



STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

May 20, 2024

Jason Palkewicz, PE
303 N Bedford Street
Georgetown, DE 19947

RE: PLUS review – 2024-04-02; Reynolds

Dear Mr. Palkewicz:

Thank you for meeting with State agency planners on April 24th, 2024 to discuss Reynolds. According to the information received, you are seeking review of a proposed site plan and rezoning for a residential planned community with a mixture of single family and townhome lots for a potential of 181 units and proposed zoning of GR/RPC (General Residential/Residential Planned Community Overlay) on 63.3 acres.

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 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 within Investment Levels 2 and 3 according to the 2020 Strategies for State Policies and Spending. If applicable, add: This site is also located in the Coastal Zone in the Sussex County Comp Plan.

Based on its location in a Level 2 and Level 3 investment area, this project may be consistent with the 2020 Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and state plans in the near-term future. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development.

Based on comments from State agencies below, if this parcel contains environmental concerns or other constraints to development, the state requests that the applicant and the local jurisdiction work with state agencies to design the site with respect to those environmental features which will help create a more sustainable development.

Code Requirements/Agency Permitting Requirements

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

- The site access on all State maintained roads must be designed in accordance with DeDOT'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 Development Coordination 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.
- In terms of traffic analysis based on the expected trip generation this project will qualify for the Area Wide Study Fee (AWSF).
- Section 1.7 of the Development Coordination Manual addresses fees that are assessed for the review of development proposals. DeDOT 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.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DeDOT 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 Legion 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 Development Coordination Manual, DeDOT 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 Development Coordination 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 300 feet of the proposed entrances on Handy Road.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- In accordance with Section 3.8 of the Development Coordination 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 all State maintained roads.
- In accordance with Section 5.2.9 of the Development Coordination 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 Development Coordination 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 Development Coordination 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.
- In accordance with the Development Coordination Manual the developer will be required to provide sidewalks along the property frontages.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

- 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. Developers and municipal officials are encouraged to reach out to Beth Krumrine at (302) 735-3480 or Beth.Krumrine@delaware.gov if they have any specific requests for information.

Wetlands and Waterways

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of several non-tidal wetlands throughout site, as well as the presence of a perennial stream located along the eastern border of the property. The application indicates that the wetlands have been delineated, with anticipated disturbance to approximately 0.008 acres of non-tidal wetlands.

- Include mapped wetland boundaries on site plans.
- State permits from the DNREC Wetlands and Waterways Section may also be necessary if dredge, fill, or structures are proposed in tidal wetlands, streams, or State Subaqueous Lands.
- Federal permits from the U.S. Army Corps of Engineers may also be necessary if dredge or fill is proposed in non-tidal wetlands or streams. A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the U.S. Army Corps of Engineers to determine the appropriate permitting requirements if federal permits are required.

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 Waterways Section at (302) 739-9943.

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

Stormwater Management

The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- 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://enoi.dnrec.delaware.gov/>, 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.delaware.gov/watershed-stewardship/sediment-stormwater/>

Electric Vehicle Charging Requirements

Electric vehicle charging infrastructure is now required for all residential dwellings in Delaware (see 80 Del. Laws, c. 145 § 8001- § 8006) for which:

1. A building permit is issued on or after January 1, 2024 (single family), or
2. The final site plan is approved on or after January 1, 2025 (multi-family).

Requirements are summarized below. Consult the Delaware Code directly for further details.

Single-family Dwellings, effective 2024:

- The developer of a single-family residential dwelling shall install at least one electric vehicle capable parking space at each single-family residential dwelling constructed.
- If the single-family residential dwelling does not have an attached or detached garage, an electric vehicle capable parking space must be provided in the driveway, assigned parking space for the dwelling, or at an unassigned non-street residential parking space constructed as part of the project.

