In The Matter Of:

Delaware Department of Transportation

In re: Road Vacation/Abandonment

Hearing

August 9, 2017

Wilcox & Fetzer, Ltd.

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WILCOX & FETZER LTD.
STATE OF DELAWARE
DELAWARE DEPARTMENT OF TRANSPORTATION

IN RE: ROAD VACATION/ABANDONMENT OF AN IMPROVED PORTION OF SHEEP PEN ROAD:SUSSEX COUNTY:

Public Hearing taken pursuant to notice at the State of Delaware, Delaware Department of Transportation, 23697 DuPont Boulevard, Georgetown, Delaware, beginning at 4:00 p.m., on Wednesday, August 9, 2017, before Gloria M. D'Amore, Registered Professional Reporter and Notary Public.

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APPEARANCES:

On behalf of the State of Delaware
Delaware Department of Transportation:
IDA J. PARRETT
ROBERT M. CUNNINGHAM
MS. PARRETT: Good afternoon, and thank you for coming today. The time is four p.m.

I'm Ida Parrett, Operation Services Manager with the Department of Transportation, which has the responsibility for the administrative vacation of public roads.

Wilcox and Fetzer reporting services will complete today's transcript for this proceeding.

This meeting today is authorized by the Department of Transportation in accordance with Delaware law, pertaining to the vacation of public roads by administrative action.

This is provided under Section 1311, Title 17, of the Delaware Code. A copy of the Code is available for those that are interested.

Today's meeting is designated for the purpose of hearing any public comments regarding the proposed road vacation and abandonment of an improved portion of Sheep
Pen Road, Millsboro, Delaware.

The proposed road vacation begins approximately 450 feet north of the intersection with Godwin School Road and proceeds in a northeasterly direction, a distance of approximately 1,800 linear feet to a point of approximately 850 feet south of the intersection with Hardscrabble Road.

The proposed road vacation is depicted on the referenced exhibit, which is now entered into the record as part of these proceedings.

Please note that this is not a question-and-answer session.

The Department is here to obtain comments in support of or in opposition to the proposed road vacation of an improved portion of Sheep Pen Road.

This is a necessary step for the Department to make an informed determination.

At this point in time, if anyone would like to make a statement regarding the proposed road vacation and abandonment of an improved portion of Sheep Pen Road, would you
please clearly identify yourself and proceed
with your comments.

MR. McKEE: Robert McKee.
M-C-K-E-E.

Just for point of clarification,
so there are no questions.

But is it possible to submit
questions through this process? Not to get an
answer this evening, but is information that
the public is not privy to. And I don't know
if anyone has asked these questions throughout
the process.

MS. PARRETT: You can ask
questions that will go on the record.

But as I said, we're not here to
answer any questions. And if it is a question
that is just general information, we will be
able to supply answers to those at a later
time.

MR. McKEE: Thank you. That's a
little better.

The request has been placed, I
believe, by the developer of Plantation Lakes
for the abandonment of vacation of Sheep Pen
Road, which will help facilitate further
development of houses, as well as the golf
course.

One of the questions that you
don't need to answer now, but would be
interesting for all of us is, who owns the
current roadway, or will it need to be
acquired by the developer throughout this
process?

Does the developer own property
for the proposed new parallel roadway
location?

It is my understanding that
DelDOT will require a new parallel roadway to
be constructed by the developer before the
current roadway may be abandoned.

In conversations with DelDOT
officials, I was told this could take up to
two years between the design and actual
construction.

One of the other questions that
we had is -- was about the existing utilities
that may be above and below the existing
roadway. Electricity, water, sewer, et
cetera.

   Are all of those to be
reallocated or relocated to the new roadway
from the abandoned roadway?

   Will installation of traffic
signals be part of the new roadway design as
well as the adjacent roadway improvements?
And that may include widening, et cetera.

   Godwin School Road and the new
Plantation Lakes entrance, Hardscrabble Road
and the new proposed parallel roadway, Godwin
School Road and Route 24, amongst others
possibly.

   Do adjacent property owners to
Sheep Pen Road and the proposed new parallel
roadway have a say in what is abandoned and
what may be constructed?

   Now, this decision from research
that I have done is complicated.

   Throughout the process, I did
find out that there is a potential new
elementary school on Godwin School Road and
Sheep Pen Road.

   A feasibility study was
requested by the Indian River School District in 2016, by The Office of State Planning Coordination.

There is also a proposal to develop a Town Center at Route 113 and Hardscrabble Road, as well as a proposed bypass, Cloverleaf Roadway Design at Route 113 and Hardscrabble Road, and not to mention that Plantation Lakes development itself.

All of these will have an impact on this area that may lose a current access from Sheep Pen Road.

Per the Office of the State Planning Coordination, the last time a Traffic Impact Study was conducted with regard to Plantation Lakes was in 1994, and that was revised in 1997. To my knowledge, there is nothing more current than that.

I'm questioning whether a 20-year-old Traffic Impact Study is still something that is prudent to go ahead and consider the abandonment of this roadway.

Will a new TIS be required before the road is abandoned?
And last, but not least, there is potential at Plantation Lakes and Millsboro town impacts with regard to traffic congestion and degradation of the resident quality of life due to traffic conditions.

And throughout the process, what I did is, as a citizen of the community, on my own, was to talk with representatives from the developer, from the school district, from DelDOT, from The Office of State Planning Coordination and the town, and it doesn't seem that there is communication that binds all of those two entities together.

So, who takes the lead in this and brings all of those pieces together?

I can connect the dots. Someone should do this formally before they proceed with anything.

Thank you.

MR. CARMINE: Elias Carmine.

E-L-I-A-S.

Has there been a road study on Sheep Pen Road about the traffic on that road? That traffic is used by a lot, by busses, dump
trucks.

That road, Country Living Road, we just fought to get that repaved about three-years-ago, which wasn't in the budget. They took other things so we could get that road paved.

This is coming right out on it. So, I guess, we are going to have school busses, the dirt pit traffic from dump trucks on there now.

Who is going to upgrade that road?

And Sheep Pen Road should not be closed. That road is used by a lot and used by this traffic. So, it should not be closed.

MS. PARRETT: We will take that into consideration.

Thank you.


This is going to be causing me to lose a bunch of business because they're putting me back in a hole. I have the through
traffic for them to see my sign out front. It
gave me a bunch of business.

    So, I'm losing money because of
this.

MS. MITCHELL: My name is Sherry
Mitchell. I live on 23803 Godwin School Road.
I'm right beside where this proposed new road
is going, and I've been there for 35 years.

    I'm adamantly against the
closing Sheep Pen Road for the benefit of the
Plantation Lakes developer, as well as against
building a new road that is a poor replacement
since it does not even join Route 20 or
Hardscrabble Road.

    Sheep Pen Road is used by
hundreds of people every day. I see it.
Those people are coming from the surrounding
communities. Many of them use that road as a
shortcut from Route 24 in order to avoid going
to the intersections of 24 and 113, and much
of this is made necessary because the highway
crossing continues to be closed off.

    Dutton Busing located on Godwin
School Road has many, many busses on this road
during the school year. And with the possibility of a new school on Godwin School Road, Sheep Pen will become even more vital.

Closing Sheep Pen Road will also cause emergency vehicles to take longer to certain areas west of Millsboro. It is practically impossible for them to get out of town now through 24. So, they take West State Street and Betts Pond Road to the 113/20 intersection.

The letter I received from DelDOT for vacating Sheep Pen Road refers to 17 Delaware Code 1311. But in reading that section of the Code, my impression is that it refers to roads that have ceased to exist as part of the general highway system or a public road not serving the general public. Sheep Pen Road serves the general public hundreds of times a day. I am not kidding. I see it.

The convenience of Plantation Lakes' homeowners to get from one side of the community to another, or from one community center or pool to another is not more important than the convenience of area
homeowners, who have used Sheep Pen Road for many years and need this road to get to their jobs, day care centers and to run errands.

We are already inconvenienced by the huge increase in traffic, the highway that has not kept up with growth, traffic lights that benefit beach traffic.

What used to take ten minutes to make a quick run to town now takes 20 to 30.

The homeowners beside the new proposed road acquired their properties with vacant land beside or behind them, knowing and accepting that homes may be there some day, but never thinking that a noisy, littered road would be there.

The proposed new road also crosses from Godwin School to Country Living with both ends of stop signs that are located near a curved area.

Sheep Pen Road was there when Lennar purchased their property. They need to work with a plan that retains the road for public use and not change it to suit their needs. They can put a bridge over the road
for their homeowners to use for walking or
golf carts, just as Mr. Tunnell from Baywood
had to do on Route 24 in Long Neck.

This is not a case of eminent
domain where the government needs the land for
the greater good of the people. This is for
the greater good of Lennar.

Please do not close Sheep Pen
Road. Think about the neighboring residents
who use this road in their daily life for
work, day care travel and errands.

Think of Mr. Sentman at the end
of Sheep Pen Road whose small engine repair
business will be affected.

Think about Dutton Busing and
their drivers who use this road multiple times
a day.

Think about the future school
that will most likely be built on that road.
And think about those of us that
are just there now.

Think about somebody besides the
big development company who wants to enjoy the
area's close proximity to the beaches and low
taxes, but also want to make changes to hurt
many of us who are lifelong locals.

Make the right decision, DelDOT.

Just say no to closing Sheep Pen
Road.

MS. PARRETT: Does anybody else
want to speak?

MS. CARMINE: Patricia Carmine.

And I'm on the board of the homeowners
association at Ward Way 1.

We've met with the homeowners
and discussed several different options with
the homeowners regarding this matter.

And I can say to you that all of
the residents of Ward Way 1 and 99 percent of
Ward Way II Developments are absolutely
against this.

The impact of increased traffic
on the road going past our houses, will have
to go past our houses now, will impact the
safety of our children.

