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

November 18, 2025

Davis, Bowen & Friedel, Inc.
Attn: W. Zachary Crouch, P.E.
1 Park Ave,
Milford, Delaware 19963

RE: PLUS review – 2025-10-09 Robbins Property

Dear Mr. Crouch:

Thank you for meeting with State agency planners on October 29th, 2025 to discuss Robbins Property. According to the information received, you are seeking review of a proposed 105 single family lot subdivision on 150.6 acres.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located predominately within Investment Levels 2 and 3 according to the 2020 Strategies for State Policies and Spending.

Based on its location in a Level 2 and Level 3 investment area, this project may be consistent with the 2020 Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and state plans in the near-term future. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. While growth is anticipated in Levels 2 in the immediate future, the presence of Level 3 & 4 may indicate natural resources and environmental concerns which need to be considered; therefore, the State respectfully requests that all building lots be pulled from the level 4 area.

Based on comments from State agencies below, 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.

While specific environmental concerns are outlined in the State agency regulatory comments and recommendations, one particular concern from DNREC with regard to a potential public health and safety hazard is noted below:

DNREC reviewers have concerns about the potential for contamination that could result from proximity of the proposed individual septic systems to the Mispillion River. This property is within approximately one mile of the Mispillion River and is adjacent to the river by way of a perennial stream known as Johnson Branch. Lots with homes are proposed within 200 feet of Johnson Branch, which follows the northern property boundary of this site.

There is the potential risk for contaminants to leach from these septic systems and travel to lower lying areas downstream of the project. Well drained, sandy soils have been identified on this site, so it is possible that the soil alone may not provide sufficient treatment of leachates coming from the proposed septic systems. The movement of such leachates could create surface exposure of contaminants downstream. The large number of septic systems (105) that would be infiltrating into the soil may pose risks to public health, particularly for those who use the Mispillion River for recreation and for those on low lying downstream properties who may rely on private wells for drinking water.

Excessive nutrient loading, in the event of failing septic systems, could further have the potential to elevate bacteria levels not only in the local watershed but also in open bodies of water that are commonly used for recreation.

For all these reasons, a community wastewater collection and transmission system would typically be recommended for similar proposals in Level 2 or 3 lands. However, as this site is surrounded by very rural Level 4 lands to the north and to the west, bringing in a community wastewater service may not be possible. In the absence of a community wastewater service, it is recommended to consider advanced treatment individual septic systems for each lot. Advanced treatment individual systems can help reduce the potential nutrient load on the already impaired Mispillion River watershed, the river itself, and other nearby waterways.

Code Requirements/Agency Permitting Requirements

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

- The site access on all State maintained roads must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the 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 30 feet of right-of-way from the physical centerline of Shawnee Road. The following right-of-way dedication note is required, "**A 30-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. 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 Shawnee Road.

- 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.

General Wastewater Requirements
One hundred five (105) individual small systems wastewater disposal systems (septic systems) are proposed for this site. This property is within approximately one mile of the Mispillion River and is adjacent to the river by way of a perennial stream known as Johnson Branch. Lots with homes are proposed within 200 feet of Johnson Branch, which follows the northern property boundary of this site. Excessive nutrient loading, in the event of failing septic systems, could have the potential to elevate bacteria levels not only in the local watershed but also in open bodies of water that are commonly used for recreation.

The large number of septic systems (105) that would be infiltrating into the soil may pose risks to public health, particularly for those who use the Mispillion River for recreation and for those on low lying downstream properties who may rely on private wells for drinking water. Well drained, sandy soils have been identified on this site, so it is possible that the soil alone may not provide sufficient treatment of effluents coming from the proposed septic systems.

- For similar proposals in Level 2-3 lands, a community wastewater collection and transmission service would typically be the recommended alternative. A Certificate for Public Convenience and Necessity (CPCN) for wastewater service appears to exist for parcel 130-3.00-63.00.

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

- However, as this property surrounded by very rural Level 4 lands to the north and to the west, such an alternative may not be feasible at this time.

- If the applicant instead pursues 105 individual septic systems, a soil feasibility study for each single-family residential lot shall be completed and submitted to the Residential Services Section.

- A Site Evaluation must be performed by a Delaware licensed Class D Soil Scientist to determine the type of disposal system allowed under current regulations and site conditions. A list of licensed Class D soil scientists can be found at the following website: https://data.delaware.gov/Energy-and-Environment/Class-D-Site-Evaluator-Licensees-Based-on-Licensed/6vjq-34rp

- The applicant must comply with all county codes pertaining to small systems wastewater disposal (septic).

