

**Opposition
Exhibit**

Michael Lowrey

From: nativebohemian.jr@gmail.com
Sent: Wednesday, April 13, 2022 12:55 PM
To: Planning and Zoning
Subject: Petition against Munroe/Rohrbaugh CU2299 CZ1978
Attachments: PETITION.pdf

Importance: High

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To whom it may concern:

Attached is a petition from the residents of the small town of Harbeson, all located on the "strip" which is Harbeson Rd/RT5. This is for the public hearing tomorrow regarding C/U 2299 and C/Z 1978.

We are all opposing Warren Munroe/David Rohrbaugh's attempt to change the zoning from Agricultural to Medium Density so they can build 4 large rental apartment buildings in their backyard! The traffic in this small town is bad enough w/ Royal Farms and the chicken plant. We also have minimal police presence b/c of our unincorporated status. 24 rental units in an area w/ limited infrastructure and police presence is unwarranted. Not only will this create more traffic, but they will be removing tons of trees and interfering w/ the wetlands located on the property. Please save our little unincorporated town!

The people have spoken!

Thank you,

Jennifer Reynolds
Accountant, A.F.S.P., Reporting Agent, Notary Public

Mobile Accounting Services, LLC
954-224-5725

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SUSSEX COUNTY
PLANNING & ZONING

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Petition to Oppose AR zoning to MD - to allow 4 apt. buildings in backyard - C/U 2299, C/Z 1978
 Warren Munroe & David Rohrbaugh

Name	Address		Signature
Jennifer Reynolds	18811 Harbeson Rd. >	0	Signature
Thomas Harrington	18811 Harbeson Rd		Tom Harrington
Marip Ramon	18802 Harbeson Rd.	2	Marip Ramon
Darrell Perkins	18782 Harbeson	3	Darrell Perkins
Stew Justice	18675 Harbeson Rd	4	Stew Justice
Edwin Gomez	18682 Harbeson rd	5	Edwin Gomez
Lloyd Rut	18683 Harbeson	6	L.R.
Thomas Kopple	2076 Harbeson Rd.	7	T.K.
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John Rogers	18746 Harbeson Rd	12	John Rogers
David Chicosty	18795 Harbeson Rd	13	D. Chicosty
Catherine Tanzola	18795 Harbeson Rd.	14	Catherine Tanzola
Antonio Lopez	18830 Harbeson Rd	15	Antonio Lopez
Robert D SMITH JR	18827 HARBSON RD	16	Robert D SMITH JR
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Phumy Lam	18914 Harbeson Rd	18	Phumy Lam
Sharon A. Joseph	18821 Harbeson Road		Sharon A. Joseph
Cheryl Q. Joseph	18821 Harbeson Road		Cheryl Q. Joseph

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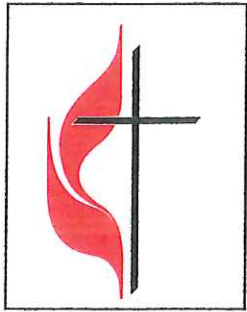
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SUSSEX COUNTY
 PLANNING & ZONING

Opposition
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18

2



Rev. Dennis W. Derr
27232 Buckskin Trail
Harbeson, DE 19951
302-664-1821 Home
570-490-8377 Mobile
DDerr4JC@aol.com



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SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

April 12, 2022

Dear Planning & Zoning members:

I write to request that you vote "No" on CU2299 and CZ1978 on Thursday.

I am the Secretary for the Board of Directors at the Trails of Beaver Creek community in Harbeson; and I also attend Harbeson United Methodist Church. The proposed development on the property just south of the Church Hall is out of keeping with the historic and present Harbeson community. Moreover, said development raises many safety concerns. Since Royal Farms went in at the intersection of Routes 9 and 5, there has been an increase in traffic accidents -- especially from the entrance/exit on to Route 5. Adding another entrance/exit in near proximity on the opposite side of the street will only increase the incidence of accidents as well as adding safety issues to those crossing the street from the church and community.

