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SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Sussex County P&Z/BOA,

Re Crusher permit for Sussex County

Please be advised that hazardous material as well as crushing concrete will affect our senior community with all types of health issues. COPD, Asthma, and air pollution as well as substantially affect our housing situation.

There are many other locations in the Bridgeville area that that are much more suitable for this type of business

Phyllis Lonules

Amy Hollis

From: Bruce Nowak <jooter55@comcast.net>
Sent: Tuesday, January 31, 2023 12:48 PM
To: Planning and Zoning
Cc: Tom Moran; Jim Carlucci; Rosanne; alicezaras@gmail.com
Subject: Case # 12789; Concrete Crusher Permanent Special Use Exception for a "Potentially Hazardous Use"; Located on RT 13 Property Tax Number 131-19.00-5.00

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Dear Sussex County Board of Adjustment (BOA) Members:

I say NO, to this Hazardous Use Special Use Exception.

The genie cannot be put back into the bottle once the genie has escaped.

No level of apologies, excuses or sorry we allowed this Exception, when people's lives, health and financial wellbeing have been ruined and destroyed.

I certainly would rule on the side of CAUTION, and say NO. I could not accept this risk to the surrounding Community since it does not need to be allowed nor happen.

You have seen the scientific data from Passwater LLC which states c-silica (**crystalline silica**) dust particles are a Group-1 carcinogen. Normally this would be enough to reject an Applicant's request.

I am sure the Applicant will say their operation will contain this Group-1 known cancer causing carcinogen and no dust, particulate or nano-particulate will leave the property. How will we know and How will they know?

The question to be asked; Will this FDPN Management, LLC be a "**good and transparent**" business operator within the Community and Sussex County.

After all this organization will be responsible in full for the operation of a facility which has the potential to release c-silica particulates into the atmosphere endangering the health of any person breathing in that particulate matter.

It is a Hazardous Exception being asked for.

Will all Federal, State, County and Local rules, regulations and laws be strictly adhered to when operating the Concrete Crusher, Storage of Rubble Concrete Delivered and transported to the Crusher?

As of 4:30 pm, 30 January, 2023 when the Agenda for the 6 February 2023 meeting at 6 pm of the BOA was released on the Sussex County Web Site, the only information concerning the Concrete Crusher was the Application.

This was the Applicant's opportunity to be transparent about their operation within our Affected Community, again it did not happen.

How transparent were they when asking State Agencies for objections or no objections? How much data was provided to DELDOT, DEC, DNREC, Fire Marshall and Director of Utility Planning and Design? Did they provide information on the carcinogens which may be present when your people are present on the premises.

Your employees need to be aware of C-SILICA particulates plus any other carcinogens from the rubble concrete of **unknown origin** and shall wear appropriate Personal Protective Equipment (PPE) to protect them from breathing in particulate particles which may result in their agonizing disability and eventual death? Has the State Employees' Unions been made aware of this potentially hazardous work environment? What signage will be present at the entrance warning employees, vendors and visitors of the hazardous work environment?

Their clothing worn at the site must also be handled appropriately otherwise contamination of their work vehicle, work place and home may become contaminated?

How can the BOA make any decision other than NO, due to lack of specifications of the crusher, handling of the concrete rubble, daily operation of the crusher, daily log of concrete crushed with source of the rubble concrete noted, storage of the concrete rubble prior to crushing, protection of the employees from the carcinogen c-silica, training of the employees, training of the management team supervising the employees, hazmat emergency plan in the event procedures are violated and whom do they report such incidents.

Will this LLC carry a Bond of such significance it can cover the costs to clean up an incident, financial resources for monitoring and testing the property for c-silica particulates, monitoring and testing of the incoming rubble concrete for carcinogens, monitoring and testing adjacent properties for traces of c-silica particulates and other harmful discharge, clean up of areas contaminated by hazmat trained teams, monitoring the health of all employees who are in contact with the crusher and concrete rubble and I am sure there are more items which need to be shown to the BOA before a decision is rendered?

What will be done with the crushed rubble concrete? Added to new concrete as aggregate or sold as aggregate for road foundation or sold as who knows what to unsuspecting clients unaware of the aggregate's **unknown origin** and contamination content and what proper HAZMAT handling will be required? Sold as aggregate for driveways at daycare centers, entrances to parks and playgrounds.

Lets just spread this menace every where in Sussex County and beyond!

Since there is no Exhibit Book with operational details as yet, it can only be assumed this FDPN Management, LLC is not going to be a transparent and responsible business within Sussex County. Again, The BOA must say NO to the Potentially Hazardous Use Exception.

In addition, The BOA must make this the final decision a **Permanent NO**, such no more time will be wasted with another Application in the future when they believe no one will be watching and they can put "Lipstick" on this Pig of a request.

Back when the initial request for the Crusher Exception was withdrawn, the Applicant represented by the Becker Morgan Group did indicate the crusher would be a Rubble Master RM-90GO, the specifications for this piece of equipment are quite frightening:

* 200 TPH (tons per hour) of rubble concrete processed; in 7 hrs of operation the Crusher will process 2,800,000 lbs of rubble concrete, of which we do not know the source.

2,800,000 lbs of rubble concrete equates to 112 dump trucks carrying 25,000 lbs of rubble concrete each! Thus, everyday of crusher operation would require 112 dump trucks arriving with rubble concrete from **unknown sources** of rubble concrete and exiting the facility?

Will Sussex County become the dumping ground for toxic rubble concrete from all over the East Coast? Is another environmental disaster in the making as we have no control of Rubble Concrete sourcing, contaminants in, contaminants spread every where in Sussex County.

To effectively run this MONSTER millions of pounds of rubble concrete would need to be stored on the premises, queued for future crushing. This means constant fully loaded dump trucks coming in, dumping this rubble concrete in storage bins, dust billowing into the winds of Sussex County as the dump truck raises its bed and dumps the load! Then the dump truck bangs the tail gate to insure all the rubble has exited plus the fine dust. Tail gate banging noise is deafening! The banging of the tail gate presents the real possibility of releasing even more hazardous material into the atmosphere as the fine particles slide down and out of the bed and into the atmosphere.

Why the concern of the Source of the Rubble Concrete, C & D (construction and demolition) rubble concrete is dirty and contaminated with who knows what! Truly who knows what was used in the old concrete from a demolition, it is absolutely unknown!

We do know it will contain at a minimum c-silica particulates which are a known carcinogen!

* This MONSTER (RM-90GO Crusher) will need to be fed, Applicant has not indicated how the Rubble Concrete will be transported from the storage area to the Crusher. Each move of the Rubble Concrete will create dust to be blown in the wind/breezes

contaminating the surrounding area and who knows just how far those c-silica particulates and other contaminates will travel.

What are those support machines and how does the transport eliminate c-silica particulates becoming air born?

* The Applicant is silent on whether this would be a used or new Crusher. Obviously a used Crusher will have a difficult time meeting the manufacturer's specs for Crushing, even New equipment quickly degrades over time and use. I worked with complex 24/7 equipment for many years and they continually needed to be maintained and scheduled for rebuild to operate within manufacturers' specs. What is their budget for repairs and after how many hours of crushing will the repairs be made? What will be their maintenance and repair schedule, run til it breaks, then piece it together and by pass safety controls so the Crusher can meet its production schedule?

* The manufacturer says the crusher is loud, shows a graph, within 10 meters it is 85 decibels, that is noisy!

* Shame on the BECKER MORGAN GROUP for pushing this Application forward.

The health hazards are known and frightening enough to say NO, but let us also talk traffic and the death and carnage awaiting the Community in the near future just around the bend in RT 13.

Hundreds of fully loaded and empty industrial trucks entering and exiting the facility. Traffic coming from the North must round a slight bend making the entrance hidden from a distance, the parcel is

not on a straight stretch of RT 13. Rt 13 is as you are aware, is a very busy highway, the trucks from the North must decelerate to enter the drive way. Trucks from the South must make a left hand turn crossing two lanes of a very busy RT 13 to enter. All trucks leaving will make a right hand turn to gain access to RT 13 with heavy traffic approaching with no acceleration and merge lane. If heading North, the trucks would later be making a U-Turn to travel North.

Why no acceleration and deceleration lanes were mandated as operating the CRUSHER requires at least a hundred dump truck loads of rubble concrete per day? Was DELDOT not aware of the this MONSTER's Appetite for rubble concrete?!

Heck, Heritage Shores has a deceleration lane so residents and contractors may safely move from the RT 13 lanes to enter the Community, again why not for this Crusher Facility?

We residents of Heritage Shores know how difficult it can be to merge onto RT 13 from Heritage Shores. RT13 carries many visitors from all over the Country and Canada who will not be aware of the dangers ahead. There will be hundreds of times per day where a concrete truck, dump truck or 53 foot cement delivery tractor trailer will be entering RT 13 and accelerating slowly and possibly trying to change lanes to make a U-Turn! This results in traffic unexpectedly slowing and speed differential is a huge cause of vehicle accidents. Yes, this will be a busy and congested exchange without acceleration nor deceleration lanes! The Applicant shows twenty (20) spaces for concrete trucks, thus each making 3 or 4 runs a day, maybe more this means sixty (60), eighty (80) or more exiting vehicles carrying concrete, then returning empty and for every truck leaving other trucks are delivering supplies such as aggregate, sand and Portland Cement!

The accidents will happen, it will not be **IF** but **WHEN** and at what frequency and at what cost will lives be ruined because of this CRUSHER, needlessly located in this Community.

Just how busy is a Batch Concrete Facility without a CRUSHER? Remember when a CRUSHER is added to a Batch Concrete Facility becomes a MEGA BATCH CONCRETE FACILITY along with MEGA industrial traffic.

Below are my personal observations of the Atlantic Batch Concrete Facility at Harrington, DE. Please just look at how busy this entrance and exit is. Also note this is located on a straight stretch of highway.

I did not observe any Rubble Concrete delivered, do not believe this facility has a CRUSHER. Nor could I see stored Rubble Concrete that day.

THIS IS JUST THREE (3) HOURS OF OPERATION! Extrapolate this to five (5) and six (6) days a week! NOW ADD A CRUSHER!

Situation: 15 March 2021 at 6:20 am, I, Bruce Nowak arrived at the State Fair Grounds and parked due West of the Atlantic Concrete Company in the State Fair Grounds Parking Lot. I tried to be as discrete as possible, windows up, lights and engine off. Temperature was approximately 35 degrees F. Using my golf (Bushnell ProX2, 5X magnification) distance finder I was approximately 240 yards from the Administrative Office Building. Facing due East, 090 degrees, using my iPhone Compass for direction. The sun was at approximately East at 100 degrees. My field of view encompassed the entrance at RT 13 plus viewing area of Northern and Southern boundaries. The Concrete Batch / Cement Truck Loading area was easily visible along with the Supply area where trucks delivered raw materials.

Following are my observations, the time of day recorded was from my iPhone.

Note: Trucks whether arriving or departing trucks, all created clouds of dust, but Dump Trucks were significant.

March 15, 2021; 6:20 am Observations began.

6:20 am - Plant was in operation at this time, trucks in the parking area had their over the cab lights on, trucks were queueing to be loaded with cement.

6:28 am - Truck 1 loading at the base of the tower / loading area.

6:32 am - Truck returns coming from South.

6:37 am - Truck 1 loaded moves near front entrance, Next Truck 2 moves in to be loaded.

6:38 am - Truck 1 leaves loading area, stops, driver checks top of truck with flashlight, leaves property North and makes u-turn proceeds South on Rt 13.

6:40 am - Passenger Car arrives, eventually parks on North Side of entrance where other cars are parked.

6:42 am - Truck 2 finishes loading and moves toward front entrance, stops and driver climbs to top of truck loading opening with a flashlight and checks loading opening.

6:43 am - Next Truck 3 positioning for loading of concrete.

6:45 am - Truck 2 leaves, North but u-turns and heads South.

6:50 am - Truck 3 loaded, moves away from loader towards entrance / exit, stops. 6:51 am - Truck 4 positioning to be loaded.

6:51 am - Truck returns from South on RT 13.

6:53 am - Truck 3 leaves, North but u-turns and heads South, could hear the truck accelerating from inside car.

6:56 am - Count 5 trucks in the yard yet to be loaded.

6:56 am - Next Truck queueing to be loaded.

6:57 am - Trucks in yard running / starting and idling as I can see when a Truck starts there is a plume of dark exhaust.

6:58 am - Truck 4 loaded, moves forward to entrance / exit, stops.

6:58 am - Truck 5 positioning to be loaded.

7:00 am - Truck 4 driver has inspected the loading opening at top of truck with flashlight, now leaving, North but u-turns and heads South.

7:01 am - Next truck queueing to be loaded, 2nd truck in the queue to be loaded

7:05 am - Dump Truck 1 arrives, followed by Dump Truck 2, all Dump Trucks entering create a very large dust cloud, much larger than a cement truck.

7:05 am - Truck 5 moves away from loading towards exit, stops, Driver checks loading opening at top of truck.

7:05 am - Truck 6 moves into loading position.

7:07 am - Truck 5 leaves, North bound, u-turns and goes South, could hear the truck accelerating as it went past.

7:08 am - Dump Truck 1 leaves, cloud of dust, North bound, u-turns and goes South.

7:08 am - Truck queueing to be loaded, noticed cylinder turning.
7:09 am - State Truck stops just South of entrance to pick up a dead Deer from ditch.

7:10 am - Dump Truck 2 leaves, in cloud of dust.
7:12 am - Truck 6 loaded, moves toward entrance / exit, Driver checks opening at top of truck, returns to cab.
7:13 am - Truck 7 loading.
7:13 am - Pick up truck arrives, looks to be a type used in construction.
7:14 am - Truck 6 leaves North bound, u-turns and goes South.
7:14 am - now 4 trucks visible in yard.
7:16 am - 18 wheeled supply truck arrives, has 3 compartments, positions it self South and parallel to loading cement trucks near the trucks' loading area.

7:16 am - Dump Truck 3 arrives to unload, creates a cloud of dust. Could hear the gate slam with a bang on this truck when it unloaded.
7:17 am - Dump truck 4 arrives to unload, creating a cloud of dust.
7:19 am - Truck 7 loaded, moves forward to entrance / exit stops and driver checks the top of the truck's load opening.
7:20 am - Truck 7 leaves North, u-turns goes South, again can hear truck accelerate as it passes.
7:20 am - Truck 8 moves in to be loaded.
7:20 am - Dump Truck 5 arrives in a cloud of dust.
7:21 am - Dump Truck 3 leaves in a cloud of dust, goes South after u-turn.
7:21 am - Pick up truck leaves, goes South after u-turn.
7:22 am - Dump Truck 4 leaves, in a cloud of dust.
7:26 am - Dump Truck 5 leaves, in a cloud of dust.
7:26 am - Dump Truck 6 arrives, in a cloud of dust.
7:26 am - Truck queues to be loaded.
7:28 am - Truck idling in yard.
7:29 am - Truck 8 loaded, moves toward entrance / exit, driver stops and checks the loading opening at top of truck.
7:29 am - Truck 9 moves in to be loaded.
7:29 am - Truck returns and Honks Horn as entering
7:30 am - Dump Truck 6 leaves. As he passes going South, could hear truck accelerating.
7:31 am - Truck 8 leaves, 1 truck in yard idling.
7:34 am - Dump Truck 7 arrives, in a cloud of dust.
7:35 am - Sun above tree line. The concrete making tower and loading area immediately above the truck loading opening when putting concrete into truck created a bright white cloud of water vapor, temperature is in the upper 30's. This contrasted to the dust coming from the trucks coming and going and the tower itself. This discharge when the sunlight hit was brownish and was swirling in the wind and moving South at times above the tree line.
7:37 am - Truck 9 loaded, moves forward toward exit, Driver looks at top opening and sprays water on the Truck to rinse off dust. A second person was watching this occur.
7:37 am - Truck 10 positioning to be loaded.
7:41 am - Dump Truck 7 leaves in a cloud of dust.
7:42 am - Dump Truck 8 arrives in a cloud of dust.
7:42 am - Truck 9 departs, South after u-turn.
7:44 am - Dump Truck 9 arrives in a cloud of dust.
7:45 am - Truck 10 loaded, moves toward exit / entrance, stops, checks opening at top of truck and cylinder very dirty, easily seen covered in dirt.
7:47 am - Truck returns, Honks Horn as arrives at entrance.
7:48 am - Truck 11 moves into position to be loaded.

7:50 am - Truck 10 departs.
7:51 am - Dump Truck 8 departs in a cloud of dust.
7:52 am - 2 trucks in yard, 1 loading
7:53 am - Dump Truck 9 departs in a cloud of dust.
7:55 am - Truck 11 loaded, moves toward exit / entrance.
7:55 am - Truck 12 moves into position to be loaded.
7:57 am - Truck 11 leaves, heads South after u-turn.
7:58 am - Batch making Tower now emitting dust, drifting towards trees on South side, again the sun being behind the cloud, easy to see it is not a bright white water vapor cloud but dust.
8:02 am - Truck returns.
8:04 am - More dust from the Tower, again drifting Southward.
8:06 am - Truck 12 loaded, moves forward toward exit / entrance, checks load opening at truck top and sits with cylinder turning.
8:06 am - Truck 13 moves into position to be loaded.
8:11 am - Truck returns, dust created very similar to dust coming from tower as filtered by sun light.
8:14 am - Truck returns.
8:16 am - Truck 14 queueing up to load.
8:20 am - Now count 5 trucks in the yard.
8:21 am - Dump Truck 10 arrives, in a cloud of dust, sits in yard till 8:29 am.
8:21 am - Loading tower dumps large amount of water from loading spout? Truck 13 in loading position.
8:27 am - Truck returns.
8:29 am - Truck 12 finally leaves after sitting near exit since 8:06 am.
8:31 am - Truck returns.
8:32 am - Front end loader dumping sand or aggregate or ?? Into Dump Truck.
8:34 am - Dump Truck 10 departs in a cloud of dust.
8:38 am - 2nd Raw Materials Supply truck arrives. Has 3 chambers like the 1st truck, for unloading at bottom. Waits in yard.
8:39 am - Truck 15 queueing up to be loaded.
8:39 am - Truck leaves yard and heads South, did not leave from Loading Tower.
8:42 am - Truck 13 leaves loading area and moves through yard to North end of Yard, sitting at North end of Yard / Lot.
8:42 am - Truck 14 moves into position to be loaded.
8:43 am - 1st Supply Truck moves into yard and parks. 2nd Supply Truck replaces 1st Supply Truck at Tower to unload.
8:46 am - Truck returns, this arrival creates a larger dust cloud than previous returning trucks.
8:48 am - Truck 14 loaded, moves forward, goes to North end of Yard and sprays water on truck to rinse it of dust.
8:49 am - Truck 13 leaves after being at North end of Yard.
8:50 am - Truck returns.
8:50 am - No trucks in loading queue or being loaded.
8:53 am - Count 5 trucks in yard and 1 truck at North end of Yard.
8:55 am - Truck 14 leaves exit / entrance after being at the North end of Yard. Went South after u-turn and could be heard accelerating as it went by.
8:56 am - Truck 15 moves into loading area below tower. Cylinder is covered in dust / dirt.
8:57 am - Truck 16 moves to queue for loading.
9:02 am - Truck 15 loaded, moves to North end of Yard / Lot and parks.
9:02 am - Truck 16 moves into loading position below tower.
9:03 am - 18 Wheeler truck arrives, has cover on top, no chambers with bottom hatches for unloading?
9:05 am - Truck 17 moves into loading queue.

9:05 am - Truck returns.
9:07 am - Truck 15 moves from North end of Yard to exit, it is wet and cylinder is clean. Heads South after u-turn, could hear it accelerating as it past.
9:07 am - Dump Truck 11 arrives with load covered, in a cloud of dust.
9:09 am - Truck 16 loaded and moves to North end of Yard / Lot and parks.
9:09 am - Truck 18 queues for loading.
9:12 am - Fair Grounds' siren / alert system goes off in a test of emergency warning system.
9:13 am - Truck 17 moves to the loading queue area.
9:13 am - Truck returns.
9:13 am - Dump Truck 12 arrives, in a cloud of dust.
9:14 am - Dump Truck 11 departs in a cloud of dust.
9:14 am - Truck in yard idling.
9:16 am - Truck 17 loaded and moves to North end of Yard / Lot and parks. Could see driver spraying water to rinse truck.
9:17 am - Truck 16 leaves, headed South after u-turn, could be heard accelerating as it past.
9:17 am - Supply truck leaves.
9:17 am - Truck 18 moves into loading position.
9:22 am - Truck 18 loaded and moves to North end of Yard / Lot.
9:23 am - Dump Truck 12 departs in a cloud of dust.
9:23 am - Truck 19 moves into loading position.
9:24 am - Truck returns.
9:25 am - Truck 17 leaves and goes South after u-turn.

