



**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION**

March 22, 2023

Alan Decktor  
Pennoni Associates, Inc.  
18072 Davidson Drive  
Milton, DE 19968

RE: PLUS review – 2023-02-02; Gravel Hill – Shingle Point

Dear Mr. Decktor:

Thank you for meeting with State agency planners on February 22, 2023 to discuss the proposed plans for the Gravel Hill – Shingle Point Subdivision. According to the information received, you are seeking review of a subdivision plan for 94-unit cluster subdivision on 63.1 acres zoned AR-1.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

**Strategies for State Policies and Spending**

This project represents a major land development that will result in 94 residential units in an Investment Level 4 area according to the *2020 Strategies for State Policies and Spending*. This project is also located in an AR-1 area in Sussex County.

Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

From a fiscal responsibility perspective, development of this site is likewise inappropriate. The cost of providing services to development in areas where state and local comprehensive plans have no plans for infrastructure or services to support unplanned development is an inefficient

and wasteful use of the State's fiscal resources. The project as proposed will bring a new residential development to an area where the State is working to determine the investments needed to maintain the safety of the current road network based on the development that was planned in the 2018 comprehensive plan, not additional unplanned growth. In this effort, DelDOT is continuing to study the Route 9 Corridor under the Coastal Corridors study area to determine what Road improvements are needed along the Route 9 Corridor to meet the needs of the existing, approved, and planned development in the area.

The intended development will need access to services and infrastructure such as police, emergency services, transportation improvements and roadway maintenance. To provide some examples, the State government funds 100% of road maintenance and drainage improvements for the transportation system, and 100% of the cost of police protection in the unincorporated portion of Sussex County where this development is proposed. Over the longer term, the unseen negative ramifications of this development will become even more evident as the cost of maintaining infrastructure and providing services increases.

In addition, the development of this site may have the following environmental and social impacts:

- Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site. The applicant has indicated that a wetland delineation has not yet been finalized, but it is in progress. Because the development is inconsistent with the Strategies for State Policies and Spending, the Department is opposed to this subdivision.
- Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water and cover. Wildlife displaced by encroaching development may also become a nuisance for homeowners.
- Lots 81-84 are within the proposed wetland buffer. Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- The southern half of the parcel lies within lands designated within the Delaware Ecological Network, a statewide network of interconnected lands of significant ecological value. This GIS data layer is based on principles of landscape ecology and conservation biology, providing a consistent framework to identify and prioritize areas for natural resource protection. Forest disturbances on this site will jeopardize habitat on the parcel and likely beyond the parcel's boundary.

Removing forested areas within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate

stormwater, and improve water quality. Forests also provide shading and cooling, while also reducing carbon that contributes to climate change.

- The preliminary plan proposes the elimination of approximately 6.8 of 34 acres of forest on the site. An analysis of historical data indicates that the forest area located on the southern portion of the site has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.
- There is an existing drainage issue on the project site. The road ditches drain to a point south of this project and cause flooding of a yard and basement on a nearby parcel. DelDOT is aware that the road ditch does not have an outlet.

### **Code Requirements/Agency Permitting Requirements**

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The site accesses on Shingle Point Road (Sussex Road 249) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at [https://www.deldot.gov/Business/subdivisions/pdfs/Meeting\\_Request\\_Form.pdf?08022017](https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017).
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development, consisting of 94 detached single-family houses, would generate 953 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 70 and 94, respectively. Therefore, a TIS would normally be required.
  - Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not

require a TIS. The AWS Fee is calculated as \$10 per daily trip or, in this case, \$9,530. AWS Fees are used to fund traffic studies, not to build improvements.

- The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve Shingle Point Road, within the limits of their frontage, to meet DelDOT's standards associated with its Functional Classification. Shingle Point Road is a Local Road, for which the standard includes 11-foot lanes and 5-foot shoulders. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway.
- Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. Kevin Hickman. Mr. Hickman may be reached at [Kevin.Hickman@delaware.gov](mailto:Kevin.Hickman@delaware.gov) or (302) 760-2461.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Shingle Point Road. The following right-of-way dedication note is required, **"An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 600 feet of the proposed entrance on Shingle Point Road.
  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required where there is an existing path with which to connect. The project on the parcel to the south of the site will be responsible for installing Sidewalk or Shared Use Paths along their frontage. DelDOT anticipates requiring the developer to build sidewalk or SUP along their frontage.
- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Shingle Point Road and Gravel Hill Road.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

**Disclaimer Clause:** Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

### **Concerns Identified Within the Development Footprint**

#### **Wetlands and Subaqueous Lands**

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site. The applicant has indicated that a wetland delineation has not yet been finalized, but it is in progress. The application does not propose direct impacts to the wetlands.

