

Received after
PZC Public Hearing
before
CC Public Hearing

Opposition
Exhibit

9 June 2022

From: Lia Strucich <hotdog7u812.optonlinr.net> Mike Strucich

Sussex County Council

Re: C/Z 1946 Ronald and Candace Gray Tax Parcel 134-15.00-20.12

The Honorable Michael Vincent:

RECEIVED

JUN 09 2022

SUSSEX COUNTY
PLANNING & ZONING

We strongly oppose the change of zoning from an AR-1 to a commercial B-2 zone on the parcel of land noted above and on the adjoining parcel that will be changed on a conditional variance.

We are the owners of land 3 parcels away from the proposed storage facility. We oppose the project for numerous reasons.

First and foremost, the State of Delaware has indicated that the proposed development is in an Investment Level 4 area. Investment Level 4 indicates where State Investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. As such, new development activities are NOT supported in Level 4 areas. These areas are comprised of PRIME AGRICULTURAL lands and ENVIRONMENTALLY SENSITIVE wetlands and Wildlife habitats which should be PRESERVED. As a result, the State of Delaware does NOT support the proposed development. We believe it is of particular importance that County Planning and Zoning Commissions heed the State's recommendations, as they are not made lightly and seek to preserve the quality and characteristics unique and important to maintaining the integrity of what is good, irreplaceable and has a value that far exceeds that of monetary. When individual districts ignore the recommendations made by the State, slowly (or not so), the integrity of the State as a whole is compromised. Additionally, the project is located adjacent to a property preserved tjrpigj the State's Agricultural Lands Preservation Program. It appears that the development will impact the existing well located on the Parler's property due to insufficient setbacks. It further appears that storm runoff and drainage will inevitably also impact the parler's land and has some dependency on the drainage ditch belonging to the Parler's.

According to the NRCS soil survey these soils have SEVERE limitations for development which are considered unsuitable. It is stated that these lands are an IMPORTANT source of water storage as a NATURAL SPONGE. The loss of water storage through excavation, filling, or grading of intact hydric soils increases the vulnerability for more frequent and DESTRUCTIVE FLOODING events. A 127,000 sq. ft. project development which proposes to cover 95% of a 10.5 acre site with impervious cover will surely have a negative impact on the surrounding terrain.

Based on these facts alone the project should be denied. It is the duty and purpose of the zoning and planning board to protect the integrity and quality of life for the residents of its community and through thoughtful growth and development, and the benefit to

ther community as a whole, not to just the developer and, in this case, outsiders seeking to store boats and seasonal belongings for their convenience. The rezoning for this project is just the first step and opens the door for continued. Development not suited for such. Land which serves a much greater need according to the State and the NRCS soil survey.

We also take umbrage in the fact that Mr. Gray has proposed many features of his project just under the thresholds that would require certain protections such as traffic studies and approvals, sprinklers, etc.

Our other concerns pertain to the increased noise pollution, air pollution and traffic, as well as the loss of privacy, all of which deserve careful consideration. A final and important consideration is the many surrounding farms in the area which are owned and occupied by seniors.

Another area of concern is the safety of the residents resulting from the influx of people into this rural area where homes are far apart from each other and fairly isolated from one another, which could possibly impact crime rates. There is no local police department, either.

Lastly, it is our understanding that Mr. Gray already has a storage facility located off Route 54, and there is a considerably sized parcel which is suitable for development and which fronts Route 54. It would seem more in keeping with common sense and continuity, to locate additional storage needs and his current proposal before this board at that location.

A higher level of government accountability is necessary to ensure that there are no lapses in application and enforcement of policies and regulations. Recommendations by government agencies should be given the highest consideration. The persons that hold positions in government should not use their influence or contacts to receive undue consideration or favor in regard to personal pursuits.

It is no secret that development has been responsible for the destruction of farmland throughout the country. At some point, we will come to realize that we can not depend on importing all of our food sources or depend on China to provide that too. At some point it is likely, there will be a return to farming and lands like this will be and are, essential to our future. For this and all the reasons we stated above, we urge you to deny this application and to be mindful and sensitive to the State's recommendations regarding development of this land.

Thank you for your time and consideration in this matter.

Lia and Mike Strucich

Roxana Road.

