

## PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN  
KIM HOEY STEVENSON, VICE-CHAIRMAN  
R. KELLER HOPKINS  
J. BRUCE MEARS  
HOLLY J. WINGATE



## Sussex County

DELAWARE  
sussexcountyde.gov  
302-855-7878 T  
302-854-5079 F  
JANELLE CORNWELL, AICP  
DIRECTOR

### PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date August 22, 2019

Application: CU 2183 Brent & Lisa Hershey

Applicant/Owner: Brent & Lisa Hershey  
824 Mugger Rd.  
Mount Joy, PA 17552

Site Location: 14374 Clyde's Drive, Milton. South side of Broadkill Road, approximately 0.33 mile west of Reynolds Road.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Storage Facility with Outdoor Storage

Comprehensive Land Use Plan Reference: Low Density Area

Councilmatic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Milton Fire District

Sewer: Private, On-Site

Water: Private, On-Site

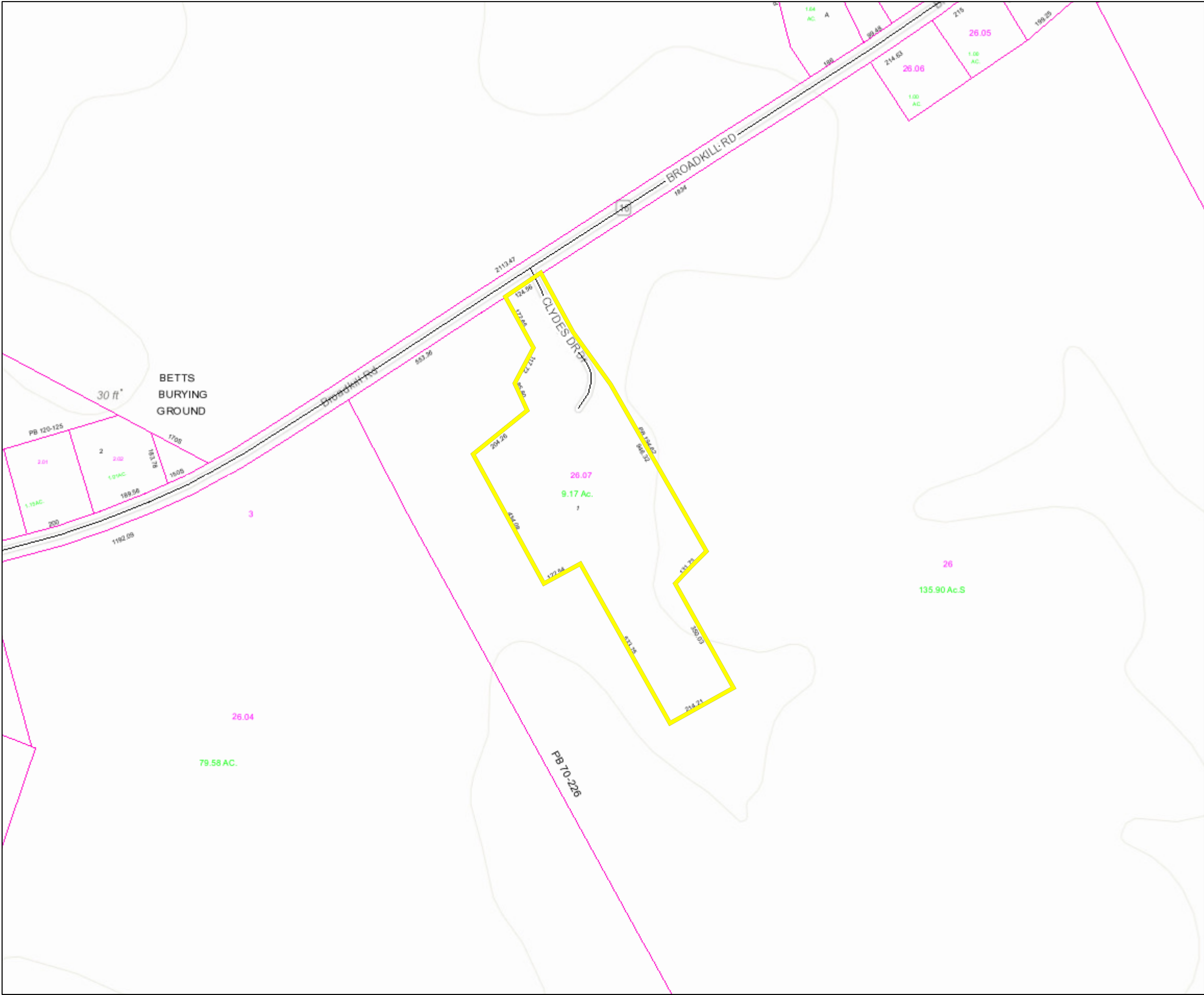
Site Area: 9.167 ac. +/-

Tax Map ID.: 235-15.00-26.07





Sussex County



PIN:	235-15.00-26.07
Owner Name	HERSHEY BRENT L
Book	4551
Mailing Address	824 MUSSER RD
City	MOUNT JOY
State	PA
Description	S/RT 16
Description 2	W/RT 233
Description 3	LOT 1
Land Code	

**polygonLayer**

Override 1

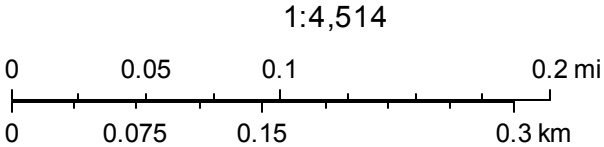
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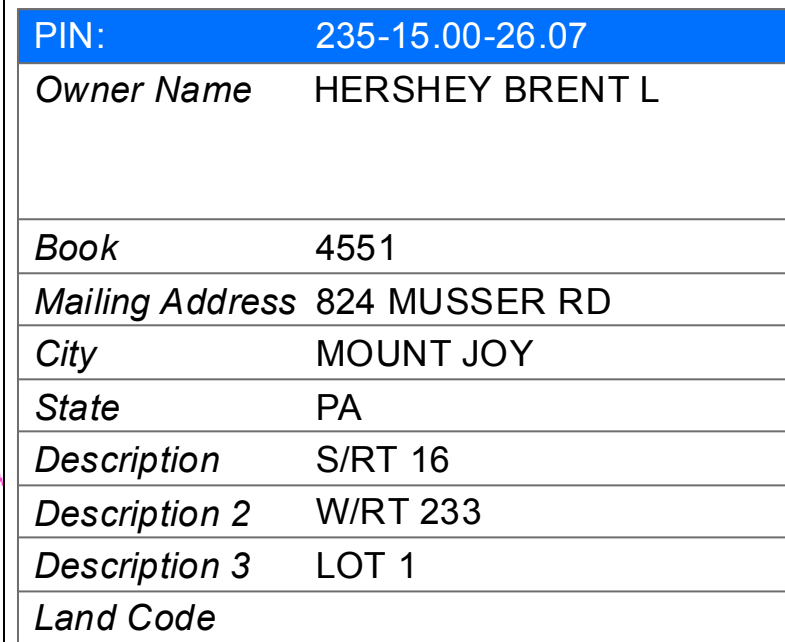
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Tax Parcels

Streets


County Boundaries



















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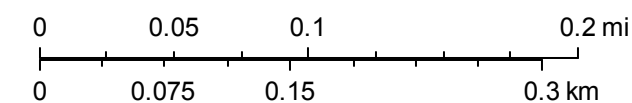
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 Tax Parcels  
 Streets

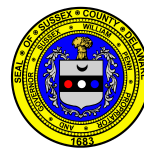
### Zoning

	Agricultural Residential - AR-1
	Agricultural Residential - AR-2
	Medium Residential - MR
	General Residential - GR
	High Density Residential - HR-1
	High Density Residential - HR-2
	Vacation, Retire, Resident - VRP
	Neighborhood Business - B-1
	General Commercial - C-1
	Commercial Residential - CR-1
	Marine - M
	Limited Industrial - LI-1
	Limited Industrial - LI-2
	Heavy Industrial - HI-1

1:4,514







# Sussex County



<b>PIN:</b>	235-15.00-26.07
<b>Owner Name</b>	HERSHEY BRENT L
<b>Book</b>	4551
<b>Mailing Address</b>	824 MUSSER RD
<b>City</b>	MOUNT JOY
<b>State</b>	PA
<b>Description</b>	S/RT 16
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<b>Land Code</b>	


## polygonLayer

Override 1

## polygonLayer

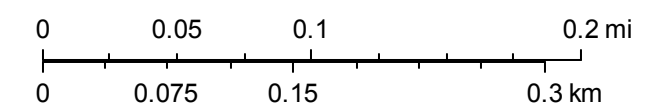
Override 1

 Tax Parcels

 Streets

 County Boundaries

1:4,514







## Memorandum

To: Sussex County Planning Commission Members  
From: Jennifer Norwood  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: August 8, 2019  
RE: Staff Analysis for CU 2183 Brent and Lisa Hershey

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2183 Brent and Lisa Hershey to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be permitted during the public hearing.

The request is for a Conditional Use for parcel 235-15.00-26.07 to grant a Conditional Use of land in a AR-1 Agricultural Residential Zoning District for a storage facility with outdoor storage on the south side of Broadkill Road, approximately 0.33 mile west of Reynolds Road. The size of the property is 9.167 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the Plan indicates that the property has the land use designation of Low-Density Areas.

The primary uses envisioned in Low-Density Areas are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agri-business uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location size and hours of operation. More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding areas.

The property is zoned AR-1 (Agricultural Residential Zoning District). The adjoining properties are all zoned AR-1 (Agricultural Residential Zoning District). There are four parcels approximately 0.47 miles to the east that are zoned C-1 (General Commercial Zoning District) and CR-1 (Commercial Residential Zoning District).



There has been one Conditional Use application within a 1-mile radius of the site. This is CU 2163 for an event venue on Tax Parcel: 235-15.00-4.01. The Conditional Use was denied on April 30, 2019.

Based on the analysis of the land use, surrounding zoning and uses, the proposed Conditional Use for a storage facility with outdoor storage, to serve nearby residents, could be considered consistent with the land use, area zoning and adjoining uses.



STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. BOX 778  
DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

July 19, 2018

Ms. Janelle M. Cornwell  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Brent & Lisa Hershey** conditional use application, which we received on June 20, 2018. This application is for a 9.17-acre parcel (Tax Parcel 235-15.00-26.07). The subject land is located on the south side of Delaware Route 16, approximately 2,000 feet west of Reynolds Road (Sussex Road 233). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize an 8,200 square-foot portion of the existing facility for storage – adaptive re-use of existing farm buildings.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Delaware Route 16 where the subject land is located, which is from Delaware Route 5 to Delaware Route 1, are 6,488 and 8,537 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.





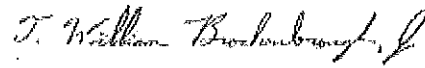
Ms. Janelle M. Cornwell

Page 2 of 2

July 19, 2018

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Brent & Lisa Hershey, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and Operations  
Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
Susanne Laws, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

**PLANNING & ZONING COMMISSION**

MARTIN L. ROSS, CHAIRMAN  
KIM HOEY STEVENSON, VICE CHAIRMAN  
R. KELLER HOPKINS  
DOUGLAS B. HUDSON  
ROBERT C. WHEATLEY



**Sussex County**

DELAWARE  
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302-855-7878 T  
302-854-5079 F  
JANELLE M. CORNWELL, AICP  
DIRECTOR

**Service Level Evaluation Request Form**

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: June 19, 2018

**Site Information:**

Site Address/Location: 14374 Clyde's drive, Milton, DE 19968

Tax Parcel Number: 2-35-15.00-26.07

Current Zoning: Ag

Proposed Zoning: Ag

Land Use Classification: \_\_\_\_\_

Proposed Use(s): storage- adaptive re-use of existing farm buildings

Square footage of any proposed buildings or number of units: existing buildings 8200 sq ft

**Applicant Information:**

Applicant's Name: Brent & Lisa Hershey

Applicant's Address: 824 Musser road

City: Mount Joy State: Pa Zip Code: 17552

Applicant's Phone Number: 717-575-0076

Applicant's e-mail address: brent@hersheyag.com



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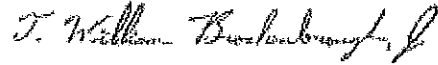




Ms. Janelle M. Cornwell  
Page 2 of 2  
July 19, 2018

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Brian Yates, Subdivision Manager, Development Coordination  
Susanne Laws, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

June 15, 2018

Re: Hershey - Conditional Use request for Clyde's Drive, Milton DE

Sussex County Zoning Board, Georgetown, De,

This is a narrative of the proposed conditional use. I have attached a survey view of the farm property at clyde's drive, Milton DE

. First, there is an existing older hog barn that was built in the 70 t's that is referenced, (barn #4).

I am proposing to remove the roof of this barn and the 4 ft side walls down to the 4 ft high block walls that are the the perimeter foundation of this barn. This foundation is in very good shape.

I then plan to re-build new 12 ft wood frame walls on top of the existing block and put a new roof on this structure. This is rebuilding existing barn on current foundation, with no increase in footprint or square footage

Specific plan is to install (3) 14 x 14 doors on the west side and (1) 14 x 20 door on the end wall facing north the entrance driveway.

Then rebuild current partitions to divide building into (3) three area's... (2) two area's (42 x 28) with one 14 x 14 door and (1) personal access door each , then 1 area 84 x 28 with a Gable end door 14 x 20 and a sidewall door 14 x 14, plus 1 personal access door.

A copy of this plan for Barn 4 is part of the application.

Second, there is a old dairy barn that was built in the 30 's or 40's, this barn has collapsed, referenced barn # 5

I propose to rebuild it on the same existing perimeter foundation which is 51 x 62 ft.