Requirements:

- If the site design changes and dredge or fill of wetlands or subaqueous lands becomes necessary, permitting and/or authorization requirements may apply.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.

Website: <https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/>

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

### **Vegetated Buffer Zones**

Site plans show a 30-foot vegetated buffer along non-tidal wetlands. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

Requirements:

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Stormwater Management**

If the project proposes greater than 5000 square feet of land disturbing activities, it will be subject to Delaware's *Sediment and Stormwater Regulations*.

Requirements:

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.
- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.delaware.gov/enoi/>, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

### **Wildlife Displacement**

Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water and cover. Wildlife displaced by encroaching development may also become a nuisance for homeowners.

Requirements:

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

### **Wastewater Disposal Systems – Small Systems**

An expired permit (permit # 213170) exists for this site in the Small System Branch database.

Requirements:

- Contact the DNREC Commercial and Government Services Section to discuss requirements for properly abandoning these systems.

Contact: DNREC Commercial and Government Services Section at (302) 856-4561

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/septic-systems/>

### **Nutrient Management Plan**

This project proposes open space of 38.2 acres.

Requirements:

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

Contact: Delaware Department of Agriculture's Nutrient Management Program at (302) 698-4558.

Website: <https://agriculture.delaware.gov/nutrient-management/>

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

### **Proposed Project Parcel Flood Concern**

- This/These parcel(s) is/are located within an area of **Minimal Flood Concern of 1000 years or greater**.

### **Parcel Status within County Evacuation Zone Location**

- The parcel(s) is located within **Sussex County not** part of an Evacuation Zone.

### **Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant**

- The parcel(s) is **not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- The Delaware SHPO does not recommend development in Level 4 areas.
- There are no archaeological or aboveground sites within the project area. While the historic potential is moderate based on proximity to historic Shingle Point Road, we have no evidence of preexisting structures associated with the parcel on the eastern side of the road.
- In addition, the probability for precontact archaeological resources is low based on the absence of immediately available fresh water, and the presence of poorly to moderately well drained soils across most of the project area.



Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulations (DSFPR):

**Fire Protection Water Requirements**

- Water distribution system capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for residential occupancy use sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

**Fire Protection Features**

- For any townhouse buildings, provide note for 2-hour fire separation between townhomes and provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

**Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access roads to the subdivision must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door for one- and two-family dwellings.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

### **Gas Piping and System Information**

- Provide type of fuel proposed and show locations of bulk containers on plan.

### **Required Notes**

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if any buildings are to be sprinklered
- Townhouse 2-hr separation wall details shall be shown on site plans
- Provide Road Names, even for County Roads

### **Recommendations/Additional Information**

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

#### **Department of Transportation – Contact Stephen Bayer 302-760-4834**

- DelDOT suggests considering an emergency access, connecting from an internal subdivision street to Gravel Hill Road, that would include removable bollards at the entrance to allow for Pedestrian and Bicycle traffic.
- The DelDOT Coastal Corridors Study is evaluating “East-West” movements primarily across the northern portion of Sussex County along Delaware Routes 16 and 404 and US Route 9. Impacts to the local road system are also being examined. The study is collecting and evaluating data on how traffic enters and exits Delaware from Route 404 in Maryland and other points west of the state line and travels to and from the eastern portion of Sussex County. The study is evaluating the amount, time of day, and time of year for various components of “through traffic” (with an origin or destination on either side of the Bay Bridge) and “local traffic” (with an origin or destination primarily within

the northern Sussex County study area). When completed, the study will present recommendations for a range of improvements including:

