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**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



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**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: September 8<sup>th</sup>, 2022

Application: C/Z 1964 Martin Property Development, LLC

Applicant: Martin Property Development, LLC  
34913 Delaware Avenue  
Frankford, DE 19945

Owner: Martin Property Development, LLC c/o Travis Martin  
34913 Delaware Avenue  
Frankford, DE 19945

Site Location: 34796, 34770, 34752, 34708 Delaware Avenue, Frankford. Lying on the west side of Delaware Avenue and the east side of Dupont Boulevard (Route 113), approximately 0.3 mile north of Parker Road (S.C.R. 380)

Current Zoning: C-1 – General Commercial District, AR-1 Agricultural Residential District

Proposed Zoning: LI-2 – Light Industrial District

Comprehensive Land Use Plan Reference: Developing Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Frankford Fire Company

Sewer: Sussex County

Water: Artesian

Site Area: 19.71 acres +/-

Tax Map ID.: 433-11.00-21.00 & 433-11.00-21.02





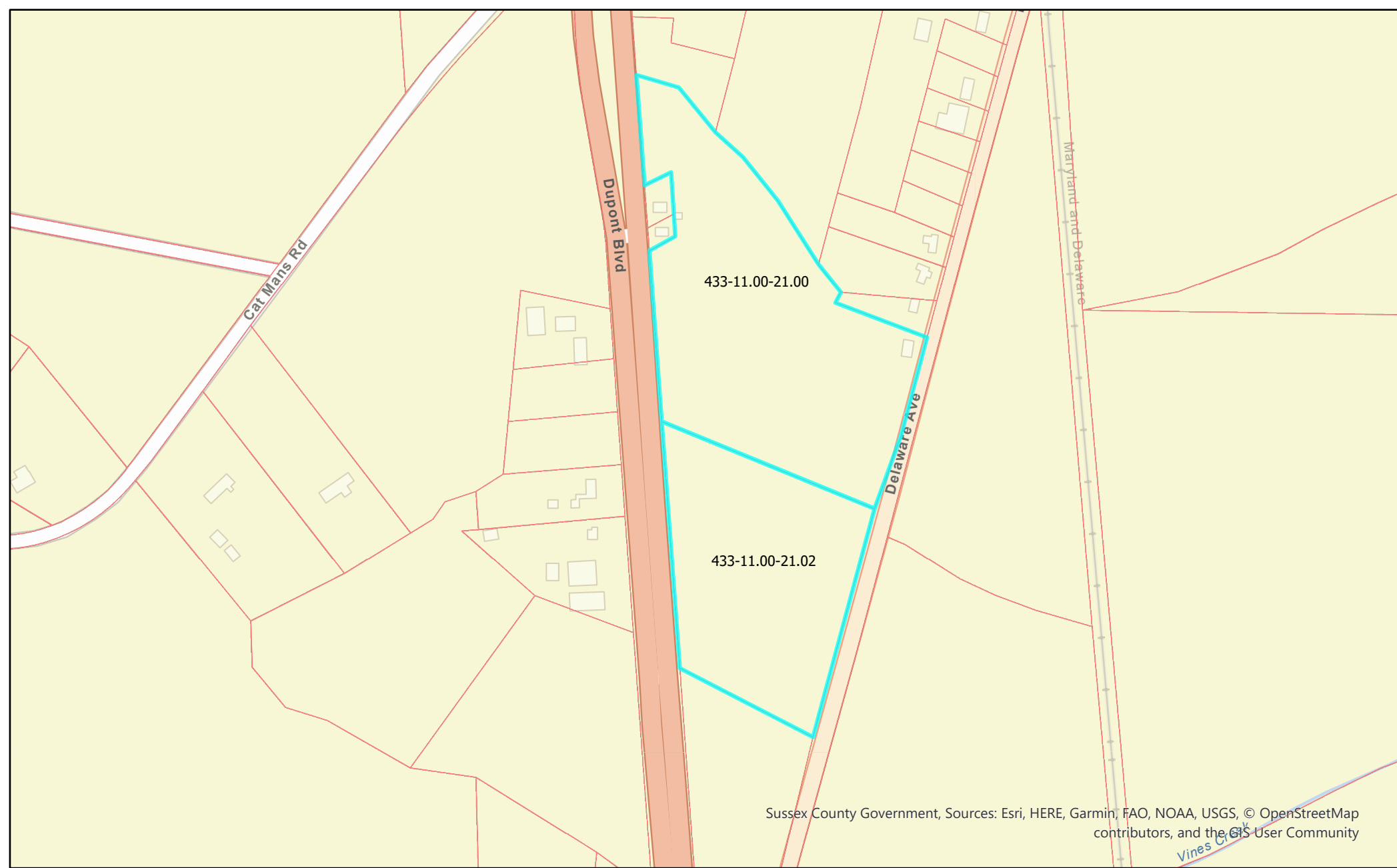
Sussex County Government, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



