

## August PLUS Meeting - Part 2

20:37

Hello everyone.

20:38

Again close to 1:30 and we have Jamie in the room.

20:44

Jamie, are you presenting today for Summerton W?

20:49

Yes, thank you.

20:50

I, I might have some others joining from my office and on behalf of the owner developer, but I don't see them on just yet.

21:00

We might be waiting on a couple of their agencies as well, OK.

21:08

Oh, make sure I saw my e-mail OK, I don't call.

21:51

Yeah.

22:41

All right, I'm going to get started and if anyone's joining a few minutes late, we can catch up.

22:46

Ready to get started?

22:49

Yep.

22:49

Thanks, Rose.

22:51

My name is Samantha Bolkovich.

22:52

I am the circuit rider planner for Newcastle County.

22:56

Thank you for joining us for application 20260801 Somerton West.

23:03

There will be a public comment period at the end of each application.

23:07

Please use the Raise Your Hand button to identify yourself if you wish to comment.

23:10

Due to timing, each person wishing to speak will be limited to 3 minutes which can be shortened at the discretion of the PLUS Coordinator.

23:17

When speaking, please state your name and the address and only comment on the project being reviewed.

23:23

Comments received today will be filed in our PLUS file but will not be included as part of our final PLUS response.

23:29

The Preliminary Land Use Service is a technical advisory committee that provides comments about state agency regulations and recommendations regarding each project.

23:37

There are no final approvals, decisions or actions made through the PLUS process.

23:41

It is an informational only.

23:42

Therefore, it is recommended that you participate in a local jurisdictions land use review and approval process and provide your comments through that venue.

23:51

Jamie, I'm going to hand it over to Rose so she can let you know who from our other state agencies are here today and then she'll hand it back over to you.

23:59

Perfect.

24:00

Thank you.

24:01

So on info with us today, we have Dell dot with Steve Baer, Wesley Hicks, Megan Patterson and Taylor Santula.

24:09

We have Beth Krumwein with Denrich, We have Tara Wilbur with Dima, We have Carlton Holland, Hannah Lewis with Historical Preservation Office, and we have Cole Schultz with Housing Authority.

24:24

Do you need any presentation capabilities for?

24:29

Yeah, I wouldn't mind sharing the the plan just so that we can all look at it while we're talking.

24:37

You should be able to share our screen now.

24:39

All right.

24:45

Are you able to see that?

24:47

Yes, we are.

24:48

OK.

24:50

All right, Well, thanks for meeting with us today to talk about Somerton West.

24:54

This is one of the few remaining lots that's to be developed in the Levels Business Park that's located at Middletown Warwick Road and Levels Rd.

25:03

in Middletown.

25:05

It's about roughly 6 acres in size and it fronts along Middletown Warwick Road.

25:11

As you can see on the screen, there's at the bottom of the screen, there's an existing paved access Rd.

25:16

that provides access to Patriot Drive and United Drive.

25:20

So there won't actually be any new entrances proposed to Middletown Work Rd.

25:27

We're proposing to develop the site for two four story apartment buildings with a non residential use on the 1st floor which is permitted by the town's C3 zoning district.

25:38

And that first floor level will be a mix of parking and commercial uses, with the upper three floors being apartments.

25:46

Between the two buildings, we're proposing a maximum of 192 apartment units.

25:52

The existing utilities around the site are sewer and water, and they'll connect to those.

25:59

Storm water management will be provided by underground infiltration.

26:05

And then as far as sidewalk interconnectivity, there's an existing sidewalk on the parcel C1 on the left of your screen there.

26:14

And so we'll connect to that sidewalk along Middletown Work Road to provide interconnectivity to the site.

26:22

As far as the site's concerned, I think there there's no existing natural resources to protect the whole site's in a WSPA recharge area.

26:33

So we'll, like I said, for Stormwater, we'll be providing the underground infiltration.

26:38

I think I've summarized everything.

26:40

I'll turn it back over to you guys now, see if you guys have any questions.

26:46

Thank you, Jamie.

26:47

You're welcome.

26:49

Let's see, does anyone have any questions for Jamie comment?

26:56

I'll, I'll get into comments.

26:58

OK.

26:58

No question, we'll get into comments.

27:04

Nope, no, I'll just check them.

27:05

All right.

27:07

Thanks.

27:11

Denrek, Would you like to go first, Beth?

27:16

Yes, this is Beth.

27:17

Hold on a second.

27:18

I am.

27:19

Can you go pick somebody else first, if you could please?

27:22

Sure.

27:22

Yes, I can, Steve with Delgot.

27:29

Thank you, Sam, and good afternoon, everyone.

27:32

Thank you for the presentation.

27:34

Have you had a scoping or presubmittal meeting yet?

27:37

No, we have not.

27:39

OK.

27:40

When you're ready, contact our office and we'll work you through that process.

27:44

In terms of traffic analysis, this location is within the West Town TID, so we'll work you through that to get an agreement and the associated fees.

27:56

Aside from that, with the cross access agreement to the parcel to the east and the other entrance being on private, we don't have too much specific to get into.

28:04

We will have some of the standard comments.

28:07

I see the pressure and facilities listed on the site plan, so thank you for that.

28:12

Outside of that, it was noted that this is an investment Level 1 area.

28:15

An investment level 1D prioritizes improving safety, expanding access to transit, pedestrian, bicycle facilities, supporting economic development and strengthening connections among existing, redeveloping a new neighborhoods, public facilities and commercial areas.

28:28

And this project is generally consistent with those policy objectives.

28:31

Thank you.

28:32

Thank you.

28:32

Thank you Steve.

28:38

Beth, Are you ready now?

28:40

I am ready now.

28:41

Thank you.

28:41

All right, all right.

28:44

So here were some of the minor issues that are identified, some of which you may know about the excellent groundwater recharge area located on the entire site.

28:52

So be aware that that you're gonna have to comply with county and municipal requirements for uses in excellent groundwater recharge areas.

29:01

Also be aware that there are new electric vehicle charging requirements for residential developments.

29:08

EV charging infrastructure is required for residential construction under the regulations for State Energy Conservation Code.

29:15

For multi family dwellings, parking shall be provided with an electric vehicle ready space or an EV supply equipment space for 20% of the dwelling units or parking spaces, whichever is less.

29:27

At least one EV equipment supply space must be in an area available for use by all residents and must be accessible by an individual with disabilities.

29:35

We will include more information on this in our written comments.

29:38

Also, there were some sustainable practices that we identified.

29:42

This is a lot of impervious surface so down record reviewers recommended to make sure to add some trees for shading and non motorized connectivity.

29:52

Installing bicycle racks and covered bike storage where feasible.

29:58

And then we have some more recommendations on native tree plantings and some other things.

30:04

So thanks, all from Denrich.

30:05

Thank you very much.

30:06

Thank you.

30:07

Thank you, Beth.

30:08

All right, Carlton from state sort of preservation Office.

30:15

This is Hail Lewis.

30:16

Yeah, this is Hail Lewis.

30:17

Sorry, we're switching is Hal Lewis from the Delaware State Historic Preservation Office.

30:23

So the this wider area is known for archaeological resources, both historic and pre contact.

30:28

As such, we'll be recommending an archaeological survey prior to any ground disturbing activities.

30:33

As well, because some of these resources have been associated with historic agricultural complexes, there is some concern for unmarked family cemeteries and graves.

30:42

So we will be asking the applicant to review the Delaware unmarked room burials and skeletal remains law, which addresses what should occur if you happen to unfortunately uncover human remains.