- short term projects able to be completed within DelDOT's existing programs within 3-4 years,
  - medium term projects able to be designed and constructed within 5-8 years, and
  - longer term projects likely to take 10 years or more to study, design, and initiate.
  - Any entrances along the identified corridors (Delaware Routes 16 and 404 and US Route 9) may be addressed in the study from this point forward to the final recommendations as they are developed, and may include consolidated entrances, alternative entrances on other roads, or in a service road access model arrangement. DelDOT's initial findings in conducting the study include a future need to widen US Route 9.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Shingle Point Road or Gravel Hill Road.
  - The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
  - Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

### **Wetlands and Subaqueous Lands**

- As proposed for this project, do not disturb wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.  
Website: <https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/>

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.  
Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

### **Vegetated Buffer Zones**

- Expand the 30-foot buffer to no less than 100 feet from the edge of wetlands and all waterways to protect water quality and to provide an additional margin of safety for flooding.
- Lots 81-84 are within the proposed wetland buffer. Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.
- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.
- Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.  
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Delaware Ecological Network**

The southern half of the parcel lies within lands designated within the Delaware Ecological Network, a statewide network of interconnected lands of significant ecological value. This GIS data layer is based on principles of landscape ecology and conservation biology, providing a consistent framework to identify and prioritize areas for natural resource protection. Forest disturbances on this site will jeopardize habitat on the parcel and likely beyond the parcel's boundary.

- Removing forested areas within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while also reducing carbon that contributes to climate change.

Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600.  
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Removal of Mature Forest**

The preliminary plan proposes the elimination of approximately 6.8 of 34 acres of forest on the site. An analysis of historical data indicates that the forest area located on the southern portion of the site has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.
- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1<sup>st</sup> to July 31<sup>st</sup>. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.  
Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/conservation/>

### **Drainage Issues**

There is an existing drainage issue on the project site. The road ditches drain to a point south of this project and cause flooding of a yard and basement on a nearby parcel. DelDOT is aware that the road ditch does not have an outlet.

- Build out of the proposed site should be paused until the drainage issues can be resolved through DelDOT.

Contact: DNREC Drainage Program at (302) 855-1930.  
Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

### **Stormwater Management**

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

### **Drainage**

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

### **Water Quality (Pollution Control Strategies)**

This site lies within the Broadkill River Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.
- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.

- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.
- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. <https://dnrec.alpha.delaware.gov/watershed-stewardship/>

### **Wildlife Displacement**

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests are a key habitat type for wildlife in Delaware.
- Deer, groundhogs, and rabbits will browse on gardens, yards, and ornamental landscaping. Reduce the potential for future conflicts between future residents and wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

### **Mosquitoes**

The project is expected to be impacted by mosquitoes due to its location near large expanses of wetlands. Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands for mosquito control services beyond what DNREC has the resources to provide.

- If necessary, arrange for long-term mosquito control services through a private company licensed in this area of specialty. In some cases, the DNREC Mosquito Control Section may be able to provide these services free of charge.

Contact: DNREC Division of Fish and Wildlife, Mosquito Control Section at (302) 739-9917.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/>

### **Additional Sustainable Practices**

- Build garages and parking spaces to be "electric vehicle (EV)-ready". Many manufacturers have pledged to sell only electric vehicles in the next 10-15 years. Installing a 240-volt outlet in one or two locations in a garage will enable a resident to easily (and cheaply) install a level 2 EV charger. This will increasingly be a selling point for homes.

- Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).
- Incorporate nonmotorized connectivity between the northern and southern portions of the development to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.
- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.

Website: <https://dnrec.alpha.delaware.gov/climate-coastal-energy/>

Delaware Department of Agriculture – Contact Milton Melendez 302-698-4500

- The proposed development is in an area designated as Level 4 under the Strategies for State Policies and Spending. The consideration of an isolated development of this magnitude, is inconsistent with the methodical comprehensive growth of the area. The Department of Agriculture opposes the proposed development which conflicts with the preferred land uses, making it more difficult for agriculture and forestry to succeed, and increases the cost to the public for services and facilities.
- More importantly, the Department of Agriculture opposes this project because it negatively impacts those land uses that are the backbone of Delaware's resource industries - agriculture, forestry, horticulture - and the related industries they support. Often new residents of developments like this one, with little understanding or appreciation for modern agriculture and forestry, find their own lifestyles in direct conflict with the demands of these industries. Often these conflicts result in compromised health and safety; one example being decreased highway safety with farm equipment and cars competing on rural roads. The crucial economic, environmental and open space benefits of agriculture and forestry are compromised by such development. We oppose the creation of isolated development areas that are inefficient in terms of the



full range of public facilities and services funded with public dollars. Public investments in areas such as this are best directed to agricultural and forestry preservation.

