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Sussex County

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sussexcountyde.gov

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COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

Ashley Paugh

From: Laura McKeown <laura@marigoldcreamery.com>
Sent: Wednesday, April 20, 2022 8:26 PM
To: Ashley Paugh
Subject: Tiny Home Conditional Use Application

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AFTER
P2C PUBLIC HEARING

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To whom it may concern:

I am writing to you in support of Ashley DiMichele’s conditional use application for her tiny home. I strongly believe that allowing tiny homes on private property will be a great asset to our community. They would allow property owners to provide affordable housing in a place where very little is available, and they would also provide potential revenue sources for homeowners willing to share their property. Tiny homes are affordable to construct, are energy efficient, and have low impact on the land on which they sit. Ashley’s tiny home looks to be a beautiful addition to Sussex County and I hope to see more of these low impact and affordable homes in the area.

Thank you,
Laura McKeown

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APR 25 2022
SUSSEX COUNTY
PLANNING & ZONING

Ashley Paugh

From: Ambyr Caldararo <ambyrcaldararo@gmail.com>
Sent: Thursday, April 21, 2022 6:43 AM
To: Ashley Paugh
Subject: Tiny Homes On Wheels

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I am very much in support of Tiny Homes On Wheels not just for Sussex County but for the entire state of Delaware!! But I don't want to see it stop there either... I really hope that Tiny Homes On Wheels can become a thing of the future all over the world. Its a wonderful idea and I am asking that the council PLEASE seriously consider Tiny Homes. Tiny Homes would definitely be perfect for people who cannot afford huges homes on lots of land. As well as for people like my mother who is over the age of 65, lives alone, and does not need very much room at all. She also can barely afford the one bedroom apartment she is in now which is way too big for her anyway. There are many reasons to consider Tiny Homes and I think that the Council should most definitely give it a chance. Especially with the cost of living going up along with a lot of other things.. Please 🙏 consider Tiny Homes as an option for affordable housing and revenue sources for people living in the area. I promise you will not regret it.

Thank you,

Amber Caldararo

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APR 25 2022
SUSSEX COUNTY
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Ashley Paugh

From: Laurie Stuchlik <lstuchlik@gmail.com>
Sent: Thursday, April 21, 2022 11:26 AM
To: Ashley Paugh
Subject: Tiny Home in Milton, DE

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Hello Ashley,

My husband and I wanted to weigh in our thoughts on Ashley DiMichele's "Tiny Home" code hearing that's scheduled for next week.

We are Tim and Laurie Stuchlik. Tim's parents actually built the home that the DiMichele's own back in 1959, and in 1984 Tim acquired land and built a home on the adjacent property in Cave Colony, as one of the first few residents in this neighborhood. I, Laurie, have lived in Sussex County since 1987 and retired as the District Manager of the Social Security Administration in Georgetown, DE back in 2010. So, we have both lived here for life and for me, for 35 years, and have seen many changes over the years.

The DiMichele's are the most wonderful, thoughtful, helpful neighbors we could have wished for in a family. Since Tim's parents sold the family home in 1997, they are by far the BEST neighbors we have had in that home (and there have been many), and the best part is that they intend to raise their family and stay in that home and in our County for life, which is important to us.

As District Manager for SSA, I personally saw firsthand the troubles of the international J1 and H2B visa workers who struggled, along with their employers, to find affordable housing in Sussex County, for the duration of their visa. If the County would create a code for tiny homes, there would be more options for the employers and students and workers to be able to find housing. Right now, we are following the story about the Pallet Village in Georgetown to help the homeless population, and we think this is a wonderful solution to a difficult problem. The County, or the town of Georgetown, was able to get this approved last year. This could be a model for other Pallet Villages in other parts of our county to help the homeless. But, there are other folks who live and work in our County who are borderline homeless, and who could potentially benefit from the Tiny Home code model if the County would be willing to be proactive and adopt a code for tiny homes. People who have land, but limited income, such as retired individuals struggling to pay their bills as inflation and higher prices hurt their pocketbooks. Single parents looking to rent a small place could also benefit. Young people just out of college could benefit and not have to get a roommate to make ends meet. The choices available in Sussex County for lower income service workers have always been an issue. I served the folks in Sussex County from 1987 until 2010 when I retired. I partnered with employers and the faith-based community, as well as non-governmental organizations to assist the folks in Sussex County with housing and emergency needs. I heard stories from the international students and partners about ten or fifteen students living in one apartment because they couldn't find affordable housing, and I believe this to be very true. We, as a resort community, depend on these seasonal workers to keep our summer economy bustling, but we do not offer them affordable housing options. I know that everyone in Sussex County is not rich, like a lot of the folks who have moved here in the last 35 years on a steady basis. We should be willing as a County to take care of our service workers and non-professional workers who keep this County attractive to the people who are looking to move here from other states. Resources for people who struggle have always been limited and difficult to find for those in need, due to transportation and other issues. A Tiny House code would provide more opportunities for both workers and folks who have room on their property to host a seasonal worker, or a full-time service worker. It would be a win-win-win-win - the worker, the homeowner, the employer and the County!

