

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

PLANNING & ZONING COMMISSION

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



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DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: May 26th, 2022

Application: C/Z 1946 Ronald and Candice Gray

Applicant: Ronald & Candice Gray
37176 Sunset Cove
Selbyville, DE 19975

Owner: Ronald & Candice Gray
37176 Sunset Cove
Selbyville, DE 19975

Site Location: Lying on the west side of Roxana Road (Route 17), approximately 0.69-miles northeast of the intersection of Roxanna Road and Daisey Road (S.C.R. 370).

Current Zoning: Agricultural Residential (AR-1) District

Proposed Zoning: Business Community (B-2) District

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Rieley

School District: Indian River School District

Fire District: Roxana Fire Department

Sewer: Septic

Water: Well

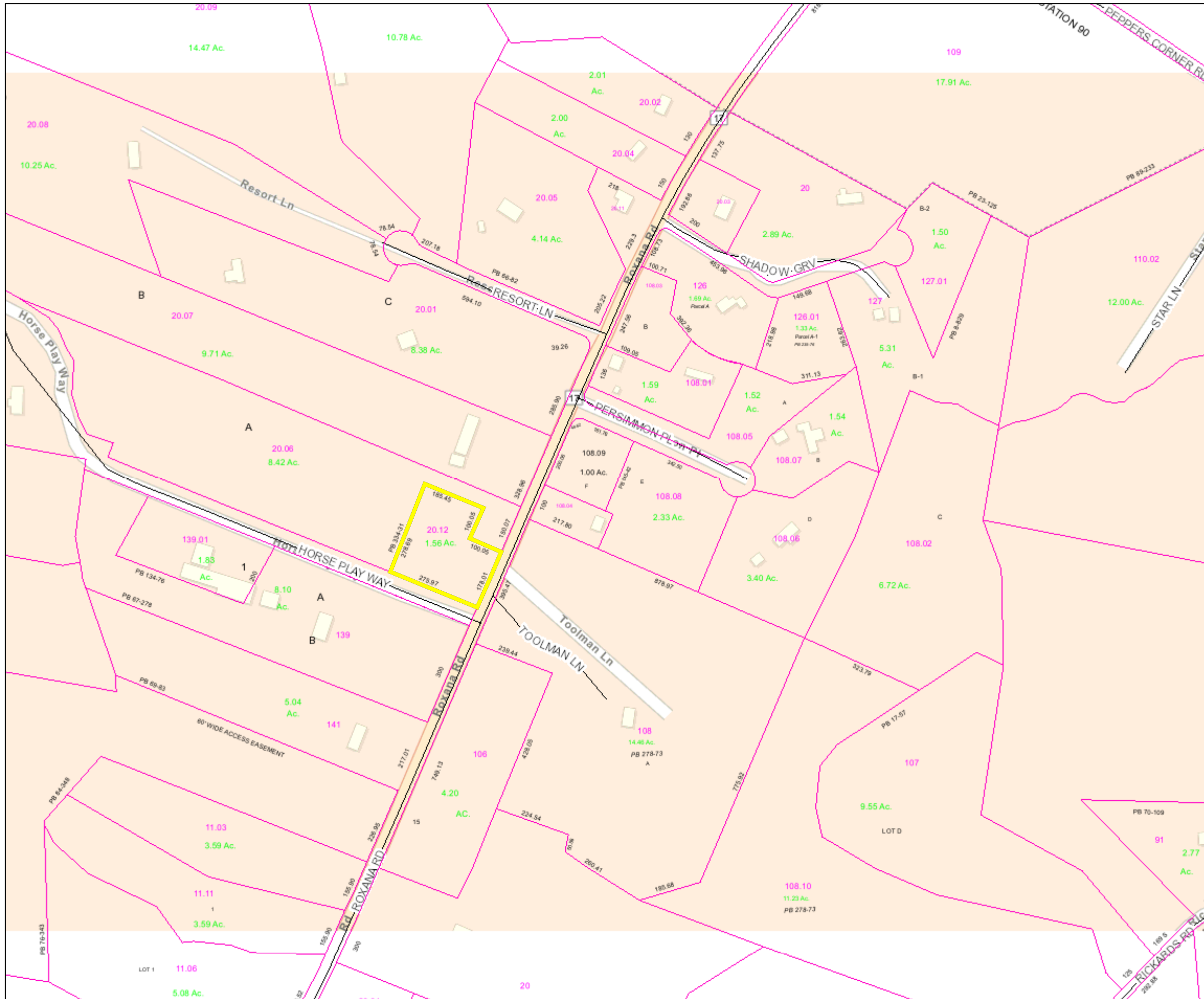
Site Area: 1.56 acres +/-

Tax Map ID.: 134-15.00-20.12





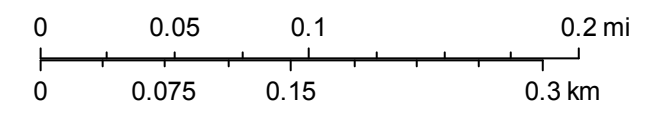
Sussex County



PIN:	134-15.00-20.12
Owner Name	GRAY RONALD E
Book	Text
Mailing Address	37176 SUNSET CV
City	SELBYVILLE
State	DE
Description	NW/ROXANA RD
Description 2	
Description 3	
Land Code	

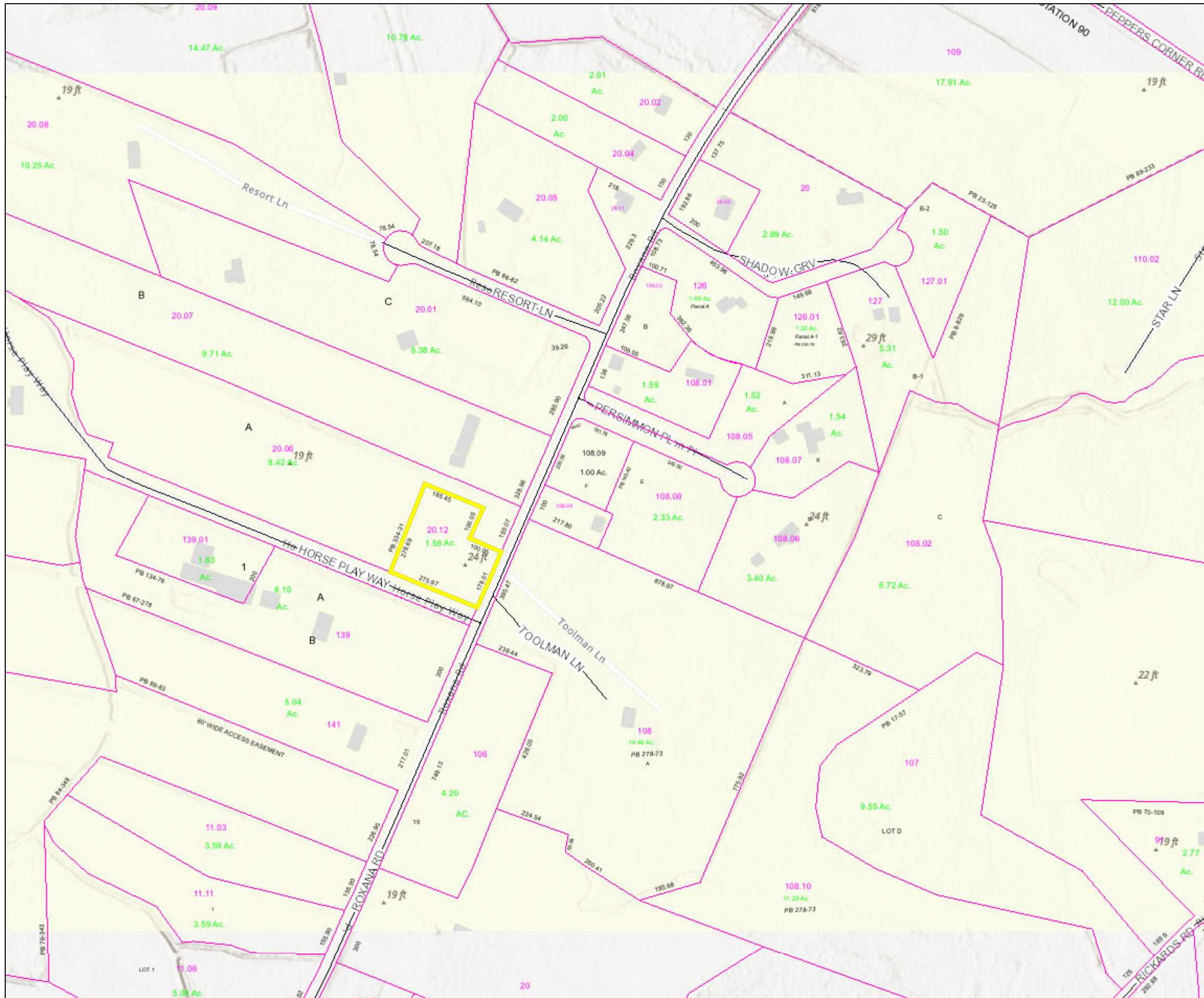
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 Override 1
- polygonLayer
 Override 1
- Tax Parcels
- Streets

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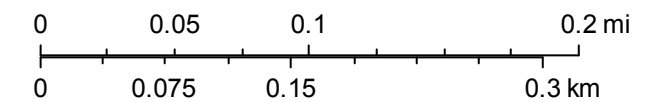
Sussex County



