

September 12, 2024

Town of Bridgeville
Attn: Bethany DeBussy, Town Manager
101 N. Main Street
Bridgeville, DE 19933

RE: Project Title/Name: K. Williams Barn
Applicant: Wheatley Farms, LLC.
Tax ID No. 131-19.00-8.00
Minor Subdivision Development Plan Review

Dear Ms. DeBussy:

At the Town's request, Wallace Montgomery (WM) has reviewed the Minor Subdivision Development Plan for the above-referenced project, consisting of the following components:

- Minor Subdivision Site Plan
- Subdivision Application

The subject application is the Minor Subdivision Development Plan for the parcel located along Route 18, south of Town, identified as parcel 131-19.00-8.00. It is currently zoned Residential1 (R1) with Agricultural-Industrial Overlay Zone (AIOZ). The Applicant is proposing to create a subdivision of 0.3 acres (16,238 square feet) on their existing property. It is understood that the existing barn structure currently is and is proposed to be used for residential purposes. As this property falls within the AIOZ, agricultural use may be required. The Town's solicitor should provide further guidance on this matter.

We have reviewed this submission against the requirements identified in the Minor Development Plan Review Checklist as per §234-22A (7) of the Town Code. While most of the items in the checklist are not applicable based on the advice and the interpretation of the Town's legal counsel, some items have been noted as not in compliance on the checklist. Details of these items are as follows:

- Item#6: Vicinity map is not included.
- Item#10: Signature blocks for Planning and Zoning Commission Chairperson and/or pertinent Town official, pertinent Sussex County officials, Town Engineer are not included, though there is plenty of space on the sheet to include this block.
- Item#12: Location and descriptions of all permanent survey monuments are missing (See also §234-56E).
- Item#21: Owner's certification, acknowledging ownership of the property and agreeing to the subdivision is not included in the site plan.

Additional comments based on review of the Town Code are as follows:

- §234-30 and §234-39. The lot is located in an R1 zone with AIOZ. The applicant has not included this zoning information in the Plat. The following table provides details about the proposed and required minimum lot dimensions for both R1 and AIOZ. The proposed subdivision is in compliance with the zoning requirements of R1 with the exception of the **minimum rear yard requirement**, considering the southern side of the parcel adjacent to the barn structure as the front of the property.



	Proposed	Required: R1	Required: AIOZ
Lot size	16,238 sqft	9,000 sqft	871,200 sqft (20 acres)
Lot width	152.3'	60'	250'
Setbacks: Front yard	35.2'	25'	60'
Setbacks: Side yard	90' & 25'	25' (corner lot) 10' (Interior lot)	20'
Setbacks: Rear Yard	10'	25'	30'

The property is not in compliance with the minimum requirements of AIOZ, the Town's legal counsel should advise on this matter.

The property owner should be advised that the gravel drive providing access to Route 18 needs to be adjusted to fall within the boundaries of the parcel site. It should also be noted that the Engineer's signature and seal are missing on the site plan. Live signature and seal should be included in the recordation copy.

Based on the above and *Town Code* requirements, the application is **not in compliance** until the required items are submitted.

We reserve the right to provide additional comments once the application requirements or approval conditions have been met and all required information has been provided to the Town.

If you have any questions, comments, concerns, or would like to discuss our review further, please do not hesitate to contact me at 776.231.1353 or nwalls@wallacemontgomery.com.

Sincerely,

WALLACE, MONTGOMERY & ASSOCIATES, LLP

Nick Walls, AICP, GISP
 Associate Vice President

cc: Darren O'Neill, Wallace Montgomery VP of Delaware Operations & Contract Manager