Ashley Paugh

From: Ami Rae <amirae@backyardmilton.com>
Sent: Thursday, April 21, 2022 3:10 PM
To: Ashley Paugh
Subject: DiMichele tiny home

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Hello Sussex County Council, I am writing today in support of The DiMichele family's conditional use application. I believe their use of a tiny home is perfectly appropriate for their property and should be allowed without unattainable restrictions.

Tiny homes are options for both affordable housing options and revenue sources for people living in the area. Land is limited and what is available is expensive. Tiny Houses on Wheels are energy efficient, low impact on the land, and movable. When built to the right standards, are well made, all season abodes that are off-grid or on-grid capable. Tiny homes can be perfect options for widows or aging parents, college aged children learning to live independently, short term rental vacationers bringing money to our local economy or long term rentals helping to house service workers.

As the owner of a restaurant, I'm happy to have more visitors to our county and more business for my restaurant. And I currently have 2 employees that would love to be able to rent a tiny home to live in year round.

As a 6th generation resident of Sussex County I will admit the growth of our county is happening at a frightening pace. But tiny homes on already improved land can allow us to house many types of people that are already coming to our county whether to live or to vacation in a way that has a smaller impact.

I understand that this particular case will affect all tiny homes in the county. I would urge the county to take a view of tiny homes that focuses equally on the actual positives and benefits of tiny homes as it sees the possible negatives.

Thank you for your time.

Ami Rae
Owner/Operations Manager
The Backyard, LLC
211 Broadkill Road
Milton, Delaware 19968
302-684-3440
amirae@backyardmilton.com
www.backyardmilton.com

RECEIVED
APR 25 2022
SUSSEX COUNTY
PLANNING & ZONING

Ashley Paugh

From: Jennifer Thens <jennthens@me.com>
Sent: Sunday, April 24, 2022 12:46 PM
To: Ashley Paugh
Subject: Ashley DiMichele Tiny Home

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Hello Ashley,

I'd like to ask that the county please consider approving Ashley DiMichele's conditional use application for her tiny home. The DiMichele's have done a wonderful job keeping up the tiny home, and their property. Not only does the tiny home allow the DiMichele's to make some income off of their tiny home, but the county also benefits by bringing tourists to the area and contributing to the local economy.

Further, I ask the county to continue the conversation on incorporating tiny homes into the county code in a responsible way that could benefit Sussex County.

Thank you for your consideration.

Jennifer Thens
Milton, DE 19968

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APR 25 2022
SUSSEX COUNTY
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Ashley Paugh

From: dwayne johnson <dmonroe62@hotmail.com>
Sent: Sunday, April 24, 2022 11:29 AM
To: Ashley Paugh
Subject: Support of Ashley DiMichele's Tiny House Conditional Use Application

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To Whom it may concern,

I am writing you in support of Ashley DiMichele's Tiny House Conditional Use Application. Tiny houses should be considered as an affordable housing option and an intelligent and reasonable state revenue source. With our current inflation rate and the increase of costs of homes in Delaware, especially in Southern Delaware, tiny houses make sense as an answer to affordable living for those individuals and families starting out that cannot afford a larger house because of the astronomical price of housing they are currently facing on the market. These houses are easily maintained and, if constructed to do so, can be moved to follow that individual/family if they chose, or be resold and moved to the location chosen by the next purchaser.

Also, for those individuals that maybe have to take in an older or special needs loved one, the tiny house option can be an affordable and much more acceptable option. Housing for these individuals continues to shrink as more Delawareans grow older. In addition it can be a more viable option for parents having children going to school or starting out on their careers in Delaware.

With available land options for building on also continuing to shrink, those individuals with available space may find it to be a good way of bringing in extra income into their household by constructing and renting out a tiny house. Not to mention, that would mean more money/revenue coming into the state of Delaware.

So, i am concluding this email by asking that you consider and approve Ashley DiMichele's application. I believe that she has started something wonderful for Delaware.

