

# Morris James LLP

David C. Hutt  
302.856.0018  
dhutt@morrisjames.com

January 10, 2022

**VIA: Hand Delivery**

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

RECEIVED

JAN 10 2022

SUSSEX COUNTY  
PLANNING & ZONING

Re: ORDINANCE NO. 21-08. AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 532-12.00-1.00, 532-12.00-27.00, 532-18.00-42.00, 532-18.00-44.00 AND 532-19.00-1.00

Dear Council Members:

I represent the owners of the above-referenced tax parcels (the "Properties"). My clients appreciate the amount of time this Council spent considering this matter at the public hearing on December 14<sup>th</sup> where they were afforded the opportunity to present their position to this Council. My clients request is that Council adopt Ordinance No. 21-08 which modifies the designation of these Properties to a Developing Area on the Future Land Use Map ("FLUM").

The purpose of this letter is two-fold. First, it addresses the argument raised by the Office of State Planning Coordination ("OSPC") that Council should defer on deciding this Ordinance; and second, to summarize the owners' position for your consideration. Enclosed with this letter are a series of Bates Stamped documents. The first nineteen (19) pages of the attached exhibits are a copy of the exhibits shown during the presentation at the public hearing as these pictures are helpful pictorial demonstrations of the basis for this request.<sup>1</sup>

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<sup>1</sup> December 14<sup>th</sup> Presentation Exhibits (Letter Exhibits: Landowners 1-19).

Sussex County Council  
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**I. Council should act on Ordinance No. 21-08.**

In a surprising turn during the December 14<sup>th</sup> public hearing, the OSPC encouraged this Council to stay the adoption of Ordinance No. 21-08 and even threatened Council that adoption of the Ordinance could jeopardize the flow of monies from the State to Sussex County. On behalf of my clients, I objected to that position during the public hearing and now, reiterate that objection.

Initially, the express language of Ordinance No. 21-08 contradicts the OSPC's position that the adoption of the Ordinance is the end of the process. Section 2 of the Ordinance states,

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

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

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

8. By the terms of the Delaware Strategies for State Policies and Spending document, all land use authority remains vested with Sussex County. This is reiterated within the current Sussex County Comprehensive Plan. While the County certainly takes into account the State's recommendations with regard to a Map amendment, the circumstances that have been presented with this application justify a revision, if not a correction, to the Map.

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

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



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

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

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

In response, the County asked the OSPC to allow it to conduct public hearings on the proposed amendment in order to be able to then negotiate with the OSPC.<sup>4</sup> This reflected the oddity created by a process where the County is merely a conduit for the requested amendment and the lack of information available to the OSPC from the property owner—the party in interest. The OSPC confirmed its agreement to this plan and then confirmed that process with the Cabinet Committee at its meeting on September 30, 2021.<sup>5</sup> On October 19, 2021, after the process was confirmed by the Cabinet Committee,<sup>6</sup> the County introduced Ordinance No. 21-08. Unfortunately, at the public hearing on December 14<sup>th</sup>, the OSPC then argued that the process be paused by having the County not act upon the Ordinance.

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<sup>2</sup> 29 Del. C. §9103(f).

<sup>3</sup> 29 Del. C. §9103(d).

<sup>4</sup> August 18, 2021 letter from Planning and Zoning Director Jamie Whitehouse to OSPC (Landowners 20).

<sup>5</sup> August 31, 2021 letter from Director David L. Edgell to Director Whitehouse (Landowners 21).

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

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

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

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

Thus, from a legal and procedural perspective, the OSPC's position is incorrect. My clients ask the Council to reject the OSPC's position, adopt Ordinance No. 21-08 and continue the process with the OSPC to complete the negotiation and dispute resolution process set forth in the Delaware Code.

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



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

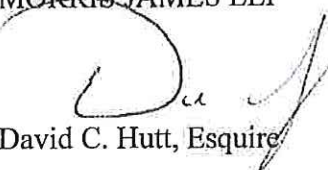
During the public hearing, I reviewed some of the history of the Properties, including the former Blackwater Creek<sup>8</sup> project proposed for these Properties, along with the factors set forth in Chapter 4, Future Land Use of the Comprehensive Plan demonstrating that these Properties specifically match the characteristics of areas to be included in the Developing Area. Some of the best depictions of the appropriateness of these Properties being in a Developing Area were the slides<sup>9</sup> shown during the public hearing and attached to this letter which show the proximity of the Properties to Salisbury, the largest municipality on the Eastern Shore.<sup>10</sup> Of course, in addition to that employment center and destination, there are other local and regional employment centers in Western Sussex County—including, but not limited to, Delmar, Seaford, Laurel and Millsboro.<sup>11</sup>

### **Conclusion**

In conclusion, my clients request that Council, as recommended by the Planning Commission, adopt Ordinance No. 21-08 allowing the County staff and its professionals to then participate in the negotiation with the OSPC and any further dispute resolution required by the Cabinet Committee.

Respectfully submitted,

MORRIS JAMES LLP



David C. Hutt, Esquire

Enclosures: Landowners 1-21

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

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<sup>8</sup> Landowners 2.

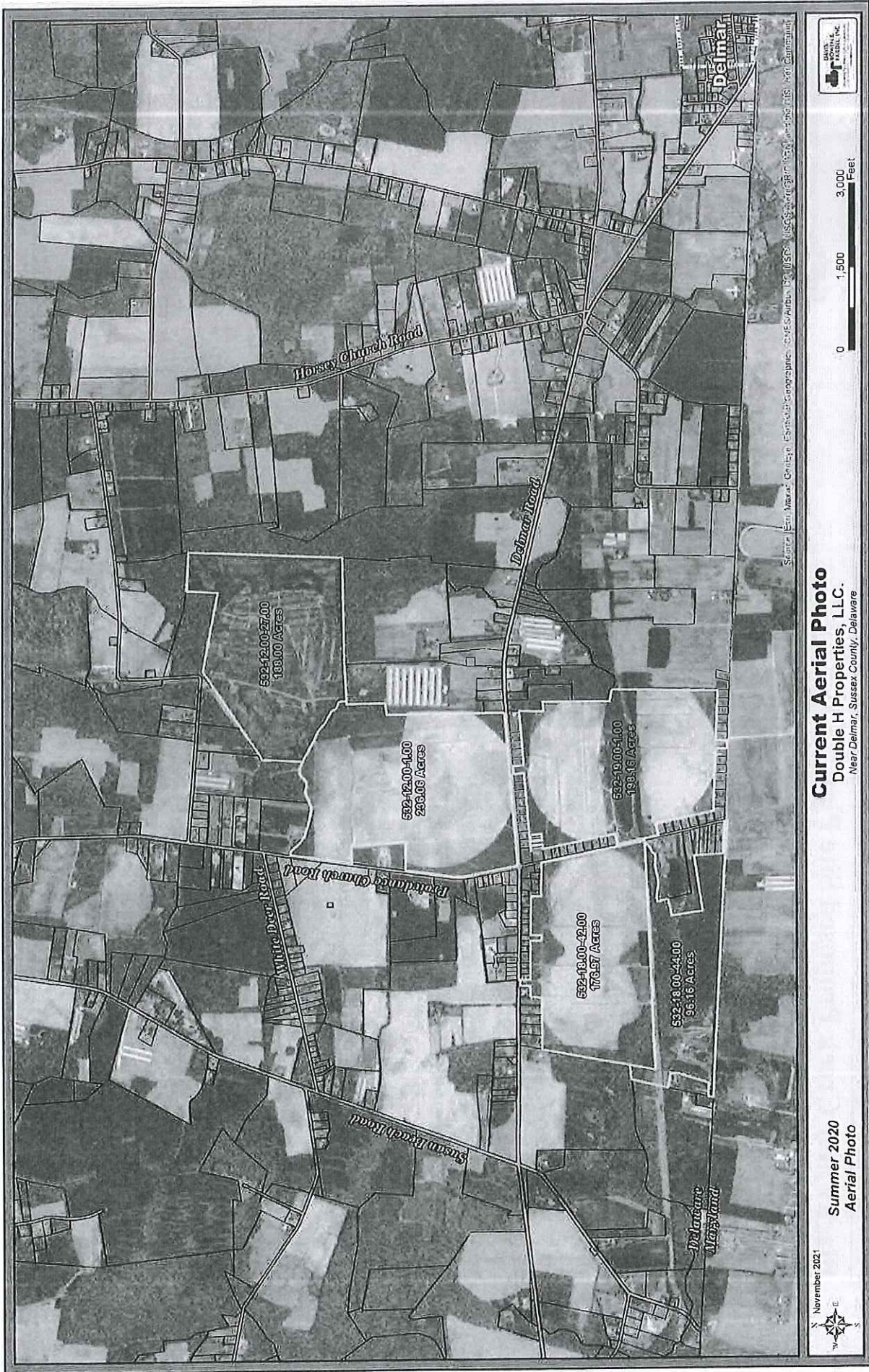
<sup>9</sup> Landowners 1-19.

