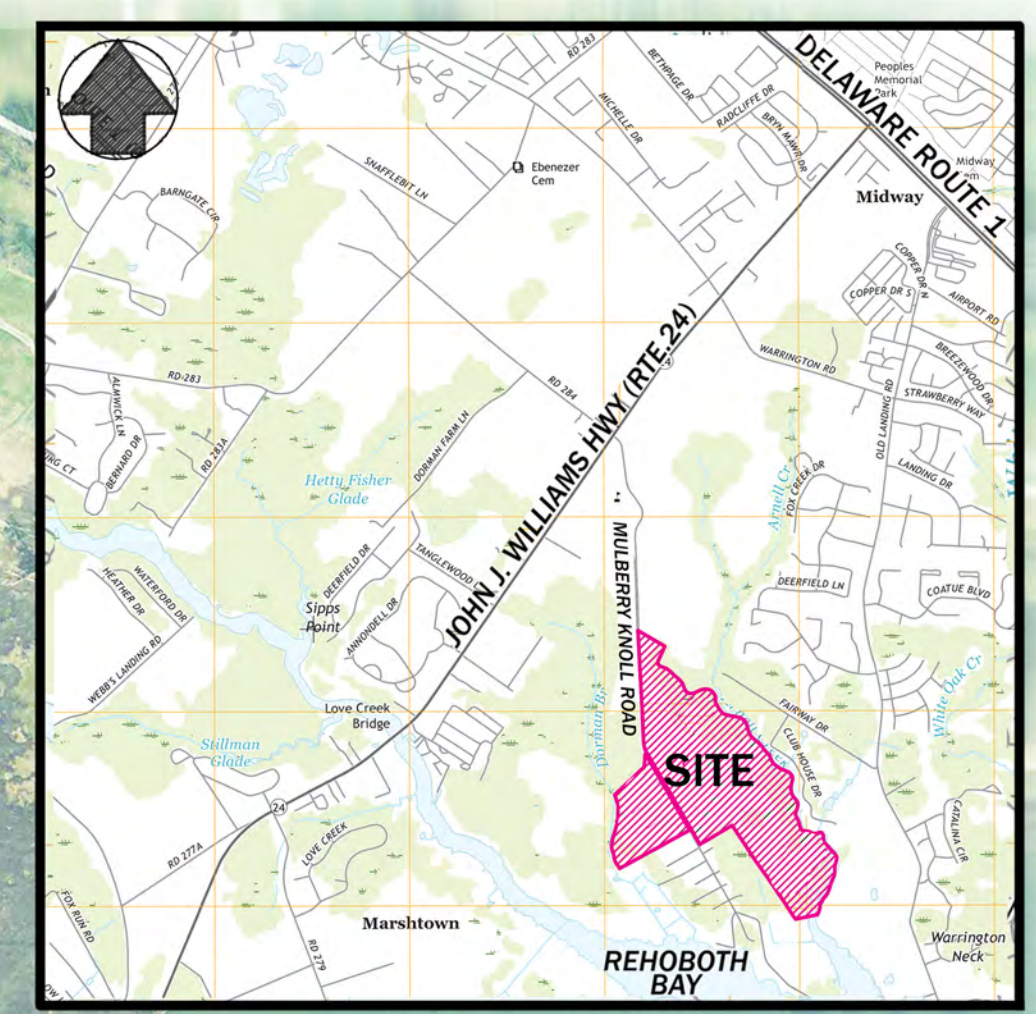


**PROPOSED
COMMUNITY
KAYAK LAUNCH AREA**

ARNELL CREEK



VICINITY MAP



**CLUBHOUSE
WITH POOL**

SWM

MULBERRY KNOLL ROAD

TOT LOT

**EXISTING PUBLIC
BOAT RAMP**

REHOBOTH BAY

SCENIC MANOR
SUSSEX COUNTY DELAWARE



302.326.2200
18 BOULDEN CIRCLE, SUITE 36
WILMINGTON, DELAWARE
WWW.MRAGTA.COM

**SCENIC MANOR
PLANNING AND ZONING HEARING
APRIL 8, 2021**



**PRESENTATION BY RESIDENTS OF
MULBERRY KNOLL BAYSHORE HILLS**

INTRODUCTION

- Traffic
- Wildlife and Forests
- Wetlands and Hydric Soils
- Flooding
- Community Impact



Photo by Driscoll Drone

TRAFFIC

Scott McClintock

TRAFFIC

Photos by V. Wood

- The SR 24 Corridor is one of the few major east/west connector roads for local and beach traffic moving across the state.
- The massive growth in permanent residents and beach goers alike has degraded the level of service to unacceptable levels and as such the roads even as they are currently being improved between Mulberry Knoll Road and Coastal Highway are bumper to bumper daily.
- The State of Delaware has designated SR 24 as a recreational route (TPG8) which carries heavy traffic in summer months. SR24 is a designated evacuation route.
- Traffic SR 24: The average daily traffic (ADT) between Mulberry Knoll Rd. and Route1 in 2019 was 19,988 vehicle trips



TRAFFIC

APRIL 2020 TRAFFIC IMPACT STUDY for Scenic Manor – accounted for traffic AM RUSH/ MIDDAY RUSH/ PM RUSH

- Saddle Ridge – 231 vehicle trips
- Redden Ridge – 239 vehicle trips
- Arbor Lyn - 385 vehicle trips
- Belle Terre - 703 vehicle trips
- Residence at Rehoboth Bay - 412 vehicle trips
- Pelican Landing – 1216 vehicle trips
- Marsh Island - 377 vehicle trips
- Hailey's Glen - 198 vehicle trips
- Marsh Farm - 366 daily vehicle trips
- Middle Creek - 819 daily vehicle trips
- Sawgrass North - 62 daily vehicle trips
- Sawgrass South – 77 daily vehicle trips
- Kindleton - 175 vehicle trips
- Delaware State Police Troop 7 - 83 daily vehicle trips

TRAFFIC

ACCORDING TO THE APRIL 2020 TRAFFIC IMPACT STUDY ALL OF THESE RUSH HOUR ADD UP TO AN ADDITIONAL 10,188 VEHICLE TRIPS

NOT INCLUDED IN APRIL 2020 TRAFFIC IMPACT STUDY:

- The Resident Inn Hotel - 453 daily vehicle trips
- Beebe Surgi Center - 4392 daily vehicle trips
- Scenic Manor – 3043 daily vehicle trips

Current 572 trips along Mulberry Knoll Road will become 3615 trips with the building of Scenic Manor

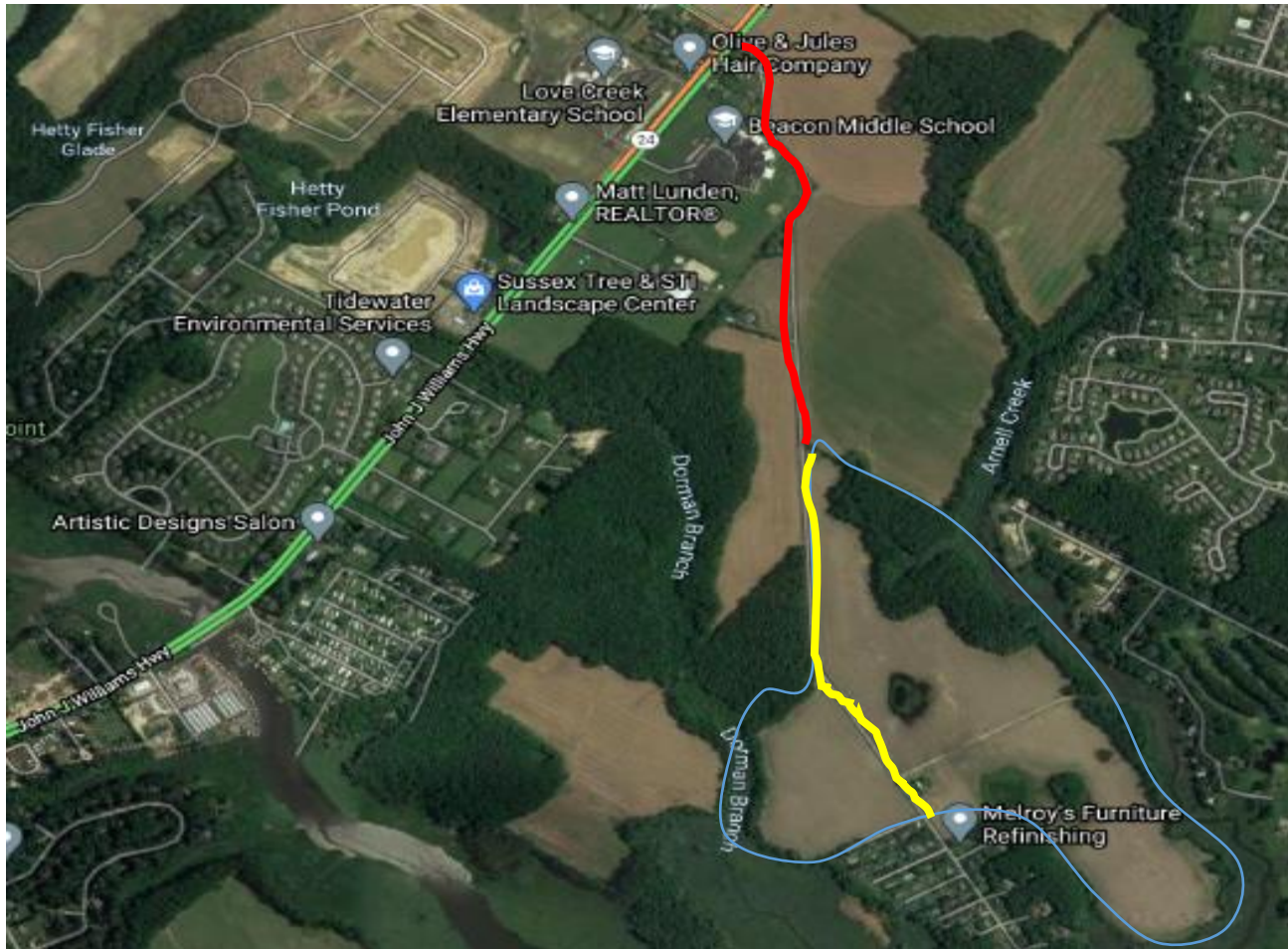
TRAFFIC



MULBERRY KNOLL ROAD - currently in very poor condition

- Average Daily Trips on Mulberry Knoll Rd. to SR 24 in 2019 were 517.
- Proposed development will add 3,043 vehicles.
- Many people use the uninhabited section of Mulberry Knoll Rd for walking, jogging, and bicycling because it is a safer area with less traffic than neighboring roads.
- Mulberry Knoll Road will become a safety hazard.

TRAFFIC



- Mulberry Knoll frontage along Scenic Manor
- Mulberry Knoll frontage outside Scenic Manor

SAFETY

REQUESTS:

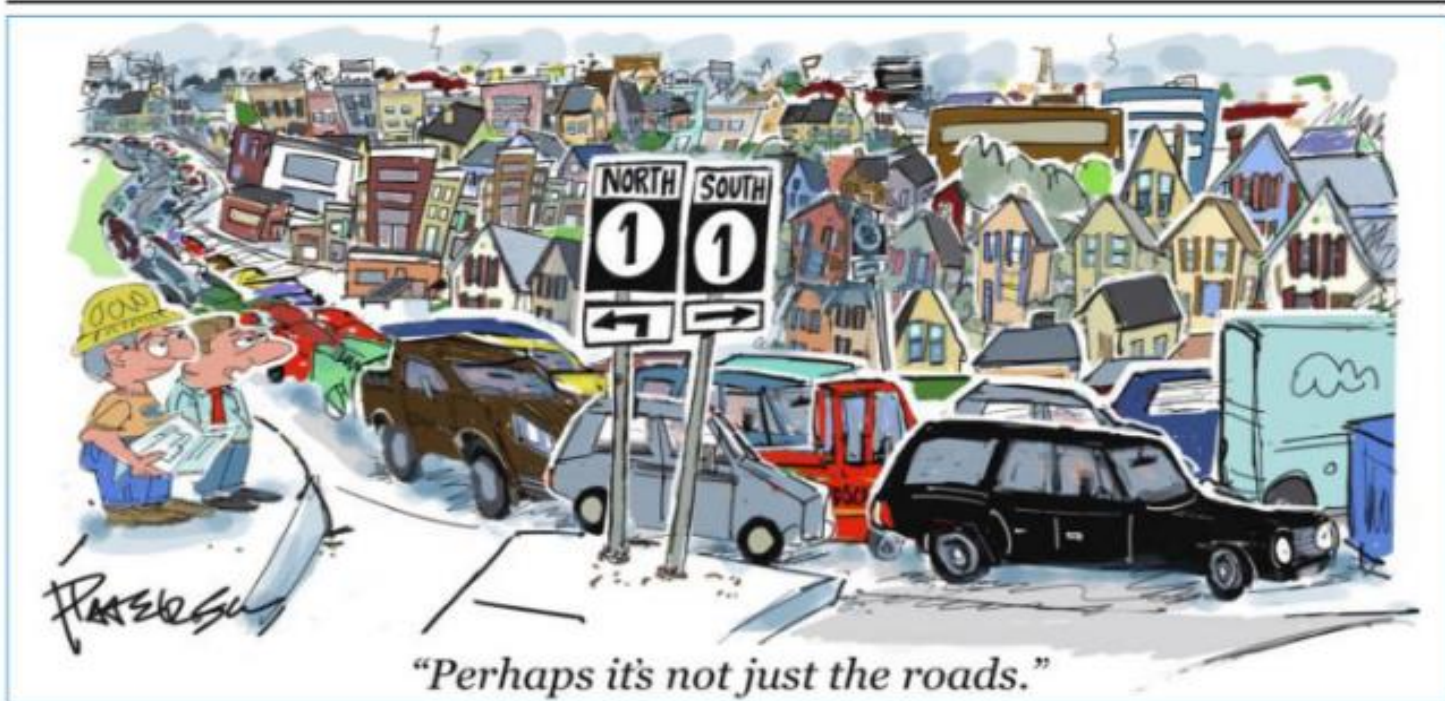
1. Install a traffic light and turn lanes at intersection of SR24 and Mulberry Knoll Rd before any new construction.
2. Improve Mulberry Knoll Rd from Stardust Rd to SR 24 including two eleven-foot travel lanes with two five-foot shoulders.
3. Relocate the proposed western entrance onto Mulberry Knoll Rd. The current proposed entrance would present a blind spot for drivers turning onto Mulberry Knoll Rd. and for drivers traveling south on Mulberry Knoll Rd.
4. These improvements should be a pre-requisite to the approval of Scenic Manor