0 250 500 1,000 Feet

Tax Parcels:  
433-11.00-21.00  
433-11.00-21.02





Sussex County Government, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

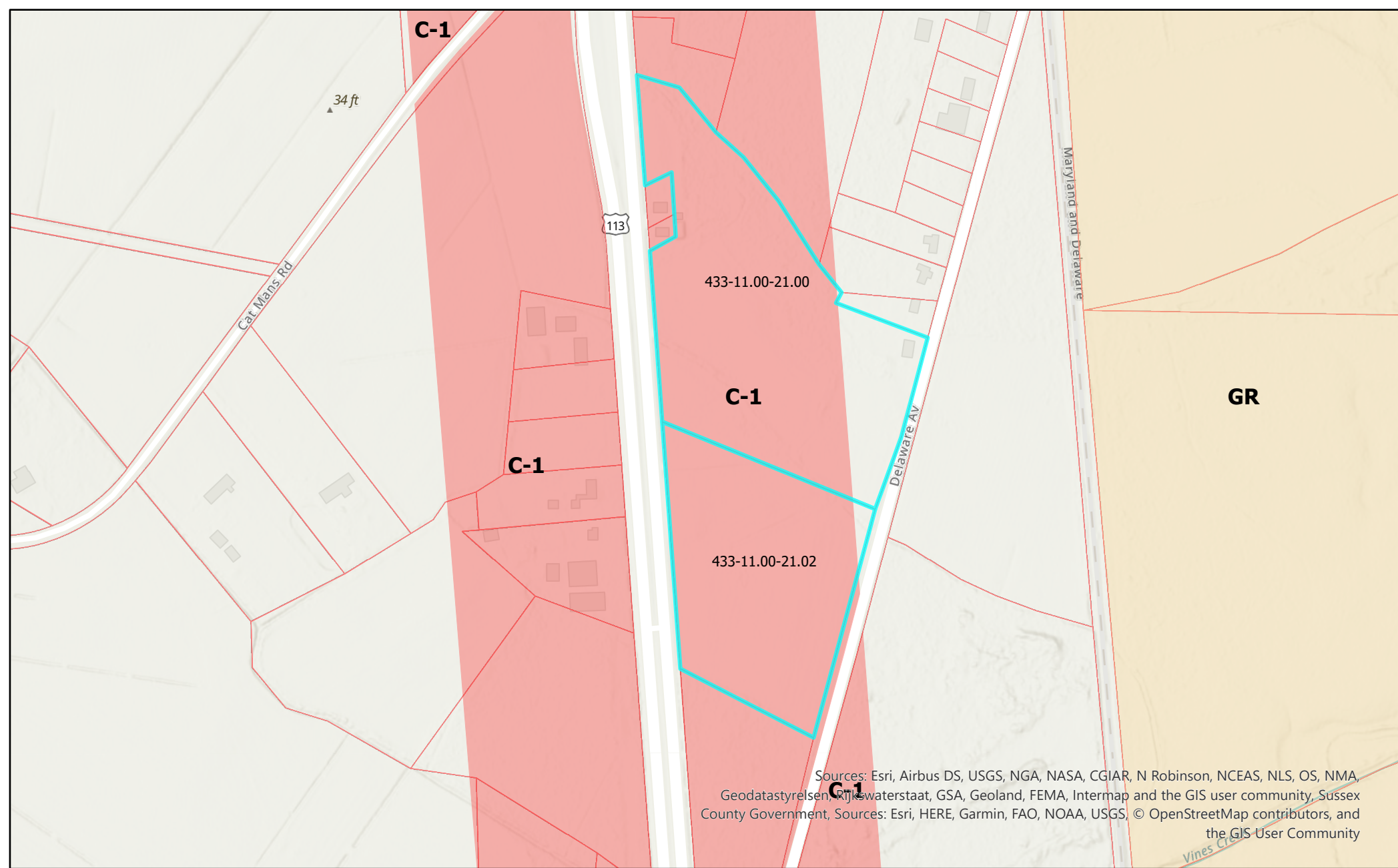
Vines Creek



0 250 500 1,000 Feet

Tax Parcels:  
433-11.00-21.00  
433-11.00-21.02





0 250 500 1,000 Feet



Tax Parcels:  
433-11.00-21.00  
433-11.00-21.02

Zoning					
	Agricultural Residential - AR-1		Vacation, Retire, Resident - VRP		General Commercial - C-5
	Agricultural Residential - AR-2		Neighborhood Business - B-1		Commercial Residential - CR-1
	Medium Residential - MR		Neighborhood Business - B-2		Institutional - I-1
	General Residential - GR		Business Research - B-3		Marine - M
	High Density Residential - HR-1		General Commercial - C-1		Limited Industrial - LI-1
	High Density Residential - HR-2		General Commercial - C-2		Light Industrial - LI-2
			General Commercial - C-3		Heavy Industrial - HI-1
			General Commercial - C-4		

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## Memorandum

To: Sussex County Planning Commission Members  
From: Michael Lowrey, Planner III  
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant  
Date: August 5, 2022  
RE: Staff Analysis for C/Z 1964 Martin Property Development, LLC

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/Z 1964 Martin Property Development LLC to be reviewed during the September 8<sup>th</sup>, 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 Change of Zone for Tax Parcels 433-11.00-21.00 & 433-11.00-21.02 to allow for a change of zone from an Agricultural Residential District (AR-1) and a General Commercial District (C-1) to a Light Industrial District (LI-2) to provide for improvements including 196,973 square feet of warehouse use, 10,00 square feet of office use, two pipe yards, parking, and ancillary improvements. The properties are lying on the west side of Delaware Avenue and on the east side of Dupont Boulevard (Route 113), approximately 0.3 mile north of Parker Road (S.C.R. 380). The two parcels consist of a total of 19.71 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 parcels have a designation of “Developing Area”, with the parcels adjacent on the west side of Delaware Avenue having Future Land Use Map designation of “Developing Area” and the parcels to the east across Delaware Avenue having designations of both “Developing Area” and “Commercial Area”. The parcels immediately west on the opposite side of Dupont Boulevard (Route 113) have a Future Land Use Map designation of “Commercial Area.”

Developing Areas are newer, emerging growth areas that demonstrate the characteristics of developmental pressures. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers (Sussex County Comprehensive Plan, 4-14). As outlined within the 2018 Sussex County Comprehensive Plan, Developing Areas “should allow for business and industrial parks” in portions with “good road access and few nearby homes.”



### 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 Light Industrial (LI-1) District is listed as an Applicable Zoning District within a “Developing Area.” (Sussex County Comprehensive Plan, 4-25).

The property is dual-zoned with approximately 17.21 acres of the western portions of the properties (with frontage along Dupont Boulevard (Route 113)), being zoned General Commercial (C-1) District. The eastern portions of the properties (with frontage along Delaware Avenue) consist of 2.5 acres is currently zoned Agricultural Residential (AR-1) District.

The adjacent parcels to the north, south, and west on both sides the Dupont Boulevard (Route 113) corridor are zoned General Commercial (C-1) District. The adjacent parcels to the east are zoned Agricultural Residential (AR-1) District.

### Existing Conditional Uses within the Vicinity of the Subject Site

Since 2011, there has been one (1) Change of Zone application within a 1-mile radius of the application site. The application was Change of Zone No. 1894 for a change of zone from an Agricultural Residential (AR-1) District to a Heavy Commercial (C-3) District. The application was approved by the Sussex County Council at their meeting of Tuesday, November 19, 2019, and the change was adopted through Ordinance No. 2693.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from a General Commercial (C-1) and an Agricultural Residential (AR-1) District to a Light Industrial (LI-2) District could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CZ 1964  
202118394  
202118396