30:54

Otherwise, if there's any federal involvement, we will be providing some information about section one O 6.

30:58

Thank you very much.

31:01

Thank you, Anna.

31:05

Tara from DEMA.

31:10

Hi, good afternoon.

31:11

The area is not located in a special flood zone.

31:15

It is also not located yet in a Newcastle County evacuation zone and it also is not located in the 10 mile EPZ for the nuclear power power plant.

31:27

DEMA doesn't have any recommendations other than our standard language regarding energy efficiency appliances and modern and emerging technologies for energy conservation.

31:42

That's it.

31:43

Thank you.

31:45

Thank you, you, Tara.

31:49

Art Tara, Department of that.

31:56

OK.

31:57

Hi, this is Laura with the Department of AG.

31:59

My program does not have any comments, but I would expect something from the urban and community forestry program in writing.

32:07

Great, thank you and call with state housing.

32:15

Thank you.

32:16

DSA supports this mixed-use development as bringing in much needed housing to currently vacant land.

32:22

We support the addition of 192 market rate rental units as a supply oriented approach that makes more affordable units available to lower income households.

32:31

Specifically, higher income earners will be able to move into these new apartments as opposed to competing for lower cost units with households who need them more.

32:40

This phenomenon, known as filtering, is a well established housing principle that has been supported by examples nationwide, including in Minneapolis and Austin, TX.

32:49

Indeed, residential filtering is then cited as the most significant source of low cost housing in the private market and it is only possible when market rate units are developed.

33:00

Lastly, we know that this project aligns with new legislation promoting denser, more sustainable development patterns that includes a mix of uses and reduces the need for vehicle trips.

33:10

Thank you, thank you Paul.

33:14

Is there anyone from Milltown on the line?

33:19

No, OK.

33:23

I just had a couple comments in general.

33:27

I don't, I'm not completely familiar with Middletown's parking requirements, but I just feel like This site is like there's a lot of parking.

33:37

So I don't know.

33:39

Jeanie, have you met with Middletown in regards to this project yet?

33:43

Yeah, the owner actually met with the town and the mayor and they seemed pretty favorable to the project.

33:50

And I think we are right at the required number of parking spaces per units.

33:55

OK.

33:57

My other comment was I see you have, you know, pedestrian connections to the frontage and I just

wasn't seeing clearly the pedestrian connections from the apartments to the commercial portion of the property.

34:13

I would just suggest that more attention be made to that.

34:19

I can see maybe they don't want that as far as other people visiting the commercial feeling invited to go to the apartment area.

34:27

But yeah, I just, it's a sea of parking and I'm not a lot of pedestrian crossing across the park.

34:36

That's those are initial reaction comments.

34:42

We're looking at this like we'll see.

34:44

We'll see where we can add in some, you know, additional interconnectivity between the units and and the commercial spaces.

34:52

Thank you.

34:54

But as far as Off State Cleaning's other comments, we recognize that this project is located in a Level 1 investment area, which is consistent with the 2025 Strategies for State Policies and Spending Investment.

35:07

Level 1 reflects areas that are already developed in an urban and suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by state policy.

35:19

Because development in Level 1 is consistent with the 2025 Strategies for State Policies and Spending, the Office of State Planning Coordination supports the site plan.

35:29

So before I go into the public comment period, Jamie, do you have any questions or comments for the reviewers?

35:38

No, I don't.

35:42

Again, if you are interested in making a public comment on this application, please use the Raise Your Hand tool and we will start public comment.

36:08

We have one first thing, Lisa, if you'd like to, you have 3 minutes, it's to make public comment on this application.

36:21

Hi, thank you.

36:22

My name is Lisa Rice and I'm from Middletown.

36:24

And I understand that the mayor might approve of this project, but the residents absolutely do not.

36:31

First concern is that the possible human remains on the project.

36:37

I think that the obvious answer here is to study this a little bit more.

36:41

My second concern is land conservation.

36:45

Residents statewide through public meetings and town halls have been screaming for local and state governments to do something to conserve more land, especially in the Middletown Townsend area.

36:59

Just a few weeks ago, with over 900 acres being for sale, The housing Affordability Report of 2025, I was a part of the Affordable Housing Task Force for 10 months.

37:10

A big part of it, working with DHHA Housing Alliance Delaware HUD, they are recommending we build housing for residents that don't live here yet.

37:22

They also recommended in this report of 2025 that we need housing for people with severe disabilities.

37:29

Where are the efforts for that accessible housing designs beyond beyond ramps and beyond elevators in this in this project?

37:42

Are there wider hallways for wheelchairs?

37:45

If you're a resident and you're a wheelchair reliant, can you cook for yourself?

37:50

Can you get to your bedroom?

37:51

Can you take a shower?

37:55

DSHA is promoting housing in state forests and parks with no regard to residents.

38:01

Opinions.

38:02

This is not OK.

38:05

Thank you for your time.

38:07

Thank you Lisa.

38:10

Any other public comments?

38:19

Julie Morris.

38:30

I'm going to go back to my original comments about DSHA because people planning and lease, you know you guys and also Lisa shared my concerns already about this project.

38:46

So I will add that filtering also shows no real proof that it will give affordability homes, apartments to people who actually need them.

39:06

These aren't affordable.

39:07

And if someone moves out to go in them, there's no, there's no nothing that says they can't.

39:17

They have to rent it at a lower rate or the same rate.

39:20

They will just, they'll just rent it for more.

39:24

And you know, so filtering doesn't work, especially in this area you're talking about Middletown.

39:30

So, so DSHA is in an unusual position because it's statutory mission right includes increasing the housing production, it finances and facilitates the housing development and administers programs that private developers rely upon and works directly with the home builders, apartment interests, Realtors and developers on housing production policy.

40:01

So that is part of DSAS statutory mission, but it creates an obvious institutional alignment with housing production, so.

40:11

We, the public want to know where is the firewall?

40:14

Where are the safeguards that ensure that when DSHA sits at the plus table, its comments represent an independent project specific analysis of what is actually, yeah, it's very specific to this project.

40:32

I would like them to have a project specific analysis of what's actually good for Middletown, the people of Middletown and their community, rather than simply an extension of its mission to produce more housing.

40:48

DSHA has demonstrated in its own past the Plus reviews that it's capable of analyzing actual affordability, income levels, housing type, location, transit services, and we would like to see that analysis every single time.

41:07

That's all, Thank you.

41:09

Thank you.

41:17

Any other public comment before we move on?

41:25

All right, seeing none, I want to thank you again, Jeannie, for joining us and we will have everyone's comments together in a letter for you on or before September 24th.

41:39

Thank you very much.

41:41

Thank you.

41:41

Thank you, Jamie.

41:42

Take care.

41:44

Bye bye.

41:52

The next application, Monarch Clubhouse, I say we have a few of the appicate applicants in the room.

42:01

That's all.

42:02

Yeah, Rhiannon.

42:04

Yeah, the engineer is here.

42:06

KCI Technologies.

42:11

Wait, there was a few other on the list.

42:15

Sean Tucker's here.

42:37

Good afternoon, everyone.

42:38

I know it says Christine Miller, she's my assistant.

42:41

I have a little connection trouble in my office, but this is Sean Tucker also on board with the with the applicant.

42:47

Thank you.

42:49

Welcome in.

42:53

Is there anyone that you'd be waiting for the rest of your team or is this a wonderful communication?

42:58

No, we are.