Furthermore, the change in zoning to permit this development will drastically change the nature of this part of the county. Those of us who reside in Harbeson made the choice to live here because we value the open farmland and rural setting. There are plenty of apartment complexes within a few miles: to the east towards Lewes, to the west towards Georgetown, and to the south in Long Neck. We do not need nor desire this type of housing in Harbeson.

It is past time to stop the unbridled overdevelopment in Sussex County; and preserve our farmlands, wetlands, and natural buffers. Therefore, I urge you to do what is right for the environment and our way of life; and vote "No" on this matter. Looking forward to seeing you in action on Thursday.

Respectfully,

Rev. Dennis W Derr

Harbeson United Methodist Church

18647 Harbeson Rd | Harbeson, DE 19951 | (302) 684-3064 | harbesonumc@gmail.com

April 11, 2022

Sussex County Planning & Zoning Commission
County Administrative Office Building
2 The Circle
Georgetown, DE 19947

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APR 12 2022

SUSSEX COUNTY
PLANNING & ZONING

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Dear Friends:

We write to express our opposition to the recent application to amend the Comprehensive Zoning Map of Sussex County at 18672 Harbeson Road, Harbeson (C/Z 1978) and grant a Conditional Use of Land for Multi-Family Dwellings (C/U 2299) (combined and referred to as "the application").

As you know, the small community of Harbeson is an unincorporated hamlet located at the intersection of Routes 5 and 9. Our community consists of only single-family homes on their own lots. The center of our town, where the Harbeson United Methodist Church (HUMC) and Church Hall are located, includes 34 occupied single-family homes. The Harbeson Church Hall and cemetery border the property in question immediately to the north and the Harbeson Church is across the street.

The HUMC has tremendous concerns regarding this application and would ask that you deny the request for the following reasons:

1. The application to bring multi-family units, located on a parcel with an existing single-family home is completely out of character with the community. Harbeson has existed since the 1800s when Harbeson Hickman established our hamlet and throughout this time there has only been single-family homes lining both sides of the street of Harbeson Road. Allowing multi-family units behind a single-family home is not consistent with the individual lots throughout the town. In addition, the proposal establishes a density that is also inconsistent with the town's characteristics.

2. The several multi-family dwellings proposed will nearly double both the number of family-residences and the total population of the rural, unincorporated residential area of Harbeson in one fell swoop. In particular, this raises two vital concerns for us.

A. Pedestrian safety between the Church Sanctuary and Church Hall. The longstanding crosswalk across Route 5 just south of the Routes 5 & 9 intersection has been the location of tragic vehicular/pedestrian accidents in the past. One parishioner was killed crossing Route 5 a few years back. The proposed development would funnel a marked increase of vehicular traffic entering and exiting Route 5 precisely through the crosswalk. We are against multi-family dwellings as opposed to single family dwellings anywhere in the rural unincorporated residential area, but at this location in particular. It creates a pedestrian safety risk for children and adults that is unacceptable. As the County continues to grow overall, we understand a general increase in traffic flow through the crosswalk and the Routes 5 & 9 intersection may be inevitable. This one is preventable.

B. Increased pedestrian traffic through the Cemetery. In solidarity with the Board of Directors of the Beaverdam Cemetery (18647 Harbeson Road), with whom the Church has an historic association, we are concerned about an inevitable increase in incidental foot traffic through the Cemetery, with accompanying litter and wear and tear. The Cemetery sits precisely between the proposed development and the DART stop on Rt. 9. Human nature is to walk the shortest, easiest route between two points. Our option of erecting wrap around fencing to prevent this would also provide an unnecessary hardship for those desiring legitimate access to visit and tend gravesites. Wrap around fencing is neither a reasonable expectation, nor an aesthetically consistent feature of a cemetery in a rural, unincorporated area. Again, the need to go to this extent is preventable.

