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

October 17, 2025

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

RE: PLUS review – 2025-09-01 Johnson Properties

Dear Mr. Palkewicz:

Thank you for meeting with State agency planners on October 1st, 2025 to discuss Johnson Properties. According to the information received, you are seeking review of a proposed cluster subdivision consisting of a 242 single family houses on 133.7 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 may be consistent with the 2020 Strategies for State Policies and Spending as it is located within Investment Levels 3. 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.

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

- Any site access points onto 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 P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review.

- Section P.5 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- In terms of traffic analysis and based on the expected trip generation this project will require a Traffic Impact Study (TIS). Currently, Sussex County and DelDOT are working on a Transportation Improvement District (TID) in this area. While the TID boundary has not been finalized at this time, it appears this parcel may be included in the final TID boundary which must be approved by DelDOT and Sussex County. Participation in the TID would eliminate the need for a separate, independent TIS. If the Developer would like information about participating in the TID please contact Sarah Coakley at (302) 739-2251 or sarah.coakley@delaware.gov for more information.

- 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 on Deer Run Road and Hudson Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the outside edge of the northbound travel lanes. The following right-of-way dedication note is required, "An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Deer Run Road and Hudson Road. 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 established for the State of Delaware, as per this plat."

- 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 frontage roads.

- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. DelDOT anticipates requiring a SUP along the site frontage with Deer Run Road and Hudson Road.

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.

Wetlands and Waterways
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands in the southern portion of the site, as well as a potential blue line stream located in the central portion of the site. The application indicates that wetlands have been delineated. The application proposes to disturb approximately 0.5 acres of non-tidal wetlands/waterways.

State Requirements:

- State permits from the DNREC Wetlands and Waterways Section may be required for disturbance proposed in state jurisdictional wetlands and waterways. To apply for a permit online, please visit their website at https://dnrec.delaware.gov/water/wetlands-subaqueous/permits/.

- It is recommended to schedule a meeting with the DNREC Joint Permit Processing (JPP) service for assistance with the necessary state and federal permitting procedures and requirements. Please contact the DNREC Division of Water's Wetlands and Waterways Section to schedule.

State Contact: DNREC Wetlands and Waterways Section at (302) 739-9943.
Website: https://dnrec.delaware.gov/water/wetlands/

Federal Requirements:

- Federal permits from the U.S. Army Corps of Engineers may be necessary if dredge or fill is proposed in certain non-tidal wetlands. A delineation of waterways and wetlands may also be required. 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 US Army Corps of Engineers to determine the appropriate federal permitting requirements.

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

Coastal Zone Federal Consistency Certification (state contact): DNREC Coastal Management Program at (302) 739-9283.
Website: https://dnrec.delaware.gov/coastal-programs/coastal-management/

Tax Ditches
The following tax ditch prongs are located on the proposed site:

- Prong 8 of the Bear Hole tax ditch (eastern portion)
- Main Segment of the Bear Hole tax ditch (southern portion)
- Prong 10 of the Bear Hole tax ditch (central portion)
- Sub 1 Prong 10 of the Bear Hole tax ditch (intersects northern property boundary)
- Sub 2 Prong 10 of the Bear Hole tax ditch (intersects northern property boundary)
- Sub 3 Prong 10 of the Bear Hole tax ditch (intersects northern property boundary)
- Sub 1A Prong 10 of the Bear Hole tax ditch (central portion)

Tax ditches are man-made channels created to move normal water flow off agricultural lands. These channels have associated tax ditch Rights-of-Way (ROW) that are utilized for access as well as sediment and debris disposal during maintenance. Tax ditch ROWs vary by channel size and location.

The following tax ditch ROWs occur within the project boundary:

- Prong 8 of the Bear Hole tax ditch has an 80-foot to Top of Bank (TOB) ROW (eastern portion)
- Prong 8 of the Bear Hole tax ditch has a 45-foot to Centerline (CL) ROW (eastern portion)
- Main Segment of the Bear Hole tax ditch has a 16.5-foot to Top of Bank (TOB) ROW (southern portion)
- Prong 10 of the Bear Hole tax ditch has a 16.5-foot to Top of Bank (TOB) ROW (central portion)
- Prong 10 of the Bear Hole tax ditch has an 80-foot to Top of Bank (TOB) ROW (central portion)
- Prong 10 of the Bear Hole tax ditch has a 45-foot to Centerline (CL) ROW (central portion)
- Sub 1A Prong 10 of the Bear Hole tax ditch has a 45-foot to Centerline (CL) ROW (central portion)
- Sub 1A Prong 10 of the Bear Hole tax ditch has an 80-foot to Top of Bank (TOB) ROW (central portion)

