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

April 23, 2025

Mr. Christopher Pfeifer
George, Miles, & Buhr, LLC
206 W. Main St.
Salisbury, MD 21801

RE: PLUS Review (PLUS 2025-03-02) – Generals Run

Dear Mr. Pfeifer:

Thank you for meeting with State agency planners on March 26th, 2025 to discuss Generals Run. According to the information received, you are seeking review of a proposed cluster subdivision application for a 99 single-family home development on 49.84 acres zoned AR-1 (Agricultural Residential District).

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 in Investment Levels 3 and 4 according to the *Strategies for State Policies and Spending*. 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. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

Because development within an Investment Level 4 is inconsistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning is opposed to development in the Level 4 area. Therefore, the applicant should concentrate the development of this parcel to the Level 3 area and remove any development within the Level 4 area.

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.

- In terms of traffic analysis based on the expected trip generation this project will qualify for the Area Wide Study Fee (AWSF). The requirements of frontage improvements or off-site improvements will be identified through the Scoping and Pre-Submittal Meeting processes.

- 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.

- 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 Rt. 24. 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 Rt. 24.
  - 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.
- Because the proposed development is to be constructed in the proximity of a road with a functional classification of principal arterial, freeway or interstate, specifically Rt. 24, the developer will be required to perform a noise analysis in accordance with DelDOT's Noise Policy, found in Section 3.6 of the Manual and may be required to provide noise abatement based on that analysis.

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.

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/

Wellhead Protection Area
A Wellhead Protection Area is located on the southwestern portion of the site. Wellhead Protection Areas are the surface and subsurface areas surrounding a water well, or a public water supply wellfield. Contaminants leaching into the soil have the potential to reach the water supplies in these areas.

- The applicant must comply with all county and municipal codes that affect public drinking water supply Wellhead Protection Areas.

Contact: DNREC Public Water Supply Protection Program at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/public-water/

Wastewater Disposal Systems – Large Systems
For wastewater conveyance offsite by way of a 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 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.

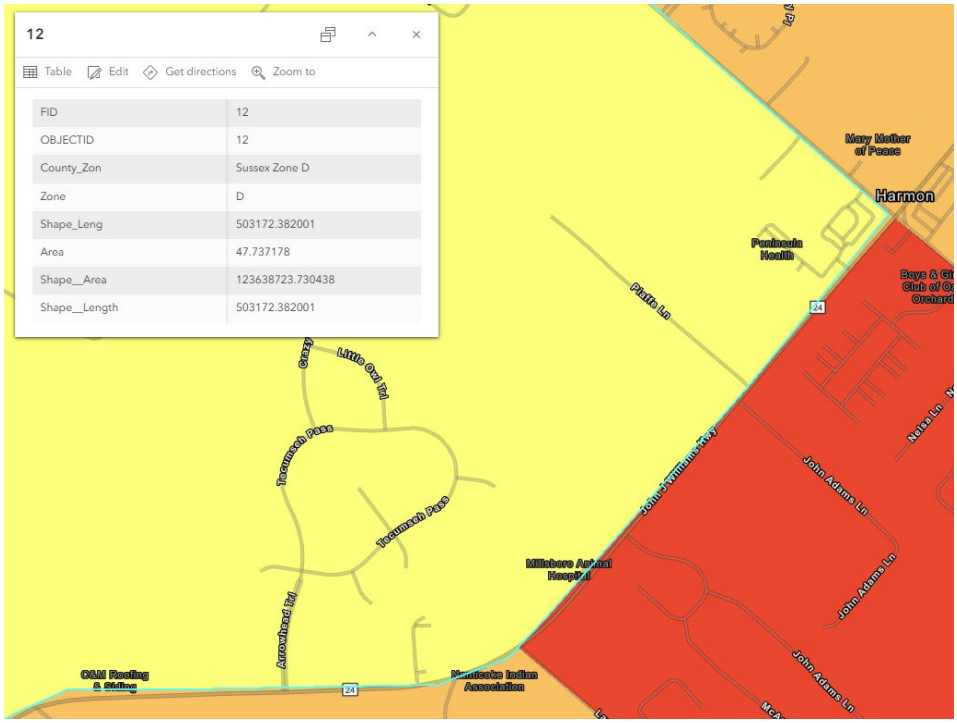
Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

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 D.