Busses pick children up along
that road. Our children ride bikes along that
road. The majority of the homeowners bought
in that area because it was a way out of town, and there are a lot of families living in there with children that this would impact as far as safety.

The road is barely wide enough now for a bus to come down safely with children standing at the side of the road.

I can't imagine with the increase in traffic what the impact would be on that road.

In addition, as my husband said, they did overlay that road a few years back. It is still not in the greatest of shape.

The increased traffic on that road is going to be horrible. It's already beginning to break on the sides.

We living back on Country Living Road will circle through Sheep Pen Road to avoid all of the traffic on 113 from early spring through late fall because of the traffic coming down, the tourists coming down.

That is a big cut through for the summer that takes a lot of the traffic off of 113. It gives us backway access to the
Food Lion, BJ's, the places where we shop.
So, we would really love for that to stay open.
And, I guess, I'm going to end this with a question of, if that road is closed, and I pray it's not, and so do all of our homeowners in that area, over 60-some homeowners, if a road is built, will it be part of the development to maintain that road, or will the State build the road and maintain it?
That's a question. Thank you.
MS. PARRETT: And I would just like to reiterate for the people that just came in, there is sign-up sheets up front. I would appreciate it if everybody would sign in. Everybody who is recorded in attendance will receive a copy of the decision that's made once there is a decision made.
And if anybody has a written statement that they maybe don't want to read, you are more than welcome to turn it in and it will become part of the record.
MR. STATLER: My name is Keith

I live at 108 Woodland Way. The proposed construction of the road would come directly behind my house.

So, I would just like to be on record as adamantly opposing the road behind my current residence.

I do know that it is a shared feeling with the people that live next door to me on both sides. This is not a plan that any of us want.

But I would just like to at least formally go on record saying I am adamantly opposed to the building of this road.

Thank you.

MR. SMITH: My name is Joe Smith. I'm one of ones that live next door to Mr. Statler on 110 Woodland Way.

When we bought this house, we knew that Plantation Lakes owned this property behind us. And we knew that there was going to be houses or community centers, something of the like behind us at some time.
Never was it ever told to anyone, the Realtor, the neighbors, anyone, that this was planned on being a new road that runs parallel to our backyard.

I mean, literally, if this goes through, this new road, our house will have a road in the front and a road in the back.

Do you want to live in a place like that?

Do you want to be surrounded by roads? I don't think any of you all up there want to.

Let's call this for what it is. Closing down Sheep Pen Road is nothing but greed and a money grab for the people that own Plantation Lakes. You can look at this map and see all they have to do is move things back a few feet and build a bridge over the road just like Tunnell had to do and they would be just fine.

It is ridiculous that we're going to put the interest of new homes above the interest of homes that have been for years and years and years.
There is nothing okay about this plan.

Our concern is more the new road that is proposed to go through than the closing of the old road, but the closing of the old road is still a concern for all of the reasons that have already been stated. I don't have to restate them.

They want to put a school at the end of the road here. The School District owns that property. That is all fine and good. But they can't even get money to pay their teachers now. How are they going to open up a new school? You can't use the school as an excuse when you can't even pay your teachers.

This is all ridiculous, and it is nothing but a cash grab by the people that own Plantation Lakes.

If we allow this to go through, I mean, everybody involved is just as bad as him, I guess.

I'm done. Thank you.

MR. DUTTON: I'm Ed Dutton. I
own Dutton Bus Service with my sons.

This will be a hardship as far as our business goes.

The thing is, these are my neighbors. And to run our busses another road down, making a left in front of Timmy's house and everybody else, I mean, we're probably running 60 to 65 times a day down Sheep Pen Road because our shop is at my farm. They have to bring their stuff in.

We try to be good neighbors. And this road right now is very beneficial to our company and our way of life. And I've lived here a long time. I started with one bus and I have a lot now. My neighbors don't complain to me, and we do the best we can.

My sons, I left them home because you don't want to hear what they are having to say.

But I just feel that this is a big mistake. And I grant you, Sheep Pen Road is not a good road, but it keeps us away from beating and banging down the road with these yellow busses disturbing my neighbors.
And I realize there are going to be new homes. Well, I was here first. We were here first.

I have a big issue with this. That's all I got to say. I hope it does not happen. Thank you.

MS. CARMINE: Patricia Carmine.

I notice there's -- you know -- the thing you put across the road where you're counting traffic -- I notice one has been across there, whether it is hooked up or not, I have no clue.

But to do a count, you will get a good count. But in the winter when all of these busses are running, it is far more traffic than you see right now.

So, just to let you know about that.

Thank you.

MR. PARSONS: Rhett, R-H-E-T-T, Parsons.

We live on the corner of the Meadow Drive development on Country Living Road. So, we are the first house as you come
down Country Living Road on the left-hand side.

And the way the plan looks, the entrance to this new road would be directly beside our home, running down the back of Meadow Drive II.

And I agree with what everybody said. Certainly, there is no reason to close Sheep Pen Road for the benefit of the developer. The developer bought the land on either side of that road. The road was there. They didn't buy the road. They have no right to ask for the road to move. Maybe they have a right to ask. They have no expectation it should be moved.

And the additional traffic on Country Living Road is certainly a deterrent from that, Mr. Dutton's busses and all of the other traffic that is part of that.

But it seems that there has been very little forethought to the impact of this, the way this has been handled.

And the Plantation's development has not proposed anything other than just,
basically, a line that says this is where the road would be. They haven't said, this is how they would do it, this is what it would look like, this is how it would be landscaped, this is the setback.

The State has provided no information to us as to what these guidelines and regulations would be, if they did approve putting a road in there.

So, at this point, we are saying absolutely don't put in, or don't abandon Sheep Pen Road. Keep Sheep Pen Road open. But I would think that it should behoove the State to at least say, here are what the guidelines are for a new road going in.

So, right now, we all are in agreement that there is no reason to close the road. And the impact of closing it is definitely going to be felt by all of us.

My wife and I and all of the neighbors that we've talked to as well are adamantly opposed to closing Sheep Pen Road.

Thank you.

MR. BURTON: Jeff Burton.
I'm also opposed to the closing of Sheep Pen Road. And I just have some questions. I know they're not going to be answered today.

A couple of the questions I have are, does the current plan that is adopted now and recorded for Plantation Lakes, does it improve Sheep Pen Road like they had to improve Godwin School Road? Does it widen, flatten, further expand upon Sheep Pen Road, like they had to do on Godwin School at that entrance there?

So, I would hope that it does. Because they're the ones who are going to be putting the extra traffic on the roads, so they should bear the burden of making repairs, if necessary, to the existing road, not abandoning the road.

To Bruce Sentman, I don't understand how DelDOT and the powers that be can enrich one entity while causing severe hardship to another entity very arbitrarily. Plantation Lakes, as a developer Lennar, is no better than Bruce Sentman's
business. And I don't think that is right to hurt one business while helping another business. That just seems fundamentally wrong to me.

So, the DelDOT notice I think is also misleading. Maybe it's not. Maybe they are splitting hairs in the advertisement. But it states that the adjoining property owners petitioned. It's probably more the case of a single property owner petitioned. But I would some day like to have the answer to that question as well, meaning Lennar developer.

The developer right now on their website shows the road as being abandoned on their graphic.

UNIDENTIFIED SPEAKER: It has been that way since the beginning.

MR. BURTON: I don't know if that is false advertisement or what that is. To them, it is already a foregone conclusion. I hope DelDOT doesn't let that happen.

The recorded subdivision plan that is recorded with Sussex County also shows the road being incorporated into the community
as if it is a foregone conclusion.

So, same question pertains to the recorded subdivision plan.

And then, the recorded subdivision plan also shows the new proposed road, or, actually, not the recorded subdivision plan, but maybe it was your map, shows the new proposed road going through all of the lots on the north end of Plantation's future subdivision.

I don't know if those lots would go away, if DelDOT still shoves this down our throat and does it without us. I don't know if all those lots have to be redrawn or how that is going to work.

And lastly, if DelDOT does this anyway against all of our wishes here, who is going to pay for the new road? Is it the taxpayers? Is it the development or the developer? Who is going to pay for the abandonment? Who is going to pay for the Co-op to move all of their power up and down Sheep Pen?

So, all of those questions,
those last two, if DelDOT does this without us.

Thank you.

MR. MORIARTY: My name is Sean Moriarty, S-E-A-N, M-O-R-I-A-R-T-Y, on behalf of my wife, Kristy, and our two daughters, age 15 and 8.

We adamantly oppose this as well. Pretty much what our neighbors have said.

We've lived on Country Living Road for 20 years now. We live in the development near Meadow Drive, as Mrs. Carmine had talked about.

We understand that there is growth and development. We think it should be done in a more equitable manner. And certainly, our opposition is based upon two main factors here, safety, as well as the quality of life for our long-term residents.

Safety. There is no doubt there is going to be increased traffic on Country Living Road. The name itself, Country Living Road. If you look at the name, it is
automatically going to be changed by this
diversion.

Much that our neighbors and
friends have also talked about, this was
already understood when the developer went in
and purchased it. The existing infrastructure
was already there.

The increased traffic in both
directions. You're impacting the safety of
our children who walk on that, ride their
bicycles, get the bus, everything everybody
already talked about.

And, in addition, all of the
other businesses that Mr. Dutton has talked
about.

So, we are adamantly opposed to
that for the degradation of our quality of
life, for the long-term residents there, for
the safety of our children, for the safety of
us who walk along the walks on a nightly walk.
And, of course, we're looking at the whole
thing.

The only way that we would even
consider this, as a family of supporting,
would be maybe considering the point of convergence making Country Living Road a dead end street, therefore, we're at that point. But, again, that's certainly going to affect our neighbors. That's the only way we can consider this.

We are adamantly opposed to this. We ask for you to consider that in your decision and just do the right thing.

Thank you.