The following requirements apply:

- Map and label existing and proposed tax ditch prongs and tax ditch ROWs on all plans. The Delaware Tax Ditch FeatureServer is available on DE FirstMap and here:

https://enterprise.firstmap.delaware.gov/arcgis/rest/services/Hydrology/DE_TaxDitch/FeatureServer.

- Proposed structures or construction lies within the existing tax ditch ROW. To reduce or change existing tax ditch ROWs, a Court Order Change must be submitted by the DNREC Drainage Program. The associated Land Development Project Review Request form is attached, as well as the aerial drainage map.

- Development of the site may also result in a change to the drainage pattern and associated tax ditch watershed boundary. To change existing tax ditch watershed boundaries, a Court Order Change must be submitted by the DNREC Drainage Program. To initiate this process, complete and submit the attached Land Development Project Review Request form. An aerial drainage map has been provided for your reference.

- If the site and/or stormwater management features are designed to discharge into Sub 1A Prong 10 of the Bear Hole Tax Ditch, located in the western portion of the site, design must consider existing conditions versus design specifications. Please consult with the DNREC Drainage Program for As-Built design information if necessary.

- Contact the DNREC Drainage Program to discuss the on-site tax ditch ROWs prior to the project application meeting with the appropriate plan review agency for construction stormwater management.

- Permanent obstructions including, but not limited to, stormwater management facilities, buildings, sheds, streets, wells, and septic systems are not allowed within the tax ditch ROWs.

- Existing tax ditches on the property must be surveyed and compared to tax ditch design specifications for effective function. The channel should be cleared or excavated prior to the construction of the project if needed.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/
Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines: https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

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/

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.

Air Quality – Particulate Emissions
Particulate emissions are regulated by DNREC's Division of Air Quality. To control particulate emissions from construction and materials handling operations, the following is required:

- The applicant must use dust suppressants and other measures during demolition activities, grading, land clearing, excavation of non-paved roads, material movement or storage, and sandblasting activities.

Contact: DNREC Division of Air Quality at (302) 739-9402.
Website: https://dnrec.delaware.gov/air/permitting/

Tricolored Bat
The tricolored bat (*Perimyotis subflavus*) may occur on the site due to habitat suitable for such species existing within the project boundary. This species is federally-listed as endangered and is protected under the U.S. Endangered Species Act.

- Consult with the U.S. Fish and Wildlife Service to determine what permits or surveys may be required. Projects should be submitted through the Information for Planning and Consultation tool as well as the Range-wide Northern Long-eared Bat determination key through the U.S. Fish and Wildlife Service at https://ecos.fws.gov/ipac/.

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

Federal Contact: U.S. Fish and Wildlife Service, Chesapeake Bay Ecological Services Field Office at (410) 573-4599. Website: https://www.fws.gov/office/chesapeake-bay-ecological-services

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.

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

- There are no known archaeological sites in the project area or within a mile of the project area. The area is mostly agricultural. The body of water appears to be manmade. The parcels are bordered by multiple tax ditches. Soils vary from very poorly drained to poorly drained. Bearhole Ditch runs to the south.

- Historic aerial photographs and topographic maps show a historic agricultural complex on the eastern parcel that was demolished or destroyed after the 1960s. There is also a slightly raised area with trees present in the first half and more of the 20th century bordering the project area just north of parcel 533-11.00-20.00, and our office would like the applicant to be mindful of possible unmarked human remains.

- There is a documented house (CRS# S02333) proposed for demolition on parcel 533-10.00-79.00. The current single-story house does not match with the architectural survey form information or photographic inventory from 1981, is considered modern, and not eligible for National Register-listing.

- The Delaware SHPO recommends an archaeological survey on the easternmost parcels due to high archaeological potential, and request that the applicant be aware of the Unmarked Human Remains and Burials 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 informational 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. (Clubhouse)

- 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.

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 Hudson 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

Removal of Forest
The preliminary plan proposes the elimination of approximately 10 of 20 acres of forest on the site. 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 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/

Forested Wetlands and Vegetated Buffer Zones
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of forested wetlands on the 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.