<sup>10</sup> Landowners 13-14

<sup>11</sup> Landowners 12-15.

# EXHIBITS





**Current Aerial Photo**  
 Double H Properties, LLC.  
 Near Delmar, Sussex County, Delaware

Summer 2020  
 Aerial Photo



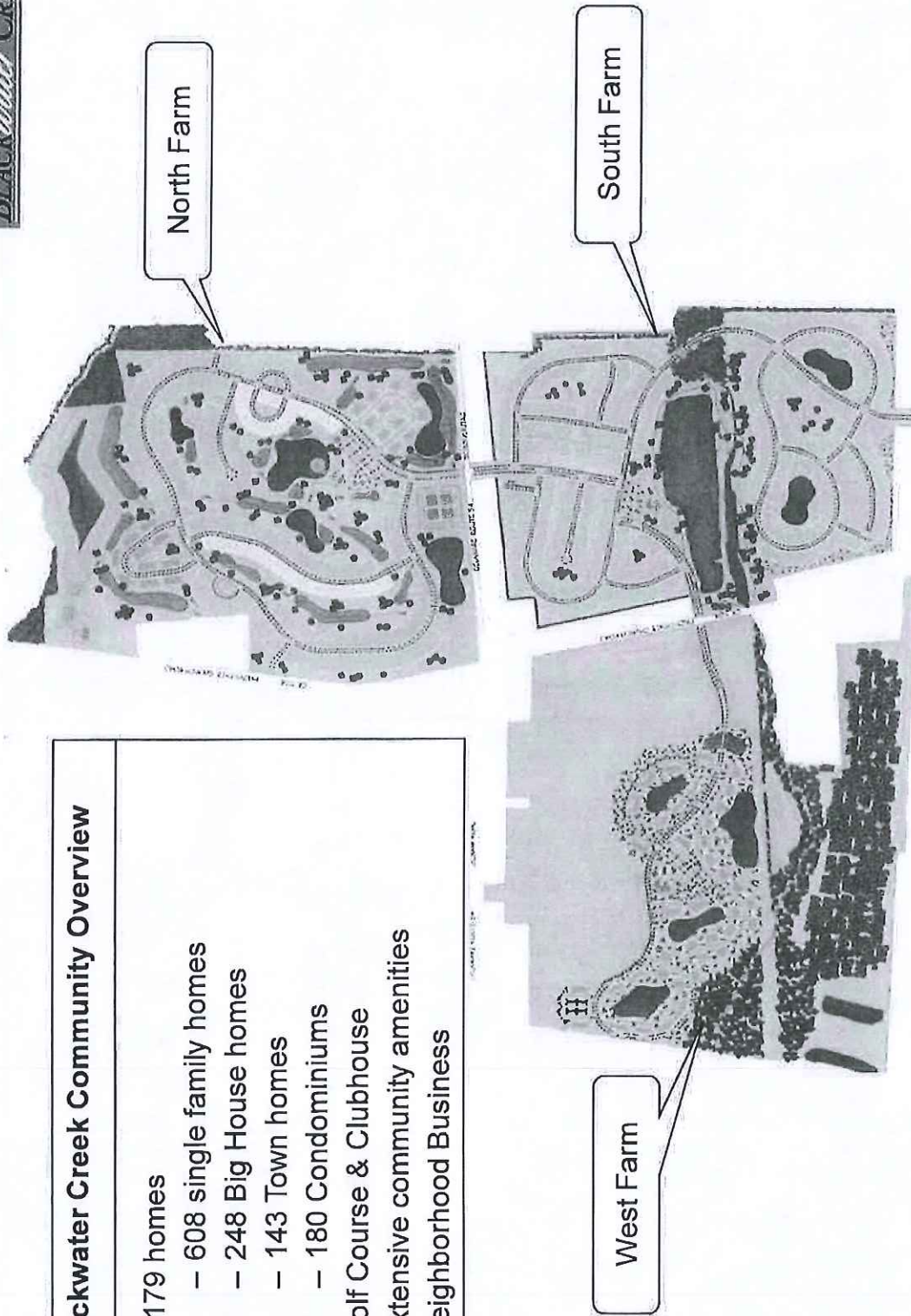


## Blackwater Creek Proposed Site Plan



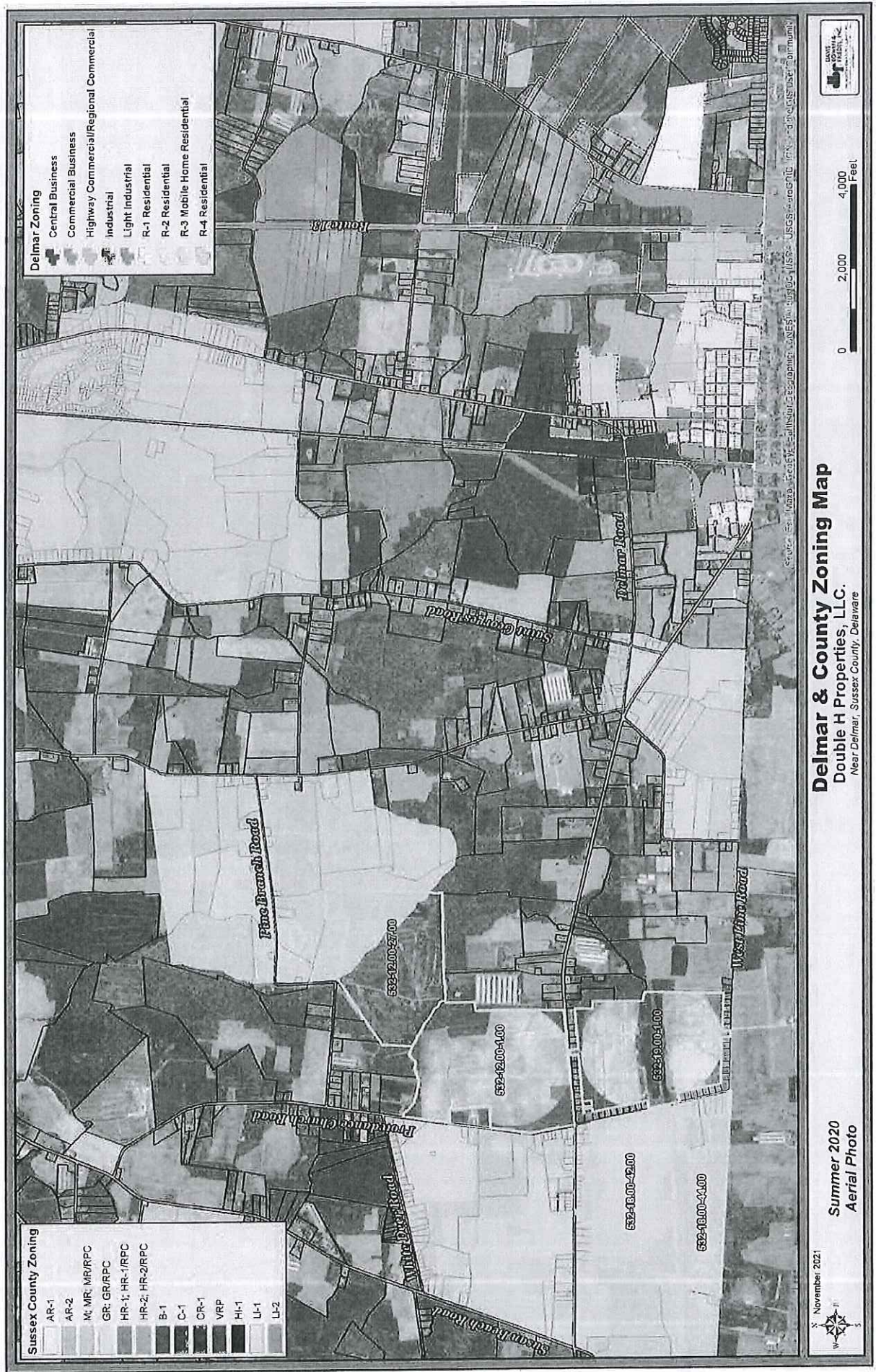
### Blackwater Creek Community Overview

- 1,179 homes
  - 608 single family homes
  - 248 Big House homes
  - 143 Town homes
  - 180 Condominiums
- Golf Course & Clubhouse
- Extensive community amenities
- Neighborhood Business