Multi-family Dwellings, effective 2025:

- The developer of a multi-family residential dwelling shall install electric vehicle parking spaces, where at least 5% of the total parking spaces for the multi-family residential dwelling must be electric vehicle capable parking spaces.
- In addition, a developer of a multi-family residential dwelling shall provide at least one electric vehicle charging infrastructure parking space in an area available for use by all residents of the multi-family residential dwelling (example: community centers).
- Construction documents must indicate the location of proposed electric vehicle charging infrastructure parking spaces and electric vehicle capable parking spaces.

Parking space dimensions must comply with the county or municipal building code applicable to the multi-family residential dwelling.

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

No Delaware Department of Agriculture code or regulations apply to this PLUS project.

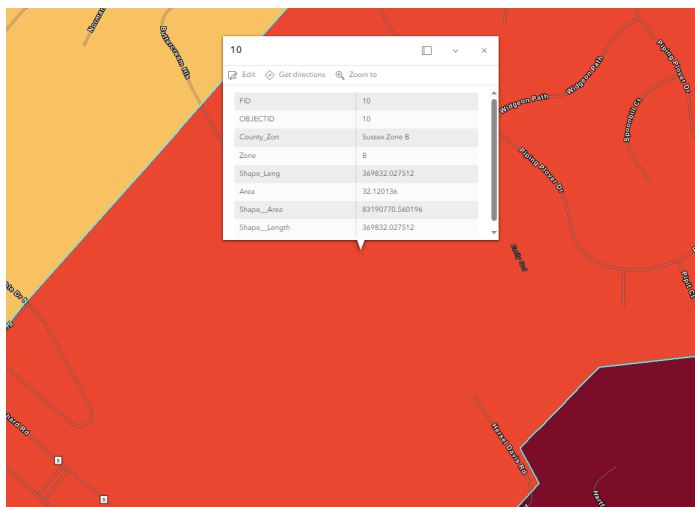
Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- This parcel is located within an area of **Minimal Flood Concern of 1000 years or greater.**

Parcel Status within County Evacuation Zone Location

- The parcel is located within Sussex County's Evacuation Zone B.



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

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

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

- There are no known archaeological sites or known National Register-listed or eligible properties in the project area. The northern edge of the project area abuts Emily's Gut, a tributary to the Indian River. The parcel is composed of well-drained soils which are considered favorable conditions for past human occupation. There is high potential for pre-Contact sites in the northeastern half of the project area.
- According to historic maps and aerials, there is a historic occupation to the west of parcel 234-29.00-264.00. There is moderate potential for historic archaeological sites related to this known occupation.

- Our Office recommends an archaeological survey prior to any ground disturbance. If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch.54).
- If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

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 Regulation (DSFPR):

Fire Protection Water Requirements

- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Industrial)
- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Education)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft, 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.

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 Sussex Pines 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

- 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 DeIDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Vegetated Buffer Zones

Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- Increase the wetland buffer to 100 feet from all wetlands and waterways across the entire site.
- 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.

- 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.
- 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.delaware.gov/fish-wildlife/contact-information/>

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.

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

Water Quality

This site lies within the Indian 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/>

Wetlands and Waterways

- Maintain habitat connections to undeveloped open space, which are especially important for species movement across the landscape.
- Design the development to exclude curbs. If road curbing is part of the design, select curbing that allows small animals, such as turtles and salamanders, to climb out of the roadbed (Type 2 or Cape Cod curbing).
- Use wide, open bottom box culverts to allow for passage of amphibians.

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

Delaware Ecological Network

The forested area on this site is considered core habitat within the Delaware Ecological Network, a statewide network of interconnected lands having significant ecological value. This GIS data layer helps to identify and prioritize areas for natural resource protection, including forests, wetlands, streams, and high-quality habitat for rare plants and animals.

- Avoid disturbance within these habitats to maintain the naturally occurring landscape and connectivity of priority wildlife habitats.
- In general, larger, connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement and migration from one area to another and reducing roadway mortality.

