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June 7, 2023

Mr. Kenneth Cimino  
Director of Planning & Zoning  
Town of Ocean View  
201 Central Avenue – 2<sup>nd</sup> Floor  
Ocean View, DE 19970

RE: **Construction Plan Submission #2**  
**SILVERSTOCK WP, LLC / SILVERWOODS VILLAS**  
Oceanview, Delaware  
BMG Project No.: 2012119.02

Dear Mr. Cimino,

On behalf of our client, Silverstock WP, LLC, we are hereby submitting revised construction plans and reports for the above-referenced project. The following documents are provided in support of the submission:

- One (1) copy of the Construction Plans.
- One (1) copy of the Record Plans.
- One (1) copy of the Hydraulic Analysis for the Storm Sewer System.
- One (1) copy of the Sellers Disclosure Exhibit

Additionally, the comments provided by Mr. Jim Lober throughout the review process have been addressed as follows.

#### **Pavement Design**

1. I don't see the soils investigation required by 187-4 to provide the necessary information to design a proper pavement section. Also, the section detail provided is insufficient for even the smallest number of units on good soils. ***BMG Comment response: Per telephone discussion and agreement, the pavement section can remain as shown to remain consistent with the roads in the single family section of the development.***
2. Is a geotechnical study underway? If so, the pavement section will need to be designed based on the findings and meet the minimum requirements of the code as listed in 187-5 Table 1. ***BMG Comment response: Per telephone discussion and agreement, the previously completed geotechnical study and pavement recommendations are acceptable.***
3. In the past, we have accepted a design based on an assumption of poor soils in lieu of a geotechnical study. However, please be aware that Town staff will be inspecting construction of the streets and it is possible that conditions could be encountered that would require over-excavation and backfill. A geotechnical investigation could identify these problems ahead of time providing the opportunity to plan ahead. ***BMG Comment response: Per telephone discussion and agreement, the previously completed geotechnical study and pavement recommendations are acceptable***

4. Moving forward Roads A, E and F should be designed based on 51-100 Units. Roads B, C and D should be designed based on 0-50 units. **BMG Comment response: Per telephone discussion and agreement, the pavement section can remain as shown to remain consistent with the roads in the single family section of the project.**
5. Please make sure to add notes to the construction plans referencing the report and the recommendations. **BMG Comment response: The report and pavement recommendations were previously referenced on sheet C-001, general note 27.**

#### ROW section

1. The code requires PCC Curb type 1 with 8" reveal. The plan currently proposes PCC curb and gutter type 2. A variance will be required to provide this type of curb. **BMG Comment response: A Variance is being filed.**
2. The 30' required road width is to be measured from face of curb to face of curb. If the plan pursues type 2 curb and is successful in obtaining the variance, the 30' will be measured from flowline to flowline. **BMG Comment response: Per telephone discussion and agreement, the section can remain as shown to remain consistent with the roads in the single family section of the project.**

#### Roads

1. I don't see horizontal alignment geometry for the roads anywhere. I need centerline tangents, curve radii and lengths, etc. Everything to bear out code compliance with respect to §187-2. If I'm missing it please let me know. **BMG Comment response: Sheet C-200 has been added to the set showing the centerline alignment geometry.**
2. It appears that the vertical curves provided are too short. Please refer to §187-2-E-2. The curve lengths should be calculated by prorating the 25 ft / 1% change and rounding up to the nearest foot. Please note that these changes could shift the low points at sumps and ensure that the catch basins are placed appropriately. **BMG Comment response: The vertical curves and road tangents have been adjusted to meet code requirements.**

#### Grading

1. There appear to be conflicting existing contours in the area of the pump station parcel and single family lots 84 and 85. Depict the asbuilt topography from the constructed condition of this area on the plan and design the proposed grades for the adjacent areas accordingly. Given the slopes off the rear corners of single family lot 85 and townhouse lot 1, and the fact that the drainage area to the existing ditch in this area has been eliminated, it may make sense to fill the ditch to a point beyond the southeast corner of townhouse lot 1. It appears that the current grading doesn't provide sufficient cover for SD-16A as well. Please revisit the grading in this area. **BMG Comment response: The conflicting contours have been cleaned up with the as-built topo. The ditch cannot be filled beyond the southwest of the townhouse lot, as to do so would involve grading on the single family lot no. 85. We have modified the proposed contours to pull them as far from the townhouse lot BRL as possible. We have modified the proposed grading over SD-16A as part of the contour revisions.**