Thank you for your time,

Dwayne M. Johnson
36 Southfield Lane
Harrington, DE 19952

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APR 25 2022

SUSSEX COUNTY
PLANNING & ZONING

Ashley Paugh

From: Brenda DiMichele <bcdimichele@msn.com>
Sent: Sunday, April 24, 2022 7:11 AM
To: Ashley Paugh
Subject: Conditional Use Application for Tiny Home

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Sussex County Council:

We are writing to you in support of Ashley DiMichele's request to the Sussex County Council for conditional use application for their Tiny Home. In addition to being an AirBnb to generate income for their children's college education, please consider tiny homes as options for affordable housing and revenue sources for people living in Sussex County. With rising mortgages, limited land available which is premium, the need for affordable housing is most important. Tiny homes could help so many who need housing and many others who would benefit from revenue generated for their family for children's education as well as aging parents.

Thank you for your consideration and looking to the future!

Dr. and Mrs. Conrad DiMichele
23858 Dakotas Reach
Milton, DE 19968

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SUSSEX COUNTY
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Sent from Mail for Windows

Ashley Paugh

From: ezwind79 <ezwind79@yahoo.com>
Sent: Saturday, April 23, 2022 1:25 PM
To: Ashley Paugh
Subject: Tiny Homes

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Please allow Tiny Homes to be used in Sussex County. They are very badly needed as a solution to affordable workforce housing, launch pads for folks starting out, and homelessness. There is currently a project in Georgetown utilizing these for the homeless. It is time the County adopted this solution.

Thank you,
Jeff Evans
232 Sundance Lane
Milton, DE 19968

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Ashley Paugh

From: katy magee <katymagee15@gmail.com>
Sent: Saturday, April 23, 2022 11:41 AM
To: Ashley Paugh
Subject: Approving Tiny homes

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Hello, I am reaching out in regards to Ashley DiMichele's case about coding for tiny homes. The most important thing being that the County Council consider tiny homes as options for both affordable housing options and revenue sources for people living in the area. Land is limited and what is available is expensive. Tiny Houses on Wheels are energy efficient, low impact on the land, and movable - built to the right standards, are well made, all season abodes that are off-grid or on-grid capable.

Not everyone wants to AirBnb a tiny home like Ashley does, but there are plenty of people that could use additional income from a long term rental for their child's education, medical bills, retirement savings, etc. and there are also plenty of people looking for housing. Imagine a widow having a tiny home on her property that she can rent for extra income to a local service worker (which are in desperate need of housing). That is community, partnership and commerce.

Ashley had someone express to her the other day that they heard about the tiny home and realized that is something they would like to have for their children while they attend college and launch their lives. When I think of a tiny home venture, children and aging parents are very much tied into that vision and what the housing options will look like in 10 years. This is just another housing option that needs to be considered.

Thank you.

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Ashley Paugh

From: Cataruozolo, Patricia <Patricia.Cataruozolo@pfizer.com>
Sent: Saturday, April 23, 2022 9:36 AM
To: Ashley Paugh
Subject: Tiny homes

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To Whom it May Concern:

I'm writing today in support of Tiny Homes in Sussex County Delaware. I am a resident of Milton. I believe they are an innovative, functional, minimalist living space that would serve the needs of some community members. Modular homes, manufactured homes, trailers are all allowed, why not tiny homes? I appreciate your taking the time to read this and your efforts on behalf of this request.

Kind Regards,
Patti

Patricia E.Cataruozolo, PhD, MS, BSN
Heme Onc Field Medical Director
New England
(302)519-0490
Patricia.cataruozolo@pfizer.com

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pzc

Jamie Whitehouse

From: Tracy Torbert
Sent: Monday, April 25, 2022 8:34 AM
To: Michael H. Vincent; Doug Hudson; Cynthia Green; John Rieley; Mark Schaeffer
Cc: Todd F. Lawson; Jamie Whitehouse
Subject: FW: Contact Form: Mitchell's Corner Applications Public Hearing 4/26

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Opposition
Exhibit

Please see below, thank you.

APR 25 2022

Tracy

SUSSEX COUNTY
PLANNING & ZONING

From: Abbey Feierstein <noreply@forms.email>
Sent: Saturday, April 23, 2022 9:16 PM
To: Tracy Torbert <tracy.torbert@sussexcountyde.gov>
Subject: Contact Form: Mitchell's Corner Applications Public Hearing 4/26

CJZ 19107

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Name: Abbey Feierstein
Email: a.feierstein@comcast.net
Phone: 302 270 5063
Subject: Mitchell's Corner Applications Public Hearing 4/26

Message: Please do not approve the conditional-use application and subdivision application for Mitchell's Corner in Lewes as it would pave over our Lewes BPW water wellfield, which would prevent recharge and surely pollute the water with runoff! This land sits on the wellfield that serves every person who gets water from Lewes BPW! The developers have the right to build houses, but they want higher density- 267 townhouses and a shopping center. This is a Conditional Use request, not a right, to develop at higher density and basically pave over our drinking water wellfield! Sussex County Council please vote against this. Thank you.