To reduce impacts to these species, the following is recommended:

- Do not disturb forested wetlands. Increase upland buffers to at least 100 feet along all wetlands, waterways, and sensitive habitats, except tax ditches, including those containing existing forest or natural vegetative cover.

- Vegetated buffer zones should be identified outside of the Limit of Disturbance on the engineering plans.

- Maintain vegetated buffer zones as native species meadows or forest.

- 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.

- 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/

Key Wildlife Habitat within Perennial Stream

The perennial stream on this property is mapped as a Key Wildlife Habitat in the Delaware Wildlife Action Plan because it is part of a large wetland complex that can support an array of plant and animal species across the landscape.

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

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

Tax Ditches

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.

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

Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines: https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including 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/

Hydrologic Soils Group

Hydrologic Soil Group D, somewhat and very poorly drained soils, have been identified on 100% of the site. These soil types could worsen existing drainage issues if present.

- Removing forested areas should be avoided to the greatest extent possible. Forest removal may exacerbate conditions on poorly drained soils.

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 Little Assawoman 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, except tax ditches.

- 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 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/

Air Quality – Design to Minimize Mobile Source Emissions
Mobile sources include a variety of motor vehicles and mobile equipment that generate air emissions, such as ozone, particle pollution, and air toxics. The DNREC Mobile Sources Control Program reduces motor vehicle-related pollution from both on-road vehicles and non-road vehicles.

- This site lies within Sussex County. Ambient air quality in this area may not meet Federal Air Quality Standards.

- Consider designing the project for low maintenance green spaces. Designing green spaces to be less dependent on gas-powered lawn and garden equipment has the potential to minimize emissions associated with the on-going maintenance of this site.

Contact: DNREC Division of Air Quality's Mobile Sources Program at (302) 739-9402.
Website: https://dnrec.delaware.gov/air/mobile-sources/

Sustainable Practices

- 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 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 68, though, with development, this will undoubtedly change. The 13 adjacent blocks aggregated bring the area to a total population of 439.

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 low** for overall natural hazards risks.

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

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

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.

Fire Department Comments:

- The fire department is obligated to provide fire and EMS service to this property. Additional new development within their fire/EMS district has put a financial strain on the volunteer fire service. In order to provide quality service within the fire/EMS district the fire department may have to hire career staff to keep up with the demand of service. Currently State and County funding is not keeping up with the growth of the fire district

and the burdens placed on the volunteer fire department. The developer and future residents will need to consider financial support, before this becomes a tax burden. Volunteerism is dwindling so future residents need to consider joining the fire department to serve their new community.

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:

- 2025-09-01 Aerial Drainage Map 533-10.00-79.00
- 2025-09-01 Aerial Drainage Map 533-11.00-19.00
- 2025-09-01 Aerial Drainage Map 533-11.00-20.00
- 2025-09-01 Aerial Drainage Map 533-11.00-28.00
- 2025-09-01 Aerial Drainage Map 533-11.00-31.00
- 2025-09-01 Aerial Drainage Map 533-11.00-31.02
- 2025-09-01 Aerial Drainage Map 533-11.00-31.03
- 2025-09-01 Aerial Drainage Map 533-11.00-31.04
- 2025-09-01 Tax-Ditch-Land-Development-Project-Request-Form
- Sussex County Planning & Zoning Comments
- Sussex County Engineering Department Comments
- Sussex County Community Development & Housing Comments

Tax Ditch Web Map



9/16/2025, 8:56:11 AM

DE_Imagery_2022
Red: Red
Green: Green
Blue: Blue
Parcels - Sussex _Query result
Approx. Watershed Boundary
Parcels - Sussex

State and County Boundaries
DelDOT - Road Numbers
DelDOT - MAINTENANCE RESPONSIBILITY
State Road Maintained by State
DelDOT - NPDES - Pipes/Culverts
Driveway Culvert
BMPs
Non-DelDOT BMPs

DelDOT
PID Points
Conveyances
Non-DelDOT Conveyances
Swale
Hydraulic Connection
Driveway Culvert

Guardrail Culvert
Roadway Culvert
Pipe
Underdrain Pipes
Non-DelDOT Underdrain Pipes
Underdrain Pipes