42:59

We are all here.

43:00

Thank you for asking.

43:08

And we're happy to proceed whenever you give us the green light.

43:13

We'll start at 1:55 just in case that anyone who was interested in listening in can come in.

43:20

Very good.

43:20

Thank you.

43:21

3 minute break.

43:48

Do what 230 I believe I just signed in, but they're starting showing in 3 minutes.

43:54

OK, It's right after it.

43:57

I got the I got the thing right.

43:59

OK.

44:02

Thank you.

45:03

Just an FYI, at the end of public comment if necessary, do you all permit rebuttal?

45:09

I can't recall.

45:14

Public comment is just three minutes for the public to comment and that is all on our end.

45:20

OK.

45:23

Well, I may if if permissible, I may need to offer comments based on some things I've seen recently in the social media context.

45:35

I'd like an opportunity to to.

45:37

I think you'll know it when you hear it, but if possible, I would like a brief chance to respond to any incorrect information stated about my client's project.

45:46

Not by anybody on right now, but we'll Fact Check that one.

45:53

Thank you.

45:55

Yeah.

47:49

All right, I believe we are ready to get started with Monarch Clubhouse.

47:53

All right, thank you, Rose.

47:56

I am Samantha Bolkovich, I'm the circuit rider planner for Newcastle County.

48:00

Thank you for joining us for application 2026-08-03 Monarch Clubhouse.

48:09

There will be a public comment period at the end of each application.

48:12

Please use the Raise Your Hand button to identify yourself if you wish to comment.

48:16

Due to timing, each person wishing to speak will be limited to 3 minutes, which can be shortened at the discretion of the PLUS Coordinator.

48:24

Coordinator, When speaking, please state your name and address and only comment on the project being reviewed.

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There are no final approvals, decisions or actions made through the PLUS process.

48:50

It is informational only.

48:52

Therefore, it is recommended that you participate in the local jurisdictions land use review and approval process and provide your comments through that venue.

48:59

All right.

49:01

I will hand it over to Rose who will let you know who from our state agencies in attendance today.

49:08

Thank you.

49:08

Sam on the phone with us today.

49:11

With Del Dock, we have Steven Bear, we have Wesley Hicks, Megan Patterson and Taylor Stone.

49:16

Shula with Den Rec.

49:18

We have Beth Krumrin with Dima.

49:22

Then we have Tara Wilbur.

49:27

We have Carlton Hall and Hannah Lewis with State Historical Preservation Office, Cole Schultz with Housing Authority and Laura Upham with Forestry.

49:42

With that, I'm going to hand it over to you.

49:45

Does anyone need any presenting capabilities?

49:49

Hi, Julia Richter here with KCI.

49:51

If you don't mind, I'm able to share my screen.

49:59

And Rihanna, I'm going to do a brief introduction before you start.

50:03

Yeah, please feel free.

50:04

Julia, just after you're done, Sean can pull up the plan and talk to anything engineering wise.

50:13

Very good.

50:14

Would you like us to proceed?

50:17

Yes, go ahead.

50:18

OK.

50:18

Thank you.

50:19

Good afternoon, everybody.

50:19

My name is Sean Tucker, the land use attorney in Delaware.

50:23

I've been practicing for approximately 30 years in this area.

50:26

I am the applicant's legal counsel, been involved with this project for some time.

50:31

What you see in front of you is a modification to a previously recorded by Wright record plan for a clubhouse which is a permitted use in the underlying zoning district which is S.

50:45

The area that's being carved out for this clubhouse is approximately 9.6 acres.

50:50

Clubhouse being proposed is 22,605 square feet.

50:55

227 parking spaces are also proposed.

51:00

This falls under the limited use category under the current code as a low intensity recreational use.

51:10

And with that, I'd like to turn it over to Rihanna and Julia to drill down into their plan that they prepared and I'd be happy.

51:19

We would be happy to answer any questions you all may have after she wraps up or they wrap up.

51:26

Thank you.

51:26

Thank you, Sean.

51:30

Thanks, Sean.

51:31

As I mentioned, hi, my name is Julia Richter.

51:33

I'm here with the engineering team at KCI.

51:36

What you have on your screen in front of you, can I, can everybody see, can I get a confirmation?

51:41

Yes.

51:42

OK, wonderful.

51:43

Thank you.

51:45

So this proposed project consists of the Monarch Clubhouse building and all of the associated outdoor recreational amenities including a swimming pool, pool deck, playground, pickleball courts, some multi sport courts and some open space lawn grass areas.

52:03

Vehicular access to This site is proposed from a roundabout along the relocated Ratledge Road and internal parking and circulation, as Sean mentioned, provides approximately 227 parking spaces with 788 accessible spaces as well.

52:24

The site will be served by public water from Artesian Water Company and the sanitary sewer is provided by Newcastle County.

52:33

These water and service sewer connections are provided through the existing Monarch Subdivision infrastructure, which is located near the the relocated Routledge roundabout.

52:48

Proposed grading will accommodate the clubhouse parking, the recreational amenities, and is overall intended to promote positive drainage and convey runoff from the proposed or to the proposed stormwater management facilities located at the front and the rear of the property.

53:08

Proposed stormwater management will be provided through infiltration or bioretention practices.

53:16

The site also includes some proposed landscaping with trees and shrubs that will be incorporated throughout to provide screening along relocated Rutledge Rd.

53:28

and better define the site's frontage, enhance some parking areas, and overall coordinate with the aesthetic of the site.

53:40

We believe that these proposed improvements provide a centralized clubhouse and recreational amenity areas designed to to complement the overall surrounding Monarch subdivision.

54:02

Do any of our agency reviewers have any questions?

54:08

Yes, hello, this is Hannah Lewis from the Delaware Shippo.

54:12

So this project the the overall subdivision has gone through plus a few times before and the last time there was a note that an archaeological survey was going to be conducted.

54:23

Do you know if that occurred or not?

54:32

This ran in sales also from the engineering team.

54:35

I will have to dig into the file on that one That predates my knowledge and predates this clubhouse.

54:45

So I can definitely get an answer to that, but I am not sure as of now.

54:52

OK.

54:52

Thank you very much.

54:54

Hi, this is Beth Kerbern from Denrack.

54:56

I'm also wondering, was a bog turtle survey conducted for the site?

55:06

To my knowledge, yes, it was and I don't believe that there were any findings of of bog turtles in the area.

55:16

OK.

55:16

Thank you.

55:25

Any other questions?

55:30

Well, we'll get started with our agency comments.

55:35

Steve from Dalla, would you like to go first, Sam?

55:41

Sure.

55:42

Thank you.

55:42

Good afternoon, everyone.

55:44

Thank you for the presentation.

55:46

As discussed, this location has been looked at previously.

55:49

I didn't have a specific note from our development coordination section though.

55:53

Have you had your scoping or preschool meeting yet?

56:00

This is Sean.

56:02

And just as a, as a footnote, this is Sean Tucker for the record.

56:06

This this this proposal actually I believe is a reduction.

56:14

Yeah, it's a reduction in trips from the original and it isn't that was anticipated and this isn't ATID.

56:20

We certainly will go through the del dot, you know, no objection loano process.

56:26

But yeah, we're we're within the envelope of what was originally contemplated in the TID for trip generation based on the information we have from a traffic engineer.

56:37

Very good.

56:37

And that does reflect the the information that I gotten from the development coordination section that yeah, you're within the Southern Newcastle County TID and agreements already been signed.

56:46

The access off the roundabout is approved.

