed the application and, furthermore as part of this approval, the applicant shall comply with all Staff and Agency Requirements and Planning Staff Recommendations as described in the January 8, 2026 Staff Recommendation Report.

Mr. Peterman: Yes, to approve
Mr. Servon: Yes, to approve
Mrs. Kaercher Yes, to approve
Mr. Gauvry: Yes, to approve
Mr. Mills: Yes, to approve
Mr. Davis: Yes, to approve
Mr. Jester: Yes, to approve

The Commission voted 7 yeas in favor of recommending **conditional approval** of application CS-26-01

SLV-25-42 Ebert, Taylor: Requesting a waiver from §187-57.B. Floodplain areas and §187.77C. Wetlands areas to enable the submission of a 2-lot minor subdivision plan located inside the Growth Zone Overlay District. / NM-00-119.00-02-30.00-000

Plan Number and Title	: SLV-25-42 Ebert, Taylor
Location	: 31.826 ± acres located on the south east side of W. Evens Rd. and Firetower Rd., west of Viola.
Applicant/Owner	: Taylor Ebert 977 W Evens Rd Viola, DE 19979
Zoning District	: AR (Agricultural Residential)
Present Use	: Residential
Proposed Use	: Residential – Minor Subdivision
Relation to Growth Zone	: Inside
Levy Court District	: 5 th - Sweeney
Property Identification Numbers	: NM-00-119.00-02-30.00-000
Nature of Request	:Applicant requests a waiver from §187-57.B. Floodplain areas – Land located within the one-hundred-year floodplain, as identified by FEMA, shall remain as unsubdivided open space or natural area and §187-78.B. Wetlands areas – No portions of wetlands areas shall be subdivided, filled, developed, or cleared of vegetation unless granted permission to fill and/or eliminate the wetlands area under state and/or federal permit, including nationwide permits authorized by the United States Army Corps of Engineers; they shall remain as essentially undisturbed natural areas; to enable the submission of a 2-lot minor subdivision plan

Mr. Jester: We have a few questions. If someone is available to represent this application?

Taylor Ebert: My name is Taylor Ebert. 977 W Evens Road, Viola Delaware.

Mr. Jameson: Do you swear affirm that the testimony you're about to give will be the truth?

Mr. Ebert: I do.

Mr. Jester: I don't know if we have any specific questions, but we just wanted to know that what you're doing with the project and why you want the two monitor subs.

Mr. Ebert: So, this is me and my wife, she's right there. This is our primary residents. We're looking to subdivide it. Just being frank, we're looking to do that to put it back into the house that we have on the property. We've already engaged a local builder right around the corner, done a couple of studies on it and we just liked your consideration subdividing it.

Mr. Jester: Have you had any study done on the land like the actual location of the flood plain or any site work done for as soil samples for a septic system?

Mr. Ebert: So we had the soils for the septic that has been done. We had a base elevation done out there to see what the height was out there in relation to the flood plain. We had all that done by Alan Kent, and then the DNREC soils was done by Mr. Stallings.

Mr. Jester: So did they recommend a type of a septic system?

Mr. Ebert: Yes LPP with advanced treatment.

Mrs. Kaercher: My question now that you've given us that information is has there been a complete flood study?

Mr. Ebert: Not a complete flood study. I mean, they're working off of the FEMA flood map that is online.

Mr. Mills: How are we voting on this tonight, we didn't have a public hearing on it.

Mrs. Keifer: The ultimate application, if this is successful, will be a minor subdivision and those are approved administratively by our office. Waivers for any kind of site plan are simply a business meeting item unless they're part of another public hearing application. So it's purely a business meeting item.

Mrs. Kaercher: Almost all of this land is considered in the flood plain. There's so little that isn't.

Mr. Ebert: So, in talking with the surveyor, as I noted before, we got the base elevation study done. Everything is within a foot to a foot and a half where we're looking to build on it. Again, talking to the builder, my understanding is they'd follow Kent County's codes in building up on an elevated crawl space and also raising it up a little bit to bring it out.

Mr. Jester: I know the requirement for Kent County is your finished floor has to be a foot above flood and then all your utilities like your HVAC and it has to be raised above that also. Anybody else have any questions? I'm actually familiar with this land well. I knew the farmer that tilled it. I didn't envision anything being built there because I've seen crops not even grow certain years when we get

a lot of rainfall, and it's pretty rough areas so do you have these other things that you could supply to the county?

Mr. Ebert: Are, are you talking about the height study and also the DNREC?

Mr. Jester: Yes.

Mr. Ebert: I have sent it to Jason Berry at the County, I believe.

Mr. Jester: So I think you know tonight because I don't see the support up here that you, you really need to get it past, I'd like to delay it by 30 days if possible and let you supply all that information so we can have a good reference on what you are saying is done.

Mrs. Kaercher: Before I make a motion, you've got to understand that what we're reading, we had to ask you weather or not that has been done. So, we're looking at limited information.

On a motion made by Mrs. Kaercher and seconded by Mr. Gauvry the Regional Planning Commission voted to table application SLV-25-42 for one month in order for the commission to be able to see the information regarding the soil, soil plan and all that would have to do with this application and anything that would have to do with septic and that things of nature.

Mr. Peterman: Yes, to approve

Mr. Servon: Yes, to approve

Mrs. Kaercher: Yes, to table

Mr. Gauvry: Yes, to table

Mr. Mills: Yes, to table

Mr. Davis: Yes, to table for 30 days to receive all the information we need to make a good decision.

Mr. Jester: Yes, to table

The Commission voted 7 yeas in favor of **Tabeling** application SLV-25-42 for a period of 30 days.

SLV-25-40 DE Army National Guard: Requesting a Waiver from §187-77 C. Wetlands areas to enable filling non-jurisdictional wetlands to install a stormwater management pond for the future construction of a DEARNG Readiness Center located Inside the Growth Zone Overly District / LC-00-046.00-01-08.00-000

Plan Number and Title	: SLV-25-40 DE Army National Guard
Location	: 36.3± acres located on the north side of Fast Landing Rd. and the east of N Dupont Hwy., approximately 90' south of Route 1, east of Cheswold.
Applicant	: Delaware Army National Guard c/o Marc Orndoff, 1 Vavala Way, New Castle, DE 19720
Owner	: State of Delaware c/o Eugene W. Bledsoe, 1 Vavala Way, New Castle, DE 19720
Additional Contact	: Century Engineering c/o Missy Kalb 550 Bay Rd. , Dover, DE 19901,
Engineer	: Century Engineering

c/o Alex Schmidt, 550 Bay Rd., Dover, DE 19901

Zoning District : RS1 (Single-Family Residential)
Present Use : Vacant
Proposed Use : Public Service - DEARNG Readiness Center
Relation to Growth Zone : Inside
Levy Court District : 3rd - Angel
Property Identification Numbers : LC-00-046.00-01-08.00-000
Nature of Request : Applicant requests a waiver from §187-77 C. Wetlands areas – No portions of wetlands areas shall be subdivided, filled, developed, or cleared of vegetation unless granted permission to fill and/or eliminate the wetlands area under state and/or federal permit, including nationwide permits authorized by the United States Army Corps of Engineers; they shall remain as essentially undisturbed natural areas to enable filling non-jurisdictional wetlands to install a stormwater management pond for the future construction of a DEARNG Readiness Center

Mr. Jester: We do have questions on this application. Someone is at the mic to represent this application.

Marc Orndorff : My name is Marc Orndorff , 307 Stanford Dr.

Mr. Jameson: Do you swear or affirm the testimony you are about to give is the truth?

Marc Orndorff: Absolutely

Mr. Jester: We do have several questions, I'm assuming you know their recommendation, correct?

Mr. Orndorff : That is correct

Mr. Jester: If you could go over your plan and show us exactly what it is for and what It's about.

Mr. Orndorff : I'm absolutely happy to explain our situation here. So I'm not sure what all drawings you are going to have because we've submitted quite a few. Okay, so that is the property parcel aerial view.

Mr. Jester: There's also a map down there by you on that table, and if you get to a point where you want to point out something you put the finger on the map, and there'll be a pointer come up and you can show us what you're talking about.

Mr. Orndorff : Ok Great,All right. If we could go to, I guess actually if we could go back to that drawing and that'll be fine. If we can expand that all the way out, I think that's a pretty good start. Ok, so this project was originally entered in the Delaware National Guard originally competed for this project in 2019 with the through the National Guard System for military construction. At that point it was approved by Congress and it entered onto the Future Year defense plan and into the National Defense Authorization Act. At that point, the project becomes subject to the NIPA process, the National environmental Policy Act. So we initiated our NIPA process, and it also is subject to the environmental condition of property analysis. So we then began those subsequent analysis, and those are a checklist of various agencies, you know, Tribal consultations, historic preservation, wetlands issues and extensive number of entities that get involved in that. So our NIPA process was begun, our process

was initiated, and we also engaged Century Engineering to do a feasibility study on the property. And I have to apologize because the wetland regulation that Kent County has seemed to have slipped through the cracks and we did not pick up on this regulation until we got further down the planning process and we're now approaching design and this issue came to our attention. So, I, apologize for that and I certainly wish we had picked up on this earlier because we could have been here and we could have addressed this a little bit further in on the process. The project is currently scheduled for an FY 28 construction start date. We are just entering into the design phase on the project, so we have not actually begun design yet. We have done some extensive consultations with DelDOT for the entrance way and that processes what triggered us to identify this wetlands regulation that we had not previously identified. And again, I do apologize for that. It's been 20 years since we've built a new facility in Ken County, so we are certainly very much looking forward to moving forward with the project and increasing the Delaware National Guard's presence within Kent County. Especially this close to Dover and to the population center and we think these are some great projects that will bring a lot of good to the state of Delaware. So going on to this map here. So, in this area is where we're going to bring the entrance away from DelDOT.

Mr. Jester: We actually have a drawing in our packet that shows what you are doing.

Mr. Orndorff : We can bring up that drawing. Maybe if I just talk to the various phases of the project 1st. So we're at phase zero right now, which is just get the site secure to the property from future dumping or anything else like that that might occur that might impact the project so that we have the property does not develop an environmental condition between now and when we actually go to construction. So at this stage of the game, we're looking to just get the entrance weight built and to get the property fenced and secured. I think you have a full, yeah, there was a drawing from the initial packet. So that's gonna be a stormwater detention pond that I'm gonna talk about. I'm looking for the one that actually shows the full site project development.

Mr. Jester: Yes, it's the one that has the storm order management and how much you're doing, the buildings you're building and everything.

Mr. Orndorff: Correct. Well, this maybe part of the confusion drawing.

Mr. Jester: Is your engineer gonna be present tonight if we have some particular questions about

Mr. Orndorff: Yes, we do have a representation from century here as well.

Mr. Jester: Because we do have some specific questions I want to ask about what your tearing down and how much you're involved? Right

Mr. Orndorff: So like I said, we are at phase zero. The three phases of this project start with our 1st readiness center, which is a, 42000 sq ft structure that will house one of our transportation units. That is so the 1st phase is a readiness center, which includes a military parking lot for military vehicles as well as parking for the soldiers. 2nd phase of the project includes a maintenance facility, which will be about an 18,000 sq ft vehicle maintenance facility. That will be our FMS four which is currently located in Sussex County with our transportation unit. So we're gonna eventually move those units up into Ken County. And then the 3rd phase of the project isn't it would be about a 32,000 sq ft additional alteration to the original readiness center. Yes, that's the one. So that 3rd phase then will expand and we will bring a second unit into this site. So that's the intended goal of the project, the complete total project, about a hundred million dollars' worth of construction in total, at least in today's dollars. So, where you see the pink, this area here, and this area here, those are wetlands. Everything in pink is

wetlands. So we have two different flavors of wetlands on the site. We have a medium new quality wetland, which are the two wetland areas I just pointed out. And then there is a, the rest of these wetlands are low quality FQI one and that study was done by DNREC for us. So they have done and they've done quality analysis on those. Now also within this area what the term is high key wildlife habitat, right? So there's a successional forest key wildlife habitat that exists in there. So in our consultations with DNREC, DNREC has asked us to preserved and has said to us in letters, while not regulatory, we ask you to protect the key wildlife habitat to the maximum extent possible. So, for me, to the maximum extent possible, I have a very good relationship with DNREC and I absolutely am intent on sustaining that relationship with DNREC. So to me, the maximum extent possible means the maximum extent possible. And, so we structured our project to avoid these areas, our initial request here that we put forth originally was looking for a waiver to all of this. Kind of step back from that a little bit based upon the results of what we saw from the planning commission, with the intent to preserve that key wildlife habitat, which also happens to overlap these medium grade wetlands because it's successional forests, it's key wildlife habitat successional forests that is also designated as a medium non regulatory wetland. So they overlap. So now all what we're looking to do is just get relief from these remaining wetlands in here, which all have been designated as low quality successional agricultural wetlands, so it's just basically shrubs grass that has grown up on the previous agricultural field. The reason we got to this, this point where we originally we were looking to get into this areas to do some storm water management is as we went through this entrance way project with DelDOT and we've been doing our analysis there, it came up that we were gonna need to do some storm water management for the amount of impervious area that we're adding because we're going to be expanding Fast Landing road. So recognizing that, there is also some forced areas that in order to put our security fence in, we're gonna have to do some, we're gonna have to do some deforestation on break to cut down some trees to create a open tree line so that we have meet our anti-terrorism forced protection standards. So with that said, we're gonna have to do some tree cutting, and that's gonna come back to the forestry guys, which are gonna eventually come back and they're gonna tell us, yeah, you're gonna have to do some reforge station on top of this. So what land do we have available for storm water management? What land do we have available for reforestation? What land do we have for habitat? And then this is really what we've got left over to work with. So originally, we were gonna put this storm wall, we were gonna put a detention pond in this area. That was what we were looking for. And that's why we included that in the original waiver request. We're gonna back off that and what we will do is we will move that storm water management pond to this area and then reforestation. Now there is an elevation change as you go up Fast Landing Road and approach Route 1. There's a significant elevation change there. So moving that storm water detention pond up. Like that, that's gonna cost us a hundred grand probably plus minus something along those lines. So and that's an addition, not to build upon, but just the additional delta between building it on a lower elevation area versus a higher elevation area. So we're gonna, pick up some additional cost this day and age all project. It's very budget constrained as I'm sure you're aware. So somewhere along the line, in this day and age, we live by the motto, just de scope and move on. We will have to de-scope this project to somewhere along the line I'm gonna have to come up with this extra hundred thousand dollars. So, for now we need to keep the ball moving. We are two years from the beginning of the construction date. We are probably already gonna have to push that back a little bit. We're in a tight timeline to keep the project moving. So dealing with this sooner than later is preferable, but you know, if there needs to be Their discussion beyond this evening? Absolutely we will get you everything that you need to be able to see what it is that we're doing. That's, that's not a problem. We will make that happen.

Mr. Jester: So what you're telling me is this design here is not the design you're gonna have. This is a concept. This is from the feasibility study, this was our concept plan. So let me go ahead and show you. This is the 1st building, this is the associated personnel parking lot. This is the associated military parking lot. These are some out buildings here. This portion of it is the 1st portion of the project. 2nd portion of the project, 2nd phase is this maintenance shop and associated area over here and then

the 3rd phase of it will be this building edition and this additional military parking lot and this storm water pond over here. So, that is the sum total of all three projects. Like I said, they will be phased out over the next decade as we can get I mean we you know, we gotta compete with every other national guard in the country for these projects, so it's a very competitive process.

Mr. Jester: Well, what I'm gonna do now is you pretty much thoroughly covered with some of our questions. I'm gonna open it up to the commissioners here and then we're gonna. I think we all have questions there.

Mr. Peterman: You intend to build a sediment pond here and a wetland area?

Mr. Orndorff: Originally, well, ok, so when we started looking at the constraints from the Fast Landing Road expansion and the additional storm water management pond that we were gonna have to build for just that, we will have to do storm water management for every phase of the project. So each phase of the project will have its own separate storm water management associated with that. And that will be detention ponds, Geotech systems, whatever we need to do to be able to make that project ultimately work with storm water management. But in this initial zero phase where we're just entering this here, we have an associated storm water management pond that was gonna go into this area and that's what I'm talking about pushing up to this area. There was a drawing that showed that well, we will absolutely have to test them to make sure that they're not, you know, some kind of a hazardous or waste or anything like that. But assuming that it's select fill or native soils, I think there's probably a lot of fill material there from Route 1, assuming that we can move it, it will either get disposed of through, you know, the probably through one of the waste management systems or we may lose it on site as part of, it depends upon the soil quality, if it's good soil, that's structurally compatible and usable for other stuff we may just store it on site and use it for pre for we're still getting a lot of some of the geotechnical we've done geotechnical work and we've got some ideas on where the soil is good and better, which as any time you go into these projects, you're always gonna encounter unsuitable soils that are gonna have to either be trucked off site and disposed through some one of the waste managements, whether that's in the state of Delaware or it's moved to another state or you know.

Mr. Peterman: Than you're going to intend to put it onsite?

Mr. Miller: Not unless its usable structural fill. Than we may find that we need that...

Mr. Peterman: You can't put on other wetland places.

Mr. Orndorff: No, NO NO, Absolutely not. So let me be clear. There is regulated wetlands in this area that is also wildlife habitat. That we are absolutely not going to touch but protect. If we put that elsewhere onsite it would be stock piled or lost onsite and leveled out. And of course we would do soil stabilization and everything that we would need to do.

Mr. Davis: But I must say, I've never seen a plane come before it's like this, using the words like our intentions and concepts, and I think what has happened here, they've got some federal money, which is great, and they they're trying to meet deadlines, but it doesn't, satisfy from my viewpoint, it does not satisfy me what I'm hearing here, the ifs ands and butts and this and that, there's NO way to do business. This is a major project that our taxpayers are paying for and if you have done it correctly, I will support it. But I'm just surprised that they're before us this evening and they'll have these answers and we have always been our history in a planning commission, we have always protected and gardened the wetlands, so I think. in all fairness to them, I'm not convinced they're prepared to do a lot of things we're talking about, and I want to see exactly what they're gonna do and how they're gonna do it. And I don't want to hear about con that's our concept concept word doesn't mean nothing. I wanna

see exactly what they're gonna do, and I think it should be tabled at least 30 days if they need longer to do it right, I don't have a problem with it. I don't think the commission at this point in time, we should take or even consider a vote for this. This thing is not well put together. I'm just surprised that this has happened. A project as expensive as this is, this is talking about millions of dollars. They come back and they address these issues at DNREC; I read DNREC's information. And I think there's a lot of people not too happy with it besides myself, so my recommendation, whatever the commissioner would like to do if they agree to it, it needs to be tabled. I don't want to vote it down because I like to see it happen. But if they don't want to vote it down and if they don't want to, the commissioner doesn't want to table it, I'm not gonna support it. Thank you.

Mr. Jester: I think we'd like to have your engineer come up. We have a couple of questions for him before we proceed with this at all?

Mr. Orndorff: Sure. And, and I I'd just like to say, we are at the planning concept level on this project. This is not, we have not entered into design yet, which is why you're not seeing design documents.

Mr. Jester: I've got a document in front of me it shows all your drawings.

Mr. Orndorff: These are concepts. These are concept planning documents.

Mr. Jester: When we pass something here, we're gonna pass things that we think that we know are gonna be done and not basically.....

Frank Miller: My name is Frank Miller, Century Engineering, my address is 409 Willets Court, Middletown Delaware

Mr. Jameson: Do you swear from the testimony you're about to give will be the truth?

Mr. Miller: Yes sir.

Mr. Jester: Thank you very much. The 1st question I have of you sir, I see a large area on here is a wooded area but all that is going away. If you destroy all the woodland area are you possibly going to replant or what are you going to do.

Mr. Miller: So, a little bit you know Mark Orndorff alluded to, this is a concept drawing. In 2019 when we started this drawing, we worked with DEARING and came up with multiple concepts. So we did go through a multiple kind of preliminary phase called a design phase. And what you're looking at here is basically an ultimate plan that we kind of all agreed on is going to be our ultimate concept, our best idea. So what you're looking at is most likely, I mean 90 % there of what you're gonna see. There maybe some minor changes to a few things, but this plan is, gonna be what this site is going to look like. Now with that said, these two larger areas that are shown here, we are proposing and to not disturb these wooded wetlands. We did provide some documents here at the today. We did send them in. I don't know if you were able to receive them in time, but so we did show in those revisions that these wetlands will not be disturbed. The only wetlands that this design is going to disturb disturb are going to be your low quality wetlands that are in the agricultural field.

Mr. Jester: I don't think I'm talking about the woodland it self. You're taking all the woodland from the back of those storm waters... Have you spoken to the Ag Department and Forestry on what you're going to do?

Mr. Miller: The area back here where the woodlands are getting cut down are also in the wetland area and we were proposing to cut these down but leave some, potentially leave some of the, you know, grubbing of the trees and everything per, you can leave those there and still maintains your wetland. And we did review the site for Kent County's code for Woodland preservations and Woodland removal. We are going to stay under the maximum allowable, so there will still be more woods here than the code would allow us to remove. And like Mark alluded to a little bit, we do have a large area up here in the corner that is open and any willing preservation or replanning we do plan to do and we're gonna utilize that open space there.

Mr. Jester: Have you spoken to Forestry at all and the Ag Department.

Mr. Miller: No, part of working with National Guard is we kind of try to develop to this point to make sure that this layout is feasible and within all code requirements. I think the Forestry and Department of Ag, the things that we cut down, we're not going against any regulations that they have, but Mark has great relationships, DEARING has great relationships with those organizations and you know they're gonna be willing to replant and and do what's required.

Mr. Jester: Any commissioners have any questions for the engineer?

Mr. Davis: I just think you've done I don't think I don't think you've done your homework, maybe I mean nothing personal. I don't think your group has done your homework when you just, again, when the chairman asked you a couple of questions, the concepts, the things like this, well this will happen. We have NO guarantee that's gonna happen and we're accountable to the tax payers of the State of Delaware. And other people that come in with wetland issues and were very strict about these, about these laws about the wetlands. So I am not pleased at all with your presentation, nothing personal, but I'm very surprised that you went this far with concepts and the guesting game. I am not gonna vote for it, period. Thank you.

Mr. Jester: Yeah, I think we're all coming up, seems like with more questions than we are answers. You know, I particularly don't like you going around to questions that I try to ask and I'm a member of the Forestry Association and things like that and I have my understandings. I just don't think you guys, and I certainly support the National Guard and all they do I think we have more questions than answers.

Mr. Miller: I believe that we have all the information you want and 30 days would be more than enough time. I think the additional documents we provided today maybe some didn't have enough time to review. I think those explained the wetlands that will be disturbed, not disturbed a lot better than the 1st document we received.

On a motion made by Mr. Gauvry and seconded by Mrs. Kaercher the Regional Planning Commission voted to **Table** application SLV-25-40 for 30 days for the applicants to come back with a refined design, not a concept, that clarifies the impact to the woodlands, and the wetland areas that have been identified as key wildlife habitat and secondary wetland areas.

Mr. Peterman: Yes, to table

Mr. Servon: Yes, per motion

Mrs. Kaercher Yes, to table

Mr. Gauvry: Yes, per motion

Mr. Mills: Yes, per motion

Mr. Davis: Yes, per motion

Mr. Jester: Yes, per motion

The Commission voted 7 yeas in favor of **Tabeling** application SLV-25-40.

Public Comments – None

Commission Comments

Mr. Davis thanked the Regional Planning Commission and Planning Staff for the flowers and condolences for the passing of his wife.

Mr. Gauvry had a few questions. First for staff – discussed comments on a recent article about the Delaware Climate Action Plan that has been approved by the Governor and the bodies that be, DNREC and so forth. It's a 288 page report. What I'm wondering, it talks about a coordinated effort in terms of dealing with wetlands in terms of dealing with public access and building and so forth and so on, it overlaps everything that we do here. Is there some point if we're going to implement this plan, is there some point in which we, the Regional Planning Commission, Levy Court starts to get together to see how or what might need to be changed in terms of our codes so that we are in coordination with it. Otherwise, it seems like we would just be going on business as usual and then there's a plan sitting there that we're supposed to be helping implement, but unless it factors into the code, I don't know how we could make decisions that could be in support of it. So that gets some just wondering what you know about this.

Mrs. Keifer: We are actually obligated to incorporate what we can out of the climate action plan into our comprehensive plan. That comprehensive plan is due in 2028 and we are just now doing the work. We'll roll it into discussions with the comprehensive plan and then roll it into code amendments if we need them.

Mr. Gauvry discussed a second question for the attorney regarding large projects followed in Sussex County; how are they doing down there, which is obviously different than the way we tend to do things up here. Just this past week, the Atlantic Fields project, which was this huge project down there got rejected by their, commission. And there was a clause in there I want to read it and I quote - "today this cancel, was forced to deny a multimillion dollar private investment because the state had failed to deliver the infrastructure necessary to support development in a quarter that it has defined as the growth areas for decades." So what I was wondering was that it seems that they were able to say that because the state had failed to provide adequate infrastructure and save our growth sum that they found that cause to be able to deny a project and we usually don't have that cause to my understanding if DelDOT hasn't done what they needed to do regardless of how we feel about it, if it meets code, we have to go ahead. So I'm just wondering, they might get sued on their decisions, but is that standing that applies to Kent County as well? If, there's not adequate infrastructure, does that give us that same kind of latitude?

Mr. Jameson: I can provide the classic attorney answer. I do not know. I can look into it and then provide an answer at the next meeting.

Mr. Gauvry: I would appreciate it because we run into this all the time and if they're legally allowed to do what they just did and they may not have been, and we'll find that out soon enough. But if they're legally allowed to do what they just did, I just wondering and whether that's a state situation

that they were applying to or whether that was just unique to Sussex county. But I would like to know because we get bound up with this issue all the time.

Mr. Jester discussed the calls he receives regarding the start times of the Levy Court Meeting vs the Regional Planning Commission and why these meetings are not starting at the same time.

Adjournment

Motion to adjourn by Mr. Gauvry, seconded by Mr. Mills, the Regional Planning Commission voted unanimously to ADJOURN the Business Meeting of January 15, 2026 at 7:00 PM

William Jester
Chairman

Sarah E. Keifer, AICP
Director, Kent County Planning Services

Respectfully submitted by:

Kathleen Andrews, Planning Technician I
Kent County Planning Services



Item Cover Page

REGIONAL PLANNING COMMISSION BUSINESS MEETING AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Kathleen Andrews, Planning Services

ITEM TYPE: Application

AGENDA SECTION: Old Business

SUBJECT: **SLV-25-40 DE Army National Guard:** Requesting a Waiver from §187-77 C. Wetlands areas to enable filling non-jurisdictional wetlands to install a stormwater management pond for the future construction of a DEARNG Readiness Center located Inside the Growth Zone Overlay District. / LC-00-046.00-01-08.00-000

ATTACHMENTS:

[SLV-25-40 Memo Feb 12, 2026](#)
[SLV-25-40 Letter from applicant with Site Plan](#)
[SLV-25-40 DE Army Memo](#)
[SLV-25-40 Data Sheet](#)
[SLV-25-40 Exhibit A.](#)
[SLV-25-40 Applicant Request Letter and Exhibits](#)
[SLV-25-40 Agency Comments](#)
[SLV-25-40 Additional Applicant Information](#)

MEMORANDUM

KENT COUNTY DEPARTMENT OF
PLANNING SERVICES
555 BAY ROAD
DOVER, DELAWARE 19901



TO: Regional Planning Commission

CC: Max B. Walton

FROM: Sarah E. Keifer, AICP, Department of Planning Services

DATE: February 12, 2026

SUBJECT: SLV-25-40, Waiver Request for DE Army National Guard

Enclosed please find additional information submitted by the applicant for application SLV-25-40, waiver request for DE Army National Guard. The application was tabled by the Regional Planning Commission on January 15, 2026.

Please do not hesitate to contact me directly with any questions or comments.

Thank you.

Enc.: Letter from Applicant with Site Plan



Thursday, February 5, 2026

Regional Planning Commission
Kent County Department of Planning Services
Division of Planning
555 Bay Road
Dover, DE 19901

SUBJECT: RE: SLV-25-40, Waiver Request for the Lands of State of Delaware
Delaware Army National Guard Cheswold Site Development

Dear Regional Planning Commission:

On behalf of the Applicant, Delaware Army National Guard (DEARNG), Century Engineering LLC (Century) is submitting additional information in support of our waiver request of the § 187-77 Wetland areas regulations for the development of the land parcel owned by the State of Delaware situated to the northeast of the intersection of Fast Landing Road and US13 in Kent County, Delaware. This request seeks a waiver from §187-77 to allow limited wetland impacts necessary for construction of the proposed Readiness Center, associated infrastructure, and required security fencing. Design plans are currently at approximately 30% completion and cannot advance to subsequent design phases without confirmation of the viability of the requested waiver.

The Applicant appreciates the Commission's prior review and has refined the Site Plan to provide additional detail supporting this wetlands waiver request. The updated plans advance the design beyond the previously submitted conceptual layout and document existing site resources and the location and extent of proposed impacts. In response to Commission feedback, the project layout was optimized through evaluation of alternative configurations and relocation of site elements to avoid and minimize impacts to higher-quality wetland resources, particularly forested wetlands within the Key Wildlife Habitat (KWH) area. These forested wetlands will be preserved to the greatest extent practicable. Minor impacts to forested wetlands associated with installation of the required security fence remain unavoidable due to operational and site constraints.

The proposed project would impact approximately 2.9 acres of wetlands which are within the Limits of Disturbance (LOD), preserving more than 65% of on-site wetland resources. Wetlands proposed for fill are low-quality, previously disturbed agricultural wetlands with comparatively limited ecological function. The revised design prioritizes preservation of higher-value wetland and habitat areas while directing unavoidable impacts toward degraded wetland areas where practicable.

CENTURY ENGINEERING, LLC, A KLEINFELDER COMPANY
550 Bay Road, Dover, DE 19901 p | 302.734.9188

DEARNG Cheswold Site - KC RPC Waiver Request
February 5, 2026
Page 1 of 2



The requested waiver represents the minimum relief necessary to allow reasonable use of the parcel. Strict application of §187-77 would render the property undevelopable and prevent construction of a facility providing substantial public safety and emergency response benefits, while preserving the majority of higher-quality wetland and habitat resources on-site.

Sincerely,

CENTURY ENGINEERING, LLC, A KLEINFELDER COMPANY

A handwritten signature in black ink, appearing to read 'Missy M. Kalb'.

Missy Kalb, CE
Senior Environmental Scientist

Attachments:

- Site Plan

cc: Marc Orndorff, DEARNG
Doug Brown, Century Engineering, LLC

DELAWARE ARMY NATIONAL GUARD READINESS CENTER ENTRANCE CHESWOLD SITE FAST LANDING ROAD CHESWOLD, DELAWARE DEARING # NGB #	
SET NO. G-001	SHEET TITLE COVER SHEET
PROJ. NO. 25003704.001A	SCALE AS NOTED
DATE DATE	
THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DESCRIBED AND THE PROPRIETARY TO COUNTRY ENGINEERING AND SHALL NOT BE ALTERED OR REPRODUCED WITHOUT WRITTEN PERMISSION.	

MANMADE ROADSIDE FEATURES			
FEATURE DESCRIPTION	EXISTING	PROPOSED	ID
WALLS - STEEL PILE			
WALLS - WOOD POST			
CURB, TYPE 1 AND TYPE 2			
CURB, TYPE 2			
CURB & GUTTER, TYPE 1			
CURB & GUTTER, TYPE 2			
CURB & GUTTER, TYPE 3			
FENCE - CHAIN OR STAINED			
FENCE - STOCKADE OR SPOT RAIL			
FLAG POLE			
SHOULDER - STEEL BEAM, TYPE 1			
LAMP AND POST			
WALKWAY			
PAVEMENT			
PILAR OF MISCELLANEOUS POST			
TRAFFIC SIGN AND POST			

DRAINAGE FEATURES			
FEATURE DESCRIPTION	EXISTING	PROPOSED	ID
SEWER/STORM DRAIN		SPS-300	
STOP AT STORM OVERFLOW	—○—	—○—	
DIRECTIONAL STORM FLOW ARROW			
DRAINAGE INLET			
DRAINAGE COLLECTION BOX			
DRAINAGE MANHOLE			
DRAINAGE PVE AND FLOW ARROW	20% FIVE		
FLARED END SECTION			
REPAIR - AREA OUTSIDE			
SAFETY END SECTION			
UNDERDRAIN	—○—	—○—	
UNDERDRAIN OUTLET	—○—		

GRADING		
FEATURE DESCRIPTION	EXISTING	PROPOSED
CONTOUR	----	-----
SPOT ELEVATIONS	○ ——— X.XXX	○ ——— X.XXX

UTILITY FEATURES		
FEATURE DESCRIPTION	EXISTING	PROPOSED
CABLE TV DISTRIBUTION BOX		
COMMUNICATIONS - UNDERGROUND	UG-C	UG-C
ELECTRIC - UNDERGROUND	UG-E	UG-E
ELECTRIC MANHOLE	Ⓢ	
ELECTRIC METER	Ⓜ	Ⓜ
ELECTRIC TRANSFORMER	Ⓣ	Ⓣ
Gas - UNDERGROUND	UG-G	UG-G
Gas MANHOLE	Ⓢ	
Gas METER	Ⓜ	
Gas VALVE	Ⓥ	Ⓥ
Gas PUMP - SERVICE STATION	Ⓟ	
HYDROGEN - UNDERGROUND	H	H
ICE - UNDERGROUND	ICE	ICE
IRON BOX		Ⓢ
LIQUORIC - UNDERGROUND	U	U
LIQUORIC - POLE MOUNTED		→
MANHOLE - UNDETERMINED OWNER		→
RAILROAD TRACKS		
SEWER - UNDERGROUND	S S S S	S S S S S
SEWER SERVICE MANHOLE	Ⓢ	Ⓢ
SEWER SERVICE VALVE	Ⓥ	Ⓥ
SEWER SERVICE CLEANOUT OR VENT		Ⓥ
SEPTIC DRAIN FIELD	SEPTIC	
STEAM/HEAT - UNDERGROUND	SH	SH
STOL BERING LOCATION		
TELEPHONE BOOTH	Ⓢ	Ⓢ
TELEPHONE MANHOLE	Ⓢ	
TELEPHONE TEST POINT	Ⓢ	
TRAFFIC - CROWD JUNCTION WELL		
TRAFFIC - LIGHT POLE AND BASE	Ⓢ	
TRAFFIC - FIDUCIARY POLE & BASE	Ⓢ	
TRAFFIC - SIGNAL CABLE & BASE	Ⓢ	
TRAFFIC - SIGNAL POLE AND BASE	Ⓢ	
UNKNOWN UTILITY - UNDERGROUND	UG-UN	UG-UN
UTILITY BOX	Ⓢ	
UTILITY POLE OFF WIRE HOOKER	==	==
UTILITY POLE		Ⓢ
UTILITY TEST HOLE LOCATION	Ⓢ	
WALL PACE - LISTING		Ⓢ
WATER - UNDERGROUND	W	W
WATER - FIRE HYDRANT	Ⓢ	Ⓢ
WATER METER	Ⓜ	Ⓜ
WATER VALVE	Ⓥ	Ⓥ
WATER - FIRE DEPARTMENT CONNECTION		Ⓢ
WELL HEAD	WELL	Ⓢ

PAVEMENT SECTION(S)	
WILL AND OVERLAY - SEE TYPICAL SECTIONS FOR MATERIAL AND DEPTHS	
FULL DEPTH PAVEMENT - SEE TYPICAL SECTIONS FOR MATERIAL AND DEPTHS	
SHARED USE PATH	
GRAVEL	
CONCRETE	
PERMEABLE PAVEMENT	

NATURAL ROADSIDE FEATURES		
FEATURE DESCRIPTION	EXISTING	PROPOSED
VEGETATION OF THicket		
WASH BOUNDARY LINE	— W. —	
TREE - CONIFEROUS		
TREE - DECIDUOUS		
TREE STUMP		
SHRUBBERY		
WETLAND BOUNDARY - SEGMENTED	— W. WL. —	
WEDGE LINE BOUNDARY		
FLOODPLAIN	— FP —	

RIGHT-OF-WAY FEATURES			
FEATURE DESCRIPTION	EXISTING		PROPOSED
GRADED SIDE FIVE			
DRAWL OF ACCESS			
EASEMENT - OTHER			
PERMANENT EASEMENT			
PROPERTY LINE			
PROPERTY MARKER - CONCRETE			
PROPERTY MARKER - IRON PIPE			
REST-OF-WAY BOUNDARY			
REST-OF-WAY LINE			
REST-OF-WAY & DRAWL OF ACCESS			
REST-TO-OWNER			
TEMPORARY CONSTRUCTION EASEMENT			
CLEAR ZONE			
HORIZONTAL CLEARANCE			

SURVEY CONTROL & MONUMENTATION	
FEATURE DESCRIPTION	EXISTING
SURVEY BENCHMARK LOCATION	B.M.
SURVEY TIE POINT LOCATION	T.P.
SURVEY TRANSFER POINT	△

MISCELLANEOUS FEATURES	
FEATURE DESCRIPTION	PROPOSED
BUTT JOINT	
CLEAR ZONE	— CZ
CONSTRUCTION BOUNDARY	— MCM
LIMIT OF CONSTRUCTION	— LOC
SEDIMENT	
P.C.C. SIDEWALK	
6" P.C.C. SIDEWALK	
FRAGMENT PATCH	
ACCESSIBLE RAMP	
SAW CUT	— SAW

EROSION & SEDIMENT CONTROL FEATURES	
FEATURE DESCRIPTION	PROPOSED
LIMIT OF DISTURBANCE	____ LOD
LIMIT OF CONSTRUCTION	____ LOC
PORTABLE SEDIMENT TANK	(ST)
PUMPING PIT	(PP-2)
SILT FENCE	____ SF
COMPOST FILTER LOG	____ CFL
SEEDING AREA PROTECTION	____ SAP

IDENTIFIERS	
FEATURE DESCRIPTION	ID
ABANDON BY CONTRACTOR	(A)
ABANDON BY OTHERS	(B)
ABUSE BY CONTRACTOR	(C)
ABUSE BY OTHERS	(D)
BEST MANAGEMENT PRACTICE	(E)
BIG STEP PAW / TYPE	(F)
BIG STEP WITH WALKER PAW / TYPE	(G)
CONCRETE SAFETY MARKER	(H)
CONSENT TO LANTERN SIGN	(I)
CONSENT TO DRINKING WHIRLW	(J)
CONSENT TO DRINKING BUILT	(K)
CORE	(L)
CORE HUMP	(M)
DO NOT RETURN	(N)
ENERGY SOURCE/TYPE	(O)
FILL WITH FLOWABLE FILL	(P)
LANDSCAPE PLANTINGS	(Q)
PEDESTRIAN CONNECTION / TYPE	(R)
RELOCATE BY CONTRACTOR	(S)
RELOCATE BY OTHERS	(T)
RELOCATE BY PROPERTY OWNER	(U)
REMOVE BY CONTRACTOR	(V)
REMOVE BY OTHERS	(W)
REMOVE BY TRAVEL CONTRACTOR	(X)
RIGHT-OF-WAY MANAGEMENT	(Y)

[illegible]

GENERAL NOTE:
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[illegible]

PROFESSIONAL SEAL

DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE

CHESWOLD SITE
FAST LANDING ROAD
CHESWOLD, DELAWARE
DEARING #

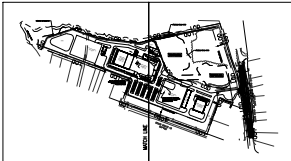
RUB #	
SET NO:	SHEET TITLE:
C-001	LEGEND & NOTES

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KEY MAP
SCALE 1" = 500'

GENERAL NOTES:

- SCOPE OF WORK INCLUDES WORK SHOWN IN THESE DRAWINGS AND THE PROJECT SPECIFICATIONS. ALL WORK NOTES SHALL BE BASED ON NOTES NOTED OTHERWISE.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS BEFORE CONSTRUCTION AND ANY VARIATIONS OR DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION PRIOR TO COMMENCEMENT OF WORK.
- ANY ITEMS NOT SPECIFICALLY SHOWN IN THE DRAWINGS BUT WHICH ARE NECESSARY TO BE DONE TO INSURE PROPER FUNCTION OF THE PROJECT SHALL BE INCLUDED IN THE PROJECT BY AGREEMENT WITH INDUSTRY STANDARDS, ARE INCLUDED WITHIN THE MEAN OF THESE DRAWINGS.

