

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



Sussex County

DELAWARE
sussexcountyde.gov

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

Morris James LLP

David C. Hutt
302.856.0018
dhutt@morrisjames.com

January 10, 2022

FILE COPY
Applicant
Exhibit

VIA: Hand Delivery

The Honorable Michael H. Vincent
The Honorable Cynthia Green
The Honorable Mark Schaeffer
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
c/o Todd F. Lawson, Sussex County Administrator
Sussex County Building
2 The Circle
Georgetown, DE 19947

RECEIVED
JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Re: ORDINANCE NO. 21-09. ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF), 235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00 AND 235-23.00-2.01

Dear Council Members:

I represent the owners of the above-referenced tax parcels (the "Properties"). My clients appreciate the amount of time this Council spent considering this matter at the public hearing on December 14th where they were afforded the opportunity to present their position to this Council for the first time since the Council changed the designation of the Properties after the public process was concluded. My clients request is that Council adopt Ordinance No. 21-09 which restores the designation of these Properties to Coastal Area on the Future Land Use Map ("FLUM").

The purpose of this letter is two-fold. First, it addresses the argument raised by the Office of State Planning Coordination ("OSPC") that Council should defer on deciding this Ordinance; and second, to summarize a response to arguments raised in opposition and include copies of additional documents for your consideration. Enclosed with this letter are a series of Bates Stamped documents. The first seventeen (17) pages of the attached exhibits are a copy of the exhibits shown during the presentation at the public hearing as these pictures are helpful pictorial demonstrations of the basis for this request.¹

¹ December 14th Presentation Exhibits (Letter Exhibits: Landowners 1-17).

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I. Council should act on Ordinance No. 21-09.

In a surprising turn during the December 14th public hearing, the OSPC encouraged this Council to stay the adoption of Ordinance No. 21-09 and even threatened Council that adoption of the Ordinance could jeopardize the flow of monies from the State to Sussex County. On behalf of my clients, I objected to that position during the public hearing and now, reiterate that objection.

Initially, the express language of Ordinance No. 21-09 contradicts the OSPC's position that the adoption of the Ordinance is the end of the process. Section 2 of the Ordinance states,

Section 2. This Ordinance shall also take effect following its adoption by majority vote of all members of the County Council of Sussex County, Delaware, and upon certification by the State of Delaware. [emphasis added]

This language clearly indicates when the Ordinance takes effect—upon certification by the State of Delaware.

Next, it cannot be stressed enough that the Comprehensive Plan being discussed is Sussex County's Comprehensive Plan adopted by County Council on December 4, 2018 and certified by Governor Carney on March 19, 2019 ("Comprehensive Plan"). This is likely why the Planning Commission's recommendation expressly included the following basis as part of its recommendation that the Ordinance be adopted:

10. By the terms of the Delaware Strategies for State Policies and Spending document, all land use authority remains vested with Sussex County. This is reiterated within the current Sussex County Comprehensive Plan. While the County certainly takes into account the State's recommendations with regard to a Map amendment, the circumstances that have been presented with this application justify a revision to the Map.

This provision is what is often referred to as "home rule." The concept of "home rule" does not only manifest itself in the Delaware Strategies for State Policies and Spending and the Comprehensive Plan but, most importantly, is codified in the Delaware Code, which confirms "home rule" stating,

(f) Within 20 days of receipt of the findings and recommendations from the Cabinet Committee, the Governor shall certify the comprehensive plan or return the comprehensive plan to the municipality or county for revision. The municipality or county shall have the right to accept or reject any or all of the recommendations.

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The final decision on the adoption of the comprehensive plan is that of the municipality or county.²

Finally, the OSPC's position described at the December 14th public hearing is not the process set forth in the correspondence between the County and the OSPC. The correspondence began with the PLUS review of the County's request to consider the amendment of the FLUM in its Comprehensive Plan at its meeting on June 23, 2021. As part of its objection to the proposed amendment set forth in its July 22, 2021 written response to Mr. Whitehouse, the OSPC said that it was invoking the 45-day negotiation period set forth in the following provision of the Delaware Code:

(d) Should the Office of State Planning Coordination make objection to any proposed comprehensive plan or amendments or revisions thereto, then the Office of State Planning Coordination shall immediately enter into negotiation with the county or municipality in an attempt to solicit agreement and resolution. Any agreements reached during these negotiations shall be incorporated into the public record and considered by the governing body prior to final action on the comprehensive plan. If the Office of State Planning Coordination and the county or municipality fail to reach agreement after a period of 45 days, the Office of State Planning Coordination shall report the extent of agreement and areas of continued disagreement to the Cabinet Committee on State Planning Issues for dispute resolution.³

In response, the County asked the OSPC to allow it to conduct public hearings on the proposed amendment in order to be able to then negotiate with the OSPC.⁴ This reflected the oddity created by a process where the County is merely a conduit for the requested amendment and the lack of information available to the OSPC from the property owner—the party in interest. The OSPC confirmed its agreement to this plan and then confirmed that process with the Cabinet Committee at its meeting on September 30, 2021.⁵ On October 19, 2021, after the process was confirmed by the Cabinet Committee,⁶ the County introduced Ordinance No. 21-09. Unfortunately, at the public hearing on December 14th, the OSPC then argued that the process be paused by having the County not act upon the Ordinance.

² 29 Del. C. §9103(f).

³ 29 Del. C. §9103(d).

⁴ August 18, 2021 letter from Planning and Zoning Director Jamie Whitehouse to OSPC (Landowners 18).

⁵ August 31, 2021 letter from Director David L. Edgell to Director Whitehouse (Landowners 19).

⁶ Rather than just confirming the process, the Cabinet Committee also indicated that it had considered the matter on its merits by clearly stating that it agreed with the letter from the OSPC (now known to be flawed in many respects) and hoped it did not have to consider this matter again after the County's process. It is unfortunate that the Cabinet Committee is the dispute resolution body identified in the Delaware Code and has already indicated its view of this matter despite no one having heard from the property owners themselves.

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All parties can agree that the process is curious, with the applicant not being allowed to speak during the PLUS review process until the public hearings before the Planning Commission and County Council. Regardless, the agreed upon process between the County and the OSPC was that the County was going to conduct public hearings (a process that occurs through the introduction of an ordinance, public hearings regarding that ordinance and then action taken on the proposed ordinance). The adoption of an ordinance is the logical, orderly and legal conclusion of that process. In fact, it is what is anticipated in the agreed-upon process. If the County adopts the Ordinance, then there is a dispute and the process moves to a dispute resolution process conducted by the Cabinet Committee.⁷ If the County does not adopt the Ordinance, then there is not a dispute for resolution by the Cabinet Committee.

In short, Council needs to act on the Ordinance in order for the process to continue. The OSPC's differing position is contrary to the law. There is no support for the OSPC's assertion that County Council is supposed to conduct public hearings and then, once the public hearings are concluded, conduct an additional negotiation to be undertaken with the OSPC or even the Cabinet Committee before making a final decision.

Even OSPC's own communications undercut its new position. The pre-hearing correspondence between the County and the OSPC indicates that the OSPC was going to use the County's public hearing process as the negotiation process. Yet the OSPC's position from the public hearings reveals is that this was not, in fact, a negotiation at all. The OSPC admittedly heard new information that previously the property owners had been prohibited from presenting to the OSPC. But, even after hearing that information takes the position that these properties still do not match the County's Comprehensive Plan and objects to the proposed FLUM amendment. The OSPC somehow took its sole purpose at the public hearings as being to contest and object to the proposed FLUM amendment.

The real mystery regarding the OSPC's position is not just to the procedure but its present objection to the proposed FLUM amendment. The OSPC is presently vehemently opposed to this FLUM amendment despite the fact that it did not object to even more of this area being included within the Coastal Area on the version of the FLUM reviewed at its meeting on August 22, 2018 and commented on to Sussex County by PLUS review letter dated September 20, 2018.⁸ In other words, in 2018 the OSPC had no objection to these Properties (actually, substantially more property than is presently proposed for inclusion in the Coastal Area) being included in the Coastal Area. Now, in 2021 when considering a request to restore the Properties to the same classification

⁷ In the event this occurs, my clients trust that they will not be prohibited from speaking as they were at both the PLUS review on June 23, 2021 and the Cabinet Committee meeting on September 30, 2021 (at the Cabinet Committee, after the topic had been discussed (Item V on the Agenda, Sussex County Comprehensive Plan Amendments discussion), undersigned counsel was allowed to speak during the "Public Comment" section of the Agenda (Items VI on the Agenda, Public Comment). Of course, the Cabinet Committee had already considered and acted upon Agenda Item V by the time counsel was allowed to speak.

⁸ PLUS September 20, 2018 Review Letter of Comprehensive Plan (Landowners 20-41).

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that the OSPC did not previously object to, the OSPC is vehemently opposed. At the public hearing, County Council did not hear one person or group state how the Properties became less suited to be included as a Coastal Area on the FLUM as those Properties have been designated on the Comprehensive Plan since the 2008 Comprehensive Plan.⁹

Thus, from a legal and procedural perspective, the OSPC's position is incorrect. More importantly, the OSPC's present position is also contrary to its prior position on these same Properties. My clients ask the Council to reject the OSPC's position, adopt Ordinance No. 21-09 and continue the process with the OSPC to complete the negotiation and dispute resolution process set forth in the Delaware Code.

II. History and Characteristics Supporting Inclusion as part of the Coastal Area.

During the public hearing, I reviewed some of the history of the Properties as well as the factors set forth in Chapter 4, Future Land Use of the Comprehensive Plan demonstrating that these Properties specifically match the characteristics of areas to be included in the Coastal Area.

A. The History of the Properties inclusion as a Growth Area on the Future Land Use Map.

During the public hearing, a series of future land use maps were displayed showing that the Properties have been in a Growth Area since the 2008 version of the County's Comprehensive Plan. At that time, information was presented about the property owners' efforts to follow the process of the adoption of the 2018 Comprehensive Plan Update, including their tracking the process and attending workshops and meetings. To complete that history, attached to this letter are copies of letters the Properties' owners submitted to the County in 2008 requesting the inclusion of their Properties in a Growth Area.¹⁰ This history of the Properties demonstrates how vigilant the property owners have been regarding the Properties since 2008 and why the Properties designation on the FLUM—a change that was never mentioned or discussed until after the public process was closed—came as such a surprise when it was discovered in 2020.

One of the attached 2008 letters is from Thomas P. Robinson, Jr., who spoke at the December 14th public hearing. His letter (like all of the letters) reviews reasons for inclusion of the Properties in a Growth Area—including the C-1 (General Commercial) zoning designation of adjacent properties, the availability of public sewer and the location of the Properties on a major

⁹ 2008 Sussex County Comprehensive Plan Update (adopted by Council on June 24, 2008, certified by Governor Minner on October 27, 2008).

¹⁰ January 31, 2008/June 26, 2007 letter from Robert H. Robinson for Parcel 235-23.00-2.01 (Landowners 42-45).

March 24, 2008 letter from Thomas P. Robinson, Jr. for Parcel 235-23.00-2.00 (Landowners 46).

April 21, 2008 letter from James A. Fuqua, Jr., Esquire on behalf of the owners of Parcel 235-23.00-1.00 (Landowners 47-51).

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highway. Of course, none of those items have changed other than the finalization of plans by DelDOT for a grade separated interchange and service road that will consume a substantial area of these Properties. In short, the basis for including the Properties in a Growth Area, has only strengthened since 2008.

As indicated when discussing the history of these Properties, it is alarming that the FLUM was unilaterally changed after Council

- submitted a draft FLUM (entitled “County Council’s Recommended Version”) to the OSPC showing an area greater than these Properties in the Coastal Area;
- concluded more than 18 months of public comment on the FLUM;
- conducted a final public hearing on the draft FLUM showing County Council’s Recommended Version on October 23, 2018; and
- received no objection to the inclusion of these Properties in the Coastal Area—no objections (not the property owners, not neighbors of the Properties, not the OSPC, not any special interest groups) raised any concerns about these Properties being shown in a Growth Area, including in the more than 300 letters and emails filed during the Comprehensive Plan review process.

As demonstrated in the record of the adoption of the 2018 Comprehensive Plan, on October 30, 2021 the designation of these Properties was unilaterally raised and changed by Council—after the conclusion of the process set forth herein, and the public was no longer able to be involved in the process.

This means two things: first, the owners of the Properties were not afforded due process in the designation of their Properties on the FLUM, and second, no one or group (including the OSPC) objected to the inclusion of these Properties in a Growth Area. Similar to the surprise at the OSPC’s new-found objections to the restoration of the Properties characterization on the FLUM, my clients are surprised at the individuals and groups who are presently opposed when they did not object to an area greater than what is presently proposed being included in the Coastal Area.

B. Response to the New-Found Arguments of the Opposition.

While not intended to be a point-by-point response to arguments presented by those in opposition, the following are three objections raised by the opposition which have no bearing in fact and would render a decision on those grounds arbitrary and capricious.

1. The PLUS Report from the OSPC dated July 22, 2021.

During the public hearing a chart was shown on the screens showing some of the inaccuracies of the OSPC's PLUS letter dated July 22, 2021.¹¹ The chart only included obvious errors and did not include all errors. The chart is also included here for Council's ready reference.

July 22, 2021 PLUS Review Letter Errors		
P.1	"This proposed amendment would amend the Future Land Use Map for 2 parcels..."	4 Tax Parcels and part of a 5 th
P.1	"Parcel 235-23.00-1.00...projects were active during the Sussex County Comprehensive Plan..."	During that entire process, Parcel 235-23.00-1.00 was in a Growth Area
P.1	"There are significant environmental features contiguous to this site plan including tidal wetlands"	Nearest tidal wetland is 675'; Most are more than ½ mile away
P.1	"These parcels are not close to public services such as water..."	CPCN with Tidewater exists for 3 of the 5 parcels; 12" watermain across the frontage
P.1	"These parcels are not close to public services such as...sewer"	Tier 2 Area of Sussex County; CPCNs with Artesian and Tidewater for 3 of the 5 Parcels; 8" force main directly across Route 1
P.1	"These parcels are not close to public services such as...fire"	Fire Station within 3 miles
P.2	"These parcels consist of approximately 415 acres..."	The area is approximately 247 acres
P.2	"These uses would be away from public utilities and services..."	Public utilities and services are all readily available
P.3	"...these parcels contain environmental features that are inconsistent with more intensive development."	Nearest tidal wetland is 675'; Most are more than ½ mile away

¹¹ Landowners 6.

The point of the chart is not to embarrass or disparage the OSPC. As noted previously, neither the landowners nor their representatives were permitted to participate in the process before the OSPC where many of these items likely could have been corrected. As Council is aware, many of the objections raised by individuals and special interest groups focused on the incorrect information set forth in the PLUS review letter. Just as the public should not have relied upon the flawed report, it would be inappropriate for the Council to rely upon such a fatally flawed report.

2. The purpose of and impact of the scheduled transportation improvements.

During the public hearing, statements were made that DelDOT's planned improvements to the intersection of Route 1 and Cave Neck Road (S.C.R. 88) did not anticipate the area east of Route 1 being developed except in a "Low Density" manner. That position is directly contradicted by the email received by a traffic engineer at Davis, Bowen & Friedel, Inc. who specifically asked DelDOT what traffic volume projections were assumed in its plans for the grade separated interchange. DelDOT forwarded this question to AECOM, the consultants used by DelDOT for this project, and were told that the assumptions on one of the parcels that is included as part of the Properties included 217 single family homes and 300,000 square feet of retail.¹² Thus, the oft-repeated concern that DelDOT only planned for the east side to be a "Low Density" area is simply another urban myth without any basis in fact.

3. The notion that "Growth Areas have to stop somewhere" and drawing a random beginning/end is supported by the Comprehensive Plan.

Another flawed position repeated numerous times during the public hearing, is the arbitrary statement that "Growth Areas have to stop somewhere." While everything has a beginning and end, the Comprehensive Plan provides a detailed list of factors to consider when determining whether or not properties are to be included within a Growth Area. The position advocated by the opposition that properties which otherwise meet the criteria to be include within a Growth Area, should not be in a Growth Area because such areas have to stop "somewhere" and Route 1 was randomly chosen as that starting/stopping point is the very definition of an arbitrary process.

The process set forth in the Comprehensive Plan is not arbitrary. Instead, Chapter 4, Future Land Use, provides several "basis" for future land use and also provides numerous "guidelines" for determining when properties should be included within a Growth Area. The very first basis for future land use consideration is stated as follows:

¹² Email from AECOM to DelDOT dated April 8, 2021 (Landowners 52-54). Note that after noting the assumption of 217 single family homes and 300,000 square feet of retail for one of the parcels, AECOM goes on to state that if similar design projections for the first parcel (Parcel 235-23.00-1.00) are applied to the two parcels to the south (Parcels 235-23.00-2.00 and 2.01), there would be another 151 single family homes and another 290,000 square feet of retail/commercial and that, if that occurred, then there would be capacity concerns on the proposed new roundabouts.

Direct development to areas that have existing infrastructure or where it can be secured cost-effectively.

This is first because it reflects the land use principle and common sense that development should be in areas that have infrastructure (including public utilities and access to major roadways). Of course, this application meets that criteria in every way.

The next step in the evaluation of properties is to look at the “guidelines” described in the Chapter 4 of the Comprehensive Plan to be used by the County when determining whether properties should be included in one of the County’s Growth Areas. These objective considerations plainly demonstrate the appropriateness of including the Properties in a Growth Area (the Coastal Area) on the FLUM:

- Presence of existing public sewer and public water service nearby.
Both public water and public sewer are nearby and CPCNs exist for the majority of the Properties. Specifically, there is a 12” water main existing along the frontage of the Properties and an 8” sewer force main directly across Route 1.
- Plans by the County to provide public sewage service within five years.
The frontage of the Properties are shown as being in a Tier 2 area of Sussex County (Tier 2 are areas where the properties are adjacent to existing sanitary sewer areas and are capable of annexation and also areas where the County has plans to install central sewer to serve existing and future development).
- Location on or near a major road or intersection.
DelDOT has plans to spend more than \$70 Million Dollars to make the intersection of Route 1 and Cave Neck Road a Grade Separated Interchange and the roundabouts and services roads extend deep into these Properties.¹³
- Character and intensity of surrounding development, including proposed development.
The area already reflects a Growth Area as there is adjacent C-1 (General Commercial) and directly across Route 1 there is more C-1 (General Commercial), C-3 (Heavy Commercial), B-2 (Neighborhood Business) and MR (Medium Density Residential).

¹³ Specifically, see the Presentation Slide showing that the DelDOT improvements extend more than 1/3 of the depth into these Properties (Landowners 14).

- The area's environmental character.

The proposed portions of the Properties to be included in a Growth Area do not include special environmental characteristics. Throughout the existing FLUM the Coastal Area includes and is adjacent to wetlands, inland bays and other special environmental characteristics. For the proposed amendment, at its closest point, the nearest tidal wetland is 625' away which vastly exceeds any buffer requirement (even the proposed new buffer requirements). Further, the majority of the proposed Coastal Area is more than half a mile away from any sensitive environmental characteristics.

One of the best summaries of the reasons for inclusion of these Properties in a Growth Area is the County's recent adoption of Ordinance Nos. 2783 and 2784, relating to the property at the northwest corner of this same intersection of Route 1 and Cave Neck Road.¹⁴ Numerous reasons were provided for the adoption of the requested changes of zone, including, but not limited to, frontage along Route 1, location next to existing C-1 property, location across the road from other commercially zoned properties, location at the site of a planned grade separated intersection, and service by public utilities.

The Comprehensive Plan contains defined characteristics for Growth Areas. Rather than an arbitrary process of randomly saying that property on one side of highway should be in a Growth Area and the other side should not be within that same Growth Area, the Comprehensive Plan provides objective guidelines for consideration. As described at the public hearing and herein, the Comprehensive Plan's guidelines plainly demonstrate that the Properties should be included in the Coastal Area.

¹⁴ Ordinance Nos. 2783 and 2784 (Landowners 55-60).

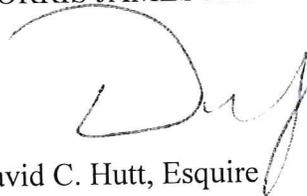
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Conclusion

In conclusion, my clients request that Council, as recommended by the Planning Commission, adopt Ordinance No. 21-09 allowing the County staff and its professionals to then participate in the negotiation with the OSPC and any further dispute resolution required by the Cabinet Committee.

Respectfully submitted,

MORRIS JAMES LLP

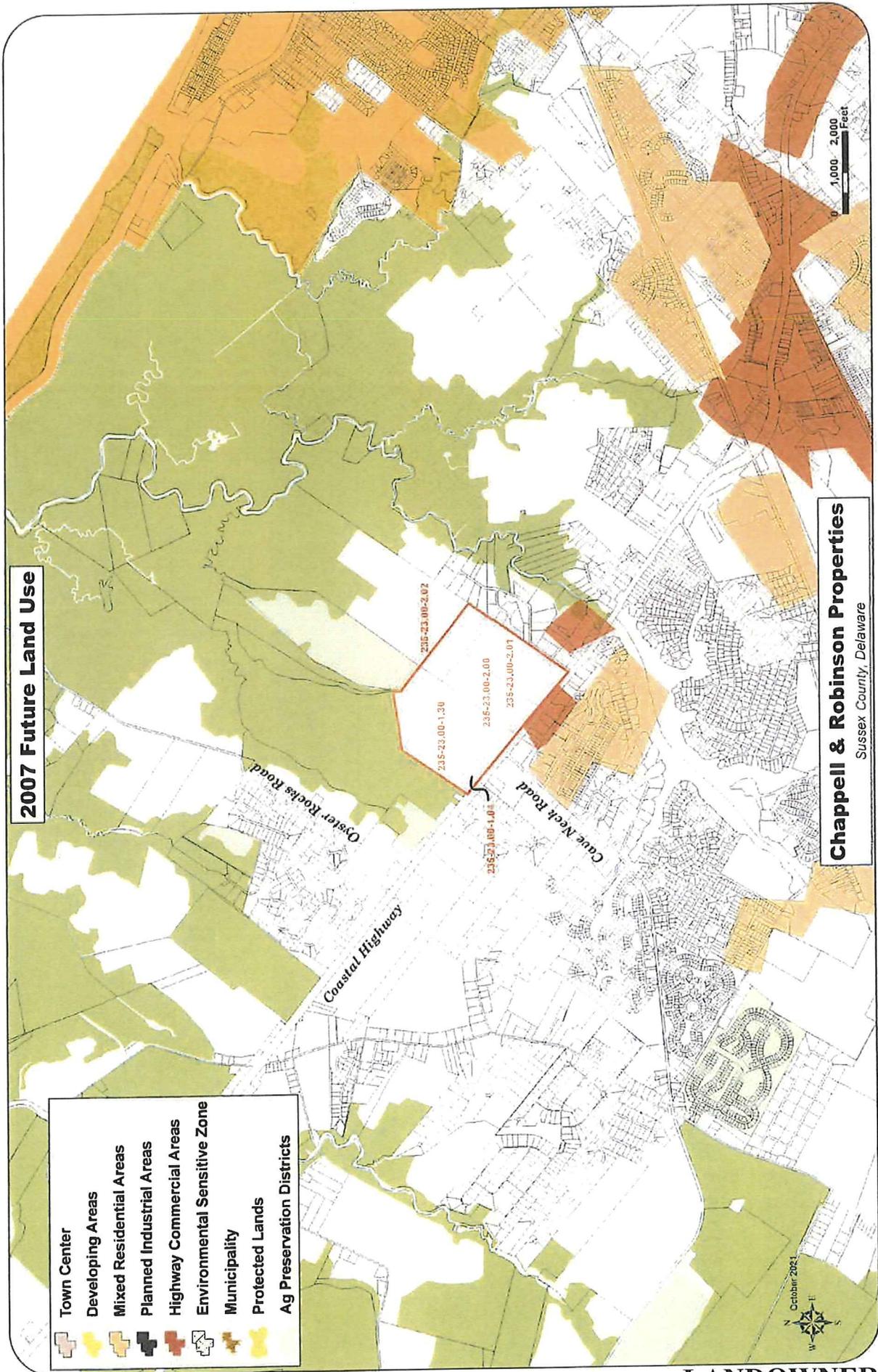


David C. Hutt, Esquire

Enclosures: Landowners 1-60

Cc: Jamie Whitehouse (Hand Delivery and email to jamie.whitehouse@sussexcountyde.gov)
J. Everett Moore, Jr., Esquire (via email to jemoore@mooreandrutt.com)
Vincent G. Robertson, Esquire (via email to vrobertson@pgslegal.com)





2007 Future Land Use

- Town Center
- Developing Areas
- Mixed Residential Areas
- Planned Industrial Areas
- Highway Commercial Areas
- Environmental Sensitive Zone
- Municipality
- Protected Lands
- Ag Preservation Districts

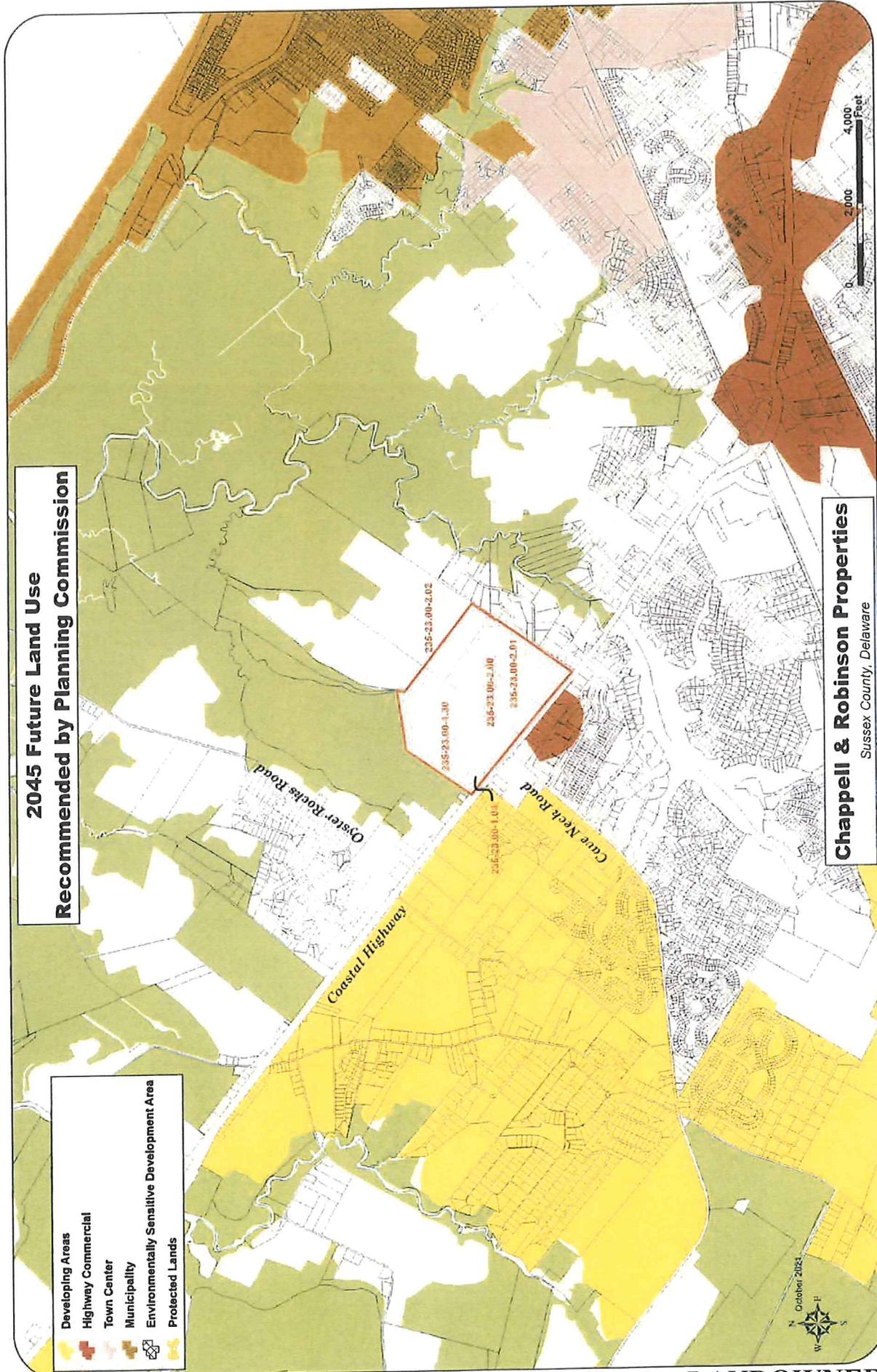
Chappell & Robinson Properties
Sussex County, Delaware

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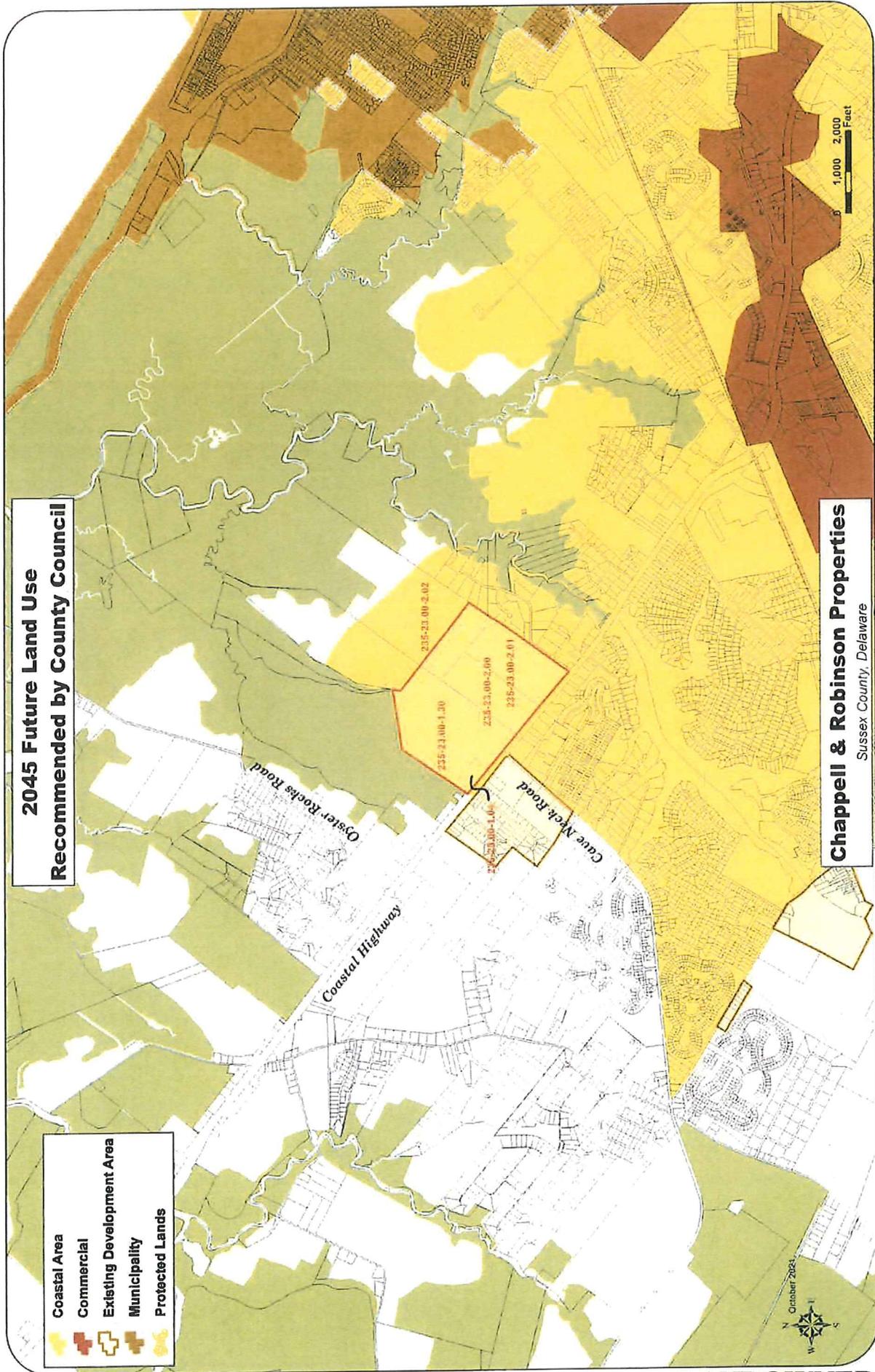


**2045 Future Land Use
Recommended by Planning Commission**

- Developing Areas
- Highway Commercial
- Town Center
- Municipality
- Environmentally Sensitive Development Area
- Protected Lands



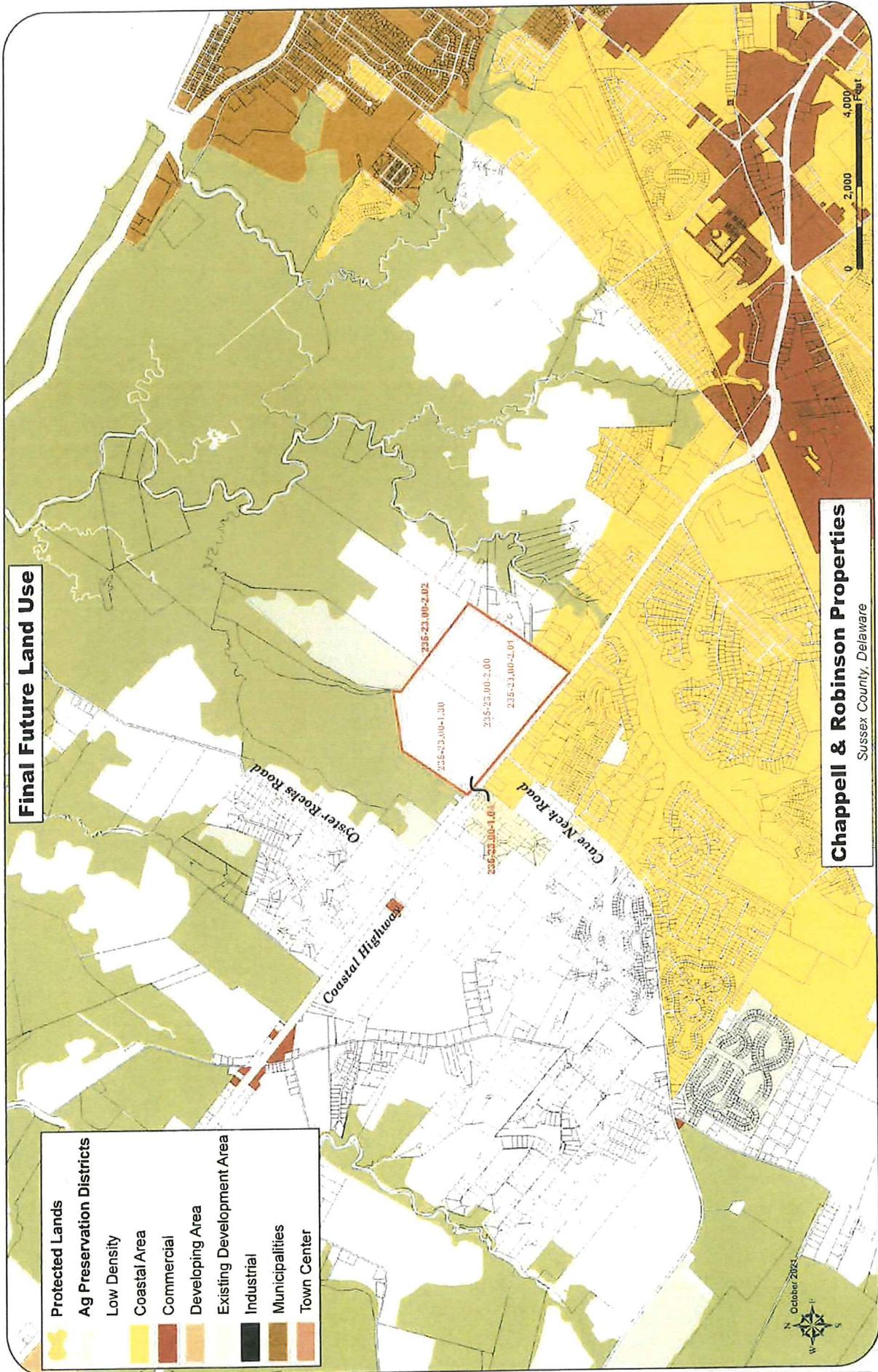
Chappell & Robinson Properties
Sussex County, Delaware

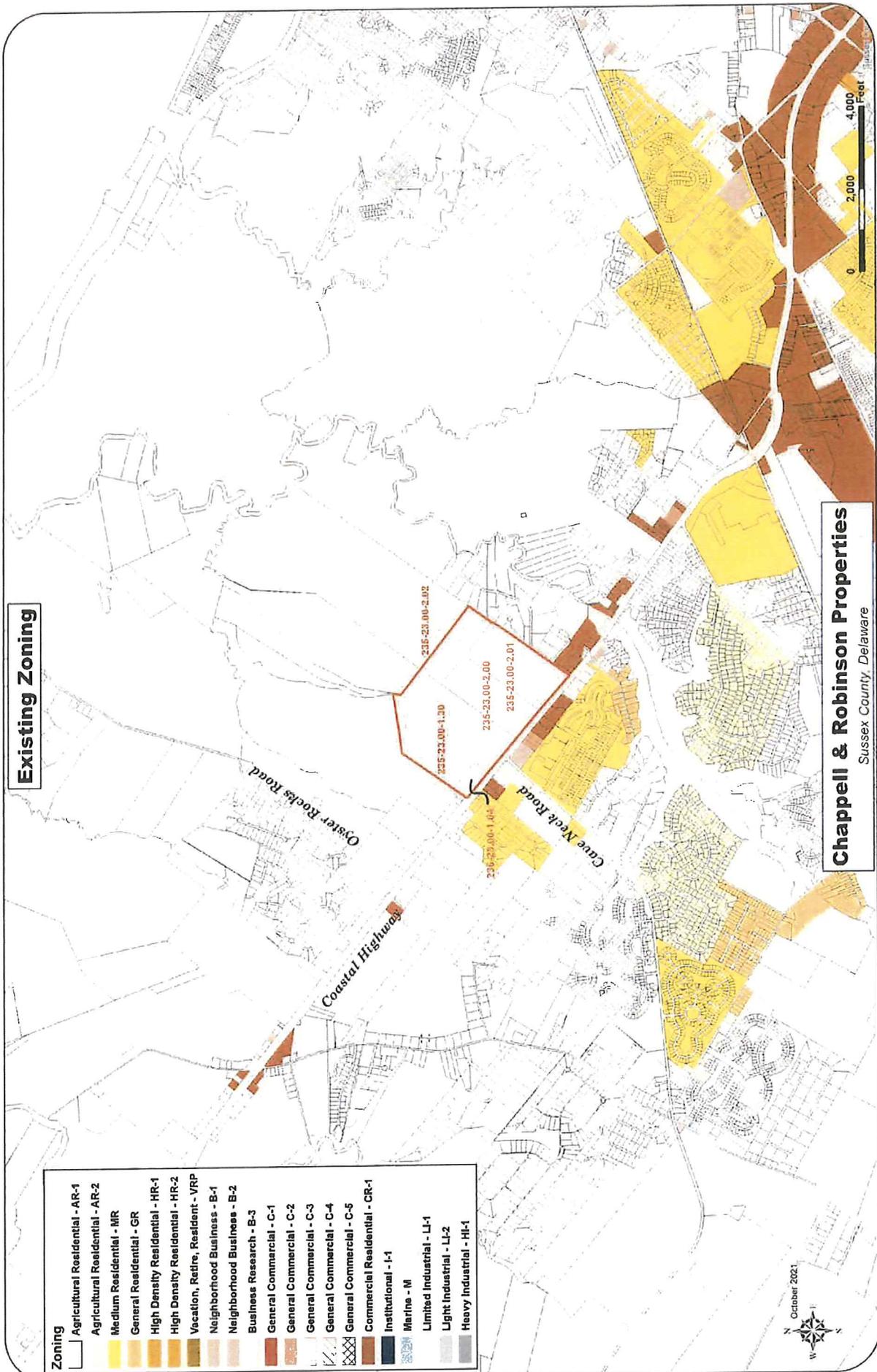


2045 Future Land Use Recommended by County Council

Chappell & Robinson Properties
Sussex County, Delaware

-  Coastal Area
-  Commercial
-  Existing Development Area
-  Municipality
-  Protected Lands





Existing Zoning

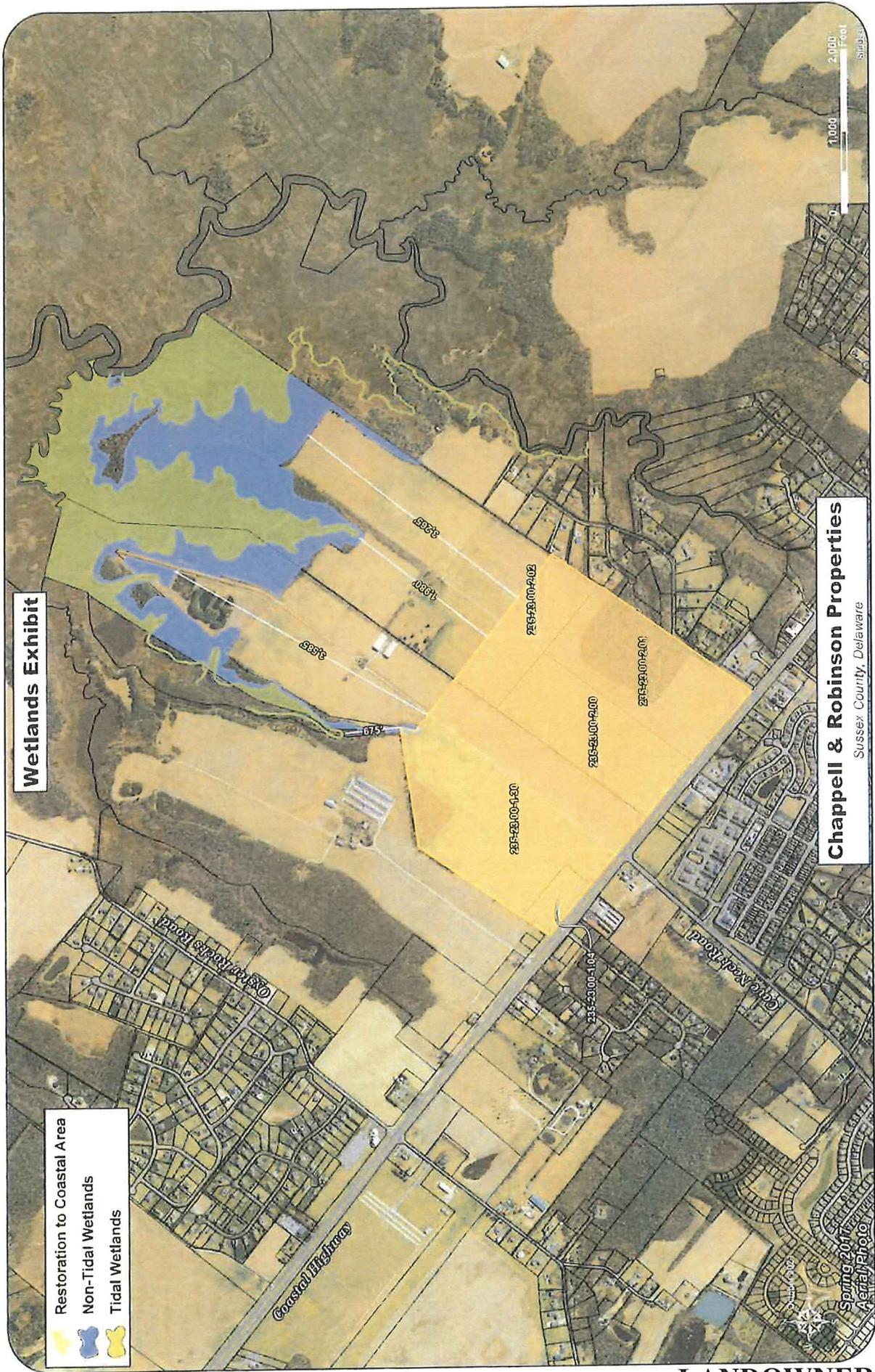
Chappell & Robinson Properties
Sussex County, Delaware

Zoning	Description
[White]	Agricultural Residential - AR-1
[White]	Agricultural Residential - AR-2
[Light Yellow]	Medium Residential - MR
[Yellow]	General Residential - GR
[Orange]	High Density Residential - HR-1
[Dark Orange]	High Density Residential - HR-2
[Light Brown]	Vacation, Retire, Resident - VRP
[Brown]	Neighborhood Business - B-1
[Dark Brown]	Neighborhood Business - B-2
[Light Tan]	Business Research - B-3
[Tan]	General Commercial - C-1
[Light Orange]	General Commercial - C-2
[Orange]	General Commercial - C-3
[Dark Orange]	General Commercial - C-4
[Brown]	General Commercial - C-5
[Dark Brown]	Commercial Residential - CR-1
[Dark Brown]	Institutional - I-1
[Dark Brown]	Marine - M
[Light Grey]	Limited Industrial - LI-1
[Light Grey]	Light Industrial - LI-2
[Dark Grey]	Heavy Industrial - HI-1



July 22, 2021 PLUS Review Letter Errors

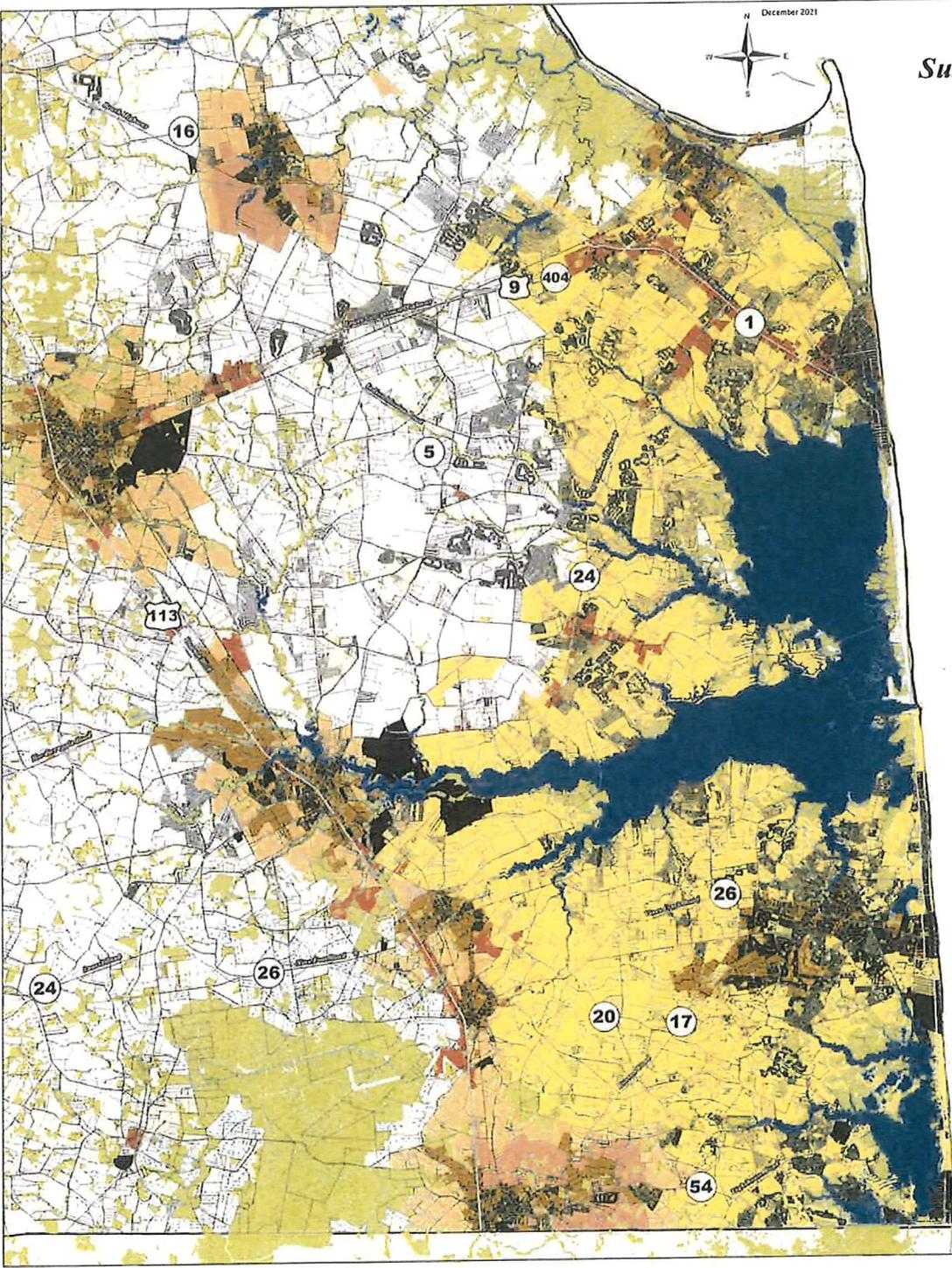
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P.1	“These parcels are not close to public services such as water...”	CPCN with Tidewater exists for 3 of the 5 parcels; 12” watermain across the frontage
P.1	“These parcels are not close to public services such as...sewer”	Tier 2 Area of Sussex County; CPCNs with Artesian and Tidewater for 3 of the 5 Parcels; 8” force main directly across Route 1
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P.3	“...these parcels contain environmental features that are inconsistent with more intensive development.”	Nearest tidal wetland is 675’; Most are more than ½ mile away



*Coastal Area
Sussex County, Delaware*

MAP KEY

- 2045 Future Land Use
A1
-  Coastal Community
 -  Commercial
 -  Developing Area
 -  Existing Developing Areas
 -  Industrial
 -  Municipality - Town Center
 -  Town Center
 -  National Wetlands Inventory
 -  Waterbodies



Coastal Area
Sussex County, Delaware

MAP KEY

- 2045 Future Land Use
- A1
 - Coastal Community
 - Commercial
 - Developing Area
 - Existing Developing Areas
 - Industrial
 - Municipality - Town Center
 - Town Center
 - National Wetlands Inventory
 - Water Bodies



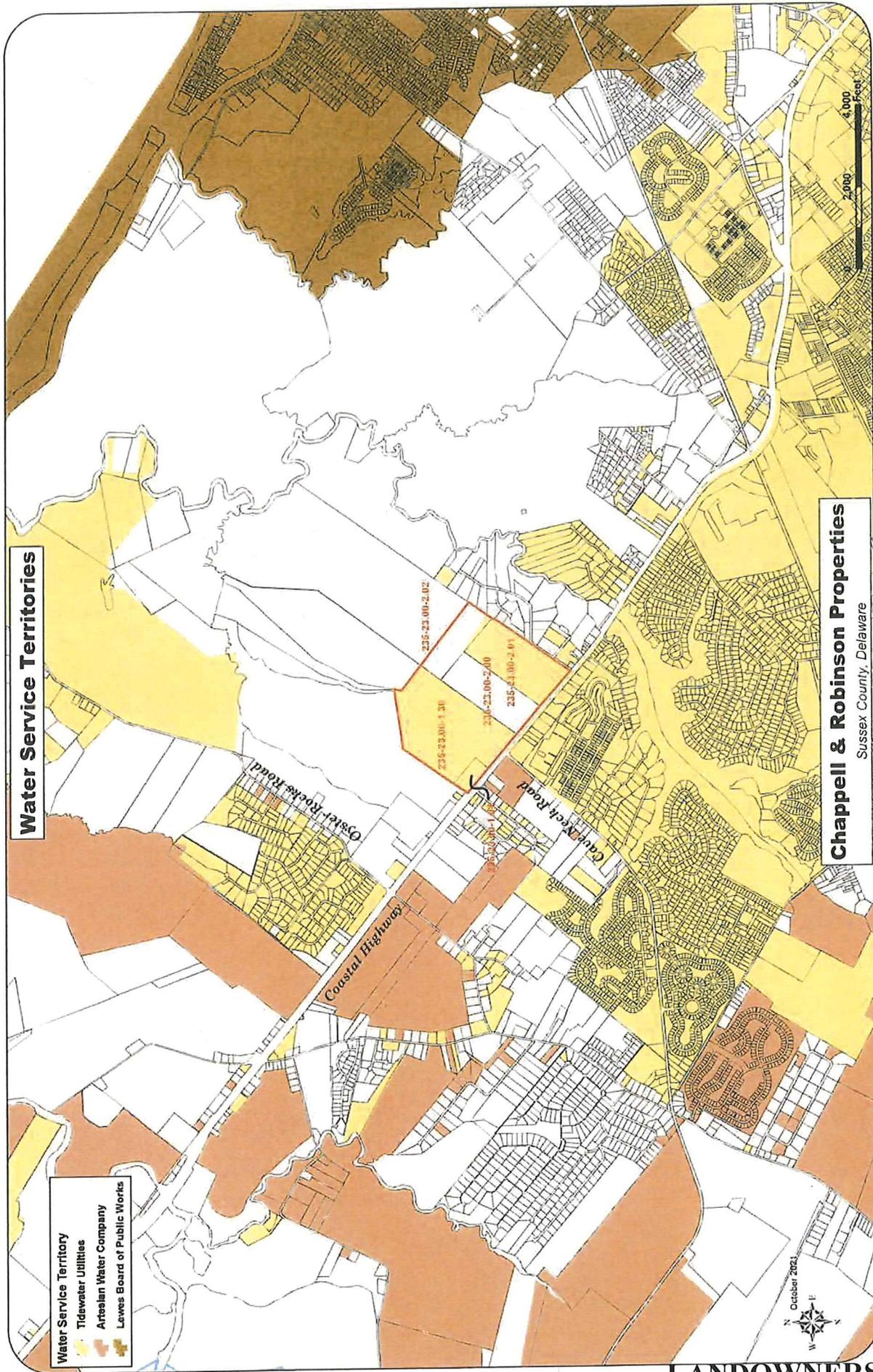
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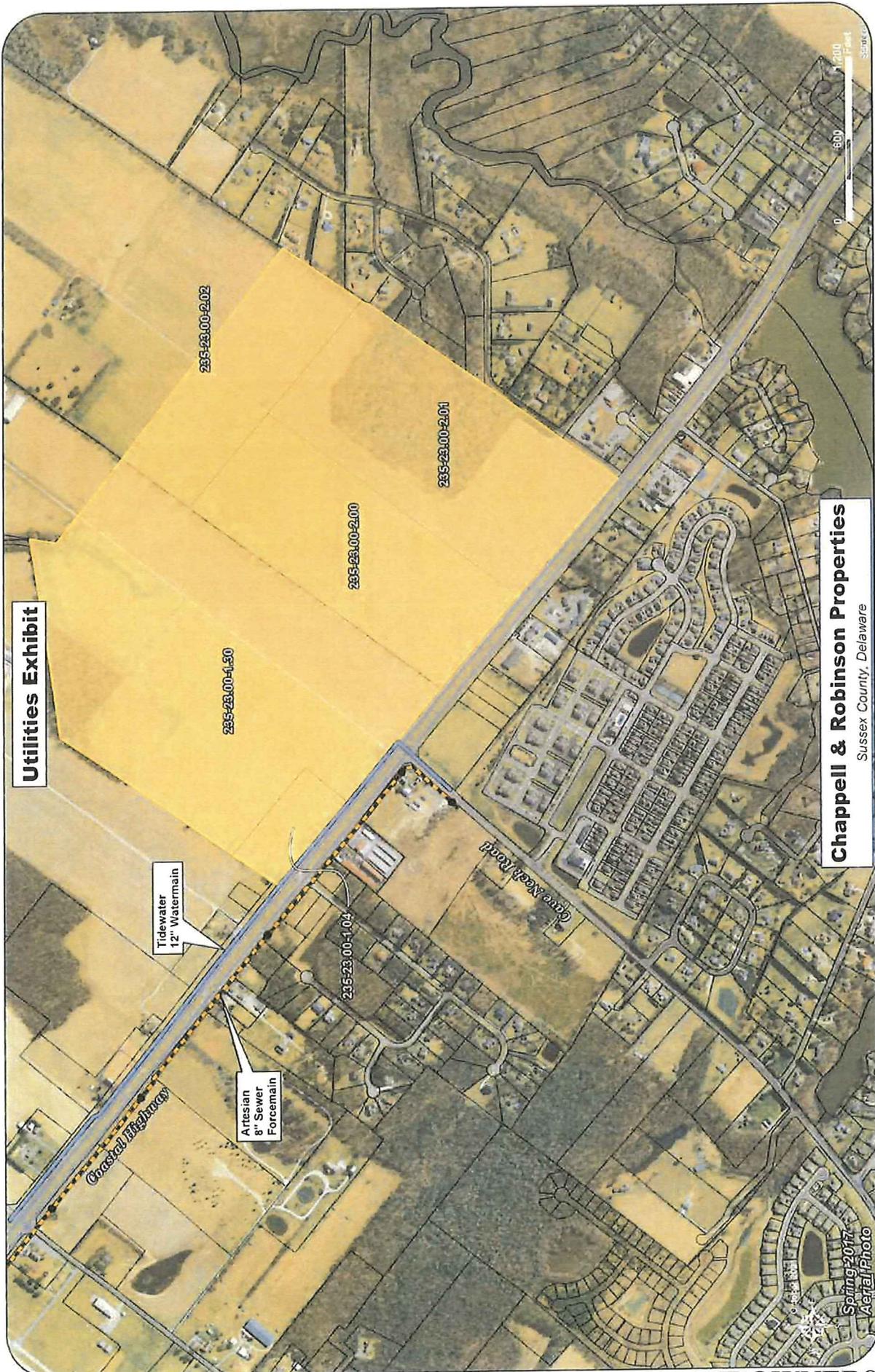
24



Water Service Territories

Chappell & Robinson Properties
Sussex County, Delaware

Water Service Territory
Tidewater Utilities
Artelean Water Company
Lewes Board of Public Works

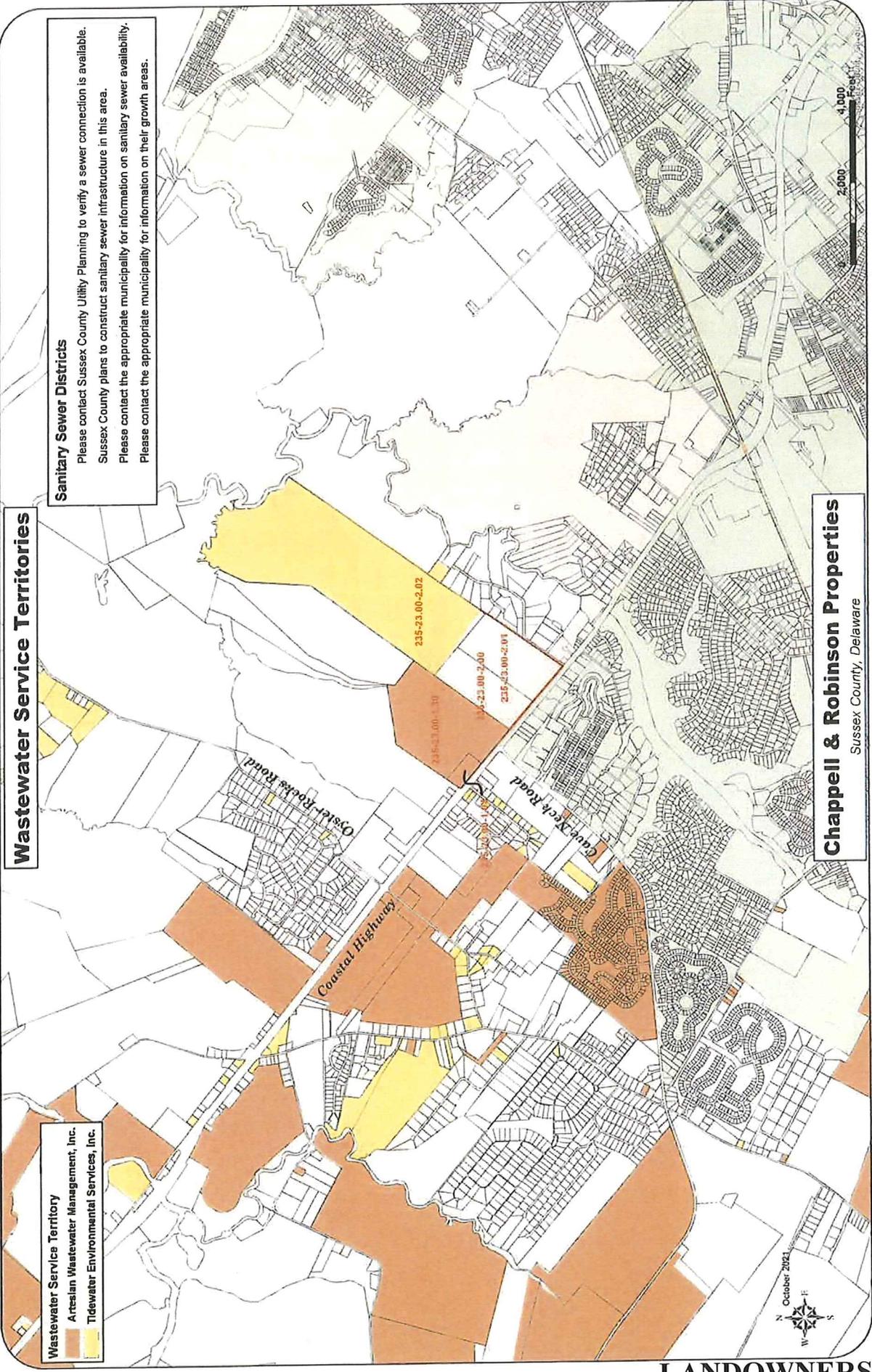


Utilities Exhibit

Chappell & Robinson Properties
Sussex County, Delaware

Spring 2017
Aerial Photo





Wastewater Service Territories

Wastewater Service Territory
 Arisian Wastewater Management, Inc.
 Tidewater Environmental Services, Inc.