## 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

Zoning Map Amendment

**Site Address of Conditional Use/Zoning Map Amendment**

N/A

**Type of Conditional Use Requested:**

N/A

Tax Map #: 433-11.00-21.00 & 02

Size of Parcel(s): Bldg. A - 33,000 SF

8.77 acres & 10.94 acres

Bldg. B - 11,900 SF

Current Zoning: C1 AND AR-1 Proposed Zoning: LI2

Size of Building: Bldg C - 25,000 SF

Bldg D - 25,000 SF

Land Use Classification: Commercial

Water Provider: Artesian Water

Sewer Provider: Sussex County

**Applicant Information**

Applicant Name: Martin Property Development, LLC

Applicant Address: 34913 Delaware Avenue

City: Frankford

State: DE

Zip Code: 19945

Phone #: (443) 880-8330

E-mail: tmartin@cphinc.com

**Owner Information**

Owner Name: Travis Martin

Owner Address: 34913 Delaware Avenue

City: Frankford

State: DE

Zip Code: 19945

Phone #: (443) 880-8330

E-mail: tmartin@cphinc.com

**Agent/Attorney/Engineer Information**

Agent/Attorney/Engineer Name: Rob Plitko - Plitko LLC

Agent/Attorney/Engineer Address: 53 Atlantic Ave. Suite #3

City: Ocean View

State: DE

Zip Code: 19970

Phone #: (302) 222-2075

E-mail: rplitko@plitko.com





# Check List for Sussex County Planning & Zoning Applications

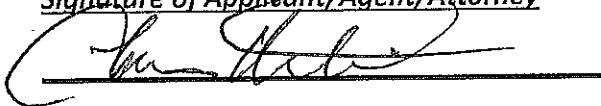
The following shall be submitted with the application

- 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.

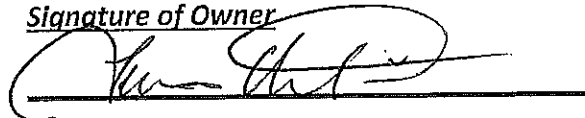
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 10/25/21

Signature of Owner



Date: \_\_\_\_\_

For office use only:

Date Submitted: 12/22/2021  
Staff accepting application: Ces  
Location of property: \_\_\_\_\_

Fee: \$500.00 Check #: 2064  
Application & Case #: 202118394

Subdivision: \_\_\_\_\_  
Date of PC Hearing: \_\_\_\_\_ Recommendation of PC Commission: \_\_\_\_\_  
Date of CC Hearing: \_\_\_\_\_ Decision of CC: \_\_\_\_\_



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

NICOLE MAJESKI  
SECRETARY

July 27, 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 **Travis Martin** proposed land use application, which we received on July 19, 2021. This application is for an approximately 19.71-acre assemblage of parcels (Tax Parcels: 433-11.00-21.00 and 21.02). The subject land is located on the west side of Delaware Street (Sussex Road 54A). The subject land is currently zoned C-1 (General Commercial) with a proposed zoning of LI-2 (Light Industrial) and the applicant seeks to build a warehouse/ storage and office.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Delaware Street from Dupont Boulevard (US 113) to S. Frankford Limit is 731 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 500 vehicle trips per day, and would be considered to have a **Minor** impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be fewer than 200 vehicle trips per a weekly peak hour and fewer than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

Mr. Jamie Whitehouse

Page 2 of 2

July 27, 2021

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

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: Travis Martin, Applicant  
Russell Warrington, Sussex County Planning & Zoning  
David 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

**PLANNING & ZONING**  
Jamie Whitehouse, AICP, MRTPI  
Director

(302) 855-7878 T  
(302) 854-5079 F



**Sussex County**

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sussexcountyde.gov

## Service Level Evaluation Request Form

This form shall be submitted to the Planning and Zoning Office and a response shall be received back from DeDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 7-19-2021

### Site Information:

Site Address/Location: EAST SIDE OF RT. 113, 0.3 mi. N OF DEL. AVE

Tax Parcel Number: 433-11.00-21.00; 433-11.00-21.02

Current Zoning: C-1

Proposed Zoning: LI-2

Land Use Classification: \_\_\_\_\_

Proposed Use(s):

WAREHOUSE / STORAGE & OFFICE

Square footage of any proposed buildings or number of units: 110,000 SF WAREHOUSE  
2,000 SF OFFICE

### Applicant Information:

Applicant's Name: Travis Martin

Applicant's Address: 34913 Delaware Ave.

City: Frankford State: DE Zip Code: 19945

Applicant's Phone Number: 443-880-8330

Applicant's e-mail address: Tmartin@cpnhinc.com



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE 19947

Last updated 3-12-20

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **8/24/2022**

APPLICATION: **CZ 1964 Martin Property Development, LLC**

APPLICANT: **Martin Property Development, LLC**

FILE NO: **OM-8.12**

TAX MAP &  
PARCEL(S): **433-11.00-21.00 & 21.02**

LOCATION: **Lying on the west side of Delaware Avenue and the east side of DuPont Boulevard, approximately 0.3 mile north of Parker Road (SCR 380)**

NO. OF UNITS: **Upzone from AR-1 & C-1 to LI-2 (Light Industrial**

GROSS  
ACREAGE: **19.71**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

**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 1**
- (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? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Blair Lutz** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- 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? **N/A**
- (8). Comments: **If the number of EDU's exceeds the allotted number the infrastructure will need to be installed at owner/developer's expense to serve the project.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



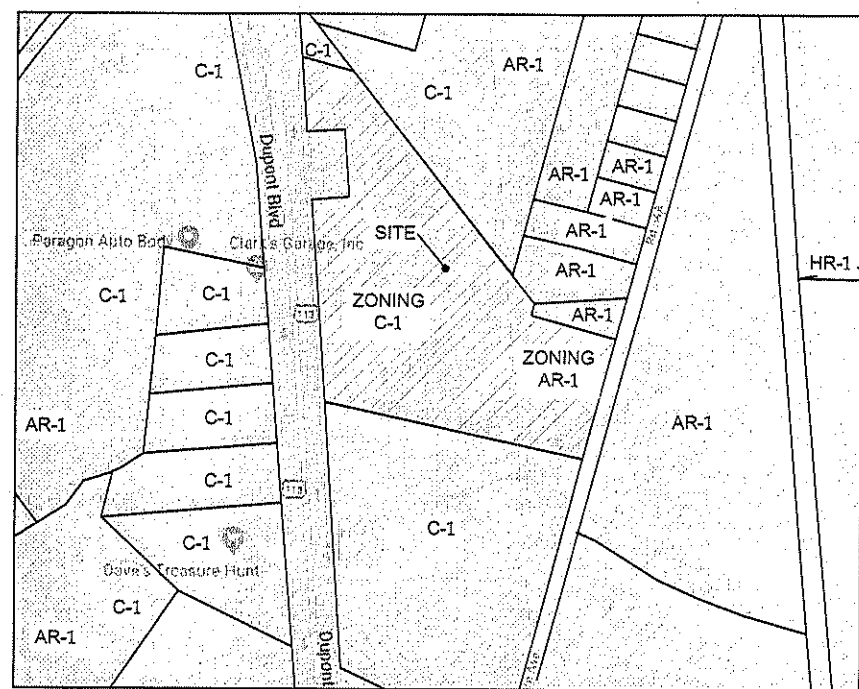
John J. Ashman  
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.  
Lisa Walls  
Blair Lutz