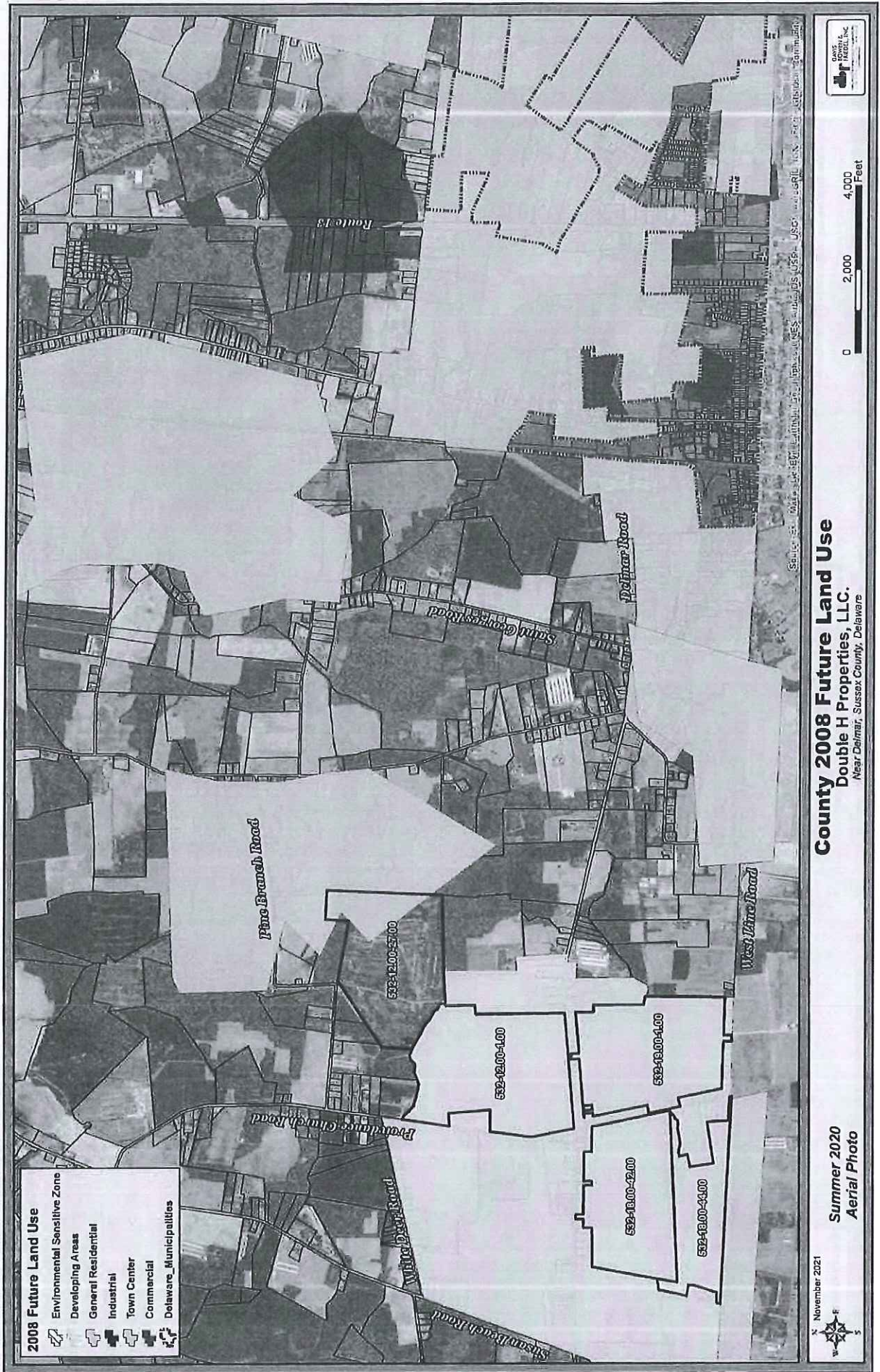


Blackwater Creek

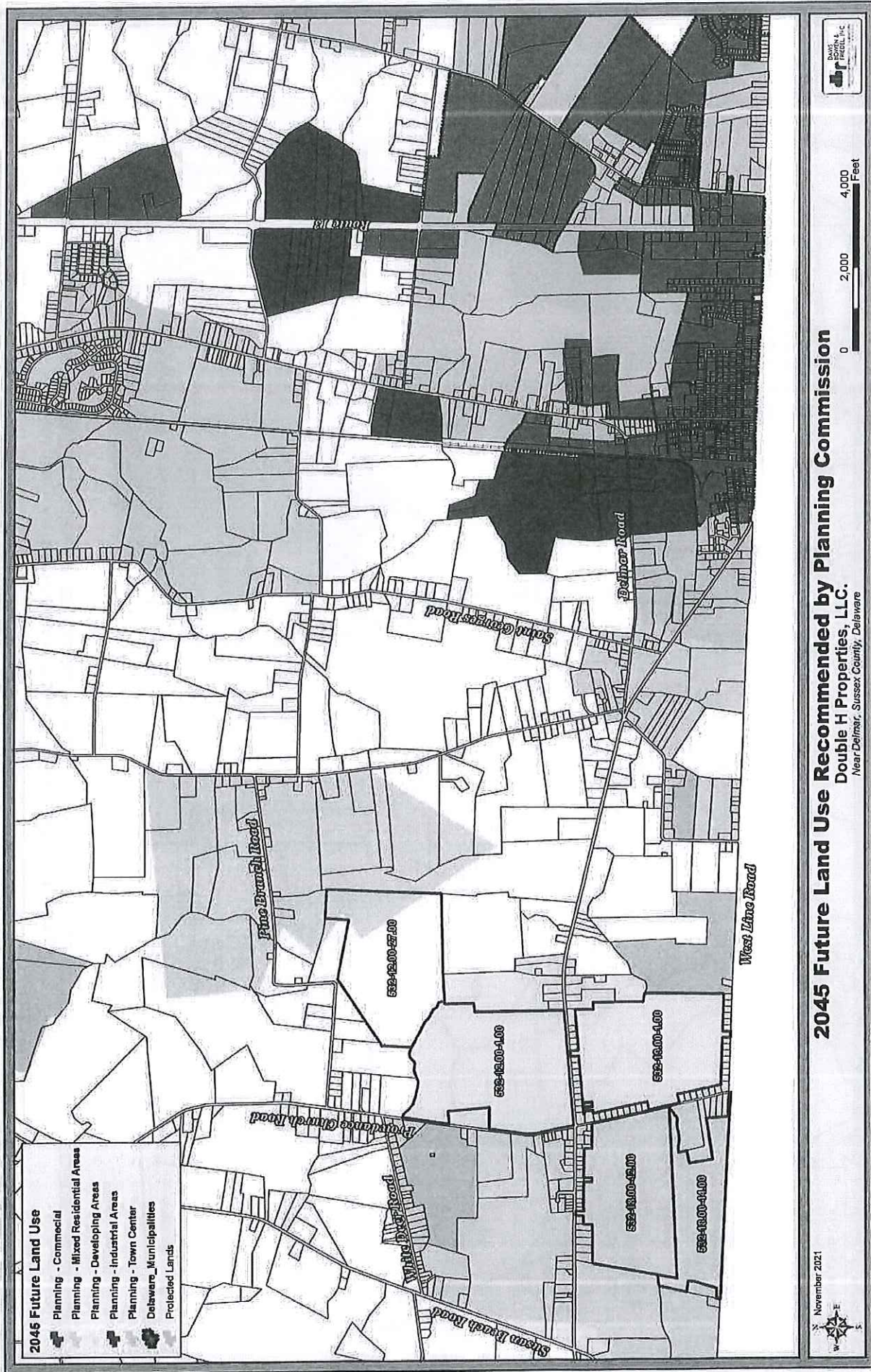




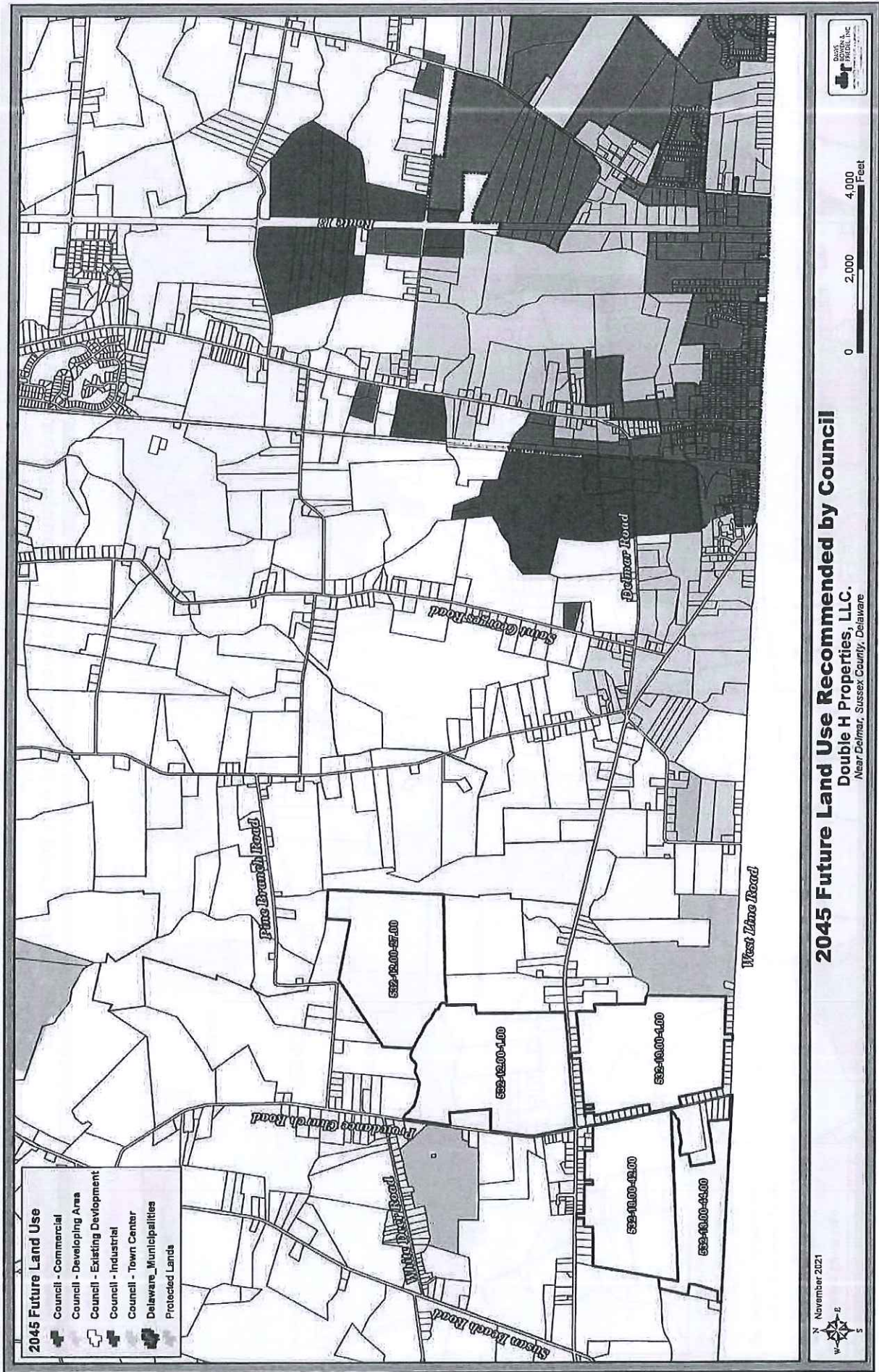




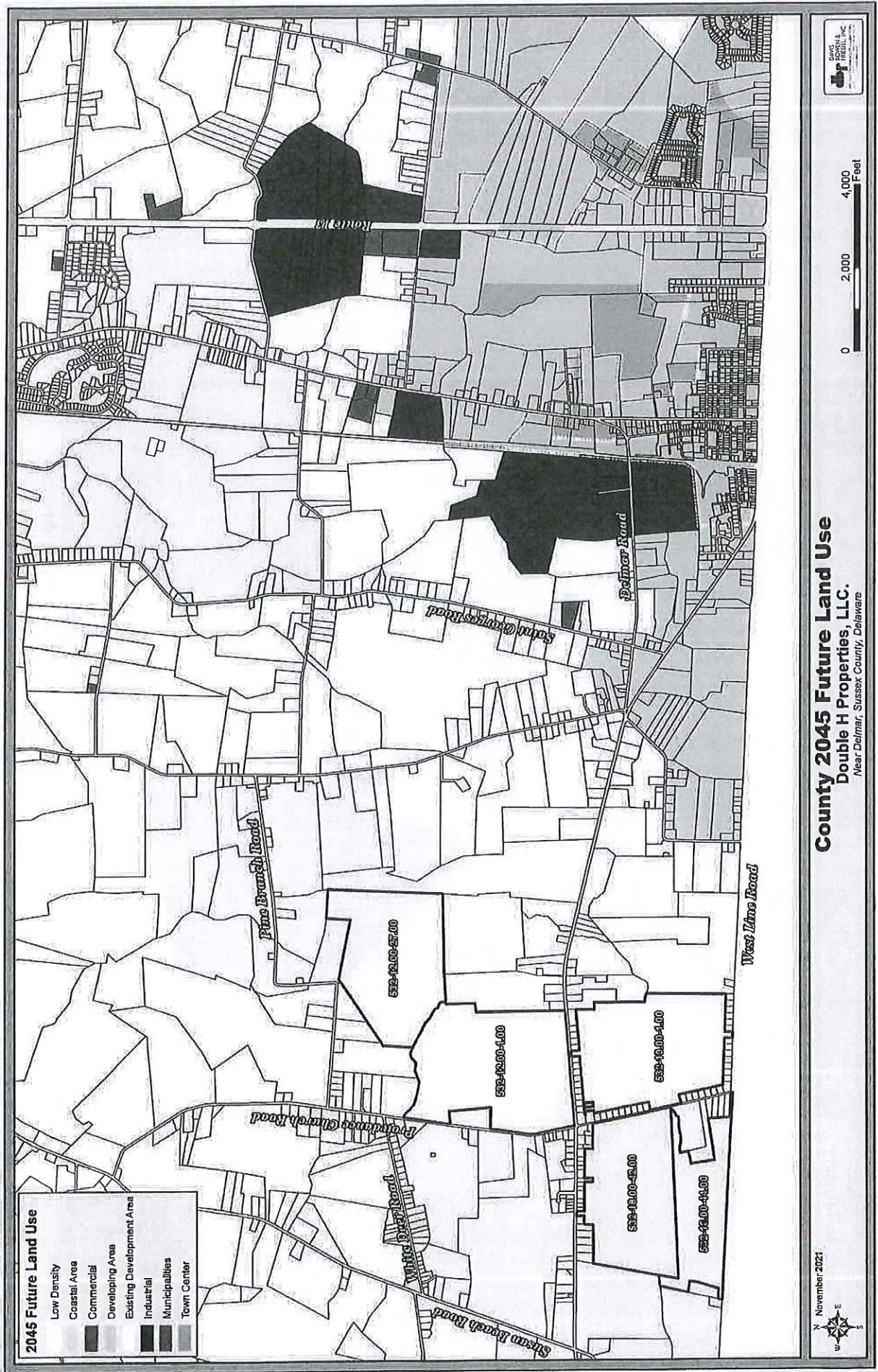


















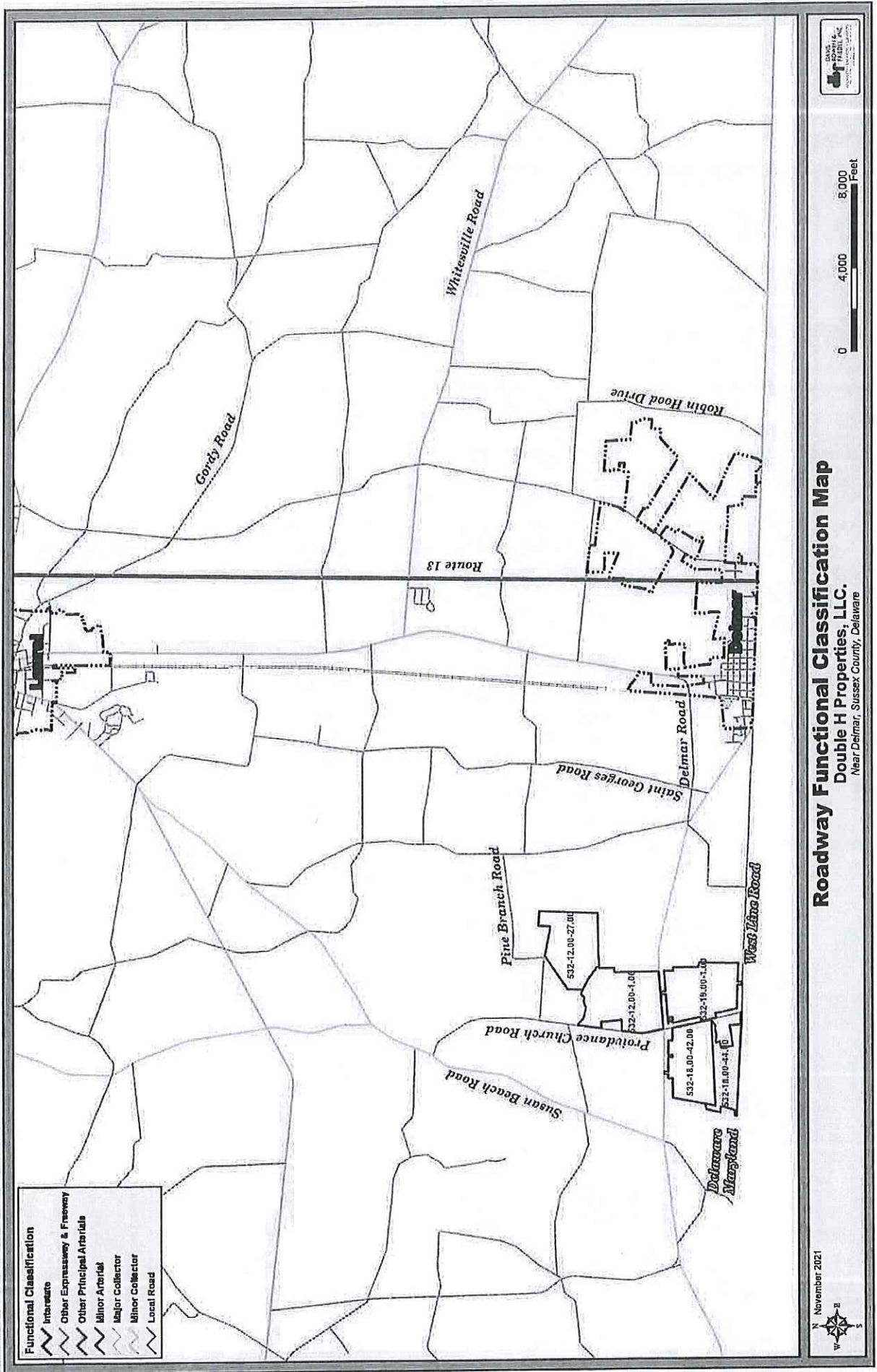






