

SINCE 1889



**TOWN OF OCEAN VIEW, DELAWARE
PLANNING AND ZONING COMMISSION
SUBDIVISION/COMBINATION OF LAND**

Land Use • Permitting • Licensing • Code Enforcement • Public Works

302 539-1208 (office) • 302 537-5306 (fax)

admintov@oceanviewde.com / www.oceanviewde.com

SINCE 1889



Fee: \$

400 / \$8,050

P- 261 Rev

I (We) hereby apply for approval of a land development site plan and certify that all information and documents provided for this application are correct.

Applicant(s) (Print): BECKER MORGAN GROUP Date: 08/10/2021

Address: 309 S. GOVERNORS AVE, DOVER, DE 19904

Signature(s): CHAD CARTER, RLA Date: 08/10/21
Applicant(s)

Owner(s) of Record (Print): SILVERSTOCK WP, LLC Phone #: (570) 510-7074

Address: PO BOX 449, BETHANY BEACH, DE 19930

Signature(s): Date: _____
(Property Owner(s))

All required documentation shall be submitted to the Administrative Official by the 15th day of the month prior to the month in which the plan will be considered by the Planning & Zoning Commission.

Silverwoods Mixed-Use Planned Community

(PIDNs: 413.200, 413.300, & 413.400)

CTMs# 134-16.00-914.00, 134-16.00-951.00, 134-16.00-45.00)

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission of the Town of Ocean View will review a Concept Plan for the creation of a Single Family Villa District in the mixed use planned community of Silverwoods. This application is submitted as a revision to Application P-261 by Becker Morgan Group, Inc., on behalf of the property owner and developer, Mr. Robert Thornton/Silverstock WP, LLC, for property identified on the Silverwoods Record Plat as Commercial District Parcel A (CTM# 134-16.00-914.00), Multifamily Parcel B (CTM# 134-16.00-951.00), and a portion of Mixed Use District Parcel C (CTM# 134-16.00-45.00). Silverwoods is zoned as a Mixed-Use Planned Community (MXPC) and located along Beaver Dam Road.

PLANNING AND ZONING COMMISSION REVIEWS

CONCEPT PLAN: Received: 2/16/22 Advertised: 3/4/22 Reviewed: _____

TAC (if applicable): Reviewed: 10/21/21 Attending: Kenneth Cimino, Jill Oliver, James Lober, P.E., Dennis Schrader, Walter Curran

PRELIMINARY SITE PLAN: Received: _____ Advertised: _____ Reviewed: _____

APPROVED: _____ DENIED: _____ DATE: _____
Chairperson, Planning & Zoning Commission

FINAL SITE PLAN: Received: _____ Advertised: _____ Reviewed: _____

APPROVED: _____ DENIED: _____ DATE: _____
Chairperson, Planning & Zoning Commission

Town of Ocean View

****RECEIPT FOR TOWN FEES****

DATE 08/12/2021	PROPERTY OWNER NAME Silverstock WP, LLC / Thornton
PIDN 413.300	PROPERTY LOCATION Silverwoods Multi-family Parcel

Financial Good Standing	
Taxes current?	Checked: JO
Invoices, if any, current?	JO
Water charges, if any, current?	JO

MCSJ Acct #	Description of Fees	Amount
01-400-120-105	Building Permit # _____	
01-400-120-110	Sign Permit # S- _____	
01-400-120-115	Impact Fees (\$1,436.00 per New Construction for Capital Costs)	
01-400-120-120	Impact Fees (\$ 500.00 per New Construction for ESEF Program)	
01-400-120-120	ESEF @ .5%	0.00
01-400-120-125	Single Lot Development Fee	
01-400-125-175	Planning & Zoning and Board of Adjustment Fees P-261 Rev Rev Plan	400.00
01-400-120-130	Other (describe) _____	
	Subtotal	\$ 400.00
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL FOR MCSJ FINANCE MODULE (General Fund Money Market)	\$ 400.00
01-400-121-110	Temp Bus License # _____	
01-400-121-135	Business License # _____	
01-400-121-155	Rental License # _____	
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL FOR MCSJ A/R MODULE (General Fund Money Market)	\$ -
01-400-115-003	Real Estate Transfer Tax @ 1.5% (Transfer Tax Acct)	
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL TRANSFER TAX MONEY MARKET ACCOUNT	\$ -
05-400-101-102	Water Permit # _____ (Water Fund)	
05-400-101-103	Water Service Connection (Water Fund)	
05-400-101-104	Water Inspection (Water Fund)	
	Subtotal	\$ -
05-400-201-110	CREDIT CARD CONVENIENCE FEE: Water 3%	
	TOTAL WATER SYSTEM CHECKING ACCOUNT	\$ -
	TOTAL DEPOSIT RECEIVED (May pay on one check)	\$ 400.00

Payment received by:
Name on Check if not
Property Owner

JO

Check #/CC Auth Code

ck# 2754

Date Received

8/12/21

Town of Ocean View

****RECEIPT FOR TOWN FEES****

DATE	PROPERTY OWNER NAME
08/12/2021	Silverstock WP, LLC / Thornton
PIDN	PROPERTY LOCATION
413.300	Silverwoods Multi-family Parcel

Financial Good Standing	
Taxes current?	Checked:
Yes	JO
Invoices, if any, current?	
Yes	JO
Water charges, if any, current?	
N/A	JO

MCSJ Acct #	Description of Fees	Amount
01-400-120-105	Building Permit # _____	
01-400-120-110	Sign Permit # S- _____	
01-400-120-115	Impact Fees (\$1,436.00 per New Construction for Capital Costs)	
01-400-120-120	Impact Fees (\$ 500.00 per New Construction for ESEF Program)	
01-400-120-120	ESEF @ .5%	0.00
01-400-120-125	Single Lot Development Fee	
01-400-125-175	Planning & Zoning and Board of Adjustment Fees Subdiv.	8,050.00
01-400-120-130	Other (describe) _____	
	Subtotal	\$ 8,050.00
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL FOR MCSJ FINANCE MODULE (General Fund Money Market)	\$ 8,050.00
01-400-121-110	Temp Bus License # _____	
01-400-121-135	Business License # _____	
01-400-121-155	Rental License # _____	
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL FOR MCSJ A/R MODULE (General Fund Money Market)	\$ -
01-400-115-003	Real Estate Transfer Tax @ 1.5% (Transfer Tax Acct)	
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL TRANSFER TAX MONEY MARKET ACCOUNT	\$ -
05-400-101-102	Water Permit # _____ (Water Fund)	
05-400-101-103	Water Service Connection (Water Fund)	
05-400-101-104	Water Inspection (Water Fund)	
	Subtotal	\$ -
05-400-201-110	CREDIT CARD CONVENIENCE FEE: Water 3%	
	TOTAL WATER SYSTEM CHECKING ACCOUNT	\$ -
	TOTAL DEPOSIT RECEIVED (May pay on one check)	\$ 8,050.00

Payment received by:
Name on Check if not
Property Owner

JO

Check #/CC Auth Code

ck# 2755

Date Received

8/12/21

SINCE 1889



TOWN OF OCEAN VIEW

201 Central Avenue – 2nd Floor

Ocean View, DE 19970

Land Use • Permitting • Licensing • Code Enforcement • Public Works

302 539-1208 (office) • 302 537-5306 (fax)

kcimino@oceanviewde.gov / www.oceanviewde.gov

SINCE 1889



March 2, 2022

Medina, James W. & Andrea J.
13 Luzerne Dr.
Ocean View, DE 19970

413.001

TOWN OF OCEAN VIEW PUBLIC NOTICE PLANNING AND ZONING COMMISSION

Silverwoods Mixed-Use Planned Community

(PIDNs: 413.200, 413.300, & 413.400

CTMs# 134-16.00-914.00, 134-16.00-951.00, 134-16.00-45.00)

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission of the Town of Ocean View will review a Concept Plan for the creation of a Single Family Villa District in the mixed use planned community of Silverwoods. This application is submitted as a revision to Application P-261 by Becker Morgan Group, Inc., on behalf of the property owner and developer, Mr. Robert Thorton/Silverstock WP, LLC, for property identified on the Silverwoods Record Plat as Commercial District Parcel A (CTM# 134-16.00-914.00), Multifamily Parcel B (CTM# 134-16.00-951.00), and a portion of Mixed Use District Parcel C (CTM# 134-16.00-45.00). Silverwoods is zoned as a Mixed-Use Planned Community (MXPC) and located along Beaver Dam Road.

The Town will hold this review on **Thursday, March 17, 2022 at 5:30pm** or as soon as possible thereafter in the Ocean View Community Center located at 32 West Avenue. All interested parties are welcome to attend. The meeting will be available online via livestream on the Town's YouTube channel and the viewing public will have the opportunity to comment or ask questions during the hearings by sending an email to comment@oceanviewde.gov. The link to the livestream and the email address will appear on the posted agenda for the meeting and in the calendar portion of the Town's website www.oceanviewde.gov. Written comments will also be accepted prior to the meeting. Please note that the meeting agenda is subject to change.

The material may be examined by interested parties on the second floor of the Wallace A. Melson Municipal Building located at 201 Central Avenue between 8:30 a.m. and 12:00 p.m. and 1:00 p.m. through 4:00 p.m., Monday through Friday. For additional information, please contact Kenneth L. Cimino, Director of Planning, Zoning & Development, at (302) 539-1208 or via email at kcimino@oceanviewde.gov.

PIDN	CTM#	PL#	Property Location Street	Owner	OMA #	OMA Street	OMA City	OMA State	OMA Zip
413.001	134-16.00-849.00	13	Luzerne Drive	Medina, James W. & Andrea J.	13	Luzerne Dr.	Ocean View	DE	19970
413.002	134-16.00-850.00	15	Luzerne Drive	Marques, Carlos S. & Norma A.	15	Luzerne Dr.	Ocean View	DE	19970
413.064	134-16.00-912.00	16	Luzerne Drive	Stein, Margaret M. & Kenneth	16	Luzerne Dr.	Ocean View	DE	19970
413.065	134-16.00-913.00	14	Luzerne Drive	Granruth, Brian S. & Elena	6229	Longleaf Pine Rd.	Sykesville	MD	21784-
413.080	134-16.00-929.00	18	Old Forge Drive	Ford, Walter K. & Lisa M.	18	Old Forge Dr.	Ocean View	DE	19970
413.081	134-16.00-930.00	16	Old Forge Drive	Crowell, Barbara A.	5927	Brookview Drive	Alexandria	VA	22310
413.082	134-16.00-931.00	14	Old Forge Drive	Bruneau, Steven M. & Colleen E.	14	Old Forge Dr.	Ocean View	DE	19970
413.083	134-16.00-932.00	12	Old Forge Drive	Marley, James F. & Jessica J.	1016	Gordon Rd.	Rotterdam	NY	12306
413.084	134-16.00-933.00	10	Old Forge Drive	Overton, Laura & Obie, John	10	Old Forge Dr.	Ocean View	DE	19970
413.085	134-16.00-934.00	8	Old Forge Drive	Coad, Noel k. Claudia S.	8	Old Forge Dr.	Ocean View	DE	19970
413.086	134-16.00-935.00	2	Luzerne Drive	Warren, Roy C. & Leida A. H.	2	Luzerne Dr.	Ocean View	DE	19970
413.087	134-16.00-936.00	4	Luzerne Drive	Sevier, John B. & Teresa L.	4	Luzerne Dr.	Ocean View	DE	19970
413.088	134-16.00-937.00	6	Luzerne Drive	Timmons, William J. & Zell, Tracy L.	6	Luzerne Dr.	Ocean View	DE	19970
413.089	134-16.00-938.00	65	Old Forge Drive	Natale, Joseph J. & Johansson, Annika K.	65	Old Forge Dr.	Ocean View	DE	19970
413.090	134-16.00-939.00	63	Old Forge Drive	Marks, David B. & Karen L.	7068	Melstone Valley Way	Marriottsville	MD	21104
413.091	134-16.00-940.00	61	Old Forge Drive	Burrows, David & Sharon	61	Old Forge Dr.	Ocean View	DE	19970
413.092	134-16.00-941.00	59	Old Forge Drive	Mauro, Michael S. & Besack, Lisa A.	59	Old Forge Dr.	Ocean View	DE	19970
413.093	134-16.00-942.00	57	Old Forge Drive	Fritz, Wayne R. & Papazian, Susie D.	12703	Kincaid Ln.	Bowie	MD	20715
413.094	134-16.00-943.00	55	Old Forge Drive	Casey, Jennifer	55	Old Forge Dr.	Ocean View	DE	19970
413.106	134-16.00-956.00	15	Old Forge Drive	Oseredzuk, Rosemarie S.	15	Old Forge Dr.	Ocean View	DE	19970
413.107	134-16.00-957.00	13	Old Forge Drive	Boesman, John A. & Christina M.	7315	Longbranch Dr.	New Carrollton	MD	20784
413.108	134-16.00-958.00	11	Old Forge Drive	Esgro, Carmen A. & Elizabeth L.	11	Old Forge Dr.	Ocean View	DE	19970
413.109	134-16.00-959.00	9	Old Forge Drive	D'Elia, Anthony & Christine R.	9	Old Forge Dr.	Ocean View	DE	19970
413.110	134-16.00-960.00	7	Old Forge Drive	Valencia, Maria E. & Julio	8214	Ironclad Ct.	Gaithersburg	MD	20877
413.111	134-16.00-961.00	5	Old Forge Drive	Vance, Daniel L. & Judy E.	1543	Helmsdale Rd.	Bel Air	MD	21015
413.112	134-16.00-43.03	6	Old Forge Drive	Sussex County		P.O. Box 589	Georgetown	DE	19947
413.113	134-16.00-43.02	7	Luzerne Drive	Thornton, Robert L.		P.O. Box 449	Bethany Beach	DE	19930



ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENTS' SUCCESS

BECKER MORGAN GROUP, INC.

ARCHITECTURE & ENGINEERING

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950
FAX 302.734.7965

RITTENHOUSE STATION
250 SOUTH MAIN STREET, SUITE 109
NEWARK, DELAWARE 19711
302.369.3700

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100
FAX 410.546.5824

ARCHITECTURE & PLANNING

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600
FAX 910.341.7506

www.beckermorgan.com

February 14, 2022

Mr. Kenneth Cimino
Director of Planning & Zoning
Town of Ocean View
201 Central Avenue – 2nd Floor
Ocean View, DE 19970

RE: **Site / Master Plan Submission**
SILVER WOODS SUBDIVISION
Ocean View, Delaware
BMG Project No.: 2012119.02

Dear Mr. Cimino

On behalf of our client, Silverstock WP, LLC, we are hereby submitting the above-referenced Master Plan for your review. The following documents are provided in support of the submission:

- Nine (9) copies of the Overall Plan
- Nine (9) copies of the Site Plan

We request that you review the attached information and provide any comments that you may have. Please include us on the agenda for the next available meeting to review the enclosed.

Sincerely,

BECKER MORGAN GROUP, INC.

J. Michael Riemann, P.E.
Vice President

JDM/rlh

Cc: Robert Thornton, Silverstock WP, LLC silverstok@aol.com

201211902ad-ltr-Ocean View.doc

TOWN OF OCEAN VIEW

201 CENTRAL AVE, 2ND FLOOR
OCEAN VIEW, DE 19970

(302) 539-9797
FAX (302) 537-5306
www.oceanviewde.gov

Silverwoods MXPC: A Timeline of Reviews & Approvals

- August 2011** 114.83 ac annexed into the Town with MXPC zoning known as Silverwoods.
- The MXPC plan originally consisted of:
- 72.08 ac Single Family District
 - 9.82 ac Multi-Family District
 - 5.1 ac Assisted Living District
 - 16.73 ac Mixed Use District
 - 11.1 ac Commercial District
- NOTE: The Assisted Living, Mixed Use and Commercial Districts taken together amount to 32.93 ac and represent 47.8% of the net tract area. The requirement at the time was for a minimum of 40% and a maximum of 50% of the net tract area to be dedicated to commercial uses.*
- May 2015** Plans for the first phase of the Single Family District (lots 16-33) are approved.
- January 2016** Plans for the second phase of the Single Family District (lots 1-15 and 34-111) are approved. All of the homes on these lots have now been constructed.
- September 2020** Plans to develop the Multi-Family District were put forth by the applicant, however these plans were withdrawn by the applicant prior to being heard by P&Z.
- July 2021** Ordinance 377 was adopted, which amended the MXPC requirements for minimum area dedicated to commercial uses by reducing it from 40% of the net tract area to 25%.
- July 2021** Plans to reconfigure the distribution of the areas within the MXPC in accordance with the newly adopted text amendment and develop the multifamily district were put forth by the applicant.
- Those plans consist of:
- 72.08 ac Single Family District
 - 25.37 ac Multi-Family District (proposing to be developed as townhouses)
 - 5.1 ac Assisted Living District
 - 12.27 ac Mixed Use District
- NOTE: The Assisted Living and Mixed Use Districts taken together amount to 17.37 ac and represent 25.2% of the net tract area. This is in compliance with the new minimum set by the recent text amendment. It should be further noted that the Assisted Living District required a special exception, which has since expired as that district has never been developed. The 5.1 ac district will be required to be developed with a commercial use, and if an assisted living use is proposed again, a new special exception will be required.*

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Silverwoods MXPC: A Timeline of Reviews & Approvals (cont.)