REVISIONS

#	Date	Revision

PROFESSIONAL SEAL

DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE

CHESWOLD SITE
FAST LANDING ROAD
CHESWOLD, DELAWARE
DRAWING #

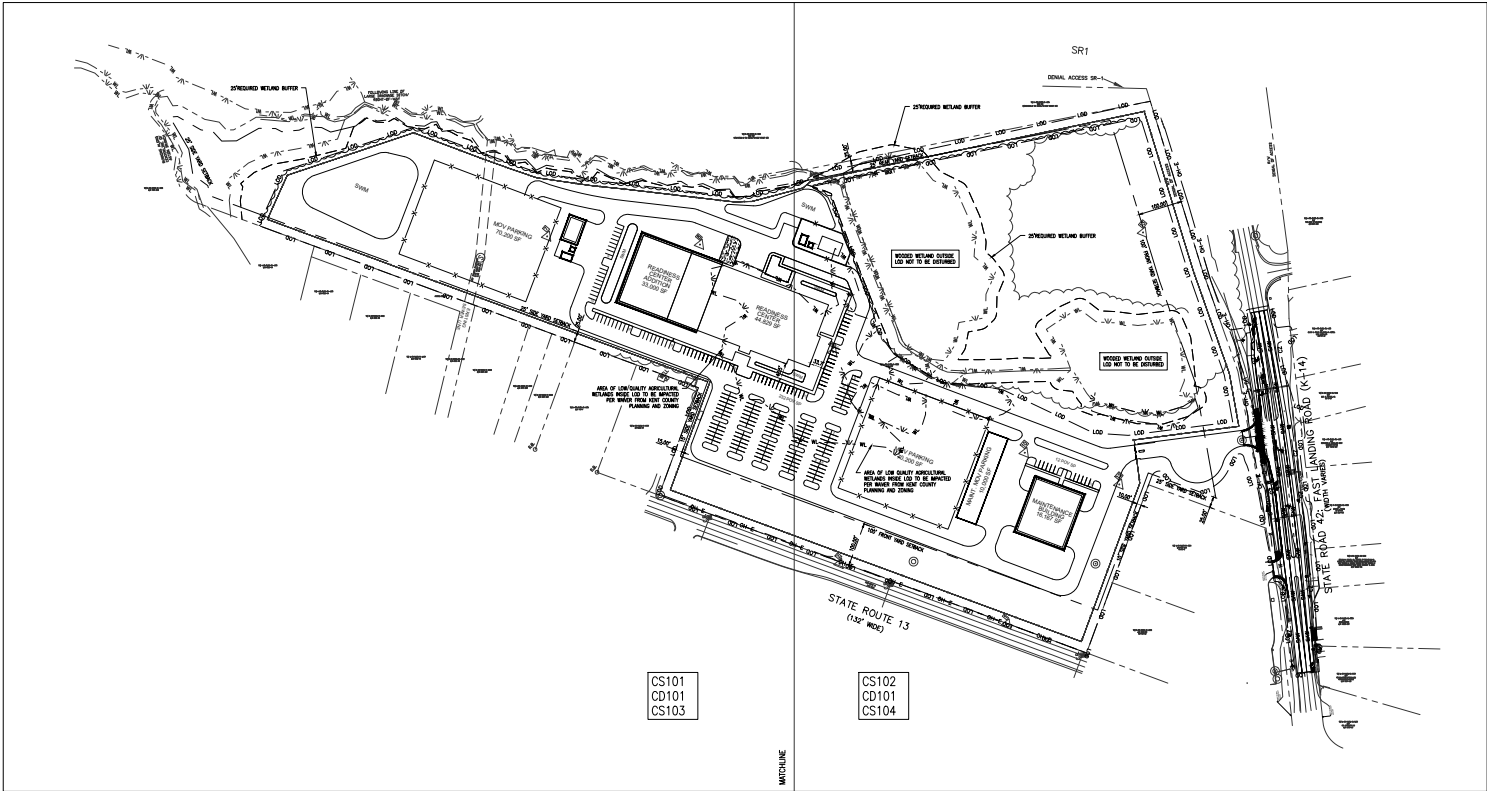
NO. #

DIST. NO. CS100 SHEET TITLE INDEX - OVERALL SITE PLAN

PROJECT NO. 20200704.001A SCALE: 1" = 100'

DRAWN BY DATE

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CS101
CD101
CS103

CS102
CD101
CS104



SEE MATCH LINE
SHEET CS102

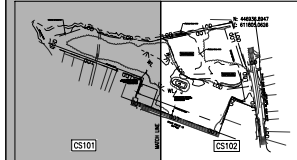
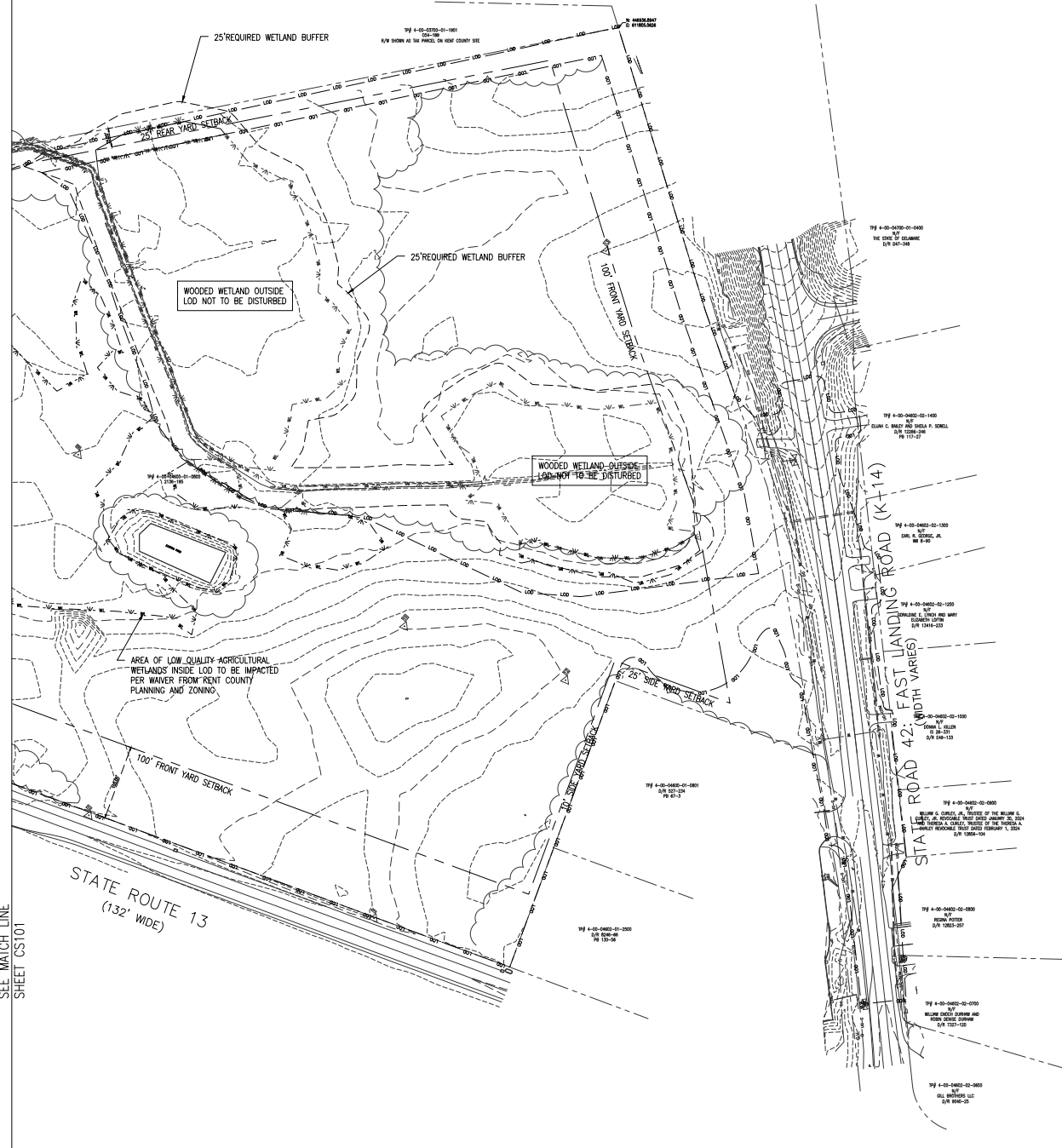
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101128	IP-PELSA	0.000	447815.3110	610464.41
2100129	IP-2 INCH	0.000	447306.2776	610641.15
101101	CM	0.000	447213.8282	610402.88

POINT NO.	DESCRIPTION	NORTHING	EASTING	ELEVATION
7	TP-7 CP	447703.8734	610006.3959	32.2
8	TP-8 CP	447611.6338	610007.6910	32.2



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SEE MATCH LINE
SHEET CS101



KEY MAP
SCALE 1" = 500'

- GENERAL NOTES:
1. SCOPE OF WORK INCLUDES WORK SHOWN IN THESE DRAWINGS AND THE PROJECT SPECIFICATIONS. ALL WORK NOTED SHALL BE BASE REVISIONS NOTED OTHERWISE.
 2. THE CONTRACTOR SHALL VERIFY ALL SETBACKS, EASEMENTS, AND RECORDS OF SURVEY (R.O.S.) PRIOR TO CONSTRUCTION. ANY VARIATIONS OR DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION PRIOR TO COMMENCEMENT OF WORK.
 3. ANY ITEMS NOT SPECIFICALLY SHOWN ON THE DRAWINGS, BUT WHICH ARE NECESSARY FOR THE PROJECT, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ANY SUCH ITEMS SHALL BE NOTED BY THE ARCHITECT WITH INDUSTRY STANDARDS, AND BE INCLUDED WITHIN THE BUDGET OF THESE DRAWINGS.

REVISIONS		
#	Date	Revision

PROFESSIONAL SEAL

DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE

CHEWELD SITE
FAST LANDING ROAD
CHEWELD, DELAWARE
DRAWING #
NCS #

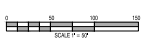
SHEET TITLE
CS102
EXISTING SITE PLAN

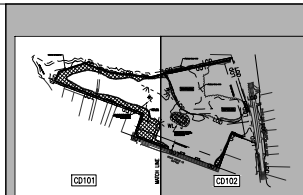
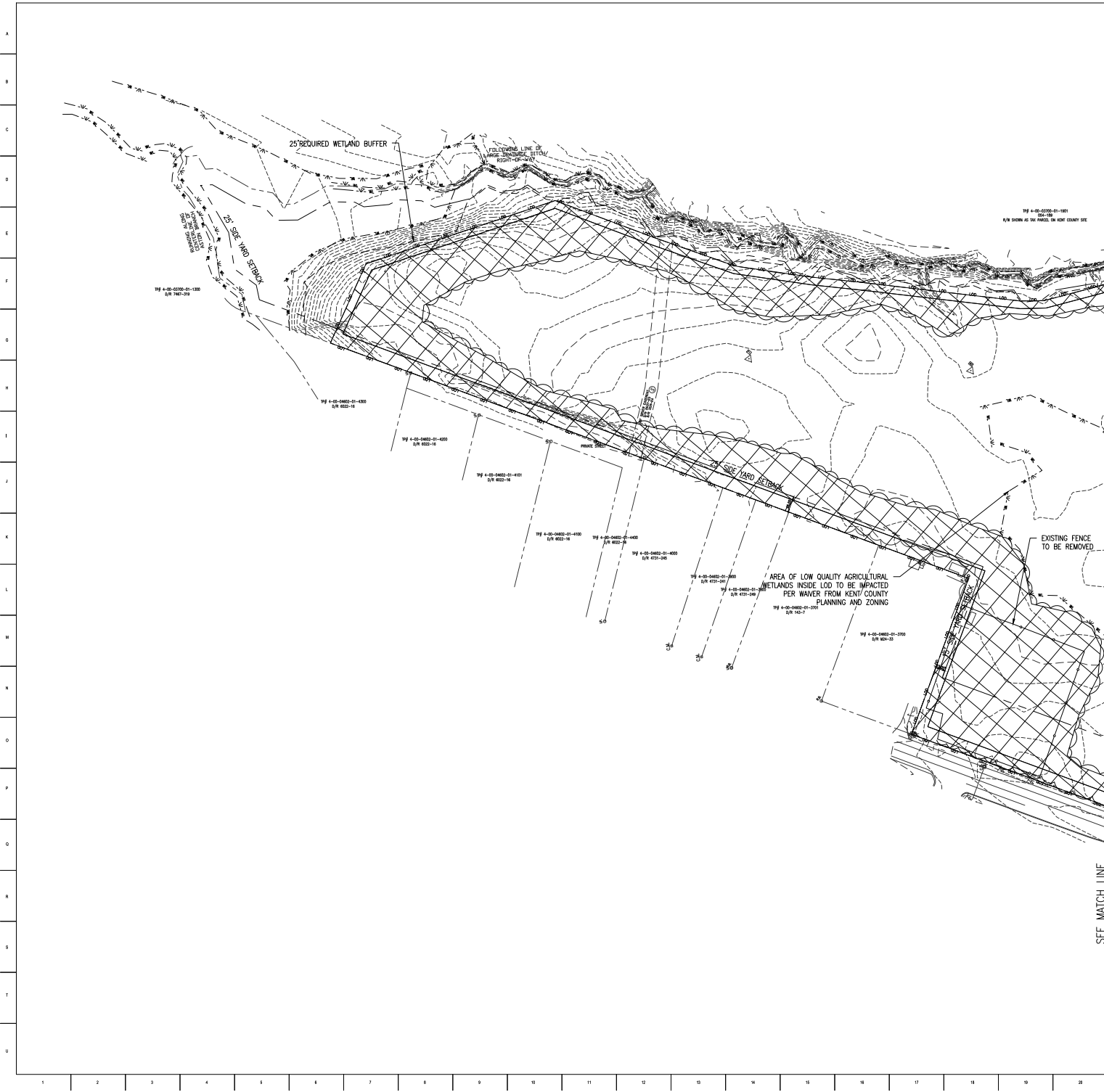
PROJECT: 20230204.01A
DATE:

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Point Table				
Point #	Raw Description	Elevation	Northing	Easting
3	IP-3/4"	0.000	446299.8936	610911.5990
101117	IP-2"	0.000	446379.7567	611134.5887
101022	IP-METAL, CMP	0.000	446114.7800	611229.7557
101042	IP-CENTURY	0.000	446036.8947	611805.0628
101042	CN	0.000	446062.2541	611821.4304

TRAVERSE POINT LAYOUT			
POINT NO.	DESCRIPTION	NORTHING	EASTING
1	IP-1 (IP)	446422.8181	610895.0390
8	IP-8 (IP)	446122.2943	610895.0391
10	IP-10 (IP)	446045.1405	611008.4310
12	IP-12 (IP)	446031.2311	611092.5302
13	IP-13 (IP)	446036.8947	611066.7926





KEY MAP
SCALE 1" = 500'

- GENERAL NOTES:
1. SCOPE OF WORK INCLUDES WORK SHOWN IN THESE DRAWINGS AND THE PROJECT DESCRIPTION. ALL WORK NOTED SHALL BE BASE REVISIONS NOTED OTHERWISE.
 2. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS BEFORE CONSTRUCTION AND VARIATIONS OR DISCREPANCIES SHALL BE REPORTED TO THE PROJECTS ENGINEER PRIOR TO COMMENCEMENT OF WORK.
 3. ANY ITEMS NOT SPECIFICALLY SHOWN ON THE DRAWINGS BUT WHICH ARE NECESSARY TO BE DONE TO INSURE PROPER FOR THE WORK TO BE COMPLETED SHALL BE PROJECTED BY THE CONTRACTOR IN ACCORDANCE WITH INDUSTRY STANDARDS AND SHALL BE INCLUDED WITHIN THE BUDGET OF THESE DRAWINGS.

REVISIONS		
#	Date	Revision

PROFESSIONAL SEAL

DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE

CHESWOLD SITE
FAST LANDING ROAD
CHESWOLD, DELAWARE
DRAWING #
NCD #

SHEET NO. CD101	SHEET TITLE DEMOLITION PLAN
PROJECT NO. 20200708.001A	SCALE 1" = 50'
DRAWN BY DATE	DATE

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES, SPECIFICATIONS AND THE PROPRIETARY TO CONSTRUCTION MATERIALS, AND SHALL NOT BE ALTERED OR REPRODUCED WITHOUT PERMISSION.

GENERAL NOTES:

1. SCOPE OF WORK INCLUDES WORK SHOWN IN THESE DRAWINGS AND THE PROJECT SPECIFICATIONS. ALL WORK NOTED SHALL BE BASE (0) UNLESS NOTED OTHERWISE.
2. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS BEFORE CONSTRUCTION. ANY VARIATIONS OR DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION PRIOR TO COMMENCEMENT OF WORK.
3. ANY ITEMS NOT SPECIFICALLY SHOWN ON THE DRAWINGS, BUT WHICH ARE REASONABLY NECESSARY TO THE COMPLETION OF THE PROJECT IN ACCORDANCE WITH INDUSTRY STANDARDS, ARE INCLUDED WITHIN THE INTENT OF THESE DRAWINGS.

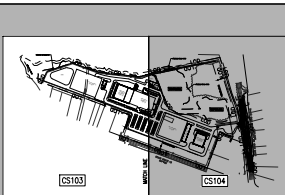
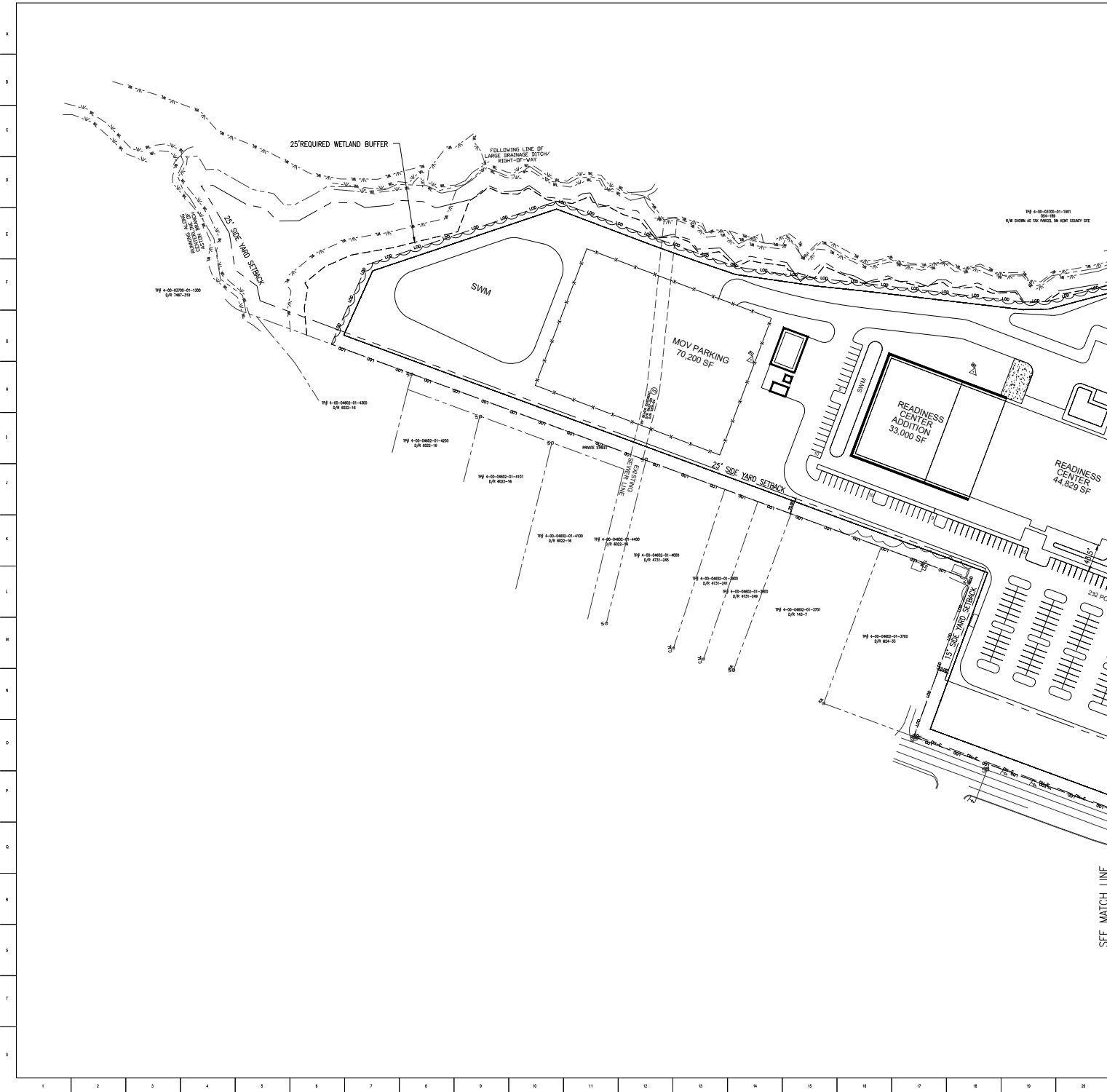
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PROFESSIONAL SEAL

DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE

SHEET NO.		SHEET TITLE	
CD102		DEMOLITION PLAN	
PROJ. NO.	SCALE:		
25003704.001A	1" = 50'		
DRAWN BY:	DATE:		
THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES ENCLOSED AND THE PROCEDURE TO CONSTRUCTION DEMOLITION AND SHALL NOT BE ALTERED OR REVISED WITHOUT WRITTEN PERMISSION.			





KEY MAP
SCALE 1" = 500'

- GENERAL NOTES:
- SCOPE OF WORK INCLUDES WORK SHOWN BY THESE DRAWINGS AND THE PROJECT SPECIFICATIONS. ALL WORK NOTED SHALL BE BASED UNLESS NOTED OTHERWISE.
 - THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS BEFORE CONSTRUCTION AND INFORM US OF ANY DISCREPANCIES. SHALL BE SUBJECT TO THE PROJECTS SITE INVESTIGATION TO COMMENCEMENT OF WORK.
 - ANY ITEMS NOT SPECIFICALLY SHOWN ON THE DRAWINGS BUT WHICH ARE NECESSARY FOR THE PROJECT TO BE COMPLETED IN ACCORDANCE WITH INDUSTRY STANDARDS, ARE EXCLUDED WITHIN THE SCOPE OF THESE DRAWINGS.

REVISIONS		
#	Date	Revision

PROFESSIONAL SEAL

DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE

CHESWOLD SITE
FAST LANDING ROAD
CHESWOLD, DELAWARE
DRAWING #
NCS #

SHEET NO. CS103	SHEET TITLE PROPOSED SITE PLAN
PROJECT NO. 20230708.001A	SCALE 1" = 50'
DRAWN BY DATE	DATE

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DESCRIBED ARE THE PROPERTY OF CENTURY ENGINEERING, AND SHALL NOT BE ALTERED OR REPRODUCED WITHOUT PERMISSION.

SEE MATCH LINE
SHEET CS104



GENERAL NOTES:

1. SCOPE OF WORK INCLUDES WORK SHOWN IN THESE DRAWINGS AND THE PROJECT SPECIFICATIONS. ALL WORK NOTED SHALL BE BASE (0) UNLESS NOTED OTHERWISE.
2. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS BEFORE CONSTRUCTION. ANY VARIATIONS OR DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION PRIOR TO COMMENCEMENT OF WORK.
3. ANY ITEMS NOT SPECIFICALLY SHOWN ON THE DRAWINGS, BUT WHICH ARE REASONABLY NECESSARY TO THE COMPLETION OF THE PROJECT IN ACCORDANCE WITH INDUSTRY STANDARDS, ARE INCLUDED WITHIN THE INTENT OF THESE DRAWINGS.

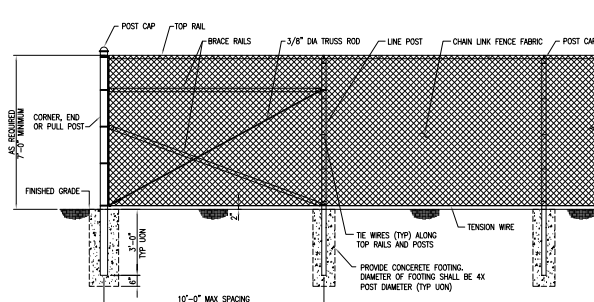
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DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE

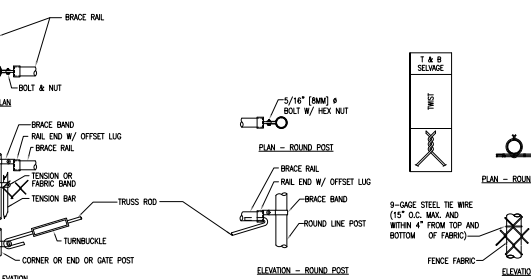
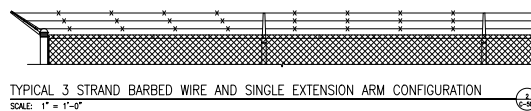
NGB # SET NO.: CS104		SHEET TITLE: PROPOSED SITE PLAN
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PROJ. NO. 25003704.001A	SCALE: 1" = 50'
OWNER: DATE:	
THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE THE PROPRIETARY TO CENTURY ENGINEERING, AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION.	



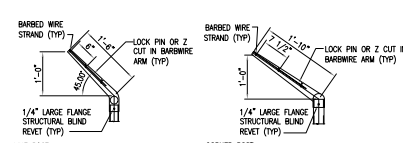


TYPICAL FENCE AND CORNER PANEL ELEVATION
SCALE: 1" = 1'-0"



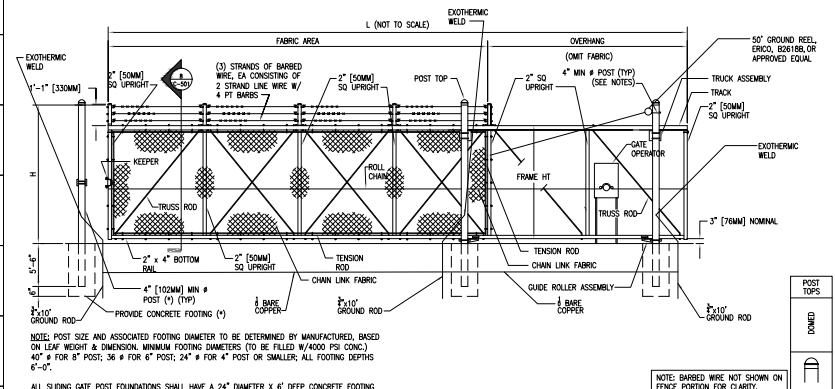
CORNER OR END POSTS
SCALE: 1 1/2" = 1'-0"

LINE POST DETAILS
SCALE: 1 1/2" = 1'-0"

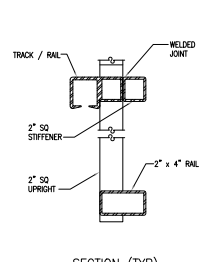


SINGLE EXTENSION ARM DETAILS
SCALE: 1" = 1'-0"

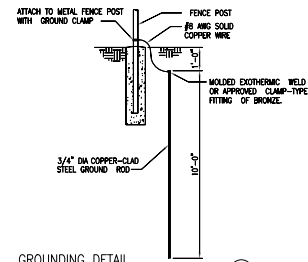
OPENING (F/T)	NOMINAL HEIGHT (H)	LENGTH (L)	GATE POSTS (G)	BAYS / OVERHANG
37'-0"	6'-0"	53'-3"	16'-0"	5 (FABRIC) / 2 (W/O)
30'-0"	6'-0"	42'-0"	12'-0"	4 (FABRIC) / 2 (W/O)
24'-0"	6'-0"	36'-3"	12'-0"	3 (FABRIC) / 2 (W/O)



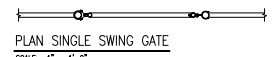
TYPICAL SINGLE CANTILEVERED SLIDING GATE ELEVATION - (4) BAYS SHOWN
NOT TO SCALE



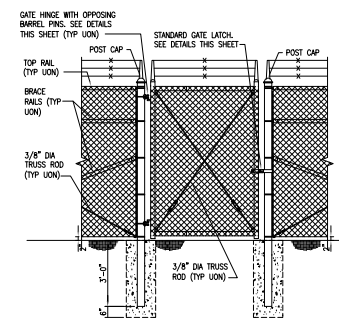
SECTION (TYP)
NOT TO SCALE



GROUNDING DETAIL
NO SCALE



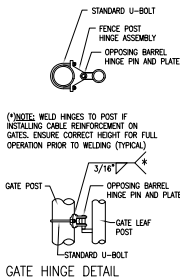
PLAN SINGLE SWING GATE
SCALE: 1" = 1'-0"



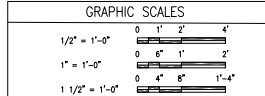
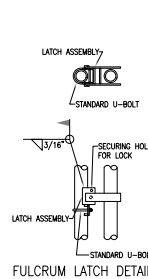
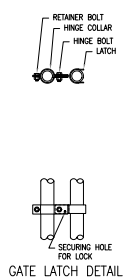
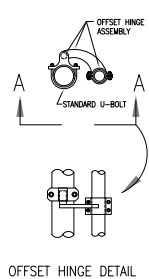
TYPICAL FENCE SINGLE SWING GATE ELEVATION
SCALE: 1/2" = 1'-0"

SINGLE OR DOUBLE LEAF GATES			
NOM HEIGHT (H)	UPRIGHT HT (U)	FRAME HT (F)	
NOM HT INCLUDING BARBED WIRE	ACTUAL DIM	ACTUAL DIM	
6'-0" (2438MM)	7'-10" (2388MM)	6'-8 1/2" (2045MM)	

SINGLE LEAF GATES			
OPENING	GATE POSTS	HINGE SPACE (S)	
FACE TO FACE SQUARE & ROUND SIZES	POST TO UPRIGHT	POST TO UPRIGHT	
3'-0" (914MM) THROUGH	2.5' (685MM) SQ & 3/16" DIA	FOR SQUARE & ROUND GATE POSTS: 2 1/4" (57MM)	
6'-0" (1829MM) THROUGH	4" (102MM) SQ & 3/16" DIA	FOR SQUARE & ROUND GATE POSTS: 2 1/4" (57MM)	
12'-0" (3657MM) THROUGH	6" (152MM) SQ & 3/16" DIA	FOR SQUARE & ROUND GATE POSTS: 2 1/4" (57MM)	
15'-0" (4571MM) THROUGH	8" (203MM) SQ & 1/4" DIA	FOR SQUARE & ROUND GATE POSTS: 2 1/4" (57MM)	
19'-0" (5791MM) THROUGH	8" (203MM) SQ & 1/4" DIA	FOR SQUARE & ROUND GATE POSTS: 2 1/4" (57MM)	
23'-0" (7010MM) THROUGH	8" (203MM) SQ & 1/4" DIA	FOR SQUARE & ROUND GATE POSTS: 2 1/4" (57MM)	



SWING GATE DETAILS
SCALE: 1 1/2" = 1'-0"



- CHAIN LINK FENCING NOTES**
- FABRIC: THE FENCE FABRIC SHALL BE 9-GAUGE ZINC COATED WIRE WITH BLACK VINYL COATING CHAIN LINK WITH MESH OPENINGS NOT LARGER THAN TWO INCHES PER SIDE WITH A TWISTED AND BARBED SELVADE AT TOP AND BOTTOM IN ACCORDANCE WITH THE SPECIFICATIONS.
 - FABRIC TIES: ONLY 12-GAUGE STEEL TIES SHALL BE USED COATING OR PLATING WILL BE ELECTROLYTICALLY COMPATIBLE WITH THE FENCE FABRIC TO INHIBIT CORROSION.
 - REINFORCEMENT: TENSION WIRES SHALL BE INSTALLED AND INTERWOVEN (OR AFFIXED WITH FABRIC TIES) ALONG THE TOP AND BOTTOM OF THE FENCE FOR STABILIZATION OF THE FENCE FABRIC.
 - FENCE HEIGHT: CHAIN LINK FABRIC SHALL BE 7' HIGH WITH AN ADDITIONAL 1' HEIGHT COMPOSED OF 3 STRANDS OF BARBED WIRE AS REQUIRED. THE TOTAL FENCE HEIGHT SHALL BE 8'.
 - GROUND CLEARANCE: BOTTOM OF THE FENCE FABRIC SHALL BE WITHIN TWO INCHES OF FIRM SOIL.
 - TOP GUARDS: A TOP GUARD IS AN OVERHANG OF BARBED WIRE ALONG THE TOP OF A FENCE, FACING OUTWARD (AWAY FROM PROTECTED SITE) AND UPWARD AT APPROX. 45 ANGLE. TOP GUARD SUPPORTING ARMS WILL BE PERMANENTLY AFFIXED TO THE TOP OF THE FENCE POSTS TO INCREASE THE OVERALL HEIGHT OF THE FENCE AT LEAST 1 FOOT. THREE STRANDS OF 12-GAUGE BARBED WIRE, EQUALLY SPACED, SHALL BE INSTALLED ON THE SUPPORTING ARMS.
 - FENCE POSTS: SHALL BE ASTM F1043 OR F1083 ROUND PIPE OR SQUARE TUBE AND SHALL BE GALVANIZED IN ACCORDANCE WITH THE SPECIFICATIONS. FENCE POST SPACING AND SIZE (DIAMETER) SHALL BE DETERMINED IN ACCORDANCE WITH CHAIN LINK FENCE MANUFACTURERS' INSTITUTE (WLG 2445). SPACING SHALL NOT EXCEED 10'-0" OC. SIZE (DIAMETER) SHALL NOT BE LESS THAN SPECIFIED.
 - METRIC DIMENSIONS ARE NOMINAL EQUIVALENTS TO THE U.S. DIMENSIONS.
 - ALL CHAIN LINK FENCE COMPONENTS SHALL BE ZINC COATED WITH BLACK VINYL COATING SAME AS FENCE FABRIC IN ACCORDANCE WITH THE SPECIFICATIONS.

- GENERAL NOTES:**
- SCOPE OF WORK INCLUDES WORK SHOWN IN THESE DRAWINGS AND THE PROJECT SPECIFICATIONS. ALL WORK NOTED SHALL BE BASE RECALLED NOTED OTHERWISE.
 - THE CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES BEFORE CONSTRUCTION. ANY UTILITIES OR OBSTRUCTIONS SHALL BE RECALLED TO THE PROJECTS AT THE CONTRACTOR'S COMMENCEMENT OF WORK.
 - ANY ITEMS NOT SPECIFICALLY SHOWN ON THE DRAWINGS BUT WHICH ARE NECESSARY FOR THE PROJECT SHALL BE RECALLED TO THE PROJECTS AT THE CONTRACTOR'S COMMENCEMENT OF WORK.

REVISIONS		
#	Date	Revision

PROFESSIONAL SEAL

**DELAWARE ARMY NATIONAL GUARD
READINESS CENTER ENTRANCE**

CHEMUNDO SITE
FAST LANDING ROAD
CHEMUNDO, DELAWARE
DRAWING #
NGB #

DESIGNER: **3020100101A** SCALE: **AS NOTED**

DATE:

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MEMORANDUM

KENT COUNTY DEPARTMENT OF
PLANNING SERVICES
555 BAY ROAD
DOVER, DELAWARE 19901



TO: Regional Planning Commission

CC: Max B. Walton

FROM: Sarah E. Keifer, AICP, Department of Planning Services

DATE: January 15, 2026

SUBJECT: SLV-25-40, Waiver Request for the Lands of State of Delaware

Attached, please find the wetlands exhibit and potential concept plan for the site development.

Waiver Request:

The applicant seeks a waiver from Kent County Code §187-77.C., requiring that “no portion of wetlands areas shall be subdivided, filled, developed, or cleared of vegetation unless granted permission to fill and/or eliminate the wetlands area under state and/or federal permit, including nationwide permits authorized by the United States Army Corps of Engineers; they shall remain as essentially undisturbed natural areas.”

The applicant is seeking a waiver to enable the filling of 6.504± acres of non-jurisdictional wetlands in order to develop the site for a Delaware Army National Guard Readiness Center. The initial phase of the project includes installation of the site entrance and a stormwater management pond, which is shown on the enclosed site plan. Future development of the site is projected to include a readiness center, maintenance building, and associated parking areas. The applicant has also provided a concept plan to demonstrate a potential overall design for the project.

Staff Recommendation:

§187-80. Unusual conditions.

Where, in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this chapter would result in extraordinary hardship to the applicant because of unusual topography or other conditions which are not self-imposed or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the Commission may modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, however, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of this chapter or be contrary to the goals and objectives of the Comprehensive Plan for the County. In no case shall any modification or

waiver be more than a minimum easing of the requirements, and in no instance shall it result in any conflict with Chapter 205, Zoning.

The Planning Staff has reviewed the information submitted by the applicant and recommends **DENIAL** of the request, as the proposal is contrary to the goals and objectives of the Comprehensive Plan and represents more than a minimum easing of requirements.

Several goals within the Comprehensive Plan call for **continued protection of all wetlands**, as these areas provide food and habitat for a variety of animal species, benefit air and water quality, and provide flood protection. While the applicant is seeking to fill the non-jurisdictional wetlands only, the importance and benefit of wetland areas is not determined by their jurisdictional status. In fact, both a portion of the northern wetland and the southern wetland areas on the site are mapped as Key Wildlife Habitat in the Delaware Wildlife Action Plan (DEWAP). Comments received from the DNREC Division of Fish and Wildlife discuss how these areas are “part of a large wetland complex/large forest block that can support an array of plant and animal species across the landscape” and state that impacts to such areas should be “minimized to the greatest extent practicable.”

The applicant is requesting permission to fill all the southern wetland areas, which is more than a minimum easing of requirements. While the location of the wetland areas on the subject site may affect the design of any development, their protection would not preclude development entirely. Of the approximately 36-acre parcel, only 8.631 acres are wetlands. This means **a majority of the site area is unencumbered**. Additionally, the **subject site is currently vacant**. There are no existing structures or other infrastructure that might affect the layout of the design. Any proposed development could and should be designed with the protection of these natural areas in mind. If the proposed project cannot fit on the site with these protections in place, then the scale of the project should be adjusted, or a new site should be found.

Suggested Motion

I move that the Regional Planning Commission **deny** the applicant’s request to waive §187-77.C., as the approval would be contrary to the goals and objective of the Comprehensive Plan and require more than a minimum easing of the requirements, based on the findings that:

1. The wetland areas on site have been identified as Key Wildlife Habitat that provide important ecological and societal benefits, and
2. The site is developable without the granting of the waiver, as a significant portion of the property is unencumbered by wetlands and their associated buffers.

Please do not hesitate to contact me directly with any questions or comments.
Thank you.

Enc.: Data Sheet
Exhibit A – Location and Zoning Map
Applicant Request Letter and Exhibits
Agency Comments



DEPARTMENT OF PLANNING SERVICES

DATA SHEET FOR SUBDIVISION WAIVER REVIEW Regional Planning Commission Business Meeting of: **January 15, 2026**

Plan Number and Title	:	SLV-25-40 DE Army National Guard
Location	:	36.3± acres located on the north side of Fast Landing Rd. and the east of N Dupont Hwy., approximately 90' south of Route 1, east of Cheswold.
Applicant	:	Delaware Army National Guard c/o Marc Orndoff 1 Vavala Way New Castle, DE 19720
Owner	:	State of Delaware c/o Eugene W. Bledsoe 1 Vavala Way New Castle, DE 19720
Additional Contact	:	Century Engineering c/o Missy Kalb 550 Bay Rd. Dover, DE 19901
Engineer	:	Century Engineering c/o Alex Schmidt 550 Bay Rd. Dover, DE 19901
Zoning District	:	RS1 (Single-Family Residential)
Present Use	:	Vacant
Proposed Use	:	Public Service - DEARNG Readiness Center
Relation to Growth Zone	:	Inside
Levy Court District	:	3 rd - Angel

Property Identification Numbers : LC-00-046.00-01-08.00-000

Nature of Request : Applicant requests a waiver from §187-77 C. Wetlands areas – No portions of wetlands areas shall be subdivided, filled, developed, or cleared of vegetation unless granted permission to fill and/or eliminate the wetlands area under state and/or federal permit, including nationwide permits authorized by the United States Army Corps of Engineers; they shall remain as essentially undisturbed natural areas to enable filling non-jurisdictional wetlands to install a stormwater management pond for the future construction of a DEARNG Readiness Center



Kent County Levy Court

LOCATION AND ZONING MAP Exhibit A

Application: SLV-25-40
DE Army National Guard (State of Delaware)

APPLICANT:

Delaware Army National Guard

OWNER:

State of Delaware

PRESENT ZONING DISTRICT:

RS1 (Single-Family Residential)

PRESENT USE:

Vacant

PROPOSED USE:

Public Service – DEARNG
Readiness Center

LEVY COURT DISTRICT:

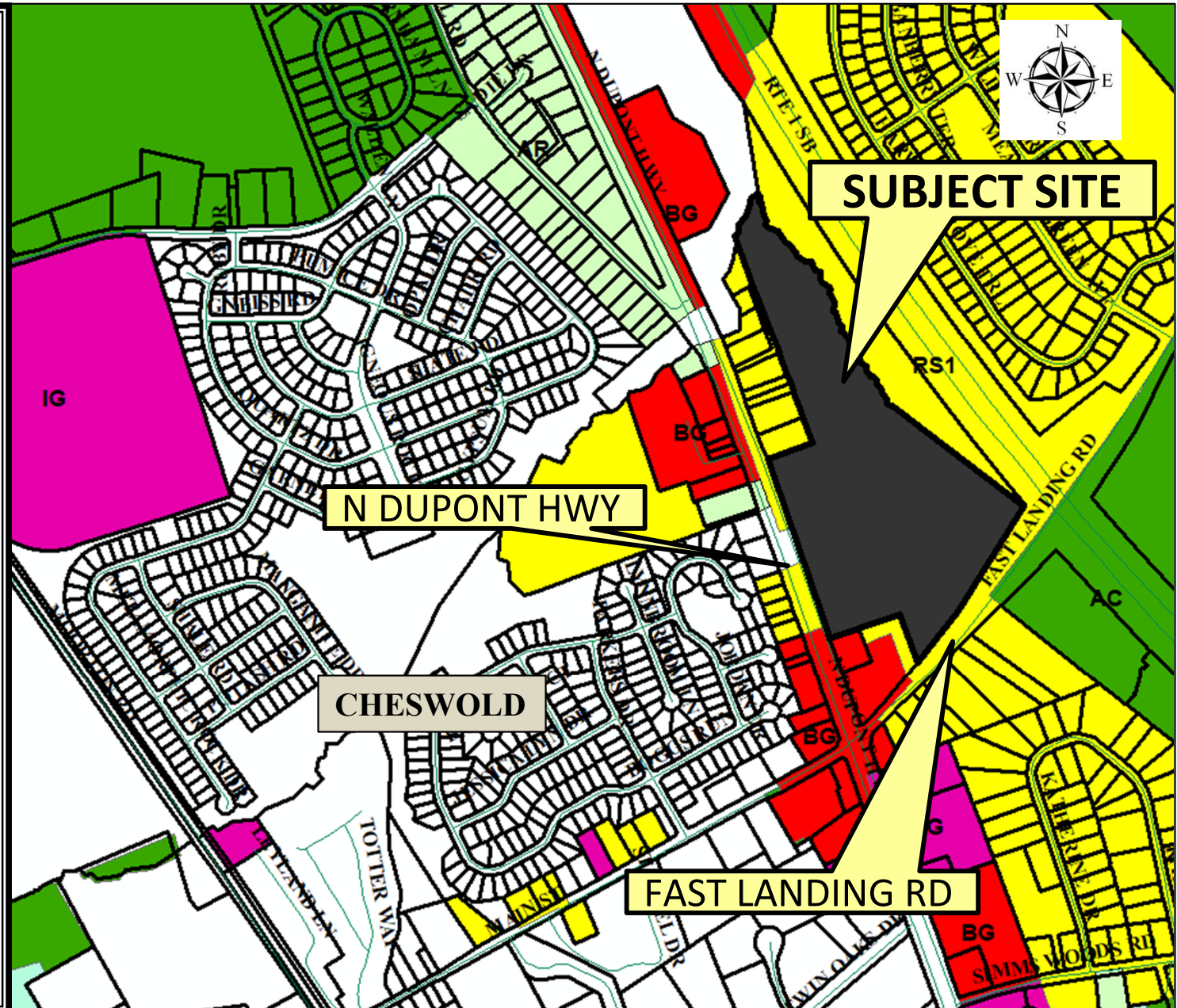
3rd - Angel

TAX MAP NO:

LC-00-046.00-01-08.00-000

LOCATION:

36.3± acres located on the north
side of Fast Landing Rd. and the
east of N Dupont Hwy.,
approximately 90' south of Route 1,
east of Cheswold.



Wednesday, November 5, 2025

Regional Planning Commission
Kent County Department of Planning Services
Division of Planning
555 Bay Road
Dover, DE 19901

SUBJECT: Statement of Nature of Waiver Request
Delaware Army National Guard Cheswold Site Development

Dear Regional Planning Commission:

On behalf of our client, Delaware Army National Guard (DEARNG), Century Engineering LLC (Century) is requesting a waiver of the § 187-77 Wetland areas regulations for the development of the land parcel (ID 4-00-04600-01-0800-00001) owned by the State of Delaware situated to the northeast of the intersection of Fast Landing Road and US13 in Kent County, Delaware.

The proposed project is a Military Readiness Center with associated stormwater detention basins, a maintenance building, utilities, parking areas, perimeter fencing, and entrance from Fast Landing Road. This facility is critical to military readiness, providing essential space for training, administration, and logistics for DEARNG. Beyond its military role, the Center will serve the broader community as a vital resource during natural disasters by supporting rescue operations, housing emergency personnel, and offering shelter for displaced residents.

The parcel currently consists of early successional fields that have developed following agricultural abandonment, along with areas of mixed deciduous forest. In the fall of 2022, Century conducted a wetland delineation within the parcel and identified palustrine forested (PFO) wetlands, palustrine emergent (PEM) wetlands, palustrine open water (POW), ephemeral channels, and R3/R4 waters. Wetlands and waters in the northern portion of the parcel were determined to be jurisdictional to both the Delaware Department of Natural Resources and Environmental Control (DNREC) and the U.S. Army Corps of Engineers (USACE). The northern wetlands are connected to the southern wetlands by an ephemeral channel. According to the DNREC State Regulated Wetlands Map Index, Delaware's Wetlands Regulations (7 DE Admin. Code 7502), and two Approved Jurisdictional Determinations issued by the USACE, the ephemeral channels and southern wetland areas are not under DNREC or USACE jurisdiction. Therefore, proposed disturbances within these areas will not require permits from either agency. However, they do meet the wetlands definition under Kent County Code §187-77 (Wetland areas) and are therefore subject to local wetland regulations. Strict adherence to §187-77 would render the parcel entirely undevelopable, preventing the substantial public benefits this project provides.

The proposed Readiness Center has been carefully designed in the most efficient and economical manner possible. The layout, siting, and scale of the project have been optimized to minimize costs, maximize functionality, and avoid unnecessary disturbance. Relocating or reconfiguring key project elements would significantly increase costs and create logistical challenges that would compromise the



project's purpose and efficiency. For these reasons, a waiver is requested to allow construction of this essential facility, which will strengthen community preparedness, resilience, and public safety.

We will be prepared to present our waiver request to the Regional Planning Commission on January 15, 2026, at 6:00 pm.

Sincerely,

CENTURY ENGINEERING, LLC, A KLEINFELDER COMPANY

A handwritten signature in black ink, appearing to read 'Missy Kalb'.

Missy Kalb, CE
Senior Environmental Scientist

Attachments:

- Signed Waiver Application Form
- Wetlands Map
- Conceptual Site Plan

cc: Marc Orndorff, DEARNG
Doug Brown, Century Engineering, LLC

RE: SLV-25-40 DE Army National Guard

From Missy Kalb <MKalb@kleinfelder.com>

Date Tue 12/23/2025 9:16 AM

To Jesse Lindenberg <Jesse.Lindenberg@kentcountyde.gov>; Alex Schmidt <aschmidt@kleinfelder.com>; marc.a.orndorff.civ@army.mil <marc.a.orndorff.civ@army.mil>; eugene.w.bledsoe.nfg@army.mil <eugene.w.bledsoe.nfg@army.mil>

Cc Kathleen Andrews <Kathleen.Andrews@kentcountyde.gov>; Douglas Brown <DoBrown@kleinfelder.com>

 1 attachment (851 KB)

WETLANDS EXHIBIT.pdf;

Hi Jesse,

I've attached an updated conceptual plan that more clearly demonstrates the wetlands (and buffers) within the project sites and the proposed project components.

The proposed Readiness Center has been designed in the most efficient and economical manner possible, with building placement, circulation, parking, and stormwater management facilities located based on existing topography and natural drainage patterns to minimize grading and ground disturbance. Stormwater management basins are intentionally sited in lower-lying areas to function by gravity; relocating these facilities or other core site elements to higher elevations would require extensive regrading, additional infrastructure, and expanded disturbance. In addition, the facilities need space to properly capture maximum runoff and also be easily accessible for maintenance. The wetlands proposed for fill have been confirmed as non-jurisdictional by the U.S. Army Corps of Engineers and DNREC. Wetlands located in the northern portion of the site will be fully avoided and preserved, and no impacts are proposed in those areas. However, full avoidance of all wetlands and the associated 25-foot buffers would remove a substantial portion of the site from development consideration, leaving insufficient usable area to accommodate the buildings, parking, access, stormwater facilities, and operational components required for a functional Readiness Center. Under such constraints, the site would be rendered incapable of supporting the proposed use. No practicable alternative layout or location exists that would avoid these wetland areas while still meeting the project's operational, safety, and stormwater requirements.