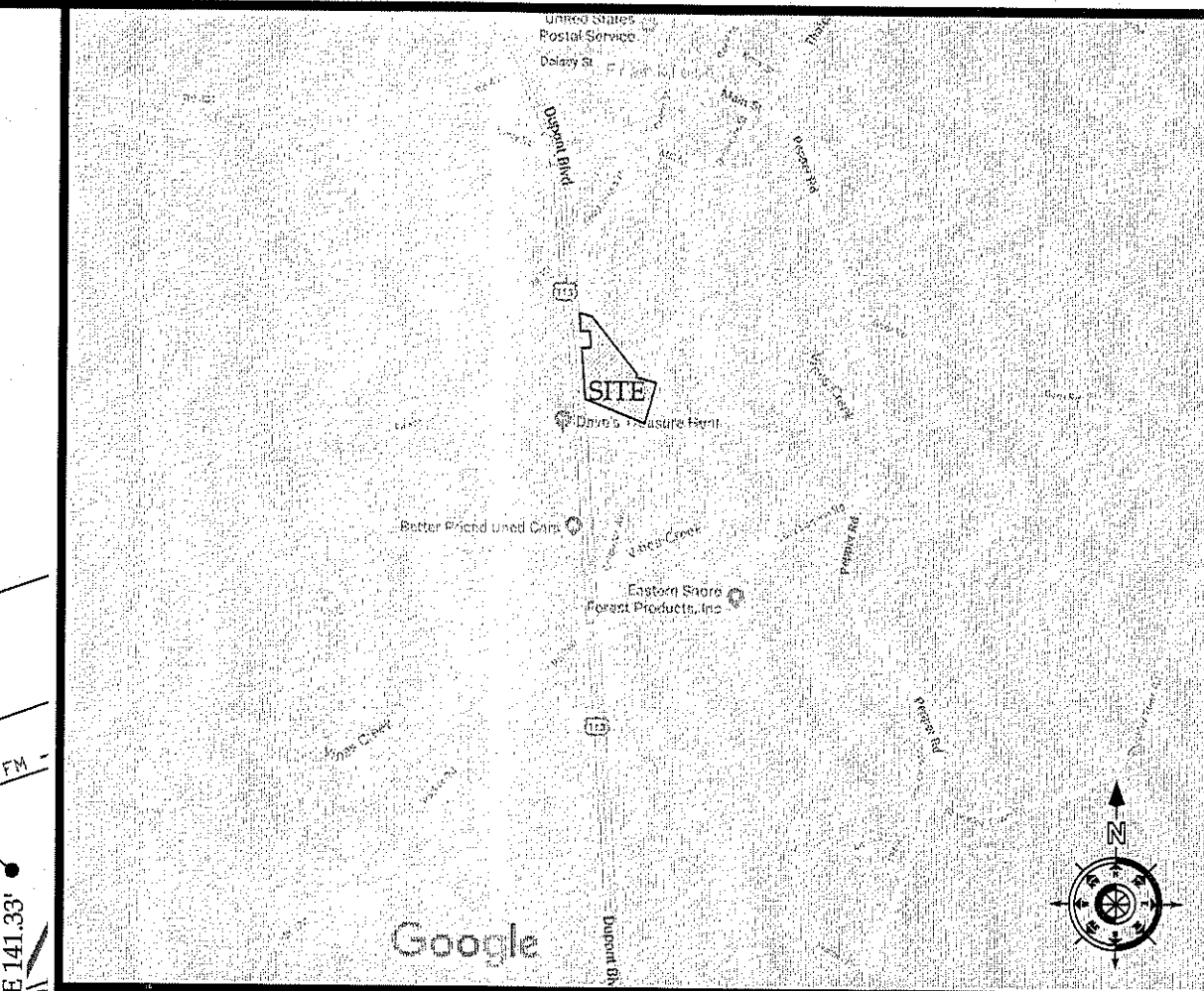
# FRANKFORD BUSINESS PARK PHASE 2

SUSSEX COUNTY, DELAWARE  
T.M.#433-11.00-21.00

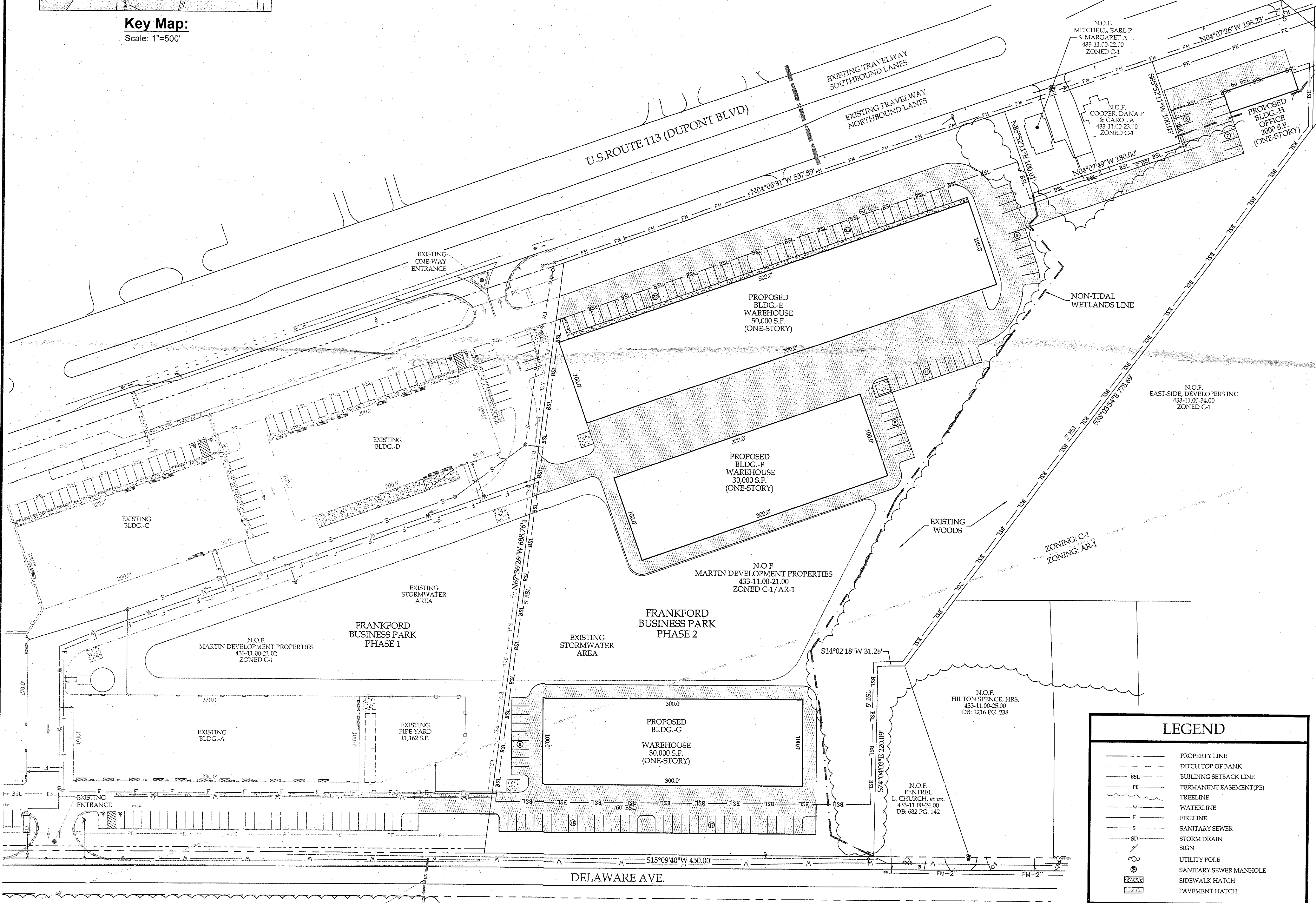
## PRELIMINARY SITE PLAN



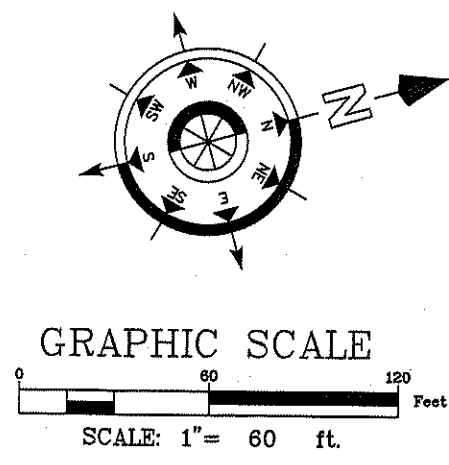
**Key Map:**  
Scale: 1"=500'



VICINITY MAP



LEGEND	
	PROPERTY LINE
	DITCH TOP OF BANK
	BUILDING SETBACK LINE
	PERMANENT EASEMENT (PE)
	TREELINE
	WATERLINE
	FIRELINE
	SANITARY SEWER
	STORM DRAIN
	SIGN
	UTILITY POLE
	SANITARY SEWER MANHOLE
	SIDEWALK HATCH
	PAVEMENT HATCH



PRELIMINARY SITE PLAN

**PLAN DATA:**

<b>CONTRACT PURCHASER/ APPLICANT:</b>	
MARTIN PROPERTY DEVELOPMENT, LLC TRAVIS MARTIN 34913 DELAWARE AVE. FRANKFORD, DE 19945 PHONE: 302-732-6006	
<b>TAX MAP NO.</b>	433-11.00-21.00
<b>SITE AREA:</b>	10.94± ACRES
<b>CURRENT ZONING:</b>	C-1 & AR-1
<b>PROPOSED ZONING:</b>	LI-2
<b>TIDAL WETLANDS AREA:</b>	2.705 ACRES
<b>NON-TIDAL (Section 404) WETLANDS AREA:</b>	N/A
<b>TOTAL WETLANDS AREA:</b>	2.705 ACRES
<b>FLOOD ZONE:</b>	X
<b>FLOOD INSURANCE MAP NUMBER:</b>	10005C0488J
<b>PROPOSED BUILDING CONSTRUCTION:</b>	METAL
<b>MAXIMUM BUILDING HEIGHT:</b>	42.0'
<b>SANITARY SEWER:</b>	DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT ARTESIAN
<b>WATER SUPPLIED BY:</b>	110,000 S.F. WAREHOUSE (123 EMPLOYEES)
<b>TOTAL NUMBER OF UNITS PROPOSED:</b>	2,000 S.F. OFFICE

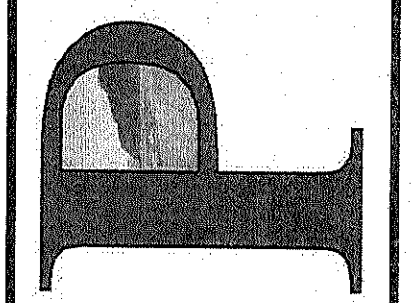
<b>PARKING REQUIRED:</b>	
OFFICE (1 PER 200 SF)	10 SPACES
WAREHOUSE (1/2 EMPLOYEES):	62 SPACES
<b>TOTAL SPACES REQUIRED:</b>	72 SPACES