**Travel Routes to Route 13**  
**Double H Properties, LLC.**  
Near Delmar, Sussex County, Delaware









Summer 2020  
Aerial Photo



November 2021

**Local Employment Centers**  
Double H Properties, LLC.  
Near Delmar, Sussex County, Delaware

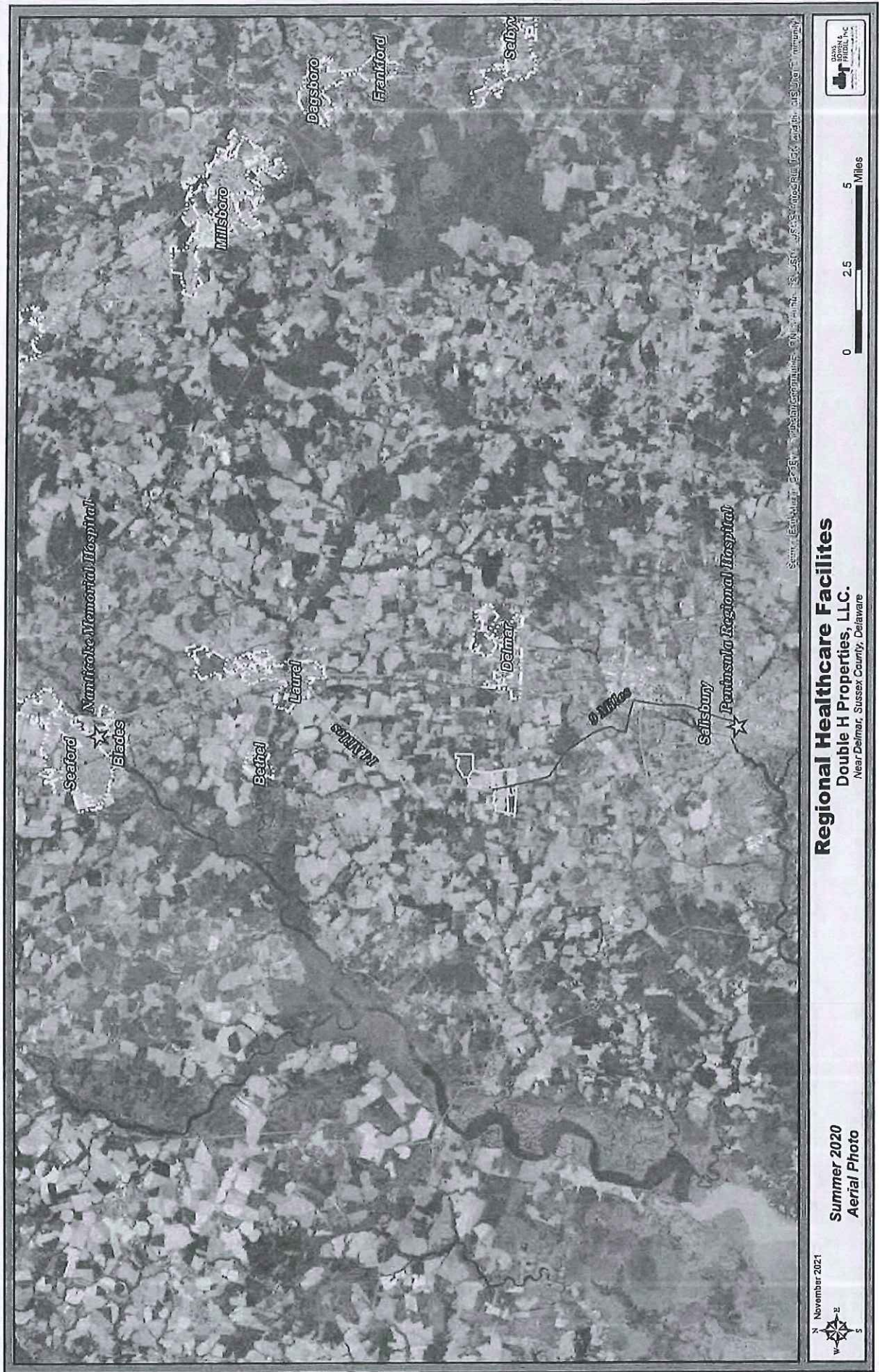


Source: Davis & Clark, Inc. Aerial Photography & Mapping. Data: USGS, National Wetlands Inventory, USGS, National Wetlands Inventory, USGS, National Wetlands Inventory.













