

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



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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

PLANNING & ZONING COMMISSION

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



Sussex County

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

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 17th, 2022

Application: CU 2327 Howard L. Ritter & Sons, Inc.

Applicant: Howard L. Ritter & Sons, Inc.
330 Market Street
Lewes, DE 19958

Owner: Howard L. Ritter & Sons, Inc.
330 Market Street
Lewes, DE 19958

Site Location: Located on the southwest side of Plantations Road (Rt. 1D),
approximately 0.18 mile southeast of Robinsonville Road (S.C.R. 277)

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Expansion of the non-conforming borrow pit to include outdoor
processing and recycling (grinding, crushing, storage and sale) of
tree/yard waste and concrete as well as sales and storage of stone,
mulch, soil, and related outdoor products

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Hudson

School District: Cape Henlopen School District

Fire District: Lewes Fire Co.

Sewer: On-site septic

Water: On-site Well

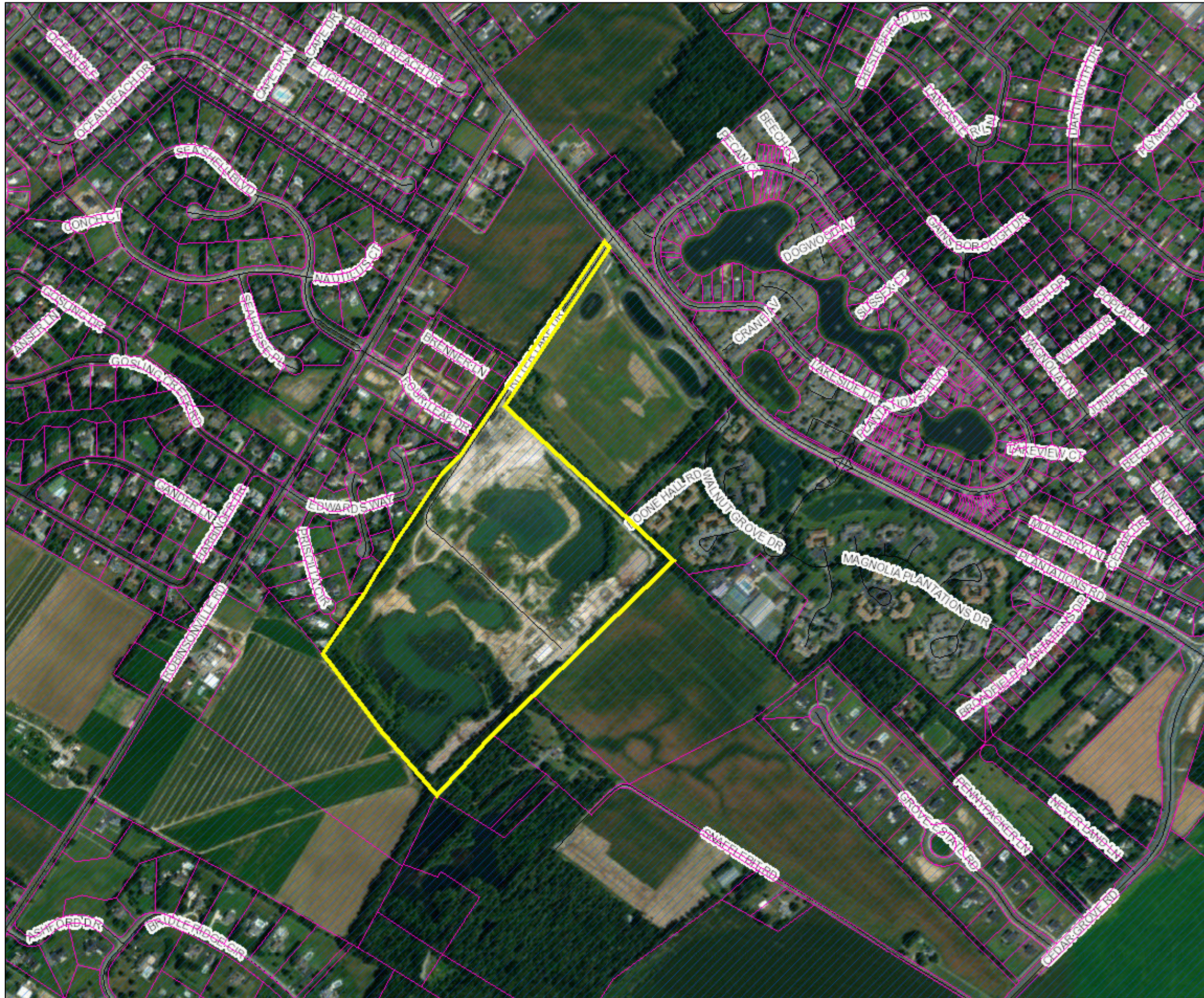
Site Area: 50.90

Tax Map ID.: 334-12.00-7.00





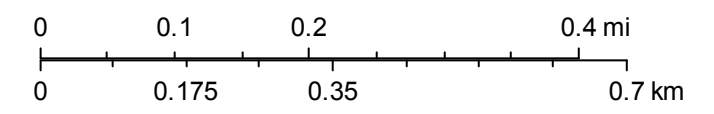
Sussex County



PIN:	334-12.00-7.00
Owner Name	RITTER HOWARD L SONS INC
Book	0
Mailing Address	PO BOX 36
City	LEWES
State	DE
Description	INT PLANTATIONS RD/RITT
Description 2	W/IMP
Description 3	
Land Code	

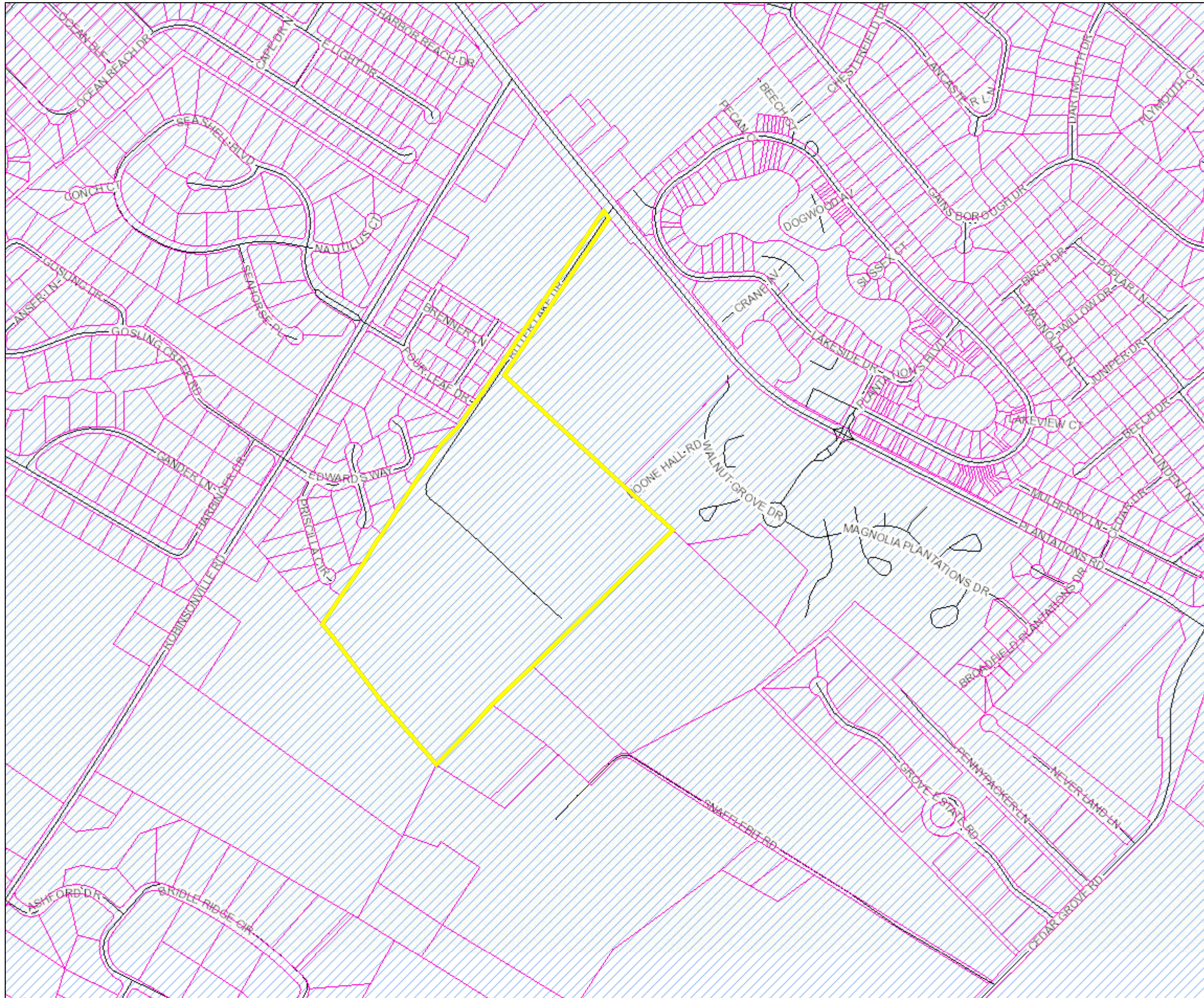
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 - HOA Maintained
 - Pipe - DeIDOT
 - Pipe - Tax Ditch
 - Pipe - Private
 - Pond Feature
 - Special Access ROW
 - Extent of Right-of-Way
 - Municipal Boundaries
 - TID
- polygonLayer**
 - Override 1
 - Override 1
- Tax Ditch Segments**
 - Tax Ditch Channel
 - DeIDOT Maintained
- Other Symbols:**
 - Tax Parcels
 - Streets
 - County Boundaries

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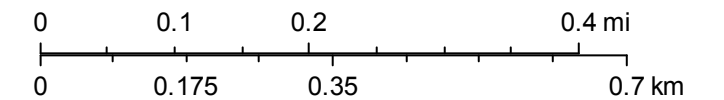
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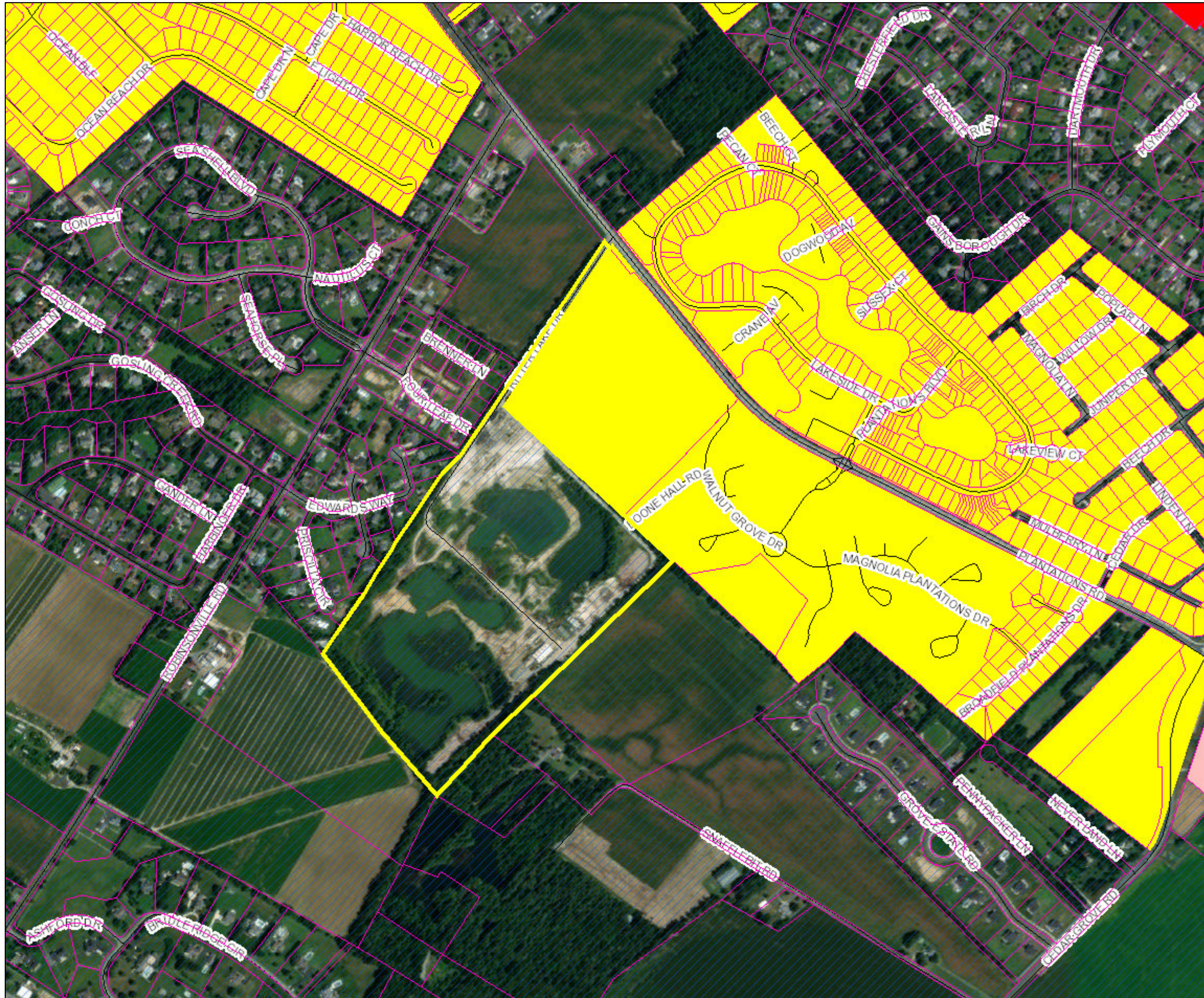
polygonLayer	—	HOA Maintained
Override 1	—	Pipe - DeIDOT
polygonLayer	—	Pipe - Tax Ditch
Override 1	—	Pipe - Private
•••	•••	Pond Feature
—	—	Special Access ROW
•••	•••	Extent of Right-of-Way
Tax Ditch Segments	—	Municipal Boundaries
—	•••	TID
—	—	

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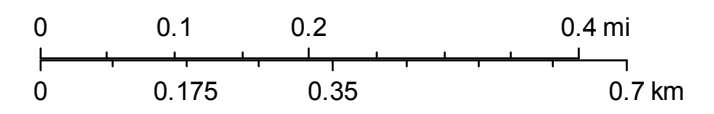
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- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets

1:9,028



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Sussex County

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Memorandum

To: Sussex County Planning Commission Members
From: Mrs. Christin Scott, Planner II
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: November 10th, 2022
RE: Staff Analysis for C/U 2327 Howard L. Ritter & Sons, Inc.

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2327 Howard L. Ritter & Sons, Inc. to be reviewed during the November 17th, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 334-12.00-7.00 to allow the continued sales and storage of stone, mulch, soil, and related outdoor products at the property with the existing, non-conforming borrow pit. The property is lying on the southwest side of Plantations Road (Rt. 1D), approximately 0.18-mile southeast of Robinsonville Road (S.C.R. 277). The property is located at 33508 Ritter Lake Road, Lewes. The property consists of 50.90 acres +/-.

Comprehensive Plan Analysis

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

As outlined in the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas. (Sussex County Comprehensive Plan, 4-15).

Zoning Information

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land



Use Categories,” the Agricultural Residential (AR-1) District is listed as an Applicable Zoning District within the “Coastal Area.” (Sussex County Comprehensive Plan, 4-25).

The adjacent parcels to the south, east and west of the subject property are all zoned Agricultural Residential (AR-1) District. The adjacent parcel to the north of the subject property is zoned Medium Residential (MR) District.

Existing Conditional Uses within the Vicinity of the Subject Site

Since 2011, there have been twenty-nine (29) Conditional Use applications within a 1-mile radius of the application site. A spreadsheet has been provided below.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow the continued sales and storage of stone, mulch, soil, and other related outdoor products at the property with the existing, non-conforming borrow pit, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

Conditional Use Number	APPLICANT	Current Zoning	Proposed Use	P&Z Decision	P&Z Decision Date	CC Decision Date	CC Decision	Ordinance Number
1868	Old Towne Pointe, L.L.C.	AR-1	pharmacy/community service	Recommended Denial	2/25/2011	5/24/2011	Approved	2196
1928	Devin Rice	AR-1	Storage of Equipment and a Home Office	Recommended Approval	5/10/2012	5/15/2012	Approved	2256
1951	Jack Lingo Asset Management	AR-1	RV resort and campground	Recommended Approval	8/22/2013	12/9/2014	Denied	
1967	Tidewater Environmental Services	MR	Wastewater treatment plant to treat offsite waste			10/1/2013	Denied	
2012	Ocean Atlantic Communities (Covered Bridge Trails)	MR	Multi-family - Townhouses and Condo Units	Recommended Approval	4/9/2015	12/15/2015	Approved	2430
2024	Stockley Materials, LLC	AR-1	Commerical landscaping materials, storage and sales	Recommended Approval	8/13/2015	9/15/2015	Approved	2417
2034	Beachfire Brewery Co., LLC	AR-1	Restaurant and Brewery	Recommended Approval	12/10/2015	3/8/2016	Approved	2438
2033	BDRP, LLC	MR	Multi-family Dwelling Structures (Duplexes)	Recommended Denial	12/10/2015	2/12/2016	Withdrawn	
2064	R & K Partners	AR-1	medical offices	Recommended Approval	2/9/2017	3/7/2017	Approved	2484
2073	Delmarva Power & Light Co.	C-1	Expansion to an existing electrical station	Recommended Approval	2/23/2017	3/7/2017	Approved	2486
2067	Stockley Materials, LLC	AR-1	Landscaping material sales and storage	Recommended Approval	2/23/2017	4/11/2017	Approved	2492
2069	Rudolph Joseph Johnson	AR-1	Workout Studio	Recommended Approval	3/23/2017	4/25/2017	Approved	2494
2106	MDI Investment Group, LLC (C/O Doug Compher)	MR	multi-family (52 townhouses)	Recommended Approval	12/14/2017	3/20/2018	Approved	2566
2132	Dorothy Darley	AR-1	Hair Studio	Recommended Approval	6/14/2018	7/31/2018	Approved	2590
2149	Covered Bridge Trails, LLC	MR	Amended Condition of Approval of CU 2012	Recommended Approval	6/28/2018	7/24/2018	Approved	2588
2137	John W. Ford	AR-1	professional offices	Recommended Approval	7/26/2018	7/31/2018	Approved	2592
2179	Joseph & Patricia Prettyman	AR-1/C-1	multi-family, storage facility, lawn mower repair business, public stable and riding lessons	Recommended Approval	7/18/2019	8/13/2019	Approved	2674
2184	Linda Ann Yupco-Connors	GR	office with equipment storage	Recommended Denial	4/25/2019	11/12/2019	Denied	
2188	Donovan's Painting and Drywall, LLC	AR-1	contractor's office with storage	Recommended Approval	10/10/2019	10/29/2019	Approved	2686
2190	Steven & Helene Falcone	AR-1	Office	Recommended Approval	10/10/2019	1/7/2020	Approved	2699
2209	Matthew C. Hete	MR	Multi-Family (14 Units)	Recommended Denial	7/9/2020	7/28/2020	Denied	
2237	Sam Warrington II	AR-1	Outside Boat & RV Storage	Recommended Approval	10/22/2020	12/1/2020	Approved	2756
2252	Delaware Electric Co-Op	MR	Substation	Recommended Approval	5/27/2021	7/13/2021	Approved	2788
2281	Susan Riter	AR-1	Borrow Pit	Withdrawn	6/8/2021	6/8/2021	Withdrawn	
2261	What Is Your Voice, Inc.	AR-1	Use Existing Garage for Office uses and one-story pole building for rental storage facilities (4 units) in connection w/ Applicant's non-profit corporation	Recommended Approval	8/26/2021	9/14/2021	Approved	2800
2262	Matthew Hete	AR-1	Multi-family (4-units)	Recommended Approval	10/13/2021	11/16/2021	Approved	2812
2313	John Ford	AR-1	Realty Office	Recommended Approval	8/25/2022	9/20/2022	Approved	2885
2316	Lighthouse Construction, LLC	AR-1	Office Building	Recommended Approval	9/8/2022	9/27/2022	Approved	2888
2321	Coastal Construction, LLC	AR-1	Kitch/Bathroom Showroom	Recommended Denial	10/27/2022			

File #: CW 2327
202117065

RECEIVED

OCT 24 2022

Planning & Zoning Commission Application
Sussex County, Delaware

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

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use **AMENDED**

Zoning Map Amendment

A conditional use to allow the continued sales and storage of stone, mulch, soil and related outdoor products at the property with the existing, nonconforming borrow pit.