End of observations of 15 March 2021, needed to go to the bathroom.

I will testify at the Hearing as I gather the Applicant will at the last available moment divulge some new information about the CRUSHER and its operation.

Respectfully Submitted,

Bruce Nowak
23 Harlequin Loop
jooter55@comcast.net

Amy Hollis

From: alicezaras@yahoo.com <alicezaras@gmail.com>
Sent: Tuesday, January 31, 2023 1:24 PM
To: Planning and Zoning
Subject: Petition in Protest of Case #12789, FDPN Management LLC Request for Special Use Exception
Attachments: Petition Submission for Case#12789.pdf

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Amy,

Please accept the attached .pdf file part of the documents in protest of Case #12789. If you have trouble viewing the file, let me know.

Thank you for your assistance when I called last week regarding this petition.

Aliceanne Zaras
67 Whistling Duck Drive
Heritage Shores
Bridgeville, DE 19933
alicezaras@yahoo.com

To Whom It May Concern:

*For the reasons noted below, we, the undersigned call on the Sussex County Delaware Board of Adjustment to REJECT Case No. 12789 application submitted by FDPN Management LLC requesting a Special Use Exception for the hazardous use of operating a concrete crushing operation in support of manufacturing and recycling associated with a concrete batch plant to be located on their property at:
20354 Sussex Highway, Bridgeville, Delaware.*

Who is impacted?

If you work or live near:

20354 Sussex Hwy (intersection with Cannon Road), in Heritage Shores, in Clearbrooke, or in the Rt. 13/404 corridor...

And, if you are concerned:

For your health, for the health of the environment, for our farmers and their livelihood, for the safe, peaceful enjoyment of our small town atmosphere and the local businesses that serve our community.

Then you will be adversely affected by the proposed presence of a **Concrete Crusher** in close proximity to our homes, schools, farms, businesses, and recreational facilities.

What is at stake?

Your health, safety, depreciation and enjoyment of the environment in which you and your family live, work and recreate. The potential hazards include: **blowing silica dust, asbestos particles, possible drinking water, and farm irrigation and produce pollution, toxins contained in excavated concrete, and depreciation of home values.** If approved, the application opens the door and sets a precedent for additional heavy industrial operations in our community. **Blowing dust** and debris will, at times, limit outdoor recreation and pollute our streams, streets, and wildlife preservation areas. **Increased heavy truck traffic** will not only add additional noise by the use of backup warning signals but also increase air pollution from soot that is emitted from diesel engines. The request for a potentially hazardous operation in a mainly residential, light commercial, and agricultural area is non-compliant with Sussex County's Comprehensive Plan (2018).

Why is it important to get involved now?

This is the second attempt for approval of the concrete crusher. The first attempt, in 2021, was rejected because of **overwhelmingly negative feedback from our community.**

We need to suppress this application once again and send the message to FDPN, Sussex County and the surrounding communities that we are serious about **the quality of life we enjoy in our district** and we do not want to breathe the concrete dust, be close to toxic water runoff or hear the noise of trucks and machinery all day long. Everyone deserves clean air, clean water and a sense of safety at home.

Petition Signatures in Protest of Case #12789, FDPN Management LLC, Hearing on 2/6/23

LN	FN	City	State	ZIP	Country	Signed On
Comiskey	Emily	Peabody	MA	01960	US	1/20/2023
Kiley	Sasha	N Kingstown	RI	02852	US	1/23/2023
Andrews	Amy	Wakefield	RI	02879	US	1/21/2023
Landry	Sylvanna	Newport	RI	03773	US	1/21/2023
Herrera	Yuriana	Ansonia	CT	06401	US	1/21/2023
Hammons	Crystal	Naugatuck	CT	06770	US	1/20/2023
Melendez	Julio	Watertown	CT	06795	US	1/20/2023
JODI	EDELSON	Ringwood	NJ	07456	US	1/23/2023
stagg	geri	Hopatcong	NJ	07843	US	1/20/2023
Clarke	Denise	Mt Arlington	NJ	07856	US	1/20/2023
Heppner	Linda	Glendora	NJ	08029	US	1/20/2023
Palese	Chris	Gloucester City	NJ	08030	US	1/20/2023
RUSSELL	BONNIE	Cherry Hill	NJ	08034	US	1/24/2023
Clement	Mary	Stratford	NJ	08084	US	1/20/2023
Peterson	Travis	Stony Point	NY	10980	US	1/20/2023
Shearer	Joel	Brooklyn	NY	11225	US	1/19/2023
Manzueta	Jariel	Queens	NY	11368	US	1/21/2023
Santimays	Mary	Jamaica	NY	11434	US	1/20/2023
Tischler	Janet	Valley Stream	NY	11580	US	1/20/2023
Doumit	Gabriela	Syracuse	NY	13214	US	1/22/2023
Malseed	Raychael	Elizabethtown	PA	17022	US	1/25/2023
Kaplan	Howard	Upper Darby	PA	19082	US	1/23/2023
Brewer	Andrew	Philadelphia	PA	19104	US	1/20/2023
Gay	Robert H.	Philadelphia	PA	19106	US	1/22/2023
Schrivier	Francis	Philadelphia	PA	19132	US	1/20/2023
Rattell	Kathleen	Philadelphia	PA	19133	US	1/20/2023
Dressel	Robert	Philadelphia	PA	19134	US	1/20/2023
Quinn	Casey	Philadelphia	PA	19152	US	1/20/2023
Bartusiak	Leticia	Downingtown	PA	19335	US	1/20/2023
Finley	Connor	Harleysville	PA	19438	US	1/20/2023
Kaplan	Linda	Gilbertsville	PA	19525	US	1/21/2023
Beeler	Deborah	Dover	DE	19904	US	1/21/2023
Boyar	Paula	Dover	DE	19904	US	1/19/2023
Boyar	Sandy	Dover	DE	19904	US	1/19/2023
Calvin	Wendy	Dover	DE	19904	US	1/20/2023
Carson	Bernice	Dover	DE	19904	US	1/22/2023
Clark	Philip	Dover	DE	19904	US	1/19/2023
Cottrell	Annette	Dover	DE	19904	US	1/22/2023
Dallahan	Virginia	Dover	DE	19904	US	1/20/2023
Demarest	Dyanne	Dover	DE	19904	US	1/21/2023
Dostal	Sandra	Dover	DE	19904	US	1/20/2023
Gibson	Donald	Dover	DE	19904	US	1/21/2023

Gibson	Margaret	Dover	DE	19904	US	1/20/2023
Gilmore	Elsie	Dover	DE	19904	US	1/23/2023
Griisser	Dottie	Dover	DE	19904	US	1/22/2023
Grinnell	Jan	Dover	DE	19904	US	1/20/2023
Haimowitz	Lisa	Dover	DE	19904	US	1/21/2023
Haimowitz	Mark	Dover	DE	19904	US	1/20/2023
Hayes	Valencia	Dover	DE	19904	US	1/22/2023
Hickey	David	Dover	DE	19904	US	1/22/2023
Kaufhold	Kathleen	Dover	DE	19904	US	1/20/2023
Kowalski	Paula	Dover	DE	19904	US	1/20/2023
Kowalski	Pete	Dover	DE	19904	US	1/21/2023
Laiacona	Patricia	Dover	DE	19904	US	1/20/2023
Lehman	Maria	Dover	DE	19904	US	1/23/2023
Matthews	Joann	Dover	DE	19904	US	1/21/2023
Reiman	Richard	Dover	DE	19904	US	1/20/2023
Sieger	Ann	Dover	DE	19904	US	1/22/2023
Terry	Kimble	Dover	DE	19904	US	1/20/2023
Williams	David	Dover	DE	19904	US	1/20/2023
Wintersteen	JOYCE	Dover	DE	19904	US	1/24/2023
Adlon	Virginia	Bridgeville	DE	19933	US	1/20/2023
Anderson	Mary Carol	Bridgeville	DE	19933	US	1/22/2023
Andreola	Thomas	Bridgeville	DE	19933	US	1/21/2023
Angstadt	Deborah	Bridgeville	DE	19933	US	1/20/2023
Argento	Elizabeth	Bridgeville	DE	19933	US	1/22/2023
Argento	Joseph	Bridgeville	DE	19933	US	1/21/2023
Arnesen	Richard	Bridgeville	DE	19933	US	1/22/2023
Bamba	Joseph	Bridgeville	DE	19933	US	1/20/2023
Barnabei	Albert	Bridgeville	DE	19933	US	1/21/2023
Batey	KD	Bridgeville	DE	19933	US	1/20/2023
Beall	Skip	Bridgeville	DE	19933	US	1/22/2023
Bell	Jill	Bridgeville	DE	19933	US	1/23/2023
Bell	Sam	Bridgeville	DE	19933	US	1/21/2023
Blandford	Dorothy	Bridgeville	DE	19933	US	1/20/2023
Blondina	Kevin	Bridgeville	DE	19933	US	1/21/2023
Bodenlos	Beverly	Bridgeville	DE	19933	US	1/20/2023
Brex	Jean	Bridgeville	DE	19933	US	1/21/2023
Brex	William	Bridgeville	DE	19933	US	1/20/2023
Bronstein	Michele	Seaford	DE	19933	US	1/20/2023
Buturla	Dianne	Bridgeville	DE	19933	US	1/20/2023
Casey	Patrick	Bridgeville	DE	19933	US	1/21/2023
Castelli	Deborah	Bridgeville	DE	19933	US	1/23/2023
Castelli	Peter	Bridgeville	DE	19933	US	1/20/2023
Clark	Joseph	Bridgeville	DE	19933	US	1/21/2023
Clark	Margaret	Bridgeville	DE	19933	US	1/19/2023

Cline	Patricia	Bridgeville	DE	19933	US	1/20/2023
Cofino	Karen	Bridgeville	DE	19933	US	1/20/2023
Connar	Thomas	Bridgeville	DE	19933	US	1/22/2023
Cullen	Judith	Bridgeville	DE	19933	US	1/21/2023
Dallaham	Eugene	Bridgeville	DE	19933	US	1/21/2023
de Faria	Susan	Bridgeville	DE	19933	US	1/20/2023
Devine	Barbara	Bridgeville	DE	19933	US	1/20/2023
Dickel	George	Bridgeville	DE	19933	US	1/21/2023
Donofrio	Nicholas	Bridgeville	DE	19933	US	1/20/2023
Dura	John	Bridgeville	DE	19933	US	1/20/2023
Dura	Mary	Bridgeville	DE	19933	US	1/20/2023
Ethington	Iris	Bridgeville	DE	19933	US	1/20/2023
Fairhurst	Dorothy	Bridgeville	DE	19933	US	1/21/2023
Farnham	David	Bridgeville	DE	19933	US	1/20/2023
Farron	Edward	Bridgeville	DE	19933	US	1/20/2023
Fleck	Diane	Bridgeville	DE	19933	US	1/20/2023
French	Barb	Bridgeville	DE	19933	US	1/20/2023
French	Dirk	Bridgeville	DE	19933	US	1/20/2023
Golden	Kim	Bridgeville	DE	19933	US	1/20/2023
Gorski	John	Beidgeville	DE	19933	US	1/20/2023
Grinnell	Richard	Bridgeville	DE	19933	US	1/22/2023
Gross	Edward	Bridgeville	DE	19933	US	1/22/2023
Grzesek	Linda	Bridgeville	DE	19933	US	1/19/2023
Guercio	Christina	Bridgeville	DE	19933	US	1/19/2023
Harrigan	Kathleen	Bridgeville	DE	19933	US	1/20/2023
Hayes	Marcel	Bridgeville	DE	19933	US	1/21/2023
Heisler	Colleen	Bridgeville	DE	19933	US	1/24/2023
Henry	Don	Bridgeville	DE	19933	US	1/21/2023
Hill	Dennis	Bridgeville	DE	19933	US	1/20/2023
Hill	Mary	Bridgeville	DE	19933	US	1/20/2023
Holdsworth	Colleen	Bridgeville	DE	19933	US	1/20/2023
Holdsworth	Donald	Bridgeville	DE	19933	US	1/20/2023
Hutton	Margaret	Bridgeville	DE	19933	US	1/20/2023
Jacobson	Richard	Bridgeville	DE	19933	US	1/21/2023
Janes	Suzanne	Bridgeville	DE	19933	US	1/20/2023
Johnson	Leslie	Bridgeville	DE	19933	US	1/21/2023
Jones	Bruce	Bridgeville	DE	19933	US	1/20/2023
Kaufhold	August	Bridgeville	DE	19933	US	1/20/2023
Keaveney	William	Bridgeville	DE	19933	US	1/20/2023
Kelleher	Carol	Bridgeville	DE	19933	US	1/21/2023
Kelleher	Kathleen	Bridgeville	DE	19933	US	1/20/2023
Kern	Robert	Bridgeville	DE	19933	US	1/20/2023
kessel	denise	Bridgeville	DE	19933	US	1/20/2023
Klein	Barbara	Bridgeville	DE	19933	US	1/20/2023

Knight	Barry	Bridgeville	DE	19933	US	1/20/2023
Krauss	Marilyn	Bridgeville	DE	19933	US	1/22/2023
Kredensor	Mary	Bridgeville	DE	19933	US	1/20/2023
Ladouceur	Carolyn	Bridgeville	DE	19933	US	1/21/2023
Laiacona	Thomas	Bridgeville	DE	19933	US	1/20/2023
Laney	Patricia	Bridgeville	DE	19933	US	1/20/2023
Little	Janet	Bridgeville	DE	19933	US	1/20/2023
Lividini	Peter	Bridgeville	DE	19933	US	1/25/2023
Lynch	Marjorie	Bridgeville	DE	19933	US	1/23/2023
Magura	Kathleen	Bridgeville	DE	19933	US	1/20/2023
Mallam	Julie	Bridgeville	DE	19933	US	1/21/2023
Martin	John	Bridgeville	DE	19933	US	1/21/2023
Matassa	Joseph	Bridgeville	DE	19933	US	1/20/2023
Mattei	Ron	Bridgeville	DE	19933	US	1/21/2023
McKeown	Jane	Bridgeville	DE	19933	US	1/22/2023
Meltzer	Roberta	Bridgeville	DE	19933	US	1/20/2023
Merritt	William	Bridgeville	DE	19933	US	1/20/2023
Meyer	Lynn	Bridgeville	DE	19933	US	1/21/2023
Meyers	Gilbert	Bridgeville	DE	19933	US	1/20/2023
Miles	Gregory	BRIDGEVILLE	DE	19933	US	1/22/2023
Moore	Toby	Bridgeville	DE	19933	US	1/20/2023
Morrison	Roger	Bridgeville	DE	19933	US	1/21/2023
Morton	Joan	Bridgeville	DE	19933	US	1/20/2023
Moscattelli	Adriano	Bridgeville	DE	19933	US	1/20/2023
Napolitano	Susan	Seaford	DE	19933	US	1/20/2023
Neitzey	Bea	Seaford	DE	19933	US	1/20/2023
Newell	Craig	Bridgeville	DE	19933	US	1/23/2023
Newell	Susan	Bridgeville	DE	19933	US	1/22/2023
Nowak	Fusako	Bridgeville	DE	19933	US	1/20/2023
Orcurto	Dale	Bridgeville	DE	19933	US	1/20/2023
Pasternak	Leonid	Bridgeville	DE	19933	US	1/21/2023
Pentony	Barbara	Bridgeville	DE	19933	US	1/23/2023
Peragallo	MaryAnn	Bridgeville	DE	19933	US	1/20/2023
Pickens	Margaret	Bridgeville	DE	19933	US	1/20/2023
Pirrung	Robert	Bridgeville	DE	19933	US	1/20/2023
Pizzuto	Sandra	Bridgeville	DE	19933	US	1/21/2023
Poole	Marilyn	Bridgeville	DE	19933	US	1/21/2023
Purcell	Veronica	Bridgeville	DE	19933	US	1/21/2023
Purcell-Musgrave	Dawn	BRIDGEVILLE	DE	19933	US	1/20/2023
Ramondelli	Dominick	Bridgeville	DE	19933	US	1/20/2023
Ras	Dirk	Bridgeville	DE	19933	US	1/21/2023
Reese	Barbara	Bridgeville	DE	19933	US	1/24/2023
Reese	Theodore	Bridgeville	DE	19933	US	1/20/2023
Reilly	Laura	Bridgeville	DE	19933	US	1/20/2023

Rensch	Sally	Bridgeville	DE	19933	US	1/20/2023
Roberts	Cheri	Bridgeville	DE	19933	US	1/20/2023
Roberts	Don	Bridgeville	DE	19933	US	1/20/2023
Rose	Rosemarie	Bridgeville	DE	19933	US	1/21/2023
Rude	Bernice	Bridgeville	DE	19933	US	1/20/2023
Saby	Keith	Bridgeville	DE	19933	US	1/20/2023
Salmon	Rochelle	Bridgeville	DE	19933	US	1/20/2023
Sauter	Joseph	Bridgeville	DE	19933	US	1/23/2023
Schorr	Mona	Bridgeville	DE	19933	US	1/23/2023
Seman	Dan	Bridgeville	DE	19933	US	1/20/2023
Smith, Jr.	charles	Bridgeville	DE	19933	US	1/20/2023
Sparacino	Richard	Bridgeville	DE	19933	US	1/20/2023
Spratt	Jean	Bridgeville	DE	19933	US	1/20/2023
Staib	Gay	Bridgeville	DE	19933	US	1/19/2023
Standon	Rita	Bridgeville	DE	19933	US	1/23/2023
Stephenson	Maxine	Bridgeville	DE	19933	US	1/20/2023
Styer	Linda	Bridgeville	DE	19933	US	1/20/2023
Sweet	Robert	Bridgeville	DE	19933	US	1/21/2023
Talarico	Claudia	bridgeville	DE	19933	US	1/22/2023
Tetley	Harriet	Bridgeville	DE	19933	US	1/19/2023
UNDERWOOD	JOHN	Bridgeville	DE	19933	US	1/23/2023
Vogle	Jacqueline	Bridgeville	DE	19933	US	1/19/2023
Wagner	Charles	BRIDGEVILLE	DE	19933	US	1/20/2023
Warner	Elizabeth	Bridgeville	DE	19933	US	1/20/2023
Weeks	GEORGE	Bridgeville	DE	19933	US	1/21/2023
Weissman	Janne	Bridgeville	DE	19933	US	1/21/2023
Williams	Lisa	Bridgeville	DE	19933	US	1/20/2023
Witte	Marion	Bridgeville	DE	19933	US	1/20/2023
Yannuzzi	Rose	Bridgeville	DE	19933	US	1/20/2023
Zaras	Jerome	Bridgeville	DE	19933	US	1/19/2023
Stangl	Greer	GREENWOOD	DE	19950	US	1/22/2023
Norwood	Dennis	Farmington	DE	19952	US	1/22/2023
Battista	John	Laurel	DE	19956	US	1/20/2023
Jablonski	Pat	Laurel	DE	19956	US	1/20/2023
Sayball	Karen	Laurel	DE	19956	US	1/22/2023
Alvarez	Kathleen	Seaford	DE	19973	US	1/22/2023
Anderson	Cheryl	Seaford	DE	19973	US	1/21/2023
Araneo	Victoria	Seaford	DE	19973	US	1/21/2023
Bailey	David	Seaford	DE	19973	US	1/20/2023
Baker	Carmen	Seaford	DE	19973	US	1/20/2023
Bamba	Eileen	Seaford	DE	19973	US	1/21/2023
Barnabei	Carol	Seaford	DE	19973	US	1/23/2023
Bausch	Linda	Seaford	DE	19973	US	1/21/2023
Beall	Francis	Bridgeville	DE	19973	US	1/20/2023