November 2021

Summer 2020  
Aerial Photo

## Higher Education Facilities

Double H Properties, LLC.  
Near Delmar, Sussex County, Delaware

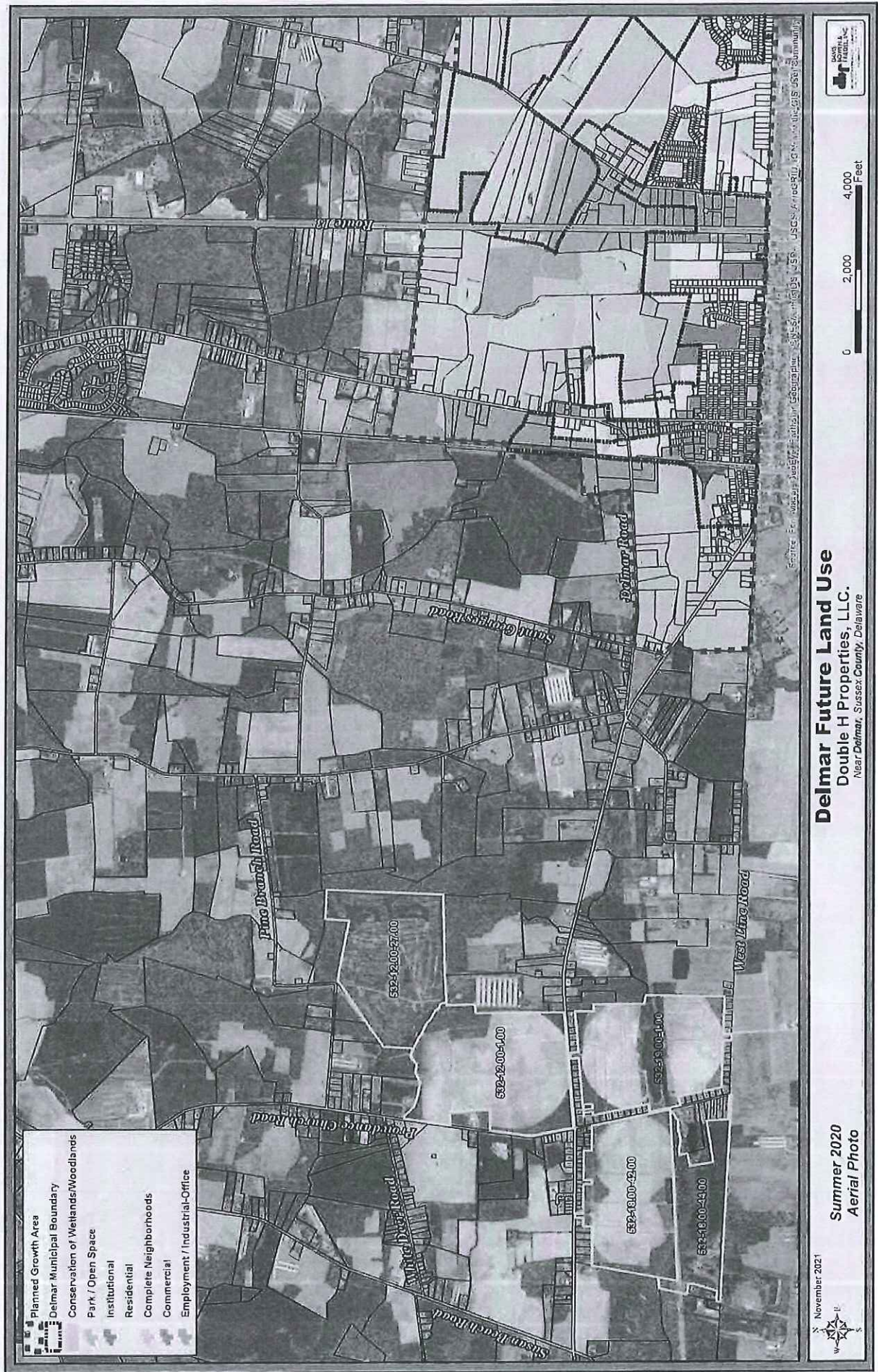




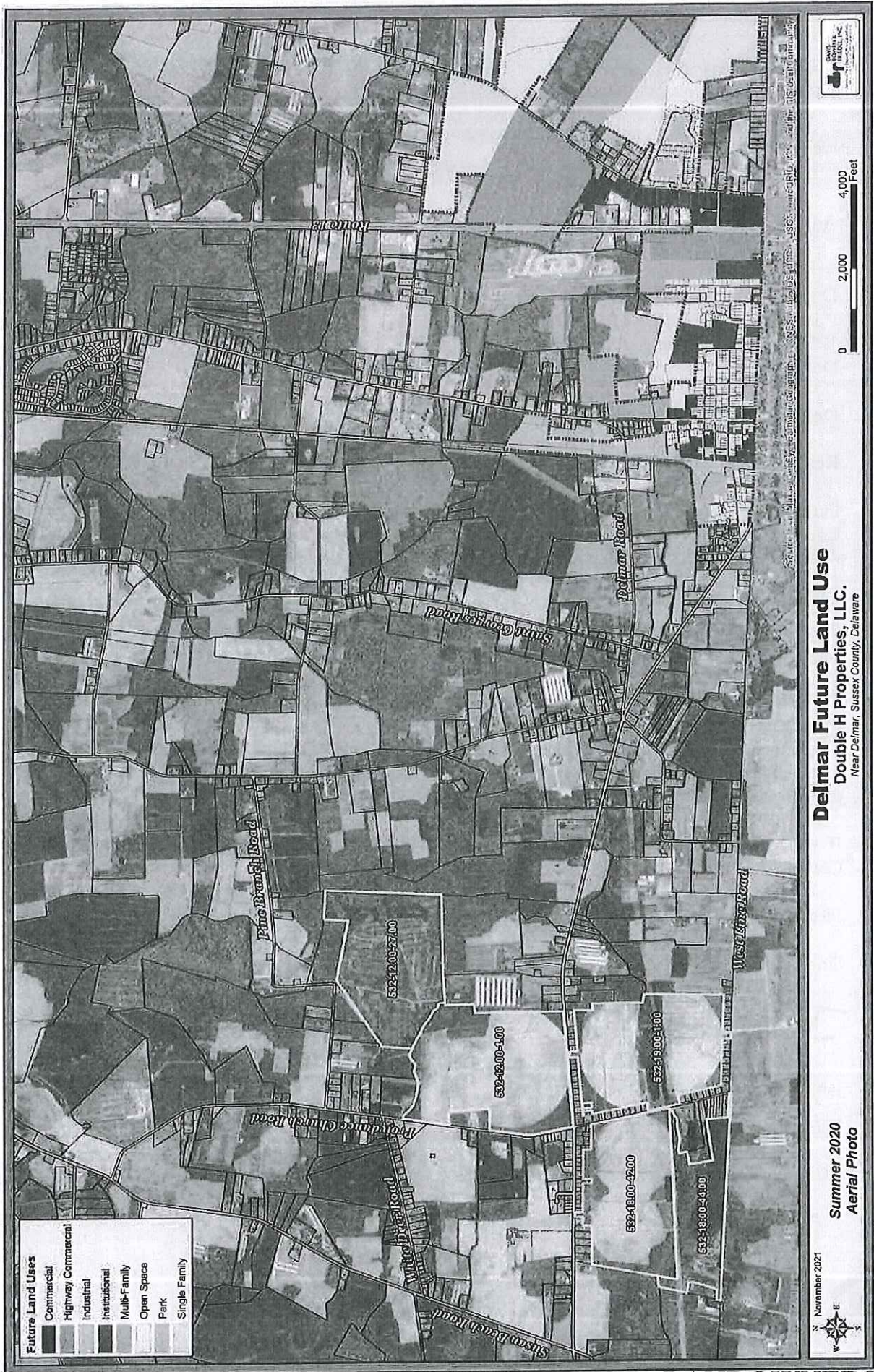






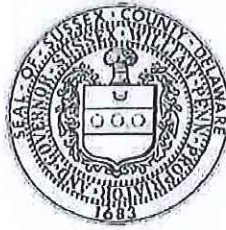








JAMIE WHITEHOUSE, AICP  
DIRECTOR OF PLANNING & ZONING  
(302) 855-7878 T  
(302) 854-5079 F  
jamie.whitehouse@sussexcountype.gov



**Sussex County**

DELAWARE  
sussexcountype.gov

August 18, 2021

By email to: [Dorothy.morris@delaware.gov](mailto:Dorothy.morris@delaware.gov)

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

Dear Ms. Morris,

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

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

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

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

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

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

Sincerely,

Jamie Whitehouse, AICP  
Director, Planning & Zoning Department

CC. Todd Lawson, County Administrator, Sussex County



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

**LANDOWNERS 20**





STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION

August 31, 2021

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

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

Dear Mr. Whitehouse

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

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

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'D. Edgell'.

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

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







## Jamie Whitehouse

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**From:** Doug Hudson  
**Sent:** Monday, January 10, 2022 1:19 PM  
**To:** Jamie Whitehouse  
**Subject:** Fwd: Contact Form: Proposed Growth in Delmar, DE - land use change

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JAN 10 2022

Opposition  
Exhibit

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**From:** Jennifer S Hamilton <noreply@forms.email>  
**Sent:** Monday, January 10, 2022 12:18 PM  
**To:** Doug Hudson  
**Subject:** Contact Form: Proposed Growth in Delmar, DE - land use change

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

Name: Jennifer S Hamilton  
Email: jennpt06@gmail.com  
Phone: 4437835697  
Subject: Proposed Growth in Delmar, DE - land use change  
Message: To Whom It May Concern:

I am writing this in reference to the meeting that will be held tomorrow January 11, 2022 to vote on the change of land in Delmar, DE in the area of Providence Church Road and Rt. 54. My husband and I, as well as all of our neighbors are vehemently against this change for many reasons.

Most important to us, is the flooding which occurs with every heavy rain. We live at 6901 Hamilton Lane, right across the street from the north farm proposal. That field floods in heavy rains and ALL that water runs under Providence Church Road and into the ditches that flow through our property. Once the ditches are full, which doesn't take long, all our property floods. We brought in 400 dump truck loads of dirt just to raise the ground level around our house, so our house doesn't flood. The water that makes it to the back of our property flows into the ditches of a neighboring farm whose ditches are 12 inches higher than ours, and those ditches have trees growing in their ditches that the property owner refuses to remove. One of the neighbors can boat in their side yard on a heavy rain. The water that runs down Providence Church Road towards Rt. 54 floods the houses on Rt. 54. Once they get water in their ditches along 54, there is nowhere for the water to go! One of the houses tried pumping the water across 54, where one of the other proposed parcels is located, but it only came right back to their property. Then they tried pumping the water behind them, which was our property and a neighboring field which they flooded that and put his crops under water!