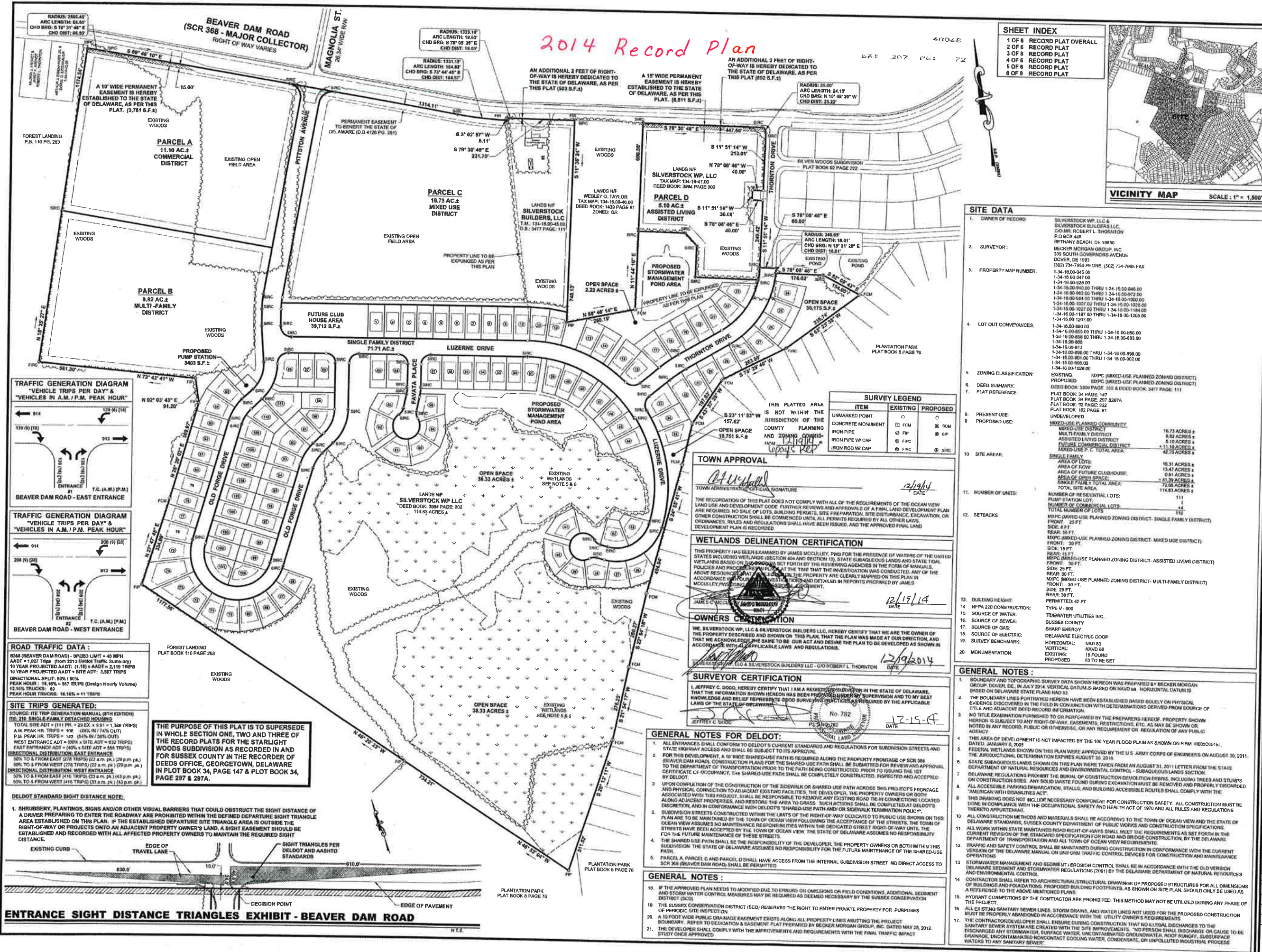
Due to the proposed modifications to the original MXPC plan, a Technical Advisory Committee (TAC) was convened to review the plan in accordance with §140-52 of the code.

October 2021

The TAC reviewed the plan and issued comments to the applicant.

February 2022

A revised plan responding to the TAC comments was put forth by the applicant, which is the plan before you this evening.



SHEET INDEX

1 OF 8	RECORD PLAT OVERALL
2 OF 8	RECORD PLAT
3 OF 8	RECORD PLAT
4 OF 8	RECORD PLAT
5 OF 8	RECORD PLAT
6 OF 8	RECORD PLAT



SITE DATA

- OWNER OF RECORD: SILVERSTOCK WP, LLC & SILVERSTOCK BUILDERS LLC, C/O MR. ROBERT L. THORNTON, P.O. BOX 449, BETHANY BEACH, DE 18830
- SURVEYOR: BECKER MORGAN GROUP, INC., 308 SOUTH COVERED AVENUE, DOVER, DE 19903
- PROPERTY MAP NUMBER: 1-34-10-00-045.00, 1-34-10-00-047.00, 1-34-10-00-048.00, 1-34-10-00-049.00, 1-34-10-00-050.00, 1-34-10-00-051.00, 1-34-10-00-052.00, 1-34-10-00-053.00, 1-34-10-00-054.00, 1-34-10-00-055.00, 1-34-10-00-056.00, 1-34-10-00-057.00, 1-34-10-00-058.00, 1-34-10-00-059.00, 1-34-10-00-060.00, 1-34-10-00-061.00, 1-34-10-00-062.00, 1-34-10-00-063.00, 1-34-10-00-064.00, 1-34-10-00-065.00, 1-34-10-00-066.00, 1-34-10-00-067.00, 1-34-10-00-068.00, 1-34-10-00-069.00, 1-34-10-00-070.00, 1-34-10-00-071.00, 1-34-10-00-072.00, 1-34-10-00-073.00, 1-34-10-00-074.00, 1-34-10-00-075.00, 1-34-10-00-076.00, 1-34-10-00-077.00, 1-34-10-00-078.00, 1-34-10-00-079.00, 1-34-10-00-080.00, 1-34-10-00-081.00, 1-34-10-00-082.00, 1-34-10-00-083.00, 1-34-10-00-084.00, 1-34-10-00-085.00, 1-34-10-00-086.00, 1-34-10-00-087.00, 1-34-10-00-088.00, 1-34-10-00-089.00, 1-34-10-00-090.00, 1-34-10-00-091.00, 1-34-10-00-092.00, 1-34-10-00-093.00, 1-34-10-00-094.00, 1-34-10-00-095.00, 1-34-10-00-096.00, 1-34-10-00-097.00, 1-34-10-00-098.00, 1-34-10-00-099.00, 1-34-10-00-100.00, 1-34-10-00-101.00, 1-34-10-00-102.00, 1-34-10-00-103.00, 1-34-10-00-104.00, 1-34-10-00-105.00, 1-34-10-00-106.00, 1-34-10-00-107.00, 1-34-10-00-108.00, 1-34-10-00-109.00, 1-34-10-00-110.00, 1-34-10-00-111.00, 1-34-10-00-112.00, 1-34-10-00-113.00, 1-34-10-00-114.00, 1-34-10-00-115.00, 1-34-10-00-116.00, 1-34-10-00-117.00, 1-34-10-00-118.00, 1-34-10-00-119.00, 1-34-10-00-120.00, 1-34-10-00-121.00, 1-34-10-00-122.00, 1-34-10-00-123.00, 1-34-10-00-124.00, 1-34-10-00-125.00, 1-34-10-00-126.00, 1-34-10-00-127.00, 1-34-10-00-128.00, 1-34-10-00-129.00, 1-34-10-00-130.00, 1-34-10-00-131.00, 1-34-10-00-132.00, 1-34-10-00-133.00, 1-34-10-00-134.00, 1-34-10-00-135.00, 1-34-10-00-136.00, 1-34-10-00-137.00, 1-34-10-00-138.00, 1-34-10-00-139.00, 1-34-10-00-140.00, 1-34-10-00-141.00, 1-34-10-00-142.00, 1-34-10-00-143.00, 1-34-10-00-144.00, 1-34-10-00-145.00, 1-34-10-00-146.00, 1-34-10-00-147.00, 1-34-10-00-148.00, 1-34-10-00-149.00, 1-34-10-00-150.00, 1-34-10-00-151.00, 1-34-10-00-152.00, 1-34-10-00-153.00, 1-34-10-00-154.00, 1-34-10-00-155.00, 1-34-10-00-156.00, 1-34-10-00-157.00, 1-34-10-00-158.00, 1-34-10-00-159.00, 1-34-10-00-160.00, 1-34-10-00-161.00, 1-34-10-00-162.00, 1-34-10-00-163.00, 1-34-10-00-164.00, 1-34-10-00-165.00, 1-34-10-00-166.00, 1-34-10-00-167.00, 1-34-10-00-168.00, 1-34-10-00-169.00, 1-34-10-00-170.00, 1-34-10-00-171.00, 1-34-10-00-172.00, 1-34-10-00-173.00, 1-34-10-00-174.00, 1-34-10-00-175.00, 1-34-10-00-176.00, 1-34-10-00-177.00, 1-34-10-00-178.00, 1-34-10-00-179.00, 1-34-10-00-180.00, 1-34-10-00-181.00, 1-34-10-00-182.00, 1-34-10-00-183.00, 1-34-10-00-184.00, 1-34-10-00-185.00, 1-34-10-00-186.00, 1-34-10-00-187.00, 1-34-10-00-188.00, 1-34-10-00-189.00, 1-34-10-00-190.00, 1-34-10-00-191.00, 1-34-10-00-192.00, 1-34-10-00-193.00, 1-34-10-00-194.00, 1-34-10-00-195.00, 1-34-10-00-196.00, 1-34-10-00-197.00, 1-34-10-00-198.00, 1-34-10-00-199.00, 1-34-10-00-200.00
- ZONING CLASSIFICATION: EXISTING: MIXED-USE PLANNED ZONING DISTRICT; PROPOSED: MIXED-USE PLANNED ZONING DISTRICT
- DEED SUMMARY: DEED BOOK: 3804 PAGE: 302 & DEED BOOK: 3417 PAGE: 111
- PLAT REFERENCE: PLAT BOOK: 34 PAGE: 147; PLAT BOOK: 34 PAGE: 287 & 287A; PLAT BOOK: 34 PAGE: 222; PLAT BOOK: 162 PAGE: 81
- PRESENT USE: UNDEVELOPED
- PROPOSED USE: MIXED-USE PLANNED ZONING DISTRICT
- SITE AREAS: AREA OF LOT: 16.73 ACRES; AREA OF ROW: 9.82 ACRES; AREA OF FUTURE CLUBHOUSE: 5.10 ACRES; AREA OF OPEN SPACE: 11.10 ACRES; SINGLE FAMILY TOTAL AREA: 41.75 ACRES; TOTAL SITE AREA: 114.83 ACRES
- NUMBER OF UNITS: 111
- SETBACKS: FRONT: 25 FT; SIDE: 10 FT; REAR: 10 FT; MINIMUM: 10 FT
- BUILDING HEIGHT: 42 FT
- NFPA 220 CONSTRUCTION: TYPE V - 000
- SOURCE OF WATER: TIDEWATER UTILITIES INC.
- SOURCE OF SEWER: SUSSEX COUNTY
- SOURCE OF GAS: SHARP ENERGY
- SOURCE OF ELECTRIC: DELAWARE ELECTRIC COOP
- SURVEY BENCHMARK: HORIZONTAL: NAD 83; VERTICAL: NAVD 88
- MONUMENTATION: EXISTING: 16 FOUND; PROPOSED: 83 TO BE SET

SURVEY LEGEND

ITEM	EXISTING	PROPOSED
UNMARKED POINT	○	○
CONCRETE MONUMENT	□	□
IRON PIPE	⊗	⊗
IRON PIPE W/ CAP	⊗	⊗
IRON ROD W/ CAP	⊗	⊗

TOWN APPROVAL

12/19/14

THE RECOMMENDATION OF THIS PLAT DOES NOT COMPLY WITH ALL OF THE REQUIREMENTS OF THE OCEAN VIEW LAND USE AND DEVELOPMENT CODE. FURTHER REVIEW AND APPROVAL OF A FINAL LAND DEVELOPMENT PLAN ARE REQUIRED. NO SALE OF LOTS, BUILDING PERMITS, SITE PREPARATION, SITE DISTURBANCE, EXCAVATION, OR OTHER CONSTRUCTION SHALL BE COMMENCED UNTIL ALL PERMITS REQUIRED BY ALL OTHER LAWS, ORDINANCES, RULES AND REGULATIONS SHALL HAVE BEEN ISSUED, AND THE APPROVED FINAL LAND DEVELOPMENT PLAN IS RECORDED.

WETLANDS DELINEATION CERTIFICATION

12/19/14

THIS PROPERTY HAS BEEN EXAMINED BY JAMES MCCULLY, PWS FOR THE PRESENCE OF WATERS OF THE UNITED STATES INCLUDING WETLANDS (SECTION 404 AND SECTION 10), STATE SUBSQUOUS LANDS AND STATE TIDAL WETLANDS BASED ON THE DATA SET FORTH BY THE REVIEWING AGENCIES IN THE FORM OF MANUALS, POLICIES AND PROCEDURES IN PLACE AT THE TIME THAT THE INVESTIGATION WAS CONDUCTED. ANY OF THE ABOVE RESOURCES IDENTIFIED ON THE PROPERTY ARE CLEARLY MAPPED ON THIS PLAN IN ACCORDANCE WITH THE INVESTIGATION REPORT DETAILED IN REPORTS PREPARED BY JAMES MCCULLY, PWS FOR THE PRESENCE OF WATERS OF THE UNITED STATES.

OWNERS CERTIFICATION

12/19/2014

WE, SILVERSTOCK WP, LLC & SILVERSTOCK BUILDERS LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAT. THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE KNOWLEDGE AND BELIEF REPRESENTS THE TRUE AND CORRECT STATE OF THE PROPERTY AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

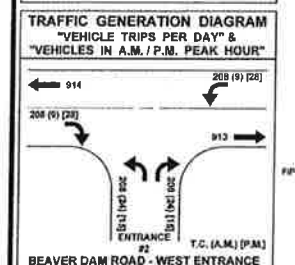
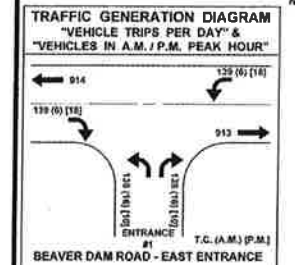
SURVEYOR CERTIFICATION

12-19-14

I, JEFFREY C. DODD, HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR IN THE STATE OF DELAWARE. THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS THE TRUE AND CORRECT STATE OF THE PROPERTY AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

- GENERAL NOTES FOR DELDOT:**
- ALL ENTRANCES SHALL CONFORM TO DELDOT'S CURRENT STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND FOR HIGHWAY ACCESS AND SHALL BE SUBJECT TO ITS APPROVAL.
 - FOR THE DEVELOPMENT OF A NEW SUBDIVISION, A CONSTRUCTION PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE DEPARTMENT OF TRANSPORTATION PRIOR TO THE PATH BEING CONSTRUCTED. PRIOR TO ISSUING THE 1ST CERTIFICATE OF OCCUPANCY, THE SHARED-USE PATH SHALL BE COMPLETELY CONSTRUCTED, RESPECTED AND ACCEPTED BY DELDOT.
 - UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THE PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY.
 - SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY DEDICATED TO PUBLIC USE SHOWN ON THIS OCEAN VIEW ASSUMES NO MAINTENANCE RESPONSIBILITIES FOLLOWING THE ACCEPTANCE OF THE STREETS. THE TOWN OF OCEAN VIEW HAS BEEN ACCEPTED BY THE TOWN OF OCEAN VIEW. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
 - THE SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SHARED-USE PATH.
 - PARCELS A, PARCEL C AND PARCEL D SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET. NO DIRECT ACCESS TO SCR 368 (BEAVER DAM ROAD) SHALL BE PERMITTED.

- GENERAL NOTES:**
- IF THE APPROVED PLAN NEEDS TO BE MODIFIED DUE TO ERRORS OR OMISSIONS OR FIELD CONDITIONS, ADDITIONAL SEDIMENT AND STORM WATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE SUSSEX CONSERVATION DISTRICT (SCD).
 - THE SUSSEX CONSERVATION DISTRICT (SCD) RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
 - A 10 FOOT WIDE PUBLIC GRAVITATION EASEMENT EXISTS ALONG ALL ADJACENT PROPERTIES ADJUTING THE PROJECT BOUNDARY. REFER TO SEPARATE EASEMENT AGREEMENT FOR THE PROJECT.
 - THE DEVELOPER SHALL COMPLY WITH THE IMPROVEMENTS AND REQUIREMENTS WITH THE FINAL TRAFFIC IMPACT STUDY ONCE APPROVED.



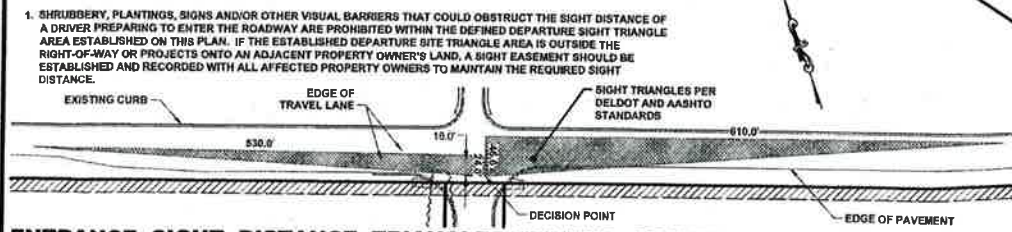
ROAD TRAFFIC DATA:

8368 (BEAVER DAM ROAD) - SPEED LIMIT = 40 MPH
AAOT = 1,927 TRIPS (from 2010 Bimodal Traffic Summary)
10 YEAR PROJECTED AAOT: (1.18) x AAOT = 2,279 TRIPS
10 YEAR PROJECTED AAOT + SITE ADT: 3,507 TRIPS
DIRECTIONAL SPLIT: 60% / 40%
PEAK HOUR: 18:15% = 567 TRIPS (Design Hourly Volume)
12:16% TRUCKS: 69
PEAK HOUR TRUCKS: 16.16% = 11 TRIPS

SITE TRIPS GENERATED:

SOURCE: ITE TRIP GENERATION MANUAL (8TH EDITION)
ITE: 110 SINGLE-FAMILY DETACHED HOUSINGS
TOTAL SITE ADT = (111 PK + 29 EX) x 0.91 = 1,388 TRIPS
A.M. PEAK HR. TRIPS = 108 (60% IN / 40% OUT)
P.M. PEAK HR. TRIPS = 143 (60% IN / 40% OUT)
WEST ENTRANCE ADT = 800A + SITE ADT = 632 TRIPS
EAST ENTRANCE ADT = 405A + SITE ADT = 558 TRIPS
DIRECTIONAL DISTRIBUTION: EAST ENTRANCE
60% TO & FROM EAST (278 TRIPS) (22 a.m. pk.) (29 p.m. pk.)
40% TO & FROM WEST (278 TRIPS) (22 a.m. pk.) (29 p.m. pk.)
DIRECTIONAL DISTRIBUTION: WEST ENTRANCE
50% TO & FROM EAST (416 TRIPS) (23 a.m. pk.) (43 p.m. pk.)
50% TO & FROM WEST (416 TRIPS) (23 a.m. pk.) (43 p.m. pk.)

