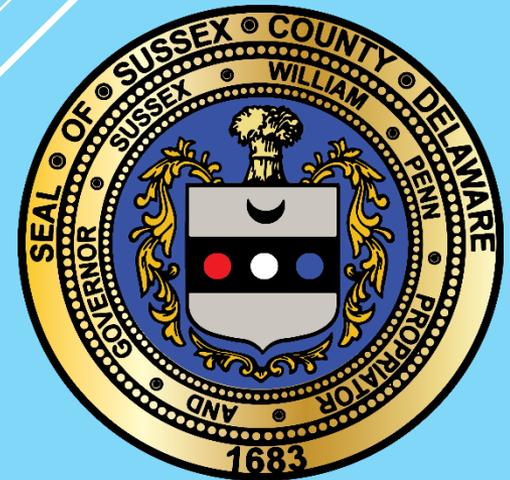


Sussex County Engineering Department

Proposed Herring Creek
Sewer District

Boundary Resolution

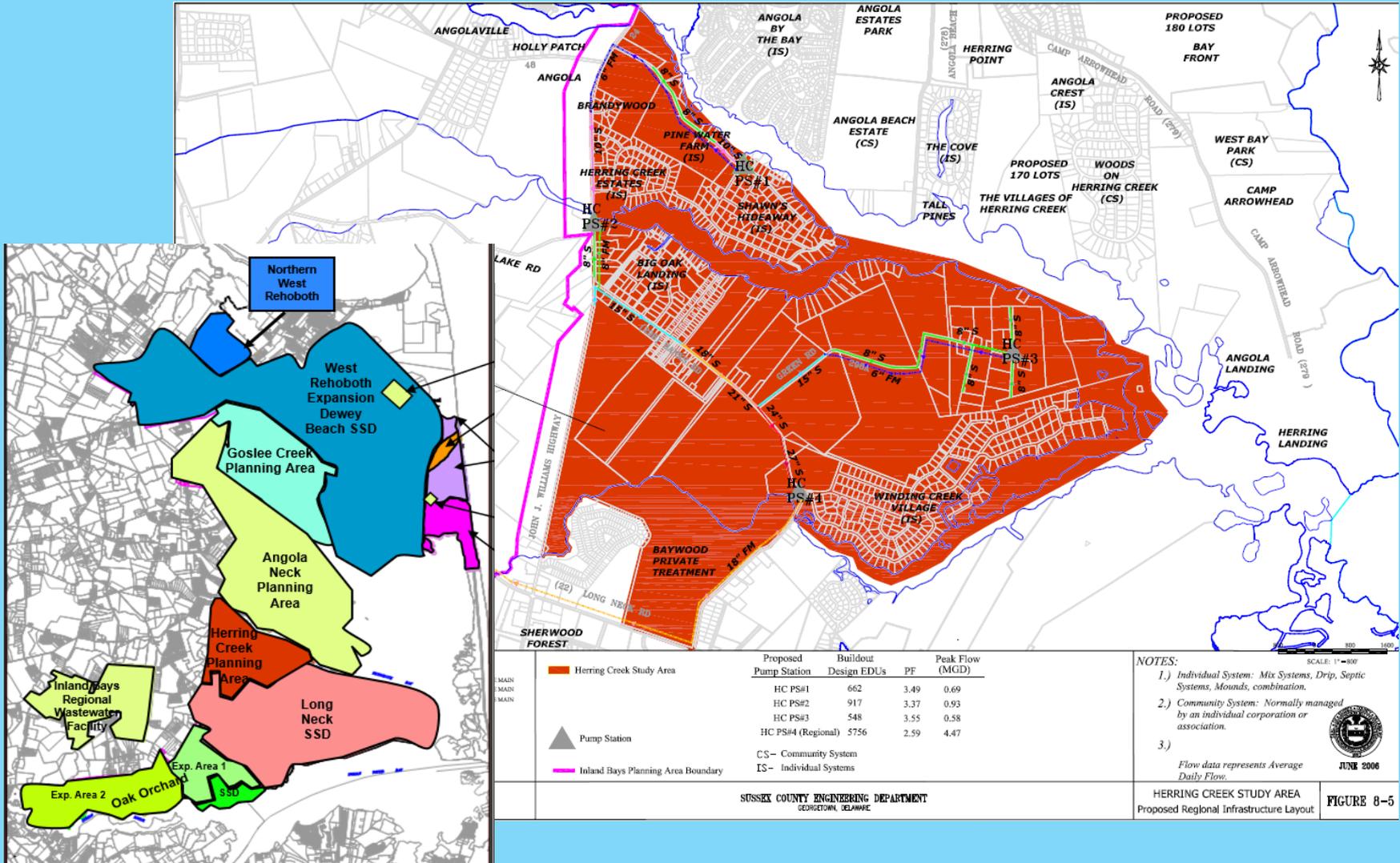


Timeline

Event	Date
County Council established the Development District which included the Herring Creek Area	2003
Engineering Department established Planning Areas which included Herring Creek	2005
Comprehensive Land Use Plan established Herring Creek as a Primary Service Area	2007
WCV Men's Breakfast – attended by WCV Board members, WCV residents, County Engineer and Director of Utility Planning	4/5/2012
Winding Creek Village Property Owners Association Letter	5/8/2012
Informal Polling Letter sent to Herring Creek Estates and Pinewater Farms property owners	8/3/2012
Permission to Prepare & Circulate Petitions granted by County Council	1/7/2014
Permission to Prepare & Post Notice of Public Hearing on the Boundaries granted by County Council	10/13/2015
Standard Operating Procedure - letters to residents, post notices, advertise	12/10/2015 – 2/10/2016
Public Hearing at Conleys United Methodist Church	2/13/2016
Deadline for written Boundary comments	2/26/2016 @ 4:30 pm
Letter to Residents to notify them of additional Public Meeting	3/28/2016
Public Meeting at Beacon Middle School	5/7/2016
Consideration of Resolution for the Boundary	6/7/2016