- The Delaware Department of Agriculture supports growth which expands and builds on existing urban areas and growth zones in approved State, county and local plans. Where additional land preservation can occur through the use of transfer of development rights, and other land use measures, we will support these efforts and work with developers to implement these measures.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

### Population

- The county has a population density of **265.60** per square mile based on the US 2020 Census report: an increase from 2010 at **208.90** persons per square mile.
- The specific census block(s) the project is located on has a total population of **73**, though, with development, this will certainly change.
- The adjacent blocks aggregate brings the area to a total population of **964**.

### FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk of 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

$$\begin{aligned} & \text{Expected Annual Loss} \\ & \times \text{ Social Vulnerability} \\ & \div \text{ Community Resilience} \\ \hline & = \text{ Risk Index} \end{aligned}$$

- According to FEMA's National Risk Index, the parcel(s) is considered **very low** for overall natural hazards risks.
- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions, and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the

susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience is rated as **relatively moderate** while its social vulnerability is rated as **relatively low**.

### **Renewable Energy Commitment**

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities.
- Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters and battery backup systems for sump pumps to reduce potential water damage from power failure.
- Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.

### Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to install home fire sprinkler protection in all residential dwellings.
- The Office of the State Fire Marshal reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website:  
<http://delcode.delaware.gov/title6/c036/sc03/index.shtml>
- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

**Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.**

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Edgell', written over a light blue horizontal line.

David L. Edgell, AICP  
Director, Office of State Planning Coordination

Attachments:

- Sussex County Planning & Zoning Comments
- Sussex County Community Development & Housing Comments
- Sussex County Engineering Comments

JAMIE WHITEHOUSE, AICP MRTPI  
PLANNING & ZONING DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F  
jamie.whitehouse@sussexcountype.gov



**Sussex County**  
DELAWARE  
sussexcountype.gov

**Preliminary Land Use Service (PLUS) Meeting**  
**February 22, 2023**  
**December PLUS Comments**  
**Sussex County Department of Planning & Zoning**

**I. Review and Discussion: Gravel Hill - Shingle Point (2023-02-02)**

**Location:** Approximately (0.25) miles south of the intersection of Shingle Point Road (S.C.R. 249) the west side of Gravel Hill Road (S.C.R. 248).

**Project:** Review of a plan proposing a Cluster Subdivision comprised of 94 lots on three parcels comprised of 63.1 acres +/-.

**Sussex County Department of Planning & Zoning Comments**

The applicant is required to participate in a pre-application meeting with the County. Please contact the Planning and Zoning Department to schedule a pre-application meeting with staff to discuss the proposed project by calling (302)855-7878 or you may reach out to Michael Lowrey at [michael.lowrey@sussexcountype.gov](mailto:michael.lowrey@sussexcountype.gov).

Following submission to the County, staff will review the Preliminary Site Plan, where more detailed comments will be provided to the Applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

Please note that the following are informal staff comments, and do not prejudice any decision that the Sussex County Planning & Zoning Commission may wish to make as part of any application submitted to the Department.

**Tax Parcel ID(s):** 235-29.00-10.00, 10.11, 10.04

**Proposed:** The Plan proposes 94 single-family detached homes as a Cluster Subdivision, internal roads, open space, amenity features, and stormwater management.

**Zoning:** The parcels are currently zoned Agricultural-Residential (AR-1) where the proposed single-family improvements utilizing the Cluster Development option are permitted by-right and subject to the superior design standards required under the Cluster option.

**Density:** The proposed density of  $\approx 1.5$  dwelling units per acre complies with the Code requirements for Cluster Subdivisions in the Agricultural-Residential (AR-1) Zoning District which allows up to two (2) detached dwelling units per acre (DU/AC) when serviced by a central sewer system (§115-42(A)).