Underdrain Pipe Ends
Non-DelDOT Underdrain Structure
Underdrain Pipe End
Underdrain Pipe End, Outfall
Underdrain Pipe Connection
Structures
Non-DelDOT Structures

Inlet
Inlet, Outfall
Manhole
Manhole, Outfall
Pipe End
Pipe End, Outfall

Junction Box
Pipe Connection
Control Structure
Culvert Point
Culvert Point, Outfall
Swale Point

Swale Point, Outfall
Dummy Point
Dummy Point,
Temporary Dummy
BMP Drainage
Structure Drainage
Lakes and Ponds

1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.02 0.04 km

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, State of Delaware, Sanborn Map

DNREC, Division of Watershed Stewardship, Drainage Program

These maps do not replace the official documents on file in the Prothonotary Office, and not to be used for engineering purposes

Tax Ditch Web Map



9/16/2025, 9:00:47 AM

1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.02 0.04 km

DE_Imagery_2022
Red: Red
Green: Green
Blue: Blue
Parcels - Sussex _Query result
Approx. Watershed Boundary
Parcels - Sussex

State and County Boundaries
DelDOT - Road Numbers
DelDOT - MAINTENANCE RESPONSIBILITY
State Road Maintained by State
BMPs
Non-DelDOT BMPs
DelDOT

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Non-DelDOT Conveyances
Swale
Hydraulic Connection
Driveway Culvert
Guardrail Culvert

Roadway Culvert
Pipe
Underdrain Pipes
Non-DelDOT Underdrain Pipes
Underdrain Pipes
Underdrain Pipe Ends
Non-DelDOT Underdrain Structure

Underdrain Pipe End
Underdrain Pipe End, Outfall
Underdrain Pipe Connection
Structures
Non-DelDOT Structures
Inlet

Inlet, Outfall
Manhole
Manhole, Outfall
Pipe End
Pipe End, Outfall
Junction Box

Pipe Connection
Control Structure
Culvert Point
Culvert Point, Outfall
Swale Point
Swale Point, Outfall

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, State of Delaware, Sanborn Map

DNREC, Division of Watershed Stewardship, Drainage Program

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Tax Ditch Web Map



9/16/2025, 9:03:01 AM

1:1,128

0 0.01 0.01 0.03 mi

0 0.01 0.02 0.04 km

DE_Imagery_2022
Red: Red
Green: Green
Blue: Blue
Parcels - Sussex _Query result
Tax Ditch Channels
Tax Ditch Channel

Extent of Right-of-Way
Approx. Watershed Boundary
Parcels - Sussex
State and County Boundaries
DelDOT - Road Numbers
DelDOT - MAINTENANCE RESPONSIBILITY
State Road Maintained by State

DelDOT - NPDES - Pipes/Culverts
Driveway Culvert
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Non-DelDOT BMPs
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PID Points
Conveyances
Non-DelDOT Conveyances

Swale
Hydraulic Connection
Driveway Culvert
Guardrail Culvert
Roadway Culvert
Pipe

Underdrain Pipes
Non-DelDOT Underdrain Pipes
Underdrain Pipes
Underdrain Pipe Ends
Non-DelDOT Underdrain Structure
Underdrain Pipe End
Underdrain Pipe End, Outfall

Underdrain Pipe Connection
Structures
Non-DelDOT Structures
Inlet
Inlet, Outfall
Manhole

Manhole, Outfall
Pipe End
Pipe End, Outfall
Junction Box
Pipe Connection
Control Structure

Culvert Point
Culvert Point, Outfall
Swale Point
Swale Point, Outfall
Dummy Point
Dummy Point, Outfall

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, State of Delaware, Sanborn Map

DNREC, Division of Watershed Stewardship, Drainage Program

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Tax Ditch Web Map



9/16/2025, 8:52:15 AM

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Quick Drainage Photos
- Channel and Bank Structures
- Channel Concern
- ROW Obstruction
- Other

DE_Imagery_2022
- Red: Red
- Green: Green
- Blue: Blue
- Parcels - Sussex _Query result