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.

<u>State Historic Preservation Office – Contact Carlton Hall 302-736-7400</u>

- There are no known archaeological sites or known historic or eligible properties within the project area.

- The property is mostly well drained soils with a portion of excessively drained at the northeast corner. Parts of the property have forest that appear to have been untouched for the majority of the 20th century. There is a precontact site and a historic site within a mile of the property. Other archaeological sites are present just outside of the mile radius, including precontact sites. The potential for precontact archaeological resources is moderate to high and the potential for historic archaeological resources is low to moderate. The SHPO office recommends an archaeological survey prior to any ground disturbing activities for this project.

  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.

Fire Protection Water Requirements:

- 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 John J Williams Hwy 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)
- Townhouse 2-hr separation wall details shall be shown on site plans
- 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

Removal of Mature Forest

The preliminary plan proposes the elimination of approximately 18 of 36 acres of forest on the site. An analysis of historical data indicates that the forest area located on the central portion of the site has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. 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.

- 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.

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/

Drainage

- Please note that the surrounding area lacks a good outlet for stormwater overflow, due to topographical anomalies.

- 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.

- Any drainage/utility easement should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

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

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Water Quality

This site lies within the Rehoboth Bay and Indian River Bay Watersheds. Surface water quality in these watersheds do not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- 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/

Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

- Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.delaware.gov/climate-coastal-energy/renewable/assistance/).

- Consider planting select areas with 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.

- Consider planting select areas with meadow comprised of native species. Native plants are well-suited to our climate and require limited maintenance. Mowing in these areas 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.

- 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 185, though, with development, this will undoubtedly change. The 11 adjacent blocks aggregated bring the area to a total population of 1034.

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 as **relatively high.**

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.

- Lastly, in reference to the county evacuation zones, DEMA encourages this information be made readily available to any and all persons residing there. This can be done simply through pamphlets or a neighborhood sign.

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.

If a CPCN is required by the water company, it is assumed water mains will need to be extended to the project. A water main extension permit shall be required prior to your site plan approval. The extension can be a part of your submittal and must start at an existing fire hydrant.

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 Community Development & Housing Comments
- Sussex County Engineering Department Comments

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

Sussex County
DELAWARE
sussexcountyde.gov

Preliminary Land Use Service (PLUS) Meeting
March 26, 2025
March PLUS Comments
Sussex County Department of Planning & Zoning

I. Review and Discussion: Generals Run (2025-01-02)

Location: West side of John J. Williams Highway (Route 24), approximately (0.4) miles south of the intersection of John J. Williams Highway (Route 24) and Mount Joy Road (Route 5) and Oak Orchard Road (S.C.R. 297)

Project: Review of a proposed Major Subdivision to accommodate a single-family residential development to include 99 lots on Parcels comprised of a total of 49.84 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 the Planning & Zoning Office at pandz@sussexcountyde.gov.

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

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

Tax Parcel ID(s): 234-29.00-9.00 & 234-29.00-31.00

Proposed: The project proposes Major Subdivision utilizing the Cluster option to accommodate a single-family residential development to include 99 lots for single-family detached residential dwelling units on Parcels comprised of a total of 49.84 acres +/-.

Chapter 99 – Subdivision of Land: Staff note that several proposed lots are adjacent to land used primarily for agricultural purposes and may need to be revised in order for the proposed setbacks/BRLs meet the (50) foot setback requirements for major subdivisions adjacent to land used primarily for agricultural purposes (§99-6(G)(2)).

Zoning: The parcels are currently zoned Agricultural Residential (AR-1). The proposed single-family cluster lots are permitted by-right in the AR-1 Zoning District. Staff note the open space design given the existing conditions and wooded areas at the site and recommend the

Applicant review (§115-25(F)(3)) in terms of the Plan's design. Staff note that cluster subdivisions are required to demonstrate the superior design criteria in (§115-25F) & Staff recommend all cluster applications ensure the open space design meets all the cluster requirements under (§115-25(E)). Staff note (§99-17(b)) – cul-de-sac streets are required to be less than (1,000) SQFT, the Plan may require revision or added bump outs or turnaround areas included in the design to meet Code. Staff note that the (20) foot buffer protection area is not provided adjacent to the proposed lots on Parcel #31.00.

