

Sheep Pen Road

Questions from Public Hearing

Page 6 1) *Who owns the current roadway? (McKee)* **Upon information and belief, the Developer owns the underlying land, but the roadway maintenance was previously dedicated to the State of Delaware for public use, and the State of Delaware is responsible for maintenance.**

Page 6 2) *Does the developer own property for the proposed new parallel roadway location? (McKee)* **The Developer owns the property for the proposed roadway.**

Page 6 3) *What about the existing utilities that may be above and below the existing roadway. Electric, water, sewer, et cetera. Are all of those to be reallocated or relocated to the new roadway? (McKee)* **All existing infrastructure will be relocated or accommodated by the Developer to maintain all existing services.**

Page 7 4) *Will installation of traffic signals be part of the new roadway design as well as the adjacent roadway improvements? (McKee)* **A traffic signal is not proposed as part of the new roadway or adjacent roadway improvements.**

Page 7 5) *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? (McKee)* **The new roadway will be designed in accordance with DelDOT standards and regulations. The Developer has reserved additional land to provide an enhanced buffer as part of the design process.**

Page 8 6) *Will a new TIS (Traffic Impact Study) be required before the road is abandoned? (McKee)* **A new TIS is not required for the abandonment.**

- Page 9 7) *Who takes the lead in this and brings all of those pieces together? (McKee)* **The Developer is responsible for the design, coordination and construction of the new road and removal of Sheep Pen Road.**
- Page 9 8) *Has there been a road study on Sheep Pen Road about the traffic on that road? (McKee)* **Upon information and belief Sheep Pen Road was included as part of the original TIS.**
- Page 10 9) *Who is going to upgrade that road (Country Living Road)? (McKee)* **The Developer has entered into an agreement with DelDOT to improve Country Living Road along the property frontage as identified in the TIS.**
- Page 17 10) *If the road is closed, and a new one is built, will it be part of the development to maintain that road, or will it be State build the road and maintain? (Carmine)* **The Developer will construct the new road and upon completion and inspection it will be accepted into the State's maintenance system. Sheep Pen Road removal will not commence until the new road is constructed and accepted.**
- Page 25 11) *Does the current plan that is adopted now and recorded for Plantation Lakes, does it improve Sheep Pen Road? Does it widen, flatten, further expand upon Sheep Pen Road, like they had to do on Godwin School Road at that entrance there? (Burton)* **The current, recorded plan for Plantation Lakes shows Sheep Pen Road to be removed.**
- Page 26 12) *Who petitioned for the vacation? (Burton)* **Lencraft, LLC petitioned for the vacation.**
- Page 28 13) *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? (Burton)* **The Developer is responsible to design and construct the new roadway.**

- Page 28 14) Who is going to pay for the abandonment? (Burton) **The Developer is required to pay for the abandonment.**
- Page 28 15) Who is going to pay the Co-op (Delaware Electric Cooperative) to move all of their power up and down Sheep Pen? (Burton) **The Developer is required to pay Co-Op to relocate their utilities as necessary.**
- Page 32 16) How much traffic is that road actually using? (Burton) **According to the DelDOT Sussex County Vehicle Summary, Sheep Pen Road had an ADT of 972 vehicles in 2014.**
- Page 42 17) Will we have access to that (road study, impact study, engineering aspects)? Will we have the opportunity to review that and look at the proposed setbacks and things of that nature? (Parsons) **The information is on file at DelDOT.**
- Page 48 18) Can we get additional information about what the proposed road will look like, other than that little diagram that we got on our notification? (Dorey) **There is no additional information at this time. However, the detailed engineering and land plans will be presented at various public meetings in the future by the Developer.**
- Page 48 19) 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? (Parsons) **There is no additional information at this time. However, the detailed engineering and land plans will be presented at various public meetings in the future by the Developer.**
- Page 48 20) Isn't there an alternate road already in existence because Godwin School intersects Country Living Road currently? (Parsons) **Prior to submitting the vacation request, the Developer met with DelDOT and suggested and presented this alternate road to DelDOT. It was determined that the new**

road as presented in this process was required. The Developer remains open to upgrading Godwin School Road and Country Living Road in lieu of constructing the new road as currently depicted.