Drainage Concerns
- Private Drainage
- Tax Ditch
- Roadside Drainage
- Other

Drainage Concerns - Potential RC&D

Drainage Concerns - Not Concluded

Tax Ditch Inspection Results
- Channel Concern

RC&D Locations

RC&D Benefitted Areas

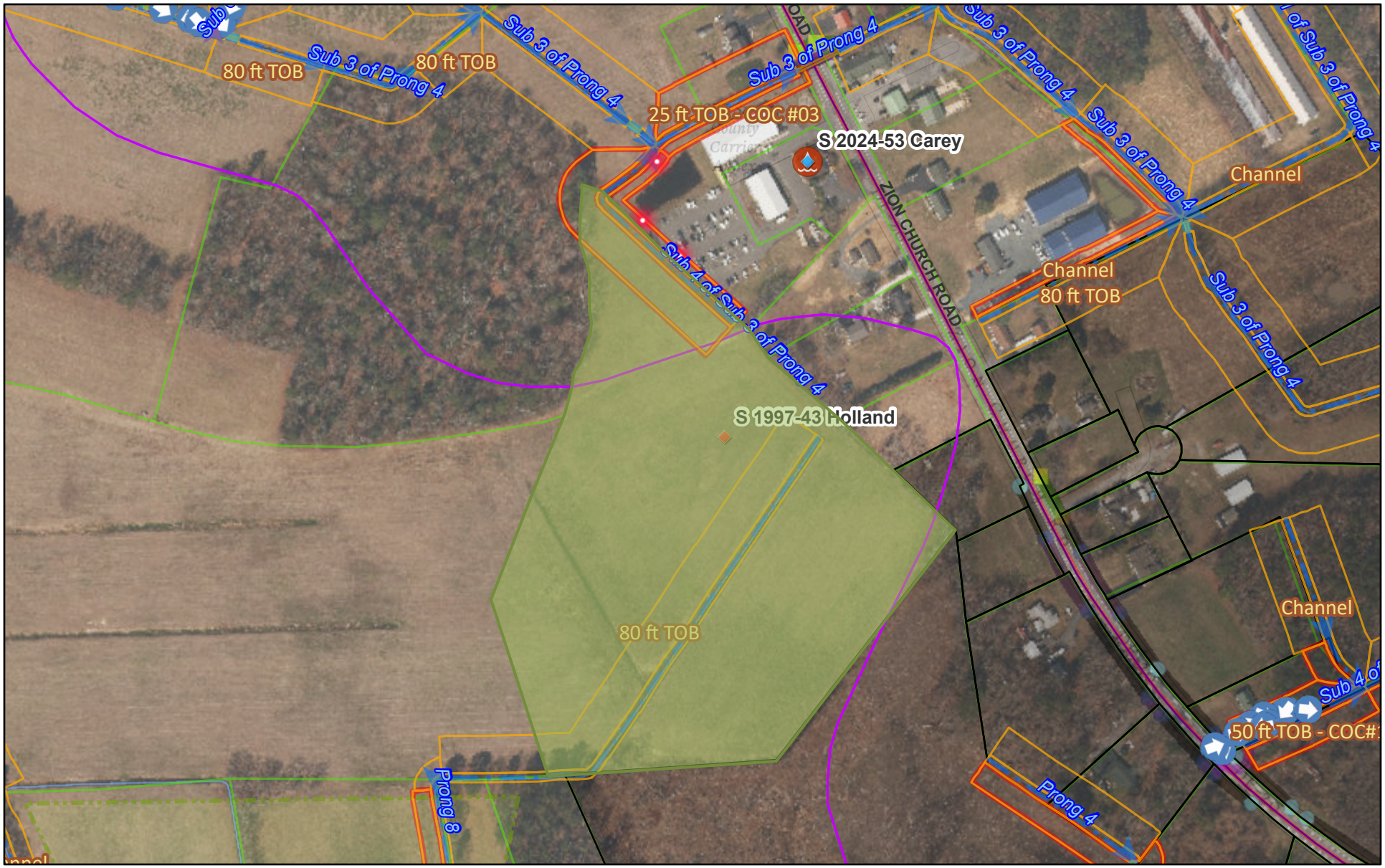
Tax Ditch Channels
- Tax Ditch Channel
- DITCHPIPEDOT
- DITCHPIPETD
- Extent of Right-of-Way
- Approx. Watershed Boundary
- Parcels Adjusted

Esri, NASA, NGA, USGS, FEMA, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community,

DNREC, Division of Watershed Stewardship, Drainage Program

These maps do not replace the official documents on file in the Prothonotary Office, and not to be used for engineering purposes

