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

July 24, 2024

Jason Palkewicz, PE
Solutions IPEM
303 N Bedford St,
Georgetown, DE 19947

RE: PLUS review – 2024-06-02; Hickman

Dear Mr. Palkewicz:

Thank you for meeting with State agency planners on June 26th to discuss the Hickman project. According to the information received, you are seeking review of a proposed Site Plan with a conditional use for the construction of 55 single-family detached condominiums on 12.8 acres zoned MR (Medium Density Residential). The proposed subdivision is to be located south of Hickman Road and east of Cedar Neck Road.

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 Areas according to the SC Comprehensive 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.

In the Level 3 area, DNREC has noted that the preliminary plan shows seventeen lots occurring directly within the 100-year floodplain, either entirely or partially, as well as the entrance to the development. The entire eastern portion of the development and associated lots are also vulnerable to permanent inundation from sea level rise. Within the 30-year mortgage period, sea level rise, coupled with an increased frequency of intense rainfall, is expected to expand the area of the floodplain in this region and exacerbate the existing flooding and drainage issues on this site. Building in this manner is considered unsafe for residents due to the future vulnerability of this particular location. Roads are essential for first responders in the event of an emergency and could become impassable during flooding events. It is noteworthy that the 100-year floodplain is currently considered to be Out of Play in New Castle County, Kent County, and several municipalities due to these types of risks.

Drainage issues have been documented on nearby properties, with poorly drained soils (Hydrologic Soil Group D) occurring in the eastern third of the property. These soil types are anticipated to only worsen any existing drainage issues, especially in areas where tree removal is proposed.

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 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 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.

- Section 1.7 of the Development Coordination 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.

- In terms of traffic analysis, based on the expected trip generation this project will qualify for the Area Wide Study Fee (AWSF).

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination 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 Hickman 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, 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 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 Hickman 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.

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

Special Flood Hazard Area

- Seventeen lots within the proposed development lie directly within the 100-year floodplain, designated as zone AE. Building in this manner is considered unsafe for residents due to the future vulnerability of this particular location. Roads are essential for first responders in the event of an emergency and could become impassable during flooding events. The following requirements apply:

  The applicant must comply with the local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at https://floodplanning.dnrec.delaware.gov/

- If fill is to be placed in floodplain to increase grade elevation to raise proposed development out of mapped floodplain, a Certified Letter of Map Revision – Fill (CLOMR-Fill) request should be submitted to FEMA for review followed by an application to FEMA for a Letter of Map Revision (LOMR) at completion. Please note that a property will not be officially recognized by FEMA as being located out of the mapped floodplain until a LOMR has been issued.

- Homeowners with mortgages for homes within the floodplain may be required to purchase flood insurance. Additionally, homes located outside the floodplain might be required by lenders to purchase flood insurance, based on proximity.

Contact: DNREC Shoreline and Waterway Management Section at (302) 739-9921.
Website: https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/

Wetlands and Waterways
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal forested wetlands on the northeastern corner and far southern corner of the site. The application indicates that wetlands have been delineated, with an estimated 1.5 acres of wetlands on the site. The applicant proposes approximately 0.01 acres of disturbance.

- State permits from the DNREC Wetlands and Waterways Section may be necessary if dredge, fill, or structures are proposed in streams or State Subaqueous Lands.

- Federal permits from the U.S. Army Corps of Engineers may 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/

Standard Stormwater Management Requirements
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/

Wastewater Disposal Systems – Large Systems

- For wastewater conveyance offsite by way of new sewer connection, flow rates exceeding 2,500 gallons of liquid waste per day will require a Wastewater Pollution Collection and Conveyance (WPCC) permit from the Commercial and Government Services section.

Contact: DNREC Commercial and Government Services section at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/

Electric Vehicle Charging

- 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.