Please don't hesitate to reach out if you have any questions or need any additional information!
Happy Holidays,
Missy

Missy Kalb, CE
Senior Environmental Scientist

550 Bay Road
Dover, DE 19901
d| 302.450.3419

LEGEND

-  EPHEMERAL CHANNEL
-  PEM
-  PFO
-  POW
-  R3/R4 STREAM
-  LIMITS OF INVESTIGATION

Map ID	Description	Size (acres)
S1	Alston Branch - trib of TNW	0.147
W1	PFO wetland	1.704
S2	tributary to Alston Branch	0.051
S4	ephemeral channel	0.003
W8	PFO wetland	0.003
S3	ephemeral channel	0.219
W2	PFO wetland	2.259
W4	PEM (ag field)	2.310
W5	PEM (ag field)	0.200
S5	POW (farm pond)	0.252
S6	ephemeral channel	0.036
W3	PEM (ag field)	0.113
W6	PFO wetland	1.067
W7	PEM (ag field)	0.267

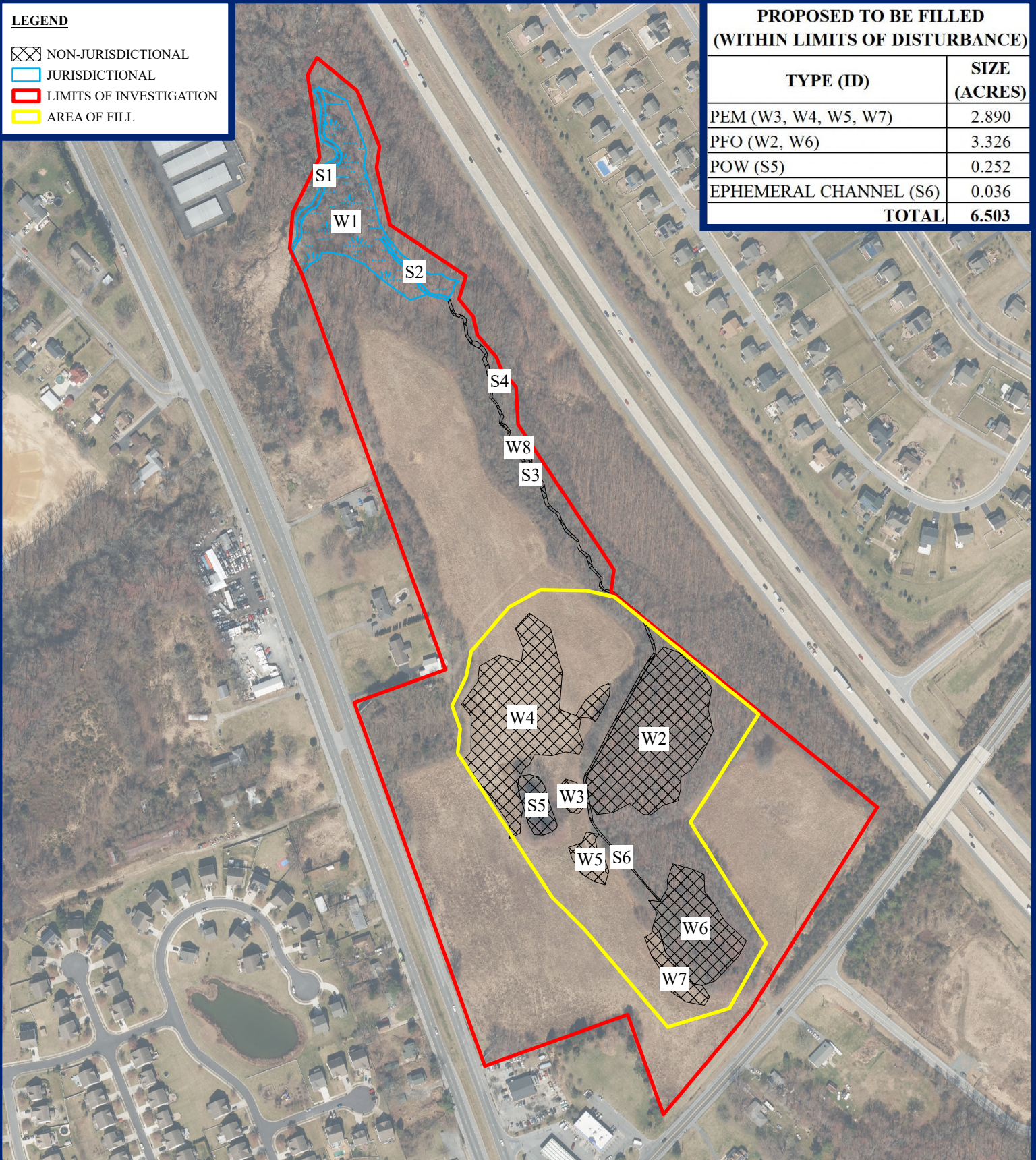


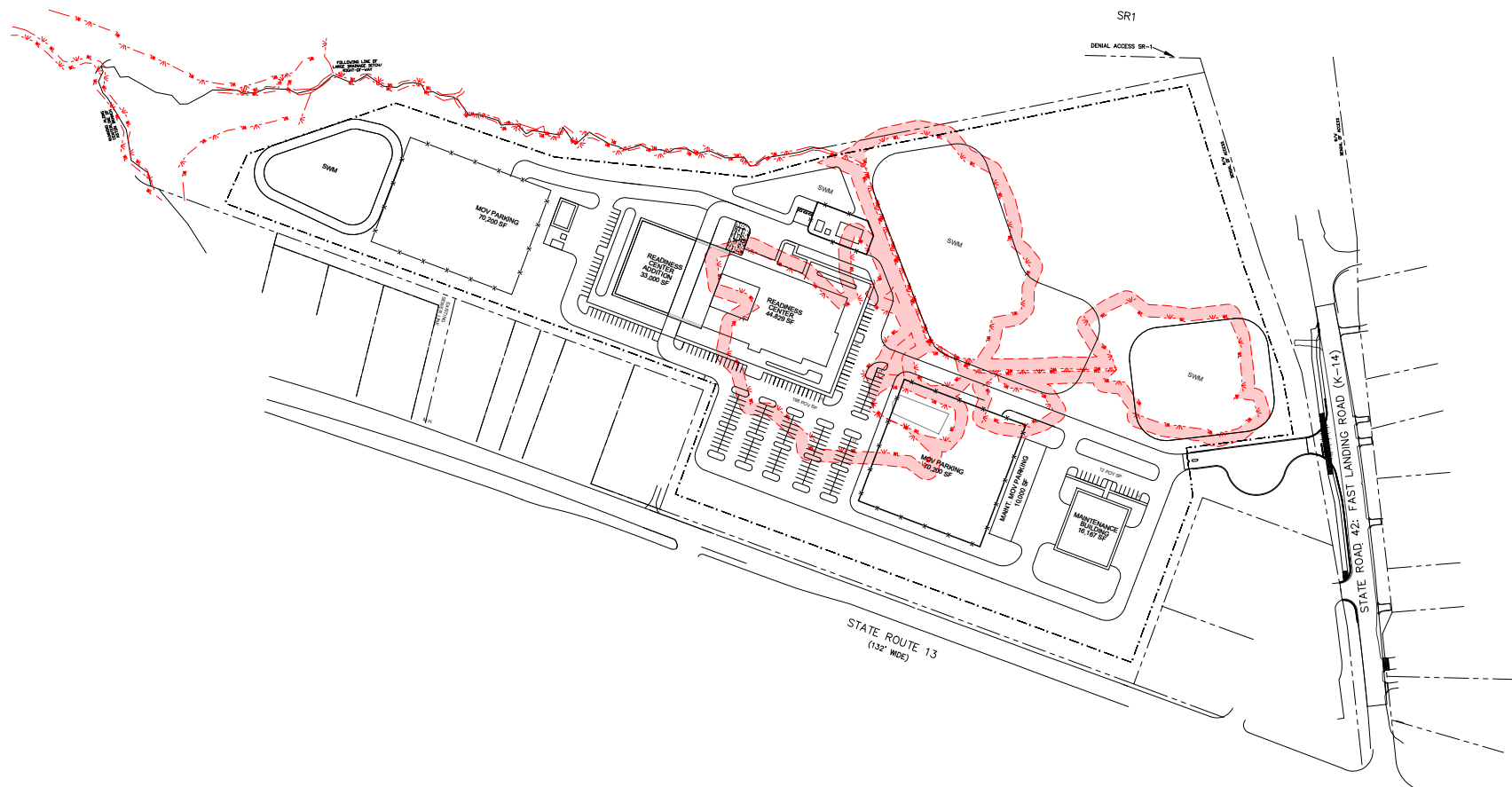
LEGEND

-  NON-JURISDICTIONAL
 JURISDICTIONAL
 LIMITS OF INVESTIGATION
 AREA OF FILL

**PROPOSED TO BE FILLED
(WITHIN LIMITS OF DISTURBANCE)**

TYPE (ID)	SIZE (ACRES)
PEM (W3, W4, W5, W7)	2.890
PFO (W2, W6)	3.326
POW (S5)	0.252
EPHEMERAL CHANNEL (S6)	0.036
TOTAL	6.503





For further information, contact Nate Nazdrowicz at Nathan.nazdrowicz@delaware.gov or 302-735-8688. Additional information can also be obtained from the Partners in Amphibian and Reptile Conservation (PARC) ‘[Habitat management guidelines for amphibians and reptiles of the Northeastern United States](#)’ or the PARC website: <http://www.parcplace.org>.

4. **SLV-25-40 DE Army National Guard:** Request to approve Waiver §187-77 C. Wetlands areas – to enable filling non-jurisdictional wetlands to install a stormwater management pond for future construction located inside the Growth Zone Overlay District.

DFW Comments:

Forested Wetlands

The forested wetlands on this property could support an array of plants and animals, most notably wetland dependent species such as amphibians. To reduce impacts to these species, we recommend following:

1. Avoid disturbance to and filling of isolated wetlands.
2. Maintain an upland buffer of at least 100 ft along wetlands.
3. Maintain input to natural wetlands at the pre-construction level. Avoid causing an increase or decrease in the naturally occurring water level.
4. Avoid diverting surface water from roadways and stormwater facilities into the wetlands on site. Water quality could be detrimentally affected by run-off, which can contain oil and other pollutants.
5. Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles.
6. Design the development to exclude curbs. If road curbing is part of the design, curbing that allows small animals, such as turtles and salamanders, to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.
7. Use open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them.

For further information, contact Nate Nazdrowicz at Nathan.nazdrowicz@delaware.gov or 302-735-8688. Additional information can also be obtained from the Partners in Amphibian and Reptile Conservation (PARC) ‘[Habitat management guidelines for amphibians and reptiles of the Northeastern United States](#)’ or the PARC website: <http://www.parcplace.org>.

Key Wildlife Habitat

The non-tidal coastal plain stream on this property is mapped as Key Wildlife Habitat (KWH) in the Delaware Wildlife Action Plan (DEWAP) 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.

Although designation as KWH is non-regulatory, these maps are intended to help guide site-specific conservation planning efforts. Impacts to KWH should be minimized to the greatest extent practicable.

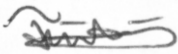
The DEWAP is a comprehensive strategy for conserving the full array of native wildlife and habitats, common and uncommon, as vital components of the state's natural resources. This document can be viewed via the [Division of Fish and Wildlife's website](#).

Delaware Ecological Network

Habitat on this parcel has been identified as ecologically important by the Delaware Ecological Network (DEN) and is classified as a corridor. The DEN, although non-regulatory, is a statewide conservation network developed using GIS and field collected datasets that help to identify and prioritize ecologically important areas for natural resource protection. The DEN includes ecologically important areas such as forests, wetlands, streams, habitat that supports rare species and areas of especially high quality. The DEN includes the following key elements: 1) Core areas – which contain relatively intact natural ecosystems, and provide high-quality habitat for native plants and animals, 2) Hubs – which are slightly fragmented aggregations of core areas with contiguous natural cover and 3) Corridors – which link core areas together, allowing wildlife movement and seed and pollen transfer between them. The DEN can be accessed through First Map: [Delaware Ecological Network 2.0 | Delaware Ecological Network 2.0 | State of Delaware \(arcgis.com\)](#). We recommend that this DEN designated area be protected to the fullest extent possible.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,



Faith Garcia
Environmental Review Coordinator
Phone: (302) 735-8665
Cell: (302) 443-3812
Email: christinefaith.garcia@delaware.gov
89 Kings Highway
Dover, DE 19901



ADVISORY BRIEF

TO: Kent County Department of Planning Services

FROM: Malcolm Jacob

DATE: 12/4/2025

SUBJECT: Kent County Regional Planning Commission Comments 1/2026

Dear Kent County Department of Planning Services,

Attached, please find comments submitted by Dover Kent MPO for each of the current Regional Planning Commission application reviews. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

Please reach out to the MPO if further input is needed.

Sincerely,

Malcolm Jacob

Transportation Planner

Dover/Kent County Metropolitan Planning Organization

Malcolm.Jacob@doverkentmpo.org

(302) 387-6030

<https://doverkentmpo.delaware.gov/>



SLV-25-40 DE Army National Guard

Dover Kent MPO will have more detailed comments when a site plan for the property is made available. Note that if the application progresses to the next phase, the site plan will need barrier-free pedestrian access from both DE Route 42 and US Route 13, as required by Kent County Code. This should include either a five-foot sidewalk or a shared use path along both frontages. The applicant will have to follow all State and County requirements for pedestrian facilities.

These improvements are especially important at this location because US13 to the south of the property is a part of Kent County's High Injury Network, according to the *Kent County Safety Action Plan*. A high number of injuries and fatalities has occurred on this part of US13, and the *Safety Action Plan* recommends completing the sidewalk network to address the risk. Pedestrian facilities are recommended north of the intersection with Main Street/Fast Landing Road, particularly on the eastern side of the road.¹

Also note that the applicant will need to follow all Federal, State, and County requirements for building adjacent to wetlands. Dover Kent MPO advises against building new roads on top of existing wetlands and streams, as the increase in paved surfaces and loss of wetlands will exacerbate flooding in the area and harm the surrounding environment. This can be addressed when a site plan is made available.

¹ *Kent County Safety Action Plan*. Dover/Kent County MPO (2025).
<https://doverkentmpo.delaware.gov/files/2025/06/Kent-County-Safety-Action-Plan-FINAL-June-2025.pdf#page=75>.



KENT COUNTY, DELAWARE
DEVELOPMENT ADVISORY
COMMITTEE



COMMENT SHEET

Date of Review: December 12, 2025

Reviewing Agency: Kent County Department of Public Works, Engineering Division

Individual Reviewer: Brian L. Hall, Engineering Project Manager II *B.L.H.*

Reviewer's Phone: (302) 744-2430

RE: DE Army National Guard (SLV-25-40)

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

Requirement:

1. The parcel is not “legally” in KCSDD1. There is an established process that must be performed to accomplish.
2. “Technically”, there is an Ex. Kent County gravity sewer system, with easements, situated on the northern portion of the property. This system is generally aligned east to west.
3. All applicable requirements of the Kent County Code, Chapters 128 (Fees) & 180 (Standards) must be addressed to affect central sewer service.

Comment:

1. The Engineering Division grants “Approval with No Objection to Recordation” for this currently requested aspect.

Thursday, January 15, 2026

Regional Planning Commission
Kent County Department of Planning Services
Division of Planning
555 Bay Road
Dover, DE 19901

SUBJECT: RE: SLV-25-40, Waiver Request for the Lands of State of Delaware
Delaware Army National Guard Cheswold Site Development

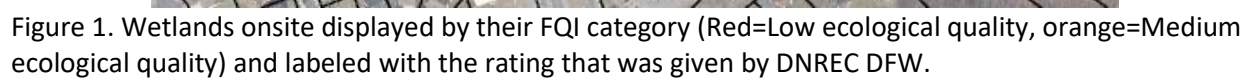
Dear Regional Planning Commission:

On behalf of our client, the Delaware Army National Guard (DEARNG), Century Engineering LLC (Century) is providing additional information in response to the "REGIONAL PLANNING COMMISSION BUSINESS MEETING AGENDA ITEM REPORT" submitted by Kathleen Andrews on January 8, 2026. The report outlines the comments and recommendation of a denial from Sarah Keifer regarding our waiver request of the Kent County Code § 187-77.C. for the development of the land parcel (ID 4-00-04600-01-0800-00001) owned by the State of Delaware situated to the northeast of the intersection of Fast Landing Road and US13 in Kent County, Delaware. Century understands that the recommended waiver request denial is ultimately based on two conditions: 1) protection of Key Wildlife Habitat (KWH) and 2) The belief that the site is developable without the waiver. This letter is intended to address the stated denial conditions while the attached letter from the DEARNG will speak to the importance of the project and detail the repercussions if the request is ultimately denied.

We appreciate the Commission's review of the waiver request and its commitment to protecting Delaware's natural resources. We share that goal and have made substantial efforts throughout site selection and project planning to avoid and minimize impacts to ecologically valuable areas to the maximum extent practicable. In response to the Commission's comments, the applicant has reevaluated the request and identified an alternative path forward that more clearly distinguishes between wetland types based on documented ecological value.

An Ecological Assessment and Vegetation Survey was conducted on-site in 2023 by the Delaware Division of Fish & Wildlife (DNREC DFW), Species Conservation and Research Program (SCRP) in earlier steps of project development. This assessment evaluated the habitat onsite and calculated a floristic quality index (FQI) for each survey site within the parcel. We have summarized the relevant data with the table and figure below. The full assessment is attached for your review.

Also attached is the DNREC DFW SCRPP project review which provided information on rare, threatened and endangered species, unique natural communities, and other significant natural resources within the vicinity of the project site (September 30, 2025, attached).



CENTURY ENGINEERING, LLC, A KLEINFELDER COMPANY
550 Bay Road, Dover, DE 19901 p | 302.734.9188

In addition to the FQI ratings, it is important to clarify which portions of the site constitute KWH and which do not. The Delaware Wildlife Action Plan (DEWAP) identifies KWH throughout the state and comments received from the DNREC DFW SCRPs discuss how these areas are “part of a large wetland complex/large forest block that can support an array of plant and animal species across the landscape” and state that impacts to such areas should be “minimized to the greatest extent practicable.” The SCRPs comments also identify an area that is an important corridor under the statewide conservation network, the Delaware Ecological Network (DEN). As part of the initial environmental review onsite, we evaluated the KWH locations and DEN in relation to our wetland waiver request.

Figure 2 below shows polygons that represent the KWH and DEN areas on and adjacent to the project site. In Area A, the dark green polygon represents the DEN corridor. Also in Area A, overlaid on the DEN corridor, are KWH polygons listed as “Coastal Plain Headwaters and Creeks, as well as Modified Successional Forest”. The polygon in Area B (which overlaps the forested wetlands on site) is identified as “Modified/Successional Forest”. In contrast, the agricultural wetlands on the site are not identified as KWH or within the DEN, and exhibit little to no ecological value. This professional, site-specific evaluation supports the conclusion that these agricultural wetlands do not function as high-quality habitat and do not contribute meaningfully to the ecological objectives associated with KWH and DEN protection.



Figure 2. Snip from DEWAP Explorer displaying KWH and DEN within and adjacent to the project parcel.

While we understand and respect the Commission's intent to protect natural resources, the protection of low-quality agricultural wetlands and the associated 25-foot buffers presents a substantial and unavoidable site design constraint. Preserving these features in their entirety would effectively divide the property into three disconnected developable areas. This fragmentation, along with homeland security building setback distances for federal buildings, would severely limit the ability to arrange project components in a cohesive and functional manner. This fragmented development would make it impracticable to meet the operational, safety, and programmatic goals of the DEARNG. The figure below shows the adjusted areas that the applicant requests to fill, which are approximately 3.13 acres of low ecological quality, agricultural wetlands and approximately 2.2 acres of 25-foot buffers to those wetlands.



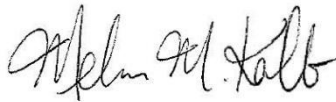
Figure 3. Aerial showing updated areas proposed for fill (black hatched), and wetland areas that will be left undisturbed (green and white).

This waiver request is not intended to diminish ecological protections, but rather to allow flexibility where site-specific data demonstrates low ecological value and where avoidance would impose disproportionate constraints on a project that has been in development since 2019, with multiple planning, design, and regulatory elements already moving forward. The adjusted approach balances resource protection with practical site development by prioritizing avoidance of forested wetlands and higher-quality habitats while allowing limited impacts to disturbed, low-functioning agricultural wetlands.

We believe this adjusted approach aligns with both the intent of the regulations and the Commission's overarching mission, and we respectfully request that the ecological information provided, along with the DEARNG's letter, be fully considered in evaluating the adjusted waiver request.

Sincerely,

CENTURY ENGINEERING, LLC, A KLEINFELDER COMPANY



Missy Kalb, CE
Senior Environmental Scientist

Attachments: Letter from William Cost (DEARNG)
DNREC DFW SCRP Ecological Assessment and Vegetation Survey
DNREC DFW SCRP Information Letter (2025)

cc: Marc Orndorff, DEARNG
Doug Brown, Century Engineering, LLC

Ecological Assessment and Vegetation Survey

Fast Landing Rd., Cheswold, Delaware

William A. McAvoy

Delaware Division of Fish & Wildlife

Species Conservation and Research Program

Submitted: 6/27/2023

On 5/30/2023, an ecological assessment and vegetation survey were conducted at the above referenced site. This was done to help create an integrated natural resource management plan for the site that will be developed by the Delaware Army National Guard. The approximately 36-acre property was segregated into 7 survey sites. A description of each survey site is found below.

Site descriptions include in some cases, digital images of the survey site, as well as tables of all plant species observed (arranged alphabetically by scientific name). Tables include the common name and life form (e.g., deciduous tree), and where pertinent, the wetland indicator status of each species recorded (see wetland indicator status criteria below). In addition, if a plant species is non-native in Delaware, an asterisk (*) is applied to the species name. If non-native and invasive, two asterisks (**) are applied. Plant species lists are not comprehensive and only represents one day within the current growing season. Botanical nomenclature follows: Weakley, A.S., and Southeastern Flora Team 2022. Flora of the southeastern United States. University of North Carolina Herbarium, North Carolina Botanical Garden.

Additionally, a floristic quality index (FQI) was calculated for each survey site. The FQI is a widely accepted, quantitative measure to determine the ecological quality of a natural area or site by recording all the native and non-native plant species observed within a specific area. The FQI has been shown to be a reliable means of assessing quality with minimal data collection and allows for the comparison of floristic quality among many sites. The FQI ranges from 1 to 10, with 1-3 being low ecological quality; 4-6 being medium ecological quality; and 7-10 being high ecological quality.

Wetland Indicator Status

OBL = occurs almost always (> 99%) under natural conditions in wetlands

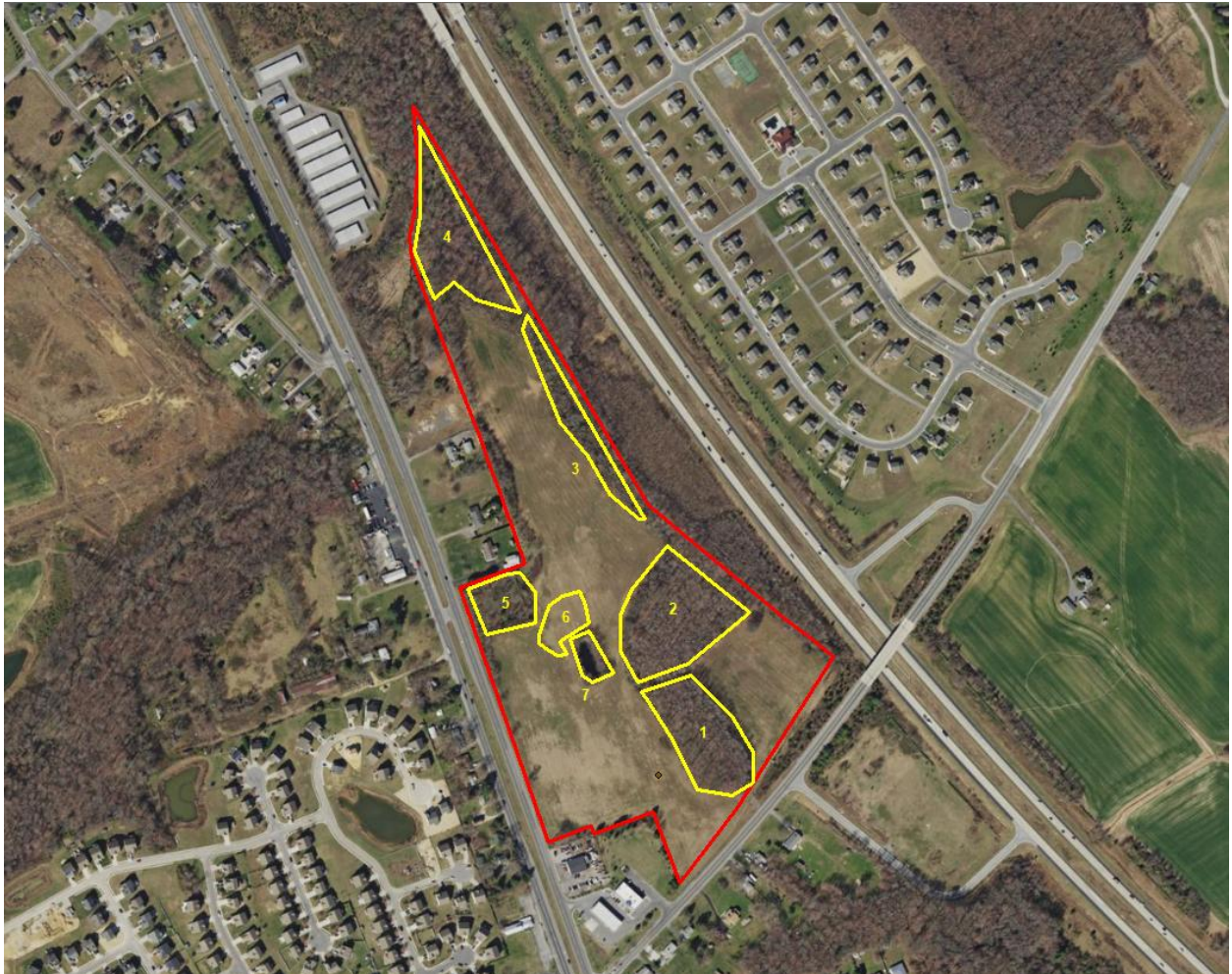
FACW = usually occurs in wetlands (67 - 99%), but occasionally found in non-wetlands

FAC = equally likely to occur in wetlands or non-wetlands (34 - 66%)

FACU = usually occurs in non-wetlands (67 - 99%), but occasionally found in wetlands (1 - 33%)

UPL = occurs almost always (> 99%) under natural conditions in non-wetlands

Figure 1. Fast Landing Rd., Cheswold Delaware. Yellow polygons are survey sites 1 through 7. Red polygon is the property boundary. 2017 aerial imagery.



Survey Site 1

Survey site 1 (Fig. 1) is a mid-successional, forested wetland with red maple (*Acer rubrum*) and willow oak (*Quercus phellos*) as co-dominants in the canopy. Trunk diameters of several willow oak reach 30 inches in diameter. Green ash (*Fraxinus pennsylvanica*) – a component of the canopy and sub-canopy – is being stressed (likely to the point of death) by the emerald ash borer (EAB), a non-native insect pest. A shallow, linear ditch runs through the west side of the site and may have some influence on hydrology. Of the 15 plant species recorded, 12 are wetland plants [FAC, FACW, OBL (Table 1)]. Blackened leaf litter was observed which indicates standing water during some period of the season. The FQI = 4 (medium ecological quality, low end).

Table 1. Vascular plant species observed within survey site 1.

Scientific Name	Common Name	Life Form	Wetland Status
<i>Acer rubrum</i>	Eastern red maple	Tree (deciduous)	FAC
<i>Campsis radicans</i>	trumpet-creeper	Vine (woody)	FAC
<i>Carex lurida</i>	sallow sedge	Sedge	OBL
<i>Carex swanii</i>	Swan's sedge	Sedge	FACU
<i>Cinna arundinacea</i>	stout wood reedgrass	Grass	FACW
<i>Fraxinus pennsylvanica</i>	green ash	Tree (deciduous)	FACW
<i>Ilex opaca</i>	American holly	Tree (evergreen, broad-leaf)	FACU
<i>Liquidambar styraciflua</i>	sweet gum	Tree (deciduous)	FAC
<i>Nyssa sylvatica</i>	blackgum	Tree (deciduous)	FAC
<i>Onoclea sensibilis</i>	sensitive fern	Fern	FACW
<i>Quercus palustris</i>	pin oak	Tree (deciduous)	FACW
<i>Quercus phellos</i>	willow oak	Tree (deciduous)	FAC
<i>Ulmus rubra</i>	slippery elm	Tree (deciduous)	FAC
<i>Viburnum dentatum</i>	arrowwood	Shrub (deciduous)	FAC
<i>Viburnum prunifolium</i>	black haw	Shrub (deciduous)	FACU

Figure 2. Survey site 1.



Survey Site 2

Survey site 2 (Fig. 1) is a mid-successional forested wetland with red maple and sweet gum (*Liquidambar styraciflua*) as co-dominants in the canopy. The site is very similar to survey site 1, but with sweet gum as a co-dominant instead of willow oak. All plant species recorded are wetland plants (Table 2). The FQI = 4 (medium ecological quality, low end).

Table 2. Vascular plant species observed within survey site 2.

Scientific Name	Common Name	Life Form	Wetland Status
<i>Acer rubrum</i>	Eastern red maple	Tree (deciduous)	FAC
<i>Cinna arundinacea</i>	stout wood reedgrass	Grass	FACW
<i>Fraxinus pennsylvanica</i>	green ash	Tree (deciduous)	FACW
<i>Leersia virginica</i>	Virginia cutgrass	Grass	FACW
<i>Liquidambar styraciflua</i>	sweet gum	Tree (deciduous)	FAC
<i>Osmunda spectabilis</i>	American royal fern	Fern	OBL
<i>Quercus phellos</i>	willow oak	Tree (deciduous)	FAC
<i>Solidago rugosa</i>	wrinkle-leaf goldenrod	Herb	FAC
<i>Vaccinium corymbosum</i>	highbush blueberry	Shrub (deciduous)	FACW

Survey Site 3

Survey site 3 (Fig. 1) is a narrow-forested edge, with thick, dense early to mid-successional vegetation. A rather deep drainage ditch runs along the length of this site. The FQI = 2 (low ecological quality). Three (3) non-native invasive plant species were observed (Table 3).

Table 3. Vascular plant species observed within survey site 3.

Scientific Name	Common Name	Life Form
<i>Acer rubrum</i>	Eastern red maple	Tree (deciduous)
<i>Campsis radicans</i>	trumpet-creeper	Vine (woody)
<i>Ilex opaca</i>	American holly	Tree (evergreen, broad-leaf)
<i>Liquidambar styraciflua</i>	sweet gum	Tree (deciduous)
<i>Liriodendron tulipifera</i>	tulip poplar	Tree (deciduous)
<i>Lonicera japonica</i> **	Japanese honeysuckle	Vine (woody)
<i>Morus alba</i> **	white mulberry	Tree (deciduous)
<i>Nyssa sylvatica</i>	blackgum	Tree (deciduous)
<i>Prunus serotina</i>	wild black cherry	Tree (deciduous)
<i>Rosa multiflora</i> **	multiflora rose	Shrub (deciduous)
<i>Sassafras albidum</i>	common sassafras	Tree (deciduous)
<i>Vitis aestivalis</i>	summer grape	Vine (woody)

Survey Site 4

Survey site 4 (Fig. 1) consists of a stream valley of the Alston Branch (Fig. 3) with moderate, upland wooded slopes and flats above the branch (Fig. 4). The floodplain of the branch supports red maple and green ash (stressed by EAB) in the canopy (Table 4). A few groundwater seepage wetlands are present along the broader sections of the floodplain (Fig. 3) that are dominated by skunk cabbage (*Symplocarpus foetidus*). The upland wooded slopes and flats (Fig. 4) of the site are deer browsed with a heavy coverage of Japanese honeysuckle (*Lonicera japonica*) in the herbaceous layer. Some of the larger tulip poplars (the dominant canopy tree of the upland slopes and flats) range from 25-40 inches in diameter. Aerial imagery from 1937 to 2017, show that survey site 4 has been in continuous forest cover since 1937 (Fig. 5). Assuming the site was forested from 10-20 years prior to 1937, the tree canopy here could be 100 years or older. However, field surveys did not find evidence of a mature or old-regrowth forest. Several large diameter tulip poplar trees were observed as mentioned above, but tulip poplar is a species that has a high rate of growth. So, large diameter tulip poplars may not be as old as one would think based on a large trunk diameter. The FQI = 6 (medium ecological quality, high end).

Table 4. Vascular plant species observed within survey site 4.

Scientific Name	Common Name	Life Form
<i>Asimina triloba</i>	pawpaw	Shrub (deciduous)
<i>Athyrium angustum</i>	Northern lady fern	Fern
<i>Carpinus caroliniana</i>	coastal ironwood	Tree (deciduous)
<i>Carya cordiformis</i>	bitternut hickory	Tree (deciduous)
<i>Collinsonia canadensis</i>	northern horsebalm	Herb
<i>Fagus grandifolia</i>	white American beech	Tree (deciduous)
<i>Lindera benzoin</i>	spicebush	Shrub (deciduous)
<i>Liriodendron tulipifera</i>	tulip poplar	Tree (deciduous)
<i>Lonicera japonica</i> **	Japanese honeysuckle	Vine (woody)
<i>Medeola virginiana</i>	Virginia cucumber-root	Herb
<i>Podophyllum peltatum</i>	may-apple	Herb
<i>Quercus rubra</i>	red oak	Tree (deciduous)
<i>Symplocarpus foetidus</i>	skunk cabbage	Herb
<i>Viburnum prunifolium</i>	black haw	Shrub (deciduous)

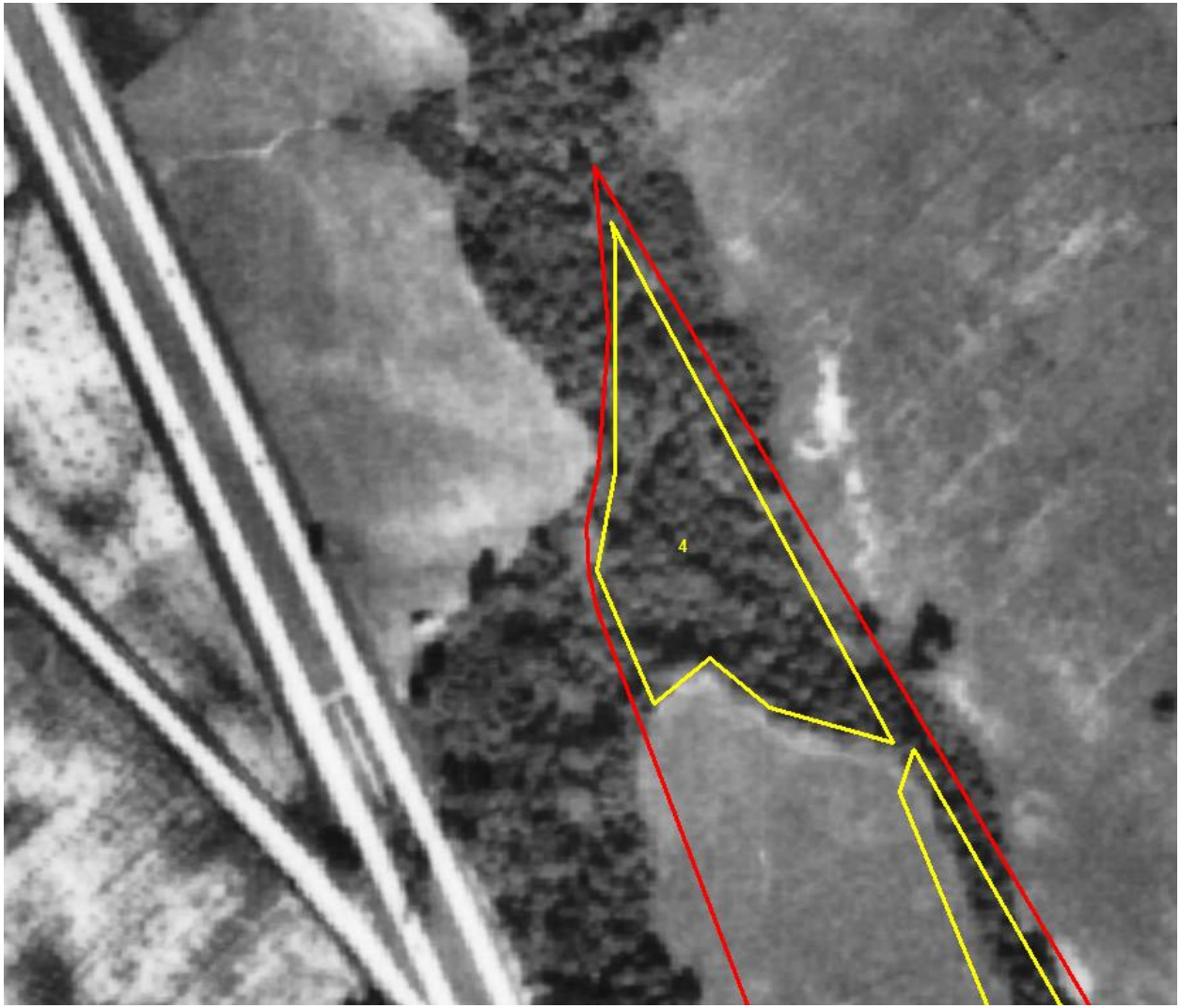
Figure 3. Survey site 4, floodplain of the Alston Branch.



Figure 4. Survey site 4, upland wooded slopes and flats of the Alston Branch.



Figure 5. Survey site 4, 1937 aerial image showing forest cover.



Survey Site 5

Survey site 5 is an early to mid-successional shrub/young tree thicket. The site is fenced around its perimeter, so the plant species recorded in Table 5 were observed from outside the fence. The FQI = 2 (low ecological quality). Two (2) non-native invasive plants species were recorded.

Table 5. Vascular plant species observed within survey site 5.

Scientific Name	Common Name	Life Form
<i>Acer rubrum</i>	Eastern red maple	Tree (deciduous)
<i>Campsis radicans</i>	trumpet-creeper	Vine (woody)
<i>Juglans nigra</i>	black walnut	Tree (deciduous)
<i>Juniperus virginiana</i>	eastern red cedar	Tree (evergreen, needle-leaf)
<i>Lonicera japonica</i> **	Japanese honeysuckle	Vine (woody)
<i>Morus alba</i> **	white mulberry	Tree (deciduous)
<i>Nyssa sylvatica</i>	blackgum	Tree (deciduous)
<i>Vitis aestivalis</i>	summer grape	Vine (woody)

Survey Site 6

Survey site 6 (Fig. 1) is a low lying, poorly drained area that is positioned around the perimeter of survey site 7 (Fig. 6). All 10 of the plant species recorded are wetland plants (Table 6). The FQI = 3 (low ecological quality, high end).

Table 6. Vascular plant species observed within survey site 6.

Scientific Name	Common Name	Life Form	Wetland Status
<i>Acer rubrum</i>	Eastern red maple	Tree (deciduous)	FAC
<i>Bidens polylepis</i> **	Ozark tickseed-sunflower	Herb	FACW
<i>Carex scoparia</i>	broom sedge	Sedge	FACW
<i>Carex vulpinoidea</i>	fox sedge	Sedge	OBL
<i>Dichanthelium scoparium</i>	velvet dichanthelium grass	Grass	FACW
<i>Juncus effusus</i>	smooth rush	Rush	OBL
<i>Ludwigia alternifolia</i>	seedbox	Herb	FACW
<i>Persicaria sagittata</i>	arrowleaf tearthumb	Herb	OBL
<i>Platanus occidentalis</i>	American sycamore	Tree (deciduous)	FACW
<i>Sisyrinchium angustifolium</i>	narrow leaf blue-eyed-grass	Herb	FACW

Figure 6. Survey site 6.



Survey Site 7

Survey site 7 (Fig.'s 1 and 7), appears to be an abandoned sandpit, or perhaps a pond that was used for irrigation wells. The pit/pond first appears on aerial imagery in 1961 (Fig. 8). The site was flooded on this date (5/30). No emergent vegetation was observed other than a patch of the non-native invasive plant, reed canary grass (*Phalaris arundinacea*).

Figure 7. Survey site 7.



Figure 8. Survey site 7, 1961 aerial imagery.



Abandoned Farmland

The area of the property not included in survey sites 1 through 7, is abandoned farm or agricultural land. Of the 11 plant species recorded, 5 are non-native. Of the 5 three (3), are invasive (Table 8.) The FQI = 1 (low ecological quality, low end).

Table 8. Vascular plant species observed within abandoned farm or agricultural land.

Scientific Name	Common Name	Life Form
<i>Acetosa acetosella</i> *	sheep dock	Herb
<i>Anthoxanthum odoratum</i> *	sweet vernal grass	Grass
<i>Apocynum cannabinum</i>	hemp dogbane	Herb
<i>Kummerowia stipulacea</i> **	Korean lespedeza	Herb
<i>Liquidambar styraciflua</i>	sweet gum	Tree (deciduous)
<i>Poa trivialis</i> **	rough bluegrass	Grass
<i>Prunus serotina</i>	wild black cherry	Tree (deciduous)
<i>Rosa multiflora</i> **	multiflora rose	Shrub (deciduous)
<i>Sassafras albidum</i>	common sassafras	Tree (deciduous)
<i>Solidago canadensis</i>	Canada goldenrod	Herb
<i>Triodanis perfoliata</i>	clasping Venus' looking-glass	Herb



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

DIVISION OF FISH & WILDLIFE
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

**DIRECTOR'S
OFFICE**

PHONE
(302) 739-9910

September 30, 2025

Rachel Owrutsky
Century Engineering, LLC
550 S Bay Road
Dover, DE 19901

Re: CENTURY 2025 DEARNG Cheswold Site Tax Parcel # 4-00-04600-01-0800-00001

Dear Rachel:

Thank you for contacting the Division of Fish and Wildlife (DFW) Species Conservation and Research Program about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the above referenced project.

State Natural Heritage Site

A review of our database indicates that there are currently no records of state-rare or federally-listed plants, animals or natural communities at this project site. As a result, at present, this project does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve which are two criteria used to identify "Designated Critical Resource Waters" in the U.S. Army Corps of Engineers (USACE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the USACE for activities on this property.

Forested Wetlands

The forested wetlands on this property could support an array of plants and animals, most notably wetland dependent species such as amphibians. To reduce impacts to these species, we recommend following:

1. Avoid disturbance to and filling of isolated wetlands.
2. Maintain an upland buffer of at least 100 ft along wetlands.
3. Maintain input to natural wetlands at the pre-construction level. Avoid causing an increase or decrease in the naturally occurring water level.

4. Avoid diverting surface water from roadways and stormwater facilities into the wetlands on site. Water quality could be detrimentally affected by run-off, which can contain oil and other pollutants.
5. Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles.
6. Design the development to exclude curbs. If road curbing is part of the design, curbing that allows small animals, such as turtles and salamanders, to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.
7. Use open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them.

For further information, contact Nate Nazdrowicz at Nathan.nazdrowicz@delaware.gov or 302-735-8688. Additional information can also be obtained from the Partners in Amphibian and Reptile Conservation (PARC) ‘[Habitat management guidelines for amphibians and reptiles of the Northeastern United States](#)’ or the PARC website: <http://www.parcplace.org>.

Wetland Buffer

Buffers are an integral component of aquatic and wetland habitats, reducing the amount of sediments, pollutants, and other non-point source material that may affect the function and integrity of habitat and the condition and survivability of aquatic organisms. Forested buffers serve as habitat for many terrestrial species that are dependent on aquatic and wetlands habitats for a portion of their annual life cycle.

In the interest of water quality and wildlife habitat, we recommend maintaining an upland buffer of at least 100 ft along rivers, streams and wetlands. This recommendation is based on peer reviewed research that suggests that buffer values increase noticeably with widths of 100 ft or more. This buffer should *not* be a maintained lawn area and should *not* contain lot lines or infrastructure. We recommend the buffer area be comprised of the existing vegetation or planted with Delaware native species of trees, shrubs, grasses or wildflowers.

Key Wildlife Habitat

The non-tidal coastal plain stream on this property is mapped as Key Wildlife Habitat (KWH) in the Delaware Wildlife Action Plan (DEWAP) 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.

Although designation as KWH is non-regulatory, these maps are intended to help guide site-specific conservation planning efforts. Impacts to KWH should be minimized to the greatest extent practicable.

The DEWAP is a comprehensive strategy for conserving the full array of native wildlife and habitats, common and uncommon, as vital components of the state’s natural resources. This document can be viewed via the [Division of Fish and Wildlife’s website](#).