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Sussex County Council
2 The Circle
Georgetown, De. 19947

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Re: C/Z 1946 Ronald and Candace Gray Tax Parcel 134-15.00-20.12

SUSSEX COUNTY
PLANNING & ZONING

We are writing to express our strong opposition to a change of zoning from AR1 to a commercial B-2 Zone on Route 17 (Roxana Rd) on 1.564 +/- acres plus additional acreage amounting to approximately 8.5 +/- acres that will be tied into this application and also become rezoned from AR1 to B-2 through a conditional variance.

Our property of approximately 22 acres lies across the street from the proposed storage project. Our land is currently farmed and has been for the 21 years we have owned it and for many years before that.

The nature of Roxana Rd. has been rural for all those years, although that is changing above the Pepper's Corner Rd/Powell Rd. intersection. Most of the building above that intersection has been residential with a few exceptions --mainly the new hospital and the storage units already built on two corners of Burbage Rd.

Beside the storage facility on the Burbage Rd corners of Roxana Rd., there also exists a storage facility on Rt. 26 across from Hocker's Super Center, storage units behind Casapulla's on 26 and one also on Rt. 17, just outside the town limits of Selbyville.

There will be room for boat storage at this proposed project even though there is a boat storage yard at Bob's Marina across from Hocker's Super Center. Boats and RV's are stored on Burbage close to Route 17 with another boat/RV storage yard adjacent to the Selbyville storage warehouses also on Route 17. How many storage units/boat storage yards do we need on or near Route 17?

Traffic is a concern as well as road safety. Roxana Road (Route 17) is an approximately 8 1/2 mile long, two lane road that goes from Clarksville to Selbyville. In 1999, when we bought our property, there was very little traffic. In 2022, traffic has increased to a steady, consistent stream, which increases incrementally as more and more residences are built. Traffic is fairly heavy during morning hours, all day and after work hours. More and more trucks are using this road and the summer traffic is much heavier and starts earlier every year. We have yet to see the added traffic generated by the new hospital. With the addition of residential developments currently in the process of being built, still to be built above Powell Farm Rd/Pepper's Corner Road and a 200 unit apartment building proposed to be built near the hospital, we believe the traffic will soon present a real problem. While the speed limit is now 50, many of the vehicles do 60 and over which makes getting out of your driveway dangerous without any added traffic. We expect that, at some point, traffic lights will be added to Roxana Rd and this will, of course, change the flow and pattern of traffic.

The entrance/egress to this project appears to be located on the north corner of the property close to driveway of the next door neighbor. I was told that the road will have a turn lane which will create an unsafe condition for the people trying to enter/leave that property especially if someone is trying to enter the proposed project. There already exists a road (Horse Play Lane) that runs down the south side property line of the property utilized by the horse boarding facility behind the project and by a cabinet shop alongside Horse Play Lane. Why is this existing road not being used as an entrance to the proposed warehouse/office building project? It certainly would be safer than using Route 17 as an entrance and crossing the neighbor's driveway.

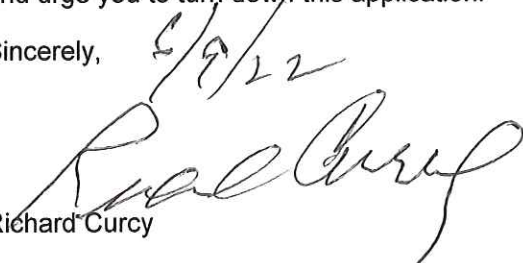
Water is another concern. As developments take up more and more land the fields that were able to handle and absorb the water now become flooded. This project will cover approximately 10 acres with buildings, boats, and office buildings which means that there is that much less land to absorb the water. How is the water being handled? Our property already floods ---our front and back yard has a layer of water after a heavy rain that takes days to dry up. It never did that before the massive developments

were built. How will the water runoff from this project be handled so that the area will not be flooded more than it already is?

The aesthetic aspect of this area must be addressed, too. From the intersection of Powell Farm/Pepper's corner Roads to the Route 20 light in Roxana, this land is still rural consisting of farm fields, wooded areas and single family residences. We have wild life that is slowly disappearing as the developments proliferate and a 730 unit storage warehouse project with boat storage and office buildings surely will not enhance the rural nature that distinguishes this area.