<b>PARKING PROVIDED:</b>	127 SPACES
--------------------------	------------

<b>SETBACKS:</b>	FRONT 60'	
	SIDE 5'	

REVISION	DATE	DESCRIPTION

**PLITKO, LLC**  
53 ATLANTIC AVE., SUITE #3  
OCEAN VIEW, DE 19970  
PHONE (302)-537-1919



FRANKFORD BUSINESS PARK  
PHASE 2  
PRELIMINARY SITE PLAN  
SUSSEX COUNTY, DELAWARE

Scale:	
Designed:	
Planned:	
Drawn:	2021-10-13
Approved:	RP







STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION

July 20, 2022

Rob Plitko  
PLITKO, LLC  
32133 Omar Road  
Frankford, DE 19945

RE: PLUS review – 2022-06-15; Frankford Business Park, Phase 2

Dear Mr. Plitko:

Thank you for meeting with State agency planners on June 22, 2022 to discuss the proposed plans for the Frankford, Business Park Phase 2. According to the information received, you are seeking review of a site plan for the expansion of the existing Frankford Business Park and to construct 112,073.5 SF of warehouse space.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

**Strategies for State Policies and Spending**

Regarding the rezoning, it was discussed at the meeting that C-1 is a closed district in the Sussex County Plan. Michael Lowery, Sussex County Planner, stated that the applicant should contact the County to determine which zoning district would be appropriate. The Office of State Planning determined that if the zoning requested changes to comply with the Sussex County Plan, an additional PLUS review would not be required, provided the site plan does not change.