PIN:	134-15.00-20.12
Owner Name	GRAY RONALD E
Book	Text
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City	SELBYVILLE
State	DE
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- polygonLayer
 Override 1
- polygonLayer
 Override 1
- Tax Parcels
- Streets

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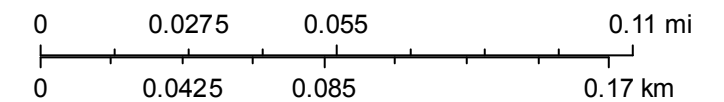
Sussex County



PIN:	134-15.00-20.12
Owner Name	GRAY RONALD E
Book	Text
Mailing Address	37176 SUNSET CV
City	SELBYVILLE
State	DE
Description	NW/ROXANA RD
Description 2	
Description 3	
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- ⋮ Tax Parcels
- 911 Address
- Streets

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PLANNING & ZONING DIRECTOR
(302) 855-7878 T
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jamie.whitehouse@sussexcountyde.gov



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Memorandum

To: Sussex County Planning Commission Members
From: Elliott Young, Planner I
CC: Vince Robertson, Assistant County Attorney, and applicant
Date: May 18, 2022
RE: Staff Analysis for CZ 1946 Ronald and Candice Gray

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1946 Ronald and Candice Gray to be reviewed during the May 26, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 134-15.00-20.12 to allow for a change of zone from an Agricultural Residential Zoning District (AR-1) to a Business Community Zoning District (B-2). The property is lying on the east side of Roxana Road (Rt. 17) approximately 0.45-miles south of the intersection of Peppers Corner Road (S.C.R. 365), Powell Farm Road (S.C.R. 365) and Roxana Road. The parcel to be rezoned contains 1.56 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has a land use designation of "Coastal Area." The properties to the north, south, east, and west also have the land use designation of Coastal Area.

As outlined in the 2018 Sussex County Comprehensive Plan, the Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed.

The property is zoned Agricultural Residential (AR-1) Zoning District. Adjacent parcels to the north, south, east are zoned Agricultural Residential (AR-1) Zoning District. The properties to the west are also zoned Agricultural Residential (AR-1) Zoning District.

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories," the Business Community Zoning District (B-2) is listed as an applicable zoning district in the "Coastal Area."

Since 2011, there has been zero (0) Change of Zone applications within a 1-mile radius of the application site.



Staff Analysis

CZ 1946 Ronald and Candice Gray

Planning and Zoning Commission for May 26, 2022

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from an Agricultural Residential Zoning District (AR-1) to a Business Community Zoning District (B-2) could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.

File #: CZ 1946
202109537

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

Horseplay Way and Roxanna Road, Frankford, DE 19945

Type of Conditional Use Requested:

Tax Map #: 1-34-15.00-20.12

Size of Parcel(s): 1.56 acres

Current Zoning: AR-1

Proposed Zoning: B-2

Size of Building: 5,000 sf and 8,000 sf

Land Use Classification: AG1-Residential

Water Provider: N/A-existing on-site well

Sewer Provider: NA - existing on-site septic system

Applicant Information

Applicant Name: Ronald E. & M. Candice Gray

Applicant Address: c/o John A. Sergovic, Jr., Esq, Sergovic Carmean Weidman McCartney & Owens,

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 855-1260

E-mail: john@sussexattorney.com

Owner Information

Owner Name: Ronald E. & M. Candice Gray

Owner Address: 37176 Sunset Cove

City: Selbyville

State: DE

Zip Code: 19975

Phone #: (302) 855-1260

E-mail: john@sussexattorney.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: John A. Sergovic, Jr., Esquire

Agent/Attorney/Engineer Address: Sergovic Carmean Weidman McCartney & Owens, 25 Chestnut Street

City: Georgetown

State: DE

Zip Code: 19947

Phone #: 302-855-1260

E-mail: john@sussexattorney.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

___ **Completed Application**

___ **Provide eight (8) copies of the Site Plan or Survey of the property**

- o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- o Provide a PDF of Plans (may be e-mailed to a staff member)
- o Deed or Legal description

___ **Provide Fee \$500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

___ **DeIDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Sign Here

Date: _____

6/1/21

Signature of Owner

Sign Here

Date: _____

Ronald E. Gray
Melanie Gray

5/26/2021
5/26/2021

For office use only:

Date Submitted: 06/01/21

Fee: \$500.00 Check #: 4439

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____



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

NICOLE MAJESKI
SECRETARY

May 4, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Ronald E. Gray and M. Candice Gray** proposed land use application, which we received on April 22, 2021. This application is for an approximately 1.56- acre parcel (Tax Parcel: 134-15.00-20.12). The subject land is located on the southwest corner of Horse Play Way and Roxana Road (Sussex Road 52) about 0.5 miles south of the intersection with Peppers Corner Road (Sussex Road 365). The subject land is currently zoned AR-1 (Agriculture Residential) with a proposed zoning of B-2 (Business Community) and the applicant seeks to operate 13,000 S.F. of office space.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along Roxana Road (Sussex Road 52) from Daisy Road to Atlantic Avenue, are 4,780 and 6,146 vehicles per day, respectively.

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

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



Mr. Jamie Whitehouse
Page 2 of 2
May 4, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



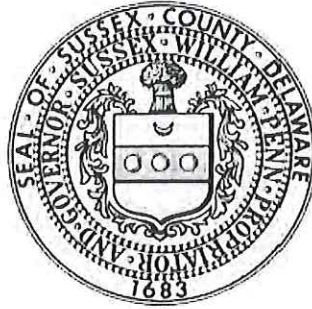
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Ronald E. Gray and M. Candice Gray, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

PLANNING & ZONING COMMISSION

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



Sussex County

DELAWARE
sussexcountyde.gov
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302-854-5079 F
JANELLE M. CORNWELL, AICP
DIRECTOR

SERVICE LEVEL

EVALUATION REQUEST

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

Date: 4/22/21

Site Information:

Site Address / Location: Horseplay Way and Roxana Road, Frankford, DE

Tax Parcel Number: 1-34-15.00-20.12

Current Zoning: AR-1

Proposed Zoning: B-2

Land Use Classification: AR-1

Proposed Use(s): 13,000 sq. ft. (2-buildings consisting of 5,000 and 8,000 sq. ft.) of office space after public water/sewer becomes available to the property.

Square Footage of any proposed buildings or number of units: 13,000 sq. ft. of office space (2-buildings consisting of 5,000 and 8,000 sq. ft.)

Application Information:

Applicant's Name: Ronald E. Gray and M. Candice Gray

Applicant's Address: c/o John A. Sergovic, Jr., Sergovic Carmean Weidman McCartney & Owens, P.A., 25 Chestnut Street, P.O. Box 751

City: Georgetown State: DE Zip: 19947

Applicant's Phone Number: 302-855-1260

Applicant's Email: john@sussexattorney.com

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **4/28/2022**

APPLICATION: **CZ 1946 Ronald and Candice Gray**

APPLICANT: **Ronald & Candice Gray**

FILE NO: **ROX-1.01**

TAX MAP &
PARCEL(S): **134-15.00-20.12**

LOCATION: **Lying on the west side of Roxana Road (Route 17),
approximately 0.45 miles south of the intersection of Peppers
Corner Road (SCR 365), Powell Farm Road (SCR 365), and
Roxana Road.**

NO. OF UNITS: **Upzone from AR-1 to B-2**

GROSS
ACREAGE: **1.56**

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

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
- a. If yes, see question (2).
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 4**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Change of Zone is not in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

September 22, 2021

Timothy M. Metzner
Davis, Bowen & Friedel, Inc.
1 Park Ave.
Milford, DE 19963

RE: PLUS review 2021-08-11; Roxana Road Office

Dear Mr. Metzner:

Thank you for meeting with State agency planners on August 25, 2021 to discuss the proposed plans for the Roxana Road Storage project. According to the information received you are seeking review of a proposed rezoning of 1.56 acres from AR-1 to B-2 and a proposed site plan for a 13,000 square foot office building.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas but may have other priorities for the near future.

The Office of State Planning has no objections to the development of this property provided it meets the codes and criteria of Sussex County, but we do encourage you to work with State agencies to address any concerns noted in this letter.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Roxana Road (Delaware Route 17) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 275 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, Land Use Code 710, and square feet of gross floor area as a variable, DelDOT calculates 147 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 15 and 16, respectively. Therefore, a TIS is not warranted.

The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve Roxana Road within the limits of their frontage, to meet DelDOT's standards associated with its Functional Classification. Roxana Road is a Major Collector Road. The standards for such roads include 12-foot lanes and 8-foot shoulders.

Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway. Thus, the projected frontage would be about 300 feet.

Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. Steve McCabe. Mr. McCabe may be reached at Richard.McCabe@delaware.gov or (302) 760-2276.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 17.

By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, **“An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.”** However, it appears that the existing right-of-way may meet this requirement.

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **“A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.”**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 600 feet of the entrance on Route 17.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas DelDOT has discretion to not require installation of paths or sidewalks along the frontage on State-maintained roads. DelDOT does not anticipate requiring the developer to build a sidewalk or SUP along their frontage on Route 17.
- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 17.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

This application proposes greater than 5000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.
- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.delaware.gov/enoi/>, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Hydrologic Soils Group

Hydrologic Soil Group A/D (poorly drained and very poorly drained) soils have been identified over most of the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Water Quality (Pollution Control Strategies)

This site lies within the Inland Bays Watershed. Surface water quality in this watershed does not meet State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects due to the Pollution Control Strategy. More information about Pollution Control Strategies can be found at the following website:
<https://dnrec.alpha.delaware.gov/watershed-stewardship/assessment/tributary-action-teams/>

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. <https://dnrec.alpha.delaware.gov/watershed-stewardship/>

Wastewater Disposal Permitting – Large Systems

The application states that wastewater from the site will be connected to the Sussex County system. Sussex County holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch for wastewater disposal.