DELDOT STANDARD RIGHT DISTANCE NOTE:



ENTRANCE SIGHT DISTANCE TRIANGLES EXHIBIT - BEAVER DAM ROAD

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

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SILVER WOODS SUBDIVISION PHASE 2

BEAVER DAM ROAD
TOWN OF OCEAN VIEW
SUSSEX COUNTY, DE

RECORD PLAT OVERALL

SCALE: 1" = 150'

ISSUE BLOCK

NO.	DATE	DESCRIPTION
1	12/19/14	REVISION PER TOWN OF OCEAN VIEW COMMENTS
2	12/20/14	REVISION PER DELDOT LONG SUBDIVISION COMMENTS
3	12/19/14	REVISION PER DELDOT LONG SUBDIVISION COMMENTS
4	12/19/14	REVISION PER DELDOT LONG SUBDIVISION COMMENTS

PROJECT NO.: 2012119.00

DATE: 02/18/14

SCALE: 1" = 150'

DRAWN BY: V.V. / PROJ. MGR: G.E.J.

SHEET

1 OF 6



October 25, 2021

Kenneth L. Cimino
Town of Ocean View
201 Central Avenue
Ocean View, DE 19970

**RE: Silver Woods Villa District – Revised MXPC Master Plan
Technical Advisory Committee Review
Tax Map ID: 134-16.00-951.00
TKG Project #20-0905**

Dear Mr. Cimino:

Outlined below are the comments generated by the Technical Advisory Committee review of the above referenced plan.

Generally

1. Pittston Drive from the intersection with Luzerne to Beaver Dam Road will be required to be built in its entirety in conjunction with this project. No construction traffic will be permitted to access the multifamily parcel through the recently completed single family portion of the project.
2. The layout is not in keeping with the intent of the planned community district to create a superior living environment. §140-51 Design Standards paragraph D states: *“The planned community's design should integrate a variety of housing (dwelling) types in a way that provides architectural diversity. Housing types should be interspersed to avoid monotony and segregation by dwelling type. Accordingly, no single housing type should dominate either the planned community as a whole or any one section of the community”*. Also, §187-1 Street Improvements paragraph A states: *“The street layout shall be designed to create desirable building sites while respecting existing topography, minimizing street grades, avoiding excessive cuts and fills, and preserving trees and other natural features to the maximum extent possible. Thoughtful and imaginative design of streets and their relationship to the arrangement and shape of lots is required. An important element is the blending with topography to produce curvilinear design and reasonable grades. The rectilinear design of streets and lots, involving long straight sections of street, should be avoided.”* While it is recognized that the single-family portion of the community would seem to be dominated by one housing type, it has also been designed with curvilinear streets and lots that where possible honor the topography and protected resources.

MXPC

1. The maximum number of residential dwelling units permitted is 4/acre considering the gross tract area. That results in a total allowable number of residential units of 459. 111 single family units have

THE KERCHER GROUP, INC. – A Mott MacDonald Company

www.kerchergroup.com | 254 Chapman Rd., Suite 202, Newark, DE 19702 | 302-894-1098

- been constructed leaving a potential of 348 units remaining. However, single family units must account for a minimum of 25% of the total unit count. Therefore, unless additional single family units are constructed, the maximum dwelling unit number is 444. The number of units currently proposed is 151. Subtracting the existing 111 single family units and the proposed 151 villa units from the total of 444 would leave a maximum of 182 potential units for a future mixed use phase.
2. The required open space associated with this development is 40% of the gross tract area. That results in a total open space area required of 45.93 acres. 41.39 acres of open space were created in conjunction with the single family portion of the development. That leaves 4.54 acres of additional open space that is required to be created in association with this development. Considering that the only remaining parcels are to be developed as commercial, mixed-use and assisted living, it appears that there will be no opportunity with future phases of this project to provide the requisite open space. This phase of the project will be required to identify and set aside the remaining open space. Also, while community amenities have been provided for the single-family portion of the community, this remaining open space will be expected to provide additional active recreational areas in accordance with §140-51-F-2-a to support the additional 151 dwellings.
 3. The required range for area dedicated to commercial uses was 40%-50% considering net tract area when the original MXPC plan was approved. Since then, Ordinance No. 377 was adopted by Town Council reducing the minimum area required to be dedicated to commercial uses for MXPC applications from 40% to 25%. The net tract area for this site is 68.9 ac. (114.83 gta ac – 45.93 os ac). Therefore, the range of area required to be dedicated to commercial uses is 17.23 ac – 34.45 ac. The amount of area dedicated to commercial uses per the previously approved plan is 32.93 ac., this includes the commercial district, the mixed-use district and the assisted living district. This plan proposes to eliminate the commercial district, thus removing 11.1 ac and reducing the overall area dedicated to commercial uses to 21.83 ac. Please be reminded that the special exception previously approved for the assisted living facility has expired. Any development proposed for that parcel in the future other than an assisted living facility will also need to be a commercial use.
 4. Section 140-51-B states that *“To provide transition between planned communities and adjacent properties, no building shall be constructed less than 40 ft. from the perimeter property line of the planned community.”* All buildings, including the detached garages, must be located at least 40 ft. from the perimeter property line shared with Forest Landing to the west and south.

Off-Street Parking

1. The code requires 2 parking spaces per residential unit not including spaces in garages. The number of units proposed is 151. This results in 302 parking spaces required. The overflow parking requirements within residential developments require an additional 10% for developments over 10 acres. This would bring the overall total number of required parking spaces to 333. The plan doesn't currently show any parking. Revise the plan to depict the required parking.

Dimensional Regulations

1. The minimum livable floor area per dwelling in a townhouse is 1,250 sq. ft. Provide the proposed square footage of each unit on the plan.

Kenneth L. Cimino
October 26, 2021

TAC Review
Silver Woods Villa District

Utilities

1. Show a conceptual sanitary and water main layout as well as the proposed tie in points to the systems on the plan.

Stormwater Management

1. Provide justification from the Sussex Conservation District with regard to the statement included in general note #13 about the stormwater management regulations.

Fire Marshal Approval

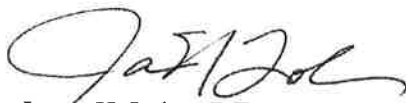
1. Fire Marshal approval of the layout will be required. The Town will default to the Fire Marshal for review of the plan for compliance with the Delaware State Fire Prevention Regulations. Provide copies of the correspondence with the Fire Marshal during their review of the plan.

Streets and Sidewalks

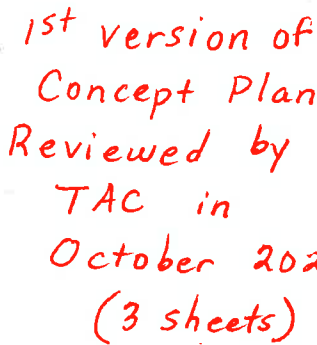
1. A rights in/rights out-only entrance along Pittston will not be allowed. The Town will defer to DelDOT's requirement for a minimum distance from Beaver Dam to the first intersection on Pittston, but at that point a fully functional 4-way intersection will be required for access to the villas to the west and the commercial area to the east.
2. The dead-end streets will not be allowed. An appropriate code compliant turnaround will be required.

If you have any questions please feel free to give me a call. I welcome the opportunity to discuss the plan with you.

Regards,
THE KERCHER GROUP, INC.



James H. Lober, P.E.
Director of Engineering

[illegible]

BECKER
MORGAN
GROUP

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ENGINEERING

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SILVER WOODS

BEAVER DAM ROAD
TOWN OF OCEAN VIEW
SUSSEX COUNTY, DE

Concept #1

**COVER SHEET -
REVISED MASTER
PLAN**

SCALE : 1" = 150'

<div style="text-align: right;">ISSUE: BLACK</div>					
MATERIAL	DATE	DESCRIPTION			
PROJECT NO.: 2012119.01	DATE: 08-10-20				
SCALE:	1" = 150'				
DRAWN BY: C.D.C.	PROJ MGR.: J.M.R.				
SHEET					
C-001					



PROJECT TITLE

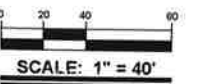
SILVER WOODS

BEAVER DAM ROAD
TOWN OF OCEAN VIEW
SUSSEX COUNTY, DE

*Concept
#1*

SHEET TITLE

**REV. MASTER PLAN
VILLA DISTRICT**



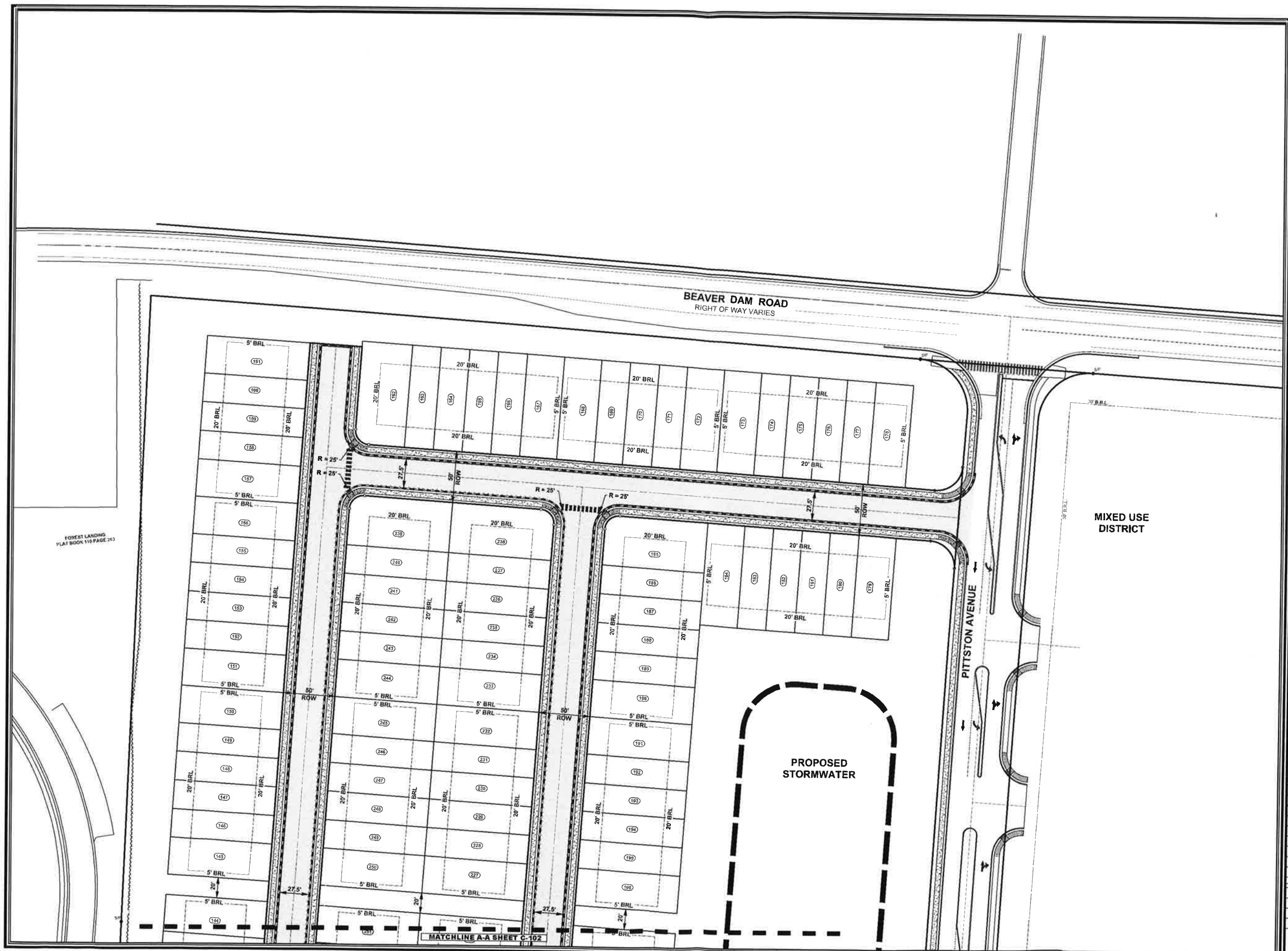
ISSUE BLOCK

NO.	DATE	DESCRIPTION

PROJECT NO.: 2012119.01
DATE: 05-06-20
SCALE: 1" = 40'
DRAWN BY: C.D.C. PROJ. MGR.: J.M.R.

SHEET

C-101





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PROJECT TITLE

SILVER WOODS

BEAVER DAM ROAD
TOWN OF OCEAN VIEW
SUSSEX COUNTY, DE

*Concept
#1*

SHEET TITLE

**REV. MASTER PLAN
VILLA DISTRICT**

0 20 40 80
SCALE: 1" = 40'

ISSUE BLOCK

NO.	DATE	DESCRIPTION

PROJECT NO.: 2012119.01
DATE: 05-06-20
SCALE: 1" = 40'
DRAWN BY: C.D.C. PROJ. MGR.: J.M.R.

SHEET

C-101

COR. 05-06-20

F:\AutoCAD\Projects\2012\2012119\2012119-04\Phase 1\Rev\2012119-01-13.dwg, 04/14/2011, 5:10pm

ORDINANCE NO. 377

**AN ORDINANCE AMENDING SECTION 140-49 OF THE OCEAN VIEW LAND
USE AND DEVELOPMENT CODE TO ~~REDUCE THE MINIMUM REQUIRED~~
~~AREA FOR COMMERCIAL USES TO 25% OF NET TRACT AREA IN MXPC~~
~~DISTRICTS.~~**

WHEREAS, the Town Council has the power to adopt ordinances for the protection and preservation of town property and for securing the protection and promotion of health, safety, comfort, convenience, welfare and happiness of the residents of the town; and

WHEREAS, the Town Council may exercise the planning and zoning powers conferred generally upon municipal corporations or to the Town specifically; and

WHEREAS, the Town Council of Ocean View is of the opinion that the present allocation of 40% commercial as the minimum standard in the MXPC zone is antiquated and not reflective of the shift in economic trends that include the shift to on line retail shopping and the downsizing and in some instances elimination of traditional big box retail stores which were the norm when the original MXPC ordinance was adopted such that a reduction in the minimum commercial allocation to 25% is more reflective of modern trends; and

WHEREAS, the Planning and Zoning Commission has recommended adoption of this proposed ordinance; and

WHEREAS, this promotes the health, safety, comfort, convenience, welfare and happiness of the residents of the Town.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN
COUNCIL OF THE TOWN OF OCEAN VIEW;**

Section 1. Amend Chapter 140, ARTICLE VII PLANNED COMMUNITY ZONING DISTRICTS, § 140-49 Tract Standards, by deleting those portions in brackets and by adding thereto those portions indicated by underlining, as follows:

§ 140-49 Tract standards.

A. Applicability: all planned community districts.

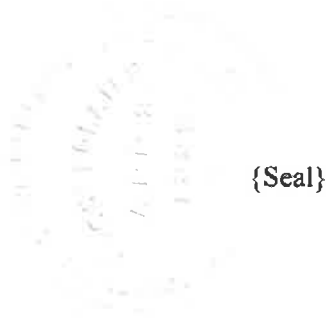
B. Standards.

Standard	RPC District	MXPC District
Minimum gross tract area (acres)	20, recorded as a single parcel	20, recorded as a single parcel

Requirements for commercial uses

Minimum area	N/A	[40] 25% of net tract area
Maximum Area	1 acre per 100 dwellings	50% of net tract area

Section 2. This ordinance shall become effective upon its adoption by a majority of the members of the Town Council.



{Seal}

TOWN OF OCEAN VIEW

By: John J. Ready Jr.
Mayor

Attest: Donna M. Schwartz
Town Clerk

First Reading: June 8, 2021

Second Reading: July 13, 2021

Adopted: July 13, 2021



Updated TAC Comments for
Revised Villa Concept
(Plans and
Conceptual Renderings
follow)

Leading Providers of
Infrastructure Asset Management
and Engineering Services
since 1994

March 10, 2022

Kenneth L. Cimino
Town of Ocean View
201 Central Avenue
Ocean View, DE 19970

**RE: Silver Woods Villa District – Revised MXPC Master Plan
Technical Advisory Committee Review – Revised
Tax Map ID: 134-16.00-951.00
TKG Project #20-0905**

Dear Mr. Cimino:

Outlined below are the updated Technical Advisory Committee comments based on the review of the revised plan dated 2/8/22.

Comments New to This Review

1. Provide a copy of the proposed documents pertaining to the establishment and maintenance of the homeowner's association as well as its bylaws, fee schedule and ability to assess for the upkeep and maintenance of the common elements.
2. Please note that the proposed walking paths shown for the Villa district should connect to the yet to be constructed paths shown on the approved landscape plan for the single family district near the clubhouse and the pump station parcel. All of the paths within the residential portions of the MXPC will be required to be completed prior to release of the performance guaranty for the Villa District.
3. A landscape and screening plan will be required.

Generally

1. Addressed
pc) Pittston Drive from the intersection with Luzerne to Beaver Dam Road will be required to be built in its entirety in conjunction with this project. No construction traffic will be permitted to access the multifamily parcel through the recently completed single family portion of the project.
2. Addressed
pc) The layout is not in keeping with the intent of the planned community district to create a superior living environment. §140-51 Design Standards paragraph D states: *"The planned community's*

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design should integrate a variety of housing (dwelling) types in a way that provides architectural diversity. Housing types should be interspersed to avoid monotony and segregation by dwelling type. Accordingly, no single housing type should dominate either the planned community as a whole or any one section of the community". Also, §187-1 Street Improvements paragraph A states: "The street layout shall be designed to create desirable building sites while respecting existing topography, minimizing street grades, avoiding excessive cuts and fills, and preserving trees and other natural features to the maximum extent possible. Thoughtful and imaginative design of streets and their relationship to the arrangement and shape of lots is required. An important element is the blending with topography to produce curvilinear design and reasonable grades. The rectilinear design of streets and lots, involving long straight sections of street, should be avoided." While it is recognized that the single-family portion of the community would seem to be dominated by one housing type, it has also been designed with curvilinear streets and lots that where possible honor the topography and protected resources.