This project may be consistent with the 2020 Strategies for State Policies and Spending as it is located within Investment Level 3. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future.

Based on comments from State agencies, if this parcel contains environmental concerns or other constraints to development, the state requests that the applicant and the local jurisdiction work with state agencies to design the site with respect to those environmental features which will help create a more sustainable development.

### **Code Requirements/Agency Permitting Requirements**

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The subject property fronts on US Route 113 and is therefore subject to the Department’s Corridor Capacity Preservation Program (CCPP). See Section 1.2 of DelDOT’s Development Coordination Manual and Section 145, Title 17 of the Delaware Code. The goal of the Program is to maintain the capacity of the existing highway by managing access along it.
  - As stated on the PLUS application, the subject development is proposed in a Level 3 Investment Area. In such areas, State policies will promote efficient, orderly development and the coordinated phasing of infrastructure investment, consistent with the extent and timing of future growth, and within the limitations of state financial resources.
  - In accordance with the CCPP policy, the development will be required to limit vehicle trips to under 200 per day off of the US Route 113 access. The developer will be required to coordination with DelDOT’s subdivision section regarding the internal site layout to comply with the trip limit on the US Route 113 access.
  - The CCPP policy can be viewed on Department’s website at [www.deldot.gov](http://www.deldot.gov).
- The site access on DuPont Boulevard (US Route 113) and the site access on Delaware Avenue (SCR 54A) must be designed in accordance with DelDOT’s Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Each segment of State maintained road is assigned a Functional Classification in accordance with the States Functional Classification Map. Definitions of these classifications are found in Sections 1.6.4 to 1.6.8 of the Manual. The existing design of the road is not required to meet the design standards of the functional classification at the time the classification is assigned. All access designs shall meet the standards set forth in the Manual for the assigned functional class of the frontage road and/or affected segment of road. The developer is responsible for improving the segment of road along their site’s frontage to meet the design standards of the road’s functional class.

- Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. Steve McCabe. Mr. McCabe may be reached at [Richard.McCabe@delaware.gov](mailto:Richard.McCabe@delaware.gov) or (302) 760-2276.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at [https://www.deldot.gov/Business/subdivisions/pdfs/Meeting\\_Request\\_Form.pdf?08022017](https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017).
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development, consisting of 112,073.5 square feet of warehousing space, would generate 231 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 38 and 41, respectively. Therefore, a TIS would not be required.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the outmost edge of the through lane on US Route 113. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Delaware Avenue. The following right-of-way dedication note is required, "**An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation.**"
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 600 feet of the proposed entrance on US Route 113 and 450 feet of the proposed entrance on Delaware Avenue.
  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 3 and 4 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required where there is an existing path with which to connect. DelDOT does not anticipate requiring the developer to provide a Shared Use Path along their frontage.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>. DelDOT anticipates requiring the access on Delaware Avenue to be designed to handle all existing and proposed site traffic excluding the 200 trips allowed to use the entrance on US Route 113 due to the CCPP regulation cited above.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan  
[Katherine.Quinlan@delaware.gov](mailto:Katherine.Quinlan@delaware.gov)

**Disclaimer Clause:** Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Developers and municipal officials are encouraged to reach out to Clare Quinlan at (302) 735-3480 if they have any specific requests for information.

### **Concerns Identified Within the Development Footprint**

#### **Wetlands and Subaqueous Lands**

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site. The application indicates that wetlands have been delineated. The application does not propose direct impacts to the wetlands.

Requirements:

- If the site design changes and dredge or fill of wetlands or subaqueous lands becomes necessary, permitting and/or authorization requirements may apply.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.

Website: <https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/>

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

#### **Vegetated Buffer Zones**

Site plans do not show a vegetated buffer along wetlands. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

Requirements:

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

#### **Stormwater Management**

This application proposes greater than 5000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's *Sediment and Stormwater Regulations*.

Requirements:

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this

project, the plan review agency is the Sussex Conservation District.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.delaware.gov/enoi/>, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

### **Hydrologic Soils Group**

Hydrologic Soil Group A/D soils (very poorly drained) have been identified over most of the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

Requirements:

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

### **Wastewater permits – Large Systems**

Sussex County holds existing permits with the DNREC Groundwater Discharges Section's Large Systems Branch for wastewater disposal.

Requirements:

- If additional flows to Sussex County's system will require capacity updates, it is the responsibility of the permittee (Sussex County) to notify the Large Systems Branch.

Contact: DNREC Large Systems Branch at (302) 739-9948.

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/>

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- There is moderate to high potential for pre-Contact archaeological sites along the southern half of the parcel due to a nearby fresh water source. The parcel has remained consistently forested or agricultural fields with minimal ground disturbance. Our office is recommending an archaeological survey of the project area prior to any ground disturbance.
- The developer should also be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch.54).

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

**Fire Protection Water Requirements**

- Water distribution system capable of delivering at least 1,500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for business occupancy sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

**Fire Protection Features**

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 Sq. Ft., 3-stories or more, over 35 feet in height, or classified as High Hazard are required to meet fire lane marking requirements
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR.

### **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the site must be constructed so fire department apparatus may negotiate it. If a “center island” is placed at an entrance road, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the site.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet.
- The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

### **Gas Piping and System Information**

- Provide type of fuel proposed and show locations of bulk containers on plan.

### **Required Notes**

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads



## **Recommendations/Additional Information**

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

### **Department of Transportation – Contact Stephen Bayer 302-760-4834**

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to US Route 113 of Delaware Avenue.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

### **Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480**

#### **Wetlands and Subaqueous Lands**

- As proposed for this project, do not disturb wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.  
Website: <https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/>

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.  
Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

#### **Vegetated Buffer Zones**

- Incorporate a 100-foot vegetated buffer zone from the edge of wetlands to protect water quality and to provide an additional margin of safety for flooding.

- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.
- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.
- Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Stormwater Management**

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

### **Drainage**

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

### **Water Quality (Pollution Control Strategies)**

This site lies within the Indian River Bay Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.
- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable. Break up large parking lots with planted islands.
- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.
- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/>

### **Additional Sustainable Practices**

- Install electric vehicle charging stations for employees. It is easier to plan for the installation at construction, rather than doing costly retrofits later. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/>).
- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric

utilities (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).

- On large expanses of impervious surfaces and asphalt, design parking areas to include trees for shading.
- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.
- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.
- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.