Sanitary Sewer Districts

Please contact Sussex County Utility Planning to verify a sewer connection is available.
 Sussex County plans to construct sanitary sewer infrastructure in this area.
 Please contact the appropriate municipality for information on sanitary sewer availability.
 Please contact the appropriate municipality for information on their growth areas.

Chappell & Robinson Properties
 Sussex County, Delaware

SR1 and Cave Neck Road Intersection

Selected Alternative

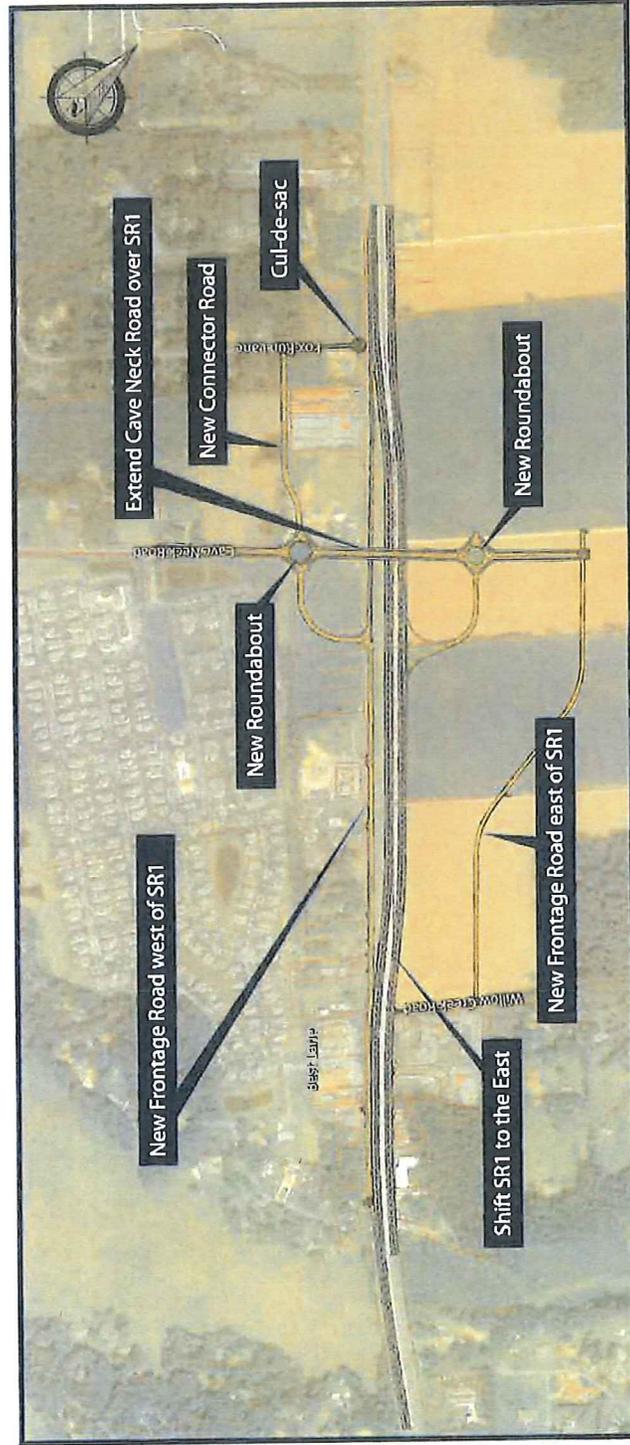


Figure 4.5-1 Sussex County 2045 Future Land Use

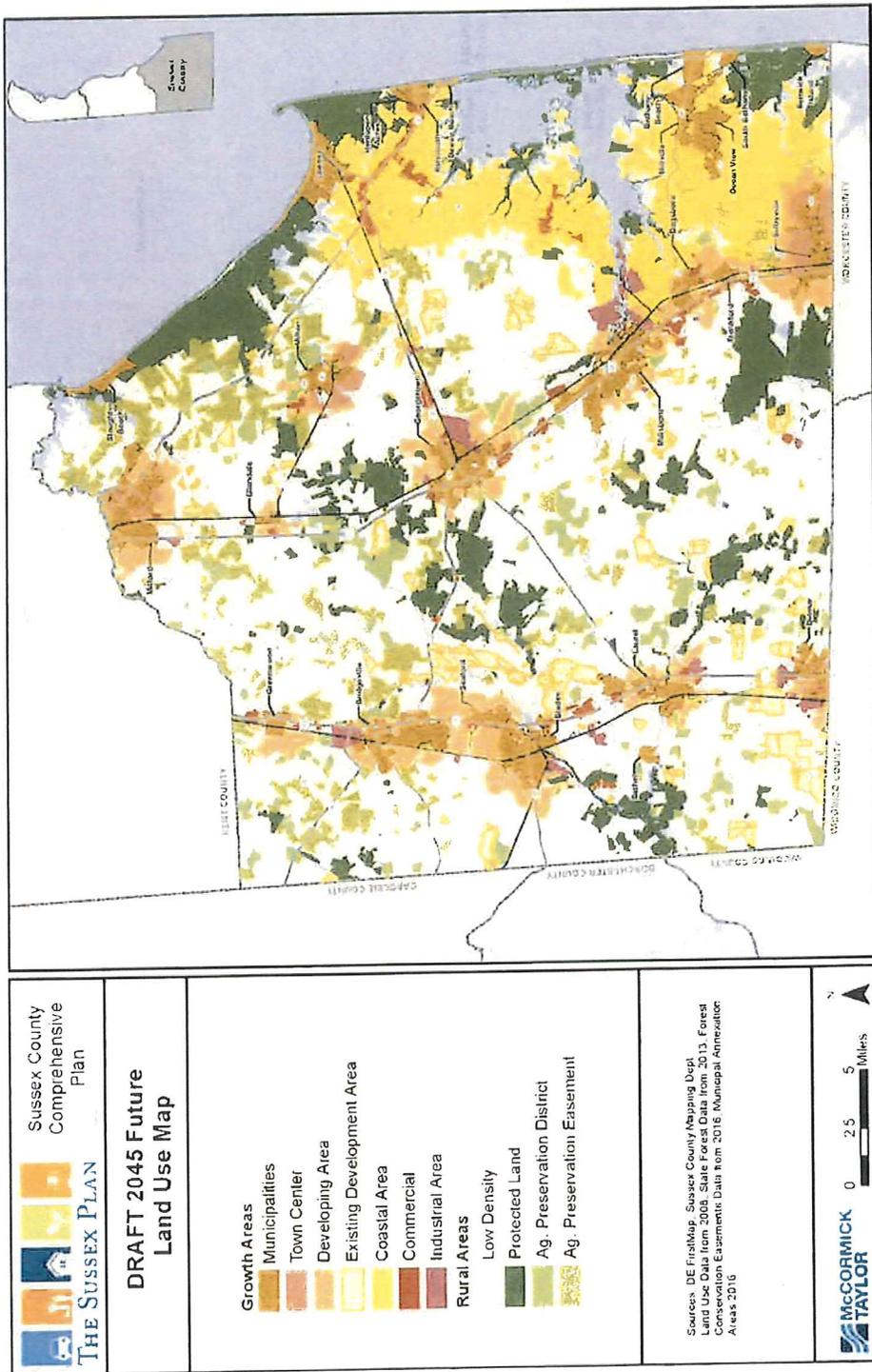
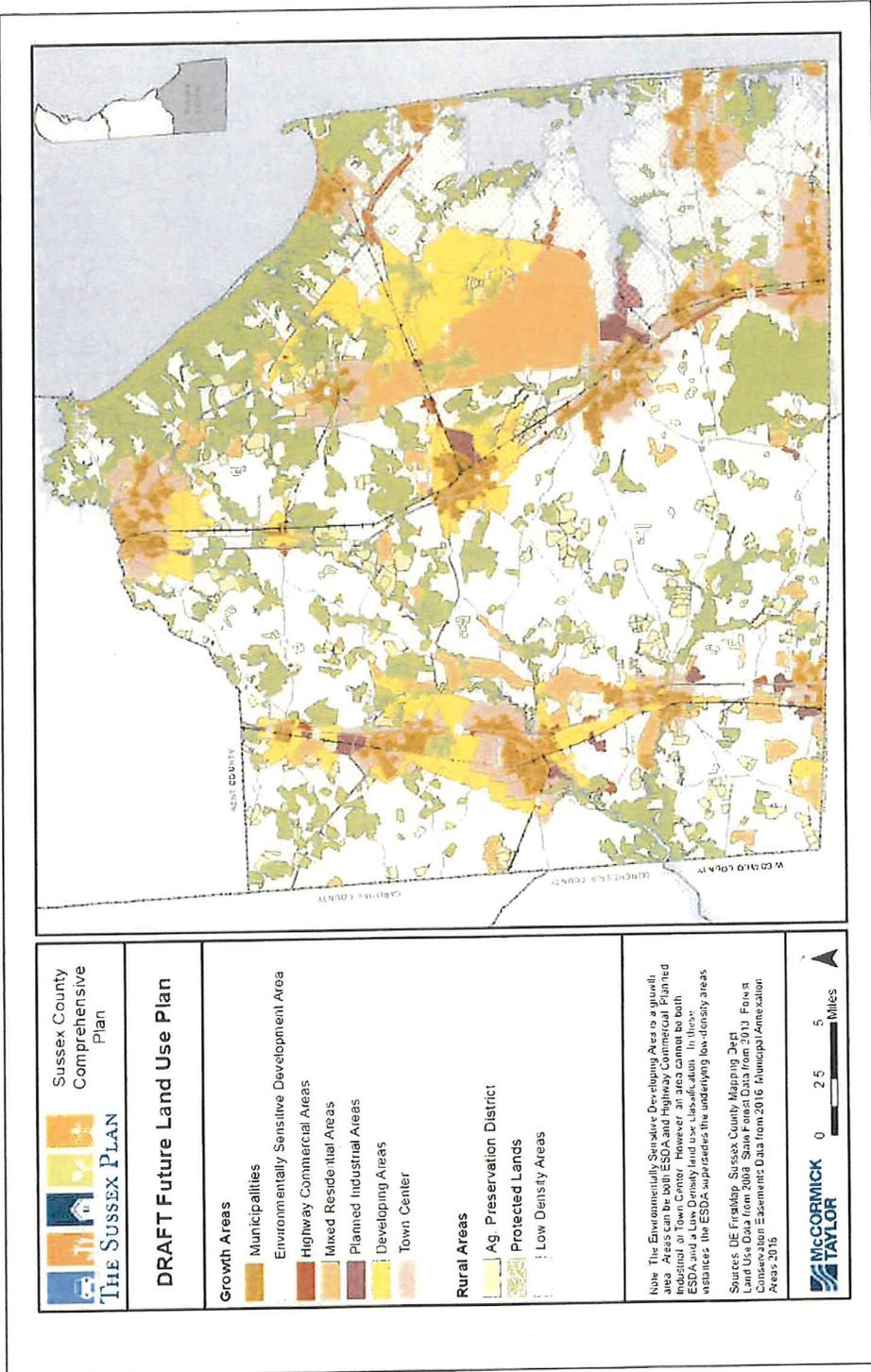


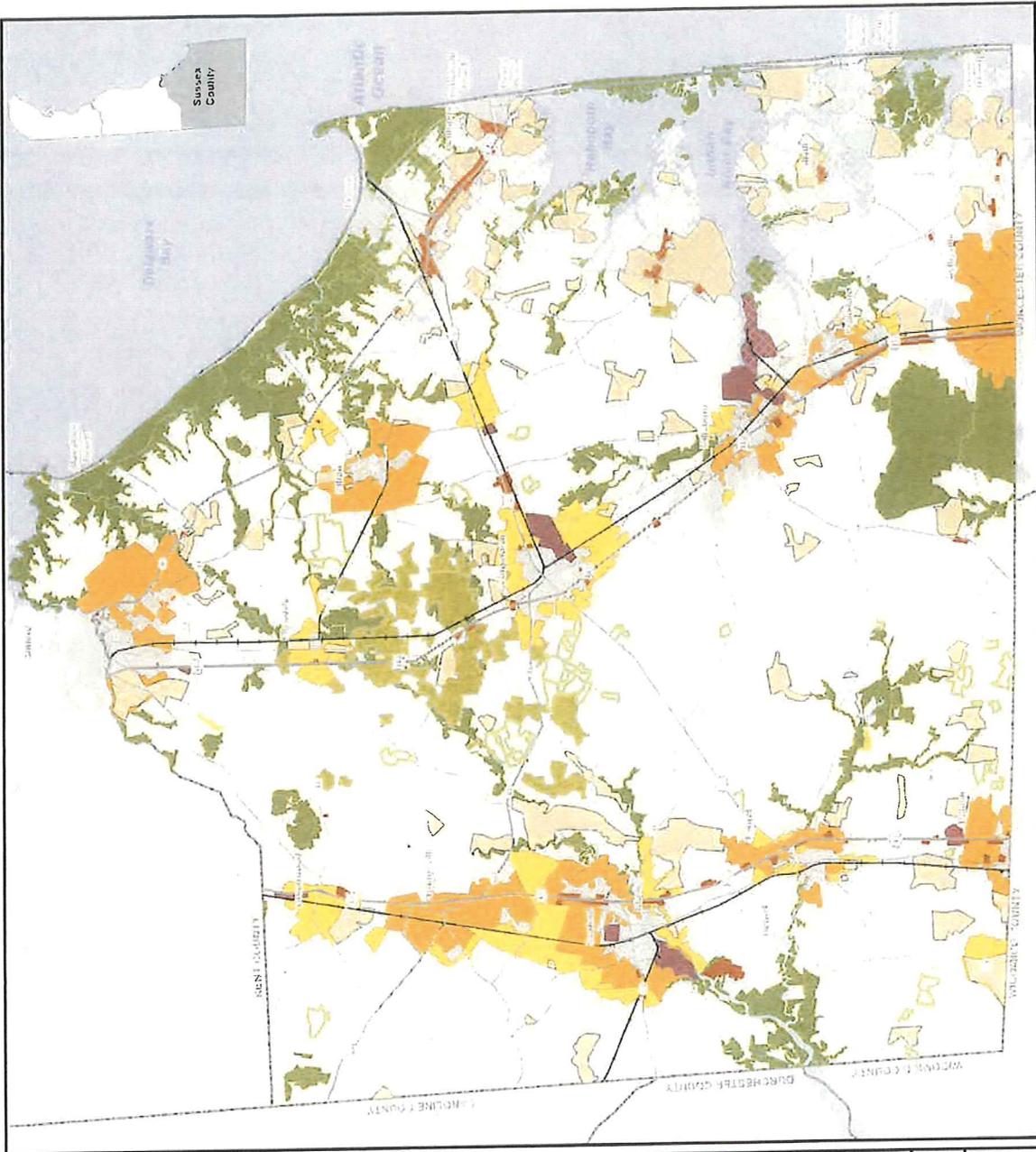
Figure 4.5-1 Sussex County 2018 Future Land Use



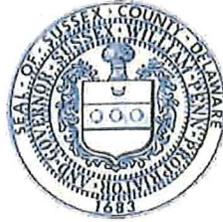
**DRAFT
2008 Land Use**

- Environmentally Sensitive Development Areas Land Use**
-  Commercial Land Use
 -  Mixed Residential Areas Land Use
 -  Industrial Areas Land Use
 -  Developing Areas Land Use
 -  Town Center Land Use
 -  Forest Conservation Easements
 -  State Forest
 -  Natural Areas
 -  Nature Preserves
 -  Rail Lines
 -  County Boundaries
 -  Major Rivers
 -  Waterbodies
 -  Municipalities

Sources: DE FirstMap, Sussex County Mapping Dept.
 Land Use Data from 2008, State Forest Data from 2013,
 Forest Conservation Easements Data from 2016



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



Sussex County
DELAWARE
sussexcountyde.gov

August 18, 2021

By email to: Dorothy.morris@delaware.gov

Dorothy L. Morris, AICP
Principal Planner, Office of State Planning
122 Martin Luther King Jr. Blvd, South
Dover, DE 19901

Dear Ms. Morris,

Re: June 2021 PLUS Review comments for 2021-06-11 and 2021-06-12

Further to our conversation on August 5th, please allow me to provide written confirmation of the County's suggested path forward in relation to the two potential Future Land Use Map Amendments (2021-06-11 and 2021-06-12) considered at the June 2021 PLUS review meeting.

As both potential Future Land Use Map amendments have not been subject to public hearings before the Planning & Zoning Commission and the Sussex County Council, it would be inappropriate at this stage for staff to enter into discussions relating to the progression of such amendments.

To assist with this, I would suggest that Public Hearings be scheduled before both the Planning & Zoning Commission and the County Council. The hearings, which could be scheduled for the months of October and November 2021, would enable the Landowner(s) and the State Planning Office to participate in the hearings. The hearings would also enable the requested negotiations to be conducted directly with the P&Z Commission and County Council as part of the hearing process.

If you could confirm that the suggested approach is acceptable, I will look at the schedule of Commission and Council meetings to locate suitable public hearing dates.

Please free to contact me at the number above with any questions.

Sincerely,

Jamie Whitehouse, AICP
Director, Planning & Zoning Department

CC. Todd Lawson, County Administrator, Sussex County



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

LANDOWNERS 18



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

August 31, 2021

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

Re: June 2021 PLUS review comments for 2021-06-11 and 2021-06-12

Dear Mr. Whitehouse

Thank you for your letter of August 18, 2021 regarding the County's suggested path forward for the above referenced comprehensive plan amendments.

The State agrees with your plan to move these amendments forward to Planning Commission and County Council for public hearings to enable the negotiations to be conducted directly with P & Z commission and County Council. It is our understanding that these meetings will be set in October and November 2021. The State does plan to participate in these hearings.

The PLUS letter dated July 22, 2021 began a 45 day negotiation period to reach an agreement on these amendments. This negotiation period ends September 6, 2021. With this new schedule an agreement cannot be reached by the September 6, 2021 deadline. Therefore, these items will be brought to the Cabinet Committee on State Planning Issues for discussion at their next scheduled meeting on September 30, 2021 at 10:00 am. The County is invited to attend this meeting. Additional agenda information will be forwarded closer to the meeting.

We look forward to working with the County to reach an agreement on these amendments. If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Edgell".

David L. Edgell, AICP
Director, Office of State Planning Coordination

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

September 20, 2018

Janelle M. Cornwell, AICP
Sussex County
Planning and Zoning Director
2 The Circle
Georgetown, DE 19947

RE: PLUS review 2018-08-11; Sussex County Comprehensive Plan

Dear Janelle:

Thank you for meeting with State agency planners on August 22, 2018 to discuss the Sussex County comprehensive plan. State agencies have reviewed the documents submitted and offer the following comments. Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting.

Congratulation to the county on completing your draft plan. After reading the plan it is clear the amount of time and effort that went into the plan. The County's outreach efforts, from the focus groups, the numerous public workshops, and monthly public comments at Planning and Zoning meetings kept the public engaged through the entire process. As the county has many seasonal residents, it was important the people could comment both on-line or in person.

The certification comments in this letter are based on a review by OSPC and agency staff which was guided by the county comprehensive plan requirements as embodied in the "Quality of Life Act" (9 Del. C § 6956). Comprehensive plans are complex documents that are developed to meet the unique needs and vision of each local jurisdiction. When responding to these comments, it is acceptable to point out applicable plan sections that the reviewer may have missed, or plan text or maps from multiple chapters that can address the Del. C. requirements.

General Comments:

- From the Office of State Planning Coordination: The plan lays out a growth scenario to 2045 which include both permanent and seasonal population growth and plans for over 20,000 new homes (permanent and seasonal). With that in mind Sussex County is home

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

to many important environmental features such as the beaches, the wetlands, vast forested areas, and habitats for a vast array of plant and animal species. Talking with residents of the county it is these exact features coupled with the rural farming areas west of the beach areas that brought them here for vacation or retirement living. It is these features that will continue to bring new residents to this area; therefore, it is important that the County balance the need for additional house with the protection of our most valued resources.

Looking at the Objectives, Goals, and Strategies it appears that the County is willing to make the effort to find these balances. It is imperative that the county follow through with the goals, objectives, and strategies set forth in the plan to help preserve the environmentally sensitive features in the county and to protect the towns from the burden of growth they have not planned for at this time.

It is only by the follow through of these goals, objectives, and strategies that the county will give the citizens the quality of life they have been promised during the drafting and approval of this plan.

- From the Department of Transportation: DelDOT appreciates the opportunity to work with the County on this Plan and looks forward to working with the County on implementing it.
- From the State Historic Preservation Office: The updated Comprehensive Plan includes a greatly expanded section on Historic Preservation (Chapter 10), which highlights the role of the Historic Preservation Planner and recent accomplishments. The chapter gives a summary of the county's history, includes a list of over one hundred-forty-five National Register listings and discusses preservation partners in greater detail. This chapter underscores the importance of successfully collaborating with others to achieve common goals. The plan also includes a list of organizations and programs that may offer assistance in preserving historic properties.

The updated Comprehensive Plan also mentions ways they can protect historic properties (restoration through historic preservation tax credits, adaptive reuse and preservation ordinances) and identifies municipalities in Sussex that established Historic Districts, some of which have local protection ordinances.

- Per DART, the County discusses a reduction in ridership as being a major challenge, but this is a symptom of a problem, not the problem itself. The challenges should be revised to a lack of transit infrastructure, including appropriate roadway widths, low density land uses and distances between town centers, and transit unfriendly designs.

Certification Comments: These comments must be addressed in order for our office to consider the plan update consistent with the requirements of 9 Del. C § 6956 and 29 Del Code §9103

Certification Issues by chapter

Chapter 3 – The Planning Process

- 3.4.1 Plan Review, Approval and Adoption - Text should be changed to reflect that the Cabinet Committee on State Planning Issues has the final review and recommendation to the Governor for County plans. Code language regarding adoption is at the end of this letter.

Chapter 4 – Future Land Use

- In accordance with 9 Delaware Code §69, DSHA reviewed the draft 2018 Sussex County Comprehensive Plan to determine how the County incorporated the State’s goals, policies and strategies as they relate to affordable housing. DSHA has the following certification concern.

9 Del Code §6956 (g) (1) and §6956 (g) (6) (d): The Future Land Use Map does not adequately show the distribution, location and extent of the various categories of land use. As written, the proposed Future Land Use Plan Chapter is prohibitive to medium to high density residential development in areas where the acute need for affordable housing is well documented and the County’s stated intent is to encourage most concentrated new development, including higher density residential development.

The Plan narrative encourages the most concentrated forms of new development to Growth Areas – which include Town Centers, Developing Areas, and Coastal Areas. The goal to “expand affordable housing opportunities, particularly in areas near job centers and DSHA-defined Areas of Opportunity” is included in both the Future Land Use and Housing Chapters. Areas of Opportunity are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure. However, these same areas contain little affordable housing. Encouraging affordable housing in Areas of Opportunity provides close proximity to job centers, quality education, and resources that help households succeed. *It is important to note that the Areas of Opportunity closely align with Coastal Areas.*

Affordable housing development is contingent on a land use framework where medium and higher density is permitted *by right*. Otherwise, considerable public opposition to new development, particularly multi-family, will stop the development from proceeding. Below shows the proposed treatment of medium to high density (4 to 12 dwelling units per acre) residential development for the following land use classifications for Growth Areas.

Town Centers: Medium to high density is encouraged via a mix of housing types including medium to high density. The proposed Future Land Use Map locates Town Centers near Milford, Milton, Selbyville, and Delmar.

Developing Areas: Medium to high density is appropriate, but not for all locations. The proposed Future Land Use Map locates Developing Areas mostly on the County's western side and down central 113 corridor and none in Areas of Opportunity. There are additional conditions for medium to high density – central sewer, sufficient commercial uses, similar surrounding density, similar to the surrounding uses, adequate LOS or not negative impact to the LOS, and along the main road and or near a major intersection.

The only criteria for medium and high density should be its location on central water/sewer, and proximity to job centers.

Coastal Areas: Medium to high density residential is not appropriate for all locations. According to the proposed Future Land Use Map, Coastal Areas are on the eastern side of the County and align with DSHA's Areas of Opportunity – an area that the County states they want to expand affordable housing opportunities and where the need for affordable housing is most critical. In addition to the above statement, there are several additional conditions – central sewer, sufficient commercial uses, within Level 1 or Level 2 *Strategy for State Policies and Spending*, similar surrounding density, similar to the surrounding uses, and along the main road and or near a major intersection.

The only criteria for medium and high density should be its location on central water/sewer, and proximity to job centers. Applying additional criteria to medium and high density development to be similar to the surrounding density and surrounding uses in a resort area of mostly single-family detached units will almost certainly prohibit proposals that enable affordable housing. Including these criteria in an adopted Comprehensive Plan will provide legal justification to deny the development.

Facilitating affordable housing for current and future residents is a federal, state and local issue. At a time when Federal resources for housing are diminishing, this is especially critical given the tremendous need for affordable housing within Sussex County's Coastal Area - particularly for the many employees commuting in from western Sussex County. Strong market forces and limited land do present challenges to affordable housing. However, the County has a powerful mechanism in an adopted land use framework that can and should reasonably permit, if not proactively encourage, medium and high density development (defined by the County as 4 to 12 dwelling units per acre) which will then increase the likelihood that affordable housing can realistically occur. DSHA requests the County to revise the Future Land Use Plan and corresponding maps to ensure adequate sites for future housing, including affordable housing can be provided in accordance with 9 Del. Code §6956 (g)(1) and §6956 (g)(6)(d).

- The Future Land Use section must include a future land use plan element designating proposed future general distribution, location and extend of uses of land for such activities as residential, commercial, industry, agriculture, recreation, conservation, EDUCATION, PUBLIC BUILDINGS and grounds, other public facilities and other categories of public and private uses of land. Please identify where and how the land use

plan addresses “schools” and “public buildings and grounds, and public facilities,” including anticipated requirements for future public facilities.

- Future Land Use Map - There are three shades of green on the FLU map - Protected lands, AG Districts, and Ag Easements. According to table 4.5.2 protected lands include agricultural preservation easements. This should be clarified on the map or in the table to be consistent.

Chapter 5 – Conservation

- The Delaware code section, page 3 of our checklist asks for the identification of a long list of resources. Please indicate where and how the plan identifies these resources, specifically habitat areas, geological areas, ocean beaches, soils and slopes.

Chapter 6 – Recreation and Open Space –

- Map 6.2-1. Beaches should be identified on the map

Chapter 7 - Utilities

- 7.3 - The plan must contain a water and sewer element correlated to the principles and guidelines for future land use, indicating ways to provide for future wastewater disposal for the area. This plan has referenced the need for 18,458 new dwelling units for permanent residents and 2,200 new for seasonal residents. Please clarify that the county will have adequate sewer capacity for the planned future growth of the county. The State would like to verify that you have planned for the accommodation of future growth through existing or planned utilities keeping in mind the consideration of expected environmental changes. **As part of this discussion the county should include their Sewer Service Area map.**

EXAMPLE: It is expected that the county will lose capacity at Wolf Neck plant in the future due to Sea Level Rise – is there a plan in place to move that capacity?

Recommendations: Our office strongly recommends that the County consider these recommendations from the various State agencies as you review your plan for final approval.

Recommendations by chapter

Chapter 4 - Future Land Use

- The County has defined their growth areas around towns which included most, if not all of the towns identified annexation areas. The state supports growth around town; however it is important to note that many of our towns set both short and long term annexation areas to ensure services are available as the town grows. The towns hope to

grow to that areas someday but set the annexation areas as a way to control the future development of the town. The County growth areas around the towns, with proposed densities of 2-12 unit to the acre will be higher density than many towns are not prepared for at this time and any new homes, whether in the town limits or just outside, will use the infrastructure of the town (police, fire, roads, etc.). It is important for the County to develop these areas with respect to the town plans for the future and with compatibility to the existing town which will neighbor the new development. This can be done in many ways including MOAs with the towns or with master planning of the areas before development is approved. The state encourages the county to begin working with the towns immediately upon adoption, and before development applications are received, to determine future growth scenarios that will complement the town's future growth areas.

- The maps can be difficult to read at scale in plan or on-line. The county should consider an interactive map once the final plan is certified.
- 4.4.2 Strategies for State Policies and Spending - - It is recommended that the County add the following at the end of the discussion on the Strategies document;

It is important to note that the maps contained within the Strategies for State Policies and Spending document are not "parcel-based," so it is still necessary to thoroughly investigate the constraints of particular land parcels, even though they may be contained in one of the growth-oriented investment levels of the *Strategies for State Policies and Spending*. For example, if a parcel is in Level 1 but contains extensive wetlands it may not be suitable for dense development or state infrastructure investment. It is equally important to note that while this document and map series directs state investments, it is not a land-use plan. In Delaware, the state has delegated land-use authority to the local governments. Any land-development activity must be in compliance with comprehensive plans and meet all of the relevant codes and ordinances of local jurisdictions.

- Page 4-14, 4-15, and 4-17 Infrastructure bullet: It is recommended that the words 'provided a septic permit can be approved' be added to the end of the sentence if central utilities are not possible, permitted densities should be limited to two units per acre
- Goal 4.2 - Many towns are already focusing on resiliency. The County should add an objective or strategy for an ordinance to ensure that County development in the growth areas around towns should match the current town standards on resiliency.
- Map on pg. 4-23: Please note that the future land use designation for Industrial Areas around Millsboro include portions of the state Coastal Zone. The state Coastal Zone Act prohibits new heavy industrial development in this area. There is grandfathered industrial activity there today, any future development must be consistent with the Act.

- Strategy 4.1.4: DNREC supports redevelopment efforts and can provide information about the various state brownfield programs to assist with this goal.
- Goal 4.3: DNREC supports this goal, and can provide assistance in ordinance development. In addition, there may be funding available for these activities.
- Goal 4.4: DNREC supports infill and redevelopment strategies that relieve development pressure outside of growth zones, as well as continued brownfield redevelopment. DNREC has specific programs to advance such efforts and we encourage you to partner with us on redevelopment programs.
- Figure 4.2-2 Developed and Protected Land (Page 4-3): The parcels enrolled in the State's Agricultural Lands Preservation Program change frequently. Please contact the Department's GIS Coordinator Jimmy Kroon for the latest update layer (698-4533).
- 4.4 Future Land Use Plan (Page 4-8 and 4-9): The Department appreciates and supports the county's commitment to promote farming and agribusiness. It also supports the county's recognition of agricultural areas and farms enrolled in the state's Agricultural Lands Preservation program when designating rural versus growth areas in the county.
- Page 4-18: The department appreciates the support of farmland preservation, agribusiness, and agricultural protections mentioned on this page.

However, the Department of Agriculture would further encourage the county mention the specific protections afford to all eligible farmland located in the county somewhere in the plan as well (perhaps a footnote or strategy following page 4-27 or Page 12-12; 12.3.16 "Buffering and Landscaping"). Specifically, the protections granted in Sussex County Code (§99-6 General Requirements and restrictions (G)(1) and (2); the forested buffer requirement for developing properties adjacent to agricultural farmland mentioned in Sussex County Ordinance §99-16 (D) "Suitability of land; preservation of natural features".

Chapter 5 – Conservation

- 5.2.4.6 Should be changed from Severe Storms to Severe Weather. Periods of Extreme Heat and Extreme cold should also be considered under this section - - Does the County have cooling stations or places to go if there are several days of extreme cold? Do you have programs that contact older residents to check in during these times? Do you have a plan for mitigation of brief large rainfalls such as the ones many have experienced this summer. Are these items in your Hazard Mitigation Plan? The state recommends a broader discussion on the Hazard Mitigation Plan in the conservation section, to discuss what exactly is in the hazard mitigation plan and to include how the county will use the Hazard Mitigation Plan information to balance the proposed growth over the next 10-30 years with the protection of sensitive areas.

- Objective 5.1.4: One strategy to meet the goal of coordinating with governmental and non-governmental agencies to identify and protect natural resource habitat is to add appropriate properties to the inventory of protected lands in Sussex County, particularly to link together existing state-owned forests and existing open space. DNREC can assist in the identification of appropriate properties.
- Section 5.2.2: There is no mention of DNREC-owned properties in this section, although they represent a significant amount of land within Sussex County. Both state parks and state wildlife areas bear mentioning.
- Figure 5.2-1: The legend is confusing and should be clarified. Does the “Parks” category include municipal parks as well as state parks? “Wildlife Areas” are depicted on the map, but are not described in the accompanying text. Does this category refer to State Wildlife Areas, or other areas?
- Goal 5.2: Encourage protection of farmland and forestland (page 5-19): The Department of Agriculture appreciates the goal and accompanying strategies mentioned on this page. Perhaps the Department's website can be referenced or footnoted so readers can learn more about these programs and how to enroll.
<https://agriculture.delaware.gov/>
- Section 5.2.4.1: DNREC suggests that the Comp Plan list the specific “support use goals” in parentheses following “beneficial uses” (e.g., swimming, fishing, & drinking water supply), in the 3rd paragraph of this section. DNREC further suggests that the Comp Plan mention the specific water quality standards of concern in parentheses following “applicable water quality standards” (e.g., dissolved oxygen, nutrients and bacteria), also in the 3rd paragraph of same section.
- This section should also identify and reference the Inland Bays Pollution Control Strategy and the Watershed Implementation Plan for the greater Chesapeake drainage basin and greater Inland Bays’ drainage basin, respectively.
- The Inland Bays watershed pollution control strategy establishes voluntary best management practices and regulatory actions (primarily stormwater and performance standards for on-site wastewater systems) necessary for attaining the required TMDL reduction requirements and water quality standards necessary for improving water quality in the greater Inland Bays watershed.

As part of TMDL reduction requirements in the greater Chesapeake drainage basin, each jurisdiction within this drainage basin will be required to develop a Watershed Implementation Plan. The Watershed Implementation Plan will detail how pollutant load goals will be achieved and maintained in the future and identify specific pollution reduction practices and programs to reduce nitrogen, phosphorus, and sediment from a variety of sources in the Chesapeake drainage basin. Efforts to develop the documents

necessary to meet the required reductions will be provided through meetings and discussions with an interagency workgroup and various subcommittees recently convened by the State of Delaware. Included in the meetings and discussions are onsite wastewater disposal systems which are a known source of nutrient pollutants to groundwater. In addition, the EPA is tasking the State of Delaware responsibility for developing the WIP with 2-year progress milestones to accelerate efforts to improve and restore waters of the Chesapeake Bay. This may require local jurisdictions to assume some responsibility for BMP implementation to help mitigate pollutant runoff.

- Section 5.2.4.1: The text about the Coastal Zone Act program should be corrected to reflect that the Coastal Zone includes an area of land around the inland bays as well as the Bay and Ocean Coasts. In addition, the text states that heavy industry could be a permitted land use within the Sussex County Coastal Zone. However, according to the Act, heavy industry uses within the delineated Coastal Zone are limited to 14 existing heavy industry sites, none of which are located within Sussex County. The description of 'Status Decisions' should also be clarified in the text. They pertain to a pre-application review of the proposed activity, to determine if a permit is required under the regulations.

The Coastal Zone Act Program is a regulatory program aimed at limiting air and water pollution sources associated with industrial and manufacturing uses, therefore it may be better to move this discussion point to Section 4.6.3. Alternatively, the County may wish to have a separate heading in this section for "coastal areas" and/or consider moving the text about the state Coastal Zone Act into the list of other initiatives that starts on page 5-13. Should a new heading for "coastal areas" be created, the text should mention the Beach Preservation Act and DNREC's role in regulating coastal construction.

- Section 5.2.4.3: DNREC supports the implementation of increased buffer requirements surrounding wetlands, streams, and waterbodies and clarifies that such buffers should be vegetated and not landscaped. More specifically, existing native vegetation should be retained where it exists and in cases where the existing vegetated buffer is not of sufficient size, it may be recommended that existing riparian buffers are expanded and/or enhanced by planting native vegetation. DNREC can offer technical assistance in developing riparian buffer requirements for different types of habitats. Note that buffer distances of ranging between 50 to 300 feet for adequate protection efforts and 100 to 500 feet for optimal protection efforts would be consistent with adequate and optimal distances established by DNREC. Lot lines, roadways, and infrastructure should not be placed within this buffer zone.

Please note that section 404 of the Federal Clean Water Act regulates tidal and freshwater wetlands, not just freshwater wetlands as stated in the text of this section. While wetlands are provided some protections from state and federal laws, some local jurisdictions also have ordinances or laws prohibiting fill or disturbance to these areas. If Sussex has such an ordinance, it would be useful to mention that here.

- Section 5.2.4.4 and 5.2.4.6 Floodplains and Severe Storms: The County has missed an opportunity to more fully describe and address flooding issues in the county in this section and in the Stormwater management section in chapter 7.

Both sections should include a discussion of the effects of climate change in increasing the areas subject to flooding in Sussex. Sea level rise and increasing heavy precipitation events caused by climate change put more residents at risk to flood events and will increase the need for infrastructure upgrades and repairs.

- The discussion of the Hazard Mitigation Plan are appreciated, however, hazard mitigation plans focus on mitigating existing flooding risks, while Comprehensive Plans can be used to reduce future risk by ensuring development and infrastructure are located in the most appropriate areas.
- Please note that the FEMA floodplain maps are used both for determining flood insurance requirements and to determine where floodplain regulations and codes will be applied. The text in this section does not mention the regulatory aspect of the floodplain maps.

This section uses imprecise language to describe the flood risk. The accompanying map depicts the “approximate” and “detailed” 1% chance flood zone, but this is not described in the text in this section. Please ensure that the map legend and text can be read and understood together. Please also consider depicting the 0.2% chance flood on this map.

This section should also note that flooding can, and will likely, occur outside of the mapped floodplain.

- DNREC supports efforts to join the Community Ratings System and other efforts that will improve the preparedness of the County for flooding and storm events.
- Section 5.2.5: In addition to the strategies listed here, Sussex County is also encouraged to help reduce the emissions of greenhouse gases that are the root cause of climate change. Often, strategies to reduce greenhouse gas emissions have co-benefits, such as reducing other air pollutants and saving money. For example, incorporating electric vehicles into the County’s fleet would reduce tailpipe emissions and save money. Sussex County is also encouraged to include electric vehicle charging where feasible in common areas to accommodate cleaner transportation through the area.
- Section 5.3 Environmental Assessments in Coastal Areas: According to the Comprehensive Plan, Sussex County requires all applicants for developments of a minimum size (as specified in zoning) within the Coastal Areas to prepare an environmental assessment. The DNREC Species Conservation and Research Program has experience developing environmental assessment methodologies and offers our technical assistance in developing Environmental Assessment guidelines/requirements tailored to Sussex County’s needs.

- Section 5.3 Mature Tree Protection: The Plan indicates that Sussex County would like to consider the creation of an ordinance designed to protect established, mature, healthy trees during the construction of new developments. The DNREC Species Conservation and Research Program has experience developing such ordinances, and is currently working with New Castle County to develop a variety of ordinances related to the identification and protection of Mature Forests, Forest Interiors and Corridors, and Specimen Trees. DNREC offers our technical assistance in developing similar ordinances tailored to the needs of Sussex County.
- Section 5.4.5: This section should include a paragraph about initiatives to prepare the state for climate change. The state has taken steps to mitigate the causes of climate change by setting greenhouse gas reduction targets and incorporating mitigation and adaptation strategies into planning efforts for state assets and comprehensive planning. Funding and technical resources are available through a number of programs within the Department. Specifically, this section could highlight Delaware Climate Change Impact Assessment and the Recommendations to Adapt to Sea Level Rise in Delaware.
- Section 5.5: DNREC supports your goals, objectives, and strategies in this section. Please note that for all of the strategies listed, DNREC staff can provide technical assistance and Delaware specific information for your use in creating guidance or ordinances for development. Financial assistance may also be available to help implement conservation strategies.
- Strategy 5.3.1.5: DNREC Tanks Management Section (TMS) would strongly support the re-evaluation of this ordinance and consideration of prohibiting Underground Storage Tanks in wellhead protection areas or excellent recharge areas.
- Objective 5.3.3: DNREC encourages the County to be proactive and include more specific “actionable” strategies to attain the TMDL nutrient and bacteria reductions necessary for restoring water quality and “beneficial uses” (e.g., fishing, swimming, & drinking water) to waters of the Inland Bays drainage basin, Inland Bays drainage basin, and the Delaware River drainage basin. To this end, DNREC recommends that the County consider the following strategies:
 - Implement regulations to protect freshwater wetlands where regulatory gaps exist (i.e., isolated wetlands and headwater wetlands).
 - Require a 100-foot upland buffer width from all field-delineated wetlands or waterbodies (including ditches).
 - Implement an impervious surface mitigation plan specifically requiring the use of pervious paving materials in all parking areas for all projects with 20% or more total post-development surface imperviousness. In high density (usually commercial) developments with post-development surface imperviousness of 50% or more,

- DNREC suggests half of total areas of imperviousness in paved areas contain pervious pavers, including the entire parking lot areas.
- Require the calculation for surface imperviousness to include all constructed forms of surface imperviousness - including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water storm water management structures.
 - Exclude structural best management practices such as community wastewater treatment areas, open-water storm water treatment structures, and natural areas containing regulated wetlands from consideration as open space.
 - Prohibit development on hydric soil mapping units. Proof or evidence of hydric soil mapping units should be provided through the submission of the most recent NRCS soil survey mapping of the parcel, or through the submission of a field soil survey of the parcel by a licensed (Delaware Class D) and certified (CPSS) soil scientist.
 - Require use of “green-technology” storm water management in lieu of “open-water” storm water management ponds whenever practicable.
 - Require the assessment of a development project’s TMDL nutrient loading rate through use of the Department’s nutrient budget protocol. The applicant should be further required to use any combination of approved Best Management Practices to meet the required TMDLs for the affected watershed in question.
- Objective 5.3.5: DNREC would like to see special considerations regarding the placement of any future Underground Storage Tanks or Above Ground Storage Tanks in an area vulnerable to climate change and storm surge.
 - Goal 5.4: You may wish to consider these additional strategies for Air Quality:
 - Encouraging mixed-use or cluster-style development where applicable. This strategy preserves open space (section 12.2) but also reduces sprawl and has air quality benefits.
 - Allowing opportunities for the increased use of public transit (section 13.2.3) reduces tailpipe emissions and improves air quality.
 - Expansion of the current bicycle and pedestrian network (section 12.3.10)
 - Encouraging tree planting during development projects and continue the preservation of trees in the County which help to clear the air of pollutants (section 5.3).
 - Implement idle free zones where heavy duty vehicles are known to idle such as in local school districts. The County is encouraged to work collaboratively with the local school districts to implement a strategic no idling policy.

Chapter 7 – Utilities

- Page 7-2 – According to the 2018 Slaughter Beach draft comprehensive plan update, the Slaughter Beach Water Company was purchased by Artesian and they began operating the utility on April 1, 2018. It is recommended the information on page 7-2 be updated.
- Page 7-18 The Governor recently announced a new initiative to eliminate broadband access over the next two years. Press Release: <https://news.delaware.gov/2018/07/25/expanding-broadband/> It is recommended that you add a sentence regarding this initiative or mention the coordination with state and county through this initiative in strategy 7.5.1.1
- Section 7.2.3: The text of the Plan states that the County is considering a review of the existing source water ordinance to determine if modifications are needed. It goes on to say that that avoiding contamination to water supply wells and limiting land use activities and impervious surfaces around public wells are means to achieve protection of the sources of the County's drinking water supplies.

In order to achieve these goals, the Department recommends that the County modify the existing source water ordinance to afford greater than minimal protection. The majority of public wells in Sussex County pump less than 50,000 gallons per day (GPD). Under the County's present ordinance, they are afforded a twenty foot safe zone. As such, they are vulnerable to contamination and impervious cover that may negatively influence water quality as well as water quantity.

Per the existing County Source Water Protection Ordinance, wells pumping greater than 50,000 GPD are afforded 'no more than a one-hundred foot (100') radius from the well'. The Department recommends 'at least' a one-hundred fifty foot (150') radius from the well. For example, New Castle County and the Town of Frederica have chosen a 'safe zone' of three hundred feet around their public supply wells to maximize protection of the resource.

Per the existing County Source Water Protection Ordinance, allowances up to 60 percent impervious cover to the delineated wellhead protection area and excellent groundwater recharge protection areas provided the applicant demonstrates, through an environmental assessment report, that post development recharge quantity will meet pre-development recharge quantity. However, if the project exceeds 60 percent impervious cover or the applicant has failed to demonstrate post development recharge quantity will meet pre-development recharge quantity, the project is required to discharge roof drains to underground recharge systems or permeable surfaces.

The Department recommends that the County consider additional measures to improve and address water quality, to be more protective of the resource. In addition, the existing County ordinance has no provision to reduce impervious cover during redevelopment.

The Department recommends, the County consider additional measures to reduce impervious cover through redevelopment projects.

The Department's Source Water Program is available to work with the County's staff to evaluate potential source water protection measures and suggest additional modifications that may be needed to further improve implementation of the ordinance.

- Section 7.6: This section should also discuss the Delaware Sediment and Stormwater Regulations, which have a goal of reducing stormwater runoff for rainfall events up to the equivalent one-year storm, 2.7 inches of rainfall in 24 hours, or a maximum of one inch of runoff.

Runoff reduction practices encourage runoff to infiltrate back into the soil as in an open space condition and results in pollutant removal and stream protection. New or revised ordinances should incorporate best management practices that encourage infiltration or reuse of runoff, such as porous pavements, rain gardens, rain barrels and cisterns, green roofs, open vegetated swales, and infiltration systems for new development sites within the County. Limiting land disturbance on new development projects and limiting impervious surfaces by allowing narrower street widths, reducing parking requirements, and allowing pervious sidewalk materials will be necessary to help achieve the runoff reduction goals in the revised regulations.

- Goal 7.3: In order to help promote energy efficiency, DNREC suggests that Sussex County include a strategy to help distribute information about the Weatherization Assistance Program. The program, run through the Division of Climate, Coastal, & Energy, helps low- and moderate-income homeowners and renters cut their energy bills by weatherproofing and improving the energy efficiency of their homes. More information about the program can be found here: www.de.gov/wap.
- Objective 7.6.1: Consider adding a separate strategy that allows for the consideration of the establishment of county waste hauler franchising.
- Strategy 7.6.1.2: When making revisions to County codes, consider including conditional use approvals for composting facilities as well as recycling processors.
- Strategy 7.6.1.3: Please note that, in effect, 7 *Del. C.* § 6003(c)(2) creates an incinerator ban by prohibiting a permit from being issued to an incinerator unless every point on the property boundary line of the property on which the incinerator is or would be located is at least three miles from every point on the property boundary line of any residence, residential community, and school, church, park or hospital.

Chapter 8 – Housing

- Sussex County completed a thorough analysis of the issues facing the County in the demographic analysis and housing chapters - the aging population and its implications, as

well as the severe housing needs facing its residents. The Delaware State Housing Authority has the following comments:

- DSHA supports the incorporation of “Areas of Opportunity” from DSHA’s Balanced Housing Opportunities map as a focus for where the County would like to see new affordable housing opportunities. DSHA developed this map using information from the *Delaware Housing Needs Assessment 2015 – 2020* and new data from HUD such as school performance and Racially/Ethnically Concentrated Areas of Poverty to identify “Areas of Distress, Stability, and Opportunity”. Areas of Opportunity are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure. However, these same areas contain little affordable housing. Encouraging affordable housing in these Areas of Opportunity provides close proximity to job centers, quality education, and resources that help households succeed.
- DSHA recommends further incorporating *the 2016 Impacted Communities Study*. This is an excellent study and outlines needs for each isolated rural community. While this study is discussed in the narrative of the housing section, there are only two strategies listed (8.1.1.6 and 8.1.2.5).
- There are several strategies throughout the draft Plan to evaluate the County’s density bonus program to determine ways to encourage better use of the program. ***DSHA recommends adding ‘provision of affordable housing’ as an option to the density bonus program.*** Currently within the Developing Area and Coastal Area, density bonuses can be achieved in cluster development if payment is made to fund permanent land preservation elsewhere in the county. This is an excellent opportunity to encourage affordable housing in areas where it is needed most. In addition, Sussex County is fortunate to have the infrastructure in place via the Moderately Priced Housing Unit and Sussex County Rental Programs to manage the affordable housing created as a result.

Chapter 9 – Economic Development

- Figure 9.5.1 Industrial parks and Business Parks – This section lists 4 main business parks in Sussex County. The business park in Georgetown is referred to the Delaware Coastal Business Park in the bullet but the Sussex County Business Park on the map - - the map and the bullets should be consistent.
- In section 9.5 of the plan entitled “Economic Development Resources”, the Division of Small Business is not mentioned as a partner in this effort although other organizations (including the Delaware Prosperity Partnership and the Small Business Development Center) are included. Interestingly, a program that the division administers (the Delaware Strategic Fund) is highlighted in the county's comp plan.

The Division of Small Business should be included in the efforts to build a strong economic development network in Sussex County and should be mentioned in the comp plan as an established agency ready and available to support small businesses.

Agriculture:

- It should be noted that historically, agriculture and forestry have been the dominant forces in Sussex County's Economy. Currently, the agriculture sector continues to be a large component of the economy with over \$3.5 billion in output, while tourism gains ground with the generation of over \$1.8 billion in direct sales (2015 number). In many ways the two industries develop in opposition of one another (i.e. farm preservation vs. land development; the noise/smell/ground water of the farming industry's impact on residents who may not desire some of the aspects of "rural" life.) How can we better manage and support the integration of agriculture and tourism? How is the county addressing its AGRI TOURISM and/or DESTINATION MARKETING industry? Additional emphasis should be placed on the two largest economic drivers working in support of each other.

Of the \$3.5 billion in direct agriculture activity, \$1.0 billion is the result of on-farm activities (\$2.5 billion in added value processing and over \$30 million in agriculture support industries), yet the average age of farmers in 2012 was 58.4. What can be done to support, encourage and incentivize the younger population to continue in the industry?

- Figure 9.2-1 indicates 71% of direct agriculture activities are related to processing, as opposed to the reducing 23% animal producing activity (poultry processing is not included in this total as it falls under Food Manufacturing). While total acres of farmland have steadily decreased, we see that the remaining farms have become more productive. Given the importance of this economic driver, the county should support having an adequate land supply through farm land preservation and strategic land use planning.
- In addition, thought should be given to creating an AGRI BUSINESS ZONE within the county mapping system in order to reduce the number of unnecessary regulatory and administrative hurdles to allow businesses to concentrate on growing/running their operation. The DRAFT plan currently suggests creating "agribusiness areas", however unless it is considered a mapped zone the regulatory issues are not adequately addressed.

Tourism:

- Continue our investment in Sussex County tourism along the newly named "Coastal Zone", while carefully weighing and addressing the much needed infrastructure needs and impacts on the environment (to include the preservation of our inland bays and methods/manners of transportation).
- Explore the tourism opportunities in Western Sussex, including focus on small town charm/shopping/eateries, along with agri-tourism initiatives.

Additional Considerations:

- For new businesses, consider the "Sherpa" method. Identify a person or office to guide a business through the county regulatory and permitting process. The DNREC Small Business Ombudsman position is a perfect example.
- Clearly identify the processes for creating and growing businesses in Sussex County while streamlining and eliminating unnecessary steps.
- Create a network or formal group consisting of county, state, education and non-government agency representatives to meet periodically to discuss how to address inefficiencies and work to improve economic development in Sussex County.
- The Division of Small Business Favors:
 - *The weaving of economic development into the county's entire decision-making process* and encourages the County Council to promote economic development within all parts of county government. This would include the on-going education on the importance of "time is money" in the business world.
 - *The encouragement of mapping growth beginning **within** municipalities and town centers*, rather than focusing on the three major arteries of Route 1, Route 113 and Route 13.
 - Placing emphasis on the *redevelopment of land and businesses*, utilizing/improving existing infrastructure (offering incentives in this area if possible)
 - Greater attention should be given to retaining the population of young people in the county after the completion of high school and/or college.
 - This could be done through the enhancement of trade school opportunities for students or a campaign encouraging employment in the trade industry.
 - Incentives for graduates (both high school and college) to remain or return to Sussex County to live and work.
 - Incentives for businesses who provide internships, employment contracts or jobs to those individuals who choose to remain in Sussex County.
 - How are we looking ahead to address the ever increasing aging population through the lens of economic development, while realizing the growing trend in Sussex's healthcare industry?
 - The growing 65+ population will need increased healthcare services and infrastructure. Healthcare providers are aware of this need and have shown interest and movement in providing services in Sussex. How are we helping these businesses find sites and maneuver through the regulatory/permitting process?

- Does Sussex County provide adequate training opportunities in order to provide skilled healthcare employees? Are we interacting with local schools/colleges to help our students prepare?
- Housing and infrastructure improvements are needed to allow for additional housing/long term care facilities for the 65+ population.
- A primary need in Sussex is affordable transportation for the aging/physically dependent population. Can the solution be business development related rather than human service/government related?
 - How are we addressing the need to provide attractive, safe and affordable housing to individuals just starting out in their career? Housing is key to attracting talented employees. Is housing available in eastern and western Sussex?
 - One issue not adequately discussed in the plan concerns the opioid crisis predominately found in lower Sussex County (both east and west) and how to address the impacts of this problem as it relates to developing the economic efforts of our municipalities and town centers.
- 9.2 Agriculture and Forestry (page 9-2): The Department of Agriculture appreciates the analysis of agriculture's economic contribution and importance in Sussex County. It also correctly raises concern about the increasing loss of farmland and farms over the past few decades, and the increasing challenges facing Sussex County farmers and the agricultural industry in the future.
- Goal 9: Preserve and encourage the expansion of the agriculture industry, forestry industry, and other similar industries in the County (page 9-31): The Department of Agriculture strongly supports all the underlying strategies supporting this overall goal, and would be glad to help the County implement them.

Chapter 10 – Historic Preservation

- The last section of Chapter 10 gives goals, objectives and strategies for Historic Preservation in the county. Many involve continuing efforts of the Historic Preservation Planner, which our office strongly encourages. Our office also offers suggestions on clarifying a few of the strategies and related aspects of the chapter:
 - For Strategy 10.1.2.2, consider clarifying to whom and under what circumstances the documentation requirement would apply.
 - Under Strategy 10.1.3.2, in considering applying for the Certified Local Government (CLG) program (which our office encourages), Sussex County may also want to

consult New Castle County's Department of Land Use, the only other county-level CLG.

- As relates to Objective 10.1.4, elsewhere in the chapter it may be helpful to reference the relationship between the PLUS and County project review processes, and the Historic Preservation Planner's current or future role in these processes. In the objective, also consider including ways to encourage avoidance (and not just mitigation) of effects.
- For Goal 2, consider adding or augmenting existing strategies that help ensure historic preservation is integrated into the land use policy discussed elsewhere in the Comprehensive Plan, including consideration of landscapes. Under Strategy 10.2.1.3, include specific changes to the ordinance that could be considered.
- The chapter references the 2013-2017 statewide historic preservation plan. The new plan, *Partners in Preservation: Planning for the Future, Delaware's Historic Preservation Plan 2018-2022*, is now available online at: <https://history.delaware.gov/pdfs/2018-2022DelawareSHPOPlan.pdf> (single-page version for printing also available). The new plan emphasizes partnering to achieve common goals and connecting with other planning efforts, which is also evident in the County's draft plan. The State Historic Preservation Office encourages the county to consider how the goals, strategies and actions outlined in the new statewide plan may support and be coordinated with their efforts, perhaps cross-referencing specific actions with those outlined in the County's Chapter 10.
- Some information in the chapter should be updated to reflect recent changes to programs (e.g., legislation affecting the tax credit program, the above-mentioned release of the new statewide preservation plan, an updated Programmatic Agreement with FHWA). There are also a number of other technical corrections needed. The State Historic Preservation Office will contact the County directly to offer editorial comments on the plan.

Chapter 11 – Intergovernmental Coordination

- 11.5 Intergovernmental Coordination and Plan Implementation Priorities – It is recommended that the County include a paragraph or table of that prioritizes the objectives in some manner - -possible by what goals and objectives the county will make your top priority over the next 6 months; 1 year; 2 years, etc. Page 3.5 states that the county will create an implementation plan one the plan is adopted; however, we encourage the County to set the implementation before adoption and add it as part of the plan.
- Page 11-2: The first topic mentions the county's historical contribution to the farmland preservation program. Again, the Department of Agriculture would mention this fact in the "presence tense" since the county recently contributed funds to the program this year, 2018.

