



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

March 22, 2023

Susan van de Merwe
Blueforest Environmental Development
5-420 Erb Street West Suite 212
Waterloo ON N2L 6K6

RE: PLUS review – 2023-02-11: Family Owned Hydroponic Greenhouses

Dear Ms. Van de Merwe:

Thank you for meeting with State agency planners on February 22, 2023 to discuss the proposed plans for the Van den Bosch Family-Owned Hydroponic Greenhouse. According to the information received, you are seeking review of a site plan for the construction of a 60 Acre Greenhouse Facility.

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 is located in a Level 1 and 2 investment area, which is consistent with the 2020 Strategies for State Policies and Spending.

Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Development in Level 1 and 2 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this site plan provided it meets the relevant codes and ordinances of Sussex County.

Code Requirements/Agency Permitting Requirements

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

- The site access on Adams Road (SCR 584) 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.
- 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 100 employee Nursery (Wholesale) (LUC 818), would generate 440 vehicle trip ends per day calculated at 10 times the evening peak hour, and estimates the weekday morning, evening, and Saturday peak hour trip ends at 30, 44, and 62, 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, \$4,400. AWS Fees are used to fund traffic studies, not to build improvements.
 - However, if the applicant believes, based on the proposed Greenhouse with Functional Support Area land use, the trip generation estimated by the Trip Generation Manual using Nursery (Wholesale) as the closest Land Use Code (LUC 818) is not reflective of the project, DelDOT would be willing to work with the applicant to get a more accurate representation of the project's trip generation which may result in no traffic analysis because the warrants for a TIS and therefore an AWSF would not be met.

- 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 Adams Road and Delaware Route 404, within the limits of their frontage, to meet DelDOT's standards associated with its Functional Classification. Adams Road is a Local Road, for which the standard includes 11-foot lanes and 5-foot shoulders. Delaware Route 404 is a Principal Arterial, for which the standard includes 12-foot lanes and 8-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 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 Adams Road. By this regulation, this dedication is to provide a minimum of 50 feet of right-of-way from the physical centerline of Newton Road (Delaware Route 404). 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 450 feet of the proposed entrance on Adams 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 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required.
- 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 Adams Road and Delaware Route 404.
- 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

Stormwater Management

While rainwater harvesting is proposed as a means of stormwater management, the project will be subject to Delaware's *Sediment and Stormwater Regulations*, according to the Sediment and Stormwater Program in conjunction with Sussex Conservation District.

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.

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

Tax Ditches

Prong 1 of the Bridgeville Tax Ditch lies on the western portion of the site. The site is split between the Bridgeville Branch Tax Ditch watershed and the Bee Branch Tax Ditch watershed. Tax ditches are man-made channels created to move normal water flow off agricultural lands. These channels have associated tax ditch Rights-of-Way (ROW) that are utilized for access as well as sediment and debris disposal during maintenance. Tax ditch ROWs vary by channel size and location. Prong 1 of the Bridgeville Tax Ditch has a 16.5 foot to Top of Bank (TOB) ROW extending into the project boundary.

Requirements:

- Development of the site may result in a change to the drainage pattern and associated tax ditch watershed boundary. To change existing tax ditch watershed boundaries, a Court Order Change must be submitted by the DNREC Drainage Program. To initiate this process, complete and submit the attached Land Development Project Review Request form.
- Contact the DNREC Drainage Program to discuss the on-site tax ditch ROWs prior to the project application meeting with the appropriate plan review agency for construction stormwater management.
- Permanent obstructions including, but not limited to, stormwater management facilities, buildings, sheds, streets, wells, and septic systems are not allowed within the tax ditch ROWs.

- Existing tax ditches on the property must be surveyed and compared to tax ditch design specifications for effective function. The channel should be cleared or excavated prior to the construction of the project if needed.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.

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

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

Tax Ditch Mapper: de.gov/taxditchmap

Tax Ditch guidelines: <https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf>

Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site along the tax ditch. The application indicates that wetlands have not been delineated. 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.
- A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. For a list of consultants and engineers who can conduct wetland delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link:
<http://www.dnrec.delaware.gov/wr/Documents/WLSL/Consultant%20List.pdf>
- Include mapped wetland boundaries on site plans.

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/>

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

Proposed Project Parcel Flood Concern

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

Parcel Status within County Evacuation Zone Location

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

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

- There is an archaeological site known as the William Robinson House S08635 on the northern part of the parcel. The house was demolished or destroyed. Previous pedestrian archaeological survey did locate the archaeological traces of a house marked on historic maps that is thought to have been the William Robinson Tenant House. This site was mapped with a diameter of close to 500 ft and was located approximately in the center of the project area. While this structure was demolished at some point in the late 20th century, there is high potential for historic archaeological materials and features within the project area associated with this dwelling.
- Other than agricultural activity and some slight alteration to the landscape, the disturbance across the project area is minimal. This also lends for an increased potential for intact archaeological deposits in the project area.
- The DE SHPO recommends that archaeological shovel testing be completed prior to any ground disturbing activity to locate subsurface deposits identified in the previous archaeological survey.