**Applicability to Comprehensive Plan:** The project lies within the within Rural Area classification of “Low Density Area” (per the 2018 Comprehensive Plan). As noted in the Plan, Rural Areas are defined as “predominantly rural landscape where farming co-exists with appropriate residential uses.” The primary uses envisioned in Low Density Areas are agricultural activities and homes. Additionally, the Plan notes that the “cluster option permitted in Low Density Areas should continue to permit overall site densities of up to two units per acre, provided significant open space is set aside and the tract connects to public sewers

Under the guidelines in the Plan, the Applicant’s proposed Cluster Subdivision could possibly be seen as an appropriate use within the (AR-1) Zoning District subject to site considerations and ensuring that the Plan meets the superior design criteria and requirements under (§115-25(E)).

**Open Space Provisions:** The proposed plan includes 38.2 acres +/- (out of a total of 63.1 acres) of open space which equates to approximately 60% of the project site. Staff have concerns about the Plan’s location of stormwater management as well as the fragmented nature of the open space in the Plan’s design. Please address these elements in order to achieve the superior design criteria required for the Cluster Subdivision option under (§115-25(F)(3)(a-c)). Staff note that the Plan indicates a “Potential Shared Use Path”. Staff note that the Cluster Subdivision standards require the provision of a pedestrian trail system (§115-25(F)(3)(c)[vi]).

**Interconnectivity:** The Commission desire to see interconnectivity between proposed developments in order to prevent only one-way-in, one-way-out access in the event that an emergency should occur on the property in the future. The site is situated adjacent to a unimproved agricultural lands. Staff request the Applicant provide for connections to potential development at these adjacent sites as improvements may occur at these locations in the future.

**Transportation Improvement District (TID):** The proposed project **is not located** within the Henlopen TID.

**Agricultural Areas:** The site is located within the vicinity of parcels which appear to be actively farmed. Please include on any plans submitted the Agricultural Use Protection notice located in (§99-6(G)(1)) of the County Code. This language shall also be included within any subsequent deed restrictions, leases, or agreements of sale for the property.

**Forested Areas:** The Applicant notes that there are presently (34) acres of existing forest on the site and that (6.8) acres will be removed. Therefore, the site is retaining (27.2) acres of forested area. Staff appreciate efforts to conserve as many mature trees as possible on the project site. Additionally, given the limited information on the Plan provided, Staff note that the Plan may not meet the County’s requirements for buffers, resource protection, or provision of open space when applied against the current County standards for Cluster development, superior design criteria, or resource protection.



**Wetlands/Waterways:** Staff have concerns about the Plan’s design for stormwater management in terms of Parcel #10.04. The Plan proposes a wet pond between two neighboring residential lots at this location and Staff would characterize this design to be outside the superior design criteria required for the Cluster Subdivision option under (§115-25(F)(3)(a)). Additionally, Staff again note that a classification of any wetlands on the site will be required in order to appropriately calculate the number of lots permitted on the site (See Zoning Comments Above). Staff note that all proposed residential lots are required to be exclusive of all buffers and note that the design would require revision to ensure that Lots #12, #13, #81 through #84, #93, & #94 do not contain wetlands or Resource Buffers (§99-5 Definitions - *FORESTED AND/OR LANDSCAPED BUFFER STRIP*).

**Site Considerations (Flood Zones, Tax Ditches, Groundwater Recharge Potential etc.):** The property is located within Flood Zone X. This is accurate according to current data available to Sussex County Planning & Zoning. The site is located within an area of “Poor”, “Fair”, and “Good” Groundwater Recharge according to State GIS data. Please note this on the plans in order to comply with the provisions of Chapter 89 “Source Water Protection” of the Sussex County Code (§89-7). Staff note that the site is **not** within a Wellhead Protection Area. Staff have concerns that the overall design does not meet the required maximum number of lots permitted and may not meet the design intent and requirements of (§115-25(E)) and (99-5) in terms of the location of stormwater management as well as the fragmented location of both open spaces and Lots #81 through #93.

