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

November 18, 2025

Plitko, LLC
Attn: Will Kernodle
32133 Omar Rd.
Frankford, DE 19945

RE: PLUS review – 2025-10-03 DuPont Properties, LLC

Dear Mr. Kernodle:

Thank you for meeting with State agency planners on October 29th, 2025 to discuss DuPont Properties, LLC. According to the information received, you are seeking review of a proposed site plan for multiple offices and warehouses on 9.86 acres, zoned C-1 General Commercial District and GR-1 General 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 located in a Level 2 investment area, which is consistent with the 2020 Strategies for State Policies and Spending. This site is also located in a Commercial and Developing area in Sussex County. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Development in Level 2 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this site plan provided it meets the relevant codes and ordinances of the county

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.

- The location proposes access to DuPont Boulevard (US Rt. 113). US Rt. 113, at this location, is within an area regulated by the Corridor Capacity Preservation Program (CCPP). See Section 1.2 of DelDOT's Development Coordination Manual and Section 145, Title 17 of the Delaware Code for additional, specific information on the CCPP. The goal of the Program is to maintain the capacity of the existing highway by managing access along it. Please contact our office for specific information concerning access controlled by the CCPP.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- In terms of traffic analysis and based on the requirements of the Development Coordination Manual this proposed project will qualify for the Area Wide Study Fee (AWSF). Please contact our office to proceed with this calculation.

- 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 40 feet of right-of-way from the physical centerline of all State maintained roads. The following right-of-way dedication note is required, "**A 40-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation.**"

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage with

State maintained roadways. 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."**

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along all State maintained roads.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Contact 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.

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

- Sub 2 of Sub 1 of Prong 6 of the Pepper Creek tax ditch (northern property boundary)

- Sub 1 of Prong 6 of the Pepper Creek tax ditch (eastern property boundary)

- Sub 3 of Sub 1 of Prong 6 of the Pepper Creek tax ditch (eastern property boundary)

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:

- Sub 2 of Sub 1 of Prong 6 of the Pepper Creek tax ditch has an 80-foot to Top of Bank (TOB) ROW (northern property boundary)

- Sub 1 of Prong 6 of the Pepper Creek tax ditch has an 80-foot to Top of Bank (TOB) ROW (eastern property boundary)

- Sub 3 of Sub 1 of Prong 6 of the Pepper Creek tax ditch has an 80-foot to Top of Bank (TOB) ROW (eastern property boundary)

The following requirements will apply:

- 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.

- If the site and/or stormwater management features are designed to discharge into Sub 2 of Sub 1 of Prong 6 of the Pepper Creek tax ditch (northern property boundary) and/or Sub 1 of Prong 6 of the Pepper Creek tax ditch (eastern property boundary), 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. Reviewers acknowledge that the applicant has met with the Tax Ditch Program concerning the tax ditch. Further communication will be needed once a sediment and stormwater plan is developed.

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

- 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/

Leaking Underground Storage Tanks
Based on DNREC records, there has been one or more confirmed leaking underground storage tank(s) located on the proposed site. Additional information may be found online through Delaware's Environmental Navigator at https://den.dnrec.delaware.gov/.

- Contact the Division of Waste and Hazardous Substances Remediation Section to determine the status of the remedy for the leaking underground storage tank and any associated restrictions.

- If any indication of a Release of a Regulated Substance from a tank is discovered, the Responsible Parties shall report it within 24 hours: 24-hour Release Hot Line, (800) 662-8802.

Contact: Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600. Website: https://dnrec.delaware.gov/waste-hazardous/remediation/

Asbestos
The application proposes the demolition of existing buildings on-site. Existing building materials may contain asbestos. Asbestos-containing materials were widely used in industrial and commercial facilities, as well as in homes, until the 1980s. When asbestos is disturbed, it can break down into microscopic fibers that may become airborne. Once airborne, these fibers can be inhaled and trapped in the lungs, posing a health threat. The greatest potential for exposure to asbestos fibers occurs when asbestos-containing building materials are disturbed during building renovations or demolitions.

- The applicant must comply with all applicable state requirements of 7 Del. C., §1121 Emission Standards for Hazardous Air Pollutants, 10.0 Emissions Standards for Asbestos.