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

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

Removal of Mature Forest

The preliminary plan proposes the elimination of approximately 39.7 of 51.5 acres (77%) of forest on the site. An analysis of historical data indicates that the forest area covering most 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. 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.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible.
- In general, contiguous forest and connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement from one area to another while reducing roadway mortality.
- 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 1st to July 31st. 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.delaware.gov/fish-wildlife/contact-information/>

Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- 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. For community facilities, 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.delaware.gov/climate-coastal-energy/renewable/assistance/>).
- Consider planting stands of native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.
- 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.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 1328, though, with development, this will undoubtedly change. The 45 adjacent blocks aggregated bring the area to a total population of 3347.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hal, 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 is considered **relatively 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 and its social vulnerability are both rated as **relatively moderate**.

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **electricity** as the predominant fuel type for heating purposes.
- 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 or solar panels where applicable and allowable, and the like.

DEMA Notes:

- In reference to the evacuation zone, DEMA recommends the zone's designation and the information behind it be made readily available to all persons on the parcel, which can be done by simply placing a sign or having pamphlets readily accessible.

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:

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

- Sussex Engineering Comments

BRANDY BENNETT NAUMAN
DIRECTOR OF COMMUNITY
DEVELOPMENT & HOUSING
(302) 855-7777 T
(302) 854-5397 F
bnauman@sussexcountyde.gov



Sussex County
DELAWARE
sussexcountyde.gov

April 23, 2024

Mr. Jason Palkewicz
Solution IPEM
303 N. Bedford St.
Georgetown, DE 19947

RE: PLUS Review (PLUS 2024-04-02) – Reynolds

Dear Mr. Palkewicz,

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. 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 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. The application can be found on the Planning & Zoning website at 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

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



Sussex County
DELAWARE
sussexcountyde.gov

Preliminary Land Use Service (PLUS) Meeting
April 24, 2024
April PLUS Comments
Sussex County Department of Planning & Zoning

Review and Discussion: Reynolds (2024-04-02)

County: Sussex County

Municipality: Unincorporated

Location: North side of Cave Neck Road (S.C.R. 88)

Project: Review of a proposed Residential Planned Community (RPC) on an approximately 63.2 two parcels comprised of approximately 125.13 acres into 187 single-family residential lots, internal roads, and amenities.

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.

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): 234-29.00-264.00 (portion of) & 234-29.00-265.00

Proposed: A Residential Planned Community (RPC) on a \approx 63.277 acre site to include 181 residential units to include 107 single family lots, 74 multifamily townhouse units, internal roads, perimeter buffers, open space, stormwater management, and amenities.

Zoning: The Parcel is currently zoned General Residential (GR) District. Please note, as part of any RPC approval, the Planning and Zoning Commission may impose conditions regarding the layout and design of the proposed development and, where applicable, shall require that appropriate deed restrictions be filed to assure compliance with the development plan (§115-125(B)).

Density: The Plan would result in a density of ≈ 3 dwelling units per acre which is within the requirement in County Code. The permitted density for an RPC in the GR Zoning District when within a Coastal Area on the FLUM is required to have a density of less than 4 dwelling units per acre.

Applicability to Comprehensive Plan: The project lies within the Growth Area and is categorized as “Coastal Area” (per the 2018 Comprehensive Plan). Coastal Areas are growth areas that the County encourages only the appropriate forms of concentrated new development, especially when environmental features are in play. The Coastal Area designation is intended to recognize the characteristics of both anticipated growth and ecologically important and sensitive characteristics. The Plan notes “A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units” (2018 Sussex Comprehensive Plan 4-15).

In terms of density the Plan notes, “medium and higher density (4-12 units per acre) can be appropriate in certain locations” and “RPC’s are encouraged to allow for a mix of housing types and to preserve open space and natural areas/resources” (2018 Sussex Comprehensive Plan 4-16).

Please note, under the Coastal Area classification, County Code requires any RPC application include an environmental assessment and public facility evaluation report (§115-194.3(B)(1)(a)).

Open Space Provisions: The Major Subdivision Plan proposes (28.2) acres of open space including grass areas, wetlands, resource buffers, stormwater management, amenities, and forested permitter buffers which represents $\approx 45\%$ of the site.