To inject a commercial zone project would be to invite an inevitable change in the area that would destroy the rural nature of land already designated as an investment level 4 which considers the rural aspect of these properties worth preserving. We, too, consider the rural nature of Roxana Road worth preserving and urge you to turn down this application.

Sincerely,

6/9/22


Richard Curcy



Sandra Curcy

9 June 2022

34269 Roxana Road, Frankford, Delaware 19945

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8 June 2022

To: Sussex County Council

FR: Nicholas Curcy <ncurcy@comcast.net>

RE: C/Z 1946 Ronald and Candace Gray Tax Parcel 134-15.00-20.12

The Honorable Michael Vincent, President

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JUN 09 2022

SUSSEX COUNTY
PLANNING & ZONING

I strongly oppose the change of zoning from an AR-1 to a commercial B-2 zone on the above noted parcel of land.

My parents own the property at 34219 Roxana Rd. which is across the street from tax parcel #134-15.00-20.12. That parcel, along with all of Roxana Road from the Powell Farm/Pepper Corner to the Daisey Rd. intersection is now zoned AR1. I have an interest in the 34269 Roxana Rd. property which will eventually pass to me.

The Planning and Zoning Code of Sussex County Delaware regarding AR1/Residential zones states:

§ 115-19 PURPOSE

The purpose of these districts is to provide for a full range of agricultural activities and TO PROTECT AGRICULTURAL LANDS, AS ONE OF THE COUNTY'S MOST VALUABLE NATURAL RESOURCES, FROM THE DEPRECIATING EFFECT OF OBJECTIONAL, HAZARDOUS AND UNSIGHTLY USES. They should also protect established agricultural operations and activities. These districts are also intended for protection of watersheds, water resources, forest areas and SCENIC values and, at the same time, to provide for LOW-DENSITY SINGLE_FAMILY residential development, together with such churches, recreational facilities and accessory uses as may be necessary or are normally compatible with residential surroundings. The AR regulations seek to prevent untimely scattering of more-dense urban uses, which should be confined to areas planned for efficient extension of public services.

To change to code of this 1.564 acre parcel (plus adding the adjoining 9 +/- acres as a conditional variance B-2 zone) would be to destroy an area that is still being actively farmed and pave the way for future unsightly commercial development.

From our understanding and based on the NRC's soil survey, the property and soil make-up have severe limitations and are considered unsuitable for the development which is being proposed for this property.

On just a 10 +/- acre farm field, surrounded by single family rural residences, farmed fields and wooded areas, how can one justify a 100,000 square foot facility of storage buildings, office space, paved roadway, and parking lot space.

What will happen when there is a significant storm and those torrential rains that we are known for? Where will the runoff go---to neighboring properties which are already feeling the effect of all the development and loss of land that used to absorb the rain water.

What about the safety of the roads. The entrance/egress to this project does not seem to be very safe for neighbors/passing cars especially when there is already an existing road/easement that would afford a safer entrance/egress route.

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RE: C/Z 1946 Ronald and Candace Gray Tac Parcel 134-15.00-20.12

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The Honorable Michael Vincent, President

SUSSEX COUNTY
PLANNING & ZONING

I strongly oppose the change of zoning from an AR-1 to a commercial B-2 zone on the above noted parcel of land and the additional adjoining acreage (also zoned AR1) that would become rezoned to B-2 through a conditional variance.

Fields in this area are subject to flooding after heavy rains. If this 10 +/- acre field will be covered with a 100,000 + square foot facility consisting of storage buildings, office space, paved roadways and parking lots, where will the runoff go in the torrential rains that we frequently experience? With the fields already flooding, will the roadways and residences also begin to flood as more and more building goes on?

From our understanding and based on the NRC's soil survey, the property and soil make-up have severe limitations and are considered unsuitable for such development.

What about the increase in traffic on a road that gets more and more traffic every year? Has there been a traffic study done? We know that traffic will substantially increase with the developments already being built, those planned to be built and with the addition of a hospital emergency room. All hospitals seem to grow as the communities surrounding it do and it is more than probable that this hospital will also grow. So will the traffic.

Such a drastic zone change will not be a beneficial change either for the land, for the residents already living here or the ones who might have come in the future.