- If additional flows to Sussex County's system will require capacity updates, it is the responsibility of the permittee (Sussex County) to notify the Large Systems Branch

Contact: DNREC Large Systems Branch at (302) 739-9948.
Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

Wastewater Disposal Systems – Small Systems

If plans change and a small systems wastewater disposal system (septic) is proposed for the site, the applicant must follow current regulations to apply for a permit. The on Site Regulation are listed within Section 5 (Small Systems) or Section 6 (Large Systems) of the *Regulations Governing the Design, Installation and Operation of the On-site Wastewater Treatment and Disposal system* at <http://www.dnrec.delaware.gov/wr/Information/GWDInfo/Documents/delaware-on-site-regulations-with-exhibits.pdf>

- A Site Evaluation must be performed by a Delaware licensed Class D Soil Scientist to determine the type of disposal system allowed under current regulations and site conditions.
- A list of licensed Class D soil scientists can be found at the following website: <https://data.delaware.gov/Energy-and-Environment/Class-D-Site-Evaluator->

Licensees-Based-on-Licensed/6vjq-34rp

Contact: DNREC Groundwater Discharges

Section <https://dnrec.alpha.delaware.gov/water/groundwater/septic-systems/> for proposed projects in Sussex County (Small Systems Branch) at (302) 856-4561 or Large Systems Branch at (302) 739-9948.

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/septic-systems/>

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known archaeological sites or known National Register listed or eligible properties on the parcel.
- There is low potential for prehistoric archaeological resources. There are no known archaeological sites on this parcel, nor are there any within a half-mile radius. This parcel is not near any water source and soils are poorly drained.
- There is low potential for historic archaeological resources. There are no properties shown on this parcel in historic topographic and aerial maps. The parcel has remained consistently agricultural field. Historic field scatter is possible.
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov

Delaware State Fire Marshall's Office – Contact John Rudd 323-5365

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation:

Fire Protection Water Requirements:

- Since the structures of the complex are proposed to be served by individual on-site wells (No Central or Public Water System within 1000' of property), set back and separation requirements will apply.

Fire Protection Features:

- For commercial buildings greater than 5000 sq. ft, a fire alarm signaling system which is monitored off-site is required
- For commercial buildings greater than 10,000 sq. ft Class B (2-hour rated) fire barriers are required to subdivide buildings into areas of 10,000 sq. ft. or less

- Buildings greater than 10,000 sq. ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Horse Play Road must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information:

- Provide type of fuel proposed and show locations of bulk containers on plan.

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Roads

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and

subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Route 17.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Additional Sustainable Practices

- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.
- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green

Energy Fund, which includes several funding types through the state's major electric utilities (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).

- Incorporate trees into the landscaping plan to reduce the heat island effects from pavement.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.
- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

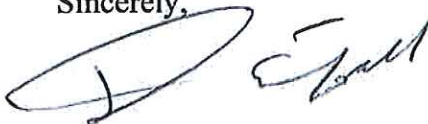
Delaware State Fire Marshall's Office – Contact John Rudd 323-5365

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David Edgell, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department

DATA COLUMN

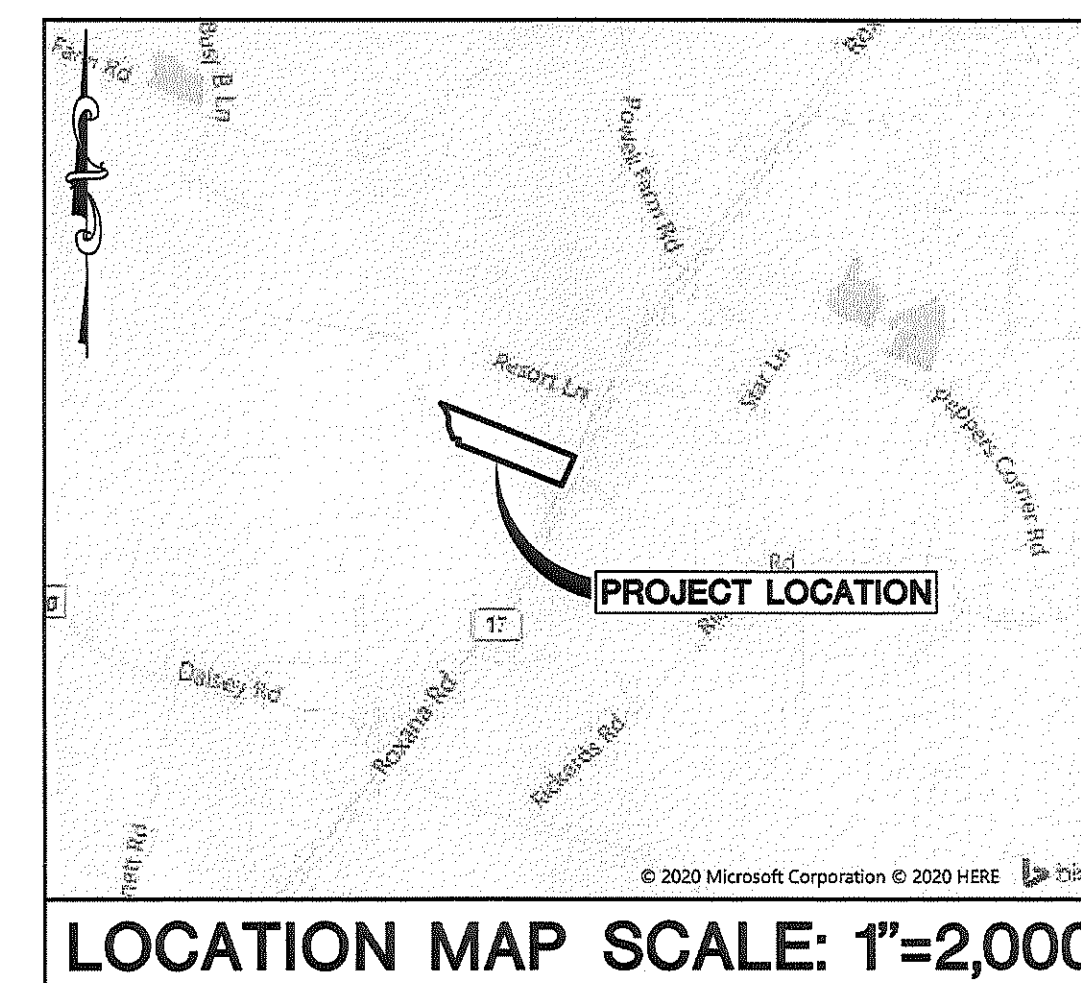
MAP & PARCEL NUMBER: 134-15.00-20.12
 DEED REFERENCE: 4863/221
 OWNER/DEVELOPER: RONALD E. GRAY AND M. CANDICE L. GRAY
 37176 SUNSET COVE
 SELBYVILLE, DELAWARE 19975
 PREPARED BY: DAVIS, BOWEN AND FRIEDEL, INC.
 801 E. MAIN ST., SUITE 100
 SALISBURY, MARYLAND 21804
 (410) 543-9091
 TOTAL SITE AREA: 1.56 ACRES±
 LANDS DEDICATED TO STATE OF DELAWARE (R.O.W.): 0.075 ACRES± (3,281 S.F.)
 EXISTING ZONING: AR-1
 PRESENT USE: AGRICULTURAL W/ RESIDENTIAL
 PROPOSED USE: OFFICE BUILDINGS
 SEWER PROVIDER: ON SITE
 WATER PROVIDER: ON SITE WELL
 SURVEY CLASSIFICATION: SUBURBAN
 SETBACK REQUIREMENTS: 40' FRONT
 20' REAR
 15' SIDE

LEGEND

- BOUNDARY LINE
- PROPERTY LINE
- SETBACK LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- X FENCE
- CONTOUR
- +29.03 +29.03 SPOT ELEVATIONS
- PROPERTY CORNER SET

GENERAL NOTES

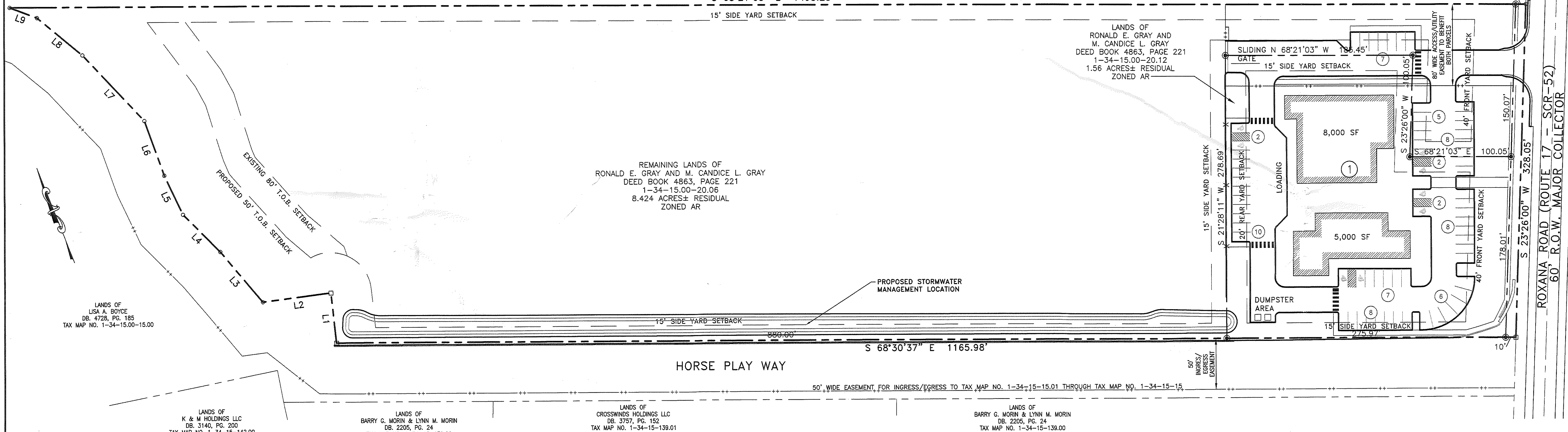
- OTHER THAN SHOWN, THIS SURVEY PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAYS OR EASEMENTS ON THIS PROPERTY. NO TITLE SEARCH WAS REQUESTED OR PERFORMED.
- ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- LOT 1 AND 2 SHALL HAVE A COMBINED ACCESS TO ROXANA ROAD (ROUTE 17).