- Prior to any demolition of existing buildings, thorough inspection for asbestos is required. Inspection must be performed by a licensed asbestos inspector. A list of licensed asbestos service professionals or abatement firms can be found at https://data.delaware.gov/Licenses-and-Certifications/Certified-Asbestos-Vendors/f677-ahd9/data.

- If the presence of asbestos-containing material is confirmed and said material is deteriorating or will be disturbed during renovation or demolition, it must be removed by a licensed asbestos contractor. More information on building renovation and demolition can be found at https://dnrec.delaware.gov/air/asbestos/renovation-demolition/.

- The applicant must comply with all applicable federal notification requirements related to the stripping and/or removal of asbestos-containing material. See contact information below for the US Environmental Protection Agency.

Contact: DNREC Asbestos Management Program at (302) 323-4542.
Website: https://dnrec.delaware.gov/air/asbestos/

Contact: US Environmental Protection Agency Asbestos Ombudsman at 1-800-368-5888.
Website: https://www.epa.gov/asbestos/information-owners-and-managers-buildings-contain-asbestos#renovations

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/

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

- There are no archaeological sites or known National Register-listed or eligible properties within the project area. Soils are moderately well drained. Bordered to the north and south by tributaries of Pepper Creek. There are historic sites nearby, and precontact sites slightly further away closer to water sources. The project area has a moderate to high potential for archaeological material, especially historic. The Delaware SHPO is recommending an updated architectural survey of the Ranch dwelling on parcel 233-16.00-25.00. The survey was conducted 20 years ago and there was no information on why it was determined ineligible.

- The SHPO also recommends an archaeological survey prior to any ground disturbing activities. We also request that the applicant be aware of the Unmarked Human Burials and Skeletal Remains Law (Del. C. Title 7, Ch. 54).

- If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office.

At the time of formal submittal, the applicant shall provide completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

Fire Protection Water Requirements:

- Since the structures of the complex are proposed to be served by individual on-site wells (No

- Central or Public Water System within 1000' of property), set back and separation requirements will apply.

Fire Protection Features:

- For commercial buildings greater than 5000 sq. ft, a fire alarm signaling system which is monitored off-site is required

- For commercial buildings greater than 10,000 sq. ft Class B (2-hour rated) fire barriers are required to subdivide buildings into areas of 10,000 sq. ft. or less

- 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

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 DuPont Boulevard 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-round.

- 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)

- 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

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 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 Indian River Bay Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable. Break up large parking lots with planted islands.

- 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/

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 to connect to local pedestrian and bicycle networks. Designing for travel alternatives has the potential to minimize the overall tailpipe emissions associated with the use of this site.

- 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

- Consider installing electric vehicle charging stations for customers and employees. Installation costs can vary significantly depending on the parking and electricity distribution at a given location, so it is often easier and cheaper to plan for the installation at construction, rather than doing costly retrofits later. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 80% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs

address climate change goals of reducing greenhouse gas emissions and improving overall air quality (https://dnrec.delaware.gov/climate-coastal-energy/clean-transportation/).

- 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/).

- On large expanses of impervious surfaces and asphalt, design parking areas to include trees for shading.

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

- 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 meadows 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 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 tenants will need to consider financial support, before this becomes a tax burden.

Following receipt of this letter and upon filing 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 Engineering Department Comments
- 2025-10-03 Drainage Map_233-16.00-22.00
- 2025-10-03 Drainage Map_233-16.00-24.00
- 2025-10-03 Drainage Map_233-16.00-25.00
- 2025-10-03 Tax-Ditch-Land-Development-Project-Review-Request-Form

JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
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Sussex County
DELAWARE
sussexcountyde.gov

Preliminary Land Use Service (PLUS) Meeting
October 29, 2025
October PLUS Comments
Sussex County Department of Planning & Zoning

I. Review and Discussion: DuPont Properties, LLC (2025-10-03)

Location: 32581 DUPONT BLVD. Dagsboro, DE 1997 **-** East side of DuPont Boulevard (Route 113approximately (.05) miles south of the intersection with Nine Foot Road (Route 26)/Clayton Street (Frankford)

Project: Review of a proposed business park to contain (63,775) square feet of Office and Warehouse use improvements on (3) Parcels comprised of a total of (9.86) 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): 233-16.00-22.00, 233-16.00-24.00, & 233-16.00-25.00

Proposed: The project proposes a business park to contain (63,775) square feet of Office and Warehouse use improvements comprised of (13) structures on (3) Parcels comprised of a total of (9.86) acres +/-.