Website: <https://dnrec.alpha.delaware.gov/climate-coastal-energy/>

#### Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

- This parcel is located within an area of minimal flood concern (1000 years or greater). The First Street Foundation rates the community risk level of 3 for Frankford, which suggests a major risk from flooding, combining risks associated between residential properties, commercial properties, critical infrastructure facilities, social infrastructure facilities, and roads, and is expected to increase between now and the next 30 years.
- The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block the project is located has a total population of 22 people, though, with development, this will certainly change. The adjacent blocks in aggregate bring the area to a total population of 211.
- The parcel is not currently assigned to an evacuation zone nor is it within the 10-mile EPZ zone for the Salem Nuclear Power Plant.
- According to FEMA's National Risk Index, the parcel is considered relatively low for overall natural hazards risks. Its community resilience and social vulnerability are rated as relatively moderate.

- In terms of energy use and consumption, the parcel utilizes electricity as the predominant fuel type for heating purposes. As such, the parcel has a photovoltaic power potential of 1487 kWh per kWp. As such, should solar panels be utilized, we recommend an optimum tilt of the photovoltaic modules to be at approximately 35 degrees which could provide a potential of 1806 kWh/m<sup>2</sup>. DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities.
- In terms of utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems, the closer to 99% the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless hot water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure.
- Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.

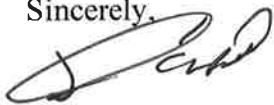
Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for an appointment.
- Applications and brochures can be downloaded from our website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

**Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.**

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



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

Attached:  
Sussex County Planning & Zoning Comments  
Sussex County Engineering Comments

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



**Sussex County**  
DELAWARE  
sussexcountyde.gov

**Preliminary Land Use Service (PLUS) Meeting**  
**June 22<sup>nd</sup>, 2022**  
**June PLUS Comments**  
**Sussex County Department of Planning & Zoning**

**I. Review and Discussion: Frankford Business Park – Phase 2 (2022-06-15)**

**Location:** East side of US Route 113, approximately (0.3) miles north of Delaware Avenue

**Project:** A proposed change of zone from Agricultural Residential (AR-1) and General Commercial (C-1) at the site to accommodate a proposed expansion of the existing Frankford Business Park onto the north parcel TM #433-11.00-21.00

**Sussex County Department of Planning & Zoning Comments**

The applicant is required to participate in a pre-application meeting with the County. Please contact the Planning and Zoning Department to schedule a pre-application meeting with staff to discuss the proposed project by calling (302)855-7878 or you may reach out to Michael Lowrey at [michael.lowrey@sussexcountyde.gov](mailto:michael.lowrey@sussexcountyde.gov).

Following submission to the County, staff will review the Preliminary Site Plan, where more detailed comments will be provided to the applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

Please note that the following are informal staff comments, and do not prejudice any decision that the Sussex County Planning & Zoning Commission may wish to make as part of any application submitted to the Department.

**Tax Parcel ID(s):** 433-11.00-21.00

**Zoning:** The parcel is split-zoned General Commercial (C-1) and Agricultural Residential (AR-1). The Applicant proposes a change of zone to Light Industrial (LI-2). Commercial warehousing is a permitted use in the LI-2 Zoning District.

**Proposed:** The project proposes a change of zone from the split-zoned General Commercial (C-1) and Agricultural Residential to Light Industrial (LI-2) to accommodate an expansion of the existing Frankford Business Park with commercial improvements including three (3) warehouse structures comprising a total of (112,073.5) square feet and associated parking.

**Density:** N/A

**Applicability to Comprehensive Plan:** The project lies within the Growth Area and is categorized as “Developing Area” (per the 2018 Comprehensive Plan). Developing Areas are emerging growth areas where the Plan notes that portions with “good road access and few nearby homes should allow for business and industrial parks” (2018 Sussex County Comprehensive Plan, 4-14). The Light Industrial (LI-2) is listed as an Applicable Zoning Districts within the Coastal Area according to Table 4.5-2 “Zoning Districts Applicable to Future Land Use Categories” per Sussex County’s 2018 Comprehensive Plan Update.

**Open Space Provisions:** N/A

**Interconnectivity:** While it is understood that there can be existing site constraints which may inhibit the ability for this proposal to connect to adjacent lands, please note that the Commission desire to see interconnectivity between proposed developments in order to prevent only one-way-in, one-way-out access in the event that an emergency should occur on the property. Staff also note the interconnectivity requirements for the specific uses indicated in (§115-219(A)(5 & 6)) and the standards for connectivity described in (§115-219(D)).

**Transportation Improvement District (TID):** The proposed project is not located within the Henlopen TID. Staff notes that under the applicable Combined Highway Corridor Overlay Zone (CHCOZ), the site “must accommodate pedestrian movement throughout the site to provide safe connections to transit stops, parking areas, and sidewalks” (§115-194.1(G)(1)(b)).

**Agricultural Areas:** The site is located within the vicinity of parcels which appear to be actively farmed. Please include on any future plans, the Agricultural Use Protection notice located in (§99-6(G)(1)) of the County Code. This language shall also be included within any subsequent deed restrictions, leases, or agreements of sale for the property.

**Forested Areas:** The Applicant notes that there are presently (2.3) acres of existing forest on the site and that no forest will be removed. Therefore, the site is retaining (2.3) acres of forested area (roughly 21% of the site). Staff note that the site is subject to the Combined Highway Corridor Overlay Zone (CHCOZ) which includes the requirement that a twenty (20) foot vegetated buffer be provided within the required front yard setback along the frontage on DuPont Boulevard (Route 113) (§115-194.1(E)(3)).

**Wetlands:** The Application notes that there are (2.3) acres of Non-Tidal Wetlands present on the site. Staff appreciate site design configurations that maximize the preservation of all wetlands and similar natural resources which may be present on the site. Staff note that a thirty (30) foot buffer may be required around the wetlands on the site if the wetlands are part of “perennial nontidal rivers and nontidal streams” (§115-193(B)). We recommend the applicant ensure that any required buffer area excludes any proposed stormwater management areas. The application indicates that the wetlands on the site have been delineated and signed off on by the U.S. Army Corps of Engineers.

**Site Considerations (Flood Zones, Tax Ditches, Groundwater Recharge Potential etc.):** The property is located within Flood Zone “X” (Areas determined to be outside of the



100 year floodplain) as indicated in the applicant's Conceptual Land Use Plan. This is accurate according to current data available to Sussex County Planning & Zoning. The Public Pre Check included with the State's PLUS file for the application indicates "Issues Found" regarding the FIRM map designation. Staff request that any discrepancies in FEMA FIRM Map floodplain designation be addressed. The site is located within an area of "poor" groundwater recharge according to Sussex County GIS data. Please note this on the future plan in order to comply with the provisions of Chapter 89 "Source Water Protection" of the Sussex County Code (§89-7). Staff notes that the proposal is not within a wellhead protection area (§89-6).