TRAFFIC

Cape Gazette

Covering Delaware's Cape Region

Viewpoints



2040

By Jim Paterson • Mar 19



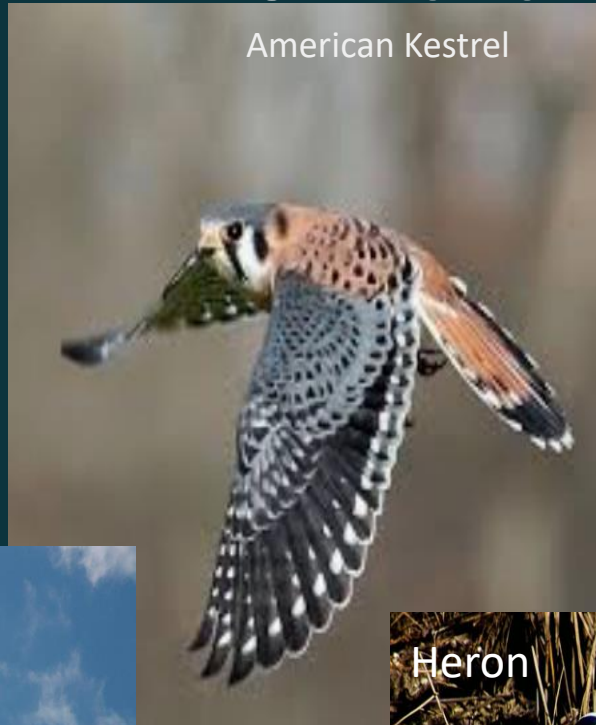
HABITAT AND FORESTS

Anna Biggs

HABITAT AND FORESTS₂



American Eagle



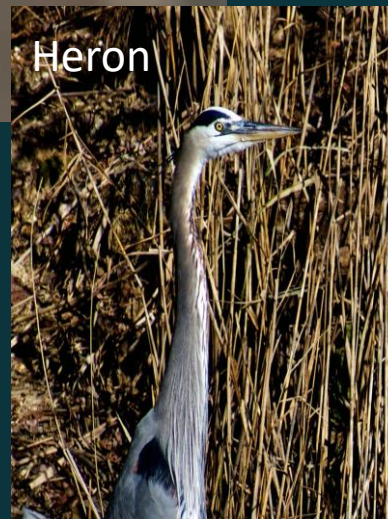
American Kestrel



American Box Turtle



Osprey



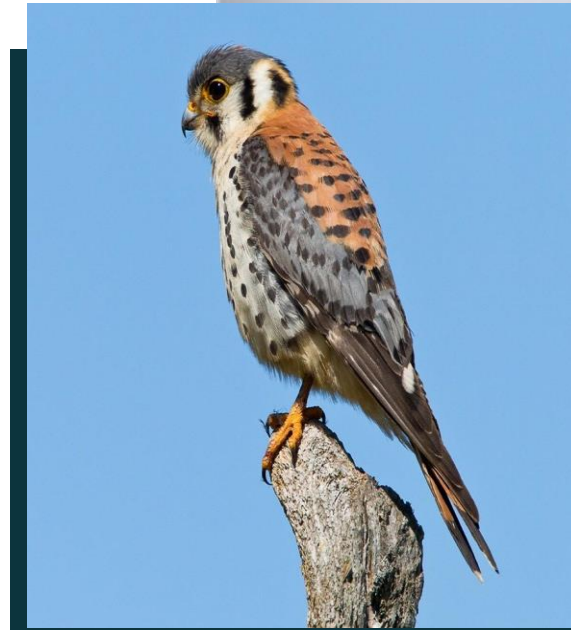
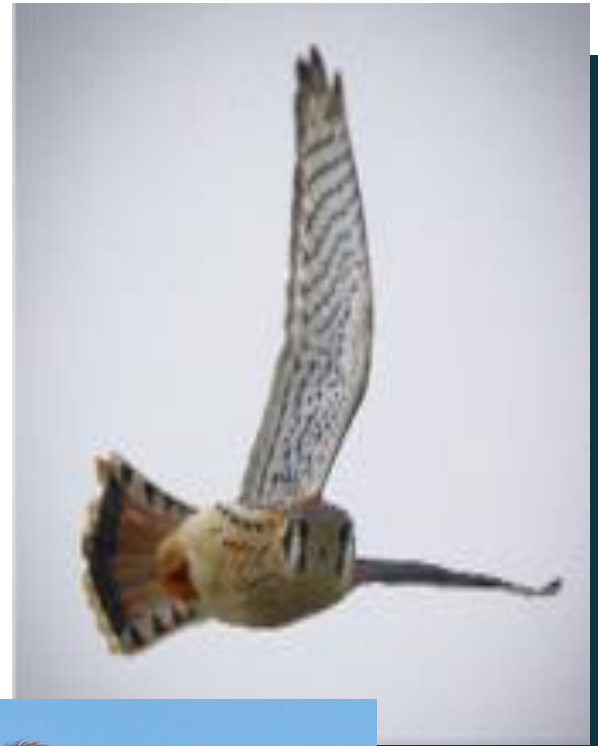
Heron



Northern Harrier

AMERICAN KESTREL 3

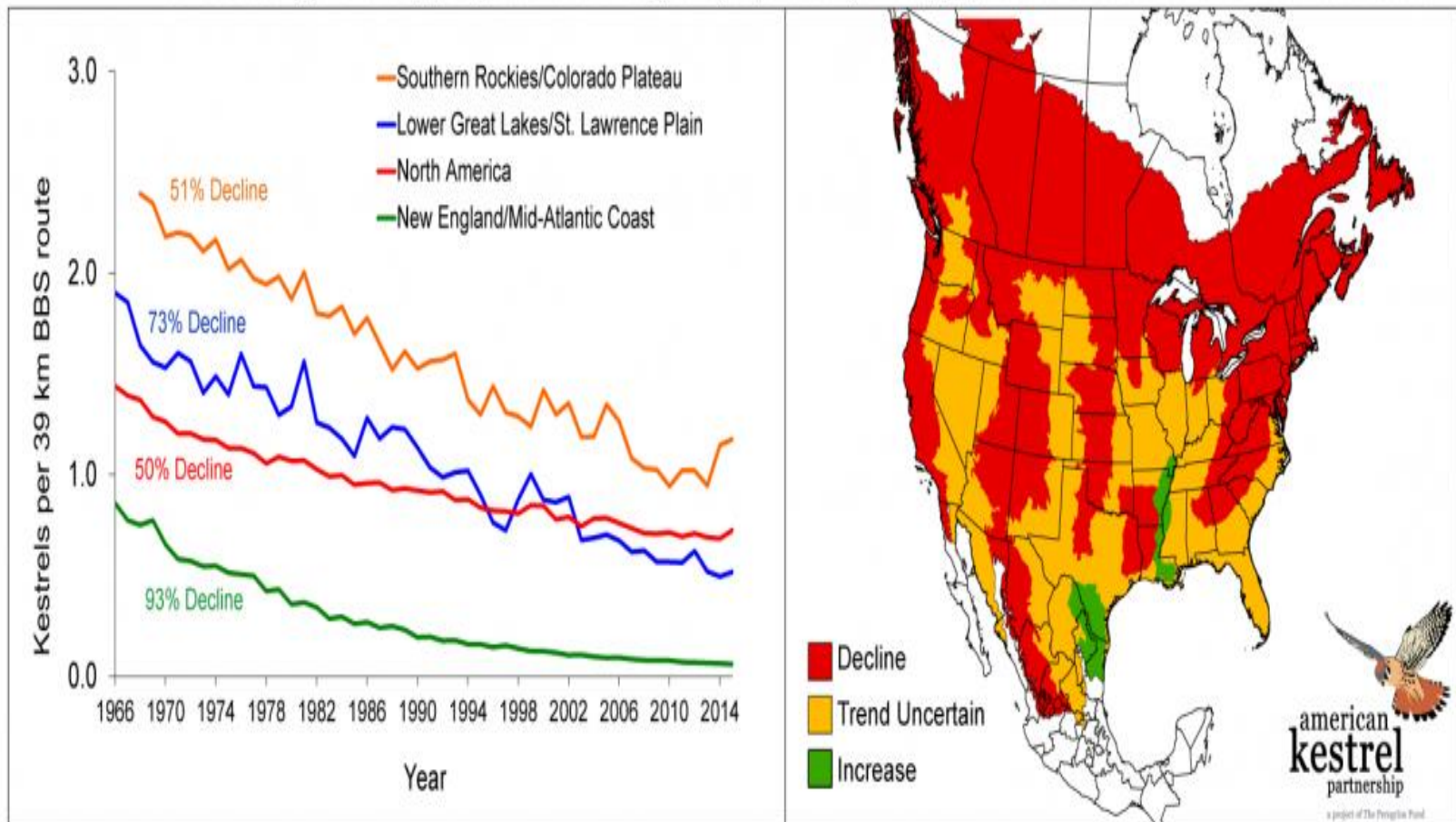
- The American Kestrel has Been in Decline since the 1960
- Due to a loss of Habitat both commercial and residential as well as, pesticides and climate change.
- In 2013 the Kestrel was listed as endangered in Delaware (according to Delaware.gov).



POPULATION OF THE AMERICAN KESTREL ₄

- 93% decline in population since the 1960's.

USGS Breeding Bird Survey (BBS) Data Indicate Long-term (left) and Range-wide (right) American Kestrel Declines Across North America



AMERICAN KESTREL ₅

- The **proper living conditions exist** in the forest and farm field adjacent to our community on the south of Rt 24 to the east and west of Mulberry Knoll Road.
- **Loss of habitat due to commercial and residential development is** one of the leading reasons for the decline in the Kestrel population.
- **For a bird that is struggling and is endangered,** why would we take away the habitat in which it has found success.



Four Species of Greatest Conservation need ⁶

- The 5 acres of non-tidal wetlands need to be maintained as an intact natural ecosystem. Four species of Tier 1 Species of Greatest Conservation Need (SGCN) were observed using the wetlands in May 2020: **Glossy Ibis**, **Snowy Egret**, **Greater Yellowlegs**, and **Lesser Yellowlegs**. (Observations made from Mulberry Knoll Road by Judy Rose Seibert.)



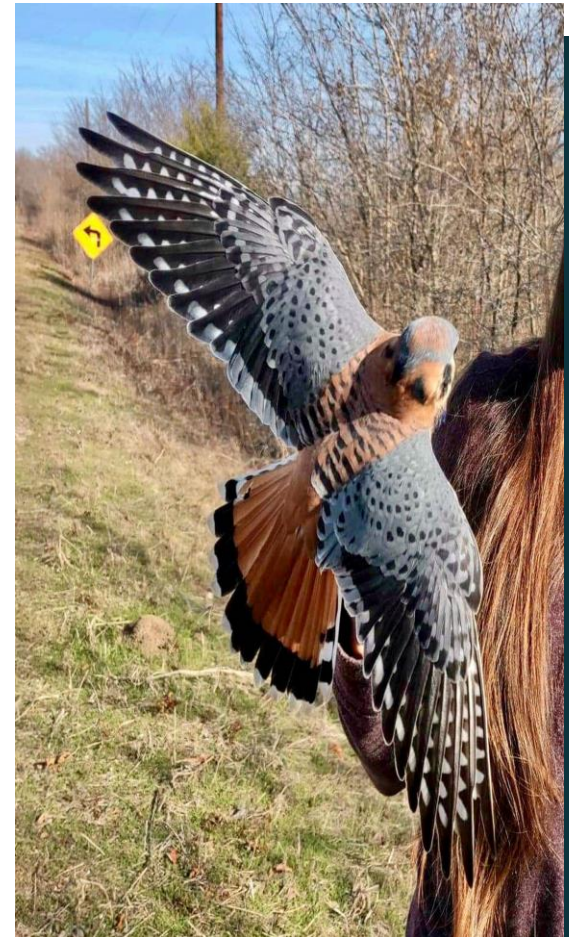
- Jeff Kietzmann Has seen all these bird on and around Mulberry Knoll and Arnell creek except the Glossy Ibis
 - a. **Northern Harrier**, also a DE endangered species (BR) flying over the Scenic Manor site.
 - b. Two species of SGCN have been observed nesting along Arnell Creek: **Clapper Rail** (Tier 1) and **King Rail** (Tier 2).