Tax Ditch Web Map



9/16/2025, 8:40:48 AM

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.19 km

Quick Drainage Photos
Channel and Bank Structures
Other
DE_Imagery_2022
Red: Red
Green: Green
Blue: Blue
Parcels - Sussex _Query result
Drainage Concerns
Private Drainage
Tax Ditch
Drainage Concerns - Not Concluded
Tax Ditch Inspection Results
Channel Concern
RC&D Benefitted Areas
Tax Ditch Channels
Tax Ditch Channel
DITCHPIPEDOT
DITCHPIPETD
Extent of Right-of-Way
Extent of Right-of-Way
Approx. Watershed Boundary
Parcels Adjusted
Parcels - Sussex
State and County Boundaries
DelDOT - Road Numbers
DelDOT - MAINTENANCE RESPONSIBILITY
State Road Maintained by State
DelDOT - NPDES - Pipes/Culverts
Driveway Culvert
Roadway Culvert
Pipe
BMPs
Non-DelDOT BMPs
DelDOT
PID Points
Conveyances
Non-
Swale
Hydraulic
Driveway
Guardrail

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, State of Delaware, Sanborn Map

DNREC, Division of Watershed Stewardship, Drainage Program

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Tax Ditch Web Map



9/16/2025, 8:47:19 AM

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.19 km

DE_Imagery_2022
Red: Red
Green: Green
Blue: Blue
Parcels - Sussex _Query result
Drainage Concerns
Private Drainage
Tax Ditch
Roadside Drainage
Other
Drainage Concerns - Potential RC&D
Drainage Concerns - Not Concluded
RC&D Locations
RC&D Benefitted Areas
Tax Ditch Channels
Tax Ditch Channel
DITCHPIPEDOT
DITCHPIPETD
Extent of Right-of-Way
Extent of Right-of-Way
Approx. Watershed Boundary
Parcels Adjusted
Parcels - Sussex
State and County Boundaries
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DelDOT - NPDES - Pipes/Culverts
Driveway Culvert
Roadway Culvert
BMPs
Non-DelDOT BMPs
DelDOT
PID Points
Conveyances
Non-DelDOT Conveyances
Swale
Hydr
Drive
Guar
Road
Pipe
Underdrain
Non-

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DNREC, Division of Watershed Stewardship, Drainage Program

These maps do not replace the official documents on file in the Prothonotary Office, and not to be used for engineering purposes

Tax Ditch Web Map



9/16/2025, 8:49:58 AM

1:2,257

0 0.01 0.03 0.06 mi

0 0.02 0.04 0.09 km

DE_Imagery_2022
Red: Red
Green: Green
Blue: Blue
Parcels - Sussex _Query result
Tax Ditch Channels
Tax Ditch Channel

DITCHPIPEDOT
Extent of Right-of-Way
Extent of Right-of-Way
Approx. Watershed Boundary
Parcels - Sussex
State and County Boundaries
DelDOT - Road Numbers

DelDOT - MAINTENANCE RESPONSIBILITY
State Road Maintained by State
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Driveway Culvert
Roadway Culvert
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Non-DelDOT BMPs
DelDOT

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Non-DelDOT Conveyances
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Hydraulic Connection
Driveway Culvert
Guardrail Culvert

Roadway Culvert
Pipe
Underdrain Pipes
Non-DelDOT Underdrain Pipes
Underdrain Pipes
Underdrain Pipe Ends
Non-DelDOT Underdrain Structure

Underdrain Pipe End
Underdrain Pipe End, Outfall
Underdrain Pipe Connection
Structures
Non-DelDOT Structures
Inlet

Inlet, Outfall
Manhole
Manhole, Outfall
Pipe End
Pipe End, Outfall
Junction Box

Pipe
Control
Culvert Point
Culvert
Swale Point
Swale Point,

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, State of Delaware, Sanborn Map