Site Address of Conditional Use/Zoning Map Amendment

33508 Ritter Lake Road, Lewes, DE 19958

Type of Conditional Use Requested:

~~Expansion of an existing, nonconforming borrow pit to include outdoor processing and recycling (grinding, crushing, storage and sale) of tree/yard waste and concrete as well as sales and storage of stone, mulch, soil and related outdoor products.~~

Tax Map #: 334-12.00-7.00 Size of Parcel(s): 50.90 acres

Current Zoning: AR-1 Proposed Zoning: AR-1 Size of Building: Sec Site Plan

Land Use Classification: Coastal Area on the 2045 Future Land Use Map

Water Provider: Private Sewer Provider: Private

Applicant Information

Applicant Name: Howard L. Ritter & Sons, Inc.

Applicant Address: 330 Market Street

City: Lewes State: DE Zip Code: 19958

Phone #: (302) 245-0636 E-mail: susanritter2@hotmail.com

Owner Information

Owner Name: same as applicant

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire | Morris James LLP

Agent/Attorney/Engineer Address: 107 W. Market Street

City: Georgetown State: DE Zip Code: 19947

Phone #: (302) 856-0015 E-mail: dhutt@morrisjames.com



This Deed, made this

27th day of November in the year of
our LORD one thousand nine hundred and seventy-nine.

BETWEEN, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,
of R. D. 2, Box 266, Lewes, Delaware 19958, parties of the first part,

- AND -

HOWARD L. RITTER AND SONS, INC., a corporation of the State of Delaware,
of R. D. 1, Box 50, Lewes, Delaware 19958, party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of
the sum of-----\$150,000.00-----lawful money of the United
States of America, the receipt whereof is hereby acknowledged, hereby grant
and convey unto the said party of the second part,

ALL THAT CERTAIN Lot, piece and
parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex
County, State of Delaware, and lying on the Southwestern right of way line of
County Road #275, being more particularly described as follows, to wit: BE-
GINNING at a concrete monument, said concrete monument being located on
the Southwestern right of way of County Road #275, a corner for these lands
and lands now or formerly of Elsie D. Anglin; thence turning and running South
42° 13' 41" West 1,112.58 feet to a concrete monument; thence turning and running
South 36° 52' 06" East 1305.31 feet to a concrete monument; thence turning and
running by and along a common boundary line with these lands and lands now or
formerly of Alvin F. Reed and the Commissioners of Rehoboth South 54° 00' 26"
West 1907.72 feet to a concrete monument; thence turning and running by and
along a common boundary line with these lands and lands now or formerly of
Blanche M. Joseph North 30° 19' 31" West 994.63 feet to a field stone; thence
turning and running by and along lands now or formerly of Eliza R. Wilson and
lands now or formerly of James L. Edwards North 42° 24' 42" East 2054.68
feet to a pipe; thence continuing North 42° 13' 41" East 889.55 feet to a pipe;
thence turning and running by and along the Southwestern right of way of County
Road #275 South 30° 40' 00" East 52.31 feet, home to the place of beginning,
and said to contain 50.9013 acres of land, be the same more or less, as surveyed
by Miller Lewis, Inc., Registered Surveyors, on November 12th, 1979.

BEING a part of the lands conveyed to Lawrence G. Summer-
lin and Elsie D. Summerlin, his wife, by Deed of William D. Burton and Sallie M.
Burton, his wife, said Deed dated May 12th, 1947, and filed for record in the Office
of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 370,
page 357. The said Lawrence G. Summerlin died intestate on or about April 15th,
1948, at which time the above property became vested in his widow, Elsie D.
Summerlin, by right of survivorship. The said Elsie D. Summerlin remarried
John F. Anglin and is now known as Elsie D. Anglin. And being lands reconveyed to
Elsie Summerlin Anglin by deed of St. of Del., dated 12/1/85 in Deed Bk. 769
Pg. 21.

IT IS EXPRESSLY agreed and understood by and between
the parties hereto that the property above-conveyed cannot be used at any time for
a landfill, dump, or related use.

LAW OFFICES OF
Maull & Maull, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19947

RECEIVED

NOV 22 2021

SUSSEX COUNTY
PLANNING & ZONING

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED, and Witnessed in the presence of

[Handwritten signatures of witnesses]

X Elsie D. Anglin, (Seal)
John F. Anglin, (Seal)

State of Delaware
STATE TAX DEPT. SUSSEX
NOV 28 '79 REALTY TRANSFER TAX 300.00

State of Dela (Seal)
STATE TAX DEPT. SUSSEX
NOV 28 '79 REALTY TRANSFER TAX 300.00

STATE OF DELAWARE,
SUSSEX County, ss.

BE IT REMEMBERED, that on this 27th day of November in the year of our Lord one thousand nine hundred and seventy-nine, personally came before me, a Notary Public in and for the State and County aforesaid, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,

Parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid

PURCHASERS REPORT MADE
DAY OF Nov 1979
ASSESSMENT DIVISION OF SUSSEX COUNTY

Carroll Williamson
Notary Public



RECEIVED
MARY ANN MCCADE
Nov 28 11 36 AM '79
RECORDER OF DEEDS
SUSSEX COUNTY

LAW OFFICES OF
Maull & Maull, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19847

McC. Christie
12/18/79



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

NICOLE MAJESKI
SECRETARY

May 4, 2021

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

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Susan Ritter** proposed land use application, which we received on April 21, 2021. This application is for an approximately 50.9- acre parcel (Tax Parcels: 334-12.00-7.00). The subject land is located on Ritter Lake Drive south of Plantation Road (Sussex Road 275). The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval for the expansion of an existing non-conforming borrow pit to include outdoor processing (including crushing) of aggregates, Portland cement, storage and sale of stone, mulch and soil.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Plantation Road (Sussex Road 275) from Cedar Grove Road to Beaver Dam Road (Sussex Road 18A), is 10,907 vehicles per day.

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

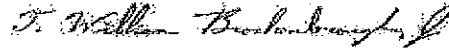
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



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

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

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

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

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **10/25/2022**

APPLICATION: **CU 2327 Howard L. Ritter & Sons, Inc.**

APPLICANT: **Howard L. Ritter & Sons, Inc.**

FILE NO: **NPCA-5.03**

TAX MAP &
PARCEL(S): **334-12.00-7.00**

LOCATION: **Located on the southwest side of Plantations Road (Rt. 1D), approximately 0.18 mile southeast of Robinsonville Road (SCR 277).**

NO. OF UNITS: **Expansion of the non-conforming borrow pit to include outdoor processing and recycling (grinding, crushing, storage and sale) of tree/yard waste and concrete as well as sales and storage of stone, mulch, soil and related outdoor products.**

GROSS
ACREAGE: **50.90**

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

SEWER:

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

If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Christine Fletcher** at **302-855-7719** for additional information on charges.

(6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**

Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.

(7). Is project adjacent to the Unified Sewer District? **Yes**

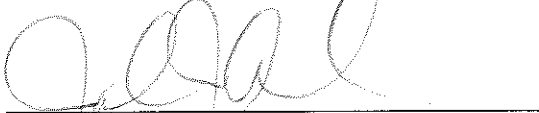
(8). Comments: **Click or tap here to enter text.**

(9). Is a Sewer System Concept Evaluation required? **Choose an item.**

(10). Is a Use of Existing Infrastructure Agreement Required? **Choose an item.**

(11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



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

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Christine Fletcher

Policy for Extending District Boundaries

1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

Application Fees	
Less than 2 acres	\$500.00
2.1 -9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.

HOWARD L RITTER & SONS LLC

CASE NO. CU 2327

OWNER:

HOWARD L. RITTER & SONS, LLC
P.O. BOX 36
LEWES, DE 19958

LEGAL:

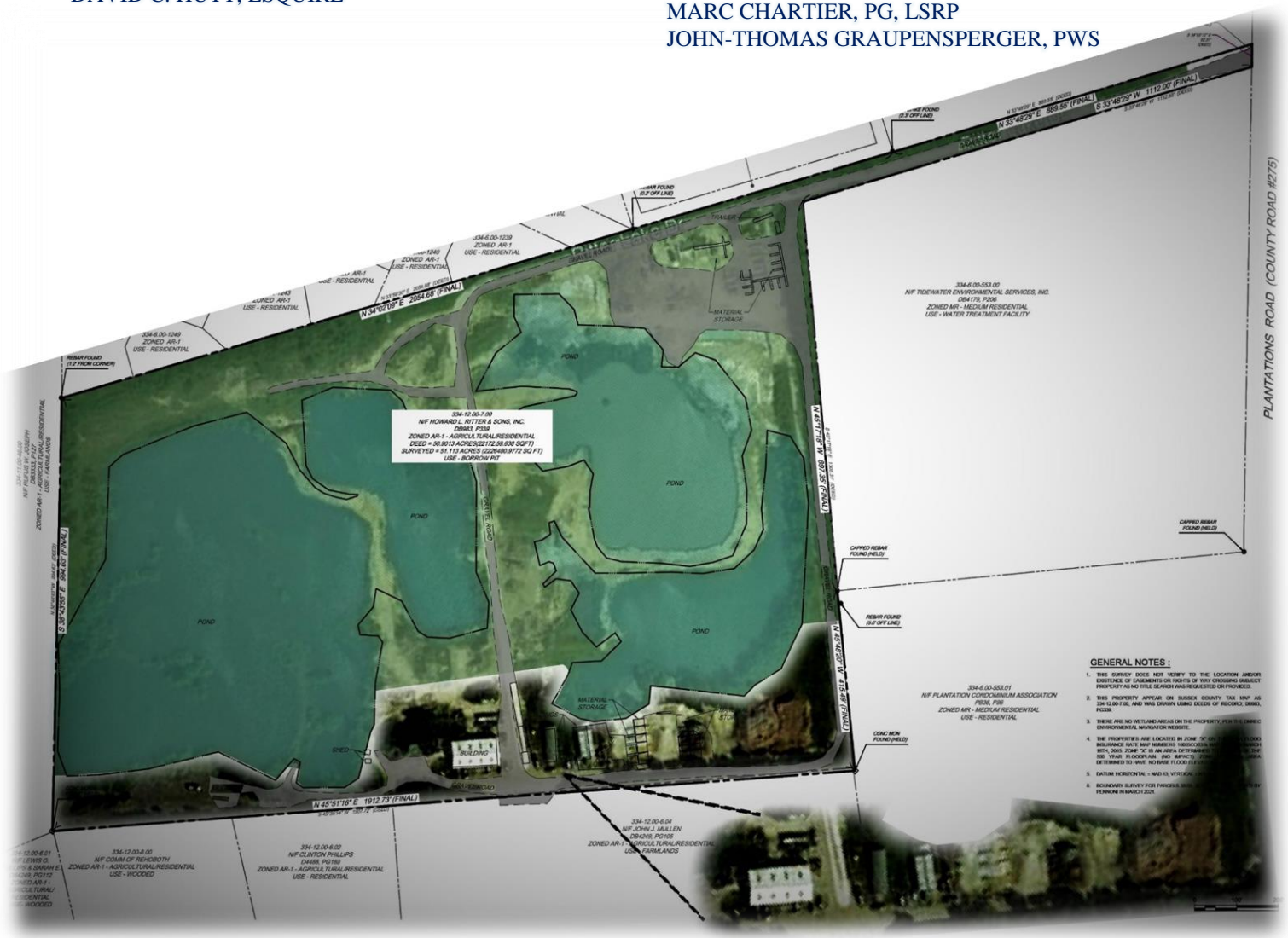
MORRIS JAMES LLP
107 W. MARKET STREET
GEORGETOWN, DE 19947
DAVID C. HUTT, ESQUIRE

PLANNER/ENGINEER/SURVEYOR:

PENNONI
18072 DAVIDSON DRIVE
MILTON, DE 19968
MARK H. DAVIDSON, PRINCIPAL LAND PLANNER
ALAN DECKTOR, PE., ENV SP
ERIC WAHL, RLA
JOHN W. HAUPT, PLS

ENVIRONMENTAL:

PENNONI
MARC CHARTIER, PG, LSRP
JOHN-THOMAS GRAUPENSPERGER, PWS



- GENERAL NOTES:**
1. THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY AND NO FIELD SEARCH WAS REQUESTED BY PROCEED.
 2. THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP AS 334-00-033-01 AND WAS GRANTED SOME EASES OF RECORD 03/04/2008.
 3. THERE ARE NO WETLAND AREAS ON THE PROPERTY PER THE LATEST ENVIRONMENTAL INFORMATION REPORT.
 4. THE PROPERTY IS ARE LOCATED IN ZONE 70-02 (2010) WHICH IS A RURAL RESIDENTIAL ZONE. THE ZONE 70-02 IS AN AREA DETERMINED TO BE A USE ZONE. FLOODING, EOP, MPTC, AND OTHER INFORMATION IS DETERMINED TO HAVE NO HAZAR (1:000) EFFECT.
5. ZONING REGULATIONS - MATERIALS WERE REVIEWED AND FOUND TO BE IN COMPLIANCE WITH THE ZONING REGULATIONS IN EFFECT IN MARCH 2011.

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Mark H. Davidson / Vice President

Principal Land Planner/Office Director

EDUCATION

University of Delaware; Civil Engineering, (1986-1990)

Land Surveying, Delaware Technical & Community College (1984-1986) and Wastewater Microbiology Diploma (1997)

Land Planning, Institute for Public Administration (2006)

CERTIFICATIONS

DNREC Class A Percolation Tester & Class B Septic Designer, (DE #2418)

Sediment & Stormwater Management, Responsible Personnel, DE (#8760) and MD (#4914)

DNREC Certified Construction Reviewer: DE (#1270)

Delaware Notary

TRAININGS

Hydrology, Delaware TR-20 (1993)

Reducing Flood Hazard in Coastal Development (1996)

Law for Managers/Supervisors (1999)

State and Federal Laws (2000)

Advanced Real Estate Law in Delaware (2002)

Land Conservation and Historic Preservation (2003)

Land Surveying Business Diploma (1998)

Project Manager Training I, Pennoni (2015)

PROFESSIONAL AFFILIATIONS

National Onsite Wastewater Recycling Association

Delaware Onsite Wastewater Recycling Association

American Planning Association

American Institute of Certified Planners

HONORS/AWARDS

Association of Professionals Philanthropy, Brandywine Chapter Fundraising Nominee (2014)

Notable Networker Award, BNI (2013)

EXPERIENCE SUMMARY

Mark H. Davidson serves as Vice President of Pennoni and Office Director for our Southern Delaware, Milton Office. Mark also serves as the Principal Land Planner for Pennoni. He has over 35-years of past experience in Surveying, Engineering, Consulting, Construction and Land Planning. For 12-years he owned a professional engineering, surveying, land planning, environmental and consulting firm that provided professional consulting and design in land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware and Maryland. Mr. Davidson's project experience includes land development planning, surveying, engineering, environmental design and permitting; construction and project consulting, management and inspection; water resource consulting, management and inspection and municipal consulting, planning and inspection for residential, industrial, institutional, municipal and commercial applications.

Mark is a past director of the Delaware Onsite Wastewater Recycling Association as well as a member of the American Planning Association, American Institute of Certified Planners and has served in the past as a committee member of Delaware Low Impact Development Roundtable Committee, Delaware Pollution Control Strategy Committee, Delaware Sediment & Stormwater Regulatory Advisory Committee, and the Delaware Technical & Community College A/E Curriculum Committee. Past Board Member for the On Site Septic Advisory Board for the State of Delaware. He was also nominated for the Brandywine Chapter Association of Fundraising Professionals Philanthropy Award and has won the BNI Notable Networker Award.

Along with all the experience and education stated and with many years of combined experience in Surveying, Engineering, Consulting and Land Planning, he has been responsible for providing consulting, layout and design in surveying, engineering and land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware, Maryland, Virginia and West Virginia. He has project managed, studied, planned, surveyed, designed and engineered sustainable, master-planned communities, commercial and urban redevelopment projects, and the public infrastructure that supports them.

Mark has provided nationwide land planning consulting services to a variety of clientele to help coordinate project startups as well as final construction consulting services when it came to commercial, residential, industrial, municipal, educational and community land planning. Provided additional consulting in civil/site engineering, stormwater management, erosion and sediment control, wastewater collection and disposal, transportation, and environmental. Market areas practiced; Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, North Dakota, Puerto Rico, Canada and Panama.

Additional Project experience includes cutting edge design and technology as well as value engineering and construction to help clients through the ever-changing market including but not limited to solar voltaic and wind generation projects.



TAB 1

APPLICATION

File #: _____

Planning & Zoning Commission Application

Sussex County, Delaware

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

Type of Application: (please check applicable)

Conditional Use **AMENDED**

Zoning Map Amendment

A conditional use to allow the continued sales and storage of stone, mulch, soil and related outdoor products at the property with the existing, nonconforming borrow pit.

Site Address of Conditional Use/Zoning Map Amendment

33508 Ritter Lake Road, Lewes, DE 19958

Type of Conditional Use Requested:

~~Expansion of an existing, nonconforming borrow pit to include outdoor processing and recycling (grinding, crushing, storage and sale) of tree/yard waste and concrete as well as sales and storage of stone, mulch, soil and related outdoor products.~~

Tax Map #: 334-12.00-7.00 Size of Parcel(s): 50.90 acres

Current Zoning: AR-1 Proposed Zoning: AR-1 Size of Building: See Site Plan

Land Use Classification: Coastal Area on the 2045 Future Land Use Map

Water Provider: Private Sewer Provider: Private

Applicant Information

Applicant Name: Howard L. Ritter & Sons, Inc.

Applicant Address: 330 Market Street

City: Lewes State: DE Zip Code: 19958

Phone #: (302) 245-0636 E-mail: susanritter2@hotmail.com

Owner Information

Owner Name: same as applicant

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: David C. Hutt, Esquire | Morris James LLP

Agent/Attorney/Engineer Address: 107 W. Market Street

City: Georgetown State: DE Zip Code: 19947

Phone #: (302) 856-0015 E-mail: dhutt@morrisjames.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ✓ **Completed Application**
- ✓ **Provide eight (8) copies of the Site Plan or Survey of the property**
 - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - Provide a PDF of Plans (may be e-mailed to a staff member)
 - Deed or Legal description
- ✓ **Provide Fee \$500.00**
- ___ **Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- ___ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- ✓ **DeIDOT Service Level Evaluation Request Response**
- ___ **PLUS Response Letter** (if required)

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

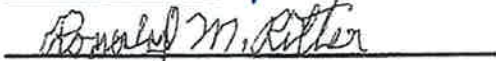
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 11/22/2021

Signature of Owner



Date: 10-6-21

For office use only:

Date Submitted: _____ Fee: \$500.00 Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____

3202

BOOK 983 PAGE 339

This Deed, made this

27th day of November in the year of
our LORD one thousand nine hundred and seventy-nine.

BETWEEN, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,
of R. D. 2, Box 266, Lewes, Delaware 19958, parties of the first part,

- AND -

HOWARD L. RITTER AND SONS, INC., a corporation of the State of Delaware,
of R. D. 1, Box 50, Lewes, Delaware 19958, party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of
the sum of-----\$150,000.00-----lawful money of the United
States of America, the receipt whereof is hereby acknowledged, hereby grant
and convey unto the said party of the second part,

ALL THAT CERTAIN Lot, piece and
parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex
County, State of Delaware, and lying on the Southwestern right of way line of
County Road #275, being more particularly described as follows, to wit: BE-
GINNING at a concrete monument, said concrete monument being located on
the Southwestern right of way of County Road #275, a corner for these lands
and lands now or formerly of Elsie D. Anglin; thence turning and running South
42° 13' 41" West 1,112.58 feet to a concrete monument; thence turning and running
South 36° 52' 06" East 1305.31 feet to a concrete monument; thence turning and
running by and along a common boundary line with these lands and lands now or
formerly of Alvin F. Reed and the Commissioners of Rehoboth South 54° 00' 26"
West 1907.72 feet to a concrete monument; thence turning and running by and
along a common boundary line with these lands and lands now or formerly of
Blanche M. Joseph North 30° 19' 31" West 994.63 feet to a field stone; thence
turning and running by and along lands now or formerly of Eliza R. Wilson and
lands now or formerly of James L. Edwards North 42° 24' 42" East 2054.68
feet to a pipe; thence continuing North 42° 13' 41" East 889.55 feet to a pipe;
thence turning and running by and along the Southwestern right of way of County
Road #275 South 30° 40' 00" East 52.31 feet, home to the place of beginning,
and said to contain 50.9013 acres of land, be the same more or less, as surveyed
by Miller Lewis, Inc., Registered Surveyors, on November 12th, 1979.

BEING a part of the lands conveyed to Lawrence G. Summer-
lin and Elsie D. Summerlin, his wife, by Deed of William D. Burton and Sallie M.
Burton, his wife, said Deed dated May 12th, 1947, and filed for record in the Office
of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 370,
page 357. The said Lawrence G. Summerlin died Intestate on or about April 15th,
1948, at which time the above property became vested in his widow, Elsie D.
Summerlin, by right of survivorship. The said Elsie D. Summerlin remarried
John F. Anglin and is now known as Elsie D. Anglin. And being lands reconveyed to
Elsie Summerlin Anglin by deed of St. of Del., dated 12/1/85 in Deed Bk. 769
Pg. 21.