MS. CROPPER: My name is Helen, H-E-L-E-N, Cropper, C-R-O-P-P-E-R.

I don't live right on the road, but I use that road a lot. It's a bypass to get around a lot of the traffic in the summer. It's also the way to Salisbury.

I am really disappointed, I think, that all of us are here to learn and discuss a major change in our lives.

And the State is proposing a major change, and these developers have already been predisposed in their plans that this is the way it's going to be.

Somebody, I think, up here has
said, Oh, yeah, this isn't going to be a problem. Well, I just have a lot of questions. You can't answer. You won't answer. And I don't understand because I pay you. You know, we all pay you. And we pay you to make decisions for us. And we need to make informed decisions. And you have answers and you won't give us the answers to our questions.

So, what good are you to us? Why are you here? Why are we here? I don't understand why we're here. There's questions like, if they have to make improvements to the existing roads, if so, at what phase.

I can remember when the Racino was planned, and they were going to make changes to the highway in Phase II. That was after the racetrack, after the convention center, after the casino, after all of those things were in there when they started doing shopping centers and stuff, then they were going to make plans in Phase II. If they have to make plans, are they going to make plans. If they do, at what phase do they have to do
them.

I know there has been a counter on that road to count the traffic. We are not even allowed to know what the count is. How much traffic is that road actually using?

So, there you are. And to just talk about something that looks like it's already done, and you can't even give us an answer to a simple question of what is the count on that road, they had that counter across there for a while.

I mean, you can stand up there. And I don't know why they sent you. I think it's like, Okay, let's send somebody who can stand up there and keep their composure because we might as well be talking to each other. You're absolutely worthless.

MR. CUNNINGHAM: I'm Robert Cunningham. I am the Chief of Right-Of-Way for DelDOT.

Let me explain what the process is. And that seems to be the confusion.

We're in the real estate world. We buy and sell stuff. So, if we were coming
through condemning all of your houses, we
would have to have this conversation.

    We also have to handle the
vacation aspect of this road. Why we're
saying we can't answer questions related
specific to the engineers because we're not
engineers.

    And we are handling an issue
that was brought to us by an outside company,
outside firm.

    But according to the rules, say
I want to vacate this road, a lot of times you
run into vacation of roads that are paper
sheets, dead ends, things like that. The
people who bring that to us are the adjacent
owners.

    You're asking an awful lot of
questions that have engineering aspects to it.
I can tell you, get a stack of Bibles, I'm on
the record, I have no idea what the road
counts are. And I don't know if anybody does
yet.

    But the issue is, we can answer
all of your questions, and they will be
answered. The gentleman who started, he had about 15 questions. We are going to answer every one of those.

The process is, we need to hear whether you're for or against it.

We then take all of these issues, put them all together, take the record, then a recommendation is made to the Secretary of the Department who ultimately makes the final decision.

The final decision has not been made yet. This is very important. This is a critical step. And it is great to see people. Ida goes to these a lot of times, and it's her and the court reporter, and then they leave because nobody shows up.

But your comments are going on the record. And they will be shared with the Secretary of the Department. And everybody who is here who is against it, if there are people here who are for it, they will all go together, along with some of the issues you raised and study some of the engineering aspects of it.
But for the most part, this is the time when we are going to hear -- we don't know. We don't know whether the public is for this or against this.

I'm hearing so far most of you are against it. But there might be people here who are for it.

This is actually a good example of what democracy is all about. Let's hear what you're saying. Then it goes up. We will make the comments to the Secretary. We'll recommend to the Secretary or not recommend to the Secretary. She will have all of these comments. She'll know everything that you all said. Then she'll take those into consideration.

So, I just want to make sure, I understand you think we're just standing up here stonewalling you. We're not. I don't know 90 percent of the answers to your questions. But they will be answered. And they will be shared with the Secretary. That I can guarantee you.

We're answering questions about
the process. That's what I'm answering. The process is, we take your comments, give them to the Secretary. The Secretary then has the ability to say yes or no. There's also, as it is in the Code, other options for people who are opposed or for it.

Anyway, I will answer a couple of questions as long as it is process related.

MS. PARSON: My name is Denise Parsons. P-A-R-S-O-N-S.

On the record, I am against the closure of Sheep Pen Road. I do have a question on the process.

In the recommendation that will go forth either for or against, it will be based off of comments. But will the engineering studies, the road counts, the impact studies that they have, will that also be part of the recommendation, or is this strictly, We got this number against, this number for?

MR. CUNNINGHAM: It is all taken in its entirety. Everything will be considered in its entirety.
MR. PARSON: And the time frame of it is?

MR. CUNNINGHAM: You can share that.

MS. PARRETT: Yes. Once the public hearing is done, and we give the court stenographer the time that they need to supply us with the official transcript, we then take a couple of weeks to read it over, read through all of the E-mails, go through all of the messages, all of the calls and everything I received on this.

I then have to weigh all of the pros and cons and make a recommendation to the Secretary.

The Secretary then reviews everything. Sometimes comes back with additional questions. Sometimes does not. The Secretary then makes her final determination. She could agree with what I say. She could disagree with what I say.

Once her decision is made, a notice is sent out to everybody who was in
attendance and the petitioners.

From that point that the decision is made, there is a 30-day appeal period.

So, if it is approved, you can appealed the approval.

If it's denied, the denial can be appeal. And those appeals go through the Superior Court.

But you have 30 days from the date that that decision is made to appeal that decision.

If there are no appeals filed, and it's denied, then it just goes away. It will stay as it is.

If it's approved, then there's a resolution that is recorded within the County Recorder of Deeds Office that allows the adjoining property owners to absorb that section of roadway into their property. That is what the process is.

MR. PETTYJOHN: My name is Brian Pettyjohn. I'm actually a State Senator. I have one half of Sheep Pen Road.
My question is actually process related.

How long is the public record open after today?

MS. PARRETT: The public record will be open until I receive the official transcript. Usually it takes about two weeks.

So, two weeks from today, I will close the official comment period. I will accept written comments. I will accept voicemail comments. Our voicemail system at the State now transcribes everything into a written statement that comes in my E-mail. They don't always match what is verbally said. It is quite funny sometimes to read. But they do record all of those voicemails in a digital format.

So, I will keep it open for two weeks from today's date.

MS. MITCHELL: Sherry Mitchell. Will you have your E-mail in our letters?

MS. PARRETT: Yes.

MS. MITCHELL: It says in the
Delaware Code that this was published in the newspaper and the county.

Where was this published?

MS. PARRETT: It was in The Delaware State News. And I know the cancellation for the previous one was in -- what paper was that in -- this says, Sussex Living Delaware.com.

MS. MITCHELL: So, these are in the newspapers?

MS. PARRETT: Yes.

MS. MITCHELL: And, hopefully, they have an online site.

MS. PARRETT: Yes.

MS. MITCHELL: Because it was only those of us who live directly bordering that property that actually got the one in the mail.

So, most people are not going to see that notice in the newspaper.

MS. CARMINE: Patricia Carmine.

I did want to note that anyone not living on the front part of Country Living Road did not receive any notification that
this was taking place.

        So, you're looking at probably

50, at least 50 homeowners that received
nothing.

        MS. PARRETT: That is a

procedural thing.

        And we are only required to send

a notice to those adjoining the road to be
vacated.

        MS. CARMINE: Even though that

road comes directly into our development?

        MS. PARRETT: Yes.

        MS. CARMINE: Just make a note

that 50 people were not notified.

        MR. WOOD: My name is Bill Wood.
Meadow Drive I.

        Just a point of clarification in

this room.

        Can we have a show of hands as

to how many people are in favor of this
change?

        Can we have a show of hands as

to how many people are opposed to this?

        MS. PARSONS: Denise Parsons. I
have a couple of follow-up questions.

Within the process, before you send your recommendation, do you review the road study, the impact study, the engineering aspect, or does that go to the Secretary?

MS. PARRETT: It all gets supplied, and then it is all taken into consideration before the determination is made and the recommendation is made.

MS. PARSONS: Will we have access to that? Will we have the opportunity to review that and look at the proposed setbacks and things of that nature?

MS. PARRETT: That I do not know.

MR. CARMINE: Elias Carmine.

There were three people that were in favor of it. Just to let you know, two of them are from Plantation Lakes. They work there, I guess.

MR. PREHM: My name is Jack Prehm. P-R-E-H-M.

I live in Plantation Lakes. I drive, or I ride on Sheep Pen Road frequently
when I'm heading north. I come out the back entrance onto Godwin School Road and go up Sheep Pen and take 13 north.

I purchased in Plantation Lakes ten-years-ago.

We were told at that time that all of this property did, indeed, belong to Lennar, or a company called Lencraft, L-E-N-C-R-A-F-T. It was a combined company that was made up of the consortium.

I think Don Collins, Donald Collins owned this property before it was purchased by this consortium.

We were told at the time that all of it was going to be part of Plantation Lakes.

I'm just very surprised that here it is ten years after I purchased that we're now talking about a road that was planned at that time to go right through the middle of a major development. That disappoints me somewhat with what the planning was that was done back then.

But if that land is going to
carry a major development, you cannot leave Sheep Pen Road at 45 miles an hour through the middle of it. It just makes no sense.

You can't have all of those people impacted by a 45-mile-an-hour road. When all it takes is to go a little bit further on Godwin School Road and pick up a bypass.

I do understand the people on Country Living Road. And it was a recommendation of dead ending Country Living Road, which sounds reasonable to me. But it's a short distance to get to the same point.

Thank you.

MS. PARSONS: Denise Parsons. Plantation also ends on the other side of 24. Inconvenienced by a 50-mile-per-hour road.

We had Sheep Pen there first. You can put buffers in. They can landscape it with their berms and walkways, just as they had on Godwin School Road, just as they will have to do with 24. They can put an overpass that is there.
They're asking existing homeowners to change their lifestyle to now be inconvenienced because of a road when we were here 20-plus years is unfair.