- Please be advised that DNREC reviewers have identified potential public health and safety hazards associated with this proposal. Please consult with the DNREC Division of Water at the contacts listed below for steps that can be taken to mitigate these potential risks. See section on Potential Public Health and Safety Hazards for additional information.

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

Septic Contact: DNREC Residential Services Section at (302) 739-9947.
Website: https://dnrec.delaware.gov/water/residential/septic-systems/

Wetlands and Waterways

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands in the northern and southern portions of the site, as well as potential blue line streams located along the northwestern property boundary and in the southern portion of the site. The application indicates that wetlands have not been delineated. The application proposes to disturb approximately 0.05 acres of non-tidal wetlands and waterways.

State Requirements:

- The wetlands and waterways are not labeled on the site plan. Map and label all wetland boundaries, streams, and waterways on site plans.

- DNREC Wetlands and Waterways Sections recommends that a Jurisdictional Determination (JD) is conducted for the site, to flag the wetland boundary.

- The DNREC Wetlands and Waterways Sections recommends that a wetlands delineation is completed. For a list of consultants and engineers who can conduct wetland

delineations, please call the DNREC Wetlands and Waterways Section.

- 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 permits from the U.S. Army Corps of Engineers will be necessary if dredge or fill is proposed in tidal wetlands, streams, and 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/

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/

Special Flood Hazard Area
According to the newest Flood Insurance Rate Maps (FIRM), a portion of this parcel is situated within a Special Flood Hazard Area, specifically within the mapped 100-year floodplain (1% annual chance of flooding). The Special Flood Hazard Area identified on the site lies within zone A. In lands contained within the 100-year floodplain, the National Flood Insurance Program's floodplain management regulations must be enforced through the local floodplain ordinance, which can have higher standards. Although houses are proposed outside of the Special Flood Hazard Area (SFHA), some houses may still be required by lenders to purchase flood insurance, based on the close proximity to the SFHA.

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

Contact: DNREC Shoreline and Waterway Management Section at (302) 608-5500.
Website: https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/

Milford Millponds Natural Area
The forested area that currently exists in the northwestern portion of the site is connected to a much larger contiguous forest complex extending into land designated as the Milford Millponds Natural Area. Natural Areas contain lands of statewide significance identified by the Governor's

Natural Areas Advisory Council as containing a high quality of natural features unique to Delaware.

- Local codes and ordinances may apply to protect areas designated as Natural Areas. Please consult with local planning agencies to see how local codes and ordinances may impact the proposed development of this site.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039. Website: https://dnrec.delaware.gov/parks/natural-areas/

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 Tricolored Bat determination key through the U.S. Fish and Wildlife Service at https://ipac.ecosphere.fws.gov/

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

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/

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

- The proposed development is located in an area classified as Level 4 per the Strategies for State Policies and Spending. Both the State Strategies and the County Comprehensive Plan explicitly disapprove of the proposed isolated development in this region. The main objective of these plans is to protect agricultural lands, forestlands, recreational uses, and open spaces, all of which are considered preferred uses in Level 4 areas.

- The Delaware Department of Agriculture categorically opposes the proposed development, citing its inconsistency with the preferred land uses. This misalignment is seen as detrimental to the success of agriculture and forestry, leading to increased public costs for services and facilities. Moreover, the Department firmly opposes the project due to its adverse impact on the fundamental land uses crucial to Delaware's resource industries, including agriculture, forestry, and horticulture, along with their associated sectors.

- Newcomers to such developments often lack an understanding of and appreciation for modern agriculture and forestry, resulting in conflicts that compromise health and safety, such as reduced highway safety with farm equipment and cars sharing rural roads. The Department emphasizes that these conflicts jeopardize the essential economic, environmental, and open space benefits of agriculture and forestry. As such, the Department is steadfast in its opposition to the establishment of isolated development areas that it deems inefficient in terms of the full spectrum of public facilities and services funded with public resources. It asserts that public investments should prioritize agricultural and forestry preservation.

- The Delaware Department of Agriculture advocates for growth that expands existing urban areas and growth zones outlined in approved State, county, and local plans. It

expresses support for additional land preservation through measures like transfer of development rights, committing to work with developers to implement these strategies if the project is approved.