Beall	Julia	Seaford	DE	19973	US	1/20/2023
Blake	Ann	Seaford	DE	19973	US	1/20/2023
Boone	Linda	Seaford	DE	19973	US	1/20/2023
Brancaccio	Dennis	Seaford	DE	19973	US	1/20/2023
Breniak	George	Seaford	DE	19973	US	1/20/2023
Brohawn	Howard	Seaford	DE	19973	US	1/21/2023
brunatti	greg	Seaford	DE	19973	US	1/24/2023
Burman	Stephen	Seaford	DE	19973	US	1/20/2023
Campbell-Gorski	Nancy	Seaford	DE	19973	US	1/20/2023
Carr	Rose Mary	Seaford	DE	19973	US	1/20/2023
Cellini	Joanne	Seaford	DE	19973	US	1/20/2023
Cini	Donna	Seaford	DE	19973	US	1/23/2023
Cofino	Edward	Seaford	DE	19973	US	1/20/2023
Collins	Sharon	Seaford	DE	19973	US	1/20/2023
Connar	Meredith	Seaford	DE	19973	US	1/22/2023
Connelly	Andrew	Seaford	DE	19973	US	1/23/2023
Connelly	Diane	Seaford	DE	19973	US	1/20/2023
Constantino	Anthony	Seaford	DE	19973	US	1/21/2023
Constantino	Melanie	Seaford	DE	19973	US	1/21/2023
Cook	Kim	Seaford	DE	19973	US	1/23/2023
Cooper	Sandra	Seaford	DE	19973	US	1/20/2023
Cozza	Carol	Seaford	DE	19973	US	1/20/2023
Davison	Karen	Seaford	DE	19973	US	1/20/2023
Del Fuoco	Peggy	Seaford	DE	19973	US	1/22/2023
Delasko	ELLY	Seaford	DE	19973	US	1/22/2023
DeTeresi	Sharon	Seaford	DE	19973	US	1/24/2023
Dickel	Karen	Seaford	DE	19973	US	1/22/2023
Dittmann	Terese	Seaford	DE	19973	US	1/22/2023
VanHelmond	Dorothy	Seaford	DE	19973	US	1/21/2023
Dressel	Elisa	Seaford	DE	19973	US	1/20/2023
Drummond	Alyce	Seaford	DE	19973	US	1/22/2023
DuPont	Tim	Seaford	DE	19973	US	1/20/2023
Durante	Lisa	Seaford	DE	19973	US	1/20/2023
Durante	William	Seaford	DE	19973	US	1/20/2023
Duschenchuk	Lenore	Seaford	DE	19973	US	1/20/2023
Edwards	Martie	Seaford	DE	19973	US	1/20/2023
Endre	Joanne	Seaford	DE	19973	US	1/23/2023
Ernst	Sally	Seaford	DE	19973	US	1/20/2023
Farnham	Janet	Seaford	DE	19973	US	1/19/2023
Feifer	Morton	Seaford	DE	19973	US	1/20/2023
Frech	Albert	Seaford	DE	19973	US	1/20/2023
Fredericks	Fredericks	Seaford	DE	19973	US	1/22/2023
FREESE	STEPHEN	Seaford	DE	19973	US	1/20/2023
Gerring	Cheryl	Seaford	DE	19973	US	1/20/2023

Gibson	Ed	Seaford	DE	19973	US	1/21/2023
Green	James	Seaford	DE	19973	US	1/23/2023
Gualtieri	Ellen	Seaford	DE	19973	US	1/22/2023
Guerassev	Vladislav	Seaford	DE	19973	US	1/22/2023
Guzinski	Glenda	Seaford	DE	19973	US	1/23/2023
Guzinski	Ron	Seaford	DE	19973	US	1/23/2023
Hagquist	Richard	Seaford	DE	19973	US	1/22/2023
Hahn	Colleen	Seaford	DE	19973	US	1/20/2023
Hahn	Michael	Seaford	DE	19973	US	1/20/2023
Halfmann	Eileen	Seaford	DE	19973	US	1/21/2023
Hazzard	Laura	Seaford	DE	19973	US	1/21/2023
Heisler	Bob	Seaford	DE	19973	US	1/23/2023
Heppner	Linda	Seaford	DE	19973	US	1/23/2023
Hoagland	Robert	Seaford	DE	19973	US	1/23/2023
Hochendoner	Robin	Seaford	DE	19973	US	1/20/2023
Holliday	Linda	Seaford	DE	19973	US	1/25/2023
Holman	Karen	Seaford	DE	19973	US	1/24/2023
Hugues	Catherine	Seaford	DE	19973	US	1/20/2023
Hutton	Bruce	Seaford	DE	19973	US	1/21/2023
Jack	Kenneth	Seaford	DE	19973	US	1/20/2023
Johnson	Michelle	Seaford	DE	19973	US	1/23/2023
Johnson	William	Seaford	DE	19973	US	1/20/2023
Jones	Bonni	Seaford	DE	19973	US	1/22/2023
Jones	Judith	Seaford	DE	19973	US	1/22/2023
Juknelis	Joseph	Seaford	DE	19973	US	1/20/2023
Keaveney	Lolly	Seaford	DE	19973	US	1/21/2023
Kern	Cynthia	Seaford	DE	19973	US	1/20/2023
Kern	Robin	Seaford	DE	19973	US	1/20/2023
KICAS	EDWARD	Seaford	DE	19973	US	1/21/2023
Klettke	Valla	Seaford	DE	19973	US	1/20/2023
Knight	Deborah	Seaford	DE	19973	US	1/20/2023
Kreisher	Franklin	Seaford	DE	19973	US	1/20/2023
Kreisher	Suzanne	Seaford	DE	19973	US	1/20/2023
Kuck	Barbara	Seaford	DE	19973	US	1/20/2023
Long	Margaret	Seaford	DE	19973	US	1/20/2023
Long	William	Seaford	DE	19973	US	1/20/2023
MacKay	Douglas	Seaford	DE	19973	US	1/20/2023
MacKay	Lizzie	Seaford	DE	19973	US	1/20/2023
Mancini	Barbara	Seaford	DE	19973	US	1/20/2023
Mancini	Vito	Seaford	DE	19973	US	1/20/2023
Matassa	Leslie	Seaford	DE	19973	US	1/20/2023
Mazzilli, Sr.	Eugene	Seaford	DE	19973	US	1/21/2023
McCafferty	Joann	Seaford	DE	19973	US	1/24/2023
McGuinness	Gail	Seaford	DE	19973	US	1/23/2023

McKeown	Michael	Seaford	DE	19973	US	1/23/2023
McMahon	Barbara	Seaford	DE	19973	US	1/20/2023
MELTZER	Stephen	Seaford	DE	19973	US	1/20/2023
Merli	Claudia	Seaford	DE	19973	US	1/22/2023
Mertz	Beryl	Seaford	DE	19973	US	1/22/2023
Mikalaski	Phoebe	Seaford	DE	19973	US	1/21/2023
Moberley	Elizabeth	Seaford	DE	19973	US	1/21/2023
Moran	Thomas	Seaford	DE	19973	US	1/20/2023
Musgrave	John	Seaford	DE	19973	US	1/20/2023
Musgrave	Lorraine	Seaford	DE	19973	US	1/20/2023
Nazarechuk	Peter	Seaford	DE	19973	US	1/20/2023
Neith	Jack	Seaford	DE	19973	US	1/22/2023
Newell	Barbara	Seaford	DE	19973	US	1/20/2023
Nugent	Jane	Seaford	DE	19973	US	1/20/2023
Pasternak	Betti	Seaford	DE	19973	US	1/20/2023
Peluso	Ralph	Seaford	DE	19973	US	1/20/2023
Poston	Theresa	Seaford	DE	19973	US	1/22/2023
Powers	Donna	Seaford	DE	19973	US	1/22/2023
Reilly	Raymond	Seaford	DE	19973	US	1/20/2023
Richards	Sandra	Seaford	DE	19973	US	1/23/2023
Riska	Judith	Seaford	DE	19973	US	1/21/2023
Robinson	Linda	Seaford	DE	19973	US	1/22/2023
Rompala	Carole	Seaford	DE	19973	US	1/19/2023
Rooney	Nancy	Seaford	DE	19973	US	1/20/2023
Rooney	Pat	Seaford	DE	19973	US	1/20/2023
Rose	Wanda	Seaford	DE	19973	US	1/20/2023
Roselli	Tom	Seaford	DE	19973	US	1/20/2023
Rude	Doug	Seaford	DE	19973	US	1/21/2023
Ryan	Kevin	Seaford	DE	19973	US	1/20/2023
Ryan	Mary Anne	Seaford	DE	19973	US	1/22/2023
Schlosshauer	Patricia	Seaford	DE	19973	US	1/20/2023
Schmidt	Robert	Seaford	DE	19973	US	1/20/2023
Schoenbaechler	Kathryn	Seaford	DE	19973	US	1/20/2023
Semetis	Peter	Seaford	DE	19973	US	1/22/2023
Serrato	Agnes	Seaford	DE	19973	US	1/21/2023
Sheldon	Leonard	Seaford	DE	19973	US	1/20/2023
Siegert	Barbara	Seaford	DE	19973	US	1/21/2023
Slavin	David	Bridgeville	DE	19973	US	1/20/2023
Sokolowski	Peggy	Seaford	DE	19973	US	1/21/2023
Sparacino	Lillian	Seaford	DE	19973	US	1/22/2023
Stalker	Susan	Seaford	DE	19973	US	1/22/2023
Sullivan	Tim	Seaford	DE	19973	US	1/20/2023
Taylor	Constance	Seaford	DE	19973	US	1/21/2023
Timmons	Frank	Seaford	DE	19973	US	1/20/2023

Timmons	Nancy	Seaford	DE	19973	US	1/21/2023
Tompkins	Gary	Seaford	DE	19973	US	1/20/2023
Trojak	Patricia	Seaford	DE	19973	US	1/20/2023
Vanella	Dorothy	Seaford	DE	19973	US	1/20/2023
Vener	John	Seaford	DE	19973	US	1/20/2023
Ward	Teresa	Seaford	DE	19973	US	1/22/2023
Weigang	Joan	Seaford	DE	19973	US	1/20/2023
Weigang	Rich	Seaford	DE	19973	US	1/20/2023
Wetsell	Patricia	Seaford	DE	19973	US	1/20/2023
Williams	James	Seaford	DE	19973	US	1/21/2023
Wolf	Diane	Seaford	DE	19973	US	1/20/2023
Wolf	Thomas	Seaford	DE	19973	US	1/22/2023
Work	Linda	Seaford	DE	19973	US	1/20/2023
Zastrow	Anita	Seaford	DE	19973	US	1/21/2023
johnson	olivia	woodland	DE	19973	US	1/20/2023
Copsey	Beverly	Washington	DC	20002	US	1/21/2023
Sokolowski	John	Washington	DC	20010	US	1/21/2023
Keller	Lisa	Washington	DC	20011	US	1/21/2023
Cleghorn	James	Baltimore	MD	21210	US	1/24/2023
Wilson	Kamerin	Dundalk	MD	21222	US	1/21/2023
Pfeffer	Maegan	Nottingham	MD	21236	US	1/20/2023
Samluk	Lisa	Woodbridge	VA	22192	US	1/20/2023
Serbinski	Lorraine	Fredericksburg	VA	22405	US	1/20/2023
Wallace	Charles	Winchester	VA	22604	US	1/21/2023
Blosser	Kendra	Morgantown	WVA	26505	US	1/20/2023
Gromm	Helen	Harrisburg	NC	28075	US	1/21/2023
Hollingsworth	David	Fayetteville	NC	28301	US	1/25/2023
Lee	Lynn	Mt. Pleasant	SC	29466	US	1/21/2023
hunter	jackson	Summerville	SC	29485	US	1/20/2023
Clemetsen	Sam	Greenville	SC	29601	US	1/22/2023
Lehman	Timothy	Greenville	SC	29607	US	1/23/2023
Edelman	Sherri	Atlanta	GA	30301	US	1/20/2023
Edelman	William	Atlanta	GA	30301	US	1/20/2023
Szczr	Karla	Columbus	GA	31903	US	1/20/2023
Deloney	Betty	Orlando	FL	32817	US	1/20/2023
Butler	Briana	Miami	FL	33138	US	1/20/2023
Santamaria	Sandy	Miami	FL	33161	US	1/20/2023
Ferry	Robert	Boynton Beach	FL	33435	US	1/21/2023
Ramondelli	Robin	Delray Beach	FL	33444	US	1/20/2023
Ras	Sharon	Delray Beach	FL	33445	US	1/21/2023
Pfeifer	Jan	Tampa	FL	33614	US	1/20/2023
Ferraro	Armand	Marco Island	FL	34145	US	1/21/2023
Misner	Kimberly	New Port Richey	FL	34655	US	1/20/2023
Schiesz	Gayna	Dunedin	FL	34698	US	1/21/2023

Schiesz	Richard	Dunedin	FL	34698	US	1/20/2023
Alvarez	Leunam	Winter Garden	FL	34787	US	1/20/2023
Ashkan	Soona	Port Saint Lucie	FL	34953	US	1/20/2023
robles	jenise	Springfield	TN	37172	US	1/21/2023
Robles	Richard	Springfield	TN	37172	US	1/20/2023
Muck	Alexandra	Magnolia	KY	42757	US	1/20/2023
Sheets	Emily	Columbus	OH	43231	US	1/20/2023
Edward	Ronald	houghton lake	MI	48629	US	1/20/2023
Wells	Adam	Bettendorf	IA	52722	US	1/21/2023
Glogovsky	rachael	Lake Geneva	WI	53147	US	1/21/2023
Brown	Deborah	Washington	DC	56972	US	1/21/2023
Welsh	Deborah	Washington	DC	56972	US	1/19/2023
Patel	Dhruvil	Des Plaines	IL	60016	US	1/23/2023
Barger	Eric	Belleville	IL	62221	US	1/20/2023
Youngblood	Max	Wentzville	MO	63385	US	1/20/2023
Buscher	Mayson	Blue Springs	MO	64014	US	1/20/2023
Lopez	Norma	Olathe	KS	66062	US	1/20/2023
Casimir	Alyssa	Belle Chasse	LA	70065	US	1/20/2023
Sallings	Sandra	Wynne	AR	72396	US	1/21/2023
Salahian	Elham	Allen	TX	75002	US	1/20/2023
Puente	Brooklyn	Dallas	TX	75229	US	1/20/2023
Kaluba	Adam	Burleson	TX	76028	US	1/20/2023
Mathews	Chaylene	Houston	TX	77015	US	1/20/2023
Watts	Andy	Houston	TX	77025	US	1/19/2023
Davalos	Pedro	Houston	TX	77036	US	1/21/2023
Cruz	Yefri	Houston	TX	77057	US	1/20/2023
Cox	Rhonda	San Antonio	TX	78202	US	1/21/2023
Martinez	Janie	San Antonio	TX	78207	US	1/21/2023
Miller	Virginia	Kailua	HI	96734	US	1/25/2023
Abbasi	Ali	Hillsboro	OR	97124	US	1/21/2023
Rreee	Arre	Hillsboro	OR	97129	US	1/20/2023
Clarkson	Ava	Mercer Island	WA	98040	US	1/20/2023

N.b. All names and/or locations have been reviewed as having a vested interest in

Case No. 12789 – FDPN Management LLC.

Some reasons for validation are:

Child or relative of resident

Work address

Winter/Summer address

Former address - still used for legal reasons

Address of second home

Former resident who has moved

Person to whom the area is historically important

Duplicates and out-of-country names have been removed

Amy Hollis

From: johnpeg4@verizon.net
Sent: Tuesday, January 31, 2023 2:24 PM
To: Planning and Zoning
Subject: Fwd: application #12789 FDPN - concrete crusher plant

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-----Original Message-----

From: johnpeg4@verizon.net
To: johnpeg4@verizon.net
Sent: Tue, Jan 31, 2023 2:20 pm
Subject: application #12789 FDPN - concrete crusher plant

To Whom It May Concern:

This e-mail is to express our opposition to the building of a concrete crusher plant (#12789 FDPN) in Bridgeville, Delaware. As residents of Heritage Shores in Bridgeville, we believe this plant would substantially and adversely affect our health. In the age of covid, a respiratory disease, the hazardous material given off by this plant could adversely affect our lungs. It is a major concern of older Bridgeville residents.

A plant of this type could also adversely affect property values in a community that is currently thriving. With many new homes planned, prospective buyers would surely notice a plant of this type.

Residents of Bridgeville are hoping for new businesses to open as the community continues to grow. A concrete crusher plant may cause new businesses to locate elsewhere.

Finally, the trucks used by this plant would substantially and adversely affect the traffic conditions around Bridgeville. Route 13 is already a high-speed and busy thoroughfare. These heavy equipment trucks cannot maneuver quickly to a stop if needed. More heavy trucks entering and exiting this plant with potentially hazardous materials could increase the dangers to local drivers.

We hope you will put the safety of Bridgeville residents first and reject this new plant.

John and Peg Daily
10 Ruddy Duck Lane Bridgeville, Delaware 1/31/2023

Amy Hollis

From: Jim Carlucci <jimmiec@aol.com>
Sent: Tuesday, January 31, 2023 2:13 PM
To: Planning and Zoning
Subject: Sussex County Board of Adjustment Hearing February 6 FDPN #12789.
Attachments: OSHA3935.pdf

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Via Email

Members of the Sussex County Board of Adjustment:

My wife and I have signed a petition opposing the request by FDPN Management LLC for a Permanent Special Use Exemption for a "Potentially Hazardous Use" at their proposed Concrete Batch Plant Development at 20354 Sussex Highway. Following are our reasons for asking you to also oppose the granting of this Special Use Exemption.

LOCATION

Recycling, done properly and in a suitable area, is a good idea. Unfortunately, the proposed operations are not a good fit for this particular location. While the applicant's site is indeed zoned for heavy industrial use, the allowed uses around the subject property are residential, commercial residential and agricultural-industrial. To anyone exercising common sense, the former is somewhat incompatible with the latter. On top of that, the applicant is seeking a permanent exemption for what is recognized as a potentially hazardous use...a concrete crusher.

The applicant is seeking to place a noisy, dusty concrete crushing operation on a site within close proximity of existing homes and farms and with little to no regard for the safety and well-being of those who reside there.

Concrete crushing is recognized by OSHA as a potential source of respirable crystalline silica dust. In fact, they have published a fact sheet specifically addressing the control of silica dust exposure from crushing machines (attached). Crystalline silica dust has the potential to cause irreversible damage to the lungs.

One thing we have learned about living in Delaware is that winds are nearly constant and that they come from all points on the compass. This is to say that no one and no property nearby would be immune from windborne particulates from the crushing plant.

Is it a good idea to allow a "potentially hazardous use" so close to residences? What are the potential effects on the health of those who live around the site? What about the members of the public who come to play golf at Heritage Shores? Will they want to risk inhaling respirable crystalline silica? Has consideration been given to potential negative impacts to the wildlife in the area?

ENVIRONMENTAL IMPACT

A common way of "controlling" the dust from crushing operations is with water sprays. Is that what the applicant intends to do, spray water to keep the dust down? What happens when the crusher is not in operation and the dust dries out? What keeps it from being blown around? (The same question can be asked about the dust from the batch production of cement and the storage of relevant materials but that is not on the docket at this time).

Where is this water going to come from? How will it be captured/treated so that it doesn't cause environmental problems later? What steps will be taken to make sure this operation doesn't negatively impact the unconfined Columbia Aquifer (a source of local drinking water)?

What type of material will the applicant recycle via the crushing operation? Will it include construction and demolition materials potentially tainted with asbestos, heavy metals, petroleum or other hazardous substances? Who will be checking the material brought in to make sure it is "clean"? What steps will be taken to mitigate the release of these substances into the environment?

NOISE

In a presentation prepared for the 2021 application for the use exemption the applicant included information (from the manufacturer) on the noise levels from the crushing machine. What wasn't addressed was the additional noise coming from the vehicles bringing waste material to the site, the dumping of said materials, loading of the crusher, stockpiling or shipping out crushed material (not to mention the noise from the batch plant operations). Our home is roughly one mile off of Rte. 13 and we can plainly and regularly hear, clearly, traffic noise from the highway. We recognized this when we purchased our home and accepted it as part and parcel to the location. We did not expect to also be exposed to the cacophony from a concrete batch plant and recycling operation. And what of the people who live even closer than we do?

TRAFFIC

The applicant's presentation from 2021 states recycling operations will be carried out between 7 a.m. and 5 p.m. Monday through Saturday but not more than 75 days a year. That's six days per week approximately one week per month. But the specifications of the identified crushing machine state it can crush up to 200 tons (400,000 pounds) of material PER HOUR! That would be about 10 very large (20 ton capacity) dump trucks per hour to feed a crusher working at maximum capacity. It would take over a dozen smaller (14 to 15 ton capacity) dump trucks each hour to feed the crusher working at maximum capacity. Over the course of an 10 hour work day, you're looking at potentially 120 to 200 trucks entering and exiting the site above and beyond the trucks delivering the output of the batch plant.

That is a significant increase in truck traffic for the area. Can the road safely accommodate the increased volume? Will the number of vehicles entering and exiting onto Rte. 13 create a hazard? Can the existing cross over median handle the number of large trucks?