- Strategy 11.1.1.4 (page 11-8): the Department of Agriculture appreciates and welcomes cooperation with the County to implement this strategy.
- Page 11-3 discusses the county coordination with OSPC and the PLUS review. With the change from ESDA to Coastal area, the MOU will need to be updated to reflect which projects must be reviewed through PLUS

Chapter 12 - Community Design

- Section 12.3.1: DNREC recommends use of native tree and shrub species wherever possible and the preservation of existing mature forests. As mentioned in comments above, DNREC has recently worked with New Castle County on procedures for better identifying and protecting mature forests and would be glad to share information with you about this topic. DNREC can also work with you to provide up to date lists of native species for use in landscaped and naturalized areas.
- Section 12.3.2: DNREC would like to remind the County of the energy savings potential of LED lights and would encourage all new street lights utilize this technology.
- Section 12.3.4: DNREC encourages the County to consider adding provisions to require electric vehicle charging stations to residential, recreational, and commercial parking areas.
- Sections 12.3.9 and 12.3.15: The County should require the preservation of contiguous areas of open space in its open space calculations. Preservation of large, contiguous areas of open space across parcels helps ensure habitat for wildlife, large areas for recreational use and preservation of the agrarian character of the County.
- Sections 12.3.20 and 12.3.22: Consider recommending or requiring construction operations to implement EPA's Best Practices for Reducing, Reusing, and Recycling Construction and Demolition Materials. <https://www.epa.gov/smm/best-practices-reducing-reusing-and-recycling-construction-and-demolition-materials>
- Section 12.4: DNREC supports the goals and objectives in this section. Please consider DNREC a partner in implementing these strategies and contact us for assistance as needed.
- Strategy 12.1.2.2: DNREC encourages leading by example, however this section could be construed to encourage larger parking lots than required. DNREC encourages flexibility with parking lots to allow fewer spaces to reduce impervious surfaces and expand the opportunity for preserved or naturalized spaces. Please make sure the text cannot be misconstrued as to encourage bigger parking lots.

Chapter 13 - Mobility

- Page 13-12: DART already has added intercountry service from Lewes to Dover (Route 307). Please update this section.

Approval Procedures:

- Once all edits, changes and corrections have been made to the Plan, please submit the completed document (text and maps) to our office for review. **Your PLUS response letter should accompany this submission.** Also include documentation about the public review process. In addition, please include documentation that the plan has been sent to other jurisdictions for review and comment, and include any comments received and your response to them. Substantial changes to this draft could warrant another PLUS review.
- Our office will require a maximum of 20 working days to complete this review.
 - If our review determines that the revisions have adequately addressed all certification items (if applicable), we will forward you a letter to this effect.
 - If there are outstanding items we will document them in a letter, and ask the county to resubmit the plan once the items are addressed. Once all items are addressed, we will send you the letter as described above.
- Provided no additional changes are made, the jurisdiction shall adopt the plan as final, pending certification
- The Office of State Planning Coordination shall submit a final comprehensive plan report and recommendation to the Cabinet Committee on State Planning Issues for its consideration;
- Within 45 days of the receipt of the report the Cabinet Committee shall issue its findings and recommendations and shall submit the plan to the Governor or designee for certification.
 - Within this timeframe, the Committee, at its discretion, may conduct a public hearing on the proposed plan or amendment, except that no hearing shall be held if the proposed plan or amendment is found to be consistent with state goals, policies and strategies and not in conflict with plans of other jurisdictions;
- Within 20 days of receipt of the findings and recommendations from the Committee, the Governor shall accept the plan for certification or return it to the local jurisdiction for revision. The local jurisdiction shall have the right to accept or reject any or all of the recommendations as the final decision on the adoption of the plan is up to the local jurisdiction *(It should be noted the State shall not be obligated to provide state financial assistance or infrastructure improvements to support land use or development actions by the local jurisdiction where the adopted comprehensive plan or portions thereof are determined to be substantially inconsistent with State development policies);*
- The Governor shall issue a certification letter to the County. The certification date shall be the date of official adoption by the County.

PLUS review 2018-08-11
Page 22 of 22

Thank you for the opportunity to review this Comprehensive Plan. We look forward to continuing to work closely with Sussex County through the comprehensive plan revision, adoption and certification process to address any questions or comments that may arise.

If you have any questions, please contact me at 302-739-3090.

Sincerely,



Constance C. Holland, AICP
Director, Office of State Planning Coordination

Robert H. Robinson
104 West Market Street
Georgetown, DE 19947
(302) 856-2248

January 31, 2008

Mr. Hal Godwin
Assistant to the Administrator
P.O. Box 589
Georgetown, DE 19947

Dear Mr. Godwin,

This correspondence is to follow up on my letter of June 26, 2007 (copy enclosed) and my son's recent phone conversations with you and Mr. Schmehl concerning my family's farm property on Route 1 north of Lewes, Tax Map No. 2-35-23.00-2.01. I understand that the County is presently reviewing individual properties to determine their future uses, and I am asking that my property be designated a "Growth Area" in the County's revised Comprehensive Plan.

The guidelines for designating Growth Areas on page 14 of the Draft Future Land Use Plan apply to this property: it is on a major highway near a population center, public sewer and water are available, contiguous and nearby properties are zoned Commercial and Medium Residential, and it is not in an area of preserved lands (see the enclosed zoning map).

Because we hope to preserve the best aspects of the property, we anticipate that any major development will be located along Route 1. The attached sketch shows a possible development plan for the property, with C-1 and/or HR uses along the highway, possible educational or institutional uses in the middle, and limited residential and agricultural uses in the rear.

Thank you for your consideration of this request and please let me know if you need additional information.

Yours truly,


Robert H. Robinson

Enclosures (3)

cc: Mr. Charlie S. Schmehl, URDC
✓ Mr. Lawrence Lank, P&Z

RECEIVED

FEB 01 2008

PLANNING & ZONING
COMM. OF SUSSEX COUNTY

Robert H. Robinson
104 West Market Street
Georgetown, DE 19947
(302) 856-2248

June 26, 2007

Comprehensive Plan Comments
Attn: Mr. Hal Godwin
Assistant to the Administrator
P.O. Box 589
Georgetown, DE 19947

Dear Mr. Godwin,

This letter is to request that property I own be designated as a growth area on the 2007 Comprehensive Plan. The property is located on Route 1 just north of Red Mill Pond and is designated as Tax Map Parcel No. 2-35-23.00-2.01.

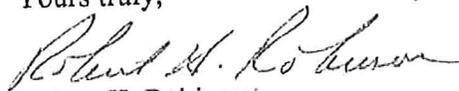
The Comprehensive Plan should show this property as a growth area for the following reasons:

1. Neighboring land is zoned C-1 Commercial (to the south and west) and MR Medium Density Residential (Paynter's Mill and Red Fox Run). There are also several existing residential subdivisions in the vicinity. See attached zoning maps.
2. County sewer is available nearby and Tidewater has recently installed water lines that could serve the property.
3. The property is located on a major highway. Because of increased traffic and the lack of farmland nearby, it is increasingly difficult to farm the land.

Developing the property would be part of the natural pattern of growth north of Lewes. The infrastructure (roads, water, and sewer) already exists to support growth on the property so it is appropriate that the property be designated as a growth area.

Thank you for your consideration of my request. Please let me know if you would like any additional information.

Yours truly,


Robert H. Robinson

RECEIVED

cc: Mr. Charlie S. Schmehl, URDC

FEB 01 2008

PLANNING & ZONING
COMMISSION OF SUSSEX COUNTY

LANDOWNERS 43



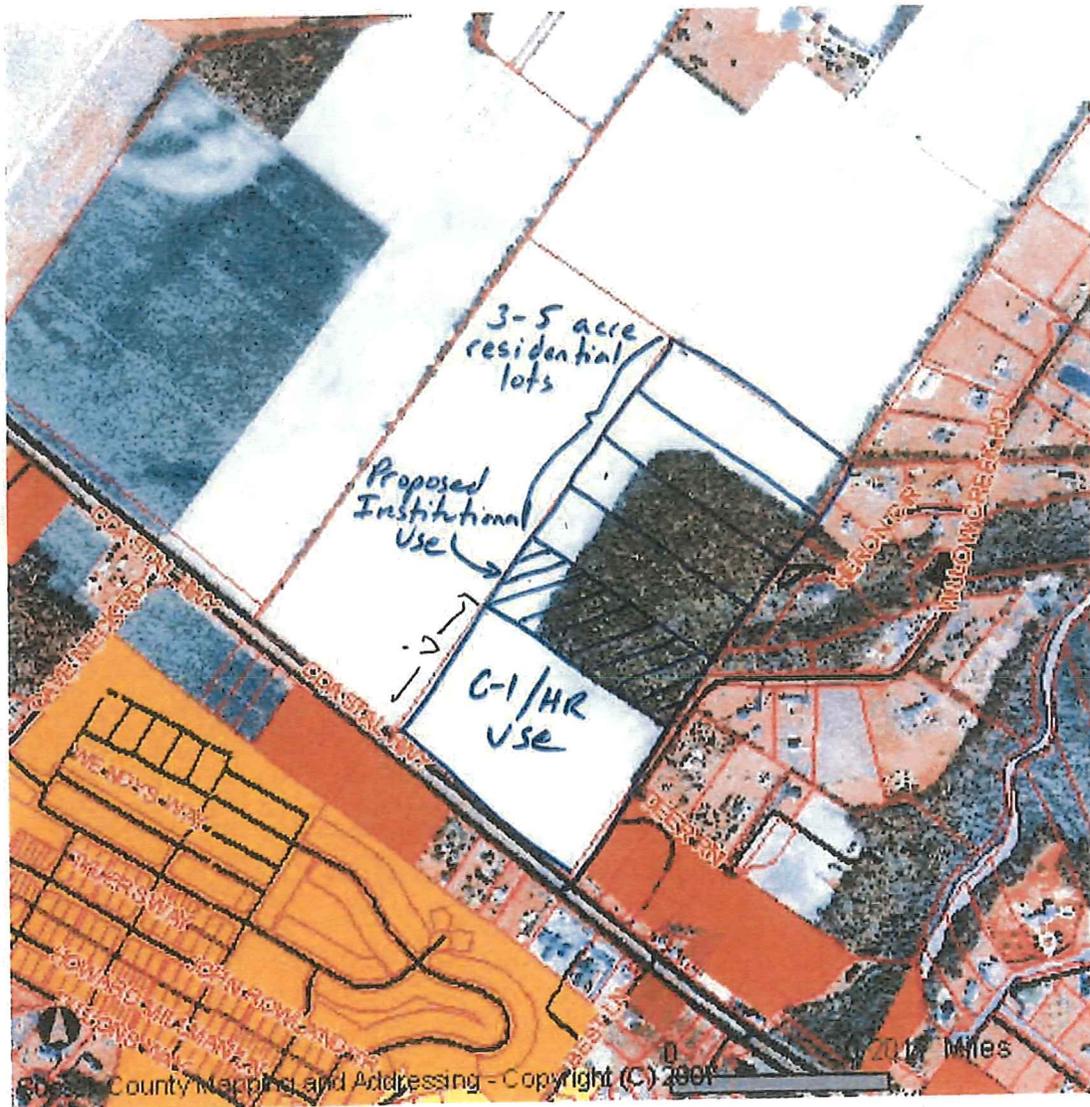
Tax Map No. 2-35-23.00-2.01

RECEIVED

FEB 01 2008

**PLANNING & ZONING
COMM. OF SUSSEX COUNTY**

LANDOWNERS 44



Tax Map No. 2-35-23.00-2.01

Thomas P. Robinson Jr.
16161 Coastal Hwy.
Lewes, DE. 19958
(302) 645-0146 cell (302) 381-2850

March 24, 2008

Comprehensive Plan Comments
Attn: Mr. Lank
Planning and Zoning Commission
P.O. Box 417
Georgetown, DE. 19947

Dear Mr. Lank,

This letter is to request that property I own be designated as a growth area on the 2007 Comprehensive Plan. The property is located on Route 1 just north of Red Mill Pond and is designated as Tax Map Parcel No. 2-35-23.00-2.0. I am the remainderman of this parcel of land with my uncle Albert F. Peters having a life interest.

The Comprehensive Plan should show this property as a growth area for the following reasons:

1. Neighboring land is zoned C-1 Commercial (to the south and west) and MR Medium Density Residential (Paynter's Mill and Red Fox Run). There are also several existing residential subdivisions in the vicinity.
2. County sewer is available nearby and Tidewater has recently installed water lines that could serve the property.
3. The property is located on a major highway. Because of increased traffic and the lack of farmland nearby, it is increasingly difficult to farm the land.

Developing the property would be part of the natural pattern of growth north of Lewes. The infrastructure (roads, water, and sewer) already exists to support growth on the property so it is appropriate that the property be designated as a growth area.

Thank you for your consideration of my request. Please let me know if you would like any additional information.

Yours truly,


Thomas P. Robinson Jr.

RECEIVED

MAR 26 2008

PLANNING & ZONING
COMM. OF SUSSEX COUNTY

FUQUA AND YORI, P.A.
ATTORNEYS AT LAW
28 THE CIRCLE
P.O. BOX 250
GEORGETOWN, DELAWARE 19947
PHONE 302-856-7777

JAMES A. FUQUA, JR.
JAMES A. YORI
TIMOTHY G. WILLARD
TASHA MARIE STEVENS
MARGARET R. COOPER

FAX 302-856-4584
circlelaw@fuquaandyor.com

April 21, 2008

RECEIVED

APR 21 2008

PLANNING & ZONING
COMM. OF SUSSEX COUNTY

David Baker
Sussex County Administrator
2 The Circle
P.O. Box 417
Georgetown, DE 19947

RE: COMPREHENSIVE PLAN UPDATE

Dear Mr. Baker:

On behalf of Overbrook Acres LLC and Trout Rehoboth LLC I request the Sussex County Council's consideration of including their property in the Environmentally Sensitive Development District.

My client's property is located on the northeast side of Route 1 near the intersection of Route 1 and County Road 88. Their property is identified as Sussex Tax Map Parcel 2-35-23.00-1.00. This request should be considered in connection with the similar request of the owners of Sussex Tax Map Parcels 2-35-23.00-2.00 and 2.01 for inclusion in the Environmentally Sensitive Development Zone. I enclose a copy of the Sussex County Tax Map showing the location of the three parcels (Exhibit 1).

Our request is based on the following considerations:

1. The ESDA currently extends approximately to the southern boundary of the three referenced properties. All property South of our properties on the East side of Route 1 are in the ESDA. On the West side of Route 1 directly across from our properties the ESDA extends North to County Road 88. Enclosed is a copy of the future land use map (Exhibit 2).
2. The Current Land Use Plan provides that the ESDA should extend to properties on roads bordering the ESDA resulting in the front 600 feet of Parcels 2.00 and 2.01 and a portion of Parcel 1.00 being in the ESDA. Therefore the three parcels are split by the Comprehensive Plans designation, a portion of each parcel in the ESDA and a

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portion outside the ESDA.

3. The eastern side of Route 1 across from three parcels is developed with numerous commercial and service establishments as well as residential development.

Accordingly it is requested that for the purpose of consistency of the land use plan designations, acknowledgment of the existing nature of the area and to avoid burdening the three parcels with multiple and inconsistent land use designations, that the three referenced parcels be included in the ESDA.

Thank you for your consideration.

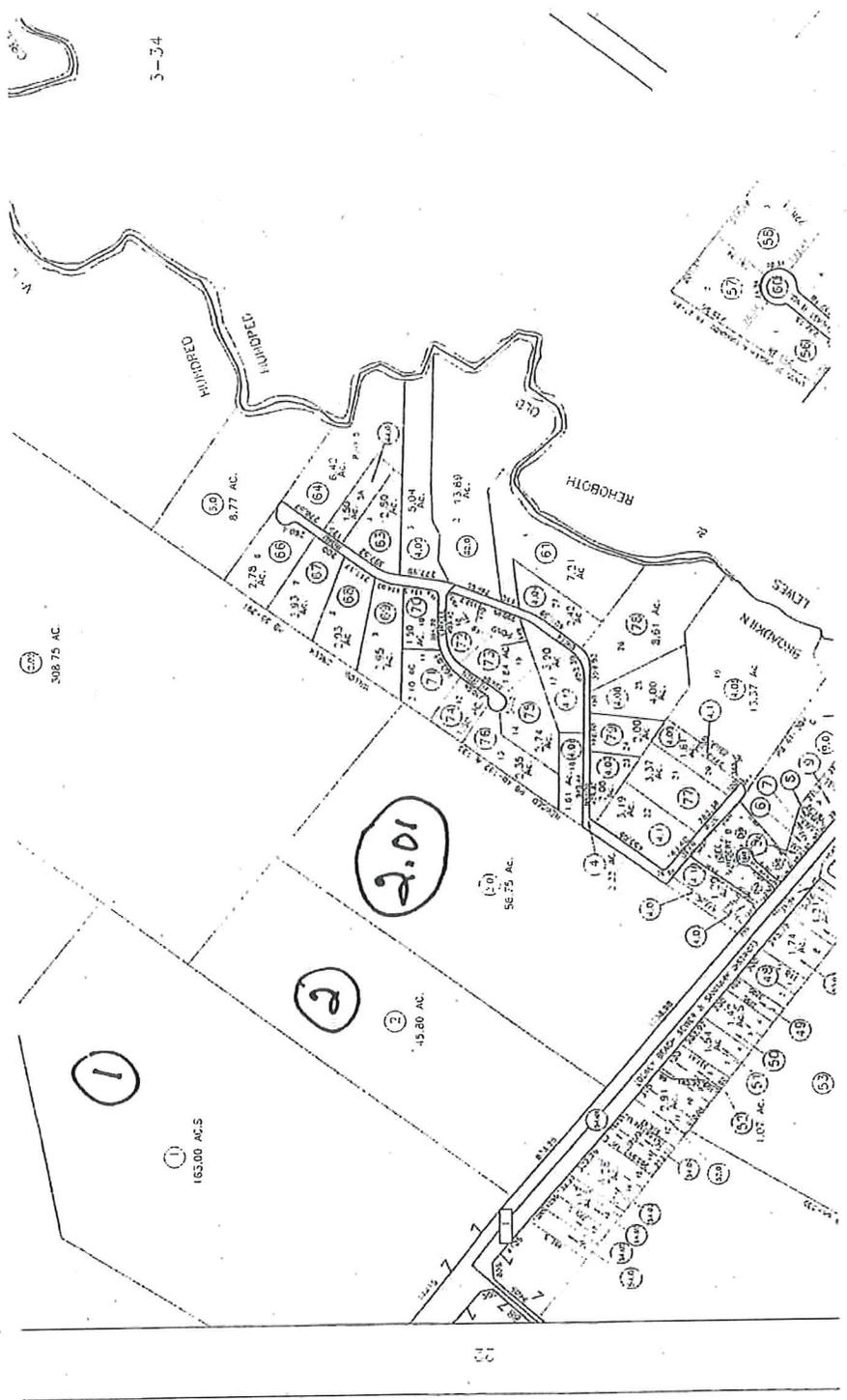
Very truly yours,



James A. Fuqua, Jr.

JAF/css

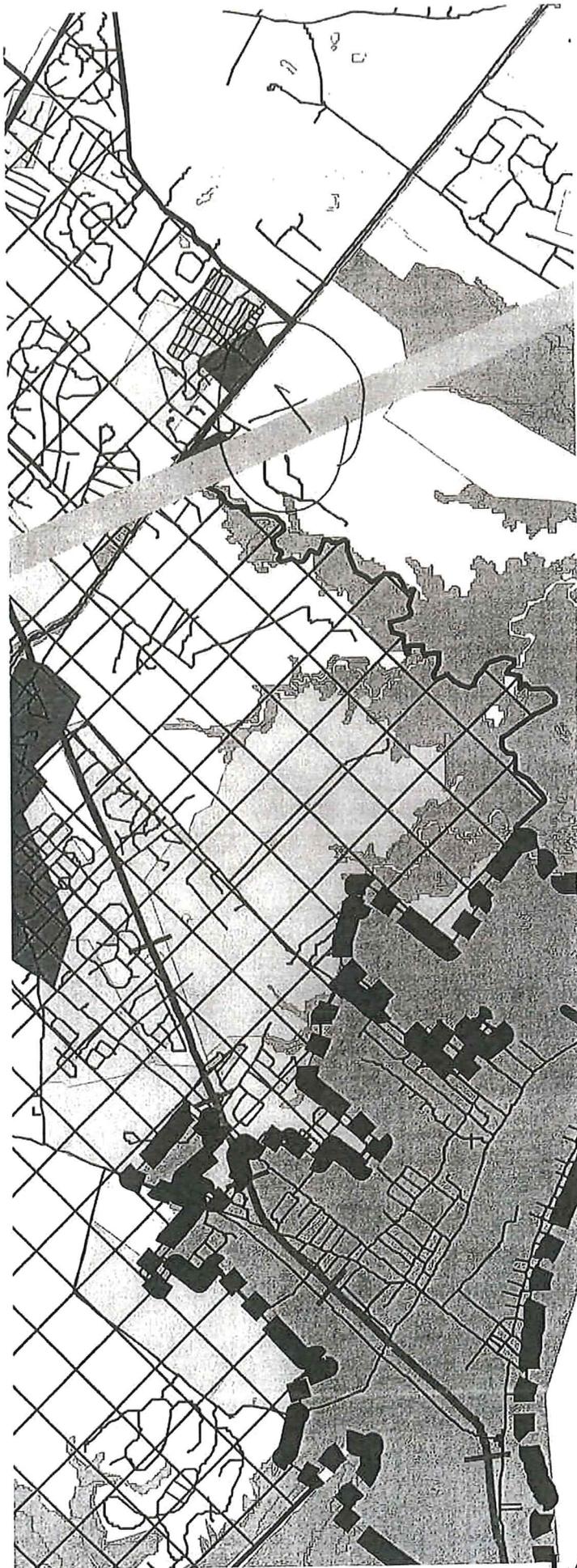
cc: Finley B. Jones
Dale R. Dukes
Lynn J. Rogers
George B. Cole
Vance C. Phillips
Lawrence Lank
Jerome Trout
Louis Di Bitonto



3-54

1 H 23





From: DJ Hughes
Sent: Thursday, April 08, 2021 1:53 PM
To: 'Esham, Calvin (DeIDOT)' <Calvin.Esham@delaware.gov>
Subject: RE: SR 1/Cave Neck Road GSI

Calvin,

Thank you for providing the info. I will review it versus the current potential land uses, discuss with our project team, and follow up accordingly. Seems a meeting would be appropriate and will let you know for sure when I follow up.

Thanks again,

DJ

From: Esham, Calvin (DeIDOT) <Calvin.Esham@delaware.gov>
Sent: Thursday, April 08, 2021 1:22 PM
To: DJ Hughes <djh@dbfinc.com>
Subject: FW: SR 1/Cave Neck Road GSI

DJ,

Below is a breakdown of the traffic volume for the current Overbrook site from the previous owner's plan that was preliminarily approved by the County. Along with that, there is a breakdown of our assumptions for the two vacant parcels to the south of the Overbrook development. If the land use would be similar, our roundabouts would be approximately 40% over capacity. The bridge structure will only be designed for 2 lanes total and there are no future plans to widen Cave Neck Road. Please let me know if you'd like to set up a meeting to discuss.

Thanks,

Calvin Esham, P.E.
Project Manager
South Project Development
(302) 760-2363

From: Hofstee, Joe <Joe.Hofstee@aecom.com>
Sent: Thursday, April 8, 2021 10:25 AM
To: Esham, Calvin (DeIDOT) <Calvin.Esham@delaware.gov>
Cc: Gaines, John (DeIDOT) <John.Gaines@delaware.gov>
Subject: Re: SR 1/Cave Neck Road GSI

Calvin,

Sorry for the delay in providing you with this information.

For the traffic volume projections for the east side of SR1 we assumed the following:

For the former Overbrook site, the traffic volume projections assumed the following development characteristics:

- 217 single family homes
- 300,000 square feet of retail

Applying a similar development split for the two undeveloped parcels to the south of the Overbrook site was noted to put the roundabouts at about 40% over capacity. For those we assumed we would have been adding:

- 151 single family homes
- ~290,000 square feet of retail/commercial

Let me know if you want me to setup a call to discuss with our Traffic engineer.

Thank you,
Joe

From: Esham, Calvin (DeIDOT) <Calvin.Esham@delaware.gov>
Sent: Monday, March 29, 2021 10:19 AM
To: Hofstee, Joe <Joe.Hofstee@aecom.com>
Cc: Gaines, John (DeIDOT) <John.Gaines@delaware.gov>
Subject: [EXTERNAL] FW: SR 1/Cave Neck Road GSI

Joe,

DJ Hughes stopped by my home (his old residence) to get mail and we discussed the SR1/Cave Neck GSI and how DBF will be involved with the design of the new Overbrook development. They will be deviating from that original design and DJ discussed a potential meeting to go over their design and ours, especially pertaining to the capacity of the eastern roundabout. In the meantime, could you provide me an answer to the 3 questions below? The first 2 answers I can relay to them but I wanted to verify question 3 as we had discussed that previously and the limitations of the roundabout if the development potentially changed from previous the Overbrook design. I can set up a future meeting if necessary.

Thanks,

Calvin Esham, P.E.
Project Manager
South Project Development
(302) 760-2363

From: DJ Hughes <djh@dbfinc.com>
Sent: Monday, March 29, 2021 9:52 AM
To: Esham, Calvin (DeIDOT) <Calvin.Esham@delaware.gov>
Cc: Zac Crouch <wzc@dbfinc.com>; Dawn Riggi <dmr@dbfinc.com>
Subject: SR 1/Cave Neck Road GSI
Importance: High

Calvin,

Nice talking to you Saturday. As we briefly discussed, we are working for a client that is proposing a development on the former Overbrook Town Center site. When you have a chance, please give me a call to discuss. The primary things the client is interested in at the moment are:

1. Where DeIDOT is in the design process especially with respect to the roundabout on the east side of SR 1?

2. What is the current construction timeframe for the project?
3. What do traffic volume projections being used for the design assume for the former Overbrook site?

Thanks,

D.J. Hughes, P.E.

Associate/Sr. Traffic Engineer

Davis, Bowen & Friedel, Inc.

Email: djh@dbfinc.com

Office: 302-424-1441 | Fax: 302-424-0430

1 Park Ave., Milford, DE 19963

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ORDINANCE NO. 2783

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 6.4 ACRES, MORE OR LESS

WHEREAS, on the 18th day of June 2019, a zoning application, denominated Change of Zone No. 1891, was filed on behalf of Chappell Farm, LLC; and

WHEREAS, on the 21st day of January 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 11th day of February 2021, said Planning and Zoning Commission recommended that Change of Zone No. 1891 be approved; and

WHEREAS, on the 2nd day of March 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone 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.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of MR Medium Density Residential District 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 Broadkill Hundred, Sussex County, Delaware, and lying on the northwest corner of Coastal Highway (Route 1) and Cave Neck Road, and being more particularly described in the attached legal description prepared by Becker Morgan Group, Inc., said parcel containing 6.4 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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2783 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 22ND DAY OF JUNE 2021.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

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

- A. This is the application of Chappell Farm, LLC to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Density Residential District for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 6.4 acres, more or less (property lying on the northwest corner of Coastal Highway [Route 1] and Cave Neck Road) (Tax I.D. No. 235-23.00-1.02 [portion of]) (911 Address: 30511 Cave Neck Road, Milton).
- B. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that John W. Paradee, Esquire, with Baird Mandalas Brockstedt LLC, was present on behalf of the Applicant, Chappell Farm, LLC, together with Michael Riemann and Christopher Duke from the Becker Morgan Group, and Christian Hudson and Jamin Hudson, Principals of Chappell Farm, LLC; that this application seeks a change in zone from AR-1 Agricultural Residential District to MR Medium Density Residential District; that the property is adjacent to a property that has C-1 zoning; that there are other commercially zoned properties across Cave Neck Road from this site; that in the case of the C-1 zoning, a wide variety of commercial uses are permitted and the District also allows residential development of up to 12 units an acre; that there is also extensive MR zoning next to this property and across Cave Neck Road from this property; and that this rezoning is consistent with other zonings and land uses in the area.
- C. Council also found that the Sussex County Code states that the purpose of the MR District is to provide for medium-density residential development in an area which is, or which is expected to become, generally urban in character, and both central water and central sewer will be available; that sewer can be provided by the Sussex County Unified Sanitary Sewer District, operated and maintained by the Sussex County Engineering Department and water can be provided by Artesian Resources, Inc.; that the area is expected to become generally urban in character, as evidenced by the surrounding uses; that, in addition, this site is the location of a grade separated intersections (or overpass) that is being constructed by DelDOT with on-ramps and off-ramps and will be one of the first grade-separated intersections in Sussex County; and that this grade-separated intersection adds an urban character to the area.
- D. Council further found that, according to the Sussex County Comprehensive Plan, the property is located in the Coastal Area and MR zoning is appropriate in this area; that the 2018 Sussex County Comprehensive Plan outlines zoning districts by their applicability to each Future Land Use category; that under Table 4.5-2, "Zoning Districts Applicable to Future Land Use Categories", the Medium Density Residential District is listed as an applicable zoning district in the "Coastal Area"; that the Coastal Area is designated to encourage growth and development provided that environmental concerns are addressed; that the Coastal Area may include various types of housing, small-scale retail and office, light commercial, and institutional land uses; that, given its location adjacent to the interchange being constructed by DelDOT and the uses surrounding the property, the purpose of the MR District has been met; that MR zoning will promote the orderly growth of Sussex County in an appropriate location and will allow a wide range of opportunity to develop the site, while maintaining the existing character of the area; and that MR zoning is appropriate for this property.

E. Based on the Planning & Zoning Commission's Findings (1 through 6), Council found that:

- 1. This application seeks a change in zone from AR-1 to MR. The purpose of the MR zone is to provide housing in an area which is expected to become urban in character and where central water and sewer are available.**
- 2. The stated purpose of the MR District is satisfied for this site. Both central water and central sewer will be available. Also, this site is the location of a grade separated intersection, (or overpass) that is being constructed by DeIDOT with on-ramps and off-ramps. This will be one of the first grade-separated intersections in Sussex County. This grade separated intersection gives this location an urban character. Given its location adjacent to this interchange, MR zoning is appropriate for this property.**
- 3. The proposed MR zoning meets the purpose of the Zoning Ordinance in that it promotes the orderly growth of the County in an appropriate location.**
- 4. The property is adjacent to a property that has C-1 zoning and there are other commercially zoned properties across Cave Neck Road from this site. In the case of the C-1 zoning, a wide variety of commercial uses are permitted and that District also allows residential development of up to 12 units an acre. There is also extensive MR next to this property and across Cave Neck Road from this property. This rezoning is consistent with other zonings and land uses in the area.**
- 5. The site is located within the Coastal Area according to the Sussex County Comprehensive Plan. MR Zoning is appropriate in this area according to the Plan.**
- 6. For all of these reasons, MR zoning is appropriate for this site.**

F. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, the Council approved this application.

ORDINANCE NO. 2784

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 8.53 ACRES, MORE OR LESS

WHEREAS, on the 21st day of June 2019, a zoning application, denominated Change of Zone No. 1892, was filed on behalf of Chappell Farm, LLC; and

WHEREAS, on the 21st day of January 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the 11th day of February 2021, said Planning and Zoning Commission recommended that Change of Zone No. 1892 be approved; and

WHEREAS, on the 2nd day of March 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone 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.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of C-3 Heavy Commercial District 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 Broadkill Hundred, Sussex County, Delaware, and lying on the northwest corner of Coastal Highway (Route 1) and Cave Neck Road, and being more particularly described in the attached legal description prepared by Becker Morgan Group, Inc., said parcel containing 8.53 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.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2784 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 22ND DAY OF JUNE 2021.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL

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

- A. This is the application of Chappell Farm, LLC to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-3 Heavy Commercial District for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 8.53 acres, more or less (property lying on the northwest corner of Coastal Highway (Route 1) and Cave Neck Road) (Tax I.D. No. 235-23.00-1.02 (portion of) (911 Address: 30511 Cave Neck Road, Milton).
- B. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that that John W. Paradee, Esquire, with Baird Mandalas Brockstedt LLC, was present on behalf of the Applicant, Chappell Farm, LLC, together with Michael Riemann and Christopher Duke from the Becker Morgan Group, and Christian Hudson and Jamin Hudson, Principals of Chappell Farm, LLC; that this application seeks a change in zone from AR-1 Agricultural Residential District to C-3 Heavy Commercial District; that this property has a history of commercial uses, including a conditional use (Ordinance No. 2158) for a country market, and has frontage along Route 1 at a location that is next to an existing C-1 property with various commercial uses; that there are also additional commercially zoned properties located across Cave Neck Road which makes it an appropriate location for C-3 zoning; that the Sussex County Code states that the purpose of the C-3 District is "intended for larger scale auto-oriented retail and service businesses along major arterial roads that serve local and regional residents as well as the travelling public. In addition to most commercial uses found in this zone, automobile, truck, recreational vehicle and boat sales, rental and major repair facilities may also be located in this district"; that this particular C-3 District is intended to be integrated into a mixed-use community that will include multi-family residential units; that the C-3 zoning will permit uses that are beneficial, not only to the residential units that the Applicant intends to construct, but also to the general public that travels on Route 1.
- C. Council also found that, according to the Sussex County Comprehensive Plan, the property is located in the Coastal Area and C-3 Zoning is appropriate in this Area; that the 2018 Sussex County Comprehensive Plan outlines zoning districts by their applicability to each Future Land Use category; that under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories", the C-3 Heavy Commercial District is listed as an applicable zoning district in the "Coastal Area"; that the Coastal Area is designated to encourage growth and development provided that environmental concerns are addressed; that the Coastal Area may include various types of housing, small-scale retail and office, light commercial, and institutional land uses; that sewer can be provided by the Sussex County Unified Sanitary Sewer District, operated and maintained by the Sussex County Engineering Department and water can be provided by Artesian Resources, Inc.; that it will benefit from the grade-separated intersection (or overpass) that is being constructed by DelDOT with on-ramps and off-ramps; and that this will be one of the first grade-separated intersections in Sussex County; and that this grade-separated intersection adds an urban character to the area.

- D. Council further found that this application specifically meets the purpose of the C-3 Heavy Commercial District, because of its location adjacent to the interchange being constructed by DelDOT, the uses surrounding the property, and because it will provide a site for commercial and service activities along a major arterial highway; that C-3 zoning will promote the orderly growth of Sussex County in an appropriate location and will allow a wide range of opportunity to develop the site, while maintaining the existing character of the area, as well as promoting the convenience, order, prosperity and welfare of Sussex County; that, because of the residential development in the surrounding Cave Neck Road area, commercial uses will create convenient alternative choices for the residents' shopping and service needs while lessening their travel time to neighboring cities resulting in less congestion on the roadways; and that C-3 zoning is appropriate for this property.
- E. Based on the Planning & Zoning Commission's Findings (1 through 10), Council found that:
1. C-3 Heavy Commercial Zoning is designed to allow auto-oriented retail and service businesses that serve local and regional residents. Permitted Uses include retail uses, restaurants, offices and vehicle service stations.
 2. The site has frontage along Route 1 at a location that is next to existing C-1 property with various commercial uses. It is also across Cave Neck Road from other commercially zoned properties. This location is appropriate for this type of zoning.
 3. This site has a history of commercial uses. Ordinance No. 2158 approved a conditional use for a country market at this location.
 4. This site is the location of a grade separated intersection (or overpass) that is being constructed by DelDOT with on-ramps and off-ramps. Given its location adjacent to this interchange, commercial zoning, including C-3 Zoning, is appropriate for this property.
 5. This C-3 District is intended to be integrated into a mixed-use community that will include multi-family residential units. The C-3 zoning will permit uses that are beneficial to the residential units that are part of this development as well as traffic from Route 1.
 6. There has been significant residential development in this area of Cave Neck Road. Adding nearby convenient uses permitted in the C-3 zone will eliminate trips from these residential developments to either Lewes or Milton for shopping needs.
 7. The site will be served by central water and Sussex County sewer.
 8. The site is in the Coastal Area according to the Sussex County Comprehensive Plan. C-3 zoning is appropriate in these Areas according to the Plan.
 9. The proposed rezoning meets the general purposes of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.
 10. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.
- F. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, the Council approved this application.

Sent: Saturday, January 15, 2022 8:57 AM

Subject: Contact Form: Amendments to the 2018 comp plan land-use map

Submitted on Saturday, January 15, 2022 - 8:56am

Name: Michael Cunningham

Email address: [mslower57@earthlink.net](mailto:m slower57@earthlink.net)

Phone number: 3025031045

Subject: Amendments to the 2018 comp plan land-use map

Message:

I want to say that I am against any amendments to the 2018 county comprehensive plan land-use map that changes a parcel's map designation from one density to another. These amendments, in my opinion, are just a back door way of rezoning a parcel of land away from the original comp plan designation. There was a lot of work put into the development of the 2018 comp plan that is suppose to address the next 10 years of growth in Sussex County in a controlled and responsible way. Allowing these types of amendments to pass basically makes the county plan useless.

Thanks,
Mike Cunningham

Much of the County's Planning and Zoning Information can be found online at:

<https://sussexcountyde.gov/sussex-county-mapping-applications>

Information on the 2018 Sussex County Comprehensive Plan can be found at:

<https://sussexcountyde.gov/2018-comp-plan-documents>

From: Erik Hein <noreply@forms.email>
Sent: Thursday, December 23, 2021 11:10 AM
To: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>
Subject: Contact Form: Comprehensive Plan Change Proposal - 235-23.00-2.01

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

Name: Erik Hein
Email: erikmhein@gmail.com
Phone: 301-706-4049
Subject: Comprehensive Plan Change Proposal - 235-23.00-2.01
Message: Greetings, Jamie -

We live at 16239 Willow Creek Road, Lewes - right across from the property owned by the Robinson and Chapell families, adjacent to the proposed Cave Neck Road Interchange. I am coming late to this process and discussion (we only became aware of it), and am confused as to the status of the Comprehensive Plan change requested by the property owners. In particular, in the literature, I see reference to several tax parcels - but none to 235-23.00-2.01 (the one directly in front of my house). This parcel is included in the request, but nobody seems to be claiming ownership in the application. I don't plan on being a nuisance - I just want to better understand the proposal and the implication, since I will be potentially directly impacted. Also, if there is a written comment process, I would appreciate knowing the deadline and to whom I should direct them. Thank you for your time.

Sent: Friday, January 14, 2022 8:34 AM

Subject: Contact Form: Vote "no" on set back change and density issue scheduled for January 14, 2022

Submitted on Friday, January 14, 2022 - 8:33am

Name: Hugh T Collins iii

Email address: htimcollinsiii@gmail.com

Phone number: 3025396147

Subject: Vote "no" on set back change and density issue scheduled for January 14, 2022

Message:

Please vote no to the 2 proposals dealing with set backs and density change. Put the brakes on more density projects. Keep Sussex County's character and be kind to all the wildlife that depends on you to keep there homes in place!!

Thank you!! Fenwick Island , De.

Jamie Whitehouse

From: Doug Hudson
Sent: Monday, January 10, 2022 1:24 PM
To: Jamie Whitehouse
Subject: Fwd: Please vote 'NO' on County Comprehensive plan changes

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From: Rosaleen Gilmore <rosaleenella@gmail.com>
Sent: Monday, January 10, 2022 10:27 AM
To: Doug Hudson
Subject: Please vote 'NO' on County Comprehensive plan changes

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Hello,

I am a resident of Angola by the Bay in Sussex county, and I am writing to urge you to vote against changing the County Comprehensive plan to allow higher density housing construction in this area. We have already felt the negative impacts of the rampant development in this area; adding more development and higher density housing will only put more strain on our hospitals, schools, and grocery stores than have already been felt. Please vote no to changing the County Comprehensive plan.

All the best,

Dr. Rosaleen Gilmore

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Monday, January 10, 2022 1:15 PM
To: Jamie Whitehouse
Subject: Fwd: 19958 Density Increase
Attachments: Letter_Hudson_01-10-2022.docx; Letter_Watson_12-03-2021.docx

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From: Douglas Olson <dkolson@verizon.net>
Sent: Monday, January 10, 2022 12:54 PM
To: Doug Hudson
Subject: 19958 Density Increase

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Dear Mr. Hudson,

The first attached letter is in reference to the planned January 11, 2022 Sussex County Council meeting to vote on the possible density increase for Sussex County residential developments. I am strongly opposed to these density increases for the reasons stated in this letter. The other attached letter, sent to Jessica Watson of Sussex Conservation District (SCD), provides additional background with respect to excess water issues in the Oakwood Village community where I live.

Thanks for your attention to this issue.

Sincerely,
Douglas K. Olson
301-922-9114

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Jamie Whitehouse

From: Erik Hein <erikmhein@gmail.com>
Sent: Wednesday, January 12, 2022 3:02 PM
To: Jamie Whitehouse
Subject: Fwd: Contact Form: Comprehensive Plan Change Proposal - 235-23.00-2.01

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Mr. Whitehouse,

I am just confirming you had received these comments submitted on January 3rd, and to check whether the Council has taken any action. Thank you.

Erik Hein

pposition
Exhibit

----- Forwarded message -----

From: Erik Hein <erikmhein@gmail.com>
Date: Mon, Jan 3, 2022 at 4:28 PM
Subject: Re: Contact Form: Comprehensive Plan Change Proposal - 235-23.00-2.01
To: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>

Dear Mr. Whitehouse,

Thank you for the opportunity to provide comments on the request of property owners to amend the Future Land Use Map (FLUM) for parcels 235-23.00-1.30, 235-23.00-2.02, 235-23.00-2.00 and 235-23.00-2.01. The proposal would change the FLUM for these parcels from Low Density Area to Coastal Area. The latter would provide the property owners with substantially more latitude for development.

I live on Willow Creek Road and view most of the subject parcels directly out the front door of my home which has been located in the vicinity since 1840. Currently, I do enjoy unobstructed views to the North of sweeping farmland, and a heavily wooded parcel that includes several trees well over 100 years old (and more likely 200 years old), and that serves as an active habitat for a variety of wildlife.

I am under no illusion that I am in any way entitled to this beautiful view – since I do not own the parcels in question. However, I do believe it appropriate to voice my concern with any proposal that would allow for radically increased density – particularly in light of the planned overpass already slated for the intersection of Route 1 and Cave Neck Road with a service road to Willow Creek. In my view, this major project should be completed before any changes to the FLUM are contemplated so that impacts could be better understood. A FLUM, after all, guides future land use. If the FLUM is amended now to allow for substantially more density on the entirety of all four parcels, before the overpass is even built, you have essentially already destined all of it for intensive future development. While this may be appropriate for the stretch of land immediately along Route 1 and in front of the planned Service Road, the low density of my neighborhood, the heavily wooded and environmentally sensitive property towards the marsh and the coast warrants a much lower designation for the rest of the parcels.

While I support a property owner's right to pursue development of their property, I believe that right must have some limits. In this case, I ask the Council to deny the request which would change the FLUM for all four parcels in their entirety as submitted but express a willingness to consider a change for portions of the properties immediately along Route 1 in front of the planned Service Road.

Thank you for your time,

Erik M. Hein

16239 Willow Creek Road

Lewes, DE

On Thu, Dec 23, 2021 at 1:19 PM Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov> wrote:

Erik, Good afternoon,

Thank you for your email. The attached Exhibit shows with yellow hatching the parcels that are being considered as part of the potential amendment to the Future Land Use Map. The map includes the Tax Parcels so that you can see which parcels are included.

Our records show that the parcel is owned by "HOUSTON FARM LLC"

It is not too late to submit comments and Council has left the public record open until January 4th to allow for additional time to submit comments. Comments can be submitted to me directly, or at the office address below.

I hope that this is of assistance.

Happy holidays!

Thank you,

Mr. Jamie Whitehouse, AICP, MRTPI

Director, Department of Planning & Zoning

Sussex County

2 The Circle, P.O. Box 417, Georgetown, DE, 19947

Tel: 302-855-7878, Fax: 302-854-5079

Jamie Whitehouse

From: Doug Hudson
Sent: Wednesday, January 19, 2022 9:56 AM
To: Jamie Whitehouse
Subject: Fwd: Objection to revising comprehensive plan
Attachments: Letter to Mr. Hudson 011922.docx

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JAN 19 2022

SUSSEX COUNTY
PLANNING & ZONING

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From: Pat FitzGerald <pfitzgerald@comcast.net>
Sent: Wednesday, January 19, 2022 7:31 AM
To: Doug Hudson
Subject: Objection to revising comprehensive plan

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Hello Mr. Hudson,

Below is my correspondence pertaining to revising the comprehensive plan.

Thank you.

Opposition
Exhibit

Jan. 18, 2022

Mr. Douglas B. Hudson
Sussex County Council
2 The Circle, P.O. Box 589
Georgetown, DE 19947

Re: Oppose Amending Comprehensive Plan

Dear Mr. Hudson,

I am writing to let you know that I oppose amending the 2018 Comprehensive Plan to accommodate the owner's & developers request pertaining to the 247 acres of land east of Rt. 1 at Caves Neck Rd.

I believe that the work that went into forming the Comprehensive Plan was thorough and should not be circumvented in this instance.

Thank you in advance.

Sincerely,

Patrick FitzGerald
38291 Anna B. St.
Rehoboth Beach, DE 19971

Jamie Whitehouse

From: Doug Hudson
Sent: Tuesday, January 11, 2022 6:22 PM
To: Jamie Whitehouse
Subject: Fwd: Vote No

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JAN 11 2022

SUSSEX COUNTY
PLANNING & ZONING

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From: Michele Eveland <meveland@mac.com>
Sent: Tuesday, January 11, 2022 6:21 AM
To: Doug Hudson
Subject: Vote No

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Hello -

Please vote no to the Sussex County Comprehensive plan changed to allow for greater housing and commercial density than currently permitted.

Thank you.

A concerned home owner in Lewes.

Sent from my iPhone

Opposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, November 15, 2021 10:21 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, November 15, 2021 - 10:21am

RECEIVED

JAN 11 2022

SUSSEX COUNTY
PLANNING & ZONING

Name: David Jaeger
Email address: davejaeger@verizon.net
Phone number: 302-645-8023
Subject: Ordinance to Amend Future Land Use Map of Comprehensive Plan
Message: Land use designation of land on East side of Route 1 should NOT be amended from Rural Area -- Low density to Coastal area. This is not consistent with the Comp Plan and not close to public services. Offices of State Planning and DNREC has objected to this change which is designated by the Delaware Ecological Network for its value to sustain rare and endangered species.

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Opposition
Exhibit

Douglas K. Olson
21350 North Acorn Way
Lewes, DE 19958

January 10, 2022

Douglas B. Hudson, District 4
Sussex County Council
2 The Circle, P.O. Box 589
Georgetown, DE 19947

Re: 19958 Density Increase

Dear Mr. Hudson:

The homeowners of Lewes have been asked to advise you of their opposition to increasing the housing density for Zip Code 19958. Most homeowners object to the additional stress this will place upon our grossly inadequate infrastructure. Obviously, our traffic jams will become even more intolerable. I am more concerned that the increased density will increase flooding.

Almost all urban communities have sophisticated stormwater drainage systems that collect, transport, pump, retard and discharge stormwater to minimize flooding. This is in response to the basic civil engineering principle that development (hardcover) contributes to flooding.

The Department of Natural Resources and Environmental Control (DNREC) and the Sussex Conservation District (SCD) sought to politically accommodate developers. Rather than require developers to pay for countywide stormwater control, they instead allowed developers to "retain" water. The feckless managers at DNREC/SCD failed to adequately anticipate rainfall, failed to properly monitor hardcover, and failed to consider irrigation, which increases the groundwater problem by over 50 percent. They also failed to recognize that water properly discharged to the ocean does not need to be retained or slowed before discharge. To accommodate developers, DNREC/SCD is using a rural/agricultural approach of retaining stormwater and irrigation water. Because Sussex County is near sea level, it has a water table near the surface; infiltration ponds are ineffective. The retained excess water then results in flooding.

Finally, I wish to stress that no existing community should be allowed to increase its density without a commensurate increase in its facilities. Our community was initially designed for 61 homes but was then allowed to expand to 115 homes. As a result of this political accommodation to the developer by SCD, our community facilities are now grossly inadequate.

The attached 12/3/21 letter to DNREC/SCD explains the drainage problems for my community. Sussex County is the victim of political accommodation. I encourage you to be part of the solution rather than part of the problem.

Thank you for your kind consideration of this matter.

Sincerely,

Douglas K. Olson
301-922-9114

Attachment

cc: Jessica Watson
Program Manager, Sussex Conservation District
23818 Shortly Road
Georgetown, DE 19947

Bonnie W. Arvay, Program Manager II
Sediment and Stormwater Program
Dept. of Natural Resources and Environmental Control (DNREC)
Division of Watershed Stewardship
285 Beiser Blvd., Suite 102
Dover, DE 19904

Robert J. Valihura, Jr. Esq.
Morton, Valihura & Zerbato, LLC
Greenville Professional Bldg.
3704 Kennett Pike, Suite 200
Greenville, DE 19807-2173

Douglas K. Olson
21350 North Acorn Way
Lewes, DE 19958

December 3, 2021

Ms. Jessica Watson, Program Manager
Sussex Conservation District
23818 Shortly Road
Georgetown, DE 19947

Re: OVAL Drainage Plan

Dear Ms. Watson:

Over the past few months, I have sought information from you with respect to correcting the OVAL drainage problems found by the Chancery Court in Robinson v. Oakwood Village, C.A. No. 10154-VCG. In his Decision of April 28, 2017, Vice Chancellor Glasscock stated:

I have found by a preponderance of the evidence, that the stormwater system as approved and constructed is causing a continuous trespass and nuisance, resulting in damages. (p.56)

...

The parties should confer about how to efficiently present the issue of the appropriate equitable relief.

Your responses have been disingenuous and grossly inconsistent with the representations of your attorneys. SCD/DNREC were represented before the Court by Ralph Durstein and Will Kassab. DNREC was initially named as a party in the litigation. Ralph Durstein responded for SCD/DNREC by representing that the regulations precluding the unauthorized discharge of excessive water onto the property of others would be fully enforced. He then assured the Court that if the stormwater system as approved and constructed was found to cause damages that SCD/DNREC would use the bonds to force correction. Mr. Durstein was allowed to withdraw without prejudice based on his assurances that SCD/DNREC would fully cooperate with the Court and parties in discovery and resolution.

Mr. Durstein produced several documents to the parties which were later presented to the Court. Many of these documents were signed by Edward Bender, Stormwater engineer, for the Sussex Conservation District (SCD).

In 2004, SCD (Mr. Bender) advised Brian Lessard (the developer) that Oakwood Village soil samples and other tests indicated that Oakwood Village was not suitable for stormwater infiltration ponds or a large onsite wastewater treatment and disposal system (LOWTDS) necessary to support the 115 homes that Brian Lessard proposed for Oakwood Village. According to SCD, as presented by Mr. Durstein, if a LOWTDS (septic field) were to be installed in Oakwood Village, it would only be able to service 61 homes.

The developer went to the Robinsons and offered about \$4 million to buy their property; this offer was rejected. The developer then proposed to SCD a drainage plan with about 64 homes and a septic field of about 20 acres. However, before this reduced plan could be implemented, Mr. Lessard was advised that the septic field (LOWTDS) could be replaced by a wastewater utility easement. Artesian was granted this easement after the March 23, 2006 approval of the Drainage Plan. That plan could not be implemented until the wastewater utility easement was approved by SCD.

In January of 2006, Mr. Lessard again proposed a drainage plan for 115 homes. In a January 27, 2006 SCD letter, Mr. Bender advised the developer:

The regulations require that the post development runoff for each analysis point, especially since they occur on the different properties, to have the post development 2 and 10 year discharges to be less than existing discharges.

In a March 9, 2006 SCD letter, Mr. Bender noted that excessive water was being discharged onto the Robinsons' property. He then stated that if the Robinsons agreed to accept the excessive water discharge onto their property, he would recommend that the drainage plan for 115 homes be approved.

On March 16, 2006, the developer told Mr. Bender that the Robinsons had agreed to the discharge. Vice Chancellor Glasscock disagreed:

I find, however, that the signature on this document falls well short of demonstrating a knowing waiver of the Robinsons' right to object to an unreasonable discharge from Oakwood Village... (p.24)

The Robinsons presented overwhelming evidence that Oakwood Village was discharging millions of gallons of excessive water onto their property and that of others. The Court then found that discharge to be "tortious" (p.45). The Court concluded that the parties should confer about how to correct the excessive drainage (p. 63).

The parties worked with SCD/DNREC to review about five different proposals to find an appropriate course for the millions of gallons of excessive water being discharged by Oakwood Village. Most of the proposals were presented by the Robinsons, but some were proposed by SCD/DNREC. Some required pumping stations and all required discharging through multiple properties. The developer rejected them on the basis of cost. The developer has passed this liability to the homeowners (OVPOA/OVHOA) in the water easement.

The developer presented a proposed water easement to the Court. The Robinsons agreed to allow some Oakwood Village water to cross their property but insisted that the developer retain and insure liability for damages to all other properties. The Court noted that damages to other properties had been demonstrated and agreed with the Robinsons that the developer and property owner (OVPOA) should retain liability and obtain insurance to cover it. Under the Settlement Agreement the Robinsons were compensated only for damages resulting from excessive water that resulted prior to completion of Oakwood Village. Under the water easement, if the excessive water increased because of more construction, the Robinsons would be entitled to more compensation.

The resulting water easement was registered against the title of the Oakwood Village Property Owners Association (OVPOA). It was registered by the developer's attorney, Marc S. Casarino, with the approval of the developer's directors on the OVPOA. Mr. Casarino presented to OVPOA members and SCD/DNREC that the water easement was a complete resolution of the drainage problem because the Robinsons had assured him that no Oakwood Village water ever left the Robinsons' property. The Robinsons and the Court have unequivocally rejected this representation as false!

SCD/DNREC spent over a year trying to find a course of discharge for the water. Your attorneys assured Oakwood Village that a \$700,000 drainage bond and a \$300,000 paving bond would not be released until the drainage was corrected. It would now appear that you intend to make a political accommodation to the developer (OVAL/George & Lynch) and hold them harmless. I do not see any benefit to homeowners accepting the liabilities of SCD/DNREC as well as the developer.

In addition, acceptance of drainage approval would be meaningless unless the homeowners agree to novate the water easement agreement. That would require the homeowners to hold the developer harmless, to assume liability for the developer's misrepresentations and to meet the insurance requirements of the water agreement.

Any novation would also require agreement by the Robinsons. There is no reason for the Robinsons to release the developer or the present insurance policy requirement. There is no reason for the Robinsons to waive any claims against the developer for misrepresentations. There is no reason for the Robinsons to believe that the water easement can be enforced against the homeowners.

Finally, there is no reason for the homeowners to believe that the water easement would be enforceable against the Robinsons. The water easement was registered only on the OVPOA title; the clerk rejected all other supporting documents. If the Robinsons sold small lots, the Robinson property could be developed without OVPOA or SCD interference. The same would apply to the property near Wil King. Thus, all discharges could be blocked without any recourse for OVPOA or SCD.

The water easement has been breached by the developer, OVPOA and SCD/DNREC. It is unenforceable and will become meaningless with time. What is SCD/DNREC going to do about the millions of gallons of excessive water being discharged from Oakwood Village? Do you really expect the Robinsons, homeowners and damaged property owners to hold SCD/DNREC harmless?

Sincerely,

Douglas K. Olson
301-922-9114

cc: Bonnie W. Arvay, Program Manager II
Sediment and Stormwater Program
Dept. of Natural Resources and Environmental Control (DNREC)
Division of Watershed Stewardship
285 Beiser Blvd., Suite 102
Dover, DE 19904

Neil F. Dignon, Esq.
20771 Professional Bldg.
Suite 1, Floor 2
Georgetown, DE 19947

Robert J. Valihura, Jr. Esq.
Morton, Valihura & Zerbato, LLC
Greenville Professional Bldg.
3704 Kennett Pike, Suite 200
Greenville, DE 19807-2173

Charles J. Brown, Esq.
Gellert, Scali, Busenkell & Brown
1201 N. Orange St., Suite 300
Wilmington, DE 19801

Jamie Whitehouse

From: Doug Hudson
Sent: Sunday, January 9, 2022 9:26 AM
To: Jamie Whitehouse
Subject: Fwd: No More

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From: Kim Peed <kimmypeed@yahoo.com>
Sent: Sunday, January 9, 2022 8:36 AM
To: Doug Hudson
Subject: No More

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Please do what's right!!!! Please don't let the housing greed pressure you! Enough new houses! We're starting to look like Philly. 🤔

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SUSSEX COUNTY
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Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Saturday, January 8, 2022 11:08 AM
To: Jamie Whitehouse
Subject: Fwd: Jan 11, 2022

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From: jlbrzoska@comcast.net <jlbrzoska@comcast.net>
Sent: Saturday, January 8, 2022 11:08 AM
To: Doug Hudson
Subject: Jan 11, 2022

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Dear Mr. Hudson, We are encouraging you to vote NO to the County Comprehensive Plan that would allow increased density for housing and commercial areas in Sussex County. If this was passed our quality of life would be decreased. We have seen such large changes in this area since the 1970's. Having some growth in the area initially was expected, but it is now getting out of control. We hope you will support the citizens of Sussex County.

Respectfully, John and Linda Brzoska

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Jamie Whitehouse

From: Doug Hudson
Sent: Saturday, January 8, 2022 11:12 AM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: Lucille fagan <lsciecinski@yahoo.com>
Sent: Saturday, January 8, 2022 9:14 AM
To: Doug Hudson
Subject: County Comprehensive Plan

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Dear Mr. Hudson:

I am a resident in Angola By the Bay and I strongly suggest you vote NO to changing this plan to allow for greater housing and commercial density than what is currently allowed.

There has been too much growth in this area already. It has impacted the beauty and peace of this area, making it congested almost beyond belief, to say nothing of the impact of our wildlife and loss of trees.

I feel like Sussex County has already begun to "pave paradise" and we certainly do not need more housing and commercial developments per square foot.

Thank you for your consideration and once again I strongly implore you to VOTE NO to changing this plan.

Sincerely,
Lucille A. Fagan

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Jamie Whitehouse

From: Doug Hudson
Sent: Saturday, January 8, 2022 11:14 AM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan Changes

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From: Norma Giunta <njgiunta@yahoo.com>
Sent: Friday, January 7, 2022 7:40 PM
To: Doug Hudson
Subject: County Comprehensive Plan Changes

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I am not in favor of the County Comprehensive Plan being changed to allow for greater housing and commercial density than currently permitted. In the last two years, we, in Sussex County (Angola Road) have experienced unbelievable building of both residential and commercial building. Our roads are so crowded, you can't get from Rt. 24 to Rt. 1 in the summer to try to get to the beach if you don't leave home before 9:00 a.m. on a weekday. Pollution of our water is on the upswing since we have had all of this bulding.

We all have felt the impact of growth in our immediate area. There are a number of proposed developments, at least one close to Angola by the Bay, awaiting this Council vote before they can go forward. I am asking you to vote against any further development in this area of Delaware. It has become a nightmare at any time of the day to get anywhere.