DNREC, Division of Watershed Stewardship, Drainage Program

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Tax Ditch Web Map



9/16/2025, 8:44:56 AM

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.19 km

Quick Drainage Photos

Channel and Bank Structures

DE_Imagery_2022

Red: Red

Green: Green

Blue: Blue

Parcels - Sussex _Query result

Drainage Concerns

Private Drainage

Tax Ditch

Drainage Concerns - Not Concluded

Tax Ditch Inspection Results

Channel Concern

RC&D Benefitted Areas

Tax Ditch Channels

Tax Ditch Channel

DITCHPIPETD

Extent of Right-of-Way

Extent of Right-of-Way

Approx. Watershed Boundary

Parcels Adjusted

Parcels - Sussex

State and County Boundaries

DelDOT - Road Numbers

DelDOT - MAINTENANCE RESPONSIBILITY

State Road Maintained by State

BMPs

Non-DelDOT BMPs

DelDOT

PID Points

Conveyances

Non-DelDOT Conveyances

Swale

Hydraulic Connection

Driveway Culvert

Guardrail Culvert

Roadway Culvert

Pipe

Underdrain Pipes

Non-DelDOT

Underdrain Pipes

Underdrain Pipe Ends

Non-DelDOT

Underdrain Pipe

Underdrain Pipe

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, State of Delaware, Sanborn Map

DNREC, Division of Watershed Stewardship, Drainage Program

These maps do not replace the official documents on file in the Prothonotary Office, and not to be used for engineering purposes

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

Tax Ditch Land Development Project Review Request Form

Project Name: _____

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

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

Project Representative/Consultant Information:

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

Owner(s) Contact Information:

Name: _____
Phone Number: _____
Email: _____

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

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

For Internal Use Only
Date Received: _____
Tracking #: _____

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

Property Information:

Tax Parcel(s) Affected: _____

Tax Ditch Organization(s) Affected: _____

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

☐	Outfall/Discharge into Tax Ditch Channel(s)
☐	Pipe Crossing/Entrances in Tax Ditch Channel(s)
☐	Relocate/Eliminate Tax Ditch Channel(s)
☐	Reduce/Increase Tax Ditch Rights-of-Way
☐	Change Tax Ditch Watershed Boundary
☐	Alteration of Existing Tax Ditch Channel(s)
☐	Utility Crossing in Tax Ditch Channel
☐	Other Explain:

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

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

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

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

For Internal Use Only
Date Received: _____
Tracking #: _____

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

Sussex County
DELAWARE
sussexcountyde.gov

Preliminary Land Use Service (PLUS) Meeting
October 1, 2025
September PLUS Comments
Sussex County Department of Planning & Zoning

I. Review and Discussion: Johnson Properties (2025-09-01)

Location: East side of Hudson Road (S.C.R. 387) approximately (0.2) miles north of Deer Run Road (S.C.R. 388) and on the north side of Deer Run Road approximately (0.4) miles east of Hudson Road.

Project: Review of a proposed Major Subdivision to accommodate a single-family residential development to include 242 lots on (9) nine Parcels comprised of a total of 133.73 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):
533-11.00-19.00, 20.00, & 28.00
533-10.00-79.00
533-11.00-31.00, 31.02, 31.03, 31.04, & 31.05

Proposed: The project proposes Major Subdivision utilizing the Cluster option to accommodate a single-family residential development to include (242) lots for single-family detached residential dwelling units on Parcels comprised of a total of 133.73 acres +/-.

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 (§115-25(F) & Staff

recommend all cluster applications ensure that open space design meets all the cluster requirements under (§115-25(E)).

Staff have concern in terms of the site design and emergency access. In the event of a flood event, access to lots proposed at the far eastern portion of the subdivision is one way in and one way out. Proposed lots #19 or #54 are (.7) miles from the entrance on Hudson Road with the sole access road crossing a tax ditch and paralleling the waters of former borrow pit. Staff have similar concern relating to the design and potential flooding for proposed Lots #151 through #145 most specifically as they are proposed between the borrow pit and the Tax Ditch. For general guidance on design, Staff note the "superior environment and design" required to be reflected in subdivisions utilizing the AR-1 cluster option as reflected all the criteria (§115-25(F)(3)) & (§115-25(F)(3)(a)[8][b]).

Please note, Staff recommend all plans submitted include cul-de-sac streets less than 1,000 feet in length to reflect any requirements of the OSFM and (§99-17(G)).

Density: The proposed density of ≈ 1.8 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: Applicability to Comprehensive Plan: The project lies within the Growth Area and is categorized as "Coastal Area" and "Developing Area" (per the 2018 Comprehensive Plan).