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

- Compliance with Regulation 702, Chapter 6, Fire Flow Table 1 is required.

Fire Protection Features

- All structures over 10,000 sqft aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sqft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR
- All mini-storage buildings greater than 2500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance-rated barrier shall require an automatic sprinkler system be installed throughout.

Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:

- (1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
- (2) the owner of the facility does not have unrestricted access to the storage units, and*
- (3) the items being stored are concealed from view from outside the storage unit.*

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 road to the subdivision from Zion Church Road 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.
- 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 Building is to be sprinklered
- 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 Planning is working with the towns of Greenwood and Bridgeville to develop a future-looking, long-range transportation plan for Greenwood, Bridgeville, and the areas surrounding the towns, which will help integrate transportation improvements with community goals and visions. The planning process is focused on safety, mobility, economic development, quality of life, and other topics that emerge. This effort is an outgrowth of the [Coastal Corridors Study](#), which focused on the east-west roads from the Maryland State Line to SR 1, between SR 16 and SR 404. Data collected during that study presented the opportunity to proceed with a longer-range transportation and

community planning approach along the western side of the study area (west of US 113). This effort will be wrapping up summer of 2023 with a final public workshop anticipated later this spring. More information can be found on the municipal websites: <https://bridgeville.delaware.gov/information-plans-maps/2023-greenwood-and-bridgeville-transportation-plan/>

- Questions regarding the study should be directed to the Project Manager, Jennifer Cinelli-Miller. Ms. Cinelli-Miller may be reached at jennifer.cinelli@delaware.gov or (302) 760-2549.
- 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 Adams Road and Delaware Route 404.
- 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

Tax Ditches

- All existing 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.

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

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

Tax Ditch Mapper: de.gov/taxditchmap

Tax Ditch guidelines: <https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf>

Key Wildlife Habitat

The tax ditch on this property is mapped as a Key Wildlife Habitat in the Delaware Wildlife Action Plan because it can serve as a corridor and hydrological refugium for an array of animal species across the landscape.

- Key Wildlife Habitat should be conserved to the maximum extent practicable and negative impacts should be minimized.

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/>

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/>

Water Quality (Pollution Control Strategies and Chesapeake Bay Watershed Implementation Plan)

This site lies within the Upper Nanticoke 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. This site also lies within the Chesapeake Bay Watershed. Phases I and II of the Chesapeake Bay Watershed Implementation Plans can be found at:

<https://dnrec.alpha.delaware.gov/watershed-stewardship/nps/chesapeake/>.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.
- 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.

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

Additional Sustainable Practices

- If feasible for the project, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. 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/>).
- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.
- 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 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 **10**, though, with development, this will certainly change.
- The adjacent blocks aggregate bringing the area to a total population of **327**.

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.

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

- According to FEMA's National Risk Index, the parcel(s) is considered **relatively low** for overall natural hazard 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 and social vulnerability are rated as **relatively moderate**.

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

- 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, 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,



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

Attachments:

DNREC Tax Ditch Project Review Request Form
Sussex County Planning & Zoning Comments
Sussex County Engineering Comments



Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Tax Ditch Land Development Project Review Request Form

Project Name: _____

Attach Site Plan of proposed request(s) and include all structures, easements, setbacks, etc. that make your proposal as requested necessary. Include and label existing tax ditch channel and rights-of-way for comparison.

Check out de.gov/taxditchmap to view tax ditch channels and rights-of-way from any web browser. To download the tax ditch GIS Feature Service layer to your own application, visit Delaware FirstMap. Don't forget to label all tax ditch features in all your plans!

Project Representative/Consultant Information:

Name(s): _____
Company: _____
Title(s): _____
Phone Number(s): _____
Email(s): _____

Owner(s) Contact Information:

Name: _____
Phone Number: _____
Email: _____

Authorized Signer(s) Contact Information (when applicable):

Name: _____
Title: _____
Phone Number: _____
Email: _____

For Internal Use Only

Date Received: _____
Tracking #: _____



Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Property Information:

Tax Parcel(s) Affected: _____
Tax Ditch Organization(s) Affected: _____

Request(s) of / Proposed Impact(s) to Tax Ditch System (Check all that apply):

<input type="checkbox"/>	Outfall/Discharge into Tax Ditch Channel(s)
<input type="checkbox"/>	Pipe Crossing/Entrances in Tax Ditch Channel(s)
<input type="checkbox"/>	Relocate/Eliminate Tax Ditch Channel(s)
<input type="checkbox"/>	Reduce/Increase Tax Ditch Rights-of-Way
<input type="checkbox"/>	Change Tax Ditch Watershed Boundary
<input type="checkbox"/>	Alteration of Existing Tax Ditch Channel(s)
<input type="checkbox"/>	Utility Crossing in Tax Ditch Channel
<input type="checkbox"/>	Other Explain: _____

Based on the options selected above, additional information may be requested.