Herring Creek Identified as a Planning Area for Sanitary Sewer 2005

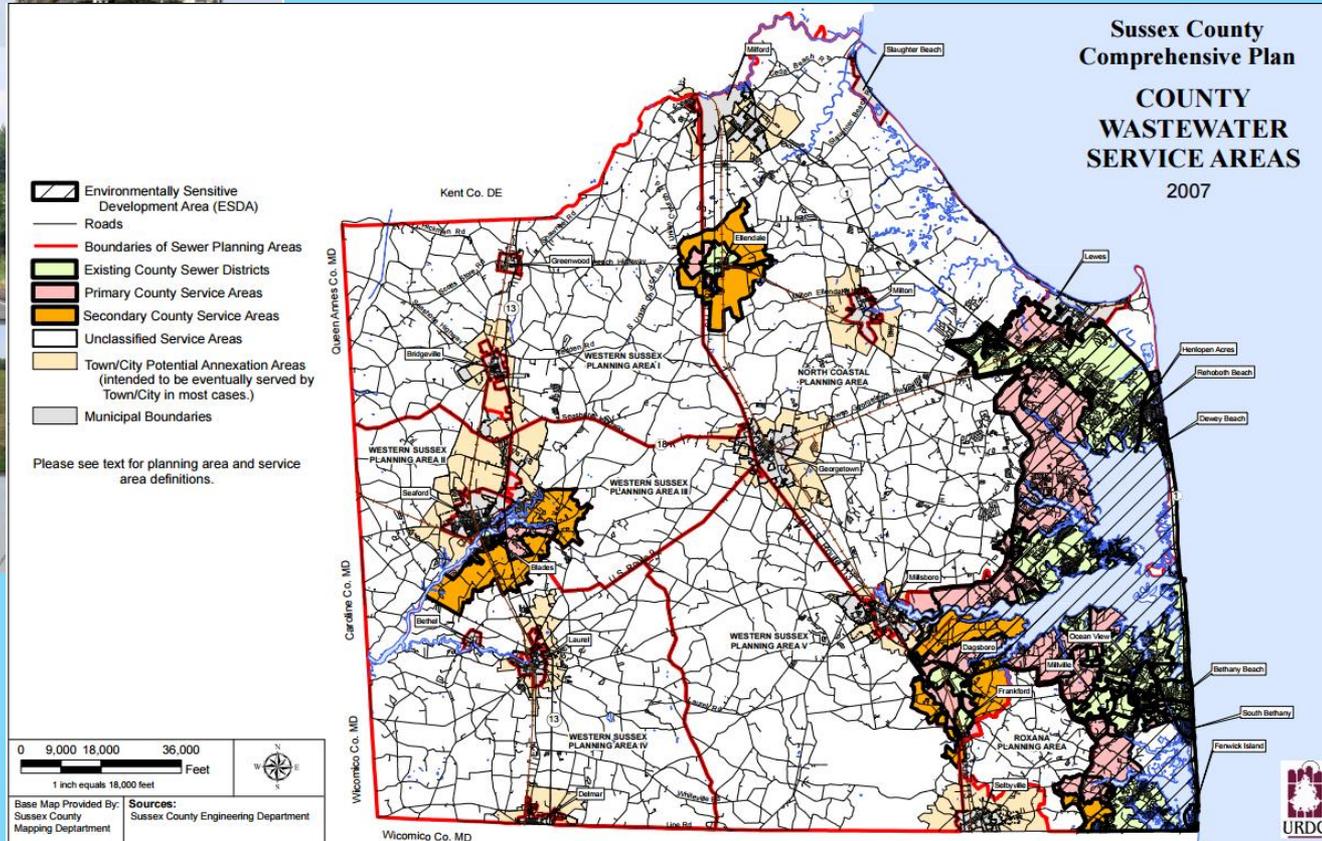
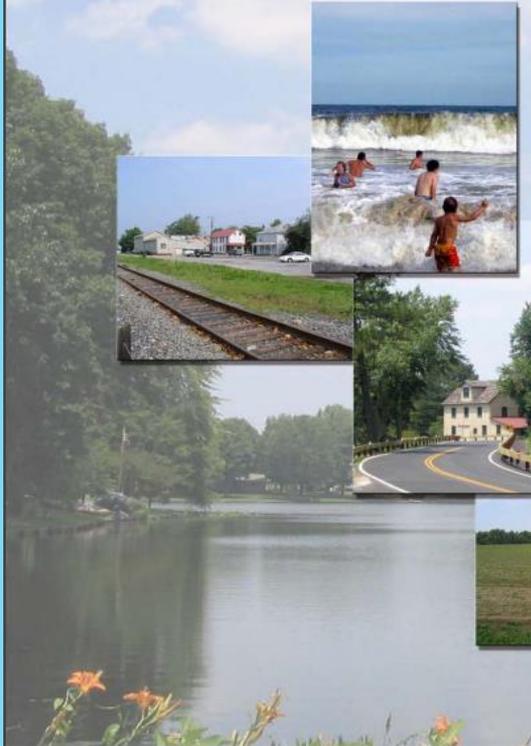