What about the increased pollution from truck exhaust as they idle, waiting their turn to load or unload? And the increase in noise, how will this impact the quality of life for those living near the site?

COMPLIANCE

If this potentially hazardous use is approved by this body, who will oversee the operations to make sure they are compliant with all applicable regulations? Who will make sure the applicant follows through on all safeguards, mandated and/or promised?

ECONOMIC IMPACT

And what about the economic impact this requested exemption can have on the surrounding community? Allowing the concrete crushing operation could seriously devalue the residential properties across the highway from the site not to mention those in the Heritage Shores development where we reside. Why would you put other property owners, the developer of Heritage Shores and the town of Bridgeville at potential financial risk by allowing this use?

This is not a case of people building homes or siting farms or other businesses near an existing, heavy industrial operation. It is just the inverse; the applicant is seeking to place a "potentially hazardous use" in close proximity to existing homes, near a town which is trying diligently to develop and grow its economic base in a responsible and sustainable matter. The very fact that the applicant must ask for a special exemption for a potentially hazardous use indicates that it is NOT something allowed in the current zoning.

As of 5:30 pm, on Monday, January 30, the applicant does not appear to have submitted any additional information about the proposed use that addresses any of the concerns raised in 2021 or being raised now. At the same time, the Town of Bridgeville and the legal counsel representing Passwaters Farm, LLC, the developer at Heritage Shores have provided detailed submissions as to why granting this special use exemption would be a bad idea.

In weighing the matter, one must look at who stands to benefit from the exemption (one entity, the applicant) and who would lose (many, the adjacent property owners, the residents and developer of Heritage Shores, and the town of Bridgeville at large). Approving this special exemption would not be in the best interest of anyone except FDPN Management LLC. We urge you to vote "NO" on the special exemption for the concrete crushing operation.

Jim Carlucci
44 Snow Egret Court
Bridgeville, DE 19933
(attachment)

CONTROL OF SILICA DUST IN CONSTRUCTION

Crushing Machines

Using crushing machines at construction sites to reduce the size of large rocks, concrete, or construction rubble can generate *respirable crystalline silica* dust. When inhaled, the small particles of silica can irreversibly damage the lungs. This fact sheet describes dust controls that can be used to minimize the amount of airborne dust when using crushing machines as listed in Table 1 of the Respirable Crystalline Silica Standard for Construction **29 CFR 1926.1153**.

Engineering Control Method: Wet Methods *AND* Operator Isolation

The use of water sprays or mists for dust suppression at the points where dust is generated (e.g., hoppers, conveyers, sieves/sizing or vibrating components, and discharge points) can control dust exposures when operating crushers. In addition, operator isolation through the use of a remote control station or ventilated booth that provides fresh, climate-controlled air to the operator must also be used to control exposure when operating crushers at construction sites.



Crushing machine being loaded with construction debris by an excavator.

Photo courtesy of Screen Machine Industries

Wet Methods

Wet spray methods can greatly reduce the silica exposure levels of operators and laborers who work near crushers, tending the equipment, removing jammed material from hoppers, picking debris out of the material stream, and performing other tasks.

The crusher must be operated and maintained in accordance with the manufacturer's instructions to minimize dust emissions. Make sure to:

- **Locate** nozzles upstream of dust generation points.
- **Position** nozzles to thoroughly wet the material.
- **Ensure** the volume and size of droplets is adequate to sufficiently wet the material (optimal droplet size is between 10 and 150 μm).
- **Ensure** nozzles provide complete water coverage but are not so far that the water is carried away by wind.

Operator Isolation

Operator isolation for crushing machines includes using either an enclosed booth or a remote control station. Operators using crushing machines with enclosed cabs can limit their silica exposure by staying inside the cab during crushing operations. The enclosed cab must:

- Be well-sealed and well-ventilated using positive pressure.
- Have door jambs, window grooves, power-line entries and other joints that work properly and are tightly sealed.
- Have heating and air conditioning so that operators can keep windows and doors closed.
- Use an intake air filter with a minimum MERV-16 rating (at least 95 percent in the 0.3-10.0 μm range).

- Be kept free from settled dust by regular cleaning and maintenance to prevent dust from become airborne inside the enclosed booth.

An alternative method for operator isolation is to use a remote control station located a sufficient distance upwind to limit exposure to silica containing dust.

Respiratory Protection

When properly used, water sprays with either ventilated booths or remote control stations can in most cases effectively limit exposure to airborne dust. Therefore, Table 1 in the silica standard for construction does not require use of respiratory protection when using crushers at construction sites when the machines are equipped with water sprays along with either control booths or remote controls stations.

Additional Information

For more information, visit www.osha.gov/silica and see the OSHA Fact Sheet on the [Crystalline Silica Rule for Construction](#), and the [Small Entity Compliance Guide for the Respirable Crystalline Silica Standard for Construction](#).

OSHA can provide compliance assistance through a variety of programs, including technical assistance about effective safety and health programs, workplace consultations, and training and education. OSHA's On-Site Consultation Program offers free, confidential occupational safety and health services to small and medium-sized businesses in all states and several territories across the country, with priority given to high-hazard worksites. On-Site consultation services are separate from enforcement and do not result in penalties or citations. To locate the OSHA On-Site Consultation Program nearest you, visit www.osha.gov/consultation.

Workers' Rights

Workers have the right to:

- Working conditions that do not pose a risk of serious harm.
- Receive information and training (in a language and vocabulary the worker understands) about workplace hazards, methods to prevent them, and the OSHA standards that apply to their workplace.
- Review records of work-related injuries and illnesses.
- File a complaint asking OSHA to inspect their workplace if they believe there is a serious hazard or that their employer is not following OSHA's rules. OSHA will keep all identities confidential.
- Exercise their rights under the law without retaliation, including reporting an injury or raising health and safety concerns with their employer or OSHA. If a worker has been retaliated against for using their rights, they must file a complaint with OSHA as soon as possible, but no later than 30 days.

For additional information, see [OSHA's Workers page](#).

How to Contact OSHA

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov or call OSHA at 1-800-321-OSHA (6742), TTY 1-877-889-5627.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.



U.S. Department of Labor



DSG FS-3935 12/2017

Amy Hollis

From: Rogers, Tammy <TRogers@wtplaw.com>
Sent: Tuesday, January 31, 2023 3:29 PM
To: Planning and Zoning
Subject: FW: Heritage Shores - HOA Special Use Exception No. 12789
Attachments: Heritage Shores HOA - P Z corespondence sent 1.31.2023 by USP mail and email # 12756432 v1.PDF

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Good afternoon.

Please see the attached correspondence from Chad J. Toms, Esquire. Hard copy to follow in mail.
Thank you.



Whiteford Taylor Preston

Tammy Rogers | *Legal Administrative Assistant to:*

STEPHEN B. GERALD

CHAD J. TOMS

QUINN T. GRIFFITH

THOMAS WALLACE

CHRISTINE McALLISTER

CHADD FITZGERALD

ANNETTE F. DYE

Opposition
Exhibit

600 North King Street, Suite 300 | Wilmington, DE | 19801

t: 302.357.3278 | f: 302.661.7950

TRogers@wtplaw.com | www.wtplaw.com

A proud member of two global law firm networks.



We moved!

As of June 1, 2022

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

WHITEFORD, TAYLOR & PRESTON LLC

CHAD J. TOMS
PARTNER
DIRECT LINE (302) 357-3253
DIRECT FAX (302) 357-3273
ctoms@wtplaw.com

600 NORTH KING STREET
SUITE 300
WILMINGTON, DE 19801-3700
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DELAWARE*
DISTRICT OF COLUMBIA
KENTUCKY
MARYLAND
MICHIGAN
NEW YORK
PENNSYLVANIA
VIRGINIA

WWW.WTPLAW.COM
(800) 987-8705

January 31, 2023

Via E-correspondence
And U.S. Mail

Sussex County Planning & Zoning Department
Board of Adjustment
2 The Circle
Georgetown DE 19947
pandz@sussexcountyde.gov

RE: Special Use Exception No. 12789
FDPN Management, LLC

Dear Board of Adjustment:

This firm represents Heritage Shores Homeowners Association, Inc. (the "Association"), which has asked that we provide this express opposition to the above referenced Special Use Exception (the "Application"). Heritage Shores is a large active adult community that boasts a golf course, restaurants, markets and other amenities. When complete, Heritage Shores will approximate 1,800 homes and be the largest active adult community in Delaware. Heritage Shores is located one mile south of the intersection of routes DE 404 on US Route 13 in Bridgeville, Delaware, which is about one and half miles from the location of the proposed concrete crushing plant. The Association strongly opposes the Application.

Special use exceptions are permitted only if the Board of Adjustments (the "Board") finds that, in its opinion, as a matter of fact, such exceptions

January 31, 2023

Page 2

will not substantially affect adversely the uses of adjacent and neighboring property. See Sussex County, Del., Code § 115-210. The Application far from meets this standard. In fact, the Application, if granted, will have substantial adverse and harmful affects upon the residents in Heritage Shores and the community as a whole.

The process of crushing concrete is a known health hazard. The process creates Crystalline Silica Dust, which has been declared by the International Agency for Research on Cancer as a known human carcinogen.¹ It is almost certain that Crystalline Silica Dust will find its way to Heritage Shore and into the lungs of a large population of older residents. There is no reasonable way to mitigate the risks of Crystalline Silica Dust and no way the Board could conclude that the Application, if granted, would not adversely affect this large population of Sussex County residents. Additionally, a concrete crushing plant will add more heavy truck traffic to an already congested road. For these reasons, the Association respectfully requests that the Application be denied.

Very truly yours,



Chad J. Toms
Partner

CJT:tr

cc: Amanda Lacy (Amanda.Lacy@brookfieldpropertiesdevelopment.com)

12755914

¹ <https://publications.iarc.fr/Book-And-Report-Series/Iarc-Monographs-On-The-Identification-Of-Carcinogenic-Hazards-To-Humans/Silica-Some-Silicates-Coal-Dust-And-Em-Para-Em--Aramid-Fibrils-1997>

Whiteford, Taylor & Preston
Chad J. Toms, Esquire
600 North King Street
Suite 300
Wilmington, DE 19801

Sussex County Planning & Zoning Department
Board of Adjustment
2 The Circle
Georgetown, DE 19947

quadrant

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01/31/2023 ZIP 19801
043M31228009



US POSTAGE

Amy Hollis

From: John Gorski <jsgork@yahoo.com>
Sent: Wednesday, February 1, 2023 2:22 PM
To: Planning and Zoning
Subject: Fwd: Concrete Crusher

Opposition
Exhibit

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I accidentally sent comment in earlier today without completing. This is the correct document that I would like to have included as part of the opposition package.

Regards,
John Gorski

Sent from my iPad

Begin forwarded message:

From: John Gorski <jsgork@yahoo.com>
Date: February 1, 2023 at 11:01:42 AM EST
To: pandz@sussexcountyde.gov
Subject: Concrete Crusher

There have been a number of opposing comments from other Heritage Shores Residents and the town of Bridgeville related to negative impact to nearby resident health and environmental contamination to the water supply that I agree with 100%.

However, I feel that the following items need to be included in opposition to the concrete plant and crusher that are being proposed by the property owner. Those items are:

1. From what is shown in the plot plans, the majority of the surface where equipment will be operating and trucks driving will be gravel. It's is not clear from the package submitted by FDPN Management where any water runoff from those areas will go and be contained. This could lead to possible ground water contamination.

2. The adjoining property, just north of where the concrete and crusher operations will be built will be used solid waste management. Will this location be settling pond(s)? How will the ponds be constructed to avoid ground contamination that could bleed into ground water?

3. If the adjoining property, which is a large wooded area, is to be used as described in item #2 above, it will eliminate a visual buffer between the concrete plant and crusher and the south edge of the Heritage Shores development. That buffer needs to be retained.

4. In a recent decision on 1/24, the Sussex County Council, approved and expansion of Howard Ritter & Sons operation off of Plantation Road in Lewes, over objection from residents in three adjoining housing developments. Part of the justification for the approval was that Howard Ritter & Sons operation was in business before the housing developments were built. To be consistent, the FDPN Management should be denied their application because the housing communities near the proposed concrete plant and crusher were in existence before any concrete plant was on the proposed site. Regards,

John Gorski

123 Waterside Drive, Bridgeville DE.

Sent from my iPad

Ashley Paugh

From: Bruce Nowak <jooter55@comcast.net>
Sent: Wednesday, February 1, 2023 7:15 PM
To: Planning and Zoning
Subject: Case # 12789, The Special Use Exception for Operating a Hazardous Concrete Crusher

Categories: Ashley, Amy

Opposition
Exhibit

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RECEIVED

Dear Board of Adjustment (BOA):

FEB 02 2023

Say NO! I object to this variance.

SUSSEX COUNTY
PLANNING & ZONING

I live in Heritage Shores and have several Health issues for which I take several prescription drugs and have been receiving monthly shots for the past 3 years.

I do not want to be on edge and possibly sickened by this facility spewing that silica dust in the air and on my property and in my Community.

My husband and I moved here to be in a calm rural environment, away from the hustle and bustle of our previous homes.

I really enjoy our little patio and sitting in the afternoon sun with my dogs, do not take this small relaxing pleasure from me.

If the Crusher comes, how can I sit outside without the thought I am killing my self or my dear pets.

Wonder if my husband will die prematurely because he plays golf regularly and would be exposed to the contaminants.

I truly love this Community, my friends and it breaks my heart to think this Concrete Crusher would ruin the Community and sicken myself, my husband and my dear friends.

Being an active retirement community means we spend much time outdoors, my husband especially playing Golf and walking our dear dogs.

Your decision to allow the Crusher will make us fear the outdoors, ruin our life and if a community member dies from this polluter, what grief will befall us all.

Children will fear bringing their grandchildren here to visit and partake of the outdoor activities even fear being on the lawn to avoid the cancer causing pollution which strikes indiscriminately.

Please get this right and say NO, with the addition of emphatically NO not in this community, EVER!

Sincerely,

Fusako Nowak
Heritage Shores

Amy Hollis

From: Joann McCafferty <joannmccaff@comcast.net>
Sent: Thursday, February 2, 2023 2:02 PM
To: Planning and Zoning
Cc: Joann McCafferty
Subject: Concrete Crusher

Categories: Amy

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I am against this crusher being built so near to my home due to hazards it can create for a person's health. My husband worked in this field for 50 years and is fully aware of how silica damages your lungs. Seeing that we live in a 55+ community there are many people in this community who would be adversely affected by this plant including us I think it is absolutely inappropriate to consider building this plant at this location

A plant like this should not be built near pre-existing communities. I hope officials find that the welfare of the people of this town is more important than a company's desire to make money.

Respectfully submitted,

Joann McCafferty
4 Harlequin Loop
Bridgeville, DE 19933

Opposition
Exhibit

Sent from Mail for Windows

Amy Hollis

From: webmaster@sussexcountyde.gov on behalf of Theodore Reese via Sussex County
<webmaster@sussexcountyde.gov>
Sent: Thursday, February 2, 2023 10:12 AM
To: Amy Hollis
Subject: Submission from: Board of Adjustment contact form

RECIPIENTS: Ann Lepore, Jamie Whitehouse, Amy Hollis, Ashley Paugh

Opposition
Exhibit

Submitted on Thursday, February 2, 2023 - 10:11am

Name: Theodore Reese

Email address: treese26@comcast.net

Phone number: 3023770031

Subject: Request for variance #12792

Message: I oppose this request due to the possible health issues for the Heritage Shores community. Please vote NO

Amy Hollis

From: Matthew McCafferty <mattmccaff@yahoo.com>
Sent: Thursday, February 2, 2023 2:57 PM
To: Planning and Zoning
Subject: Concrete Crusher



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Hello my name is Matthew McCafferty and I just moved to Heritage Shores in January. In the process of buying my home nothing was ever mentioned about the concrete crusher plant variance. I worked in roadway construction for 50 years, so I am well aware of the dangers a plant such as this would pose. I am sure the people of Bridgeville do not want to be exposed to this hazard as do the people in 55+ communities, such as Heritage Shores. There is no reason why this plant needs to be built so close to a residential neighborhood.

I hope the rights of the citizens of Bridgeville will come first, and another place will be found for this plant. This plant will act as a deterrent for people who were thinking of moving to Bridgeville, as well as those who are trying to sell their homes.

Below are some of the health risks associated with silica from concrete crushers as taken from the web:

- Lung cancer (silica has been classified as a human lung carcinogen);
- Bronchitis/chronic obstructive pulmonary disorder;
- Tuberculosis (silicosis makes an individual more susceptible to it);
- Scleroderma, a disease affecting skin, blood vessels, joints and skeletal muscles; and
- Possible renal disease.

Sincerely,
Matthew McCafferty
4 Harlequin Loop
Bridgeville, DE 19933

Amy Hollis

From: tript8r2@verizon.net
Sent: Thursday, February 2, 2023 6:36 PM
To: Planning and Zoning
Subject: Sussex County Delaware Board of Adjustment Case No 12789
Attachments: 2023 Paper Petition to Oppose Concrete Crushing Operation-compressed.pdf; 2023 GoPetition Opposing Sussex Co DE BOA Case 12789 with signatures-109549.pdf

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FYI:

I am attaching TWO PDF files consisting of TWO petitions totaling combined 229 signatures captured via an online GoPetition and live, in-person signatures. Both petitions captured signatures of individuals residing in the vicinity of 20354 Sussex Highway who OPPOSE approving a Special USE EXCEPTION to FDPN Management, LLC representing the owner of that parcel #131-19.00-5.00 for the purpose of operating a concrete crushing operation.

Please add these TWO PDF documents to the record in opposition to Case #12789 FDPN Management, LLC. for distribution to the members of the Board of Adjustments.

Thank you very much for your assistance.