Most of us that live here are Sussex Countians born and raised.

We open our doors to those that are out of state. We welcome them.

But to take and say, Move the road here because we don't want to inconvenience new people at the cost of those that are currently here is wrong.

MR. DOREY: My name is Tim Dorey. D-O-R-E-Y.

The statement by the guy there, if the major road goes through Sheep Pen at 45, what's the difference at 45 going by my house for the people out of Plantation Lakes going bye bye? They run by my house 50, 60. They throw trash out. We pick it up and follow them and they turn right into Plantation Lakes and I throw it out there. I am tired of picking up their trash. I am tired of looking at people speeding by.
You don't want to speed through your development. Sorry about your luck, Bud.

MS. CROPPER: Helen Cropper.

I just counted how many people, in response to the man that lives in Plantation Lakes, I just counted how many houses are actually on existing Sheep Pen Road based on this plan that was handed out. And it's less than 20. There's a lot more than 20 people in here.

And there was a man earlier that said this is a money grabbing thing. You know, reduce those 20 houses and let Sheep Pen Road go on through.

And regarding these plans of Plantation Lakes that existed back in the beginning with Sheep Pen Road being abandoned.

I can remember with this Racino thing, they had all of these plans for Wolf Trap and everything else that they presented. Wolf Trap was never notified that they were going to be a part of this Racino thing.

So, I just think that the developer sold the existing people a bill of
goods and they bought them, and too bad, it
sucks to be them.

MR. COLLINS: I'm Rich Collins.
I have a question.
So, the hearing is about
abandoning the road. So, this road that is
proposed, is this hearing technically actually
about that in any way?

MS. PARRETT: We are here to
receive comments in support of or in
opposition to the abandonment of Sheep Pen
Road.

As was previously stated, the
regulations do state there has to be an
alternate parallel road. And I believe what
is depicted on the plan from the developer is
what they are proposing as an alternate
parallel road.

MR. COLLINS: They would have to
get permission from the City of Millsboro to
do that?

MS. PARRETT: They would have to
go through all of the approval process.

MR COLLINS: Technically, this
hearing is not about that additional road?

MS. PARRETT: It's for the

vacation of Sheep Pen Road.

MS. DOREY: Pat Dorey. Patricia

Dorey.

We can't get additional

information even about what that proposed road

would look like, other than that little

diagram that we got on our notification?

MS. PARRETT: That is not

information that I have. That diagram was

actually supplied to me by the developer. So,

they would have that information.

MR. PARSONS: Rhett Parsons.

So, a question I will direct

toward the developer.

Do you have any more detailed

plans as to what your intended design

structure, setbacks, et cetera, would be if

they do vacate Sheep Pen Road?

And then the secondary question

is, isn't there, and, I guess, this is just

for the record, but an alternate road already

exists because Godwin School intersects
Country Living Road currently.

Now, that doesn't address our traffic concerns because it still keeps the traffic on there. But it would seem that this connector that cuts off, or that impacts those of us that live along the bordering edge of that connector, and the potential school being in front of that, and the fact it adds another point of intersection for people to stop, hopefully, turn properly, et cetera, it seems like it's just a -- it seems totally ridiculous to do it in light of the fact that there already is an already existing alternative.

Don't abandon Sheep Pen Road. I will restate that.

But to the developer, you guys have given us a crayon drawing with no details. You didn't have the common courtesy to come alongside each of us who are adjacent to this or the other property owners in the area and say, Hey, we got a problem here, guys. This road is in the middle of our development. We would like to do something
about it. Here are a couple of proposals. You just kind of did what you do behind our backs with DelDOT, and here we are.

But do you have any other additional information?

MS. PARRETT: I will ask that any questions directed specifically to the developer, since they are not specifically related to the abandonment of Sheep Pen Road, that you please take those outside and you can talk with them outside.

MR. PARSON: Okay. Would be happy to.

MR. BURTON: Jeff Burton again. My question is, the statute, you said, stated that it had to be parallel road. Is this big, C-shape looping road considered parallel? It certainly doesn't meet the traditional definition of the word parallel. So, I just wanted to pose that question as well.

MS. PARRETT: It is something we can take into consideration.

MR. BURTON: Thank you.
MS. CARMINE: Patricia Carmine.

I'm just asking for clarification here.

So, at this point, they're proposing a road be built by the developer. And we have no plans, no information whatsoever on what that road will be, the width, the length or whatever. We have no information on what will replace Sheep Pen Road.

Is that correct?

MS. PARRETTE: Yes.

MS. CARMINE: Next question for clarification, when will that road be built, the new road? We don't know how long it will take. It could be years. It could be months. It could be a decade.

MS. PARRETTE: That is something that DelDOT does not know. Thank you.

MS. PARSONS: If there is an appeal process that goes to Superior Court, do you have an estimate on the time frame for that, how long it will be before Superior Court potentially will hear the case? Once
they do hear the case, how long it would be
before they potentially render a decision?

MS. PARRETT: That I do not know
because it all falls on their scheduling. It
is not something we have any control over.

MR. SMITH: Joe Smith.

Again, this is about the new
proposed road. I hate to keep beating a dead
horse. But there is about a dozen of us who
are going to be affected directly by this new
road.

Has anybody thought about the
property values of us that are going to be
bordered by this new road? I mean, we are
talking about the inconvenience of the
residents of Plantation Lakes that aren't even
residents there yet. We're talking about the
property values of Plantation Lakes, and those
homes aren't even there yet.

What about the property values
of those of us who have homes, who have very
nice homes, who have very nice properties? I
mean, according to this, you're going to be
cutting down about half the trees that border
our property.

If we had known all of this, we
would have never bought this house, not a
chance in this world we would have bought this
house.

We had a little bit of an
informal vote here. Outside of the people
that stand to directly profit from this, there
was one person that said they were in favor of
this idea, one person.

I would be willing to bet,
though, this is still going to go through.

MS. PARRETT: As I stated
before, we will take everything into
consideration and the decision and
recommendation that we make will be based off
of the public comment.

MR. SMITH: We already have a
terrible traffic problem in Millsboro.
Several hundred homes are on this new map.
We're just going to add to that.

Instead of trying to alleviate
the traffic problem, we're just going to say,
Screw the people that live there already. You
to have figure something out. And it will
only take you 45 minutes to get to Rite Aid
instead of 30 now to make the 500-yard trip.

None of this makes any sense,
except to line the pockets of one business.

MS. DOREY: Patricia Dorey. I'm here now. I was late. So, I don't know what
happened before I came in. I did not realize
it was four o'clock. My information said four
to seven. Sorry.

Have the developers done due
diligence in making sure that safety issues or
concerns -- that safety concerns are
addressed, power concerns are addressed,
traffic study to see how many cars are on that
road throughout the day, particularly during
the school season. When school is in session,
traffic increases dramatically all across
Sheep Pen Road from everywhere.

I just have those concerns and
questions I don't know the answers to or whose
responsibility it is to make sure that
happens. I assume the developers would have
some responsibility there.
MR. PARSONS: Rhett Parsons.

Point in case, the judge found that. We had a contract on our house. And that contract was pulled because of this proposed road. And we didn't know about this until the contract was taken and, obviously, disclosing it, they said, Well, we don't want a road in our side yard.

So, that is not a theoretical. That is an already happened situation.

MR. SMITH: We would have never bought our house if we would have known about it.

MR. MASSARI: Tom Massari. M-A-S-S-A-R-I. We're in the same boat. 102 Ridge Way. We are same boat. It is right in our backyard.

MS. MASSARI: Lindamarie Massari. 102 Woodland Way, Millsboro.

And this road is going right behind on our house, I mean, right behind our house. That is unacceptable.

We just physically moved back down in February. We bought the house
six-years-ago. We physically moved in February. That's just unacceptable. We would not have even bought it. We planned for being there in a quiet residential community, and now you want to put a road in my backyard. I'm totally against it.

As it is, we can already hear the cars and when those big trucks go by. Maybe not as loud, but where you want to move it doesn't make any sense whatsoever.

MR. MORIARTY: Sean Moriarty.

My question is procedural. When somebody applies, in this particular case, they apply for the abandonment of the road, do they have to provide any justification or logic or substantiation of why they have to vacate the road?

MS. PARRETT: Typically, when a request is made to the Department to vacate a road, it is a road that, for example, it is in a subdivision where not all of the streets were built. So, there is what's showing on the master plan, there's a road that goes between two houses, but that road was never
built. The adjoining property owners will ask the Department to vacate any public interest in that section of road that was never built. And we go through this process to gain comments in favor of or in opposition to. And when it goes through, if it goes through, then they are able to absorb that into their property to the center line each equally.

Other instances where we do road vacations and abandonments, maybe there is a road that has a sharp hairpin turn, and we realign the road so it is more gentle, safer turn, and the hairpin area is no longer a functional road because there is an alternate road to it in which case then the adjoining property owners can petition to have that hairpin turn vacated.

Those are the typical instances procedural-wise that we run into with road vacation.

MR. MORIARTY: So, in this particular case, if I was the developer and I wanted to abandon this road, what would the application process in a nutshell explain?
Could I just say, I want this to be abandoned, 
or do I have to provide DelDOT with an 
explanation of why I want it to be abandoned?

    MS. PARRETT: When it is a 
developer coming in and there is an active 
road, they first have to go through our 
planning section. I am not part of planning. 
I do not know what their process is. I don't 
know what their procedure is. I cannot answer 
any questions in reference to that.

    Generally, with a situation like 
this, our Planning Department then comes to us 
and requests if we can investigate if it is 
possible to vacate a portion of road that is 
currently active.

    Before we can do anything, we 
have to route it through our Department to the 
directors in our Department to get their 
approval or opposition to this.