Zoning: The parcels are currently zoned Agricultural Residential (C-1) General Commercial and (GR) General Residential. All proposed Office and Warehouse use improvements are by-right as they are proposed on the (C-1) portion of the Parcels on the site. Staff note that any site plan will be required to meet all the design requirements relating to buffers and landscaping required under the CHCOZ - Combined Highway Corridor Overlay Zoning District - (CHCOZ District)(§115-194).

Density: N/A

Applicability to Comprehensive Plan: Applicability to Comprehensive Plan: The Parcels lie within the Growth Area classifications of "Commercial Area" and "Developing Area" (per the 2018 Comprehensive Plan). The Comprehensive Plan notes that Commercial Areas are emerging growth areas which "include concentrations of retail and service uses that are mainly located along arterials, and highways," and "include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic" (2018 Sussex County Comprehensive Plan, 4-17). The Plan also notes, "Institutional and commercial uses may be appropriate [in these areas] depending on surrounding uses" and "Mixed-use buildings may also be appropriate for these areas" (2018 Sussex County Comprehensive Plan, 4-17).
The Plan defines *Developing Areas* 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." In terms of guidelines for permitted uses, the Plan notes, "portions of the *Developing Areas* with good road access and few nearby homes should allow for business and industrial parks" (2018 Sussex County Comprehensive Plan, 4-14).

Open Space Provisions: N/A

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 that any site plan to be submitted include connectivity with adjacent Parcels with frontage on Dupont Boulvard.

Transportation Improvement District (TID): N/A

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: N/A

Wetlands/Waterways: N/A

Site Considerations (Flood Zones, Tax Ditches, Groundwater Recharge Potential etc.): The parcel is located within Flood "X" - Areas determined to be outside the 1% annual chance flood and outside the 500-year floodplain. Staff note there are no Wellhead Protection Areas on the site. The Parcel is within an area of 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). Prongs of the Pepper Creek Tax Ditch and their corresponding (80) foot ROWs comprise the northern and eastern parcel boundaries of

the project. Please note, any proposed revisions to the ROW require a Court Order Change (COC) to be filed through DNREC.

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
October 29, 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: Boyd's Corner Preserve (2025-10-07)**
County: New Castle **Municipality:** Unincorporated
Location: North side of Burbage Road, approximately 1,800' east of intersection with Powell Farm Road.
Project: Review of a proposed residential subdivision consisting of 165 detached single-family dwelling units on 90.6 acres. The site is classified as State Strategies Levels 1 and 2, zoned S (Suburban), and is currently used as farm field.

III. 9:30 AM **Review and Discussion: Project Washington – South Campus (2025-10-02)**
County: New Castle **Municipality:** Unincorporated
Location: 825 Governor Lea Road, New Castle, DE 19720
Project: Review of a proposed major land development for six 500,000 SF, 72 MW data center buildings with supporting site and electrical infrastructure. Data centers on parcel 12-002.00-025. This site is 195 acres currently zoned Heavy Industrial/Commercial Regional (Parcel 12-002.00-025), Suburban (Parcel 10-049.00-073). The site is classified as State Strategies Levels 3, 4 and Out of Play.

IV. 10:00 AM **Review and Discussion: Warehousing Ordinance (2025-10-08)**
County: New Castle **Municipality:** Unincorporated
Location: County wide
Project: review of a proposed local government ordinance to amend New Castle County Code Chapter 40, Article 3, Article 4, Article 11 and Article 33, Regarding Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers.

V. 10:15 AM **Review and Discussion: Town of Clayton 2025 Comprehensive Plan Update (2025-10-01)**

County: Kent **Municipality:** Clayton
Location: Town of Clayton
Project: Review of a complete update to the Town of Clayton's 2019 Comprehensive Plan.

VI. 10:45 AM **Review and Discussion: Cedarcrest (2025-10-10)**
County: Sussex **Municipality:** Unincorporated
Location: County Seat Highway at Warrington Road
Project: Review of a proposed major cluster subdivision of 650 units on 471.6 acres classified as State Strategies Level 3 & 4 and zoned as AR-1 (Agricultural Residential District).