June 2008

Sussex County Delaware

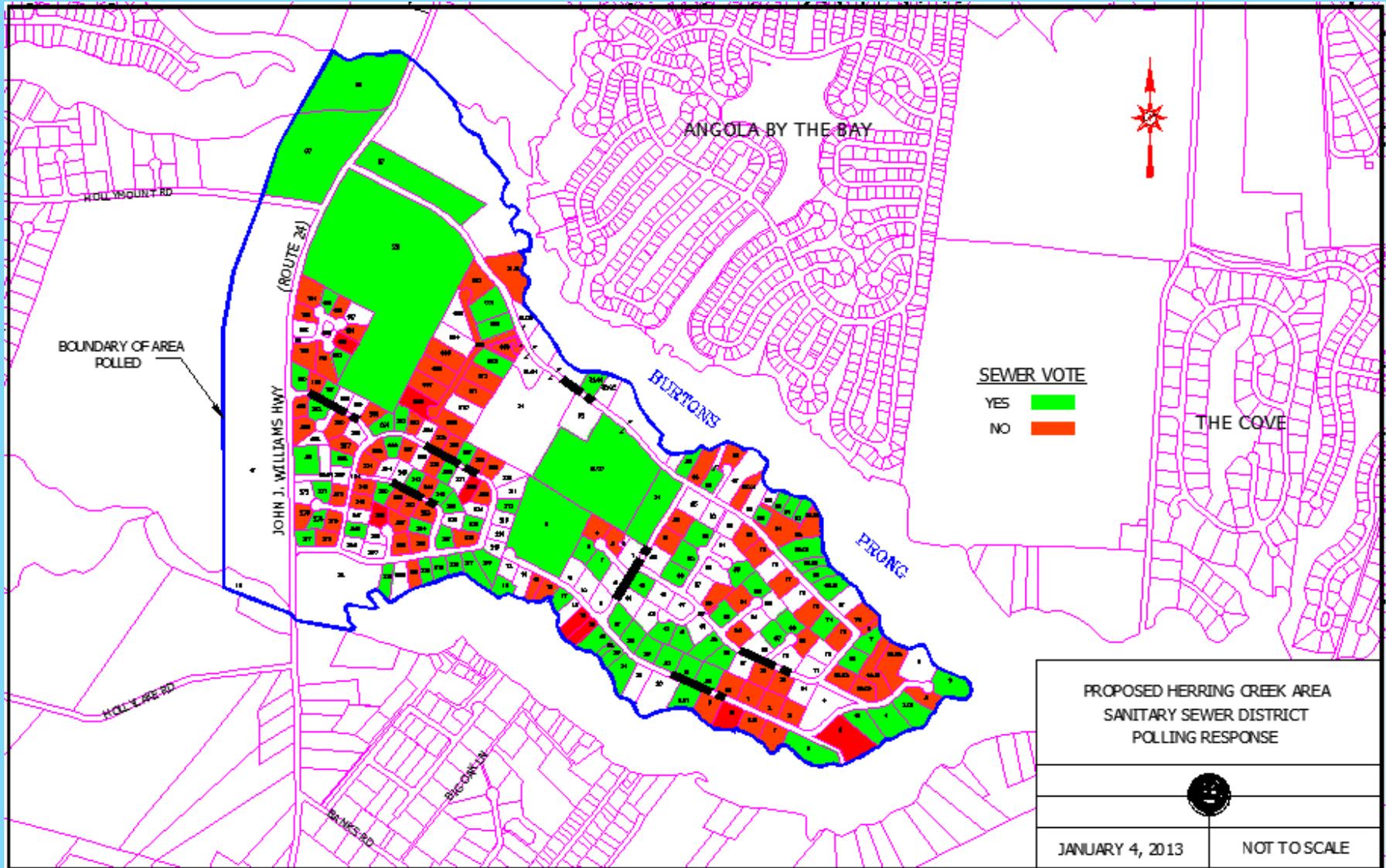
Comprehensive Plan Update

Herring Creek Identified in Primary Service Area 2007



Informal Sewer Polling Letter Responses

Pinewater Farms, Herring Creek Estates, Brandywood, Pinewater Woods



Sewer Petition

PETITION TO ESTABLISH A SANITARY SEWER DISTRICT FOR THE **HERRING CREEK AREA** IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

To the Sussex County Council, Delaware

I, the undersigned legal voter, property owner or resident of an area more fully described hereinafter that includes the subdivisions of Winding Creek Village, Herring Creek Estates, Pinewater Farms, Pinewater Woods, Bay Hollow Estates, Big Oak Landing, Short Hills and Shawn's Hideaway in Indian River Hundred, Sussex County, Delaware, do hereby petition the Sussex County Council to submit the question of organizing a sanitary sewer district to a referendum. Persons eligible to vote in said referendum are defined in 9 Del. C. §6519 of the Delaware Code. The approximate description of the proposed **Herring Creek Sanitary Sewer District**, which lies primarily west of State Route 24, John J. Williams Highway between Burton's Prong and Banks Road, is:

BEGINNING at a point where the southerly right-of-way (ROW) line of County Road 298 (Banks Rd) intersects with the northeasternmost property corner of the lands now or formerly (N/F) Evelyn M Abel and lands N/F of Baywood Communities, LLC, thence by and with said lands of Baywood in the following directions and distances; southwesterly 615± feet, northwesterly 1660± feet, northeasterly 610± feet, northwesterly 25± feet, southwesterly 275± feet, northwesterly 240± feet to a point, said point being the northwesternmost corner of said lands of Baywood & other lands N/F of Baywood Communities, LLC, thence by and with said other lands of Baywood in a northwesterly direction 1405± feet to a point, said point being the intersection of the easterly ROW of County Route 24 (John J. Williams Hwy) and said lands of Baywood, thence following said easterly ROW of John J. Williams Hwy approximately 6750 feet in a north/northeasterly direction to a point, said point being the intersection of lands N/F of Burton Bray Properties, LLC and Mary Lou Dickson, Mark A & Charles W Riley, thence by and with said lands of Burton Bray in a southeasterly direction to a point, said point being the intersection of said lands of Burton Bray and Dickson/Riley and the shoreline of Burtons Prong of Herring Creek, thence by and with the southern shoreline of Burtons Prong of Herring Creek in a southeasterly direction approximately 8300 feet to a point, said point being a corner of the lands N/F of Fasnacht Realty Co, INC & Nancy M Knopp, Trustee and the shoreline of Hopkins Prong, thence by and with the northern shoreline of Hopkins Prong in a westerly direction approximately 6760 feet to a point, said point being a corner of the lands N/F of Herring Creek Estates Owners Association, Inc. & the lands N/F of Shirley Messick Petit, thence by and with the southern shoreline of Hopkins Prong in an easterly direction approximately 5,080 feet to a point, said point being the a corner of the lands N/F of Timothy P Mumford and lands N/F of Sussex Realty Company, thence by and with said lands of Sussex Realty in the following distances and directions; southwesterly 420±, southeasterly 470± feet, southerly 97± feet, southeasterly 897± feet, to a point, said point being on the northerly ROW of County Road 298A (Green Rd) thence in a southeasterly direction 50± feet crossing said roadway to a point, said point the intersection of the southerly ROW of Green Rd and other lands N/F of Sussex Realty Company, thence by and with said lands of

Sussex Realty Company in the following directions and distances; easterly 220± feet, southerly 1500± feet, southwesterly 1090± feet, easterly 1885± feet, northerly 200± feet, easterly 150± feet, northerly 1810± feet to a point said point being the northeasternmost point of a said lands & a point on the boundary of lands N/F of Robert E Ribinsky, thence by and with said lands of Ribinsky in an easterly direction 360± feet to a point, said point being the southeasternmost corner of lands of Ribinsky and lands N/F of Daniel D Tompkins, thence by and with said lands of Tompkins in a northeasterly direction 391± feet to a point, said point being the southeasternmost corner of lands of Tompkins and lands N/F of Baywood, LLC, thence by and with said lands of Baywood in a northeasterly direction 1790± feet to a point, said point being a corner for other lands N/F of Baywood, LLC and James W & Terri A Venema, and lands N/F of Sussex Realty Company, thence following a line between the exterior boundary of Winding Creek Village and Guinea Creek (as shown on Plot Book No. 8 Page 840 & 841 of the Sussex County Recorder of Deeds Office) to a point, said point being a corner of the lands N/F of Winding Creek Village Property Owners Association and the southerly ROW of Banks Rd, thence following the ROW of Banks Rd in a northerly direction approximately 3750 feet to a point, said point being a point on the ROW of Banks Rd and a point on the southwesterly property line of the lands N/F of Timothy P Mumford, thence in a southwesterly direction approximately 50 feet crossing Banks Rd to a point, that being the point of the BEGINNING.

NOTE: The above description has been prepared using Sussex County Tax Map Nos. 234-17.00, 234-17.08, 234-17.12, 234-17.16, 234-18.00, 234-18.05, 234-18.09, 234-18.13, 234-23.00, & 234-24.00.

The proposed **Herring Creek Sanitary Sewer District** is within these approximate boundaries containing 909 acres more or less. A map drawn to scale indicating the boundaries of the proposed sanitary sewer district accompanies this petition.