56:48

So no concerns that regard with it being in TID.

56:52

Most of what we'll have is just our standard comments in the written letter.

56:56

No concerns otherwise.

56:57

Thank you.

56:58

Thank you.

56:58

Thanks, Steve.

57:02

Beth from Jenrock, yes, thank you very much.

57:07

Samantha, be aware that there is a water resource protection area within an and with an excellent groundwater recharge area located on the southeast portion of the site.

57:17

These areas contribute water to a public water supply and have soils that are conducive to water infiltration downward.

57:24

So the applicant must comply with local ordinances for WRPAS.

57:30

And the only other major thing that I noted here was the Bok turtles and the requirement to do a survey.

57:38

It sounds like that's been done.

57:39

So that is all from Denrich.

57:40

Thank you.

57:42

Thank you.

57:43

But we will confirm that.

57:45

Yeah.

57:45

And actually, while we were sitting here, I looked through the files.

57:48

The bog turtle survey that was done in 2020 for the entire subdivision did include the entirety of this parcel.

57:56

Thank you so much.

57:58

Yeah.

58:00

Thanks, Ben.

58:02

Hannah Carlson from Shipo, Yes, this is Hannah Lewis Medelo or Shipo.

58:08

So not to relate too much as as we've already said, this is a smaller portion of the larger subdivision, but we are aware that there was a core permit involved with the larger subdivision.

58:21

This portion would not have been involved with it.

58:24

But at the time we did recommend archaeological survey for the entire area including this portion.

58:28

So we are continuing to recommend archaeological survey prior to any ground disturbing activities if they have not already been performed.

58:35

Otherwise, if there is any federal involvement with this portion of the project, please let us know.

58:40

We will be including language about section one O 6 and including language about the unmarked human remains and burials law.

58:48

Thank you.

58:49

Thank you, Thank you, Hannah.

58:53

All right, Tara from DEMA.

59:07

Tara from Bima, are you still with us?

59:10

Sorry, I was I turned on my camera but no problem unmute.

59:16

I was just saying, so this project is not located in a special flood zone.

59:22

It is located in evacuation Zone D of Newcastle County and it's also adjacent to Zone Z, Zone C.

59:31

So with that, we would recommend some kind of placard or something stating that you know it is an evacuation zone should there be an emergency.

59:41

It is not located within the 10 mile EPZ for the Salem nuclear power plants.

59:48

So the only other recommendations or comment we would have would be our standard comment about renewable energy commitment and the use of high efficiency appliances, utilities and emergency or emerging technologies.

1:00:03

Sorry about that.

1:00:04

Thank you.

1:00:04

That's all.

1:00:06

Thank you.

1:00:06

Thank you, Tara.

1:00:10

Right.

1:00:11

Laura or Karen from Department of AG.

1:00:17

So I don't know if Taryn's on, but I am, this is Laura.

1:00:21

I don't have any comments, but I would expect something in writing from our urban and community forestry program.

1:00:28

Thank you, Laura and Cole with state housing.

1:00:40

Thank you.

1:00:41

As this is an application just for the clubhouse and not for any residential component, we have no comments or objections at this time.

1:00:50

Thank you.

1:00:50

And I see we have representatives from Newcastle County on Alec.

1:00:59

I call Alec.

1:01:01

Yeah.

1:01:01

Alec, do you have any comments at this time?

1:01:04

Not at this time.

1:01:07

Thank you, all.

1:01:08

Right.

1:01:09

From the Office of State Planning Coordination, this project is located in a Level 2 investment area, which is consistent with the 2025 strategies for state policies and spending.

1:01:21

Investment Level 2 reflects areas where growth is anticipated by local, county and state plans in the near term future.

1:01:27

Because development into in Level 2 is consistent with the 2025 Strategies for State Policies and spending, the Office of State Planning Coordination supports the site plan.

1:01:39

Before we we open it up to public comment, I just want to remind you that any public comment will be on this specific application.

1:01:49

There will be no rebuttal to public comment.

1:01:55

So I just want to set that up there.

1:01:58

So if there is anyone wishing to speak, you will have 3 minutes.

1:02:02

You may use the Raise Your hand tool and we will call on each person.

1:02:06

Can I just add one more thing?

1:02:08

Yes, please.

1:02:09

This actually is within the 10 mile EPZ zone.

1:02:13

So just be aware of of that.

1:02:18

It's just right on the line.

1:02:20

Thank you.

1:02:22

Yep, thank you, chair.

1:02:25

All right, so Julie, would you like to speak?

1:02:31

Sure.

1:02:31

Julie Morris, 21142 Cedar Beach Rd., Milford Everything that I'm raising comes from the county file, the applicant correspondent, the government records and the statements that were made during today's meeting.

1:02:46

I am not opposed to community amenities.

1:02:49

My concern is that this project is moving through Plus while significant technical issues appear and appearance concerns remain unresolved.

1:03:00

Monarch is is planned for 662 homes, but this is a 22,000 square foot clubhouse with 227 parking spaces that was previously designed as a club as a bar for open, you know, amenities open to the public.

1:03:20

So why if it's no longer open to the public, does it need 227 parking spaces when homes are a few 100 feet away designed with trails, sidewalks.

1:03:34

So first concern, Newcastle County also previously required weekday and weekend trip generation, peak hour trips and safety information and intersection conditions.

1:03:48

On June 26th, the county stated that those transportation comments had not had been has not been addressed or even acknowledged and the preliminary traffic analysis remained incomplete.

1:04:00

So all that came from the 227 spaces, the parking calculation came from the category for clubs, associations with food service.

1:04:10

But the county's requiring this facility to remain private with no public membership, no public restaurant or bar.

1:04:17

So where is the demand for the 220, six, 27227 spaces?

1:04:23

And then we come to the deed restriction.

1:04:27

After Shell Brothers attorney Sean Tucker challenged the county's interpretation of the clubhouse use, the county stated that it reconsidered its position and withdrew the comments one through 3.

1:04:38

The county then required the restrictions limiting the clubhouse to Monarch and Brighton Hammond Hamlet for residents and their guests, prohibiting public memberships, a public restaurant, public venue, binding future owner and operators.

1:04:54

So that restriction is a major safeguard, but has the final restriction been approved and recorded, and what process will be required for a future owner to amend and remove it?

1:05:07

That sequence also deserves transparency because Mr.

1:05:10

Tucker previously handled the New Castle County land use matters, helped lead the rewrite of the Unified Development Code, and later managed the Department of Land Use.

1:05:20

I'm not alleging wrongdoing.

1:05:22

I'm asking whether anyone involved in this reversal previously worked with him and whether any disclosure, recusal or conflict screening occurred.

1:05:30

KCI Technologies is also developers private engineering while performing government engineering work for Newcastle County and Deldot.

1:05:40

I'd like plus to clarify whether conflict screening protections exist.

1:05:45

There is also environmental and site issues.

1:05:47

3 minutes.

1:05:48

Thank you for your time.

1:05:50

Thanks.

1:05:53

Any other comments?

1:06:01

Use the raise your hand button.

1:06:10

Seeing none, Sean and team, I will have all the agency's comments written up in a letter and sent to you on or before September 24th.

1:06:24

Thank you everybody for your time.

1:06:27

Have a great holiday.

1:06:28

Thank you as well.

1:06:30

Take care.

1:06:31

I kind of forgot about that.

1:06:34

It seems so far away from me, right?

1:06:49

You want a few others for the next application?

1:06:52

I know.