Best regards,
Rosanne Cholewinski
90 Emily's Pintail Drive
Bridgeville, DE 19933
(302) 507-2811

Petition to Oppose Concrete Crushing Operation

Petition summary and background	<p>Sussex County, Delaware, Board of Adjustment Case #12789 is an application submitted by FDPN Management, LLC seeking a Special Use Exception in order to establish a concrete crushing operation at 20354 Sussex Highway. The aforementioned property is located less than .4 mile south of the main entrance to Heritage Shores, a large-scale 55+ community with a wide variety of outdoor amenities including a popular 18 hole golf course.</p> <p>Concrete crushing processes generate high levels of dust containing known hazardous particulates including crystalline silica. Unlike coarse beach sand, these finer dust particles can remain airborne for over half a mile or more depending on wind speed. It is a known carcinogen that can cause or exacerbate respiratory conditions and other ailments. 24/7 non-occupational exposure to silica dust particles is particularly detrimental to the health and well-being of elderly and children alike.</p> <p>Dust particles generated by a concrete crushing operation would adversely affect the environment (air, water and soil) of our growing Heritage Shores residential area and neighboring communities. Dust significantly reduces solar panel efficiency, would settle on our vehicles, the exterior and interior of our homes and yards. It would certainly be detrimental to our ground water and maintenance of our golf course that includes 20 ponds where wildlife and fowl currently flourish. Granting Special USE Exception for a concrete crushing operation would devalue our property and disrupt the serene, healthy and tranquil environment we and our neighboring communities now enjoy.</p>
Action petitioned for	<p>For all the reasons outlined above, we, the undersigned OPPOSE granting Special Use Exception to FDPN, LLC for the purpose of establishing a concrete crushing operation on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway) a property located on the west side of Sussex Highway (Rt 13) approximately .4 miles south of the main entrance to Heritage Shores, southern Delaware's most outstanding 55+ Community.</p> <p>We urge our Sussex County Board of Adjustment to REJECT (Case #12789) the Special Use Exception application requested by FDPN, LLC on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway).</p>

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
1. John Williams	<i>[Signature]</i>	8 ANANDA'S TEAL BRIDGEVILLE	410-987-8558	27 Jun 23
2. J. M. McMillan	<i>[Signature]</i>	139 Champions Dr. Bridgeville, DE	302 956 0847	1/27/23
3. Richard Remon	<i>[Signature]</i>	11111 1st Bridgeville DE	302 956-0224	1-27-23
4. Norma Jean Smith	<i>[Signature]</i>	10 Whisking Duck Dr. Bridgeville, DE	410-504-2984	1/26/23
5. Paul A Smith	<i>[Signature]</i>	10 Whisking Duck Dr. Bridgeville, DE	410-504-2984	1/26/23
6. Ralph Dostal	<i>[Signature]</i>	105 White Sulphur Dr. Bridgeville DE	302-337-0189	1/26/23
7. Sandra Dostal	<i>[Signature]</i>	105 White Sulphur Dr. Bridgeville DE 19933	302-337-0189	1/26/23
8. Magalyne L. May	<i>[Signature]</i>	16 Amandas Road Bridgeville DE	302 337 8195	1/26/23
9. MARY ANN TERACIO	<i>[Signature]</i>	16 Amandas Road Bridgeville	732-904-3587	1/26/23
10. Marilyn Williams	<i>[Signature]</i>	8 ANANDA'S TEAL BRIDGEVILLE	443539 5038	1/26/23
11. Eugene Mazzilli	<i>[Signature]</i>	5 Amandas Teal Bridgeville, DE 19933	302 956-6375	1/26/23

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
12. STEPHEN PORAGallo	<i>[Signature]</i>	14 AMANDA'S TEAL DR BRIDGEVILLE DE 19933	752-904-3589 HUGO1969@gmail.com	1/24/23
13. VANCY MAZZilli	<i>[Signature]</i>	5 AMANDA'S TEAL DR BRIDGEVILLE DE 19933	443-544-5030 vmaZZilli@yahoo.com	1/27/23
14. Robert GORFITT	<i>[Signature]</i>	16 AMANDA'S TEAL BRIDGEVILLE DE 19933	443-739-4053 rgorfitt@f73.com	1/27/23
15. JOSEPH BRAVO	<i>[Signature]</i>	13 AMANDA'S TEAL DRIVE BRIDGEVILLE DE 19933	914-980-1699 jBRAVO297@aol.com	1/28/23
16. NADINE BRAVO	<i>[Signature]</i>	13 AMANDA'S TEAL DRIVE BRIDGEVILLE DE 19933	914-980-1699 jBRAVO297@aol.com	1/28/23
17. Robin Kern	<i>[Signature]</i>	15 AMANDA'S TEAL DR BRIDGEVILLE DE 19933	757-583-8138 Rkern58@gmail.com	3/20/23
18. Carmen Baker	<i>[Signature]</i>	15 AMANDA'S TEAL DR BRIDGEVILLE DE 19933	957-589-8134 Carmen.baker@gmail.com	1/30/23
19. Alicia Stover	<i>[Signature]</i>	108 Whistling Duck DR BRIDGEVILLE DE 19933	301-706-8422	
20. JEANETTE S. RECARDI-HOLLESEN	<i>[Signature]</i>	31 RUDDY DUCK LN. BRIDGEVILLE DE 19933	302-956-6388	1/30/23
21. CAROLINE SPIRIDAKIS	<i>[Signature]</i>	37 HARLEQUIN DR BRIDGEVILLE DE 19933	302-956-0038	1/30/23
22. JOANNE TERRACCIANI	<i>[Signature]</i>	11 RUDDY DUCK LN BRIDGEVILLE DE 19933	302-956-0786	1/30/23
23. CONSTANCE JONES	<i>[Signature]</i>	26 Champions Dr BRIDGEVILLE DE 19933	443-812-0810	1-30-23
24. SUSAN MARTINEAU	<i>[Signature]</i>	17 AMANDA'S TEAL DR BRIDGEVILLE DE 19933	302-956-0449	1/30/23
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Petition to Oppose Concrete Crushing Operation

Petition summary and background	<p>Sussex County, Delaware, Board of Adjustment Case #12789 is an application submitted by FDPN Management, LLC seeking a Special Use Exception in order to establish a concrete crushing operation at 20354 Sussex Highway. The aforementioned property is located less than .4 mile south of the main entrance to Heritage Shores, a large-scale 55+ community with a wide variety of outdoor amenities including a popular 18 hole golf course.</p> <p>Concrete crushing processes generate high levels of dust containing known hazardous particulates including crystalline silica. Unlike coarse beach sand, these finer dust particles can remain airborne for over half a mile or more depending on wind speed. It is a known carcinogen that can cause or exacerbate respiratory conditions and other ailments. 24/7 non-occupational exposure to silica dust particles is particularly detrimental to the health and well-being of elderly and children alike.</p> <p>Dust particles generated by a concrete crushing operation would adversely affect the environment (air, water and soil) of our growing Heritage Shores residential area and neighboring communities. Dust significantly reduces solar panel efficiency, would settle on our vehicles, the exterior and interior of our homes and yards. It would certainly be detrimental to our ground water and maintenance of our golf course that includes 20 ponds where wildlife and fowl currently flourish. Granting Special USE Exception for a concrete crushing operation would devalue our property and disrupt the serene, healthy and tranquil environment we and our neighboring communities now enjoy.</p>
Action petitioned for	<p>For all the reasons outlined above, we, the undersigned OPPOSE granting Special Use Exception to FDPN, LLC for the purpose of establishing a concrete crushing operation on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway) a property located on the west side of Sussex Highway (Rt. 13) approximately .4 miles south of the main entrance to Heritage Shores, southern Delaware's most outstanding 55+ Community.</p> <p>We urge our Sussex County Board of Adjustment to REJECT (Case #12789) the Special Use Exception application requested by FDPN, LLC on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway).</p>

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
1. Peter Marino	<i>Peter Marino</i>	29 Waterside Drive Bridgeville, DE 19933	973-886-0019	1-26-23
2. Percival Marjorie	<i>Mayone Percival</i>	9 Amanda's Teal Dr Bridgeville, DE 19933	302-337-1089	1/26/23
3. Dolores Williams	<i>D. Williams</i>	11 AMANDAS TEAL DR BRIDGEVILLE, DE 19933	905-230-9121	1/26/23
4. JUDY Nagmarks	<i>J. Nagmarks</i>	44 AMANDA'S TAIL BRIDGEVILLE, DE	302-337-9577	1/26/23
5. WAYNE APPEL	<i>Wayne Appel</i>	21 RUDDY DUCK LN. BRIDGEVILLE, DE	302-956-0790	1/26/23
6. Marlene Sullivan	<i>Marlene Sullivan</i>	8 Whistling Duck Dr Bridgeville, DE 19933	301 938-7111	1/26/23
7. TOM EASTMAN	<i>Tom Eastman</i>	26 WHISTLING DUCK DR BRIDGEVILLE DE 19933	302 956 6994	1-26-23
8. HALEY McIVETIS	<i>Haley McIVetis</i>	103 Wills Island same Bridgeville	302 337-0161	1-26-23
9. Diane Mannherz	<i>Diane Mannherz</i>	2 Gray Fox Lane Bridgeville, DE 19933	410-925-8012	1-26-23
10. CLANN HIRREK	<i>Clann Hirrek</i>	143 WIDGEON WAY BRIDGEVILLE, DE 19933	757-439-7129	1-26-23
11. Paula Franz	<i>Paula Franz</i>	8 Gray Fox Ln. Bridgeville, DE 19933	571-212-9101	1-26-23

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
12. Don Franz	<i>Don Franz</i>	8 Grey Fox Ln. Bridgville, IL 19733	571-212-9100	1-26-23
13. Julie Taylor	<i>Julie Taylor</i>	2 Champions Dr 19733	301-938-1887	1-26-23
14. L. FOXES	<i>L. Foxes</i>	36 Amanda's Trail	301-956-0576	1-26-23
15. S. FOXES	<i>S. Foxes</i>	36 Amanda's Trail	301-956-0576	1-26-23
16. Kathy Brown	<i>Kathy Brown</i>	79 Whistling Duck Dr	302-462-1818	1-26-23
17. Mike Brown	<i>Mike Brown</i>	79 Whistling Duck Dr	302-985-3085	1/26/23
18. Fanny Blum	<i>Fanny Blum</i>	18 Waterside Ln	301-642-9027	1/26/23
19. Shelly Ball	<i>Shelly Ball</i>	24 Hurtequin Loop	724-244-5992	1/26/23
20. Devo Ball	<i>Devo Ball</i>	" " "	724-244-7558	1/26/23
21. David Hickey	<i>David Hickey</i>	63 Emily's Pintail	(914) 403-5384	1/26/23
22. Susan Hickey	<i>Susan Hickey</i>	63 Emily's Pintail	914-318-1648	1-26-23
23. Madelyn Galgano	<i>Madelyn Galgano</i>	6 Argall St	631-678-1590	1-26-23
24. Sue Janes	<i>Sue Janes</i>	46 Snowy Egret Ct.	410-925-4285	1-26-23
25. Kelly Yoder	<i>Kelly Yoder</i>	143 Champions Dr	910-655-9931	1-26-23
26. James McNulty	<i>James McNulty</i>	115 Champions Dr	732-245-1730	1-26-23
27. Joyce McNulty	<i>Joyce McNulty</i>	115 Champions Dr.	732-673-0180	1-26-23
28. Crystal Chambers	<i>Crystal Chambers</i>	90 Heritidge Dr	302-381-6972	1-26-23
29. RONALD RENNERT	<i>Ronald Rennert</i>	142 WIDGEON WAY	302-721-5791	1/29/23
30. KAREN RENNERT	<i>Karen Rennert</i>	142 WIDGEON WAY	302-721-5791	1/29/23
31. WALTER GILMORE	<i>Walter Gilmore</i>	40 CANVASBACK CIR	302-332-8724	1-29-23
32. Liz Faunce	<i>Liz Faunce</i>	24 Whistling Duck	301-659-9000	1/30/23
33. JILL OVERTON	<i>Jill Overton</i>	301 Heritidge St. Circle	443-567-3990	1/30/23
34. ANDY OVERTON	<i>Andy Overton</i>	301 Heritidge St. Circle	443-567-3322	1/30/23

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
35. Elaine Lisak	Elaine Lisak	5 Ruddy Duck Ln Bridgeville DE 19320	410/991-7691	1/30/23
36. MARY LOU FONTAINE	Mary Lou Fontaine	12 Canvasback Cir Bridgeville, DE 19933	770-364-0414	1-30-23
37. JO ANN WEBER	Jeanne Weber	35 Canvasback Cir Bridgeville DE 19933	302-956-6303	1/30/23
38. Marybeth Olexy	Marybeth Olexy	229 Heritage Shores Cir Bridgeville DE 19933	540-275-1377	1/30/23
39. JERRY TRUSSELL	Jerry Trussell	2 Ruddy Duck Lane Bridgeville DE 19933	302-956-0281	1/30/23
40. Arnitto Marino	Arnitto Marino	36 Canvasback Circle Bridgeville DE	302-956-0037	1/30/23
41. George Marino	George Marino	36 Canvasback Circle Bridgeville	302-956-0037	1/30/23
42. JAIRO MORA	Jairo Mora	9 Champions Dr BRIDGEVILLE, DE	732-977-9178	1/30/23
43. DENNA ALEXANDROWICZ	Denna Alexandrowicz	7 Ruddy Duck	443-742-7960	1/30/23
44. DENNA ALEXANDROWICZ	Denna Alexandrowicz	7 Ruddy Duck	443-742-7960	1/30/23
45. Miriam Granulin	Miriam Granulin	13 Ruddy Duck Ln	516-238-7237	1/30/23
46. Phyllis Granulin	Phyllis Granulin	13 Ruddy Duck	977-725-8851	1/30/23
47. ANITA QUINN	Anita Quinn	37 HAZELQUIN	302-956-0638	1/30/23
48. DARRYL GRAY	Darryl Gray	177 WINDY TRAIL DUCK BRIDGEVILLE DE 19933	302-956-0963	1/30/23
49. GERRY MALLON	Gerry Mallon	10 Badwell Bridgeville DE 19933	215-356-7900	1/30/23
50. Mary Travers	Mary Travers	9 Ruddy Duck	410-370-9909	1/30/23
51. Calvin Horn	Calvin Horn	13 HAZELQUIN WAY	410-703-7078	1/30/23
52. Frances Orlando	Frances Orlando	27 Canvasback Cir	410-299-7707	1/30/23
53. Gloria Rahn	Gloria Rahn	104 Emily's Pintail Dr	732-236-7148	1/30/23
54. CORRAD FLECK	Corrad Fleck	1 Ruddy Duck Lane	301-385-6966	1/30/23
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Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
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Petition to Oppose Concrete Crushing Operation

Petition summary and background	<p>Sussex County, Delaware, Board of Adjustment Case #12789 is an application submitted by FDPN Management, LLC seeking a Special Use Exception in order to establish a concrete crushing operation at 20354 Sussex Highway. The aforementioned property is located less than .4 mile south of the main entrance to Heritage Shores, a large-scale 55+ community with a wide variety of outdoor amenities including a popular 18 hole golf course.</p> <p>Concrete crushing processes generate high levels of dust containing known hazardous particulates including crystalline silica. Unlike coarse beach sand, these finer dust particles can remain airborne for over half a mile or more depending on wind speed. It is a known carcinogen that can cause or exacerbate respiratory conditions and other ailments. 24/7 non-occupational exposure to silica dust particles is particularly detrimental to the health and well-being of elderly and children alike.</p> <p>Dust particles generated by a concrete crushing operation would adversely affect the environment (air, water and soil) of our growing Heritage Shores residential area and neighboring communities. Dust significantly reduces solar panel efficiency, would settle on our vehicles, the exterior and interior of our homes and yards. It would certainly be detrimental to our ground water and maintenance of our golf course that includes 20 ponds where wildlife and fowl currently flourish. Granting Special USE Exception for a concrete crushing operation would devalue our property and disrupt the serene, healthy and tranquil environment we and our neighboring communities now enjoy.</p>
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Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
1. ROSANNE CHOLEWINSKI	<i>Rosanne Cholewinski</i>	90 EMILYS PINTAIL BRIDGEVILLE, DE 19933	WMAVE28@gmail.com	1/25/23
2. Betty Myers	<i>Betty H Myers</i>	27 Amanda's Teard. Bridgeville, DE	302-337-7561	1/25/23
3. Michael Hicks	<i>Michael Hicks</i>	12 Waterside Dr, Bridgeville DE	Bothover@yahoo.com	1/25/23
4. Carol Brindle	<i>Carol Brindle</i>	21 Waterside Dr, Bridgeville DE	C. Edge@yahoo.com	1/25/23
5. Dave Zastrow	<i>Dave Zastrow</i>	91 Emilys Pintail Dr Bridgeville DE	dave350@msn.com	1/25/23
6. MARIANO GRANMA	<i>Mariano Granma</i>	82 Emilys Pintail Dr Bridgeville DE	marianogranma@gmail.com	1/25/23
7. John Gibson	<i>John Gibson</i>	68 Emilys Pintail Bridgeville, DE	302-228-5567	1/25/23
8. BILL TIMMONS	<i>Bill Timmons</i>	67 EMILYS PINTAIL DR BRIDGEVILLE DE	732-267-5295	1/25/23
9. NANCY TIMMONS	<i>Nancy Timmons</i>	67 Emilys Pintail Bridgeville, DE	732-267-5366	1/25/23
10. JOSEPH CRUSEY	<i>Joseph Crusey</i>	144 WATER SIDE BRIDGEVILLE DE	410979-9980	1/25/23
11. Bonnie Parker	<i>Bonnie Parker</i>	1030 Emilys Pintail Dr Bridgeville DE 19933	856 756 8600	1/25/23

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
12. KERRAN DECKERSON		10 EMILYS PINTAIL DR. BRIDGEVILLE DE 19933	(646) 299-4074 PHILOR14@MSN.COM	1/25/23
13. PHILIP DECKERSON		10 EMILYS PINTAIL DR. BRIDGEVILLE DE 19933	(718) 490-6036 PHILOR14@MSN.COM	1/25/23
14. Rhys D. Parker		103 Emils Pintail Dr. Bridgeville, DE 19933	856-245-7597 Rhys.Parker@yahoo.com	1/25/2023
15. Allen Brooks		181 Emils Pintail Dr. Bridgeville DE	802-352-0814	1/25/2023
16. MARILYN KRAUSS		101 Emils Pintail Dr. Bridgeville, DE	KRAUSSERF@GMAIL.COM 302-956-6040	1/25/2023
17. WARREN LEBO		40 Ruddy Duck Ln. Bridgeville, DE	302-956-0244	1/26/2023
18. HEATHER LEBOW		40 Ruddy Duck Ln. Bridgeville DE	302-956-0244	1/26/2023
19. Jan Lennon		6 Americas Road DE Bridgeville DE	301-461-3595	1/26/2023
20. Debbie Klotz		32 Champions Dr. Bridgeville DE	845-527-0675	1/26/23
21. Susan Reiman		6 Hartquid Loop Bridgeville DE	302-536-0224	1/26/23
22. Beryl Mertz		59 Champions DR. Bridgeville, DE	302-956-6298	1/26/23
23. Kathy Brinnin		3 CHAMPIONS DR. BRIDGEVILLE, DE	802-522-9552	1/26/23
24. Donald Kucynski		65 CANVASBACK CIR. BRIDGEVILLE DE	412-694-5316	1/26/23
25. Kathleen Kucynski		63 Canvasback Cir Bridgeville DE	412 522 7955	1/26/23
26. Christina Appel		21 Luddy Duck Lane	302 956 0770	1/26/23
27. Patricia Rice		47 Champions Dr	347 728 2325	1/26/23
28. Paul Rice		47 Champions Dr. Bridgeville, DE	302 956 6946	1/24/23
29. Mary Ann Eastman		26 Waterside Dr	302-956-6994	1/26/23
30. William Curry		16 Hartquid Loop	516 993 5124	1/26/23
31. Robert Tracy		3 Champions Dr.	301-481-0096	1/26/23
32. Claudia Takino		1 Greenfinch	917 670 7988	1/26/23
33. Mark M. Hunsicker		2 Gray Fox Ln Bridgeville DE	410 425 7788	1/24/23
34. RONALD L. HUBBARD		56 RUDDY DUCK LANE BRIDGEVILLE DE 19933	757-676-6543	1/26/23

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
58. David Plazek		75 Champions Drive Bridgeville DE 19932	daveplazek@yahoo.com	1/26/23
59. DEBBIE SUESS		109 CHAMPIONS DR BRIDGEVILLE DE 19933	deeborgandcheerleader NET	1/26/23
60. ALAN SUTOAL		109 CHAMPIONS DR BRIDGEVILLE DE 19933	SUTOCAL@GMAIL.COM	1/26/23
61. MIKE BARTUSIAK		107 CHAMPIONS DR BRIDGEVILLE, DE 19933	TBOZACK@MSN.COM	1-26-23
62. HENRY WARD		103 Champions Dr Bridgeville DE 19933	ward.henry1957@gmail.com	1-26-23
63. Artie EDELSON		119 Champions Dr. Bridgeville, DE 19933	artie714@gmail.com	1/26/2023
64. Jodie Edelson		119 Champions Dr Bridgeville DE 19933	jodie1121@gmail.com	1/26/2023
65. BRUCE CONOVER		11620 Greengs Blvd Rt 2 Bridgeville DE 19933	301-325-2139	1/26
66. RICK LILLEY		104 WATERBURY DR		1/26
67. JIWA ZHIVKOVA		134 Vatorside DR	SIWAZHIVKOVA@gmail.com	1/26/23
68. JOE LAWRENCE		137 CHAMPIONS DRIVE	GOLF HUNT CLUB@GMAIL	1/26/23
69. WILLIAM KLETT		1 CHAMPIONS DR BRIDGEVILLE 19933	KLETT9@AOL.COM	1/26/23
70. ROSEANNE ROSE		102 Whistling Duck Bridgeville, DE	610-761-6601 roseanne.rose@yahoo.com	1/26/23
71. MARK WEAVER		15 Grey Fox Lane Bridgeville, DE 19933	301-325-6131 mdweaver021@gmail.com	1/26/23
72. MARTHA WEAVER		15 Grey Fox Ln Bridgeville DE 19933	301-325-1520 mornylou@gmail.com	1/26/23
73. TERRY TAYLOR		20 Grey Fox Ln Bridgeville, DE 19933	908-875-0382 terryf.taylor@gmail	1/26/23
74. ROSEANNE LAWRENCE		137 Champions Dr	rwlawrnc@gmail.com	1/26/23
75. WALTER DITTMANN		18 CHAMPIONS DR	WHDITTMANN@GMAIL.COM	1/26/23
76. TIMOTHY L. SUTTON		31 AMANDAS TEAL DR	tsutton@comcast.net	1/26/23
77. ROBERTA				
78. DORETTA SUTTON		31 AMANDAS TEAL DR	LISAAGod@comcast.net	1/26/23
79. THOMAS LAWRENCE		22 GREY FOX LN	1000-993 @AOLMAIL.COM	1/30/23
80. KEITH LIOAK		5 WOODY DUCK LANE BRIDGEVILLE DE	97hacker53@comcast.net	1/30/2023