Interconnectivity: The Plan does not include interconnectivity with adjacent parcels. Staff recommend the Plan include easements or stubs to provide for interconnection with adjacent communities as redevelopment may provide opportunity in the future to provide linkage between the sites.

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 (51.45) acres of existing forest on the site and that (39.68) acres will be removed. Therefore, the site is retaining (11.77) acres of forested area. Staff appreciate the effort to preserve as many mature trees as possible.

Wetlands/Waterways: The Application notes that there are (0.78) acres of nontidal wetlands present on the site. Please note that Sussex County Code requires that Preliminary and Final



Site Plans include the location and regulatory delineation of all state and federal wetlands (§115-220(B)(13)) & (§115-221(B)(14)). Additionally, the requirements including the provision of drainage assessment report, resource buffers, and access easements will be required to be provided under County Codes for resource protection in (§115-193).

Site Considerations (Flood Zones, Tax Ditches, Groundwater Recharge Potential etc.): Staff note the Parcels are in Flood Zone “X” - outside the 500-year flood zone. The site is located within an area of “poor” Groundwater Recharge areas according to State and County GIS data. Staff note that the proposal is not within a wellhead protection area (§89-6). Staff note that a drainage assessment report (DAR) will be required to accompany any application. This DAR also requires approval by SCED as included in (§115-193). The contents of the DAR shall be determined by Sussex County/SCED as part of the preapplication process and any prescribed remedies shall be shown on the final site plan.





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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

April 24, 2024

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: Reynolds (2024-04-02)**

County: Sussex

Municipality: Unincorporated

Location: South side of Legion Road.

Project: Review of a proposed Site Plan and Rezoning for a residential planned community with a mixture of single-family and townhome lots for a potential of 181 units and proposed zoning of GR/RPC (General Residential/Residential Planned Community Overlay) on 63.3 acres.

The proposed project is located within a Tier 1 & Tier 2 areas 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) 854-7370

- III. 9:30 AM **Review and Discussion: James Place (2024-04-01)**
County: Sussex **Municipality:** Georgetown
Location: East of North Bedford Street and north of Carriage Place.
Project: Review of a proposed Subdivision Plan for 108 dwelling units with a mixture of single-family detached, attached duplexes, and attached townhomes on 21.92 acres zoned UR-1 (Urban residential District).

The proposed project is a Comprehensive Land Use Plan/Update/Amendment for the City/Town/Growth and Annexation Area of the Town of Georgetown. 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

- IV. 10:00 AM **Review and Discussion: Delmar School District Site Evaluation No.1 (2024-04-03)**
County: Sussex **Municipality:** Delmar
Location: 36903 Sussex Highway, Delmar, DE
Project: Review of a proposed School Site Reasibility for the Delmar School District for a new 5th and 6th grades campus with an elementary education wing and a district office building. This site is comprised of three parcels totals 54 acres zoned Highway/Regional Commercial.

The proposed project is located within the City/Town/Growth and Annexation Area of the Town of Delmar. 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

- V. 10:30 AM **Review and Discussion: Delmar School District Site Evaluation No. 2 (2024-04-04)**
County: Sussex **Municipality:** Delmar
Location: Lincoln Avenue, Delmar, DE.
Project: Review of a proposed School Site Reasibility for the Delmar School District for a new 5th and 6th grades campus with an elementary education wing and a district office building. This site is comprised of three parcels totals 54 acres zoned Highway/Regional Commercial.

The proposed project is located within the City/Town/Growth and Annexation Area of the Town of Delmar. 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: Procter & Gamble Warehouse Expansion (2024-04-05)**
County: Kent **Municipality:** Dover

Location: 1340 West North Street, Dover, DE.

Project: Review of a proposed Site Plan for a 110,000 SF expansion of the existing JE Warehouse and 20,000 SF expansion of warehouse 3 as well as improved truck storage and parking. This project is on 13.6 acres zoned IPM (Industrial Park Manufacturing).

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.