MXPC

1. The number of units currently proposed is 170. Subtracting the existing 111 single family units and the proposed 170 villa units from the total of 444 would leave a maximum of 163 potential units for a future mixed use phase.
 - pc) The maximum number of residential dwelling units permitted is 4/acre considering the gross tract area. That results in a total allowable number of residential units of 459. 111 single family units have been constructed leaving a potential of 348 units remaining. However, single family units must account for a minimum of 25% of the total unit count. Therefore, unless additional single family units are constructed, the maximum dwelling unit number is 444. The number of units currently proposed is 151. Subtracting the existing 111 single family units and the proposed 151 villa units from the total of 444 would leave a maximum of 182 potential units for a future mixed use phase.
2. The revised plan meets the overall area requirement. Provide a list of the specific items to be included in the "active" open space areas.
 - pc) The required open space associated with this development is 40% of the gross tract area. That results in a total open space area required of 45.93 acres. 41.39 acres of open space were created in conjunction with the single family portion of the development. That leaves 4.54 acres of additional open space that is required to be created in association with this development. Considering that the only remaining parcels are to be developed as commercial, mixed-use and assisted living, it appears that there will be no opportunity with future phases of this project to provide the requisite open space. This phase of the project will be required to identify and set aside the remaining open space. Also, while community amenities have been provided for the single-family portion of the community, this remaining open space will be expected to provided additional active recreational areas in accordance with §140-51-F-2-a to support the additional 151 dwellings.
3. The revised plan now calls for 17.37 acres to be dedicated to commercial uses, which meets the 25% minimum.
 - pc) The required range for area dedicated to commercial uses was 40%-50% considering net tract area when the original MXPC plan was approved. Since then, Ordinance No. 377 was adopted by Town Council reducing the minimum area required to be dedicated to commercial uses for MXPC applications from 40% to 25%. The net tract area for this site is 68.9 ac. (114.83 gta ac –

45.93 ac). Therefore, the range of area required to be dedicated to commercial uses is 17.23 ac – 34.45 ac. The amount of area dedicated to commercial uses per the previously approved plan is 32.93 ac., this includes the commercial district, the mixed-use district and the assisted living district. This plan proposes to eliminate the commercial district, thus removing 11.1 ac and reducing the overall area dedicated to commercial uses to 21.83 ac. Please be reminded that the special exception previously approved for the assisted living facility has expired. Any development proposed for that parcel in the future other than an assisted living facility will also need to be a commercial use.

4. The lot layout will need to be revised so that no building can be built within 40 ft. of the perimeter property line. Currently there are some lots with a rear yard setback line less than 40 ft. from the perimeter lot line.
 - pc) Section 140-51-B states that *“To provide transition between planned communities and adjacent properties, no building shall be constructed less than 40 ft. from the perimeter property line of the planned community.”* All buildings, including the detached garages, must be located at least 40 ft. from the perimeter property line shared with Forest Landing to the west and south.

Off-Street Parking

1. The code requires 2 parking spaces per residential unit not including spaces in garages. The number of units proposed is 170. This results in 340 parking spaces required. The overflow parking requirements within residential developments require an additional 10% for developments over 10 acres. This would bring the overall total number of required parking spaces to 374. The plan doesn't currently show any parking. Revise the plan to depict the required parking.
 - pc) The code requires 2 parking spaces per residential unit not including spaces in garages. The number of units proposed is 151. This results in 302 parking spaces required. The overflow parking requirements within residential developments require an additional 10% for developments over 10 acres. This would bring the overall total number of required parking spaces to 333. The plan doesn't currently show any parking. Revise the plan to depict the required parking.

Dimensional Regulations

1. Provide the proposed square footage of each unit on the plan.
 - pc) The minimum livable floor area per dwelling in a townhouse is 1,250 sq. ft. Provide the proposed square footage of each unit on the plan.

Utilities

1. Show a conceptual sanitary and water main layout as well as the proposed tie in points to the systems on the plan.
 - pc) Show a conceptual sanitary and water main layout as well as the proposed tie in points to the systems on the plan.

Stormwater Management

1. Provide justification from the Sussex Conservation District with regard to the statement included in general note #13 about the stormwater management regulations.
 - pc) Provide justification from the Sussex Conservation District with regard to the statement included in general note #13 about the stormwater management regulations.

Fire Marshal Approval

1. No further comment necessary
 - pc) Fire Marshal approval of the layout will be required. The Town will default to the Fire Marshal for review of the plan for compliance with the Delaware State Fire Prevention Regulations. Provide copies of the correspondence with the Fire Marshal during their review of the plan.

Streets and Sidewalks

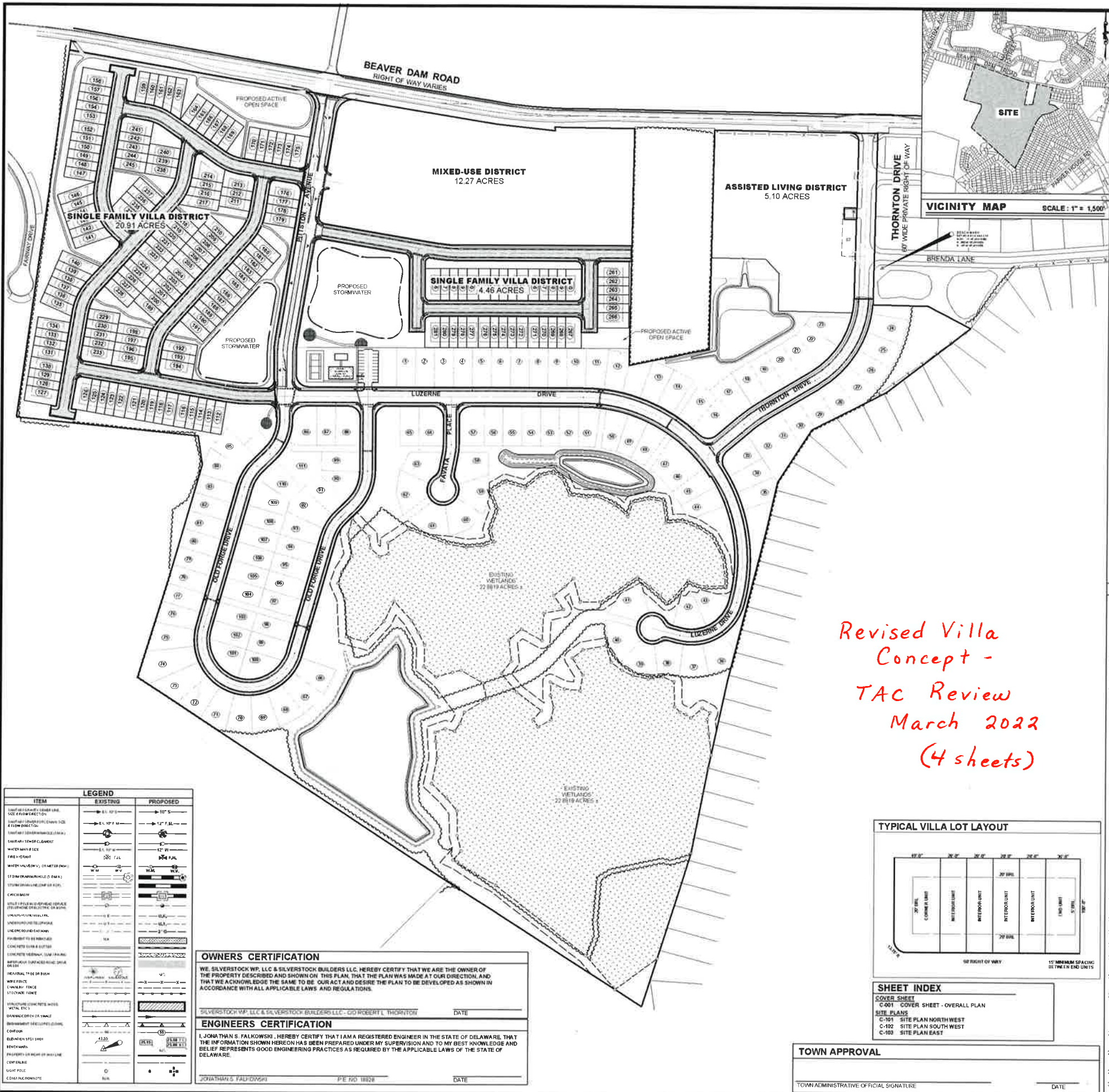
1. Addressed
 - pc) A rights in/rights out-only entrance along Pittston will not be allowed. The Town will defer to DelDOT's requirement for a minimum distance from Beaver Dam to the first intersection on Pittston, but at that point a fully functional 4-way intersection will be required for access to the villas to the west and the commercial area to the east.
2. Addressed
 - pc) The dead-end streets will not be allowed. An appropriate code compliant turnaround will be required.

If you have any questions please feel free to give me a call. I welcome the opportunity to discuss the plan with you.

Regards,
THE KERCHER GROUP, INC.



James H. Lober, P.E.
Director of Engineering

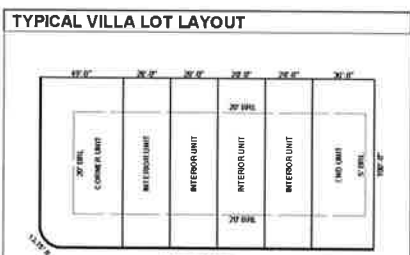


Revised Villa
Concept -
TAC Review
March 2022
(4 sheets)

LEGEND		
ITEM	EXISTING	PROPOSED
BOUNDARY AND TOPOGRAPHIC SURVEY DATA SHOWN HEREON WAS PREPARED BY BECKER MORGAN GROUP, DOVER, DE, IN JULY 2014. VERTICAL DATUM IS BASED ON NGVD 83. HORIZONTAL DATUM IS BASED ON DELAWARE STATE PLANE NAD 83.		
EXISTING UTILITIES (SHOWN WHERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELAWARE (1.800.263.6555) TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO TIME DELAYS FROM SAID RELIANCE.		
THIS AREA OF DEVELOPMENT IS NOT IMPACTED BY THE 100 YEAR FLOOD PLAIN AS SHOWN ON FIRM 10005C0151, DATED, JANUARY 6, 2009.		
WATERSHED ECO LLC GROUP CERTIFIES THAT THERE ARE FRESH WATER WETLANDS LOCATED WITHIN THE IMPROVED AREA.		
ALL ROADS, PARKING AND OTHER PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.		
DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING EXCAVATION MUST BE REMOVED AND PROPERLY DISCARDED.		
ALL ACCESSIBLE PARKING DEMARCATION STALLS, AND BUILDING ACCESSIBLE ROUTES SHALL COMPLY WITH THE 'AMERICAN WITH DISABILITIES ACT'.		
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENT FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THEREOF.		
BEFORE THE CONTRACTOR CAN BEGIN CONSTRUCTION HE MUST OBTAIN THE PROPER PERMITS AND/OR APPROVALS FROM THE TOWN OF OCEAN VIEW, SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND CONSTRUCTION (DEDPOT), SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND CONSTRUCTION (DEDPOT), SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND CONSTRUCTION (DEDPOT).		
ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE ACCORDING TO THE TOWN OF OCEAN VIEW AND THE STATE OF DELAWARE STANDARDS. SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS AND CONSTRUCTION SPECIFICATIONS.		
ALL WORK WITHIN STATE MAINTAINED ROAD RIGHT-OF-WAYS SHALL MEET THE REQUIREMENTS AS SET FORTH IN THE CURRENT REVISION OF THE STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION, BY THE DELAWARE DEPARTMENT OF TRANSPORTATION AND ALL TOWN OF OCEAN VIEW REQUIREMENTS.		
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STORMWATER MANAGEMENT AND SEDIMENT / EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE OLD VERSION DELAWARE SEDIMENT AND STORMWATER REGULATIONS (2001) BY THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.		
CONTRACTOR SHALL REFER TO ARCHITECTURAL/STRUCTURAL DRAWINGS OF PROPOSED STRUCTURES FOR ALL DIMENSIONS OF BUILDINGS AND FOUNDATIONS. PROPOSED BUILDING FOOTPRINTS, AS SHOWN ON SITE PLAN, SHOULD ONLY BE USED AS A REFERENCE TO THE ABOVE MENTIONED PLANS.		
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THE STORM DRAINAGE SYSTEM TO BE DEDICATED TO THE TOWN OF OCEAN VIEW HAS BEEN DESIGNED USING THE CRITERIA OF THE DEDOT RULES AND REGULATIONS FOR SUBDIVISION STREETS LATEST REVISIONS.		

OWNERS CERTIFICATION
WE, SILVERSTOCK WP, LLC & SILVERSTOCK BUILDERS LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.
SILVERSTOCK WP, LLC & SILVERSTOCK BUILDERS LLC - C/O ROBERT L. THORNTON DATE

ENGINEERS CERTIFICATION
I, JONATHAN S. FALKOWSKI, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.
JONATHAN S. FALKOWSKI PE NO 18838 DATE



SHEET INDEX	
COVER SHEET	
C-001 COVER SHEET - OVERALL PLAN	
SITE PLANS	
C-101 SITE PLAN NORTH WEST	
C-102 SITE PLAN SOUTH WEST	
C-103 SITE PLAN EAST	

TOWN APPROVAL

TOWN ADMINISTRATIVE OFFICIAL SIGNATURE _____ DATE _____

SITE DATA																									
1. OWNER OF RECORD	SILVERSTOCK WP, LLC & SILVERSTOCK BUILDERS LLC C/O MR. ROBERT L. THORNTON P.O. BOX 449 BETHANY BEACH, DE 19930																								
2. SURVEYOR	BECKER MORGAN GROUP, INC. 308 SOUTH GOVERNORS AVENUE DOVER, DE 19933 (302) 734-7850 PHONE, (302) 734-7855 FAX																								
3. PROPERTY MAP NUMBER	PARCEL A 134-16-00-814-00 PARCEL B 134-16-00-815-00 PARCEL C 134-16-00-45-00 PARCEL D 134-16-00-47-00 SINGLE FAMILY LOTS 134-16-00-814-00 THRU 134-16-00-815-00 134-16-00-815-00 THRU 134-16-00-816-00 OPEN SPACE 134-16-00-45-01 CLUBHOUSE 134-16-00-45-02 PUMP STATION 134-16-00-45-03																								
4. ZONING CLASSIFICATION	EXISTING: MIXPC (MIXED USE PLANNED COMMUNITY) PROPOSED: MIXPC (MIXED USE PLANNED COMMUNITY)																								
5. DEED SUMMARY	DEED BOOK 3894 PAGE 302 & DEED BOOK 3477 PAGE 111																								
6. PLAT REFERENCE	PLAT BOOK 207 PAGE 72																								
7. PRESENT USE	UNDEVELOPED																								
8. PROPOSED USE	MIXED-USE PLANNED COMMUNITY																								
9. SITE AREAS	<table><tr><td>COMMERCIAL</td><td>12.27 ACRES ±</td></tr><tr><td>MIXED-USE DISTRICT</td><td>5.10 ACRES ±</td></tr><tr><td>SINGLE FAMILY</td><td>18.31 ACRES ±</td></tr><tr><td>AREA OF LOTS</td><td>18.31 ACRES ±</td></tr><tr><td>AREA OF ROW</td><td>13.47 ACRES ±</td></tr><tr><td>AREA OF FUTURE CLUBHOUSE</td><td>0.91 ACRES ±</td></tr><tr><td>AREA OF OPEN SPACE</td><td>41.38 ACRES ±</td></tr><tr><td>SINGLE FAMILY TOTAL AREA</td><td>72.68 ACRES ±</td></tr><tr><td>AREA OF LOTS</td><td>12.95 ACRES ±</td></tr><tr><td>AREA OF ROW</td><td>5.29 ACRES ±</td></tr><tr><td>AREA OF OPEN SPACE</td><td>7.14 ACRES ±</td></tr><tr><td>TOTAL SITE AREA</td><td>114.03 ACRES ±</td></tr></table>	COMMERCIAL	12.27 ACRES ±	MIXED-USE DISTRICT	5.10 ACRES ±	SINGLE FAMILY	18.31 ACRES ±	AREA OF LOTS	18.31 ACRES ±	AREA OF ROW	13.47 ACRES ±	AREA OF FUTURE CLUBHOUSE	0.91 ACRES ±	AREA OF OPEN SPACE	41.38 ACRES ±	SINGLE FAMILY TOTAL AREA	72.68 ACRES ±	AREA OF LOTS	12.95 ACRES ±	AREA OF ROW	5.29 ACRES ±	AREA OF OPEN SPACE	7.14 ACRES ±	TOTAL SITE AREA	114.03 ACRES ±
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10. NUMBER OF UNITS	NUMBER OF RESIDENTIAL LOTS: 281 PUMP STATION LOT: 1 NUMBER OF COMMERCIAL LOTS: 1 TOTAL NUMBER OF LOTS: 283																								
11. SETBACKS	MIXPC (MIXED-USE PLANNED ZONING DISTRICT - SINGLE FAMILY DISTRICT) FRONT: 20 FT SIDE: 5 FT MIN (MUST MAINTAIN 15 MINIMUM SEPARATION BETWEEN DWELLING UNITS, AND ATTACHED ACCESSORY BUILDINGS/STRUCTURES) REAR: 20 FT MIXPC (MIXED-USE PLANNED ZONING DISTRICT - MIXED-USE DISTRICT) FRONT: 30 FT SIDE: 15 FT REAR: 30 FT MIXPC (MIXED-USE PLANNED ZONING DISTRICT - ASSISTED LIVING DISTRICT) FRONT: 30 FT SIDE: 25 FT REAR: 30 FT																								
12. BUILDING HEIGHT	PERMITTED: 42 FT (SINGLE FAMILY), 35 FT (COMMERCIAL)																								
13. NFPA 220 CONSTRUCTION	TYPE V, 000																								
14. SOURCE OF WATER	TIDEWATER UTILITIES INC																								
15. SOURCE OF SEWER	SUSSEX COUNTY																								
16. SOURCE OF GAS	SHARP ENERGY																								
17. SOURCE OF ELECTRIC	DELAWARE ELECTRIC CO-OP																								
18. SURVEY BENCHMARK	SET IRON ROD AND CAP - B.M. NO. 1, E-17-45 (SOUTHEAST CORNER OF THORNTON DRIVE AND BRENDA LANE) HORIZONTAL: NAD 83 VERTICAL: NAVD 88																								
19. MONUMENTATION	EXISTING: 16 FOUND PROPOSED: 83 TO BE SET																								
20. PARKING CALCULATIONS	USE DWELLING UNITS, ALL TYPES REQUIRED: 2 PER DWELLING UNIT IN ADDITION TO GARAGE SPACE SHOWN: 2 PER DWELLING UNIT IN ADDITION TO GARAGE SPACE REQUIRED: 151 VILLAS X 2 SPACES PER VILLA = 302 PROVIDED: 302 SPACES ON LOT HANDICAP PARKING SPACES: N/A LOADING BERTHS: NOT REQUIRED																								
21. BUILDING HEIGHT	PERMITTED: 42 FT PROPOSED: 35 FT																								
22. OPEN SPACE	REQUIRED: 40% OF GROSS TRACT AREA PROPOSED: 42.3% ±																								