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

Proposed Project Parcel Flood Concern

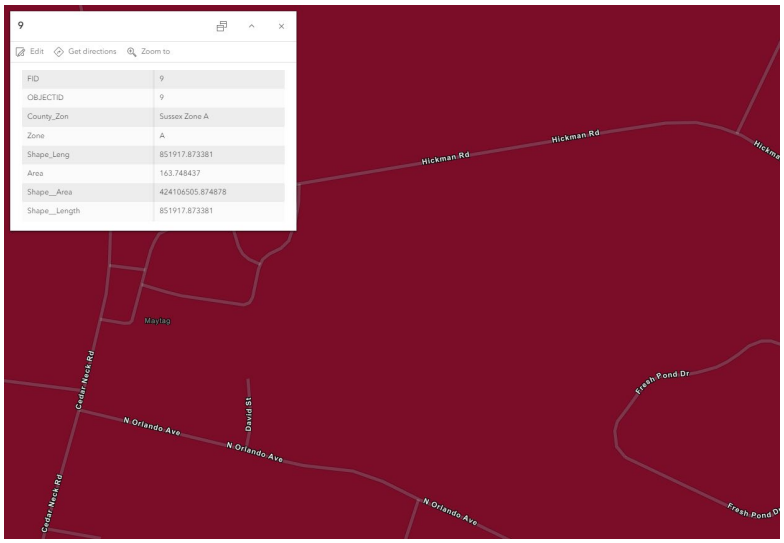
- The majority of this parcel is located within an area of **Minimal Flood Concern of 1000 years or greater**. However, it appears to be surrounded on three sides by Flood Zone

AE, identified as a special flood hazard area, also known as the 100-year flood plain or 1% annual chance flood hazard. It does appear that several parcels will exist within this flood zone. Any residential home with a mortgage requires an NFIP flood insurance policy, separate from a standard home insurance policy.



Parcel Status within County Evacuation Zone Location

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



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 is a moderate potential for both precontact and historic period archaeological sites on the previously undeveloped portion of this property. Part of the property is mapped has having well drained soils and is in close proximity to known sites in similar contexts on Cedar Neck. There may be sites(s) associated with the earlier farmstead and orchard shown on early 20th century maps and aerials, or with 19th century properties shown in the general vicinity on earlier maps.

- There is an unverified report of a cemetery, associated with the Richards family, in the southeast corner of the property. SHPO recommends an archaeological survey be conducted by a qualified archaeological consultant, starting with additional background research and site visit to further assess the archaeological potential of the property, and to determine if a cemetery is in fact on the property. SHPO further recommends avoidance or further investigation of any sites identified. If a cemetery is present, an archaeological investigation to define its boundaries is necessary to ensure no unmarked burials are disturbed. Please note that Ground Penetrating Radar survey, alone is not sufficient for this purpose. Please provide our office with a copy of the archaeological survey reports for our records.

  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 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly)

- Where a water distribution system is proposed for single-family dwellings, it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure.

Fire hydrants with 800 feet spacing on centers are required. (One & Two- Family Dwelling)

- One- and Two-Family dwellings are required by law to offer the homeowner an automatic sprinkler system, therefore infrastructure should accommodate water needs.

- 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.

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 Hickman 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 DelDOT 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

Flooding and Sea Level Rise
Seventeen lots are proposed within the 100-year floodplain (designated as zone AE), and the entrance to the development also lies within the 100-year floodplain. By 2050, mean sea levels are projected to rise by 0.7 – 1.9 feet; by end of century sea levels are projected to increase by

1.7 – 5.0 feet. As mean sea levels rise, the frequency and severity of tidal flooding events is also expected to increase.

The entire eastern portion of the development and associated lots are also vulnerable to permanent inundation from sea level rise. Additionally, lots near the current floodplain are vulnerable to intermittent or routine flooding episodes due to the combined effects of climate driven sea level rise and heavy precipitation events.

Locating primary access routes and permanent structures in this vulnerable area may place property, infrastructure, and lives at risk. Likewise, there is no guarantee of public funding for future repairs or drainage projects.
DNREC reviewers encourage consideration of the following to mitigate the flood concerns:

- Locate all houses, lots, and roadways outside of the floodplain and eliminate lots 4-7, 10-17, and 33-37.

- Avoid increasing the grade elevation and bulk grading on the site. Such practices have the potential to worsen flooding on adjacent properties, which have already been documented to have drainage issues, as described below in the section on Drainage Issues and Poorly Drained Soils.

- Relocate the entrance to the development to the western side of the site. DNREC reviewers discourage placement of roadways within floodplain areas, as they are essential for first responders in the event of an emergency and could become impassable during flood events. These events are likely anticipated to intensify through time due to impacts from climate change.

- Ensure unimpeded access to and from the amenity area. These structures are becoming increasingly important as emergency resilience hubs. For this reason, consider locating the amenity area at the highest elevation of the site.

- DNREC reviewers recommend that hydrologic and hydraulic engineering analyses are conducted for this site. These studies will determine base flood elevations and floodway delineations.

Contact: DNREC Climate and Sustainability Section at (302) 735-3480.
Website: https://dnrec.delaware.gov/coastal-programs/planning-training/adapting-to-sea-level-rise/

Drainage Issues and Poorly Drained Soils
Drainage issues have been documented on properties to the north, east, and south of this project. Poorly drained soils (Hydrologic Soil Group D) have also been identified in the eastern third of the property, where a total of 15 homes and an internal roadway are proposed. These soil types could worsen existing drainage issues.