    If there is sufficient support, 
then we move to the next stage which is here 
getting public comments from the public in 
support of or opposition to so we can make an 
informed decision.
MR. MORIARTY: So, in order for us to make educated and informed decisions as well, is that a matter of public record, or would that be provided to us, the application whether it's to the Planning Section or anybody, of what the requests actually entailed and why that road needs to be abandoned?

I think we all come with a plausible explanation of at least why we think it is. But I am interested personally to know why is this road proposed other than the obvious?

MS. PARRETT: The vacation of Sheep Pen. With what they would like to do within the Department, this section of Sheep Pen does not fall within the parameters that they have. So, they are asking it be vacated so they can reconfigure with the Department.

So, the supporting documentation we receive from our Planning Section, they gave us the plans, other supporting documents. I don't know if they have been approved and recorded yet, so I don't know if they are part
of the public record. So, that would be
something that maybe the Developer could
answer that for you out in the parking lot.
Maybe you can call our Planning Section and
get an answer to that. That is not
information that I have.

MR. MORIARTY: So, to your
knowledge, it is not for the betterment of
safety or quality of life for existing
residents?

MS. PARRETT: We are here to get
the public comments so we can make an informed
decision.

MR. MORIARTY: Thank you.

Next question, please, a
procedural matter.

Will we be notified of signing
up of every step in the process herein?

MS. PARRETT: You will be
notified once the Secretary makes a
determination.

MR. MORIARTY: And it will start
the Appellate process and everything
thereafter.
Thank you very much.

MR. BURTON: Jeff Burton. I have a follow-up question.

So, from what you described, it sounded like you would say that this is not a typical application, that this would be more of a rarity than what you typically see when a road is traveled as much as this one is.

Is that a true statement?

MS. PARRETT: Yes.

MR. BURTON: Thank you.

MS. PARSONS: Denise Parsons.

Since these questions are going to be answered, I want to pose another question.

When the initial plans were proposed to Sussex County, or to the Town of Millsboro, who ended up incorporating that land, the plans that were presented at that point did not show Sheep Pen. It showed that as part of the development. We have pictures of that from Planning and Zoning.

How can they, at that point, submit a plan with a State Road through the
center without having already gone through
this process? Question to be answered later.

MS. CROPPER: Helen Cropper. I
think it is a follow-up from what she just
said.

With this development, I don't
know if everybody here understands, this
development is not going through the County.
It is going just through the Town of
Millsboro. They circumvented it by a lot of
the regulations and a lot of the things that
have to be done by incorporating this piece of
property. And if it goes through the town,
then they don't have to involve a lot of the
other County and State, not organization, I
guess, bureaucracy. They did this with the
Racino, and they're doing it with this.

Millsboro -- so what you're
going to be fighting is not just -- we're
going to have to also make our fight strong
enough to fight what Millsboro wants. Because
Millsboro is going to want all of these houses
and all of this property and all of these
taxes.
So, we're not fighting, or we are not going to have conflict with what the State is doing, as much as we are going to have conflict with the Town of Millsboro pushing the State to do this.

The Town of Millsboro has a lot of power to get people to write to the State and do things to get this pushed through so they can have all of these houses incorporated in their house.

When they had the Racino, and that was a plan, they pushed it for the people, and Millsboro said, If we get this Racino in and it is a corporate, part of the corporation, Millsboro people will never have to pay taxes again. Their taxes will never go up.

And so, that's what we're doing now. Millsboro wants this as much as the developers. Millsboro is already approving a lot of the things that the developers would have had to go through the State to do. They're approving it because they want it.

So, we're in here, the State is
in here, but the real battle is going to be us people as strong as the Town of Millsboro and presenting our case to the State.

    Thank you.


    Has the Town of Millsboro annexed that property yet?  Because as of a month-and-a-half ago when I made a complaint to the Constables Office about the weeds in the field that Plantation Lakes is supposed to take care of and they haven't for the last two years, the Constables had to contact them and tell them to cut the grass.  They cut it once.  And it just happens to be they cut it again today.  You know, it is so obvious.  A month-and-a-half ago it was not annexed.

    Is it now?

    MS. PARRETT:  I do not know.  I do not know.

    MR. BURTON:  Jeff Burton.  What I am about to say does not have to do with this.

    But it seemed like they turned
off the air conditioning in this room because it is after five o'clock.

Is that to get rid of us?

MS. PARRETT: No. This door has an auto lock on it. And we have to have the door open in order for people to come in and out to make comments. So, because this door is open, all of the air that may have been in here is going out the door.


I want to say I am opposed to the abandonment of Sheep Pen Road and also to the development of the alternate road.

I want to say that I am not in opposition of Plantation Lakes, and I am not in opposition of development of this land.

I understand that is what is happening in Sussex County. I am welcoming of the development and of the developer. He is going to make a profit off land that he has purchased. It is certainly his right.

I ask that Meadow Drive II, which is what this proposed alternate road is
going to back up to and other developments in the area, are respected by Plantation Lakes and by the developer and by DelDOT when they are making decisions, and that they operate in the reality that we all are asked to operate in.

I don't see where they should be allowed to just close roads because that is what they drew in their plan when they came up with it. I'm sure it is a beautiful plan.

But it is not reality because there is Sheep Pen Road and it does run through. And when school is in session, it is well used.

And so, I would appreciate the respect of the developer respecting this community and respecting other neighboring developments that they are living in the community with. I mean, consider what their plans are and to build a beautiful development with beautiful homes that fits in with the reality of the land that they purchased.

Thank you.

MR. PARSONS: Rhett Parson
Actually, I will second what Kristi said. The development, Plantation Lakes, is a great development. We think it has been very well done. We think aligning Sheep Pen Road with the proper setback and with the berms and walkways and all of that you should put there to incorporate Sheep Pen Road into the development is a very reasonable alternative. And if you need to put a carriage bridge over to carry your golf carts and your pedestrians in your development, it is very reasonable as well. It can be done so that it is probably no more costly to you than doing what you're proposing to do.

But that is within the confines of the land that you own. You are free to do anything you want. You just to have work with what you got and not impact the rest of us.

Thank you.

MR. MOYLE: Gary Moyle.

I am a resident in Plantation Lakes. And like Jack, I'm shocked. As a
procedure issue, when was this started? When was the request put in? Do we have a date when the request was put in? The plans have been in effect for ten years. And we are both sitting here, and most of the residents are sitting here saying, Why are we sitting here today when this should have been decided?

MS. PARRETT: It landed on my desk about three-months-ago. Prior to that. I don't know.

MR. MOYLE: So, no paperwork. Is there any way for us to find out?

MS. PARRETT: Do you have any answer?

MR. CUNNINGHAM: No.

MR. MOYLE: Under the DelDOT page, it was hard to even find this meeting.

MR. CUNNINGHAM: I know that. What we can do is, your question is here. We will get you some timelines when this started that will be part of the answers. We got a thousand questions. We are going to try to answer each one. There may be ones that will
say, This is when it first began. This is what the process was, and it will help you all to understand how we get to whatever decision we got to.

Yes. We will be able to share that with you.


I am here speaking on behalf of the Town of Millsboro, not as an individual.

Just to set the record straight and just to clarify, the Town of Millsboro has not, in fact, taken a position on this project.

To the best of my knowledge, the Town was never advised of this hearing and found out about it indirectly. So, I just wanted to set the record straight, with all due respect.

Thank you.

MR. MILLS: Is it annexed?

MR. HUDSON: I would defer to the developer. That is my understanding that this land is annexed into the Town. It is not
a town maintained road, however. It is a DelDOT maintained road.

MS. CROPPER: Helen Cropper.

When this thing with the Racino came up, and I went to the County Council, and they were talking about closing roads at that point, a County Councilman said in a public meeting that they had some control over roads being closed within the County and that that was something that they could prohibit.

Is that true? Can the County, or does any of this have to go through the County? The County, at the time they didn't know that certain roads were proposed, I found it in the back of a newspaper, and I took it to the County. And at that point, they said, Well, this is one thing we can do. Millsboro is doing all of this stuff. We can't do anything about that. But when it comes to closing a road, we, as County Commissioners can have a say in that.

Is that true?

MS. PARRETT: We accept all public comments. And we accept it from the
County that the road is in, the town that the road is in. Anybody -- somebody can come from the City of Wilmington and make a comment in favor of this. We accept all comments.

MR. CUNNINGHAM: 1311, which we handed out, that talks about what we have to do when we go through a vacation process. That is not saying that we don't. That is just the process we are following.

So, a lot of the questions we've had is, Why is this happening, why is this happening? It is just because we're following the statute. The statute is right there and explains who has to be notified, who does not have to be notified and what the process we go through.

So, I'm not a lawyer.

Definitely not a lawyer. That is what I'm saying.

MS. PARRETT: Since there are some people who have recently shown up, I would just ask that everybody sign in in our sign-in sheet because everyone will be notified of the decision that is made. So,
please make sure you sign in.

And also, I am going to work
with our PR department to see if we can have a
page set up on our website to post answers to
and to be able to receive comments.

When I find out if we can do
this, whether we can or not, I will E-mail
everybody in attendance to let you know if we
can do it or not.

MS. MASSARI: I personally would
like a hard copy.

MS. PARRETT: A copy of what?

MS. MASSARI: Of whatever the
minutes are and the answers, rather than an
E-mail. I would rather have a hard copy
mailed to me so I can make my notes and attend
the next meeting that we're probably going to
have.

I have a question as far as
Sheep Pen Road.

Do we know what month they did
the studies for the traffic studies? And that
is a big deal because the summer months are
very light and the school year is extremely
heavy or a holiday week is very light. So, we
need to make sure that those studies were done
at the proper time when this road is actually
heavily traveled.

MS. PARRETT: I don't have that
information, and it is not something I have
control over.

MS. MASSARI: Can we get that
information?