LANDS OF
 WILLIAM C. PARLER & ANNE H. PARLER
 DB. 2000, PG. 229
 TAX MAP NO. 1-34-15-20.07

S 68°21'03" E 1498.28'

15' SIDE YARD SETBACK



REMAINING LANDS OF
 RONALD E. GRAY AND M. CANDICE L. GRAY
 DEED BOOK 4863, PAGE 221
 1-34-15.00-20.06
 8.424 ACRES± RESIDUAL
 ZONED AR

LANDS OF
 RONALD E. GRAY AND
 M. CANDICE L. GRAY
 DEED BOOK 4863, PAGE 221
 1-34-15.00-20.12
 1.56 ACRES± RESIDUAL
 ZONED AR

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 15°15'23" E	49.60'
L2	S 75°42'23" E	67.71'
L3	N 18°20'52" W	65.28'
L4	S 23°11'45" E	152.15'
L5	N 03°45'22" W	42.70'
L6	N 01°49'43" E	57.25'
L7	S 21°49'00" E	88.85'
L8	S 29°06'38" E	157.77'
L9	S 47°57'47" E	28.90'

OWNERS STATEMENT

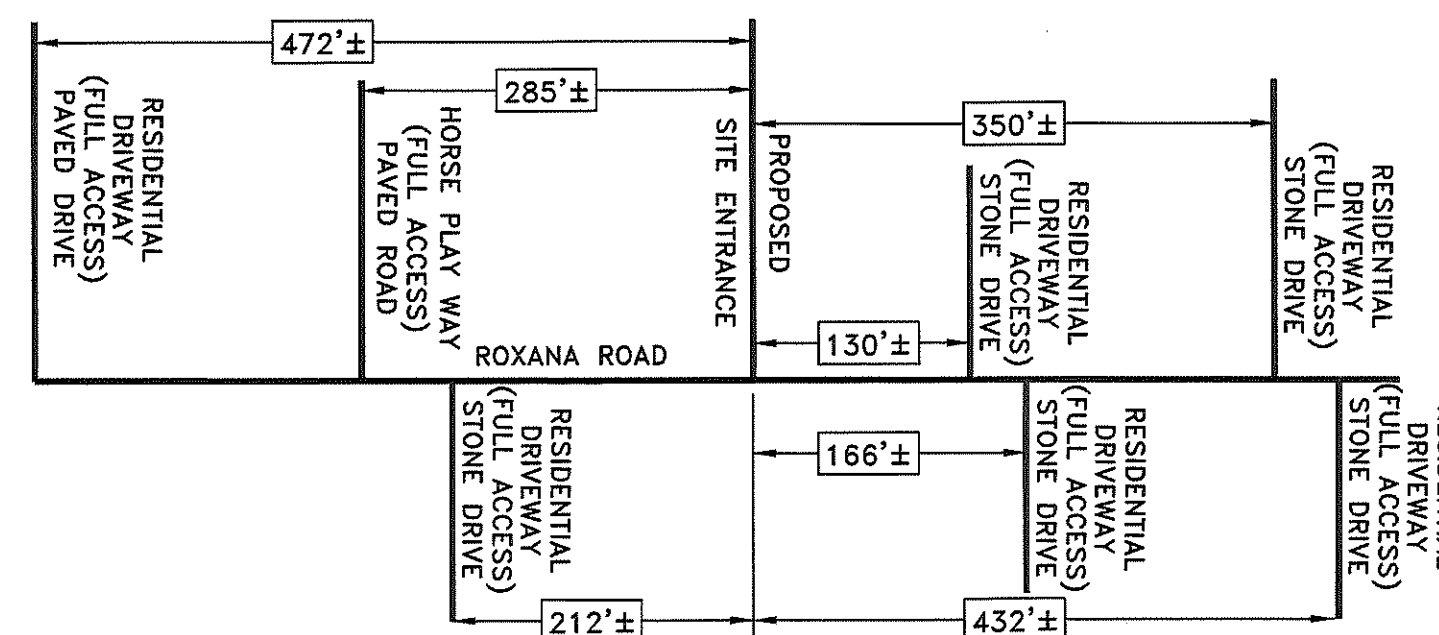
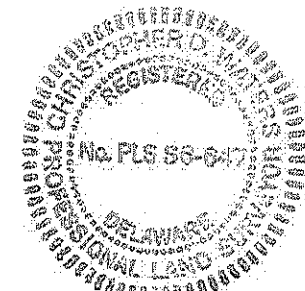
WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.

RONALD E. GRAY _____ DATE _____
 M. CANDICE L. GRAY _____ DATE _____

SURVEYOR'S STATEMENT

THIS PLAT AND SURVEY WERE PERFORMED FOR RONALD E. GRAY AND M. CANDICE L. GRAY, UNDER MY SUPERVISION, TO THE LOCAL STANDARD OF CARE, AND SUBSTANTIALLY MEET THE "MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING" AS PROMULGATED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS FOR A SUBURBAN SURVEY.

Christopher D. Waters
 CHRISTOPHER D. WATERS
 PROFESSIONAL LAND SURVEYOR
 DE NO. 530
 6-21-21
 DATE



EXISTING ENTRANCES DETAIL
 NO SCALE

DAVIS, BOWEN & FRIEDEL, INC.
 ARCHITECTS ENGINEERS SURVEYORS
 801 E. MAIN ST., SUITE 100
 SALISBURY, MARYLAND 21804
 (410) 543-9091

ROXANA ROAD OFFICE
 BALTIMORE HUNDRED
 SUSSEX COUNTY, DELAWARE

Revisions:
 Date: MAY 2021
 Scale: 1" = 50'
 Dwn.By: ADM
 Proj.No.: 1111B001
 Dwg.No.: 1

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

PLANNING & ZONING COMMISSION

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



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: May 26th, 2022

Application: CU 2293 Ronald & Candice Gray

Applicant: Ronald & Candice Gray
37176 Sunset Cove
Selbyville, DE 19975

Owner: Ronald & Candice Gray
37176 Sunset Cove
Selbyville, DE 19975

Site Location: Lying on the west side of Roxana Road (Route 17), approximately 0.68-miles northeast of the intersection of Roxanna Road and Daisey Road (S.C.R. 370).