Plan is to erect 16 ft sidewalls with new roof and copulas that will resemble the old barn that collapsed. I would then install 3 or 4 doors on the south side. 12 x 14. A copy of this plan for barn 5 is part of application.

I plan to use one (1) of the area's for my storage needs. I propose to rent other area's for use for " passive" business storage to store equipment, tools etc, such as a lawn mowing service, landscape business, building contractor or a agricultural service business.

Could also be a personal hobby shop.or could also be used to store boats, RV's

There would be rules associated with hrs to access bays, storage of fuels in bays, no outside storage, etc

There would be no customers allowed to come to storage bays. No offices allowed,

There would be a 4 - 6 cubic yd dumpster on site and a outdoor porti-potty would be provided. ,

This is not a public storage similar to storage units commonly found. for personal items furniture etc...really focused to the business community, and passive storage

Thank you for consideration of this request

Brent & Lisa Hershey

138 Airport rd

Marietta, Pa 17547

**TAX MAP NO.: 2-35-15.00-26.07  
DALPF Project I.D.#: S-98-08-045B  
Prepared By & Return To:  
Parkowski, Guerke & Swayze, P.A.  
P.O. Box 598  
Dover, Delaware 19903**

**DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION  
ACKNOWLEDGMENT PURSUANT TO 3 Del. C. § 909(a)(2)**

**WHEREAS,** RAMAKRISHNA TATINENI and RAMA TATINENI ("Transferors") were the owners of agricultural lands comprised of approximately 9.167 acres located at Broadkill Hundred, said lands lying in Sussex County, State of Delaware, and described in and subject to an Agricultural Preservation Easement, dated April 10, 2001, of record in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware in Deed Book 2581, Page 45, and as amended by Amendment to Agricultural Lands Preservation Easement recorded September 9, 2014 in the aforementioned Office of the Recorder of Deeds in Deed Book 4305, Page 19; and

**WHEREAS,** Transferors transferred all of the subject lands to BRENT L. HERSHEY and LISA HERSHEY, as tenants by the entirety unto the survivor of them, ("Transferees"), said lands being tax parcel 2-35-15.00-26.07, being of record in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware in Deed Book 4551, Page 131.

**NOW, THEREFORE,** in accordance with the requirements of 3 Del. C. § 909(a)(2)c.[71 Del. Laws, C. 257], Transferees acknowledge their understanding of the acreage allowed for dwelling housing, and the restrictions which apply to the real property about to be conveyed, and that said lands are subject to the referenced Preservation Easement, as amended, the provisions of 3 Del. C. ch. 9 and the regulations adopted pursuant thereto. Transferors and Transferees agree to be bound by same. Transferees shall be allowed one (1) acre for dwelling housing and only one (1) residential dwelling shall be allowed on said one (1) acre.



IN WITNESS WHEREOF, the Transferees have executed this Acknowledgment this  
30 day of October, 2016.

Transferees:

Deborah K. Culley  
Witness

Deborah K. Culley  
Witness

Brent L. Hershey (SEAL)  
Brent L. Hershey

Lisa Hershey (SEAL)  
Lisa Hershey

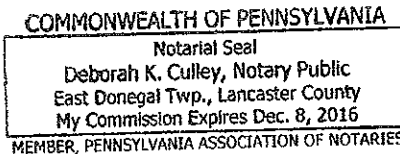
STATE OF Pennsylvania :  
: SS.:  
COUNTY OF Lancaster :

BE IT REMEMBERED that on this 30 day of October, A.D. 2016  
personally came before me, the Subscriber, a Notary Public for the State and County aforesaid,  
Brent L. Hershey and Lisa Hershey, parties to this Indenture, known to me personally to be such,  
and they acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of office the day and year aforesaid.

Deborah K. Culley  
Notary Public Signature

Deborah K. Culley  
Notary Name – Printed or Typed  
My Commission Expires: 12/8/16



**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING DIVISION**  
**C/U & C/Z COMMENTS**

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **7/31/2019**

APPLICATION: **CU 2183 Brent & Lisa Hershey**

APPLICANT: **Brent & Lisa Hershey**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **235-15.00-26.07**

LOCATION: **14374 Clyde's Drive, Milton. South side of Broadkill Road,  
approximately 0.33 mile west of Reynolds Road**

NO. OF UNITS: **Storage facility with outdoor storage**

GROSS  
ACREAGE: **9.167**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes ☐ No ☒
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 3**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Click or tap to enter a fee** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

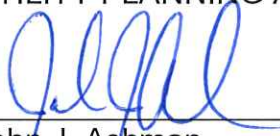
(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed CU is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service. The proposed CU is within the Growth and Annexation area of the Town of Milton.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
No Permit Tech Assigned





RECEIVED

AUG 21 2019

SUSSEX COUNTY  
PLANNING & ZONING

## MEMORANDUM

TO: Janelle M. Cornwell

FROM: Debbie Absher, Director of Ag Programs

SUBJECT: LUPA

DATE: August 21, 2019

Attached you will find the comments for the following proposed zoning changes:

- CU 2183 – Brent & Lisa Hershey
- CU 2184 – Linda Ann Yupco-Connors
- CU 2185 – Vincent Kinack
- CU 2187 – Daniel Ostinvil

If you have any questions, I can be reached at 856-3990, ext. 3.

BJH

Enclosures



**CU 2183**  
**TM #235-15.00-26.07**  
**Brent & Lisa Hershey**

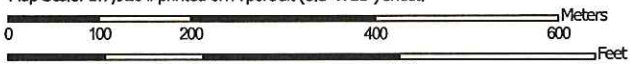


Soil Map—Sussex County, Delaware  
(Brent & Lisa Hershey)



Soil Map may not be valid at this scale.

Map Scale: 1:7,920 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84























































Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

8/12/2019  
Page 1 of 3

## MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Area of Interest (AOI)		Stony Spot
	Soils		Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
	Special Point Features		Streams and Canals
	Blowout		US Routes
	Borrow Pit		Major Roads
	Clay Spot		Local Roads
	Closed Depression		Aerial Photography
	Gravel Pit		
	Gravelly Spot		
	Landfill		
	Lava Flow		
	Marsh or swamp		
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
IgA	Ingleside sandy loam, 0 to 2 percent slopes	6.9	74.9%
W	Water	2.3	25.1%
Totals for Area of Interest		9.2	100.0%



## Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

## Report—Selected Soil Interpretations

Selected Soil Interpretations—Sussex County, Delaware							
Map symbol and soil name	Pct. of map unit	ENG - Dwellings W/O Basements		ENG - Dwellings With Basements		ENG - Septic Tank Absorption Fields (DE)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
IgA—Ingleside sandy loam, 0 to 2 percent slopes							
Ingleside	75	Not limited		Somewhat limited		Very limited	
				Depth to saturated zone	0.73	Depth to saturated zone	1.00
						Restricted permeability	1.00
W—Water							
Water	100	Not rated		Not rated		Not rated	

## Data Source Information

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018

## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

*Prime farmland* is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.



*Unique farmland* is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

## Report—Prime and other Important Farmlands

Prime and other Important Farmlands—Sussex County, Delaware		
Map Symbol	Map Unit Name	Farmland Classification
IgA	Ingleside sandy loam, 0 to 2 percent slopes	All areas are prime farmland
W	Water	Not prime farmland

## Data Source Information

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 19, Sep 14, 2018

# SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

## SOILS:

IgA Ingleside sandy loam, 0 to 2 percent slopes

- A. SUITABILITY OF SOILS INTENDED USE:  
See attached table for suitability.
- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
  - 1. DURING CONSTRUCTION:  
Follow recommended erosion and sediment control practices.
  - 2. AFTER CONSTRUCTION:  
Maintain vegetation.
- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):  
See attached table(s) for ratings.
- D. ADDITIONAL COMMENTS (IF APPLICABLE):

# DRAINAGE AND FLOODING

Add any additional information that may be considered pertinent:

## DRAINAGE:

- A. Any Storm flood hazard area affected? ☐ Yes ☒ No
- B. Would the proposed project necessitate any off-site drainage improvements?  
*NOT LIKELY*
- C. Would the proposed project necessitate any on-site drainage improvements?  
*NOT LIKELY*
- D. Any Tax Ditch affected? ☐ Yes ☒ No

Additional Comments (if applicable)

All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.







## PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN  
KIM HOEY STEVENSON, VICE-CHAIRMAN  
R. KELLER HOPKINS  
J. BRUCE MEARS  
HOLLY J. WINGATE



## Sussex County

DELAWARE  
sussexcountyde.gov  
302-855-7878 T  
302-854-5079 F  
JANELLE CORNWELL, AICP  
DIRECTOR

### PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date August 22, 2019

Application: CU 2184 Linda Ann Yupco-Connors

Applicant/Owner: Linda Ann Yupco-Connors  
32312 Jimtown Rd.  
Lewes, DE 19958

Site Location: 32260 Jimtown Road, Lewes. West side of Jimtown Road, approximately 0.32 mile south of Beaver Dam Road.

Current Zoning: GR (General Residential District)

Proposed Use: Equipment Storage

Comprehensive Land Use Plan Reference: Coastal Area

Councilmatic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Private, On-Site

Water: Private, On-Site

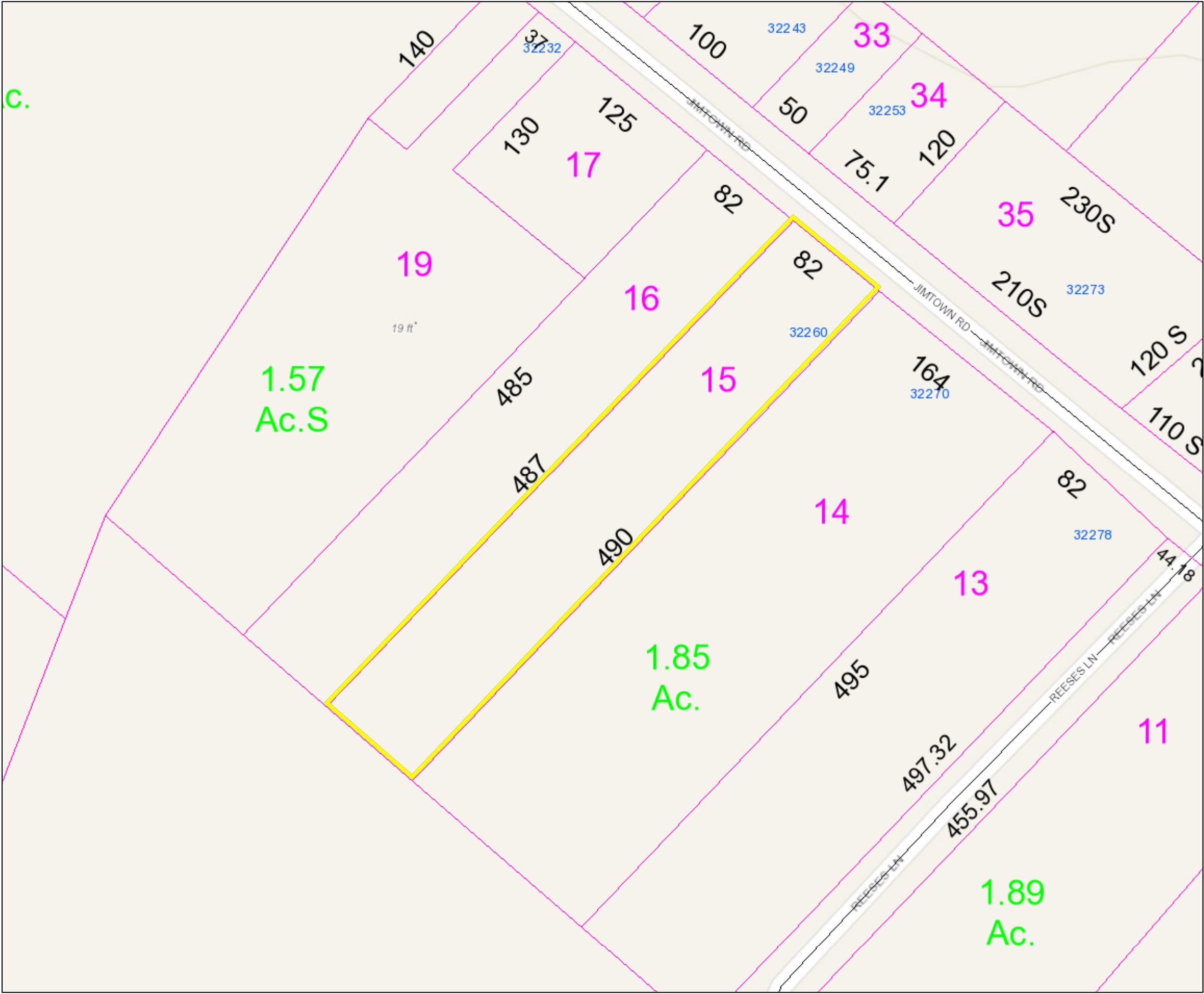
Site Area: 0.91 ac. +/-

Tax Map ID.: 334-11.00-15.00





Sussex County



PIN:	334-11.00-15.00
Owner Name	YUPCO-CONNORS LINDA ANN
Book	3629
Mailing Address	6 CRIPPLE CREEK RUN
City	MILTON
State	DE
Description	SW/RD 285A
Description 2	N/A
Description 3	N/A
Land Code	