MS. PARRETT: It would be
through our Planning Department. You can
reach out to our Planning Department to see if
they have it.

MS. MASSARI: Why is the
Planning Department not here as part of this,
if they are the ones that have all of the
answers?

MS. PARRETT: Because the
procedure that we are following is not a
Planning Department procedure. This is a
procedure that is within our Department. They
are aware that we are having the meeting
today. It was up to them whether they wanted
to send somebody or not. I don't have any
control over them.

    MS. MASSARI: I am formally requesting that at our next meeting we do have somebody from the Planning Committee so we can get our answers.

    UNIDENTIFIED SPEAKER: There is not going to be a next meeting.

    MS. MASSARI: I think there will be another meeting. If there is not, then we are going to have a bigger problem.

    MS. CROPPER: My understanding was after this there is not another meeting.

    MS. PARRETT: Just to circle back, because I don't think you were here when we went over what the procedure is, and there are some new people who have arrived.

    The way the procedure works, we get a petition from a property owner asking to vacate a road. We route it through our directors. If there is sufficient support, we then move forward to the next step which is having a public hearing to gain comments in support of or in opposition to the road vacation.
Once we receive all of the comments, we then review everything and make a recommendation that goes up to the Secretary. The recommendation is either to approve or deny the request. Once we make the recommendation, the Secretary can either agree with us or disagree with us.

Once the Secretary makes the determination, there is a notice sent to everyone who is registered in attendance at today's hearing and to the petitioners.

From the date that the Secretary makes her decision, there is a 30-day appeal period. You can appeal the decision with the Superior Court.

If at the end of that 30-day appeal period, if there are no appeals filed, and if the road vacation request is denied, it all goes away. If it's approved, then we record a resolution within the County's Recorder of Deeds Office and then the adjoining property owners are able to absorb that section of road into their property.

So, this is the meeting.
MS. DOREY: Did you give us your name?

MS. PARRETT: My name is Ida Parrett. I am the Operation Services Manager with the Department of Transportation.

MR. PARSONS: My name is Rhett Parsons.

Ida, thank you for going over that again for the people that just got in here.

But I would also encourage that those who have come in late or anybody else that is here, if you have not officially on the record stated if you're for or against, that should be done. Maybe wait until closer to the end and just have everybody do that officially so that we don't miss anyone on either side.

MS. PARRETT: And we did agree to keep the comment period open for two weeks from today.

So, if you are not comfortable getting up and speaking in front of a group of people, or if you think of something that you
want to add after today's proceedings are
over, please feel free to E-mail me. I have
business cards up here. If somebody needs to
have my business card. You can E-mail me or
call me and talk directly to me or leave me a
voicemail, and we will keep it open two weeks
from today's date.

MR. WALKOWSKI: Gary Walkowski.


I am a resident of Plantation
Lakes. I hope my car is okay.

Is it customarily your --

MS. PARRETT: Can you stand up

so that the court reporter can hear you?

MR. WALKOWSKI: Ida, is your
role to be the one to make the recommendation
to the Secretary?

MS. PARRETT: My role after we
receive all comments, I review everything. I
make a recommendation that goes from me
through Mr. Cunningham up to the Secretary.

MR. WALKOWSKI: So, the answer
would be yes to my question?

MS. PARRETT: Yes.
MR. CUNNINGHAM: It's a yes with a clarification.

Ida is not in a bubble. She is not going to make this decision based upon her. She will also reach out, based upon the questions, and ask the planning folks, the engineering folks, the maintenance folks, DTC, which is our bus folks.

We need to have that conversation internally. But ultimately, it all feeds back to Ida, but it is not just Ida sitting there in a bubble deciding because her car is going to be in trouble.

The truth is, it is a collaborative effort. Ida will make a recommendation to me. I make it to the Secretary of the Department who ultimately makes the decision.

MR. WALKOWSKI: And so, Ida, how long have you been doing this in your happy life?

MS. PARRETT: I have been with the Department for over ten years.

MR. WALKOWSKI: And how long
have you been doing this function?

    MS. PARRETT: Over ten years.
    And sir, I am sorry. I did not

get your name.

    MR. CUNNINGHAM: Bob Cunningham.
    MR. WALKOWSKI: And you are --
    MR. CUNNINGHAM: I am the head
    of the real estate area. So, Ida works for
    me.

    MR. WALKOWSKI: So an
    intermediary in the process is for Ida to be
    going through you to the Secretary.
    Correct?
    MR. CUNNINGHAM: Correct.
    MR. WALKOWSKI: How long have
    you been doing this?
    MR. CUNNINGHAM: I've been
    working for DelDOT for five years, but I have
    30 years experience in business.
    MR. WALKOWSKI: So, more
    recently, have you been doing this process for
    some time?
    MR. CUNNINGHAM: See. I see all
    vacations before they can even go up to the
Secretary. Vacation requests, vacation approvals, or disapprovals. Recommendations or recommendations not to vacate. I see them all.

MR. WALKOWSKI: Thank you very much.

MR. BURTON: Jeff Burton.

Does the developer or the developer's counsel have any comments in support of their application while we are all here?

MS. McAULIFFE: Cindy McAuliffe. We will be making public comments within a two-week period.

MS. CARMINE: Patricia Carmine. And we're going to see those?

MS. McAULIFFE: Yes. We will send them to --

MR. CUNNINGHAM: They'll become part of the record. Just like somebody is testifying, not testifying, but on the record here, anything that is handed will be part of that also.

MR. MORIARTY: Will you be
willing to provide, or will they be accessible
to us? I would like to hear why you wanted to
propose that. I don't know what the right
mechanism is to receive that information.

MS. McAULIFFE: Propose what?

COURT REPORTER: Excuse me. I
cannot hear the speakers.

MR. CUNNINGHAM: We can go off
the record.

(An off-the-record took place at
this time between the public.)

MR. CUNNINGHAM: Go ahead.

MR. SENTMAN: Bruce Sentman.
I was looking at this map, and
the only access to my property on Sheep Pen
Road is through Plantations development.

How can you have business access
just through a development? My business can
only access through a development.

Closing the road, I have no
access just through their entrance.

MS. PARRETT: We will take this
into consideration when we make the
recommendation to the Secretary.
MS. MITCHELL: Sherry Mitchell.

I'm just curious since you make the recommendation to you and so on and to the director, when you make that recommendation, do you give her a count how many people are opposed to this? Or do you just say a whole bunch of people showed up and are not happy?

Do you actually provide this public what she is taking down, do you provide that to her as well?

MS. PARRETT: I do a narrative report that recaps the general consensus and comments of what was made at the public hearing.

If a copy of the transcript is requested by the Secretary, it is made available to her.

MS. MITCHELL: And if we wanted to contact her directly, we can do that. I mean, nobody can stop us from doing that, basically. And where is her office located?

MS. PARRETT: She is in Dover.

MS. MITCHELL: Where does she
live?

MR. HOCKER: Gerald Hocker.

You heard from the Senator that had one side of Sheep Pen Road. I am the Senator who has the other side of Sheep Pen Road.

I had an awful lot of comments in regard to closing Sheep Pen Road, and every one of them has been against.

I will personally make my own personal comments to the Secretary of DelDOT.

But I'm puzzled why there isn't an improved plot plan and site plan showing a road closed when they haven't even had this done -- the meeting. To me, that site plan should have never been approved to close Sheep Pen Road.

I'm very concerned about that. Some changes need to be made.

And then it says through the Town of Millsboro, I don't think it's the Town of Millsboro that has seen and approved that site plan. If they did, how can the Town of Millsboro approve a site plan that is on a
road that DelDOT proposed? That is very puzzling.


By the looks of this new road on this diagram, it is right up against the back of our property, our buffer zone.

Are they planning on putting a buffer zone of their own between our buffer zone and their road?

And also, on this, if you'll notice, there is a retention pond right here, which I was told by the gentleman right here, that this is the overflow that would be going from the retention pond and would go right out into that roadway.

Are they going to block that area where our water can't escape the retention pond, and it is going to back up on our road and our properties on each side?

I happen to be an owner of the property on one of the sides. Mr. Massari is on the other side. That would greatly affect us and flood us out if this is blocked off if
that road is high enough, or if whatever they
put in there blocks it.

Thank you.

MS. PARRETT: I don't have
answers to that. That is a question you would
have to ask to the developer. And if you
would like to have a discussion with them off
the record outside, you are more than welcome
to do it.

MS. MASSARI: I'm Linda Massari.
I wouldn't mind having it on the record.

What have you done to ensure --
MS. PARRETT: I'm sorry. This
is not a question-and-answer session. We are
here to receive comments only.

MS. MASSARI: So, we don't have
that opportunity because this is the last
meeting.

MS. PARRETT: We will supply
answers to the questions that are asked on the
record. Those that we have answers to. And
that is why I am going to work with our PR
department to see if we can have a page set up
on our website where we can post those answers
so they are readily available to everybody that is in attendance.

If you do not have Internet access, please let me know. I will have a copy of the answers sent to you.

MS. CARMINE: Patricia Carmine.

Clarification here. So, what you just said is that we can make comments here today, but there is no way that the developer has to respond to any of us about why they are changing this road or want this road closed and a new road built?

That's something that we'll never know. That is not a matter of record somewhere that we can access.

Is that correct?

MS. PARRETT: Generally, procedure-wise, when we have these meetings, we don't get a response like this typically.

Mr. Collins knows that there has been other road vacation that I worked on where we had a response like this.

Typically, we don't have a request with lots of questions. So,
typically, there's no questions to answer.
It's people coming in saying, I'm opposed.
This is why.

So, again, if you have questions
for the developer, I suggest you reach out to
the developer. They are the ones that have
those answers. I do not have those answers.

We are going above and beyond by
allowing questions to be asked and stating
that we will provide answers to you.
Typically, we do not do that. We are here to
receive comments, not questions.