CZ 1967
SUPPORT EXHIBIT

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APR 25 2022

SUSSEX COUNTY
PLANNING & ZONING

April 22, 2022

Sussex County Planning and Zoning
2 The Circle
Georgetown, DE 19947

To Whom It May Concern:

I am writing to support the applications for the Mitchells Corner project at the intersection of Kings Highway and Gills Neck Road. I have owned property across the street from this location for more than half a century and welcome these changes and additions to the community.

The proposed zoning changes and residential units are consistent with the current uses in the surrounding area as well as those that are planned and under construction. The addition of another office building and additional housing options along the Kings Highway corridor is appropriate given its proximity to growth areas, existing infrastructure and proposed traffic improvements. This area is becoming urban in character and this project matches that character.

I was also excited to hear that interim improvements will be installed by the developer which will help with traffic along Kings Highway until DeDOT completes its planned dualization of that roadway. I hope that you approve the pending applications.

Sincerely,

Bryce M. Lingo
Jack Lingo Inc., REALTOR
246 Rehoboth Avenue
Rehoboth Beach, DE 19971
302-226-6417
bryce@rbre.com

Rehoboth Beach
246 Rehoboth Avenue
Rehoboth Beach, DE 19971
ph 302-227-3883 / 800-345-3469
fax 302-227-4686

Lewes
1240 Kings Highway
Lewes, DE 19958
ph 302-645-2207 / 800-331-4241
fax 302-645-5261

Millsboro
28442 DuPont Boulevard
Millsboro, DE 19966
ph 302-934-3970 / 888-934-3970
fax 302-934-3974





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Jamie Whitehouse

From: Tracy Torbert
Sent: Monday, April 25, 2022 8:34 AM
To: Michael H. Vincent; Doug Hudson; Cynthia Green; John Rieley; Mark Schaeffer
Cc: Todd F. Lawson; Jamie Whitehouse
Subject: FW: Contact Form: Mitchells Corner on the agenda April 26, 2022

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Please see below, thank you.

APR 25 2022

Tracy

SUSSEX COUNTY
PLANNING & ZONING

From: Jerry Mitchell <noreply@forms.email>
Sent: Saturday, April 23, 2022 5:09 PM
To: Tracy Torbert <tracy.torbert@sussexcountye.gov>
Subject: Contact Form: Mitchells Corner on the agenda April 26, 2022

CJZ 1967

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Name: Jerry Mitchell
Email: jerry.mitch1963@gmail.com
Phone: 3028415003
Subject: Mitchells Corner on the agenda April 26, 2022
Message: Sussex County Council
2 The Circle PO Box 589
Georgetown DE 19947

To the Honorable Sussex County Council,
Please find this letter in favor of the project known as Mitchell's Corner proposed for the corner of Kings Highway and Gills Neck Road near Lewes Delaware. For complete disclosure I am currently one of the owners of the property in question. My family has owned and operated the farm for well over one hundred years and in that time we have attempted to provide the nearby residents and visitors with a clean, well maintained operation. We have in the past also provided many fresh vegetables and eggs to the people in and around Lewes.
We do not take the sale of this farm lightly but do to safety concerns farming is no longer a viable option. We find ourselves completely surrounded by development and moving large equipment on the busy roads is hazardous for the operator as well as for drivers who are attempting to maneuver around agriculture equipment in a resort/retirement community. Attempting to prevent people from trespassing to ensure their safety is a growing concern as well.
Our decision to sell the farm was not made in haste or from greed but of necessity. We attempted to choose quality people who would enhance the area and I believe that having the current Cape Henlopen Medical Center is an example of that. When approached by Henlopen Properties LLC, our first question was, are they someone that will continue to benefit the people in the area. We believe Henlopen Properties LLC will be able to provide enormous benefits for the area by providing much needed quality housing for the growing number of people choosing to make Lewes their home. Your approval of this project would enable more than two hundred families to choose Sussex County as the place to make their dreams happen.
As a proponent of managed growth, approving homes in an area where people choose to live is extremely beneficial for the rest of Sussex County by allowing the people to live where they want to live, closer to the beach and resorts. I realize that the Mitchell's Corner development will be denounced by a very few people, but it is the best use for this property at this time and overall it will continue to be a benefit to all the people of

Jamie Whitehouse

C2 1967

From: Jay Tomlinson <jaythrep@gmail.com>
Sent: Wednesday, April 20, 2022 1:32 PM
To: Michael H. Vincent; Cynthia Green; Mark Schaeffer; Doug Hudson; John Rieley
Cc: Tracy Torbert; Todd F. Lawson; Jamie Whitehouse; Lauren DeVore
Subject: Mitchell's Corner Applications - SCC Public Comment

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Sussex County Council Members:

Zoning applications for the parcel now known as Mitchell's Corner (Henlopen Properties LLC, Mitchell Farm, Zwannendael Farm) have been in the works for what seems like, forever. I attended the PLUS in Dover on 1/23/2019.