Signature

Print Your Name

Print Your Address

177 Petitions were received to submit the question of organizing the sanitary sewer district to a referendum. There is a third page (notary page) not included for clarity



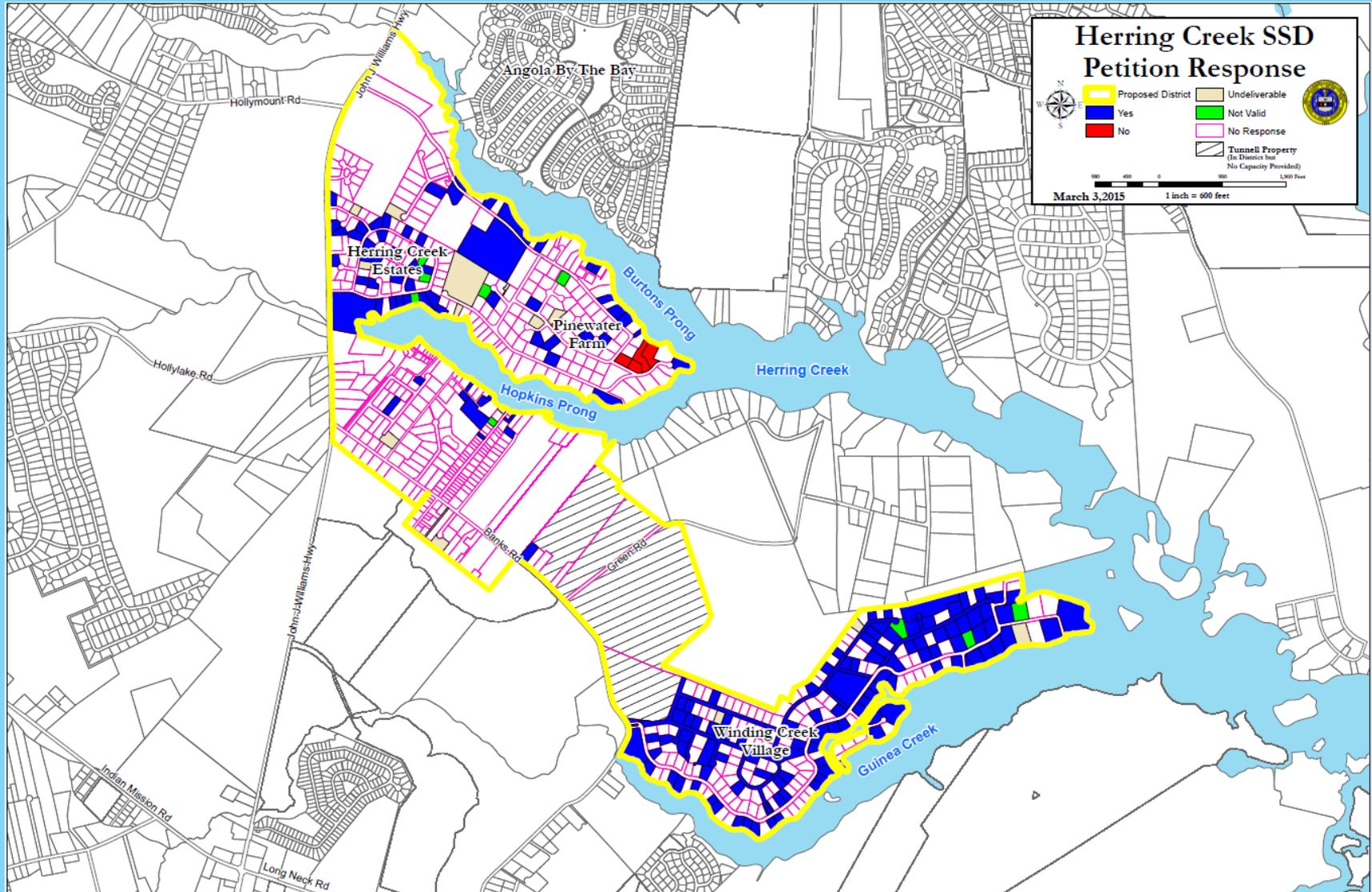
Sewer District Establishment

§ 6503 Establishment of sanitary or water district upon petition of voters.