Current Zoning: Agricultural Residential (AR-1) District

Proposed Zoning: Agricultural Residential (AR-1) District

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Rieley

School District: Indian River School District

Fire District: Roxana Fire Department

Sewer: Septic

Water: Well

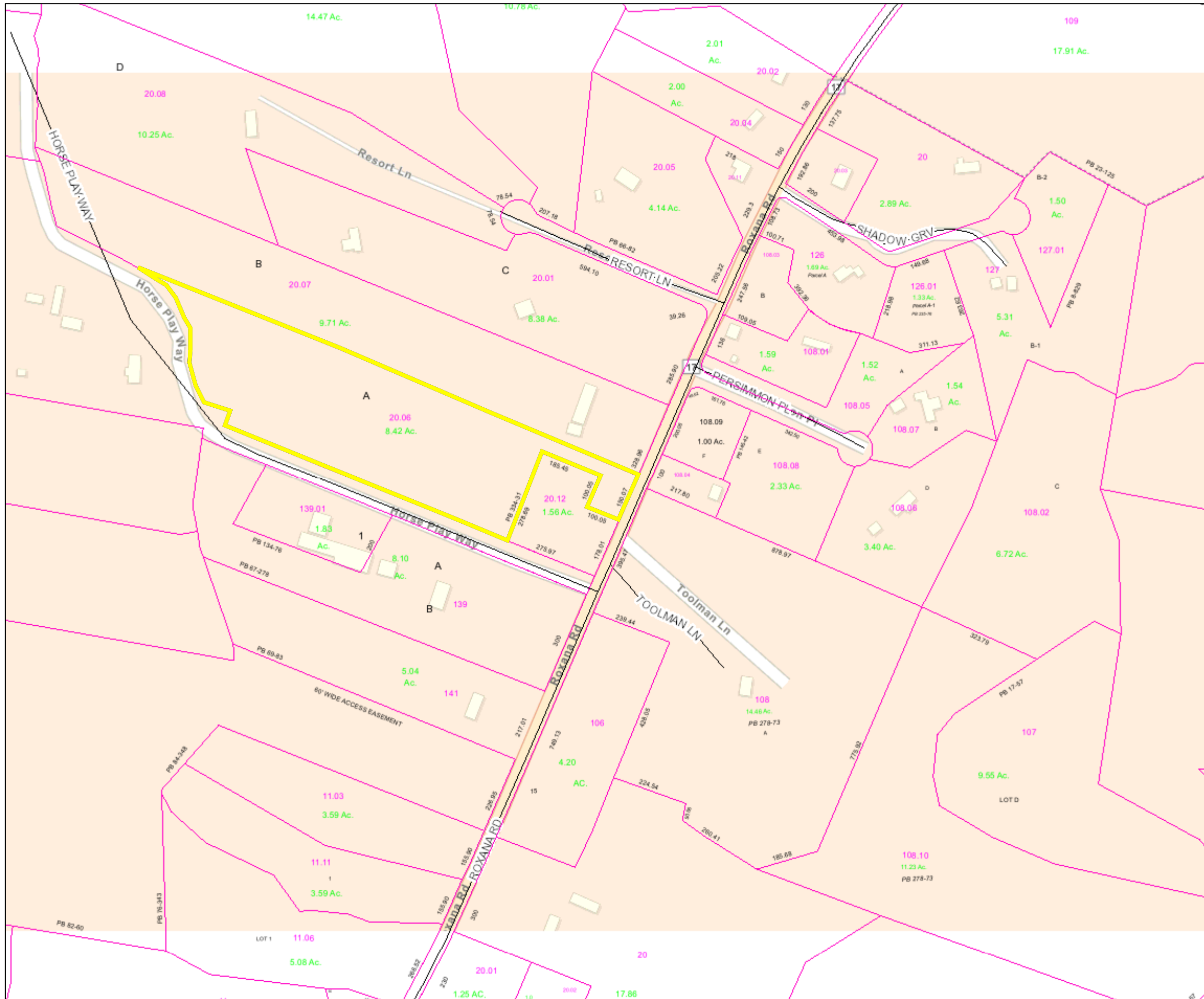
Site Area: 8.424 acres +/-

Tax Map ID.: 134-15.00-20.06





Sussex County



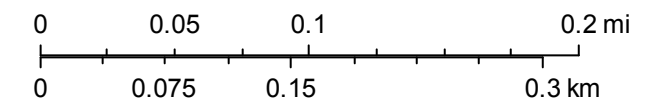
PIN:	134-15.00-20.06
Owner Name	GRAY RONALD E
Book	4863
Mailing Address	37176 SUNSET CV
City	SELBYVILLE
State	DE
Description	NW/ROXANA RD
Description 2	RESIDUAL LANDS
Description 3	N/A
Land Code	

- polygonLayer

 - Override 1
- polygonLayer

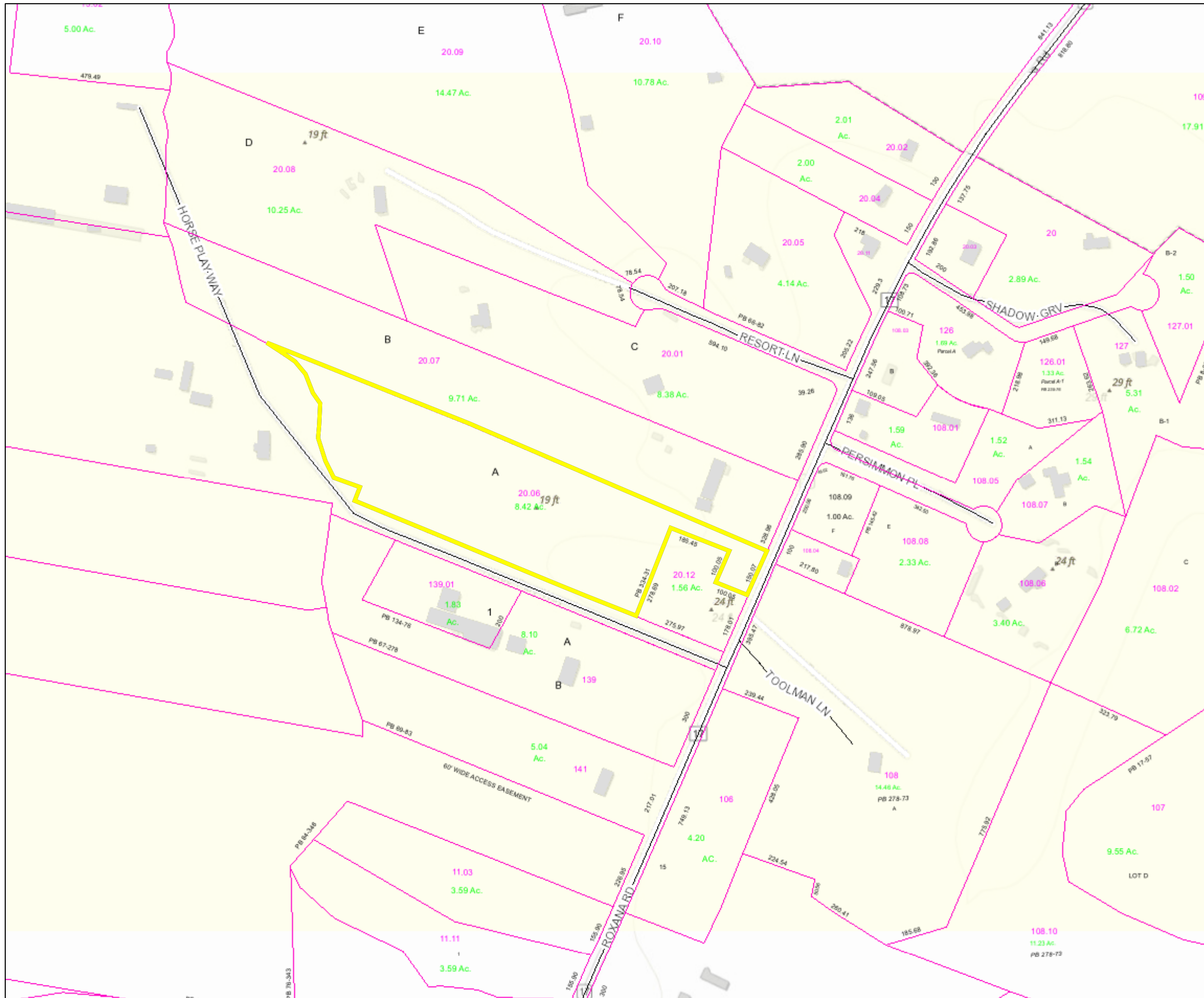
 - Override 1
- Tax Parcels
- Streets
- County Boundaries

1:4,514





Sussex County



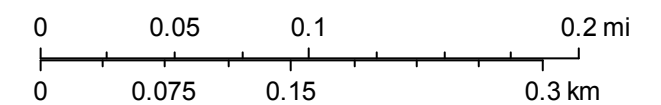
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Description 3	N/A
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- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
- Tax Parcels
- Streets

1:4,514





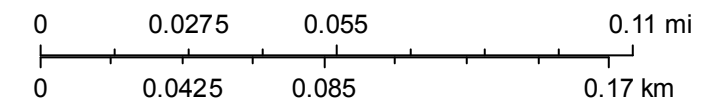
Sussex County



PIN:	134-15.00-20.06
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City	SELBYVILLE
State	DE
Description	NW/ROXANA RD
Description 2	RESIDUAL LANDS
Description 3	N/A
Land Code	

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

1:2,257



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

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sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Elliott Young, Planner I
CC: Vince Robertson, Assistant County Attorney, and applicant
Date: May 18, 2022
RE: Staff Analysis for CU 2293 Ronald and Candice Gray

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2293 Ronald and Candice Gray to be reviewed during the May 26, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 134-15.00-20.06 to allow for 703 storage units as well as outdoor storage for boats and RV's. The property is lying on the east side of Roxana Road (Rt. 17) approximately 0.45-miles south of the intersection of Peppers Corner Road (S.C.R. 365), Powell Farm Road (S.C.R. 365) and Roxana Road. The parcel contains 8.42 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has a land use designation of "Coastal Area." The properties to the north, south, east, and west also have the land use designation of Coastal Area.

As outlined in the 2018 Sussex County Comprehensive Plan, the Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed.

The property is zoned Agricultural Residential (AR-1) Zoning District. Adjacent parcels to the north, south, east are zoned Agricultural Residential (AR-1) Zoning District. The properties to the west are also zoned Agricultural Residential (AR-1) Zoning District.

Since 1970, there has been five (5) Conditional Use applications within a 1-mile radius of the application site. CU 163 was approved 11/6/73 by County Council for the use of a fishpond. CU 1355 was approved through ordinance 1399 by County Council on 9/26/2000 for the use of a cabinet shop and storage. CU 1432 was approved through ordinance 1519 by County Council on 1/29/2002 for the use of a landscaping business/equipment storage. CU 1735 was approved through ordinance 1981 by the County Council for use of an Airport/Helipad. CU 2301 is still undecided and has a hearing with the County Council on 8/9/2022.



Based on the analysis of the land use, surrounding zoning and uses, a storage facility with outdoor storage could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.

File #: CU 2292
202109538

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

Horseplay Way and Roxanna Road, Frankford, DE 19945

Type of Conditional Use Requested:

Operate 94,800 square feet of enclosed storage space located in 40 buildings containing 703 storage units therein and outdoor storage for boats, boat trailers and RV's during the build-out and continuing after the build-out in limited areas not interfering with access to the built storage units.