2. There appear to be conflicting existing contours in the area of the clubhouse. Depict the as built topography from the constructed condition of this area on the plan and design the proposed grades for the adjacent areas accordingly. Provide proposed grading for the amenities area. **BMG Comment response: Conflicting contours have been removed. We have added sheet C-404 which is the grading sheet for the clubhouse amenities area. Please note however, that the sheet does not show existing/proposed grading, as the as-built survey we were provided with was only a location as-built. We would like to request to be allowed to replace sheet C-404 with a revised sheet C-404 by Wednesday June 14<sup>th</sup>, after we can obtain the existing grading and have time to design the proposed grading, if possible.**
3. We have learned through the experience with the single family phase that much more attention needs to be paid to the pedestrian path through the open space. I've marked up the detail you provided and included it as a screen shot at the end of this email. Please revise the detail as noted. **BMG Comment response: The detail has been amended to reflect your changes.**
4. Grading proposed along the eastern edge of Road I behind the parking spaces creates a sump defined by the 18 contour. Design grading that provides a positive outfall for runoff in accordance with the minimum slopes required by the code. **BMG Comment response: With the elimination of the portions of Wyoming Ave (formerly Road F) and Merrick Way (formerly Road I) the grading has been revised in this area and the sump now drains to a new catch basin in the grass area to the north of the parking spaces.**
5. Grading proposed in the northwest corner of the site behind lots 40-42 doesn't appear that it will provide code minimum slopes to sufficiently direct runoff to the road side swale. I'm concerned that water will pond in the open space south and west of the ped path. Design grading in this area to provide a positive outfall for runoff in accordance with the minimum slopes required by the code. An inlet and pipe to the network in road D or the road side swale along Beaver Dam may be necessary. **BMG Comment response: We have added a small swale along the back and north side of the lots connecting into additional storm drain infrastructure in this area to address the concern. We have noted flared end section and safety grate to be installed on the open end pipe.**
6. The grading shown within the lots appears sufficient at this time. Please note for the record that the final on-lot grading will be reviewed and approved with single lot grading plan submissions for each townhouse block prior to building permit issuance. **BMG Comment response: We have added general note 33 to sheet C-001 noting this requirement.**
7. More apropos to drainage, but I just noticed, the existing 18" and 24"x38" culverts under Beaver Dam that drain to the north should be fitted with personnel safety grates. These are within DelDOT's jurisdiction, but if they aren't currently in place, they should be installed with this project. **BMG Comment response: Safety grates have been called for on the DelDOT plans, sheet C-601.**

### Drainage

1. What is the plan for the upstream end of SD-28D? It appears to be a stub intended to drain the future commercial portion of the site. How will that area be drained in the

meantime? It seems it should be treated like SD-27D to provide an outlet for the upstream undeveloped area and avoid ponding. **BMG Comment response:** *We have extended pipe SD-28D and added a catch basin on the end to create a sump area to collect drainage.*