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
35. THOMAS E. TORIER	[Signature]	7 Grey Fox Bridgeville	973 420 3066 torier143@gmail.com	
36. TONI D WISL	[Signature]	14 Ruddy Duck Ln	410 790 3674	1-26-23
37. SNOY/REMSLI	[Signature]	14 Ruddy Duck Ln	410 790 3673	1-26-23
38. KATHLEEN RATTALL	[Signature]	24 Ruddy Duck Ln	443-845-8393	1-26-23
39. RICHARD RATTALL	[Signature]	24 Ruddy Duck Ln	443-845-8394	1-26-23
40. Dianne Butera	[Signature]	19 Ruddy Duck	302-956-0927	1-26-23
41. JANET PELUSSO	[Signature]	14 Widgeon	302-512-8382	1-26-23
42. RALPH PELUSSO	[Signature]	140 Widgeon	703 623 3698	1-26-23
43. GANNIE REILLY	[Signature]	29 Whaling Head	302-956-0448	1/26
44. RAY REILLY	[Signature]	29 Whaling Head	302-956-0448	1/26
45. JOY VANESSA	[Signature]	102 WILLES ISL. DR.	201-788-7506	1/26
46. MAXINE STEPHENSON	[Signature]	29 ANNAND'S FENCE DR	240-46-6636	1/26
47. RAY WRIGHT	[Signature]	62 EMILY'S PINNACLE	973 809 3664	1/26
48. DONNA WRIGHT	[Signature]	62 Emily's Pinnacle	973 303-1248	1/26
49. BRIAN WINTERSTEIN	[Signature]	103 WHISTLING DUCK	302 791-1070	1/26
50. GARY HOCHENDORFF	[Signature]	5 Waterside Drive	410 207 7882	1/26
51. PAUL VAN VLIET	[Signature]	102 WILLES ISL. DR.	201-788-7506	1/26
52. RICHARD BUTERA	[Signature]	19 Ruddy Duck	302 956-0926	1/26
53. JOE EWING	[Signature]	11 Grey Fox Ln		1/20
54. JOE EWING	[Signature]	11 Grey Fox Ln	410 245-2165	1/26
55. BEVERLY SINGLETON	[Signature]	121 ARGALL	1-302-956-6536	1/26
56. DOUGLAS SINGLETON	[Signature]	121 ARGALL	302-956-6536	1/26
57. LINDA PLEIGH	[Signature]	75 CHAMPIONS	515 664-1935	

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
81. Kent Fontaine	<i>Kent Fontaine</i>	DE 19933 12 CANVASBACK CIR	KUTFont@GMAIL 302-569-4554	1/30/2023
82. Gail McGinnis	<i>Gail McGinnis</i>	18 GARDNER LN BRIDGEVILLE, DE	908-318-1699 gail.mcginnis@yahoo.com	1/30/23
83. JOHN TRUSSELL	<i>John Trussell</i>	2 RYAN DUCK LANE BRIDGEVILLE, DE 19933	302-956-0831	1/30/23
84. MARY KREBENSER	<i>Mary Krebena</i>	1 HARLEQUIN LOOP BRIDGEVILLE, DE 19933	303-956-0914	1/30/2023
85. EUGENE KREBENSER	<i>Eugene Krebena</i>	1 HARLEQUIN LOOP BRIDGEVILLE DE 19933	302-956-0914	1/30/23
86. Dennis BRADACCO	<i>Dennis Bradacco</i>	3 CHAMPIONS DR. BRIDGEVILLE, DE 19933	802-527-7365	1/30/23
87. Vicki DEGRAW	<i>Vicki DeGraw</i>	26 GARDNER CIR BRIDGEVILLE, DE	443-417-8359	1/30/23
88. MARSH	<i>MARSH</i>	26 GARDNER CIR BRIDGEVILLE, DE	410-809-8457	1/30/23
89. Marsha Gray	<i>Marsha Gray</i>	77 Whistling Duck Dr. BRIDGEVILLE, DE 19933	302-956-0763	1/30/23
90. Margaret HORN	<i>Margaret Horn</i>	13 Harlequin Loop BRIDGEVILLE, DE 19933	410-763-0998	1/30/23
91. FANNY PEDERANA	<i>Fanny Pederna</i>	24 WATERSIDE DR BRIDGEVILLE DE 19933	718-736-4821	1/30/23
92. PERINA PEDERANA	<i>Perina Pederna</i>	BRIDGEVILLE DE 19933	917-842-8239	1/30/23
93. Mark MAZZELLI	<i>Mark Mazzelli</i>	84 Emily Pintor Dr BRIDGEVILLE	908-410-6953	1/30/23
94. Georgianna Arnesen	<i>B Arnesen</i>	73 Emrys Pintail BRIDGEVILLE	801-387-0064	1-30-23
95. Karen Johnson	<i>Kaufman</i>	3763 Woodenhawk Rd Greenwood, DE	302-245-2038	1-30-23
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Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
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Petition to Oppose Concrete Crushing Operation

Petition summary and background	<p>Sussex County, Delaware, Board of Adjustment Case #12789 is an application submitted by FDPN Management, LLC seeking a Special Use Exception in order to establish a concrete crushing operation at 20354 Sussex Highway. The aforementioned property is located less than .4 mile south of the main entrance to Heritage Shores, a large-scale 55+ community with a wide variety of outdoor amenities including a popular 18 hole golf course.</p> <p>Concrete crushing processes generate high levels of dust containing known hazardous particulates including crystalline silica. Unlike coarse beach sand, these finer dust particles can remain airborne for over half a mile or more depending on wind speed. It is a known carcinogen that can cause or exacerbate respiratory conditions and other ailments. 24/7 non-occupational exposure to silica dust particles is particularly detrimental to the health and well-being of elderly and children alike.</p> <p>Dust particles generated by a concrete crushing operation would adversely affect the environment (air, water and soil) of our growing Heritage Shores residential area and neighboring communities. Dust significantly reduces solar panel efficiency, would settle on our vehicles, the exterior and interior of our homes and yards. It would certainly be detrimental to our ground water and maintenance of our golf course that includes 20 ponds where wildlife and fowl currently flourish. Granting Special USE Exception for a concrete crushing operation would devalue our property and disrupt the serene, healthy and tranquil environment we and our neighboring communities now enjoy.</p>
Action petitioned for	<p>For all the reasons outlined above, we, the undersigned OPPOSE granting Special Use Exception to FDPN, LLC for the purpose of establishing a concrete crushing operation on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway) a property located on the west side of Sussex Highway (Rt.13) approximately .4 miles south of the main entrance to Heritage Shores, southern Delaware's most outstanding 55+ Community.</p> <p>We urge our Sussex County Board of Adjustment to REJECT (Case #12789) the Special Use Exception application requested by FDPN, LLC on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway).</p>

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
1. Alexander Maggi		59 Champions Dr Bridgeville, DE 19933	908-403-7270 amaggi.3138@comcast.com	1/26/23
2. Pat Sweet		18 Amanda's Lane Dr Bridgeville, DE 19933	302-337-8537 bsweet41091@verizon.net	1/26/23
3. Douglas Hermann		23 Annans Trl Dr BRIDGEVILLE, DE 19933	(631) 927-0483 DOUGHERMANN@COMCAST.COM	1/26/23
4. ROLLAND STROUP		88 Emily's Pintail Dr BRIDGEVILLE, DE 19933	302-752-2158	1/26/23
5. MARLYN STROUP		Bridgeville, DE 19933	(302) 752-2158	1/26/23
6. ROBERT WELSH		24 GADWALL CIR BRIDGEVILLE, DE 19933	443-570-4862	1-29-23
7. BO HOLLESEN		31 RUDDY DUCK LN. BRIDGEVILLE, DE 19933	EVER19@YAHOO.COM 302-956-6380	1-30-23
8. ROBERT COSTELLO		17 Harlequin Loop Bridgeville, DE 19933	914-329-4658	1/30/23
9. Geoffrey Cline		4 Ruddy Duck Ln BRIDGEVILLE, DE 19933	410-978-9374	1/30/23
10. Catherine Marketta		22 Gadwall Cir BRIDGEVILLE, DE	302-270-2369	1/30/23
11. Ralph Marketta		22 Gadwall Circle BRIDGEVILLE, DE 19933	302-242-2422	1/30/23

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
12. Mike DeLoe		26 CADWALL CR. BRIDGEVILLE, DE 19933	410-804-5457	1/30/23
13. M. Arcene Goulet		109 CHRISTIAN DUCK BRIDGEVILLE, DE	302-864-4319	1/30/23
14. Robert J. Goulet		109 Whistling Duck BRIDGEVILLE, DE	302-864-3875	1/30/23
15. John Collins		46 MILYS PATH BRIDGEVILLE, DE	302-337-1053	1/30/23
16. Dena Bergstrom		21 WHISTLING DUCK DR. BRIDGEVILLE, DE	732-822-9803	1/30/23
17. Raymond Papszucki, Jr		15 CHAMPIONS AVE BRIDGEVILLE, DE 19933	(410) 846-1910	1/30/23
18. Don Buzas		83 CHAMPIONS DR. BRIDGEVILLE, DE 19933	302-956-0440	1/30/23
19. Patricia Silverbolt		10 MARQUESS LOOP BRIDGEVILLE, DE 19933	302-519-1534	1/30/23
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Petition to Oppose Concrete Crushing Operation

Petition summary and background	<p>Sussex County, Delaware, Board of Adjustment Case #12789 is an application submitted by FDPN Management, LLC seeking a Special Use Exception in order to establish a concrete crushing operation at 20354 Sussex Highway. The aforementioned property is located less than .4 mile south of the main entrance to Heritage Shores, a large-scale 55+ community with a wide variety of outdoor amenities including a popular 18 hole golf course.</p> <p>Concrete crushing processes generate high levels of dust containing known hazardous particulates including crystalline silica. Unlike coarse beach sand, these finer dust particles can remain airborne for over half a mile or more depending on wind speed. It is a known carcinogen that can cause or exacerbate respiratory conditions and other ailments. 24/7 non-occupational exposure to silica dust particles is particularly detrimental to the health and well-being of elderly and children alike.</p> <p>Dust particles generated by a concrete crushing operation would adversely affect the environment (air, water and soil) of our growing Heritage Shores residential area and neighboring communities. Dust significantly reduces solar panel efficiency, would settle on our vehicles, the exterior and interior of our homes and yards. It would certainly be detrimental to our ground water and maintenance of our golf course that includes 20 ponds where wildlife and fowl currently flourish. Granting Special USE Exception for a concrete crushing operation would devalue our property and disrupt the serene, healthy and tranquil environment we and our neighboring communities now enjoy.</p>
Action petitioned for	<p>For all the reasons outlined above, we, the undersigned OPPOSE granting Special Use Exception to FDPN, LLC for the purpose of establishing a concrete crushing operation on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway) a property located on the west side of Sussex Highway (Rt.13) approximately .4 miles south of the main entrance to Heritage Shores, southern Delaware's most outstanding 55+ Community.</p> <p>We urge our Sussex County Board of Adjustment to REJECT (Case #12789) the Special Use Exception application requested by FDPN, LLC on Parcel 131-19.00-5.00 (Address: 20354 Sussex Highway).</p>

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
1. Annette Marino	<i>Annette Marino</i>	29 Waterside Drive Bridgeville DE 19938	473-214-3910 an.k.marino@comcast.net	1/24/23
2. Kenneth Noto	<i>Kenneth Noto</i>	32 Bridgeville BRIDGEVILLE DE 19933	941-805-5085	1-26-23
3. Scott Winay	<i>Scott Winay</i>	6 Grey Fox Lane BRIDGEVILLE DE 19933	908-581-5092	1-26-23
4. Victoria Winay	<i>Victoria Winay</i>	6 Grey Fox Lane Bridgeville, DE 19933	(908) 581-5587	1-26-23
5. Cynthia Oliver	<i>Cynthia Oliver</i>	22 Armandus Teal Dr. Bridgeville DE	302-337-6658	1-26-23
6. Clifford Oliver	<i>Clifford Oliver</i>	22 Armandus Teal Dr Bridgeville, DE	302-337-6658	1-26-23
7. Robert Sweet	<i>Robert Sweet</i>	15 Armandus Teal Dr. BRIDGEVILLE DE	302-337-8587	1-26-23
8. Andy Dusek	<i>Andy Dusek</i>	53 Ruddy Duck Lane BRIDGEVILLE DE	302-487-7064	1/26/23
9. Edward McGinness	<i>Edward McGinness</i>	12 Graham Cir BRIDGEVILLE DE	708-507-0452	1/26/23
10. Eileen Costello	<i>Eileen Costello</i>	7 Honeysuckle Loop Bridgeville DE 19933	845-987-4101	1/30/23
11. Anthony Terracciano	<i>Anthony Terracciano</i>	11 Ruddy Duck Lane BRIDGEVILLE DE 19933	302-956-0780	1/30/23

Printed Name	Signature	Full Address (street, city, state, zip code)	Phone/email	Date
12. Bruce Jones		26 Champions Drive Bridgeville, DE 19933	443-210-2444	1/30/23
13. SHARON COLLINS		61 Emily's Pkwy Dr	302-337-1053 908-216-0757	01-30-23
14. Jane Papszycki		157 Champions Dr Bridgeville, DE	JANEPAP49@gmail.com	1/30/23
15. Carolyn Ladouceur		37 Waterside Dr Bridgeville, DE	631-876-5529 carolynladouceur@gmail.com	1/30/23
16. DIANA MATHEWS		96 Whistling Duck Bridgeville, DE	732-841-0603	1/31/23
17. FRED MATHEWS		96 Whistling Duck Bridgeville, DE	732-841-0570	1/31/23
18. BETS/SMITH		99 WHISTLING DUCK BRIDGEVILLE	732-355-4930	1/31/23
19. AIDY SMITH		99 WHISTLING DUCK BRIDGEVILLE	732-355-4938	1/31/23
20. RALPH SAYBELL		126 Waterside Dr Bridgeville	203-641-6163	1-31-23
21. KANE NEZOG		46 WHISTLING DUCK BRIDGEVILLE, DE	302-853-2446	1/31/23
22. JOHN MATHEWS		143 Waterside Dr Bridgeville, DE 19933	410-302-5313	1/31/23
23. CHARLES WAGNER		16 WHISTLING DUCK DR BRIDGEVILLE, DE 19933	267-474-8316	1/31/23
24. Thomas Andrew		231 Herbye Shams Cir, Bridgeville, DE	201 410 748	1/31/23
25. Rosanne Wagner		16 WHISTLING DUCK DR. BRIDGEVILLE, DE 19933	267-474-8389	1/31/23
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OPPOSE CASE No 12789 FOR CONCRETE CRUSHING OPERATION

Published by Rosanne on 5th Mar 2021

The purpose of this petition is to call on the Sussex County Delaware Board of Adjustments to reject Case No. 12789 application submitted by FDPN Management, LLC seeking a Special Use Exemption. FDPN Management, LLC is seeking a Special Use Exception for the hazardous use of operating a concrete crushing operation in support of manufacturing and recycling associated with a concrete batch plant that, coincidentally, does not yet exist at their 20354 Sussex Highway, Bridgeville, Delaware property.

An auto repair shop currently operates at 20354 Sussex Highway, a business that meshes well with the current landscape consisting of residential, consumer centric businesses and farmland. It makes no sense to construct a concrete crushing, cement producing, heavy and hazardous industry on our major highway at the doorstep, some 1200 feet, of Heritage Shores, a burgeoning, vibrant, age restricted Residential Planned Community (RPC) with 900+ homes built to date. The final phases of Heritage Shores calls for approximately 800+ more age restricted homes and another 212 unrestricted homes to be built. In addition, this environmentally hazardous concrete business would also be in close proximity to ClearBrooke Estates, another well-established residential development. And, it would be detrimental to the people who have for decades enjoyed living peacefully in single family homes directly across Sussex Highway from the FDPN Management's property.

Concrete crushing operations are known to produce significant amount of dust containing hazardous particulates including crystalline silica. Silica is a known human carcinogen that can cause or exacerbate chronic lung disease, other respiratory and cardiovascular ailments. Recent research has shown that silica particulates, which are much smaller granules than sand, can remain suspended and airborne for hours, if not days. These hazardous dust particles can travel significant distances creating serious health risks for nearby residents most of whom are elderly. Runoff from such an operation can seep into ground water, potentially contaminate nearby farmland and crops and compromise our aquatic, fowl and wildlife habitat.

It makes more economic sense to encourage consumer centric businesses to augment our rapid population growth. Conversely, permitting a hazardous, heavy industrial concrete crushing business to operate right on our main thoroughfare is a death knell for both residential and economic growth.

A cement and concrete crushing operation may be an essential business in support of the construction industry, however, it is NOT imperative to locate this hazardous business in direct proximity to a well-established residential community..

For all of the reasons noted above, we the undersigned call on the Sussex County Delaware Board of Adjustment to REJECT Case No. 12789 application submitted by FDPN Management LLC requesting a Special Use Exception the hazardous use of operating a concrete crushing operation in support of manufacturing and recycling associated with a concrete batch plant to be located on their property at 20354 Sussex Highway, Bridgeville, Delaware.

#	First name	Last name	Email	Address	City	State	Postcode	Region	Date
1	David	Styer	dstyer3@comcast.net	15 Champions Drive	Bridgeville	Delaware	19933	USA	Jan 30, 2023
	I agree with everything noted in this petition and urge the board to reject the application. (case no. 12789) submitted by FDPN Management, LLC due to the negative environmental, noise and traffic impact this project will impose on the thousands of area residents now and in the future.								
2	Phyllis	Feifer	pcaf121@gmail.com	211 Heritage Shores Circle	Bridgeville	DE	19933		Jan 30, 2023
	The dust from a concrete crusher in proximity to Heritage Shores will present a serious threat to the health of its residents. Many of us have medical conditions that will be aggravated by hazardous dust. Regardless of precautions taken to settle such dust, Delaware is windy and there will be ongoing exposure to airway irritants and carcinogens. This is inexcusable so close to residential neighborhoods and farms.								
3	Janet	Lore	ynkeedewdl@aol.com	78 Emily's Pintail Dr	Bridgeville	DE	19933		Jan 30, 2023
	I am medically compromised and the hazardous dust from a concrete crusher would present a serious threat to my health.								
4	Paul	Walsh	pwalsh39@outlook.com	114 Emily's Pintail Drive	Bridgeville	DE.	19933		Jan 31, 2023
5	Marco	De zago	rracmetnt@gmail.com	120 Emily's pintail Drive	Bridgeville, de	Sussex	19933	USA	Jan 31, 2023
6	Kathleen	Dezago	kdezago@gmail.com	120 Emily's Pintail Drive	Bridgeville	Delaware	19933	USA	Feb 01, 2023
7	Jesse	Vanderwende	jessevanderwende@yahoo.com	6754 Seashore Highway	Bridgeville	Delaware	19933		Feb 01, 2023
8	Dave	Wilson	sendavewilson18@aol.com	P. O Box 84	Lincoln	Delaware	19960		Feb 01, 2023
9	ELIZABETH	Hunter	ehunter214@yahoo.com	84 Emily's Pintail Drive	Bridgeville, DE 19933, USA	DE	19933	USA	Feb 01, 2023
10	Jeannette	Chaney	nette040@aol.com	20449 Sussex Hwy	Bridgeville	DE	19933		Feb 02, 2023
	I am very opposed to this happening. I live very close the proposed site. We are all already living with a 7-11 that no one wanted. Myself and neighbors have lived here for 30 plus years and we go to council meetings and oppose this development and the county tables it for a period of time and then allows it to happen. I see the same pattern with this concrete facility, we have already said no but yet here we are.								
11	Teresa	Hartzell	tlhart59@comcast.net	303 cedar street	Bridgeville	DE	19933		Feb 02, 2023
12	Suzanne	Grenier	suegrenier33@gmail.com	17629 Meadow Drive	Bridgeville	DE	19933		Feb 02, 2023

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



Sussex County

DELAWARE
sussexcountyde.gov

March 23, 2022

Mr. Joshua Mueller
Barnhill Preserve of Delaware
34125 Peppers Corner Road
Frankford, DE 19945

By e-mail to: j.mueller@barnhillpreserve.com

RE: Notice of Decision Letter for Conditional Use (CU 2305) Barnhill Preserve of Delaware, LLC for a Zoological Park to be located on the northeast side of Peppers Corner Road (S.C.R. 365), approximately 0.61 mile southeast of Roxanna Road (Route 17) at 34215 Peppers Corner Road in Frankford.