3. The Comprehensive Land Use Plan does not support an application to bring this type of development in this area. The parcel is split zoned with both AR-1 and MR and is designated as an Existing Development Area due to the MR zoning and Low Density due to the AR-1 zoning. The area of Harbeson, just along the street, was designated as MR zoning decades ago when the first Sussex County Land Use map was drawn. As such, it was designated an Existing Development Area due to the zoning. It follows several small communities sprinkled throughout the County with the same designation, like, Mount Joy outside of Millsboro, Union Street Extended north of Milton, Coverdale Crossroads east of Seaford, and Greentop Road south of Lincoln, to name a few. In all these examples, these historic communities were designated an Existing Development Area only

because of the base zoning on the map. Conversely, the Comprehensive Land Use Plan calls for the type of housing and density this application requests closer to population centers with designations such as Developing Area, Municipalities, and Town Center. To adjust the Future Land Use Map to accommodate the application would run counter to the Land Use Plan and the historic designations of these communities throughout Sussex County.

4. Sussex County Planning and Zoning Commission has denied two similar requests for multi-family housing with identical circumstances in the last two years. The Commission must follow its own precedent and deny the current application.

The two denials include C/U 2279 – Ron Sutton in January 2022 and C/U 2209 & C/Z 1907 – Matthew C. Hete in July 2020. In the case of Sutton, the applicant sought multi-family dwelling (11 units) on existing MR zoned land. In the case of Hete, the applicant sought multi-family dwellings (14 units) by requesting a change of zone to MR zoned land. In each case, the Planning and Zoning Commission denied the applications citing issues with density, consistency with the neighboring community, opposition from the residents, and the requests did not promote the overall health, safety, convenience, and general welfare of the neighborhood or the County. The facts are the same for the current application, but more disturbing, the current application seeks an even greater impact on our community by building 24 multi-family units as compared to the two applications referenced above, 11 and 14 units respectively. The Commission must follow its own well-established standards and deny this application.

In closing, we support the development of affordable and low-income housing in Sussex County, including multi-family units in areas where services and infrastructure is already in place to safely sustain the higher density population such dwellings create. The rural, unincorporated, residential area of Harbeson along Route 5 is not one of those areas.

Grace and peace,

**The Church Council
Harbeson United Methodist Church**

David B. Humphrey, Pastor

Diane Derr, Council Member

Ashley Paugh

From: Jen Reynolds <nativebohemian.jr@gmail.com>
Sent: Monday, April 11, 2022 5:26 PM
To: bob@rcwheatley.com
Subject: Please vote no on CU2299 & CZ1978

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Dear Planning & Zoning Commissioners,

Please oppose changing the AR zoning to MD zoning for Warren Munroe & David Rohrbaugh CU2299 and CZ1978 so they can build 4 apartment buildings in their backyard.

The town of Harbeson is a very small strip of single family homes and agricultural lands. Let's keep it that way.

Thank you for your consideration,

Jennifer Reynolds via mobile

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We are all opposing Warren Munroe/David Rohrbaugh's attempt to change the zoning from Agricultural to Medium Density so they can build 4 large rental apartment buildings in their backyard! The traffic in this small town is bad enough w/ Royal Farms and the chicken plant. We also have minimal police presence b/c of our unincorporated status. 24 rental units in an area w/ limited infrastructure and police presence is unwarranted. Not only will this create more traffic, but they will be removing tons of trees and interfering w/ the wetlands located on the property. Please save our little unincorporated town!

The people have spoken!

Thank you,

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Accountant, A.F.S.P., Reporting Agent, Notary Public

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SUSSEX COUNTY
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Planning & Zoning
2 The Circle
Georgetown DE 19947

APR 07 2022

SUSSEX COUNTY
PLANNING & ZONING

To All Members of Planning & Zoning

I am writing to express my opposition to the recent applications at 18672 Harbeson Road, Harbeson DE, owners – Warren Munroe & David Rohrbaugh, case numbers CZ 1978 and C/U 2299, for the following reasons.