Secondly, we have a safety issue regarding the roads. Providence Church Road is a 2-lane road with many accidents right in front of our property because drivers are constantly speeding up and down the road. There is no shoulder so if you break down you are out of luck. Ditches are on both sides of the road, which are typically full of water. There has already been a little boy killed on that road, as well as many pets.

Thirdly, another safety issue is the Police Department. Currently Delmar Police is understaffed and has been for a long time. For those of us who live outside the city limits, if we have an issue, we must call the DE State Police located in Bridgeville, which then takes 45 minutes to arrive. That is inexcusable and I'm not blaming the police. They do the best job they can. The police will not be able to handle another 11,000 families in the immediate area.



Additionally, another safety issue concerns the Fire Department. Currently the Fire Dept. has trouble getting volunteers. They could not handle another 11,000 homes.

Finally, and certainly not least, we have an overcrowded school issue. Delmar Elementary School has over 30 children per class and teachers are resigning at a swift pace. The schools cannot support 11,000 more households. The same goes for the Middle/High School. When the new Middle/High school was built, it was built off plans that were 10 years old, which meant that when it opened, it was already at capacity. Since the Delmar School District is the premier school district, many people already try to get special exception to attend these schools, so any additional growth is unimaginable. This will lead to a decline in the ability for the system to provide the exceptional education, which in turn will be devastating to our children and their education.

I understand the Council is voting on this issue in January, and we are urging you to vote this proposal down. This community absolutely is not set up for another 11,000 homes, not to mention the fact that Delaware State has already said Sussex County would not get any additional funding for this project which means it will fall on the taxpayers – US!

I watched the broadcast of the meeting held in December where the developer gave his reasons why his properties should be amended to be in the growth area. This would make Delmar bigger than Salisbury. WE DON'T WANT TO BE LIKE SALISBURY! The developer compared us to the Rt. 1 corridor of Sussex. WE DON'T WANT OUR COMMUNITY TO BE LIKE THAT! We moved from Salisbury BECAUSE we did not like all the traffic, people, and lack of woodlands. We purchased 22 acres in this area because we LOVE the wetlands, environment, and scenery. Our 22 acres can only support 2 septic systems so I don't see how in the world the farm that drains into ours can support septic for a whole housing development. The developer mentioned this is Artesian area. It may very well be "their area" but there is no sewer in place in this area and we don't want it!