IT IS EXPRESSLY agreed and understood by and between
the parties hereto that the property above-conveyed cannot be used at any time for
a landfill, dump, or related use.

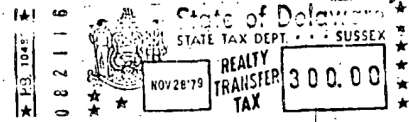
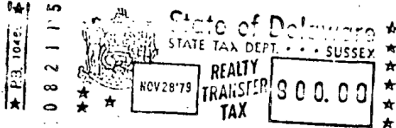
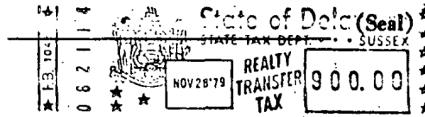
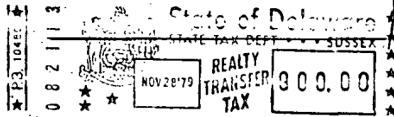
LAW OFFICES OF
Maull & Maull, P.A.
EAST MARKET STREET
GEORGETOWN, DELAWARE 19947

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED, and Witnessed in the presence of

[Handwritten signatures of witnesses]

X Elsie D. Anglin, (Seal)
John F. Anglin, (Seal)



STATE OF DELAWARE, SUSSEX

County, ss.

BE IT REMEMBERED, that on this 27th day of November in the year of our Lord one thousand nine hundred and seventy-nine, personally came before me, a Notary Public in and for the State and County aforesaid, ELSIE D. ANGLIN and JOHN F. ANGLIN, her husband,

Parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

GIVEN under my hand and Seal of Office, the day and year aforesaid

PURCHASERS REPORT MADE 29th DAY OF Nov. 1979 ASSESSMENT DIVISION OF SUSSEX COUNTY

Carol S. Williamson Notary Public



RECEIVED MARY ANN MCCABE

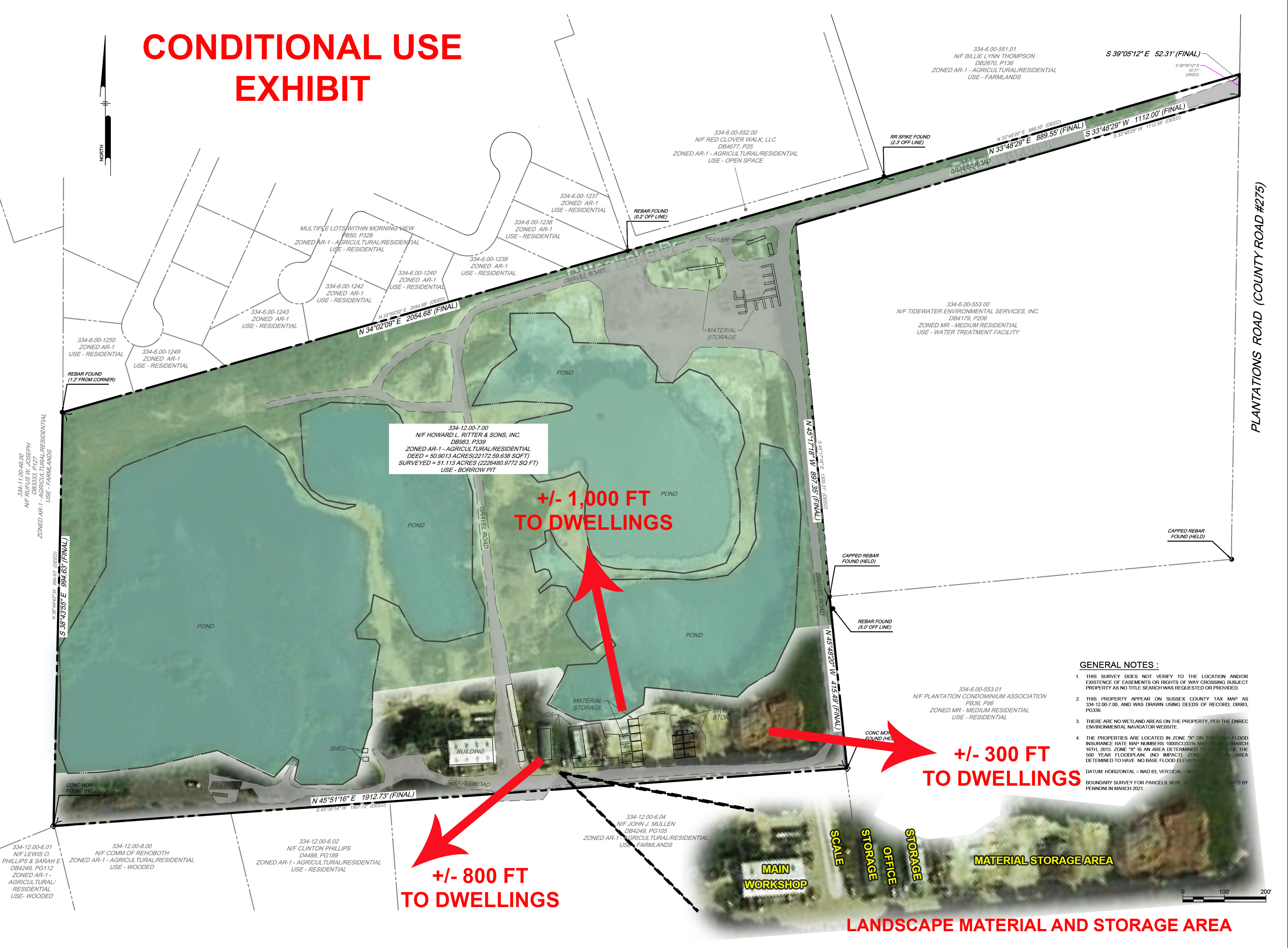
NOV 28 11 36 AM '79

RECORDER OF DEEDS SUSSEX COUNTY

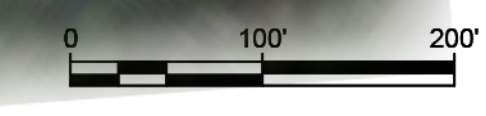
LAW OFFICES OF Maull & Maull, P.A. EAST MARKET STREET GEORGETOWN, DELAWARE 19047

Handwritten notes: M. Chantle 12/19/79

CONDITIONAL USE EXHIBIT



- #### GENERAL NOTES:
1. THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
 2. THIS PROPERTY APPEAR ON SUSSEX COUNTY TAX MAP AS 334-12.00-7.00, AND WAS DRAWN USING DEEDS OF RECORD, DB983, PG339.
 3. THERE ARE NO WETLAND AREAS ON THE PROPERTY, PER THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
 4. THE PROPERTIES ARE LOCATED IN ZONE "X" ON THE FEMA FLOOD INSURANCE RATE MAP NUMBERS 10050C0331K MAP DATED MARCH 16TH, 2015. ZONE "X" IS AN AREA DETERMINED TO BE INSIDE THE 500 YEAR FLOODPLAIN. (NO IMPACT). ZONE "X" IS AN AREA DETERMINED TO HAVE NO BASE FLOOD ELEVATION. DATE OF SURVEY: MARCH 2021.



PLANTATIONS ROAD (COUNTY ROAD #275)

PENNONI ASSOCIATES INC.
 18072 Davidson Drive
 Milton, DE 19968
 T 302.684.9030 F 302.684.8054

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

LANDS N/F OF HOWARD L. RITTER & SONS, LLC
 33508 RITTER LAKE ROAD
 LEWES AND REHOBOTH HUNDREDS, LEWES, DELAWARE 19658
BOUNDARY AND LOCATION PLAN
 TM# 334-12.00-7.00

T.A. CHANCE, LTD
 18915 ISLAND FARM ROAD
 MILTON, DE 19968

NO.	REVISIONS	DATE	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

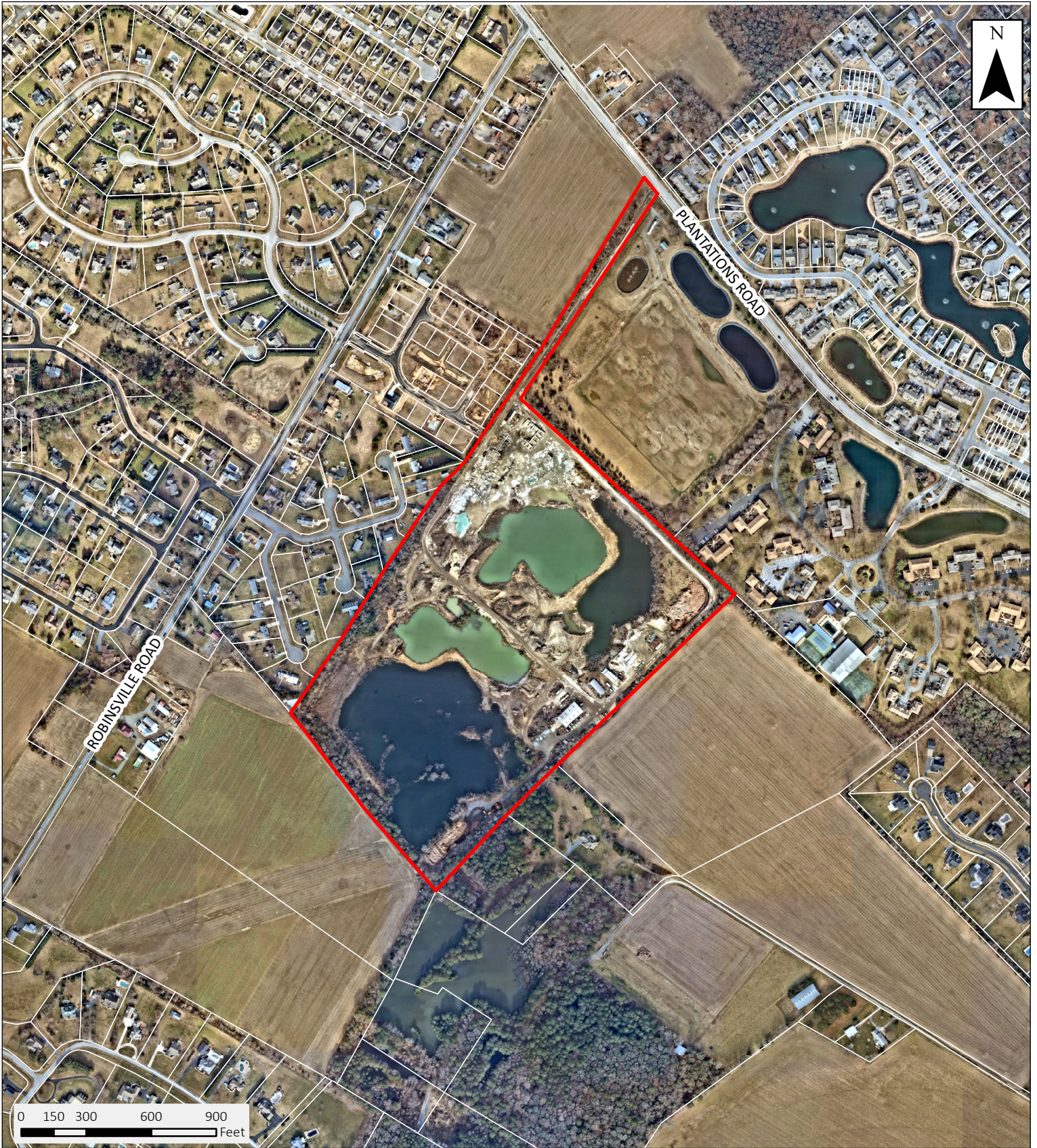
PROJECT	TACHN21001
DATE	2021-04-07
DRAWING SCALE	1"=100'
DRAWN BY	KBE
APPROVED BY	AMD


V0001

SHEET 1 OF 1


TAB 2

MAPS




1	2021 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




2	2017 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px; background-color: #cccccc;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



Digital Aerial Solutions, LLC


3	2012 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px; background-color: #cccccc;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




4	2007 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px; background-color: #cccccc;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



EarthData International of Maryland


5	2002 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



6	1997 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px; background-color: #cccccc;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




EarthData/PhotoScience Inc.

7	1992 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		


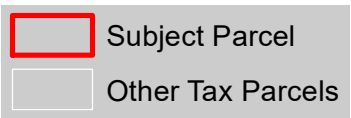


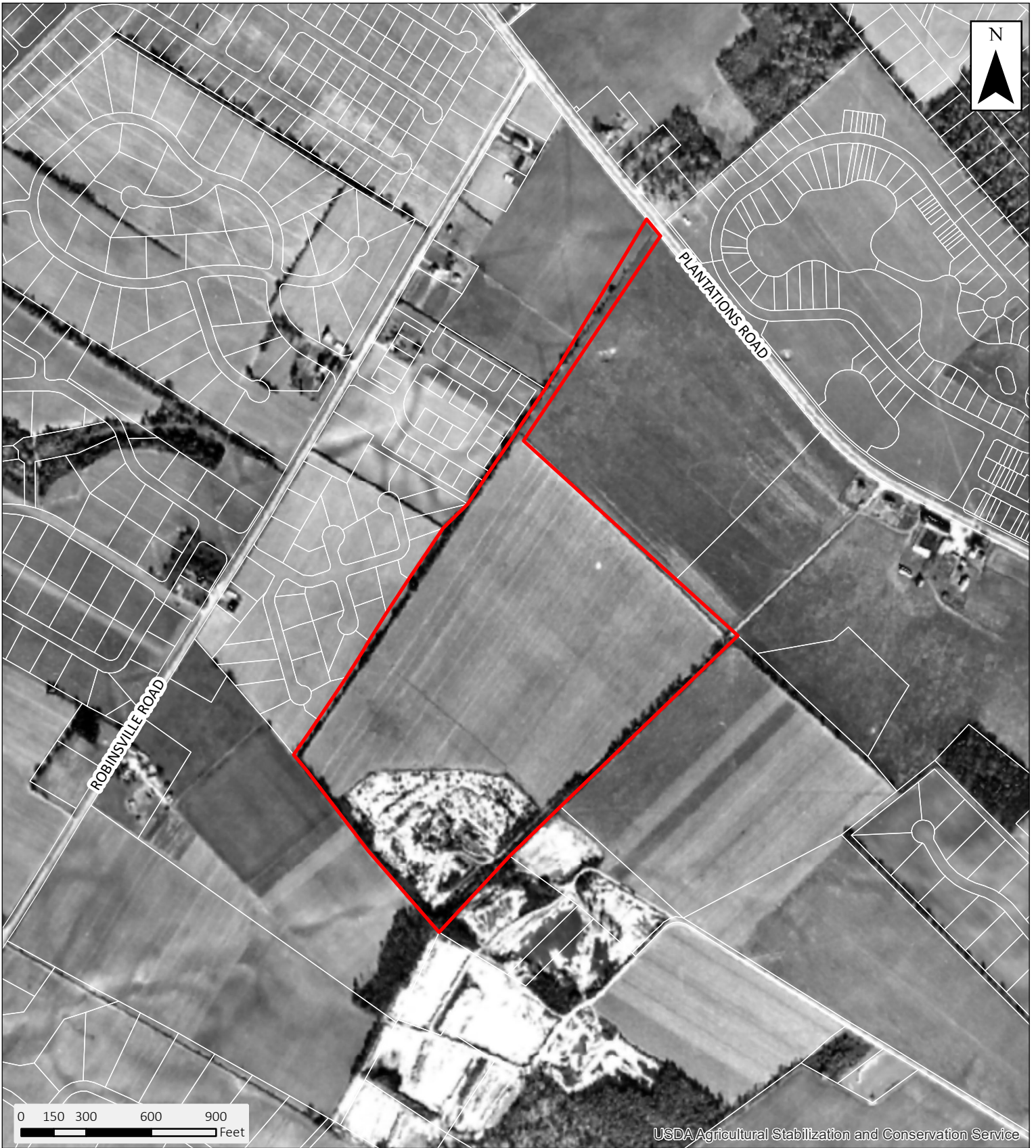
8	1989 Orthophoto		
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




9	1977 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px; background-color: #cccccc;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




10	1968 Orthophoto		
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




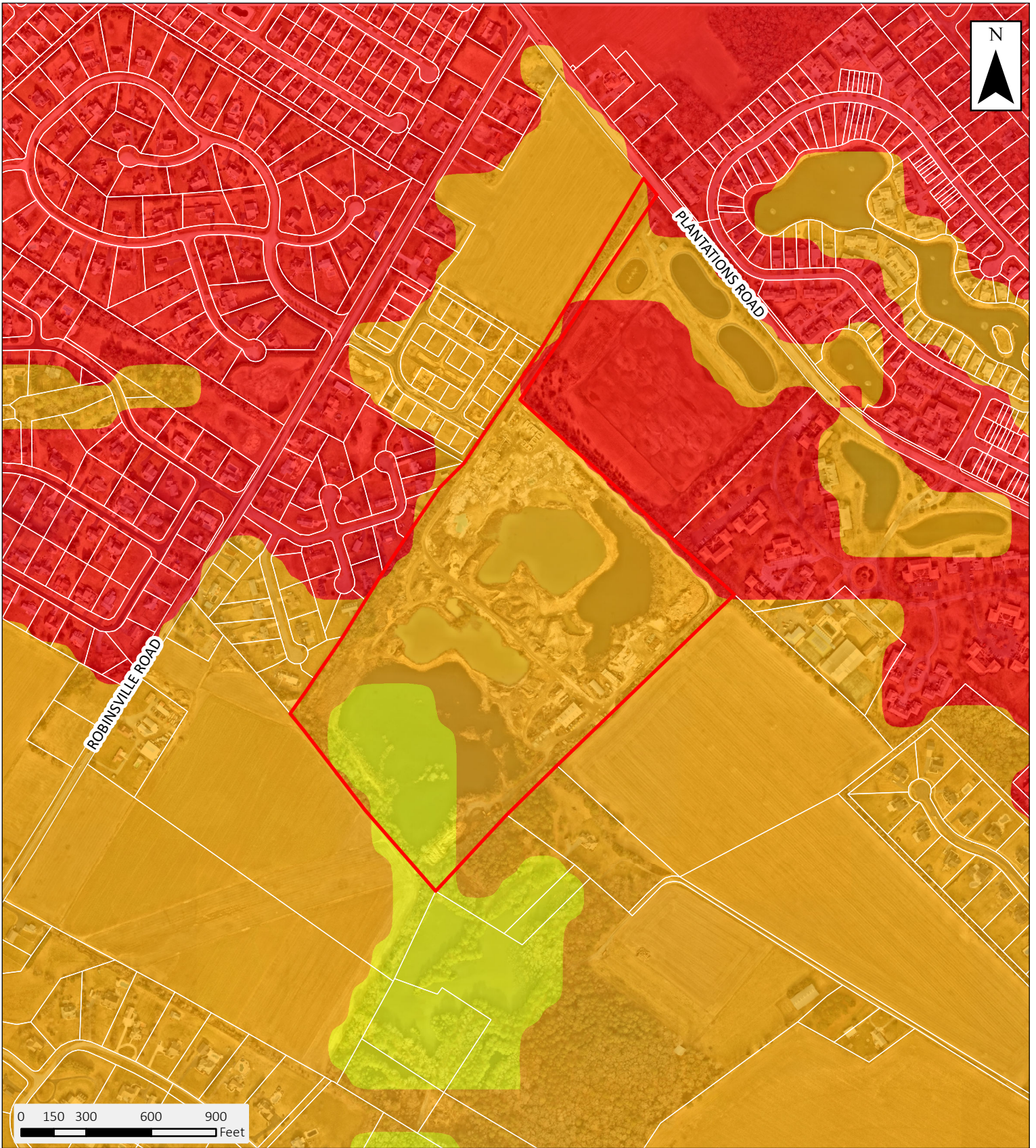
11	1961 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="background-color: #cccccc; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		