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Jamie Whitehouse

From: Doug Hudson
Sent: Sunday, January 9, 2022 9:32 AM
To: Jamie Whitehouse
Subject: Fwd: Vote on Jan 11, 2022

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From: Linda & Roger Good <rognlinda@outlook.com>
Sent: Saturday, January 8, 2022 7:06 PM
To: Doug Hudson
Subject: Vote on Jan 11, 2022

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Mr Hudson,

Please vote NO on the comprehensive plan for Sussex county , De
on January 11, 2022.

Roger & Linda Good
23221 Boat Dock Ct E
Lewes, De

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PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Robin Griffith
Sent: Monday, January 10, 2022 8:49 AM
To: Michael H. Vincent; John Rieley; Cynthia Green; Doug Hudson; Mark Schaeffer
Cc: Jamie Whitehouse
Subject: FW: Contact Form: Amending the 2018 Comp Plan

Forwarding ...

From: Jim LaBella <noreply@forms.email>
Sent: Saturday, January 8, 2022 8:02 PM
To: Robin Griffith <rgriffith@sussexcountyde.gov>
Subject: Contact Form: Amending the 2018 Comp Plan

..

Name: Jim LaBella
Email: labela24@verizon.net
Phone: 9736003111

Subject: Amending the 2018 Comp Plan

Message: I wish to add my voice to that of Jeff Stone (please read his editorial), League of Women Voters and SARG, and the State of DE, and ask that the council must not allow a change to the 2018 Comprehensive plan. Just because a developer wants more profits, is not a reason to change the plan that took 3 years to complete. Stand up for the residents, not the developers and Vote NO.

We really need a moratorium on new development. We have too many as it is and more in the pipeline. Take a strong stance and stop the madness.

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Opposition
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Jamie Whitehouse

From: Jeffrey Stone <trollingstone@comcast.net>
Sent: Sunday, January 9, 2022 11:10 AM
To: Jamie Whitehouse
Subject: Land Use Designation Ordinance
Attachments: Commentary on Land Use Designation Final.doc

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Jamie:

My understanding from attending and listening to the recording of the County Council Public Hearing regarding an ordinance to amend the future land use map of the Comprehensive Plan in relation to tax parcel no. 235-23.00-2.02 (portion of), 235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00, and 235-23.00-2.01 is that the record has been held open and therefore I am submitting the attached personal comments that appeared in the Cape Gazette and Delaware News on Tuesday, January 4, 2020 for inclusion in the official record.

Thank you.

Be well, stay safe.

Jeff Stone

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Opposition
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At virtually every County Council meeting residents testify that development in Sussex County is out of control. Yet over at least the last ten years, seemingly nothing has happened to change that. Now the County is facing potentially serious financial sanctions from the State of Delaware because of this unmanaged, unplanned growth.

In 2018, Sussex County adopted a genuine, realistic comprehensive plan to guide its future development. Through a multitude of workshops and public hearings over two years, Sussex County residents framed a collective vision for the future of the County. The process provided residents an meaningful opportunity to brainstorm, debate and discuss the future of their community. Such a plan provides continuity over time and gives successive Councils a common framework for addressing land-use issues. Now, just over three years into the new unanimously-adopted Plan that enjoys strong community support, the current County Council is considering at least three major changes that would ignore the Comp Plan and allow high density zoning for thousands of additional housing units and potentially hundreds of thousands of square feet of commercial space in areas designated Low Density, far exceeding what the adopted plan would allow.

Their approval would change the Land Use designation of thousands of acres of land scattered throughout the County from "Low Density" to "Developing," with no compelling rationale to make such a change and providing no benefit to residents, just more traffic, more congestion, more loss of open space, more air and water pollution. There is no evidence showing that County Council's decision to designate these lands as low density was wrong, except that the current designation does not provide the owners and developers with the highest possible profit margin. Who would benefit from these changes? Only developers. If approved, these changes will allow the property owners/developers to max out the development of these lands and inflate their profits. But it is not the County's obligation to help developers maximize profits, especially where the existing land use designations provide the opportunity for a reasonable profit. The residents gain nothing, but lose much.

The State of Delaware has strongly stated its opposition to these changes to the Comp Plan. Opposition so unusually strong that there is the potential that approving them could cost the County state funding. Transportation, schools, health care, housing, water/wastewater; many discretionary funds, used now or in the future by the County could be in jeopardy. And because the State potentially will not fund needs triggered by the ripple effect of undesirable development, the residents will also pay for the privilege of gifting developers maximized profits, most likely through increased taxes. Must the residents pay so developers can reap oversized profits?

On January 4, the County Council will meet to decide if, in spite of the State's opposition, they will move forward and approve these changes. If they do, and the State withholds funds, these developments will not only cause disruption to the lives of the nearby residents but do harm to every resident of the County regardless of where they live and create conflict with critical state agencies. Isn't a governing body supposed to conduct business in the "public interest?"

Council should now be focused on 'what is the right thing to do?' within the context of the adopted plan. Instead, it appears that some Council members are focused on a bogus turf war with the state about who has authority to make land use decisions, diverting attention from the real issue. This turf war will take on a life of its own, distracting everyone from the all-too-real issues ultimately at stake. It is not about the State vs the County. It is the County vs residents and the Comp Plan. If these changes are approved, the County would be trashing its own adopted development plan that defines where development should, and should not, happen; a plan developed through a robust public input process

with solid community support. Now, because it is inconvenient to developers, the County could be poised to disregard that plan and allow high intensity, high density growth to happen in places that it had previously determined it should not, and possibly lose state funding as a bonus. Should that happen, the Council's priorities would strain credibility, shine a light on unsavory political allegiances, and demonstrate a reckless disregard for the public's interests! More unplanned, disorderly growth scattered throughout the countryside is not the solution. It is the problem.

Approving these proposed changes would be a complete breach of faith with the residents. The message it would send is:

we don't care about your opinion, your quality of life, your investment in your home and neighborhood, wherever in the County that may be. We don't feel a need to keep our promises made to residents when we adopted the Comprehensive Plan. We care about the developers and we will take care of them. We think residents time and effort spent on building a forward looking Comprehensive Plan is window dressing and to be used only when it helps justify business as usual, which is satisfying developers desire for higher profits.

Obviously I am one frustrated resident. I know there are many others like me but apparently not enough to force the County to change its ways.

The usual divide and conquer tactics don't apply here. This is not an eastern Sussex or "Lewes" issue. From Fenwick to DelMar to Seaford; to Millsboro, Milford and Rehoboth and out to Ellendale and Greenwood, approval of these developer requests will harm every community. If you feel like I do, NOW is the time to let the Council know how you feel and to make your feelings known next November, at the polls. Please help stop this madness. Make the Council hear you. Tell your Council representative to stand up for you, not developers, and simply vote to maintain the integrity and viability of your Comprehensive Plan by turning down these proposed changes. This is important and your voice matters.

Enough is enough!

Jeff Stone
Milton
302-278-2726

Jamie Whitehouse

From: Doug Hudson
Sent: Sunday, January 9, 2022 1:40 PM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: Kathy Finello <dfkf96@msn.com>
Sent: Sunday, January 9, 2022 10:28 AM
To: Doug Hudson
Subject: County Comprehensive Plan

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Dear Mr. Hudson,

My husband and I are long-term residents of Angola by the bay in Sussex county. When we first moved here, the streets were not as congested and there were not as many developments. Over the past few years, the population and the housing developments, have increased exponentially. It seems every farm is being sold to become a housing development. This kind of change is unsustainable in the long run. While growth is always welcome, too much in a rural area cannot be handled by our infrastructure. We need to keep the County Comprehensive plan as it is, and not change it to increase land density and make a bad situation worse. The county needs time to improve roads, schools, healthcare etc. to handle the population that it already has, and the developments that are already approved and underway, before we should even think of changing anything and allowing more. I hope you will say no at the upcoming vote on the County's comprehensive plan and keep it the way it is.

Thank you for your attention in this matter.
Take care.

Sincerely,
Kathy Finello

SUSSEX COUNTY
PLANNING & ZONING

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Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 12:53 PM
To: Jamie Whitehouse; Michael H. Vincent; John Rieley; Mark Schaeffer; Cynthia Green
Subject: Fwd: Changes to the County Counsel Plan

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From: Tom McGlinn <htmclinn3@gmail.com>
Sent: Thursday, January 6, 2022 12:43 PM
To: Doug Hudson
Subject: Changes to the County Counsel Plan

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Hello Doug.

This area can not support the changes in density proposed. We are saturated already and experiencing environmental and social changes that are degrading our quality of life and the future of our children.

Please vote no on the proposed changes.

Sincerely,
Hugh Thomas McGlinn.

Angola By the Bay Resident

--

Capt. Tom

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Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 12:53 PM
To: Jamie Whitehouse; Michael H. Vincent; John Rieley; Mark Schaeffer; Cynthia Green
Subject: Fwd: Your Vote

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From: Barbara Howe <howebarb@comcast.net>
Sent: Thursday, January 6, 2022 12:35 PM
To: Doug Hudson
Subject: Your Vote

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PLEASE vote NO to changing the County Comprehensive plan to increase housing density. Thank you - Barbara Howe

Barb Howe
484-354-1992

Sent from my iPhone

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Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 12:55 PM
To: Jamie Whitehouse; Michael H. Vincent; John Rieley; Mark Schaeffer; Cynthia Green
Subject: Fwd:

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From: danaulisa@gmail.com <danaulisa@gmail.com>
Sent: Thursday, January 6, 2022 12:54 PM
To: Doug Hudson
Subject:

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Doug,

I would like you to know that i am opposed to any change to the County Comprehensive Plan to INCREASE any housing and commercial **density** proposed for Sussex County.

Thanks,
Dan Aulisa
Oakwood Village
31454 S Squirrel Run
Lewes, De 19958

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PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 12:58 PM
To: Jamie Whitehouse; Michael H. Vincent; John Rieley; Mark Schaeffer; Cynthia Green
Subject: Fwd: Upcoming vote on changing the County's Comprehensive Plan

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From: David Adcock <davidadcock@yahoo.com>
Sent: Thursday, January 6, 2022 11:34 AM
To: Doug Hudson
Subject: Upcoming vote on changing the County's Comprehensive Plan

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Dear Mr. Hudson,
Nobody wants increased density of housing except the builders looking to reap the rewards. There will be no turning back if this change is passed. It is already out of control, but we don't need to pour gas on the fire.
PLEASE do the right thing and vote "No".

Thank you.
David and Patti Adcock

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Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:00 PM
To: Jamie Whitehouse; Michael H. Vincent; John Rieley; Mark Schaeffer; Cynthia Green
Subject: Fwd: County Comprehensive Plan

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From: barbara wood <bwood2321@verizon.net>
Sent: Thursday, January 6, 2022 11:31 AM
To: Doug Hudson
Subject: County Comprehensive Plan

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Doug, please vote no on this plan. The current density has already overwhelmed the infrastructure; #24 is a parking lot in the summer and (this winter wasn't much better); Angola road takes at least 3 traffic lights to get out. This is only the beginning - nearby new housing developments aren't completely built out or settled yet. Commercial parking lots are packed.

We need some help. DelDot is doing a fine job but they aren't replacing roads just portions, those portions' usefulness will be negligible by summer of '22. How can the new sewer system be handling all this new building?

Barbara Wood

Angola By The Bay

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SUSSEX COUNTY
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Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:01 PM
To: Jamie Whitehouse
Subject: Fwd: Land use vote

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From: Linda Koenig <linda1009@verizon.net>
Sent: Thursday, January 6, 2022 11:24 AM
To: Doug Hudson
Subject: Land use vote

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Dear Mr. Hudson, As a resident of Sussex County I am pleading with you to vote NO on the proposal to change the rules for land use. I have lived in Oakwood Village for eight years. During that time I have witnessed the incredible impact that uncontrolled development has made to the character of our communities. Our area cannot support such growth. It has become impossible to leave home without being stuck on traffic. This is now a year round problem. The impact on the environment has brought about changes that cannot be repaired and that is a very sad thing. Sussex County is know for its beachy/farming atmosphere, with open spaces and natural beauty, let's not allow greedy developers and real estate companies to steal this away from us.

Thank you for your time.

Linda Koenig

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Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:05 PM
To: Jamie Whitehouse
Subject: Fwd: Increased housing density in zip 19958

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From: Paula Brainard <paula_brainard@msn.com>
Sent: Thursday, January 6, 2022 11:15 AM
To: Doug Hudson
Subject: Increased housing density in zip 19958

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

PLEASE, PLEASE DO NOT APPROVE INCREASING HOUSING DENSITY IN ZIP CODE 19958!!

THERE ARE ALREADY WAY TOO MANY FARMS THAT HAVE SOLD OUT TO DEVELOPERS. IF THEY WANT TO INCREASE DENSITY IT WOULD MAKE IT A TRUE NIGHTMARE TO LIVE HERE. AS IT IS THE TRAFFIC IN THIS AREA IS NO LONGER SEASONAL!

THOSE OF US WHO ALREADY LIVE IN THIS ZIP CODE HAVE BEEN DISHEARTENED WITH ALL THE DEVELOPMENT AND LOSS OF GREEN SPACE AND MOVING THE ANIMALS THAT LIVE IN THIS AREA INTO OUR BACK YARDS. IT IS NOT THE ANIMALS FAULT BUT OVER-DEVELOPMENT.

WHO IS PUSHING THIS??? SURELY, NOT THOSE WHO LIVE HERE! IT MUST BE THE GREEDY DEVELOPERS WHO HAVE FOUND OUT THAT THEY CAN GET THE UPPER HAND BY PUSHING FOR MORE AND MORE EXEMPTIONS.

I AM NOT THE ONLY ONE WHO FEELS THIS WAY AND I SURE HOPE YOU GET MANY MORE RESPONSES THAN MINE.

Paula Brainard
OAKWOOD VILLAGE
LEWES, DE 19958

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:06 PM
To: Jamie Whitehouse
Subject: Fwd: Please vote NO!

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From: RICHARD MCCURDY <rwmkam@verizon.net>
Sent: Thursday, January 6, 2022 11:15 AM
To: Doug Hudson
Subject: Please vote NO!

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

Mr. Hudson,

Please vote **no!** On changing The County's Comprehensive Plan. We don't need increased density on up coming housing developments.

There is enough developments in progress with lesser density that are going to cause problems with infrastructure and traffic concerns. My understanding is that the Office of State Planning is strongly opposed and it may cause cut backs in State funding in our area.

Again PLEASE VOTE NO ON THE COUNTY'S COMPREHENSIVE PLAN

Thank you,

DICK McCURDY
213554 N Acorn Way
Lewes De 19958

908-963-3329
rwmkam@verizon.net

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:08 PM
To: Jamie Whitehouse
Subject: Fwd: Vote no on Density Increase

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From: Jane Harrah <harrahx2@verizon.net>
Sent: Thursday, January 6, 2022 11:11 AM
To: Doug Hudson
Subject: Vote no on Density Increase

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

I am imploring you to vote no on increasing the density in our zip code. Every voter that I know is opposed to the development that is recklessly going on with no clear plan for infrastructure improvements. Traffic is difficult now and increasing quickly. Housing is going up in alarming numbers. There are ongoing complaints about this issue and it appears that no one is listening to the voters. I, for one, will vote against anyone that agrees with these changes. Even the state is against these plans. Does no one listen? Do the developers have everyone in their pockets? I implore you, as OUR REPRESENTATIVE, to vote the WILL OF THE PEOPLE, not the will of the developers. I thank you for your time and attention to this matter. Please know, I will be following it closely.

Jane & Larry Harrah
harrahx2@verizon.net

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:08 PM
To: Jamie Whitehouse
Subject: Fwd: Land Map Revisions

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From: Michael SipotZ <mpjs26@icloud.com>
Sent: Thursday, January 6, 2022 11:09 AM
To: Doug Hudson
Subject: Land Map Revisions

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

Dear Mr Hudson:

Please vote no on the proposal due the conditions of our unprepared infrastructure. When is it going to stop. We need to address updating our roads and bridges to accommodate more housing. The developers do not care about the residents of Sussex only their own coffers.

Regards

Mike Sipotz

Angola By The Bay

Lewes, De

Homeowner since 2000

Sent from my iPhone

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:09 PM
To: Jamie Whitehouse
Subject: Fwd: Sussex County Council and Planning & Zoning plan vote to increase density /acre

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From: Marge Benaquista <mbquista@gmail.com>
Sent: Thursday, January 6, 2022 11:09 AM
To: Doug Hudson
Subject: Sussex County Council and Planning & Zoning plan vote to increase density /acre

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Please vote NO to increase density / acre.

Thank you, Margaret Benaquista

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:09 PM
To: Jamie Whitehouse
Subject: Fwd: No

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From: THOMAS CONROY <conroy19@verizon.net>
Sent: Thursday, January 6, 2022 11:06 AM
To: Doug Hudson
Subject: No

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Please vote "no" on increasing the housing density in zone 19958.
Barbara Conroy
21333 N. Acorn Way
Lewes, 19958

Sent from Yahoo Mail on Android

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:10 PM
To: Jamie Whitehouse
Subject: Fwd: Resining

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From: gennaro maietti <jerry485@yahoo.com>
Sent: Thursday, January 6, 2022 11:05 AM
To: Doug Hudson
Subject: Resining

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Enough is enough! Twenty years ago I moved here! It was great! Lately it's been crazy with all the developments & construction! You've succeeded in totally screwing up Sussex county! Please stop this over developing! & concentrate on the infrastructure!

Sent from Yahoo Mail for iPhone

RECEIVED

JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:11 PM
To: Jamie Whitehouse
Subject: Fwd: Please Vote No to the County Comprehensive Plan change

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From: Apryl Parcher <aprylparcher@gmail.com>
Sent: Thursday, January 6, 2022 11:03 AM
To: Doug Hudson
Subject: Please Vote No to the County Comprehensive Plan change

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

Dear Mr. Hudson:

As a realtor in Sussex County as well as a resident, I am opposed to concentrating density for housing developments going forward. I've seen what this kind of decision has had on the way of life in other areas, and don't want to see what that kind of congestion will do to our county. Limiting density may seem counterintuitive for a realtor to oppose, but I'm really concerned about what this will do to our landscape as well as current homeowners. Overcrowding development has a deleterious effect on infrastructure, healthcare and other services, and will limit access to the beaches and park spaces we love. The current development boom has already stressed roads, water and sewer, landfill use, and will have an impact on our watershed down the line. We need to think long-term about these issues and how we want the county to look in another 10 years. Please vote no to this and help us preserve the integrity of our county.

Sincerely,

Apryl Parcher (C) 443-553-3658

Keller Williams Realty (O) 302-360-0300

18344 Coastal Highway, Lewes, DE 19958

Search Homes By Downloading My App!

Delaware law requires real estate salespersons and brokers to provide a Consumer Information Statement (CIS) to you at the earlier of your first scheduled appointment, showing a property, making an offer or listing a property for sale. If this is your first contact with me, please read the CIS by clicking this link: [Consumer Information Statement.](#)

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:12 PM
To: Jamie Whitehouse
Subject: Fwd: Change in Density pla

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From: John Hilbeck <abtbjack@mchsi.com>
Sent: Thursday, January 6, 2022 11:03 AM
To: Doug Hudson
Subject: Change in Density pla

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

Please vote NO on the proposal to increase the density of new residential and commercial building projects.

Thanks, we are a little on the dense side know. Example, on Robinsonville Rd. from the Angola /JJW traffic light to Plantations Road there are at least nine (9) residential projects either on Robinsonville road or feeding into Robinsonville road and more to come

Let's try and keep what we have for NOW. Maybe we can catch up with our road program etc. Route 24 will be just like Route 26. Two hours to the beach. One hour on the beach (if you can find a parking spot) and two hours back home. Thanks again please vote NO.

John Hilbeck

Angola By The Bay

Everyone likes progress
Sent from my iPhone

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:12 PM
To: Jamie Whitehouse
Subject: Fwd: Sussex County vote

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From: Daryl Davis <daryldavis17@gmail.com>
Sent: Thursday, January 6, 2022 10:49 AM
To: Doug Hudson
Subject: Sussex County vote

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Please vote NO to Sussex counties Comprehensive Plan that allows them to make map revisions that will increase housing densities.

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:13 PM
To: Jamie Whitehouse
Subject: Fwd:

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From: J/C Wencius <jncwencius@gmail.com>
Sent: Thursday, January 6, 2022 10:14 AM
To: Doug Hudson
Subject:

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Please vote "NO" on the County Comprehensive Plan vote. Sussex County is being overwhelmed now with the increase of homes popping up. The beauty of Sussex County is diminishing, so sad. Our roads cannot handle anymore development. Please vote "NO"!

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:14 PM
To: Jamie Whitehouse
Subject: Fwd: Comprehensive Development Plan

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From: Timothy Smith <rmssmith@verizon.net>
Sent: Thursday, January 6, 2022 10:05 AM
To: Doug Hudson
Subject: Comprehensive Development Plan

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Please vote No to changes. Enough unrestricted development is enough!!

[Sent from the all new AOL app for iOS](#)

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:16 PM
To: Jamie Whitehouse
Subject: Fwd: Sussex County Comprehensive Plan Change - NO!

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From: Gary Berti <gary.t.berth@gmail.com>
Sent: Thursday, January 6, 2022 9:58 AM
To: Doug Hudson
Subject: Sussex County Comprehensive Plan Change - NO!

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My name is Gary Berti! Been a full-time resident since 2011, but have been coming down since my parents took up residence here in 1972. We've seen tons of good change, however the over-development we've seen in the last few years is appalling. We actively rejected the 7-11 build proposed on Rt 24 and Angola Road and thought Planning and Zoning and the Council understood we do not want ANY more development in the area. But it seems the only way to stop this is to vote out those presently in office who have been approving this development.

Please vote NO to changing the County's Comprehensive Plan.

Thank you

Gary Berti

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:16 PM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: Cindy Feather <cindy.feather10@gmail.com>
Sent: Thursday, January 6, 2022 9:55 AM
To: Doug Hudson
Subject: County Comprehensive Plan

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Dear Mr Hudson, My family is asking you to vote no on Tuesday to changing the current plan to development. Thank you, Cindy Feather, home owner in Angola By The Bay

Sent from my iPad

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:22 PM
To: Jamie Whitehouse
Subject: Fwd: County comprehensive plan revision

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From: Elwood Bannon <elwood.bannon1949@gmail.com>
Sent: Thursday, January 6, 2022 9:43 AM
To: Doug Hudson
Subject: County comprehensive plan revision

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Please vote no. Sussex County has become over saturated with the existing plan.

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:22 PM
To: Jamie Whitehouse
Subject: Fwd: Vote NO

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From: Dpeterman <dpeterman541@gmail.com>
Sent: Thursday, January 6, 2022 9:41 AM
To: Doug Hudson
Subject: Vote NO

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Mr Hudson,

Please vote NO on the county's proposed Comprehension Plan this coming Tuesday. Building more in less space is an irresponsible idea and only adds to the congestion of our roads, increases need for emergency equipment and schools etc. As it is now many establishments can not properly staff their businesses now due to lack of those that want to or are able to work.

Think about the wetlands and our wildlife having their habitat destroyed. This is just plan irresponsible and I urge you to vote NO!!

Thank you,
Debbie Peterman

Sent from my iPad

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:23 PM
To: Jamie Whitehouse
Subject: Fwd: Vote NO

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From: 2dbfam@gmail.com <2dbfam@gmail.com>
Sent: Thursday, January 6, 2022 9:24 AM
To: Doug Hudson
Subject: Vote NO

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

Dear Mr. Hudson,

We are currently home owners in Angola By The Bay and are appalled at the unbridled development going on in Sussex County!

I strongly encourage you as a member of the Sussex County Council to vote NO at the Council meeting on Jan 11th, on the proposed change to the County Comprehensive plan that would allow for greater housing and commercial density than currently permitted. We are already experiencing the effects of the increased traffic volumes and congestion that the already existing housing projects have brought. We can only imagine that those construction housing projects already begun, will only further add to the existing traffic. Any changes to the existing plan will unleash greedy developers and real estate agents to destroy the beauty and charm that makes Sussex County the attraction it is. As our representative on the Council I urge you to vote NO and preserve the beauty of the Angola area that attracted us some 39 years ago and lead us to purchase in 2010.

Thank you for your consideration!

*Don & Rebecca Horst
Angola By The Bay
23007 Linden Dr.
Lewes, DE*

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:24 PM
To: Jamie Whitehouse
Subject: Fwd: Please Vote No!

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From: Joan McGrath <jemcgrath102@gmail.com>
Sent: Thursday, January 6, 2022 9:21 AM
To: Doug Hudson
Subject: Please Vote No!

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If you represent me, then please vote no on the upcoming Comprehensive Plan that the council approved in 2018. This change creates far too dense housing and no sufficient infrastructure to support it. In addition, we could lose federal funds that are needed for social service programs if the change is approved.

Thank you.

Joan E. McGrath

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SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:24 PM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: Danielle Korek <DKorek@ritz-craft.com>
Sent: Thursday, January 6, 2022 9:19 AM
To: Doug Hudson
Subject: County Comprehensive Plan

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Hello Doug,

I am a homeowner at 23701 Holly Ct. Lewes, DE in Angola by the Bay. If you can please vote no on my behalf to changing the County Comprehensive Plan it would be greatly appreciated.

Thank you,
Danielle Korek

Danielle Korek
Designer



Office: (570) 966-5128
Mobile: (570) 217-6368
DKorek@ritz-craft.com • www.ritz-craft.com
15 Industrial Park Road • Mifflinburg, PA 17844

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:25 PM
To: Jamie Whitehouse
Subject: Fwd:

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From: william fagan <wfagan111@yahoo.com>
Sent: Thursday, January 6, 2022 9:15 AM
To: Doug Hudson
Subject:

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Doug, please do not change the comprehensive plan that is in place at present.

Bill and Lucille Fagan
23547 Elmwood Ave
Lewis De

Sent from Yahoo Mail for iPhone

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:25 PM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive plan

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From: Misty Lehman <mlehman@grsm.com>
Sent: Thursday, January 6, 2022 9:09 AM
To: Doug Hudson
Subject: County Comprehensive plan

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Being a part of the Angola By the Bay community we would request you please vote no to changing the County Comprehensive plan.

Very truly,
Misty

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SUSSEX COUNTY
PLANNING & ZONING

Deposition
Exhibit

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GORDON REES SCULLY MANSUKHANI, LLP
YOUR 50 STATE PARTNER®
<http://www.grsm.com>

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:26 PM
To: Jamie Whitehouse
Subject: Fwd: higher density of land use

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From: Clark Leitner <clarkleitner@yahoo.com>
Sent: Thursday, January 6, 2022 8:36 AM
To: Doug Hudson
Subject: higher density of land use

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Doug,

Vote No on changes to increase the density amount of homes and businesses. The approved plan already allows too much density in construction.

Sussex will have no issues with funding as is with the proposed density allowance. Please consider the quality of life for the residents on Sussex County.

Thank you,
Clark Leitner

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:26 PM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive plan

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From: Kharma Amos <kharmaamos@gmail.com>
Sent: Thursday, January 6, 2022 8:32 AM
To: Doug Hudson
Subject: County Comprehensive plan

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Dear Doug,

I'm writing to strongly encourage you to vote No on the County Comprehensive plan proposed changes to allow for greater housing and commercial density in the Rehoboth Beach/Lewes area. I am a resident of Angola by the Bay and we have already been impacted by the huge amount of housing growth. It is terribly taxing on the roads and natural resources of this area. Please do what you can to stop this.

Sincerely,
Kharma Amos

--
Rev. Dr. Kharma R. Amos
Minister
Unitarian Universalists of Central Delaware
www.uucd.org

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:27 PM
To: Jamie Whitehouse
Subject: Fwd: Comprehensive Plan

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From: Denise Jacono <djacono@yahoo.com>
Sent: Thursday, January 6, 2022 8:30 AM
To: Doug Hudson
Subject: Comprehensive Plan

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Mr. Hudson,

It is hoped that you do the right thing for citizens rather than developers and vote No.

Sent from my iPhone

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:27 PM
To: Jamie Whitehouse
Subject: Fwd: Pls vote NO!

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From: Shobha Seetharam <shoram2@yahoo.com>
Sent: Thursday, January 6, 2022 1:25 PM
To: Doug Hudson
Subject: Pls vote NO!

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Dear Mr Doug Hudson,

We live in the Oakwood Village development in Lewes, zip 19958 and are extremely concerned with the rapid expansion of homes in this area. We urge you to vote NO to increase housing density in Zip 19958,

Sincerely,
Thanks,
Drs Ram and Shobha Seetharam

Sent from my iPhone

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 1:28 PM
To: Jamie Whitehouse
Subject: Fwd: Changes to current Comprehensive Plan

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From: N L VAN*DYKE <vdenv@msn.com>
Sent: Thursday, January 6, 2022 1:17 PM
To: Doug Hudson
Subject: Changes to current Comprehensive Plan

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Please vote against changes to the Sussex County Comprehensive Plan that would allow for increases in housing density with no additional road capacity improvements or preservation of natural forest in the areas developed. The voters of Sussex County have had it.

Sent from my iPad

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 4:02 PM
To: Jamie Whitehouse
Subject: Fwd: Vote NO on Plan Changes

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From: Adele Abrams, Esq, ASP, CMSP <safetylawyer@gmail.com>
Sent: Thursday, January 6, 2022 1:39 PM
To: Doug Hudson
Subject: Vote NO on Plan Changes

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Hello,

I'm a constituent living at 23524 Oak St East, Angola by the Bay, Lewes DE 19958. I am aware that changes to the County Comprehensive plan are proposed, to allow for greater housing and commercial density than currently permitted. This would cause irreparable harm to our community, our natural resources, and would overstress our infrastructure, which is already being used well above design capacity.

Please vote NO when the Plan revisions come for a vote. Thanks

Adele Abrams, Esq., ASP, CSMP
--
Adele L. Abrams, Esq., ASP, CMSP
Law Office of Adele L. Abrams PC
301-595-3520 office
301-613-7498 cell
www.safety-law.com

RECEIVED

JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 4:02 PM
To: Jamie Whitehouse
Subject: Fwd: Please vote no

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From: KAREN SECHRIST <ryderkar@aol.com>
Sent: Thursday, January 6, 2022 3:58 PM
To: Doug Hudson
Subject: Please vote no

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As a resident of Sussex county in the Angola by the Bay community, I oppose the passing of the bill to allow low density regions of our county be converted to high density residential and commercial areas. The growth in our region already is beyond what our area's infrastructure can handle. Please vote no on the passing of this legislation. Thank you.

Karen Wilson
Sent from my iPhone

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 4:01 PM
To: Jamie Whitehouse
Subject: Fwd: General Improvement & Planning Committee's NEWS

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SUSSEX COUNTY
PLANNING & ZONING

From: Michael Donahue <mick2832@yahoo.com>
Sent: Thursday, January 6, 2022 2:30 PM
To: Doug Hudson
Subject: Re: General Improvement & Planning Committee's NEWS

Opposition
Exhibit

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On Thursday, January 6, 2022, 08:20:36 AM EST, Angola by the Bay <messenger@associationvoice.com> wrote:

On Tuesday, January 11, the Sussex County Council will meet and vote on changing the County's Comprehensive Plan, unanimously adopted in 2018, to allow land use map revisions. These map revisions would allow for greater density in housing developments, up to 12 units per acre, as well as greater commercial space in what are now low density approved areas. We all have felt the impact of growth in our immediate area. There are a number of proposed developments, at least one close to Angola by the Bay, awaiting this Council vote before they can go forward. The Office of State Planning Coordination is strongly opposed to the potential changes. The opposition is so strong that it may trigger cutbacks in State funding for transportation, schools, and healthcare, etc. County Comprehensive Plans are approved and certified by the State and Governor.

If you do not want the County Comprehensive plan changed to allow for greater housing and commercial density than currently permitted, please contact the Council member who represents our area, Doug Hudson, and ask that he vote no. His public email address is Doug.Hudson@sussexcountysde.gov.

This message has been sent to mick2832@yahoo.com

As a subscriber of General Correspondence at Angola by the Bay, we'll periodically send you an email to help keep you informed. If you wish to discontinue receiving these types of emails, you may opt out by clicking [Safe Unsubscribe](#).

To view our privacy policy, click [Privacy Policy](#).

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Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 3:58 PM
To: Jamie Whitehouse
Subject: Fwd: vote on changing the County's Comprehensive Plan

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From: Gary Mastracche <garkat1@verizon.net>
Sent: Thursday, January 6, 2022 3:56 PM
To: Doug Hudson
Subject: vote on changing the County's Comprehensive Plan

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Dear Mr. Hudson

My name is Gary Mastracche. My wife Kathy and I are 11 year residents at the Oakwood Village at Lewes Development.

I recently learned that Council is preparing to vote on changes to the County's Comprehensive Plan that was unanimously adopted in 2018. The proposed revision would allow for greater density in housing developments and increased commercial space as well.

In my time here I have seen incredible development resulting in the elimination of farmland and the destruction of wooded and wetland areas. The loss of beauty will never be returned and the detrimental ecological impact can never be reversed. The very reasons for which we moved here to enjoy are rapidly being eradicated, never to be seen again. Not to mention the strain on infrastructure, roadways, sanitary necessities, medical and policing needs, etc. It seems this unbridled construction has no end in sight.

I urge you and the other members of Council to PLEASE NOT alter the Comprehensive Plan. Further I urge you to commit to protecting what's left of the beauty of Eastern Sussex County and exercise some control over what seems to be the never ending approval of massive development after massive development. The responsibility for the future is in your hands. PLEASE DO NOT squander it!!!!

Respectfully,

Gary F. Mastracche

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 3:57 PM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: DG J <dgj105@yahoo.com>
Sent: Thursday, January 6, 2022 3:21 PM
To: Doug Hudson
Subject: County Comprehensive Plan

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Please vote No to the proposed change to the County Comprehensive Plan!

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SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 3:56 PM
To: Jamie Whitehouse
Subject: Fwd: Sussex County Council and Planning & Zoning plan vote to increase density /acre

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From: Gary Mayer <gmayer@atiinc.com>
Sent: Thursday, January 6, 2022 3:36 PM
To: Doug Hudson
Subject: FW: Sussex County Council and Planning & Zoning plan vote to increase density /acre

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Dear Councilman:

Is P&Z chewing locoweed. They can't possibly be serious about increasing the density of housing per acre in this zip code and surrounding area. My gosh, DELDOT is putting in roundabouts so that folks can't get on Beaver Dam or Rt 24 from the side streets as there are no traffic lights to give the side road traffic a break so they can get out of the neighborhoods; and now they want to add more roundabouts. DELDOT must be chewing the same locoweed as the County. Increase the density and it will get worse along with the summer crowds. SIR, YOU NEED TO VOTE NO ON THIS EFFORT TO INCREASE THE DENSITY! The stormwater runoff from increased density will turn Rehoboth Bay into a freshwater pond.

PLEASE VOTE NO!!

atiINC

Gary Mayer
Vice President,
Business Development &
Environmental Program Manager
C: 703-472-1552
E: gmayer@atiinc.com
www.atiinc.com

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Thursday, January 6, 2022 3:55 PM
To: Jamie Whitehouse
Subject: Fwd: I do not support increasing housing/commercial density

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From: Jim Barrett <jb3rd@comcast.net>
Sent: Thursday, January 6, 2022 3:52 PM
To: Doug Hudson
Subject: I do not support increasing housing/commercial density

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Hi Doug, my name is Jim Barrett and I reside at 22429 S Acorn Way in Lewes.

I would ask if you would please vote No to the plan for Sussex County to increase housing density in Zip Code 19958.

We are originally from Bucks County PA and as crowded as that county is, local government took steps to preserve open land and to put limits on commercial and residential building. I hope we can all slow down the over development within Sussex County. It's beautiful here and I hope we can find ways to preserve it.

Thank you,
Jim Barrett

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:31 AM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: Zeke Ottemiller <zottemiller@gmail.com>
Sent: Friday, January 7, 2022 10:15 AM
To: Doug Hudson
Subject: County Comprehensive Plan

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Hi Doug,

Happy New Year, I hope this email finds you well. I am writing to ask that you vote no on changing the county comprehensive plan, as I believe any additional housing and commercial density would have a negative impact. Thank you for your consideration.

Best,

Zeke Ottemiller

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit
Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:31 AM
To: Jamie Whitehouse
Subject: Fwd: County's Comprehensive Plan

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From: hwyl <hwyl@ptd.net>
Sent: Friday, January 7, 2022 10:11 AM
To: Doug Hudson
Subject: County's Comprehensive Plan

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Mr. Hudson,
We are owners of 32777 Poplar Drive, Angola By The Bay. We ask you to please vote "no" to changes for the County Comprehensive Plan.
William and Beth Landmesser

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ECONOMIC

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:48 AM
To: Jamie Whitehouse
Subject: Fwd: Please Vote No on Comprehensive Plan Change

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From: j.cusick@mchsi.com <j.cusick@mchsi.com>
Sent: Thursday, January 6, 2022 4:31 PM
To: Doug Hudson
Subject: Please Vote No on Comprehensive Plan Change

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Dear Council Member Doug Hudson:

Please vote NO on the changes to the Comprehensive Plan to allow for greater density in housing developments as well as greater commercial space in what is now low density areas.

Thank you for your consideration of this request.

Thank you.
Mrs. Jaclyn Cusick
Angola by the Bay
22847 Sycamore Drive
Lewes, DE 19958
302-945-8969

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:48 AM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: john koenig <jay1009@verizon.net>
Sent: Thursday, January 6, 2022 4:57 PM
To: Doug Hudson
Subject: County Comprehensive Plan

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MR Hudson

Please vote NO on the changes for the County Comprehensive Plan.

This area is growing at an alarming rate, allowing for a more densely populated areas is not beneficial to the current residents or the traffic conditions that now exists.

Regards,

John Koenig

Sent from my iPad

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:47 AM
To: Jamie Whitehouse
Subject: Fwd: Comprehensive Plan

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From: Beverly Manning <bmanfjr1840@gmail.com>
Sent: Thursday, January 6, 2022 5:35 PM
To: Doug Hudson
Subject: Comprehensive Plan

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Dear Mr. Hudson,

Please vote **NO** on the plan to allow for greater housing and commercial density than currently permitted.

The roadways etc. are under a tremendous strain and traffic is incredibly difficult to navigate. Route 24 is backed up most days in either direction and especially in the warmer weather. Almost every way you travel, at this point, you run into road work for a new community being built and the round about on Beaver Dam Rd is just ridiculous. I really can not see the need for that one. I hope the developer for that community contributed considerable monies for that construction.

We can not put more strain on our area for water, electric and other utilities.

DeIDOT was suppose to start construction on an upgrade to the intersection of 24 and Angola Rd already and so far nothing has happened. I have sat in traffic backed up to the DryDock waiting to get through that light.

Please help and VOTE NO to this proposal.

Sincerely,
Beverly and Frank Manning
Spruce Court
Angola by the Bay
Lewes

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:46 AM
To: Jamie Whitehouse
Subject: Fwd: Sussex County Council and P&Z plan to vote to increase housing density in Zip Code 19958.

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JAN 10 2022

Opposition
Exhibit

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SUSSEX COUNTY
PLANNING & ZONING

From: Claudia Fontana <claudia_fontana@yahoo.com>
Sent: Thursday, January 6, 2022 5:40 PM
To: Doug Hudson
Subject: Sussex County Council and P&Z plan to vote to increase housing density in Zip Code 19958.

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Dear Mr. Hudson

It has come to my attention that On Tuesday, January 11, the Sussex County Council will meet and vote on changing the County's Comprehensive Plan, unanimously adopted in 2018, to allow land use map revisions. These map revisions would allow for greater density in housing developments, up to 12 units per acre, as well as greater commercial space in what are now low density approved areas. We all have felt the impact of growth in our immediate area. There are a number of proposed developments, at least one close to Angola by the Bay, awaiting this Council vote before they can go forward. The Office of State Planning Coordination is strongly opposed to the potential changes. The opposition is so strong that it may trigger cutbacks in State funding for transportation, schools, and healthcare, etc. County Comprehensive Plans are approved and certified by the State and Governor.

I definitely do not want the County Comprehensive plan changed to allow for greater housing and commercial density than currently permitted.

1. Our roads are congested and in the event of a major catastrophe many will die because it will be impossible to safely leave.
2. Our healthcare providers are overwhelmed because there isn't enough now to cope with a pandemic.
3. Our teachers are facing the same issues leaving students unprepared for the future
4. Current Transportation for the elderly as well as tourists can not keep up
5. Wildlife indigenous to the areas will become extinct and with all the construction will be killed on the roads also threatening drivers behind the wheel.
6. With all this new growth why aren't Farmers being encouraged to grow more food for people?

I have watched a peaceful beautiful seaside resort area change into a congested mess. If we had known the Planning and Zoning board would approve all this construction without taking into consideration the after effects of their actions we would never have moved here. For those who can move will leave unless something changes soon.

Being a former member of a planning board and Environmental board member I find it highly suspect that there are people on the board whose actions are counterproductive in maintaining the integrity of this once peaceful area. I implore you to please do whatever you can to stop any further land use revisions.
Sincerely

Claudia Barnes

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:44 AM
To: Jamie Whitehouse
Subject: Fwd: Sussex County Comprehensive Plan changes- please vote "NO"

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From: Stephen Harris <spharris001@gmail.com>
Sent: Thursday, January 6, 2022 6:36 PM
To: Doug Hudson
Subject: Sussex County Comprehensive Plan changes- please vote "NO"

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Hello Mr. Hudson,

I understand that on Tuesday, January 11, the Sussex County Council will meet and vote on changing the County's Comprehensive Plan, unanimously adopted in 2018, to allow land use map revisions. These map revisions would allow for greater density in housing developments, up to 12 units per acre, as well as greater commercial space in what are now low density approved areas.

It's good to see Sussex County prosper, but at the same time I believe the recent breakneck pace of development is unwise/undesireable and it should be curtailed in order to preserve the remaining rural character of the area.

Please vote "NO" on the above referenced Comprehensive Plan changes.

Thanks for your consideration and service to the community,
Stephen Harris

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:43 AM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive plan

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From: Kline, Sheryl <skline@udel.edu>
Sent: Thursday, January 6, 2022 7:25 PM
To: Doug Hudson
Subject: County Comprehensive plan

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Dear Mr. Hudson,
Please vote NO on the County Comprehensive plan! I am a resident of Angola By the Bay and do not want to see any more development. Increased development is a detriment to the environment, and quality of life that we all value and wish to preserve.

Best,

Sheryl Kline

Sheryl F. Kline Ph.D.

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Deposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:36 AM
To: Jamie Whitehouse
Subject: Fwd: Change to County's Comprehensive Plan

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From: Susan Long <susanlong28@gmail.com>
Sent: Friday, January 7, 2022 8:12 AM
To: Doug Hudson
Subject: Change to County's Comprehensive Plan

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Dear Doug,

Please accept this email as a request for your NO vote for a change to Sussex County's Comprehensive Plan to allow for greater housing and commercial density. Your NO vote on January 11 will keep Sussex County the beautiful area we are trying to protect.

Sincerely,

Susan Long
12 Woodland Circle
Lewes, DE 19958

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

--
Susan L. Long
Education Consultant
c: 443-350-7128

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:36 AM
To: Jamie Whitehouse
Subject: Fwd: Planning & Zoning

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From: Charlene Connor <bootsat47@comcast.net>
Sent: Friday, January 7, 2022 8:40 AM
To: Doug Hudson
Subject: Planning & Zoning

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Please vote no, there is too much housing developments now. The roads can not handle all the traffic. We also are losing all our trees & the poor wild life have nowhere to go. Thank you Charlene Connor
Sent from my iPhone

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Oppositor
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:35 AM
To: Jamie Whitehouse
Subject: Fwd: Comprehensive Plan

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From: Delores Gue <deloresmgue@yahoo.com>
Sent: Friday, January 7, 2022 9:03 AM
To: Doug Hudson
Subject: Comprehensive Plan

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Mr Hudson!

Vote NO for changes to the Comprehensive Plan here in Sussex County!

We don't need more developments in Sussex County until our infrastructure for our roads are completed!

Sincerely
Delores Gue
Sent from my iPhone

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:33 AM
To: Jamie Whitehouse
Subject: Fwd: Vote No on County Comprehensive Plan for Greater Density

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From: dennis hicks <thedennishicks@gmail.com>
Sent: Friday, January 7, 2022 9:55 AM
To: Doug Hudson
Subject: Vote No on County Comprehensive Plan for Greater Density

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Dear Mr Hudson,

I am a long time property owner and resident of eastern Sussex County and request that you vote NO to changes to the County's Comprehensive Plan to allow land use map revisions.

Sussex County, especially in your district, is experiencing an explosion of growth and development. We can all agree that these huge residential developments, with dense housing, are straining our roadways and part of the lifestyle we have here.

Whatever the reasons, it is a given, that the current roads, DEL DOT's road improvement plans and Sussex County council's approvals of more development is taking a toll on our lifestyles. More importantly, once all of the 5000 home plus developments are completed and occupied, our roadways will become more clogged and dangerous due to traffic volume and lack of capacity, especially in the case of medical or weather related disasters.

Finally, this dense development recks havoc on our environment and wetlands. Please remember, the reason our area is so desired is because of its natural beauty.

Developers will ALWAYS favor more development. THEY, the DEVELOPERS, are only a small PORTION of our community. Please think of the residents, rather than developers interests.

PLEASE VOTE NO on this effort to further weaken our lovely county and its natural benefits.

Thank you sincerely,

Dennis Hicks and Marjorie Rawhouser
Angola By the Bay

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 10:33 AM
To: Jamie Whitehouse
Subject: Fwd: Sussex County

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From: Dan Underwood <hawkley53@gmail.com>
Sent: Friday, January 7, 2022 9:57 AM
To: Doug Hudson
Subject: Sussex County

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Mr Hudson

My wife and I moved here from southern California in April of 2020. Both are retired and have been married for over 45 years. WE have seen firsthand what overbuilding a community has done and continues to do in Ca. PLEASE , for the sake of the generations to come behind us, stop this madness any way you can. Without going into a long and credible list of all the residents in this area are concerned about, take a good look at what should have been done years ago.

My wife worked with builders in New Construction for over 40 years. The red tape to get a development through the Department of Real Estate is a viable process for all of us. Here in Sussex county it's sad and humorous at the same time.

Dan Underwood

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JAN 10 2022

SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Doug Hudson
Sent: Friday, January 7, 2022 12:43 PM
To: Jamie Whitehouse
Subject: Fwd: County Comprehensive Plan

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From: CINDY Meck <kris.cindy@hotmail.com>
Sent: Friday, January 7, 2022 12:08 PM
To: Doug Hudson
Subject: County Comprehensive Plan

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Councilman Douglas Hudson,

Please do not allow the County Comprehensive plan changed to allow for greater housing and commercial density than currently permitted.

Thank You,

Kris Meck
23046 Linden Way
Lewes, De. 19958

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JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Robin Griffith
Sent: Wednesday, December 15, 2021 9:43 AM
To: Michael H. Vincent; John Rieley; Cynthia Green; Doug Hudson; Mark Schaeffer
Cc: Jamie Whitehouse
Subject: FW: Contact Form: Changes to Land Use

Forwarding ...

From: Jim LaBella <noreply@forms.email>
Sent: Tuesday, December 14, 2021 1:20 PM
To: Robin Griffith <rgriffith@sussexcountyde.gov>
Subject: Contact Form: Changes to Land Use

RECEIVED
JAN 10 2022
SUSSEX COUNTY
PLANNING & ZONING

Name: Jim LaBella
Email: labella24@verizon.net
Phone: 9736003111
Subject: Changes to Land Use

Message: Please let the council members know that I oppose any changes to the Future Land map of the Comprehensive Plan. The reasons for my position are the same as the reasons outlined by SARG in letters to Council, and to residents. I am confident that council members have seen the SARG material. Thank you, James LaBella

Opposition
Exhibit

FILE COPY

Opposition
Exhibit

Received @ Public Hearing - 12.14.2021

STATEMENT TO THE SUSSEX COUNTY COUNCIL REGARDING AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235- 23.00-2.02 (PORTION OF), 235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00, AND 235-23.00-2.01

DECEMBER 14, 2021

President Vincent, Members of the Council:

I am Jeff Stone from Milton and I am here on behalf of the Sussex Alliance for Responsible Growth (SARG).

SARG joins with the Office of State Planning Coordination (OSPC) and the Delaware Department of Natural Resources and Environmental Control to oppose this proposed change in land use designation and to support maintaining the Low Density designation. This proposed change will have profound ramifications for Sussex County far beyond the parcels involved. It raises the fundamental question: is the recently adopted Comprehensive Plan a true guide for the long range development of the County, to be honored and followed, or is it merely symbolic, to be ignored until it is convenient to reference it. As a representative of SARG, I want to emphasize that SARG is not against development. SARG, as the name states, supports "Responsible" growth. SARG recognizes that development on these lands will happen. But our efforts will always be to try and assure that it is the most appropriate development for the County and its residents and is not detrimental to the environment and character that makes Sussex County so special. That is why a representative attended every Comprehensive Plan meeting and workshop and why we are here this afternoon.

The Comprehensive Plan

This proposal would be a major modification that would significantly undermine the County Comprehensive Plan's vision and intent. It would change the Land Use designation of approximately 247 acres of land with no compelling rationale to make such a change. The Comp Plan is not even three years old and there is no evidence showing that the decision by the County Council to designate these lands low density was incorrect, except that such a designation does not provide the owners and developer with a high enough profit margin.

The Correct Designation: Then and Now

In fact, the Council got it exactly right! This acreage was designated "Low Density" for good and sound reasons. In the current Comprehensive Plan Update the County Council designated this land and most other properties north of Willow Creek Road on the East side of Route 1 as "Low Density." OSPC designates it as "Level 4" in the State Strategies. "Level 4 Areas, per the State's investments and policies, should retain the rural landscape, preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development." That is a precise and correct description of the nature of this area. Now, less than three years into a ten year plan, the new owners are requesting to change that designation to "Coastal" which would allow exponentially

more intense development. Yet nothing has changed over the last several decades and certainly not since the adoption of the plan to justify such a drastic change, except the ownership of the property.

Hundreds of thousands of public dollars and significant citizen input were invested in the Comp Plan. One significant Plan goal is to "Protect critical natural resources, such as the inland bays and others, by guarding against over-development and permanently preserving selected lands." To a large measure, the resulting document, unanimously approved by the Council, responded to the concerns of the citizens seeking to preserve open space while allowing low density residential development to happen in keeping with the character of the area. Nothing has changed.

The land is still productive farmland bordering on some of the most valuable and ecologically sensitive environmental areas in the County, if not the State. It is an extremely valuable aquifer recharge area. It still abuts an area of significant tidal wetlands, an irreplaceable natural resource. It still provides a natural transition from the developing areas west of Route 1 to the Great Marsh and the Delaware Bay. Nothing has changed.

Preferential Treatment?

These parcels have seen various proposals over the years to change their use. I am sure that most of you remember the Overbrook Town Center proposed rezoning and will recall that the same issues and concerns, traffic, public safety, environmental damage, raised then are just as relevant and applicable today. They provided the rationale for the County Council to vote not once but twice to deny that application, ultimately followed by its designation as Low Density. Nothing has changed.

The Comprehensive Plan is less than three years old. Implementation has barely begun and now a major change, impacting thousands of residents and visitors alike, is proposed. The County hasn't yet prepared the implementation plan required of the Council by the Comprehensive Plan. How does it make sense to throw away two years of effort by the County Government and its citizens before serious implementation efforts have even begun. Doesn't it make sense to actually implement the plan and measure it's impact on the County before making major changes?

The owners claim that they were somehow deprived of their preferred land use designation by the actions of the County Council when they changed the designation from Coastal (formerly Environmentally Sensitive Development Area) to Low Density. To repeat, in fact, the County Council got it exactly right. As pointed out earlier, all of the qualifications for designation as a Low Density area have existed for decades. The area's residents have long supported such a designation and still do.

The developers knew what they were getting when they bought the land, dropped the ball, now they want the County to fix it for them. They want you to believe that they paid close attention all through the entire Plan process, but missed the last four meetings and then never reviewed the final plan? It strains belief that the long term land owners, supported by an experienced developer and an accomplished attorney certainly familiar with the term 'constructive notice,' would not have recognized the prerogative of the County Council to make changes to the Plan. Especially, as this was the exact same process used by those same owners at the end of the 2008 Comp Plan process to change the land designation from it's long standing Low Density to Developing Area (ESDA). These are the very same land owners and their partners who received approval for two residential subdivisions on these same

parcels. They are not novices to the development process. This claim just doesn't pass the giggle test.

By the Book

As the public record clearly shows, the Council discussed, in four public meetings over a six week period with a County attorney present and participating, the possibility of changing the designation. At one point, they deferred a vote to assure that all members could be present and have their vote on the record. When a final discussion happened and a vote was recorded on December 4, 2018, it was unanimous, 5-0, in favor of the Low Density designation.

The Potential Impact; 7 Additional Designations – Guarantee of High Density

Why does the designation matter? The Low Density Designation allows:

- Agricultural Residential District (AR-1)
- Business Community District (B-2)
- Medium Commercial District (C-2)
- Marine District (M)
- Institutional District (I-1)

all relatively low density and low intensity uses that are in keeping with the current character of the area.

By contrast, the Coastal Designation is, by far, the most permissive of any classification. It allows 12 different zoning districts. In addition to AR-1, B-2, C-2, M and I-1 permitted in Low Density it allows:

- Medium Density Residential (MR)
- General Residential (GR)
- High Density Residential (HR-1 & HR-2)
- Business Research (B-3)
- Heavy Commercial District (C-3)
- Planned Commercial District (C-4)
- Service/Limited Manufacturing District (C-5)

most of which are high density and high intensity uses. Think outlets, car dealers, shopping centers, distribution centers, offices, and even manufacturing.

An Alternate Vision: Smart Growth with Economic and Environmental Balance

Does this Council want its legacy to be the establishment of hundreds of acres of shopping centers, car dealers, repair shops and distribution centers surrounding high density residential? Is that your vision of a buffer between the growth area west of Route 1 and the ecologically significant Great Marsh and the Delaware Bay? Is this how this Council would achieve its stated goal to “Protect critical natural resources, such as the inland bays and others, by guarding against over-development and permanently

preserving selected lands?" Or would an alternate vision of low density AR-1 cluster subdivisions with significant open space supported by neighborhood commercial providing a buffer for the Great Marsh while enhancing the quality of life for residents be the more appropriate and appreciated legacy. Your choice.

Your "choice" must be guided by the DE Quality of Life Act which clearly states that the intent of the law is "to encourage the most appropriate use of land, water and resources consistent with the public interest..." Your deliberations must balance all of these considerations, not just the special interests of a few. What rationale, within the context of your responsibility for stewardship of the Comp Plan, justifies changing that less than three years into the plan??

Leaving the designation as it stands does not mean the developers cannot productively develop the land. The fact is under AR-1 zoning they can build hundreds of homes on the property in question, almost 500 as it is. Under the permitted B-2 zoning, hotels, convenience stores, retail stores, professional and medical offices are allowed among many others. Under C-2, all of those plus restaurants, banks, assisted living and other long term care facilities, wineries and brew pubs, and, again, many other commercial uses. Under I-1, Biotech Campus, education institutions, surgical center could be added to the long list of uses. There are 116 commercial uses allowed, too many to list here, so attached is a list of the commercial uses permitted in an area designated low density, and we did not even include the Marine category. Clearly, the developers have a wide array of options available to them that will allow a significant return. Why do they need high density? Low Density is appropriate for the area and if the available options don't generate as much profit as the developers would like, it is not the County's or the public's responsibility to maximize their return.

The Adjacent Argument

A rationale used by the developers to justify a change is that the land is adjacent to land already designated as Coastal. But doesn't it hold true that since it also is adjacent to Low Density, shouldn't it remain Low Density, as it currently is? Or perhaps, since it is adjacent to Out of Play, shouldn't it be Out of Play? The logic doesn't hold. That is precisely why the Council made the choice they did. How often during the Comprehensive Plan Process did we hear the refrain "We must preserve the rural character of Sussex County?" One of the characteristics of a Level 4 area under the State Investment Levels is that it "Establish defined edges to more concentrated development." Land Use Designations and Zoning Districts must begin and end somewhere and the opportunity to provide additional protection for the Great Marsh as well as preserving some of the rural character helped the Council make the choice to preserve this unique area as low density.

Traffic Impact: Public Safety vs Profit

The developers have cited the fact that a new grade separated interchange will be constructed over Route 1 at Cave Neck Road and say that is the most appropriate place for high density development. The improvements now planned along Route 1 under the Corridor Capacity Program are in response to safety concerns and increasing congestion. They are not for the purpose of encouraging new high density development. But we have heard this before. This same interchange was cited as a primary justification for and included in the project design when the Overbrook Town Center project was proposed. The County Council disagreed and denied it, twice. Nothing has changed.

To now jump on this new interchange as a call to arms for more intensive development is an opportunistic land grab with no regard for the significant burden such intensive development would pass off onto the environment, infrastructure, and public. You all know that the Cave Neck/Route 1 intersection is one of the most dangerous in the County, if not the state, closely followed by Hudson/Sweet Briar/Cave Neck, Route 16/Route 1 and Minos Conaway/Route 1. The improvements at these locations are designed to reduce the very high accident rates, personal injuries and property damage caused by inadequate infrastructure that can't safely handle the volumes of traffic already flowing as well as that anticipated in the future. You know that there is, right now, today, serious safety and capacity issues west of Route 1 along Route 16, Cave Neck Road and Minos Conaway and when all of these roundabouts and overpasses are complete in the next six years or so, all three will still be two lane, unlimited access, high volume roads running through established residential neighborhoods, all with entrances and some individual driveways on these roads. You, individually, and as a Public Body, know all too well how far behind DelDOT's planned infrastructure improvements are to resolving existing capacity and safety issues in Sussex County.

Accelerated Obsolescence?

DelDOT's planning is based on the County's Comprehensive Plan and that plan designates the east side of Route 1 as low density. There is no capacity issue east of Route 1 currently and if the low density designation is maintained, there will not be. Allowing heavy commercial and high density housing on the east side will create new and significant capacity issues on both sides. The traffic generated will simply overwhelm the tens of millions of dollars the state is investing in improvements and the residents and visitors are back to traffic hell. Does it make sense to create significantly more traffic before we know if the projects, not yet underway, will actually work to alleviate the current problems?? We have been disappointed before.

Economic Impact

Inevitably, we will also hear that this proposal will lead to the creation of jobs. We all know the pandemic caused profound and fundamental change to the nation's economy. If a lack of jobs is such an issue, why, astonishingly, did four million people quit their jobs nationwide last October. Closer to home, the unemployment rate in Sussex County is just above 4%, only slightly above historical norms and down almost 30% from a year ago. While local newspaper's help wanted sections are overflowing with advertisements, County employers are having severe difficulties in recruiting employees. According to a report in "Stateline, an initiative of The Pew Charitable Trusts," dated November 12, 2021, "A record number of job openings and fewer workers to fill them have left 42 states with more available jobs than people looking for work." Delaware is one of those 42 states with over 1.3 jobs available for every job seeker." Development projects don't create jobs, the economy and employers create jobs and they have been very successful over the last year or so.