Tax Map #: 1-34-15.00-20.06

Size of Parcel(s): 8.424 acres

Current Zoning: AR-1

Proposed Zoning: _____

Size of Building: 40 Bldgs. w/703 storage units

Land Use Classification: AG1-Residential/Residential

Water Provider: N/A-existing on-site well

Sewer Provider: NA - existing on-site septic system

Applicant Information

Applicant Name: Ronald E. & M. Candice Gray

Applicant Address: c/o John A. Sergovic, Jr., Esq, Sergovic Carmean Weidman McCartney & Owens

City: Georgetown

State: DE

Zip Code: 19947

Phone #: (302) 855-1260

E-mail: john@sussexattorney.com

Owner Information

Owner Name: Ronald E. & M. Candice Gray

Owner Address: 37176 Sunset Cove

City: Selbyville

State: DE

Zip Code: 19975

Phone #: (302) 855-1260

E-mail: john@sussexattorney.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: John A. Sergovic, Jr., Esquire

Agent/Attorney/Engineer Address: Sergovic Carmean Weidman McCartney & Owens, 25 Chestnut Street

City: Georgetown

State: DE

Zip Code: 19947

Phone #: 302-855-1260

E-mail: john@sussexattorney.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

___ **Completed Application**

___ **Provide eight (8) copies of the Site Plan or Survey of the property**

- o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- o Provide a PDF of Plans (may be e-mailed to a staff member)
- o Deed or Legal description

___ **Provide Fee \$500.00**

___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

___ **DeIDOT Service Level Evaluation Request Response**

___ **PLUS Response Letter** (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Signature

Date: _____

6/1/21

Signature of Owner

Signature

Date: _____

5/26/2021

5/26/2021

For office use only:

Date Submitted: 0/23/21

Fee: \$500.00 Check #: 4438

Staff accepting application: CES

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____



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

NICOLE MAJESKI
SECRETARY

May 10, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Ronald E. Gray and M. Candice Gray** proposed land use application, which we received on April 22, 2021. This application is for an approximately 8.42- acre parcel (Tax Parcels: 134-15.00-20.06). The subject land is located on the southwest corner of Horse Play Way and Roxana Road (Sussex Road 52) about 0.5 miles south of the intersection with Peppers Corner Road (Sussex Road 365). The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval for operation of a 90,800 S.F. storage space with 703 units and outdoor storage space for boats, boat trailers and RV's.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volume along Roxana Road (State Route 52) from Daisy Road to Atlantic Avenue, is 4,780 and 6,146 vehicles per day, respectively.

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

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



Mr. Jamie Whitehouse
Page 2 of 2
May 10, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



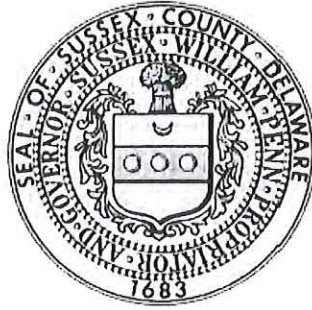
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

cc: Ronald E. Gray and M. Candice Gray, Applicant
Russell Warrington, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

PLANNING & ZONING COMMISSION

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



Sussex County

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

SERVICE LEVEL

EVALUATION REQUEST

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

Date: 4/22/21

Site Information:

Site Address / Location: Horseplay Way and Roxana Road, Frankford, DE

Tax Parcel Number: 1-34-15.00-20.06

Current Zoning: AR-1

Proposed Zoning: CU

Land Use Classification: AR-1

Proposed Use(s): Operate 94,800 square feet of enclosed storage space located in 40 buildings containing 703 storage units therein and outdoor storage for boats, boat trailers and RV's during the build-out and continuing after the build-out

Square Footage of any proposed buildings or number of units: 703 total storage units in 94,800 square feet of enclosed buildings

Application Information:

Applicant's Name: Ronald E. Gray and M. Candice Gray

Applicant's Address: c/o John A. Sergovic, Jr., Sergovic Carmean Weidman McCartney & Owens, P.A., 25 Chestnut Street, P.O. Box 751

City: Georgetown State: DE Zip: 19947

Applicant's Phone Number: 302-855-1260

Applicant's Email: john@sussexattorney.com

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **4/28/2022**

APPLICATION: **CU 2293 Ronald & Candice Gray**

APPLICANT: **Ronald & Candice Gray**

FILE NO: **ROX-1.01**

TAX MAP &
PARCEL(S): **134-15.00-20.06**

LOCATION: **Lying on the west side of Roxana Road (Route 17),
approximately 0.45 miles south of the intersection of Peppers
Corner Road (SCR 365), Powell Farm Road (SCR 365) and
Roxana Road**

NO. OF UNITS: **703 storage units and outdoor storage for boats and RV's.**

GROSS
ACREAGE: **8.424**

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

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
 - a. If yes, see question (2).
 - b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 4**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Conditional Use is not in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
No Permit Tech Assigned



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

September 22, 2021

Timothy M. Metzner
Davis, Bowen & Friedel, Inc.
1 Park Ave.
Milford, DE 19963

RE: PLUS review 2021-08-10; Roxana Road Storage

Dear Mr. Metzner:

Thank you for meeting with State agency planners on August 25, 2021 to discuss the proposed plans for the Roxana Road Storage project. According to the information received you are seeking review of a proposed site plan for a 94,800 square foot storage area on 8.42 acres along Roxana Road in Sussex County.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Levels 2 and 3 according to the Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas but may have other priorities for the near future.

The Office of State Planning has no objections to the development of this property provided it meets the codes and criteria of Sussex County, but we do encourage you to work with State agencies to address any concerns noted in this letter.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Roxana Road (Delaware Route 17) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, the total daily trips are estimated at 275 vehicle trip ends per day. Using the 10th edition of the Institute of Transportation Engineers' Trip Generation Manual, Land Use Code 151, and square feet of gross floor area as a variable, DelDOT calculates 143 vehicle trip ends per day for this number and estimates the weekday morning and evening peak hour trip ends at 9 and 16, respectively. Therefore, a TIS is not warranted.

The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve Roxana Road within the limits of their frontage, to meet DelDOT's standards associated with its Functional Classification. Roxana Road is a Major Collector Road. The standards for such roads include 12-foot lanes and 8-foot shoulders.

Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway. Thus, the projected frontage would be about 300 feet.

Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. Steve McCabe. Mr. McCabe may be reached at Richard.McCabe@delaware.gov or (302) 760-2276.

Further regarding the trip generation calculation, Land Use Code 151 assumes a small office area associated with the storage use. From DelDOT's perspective, if the rezoning

contemplated for Tax Parcel No. 134-15.00-20.12 is not approved, the subject storage use could proceed as per the plan provided with the conversion of part of one of the proposed buildings to an accessory office use.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Route 17. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**" However, it appears that the existing right-of-way may meet this requirement.
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**"
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 600 feet of the entrance on Route 17.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas DelDOT has discretion to not require installation of paths or sidewalks along the frontage on State-maintained roads. DelDOT does not anticipate requiring the developer to build a sidewalk or SUP along their frontage on Route 17.
- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Route 17.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480
Concerns Identified Within the Development Footprint

Stormwater Management

This application proposes greater than 5000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.
- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.delaware.gov/enoi/>, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Hydrologic Soils Group

Hydrologic Soil Group A/D (poorly drained and very poorly drained) soils have been identified over most of the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Tax Ditches

The Main Prong of the Beaver Dam Canal Tax Ditch lies on the western edge of the site within the Beaver Dam Canal Tax Ditch Watershed. Tax ditches are man-made channels created to move normal water flow off agricultural lands. These channels have associated tax ditch Rights-of-Way (ROW) that are utilized for access as well as sediment and debris disposal during maintenance. Tax Ditch ROWs vary by channel size and location. The Main Prong of the Beaver Dam Canal Tax Ditch has an 80-foot to Top of Bank (TOB) ROW extending into the project boundary.

- If the site and/or stormwater management features are designed to discharge into the Main Prong of the Beaver Dam Canal Tax Ditch, located on the western edge of the project parcel, design must consider existing conditions versus design specifications. Please consult with the DNREC Drainage Program for As-Built design information if necessary.
- Proposed structures or construction lies within the existing Tax Ditch ROW. To reduce or change existing Tax Ditch ROWs, a Court Order Change must be submitted by the DNREC Drainage Program. The associated Land Development Project Review Request form is attached, as well as the aerial drainage map.
- Contact the DNREC Drainage Program to discuss the on-site tax ditch ROW prior to the project application meeting with the appropriate plan review agency for construction stormwater management.
- Permanent obstructions including, but not limited to, stormwater management facilities, buildings, sheds, streets, wells, and septic systems are not allowed within the tax ditch ROW.
- Existing tax ditches on the property must be surveyed and compared to tax ditch design specifications for effective function. The channel should be cleared or excavated prior to the construction of the project if needed.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>
Tax Ditch Mapper: de.gov/taxditchmap

Wastewater Disposal Systems – Small Systems

An expired elevated sand mound septic permit (permit #163810) exists for this site in the Small System Branch database.