1:06:54

So I will call us all back in once the next application or updates are in the room.

1:07:05

Julie, this is Dorothy Morris, I'm the circuit rider planner for Sussex County that was on the meeting today.

1:07:10

Do do you have an e-mail or could you e-mail me?

1:07:12

I just wanted to ask a question.

1:07:15

Sure.

1:07:15

It's juliekmorris@live.com.

1:07:20

I have a quick question.

1:07:21

Who is the person responsible for the putting together of the thing that goes to the municipalities in the counties?

1:07:31

You know who writes that?

1:07:33

There are no objections phrase.

1:07:37

So the letter is written by our office.

1:07:39

Rose, who is in the office there.

1:07:42

You she's been talking today, she puts together state comment.

1:07:47

As you've noticed, there's been three separate circuit rider planners in Sam handles Newcastle, I can't I handle Sussex and and Josh handles Kent.

1:07:55

So we are the ones that make the the comment on strategies and then the eight then agency's comments follow and they all become one letter and that becomes the plus response.

1:08:08

And I I'm sorry, go ahead.

1:08:12

Well, I was just going to ask like, has there any bit, has there been any discussion, especially since the 2006 like lawsuit, has there been any discussion in removing that language?

1:08:23

Because like when I go to the municipality meeting or the county meeting, developer hands up the plus thing and says no objections from plus and counties do the same.

1:08:34

The plan.

1:08:35

The Rob Pierce in Milford says the same.

1:08:38

Plus has no objections and the they won't be gusts until someone from the public like me goes up and uses my 3 minutes to discuss what Plus has said inside of it and you can see council like oh really?

1:08:52

And then they look through it.

1:08:53

So it's just like, I know it's their responsibility to look through that stuff, but they don't.

1:08:57

These are like, you know, regular working people who have full time jobs.

1:09:02

I just think that it's not in the code, it's not in the plus regulations.

1:09:06

Like I really encourage you to look into that, remove it because it's not required.

1:09:12

Like you're only required to do a compilation.

1:09:15

And so I really strongly encourage, make your comment to the director and let him know what you've just said and actually what I was going to e-mail you for.

1:09:25

And maybe it's a good time and Rose, correct me or interrupt me if someone gets on here for the next happen because I do not want to hold up Plus, but I just want everybody to know.

1:09:32

I've heard a couple of people on the phone today in the Sussex County meetings.

1:09:36

Anyway, I missed most of that last meeting.

1:09:38

Talk about why the Plus application is here when there's things that haven't been worked out.

1:09:44

And I just want to make it clear that Plus is the preliminary land use service for a reason.

1:09:49

We will accept everything from the back of a napkin plan through an an engineered plan for a reason.

1:09:55

It's because the state agencies can then give comments which the which the engineer or developer can change before they go to the town.

1:10:05

Often times based on town or county regulations, the Plus application has changed and over the years we've seen many Plus applications back because the changes have been so significant that they that we get second comments on them.

1:10:18

So I just want to make sure that everybody is aware that we don't require, I believe Newcastle County does require that they meet with the county before they come through Plus, but we don't require an engineer plan for Plus.

1:10:31

We want them in early.

1:10:33

So if there's something on the site that they are not aware of, we can make them aware of that before they spend a lot of money on an engineered plan.

1:10:40

So even though you may see a lot of engineered plans come before plus, it's not we, we, we don't require that.

1:10:46

And that's why that's good to know 'cause I mostly was wondering about the spring, spring springboard one because that ordinance was stopped.

1:10:57

So it's like, why wouldn't you know?

1:11:01

But no, I appreciate that.

1:11:03

Definitely no problem.

1:11:05

Sorry, didn't mean to interrupt the meeting.

1:11:06

I just happened.

1:11:07

I wanted, I wanted to hear the next one.

1:11:09

And so I'm I was sitting on the call and just thought I'd bring that up.

1:11:12

So I'm gonna take a break now with everyone else.

1:11:17

You earned it.

1:20:46

OK, it is 230.

1:20:48

I think we're going to get started.

1:20:51

New work.

1:20:52

Is everyone here?

1:20:57

Yeah.

1:20:58

So my name's Mike Fordner.

1:20:59

I'm a senior planner.

1:21:00

And I'm just looking, is Savannah here?

1:21:05

And Renee?

1:21:07

Renee is OK.

1:21:10

I see Stacy, Stacy Almonds on her staff and I guess we're just waiting for Savannah Edwards, our consultant.

1:21:21

We can give her another minute, OK here today.

1:22:35

I'm I'm sending her a a text.

1:23:42

The whole gang's here.

1:23:44

You got it.

1:23:44

We got it.

1:23:44

OK, We're good to go.

1:23:46

All right.

1:23:49

Hi, Savannah.

1:23:51

Hi, guys.

1:23:54

Hey, girl Saying hello.

1:23:57

Oh, there she is.

1:23:58

There's so many people here.

1:24:04

All right.

1:24:05

For those of you who don't know me, I'm Samantha Volkovich.

1:24:07

I'm the circuit rider planner for Newcastle County.

1:24:10

Welcome to PLUS application 2026-08-07 And Newark, Copland #6 Before we get started, I'm going to hand it over to Rose so you guys know who from our state agencies is on the phone and then Rose will hand it back over to you.

1:24:28

Thank you, ma'am.

1:24:30

With us today, our state agencies, we have Del Doch with Steven Baer, We have Wesley Hicks, Megan Patterson, and Taylor Stentula.

1:24:37

We have Beth Ghumrin with Denrich, Tara Wilbur with Dima Carlton Hall, and Hannah Lewis with our state historical preservation Office.

1:24:47

We have Cole Schultz with Housing Authority and Laura Upham with our DDA Forestry.

1:24:55

I'll turn it over to you.

1:24:57

Does anyone need presenting capabilities?

1:25:05

Want to go with doc love to go.

1:25:12

No, no, we are all good.

1:25:15

So we submitted into for plus review the city of new arch draft comprehensive Plan 6.

1:25:25

We were just going to kind of highlight the process about how we went about putting it together for you.

1:25:32

Also, we started this in last August or September of 2025, including three phases of public engagement to gather the strategies, goals and action items that you all saw reflected within the comprehensive plan.

1:25:51

So just to highlight some of the feedback that we got, phase one we had 340 in person interactions with community members and in phase two we had 530.

1:26:06

Across that time, we also had 13 different steering committee meetings that helped to guide the direction of the comprehensive plan, a joint Planning Commission and council meeting.

1:26:17

And we have now started as of last night by introducing the plan to our Planning Commission for their reflection and input on it as well.

1:26:27

Also just to update the other agencies, we met yesterday with Shippo's office to start the conversation about some of the input that they had.

1:26:38

And we also met last week with Sarah Coakley from Del dot to talk about Newark's TID and some expansions that we're going to be pursuing before the end of the calendar year.

1:26:54

Thank you.

1:26:57

Thank you, Savannah.

1:26:59

Does anyone have any questions for Savannah or the Newark team?

1:27:10

Any we can go ahead and get started with comments.

1:27:20

Steve from Dobot, would you like to kick us off?

1:27:28

Sure, Sam, thank you.

1:27:29

And Savannah, thank you for the presentation.

1:27:33

Thank you guys.

1:27:34

The plan is really well organized and articulated and accounts for the dynamic nature of transportation within the city of Newark.

1:27:42

You mentioned the TID that's going to be a big process moving forward, but it's one that's been very popular throughout the state.