Tax Parcel: 134-15.00-124.00

Dear Mr. Mueller,

At their meeting of Tuesday March 22, 2022, the Sussex County Council approved the Conditional Use application for Conditional Use No. 2305 Barnhill Preserve of Delaware, LLC for a Zoological Park to be located at 34215 Peppers Corner Road subject to fourteen (14) conditions. The Conditional Use shall be substantially underway within three (3) years of the County Council approval otherwise the Conditional Use shall expire. A Site Plan showing the conditions of approval shall be reviewed and approved by the Planning Commission prior to commencement of the use on the parcel. The following are the conditions:

- A. The use shall be limited to a Zoological Park.
- B. There shall not be any parking located within the setbacks. All parking spaces shall be shown on the Final Site Plan and clearly marked on the site itself.
- C. One lighted sign shall be permitted. It shall not exceed 32 square feet per side.
- D. The Zoological Park shall only be open to the public between the hours of 6:30AM until 9:00PM.
- E. The Applicant has stated that the Zoological Park must have 8-ft tall fencing. This will require a variance from the Sussex County Board of Adjustment.
- F. All lighting shall be shielded and downward screened so that it does not shine on neighboring properties or roadways.
- G. The location of the Tax Ditch and Tax Ditch Right of Way shall be shown on the Final Site Plan. No fencing or other structures shall be located within the Tax Ditch Right of Way.
- H. The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- I. The use shall comply with all DelDOT entrance and roadway improvement requirements.

- J. Any expansion of the Zoological Park into the area designated on the Preliminary Site Plan as “Area Reserved for Future Expansion” north of the Beaver Dam Canal Tax Ditch shall require another public hearing.
- K. All locations for the temporary storage of animal waste shall be fully enclosed and centrally located on the site. These locations and the method of enclosure shall be clearly shown on the Final Site Plan.
- L. Any outdoor entertainment and music or the use of outdoor speakers shall end at 9:00PM each night. All outdoor entertainment and music or outdoor speakers shall be oriented away from the residential properties adjacent to the site.
- M. The failure to abide by any of these conditions of approval may result in the revocation of this Conditional Use.
- N. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

The Final Site Plan shall be prepared by a licensed Delaware Surveyor or Engineer and shall contain the conditions of approval on the plan. The Final Site Plan shall be approved prior to the commencement of the use on the property. The Site Plan shall be reviewed and approved by the Planning Commission. Agency approvals include but are not limited to the Delaware Department of Transportation (DelDOT), Sussex Conservation District, Office of the State Fire Marshal and the Delaware Department of Natural Resources and Environmental Control (as may be necessary for the Tax Ditch or Tax Ditch Right of Ways located on the site.)

Please submit a minimum of two (2) full size paper copies and an electronic copy (PDF) of the Preliminary Site Plan to the Planning and Zoning Office a minimum of twenty (20) days prior to a Planning Commission meeting.

An approved copy of the Ordinance granting approval of the Conditional Use will be sent to you from the Clerk of Council.

Please feel free to contact the Planning and Zoning Department with any questions during business hours 8:30 am to 4:30 pm, Monday through Friday, at (302)-855-7878.

Sincerely,



Ms. Lauren DeVore
Planner III

CC: Mr. Lester Shaffer, Sussex County Chief Constable – Constable’s Office
Ms. Susan Isaacs, Sussex County Engineering Project Coordinator — Engineering – Public Works

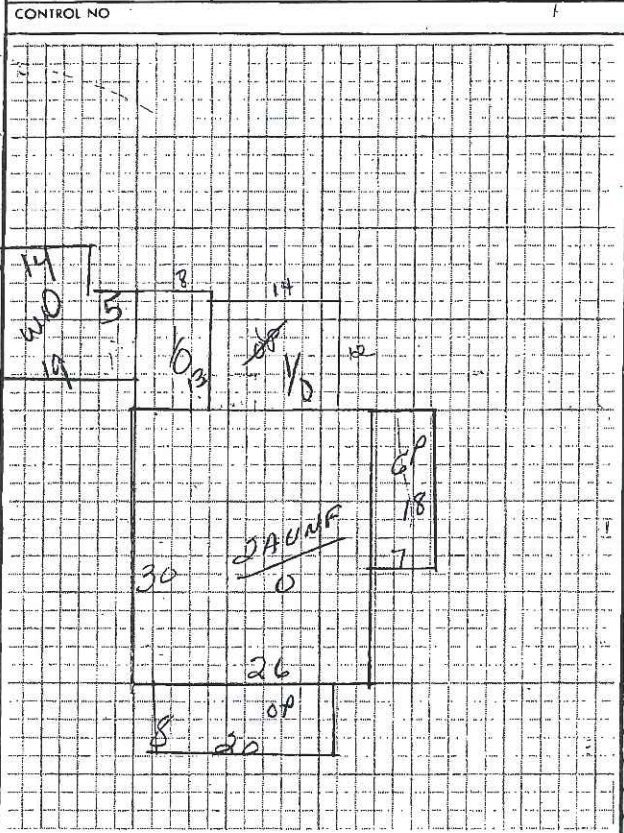
Notice of Decision Letter
CU 2305 Barnhill Preserve of Delaware, LLC
Page 3 of 3

Mr. Andy Wright, Chief of Building Code – Sussex County Building Code
Mr. John Ashman, Director of Utility Planning & Design – Engineering
Mr. Thomas Ford – Land Design/Plitko, LLC
CU 2305 Barnhill Preserve of Delaware, LLC file



DIST.		MAP		PARCEL		CONTROL NO.			ACREAGE RECORD & VALUE										
1-34		15		124					CLASS	ACRES	UNIT VAL	GRADE	ADJ.	ADJ'D UNIT VAL	VALUE				
OWNERSHIP & MAILING ADDRESS 1-34-15-00 124-00 MUELLER SCH-1 GERALD-K & LINDA J EDIT-P PO. BOX 1202 CLASS WAY TR1- 303244 BETHANY BEACH DE 19930 * DITCHES * 95 N. SD CO ROAD BAYARD 12/20/96 TO ABIES 6.00 AC 724 ac H.C. 565						DATE	DEED BOOK	PAGE	SALE PRICE	4/13	1 @	2000				2000			
										I	3	2477	B				741		
										III	2	44					88		
											6	1500					9000		
										I	124	247	B				306		
														TOTAL ACRES	4.24	SITE VALUE - grade		31351	
PROPERTY ADDRESS LEGAL DESCRIPTION LAND DESCRIPTION STREET OR ROAD: HWY _____ PAVED _____ GRAVEL _____ DIRT _____ NO ACCESS _____ WATER: CITY _____ WELL _____ OTHER _____ UTILITIES: ELECT. _____ GAS _____ PHONE _____ TOPOGRAPHY: LEVEL _____ HIGH _____ LOW _____ ROLLING _____ STEEP _____						H. L. YOH COMPANY DIVISION OF DAY AND ZIMMERMANN, INC. PHILA., PA.			TIMBER-ADD CLASS ACRES UNIT VAL. New timber + acreage removed per 12/27/44/51 0.131200 10/24/82										
						NOTES some imp removed per CS + field check 0160400 92 allowed - 8/1/82 Bill 93 no charge for BP 116B229 2/14/99 BP 180B69 for hp, AC, op into 1/2 + wd added 12/12/99 0129600							LOT RECORD & VALUE DIMENSIONS UNIT VALUE FACTORS ADJ'D UNIT VAL. DEPTH OTHER X X X X X						
						BUILDING PERMIT RECORD DATE PERMIT NO. COST DESCRIPTION 8.19.81 64063 2000 Porch + utility Rm. 2/22/82 4							OTHER COMPUTATIONS TOTAL LAND VALUE 3100 TOTAL IMPROVEMENTS VALUE 28400 TOTAL APPRAISED VALUE 31500						

del value 60400
 1122192



TYPE	OCC	GRADE	DIMENSIONS	AREA	WALLS	STORY HT	1/2 STY	ATTIC	UNIT COST	BASE COST
1		C	X	780	1	2A	-	Unsy	26,26	20,482
			X	104	1	1	-	-	16,441	1,570
			X	168	1	1	-	-	16,441	2,756
			X							
			X							

H. L. YOH CO.
PHILA., PA.

TOTAL GROUND AREA 1052 TOTAL BASE COST 24,944

PRINCIPAL BUILDING DESCRIPTION										M/C	± %	± PTS			
MASONRY-1			PIER-2			SLAB-3				FOUNDATION	1	-			
NONE-0			1/4-1			1/2-2				FULL-4	0				
NONE-0			REC AREA-1			APT-2				% OF BASEMENT	SQ FT				
NONE-0			PIPELESS GHA-1			ELECTRIC-2				FHA-3	STM-HW-4				
INDICATE QTY										FIRE PLACE	1		8.0		
3-FIXT BATH			2			2-FIXT BATH				SG FIX	TOTAL FIXT	6			
NONE-0			1/2-1			1-2				1 1/2-3	2-4	2 1/2-5	3-6	4-7	5-8
1ST FLOOR			2ND FLOOR			3RD FLOOR				INT FINISH					
NONE PL WB WP			NONE PL WB WP			NONE PL WB WP				WLS-CLG					
DIRT CONC HW SW			HW SW			HW SW				FLOORS					
NONE-0			HOME POWER UNIT-2			PUBLIC-3				ELECTRICITY	3				
NONE-0			ONE CAR-1			TWO CAR-2				BLT-IN GAR	0				
WOOD-1			SHGL-2			ALUM-3				BLK-4	BRK OR STN-5	STUCCO-6	COMP-7		
HIP-1			GABLE-2			FLAT-3				MANSARD-4	GAMBREL-5	ROOF TYPE	1		
WD-COMP			SHGL-1			SLATE-2				METAL-3	TILE-4	ROLL-5	T & G-6		
AREA			126			SQ FT				INDICATE QTY					
AREA			160			SQ FT				INDICATE QTY					
NONE-0			CENTRAL-1							AIR-COND	7	+6	7.6		
NONE-0			1 CAR-1			2 CAR-2				SQ FT	ATT GAR/CP	0	=		
										SQ FT	UTILITY	0	=		
<u>WOOD DECK 5' WIDE</u>										OTHER	1	-	10.4		
										OTHER	0	-			


BASE COST \$ <u>24,944</u>	± INDEX % \$ <u>26,444</u>	± INDEX PTS <u>30561</u>	X GRADE FACTOR	INDEX TOTALS <u>106% 41.2</u>
ACTUAL AGE <u>40</u> YRS	EFF AGE YRS	PHYS. COND	GOOD <input checked="" type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/>	PER CENT GOOD <u>80%</u>
OBSOLESCENCE: FUNC. %	OV'RIMP %	UND'RIMP %	OTHER ECON. %	NET COND %
				DEPRECIATED BLDG VALUE <u>\$29,233</u>
				DEPRECIATED BLDG VALUE <u>\$23,226</u>

ACCESSORY BUILDINGS																
CODE	BUILDING NAME	EXT WALL	GRADE	FLOOR	STY HT	LGTH	WIDTH	AREA	DIA	HGT	UNIT COST	REPL COST	COND	% GOOD	DEPRECIATED VALUE	
E1	<u>Off-sets shed</u>	WD	C	CC	1	16	10	160			1.28	204	F	40	8160	
F14	<u>Family Room</u>	WD	C	DR	1	16.6	16	2500			.79	1232	F	60	2400	
F14	"	WD	C	DR	1	15.5	14	2170			.79	1714	F	60	1030	
F14	"	WD	C	DR	1	16	16	2500			.79	1232	F	60	740	
F14	"	WD	C	DR	1	12.8	20	2560			.79	1232	F	60	740	
F14	"	WD	B	PRT	1	420	24	10080			1.54	15,523	G	20	3105	
F1	"														1000	
F1	"														1000	
F19	<u>Storage</u>	WD	B	CC	1	14	18	342			4.97	1699	F	40	660	
F14	<u>Pool house</u>	MMA	B	WD	2	180	35	6300			1.61	10,143	G	20	2,029	

INSPECTED BY <u>7/6/28/73</u>	CHECKED BY	APPROVED BY	TOTAL ACCESSORY BLDGS VALUE <u>\$51,344</u>
			TOTAL BLDGS VALUE <u>\$28,360</u>

Wm. Murray

SD

DIST.	MAP	PARCEL	CONTROL NO.				ACREAGE RECORD & VALUE							
1-34	15	124					CLASS	ACRES	UNIT VAL	GRADE	ADJ.	ADJ'D UNIT VAL	VALUE	
OWNERSHIP & MAILING ADDRESS			DATE	DEED BOOK	PAGE	SALE PRICE								
1-34, 15 124 Murray, Robert C. & Elaine B. Rd. 2, Box 191. Frankford, De., 19945														
							TOTAL ACRES	SITE VALUE — grade						
							 H. L. YOH COMPANY DIVISION OF DAY AND ZIMMERMANN, INC. PHILA., PA.							
							TIMBER—ADD CLASS ACRES UNIT VAL.							
PROPERTY ADDRESS			NOTES				LOT RECORD & VALUE DIMENSIONS UNIT VALUE FACTORS ADJ'D UNIT VAL. DEPTH OTHER							
LEGAL DESCRIPTION							X X X X X X							
LAND DESCRIPTION							OTHER COMPUTATIONS							
STREET OR ROAD: HWY _____ PAVED _____ GRAVEL _____ DIRT _____ NO ACCESS _____ WATER: CITY _____ WELL _____ OTHER _____ UTILITIES: ELECT. _____ GAS _____ PHONE _____ TOPOGRAPHY: LEVEL _____ HIGH _____ LOW _____ ROLLING _____ STEEP _____														
BUILDING PERMIT RECORD														
DATE	PERMIT NO.	COST	DESCRIPTION											
							TOTAL LAND VALUE							
							TOTAL IMPROVEMENTS VALUE							
							TOTAL APPRAISED VALUE							

REASSESSMENT DIVISION

ACTION CODE: 2

WORKED BY: Jay 12/16/85

DISTRICT: 134

MAP: 15

PARCEL: 124

TRL/UNIT:

NAME: Murray,

ADDRESS:

PROPERTY DESCRIPTION:

ACREAGE:

TRANSFER:

LAND CLASS: AH

OLD VALUE: 66600

LAND VALUE: 2800

IMP. VALUE: 57600

TOTAL VALUE: 60400

[Signature]
1/21/86

ACTION REASON: land value changed to original until further review

BILLING: 91.

REASSESSMENT DIVISION

ACTION CODE: 2

WORKED BY: Jay 6/24/85

DISTRICT: 1-34

MAP: 15

PARCEL: 124

TRL/UNIT:

NAME: Murray

ADDRESS:

PROPERTY DESCRIPTION:

ACREAGE:

TRANSFER:

LAND CLASS: RS

OLD VALUE: 60400

LAND VALUE: 9000

IMP. VALUE: 57600

TOTAL VALUE: 66600

ACTION REASON: land value chg per farm land assess act

BILLING: 86

Jay
11/15/85

REASSESSMENT DIVISION

ACTION CODE: 2

WORKED BY: Joy 1/6/82

DISTRICT: 134

MAP: 15

PARCEL: 124

TRL/UNIT:

NAME: Murray,

ADDRESS:

PROPERTY DESCRIPTION:

ACREAGE:

TRANSFER:

LAND CLASS:

OLD VALUE: 58950

LAND VALUE: 2800

IMP. VALUE: ~~51600~~ 57600

TOTAL VALUE: ~~58950~~ 60400

ACTION REASON: value was incorrect - should have been rounded off - BP 64063 also added for utility + OP

BILLING: 82

1-34 15-124

Just purchased last
year. Imps gone for
at least 3 years. Allow
what ever imp CS
marks off card.

Joyce
7/21/92

CR2

Rt 365

7/15/92

8:15

Nancy Genet

537-2807


~~Call~~ 7/22/92
as soon as I
know how much

1-34-15-124 bill is

large I picked this

See if anything
qualifies for ~~all~~ know
exception

also take copy of prop. card
and discuss with her.

DIST.	MAP	PARCEL	CONTROL NO.				ACREAGE RECORD & VALUE								
1-34	15	124					CLASS	ACRES	UNIT VAL	GRADE	ADJ.	ADJ'D UNIT VAL	VALUE		
OWNERSHIP & MAILING ADDRESS 1-34 15.00 124.00 GENET NANCY L 8795 RAVEN GLASS WAY GAITHERSBURG MD 20879 N. SIDE CO. ROAD BAYARD TO ABIES 6 AC, W/IMP. MC 565			DATE	DEED BOOK	PAGE	SALE PRICE	H/S	@	2000				2000		
							I	3	247					741	
							III	2	44					88	
								6	1500					9000	
							TOTAL ACRES	6	SITE VALUE - grade			2829			
							 H. L. YOH COMPANY DIVISION OF DAY AND ZIMMERMANN, INC. PHILA., PA.	TIMBER-ADD							
								CLASS	ACRES	UNIT VAL.					
PROPERTY ADDRESS			NOTES				LOT RECORD & VALUE								
LEGAL DESCRIPTION							DIMENSIONS		UNIT VALUE	FACTORS		ADJ'D UNIT VAL.			
LAND DESCRIPTION			X			DEPTH	OTHER								
STREET OR ROAD: HWY _____ PAVED <input checked="" type="checkbox"/> GRAVEL _____ DIRT _____ NO ACCESS _____ WATER: CITY _____ WELL <input checked="" type="checkbox"/> OTHER _____ UTILITIES: ELECT. <input checked="" type="checkbox"/> GAS _____ PHONE <input checked="" type="checkbox"/> TOPOGRAPHY: LEVEL <input checked="" type="checkbox"/> HIGH _____ LOW _____ ROLLING _____ STEEP _____			X												
			X												
			X												
			X												
			X												
			X												
			OTHER COMPUTATIONS												
BUILDING PERMIT RECORD			DATE		PERMIT NO.	COST	DESCRIPTION								
			8-19-81		64063	2000	Porch + utility Rm. 2/20/82								
			TOTAL LAND VALUE							2800					
			TOTAL IMPROVEMENTS VALUE							57600					
			TOTAL APPRAISED VALUE							60400					

606600

ASSESSMENT WORK SHEET

ACTION:

DISTRICT: 1-34 MAP: 15 PARCEL: 124 Trailer/Unit: _____

Owner & Address: _____

Description of Property Change: Revise size of Parcel 124
as per Deedbook 2744/51.
Size: 7.24 AC

Acreage: _____

Land Class: _____

Transfer: _____

Old Value: _____

Land Class: _____

Improvement Value: _____

Total Value: _____

Action Reason: _____

Billing: _____

Info Taken By: Joni

Date: 10/16/02

INSPECTIONS TEXT

Created from inspection 366407 on 07/06/2022 by alan.shields

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**10-30-20 I arrived on location to find that there is an illegal business being run on the property at this time. I met Joshua Mueller on site and I explained the violation. Joshua advised me that he has looked up our County Codes and did not see that he could not have this exotic animal preserve. I again explained that running a illegal business with employees and events here is no different then someone that is running a repair shop out of there garage and he will need to contact P&Z to find out if this would be permitted in some way via CU or Special Exemption. Joshua said he has been working on this for five years and he hopes that he is permitted to do this. I recommended that it would likely be best to arrange a meeting on site with P&Z and the Chief Constable to help guide Joshua on what is permitted for what he intends on doing here on the property. Joshua seemed very interested in handling this the right way and was fully cooperative. I asked if anyone from County Government has been on site before me and he said no. If this not permitted and needs to be shut down Joshua will need to be advised. I gave Joshua my contact information, our office , and P&Z's contact information and told him to ask for Jammie. Then I hand delivered the NOV for illegal business to Joshua Mueller. There is multiple vehicles in the drive way with Maryland, New Jersey, and Delaware tags along with employees working around the property. With me going on vacation and my lack of experience in something like this I will forward this case to the Chief for a more thorough review and possibly arrange meeting on site. Pictures taken.

Email on 10/30/20:

Alan,
Thank you for visiting the site. This business will most likely require a Conditional Use. A violation should prompt Mr. Mueller to get in contact with our department soon. If the Constables Office has anyone questions, anyone could reach out to either Jamie or myself. Thank you.

Chase Phillips
Planner I

**11-17-20 I contacted Chase Phillips in P&Z and he informed me that Mr. Mueller has sent in the SLER so I will follow up on the progress of the CU at the end of the month.

