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**Sussex County**

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

## Jamie Whitehouse

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**From:** Sandy Greene <sandygreene@mchsi.com>  
**Sent:** Wednesday, February 9, 2022 2:08 PM  
**To:** Jamie Whitehouse  
**Cc:** Planning and Zoning  
**Subject:** Application CU2305 Barn Hill Preserve  
**Attachments:** 20190706\_174457.jpg; 20190706\_174631.jpg

**FILE COPY**

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Mr. Jamie Whitehouse, Director  
Planning and Zoning Commissioners  
Sussex County Planning & Zoning  
PO Box 417  
Georgetown, DE 19947

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FEB 09 2022

SUSSEX COUNTY  
PLANNING & ZONING

To Whom it may concern:

We are writing to you regarding the application by Barnhill Preserve LLC and Joshua Mueller to operate a zoological park on 7.24 acres on the corner of Peppers Corner Road and Beaver Dam Road. There are several items of concern we feel the Planning and Zoning commission should take into consideration and deny this application. This first being that proper approvals were never sought before construction.

When housing animals in numbers above "household pets" level, DNREC requires a state registered and approved nutrient management plan to address manure to prevent seepage into groundwater and natural waterways. With this application there is no indication that this requirement has been met, instead it appears that their plan is to pile up manure in a shed along the edge of Beaver Dam Canal. Beaver Dam Canal is a viable waterway with several fish, turtle and crayfish species living in the water adjacent to this property. Additionally, Beaver Dam Canal is part of the headwaters for Miller's Creek and Little Assawoman Bay. In addition to the manure shed, the proposed plat indicates storm water management is to be located within the easement required by Sussex County Conservation District to maintain this waterway.

This noncompliant facility already has track record of escaped animals. Attached are photos of a South American rodent species known a Red Rumped Agouti. This picture was taken in my back yard in July 6, 2019. When contacted, Mr. Mueller denied ownership of this exotic rodent. Finally, after several days, Mr. Mueller admitted it was from his facility but made no attempt to retrieve the animal. It subsequently spent several weeks feeding from the kitchen scrap compost pile I maintain on my property and was living in the green briar brush in back of our property.

Mr. Mueller with his noncompliant facility has not been a good neighbor to the people and domestic animals that live around this property. Multiple large fireworks events have been held as well as loud and raucous bonfire events late into the night have disrupted this peaceful neighborhood and traumatized many pets and livestock. At one point we were concerned that Our woods would catch on fire.

This application also doesn't indicate that the exotic animals have even been registered with the State of Delaware as required by Title 3 Agriculture Delaware Administrative Code or if the facility has been Accredited as required by section 7.2 of this code.

We sincerely believe this is not a good use for the property and the application should be denied.



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## Jamie Whitehouse

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**From:** Micki Ruhl <m.ruhl@mchsi.com>  
**Sent:** Wednesday, February 9, 2022 9:25 AM  
**To:** Jamie Whitehouse  
**Subject:** Another comment on Barn Hill Preserve planning and Zoning hearing

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Planning and Zoning Commision:

After further reviewing the site plan of the proposed expansion of Barn Hill Preserve, another question has arisen. What are the specific plans for the Phase 2 section? As that section also touches existing residential property, it seems fair for those property owners and others nearby that the plans should be made public before the zoning changes are approved.

Thank you,

Michele and Wm. Allen Ruhl

35323 Beaver Dam Rd

Frankford DE 19945

302-745-8174

Sent from my iPhone



## Jamie Whitehouse

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**From:** Micki Ruhl <m.ruhl@mchsi.com>  
**Sent:** Tuesday, February 8, 2022 10:28 PM  
**To:** Jamie Whitehouse  
**Subject:** Comments on proposed Barn Hill Preserve conditional use hearing

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Sussex County Planning and Zoning:

We are property owners down the street from Barn Hill Preserve. We feel that there are many questions which are not yet clarified when it comes to establishing a zoological park in our neighborhood. For example, we would like to see Barn Hill's plan on if/how they intend to gain AZA accreditation and what is the timeline would be. This AZA accreditation is important for the health and welfare of the animals within the zoo and for the safety and peace of mind of the surrounding neighborhood. Barn Hill Preserve has rapidly evolved over a period of years and it is not a traditionally familiar business in our area, therefore we want to make sure that this is done in the safest way possible with the most up to date oversight as needed.

Other things that are of concern are the manure shed's proximity to Beaver Dam Tax Ditch. We wonder also if there is a nutrient management plan in place for the animal waste. Properties in this neighborhood are served by private septic systems and a concern would be whether such a system could handle the capacity of a higher volume of visitors. We also would like to know how the safety and care of the animals is officially reviewed. For example, what organization would do such a review, how often would this review occur, and would the public be able to access these review reports.

We would appreciate if the Planning and Zoning Commission would address these concerns before making a decision.

Respectfully,

Michele and W. Allen Ruhl

35323 Beaver Dam Rd.

Frankford, DE 19945

302-745-8174

Sent from my iPhone