Density: The proposed density of ≈ 1.99 dwelling units per acre complies with the County Code requirements for residential improvement in an (AR-1) District which allows up to (2) single-family detached dwelling units per acre when serviced by a central sewer system (§115-25(B)(3)).

Applicability to Comprehensive Plan: The project lies within the Growth Area classification of "Coastal Area" (Parcel #9.00), and the Rural Area classification of "Low Density Area" (Parcel #31.00) (per the 2018 Comprehensive Plan). Low Density Areas are lands currently zoned AR-1 that the County "hopes to retain the rural environment" and "set aside significant open space" (2018 Sussex County Comprehensive Plan, 4-18). The Plan additionally notes, "AR-1 zoning regulations also permit an average of two homes per acre where a cluster-style site plan is used, and a portion of the tract is preserved in permanent open space" and "the cluster option permitted in Low Density Areas should continue to permit overall site densities of up to two units per acre, provided significant open space is set aside and the tract connects to public sewers" (2018 Sussex County Comprehensive Plan, 4-19).

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 County Comprehensive Plan, 4-15). In terms of density the Plan notes:
Medium and higher density could be supported in areas:

- *Where there is central water and sewer*
- *Near sufficient commercial uses and employment centers*
- *Where it is in keeping with the character of the area*
- *Where it is along a main road or at/or near a major intersection*
- *Where there is adequate Level of Service*
- *Or where other considerations exist that are relevant to the requested project and density*

(2018 Sussex County Comprehensive Plan, 4-16).

Please note, as the Parcel is in the Coastal Area designation, an Environmental Assessment & Public Facility Evaluation Report (EAPFR) is required with the submission of any application of this type (§115-194.3(B)(2)).

Open Space Provisions: The proposed plan includes (26.01) acres +/- (out of a total of (49.84) acres) of open space which equates to approximately 52% of the project site. This meets the Cluster Option standards which require a minimum of 30% Open Space. Staff note that the requirements for AR-1 Cluster Subdivisions includes specific design standards for the Open Space. Additionally, please note that County Council updated Codes related to Open Space on 12/10/2024. The new Ordinances (Ord. No 3061 & Ord. No. 3062) include updated standards including but not limited to: what can be classified as Open Space, the new requirement threshold for providing a Forest Assessment Report (FAR), as well as maintenance of DelDOT Level of Service. **Ord. No. 3062 (Link)** **Ord. No. 3061 (Link)**

Interconnectivity: Staff encourage interconnectivity between proposed developments in order to prevent only one-way-in, one-way-out access in the event that an emergency should occur on the property in the future. Staff recommend the Plan includes the provision of a stub or easement to the parcels adjacent to accommodate potential future development of these adjacent lands as they include frontages on Route 24 to the west and Mount Joy Road to the northeast.

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. Staff note that any proposed setbacks/BRLs will be required to meet the (50) foot setback requirements for major subdivisions adjacent to land used primarily for agricultural purposes (§99-6(G)(2)) where applicable.

Forested Areas: The Applicant notes that there are presently (35.80) acres of existing forest on the site and that (18.05) acres will be removed. Therefore, the site is retaining (17.75) acres of forested area (This represents roughly 50% of existing forest to remain on the site which represents ≈36% of the overall site). Staff appreciate efforts to conserve as many mature trees as possible on the project site. Staff note that any buffers which may be required as part of this plan are required to be exclusive of "stormwater management areas or facilities, wastewater treatment and/or disposal facilities" (§99-5 FORESTED AND/OR LANDSCAPED BUFFER) & (§115-193(C)(18)). Please note, if any existing woodlands are proposed as part of any required Perimeter Buffer, a Perimeter Buffer Protection Area may be required per (§99-5) & (§99-6).