Please specify Tax Ditch Channel(s) affected, existing and requested tax ditch rights-of-way extents whenever applicable, using the space below. (REQUIRED)

Submit all forms to the DNREC Drainage Program
Via email: DNREC_drainage@delaware.gov
Subject Line: Tax Ditch- Land Development Request

For questions about this form please call the Tax Ditch Program at 302-855-1930.

For Internal Use Only

Date Received: _____
Tracking #: _____

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: Family-Owner Hydroponic Greenhouse (2023-02-11)**
Location: South corner of Newton Road (S.C.R. 582) and Adams Road (S.C.R. 583)
Project: Review of a Plan for commercial greenhouse structures ($\approx 2,621,769$ SQ FT – (60 acres)) on a parcel comprised (97.95) 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.

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: 131-6.00-1.00

Zoning: The parcel is currently zoned Agricultural Residential (AR-1). Under (AR-1) Zoning the proposed improvement of commercial greenhouse is permitted by-right on parcels measuring five (5) acres or more (§115-20(A)(9)).

Proposed: The applicant proposes commercial greenhouse structures ($\approx 2,621,769$ SQ FT – (60 acres)), storage tanks, parking/loading areas, internal streets, stormwater management and ancillary improvements on a parcel comprised (97.95) acres +/-.

Density: N/A

Applicability to Comprehensive Plan: The project lies within the Growth Area and is categorized as “Developing Area” (per the 2018 Comprehensive Plan). Developing Areas are areas adjacent to municipalities which are “newer, emerging growth areas that demonstrate the characteristics of development pressures” (2018 Sussex County Comprehensive Plan, 4-9).

The Plan does not provide a specific guideline for this type of large-scale commercial development in Developing Areas, but includes guidance for higher intensity residential density sites as follows (2018 Sussex County Comprehensive Plan, 4-16):

- Central Water & Sewer
- Near Sufficient Commercial Uses & Employment Centers
- Keeping with the Character of the Area
- Along Main Road - Near Major Intersection
- Adequate Level of Service
- Other Considerations (Relative to proposed intensity & bulk)

Under the guidelines in the Plan, the Applicant's Plan could be interpreted as an appropriate use at the proposed site.

Open Space Provisions: N/A

Interconnectivity: While it is understood that there can be existing site constraints which may inhibit the ability for this proposal to connect to adjacent lands, please note that Staff 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. As this parcel is adjacent to the municipal boundary for the Town of Bridgeville, staff recommend the Applicant consider a design that provides for future interconnectivity to the adjacent parcels with frontage on West Newton Road in order to integrate access with any future neighboring development.

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 future plans, 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 (0.25) acres of existing forest on the site and that (0.0) acres will be removed. Therefore, the site is retaining (0.25) acres of forested area. Staff appreciate efforts to conserve as many mature trees as possible on the project site.

Wetlands: The Application notes that there are no Tidal Wetlands with (0.2) acres of Non-Tidal Wetlands on the site. Please note, the wetland buffer requirements under Sussex County Code were recently updated and code requires that "established natural forests and nonforest meadows predominated by noninvasive species shall be retained" (§115-193(D)(2)(a)). Any proposed plan for the site will be required to meet all the wetland buffer standards included in (§115-193). Additionally, staff note the Plan does not encroach on the Tax Ditch ROW (Bridgeville Branch) on the site. Staff note, any changes to the tax ditch right-of-way (ROW) on the site requires DNREC approval via a request for a Court Order Change (COC).



Site Considerations (Flood Zones, Tax Ditches, Groundwater Recharge Potential etc.): The property is located within Flood Zone “X” (Areas determined to be outside of the 100 year floodplain) as indicated in the applicant’s Conceptual Land Use Plan. This is accurate according to current data available to Sussex County Planning & Zoning. The site is located within areas of “fair” and “good” groundwater recharge according to the DE State GIS data available. Please note this on any plans in order to comply with the provisions of Chapter 89 “Source Water Protection” of the Sussex County Code (§89-7). Staff notes that the proposal is not within a wellhead protection area (§89-6).





Visit 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

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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.