

The Salt Pond Homeowners Association

**c/o Legum & Norman
C4 Edgewater, Sea Colony East
Bethany Beach, DE 19930**

April 10, 2007

Mr. Robert C. Wheatley, Chairman
Planning & Zoning Commission
Sussex County Administrative Building
2 The Circle
Georgetown, DE 19947

Mr. Lawrence Lank, Director
Planning & Zoning Commission
Sussex County Administrative Building
2 The Circle
Georgetown, DE 19947

Re: Salt Pond Plaza Commercial Site (Routes 357 and 360)

Dear Gentlemen:

The Salt Pond Homeowners Association (SPHA) consists of over 500 families, a large number of whom are year-round Delaware residents. All of our homes abut or surround, and will be affected by, the proposed Salt Pond Plaza development.

Our Association does not oppose the proposed commercial development and, in fact, we intend to work cooperatively and constructively with the developer and with Harris Teeter to ensure that the development is successful and, at the same time, harmonious and compatible with the Salt Pond and other nearby communities.

The overall plan for this RPC and Neighborhood Business District was originally approved in 1991, before major local development in this formerly rural area. In the 16 years since then, more than 2,100 new homes have been built, bringing approximately 4,500 additional cars to the immediate area. Our concerns relate to the potential impact that this shopping center could have on an area that has changed dramatically, since the initial approvals on this parcel were granted.

Before briefly outlining our concerns, we have two requests:

1) that the preliminary site plan be subjected to detailed technical review, including review by the Technical Advisory Committee (TAC). (Additional information for TAC is provided in the Attachment.); and

2) that we be allowed to provide brief oral public comment at your upcoming April 19th meeting (or whenever this matter is first considered by the Commission) and additional input at subsequent meetings at which this matter is considered.

Our primary objectives and areas of concern with the proposed development are summarized below:

- to ensure that the traffic generated by the shopping center does not create safety hazards for the public or for emergency vehicles, or create bottlenecks on the State or internal Salt Pond roads;
- to ensure that stormwater management facilities are fully adequate and that no drainage overflows are allowed to adversely impact the community or surrounding areas;
- to ensure that landscaping, berming, screening, fencing and similar buffering and noise mitigation techniques are provided, in order to minimize and limit adverse effects from the shopping center, including noise, lights, and adverse visual impacts from unattractive rear and side building facades.

We look forward to working with you and your staff, with all local and State agencies with jurisdiction and with the developer and his consultants. Thank you for your consideration of our views.

Please contact Salt Pond owners Chuck Young at 302-537-5290 or Cheryl Wisbrock at 302-537-9339 with your response to our request to speak at the April 19th meeting and any other comments you have for us.

Very truly yours,

[Signed on 4/10/07]

Bev Thierwechter, President
Salt Pond Homeowners Association

cc: Commissioner Michael B. Johnson
Commissioner Benjamin Gordy
Commissioner Rodney Smith
Commissioner Irwin G. Burton, III
Councilman George Cole
Senator George Bunting
Representative Gerald Hocker

**SALT POND HOMEOWNERS ASSOCIATION
LETTER OF APRIL 10, 2007**

Attachment

We understand that any public comment on the proposed Salt Pond Plaza shopping center must be tailored to Sussex County Code requirements, particularly sec. 115-219 D, and must relate to preliminary site plan review, which limits areas of inquiry to six areas (traffic, drainage, etc.). Our detailed comments, set forth in this Attachment have been prepared in order to address such requirements.

A. Issues related to traffic and circulation patterns, internal and external ”

The impact of current and future traffic patterns and circulation are of concern. Problems could be alleviated, if improvements are planned for State and Salt Pond private roads bordering the Salt Pond Plaza. However, to our knowledge, no improvements are planned for the State roads in the immediate future. The Salt Pond Homeowners Association (SPHA) is very concerned that its hundreds of residents and visitors (including the golfers who play the Salt Pond public course) and the many thousands of others who will shop at Salt Pond Plaza will have major problems utilizing the existing roads.

- External roads. Traffic has increased significantly with heavy development on Cedar Neck (SR 357) and Fred Hudson (SR 360) roads in recent years. Just since 2005, average daily traffic (ADT) has increased from 5,700 to 7,200 ADT, or 1,500 ADT per day. Approximately 2,100 new homes have been added to the immediate area since 1991, when the RPC with the Neighborhood Business District embedded in it was approved by Sussex County. Summertime already brings back-ups on these State roads, sometimes extending all the way to Route 1, a distance of approximately 1.25 miles. The proposed shopping center will bring more traffic and congestion. Problems include:
 - § No bike paths or sidewalks on either road.
 - § No turn lanes on Cedar Neck road into the Salt Pond.
 - § Minimal turn lanes on Fred Hudson into the Salt Pond.
 - § Both State roads are two lanes, which cannot support current summer traffic, not to mention increased shopping center traffic.
 - § Large trucks and private vehicles, which will enter and exit from both Fred Hudson and Cedar Neck Roads, both are narrow 2-lane roads. This increased traffic is likely to cause long backups on these roads.