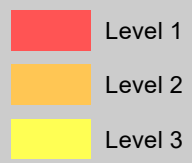


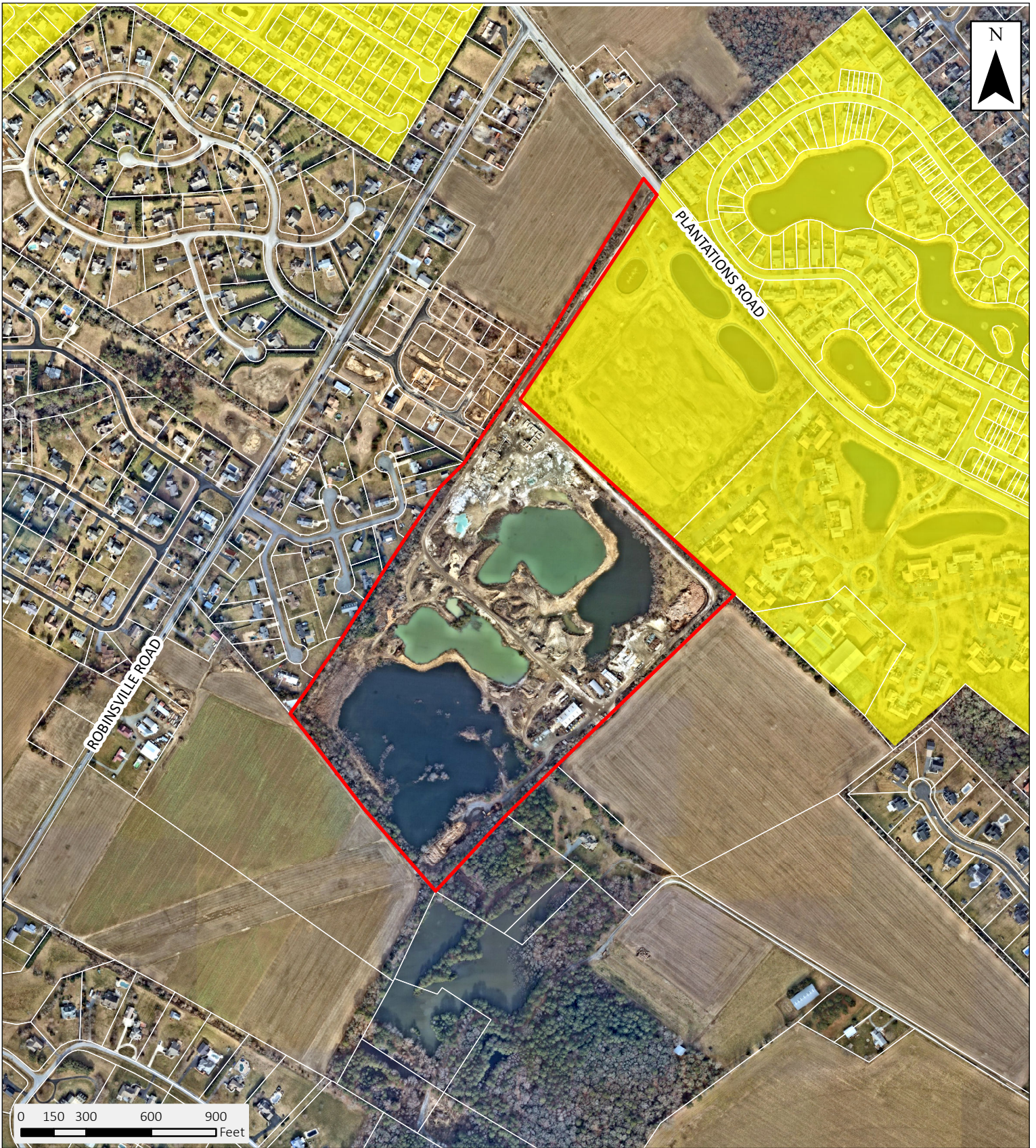
12	1954 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="background-color: #cccccc; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Other Tax Parcels
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	HRTR22001		




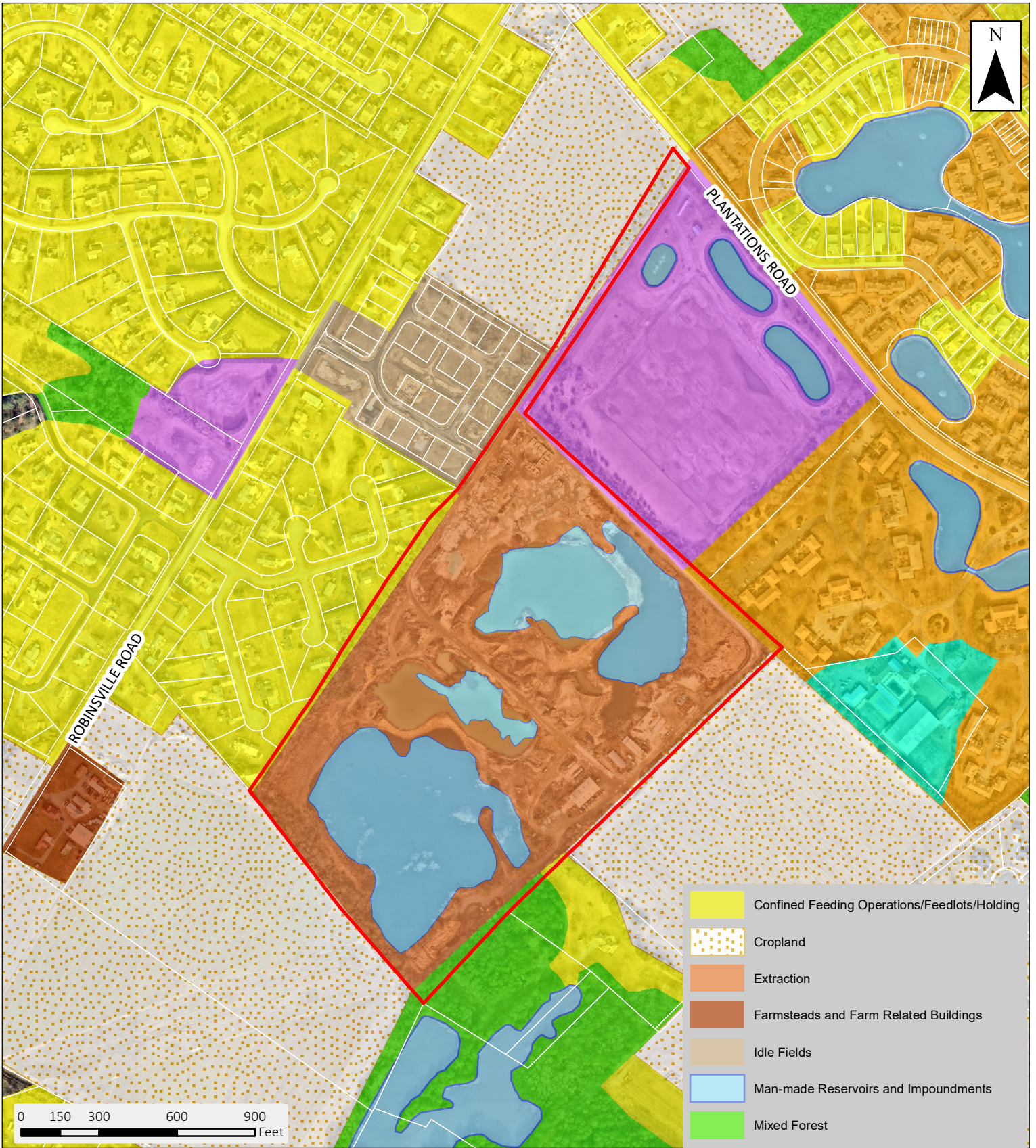
13	1937 Orthophoto		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px; background-color: #cccccc;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



14	2020 State Strategies & Investment Levels		
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



15	County Zoning Map		<div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> AR-1 (Unshaded) <div style="background-color: yellow; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> MR
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		

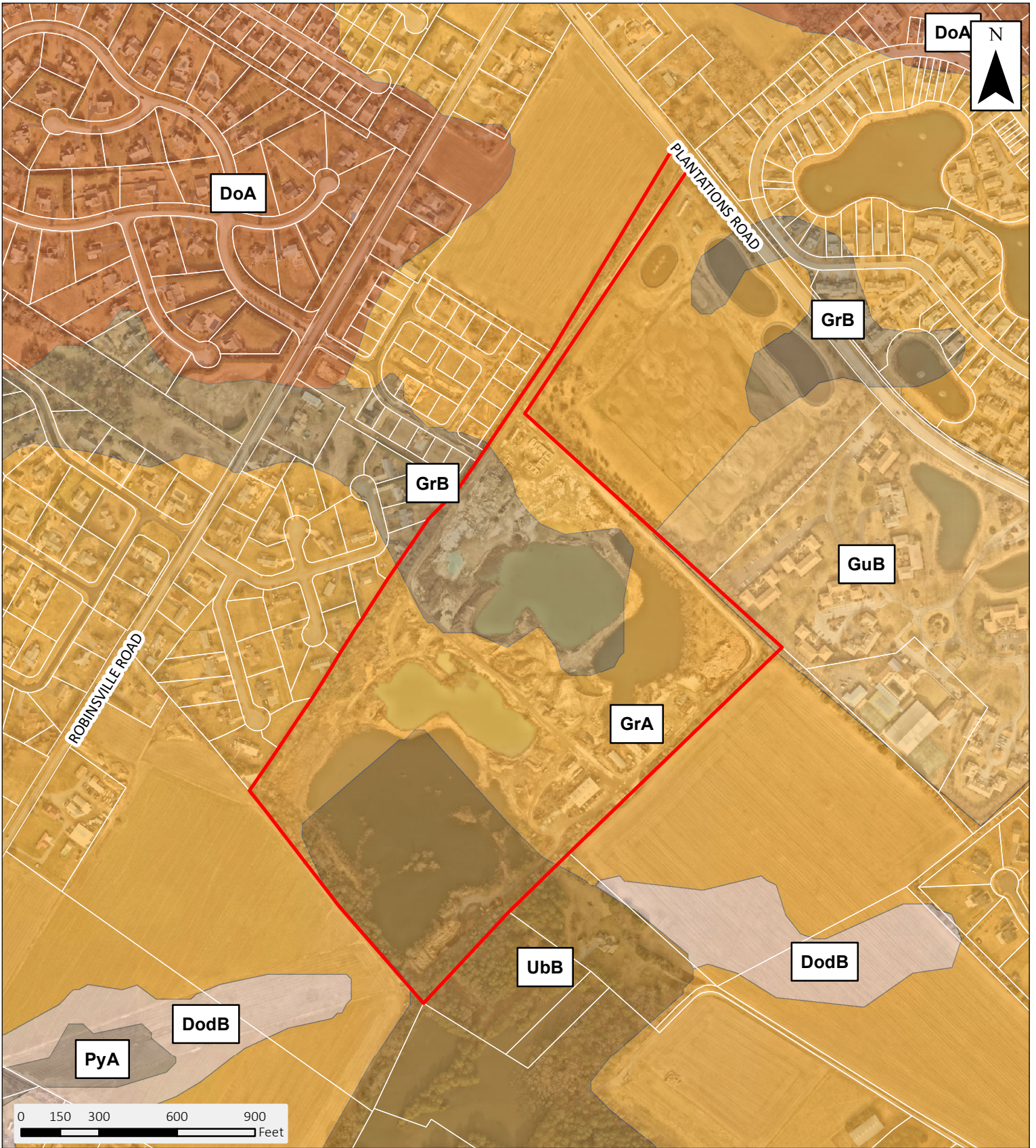



16

2020 Land Use Land Cover
 Lands N/F Howard L. Ritter & Sons, L.L.C.
 HRTR22001





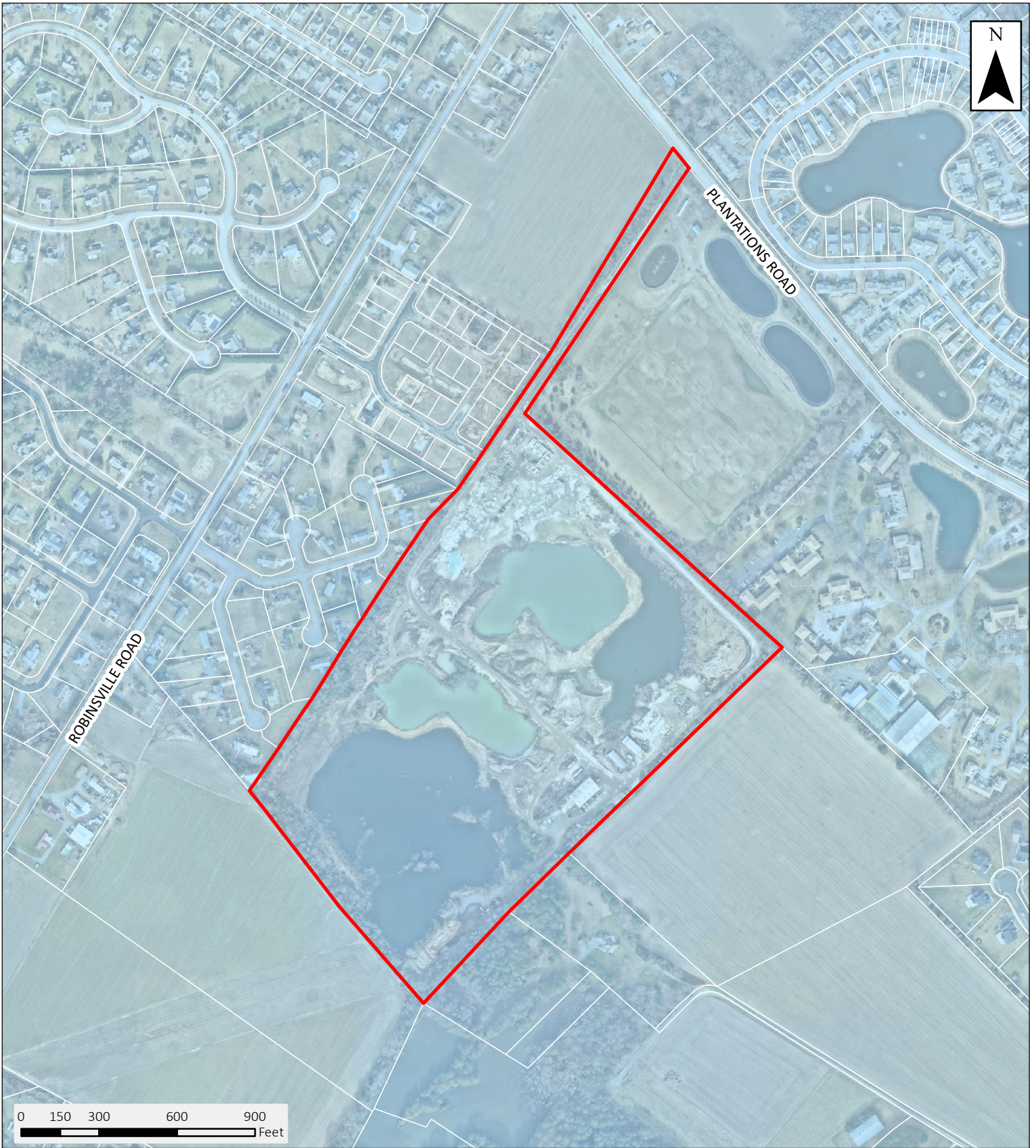
- Confined Feeding Operations/Feedlots/Holding
- Cropland
- Extraction
- Farmsteads and Farm Related Buildings
- Idle Fields
- Man-made Reservoirs and Impoundments
- Mixed Forest
- Multi Family Dwellings
- Other Urban or Built-up Land
- Recreational
- Single Family Dwellings



17	NRCS Soils Mapping		Soil Types: GrA - Greenwich loam, Group B GrB - Greenwich loam, Group B GuB - Greenwich-Urban land complex, Group B UdB - Udorthents borrow area, Group C
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



18	State Wetlands Mapping		 DNREC Wetlands
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



19

FEMA Floodplain Mapping

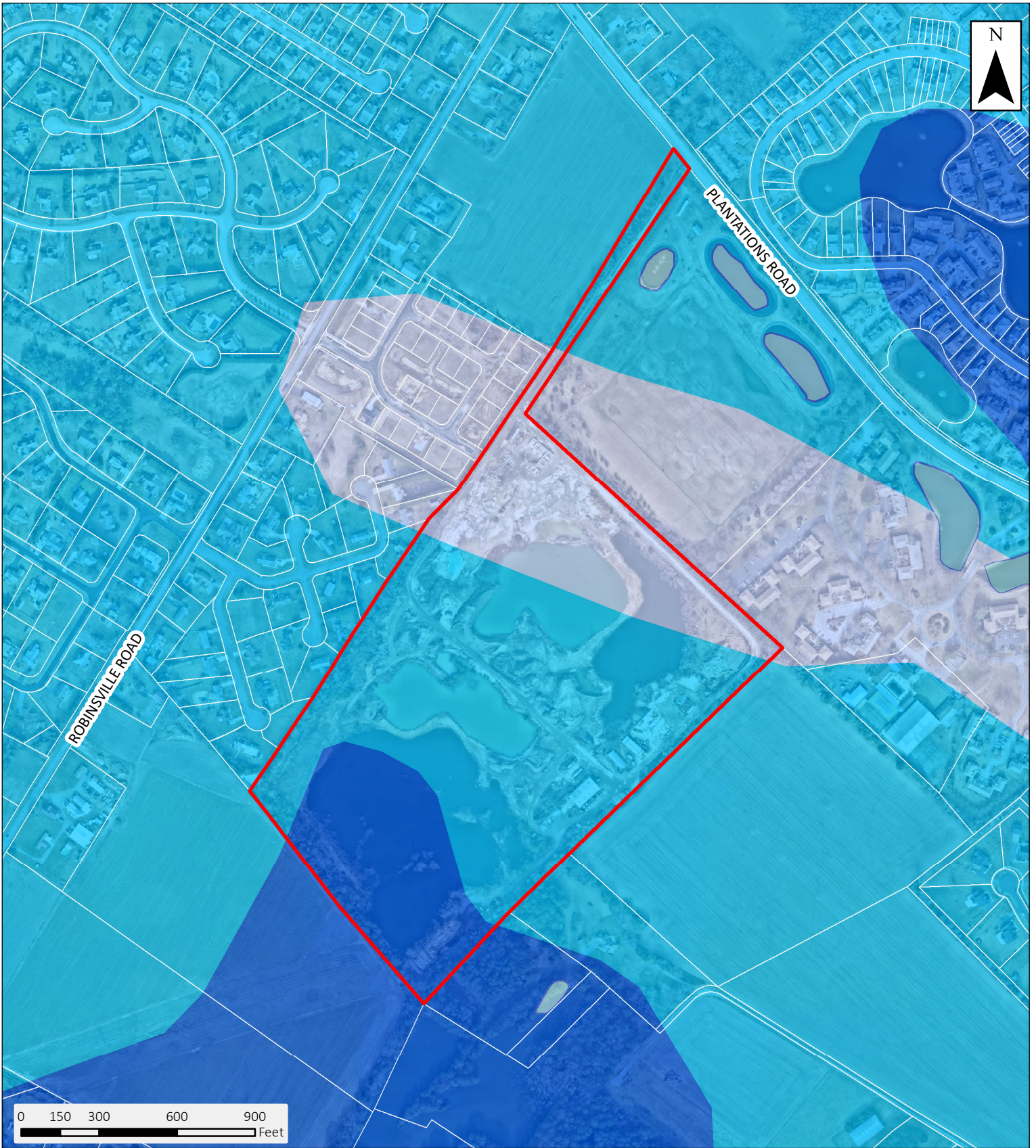
Lands N/F Howard L. Ritter & Sons, L.L.C.