The same jobs would be created if this project were located in a more appropriate area of the County. It is a specious argument that you must sacrifice a finite resource to gain jobs. Smart planning allows places to have both.

Land Rights vs. Public Rights

If this proposal is approved, the Council might as well include all property on the east side of Route 1 from Willow Creek to Milford. Once one of these properties changes, especially one as ecologically critical as this one, all of the dominoes must fall. We have heard the justification time and time again, "you gave it to him, so you must give it to me." Although it doesn't seem apparent in Sussex County, developers have no right to develop anything more than what the land use designation and zoning allows. There is no "right" to change a land use designation because it doesn't fit their business model. There is no "right" to rezoning because the yield of the current zoning doesn't have enough return. The County has the sole authority to determine what land use best serves the community at large and in this case the decision by the County Council, responding to the clear desire of the citizens, was that the most appropriate use of the lands east of Route 1 is low density residential, neighborhood commercial and open space.

The Ask

Please do not repeat the mistakes of the past and create another Five Points or duplicate the dreadful situation at the Outlets and along Route 1 south of Five Points. Protect the Great Marsh and the rural character of Sussex County. The new Comp Plan gives the County the opportunity to change course from the over development patterns of the last ten years to a balance between rational growth that serves the community and the preservation of the quality of life, history and environment of Sussex County. We need to take advantage of this opportunity, not cut it off before it begins. Give the new Comprehensive Plan a chance to be implemented, you might like the results. If you start making changes now, you will never know what was missed.

We challenge the Council to honor the efforts of the previous Council and the citizens who worked long and hard to craft a meaningful, relevant growth plan by implementing it to the greatest extent possible. This would be a monumental and incredibly laudable accomplishment by this Council.

It is a simple choice. Take the old road and continue to lose the things that make Sussex, Sussex, or choose a new path that enhances that which made Sussex special. It is in your hands. We respectfully request that the County Council preserve this strip of rural character of the County and deny this application.

Thank you and Best Wishes for a Happy Holiday Season. Merry Christmas.

Jeff Stone
Sussex Alliance for Responsible Growth (SARG)

**ADDENDUM TO THE SARG STATEMENT TO THE SUSSEX COUNTY
COUNCIL REGARDING AN ORDINANCE TO AMEND THE FUTURE LAND
USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL
NO. 235- 23.00-2.02 (PORTION OF), 235-23.00-1.00, 235-23.00-1.04,
235-23.00-2.00, AND 235-23.00-2.01**

DECEMBER 14, 2021

LOW DENSITY DESIGNATION PERMITTED USES IN B-2, C-2 AND I-1 ZONES

B-2

Purpose.

The purpose of this district is to provide primarily for office, retail shopping and personal service uses, to be developed either as a unit or on an individual parcel, to serve the needs of a relatively small area, primarily nearby rural, low-density or medium-density residential neighborhoods. To enhance the general character of the district and its compatibility with its residential surroundings, signs are limited to those accessory to businesses conducted on the premises, and the number, area and type of signs are limited.

§115-75.2 Permitted uses.

A. A building or land shall only be used for the following purposes:

- (1)** Agriculture-related uses.
 - (a)** Greenhouse, commercial.
 - (b)** Wholesale, retail nurseries for sale of products produced on site.
- (2)** Residential uses.
 - (a)** Bed-and-breakfast (tourist homes).
 - (b)** Hotel, motel or motor lodge.
- (3)** Sales and rental of goods, merchandise and equipment.
 - (a)** Convenience store.
 - (b)** Convenience store, fuel station (one to six fuel dispensers; no restrictions on nozzles).
 - (c)** Retail sales establishments 30,000 square feet or less.
 - (d)** Pharmacy or related uses 30,000 square feet or less.
 - (e)** Restaurant 7,500 square feet or less.
 - (f)** Brew pub 7,500 square feet or less.
- (4)** Office, clerical, research, personal service and similar enterprises not primarily related to goods.

- (h) Assisted living facility.
- (i) Extended care facility.
- (j) Intermediate care facility.
- (k) Long-term care facility.
- (l) Fitness/wellness center.
- (m) Museums, non-profit art galleries.
- (n) Community centers.
- (8) Storage and parking.
 - (a) Self-storage facility.
 - (b) Warehouse.
- (9) Public, semi-public, utilities, emergency.
 - (a) Government facilities and services.
 - (b) Parks.
 - (c) Public safety facilities including ambulance, fire, police, rescue and national security.
 - (d) Utility service facilities.
 - (e) Communication towers.
 - (f) Recreational facilities, government.

Institutional District I-I

Purpose

The purpose of this district is to recognize the public, quasi-public, and institutional nature of particular parcels of land and provide standards and guidelines for their continued use and future development; and to ensure that the public, quasi-public, and institutional structures and developments in the district will be compatible with surrounding districts and uses.

§ 115-83.39 **Permitted uses.**

A. A building or land shall be used only for the following purposes:

- (1) Restaurant, 7,500 square feet or less.
- (2) Biotech campus.
- (3) Biotech industry.
- (4) Social service establishments.
- (5) Education institutions, public and private.
- (6) Places of worship.
- (7) Early care and education and school-age centers (13+ children).
- (8) Residential child-care facilities and day treatment programs.
- (9) Child placing agencies.
- (10) Hospitals.
- (11) Medical clinics.
- (12) Independent care facilities.
- (13) Assisted living facilities.

- (14) Intermediate care facilities.
- (15) Extended care facilities.
- (16) Long-term care facilities.
- (17) Graduate care facilities.
- (18) Surgical center.
- (19) Fitness/wellness center.
- (20) Museums, nonprofit art galleries.
- (21) Community centers.
- (22) Government facilities and services
- (23) Parks
- (24) Public safety facilities including ambulance, fire, police, rescue and national security
- (25) Utility service facilities
- (26) Communication towers
- (27) Recreational facilities, government
- (28) Cemeteries
- (29) Funeral homes.
- (30) Animal hospitals and veterinary clinics
- (31) Technology centers

Jamie Whitehouse

From: Pam Cranston <pamcranston@gmail.com>
Sent: Wednesday, November 17, 2021 9:15 AM
To: Planning and Zoning
Subject: Proposed Amendment to County Plan

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

To the Sussex County Planning and Zoning Commission:

I understand that a proposal has been submitted to the Sussex County Planning and Zoning Commission to make a major modification to the County's Comprehensive Plan. It would change the land-use designation of approximately 242 acres of land on the east side of Route 1 directly across from Cave Neck Road.

I am **OPPOSED** to this proposal. The Comprehensive Plan was correct in calling for low-density residential development in this area. Altering the designation of this land to high-development "coastal" would only exacerbate existing growth and environmental challenges.

--
All my best,

*Pam Cranston
38198 Terrace Rd.
Rehoboth Beach, DE 19971*

FILE COPY
**Opposition
Exhibit**

From: webmaster@sussexcountyde.gov <webmaster@sussexcountyde.gov>

Sent: Wednesday, November 17, 2021 10:37 AM

Subject: Contact Form: Rezoning Sussex Comprehensive Plan meeting

Submitted on Wednesday, November 17, 2021 - 10:36am

Name: Francis Schmidt

Email address: frankfranboo@yahoo.com

Phone number: 18569934393

Subject: Rezoning Sussex Comprehensive Plan meeting

Message:

I must say I was surprised to see this article in the "Delaware State News" that a meeting on Thursday, November 18th was being held regarding changing the Sussex comprehensive plan for Cave Neck and east side of Route 1 land on such short notice to public. In less then 2 years the lawyers, builders, and even some land owners are trying to change what was decided on by the Council on how to properly use the land to protect "Wet Lands, wild life, and the environment from being destroyed and allow proper progress to move forward in a manor that fits "ALL CITIZENS". Once again "GREED" is pushing us in the wrong direction. I am asking the Council to please vote "NO" to this plan and stick with a plan that makes sense. We are 1 mile from the intersection of Cave Neck and Rt1.

Frank & Fran Schmidt

▪

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**Opposition
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RECEIVED
NOV 18 2021
SUSSEX COUNTY
PLANNING & ZONING

Sent: Wednesday, November 17, 2021 3:34 PM

Subject: Contact Form: Comprehensive Plan Amendment PLUS review 2021-06-12

Submitted on Wednesday, November 17, 2021 - 3:34pm

Name: Joesph Fisher

Email address: jlf589@aol.com

Phone number: 12404252690

Subject: Comprehensive Plan Amendment PLUS review 2021-06-12

Message:

I am writing to state my opposition to the proposed amendment to the Sussex County Comprehensive plan. I oppose the application for many reasons including but not limited to the impact to sensitive environmental areas on and adjacent to the subject parcels, lack of public infrastructure, and the fact the Comprehensive Plan was approved only three years ago designating the approximately 415 acre site in the Low Density Area. As far as I am aware there was no mistake in placing this site in the Low Density Area and there has been no significant change in the neighborhood of the parcels in the intervening three years that would justify amending the Comprehensive Plan to allow the density that could be designating the parcels in the Coastal Area.

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NOV 18 2021
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PLANNING & ZONING

Jamie Whitehouse

From: Dorothy Cirelli <noreply@forms.email>
Sent: Wednesday, November 17, 2021 2:44 PM
To: Jamie Whitehouse
Subject: Contact Form: Proposed zoning change

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SUSSEX COUNTY
PLANNING & ZONING

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Name: Dorothy Cirelli
Email: cirkel@comcast.net
Phone: 3022275631
Subject: Proposed zoning change

Message: To the Commissioners, I request you vote to reject the proposed amendment to the Sussex land-use map, and leave the 247 acres near Milton rural-low density. This will provide protection for water supplies for human inhabitants of the area as well as protection for habitats for numerous species of wildlife, several of which are protected and/or in danger. Please honor and respect the scientific judgements of DNREC, the Natural Areas Advisory Council and the opinions of many members of the public and retain this parcel's rural-low density zoning.

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Exhibit**

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

Christin Scott

From: Cathy Cardaneo <ccardaneo@yahoo.com>
Sent: Wednesday, November 17, 2021 5:07 PM
To: Planning and Zoning
Subject: Comprehensive Plan change

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I am concerned and *against* the newly proposed change to the Comprehensive Plan approved by the Sussex County Council less than 3 years ago. I thought as concerned voting citizens we made it perfectly clear we wanted to preserve open space and keep low-density residential development as keeps with the character of that area. P&Z must recommend denial of this application. We do not have to continue to reward developers at the cost of those residing in this area.
Catherine A. Cardaneo
32317 Mulligan Way
Long Neck DE

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PLANNING & ZONING

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NOV 18 2021
SUSSEX COUNTY
PLANNING & ZONING

Christin Scott

From: Larry Shaw <shawlarry@gmail.com>
Sent: Wednesday, November 17, 2021 6:12 PM
To: Planning and Zoning
Subject: proposed Comprehensive plan change

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

Dear Sir or Madam;

We are residents of Sussex County in Rehoboth Beach (not in the city).

We believe that before any changes to the comprehensive plan is proposed or made there needs to be plans in place for DelDot to increase capacity and traffic flow on Route 1. Especially in the area of the outlet malls between Lewes and Rehoboth. It used to be that the traffic in this area was only heavy during the summer season. This is no longer the case.

Even though the current proposal is to change density for an area north of Route 9, it will most definitely affect the traffic on Route 1 in both directions.

There should be consideration of widening Route 1 from Dover to Route 9. But more importantly, creating a plan to separate local from express traffic in the corridor between Route 9 and the entrance to Rehoboth Beach City. The traffic to those commercial areas is very important but it should be separated from those traveling further south to Rehoboth, Dewey and Bethany similar to Route 50 on the east side of the Bay Bridge.

Thanks for your attention.

Larry Shaw

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PLANNING & ZONING

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Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 17, 2021 6:02 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Christin

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 17, 2021 - 6:01pm

Name: Iris Prager
Email address: iris_prager@hotmail.com
Phone number: 9148448468
Subject: Zoning reform on rte 1 and Cave Neck Rd. Sussex Co
Message: I am opposed to the rezoning of the Chappell farm land development!

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SUSSEX COUNTY
PLANNING & ZONING

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Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 17, 2021 6:07 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Christin

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 17, 2021 - 6:07pm

Name: Merrilee Levesque
Email address: merrilleev@gmail.com
Phone number: 703-622-6868
Subject: Amending The Future Land Use Map of the Comprehensive Plan

Message:

It disturbs me to learn that the Sussex County Planning & Zoning Commission will be hearing about amending the Future Land Use Map in the Comprehensive Plan - amended from Rural to Coastal Area designation. This would likely bring in many houses to fill the space including Overbrook Town Center commercial development and the currently proposed Overbrook Meadows residential development.

It's astonishing to hear this is even being considered since the Sussex County certification letter dated April 1, 2019 stated the Sussex County comprehensive plan was certified, provided no major changes are enacted. It is the opinion of the Office of State Planning that this change would constitute a major change to the currently certified comprehensive plan and this office, for the reasons stated in their letter, object to the comprehensive plan. This alone should be all you need. I oppose this Amendment to the Future Land Use Map. Thank you.

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SUSSEX COUNTY
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PLUS review Comprehensive Plan Amendment for Sussex County; parcels 235-23.00-1:00 -2:02

November 16, 2021

Dear Members of Planning and Zoning:

Whenever there are proposed changes to Planning and Zoning, it ultimately begins with Money. More money can be made on land sales when they are zoned to attract buyers. To move parcels from Low Density Area to the Coastal Area will impact the future of our climate, marine life and marsh life. Most of us are fearful now what our weather patterns are going to look like in the next two years, let alone the next ten. The destruction of Marsh Lands and Established Forests that buffer the tidal areas are threatened more and more each year because more money can be made by developers building as much as they can to the shores. I wonder if they know they are destroying the natural tidal buffer from rising seas and putting their developments at risk for sea level rise?

In the past several years the Sussex County Council denied changes to the Sussex County Comprehensive Plan Amendment for Parcels 235-23.00-1.00 and 2.02 for obvious reasons. DNREC reviewers are not in support of this change due to the parcels lying within areas that contain environmental features that are inconsistent with more intensive development. Groundwater Recharge Areas are located on these parcels and they have soils that are conducive to water infiltrating downward from surface water into groundwater. Preservation of these areas is important for replenishing groundwater supplies and ensuring drinking water for future generations.

These parcels are a habitat for an active Bald Eagle nest, and other endangered species such as The Broad-winged Hawk, The Norther Harrier and the Great Black-backed Gull which are listed with State Rank S1B protection acts. Do we care about our environment and the creatures that contribute to our preservation of marsh life?

Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands for mosquito control service beyond what DNREC has the resources to provide. This area lies with in a zone that will be affected by mosquitoes due to its location near large expanses of freshwater and estuarine wetlands.

DELDOT will be developing an overpass road system at the juncture of Cave Neck Road and Coastal Highway (Rt. 1). This should not signal to developers that commercial and residential has to surround the new roadway. Over development in Sussex County is consuming us. Traffic is overwhelming to navigate through. A better idea is that these parcels be sold or donated to Sussex County as a preserve so that future development does not have to be considered.

I encourage Planning and Zoning to do the right thing and deny any changes to the Sussex County Comprehensive plan that involves these parcels of land.

Sincerely,

Doris P. Pierce,
302-564-7637
Selbyville, DE

FILE COPY

pposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, November 16, 2021 2:34 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, November 16, 2021 - 2:34pm

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Exhibit

Name: Jeanette E Akhter
Email address: jeakhter@gmail.com
Phone number: 2023209569
Subject: Opposition to proposed ordinance

Message:

I oppose amending The Future Land Use Map of the Comprehensive Plan for the parcels cited in this proposed ordinance:

"AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF), 235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00, AND 235-23.00-2.01"

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, November 16, 2021 2:48 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, November 16, 2021 - 2:48pm

FILE COPY
Opposition
Exhibit

Name: Janet Bastien

Email address: philliefan7@comcast.net

Phone number: 3026642973

Subject: I oppose amending the Comprehensive Plan future land use map

Message: I would like to register my opposition to amending the Sussex County Comprehensive Plan to designate parcels near Cave Neck Road as coastal. Doing so would endanger wildlife and add to expanded growth in this area where it is not fit to do so. There are nesting bald eagles there as well as other wildlife. There is marsh area that must be preserved. Increased density and development do not support the marshland and this wildlife and could also affect ground water supplies. Please work to preserve Delaware's Ecological network and deny amending the plan for these developers

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, November 16, 2021 2:53 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, November 16, 2021 - 2:53pm

FILE COPY
Opposition
Exhibit

Name: Ms M. Sturges Dodge
Email address: msdodge@udel.edu
Phone number: 302-227-1446
Subject: Public Hearing November,18,2021

Message: To the Commissioners, I request you vote to reject the proposed amendment to the Sussex land-use map, and leave the 247 acres near Milton rural-low density. This will provide protection for water supplies for human inhabitants of the area as well as protection for habitats for numerous species of wildlife, several of which are protected and/or in danger. Please honor and respect the scientific judgements of DNREC, the Natural Areas Advisory Council and the opinions of many members of the public and retain this parcel's rural-low density zoning.

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, November 16, 2021 3:04 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, November 16, 2021 - 3:03pm

FILE COPY
Opposition
Exhibit

Name: Mary Schwanky
Email address: schwanky@comcast.net
Phone number: 3023299462
Subject: Opposed to amending the Sussex County Land Use Plan on Nov 18, 2021

Message:

I respectfully urge the Sussex County Council to deny the proposed Ordinance to Amend the Future Land Use Map of the Comprehensive Plan pertaining to the 5 parcels located across from Cave Neck Rd. Along Rte. 1 from Rural Area - Low density to Coastal. The Office of State Planning and DENREC have researched and reinforced the need to preserve these parcels as Rural use. Their reasons are clear and important and need to be the guiding principles related to this land.

Please do not defer to developers. This property and others like it that protect the environment and country atmosphere of Sussex County must be protected. Please fulfill your role and vote "no" on this proposal.

Sincerely,
Mary Schwanky
207 Sundance Lane
Milton, DE. 19968

Jamie Whitehouse

From: Carol Frank <carolfrankdc@gmail.com>
Sent: Tuesday, November 16, 2021 4:28 PM
To: Planning and Zoning
Subject: Comprehensive Plan Zoning

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

I am writing as a resident of Sussex County to oppose the altering of zoning on the comprehensive plan. I think it is important to not overdevelop this area with additional density in residential as well as commercial development. Please stick to the original plan. More development is not always warranted. Thank you, Carol Frank

24 Henlopen Ave
Rehoboth, Delaware

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: martha redmond <marthr27@hotmail.com>
Sent: Tuesday, November 16, 2021 8:43 PM
To: Planning and Zoning
Subject: Do not change land use designation of Great Marsh

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

Do not change the land use designation of the Great Marsh. What good is a comp plan if you immediately change it to reflect developers wishes? The public has already weighed in on this issue please represent their not developers wishes.

Martha Redmond

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, November 16, 2021 7:12 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, November 16, 2021 - 7:12am

FILE COPY
Opposition
Exhibit

Name: Diane Cardwell

Email address: docardwell@gmail.com

Phone number: 302-684-3160

Subject: Great Marsh

Message: Please do not change the comp plan to allow greater development in the coastal marsh area across from Cave Neck Road

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, November 16, 2021 8:54 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, November 16, 2021 - 8:54am

FILE COPY
Opposition
Exhibit

Name: William Easton

Email address: bleaston1@gmail.com

Phone number: 302-339-2508

Subject: AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 532-12.00-1.00, 532-12.00-

Message: I strongly oppose these moves to amend the future land use map for these parcels. Please deny these proposed ordinances. Please protect these environmentally and culturally sensitive areas from overdevelopment and exploitation.

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, November 16, 2021 10:35 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Tuesday, November 16, 2021 - 10:35am

FILE COPY
Opposition
Exhibit

Name: Leslie Alter
Email address: leslie.alter@gmail.com
Phone number: 3022009519
Subject: Amending The Future Land Use Map of the Comprehensive Plan

Message:

We are in opposition to Amending The Future Land Use Map of the Comprehensive Plan Please do the right thing and recommend denial of this request to amend the present Future Land Use Map of the Comprehensive Plan.

Thank You
Leslie Alter

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, November 15, 2021 8:36 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, November 15, 2021 - 8:35pm

FILE COPY
Opposition
Exhibit

Name: David Bryan
Email address: davebryan00@gmail.com
Phone number: 3022912708
Subject: Reject Ordinance to Amend the Future Land Use Map of the Comprehensive Plan
Message:

In the July 21, Delaware State Agencies PLUS review #2021-06-12; Sussex County Comprehensive Plan Amendment, the Office for State Planning Coordination provided comment to include;

According to the Delaware Office of State Planning, there are significant environmental features contiguous to this site plan including tidal wetlands.

These parcels are not close to public services such as water, sewer, police, fire, and schools.

DNREC reviewers are not in support of this change due to the parcels lying within designated as Out of Play and Level 4 by the Delaware Strategies for State policies and Spending. In addition, these parcels contain environmental features that are inconsistent with more intensive development.

An analysis of historical data indicates that the northern portion of parcel 235-23.00-2.02 and the small, forested portion on the northern edge of parcel 235-23.00-1.00 have likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

Groundwater Recharge Areas are located on parcels 235-23.00-1.00 and 235-23.00-2.02. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater. Preservation of these areas is important for replenishing groundwater supplies and ensuring drinking water for future generations.

Freshwater and marine wetlands are present on the northern half of parcel 235-23.00-2.02 and lie within the Great Marsh Natural Area and the Delaware Ecological Network. Natural Areas contain lands of statewide significance identified by the Natural Areas Advisory Council as the highest quality and most important natural lands remaining in Delaware. The Delaware Ecological Network consists of lands having significant ecological value. Forest disturbances in these areas will jeopardize the parcel and possibly beyond the parcel's boundary.

An analysis of historical data indicates that the northern portion of parcel 235-23.00-2.02 and the small, forested portion on the northern edge of parcel 235-i3.00-1.00 have likely maintained some degree of forest cover since 1937. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat

Groundwater Recharge Areas are located on parcels 235-23.00-1.00 and 235-23.00-2.02. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater. Preservation of these areas is important for replenishing groundwater supplies and ensuring drinking water for future generations.

Freshwater and marine wetlands are present on the northern half of parcel 235-23.00-2.02 and lie within the Great Marsh Natural Area and the Delaware Ecological Network. Natural Areas contain lands of statewide significance identified by the Natural Areas Advisory Council as the highest quality and most important natural lands remaining in Delaware. The Delaware Ecological Network consists of lands having significant ecological value. Forest disturbances in these areas will jeopardize habitat on the parcel and possibly beyond the parcel's boundary.

There is an active Bald Eagle (*Haliaeetus leucocephalus*) nest within parcel 235-23.00-2.02. Bald eagles and their nests are protected under the federal Bald and Golden Eagle Protection Act (BGEPA). Additionally, the nest itself is protected by state law (7 Del. C. § 73e). The following plants or animals are listed as State of Delaware rare, threatened, or endangered species, which have been documented within the project area.

The Broad-winged Hawk (*Buteo platypterus*) is a bird listed under State Rank S1B, State Status E, and SGCN Tier I.

The Northern Harrier (*Circus cyaneus*) is a bird listed under State Rank S1B, State Status E, and SGCN Tier 1.

The Great Black-backed Gull (*Larus marinus*) is a bird listed under State Rank S1B and SGCN Tier 1. a PLUS review
2021-06-12 Page 4 of 5

The Black-necked Stilt (*Himantopus mexicanus*) is a bird listed under State Rank S2B and SGCN Tier 1

The Sussex County certification letter dated April 1, 2019 stated the Sussex County comprehensive plan was certified, provided no major changes are enacted. It is the opinion of the Office of State Planning that this change would constitute a major change to the currently certified comprehensive plan and this office, for the reasons stated in their letter, object to the comprehensive plan.

The P & Z Commission should do the right thing and recommend denial of this request to amend the present Future Land Use Map of the Comprehensive Plan.

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, November 15, 2021 5:57 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Jamie

FILE COPY

**Opposition
Exhibit**

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, November 15, 2021 - 5:57pm

Name: James LaBella
Email address: labella24@verizon.net
Phone number: 9736003111
Subject: Future Land Use Map
Message:

I am against any changes to the Future Land Use Map of the Comprehensive plan. There is no good reason to amend the plan and many reasons why the Commission should not touch there areas. I am referring to tax parcels:

235-23.00-2.02, 2.00, 1/04, 2.00, 2.01.

Please stop the madness, enough is enough. Stop the overdevelopment in the county, it is killing the area.

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, November 15, 2021 2:35 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, November 15, 2021 - 2:35pm

FILE COPY
Opposition
Exhibit

Name: Robert Cerf

Email address: cerfrdude@yahoo.com

Phone number: 302-645-7711

Subject: Zoning amending east of Cave Neck Rd

Message: I'm wholeheartedly against any change. Protect the natural resources and drainage of this area so that Sussex County does not become urban sprawl like everywhere else! Thank you.

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, November 15, 2021 2:15 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, November 15, 2021 - 2:14pm

FILE COPY

Opposition
Exhibit

Name: Carmel Walters
Email address: carmelwalters@yahoo.com
Phone number: 703-717-3132
Subject: Amending the Comprehensive Plan

Message:

The Ordinance to Amend the Future Land Use Map of the Comprehensive Plan pertains to 5 parcels consisting of approximately 248 acres that would be amended from Rural Area - Low density to Coastal area. This modification would change the Land Use designation of land on the East side of Route 1 directly across from Cave Neck Road, Milton, the former site of the proposed Overbrook Town Center commercial development and the currently proposed Overbrook Meadows residential development.

I strongly oppose this action.

Jamie Whitehouse

From: Jerry <jerrybegood@gmail.com>
Sent: Sunday, November 14, 2021 7:15 PM
To: Robin Griffith; Doug Hudson; John Rieley; Michael H. Vincent; Mark Schaeffer; Lopez, Ernesto B (LegHall); Schwartzkopf, Peter (LegHall); Planning and Zoning; Jamie Whitehouse; BriggsKing, Ruth (LegHall); steve@stevesmyk.com; Shirley Wiesendanger; Michael Varonka; Ann Spillane; dotty Deems; Jane Lewis; LAURA MARROLLI; ladyjuliet77@gmail.com; Roger Lewis
Subject: The Great Marsh in peril again?

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This Ordinance to Amend the Future Land Use Map of the Comprehensive Plan pertains to 5 parcels consisting of approximately 248 acres that would be amended from Rural Area - Low density to Coastal area. This modification would change the Land Use designation of land on the East side of Route 1 directly across from Cave Neck Road, Milton, the former site of the proposed Overbrook Town Center commercial development and the currently proposed Overbrook Meadows residential development.

All,

When will the quality of life for the present residents as well as the plethora of wildlife be first and foremost. The extinction of Sussex County natural habitats are decimating human life sustaining food chain necessity daily. The incredible rapid deforestation being allowed has increased air pollution while continuing to wreak havoc with more and more predicted flooding. Of late thankfully, we have been spared our typical turbulent weather, it's quite obvious we will not be lucky forever as tremendous flooding, home destroying dangerous weather has been very near us. It's just a matter of when not if.. Each year our odds increase exponentially as history has shown.

It's selfish, bizarre and outrageous profiteering by handfuls of deep pocketed developers takes precedence over science. We urge all legislators to take these warnings seriously maintaining the present smart zoning in all Sussex County as well as future amendments that would provide for safety of all.

Deny this application w/o remedy.

Best regards,

Jerry & Christine LaForgia. Lewes

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Sunday, November 14, 2021 5:25 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Sunday, November 14, 2021 - 5:24pm

Name: Lewis R. Podolske
Email address: LPodolske@aol.com
Phone number: 3029330145
Subject: Opposition to proposed changes in land designation under the Comprehensive Plan.

Message:

As a Sussex County homeowner I object to the following proposed changes in designation under the Comprehensive Plan.

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF), 235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00, AND 235-23.00-2.01

FILE COPY

Opposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Sunday, November 14, 2021 3:50 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Sunday, November 14, 2021 - 3:50pm

Name: Amy Schnerr
Email address: schnerr@outlook.com
Phone number: 302-217-1692
Subject: Oppose amending the future land-use map of the comprehensive plan

Message:

Dear planning and zoning officials,
please vote "no" to amending the future land-use map of the comprehensive plan. The density is too high, The parcel is too far from any existing utilities, and it is not the right place for development that would be allowed if you amended the plan.

Sincerely,
Amy Schnerr

FILE COPY

Opposition
Exhibit

Jamie Whitehouse

From: Lisa Schofield <rfhp18@gmail.com>
Sent: Wednesday, November 17, 2021 3:50 PM
To: Planning and Zoning
Subject: Sussex County Comprehensive Plan

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

Good afternoon,

I am writing to express my intense opposition to the proposal before the Sussex County Council related to changing the current low-density land-use designation and AR-1 zoning currently in the Sussex County Comprehensive Plan to a Coastal designation which would allow for high density and commercial use. The Sussex County Council must deny this proposal and maintain the current designation. Eastern Sussex County is becoming more dense by the month with all the building that is occurring which has meant loss of habitat for wildlife, trees, opens spaces, and wetlands. Additionally, the constant development is the reason we have ever-worsening congestion on the roads, inadequate infrastructure and under-resourced public services such as fire, police, utilities, etc.

Perhaps the Council could focus their attention on alternative revenue sources to fund the County's coffers. The transfer tax is a major driver of the problem. A material amount of the county's revenue comes from building and real estate transactions. This of course means the County Council operates under a revenue model that incents the Council to permit as much building and growth as possible. But at what cost? We all know the costs - terrible traffic, disappearing wildlife, more light pollution, more air pollution, more noise pollution, loss of beauty that comes with green spaces and wetlands...and the list goes on.

Responsible stewardship of Sussex County is in the Council's hands and we citizens expect better from this counsel.

Regards,
Lisa Schofield
Rehoboth Beach
703.628.1032

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Richard Freitag <richfreitag@gmail.com>
Sent: Wednesday, November 17, 2021 3:31 PM
To: Planning and Zoning
Subject: Sussex Comprehensive Plan Changes

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

Hello,

It is my understanding that a proposal has been submitted to the Sussex County Planning and Zoning Commission to make a modification to the Sussex County Comprehensive Plan.

This Plan was finalized 3 years ago and I see no reason to make any changes for the near future because the growth of the county is out of control. Leave the plan as it is.

Also, it seems as if the County was trying to keep this a secret for some reason and it was not announced to the general public.

You need to at least notify us a little better so we can understand the scope of this change.

Thank You,

Richard Freitag
38174 Terrace Road
Rehoboth Beach, DE

571-238-2037

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 17, 2021 3:29 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 17, 2021 - 3:29pm

Name: Margaret Saul
Email address: margaretsaul@comcast.net Phone number: 3028274457
Subject: Amendment for land use of Great Marsh at Cave Neck and Rt1

Message:

I oppose any change in land use to the Great Marsh, at Cave Neck and RT.1.
Congestion, environment, a county already overwhelmed with building and not the necessary resources for residents to have a safe, hospitable place to reside. Perhaps it is time for Sussex Co. to consider the needs/ will of its residents above the bank accounts of those that are destroying our community with over building, overcrowding, lack of infrastructure to support these plans.

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Jill Landon <jillydorothy@icloud.com>
Sent: Wednesday, November 17, 2021 3:29 PM
To: pandz@sussexcountyde.gov.
Subject: Land use East of Route1, Cave Neck Rd intersection

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

Please do not change the zoning for this property to coastal. I own 5 acres within a mile of Cave Neck on the east side of Hwy 1...Old Mill Road...Lewes, De. We enjoy the present zoning which helps to protect the sensitive environment. I'm concerned that the zoning change will put the entire area in jeopardy to include the great marsh. It will spurn unnecessary growth in an area that needs to be protected from over growth. Col. William Landon, 32174 Landon Road, Lewes, De 302-644-0493

Sent from my iPhone

FILE COPY
**Opposition
Exhibit**

Jamie Whitehouse

From: Constance Santarelli <dsantar101@icloud.com>
Sent: Wednesday, November 17, 2021 3:04 PM
To: Planning and Zoning
Subject: Rezoning!!

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Please recognize the problems for all Sussex County residents if you redone the requested property. Infrastructure cannot keep up with new developments constantly being approved.

Constance Santarelli
Rehoboth Beach

Sent from my iPhone

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 17, 2021 3:42 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 17, 2021 - 3:41pm

Name: Joesph Fisher
Email address: jlf589@aol.com
Phone number: 12404252690
Subject: Comprehensive Plan Amendment PLUS review 2021-06-12

Message:

I am writing to state my opposition to the proposed amendment to the Sussex County Comprehensive plan. I oppose the application for many reasons including but not limited to the impact to sensitive environmental areas on and adjacent to the subject parcels, lack of public infrastructure, and the fact the Comprehensive Plan was approved only three years ago designating the approximately 415 acre site in the Low Density Area. As far as I am aware there was no mistake in placing this site in the Low Density Area and there has been no significant change in the neighborhood of the parcels in the intervening three years that would justify amending the Comprehensive Plan to allow the density that could by designating the parcels in the Coastal Area.

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Ryan O'Sullivan <osully@gmail.com>
Sent: Wednesday, November 17, 2021 2:52 PM
To: Planning and Zoning
Subject: Sussex County Comprehensive Plan Zoning Change

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Planning and Zoning Board Members,

On 11/18 at 5pm ET the board is going to discuss changing a 242 acre lot of land from low density to coastal. Due to the already congested roadways in the area that need extensive improvements and widening just from already built and approved incoming communities, as well as stress on our other infrastructure in the area, I vehemently oppose this change in designation.

The low density development will still allow our community to grow, but will do so in a more responsible way. This will allow time for local leaders to build up the additional infrastructure that will be needed to continue supporting our area during this time of extreme population growth.

Sincerely,

Ryan O'Sullivan

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: Kathy Conti Salamone <KCSalamone@msn.com>
Sent: Wednesday, November 17, 2021 2:51 PM
To: Planning and Zoning
Subject: Route 1 Development

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Think about what's best for both current and future residents, not developers who continue to make money at the expense of the community.

Kathy Salamone
Millsboro

Sent from [Mail](#) for Windows

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: jon16210@aol.com
Sent: Wednesday, November 17, 2021 12:53 PM
To: Planning and Zoning
Subject: Cave Neck Rd SR-1 land designation

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Hello,

I am a resident of Lewes living off of Minos Conaway Rd. and write in opposition to the potential land designation change to the property east of SR1 in the cave neck area. This area needs to be preserved as it is a major marsh area and development would decrease our quality of life. This area was also designated to be preserved and classified as environmentally important in our last county comprehensive plan. This comprehensive plan went into effect just a few years ago and took many years to put together. Why would we all of a sudden change course? Please do not allow this change.

Sincerely,
Jonathan Bernard

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: outlook_8CDBF2B9FD2A6416@outlook.com <cwiegand@comcast.net>
Sent: Wednesday, November 17, 2021 12:50 PM
To: Planning and Zoning
Subject: Proposed Modification and Land Use Designation Change

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Dear Sir/Madame;

Please register my vote AGAINST increasing the density allowance and other proposed modifications to the 242 acre tract on the east side of Rte 1 across from Cave Neck Road.

I understand you intend to discuss this tomorrow 11/18 – I am opposed to this change.

Claudia Wiegand
36 Eleanor Lee Lane E
Rehoboth Beach, DE 19971

Sent from Mail for Windows

FILE COPY
**Opposition
Exhibit**

Jamie Whitehouse

From: slf711@aol.com
Sent: Wednesday, November 17, 2021 3:35 PM
To: Planning and Zoning
Subject: Modification to Sussex County Comprehensive Plan

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To: Jamie Whitehouse, Director
Sussex County Planning and Zoning Office

I am writing to stte my opposition to the proposal to amend the Sussex County Comprehensive plan. I am in oppostion to this application becasue of the impact to sensitive enviornmental areas on and adjacent to the subject parcels, lack of public infrastructure, and the fact the Sussex County Comprehensive Plan was approved only three years ago designating the aproximately 415 acre site in the Low Density Area. I am not aware of any changes in the neighborhood over the last three years that would justify amending the Sussex County Comprehenive Plan to allow increse density by designating the parcel in the Coasta Area.

Regards,

Susan Fisher
300 Brick Lane
Milton, De 19968

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: J.L. Fisher <jayelfisher@gmail.com>
Sent: Wednesday, November 17, 2021 3:27 PM
To: Planning and Zoning
Subject: Comprehensive Plan Amendment PLUS review 2021-06-12

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Jamie Whitehouse, Director
Sussed County Planning and Zoning Office

I am writing to state my opposition to the proposed amendment to the Sussex County Comprehensive plan. I oppose the application for many reasons including but not limited to the impact to sensitive environmental areas on and adjacent to the subject parcels, lack of public infrastructure, and the fact the Comprehensive Plan was approved only three years ago designating the approximately 415 acre site in the Low Density Area. As far as I am aware there was no mistake in placing this site in the Low Density Area and there has been no significant change in the neighborhood of the parcels in the intervening three years that would justify amending the Comprehensive Plan to allow the density that could be designated in the Coastal Area.

Regards,
JL Fisher
300 Brick Lane Milton DE

FILE COPY
**Opposition
Exhibit**

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 17, 2021 3:12 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 17, 2021 - 3:12pm

Name: Michael L Berger

Email address: edadvice@comcast.net

Phone number: 3026444142

Subject: Proposed Amendment to the Future Land Use Map of the Comp. Plam

Message: I strongly OPPPOSE the Ordinance to Amend the Future Land Use Map of the Comprehensive Plan to change the designation of the land on the East side of Route 1 from Low density to Coastal area. We need to preserve, not develop, the remaining open land in this area. If preservation is not possible, then we need to minimize development by encouraging low density residential communities. I would implore you to listen to the residents of the County, not the commercial developers who care little for the quality of life in this area. Thank you for your consideration of my views.

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: gstewart <greig.m.stewart@gmail.com>
Sent: Wednesday, November 17, 2021 12:32 PM
To: Planning and Zoning
Cc: newsroom@capegazette.com
Subject: Re: AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235- 23.00-2.02 (PORTION OF), 235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00, AND 235-23.00-2.01

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Unless this amendment is paired with traffic, water, sewage and emergency management plans, this plan should be seen as a non-starter.

Sincerely,

Greig Stewart
38166 Terrace Road
Rehoboth Beach, DE 19971

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: Sandy Shalk <sandy_shalk@yahoo.com>
Sent: Wednesday, November 17, 2021 12:16 PM
To: Planning and Zoning
Subject: Modification to the Sussex County Comprehensive Plan

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To Whom it May Concern:

It is our view that the county should not change the zoning from **AR-1 to Coastal** for the land east of Route 1 (directly across from Cave Neck Road). This is the land currently proposed for Overbrook Meadows.

We don't need denser development with the possibility of commercial use.

Thank you,

Alexander and Christine Shalk
Overbrook Shores, Milton.

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: conteestat <conteestat@aol.com>
Sent: Wednesday, November 17, 2021 11:19 AM
To: Planning and Zoning
Subject: Opposition to modifying the comprehensive plan

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

I am opposed to the land-use proposal that you are currently considering involving Cave Neck Rd.

I am opposed for the following reasons:

- the comprehensive plan was created and is reviewed often for the primary purpose of insuring that consistent protections of wetlands and wildlife are maintained;
- the designation now requested would result in a MAJOR CHANGE something the Plan prohibits;
- the office of state planning has stated its opposition;
- there is no access to public services;
- DENREC is opposed to this proposal;

If you want to undermine the years of public input and desired goals of the development of the comprehensive plan then approval of this proposal would do it.

The Great Marsh preserve needs to be preserved.

Linda Schulte
Selbyville DE 19975

Sent from my Verizon, Samsung Galaxy smartphone

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Frank Schmidt <frankfranboo@yahoo.com>
Sent: Wednesday, November 17, 2021 11:13 AM
To: Planning and Zoning
Subject: Rezoning Sussex County Plan

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

I must say I was surprised to see this article in the "Delaware State News" that a meeting on Thursday, November 18th was being held regarding changing the Sussex comprehensive plan for Cave Neck and east side of Route 1 land on such short notice to public. In less than 2 years the lawyers, builders, and even some land owners are trying to change what was decided on by the Council on how to properly use the land to protect "Wet Lands, wild life, and the environment from being destroyed and allow proper progress to move forward in a manner that fits "ALL CITIZENS". Once again "GREED" is pushing us in the wrong direction. I am asking the Council to please vote "NO" to this plan and stick with a plan that makes sense. We are 1 mile from the intersection of Cave Neck and Rt1.

Frank & Fran Schmidt

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 17, 2021 11:05 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 17, 2021 - 11:05am

Name: Sue Claire Harper

Email address: secmate47@gmail.com

Phone number: 302.260.9532

Subject: Opposed to Amending Future Land Use Map across from Cave Neck Road

Message: I want to make clear that I absolutely do NOT support amending the existing Future Land Use Map of the 2018 Comprehensive Plan from Rural Area - Low density to Coastal area as it pertains to the 5 parcels consisting of approximately 248 acres that would change the Land Use designation of this land on the east side of Route 1 directly across from Cave Neck Road, Milton.

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: Susan O'Sullivan <susan.osullivan55@gmail.com>
Sent: Wednesday, November 17, 2021 10:58 AM
To: Planning and Zoning
Subject: zoning change

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

To whom it may concern,
I do not agree with the zoning change. We have enough housing becoming available and do not need anymore. If land is for only a certain number of houses or is not commercial to begin with there is a reason for that. The Change would open the land up for potential issues with flooding, traffic and strain on our already fragile infrastructure.

Sincerely,
Susan O'Sullivan

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: Rita Beier Braman <ritabb23@icloud.com>
Sent: Wednesday, November 17, 2021 10:52 AM
To: Planning and Zoning
Subject: NO to expansive changes to the Sussex County Comprehensive Plan

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

This voting citizen voices an adamant NO to the big change being proposed to the Sussex County Comprehensive plan...specifically referring to changing the Zoning on Route 1 across from Cave Neck Road from low density to coastal. This goes against the original plans approved in 2018 and results in the opposite of what we're hoping to do: slow the unfettered development and lost of wet lands, forests, natural habitats and open space that makes this area great. No no no...the land was twice preserved from being developed in high density shopping/residential area by the Overbrook Town Center developers. Specifically the parcel is 235-23.00 - 1.00 East of route 1 and north of Minos Conaway. The Office of Delaware State Planning has already stated their opposition. Part of their report reads as follows:

Parcel 235-23.00-1.00 has been seen through PLUS on several occasions for both residential and commercial use. These projects were active during the Sussex County Comprehensive Plan and the 2020 Strategies for State Policies and Spending in which Sussex County was involved and commented. This parcel is within a Level 4 according to the 2020 Strategies for State Policies and Spending and low density in the SC plan for several reasons including, but not limited to:

- Parcel 1.00 is subject to the corridor capacity preservation program
- These properties border out-of-play land such as the Cedar Trees Farm District
- There are significant environmental features contiguous to this site plan including tidal wetlands
- These parcels are not close to public services such as water, sewer, police, fire and schools.

Numerous other groups are opposed and as a homeowner who VERY specifically chose to buy a home in this less populate, up until now 'low density protected' area, we are adamantly opposed! If we had wanted to live in the crowd and noise of Rehoboth we would have. I only heard of this today as it was put on the agenda for the Sussex County Zoning and Planning Commission's agenda for TOMORROW night with little to no notification, nor time for comment from those residents who will be directly affected. we do not have the infrastructure for all of the development already approved. It is time to STOP cowering to the greedy developers (and those who may be benefiting from them 'on the side') and preserve the beauty of Sussex County. PLEASE DO NOT PASS THIS PROPOSAL.

This specific proposal is sussexcountyde.gov/sites/default/files/packets/Ord%2021-09%20Future%20Land%20Use%20Map%20Amendment%20-%20North%20Side%20Rt.%201%20Paperless%20Packet.

Most Sincerely
Rita Beier-Braman
16332 John Rowland Trl
Paynter's Mill, DE 10968
Sent from my iPad

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Patrick O'Sullivan <patrick.josullivan@gmail.com>
Sent: Wednesday, November 17, 2021 10:20 AM
To: Planning and Zoning
Subject: Sussex comprehensive plan

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

Hello,

Implement the already approved plan fully first. See what happens. Modifications/New plans can be reviewed later on.

Respectfully,

Patrick J. O'Sullivan

Sent from my iPhone

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: Zane Jones <zanejones01@gmail.com>
Sent: Wednesday, November 17, 2021 9:50 AM
To: Planning and Zoning
Subject: Overbrook Meadows

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

I am writing in OPPOSITION of the Overbrook Town Center.

The 242 acres, here in Sussex County at Cave Neck Road and Route One should NOT be overly developed and destroyed by dense population, multi-family dwellings and retail/commercial development. The 484 single family homes proposed will already place a strain on infrastructure and create more traffic congestion, not to mention disrupt the beautiful land. However these SFH's ARE in line with all neighboring communities and nearby towns.

If the zoning is changed to coastal, increasing density and allowing an astounding 2,904 dwellings, this would have a major negative impact on our community.

We are not against development / improvements and understand that progress must move forward to evolve our changing needs and evolving coastal land but do not need more apartments, car parks or densely populated strip malls. Please do not overcrowd our streets, over-congest our land or create more challenges for existing residents of Sussex County.

Thank you.

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: Linda Shockley <linda.shockley0715@gmail.com>
Sent: Wednesday, November 17, 2021 9:49 AM
To: Planning and Zoning
Subject: do not cave to special interests

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

I am expressing my opinion about the proposed development of the land east of Minos-Conway, as quoted from an article in the Delaware State News: "This modification would change the land-use designation of approximately 242 acres of land on the east side of Del. 1, directly across from Cave Neck Road, the former site of the proposed Overbrook Town Center commercial development and the currently proposed Overbrook Meadows residential development."

Why have codes if you're just going to let the rapacious developers roll right over them? These greedy developers ruin the land then waltz away, laughing all the way to the bank. Please preserve our quality of life. Thank you.

Linda M Shockley

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: jillydud729@comcast.net
Sent: Wednesday, November 17, 2021 9:17 AM
To: Planning and Zoning
Subject: Amending the Future Land Use Map of the Comprehensive Plan

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

My husband and I live in Paynter’s Mill practically directly across from the area under consideration. We have owned and lived here since 2008. We are totally in opposition to once again this coming up. We fought it before and we hope homeowners will fight it again. The Sussex County Council has got to stop approving anything that is brought before them concerning expanding the building in this part of the County. The roads are too crowded, the infrastructure is not in place, and in 2018 the land was designated for low density. We guess the owners of this property think people forgot how hard we fought to oppose before. Please, do the right thing, and deny this request to amend the present Future Land Use Map of the Comprehensive Plan. Over 2,000 homes can be built if this is approved as well as commercial buildings. The environmental effect on this along would be a tragedy.

Jill and John Dudley

16435 John Rowland Trail

Milton, DE

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Paula Horn <phorn@extremereach.com>
Sent: Wednesday, November 17, 2021 5:53 AM
To: Planning and Zoning
Subject: Proposed zoning changes

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

I opposes the nee zoning changes along the eastern part of route 1 Osceola from Cave Neck Road.

My understanding is it is being considered to change fro R1 to high density coastal.

There are environmental reason and traffic and density issues with more development in this area and we need to be careful and prudent about changing any designations. There is too much building in this area and I feel it is becoming a serious detriment to the area.

Paula Horn
(M) 646-242-3231
(O) 646-344-3402

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Jamie Ritter <seasail63@gmail.com>
Sent: Wednesday, November 17, 2021 8:30 AM
To: Planning and Zoning
Subject: Zoning

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

It is imperative that no changes be made to the Sussex County Comprehensive Plan, including zoning.

J. Ritter
20932 Ann Ave #6
Rehoboth Beach DE 19971

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: kbabad02@gmail.com
Sent: Wednesday, November 17, 2021 8:33 AM
To: Planning and Zoning
Subject: Parcel 235-23.00-1.00

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

We have lived here since 2018 and since that time we have experienced substantial growth in our area. It has created a lot of negative issues for our area. We strongly urge you not to approve the proposed zoning changes to the above partial. Thank you for your consideration.

Brenda Dunn
Rehoboth Beach, DE

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: Sandy Neverett <neverett999@gmail.com>
Sent: Wednesday, November 17, 2021 8:19 AM
To: Planning and Zoning
Subject: Modification to Sussex County Comprehensive Plan

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

I understand that a proposal has been submitted to the Commission to change the land-use designation of ~242 acres of land on the east side of Route 1, directly across from Cave Neck Road. As a long time resident of Sussex County, I would like to voice my strong opposition to this proposal. The Comprehensive Plan was correct in calling for low-density residential development in this area. Altering the designation of this land to high-development "coastal" would only exacerbate existing growth and environmental challenges.

Thank you for your consideration.

Sandy Neverett
38198 Terrace Road
Rehoboth Beach, DE 19971

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Friday, November 26, 2021 9:41 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

Follow Up Flag: Follow up
Flag Status: Flagged

RECIPIENTS: Jamie Whitehouse

Submitted on Friday, November 26, 2021 - 9:41am

Name: David Breen
Email address: nextlevel.db@gmail.com
Phone number: 9783400665
Subject: Apology - Chairman Wheatley
Message:
Chairman Wheatley,

On November 18th, I called into the P&Z Hearing concerning the Sussex Proposed Ordinance 21-09.

During my public comments on the phone, you interrupted my comments because you felt my comments had been presented earlier by an individual in the Chambers.

I have been present in the Chambers many times and online many other times. You never interrupt the applicant or their expert representative(s) no matter how many times or different ways they present the same information repeatedly. On that day, the applicant's representative referenced 5 -times that somehow the record had been modified and that the applicant had not realized that.

You were correct in interrupting and asking me to move on because the speaker before me had covered much of what my comments referenced. My apology for responding so curtly [that it is your habit to throw your hands up and interrupt public speakers].

If the same repetitive standards were applied to the applicant, their representative and expert testimonial as the public, the P&Z meetings would be noticeably reduced in terms of time.

Sincerely,

Dave Breen

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Monday, November 22, 2021 6:50 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Monday, November 22, 2021 - 6:50am

Name: Mark Facciolo

Email address: facciolofamily@gmail.com

Phone number: 3024404860

Subject: Overbrook meadows

Message:

I oppose the change in zoning to allow high density housing in Overbrook meadows. Feel free to reach out to discuss.

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Sunday, November 21, 2021 1:15 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Sunday, November 21, 2021 - 1:14pm

Name: Suzanne Segarra
Email address: suzanne.segarra@gmail.com Phone number: 678-441-4016
Subject: Overbrook Meadows
Message: I strongly oppose Overbrook Meadows in Sussex County.

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Sunday, November 21, 2021 1:04 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Sunday, November 21, 2021 - 1:04pm

Name: Robert Doordan
Email address: albred1@outlook.com
Phone number: 3027031366
Subject: Land-Use designations

Message:

We are greatly opposed to changes in the land-use designation of the former Overbrook Meadows which will designate the property(s) as 'coastal area'. The changes will lead to safety issue and diminish the happiness of local citizens.

"The purpose of government is to enable the people of a nation to live in safety and happiness. Government exists for the interests of the governed, not for the governors." – Thomas Jefferson

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Sunday, November 21, 2021 9:30 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Sunday, November 21, 2021 - 9:30am

Name: Ann Hollander
Email address: thehollanders@yahoo.com
Phone number: 2153856966
Subject: Opposed to proposed zoning change - Overbrook Meadows

Message:

As a Sussex County resident and tax-payer, I strongly oppose the proposed change of the Overbrook Meadows property designation from rural-low density to coastal area. Such rezoning would have irreparable effects on Delaware's delicate ecosystem, add to the already difficult traffic problems in the area, stretch community resources even thinner, and continue to destroy what is the natural beauty of the area.

Thank you for giving my comment your attention.

FILE COPY
Opposition
Exhibit

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Saturday, November 20, 2021 2:28 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Saturday, November 20, 2021 - 2:27pm

Name: Barbara German
Email address: btgerman@icloud.com
Phone number: 8626863196
Subject: Rezoning Overbrook Meadows
Message:

As a resident of Sussex County, I strongly oppose the Rezoning of Overbrook Meadows! This is NOT responsible growth but is a continuation of more stress on our infrastructure. This area is not capable of supporting the current growth as it is now with the addition of more cars and people, it will turn from a once rural area to an overcrowded nightmare.

Slow the growth...vote NO!

FILE COPY
Opposition
Exhibit

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 12:43 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 12:43pm

Name: Deborah Waldman
Email address: deborah.waldman@yahoo.com Phone number: 2406876570
Subject: November 18 Planning & Zoning Public Hearing
Message:

I am weighing in on my hope that there will be a denial of the following two ordinances:

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 532-12.00-1.00, 532-12.00-27.00, 532-18.00-42.00, 532-18.00-44.00 AND 532-19.00-1.00 AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF), 235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00, AND 235-23.00-2.01

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

Opposition
Exhibit

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 8:19 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Christin

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 8:19am

Name: Mike Outten
Email address: moutten39@yahoo.com
Phone number: 3025031560
Subject: Zoning changes East of Rt1.

Message:

To whom it may concern,
I find it much more sensible to keep building west of Rt1 and keep our Coastal areas protected as low density and or protected from development, Commercial or Residential.

Thank you
Michael C. Outten
DE. Born and Raised

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
Opposition
Exhibit

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 8:17 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form
Categories: Christin

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 8:16am

Name: Cindy Kruglak

Email address: cindykruglak@gmail.com

Phone number: 3019282083

Subject: Future land use map

Message: I am in opposition to Amending The Future Land Use Map of the Comprehensive Plan Please do the right thing and recommend denial of this request to amend the present Future Land Use Map of the Comprehensive Plan. Thank You

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
Opposition
Exhibit

Christin Scott

From: Elizabeth Maskell <ecmaskell@gmail.com>
Sent: Thursday, November 18, 2021 9:44 AM
To: Planning and Zoning
Subject: sussexcountyde.gov/sites/default/files/packets/Ord%2021-09%20Future%20Land%20Use%20Map%20Amendment%20-%20North%20Side%20Rt.%201%20Paperless%20Packet.pdf.

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

Hello,

I just learned of the proposal to change this land to high density so I'm a day late in sending comments but I'm very concerned about the loss of more land & more people in our area. Green space is disappearing rapidly & the roads, beaches & medical services are not keeping up with the population.

Please please please start saying no to developers until the infrastructure can be improved.

Respectfully,

Beth Maskell

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

**Opposition
Exhibit**

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 11:16 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 11:15am

Name: Diane Hein
Email address: dianeandjohn@verizon.net
Phone number: 3023816601
Subject: Overbrook Meadows

Message: As a concerned citizen who opposed the building of Overbrook Meadows, I would of preferred the land be kept as farmland, but since you have already changed it to rural low density I sincerely urge you to not change the land to coastal area. As a Sussex County citizen I am immersed in the ongoing destruction of what makes this county so beautiful, our farms and our coastline! When they are gone, they are gone and we become nothing but another metropolis fighting traffic, crime & the mess we have made of our beautiful natural resources due to misuse.. Clearly the hard fought fight by the citizens of this county made it clear we don't want high density building on these lands. Environmentally it would be a disaster to the Great Marsh!!!!The DE Office of State Planning & DNREC are opposed to the change as well as The Sussex Alliance for Responsible Growth. Once again I urge you to vote NO on changing the designation of these lands to "coastal area".

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

**Opposition
Exhibit**

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 11:48 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 11:47am

Name: John Hein
Email address: jwhein2000@gmail.com
Phone number: 4109165113
Subject: Overbrook Meadows

Message: First I wish to state that no notice was given to residents about the proposed zoning change to this property. As a citizen of the County who worked to oppose uncontrolled growth on the pristine farmland of the proposed Overbrook Meadows, I wish to request you deny the proposed change in zoning. Residents do not want uncontrolled growth. Clearly the hard fought fight over the past years should have shown the P & Z commission that fact. We do not want farmland destroyed and we do want our Great Marsh destroyed! To make matters even worse, the building of even the current rural low-density will require an overpass and access roads, which the citizens of the county will have to pay for to the tune of 28+ million dollars. Please don't tell me the builder is pitching in, since it is his desire to build on these lands ALL infrastructure should come from his pocket! The citizens of the county reap nothing from watching our lands be destroyed, while the builder pockets millions of dollars and doesn't have to live with the mess he created! Please deny changing the zoning on the properties known as Overbrook Meadows!! Thank You!

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

**Opposition
Exhibit**

Jamie Whitehouse

From: Boe Daley <bojangles21@comcast.net>
Sent: Wednesday, November 17, 2021 10:19 PM
To: Jamie Whitehouse
Subject: Amending the Future Land Use Map

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

I oppose amending The Future Land Use Map of the Comprehensive Plan for the Grand Marsh parcels. How much more abuse can the environmentally sensitive Coastal Area take? Our water supply is already in jeopardy and there are Groundwater Recharge Areas on two of these parcels.

Thank you,
Boe Daley
Selbyville

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Opposition
Exhibit

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NOV 18 2021
SUSSEX COUNTY
PLANNING & ZONING

STATEMENT TO THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION
REGARDING AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE
COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235- 23.00-2.02 (PORTION OF),
235-23.00-1.00, 235-23.00-1.04, 235-23.00-2.00, AND 235-23.00-2.01

NOVEMBER 18, 2021

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NOV 18 2021

Chairman Wheatley, Members of the Commission:

I am Jeff Stone from Milton and I am here this evening on behalf of the Sussex Alliance for Responsible Growth.

The Great Marsh and eastern Sussex County's quality of life is under attack again and this attack has profound ramifications far beyond the parcels in question.

Submitted nine months ago with no notice to the many communities nearby and the thousands of residents in the area, this proposed change has been put on your agenda. How is it that developers are given 9 months to negotiate their proposal with County officials and citizens are given 7 days notice by way of an opaque item in the published agenda. Not exactly an advertisement for "Transparency in Government."

This proposal would make a major modification to the County Comprehensive Plan's vision and intent. It would change the Land Use designation of approximately 242 acres of land on the East side of Route 1 directly across from Cave Neck Road.

In the most recent Comprehensive Plan Update completed in 2018 the County Council designated this land and most other properties north of Willow Creek Road on the East side of Route 1 as "Low Density." The state designates it as "Level 4" in the State Strategies. " In Investment Level 4 Areas, the State's investments and policies should retain the rural landscape, preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development." That is a precise and correct description of the nature of this area. Now, less than three years into a ten year plan, the new owners are requesting to change that designation to "Coastal" which would allow much denser development, not limited to residential.

The current Low Density land use designation and AR-1 zoning would permit approximately 484 single family homes based on the gross acreage. If the proposed change in the land use is adopted, this could result in potentially 2,900 single and/or multi-family residences based on the gross acreage. It would also potentially permit a wide variety of commercial uses including retail, car dealers, and other heavy commercial. The Delaware Office of State Planning has officially stated its opposition to this proposal as has the Delaware Department of Natural Resources and Environmental Control (DNREC). You have heard or read their objection so I won't repeat them.

This acreage was designated "Low Density" for good and sound reasons. It abuts an area of significant tidal wetlands, a critical ecological and economic resource.