C/U 2299

1. The several multi-family dwellings proposed could reasonably be expected to nearly double both the number of family residences and the total population of the rural, unincorporated, residential area of Harbeson. This small town with only one main road cannot handle this level of population density.
2. There is no need in Harbeson for any type of multi-family homes, whether they are high end multi-family or low income multi-family homes. The community is all single family houses and should stay that way.
3. There is a safety concern as Harbeson does not have a Fire House/ Station, EMT/Ambulance, or Police services. All of these services have to come from other towns and are at least 15/20 mins, away. Time counts in emergencies.
4. The proposed development would generate a marked increase of vehicular traffic entering and exiting Route 5 precisely through the crosswalk. Multi-family dwellings anywhere in a rural unincorporated residential area are a terrible idea, even worst for this location creating safety and traffic problems.
5. The safety of Harbeson United Methodist Church's children and families would be put at risk. The Harbeson Church Hall holds many functions, for our children, families, and the community, such as, Sunday school, Vacation Bible School, Church Picnics, Church Dinners, breakfasts and luncheons. We also have Yard Sales, Bake Sales and Craft Shows. The amount of traffic next to our church hall events would cause a safety concern. Multi- family dwellings do not fit in the rural, unincorporated, residential area.

CZ 1978

The request to amend the comprehensive zoning map, to change zoning from AR-1 and MR medium to Residential District to MR District, would create an unacceptable change in the landscape of the small residential town of Harbeson and create a possible precedent for future building.

1. This change to amend the zoning for the property at 18672 Harbeson Road and the surrounding area is not needed. Allowing the zoning change to this property (18672 Harbeson Road) will not only change the property at 18672 Harbeson Road but change all the surrounding area property zoning. The rural, farming, unincorporated, residential area of Harbeson along Rt. 5 south and Rt. 9 is not one of the areas that needs or wants the change in zoning.
2. The development of affordable and low-income housing in Sussex County, including multi-family units should be built in zones where services and infrastructure are already in place, not in rural, farming unincorporated, residential areas.

Sincerely,



Carol Kane
20123 Feather Bed Lane
Milton DE 19968

PS. Please note my mailing address is Milton, but I live about a mile from Harbeson UMC and have lived here for over 25 years.



Rev. Dennis W. Derr
27232 Buckskin Trail
Harbeson, DE 19951
302-664-1821 Home
570-490-8377 Mobile
DDerr4JC@aol.com



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April 12, 2022

Dear Planning & Zoning members:

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Furthermore, the change in zoning to permit this development will drastically change the nature of this part of the county. Those of us who reside in Harbeson made the choice to live here because we value the open farmland and rural setting. There are plenty of apartment complexes within a few miles: to the east towards Lewes, to the west towards Georgetown, and to the south in Long Neck. We do not need nor desire this type of housing in Harbeson.

It is past time to stop the unbridled overdevelopment in Sussex County; and preserve our farmlands, wetlands, and natural buffers. Therefore, I urge you to do what is right for the environment and our way of life; and vote "No" on this matter. Looking forward to seeing you in action on Thursday.

Respectfully,

Rev. Dennis W Derr

APR 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Planning & Zoning
2 The Circle
Georgetown DE 19947

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C/U 2299

1. The three multi-family dwellings proposed could nearly double both the number of families and the total population of the rural, unincorporated, residential area of Harbeson. This small town with only one main road cannot handle this level of population density
2. There is no need in Harbeson for any type of multi-family buildings or houses. The community is all single family houses and should stay that way.
3. There is a safety concern as Harbeson does not have a Fire House/Station, EMT/Ambulance, or Polices service. All of these services have to come from other towns and are at least 15 mins, away. Time counts in emergencies.
4. The proposed multi-family homes would generate a marked increase of vehicular traffic entering and exiting Route 5 precisely right were the crosswalk is to cross from Harbeson UMC to the Harbeson Church Hall. Multi-family dwellings anywhere in a rural unincorporated residential area are a BAD idea, even worst for this location creating safety and traffic problems.
5. The safety of Harbeson United Methodist Church and Church Hall is a real big problem. The Harbeson Church Hall has many functions that go on all year and every week, Sunday school, Church meetings, Bible Studies and the rest of the year there is all types of functions, like – Bake Sales, Yard Sales, Craft Shows, Church Picnics, Church Dinners, Breakfast and luncheons. The amount of traffic next to the Church Hall events would cause a real safety concern. Multi-family dwellings DO NOT fit in the rural, unincorporated, residential area.