GENERAL NOTES:

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BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

Salisbury, MD
312 West Main St. Suite 300
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

Wilmington, NC
3205 Randall Parkway, Suite 211
Wilmington, North Carolina 28403
Ph. 910.341.7600
Fax 910.341.7506

www.beckermorgan.com

PROJECT TITLE
SILVER WOODS

BEAVER DAM ROAD
TOWN OF OCEAN VIEW
SUSSEX COUNTY, DE

Concept #2
Revised
Villa Concept

SHEET TITLE
**COVER SHEET -
REVISED MASTER
PLAN**

SCALE: 1" = 150'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
PROJECT NO.:	202119.02	
DATE:	02/08/2022	
SCALE:	1" = 150'	
DRAWN BY:	J.D.M.	PROJ MGR: C.D.C.
SHEET		
C-001		

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SILVER WOODS

BEAVER DAM ROAD
TOWN OF OCEAN VIEW
SUSSEX COUNTY, DE

SITE PLAN NORTH WEST

[illegible]

ARCHITECTURE
ENGINEERING

Dover, DE

309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

Salisbury, M

312 West Main St. Suite 300
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

Wilmington, N

3205 Randall Parkway, Suite 211
Wilmington, North Carolina 28403
Ph. 910.341.7600
Fax 910.341.7506

www.beckerinorgan.com



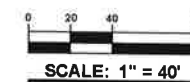
PROJECT TITLE

SILVER WOODS

BEAVER DAM ROAD
TOWN OF OCEAN VIEW
SUSSEX COUNTY, DE

SAFE TIME

SITE PLAN EAST



ISSUE BLOCK

Week	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1							
2							
3							
4							
5							
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MARK	DATE	DESCRIPTION
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DATE: 02/08/2021		
SCALE: 1" = 4'		
DRAWN BY: J.D.M.		PROJ MGR: C.D.

C-103



ORIGINAL ORDINANCE WHEN MXPC APPROVED:

COMMERCIAL AREA MUST BE BETWEEN
40% - 50% OF NET TRACT AREA

TOTAL ACREAGE: 114.84 ACRES

OPEN SPACE: 45.93 ACRES (MINIMUM)

NET TRACT AREA: 68.91 ACRES

APPROVED MXPC PLAN:

112 SINGLE FAMILY LOTS

MULTI-FAMILY DISTRICT: 9.89 ACRES
192 TOTAL UNITS

TOTAL COMMERCIAL: 33.24 ACRES (48% OF NET TRACT AREA)



**PROPOSED REVISIONS UNDER
NEW ORDINANCE NO. 377:**

CHANGES MINIMUM COMMERCIAL AREA FROM 40% TO 25%

TOTAL ACREAGE: 114.84 ACRES

OPEN SPACE: 45.93 ACRES (MINIMUM)

NET TRACT AREA: 68.91 ACRES

PROPOSED MXPC CHANGES TO PLAN:

112 SINGLE FAMILY LOTS

VILLA DISTRICT: 25.37 ACRES
151 TOTAL UNITS

TOTAL COMMERCIAL: 17.37 ACRES (25.2% OF NET TRACT AREA)



PROPOSED REVISIONS - VILLA DISTRICT - MARCH 2022

Donna Schwartz

From: Barbara Wisneski <barbarajwisneski@gmail.com>
Sent: Monday, March 14, 2022 11:02 AM
To: comment
Cc: John Reddington; Carol Houck; Kenneth Cimino
Subject: Silver Woods

Dear Ocean View,

Our Silver Woods home is located at 40 Old Forge Dr. We have lived there since April 2020. Recently, driving around OV we have seen development after development emerge and the disappearance of trees. It makes me reflect why we chose SW in the first place. Bob Thornton had promoted himself the "green builder". Preserving most of the 240 yr old oaks was imperative. Does OV want to look like Ocean City, Md.? Or preserve our natural landscape making our community more desirable. Without the trees, how will that impact our run-off to our catchment basins and sewer system? With the addition of 170 units and the new construction on Brenda Lane, can our clubhouse and pool handle this increase? Will it be safe to swim or lounge comfortably? What will this new HOA allow? Will weekly rentals which could produce 8 people to a unit weekly burden our present amenities? We previously lived in Lewes, De. The growth that has occurred in the last few years has impacted the beauty, health and safety issues along with the gridlock. Please re-evaluate the overall scope of the proposed development and its potential negative impacts on the quality of life in OV. Leave more trees, include a new community center and pool and preserve what we have left of Ocean View to be the desirable community it is.

Sincerely,
Ron and Barbara Wisneski
40 Old Forge Dr.
Ocean View, De. 19970

Sent from my iPhone

Jill Oliver

From: Fry, Vanessa A <Vanessa.Fry@optum.com>
Sent: Monday, March 07, 2022 8:25 AM
To: Jill Oliver
Subject: FW: New Silver Woods Site Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Jill-
I'm forwarding the below to you in Ken's absence.

From: Fry, Vanessa A
Sent: Monday, March 7, 2022 8:16 AM
To: kcimino@oceanviewde.gov
Subject: New Silver Woods Site Plan

Good Morning Ken-
I'm a resident in Forest Landing. I emailed you about 2 years ago about concerns with the new Silver Woods development, which at that time, contained plans for commercial and 50' buildings. I appreciate all Ocean View Zoning has done to work with Mr. Thornton and Beazer Homes to rework their plans.

We recently learned that the revised plans do not include the buffer/preservation of natural vegetation/trees along the property line between developments which some streets within our development experienced in Phase 1 of the Silver Woods Development. Our Forest Landing community was a unique development when built as the builder positioned the homes to allow for common green space, trees, etc. which is something that attracted us to Forest Landing. I'm sure when you drive around to other adjoining towns you see homes being built like barracks and being built against existing homes, with no barriers, some of which have been there for 50+ years. In my opinion is taking away from the beauty of our Bethany Beach community.

I realize development will continue but allowing a significant buffer between communities will make both properties more appealing and allow for wildlife to continue to thrive.

I just ask that when Mr. Thornton and Beazer Homes presents their plans to the zoning on March 17th that you please consider preserving the natural beauty as if you lived in our community or had your own home bordering the new development.

As always, appreciate you taking our community's concerns into consideration.

Vanessa Fry
Account Director, AARP-Optum Insight

O: 612-642-7268
vanessa.fry@optum.com

7350 Tilghman St, Allentown, PA 18106

Donna Schwartz

From: Al Allenspach <allenspach12@mchsi.com>
Sent: Wednesday, March 9, 2022 11:15 AM
To: comment
Cc: John Reddington; Carol Houck; Donald Walsh
Subject: UPCOMING CONCEPT PLAN-SILVER WOODS

Friends:

I'm writing because I'm concerned about the increased congestion that will result from the building of the many villas that **are proposed at the intersection of Beaver Dam:Pittston Avenue:Magnolia Avenue**. I'm talking about both vehicles and pedestrians. I think this issue is serious enough for our P AND Z committee to consider at the upcoming meeting of the Silver Woods expansion.

Thank you. Sue Allenspach, Old Forge Drive Ocean View.

Sent from my iPhone

Kenneth Cimino

From: Matt Sanders <mattsanders6@yahoo.com>
Sent: Wednesday, March 9, 2022 3:33 PM
To: comment; Carol Houck; John Reddington; Kenneth Cimino; Donald Walsh
Subject: Planned development for Silver Woods parcels A, B and C

To whom it may concern,

I am a full time resident and tax payer who recently bought in Silver Woods (2019). I realize the residential buildup in the area allowed me to become a resident and I certainly don't begrudge land owners the desire to sell their land for profit. I recently saw a proposed plan to build additional homes in the Silver Woods neighborhood. This is not the first plan submitted by the developer and other planned scenarios were discarded because of town land use covenant restrictions (proposed hotel) and also high rise condo units.

The most recent plan has not only increased the total number of houses beyond any estimates we were led to believe when we purchased by Ryan Homes. We were told that the developer had plans for Parcel A, B and C but that the zoning would limit the total number of homes. I have since learned that the town council lowered the mixed used planned community from 40% to 25% resulting in allowing the developer to increase the total number of houses to 310 (this includes the 29 homes on Brenda Lane which is part of Silver Woods).

When we were looking at developments in the Delaware coastal areas, we saw neighborhoods that had a large number of houses where the developer and builder leveled the land and homes backed to other homes with little or no trees. We loved the fact that in Silver Woods, many lots backed to trees and many residents bought lots (and paid a premium) to have that view. Looking at the new plan, many houses on Luzerne Dr. which currently back to woods, will now back to other homes.

When we were looking in Silver Woods, the clubhouse and pool, which were smaller than the larger communities but sufficient for the smaller number of houses. While larger neighborhoods nearby have many more houses (Bishops Landing) they also have more pools (3) and 2 very large clubhouses. In looking at the schematic for the clubhouse, the actual square footage is less than what the developer planned. There are days when the pool is crowded with the current number of houses. The current clubhouse has 2582 sq. feet (developer drawing shows 3500 - 4000 sq. feet) and can only accommodate 145 people per fire marshal. The drawing also showed a tennis court next to the clubhouse but there isn't enough land for that. The developer also told the HOA that he would give more land behind the pool to allow for more amenities since the clubhouse was built farther back from the street than planned.

Based on the substantial increase of houses proposed, either another clubhouse and pool is required or the expansion of the current clubhouse and pool.

As a taxpayer and concerned citizen, I worry about the impact of traffic and increase of impervious surface affecting an already poor water quality report. I also question the town council's change in zoning to the benefit of the developer and detriment of the residents.

Thank you for your consideration in taking these concerns and those of other Ocean View residents in regards to the current proposed plan. Hopefully we can come to an agreement that benefits the developer and the residents.

Matt and Cindy Sanders
41 Luzerne Dr.
Ocean View DE 19970

Kenneth Cimino

From: Hyong Lee <hyong.m.lee@gmail.com>
Sent: Wednesday, March 9, 2022 7:46 PM
To: Kenneth Cimino
Subject: maintaining tree line buffer

Mr. Cimino:

Thanks for taking the time to read this email. I write to respectfully request that you retain the line of mature trees that lies along Fairway Drive between Forest Landing and Silver Woods. I just bought the property at 37114 Fairway drive. One of the reasons why is because of the wonderful mature trees in the neighborhood. This was a feature that was lacking in some of the new communities that were being built during my house search. The ability to look out at nature instead of someone else's window is a feature that I and other buyers greatly appreciate.

It is my understanding from my neighbors that you have submitted plans to destroy those trees. I encourage you to reconsider your plans. The value and attractiveness of both of our communities will be retained by keeping the trees for both communities to enjoy. It is a challenge to call a neighborhood "Silver Woods" if there are no woods to enjoy! So let's keep the forest and woods in the names of our communities intact by keeping that tree line intact.

sincerely
Hyong Lee

Kenneth Cimino

From: bertross503@gmail.com
Sent: Wednesday, March 9, 2022 4:13 PM
To: Kenneth Cimino
Subject: Silverwoods Development Concerns

Sir,

I am a resident of Forest Landing at Bethany Beach who frequently walks the neighborhood including the wooded pathway abutting the Silverwoods property that is up for review by Ocean View. After seeing the plan submitted by the developer of Silverwoods I am very concerned about the loss of so many trees as a result of the developer's plan to clear the property directly up to the property line.

I would like to ask the Ocean View Planning commission to take the stance to protect as many of the trees within the perimeter of the proposed Silverwoods to be able to provide for the natural look of one of the few remaining wooded areas remaining within the area. Your attention to this issue is much appreciated.

Regards,

Bert Ross

Kenneth Cimino

From: tjkissell@aol.com
Sent: Thursday, March 10, 2022 10:26 AM
To: Kenneth Cimino
Subject: Silver Woods Development

Dear Sir:

As a resident of ForestLanding I am very concerned about the Silver Woods development building homes close to Forest Landing without a vegetation barrier. The Silver Woods development is a nice development; however, the developers are typical of many developers who remove almost every tree and plant from the land in order to build more homes onto the space. While I do not live adjacent to Silver Woods, I do believe a natural, forested boundary between the two developments is much more aesthetically appealing and better for the environment. The continual scraping away of large swaths of vegetation in Sussex County in order to build more homes has a direct impact on the water table, storm runoff, animal habitats, and air quality. Please look at the plans for Silver Woods and determine if some natural barrier can be incorporated. Thank you, Tim Kissell, 36510 Putter Lane, Frankford, DE 19945

Donna Schwartz

From: j13seeger.js@gmail.com
Sent: Friday, March 11, 2022 1:24 PM
To: comment
Cc: John Reddington; Carol Houck; Kenneth Cimino
Subject: Silver Woods Community - Single Family Villa District Plan

My review of the draft plan that adds the single-family villas to the Silver Woods development raises several questions and concerns.

1. Does the villa group size and configuration conform to the guidelines related to the 45% limit of impervious area for water drainage? The plan does not seem to reflect this.
2. Is there to be some buffer space or trees between the villas and the existing single family home lots? The plan seems to place some of the villas in close proximity to some of the single-family lots and no buffer is shown. Also, the existing residents paid a premium for lots with adjoining woods. This plan eliminates the wooded areas.
3. The plan shows no amenities or expansion of the existing amenities for the additional residents. I do not believe the that the existing clubhouse and pool can accommodate the residents of a total of 281 housing units (more than 560 people on site).
4. Are there plans for the areas designated as Active Spaces? Playgrounds, picnic areas or other amenities? The promised community walking paths have not yet been provided and it is feared that there will not be any space for nature-oriented amenity expansion.

The plan submitted for the development of these land parcels seem to have been geared to maximizing the number of housing units at the expense of environmental considerations and the stated developer's goals for the community.

Sincerely,

Joe Seeger

Silver Woods resident
26 Old Forge Dr
Ocean View, DE 19970

Kenneth Cimino

From: Mary Radatovich <maryradatovich@gmail.com>
Sent: Saturday, March 12, 2022 11:22 AM
To: Kenneth Cimino
Subject: Silverwoods Villas project

I would like to add my voice to the list of people who are asking you to you require the developer of the Siverwoods Villas, Project 2012119.02, to revise his plan to maintain a sufficient buffer that would maintain the existing line of mature trees located to the west and south of the planned development area. We chose our neighborhood (Forest Landing) because of the trees and vegetation. It looked so much better than the many developments that look like houses just plopped down in the middle of fields. It also speaks to a commitment to respect the ecosystems and the natural environment. I understand that development is inevitable, but I ask that it be planned in a way that we won't regret in 10 years.

Thank you very much for your thoughtful consideration of this matter.

Mary Radatovich

Kenneth Cimino

From: Linda Fischler <lindarfisc@gmail.com>
Sent: Friday, March 11, 2022 2:34 PM
To: John Reddington; Carol Houck; Kenneth Cimino; Donald Walsh
Subject: New Silverwoods Developent

Hello - I was out of state and couldn't attend yesterday's meeting about another new development coming into our area, but I wanted to add my voice (please). I live in Bear Trap and in the past nine years I've noticed the traffic has gotten so much worse (for nine months of the year), Giant SuperMarket is beyond packed with crazy lines, people are like sardines on the beach and more importantly, the beauty of the area - the woods, the deer running freely - has been noticeably diminished. With so many developments currently in progress, I can't imagine how the area will look in a year or how another large could be contemplated!

I've lived in New York for much of my life and bought a home in Ocean View for a lifestyle change. I really hope I can still expect much of what I came here for going forward.

Appreciate your consideration,

Linda Fischler
114G Willow Oak Avenue
Ocean View, DE

Kenneth Cimino

From: John Reddington <jjr47@live.com>
Sent: Tuesday, March 8, 2022 9:27 PM
To: Kenneth Cimino
Cc: Carol Houck
Subject: Fwd: DEVELOPMENT CONCERNS

I meant to send this to you earlier.

Begin forwarded message:

From: Al Allenspach <allenspach12@mchsi.com>
Date: March 8, 2022 at 11:14:21 AM EST
To: Carol Houck <cchouck@oceanviewde.gov>
Cc: John Reddington <jjr47@live.com>
Subject: DEVELOPMENT CONCERNS

Carol and John

A major traffic change at the corner of Magnolia and Beaver Dam LOOMS LARGE in the near future, and will affect a lot of traffic in the BEAR TRAP community.

Thornton, owner of Silver Woods, now proposes a packed community across the street from BT (see Coastal Point/Legal/3-4-22) which undoubtedly will impact travel at that intersection.

I'd urge your OV government to watch carefully those movements. Thornton's first effort was withdrawn because of heavy opposition, and his careless planning. I aroused considerable concern in the streets near Magnolia for the first hearing; please watch out for your neighborhood there. Thanks.