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BRANDY BENNETT NAUMAN  
DIRECTOR OF COMMUNITY  
DEVELOPMENT & HOUSING  
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**Sussex County**  
DELAWARE  
sussexcountyde.gov

February 21, 2023

Mr. Alan Decktor  
Pennoni Associates, Inc.  
18072 Davidson Dr.  
Milton, DE 19968

RE: PLUS Review (PLUS 2023-02-02) – Gravel Hill-Shingle Point

Dear Mr. Decktor,

Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: [www.sussexcountyde.gov/affordable-and-fair-housing-resource-center](http://www.sussexcountyde.gov/affordable-and-fair-housing-resource-center). The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state and county sources, as well as private funding sources that also promote affordable housing in Sussex County. **Please visit [www.sussexcountyde.gov/housing-trust-fund](http://www.sussexcountyde.gov/housing-trust-fund) for information on the County's new Housing Trust Fund, which offers gap funding for developers of affordable housing.**

**Further, the County's newly approved Work Force Housing Zoning Ordinance permits up to 12 units per acre, by right, in eligible areas for projects that set-aside 25% of the total units for affordable rentals. For more information on eligibility and design criteria, please review the Ordinance at [www.sussexcountyde.gov/affordably-priced-rental-units](http://www.sussexcountyde.gov/affordably-priced-rental-units). The application can be found on the Planning & Zoning website at [https://sussexcountyde.gov/sites/default/files/forms/SussexCountyRentalProgram\\_Application.pdf](https://sussexcountyde.gov/sites/default/files/forms/SussexCountyRentalProgram_Application.pdf).**



Please understand that all residential projects, including Affordable Housing Projects are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Thank you,

A handwritten signature in black ink, consisting of three stylized, cursive letters: 'B', 'B', and 'N'.

Brandy B. Nauman  
*Director*





Visit [de.gov/plus](https://de.gov/plus) for updates

**Preliminary Land Use Service (PLUS) Meeting**  
**Meeting will be conducted on-line and in person**  
**Room 133, Haslet Armory**

**122 Martin Luther King Jr. Blvd., South**

Please see <https://publicmeetings.delaware.gov/> for link to on-line access

**February 22, 2023**

**Applicants should arrive at least 15 minutes before their appointed time. Times are approximate and are subject to change.**

**Public comment will be heard at the end of each PLUS application after the State Agencies have shared their comments with the applicants. Each person wishing to comment on the application under review will have up to 3 minutes.**

- I. 8:30 AM **Pre-Meeting Discussion – PLUS Reviewers**
- II. 9:00 AM **Review and Discussion: Silver View Farm (2023-02-05)**  
**County:** New Castle      **Municipality:** Unincorporated  
**Location:** 994 Vance Neck Road, Middletown  
**Project:** Review of a proposed Subdivision Plan to create 192 residential lots and open space on 122.84 acres zoned S with proposed Open Space option.
- III. 9:30 AM **Review and Discussion: DHCI – New Hospital (2023-02-06)**  
**County:** Kent      **Municipality:** Smyrna  
**Location:** 100 Sunnyside Road.  
**Project:** Review of a proposed Site Plan for the construction of a new 120 bed facility with 117,000 gross square footage on existing 15 acres campus zoned I & R (Institutional and Residential).
- IV. 10:00 AM **Review and Discussion: Savannah Farms (2023-02-08)**  
**County:** Kent      **Municipality:** Camden and Wyoming  
**Location:** Willow Grove Road & Moose Lodge Road, Camden-Wyoming.  
**Project:** Review of a Rezoning and Site Plan to change the zoning from R1 & R3 to R2 & R3 for the construction of a mixed unit type development consisting of 1,148 residential units on 361.11 acres.
- V. 10:30 AM **Review and Discussion: Dewey Beach Comprehensive Plan Amendment – 100 Buena Street (2023-02-01)**  
**County:** Sussex      **Municipality:** Dewey Beach  
**Location:** 100 Buena Street, Dewey Beach

**Project:** Review of a Comprehensive Plan Amendment to amend the Future Land Use Map from Commercial to Resort Residention to allow for a change in zone from Resort Business 2 District to Resort Residential District..