1:27:51

I won't go into too much detail just because it would be best for the written letter, but you won't connect to us.

1:27:57

Information on some of the programs and projects that the department administers and can be available with the town as a resource.

1:28:04

There's a couple things in our capital transportation program that are adjacent to and within the town.

1:28:09

So just kind of need to make sure we make note of that.

1:28:12

But on the whole, it's well organized, well put together as moving forward.

1:28:16

If you need us as a resource, we're here for you.

1:28:18

Thank you.

1:28:20

Thank you, Steve, are you all right?

1:28:24

Beth from Denrich?

1:28:30

Thank you very much.

1:28:31

Samantha, can you hear me OK?

1:28:34

We're getting some storms passing through.

1:28:37

Yes, we are.

1:28:38

OK good.

1:28:39

Thank you.

1:28:40

So first of all, Denrich reviewers want to commend the city for a thorough, comprehensive plan that addresses planning in a holistic way, demonstrating that Newark continues to make meaningful strides to address local impacts of climate change.

1:28:54

Reviewers noted that the Newark that Newark has paid special attention to clean renewable energy, energy conservation and efficiency, multimodal transportation, parks and green spaces, water quality and waste diversion, just to name a few of those things.

1:29:10

So denrich reviewers had a few recommendations.

1:29:13

We will include that in more detail in our written comments, but we do appreciate the inclusion of the findings from the new Newark Bicycle Plan from 2026 and the DART Reimagined Transit Transit Study from 2024.

1:29:30

We look forward to the Newark Climate Action Plan.

1:29:34

I'm thinking that means being implemented.

1:29:39

As for affordable housing.

1:29:42

Continue to prioritize biking, walking, and transit as transportation options within the city.

1:29:51

Continue to prioritize strategies that reduce vehicle idling and improve safety and multimodal travel options.

1:29:58

These approaches can help reduce local tailpipe emissions and support public health.

1:30:05

Be sure the city's Newark.

1:30:06

The City of Newark's building code, at a minimum, meets the Delaware requirements in the most recent State Code for Energy Conservation.

1:30:14

For Title 16, Chapter 76 of the The Delaware Code, Newark may exceed these requirements if desired.

1:30:21

Denrich reviewers note that the Newark Building Code includes options for increments above the 2018 IECC prescriptive standards, strength, performance, and sustainability, elements outside of the scope of scope of energy.

1:30:37

It's recommended to contact the Denrich State Energy Office to determine whether this meets minimum requirements of the most recent State Code for Energy Conservation, which references the 2024 IECC.

1:30:50

We will provide contact information in our written comments.

1:30:54

Also, be sure that the building code reflects Delaware requirements for EV infrastructure for all residential dwellings.

1:31:01

Also in the State Code for Energy Conservation.

1:31:06

Denrick reviewers appreciate the city's consideration and environmental sensitivity of potential potential annexation areas and proactively planning for how to preserve and protect these features under Newcastle County jurisdiction.

1:31:19

Several of the Parsons are currently classified as resource preservation Reviewers appreciate the city, including the county's future land use map and do our comprehensive plan update.

1:31:31

This will help the city and counties work together to protect natural resources should annexation be desired in the future.

1:31:39

So all positive.

1:31:41

Thank you so much for your hard work.

1:31:42

Great job.

1:31:43

That's all from Den Rack.

1:31:45

Thank you.

1:31:48

Thank you Beth Hannah from State Store Preservation Office.

1:31:54

Yes, thank you.

1:31:55

So first of all, thank you again for taking the time to meet with us yesterday to go over some parts of the plan in more detail than we'd be able to in this meeting.

1:32:04

We wanna thank you again for working on this comprehensive plan.

1:32:08

It is you had to done a very good job.

1:32:10

We have some suggestions some of which we have already made and all of which will be in writing a lot and more.

1:32:16

First of all, we have noted that Newark does include some historic preservation ordinances.

1:32:23

We highly suggest that you take a look at those, see how they can be improved, how you they can be added to if necessary, as well a better understanding of the historic properties within Newark and how they may be incorporated into the plan, both for protection and potential rehabilitation or future use.

1:32:45

More specifically, the Delaware shipper recommends including analysis of the relative ages of the city's housing stock when discussing housing inventory, as this can be heavily influence future land use and structural rehabilitation.

1:33:00

We also consider ask the municipality to consider adding information about the Delaware Historic Preservation Tax Credit Program as it assists in preserving and rehabilitating historic buildings throughout Delaware.

1:33:14

Applicants may be eligible for tax credits for rehabilitation work on properties that are listed in the National Register of Historic Places.

1:33:21

We will be providing information about that program as well, as well as a link to the Delaware State Historic Preservation Plan, which we highly recommend you utilize as you continue to work on the plan.

1:33:35

And as we said yesterday, we are here as a resource for any questions you may have, especially as you take a look at the structures in your municipality.

1:33:47

And we also are available to assist in any future survey work you may want to perform.

1:33:55

Thank you very much.

1:33:57

Thank you, Hannah.

1:34:01

All right, Laura para edema, good afternoon.

1:34:09

We don't have any comments from Edema perspective for the plan.

1:34:12

Thank you.

1:34:13

Thank you, Laura.

1:34:17

Department of AG, Yeah, hello.

1:34:21

I don't have any comments, but I would expect to see some written comments from our Urban and Community Forestry program.

1:34:26

Thank you, Cole with State Housing Authority.

1:34:35

Thank you.

1:34:36

And thank you, Michael and Savannah for this great plan.

1:34:39

We support the City of Newark's Comprehensive Plan update owing to its identification of expanding housing opportunities as a key planning priority.

1:34:48

We note that Newark has been active in implementing changes necessary to address the ongoing

housing crisis through their participation and DSHA Zoning and Land Use Pilot, which Savannah of the Rossi Group has been a integral member of.

1:35:03

So thank you, and we commend Newark and their willingness to explore all 8 strategies offered.

1:35:08

DSHA also supports other recent changes, such as Certain fees being waived for affordable housing projects, a strategy which aligns with SB-23 guidance on planning for affordable housing.

1:35:20

These changes have resulted in the construction of new affordable housing projects, such as at 313 E Main St.

1:35:26

and demonstrate the effectiveness of bold action.

1:35:29

We also appreciate that group homes have been allowed by RIGHT in any residential district, another policy that promotes fair and inclusive housing and is a strategy listed within SB-23.

1:35:41

However, while the SHA supports the Smart Growth strategy within the housing plan, we would like to encourage that such an infill first approach necessitates A willingness to increase density in existing single family neighborhoods, which may run counter to other goals about preserving neighborhood character.

1:35:58

This is true regardless of whether the new housing units are marketed to young home buyers or student rentals, as limiting supply for both demographics causes both to experience higher costs of housing.

1:36:10

Presently, much of the future land use map is reserved for low density residential development, and while the description of this form of development includes semi detached or townhomes at densities up to 7 dwelling units per acre, the future Land Use and zoning matrix states that the only compatible zoning for the areas are various exclusive single family detached zones.

1:36:34

These zones require conditional approvals for any missing middle density project directly limiting housing access in much of Newark.

1:36:42

As such, we recommend further rezoning of low density residential areas to unlock more diverse housing types by right across Newark, not just in select pockets.

1:36:53

This change would make the zoning and land use matrix consistent with the land use descriptions provided in the Comprehensive Plan, as well as the stated goal of expanding housing opportunities.

1:37:03

As always, we at DSA are eager partners to support Newark and all other municipalities in pursuing expanding housing opportunity.