Since that time, the project has evolved to what we have today, 267 Duplexes and Townhouses and one new three-story, 43K Sq. Ft. commercial building to be built on Kings Highway next to the existing two-story medical building. The project to be developed consists of 47+/- acres at Kings Highway and Gills Neck Road across from Cape Henlopen High School and the under construction Lodges at Lewes. Across Gills Neck, new projects like the Village Center Cottages and Village Center Shopping Center are in the planning stages.

Along the way, having talked with representatives from Sussex County, DeIDOT, Office of State Planning Coordination, City of Lewes, Historic Lewes Byway, BPW and other groups, individually I know that all have i's dotted and t's crossed in preparation for Tuesday's SCC public hearing.

Many of the subjects you will be asked to consider to approve the applications are extensively addressed in the voluminous (741 pages) public hearing materials: Traffic, Water protection, Safety, Project Density Comparisons, Community Design Context, Interconnectivity and public transportation and more. At this point our appointed and elected officials can insure that all of the complex details and interactions of a project of this scale, are executed fairly and equitably for all. Fairness includes placing appropriate conditions of approval where necessary, defined project benefit to County taxpayers and a project that does not reduce quality of life or access to services.

I'll ask that the Council deeply consider how the project will integrate with all the other development along the corridor now occurring or proposed. Mitchell's Corner needs to meld with DeIDOT's "interim" TIS plans to absorb traffic created by Mitchell as well as surrounding projects and hold off gridlock until DeIDOT's capital project can be fully implemented in 2028. Council may review the [DeIDOT US9, Kings Highway, Dartmouth Drive to Freeman Highway project portal](#) for further information about the projects design features. The [DeIDOT Traffic Review Letter](#) provides details about the interim plans.

Assuming all entities do their part during the application approval process, and appropriate conditions are placed on approval, I trust issues such as traffic, project density/parking, interconnectivity, design context and public transportation will be incorporated and documented in Council's decisions.

My comments emphasize two issues that I would like to hear Council address during the approval process, first is primarily an aesthetic corridor design feature. I would like to formalize the Developer's commitment to improvements to the Kings Highway and Gills Neck Road frontage to include berms, landscaping and trees that will buffer or hide Mitchell's Corner development from the roadway view-sheds. Although these improvements will be addressed by the 2026-28 DeIDOT capital construction improvements, I would like to ensure the necessary ROW is preserved for full

implementation of the capital project and that drainage ditches/swales are closeu along the highway frontage to allow for landscaping. Utilities should be buried or hidden, where possible and light pollution minimized.

My second, and by far most important comment, is about water protection. We must not miss an opportunity to coordinate a comprehensive solution to address and preserve water sources and the wellhead protection areas (WPA) once and for all-time. This should not be a BAU issue that should be pushed to a future date. Negotiation to address City and BPW concerns to WPA issues should be included in this process. Mitchell and Lingo-Townsend have common interests and the means to agree. Maps (which may need update) show a portion of the WPA falling on the Mitchell's Corner property with the bulk of the undeveloped WPA across the street on the Lingo-Townsend parcel. I understand BPW and the City of Lewes are advancing their concerns about water issues.

If I am not mistaken, at the 4/14 P&Z meeting, Mitchell's Corner, in a positive step, agreed to implement a system that provides some protection from contamination on the Mitchell parcel. I have no idea if this is the best or only solution, but the system goes beyond Sussex requirements as I understand the feature and the inclusion demonstrated positive intent on the part of Mitchell.

We would all be well served by coordinated agreements and solutions to water protection that includes Mitchell, Lingo-Townsend, Jones parcel and other nearby WPA properties. We should ensure development on these parcels does not cause irreparable harm or jeopardize water quality and safety. The BPW website says BPW provides service for over 3,500 customers and based on nearby development, 1,000's more will be added to their customer base soon. Water sources must be protected, available and clean.

Cooperation between the Developer, BPW, City of Lewes, Sussex County and others is necessary to incorporate an agreeable and effective comprehensive water management strategy for the WPA for today and the future that allows for safe development and mitigates its risk. The strategy must be part of the approval process.