Requests₇

1) Prior to approval, allow DNREC to conduct a survey to evaluate habitat and the site's potential to support The American kestrel & additional species of concern.

2) Prior to approval, conduct a full survey and assessment to be done by a qualified American Kestrel expert as to the exact section of trees south of Rt 24 which give the kestrel their desired habitat, the necessary acreage of tree, the acreage of open fields and farm land necessary to continue to sustain these birds. **Expert opinion as what is required for the kestrel.**



Requests₈

3) Mitigation of development as a result of these studies.

4) Determine the impact of pesticide from lawn care etc to understand how these elements of large scale residential development will adversely impact the kestrel.

5) Development should **only** proceed with consideration of habitat protection.

6) Preserve and maintain all the existing forested area's upland buffers.



7) Protect the old growth forest that has been identified as a core wildlife habitat by the Delaware Ecological Network.

8) Prior to approval, the Final Site Plan shall indicate all forested areas that will be preserved.



WETLANDS & HYDRIC SOILS

John Seiffert

PHOTO TAKEN FROM MULBERRY KNOLL ROAD

IMPORTANCE OF HYDRIC SOILS AND WETLANDS₂

- FILTERS 80%-90% OF SEDIMENTS
 - HYDRIC SOILS COLLECT & ABSORB RAINWATER
 - BREEDING GROUND FOR AMPHIBIANS
 - FEEDING GROUND FOR MIGRATORY & NESTING BIRDS
 - CARBON SEQUESTRATION VEHICLE DUE TO PLANT LIFE
-



PHOTO TAKEN FROM MULBERRY KNOLL ROAD

LOSS OF WETLANDS --- FILL DIRT RAISES TOPOGRAPHY₃

- CAUSES MORE FLOODING
- NEGATES WETLANDS
- INCREASES RUNOFF AND SEDIMENT TO CREEKS AND REHOBOTH BAY
- HYDRIC SOILS ARE NOT CONDUCTIVE TO BUILDING UPON

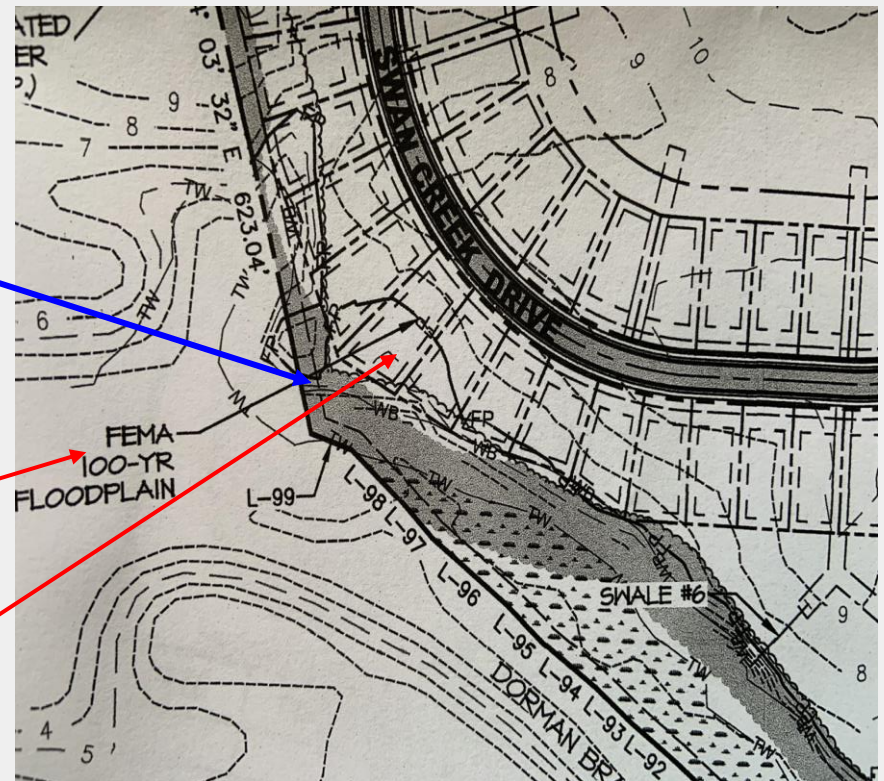


SCENIC MANOR DEVELOPMENT MUST HAVE LARGER WETLAND BUFFERS

STATE OF DELAWARE SUGGESTS 100 FT. BUFFER

ONLY 50 FT. BUFFER

HOUSES BUILT ON 100 YEAR FLOODPLAIN



REQUESTS REGARDING WETLANDS/HYDRIC SOIL

1. To protect the function and integrity of wetlands, a minimum 100 foot buffer should be left intact around the perimeter of the forested wetlands. This recommendation is based on peer reviewed scientific literature. (from PLUS report) dated 08/06/2019.
2. Avoid any building on existing hydric soils as recommended by DNREC; do not fill or remove wetlands or wetland vegetation or hydric soils.
3. Revise the project to remove any houses, including the clubhouse, currently proposed in Investment Level 4 areas, and areas that are in Level 3 be designed with the maximum protection for the environmentally sensitive feature on the site.
4. Do not divert surface water from roadways and stormwater facilities into the Love Creek Natural Area located directly adjacent to this parcel.
5. Maintain inputs to natural wetlands at pre-construction levels. Avoid causing increases or decreases in water levels.
6. Prior to approval, we request that Planning and Zoning and Sussex County relook at this project and consider the negative impacts to the environment, specifically Arnell Creek and Love Creek, that this proposed development will cause. We ask that P&Z support the State of Delaware recommendations in the PLUS report review dated 08/06/2019.

FLOODING

Scott Schoenfeld



Aerial view looking south east

- Scenic Manor + Mulberry Knoll
- Arnell Creek & Dorman's Branch

Wind-driven storm surge piles into Love Creek; tidal wetlands absorb the storm surge. Filling of wetlands in one area, pushes water to elsewhere



Our Journey (outline)

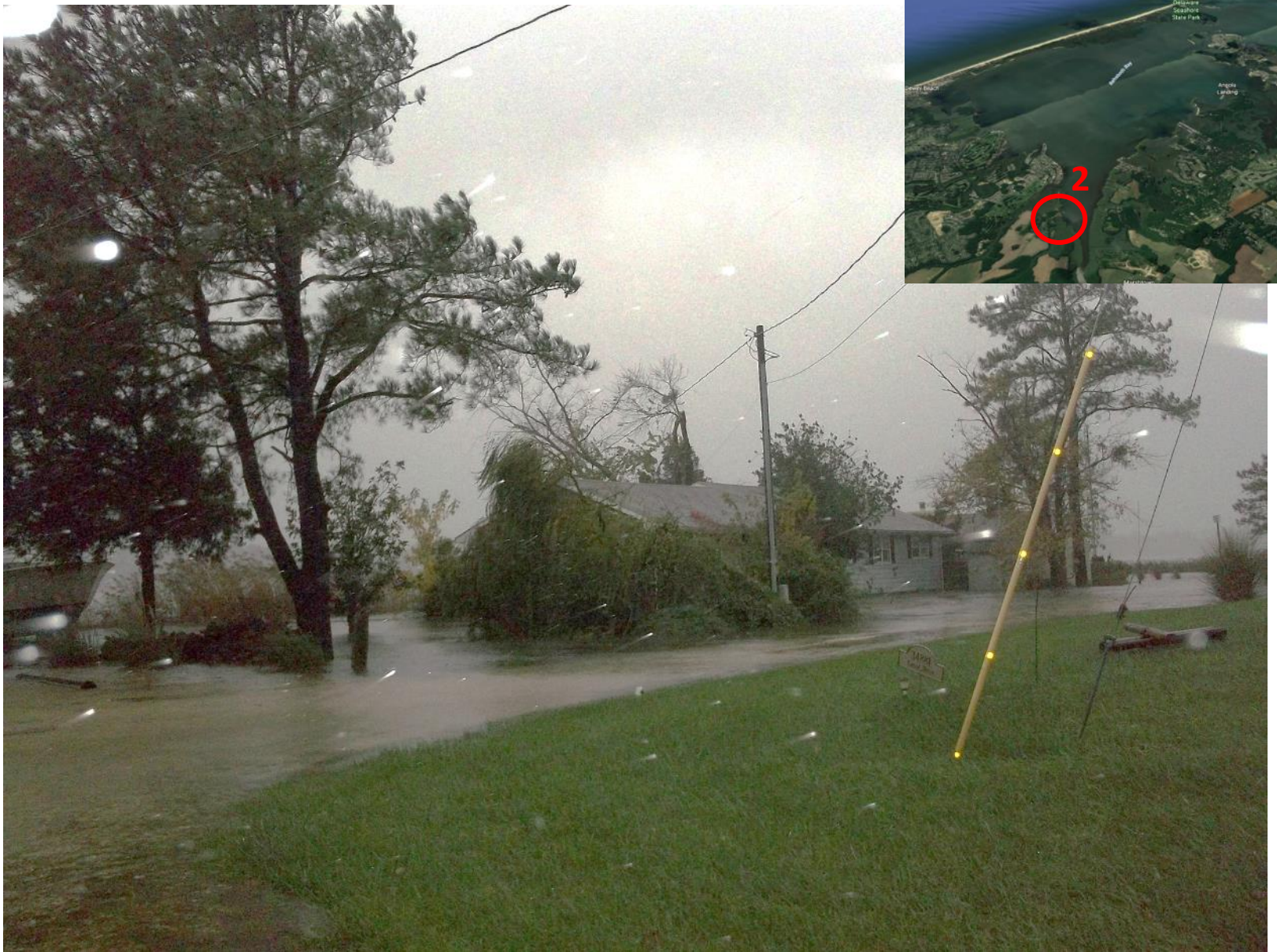
1. Site of Scenic Manor Community Club House
2. Mulberry Knoll Community Area; West Lane & Creek Drive
3. Frontier Road
4. Love Creek
5. Scenic Manor Overview



- 1) Site of proposed Community Club house (foreground)
 - Arnell Creek left; Love Creek background
 - Mulberry Knoll Community Property behind trees



2) Mulberry Knoll community property along Love Creek during winter storm



2) Homes near the end of Creek Drive



2) Home on West Lane



2) Homes on West Lane



2) Homes on West Lane



3) Flood waters encroach from Dorman's Branch onto Frontier Rd



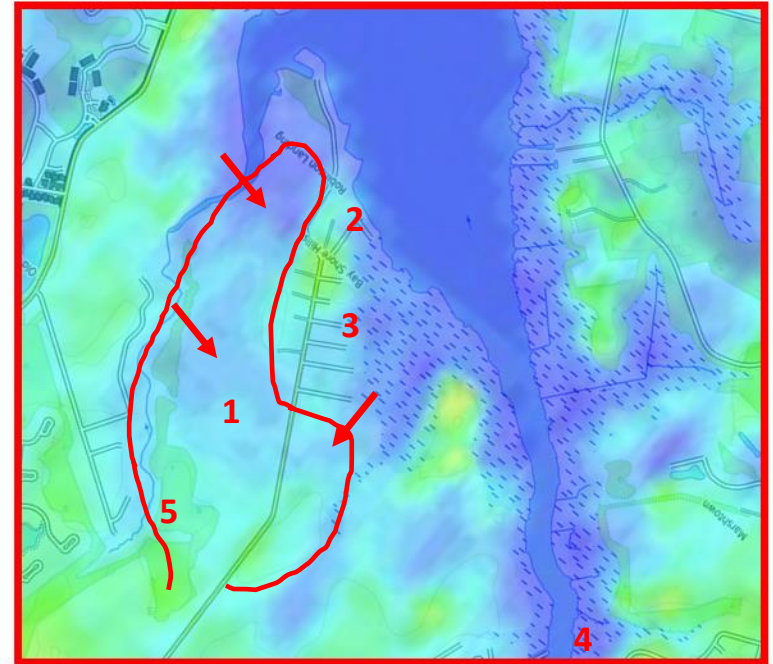
4) Flood waters push all the way back into Love Creek

- Endangered properties near and beyond Love Creek bridge
- Area is also being developed



Areal view of proposed development

<https://earth.google.com>



Contours of elevation along Love Creek

<https://en-us.topographic-map.com/maps/ovkm/Rehoboth-Bay/>

↘ Significant areas inside the Scenic Manor development are at the same elevation as existing properties along Creek Drive, Frontier Road and Love Creek

Warning:

- Significant portions of the proposed development lie in flood-prone areas.
- If significant fill is allowed on this site, the additional soil will reduce absorption in filled-areas, and...
- Redirect water back to Love Creek and Dorman's Branch; greatly exasperating dangerous and damaging floods to adjacent properties.

Our Requests:

1. Do not allow fill as flood mitigation for these properties
2. Do not build homes in the floodplain
3. Do not approve this development until tangible mitigations are implemented to site plan.