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Visit [de.gov/plus](https://de.gov/plus) for updates

**Preliminary Land Use Service (PLUS) Meeting  
Meeting will be conducted on-line and in person  
Room 133, Haslet Armory**

**122 Martin Luther King Jr. Blvd., South**

Please see <https://publicmeetings.delaware.gov/> for link to on-line access

**June 22, 2022**

**Applicants should arrive at least 15 minutes before their appointed time. Times are approximate and are subject to change.**

- I. 8:00 AM **Pre-Meeting Discussion – PLUS Reviewers**
- II. 8:30 AM **Review and Discussion: Moore’s Lake Shopping Center (2022-06-07)**  
**County:** Kent **Municipality:** Unincorporated  
**Location:** Multiple parcels at the southwest corner of W. Lebanon Road & S. State Street.  
**Project:** Review of a rezoning of 1.770 acres to BG.
- III. 8:45 AM **Review and Discussion: Lands of Barlow Rezoning (2022-06-03)**  
**County:** Kent **Municipality:** Unincorporated  
**Location:** East side of S. DuPont Hwy, between Big Woods Rd. and Twin Willows Road.  
**Project:** Review of a rezoning for 2.68 acres from RMH to BN.
- IV. 9:15 AM **Review and Discussion: U-Haul of Dover (2022-06-09)**  
**County:** Kent **Municipality:** Unincorporated  
**Location:** Northwest corner of S. Bay Road and E. Lebanon Road.  
**Project:** Review of a site plan for self-storage facility with truck & trailer sharing service and related retail sales.
- V. 9:45 AM **Review and Discussion: Newspaper Publication Notices (2022-06-02)**  
**County:** New Castle **Municipality:** Unincorporated  
**Location:** Entire County.  
**Project:** Review of an ordinance to amend the requirement to publish in the Saturday edition of the News Journal.
- VI. 10:00 AM **Review and Discussion: Country Club Estates (2022-06-10)**  
**County:** New Castle **Municipality:** Unincorporated  
**Location:** 5 parcels including 1339 & 1349 Churchtown Road.  
**Project:** Review of a subdivision plan for 540 residential units (mix of single-family, townhomes and apartments) on 296 acres zoned S.

- VII. 10:30 AM **Review and Discussion: Carter Farm (2022-06-1)**  
**County:** New Castle **Municipality:** Unincorporated  
**Location:** 1240, 1208, 1280 Bethel Church Rd. & 1263 Choptank Rd.  
**Project:** Review of a subdivision plan for 624 residential units (mix of single-family, townhomes and apartments) on 411.9 acres zoned S.
- VIII. 11:00 AM **Review and Discussion: Country Creek Phase 3 (2022-06-04)**  
**County:** New Castle **Municipality:** Unincorporated  
**Location:** East side of Creekside Dr., 550 ft. south of Huntington Ridge Rd.  
**Project:** Review of a subdivision plan for 29 single-family dwelling units on 16.25 acres zoned NC6.5.

IX. 11:30 AM **LUNCH**

- X. 12:30 AM **Review and Discussion: Millsboro Comp Plan Amendment (2022-06-06)**  
**County:** Sussex **Municipality:** Millsboro  
**Location:** Mitchell Street, Millsboro  
**Project:** Review of a comprehensive plan amendment of the future land use map to change two parcels from Highway commercial to Commercial. (Parcels proposed for annexation)

**The Sussex County Engineering Department has no comment concerning the Comprehensive Land Use Amendment.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- XI. 1:00 PM **Review and Discussion: CHEER – Gateway Village (2022-06-14)**  
**County:** Sussex **Municipality:** Georgetown  
**Location:** Corner of Route 9 and Sand Hill Road.  
**Project:** Review of a Site Plan for an additional four apartment buildings (240 units), an administration building and maintenance building.

**The Sussex County Engineering Department has no comment concerning the project within the Town of Georgetown.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302)-854-5088.

- XII. 1:30 PM **Review and Discussion: Hudson Store Parcel Rezoning (2022-06-12)**  
**County:** Sussex **Municipality:** Unincorporated  
**Location:** 34621 Atlantic Avenue, Dagsboro  
**Project:** Review of a rezoning on 4.4 acres from AR-1/C-1 to C-3.

**The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.**

**A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s)**

and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- XIII. 1:45 PM **Review and Discussion: Ward Property (2022-06-13)**  
**County:** Sussex **Municipality:** Unincorporated  
**Location:** East of Club House Road and north of Gail Circle.  
**Project:** Review of a subdivision to create 15 lots on 6.4 acres zoned MR.

The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.

A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- XIV. 2:25 PM **Review and Discussion: Sundance Club (2022-06-08)**  
**County:** Sussex **Municipality:** Unincorporated  
**Location:** Northwesterly corner of Railway Road and Old Mill Road.  
**Project:** Review of site plan for 180 age-restricted detached condominium units on 50.6 acres zoned GR.

**The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.**

**A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.**

**The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.**

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

XV. 2:45 PM

**Review and Discussion: Marsh Homestead (2022-06-01)**

**County:** Sussex

**Municipality:** Unincorporated

**Location:** South side of Waterview Road, approximately 775 ft. east of Camp Arrowhead Road.

**Project:** Review of a subdivision to create 41 single-family lots on 16.52 acres zoned AR-1.

**The proposed project is located within a Tier 2 area and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.**

**A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Reivew Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.**

**The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.**

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- XVI. 3:15 PM **Review and Discussion: Sycamore Chase Expansion (2022-06-05)**  
**County:** Sussex **Municipality:** Unincorporated  
**Location:** North side of Daisey Road, approximately 0.4 miles west of Bayard Rd.  
**Project:** Review of a cluster subdivision for 133 single-family lots on 73.95 acres zoned AR-1 adjacent to the existing Sycamore Chase community.

**The proposed project is located within a Tier 4 for wastewater planning with existing CPCN. Sussex County does not currently have a schedule to provide sanitary sewer to this project. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility or municipality.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- XVII. 3:45 PM **Review and Discussion: Frankford Business Park Phase 2 (2022-06-15)**  
**County:** Sussex **Municipality:** Unincorporated  
**Location:** East side of US Route 113, approximately 0.3 miles north of Delaware Ave.  
**Project:** Review of a site plan for 112,073.5 sq. ft. of warehouse space.

**The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.**

**A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.**

**The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.**

**One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.**

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088