Delaware Ecological Network

Habitat on this parcel has been identified as ecologically important by the Delaware Ecological Network (DEN) and is classified as a corridor. The DEN, although non-regulatory, is a statewide conservation network developed using GIS and field collected datasets that help to identify and prioritize ecologically important areas for natural resource protection. The DEN includes ecologically important areas such as forests, wetlands, streams, habitat that supports rare species and areas of especially high quality. The DEN includes the following key elements: 1) Core areas – which contain relatively intact natural ecosystems, and provide high-quality habitat for native plants and animals, 2) Hubs – which are slightly fragmented aggregations of core areas with contiguous natural cover and 3) Corridors – which link core areas together, allowing wildlife movement and seed and pollen transfer between them. The DEN can be accessed through First Map: [Delaware Ecological Network 2.0 | Delaware Ecological Network 2.0 | State of Delaware \(arcgis.com\)](#). We recommend that this DEN designated area be protected to the fullest extent possible.

Fisheries

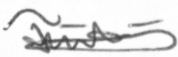
After reviewing the project description, it does not appear that any waterways will be impacted; therefore, there are no fisheries concerns at present.

The DFW does not have fish community data for the project location. However, it is unlikely that habitat occurs in the project site that would support anadromous fish species. No time of year restrictions or other measures are requested for these species or for resident gamefish species.

We are continually updating our records on Delaware's rare, threatened and endangered species, unique natural communities and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,



Faith Garcia
Environmental Review Coordinator
Phone: (302) 735-8665
Cell: (302) 443-3812
Email: christinefaith.garcia@delaware.gov
89 Kings Highway
Dover, DE 19901

(See invoice on next page)

INVOICE - PAYMENT DUE

It is our policy to charge a fee for this environmental review service. This letter constitutes an invoice for \$35.00 (\$35.00/hour for a minimum of one hour). Please make your check payable to "Delaware Division of Fish and Wildlife" and submit to:

DE Division of Fish and Wildlife
97 Commerce Way, Suite 106
Dover, DE 19904
ATTN: DFW Fiscal

**In order for us to properly process your payment, you must reference
"CENTURY 2025 DEARNG Cheswold Site" on your check.**

cc: DFW Fiscal; Code to 72900



**STATE OF DELAWARE
DEPARTMENT OF MILITARY AFFAIRS
DELAWARE ARMY NATIONAL GUARD
1 VAVALA WAY
NEW CASTLE, DELAWARE 19720-1502**



January 15, 2026

Kent County Levy Court
Attention: Kent County Regional Planning Commission
Levy Court Chambers, RM 203
555 Bay Rd.
Dover, DE 19901

SUBJECT: SLV-25-40 DE Army National Guard Wetlands Waiver Request.

Kent County Regional Planning Commission,

The Delaware Army National Guard (DEARNG) requests favorable consideration of our request for a wetlands waiver, despite the Department of Planning Service's recommendation to deny. The DEARNG denies the findings that our proposal is contrary to the goals and objectives of the Comprehensive Plan, and that we are requesting more than a minimum easing of the requirements. The DEARNG believes this waiver is not only in the best interest of the DEARNG, but also the public interest of Kent County and the State of Delaware.

At risk in this decision is a \$42M Military Construction (MILCON) project projected for Federal Fiscal Year 2028 as well as two follow-on MILCON projects estimated at another \$60+M over the next 8-10 years. The intent of these projects is to relocate our 1049th Transportation Company and Field Maintenance Shop #4 from Seaford to Cheswold by 2030 and 2034, respectively. These moves will benefit the DEARNG by building modern infrastructure in place of our aging Readiness Center and undersized Maintenance Shop. The benefits to Kent County and the State of Delaware, in addition to the \$100M+ in new infrastructure, include the influx of full-time and part-time jobs to the county as well as the National Guard's assets for Emergency Management.

The DEARNG and Century Engineering spent considerable time and effort considering the environmental impacts of the proposed construction and have designed and re-designed aspects of the site to ensure compliance with all Federal and State environmental and wetlands regulations. The sizes and locations of our proposed buildings, parking lots, entrance, and road have been meticulously placed to minimize disturbance of wetlands while meeting the Army's Force Protection requirements. Significant changes to the currently proposed layout would come at potentially project-killing expense. In addition to the \$30M of Federal funds we anticipate, the State of Delaware committed \$3.3M to site preparation in Fiscal Years 2025-26, and we are forecasting another \$12+M in state funding in Fiscal Years 2027-28.

The DEARNG has a strong desire to increase our presence in Kent County and we believe we will make a significant positive impact in doing so. The complexities and time-consuming nature of property acquisition make this Cheswold site our only option for these anticipated MILCON projects for the foreseeable future. Therefore, we are appealing to Kent County to approve this request for a wetlands waiver.

If you have any questions regarding this letter, please contact me at (302) 326-7148.

Sincerely,

COST.WILLIAM
.FREDERICK.JR.
1034686706

Digitally signed by
COST.WILLIAM.FRED
ERICK.JR.1034686706
Date: 2026.01.15
11:31:58 -05'00'

William F. Cost, Jr.
Director of Facilities



Item Cover Page

REGIONAL PLANNING COMMISSION BUSINESS MEETING AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Kathleen Andrews, Planning Services

ITEM TYPE: Application

AGENDA SECTION: Old Business

SUBJECT: **SLV-25-42 Ebert, Taylor:** Requesting a Waiver from §187-57.B. Floodplain areas and §187-77.C. Wetlands areas to enable the submission of a 2-lot minor subdivision plan located inside the Growth Zone Overlay District. / NM-00-119.00-02-30.00-000

ATTACHMENTS:

[SLV-25-42 Memo Feb 12, 2026](#)
[SLV-25-42 Site Evaluations for Lot 1 - 2](#)
[SLV-25-42 Letter from applicant](#)
[SLV-25-42 Letter in favor of application](#)
[SLV-25-42 Ebert Memo](#)
[SLV-25-42 Data Sheet](#)
[SLV-25-42 Exhibit A Location and Zoning Map](#)
[SLV-25-42 Exhibit B Wetlands and blue Line Stream Map](#)
[SLV-25-42 Agency Comments](#)
[SLV-25-42 Minor Subdivision Plan with Flood Plain](#)

MEMORANDUM

KENT COUNTY DEPARTMENT OF
PLANNING SERVICES
555 BAY ROAD
DOVER, DELAWARE 19901



TO: Regional Planning Commission

CC: Max B. Walton

FROM: Sarah E. Keifer, AICP, Department of Planning Services

DATE: February 12, 2026

SUBJECT: SLV-25-42, Waiver Request for Taylor Ebert

Enclosed please find additional information submitted by the applicant for application SLV-25-42, waiver request for Taylor Ebert. The application was tabled by the Regional Planning Commission on January 15, 2026.

Please do not hesitate to contact me directly with any questions or comments.

Thank you.

Enc.: Site Evaluations for Lots 1 and 2
Letter from Applicant
Letter in Favor of Application

Site Evaluation

Reference #:

573316

MICHAEL L. STALLINGS
AAA ENVIRONMENTAL SERVICES
SITE EVALUATION
Approval Page

RECEIVED

07/01/2025

GROUNDWATER

PAID

\$ 75.00 07/01/2025

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, and/or removal or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. An approved report must accompany any permit application. This is not a construction permit.

Owner's Name: Taylor Ebert

Tax Map #: NM 119.00-02-30.00 P/O

Lot #2

Owner's Address: 977 W. Evens Road, Viola DE 19979

Initial Disposal System: Elevated Sand Mound Disposal System with Advanced-Treatment or Peat Bio-filter Treatment and Disposal System

Location: In the immediate vicinity of soil boring #1 and 2

Depth to limiting zone: 16 inches to redoximorphic features

Site Evaluation Expiration: The lot owner must apply for a septic permit within 5 years from the APPROVAL DATE issued by reviewing DNREC state site evaluator, or the site evaluation will have to be reevaluated and resubmitted to DNREC by a licensed Class D site evaluator.

Design Considerations and Comments: See Exhibit Q, BB & Guidance Documents Attachment 8 (Peat Biofilter), in the January 14, 2014 Regulations. See attached soils report for pertinent information regarding septic system design and installation. Maintain all setbacks and isolation distances from Existing Wells, Right-of-Ways, Easements, Property Lines and Water Courses. See Exhibit C (A, E, H or I for ways to reduce well isolation distances).
Replacement Disposal System Type: Same as above if space permits. Otherwise sand-lined upgrade in area of initial.

Location: Adjacent to initial system

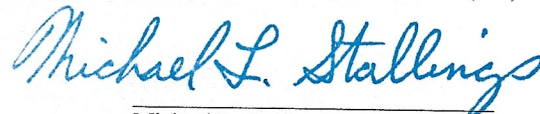
Depth to limiting zone: Same as above

Instructions to Property Owner

1. See attached soils report.
2. Contact a Class C System Designer.
3. A permeability rate of **60 minutes per inch** has been estimated based on the soils found on your site and guidelines set forth in the 1985 Regulations provided by the Department of Natural Resources and Environmental Control. You may use the estimated percolation rate or, at your expense, have a percolation test conducted. If you do not choose to use the estimated percolation rate, contact a Licensed Class A Percolation Tester. The depth, location and number of percolation tests is to be determined by the Class D Soil Scientist.
4. If you have questions, call the evaluator at Mike Stallings AAA Environmental Services at (302) 632-1847, or DNREC at (302) 739-9947 or (302) 856-4561.

This report has been prepared by:

Michael L. Stallings
AAA Environmental Services
257 Deerwood Farm Lane
Felton, Delaware 19943



Michael L. Stallings
DNREC License #2347

This site evaluation will expire if not permitted within 5 years of the approval date.

For office use only

Field Checked

If there are questions regarding
this report contact the Class D licensee.

7/3/2025

Approval Date

DNREC APPROVED

DNREC Reviewing Site Evaluator

The Class D licensee is
responsible for errors/omissions.

7/3/2030

Expiration Date

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

MICHAEL L. STALLINGS
AAA ENVIRONMENTAL SERVICES
SITE EVALUATION REPORT

Owner's Name: Taylor Ebert
Address: 977 W. Evens Road, Viola DE 19979
Tax Map No.: NM 119.00-02-30.00 P/O
Property Location: Lot 2, 977 W. Evens Road, Viola DE 19979

Phone No.: 302-480-4078

Date Site Evaluated: 5-02-2025

INFORMATION ABOUT SITE EVALUATIONS:

The site evaluation which has been performed on the above location is only to determine the suitability of the soil for a septic system under current state regulations. This site evaluation does not guarantee the suitability for any specific type of septic disposal system. Disposal systems will be assigned based on the soils found on the site, on current Department of Natural Resources and Environmental Control regulations, and information provided to me by the property owner or his agent. If any of the information provided to me is incorrect, this may negate the validity of this site evaluation. If the property lines are altered or moved in any way that changes the area for which the site evaluation was performed, this will negate the site evaluation. A new site evaluation will then have to be conducted and resubmitted to the Department of Natural Resources and Environmental Control.

Permeability rates were estimated based on soil textures found by performing auger borings while conducting your site evaluation and are strictly estimates using the guidelines set forth in the current regulations from the Department of Natural Resources and Environmental Control and soil conditions found at the time of the site evaluation. These estimated rates are just values placed on the soil texture and may be higher or lower than an actual percolation test value. Due to the fact that soil textures and structure may vary greatly on an individual lot, which will affect the percolation rate in a specific area, I would recommend that a representative percolation test be performed in the immediate drainfield area prior to design and installation of the system.

A minimum isolation distance of 100 feet must be maintained from any domestic well and a minimum of 150 feet must be maintained from any public or commercial well to any part of the initial disposal area. The well locations provided on this site evaluation have been furnished by the PROPERTY OWNER and it is the sole responsibility of the PROPERTY OWNER as to their correctness. Since it is possible that wells may be planned to be installed or be installed after the site evaluation was performed, well locations will need to be confirmed by the SYSTEM DESIGNER prior to designing the septic system for this site.

It is the PROPERTY OWNER'S responsibility to provide me with any building restriction lines, easements, or any restrictions on the property, written or assumed, which will prevent the installation of the assigned septic system. It is the DESIGNER'S responsibility to confirm these restrictions with the property owner prior to the design of the proposed septic system.

The soils determination was made based on auger borings. The boring locations were randomly selected based on site condition, topography, and/or owner's request. Depth to limiting zone was determined by the soil mineralogy and characteristics present, either high or low chroma colors, and actual free water if present. The depth to limiting zone for the soil borings conducted are as follows:

Soil Boring 1: 16 inches to redoximorphic features N39d02.2243 W075d35.4682

Soil Boring 2: 16 inches to redoximorphic features N39d02.2171 W075d35.4812

HUC-12: 020402070403

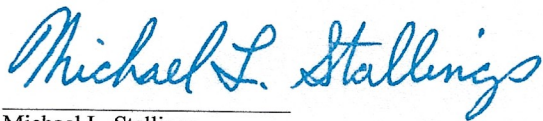
FEMA Flood Plain: Not affected per DEN

2007 Wetlands Map: Not affected per DEN

All soils examined were poorly drained Typic Ochraquult (Fallsington Sandy Loam, Fa*), with redoximorphic features 16 inches from the soil surface. The site was for new construction. The site is a 10 acre parcel split into two 5 acre parcels for a single family home. All measurements were taken from electric poles found onsite and confirmed by owner.

Follow all DNREC regulations regarding Lot clearing guidelines will need to be followed for wooded lots or if clearing is required to install the elevated sand mound or peat moss. Lot clearing guidelines included in site evaluation for wooded lots.

Prior to and during the house construction, avoid working in or near the proposed septic area with heavy equipment causing deep ruts or soil compaction. Excessive soil disturbance and trafficking of construction equipment in the proposed septic area will seriously affect the performance and longevity of the septic system. If it is necessary to work in the area of the proposed septic system, do all work when the soils are dry to reduce the amount of soil disturbance and compaction on the septic area. The area of suitable soils shown on the plot drawing must not be disturbed or altered prior to the initial design and installation of the proposed septic system. Excessive soil disturbance, clearing or trafficking of construction equipment may negate the site evaluation. Proper site planning must be taken prior to any construction to ensure the site evaluation remains valid. For any questions regarding site planning prior to construction, contact DNREC at 302-739-9947 or 302-856-4561.



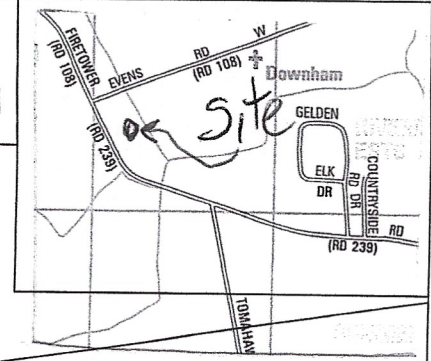
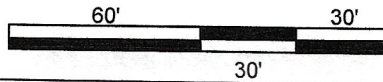
Michael L. Stallings
DNREC #2347

*Series names and symbols used in this report are those currently used in the 1971 Kent County Soil Survey corresponding to soils mapped.

AAA ENVIRONMENTAL SERVICES

MIKE STALLINGS, SITE EVALUATOR

SCALE: 1"=60'



Michael L. Stallings

6-26-2025



DITCH DOES NOT HOLD WATER FULL OF WEEDS TO THE BOTTOM

5' to 6' DEEP DITCH NOT A TAX DITCH

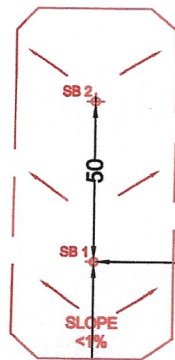
50' SETBACK FROM DITCH

50' SETBACK FROM DITCH

PART OF 5+/- ACRES

NO Wells Within 150'

I.P.F. AND PROPERTY
LINE SET BY OWNER



LOT # 1

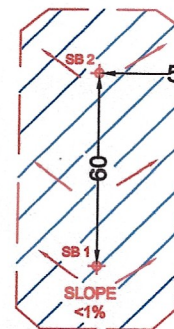
LOT # 2

PROPOSED PROPERTY LINE SET BY OWNER

PART OF 5+/- ACRES

NO Wells Within 150'

I.P.F. AND PROPERTY
LINE SET BY OWNER



LOT # 1

LOT # 2

300' TO POLE

I.P.F.

DEC 51095

DEC 51094

270

DEC 51077

FIRETOWER ROAD (Road # 239)

NO Wells Within 150'

MICHAEL L. STALLINGS

Tax Map # NM 119.00-02-30.00 p/o

Soil Series Identified: Fallsington Sandy Loam

Slope: <1%

Date: 5/2/2025

Depth to Limiting Zone: 16 inches to redoximorphic features

Estimated Permeability: 60 MPI

Notes:	N39d02.2243 W075d35.4682
--------	--------------------------

N39d02.2243 W075d35.4682

Depth to Limiting Zone: 16 inches to redoximorphic features

Estimated Permeability: 60 MPI

Notes:	N39d02.2171 W075d35.4812
--------	--------------------------

N39d02.2171 W075d35.4812

Soil Scientist:

Michael L. Stallings

P.O.B.

N: 10000.000
E: 10000.00

WEST EVENS ROAD

(COUNTY ROAD #108-0)

FIRETOWER ROAD

N 15°30'59" W
73.63'

MAILBOX
(TYP.)

N 78°33'44" E 1183.53'

25' STREET
YARD
SETBACK

Dec
51095
N 16°38'58" W
99.72'

AGRICULTURAL
CROP

BLUE LINE STREAM

5'

N 17°30'24" W
299.62'
Dec
51094
UTILITY POLE
(TYP.)

ROAD SIGN
(TYP.)

N 19°29'34" W
98.67'

25' STREET YARD
SETBACK

AGRICULTURAL
CROP

N 27°26'19" W
96.40'

Dec
51077

N 46°40'06" W
95.50'

N 61°24'27" W
97.55'

N 63°15'06" W
216.74'

FEMA 100 YEAR F
ZONED AE
FLOOD INSURANCE
#10001C02
(SCALED FROM FEMA)

BLUE LINE STREAM

WOODS

TELEPHONE
BOX
(TYP.)

S 26°20'22" W

Scale
1" = 100'

P.O.B.
N: 10000.000
E: 10000.00

WEST EVENS ROAD

(COUNTY ROAD #108 @ 50)

FIRE TOWER ROAD

N 15°30'59" W
73.63'

MAILBOX
(TYP.)

N 78°33'44" E 1183.53'

25' STREET
YARD
SETBACK

N 16°38'58" W
99.72'

Dec
51095

AGRICULTURAL
CROP

BLUE LINE STREAM

N 17°30'24" W
299.62'

Dec
51094

UTILITY POLE
(TYP.)

ROAD SIGN
(TYP.)

N 19°29'34" W
98.67'

25' STREET YARD
SETBACK

N 27°26'19" W
96.40'

Dec
51087

N 46°40'06" W
95.50'

AGRICULTURAL
CROP

N 61°24'27" W
97.55'

N 43°15'06" W
216.74'

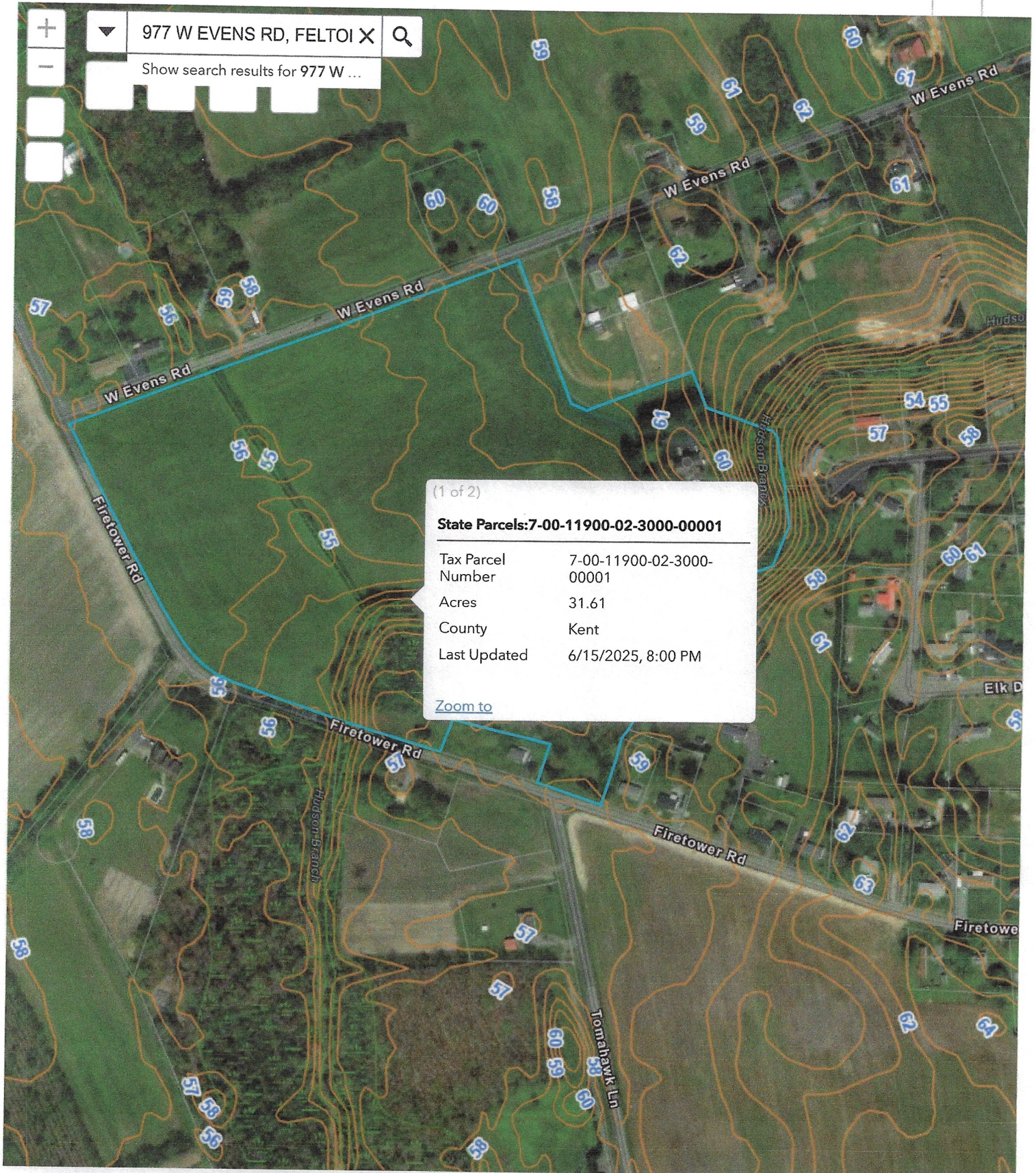
BLUE LINE STREAM

TELEPHONE
BOX
(TYP.)

WOODS

S 26°20'22" 80

Scale
1" = 100'



300ft
-75.589 39.034 Degrees

Huc 12 020402070403



KENT COUNTY LEVY COURT

555 Bay Road, Dover, Delaware 19901-3615

(302) 744-2300 -- FAX (302) 736-2279

"Serving Kent County With Pride"

PROPERTY RECORD REPORT

Parcel Information:

Parcel ID: 7 00 11900 02 3000 000

User Account #: 34962

Tax Account ID: 34962

Property Code: R -

Property Type: Single Family Dwelling

Improvement Status: N/A

Deed BVP: D12964/41

Plat Book: 00000

GIS Cord: E-450890 N-377935

Flood Plain: N/A

Zoning: AR - Agricultural Residential

Lot #: Acres: 31.6

Total Living Area: 2224 SQFT

Total Beds/Baths/Half Baths: 3 / 2 / 1

Legal Description: E. & N.E. R-O-W CO. RD. #239, 31.5983
A. 977 W.EVENS ROAD

Owner Information:

Name(s): EBERT TAYLOR

Address: 977 W EVENS RD, VIOLA, DE
19979

District Information:

Levy Court District: 5TH

Fire: 48_F Felton Community

Ambulance: 48_A Felton Community

School: SC22 LAKE FOREST

Sewer:

Sewer ID:

Trash:

Light:

Stormwater:

Tax Ditch:

Assessed Values:

Land: \$299,400

Buildings: \$285,900

Yard: \$0

Total: \$585,300

Location Information:

Location Address: 977 W EVENS RD,
VIOLA, DE 19979

Subdivision:

Transfers:

Recorded Date: 4/30/2024

Sale Date: 4/26/2024

Price: \$632,000

Legal Ref: D12964-41

Recorded Date: 9/15/2023

Sale Date: 9/15/2023

Price:

Legal Ref: EST#28082

Recorded Date: 1/1/1900

Sale Date: 1/1/1900

Price: \$0

Legal Ref: V 47-146

County Billing:

Pending: \$0.00

Base Tax: \$0.00

Penalty / Interest: \$0.00

Other: \$0.00

Total Due: \$0.00

Sewer Billing:

Account #:

Customer #:

Units: 0.0

Balance: \$0.00

Permits:

Permit #: 2015-2758-SHED

Status: CL

Application: 11/6/2015

Issued: 11/6/2015

C of O:

Permit #: 2007-2878-ACCE

Status: AP

Application: 7/6/2007

Issued: 7/16/2007

C of O:

Permit #: 1999-1296-RAPD

Status: AP

Application: 5/20/1999

Issued: 5/20/1999

C of O:

Site Evaluation

Reference #:

573311

MICHAEL L. STALLINGS
AAA ENVIRONMENTAL SERVICES
SITE EVALUATION
Approval Page

RECEIVED

06/30/2025

GROUNDWATER

PAID

\$ 75.00 06/30/2025

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, and/or removal or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. An approved report must accompany any permit application. This is not a construction permit.

Owner's Name: Taylor Ebert

Tax Map #: NM 119.00-02-30.00 P/O

Lot #1

Owner's Address: 977 W. Evens Road, Viola DE 19979

Initial Disposal System: Elevated Sand Mound Disposal System with Advanced-Treatment or Peat Bio-filter Treatment and Disposal System

Location: In the immediate vicinity of soil boring #1 and 2

Depth to limiting zone: 16 inches to redoximorphic features

Site Evaluation Expiration: The lot owner must apply for a septic permit within 5 years from the APPROVAL DATE issued by reviewing DNREC state site evaluator, or the site evaluation will have to be reevaluated and resubmitted to DNREC by a licensed Class D site evaluator.

Design Considerations and Comments: See Exhibit Q, BB & Guidance Documents Attachment 8 (Peat Biofilter), in the January 14, 2014 Regulations. See attached soils report for pertinent information regarding septic system design and installation. Maintain all setbacks and isolation distances from Existing Wells, Right-of-Ways, Easements, Property Lines and Water Courses. See Exhibit C (A, E, H or I for ways to reduce well isolation distances).
Replacement Disposal System Type: Same as above if space permits. Otherwise sand-lined upgrade in area of initial.

Location: Adjacent to initial system

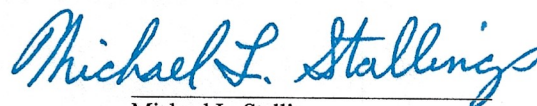
Depth to limiting zone: Same as above

Instructions to Property Owner

1. See attached soils report.
2. Contact a Class C System Designer.
3. A permeability rate of **60 minutes per inch** has been estimated based on the soils found on your site and guidelines set forth in the 1985 Regulations provided by the Department of Natural Resources and Environmental Control. You may use the estimated percolation rate or, at your expense, have a percolation test conducted. If you do not choose to use the estimated percolation rate, contact a Licensed Class A Percolation Tester. The depth, location and number of percolation tests is to be determined by the Class D Soil Scientist.
4. If you have questions, call the evaluator at Mike Stallings AAA Environmental Services at (302) 632-1847, or DNREC at (302) 739-9947 or (302) 856-4561.

This report has been prepared by:

Michael L. Stallings
AAA Environmental Services
257 Deerwood Farm Lane
Felton, Delaware 19943



Michael L. Stallings
DNREC License #2347

This site evaluation will expire if not permitted within 5 years of the approval date.

For office use only

Field Checked _____

If there are questions regarding
this report contact the Class D licensee.

7/1/2025

Approval Date

DNREC APPROVED

DNREC Reviewing Site Evaluator

The Class D licensee is
responsible for errors/omissions.

7/1/2030

Expiration Date

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

MICHAEL L. STALLINGS
AAA ENVIRONMENTAL SERVICES
SITE EVALUATION REPORT

Owner's Name: Taylor Ebert
Address: 977 W. Evens Road, Viola DE 19979
Tax Map No.: NM 119.00-02-30.00 P/O
Property Location: Lot 1, 977 W. Evens Road, Viola DE 19979

Phone No.: 302-480-4078
Date Site Evaluated: 5-02-2025

INFORMATION ABOUT SITE EVALUATIONS:

The site evaluation which has been performed on the above location is only to determine the suitability of the soil for a septic system under current state regulations. This site evaluation does not guarantee the suitability for any specific type of septic disposal system. Disposal systems will be assigned based on the soils found on the site, on current Department of Natural Resources and Environmental Control regulations, and information provided to me by the property owner or his agent. If any of the information provided to me is incorrect, this may negate the validity of this site evaluation. If the property lines are altered or moved in any way that changes the area for which the site evaluation was performed, this will negate the site evaluation. A new site evaluation will then have to be conducted and resubmitted to the Department of Natural Resources and Environmental Control.

Permeability rates were estimated based on soil textures found by performing auger borings while conducting your site evaluation and are strictly estimates using the guidelines set forth in the current regulations from the Department of Natural Resources and Environmental Control and soil conditions found at the time of the site evaluation. These estimated rates are just values placed on the soil texture and may be higher or lower than an actual percolation test value. Due to the fact that soil textures and structure may vary greatly on an individual lot, which will affect the percolation rate in a specific area, I would recommend that a representative percolation test be performed in the immediate drainfield area prior to design and installation of the system.

A minimum isolation distance of 100 feet must be maintained from any domestic well and a minimum of 150 feet must be maintained from any public or commercial well to any part of the initial disposal area. The well locations provided on this site evaluation have been furnished by the PROPERTY OWNER and it is the sole responsibility of the PROPERTY OWNER as to their correctness. Since it is possible that wells may be planned to be installed or be installed after the site evaluation was performed, well locations will need to be confirmed by the SYSTEM DESIGNER prior to designing the septic system for this site.

It is the PROPERTY OWNER'S responsibility to provide me with any building restriction lines, easements, or any restrictions on the property, written or assumed, which will prevent the installation of the assigned septic system. It is the DESIGNER'S responsibility to confirm these restrictions with the property owner prior to the design of the proposed septic system.

The soils determination was made based on auger borings. The boring locations were randomly selected based on site condition, topography, and/or owner's request. Depth to limiting zone was determined by the soil mineralogy and characteristics present, either high or low chroma colors, and actual free water if present. The depth to limiting zone for the soil borings conducted are as follows:

Soil Boring 1: 16 inches to redoximorphic features N39d02.2479 W075d35.4852

Soil Boring 2: 16 inches to redoximorphic features N39d02.2511 W075d35.4792

HUC-12: 020402070403

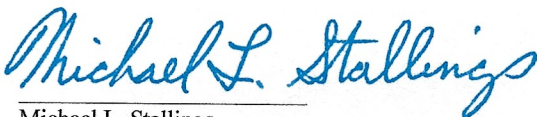
FEMA Flood Plain: Not affected per DEN

2007 Wetlands Map: Not affected per DEN

All soils examined were poorly drained Typic Ochraquult (Fallsington Sandy Loam, Fa*), with redoximorphic features 16 inches from the soil surface. The site was for new construction. The site is a 10 acre parcel split into two 5 acre parcels for a single family home. All measurements were taken from electric poles found onsite and confirmed by owner.

Follow all DNREC regulations regarding Lot clearing guidelines will need to be followed for wooded lots or if clearing is required to install the elevated sand mound or peat moss. Lot clearing guidelines included in site evaluation for wooded lots.

Prior to and during the house construction, avoid working in or near the proposed septic area with heavy equipment causing deep ruts or soil compaction. Excessive soil disturbance and trafficking of construction equipment in the proposed septic area will seriously affect the performance and longevity of the septic system. If it is necessary to work in the area of the proposed septic system, do all work when the soils are dry to reduce the amount of soil disturbance and compaction on the septic area. The area of suitable soils shown on the plot drawing must not be disturbed or altered prior to the initial design and installation of the proposed septic system. Excessive soil disturbance, clearing or trafficking of construction equipment may negate the site evaluation. Proper site planning must be taken prior to any construction to ensure the site evaluation remains valid. For any questions regarding site planning prior to construction, contact DNREC at 302-739-9947 or 302-856-4561.



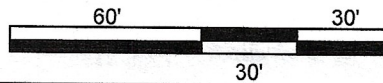
Michael L. Stallings
DNREC #2347

*Series names and symbols used in this report are those currently used in the 1971 Kent County Soil Survey corresponding to soils mapped.

AAA ENVIRONMENTAL SERVICES

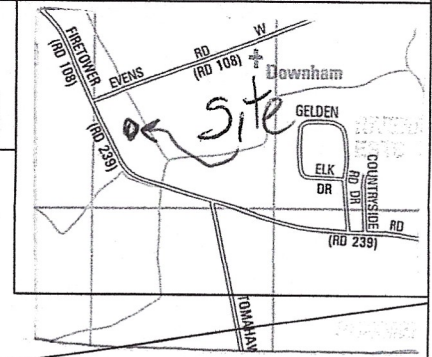
MIKE STALLINGS, SITE EVALUATOR

SCALE: 1"=60'



Michael L. Stallings

6-26-2025



DITCH DOES NOT HOLD WATER FULL OF WEEDS TO THE BOTTOM

5' to 6' DEEP DITCH NOT A TAX DITCH

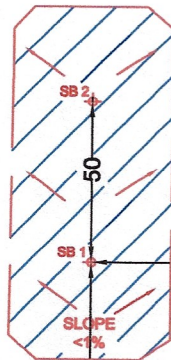
50' SETBACK FROM DITCH

50' SETBACK FROM DITCH

PART OF 5+/- ACRES

NO Wells Within 150'

I.P.F. AND PROPERTY
LINE SET BY OWNER



LOT # 1

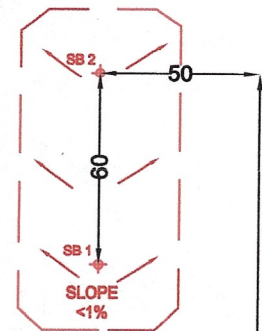
LOT # 2

PROPOSED PROPERTY LINE SET BY OWNER

PART OF 5+/- ACRES

NO Wells Within 150'

I.P.F. AND PROPERTY
LINE SET BY OWNER



LOT # 1

LOT # 2

300' TO POLE

DEC 51095

DEC 51094

I.P.F.

270

DEC 51077

FIRETOWER ROAD (Road # 239)

NO Wells Within 150'

AAA ENVIRONMENTAL SERVICES

MICHAEL L. STALLINGS

Property Owner: Taylor Ebert

Tax Map # NM 119.00-02-30.00 9/0

Property Location: Lot 1, 977 W. Evens Road, Viola DE 19979

Soil Series Identified: Fallsington Sandy Loam

Slope: <1%

Date: 5/2/2025

Depth to Limiting Zone: 16 inches to redoximorphic features

Estimated Permeability: 60 MPI

SB#1		Colors		Mottles Desc.			
Horizon	Depth	Matrix	Mottles	Ab. S. Con.	Texture	Structure	Consistence
Ap	0 to 10	10 yr 4/4			SL	2MGR	FR
Bt	10 to 16	10 yr 6/4	7.5 yr 6/6	CMD	SCL	2MSBK	FR
Btg	16 to 30	10 yr 6/2	7.5 yr 6/8	CMD	SCL	2MSBK	FR
Cg1	30 to 42	10 yr 7/2	7.5 yr 6/8	CMD	LCOS	M	FR
Cg2	42 to 72	10 yr 6/2			COS	SG	LO

Notes:

N39d02.2479 W075d35.4852

Depth to Limiting Zone: 16 inches to redoximorphic features

Estimated Permeability: 60 MPI

SB#2		Colors		Mottles Desc.			
Horizon	Depth	Matrix	Mottles	Ab. S. Con.	Texture	Structure	Consistence
Ap	0 to 10	10 yr 4/4			SL	2MGR	FR
Bt	10 to 16	10 yr 6/4	7.5 yr 6/6	CMD	SCL	2MSBK	FR
Btg	16 to 30	10 yr 6/2	7.5 yr 6/8	CMD	SCL	2MSBK	FR
Cg1	30 to 42	10 yr 7/2	7.5 yr 6/8	CMD	LCOS	M	FR
Cg2	42 to 72	10 yr 6/2			COS	SG	LO

Notes:

N39d02.2511 W075d35.4792

Soil Scientist:

7/1/25 - Signature not provided

P.O.B.
N: 10000.000
E: 10000.00

WEST EVENS ROAD

(COUNTY ROAD #108-0-50)

FIRE TOWER ROAD

N 15°30'59" W
73.63'

MAILBOX
(TYP.)

N 78°33'44" E 1183.53'

25' STREET
YARD
SETBACK

N 16°38'58" W
99.72'

Dec
51095

AGRICULTURAL
CROP

BLUE LINE STREAM

N 17°30'24" W
299.62'

Dec
51094

UTILITY POLE
(TYP.)

ROAD SIGN
(TYP.)

N 19°29'34" W
98.67'

25' STREET YARD
SETBACK

N 27°26'19" W
96.40'

Dec
51087

N 46°40'06" W
95.50'

AGRICULTURAL
CROP

N 61°24'27" W
97.55'

N 43°15'06" W
216.74'

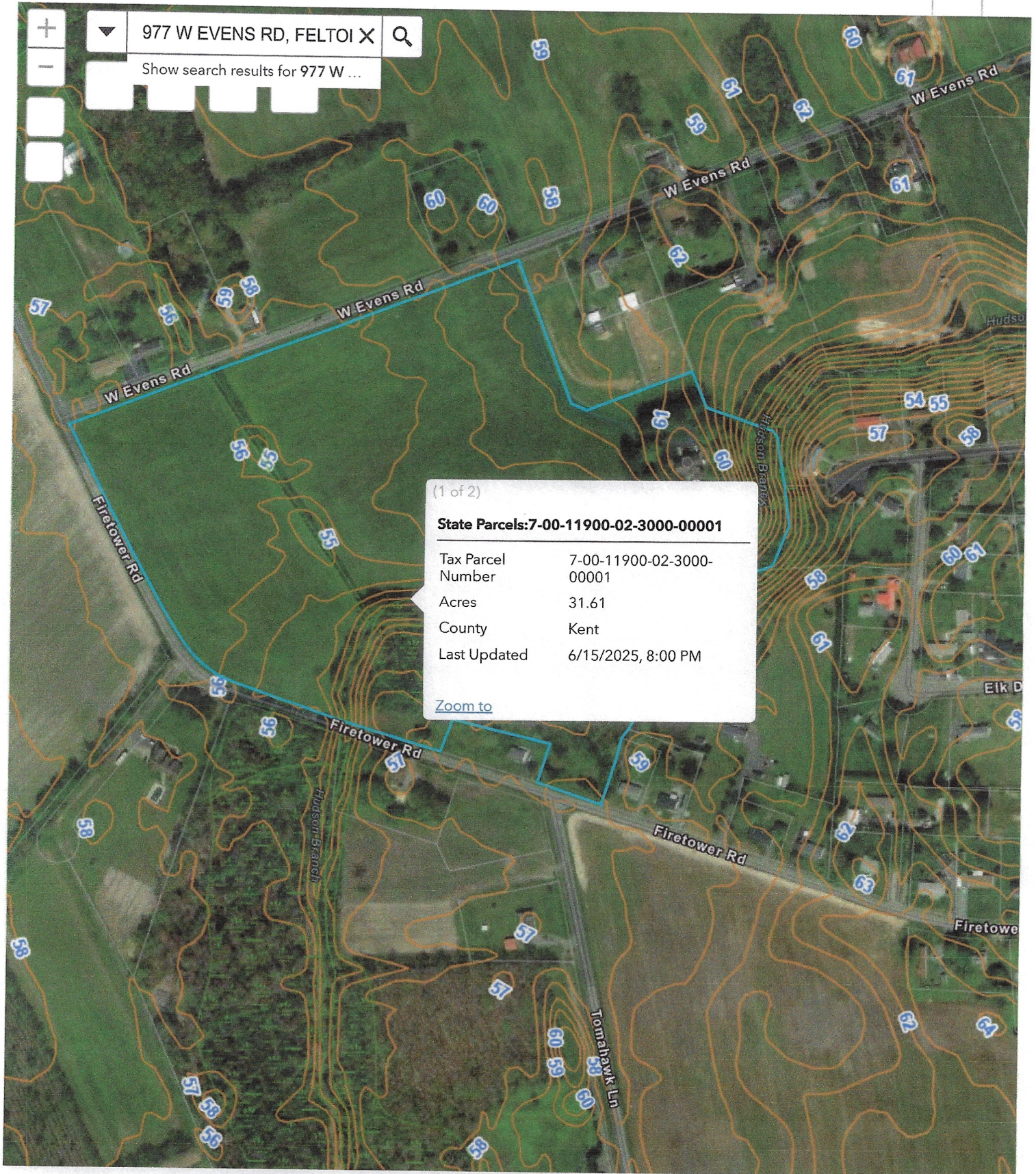
BLUE LINE STREAM

TELEPHONE
BOX
(TYP.)

WOODS

S 26°20'22" 87

Scale
1" = 100'



300ft

-75.589 39.034 Degrees

Huc 12 020402070403



KENT COUNTY LEVY COURT

555 Bay Road, Dover, Delaware 19901-3615
(302) 744-2300 -- FAX (302) 736-2279

"Serving Kent County With Pride"

PROPERTY RECORD REPORT

Parcel Information:

Parcel ID: 7 00 11900 02 3000 000
User Account #: 34962
Tax Account ID: 34962
Property Code: R -
Property Type: Single Family Dwelling
Improvement Status: N/A
Deed BVP: D12964/41
Plat Book: 00000

GIS Cord: E-450890 N-377935
Flood Plain: N/A
Zoning: AR - Agricultural Residential
Lot #: Acres: 31.6
Total Living Area: 2224 SQFT
Total Beds/Baths/Half Baths: 3 / 2 / 1
Legal Description: E. & N.E. R-O-W CO. RD. #239, 31.5983
A. 977 W.EVENS ROAD

Owner Information:

Name(s): EBERT TAYLOR
Address: 977 W EVENS RD, VIOLA, DE
19979

District Information:

Levy Court District: 5TH
Fire: 48_F Felton Community
Ambulance: 48_A Felton Community
School: SC22 LAKE FOREST
Sewer:
Sewer ID:
Trash:
Light:
Stormwater:
Tax Ditch:

Assessed Values:

Land: \$299,400
Buildings: \$285,900
Yard: \$0
Total: \$585,300

Location Information:

Location Address: 977 W EVENS RD,
VIOLA, DE 19979
Subdivision:

Transfers:

Recorded Date: 4/30/2024
Sale Date: 4/26/2024
Price: \$632,000
Legal Ref: D12964-41

Recorded Date: 9/15/2023
Sale Date: 9/15/2023
Price:
Legal Ref: EST#28082

Recorded Date: 1/1/1900
Sale Date: 1/1/1900
Price: \$0
Legal Ref: V 47-146

County Billing:

Pending: \$0.00
Base Tax: \$0.00
Penalty / Interest: \$0.00
Other: \$0.00
Total Due: \$0.00

Sewer Billing:

Account #:
Customer #:
Units: 0.0
Balance: \$0.00

Permits:

Permit #: 2015-2758-SHED
Status: CL
Application: 11/6/2015
Issued: 11/6/2015
C of O:

Permit #: 2007-2878-ACCE
Status: AP
Application: 7/6/2007
Issued: 7/16/2007
C of O:

Permit #: 1999-1296-RAPD
Status: AP
Application: 5/20/1999
Issued: 5/20/1999
C of O:

To whom it may concern:

We would like to formally request the subdivision of the additional acreage on our property into two buildable parcels. The purpose of the subdivision is to sell the buildable lots to Carl Deputy & Son Builders with the intent of putting the money back into our home which is located on the land that we will retain.

We believe that the subdivision of the parcels should be approved on the basis that the base height elevation of both lots are within 1'-1.5' of the permitted flood zone height elevation. The builder is already aware of the property being in the flood zone, and is prepared to construct the proposed new homes to Kent County's standards. It is my understanding that they would build up the lots and construct the future homes on elevated crawl spaces to ensure that the first floor of the new homes will be above the existing flood zone. Please note that there are existing homes on both sides of the street across from this property, and that there are existing homes down the street in the same flood zone. Lastly, it is worth noting that whenever there is heavy rain that the proposed lots do not flood given that the contours of the land drain the water away from the property and towards the Hudson Branch ditch.

Thank you for your time and your consideration in the subdivision of our parcel. If you have any questions, please feel free to reach out anytime. You can reach me at (302) 480-4078 or at tebert19@gmail.com.