The proposed project is located within a Tier 4 area for wastewater planning. Sussex County does not currently have a schedule to provide sanitary sewer to this project. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility or municipality.

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. 11:15 AM **Review and Discussion: Goldsboro Farm (2025-10-06)**
County: Sussex **Municipality:** Unincorporated
Location: West side of Mulberry Knoll Road, approximately 3,000 feet south of John J. Williams Highway (Rt. 24).
Project: Review of a proposed 307-unit single family residential cluster subdivision on 257 acres. The area is currently used for agricultural purposes, is zoned AR-1 (Agricultural Residential District) and classified as State Strategies Levels 2, 3, 2 and Out of Play.

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.

VIII. 11:45 AM **Review and Discussion: Robbins Property (2025-10-09)**
County: Sussex **Municipality:** Unincorporated
Location: Northwest corner of Shawnee Road at Old Shawnee Road.
Project: Review of a proposed 105 single family lot subdivision on 150.6 acres and zoned as AR-1 (Agricultural Residential District). This area is classified as State Strategies Level 2, 3 and 4.

The proposed project is located within a Tier 4 area for wastewater planning. Sussex County does not currently have a schedule to provide sanitary sewer to this project. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility or municipality.

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.

IX. 12:15 PM **Lunch Break – switching to Room 307 for the rest of the PLUS Agenda**

X. 1:00 PM **Review and Discussion: Bay City Mobile Home Park Expansion (2025-10-04)**
County: Sussex **Municipality:** Millsboro
Location: Cedar Street, Millsboro, DE 19966
Project: Review of a proposed site plan to add an additional 98 home sites to an existing mobile home park. The site is classified as State Strategies Levels 3, 4 and Out of Play; and zoned AR-1 (Agricultural Residential District).

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.

XI. 1:30 PM **Review and Discussion: DuPont Properties, LLC (2025-10-03)**
County: Sussex **Municipality:** Unincorporated
Location: 32581 DuPont Blvd., Dagsboro, DE 19975
Project: Review of a proposed site plan for multiple offices and warehouses on 9.86 acres, zoned C-1 (General Commercial District) and GR-1 (General Residential District) 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.

XII. 2:00 PM **Review and Discussion: Banks Irons Lane (2025-10-05)**
County: Sussex **Municipality:** Unincorporated
Location: West side of Irons Lane at the intersection of Old Mill Road.

Project: Review of a proposed residential subdivision consisting of 115 single-family dwelling units on 55 acres. The site is classified as State Strategies Levels 2 & 3, and zoned AR-1 (Agricultural Residential District).

The project is within a Tier 2 area for wastewater planning. Sussex County does not currently have a schedule to provide sanitary sewer to these parcels.