Furthermore, again, we are going
to go above and beyond by asking if we can
have something set up on our website where we
can post answers to these questions and
receive further comment. Typically that is
not done.

When the hearing is over,
comments are closed. We are going above and
beyond by allowing an additional two weeks.
We understand this is a controversial road and
that there is a lot of opposition and there is
a lot of support.
It is up to the developer whether they want to make a comment today or not. We cannot force them to make a comment today, just like we could not force any of you to not show up and make a comment today.

MS. CARMINE: Patricia Carmine.

What I need now is, I did not catch the name of the Department where they sent their information requesting the road be closed and why.

What Department does that go to?

MS. PARRETT: Planning.

MS. CARMINE: We can contact planning possibly and get that information?

MS. PARRETT: Yes. Thank you.

MR. PARSONS: Rhett Parsons again.

I'll request that the developer that is represented here provide us with their contact information. I would not recommend writing it on the screen, but write it on the blackboard up there so we have ways of contacting you so we can get some answers.

MS. BURTON: My name is Shannon
Carmean Burton.

Although I am an attorney, I am also a property owner in close proximity. My husband, Jeff and I, live on Ingrams Pond. Basically, our whole family does. Brother-in-laws, sister-in-law and her husband and my mother-in-law all live there.

We all travel Sheep Pen Road on a daily basis. I travel it several times a day.

Although Lennar has petitioned DelDOT, the Department versus the Superior Court, the determination as to whether or not there is a general use or need by the public, which would require the continued existence of Sheep Pen Road, remains the same.

There are various things set forth in the statute Section 1304(e) of Title 17, which the Department should consider. And I find it difficult to believe that any of us have actually been considered.

The first thing is the alternative route. So, we were given this overlay. It's like Google Earth with a site
plan imposed on it.

I did review the property
records for this subdivision this morning for
this community, this project, this morning,
and every plot that was recorded until the
most recent plot that I found, which was I
think recorded last year, showed Sheep Pen
Road, but it showed it as an existing State
Road.

The most recent plot that has
been recorded now which has been stamped by
the Town of Millsboro now shows a part of
Sheep Pen Road being vacated and it Says, To
be abandoned.

However, it does not show at all
the alternative road. It just shows the
perimeter of this property, which I assume
these are townhouses, or some type of
multifamily use structures.

So, we are looking at this
document here, which I am looking at a road
that's just drawn on this document, which
purports to go directly through some of these
multifamily units, and also is directly
adjoining some of the others.

So, I don't see how you can make a determination or even consider the alternative route when you don't have any information setting forth, or at least that I've seen, setting forth the specifics of that alternative route.

Another thing to consider, fitness for travel of the respective route. Well, we are all used to using Sheep Pen Road. Although it is supposed to be maintained by DelDOT, we know it is poorly maintained. I don't know if that is for a reason or not. But it is very poorly maintained. It is traveled quite frequently, not just by the property owners in close proximity, but by Dutton busses and all of the people that have significantly increased over the past couple of years that are frequenting Ingrams Pond. We have so many people fishing, boating, kayaking, et cetera. We live on the pond. We see it every day.

Then you have everybody going to the nature center for the Indian River School
District. You have all of this traffic.

You also have all of the people from Plantation Lakes that are trying to avoid 24. We all know that is a nightmare. I try to avoid it at all costs, and they're using Sheep Pen Road. And yet, it is not maintained and has not been approved.

So, fitness for travel of the respective route, to me, it looks like we're going to take that road and we are just going to move it. And we would do so for the convenience, welfare, benefit, safety of the future inhabitants of Plantation Lakes without any regard to the effects that it's going to have on all of the property owners who adjoin this new alternative parallel road, which hasn't even been delineated in any way.

I am not sure how you can weigh the benefit to this future phase of this project over the detriment to the existing residents who purchase their properties before this road was even proposed.

And the comment before is that this has been in the works for ten years. I
went through all of the plots. I did not see anything indicating that there was any plan to abandon Sheep Pen Road until the most recent plot was recorded.

So, if it was in works, I don't think anyone was aware of it.

And I think it may have changed a lot of peoples mind as to whether or not they would purchase property there. That's just two of the factors.

Maintenance and repair of the respective routes, that ties into the fitness. It is poorly maintained. I would assume any new road would be better maintained.

But this road that is in existence that is traveled by all of the existing people in this area should be the one that is improved and better maintained.

And if the developer is concerned with any safety issues for their future residents, well, then, it should be their responsibility to address them. Because you are just taking those problems and relocating them to whatever this road is going
to be called.

Other factors, the courts have held that a road should not be vacated unless they're useless, inconvenient or burdensome.

Well, the developer may argue that that is the case for them and the future inhabitants, but definitely not the case for anybody else. Not the general public.

Let's see. Also, case law, the Superior Court has held that the Department must consider the unfairness or inequity of the property owners who will be significantly adversely impacted by the traffic and noise associated with a road now adjoining the properties, as well as the financial impact to them.

It is inevitable that any property owner along this new road is going to have some loss of property value as a result of these being located next to the road.

And I mean, Bruce, he's not going to have any traffic, no visibility whatsoever from the road of his business. When he purchased this property, he was not
aware of that.

So, those are things that should be considered. I just don't understand how the Department can make a recommendation to the Secretary to make a recommendation without having all of the information, especially no information related to the proposed new road.

In my opinion, the only benefit is to the developer and to those people that will be purchasing in the future in this area. It is to the detriment of everybody else in this area.

And for that reason, I don't think their petition should be approved.

MR. COLLINS: Rich Collins. I'm a State Representative for the area.

It's kind of funny. I had mentioned we have another abandonment, and it turned into this giant -- it's a strange thing. Right?

Keep in mind that these folks here have to be impartial. They cannot come in here and start telling you, Yeah, you're right, or you're wrong. Don't hammer them for
that. This is their job. It is a hard job.

But I will say that as far as
the Code goes, Title 17, Section 1311, it
seems to me that based on all of the testimony
that I've heard, that the first few sentences
there, basically, it says, Where the necessity
of the existing road has ceased to exist. And
if that's not the case, if the necessity has
not ceased to exist, I don't think there is
much reason to close the road.

And I would say this on a side
note to the developer, honestly, I am in favor
of development and growth and prosperity and
jobs, but you need to get out and talk to
neighbors and work things out with them.

Thank you.

MR. AIKEN: Chris Aiken. 23246
Country Living Road.

I came to the meeting a little
bit late. But I heard several times that this
is a just platform to make comment. So, I'm
going to take this opportunity. I don't know
if it will snowball something, but I hope it
does.
I would like everyone to go on record, whether they are for or against the proposal of closing Sheep Pen Road.

So, I, Chris Aiken, I am against the closing of the proposal to close Sheep Pen Road and to establish an alternating route next to Meadow Drive II.

Thank you.

MR. JANSEN: My name is Tom Jansen. I am also against the proposed closure of Sheep Pen Road due to fact that we are also going to have more traffic going on Country Living Road and Godwin School Road to access these roads, Hardscrabble.

So, now you're taking an extra road away to access Hardscrabble. And you are putting it on another road. One road. Now, you're losing two points of access, and you are combining it into one. That, of course, brings traffic jams, problems with people coming in and out of the area homes there. And the traffic that comes through here with the trucks and everything else, the dump trucks and everything, they are going to
destroy Country Living Road. Literally.

I am definitely against Sheep
Pen Road closure.

Thank you.

MS. DOREY: Patricia Dorey. I
am on 24609 Sheep Pen, the other side of it.

I am opposed to closing of Sheep
Pen Road, particularly because we don't know
enough about what the rest of the picture
looks like.

I would be very upset if I were
one of those people in Meadow Drive or in that
development who were going to be backed up to
another road. We already have the traffic
coming across Sheep Pen. But we also have
access to get to town.

I have a question. I'm not sure
if it's procedural or what. I don't know.
Maybe nobody else has this question.

But if the purpose of the
hearing is for comments only, and we are not
supposed to ask questions, where in this
process do people get information and get
questions answered?
I'm not trying to be difficult. I just don't understand. I really thought there would be an opportunity to get questions addressed and thought this would be the place to do that before making comments.

I don't know if you want to answer it or let it go. Just for the record.

MS. PARRETT: As I stated, when these are generally done -- typically I'm very lucky, but there is someone other than me and the court stenographer here. And literally we are out in four minutes, which is why they are typically scheduled at whatever time we can get a conference room available. Because the only people interested are the people that are adjacent to this strip of grass that is next to their property.

So, this is not a question-and-answer session as I stated. We will do our best to answer the questions that are coming up within these public comments. We can't guarantee we will have all of the answers because they are not answers that I may have. They may be answers that we need to
go to other developments too, and they may not have the answers to them.

But we will do our best to answer any questions that are on the public record.

So, typically, there aren't questions asked. So, there is no place for people to go to get answers because they are usually not this controversial.


Doesn't Plantation Lakes have to answer to you, your questions that were asked to you by all of the people here?

MS. PARRETT: Any questions that are developer related, I will be submitting to our Planning Department and to the developer.

Again, I can't make them answer those questions.

MR. MILLS: So, if they refuse to answer questions, that's a good point for us, I assume. If they don't want to answer them, they have to be bad answers.

MR. MOYLE: Gary Moyle.
It appears that the process is broken. You don't have a Plan B, and there is no Plan A for us as residents whether we are Plantation Lakes for or against. There is no forum for us.

And so, the State has, basically, taken us all out of the process. And that means that the process is broken.

Your process that you have, in the steps that you have, when you build the procedure, you see if it works and if it does not work, you adjust it and you make adjustments to it. Apparently, because you haven't had any opposition, there is no Plan B. Not saying that, Oh, since we have this much opposition, maybe we need to have another meeting next week, so that we can have all of the people here planning, engineering and all of the people that are involved that can answer all of the questions that are being brought up, then would be able to answer the questions.