Thank you and Happy Holidays,
Taylor Ebert

Kent County Planning & Zoning,

It is our intent to purchase the proposed lots that are to be subdivided at 977 W. Evens Rd., Viola, DE. Our office is located within a half mile of the property, so we are very familiar with the site. Being a local builder for the past 38 years, we look to build high-quality homes right here in Kent County. Our primary demographic that we sell to is the well-established step-up buyer or retirees looking to buy their forever home.

The seller has already disclosed that the lots are located within the flood zone, so we have already taken this into account. According to the topography done on the property, the lots are within 1'-1.5' of the floodplain. That being said, we will make sure to adhere to all Kent County requirements when building the future homes.

Thanks,

Carl H. West 11-19-25

MEMORANDUM

KENT COUNTY DEPARTMENT OF
PLANNING SERVICES
555 BAY ROAD
DOVER, DELAWARE 19901



TO: Regional Planning Commission

CC: Max B. Walton

FROM: Sarah E. Keifer, AICP, Department of Planning Services

DATE: January 8, 2026

SUBJECT: SLV-25-42, Waiver Request for Taylor Ebert

Attached, please find the proposed minor subdivision plan for the Lands of Taylor Ebert.

Waiver Request:

Applicant requests a waiver from §187-57.B. Floodplain areas – Land located within the one-hundred-year floodplain, as identified by FEMA, shall remain as unsubdivided open space or natural area and §187-78.B. Wetlands areas – No portions of wetlands areas shall be subdivided, filled, developed, or cleared of vegetation unless granted permission to fill and/or eliminate the wetlands area under state and/or federal permit, including nationwide permits authorized by the United States Army Corps of Engineers; they shall remain as essentially undisturbed natural areas.

The applicant is seeking the waiver to enable the submission of a 2-lot minor subdivision plan along Firetower Road.

Background:

The subject parcel is 31.826± acres located on the southeast corner of Evens Rd. and Firetower Rd., west of Viola. The applicant is proposing a minor subdivision which entails creating property lines along the wetlands and blue line stream and through the floodplain.

The plan proposes lot 1 to be 3.223± acres and lot 2 to be 4.122± acres. Lot 1 would be subdivided from the residual along the blue line stream and wetlands to the east and lot 2 would be subdivided from the residual by the blue line stream and wetlands to the east and the south. The proposed subdivision property lines would also be through floodplain. Both of the proposed lots would have a majority of the land within the floodplain.

Staff Recommendation:

§187-80.

Where, in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this chapter would result in extraordinary hardship to the applicant because of unusual topography or other conditions which are not self-imposed or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the Commission may modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, however, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of this chapter or be contrary to the goals and objectives of the Comprehensive Plan for the County. In no case shall any modification or waiver be more than a minimum easing of the requirements, and in no instance shall it result in any conflict with Chapter 205, Zoning.

The Planning Staff has reviewed the information submitted by the applicant and recommends a **Modified Approval** of the request as proposed, with a denial to subdivide through floodplain and an approval to the request of subdividing through wetlands. The proposal would provide ample area to maintain the required 25' wetlands buffer and 100' buffer from the blue line stream. However, the floodplain would create negative impacts for the current and future property owners in relation to improving the parcel with dwellings and accessory buildings. The requested waiver is contrary to the goals and objectives of the Comprehensive Plan and represents more than a minimum easing of requirements.

Furthermore, staff has recommended the applicant complete a flood study to further determine the floodplain on the parcel. While a flood study does not guarantee approval of a minor subdivision along the western portion of the parcel, it would provide more accurate floodplain delineation.

According to comments received from the Department of Natural Resources Division of Fish and Wildlife (DFW), the parcel has been identified as ecologically important by the Delaware Ecological Network (DEN) and is classified as a hub. The DEN includes ecologically important areas such as forests, wetlands, streams, habitat that supports rare species, and areas of especially high quality. DFW recommends that this DEN designated are be protected to the fullest extent possible.

The proposal also calls for more than a minimum easing of requirements as a similar result can be achieved with significantly less impact on the floodplain. The applicant has area to create two parcels without needing a waiver to subdivide through floodplain.

Suggested Motion

I move that the Regional Planning Commission grant a **Modified Approval**; denying the applicant's request to waive §187-57.B. to subdivide through floodplain and approve the applicant's request to waive §187-78.B. to subdivide through wetlands. An approval to subdivide through the floodplain would be contrary to the goals and objectives of the Comprehensive Plan, would require more than a minimum easing of the requirements, the site is developable without granting a waiver for subdivision through the floodplain, and potential negative impact to current and future property owners. An approval to subdivide

through wetlands would require a minimum easing of the requirements and the 25' wetlands and 100' blue line stream buffer would still be required to be maintained protecting the waterways and habitats.

Please do not hesitate to contact me directly with any questions or comments.

Thank you.

Enc.: Data Sheet
Exhibit A – Location and Zoning Map
Exhibit B – Wetlands and Blue Line Stream Map
Agency Comments
Minor Subdivision Plan with Floodplain



DEPARTMENT OF PLANNING SERVICES

DATA SHEET FOR SUBDIVISION WAIVER REVIEW Regional Planning Commission Business Meeting of: **January 15, 2026**

Plan Number and Title	:	SLV-25-42 Ebert, Taylor
Location	:	31.826 ± acres located on the south east side of W. Evens Rd. and Firetower Rd., west of Viola.
Applicant/Owner	:	Taylor Ebert 977 W Evens Rd Viola, DE 19979
Zoning District	:	AR (Agricultural Residential)
Present Use	:	Residential
Proposed Use	:	Residential – Minor Subdivision
Relation to Growth Zone	:	Inside
Levy Court District	:	5 th - Sweeney
Property Identification Numbers	:	NM-00-119.00-02-30.00-000
Nature of Request	:	Applicant requests a waiver from §187-57.B. Floodplain areas – Land located within the one-hundred-year floodplain, as identified by FEMA, shall remain as unsubdivided open space or natural area and §187-78.B. Wetlands areas – No portions of wetlands areas shall be subdivided, filled, developed, or cleared of vegetation unless granted permission to fill and/or eliminate the wetlands area under state and/or federal permit, including nationwide permits authorized by the United States Army Corps of Engineers; they shall remain as essentially undisturbed natural areas; to enable the submission of a 2-lot minor subdivision plan



Kent County Levy Court

LOCATION AND ZONING MAP Exhibit A

Application: SLV-25-42
Ebert

APPLICANT/OWNER:

Taylor Ebert

**PRESENT ZONING
DISTRICT:**

AR (Agricultural Residential)

PRESENT USE:

Residential

PROPOSED USE:

Residential – Minor
Subdivision

LEVY COURT DISTRICT:

5th - Sweeney

TAX MAP NO:

NM-00-119.00-02-30.00-000

LOCATION:

31.826 ± acres located on the
south east side of W. Evens
Rd. and Firetower Rd., west of
Viola.

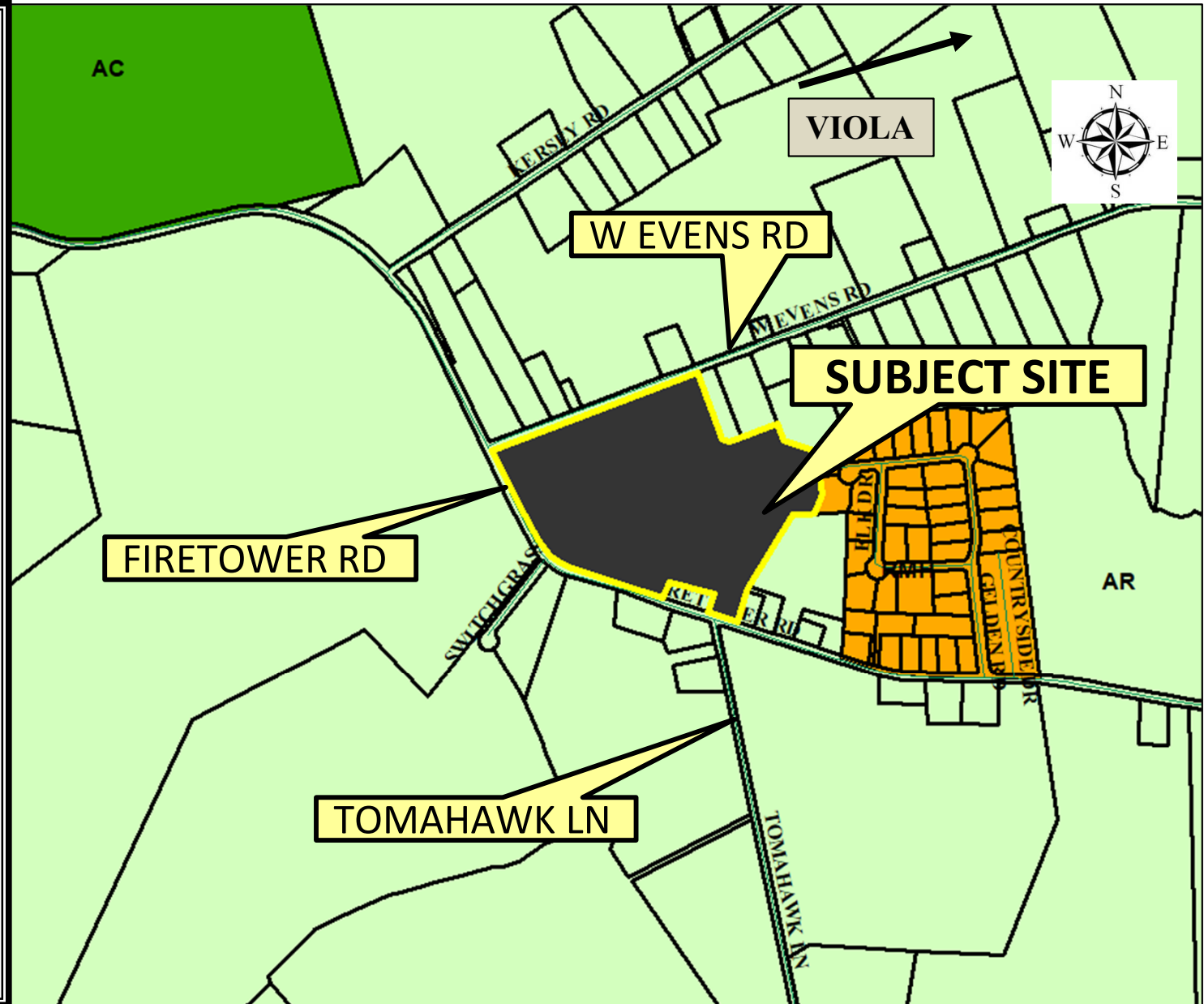


Exhibit B





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

DIVISION OF FISH & WILDLIFE
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

**DIRECTOR'S
OFFICE**

PHONE
(302) 739-9910

December 4, 2025

Sarah Keifer and Kristopher Connelly
Kent County Department of Planning Services
Division of Planning
555 Bay Road
Dover, DE 19901

Re: December 2025 Kent County Quality of Life (QOL) Notification – DNREC Division of Fish and Wildlife Comments

1. **CS-26-01 DE State Fire School:** Request Conditional Use with Site Plan Approval for a comprehensive signage package located inside the Growth Zone Overlay District.

DFW Comments: A review of our database indicates that there are currently no records of state-rare or federally- listed plants, animals or natural communities at this project site.

2. **CZ-26-01 / LC25-29 King, Allen E & Amanda L.:** Request to amend the Zoning Map from AR(Agricultural Residential) & IG(General Industrial) to AR(Agricultural Residential & BG(General Business) located outside the Growth Zone Overlay District.

DFW Comments: No comments on rezoning.

3. **SLV-25-42 Ebert, Taylor:** Request to approve Waiver from §187-57.B, Floodplain areas and §187-78.B, Wetlands area to allow a minor subdivision located inside the Growth Zone Overlay District.

DFW Comments:

State Wildlife Management Area

The proposed project is within ½ mile of the boundary of Norman G. Wilder Wildlife Area, a State Wildlife Area managed by the Division of Fish and Wildlife, DNREC. The State is concerned that the quantity and quality of wildlife habitat in the State Wildlife Area, particularly

near the border, might be negatively affected by development activities, or by permanent land use changes, on the property in question. The developer should consult with the Regional Wildlife Biologist, Sean O'Connor (302-284-4795), to minimize potential negative impacts of the proposed project on State Wildlife Area lands. Additionally, the developer should be aware that people using the property in question could be subject to the effects of legal hunting activities in the Wildlife Area, such as firearm noise or dogs barking when pursuing game.

Delaware Ecological Network

Habitat on this parcel has been identified as ecologically important by the Delaware Ecological Network (DEN) and is classified as a hub. The DEN, although non-regulatory, is a statewide conservation network developed using GIS and field collected datasets that help to identify and prioritize ecologically important areas for natural resource protection. The DEN includes ecologically important areas such as forests, wetlands, streams, habitat that supports rare species and areas of especially high quality. The DEN includes the following key elements: 1) Core areas – which contain relatively intact natural ecosystems, and provide high-quality habitat for native plants and animals, 2) Hubs – which are slightly fragmented aggregations of core areas with contiguous natural cover and 3) Corridors – which link core areas together, allowing wildlife movement and seed and pollen transfer between them. The DEN can be accessed through First Map: [Delaware Ecological Network 2.0 | Delaware Ecological Network 2.0 | State of Delaware \(arcgis.com\)](#). We recommend that this DEN designated area be protected to the fullest extent possible.

Forested Wetlands

The forested wetlands on this property could support an array of plants and animals, most notably wetland dependent species such as amphibians. To reduce impacts to these species, we recommend following:

1. Avoid disturbance to and filling of isolated wetlands.
2. Maintain an upland buffer of at least 100 ft along wetlands.
3. Maintain input to natural wetlands at the pre-construction level. Avoid causing an increase or decrease in the naturally occurring water level.
4. Avoid diverting surface water from roadways and stormwater facilities into the wetlands on site. Water quality could be detrimentally affected by run-off, which can contain oil and other pollutants.
5. Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles.
6. Design the development to exclude curbs. If road curbing is part of the design, curbing that allows small animals, such as turtles and salamanders, to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.
7. Use open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them.

For further information, contact Nate Nazdrowicz at Nathan.nazdrowicz@delaware.gov or 302-735-8688. Additional information can also be obtained from the Partners in Amphibian and Reptile Conservation (PARC) ‘[Habitat management guidelines for amphibians and reptiles of the Northeastern United States](#)’ or the PARC website: <http://www.parcplace.org>.

4. **SLV-25-40 DE Army National Guard:** Request to approve Waiver §187-77 C. Wetlands areas – to enable filling non-jurisdictional wetlands to install a stormwater management pond for future construction located inside the Growth Zone Overlay District.

DFW Comments:

Forested Wetlands

The forested wetlands on this property could support an array of plants and animals, most notably wetland dependent species such as amphibians. To reduce impacts to these species, we recommend following:

1. Avoid disturbance to and filling of isolated wetlands.
2. Maintain an upland buffer of at least 100 ft along wetlands.
3. Maintain input to natural wetlands at the pre-construction level. Avoid causing an increase or decrease in the naturally occurring water level.
4. Avoid diverting surface water from roadways and stormwater facilities into the wetlands on site. Water quality could be detrimentally affected by run-off, which can contain oil and other pollutants.
5. Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles.
6. Design the development to exclude curbs. If road curbing is part of the design, curbing that allows small animals, such as turtles and salamanders, to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.
7. Use open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them.

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Key Wildlife Habitat

The non-tidal coastal plain stream on this property is mapped as Key Wildlife Habitat (KWH) in the Delaware Wildlife Action Plan (DEWAP) 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.

Although designation as KWH is non-regulatory, these maps are intended to help guide site-specific conservation planning efforts. Impacts to KWH should be minimized to the greatest extent practicable.

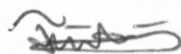
The DEWAP is a comprehensive strategy for conserving the full array of native wildlife and habitats, common and uncommon, as vital components of the state's natural resources. This document can be viewed via the [Division of Fish and Wildlife's website](#).

Delaware Ecological Network

Habitat on this parcel has been identified as ecologically important by the Delaware Ecological Network (DEN) and is classified as a corridor. The DEN, although non-regulatory, is a statewide conservation network developed using GIS and field collected datasets that help to identify and prioritize ecologically important areas for natural resource protection. The DEN includes ecologically important areas such as forests, wetlands, streams, habitat that supports rare species and areas of especially high quality. The DEN includes the following key elements: 1) Core areas – which contain relatively intact natural ecosystems, and provide high-quality habitat for native plants and animals, 2) Hubs – which are slightly fragmented aggregations of core areas with contiguous natural cover and 3) Corridors – which link core areas together, allowing wildlife movement and seed and pollen transfer between them. The DEN can be accessed through First Map: [Delaware Ecological Network 2.0 | Delaware Ecological Network 2.0 | State of Delaware \(arcgis.com\)](#). We recommend that this DEN designated area be protected to the fullest extent possible.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,



Faith Garcia
Environmental Review Coordinator
Phone: (302) 735-8665
Cell: (302) 443-3812
Email: christinefaith.garcia@delaware.gov
89 Kings Highway
Dover, DE 19901



KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

**KENT COUNTY
DEPARTMENT OF PLANNING SERVICES
REGIONAL PLANNING COMMISSION
JANUARY 2026**

APPLICATION #/Name: SLV-25-42 Ebert, Taylor
APPLICANT / OWNER: Taylor Ebert
REVIEWING AGENCY: Kent Conservation District
CONTACT PERSON: Cullen Baker
PHONE: (302) 608 – 5370
EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY’S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

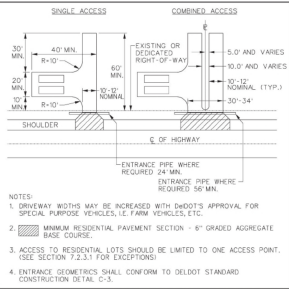
REQUIREMENTS:

The Kent Conservation District has no objection to the proposed waiver for the minor subdivision of the above referenced parcel.

ADVISORY COMMENTS TO THE APPLICANT:

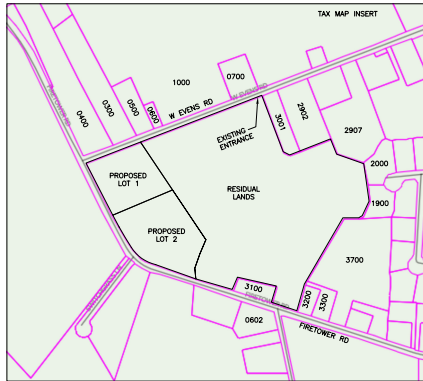
1. Any earth disturbance in excess of 5,000 square feet is subject to the Delaware Sediment and Stormwater Regulations and will require a Sediment and Stormwater Management Plan to be approved by the Kent Conservation District.
2. Most current forms, fee schedules, and checklists may be accessed from KCD’s website <https://www.kentcd.org/services/sediment-stormwater/design-permitting/>

Figure 7.2.3.3-a Residential Access Design Requirements



DEDOT NOTES

1. ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (COM) 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 EXEMPTION 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 1 AND LOT 2 SHALL HAVE A COMBINED ACCESS TO KCR 239.
5. RESIDUAL LANDS SHALL HAVE ACCESS TO KCR 108 VIA THE EXISTING ENTRANCE.
6. THE POSTED SPEED LIMIT ON KCR 239 (FIRETOWER RD) IS 45 MPH.
7. THE POSTED SPEED LIMIT ON KCR 108 (WEST EVENS RD) IS 35 MPH.



ADJOINING PARCELS				
PARCEL	OWNER(S)	DB, PG	ZONING	
7-00-11900-02-0400-00001	SCOTT LAWRENCE JOHNSON AND JONANNA REYNOLDA APARICIO	DB 12482, PG 14	AR	
7-00-11900-02-0300-00001	CHRISTINE KINKINN AND GARY KINKINN	DB 154, PG 194	AR	
7-00-11900-02-0500-00001	ESTATE OF CHARLES W. SCHELTS	DB 364, PG 186	AR	
7-00-11900-02-0600-00001	THOMAS J. ORTIZ	DB 9730, PG 300	AR	
7-00-11900-02-1000-00001	SHERIE R. STILES AND HOLLY R. MOZAL	DB 8105, PG 141	AR	
7-00-11900-02-0700-00001	ANNETTE WEIDMAN	DB 5006, PG 266	AR	
7-00-11900-02-3001-00001	TERRY LAMB AND JONANNA LAMB	DB 13671, PG 284	AR	
7-00-11900-02-2902-00001	TERRY LAMB AND JONANNA LAMB	DB 13671, PG 284	AR	
7-00-11900-02-2907-00001	THOMAS M. FITZWATER SR. AND RHONDA L. FITZWATER	DB 048, PG 213	AR	
7-00-11919-01-2000-00001	JOSEPH R. LINDENLAUF JR. AND CYNTHIA B. LINDENLAUF	DB K44, PG 232	RAH	
7-00-11919-01-1900-00001	JOSEPH R. LINDENLAUF JR.	DB 376, PG 10	RAH	
7-00-11900-02-0001-00001	MESSHOFF S. STANLEY JR. AND STACY L. STANLEY	DB 470, PG 78	AR	
7-00-11900-02-3300-00001	ELMER M. BROWN AND STANTON BROWN JR.	DB N29, PG 280	AR	
7-00-11900-02-3300-00001	DAVID RICHARDS	DB 9555, PG 210	AR	
7-00-11900-02-3100-00001	CAROL ANN ZEST AND ALVIN YATES JOHN HARRILL	DB 8479, PG 108	AR	
8-00-12800-01-0602-00001	ANGELIA RUSSELL	DB 11353, PG 219	AR	

AGRICULTURE NOTES

1. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USE PRIMARILY FOR AGRICULTURAL PURPOSES OR WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER COMMON USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARMING OPERATIONS.

KENT COUNTY NOTES

1. THIS PROPERTY MAY BE IMPACTED BY WETLANDS. KENT COUNTY HAS REGULATIONS REGARDING THE PRESERVATION OF WETLANDS AND THE DEVELOPER IS ADVISED TO CONSULT WITH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DETERMINE IF WETLANDS EXIST.
2. THIS PROPERTY IS IMPACTED BY STREAMS, DITCHES, PONDS, OR LAKES. KENT COUNTY HAS REGULATIONS REGARDING THE PRESERVATION OF STREAMS, DITCHES, PONDS OR LAKES AND THE DEVELOPER IS ADVISED TO CONSULT WITH KENT COUNTY PLANNING SERVICES TO DETERMINE THE SETBACKS FROM STREAMS, DITCHES, PONDS OR LAKES.

CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	194.38	275.09	N51° 56' 52"W	190.36
C2	207.94	2162.38	N28° 56' 50"W	207.86
C3	190.82	270.09	N51° 56' 44"W	186.88
C4	207.46	2157.38	N28° 56' 50"W	207.38

AE Flood Zone

PURPOSE STATEMENT

THE PURPOSE OF THIS PLAN IS TO CREATE TWO NEW LOTS.

SITE DATA

1. TAX PARCEL (P/O): 7-00-11900-02-3000-00001, DB 12964, PG 41. PROPERTY ADDRESS: 977 WEST EVENS ROAD, VOLA, DE 19979. OWNER'S NAME: TAYLOR EBERT
2. TOTAL ACREAGE PRIOR TO SUBDIVISION: 31.826±ACRES PER DEED

TABLE OF AREAS POST SUBDIVISION:

PARCELS	SQUARE FEET	ACRES
LOT 1	140,407.850 SQ. FT.	3.223±ACRES
LOT 2	179,574.850 SQ. FT.	4.122±ACRES
DELOTT DEDICATION	7,097.850 SQ. FT.	0.163±ACRES
RESIDUAL LANDS	1,059,253.850 SQ. FT.	24.318±ACRES

3. ZONING: "AR"

PRESENT USE: AGRICULTURAL-RESIDENTIAL
PROPOSED USE: AGRICULTURAL-RESIDENTIAL
SEWER: ON SITE (PRIVATE)
WATER: ON SITE (PRIVATE)

BUILDING SETBACKS:

FRONT: 40' FT
SIDE: 5' FT
REAR: 10' FT

4. EXISTING NUMBER OF PARCELS: 1

PROPOSED NUMBER OF PARCELS: 3 INCLUDING RESIDUAL LANDS

5. ROAD CLASSIFICATIONS AND FRONTAGE:
LOT 1, FIRETOWER ROAD (LOCAL ROAD): 375.50±LF
LOT 1, WEST EVENS ROAD (LOCAL ROAD): 356.60±LF
LOT 2, FIRETOWER ROAD (LOCAL ROAD): 679.12±LF
RESIDUAL LANDS, FIRETOWER ROAD (LOCAL ROAD): 412.83±LF
RESIDUAL LANDS, WEST EVENS ROAD (LOCAL ROAD): 822.53±LF

6. IMPERVIOUS COVERAGE PERMITTED: 25%
DENSITY: 0.094 LOTS PER 1 ACRE

7. NUMBER OF PERMANENT MONUMENTS FOUND: NONE
NUMBER OF PERMANENT MONUMENTS SET: 7 CAPPED IRON PINS SET

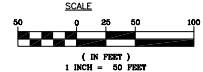
8. RELATION TO GROWTH ZONE: INSIDE

9. ACCORDING TO FEMA FIRM MAP: 100010240L, DATED 07/07/2014, PORTIONS OF THE SITE ARE IN ZONE X, ZONE X-SHADED, AND ZONE AE.

10. THIS PROPERTY IS 1.62±MILES OUTSIDE THE MAGNOLIA TRANSPORTATION IMPROVEMENT DISTRICT.

11. EASEMENTS: NONE SHOWN, NONE CREATED.

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



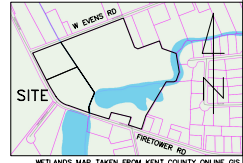
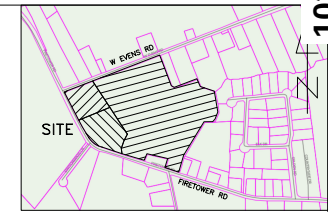
LEGEND

- CORNER NOT MARKED
- CAPPED IRON PIN SET
- UTILITY POLE
- SPOT ELEVATION
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- ADJOINING PROPERTY LINE
- BUILDING RESTRICTION LINE
- ROAD EDGE
- ROAD SEAM
- TOP OF DITCH BANK
- BOTTOM OF DITCH BANK
- FLOOD ZONE
- 1 FOOT CONTOUR LINE
- HALF FOOT CONTOUR LINE

REV 1, 17 OCT 2025,
PER DELDOT COMMENTS
REV 2, 19 NOV 2025,
ADDED TOPO TO PLAN

DATE OF
PLAN
06 OCT 2025

DATE OF
FIELD WORK
01 OCT 2025



KENT COUNTY APPROVAL

OWNERS OF RECORD

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

TAYLOR EBERT
977 W EVENS ROAD, VOLA, DE 19979
302-480-4078

SURVEYOR'S CERTIFICATION

I, ALAN O'DALE KENT, P.L.S., HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR 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 SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

ALAN O'DALE KENT, P.L.S.
ALAN O KENT LAND SURVEYING, LLC
9505 SUSSEX STREET
SEAFORD, DE 19973
PHONE (302) 745-1735
EMAIL: AK@OKLOOK.COM

JOB # 2025204 THIS IS A SUBURBAN CLASS SURVEY
**MINOR SUBDIVISION PLAN
OF THE LANDS NOW OR FORMERLY OF
TAYLOR EBERT**

KCR 239 AND 108, VIOLA, DE
NORTH MURDERHILL HUNDRED, KENT COUNTY

PREPARED BY
ALAN O KENT LAND SURVEYING, LLC
9505 SUSSEX STREET, SEAFORD, DE 19973
(302) 745-1735
AK@OKLOOK.COM



Item Cover Page

REGIONAL PLANNING COMMISSION BUSINESS MEETING AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Kathleen Andrews, Planning Services

ITEM TYPE: Application

AGENDA SECTION: New Business

SUBJECT: **CS-26-02 Berean Community Church Inc:** Request for Conditional Use Site Plan Approval to construct a Sanctuary, Family Center and Education building totaling 29,022 sq ft. located outside the Growth Zone Overlay District / Parcel # MD-00-172.00-01-45.00 & MD-00-172.00-01-45.01-000

ATTACHMENTS:

[CS-26-02 Staff Recommendation Report](#)

[CS-26-02 Data Sheet](#)

[CS-26-02 Exhibit A](#)

[CS-26-02 Site Plans](#)



DEPARTMENT OF PLANNING SERVICES

STAFF RECOMMENDATION REPORT

February 5, 2026

Application Number & Name	:	CS-26-02 Berean Community Church, Inc.
Present Zoning District	:	AC (Agricultural Conservation)
Present Use	:	Residential and Church
Proposed Use	:	Same with Expansion, Sports Field, and Campground
Area & Location	:	11.777± acres site area on the south side of Milford Harrington Rd., 830'± east of Bloomfield Dr., west of Milford.

I. APPLICATION SUMMARY:

The applicants have submitted an application for approval of additions to site plan S-87-07 for a church and a conditional use for a campground. The project proposes the construction of a 6,000 sq. ft. education building, 9,102 sq. ft. family center building, 13,920 sq. ft. sanctuary building, a 1,250 sq. ft. pole barn, 2 – 1,800 sq. ft. ministry housing, a 490 sq. ft. bath house, a camp area, an athletic field, and additional parking.

II. STAFF RECOMMENDATION:

The staff recommends **CONDITIONAL APPROVAL** based on the information submitted as the application demonstrates compliance with the conditions for approval as outlined in Kent County Code Section 205-69.B. Institutional, neighborhood and regional, to include assembly and worship and 205-70.A. Campgrounds.

III. COMPLIANCE WITH THE CONDITIONS OF APPROVAL

The applicant has demonstrated compliance with the conditions of approval in Section 205-69.B. Institutional, neighborhood and regional, to include assembly and worship as outlined below:

(1) All applicable state and local licenses and permits for such use have been attained.

✓ State and local licenses and permits are required prior to construction.

(2) The principal access shall be by means of a numbered state or County road.

- ✓ The subject parcel will be accessed by Milford Harrington Hwy.

The applicant has also demonstrated compliance with the conditions of approval in Section 205-70.A. Campgrounds as outlined below:

(1) The lot for such a use shall be at least five acres in area.

- ✓ The subject parcel, after the proposed minor lot line adjustment will be 11.777± acres.

(2) The proposed water supply system and wastewater disposal system shall have been approved by the State Department of Natural Resources and Environmental Control.

- ✓ Applicant is required to submit DNREC approval prior to final site plan approval.

(3) All campsites, mobile homes and recreational vehicle sites shall be located at least 50 feet from all adjoining property lines.

- ✓ The proposed camp area and 490 sq. ft. bath house meets the required 50' setback from all property lines.

(4) Off-street parking is provided for any ancillary commercial or food/beverage service use in accordance with requirements for such uses in Article XCII, Parking.

- ✓ The applicant proposes 245 total parking spaces for site.

IV. BACKGROUND INFORMATION

- The Kent County Comprehensive Plan recommends that the subject property be utilized for low density residential. The property is zoned AC (Agricultural Conservation) which allows assembly and places of worship as a conditional use for approval by the Levy Court through the Conditional Use / Site Plan process and campgrounds through conditional use approval. If approved, this plan will comply with the 2018 Comprehensive Plan and the AC zoning district requirements.
- The parcel is located outside of the Growth Zone Overlay District. There are no existing woodlands on the parcel. One hundred seventy one trees will be planted within the parcel to satisfy the tree plantings in non-woodland areas as required under Kent County Code Section 187-74.(D).

- The entire parcel is located within the excellent recharge area. The applicant has included a stormwater management facility at the rear of the property that will be an infiltration facility. Using infiltration to manage the stormwater back into the groundwater meets the best management practices and makes the plan compliant in regards to excellent recharge areas.
- The character of the surrounding area is a mix of residential and agricultural. Parcels to the north are developed residentially and parcels to the east and south are utilized agriculturally.
- There has been one previous land use application on the subject site:
 - S-87-07 approved a site plan for a church on 5/14/87. The applicants received administrative site plan approval on 9/20/12 and 2/23/24.

V. AGENCY COMMENTS:

A. KENT COUNTY DEPARTMENT OF PUBLIC WORKS, Engineering Division
Contact: Brian L. Hall, Engineering Project Manager II

Requirements:

1. N/A.

Comment:

1. The Engineering Division grants “Approval, With No Objection to Recordation”.

B. DEPARTMENT OF TRANSPORTATION
Contact: Joshua J. Schwartz

Comments:

1. Please submit a meeting request form through PDCA to schedule a meeting to discuss the proposed site development.

C. KENT CONSERVATION DISTRICT
Contact: Cullen Baker

Requirements:

1. A pre-application meeting is required to be scheduled with our office.
2. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by Kent Conservation District prior to any land disturbance (i.e. clearing, grubbing, filling, grading, etc.). The review fee and a completed application for a Detailed Plan are due at the time of plan submittal to the District’s office.
3. The following notes must appear on the record plan:
 - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.

- A clear statement of defined maintenance responsibility for stormwater management facilities.

Advisory Comments to the Applicant:

1. There appears to be a proposed infiltration facility at the rear of the site. The site is located within the groundwater recharge zone, requiring a form of infiltration to be required for stormwater management.
2. A letter of no objection to recordation will be provided upon approval of a Sediment and Stormwater Management Plan.
3. Most current forms, fee schedules, and checklists may be accessed from KCD's website <https://www.kentcd.org/services/sediment-stormwater/design-permitting/>
4. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.

D. DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC)

Contact: Dawn Budinger

Delaware's Universal Recycling Regulations require the commercial sector to participate in a comprehensive recycling program.

<https://regulations.delaware.gov/AdminCode/title7/1000/1300/1305.shtml> DNREC's Division of Waste and Hazardous Substances, Compliance and Permitting Section recommends addressing the size and location of dumpster enclosure(s) to accommodate trash and recycling services for all of the buildings. Take into account the accessibility for trash trucks to service those containers. Information on what is acceptable to place in the recycling dumpster can be found at de.gov/recycling.

E. DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) DIVISION OF FISH & WILDLIFE

Contact: Faith Garcia

Nuisance Waterfowl

Wet ponds created for stormwater management purposes may attract resident Canada geese and mute swans that will create a nuisance for community residents. High concentrations of waterfowl in ponds create water-quality problems, leave droppings on lawn and paved areas and can become aggressive during the nesting season. Short, manicured lawns around ponds provide an attractive habitat for these species. We recommend native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within an adequate buffer (15-30 ft in width) around the ponds (to be planted in accordance with the Sediment and Stormwater Plan approval agency requirements). When the view of the surrounding area from the pond is blocked, geese can't scan for predators and are less likely to reside and nest in the area of the pond.

At this time, we do not recommend using monofilament grids due to the potential for birds and other wildlife to become entangled if the grids are not properly installed and maintained.

In addition, the on-going maintenance (removing entangled trash, etc.) may become a burden to the homeowners association or land manager.

The Division of Fish and Wildlife does not provide goose control services, and if problems arise, residents or the home-owners association will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions can be costly and labor intensive; however, with a reduction in the number of ponds, proper landscaping, monitoring, and other techniques, geese problems can be minimized.

Curbing

Small animals, such as turtles and salamanders, have difficulty climbing vertical curbs. Designing the development to exclude curbs is best for these species but if road curbing is part of the design, curbing that allows small animals to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.

F. DOVER/KENT COUNTY METROPOLITAN PLANNING ORGANIZATION

Contact: Malcolm Jacob

Within the site plan, sidewalks are shown along the frontage of SR 14 as well as internally around the buildings. A crosswalk runs across the driveway entrance, and several more are located elsewhere on the property. Note that all sidewalks and crosswalks should be accompanied by ADA-compliant curb ramps, particularly in places where pedestrians need to move between the drive aisle and the sidewalk. There should also be accessible parking spaces close to each of the buildings and the athletic field, rather than concentrating these spaces near the front of the property. The sidewalks will need to be a minimum of four (4) feet in width in order to meet DelDOT pedestrian accessibility requirements, and the site plan labeling should include these dimensions.

The applicant should work with DelDOT to ensure that the property's entrance will meet the needs of the property with its planned uses. SR 14 (Milford Harrington Highway) is a minor arterial with an Annual Average Daily Traffic (AADT) of 9,650 and a posted speed limit of 50 mph. Based on the available trip generation data and the new uses of the property, improvements to the entrance might be needed.

For more information on each of these topics, please contact Dover Kent MPO.

VI. OWNER/ APPLICANT:

The owner/developer shall be aware of and be prepared to comply with all the comments regarding this project stated in this report. All comments must be addressed in the final plan prior to final approval. Final approval of the plan must occur within 24 months from the date of preliminary plan approval. Failure to obtain final approval shall nullify the plan. Once the plan receives final approval, construction in accordance with the plan must occur within 18 months of final approval or the plan shall be deemed null and void. Letters of "No Objection to Final Approval" from the following agencies will be required prior to final approval:

- A.** DelDOT, Division of Highways
- B.** Kent Conservation District
- C.** Office of the State Fire Marshal
- D.** DNREC (well and septic)
- E.** Office of Drinking Water (well)

This recommendation was made without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning Services. The Regional Planning Commission shall give considerable weight to public testimony received during public hearing in considering its recommendation to Levy Court in this matter.

ENC: Data Sheet
Exhibit A- Location and Zoning Map
Site Plan



DEPARTMENT OF PLANNING SERVICES

DATA SHEET FOR CONDITIONAL USE WITH SITE PLAN

Regional Planning Commission Public Hearing of: **Thursday, February 5, 2026**

Regional Planning Commission Business Meeting of: **Thursday, February 12, 2026**

Levy Court Public Hearing of: **Tuesday, February 24, 2026**

Application # / Title	:	CS-26-02 Berean Community Church, Inc.
Owner:	:	Berean Community Church, Inc. PO Box 187 Milford, DE 19963
Engineer	:	Davis, Bowen & Friedel, Inc 1 Park Ave Milford, DE 19963
Zoning District	:	AC (Agricultural Conservation)
Comprehensive Plan Map Designation	:	Low Density Residential
Relation to Growth Zone	:	Outside
Present Use	:	Residential and Church
Proposed Use	:	Same with Sports Field and Campground
Proposed Building Size	:	13,920± sq. ft. Sanctuary 9,102± sq. ft. Family Center 6,000± sq. ft. Education Building 1,250± sq. ft. Pole Barn 2 – 1,800 sq. ft. Ministry Houses 490 sq. ft. Bath House
Levy Court District	:	4 th - Scott
School District	:	Milford
Fire District	:	Houston
Area and Location	:	11.777± acres site area on the south side of Milford Harrington Rd., 830'± east of Bloomfield Dr., west of Milford.
Kent County Property Identification Numbers	:	MD-00-172.00-01-45.00 & MD-00-172.00-01-45.01



Kent County Levy Court

LOCATION AND ZONING MAP Exhibit A

Application: CS-26-02
Berean Community Church, Inc.

APPLICANT/OWNER:

Berean Community Church, Inc.

**PRESENT ZONING
DISTRICT:**

AC (Agricultural Conservation)

PRESENT USE:

Residential & Church

PROPOSED USE:

Same with Sports Field &
Campground

LEVY COURT DISTRICT:

4th - Scott

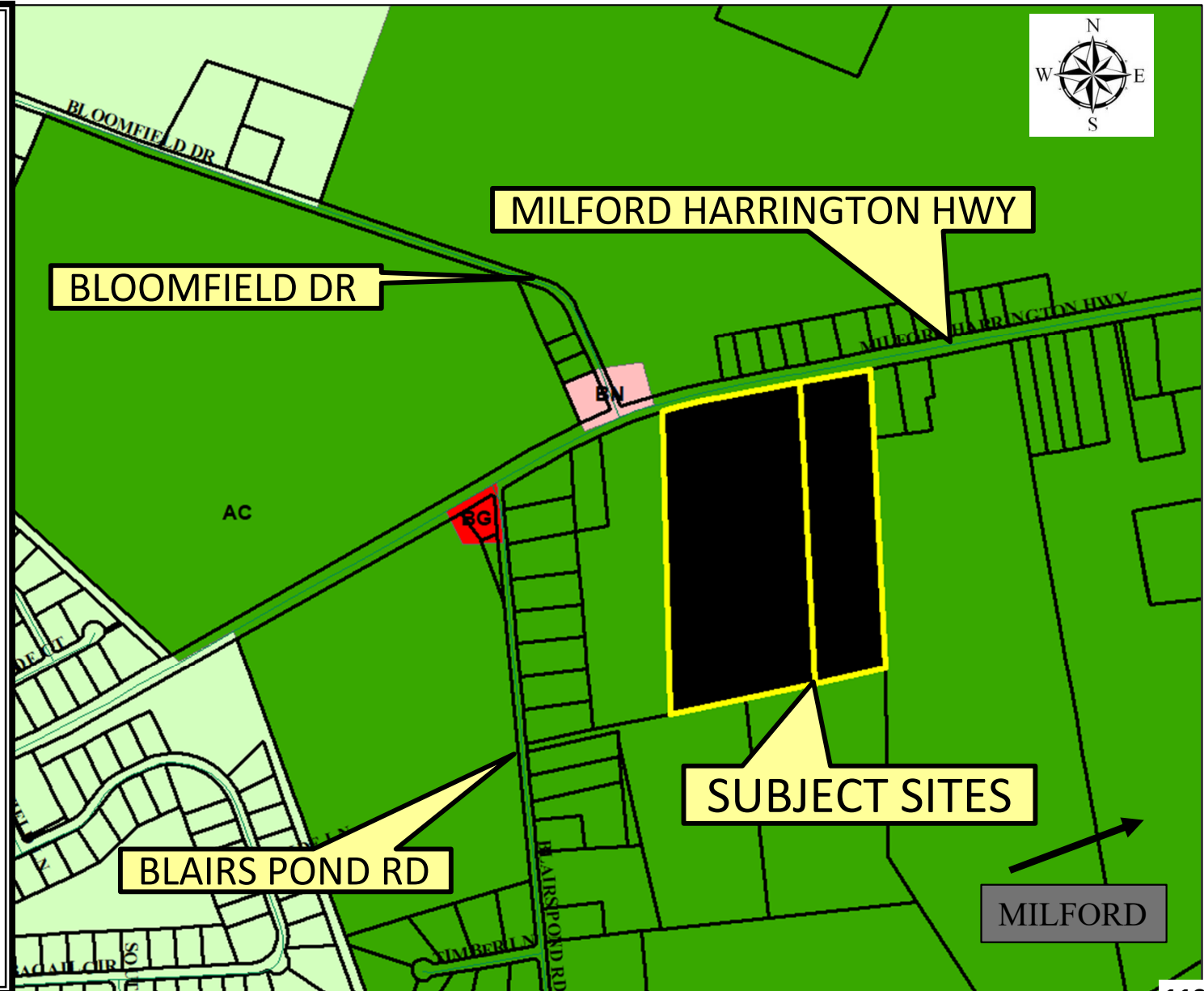
TAX MAP NO:

MD-00-172.00-01-45.00-000

MD-00-172.00-01-45.01-000

LOCATION:

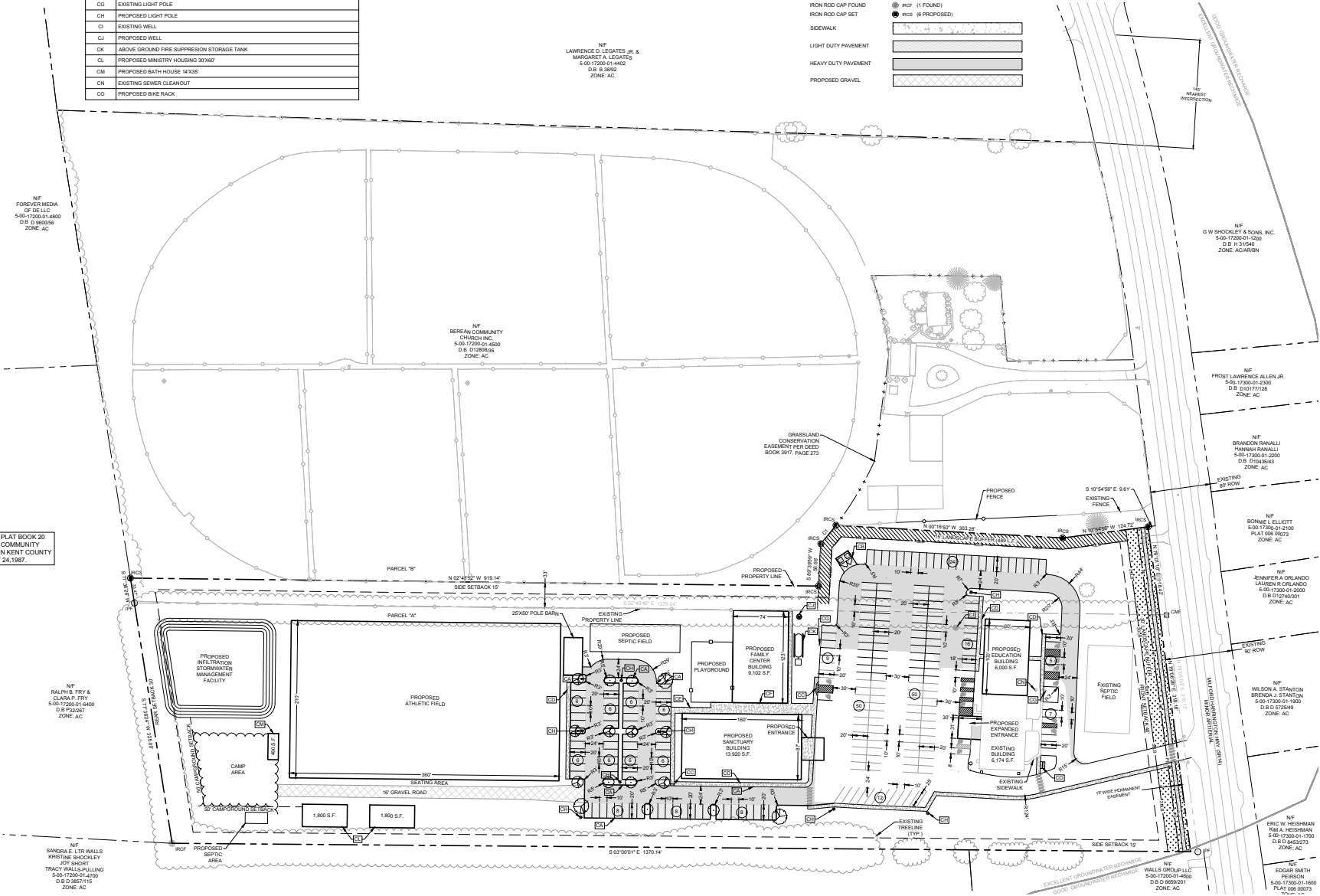
11.777± acres site area on the
south side of Milford Harrington
Rd., 830'± east of Bloomfield Dr.,
west of Milford.