QUALITY OF LIFE

Ken Berman

QUALITY OF LIFE

Win-Win Approach

- Mitigations lead to greater quality of life
- Better quality of life leads to higher property value for current and future homes
- Higher property value leads to increased tax base

QUALITY OF LIFE

FLOODING:

- Flooding problems already have occurred in Mulberry Knoll
- Loss of homes
- Evacuating neighborhoods, Buying out homes, e.g., Glenville
- Permanent harm/destruction of properties and wetlands
- Notice
 - FEMA
 - State of Delaware (Plus Review 9/26/19)
 - Sussex County
 - Civic Associations

QUALITY OF LIFE

TRAFFIC:

- More accidents & increased response time for first responders
- Inability to get out of neighborhood in emergencies
 - Children getting to school
 - Elderly to getting to care facilities
- Notice
 - Del DOT Traffic Impact Studies
 - Public Safety/First Responder Concerns

QUALITY OF LIFE

ENVIRONMENTAL:

- Violation of State of Delaware's expressed concerns regarding buildings and investment in Level 4 areas
- Violation of State of Delaware's expressed environmental concerns in Level 3 areas which are present
- Permanent loss of endangered species, harm to wetlands, pesticides' health concerns
- Notice
 - USDA
 - US Dept. of the Interior
 - DNREC (8/16/19 Report)
 - Delaware.gov
 - U.S.Geological Service

QUALITY OF LIFE

MISCELLANEOUS:

- Insufficient protection of water quality
- Negative impact on well water supply
- Keep the record open for public comment
- Construction Issues:
 - Containment of dirt and chemicals
 - Disruption of daily life, especially weekends
- Petition

REQUESTS

TRAFFIC

1. Improve Mulberry Knoll Rd from Stardust Rd to SR 24 including two eleven-foot travel lanes with two five-foot shoulders.
2. Relocate the proposed western entrance onto Mulberry Knoll Rd. The current proposed entrance would present a blind spot for drivers turning onto Mulberry Knoll Rd. and for drivers traveling south on Mulberry Knoll Rd.
3. These improvements should be a pre-requisite to the approval of Scenic Manor

HABITAT AND FORESTS

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7. Protect the old growth forest that has been identified as a core wildlife habitat by the Delaware Ecological Network
8. Prior to approval, the Final Site Plan shall indicate all forested areas that will be preserved

REQUESTS

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FLOODING

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2. Do not build homes in the floodplain.
3. Do not approve this development until tangible mitigations are implemented to site plan.

28 Club House Drive
Rehoboth Beach, DE 19971
vpompo@comcast.net
610.836.2465

April 7, 2021

Via email pnd@sussexcountyde.gov
Sussex County Planning & Zoning Commission
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Re: (2019-29) Scenic Manor (F.K.A. Estates at Mulberry Knoll)
Application for Preliminary Plan Approval

Dear Chairman Wheatley and Members of the Commission,

I own properties within the Old Landing Road Subdivision with addresses of 28 Club House Drive and 17 Club House Drive, Rehoboth Beach, Delaware. I received a post card notice of the April 8, 2021 public hearing, and therefore have legal standing to raise and pursue objections to any approval by the Commission of the Application. The Commission must deny the Application since it fails to comply with §§99-22.C, 99-23.F and 99-23.H of the Subdivision Ordinance. The Application fails to comply with these ordinances for two reasons. First, the preliminary plan does not show the location of the adjoining subdivision, Old Landing Woods. Second, the preliminary plan does not show the location of Arnell Creek. As more specifically explained below, these failures are material, and cannot be cured by a tentative or conditional approval of the preliminary plan since these requirements must be shown on the preliminary plan that is brought before the Commission in this public hearing.

Section 99-22.C of the Subdivision Ordinance states that the preliminary plat of the proposed subdivision shall “show the general plan for the ultimate development of the property, *including as much of the surrounding area as may be necessary for an adequate consideration of the land to be subdivided.* Such plat shall be accurately drawn to scale.”

More particularly, §99-23.F of the Subdivision Ordinance states that the preliminary plat show: “The names and locations of *adjacent subdivisions* and the location of adjoining parcels of unplatted land, *with the names of the owners of record.*” Section 99-5 of the Subdivision Ordinance defines a “subdivision” as “[a]ny real property, improved or unimproved, or a portion thereof shown on the latest adopted county tax roll as a unit or as contiguous units, which is divided for the purpose of sale or lease or building development, whether immediate or future, by any subdivider into two or more lots”. The preliminary plan does not show the name and location of the Old Landing Woods subdivision, or any of the lots and their owners of record shown on the approved Old Landing Woods subdivision plan.

April 7, 2021

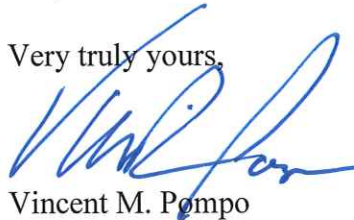
Page 2

Section 99-23.H of the Subdivision Ordinance states that the preliminary plat show: “The location of ... *waterways*; ... and any other significant natural or man-made physical features affecting the proposed subdivision.” Section 99-5 of the Subdivision Ordinance defines a “waterway” as “[a]ny body of water, including any creek ...”. The preliminary plan does not show the location of Arnell Creek. At best, the preliminary plan shows a purported line with metes and bounds in the vicinity of Arnell Creek, along with a label “Arnell Creek”, but the plan does not show the location of Arnell Creek.

The failure to comply with §§99-23.F and 99-23.H of the Subdivision Ordinance by not showing both the lots of Old Landing Woods and Arnell Creek renders it impossible for any owner of property directly across Arnell Creek from the proposed subdivision to see by plan view exactly the proposed tree removal and grading, or the proposed utility, home, street, stormwater, dock and other construction, directly across from those properties. Nor can this Commission appreciate the potential impacts of the proposed subdivision on Arnell Creek, despite the fact that the development is adjacent to the Creek. As a result, we have no meaningful way to comment upon the proposed preliminary plan at this public hearing, and this Commission does not have the information necessary to carry out its duties and obligations under §99-22.C of the Subdivision Ordinance.

Accordingly, I respectfully request that this Commission deny the Application for failure to comply with §§99-22.C, 99-23.F and 99-23.H of the Subdivision Ordinance, and require the Applicant to submit a new application in full compliance with the Subdivision Ordinance, if it so chooses, and if a new application is submitted, the holding of a new public hearing with the opportunity for meaningful comment and review by the public and this Commission.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Vincent M. Pompo", is written over the typed name.

Vincent M. Pompo

Donna Voigt
21058 Laguna Drive
Rehoboth Beach, DE 19971

Opposition
Exhibit

04/06/2021

Mr. Whitehouse
Director
Sussex County Planning and Zoning
Street Address
City, ST ZIP Code

Subject: Opposition to Scenic Manor Development

Dear Mr. Whitehouse:

Please accept and share, this letter of opposition to the Scenic Manor Development, Planning and Zoning Application: 2019-29 (8/6/2019), with the Sussex County Commission.

In reviewing the Preliminary Land Use Service (PLUS) Report and the Developer's response, it is abundantly clear that the Developer seeks to maximize the number of building sites, without due consideration of the significant environmental impacts, flooding and water quality concerns. The number of concerns/recommendations from state agencies and the developer's resistance to site visits for environmental/wildlife impact demonstrates the need for keen scrutiny and compliance with Cluster Ordinance #O2658 (6/11/2019), and especially the codified superior design criteria.

The superior design criteria outlined in Sussex County Code Section 115-25(F) have not been met. Below is a partial list of this unmet criteria, as per the PLUS and Developer's PLUS response:

- (1) "...a sketch plan showing the location and uses of all open spaces, the extent of existing wooded areas and wetlands and the location of any historical or cultural resources..."
- (3.a.1) "Homes shall be clustered on the environmentally suitable portions of the tract, specifically those portions of the tract least encumbered by sensitive environmental features, including but not limited to wetlands, mature woodlands, waterways, and other water bodies..."
- (3.a.3.b) "...It shall not be constituted of fragmented lands with little open space value. Accordingly, 30% of all required open space shall be located on one contiguous tract of

Mr. Whitehouse

04/06/2021

Page 2

land..."

- (3.a.8.a-f) "The applicant for a cluster development shall illustrate that the following sequence and process was followed in the site design of the cluster project:
 - (a) Identify lands that should be preserved...
 - (b) Identify developable areas...
 - (c) Locate roads and trails...
 - (d) Locate lot lines..."

- (3.b) "The cluster development plan will preserve the natural environment and any historic or archeological resources."

In addition, the Scenic Manor plan, is in conflict with the stated goals in the latest Comprehensive Plan, particularly the following:

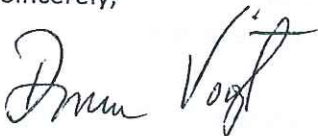
Goal 4.3 *Identify and designate future development areas in a manner that protects the County's natural and cultural resources from the adverse impacts of development as outlined in the Conservation and Historic Preservation elements.*

Goal 4.4 *Minimize the adverse impacts of future development on existing development.*

Goal 4.6 *Recognize the importance of the Inland Bays*

The county and public spent a tremendous amount of effort and energy crafting the Comprehensive Plan to help guide land use decisions. Given the seriousness of all the issues attached to this land use application, I respectfully request the Commission deny this application and perhaps reconsider once a plan is provided that aligns with the goals of the Comprehensive Plan and superior design criteria.

Sincerely,



Donna Voigt
21058 Laguna Drive
Rehoboth Beach, DE 19971

Lauren DeVore

From: Michael Bobek <aebmmb@verizon.net>
Sent: Wednesday, April 7, 2021 8:22 AM
To: Jamie Whitehouse
Subject: Scenic Manor / Mulberry Knoll subdivision / comments
Categories: Lauren

**Opposition
Exhibit**

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

RE: Scenic Manor / Mulberry Knoll Subdivision Plan

Dear Jamie Whitehouse:

Provided water quality requirements are met, State law allows direct discharge of stormwater to tidal waters without the need to plan for increased runoff conditions post-development. This means the owner/developer does not need to dedicate available land for space-consuming stormwater control basins, etc.

The Sussex County Comprehensive Plan contains numerous references to respecting environmental features when they are in-play in Growth Areas, as well as protecting unique natural character, and protecting the inland bay areas from over-development while preserving selected lands.

Gradual sea level rise and storms of increasing intensity have been well-documented globally, nationally and locally by the University of Delaware, including the real experience of Super Storm Sandy.

Sussex County recently enacted Ordinance #2764 supporting the protection of, in part, ecologically important natural areas and floodplains. And while the enactment date of this Ordinance may not apply to this subdivision application, it is clear that at least the written intent of Sussex County is to protect a collection of environmental and socially important features.

The proposed subdivision is on land that contains a variety of vanishing natural features: non-tidal wetlands, forested riparian buffers, habitat for multiple avian threatened and/or endangered species. The land, including almost a third of the building lots and 6 sections of road infrastructure are within the 100-year floodplain.

Engineering features can be used to protect the planned homes from flooding damage and those residents may need to evacuate or be sheltered in-place until flood waters recede. And through the State Law, the land owner in theory has more available land to develop.

However, once important wildlife habitat, wetland and forested buffer are lost, they are lost forever and no onsite mitigation opportunity will be available to restore those benefits.

This subdivision plan is an opportunity for Sussex County P & Z to meet the purpose of the County Plan and more recent Ordinance 2764. As the saying goes, "to walk-the-talk".

"...balance the need to protect land equity with the need to reasonably protect the County's environment and to protect and enhance the water quality of the County's "Inland Bays".

Thanking you in advance for prudent decision making.

Sincerely,

Michael M. Bobek Jr.

29153 Abigail Adams Dr., Millsboro, DE 19966

28 Club House Drive
Rehoboth Beach, DE 19971
vpompo@comcast.net
610.836.2465

April 7, 2021

Via email pnd@sussexcountyde.gov
Sussex County Planning & Zoning Commission
2 The Circle
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Section 99-22.C of the Subdivision Ordinance states that the preliminary plat of the proposed subdivision shall "show the general plan for the ultimate development of the property, *including as much of the surrounding area as may be necessary for an adequate consideration of the land to be subdivided*. Such plat shall be accurately drawn to scale."

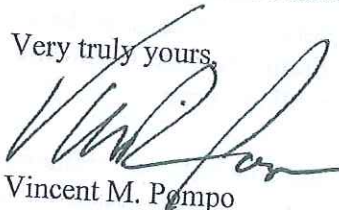
More particularly, §99-23.F of the Subdivision Ordinance states that the preliminary plat show: "The names and locations of *adjacent subdivisions* and the location of adjoining parcels of unplatted land, *with the names of the owners of record*." Section 99-5 of the Subdivision Ordinance defines a "subdivision" as "[a]ny real property, improved or unimproved, or a portion thereof shown on the latest adopted county tax roll as a unit or as contiguous units, which is divided for the purpose of sale or lease or building development, whether immediate or future, by any subdivider into two or more lots". The preliminary plan does not show the name and location of the Old Landing Woods subdivision, or any of the lots and their owners of record shown on the approved Old Landing Woods subdivision plan.