2. All open ended inlets to the system like that at SD-27D and potentially SD-28D should be designed with flared end sections and personnel safety grates in accordance with DelDOT details. **BMG Comment response:** *The initial plan set already noted for flared end section and safety grate to be installed for pipe SD-27D.*
3. SD-4D is modeled in the HGL as a 30" pipe, but it's listed on the plan in the schedule and depicted in the profile as a 24" pipe. It's downstream of SD-6D, which is also a 30" pipe. **BMG Comment response:** *Pipe SD-4D size has been revised to 30" dia. to match the HGL calculations and updated in the schedules.*
4. The HGL at the outlet of SD-1D should match the 25 yr storm elevation from the pond 7 routing. It's currently modeled at 14.42, only 0.11 below the elevation from the routing of 14.53, but please correct the starting HGL and rerun the calc. **BMG Comment response:** *Starting HGL has been revised to 14.53', the 25-yr storm peak water surface elevation.*
5. Realign SD-19D and SD-20D to meet at MH 19-D at a 90 degree angle. (note that it appears a number of manholes including 19D are mislabeled as CB's on the plan). **BMG Comment response:** *MH 19D has been adjusted as requested.*
6. Realign SD-23D and MH 22D to create a 90 degree angle between SD-23D and SD-22D. **BMG Comment response:** *MH 22D has been adjusted as requested.*
7. The overflow parking spaces along Road I are currently graded with a break mid-space directing runoff from half of the parking space back to the road and half off into the grass to the rear. It seems unlikely the spaces will actually be graded or paved this way. Move the ridgeline to the rear of the space and revise the drainage calcs to include the additional area. **BMG Comment response:** *The parking spaces were previously graded to drain from the outside corners of the parking, it was just that the slope off the back was steeper than the pavement grades thus giving the appearance of a break point in the middle. We have added spot grades to further clarify.*
8. Realign SD-13B and MH 10B to create a 90 degree angle between SD-13B and SD-10B. **BMG Comment response:** *MH 10B has been adjusted as requested.*
9. Realign SD-4C and MH 4C to create a 90 degree angle between SD-4C and SD-10C. (note that it appears some of the catch basins including 3C and 2C are labeled as manholes on the plan). **BMG Comment response:** *MH 10C has been adjusted as requested.*
10. The paths through the open space should be graded as ridgelines with drainage on both sides to eliminate ponding. Add a catch basin along SD-8B south of the path opposite CB-8B, another north of the path opposite CB-13C, and another north of the path opposite CB-21B. **BMG Comment response:** *We have added the additional basins as requested.*

11. SD-4C is modeled in the HGL as an 18" pipe, but it's listed on the plan in the schedule as a 24" pipe. **BMG Comment response: Pipe SD-4C size has been revised updated to match the hgl calculations and updated in the schedule.**
12. Revise the HGL output to include the roughness coefficient for the pipes that was factored into the calculations. **BMG Comment response: Output report has been modified to include roughness coefficient.**
13. There are a number of locations within the B network where the freeboard falls below the code required 1' between the 25 yr. HGL and the grate elevation. Revise the design or provide justification for why the system can't be designed to provide the minimum freeboard. **BMG Comment response: Please see the hydraulic report for the justification.**
14. Include the rise and the span dimensions for the elliptical pipe in the schedule for clarity. **BMG Comment response: The pipe sizes have been updated in the schedules.**
15. Please add an entry to the narrative under design parameters noting that the starting HGL elevation for the pipe run starting at SD-16A was taken from the HGL analysis for the pipe network in the single family phase. **BMG Comment response: The requested information has been added to the design parameters.**
16. The minimum freeboard requirement of 1' is not provided at structures SD-16A – SD-19A. Revise the design or provide justification for why the system can't be designed to provide the code required freeboard. (note that the known flow added to the system from pond 7P of 15.63 doesn't appear to correspond to the 25 yr outflow from the routing of 13.1). **BMG Comment response: Please see the hydraulic report for the justification.**

#### **Landscape**

1. Ensure that the area of development on which the tree calculation is based matches the area breakdown from the overall cover sheet for the subject parcels. **BMG Comment response: Area breakdown within landscape planting requirements has been updated to match the overall coversheet.**
2. The landscape plantings need to include low evergreen shrubs in accordance with §140-74-A-3-a above and beyond the tree requirement included §140-74-3-C. **BMG Comment response: Evergreen shrubs and grasses have been added to overall landscaping to comply with §140-74-A-3-a.**
3. Ensure that trees and shrubs are not located such that they will impede drainage. **BMG Comment response: Proposed planting should not interfere with proper site drainage.**
4. Provide plantings in the red highlighted area in the screenshot below to provide buffering for the rear of single family lots 1 and 2 since there is no existing vegetation in that area. **BMG Comment response: Additional buffering planting have been proposed within the area behind single family lots 1 & 2.**