KEY LEGEND	
LABEL	DESCRIPTION
CA	PROPOSED 4" P.C.C. CURB (SEE DETAIL SHEET PL-03)
CB	PROPOSED DUMPSTER ENCLOSURE (SEE DETAIL SHEET PL-03)
CC	PROPOSED ADA COMPLIANT RAMPS
CD	PROPOSED 5" CONCRETE SIDEWALK
CE	PROPOSED 8" CONCRETE SIDEWALK
CF	PROPOSED 12" CONCRETE SIDEWALK
CG	EXISTING LIGHT POLE
CH	PROPOSED LIGHT POLE
CI	EXISTING WELL
CJ	PROPOSED WELL
CK	ABOVE GROUND FIRE SUPPRESSION STORAGE TANK
CL	PROPOSED MINISTRY HOUSING 30'X60'
CM	PROPOSED BATH HOUSE 14'X30'
CN	EXISTING SEWER CLEANOUT
CO	PROPOSED BIKE RACK

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
CL	31.79'	31.79'	4.0355°	N 84°03'52" W

LEGEND	
SITE BOUNDARY LINE	---
ADJACENT PROPERTY OWNER	---
EXISTING EASEMENT	---
SETBACK	---
EXISTING CONTOUR	---
IRON PIPE FOUND	○ IFP (2 FOUND)
CONCRETE MONUMENT FOUND	□ CMF (1 FOUND)
IRON ROD CAP FOUND	● IRCF (1 FOUND)
IRON ROD CAP SET	● IRCS (6 PROPOSED)
SIDEWALK	---
LIGHT DUTY PAVEMENT	---
HEAVY DUTY PAVEMENT	---
PROPOSED GRAVEL	---



BEREAN COMMUNITY CHURCH INC.
CHURCH EXPANSION
 MILFORD HUNRED, KENT COUNTY, DELAWARE

DAVIS BOWEN & FRIEDEL, INC.
 ARCHITECTS - ENGINEERS - SURVEYORS

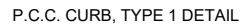
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Scale:	1"=60'
Drawn By:	KTW
Proj No:	3411A003

PRELIMINARY SITE PLAN

PL-02

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Date:	NOVEMBER 2025
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Dwn.By:	KTW
Proj.No.:	3411A003



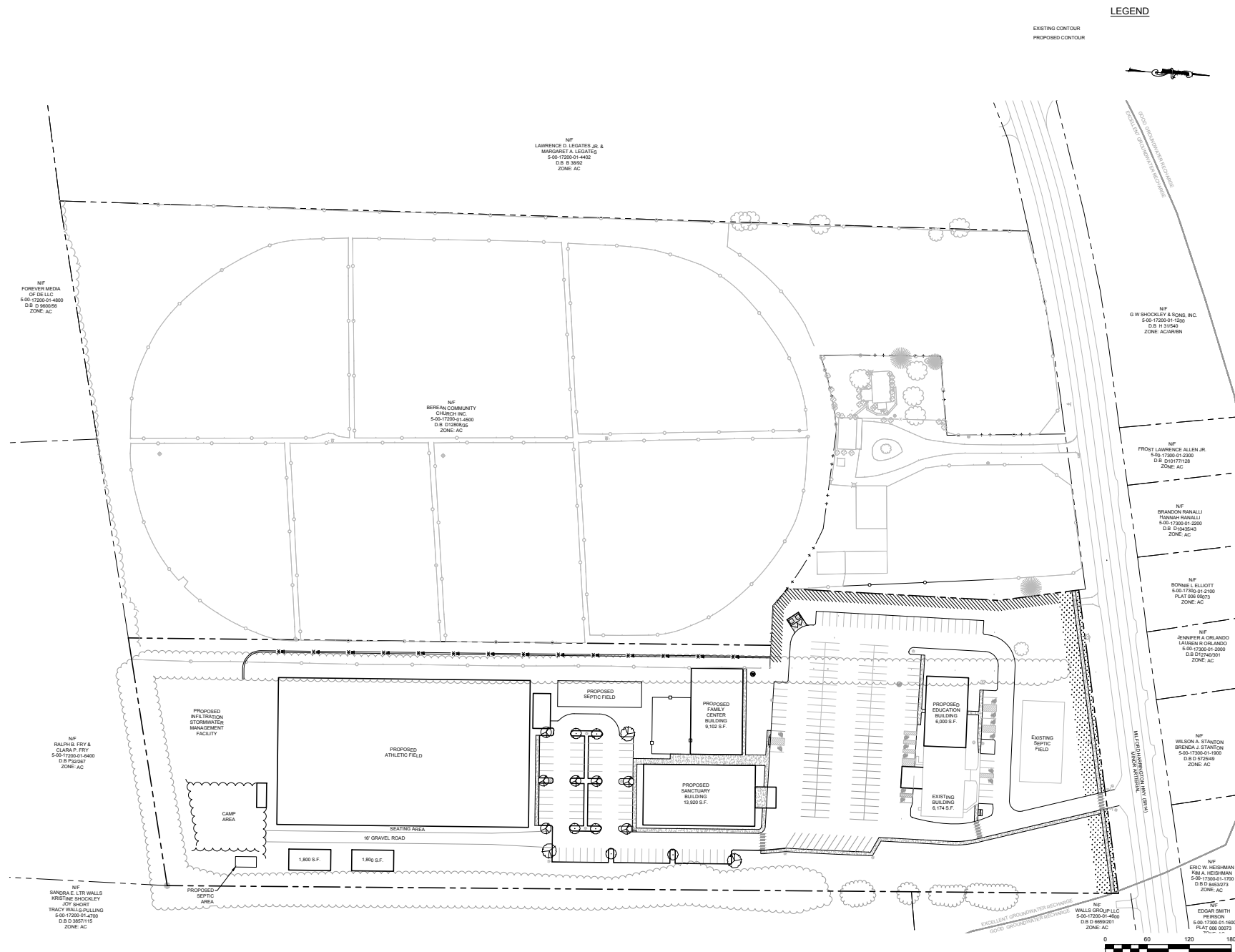
BEREAN COMMUNITY CHURCH INC.
CHURCH EXPANSION
MILFORD HUNRED, KENT COUNTY, DELAWARE

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Date:	NOVEMBER 2025
Scale:	1"=60'
Dwn.By:	KTW
Proj.No.:	3411A003

**PRELIMINARY
GRADING
PLAN**

Dwg.No.:
PL-04



BEREAN COMMUNITY CHURCH INC.
CHURCH EXPANSION
MILFORD HUNRED, KENT COUNTY, DELAWARE

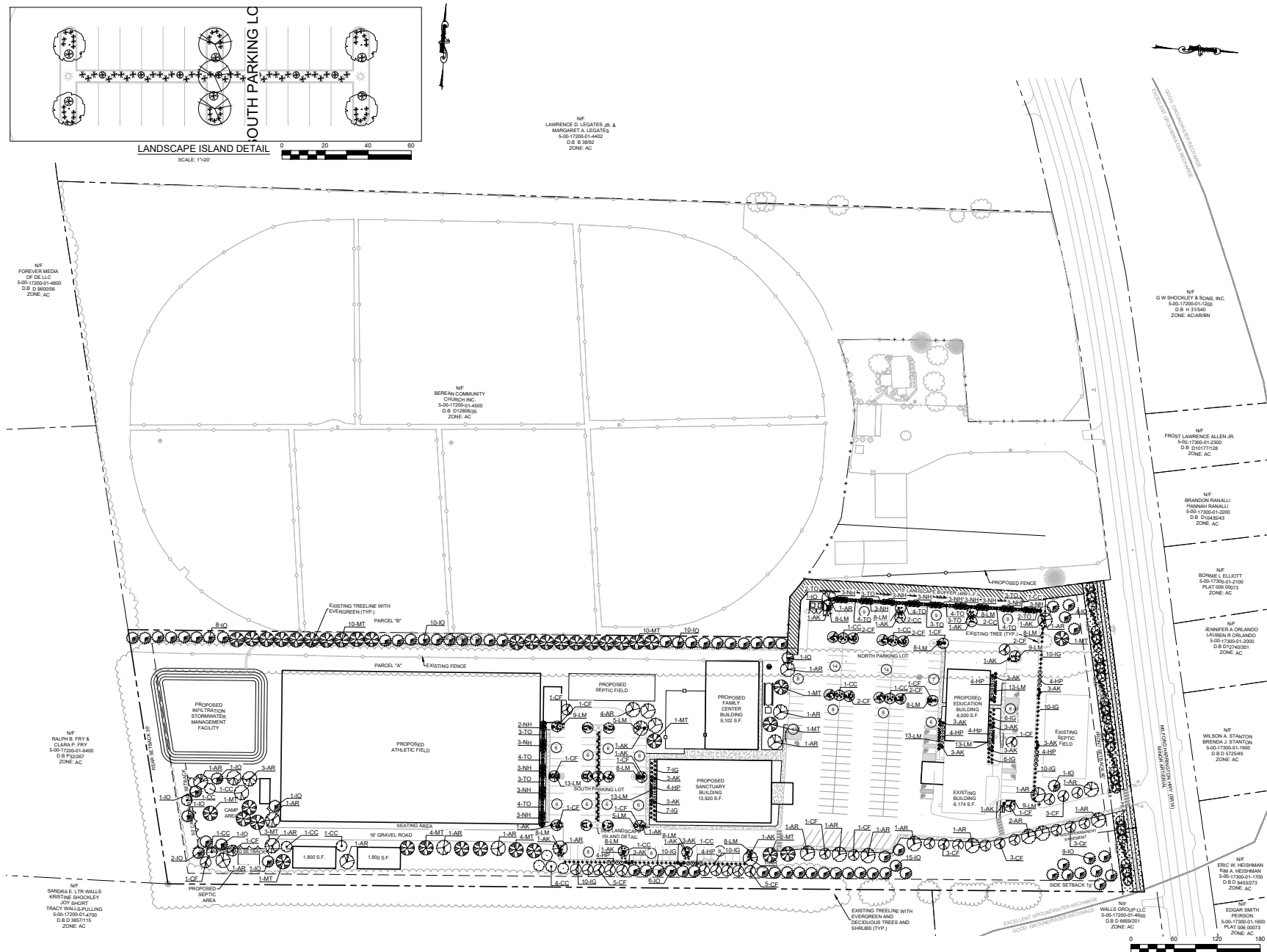
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Drawn By:	KTW
Proj. No.:	3411A003

**PRELIMINARY
LANDSCAPE
PLAN**

Dwg No.

PL-05



Date: NOVEMBER 2025

Scale: NOT TO SCALE

Drawn By: KTW

Proj No.: 3411A003

PRELIMINARY
LANDSCAPE
DETAILS

Drawn By: KTW

PL-06

PLANT SCHEDULE - NORTH PARKING LOT

SYMBOL	NATIVE	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
DECIDUOUS TREE						
	✓	AR	ACER rubrum 'OCTOBER GLORY'	'OCTOBER GLORY' RED MAPLE	6'-7' HT., BAB	2
		CF	CORNUS florida 'ALBA'	FLOWERING DOGWOOD	6'-7' HT., BAB	12
	✓	CC	CERCIS canadensis	EASTERN REDBUD	6'-7' HT., BAB	11
TOTAL 25						
EVERGREEN SHRUBS						
	✓	IG	ILEX glabra 'SHAMROCK'	SHAMROCK INKSBERRY	3'-4' HT., BAB	58
		NH	ILEX cornuta 'NEEDLEPOINT'	NEEDLEPOINT HOLLY	6'-7' HT., BAB	27
		TO	THUJA occidentalis 'SMARAGO'	EMERALD GREEN ARBORVITAE	6'-7' HT., BAB	32
TOTAL 117						
DECIDUOUS SHRUBS						
	✓	AK	ABELIA x grandifolia 'KALEIDOSCOPE'	'KALEIDOSCOPE' ABELIA	3'-4' HT., BAB	40
		HP	HYDRANGEA paniculata	BOBO PANICLE HYDRANGEA	3'-4' HT., BAB	20
TOTAL 60						
PERENNIALS						
		LM	LIRIODENDRON muscicola 'VARIGATA'	LLY TURF	#1 CONT., 18" O.C.	161
TOTAL 161						

PLANT SCHEDULE - SOUTH PARKING LOT

SYMBOL	NATIVE	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
DECIDUOUS TREE						
	✓	AR	ACER rubrum 'OCTOBER GLORY'	'OCTOBER GLORY' RED MAPLE	6'-7' HT., BAB	3
		CF	CORNUS florida 'ALBA'	FLOWERING DOGWOOD	6'-7' HT., BAB	9
	✓	CC	CERCIS canadensis	EASTERN REDBUD	6'-7' HT., BAB	6
TOTAL 18						
EVERGREEN SHRUBS						
	✓	IG	ILEX glabra 'SHAMROCK'	SHAMROCK INKSBERRY	3'-4' HT., BAB	81
		NH	ILEX cornuta 'NEEDLEPOINT HOLLY'	NEEDLEPOINT HOLLY	6'-7' HT., BAB	14
		TO	THUJA occidentalis 'SMARAGO'	EMERALD GREEN ARBORVITAE	6'-7' HT., BAB	14
TOTAL 109						
DECIDUOUS SHRUBS						
	✓	AK	ABELIA x grandifolia 'KALEIDOSCOPE'	'KALEIDOSCOPE' ABELIA	3'-4' HT., BAB	35
		HP	HYDRANGEA paniculata	BOBO PANICLE HYDRANGEA	3'-4' HT., BAB	13
TOTAL 48						
PERENNIALS						
		LM	LIRIODENDRON muscicola 'VARIGATA'	LLY TURF	#1 CONT., 18" O.C.	136
TOTAL 136						

FRONTAGE BUFFER PLANT SCHEDULE

SYMBOL	NATIVE	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
DECIDUOUS TREE						
	✓	AR	ACER rubrum 'OCTOBER GLORY'	'OCTOBER GLORY' RED MAPLE	6'-7' HT., BAB	24
DECIDUOUS SHRUBS						
	✓	SC	SAMBUCUS nigra ssp. CANADENSIS	COMMON ELDERBERRY	3'-4' HT., BAB	98
EVERGREEN SHRUBS						
	✓	IG	ILEX glabra	INKSBERRY	3'-4' HT., BAB	40

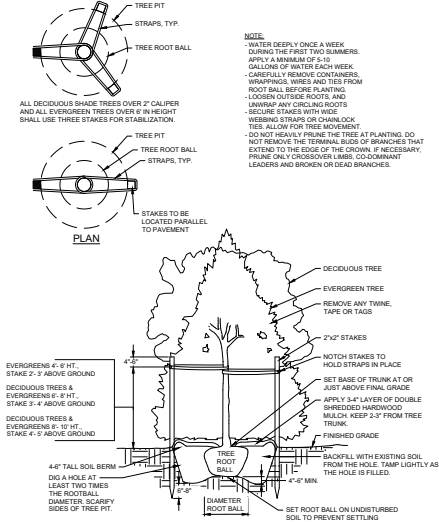
PLANT SCHEDULE - BUFFERS

SYMBOL	NATIVE	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
TOTAL 108						
EVERGREEN TREES						
	✓	IO	ILEX opaca	AMERICAN HOLLY	6'-7' HT., BAB	20
		JV	JUNIPERUS virginiana	EASTERN RED CEDAR	6'-7' HT., BAB	20
	✓	CT	CHAMAECYPARIS thyoides	ATLANTIC WHITE CEDAR	6'-7' HT., BAB	20
	✓	MG	MAGNOLIA grandifolia	SWEETBAY MAGNOLIA	6'-7' HT., BAB	20
	✓	PS	PINUS strobus	EASTERN WHITE PINE	6'-7' HT., BAB	20
TOTAL 108						

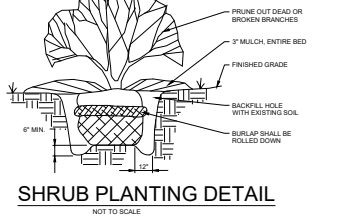
PLANT SCHEDULE - SITE TREES

SYMBOL	NATIVE	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
TOTAL 171						
DECIDUOUS TREE						
	✓	AR	ACER rubrum 'OCTOBER GLORY'	'OCTOBER GLORY' RED MAPLE	6'-7' HT., BAB	26
		CF	CORNUS florida 'ALBA'	FLOWERING DOGWOOD	6'-7' HT., BAB	26
	✓	CC	CERCIS canadensis	EASTERN REDBUD	6'-7' HT., BAB	9
EVERGREEN TREES						
	✓	IO	ILEX opaca	AMERICAN HOLLY	6'-7' HT., BAB	73
	✓	MT	MAGNOLIA grandifolia 'SOUTH CHARM'	TEDDY BEAR MAGNOLIA	6'-7' HT., BAB	37
TOTAL 171						

TREE PLANTING DETAIL



SHRUB PLANTING DETAIL



GENERAL LANDSCAPE NOTES

- QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK"
- CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND FINAL ACCEPTANCE OF SITE WORK HAS BEEN GIVEN. AT THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS ORIGINALLY SPECIFIED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
- NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.
- ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)
- ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 6'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.
- THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 2" OF BARK MULCH PER SPECIFICATIONS.
- THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.
- ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE SITE'S ORIGINAL GRADE BEFORE DIGGING.
- THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON.

SITE DATA:

DEVELOPER:	BEREAN COMMUNITY CHURCH, INC. 2758 MILFORD HARRINGTON HWY MILFORD, DE 19963 RICH GORLICH PHONE: (302) 354-0095 EMAIL: rgorlich@velveton.net
1. DESIGN PROFESSIONAL:	DAVIS, BOWEN & FRIEDEL, INC. 1 PARK AVENUE MILFORD, DELAWARE 19963 JAMES L. SCHWARTZ, P.E. PHONE: 302-424-1441 EMAIL: JLS@DBFINC.COM
2. SITE AREA:	11.777 ACRES
3. PROPERTY ADDRESS:	2758 MILFORD HARRINGTON HWY, MILFORD, DE 19963
4. ZONING:	AC AGRICULTURAL CONSERVATION
5. NO EXISTING WETLANDS ON SITE.	
6. NO EXISTING WOODLANDS ON SITE.	

SITE NOTES:

BUFFERS/VEDS (CODE 187-79) REQUIRED PROVIDED	30' BUFFER ALONG ARTERIAL STREETS 15' BUFFER ALONG
SITE TREES (CODE 187-74) REQUIRED PROVIDED	1 TREE PER 3000 S.F. SITE AREA 17 TREES
PARKING INTERIOR PLANNING TREES PROPOSED NORTH PARKING LOT EXPANSION REQUIRED PROVIDED	1 TREE PER 4000 S.F. SITE AREA 18 TREES
PROPOSED SOUTH PARKING LOT REQUIRED PROVIDED	1 TREE PER 4 PARKING SPACES (18 SPACES / 4 = 25 TREES) 25 TREES
A ONE-YEAR FULL PRICE REPLACEMENT GUARANTEE ON ALL NEW TREES PLANTED IS HELD BY THE APPLICANT.	

LANDSCAPE ARCHITECT'S STATEMENT

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

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



Item Cover Page

REGIONAL PLANNING COMMISSION BUSINESS MEETING AGENDA ITEM REPORT

DATE: February 12, 2026

SUBMITTED BY: Kathleen Andrews, Planning Services

ITEM TYPE: Application

AGENDA SECTION: New Business

SUBJECT: **S-26-01 Shiv Shanker, Inc:** Request for Site Plan approval to Construct an 11,902 sq. ft. for a Micro-Brewery and Retail space located inside the Growth Zone Overlay District / Parcel # DC-00-019.00-02-17.00-000

ATTACHMENTS:

[S-26-01 Staff Report](#)

[S-26-01 Data Sheet](#)

[S-26-01 Exhibit A](#)

[S-26-01 Exhibit B](#)

[S-26-01 Waiver Request](#)

[S-26-01 Geo-Tech Report](#)

[S-26-01 Exterior Elevations](#)

[S-26-01 Floor Plan](#)

[S-26-01 Preliminary Site Plan](#)



DEPARTMENT OF PLANNING SERVICES

STAFF RECOMMENDATION REPORT

February 12, 2026

Application # and Title	:	S-26-01 Shiv Shanker, Inc.
Present Zoning District	:	BG (General Business)
Present Use	:	Vacant
Proposed Use	:	Micro-Brewery and Retail
Relation to Growth Zone:	:	Inside
Area and Location	:	2.0± acres located on the west side of S. Dupont Blvd., approximately 160' north west of Cathleen Dr., and south of Smyrna.

The applicant has submitted a site plan proposing to construct 11,902 sq. ft. micro-brewery and retail building with parking.

I. STAFF RECOMMENDATION:

The staff recommends **APPROVAL** based on the information submitted as the application demonstrates compliance with the conditions for approval as outlined in the Code, as follows:

A. Code Requirements:

1. The Planning Commission may add any necessary conditions to protect the health, safety, and welfare of the citizens of Kent County
2. The final plan must meet all requirements of both §187 and §205 of the Kent County Code. A final plan must be approved within 24 months of preliminary plan approval and construction must commence within 18 months of final plan approval.
3. Prior to final plan approval, all outside agency requirements must be met.

B. Recommendation:

1. Include bicycle facilities on the subject parcel. There may be employees and patrons that may want the option to commute to this site by a means other than an automobile. Therefore, the staff recommends that a bike rack large enough to accommodate at least four bicycles be added to the site plan.

II. WAIVER REQUESTS

The Commission may waive or modify the requirements of Chapter 187 by following these guidelines (§187-80)

- Strict compliance with the requirements of this chapter would result in extraordinary hardship to the applicant;
 - Is not self-imposed, or;
 - That these conditions would result in inhibiting the achievement of the objectives of these regulations;
 - Will not have the effect of nullifying the intent and purpose of this chapter;
 - Will not be contrary to the goals and objectives of the Comprehensive Plan;
 - Shall not be more than a minimum easing of the requirements;
 - Shall not result in conflict with Chapter 205, Zoning.
1. The applicant has requested a waiver of 187-79.1.A., requiring that no buildings, structures, or paved surfaces shall be permitted to be constructed nearer than 150' to a public drinking water supply well, except that buildings and access associated with the well and related fencing, treatment, water storage, and distribution facilities shall be permitted. The applicant has proposed parking, drive aisles, and a portion of the building to be constructed nearer than 150' to two public drinking water supply wells.

Staff has reviewed the request and recommends **APPROVAL** of the waiver. Based on the report from Geo-Technology Associates, Inc. dated February 20, 2025 and the letter of support from DNREC dated April 17, 2025, the post development recharge is going to exceed the values of pre-development infiltration and will result in a net-gain of recharge to surficial aquifer.

III. BACKGROUND INFORMATION:

- The 2.0± acre subject site is currently unimproved.
- The applicants are proposing a 11,902 sq. ft. building. The building will consist of two - 2,273 sq. ft. retail spaces, a 4,253 sq. ft. microbrewery, and a 3,103 sq. ft. brewery tap room. The site plan includes a proposal for 76 parking spaces, four being designated accessible parking spaces.
- A sidewalk has been provided along S. Dupont Hwy. with a continuous pedestrian access from the frontage sidewalk to the proposed building.
- The character of the surrounding area is a mix of residential and commercial. The parcels to the east of S. Dupont Blvd. are also zoned BG and are currently unimproved. The parcel to the south of the subject parcel is split zoned BG and RMH and is utilized residentially. The parcel to the west is a manufactured home park.
- The parcel is zoned BG (General Business). The Kent County Comprehensive Plan recommends that BG zoning be utilized for highway commercial purposes. This zoning district provides for micro-breweries and retail as a permitted uses. If approved, this plan will comply with the Comprehensive Plan and BG zoning district requirements.
- The plan indicates that the project will utilize on site well and Kent County sewer service. Approval of these systems from the applicable agencies must be provided for final approval.
- There have been one previous application for the subject parcel:
 - CZ-24-03, to approve a rezoning from BG and RMH to BG on 5/21/2024.

IV. AGENCY COMMENTS:

A. DELAWARE DEPARTMENT OF TRANSPORTATION

Contact: Joshua J. Schwartz (302)760-2768

Comment:

1. Please submit a meeting request form through PDCA to schedule a meeting to discuss the proposed site development.

B. KENT COUNTY DEPARTMENT OF PUBLIC WORKS, ENGINEERING DIVISION

Contact: Brian L. Hall, Engineering Project Manager II (302)744-2430

Requirement:

1. Applicant's adherence to the accepted TFS, Levy Court approved Preliminary Report/Resolutions, and all applicable provisions of the Kent County Code, Chapter 128 (Fees) & 180 (Standards). There would appear the proposal would need to meet the applicable pretreatment requirements as regulated by the Kent County PWD Environmental Section.
2. There is a framework in place for the applicant and Kent County to collaborate on the design & construction of the core sewer system that will also benefit/serve the adjacent areas (e.g. – Hedgerow Hollow MHP septic elimination).
3. Depiction/providing all sewer easement/ROW/dedication areas.

Comment:

1. The Engineering Division grants "Conditional Approval".

C. DNREC/ Division of Fish & Wildlife:

Contact: Faith Garcia – Environmental Review Coordinator (302)735-8665

Comments:

Nuisance Waterfowl

Wet ponds created for stormwater management purposes may attract resident Canada geese and mute swans that will create a nuisance for community residents. High concentrations of waterfowl in ponds create water-quality problems, leave droppings on lawn and paved areas and can become aggressive during the nesting season. Short, manicured lawns around ponds provide an attractive habitat for these species. We recommend native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within an adequate buffer (15-30 ft in width) around the ponds (to be planted in accordance with the Sediment and Stormwater Plan approval agency requirements). When the view of the surrounding area from the pond is blocked, geese can't scan for predators and are less likely to reside and nest in the area of the pond.

At this time, we do not recommend using monofilament grids due to the potential for birds and other wildlife to become entangled if the grids are not properly installed and maintained. In addition, the on-going maintenance (removing entangled trash, etc.) may become a burden to the homeowners association or land manager.

The Division of Fish and Wildlife does not provide goose control services, and if problems arise, residents or the home-owners association will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions can be costly and labor intensive; however, with a reduction in the number of ponds, proper landscaping, monitoring, and other techniques, geese problems can be minimized.

Curbing

Small animals, such as turtles and salamanders, have difficulty climbing vertical curbs. Designing the development to exclude curbs is best for these species but if road curbing is part of the design, curbing that allows small animals to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.

Revegetation

If any re-vegetation of disturbed areas is proposed in association with this project, we request that no non-native species or state-rare species be used in the disturbed areas. We further recommend that the applicant re-vegetate the area using native plant species that are indigenous to the state of Delaware and are appropriate for the site. Our staff can provide guidance in selecting plant material.

D. Dover/Kent County Metropolitan Planning Organization

Contact: Malcolm Jacob (302)387-6030

Comment:

The site plan depicts many of the features needed for transportation safety and accessibility in new developments. For one, the site plan includes sidewalks along the frontage of US 13 as well as internal sidewalks. Crosswalks are also proposed across the driveway entrance and through the parking area. Other features depicted in the plan include accessible parking spaces, ADA-compliant curb ramps (with accompanying details showing their specifications and design requirements), and bicycle parking. Note that curb ramps should be used close to the building entrance, particularly at the end of the crosswalk. The bike racks should be placed in a secure location close to the building.

Also note that that the sidewalk width should be upgraded to a minimum of four (4) feet, in order to meet DelDOT pedestrian accessibility requirements. The property should also meet the current ADA standards for both sidewalks and other facilities; for example, automatic door openers should be considered for each doorway. Doors should be designed so that when opened, they swing inward to avoid conflict with pedestrians.

The applicant should work with DelDOT to ensure that the property's entrance will meet the needs of the property with its planned uses. US 13 is a minor arterial with an Annual Average Daily Traffic (AADT) of 29,859 and a posted speed limit of 55 mph. It is a high-volume, high-stress roadway, and nearby portions of US 13 are listed in the High Injury Network from the *Kent County Safety Action Plan* due to the frequency of severe crashes. The presence of a median on US 13 in front of the property will prevent lefthand turns into and out of the site, which will hopefully reduce the number of conflict points and prevent crashes. However, given the conditions of the roadway, coordination with State officials will still be necessary at each step of the process. An extension of the existing righthand turn lane and other improvements may be warranted.

For more information on each of these topics, please contact Dover Kent MPO.

E. KENT CONSERVATION DISTRICT

Contact: Cullen Baker (302)608-5370

Requirement:

1. A Stormwater Assessment Study (SAS) and pre-application meeting are required.

2. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District's office.
3. The following notes must appear on the record plan:
 - a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - c. A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

Advisory Comments to the Applicant:

1. We would like to hold a pre-application meeting prior to a formal submittal.
2. Please revise the landscape plan to remove any trees or shrubs located on the proposed infiltrations basin's embankment or within 15ft of the pond's embankment. Currently the proposed basin and forebays are not accessible for future required maintenance.
3. Most current forms, fee schedules, and checklists may be accessed from KCD's website <https://www.kentcd.org/services/sediment-stormwater/design-permitting/>.
4. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.

V. OWNER/DEVELOPER:

The owner shall be aware of and be prepared to comply with all comments regarding this project stated in this report. All comments must be addressed in the final site plan prior to final approval. Letters of "No Objection to Final Approval" from the following agencies will be required prior to final approval:

- A. DelDOT, Division of Highways
- B. DNREC (on-site well)
- C. State of Delaware (Public Water)
- D. Kent County Public Works
- E. Kent Conservation District
- F. Office of the State Fire Marshal

ENC: Data Sheet
Exhibit A – Location Map
Exhibit B – Wellhead Protection Area
Waiver Request
DNREC letter dtd. April 17, 2025
Geo-Technology Associates, Inc. Report dtd. February 20, 2025
Exterior Elevations
Floor Plan
Site Plan



DEPARTMENT OF PLANNING SERVICES

DATA SHEET FOR SITE PLAN

Regional Planning Commission Business Meeting of: **February 12, 2026**

Application # and Title	:	S-26-01 Shiv Shanker, Inc.
Applicant	:	Kartik Patel 131 Dodge Dr. Smyrna, DE 19977
Owner	:	Shiv Shanker, Inc 131 Dodge Dr. Smyrna, DE 19977
Engineer	:	Minnich Engineering Inc 868 Greenwood Rd. Greenwood, DE 19950
Comp Plan Map Designation	:	Highway Commercial
Zoning District	:	BG (General Business)
Relation to Growth Zone	:	Inside
Present Use	:	Vacant
Proposed Use	:	Micro-Brewery and Retail
Size of Proposed Buildings	:	11,902 sq. ft.
Water	:	On site well
Wastewater	:	Public – Kent County Sewer
Levy Court District	:	1 st - Masten
School District	:	Smyrna
Fire District	:	Citizens Hose (Smyrna)
Area and Location	:	2.0± acres located on the west side of S. Dupont Blvd., approximately 160' north west of Cathleen Dr., and south of Smyrna.
Property Identification Number	:	DC-00-019.00-02-17.00-000



Kent County Levy Court

LOCATION AND ZONING MAP Exhibit A

Application: S-26-01
Shiv Shanker, Inc

APPLICANT: Kartik Patel

OWNER: Shiv Shanker, Inc.

ZONING DISTRICT:
BG (General Business)

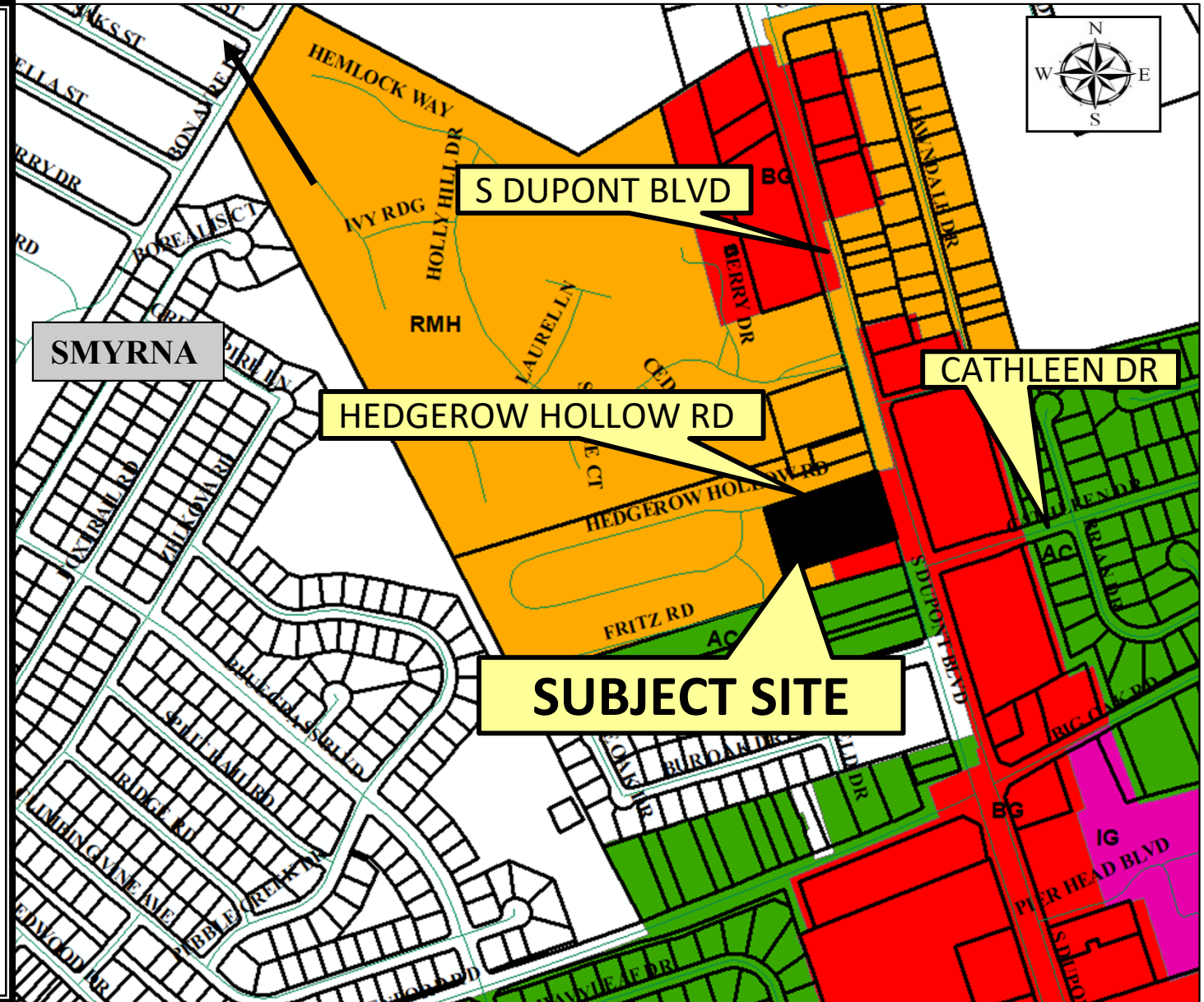
PRESENT USE:
Vacant

PROPOSED USE:
Micro-Brewery and Retail

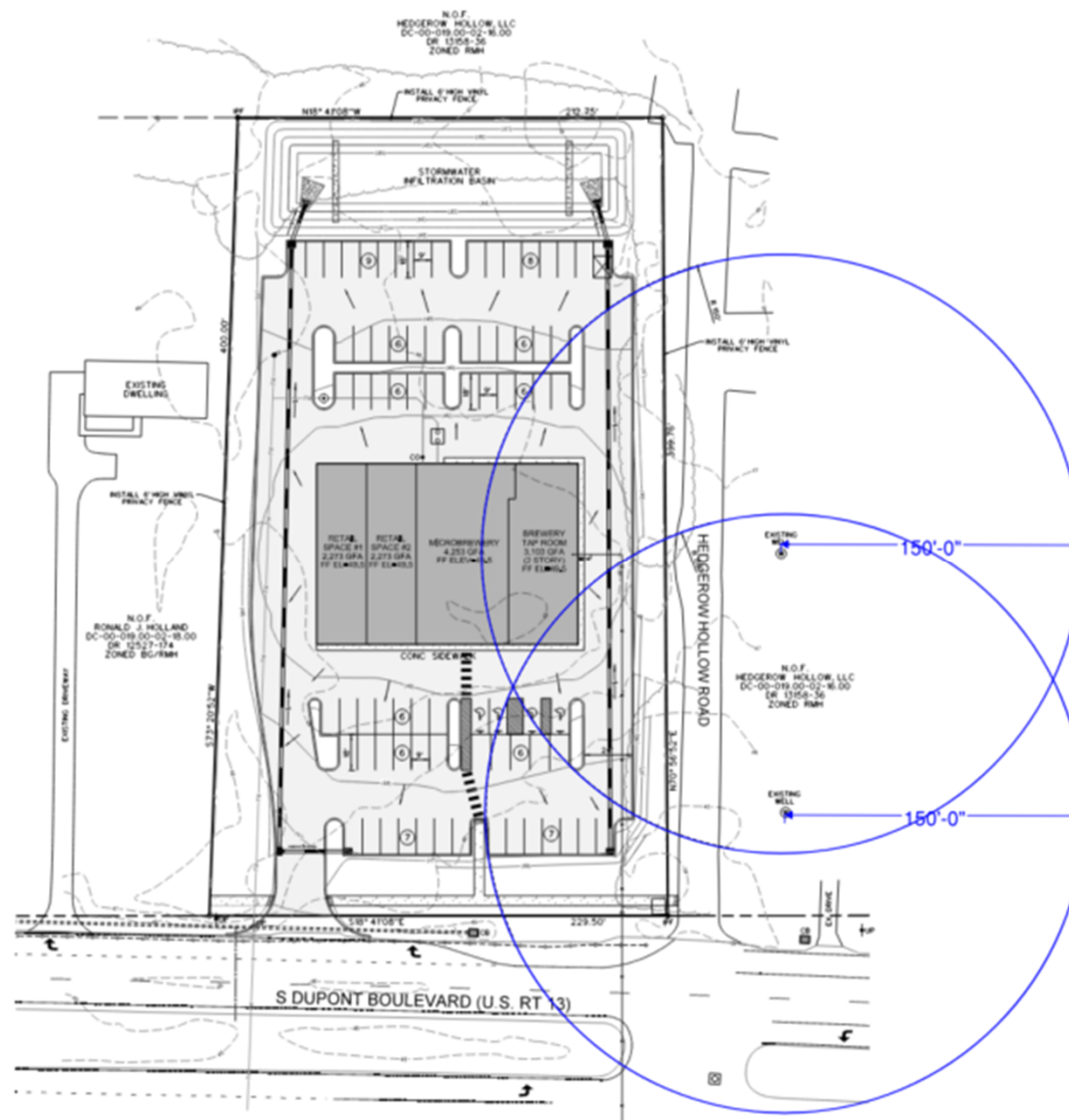
LEVY COURT DISTRICT:
1st - Masten

TAX MAP NO:
DC-00-019.00-02-17.00-000

LOCATION:
2.0± acres located on the west
side of S. Dupont Blvd.,
approximately 160' west of
Cathleen Dr., and east of
Smyrna.



PROPOSED MICRO-BREWERY AND RETAIL



WELLHEAD PROTECTION AREA



(302) 697-2239 VOICE
(302) 495-7244 VOICE

868 GREENWOOD ROAD
GREENWOOD, DE 19950

November 12, 2025

Regional Planning Commission
Kent County Levy Court
555 Bay Road
Dover, DE 19901

RE: Lands of Shiv Shanker
Project No. 24-039

Dear Regional Planning Commission Members,

The Subdivision and Land Development Code of Kent County under Article XI, Section 187-79.1 describes the regulations and specifications of Wellhead Protection Buffers. The owner is requesting a waiver from Section 187-79.1A which restricts the amount of impervious area allowed to be constructed nearer than 150 feet to a public drinking water supply well.

Based on geotechnical information provided by Geo-Technology Associates and calculations of pre and post development infiltration estimates provided to the Department of Natural Resources and Environmental Control Division of Water, we feel the post development recharge will exceed the values of pre-development infiltration resulting in a net gain of recharge to the surficial aquifer.

Correspondence to this affect has been included from Doug Rambo, P.G., a hydrologist at the Source Water Assessment and Protection Program of DNREC.

Thank you for your consideration in this matter.

Sincerely,

Kevin R. Minnich
Professional Engineer



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL

COMMERCIAL &
GOVERNMENT SERVICES:
WATER SUPPLY
ASSESSMENT &
PROTECTION

DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

PHONE
(302) 739-9948

April 17, 2025

Kevin Minnich
Minnich Engineering & Land Planning
868 Greenwood Road
Greenwood, DE 19950

Re: Lands of Shiv Shanker, Inc.
Tax parcel: 1-00-01900-02-1700-00001

Dear Mr. Minnich:

Thank you for providing a copy of the subsurface exploration report for the lands of Shiv Shanker, Inc. in Smyrna for potential development into a microbrewery. This parcel is partially covered by the wellhead protection areas (WHPAs) for the Hedgerow Hollow development located just north of your site.

I have reviewed the report written by Geo-Technology Associates, Inc. and the calculations of pre-development infiltration as well as the estimations for post-development recharge and agree that with the proposed site redesign, post development recharge is going to exceed the values of pre-development infiltration resulting in a net-gain of recharge to the surficial aquifer.

This should meet the requirements of the Kent County Source Water Protection Ordinance.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas E. Rambo".

Douglas E. Rambo, P.G.
Hydrogeologist
Source Water Assessment and Protection Program

GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL • ENVIRONMENTAL •
CONSTRUCTION OBSERVATION AND TESTING

A Practicing Geoprofessional Business Association Member Firm



February 20, 2025

Minnich Engineering, Inc.
868 Greenwood Road
Greenwood, Delaware 19950

Attn: Mr. Kevin R. Minnich, P.E.

Re: Report of SWM Subsurface Exploration
Microbrewery - Shanker
2252 S. Dupont Boulevard
Smyrna
Kent County, Delaware

Ladies & Gentlemen:

In accordance with our agreement dated October 30, 2024, Geo-Technology Associates, Inc. (GTA) has performed a subsurface exploration for the proposed stormwater management (SWM) area for the above referenced project. The purpose of the subsurface exploration was to evaluate the estimated seasonal high groundwater elevation; potential suitability of infiltration of subsurface soils and SWM construction. A site plan titled *Lands of Shiv Shanker, Inc.* prepared by Minnich Engineering & Land Planning and dated September 30, 2024, was referenced for this report. The results of our subsurface exploration are summarized below.

Referring to the attached Figure No. 1, *Site Location Plan*, the site consists of an approximate 2-acre rectangular parcel, situated at the west side of South Dupont Boulevard and south side of Hedgerow Hollow Road in the Smyrna area of Kent County, Delaware. From review of historical satellite imagery, it appears that several structures were demolished in 2023, and the property is now an open fallow lot. Residential properties border the site to the north, south and west. The study area is generally flat, with the ground surface at the exploration locations ranging from approximate Elevation 44 to 47 Mean Sea Level (MSL), as estimated from the referenced plans.

According to the Geologic Map of Kent County, Delaware Geologic Map Series No. 14 (2007) published by the Delaware Geological Survey, the site is within the Coastal Plain Physiographic Province. Coastal Plain sediments below the surficial deposits exposed in the site area were generally deposited in commonly estuarine environments of Quaternary geologic age. The Middle Pleistocene deposits are designated as the Columbia Formation and typically consist

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of “...fine to coarse, feldspathic quartz sand with varying amount of gravel.” Please review the referenced map for further details regarding this geologic unit.