It just seems very odd that the State doesn't have this procedure in place to
take care of this because it has never
happened before. That's not an excuse. There
should be a procedure in place to handle. And
there should be, no matter what, a
question-and-answer session. And if all of
the people from the State are sitting here at
this table and nobody shows up, Oh, well.
That's part of the deal.

But here we are today 50, 80
people and nobody is getting any answers
except for procedural answers, and I think
that is unacceptable.

It is not your fault. Just it
is unacceptable. The procedure needs to be
changed.

MS. MASSARI: Linda Marie
Massari.

I want to go on record that I'm
opposed to abandonment.

I'm also opposed to the new road
that they are proposing.

I also want to reenforce what
Bob is saying about the retention pond. There
will be a drainage problem because that
retention pond drains into that area. And that will need to be addressed.

MS. MILLS: Sharon Mills. 106 Woodland Way.

That road is going to be literally in my backyard. I want to do some home improvement projects. I don't want to do anything now. My home is not going to have any value if that road goes in there. All of us along that road, it's like you don't care. It just seems the rich get richer, and we don't count. I'm definitely opposed.

MS. CROPPER: Helen Cropper again.

I'm opposed, of course. I'm opposed to everything. But there have been a couple of questions about the retention pond and the concern about the retention pond and that type of thing.

Again, this is Millsboro. If Millsboro has control over this, if this were a County project, it would go to the Soil Conservation District. The Soil Conservation District would take into account whatever is
in the area.

But since this is a Millsboro project, they're only concerned with this project and not how it impacts anybody else.

Because the developers are circumventing the County and going to the Town of Millsboro. Millsboro has their engineers. And the County has nothing to do with these retention ponds. I think that is correct.

MR. HUDSON: My name for the record, Sheldon Hudson on behalf of the Town of Millsboro.

Just to echo what Senator Hocker said, DNREC is responsible for stormwater management, not the Town of Millsboro.

I would also like to set the record straight with regard to what Ms. Carmean Burton said.

The Town generally as a policy only approve plans that are within its purview. She made a comment that we stamp the plan. I have not seen that plan. But it could be that we said no objection to recordation.
Can you speak to that, Ms. Carmean Burton?

MS. BURTON: I don't recall. I did not bring it with me.

MR. HUDSON: We only approve that which is within our purview. In this case, it is a State Road. It would become a private road. It would not be a town, at least not initially.

So, that could be the reason why we were never notified by DelDOT about this hearing because we are not a party directly impacted. So, just wanted to clarify that for the record.

MS. CARMINE: Patricia Carmine.

I just want to go on record stating that all of the people here in attendance today have no information on a timeline should a new road be approved, when it would be approved, how long it would take to build it, the type of road it is, or any information regarding the impact studies that have been done regarding the impact on developments, existing developments in the
area and other residents who live just outside
of the developments in the area, or the impact
on increase in traffic on Country Living Road
and Sheep Pen Road. Thank you.

And also, I am adamantly opposed
to both roads. Thank you.

MR. FIELDS: Douglas Fields.

Sorry. I was a little bit late.

I missed the beginning of the meeting.

I would like to know who owns
this road? Is it a State Road? Is it a
County Road? Is it a municipal road? Or is
it a private road?

MS. PARRETT: My understanding,
it is a State-maintained road.

MR. FIELDS: The State may
maintain it. Who owns it?

MS. PARRETT: It is a public
right-of-way that is a State-maintained road.

MR. FIELDS: Is it owned by the
State?

MS. PARRETT: I do not know. I
do not have an answer to that question. Most
roads when they were constructed were never
transferred in deed to the State of Delaware. They are mostly by prescriptive easements. I do not know how this road was created.

MR. FIELDS: Shouldn't that be answered before we get into a discussion about abandoning this road? If it is a private road, doesn't the owner have the right to do what he wants with his property?

MS. PARRETT: The purpose of the vacation and abandonment is to abandon the public right and interest into the road. We don't state we own the road. We don't say we have any ownership of the underlying ground. We abandon and vacate the public interest in the road.

MR. FIELDS: Public interest in a could be private road?

MR. HOCKER: Gerald Hocker. A State-maintained road cannot be --

MR. FIELDS: Unless the State is maintaining it in error.

MR. HOCKER: That is not the case.

MR. SMITH: Joe Smith. 110
Woodland Way.

I don't know if you couldn't figure it out by my previous comment, but I am also opposed to both abandoning Sheep Pen and the new construction of the road.

I am not opposed to Plantation Lakes and the development of Millsboro. The growth and expansion is a good thing for all of us.

But I just don't think that the little backroom deal that attempted to be made is a way that this should go down.

I mean, we all know about the okey doke with the old three or four day notice and let's schedule a meeting at noon on a Thursday. That way nobody would come. I appreciate our elected officials putting in some words and getting it changed until now.

Looking at this overlay from, I'm assuming provided by Plantation Lakes, I don't know how accurate of an overlay this is, this is the one I am talking about, by the way, if anybody has this.

If you look at it, down by the
corner of Godwin School Road, where this new road is proposed, it doesn't look like they had any intention of putting this new road in to begin with considering they have houses, outlines of the building across the end there.

If that's case, if they had no intention of building this road to begin with, I'm sure they wouldn't be opposed to not building this road as an end result.

Of course, I mean, they're not required to answer, and I appreciate that.

But I just don't understand where we are at in the planning process to the point where we are talking about vacating this road and building another one, where their plan has houses built over this road.

I mean, supposedly this is a ten-year process. If this has been going on for ten years, and this is the point of planning we're at, I mean, I would hate to call anybody out on their job ability, but this does not look like it was well thought out from the start.

I guess that's all for now.
Thank you.

MR. BAKER: Randy Baker. 23177 Country Living Road.

I want to go on record if I'm following procedures correctly as being opposed to the vacating of Sheep Pen Road.

And I am also opposed to the new proposed development road until the developer would be in agreement with a plan that each one of these people that have lived here for ten years, at least --

UNIDENTIFIED SPEAKER: 39 years.

UNIDENTIFIED SPEAKER: 17 years.

UNIDENTIFIED SPEAKER: 18 years.

UNIDENTIFIED SPEAKER: 35 years.

MR. BAKER: -- that have lived along here until it's acceptable to them.

This other is just proposed. That can change. What is existing cannot.

I submit that you coming into the area have been welcomed in Plantation Lakes.

But I would submit that you also would want to be good neighbors to all those
that are already here, have been here, have
raised their families in these houses, have
planned for these houses being their
retirement houses.

And I think this can be a
win-win if this is properly proposed, if this
is properly accessible from the existing
development, maybe a walking path, something
like that, that both the Plantation Lakes and
the development could use, something would
benefit both of them, something that would
make you good neighbors. Because that's what
we want to be.

So I'm opposed to this until
that happens. Thank you.

It is hot. It's almost six
o'clock. I'm hungry. I'll see ya.

MS. SHOWELL: Carolyn Showell.
S-H-O-W-E-L-L.

I live on Country Living Road.
I think that the impact to Country Living Road
is too great. I just want to go on record to
say, I am opposed to the abandonment of Sheep
Pen Road.
MS. PARRETT: We will be here to seven o'clock to receive any further comments. If you don't have any further comments, you are not required to stay until the end. I do understand it is hot in here. But as I said, we will be here until seven, so if anybody shows up late. We will keep the comment period open for another two weeks after this evening. And if we do get approval to have a website page set up on our DelDOT page, I will send notification out to everyone.

Thank you.

MS. MASSARI: Linda Massari. 102 Woodland Way.

I would like to propose to the builder that they widen Sheep Pen Road and forget about the abandonment if they want to service their new potential residents.

MR. SHOWELL: Michael Showell. I live at 23321 Country Living Road.

I'm opposed to the Sheep Pen Road proposal, also.

MS. STATLER: Heather Statler.
I just want to go on record as being opposed to the abandonment of Sheep Pen Road and the establishment of the new road.

Thank you.

MR. MASSARI: Tom Massari. I'm opposed to the abandonment of the new road.

MR. SHOWELL: Michael Showell. I forgot something. 23321 Country Living Road.

We would like to know who owns the right-of-way and was it ever sold or transferred and who to?

MR. PARSONS: Rhett Parsons. A reasonable alternative to the proposed new road would be a four-way stop at the intersection of Country Living and Godwin School. However, still against the closure of Sheep Pen Road because of the additional traffic that will be put on Country Living Road.

MR. SMITH: Joe Smith. 110 Woodland Way.

Not only financially, but also aesthetically, abandoning the new proposed
road in favor of making a four-way stop at Country Living and Godwin School Road makes more sense to me than the additional costs of putting in the new road and the -- how do I say it -- the property value decrease of any property affected by the new road.

So, basically, my suggestion would be to put in a four-way stop at the current intersection, which would not have any impact on current traffic.

MS. PARRETT: The Department will carefully consider all that has been said today at the public hearing prior to making a final determination.

Please note that the following are being added to the official transcript as exhibits.

Plantation Lakes Plan that was submitted by Davis, Bowen and Friedel as Exhibit A.

An aerial map showing the proposed location of alternate parallel road and proposed area to be vacated as Exhibit B.

Location map is being entered as
Exhibit C.

And Exhibit D is a typed statement from Sherry Mitchell.

All individuals registered in attendance will be notified of the Department's final order.

Thank you. Today's hearing is now officially adjourned.

(The hearing was concluded at, approximately, 7:00 p.m.)
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CERTIFICATE OF REPORTER

I, Gloria M. D'Amore, Registered Professional Reporter and Notary Public, do hereby certify that the foregoing record, Pages 1 to 117 inclusive, is a true and accurate transcript of my stenographic notes taken on Wednesday, August 9, 2017, in the above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14th day of August, 2017, at Wilmington, Delaware.

________________________
GLORIA M. D'AMORE, RPR
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