

The City of Lewes



October 4, 2021

Stephen Gorski, P.E.
Duffield Associates, LLC
128 W. Market St.
Georgetown, DE 19947

RE: Notice of Lewes Planning Commission decision regarding Preliminary Consent for Fisher's Cove subdivision.
Tax Parcel: 335-4.00-15.00

Dear Mr. Gorski:

At their meeting on September 1, 2021 the Lewes Planning Commission **denied** Preliminary Consent for the Fisher's Cove Major Subdivision. The reasons for denial are below:

1. The Applicant has not adequately addressed the requirements of Section 170-19E of the Subdivision Code, which contains 22 items that must be considered in any subdivision application.
2. While the property is zoned R-2, a smaller less environmentally impactful development could be built.
3. I don't believe the development is in keeping with the safety and welfare of the City of Lewes.
4. I am not satisfied that the Applicant has demonstrated that the proposed development would be in keeping with the character of the surrounding developments. The other nearby developments have larger lot sizes that allow for additional pervious area than the proposed lots.
5. I am not satisfied that the Applicant has demonstrated that the proposed development would have a positive impact on the floodplain. The development could negatively impact the properties downstream and adjacent to the development. Based on the record there is existing flooding and issues with the lack of stormwater management in the area, the loss of the pervious area of this site would negatively impact the area.
6. I am not satisfied that the Applicant has adequately addressed the protection of environmentally sensitive areas as identified in the policy for the protection of environmentally sensitive areas in the City's 2015 Comprehensive Plan. The site contains wetlands and mature trees. As part of the proposed plan, the mature trees will be removed. More generally, the proposed subdivision fails to strike a reasonable balance of the 2015 Comprehensive Plan's various goals.
7. I am not satisfied that the Applicant has adequately addressed the provision regarding effects on area waterways. I am concerned that the outfall of the stormwater management facilities is into the wetlands.
8. I am not satisfied that the Applicant has adequately addressed the provision regarding minimal use of wetlands and floodplain. I am concerned that the majority of the lots will be located within the floodplain. Over 70% of the residential dwellings are proposed to be constructed within the floodplain.
9. I am not satisfied that the Applicant has adequately addressed the provision regarding minimization of trees and soil removal and grade changes, except to ease flood concerns. I am

- concerned that the planting of new trees will not meet the impact that the existing mature trees on the site have on water absorption, which could impact flooding.
10. I am concerned with the lack of active recreation areas within the development. Active recreation area is required under the City Code; however, none is provided.
 11. I am not satisfied that the Applicant has adequately addressed the context-sensitive transportation solutions as identified in the policy for transportation in the 2015 Comprehensive Plan. The improvements proposed to Rodney Ave. do not improve pedestrian and bicycle mobility.
 12. I am not satisfied that the Applicant has adequately addressed the position or policy of the housing plan in the 2015 Comprehensive Plan. I am concerned with the lack of affordable housing within the development.
 13. I am concerned with the lack of connectivity within the development. A request has been submitted for the elimination of the sidewalk around Tyler Cir. and the end of Jacks Way. Sidewalks provide connectivity within the development and an alternative transportation method.
 14. I am concerned with the lack of parking provided throughout the site and the potential loss of parking on Rodney Ave. The requested reduction in the street widths eliminates the ability to provide on-street parking. The proposed improvements to Rodney Ave. may eliminate the existing on-street parking. Parking in the City is a necessity, especially during the summer season. The City currently sees impacts from the lack of adequate parking in other areas of the city.
 15. The property is adjacent to land zoned OS (Open Space). The adjacent land contains waterways and marshlands. I am concerned about the environmental impact of the amount of impervious surface to be installed with the development would have on the sensitive lands. For the same reasons, I am not satisfied that the Applicant, has adequately addressed how the subdivision will be integrated into the existing landscape including the adjacent open space land.
 16. The extension of Rodney Ave. is a dead end street and exceeds the limit of 200 ft. for a dead end street.
 17. The plan does not minimize the development’s impact on the natural and beneficial function of the floodplain mainly storage and conveyance.
 18. Per the stormwater management plans cut and fill are not balanced, how is there no net fill of the floodplain.
 19. The negative impact of the quality of life of Rodney Ave. residents that is noise pollution, vibration, and speed of new vehicles.
 20. The core values of Lewes are not followed.

Please feel free to contact me with any further questions at 302-645-7777 ext. 110 or email me during normal business hours Monday – Friday 8:30 am - 4:30 pm.

Sincerely,



Janelle M. Cornwell, AICP
Planning & Development Officer

CC: Tim Willard, Applicant’s Attorney
File – Fishers Cove