HRTR22001

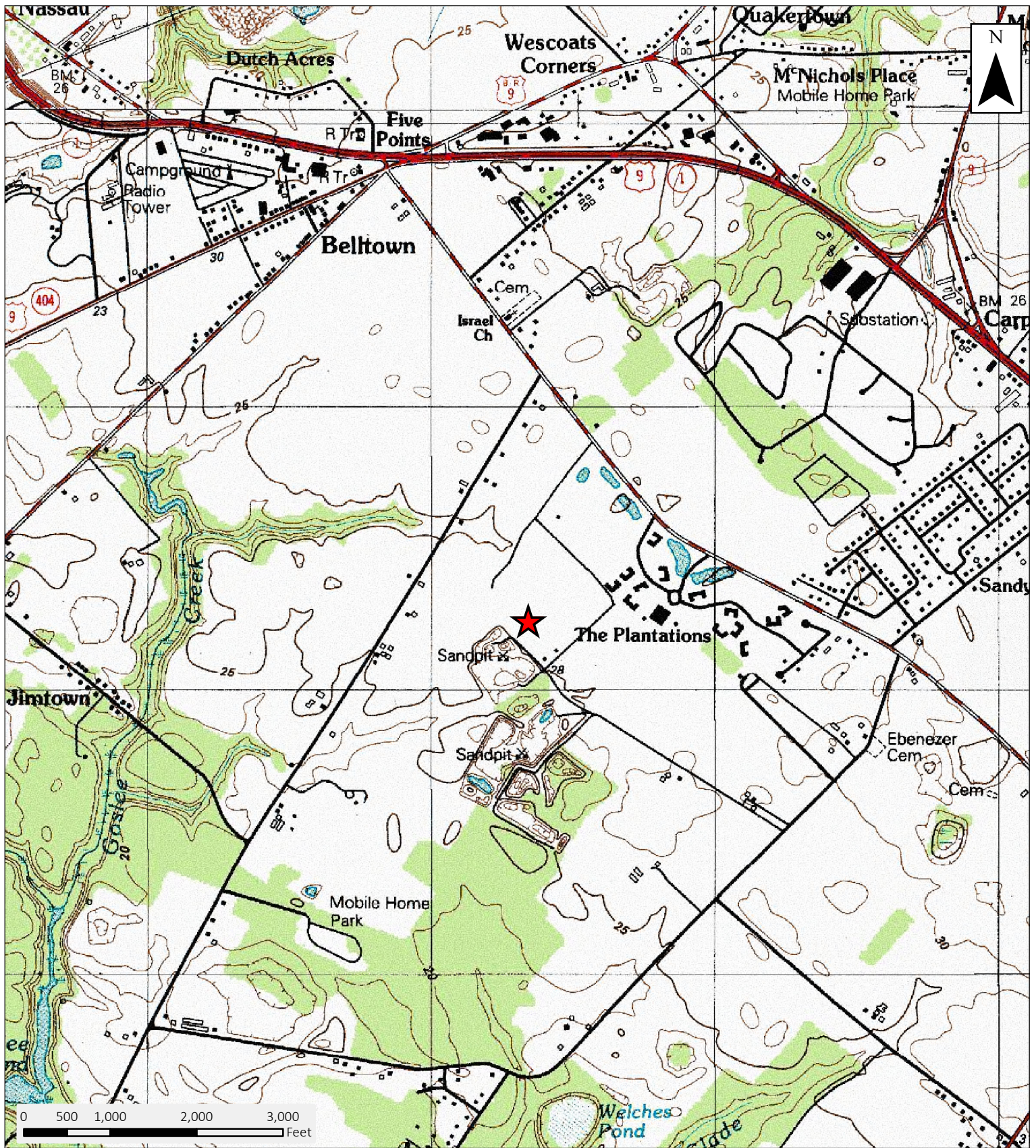



Zone X

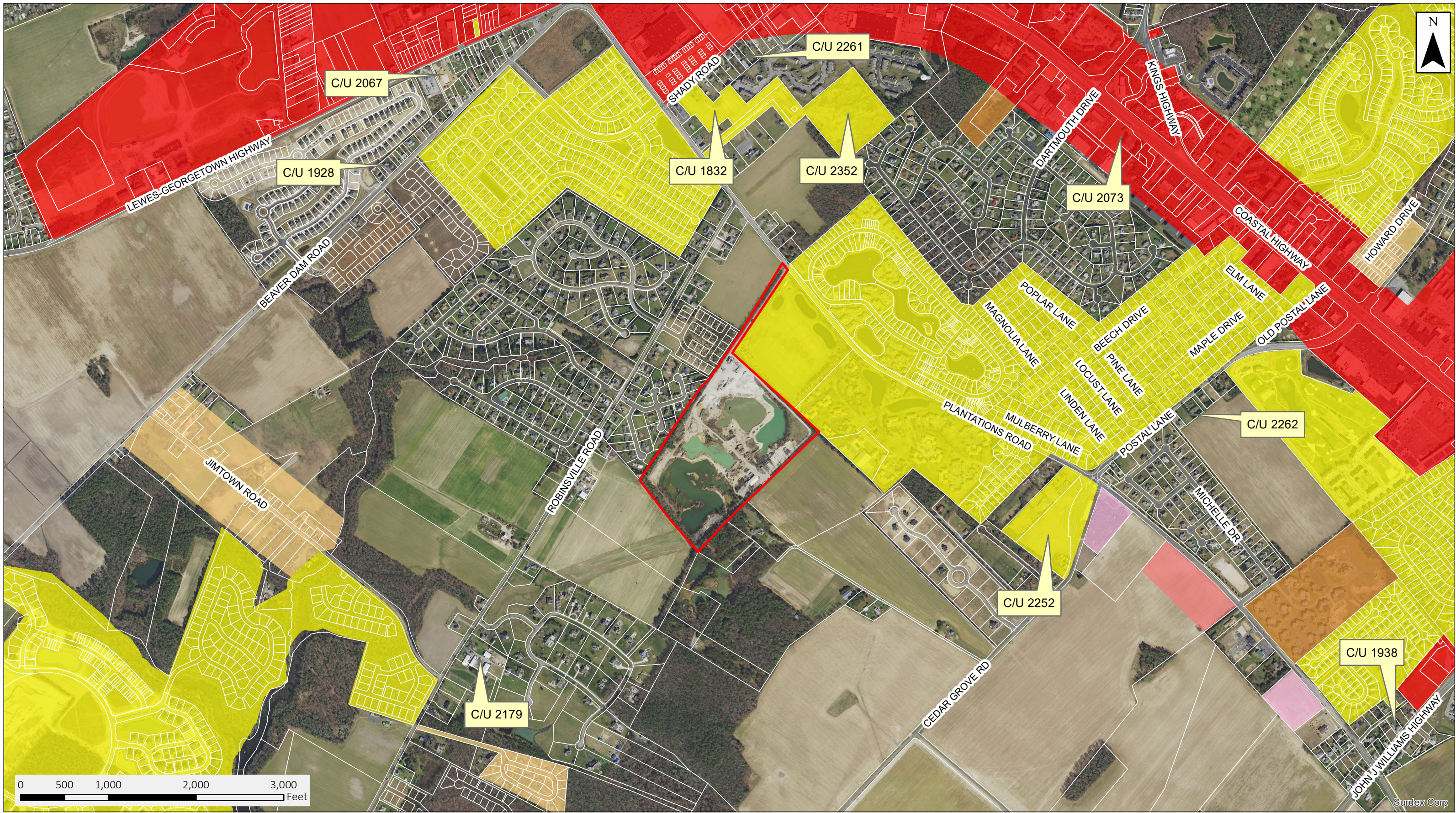
Flood Map Reference: 10005C0331K (3/16/15)



20	Groundwater Recharge Potential		 Excellent	 Fair
	Lands N/F Howard L. Ritter & Sons, L.L.C.		 Good	 Water Area
	HRTR22001			



21	USGS Topographic Map		
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		




22	Approved Area Conditional Use Applications
	Lands N/F Howard L. Ritter & Sons, L.L.C.
	HRTTR22001



Surdex Corp



23	2022 Aerial Image		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block; margin-right: 5px;"></div> Subject Parcel <div style="border: 1px solid gray; width: 20px; height: 10px; display: inline-block; margin-right: 5px; background-color: #cccccc;"></div> Other Tax Parcels
	Lands N/F Howard L. Ritter & Sons, L.L.C.		
	HRTR22001		



Christin Scott

From: Kenneth Sunnergren <ksunnergren@cvcde.com>
Sent: Thursday, November 3, 2022 9:21 AM
To: Planning and Zoning
Subject: CU2327 Howard L. Ritter& sons, Inc. Sand and gravel

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.

Attn: Jamie Whitehouse, Director

Dear Sir,

I've lived in this community for 25 years and made it my home. Over this time I've made substantial property improvement. Howard L. Ritter and Sons has been very helpful to achieving these improvements and sold me different types of stone that I've used to beautify my property. I'm grateful that this business is available to me. Moreover, I've been into the sand quarry to inspect his products over the years and see the number of people who work at his facility and are provided good jobs. This business is an economic engine for our community and shouldn't be impeded but helped to grow and prosper. People who built their homes nearby knew they moving near a sand quarry and stone distribution center. They did so willingly and perhaps now want to push out a successful business because its inconvenient for them. Shame on them. I'm asking you to support HL Ritter and Sons application for the conditional land use permit and help keep this business open.

Sincerely,

Kenneth Sunnergren
18605 Pettyjohn Rd.
Georgetown, De

RECEIVED

NOV 03 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: harry@belowbookauto.com
Sent: Thursday, November 3, 2022 8:24 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

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I would like to express my concerns for what has happened to the Ritter family , We have been in business for 30 plus years and have watched the greed and growth of the surrounding areas. Ritter sand and gravel should be able to continue doing business as usual and not be shut down for the convience of some developer ? Do the right thing an allow them to continue their family business that has been in the area long before the greed took over > Its time the county stands up for their own people who have been loyal residents for decades . Lets not make the ritters another Statistic>

Harry Sheing Owner

BELOW BOOK

Auto Sales & Service Center

1608 Savannah Rd
Lewes, DE 19958
302-645-5999
302-645-2217 (FAX)
harry@belowbookauto.com
www.belowbookauto.com

SUPPORT EXHIBIT

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NOV 03 2022

SUSSEX COUNTY
PLANNING & ZONING

Christin Scott

From: Will Emmert <willemmert@gmail.com>
Sent: Thursday, November 3, 2022 7:51 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter and Sons, Inc. Sand and Gravel

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To Whom It May Concern,

The Ritter Family has been an integral part of the local business community here in Sussex County for decades. As a local family we have done business with them for SEVERAL generations. The Ritters have supplied materials that are of major importance to our community and their yard is well located to serve our area! My Family and I, and our entire core group of business partners wholly support the Ritters and their local business.

Please consider granting their conditional use application in November so that we can continue to use their services for many more generations!

Respectfully,

Will Emmert
18637 Robinsonville Road
Lewes, De 19958

RECEIVED
NOV 03 2022
SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: Julie R <jaryder74@gmail.com>
Sent: Thursday, November 3, 2022 6:08 AM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

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Jamie Whitehouse, Director
Sussex County Planning & Zoning Office
2 The Circle
P.O. Box 417
Georgetown, DE 19947

I am writing in support of Howard L. Ritter & Sons, Inc. staying in operation as they have been since 1975. The impact of turning our back on a local business who has contributed to the growth and prosperity of the town for decades, is a travesty. I believe in putting smart and safe practices in place for the environment, which they have done. We can not allow a loyal, local business to be diminished due to greedy development agencies that have no clue what the people of Lewes, DE hold dear.

I appreciate you taking the time to consider this letter of support.

J. Ryder

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NOV 03 2022
SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

RECEIVED

SEP 23 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

September 20, 2022

Sussex County Planning and Zoning
2 The Circle
Georgetown, DE. 19947

Dear Sirs,

I am writing to you today in support of Conditional Use Permit Application Ritter CU# 2327.

My wife and I are residents of the Villages at Five Points. We have been living in VOFP for almost 5 years. When we purchased our property we were aware of Atlantic Concrete on Old Orchard Road. We spent time in the community prior to purchasing our property. We did hear the operations at the concrete plant, but we decided that the noise level was acceptable. And so we purchased our home in the VOFP.

Late last year we became aware of the situation at Howard Ritter and Sons Inc. And that the concrete recycling was going to move to Atlantic Concrete. The additional noise from the recycling operation is far louder than from the concrete operations. The noise from hammering and crushing can be heard throughout the VOFP. The crushing operations begin at 7AM and can, on some days, go on for the entire day.

We need to do all that we can to return the concrete recycling operation back to the Ritter site as quickly as possible.

Sincerely yours,

Michael and Rosemarie Jacob

33046 West Falling Creek Street

Lewes, DE. 19958

203-747-2393

Christin Scott

SUPPORT EXHIBIT

From: Rick Resing <Rick_Resing@hotmail.com>
Sent: Friday, September 16, 2022 2:09 PM
To: Planning and Zoning
Subject: Howard Ritter & Sons Permit Application Ritter CU#2327 / Atlantic Concrete Company

Categories: Christin

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TO: Sussex County Planning and Zoning

FROM: Rick Resing & Craig Forte, homeowners residing at 33106 N. Village Loop Unit, 1303, Lewes, DE 19958

We are emailing you to express our support of (and urge you to approve) the pending Howard L. Ritter & Sons Permit Application Ritter CU#2327 when this comes up at your November 7, 2022 meeting. The sound coming from the Atlantic Concrete Company is extremely loud, and has affected the quality of life for all residents in The Village of Five Points since they began doing the break up and removal of concrete at this location in the past year.

Thank you for your consideration.

Best regards,

Rick Resing & Craig Forte
678-699-3864

RECEIVED

SUPPORT EXHIBIT Sept. 15, 2022

SEP 19 2022
SUSSEX COUNTY
PLANNING & ZONING

Planning - Zoning Commission

Re Conditional Use Permit Application Ritter CU# 2327

We live in the Villages of Five Points and although our property is a block removed from the houses that back up to the trail that is between our neighborhood and Atlantic Concrete, the sound of them pounding and breaking up concrete - from the early morning hours - is unbelievable. Then, walking on our exercise trail, it's impossible to talk, or even listen to something through ear buds, the sound is so loud.

This type of activity does not belong so close to so many county residents who are trying to enjoy the homes they worked so hard to purchase.

Please grant Ritter's application to move this activity to the Plantation Rd location, where it affects fewer people and is more convenient for the people who use it.

Thank you for your consideration,

Nancy & Joseph Sakaduski
33289 W. Edgemoor St.
Lewes, DE 19758

RECEIVED

SEP 19 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT FOR
HOWARD L RITTER & SONS INC SAND & GRAVEL
PERMIT # CU 2327

I am a native local born in 1956. I not only used the Ritter's resources for my personal use but also for my business. Howard L Ritter & Sons has been in business for as long as I can remember. They are a local, honest & reliable, family run business that provided a convenient source of sand, fill dirt, topsoil, stone, etc for local businesses as well as homeowners. When Ritter's were forced to stop providing some of their services, it created a hardship for the local community and businesses alike. Everyone now had to search for a lesser convenient and more expensive source. Let us not forget the effect and hardship this has had on their business as well as their financial bottom line.

Howard L Ritter & Sons has operated their business at the same location since 1975 without any previous issues. I fully support them and ask that this Conditional Use Permit be approved without restrictions or further delays.

Sincerely,



Sharon Hart
And
UtiliSite, Inc.

RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

SUPPORT FOR
HOWARD L RITTER & SONS INC SAND & GRAVEL
Permit # CU 2327

Howard L Ritter & Sons has been a local, honest & reliable, family run business that has provided a convenient source of sand, fill dirt, topsoil, stone, etc for local businesses as well as homeowners. When Ritter's were forced to stop providing some of the services, it created a hardship for the local community and businesses alike. Everyone had to search for a lesser convenient and more expensive sources. Let us not forget the effect and hardship this has had on Ritter's business as well as their financial bottom line.

Howard L Ritter & Sons has operated their business at the same location since 1975 without any previous issues. I fully support them and ask that this conditional Use Permit be approved without restrictions or further delays.

Sincerely,


Craig Walls

RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

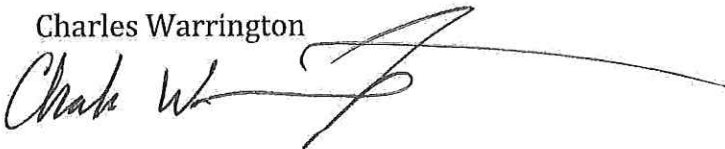
SUPPORT FOR
HOWARD L RITTER & SONS INC SAND & GRAVEL
Permit # CU 2327

Howard L Ritter & Sons has been a local, honest & reliable, family run business that has provided a convenient source of sand, fill dirt, topsoil, stone, etc for local businesses as well as homeowners. When Ritter's were forced to stop providing some of the services, it created a hardship for the local community and businesses alike. Everyone had to search for a lesser convenient and more expensive sources. Let us not forget the effect and hardship this has had on Ritter's business as well as their financial bottom line.

Howard L Ritter & Sons has operated their business at the same location since 1975 without any previous issues. I fully support them and ask that this conditional Use Permit be approved without restrictions or further delays.

Sincerely,

Charles Warrington



RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: garrisritter <garrisritter@comcast.net>
Sent: Tuesday, November 1, 2022 3:52 PM
To: Planning and Zoning
Subject: Fwd: CU 2327 / Howard L. Ritter & Sons, Inc.
Attachments: CU 2327 (1).docx

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I would like to express my support for Howard Ritter & Sons, who are applying for a 'conditional land use permit.' at hearing in November

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

Subject: CU 2327 / Howard L. Ritter & Sons, Inc.
From: Ritter Susan <susanritter2@hotmail.com>
Sent: Thursday, October 27, 2022, 1:27 PM
To: garrisritter@comcast.net
CC:

Please consider sending an email or letter to Planning & Zoning in support of keeping our business open. Please make sure to include the CU # and our name in the subject line.

We appreciate your support!

RECEIVED

NOV 1 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Ann Lepore

From: George Merrick <george@jacklingo.com>
Sent: Thursday, November 3, 2022 11:19 AM
To: Planning and Zoning
Subject: CU2327//ATTENTION

SUPPORT EXHIBIT

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.

Sussex County Planning And Zoning,

This letter is to all on the board at Sussex County Planning and Zoning. As a resident and business owner for five decades I can attest to the positive impact that the Ritter family has had in coastal Sussex for as long as they have run their owned and operated business. For decades the Ritters have supplied builders, developers and individual residents with all things sand, gravel and fill related. As well as providing the services that the Ritter men and their employees are famous for. The Ritters integrity and honesty has spoken for itself. You do not do business in Sussex County for many decades without these traits.

There should be no questions in the decision as to when and or if the Ritters should be allowed to do business as usual. With Planning And Zoning's diligent work in providing homes for our new citizens in record numbers the demand for the Ritters expertise has never been greater.

Surely a local family owned and operated business has top priority and takes precedence. We in the Real Estate Industry here in Sussex County urge you see to a positive decision and get this family back to doing what they have done for decades and without further delay.

Thank you for your work that you do for the Business Owners and the residents of Sussex County. We look forward to having Ritters back up and operating.

Sincerely George B. Merrick / george@jacklingo.com 3024627288

Maritime Merchant Seaman, Captain George B. Merrick. 100 Gross Tons,

Sent from Mail for Windows

Christin Scott

From: Sarah casalvera <grambosbiz@gmail.com>
Sent: Friday, November 4, 2022 12:04 PM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

Categories: Christin

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I am in full support of the reopening and continued operation of Howard L Ritter and sons for their retail operations.

They have been serving our community for many years, long before the developers started to take over Sussex County, and should be allowed to continue with their family business!

Please grant this conditional use permit #2327 to them as requested.

Thank you,

Sarah Casalvera
Lewes, DE 19958

RECEIVED

NOV 04 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Christin Scott

From: John Zacharias <jzacharias@psre.com>
Sent: Friday, November 4, 2022 11:23 AM
To: Planning and Zoning
Subject: Howard L. Ritter and Sons

Categories: Christin

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 Planning and Zoning and to whom it may concern,

I have lived in Lewes, Delaware my whole life. Around me, I have seen this area grow exponentially. Locals like the Ritter family are the backbone of this thriving area of the county. Like many of us who are local to the area, we pride ourselves on the success and prosperity of our respective towns. The Ritter family has been in business for decades. They too love this area and their living and well-being relies on their business much like any other entrepreneur in the area. To have their business taken from them in these uncertain times in our global economy is not only irresponsible, it is downright immoral.

As one of the best up and coming young professionals in this part of the county, I welcome sustainable growth. My professional is a service to people who want to buy and sell homes, but not at the expense of someone's livelihood. My clients choose where to buy homes with my professional assistance and in their own due diligence of the location and surrounding area. Howard Ritter and Sons should not be the detractor or misanthropist, but rather a mainstay in our community. It is small businesses like their company that built Sussex County. I am a strong believer in growth and progress, however let us remember the people who made us who we are today.

My father was a builder for 40 years in Lewes. His blood, sweat and tears were the spirit of entrepreneurship much like the Ritters. He had a dream and an idea to service the community much like Howard Ritter and Sons. To have had my father's business being shut down would have taken food out of my mouth and a roof over my head growing up. Instead, his dream inspired me to be the man I am today. I give back to my community and will be an inspiration for generations to come. So you see, Sussex County is more than just developments and houses. It is a community of good people who have that same dream.

I ask all of you, please, don't shut this business down due to a few home owners who can't see logic past their ego and dollar signs that can't get past their own greed.

I trust you all will make the right decision,

John



RECEIVED

NOV 04 2022

SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

Ann Lepore

From: jamesriordan444@gmail.com
Sent: Thursday, November 3, 2022 5:20 PM
To: Planning and Zoning
Subject: CU 2327 Howard I. Ritter & Sons, Inc. Snad & Gravel

SUPPORT EXHIBIT

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From the desk of : James Riordan

To whom it may concern,
I submit a "no objection" to the Ritter organization to continue operations with regard to the selling of imported gravel/stone, and other bulk items.
Sand removed from their property creates minimal noise and environmental impact.
In light of their willingness to not renew the cement recycling plant I see no harm and recommend a 'conditional use permit'.
This business has contributed greatly to the development of the area and provides a valuable service.
Cordially,
James Riordan

Ann Lepore

From: roy fitzgerald <jeryfitz@gmail.com>
Sent: Thursday, November 3, 2022 4:59 PM
To: Planning and Zoning
Subject: CU Howard L.Ritter & Sons, Inc. Sand and Gravel *CU 2327*

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As a concerned local citizen I am writing in support of and in opposition for the need for a conditional land use permit for the above file concerning HL Ritter and Sons, long term supplier of community needs, commercial and govenmental.