5. Ensure that the plan is designed in accordance with the requirements for Protection and Retention of Large Trees included in §140-74-3-b. **BMG Comment response:** *The overall plan has taken into account §140-74-3-b. The development plan has been provided under maximum density to allow for the retention of existing vegetation to the maximum extent practicable. This will maintain existing vegetation for buffering and habitat, while providing for a successful project. Additionally, the site is being planted in accordance with the subsection, at a rate of 1 tree per 3000 sf of developed area. While existing vegetation is being removed for the success of this project, it is a mixture of undergrowth, upper canopy and non-native vegetation, including some invasive species. The area was cleared approximately 20 years ago, and while some large trees may be removed, the majority of the interior canopy would likely not be classified as large trees per the ordinance.*

#### **Street Lighting**

1. Include a note on the plan stating that the street light design is conceptual and final street light locations will be determined by Delaware Electric Coop. **BMG Comment response:** *We have added general note 34 to sheet C-001 to address this.*
2. Provide a detail on the plan for the type and height of light standard proposed. **BMG Comment response:** *As part of note 34 added above, we have included additional language indicating that street lighting shall be provided in accordance with section 187-8 of the Ocean View Code.*

#### **Amenities Area**

1. Specify and provide site design and details for the proposed amenities. **BMG Comment response:** *We have added sheets C-204, C404, and C-909 documenting the design for the additional amenities being added to the clubhouse lot. Please note however, that sheet C-404, which is the grading sheet for the clubhouse amenities area, does not show existing/proposed grading, as the as-built survey we were provided was only a location as-built. We would like to request to be allowed to replace sheet C-404 with a revised sheet C-404 by Wednesday June 14<sup>th</sup>, after we can obtain the existing grading and have time to design the proposed grading, if possible.*

#### **Record Plan**

1. Provide a cover sheet depicting the overall MXPC subdivision and correcting the site data column. **BMG Comment response:** *Added Sheet 2 for overall MXPC areas*
2. An updated wetland delineation needs to be completed. The notes on the record plan addressing wetlands will also need to be revisited upon completion of the delineation. **BMG Comment response:** *Wetland note updated with most current delineation information. Wetland certification added to cover sheet.*
3. Should the applicant be successful in obtaining the variances for the curb type and driveway setback, notes referencing the BOA decision will need to be added to the plan. **BMG Comment response:** *Noted.*
4. Reflect the wellhead protection area on the record plan. **BMG Comment response:** *Wellhead protection line added to plan.*

5. Verify the open space area provided. The numbers from the site data column, item 9 and item 22 don't agree. **BMG Comment response: Open space areas updated per latest lot/row alignment and parcel district determination.**
6. The record plan should not refer to a "mixed-use" or an "assisted living" district. These are specific uses that may or may not be proposed within the commercial district required by the MXPC. These areas should simply be labeled as commercial districts. **BMG Comment response: MXPC areas renamed per code.**
7. In site data column item 10 – list the 2 commercial lots as existing. No new commercial lots are proposed. **BMG Comment response: Lot information updated.**
8. Provide proposed road names on the plan and verification from Sussex County that the road names are acceptable. Also, provide proposed postal addresses for each lot. **BMG Comment response: Road names added to plan.**
9. Depict the cross access easement between abutting townhouse lots in accordance with the revised MXPC ordinance. **BMG Comment response: Cross access easements added to plan.**
10. The record plan should only list setbacks for the single family district, the townhouse district and the commercial district. **BMG Comment response: Setback information updated.**
11. Verify that the 36.5' wide end unit lots are wide enough to accommodate the end unit foot print while maintaining the required 15' building spacing. Please note that the 15' applies to attached accessory structures and that if only 15' between the base footprints is provided, no accessory structures will be permitted in the future along the sides of the end units. **BMG Comment response: Current proposed building footprints exceed the minimum 15' spacing requirement.**
12. Specify that the maximum allowable building height for the townhouses is the same as the single families. Remove the multiple references to building height in the site data notes. **BMG Comment response: Building height information updated.**
13. Revise the parking calculation to reflect that two parking spaces per unit are being provide on lot for all of the lots. **BMG Comment response: Parking calculations updated.**
14. Add a commercial district parking note stating that the parking requirements for the commercial district will be determined based on the specific use at the time of development of those parcels. **BMG Comment response: Parking note added.**
15. The overall open space value doesn't appear to match the total of the various open space values for each district. Once the layout of the districts is finalized please ensure that these values match. **BMG Comment response: Open space areas updated per latest lot/row alignment.**
16. Remove the list of active open space amenities included in site data note #22. **BMG Comment response: Active open space amenities have removed from site data.**