1:37:11

Thank you, thank you, Cole.

1:37:21

Sorry, ma'am, like lost my voice for a second.

1:37:26

I know that your plan has been forwarded to Newcastle County for their review.

1:37:30

I Newcastle County is on the line right now.

1:37:33

I was wondering if they had any initial comments they'd like to share or if they will follow back up.

1:37:42

We don't have any comments at this time.

1:37:44

We'll follow up later.

1:37:45

Thank you.

1:37:47

Thank you, Alan.

1:37:49

All right.

1:37:53

And from OSPC's perspective, we want to congratulate you on the extensive effort you put into getting the public feedback on the plan.

1:38:07

I thought that was impressive and that and integrating that public comment throughout all aspects of the plan, I thought you guys did a really great job at that.

1:38:20

And I also wanted to congratulate you for being the first to integrate the climate and resiliency requirements into the plan.

1:38:37

I also thought that was well done and I'm encouraged to read your climate action plan, which is slated to be finished next year sometime, which will also just help bolster some of those requirements.

1:38:52

And yeah, congratulations.

1:38:58

I know we're not completely at the finish line, but you're making headway.

1:39:00

So thank you.

1:39:06

Do you have any questions for the agencies on any of the comments that they've made?

1:39:14

No, I mean, I understand there's going to be more specific stuff in the the letter.

1:39:19

So we we should wait for that yes.

1:39:22

And I go up to the floor to anyone else, Renee or Jessica.

1:39:32

So so no, we don't have any questions at this time.

1:39:35

OK, and I'll just add we always ask what date should we expect the letter?

1:39:43

The the letter will be put together and to honor before September 24th.

1:39:51

If you there are no questions.

1:39:53

I do want to open it up to public comment.

1:39:56

If there's anyone online who wishes to comment on the Newark comprehensive plan update, please use the raise your hand button and we will give you 3 minutes.

1:40:10

I see one hand Julie go ahead.

1:40:14

Hi Julie Morris, 21142 Cedar Beach, right in Milford SO.

1:40:20

I saw in a couple places that you say regulatory barriers and cost, which I appreciate you considering since, you know, constituents, they want you to reduce cost.

1:40:34

But these areas were in the fire codes, you know, and building, building and fire codes and also the environmental areas.

1:40:45

And so that wording concerns me like barriers, you know, 'cause the fire codes meant to protect people.

1:40:55

And so that wording seems harsher.

1:41:02

So the other thing I just wanted to mention as a person who really strives for transparency and and would encourage you is the New London in the historic community that New York admits has already faced pressure from, you know, student rentals and redevelopment.

1:41:27

And at that same time, the plan's development community representative, Chad Mayhew works for Mayhew Management, while Mayhew related development has occurred in New London.

1:41:41

So it's just, I'm not accusing anyone of wrongdoing.

1:41:44

I'm just, I think that the transparency and you guys being clear, especially with this going in front of Newark residents, you know, clearly showing who owns the land in the focus areas, who may benefit from future zoning changes, whether any conflicts were reviewed and what protection residents will receive.

1:42:07

Thanks.

1:42:12

Thank you.

1:42:13

Julie, are there any other public comments?

1:42:18

Hi, Rose, this is Renee.

1:42:19

Would I have the opportunity to respond to Miss Morris?

1:42:23

Unfortunately, no.

1:42:24

This is a public comment.

1:42:26

We've discussed today just as type of public, but you can encourage her to reach out to you directly.

1:42:38

Julie, I'd encourage you to reach out to me directly.

1:42:41

If you wish to share your e-mail, I'll share it in the chat.

1:42:48

That's why we're here.

1:42:49

Share your information.

1:42:54

All right, any other comments, questions?

1:43:03

All right.

1:43:04

Savannah, you said this is going to Planning Commission soon or it did yesterday or last night was the first introduction, OK.

1:43:15

And just curious how the Planning Commission like it.

1:43:22

I think there's a certain elements of the organization and having the public engagement like you all noted weave throughout that that they really liked.

1:43:33

They found a good document that's easy to access, which our steering committee really asked for us to do this year.

1:43:41

Overall, yesterday we got some good feedback about, you know, tweaks we can make, some different direction, perhaps adding some financial components and talking about the future of Newark in that aspect for all of the elements.

1:43:56

But we had members of our Planning Commission on the steering committee, a couple of them, you know, we had the joint events and we started with them.

1:44:04

So luckily they, they've been weaved in throughout.

1:44:08

We're not, you know, facing any unforeseen kind of hiccups.

1:44:15

Well, I will, like I said, send all the comments to you on or before September 24th.

1:44:21

And if you have any questions or concerns or any contacts with other agencies, let me know and I'll have to help you guys out.

1:44:27

Awesome.

1:44:28

Thank you.

1:44:28

Thank you.

1:44:31

Thank you all.

1:44:33

Bye.

1:44:36

It was one.

1:45:04

Out of curiosity, will the county be presenting or Councilwoman?

1:45:11

Are you presenting, Councilman?

1:45:14

Any council people for the next application?

1:45:20

Anyone.

1:45:21

Yes, I'll be presenting.

1:45:25

Are you?

1:45:26

We're waiting on anyone else.

1:45:27

Or can we move right into the compost ordinance?

1:45:42

Maybe?

1:45:43

Move on.

1:45:43

Let's do it.

1:45:45

Let's do it.

1:45:46

Let's do it.

1:45:52

Again, I'm Samantha Wolfish, I'm a circuit rider planner for Newcastle County.

1:45:57

Thank you for joining us for plus application 2026-08-05 The Newcastle Court Newcastle County Composting Ordinance.

1:46:08

There will be a public comment period at the end of each application.

1:46:12

Please use the Raise Your Hand button to identify yourself if you wish to comment.

1:46:16

Due to timing, each person wishing to speak will be limited 3 minutes which can be shortened at the discretion of the PLUS Coordinator.

1:46:22

When speaking, please state your name and address and only comment on the project being reviewed.

1:46:26

Comments received today will be filed in our PLUS file that will not be, but will not be included as part of our final PLUS response.

1:46:34

The Preliminary Land Use Service is Technical Advisory Committee that provides comments about state agency regulations and recommendations regarding each project.

1:46:43

There are no final approvals, decisions or actions made through the PLUS process and is informational only.

1:46:49

Therefore, it is recommended that you participate in the local jurisdictions land use review and approval process and provide our comments through that menu.

1:46:56

Councillor Cartier.

1:46:57

I will hand it over to Rose who will let you know who from our state agencies are here to comment and then she'll hand it back to you.

1:47:04

Hey Sam, thank you.

1:47:05

On the phone with us from state agencies, we have Den Rack with Beth Krumrang, We have Dell, dot with Ian Peters, Wesley Hicks, Taylor Scentula and Steve Baer.

1:47:17

We have Cole Schultz with the Housing Authority, Hannah Lewis with State Historical Preservation Office, Laura Upham with DDA and we have Tara Wilbert with Diva.

1:47:34

I will hand it over to you, Sir.

1:47:36

Take it away.

1:47:40

Thank you.

1:47:40

For the record, I'm Councilman John Cartier.

1:47:43

I represent the 8th District, which is primarily the Eastern Brandywine 100.

1:47:49

The ordinance that we're looking at today is being put forward because we've had some community composting sites developed in Brandywine 100.

1:48:01

Currently, composting is, you know, largely handled under a denerect permit, but the intent of this ordinance is to develop county land use regulations regarding community composting proposals and sites.