Opposition
Exhibit

FILE COPY

We, and I am sure those Members who were on the Commission at the time of the Overbrook Town Center proposed rezoning, will recall that many, if not all, of the same issues and concerns raised then are just as relevant and applicable today. They provided the rationale for the County Council to vote twice to deny that application and to designate this area for Low Density development.

The Comprehensive Plan is less than three years old and barely has begun to be implemented and now a major change, impacting thousands of residents and visitors alike, is proposed. The County has not yet even prepared an implementation plan as required by the Comprehensive Plan. We recently uncovered a July 2021 Comprehensive Plan update provided by Planning and Zoning to the State, not found on the County website, showing that the County is apparently working on no less than 23 Comp Plan strategies regarding open space, wetlands, waterway protection, wellhead protection and wellhead recharge areas, all issues cited by DNREC in their statement of opposition. The County's Strategies efforts cited above have just begun but the adoption of this proposal would render them irrelevant.

Sussex County has been losing areas designated low density to development at an astounding rate. According to the State Planning office, between 2016 and 2020, 93.5% of residential units approved statewide in Level 4 areas through development applications were in Sussex County. 93%! Isn't there something wrong with that picture?

The Comp Plan was prepared at a cost of hundreds of thousands of dollars with significant citizen input. The Future Land Use section states that one of its goals is to "Protect critical natural resources, such as the inland bays and others, by guarding against over-development and permanently preserving selected lands." To a large measure, the resulting document, unanimously approved by the Council, responded to the concerns of the citizens seeking to preserve open space while allowing low density residential development to happen in keeping with the character of the area.

How does it make sense to throw away two years of effort by the County Government and its citizens before serious implementation efforts have even begun. Doesn't it make sense to actually implement the plan and measure it's impact on the County before making major changes?

We all know what this proposed change will lead to if approved. Other owners of "Low Density" lands will be emboldened to seek a different designation allowing more intense development. The owner/developers in this case will file to rezone the properties to allow for heavy commercial and high density residential projects. One rationale is that the land is adjacent to land already designated as Coastal, a euphemism for growth area. But that is precisely why the Council made the choice they did. How often during the Comprehensive Plan Process did we hear the refrain "We must preserve the rural character of Sussex County?"

Land Use Designations must begin and end somewhere and the opportunity to provide additional protection for the Great Marsh as well as preserving some of the rural character helped the the Council make that choice. The characteristics of a Level 4 area are defined as "Rural in nature • Open-space/natural areas • Agribusiness activities, farm complexes" all of which precisely describes this area. State growth strategies for Level 4 areas include "Retain the rural landscape • Preserve open spaces and farmlands • Support farmland-related industries • Establish defined edges to more concentrated development" among others. What could be more appropriate than for a low density area to be the buffer between one of the State's most valuable natural areas, the Great Marsh, and a growth area west of Route 1? Clearly, the Council sought to preserve the east side of Route 1 to balance and establish a

“defined edge” for the anticipated growth on the west side, which is already apparent. What is the rationale for changing that less than three years into the plan??

The developers will cite the fact that a new grade separated interchange will be constructed over Route 1 at Cave Neck Road and say that is the most appropriate place for high density development. Maybe in New Castle or Montgomery County, MD or southeastern, PA but not here. The improvements now being done along Route 1 under the Corridor Capacity Program are in response to safety concerns and increasing congestion and accident rates caused by inadequate infrastructure that can't safely handle the volumes of traffic already flowing as well as that anticipated in the future. They are not for the purpose of encouraging new high density development. DelDOT's planning is based on the County's Comprehensive Plan and that plan designates the east side of Route 1 as low density. You know that there is, right now-today, serious capacity and safety issues west of Route 1 along Route 16, Cave Neck Road and Minos Conaway. There is no capacity issue east of Route 1 currently and if the low density designation is maintained, there will not be. Allowing heavy commercial and high density housing on the east side will create new and significant capacity issues on both sides. The traffic generated will simply overwhelm the tens of millions of dollars the state is investing in improvements and the residents and visitors are back to traffic hell. Does it make sense to create more traffic before we know if the projects not yet even underway will actually work to alleviate the current problems?? We have been disappointed before.

We will also hear that this proposal will lead to the creation of jobs. We all know the pandemic caused profound and fundamental change to the nation's economy. Astonishingly, four million people quit their jobs nationwide last August. Closer to home, the unemployment rate in Sussex County is just above 4%, only slightly above historical norms. While local newspaper's help wanted sections are overflowing with advertisements, County employers are having severe difficulties in recruiting employees. According to a report in “Stateline, an initiative of The Pew Charitable Trusts, dated November 12, 2021, “A record number of job openings and fewer workers to fill them have left 42 states with more available jobs than people looking for work.” Delaware is one of those 42 states with over 1.3 jobs available for every job seeker. Development projects don't create jobs, the economy and employers create jobs. The same jobs would be created if this project were located in a more appropriate area of the County. It is a specious argument that you must sacrifice a finite resource to gain jobs. Smart planning allows places to have both.

If this proposal is approved, the Commission might as well include all property on the east side of Route 1 from Willow Creek to Milford. Once one of these properties changes, especially one as ecologically critical as this one, all of the dominoes must fall. We have heard the justification time and time again, “you gave it to him, so you must give it to me.” Although it doesn't seem apparent in Sussex County, developers have no right to develop anything more than what the land use designation and zoning allows. There is no “right” to change a land use designation because it doesn't fit their business model. There is no “right” to rezoning because the yield of the current zoning doesn't have enough return. The County has the sole authority to determine what land use best serves the community at large and in this case the decision by the County Council, responding to the clear desire of the citizens, was that the most appropriate use of the lands east of Route 1 is low density residential and open space.

The Comp Plan is not even three years old and there is no evidence showing that the decision by the County Council to designate these lands low density was incorrect, except that it does not provide a

developer with a high enough profit margin. The developers knew what they were getting when they bought the land but they are depending on the County government to bail them out. In fact, in their application documents, they admit they dropped the ball and now they want the County to fix it for them. The fact is they can build hundreds of homes on the property in question without changing the land use designation or rezoning and make a profit. The Comp Plan also permits, in addition to Agricultural Residential District (AR-1), Business Community District (B-2), Medium Commercial District (C-2), Marine District (M), and Institutional District (I-1) so there is no need to change the Land Use Designation to provide for commercial uses to serve residential developments there. Additionally, the County recently approved additional commercial development west of Route 1 that will easily serve the area's communities. To our knowledge, the housing developments already proposed have met no opposition. While these options may not generate as much profit as the developers would like, it is not the County's responsibility to maximize their return.

Do not repeat the mistakes of the past and create another Five Points or duplicate the horrendous situation at the Outlets and along Route 1 south of Five Points. Protect the Great Marsh and the rural character of Sussex County. One positive that could result from this proposal is to strongly encourage the County, specifically the Planning and Zoning Commission and I emphasize the term "Planning," to engage in a long range corridor planning effort to better determine how to achieve the Comp Plan vision by specifying the specific types of development the County should encourage and where it should be located. Done in cooperation with DelDOT, this would be game changing. The new Comp Plan gives the County the opportunity to change course from the haphazard over development patterns of the last ten years to a balance between rational growth that serves the community and the preservation of the quality of life, history and environment of Sussex County. We need to take advantage of this opportunity, not cut it off before it begins. Give the new Comprehensive Plan a chance to be implemented, you might like the results. If you start making changes now, you will never know what was missed.

It is a simple choice. Take the old road and continue to lose the things that make Sussex, Sussex or choose a new path that enhances that which made Sussex special. It is in your hands. We respectfully request that the Planning & Zoning Commission preserve the rural character of the County and recommend denial of this application.

Thank you for caring about the future of your community.

Jeff Stone
Sussex Alliance for Responsible Growth (SARG)

Jamie Whitehouse

From: Jerry <jerrybegood@gmail.com>
Sent: Monday, December 13, 2021 6:01 PM
To: Robin Griffith; Doug Hudson; Mark Schaeffer; Michael H. Vincent; John Rieley; Lopez, Ernesto B (LegHall); Schwartzkopf, Peter (LegHall); Jamie Whitehouse; Planning and Zoning; BriggsKing, Ruth (LegHall); steve@stevesmyk.com
Subject: Please reject ...

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Time for the council to put the people before the developers.

ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN
RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF), 235-23.00-1.00,
235-23.00-1.04, 235-23.00-2.00, AND 235-23.00-2.01

Jerry & Christine LaForgia Lewes

Jamie Whitehouse

From: Doug Hudson
Sent: Tuesday, December 14, 2021 7:02 AM
To: Todd F. Lawson; Jamie Whitehouse
Subject: Fwd: Contact Form: Ordinance to amend the land use map

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From: Martha Redmond <noreply@forms.email>
Sent: Monday, December 13, 2021 10:32 PM
To: Doug Hudson
Subject: Contact Form: Ordinance to amend the land use map

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Name: Martha Redmond
Email: Marthr27@hotmail.com
Phone: 4102151301

Subject: Ordinance to amend the land use map

Message: Please vote against the ordinance to amend the land use map of the Comp plan in relation to tax parcel N 235-23.00-2.02.

What is the point of having a comp plan if you change it for no reason? There were good reason for the way it was written, stick to them.

Jamie Whitehouse

From: Doug Hudson
Sent: Tuesday, December 14, 2021 7:02 AM
To: Todd F. Lawson; Jamie Whitehouse
Subject: Fwd: Contact Form: Parcels east of Route 1 and Cave Neck rd intersection

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From: Paul Jones <noreply@forms.email>
Sent: Monday, December 13, 2021 8:07 PM
To: Doug Hudson
Subject: Contact Form: Parcels east of Route 1 and Cave Neck rd intersection

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Name: Paul Jones
Email: billjones307@comcast.net
Phone: 302 367-4300
Subject: Parcels east of Route 1 and Cave Neck rd intersection

Message: Mr. Hudson,

The Sussex County Council should do the right thing and recommend denial of this request to amend the present Future Land Use Map of the Comprehensive Plan regarding the parcels on the east side of the intersection of Route 1 and Cave Neck Rd.

The Office of State Planning OSPC recognizes the parcels as Level 4 Low Density where the land should retain the rural landscape, preserve open spaces for farmlands, support farm related industries and establish defined edges to more concentrated development. The Council must listen and strongly consider the State's concerns.

The current zone designation on the official Future Land Use Map is Rural Area / Low Density. This designation was discussed and debated during the drafting of the 2018 Comprehensive Plan for a period of six weeks with a unanimous vote of 5-0 to confirm and finalize. The biggest influence in the Council's decision was the failed attempts by applicants over a several year period to seek high intensity development of these ecologically important parcels that border the Great Marsh and areas of excellent groundwater recharge. This coupled with the fact that the Rt 1 corridor is a uniquely qualified border to separate development growth to the West and preservation to the East.

Although the current designation of Rural / Low Density, the County code permits and affords the applicant a multitude of appropriate development options to include potentially thousands of single family residential lots, and or business and commercial permitted uses to include but not limited to hotels, pharmacies, professional offices and medical clinics restaurants, banks, etc.

However, if a change to a Coastal designation, these parcels and the risks of adjacent parcels could fall like dominoes to permitted uses to include but not limited to car lots, distribution centers, manufacturing assembly and processing enterprises, unrestricted fueling stations, warehousing, multiple story multi-family housing units, material, storage yard, with on-site mulching, pulping or manufacturing of material, communication towers, etc.

To be fair, no site plan and been presented by the applicant or any proffering of what plans they have in mind. However, the Council must take into consideration the potential for the most intensive permitted uses that this change in zoning designation would allow. Ownership changes are not uncommon and if for whatever reason the applicant chooses to flip the parcels and knowing the past history of development plans of these parcels, the most intensive use could be the reality.

We will most likely hear from the applicant regarding DeIDOT's plan for a separated grade or interchange at the intersection of Rt 1 and Cave Neck Road. According to DeIDOT, their plans and design for the improvements at one of the most accident plagued intersections in the County is for safety reasons and not in anticipation of more intensive development East of Rt 1. In fact the selected alternative design for planned construction in 2025 assumes minimal impact residential development east of Rt. 1 and more intensive already approved development west along Cave Neck Rd and connectors further west. With an estimated \$150 million dollars in spend for capacity to protect public safety on the Rt 1 corridor from Rt 16 to Five Points, the County needs to do fulfill its responsibility and authority in present and future land use decisions. Do we really want to replicate a Five Points dysfunction at Minos Conaway, Cave Neck and Rt. 16? The Council must recognize the bigger picture of orderly growth along the Rt 1 corridor.

The change in zone designation from Rural Area / Low Density for 247 acres is merely one step away from the remaining nearly 300 acres that directly borders and protects the one of the most pristine natural water resources in the State. The Great Marsh Preserve is an astounding 17,000 coastal wetland acres between Lewes Beach and Slaughter Beach. It is known for expansive fields of tulip poplars, imposing pines, and a population of wading birds and predatory birds, like hawks and falcons. The Council must deny this request for a change in zone designation in order to protect and preserve one of the most treasured natural resources areas in Eastern Sussex.

The Sussex County Council should do the right thing and recommend denial of this request to amend the present Future Land Use Map of the Comprehensive Plan.

Respectfully,

Paul Jones

Concerned Sussex County Resident

Jamie Whitehouse

From: Doug Hudson
Sent: Tuesday, December 14, 2021 7:03 AM
To: Todd F. Lawson; Jamie Whitehouse
Subject: Fwd: Contact Form: Ord 21-09 Future Land Use Map Amendment

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SUSSEX COUNTY
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From: Robert Viscount <noreply@forms.email>
Sent: Monday, December 13, 2021 6:18 PM
To: Doug Hudson
Subject: Contact Form: Ord 21-09 Future Land Use Map Amendment

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Name: Robert Viscount
Email: countr@comcast.net
Phone: 3023778372
Subject: Ord 21-09 Future Land Use Map Amendment

Message: I am asking for your support & vote to deny the request to amend the current Future Land Use Map of the Comprehensive Plan. The Comprehensive Plan was developed with many years of study, considerable costs, and thoughtful input from residents and businesses in Sussex County. To modify it for the convenience of one or more developers makes the plan nothing more than symbolic, to be referenced only when convenient.
Robert Viscount, Lewes, DE resident

FILE COPY

Jamie Whitehouse

From: Doug Hudson
Sent: Tuesday, December 14, 2021 7:04 AM
To: Todd F. Lawson; Jamie Whitehouse
Subject: Fwd: Contact Form: Opposition to Amend Plan

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From: Nancy F. Mikkelsen <noreply@forms.email>
Sent: Monday, December 13, 2021 5:10 PM
To: Doug Hudson
Subject: Contact Form: Opposition to Amend Plan

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Name: Nancy F. Mikkelsen
Email: nancymikk@gmail.com
Phone: 6107374419

Subject: Opposition to Amend Plan

Message: Please oppose

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN
RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF), 235-23.00-1.00,

Jamie Whitehouse

FILE COPY

From: Doug Hudson
Sent: Tuesday, December 14, 2021 7:04 AM
To: Todd F. Lawson; Jamie Whitehouse
Subject: Fwd: Contact Form: Amend Comp Plan

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PLANNING

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From: jim walpole <noreply@forms.email>
Sent: Monday, December 13, 2021 4:51 PM
To: Doug Hudson
Subject: Contact Form: Amend Comp Plan

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Name: jim walpole
Email: jrwalpole@mac.com
Phone: 3023135252
Subject: Amend Comp Plan

Message: Douglas--I am counting on you to vote NO tomorrow on amendments on the Comp Plan. They are a disaster for the County.

Jamie Whitehouse

FILE COPY

From: Doug Hudson
Sent: Tuesday, December 14, 2021 7:06 AM
To: Todd F. Lawson; Jamie Whitehouse
Subject: Fwd: Contact Form: Ordinance to Amend the Future Land Use Map of the Comprehensive Plan

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SUDBURY COUNTY
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From: Al and Judy Dannes <noreply@forms.email>
Sent: Monday, December 13, 2021 2:48 PM
To: Doug Hudson
Subject: Contact Form: Ordinance to Amend the Future Land Use Map of the Comprehensive Plan

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Name: Al and Judy Dannes
Email: dannesk@hotmail.com
Phone: 3023134856
Subject: Ordinance to Amend the Future Land Use Map of the Comprehensive Plan
Message: We oppose the amendment.

Thank you for your support opposing the amendment.

FILE COPY

Jamie Whitehouse

From: Doug Hudson
Sent: Tuesday, December 14, 2021 7:10 AM
To: Todd F. Lawson; Jamie Whitehouse
Subject: Fwd: Contact Form: Proposed change to the CDP

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DEC 14 2021

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SUSSEX COUNTY
PLANNING & ZONING

From: Sturges Dodge <noreply@forms.email>
Sent: Monday, December 13, 2021 10:57 AM
To: Doug Hudson
Subject: Contact Form: Proposed change to the CDP

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Name: Sturges Dodge
Email: msdodge@udel.edu
Phone: 302-227-1446

Subject: Proposed change to the CDP

Message: Please vote no to the proposed amendment. The people, DNREC, and SARG have eloquently spoken to support reasonable development of this parcel, while protecting sensitive environmental aspects as well as infrastructure.

FILE COPY
Opposition
Exhibit

From: Al and Judy Dannes <noreply@forms.email>

Sent: Monday, December 13, 2021 2:40:55 PM

To: Michael H. Vincent <mvincent@sussexcountyde.gov>

Subject: Contact Form: Ordinance to Amend the Future Land Use Map of the Comprehensive Plan

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Name: Al and Judy Dannes

Email: dannesaj@hotmail.com

Phone: 3023235866

Subject: Ordinance to Amend the Future Land Use Map of the Comprehensive Plan

Message: We are opposed to changes / amendments to the Future Land Use Map.

Thank for your support opposing the amendment.

Jamie Whitehouse

From: E Lee <eulmlee@gmail.com>
Sent: Monday, December 13, 2021 1:37 PM
To: Michael H. Vincent; Cynthia Green; Mark Schaeffer; Doug Hudson; John Rieley
Cc: Todd F. Lawson; Planning and Zoning; Robin Griffith
Subject: Please Deny the change of Overbrook/Oyster Rock Area to Coastal Area

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Good afternoon,

First, I'd like to express my concern for the future of Coastal Areas (fka Environmentally Sensitive Developing Area) in general.

The Workforce Housing Ordinance that is in works is very concerning and I cannot help but suspect that the slew of upcoming applications to change their land use designations to Coastal Area is in anticipation of their ability to build up to 12 units per acre **without public hearings or comments.**

So, until we clearly know what the Workforce Housing Ordinance is about, I believe no land designations should be changed to Coastal Areas.

Of course, the environmentally sensitive nature of the parcels is the main reason any development in the Overbrook/Oyster Rock area near the Great Marsh should be scrutinized.

Please deny this Land Use Map change request.

Thank you for listening.
Best regards,

Eul Lee

Opposition
Exhibit

FILE COPY

FILE COPY

**Opposition
Exhibit**

From: Gary Lippmann <noreply@forms.email>

Sent: Monday, December 13, 2021 2:44:11 PM

To: Michael H. Vincent <mvincent@sussexcountyde.gov>

Subject: Contact Form: AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF

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Name: Gary Lippmann

Email: Gary.Lippmann@verizon.net

Phone: 9739756318

Subject: AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-23.00-2.02 (PORTION OF

Message: Dear Sir:

The request to amend the current Future Land Use Map of the Comprehensive Plan must be denied and summarily dismissed. The Comprehensive Plan was developed with many years of study, considerable costs, and thoughtful input from residents and businesses in Sussex County. To modify it for the convenience of one or more developers makes the plan nothing more than symbolic, to be referenced only when convenient.

The Comprehensive Plan is not a restaurant menu, and should not be used as such.

Your vote to deny this request is expected, and appreciated.

Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Sunday, November 28, 2021 10:04 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Sunday, November 28, 2021 - 10:03pm

Name: Chris Noonan Sturm

Email address: cnsturm@gmail.com

Phone number: 240-423-0955

Subject: Oppose rezoning of parcel to "coastal" on Route 1 North

Message: Greetings, I am writing to oppose the proposed rezoning of the parcel on Route 1 North near Cave Neck Road and adjacent to the Great Marsh to "coastal," which will increase the density enormously. I am concerned that this puts a huge strain on and creates risk to the Great Marsh, which is vital to the health and safety of the environment and people who live in this area. I live in the Nassau, in Lewes and often visit the Great Marsh area. We are fortunate to have such a valuable buffer to protect us from flood, cleanse our waters, and provide habitat to wildlife. I urge you to deny this rezoning and to limit the development of this parcel as much as possible. Thank you and regards, Chris Noonan Sturm

Jamie Whitehouse

From: Doug Hudson
Sent: Saturday, January 22, 2022 1:18 PM
To: Jamie Whitehouse
Subject: Fwd: Contact Form: Overbook

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JAN 24 2022

SUPPORT EXHIBIT

SUSSEX COUNTY
PLANNING & ZONING

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From: Alex Baker <noreply@forms.email>
Sent: Friday, January 21, 2022 2:32 PM
To: Doug Hudson
Subject: Contact Form: Overbook

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Name: Alex Baker
Email: alexr432@yahoo.com
Phone: 3024301600
Subject: Overbook

Message: I wish to express my support for the ordinance to amend the Future Land Use Map and restore the lands on Coastal Highway at the new \$73,000,000 interchange back to the development district as had existed since 2008. As a lifelong resident of Sussex County, I've seen firsthand the many benefits associated with smart growth in the County. I cannot think of a more appropriate place for growth in eastern Sussex County than the farms at this planned massive highway interchange. If for no other reason, the map amendment should be approved due to the questionable way in which the lands were removed after the public comment period in 2018. This was completely unfair to the owners of those farms.

Jamie Whitehouse

From: Robin Griffith
Sent: Wednesday, January 12, 2022 12:36 PM
To: Michael H. Vincent; John Rieley; Cynthia Green; Doug Hudson; Mark Schaeffer
Cc: Jamie Whitehouse; Tracy Torbert
Subject: FW: Letters of support Robinson Family
Attachments: Clay Joseph.pdf; Nathan Shaffer.pdf

Forwarding and for the record.

From: Jill Compello <jillc@udel.edu>
Sent: Monday, January 10, 2022 6:42 PM
To: Robin Griffith <rgriffith@sussexcountyde.gov>
Subject: Letters of support Robinson Family

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Hello Robin,
Here are two more letters of support for the Robinson family.
Council is voting on this matter on 1/11/22.
Thanks for making sure they receive them prior to the vote.
Best,
Jill Compello
302-218-9151

SUPPORT EXHIBIT

County Council Members:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

My name is Nathan Schaeffer and I live and work at Schaeffer Tire and Bike Store on the east side Rt. 1 highway, about 700' south of the Robinson's farm. I'm writing to ask you Council Members to reinstate Robinson's Rt. 1 property into the Coastal Area Future Land Use Map. It seems to me it was probably a bad idea when it was taken out.

When I heard about Robinson's property being removed from the development district it concerned me. To be honest I'm worried that somehow my business might be taken away next because I'm on the wrong side of the highway too. I understand that some of the recent transplants to Sussex County don't realize that Rt. 1 is the most important road in Sussex County. After all if they've lived here for 3 years they think they're running the show! They move here and then start telling people where they do and don't want things to be located thinking that us landowners don't have any rights. If you ask me, if Rt. 1 isn't the right place for property to be in the development district, I don't know where that place is. What I do know is that every time someone applies for anything in Sussex County the first thing those who want to stop it say: **"this belongs on the highway"** Robinson's is on the highway!

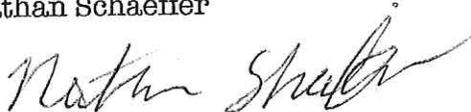
I know there is public water just on the edge of Robinson's and sewer service across the road. Lewes has a fire house a mile from my store and the new State Police headquarters are a few minutes drive from the store. School buses come by this way too.

The new overpass plans are going to end up being a big eye sore for the Robinson family. The noise from cars and trucks slowing down and speeding up to go off the highway and onto the overpass will be bad. I know what road noise is, my property is right on the highway. I'm afraid when vehicles are on the overpass that noise will travel, and I'll bet Tom Robinson will hear it at his house. I still can't get over the fact that the highway is going to be realigned to the east along the entire front of Robinson's. This I guess is just another reason to reinstate the map designation.

I hope you all will vote in favor of Robinson's and the rest of us landowners too!

Thank you, ..

Nathan Schaeffer



SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear Council Members,

I support Robinson's application to restore the Future Land Use Map (FLUM) designation on their farms since 2008 for the Rt. 1 frontage area of their farms. DelDot now has plans and will build a large highway project on Robinson's farms, you will see that these farms are the only ones impacted by this project. It doesn't seem fair to remove their land from the development district considering their Rt. 1 location and access to utilities, fire and State Police. It doesn't make sense to me.

Please vote to reinstate the previous FLUM designation to what is now called the Coastal Area to the Rt. 1 portion of Robinson's farms.

Farmers always need to know of any change to their land rights and should be given the chance to comment on a change before it happens.

Thank you,

Clay B. Joseph Fisher Rd
Clay B. Joseph Milton DE

SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear Council Members,

I support Robinson's application to restore the Future Land Use Map (FLUM) designation on their farms since 2008 for the Rt. 1 frontage area of their farms. DelDot now has plans and will build a large highway project on Robinson's farms, you will see that these farms are the only ones impacted by this project. It doesn't seem fair to remove their land from the development district considering their Rt. 1 location and access to utilities, fire and State Police. It doesn't make sense to me.

Please vote to reinstate the previous FLUM designation to what is now called the Coastal Area to the Rt. 1 portion of Robinson's farms.

Farmers always need to know of any change to their land rights and should be given the chance to comment on a change before it happens.

Thank you,

Clay B. Joseph
Clay B. Joseph
Fisher Rd
Milton DE

SUPPORT EXHIBIT

County Council Members:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

My name is Nathan Schaeffer and I live and work at Schaeffer Tire and Bike Store on the east side Rt. 1 highway, about 700' south of the Robinson's farm. I'm writing to ask you Council Members to reinstate Robinson's Rt. 1 property into the Coastal Area Future Land Use Map. It seems to me it was probably a bad idea when it was taken out.

When I heard about Robinson's property being removed from the development district it concerned me. To be honest I'm worried that somehow my business might be taken away next because I'm on the wrong side of the highway too. I understand that some of the recent transplants to Sussex County don't realize that Rt. 1 is the most important road in Sussex County. After all if they've lived here for 3 years they think they're running the show! They move here and then start telling people where they do and don't want things to be located thinking that us landowners don't have any rights. If you ask me, if Rt. 1 isn't the right place for property to be in the development district, I don't know where that place is. What I do know is that every time someone applies for anything in Sussex County the first thing those who want to stop it say: "**this belongs on the highway**" Robinson's is on the highway!

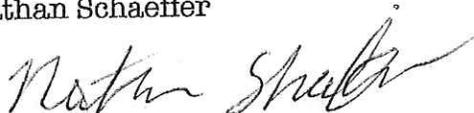
I know there is public water just on the edge of Robinson's and sewer service across the road. Lewes has a fire house a mile from my store and the new State Police headquarters are a few minutes drive from the store. School buses come by this way too.

The new overpass plans are going to end up being a big eye sore for the Robinson family. The noise from cars and trucks slowing down and speeding up to go off the highway and onto the overpass will be bad. I know what road noise is, my property is right on the highway. I'm afraid when vehicles are on the overpass that noise will travel, and I'll bet Tom Robinson will hear it at his house. I still can't get over the fact that the highway is going to be realigned to the east along the entire front of Robinson's. This I guess is just another reason to reinstate the map designation.

I hope you all will vote in favor of Robinson's and the rest of us landowners too!

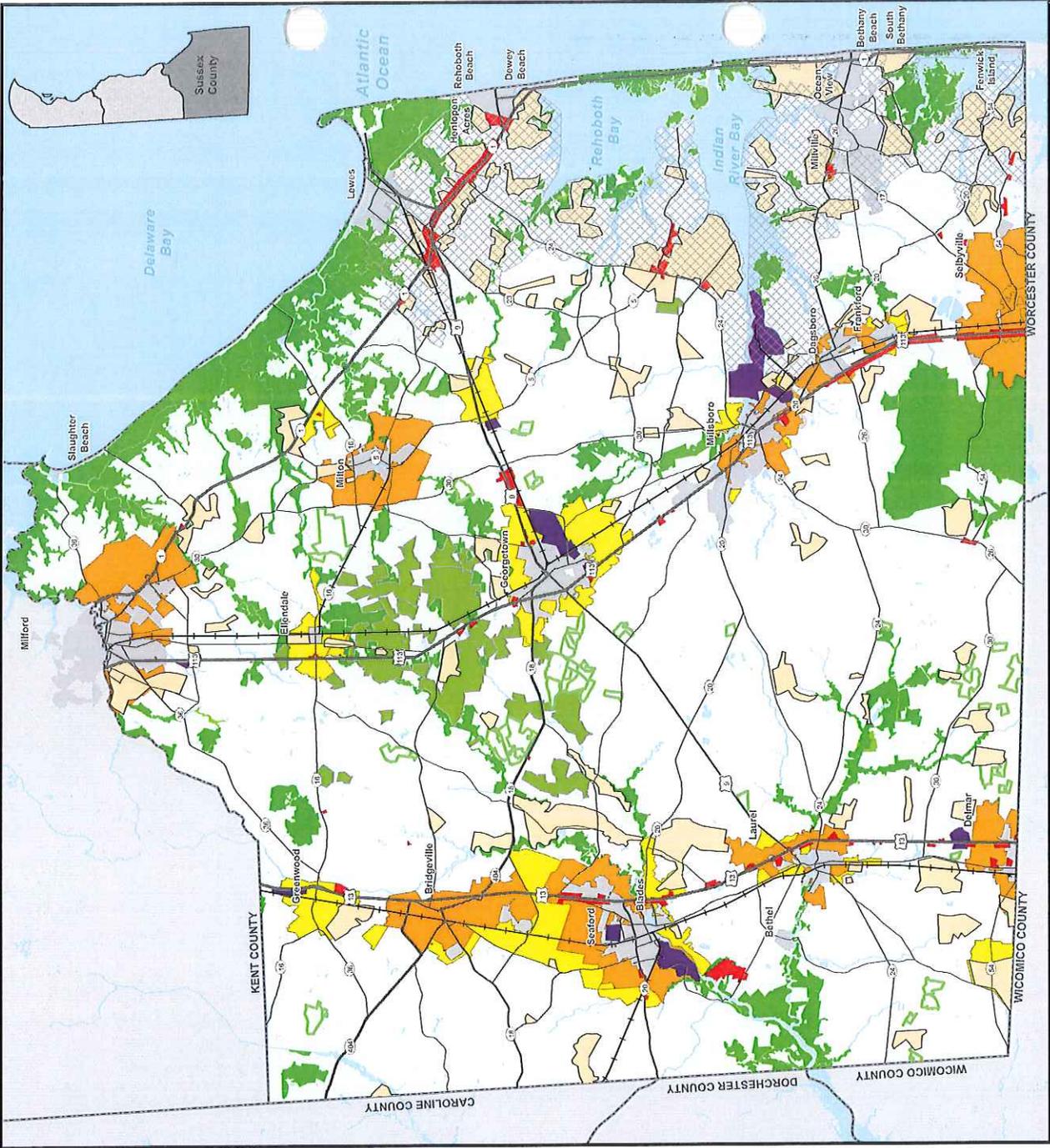
Thank you, ..

Nathan Schaeffer



SUPPORT EXHIBIT

FILE COPY



Sussex County
Comprehensive
Plan



**DRAFT
2008 Land Use**

- Environmentally Sensitive Development Areas Land Use
- Commercial Land Use
- Mixed Residential Areas Land Use
- Industrial Areas Land Use
- Developing Areas Land Use
- Town Center Land Use
- Forest Conservation Easements
- State Forest
- Natural Areas
- Nature Preserves
- Rail Lines
- County Boundaries
- Major Rivers
- Waterbodies
- Municipalities

FILE COPY

**Applicant
Exhibit
RECEIVED**

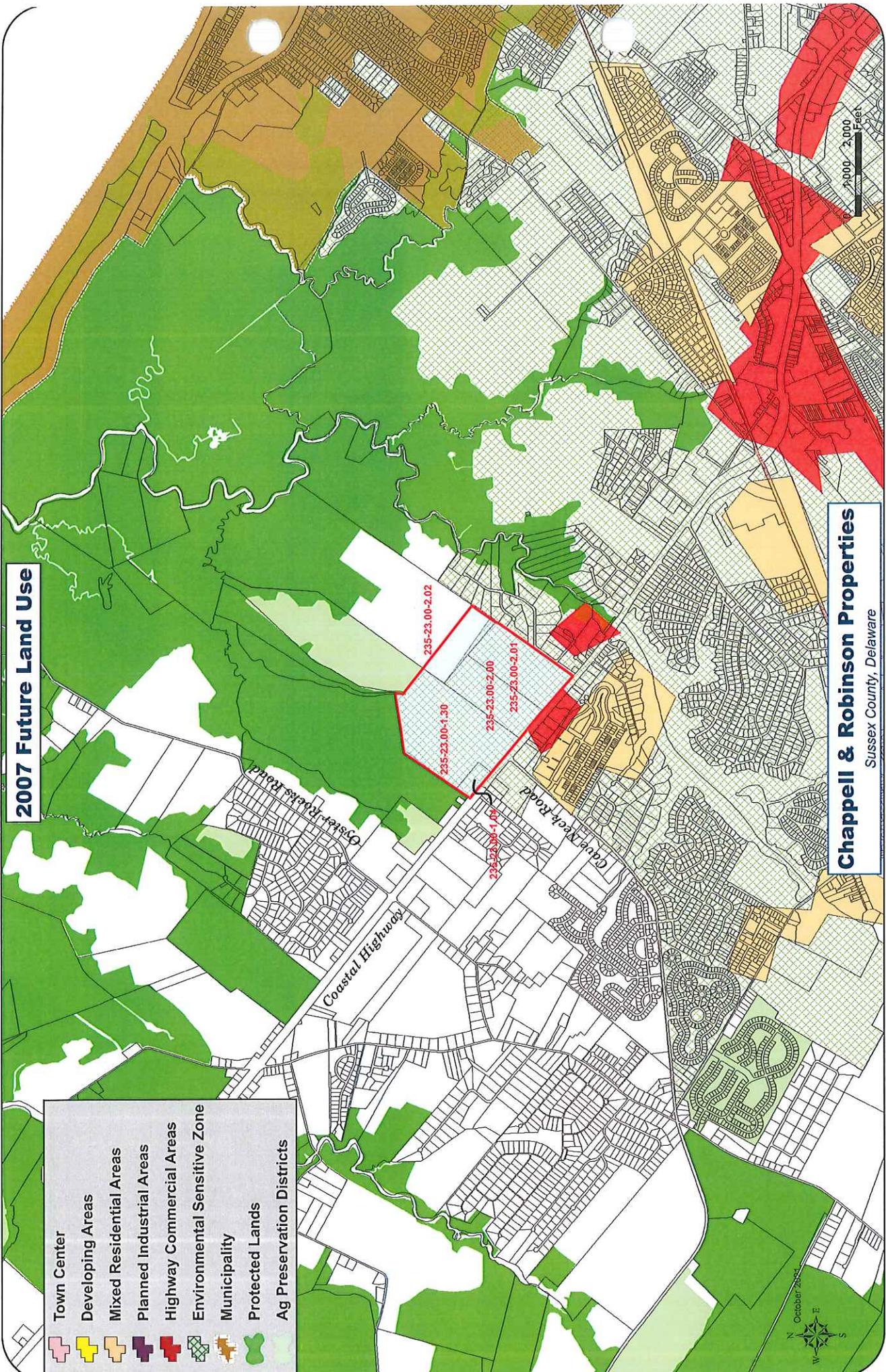
NOV 18 2021

SUSSEX COUNTY
ZONING

Sources: DE FirstMap, Sussex County Mapping Dept.
Land Use Data from 2008; State Forest Data from 2013,
Forest Conservation Easements Data from 2016



**McCORMICK
TAYLOR**



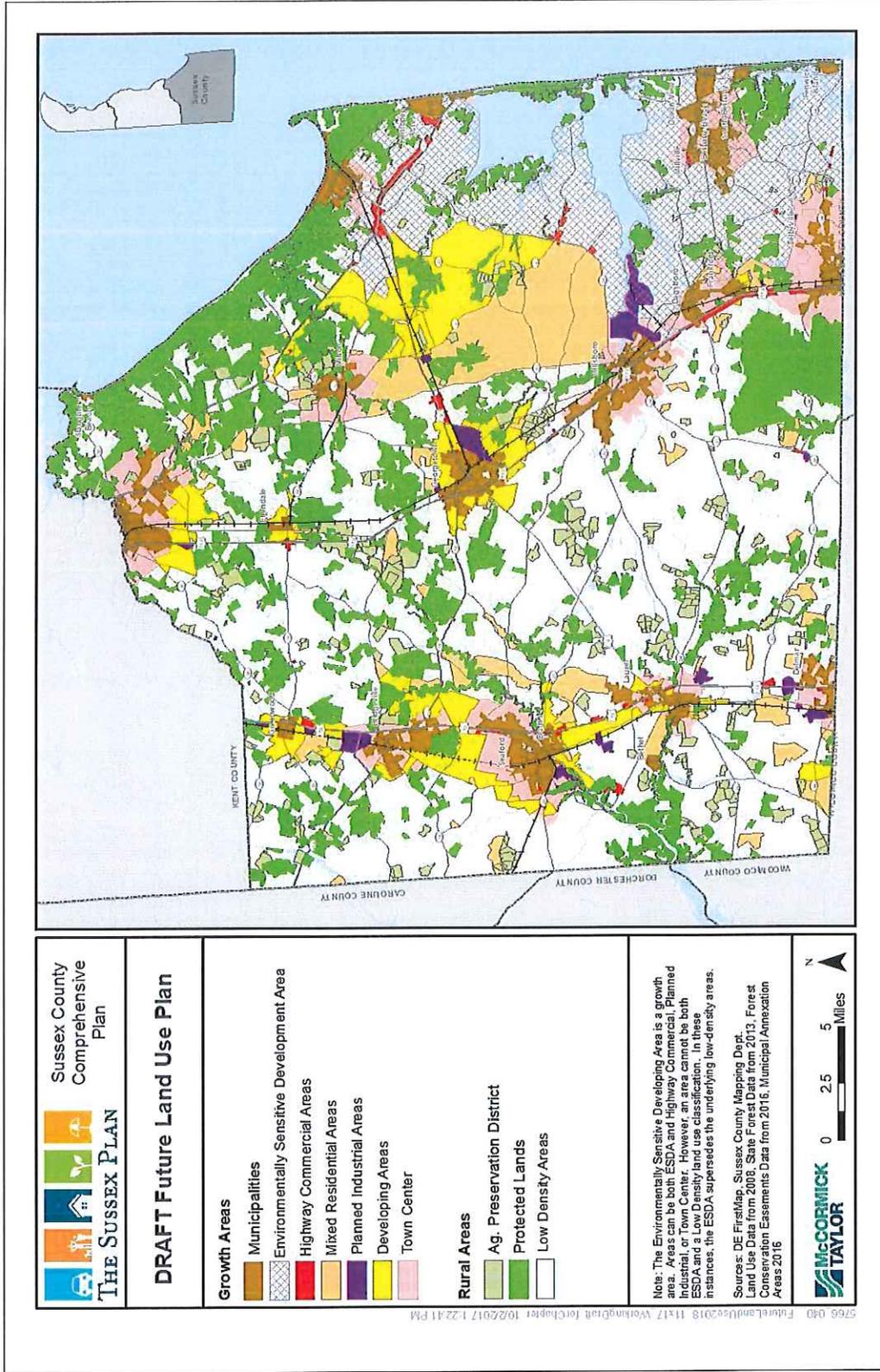
2007 Future Land Use

- Town Center
- Developing Areas
- Mixed Residential Areas
- Planned Residential Areas
- Highway Commercial Areas
- Environmental Sensitive Zone
- Municipality
- Protected Lands
- Ag Preservation Districts

Chappell & Robinson Properties
Sussex County, Delaware



Figure 4.5-1 Sussex County 2018 Future Land Use



**2045 Future Land Use
Recommended by Planning Commission**

-  Developing Areas
-  Highway Commercial
-  Town Center
-  Municipality
-  Environmentally Sensitive Development Area
-  Protected Lands

Chappell & Robinson Properties
Sussex County, Delaware

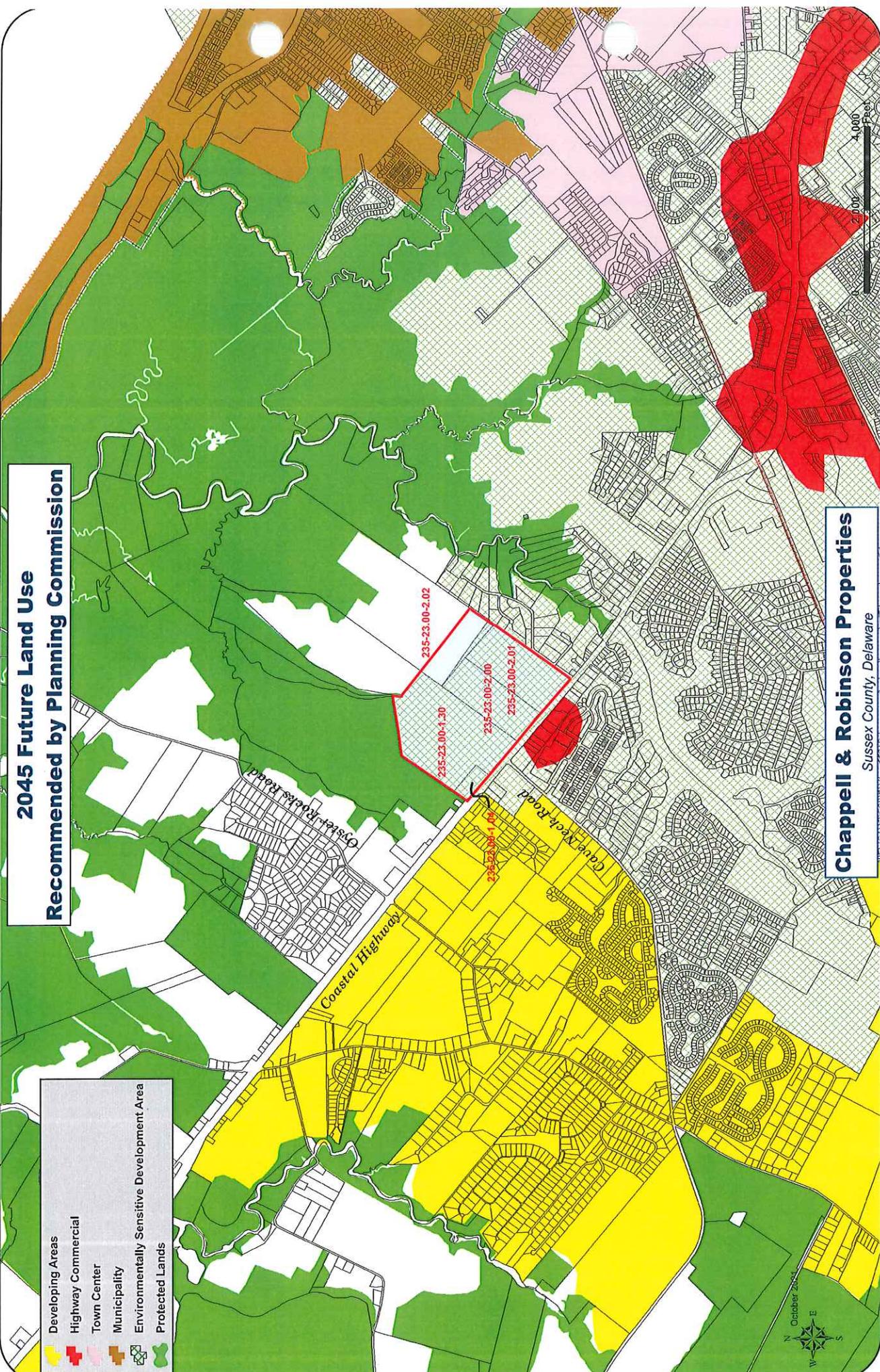
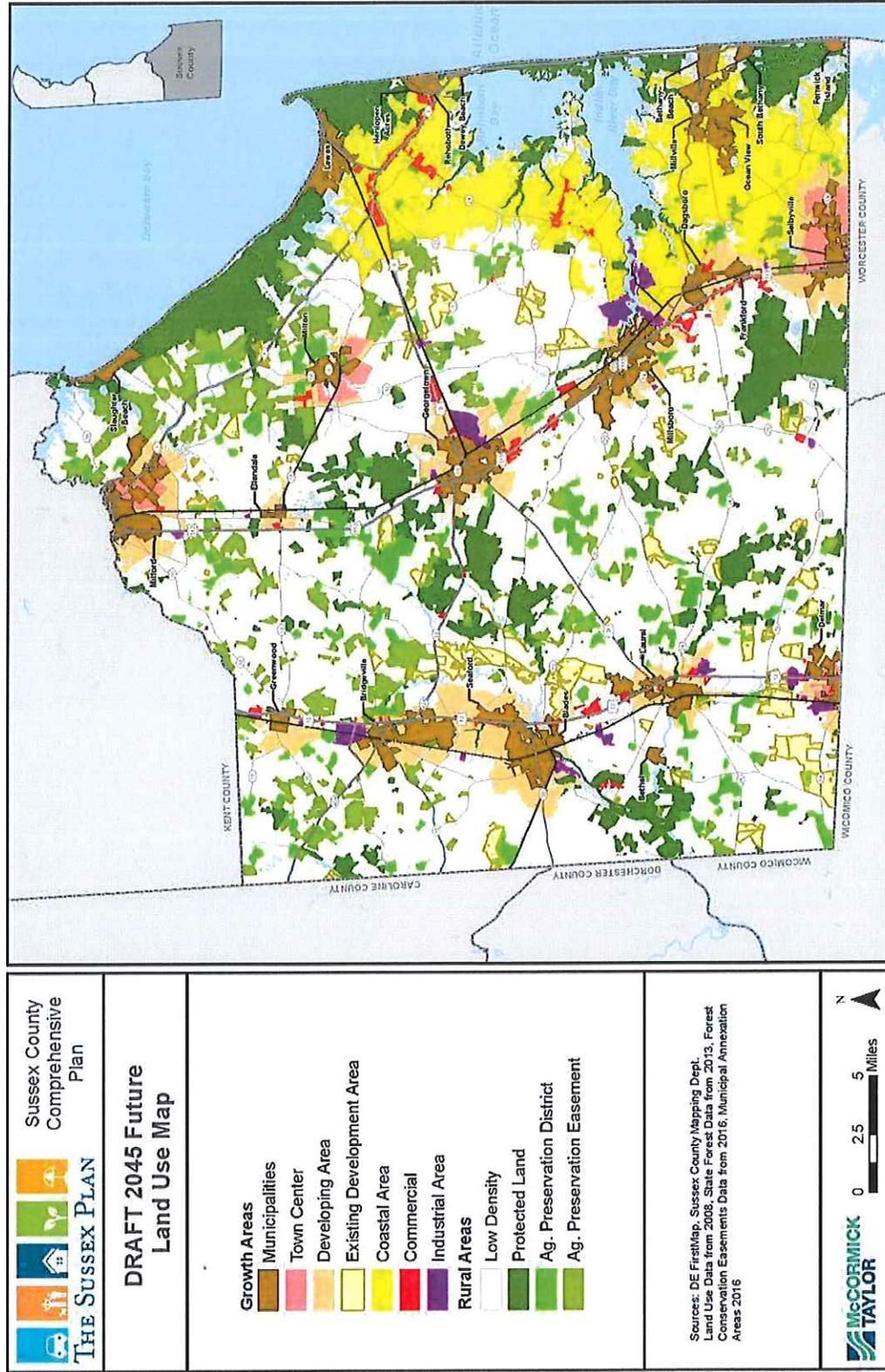
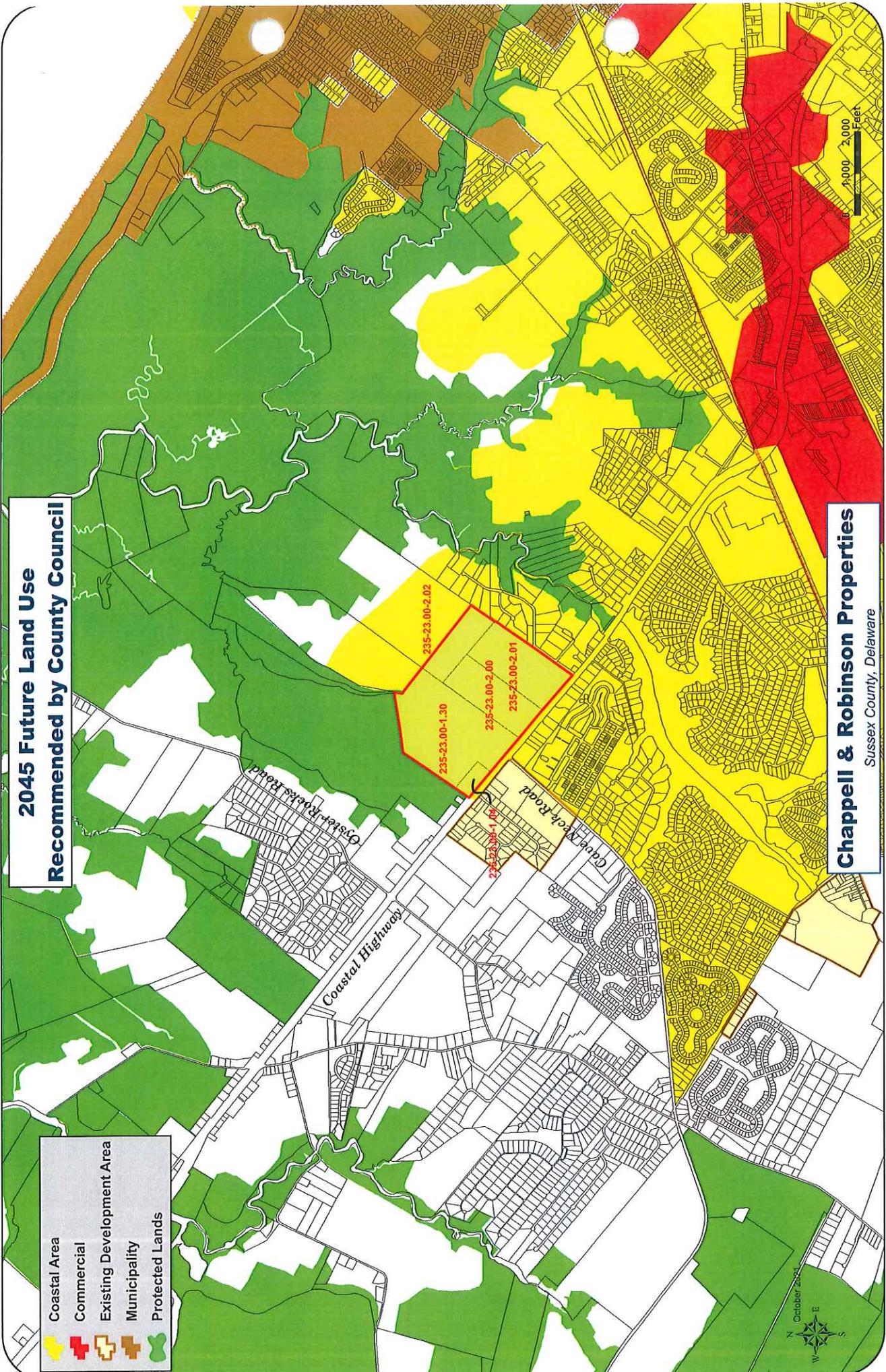


Figure 4.5-1 Sussex County 2045 Future Land Use





**2045 Future Land Use
Recommended by County Council**

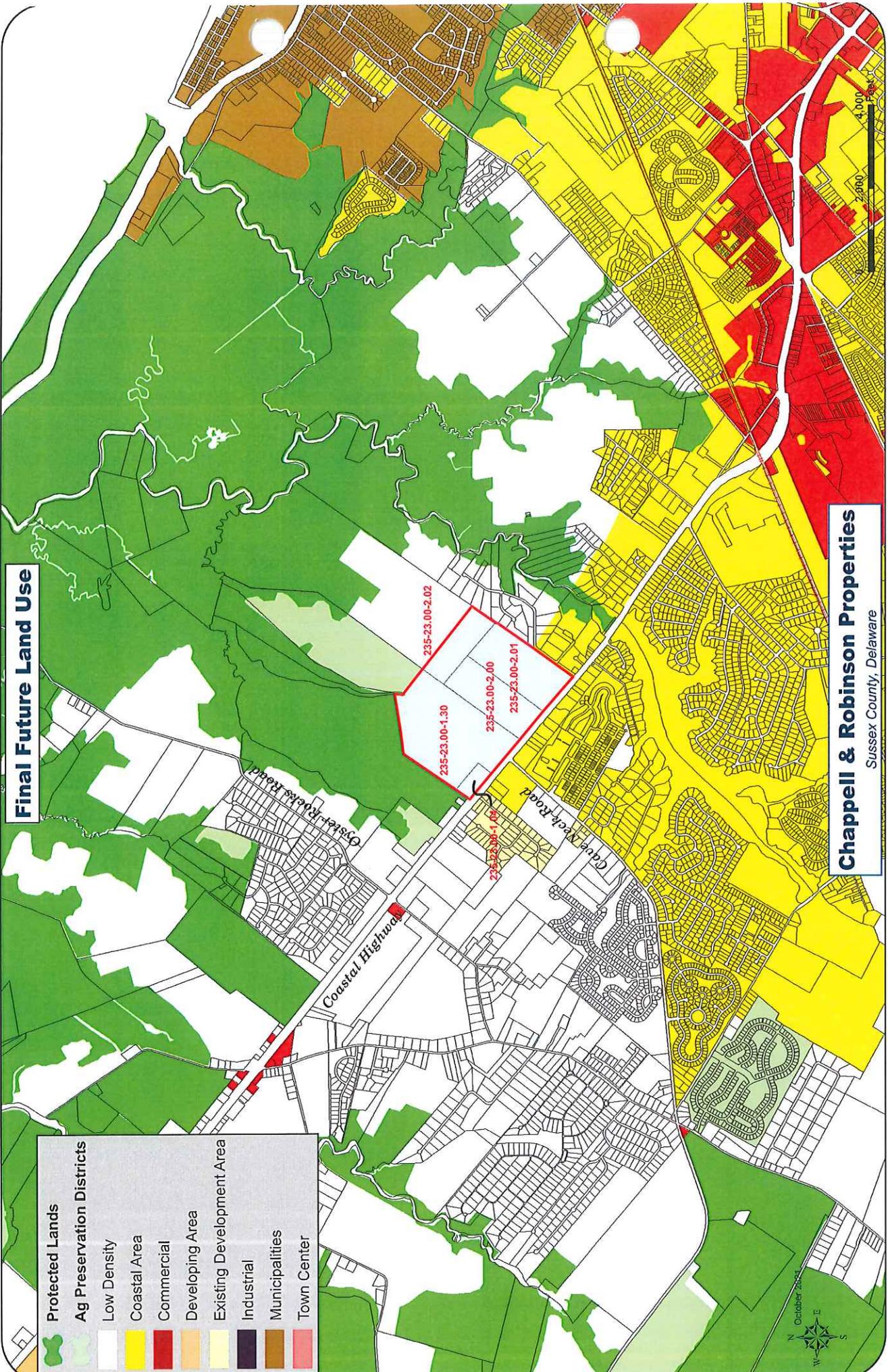
Chappell & Robinson Properties
Sussex County, Delaware

	Coastal Area
	Commercial
	Existing Development Area
	Municipality
	Protected Lands



Final Future Land Use

	Protected Lands
	Ag Preservation Districts
	Low Density
	Coastal Area
	Commercial
	Developing Area
	Existing Development Area
	Industrial
	Municipalities
	Town Center



Chappell & Robinson Properties
Sussex County, Delaware

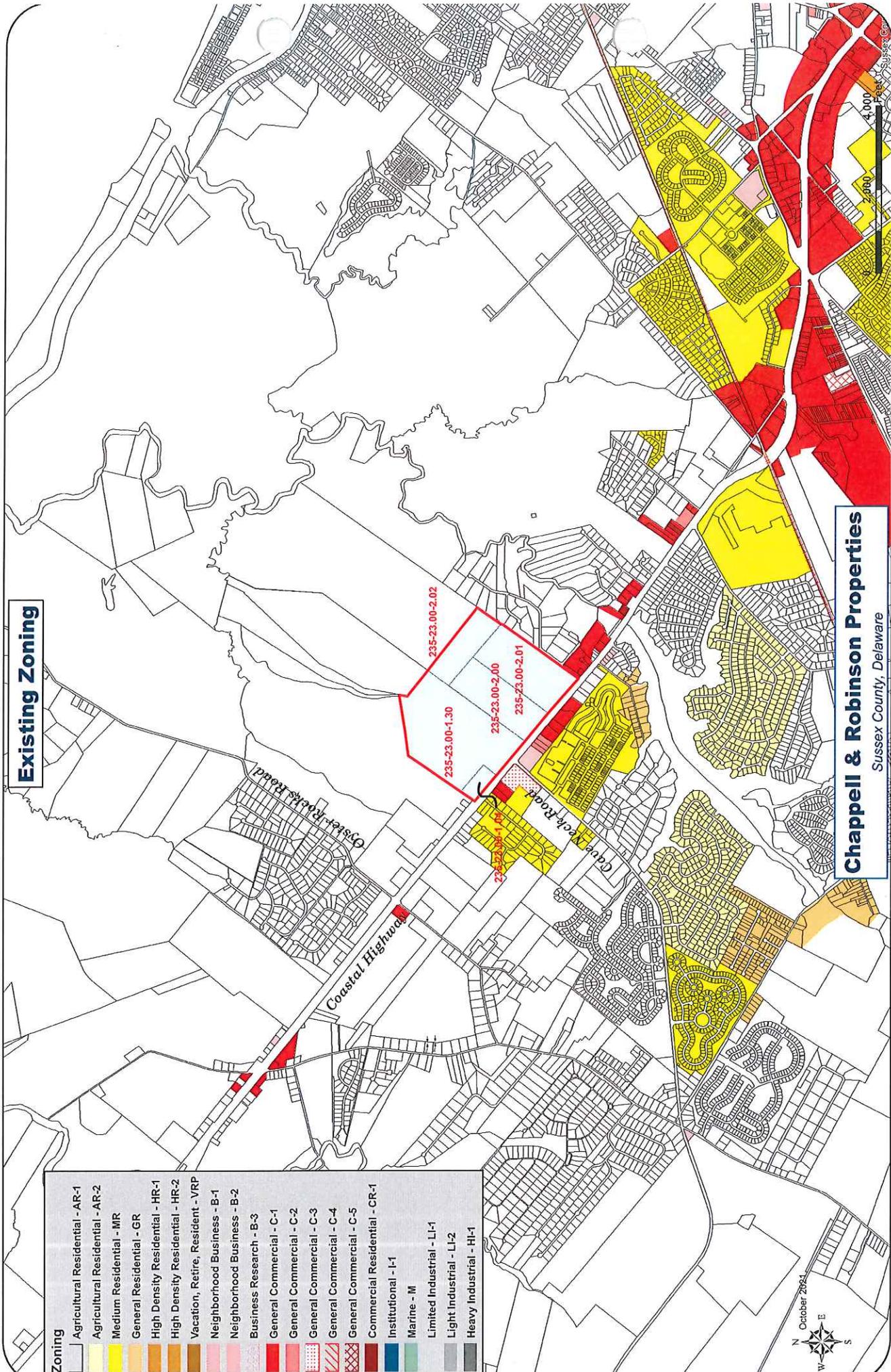


Existing Zoning

Zoning	Description
[White Box]	Agricultural Residential - AR-1
[White Box]	Agricultural Residential - AR-2
[Yellow Box]	Medium Residential - MR
[Light Yellow Box]	General Residential - GR
[Orange Box]	High Density Residential - HR-1
[Dark Orange Box]	High Density Residential - HR-2
[Light Orange Box]	Vacation, Retire, Resident - VRP
[Pink Box]	Neighborhood Business - B-1
[Light Pink Box]	Neighborhood Business - B-2
[Light Blue Box]	Business Research - B-3
[Red Box]	General Commercial - C-1
[Light Red Box]	General Commercial - C-2
[Dark Red Box]	General Commercial - C-3
[Light Blue-Gray Box]	General Commercial - C-4
[Dark Blue-Gray Box]	General Commercial - C-5
[Dark Blue Box]	Commercial Residential - CR-1
[Light Blue Box]	Institutional - I-1
[Dark Blue Box]	Marine - M
[Light Gray Box]	Limited Industrial - LI-1
[Medium Gray Box]	Light Industrial - LI-2
[Dark Gray Box]	Heavy Industrial - HI-1