- Contact the DNREC Groundwater Discharges Section to properly abandon these systems.
- The applicant must follow current regulations to apply for a small system permit. The On-Site Regulation are listed within Section 5 of the *Regulations Governing the Design, Installation and Operation of the On-site Wastewater Treatment and Disposal Systems* at: <http://www.dnrec.delaware.gov/wr/Information/GWDInfo/Documents/delaware-on-site-regulations-with-exhibits.pdf>
- A Site Evaluation must be performed by a Delaware licensed Class D Soil Scientist to determine the type of disposal system allowed under current regulations and site conditions. A list of licensed Class D soil scientists can be found at the following website: <https://data.delaware.gov/Energy-and-Environment/Class-D-Site-Evaluator-Licensees-Based-on-Licensed/6vjq-34rp>

Contact: DNREC Groundwater Discharges Section for proposed projects in Sussex County at (302) 856-4561.

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/septic-systems/>

Water Quality (Pollution Control Strategies)

This site lies within the Inland Bays Watershed. Surface water quality in this watershed does not meet State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Consult with the appropriate plan review agency (Sussex Conservation District) to determine if stricter stormwater management standards may apply for development projects due to the Pollution Control Strategy. More information about Pollution Control Strategies can be found at the following website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/assessment/tributary-action-teams/>

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. <https://dnrec.alpha.delaware.gov/watershed-stewardship/>

State Historic Preservation Office – Contact Carlton Hall 736-7400

- There are no known Archaeological Sites or known National Register listed or eligible properties on the parcel.
- There is low potential for prehistoric archaeological resources. There are no known archaeological sites on this parcel, nor are there any within a half-mile radius. This parcel is not near any water source and soils are poorly drained.
- There is low potential for historic archaeological resources. There are no properties shown on this parcel in historic topographic and aerial maps. The parcel has remained consistently agricultural field. Historic field scatter is possible.
- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov

Delaware State Fire Marshall's Office – Contact John Rudd 323-5365

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation:

Fire Protection Water Requirements:

- Since the structures of the complex are proposed to be served by individual on-site wells (No Central or Public Water System within 1000' of property), set back and separation requirements will apply.

Fire Protection Features:

- For mini-storage buildings greater than 10,000 sq. ft. Class B (2-hour rated) fire barriers are required to subdivide buildings into areas of 10,000 sq. ft. or less
- Buildings greater than 10,000 sq. ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Roxana Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Roads

Department of Agriculture – Contact: Milton Melendez 698-4534

- The proposed project is adjacent to a property protected through the State’s Agricultural Lands Preservation Program (Hudson’s Heritage Expansion of the Hickman Farm’s District S-17-03-085B Parcel 134-15.00-15). Therefore, the activities conducted on this preserved property are protected by the agricultural use protections outlined in Title 3, Del. C., Chapter 9. These protections effect adjoining developing properties. The 300 foot notification requirement affects all new deeds in a subdivision located in whole or part within 300 feet of an Agricultural District/Easement. Please take note of these restrictions as follows:

§ 910. Agricultural use protections.

(a) Normal agricultural uses and activities conducted in a lawful manner are preferred and priority uses and activities in Agricultural Preservation Districts. In order to establish and maintain a preference and priority for such normal agricultural uses and activities and avert and negate complaints arising from normal noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations, land use adjacent to Agricultural Preservation Districts shall be subject to the following restrictions:

(1) For any new subdivision development located in whole or in part within 300 feet of the boundary of an Agricultural Preservation District, the owner of the development shall provide in the deed restrictions and any leases or agreements of sale for any residential lot or dwelling unit the following notice:

This property is located in the vicinity of an established Agricultural Preservation District in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities."

(2) For any new subdivision development located in whole or in part within 50 feet of the boundary of an Agricultural Preservation District, no improvement requiring an occupancy approval shall be constructed within 50 feet of the boundary of the Agricultural Preservation District.

(b) Normal agricultural uses and activities conducted in accordance with good husbandry and best management practices in Agricultural Preservation Districts shall be deemed protected actions and not subject to any claim or complaint of nuisance, including any such claims under any existing or future county or municipal code or ordinance. In the event a formal complaint alleging nuisance related to normal agricultural uses and activities is filed against an owner of lands located in an Agricultural Preservation District, such owner, upon prevailing in any such action, shall be entitled to recover reasonably incurred costs and expenses related to the defense of any such action, including reasonable attorney's fees (68 Del. Laws, c. 118, § 2.).

- In addition, if any wells are to be installed, Section 4.01(A)(2) of the Delaware Regulations Governing the Construction and Use of Wells will apply. This regulation states:

(2) For any parcel, lot, or subdivision created or recorded within fifty (50) feet of, or within the boundaries of, an Agricultural Lands Preservation District (as defined in Title 3, Del. C., Chapter 9); all wells constructed on such parcels shall be located a minimum of fifty (50) feet from any boundary of the Agricultural Lands Preservation District. This requirement does not apply to parcels recorded prior to the implementation date of these Regulations. However, it is recommended that all wells be placed the maximum distance possible from lands which are or have been used for the production of crops which have been subjected to the application of land applied federally regulated chemicals.

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Route 17.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

Department of Natural Resources and Environmental Control – Beth Krumrine 735-3480 **Stormwater Management**

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Tax Ditches

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

Tax Ditch Mapper: de.gov/taxditchmap

Additional Sustainable Practices

- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.
- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).
- Incorporate trees into the landscaping plan to reduce the heat island effects from pavement.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.
- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Delaware State Fire Marshall's Office – Contact John Rudd 323-5365

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, Plan Review & Inspections link.

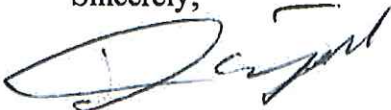
Department of Agriculture – Contact: Milton Melendez 698-4534

- The Department of Agriculture strongly encourages the developer to work with the Department's Forestry Section during the design and implementation of the project to plant an effective forested buffer between the proposed residential development and existing preserved properties. It is important that suitable tree species be selected and planted to create an effective mitigation barrier between this new development and the existing agricultural operation enrolled in the Agricultural Lands Preservation Program. This farm generates dust, noise and odors that new residents may not be familiar with.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David Edgell, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning Department

Attachments

16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 0

DATA COLUMN

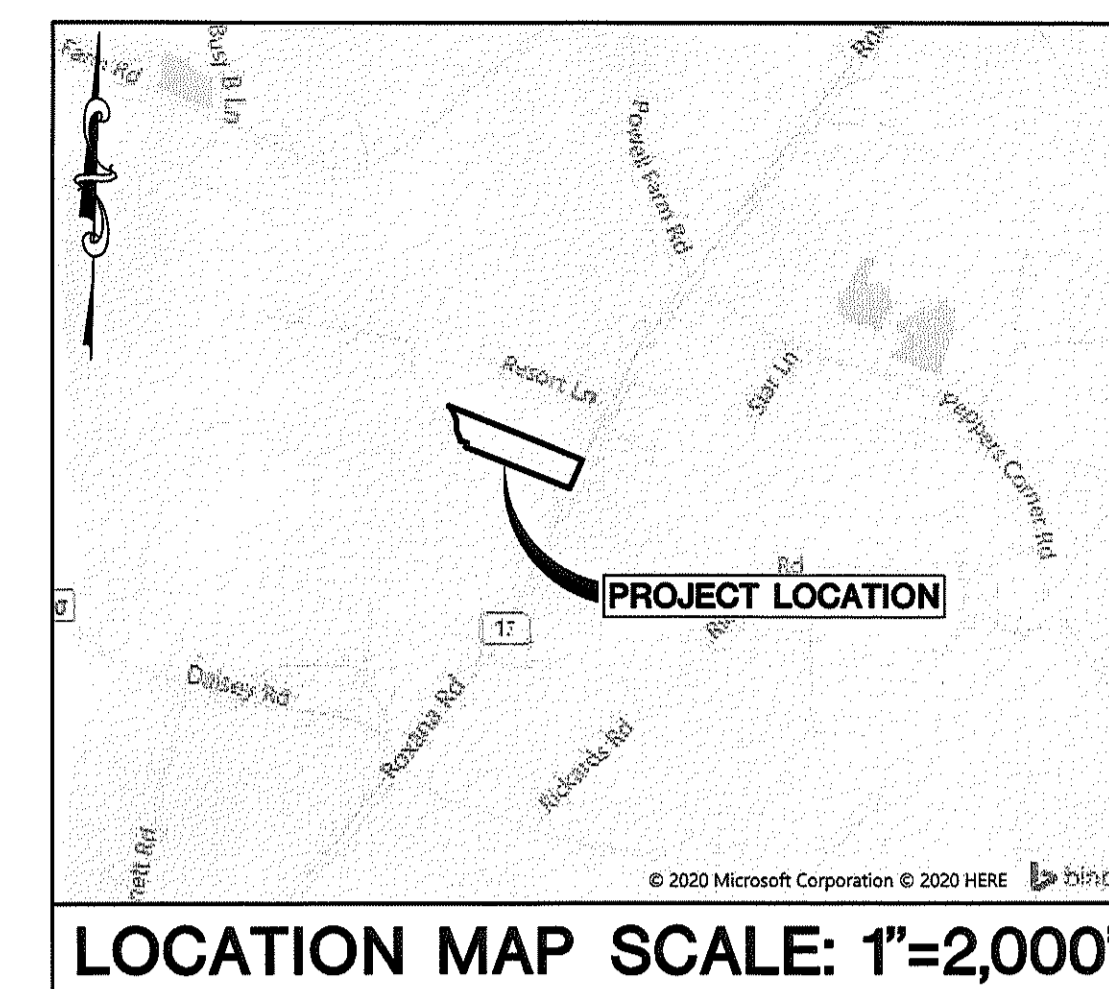
MAP & PARCEL NUMBER: 134-15.00-20.06
DEED REFERENCE: 4863/221
OWNER/DEVELOPER: RONALD E. GRAY AND M. CANDICE L. GRAY
37176 SUNSET COVE
SELBYVILLE, DELAWARE 19975
PREPARED BY: DAVIS, BOWEN AND FRIEDEL, INC.
601 E. MAIN ST, SUITE 100
SALISBURY, MARYLAND 21804
(410) 543-9091
TOTAL SITE AREA: 8.42 ACRES±
EXISTING ZONING: AR-1
PRESENT USE: AGRICULTURAL W/ RESIDENTIAL
PROPOSED USE: OPERATE 94,800 SQUARE FEET OF ENCLOSED STORAGE SPACE
LOCATED IN 40 BUILDINGS CONTAINING 703 STORAGE UNITS THEREIN
AND OUTDOOR STORAGE FOR BOATS, BOAT TRAILERS, AND RV'S
DURING THE BUILD-OUT AND CONTINUING AFTER THE BUILD-OUT IN
LIMITED AREAS NOT INTERFERING WITH ACCESS TO THE BUILT
STORAGE UNITS.
SEWER PROVIDER: ON SITE
WATER PROVIDER: ON SITE WELL
SURVEY CLASSIFICATION: SUBURBAN
SETBACK REQUIREMENTS: 40' FRONT
20' REAR
15' SIDE