Sent from my iPhone

Kenneth Cimino

From: Wadlinger, Sandra <WADLINGER@chop.edu>
Sent: Tuesday, March 8, 2022 4:36 PM
To: Kenneth Cimino
Subject: SILVERWOODS VILLAS, PROJECT NO. 2012119.02, 02/08/2022

Dear Mr. Cimino:

My husband and I own a home in Forest Landing and it is our understanding that the proposed addition to the Silverwoods community (SILVERWOODS VILLAS, PROJECT NO. 2012119.02, 02/08/2022) beside ours is planned without proper consideration of the natural environment and privacy for adjacent neighborhoods. The beauty of our neighborhood, and those around us, is based on having natural vegetation around our homes - the trees make a huge difference -to reduce ground erosion and not disrupt the natural environment but also provide privacy so that residents don't end up looking into each other's back doors all day long.

The Ocean View Code of Ordinances Chapter 140 Land Use and Development § 140-51. Design Standards, requires attention to these matters:

1. Disruption of natural environment - states tree clearance and disruption of the natural environment should be minimized and existing vegetation should be preserved.
2. Privacy - states that dwelling units should be located and arranged to provide privacy for residents within the development and to maintain privacy for residents adjacent to the community. Structures and activities located near the periphery of the planned community should also be designed to harmonize with neighboring areas.

The current plan does not meet these two design standards. We ask that you require the developer to revise his plan to maintain a sufficient buffer that would maintain the existing line of mature trees located to the west and south of the planned development area. We thank you for your prompt attention to this matter. It is important to us that we all maintain the beauty of our little corner of Sussex County.

Sincerely,

Sandi and Cliff Wadlinger

36459 Dog Leg Court

Frankford, DE 19945

Kenneth Cimino

From: spopyer@gmail.com
Sent: Sunday, March 13, 2022 9:30 PM
To: Kenneth Cimino
Cc: spopyer@gmail.com
Subject: Letter of Concern and Opposition to Silverstock's current development plans

Importance: High

Dear Mr. Cimino:

I write in opposition to Silverstock's proposed building of 137 villa-type houses across the street from my home.

I own a home at 37108 Fairway Drive that is directly across the street from the proposed development. The end of my driveway is 60 feet from the proposed development. I was drawn to the Forest Landing community and purchased my home in large measure because the developer went to great lengths to preserve as many mature trees as possible when developing the community.

It is my understanding from reviewing the proposed architectural drawings that Silverstock intends to remove ALL trees across the street from my home if the project is approved as submitted. Indeed, clear-cut bulldozing is what occurred during construction of the Silver Woods housing development. This is ironic as Silverstock touts itself as a "NGBS Green Certified" builder given its construction practices. <http://www.silverstock.com/>

It is also my understanding that any approved construction plans must include preservation of a substantial tree line barrier. Indeed, Ocean View Code of Ordinances Chapter 140 Land Use and Development Section 140-51 requires as much. "The planned community shall be designed, and construction activities shall be scheduled so as to minimize earthmoving, erosion, tree clearance, and other disruption of the natural environment." Section 140-51 goes on to require that "[d]welling units...shall be located and arranged so as to provide privacy for residents within the development and to maintain privacy for residents adjacent to the planned community.'

If my understanding is correct, the proposed plans would be in direct violation of Ocean View Code of Ordinances Chapter 140 Land Use and Development Section 140-51. If I am mistaken and there is in fact going to be a significant tree line barrier, please let me know. Otherwise, I respectfully request that you do not allow this development to proceed as currently planned.

Thank you. Susan Popyer

Susan L Popyer
37108 Fairway Drive
Frankford, Delaware 19945
301-395-4671

Kenneth Cimino

From: Gregory Lockwood <greg@lockwoodlawfirm.net>
Sent: Tuesday, March 8, 2022 9:45 AM
To: Kenneth Cimino
Cc: Julianne
Subject: Silver Woods' owner/developer Robert Thornton's Silverstock Parcel B Proposal near Forest Landing
Attachments: IMG_1257.JPG; IMG_1258.JPG

Dear Mr. Cimino:

We hope this email finds you well.

My wife Julianne and I write in opposition and with concern to Silverstock's proposed building of 137 villa-type houses across the street from our home.

We own a home and live at 37118 Fairway Drive that literally is across the street from the proposed development. The end of our driveway is 50 feet from the proposed development. We attach photographs of our current view from our front porch.

We were drawn to our home and purchased it in large measure because of the beautiful, mature tree-line that runs the length of Fairway, through the woodsy path and out to Dog Leg Court. Indeed, the developer of Forest Landing went to great lengths to preserve as many mature trees as possible when developing the community.

It is our understanding from reviewing the proposed architectural drawings that Silverstock intends to remove ALL trees if the project is approved as submitted. Indeed, clear-cut bulldozing is what occurred during construction of the Silver Woods housing development. This is ironic as Silverstock touts itself as a "NGBS Green Certified" builder given its construction practices. <http://www.silverstock.com/> (If we are mistaken and there is in fact going to be a significant tree line barrier, please let us know.)

This would be a tragedy.

We submit any approved construction plans must include preservation of a substantial tree line barrier. Indeed, Ocean View Code of Ordinances Chapter 140 Land Use and Development Section 140-51 requires as much. "The planned community shall be designed, and construction activities shall be scheduled so as to minimize earthmoving, erosion, tree clearance, and other disruption of the natural environment." Section 140-51 goes on to require that "[d]welling units...shall be located and arranged so as to provide privacy for residents within the development and to maintain privacy for residents adjacent to the planned community.'

The homeowners on Fairway and Dog Leg Court should not be forced to endure years of construction chaos and noise, only to be left with an unobstructed and unimpeded view of a cluster of homes. And, we submit any new residents of the Silverstock development likewise would appreciate a substantial tree line as a buffer from the Forest Landing community.

We understand there is a planned hearing on March 17. Is this going to be an in-person hearing? If not, we would appreciate you forwarding a link and providing us with an opportunity to speak at the hearing.

Thank you. Greg and Julianne Lockwood

Gregory and Julianne Lockwood
37118 Fairway Drive
Frankford, Delaware 19945
410-274-2270 (Greg)

Kenneth Cimino

From: tom.bason@forestlanding.org
Sent: Sunday, March 13, 2022 6:16 PM
To: Kenneth Cimino
Cc: jay.johnson@forestlanding.org; bert.ross@forestlanding.org;
rich.bradley@forestlanding.org; david.ferris@forestlanding.org; 'Jennifer Melson';
jessica.watson@sussexconservation.org; terry.deputy@delaware.gov
Subject: Request regarding Silverwoods Single Family Villa District site plan
Attachments: Ken Cimino Ocean View P&Z.pdf



Mr. Ken Cimino
Director, Ocean View Planning and Zoning Commission
Ocean View, Delaware

Dear Mr. Cimino,

I am writing to you on behalf of the Forest Landing Community Association regarding several concerns we have about the new Silverwoods Single Family Villa District site plan the commission will be reviewing at their March 17, 2022 meeting.

As you know, the Silverwoods Single Family Villa District is adjacent to the Forest Landing Community to the west and south. What you may not know is that these western and southern borders are bounded by a large conveyance or ditch that is used for stormwater management. During construction of the Forest Landing Community, the developer preserved a minimum 15' to 20' vegetative buffer adjacent to this conveyance.

The concerns of the Forest Landing Community Association are twofold. First is the potential loss of privacy to our homeowners that live on the streets adjacent to the new development. Second, and of great importance structurally, is maintaining the stability of the conveyance that controls the stormwater flow around our community and into our stormwater management ponds.

The proposed site plan's build restrict lines look to be complaint with Ocean View's 40' structure setback requirement, but the site plan does not indicate the presence of any vegetative buffer or preservation of existing trees along the stormwater conveyance.

We understand that per Ocean View code, specifically Code of Ordinances Chapter 140 Land Use and Development § 140-51. Design Standards, that while there is no requirement for a specific buffer, the code recommends that the developer preserve existing vegetation, particularly native trees like those that currently line the shared conveyance. With the existence of the treed conveyance that defines the property line between Silverwoods and Forest Landing, we feel it is Sussex County's and Ocean View's shared responsibility to protect the natural environment on both sides of the conveyance. Removing existing trees and vegetation up to the conveyance could cause a collapse of its bank, generating stormwater backups and flooding. We are sure that the Sussex Conservation District and DNREC would support our position.

Therefore, Forest Landing Community Association is requesting that the Ocean View Planning and Zoning Commission attach a condition to the Silverwoods Single Family Villa District site plan that requires the developer to maintain the natural environment including existing vegetation a minimum of 15' to 20' from the edge of the conveyance. We believe adding this condition is necessary given the developer's history with his removal of all vegetation up to our property line resulting in root damage to and removal of large trees in Forest Landing's conservation area that I communicated to you two weeks ago.

Thank you for your consideration of this matter.

Respectfully,

Tom Bason

President, Forest Landing Community Association Board

Kenneth Cimino

From: ARTHUR LIEBNO <aliebno1@verizon.net>
Sent: Tuesday, March 8, 2022 2:19 PM
To: Kenneth Cimino
Subject: Latest Silver Woods Site Plan

Mr. Cimino:

I am writing this email in regards to the new site plan submitted by Mr. Thornton dated Feb. 28. My wife and I are homeowners at 36497 Dog Leg Court, which is at the very end of Dog Leg Court and backs to the existing Silver Woods single-family homes. We have leaned to live with those houses being so close because Forest Landing erected a fence between the two developments. However, we can also see the damage to the existing tree line due to poor construction practices.

I realize Mr. Thornton is trying to maximize his investment by erecting as many townhomes as possible on the site. And his new plan is certainly much better than the previous plan with four-story apartments. But the minimum setback he is proposing between the two developments is disturbing. Without leaving any existing trees and vegetation between our homes and the new homes infringes upon not only our privacy but also the privacy of the new homeowners. We would also hate to see homes built right up to the walking trail between Dog Leg Ct. and Fairway Drive because we walk our dog there almost daily.

I urge you and the commission to look carefully at the new plan and ask Mr. Thornton once again to reconsider his plan. We need a much larger natural buffer between the two properties. Thank you.

Arthur and Aphrodite Liebno
36497 Dog Leg Court

Kenneth Cimino

From: Penny Hosey <pennyhosey@gmail.com>
Sent: Tuesday, March 8, 2022 2:19 PM
To: Kenneth Cimino
Cc: Kevin Hosey
Subject: Silver Woods Villas Concerns

Dear Mr. Cimino:

My husband and I own a home in Forest Landing and it is our understanding that the proposed addition to the Silverwoods community (SILVERWOODS VILLAS, PROJECT NO. 2012119.02, 02/08/2022) beside ours is planned without proper consideration of the natural environment and privacy for adjacent neighborhoods. The beauty of our neighborhood, and those around us, is based on having natural vegetation around our homes - the trees make such a difference - and they also provide privacy so families don't end up looking into each other's back doors all day long.

The Ocean View Code of Ordinances Chapter 140 Land Use and Development § 140-51. Design Standards, requires attention to these matters:

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The current plan does not meet these two design standards. We ask that you require the developer to revise his plan to maintain a sufficient buffer that would maintain the existing line of mature trees located to the west and south of the planned development area. We thank you for your prompt attention to this matter. It is important to us that we all maintain the beauty of our little corner of Sussex County.

Sincerely,

Penny and Kevin Hosey

36469 Dog Leg Court

Frankford, DE 19945

Kenneth Cimino

From: cthomasbason@gmail.com
Sent: Friday, March 4, 2022 2:54 PM
To: Kenneth Cimino
Subject: Silverwoods

Hi Ken,

I am now the President of the Forest Landing Community Association and I've heard that Bob Thornton and Silverwoods will be presenting a site plan to Ocean View Planning and Zoning on March 17. Is that correct? Is the site plan available to view now?

I remember you told me that your department had looked at Thornton's initial plan several months ago and made some recommendations. Also, as I'm sure you can imagine I am getting a lot of Forest Landing homeowners asking what the status is of the new section in Silverwoods. That has generated a few questions.

I know Sussex County requires 20' wooded buffers between developments and, as I understand it, Ocean View code does not require any buffers. Is that correct?

Our experience with Silverwoods so far has been problematic as the developer cleared everything right up to the Forest Landing property line damaging the roots of many of the large trees in our conservation area. Because of this damage, our Community Association Board has been working with the Silverwoods Property Owners Association to remove several trees that our arborist indicated were dying and could fall on homes in Silverwoods. Is there anything we can request Planning and Zoning to consider or any conditions you can impose on a developer to manage or reduce damage to a neighboring property's trees?

Any advice you can provide would be appreciated.

Tom Bason

Kenneth Cimino

From: KAY CHRONISTER <dchron811@aol.com>
Sent: Sunday, March 6, 2022 12:10 PM
To: Kenneth Cimino
Subject: Silverwoods parcel B concept

To: Ken Cimino, Director of Planning and Zoning,

As a longtime resident of Forest Landing, I am writing to emphasize the importance of having adequate natural privacy from the neighboring Silverwoods homes and that the developer fully adheres to the **Ocean View Code of Ordinances Chapter 140 Land Use and Development § 140-51.**

I am requesting the commission to consider Forest Landing requests to place conditions on the approval of the Silverwoods plan that addresses the need to protect trees along the property line and that vegetative buffers / landscaping will be preserved or added to ensure privacy.

I am urging the commission to attach Silverwoods site plan with conditions that protect Forest Landing homeowners' privacy and that trees will make a difference in the quality of both subdivisions.

Thank you for your support.

Sincerely,
Kay Chronister



Sent from my iPhone

Kenneth Cimino

From: KAY CHRONISTER <dchron811@aol.com>
Sent: Tuesday, March 8, 2022 7:36 PM
To: Kenneth Cimino
Subject: Silverwoods plan proposal

To: Ken Cimino, Director of Planning and Zoning,

Please note: I am resending this email because the original one that you received appears to be "distorted" when I received your confirmation that my email will become part of the record.

As a longtime resident of Forest Landing, I am writing to emphasize the importance of having adequate natural privacy from the neighboring Silverwoods homes and that the developer fully adheres to the Ocean View Code of Ordinances Chapter 140 Land Use and Development.

I request that the commission place restrictions on the approval of Silverwoods' plan that addresses the need to protect trees along the property line and that vegetative buffers / landscaping will be preserved or added to ensure privacy.

I urge the commission to attach Silverwoods site plan with conditions that follow the above-mentioned code of ordinances. It is extremely important to protect and enhance the natural border between these two developments.

Sincerely,
Kay Chronister
Forest Landing resident

Sent from my iPhone

Kenneth Cimino

From: wisehaven@aol.com
Sent: Tuesday, March 8, 2022 5:30 PM
To: Kenneth Cimino
Subject: Silverwoods newest proposal

Ken Cimino, Ocean View Director of Planning,

I am writing to request that the commission place restrictions on the approval of Silverwoods' most recent plan that addresses the need to protect Forest Landing from losing the natural border of our community.

On the last plan that was submitted, there was a 170 foot buffer which left the tall pine trees along Fairway Drive in the Forest Landing community. The new proposal now shows only a 40 feet distance and nothing of a buffer but twigs. NOTHING! All the woods along eastern Fairway Drive, the pathway, and behind Forest Landing community will be gone. I urge that your board follow Ocean View Code of Ordinances Chapter 140 Land Use and Development and preserve and protect the existing vegetation which also provides privacy for residents of adjacent properties.

Please: preserve and protect the environment!

K. Chronister
Forest Landing resident

Kenneth Cimino

From: Sharon Schwartz <sharon.schwartz600@gmail.com>
Sent: Tuesday, March 8, 2022 5:29 PM
To: Kenneth Cimino
Subject: Silverwoods

Mr. Cimino,

I wish to express my concerns regarding Bob Thornton and the latest plans for the Silverwoods development as it impacts the adjacent community of Forest Landing. As it appears on the site plan, it looks as though there is no tree buffer along Dog Leg court and Fairway drive. These established houses will have no privacy if all of those old established trees are allowed to be taken down. Please consider the environmental impact if these trees are removed. Is a larger buffer possible to allow some trees to stay?

Thank you,

Sharon Schwartz
36596 Putter Lane
Frankford DE 19945

Kenneth Cimino

From: Reeder61@myactv.net
Sent: Tuesday, March 8, 2022 5:05 PM
To: Kenneth Cimino
Subject: Fwd: Silverwoods development

The site plan that was submitted by Silverwoods Development doesn't really show the impact to Forest Landing. The houses on Dog Leg Ct are not being protected by leaving a majority of the trees there to act as a privacy buffer. For example, there will be 15 homes adjacent to Dog Leg Ct with no buffer. This is a "Disruption of natural environment" and "Privacy" as stated in the Ocean View Design Standards. Please keep our beautiful neighborhood Forrest Landing CONTINUE to be what our name states. We are a planned neighborhood with lots of green space. Our owners purchased these homes in our community because of the beauty our vegetative barriers provided.

This Silverwoods developer continues to push the limits and change the plans so they can profit by placing as many units into this allotted space without any consideration to how it affects nature. In the last plan they presented a 170 ft buffer that left the tall pine trees. Now they present a plan with only 40 ft between property lines and only twigs as a barrier. We are fighting to save our established development from this planned encroaching development. Please help us keep our community GREEN,

Sandy & Ted Reeder
36811 W. Pebble Beach Dr
Frankford , DE. 19945
301 991-2050

Sent from my iPad

Kenneth Cimino

From: wisehaven@aol.com
Sent: Tuesday, March 8, 2022 5:04 PM
To: Kenneth Cimino
Subject: Silverwoods' newest proposal

Ken Cimino, Ocean View Director of Planning.

I am writing to request that the commission place restrictions on the approval of Silverwoods' most recent plan that addresses the need to protect Forest Landing from losing the natural border of our community.

On the last plan that was submitted, there was a 170 foot buffer which left the tall pine trees along Fairway Drive in the Forest Landing community. The new proposal now shows only a 40 feet distance and nothing of a buffer but twigs. NOTHING! All the woods along eastern Fairway Drive, the pathway, and behind Forest Landing community will be gone. I urge that your board follow Ocean View Code of Ordinances Chapter 140 Land Use and Development and preserve and protect the existing vegetation which also provides privacy for residents of adjacent properties. Preserve and protect the environment!