17. Update the FEMA FIRM Panel reference. **BMG Comment response: FEMA information verified and updated.**
18. Include the improvements within the ROW on the plan, as well as the overflow parking. Provide dimensions for cartway, sidewalks, parking etc. Although, a portion of the overflow parking spaces exists within the ROW to be dedicated to the Town, the HOA will be responsible for the maintenance and any repair necessary for the spaces. Notes will need to be developed for inclusion on the plan addressing this situation. The PD will provide language at a later date. **BMG Comment response: Per conversation, road profile added to plan.**
19. General note # 20 needs to be revised to remove reference to another document and simply say per this plan. **BMG Comment response: Note revised.**
20. Remove GN #31. **BMG Comment response: Note removed.**
21. Revise GN # 32 – to specify all paved walkways within the residential *open space areas*, remove reference to the villa district and specify the performance guaranty required by §187-6-L. **BMG Comment response: Note revised.**
22. Include all of the notes from the revised MXPC ordinance in the site data column. Reference the ordinance number and date of adoption on the plan. **BMG Comment response: Ordinance notes added to plan.**
23. Provide a generic sellers disclosure exhibit in accordance with the requirements from the revised MXPC ordinance for review. Sellers disclosure exhibits specific to each lot will be required as part of the single lot grading plan submission for each block of townhouses prior to building permit issuance. **BMG Comment response: We have provided the exhibit with the submission.**
24. The title of the plan of Silver Woods Villas is acceptable. However, remove all references to any other residential unit names other than single family or townhouse. Villa, townhome, single family townhouse, single family villa etc. are not terms that exist in the code. **BMG Comment response: Plan updated with single family or townhouse terminology.**
25. Show all required easements on the plan, including but not necessarily limited to those required in §140-79. **BMG Comment response: Easements added to plan.**
26. The plan date of the record plan is the same as that of the preliminary plan. If that is indeed the case, it can remain, but it could create confusion down the line. Be sure to include a revision and description in the revision block on the revised plan. **BMG Comment response: Revision block updated.**
27. Provide the requisite plan certification blocks from §140-105 Figure 7. **BMG Comment response: Certification blocks added to plan.**
28. Provide a note on the plan labeling the amenities area and noting the amenity improvements are specified on the final land development plan. The land development plan will need to specify and provide site design to support the proposed amenities. **BMG Comment response: Label and note added to plan.**



29. Provide a note on the plan referencing the other plan approval, including but not necessarily limited to the final land development plan, and the sediment and stormwater management plan. ***BMG Comment response: Note added to plan.***

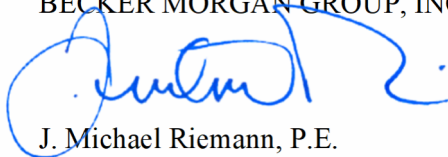
**Additional**

1. ***A variance for the driveways closer than 5' to the lot line is being filed.***
2. ***Please note that we have added road names to the plan from a list of names previously reserved by the developer for this project.***

We respectfully request that you review the attached information and provide any comments that you may have.

Sincerely,

BECKER MORGAN GROUP, INC.



J. Michael Riemann, P.E.  
Vice President

MJH/

Cc: Robert Thornton, Silverstock WP, LLC [silverstok@aol.com](mailto:silverstok@aol.com)