Developing Areas are Growth Areas the Plan describes as "newer, emerging growth areas that demonstrate the characteristics of developmental pressures" and notes that most "Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers" (2018 Sussex County Comprehensive Plan, 4-14). Staff note that the southern portion of the Plan is less than (1,000) feet north of the boundary of the jurisdiction of the Town of Selbyville. In terms of guidelines for residential improvement, the Plan notes "A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units" and in terms of density, the "base density of 2 units per acre is appropriate throughout this classification" (2018 Sussex County Comprehensive Plan, 4-14).

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 Coastal Areas contain "ecologically important and sensitive characteristics as well as other coastal lands which help to absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats" (2018 Sussex County Comprehensive Plan, 4-15).

The Plan notes, "A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units" and in terms of density, the "base density of 2 units per acre is appropriate throughout this classification" (2018 Sussex County Comprehensive Plan, 4-16). Additionally, 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 Parcels are 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 (63) acres +/- (out of a total of (133.73) acres) of open space which equates to approximately 48% 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, & Ord. No. 3038) 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)** **Ord No 3038 - Perimeter Buffers (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 adjacent parcels to accommodate potential future development of these adjacent lands. This may be particularly important for emergency access at this site given the presence of the tax ditch, the former borrow pit, and the existing drainage pattern on the site.

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 (20) acres of existing forest on the site and that (9.9) acres will be removed. Therefore, the site is retaining (10.1) aces of forested area (≈8% 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 is (1) acre of Non-Tidal Wetlands present on the site. Please note, the wetland buffer requirements under Sussex County Code require that "established natural forests and nonforest meadows predominated by noninvasive species shall be retained" (§115-193(D)(2)(a)). The plan includes buffers associated with wetland resources on the site Non-Tidal Wetlands. 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 (DAR) 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 parcels are located within Flood Zone "X" – Areas determined to be outside the 1% annual chance flood and outside the 500-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 do not contain any Wellhead Protection Areas and are within areas of "Poor" and "Fair" 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).

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

Sussex County
DELAWARE
sussexcountyde.gov

September 9, 2025

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

RE: PLUS Review (PLUS 2025-09-01) – Johnson Properties

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 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

Efficient. Data-Rich. Connected.

Visit de.gov/plus for updates

Preliminary Land Use Service (PLUS) Meeting
Meeting will be conducted on-line and in person
Room 133, Haslet Armory
122 Martin Luther King Jr. Blvd., South
Please see https://publicmeetings.delaware.gov/ for link to on-line access
October 1, 2025

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: Johnson Properties (2025-09-01)**
County: Sussex **Municipality:** Unincorporated
Location: East of Hudson Road, North of Deer Run Road
Project: Review of a proposed cluster subdivision consisting of 242 single-family houses on 133.7 acres. The site is classified as State Strategies Level 3, zoned as AR-1.

The proposed project is located primarily in the Sussex County Tier 4 for sanitary sewer service and certificated with a CPCN for wastewater service from Artesian wastewater and 15% being within the boundaries of the Growth and Annexation Area of the Town of Selbyville.

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

III. 9:15 AM **Review and Discussion: Cooper Farm (2025-09-02)**
County: Kent **Municipality:** Camden
Location: Upper King Road
Project: Review of a proposed 264 Unit Condominium Multifamily Development on 36.18 acres classified as State Strategies Level 1 and zoned as R-3 (Mixed Residential).

IV. 9:30 AM **Review and Discussion: 1035 Industrial Drive (2025-09-03)**
County: New Castle **Municipality:** Middletown
Location: 1035 Industrial Drive, Middletown, DE 19709
Project: Review of a proposed site plan for a 315,000 sq ft warehouse/light industrial use on 42.33 acres parcel zoned M-I (Manufacturing/Industrial); located in a state strategies Level 1 & Out of Play.

V. 9:45 AM **Review and Discussion: 1500 Bear Corbitt Rd (2025-08-06)**
County: New Castle **Municipality:** Unincorporated
Location: 1500 Bear-Corbitt Road, Bear, DE
Project: Review of a proposed rezoning and site plan for 64,800 sq ft Self Storage facility consisting of 11 small 2,400 sq ft outside access storage buildings and one 38,400 sq ft climate controlled mini-storage building, with a 1,176 sq ft rental office. The property is currently zoned ON (Office Neighborhood) and is proposed to be rezoned to CR (Commercial Regional). It is located in a State Strategies Level 2 area. *This item was deferred from August's agenda and is now ready for consideration in September.*

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.