- Internal roads. The two main entrances of the Salt Pond are on the two sections of Bethany Loop that border the Salt Pond Plaza area. These serve an existing residential community of over 500 families as well as a public golf course. The site plan shows three entrances to the shopping center from these private roads. Problems include:

- § Turning left out of either main Salt Pond private road will cause hazardous conditions on the State roads as well, as major back-ups on the private roads.
 - § Entrances from State roads to private roads will not easily accommodate trucks with large turning radius.
 - § "Cut-through" traffic will create hazardous conditions. Because of the increased traffic at and near the shopping center, Salt Pond Plaza shoppers are likely to drive through the Salt Pond residential community seeking a shortcut. This will increase the probability of accidents with cars, pedestrians, and cyclists. Salt Pond roads are narrow, with no shoulders, bike paths or sidewalks, and were not designed for shopping center traffic.
- Traffic safety issues. Cedar Neck and Fred Hudson roads are main routes for emergency vehicles. The fire departments and EMS personnel already have difficulties using these roads in emergencies, because of periodic traffic congestion, particularly in the summer. Without adequate road improvements and traffic flow management, the congestion will grow worse and make it extremely difficult for emergency services to travel these roads quickly at times when minutes count to save lives and property.
 - Communities north of this intersection have no alternative route to their homes, and must access Fred Hudson and/or Cedar Neck Road daily.
 - DELDOT, in conjunction with the Capital Transportation Program, has gone on record about the unsafe conditions on Fred Hudson road (narrow roads and shoulders, large volume of traffic), particularly for cyclists using those roads. Traffic associated with the Salt Pond Plaza will make the situation even more unsafe, unless sufficient road improvements are made and traffic patterns are upgraded adequately. Sussex County Council, in its Sept.8, 2005 and Sept 7, 2006 Capital Transportation Improvement Program request, has also identified unsafe conditions and requested improving the intersection of Fred Hudson and Cedar Neck roads.

B. Issues related to drainage and utilities.

- The preliminary site plan does not provide information to assess the impact of plans on drainage and utilities and may not be required to provide more information at this stage. SPHA would like adequate assurances that the proposed stormwater management system, proposed water capacity and water/sewer systems, and plans for utilities will be sufficient and will not have a negative impact on the residential Salt Pond community.

- The Salt Pond has a large area of Federal and State-regulated wetlands and 15 ponds. Even with the existing stormwater drainage system, drainage ditches are often at capacity with heavy rainfall. A large undeveloped Salt Pond area along Fred Hudson road consistently has standing water throughout. Salt Pond private roads have standing water after heavy rains and Fred Hudson road floods.
- Stormwater Management Area. The Salt Pond Plaza preliminary site plan indicates a stormwater management area near the southeast corner of the parcel. According to the SPHA environmental consultant, the existing Salt Pond drainage system cannot accommodate runoff from the new development, unless sufficient improvements are made. Excess runoff could have damaging biological and environmental effects on the wetlands and ponds.
- Water and sewer. The preliminary site plan does not show location and sizes of sanitary and storm sewers, water mains, culverts or other underground structures in or near the development. This is an especially sensitive area and we would like TAC s involvement in the design and engineering.
- Water capacity and water pressure. There is concern that there may be implications for the water supply and pressure for the Salt Pond owners.
- Telephone connections. On the preliminary site plan, there is no indication of the telephone utilities currently located on Salt Pond Plaza land. These telephone lines provide all Salt Pond owners with telephone service. SPHA would like assurance that the utility will remain in its present location .

C. Issues related to "harmonious and appropriate use of the land."

- Landscaping and noise abatement. The preliminary site plan maximizes the use of the land for the proposed buildings and parking lot, but does not indicate plans for landscaping appropriate to a shopping center adjacent to an upscale residential community. Because of the orientation of the buildings and parking lots, SPHA has concerns about noise, lights and privacy, including adequate screening of loading docks, air compressors, compactors, etc., and adequate use of noise abatement techniques. SPHA requests mature landscaping, berms and other techniques to shield homes from headlights and to minimize noise and visual disturbance and ensure harmonious integration of the shopping center with the Salt Pond and adjacent communities.