From review of the USDA Soil Survey, the soils predominately conform to Downer-Urban land complex (0 to 5 percent slopes). The soils map information is attached.

From review of the attached Monthly Groundwater Depth for Mc-51-01a, Columbia Aquifer, taken from the Delaware Geological Survey website, the groundwater depth at Well Mc-51-01a, was below the normal seasonal high when the borings were performed in December 2024. It should be noted that the magnitude of fluctuation between the current groundwater level and the seasonal high groundwater level decreases towards the coast.

GTA performed five auger borings, designated as SWM-1 through SWM-5, to depths of 10 feet below the ground surface. Longer-term water readings were taken one to two days after completion and the holes were backfilled after the longer-term water readings were taken. The exploration locations were selected and staked by GTA tape measuring from existing site features. The ground surface elevations were estimated from the referenced plan. Relative locations are shown on the attached Exploration Location Plan. The exploration locations indicated on the plan should be considered approximate. The exploration logs are attached.

The soils were visually classified in accordance with the Unified Soil Classification System (USCS) and the United States Department of Agriculture (USDA) classification system. The explorations encountered an approximately 5- to 12-inch-thick surficial topsoil layer. Beneath the topsoil, Borings SWM-1 and SWM-2 encountered an approximate 2 to 2½-foot-thick layer of fill visually classified as consisting of Silty SAND and Clayey SAND, followed by open-graded aggregate extending to 5½ to 6 feet deep.

Below the topsoil/fill, where encountered, the explorations encountered native subsoils visually classified as predominately consisting of Silty SAND (USCS: SM; USDA: Sandy Loam), Poorly-graded SANDs with Silt (SP-SM; Loamy Sand) and Well-graded SANDs with Silt (SW-SM; Loamy Sand).

GTA’s estimate of the seasonal high groundwater level at the borings is based upon soil coloring, mottling and/or saturation. The results of the groundwater level readings and GTA’s opinion of the estimated seasonal high groundwater depth are summarized as follows:

GROUNDWATER DATA SUMMARY

Exploration No.	Existing Ground Surface Elevation (MSL)	Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Groundwater at Completion	Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Groundwater One to Two Days After Completion	*Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Estimated Seasonal High Groundwater
SWM-1	EL 47	Dry to 10.0 / Dry to EL 37.0	Dry to 10.0 / Dry to EL 37.0	10 / EL 37
SWM-2	EL 46	Dry to 10.0 / Dry to EL 36.0	Dry to 10.0 / Dry to EL 36.0	9 / EL 37
SWM-3	EL 47	Dry to 10.0 / Dry to EL 37.0	Dry to 10.0 / Dry to EL 37.0	10 / EL 37

Exploration No.	Existing Ground Surface Elevation (MSL)	Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Groundwater at Completion	Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Groundwater One to Two Days After Completion	*Depth Below Existing Ground Surface (ft.) / Elevation (MSL) to Estimated Seasonal High Groundwater
SWM-4	EL 47	Dry to 10.0 / Dry to EL 37.0	Dry to 10.0 / Dry to EL 37.0	10 / EL 37
SWM-5	EL 44	Dry to 10.0 / Dry to EL 34.0	Dry to 10.0 / Dry to EL 34.0	7 / EL 37

*Seasonal high groundwater estimate based upon observed soil mottling, color and/or saturation and should be considered approximate.

The groundwater levels can be expected to fluctuate with seasonal changes, precipitation, and other factors such as development activity. Please refer to the exploration logs and idealized subsurface profile provided in the attachments for further information.

Selected samples obtained from the borings were tested for grain-size analysis, Atterberg Limits and natural moisture contents. The grain-size analysis and Atterberg Limits testing were performed to determine the Unified Soil Classification System (USCS) designation for the soil. The results of testing are as follows:

SUMMARY OF LABORATORY TESTING

EXPLORATION NO.	DEPTH (FT.)	USCS CLASSIFICATION	LL (%)	PI (%)	NMC (%)
SWM-1	5.9 – 10	Well-graded SAND with Silt and Gravel (SW-SM)	NP	NP	3.1
SWM-4	5.5 – 10	Silty SAND (SM)	NP	NP	9.1

Note: LL=Liquid Limit PI=Plastic Index NP=Non-plastic NMC=Natural Moisture Content

Please refer to the attached laboratory test results for additional information.

The guidelines established in the *Delaware Post Construction Stormwater BMP Standards & Specifications*, dated February 2019 indicate that the minimum infiltration rate for all runoff reduction and infiltration practices is one-inch per hour. Also, a vertical separation of at least two-feet from the seasonal high groundwater elevation or limiting layer is required for all infiltration practices.

Four single ring, 5-inch diameter, and one single ring, 12-inch diameter, falling head infiltration tests were performed at locations offset from the borings. The infiltration test holes were pre-soaked prior to the falling head tests. Each test location was charged with a six-inch head and the water level drop was recorded at 15 minutes or less intervals. The results of the infiltration tests, test depths, estimated seasonal high groundwater and soil type at each test location are summarized as follows:

SUMMARY OF INFILTRATION DATA

TEST NO.	EXISTING GROUND SURFACE ELEVATION (MSL)	*DEPTH BELOW EXISTING GROUND SURFACE (FT.)/ ELEVATION (MSL) TO ESTIMATED SEASONAL HIGH GROUNDWATER	INFILTRATION TEST DEPTH BELOW EXISTING GROUND SURFACE (FT)/ ELEVATION (MSL)	PIPE DIAMETER	**INFILTRATION TEST INFILTRATION RATE (IN/HR)	ESTIMATED VISUAL USDA SOIL CLASSIFICATION
SWM-1	EL 47	10 / EL 37	8.0 / EL 39.0	5	6.0	Sand
SWM-2	EL 46	9 / EL 37	7.0 / EL 39.0	5	4.8	Loamy Sand
SWM-3	EL 47	10 / EL 37	8.0 / EL 39.0	5	6.0	Loamy Sand
SWM-4	EL 47	10 / EL 37	8.0 / EL 39.0	5	5.0	Loamy Sand
SWM-5	EL 44	7 / EL 37	5.0 / EL 39.0	12	3.0	Sandy Loam/Loamy Sand

*Seasonal high groundwater estimate based upon observed soil mottling, color and/or saturation and should be considered approximate.

** Infiltration tests performed in general accordance with ASTM D-5126.

Based upon the average infiltration rates and using a factor of safety of 2.5 for the 5-inch diameter tests and 2 for the 12-inch diameter tests, GTA recommends the following for infiltration rates for the SWM design.

SUMMARY OF INFILTRATION SUITABILITY

SWM AREA	PREDOMINANT USDA SOIL TYPE	SUITABILITY OF LOCATION FOR INFILTRATION PRACTICE	RECOMMENDED FACILITY BOTTOM RANGE OF ELEVATION (MSL)	RECOMMENDED MAXIMUM DESIGN INFILTRATION RATE (IN/HR)*
SWM-1	Sand	Suitable	EL 39.0 – EL 40.5	2.4
SWM-2	Loamy Sand	Suitable	EL 39.0 – EL 40.5	1.9
SWM-3	Loamy Sand	Suitable	EL 39.0 – EL 40.5	2.4
SWM-4	Loamy Sand	Suitable	EL 39.0 – EL 40.5	2.0
SWM-5	Sandy Loam/Loamy Sand	Suitable	EL 39.0 – EL 40.5	1.5

*FS=2 ½ for 5-inch test; 2 for 12-inch test

GTA recommends excavating the facility bottom through the fill and less permeable soils and into the Sand/Loamy Sand/Sandy Loam layers. To facilitate placement in the Sand/Loamy Sand/Sandy Loam layers, the actual facility bottom elevation will vary and should be adjusted as required in the field based upon the observed conditions at the time of construction.

GTA recommends that infiltration facilities be excavated using a track-mounted excavator, which will generally eliminate the need to operate equipment directly on the subgrade.

Post-construction infiltration testing should be provided, and the groundwater depth observed within proposed SWM facilities with the results reported to the site engineer for conformance with the facility design parameters. The earthwork contractor should anticipate that the post-construction infiltration testing will take two days to complete once the facility bottom is exposed.

GTA does not recommend using a SWM facility as a temporary sediment basin; however, if a portion of a SWM facility is to be used for a temporary sediment basin, GTA recommends excavating the basin to two feet above the planned pond bottom and limiting the footprint of the temporary basin, if practical, to minimize degradation (e.g., decreased permeability) of the infiltration facility basin. In pond areas where the final pond bottom excavation cannot be achieved by an excavator reaching out from the banks, “finger islands” that are at least three feet above the plan bottom should be excavated to facilitate an excavator’s reach.

All SWM pond construction should conform to *Delaware Conservation Practice Standard Pond Code 378* and *Code 521*, latest editions and *Delaware Sediment and Stormwater Regulations*, latest edition, as applicable.

Limitations

This report, including all supporting exploration logs, field data, field notes, estimates, and other documents prepared by GTA in connection with this project, has been prepared for the exclusive use of Minnich Engineering, Inc. pursuant to the agreement between GTA and Minnich Engineering, Inc. dated October 30, 2024, and in accordance with generally accepted engineering practice. All terms and conditions set forth in the Agreement are incorporated herein by reference. No warranty, express or implied, is given herein. Use and reproduction of this report by any other person without the expressed written permission of GTA and Minnich Engineering, Inc. is unauthorized and such use is at the sole risk of the user.

The analysis and recommendations contained in this report are based on the data obtained from limited observation and testing of the encountered materials. Explorations indicate soil and groundwater conditions only at specific locations and times and only to the depths penetrated. They do not necessarily reflect strata variations that may exist between the exploration locations. Consequently, the analysis and recommendations must be considered preliminary until the subsurface conditions can be verified by direct observation at the time of construction. If variations in subsurface conditions from those described are noted during construction, recommendations in this report may need to be re-evaluated.

In the event that any changes in the nature, design, or location of the facilities are planned, the conclusions and recommendations contained in this report should not be considered valid unless the changes are reviewed, and conclusions of this report are verified in writing. Geo-Technology Associates, Inc. is not responsible for any claims, damages, or liability associated with interpretation of subsurface data or reuse of the subsurface data or engineering analysis without the expressed written authorization of Geo-Technology Associates, Inc.

The scope of our services for this geotechnical exploration did not include any environmental assessment or investigation for the presence or absence of wetlands, or hazardous or toxic materials in the soil, surface water, groundwater or air, on or below or around this site. Any statements in this report or on the logs regarding odors or unusual or suspicious items or conditions observed are strictly for the information of our Client. The subject matter of this report is limited to the facts and matters stated herein. Absence of a reference to any other conditions or subject matter shall not be constructed by the reader to imply approval by the writer.

We appreciate the opportunity to be of assistance on this project. Should you have any questions or require additional information, please contact our office at (302) 855-9761.

Sincerely,
GEO-TECHNOLOGY ASSOCIATES, INC.



Travis P. Caraway, P.E.
Associate



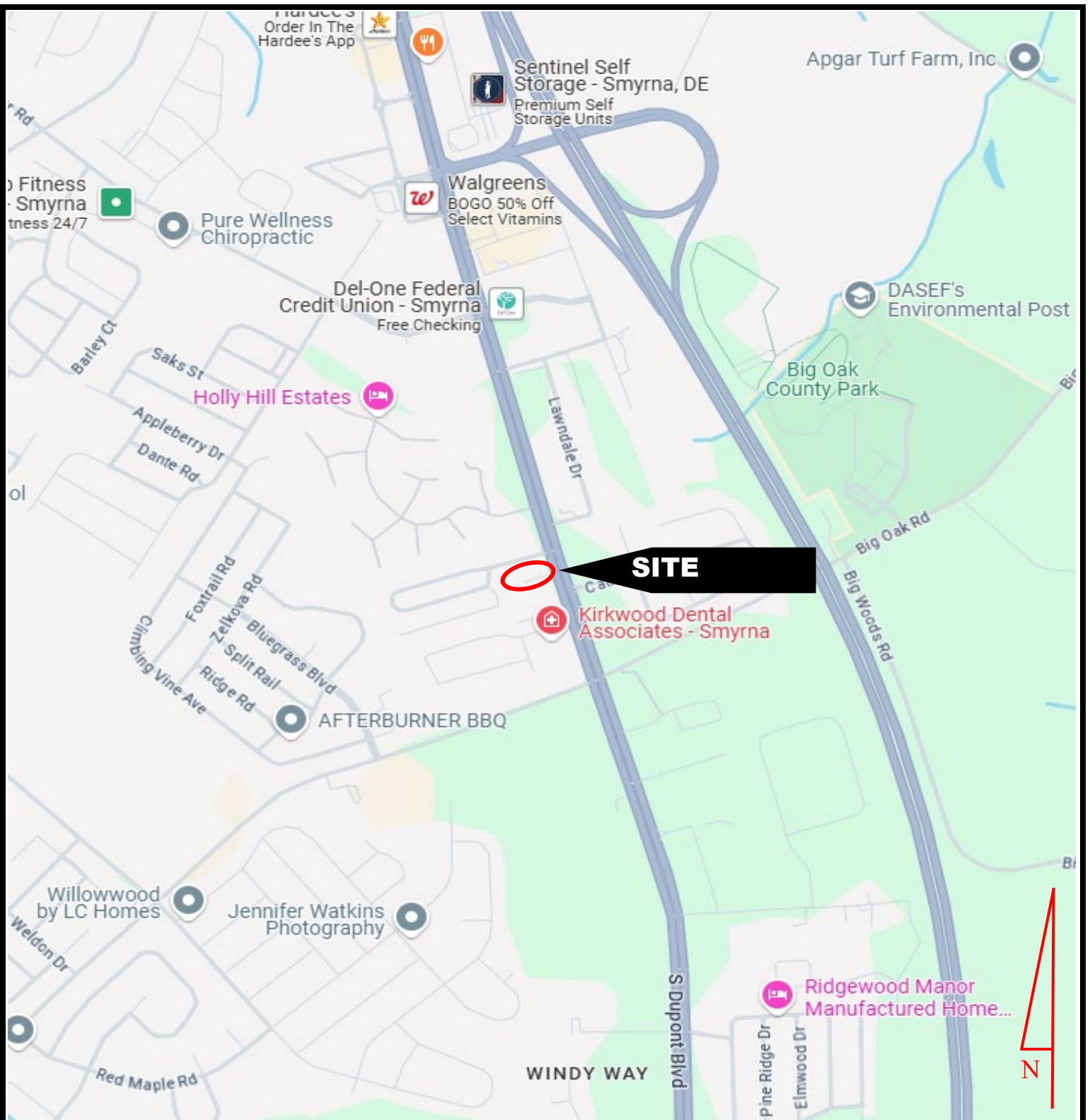
Gregory R. Sauter, P.E.
Vice President



GRS/TPC/llh
31242639

S:\1 Job File\2024 Projects\31242639-Microbrewery - Shanker\Report\Microbrewery - GTA Report for SWM Subsurface Exploration.doc

Attachments: Site Location Plan (1 page)
Exploration Location Plan (1 page)
Subsurface Profile (1 page)
USDA Soil Survey Map (3 pages)
Water Conditions Summary Page (1 page)
Notes for Exploration Logs (1 page)
Exploration Logs (5 pages)
Infiltration Logs (5 pages)
Particle Size Distribution Report (2 pages)
GBA – Important Information about your Geotechnical Engineering Report (2 pages)



Site Location Plan taken from Google Maps

	GEO-TECHNOLOGY ASSOCIATES, INC. GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS 21491 Baltimore Avenue, Unit 1 Georgetown, Delaware 19947 (302) 855-9761		Site Location Plan Microbrewery - Shanker Kent County, Delaware		
SCALE NTS	DATE January 2025	DRAWN BY GTA	DESIGN BY Google Maps	REVIEW BY GRS	JOB NO. 31242639



Exploration Location Plan taken from Google Earth and a plan titled *Lands of Shiv Shanker*



Boring Location



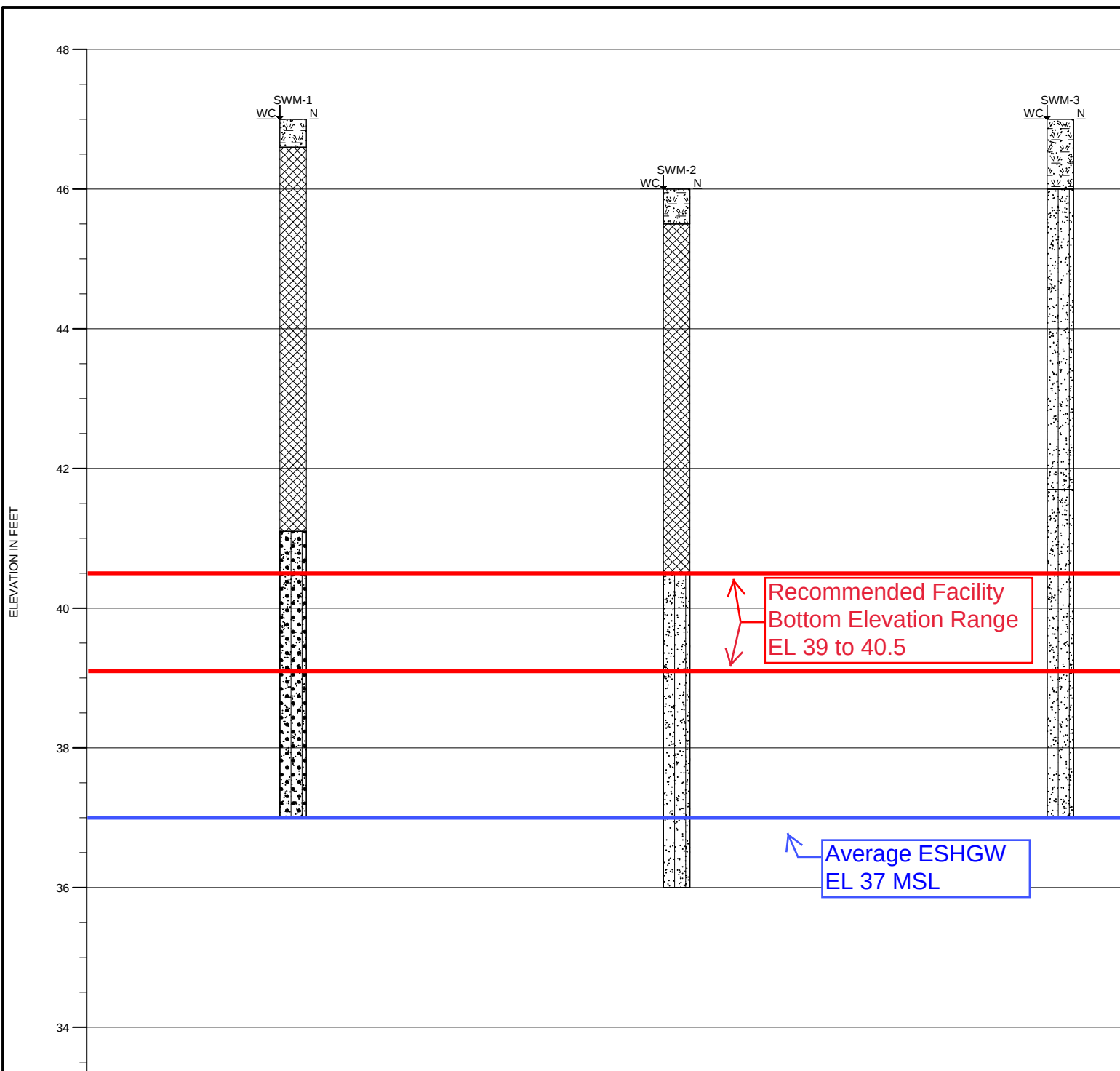
SCALE 11X17

1"~50'

GEO-TECHNOLOG
 GEOTECHNICAL AND ENV
 21491 Baltimore
 Georgetown,
 (302) 8

DATE

December 2024

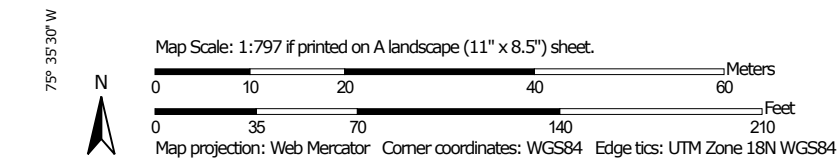


Symbol Description

-  Topsoil
-  Existing Fill
-  SW-SC - Well Graded Sand with Silt
-  SP-SM - Poorly Graded Sand with Silt

-  SM - Silty Sand
-  Approximate horizontal location of exploration

Soil Map—Kent County, Delaware
(Microbrewery - Shanker)



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

MAP LEGEND

MAP INFORMATION

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

The soil surveys that comprise your AOI are at a scale of 1:24,000.

Warning: Soil Map may not be valid at this scale. Enlargement of maps beyond the scale may result in a misunderstanding of the detail of mapping and line placement. The maps do not show contrasting soils that could have been shown at a smaller scale.

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: [https://websoilsurvey.sc.egov.usda.gov](#)
Coordinate System: Web Mercator (EPSG:3855)

Maps from the Web Soil Survey are based on the Universal Transverse 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 for accurate calculations of distance or area.

This product is generated from the USDA National Engineering Laboratory version of the version date(s) listed below.

Soil Survey Area: Kent County, Delaware
Survey Area Data: Version 21, Aug 31, 2011

Soil map units are labeled (as space allows) at a scale of 1:50,000 or larger.

Date(s) aerial images were photographed: 2022

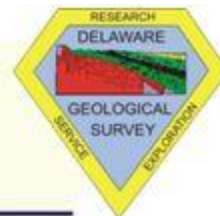
The orthophoto or other base map on which this map is compiled and digitized probably differs from the imagery displayed on these maps. As a result, shifting of map unit boundaries may be observed.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DuB	Downer-Urban land complex, 0 to 5 percent slopes	2.0	100.0%
Totals for Area of Interest		2.0	100.0%

Delaware Geological Survey

State of Delaware
University of Delaware • Delaware Geological Survey Building
Newark, Delaware 19716-7501



Kent County Hydrologic Conditions – December 31, 2024

PRECIPITATION

Dover - running surplus/deficit

12-month: -6.59" 6-month: -10.95" 5-month: -11.76"

STREAMFLOW

St. Jones at Dover – 30-day moving average (December 2 - December 31)

6.8 mgd

Status: below normal

GROUNDWATER

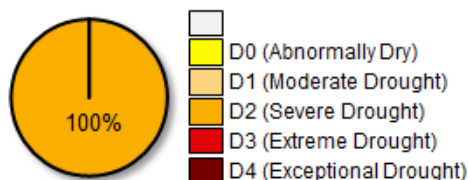
Well Mc51-01a

16.4 fbls

Status: below normal

(normal for December is between 11.4 fbls and 14.6 fbls)

Kent County (DE) Percent Area in U.S. Drought Monitor Categories
December 31, 2024



Modified from the U.S. Drought Monitor
National Drought Mitigation Center

Sussex County Hydrologic Conditions – December 31, 2024

PRECIPITATION

Georgetown - running surplus/deficit

12-month: -2.74" 6-month: -11.94" 5-month: -9.14"

STREAMFLOW

Nanticoke River at Bridgeville– 30-day moving average (December 2 - December 31)

13.9 mgd

Status: below normal

GROUNDWATER

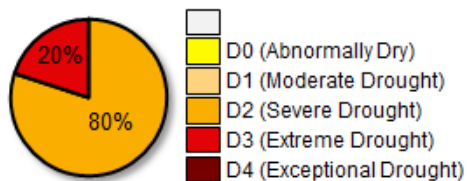
Pe54-51 (Jones Crossroads)

10.6 fbls

Status: below normal

(normal for December is between 7.2 fbls and 10.5 fbls)

Sussex County (DE) Percent Area in U.S. Drought Monitor Categories
December 31, 2024



Modified from the U.S. Drought Monitor
National Drought Mitigation Center

NOTES FOR EXPLORATION LOGS

KEY TO USCS TERMINOLOGY AND GRAPHIC SYMBOLS

MAJOR DIVISIONS (BASED UPON ASTM D 2488)			SYMBOLS	
			GRAPHIC	LETTER
COARSE-GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVELS (LESS THAN 15% PASSING THE NO. 200 SIEVE)		GW
		GRAVELS WITH FINES (MORE THAN 15% PASSING THE NO. 200 SIEVE)		GP
	SAND AND SANDY SOILS MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE	CLEAN SANDS (LESS THAN 15% PASSING THE NO. 200 SIEVE)		SW
				SP
		SANDS WITH FINES (MORE THAN 15% PASSING THE NO. 200 SIEVE)		SM
				SC
FINE-GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILT OR CLAY ($<15\%$ RETAINED ON THE NO. 200 SIEVE) SILT OR CLAY WITH SAND OR GRAVEL (15% TO 30% RETAINED ON THE NO. 200 SIEVE) SANDY OR GRAVELLY SILT OR CLAY ($>30\%$ RETAINED ON THE NO. 200 SIEVE)			ML
				CL
				OL
	ELASTIC SILTS AND FAT CLAYS LIQUID LIMIT LESS THAN 50 ELASTIC SILTS AND FAT CLAYS LIQUID LIMIT GREATER THAN 50			MH
				CH
				OH
HIGHLY ORGANIC SOILS				PT

NOTE: DUAL SYMBOLS ARE USED TO INDICATE COARSE-GRAINED SOILS WHICH CONTAIN AN ESTIMATED 5 TO 15% FINES BASED ON VISUAL CLASSIFICATION OR BETWEEN 5 AND 12% FINES BASED ON LABORATORY TESTING; AND FINE-GRAINED SOILS WHEN THE PLOT OF LIQUID LIMIT & PLASTICITY INDEX VALUES FALLS IN THE PLASTICITY CHART'S CROSS-HATCHED AREA. FINE-GRAINED SOILS ARE CLASSIFIED AS ORGANIC (OL OR OH) WHEN ENOUGH ORGANIC PARTICLES ARE PRESENT TO INFLUENCE ITS PROPERTIES. LABORATORY TEST RESULTS ARE USED TO SUPPLEMENT SOIL CLASSIFICATION BY THE VISUAL-MANUAL PROCEDURES OF ASTM D 2488.

ADDITIONAL TERMINOLOGY AND GRAPHIC SYMBOLS

ADDITIONAL DESIGNATIONS	DESCRIPTION		GRAPHIC SYMBOLS
	TOPSOIL		
	MAN MADE FILL		
	GLACIAL TILL		
	COBBLES AND BOULDERS		
RESIDUAL SOIL DESIGNATIONS	DESCRIPTION	"N" VALUE	
	HIGHLY WEATHERED ROCK	50 TO 50/1"	
	PARTIALLY WEATHERED ROCK	MORE THAN 50 BLOWS FOR 1" OF PENETRATION OR LESS, AUGER PENETRABLE	

COARSE-GRAINED SOILS (GRAVEL AND SAND)

DESIGNATION	BLOWS PER FOOT (BPF) "N"
VERY LOOSE	0 - 4
LOOSE	5 - 10
MEDIUM DENSE	11 - 30
DENSE	31 - 50
VERY DENSE	>50

NOTE: "N" VALUE DETERMINED AS PER ASTM D 1586

FINE-GRAINED SOILS (SILT AND CLAY)

CONSISTENCY	BPF "N"
VERY SOFT	<2
SOFT	2 - 4
MEDIUM STIFF	5 - 8
STIFF	9 - 15
VERY STIFF	16 - 30
HARD	>30

NOTE: ADDITIONAL DESIGNATIONS TO ADVANCE SAMPLER INDICATED IN BLOW COUNT COLUMN:
WOH = WEIGHT OF HAMMER
WOR = WEIGHT OF ROD(S)

SAMPLE TYPE

DESIGNATION	SYMBOL
SOIL SAMPLE	S-
SHELBY TUBE	U-
ROCK CORE	R-

WATER DESIGNATION

DESCRIPTION	SYMBOL
ENCOUNTERED DURING DRILLING	
UPON COMPLETION OF DRILLING	
24 HOURS AFTER COMPLETION	

NOTE: WATER OBSERVATIONS WERE MADE AT THE TIME INDICATED. POROSITY OF SOIL STRATA, WEATHER CONDITIONS, SITE TOPOGRAPHY, ETC. MAY CAUSE WATER LEVEL CHANGES.

LOG OF EXPLORATION NO. SWM-1

Sheet 1 of 1

PROJECT: **Microbrewery - Shanker**
PROJECT NO.: **31242639**
PROJECT LOCATION: **Kent County, Delaware**

WATER LEVEL (ft):  **Dry 10**  **Dry 10**
DATE: **12/16/24** **12/18/24**
CAVED (ft): **-** **-**

DATE STARTED: **12/16/2024**
DATE COMPLETED: **12/16/2024**
DRILLING CONTRACTOR: **Geo-Technology Associates, Inc.**
DRILLER: **K. Mitchell**
DRILLING METHOD: **Auger**
SAMPLING METHOD: **Discrete**

GROUND SURFACE ELEVATION: **47**
DATUM: **Topo**
EQUIPMENT: **Hand Auger**
LOGGED BY: **EES**
CHECKED BY: **T. Caraway**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE BLOWS/1 1/4 inches	DCP (see notes)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
				47.0	0	TS		Topsoil: 5 inches	
				46.6		FILL		Brown, moist, Silty SAND (FILL)	
					2				
						FILL		Poorly-graded ROCK FRAGS	
					4				
				41.1	6	SW-SM		Orange-brown, moist, Well-graded SAND with Silt and Gravel USDA: Sand	
					8				
				37.0	10			Bottom of hole 10 feet	
					12				

NOTES: **Air Temp.: 49, 48 Hr. Precip.: 0.81 in., Coords: 39016°19.21"N, 75035°28.86"W**
ASTM D-2488



**GEO-TECHNOLOGY
ASSOCIATES, INC.**

21491 Baltimore Avenue, Suite 1
Georgetown, DE 19947

LOG OF EXPLORATION NO. SWM-1

LOG OF EXPLORATION NO. SWM-2

Sheet 1 of 1

PROJECT: **Microbrewery - Shanker**
 PROJECT NO.: **31242639**
 PROJECT LOCATION: **Kent County, Delaware**

WATER LEVEL (ft):  **Dry 10**  **Dry 10**
 DATE: **12/16/24** **12/18/24**
 CAVED (ft): **-** **-**

DATE STARTED: **12/16/2024**
 DATE COMPLETED: **12/16/2024**
 DRILLING CONTRACTOR: **Geo-Technology Associates, Inc.**
 DRILLER: **K. Mitchell**
 DRILLING METHOD: **Auger**
 SAMPLING METHOD: **Discrete**

GROUND SURFACE ELEVATION: **46**
 DATUM: **Topo**
 EQUIPMENT: **Hand Auger**
 LOGGED BY: **EES**
 CHECKED BY: **T. Caraway**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE BLOWS/1¼ inches	DCP (see notes)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
				46.0	0	TS		Topsoil: 6 inches	
				45.5		FILL		Brown, moist, Clayey SAND (FILL)	
					2				
						FILL		Poorly-graded ROCK FRAGS	
					4				
				40.5		SP-SM		Brown, moist, Poorly-graded SAND with Silt USDA: Loamy Sand	
					6				
					8				
				36.0	10			Bottom of hole 10 feet	
					12				

NOTES: **Air Temp.: 49, 48 Hr. Precip.: 0.81 in., Coords: 39°16'20.12"N, 75°35'29.27"W**
ASTM D-2488



**GEO-TECHNOLOGY
ASSOCIATES, INC.**

21491 Baltimore Avenue, Suite 1
 Georgetown, DE 19947

LOG OF EXPLORATION NO. SWM-2

LOG OF EXPLORATION NO. SWM-3

Sheet 1 of 1

PROJECT: **Microbrewery - Shanker**
PROJECT NO.: **31242639**
PROJECT LOCATION: **Kent County, Delaware**

WATER LEVEL (ft):  **Dry 10**  **Dry 10**
DATE: **12/3/24** **12/4/24**
CAVED (ft): **-** **-**

DATE STARTED: **12/3/2024**
DATE COMPLETED: **12/3/2024**
DRILLING CONTRACTOR: **Geo-Technology Associates, Inc.**
DRILLER: **K. Mitchell**
DRILLING METHOD: **Auger**
SAMPLING METHOD: **Discrete**

GROUND SURFACE ELEVATION: **47**
DATUM: **Topo**
EQUIPMENT: **Hand Auger**
LOGGED BY: **EES**
CHECKED BY: **T. Caraway**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE BLOWS/1 1/4 inches	DCP (see notes)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL		
								DESCRIPTION	REMARKS
				47.0	0	TS		Topsoil: 12 inches	
				46.0		SM		Brown, moist, Silty SAND USDA: Sandy Loam	
					2				
					4				
				41.7		SP- SM		Brown, moist, Poorly-graded SAND with Silt USDA: Loamy Sand	
					6				
					8				
				37.0	10			Bottom of hole 10 feet	
					12				

NOTES: **Air Temp.: 43, 48 Hr. Precip.: 0.0 in., Coords: 39°16'20.99"N, 75°35'28.06"W**
ASTM D-2488



**GEO-TECHNOLOGY
ASSOCIATES, INC.**

21491 Baltimore Avenue, Suite 1
Georgetown, DE 19947

LOG OF EXPLORATION NO. SWM-3

LOG OF EXPLORATION NO. SWM-4

Sheet 1 of 1

PROJECT: **Microbrewery - Shanker**
 PROJECT NO.: **31242639**
 PROJECT LOCATION: **Kent County, Delaware**

WATER LEVEL (ft):  **Dry 10**  **Dry 10**
 DATE: **12/3/24** **12/4/24**
 CAVED (ft): **-** **-**

DATE STARTED: **12/3/2024**
 DATE COMPLETED: **12/3/2024**
 DRILLING CONTRACTOR: **Geo-Technology Associates, Inc.**
 DRILLER: **K. Mitchell**
 DRILLING METHOD: **Auger**
 SAMPLING METHOD: **Discrete**

GROUND SURFACE ELEVATION: **47**
 DATUM: **Topo**
 EQUIPMENT: **Hand Auger**
 LOGGED BY: **EES**
 CHECKED BY: **T. Caraway**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE BLOWS/1 1/4 inches	DCP (see notes)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
				47.0	0	TS		Topsoil: 12 inches	
				46.0		SM		Brown-orange, moist, Silty SAND USDA: Sandy Loam/Loamy Sand	
					2				
					4				
					6				
					8				
				37.0	10			Bottom of hole 10 feet	
					12				

NOTES: **Air Temp.: 43, 48 Hr. Precip.: 0.0 in., Coords: 39°16'21.37"N, 75°35'26.67"W**
ASTM D-2488



**GEO-TECHNOLOGY
ASSOCIATES, INC.**

21491 Baltimore Avenue, Suite 1
 Georgetown, DE 19947

LOG OF EXPLORATION NO. SWM-4

LOG OF EXPLORATION NO. SWM-5

Sheet 1 of 1

PROJECT: **Microbrewery - Shanker**
 PROJECT NO.: **31242639**
 PROJECT LOCATION: **Kent County, Delaware**

WATER LEVEL (ft): **Dry 10**
 DATE: **12/3/24**
 CAVED (ft): **-**

DATE STARTED: **12/3/2024**
 DATE COMPLETED: **12/3/2024**
 DRILLING CONTRACTOR: **Geo-Technology Associates, Inc.**
 DRILLER: **K. Mitchell**
 DRILLING METHOD: **Auger**
 SAMPLING METHOD: **Discrete**

GROUND SURFACE ELEVATION: **44**
 DATUM: **Topo**
 EQUIPMENT: **Hand Auger**
 LOGGED BY: **EES**
 CHECKED BY: **T. Caraway**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE BLOWS/1 1/4 inches	DCP (see notes)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
				44.0	0	TS		Topsoil: 8 inches	
				43.3		SM		Brown, moist, Silty SAND USDA: Sandy Loam/Loamy Sand	
					2				
					4				
					6				
					8				
				34.0	10			Bottom of hole 10 feet	
					12				

NOTES: Air Temp.: 43, 48 Hr. Precip.: 0.0 in., Coords: 39016'21.64"N, 75035'25.54"W
 ASTM D-2488



**GEO-TECHNOLOGY
 ASSOCIATES, INC.**

21491 Baltimore Avenue, Suite 1
 Georgetown, DE 19947

LOG OF EXPLORATION NO. SWM-5

Geo-Technology Associates, Inc.

Single Ring Falling Head Infiltration Testing

Name: Mitchell

I. D. of Pipe: 5 in.

Test Depth: 8.0 / 39.0 ft. / EL

Depth of Casing Penetration: 1"

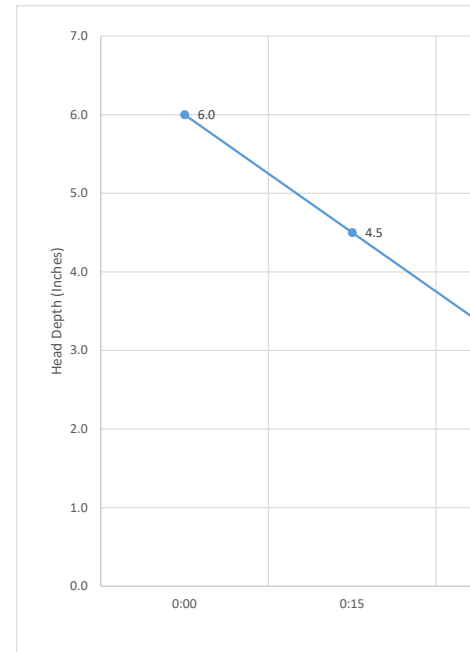
Soil Type Tested: Loamy Sand

Date 1/30/2025

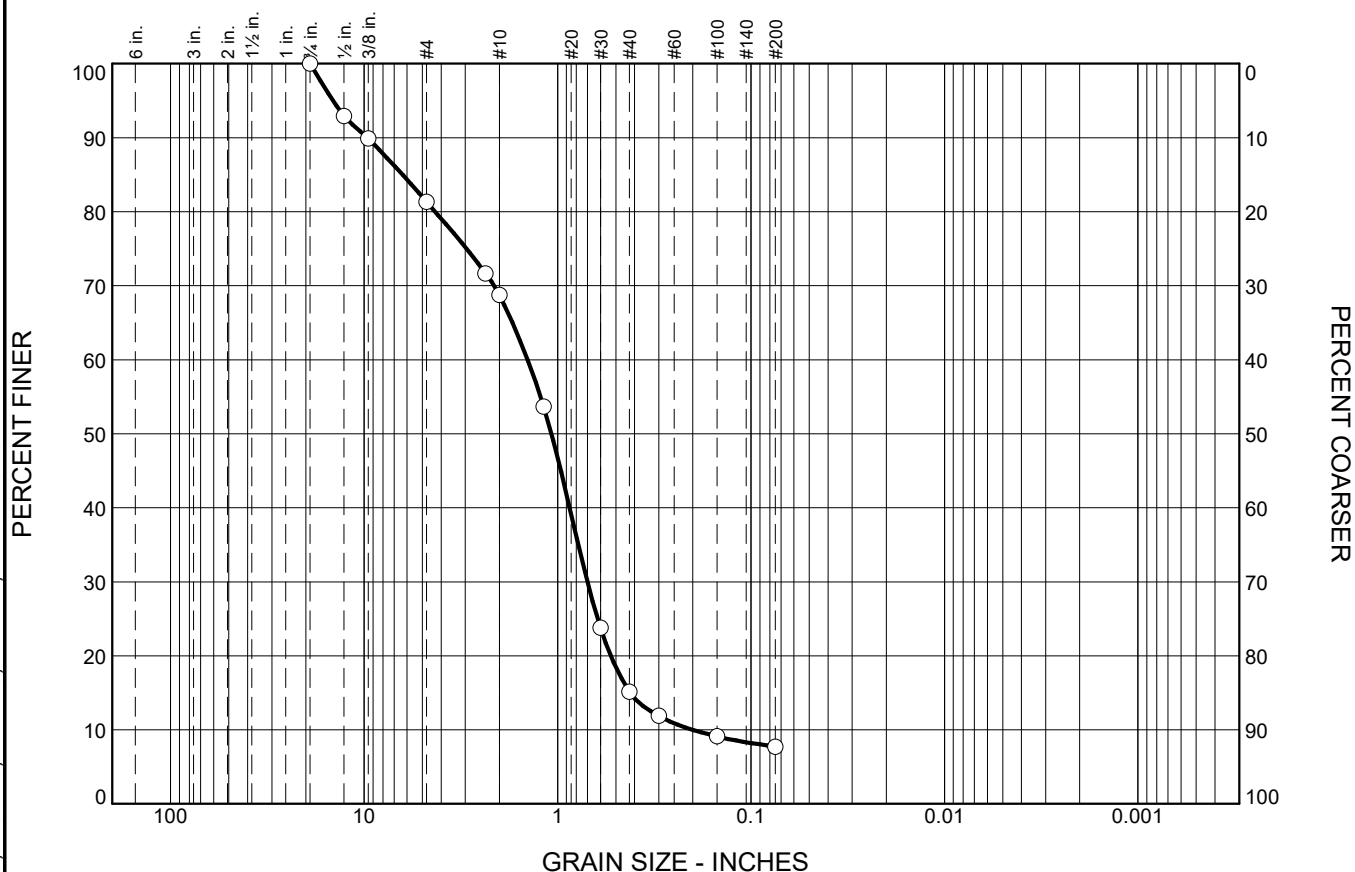
Temp_45°F Weather: Sunny
Rainfall Last 24 hrs. _0"__
Location: __SWM-3____
Presoak : 12" drop / 1+ hour

[illegible]

Steady State Infiltration Rate



Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines
	Coarse	Fine	Coarse	Medium	Fine	
0.0	0.0	18.7	12.5	53.6	7.5	7.7

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
0.75 in	100.0		
0.5 in	92.9		
0.375 in	89.9		
#4	81.3		
#8	71.7		
#10	68.8		
#16	53.7		
#30	23.8		
#40	15.2		
#50	11.9		
#100	9.1		
#200	7.7		

* (no specification provided)

Soil Description

Orange-brown, Well-graded SAND with Silt and Gravel

Atterberg Limits

PL= NP LL= NP PI= NP NM= 3.1

Coefficients

D₉₀= 9.5978 D₈₅= 6.3264 D₆₀= 1.4292
D₅₀= 1.0756 D₃₀= 0.7011 D₁₅= 0.4208
D₁₀= 0.1998 C_u= 7.15 C_c= 1.72

Classification

USCS= SW-SM AASHTO= A-1-b

Remarks

Source of Sample: SWM-1

Depth: 5.9-10.0 feet

Date: 12/16/2024



GEO-TECHNOLOGY ASSOCIATES, INC.

21491 Baltimore Avenue, Unit 1
Georgetown, DE 19947

Client: Minnich Engineering, Inc.