Page 50 21) *Do you have any additional information? (Parsons)* **There is no additional information at this time. However, the detailed engineering and land plans will be presented at various public meetings in the future by the Developer.**

Page 50 22) *Is this big, C-shape looping road considered parallel? (Burton)* **The proposed new road is considered parallel within the spirit and context of parallel for the vacation process.**

Page 51 23) *When will the new road be built? (Carmine)* **It is difficult to estimate the time for completing the abandonment process, design process and construction. The Developer will bring the new road online with development of this respective part of the community.**

Page 51 24) *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? (Parsons)* **The Developer does not know the timeframe for the appeal process.**

Page 52 25) *Once they do hear the case, how long it would be before they potentially render a decision? (Parsons)* **The Developer does not know the timeframe for the appeal process.**

Page 52 26) *Has anybody thought about the property values of us that are going to be bordered by this new road? (Smith)* **The Developer considered adjacent properties regarding the abandonment of Sheep Pen Road and the new road. The Developer as part of the road design will include an enhanced buffer that is more than required for typical road design and wishes to be a good neighbor to the surrounding properties.**

Page 54 27) *Have the developers done due diligence in making sure that safety issues or 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?* (Dorey) **The Developer has undertaken due diligence and design features will be updated during the design process. The new road will be reviewed and approved by DelDOT.**

Page 59 28) *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 of anybody, of what the requests actually entailed and why that road needs to be abandoned?* (Moriarty) **The road needs to be abandoned to provide safe transportation (vehicular, pedestrian, bicycle, etc.) for both residents, golfers and public at large. This road bisects land under development and re-routing the road removes numerous vehicular and other types of crossings.**

Page 59 29) *Why is this road proposed other than the obvious?* (Moriarty) **The road needs to be abandoned to provide safe transportation (vehicular, pedestrian, bicycle, etc.) for both residents, golfers and public at large. This road bisects land under development and re-routing the road removes numerous vehicular and other types of crossings.**

Page 60 30) *It is not for the betterment of safety or quality of life for existing residents?* (Moriarty) **The road needs to be abandoned to provide safe transportation (vehicular, pedestrian, bicycle, etc.) for both residents, golfers and public at large. This road bisects land under development and re-routing the road removes numerous vehicular and other types of crossings.**

Page 61 31) *How can they, at that point, submit a plan with a State Road through the center without having already gone through this process?* (Parsons) **The Residential Planned Community was designed with the intent to abandon the road through the State's process. Both, the RPC approval and road abandonment needs to be approved. The Developer chose to complete the RPC process first and then the road abandonment.**

Page 68 32) *When was this started? When was the request put in? (Moyle)* **The first revision to the RPC in 2012 showed Sheep Pen Road to be removed. The road vacation was submitted in late 2016.**

Page 69 33) *Is the parcel annexed into Millsboro? (Mills)* **Yes.**

Page 70 34) *Does any of this have to go through the County? And can the County close the road? (Cropper)* **The State of Delaware has jurisdiction of the road abandonment process.**

Page 72 35) *Do we know what month they did the studies for the traffic studies? (Massari)* **The approved TIS included traffic volumes counted during the weekday AM and PM peak hours as well as during the Summer Saturday Peak hours. The traffic volumes were then seasonally adjusted in accordance with DelDOT regulations.**

Page 83 36) *How can the Town of Millsboro approve a site plan that is on a road that DelDOT controls? (Hocker)* **The Town can approve a site plan with conditions such as the road needs to be abandoned. If the road cannot be vacated then the Developer will be required to revise the plans.**

Page 84 37) *Are they planning to put a buffer zone of their own between our buffer zone and their road? (Mills)* **The Developer has reserved additional land to provide an enhanced buffer as part of the design process.**

Page 84 38) *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? (Mills)* **No. The Developer is not allowed to impede existing drainage and must accommodate it in the new design.**

Page 113 39) *Who owns the right-of-way and was it ever sold or transferred and who to? (Showell).* **Upon information and belief, the Developer owns the underlying**

land, but the roadway maintenance was previously dedicated to the State of Delaware for public use, and the State of Delaware is responsible for maintenance.