These are my comments after all this time has passed. I would be happy to answer questions for which I have answers or direct you to others that may have more complete information.

Jay Tomlinson
Citizens for Responsible Kings Highway Development
32715 Hastings Drive
Lewes, DE 19958
856-906-0605
jaythrrep@gmail.com

Alan J. Roth

437 Kings Highway

Lewes, Delaware 19958

(202) 669-1650

April 18, 2022

Sussex County Council
2 The Circle
P.O. Box 589
Georgetown, DE 19947

RE: C/Z 1967 Henlopen Properties, LLC a/k/a Mitchell's Corner
C/U 2334 Henlopen Properties, LLC

Dear Councilmembers:

I respectfully submit these comments in opposition to the Planning and Zoning Commission's April 14, 2022 approvals of the two above-referenced applications, comprising the proposed Mitchell's Corner development at the intersection of Kings Highway and Gills Neck Road in Lewes. Notably, the Commission's decision on C/U 2334 was split 3-1, with the dissenting vote coming from Vice Chairman Kim Hoey Stevenson, who represents the affected District.

In reciting their reasons in support of the Conditional Use application, the majority cited "no evidence that the project will adversely affect neighboring properties, area roadways, or community facilities." On March 23, 2022, I submitted a letter to the Commission discussing the manner in which this project would indeed adversely affect neighboring properties and area roadways. Unfortunately, I was not aware at the time that the Chairman had closed the record at the end of the Commission's March 10, 2022 public hearing, and for that reason perhaps the Commission could ignore my March 23rd letter when it made its "no evidence" finding.

That finding, however, flies in the face of comments that Vice Chairman Stevenson herself made at the Commission's March 10th public hearing, where she expressed concern about traffic out of this proposed 267 multi-family unit development turning left onto Gills Neck Road. "We shouldn't be encouraging 400 or 500 more people to ride into Lewes on Gills Neck Road," she said at the hearing. Instead, she argued, left turns onto Gills Neck Road should be prohibited and traffic from the development should be forced to use Kings Highway to enter downtown Lewes.

As a resident of Kings Highway within the City of Lewes, I took issue with her proposal in my letter to the Commission. Once northbound traffic on Kings Highway passes the Rollins Community Center, it flows into an entirely residential neighborhood with only a single 25 mph lane in each direction. Nearly every home from that point all the way to E. Third Street in the center of town has a private driveway. At many times of day, exiting one's own driveway into traffic on Kings Highway is already a challenge,

even in the off-season. Making a left turn across traffic from the side streets is likewise difficult during those busy times. The prospect of adding hundreds of additional vehicles each day to the existing traffic load is daunting even in the winter and shoulder seasons, and in the summer would become a serious danger.

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Thank you for your consideration.

Sincerely,

Alan J. Roth

Alan J. Roth

cc: Councilmember Mark Schaeffer



C12 1968
SUPPORT EXHIBIT

RECEIVED
AFTER
PUBLIC HEARING

RECEIVED

APR 25 2022

SUSSEX COUNTY
PLANNING & ZONING

April 22, 2022

Sussex County Planning and Zoning
2 The Circle
Georgetown, DE 19947

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Bryce M. Lingo
Jack Lingo Inc., REALTOR
246 Rehoboth Avenue
Rehoboth Beach, DE 19971
302-226-6417
bryce@rbre.com

Rehoboth Beach
246 Rehoboth Avenue
Rehoboth Beach, DE 19971
ph 302-227-3883 / 800-345-3469
fax 302-227-4686

Lewes
1240 Kings Highway
Lewes, DE 19958
ph 302-645-2207 / 800-331-4241
fax 302-645-5261

Millsboro
28442 DuPont Boulevard
Millsboro, DE 19966
ph 302-934-3970 / 888-934-3970
fax 302-934-3974

Jamie Whitehouse

From: Tracy Torbert
Sent: Monday, April 25, 2022 8:34 AM
To: Michael H. Vincent; Doug Hudson; Cynthia Green; John Rieley; Mark Schaeffer
Cc: Todd F. Lawson; Jamie Whitehouse
Subject: FW: Contact Form: Mitchells Corner on the agenda April 26, 2022

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Tracy

SUSSEX COUNTY
PLANNING & ZONING

From: Jerry Mitchell <noreply@forms.email>
Sent: Saturday, April 23, 2022 5:09 PM
To: Tracy Torbert <tracy.torbert@sussexcountyde.gov>
Subject: Contact Form: Mitchells Corner on the agenda April 26, 2022