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

- There is a known documented vernacular house in the project area. Soils are mostly well drained. An ephemeral tributary of Bowman Branch runs through the project area and Johnson Branch borders to the north. There are archaeological sites nearby, mainly precontact. One site is on a neighboring parcel. Forested areas to the north are a mixture of old growth and new growth. The forest on the easternmost parcel appears to be from the last 20 or so years. The project area has a moderate to high potential for precontact archaeological resources and a high potential for historic archaeological resources. Our office recommends an archaeological survey prior to any ground disturbing activities.

- The presence of historic agricultural complexes means a potential for unmarked human remains from a historic family cemetery or graveyard. If any project or development proceeds, our office requests that the applicant be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).

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

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

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

Fire Protection Water Requirements:

- Since the structures of the subdivision 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.

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 Shawnee 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-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.

- Bridge crossings are required to meet DelDOT bridge specifications. Please note the bridge construction on the site plan.

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

Potential Public Health and Safety Hazards

This project is partially located within and is surrounded to the north and to the west by Level 4 lands, where building is inconsistent with the Delaware Strategies for State Policy and Spending. In Level 4 lands, infrastructure may not exist for large systems wastewater services. As a result, the applicant proposes 105 individual septic systems to serve the 105 residential lots in this design.

DNREC reviewers have concerns about the potential for contamination that could result from proximity of the proposed individual septic systems to the Mispillion River. This property is within approximately one mile of the Mispillion River and is adjacent to the river by way of a perennial stream known as Johnson Branch. Lots with homes are proposed within 200 feet of Johnson Branch, which follows the northern property boundary of this site.

There is the potential risk for contaminants to leach from these septic systems and travel to lower lying areas downstream of the project. Well drained, sandy soils have been identified on this site, so it is possible that the soil alone may not provide sufficient treatment of leachates coming from the proposed septic systems. The movement of such leachates could create surface exposure of contaminants downstream. The large number of septic systems (105) that would be infiltrating into the soil may pose risks to public health, particularly for those who use the Mispillion River for recreation and for those on low lying downstream properties who may rely on private wells for drinking water.

Excessive nutrient loading, in the event of failing septic systems, could further have the potential to elevate bacteria levels not only in the local watershed but also in open bodies of water that are commonly used for recreation.

For all these reasons, a community wastewater collection and transmission system would typically be recommended for similar proposals in Level 2 or 3 lands. However, as this site is surrounded by very rural Level 4 lands to the north and to the west, bringing in a community wastewater service may not be possible.

- In the absence of a community wastewater service, it is recommended to consider advanced treatment individual septic systems for each lot. Advanced treatment individual systems can help reduce the potential nutrient load on the already impaired Mispillion River watershed, the river itself, and other nearby waterways.

Local Watershed Water Quality Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939.
Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/

Septic Contact: DNREC Residential Services Section at (302) 739-9947.
Website: https://dnrec.delaware.gov/water/residential/septic-systems/

Mispillion Millponds Natural Area

- Reduce environmental impacts in Natural Areas by avoiding development or destruction of sensitive natural features such as, but not limited to, wetlands, hardwood forests, or riparian buffers.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039.
Website: https://dnrec.delaware.gov/parks/natural-areas/ or
https://dnrec.delaware.gov/parks/open-space/conservation-easements/

Removal of Mature Forest within Delaware Ecological Network and Milford Millponds Natural Area

The preliminary plan proposes the elimination of approximately 87 of 112 acres of forest on the site. An analysis of historical data indicates that the forest area located on the northwest portion of the site and along the intermittent stream has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible.

- The mature forest and forested wetlands on this site occur within the Delaware Ecological Network, a statewide network of interconnected lands having significant ecological value. Avoid disturbance within these habitats.

- Forest in the northwestern portion of this site also occurs within the Milford Millponds Natural Area. Reduce environmental impacts in Natural Areas by avoiding development or destruction in these areas.

- Consider dedicating forested areas as a Nature Preserve through a conservation easement or donation of land. For more information, please contact the DNREC Planning Preservation and Development Section.

- 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.

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/

Vegetated Buffer Zones – Forested Wetland within Key Wildlife Habitat
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of forested wetlands on the northern and southern portions of the site. This habitat type is known to support an array of plants and animals, most notably wetland dependent species such as amphibians.

The non-tidal coastal plain 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.
To reduce impacts to these species, the following is recommended:

- Do not disturb forested wetlands. Key Wildlife Habitat should be conserved to the maximum extent practicable and negative impacts should be minimized.