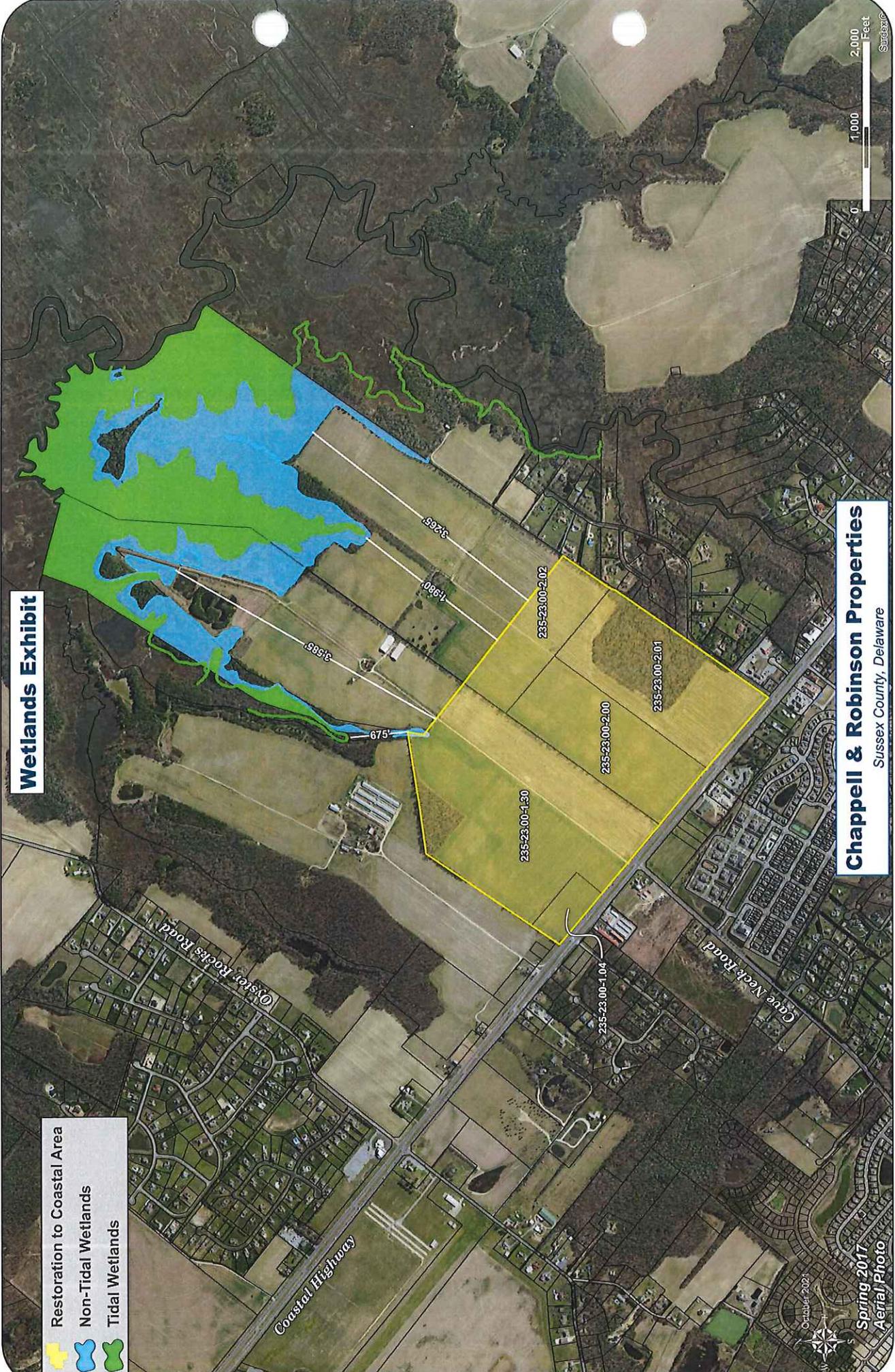
Chappell & Robinson Properties

Sussex County, Delaware



Wetlands Exhibit

- Restoration to Coastal Area
- Non-Tidal Wetlands
- Tidal Wetlands



Chappell & Robinson Properties
Sussex County, Delaware

Spring 2017
Aerial Photo
October 2021

Utilities Exhibit



Tidewater
12" Watermain

Artesian
8" Sewer
Forcemain

235-23.00-2.02

235-23.00-2.01

235-23.00-2.00

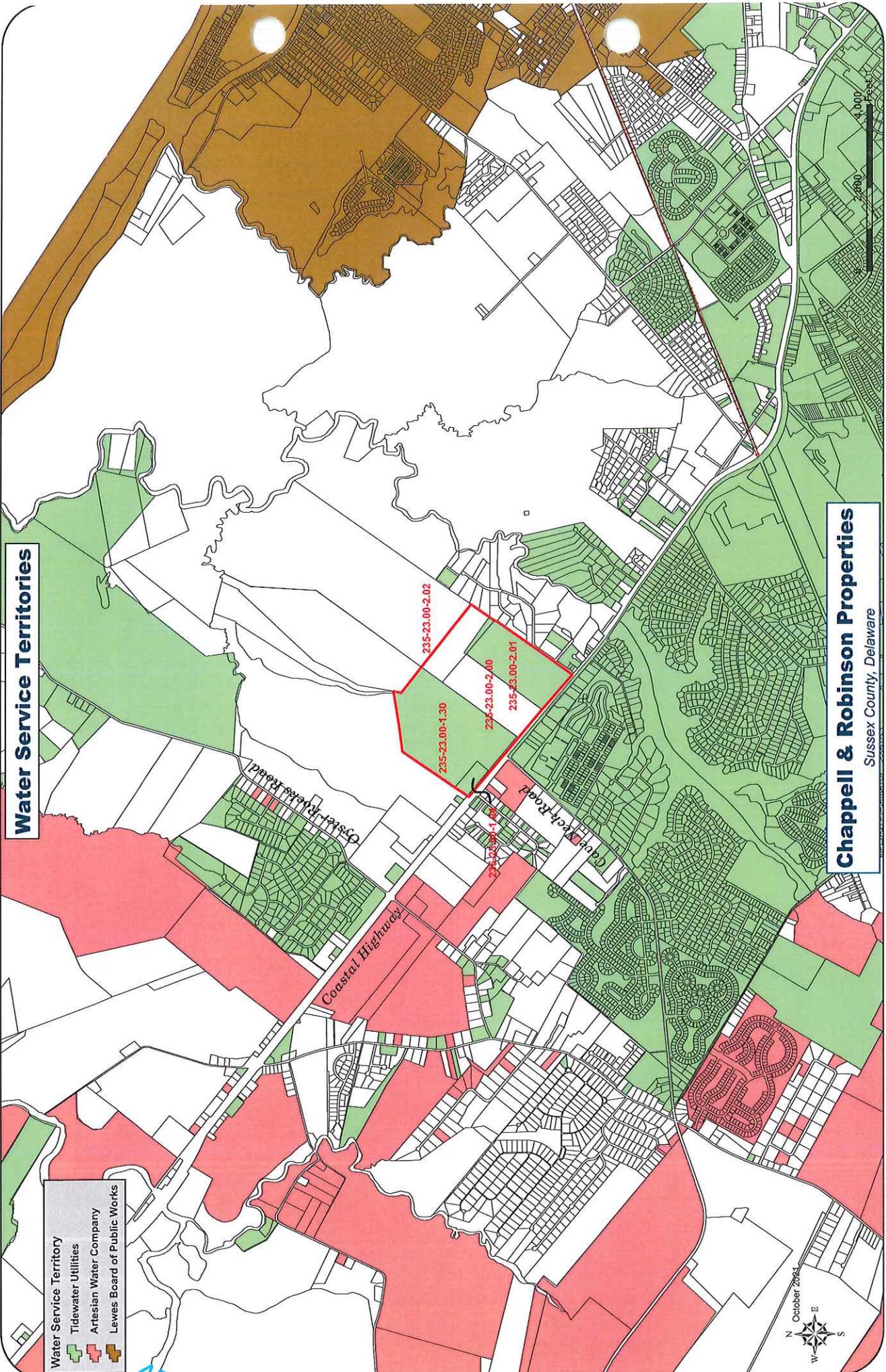
235-23.00-1.30

235-23.00-1.04



Chappell & Robinson Properties
Sussex County, Delaware

Spring: 2017
Aerial Photo



Water Service Territories

- Water Service Territory
- Tidewater Utilities
- Artesian Water Company
- Lewes Board of Public Works

Chappell & Robinson Properties
Sussex County, Delaware



Wastewater Service Territories

- Wastewater Service Territory**
- Artisan Wastewater Management, Inc.
 - Tidewater Environmental Services, Inc.

Sanitary Sewer Districts

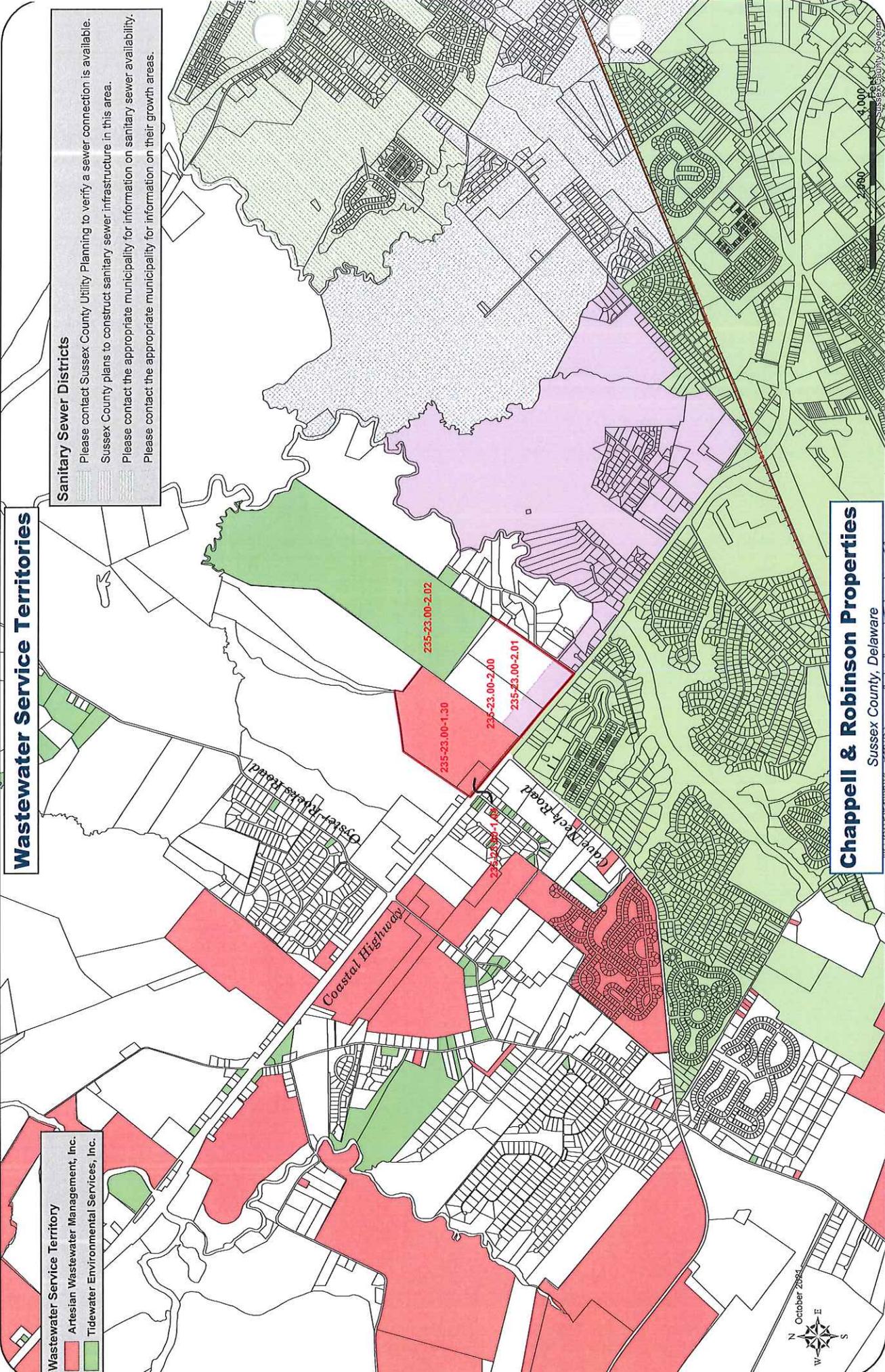
- Please contact Sussex County Utility Planning to verify a sewer connection is available.
- Sussex County plans to construct sanitary sewer infrastructure in this area.
- Please contact the appropriate municipality for information on sanitary sewer availability.
- Please contact the appropriate municipality for information on their growth areas.

Chappell & Robinson Properties

Sussex County, Delaware



Scale: 1:10,000



SR1 and Cave Neck Road Intersection

Selected Alternative



Jamie Whitehouse

From: Joe Reed <joe@reedventures.net>
Sent: Friday, December 3, 2021 4:26 PM
To: Jamie Whitehouse
Subject: Ord 21-09 Future Land Use Map Amendment/Correction
Attachments: 2018 Maps as recommended by PZ & CC.pdf

FILE COPY

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

Good afternoon Jamie,

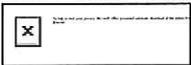
Sorry to be a nuisance, but can you put the attachment in the file and circulate it to County Council members?

I also want to clarify that we are not accusing anyone of doing anything in the "dark of night". I did not own the property at the time, and therefore, had no reason to follow the FLUM process for these lands. However, the Robinson and Chappell families did closely follow the 2018 update process and I'm told attended all the meetings. We have been informed these lands were removed from the Coastal Area after the public comment period was over. The owners were never notified and never had a chance to present their case on why the lands should remain in the development district as they had been since 2007/2008. The addition of a planned \$69,000,000 interchange on the property should have been a persuasive argument.

Thank you for your assistance. Have a great weekend!

Regards,
Joe Reed
Seaside at Lewes, LLC (owner of former lands of Chappell & Hopkins)

Joe Reed
302-430-4060



The content of this email is confidential and intended for the recipient specified in the message only. It is strictly forbidden to share any part of this message with any third party without a written consent of the sender.

DEC 03 2021

SUSSEX COUNTY
PLANNING & ZONING

2045 Future Land Use Recommended by County Council

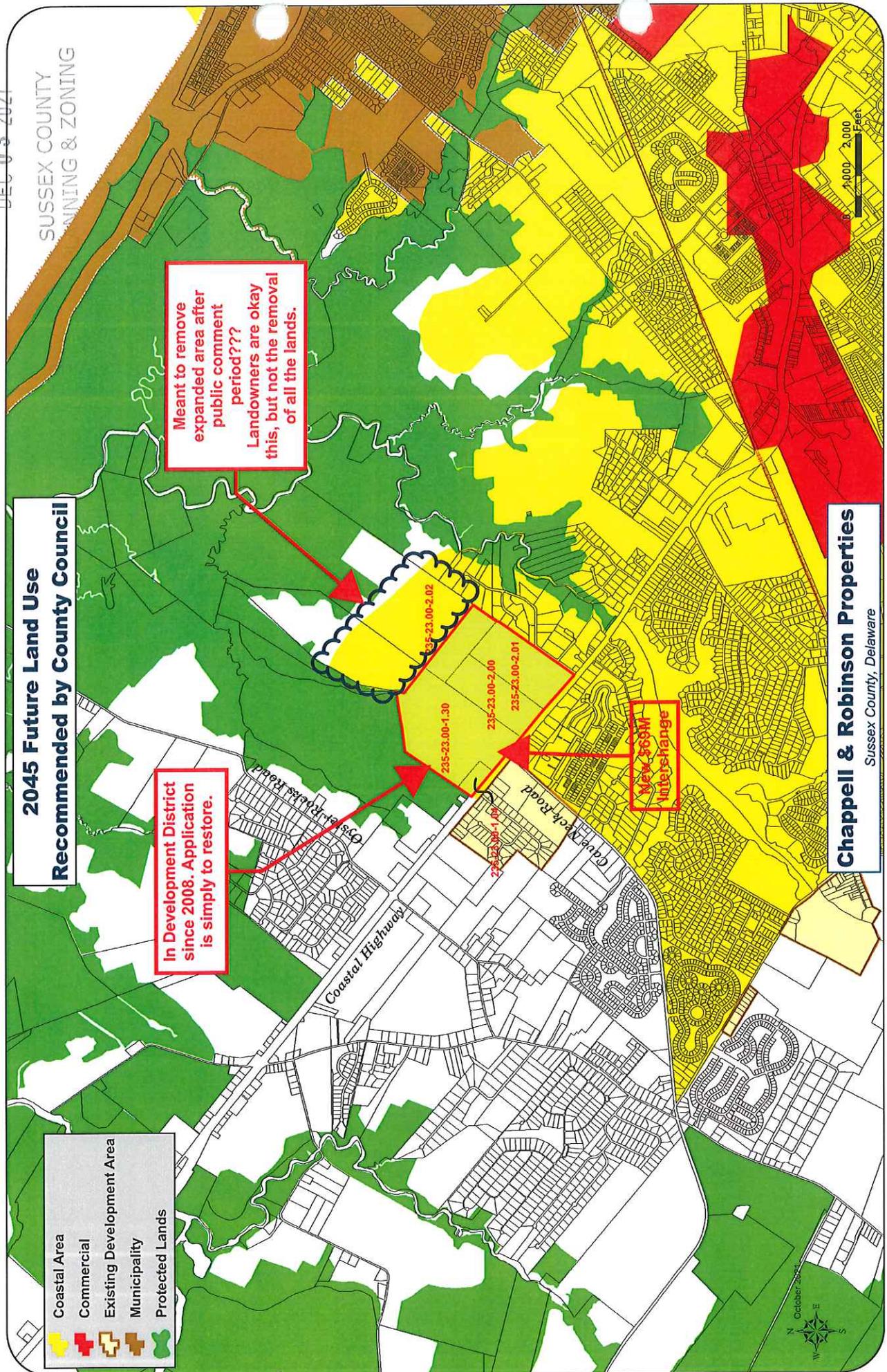
- Coastal Area
- Commercial
- Existing Development Area
- Municipality
- Protected Lands

In Development District since 2008. Application is simply to restore.

Meant to remove expanded area after public comment period???
Landowners are okay with this, but not the removal of all the lands.

New 300M Whitechange

Chappell & Robinson Properties Sussex County, Delaware



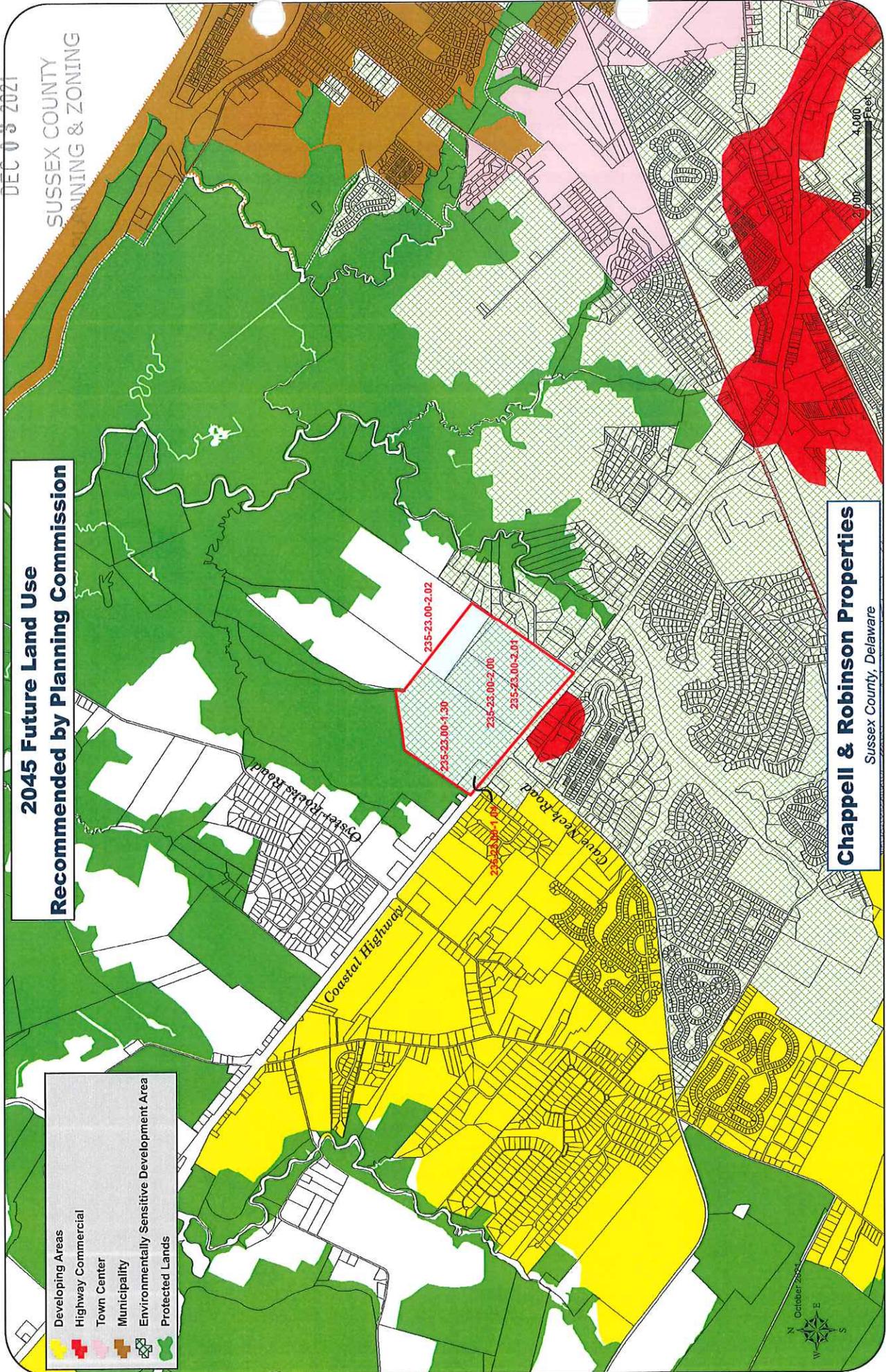
RECEIVED

DEC 03 2021

SUSSEX COUNTY
PLANNING & ZONING

2045 Future Land Use Recommended by Planning Commission

-  Developing Areas
-  Highway Commercial
-  Town Center
-  Municipality
-  Environmentally Sensitive Development Area
-  Protected Lands

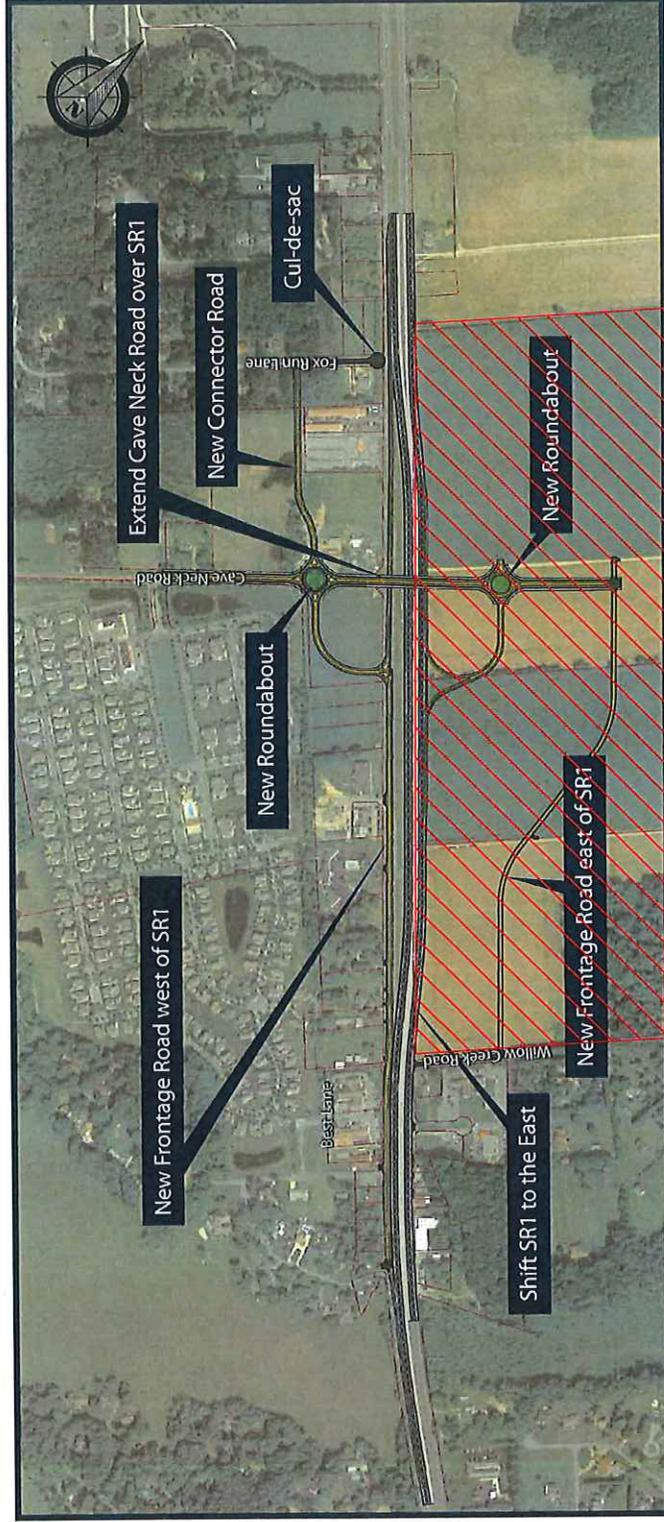


Chappell & Robinson Properties Sussex County, Delaware



SR1 and Cave Neck Road Intersection

Selected Alternative



RECEIVED

DEC 03 2021

RECEIVED

DEC 03 2021

SUSSEX COUNTY PLANNING & ZONING

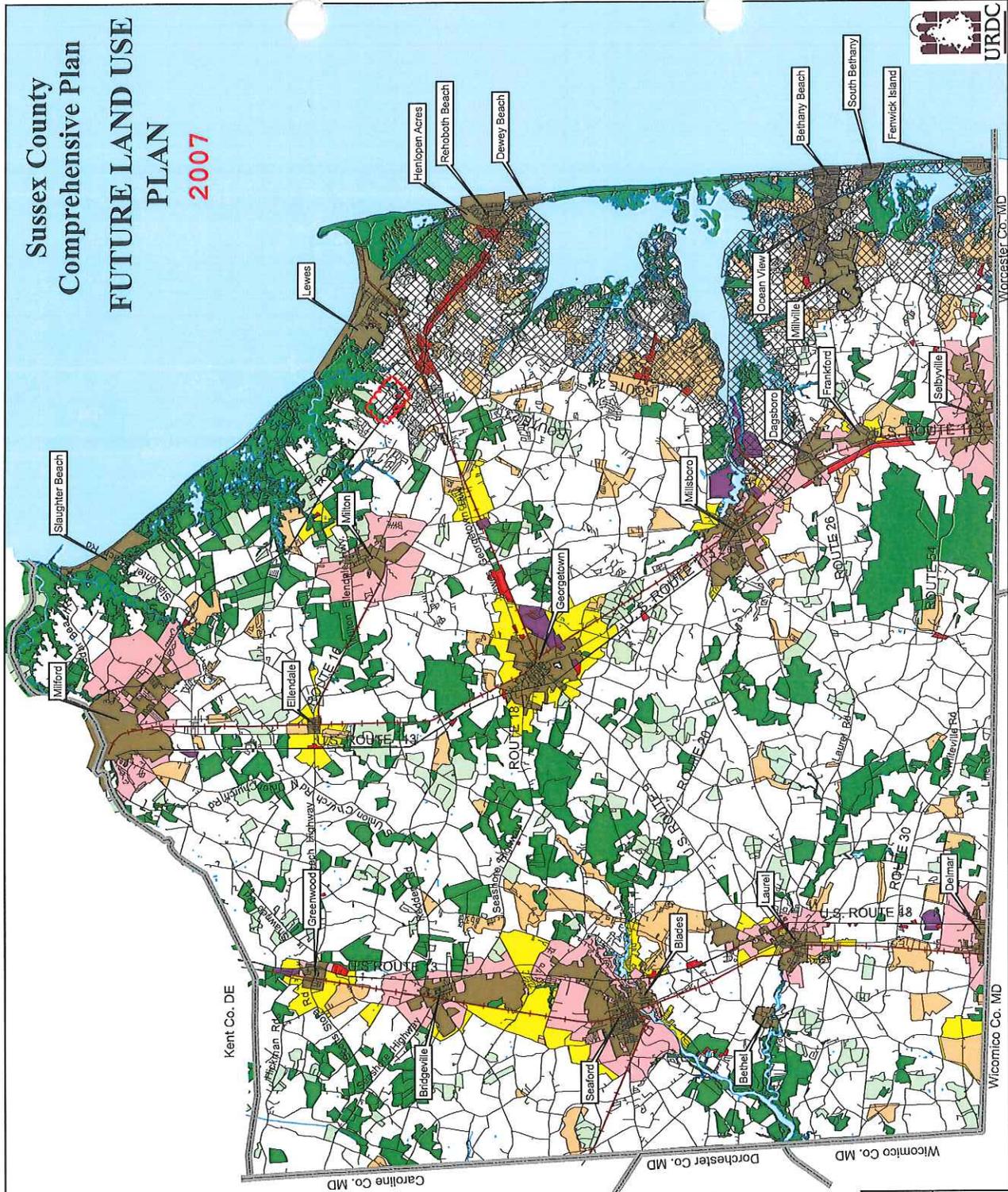
Sussex County Comprehensive Plan FUTURE LAND USE PLAN 2007

- Growth Areas**
 - Municipality
 - Town Center
 - Developing Area
 - Environmentally Sensitive Developing Area
 - Mixed Residential Areas
 - Highway Commercial Areas
 - Planned Industrial Areas

- Rural Areas**
 - Low Density Area
 - Protected Lands
(All Federal lands, State lands, agricultural easements, private conservancy lands, major wetlands and lands preserved by other conservation easements)
 - Agricultural Preservation Districts Under the State Program
(A voluntary program. Only a very limited number of homes allowed on a tract under State regulations during the time of an agreement. Participating landowners are eligible to sell development rights to the State.)

0 9,000 18,000 36,000 Feet
1 inch equals 18,000 feet

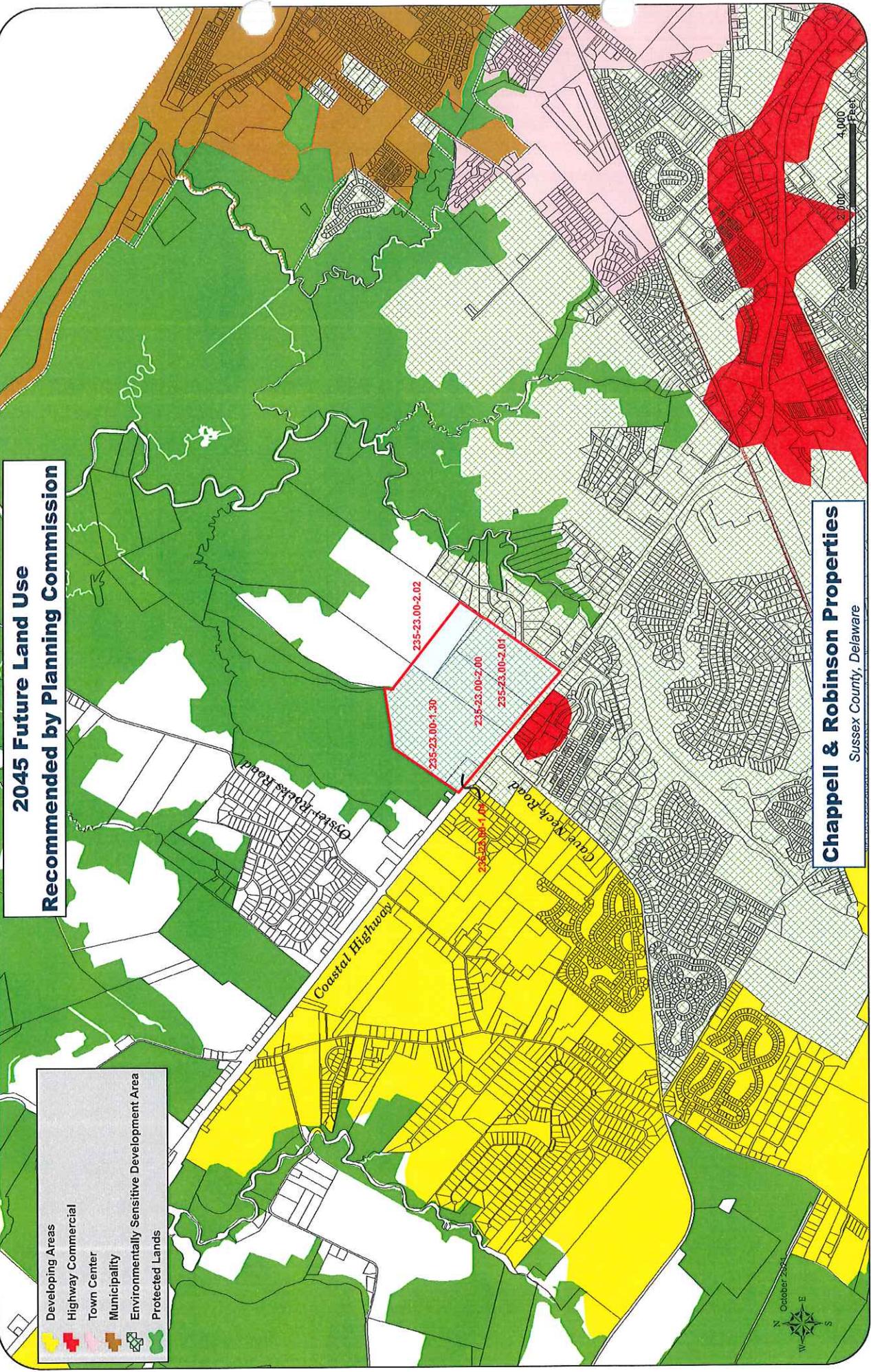
Sources:
DNREC
DE Office of State Planning Coordination
DE Office of Transportation
United States Geological Survey



SR1 and Cave Neck Road Intersection

Selected Alternative





**2045 Future Land Use
Recommended by Planning Commission**

Chappell & Robinson Properties
Sussex County, Delaware

- Developing Areas
- Highway Commercial
- Town Center
- Municipality
- Environmentally Sensitive Development Area
- Protected Lands



2045 Future Land Use Recommended by County Council

Coastal Area
Commercial
Existing Development Area
Municipality
Protected Lands

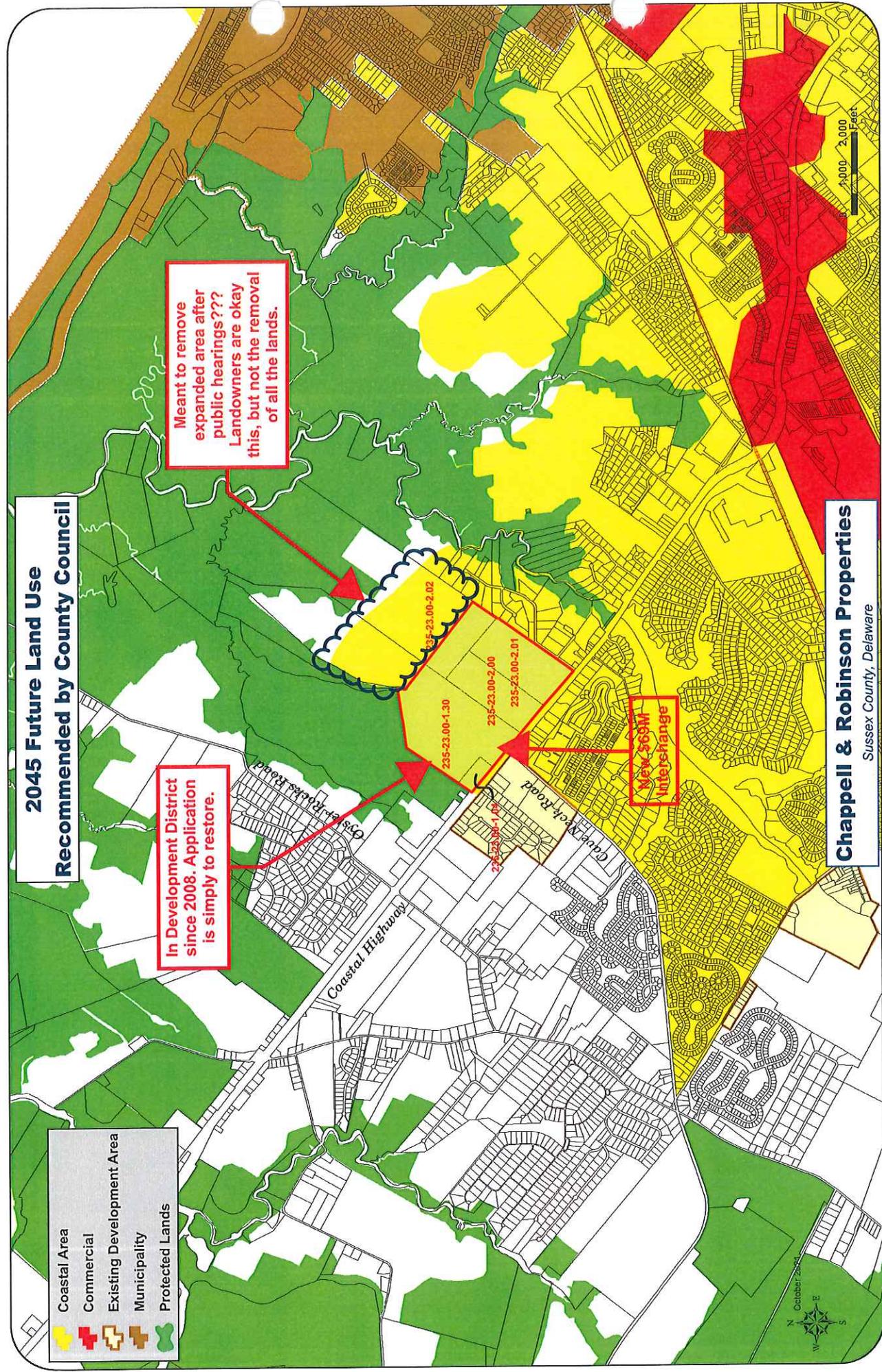
In Development District since 2008. Application is simply to restore.

Meant to remove expanded area after public hearings??? Landowners are okay this, but not the removal of all the lands.

New \$60M Interschange

Chappell & Robinson Properties

Sussex County, Delaware



Jamie Whitehouse

From: Joe Reed <joe@reedventures.net>
Sent: Wednesday, December 1, 2021 8:02 AM
To: Jamie Whitehouse
Subject: Re: Ord 21-09 Future Land Use Map Amendment/Correction
Attachments: Maps as recommended by PZ & CC.pdf

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

Good morning Jamie,

Is this application still on the agenda with County Council for December 14th or has it been postponed? The discussion at the end of the Planning Commission meeting led me to believe it may be postponed. I have no problem if you decide to delay until a future date. I'm out of town on December 14th anyway.

Also, can you put the attached exhibit in the file and circulate.

Thanks,
Joe

On Tue, Nov 23, 2021 at 9:57 AM Joe Reed <joe@reedventures.net> wrote:
Mr. Whitehouse,

After listening to the discussion at the end of the Planning Commission meeting, there appears to be some confusion over this map amendment application. It also appears the record is still open. Therefore, I would like to make a few points that may help clarify this application:

1. The properties have been in the development district since at least 2007/2008.
2. The properties remained in the development district throughout all the workshops and hearings for the 2018 update (2045 FLUM).
3. The maps on the County website today still show the property in the development district on the map as recommended by the Planning Commission and the map as recommended by County Council. Refer to letter from David Hutt dated December 29, 2020.
4. The property owners and/or their representatives attended and monitored all the public meetings on the 2018 map update. They were never notified or given an opportunity to comment on this apparent last-minute modification after the public process had ended. How is that transparent government or even legal?
5. In reviewing all the available documents and the County Council recordings, I surmise the intent of the last-minute revision was to adjust the Coastal Area designation back to the line in the 2008 FLUM (same as this proposed map amendment). The map as recommended by County Council had the Coastal Area designation for these properties expanded by about 50% and closer to the Great Marsh. See attached exhibit.
6. The SARG emails and other communications about this application are a bit misleading and I suspect have generated a lot of letters in opposition to this application. There is no land use application proposed for these properties. Maintaining the Coastal Area designation simply provides the land owners the option to apply in the future for some neighborhood business uses at the new \$65,000,000+ DeIDOT interchange to be built on the property. I do not have any land planning

degrees, but I've attended a lot of land planning seminars and it seems to me that some neighborhood business uses (grocery store, pharmacy, medical offices, restaurant, pickleball facility, etc) may be appropriate at that interchange in the future. As we all know, being in the Coastal Area only provides the property owners the option to apply for approval for some commercial use, but does not guarantee any uses other than residential at 2 units per acre.

7. This application in no way is a threat to the Great Marsh. A huge buffer (approx 1/2 mile) of Low Density lands will still exist between the subject lands and the Great Marsh.
8. The design traffic numbers for the interchange are based on some anticipated commercial uses and not just 2 units/acre as was stated by David Edgell from the Office of State Planning Coordination. He was incorrect about this fact just as he was incorrect about availability of water, sewer, fire protection, police, schools, etc. The interchange design traffic numbers can be verified by the project manager from DeIDOT.
9. Some neighborhood business at this interchange would eliminate the need for all the current and future residents of the Rt 88 Corridor from having to travel south of 5 Points for essentially all services. It would also help to alleviate some of the traffic on Rt 1 between 5 Points and Rehoboth. Regardless, the public will have an opportunity to comment and you will make the decision on the merit of any future application, if and when one is made.
10. It was noted by either the Planning Commission or County Council during the Chappell Farms application across the highway that single family residential use is not conducive or desirable adjacent to a huge interchange and overpass. We agree.
11. It seems illogical that the County would remove 4-lane highway frontage lands out of the development district when the only thing that has changed since the last FLUM is that DeIDOT is building a \$65,000,000+ grade separated interchange on the property. If these lands were not already in the Coastal Area development district, I would think you would have been adding them to the development district due to the interchange.
12. We are simply asking the Planning Commission to reaffirm the decision they already made on this matter during the public process in 2018/2019.

Since the record is still open, can you please circulate this email to the Planning Commission members?

Thank you for your assistance with helping to rectify this property rights injustice.

Respectfully,
Joe Reed

Jamie Whitehouse

From: Joe Reed <joe@reedventures.net>
Sent: Tuesday, November 23, 2021 9:58 AM
To: Jamie Whitehouse
Subject: Ord 21-09 Future Land Use Map Amendment/Correction
Attachments: Maps as recommended by P&Z and County Council.pdf

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

Mr. Whitehouse,

After listening to the discussion at the end of the Planning Commission meeting, there appears to be some confusion over this map amendment application. It also appears the record is still open. Therefore, I would like to make a few points that may help clarify this application:

- 1.
- 2.
3. The properties have been in the development district since at least 2007/2008.
- 4.
- 5.
- 6.
7. The properties remained in the development district throughout all the workshops and hearings for
8. the 2018 update (2045 FLUM).
- 9.
- 10.
- 11.
12. The maps on the County website today still show the property in the development district on the
13. map as recommended by the Planning Commission and the map as recommended by County Council. Refer to letter from David Hutt dated December 29, 2020.
- 14.
- 15.
- 16.
17. The property owners and/or their representatives attended and monitored all the public meetings
18. on the 2018 map update. They were never notified or given an opportunity to comment on this apparent last-minute modification after the public process had ended. How is that transparent government or even legal?
- 19.
- 20.
- 21.
22. In reviewing all the available documents and the County Council recordings, I surmise the intent
23. of the last-minute revision was to adjust the Coastal Area designation back to the line in the 2008 FLUM (same as this proposed map amendment). The map as recommended by County Council had the Coastal Area designation for these properties expanded by about
24. 50% and closer to the Great Marsh. See attached exhibit.
- 25.
- 26.
- 27.

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30. business uses at the new \$65,000,000+ DeIDOT interchange to be built on the property. I do not have
any land planning degrees, but I've attended a lot of land planning seminars and it seems to me that
some neighborhood business uses (grocery store, pharmacy,
31. medical offices, restaurant, pickleball facility, etc) may be appropriate at that interchange in the future.
As we all know, being in the Coastal Area only provides the property owners the option to apply for
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32. guarantee any uses other than residential at 2 units per acre.
33.
34.
35.
36. This application in no way is a threat to the Great Marsh. A huge buffer (approx 1/2 mile) of Low
37. Density lands will still exist between the subject lands and the Great Marsh.
38.
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41. The design traffic numbers for the interchange are based on some anticipated commercial uses and
42. not just 2 units/acre as was stated by David Edgell from the Office of State Planning Coordination. He
was incorrect about this fact just as he was incorrect about availability of water, sewer, fire protection,
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45.
46.
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48. future residents of the Rt 88 Corridor from having to travel south of 5 Points for essentially all services.
It would also help to alleviate some of the traffic on Rt 1 between 5 Points and Rehoboth. Regardless,
the public will have an opportunity to comment
49. and you will make the decision on the merit of any future application, if and when one is made.
50.
51.
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54. across the highway that single family residential use is not conducive or desirable adjacent to a huge
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56.
57.
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Coastal Area development district, I would think you would have
60. been adding them to the development district due to the interchange.
61.
62.
63.

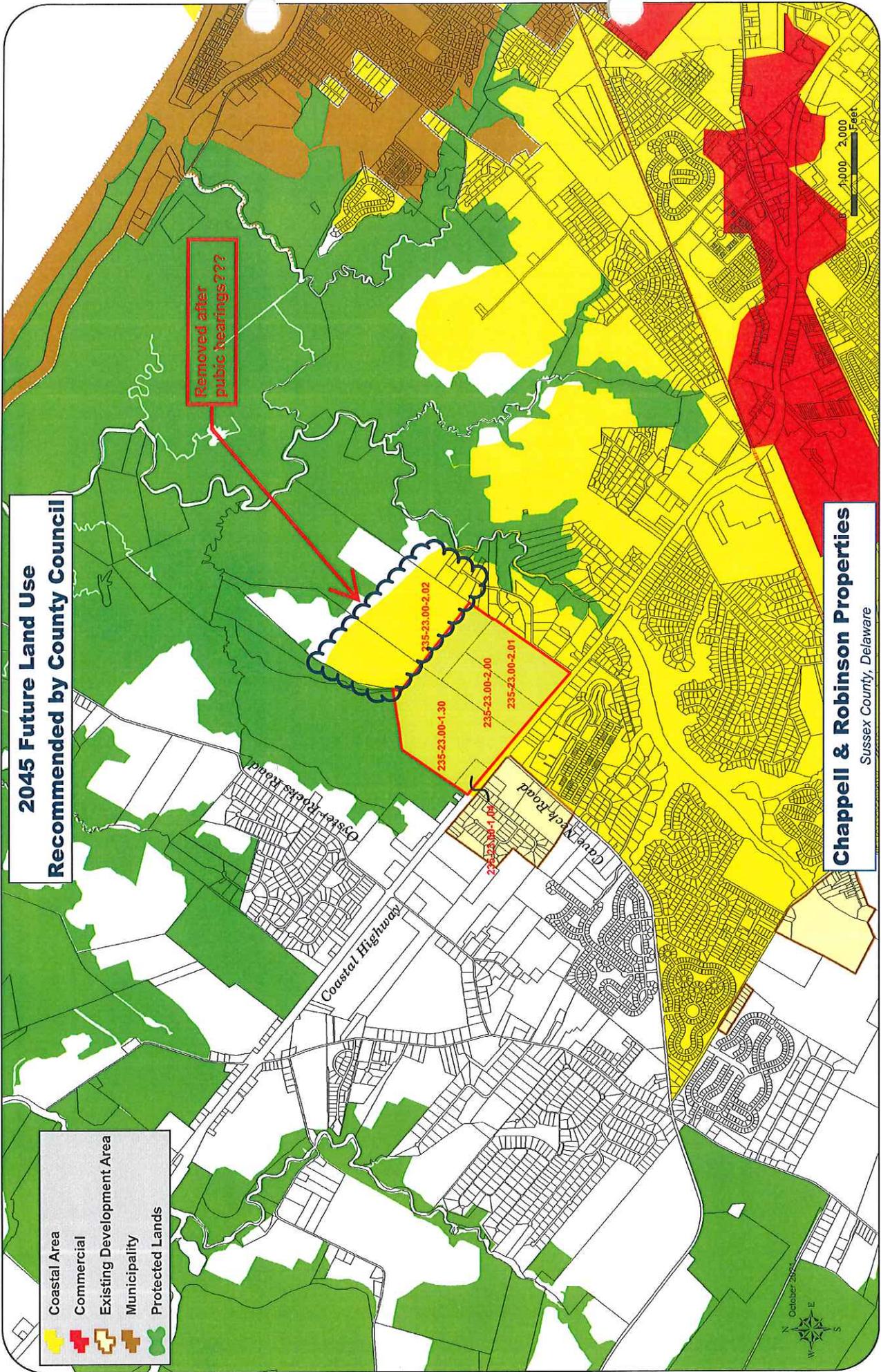
64. We are simply asking the Planning Commission to reaffirm the decision they already made on this
65. matter during the public process in 2018/2019.

66.

Since the record is still open, can you please circulate this email to the Planning Commission members?

Thank you for your assistance with helping to rectify this property rights injustice.

Respectfully,
Joe Reed



**2045 Future Land Use
Recommended by County Council**

Chappell & Robinson Properties
Sussex County, Delaware

- Coastal Area
- Commercial
- Existing Development Area
- Municipality
- Protected Lands

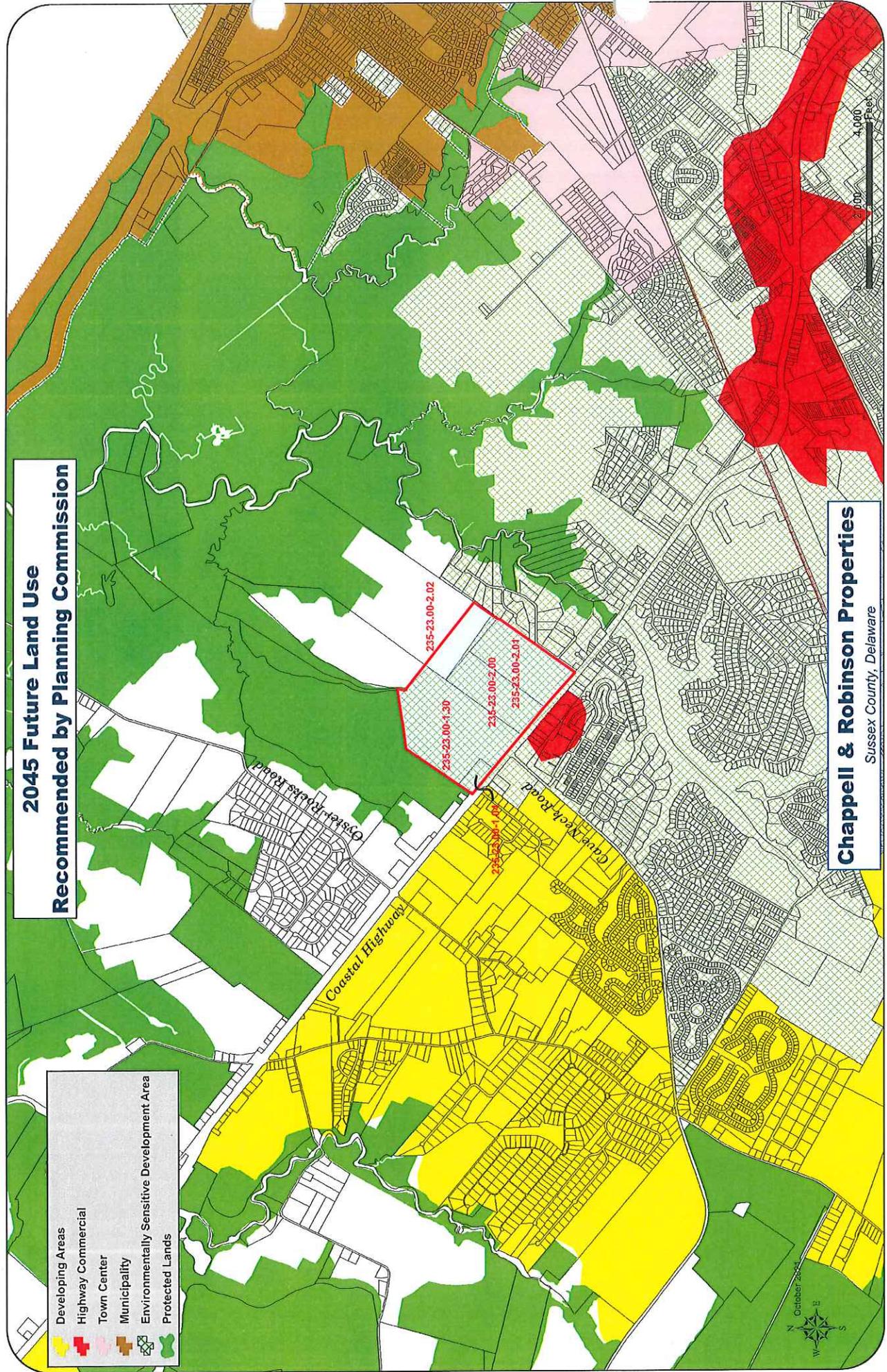
Removed after
public hearings???

0 1,000 2,000 Feet



2045 Future Land Use Recommended by Planning Commission

- Developing Areas
- Highway Commercial
- Town Center
- Municipality
- Environmentally Sensitive Development Area
- Protected Lands



Chappell & Robinson Properties Sussex County, Delaware



Jamie Whitehouse

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 5:03 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 5:03pm

Name: Jacob Burton
Email address: p.burton623@gmail.com
Phone number: 3028586460
Subject: Overbrook Project

Message: We are in support of the Overbrook Project. Our area is continuing to grow without the proper shopping accommodations of a populated area, especially in the summer concerning our tourist numbers. As the are continues to grow with persons relocating we have to consider the needs of all the people in the area, old and new.

FILE COPY

SUPPORT EXHIBIT

FILE COPY
SUPPORT EXHIBIT

Sussex County Council Members:

Council President – Michael Vincent Council Vice President – John Rieley

Cynthia Green – Member Mark Schaeffer – Member Doug Hudson – Member

Dear Council Members,

I'm writing to let you know that I am in support of reinstating the designation of the Robinson family's farms to what is now called the Coastal Area.

The Rt. 1 frontage area of Robinson's farms were in a Development Area in the Future Land Use Map in the 2008 Comprehensive Plan. Years later, during the year-long update to the 2008 Comprehensive Plan in 2017/18 the family observed proceedings of Sussex County's Planning and Zoning and County Council. During that time Planning and Zoning and County Council both produced maps indicating that Robinson's farms would continue to be included in the growth area. (Planning and Zoning: Environmentally Sensitive Development Area and County Council: Coastal Area). And at no time were the Robinson farms mentioned during discussions in either chamber.

However, at a meeting a week after County Council closed the public comment portion of the process, and without notice to the landowners, County Council decided to change the designation of Robinson's farms and the contiguous neighbor's property from: Environmentally Sensitive Development Area (P&Z) and Coastal Area (County Council). This change is akin to a change in zoning and one that should not have been made without notice to or comment from the Robinsons. What is the point of attending meeting after meeting only to have public input closed and afterward changes made to your family's land? It makes no sense.

This important change in designation was discovered by a neighbor in the process of selling his property who informed the Robinson's. However, a quick check of the maps on the County website indicated that the properties were still in the growth zone (in fact, as of this writing, those maps are still on the County's website). However, after meeting with their attorney Robinsons confirmed that their farms had been removed from the Development Area without their knowledge.

Unlike many local jurisdictions we read about, Sussex County (Council) has always been in the business of full disclosure to property owners, particularly when it comes to one's land. Unfortunately, this time it seems the County's efforts were less than perfect. Somehow the Robinsons family's farms were overlooked and this wrong needs to be righted.

Thank you,



5 MARZ WAY
RECEIVED REHOBOTH BEACH, DE
19771

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson family farms in the County's Coastal Area.

The Robinson's farms were included in what is now the Coastal Area in the 2008 Future Land Use Map (FLUM). During the 2018 update after P&Z and County Council produced maps indicating the farms were to continue to be included in the developing area, without notice at a subsequent meeting, and after the public comment portion of the process was closed, County Council change the designation of Robinson's farms and the contiguous neighbor's property to Low Density. This important change should not have been made without notice to or comment from the landowners who were present during the many months long meetings concerning the Future Land Use Maps up and until the public portion of the process was closed.

Sussex County Council is well known to be fair and forthcoming, and this letter is in no way meant to disparage the 2018 Council. However, this land map change seemed odd on its face considering the looming DelDot project which is now pushing \$70-million. In addition, at no time during the more than yearlong meetings were the Robinson's farms property so much as mentioned. The Robinson Family wasn't notified of the pending change and never had an opportunity to comment on the last-minute amendment following the closing of the public process.

As mentioned above, the State plans a 70 or so million-dollar DelDot highway project which includes a Rt. 1 grade separated interchange with an overpass, realigning Rt.1 to the east, a roundabout, a new 1/2 mile Interior road and more, much of which is located on Robinson land. Both public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

With these location attributes and the fact that the front portion Robinson's Farms were already in the, now called Coastal Zone, it's difficult to imagine the decision to remove the property could be anything more than an oversight.