CJZ 1968

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Name: Jerry Mitchell
Email: jerry.mitch1963@gmail.com
Phone: 3028415003
Subject: Mitchells Corner on the agenda April 26, 2022
Message: Sussex County Council
2 The Circle PO Box 589
Georgetown DE 19947

To the Honorable Sussex County Council,
Please find this letter in favor of the project known as Mitchell's Corner proposed for the corner of Kings Highway and Gills Neck Road near Lewes Delaware. For complete disclosure I am currently one of the owners of the property in question. My family has owned and operated the farm for well over one hundred years and in that time we have attempted to provide the nearby residents and visitors with a clean, well maintained operation. We have in the past also provided many fresh vegetables and eggs to the people in and around Lewes.
We do not take the sale of this farm lightly but do to safety concerns farming is no longer a viable option. We find ourselves completely surrounded by development and moving large equipment on the busy roads is hazardous for the operator as well as for drivers who are attempting to maneuver around agriculture equipment in a resort/retirement community. Attempting to prevent people from trespassing to ensure their safety is a growing concern as well.
Our decision to sell the farm was not made in haste or from greed but of necessity. We attempted to choose quality people who would enhance the area and I believe that having the current Cape Henlopen Medical Center is an example of that. When approached by Henlopen Properties LLC, our first question was, are they someone that will continue to benefit the people in the area. We believe Henlopen Properties LLC will be able to provide enormous benefits for the area by providing much needed quality housing for the growing number of people choosing to make Lewes their home. Your approval of this project would enable more than two hundred families to choose Sussex County as the place to make their dreams happen.
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Lewes DE 19958

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Opposition
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SUSSEX COUNTY
PLANNING & ZONING

021908

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Email: a.feierstein@comcast.net
Phone: 302 270 5063
Subject: Mitchell's Corner Applications Public Hearing 4/26

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From: Jay Tomlinson <jaythrrep@gmail.com>
Sent: Wednesday, April 20, 2022 1:32 PM
To: Michael H. Vincent; Cynthia Green; Mark Schaeffer; Doug Hudson; John Rieley
Cc: Tracy Torbert; Todd F. Lawson; Jamie Whitehouse; Lauren DeVore
Subject: Mitchell's Corner Applications - SCC Public Comment

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I'll ask that the Council deeply consider how the project will integrate with all the other development along the corridor now occurring or proposed. Mitchell's Corner needs to meld with DeIDOT's "interim" TIS plans to absorb traffic created by Mitchell as well as surrounding projects and hold off gridlock until DeIDOT's capital project can be fully implemented in 2028. Council may review the [DeIDOT US9, Kings Highway, Dartmouth Drive to Freeman Highway project portal](#) for further information about the projects design features. The [DeIDOT Traffic Review Letter](#) provides details about the interim plans.

Assuming all entities do their part during the application approval process, and appropriate conditions are placed on approval, I trust issues such as traffic, project density/parking, interconnectivity, design context and public transportation will be incorporated and documented in Council's decisions.

My comments emphasize two issues that I would like to hear Council address during the approval process, first is primarily an aesthetic corridor design feature. I would like to formalize the Developer's commitment to improvements to the Kings Highway and Gills Neck Road frontage to include berms, landscaping and trees that will buffer or hide Mitchell's Corner development from the roadway view-sheds. Although these improvements will be addressed by the 2026-28 DeIDOT capital construction improvements, I would like to ensure the necessary ROW is preserved for full

implementation of the capital project and that drainage ditches/swales are closeu along the highway frontage to allow for landscaping. Utilities should be buried or hidden, where possible and light pollution minimized.

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We would all be well served by coordinated agreements and solutions to water protection that includes Mitchell, Lingo-Townsend, Jones parcel and other nearby WPA properties. We should ensure development on these parcels does not cause irreparable harm or jeopardize water quality and safety. The BPW website says BPW provides service for over 3,500 customers and based on nearby development, 1,000's more will be added to their customer base soon. Water sources must be protected, available and clean.

Cooperation between the Developer, BPW, City of Lewes, Sussex County and others is necessary to incorporate an agreeable and effective comprehensive water management strategy for the WPA for today and the future that allows for safe development and mitigates its risk. The strategy must be part of the approval process.

These are my comments after all this time has passed. I would be happy to answer questions for which I have answers or direct you to others that may have more complete information.