K Chronister

Forest Landing resident

TO WHOM IT MAY CONCERN

WE ARE WRITING IN REGARDS TO THE PLANNING AND ZONING MEETING THIS THURSDAY, MARCH 17TH. THE CONCEPT PLAN THAT MR. THORNTON HAS CREATED CALLS FOR SINGLE FAMILY VILLAS TO BE CONSTRUCTED RIGHT BEHIND OUR BACKYARD.

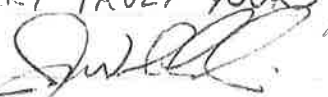
IN SEPTEMBER 2018, WE PURCHASED OUR PROPERTY AT THE SILVER WOODS COMMUNITY WHICH IS LOT #6. WE WERE TOLD THAT THE DEVELOPER, MR. THORNTON HAS PLANS TO DEVELOP COMMUNITY BUSINESS PROPERTY BEHIND OUR BACKYARD AND THAT WE WOULD HAVE A 50 FOOT BUFFER OF TREES AND WOODS BEHIND OUR BACKYARD.

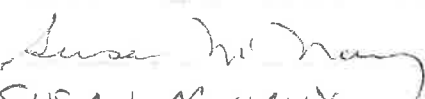
MR. THORNTON HAS SAID IN THE PAST THAT HE IS IN FAVOR AT ~~PER~~ PRESERVING MOST OF THE PROPERTY'S 240 YEAR OLD OAK STANDS.

NOW TO OUR DISMAY, THE DEVELOPER HAS THE INTENTION TO RID OF ALL TREES AND WOODS TO GO FORWARDS WITH HIS CONCEPT PLAN. THIS WOULD NOT ONLY ELIMINATE THE TREES AND WOODS BUT ALL WILD LIFE.

WE ARE VOICING OUR COMPLAINT ABOUT THIS PROPOSAL AND THE DEVELOPER'S TURN AROUND OF ELIMINATING ALL TREES, WOODS AND WILD LIFE THAT WE HAVE BEEN VERY FOND OF DURING THESE PAST 3 YEARS LIVING AS HOMEOWNERS IN THE SILVER WOODS COMMUNITY.

VERY TRULY YOURS,


JOSEPH WROBLEWSKI
LOT #6 23 LUZERNE DRIVE


SUSAN MCNANY
OCEAN VIEW, DE 19970

Kenneth Cimino

From: Jayne Bellamy <bellamyjypals@gmail.com>
Sent: Saturday, March 12, 2022 11:11 AM
To: Kenneth Cimino
Subject: P & Z committee meeting regarding Silver Woods / March 2022

Dear Mr Cimino,

Thank you very much for the consideration you and the P & Z Board of Ocean View have consistently given the the existing residents in the community.

While I sincerely appreciate Silver Woods' latest development plan calls for single family villas instead of 4 story condos..... the specifics of Mr. Thornton's new plan, thus far, appears to require "more" land for homes and "less" land for a buffer along the boundary, with existing neighbors. It also does not appear to include adequate "green" space.

I am appealing to the Ocean View P & Z board to, once again, help the existing homeowners, in the area, protect and preserve an appropriate tree line boundary for their privacy, and insure the plan includes green space for wildlife and recreation.

Wooded lots in Ocean View bring a significant premium, and it is my feeling it shouldn't be necessary to turn what little space is still available along the valuable Beaver Dam corridor into a concrete jungle.

I am also concerned with Mr. Thornton's building track record.

Where is the "green" community Mr. Thornton promised to the town of Ocean View, and the buyers who used their life's savings to purchase homes in phase 1 and 2 of Silver Woods?

Where are the miles of walking trails, etc.

Where is all the land that would be saved for the residents to decide what they wanted to add to the community, etc.

So far Mr. Thornton's vision consists of a tiny clubhouse and what many would consider a family size pool, with only "promises" of nature trails, etc.

Where is the evidence this developer will clear the land "properly," this time, and not leave rows of its neighbor's trees ready to fall on brand new homes?

How can he expect a welcome mat for 400 new residents with their cars, noise, trash, etc., when he hasn't fulfilled the sales pitches he made to his original investors.

The increase in traffic will have a detrimental impact on all the communities that are adjacent to those roadways including Fairway Village, Bear Trap, Forest Landing and the existing residents of Silverwood as well as the many other residences along those roads.

Why doesn't a developer's plan absolutely NEED to respect the privacy of existing homeowners, as well as, maintain an appropriate balance with nature.

I could go on.... about what developers seem to be shooting for in this area, but suffice to say....it's visible everywhere you look.

By the same token, the Beaver Dam corridor to Bethany Beach (to the credit of the Ocean View P & Z Board) is still a very special place.

PLEASE enforce an appropriate tree line buffer to protect existing homeowners.

PLEASE insist appropriate green spaces need to be included in the project's plan.

PLEASE protect the quality of living in Beaver Dam corridor, so it remains a place where folks can still enjoy the natural habitats we are truly blessed to have here.

I believe the majority of Ocean View residents appreciate the board's commitment to quality of life, over the quantity of concrete, visible in many other new developments.

Thank you,
Jayne Bellamy
bellamyjjpals@[gmail.com](mailto:bellamyjjpals@gmail.com) Landline: 302--537-1362

Kenneth Cimino

From: Noel Coad <njcoad@comcast.net>
Sent: Thursday, March 10, 2022 7:14 PM
To: Kenneth Cimino
Cc: John Reddington; Carol Houck
Subject: Concept Plan - SILVER WOODS Mixed Use Planned Community

Ken,
Please find herewith my comments on the Concept Plan for the creation of a Single Family Villa District at Silver Woods.

This concept is filled with errors & omissions that follows the trend of unkept promises & misconceptions that this so-called 'Green Developer' has demonstrated to us at our Silver Woods residential community.

Our promised Community that was supposed to surpass ordinary expectations for the Bethany Beach lifestyle is being eroded away by the congested over-building of 170 villas that will ultimately become predominantly rental units like the neighboring 'Sea Edge'

1(a) Existing Clubhouse - currently is 2,582 sq. feet. Concept drawing shows 3,200 sq. feet. Public Offering Statement states the Clubhouse is expected to be 3,500-4,000 sq feet (145 capacity per Fire Marshall). Our useable space between main room & card room is only 1,000 sq. feet. Per governing document these new Villas will have access to our undersized Clubhouse & Pool. plus 29 homes at Brenda Lane. Current deck only accommodates 24-30 lounges.

1(b) The Developer had to apply for a 'variance' because the Clubhouse was built too far back on the lot. The Developer implied he was to leave 'open space' behind the Clubhouse for amenities. Now we have a concept plan showing 'proposed storm water' in the only available area for promised amenities. A token tennis court of incorrect size is shown on an incorrect scale area to the rest of the drawing. A 120' x 60' Tennis Court will not fit between West of the Clubhouse and the road.

2(a) Roads - There is only one means of egress from villas to Pittston Avenue to Beaver Dam Road (no traffic light shown?). General notes #5 - State Roads are private roads?

Why are these new roads not taken over by Ocean View as in our Phase 2. (What about street lights).

Note: Our current roads are still incompletely paved with dangerous raised manhole covers & curbs for over 2 years.

2(b) Parking is not being increased at the Clubhouse and for the Villas there are plans for 2 per dwelling (no off-road guest parking) but only reference 151 Villas - Plan shows 170 Villas - Inconsistent?

3(a) Environmental - Concept drawing does not show the swale on Old Forge Drive near the Sewer Pump Station and my lot #85. A beautiful row of pines have developed on the wooded side of this swale as a natural buffer to future development. We paid a premium for this wooded lot - (our primary reason for settling on building our home in Silver Woods). The proposed 2 or 3 villas backing right up to my lot #85 (8 Old Forge Drive) should not be permitted.

3(b) Concept drawing does not show the swale on Luzerne behind homes on lots 1-12.

The property lines from proposed villas at the existing homes are touching these 'sold as' wooded lots.

3(c) Wetlands were removed when Silver Woods was built. Water quality reports are not good. Additional building will deteriorate this poor quality of water. This is categorically a responsibility of the Town of Ocean View as well.

3(d) Walking Trails for our Phase 2 still not built as promised by the Developer for Thanksgiving 2020.

4. Services: Is the Town of Ocean View prepared for the additional strain on Services? Is our current sewage, drainage, propane, Post Office/mail service big enough to effectively manage these additional homes.

The Silver Woods Developer should have to complete each phase prior to being given approval for the next. Developer should be held responsible to fulfill his promises and marketing tactics: Maintain wooded lots sold at a 'premium', install promised walking trails, complete paving of roads, provide adequate drainage - swales, ponds & clean water, natural mature tree buffers, superior landscaping, correctly sized Clubhouse/Pool to support caliber of Community home values & potential population of over 300 persons, addition of amenities comparable to other upscale Communities.

Thanking you in advance for your every consideration in adjusting not only this concept plan but all others in maintaining the quality of communities, facilities & services that will continue to be the Town of Ocean View that has been carefully established in the past.

Sincerely,
Noel Coad

Kenneth Cimino

From: Jackie Padovani <jmlutz1001@aol.com>
Sent: Wednesday, March 9, 2022 4:20 PM
To: Kenneth Cimino
Subject: Proposed Silverwood Expansion

Gentlemen

I have several concerns regarding the plan proposed by Mr. Thornton regarding the Silverwood development.

The first concern that my husband and I have is for the increase in traffic that this number of units will bring to the surrounding roadways (Central Avenue, Beaverdam Rd. and Parker House Road). All these roads are two lanes and several of them recently had bike lanes marked on them. These roads are frequently used by bikers and walker/runners. The increased traffic will exponentially increase risk to those using alternate forms of transportation or engaging in recreational activities. The number of units has the potential to bring minimally 170 vehicles, but realistically probably double that number, making multiple trips daily onto those roadways. This increase in traffic will have a detrimental impact on all the communities that are adjacent to those roadways including Fairway Village, Bear Trap, Forest Landing and the existing residents of Silverwood as well as the many other residences along those roads.

The second and most important concern I have is the impact on the environment. Mr. Thornton bills himself as a "green builder" with the assertion that he will preserve forested areas. We have seen this is not the case at all, as in the completed portion of the Silverwood project under his development he has nearly clear cut all the trees and has left no forested buffer between Silverwood and the neighboring communities. He has not added new plantings or landscaping as a means of remediating this deforestation. The current plans submitted by Mr. Thornton for the Parcel B project have buildings right up to the property line leaving no buffer between his development and Forest Landing and more specifically Fairway Drive and Dog Leg Court.

With the increase in the number of buildings and requisite parking, this will substantially increase the non-permeable surface on that parcel of land. The water run-off (and the vehicle fluids produced by the increased numbers of vehicles parked on those paved surfaces) will have to go somewhere, with no planned forested buffer area, that run-off will go either to Beaverdam Road potentially creating flooding conditions on the roadway and back towards Forest Landing, specifically Fairway Drive. Some of the property adjacent to the Silverwood Parcel B project in Forest Landing is designated wet lands, which means that the ground will not be able to handle the increased run-off, creating pooling of water and or erosion.

Many of the surrounding communities have setbacks between them that are comprised of maintenance of open space, existing wooded areas and /or added landscaped buffers between the developments in the way of raised berms with additional plantings of trees and bushes. We would request that there be a requirement that Mr. Thornton/Silverwoods provide at minimum a 100 foot wooded buffer between the Parcel B property and the existing homes in Forest Landing and homes in the Silverwood community (my understanding is that current town zoning regulations require a buffer). This would mitigate some of the environmental impacts to the surrounding land, roads and communities.

I have read with interest the Ocean View 2020 Comprehensive plan which has been officially adopted and noted the efforts of the Town in engaging the community in the planning process and the outcome of those sessions. Overall, the majority of the residents of Ocean View are opposed to developments such as the Silverwood Parcel B project (64% of those surveyed, feel that the town should explore expanding or develop stricter building design standards, 60% felt that the Town should limit residential development by regulating it). They have asked the Town to limit growth by enforcing the zoning ordinances in place with an emphasis on maintaining open space, creating livable communities with the

ability to utilize alternate forms of transportation such as walking and biking, limiting commercial development to the area along Atlantic Avenue, creating a town center. They are concerned about the creation and maintenance of additional recreational spaces and preservation of the environment, specifically preserving open areas such as meadow like and forested areas. With the number of buildings, garages and the associated paved parking areas, this directly contradicts what the residents of Ocean View wish to see for their Town. The plan does not include any additional open or recreational spaces for the additional nearly 400 residents this development would bring to the area. Mr. Thornton originally promoted Silverwood as a green community with preservation of forested areas and walking trails and other recreational amenities for the residents. To date he has provided a small clubhouse and even smaller pool that will struggle to accommodate the current residents of Silverwood much less another 400. One of the main reasons we decided to purchase our home was because of the design and aesthetics and the natural buffers of trees ponds.

Not taking into consideration the thoughts of your neighbors in Forest Landing is fueled by greed alone.

Respectfully
Jackie Padovani
Forest Landing Community

Sent from my iPhone; please disregard any typos 😊

28 Luzerne Drive
Ocean View, DE 19970
March 8, 2022

Town of Ocean View
201 Central Avenue
Ocean View, DE 19970

I have reviewed the proposed development plan for expansion of Silver Woods in Ocean View by Bob Thornton and Beazer. As a resident of Silver Woods, I hoped for a well planned development that is an asset to Ocean View and in particular our Silver Woods community. Consider Millville By The Sea, Bishop's Landing and Spring Ridge as model communities. In my opinion, this proposed development plan is not only a detriment but would harm the town of Ocean View and local area. As such, the Town of Ocean View should deny its approval. Below is a list of concerns that I have to back up my statement:

- 1) The plan is full of inaccuracies and mistakes. Bob Thornton is a professional developer and thus his plan should reflect this. Unfortunately, the errors and inaccuracies of this plan are too many to ignore. They raise concern that the shoddy details in this plan will reflect the quality of the work.
- 2) Plan indicates 302 parking spaces based upon 2 spaces per unit * 151 units. Plan shows 170 Villa units. Therefore, parking spaces = 340.
- 3) Current water quality report shows poor water quality. This plan development will cover a large portion of the environmental area thus contributing further to the poor water quality. Perish the thought that down the road someone gets sick because of the further reduction in water quality.
- 4) It is difficult to determine from this plan the surface area to be covered. However, according to the plan 60% is covered leaving 40% of open space. According to my knowledge, based upon my home, the rules of Ocean View is that no more than 45% of the land can be impervious. I would expect that the developer must adhere to the same rule(s) that I do.
- 5) Plan shows a clubhouse of 3200 sq. ft. Our clubhouse is actually 2582 sq. ft. NOTE: Public Offering Statement states a clubhouse between 3500-4000 sq. ft and walking trails. The clubhouse is close to 900 ft shy and there are no walking trails.
- 6) Looking at the space on the pool deck, the pool deck can accommodate 24 lounges. The total units in Silver Springs will now be 281 such that there will be approximately 840 residents. This means < 3% of the community can use the pool at the same time. I do not know all the rules/policies of Ocean View but this ratio does not seem like a sound model when considering quality of community life. If there is some rule or policy indicating a ratio of number of residents using a facility per square foot then the developer should be held to the standard and a 2nd clubhouse/pool should be warranted.
- 7) Plan shows a proposed tennis court 100' x 20'. A regulation court would be 120' x 60'. Link for court dimensions: [Tennis Court Dimensions & Drawings | Dimensions.com](https://www.dimensions.com/entry/tennis-court-dimensions) . I am unsure of the space available at the location called out by the and unaware whether the addition would violate the Ocean View overall coverage policy.
- 8) According to the Fire Marshall, the existing clubhouse and pool is subject to a maximum of 145 people at a time. The new development adds 170 units. If you consider an average of 3 individuals per unit this is an increase of 510 tenants in the community. Our current community has 111 units for approximately 333 tenants. This totals 680 tenants sharing a facility with a

capacity of 21% of this volume. This ratio is a considerable reduction in the quality of life for of current community and could create considerable risk of overcrowding.

- 9) With all of the inaccuracies found on the plan, how can we trust that the 1 sewage pump station and propane station called out in the plan will be enough without the town performing an independent study.
- 10) Of further safety concern is the entrance on Luzerne Drive leading directly into the Villa District. Drivers coming in via Thornton Drive may have a tendency to speed down the straight away. For those of us living on Luzerne Drive shifting the entrance such that a driver must make at least 1 turn before entering the Villa District is a simple change that would result in increased safety for us. Additionally, there would be a tendency to rent the Villas out and short term renters would have even less of an awareness for the safety of our residents walking along Luzerne.
- 11) With the addition of 170 units the traffic on Beaver Dam will increase considerably. There is nothing in the plan for addressing this.
- 12) It is not evident from the plan what trees will remain and what happens to the swells behind our homes on the north side of Luzerne Drive. Inference from the plan is that all of these will be removed since none are present.
- 13) The plan shows added facilities scattered throughout our community. In my opinion, centralized facilities would work better for our small development.
- 14) The plan indicates that the roads will be private. If this has impact on the current residents then as a community we should have a say in how the maintenance of these private roads are paid for.
- 15) Concept plan note #30 Storm water pond indicates that it will be dedicated to OV town. How does this work when t is connected to the current storm water ponds owned by the Silver Woods HOA?

In conclusion, the plan as currently presented cannot be approved without addressing the many concerns of the community.

Thank you for your support and looking out for our community.

Best Regards,

Bruce Rose
28 Luzerne Drive
Ocean View, DE 19970

Donna Schwartz

From: Carole Loney <cloney1@verizon.net>
Sent: Monday, March 14, 2022 1:37 PM
To: comment
Cc: John Reddington; Carol Houck; Kenneth Cimino; Donald Walsh
Subject: Silverwoods Parcels A, B and C Planned Development
Attachments: Bob Thornton Jan 23 2019 Email.pdf; Bob Thornton Jan 28 2019 Email - Amenities Usage.pdf; HIGHLIGHTED cov rest.pdf; Scan_2019_01_28_16_22_53_515 (2).pdf

Dear Ocean View Leaders,

As a resident of Silverwoods since August, 2018, we are writing to express concerns regarding the planned development of 170 residential villas. We would appreciate consideration of the following facts while making your decision regarding approval of the concept drawing submitted by Robert Thornton, developer.