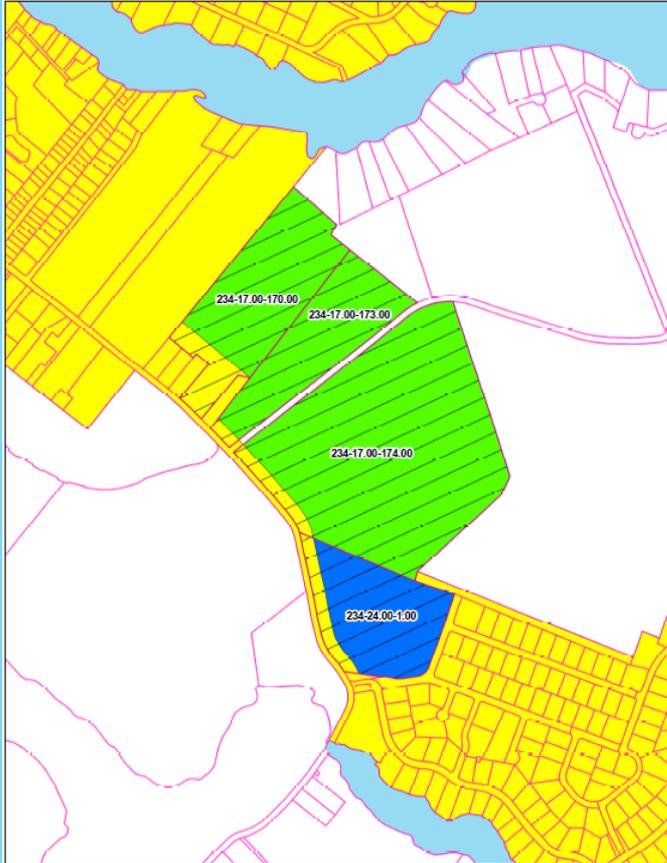
Fifty or more legal voters of a proposed sanitary sewer or water district, may petition the county government to submit the question of organizing a sanitary sewer or water district to a vote of electors in that district. The petition shall contain a description of the proposed district and shall be accompanied by a map drawn to scale showing the boundaries of the proposed district together with the limits of any incorporated areas which may be included in the district. The execution of the petition by an elector shall be acknowledged by that elector or it may be proved by the oath of a witness who shall swear that the witness knows the elector and that the petition was signed by the elector in the presence of the witness.



Herring Creek Sewer Petitions Received



Tunnell Properties & the Land Bridge



- ❖ The properties cross-hatched are owned by Sussex Realty Company and Baywood LLC.
- ❖ CPCN's issued to Inland Bays Preservation Company by the States Public Service Commission and operated under DNREC permit(s).
- ❖ The CPCN for 234-17.00-170.00, 173.00 & 174.00 was approved on 11/23/04 well prior to the County establishing the boundary.
- ❖ 234-24.00-1.00 was on the original application above but misplaced by the PSC, re-applied and approved on 08/27/13.
- ❖ Issuance of a CPCN prevents the County from providing sewer service.
- ❖ The County had previous conversations with the land owner and came to the understanding of including the parcels, but not providing capacity or requiring connection to the district.
- ❖ Due to concerns raised by the residents the County codified the above with and MOU approved by County Council on May 3, 2016. based on this MOU portions of the parcels (approx. 100') included to maintain a contiguous path as required by Del. Code 6501.



Proposed Schedule

Time Frame	Phase
June 7, 2016	Final Boundary Consideration by County Council
July 7, 2016	Absentee Ballot Deadline @ 4:30 PM
July 9, 2016	Referendum Vote (Location: Conley's UM Church – Jolyn's Way) 8am - 3pm
August 2016*	Design Phase Begins
Spring 2017*	Advertise/Bidding Phase
Summer 2017*	Begin Construction
Fall 2019*	Project Start-up

* Depends on outcome of the Referendum



Voting Information

-Absentee Voting-

- Sussex County Engineering Department (SCED) does have an absentee voting process.
- **Only for those unable to attend the referendum.**
- This is a complicated, multiple-step process. Please make the request early.
- **Due Date: Thursday, July 7, 2016**
- Ballots are due back at the SCED before 4:30 p.m. No exceptions.
- Contact Mrs. Sharon Smith at (302) 855-7706.



PROPOSED HERRING CREEK SANITARY SEWER DISTRICT