Please take the concerns of the neighborhood into consideration and take a hard look at how this zone change will impact the residents of this neighborhood and the adjacent residences now and in the future. Please reject this application.

I appreciate your consideration in denying a zoning change and building permit for this parcel. Please reject the application based on unsuitable drainage and undue stressors on adjacent residences and the rest of the neighborhood which is now zoned Agricultural.

Respectfully Yours,



Donald Bentsen
Roxana Road

Proposition
Exhibit

Received after
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From: Brian Allen <bdallen19973@gmail.com>
Sent: Monday, June 13, 2022 11:57 AM
To: Tracy Torbert <tracy.torbert@sussexcountyde.gov>
Subject: CU-2294 - Borrow Pit on Asbury Rd. - 6/14/22 Afternoon Session

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

Tracy,

See below email concerning CU-2294 to be discussed during tomorrows county council meeting.

Can you please reply with confirmation you received the email.

Thanks,

Brian Allen

Dear Sussex County Council,

I am writing to express a major concern about the proposed borrow pit that is being considered along Asbury Road and the detrimental impact it would have on the quality of life of the approximately 20 homes that will sit in direct proximity to it. My family and I have lived at 26322 Asbury Rd. for the past 15 years (since 2007). Our home is located within the Asbury Meadows development, but sits directly on Asbury Rd., which is right across from the site of the proposed borrow pit up for discussion during today's County Council meeting. I believe this borrow pit is an effort to expand the existing sand plant that was brought online a few years ago, and sits along Route 20 about a half mile east of the Asbury Road and Beaver Dam Branch Road Intersection on Route 20. Much to our surprise, even though the sand plant is approximately $\frac{3}{4}$ of a mile to a mile from our home and has a woods creating a noise and visual buffer we are still disturbed by noise from the sand plant on a regular basis. Not only can we hear the sand plant operating, we can hear the trucks hauling the dirt, and even see the lights of the sand plant during the evening hours that it is operating. We have major concerns that the noise will become exponentially worse if the sand plant and borrow pit is allowed to expand to directly in front of our home. Imagine constantly hearing the backup signal of dirt trucks on a regular basis and the clanging of the sand plant (that is what we hear today, imagine if it moves a mile closer). In addition, there is currently no buffer to protect our property from what would be blowing sand and the increased noise. Even with a buffer created along the road to block the view of the proposed sand plant, the noise would be even more intrusive which would disrupt the approximately 20 homes that all sit within close proximity to the proposed sand plant/borrow pit. The property being considered for the borrow pit is literally across the street from our property. All you would have to do is simply cross the street and you would be on the proposed sand pit property. In addition, the location of the proposed borrow pit would decrease our property values. The property being considered for a borrow pit has always been farm land, which is appropriate for the area we live in. Would you buy a home that looked out at a pile of dirt with dump trucks operating on a daily basis as your view across your property?

I would ask that you please vote no to the conditional use request and leave the property zoning as is.

I appreciate your time today and would simply ask that you consider the impact this would have on the 20 families residing on Asbury Rd. and the quality of life they currently enjoy. The area we live in is very peaceful, and should not be disrupted with the addition of a borrow pit, and all the blowing sand and noise from heavy machinery that accompanies it. If you and your family lived in this area, would you want to look out your window and see a huge sand plant and borrow pit, I am certain you would not.

Thank you for your time and consideration on this matter.

Brian Allen
26322 Asbury Rd.
Seaford, DE 19973
302-841-1194
Bdallen19973@gmail.com

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Ann Lepore

From: Cathy Ashcraft <cathyann150@gmail.com>
Sent: Monday, June 13, 2022 12:59 PM
To: Planning and Zoning
Subject: Sussexcountyplanningandzoning

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I live in Sussex County off Coastal and Shady Road in Lewes, DE

My concerns are increased road traffic with all of the new building in this area.

Taxes will probably need to be increased

For new construction of roads. Many people move here for the cost of living and low crime rates.

Safety is a major worry of mine, especially with illegal immigrants that would probably be flown here or bussed to this area for low cost housing. I have seen large white busses with young males that were dropped off at the Walmart, several men were running in the Walmart store.

I am a senior citizen trying to make ends meet.

Thank you for your time and any additional information.

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