Sincerely, Roy Fitzgerald, 9 Massachusetts Ave.,Lewes, DE 19958

Opposition
Exhibit

Opposition
Exhibit

Opposition
Exhibit

SUPPORT EXHIBIT

Ann Lepore

From: HARRY FAUST <hoornkill@comcast.net>
Sent: Sunday, November 6, 2022 10:46 AM
To: Planning and Zoning
Subject: ritter property C/U 2327

SUPPORT EXHIBIT

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 in favor of planning and zoning granting a conditional use permit for the Ritter business. The Ritter business has been operating for many years and continues to service the community. How long are we going to allow developers close our hard working businesses that have contributed so much to our community? Thank you for the opportunity to express my support for the Ritter and they be awarded the conditional land use permit. Janet Faust

RECEIVED

NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: JR Christophe <rehomo@hotmail.com>
Sent: Sunday, November 6, 2022 5:58 AM
To: Planning and Zoning
Subject: CU 2327 Howard L Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

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To The Sussex County Government:

Sussex County has long been a haven for peace and quiet, a refuge from the fast pace of today's world. Many of us have lived or moved here and restored homes and honored local businesses. That being said, and in reference to the above hearing, we support Howard Ritter Sand and Gravel and deplore the attempt by developers to close it down. These developers claim they cannot sell their houses because of the noise of the plant. The plant has been here since 1947. Didn't the developers take the plant into account, or is their product so unsalable in this historic housing boom that they are simply blaming Howard Ritter & Sons for their poor performance? It is time to support our local businesses even more than in the past. The beautiful Sussex County we love is in danger of being swallowed up by greed and overdevelopment. Unequivocally, we support Howard Ritter & Sons, Inc. Sand & Gravel

Merle McCann, M.D.
Jared Christopher, R.N.
336 Market St
Lewes DE 19948
Sent from Mail for Windows

RECEIVED
NOV 07 2022
SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: Karen Wexler <kbwexler@hotmail.com>
Sent: Monday, November 7, 2022 12:26 PM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

Categories: Christin

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Please acknowledge my request that you do whatever is in your power to keep the Ritter Sand & Gravel functioning. I have been a resident for 34 years and feel that the plant should not be closed to make room for more high density development.

Sincerely,
Karen Wexler
323 Market St.
Lewes, DE 19958

RECEIVED

NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: Don Long <dscottlg@msn.com>
Sent: Monday, November 7, 2022 9:44 AM
To: Planning and Zoning
Subject: CU 2327 - Support for Howard L. Ritter & Sons, Inc.

SUPPORT EXHIBIT

Categories: Christin

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RE: CU 2327 - Howard L. Ritter & Sons, Inc.

We support the application by Howard L. Ritter & Sons, Inc. for a conditional use permit and support the company to remain in business.

Howard I. Ritter and Sons, Inc. has been operating in the same location since 1975, The business consists of the excavation of a borrow pit, which has been in continuous operation since the 1950's, and the retail sale of the fill dirt that is excavated on site. In addition to fill dirt, the company also sells driveway and construction stone, landscaping stone, mulch and top soil. The company has played an integral role in the development of the local infrastructure and has worked with many government agencies and local businesses.

Thank you for your consideration.

Sincerely,

Don Long
Terri Lottmann
Lewes, DE.

dscottlg@msn.com

RECEIVED

NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: nancyfaye@willowoak.net
Sent: Monday, November 7, 2022 12:18 PM
To: Planning and Zoning
Cc: 'Rowlad Bradley'
Subject: Re: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel application for conditional approval

SUPPORT EXHIBIT

Categories: Christin

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To the Sussex County Planning & Zoning Office
Jamie Whitehouse, Director

We are writing to voice our support for the CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel application for a conditional land use permit.

It is vital that this company be able to continue supplying Delaware local businesses, agencies, and residents with construction and landscaping materials as it has for the past 47 years. This business is critical for the success of many infrastructure and construction projects currently underway. We ask that you approve the application without delay.

Thank you,
Nancyfaye Autenzio
Rowland Bradley
Lewes, DE

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NOV 07 2022

SUSSEX COUNTY
PLANNING & ZONING

Ann Lepore

From: carole gibson <carolegbsn309@gmail.com>
Sent: Thursday, November 3, 2022 11:57 AM
To: Planning and Zoning
Subject: In reference to CU 2327 Howard L. Ritter & Sons, Inc, Sand & Gravel. I support in keeping their business open. Carole Gibson 34315 Beech Drive Lewes De.19958

Categories: Christin

SUPPORT EXHIBIT

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Ann Lepore

From: Jeff Gibson <jgibson@cbanker.com>
Sent: Thursday, November 3, 2022 2:31 PM
To: Planning and Zoning
Subject: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

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 Sussex County Planning & Zoning:

I am writing this email in support of the Conditional Land Use Permit for Howard L. Ritter & Sons sand and gravel business. This 47-year-old business has been an integral part of the growth and development of the Lewes-Rehoboth Beach area. In addition to providing employment opportunities for locals, they have supplied materials for local, county, and state agencies, construction companies, landscaping companies, and private homeowners as some of the thousands of customers they have served.

As a Sussex County real estate salesperson, I feel it is a disgrace when a real estate developer purchases farmland next to a local business, then does everything in their power to shut that business down to improve their property values and increase their struggling home construction sales. Homebuyers moving to this area and their agents need to be aware of and support neighboring small businesses.

With these remarks, I urge the members of the Planning and Zoning Committee to vote in favor of granting the Conditional Land Use Permit to Howard L. Ritter & Sons, so they may continue operating their business and serving our local community. Thank you.

Sincerely,
Jeffery H. Gibson, MBA, REALTOR®
Sussex County Real Estate Professional
and Delaware Licensed Sales Agent



SUPPORT EXHIBIT

**CUSTOM INGROUND FIBERGLASS POOLS
115 Savannah Rd., Lewes, DE 19958**

**** Your Hardscaping & Swimming Pool Specialists! **
Phone (302) 645-1922**

November 2, 2022

Jamie Whitehouse, Director
Sussex County Planning & Zoning Office
2 The Circle
P.O. Box 417
Georgetown, DE 19947

RE: CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel

Dear Mr. Whitehouse,

We are long-time residents and business owners in Sussex County, and we are writing to express our full support of Howard L. Ritter & Sons, Inc. Sand & Gravel to continue their operations at their location off Plantation Road, as they have for over 45 years.

Many local homeowners as well as hardscaping and landscaping companies, such as ours, have benefitted from being able to purchase topsoil, fill dirt, construction & landscaping stone and mulch from Ritter.

We feel as though Howard L. Ritter & Sons, Inc. Sand & Gravel operation is an asset to our community and we recommend moving forward with the approval of their application for a conditional use permit.

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SUSSEX COUNTY
PLANNING & ZONING

Sincerely,

Richard H. D. & Jennifer Bell
Jennifer & Richard Bell

SUPPORT FOR H.L. RITTER & SONS, INC.

Howard L. Ritter & Sons, Inc. is a sand and gravel business that has been operating in the same location off of Plantation road since 1975. The business consists of the excavation of a borrow pit, which has been in continuous operation since the 1950's, and the retail sale of the fill dirt that is excavated on site. In addition to fill dirt, our company also sells driveway and construction stone, landscaping stone, mulch and top soil. After being in business for 47 years, we have recently been informed by Sussex County Planning and Zoning that we need to apply for a "conditional land use permit" in order to continue selling materials that are not sourced on-site. We have been obtaining these materials from the same distributors for decades. Our company has played an integral role in the development of our local infrastructure, and we have supported many local businesses and agencies throughout the years. We count local, county and state agencies such as DNREC and Sussex County Council, construction companies, landscaping companies, and private homeowners as just some of the thousands of customers that we have served, and want to continue to serve in the future.

In accordance with Planning & Zoning's directive, we have applied for the conditional land-use permit and have a public hearing scheduled for the end of November. We are asking you to kindly submit a letter to the P & Z office stating your support in keeping our business open so we can continue to serve our customers.

The County has assigned our application for a conditional land use permit the following file number:

CU 2327 Howard L. Ritter & Sons, Inc. Sand & Gravel *PLEASE MAKE SURE TO INCLUDE THIS INFO IN THE SUBJECT LINE*****

Written Comments can be sent to:

Jamie Whitehouse, Director
Sussex County Planning & Zoning Office
2 The Circle
P.O. Box 417
Georgetown, DE 19947

EMAILS can be sent to: pandz@sussexcountyde.gov

WE APPRECIATE YOUR SUPPORT!!!

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SUSSEX COUNTY

PLANNING & ZONING

*I am in support of CU2327
This sand and gravel business
has been family owned and
operated for over 47 years.
The conditional land use
permit will allow them to
give back to the community,
businesses, employe's jobs
and support county and state
agencies, all this has been
taken away. There are hard
working people who deserve
to prosper, and offer job
opportunity for others and
make this a business again.*

Thank you

*Johnny Gibson
Deep Branch Road
Georgetown De,
19947*

Amy Hollis

From: Bradley Cowen <cowenb@me.com>
Sent: Monday, November 7, 2022 4:07 PM
To: Planning and Zoning
Cc: cowenb@me.com
Subject: Fwd: CU 2327 Howard T. Ritter & Sons, Inc. Sand & Gravel

SUPPORT EXHIBIT

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 am in full support of the reopening and continued operation of Howard L Ritter and sons for their retail operations.

They have been serving our community for many years, long before the developers started to take over Sussex County, and should be allowed to continue with their family business!

Please grant this conditional use permit #2327 to them as requested.

Thank you,

Brad Cowen

Lewes, DE

Jamie Whitehouse

From: Bob D <bdegen2001@aol.com>
Sent: Tuesday, November 8, 2022 11:28 AM
To: Jamie Whitehouse
Subject: CU 2327

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Just wanted to express my **approval** for the concrete crusher near my home. I have no problem with the occasional noise it makes. It had been there for years until the developer of Maritima decided to build next to a quarry and then shut down a business that had been operating for a long time. I think we call that "greed". It was also very unfair to use political connections to stop a business that had been operating to the benefit of many others. I say - let them re-open. I don't mind it at all. What I DO mind is the developer soliciting in my neighborhood (which is illegal) to get folks to try to prevent this business from re-opening.

PROV 3:5-6
Bob Degen



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SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: Mike Bono Gmail <mabono65@gmail.com>
Sent: Tuesday, November 8, 2022 12:53 PM
To: Jamie Whitehouse
Subject: Cement Crusher in Lewes

SUPPORT EXHIBIT

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I support the the crusher, I live at 156 Lakeside Drive, Lewes in Plantations East.
Mike Bono

Sent from my iPad

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SUSSEX COUNTY
PLANNING & ZONING

SUPPORT EXHIBIT

H. Douglas (Doug) Adams, PhD
33504 West Hunters Run.
Lewes DE 19958

RECEIVED

SEP 26 2022

SUSSEX COUNTY
PLANNING & ZONING

Sussex County Planning and Zoning Commission
PO Box 417
Georgetown, DE 19947

s
Dear Commissioners:

I am writing to ask you to approve the Conditional Use Permit Application Ritter CU#2327.

This long established Sussex County family and company provided services which we desperately need.

Please support them in resuming their yard waste and concrete recycling operations.

Thank you.

Sincerely,



H. Douglas (Doug) Adams PhD

SUPPORT EXHIBIT

Hilda Chaski Adams, MPH
33012 West Falling Creek St.
Lewes DE 19958

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SEP 26 2022

SUSSEX COUNTY
PLANNING & ZONING

Sussex County Planning and Zoning Commission
PO Box 417
Georgetown, DE 19947

Dear Commissioners:

I am writing in support of the Conditional Use Permit Application Ritter CU#2327.

Permitting Ritter and Sons to recommence yard waste and concrete recycling will help our environment, reduce the number of large trucks on our congested roads and reduce landscaping and construction costs by eliminating the need to drive to Georgetown (or farther) to recycle usable materials.

Thank you for considering my request.

Sincerely,



Hilda Chaski Adams, MPH

Jamie Whitehouse

From: Kris Carper <kriscarper@gmail.com>
Sent: Monday, October 17, 2022 2:08 PM
To: Jamie Whitehouse
Subject: Opposition to concrete crusher CU 2327

**Opposition
Exhibit**

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Jamie Whitehouse,

I am writing you to oppose the special use exception for concrete crushing CU 2327. I am a resident in Maritima, the neighborhood next to the Ritter site. The health detriments of producing crystalline silica are crucial to our community and the surrounding communities. The environmental toll is also a concern, polluting the air and water. The concrete crusher was operating illegally for years and should not be allowed to start up again. The Ritter site was to move sand and gravel. They were never zoned to crush concrete. As you are well aware Sussex county and it's growth of communities and residents should inevitably cause the concrete crushing to move out to more rural areas where people are not residing. Approving this special use exception in the middle of 1000's of people residing and vacationing, putting their lives and health in danger would be ridiculous. I hope you really consider this.

Thank you for your time,

Kris Carper

FILE COPY

Jamie Whitehouse

From: dal booth <dalbooth9@gmail.com>
Sent: Wednesday, October 12, 2022 11:25 AM
To: Jamie Whitehouse
Subject: RITTER CONCRETE CRUSHER

**Opposition
Exhibit**

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Dear Sir,

Please be sure to include in your determination of Ritter and Sons Inc. Concrete Crusher operation, the Health issues that are and will affect the nearby residents if the Concrete crushing is allowed to continue legally,

Health Concerns

The science absolutely confirms that crystalline silica leads to an increased risk of developing serious silica related diseases, including:

- Silicosis, an incurable lung disease
- Lung Cancer
- COPD
- Kidney Disease

Thank you for being a considerate and responsible overseer,
Dalvert D. Booth
dalbooth9@gmail.com

FILE COPY

Jamie Whitehouse

From: Jeff Boxer <totdoc_2000@yahoo.com>
Sent: Monday, September 26, 2022 9:47 PM
To: Jamie Whitehouse
Subject: Concrete Crusher

Opposition
Exhibit

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To: Mr. Whitehouse

I wanted to voice my opposition to Conditional Use Application 2327 by Howard L. Ritter & Sons, Inc. It is not safe to operate an Industrial Concrete Crusher adjacent to residential subdivisions. I am a pediatrician who takes care of several children who live very close to where the crusher would be. The potential negative effects of the concrete dust on the health of these children is worrisome. I am also very concerned about the health of many others, especially older adults and children, who live near the site where the crusher would be operating.

Thank you very much for your consideration in this matter.

*Jeffrey J. Boxer, MD
Beacon Pediatrics
Rehoboth Beach, DE 19971*

Jamie Whitehouse

From: Sara Watson & Robert Watson <noreply@forms.email>
Sent: Wednesday, November 9, 2022 9:55 AM
To: Jamie Whitehouse
Subject: Contact Form: CU # 2327 Industrial Concrete Crusher

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Name: Sara Watson & Robert Watson

Email: pearls1106@gmail.com

Phone: 302-827-4197

Subject: CU # 2327 Industrial Concrete Crusher

Message: We say "NO" to this proposal CU # 2327 Concrete Crusher. This does not belong in any residential areas, mainly because the health hazards that it can cause, along with the noise pollution. Please don't let this pass. Maybe they should put this in their back yard. We were born and raised in Delaware and it saddens me to see what has been done to Sussex County. They just care about the money not peoples lives. So again PLEASE don't let this happen. Thank you. God bless..

Jamie Whitehouse

From: stephen letendre <sletendre1@gmail.com>
Sent: Wednesday, November 9, 2022 10:33 AM
To: Jamie Whitehouse
Subject: Cu 2327.....NO

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As a resident of Lewes, I cannot believe you are actually considering approving an "Exception" to allow a concrete crusher in the Lewes area. As a former environmental engineer, I can tell you that this is a nasty, loud, dusty, and highly invasive industrial industry and should not be located anywhere near a residential area, and with all the open country in Sussex County I don't understand why it can't be located much further outside populated areas. I say NO to this mess. Thx. Steve

Jamie Whitehouse

From: jshaye@cox.net
Sent: Thursday, November 3, 2022 11:40 AM
To: Jamie Whitehouse
Subject: CU 2327

Opposition
Exhibit

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I oppose CU 2327. I reside at 31253 Temple Rd. Lewes, DE 19958

Thank you!
Janet Shaye

Jamie Whitehouse

From: Gail Gormley <gail.m.gormley@gmail.com>
Sent: Wednesday, November 2, 2022 11:51 AM
To: Jamie Whitehouse
Subject: PLEASE : Vote no CU #2327

Opposition
Exhibit

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I live in the Woods Cove Community on Plantations Rd. We MUST keep our community free from industrial projects like the proposed Concrete Crusher. I will be at the hearing on 11/17/2022.

Gail Gormley
18940 Shore Pointe Ct, Rehoboth Beach, DE 19971

Jamie Whitehouse

From: Richard Lello <Richielello@yahoo.com>
Sent: Wednesday, November 9, 2022 10:57 AM
To: Jamie Whitehouse
Subject: CU # 2327

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Dear Mr. Whitehouse:

As a resident of Lewes, I am opposed to CU # 2327 which would allow the zoning change from AR-1 to HI-1. The removal of agriculture zoning will continue to cause great harm to the county which has seen continued deterioration and loss of available tillable land to housing developers. In addition, the health risks and pollution from this concrete crusher operation will have a significant negative effect on the local economy and tourism. You were elected to protect and improve the county and you should uphold that responsibility. Please vote no to CU# 2327 to protect the citizens, environment, historical beauty and economy of Lewes.

Regards

Dr Craig Lello

Jamie Whitehouse

From: Eli Ramos <eli_amos@verizon.net>
Sent: Tuesday, November 8, 2022 5:02 PM
To: Jamie Whitehouse
Subject: CU#2327

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Mr. Whitehouse,

Thank you for the opportunity to voice my opinion on the matter of CU#2327. I this is going to be allowed on the facility currently on Plantation road (sand & stone) then definitely NO. I live East of this facility 1/2 mile. This process would release matter into our water basin wells. There are 25 families who be affected (as well as others). If this toxic substance reaches our wells and it effects us and our families a lawsuit will be launched that would hurt this company and anyone who is party to it. I don't think anyone wants this. It is a bad idea; health, economic, politically unwise.

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PLANNING & ZONING

Jamie Whitehouse

From: JAMES Flower <flower3jr@comcast.net>
Sent: Tuesday, November 8, 2022 4:48 PM
To: Jamie Whitehouse
Subject: CU 2327 opposed

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>
> I would like to go on recorded as being opposed to CU#2327 to approving an Industrial Concrete Crushed in Lewes.
>
> James E Flower
> 33088 Bay Terrace
> Lewes DE 19958

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PLANNING & ZONING

Jamie Whitehouse

From: Carey Albrecht <careyalbrecht@gmail.com>
Sent: Friday, November 4, 2022 5:37 PM
To: Jamie Whitehouse
Subject: Opposition to CU #2327

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Good evening,

I wanted to voice my vehement opposition to CU #2327 (Hazardous concrete crusher in Lewes). As a resident of the Governors community, I am very concerned about the health and environmental hazards this would bring to our area, as well as noise issues.

Thank you for your consideration,
Carey Albrecht

Sent from my iPhone

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SUSSEX COUNTY
PLANNING & ZONING

Amy Hollis

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, November 9, 2022 1:16 PM
To: Planning and Zoning
Subject: Submission from: Planning & Zoning Commission contact form

RECIPIENTS: Jamie Whitehouse

Submitted on Wednesday, November 9, 2022 - 1:15pm

Name: Ed Hennessy
Email address: hennessyjejh@gmail.com
Phone number: 302-530-8261
Subject: oppose ordinance CU 2327

Message: I oppose an ordinance to grant a conditional use of the Ritter property in Lewes off Plantations Rd. This property is running a heavy industrial business that may include concrete crushing. This use does not comply with AR-1 zoning and, as a resident in the area, I oppose heavy industrial use of his land. Condos in our community on Plantations Rd get covered with potentially toxic dust blowing from heavy equipment and stirred up by truck traffic. There is an increase of traffic on Plantations Rd in summer with visitors, we are concerned about their safety when sharing the road with heavy industrial trucks. These concerns will result in lowered home values.

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SUSSEX COUNTY
PLANNING & ZONING

Opposition
Exhibit

Jamie Whitehouse

From: Edward Hennessy <hennessy@dtcc.edu>
Sent: Wednesday, November 9, 2022 12:50 PM
To: Jamie Whitehouse
Subject: No to CU 2327 Ritter

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SUSSEX COUNTY
PLANNING & ZONING

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Mr. Whitehouse,

I sent an email 11/8/22 that stated I did not oppose Mr. Ritter's sale of stone, etc. but I reviewed the public notice and see that his property is zoned for Agriculture. How can he run an Industrial business on AR-1?