Section 99-23.H of the Subdivision Ordinance states that the preliminary plat show: "The location of ... *waterways*; ... and any other significant natural or man-made physical features affecting the proposed subdivision." Section 99-5 of the Subdivision Ordinance defines a "waterway" as "[a]ny body of water, including any creek ...". The preliminary plan does not show the location of Arnell Creek. At best, the preliminary plan shows a purported line with metes and bounds in the vicinity of Arnell Creek, along with a label "Arnell Creek", but the plan does not show the location of Arnell Creek.

The failure to comply with §§99-23.F and 99-23.H of the Subdivision Ordinance by not showing both the lots of Old Landing Woods and Arnell Creek renders it impossible for any owner of property directly across Arnell Creek from the proposed subdivision to see by plan view exactly the proposed tree removal and grading, or the proposed utility, home, street, stormwater, dock and other construction, directly across from those properties. Nor can this Commission appreciate the potential impacts of the proposed subdivision on Arnell Creek, despite the fact that the development is adjacent to the Creek. As a result, we have no meaningful way to comment upon the proposed preliminary plan at this public hearing, and this Commission does not have the information necessary to carry out its duties and obligations under §99-22.C of the Subdivision Ordinance.

Accordingly, I respectfully request that this Commission deny the Application for failure to comply with §§99-22.C, 99-23.F and 99-23.H of the Subdivision Ordinance, and require the Applicant to submit a new application in full compliance with the Subdivision Ordinance, if it so chooses, and if a new application is submitted, the holding of a new public hearing with the opportunity for meaningful comment and review by the public and this Commission.

Very truly yours,



Vincent M. Pompo

**Opposition
Exhibit**

Lauren DeVore

From: Judy Rose Seibert <judyrose.seibert@gmail.com>
Sent: Wednesday, April 7, 2021 4:00 PM
To: Planning and Zoning
Subject: Proposed Scenic Manor Subdivision

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Planning & Zoning Commissioners:

I am opposed to the proposed 319-lot Scenic Manor subdivision for many reasons:

- Route 24 is my evacuation route. Although a portion of Route 24 is being widened, there are no plans to widen the Love Creek bridge, effectively making Route 24 a two-lane evacuation route. Thousands of homes are being built or have approval to be built along the Route 24 corridor.
- The Scenic Manor Traffic Impact Study identified the intersections of Route 24 and Spencer Lane/Williams Way as have service levels of "E" or "F" at certain times of day. The nearby intersection of Lexington Ave and Rt. 24 was not studied, but it also has safety issues. This is the intersection where I enter Rt. 24.

--
Judy-Rose Seibert
302-827-2715
Saddle Ridge
Ocala Way, Lewes, DE

**Opposition
Exhibit**

Lauren DeVore

From: Vince Pompo <vpompo@comcast.net>
Sent: Wednesday, April 7, 2021 3:28 PM
To: Planning and Zoning
Subject: (2019-29) Scenic Manor (F.K.A. Estates at Mulberry Knoll)
Attachments: Pompo Letter to Commission Re Scenic Manor.pdf

Categories: Lauren

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> Please kindly confirm receipt of my attached comment letter in opposition to the application for preliminary plan approval scheduled for public hearing tomorrow evening. Please also acknowledge that it will be part of the public record of the hearing.

>
>
>
>

**Opposition
Exhibit**

Lauren DeVore

From: Jeanette Akhter <jeakhter@gmail.com>
Sent: Wednesday, April 7, 2021 2:55 PM
To: Planning and Zoning
Subject: Scenic manor proposal

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Please vote NO on this environmentally damaging proposal.

Thanks

Jeanette Akhter
Shelbyville, D E

Opposition
Exhibit

Lauren DeVore

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, April 7, 2021 2:39 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Lauren

RECIPIENTS: Jamie Whitehouse

**Opposition
Exhibit**

Submitted on Wednesday, April 7, 2021 - 2:38pm

Name: James Keresztury

Email address: jkeresztury@yahoo.com

Phone number: 13042825117

Subject: 319-lot Scenic Manor subdivision

Message: I am writing to oppose the 319-lot Scenic Manor subdivision being considered on Mulberry Knoll Road in Lewes. This area is a unique ecosystem that supports a great number of wildlife species important to wetland habitat in Sussex County. Sussex County is reaching the tipping point related to unrelenting development. Please preserve this critical area.

Lauren DeVore

From: Ben Berman <beb@o4g.com>
Sent: Wednesday, April 7, 2021 2:48 PM
To: Planning and Zoning
Subject: Major Flood Risk In Scenic Manor Development

Categories: Lauren

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To Whom It May Concern,

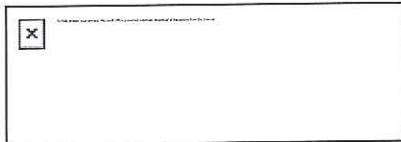
We already have brutal flood issues. Are we really trying to invite more issues?

This development CANNOT be done without an environmental supervisor.

Please, we beg of you - help make this be a thoughtful project where it can be a win win where the surrounding areas are not literally underwater whenever it rains hard.

Respectfully,
Ben Berman and Brittany Linn
34881 Creek Dr
Lewes, DE 19958

**Opposition
Exhibit**



Benjamin Berman
Certified EOS Implementer
Certified StoryBrand Guide
Optimize For Growth
m: 212.517.1836

[EOS Testimonial Video \(4 minutes\)](#)

Lauren DeVore

From: E Lee <eulmlee@gmail.com>
Sent: Wednesday, April 7, 2021 2:11 PM
To: Planning and Zoning
Subject: Scenic Manor Subdivision in Mulberry Knoll (2019-29)
Categories: Lauren

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Planning & Zoning Staff and Commission,

I oppose Scenic Manor subdivision due to its future impact on the neighboring community and the County.

The proposal is to add 319 houses in this rural low-lying area wedged between Love Creek and Arnell Creek, where there are currently only about 60 homes. This poses a great imbalance in the area in many ways:

- The proposed 319 houses will be adding 5 times more traffic on the Mulberry Knoll Rd, which is a country road. To accommodate this additional traffic, the road must be first improved greatly.
- The huge impervious surface that is suddenly added to this area will increase the flooding risks to entire Mulberry Knoll area.
- Much of the mature trees will have to be cut down, increasing more water runoff and flooding risks.

This area supports various wildlife that have been squeezed from every direction. Sussex County's attraction is fading away as its rural character with pristine natural environment quickly disappears.

Please consider how we will answer to our children and grandchildren about the Sussex County they will inherit.

Thank you for your consideration.

Eul Lee (Lewes)

**Opposition
Exhibit**

Lauren DeVore

From: Denise Jacono <djacono@yahoo.com>
Sent: Wednesday, April 7, 2021 2:31 PM
To: Planning and Zoning
Subject: Development

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Put a hold on development as it is destroying Sussex County and placing folks in danger due to clogged highways and limited healthcare resources.

Sent from my iPhone

**Opposition
Exhibit**

Lauren DeVore

From: Merrill Levesque <merrillev@gmail.com>
Sent: Wednesday, April 7, 2021 2:23 PM
To: Planning and Zoning
Subject: Subdivision Application for Scenic Manor

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear P&Z,

I have written numerous times to suggest that the explosion of subdivisions that has been allowed to occur in Sussex County needs to end. As has been pointed out by so many people on so many occasions recently, County officials should now be thinking long term about current residents and our quality of life and NOT about the immediate transfer tax income and job creation that subdivisions create. You are enjoying very short term gains at the very high cost of uncontrolled density problems - too much traffic, infrastructure that is nowhere near the capacity needed NOW before adding more residents, problems with providing services for all the current residents and the impossible expectation that we could all evacuate on the current roads should a severe weather event hit our coast.

Scenic Manor is just another mass housing project on a piece of land situated in a particularly problematic area for additional development. So many developments have been approved and built that traffic on Rt 24 is already a disaster. Adding more houses and traffic at this time is foolish. Additionally, to allow 319 more homes to be built with roughly 30% of houses on a 100-year floodplain and allowing the removal of mature trees in the wetland buffer of the low-lying Mulberry Knoll area is criminal. When will County officials realize that areas of mature forests that exist are a real "standing workforce." By merely existing on the land trees are WORKING for people - cooling the air, creating oxygen, sequestering carbon and sucking up all the excess water in many low-lying areas. Think about it. They are an undemanding workforce - no calls for minimum wages, benefits, amenities or pensions. All they need is to be left alone and they will continue doing their jobs. Pretty amazing if you stop to look at trees from this perspective.

Change the goals of Sussex County to reflect the new realities we now face. Houses and people are not the problem ... officials who see short term gain as more important than quality of life in Sussex County, are the problem.

Thank you for your service to our community.

**Opposition
Exhibit**

Respectfully,
Merril Levesque
Frankford, DE

Lauren DeVore

From: Ann M <amm41m@hotmail.com>
Sent: Wednesday, April 7, 2021 12:02 PM
To: Planning and Zoning
Subject: Scenic Manor (in Mulberry Knoll)

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Please more gridlock, more noise and air pollution, more litter, longer response times for emergency vehicles, graffiti, crime, lower water tables, angry drivers when intersections are blocked, inconsistent internet service, and elbow to elbow beaches with no where to park. We need more more more...
More houses, fewer trees, more people, less wildlife more city, less of what Sussex County had to offer.

Thanks for your service
\$

Cheers,
Ann Mastradone

**Opposition
Exhibit**

Lauren DeVore

From: Ginamarie Fenton <mermaid0922@gmail.com>
Sent: Wednesday, April 7, 2021 11:18 AM
To: Planning and Zoning
Subject: Scenic Manor (in Mulberry Knoll)

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

As a current resident of Lewes DE, I am concerned about the intensity of the proposed development and the potential negative impacts a development in this location and with this density will have on the natural environment, traffic, storm water, etc.

I would ask that these things are taken into consideration as decisions are made. We also need to keep in mind the vision that we have for future generations.

Ginamarie Fenton

Sent from my iPhone

**Opposition
Exhibit**

Lauren DeVore

From: c valunas <cvalue1@gmail.com>
Sent: Wednesday, April 7, 2021 9:54 AM
To: Planning and Zoning
Subject: Public comment on Stratus Estates/Mulberry Knoll proposed developments
Categories: Lauren

**Opposition
Exhibit**

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To All Sussex P&Z Commissioners:

We must object to BOTH the proposed developments (and any more that come before the Council) that are referenced herein and are being decided by the Council. These additional developments are beyond the pale for what is acceptable growth for this region. Irrespective of the overall plan for our county, this area cannot withstand another nearly 600 homes. First, these developers are investing nothing into our infrastructure to offset the impact of these developments. They are doing nothing for the massive road congestion that all this new development has brought to this area. They merely have to put in a turn lane and they are done with infrastructure. We have 2 roads (Rte 24 and 9) and you have been approving nearly every development proposed on or near these critical arteries. This development MUST STOP NOW. You are damning us to perpetual traffic nightmares well into our future. The proposed expansion of Rte 24 wont happen for years, and wont address the issues because it is completely inadequate for the sheer volume of people you are allowing into our region. There is no credible rationale for the unrestricted growth you constantly approve. The impact on our environment will be catastrophic. The inability of people to travel within the region will destroy home values in the future, because people will leave the area due to road impacts.

It is inconceivable that you are even considering additional build out on these parcels. There is no justifiable reason for approving additional construction. You apparently must not travel our roads because you have zero concern about the traffic and impact these developments are going to cause in the area. Our entire system is being burdened by the massive growth, and this will impact tourism for years to come. No one will travel here when it takes 3 hours to get through beach traffic, and then you cant go anywhere once you are here. These continued developments are and will burden our police force, firefighters, EMS, power grid, water systems, sewer systems, and way of life into eternity. You must not approve ANY additional developments AND impose a moratorium on additional builds until we are able to absorb the impact these additional homes will have. Irrespective of any comprehensive plan, this is egregious behavior of the Council to continue to rubber stamp these developments. You've already added an unbelievable amount of home growth to the area and the damage is done. You need to put a stop to this unwarranted over development until there is adequate infrastructure to support this massive population growth. People are profiting from these approvals, but the existing residents are the ones who will bear the burden of the impact of this uncontrolled growth.

Any reasonable person would say enough is enough. These developments must be denied as we are beyond saturation and density. This is no longer a beautiful place to live. It is now a 20 square mile land of home developments. YOU all bear the responsibility as stewards of our land use. You were elected to protect our interests, not sell them out to the highest bidder. This is your opportunity to begin redeeming your legacy, and make a stand against this outrageous population growth in our overburdened area. My family has been part of Sussex County for 30 years, but now we are searching for ways to leave the area because of this abomination. What damage has been done cannot be undone, but you can now stop the insanity of this growth until roads and infrastructure are IN PLACE to withstand the impacts. Don't allow this opportunity to pass and STOP THE BUILD!!!

Charles Valunas

Lauren DeVore

From: LeeAnn Augustine <leeannaugustinemac@gmail.com>
Sent: Wednesday, April 7, 2021 9:54 AM
To: Planning and Zoning
Subject: Stop the Building in Sussex Co -- No to Scenic Manor!!!!
Categories: Lauren

**Opposition
Exhibit**

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LeeAnn Augustine
34001 Spencer Lane
Lewes, DE 19958

Lauren DeVore

From: susan nolan <suenolan2004@yahoo.com>
Sent: Wednesday, April 7, 2021 9:25 AM
To: Planning and Zoning
Subject: Scenic Manor

Opposition
Exhibit

Categories: Lauren

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I am very concerned of the environmental, safety and traffic affects of Scenic Manor on the town of Lewes. Is the town and county prepared for these affects and lawsuits brought on by this development. Consider these facts on your voting.