- Increase upland buffers to at least 100 feet along all wetlands, waterways, and sensitive habitats, 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/

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/

Special Flood Hazard Area

- As proposed, locate all structures outside of the floodplain. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

- For subdivision and development proposals containing at least 50 lots or at least 5 acres (whichever is the lesser) proposed in FEMA-delineated Special Flood Hazard Areas where base flood elevation data are not available, DNREC reviewers recommend that hydrologic and hydraulic engineering analyses are conducted. These studies will determine base flood elevations and floodway delineations.

Contact: DNREC Shoreline and Waterway Management Section at (302) 608-5500.
Website: https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/

Water Quality

This site lies within the Mispillion River Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

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

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.

- Reduce 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

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

- Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. 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 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:

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

JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
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Sussex County
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Preliminary Land Use Service (PLUS) Meeting
October 29, 2025
October PLUS Comments
Sussex County Department of Planning & Zoning

I. Review and Discussion: Robbins Property (2025-10-09)

Location: West side of Mulberry Knoll Road, approximately 3,000 feet south of John J Williams Highway (Route 24)

Project: Review of a proposed Major Subdivision accommodate a single-family residential development to include (105) lots for single-family detached residential dwelling units with private onsite wells and individual on-site wastewater on (3) Parcels comprised of a total of 150.6 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):
130-3.00-63.00, 130-3.00-65.00 , & 130-3.00-67.00

Proposed: The project proposes a Major Subdivision to accommodate a single-family residential development to include (105) lots for single-family detached residential dwelling units with private onsite wells and individual on-site wastewater and on a portion of (3) Parcels comprised of a total of 150.6 acres +/-.

Zoning: The parcels are currently zoned Agricultural Residential (AR-1). The proposed single-family lots are permitted by-right in the AR-1 Zoning District and the proposed lots meet the AR-1 Requirements for minimum lot size for lots on individual on-site wastewater systems. .

Staff note that the cul-de-sac streets are greater than (1,000) feet in length, which exceeds County Code requirements.

Staff note Conditional Use (CU 2397) was approved on Parcel # 130-3.00-63.00 by Sussex County Council at their Meeting of 2/20/24 and adopted via Ordinance No. 2985 allowing for a community scale solar facility on the site. Staff note, as of 10/29/2025, a Preliminary Site Plan for a solar facility on Parcel #63.00 has not been submitted for review to the P&Z Office nor has a plan been granted approval by the Planning & Zoning Commission.

Density: The proposed density of ≈ 0.70 dwelling units per acre complies with the County Code requirements for residential improvement in an (AR-1) District which allows (0.75) single-family detached dwelling units per acre when serviced by on-site septic systems (§115-25(A)).

Applicability to Comprehensive Plan: Applicability to Comprehensive Plan: The Parcels lie within the Rural Area classifications of "Low Density Area" and "Developing Area" (per the 2018 Comprehensive Plan). *Low Density Areas* are lands currently zoned AR-1 that the County "hopes to retain the rural environment" and "set aside significant open space" (2018 Sussex County Comprehensive Plan, 4-18).
The Plan 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, "range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units" and "base density of 2 units per acre is appropriate throughout this classification" (2018 Sussex County Comprehensive Plan, 4-14).

Open Space Provisions: The proposed plan includes (36) acres +/- (out of a total of (150.6) acres) of open space which equates to approximately 24% of the project site. Please note that County Council updated Codes related to Perimeter Buffers and 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 that the design be revised to provide interconnectivity to adjacent Parcels, particularly the portion of the Plan closest to the frontage on Parcel 130-3.00-67.00. Staff note that (2) of the proposed cul-de-sac streets are greater than (1,000) feet in length, which exceeds County Code requirements.

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: The Applicant notes that there are presently (111.6) acres of existing forest on the site and that (87.17) acres will be removed. Therefore, the site is retaining (24.43) aces of forested area (≈22% 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) as well as a Forest Assessment Report (FAR).

Wetlands/Waterways: The Application notes that there are (4.34) acres 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)). 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 "A" (1% Annual Chance of Flooding) and Flood Zone "X" – outside the Annual Channce Flood Zone as indicated in the applicant's Conceptual Land Use Plan. This is accurate according to current data available to Sussex County Planning & Zoning. Staff note there are no Wellhead Protection Areas on the site. The Parcel is within an area of "Good" Groundwater Recharge. Please note this on any plans in order to comply with the provisions of Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7).

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.

BRANDY BENNETT NAUMAN
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October 29, 2025

Mr. W. Zachary Crouch
Davis, Bowen & Friedel, Inc.
1 Park Ave.
Milford, DE 19963

RE: PLUS Review (PLUS 2025-10-09) – Robbins Property

Dear Mr. Crouch,

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