LEGEND

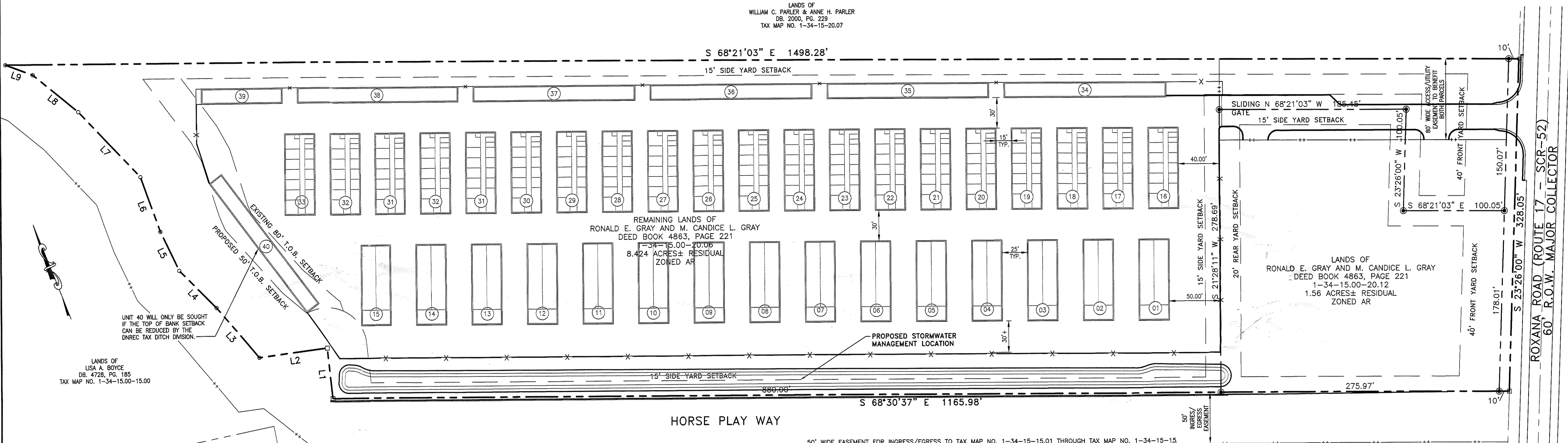
- BOUNDARY LINE
- - - PROPERTY LINE
- SETBACK LINE
- +++ EXISTING EASEMENT
- +++ PROPOSED EASEMENT
- X- FENCE
- CONTOUR
- +29.03 +29.03 SPOT ELEVATIONS
- PROPERTY CORNER SET

GENERAL NOTES

- OTHER THAN SHOWN, THIS SURVEY PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAYS OR EASEMENTS ON THIS PROPERTY. NO TITLE SEARCH WAS REQUESTED OR PERFORMED.
- ALL ENTRANCES SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- LOT 1 AND 2 SHALL HAVE A COMBINED ACCESS TO ROXANA ROAD (ROUTE 17).

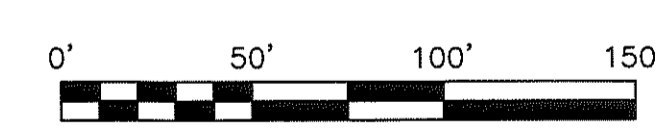


LANDS OF
WILLIAM C. PARLER & ANNE H. PARLER
DB. 2000, PG. 229
TAX MAP NO. 1-34-15-20.07



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 151°19'23\"	E 149.50'
L2	S 75°42'23\"	E 167.71'
L3	N 18°20'52\"	W 165.28'
L4	S 23°11'45\"	E 152.19'
L5	N 03°45'22\"	W 42.70'
L6	N 01°49'43\"	E 157.25'
L7	S 21°49'00\"	E 88.85'
L8	S 29°08'38\"	E 157.77'
L9	S 47°57'47\"	E 128.90'



OWNERS STATEMENT

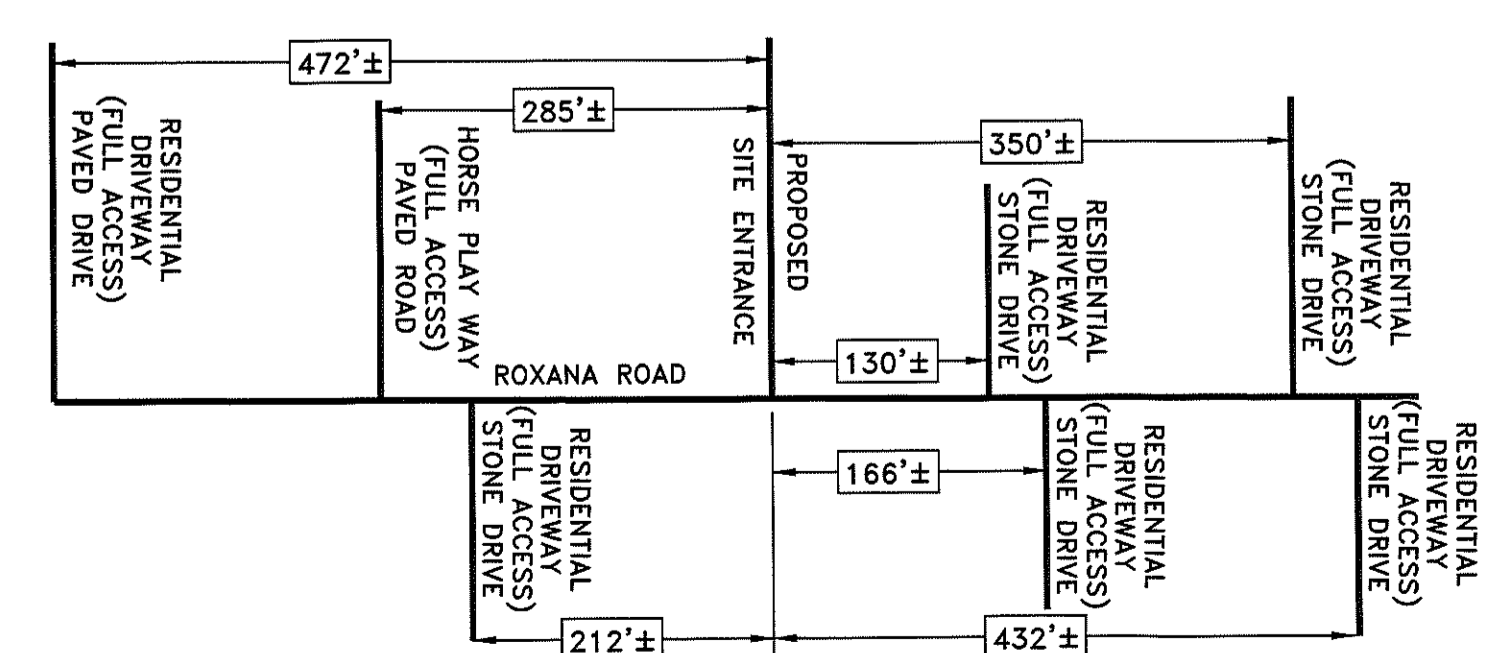
WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.

RONALD E. GRAY _____ DATE _____
M. CANDICE L. GRAY _____ DATE _____

SURVEYOR'S STATEMENT

THIS PLAT AND SURVEY WERE PERFORMED FOR RONALD E. GRAY AND M. CANDICE L. GRAY, UNDER MY SUPERVISION, TO THE LOCAL STANDARD OF CARE, AND SUBSTANTIALLY MEET THE "MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING" AS PROMULGATED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS FOR A SUBURBAN SURVEY.

CHRISTOPHER D. WATERS _____ DATE _____
PROFESSIONAL LAND SURVEYOR
DE NO. 530



EXISTING ENTRANCES DETAIL
NO SCALE

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND
100 E. MAIN ST., SUITE 100
SALISBURY, MARYLAND 21804
(410) 543-9091
FAX (410) 775-4744

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS

ROXANA ROAD STORAGE
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

Revisions:
Date: MAY 2021
Scale: 1" = 50'
Dwn.By: ADM
Proj.No.: 1111B001
Dwg.No.: 1