Project: Microbrewery - Shanker

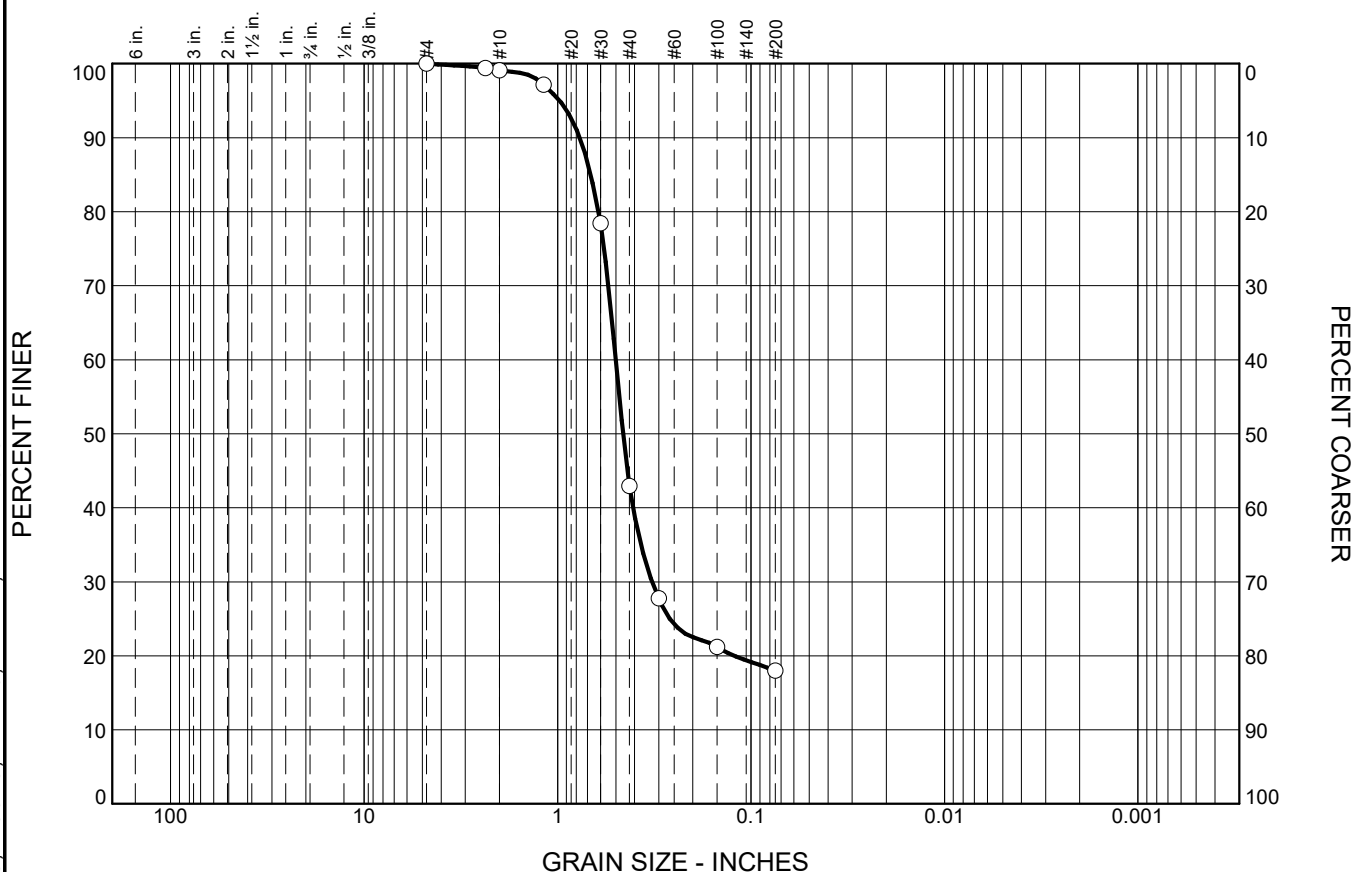
Project No: 31242639

Figure

Tested By: K. Kershaw

Checked By: T. Caraway

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines
	Coarse	Fine	Coarse	Medium	Fine	
0.0	0.0	0.0	0.9	56.1	25.0	18.0

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
#4	100.0		
#8	99.4		
#10	99.1		
#16	97.2		
#30	78.5		
#40	43.0		
#50	27.8		
#100	21.2		
#200	18.0		

* (no specification provided)

Soil Description

Orange, Silty SAND

Atterberg Limits

PL= NP LL= NP PI= NP NM= 9.1

Coefficients

D₉₀= 0.7683 D₈₅= 0.6746 D₆₀= 0.5005
D₅₀= 0.4590 D₃₀= 0.3245 D₁₅=
D₁₀= C_u= C_c=

Classification

USCS= SM AASHTO= A-1-b

Remarks

Source of Sample: SWM-4

Depth: 5.5-10.0 feet

Date: 12/3/2024



GEO-TECHNOLOGY ASSOCIATES, INC.

21491 Baltimore Avenue, Unit 1
Georgetown, DE 19947

Client: Minnich Engineering, Inc.

Project: Microbrewery - Shanker

Project No: 31242639

Figure

Tested By: K. Kershaw

Checked By: T. Caraway

Important Information about This Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you – assumedly a client representative – interpret and apply this geotechnical-engineering report as effectively as possible. In that way, you can benefit from a lowered exposure to problems associated with subsurface conditions at project sites and development of them that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed herein, contact your GBA-member geotechnical engineer. Active engagement in GBA exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

Understand the Geotechnical-Engineering Services Provided for this Report

Geotechnical-engineering services typically include the planning, collection, interpretation, and analysis of exploratory data from widely spaced borings and/or test pits. Field data are combined with results from laboratory tests of soil and rock samples obtained from field exploration (if applicable), observations made during site reconnaissance, and historical information to form one or more models of the expected subsurface conditions beneath the site. Local geology and alterations of the site surface and subsurface by previous and proposed construction are also important considerations. Geotechnical engineers apply their engineering training, experience, and judgment to adapt the requirements of the prospective project to the subsurface model(s). Estimates are made of the subsurface conditions that will likely be exposed during construction as well as the expected performance of foundations and other structures being planned and/or affected by construction activities.

The culmination of these geotechnical-engineering services is typically a geotechnical-engineering report providing the data obtained, a discussion of the subsurface model(s), the engineering and geologic engineering assessments and analyses made, and the recommendations developed to satisfy the given requirements of the project. These reports may be titled investigations, explorations, studies, assessments, or evaluations. Regardless of the title used, the geotechnical-engineering report is an engineering interpretation of the subsurface conditions within the context of the project and does not represent a close examination, systematic inquiry, or thorough investigation of all site and subsurface conditions.

Geotechnical-Engineering Services are Performed for Specific Purposes, Persons, and Projects, and At Specific Times

Geotechnical engineers structure their services to meet the specific needs, goals, and risk management preferences of their clients. A geotechnical-engineering study conducted for a given civil engineer

will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client.

Likewise, geotechnical-engineering services are performed for a specific project and purpose. For example, it is unlikely that a geotechnical-engineering study for a refrigerated warehouse will be the same as one prepared for a parking garage; and a few borings drilled during a preliminary study to evaluate site feasibility will not be adequate to develop geotechnical design recommendations for the project.

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project or purpose;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, the reliability of a geotechnical-engineering report can be affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If you are the least bit uncertain about the continued reliability of this report, contact your geotechnical engineer before applying the recommendations in it. A minor amount of additional testing or analysis after the passage of time – if any is required at all – could prevent major problems.*

Read this Report in Full

Costly problems have occurred because those relying on a geotechnical-engineering report did not read the report in its entirety. Do not rely on an executive summary. Do not read selective elements only. *Read and refer to the report in full.*

You Need to Inform Your Geotechnical Engineer About Change

Your geotechnical engineer considered unique, project-specific factors when developing the scope of study behind this report and developing the confirmation-dependent recommendations the report conveys. Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the elevation, configuration, location, orientation, function or weight of the proposed structure and the desired performance criteria;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project or site changes – even minor ones – and request an assessment of their impact. *The geotechnical engineer who prepared this report cannot accept*

responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

Most of the “Findings” Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site’s subsurface using various sampling and testing procedures. *Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing is performed.* The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgement to form opinions about subsurface conditions throughout the site. Actual site-wide subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team through project completion to obtain informed guidance quickly, whenever needed.

This Report’s Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are not final, because the geotechnical engineer who developed them relied heavily on judgement and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* exposed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.*

This Report Could Be Misinterpreted

Other design professionals’ misinterpretation of geotechnical-engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a continuing member of the design team, to:

- confer with other design-team members;
- help develop specifications;
- review pertinent elements of other design professionals’ plans and specifications; and
- be available whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction-phase observations.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note*

conspicuously that you’ve included the material for information purposes only. To avoid misunderstanding, you may also want to note that “informational purposes” means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. This happens in part because soil and rock on project sites are typically heterogeneous and not manufactured materials with well-defined engineering properties like steel and concrete. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled “limitations,” many of these provisions indicate where geotechnical engineers’ responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a “phase-one” or “phase-two” environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually provide environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures.* If you have not obtained your own environmental information about the project site, ask your geotechnical consultant for a recommendation on how to find environmental risk-management guidance.

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, the engineer’s services were not designed, conducted, or intended to prevent migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, *proper implementation of the geotechnical engineer’s recommendations will not of itself be sufficient to prevent moisture infiltration.* Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. *Geotechnical engineers are not building-envelope or mold specialists.*

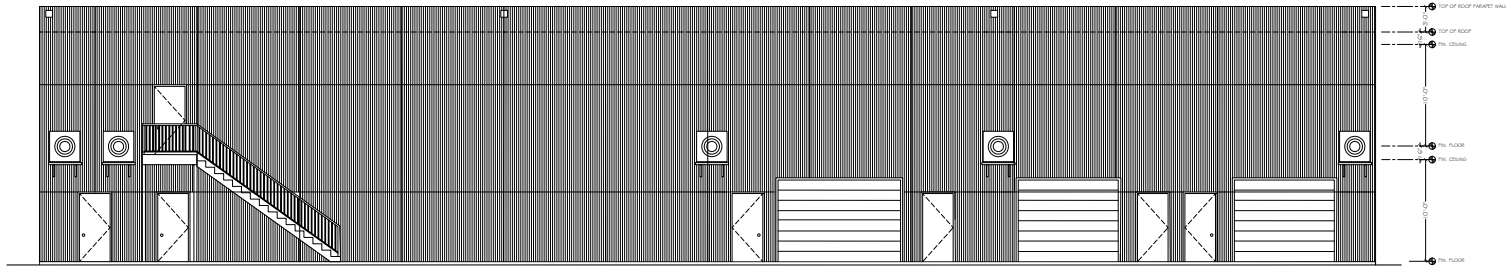


GEOPROFESSIONAL
BUSINESS
ASSOCIATION

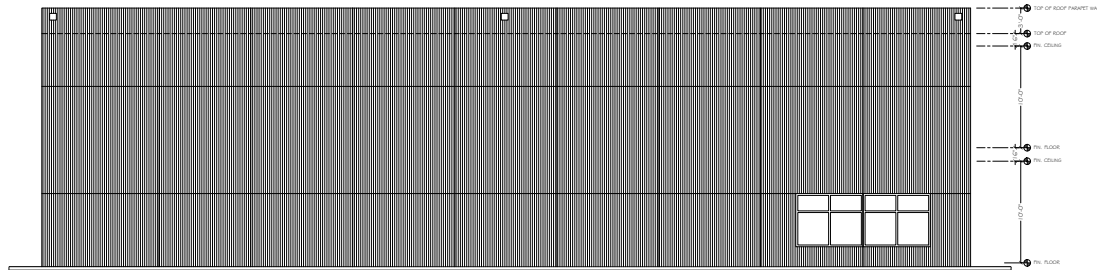
Telephone: 301/565-2733

e-mail: info@geoprofessional.org www.geoprofessional.org

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1 REAR ELEVATION - WEST
A1 SCALE: 3/16" = 1'-0"



2 LEFT ELEVATION - SOUTH
A1 SCALE: 3/16" = 1'-0"

DALE GRAHAM
CAD DESIGN
Residential & Commercial
Facility Documentation
5 Mateo Circle
Wilmington, DE 19804
302-415-5809 - Cell
grahamdale911@gmail.com

Engineer / Architect:

No.	REVISION	DATE

CLIENT NAME
& ADDRESS:
Blue Earl Brewing

Dupont Highway
Smyrna, DE.

PROJECT NAME
& ADDRESS:
Brewery Plans

Dupont Highway
Smyrna, DE.

DRAWN BY: DG PROJECT#:	CHECKED BY: SHEET#:
DATE: 07-11-24 SCALE:	A3

DALE GRAHAM
CAD DESIGN
Residential & Commercial
Facility Documentation
5 Mateo Circle
Wilmington, DE 19804
302-415-5809 - Cell
gghamdlie911@gmail.com

Engineer / Architect:

NO.	REVISION	DATE

CLIENT NAME
& ADDRESS:

Blue Earl Brewing

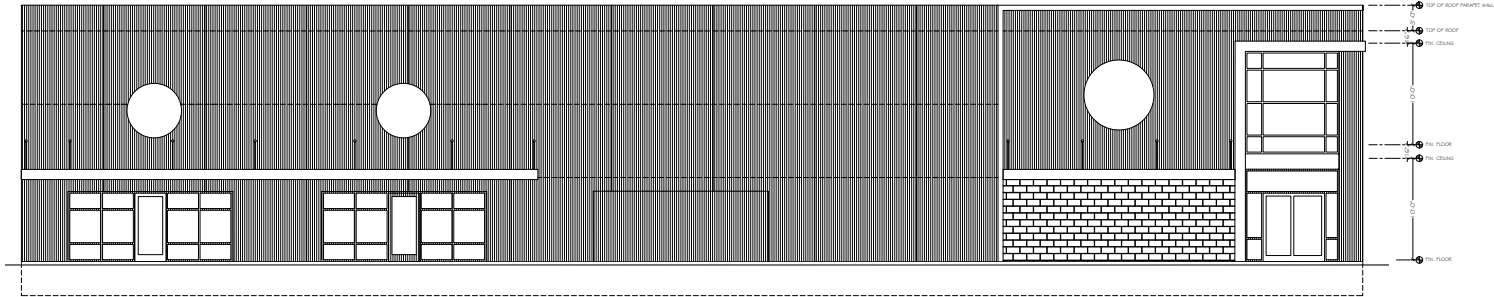
Dupont Highway
Smyrna, DE.

PROJECT NAME
& ADDRESS:

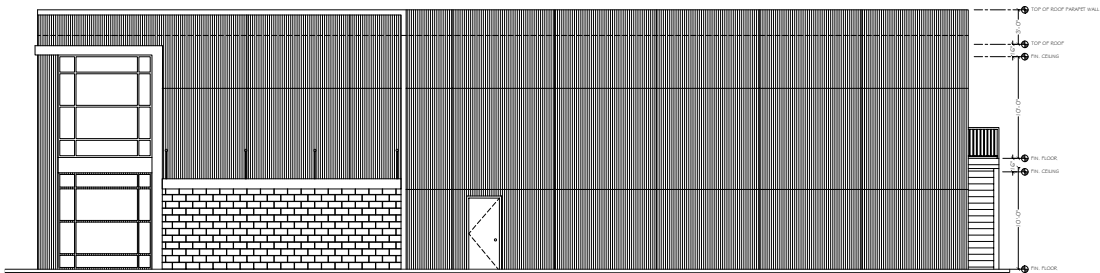
Brewery Plans

Dupont Highway
Smyrna, DE.

DRAWN BY: DG	CHECKED BY:
PROJECT#:	SHEET#:
DATE: 07-11-24	A4
SCALE:	



1 FRONT ELEVATION - EAST
A4 SCALE: 3/16" = 1'-0"



1 RIGHT ELEVATION - NORTH
A4 SCALE: 3/16" = 1'-0"

DALE GRAHAM
CAD DESIGN
Residential & Commercial
Facility Documentation
5 Matco Circle
Wilmington, DE 19804
302-415-5000 - Cell
grahamdale911@gmail.com

Engineer / Architect:

REV. REVISION DATE

CLIENT NAME
& ADDRESS:
Blue Earl Brewing

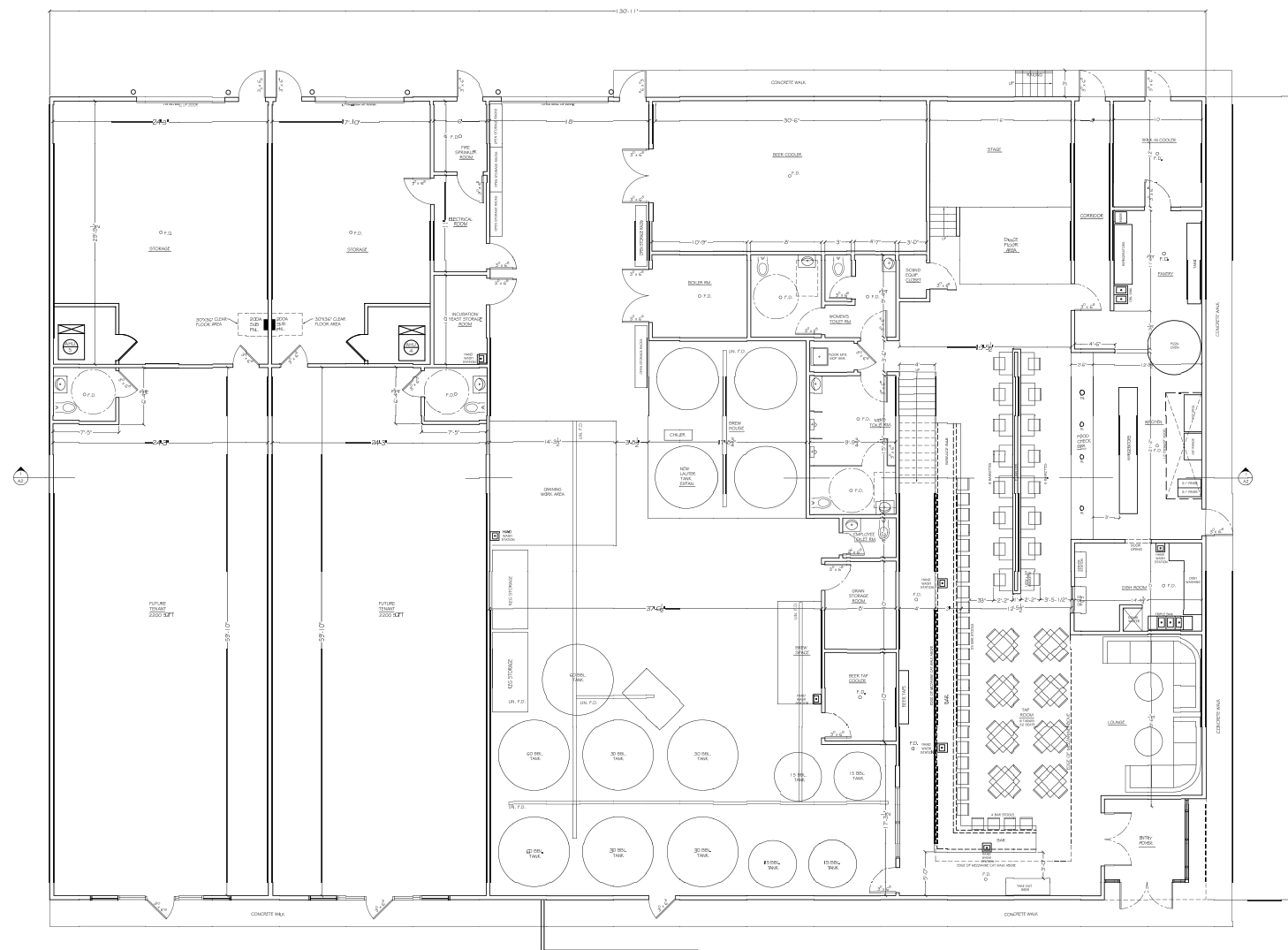
Dupont Highway
Smyrna, DE.

PROJECT NAME
& ADDRESS:
Brewery Plans
Dupont Highway
Smyrna, DE.

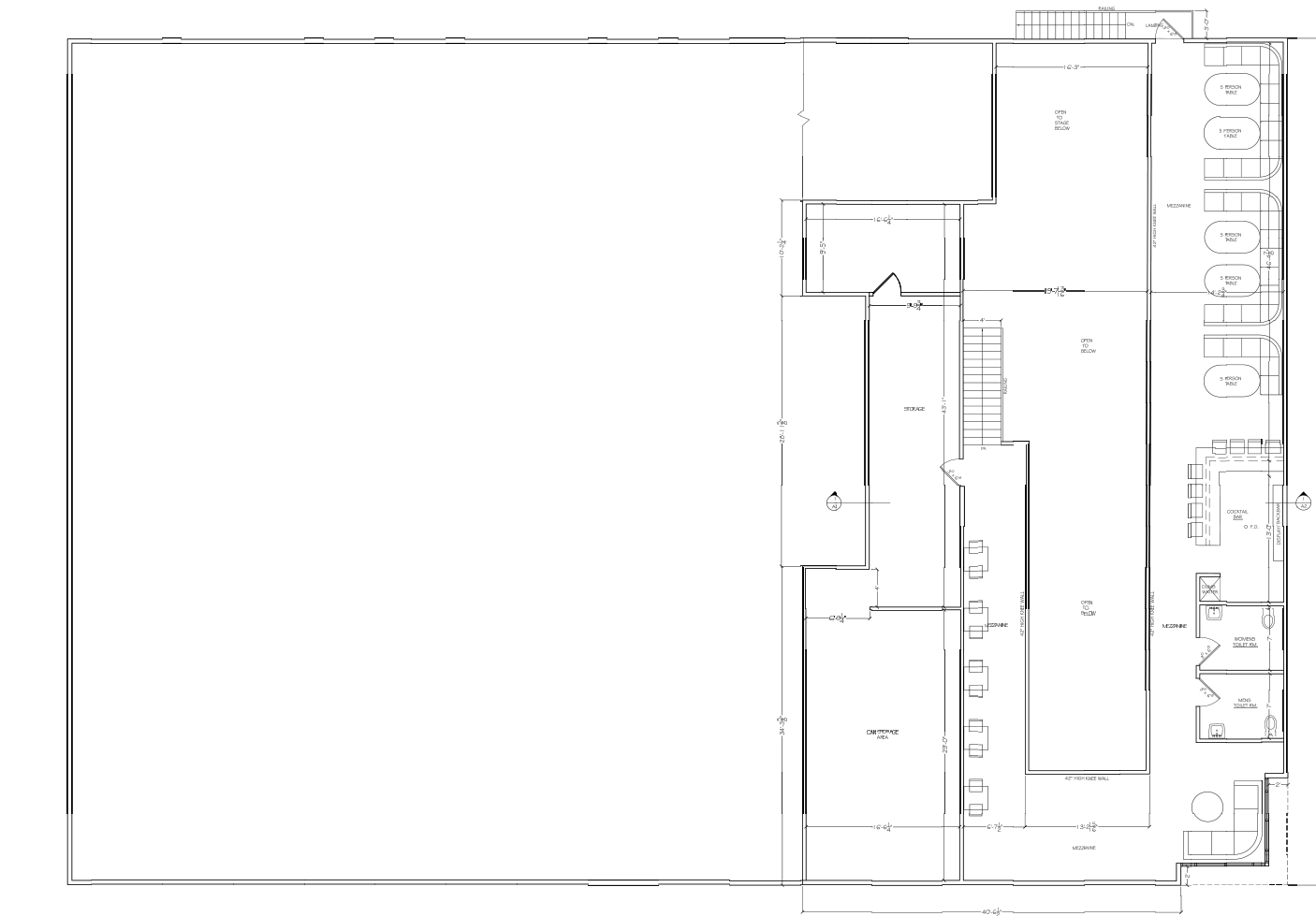
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BY: DG
PROJECT#: AI
DATE:
06/05/25
SCALE:

CHECKED
BY:
SHEET#:

AI



N
AI
PROPOSED FLOOR PLAN
SCALE: 3/16" = 1'-0"





 PROPOSED 2ND. FLOOR / MEZZANINE FLOOR PLAN
 SCALE: 3/16" = 1'-0"

DALE GRAHAM
 CAD DESIGN
 Residential & Commercial
 Facility Documentation
 5 Mateo Circle
 Wilmington, DE 19804
 302.415.5009 - Cell
 grahamdale91@gmail.com

Engineer / Architect:

No. REVISION DATE

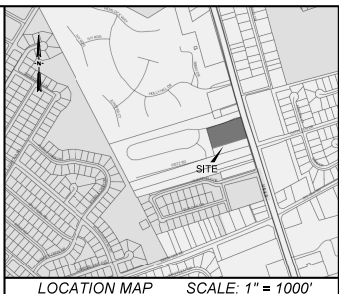
CLIENT NAME
 & ADDRESS:
 Blue Earl Brewing

Dupont Highway
 Smyrna, DE

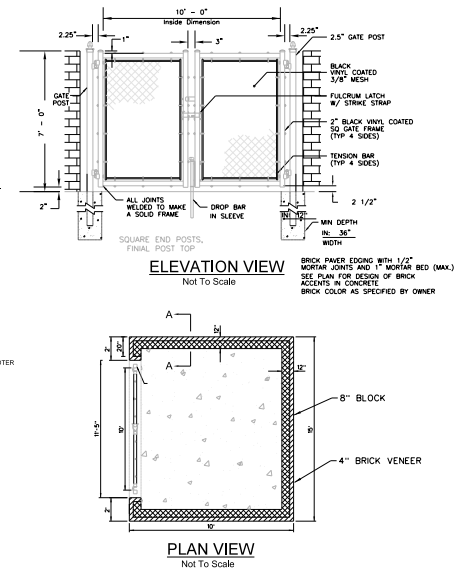
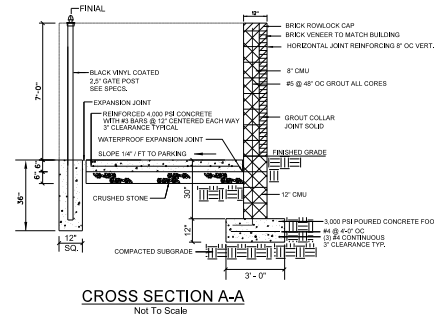
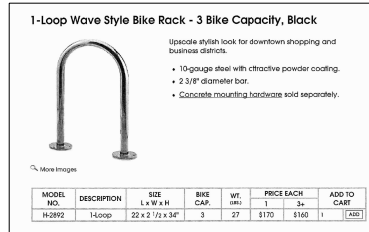
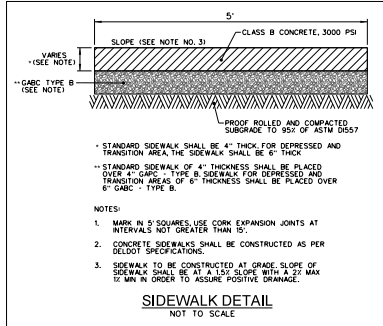
PROJECT NAME
 & ADDRESS:
 Brewery Plans

Dupont Highway
 Smyrna, DE

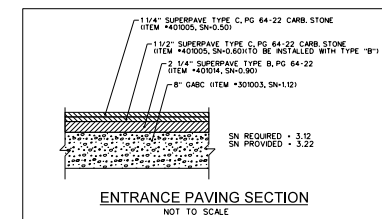
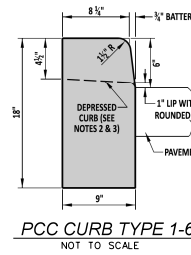
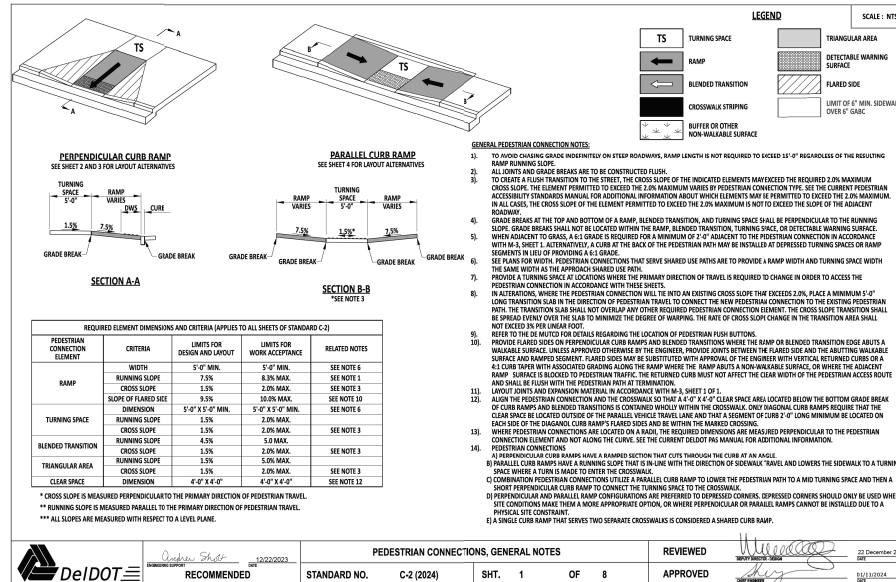
DRAWN BY: DG
 CHECKED BY:
 PROJECT#: 06/05/25
 SCALE: A2



SHEET: P-



DUMPSTER ENCLOSURE WITH GATE DETAIL



RECOMMENDED

STANDARD NO. C-2 (2024)

SHT. 1 OF 8

Minnich
Engineering & Land Planning
Designing Quality Not Quantity

888 Greenwood Road • Greenwood, DE 19950
(302) 697-2239 • (302) 495-7244

REVISIONS:

PROJECT NO: 24-039 DON FILE: 24-039

PRELIMINARY SITE PLAN DETAILS

LANDS OF SHIV SHANKER, INC.

SITUATE IN DUCK CREEK HUNDRED • KENT COUNTY, DELAWARE

DATE: 10/01/25 SCALE: 1" = 30' SHEET: P-3

LANDSCAPE LEGEND

CANOPY TREE



FLOWERING TREE



EVERGREEN SHRUB



LANDSCAPE SCHEDULE

KEY	BOTANIC NAME	COMMON NAME	QUANTITY	SIZE	REMARKS
AR	Acer rubrum 'October Glory'	October Glory Red Maple	20	2" Cal.	B&B Full Heavy Vigorous
CK	Cornus kousa	Kousa Dogwood	3	2" Cal.	B&B Full Heavy Vigorous
IG	Ilex glabra 'Compacta'	Compact Ink Berry Holly	18	3" HT.	Cont. Full Heavy Vigorous
IS	Ilex glabra 'Shamrock'	Shamrock Ink Berry Holly	36	3" HT.	Cont. Full Heavy Vigorous
IT	Itea virginica 'Little Henry'	Little Henry Sweetspire	16	3" HT.	Cont. Full Heavy Vigorous
PL	Prunus laurocerasus 'Schipkaensis'	Schip Laurel	7	6" HT.	B&B Full Heavy Vigorous
QA	Quercus alba	White Oak	30	2" Cal.	B&B Full Heavy Vigorous

NOTE: In the event that there is a discrepancy between the quantity of plant material on the Plan Drawing and the quantity in the Plant List, the quantity of plant material on the plan drawing shall govern.

LEGEND

PROPERTY BOUNDARY	---
RIGHT-OF-WAY LINE	---
LOT LINE	---
BUILDING SETBACK LINE	---
ZONING DISTRICT LINE	---
EXISTING CONTOUR	---26---
PROPOSED CONTOUR	---(26)---
EXISTING STORM DRAIN	---
PROPOSED STORM DRAIN	---
EXISTING SANITARY SEWER	---
PROPOSED SANITARY SEWER	---
EXISTING WATER LINE	---
PROPOSED WATER LINE	---
EXISTING UTILITY POLE	---
EXISTING ROAD SIGN	---
EXISTING SPOT ELEVATION	26.7
PROPOSED SPOT ELEVATION	(26.7)

LANDSCAPE ARCHITECT CERTIFICATION

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

CONWAY J. BRISTOW III, PLA #10600

02.02.2026

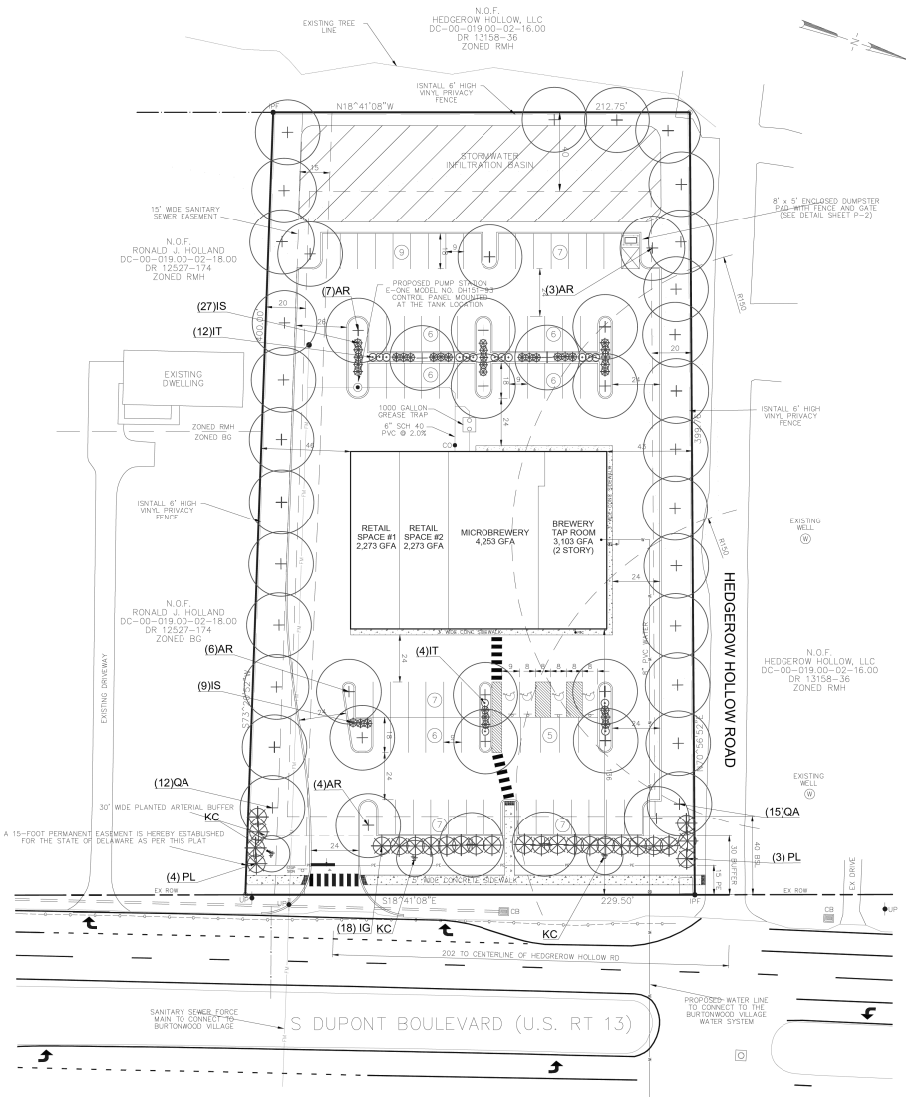
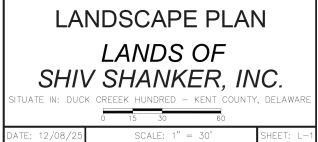
DATE

OWNER CERTIFICATION

I, KARTIK PATEL, OF SHIV SHANKER LLC, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT 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.

KARTIK PATEL

DATE

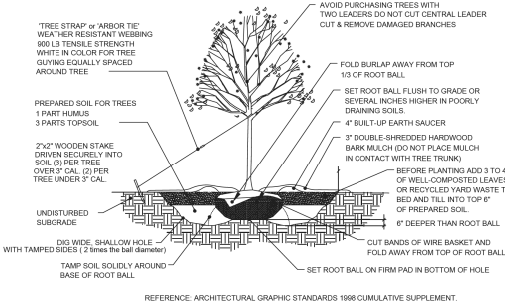


PLANT QUALITY

- PLANT NAMES INDICATED COMPLY WITH STANDARDIZED PLANT NAMES AS ADOPTED BY THE LATEST EDITION OF THE AMERICAN JOINT COMMITTEE OF HORTICULTURAL NOMENCLATURE. PROVIDE STOCK TRUE TO BOTANICAL NAME (LEGIBLY TAGGED).
- ALL PLANT MATERIALS SHALL BE OF "SPECIMEN" QUALITY. HAVE DENSELY DEVELOPED BRANCHES, FREELY DUL WITH VIGOROUS, FIBROUS ROOT SYSTEM. PLANTS SHALL BE HEALTHY, FREE FROM DISEASE, ALL FORMS OF INSECT INFESTATIONS OR OTHER PHYSICAL DEFORMITIES. ALL PLANTS SHALL CONFORM TO GRADING AND SIZING STANDARDS OF THE LATEST EDITION OF AMERICAN STANDARDS FOR NURSERY STOCK. STOCK FURNISHED SHALL BE AT LEAST THE MINIMUM SIZE INDICATED WITH 25% AS THE MINIMUM AND 75% AS THE MAXIMUM SIZE INDICATED.
- OWNER, DEVELOPER OR LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY MATERIALS DUE TO POOR QUALITY, SIZE OR IMPROPER HANDLING. ALL REJECTED MATERIALS SHALL BE REMOVED FROM THE SITE AND REPLACED WITH ACCEPTABLE MATERIALS AT NO ADDITIONAL COST.
- ALL PLANT MATERIALS SHALL BE COVERED DURING TRANSPORT TO PREVENT WIND BURNING. ALL PLANTS SHALL BE PLANTED IMMEDIATELY UPON DELIVERY OR HEHELED IN A MANNER ACCEPTABLE TO THE LANDSCAPE ARCHITECT. HANDLE ALL PLANTS BY THE ROOT SYSTEM.
- CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT PRIOR TO STARTING INSTALLATION FOR INSPECTION OF PLANT LOCATIONS, QUANTITIES, QUALITY AND SIZE AND UPON COMPLETION FOR FINAL INSPECTION OF PLANTING, MULCHING, STAKING AND CLEAN UP.

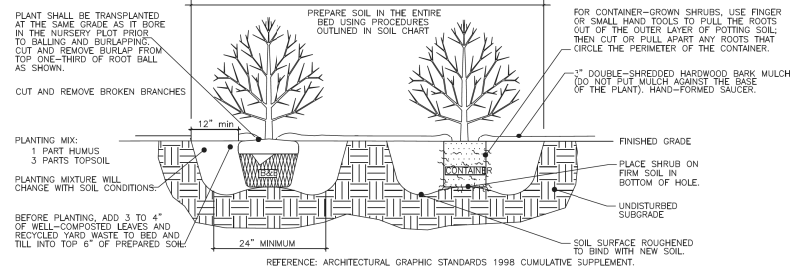
PLANTING IMPLEMENTATION

- PLANTING PITS: EXCAVATED CIRCULAR PITS WITH VERTICAL SIDES. PROVIDE SHRUB PITS 24" GREATER THAN THE DIAMETER OF THE ROOT SYSTEM AND 4" GREATER FOR TREES. DEPTH OF PIT TO ACCOMMODATE ROOT SYSTEM. SCARIFY THE BOTTOM OF THE PIT TO A DEPTH OF 4" BELOW DEPTH OF BALL.
- PLANTING MIX: PROVIDE WEED AND SEED FREE HUMUS OR PEAT MOSS MIX ONE (1) PART HUMUS TO FOUR (4) PARTS EXISTING TOP SOIL. MIX THOROUGHLY WITH A 2-12-12 FERTILIZER ACCORDING TO THE MANUFACTURER'S DIRECTIONS.
- SET PLANTS PLACE IN PIT TO PROPER GRADE AND ALIGNMENT. SET PLANTS UPRIGHT, PLUMB AND FACED TO ONE. THEIR BEST APPEARANCE. SET PLANTS WITH BALL 2" TO 3" ABOVE FINISHED GRADE. DO NOT FILL OVER BALL. STEMS, OR TRUNK BACKFILL AND TAMP PLANTING MIX IN 4" LAYERS, CUT AND REMOVE TOP 1/3 OF BURLAP. ALL LACING, ROPES, WIRES, STRINGS OR WIRE BASKETS FORM A SOIL RING AROUND BALL ABOVE FINISHED GRADE. THOROUGHLY WATER IN PLANTING MIX TO FILL ALL VOIDS AND FILL 1/8" OF PIT.
- MULCH: MULCH ALL PLANTS WITH 3" OF AN APPROVED MULCH WITHIN 48 HOURS AFTER PLANTING. APPLY AN APPROVED PRE-EMERGENT WEED CONTROL ACCORDING TO MANUFACTURER'S DIRECTIONS ALL PLANTING BEDS PRIOR TO MULCHING.
- STAKING: ALL TREES SHALL BE STAKED. TREES UNDER 3" IN CALIPER SHALL HAVE 2 STAKES. TREES OVER 3" IN CALIPER SHALL HAVE 3 STAKES. STAKES SHALL BE EVENLY SPACED AND DRIVEN FIRMLY INTO UNDISTURBED SUBSOIL. PLACE STAKES PARALLEL TO WALKS, ROADS AND BUILDINGS.
- PRUNING: PRESERVE NATURAL SHAPE OF PLANT. DO NOT CUT THE CENTRAL LEADER OF TREES. REMOVE OR CUT BACK DAMAGED OR UNYMMETRICAL GROWTH.
- ANTI-DISCANT: APPLY "WILT PROOF" OR EQUIVALENT TO ALL PLANTS. APPLY OVER ALL PLANT LEAVES OR NEEDLE AREAS ACCORDING TO MANUFACTURER'S DIRECTIONS.
- GROUND COVER AND PERENNIAL BEDS: STRIP EXISTING LAWN OR WEEDS. SPREAD A 1" LAYER OF PEAT MOSS OR APPROVED HUMUS ON ENTIRE AREA. APPLY 1/8-1/2 FERTILIZER ACCORDING TO MANUFACTURER'S DIRECTIONS. ROTO-TILL ENTIRE AREA TO A DEPTH OF 6" FINE GRADE BED. APPLY APPROVED PRE-EMERGENT WEED CONTROL. ACCORDING TO MANUFACTURER'S DIRECTIONS. MULCH ENTIRE AREA WITH 2" MULCH AS SPECIFIED. PLANT GROUND COVERS AND PERENNIALS THROUGH MULCH INTO SOIL AND WATER.
- TREES SHALL BE SANITARY. IF SHALL NOT HAVE A MYRTLE OF RUSTY AND SHALL NOT CONTAIN CANKERS, BTONES, LUMPS, STICKS, ROOTS OR OTHER EXTRANEOUS MATTER LARGER THAN 1/2" DIAMETER. TOPSOIL MUST BE FREE OF WIREGRASS, QUACKGRASS, NUTTBODIE, POISON IVY, OR CANADA THISTLE. TOPSOIL SHALL HAVE A pH OF 5.5 - 7.5 AND NOT HAVE SOLUBLE SALTS HIGHER THAN 250 PARTS PER MILLION. PROVIDE CERTIFICATION FROM A RECOGNIZED LABORATORY.
- ALL PLANT MATERIALS FURNISHED BY THE LANDSCAPE CONTRACTOR FOR THIS CONTRACT SHALL BE GUARANTEED FOR 100% OF THE COST OF REPLACEMENT MATERIALS AND LABOR, TO LIVE AND REMAIN IN A HEALTHY, VIGOROUS CONDITION, FOR A PERIOD OF (1) YEAR AFTER COMPLETION AND ACCEPTANCE BY THE OWNER. DEVELOPER. ANY PLANTS THAT REMAIN UNHEALTHY OR HAVE LOST THEIR SHAPE DUE TO DEAD BRANCHES OR OTHERWISE ARE UNACCEPTABLE IN THE OPINION OF THE LANDSCAPE ARCHITECT, SHALL BE REMOVED AND REPLACED AT NOT ADDITIONAL COST TO THE OWNER OR DEVELOPER. GUARANTEE SHALL NOT INCLUDE BRAMBLE OR LOSS OF PLANTS, MATERIALS, ETC. CAUSED BY FIRE, FLOODS, FREEZING RAINS, LIGHTING STORMS OR WINDS OVER 78 MPH. ACTS OF VANDALISM OR NEGLIGENCE ON THE PART OF THE OWNER OR DEVELOPER. REMOVE ALL STAKES AND GUY'S FROM PLANTS AT THE END OF THE ONE YEAR GUARANTEE PERIOD. REPLACEMENT PLANTS SHALL BE GUARANTEED FOR AN ADDITIONAL YEAR AFTER INSTALLATION.
- MAINTAIN PLANTINGS & SEED AND/OR SOO UNTIL COMPLETION AND ACCEPTANCE BY OWNER OF ENTIRE PROJECT. MAINTENANCE SHALL INCLUDE MOWING, PRUNING, CULTIVATION, WEEDING, WATERING, AND APPLICATION OF APPROPRIATE INSECTICIDES & FUNGICIDES AS NECESSARY TO MAINTAIN PLANTS & SEEDING/SEEDING FROM INSECTS & DISEASE.
- THE LANDSCAPE CONTRACTOR SHALL BE REQUIRED TO DELIVER TO THE OWNER OR DEVELOPER A COMPLETE RELEASE OF LIENS THAT MAY ARISE OUT OF THIS CONTRACT OR RECEIPTS PAID IN FULL IN LEU THEREOF.



- NOTES:
- NO SOIL OR MULCH SHALL BE PLACED AGAINST ROOT COLLAR OF PLANT.
 - REMOVE ALL ROPE FROM TRUNK & TOP OF ROOT BALL. FOLD BURLAP BACK 1/3 FROM ROOT BALL.
 - PLANTING DEPTH SHALL BE THE SAME AS GROWN IN NURSERY.
 - THOROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
 - THE BOTTOM OF PLANTING PIT EXCAVATIONS SHOULD BE ROUGH TO AVOID MATTING OF SOIL LAYERS AS NEW SOIL IS ADDED. IT IS PREFERRED TO TILL THE FIRST LIFT (2 TO 3 IN) OF PLANTING SOIL INTO THE SUBSOIL.

TYPICAL DETAIL: TREE PLANTING
NOT TO SCALE



SHRUB PLANTING DETAIL
NOT TO SCALE

NOTE:
Apply approved pre-emergent weed control on all shrub beds prior to mulching.

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Conway J. Bristow II 02.02.2026
CONWAY J. BRISTOW II, PLA #10600 DATE



 HARBOR GROUP LANDSCAPE ARCHITECTURE 85 HEN OPEN GARDENS LEWES, DE 19658 302.690.6796 CONWAY@HARBORGROUPE.COM	 868 Greenwood Road - Greenwood, DE 19950 (302) 697-2239 - (302) 495-7244 REVISIONS: PROJECT NO. 24-039 DON FILE: 24-039	KENT COUNTY PLANNING APPROVAL	
LANDSCAPE DETAILS		SITUATE IN: DUCK CREEK HUNDRED - KENT COUNTY, DELAWARE	
DATE: 12/08/25		SHEET: L-2	