**The proposed project is located within the City/Town/Growth and Annexation Area of Dewey Beach. The Sussex County Engineering Department does not have comments for this project.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

VI. 10:45 AM **Review and Discussion: Long Property – Selbyville (2023-02-04)**

**County:** Sussex

**Municipality:** Selbyville

**Location:** West of 113, east of Cypress Road, Selbyville.

**Project:** Review of a Rezoning and Site Plan to rezone 48 acres from GC (General Commercial) to R4 with a Residential Planned Community overlay for the construction of a mixed-use development consisting of 106 single-family dwelling units and 5,000 SF of commercial.

**The proposed project is located within the City/Town/Growth and Annexation Area of Selbyville. The Sussex County Engineering Department does not have comments for this project.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

VII. 11:15 AM **Review and Discussion: DE Storage Greenwood (2023-02-03)**

**County:** Sussex

**Municipality:** Unincorporated

**Location:** East side of Route 13, north of Route 16, Greenwood.

**Project:** Review of a Site Plan to construct a 109,620 SF storage facility on 20.168 acres with proposed zoning of Highway Commercial upon annexation into the Town of Greenwood.

**The proposed project is located within a Tier 1 & 2 area and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required. Annexation into the Town of Greenwood is required to obtain sanitary sewer services.**

**A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.**

**The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.**

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

VIII. 11:45 AM **Review and Discussion: Cress Property (2023-02-09)**

**County:** Sussex County      **Municipality:** Unincorporated

**Location:** Between Pepper Road & Frankford School Road, south of Frankford.

**Project:** Review of a Site Plan for the construction of a Residential Planned Community containing a total of 535 dwelling units on 151.7 acres zoned AR-1 with proposed zoning of RPC. Requesting annexation into the Town of Frankford.

**The proposed project is located within a Tier 2 area and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.**

A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

**The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.**

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

IX. 12:15 PM **LUNCH**

X. 1:15 PM **Review and Discussion: Gravel Hill – Shingle Point (2023-02-02)**

**County:** Sussex      **Municipality:** Unincorporated

**Location:** Approximately 1,600 feet south of the intersection of Shingle Point Road and Gravel Hill Road

**Project:** Review of a proposed Subdivision for a 94-unit cluster subdivision on 63.1 acres zoned AR-1.

**The project is within a Tier 3 area for wastewater planning. Sussex County does not currently have a schedule to provide sanitary sewer to these parcels. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility or municipality.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

- XI. 1:45 PM **Review and Discussion: Long Property (2023-02-07)**  
**County:** Sussex **Municipality:** Unincorporated  
**Location:** South side of Lighthouse Road (Rt. 54) at the intersection with New Road (SCR 391).  
**Project:** Review of a Rezoning and Site Plan for 37.52 acres zoned AR-1 with proposed zoning of MR for the construction of a 108 single-family residential condominium community.

**The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.**

**A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.**

**The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.**

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- XII. 1:30 PM **Review and Discussion: Justice Property (2023-02-10)**  
**County:** Sussex **Municipality:** Unincorporated  
**Location:** Southwest side of Old Mill Road, 1,700 feet southwest of Whites Neck Road.  
**Project:** Review of a proposed Site Plan for the construction of a mixed unit type development consisting of 128 residential units on 10.68 acres zoned C-1.

**The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.**

**A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional**

parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- XIII. 2:45 PM **Review and Discussion: Family-Owned Hydroponic Greenhouse (2023-02-11)**  
**County:** Sussex                      **Municipality:** Unincorporated  
**Location:** Intersection of Adams Road and Newton Road, Bridgeville  
**Project:** Review of a proposed Site Plan for the construction of a 60-acre greenhouse facility on 93 acres zoned AR-1 with a Conditional Use.

The proposed project is located within a Tier 2 area and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required. Annexation into the Town of Bridgeville is required to obtain sanitary sewer services.

A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

- XIV. 2:15 PM **Review and Discussion: Sussex County Master Plan Zone Ordinance (2023-02-12)**  
**County:** Sussex                      **Municipality:** Unincorporated  
**Location:** Entire County  
**Project:** Review of a proposed Ordinance to create a new Master Plan Zoning District (MPZ) within Chapter 115 of the Code of Sussex County.

**The proposed project is located within the City/Town/Growth and Annexation Area of Sussex County. The Sussex County Engineering Department does not have comments for this project.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

**The agenda items times are approximate and subject to change. This agenda is subject to change to include additional items or the deletion of items, which arise at the time of the meeting.**