polygonLayer

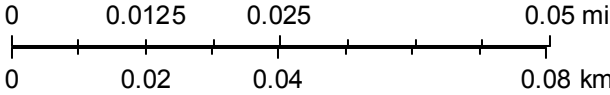
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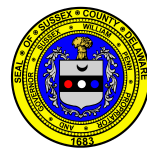
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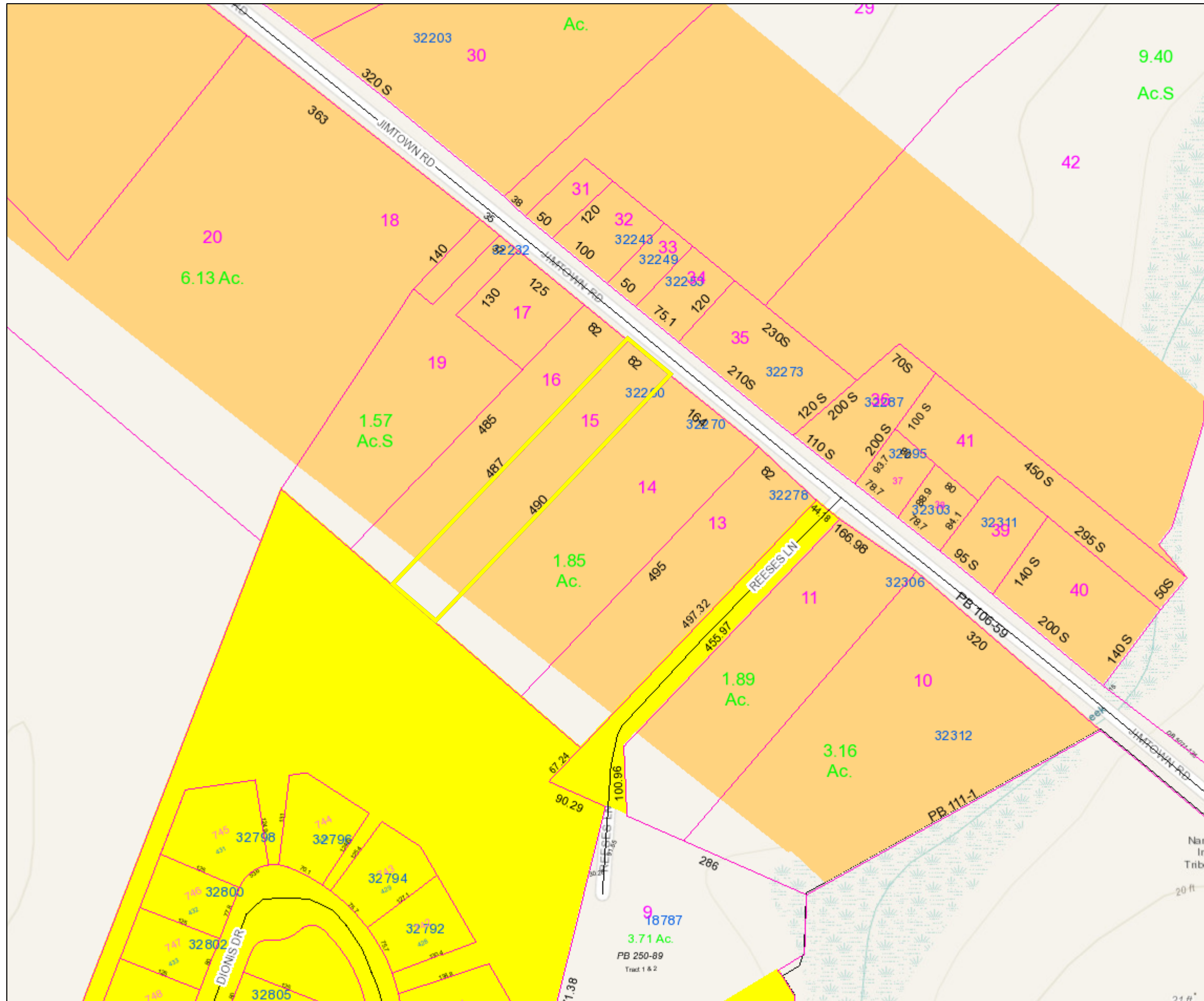
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

1:1,128





# Sussex County



<b>PIN:</b>	334-11.00-15.00
<b>Owner Name</b>	YUPCO-CONNORS LINDA ANN
<b>Book</b>	3629
<b>Mailing Address</b>	6 CRIPPLE CREEK RUN
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	SW/RD 285A
<b>Description 2</b>	N/A
<b>Description 3</b>	N/A
<b>Land Code</b>	

## polygonLayer

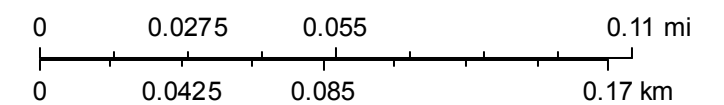
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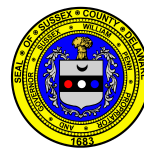
Override 1

- Tax Parcels
- 911 Address
- Streets

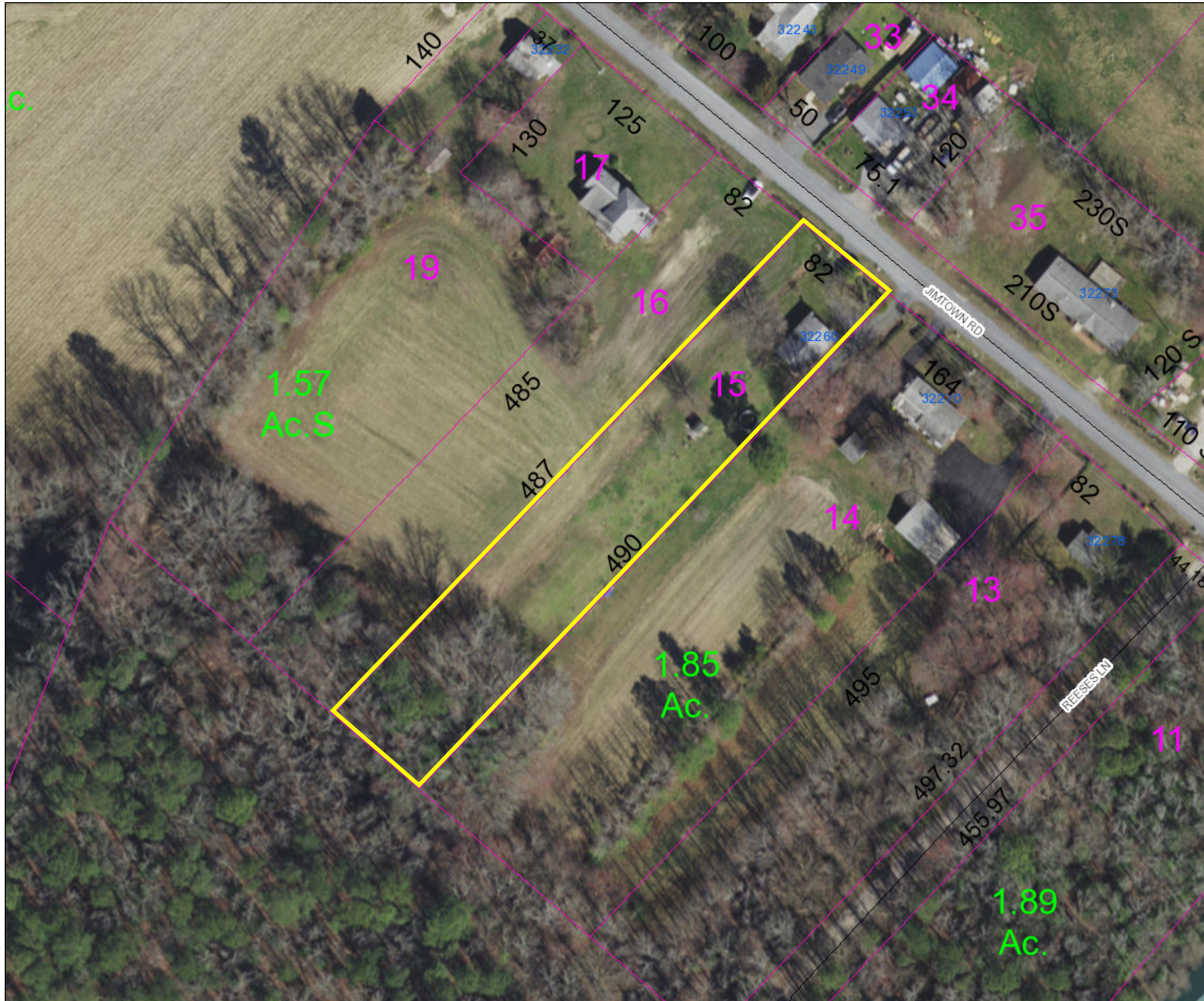
1:2,257







# Sussex County



<b>PIN:</b>	334-11.00-15.00
<b>Owner Name</b>	YUPCO-CONNORS LINDA ANN
<b>Book</b>	3629
<b>Mailing Address</b>	6 CRIPPLE CREEK RUN
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	SW/RD 285A
<b>Description 2</b>	N/A
<b>Description 3</b>	N/A
<b>Land Code</b>	


## polygonLayer


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## polygonLayer

Override 1

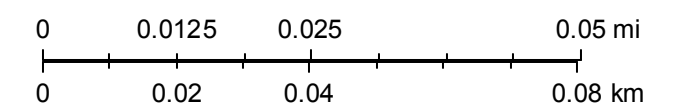
 Tax Parcels

 911 Address

 Streets

 County Boundaries

1:1,128





## PLANNING & ZONING

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



# Sussex County

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members

From: Samantha Bulkilvish, Planner I

CC: Vince Robertson, Assistant County Attorney and applicant

Date: August 15, 2019

RE: Staff Analysis for CU 2184 Linda Ann Yupco-Connors

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2184 Linda Ann Yupco-Connors to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 334-11.00-15.00 to allow for Equipment Storage to be located at 32260 Jimtown Rd. The size of the property is 0.91 ac. +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designation Coastal Area.

The surrounding land use to the north, south, east and west, are Coastal Area. The Coastal Area land use designation recognizes that “a range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas.”

The property is zoned GR (General Residential District). The properties to the north, south, and east are zoned GR (General Residential District). The property to the west is zoned MR (Medium Residential District). There are no known active Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use for equipment storage could be considered consistent with the land use and area zoning however it may not be consistent with the surrounding uses.





STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. BOX 778  
DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

April 24, 2019

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Linda Ann Yupco-Connors** conditional use application, which we received on March 28, 2019. This application is for a 0.92-acre parcel (Tax Parcel: 334-11.00-15.00). The subject land is located on the southwest side of Jimtown Road (Sussex Road 285A), approximately 1/3 mile southeast of the intersection Beaver Dam Road (Sussex Road 285) and Jimtown Road. The subject land is currently zoned GR (General Residential), and the applicant is seeking a conditional use approval to utilize the site for office space and/or storage.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Jimtown Road where the subject land is located is 601 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

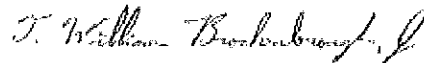


Ms. Janelle M. Cornwell  
Page 2 of 2  
April 24, 2019

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Linda Ann Yupco-Connors, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and Operations  
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination



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P.O. BOX 778  
DOVER, DELAWARE 19903

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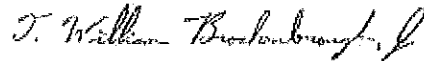


Ms. Janelle M. Cornwell  
Page 2 of 2  
April 24, 2019

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Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

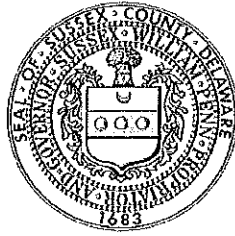
TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Linda Ann Yupco-Connors, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
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Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

**PLANNING & ZONING**

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



**Sussex County**

DELAWARE  
sussexcountyde.gov

**Service Level Evaluation Request Form**

This form shall be submitted to the Planning and Zoning Office and a response shall be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 3/28/19

**Site Information:**

Site Address/Location: 32260 Jimtown Road, Lewes, DE 19958

Tax Parcel Number: 334-11.00-15.00

Current Zoning: GR

Proposed Zoning: GR CU

Land Use Classification: Single Family

Proposed Use(s): Office/Storage

Square footage of any proposed buildings or number of units: N/A

**Applicant Information:**

Applicant's Name: Linda Ann Yupco-Connors

Applicant's Address: 32312 Jimtown Road

City: Lewes

State: DE

Zip Code: 19958

Applicant's Phone Number: (302) 249-0578

Applicant's e-mail address: kts@kerchergroup.com (Kevin Smith)



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE 19947

SENT EMAIL 11:19  
MAIL BOX FULL 4/25

Last updated 7-27-18



**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING DIVISION**  
**C/U & C/Z COMMENTS**

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **7/31/2019**

APPLICATION: **CU 2184 Linda Ann Yupco-Connors**

APPLICANT: **Linda Ann Yupco-Connors**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **334-11.00-15.00**

LOCATION: **32260 Jimtown Road, Lewes. West side of Jimtown Road,  
approximately 0.32 mile south of Beaver Dam Road.**

NO. OF UNITS: **Equipment Storage**

GROSS  
ACREAGE: **0.91**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes ☐ No ☒
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 2**
- (3). Is wastewater capacity available for the project? **Yes, As Proposed** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **Christine Fletcher** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**

☒ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

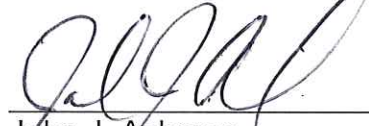
(7). Is project adjacent to the Unified Sewer District? **Yes**

(8). Comments: **The parcel has a sewer connection available, but not yet accepted by the Sussex County Engineering Department.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
Christine Fletcher



RECEIVED

AUG 21 2019

SUSSEX COUNTY  
PLANNING & ZONING

## MEMORANDUM

TO: Janelle M. Cornwell

FROM: Debbie Absher, Director of Ag Programs

SUBJECT: LUPA

DATE: August 21, 2019

Attached you will find the comments for the following proposed zoning changes:

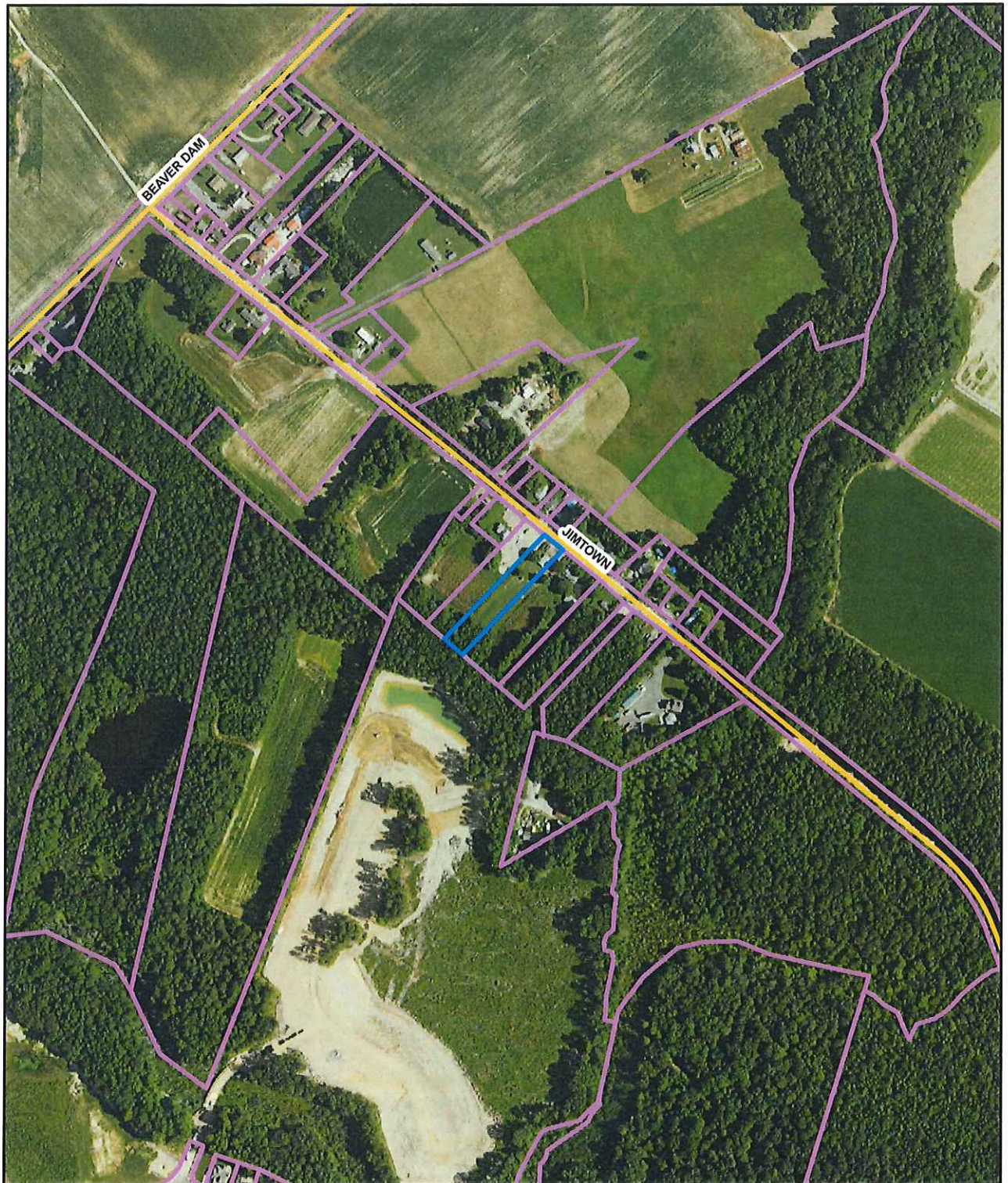
- CU 2183 – Brent & Lisa Hershey
- CU 2184 – Linda Ann Yupco-Connors
- CU 2185 – Vincent Kinack
- CU 2187 – Daniel Ostinvil

If you have any questions, I can be reached at 856-3990, ext. 3.

BJH

Enclosures





**CU 2184**

**TM #334-11.00-15.00**

**Linda Ann Yupco-Connors**



Soil Map—Sussex County, Delaware  
(Linda Ann Yupco-Connors)

































Soil Map may not be valid at this scale.

Map Scale: 1:7,920 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

## MAP LEGEND

<b>Area of Interest (AOI)</b>			Area of Interest (AOI)
<b>Soils</b>			Soil Map Unit Polygons
			Soil Map Unit Lines
			Soil Map Unit Points
<b>Special Point Features</b>			Blowout
			Borrow Pit
			Clay Spot
			Closed Depression
			Gravel Pit
			Gravelly Spot
			Landfill
			Lava Flow
			Marsh or swamp
			Mine or Quarry
			Miscellaneous Water
			Perennial Water
			Rock Outcrop
			Saline Spot
			Sandy Spot
			Severely Eroded Spot
			Sinkhole
			Slide or Slip
			Sodic Spot
<b>Water Features</b>			Streams and Canals
<b>Transportation</b>			Rails
			Interstate Highways
			US Routes
			Major Roads
			Local Roads
<b>Background</b>			Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	0.6	74.2%
LO	Longmarsh and Indiantown soils, frequently flooded	0.2	25.8%
<b>Totals for Area of Interest</b>		<b>0.8</b>	<b>100.0%</b>



## Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

## Report—Selected Soil Interpretations

Selected Soil Interpretations--Sussex County, Delaware							
Map symbol and soil name	Pct. of map unit	ENG - Dwellings W/O Basements		ENG - Dwellings With Basements		ENG - Septic Tank Absorption Fields (DE)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
DoA—Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area							
Downer	80	Not limited		Not limited		Very limited	
						Restricted permeability	0.99
LO—Longmarsh and Indiantown soils, frequently flooded							
Longmarsh	43	Very limited		Very limited		Very limited	
		Ponding	1.00	Ponding	1.00	Depth to saturated zone	1.00
		Flooding	1.00	Flooding	1.00	Ponding	1.00
		Depth to saturated zone	1.00	Depth to saturated zone	1.00	Flooding	1.00
						Restricted permeability	1.00
Indiantown	37	Very limited		Very limited		Very limited	
		Ponding	1.00	Ponding	1.00	Depth to saturated zone	1.00
		Flooding	1.00	Flooding	1.00	Ponding	1.00
		Depth to saturated zone	1.00	Depth to saturated zone	1.00	Flooding	1.00
		Organic matter content	1.00				

## **Data Source Information**

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018

## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

*Prime farmland* is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.



*Unique farmland* is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

## Report—Prime and other Important Farmlands

Prime and other Important Farmlands—Sussex County, Delaware		
Map Symbol	Map Unit Name	Farmland Classification
DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area	All areas are prime farmland
LO	Longmarsh and Indiantown soils, frequently flooded	Not prime farmland

## Data Source Information

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 19, Sep 14, 2018



# SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

## SOILS:

DoA Downer sandy loam, 0 to 2 percent slopes  
LO Longmarsh and Indiantown soils, frequently flooded

- A. SUITABILITY OF SOILS INTENDED USE:  
See attached table for suitability.
- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
  - 1. DURING CONSTRUCTION:  
Follow recommended erosion and sediment control practices.
  - 2. AFTER CONSTRUCTION:  
Maintain vegetation.
- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):  
See attached table(s) for ratings.
- D. ADDITIONAL COMMENTS (IF APPLICABLE):

## DRAINAGE AND FLOODING

Add any additional information that may be considered pertinent:

### DRAINAGE:

- A. Any Storm flood hazard area affected? ☐ Yes ☒ No
- B. Would the proposed project necessitate any off-site drainage improvements?  
*Not Likely*
- C. Would the proposed project necessitate any on-site drainage improvements?  
*Not Likely*
- D. Any Tax Ditch affected? ☐ Yes ☒ No

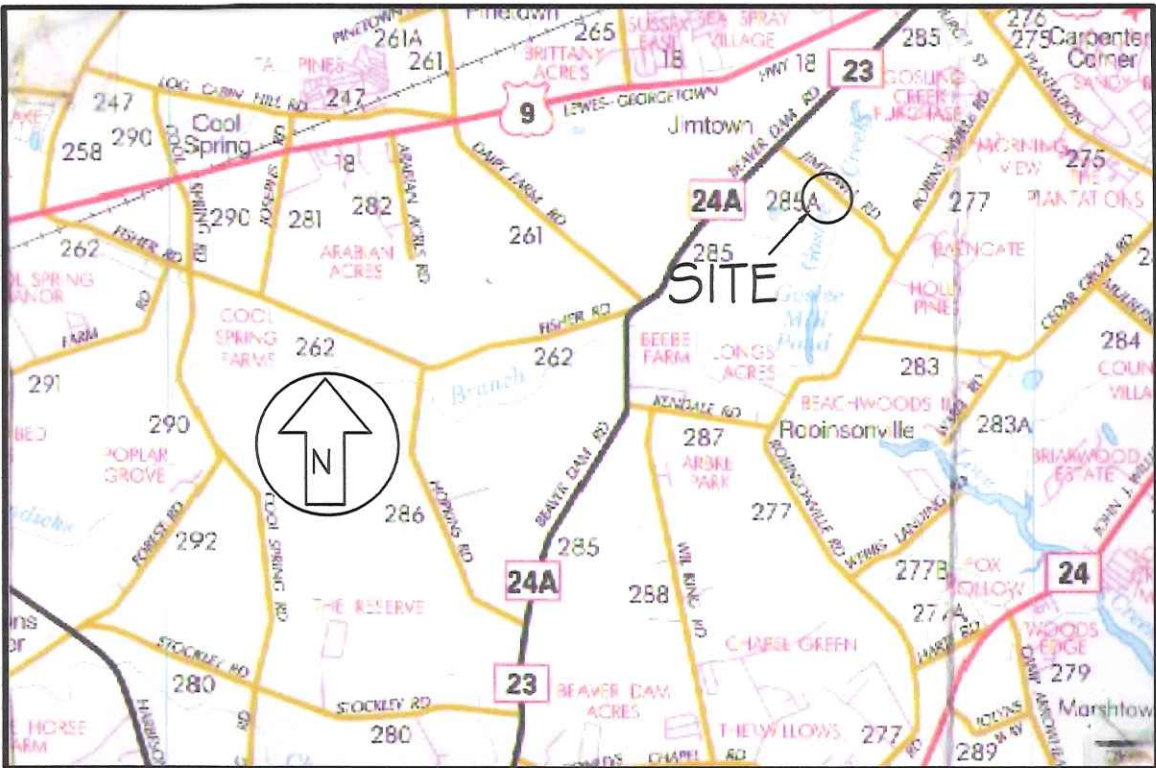
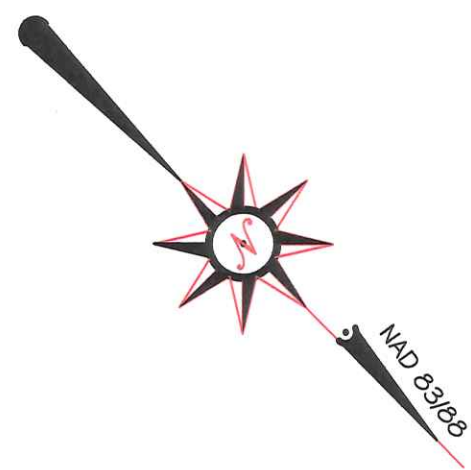
Additional Comments (if applicable)

All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.



LANDS N/F  
CC PHASE VII LLC  
DB 4675-84  
ZONING AR-1

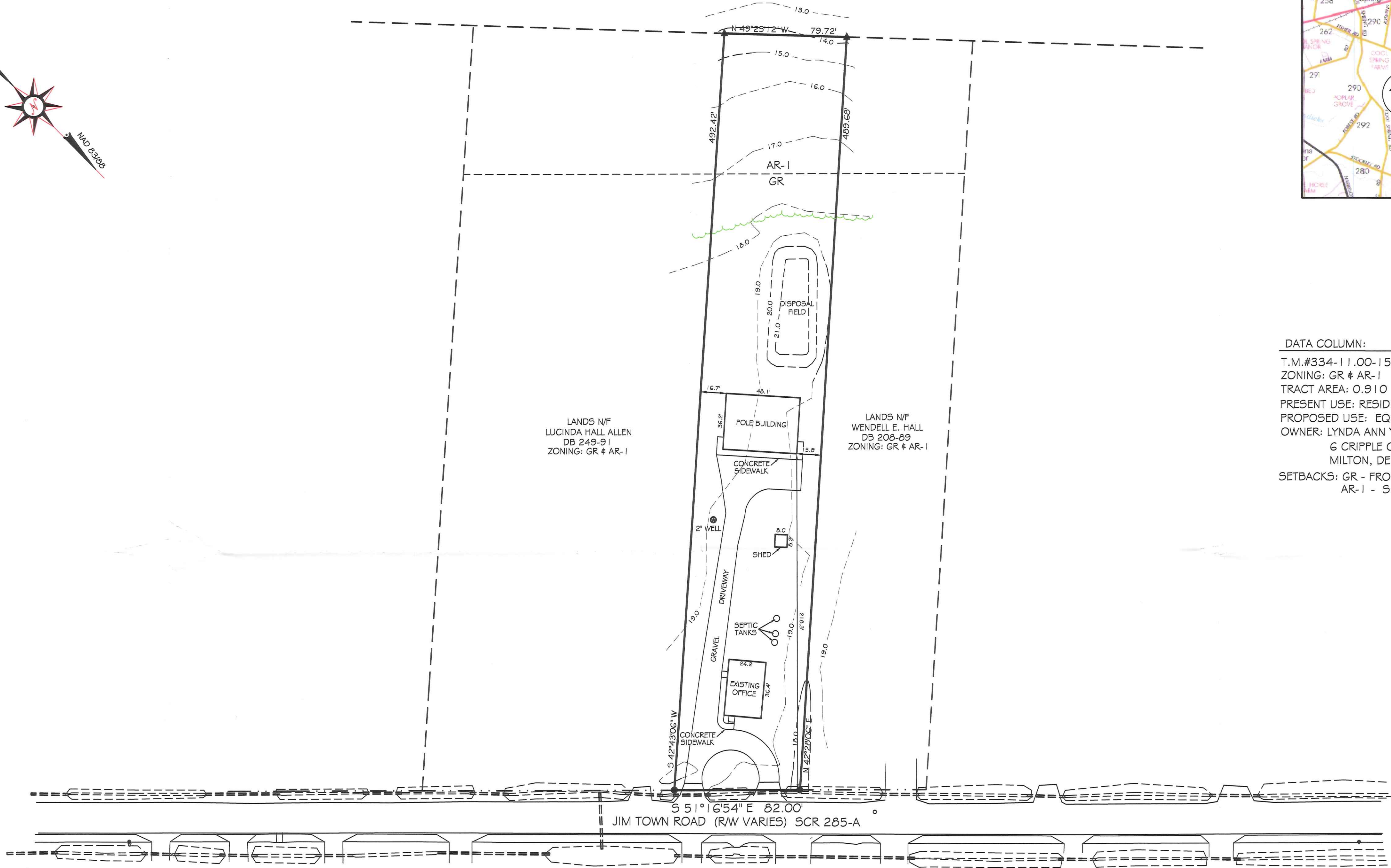
T. M. #334-11.00-15.00



VICINITY MAP  
SCALE 1"=1 MILE

DATA COLUMN:

T.M.#334-11.00-15.00  
ZONING: GR # AR-1  
TRACT AREA: 0.910 ACRES  
PRESENT USE: RESIDENTIAL  
PROPOSED USE: EQUIPMENT STORAGE  
OWNER: LYNDIA ANN YUPCO-CONNORS  
6 CRIPPLE CREEK RUN  
MILTON, DE 19968  
SETBACKS: GR - FRONT 40', SIDES 10'  
AR-1 - SIDES 15', REAR 20'



SITE PLAN FOR

LINDA ANN YUPCO-CONNORS

32260 JIM TOWN ROAD, LEWES, DE 19958

OWNERS CERTIFICATION:

I, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.

*Linda Ann Yupco-Connors*  
OWNER NAME

3/27/19  
DATE

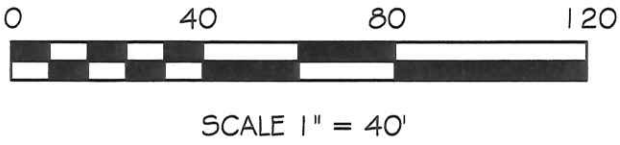
SURVEYORS CERTIFICATION:

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE. THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

*Donald K. Miller*  
3/27/19

- MONUMENTATION
- IRON PIPE (SET)
  - ▲ IRON ROD (FOUND)
  - POINT
  - ▽ FIRE HYDRANT

THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY.  
NO TITLE SEARCH PROVIDED OR STIPULATED.  
SURVEY CLASS: SUBURBAN



DATE	REVISION
3-20-19	LOCATION OF POLE SHED

**MILLER**  
**LEWIS, INC.**  
LAND SURVEYING

1560 MIDDLEFORD RD.  
SEAFORD, DELAWARE 19973  
PH: 302-629-9695 FAX: 302-629-2391



HUNDRED	COUNTY
LEWES & REHOBOTH	SUSSEX
STATE	DRAWN BY
DELAWARE	D.K. MILLER
REF.	FILE
DB 3629-119	CONNORS 3-34-11-45



## PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN  
KIM HOEY STEVENSON, VICE-CHAIRMAN  
R. KELLER HOPKINS  
J. BRUCE MEARS  
HOLLY J. WINGATE



## Sussex County

DELAWARE  
sussexcountyde.gov  
302-855-7878 T  
302-854-5079 F  
JANELLE CORNWELL, AICP  
DIRECTOR

### PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date August 22, 2019

Application: CU 2185 Vincent Kinack

Applicant/Owner: Vincent Kinack  
21167 Short Rd.  
Harbeson, DE 19951

Site Location: 21167 Short Rd., Harbeson. Northeast corner of Short Rd. and Anderson Corner Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Multi-Family (2 Units)

Comprehensive Land Use Plan Reference: Low Density Area

Councilmatic District: Mr. Burton

School District: Indian River School District

Fire District: Milton Fire District

Sewer: Private, On-Site

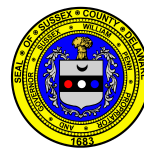
Water: Private, On-Site

Site Area: 3.4516 ac. +/-

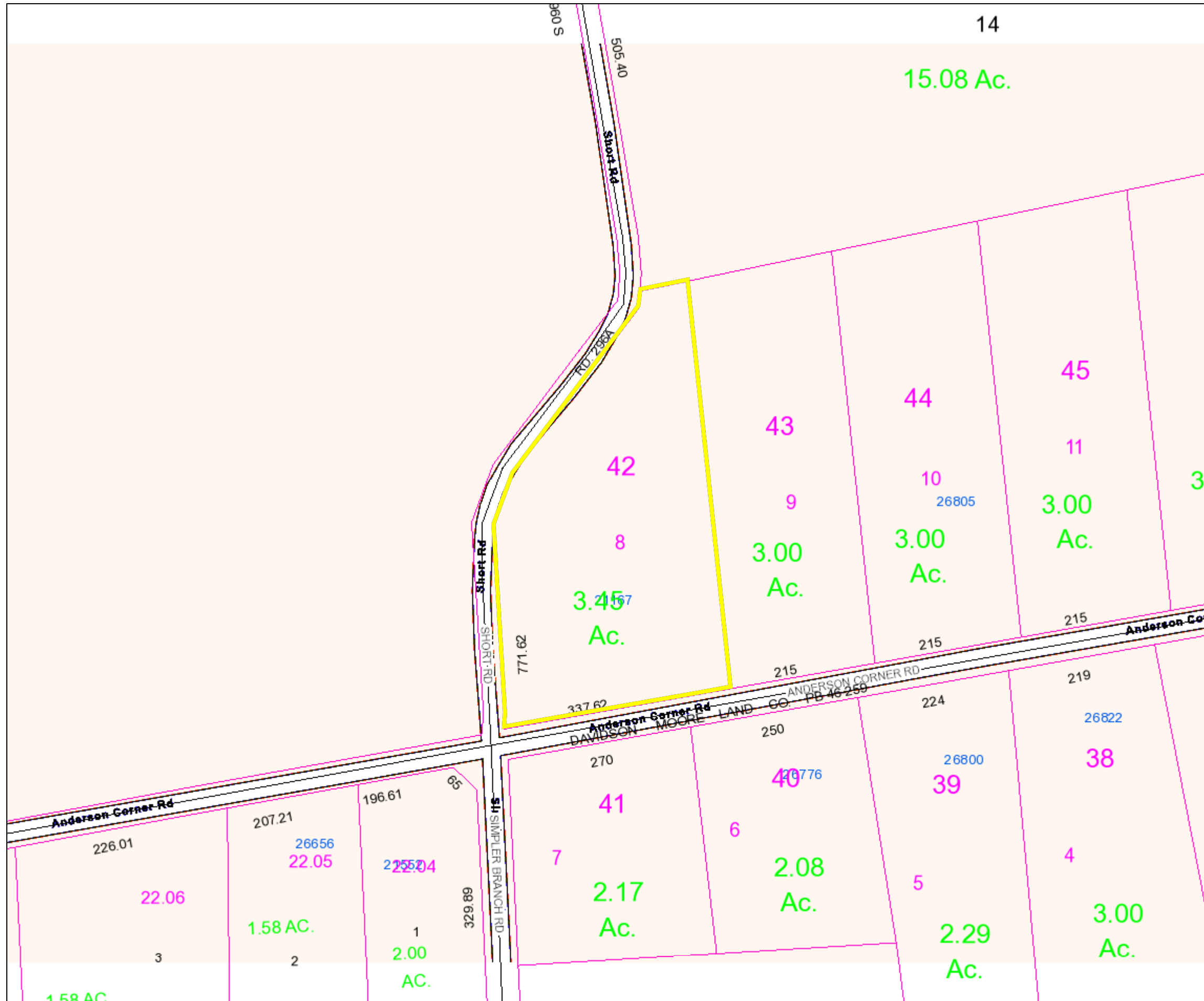
Tax Map ID.: 234-4.00-42.00





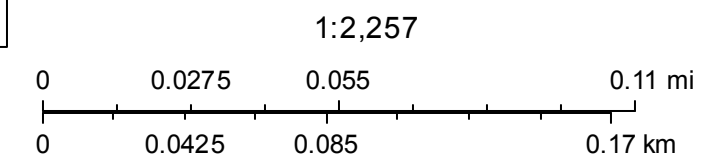


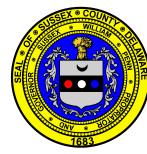
# Sussex County



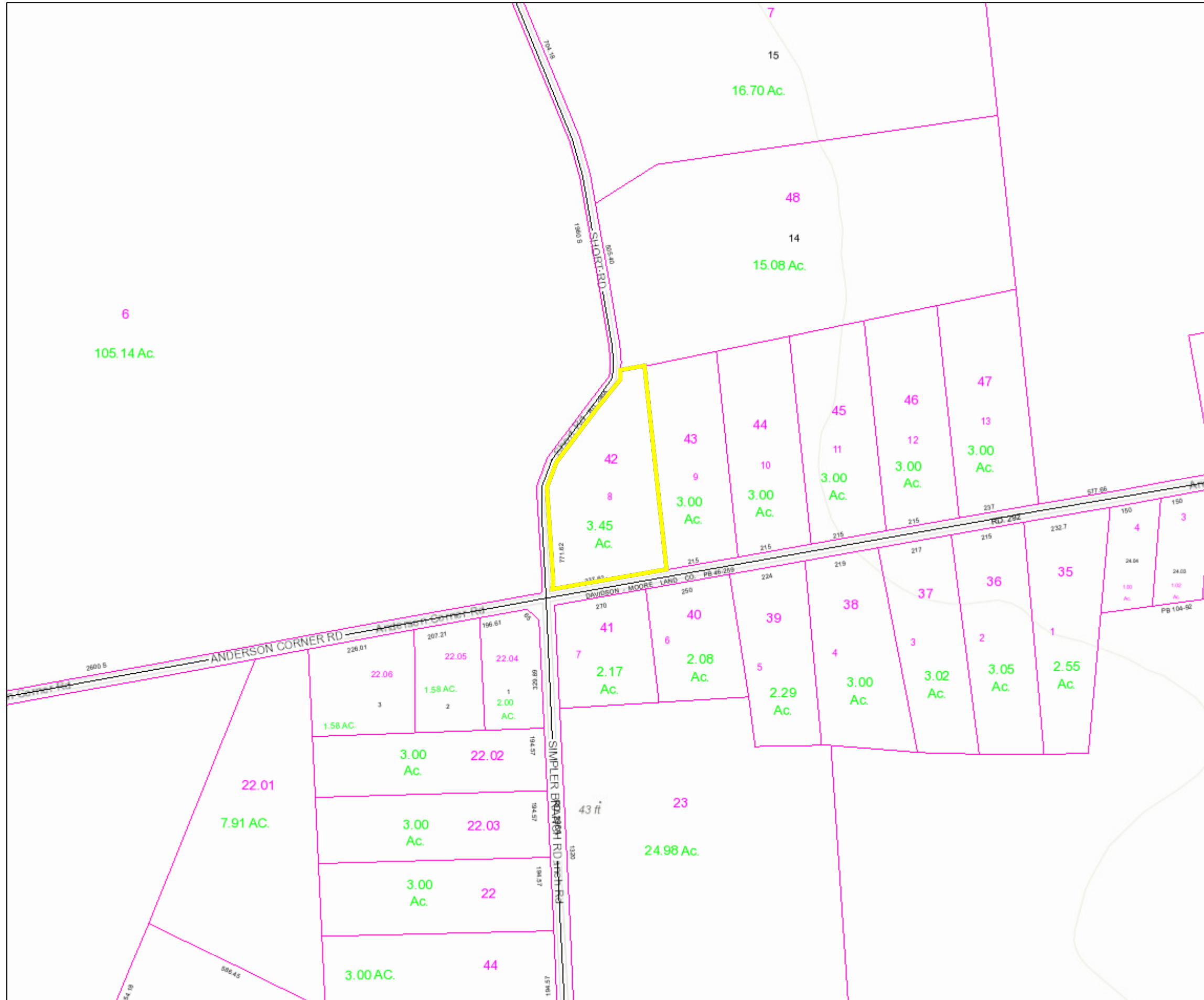
<b>PIN:</b>	234-4.00-42.00
<b>Owner Name</b>	KINACK VINCENT S KATHLEEN
<b>Book</b>	2267
<b>Mailing Address</b>	21167 SHORT RD
<b>City</b>	HARBESON
<b>State</b>	DE
<b>Description</b>	N/RT 292
<b>Description 2</b>	LOT 8
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer  
Override 1
- polygonLayer  
Override 1
- Tax Parcels
  - 911 Address
  - Streets
  - County Boundaries





# Sussex County



<b>PIN:</b>	234-4.00-42.00
<b>Owner Name</b>	KINACK VINCENT S KATHLEEN
<b>Book</b>	2267
<b>Mailing Address</b>	21167 SHORT RD
<b>City</b>	HARBESON
<b>State</b>	DE
<b>Description</b>	N/RT 292
<b>Description 2</b>	LOT 8
<b>Description 3</b>	N/A
<b>Land Code</b>	