1:48:20

It defines what appropriate land use categories for community composting is.

1:48:25

It defines, you know, the size of these type of facilities to distinguish them from industrial type composting activities.

1:48:37

It also, you know, defines and requires certain materials be excluded from the use of of compost.

1:48:43

And overall, it establishes a, a sensible regulatory framework for the county's land use regs so that, you know, if we have problems with these sites, we can enforce with a standard with our property maintenance code enforcement Division to ensure that these facilities be don't become adverse to community quality of life.

1:49:13

And currently, you know, there's a very extensive den direct permitting process, which we greatly appreciate.

1:49:19

It's just as a add on regulatory framework specifically for Newcastle County and its land use.

1:49:29

And it's pretty much all I have to say.

1:49:31

Thank you very much.

1:49:36

All right.

1:49:36

Any questions for Councilman Cartier from our agency?

1:49:42

I see none.

1:49:47

I'll get into comments.

1:49:49

Still don't have too many comments.

1:49:57

Thank you, Sam, and good afternoon, everyone.

1:49:59

No, no comments for this one.

1:50:00

Thank you.

1:50:02

Thank you, Beth with Denrock.

1:50:08

Thank you very much, Samantha.

1:50:09

The proposed ordinance on composting is consistent with the goals and the strategies identified in the 2025 Climate Action Plan.

1:50:19

Decarbonizing the waste sector is necessary to achieve Delaware's net 0 emission goals.

1:50:24

Modest but meaningful emission reductions can be achieved through community composting, and small scale composting has many benefits for community and should be encouraged.

1:50:35

Industrial composting that may be less clear in its impact and overall greenhouse gas emissions.

1:50:40

Beyond carbon dioxide, fugitive methane emissions are a potential concern and nitrous oxide emission can be difficult to manage and measure.

1:50:49

However, there are opportunities for industrial composting to help divert organic waste from municipal solid waste landfills and thereby potentially reducing emissions.

1:51:00

Reviewers recommend that the County consider referencing applicable DENREC air quality regulations within the ordinance, particularly the control of odorous air contaminants and, where applicable, particulate emissions from construction and materials handling.

1:51:19

So I represent many different divisions in DENREC.

1:51:26

I do note here that the vision of waste and hazardous substances, I did know that there's some overlap and I will convey back to them that really the reason you're putting this in place is so that you have the authority to to regulate.

1:51:42

That's my understanding.

1:51:44

OK.

1:51:44

I will convey that information.

1:51:46

That's important.

1:51:48

So All in all, I think Denrek is in support.

1:51:52

Thank you so much for for your work on this.

1:51:55

Thank you.

1:51:56

Thank you, Beth.

1:51:57

All right, Hannah with State Historic Preservation Office.

1:52:02

Hello, this is Hannah Lewis from the Delaware State Historic Preservation Office.

1:52:05

We have no comments or concerns.

1:52:07

Thank you, you, Hannah.

1:52:11

All right, Tara with Deema.

1:52:16

Deema has no comments or concerns on this ordinance.

1:52:22

Thank you, Tara.

1:52:24

Laura with Department of AG Hello.

1:52:29

The Delaware Forest Service is actually very supportive of this ordinance as we feel it could help create a small niche market for a little bit of waste wood from the urban streams as well as potentially some low grade biomass from some civil cultural activities.

1:52:49

Thank you.

1:52:51

Cole with state housing I do we have no comments or objections at this time.

1:52:59

Thank you Cole.

1:53:01

The office of state planning coordination is in support of this ordinance creates opportunity for communities to get involved in something positive.

1:53:13

I think so.

1:53:13

That's great.

1:53:16

As an avid back there accomplished myself, I know living in more urban areas, I would have liked the opportunity to have a central composting facility to participate in that.

1:53:29

So thank you for the work you're doing to make that possible for your constituents.

1:53:36

With that said, OSPC has no objections to the ordinance.

1:53:43

So before I move on to public comment, Casper, Cardi, do you have any questions for any of the reviewers?

1:53:52

No, not at this time.

1:53:54

OK, thank you.

1:53:55

All right, so we will open it up to public comments.

1:54:00

Again, you'll have 3 minutes to comment on this ordinance.

1:54:04

You can use the raise your hand button.

1:54:06

And I see you won raised already.

1:54:08

Julie, would you like to comment?

1:54:11

Julie Morris 21142 Cedar Beach Rude Milford It hurts me to talk poorly about an ordinance about composting because I'm a huge advocate and we compost everything in our backyard.

1:54:25

So the compost operations in Newcastle County Suburban Reserve District are treated as special use.

1:54:33

And so there's an extra.

1:54:37

So we're getting at that storm here.

1:54:39

There's an extra layer of review.

1:54:43

The new state law says commercial composting must be allowed on certain private properties that are at least 4 acres outside the growth zone and zone for agricultural conservation.

1:54:55

But the law does not say buy, right.

1:54:57

So are you removing the special use review?

1:55:03

And if the answer is yes, and then like where, where does the state law require you to do that?

1:55:10

Generally the state law, I'll skip that.

1:55:14

So the other thing is I'd like to see a map that says, you know, these are the areas that it could go into, you know, for every parcel in an unincorporated Newcastle county that could qualify for these things.

1:55:28

And are we talking about a large amount of properties who own that?

1:55:32

Who owns them and what New Castle County zoning district are you calling agricultural conservation?

1:55:39

Because I don't see that counting county zoning district, you know, called agricultural conservation.

1:55:48

So those aren't small details.

1:55:51

You know, 5000 square feet doesn't tell me how big an operation really is.

1:56:00

You know, how much food waste can come into these properties every week, how many trucks, how much material can be stored, Who's responsible for the odors and rodents and flies and groundwater problems and the complaints from the people who live next door.

1:56:15

And then I'm going to get into the transparency issue with Dee Durham.

1:56:19

Plastic Free Delaware has actively advocated for easing easier composting regulations, has partnered with Newcastle County on composting projects.

1:56:28

These are all wonderful things.

1:56:29

She's a paid person 22,000 compensation in 2025.

1:56:34

And I'm not accusing anyone of corruption.

1:56:36

I'm just asking the obvious question that deserves public scrutiny.

1:56:40

It was that paid outside relationship disclosed as part of this ordinance?

1:56:45

Was there an ethics review?

1:56:46

Was there determination that whether she should participate, vote or recuse herself for this ordinance And was plastic free Delaware in any capacity, you know, involved in drafting, requesting or shaping this ordinance?

1:57:03

You know, just cause composting is good for the environment, it doesn't give a free pass to zoning, public review, ethics disclosure or protections from neighboring property owners.

1:57:14

So before this moves forward, show is exactly what changes, exactly what properties benefit, exactly what protections remain and exactly who helped write it.

1:57:25

Thank you, Julie.

1:57:25

That's your 3 minutes.

1:57:31

Any other public comments seeing none.

1:57:39

Thank you again, Councilman Cartier, We will have all the agency's comments together for you in a letter on before September 24th.

1:57:48

Thank you for this review.

1:57:49

We appreciate it and we're going to move it forward.

1:57:52

Thank you.

1:57:53

Thank you.

1:57:57

That concludes plus for the day.

1:57:59

So thank you to all our viewers.

1:58:01

Appreciate all your time and effort in the reviews.

1:58:05

And as reminded by a previous applicant, have a nice holiday on Monday.

1:58:09

Exactly.

1:58:09

Good point.