**12-02-20 I arrived on location to find that there still remains to be a illegal business violation on the property at this time. I met a female on site by the name of Sam who called the owner Josh Mueller and had him on speaker phone as he was out of town. I explained that I have not heard from him and that I was here to follow up on the illegal business violation. I told Josh that I have spoken to both Jamie and Chase from P&Z and all I can see is that there has been a variance applied for 100' set back. But that nothing has been done to date for reaching compliance. Josh said he would like to meet with Jamie and our office because he believes that this property falls under

"Agritourism" and should be exempt with it being more than five acres. I told Josh I would again speak with Chase and attempt to arrange a meeting. I then spoke to Chase who said Josh has not submitted the SLER form and he would email it directly to Josh. Chase also mentioned that he will ask Josh via email if he wants to meet with them they would be glad to. At this point the illegal business still exist with employees walking around the property and signs indicating "Christmas Trees and Kangaroos" on the property. Pictures taken.

[2020-12-08 09:01:43 lester.shaffer]: After conducting some research I believe Mr. Mueller must be required to obtain a CU for his business. He wants to claim "Agritourism" but this does not fit the description. This is what I found from an agriculture website: what is Agritourism? Have you ever heard of agritourism? what exactly does it mean? Agritourism is where agriculture and tourism meet to provide you with an amazing educational experience, whether it be a tour of a farm or ranch, a festival or cheese-making class. Farmers, ranchers and wineries turn their land into a destination and open their doors to the public in order to teach more about what they do.

I then researched Delaware Department of Agriculture webpage and found the animals Mr. Mueller has require a special permit: Any Delaware resident wishing to own an exotic animal must apply to the Delaware Department of Agriculture's Poultry and Animal Health Section for an exotic animal permit. I further found on the webpage that the state allows each county to have their own requirements for exotic animals and clearly states to contact Sussex County Planning & Zoning.

Myself and Jamie then met with Mr. Mueller about his property and asked him why he thought it should be agritourism. He thought because it fit the description of a petting zoo because his animals are tame enough for people to interact with. I then explained that I researched agritourism and agribusiness and he does not fit either because of the exotic animals. I further explained that Delaware Department of Agriculture clearly states that possessing exotic animals may have other restrictions according to their code and should be contacted. Jamie then explained the research he conducted and advised a CU is required. Mr. Muller understood and advised he would start the CU process. The Del Dot Service Level was already submitted for another issue so the application is all that he needed.

**12-30-20 After checking with P&Z on the SLER there has been no change at this time.

**01-27-21 After checking with P&Z on the SLER there has been no change at this time.

**03-25-21 After checking with P&Z on the SLER there has been no change at this time. P&Z has no information back yet from the SLER. I then called and spoke to the owner Mr. Mueller who said he hasn't heard from the SLER and he keeps asking the County about it. I explained that this is through Del Dot and that's who he should be asking then once approved he then has to apply and pay for the CU with P&Z and a hearing date will follow all of which has been explained before. Mr. Mueller also mentioned that he still thinks this would be "Agrotourism" and that he has talked to Jamie from P&Z about it and thinks they should meet once again. I advised Mr. Mueller that this has gone on since September and he has had more than enough time to figure this all out. I mentioned that the only time he seems to want to do something is after I have called him. I advised Mr. Mueller that I could have submitted this case for court a long time ago based on the lack of cooperation to reach compliance with the County Government but have not as of yet and that it is important that he continue trying to reach compliance and keep our office informed as he is the one in violation. I will forward this information on to the Chief Constable and Jamie. I will follow up in a month.

[2021-03-26 12:45:26 lester.shaffer]: P&Z advised they contacted Del Dot about the SLER and advised they never received one from Mr. Mueller. I called Mueller and asked why he never submitted his SLER and he said he thought he did.

I advised him Del Dot has not received anything from him and he needs to submit it asap.

[2021-04-13 07:19:39 lester.shaffer]: SLER received from P&Z and attached to the complaint.

**04-28-21 I confirmed with P&Z that the owner has not yet applied for the CU.

**06-03-21 I contacted P&Z and spoke to Chase who then spoke to Jamie Whitehouse about this complaint. Chase said that Jamie informed him that we the County are now consulting with our Lawyers because the owner still feels that he does not need a CU for exotic animals and that it should be considered "Agritourism" I have not heard from the at all except when I called in the past to be sure he was applying for the CU which he still has not to date. I then spoke to the Chief Constable about this case and he said that if we take court action after P&Z consults with our Lawyers then we will pursue the illegal business that was issued. I will follow up in a month. I also put the hold back on for permits that was removed on 02-11-21 for some reason. No pictures.

**07-08-21 I called P&Z to check on the status if the owner has applied for the CU yet and spoke to Chase who said Mr. Muller has not applied and that Jamie Whitehouse the Director of P&Z and Lester Shaffer the Chief Constable will need to discuss and go forward with court action. Chase said he is no longer involved with this case. I then called the Chief Constable Shaffer and I explained that it has been another month and Chase said that Jamie and himself will need to discuss and seek court action. Les said it is on Jamie not him and for me to just push the case out until Jamie contacts him about this case. I have gone back and fourth arranged a meeting with them both along with the owner at the beginning of the case on 12-08-20 I have been told the owner is going through the CU process only to find he hasn't even started the SLER but eventually did then three months ago the owner was going to apply and pay for the CU only to find that hasn't happened and the case continues to sit idle. This case started with it in violation for an illegal business which was hand delivered to Mr. Muller on 10-30-20 and this case is nearly a year at this time.
**08-05-21 The owner has applied and paid for the CU to be started. Now I will wait until a hearing date has been set.

[2021-10-29 12:51:38 eric.jenkins]: I received a message from Alberta at the permit counter to remove a hold on this property. I removed the hold since the C/U has been submitted.

**11-18-21 I called P&Z and spoke to Christin and she informed me that Jamie has said they have reviewed this CU to make sure of what to advertise but will be getting it out for posting likely by the first of the year. I have noticed during this process that the hold has been lifted multiple time to allow the owner to obtain permits for new construction to take place on the property and the hold was off when I entered my narrative so I put the hold back on. I will push this out once again till the first of the year.

**01-13-22 I arrived on location to post the hearing sign as the hearing date has been set to 03-22-22. I will follow up after the hearing.

**03-23-22 I listened to hearing and found that the CU 2305 was approved and the next step for Mr. Mueller is to apply with the BOA for the fence. I spoke to Mr. Mueller advised that he is working on that at this time and will contact our office once applied for. I will follow up in a month with P&Z.

**04-25-22 I contacted P&Z and spoke to Ashely who said they have not yet received a variance application from Mr. Muller for the fence height on the property. I then reached out to Mr. Muller who said he has "Tom" working on this and he should have already applied and will contact him now. Tom is the land preparer and helped represent Mr. Muller during the CU hearing. I asked that they contact P&Z asap as they have just lost a month and have not applied yet. I advised Mr. Muller to call P&Z. No pictures.

**05-25-22 I checked with P&Z on the variance and they have had no correspondence with the owner and no application has been filed to date. I also called the owner Joshua Muller and got no answer and his voice mail was full. I will attempt a site visit.

**05-27-22 I called the owner Joshua Muller who said he is out of the country but assumed the company working on this has done it. I told him that no one has contacted P&Z since his hearing and this is something that needs to be taken care ASAP as it has now been a few months. Joshua said he will email the company right now and visit them on Tuesday. I told him to get into contact with P&Z soon or we will be forced to seek court action.

**06-30-22 I called P&Z and spoke to Ashely who said they have not yet received anything from Mr. Muller for the fence variance. The BOA approval for the exotic animals was back in March and we are now in July and still no variance for the fence. I will forward this information on the the Chief Constable to determine the path forward.

**07-06-22 I arrived on location to meet with the owner Joshua Mueller and hand delivered the two letters prepared by P&Z for the owner to either be compliant or court action. One letter was for the owner to comply by the stipulations approved within 30 days of this hand delivered letter and the other is to apply and pay for the variance for the 8' fence on the property within 60 days of receiving this letter. Mr. Mueller took both letters and said he thought it has been applied for and I told him that's why I am handing him these letters. I will follow up after the 60 days.

ORDINANCE NO. 2843

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A ZOOLOGICAL PARK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.24 ACRES, MORE OR LESS

WHEREAS, on the 5th day of August 2021, a conditional use application, denominated Conditional Use No. 2305 was filed on behalf of Barnhill Preserve of Delaware, LLC and

WHEREAS, on the 10th day of March 2022, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2305 be approved; and

WHEREAS, on the 22nd day of March 2022, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2305 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:


ALL that certain tract, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the northeast side of Peppers Corner Road (S.C.R. 365) approximately 0.61 mile southeast of Roxana Road (Route 17) and being more particularly described in the attached legal description prepared by Scott and Shuman, P.A., said parcel containing 7.24 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

This Ordinance was adopted subject to the following conditions:

- A. The use shall be limited to a Zoological Park.
- B. There shall not be any parking located within the setbacks. All parking spaces shall be shown on the Final Site Plan and clearly marked on the site itself.
- C. One lighted sign shall be permitted. It shall not exceed 32 square feet per side.
- D. The Zoological Park shall only be open to the public between the hours of 6:30 a.m. until 9:00 p.m.
- E. The Applicant has stated that the Zoological Park must have 8-foot-tall fencing. This will require a variance from the Sussex County Board of Adjustment.
- F. All lighting shall be shielded and downward screened so that it does not shine on neighboring properties or roadways.
- G. The location of the Tax Ditch and Tax Ditch Right of Way shall be shown on the Final Site Plan. No fencing or structures shall be located within the Tax Ditch Right of Way.
- H. The stormwater management system shall meet or exceed the requirements of the State and County. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- I. The use shall comply with all DelDOT entrance and roadway improvement requirements.
- J. Any expansion of the Zoological Park into the area designated on the Preliminary Site Plan as "Area Reserved for Future Expansion" north of the Beaver Dam Canal Tax Ditch require another public hearing.
- K. All locations for the temporary storage of animal waste shall be fully enclosed and centrally located on the site. These locations and the method of enclosure shall be clearly shown on the Final Site Plan.
- L. Any outdoor entertainment and music or the use of outdoor speakers shall end at 9:00 p.m. each night. All outdoor entertainment and music or outdoor speakers shall be oriented away from the residential properties adjacent to the site.
- M. The failure to abide by any of these conditions of approval may result in the revocation of this Conditional Use.
- N. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2843 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 22ND DAY OF 2022.


TRACY N. TORBERT
CLERK OF THE COUNCIL

The Council found that the Conditional Use was appropriate legislative action based on the following Findings of Fact:

- A. This is the application of Barnhill Preserve of Delaware, LLC for a Conditional Use in an AR-1 Agricultural Residential District for a zoological park to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 7.24 acres, more or less (property lying on the northeast side of Peppers Corner Road [S.C.R. 365], approximately 0.61 mile southeast of Roxana Road [Route 17]). (911 Address: 34215 Peppers Corner Road, Frankford) (Tax Parcel: 134-15.00-124.00).
- B. Based on testimony before the Sussex County Planning & Zoning Commission and the public hearing before the Sussex County Council, Council found that Mr. Tom Ford with Land Design, Inc, was present on behalf of the Application, together with Mr. Joshua Mueller; that the Application is a wildlife education center; that the owner, Mr. Mueller, grew up and currently resides on the property; that the land was

originally owned by his parents; that he is seeking a Conditional Use across the entire site; that the site plan shows a two phase development; that Phase 1 is straight forward on the site plan; that the Applicant is aware a site plan review will be necessary for Phase 2 prior to proceeding into development; that the property is 7.25-acres; that the property has setbacks of 40 feet from the front, 15 feet from the side and 20 feet from the rear; that the property is also encumbered with tax ditch ROW buffer of 50 feet; that guest attendance is by reservation only; that the maximum number of guests is 25 people at one time; that in Phase 1 they have proposed 20 parking spaces; that it is rare that each guest attends individually; that typically guest arrive as two to three people per vehicle; that there are an additional six spaces for employee parking; that the 20 parking spaces allow for transition of one group not quite leaving and another group arriving; and that they feel they have proposed adequate parking for facility.

- C. Council also found that the site has existing features, including the owner's residence, a garage, and multiple accessory structures which act as the wildlife habitats, appropriately sized paddocks for adequate movement, exercise and recreation of the wildlife; that stormwater, which is not presently engineered, will be required; that they have an outfall readily available in the tax ditch running through the property; that the Applicant will seek DelDOT entry approvals; that no TIS was required for the Application; that State regulations require an 8-foot perimeter fence for this type of operation; that in addition to the paddocks for individual animals, which have different height criteria and openings, an 8-foot perimeter fence is required to be placed around the access points for the wildlife; that a section of the front yard has been proposed as an area fenced off for the operation; and that the 8-foot fence is see-through.
- D. Council also found that Mr. Joshua Mueller is the owner of Barnhill Preserve of Delaware, LLC; that he has always had a strong passion to work with animals; that this drove him to get his degree in wildlife ecology at LSU; that while attending college he had the opportunity to work at Barn Hill Preserve, at its original location in Ethel, Louisiana, with Mr. John Ligon; that Mr. Ligon is his business partner for the Delaware location; that he felt the preserve would be a great addition to Sussex County; that growing up in the area, there were no options to attend zoos, other than the Salisbury Zoo and Brandywine Zoo, which are a far distance to travel; that there was little opportunity to learn about the wildlife around the world; that the main mission at Barn Hill Preserve is to educate youth and adults about the conservation and multiple animals on the planet; that the Barn Hill Preserve mobile unit visits schools all over the Northeast; that they generally educate about 300,000 children every year; that they educate an average of 8,000 children per week; that they have three crews; that each crew goes to a different state; that he currently has employee crews in Ohio and Pennsylvania; that these education programs are free for the schools; that they strive to provide everyone access to learning about the animals; that the current facility has provided the chance to educate the local community, as well as inspire people to take action in helping the animals; that some of the animals he cares for are listed as threatened or endangered in the wild; and that they can offer breeding programs to help increase the population, which help prolong the species.
- E. Council further found that they worked hard to receive the highest level of licensing provided by the United States Department of Agriculture; that Barn Hill Preserve is considered a Class C Exhibitor; that this license allows them to be at the same level as every zoo in the nation; that they are randomly inspected annually; that the past year they were awarded a three year inspection; that this reflects the trust they have in Barn Hill to not require an inspection for three years from their last inspection in October 2021; that he worked with the State of Delaware to receive an exhibitor license; that this permits him to be able to exhibit in the State of Delaware; that he also has exhibitor licenses in Florida, Kentucky, New Jersey, Maryland and Georgia; and that they do exhibit in other states, which do not require a license.
- F. Council found that all of his animals are registered; that they started the zoological process for accreditation with the Zoological Association of America (ZAA); that within the Code for Delaware, Association of Zoos and Aquariums (AZA) is the requirement; that they have worked with the State of Delaware and the Department of Agriculture to include ZAA as an exception, as it meets more of their specific needs and beliefs with the animals; that the animals still have a very high level of care

required; that in this high level of care, they require the eight foot fence; that the United States Department of Agriculture (USDA) recommends it to ensure the safety of the community and animals; that animals of high risk, such as their Eurasian Lynx, are required to have roof enclosures to ensure the animal cannot escape; that their first priority is the well-being of the animals; that they do have a zoological vet who visits the site monthly; that the vet performs a full inspection of every animal to ensure every animal is healthy; that they also work very closely with Dr. Michael Metzler, who provides any treatments required when their zoological vet is out of the state; that their zoological vet is available by phone 24/7 to provide assistance or instruction to Dr. Metzler; and that Dr. Metzler does not have expertise in the zoological field, but does have the background and supplies to provide care to the animals.

- G. Council also found that they have a zoological nutritionist; that diets are tailored to the particular species, as well as, to the specific animal's weight, preferred foods and activity level; that they have continued to update and improve the animal enclosures to provide optimal chances of enrichment; that all of his staff have degrees in biology or have comparable experience; that 11 professionals on the team have received extensive training to ensure they are equipped to work with the animals at Barn Hill Preserve; that with a combined 16 years of experience, between Mr. John Ligon and himself, they have developed protocols to make it easier and safer to care for their animals; that he has worked with Delaware regarding the Nutrient Waste Management Plan; that due to not exceeding 8,000-lbs in animals, they are not required to have a plan in place; that they chose to match the Georgetown SPCA protocols; that they bag animals waste and dispose of the waste with a locally approved waste management service; that they have proposed a manure barn in the case they should exceed the 8,000-lb. requirement in the future; and that they desire to already have a plan in place.
- H. Council further found that, because Mr. Mueller lives on the property, he is available 24/7 for emergencies or should his staff need assistance; that visitors from the area, as well as visitors from out of state have benefitted from Barn Hill Preserve in the short amount of time it has been open to the public; that Barn Hill Preserve has received multiple positive reviews; that Mr. Bryan Jones is a neighbor located across the street from Barn Hill Preserve who wrote a letter in support of this application; that he has no intention to build a massive zoo; that they are developing a program to allow schools to visit the facility for field trips; that they are designing a Junior Keeper program, allowing kids to shadow the animal caretakers during the summer time; that the animals are no more vocal than any other traditional agricultural animal; that they are open from April until Christmas, with limited hours in the colder seasons; that the first Kangaroo yoga session begins at 7:00 a.m. and is a very quiet and peaceful event; that tours of the facility begin at 10:00 a.m. and the last tour ending at 7:00 p.m.; and that they have hosted later events in the summer, but never exceeded 9:00 p.m. to avoid any light pollution or creating a nuisance to the neighbors.
- I. Based on the record and recommendation of the Planning and Zoning Commission and the Planning and Zoning Commission's Findings (1 through 7) and Conditions (8a. - n.), Council found that:
1. The property is zoned AR-1 Agricultural Residential, which anticipates the keeping of live animals in certain situations. This use is similar to the types of uses that are expected within the AR-1 Zoning District. The Sussex County Zoning Code allows the keeping of various types of animals for personal use and larger farming operations on properties greater than five acres.
 2. The property is in the Coastal Area according to the Sussex County Comprehensive Plan. The Plan does not prohibit this type of small business use in this Area.
 3. The Applicant has stated that the use as a Zoological Park is intended to be educational and it will be visited by school-aged children from all over Sussex County.
 4. The use, with the conditions and limitations placed upon it, will not have an adverse impact upon neighboring properties, roadways, or the community in general.

5. The use is regulated by the United States Department of Agriculture with regular inspections, and it is licensed by the State of Delaware.
6. The use will be connected to Sussex County sewer when available.
7. The use, as a small Zoological Park, will be a benefit to residents and visitors of Sussex County by providing a nearby location for residents, visitors, and schoolchildren to learn about the animals kept in the park without having to otherwise travel to Wilmington, Salisbury, or other out-of-state locations for such an educational experience.
8. Based on the record and recommendation of the Planning and Zoning Commission and the record created before the Sussex County Council, the Conditional Use is approved subject to the following fourteen (14) conditions (a. – n.), which will serve to minimize any potential impacts on the surrounding area and adjoining properties.

Barnhill Preserve

Variance Request for Existing 8' Wire Fence, Existing Residence (house corner and porch/ steps), Existing Small Animal Pen (portion), and Existing Owl Pen (portion) in Front Setback

July 5, 2022; Revised September 2, 2022

Criteria For Variance

1. Uniqueness of Property

The site of the Barnhill Preserve has an existing tax ditch bisecting the property and makes it difficult to access a large portion of the property north of the ditch. Given this, the owner has planned the preserve to be as efficient as possible on the south side of the ditch while still providing the space that each of the animals require.

2. Cannot Otherwise Be Developed

The property is being used as an educational animal sanctuary and requires the largest area possible for the animals on site. The existing fence helps to prevent the animals from leaving the site and define areas of pedestrian and vehicular circulation. Reducing the fence area would compress the elements of the preserve closer together or force the owner to remove some of the wildlife attractions. Either would negatively impact the operations of the preserve.

3. Not Created by The Applicant

Given the restriction of usable area due to the existing tax ditch, the owner as a result has developed the preserve as efficiently as possible while still providing the maximum area for each of the animals in the preserve. The existing residence has been there for many years.

4. Will Not Alter The Essential Character Of the Neighborhood

The existing wire fence is open and in keeping with the agricultural character of the surrounding area. As stated, the fence helps provide security for the animals on site without being a visual nuisance to the neighbors. Likewise, the existing house conforms to the character of the neighborhood as does the existing small animal pen along the Beaver Dam Road frontage.

5. Minimum Variance

The existing fence encroaches approximately 20' into a portion of the 40' front setback along Peppers Corner and Beaver Dam Roads. The variance for the existing fence will allow the business to maintain its existing vehicular circulation and maximize the areas dedicated to the animals. The variance will help the business continue to grow and provide a unique educational attraction for southern Sussex County without negatively impacting the surrounding neighborhood.