**polygonLayer**  
Override 1

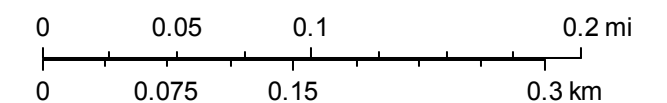
**polygonLayer**  
Override 1

Tax Parcels  
 Streets

**Zoning**

- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- General Commercial - C-1
- Commercial Residential - CR-1
- Marine - M
- Limited Industrial - LI-1
- Limited Industrial - LI-2
- Heavy Industrial - HI-1

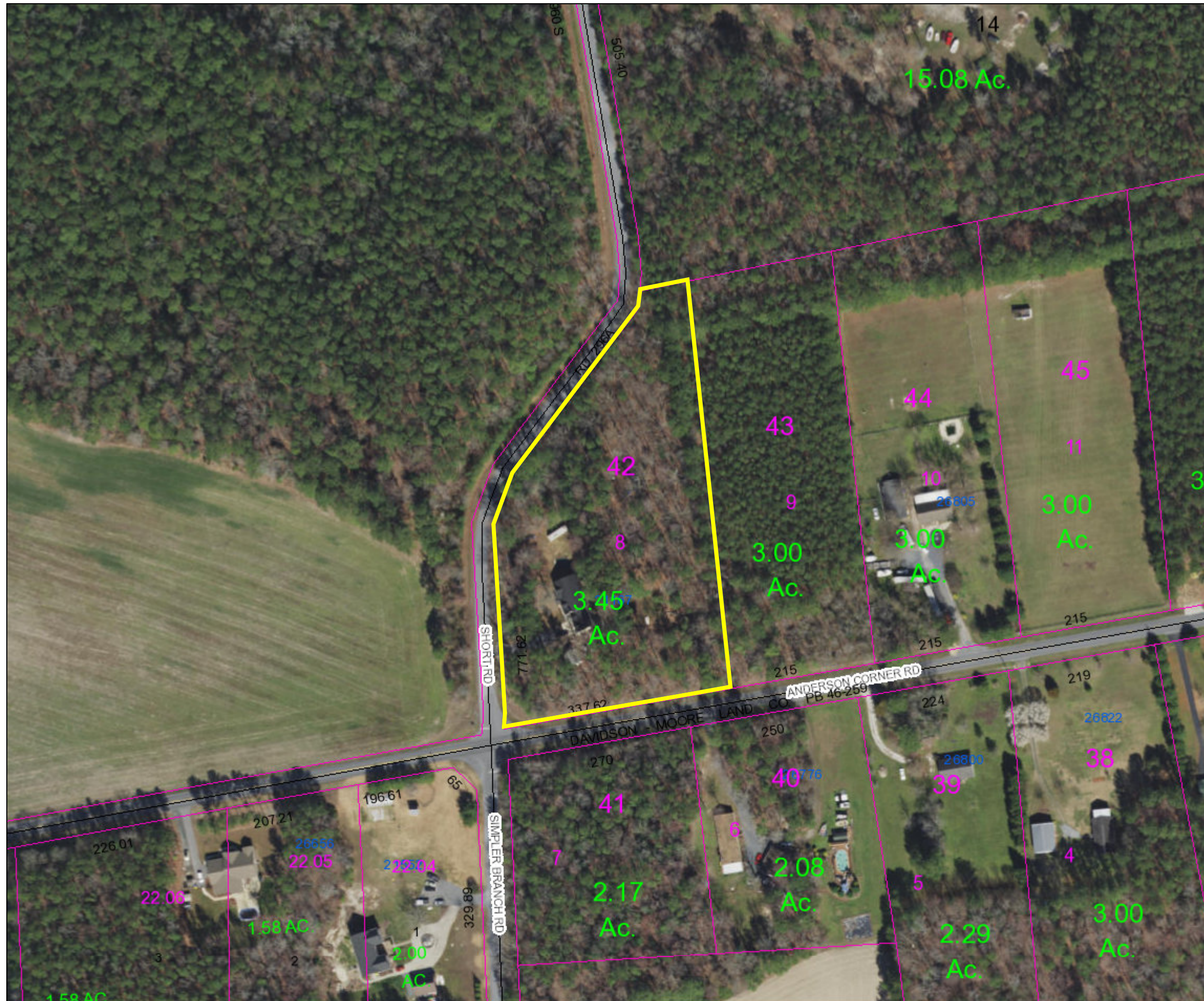
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# Sussex County





<b>PIN:</b>	234-4.00-42.00
<b>Owner Name</b>	KINACK VINCENT S KATHLEEN
<b>Book</b>	2267
<b>Mailing Address</b>	21167 SHORT RD
<b>City</b>	HARBESON
<b>State</b>	DE
<b>Description</b>	N/RT 292
<b>Description 2</b>	LOT 8
<b>Description 3</b>	N/A
<b>Land Code</b>	

## polygonLayer

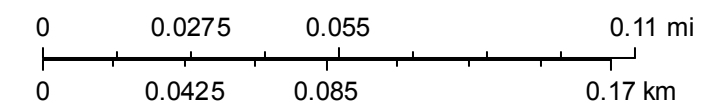
Override 1

## polygonLayer

Override 1

-  Tax Parcels
-  911 Address
-  Streets
-  County Boundaries

1:2,257





## PLANNING & ZONING

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



# Sussex County

DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Planning Commission Members

From: Lauren DeVore, Planner III

CC: Vince Robertson, Assistant County Attorney and applicant

Date: August 15, 2019

RE: Staff Analysis for CU 2185 Vincent Kinack

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2185 Vincent Kinack to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 234-4.00-42.00 to allow for multi-family (2 units) to be located at 21167 Short Road in Harbeson. The size of the property is 3.4516 ac. +/-.

The 2018/2019 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. Also included as part of the Comprehensive Plan is the Future Land Use Map to help determine how land should be zoned and to ensure responsible future development. The Future Land Use Map indicates that the subject parcel is located in a Low-Density Area.

All surrounding land uses to the north, south, east and west are designated Low Density Areas. The Low-Density Area land use designation recognizes that the primary uses are agricultural and residential uses. Business uses should address the needs of the agricultural and residential uses. Commercial uses should be limited in their size and scope.

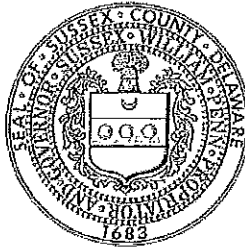
The property is zoned AR-1 (Agricultural Residential District). The properties to the north, south east and west are zoned AR-1 (Agricultural Residential District). There is a small portion of land to the east zoned GR (General Residential District). There are two Conditional Uses near the project location: CU 2173 for a catering business to the east and CU 1980 for a used car sales facility to the north.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for multi-family (2 units) may not be considered consistent with the land use, area zoning and uses.





**PLANNING & ZONING**  
JANELLE M. CORNWELL, AICP  
DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date:

4/11/19

### Site Information:

Site Address/Location: 21167 Short Rd Harbeson 19951

Tax Parcel Number: 234-4.00-.42.00

Current Zoning: AR-1

Proposed Zoning: AR-1

Land Use Classification: Single Delling - Home

Proposed Use(s):

2 multi family units 3500 sq ft

Square footage of any proposed buildings or number of units: 2 units

### Applicant Information:

Applicant's Name: Vincent Kinack (KINACK)

Applicant's Address: 21167 Short Rd

City: Harbeson State: De Zip Code: 19951

Applicant's Phone Number: 302 359 2626

Applicant's e-mail address: NA

MADE CONTACT  
3:32  
5/8/2019





STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. Box 778  
DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

May 6, 2019

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Vincent Kinack** conditional use application, which we received on April 11, 2019. This application is for a 3.45-acre parcel (Tax Parcel: 234-4.00-42.00). The subject land is located on the northeast corner of the intersection of Short Road (Sussex Road 296A) and Anderson Corner Road (Sussex Road 292). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to develop two multi-family houses.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Short Road where the subject land is located, which is from Johnson Road (Sussex Road 47) to Rust Road (Sussex Road 292A), is 181 vehicles per day. As the subject land also has frontage along Anderson Corner Road, the average annual daily traffic volume along that road segment, which is from Johnson Road to Delaware Route 5, is 1,062 vehicles per day.

Based on our review, we estimate that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

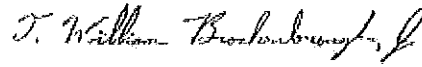
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell  
Page 2 of 2  
May 6, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Vincent Kinack, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and  
Operations  
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination

**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING DIVISION**  
**C/U & C/Z COMMENTS**

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **7/31/2019**

APPLICATION: **CU 2185 Vincent Kinack**

APPLICANT: **Vincent Kinack**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **234-4.00-42.00**

LOCATION: **21167 Short Road, Harbeson. Northeast corner of Short Road  
and Anderson Corner Road**

NO. OF UNITS: **Multi-family (2 units)**

GROSS  
ACREAGE: **3.4516**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes ☐

No ☒

- a. If yes, see question (2).  
b. If no, see question (7).

- (2). Which County Tier Area is project in? **Tier 3**

- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

- (5). Are there any System Connection Charge (SCC) credits for the project? **N/A** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Click or tap to enter a fee** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.



(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

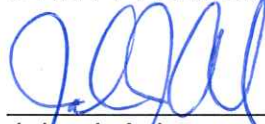
(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed CU is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



---

John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
No Permit Tech Assigned



RECEIVED

AUG 21 2019

SUSSEX COUNTY  
PLANNING & ZONING

## MEMORANDUM

TO: Janelle M. Cornwell

FROM: Debbie Absher, Director of Ag Programs

SUBJECT: LUPA

DATE: August 21, 2019

Attached you will find the comments for the following proposed zoning changes:

- CU 2183 – Brent & Lisa Hershey
- CU 2184 – Linda Ann Yupco-Connors
- CU 2185 – Vincent Kinack
- CU 2187 – Daniel Ostinvil

If you have any questions, I can be reached at 856-3990, ext. 3.

BJH

Enclosures





CU 2185  
TM #234-4.00-42.00  
Vincent Kinack



# Soil Map—Sussex County, Delaware (Vincent Kinack)



Map Scale: 1:7,920 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

















































































Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

8/12/2019  
Page 1 of 3

## MAP LEGEND

 Area of Interest (AOI)	 Area of Interest (AOI)	 Spoil Area
 Soils	 Soil Map Unit Polygons	 Stony Spot
	 Soil Map Unit Lines	 Very Stony Spot
	 Soil Map Unit Points	 Wet Spot
		 Other
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HmA	Hammonton loamy sand, 0 to 2 percent slopes	1.0	29.7%
HvA	Hurlock sandy loam, 0 to 2 percent slopes	2.4	70.3%
Totals for Area of Interest		3.4	100.0%



## Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

## Report—Selected Soil Interpretations

Selected Soil Interpretations—Sussex County, Delaware							
Map symbol and soil name	Pct. of map unit	ENG - Dwellings W/O Basements		ENG - Dwellings With Basements		ENG - Septic Tank Absorption Fields (DE)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
HmA—Hammonton loamy sand, 0 to 2 percent slopes							
Hammonton	80	Somewhat limited		Very limited		Very limited	
		Depth to saturated zone	0.39	Depth to saturated zone	1.00	Depth to saturated zone	1.00
HvA—Hurlock sandy loam, 0 to 2 percent slopes							
Hurlock, drained	42	Very limited		Very limited		Very limited	
		Ponding	1.00	Ponding	1.00	Depth to saturated zone	1.00
		Depth to saturated zone	1.00	Depth to saturated zone	1.00	Ponding	1.00
						Restricted permeability	1.00
Hurlock, undrained	38	Very limited		Very limited		Very limited	
		Ponding	1.00	Ponding	1.00	Depth to saturated zone	1.00
		Depth to saturated zone	1.00	Depth to saturated zone	1.00	Ponding	1.00
						Restricted permeability	1.00

## Data Source Information

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 19, Sep 14, 2018



## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

*Prime farmland* is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.



*Unique farmland* is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

## Report—Prime and other Important Farmlands

Prime and other Important Farmlands—Sussex County, Delaware		
Map Symbol	Map Unit Name	Farmland Classification
HmA	Hammonton loamy sand, 0 to 2 percent slopes	All areas are prime farmland
HvA	Hurlock sandy loam, 0 to 2 percent slopes	Farmland of statewide importance

## Data Source Information

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 19, Sep 14, 2018



# SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

## SOILS:

HmA Hammonton loamy sand, 0 to 2 percent slopes  
HvA Hurlock sandy loam, 0 to 2 percent slopes

- A. SUITABILITY OF SOILS INTENDED USE:  
See attached table for suitability.
- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
  - 1. DURING CONSTRUCTION:  
  
Follow recommended erosion and sediment control practices.
  - 2. AFTER CONSTRUCTION:  
  
Maintain vegetation.
- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):  
See attached table(s) for ratings.
- D. ADDITIONAL COMMENTS (IF APPLICABLE):

# DRAINAGE AND FLOODING

Add any additional information that may be considered pertinent:

## DRAINAGE:

- A. Any Storm flood hazard area affected? ☐ Yes ☒ No
- B. Would the proposed project necessitate any off-site drainage improvements?  
*Not Likely*
- C. Would the proposed project necessitate any on-site drainage improvements?  
*Possibly*
- D. Any Tax Ditch affected? ☐ Yes ☒ No

Additional Comments (if applicable)

All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.

LANDS OF OF  
WILMER J. & LILLIAN P. HUNTER.

LANDS OF OF  
GERALD E. HELLEUS & RAYMOND G. HELLEUS

LANDS OF OF  
ARTHUR H. BURROUGHS, HEIRS

THE MAP #2-34-4-7

LANDS OF OF  
MARK D. & LILLIAN M.  
WILSON



LANDS OF OF  
DAVIDSON-MOORE LAND CO., INC.

66.1584 ACRES

MAILED  
LEWIS, INC.