Mr. Hudson, you were voted in because you stood on preserving the farmland. THIS IS NOT PRESERVING THE FARMLAND!

Sincerely,  
Jennifer Hamilton  
Delmar, DE resident



## Jamie Whitehouse

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**From:** Doug Hudson  
**Sent:** Sunday, January 9, 2022 1:33 PM  
**To:** Jamie Whitehouse  
**Subject:** Fwd: Contact Form: Proposed change to County comprehensive land use designation

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Exhibit

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**From:** David B. See <noreply@forms.email>  
**Sent:** Sunday, January 9, 2022 12:18 PM  
**To:** Doug Hudson  
**Subject:** Contact Form: Proposed change to County comprehensive land use designation

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Name: David B. See  
Email: davidsee@comcast.net  
Phone: 14107262285  
Subject: Proposed change to County comprehensive land use designation  
Message: Councilman Hudson,

I am contacting you to advise you of my opposition to the proposed changes (from low density to developing areas) to the County's comprehensive land use plan for the properties known to area residents as the Horsey Farm with parcels located west of Delmar, Delaware on Providence Church Road, both north and south of Delmar Road (State Road 54). This area is proposed to be developed as Blackwater Creek (with almost 11,000 proposed homes). While there was little to no opposition to the original planned development of these parcels (to include an estimated 5000 homes, proposed in 2005-06) thankfully it was shelved due to the failing economy and housing market demise in the mid to late 2000s.

Revising this land use designation is a game changer for many local residents of the area. Today's infra-structure (roads, schools, public safety agencies) struggles to keep up with current public needs and demands. I can only imagine what the estimated 30,000 residents of this new enlarged planned community will do to those systems if they are not addressed and updated now before this development begins. This planned community, when built out, would house more residents than the current population (according to recent census statistics) of the City of Salisbury, Maryland.

I, my neighbors and most of the current residents of the impacted areas moved to this area for a number of reasons...one of them to enjoy rural Sussex County living. I, and others, have spoken with a large number of local area residents (Providence Church Rd, West Line Rd, Delmar Rd) whose properties border these parcels and whose lives would be affected by this zoning designation change and the proposed development. The majority of them strongly oppose this proposed change to the comprehensive plan as well as having almost 11,000 homes placed in our back yards.

It is also telling that the State of Delaware has voiced opposition to this proposal and has indicated that no State funding will be allocated for this development (for infra-structure, especially road improvements, and other crucial needs) should the County proceed.

I hope that you and your colleagues on the County Council will consider local resident's comments and concerns when



debating this issue and making a final decision.

If you desire I'd be more than happy to discuss my concerns further.

Thank you for your consideration of these comments and your service to citizens of Sussex County.

Best Regards,

David B. See  
38297 Providence Church Road  
Delmar, Delaware 19940  
302-846-3004  
410-726-2285 (cell)



## Jamie Whitehouse

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**From:** Doug Hudson  
**Sent:** Sunday, January 9, 2022 9:41 AM  
**To:** Jamie Whitehouse  
**Subject:** Fwd: Contact Form: Delmar Land Use Change

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JAN 10 2022

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**From:** Lindsey Nielson <noreply@forms.email>  
**Sent:** Saturday, January 8, 2022 3:49 PM  
**To:** Doug Hudson  
**Subject:** Contact Form: Delmar Land Use Change

Opposition  
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.

Name: Lindsey Nielson  
Email: lnielson85@gmail.com  
Phone: 4437831746  
Subject: Delmar Land Use Change

Message: Dear Mr. Hudson,

I am writing to you to state my opposition of the change in use of land in the Providence Church area of Delmar, DE. I live right next to Providence Church Road and so the possible development that is being proposed would directly affect my family and I. I have two young children. One currently attends Delmar elementary school and will attend the Middle and High school in the future. The schools are already incredibly over crowded. I taught Kindergarten in the state of Maryland for ten years. When my child's teacher told me her class size my mouth dropped. Class sizes are already way too high. More development in this area will lead to higher class sizes. What is the plan is place to deal with more crowding of already over crowded schools? This is an important issue to most residents of Delmar, DE. If there is no plan, then how is it possibly a good idea to move forward with this. Data shows that lower class sizes lead to better success in academics. The schools will no longer be desirable if they are over crowded, resulting in less effective instruction. I also have safety concerns having my child attend schools so incredibly overcrowded. The traffic that would result from building a major development in this area is also a concern. This area cannot handle a large development of the size that is being described. You are talking about essentially building a small city in the middle of a rural area. Delmar Road already experiences high traffic at times and can be quite busy. This area will not be able to handle the kind of traffic that will happen as a result of building a major development here. I moved here because it was a rural area. I watched the latest council meeting and it does seem as though not much thought has been put into the logistics of this and how it will affect those currently living in this area. We are talking about a mini city in the middle of an extremely rural area that cannot handle it. A rural area with already extremely over crowded schools. I hope you will take these concerns into consideration when you vote on January 11. Thank you for your time.

Lindsey Nielson







## Jamie Whitehouse

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**From:** Doug Hudson  
**Sent:** Sunday, January 9, 2022 9:52 AM  
**To:** Jamie Whitehouse  
**Subject:** Fwd: Contact Form: Black water creek development delmar

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**From:** Phillip moore <noreply@forms.email>  
**Sent:** Saturday, January 8, 2022 2:29 PM  
**To:** Doug Hudson  
**Subject:** Contact Form: Black water creek development delmar

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Name: Phillip moore  
Email: countryk918@gmail.com  
Phone: 3023811585  
Subject: Black water creek development delmar  
Message: Mr Hudson,

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I want to start off by saying thank you for serving the community and stepping up when others wouldn't to serve their county. This email is most likely similar to a lot of emails you get (somebody's not happy bout something) ) this black water creek development in Delmar has cause a lot of stir. I won't bring up the things that everyone does when they complain about these thing such as the schools can't handle it, healthcare can't handle it, and the roads can't handle it, and the crime that comes with it. Although they are good supporting facts you know these and you've heard them over and over for every development so far. I've talked to mr reiley on the council and he informed me no applications are on the table and 11,000 homes was a mistake when it was sent to dover and came back, call me negative but I know the horseys this Was most likely no mistake it was a tactic . When you tell a community 11,000 homes are coming they'll be happy to hear it's only 800 or so. Well I know the Horsey's , I know the developments they build , and I know their short cuts. I mean no disrespect to them or their family as I've celebrated birthdays with them and have been close with them for over 32 years. No one wants development when it impacts their lives or their convience . But this development will lead to the destruction of the are. The area already floods and I've taken pictures ready for when they cause more flooding to my yard the area. Town houses and condos were never meant for Delmar . I can't name a single development that has town houses or condos this far out of town. To be realistic tho there are a few on rt 24 as lewes and been over run and began to feed into Milford. These residents from DC and Baltimore that it will attract will ruin the area. This area is tooo far out of town for this kind of development. This area isn't like coastal club in lewes, plantation and peninsula lakes in millsboro in lewes. These residents on this side of the county don't want this . Mr RieleY seemed to try to push this through too fast and be in too much support of this and caused me to be more involved. Believe me I work in construction and I work for a county, I've seen the results and I've seen what Horsey's and this development has done to the communities . Just so you know I'm not negative about this I own the lots next to some of the entrances and the lots can't have a septic and horsey will prolly need more right of way and bring a sewer treatment center and I'll Make money . But it's not about money it's bout delmar and this just isn't right. Sir thank you again for taking the time to read just another complaint letter but please make the right decision do the research and listen to the citizens , this isn't progress . Happy new year sir and I'll be watching how all of this unfolds