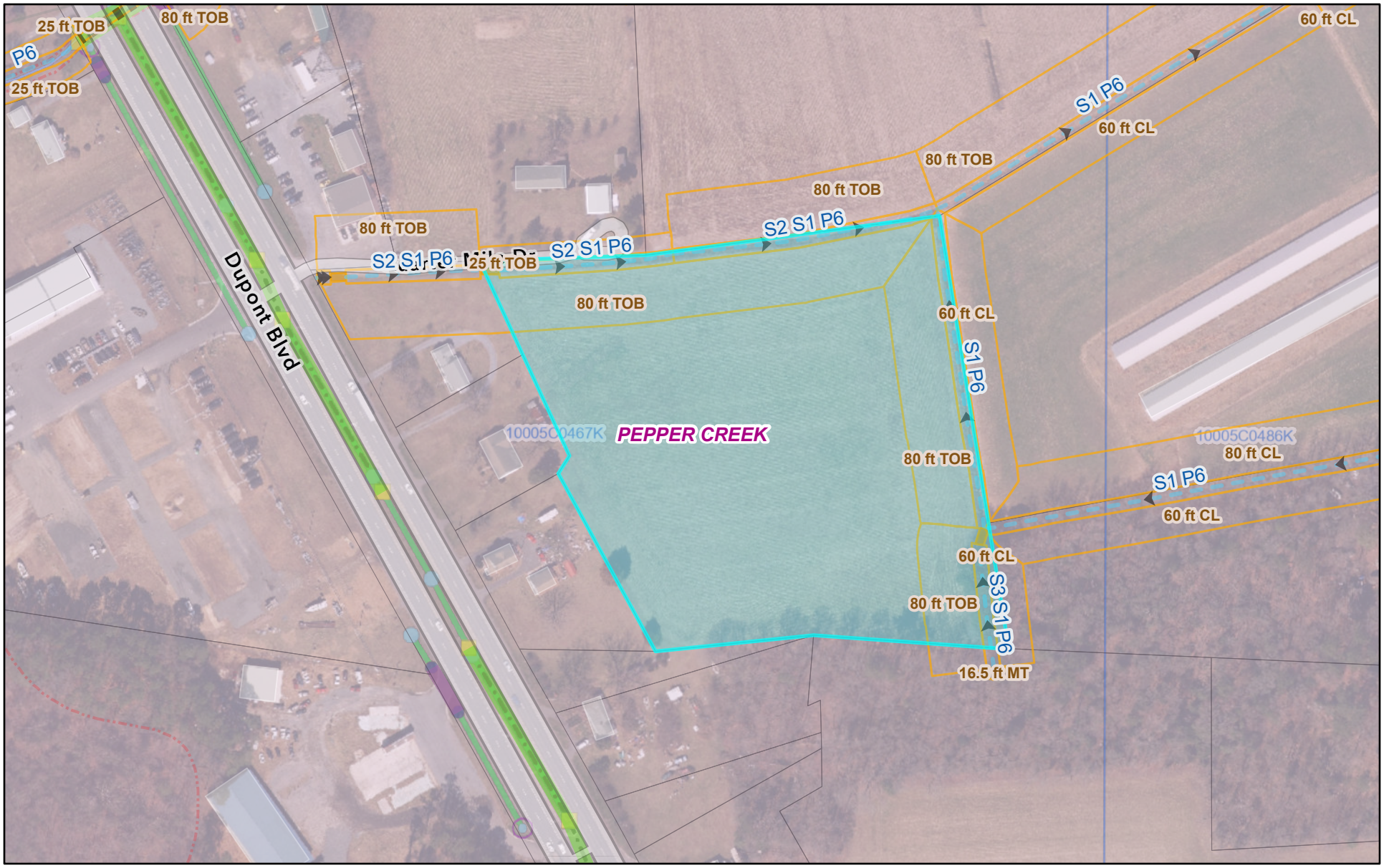
The proposed project is not contiguous to the existing Sussex County Unified Sanitary Sewer District (SCUSSD) boundary and intervening parcel(s) will be necessary to annex into the District. Further information will be provided during the Sewer System Concept Evaluation (SSCE).

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.

Delaware Drainage Program Map



10/14/2025, 9:38:17 AM

Tax Ditch Channels - System
Tax Ditch Channel
Pipe - DelDOT
Pipe - Tax Ditch
Extent of Right-of-Way
Approx. Watershed Boundary
Parcels - Sussex

DE_Boundaries - State and County Boundaries
NPDES - Pipes/Culverts
Driveway Culvert
Pipe
Structure Drainage Areas
BMP Drainage Areas

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
Temporary Dummy Point
Conveyances
Swale
Hydraulic Connection

Driveway Culvert
Guardrail Culvert
Roadway Culvert
Pipe
BMPs
Non-DelDOT BMPs
DelDOT