LAND	SUBJECTS	DELINE	DATE	BY	NO.
DAVIDSON-MOORE LAND CO., INC.	DAVIDSON-MOORE LAND CO., INC.	DAVIDSON-MOORE LAND CO., INC.	DAVIDSON-MOORE LAND CO., INC.	DAVIDSON-MOORE LAND CO., INC.	DAVIDSON-MOORE LAND CO., INC.

APPROVED  
GERALD E. HELLEUS &  
RAYMOND G. HELLEUS

NOTES:  
1. EVIDENCES TO BE STATED & A MINIMUM OF  
1/2" RETURNED TO THE SURVEYOR'S  
COURTESY REQUEST MUST BE OBTAINED  
BEFORE THE DISTRICT PERMIT SUPERVISOR  
FIELD TO CONSTRUCTION  
2. THIS PLAT SUPERSEDES PLAT RECORD NO.  
10784, PAGE 254.

DO NOT SIGN  
SUSSEX COUNTY  
92 SEP 10 PM 20 02  
RECORDED BY DEPT  
SUSSEX COUNTY

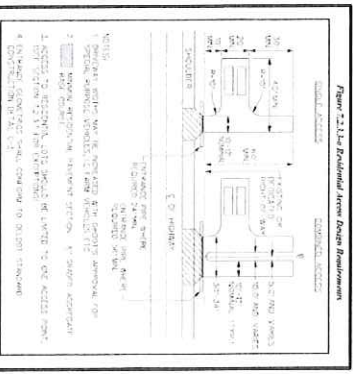


DATA COLUMN:

T.M.#234.4.00.42.00  
ZONING: AE-1  
TRACT AREA: 3.452 ACRES± (INCLUDING RESIDUAL AREA)  
EXISTING LOTS: 1  
PROPOSED LOTS: 2 NEW (3 TOTAL INCLUDING RESIDUAL LANDS)  
PRESENT USE: RESIDENTIAL  
PROPOSED USE: RESIDENTIAL  
ACCESS: S.C.R. #296A (SHORT RD.)  
ROADWAY CLASSIFICATION: LOCAL ROADWAY  
WATER AND SEWER: INDIVIDUAL ON-SITE  
100 YEAR FLOODPLAIN: SITE IS NOT IMPACTED  
AS PER FEMA #10005003.0 DATED 06/20/16  
THIS PROJECT IS NOT IN THE PROXIMITY OF A TID  
STEEP LIMIT ON SHORT RD. IS 50MPH (UNPOSTED)

NOTES:

1. IF THE RESIDUAL LANDS OF THE APPLICANT ARE EVER DEDICATED INTO A MAJOR SUBDIVISION, THEN THE ACCESS TO THE MAJOR SUBDIVISION SHALL BE REQUIRED TO BE FROM AN INTERNAL SUBDIVISION STREET.
2. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION (D.O.T.) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
3. THERE IS A FIFTY FOOT BUILDING SETBACK FROM LANDS USED FOR AGRICULTURAL PURPOSES.
4. LOTS 2A & 2B SHALL HAVE A COMBINED ACCESS TO S.C.R. #296A AS SHOWN ON THIS PLAN.
5. A 30 FOOT WIDE STRIP OF RIGHT-OF-WAY FROM THE CENTERLINE IS HEREBY DEDICATED TO THE STATE OF DELAWARE AS PER THIS PLAN IS FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.



1. SCHEDULE 40 WELDED STEEL PIPE IS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND WITHIN MY KNOWLEDGE AND BELIEF, AND THAT I AM A MEMBER OF THE PROFESSIONAL LAND SURVEYORS BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY COORDINATES, IMPROVEMENTS, DIMENSIONS OR PROPERTY LINE SHALL BE MADE BY A PROFESSIONAL LAND SURVEYOR. A NEW REVIEW AND CERTIFICATION FOR ANY CHANGES OR LEGAL USE.

*David M. Miller*  
DATE: 2/5/19  
TOWN OF MIDDLE RD. 200'

DATE	REVISION
1/3/2019	DEL. D.O.T. COMMENT

SCALE: 1" = 100'

OTHER THAN SHOWN, THIS SURVEY AND PLAN DOES NOT REPRESENT THE LOCATION OF ANY IMPROVEMENTS OR STRUCTURES ON THE LANDS HEREON OR HEREUNDER.

**MILLER LEWIS, INC.**  
LAND SURVEYING  
1560 MIDWINTER RD.  
STAFFORD, DELAWARE 19773  
PH: 302-629-9695 FAX: 302-629-2391

THINDED  
INDIAN RIVER  
COUNTY

STATE  
DELAWARE

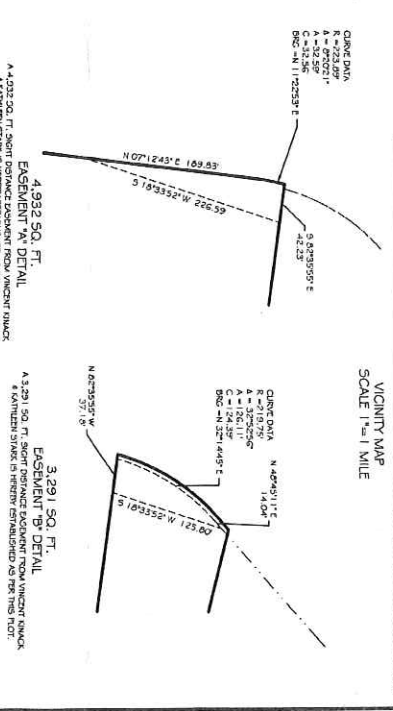
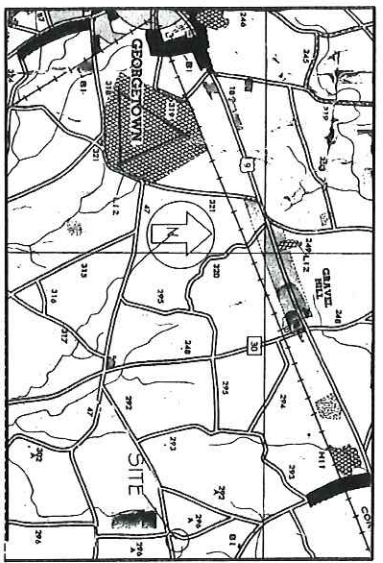
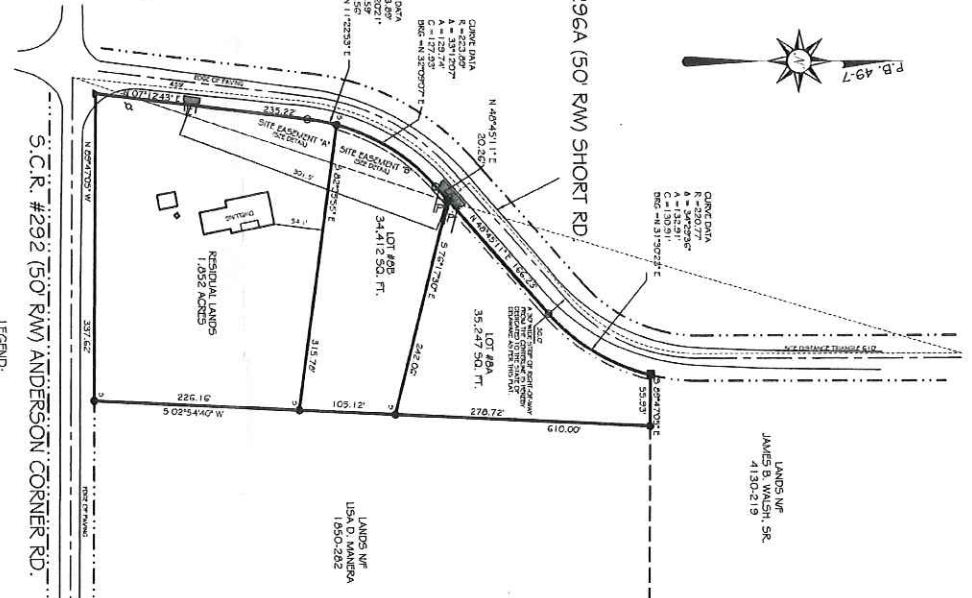
REF  
2267-336

TITLE  
KINACK 234-4-42.dwg

WE, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE LANDS SHOWN ON THE PLAN TO BE DESCRIBED ACCORDING TO LAW.

*Vincent Kinack & Kathleen Stark*  
DATE: 3/27/19  
APPROVED  
4/11/19  
STAFFORD COUNTY  
PLANNING & ZONING COMMISSION

MINOR SUBDIVISION PLAN FOR  
**VINCENT KINACK & KATHLEEN STARK**  
OWNER: VINCENT S. KINACK & KATHLEEN STARK  
21167 SHORT ROAD  
HARDERSON, DE. 19951



## PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN  
KIM HOEY STEVENSON, VICE-CHAIRMAN  
R. KELLER HOPKINS  
J. BRUCE MEARS  
HOLLY J. WINGATE



## Sussex County

DELAWARE  
sussexcountyde.gov  
302-855-7878 T  
302-854-5079 F  
JANELLE CORNWELL, AICP  
DIRECTOR

### PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date August 22, 2019

Application: CU 2187 Daniel Ostinvil

Applicant/Owner: Daniel Ostinvil  
528 Cooper St.  
Laurel, DE 19956

Site Location: 31016 N Poplar St., Laurel. Southwest corner of North Poplar St. and Old Sailor Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Motor Vehicle Sales

Comprehensive Land Use Plan Reference: Developing Area

Councilmatic District: Mr. Vincent

School District: Laurel School District

Fire District: Laurel Fire District

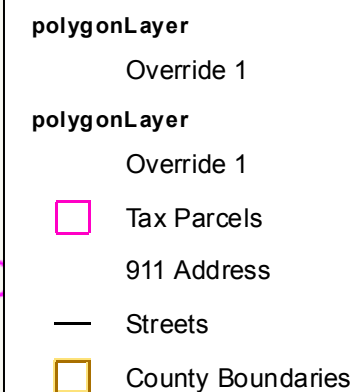
Sewer: Private, On-Site

Water: Private, On-Site

Site Area: 0.1657 ac. +/-

Tax Map ID.: 232-12.18-51.00

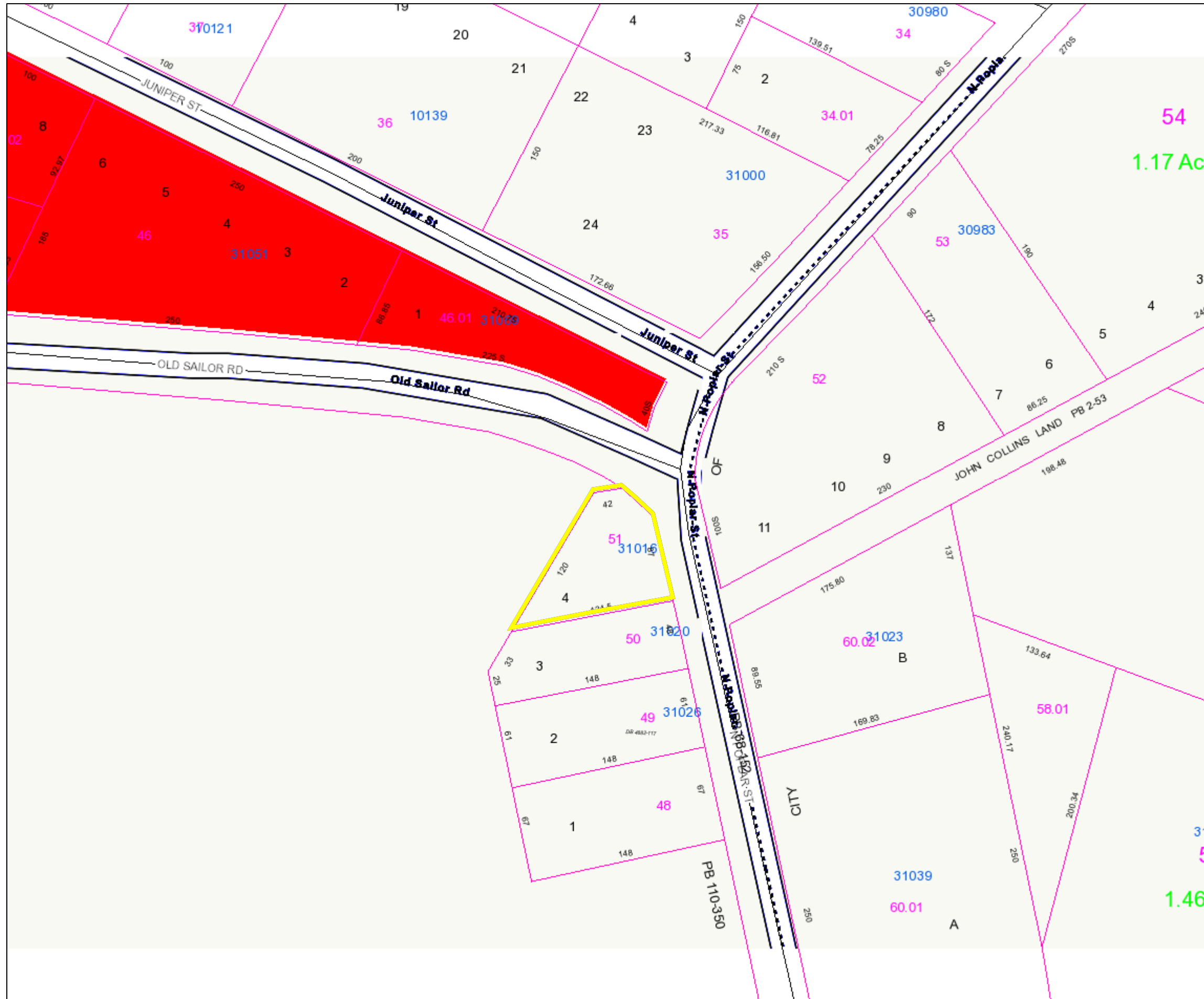








# Sussex County



<b>PIN:</b>	232-12.18-51.00
<b>Owner Name</b>	OSTINVIL DANIEL
<b>Book</b>	4971
<b>Mailing Address</b>	528 COOPER ST
<b>City</b>	LAUREL
<b>State</b>	DE
<b>Description</b>	W/POPLAR ST
<b>Description 2</b>	LOT 4
<b>Description 3</b>	N/A
<b>Land Code</b>	

**polygonLayer**  
Override 1

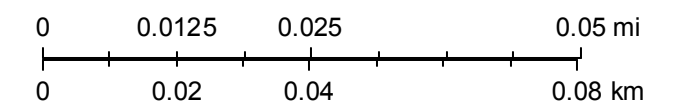
**polygonLayer**  
Override 1

Tax Parcels

911 Address

Streets

1:1,128







Sussex County







PIN:	232-12.18-51.00
Owner Name	OSTINVIL DANIEL
Book	4971
Mailing Address	528 COOPER ST
City	LAUREL
State	DE
Description	W/POPLAR ST
Description 2	LOT 4
Description 3	N/A
Land Code	

polygonLayer

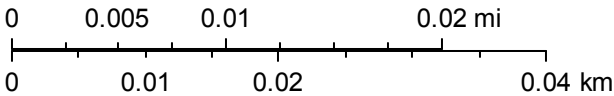
Override 1

polygonLayer

Override 1

-  Tax Parcels
-  911 Address
-  Streets
-  County Boundaries

1:564





## PLANNING & ZONING

JANELLE M. CORNWELL, AICP  
DIRECTOR

(302) 855-7878 T  
(302) 854-5079 F



# Sussex County

DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Planning Commission Members

From: Christin Headley, Planning Technician

CC: Vince Robertson, Assistant County Attorney and applicant

Date: August 15, 2019

RE: Staff Analysis for CU 2187 Daniel Ostinvil

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2187 Daniel Ostinvil to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 232-12.18-51.00 to allow for car sales to be located at 31016 N. Poplar St. The size of the property is 0.1657 ac. +/-.