Susan Nolan
Lewes DE

Sent from my iPhone

Lauren DeVore

From: Jayne Lenore <jaynel@comcast.net>
Sent: Wednesday, April 7, 2021 8:59 AM
To: Planning and Zoning
Subject: Scenic manor

Categories: Lauren

**Opposition
Exhibit**

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I wonder sometimes ...what if it were me in the ambulance trying to get down the road? Rt 1, Rt 24 it doesn't matter. What if it were my parent or my child? Cars with no where to go to get out of the way. Traffic at a stand still with the flashing lights and sirens barely making a path for the ambulance. It is a safety issue! Particularly on Rt 24 where over 5000 new homes have been approved already. It is time to say enough is enough! Please limit the development on Mulberry Knoll. Control it while you still have the chance! Thank you! JayneFetterman

Lauren DeVore

From: shuathome@verizon.net
Sent: Wednesday, April 7, 2021 8:31 AM
To: Planning and Zoning
Subject: Mulberry Knoll (Scenic Manor) Development on Rt 24
Categories: Lauren

**Opposition
Exhibit**

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Good morning.

I'm respectfully asking for a careful evaluation of the project and hoping that it will not be developed.

This new subdivision may bring some realty transfer taxes and property taxes to the County and the State and provide some construction jobs, but the long-term burden to all taxpayers will be the traffic overload, along with evacuation issues, and the increased risks of flooding and runoff by paving the vast acreage. This will also put the wildlife and marine life that boost the tourism in Sussex County in danger.

Sussex County is unique and wonderful with its bountiful wildlife – it's all supported by marshes and clean water. Native trees and grounds cape clean water and remove carbon dioxide from the air providing Sussex County residents with clean air – something we can't take for granted. Losing this forest will push our community further towards destruction.

Here's another suggestion for generating money that is greener and really gets to the challenges in the county. I visited Iceland in 2019 during the Christmas Holidays and New Year's. Iceland imposes a 30% tax on visitors during the last 2 weeks of the year on everything – taxis, restaurants, retail goods, hotel rooms, etc. Why? The onslaught of visitors are straining their resources during this period and, what at one time was highly valued as family time, is not devoted to taking care of the many global visitors. We totally understood the reason for the tax and paid it. Cannot we do something similar during the Sussex County "high season" and tax our visitors for using our infrastructure vs cutting down irreplaceable resources.

Thank you for listening.

Barbara S. Shuster
shuathome@verizon.net
443-905-2393 cell

Lauren DeVore

From: shuathome@verizon.net
Sent: Wednesday, April 7, 2021 8:31 AM
To: Planning and Zoning
Subject: Mulberry Knoll (Scenic Manor) Development on Rt 24
Categories: Lauren

**Opposition
Exhibit**

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

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Thank you for listening.

Barbara S. Shuster
shuathome@verizon.net
443-905-2393 cell

Russell Warrington

From: Jamie Whitehouse
Sent: Friday, April 2, 2021 11:40 AM
To: Russell Warrington; Ann Lepore; Lauren DeVore
Subject: Fwd: Building on Rt 24 Corridor

Please could the comments below be added to the scenic manor application file

Thank you,

Jamie

Opposition
Exhibit

From: Nancy Guerin <bbobgranmom05@gmail.com>
Sent: Friday, April 2, 2021 8:29:31 AM
To: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>
Subject: Building on Rt 24 Corridor

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

As a person who lives in Hart's Landing please stop the development on this busy dangerous route. There are enough markers on this route that have crosses indicating deaths. Sometimes trying to get out of my development is such a danger. Give This lower area of Sussex county a chance to catch up on all the development that is happening now. Be my guest, anytime and try to get out of my development

Thank you Nancy Guerin

Sent from my iPhone

Russell Warrington

From: Jamie Whitehouse
Sent: Friday, April 2, 2021 11:42 AM
To: Ann Lepore; Russell Warrington
Subject: Fwd: Scenic Manor Subdivision

Opposition
Exhibit

Please could these comments be added to the scenic manor application file.

Thank you,

Jamie

From: Randi Miller <randi@randi-miller.com>
Sent: Thursday, April 1, 2021 7:10:59 PM
To: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>
Subject: Re: Scenic Manor Subdivision

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I am strongly opposed to the proposed 391 lot Scenic Manor subdivision because of the irreparable damage it will do to the wetlands and the danger it presents to the endangered species that currently call it home. The traffic impact is obvious, and presents an entirely different type of danger to an already inadequate evacuation route.

This proposed subdivision is a reckless and irresponsible notion, and it's the last thing we need in this already wildly expanding and over-developed area which is quickly hemorrhaging its once-beautiful charm and rendering it just another overcrowded and unpleasant place to live for humans and wildlife alike.

Sincerely,
Randi Miller

Russell Warrington

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, March 29, 2021 11:17 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Rusty

Opposition
Exhibit

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, March 29, 2021 - 11:16am

Name: Old Landing Woods Owners Association Email address: olwoa@aol.com Phone number: 3022267666

Subject: Comments on Proposed Scenic Manor development

Message:

The Old Landing Woods Development is immediately across Arnell Creek from the proposed Scenic Manor Development. Our owners are especially concerned about the number of homes being built in the flood plain. The homes in Old Landing Woods along Arnell Creek currently experience high water reaching into the crawl spaces of our homes. We are very concerned that this development and the planned storm water flowing into Arnell Creek will only exacerbate our current flooding problems. We are asking that the P&Z Commission carefully consider the impact that this proposed development will have on our homes.

The proposal for the Scenic Manor site is for a 319-home subdivision on Mulberry Knoll Road south of Rt. 24, between Arnell Creek and the Dorman Branch of Love Creek. The 170-acre site presently includes farmland, 27 acres of forest, 18 acres of tidal wetlands and 5 acres of non-tidal wetlands.

Specifically, we are concerned about the increased frequency of destructive flooding. This subdivision will increase impermeable surfaces and remove top soil. The compacted top soil around new houses along with the removal of forested areas and their soils will greatly reduce the property's ability to absorb water.

Ninety-six (96) of the proposed 319 lots, portions of the roads, and half of the clubhouse are within the 100-year floodplain. Some of the proposed storm water management areas will not be effective because they are located where the water table is 0-3' below the surface. Therefore, storm water will be released directly into Arnell Creek and impact the homes along Arnell Creek in Old Landing Woods.

We would appreciate your consideration of our concerns.

Sincerely,
Richard Morgante, President
Old Landing Woods HOA

Lauren DeVore

From: Borsdorf, Laura <lborsdorf@ursinus.edu>
Sent: Tuesday, April 6, 2021 6:41 PM
To: Planning and Zoning
Subject: Proposed 319 lot Scenic Manor subdivision on Mulberry Knoll Road

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I am strongly opposed to a subdivision on Mulberry Knoll Road. No Scenic Manor subdivision.

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**Opposition
Exhibit**

Lauren DeVore

From: Gary Papp <essentialchef@comcast.net>
Sent: Tuesday, April 6, 2021 5:10 PM
To: ernesto.lopez@delaware.gov; peter.schwartzkopf@delaware.gov; Todd F. Lawson; Doug Hudson; Jamie Whitehouse
Subject: Traffic concerns Scenic Manor Lewes De
Attachments: Traffic Concerns Scenic Manor Development copy.pages

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Sir,

Please find our attached letter of traffic concerns regarding the Scenic Manor development, Mulberry Knoll Lewes, De. Thank you for your attention to this matter.

Gary and Lorraine Papp
34710 Riviera Dr

Lewes, De 19958

302.249.5128

**Opposition
Exhibit**

Lauren DeVore

From: Gary Papp <essentialchef@comcast.net>
Sent: Tuesday, April 6, 2021 5:06 PM
To: ernesto.lopez@delaware.gov; Todd F. Lawson; Doug Hudson; Jamie Whitehouse;
peter.schwartzkopf@delaware.gov
Subject: Flooding Concerns Scenic Manor Development
Attachments: Flooding Concerns Scenic Manor Development.pages

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Sir,

Please find our attached letter concerning the Scenic Manor development and our concerns of flooding this poorly planned development will contribute too.

Gary and Lorraine Papp
34710 Riviera Dr

Mulberry Knoll

Lewes DE 19958

302.249.5128

**Opposition
Exhibit**

Lauren DeVore

From: Gary Papp <essentialchef@comcast.net>
Sent: Tuesday, April 6, 2021 5:00 PM
To: Jamie Whitehouse
Subject: Environmental Concerns, Scenic Manor Development Mulberry Knoll Lewes De
Attachments: Enviornment Concerns Scenic Manor.pages

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Sir,

Please find my attached document letter that voices our strong concerns regarding the Scenic Manor Development and its pending planning and zoning meeting to be held April 8, 2021. Thank you for giving this matter your attention

Gary and Lorraine Papp
34710 Riviera Dr

Lewes De 19958

302.249.5128

**Opposition
Exhibit**

Lauren DeVore

From: Doug Hudson
Sent: Tuesday, April 6, 2021 7:00 PM
To: Jamie Whitehouse
Subject: Fwd: Traffic concerns Scenic Manor Lewes De
Attachments: Traffic Concerns Scenic Manor Development copy.pages

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From: Gary Papp <essentialchef@comcast.net>
Sent: Tuesday, April 6, 2021 5:10 PM
To: ernesto.lopez@delaware.gov; peter.schwartzkopf@delaware.gov; Todd F. Lawson; Doug Hudson; Jamie Whitehouse
Subject: Traffic concerns Scenic Manor Lewes De

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Sir,

Please find our attached letter of traffic concerns regarding the Scenic Manor development, Mulberry Knoll Lewes, De. Thank you for your attention to this matter.

Gary and Lorraine Papp
34710 Riviera Dr

Lewes, De 19958

302.249.5128

**Opposition
Exhibit**

Lauren DeVore

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, April 6, 2021 4:23 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Lauren

**Opposition
Exhibit**

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, April 6, 2021 - 4:23pm

Name: RICHARD A OGOREK
Email address: rogorek@ogorekco.com
Phone number: 6107246799
Subject: Scenic Manor-Mulberry Knoll

Message:

I oppose the proposed development on the basis of safety/traffic and flooding as I live in proximity to the affected area.

Additional concerns are the environmental impact.

Lauren DeVore

From: Donna Voigt <dvoigt11@gmail.com>
Sent: Tuesday, April 6, 2021 2:59 PM
To: Planning and Zoning
Subject: Opposition to Scenic Manor, P& Z Application ID #: 2019-29
Attachments: Scenic Manor Opposition Letter.pdf

Categories: Lauren

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Good Afternoon,
I am attaching a letter of opposition to the Scenic Manor P&Z Application that comes before the P&Z Commission this Thursday evening.
Please share this letter with the Commission and include with the proceedings.

Thank-you very much,

Donna Voigt

**Opposition
Exhibit**

Lauren DeVore

From: Jayne Lenore <jaynel@comcast.net>
Sent: Monday, April 5, 2021 4:57 PM
To: Planning and Zoning
Subject: Evacuation Route

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

How in good conscious can you designate an evacuation route and then let it become the road to NO return? I can barely get out of my lane on Mulberry Knoll on a regular day...how will I ever get out if we need to evacuate? We have created a nightmare which will only get worse on Rt 24 with the addition of up to 5000 homes along this route. Road widening plans impacted by Love Creek Bridge with no widening plans...just compound the nightmare. I know you know! Please stop the expanse!
Thank you...Jayne Fetterman
34722 Riviera Dr lewes De

Opposition
Exhibit

Lauren DeVore

From: Jayne Lenore <jaynel@comcast.net>
Sent: Monday, April 5, 2021 5:05 PM
To: Planning and Zoning
Subject: Wetlands

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Adapted from a long ago song....Pete Seeger...

Where have all the wetlands gone...
long time passing..
where have all the wetlands gone..
filled with dirt each and everyone..
when will we ever learn...when will we ever learn?

PLEASE now is the time to say No! Save our environment and our wildlife! What has more value the "mighty" dollar or our land. Use logic...use awareness...use your wisdom to do the right thing. Thank you.