Wetlands/Waterways: The Application notes that there are no tidal or non-tidal wetlands present 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)). The plan does not include any buffers associated with any wetland resources on the proposed plan for the site. Please note, all wetland resource types on the site, as listed in (§115-193(A)(4)) will

be required to meet all the standards for the provision of buffers included in (§115-193). Additionally, County Code requires that a Drainage Assessment Report is required to be submitted for approval by Sussex County Engineering Department at the time of submission of an application if the site contains or abuts wetland resources.

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 Parcels are located within an area of "good" Groundwater Recharge. 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 note that the southeastern corner of Parcel #9.00 is within a Wellhead Protection area. Any improvements in the protection area will be required to meet all requirements in CH. 89 (§89-6: Wellhead protection areas).

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Sussex County
DELAWARE
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April 4, 2025

Mr. Christopher Pfeifer
George, Miles, & Buhr, LLC
206 W. Main St.
Salisbury, MD 21801

RE: PLUS Review (PLUS 2025-03-02) – Generals Run

Dear Mr. Pfeifer,

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 Housing Trust Fund.**

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,



Brandy B. Nauman
Director

PLUS

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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
Date

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: Springhouse Preserve (2025-03-01)**
County: New Castle **Municipality:** Unincorporated
Location: Harbeson Road Between Rust Road and Forest Road.
Project: Review of a proposed Rezoning and site plan for a major residential development on 19.84 acres, transitioning from S (Suburban) to ST (Suburban Transition). The project includes 120 multifamily units, with 87 designated as affordable rentals and 33 as entry-level homeownership units. The site is classified as State Strategies Level 1 and 2.

III. 9:30 AM **Review and Discussion: Dexter Corner Parcels (2025-03-06)**
County: New Castle **Municipality:** Annexation to Townsend
Location: West side of Beaver Dam Road, approximately 450 feet south of the intersection of Hollymount Road.
Project: Review only of proposed annexation of 116.26 acres into the Town of Townsend. The site is classified as State Strategies Level 4.

IV. 9:45 AM **Review and Discussion: Milford FLU Amendment (2025-03-03)**
County: Sussex **Municipality:** Milford
Location:
Project: Review of a proposed comprehensive plan amendment. The City has received a request from the owner of Sussex County Tax Parcel 130-3.08-64.01 to change its future land use from H-1 (Institutional Development) to OB-1 (Office Building) to permit a low-profile, low-traffic general office use. The site is classified as State Strategies Level 1.

The proposed project is a Comprehensive Land Use Plan/Update/Amendment for the City/Town/Growth and Annexation Area of the City of Milford. 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) 855-7370.

V. 10:00 AM **Review and Discussion: OA Millville Independent Living (2023-03-04)**
County: Sussex **Municipality:** Unincorporated
Location: West side of Roxana Road (Rt. 17), approximately 550' south of Route 26.
Project: Review of a site plan application for a 4,500 sq. ft. independent living facility of 4.86 acres zoned CR-1 (Commercial Residential). The site is classified as State Strategies Levels 2 and 3.

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.

The Sussex County Engineering Department recommends that all subdivision streets meet or exceed Sussex County Standards.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 855-7370.

VI. 10:30 AM **Review and Discussion: Roxana Villas (2025-03-05)**
County: Sussex **Municipality:** Unincorporated
Location: East side of Roxana Road (Rt. 17), 580' south of Route 26.
Project: Review of a site plan application for a 124- unit condominium homeownership development on 10.46 acres zoned C-1 (General Commercial). The site is currently used for agricultural purposes and is classified as State Strategies Level 2.

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.

The Sussex County Engineering Department recommends that all subdivision streets meet or exceed Sussex County Standards.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 855-7370.

VII. 11:00 AM **Review and Discussion: Generals Run (2025-03-02)**
County: Sussex **Municipality:** Unincorporated
Location: John J. Williams Highway (Rt. 24), Millsboro, DE
Project: Review of a cluster subdivision application for a 99 single-family home development on 49.84 acres zoned AR-1 (Agricultural Residential). The lands is classified as State Strategies Levels 3 and 4.

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.

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.

The Sussex County Engineering Department recommends that all subdivision streets meet or exceed Sussex County Standards.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 855-7370.

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.