I oppose an ordinance to grant a conditional use of the land when it is surrounded by residential properties. The condos in Plantations get coated with the dust from heavy truck traffic and other heavy industrial use activities. An "exception" is not appropriate because of the dangerous dust, heavy traffic and lowered values of residential properties.

Please consider my opposition.

Thank you,

Edward Hennessy
20404 Oakney St.
Lewes, DE 19958

Jamie Whitehouse

From: Sandy Hennessy <shen407@gmail.com>
Sent: Wednesday, November 9, 2022 1:04 PM
To: Jamie Whitehouse
Subject: NO to CU#2327 Industrial concrete crusher in AR-1 district

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SUSSEX COUNTY
PLANNING & ZONING

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Mr. Whitehouse

A Hearing for the Ritter Corporation is scheduled for November 17 in their attempt to allow a hazardous concrete crusher in an AR-1 district for a permit for conditional use. I oppose it because from my property, I have seen much heavy duty truck traffic and dust from industrial crushing blowing towards my home from Ritter's construction site.

Sandra Hennessy
10 Crane Ave, Lewes, DE 19958
302-530-4450

Jamie Whitehouse

From: Ronald Zabriskie <ronaldzabriskie@comcast.net>
Sent: Wednesday, November 9, 2022 11:56 AM
To: Jamie Whitehouse
Subject: CU#2327

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SUSSEX COUNTY
PLANNING & 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.

My name is Ronald J. Zabriskie and I live in Lewes in the Henlopen Landing development.

I and my wife are opposed to the CU #2327 proposal to have hazardous concrete crusher in Lewes.

I've had lung cancer twice. The top lobe of my right lung was removed in 2006 and the bottom lobe of my left lung was removed in 2018. With a lung capacity of 60% I have difficulty breathing already and the dust and toxic gases from the concrete crushing would be a significant health hazard to me.

Please deny this request and say NO.

Thank you

Ronald J. Zabriskie

32854 Inlet Way , Lewes DE 19958

302 682 0538

Sent from my iPhone

Jamie Whitehouse

From: Margaret White <penny10s@icloud.com>
Sent: Wednesday, November 9, 2022 8:40 AM
To: Jamie Whitehouse
Subject: CU 2327

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Please Vote NO to this proposal, we are coping with overbuilding in Lewes!

I'm sure a suitable location can be found in HI-1 district!!

Thank you

Margaret White

Lewes,DE 19958

Sent from my iPhone

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NOV 09 2022
SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: Tagrid Maher <tagmaher@yahoo.com>
Sent: Monday, November 7, 2022 8:05 AM
To: Jamie Whitehouse
Cc: tagmaher@yahoo.com; tbirdfrancis@yahoo.com
Subject: SAY NO TO CU#2327
Attachments: Say No to CU#2327.pdf

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Good Morning, Mr. Whitehouse,

Please accept this email to urge Sussex County Planning & Zoning Commission to DECLINE the issuance of the Conditional USE Application #2327 as we understand that the Concrete Rushing activities and required machinery is Zoned Heavy Industrial (HI-1) which is right next to residential areas (literally behind our future home) in the Maritima Community. We understand that other communities are affected as well. These other communities are Henlopen Landing, Plantations, and Morning Glory.

It was just brought to our attention, as we didn't know before buying our lot in Maritima on the corner of Lucky Charm Lane and Four Leaf Lane, that the applicant (Howard L. Ritter & sons Inc.) of this Notice of Intent has many environmental offences that that has not been addressed with resulting potential future harm to the surrounding residential areas.

We will be attending the Public Hearing on Thursday, November 17, 2022 at 5:00PM to show our opposition to the issuance for the CU#2327.

Respectfully Yours,
Tagrid Maher
Concetta Francis

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SUSSEX COUNTY
PLANNING & ZONING

OPPOSE HAZARDOUS CONCRETE CRUSHER IN LEWES, DE

SAY NO TO CU # 2327

Printed Name	Signature	Address (Street, City, State, Zip Code)	Phone/Email	Date
CONCETTA M. FRANCIS	<i>Concetta M Francis</i>	Lucky Charm Lane Lot #10 Lewes DE 19958 Maritima Community	304-479-5927 tbirdfrancis @yahoo.com	11/7/22
Tagrid Maher	<i>Tagrid Maher</i>	Lucky Charm Lane Lot #10 Lewes, DE 19958 Maritima Community	304-479-6117 tagmaher@yahoo.com	11/7/22

Opposition
Exhibit

September 15, 2022



DUNNE
LAW OFFICES, P.C.

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SEP 22 2022

Jamie Whitehouse
Director, Sussex County Planning & Zoning Office
2 The Circle
P.O. Box 417
Georgetown, DE 19947

SUSSEX COUNTY
PLANNING & ZONING

Industrial Concrete Crusher / Conditional Use Application # 2327
33508 Ritter Lake Dr, Lewes, DE 19958 / Closed Borrow Pit

Dear Director Whitehouse:

I moved to Lewes, Delaware with my family and four children to enjoy the clean, fresh coastal air and beautiful landscape.

Unfortunately, that dream unexpectedly changed for the worse when I found out my neighbor, a Closed Borrow Pit (CBP) was operating an illegal **Industrial Concrete Crusher** and generating revenue from concrete washout. Concrete washout has a PH of 12, which makes it as caustic as Drano, another environmental hazard right next door.

At my request, DNREC shut down this illegal operation in early 2021 for lack of permitting. Undeterred, the owners filed a **Conditional Use Application # 2327** on November 22, 2021.

I fear for my new born baby who was born on January 4, 2022, as her lungs are only developing and breathing in this cancerous crystalline silica can only lead to respiratory illness. I also fear for my elderly neighbors, many of whom are 55 - 85 years old (Plantations; Henlopen Landing; Morning Glory; Maritima).

I do not think that Lewes, Delaware is the ideal location for an **Industrial Concrete Crusher**, nor do I think that the owners of this CBP are environmental stewards given the the following:

On 01-07-21, DNREC conducted an Inspection Report and indicated the following maintenance issues: 1) Absence of spill response kits in close proximity to ground storage tanks; 2) Cracks in secondary containment structures; 3) Fifty-five gallon drums leaking oily substances; and 4) Issues with concrete washout areas.

On 03-18-21, Ms. Ritter, the owner of the CBP stated that an industrial discharge to Goslee Creek occurred, which is underneath my property located at 16460 Four Leaf Drive, Lewes, DE.

1515 Market Street, Suite 1200 • Philadelphia, PA 19102

TEL 215.551.7109 • FAX 215.525.9721

stephen@dunnelawoffices.com • www.dunnelawoffices.com



DUNNE
LAW OFFICES, P.C.


Lastly, the DNREC Environmental Crimes Unit Files indicates that CBP owners have engaged in dumping (2008); release (2019); discharge (2020); materials handling (2020); and failed to maintain proper permitting for industrial activities (2021).

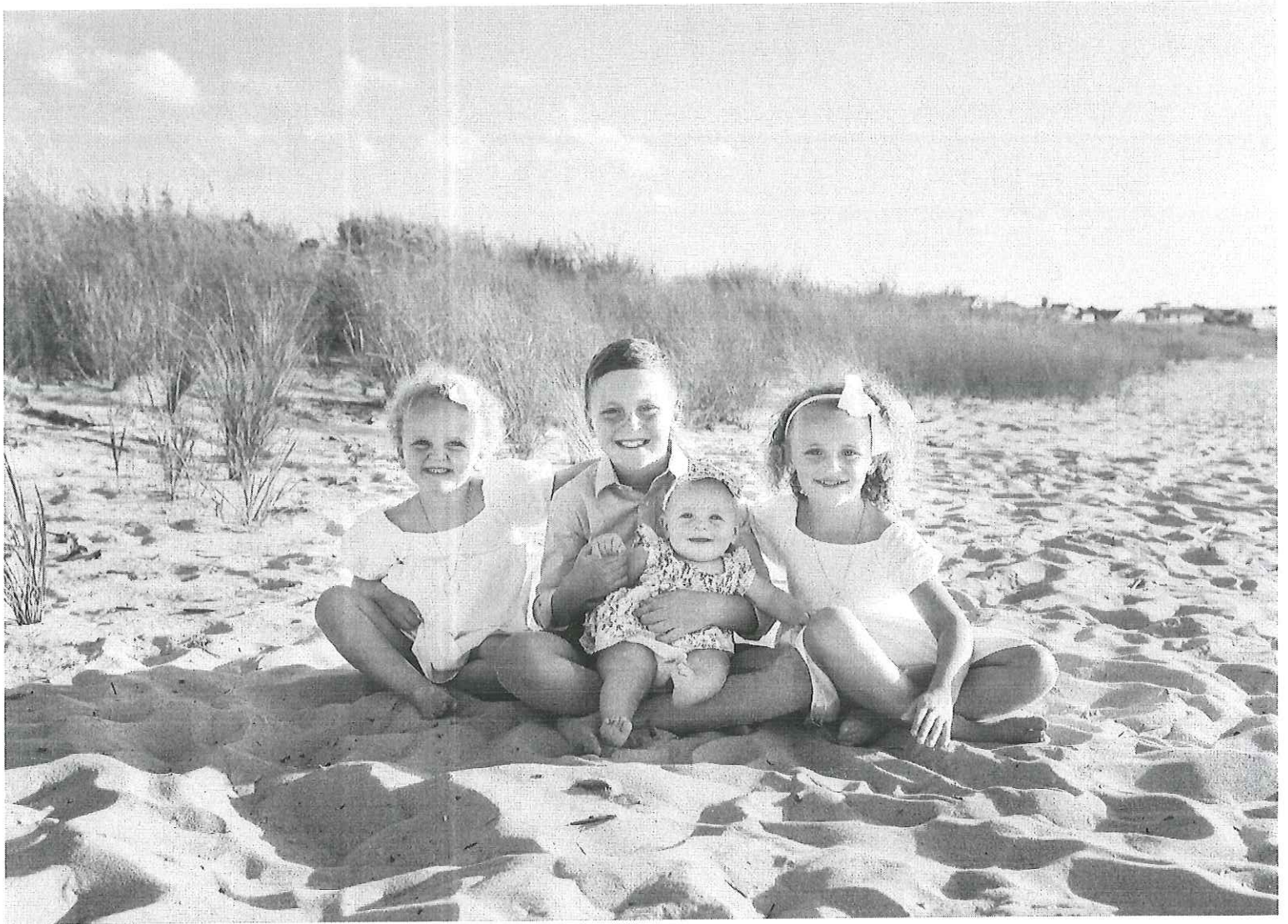
The science is abundantly clear that crystalline silica leads to an increased risk of developing serious silica-related diseases, including:

- Silcosis, an incurable lung disease;
- Lung cancer;
- Chronic obstructive pulmonary disease;
- Kidney disease.

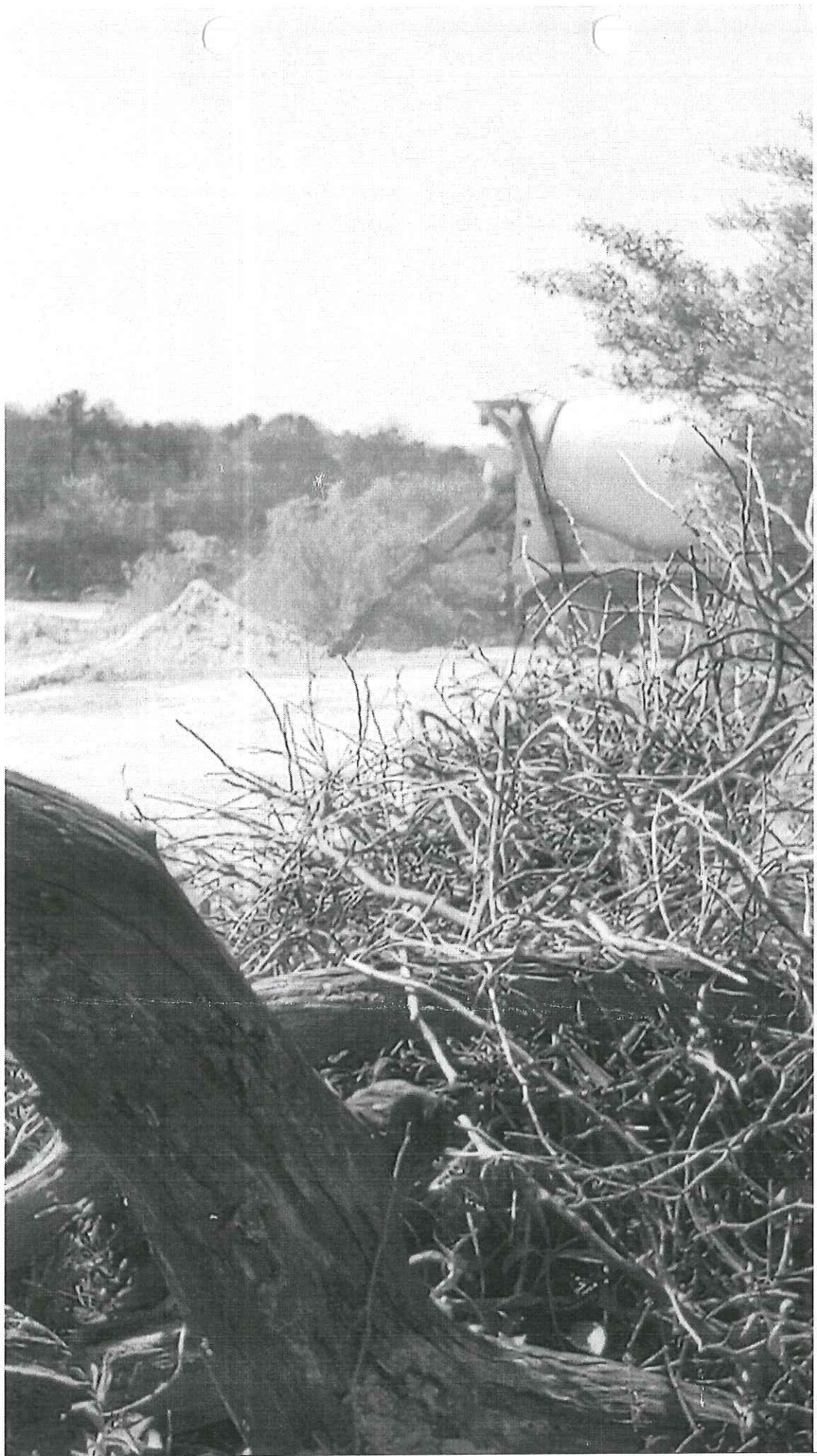
It is irresponsible land use management to permit an Industrial Concrete Crusher adjacent to several residential communities, many of which have 55+ residents (Plantations; Henlopen Landing; Morning Glory; Maritima).

Thank you.


Stephen Dunne
16460 Four Leaf Drive
Lewes, DE 19958











Google 100% Imagery date: 6/14/18-newer Google

90 m Camera: 959 m 38°44'02"N 75°10'11"W 4 m



Chihiro Fujisaki's
Programming School
Temporarily closed

Distance 0 m

X

Done

3D

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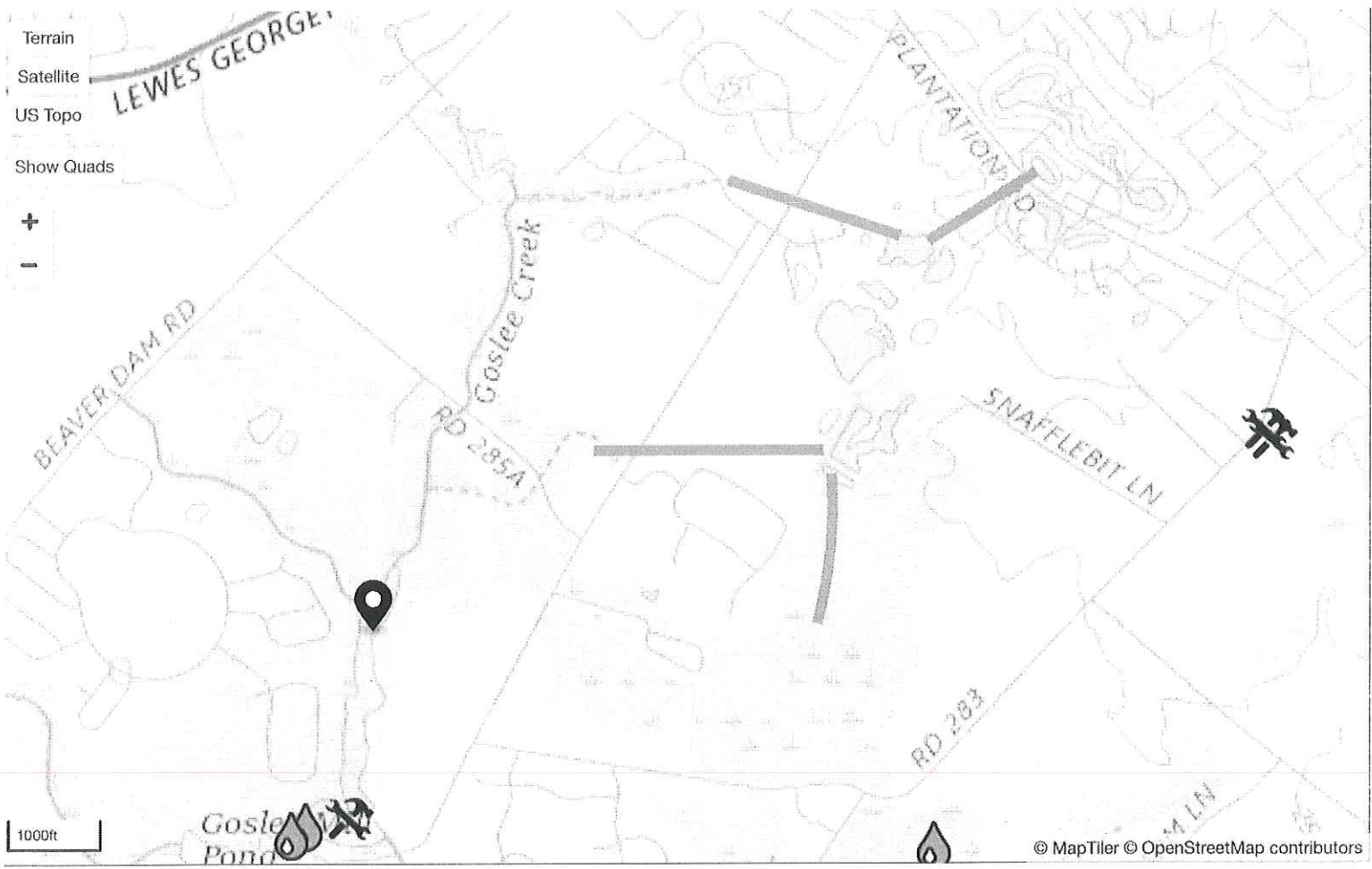
4 m

Camera: 942 m 38°44'11"N 75°10'40"W

100 m

Google 100% Imagery date: 6/14/18-newer Google





- Terrain
- Satellite
- US Topo
- Show Quads



1000ft

© MapTiler © OpenStreetMap contributors

DNREC Environmental Crime Unit Complaints Files

OC Person Name:

OC Company Name:

Start Date:

End Date:

Action Comment:

Location: %33508 RITTER LAKE%

Reported By:

Nature: %

Disposition
:

County:

Division:

Section:

Assigned EPO:

Compl Yr	Comp #	Date	Time	Location	Nature	Object of Complaint Name
2008	793	3/23/2008	09:15:00	33508 RITTER LAKE DR	Dumping	UNKNOWN
Action Comment:		CLOSED				
2008	1313	5/6/2008	11:49:00	33508 RITTER LAKE DR	Dumping	WALL, SANDRA V
Action Comment:		CLOSED				
2019	2752	10/18/2019	10:37:00	33508 RITTER LAKE DRIVE	Release	RITTER, HOWARD
Action Comment:		CLOSED				
2020	830	4/20/2020	14:56:00	33508 RITTER LAKE DR	Discharge	RITTER, HOWARD
Action Comment:		CLOSED				
2020	2583	10/16/2020	10:16:00	33508 RITTER LAKE DR	Materials Handling	
Action Comment:						
2021	40	1/7/2021	10:50:00	33508 RITTER LAKE DR.	Permit Check	
Action Comment:		RELAYED TO JOANNA FRENCH AIR RESOURCES AND BILL TERRY INDUSTRIAL STORM WATER				
2021	43	1/7/2021	13:00:00	33508 RITTER LAKE DR.	PUBLIC OUTREACH	
Action Comment:						

TOTAL # 7
COMPL:



Form 3-GP.SW/06
Revised 07/01/10

State of Delaware
Department of Natural Resources and Environmental Control

Notice of Intent (NOI)

Request for Obtaining Coverage Under *The Regulations Governing Storm Water Discharges Associated with Industrial Activities (Subsection 9.1)*

- Submission of this form serves as notification of the intention of the facility identified on this form, to adhere to the provisions of *The Regulations Governing Storm Water Discharges Associated with Industrial Activities* (NPDES General Storm Water Permit Program).
- This form must be complete in order to obtain permit coverage. Please refer to the directions regarding the fee that is required.