I ask that the 2021 County Council rectify this error and vote to reinstate the Robinson's Farms into the Coastal Area which is the appropriate designation of the property in the Future Land Use Map.

Thank you,

 Daniel Marzoff

32919 Corch Ct.
Lewes, DE
19956

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

President Michael Vincent,
Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I'm writing to you to lend my support to the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of Deldot's new overpass project. My understanding is that it is similar to another overpass project at Rt.16.

I must admit I'm somewhat confused on why Robinson's property was removed from the developing area. Property adjacent to the Rt. 16 overpass project was included in the growth area as a result of the highway project, despite the fact that it had not been included in the growth area in the past.

The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet it was removed from the growth area despite the 65-million-dollar highway project much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. And it's located RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE. ON THE HIGHWAY, AND, AT THE SITE OF DELDOT'S NEW INTERCHANGE!

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,



Max Cavaleski
35622 Cutter Ct
Lewes, DE 19958

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

President Michael Vincent, Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I am writing in support of the Robinson family. They are asking for you to vote to reinstate their farms former designation in the Future Land Use Map to Coastal Area. The farms had previously been designated to what is now called the Coastal Area since 2007/2008. The last-minute change in 2018 to the Future Land Use Map designation after the close of the public portion of the process made no sense then and it makes even less sense now.

Robinson's farms are located on Route One, both public water and sewer are available to their property, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms, and lastly the closest Great Marsh wetlands are approximately 2,000' feet from the area of the request.

The Robinson's are farmers. In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. Robinson's have been at it for 179 years; and raising cattle and horses along with an assortment of family dogs and cats. The Robinson's are also careful stewards of their forests and wetlands. In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area.

Should Robinson's be included in the Coastal Area, one only has to look at the \$65,000,000 DelDot highway project? Starting with the highway: it's to be realigned to the east onto Robinson's land. Other additions: the two-way clover leaf, a roundabout, a new 1/2 mile connector road running parallel to Rt. 1, and the east west overpass. All this reducing value of the farm due to noise and lights particularly from trucks and cars traveling on the overpass. This necessary eye and ear sore is for a lifetime and yet this reason for continuing the 10-year inclusion in the Coastal Area was somehow overlooked in 2018.

Please vote to include Robinson's in the Coastal Area for all the reasons mentioned and many others.

Thank you,

CYNTHIA JANE MAWITT
108 STOCKLEY ST.
REHOBOTH BEACH, DE

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SUSSEX COUNTY
PLANNING & ZONING

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County Council:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

SUPPORT EXHIBIT

I support the Robinson family who are asking for your vote to reinstate their farms designation in the Future Land Use Map to Coastal Area.

Robinson's farms along Route One fit the practical criteria to be included in the Coastal Area. DelDot has plans for highway project including a Rt. 1 grade separated interchange including an overpass, realigning Rt. 1 east onto Robinson's land, a roundabout, a new 1/2 mile interior road 2,000' of which is located on Robinson land.

Public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

Some people have been led to believe Robinson's request is to develop their land. This isn't true. Their request is only to have their farms designation reinstated in the Coastal Area of the Future Land Use Map.

The Robinson's are farmers. In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. Robinson's have been at it for 179 years. The Robinson's are also careful stewards of their land. In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area.

The Robinson family is committed to the preservation of their land and are a time-tested commodity in that regard. They are seeking reinstatement to the County's development district for the Rt. 1 section of their property. The closest wetlands approximately are 2,000' feet from the area of the request. This request is only to have their land appropriately designated in the Future Land Use Map as it had been since 2007/2008.

Please vote to reinstate Robinson's farms designation in the Coastal Area of Future Land Use Map where it belongs.

Thank you,

Michael Scott JR 12622 Hollytree RD
Ellemdale DE

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SUSSEX COUNTY
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SUPPORT EXHIBIT

President Michael Vincent,
Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I support the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of DelDOT's new overpass project, which is similar to DelDOT's other overpass project, at Rt.16.

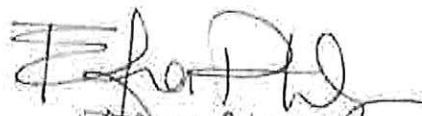
I'm confused. Why was Robinson's property removed from the developing area when property adjacent to the Rt. 16 overpass project was included in the growth area, as a result of the highway project, even though it had not been included in the growth area in the past.

The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet removed from the growth area, despite the 65-million-dollar highway project, much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. It's located **RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE, ON THE HIGHWAY AT THE SITE OF DELDOT'S NEW INTERCHANGE!**

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,


EILEEN PHILLIPS
26497 MT JOY RD
MILLSBORO Del 19366

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SUPPORT EXHIBIT

Mike Cahill

Steamboat Landing Road Milton, DE 19968

President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Lady and Gentlemen,

Hello, my name is Mike Cahill and I live on Steamboat Landing Road. I live here and see the traffic on route 1 every day. We desperately need infrastructure to ease congestion on the highway. It seems to me that the farmland that DelDot is taking for this infrastructure/overpass is a necessity and will go a long way to cure the Cave Neck Road and Rt.1 issues.

With that said it's hard to believe that County Council would have removed the farms impacted by the DelDot Highway Plan from the developing district (Coastal Area), but only after Council closed the comment period. Robinsons participated during the nearly two-year run up to the Future Land Use Map update, but that participation ended when the public portion was closed.

Why would any family make the effort to do the right thing if, like the Robinsons at the very end of the years long proceedings, County Council decides to close public comment period and then decides to remove Robinson's farms from its 10-year designation in the development area. This makes no sense. During the run up in P&Z and Council Robinson's farms were never mentioned let alone considered for a change in FLUM designation. In fact, P&Z and County Council created FLUMs indicating that Robinson's farms *were* to be included in the Coastal area.

What was done seems wrong and I believe it needs correcting by this County Council

Sincerely, Mike Cahill

Mike Cahill (302) 381-3228

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SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson family farms in the County's Coastal Area.

The Robinson's farms were included in what is now the Coastal Area in the 2008 Future Land Use Map (FLUM). During the 2018 update after P&Z and County Council produced maps indicating the farms were to continue to be included in the developing area, without notice at a subsequent meeting, and after the public comment portion of the process was closed, County Council change the designation of Robinson's farms and the contiguous neighbor's property to Low Density. This important change should not have been made without notice to or comment from the landowners who were present during the many months long meetings concerning the Future Land Use Maps up and until the public portion of the process was closed.

Sussex County Council is well known to be fair and forthcoming, and this letter is in no way meant to disparage the 2018 Council. However, this land map change seemed odd on its face considering the looming DelDot project which is now pushing \$70-million. In addition, at no time during the more than yearlong meetings were the Robinson's farms property so much as mentioned. The Robinson Family wasn't notified of the pending change and never had an opportunity to comment on the last-minute amendment following the closing of the public process.

As mentioned above, the State plans a 70 or so million-dollar DelDot highway project which includes a Rt. 1 grade separated interchange with an overpass, realigning Rt. 1 to the east, a roundabout, a new 1/2 mile interior road and more, much of which is located on Robinson land. Both public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

With these location attributes and the fact that the front portion Robinson's Farms were already in the, now called Coastal Zone, it's difficult to imagine the decision to remove the property could be anything more than an oversight.

I ask that the 2021 County Council rectify this error and vote to reinstate the Robinson's Farms into the Coastal Area which is the appropriate designation of the property in the Future Land Use Map.

Peter J. Covelleski DB.

Thank you,

Peter J. Covelleski
35622 Cutler Court
Lewes, DE 19958

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

County Council:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

Dear Council Members,

I support including the Robinson's family farms reinstatement in Sussex County's Coastal Area in the Future Land Use Map. The Robinson's farms had been included in Sussex County's development district since 2008 but after the close of public comment in 2018, were removed from the growth area without notice to or the opportunity for comment from the Robinson's.

Robinson's farms are located on Route One, the site of the planned \$65,000,000 Highway interchange. The farms have access to public water and sewer, the Lewes Fire Department is a mile or so away and the new State Police barracks are less than five minutes from Robinson's property. This is the type of location that makes good planning sense. Good land planning and responsible growth go hand in hand. Robinson's farms satisfies both.

Please vote to reinstate Robinson's farms in the Future Land Use Map.

Thank you,

Narcia Schieck
Narcia Schieck

15 Hazlett
Rehoboth Beach, De
19971

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

President Michael Vincent,
Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I support the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of DelDot's new overpass project, which is similar to DelDot's other overpass project, at Rt.16.

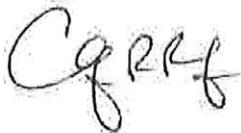
I'm confused. Why was Robinson's property removed from the developing area when property adjacent to the Rt. 16 overpass project was included in the growth area, as a result of the highway project, even though it had not been included in the growth area in the past.

The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet removed from the growth area, despite the 65-million-dollar highway project, much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. It's located **RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE, ON THE HIGHWAY AT THE SITE OF DELDOT'S NEW INTERCHANGE!**

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,



Christopher R. Rieley Sr.
26 Fox Creek Drive
Rehoboth DE 19971
302-227-1232

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson family farms in the County's Coastal Area.

The Robinson's farms were included in what is now the Coastal Area in the 2008 Future Land Use Map (FLUM). During the 2018 update after P&Z and County Council produced maps indicating the farms were to continue to be included in the developing area, without notice at a subsequent meeting, and after the public comment portion of the process was closed, County Council change the designation of Robinson's farms and the contiguous neighbor's property to Low Density. This important change should not have been made without notice to or comment from the landowners who were present during the many months long meetings concerning the Future Land Use Maps up and until the public portion of the process was closed.

Sussex County Council is well known to be fair and forthcoming, and this letter is in no way meant to disparage the 2018 Council. However, this land map change seemed odd on its face considering the looming DelDot project which is now pushing \$70-million. In addition, at no time during the more than yearlong meetings were the Robinson's farms property so much as mentioned. The Robinson Family wasn't notified of the pending change and never had an opportunity to comment on the last-minute amendment following the closing of the public process.

As mentioned above, the State plans a 70 or so million-dollar DelDot highway project which includes a Rt. 1 grade separated interchange with an overpass, realigning Rt. 1 to the east, a roundabout, a new 1/2 mile interior road and more, much of which is located on Robinson land. Both public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

With these location attributes and the fact that the front portion Robinson's Farms were already in, the now called Coastal Zone, it's difficult to imagine the decision to remove the property could be anything more than an oversight.

I ask that the 2021 County Council rectify this error and vote to reinstate the Robinson's Farms into the Coastal Area which is the appropriate designation of the property in the Future Land Use Map.

Thank you,

Michael S. Scott Sr.

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SUSSEX COUNTY
PLANNING & ZONING

12622 Holly Tree RD
Blair Me De
19941

Shane Compello
129 Harmony St.
New Castle, DE 19720

FILE COPY
SUPPORT EXHIBIT

Sussex County Council

President Michael Vincent
Vice President John Rieley
Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson's family farms in the County's Coastal Area in the Future Land Use Map.

The Robinson's farms have been included in the County's development district since 2008. A Robinson family member attended and monitored the P & Z and County Council workshops and hearings during the run up to the 2018 map update right up to the time County Council ended public input. After that the Farms were removed from the FLUM

Why Council removed the Robinson property from the developing area when we're now told the DelDot plan that started \$12 million dollars is now pushing \$70 million dollars...this certainly sounds like the State of Delaware plans to do a whole lot of developing on Robinson's property!

Robinson's farms are located on Rt.1, the site of a nearly \$70 million dollar interchange mentioned above, they have access to public water and sewer, the fire department is a mile or so away and the State Police Barracks are less than 5 minutes from Robinson's. This is the type of location that makes for good land planning and responsible growth.

For these reasons Robinson's farms should be in the County's Coastal Area where it belongs.

Thank you,


Shane Compello

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

Council Members:

President Michael Vincent

Vice President John Rieley

Cynthia Green, Mark Schaeffer and Doug Hudson

I am writing to let you know that I support including the Robinson's family farms in Sussex County's Coastal Area in the Future Land Use Map. This is not a change in zoning or a site plan for development. It is merely a request for reinstatement of Robinson's farms previous designation, now Coastal Area, in the Future Land Use Map as it had been since 2008.

Robinson's farms are located on Route One, both public water and sewer are available to their property, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms and the closest Great Marsh wetlands are approximately 2,000' feet from the area of the request.

There are many reasons why their land should be included in the Coastal Area but to sum it up simply: Common Sense. You only have to look at the massive highway project DelDot has planned, much of which is to be located on their farms, to realize that their former 10-year inclusion in the development district is even more appropriate now. The last-minute change in 2018 to the Future Land Use Map designation after the close of the public portion of the process made no sense then and it makes even less sense now.

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SUPPORT EXHIBIT

The Robinson family has owned their farms since December 1842. The Robinsons have been good neighbors and good stewards of their land. In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area. In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. The Robinson family is committed to the preservation of their land and are a time-tested commodity in that regard. They are seeking reinstatement to the County's development district.

Please vote to reinstate Robinson's farms designation in the Coastal Area of Future Land Use Map where it should be.

Thank you,

Sharon Roy

- SHARON ROY
28 MANICA DRIVE
REHOBOTH BEACH, DE

FILE COPY

SUPPORT EXHIBIT

President Michael Vincent,
Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I'm writing to you to lend my support to the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of Deldot's new overpass project. My understanding is that it is similar to another overpass project at Rt.16.

I must admit I'm somewhat confused on why Robinson's property was removed from the developing area. Property adjacent to the Rt. 16 overpass project was included in the growth area as a result of the highway project despite the fact that it had not been included in the growth area in the past.

The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet it was removed from the growth area despite the 65-million-dollar highway project much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. And it's located RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE, ON THE HIGHWAY, AND, AT THE SITE OF DELDOT'S NEW INTERCHANGE!

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,

Sally

Sally Swing
36101 Seaside Boulevard
Rehoboth Beach, DE

302-218-9151

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

I support including Robinson's family farms reinstatement in the Sussex County Coastal Area in the Future Land Use Map.

The Robinson's farms had been included in the County's development district since 2008 but were removed during the final Council meetings after the public record was closed in 2018 without notice to or comment by the Robinson's.

The Farms have access to public water and sewer, are located 1 mile from the Lewes fire house and are a 5-minute drive from the new State Police Barracks and are located ON Rt. 1 where the public is always told growth should be.

The Farms are also the epicenter of the new DelDot rt. 1 interchange with a (raised) overpass, a two-way clover leaf, a traffic circle and even a new ½ mile long frontage road running parallel to the highway which itself is bent east onto Robinson's land.

Please vote to reinstate the Robinson's property into the Coastal Area of the Future Land Use Map because it is the right thing and the appropriate thing to do

Thank you,

Staci H. Lovelock
Staci H. Lovelock
35622 Cotton Ct.
Lewes, DE 19958

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
SUPPORT EXHIBIT

County Council:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

Dear Council Members,

I support including the Robinson's family farms reinstatement in Sussex County's Coastal Area in the Future Land Use Map. The Robinson's farms had been included in Sussex County's development district since 2008 but after the close of public comment in 2018, were removed from the growth area without notice to or the opportunity for comment from the Robinson's.

Robinson's farms are located on Route One, the site of the planned \$65,000,000 Highway interchange. The farms have access to public water and sewer, the Lewes Fire Department is a mile or so away and the new State Police barracks are less than five minutes from Robinson's property. This is the type of location that makes good planning sense. Good land planning and responsible growth go hand in hand. Robinson's farms satisfies both.

Please vote to reinstate Robinson's farms in the Future Land Use Map.

Thank you,

Tommy Gause
30787 Molly B' Road
Lewes DE 19958

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PLANNING & ZONING

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SUPPORT EXHIBIT

Jane Timmerman
126 Reed Street
Dewey Beach, DE 19971

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SUSSEX COUNTY
PLANNING & ZONING

To Sussex County Council

President Michael Vincent
Vice President John Rieley
and Members Cynthia Green, Mark Schaeffer and Doug Hudson

Thank you all for your thankless service!

I am in support of County Council reinstating the designation of the Robinson family's farms to what is now called the Coastal Area in the Future Land Use Map (FLUM). As Council is aware Robinson's request is not a request for a zoning change as some have characterized it but rather a request to reinstate Robinson's farms previous FLUM designation in place since 2007/2008.

I listened to the recent P & Z hearing regarding reinstating Coastal Area designation as recommended previously by P & Z. The question before P & Z was whether or not to uphold their own 2018 decision that the Robinson's farms should continue to be included in the Development Area.

Unfortunately, during the P & Z hearing, when the SARG group representative spoke he seemed to indicate that the Great Marsh would be impacted if the FLUM designation were reinstated on the Rt. 1 section of Robinson land even though the closest wetlands on Robinson's farms is just shy of 2,000' from the area of the request. It seems incomprehensible that somehow the new setback from wetlands, according to SARG, at least for the Robinson's farms, is 1,980'.

While the Great Marsh is important and no doubt the current battle cry for SARG, Sussex County typically considers all points of view, not just those who make the most noise.

In the County's 280-page Comprehensive Plan the Great Marsh is mentioned twice at 5-12 and 5-20. In 5-12 the Comp Plan indicates that the Sussex County Land Trust has worked with the Nature Conservancy to secure easement agreements from "local

landowners". According to the Robinson family no one from either the Sussex County Land Trust or the Nature Conservancy has ever contacted them seeking any type of easement agreement. In 5-20, Strategy 5.3.1.8 calls for the County to "work with agencies and **landowners** to determine additional protections of significant natural resources, like the Great Marsh." Again, Robinsons have not been contacted by anyone from the County or any other agency regarding additional protections for the Great Marsh.

The Sussex County Comprehensive Plan has in place mechanisms that include landowner participation that deal with the Great Marsh. However as of this writing no one from the County or any agency has so much as placed a call or visited Robinson's farms to discuss the Great Marsh and yet SARG insists that a land map designation in place for 10 years, and then removed after public comment was closed, was the right thing to do because 1,980' of buffer from non-tidal wetlands isn't far enough for SARG. Thankfully while SARG is entitled to their point of view, they don't make law, only opinion. Sussex County has defined tidal and non-tidal wetlands setbacks that all landowners including Robinson's must adhere to. But when a concerned group's demands aren't satisfied with 20 times the laws standard, perhaps it's time to discount the viability of that group as honest brokers.

The final letters of SARG "RG" stand for responsible growth. If the words responsible growth were to have meaning some would argue that parameters of some sort should be associated with those words. This is especially important because if a group like SARG that claims to support responsible growth won't recognize a property that checks nearly every consequential parameter for responsible growth, ignores the facts and instead resorts to playing the "save the Great Marsh card" claiming that a land map designation, 2,000' feet away from any wetland somehow will somehow endanger the marsh.

Any fair assessment of other Sussex County lands with a 2,000' buffer from the Great Marsh would demonstrate that assessing this number on Robinson's property can only be seen as both arbitrary and punitive as some associate Robinson's farms with the Overbrook development proposed years ago. Robinsons are farmers. They were never involved in any way with the Overbrook

development or the bad blood between the developer and the County and the subsequent lawsuits.

Like others, I believe responsible growth must meet certain parameters and those parameters should include things like access to major roads via safe intersections, public water and public sewer availability, proximity to police, fire and medical first responders and whether the State of Delaware might be planning to invest in the area adjacent to the property being considered.

So, a quick review of the Robinson's farms would indicate that the highway area of their farms does fit the criteria mentioned above.

As we all know, the State plans a 65 or so million-dollar DelDot highway project which includes a Rt. 1 grade separated interchange with an overpass, realigning Rt.1 to the east, a roundabout, a new ¼ mile interior road and more, much of which is located on Robinson land. Both public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

The Robinson family has owned their farms since December 1842. I know first-hand that the Robinsons have been good neighbors and good stewards of their land. Tom Robinson Jr., who has lived on the farm since 1988, has managed the farms since 2008 just as his father did for more than half century before his death in '08. Like his father, Tom Jr. is particularly mindful of the wetlands portion of the farms and unlike those who talk about conservation the Robinson family has lived it for 179 years. Over many of those years father and son have planting 100s of trees on the farm, maintained a large garden, and have cared for cattle, horses and an assortment family dogs and cats. All the while carefully monitoring their land. During hunting season, the Robinson's are on the lookout for unwanted trespassers who might pose a threat to family or friends, the animals or one another. Robinson's goals are always the same: to protect their farms and maintain the viability and pristine nature of the wetlands portion of their land. It means something to them. It's not some cause in retirement with a big phone list, it's 179-year passion and a way of life.

In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area.

In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. In 2042 Robinson's farms may be recognized again, this time at the 200-year mark.

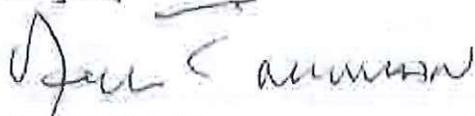
Being recognized for these achievements is noteworthy not because of the recognition but rather the family's sincere sense of pride and purpose without any promise or need of notoriety. The Robinson family has been living with the Great Marsh longer than any of those claiming to know what's best for it have been alive. And yet recently the Robinson family has become a target of sorts for ridicule accused by some for potentially destroying something they have been a steward of for the better part of two centuries.

The Robinson family is committed to the preservation of their land and are a time-tested commodity in that regard. They are seeking reinstatement to the County's development district. The closest wetlands approximately 2,000' feet from the area of the request.

Water and Sewer are available to the property. Robinson's farms are located adjacent to the Sussex County's largest highway, not in a field on a country road and the State is building a nearly \$70,000,000 highway interchange much of which will be on Robinson's land.

Please vote to reinstate Robinson's farms designation in the Coastal Area of Future Land Use Map where it should be.

Thank you,



Jane Timmerman

FILE COPY
SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

I support including Robinson's family farms reinstatement in the Sussex County Coastal Area in the Future Land Use Map.

The Robinson's farms had been included in the County's development district since 2008 but were removed during the final Council meetings after the public record was closed in 2018 without notice to or comment by the Robinson's.

The Farms have access to public water and sewer, are located 1 mile from the Lewes fire house and are a 5-minute drive from the new State Police Barracks and are located ON Rt. 1 where the public is always told growth should be.

The Farms are also the epicenter of the new DelDot rt. 1 interchange with a (raised) overpass, a two-way clover leaf, a traffic circle and even a new ½ mile long frontage road running parallel to the highway which itself is bent east onto Robinson's land.

Please vote to reinstate the Robinson's property into the Coastal Area of the Future Land Use Map because it is the right thing and the appropriate thing to do

Thank you,



Robert Wyatt
21150 Robinsonville RD
Pebbles DE 19958

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
SUPPORT EXHIBIT

County Council:
Michael Vincent, John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

The Robinson family is committed to the preservation of their land and are a time-tested commodity in that regard. They are seeking reinstatement to the County's development district. The closest wetlands approximately 2,000' feet from the area of the request. This request is only to have their land appropriately designated in the Future Land Use Map as it had been since 2007/2008.

I support the Robinson family and their effort to reinstate their farms in the Coastal Area of the Future Land Use Map. The farms are located on Rt. 1 with public utilities available, and new grade separated interchange to be built.

A quick review of Robinson's farms indicate that the highway area of their farms does fit the practical criteria to be included in the Coastal Area. As we all know, the State plans a 65 or so million-dollar DelDot highway project much of which is to be located on their farmland. DelDot plans an overpass, realigning Rt.1 to the east, a roundabout, a new 1/2 mile interior road and more. Public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

Unfortunately, it seems that some people mistake the Robinson's wanting their land reinstated in the Coastal Area as some sort of a request to develop their land. This is not true. The Robinson's are farmers. In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. Robinson's have been at it for 179 years. The Robinson's are also careful stewards of their land. In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area.

While Robinson's have been recognized as good stewards of their land some who do not know them have determined that somehow Robinson's seeking to have their land put back in the development district as a plan of sorts to harm the Great Marsh wetlands. This is simply wrong. Robinson's have been in the business of protecting their land, including the Great Marsh wetlands long before it was fashionable to do so. Without fan fair or press coverage Robinson's had been recognized for those efforts decades before many of the fist pounding groups arrived in Sussex County.

Please vote to reinstate Robinson's farms designation in the Coastal Area of Future Land Use Map where it belongs.

Thank you,

Erin Tunawski
Sue Harbor
Rebecca Beach

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
SUPPORT EXHIBIT

Dear County Council Members

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

I am writing to let you know that I support including the Robinson's family farms in Sussex County's Coastal Area in the Future Land Use Map. This is not a change in zoning or a site plan for development. It is merely a reinstatement of the farm's designation into the developing area as it had been since 2008.

The only change that has occurred since 2008 is that Robinson's property is now subject to the planned DelDot highway project and all that goes with it. That includes addition noise; caused by the slowing and accelerating of cars and trucks exiting the highway and onto the planned overpass via the new traffic circle. In addition, the plans call for a clover leaf, a roundabout and overpass as mentioned and a ½ mile long interior road most of which to be located on Robinson's land. In addition, the overpass is of course raised. So, for the rest of their lives the Robinson's will have to look and listen to it. This kind of noise and visual damage will no doubt devalue their farms and change forever the peaceful existence they have enjoyed for 179 years.

I hope this information helps you with your decision to vote in favor of the Robinsons.

Thank you,

Kathy Wolfenden
152 New Castle
Bethany Beach, DE

19930

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
SUPPORT EXHIBIT

County Council:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

I support the Robinson family who are asking for your vote to reinstate their farms designation in the Future Land Use Map to Coastal Area.

Robinson's farms along Route One fit the practical criteria to be included in the Coastal Area. DelDot has plans for highway project including a Rt. 1 grade separated Interchange including an overpass, realigning Rt. 1 east onto Robinson's land, a roundabout, a new ½ mile interior road 2,000' of which is located on Robinson land.

Public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

Some people have been led to believe Robinson's request is to develop their land. This isn't true. Their request is only to have their farms designation reinstated in the Coastal Area of the Future Land Use Map.

The Robinson's are farmers. In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. Robinson's have been at it for 179 years. The Robinson's are also careful stewards of their land. In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area.

The Robinson family is committed to the preservation of their land and are a time-tested commodity in that regard. They are seeking reinstatement to the County's development district. The closest wetlands approximately 2,000' feet from the area of the request. This request is only to have their land appropriately designated in the Future Land Use Map as it had been since 2007/2008.

Please vote to reinstate Robinson's farms designation in the Coastal Area of Future Land Use Map where it belongs.

Thank you,

Synda Walls
16113 Bellemead Rd
Lewes, DE 19958

John Walls

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SUSSEX COUNTY
PLANNING & ZONING

From: Jill Compello <jillc@udel.edu>
Sent: Monday, December 13, 2021 3:38 PM
To: Robin Griffith <rgriffith@sussexcountyde.gov>
Subject: Letters for County Council

FILE COPY
SUPPORT EXHIBIT

Good afternoon Robin,

Attached, please find 20 letters written to County Council members, from Sussex County residents, in support of the Robinson Family's efforts to respectfully request the Council to reinstate their land designation in the Future Land Use Map (FLUM) to the Coastal Area.

Could you please confirm receipt of this email with 20 letters, and will submit them to the Council?

Thank you,
Jill Compello
123 Chicago St.
Dewey Beach, DE 19971
302-218-8151

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

SUPPORT EXHIBIT

Amy Mault
West Side Drive,
Rehoboth Beach, DE

County Council:
Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

Dear Council,

I'm writing to let you know that I am in support of reinstating the Future Land Use Map (FLUM) designation on the Robinson family's farms to what is now called the Coastal Area. Without cause, notice or a chance to comment, County Council changed the FLUM designation of the Robinson's farms to Low Density. This change and the unjust manner in which it was done (after the public comment was closed) was unfair and should be reversed.

The Rt. 1 frontage area of Robinson's farms and their neighbor's farm to the north, were in a Development Area in the Future Land Use Map in 2007/2008.

10 years later, during the years long map update in 2017 and 2018 the family observed proceedings of Sussex County's Planning & Zoning and County Council. During that time Planning & Zoning and County Council both produced maps which indicated Robinson's farms and Chapel's farm (the neighbor to the north), would continue to be included in the County's development district. (Robinson's farms were never mentioned in either chamber let alone consider for a change in the Future Land Use Map designation during any proceedings before the change was made by County Council after public comment was ended)

The Robinson's farms are located on Delaware's Rt. 1/Coastal Highway, public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. While all these are important, the elephant in the room is the \$69,000,000 DelDot plan for Rt. 1, including re-aligning Rt.1 to the east onto Robinson land, an east west overpass, a clover leaf, a traffic circle and even adding a new 2,600' "Frontage Road" which will run parallel to Rt. 1 with 2000' of that new road on Robinson's land. This plan affects approximately 41 acres of the Robinson and Chapel farms.

Nevertheless, at the meeting after County Council closed the public comment portion of the (FLUM) process, and without notice to the Robinsons or the Chapels, County Council decided to change the designation of their farms to low density.

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PLANNING & ZONING

This is a material change to the Robinson's farms and one that should not have been made without notice to or comment from the family.

What is the point of attending meeting after meeting for months on end only to have public input closed and afterward changes made to your family's land?

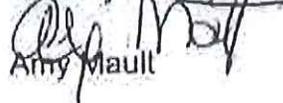
It makes no sense.

This important change in designation was discovered by Robinson's neighbor during the process of selling his property. However, a quick check of the maps on the County website indicated that the properties were still in the growth zone (in fact, as of this writing, those maps are still on the County's website). Nevertheless, after meeting with their attorney Robinsons confirmed that their farms had been removed from the Development Area without their knowledge and without any opportunity to be heard.

Unlike many local jurisdictions we read about, Sussex County (Council) has always been in the business of full disclosure to their constituents, particularly when it comes to one's land. Unfortunately, this time it seems the County's efforts were less than perfect and resulted in an important designation change, not warranted or appropriate for the Robinson's farms.

Please vote to reinstate Robinson's farm into the Coastal Area.

Thank you for your consideration in this important matter,


Amy Maul

FILE COPY
SUPPORT EXHIBIT

President Michael Vincent,
Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I support the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of DelDOT's new overpass project, which is similar to DelDOT's other overpass project, at Rt.16.

I'm confused. Why was Robinson's property removed from the developing area when property adjacent to the Rt. 16 overpass project was included in the growth area, as a result of the highway project, even though it had not been included in the growth area in the past.

The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet removed from the growth area, despite the 65-million-dollar highway project, much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. It's located **RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE, ON THE HIGHWAY AT THE SITE OF DELDOT'S NEW INTERCHANGE!**

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,


Lynne

Lynne Bowman
110 Henlopen Ave.
Rehoboth Beach, DE

302-542-0874

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SUSSEX COUNTY
PLANNING & ZONING

I am writing Sussex County Council to let you know I support the Robinson's having their farms placed back into the appropriate land map designation called Coastal Area.

Their farms should have never been taken out of the development area.

Rt. 1 is currently a four-lane highway that will someday have one of the biggest overpasses Sussex County has ever seen and a bunch of it is on Robinson's land. I went to the Deldot meeting at the fire house couple years ago and looked at the plans. Pretty sure I wouldn't want that monstrosity on my land.

How can anyone say that this isn't a growing area and should not be in the growth zone? Maybe someone should drive over that way and have a look.

No one should ever change anyone's land rights without giving the owner an opportunity to speak about it.

This is common courtesy where I'm from, and it's just plain wrong. Needs to be set right.

Thank you,


Bert Mills

Dagsboro

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SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
SUPPORT EXHIBIT

President Michael Vincent,
Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I'm writing to you to lend my support to the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of Deldot's new overpass project. My understanding is that it is similar to another overpass project at Rt.16.

I must admit I'm somewhat confused on why Robinson's property was removed from the developing area. Property adjacent to the Rt. 16 overpass project was included in the growth area as a result of the highway project, despite the fact that it had not been included in the growth area in the past.

The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet it was removed from the growth area despite the 65-million-dollar highway project much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. And it's located RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE. ON THE HIGHWAY, AND, AT THE SITE OF DELDOT'S NEW INTERCHANGE!

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,

Robert Bishop
30000 Cordrey Rd
Millsboro, DE 19966

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SUSSEX COUNTY
PLANNING & ZONING

Andrew Marino
Georgetown, DE

FILE COPY
SUPPORT EXHIBIT

County Council:
President Michael Vincent
Vice President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

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SUSSEX COUNTY
PLANNING & ZONING

Dear Council,

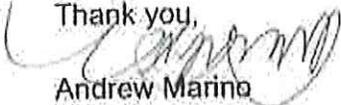
Having sat through many County Council meetings over the years I have become accustomed to County Council's transparency. Any Sussex Countian familiar with P & Z or County Council knows and expects openness and accountability which leads to trust in the powers to be.

I'm writing today to let you know that I support reinstating the Robinson family's farms in the Coastal Area of the Future Land Use Map (FLUM). This was the appropriate designation in 2007/2008 and it remains so today.

Unfortunately, and without cause, notice or a chance to comment, in 2018 the previous County Council members changed the FLUM designation of the Robinson's farms to Low Density. This after County Council (and P&Z) had produced Future Land Use Maps which depicted Robinson's farms *in* the Coastal Area (theses maps are still on the County's website today). Robinsons attended the P&Z and County Council meetings run up to the 2017/2018 map update until the meeting when County Council closed the public comment period. After that a new Future Land Use Map was developed removing Robinson's farms from the developing district. This last-minute change seems unfair and out of character for the County.

I ask that you, lady and councilmen, vote to reinstate Robinson's Farms into the appropriate Future Land Use Map designation now called the Coastal Area.

Thank you,


Andrew Marino

22699 Lewis Georgetown Hwy
Georgetown De 19947

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

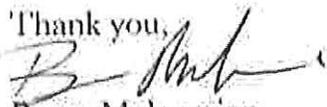
Bruce Maloomian
Milton, DE

Sussex County Council Members: Michael Vincent, John Rieley, Cynthia Green,
Mark Schaeffer, Doug Hudson

My name is Bruce Maloomian and I live in Milton. I used to live in a development off Cave Neck Road. There are only 2 places to get groceries in this area. You either have to drive to Milton Food Lion or drive down past 5 Points to Weis or Acme. I think the Cave Neck and Rt. 1 area needs more useful commercial amenities for the local residents. So, when I heard that some people don't want any growth east of Route 1, I wonder how many of those people would immediately shop at a grocery store or pharmacy if they were to build something accessible from the new overpass. It certainly seems reasonable for Robinson's land to be in the Coastal Area which was recently reaffirmed by P&Z. The traffic situation south of 5 points is a mess at certain times and I believe that if locals, like me, could shop closer for basic needs it would reduce traffic and congestion south of Cave Neck Road.

This is why I am supporting the Reed/Robinson application for reinstatement of their land designation on the Future Land Use Map. How anyone could look at the Deldot plan and think that those particular properties should be removed from the developing area is beyond me. That land, at the intersection of Rt. 1 and Cave Neck, where the State plans a new highway interchange, should be able to be developed to alleviate traffic issues further south as mentioned above.

Please vote in favor of reinstating the Robinson's farms in the Coastal Area.

Thank you,

Bruce Maloomian

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

Susan Brodsky
Patriot Way
Sussex County DE

Dear council members,

I support including the Robinson's family farms in the County's Coastal Area.

The Robinson's farms have been included in the County's development district since 2008. A Robinson family member attended and monitored the P & Z and County Council workshops and hearings during the run up to the 2018 map update right up to the time County Council ended public input. According to him never once were Robinson's farms mentioned during any of the proceedings.

Turns out, at a meeting after County Council closed the public comment that County Council decided to take the Robinson's farms out of the developing district.

This seems odd if you consider DelDot's \$60 or now \$70 million dollar plan for an upgrade to Rt. 1 at the Cave Neck Road intersection. DelDot's plan includes re-aligning portion of Rt. 1 to the east onto Robinson's and their neighbors' farms. An overpass will be built along with clover leaf entrances and exits to and from Rt. 1. Also planned is a roundabout and a new Frontage Road that Robinson and their neighbor to the north are required to build and pay for. This new Frontage Road is for public access to Robinson's next-door neighbors in the Willow Creek development, and the Willow Creek shopping Plaza along Rt. 1, where Hertz car rental, the Beebe Clinic by the Sea, the piano folks and other merchants are located.

Not sure why Council removed the Robinson property from the developing area when we're now told the DelDot plan is pushing \$70 million dollars...this certainly sounds like somebody plans to do a whole lot of developing on Robinson's property.

Robinson's farms had never been mentioned during any of the proceeding and yet after the public portion was closed, their land designation was changed without notice to them. Why would anyone waste precious time sitting through meeting after meeting for months all the while relying on maps made by the County showing their family farms in the Coastal Area only to have their land's FLUM designation changed at the last minute without the landowners given the chance to comment. This certainly is not how business is usually conducted by County Council and I hope you will vote to have the Robinson family farms reinstated in Coastal Area designation where it belongs.

Thank you,

Susan Brodsky

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

President Michael Vincent, Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I am writing in support of the Robinson family. They are asking for you to vote to reinstate their farms former designation in the Future Land Use Map to Coastal Area. The farms had previously been designated to what is now called the Coastal Area since 2007/2008. The last-minute change in 2018 to the Future Land Use Map designation after the close of the public portion of the FLUM process made no sense then and it makes even less sense now.

Robinson's farms are located on Route One, both public water and sewer are available to their property, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms, and lastly the closest Great Marsh wetlands are approximately 2,000' feet from the area of the request.

The Robinson's are farmers. In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. Robinson's have been at it for 179 years; and raising cattle and horses along with an assortment of family dogs and cats. The Robinson's are also careful stewards of their forests and wetlands. In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area.

Should Robinson's be included in the Coastal Area -one only has to look at the \$65,000,000 DelDot highway project? Starting with the highway: it's to be realigned to the east onto Robinson's land, a two-way clover leaf, a roundabout, a new 1/2 mile connector road running parallel to Rt. 1, and the east west overpass are components of the plan. All this reducing value of the farm due to noise and lights particularly from trucks and cars traveling on the overpass. The Robinson's agree the highway project is necessary for public safety, but it is also a forever eye sore that will affect their properties value and their way of life in perpetuity. Nevertheless, this enormous project much of which is to be built on Robinson's land, seemed to have been overlooked in 2018 when Robinson's farms were removed from the Coastal area after a 10-year inclusion in the development area

Please vote to include Robinson's in the Coastal Area.
Thank you,

*Clay & Rebecca Brill
Board: The Bay, Dewey*

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SUSSEX COUNTY
PLANNING & ZONING

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson family farms in the County's Coastal Area.

The Robinson's farms were included in what is now the Coastal Area in the 2008 Future Land Use Map (FLUM). During the 2018 update after P&Z and County Council produced maps indicating the farms were to continue to be included in the developing area, without notice at a subsequent meeting, and after the public comment portion of the process was closed, County Council change the designation of Robinson's farms and the contiguous neighbor's property to Low Density. This important change should not have been made without notice to or comment from the landowners who were present during the many months long meetings concerning the Future Land Use Maps up and until the public portion of the process was closed.

Sussex County Council is well known to be fair and forthcoming, and this letter is in no way meant to disparage the 2018 Council. However, this land map change seemed odd on its face considering the looming DelDot project which is now pushing \$70-million. In addition, at no time during the more than yearlong meetings were the Robinson's farms property so much as mentioned. The Robinson Family wasn't notified of the pending change and never had an opportunity to comment on the last-minute amendment following the closing of the public process.

As mentioned above, the State plans a 70 or so million-dollar DelDot highway project which includes a Rt. 1 grade separated interchange with an overpass, realigning Rt. 1 to the east, a roundabout, a new 1/2 mile interior road and more, much of which is located on Robinson land. Both public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

With these location attributes and the fact that the front portion Robinson's Farms were already in, the now called Coastal Zone, it's difficult to imagine the decision to remove the property could be anything more than an oversight.

I ask that the 2021 County Council rectify this error and vote to reinstate the Robinson's Farms into the Coastal Area which is the appropriate designation of the property in the Future Land Use Map.

Thank you,

Mary Jane Campbell
2602 Seagull Lane
millsboro DE 19966

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SUSSEX COUNTY
PLANNING & ZONING

Sussex County Council Members:

Council President – Michael Vincent Council Vice President – John Rieley

Cynthia Green – Member Mark Schaeffer – Member Doug Hudson – Member

Dear Council Members,

I'm writing to let you know that I am in support of reinstating the designation of the Robinson family's farms to what is now called the Coastal Area.

The Rt. 1 frontage area of Robinson's farms were in a Development Area in the Future Land Use Map in the 2008 Comprehensive Plan. Years later, during the year-long update to the 2008 Comprehensive Plan in 2017/18 the family observed proceedings of Sussex County's Planning and Zoning and County Council. During that time Planning and Zoning and County Council both produced maps indicating that Robinson's farms would continue to be included in the growth area. (Planning and Zoning: Environmentally Sensitive Development Area and County Council: Coastal Area). And at no time were the Robinson farms mentioned during discussions in either chamber.

However, at a meeting a week after County Council closed the public comment portion of the process, and without notice to the landowners, County Council decided to change the designation of Robinson's farms and the contiguous neighbor's property from: Environmentally Sensitive Development Area (P&Z) and Coastal Area (County Council). This change is akin to a change in zoning and one that should not have been made without notice to or comment from the Robinsons. What is the point of attending meeting after meeting only to have public input closed and afterward changes made to your family's land? It makes no sense.

This important change in designation was discovered by a neighbor in the process of selling his property who informed the Robinson's. However, a quick check of the maps on the County website indicated that the properties were still in the growth zone (in fact, as of this writing, those maps are still on the County's website). However, after meeting with their attorney Robinsons confirmed that their farms had been removed from the Development Area without their knowledge.

Unlike many local jurisdictions we read about, Sussex County (Council) has always been in the business of full disclosure to property owners, particularly when it comes to one's land. Unfortunately, this time it seems the County's efforts were less than perfect. Somehow the Robinsons family's farms were overlooked and this wrong needs to be righted.

Thank you,

Douglas S. Cephas
Douglas S. Cephas

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

Sussex County Council Members:

Council President – Michael Vincent Council Vice President – John Rieley

Cynthia Green – Member Mark Schaeffer – Member Doug Hudson – Member

Dear Council Members,

I'm writing to let you know that I am in support of reinstating the designation of the Robinson family's farms to what is now called the Coastal Area.

The Rt. 1 frontage area of Robinson's farms were in a Development Area in the Future Land Use Map in the 2008 Comprehensive Plan. Years later, during the year-long update to the 2008 Comprehensive Plan in 2017/18 the family observed proceedings of Sussex County's Planning and Zoning and County Council. During that time Planning and Zoning and County Council both produced maps indicating that Robinson's farms would continue to be included in the growth area. (Planning and Zoning: Environmentally Sensitive Development Area and County Council: Coastal Area). And at no time were the Robinson farms mentioned during discussions in either chamber.

However, at a meeting a week after County Council closed the public comment portion of the process, and without notice to the landowners, County Council decided to change the designation of Robinson's farms and the contiguous neighbor's property from: Environmentally Sensitive Development Area (P&Z) and Coastal Area (County Council). This change is akin to a change in zoning and one that should not have been made without notice to or comment from the Robinsons. What is the point of attending meeting after meeting only to have public input closed and afterward changes made to your family's land? It makes no sense.

This important change in designation was discovered by a neighbor in the process of selling his property who informed the Robinson's. However, a quick check of the maps on the County website indicated that the properties were still in the growth zone (in fact, as of this writing, those maps are still on the County's website). However, after meeting with their attorney Robinsons confirmed that their farms had been removed from the Development Area without their knowledge.

Unlike many local jurisdictions we read about, Sussex County (Council) has always been in the business of full disclosure to property owners, particularly when it comes to one's land. Unfortunately, this time it seems the County's efforts were less than perfect. Somehow the Robinsons family's farms were overlooked and this wrong needs to be righted.

Thank you,

Douglas S. Cephas
Douglas S. Cephas

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DEC 13 2021

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY
SUPPORT EXHIBIT

Dear County Council Members

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

I am writing to let you know that I support including the Robinson's family farms in Sussex County's Coastal Area in the Future Land Use Map. This is not a change in zoning or a site plan for development. It is merely a reinstatement of the farm's designation into the developing area as it had been since 2008.

The only change that has occurred since 2008 is that Robinson's property is now subject to the planned DelDot highway project and all that goes with it. That includes addition noise; caused by the slowing and accelerating of cars and trucks exiting the highway and onto the planned overpass via the new traffic circle. In addition, the plans call for a clover leaf, a roundabout and overpass as mentioned and a ½ mile long interior road most of which to be located on Robinson's land. In addition, the overpass is of course raised. So, for the rest of their lives the Robinson's will have to look and listen to it. This kind of noise and visual damage will no doubt devalue their farms and change forever the peaceful existence they have enjoyed for 179 years.

I hope this information helps you with your decision to vote in favor of the Robinsons.

Thank you,

Alfredo Chitel
Alfredo Chitel
27073 Nova Lane
Millsboro, DE 19966

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson family farms in the County's Coastal Area.

The Robinson's farms were included in what is now the Coastal Area in the 2008 Future Land Use Map (FLUM). During the 2018 update after P&Z and County Council produced maps indicating the farms were to continue to be included in the developing area, without notice at a subsequent meeting, and after the public comment portion of the process was closed, County Council change the designation of Robinson's farms and the contiguous neighbor's property to Low Density. This important change should not have been made without notice to or comment from the landowners who were present during the many months long meetings concerning the Future Land Use Maps up and until the public portion of the process was closed.

Sussex County Council is well known to be fair and forthcoming, and this letter is in no way meant to disparage the 2018 Council. However, this land map change seemed odd on its face considering the looming DelDot project which is now pushing \$70-million. In addition, at no time during the more than yearlong meetings were the Robinson's farms property so much as mentioned. The Robinson Family wasn't notified of the pending change and never had an opportunity to comment on the last-minute amendment following the closing of the public process.

As mentioned above, the State plans a 70 or so million-dollar DelDot highway project which includes a Rt. 1 grade separated interchange with an overpass, realigning Rt. 1 to the east, a roundabout, a new 1/2 mile interior road and more, much of which is located on Robinson land. Both public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

With these location attributes and the fact that the front portion Robinson's Farms were already in the, now called Coastal Zone, it's difficult to imagine the decision to remove the property could be anything more than an oversight.

I ask that the 2021 County Council rectify this error and vote to reinstate the Robinson's Farms into the Coastal Area which is the appropriate designation of the property in the Future Land Use Map.

Thank you,


SAMANTHA COUVLESKI-MAZUR
32919 CONCH COURT
LEWES, DE 19958

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SUPPORT EXHIBIT

Jill Compello
123 Chicago Street
Dewey Beach, DE 19971

Sussex County Council

President Michael Vincent
Vice President John Rieley
Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson's family farms in the County's Coastal Area.

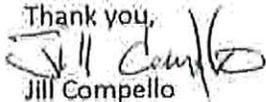
The Robinson's farms have been included in the County's development district since 2008. A Robinson family member attended and monitored the P & Z and County Council workshops and hearings during the run up to the 2018 map update right up to the time County Council ended public input. After that the Farms were removed from the FLUM

Not sure why Council removed the Robinson property from the developing area when we're now told the DelDot plan that started \$12 million dollars is now pushing \$70 million dollars...this certainly sounds like the State of Delaware plans to do a whole lot of developing on Robinson's property!

Robinson's farms are located on Rt.1, the site of a nearly \$70 million dollar interchange mentioned above, they have access to public water and sewer, the fire department is a mile or so away and the State Police Barracks are less than 5 minutes from Robinson's. This is the type of location that makes for good land planning and responsible growth.

For these reasons Robinson's farms should be in the County's Coastal Area where it belongs.

Thank you,


Jill Compello

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SUPPORT EXHIBIT

County Council:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer, Doug Hudson

I support the Robinson family who are asking for your vote to reinstate their farms designation in the Future Land Use Map to Coastal Area.

Robinson's farms along Route One fit the practical criteria to be included in the Coastal Area. DelDot has plans for highway project including a Rt. 1 grade separated interchange including an overpass, realigning Rt. 1 east onto Robinson's land, a roundabout, a new 1/2 mile interior road 2,000' of which is located on Robinson land.

Public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

Some people have been led to believe Robinson's request is to develop their land. This isn't true. Their request is only to have their farms designation reinstated in the Coastal Area of the Future Land Use Map.

The Robinson's are farmers. In the 1980s the family's farms were recognized for being a Delaware Century Farm by the Department of Agriculture. This honor is awarded to those families who have owned and farmed their land for 100 years or more. Robinson's have been at it for 179 years. The Robinson's are also careful stewards of their land. In 1988 without any fan fair Tom Robinson Sr. received an award from the Delaware Nature Society, recognizing his outstanding stewardship of the Great Marsh Natural Area.

The Robinson family is committed to the preservation of their land and are a time-tested commodity in that regard. They are seeking reinstatement to the County's development district for the Rt.1 section of their property. The closest wetlands approximately are 2,000' feet from the area of the request. This request is only to have their land appropriately designated in the Future Land Use Map as it had been since 2007/2008.

Please vote to reinstate Robinson's farms designation in the Coastal Area of Future Land Use Map where it belongs.

Thank you,



Robert Kriner
608 E Polaris Lane
Milton Del 19968

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PLANNING & ZONING

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SUPPORT EXHIBIT

President Michael Vincent,
Vice-President John Rieley
Cynthia Green, Mark Schaeffer, Doug Hudson

I'm writing to you to lend my support to the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of Deldot's new overpass project. My understanding is that it is similar to another overpass project at Rt.16.

I must admit I'm somewhat confused on why Robinson's property was removed from the developing area. Property adjacent to the Rt. 16 overpass project was included in the growth area as a result of the highway project, despite the fact that it had not been included in the growth area in the past.

The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet it was removed from the growth area despite the 65-million-dollar highway project much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. And it's located RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE. ON THE HIGHWAY, AND, AT THE SITE OF DELDOT'S NEW INTERCHANGE!

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,



Lori James
30905 Molly O Re
Lewes DE 19958

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SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

County Council:

Michael Vincent, John Rieley, Cynthia Green, Mark Schaeffer,
Doug Hudson

I'm writing to let you know that I support reinstating the Future Land Use Map (FLUM) designation of the Robinson family's farms to what is now called the Coastal Area. Robinson's farms are located on Route One, both public water and sewer are available to their property, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms.

There are many reasons why their land should be included in the Coastal Area but to sum it up simply: Common Sense. You only have to look at the massive highway project DelDot has planned, much of which is to be located on their farms, to realize that their former 10-year inclusion in the development district is even more appropriate now. The last-minute change in 2018 to the Future Land Use Map designation after the close of the public portion of the process made no sense then and it makes less sense now.

Unfortunately, it seems that some people mistake the Robinson's wanting their land to be reinstated in the development district as some sort of a request to develop their land. This is not the case. This request is only to have their land appropriately designated in the Future Land Use Map as it had been for 10 years beginning in 2008. Obviously, the \$ value of the Farms will be negatively affected -but so will their everyday lives. The \$65,000,000 plan includes an overpass, a two-way clover leaf, a roundabout and a new 2,600' interior road for the convenience of Robinson's next-door neighbors in the Willow Creek subdivision and the Willow Creek Plaza shopping center. The Robinson family has owned their farms since December 1842, and it has changed little since then...but once the DelDot project becomes reality along with its noise and lights the farm will forever more be impacted by its presence.

I pray you will consider the above and treat the Robinson family and their land like you would want to be treated if it were them.

Thank you,



Martin Billette
125 REEF AVE
Dewey Beach, DE

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SUSSEX COUNTY
PLANNING & ZONING

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

I support including Robinson's family farms reinstatement in the Sussex County Coastal Area in the Future Land Use Map.

The Robinson's farms had been included in the County's development district since 2008 but were removed during the final Council meetings after the public record was closed in 2018 without notice to or comment by the Robinson's.

The Farms have access to public water and sewer, are located 1 mile from the Lewes fire house and are a 5-minute drive from the new State Police Barracks and are located ON Rt. 1 where the public is always told growth should be.

The Farms are also the epicenter of the new DelDot rt. 1 interchange with a (raised) overpass, a two-way clover leaf, a traffic circle and even a new ½ mile long frontage road running parallel to the highway which itself is bent east onto Robinson's land.

Please vote to reinstate the Robinson's property into the Coastal Area of the Future Land Use Map because it is the right thing and the appropriate thing to do

Thank you,

Wagner Juarez
36650 Main St
Millsboro, DE 19966

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SUSSEX COUNTY
PLANNING & ZONING

President Michael Vincent,
Vice-President John Riley
Cynthia Green, Mark Schaeffer, Doug Hudson

I'm writing to you to lend my support to the Robinson family. They're asking for your vote to reinstate their farms former designation in the Future Land Use Map (FLUM) to what is now called the Coastal Area.

Robinson's farms are located on Rt. 1 in Lewes contiguous to the site of Deldot's new overpass project. My understanding is that it is similar to another overpass project at Rt.16.

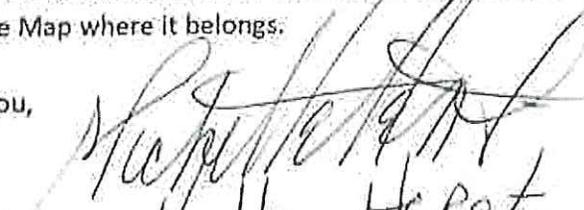
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The Robinson's property on the other hand had been in the growth area for at least 10 years, prior to the 2018 FLUM update, yet it was removed from the growth area despite the 65-million-dollar highway project much of which is ON their property. This can't be right.

Robinson's property has access to public water and sewer, the Lewes Fire Department is little more than a mile away and the new State Police Barracks are about a 4-minute ride from the farms. And it's located RIGHT WHERE EVERYONE SAYS GROWTH SHOULD BE. ON THE HIGHWAY, AND, AT THE SITE OF DELDOT'S NEW INTERCHANGE!

Please vote to reinstate Robinson's farms designation to the Coastal Area designation of Future Land Use Map where it belongs.

Thank you,


Michelle Herot
28330 WYNIFAKO AVE
MILLSBORO DE 19966

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DEC 13 2021

SUSSEX COUNTY
PLANNING & ZONING

Council Members: President Michael Vincent, Vice President John Rieley, Cynthia Green, Mark Schaeffer and Doug Hudson

Dear council members,

I support including the Robinson family farms in the County's Coastal Area.

The Robinson's farms were included in what is now the Coastal Area in the 2008 Future Land Use Map (FLUM). During the 2018 update after P&Z and County Council produced maps indicating the farms were to continue to be included in the developing area, without notice at a subsequent meeting, and after the public comment portion of the process was closed, County Council change the designation of Robinson's farms and the contiguous neighbor's property to Low Density. This important change should not have been made without notice to or comment from the landowners who were present during the many months long meetings concerning the Future Land Use Maps up and until the public portion of the process was closed.

Sussex County Council is well known to be fair and forthcoming, and this letter is in no way meant to disparage the 2018 Council. However, this land map change seemed odd on its face considering the looming DelDot project which is now pushing \$70-million. In addition, at no time during the more than yearlong meetings were the Robinson's farms property so much as mentioned. The Robinson Family wasn't notified of the pending change and never had an opportunity to comment on the last-minute amendment following the closing of the public process.

As mentioned above, the State plans a 70 or so million-dollar DelDot highway project which includes a Rt. 1 grade separated interchange with an overpass, realigning Rt. 1 to the east, a roundabout, a new ½ mile interior road and more, much of which is located on Robinson land. Both public water and sewer are available to the site, the Lewes Fire Department is little more than a mile away and the new State Police Barracks is about a 4-minute ride from the farms.

With these location attributes and the fact that the front portion Robinson's Farms were already in the, now called Coastal Zone, it's difficult to imagine the decision to remove the property could be anything more than an oversight.

I ask that the 2021 County Council rectify this error and vote to reinstate the Robinson's Farms into the Coastal Area which is the appropriate designation of the property in the Future Land Use Map.

Thank you,

Rich Greenfield
17633 Madaket
Lewes, DE 19958

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DEC 13 2021

SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

Dear Miss Green and Councilmen,

I'm writing today in support of Robinson's application for reinstatement of their farms into what's called the Coastal Area on the Future Land Use Map. The front section of Robinson's farms has been in the growth area from at least 2007 or 2008.

It's curious as to why Robinson's farms were targeted to be taken out of the growth area in the first place. This seems odd considering the highway departments plans for a very large Rt. 1 Highway project I heard about on WGMD radio -nearly \$70 million. Rt.1 is going to bend onto Robinson's farms and a new Frontage Road, will also be built on their land so that their neighbors can access the new interchange. It's a big project with an overpass and a roundabout too.

The fact that the last County Council took away the growth zone status of Freddy Chappell and Robinson's farms might be because of the fighting the previous Council did with the out-of-town developer. Years ago, that developer had plans to buy Freddy Chappell land and put up an outlet center -no one liked it. But Robinsons weren't any part of that fiasco.

It's my understanding that Robinsons followed along with the County back when the land use map was being updated, but Council closed the public comment and a week or so after that they decided to take Robinson's land out of the development district. This is unfair. The Robinson's should have had an opportunity to present their concerns to County Council before the change.

Robinson's farms are located on Rt.1, the site of a nearly \$70 million dollar interchange, they have access to public water and sewer, the fire department is a mile or so away and the State Police Barracks are less than 5 minutes from Robinson's. This is exactly the type of location everyone claims is required for responsible growth.

For these reasons and others Robinson's farms should be in the County's Coastal Area where it belongs.

Thank you.

Emilee Kerrigan
Emilee Kerrigan
28530 Wywikano Ave.
Millsboro DE 19966

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DEC 13 2021

SUSSEX COUNTY
PLANNING & ZONING

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 11:54 AM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 11:54am

Name: Alex Baker

Email address: alexr432@yahoo.com

Phone number: 302-228-3001

Subject: Overbrook Project

Message: I thought Del Dot was already planning on building an overpass on the property? I think this would be a great spot for Whole Foods or Trader Joes.

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

FILE COPY

SUPPORT EXHIBIT

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 12:27 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 12:27pm

Name: Mark Williams

Email address: mark@capstone-homes.com

Phone number: 3028535676

Subject: Overbrook Project

Message: I noticed there's an upcoming hearing for the overbrook project. With del-dot already approving a future overpass this is a great location that could bring more businesses to such a growing area.

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NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 12:28 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 12:28pm

Name: Taylor Dockety

Email address: taylor_dockety23@gmail.com Phone number: 302-841-1508

Subject: Overbook Project

Message: I support this project and Del Dot's proposal to build an overpass. As a born and raised Rehoboth Beach native, I would love to see our community and businesses expand and to potentially add a big time name to our small community, like Trader Joe's and/or Target!

RECEIVED

NOV 18 2021

SUSSEX COUNTY
PLANNING & ZONING

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SUPPORT EXHIBIT

Christin Scott

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Thursday, November 18, 2021 12:46 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Thursday, November 18, 2021 - 12:45pm

Name: Jessica Mattioni

Email address: jessdennis73@hotmail.com

Phone number: 3023441548

Subject: Overbrook project

Message: I support this project in many different ways. It will help bring jobs, boost our local economy, and the growth of Sussex County. With more people moving to Sussex we need to make sure that we meet the needs of the Milton and Lewes area. Less driving to down Lewes and Rehoboth.

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PLANNING & ZONING

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