Jay Tomlinson
Citizens for Responsible Kings Highway Development
32715 Hastings Drive
Lewes, DE 19958
856-906-0605
jaythrrep@gmail.com

Alan J. Roth

437 Kings Highway

Lewes, Delaware 19958

(202) 669-1650

April 18, 2022

Sussex County Council
2 The Circle
P.O. Box 589
Georgetown, DE 19947

RE: C/Z 1967 Henlopen Properties, LLC a/k/a Mitchell's Corner
C/U 2334 Henlopen Properties, LLC

Dear Councilmembers:

I respectfully submit these comments in opposition to the Planning and Zoning Commission's April 14, 2022 approvals of the two above-referenced applications, comprising the proposed Mitchell's Corner development at the intersection of Kings Highway and Gills Neck Road in Lewes. Notably, the Commission's decision on C/U 2334 was split 3-1, with the dissenting vote coming from Vice Chairman Kim Hoey Stevenson, who represents the affected District.

In reciting their reasons in support of the Conditional Use application, the majority cited "no evidence that the project will adversely affect neighboring properties, area roadways, or community facilities." On March 23, 2022, I submitted a letter to the Commission discussing the manner in which this project would indeed adversely affect neighboring properties and area roadways. Unfortunately, I was not aware at the time that the Chairman had closed the record at the end of the Commission's March 10, 2022 public hearing, and for that reason perhaps the Commission could ignore my March 23rd letter when it made its "no evidence" finding.

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Thank you for your consideration.

Sincerely,

Alan J. Roth

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cc: Councilmember Mark Schaeffer



CU 2334

SUPPORT EXHIBIT

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APR 25 2022

SUSSEX COUNTY
PLANNING & ZONING

April 22, 2022

Sussex County Planning and Zoning
2 The Circle
Georgetown, DE 19947

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302-226-6417
bryce@rbre.com

Rehoboth Beach

246 Rehoboth Avenue
Rehoboth Beach, DE 19971
ph 302-227-3883 / 800-345-3469
fax 302-227-4686

Lewes

1240 Kings Highway
Lewes, DE 19958
ph 302-645-2207 / 800-331-4241
fax 302-645-5261

Millsboro

28442 DuPont Boulevard
Millsboro, DE 19966
ph 302-934-3970 / 888-934-3970
fax 302-934-3974

Jamie Whitehouse

From: Tracy Torbert
Sent: Monday, April 25, 2022 8:34 AM
To: Michael H. Vincent; Doug Hudson; Cynthia Green; John Rieley; Mark Schaeffer
Cc: Todd F. Lawson; Jamie Whitehouse
Subject: FW: Contact Form: Mitchells Corner on the agenda April 26, 2022

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SUSSEX COUNTY
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CU 2334

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Email: jerry.mitch1963@gmail.com
Phone: 3028415003
Subject: Mitchells Corner on the agenda April 26, 2022
Message: Sussex County Council
2 The Circle PO Box 589
Georgetown DE 19947

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Lewes DE 19958

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As a resident of Kings Highway within the City of Lewes, I took issue with her proposal in my letter to the Commission. Once northbound traffic on Kings Highway passes the Rollins Community Center, it flows into an entirely residential neighborhood with only a single 25 mph lane in each direction. Nearly every home from that point all the way to E. Third Street in the center of town has a private driveway. At many times of day, exiting one's own driveway into traffic on Kings Highway is already a challenge,

even in the off-season. Making a left turn across traffic from the side streets is likewise difficult during those busy times. The prospect of adding hundreds of additional vehicles each day to the existing traffic load is daunting even in the winter and shoulder seasons, and in the summer would become a serious danger.

Commissioner Stevenson and I now share precisely the same concern, and we have presented precisely the same evidence undermining the Commission's reasoning. There is, in fact, ample evidence that a project of this magnitude would adversely affect neighboring properties and area roadways. The applicant's traffic studies only address the traffic load up to the junction of Kings Highway and Freeman Highway, not beyond that point. This is disappointing. It is also reasonable to expect that much of the traffic entering the City via Kings Highway will return to Mitchell's Corner via the same route. And if there is any validity to Commissioner Stevenson's concern about 400-500 drivers taking a highly circuitous route via Gills Neck Road to reach downtown Lewes, it can only be because the traffic backup on Kings Highway to reach the same destination will be overwhelming.

The density and scale of this proposed project is simply too large for both the available and planned infrastructure along Kings Highway. It is not appropriate to add 400-500 vehicles south of the Kings Highway/Freeman Highway junction without also taking into account the impact this massive development would have north of it, on the narrow roadways of the City of Lewes. These applications should be rejected. At a minimum, a reduction in the overall size of this project should be required given its impact on neighboring properties and the constraints of the low-density residential character of the City of Lewes' streets.

Thank you for your consideration.

Sincerely,

Alan J. Roth

Alan J. Roth

cc: Councilmember Mark Schaeffer