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June 11, 2021

Board of Public Works  
107 Franklin Avenue  
Lewes, DE 19958

Attn: Darrin Gordon  
General Manager

Re: Fishers Cove Subdivision  
Preliminary Consent Review – Resubmitted Plans  
Lewes, Delaware  
GMB File No. R180225

Dear Mr. Gordon:

We have completed our review of the Preliminary Site Plans dated March 11, 2021 (Revisions dated May 27, 2021), and the updated sections of the Engineers Report (Proposed Development, Existing Property Assessment, Post Development Assessment and Easements) dated June 10, 2021, as submitted by Duffield Associates, LLC on behalf of Burke & Rutecki, LLC for the proposed Fishers Cove subdivision. The proposed development is located at the end of Rodney Avenue. The submission was reviewed in adherence to the Preliminary Consent procedure for a major subdivision in the City Code – specifically, Section 170-19 Paragraph D, and generally accepted engineering principles. Specific comments were made regarding individual components of the submittal and are discussed below. We understand these comments will continue to be addressed during the Council Approval phase of the project.

### **General**

#### 1. Comments regarding “Applicant’s Engineer’s Report”:

- a. In the “Proposed Development” section of the Engineer’s Report, it should be noted that the total area in lots should match the area on the plans.
- b. In the “Easements” section of the Engineer’s Report, it should be noted that there is a discrepancy between the plans and the report concerning the measured area of Open Space Parcel C.
- c. In the “Fire and Emergency Service access” section of the original Engineer’s Report, it is stated that “Jacks Court is a tee turn-around, with the dead end being less than 200 feet in length.” Recognizing that a cul-de-sac may cause undue hardship in land use, the proposed T-Shaped background is acceptable from an engineering standpoint and may be approved by a recommendation by the Planning Commission to the Mayor and City Council.

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- i. Note that “Jacks Court” has been renamed “Jacks Way” in this submission.
  2. Comments regarding “through streets and connections thereof with existing or probable future streets of adjoining properties”:
    - a. Jacks Way is a dead-end street longer than 200-feet and may be approved by a recommendation by the Planning Commission to the Mayor and City Council (Section §170-27 Streets. H Cul-de-sac. (5)).
    - b. Any streets designed to a width less the 32-feet must be accompanied by a recommendation by the Planning Commission to the Mayor and City Council per Lewes City Code Section §170-27. Streets. E. (2).
    - c. The 40-foot-wide right-of-way width at the radius of Tylers Circle must be recommended by the Planning Commission to the Mayor and City Council per Lewes City Code Section §170-27 E. (2).
    - d. Tylers Circle is technically acceptable from an engineering standpoint contingent upon the addition of no parking areas on the east side of the proposed cul-de-sac due to emergency vehicle turning radius conflicts. The length of the “no parking area” will be finalized during the Council Approval Phase of the subdivision. The applicant will be responsible for coordinating with the Lewes Fire Department to ensure that all emergency vehicles and equipment can navigate the one-way street. The use of a one-way street is contingent upon acceptance by the Lewes Planning Commission and the Lewes City Council.
      - i. The applicant has indicated by email that the width of Tylers Circle will be revised to the code minimum of 24-feet. This is not reflected on the preliminary plans.
    - e. The developer has met with the City of Lewes planning staff and GMB concerning the Rodney Avenue road design. The initial concepts are generally acceptable from an engineering standpoint. It should be left up to the Planning Commission and City Council to review and decide on any modifications to the conceptual layout. After a final design is decided upon, GMB will fully review the proposed design.
      - i. The concepts are not included in the preliminary site plans.
3. Comments regarding “endorsement or comment on suitability of land for proposed purpose”:
  - a. All building lots (1-18) are suitable for subdivision as requested. The applicant’s engineer’s revisions to the

- plans have ensured that all developments, lots, and properties are provided with a drainage system that is adequate to prevent the undue retention of surface water on the site.
- b. If revised, all stormwater management practices are subject to the continued approval of the Sussex Conservation District.
4. Comments regarding “verification or adjustment of cost estimates of items, if any, to be borne in whole or in part by the Board of Public Works and the City during the construction process”:
- a. No costs are expected to be borne by the Lewes Board of Public Works or the City of Lewes.
  - b. A cost estimate for the total project, including construction, additional engineering design fees, and expected legal costs, must be submitted and reviewed during the Council Approval stage of the project such that a proper project performance bond can be put in place.
5. Comments regarding “certification of the Plat Plan is complete and in full accordance with the subdivision regulations, as well as fits into a plan for orderly development of the City”:
- a. The side lot setbacks for lots 14 and 15 should be adjusted to match the 20-foot-wide utility easement so that the buildable area does not encroach into the easement.
  - b. The rear lot setback for lot 3 should be adjusted to match the 15-foot-wide drainage and utility easement so that the buildable area does not encroach into the easement.
  - c. The rear lot setback for lot 4 should be adjusted to match the 15-foot-wide drainage and utility easement so that the buildable area does not encroach into the easement.
  - d. The rear lot setback for lot 7 should be adjusted to match the 15-foot-wide drainage and utility easement so that the buildable area does not encroach into the easement.
  - e. The lot owner information of adjacent lots should be updated on all plans for clarity and consistency.
  - f. The elimination of sidewalks around the interior of Tylers Circle may be approved at the discretion of the Planning Commission per Lewes City Code Section §170-27 N.
  - g. A proposed easement must be added across the University of Delaware property for the 8” watermain.
  - h. Except for the above, the Preliminary Site Plans are generally in accordance with the City’s Subdivision Regulations – the following items should be noted:
    - i. All stormwater pipe that will become the responsibility of the Lewes Board of Public

- works shall be class IV reinforced concrete pipe.
- ii. All watermain should be placed in the roadway, avoid placing the watermain under the sidewalk.
  - iii. Curved sections of watermain should be replaced with straight sections and angled fittings.
  - iv. All sanitary sewer force main should be placed in the roadway, avoid placing the force main under the sidewalk.
  - v. A location should be shown for placement of the cluster mailbox.

**Permits Required for Proposed Site Work**

Please forward the following permits/approvals to the Lewes Board of Public Works, City of Lewes, and George, Miles & Buhr, LLC as the project progresses. Any modification of the plans should be coordinated with the appropriate review agencies.

1. Sussex County Conservation District – stormwater management and erosion and sediment control permit approvals.
  - a. Received by GMB.
2. State Fire Marshal Approval
  - a. Received by GMB.
3. DNREC – sanitary sewer system permit.
4. Office of Drinking Water – water system approval to construct permit.
5. Any other permits/approvals necessary to develop the project.

If you have any questions, please contact me at 302.628.1421. Thank you.

Sincerely,



Josh T. Elliott, EIT  
Project Engineer

JTE/jad

cc: City of Lewes  
Attn: Janelle M. Cornwell, AICP  
Planning & Development Officer  
Duffield Associates, LLC  
Attn: Stephen J. Gorski, P.E.  
Sr. Project Manager