Section 1: Facility Information

Facility Name	Howard L. Ritter & Sons, Inc.		
Mailing/ Billing Address	PO Box 36		
	City Lewes	State DE	Zip 19958
Physical Address	<input type="checkbox"/> Same as above 33508 Ritter Lake Drive		
	City Lewes	State DE	Zip 19958
Within City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	County: <input type="checkbox"/> Kent <input type="checkbox"/> New Castle <input checked="" type="checkbox"/> Sussex	Tax Parcel ID 334-12.00-7.00	
Identify the watershed and the name of the water body or municipal storm sewer system (public MS4) which receives storm water runoff from the facility	Latitude and Longitude expressed as a decimal to at least six (6) decimal points		
Discharges To 2 on-site ponds & Goslee Creek	Latitude 38.732870	Longitude 75.167517	
Watershed	<input type="checkbox"/> Chesapeake Bay <input type="checkbox"/> Delaware Bay <input checked="" type="checkbox"/> Inland Bays/Atlantic Ocean <input type="checkbox"/> Piedmont		

Section 2: Contact Information (Responsible for facility compliance with the NPDES General Storm Water Permit)

Prefix Ms.	First Susan	Middle L.	Last Ritter	Suffix
Title Co-owner / Co-manager	Telephone Number 302-245-0636			
E-Mail Address susanritter2@hotmail.com				

Section 3: Brief description of the types of industrial activities conducted at the facility

- Sand & Gravel mining / excavating
- General Contractor
- Heavy construction (Non-Building)

Section 4: List up to four (4) SIC Codes which describe the activities conducted at the facility

212321	1629		
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Section 5: Is the facility subject to SARA Title III, Section 313 Requirements? Yes No

Section 6: Certification

"I certify under penalty of law this document and all attachments were prepared under my direction, or supervision, in accordance with a system designed to assure that qualified personnel gathered and evaluated the information submitted. Based upon my inquiry of the person(s) directly responsible for gathering the information, the information is, to the best of my knowledge, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for willful violations."

Print Name & Title Susan Ritter / Co-owner	Telephone Number 302-245-0636
Signature <i>Susan Ritter</i>	Date 3/18/2021



Delaware Department of Natural Resources and Environmental Control
89 Kings Highway, Dover, DE, 19901
Tel (302) 739-9946, Fax (302) 739-8369

General Stormwater Inspection Report

Surface Water Discharges Section

Inspector: Kirsten Gerhardt

Facility Information

Site Name: Howard L. Ritter & Sons Inc.

ID #: update later

Location: 33508 Ritter Lake Dr., Lewes, DE 19958

Contact: Susan Ritter

Phone: (302) 245-0636

Email: susanritter2@hotmail.com

Inspection Information

Inspection Type: Facility NOI

Inspection Started: 01/08/2021 01:50 pm

Field Inspection Completed: 01/07/2021 11:14 am

Inspection Report Completed: 01/08/2021 02:14 pm

Weather: Temperature: 40 degrees, Clear

Site Status: Non-compliant

- 1) Do conditions exist that prevent performance of an inspection at this time? No
- 2) Is there a completed/up to date plan available on site for review? Open Work Items Exist
Maintenance Action Required- Noted 01/08/2021
Please send an NOI form along with a Storm Water Plan to Kirsten.gerhardt@delaware.gov or Bill.tanner@delaware.gov within 60 days.
- 3) Have all industrial activities been properly identified? Yes
- 4) Does the facility map reflect the current condition of the site including locations of required elements such as outfall locations, flow direction/drainage areas, structural BPMs, industrial materials, above ground storage tanks? Yes
- 5) Annual training completed? Yes
- 6) Is the facility maintaining records of spills and leaks? Yes
- 7) Is a spill response plan or SPCC available for review? Yes
- 8) Quarterly routine inspections? Yes
- 9) Comprehensive site evaluation? Yes

General Stormwater Inspection Report
Surface Water Discharges Section
Report Continuation

- 10) Secondary Containment inspections? Yes
- 11) Quarterly visual observations completed? Yes
- 12) Analytical monitoring completed? Yes
- 13) Results compared to benchmark concentrations? Yes
- 14) Are values within acceptable ranges for storm water? Yes
- 15) If a sample exceedance occurs, is the corrective action documented? Yes
- 16) Does the facility appear to maintain general good housekeeping practices? Yes
- 17) Is process debris removed regularly? Yes
- 18) Is spill absorbent material and spill response equipment adequately provided? Open Work Items Exist

Maintenance Action Required- Noted 01/08/2021
Please obtain spill response kits to be placed in close proximity to above ground storage tanks, hydraulic/diesel equipment, and any other potential spill hazards. Please complete within 30 days and submit photo documentation.

- 19) Where practical, are industrial materials and activities protected by a storm resistant shelter to prevent exposure to precipitation? Yes
- 20) Is the site free of erosion? Yes
- 21) If bulk salt piles are present are they enclosed or covered to prevent exposure to precipitation? Yes
- 22) ASTs present on site? See notes

Notes Recorded:
Yes

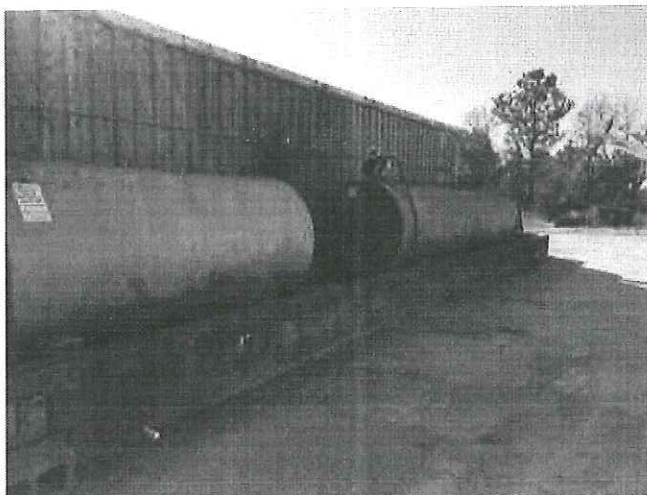


Photo 1: Yes

- 23) AST double-walled or secondary containment structures present? Yes

General Stormwater Inspection Report
Surface Water Discharges Section
Report Continuation

24) **Drain valve locked or drain capped?**

See notes

Notes Recorded:
Capped



Photo 1: Capped

25) **Tanks and secondary containment structures maintained? Free of evidence of spills and leaks?**

Open Work Items Exist

Maintenance Action Required- Noted 01/08/2021

Secondary containment structure requires maintenance. There are cracks in the structure. You will be required to conduct secondary containment inspections as indicated in your SWP once it is complete. Please address cracks in structure and submit photo documentation within 30 days.



Photo 1: Secondary containment structure requires maintenance. There are cracks in the structure. You will be required to conduct secondary containment inspections as indicated in your SWP once it is complete. Please address cracks in structure and submit photo documentation within 30 days.

26) **Is an identifiable outfall present?**

See notes

Notes Recorded:

No identified outfalls. Site is graded so that no water is currently leaving.

27) **Are storm water outfalls identified as required and as they are on the site map?**

Yes

28) **Are outfalls free of debris?**

Yes

29) **If discharge is occurring does it appear to be normal?**

Yes

General Stormwater Inspection Report

Surface Water Discharges Section

Report Continuation

31) Has the permittee implemented BMPs to reduce or eliminate exposure of pollutants from its stormwater discharge?

Open Work Items Exist

Maintenance Action Required- Noted 01/08/2021

Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.



Photo 1: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.

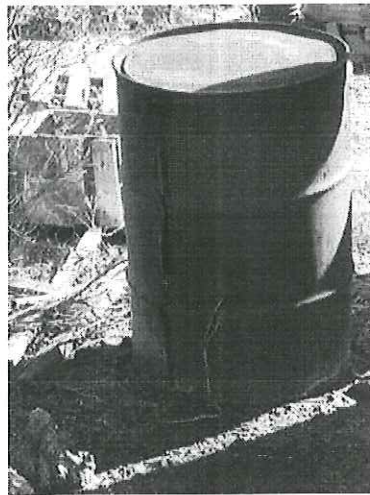


Photo 2: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.

General Stormwater Inspection Report
Surface Water Discharges Section
Report Continuation



Photo 3: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.

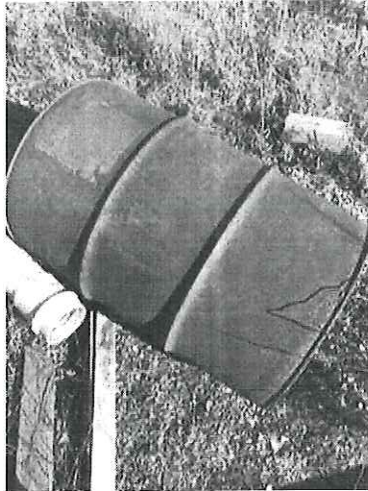


Photo 4: Please address 55 gallon drums and 5 gallon bucket that are collecting stormwater and leaking oily substances. Dispose of properly if no longer in use. If such containers need to be stored on site, they must be placed on a secondary containment pallet or stored inside a weather resistant shelter. Please address and submit photo documentation within 30 days.

32) Are BMPs functioning as designed (adequate to prevent pollution)?

Yes

General Stormwater Inspection Report

Surface Water Discharges Section

Report Continuation

33) Are BMPs implemented adequately maintained?

Open Work Items Exist

Maintenance Action Required- Noted 01/08/2021

Please address the concrete washout area and implement a better management practice such as making sure the concrete is inert before it reaches the water or creating a forebay, etc. Please address within 30 days and submit photo documentation.



Photo 1: Please address the concrete washout area and implement a better management practice such as making sure the concrete is inert before it reaches the water or creating a forebay, etc. Please address within 30 days and submit photo documentation.



Photo 2: Please address the concrete washout area and implement a better management practice such as making sure the concrete is inert before it reaches the water or creating a forebay, etc. Please address within 30 days and submit photo documentation.

34) General Notes/Photos

None recorded

35) Do items of non-compliance other than those previously noted exist?

No

General Stormwater Inspection Report
Surface Water Discharges Section
Report Continuation



Inspected by:


Kirsten Gerhardt
Environmental Scientist I
DNREC
DNREC
(302) 739-9263
kirsten.gerhardt@delaware.gov

The National Institute for Occupational Safety and Health (NIOSH)

Workplace Safety and Health Topics > Crystalline Silica



Workplace Safety and Health
Topics

Promoting productive workplaces
through safety and health research 

Crystalline Silica

Silica, Crystalline

- Worker Information
- Employer Information
- Health Risks of Exposure
- Job Activities Posing Risk
- Engineering Controls
- Medical Monitoring
- Exposure Assessment
- Tools and Resources

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
Health risks of exposure

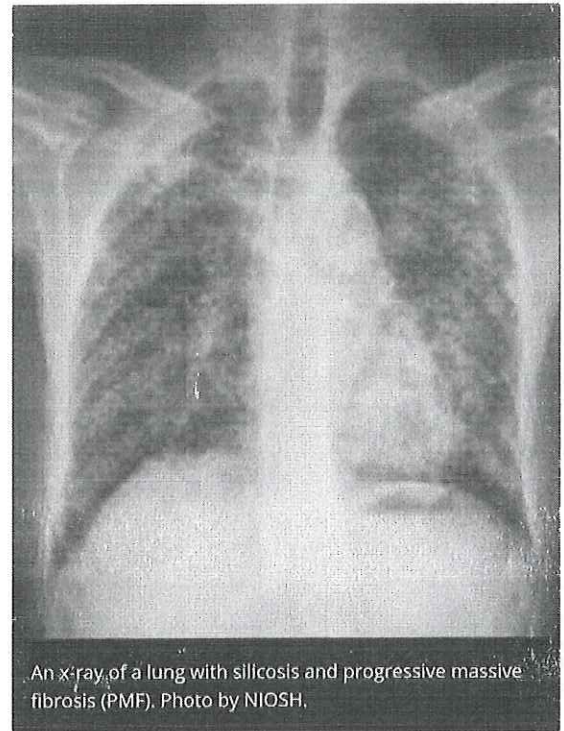
Breathing in dust from silica-containing materials can lead to silicosis. Silica dust particles become trapped in lung tissue, causing inflammation and scarring and reducing the lungs' ability to take in oxygen. This condition is called silicosis. Silicosis results in permanent lung damage and is a progressive, debilitating, and sometimes fatal disease.

Chronic silicosis typically occurs after 10 or more years of exposure to respirable crystalline silica. However, the disease can occur much more quickly after heavy exposures. Silicosis can develop or progress even after occupational exposures have stopped. Symptoms of silicosis may include cough, fatigue, shortness of breath, or chest pain. There is no cure for silicosis and some patients may require lung transplantation.

Workers with exposure to silica and those who have developed silicosis are also at increased risk of contracting tuberculosis (TB), a contagious and potentially life-threatening infection.

Exposure to respirable crystalline silica puts workers at risk for developing other serious diseases including the following:

- [Lung Cancer](#) - Lung cancer results from cells in the body that grow out of control and develop into tumors. Cancerous cells from the lung can also invade other parts of the body, a process known as metastasis.
- [Chronic Obstructive Pulmonary Disease \(COPD\)](#) - COPD includes chronic bronchitis and emphysema. Symptoms of COPD include shortness of breath, coughing or wheezing, phlegm or sputum production, and trouble breathing. The National Occupational Research Agenda (NORA) Respiratory Health Cross-Sector Council produced [Faces of Work-related COPD](#), a video series that provides impact stories from patients and discussion from a physician on the disease.
- [Kidney Disease](#) - Studies of workers have shown that increasing levels of silica exposure are associated with increasing risks for chronic kidney disease.
- [Autoimmune Disease](#)  - Studies of workers have shown that silica exposure is associated with increased risk for a variety of autoimmune diseases, such as rheumatoid arthritis, systemic lupus erythematosus, and systemic sclerosis (scleroderma).



An x-ray of a lung with silicosis and progressive massive fibrosis (PMF). Photo by NIOSH.

Home > About Cancer > Cancer Causes and Prevention > Risk Factors
 > Cancer-Causing Substances



CANCER CAUSES AND PREVENTION

Risk Factors

- Age
- Alcohol
- Cancer-Causing Substances**
- Chronic inflammation
- Common Cancer Myths and Misconceptions
- Diet
- Hormones
- Immunsuppression
- Infectious Agents
- Obesity
- Radiation
- Sunlight
- Tobacco
- Genetics
- Cancer Prevention Overview
- Research

Crystalline Silica

What is crystalline silica?

An abundant natural material, crystalline silica is found in stone, soil, and sand. It is also found in concrete, brick, mortar, and other construction materials. Crystalline silica comes in several forms, with quartz being the most common. Quartz dust is respirable crystalline silica, which means it can be taken in by breathing.



Quartz is the most common form of crystalline silica.

How are people exposed to crystalline silica?

Exposure to tiny particles of airborne silica, primarily quartz dust, occurs mainly in industrial and occupational settings. For example, workers who use handheld masonry saws to cut materials such as concrete and brick may be exposed to airborne silica. When inhaled, these particles can penetrate deep into the lungs.

The primary route of exposure for the general population is inhaling airborne silica while using commercial products containing quartz. These products include cleansers, cosmetics, art clays and glazes, pet litter, talcum powder, caulk, and paint.

Which cancers are associated with exposure to crystalline silica?

Exposure of workers to respirable crystalline silica is associated with elevated rates of lung cancer. The strongest link between human lung cancer and exposure to respirable crystalline silica has been seen in studies of quarry and granite workers and workers involved in ceramic, pottery, refractory brick, and certain earth industries.

How can exposures be reduced?

The Mine Safety and Health Administration and the U.S. Occupational Safety & Health Administration (OSHA) have regulations related to silica. For example, OSHA has a fact sheet on Control of Silica Dust in Construction: Handheld Power Saws.

Selected References:

- International Agency for Research on Cancer. Silica Dust, Crystalline, in the Form of Quartz or Cristobalite. IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 100C. Lyon, France: World Health Organization, 2012. Available online. Last accessed February 1, 2019.
- National Institute for Occupational Safety and Health. Preventing Silicosis and Deaths in Construction Workers. Atlanta, GA: Centers for Disease Control and Prevention, 2014. Available online. Last accessed February 1, 2019.
- National Institute for Occupational Safety and Health. Silica, Crystalline (as respirable dust). NIOSH Pocket Guide to Chemical Hazards. Atlanta, GA: Centers for Disease Control and Prevention, 2019. Available online. Last accessed February 1, 2019.
- National Toxicology Program. Silica, Crystalline (Respirable Size), Report on Carcinogens, Fourteenth Edition. Triangle Park, NC: National Institute of Environmental Health and Safety, 2016. Available online. Last accessed February 1, 2019.
- Occupational Safety and Health Administration. OSHA Fact Sheet: Crystalline Silica Exposure Health Hazard Information. Washington, DC: U.S. Department of Labor, 2002. Available online. Last accessed February 1, 2019.
- Occupational Safety and Health Administration. Silica, Crystalline. Washington, DC: U.S. Department of Labor. Available online. Last accessed February 1, 2019.

Updated: February 1, 2019

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at the National Institutes of Health

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Silica, Crystalline



Health Effects >

Construction >

Overview

Crystalline silica is a common mineral found in the earth's crust. Materials like sand, stone, concrete, and mortar contain crystalline silica. It is also used to make products such as glass, pottery, ceramics, bricks, and artificial stone.

Respirable crystalline silica – very small particles at least 100 times smaller than ordinary sand you might find on beaches and playgrounds – is created when cutting, sawing, grinding, drilling, and crushing stone, rock, concrete, brick, block, and mortar. Activities such as abrasive blasting with sand; sawing brick or concrete; sanding or drilling into concrete walls; grinding mortar; manufacturing brick, concrete blocks, stone countertops, or ceramic products; and cutting or crushing stone result in worker exposures to respirable crystalline silica dust. Industrial sand used in certain operations, such as foundry work and hydraulic fracturing (fracking), is also a source of respirable crystalline silica exposure. About 2.3 million people in the U.S. are exposed to silica at work.

Workers who inhale these very small crystalline silica particles are at increased risk of developing serious silica-related diseases, including:

- Silicosis, an incurable lung disease that can lead to disability and death;
- Lung cancer;
- Chronic obstructive pulmonary disease (COPD); and
- Kidney disease.

To protect workers exposed to respirable crystalline silica, OSHA has issued two respirable crystalline silica standards: one for construction, and the other for general industry and maritime.

Revisions to Table 1

OSHA is currently analyzing comments submitted to a Request for Information to determine if revisions to Table 1 may be appropriate. See the Unified Regulatory Agenda for details.

Highlights

- Small Entity Compliance Guides
 - Construction
 - General Industry and Maritime
- FAQs for the Construction Industry
- FAQs for General Industry
- Controlling Silica Dust in Construction – Videos for Table 1 Tasks
- Table 1 Task Fact Sheets for Construction
- Video: Protecting Workers from Silica Hazards in the Workplace
- Sample Training Powerpoints
 - Construction
 - General Industry and Maritime
- **New** National Emphasis Program – Respirable Crystalline Silica
- **New** Inspection Procedures for the Respirable Crystalline Silica Standards
- Silica Rule Updates
- Submit a question



FEDERAL GOVERNMENT

OCCUPATIONAL SAFETY & HEALTH

ABOUT THIS SITE

Jamie Whitehouse

From: Larry Anzinger <larzing@aol.com>
Sent: Wednesday, November 9, 2022 3:48 PM
To: Jamie Whitehouse
Subject: Proposal to allow for Hazardous Concrete Crusher in Lewes,DE

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.

Hi Jamie,
I want register my opposition to CU #2327. Concrete crushing, as I am sure you know, releases crystalline silica which can lead to Silicosis, lung cancer, chronic obstructive pulmonary disease and kidney disease. Maybe 25 years ago the area where they want to put this operation in was rural enough to not affect the surrounding communities but that is not the case today. I am surprised we even have to fight this, it should be a no-brainer for the Planning and Zoning Commission. The corporation involved has been involved in activities that caused investigation by the DEREK Environmental Crimes unit, why would they even be given consideration to put in a hazardous operation in the middle of an ever growing population here in Sussex county? This operation needs to be moved to a HI-1 zone not the AR-1 zone proposed. Their application for variance to allow this exception should and must be rejected.
Thank you for your consideration of my concerns,

Larry Anzinger
21667 Graves Drive
Lewes Crossing Transition Committee Member
Lewes, DE 19958
(201) 394-6758