Jayne Fetterman 34722 Riviera Drive lewes De19958

**Opposition
Exhibit**

Lauren DeVore

From: Lpodolske <lpodolske@aol.com>
Sent: Tuesday, April 6, 2021 1:41 PM
To: Planning and Zoning
Subject: Scenic Manor (F.K.A. Estates at Mulberry Knoll) - P&Z Public Hearing - 4/8/2021

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Planning and Zoning - I am writing as a Sussex County homeowner who is concerned about the growing traffic, flood and water quality problems in Sussex County. The proposed Scenic Manor development will cause significant additional traffic in the Route 24 corridor where there are already intersections and roadways rated at service levels E and F. Since Route 24 is a designated evacuation route, the level of traffic in the area is already too high and additional development without significant improvements on 24 all the way from Route 1 to Route 113 is not appropriate. In addition, a number of the lots in the proposed development are located completely or partially in the FEMA 100-year flood zone and the amount of landfill to be brought into the development so they can build on these lots will cause additional flood risk for other existing developments that already have flooding problems. Also, additional homesites with driveways and roads will lead to more impenetrable surface areas and increased fertilizer and insecticide runoff into our already polluted Inland Bays watershed. Sussex County needs to start building smarter so the quality of life we all enjoyed in the past can be enjoyed by future generations. Don't approve the Scenic Matter development. Lew Podolske 27857
Possum Point Road, Millsboro, DE 19966

**Opposition
Exhibit**

Lauren DeVore

From: elinor6@hotmail.com
Sent: Tuesday, April 6, 2021 8:36 AM
To: Jamie Whitehouse
Subject: Opposition to Scenic Manor development on Mulberry Knoll Rd

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To Whom It May Concern

I have lived in the Briarwood Estates development for 26 years. It is on Rt. 24 just down the road from the Mulberry Knoll intersection with Rt. 24. I have watched how the unfettered development of every piece of farmland and forest has progressed in our area. The development of Bell Terra off of Mulberry Road behind our development is a prime example of what I see from my backyard. They are cutting every last tree in the forested area causing an influx of bewildered and displaced foxes, deer and other wildlife to enter our community in search of safety and food. Having witnessed the destruction of the habitat of our local wildlife, I believe it is time to step back and look at what additional development will do. Additionally the run off from Bell Terra development is directed toward Hettie Fisher Pond in our development and has caused backyards of many homes to be flooded. Just an unintended consequence due in part to the lack of planning. After reading the Cape Gazette article, I am very concerned that Scenic Manor will destroy the habitat of an endangered species the American Kestrel as well as the afore mentioned deer, foxes, ground hogs and other wildlife. Will the developers be filling in wetlands to add more building lots? Is this about money or will it be about planning housing in harmony with the natural environment?

As it is now Rt 24 is traffic gridlock and exiting from the existing developments is almost impossible at some times of the day. Does the county council look at traffic counts? I feel that a moratorium on developments should be imposed until our roads can handle the additional traffic and that some compromise is made with developers to spread homes so that ecosystems can be preserved.

Thank you for listening to my concern for over development and destruction of native wildlife habitat.

Elinor Hughes
3 Tanglewood Ct
Lewes DE 19958

**Opposition
Exhibit**

Lauren DeVore

From: Doug Hudson
Sent: Monday, April 5, 2021 4:17 PM
To: Jamie Whitehouse
Subject: Fwd: Scenic Manor

**Opposition
Exhibit**

Get [Outlook for iOS](#)

From: Donna DeCerchio <donnadecerchio@gmail.com>
Sent: Monday, April 5, 2021 8:08 AM
To: Doug Hudson
Subject: Scenic Manor

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I have watched the out of control development in Sussex county over the years. I find Scenic Manor on Rt 24 and Mulberry Knoll to be particularly concerning. The additional vehicles pouring onto Rt 24 so close to Rt 1 will make an already bad situation worse. Of greater concern to me is the impact on the environment. Water runoff will contribute to flooding and the quality of the Arnell Creek and the Rehoboth Bay. Animal habitats will be destroyed.

I know that development is inevitable. Landowners who wish to sell have a right to do so. I would hope that **Scenic Manor will remain scenic. The development should be downsized and the treeline along Arnell Creek remain untouched.**

We need to take a stand and protect what remains of our open spaces. I will attend the hearing virtually.

Thank you for your attention.
Donna DeCerchio
Lewes, Delaware

Lauren DeVore

From: elinor6@hotmail.com
Sent: Tuesday, April 6, 2021 9:32 AM
To: Planning and Zoning
Subject: FW: Opposition to Scenic Manor development on Mulberry Knoll Rd

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

From: elinor6@hotmail.com <elinor6@hotmail.com>
Sent: Tuesday, April 6, 2021 8:36 AM
To: 'jamie.whitehouse@sussexcountyde.gov' <jamie.whitehouse@sussexcountyde.gov>
Subject: Opposition to Scenic Manor development on Mulberry Knoll Rd

To Whom It May Concern

I have lived in the Briarwood Estates development for 26 years. It is on Rt. 24 just down the road from the Mulberry Knoll intersection with Rt. 24. I have watched how the unfettered development of every piece of farmland and forest has progressed in our area. The development of Bell Terra off of Mulberry Road behind our development is a prime example of what I see from my backyard. They are cutting every last tree in the forested area causing an influx of bewildered and displaced foxes, deer and other wildlife to enter our community in search of safety and food. Having witnessed the destruction of the habitat of our local wildlife, I believe it is time to step back and look at what additional development will do. Additionally the run off from Bell Terra development is directed toward Hettie Fisher Pond in our development and has caused backyards of many homes to be flooded. Just an unintended consequence due in part to the lack of planning. After reading the Cape Gazette article, I am very concerned that Scenic Manor will destroy the habitat of an endangered species the American Kestrel as well as the afore mentioned deer, foxes, ground hogs and other wildlife. Will the developers be filling in wetlands to add more building lots? Is this about money or will it be about planning housing in harmony with the natural environment?

As it is now Rt 24 is traffic gridlock and exiting from the existing developments is almost impossible at some times of the day. Does the county council look at traffic counts? I feel that a moratorium on developments should be imposed until our roads can handle the additional traffic and that some compromise is made with developers to spread homes so that ecosystems can be preserved.

Thank you for listening to my concern for over development and destruction of native wildlife habitat.

Elinor Hughes
3 Tanglewood Ct
Lewes DE 19958

Opposition
Exhibit

Lauren DeVore

From: rosemary0228 <rosemary0228@yahoo.com>
Sent: Monday, April 5, 2021 5:44 PM
To: Planning and Zoning
Subject: Scenic Manor Subdivision

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I completely opposed the building of such a dense development. The area is on the flood plan, building will adversely affect current residents in that area AND add even more congestion to an evacuation route that is YEARS away from adequate.

Disruption of that ecosystem also impacts wildlife

Landowner rights is only ONE aspect of land development and it is time that Sussex County take a step back and determine how to control growth and consider current residents and their needs.

45-47 inches of rain a year, water everywhere, planting HUGE carbon footprints in place of environment-sparing woodlands, drainage and wildlife, has reached a ridiculous level.

NO on Scenic Manor
Rosemary Mirocco
33049 Suburban Blvd
LEWES, dE 19958

**Opposition
Exhibit**

Sent from my Verizon, Samsung Galaxy smartphone

Lauren DeVore

From: Lisa DeCerchio <lisa.decerchio@gmail.com>
Sent: Monday, April 5, 2021 10:54 AM
To: Jamie Whitehouse
Cc: John Rieley; Michael H. Vincent; Cynthia Green; Mark Schaeffer; Doug Hudson; Lauren DeVore; Planning and Zoning; jennifer.cohan@delaware.gov; shante.hastings@delaware.gov; sarah.coakley@delaware.gov
Subject: Scenic Manor (formerly known as Estates at Mulberry Knoll)
Attachments: Scenic Manor Development Letter_LDeCerchio.pdf

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Whitehouse and the Sussex Council,

Please see attached my letter regarding the Scenic Manor proposed subdivision.

Kind Regards,
Lisa DeCerchio
305-336-6324

Opposition
Exhibit

Lisa De Cerchio
32 Club House Drive
Rehoboth Beach, DE 19971
305-336-6324

April 1, 2021

Mr. Jamie Whitehouse
Director,
Sussex County Planning and Zoning Commission
2 The Circle
P.O. Box 417
Georgetown, DE 19947

Opposition
Exhibit

RE: Scenic Manor (formerly known as Estates at Mulberry Knoll)

Dear Mr. Whitehouse,

I am writing in regard to the proposed Scenic Manor subdivision. As a resident of Sussex County, I understand the need for growth and development in the region, but I believe that its effects on quality of life should be a major consideration. Traffic patterns are a major concern in the area and current road systems were not built for the ever-increasing population size. Route 24 is of particular concern as it is regularly back up with traffic, which will only increase with the development of new homes in the area.

I am also particularly concerned about tree lines protecting the Arnell Creek and surrounding wetlands. The state's recommendation for a 100-foot buffer between the development and the wetlands should be observed. I would also expect that this new development will not contribute pollution or Arnell Creek and all other surrounding wetlands and waterways.

I do not expect a termination of development in the region or the Scenic Manor project in particular, but I felt it necessary to bring more awareness to these environmental and quality of life concerns. Thank you for your time and consideration.

Sincerely,



Lisa De Cerchio

Lauren DeVore

From: Donna DeCerchio <donnadecerchio@gmail.com>
Sent: Monday, April 5, 2021 8:00 AM
To: Jamie Whitehouse
Subject: Scenic Manor

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I have watched the out of control development in Sussex county over the years. I find Scenic Manor on Rt 24 and Mulberry Knoll to be particularly concerning. The additional vehicles pouring onto Rt 24 so close to Rt 1 will make an already bad situation worse. Of greater concern to me is the impact on the environment. Water runoff will contribute to flooding and the quality of the Arnell Creek and the Rehoboth Bay. Animal habitats will be destroyed.

I know that development is inevitable. Landowners who wish to sell have a right to do so. I would hope that **Scenic Manor will remain scenic. The development should be downsized and the treeline along Arnell Creek remain untouched.**

We need to take a stand and protect what remains of our open spaces. I will attend the hearing virtually.

Thank you for your attention.
Donna DeCerchio
Lewes, Delaware

**Opposition
Exhibit**

Lauren DeVore

From: Bob & Margaret <rabbitsrun@verizon.net>
Sent: Thursday, April 1, 2021 6:51 PM
To: Planning and Zoning
Subject: Scenic Manor Development

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

To Whom It May Concern:

I am in opposition to the approval of the above named subdivision. Studies show that Rt. 24 can not safely support additional development, houses are planned in flood plains, and wetland areas that are habitat for Delaware endangered species will be destroyed. We are so fortunate to have one of the few locations that the amazing American Kestrels can be spotted. Eliminating the areas for wildlife to thrive will eliminate the desire for people to live here.

Additionally I have been monitoring the Wellesley Development. I have had to call the Sussex County Conservation District on more than one occasion because the developer is not following proper code, rules, regulations, etc. to protect Arnell Creek. Each time I call, the developer is found in violation. It seems to be up to citizens to monitor that developers are protecting the creek. This system is ineffective and harmful. Until Sussex County has the personnel to adequately monitor all of the development, I believe a moratorium should be placed on continued development.

Developments can be added, but they can not be removed. Ecosystems can be destroyed, but can not be replaced. We must pause and consider long term planning before rushing into decisions that have a permanent impact on land.

Sincerely,

Margaret Colvin

**Opposition
Exhibit**

Lauren DeVore

From: Patty Reed <pattyle2013@gmail.com>
Sent: Thursday, April 1, 2021 7:37 PM
To: Jamie Whitehouse
Subject: Opposition

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Oppose. Building at Mulberry Rd. Lewes

Patty L Reed

**Opposition
Exhibit**

Lauren DeVore

From: Holly Diehl <hollypta@yahoo.com>
Sent: Thursday, April 1, 2021 7:55 PM
To: Planning and Zoning
Subject: Opposed to Scenic Manor on Mulberry Noll Rd

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Please, please stop this development. Coastal Sussex can not handle any more development. The traffic is bumper to bumper now and it is only March. Our wetlands and wildlife are suffering. Runoff is becoming a problem with more noticeable flooding. Thank you for your consideration. Holly Diehl Sent from my iPad

**Opposition
Exhibit**

Lauren DeVore

From: Gary Cebula <gcebula906@gmail.com>
Sent: Friday, April 2, 2021 8:36 AM
To: Jamie Whitehouse
Subject: Rt 24 and adjoining roads

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

WE are building too much too fast. The Traffic will be horrendous. Stop ther build
Gary Cebula
Angola By the Bay

**Opposition
Exhibit**

Lauren DeVore

From: Nancy Guerin <bbobgranmom05@gmail.com>
Sent: Friday, April 2, 2021 9:30 AM
To: Jamie Whitehouse
Subject: Building on Rt 24 Corridor

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

As a person who lives in Hart's Landing please stop the development on this busy dangerous route. There are enough markers on this route that have crosses indicating deaths. Sometimes trying to get out of my development is such a danger. Give This lower area of Sussex county a chance to catch up on all the development that is happening now. Be my guest, anytime and try to get out of my development

Thank you Nancy Guerin

Sent from my iPhone

**Opposition
Exhibit**

Lauren DeVore

From: Nancy Guerin <bbobgranmom05@gmail.com>
Sent: Friday, April 2, 2021 9:45 AM
To: Planning and Zoning
Subject: Development on RT 24

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I forwarded a message to Jamie Whitehouse and was referred to your website. Please reconsider all the future development on RT 24. Let what is being developed be done, and then reassess the road. I can hardly get out of my development, Hart's Landing, as it is. There are so many, at my last count more than 12, markers that represent deaths on the stretch of the from Rt 1 past Baywood. Give it a break. I now can sit at our pool and see the traffic that is stopped in front of my development. I can't wait to get to the poles and vote against anyone that encourages this development. Thank you, Nancy Guerin

**Opposition
Exhibit**

Lauren DeVore

From: Susan O'Sullivan <susan.osullivan55@gmail.com>
Sent: Friday, April 2, 2021 2:38 PM
To: Jamie Whitehouse
Subject: Mulberry Knoll subdivision

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I oppose it because of how it will affect our environment and wildlife. No one wants anymore flooding or water issues.