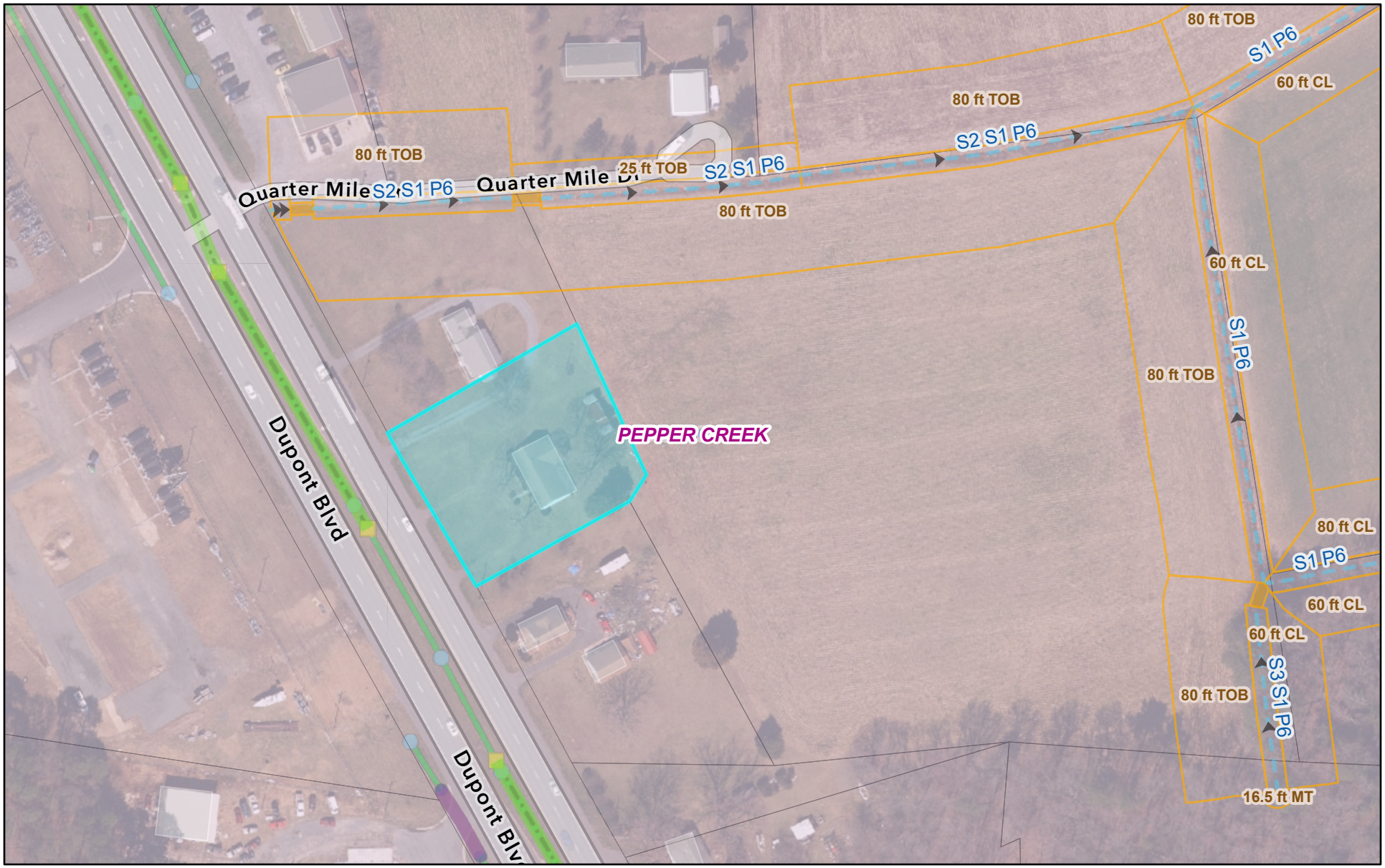
1:3,058

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0 30 60 120 m

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

Delaware Drainage Program Map



10/14/2025, 9:41:43 AM

Tax Ditch Channels - System
- Tax Ditch Channel
- Pipe - Tax Ditch
- Extent of Right-of-Way
- Approx. Watershed Boundary
- Parcels - Sussex
- DE_Boundaries - State and County Boundaries

NPDES - Pipes/Culverts
- Driveway Culvert
- Pipe
- Structure Drainage Areas
- BMP Drainage Areas

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
- Temporary Dummy Point

Conveyances
- Swale
- Hydraulic Connection
- Driveway Culvert
- Guardrail Culvert
- Roadway Culvert
- Pipe