- Limit removal of trees. Removal of trees in certain areas along the far southern corner of the property could worsen drainage issues. Tree removal is proposed in areas that likely contain poorly drained soils (Lots 17 – 24).

- 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.delaware.gov/drainage-stormwater/

Special Considerations for Stormwater Management
The preliminary plan proposes a stormwater management facility to be placed on the highest elevation of the site at the center of the development.

- It is recommended to work with the Sussex Conservation District to locate a more appropriate location for the stormwater management facility while considering the most suitable outlet.

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/

Wetlands and Vegetated Buffer Zones
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of forested wetlands on the northeastern and far southern portion of the site. This habitat type is known to support an array of plants and animals, most notably wetland dependent species such as amphibians.

- While no disturbance is proposed directly to wetland areas, it is recommended to increase the vegetated buffer zone to 100 feet from the edge of wetlands and sensitive habitats across the site.

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

- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.

- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Grass cutting for vegetated buffer zones, if maintained as meadow, should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

- Design the project 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.

- Maintain habitat connections to undeveloped open space, which are especially important for species movement across the landscape.

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

Sustainable Practices

- To improve public safety and the wellbeing of future residents, follow all recommendations above regarding flooding and sea level rise.

- Avoid clearing of trees and 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.

- Offer the option to install solar energy systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. For community facilities, such as the proposed amenity area, consider using renewable energy infrastructure, like solar, 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/).

- 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/

Concerns Identified Outside of the Development Footprint
Sea level rise along Hickman Road is anticipated impede travel to and from the development, starting at the 3-foot inundation level. This is projected to occur before the end of the century according to current models.

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 131, though, with development, this will undoubtedly change. The 9 adjacent blocks aggregated bring the area to a total population of 596.

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.

Expected Annual Loss
× Social Vulnerability
÷ Community Resilience
= Risk Index

- According to FEMA's National Risk Index, the parcel **is** considered **relatively moderate** for overall natural hazards risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

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

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **electricity** as the predominant fuel type for heating purposes, though oil and propane gas come in a close second and third respectively.

- 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.

- In reference to the floodplain, it seems several of the lots are being built directly within a 100-year flood plain. DEMA strongly discourages construction of any type directly within a 100-year floodplain. If the homes are being constructed at flood level or below and a mortgage is obtained, an NFIP insurance policy is also required. Furthermore, there are additional lots in close proximity to the floodzone. In reference to those lots, DEMA does not recommend construction within close proximity to a floodplain as water knows no bounds. Regardless of whether within or adjacent to a floodplain, should construction continue, we recommend utilizing additional mitigation strategies to reduce the risk. This could include, but isn't limited to, wet/dry floodproofing, elevating the home out of the flood plain, elevating mechanicals/HVAC/Electricity out of the flood waters, mass notification systems, large drainage systems (increased diameter pipes, ditches, basins, etc.) and other similar methods.

- Lastly, 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 Housing Authority - Contact Alex Modeas 952-255-9579 ext. 251

- This conditional use proposal is for 55 market-rate condominium ownership units in single-family structures on 12.8 acres south of Hickman Road and east of Cedar Neck Road east of the Town of Ocean View.

- According to DSHA's Housing Reform Map, this parcel is in an Area of Opportunity. This means that this area has high-quality schools, supportive infrastructure, and the capacity to support diverse and affordable housing types. The applicant stated that he anticipates occupants to be both permanent residents and vacationers. Research from across the country has shown that the conversion of residential units into short-term rentals can result in less availability of affordable housing options and higher rents for long-term renters in the community. We encourage the developer to exercise awareness related to how increased vacation units can exacerbate concerns of affordability and sprawl in eastern Sussex County.

- DSHA takes this opportunity to highlight the critical need for affordable housing in this area. According to the U.S. Department of Housing and Urban Development (HUD), zero of the 2,616 housing units recorded in Ocean View in 2020 are affordable for households earning less than 80% of the Median Family Income (MFI). DSHA encourages residential developers to sustainably build housing units in eastern Sussex County that are affordable to low-to-moderate income households.

If you have questions or would like more information on the above recommendations, please feel free to call me at ext. 302-574-3656 or via e-mail at Alexander.Modeas@delaware.gov

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.

The Agency would prefer to review the pool and clubhouse as a separate submittal. Using a future phase option on the original shows the place holder for the amenity.

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