Thank you
Susan O'Sullivan

**Opposition
Exhibit**

Sent from my iPhone

Lauren DeVore

From: Susan O'Sullivan <susan.osullivan55@gmail.com>
Sent: Friday, April 2, 2021 4:57 PM
To: Planning and Zoning
Subject: Fwd: Mulberry Knoll subdivision

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Please see my objection sent below

Sent from my iPhone

**Opposition
Exhibit**

Begin forwarded message:

From: Susan O'Sullivan <susan.osullivan55@gmail.com>
Date: April 2, 2021 at 2:37:52 PM EDT
To: jamie.whitehouse@sussexcountyde.gov
Subject: Mulberry Knoll subdivision

I oppose it because of how it will affect our environment and wildlife. No one wants anymore flooding or water issues.

Thank you
Susan O'Sullivan

Sent from my iPhone

Lauren DeVore

From: Bruce Steakley <blsteakley@gmail.com>
Sent: Friday, April 2, 2021 7:35 PM
To: Planning and Zoning
Subject: Opposition to Scenic Manor Subdivision

**Opposition
Exhibit**

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I'm writing in opposition to the proposed Scenic Manor Subdivision on Cedar Knoll Road. I have several worries which are not being taken into account in the proposed development of this community. These include traffic and traffic safety, flooding, and environmental concerns.

Thanks,

Bruce Steakley
22629 Ocala Way
Lewes, DE 19958
703-407-6741

Lauren DeVore

From: MARK BOEMIO <mboemio@aol.com>
Sent: Friday, April 2, 2021 7:51 PM
To: Planning and Zoning
Subject: Scenic Manor Proposed Subdivision

**Opposition
Exhibit**

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

I am concerning about the affect this subdivision will have on traffic in the area and the negative affect on building in a 100 year flood zone. I live in a nearby community and the water drainage is a big issue in my backyard.

Thanks,
Mark Boemio
22435 Ocala Way

Sent from my iPhone

Lauren DeVore

From: Judy <judyk15@verizon.net>
Sent: Saturday, April 3, 2021 7:59 AM
To: Planning and Zoning
Subject: Opposition to Scenic Manor

**Opposition
Exhibit**

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Please vote no on allowing the Scenic Manor development to progress. There are many reasons for my opposition, from traffic and safety to flooding and environmental. In keeping with many of my past comments as they relate to all things Route 24, traffic and safety are my prime concern. Adding more than 300 homes to the local roads will further diminish response times for first responders. While some of the intersections along route 24 will be improved, DelDOT has made it clear these improvements will not improve the flow of traffic along the road, but be focused more on the safety of the intersections. With Route 24 being 2 lanes and my only way out if I have to evacuate, I live in fear of being stuck in Angola by the Bay in case of an emergency.. Since there are no plans to widen Love Creek Bridge; we are doomed to gridlock! Adding yet another development along Route 24 is just asking for more trouble in what once way my little paradise. Actually with the developments already in progress along Route 24 we HAVE gridlock now.

Thank you
Judy Kane
23514 Oak St East
Lewes, De 19958
302-945-7032

Lauren DeVore

From: Vincent, Katelyn-AZ Dental 18 <kvincent64@midwestern.edu>
Sent: Saturday, April 3, 2021 9:16 AM
To: Planning and Zoning
Subject: Proposed Scenic Manor community

**Opposition
Exhibit**

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Hi there,

I am a native of Sussex County, a true local, which not many can say these days. I grew up in Dewey Beach and attended the Cape Henlopen School District. I have seen much growth and expansion over the years, which in many ways is great for our economy. But I please ask that you reconsider the proposed 319-lot Scenic Manor development.

These are my major concerns:

Safety/Traffic:

Route 24 is a designated evacuation route. Although a portion of Route 24 is being widened, there are no plans to widen the Love Creek bridge, effectively making Route 24 a two-lane evacuation route.

Safety/Flooding:

Ninety six of the proposed 320 lots in this development, 6 portions of the roads, and half of the clubhouse area are within the FEMA 100-year floodplain. Approximately 43 lots are entirely within the floodplain; the other 53 have varying portions within the floodplain.

The largest stormwater management pond located by the clubhouse is almost entirely within the 100-year floodplain. It is located in Zone AE (EL5) where the water level is expected to rise five feet in a 100-year storm. This stormwater pond will be useless in a major flood event because it will already be under flood water.

The existing community of Mulberry Knoll and homes in Old Landing Woods along Arnell Creek already experience serious flooding. The amount of fill that would need to be brought in to raise the floodplain for building the development would displace flood water and exacerbate flooding in those areas. The stormwater pond outfall on Arnell Creek is located upstream from the Old Landing Woods lots and outfall during a large storm would significantly increase flood waters.

Environmental Concerns:

The major concern is for the habitat/survival of the American Kestrels on the property. Both male and female American Kestrels have been observed on the property for the last 4 years. The American Kestrel is the smallest falcon in North America and is listed as endangered on Delaware's Endangered Species inventory. In the Mid-Atlantic region, its population has declined 88% since the 1970s (according to data from the USGS Breeding Bird Survey). According to E-Bird, the only areas with multiple sightings of Kestrels in Sussex County are the proposed Scenic Manor site, Cape Henlopen State Park & Redden State Forest.

Another concern is for the 5 acres on non-tidal wetlands on the property. Non-tidal wetlands are not protected in Sussex County & the current plans indicate that all the wetlands will be replaced with stormwater management ponds. Four

Lauren DeVore

From: Boe Daley <bojangles21@comcast.net>
Sent: Saturday, April 3, 2021 6:51 PM
To: Planning and Zoning
Subject: Scenic Manor @ Mulberry Knoll

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

This piece of land brings back memories of Old Mill Landing. It is environmentally sensitive land with possible archaeological remains on an already polluted creek. However, this parcel is even less suitable for building due to the fact that a large portion of it is in the 100 year flood plain, and storm water management systems can only do so much to "stem the tide" during these days of rising sea levels and increasingly dangerous storms. The current residents in the area are fearing flooding, and rightly so. Additionally, this will mean even more traffic along the nightmare that is Rt. 24. When will this insanity end? Hopefully, not before it's too late, though it might already be. Thank you for "listening", Boe Daley, Selbyville

**Opposition
Exhibit**

Lauren DeVore

From: Bob Kaplan <bobkaplan@live.com>
Sent: Sunday, April 4, 2021 4:10 PM
To: Planning and Zoning
Subject: Scenic Manor Development comments for 8 April 2021 P & Z hearing meeting

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

To the Sussex County Planning and Zoning department

As everyone is aware, both Old Landing Road and Mulberry Road are long no-outlet residential roads ending on or near the bay. Both are bordering on wetlands and Arnell Creek. Old Landing Road is highly developed and contains many hundreds of homes west of Warrington Road and relies on a single already congested means of egress. Mulberry Road would find a similar situation with this proposed development.

It is critical for emergencies and evacuation that these roads have a second means of egress, even if it is circuitous and remote to discourage cut-throughs. With the current development of Wellesley, also bordering on Arnell Creek as does Scenic Manor, neither Sussex County nor DelDot required a street to abut and end at Arnell Creek for a future crossover bridge to connect with Old Landing Road, perhaps at Fairview Drive. The new Old Landing golf course development contains a vague possibility to cross Arnell Creek to make a route for a Mulberry Road connection at the extension of Fairway Drive, but it is ambiguous in design and process to allow for a future connection.

With the Scenic Manor proposed development, I strongly recommend that the Planning and Zoning department require that the unnamed cul-de-sac street shown on the subdivision plan be changed to a dead-end with right-of-way allowing a direct **future bridge connection to Club House Drive. This is critical at this stage of planning** and does not necessarily commit to a bridge crossover at this time, nor cost the developer any significant extra costs. With rapidly advancing climate change and population, this must be considered as a prudent and viable option.

The developer should require of all future property purchasers to sign a knowledge-and-no-objection clause should Sussex County make this a required plan adjustment should they advance this option in the future. I believe this is what caused the delay or killing of the planned extension of the road from the Beebe Campus off Route 24 to Airport Road with the adjacent owners of the Sterling Crossing subdivision.

Please consider this situation of utmost importance with the review of this submission.

Respectfully submitted,

Bob Kaplan, retired architect and urban planner
Rehoboth Beach

**Opposition
Exhibit**

Lauren DeVore

From: George Dellinger <geo.dellinger@gmail.com>
Sent: Sunday, April 4, 2021 5:58 PM
To: Planning and Zoning
Cc: George Dellinger
Subject: Deny Scenic Manor subdivision on Mulberry Knoll Road

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Planning and Zoning. Deny this subdivision.

The bases for denial are documented and viable and are sustainable should the applicant appeal.

Thank you,
/George Dellinger
32250 Sandpiper Drive, Lewes, DE 19958

**Opposition
Exhibit**

Lauren DeVore

From: Jamie Whitehouse
Sent: Friday, April 2, 2021 10:36 AM
To: Nick Torrance; Christin Scott; Lauren DeVore; Chase Phillips
Subject: Fwd: Scenic Manor/Mulberry Knoll

Comment letter for the file

**Opposition
Exhibit**

Thanks,

Jamie

From: Jack Vassalotti <runmore68@comcast.net>
Sent: Thursday, April 1, 2021, 8:06 PM
To: Jamie Whitehouse
Subject: Scenic Manor/Mulberry Knoll

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Hello,

My name is Louis Vassalotti and my wife and I have lived at 20570 Mulberry Knoll Rd. for 27 years. The Scenic Manor subdivision proposal is too much for this road to handle. There are environmental and infrastructure concerns that must be studied before something this big is approved. We are opposed to the current application.

Sincerely,

Louis Vassalotti
Donna Vassalotti

Sent from my iPhone

Ann Lepore

From: Jamie Whitehouse
Sent: Friday, April 2, 2021 11:42 AM
To: Ann Lepore; Russell Warrington
Subject: Fwd: Scenic Manor Subdivision

Please could these comments be added to the scenic manor application file.

Thank you,

Jamie

**Opposition
Exhibit**

From: Randi Miller <randi@randi-miller.com>
Sent: Thursday, April 1, 2021 7:10:59 PM
To: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>
Subject: Re: Scenic Manor Subdivision

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I am strongly opposed to the proposed 391 lot Scenic Manor subdivision because of the irreparable damage it will do to the wetlands and the danger it presents to the endangered species that currently call it home. The traffic impact is obvious, and presents an entirely different type of danger to an already inadequate evacuation route.

This proposed subdivision is a reckless and irresponsible notion, and it's the last thing we need in this already wildly expanding and over-developed area which is quickly hemorrhaging its once-beautiful charm and rendering it just another overcrowded and unpleasant place to live for humans and wildlife alike.

Sincerely,
Randi Miller

Ann Lepore

From: Jamie Whitehouse
Sent: Friday, April 2, 2021 11:40 AM
To: Russell Warrington; Ann Lepore; Lauren DeVore
Subject: Fwd: Building on Rt 24 Corridor

Please could the comments below be added to the scenic manor application file

Thank you,

Jamie

**Opposition
Exhibit**

From: Nancy Guerin <bbobgranmom05@gmail.com>
Sent: Friday, April 2, 2021 8:29:31 AM
To: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>
Subject: Building on Rt 24 Corridor

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As a person who lives in Hart's Landing please stop the development on this busy dangerous route. There are enough markers on this route that have crosses indicating deaths. Sometimes trying to get out of my development is such a danger. Give This lower area of Sussex county a chance to catch up on all the development that is happening now. Be my guest, anytime and try to get out of my development

Thank you Nancy Guerin

Sent from my iPhone

Lauren DeVore

From: Niki Nicholson <nnicholson1225@yahoo.com>
Sent: Monday, April 5, 2021 7:45 AM
To: Planning and Zoning
Subject: THE RUINATION OF SUSSEX COUNTY

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TO OUR COMMISSIONERS, CHRIS COON, GOVERNOR CARNEY!
SAY WHAT ALL OF YOU WILL WITH YOUR RHETORIC WHILE TURNING YOUR HEAD AND DOING NOTHING TO STOP CHOPPING DOWN THE TREES, RUINING THE NATURAL HABITAT FOR THE ANIMALS AND BIRDS AND LET ALL THE RUNOFF RUIN THE WATERS THAT SURROUND US, GIVE US NO INFRASTRUCTURE TO HELP US TRAVEL WITH FIRE TRUCKS, AMBULANCES, NOT ENOUGH GROCERY STORES, HEALTH CARE FACILITIES AND MORE QUALIFIED DOCTORS ... WE GET IT AND WE KNOW WHY ... IT'S A CRYING SHAME!!

Sent from my iPhone

**Opposition
Exhibit**

Lauren DeVore

From: Suzanne Hain <suzannehain@gmail.com>
Sent: Monday, April 5, 2021 8:49 AM
To: Planning and Zoning
Subject: Oppose the proposed 319-lot Scenic Manor subdivision on Mulberry Knoll Road

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Please note that I, a Sussex County resident, oppose the proposed 319-lot Scenic Manor subdivision on Mulberry Knoll Road.

Suzanne Hain
32250

**Opposition
Exhibit**