The 2018/2019 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map indicates that the property had the land use designation Developing Area.

The surrounding land use to the north, south, and west is Developing Area. The surrounding land to the east is within the town of Laurel. The Developing Areas land use designation recognizes that “a range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home.”

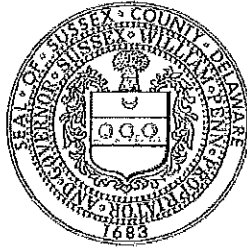
The property is zoned AR-1 (Agricultural Residential District). The properties to the north are zoned C-1 (General Commercial District) and AR-1 (Agricultural Residential District). The properties to the east are within the town limits of Laurel. The properties to the south and west are zoned AR-1 (Agricultural Residential District). There are no known Conditional Use in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for car sales could be considered consistent with the land use, area zoning and uses.





**PLANNING & ZONING**  
JANELLE M. CORNWELL, AICP  
DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Service Level Evaluation Request Form

This form shall be submitted to the Planning and Zoning Office and a response shall be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 04/03/19

### Site Information:

Site Address/Location: 31016 N Poplar St, Laurel DE 19956

Tax Parcel Number: 232-12.18-51.00

Current Zoning: AR1

Proposed Zoning: CU

Land Use Classification: \_\_\_\_\_

Proposed Use(s):

Car Sale

Square footage of any proposed buildings or number of units: N/A

### Applicant Information:

Applicant's Name: Danie I Ostinville

Applicant's Address: 528 Cooper St  
City: Laurel State: DE Zip Code: 19956

Applicant's Phone Number: 302-670-5498

Applicant's e-mail address: dostinville@gmail.com





STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. Box 778  
DOVER, DELAWARE 19903

JENNIFER COHAN  
SECRETARY

May 2, 2019

Ms. Janelle Cornwell, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Daniel Ostinvil** conditional use application, which we received on April 3, 2019. This application is for a 0.18-acre of parcel (Tax Parcel: 232-12.18-51.00). The subject land is located on the northwest corner of the intersection of East Poplar Street (Sussex Road 28A) and Old Sailor Road (Sussex Road 78A). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to operate a car sales business.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of East Poplar Street where the subject land is located, which is from Laurel limits to Seaford Road (Sussex Road 17), is 3,178 vehicles per day. As the subject land also has frontage along Old Sailor Road, the annual average daily traffic volume along that road segment is 157 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

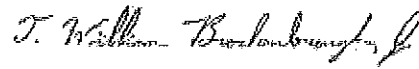
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell  
Page 2 of 2  
May 2, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues  
Daniel Ostinvil, Applicant  
J. Marc Coté, Assistant Director, Development Coordination  
Gemez Norwood, South District Public Works Manager, Maintenance and Operations  
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination



**SUSSEX COUNTY ENGINEERING DEPARTMENT**  
**UTILITY PLANNING DIVISION**  
**C/U & C/Z COMMENTS**

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **7/31/2019**

APPLICATION: **CU 2187 Daniel Ostinvil**

APPLICANT: **Daniel Ostinvil**

FILE NO: **SPS-5.04**

TAX MAP &  
PARCEL(S): **232-12.18-51.00**

LOCATION: **31016 N. Poplar Street, Laurel. Southwest corner of North  
Poplar Street and Old Sailor Road**

NO. OF UNITS: **Motor Vehicle Sales**

GROSS  
ACREAGE: **0.1657**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes ☐ No ☒
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Municipal Growth & annexation Area**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **N/A** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Click or tap to enter a fee** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**

☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **No**

(8). Comments: **The proposed CU is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service. The proposed CU is in the Growth & Annexation of the Town of Laurel.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **No**

UTILITY PLANNING APPROVAL:



John J. Ashman  
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.  
Jayne Dickerson  
No Permit Tech Assigned



RECEIVED

AUG 21 2019

SUSSEX COUNTY  
PLANNING & ZONING

## MEMORANDUM

TO: Janelle M. Cornwell

FROM: Debbie Absher, Director of Ag Programs

SUBJECT: LUPA

DATE: August 21, 2019

Attached you will find the comments for the following proposed zoning changes:

- CU 2183 – Brent & Lisa Hershey
- CU 2184 – Linda Ann Yupco-Connors
- CU 2185 – Vincent Kinack
- CU 2187 – Daniel Ostinvil

If you have any questions, I can be reached at 856-3990, ext. 3.

BJH

Enclosures

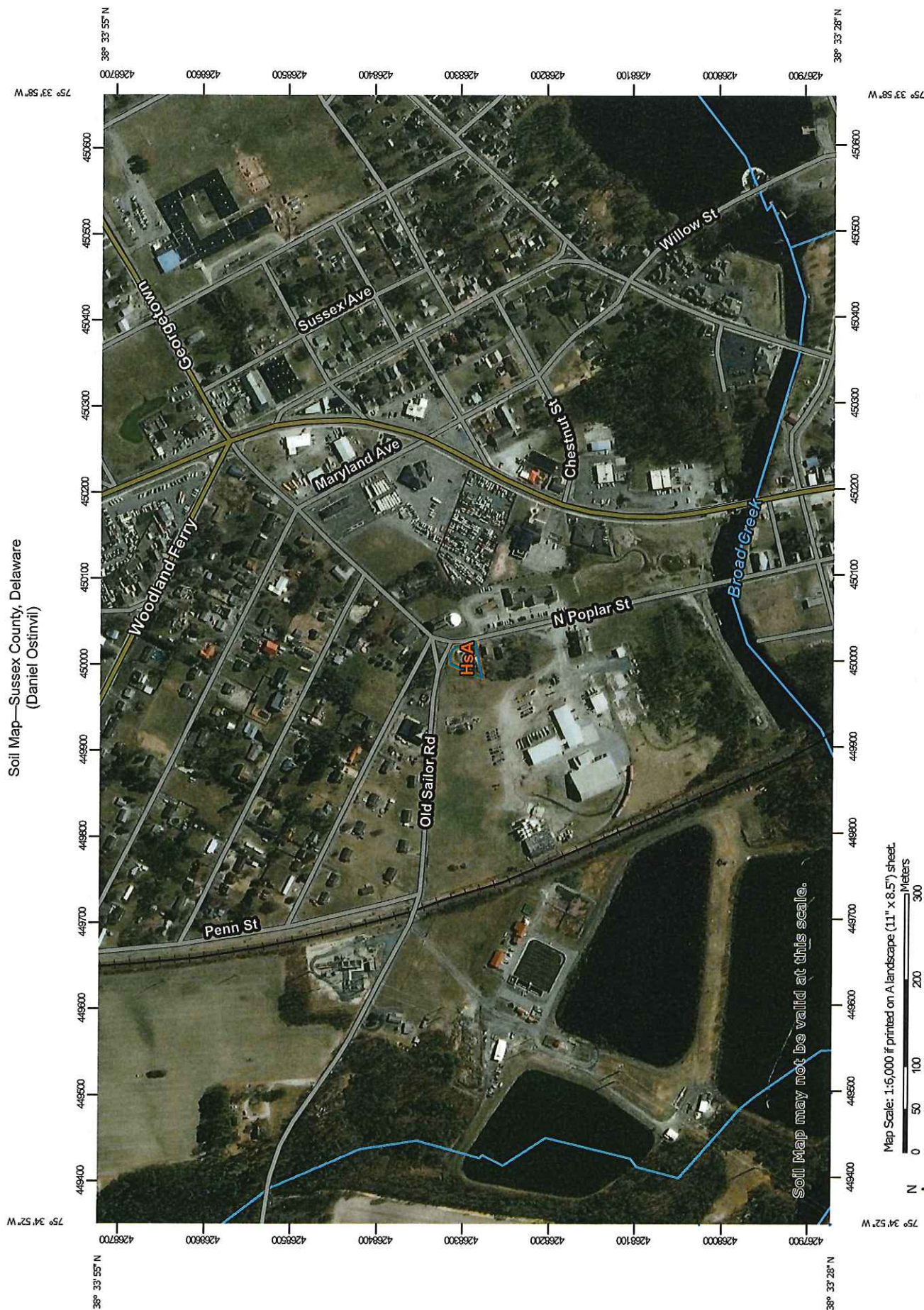




CU 2187  
TM #232-12.18-51.00  
Daniel Ostinvil



Soil Map—Sussex County, Delaware  
(Daniel Ostinvil)



Map Scale: 1:6,000 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84





































Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey





## MAP LEGEND

<b>Area of Interest (AOI)</b>	 Area of Interest (AOI)	 Spoil Area
<b>Soils</b>	 Soil Map Unit Polygons	 Stony Spot
	 Soil Map Unit Lines	 Very Stony Spot
	 Soil Map Unit Points	 Wet Spot
		 Other
<b>Special Point Features</b>	 Blowout	 Special Line Features
	 Borrow Pit	 Streams and Canals
	 Clay Spot	<b>Transportation</b>
	 Closed Depression	 Rails
	 Gravel Pit	 Interstate Highways
	 Gravelly Spot	 US Routes
	 Landfill	 Major Roads
	 Lava Flow	 Local Roads
	 Marsh or swamp	<b>Background</b>
	 Mine or Quarry	 Aerial Photography
	 Miscellaneous Water	
	 Perennial Water	
	 Rock Outcrop	
	 Saline Spot	
	 Sandy Spot	
	 Severely Eroded Spot	
	 Sinkhole	
	 Slide or Slip	
	 Sodic Spot	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HsA	Henlopen-Rosedale-Urban land complex, 0 to 2 percent slopes	0.2	100.0%
<b>Totals for Area of Interest</b>		<b>0.2</b>	<b>100.0%</b>

## Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

## Report—Selected Soil Interpretations

Selected Soil Interpretations—Sussex County, Delaware							
Map symbol and soil name	Pct. of map unit	ENG - Dwellings W/O Basements		ENG - Dwellings With Basements		ENG - Septic Tank Absorption Fields (DE)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
HsA—Henlopen-Rosedale-Urban land complex, 0 to 2 percent slopes							
Henlopen	40	Not limited		Not limited		Not limited	
Rosedale	30	Not limited		Somewhat limited		Very limited	
				Depth to saturated zone	0.73	Depth to saturated zone	1.00
						Restricted permeability	1.00
Urban land	20	Not rated		Not rated		Not rated	

## Data Source Information

Soil Survey Area: Sussex County, Delaware  
Survey Area Data: Version 19, Sep 14, 2018

## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

*Prime farmland* is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.



*Unique farmland* is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

## Report—Prime and other Important Farmlands

Prime and other Important Farmlands—Sussex County, Delaware		
Map Symbol	Map Unit Name	Farmland Classification
HsA	Henlopen-Rosedale-Urban land complex, 0 to 2 percent slopes	Not prime farmland

## Data Source Information

Soil Survey Area: Sussex County, Delaware

Survey Area Data: Version 19, Sep 14, 2018

# SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

## SOILS:

HsA Henlopen-Rosedale-Urban land complex, 0 to 2 percent slopes

- A. SUITABILITY OF SOILS INTENDED USE:  
See attached table for suitability.
- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
  - 1. DURING CONSTRUCTION:  
  
Follow recommended erosion and sediment control practices.
  - 2. AFTER CONSTRUCTION:  
  
Maintain vegetation.
- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):  
See attached table(s) for ratings.
- D. ADDITIONAL COMMENTS (IF APPLICABLE):

# DRAINAGE AND FLOODING

Add any additional information that may be considered pertinent:

## DRAINAGE:

- A. Any Storm flood hazard area affected? ☐ Yes ☒ No
- B. Would the proposed project necessitate any off-site drainage improvements?  
*Not Likely*
- C. Would the proposed project necessitate any on-site drainage improvements?  
*Possibly*
- D. Any Tax Ditch affected? ☐ Yes ☒ No

Additional Comments (if applicable)

All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.