CZ 1978

The request to amend the comprehensive zoning map, to change zoning from AR-1 and MR medium to Residential District to MR District, would create an unacceptable change in the landscape of the small residential town of Harbeson and create a possible precedent for future building.

1. This change to amend the zoning for the property at 18672 Harbeson Road and the surrounding area is not needed. Allowing the zoning change to this property at 18672 Harbeson Road will not only change the property at 18672 Harbeson Road but could change all the surrounding area property zoning. The rural, farming, horse farms, unincorporated, residential area of Harbeson along Route 5 south and Route 9 is not one of the areas that needs or wants the change in zoning.
2. The development of affordable and low-income housing in Sussex County, including multi-family units need to be built in zones where services and infrastructure are already in place, NOT in a rural, farming, horse farms and an unincorporated residential area.

Sincerely,

Thomas Frost
Michael Kane

Thomas Frost & Michael Kane

20135 FEATHER BED LN
MILTON DE 19968

PS. Note our address is Milton but we live about a mile from Route 5 & Route 9, and moved here 4 years ago, but bought the property 6 years ago wanting very much to move to a farming rural area, for peace and quiet and also a friendly area, not masses of people.

Harbeson United Methodist Church

18647 Harbeson Rd | Harbeson, DE 19951 | (302) 684-3064 | harbesonumc@gmail.com

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Sussex County Planning & Zoning Commission
County Administrative Office Building
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Georgetown, DE 19947

SUSSEX COUNTY
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The HUMC has tremendous concerns regarding this application and would ask that you deny the request for the following reasons:

1. The application to bring multi-family units, located on a parcel with an existing single-family home is completely out of character with the community. Harbeson has existed since the 1800s when Harbeson Hickman established our hamlet and throughout this time there has only been single-family homes lining both sides of the street of Harbeson Road. Allowing multi-family units behind a single-family home is not consistent with the individual lots throughout the town. In addition, the proposal establishes a density that is also inconsistent with the town's characteristics.

2. The several multi-family dwellings proposed will nearly double both the number of family-residences and the total population of the rural, unincorporated residential area of Harbeson in one fell swoop. In particular, this raises two vital concerns for us.
 - A. Pedestrian safety between the Church Sanctuary and Church Hall. The longstanding crosswalk across Route 5 just south of the Routes 5 & 9 intersection has been the location of tragic vehicular/pedestrian accidents in the past. One parishioner was killed crossing Route 5 a few years back. The proposed development would funnel a marked increase of vehicular traffic entering and exiting Route 5 precisely through the crosswalk. We are against multi-family dwellings as opposed to single family dwellings anywhere in the rural unincorporated residential area, but at this location in particular. It creates a pedestrian safety risk for children and adults that is unacceptable. As the County continues to grow overall, we understand a general increase in traffic flow through the crosswalk and the Routes 5 & 9 intersection may be inevitable. This one is preventable.
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3. The Comprehensive Land Use Plan does not support an application to bring this type of development in this area. The parcel is split zoned with both AR-1 and MR and is designated as an Existing Development Area due to the MR zoning and Low Density due to the AR-1 zoning. The area of Harbeson, just along the street, was designated as MR zoning decades ago when the first Sussex County Land Use map was drawn. As such, it was designated an Existing Development Area due to the zoning. It follows several small communities sprinkled throughout the County with the same designation, like, Mount Joy outside of Millsboro, Union Street Extended north of Milton, Coverdale Crossroads east of Seaford, and Greentop Road south of Lincoln, to name a few. In all these examples, these historic communities were designated an Existing Development Area only

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In closing, we support the development of affordable and low-income housing in Sussex County, including multi-family units in areas where services and infrastructure is already in place to safely sustain the higher density population such dwellings create. The rural, unincorporated, residential area of Harbeson along Route 5 is not one of those areas.

Grace and peace,

**The Church Council
Harbeson United Methodist Church**

David B. Humphrey, Pastor

Diane Derr, Council Member