BMPs
- Non-DelDOT BMPs
- DelDOT
- FIRM Panel

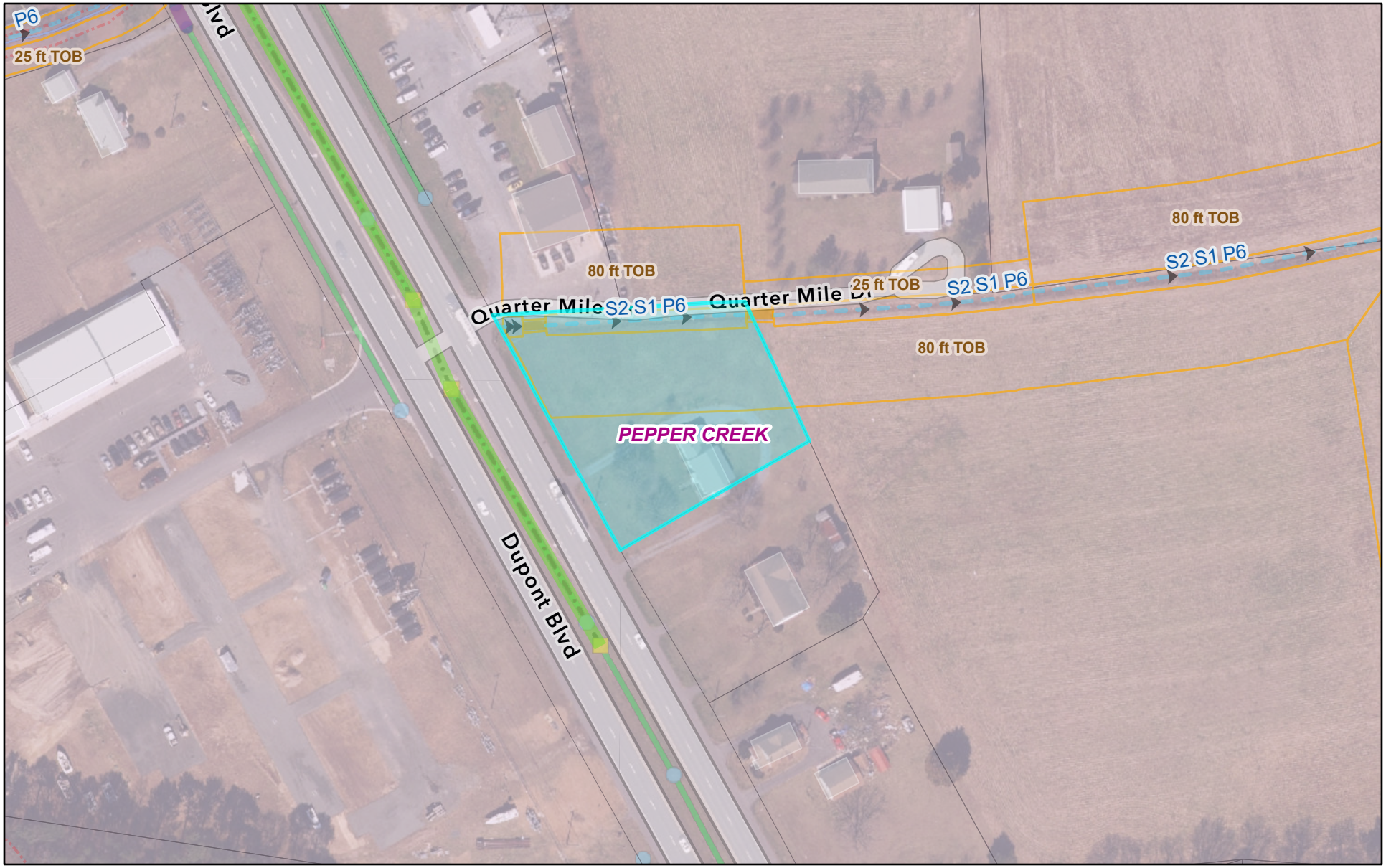
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0 75 150 300 ft

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

Delaware Drainage Program Map



10/14/2025, 9:58:39 AM

Tax Ditch Channels - System
- Tax Ditch Channel
- Pipe - Tax Ditch
- Extent of Right-of-Way
- Approx. Watershed Boundary
- Parcels - Sussex
- DE_Boundaries - State and County Boundaries

NPDES - Pipes/Culverts
- Driveway Culvert
- Pipe
- Structure Drainage Areas
- BMP Drainage Areas

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
- Temporary Dummy Point

Conveyances
- Swale
- Hydraulic Connection
- Driveway Culvert
- Guardrail Culvert
- Roadway Culvert
- Pipe

BMPs
- Non-DelDOT BMPs
- DelDOT
- DE_Wetlands - 2017 Wetlands (not regulatory)
- FIRM Panel

1:2,056

0 75 150 300 ft

0 20 40 80 m

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

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 #: _____