- **Existing Clubhouse and Pool:** The developer built the clubhouse considerably smaller than shown on the concept drawing and the Public Offering Statement. Actual size is 2582 sq ft compared to 3200 and 3500-4000 sq ft specified in other documents. The Fire Marshall's maximum occupancy is 145 people. Useable space is approximately 1,000 sq ft (great room and card room). This does not include the small gym area. The pool is slightly larger than a residential pool and has very limited deck space for pool lounges and furniture. Specifically, 24 lounges, 4 small round tables with 4 chairs each is the current configuration with minimal room to increase that number. My husband and I have been expressing our concern to Bob Thornton since January, 2019 regarding future condo occupants (both owners and renters) being given access to the pool and clubhouse due to the small size. There have been days when the amenities do not accommodate Phase 1 (Brenda Lane 29 homes) and Phase 2 of Silverwoods. There is no way it is adequate for 170 additional residences. Attached is correspondence received from Bob Thornton on 1/23/2019 agreeing that our concern was valid and that he asked his attorney to revise the governing documents. However, as shown in the attached highlighted revision and scan which was attached to his email, it is still at his discretion to offer use of the pool and clubhouse to future residential sections. Only the assisted living and commercial properties were excluded. Our experience in communicating with Mr. Thornton is that he is not a man of his word.
- **Area for Future Amenities:** At the BOA meeting on 6/17/21 when the developer applied for a variance because the clubhouse was built too far back on the lot, the developer implied he was to leave open space behind the clubhouse for current homeowners to add amenities. The tennis court shown on the concept drawing cannot be built due to 45% lot coverage restrictions and space limitations. According to the submitted plan, there is no buffer between the pool and the new section to be developed.
- **Buffer of Trees:** Owners of lots on Luzerne Drive that will connect with the proposed villas in parcel C paid an upcharge for a wooded lot. No buffer of trees nor the existing swale are shown on the concept drawing. The developer agreed to provide a certain Wildlife will also be negatively impacted by the complete removal of the wooded area.
- **Stormwater Pond:** Why will the proposed pond be dedicated to the town of OV? Our HOA is currently responsible and pays for an environmental company to maintain the health of our ponds. Also, the developer has not met his requirements of installing electric to ponds 2 and 3 in Phase 2 of Silverwoods. This would dramatically increase the cost to homeowners to install fountains that were planned and promised by Bob Thornton, Ryan Homes and Excel Property Management.
- **Walking Trails:** Another incomplete planned and promised amenity to homeowners who purchased in Phase 2 are the walking trails that were to be installed throughout the protected wetlands and common areas. Bob Thornton promised they would be complete by November 2020 and there has been no start to installation.
- **Separate HOA:** Will the planned villas have a separate governing HOA so that Phase 2 owners are not responsible for costs of repairs, upgrades, roads, etc.
- **Property Values:** It seems to me that the design proposed by the developer will decrease our property values due to reduced and strained community amenities and declining visual appeal due to removal of existing wooded buffers, increased traffic, etc. Silverwoods residents have experienced much frustration, stress and even harm as a result of our developer's slow progress, unfulfilled promises and lack of concern for existing residents. We are still dealing with flooding and raised manhole covers due to no top layer of asphalt 3.5 years after moving into the community.

Please do not hesitate to contact us if additional information is needed. We appreciate your consideration and assistance in protecting our community, natural resources, wildlife and services provided by the Town of Ocean View, Sussex County and local utilities.

Best regards,

Jim and Carole Loney
40 Luzerne Drive
Ocean View, DE
240-593-4417 (Carole mobile)

Kenneth Cimino

From: Ruck Davids <dvdsm@gmail.com>
Sent: Sunday, March 13, 2022 3:52 PM
To: comment; reddington@oceanviewde.gov; Carol Houck; Kenneth Cimino; Donald Walsh
Subject: Concern over proposed development in Silver Woods Subdivision

I am writing in regards to the proposed new development for my community Silver Woods by Mr Bob Thorton that will be under your consideration for approval shortly.

I am sure that you have received numerous emails already in regards to this project. They have probably pointed out the negative impact to this community and Ocean View as a whole. For my part I would like to focus on the current state of the Silver Woods project and ask why this developer should be allowed to start another phase before completing those parts of the project that have yet to be completed. Also, review the developers original philosophy and compare it to the development as it exists today..

My wife and I purchased our house in July 2018. At that time, we were promised walking trails, a clubhouse with a swimming pool and other amenities. In fact if one looks on Mr Thortons own website (<http://www.silverstock.com/natural-balance/>) there is an article that he has posted from EchoHome magazine. In this article; which I am assuming has been fully vetted by Mr Thorton since it is on his own website; it notes that Silver Woods will have at least **30 acres of open space. There will include tree stands, wetlands and boardwalked nature trail. There will be feeding stations to attract migratory birds and trails that will connect the development to the town's existing network of bike trails.** None of this exists. There is also no proposed plan or start time for these promises even though we were told November of 2020. The magazine article that these statements are taken from is the March/April 2009 edition of the magazine. It was published 12 years ago. How long does one need to wait for Mr Thorton to fulfill a promise. For those individuals in phase Dear Sir or Madam, one of Silver Woods it has been at least a decade. For those of us in Phase 2, that wait extends anywhere from 3-5 years. But rather than fulfill his promise to those persons who trusted Mr Thorton as a man of his word, those projects still remain incomplete while he proposes to start another round of building.

I would also add that we were promised a clubhouse and swimming pool. These were delivered but both are smaller than promised. Our HOA meetings must be held on Zoom since there is not enough room for any kind of quorum in person. Our pool deck is capable of holding approximately 24 deck chairs. This means that 12 families can use the facilities at any given time. That means that less than ten percent of the community can use the pool area at any given time. However, under his new proposal Mr Thorton would try and double the amount of persons that would be using these facilities. I guess we can set up 30 minute reservations to guarantee that all the residents can access the pool or maybe hold a daily lottery,

Also, even though there are no more lots to be sold in our phase two area, our streets have yet to be finished. Again, there is a vague promise by Mr Thorton to complete them when construction is finished. Does that mean we have to wait for his full plan to be completed before our road is paved. Why should he not be made to finish what he has started before he is allowed to embark on another major construction project.

I would also encourage the town management to have Mr Thorton live up to his commitments to the community that he stated at the beginning of this project. In his own words in the 2009 article, Mr Thorton states the following.

"I was motivated by watching national firms come into the Bethany Beach resort area and clear cut, Thornton explains. "Everything went. And they basically would create a dusty jobsite, build homes, and plant 2-foot trees." The first step Thornton took was to overhaul a decades-old site plan, reducing the number of lots from 378 to 350, allowing him to increase the amount of public space and preserve most of the property's 240-year-old oak stands.

Thornton implemented restrictions that allow for tree cutting only when required by a home's footprint or roads, regulations that not only help maintain the natural appearance but also aid in shading and help extend the perceived size of many lots. "This is what adds additional value to our bottom line. If we lose a lot, we don't care," Thornton says. "Lawfully, I can cut them down;... economically, it pays to cordon them off and make them part of the natural landscape."

Yet in this proposed phase one of the major complaints from homeowners is that Mr. Thornton is going to clearcut the woods and slam down as many villas as possible with no tree buffer at all between the two sections. I guess he forgot all about maintaining natural appearance and just decided that lawfully he can cut them all down.

Please take care of any decisions made in approving this project. Please make this individual live up to promises already made before starting another project. Please make sure that the proposed project fits within the already existing infrastructure. On his own website Mr Thorton declares himself a "Green Builder" who "Saves the trees" Please make him live up to his own words.

Thank you for your consideration in this matter.

Ruck & Robin Davids
26 Luzerne Drive
SilverWoods Community
Ocean View 19970

Kenneth Cimino

From: MoCon <mocon0606@comcast.net>
Sent: Sunday, March 13, 2022 1:38 PM
To: comment
Cc: John Reddington; Carol Houck; Kenneth Cimino; Donald Walsh
Subject: Silver Woods concept plan - zoning board meeting 3/17/21

Good morning,

We are writing to express our concerns over the "concept plan" proposed by Mr. Bob Thornton for the next phase of the Silver Woods development. We live in one of the houses on the north side of Luzerne Drive (noted on the concept plan as "Phase 1 Housing District") which will be directly impacted by one of the newly proposed villa districts.

The plan, as proposed, shows the new lots directly abutting the back of our lots on Luzerne Drive. There currently exists a drainage swale at the back edge of our property line that runs from around Lot 10 down to Lot 1 (we live on Lot 9). This swale ranges in width from approx. 10-20 feet in parts, and assists in the groundwater drainage from our lots. We are concerned with the fate of the swale given that it is not indicated on the plan.

One of the reasons we selected our lot was because it backed onto the woods. While we always understood that the lot was zoned for future development, various representations and assurances were given to us by Ryan Homes that, regardless of the future development, there would always be a requirement (represented to us as a requirement based on Ocean View's zoning laws, given the area being zoned as mix used commercial) that a "green barrier" would have to be maintained between our lot and any new construction. It is our understanding now that, based on certain zoning changes already afforded to Mr. Thornton as to the concentration of, and placement of, the residential vs. commercial areas, this "green barrier" is no longer required to be maintained. Further, the lots on our row had premiums attached to them which, although never explicitly defined in writing, was again represented to us to have been because of the wooded view. With no "pond view" and no other characteristic of the lot to differentiate it from any other in the community (e.g., it is not measurably bigger than any others), that was the only thing that made the lots different from the others.

When considering Ocean View as a place to live before we bought, we read some of the development information on the Town's website and were impressed by what appeared to be a general vision of maintaining as much open and green space as possible, while still allowing for reasonable development. We will be very disappointed, then, if Ocean View would decide to allow a concept plan of this magnitude, with so much concentrated housing, to be approved. The plan allows for very little usable open space, and if one is to believe the lot boundary lines, would eradicate the entire tree line behind our houses. We have also read statements made by Mr. Thornton about how important maintaining as many trees as possible is to his development plan. We hope that he means it, and that the omission of any mention of a tree line between the two sections was inadvertent.

As members of the Silver Woods community as a whole, we also have serious concerns about the lack of proposed additional amenities in the concept plan, as well as how that will impact our existing amenities, and the future residents' access to it. As built, the community clubhouse is approximately 2600 square feet (with only ca. 1000 sq. ft. of actual usable space). Per our governing documents, the developer had estimated the building to be more in the neighborhood of 4,000 sq ft., so we already feel shortchanged by Mr. Thornton in the building provided. Based on the fire marshal's capacity limits, the building is too small to maintain full access for the residents of the houses already here. The pool deck has space for approximately 25 lounge chairs and four tables (each of which can hold 4 chairs). Again, with 110 homes in the community now, that is already woefully inadequate. We cannot even imagine adding another 169 homes into that mix.

The concept plan shows what appears to be a tennis court beside the clubhouse. This is a bit disingenuous, it would appear, as the indicated area is not large enough to support a court, and given the impervious nature of a tennis court deck, it would likely result in more than 45% of the clubhouse lot's area being covered by nonporous surface, which would be prohibited. But from our community's experience with Mr. Thornton in the process of building the first two sections of Silver Woods, this appears to be SOP for him. Many of us, ourselves included, have had face to face conversations with Mr. Thornton over the past few years, where he has regaled us with his grand plans for Silver Woods, complete with native plantings to attract birds and pollinators, fountains in the ponds (he even mentioned a kayak launch at one point!), and walking trails lined with bird feeders. Our fear is that, since he has reneged on so many promises already, we feel like we need to rely on Ocean View to help support us as taxpaying residents, and ensure that our concerns are heard and that our current quality of life is not adversely impacted by this new development plan.

We would therefore ask the Zoning board to not approve this current concept plan, as presented, as it would negatively impact the existing residents of the Silver Woods community. Again, we are not opposed to future development, but need such development to be well reasoned, taking into account natural preservation as well as the rights of the current taxpaying homeowners of Ocean View.

Respectfully,

Monika H Goeser
Constance McGraw

29 Luzerne Dr
Ocean View, DE 19970

mocon0606@comcast.net

Kenneth Cimino

From: Jennifer Mentzel <zapf@comcast.net>
Sent: Monday, March 14, 2022 9:36 AM
To: comment
Cc: Kenneth Cimino; John Reddington; Carol Houck; Donald Walsh;
doug.hudson@sussexcountyde.gov
Subject: Silver Woods Development

March 14, 2022

Thomas and Jennifer Mentzel
49 Old Forge Drive
Ocean View, DE 19971

comment@oceanviewde.gov
Ken Cimino, Planning, Zoning & Development Director
John Reddington, Town Mayor
Carol Houck, Town Manager
Don Walsh, Town Councilman
Douglas Hudson, County Councilman

Town of Ocean View
201 Central Avenue
Ocean View, DE 19970

We are writing regarding the proposed further development of the Silver Woods neighborhood in Ocean View. We are in receipt of the current plans and are quite unhappy with the direction that Bob Thornton is going. While we realize that these are concept drawings and are preliminary, we are concerned as there is a vast discrepancy between what the plans depict and what is actual reality. The clubhouse, pool and surrounding area are not correctly represented. The plans show the clubhouse at a larger square footage (3200) than it is. Moreover, the Public Offering Statement infers that the square footage of the clubhouse is to be between 3500 and 4000. The clubhouse is 2582 square feet and can only hold 145 people per the Fire Marshall. Clearly, these areas already prove to be inadequate for the existing community.

Thornton's plans propose that the new housing will share these amenities with the current 111 homes and those 29 Brenda Lane homes (which are NOT factored into these plans) that elect to utilize them. This is unacceptable. He must provide another pool and clubhouse for the new residents. In addition, Thornton has made repeated promises to provide additional amenities to the community, including tennis courts, pickleball courts and walking trails. None of these promises are shown on the plans, and frankly, there is no area in which to locate any such amenities. Why is he permitted to develop these additional acres when he has yet to satisfy the promises made to the existing community?

Another concern that we have is environmental. The water quality in Ocean View is poor now. How will this development affect the quality once all these trees and land are destroyed? Additional building will only INCREASE the poor quality of the water. This proposed plan will certainly DO HARM. Is the current water and sewer set up able to accommodate these additional homes? Is there room for the additional propane tanks that will be needed? How will this affect the current residents?

We chose to settle here in Ocean View because of the nature and beauty of the area and its designation as the safest town in Delaware. We (collectively) have been lied to repeatedly by not only Mr. Thornton but by the builder (Ryan) as well. Ryan did not disclose any of the anticipated development with us at any time during our purchase process. We have been victimized enough. We do not only own a home in the community, but we also own an empty lot (66 Luzerne) that we intend to build on. How can we have any confidence that Thornton will keep the wooded area between the Luzerne cul-de-sac and Old Forge as is? He has shown a complete lack of integrity, building on wetlands, and making promises that he does not keep. Despite the claims of being a "green builder" on his website (<http://www.silverstock.com>), he is showing a complete lack of respect for the nature and wildlife in our area. To quote: "He saved the trees" is the comment heard most often when his development is discussed. Laughable.

To close, the development proposed in the concept plans will only prove to DO HARM to not only the existing community, but the Town of Ocean View and Sussex County as well. It will negatively affect the environment, and the quality of life for many families. The increased traffic will prove to irreparably damage the tranquility and small town feel of our town. Please consider our concerns when this topic is presented for discussion in the March 17th meeting.

Sincerely,

Thomas and Jennifer Mentzel
49 Old Forge Drive
66 Luzerne Drive

Donna Schwartz

From: mbognar1@verizon.net
Sent: Friday, March 11, 2022 12:43 PM
To: Kenneth Cimino; comment
Cc: John Reddington; Carol Houck; Donald Walsh
Subject: Planning & Zoning Commission Review of Silverwoods Concept Plan - March 17, 2022

Good afternoon,

We write this as interested and concerned homeowners residing in the Silverwoods community and ask you to take these points in consideration in the Concept Plan review.

We have reviewed the Concept Plan presented by Mr. Thornton and his representatives for the subsequent phases of the Silverwoods development. The Concept plan as currently presented will negatively impact the Silverwoods, Forest Landing local community as well as the character of Ocean View. It heavily packs nearly every available inch of space on these parcels with impervious materials. While we support the property owner/developer's right to maximize his property value, we believe that development should enhance and be consistent with the community and its goals including as conveyed in the Comprehensive Land Use plan.

In an effort to be considerate of your time, we limit our comments to our most material concerns below:

1. The areas being presented under the Concept Plan, are currently densely wooded areas. This current variation of the Concept Plan intends to completely deforest nearly 26 acres leaving only 2 stormwater ponds and a small active open space area. This Concept Plan converts an overwhelming majority of the current wooded areas to impervious surfaces. This seems to be completely inconsistent with the Town of Ocean View's Comprehensive Land Use Plan's desire to balance the percentage of impervious surfaces in future construction and as well to increase buffers and greenery.
 - a. The developer must reduce the housing units in what is currently the South side of Parcel C (4.46 acres) to preserve a wooded area with a number of mature trees and create buffers. A buffer of trees should remain behind the homes on the North side of Luzerne which can be accomplished by the developer eliminating the housing units labeled as 267-281 to retain the existing tree line behind that area separating the Luzerne homes.
 - b. Likewise, the trees on the eastern side of Parcel A should be preserved. This can be accomplished by moving the area reflected on the Concept Plan as the stormwater basin along with the housing units on the Northeastern edge. That basin should be moved to another portion of the parcel and the housing units reduced to make room for it in the alternate location.
 - c. The Concept Plan relies on taking credit for open spaces already committed and dedicated in the prior phases, so it reduces the total percentage of open space dramatically and completely alters the beauty of the existing phases of Silverwoods.
2. The Concept Plan does not reflect additional clubhouse or pool facilities. The existing clubhouse in the Silverwoods development is approximately 2,582 sq. ft which per the fire marshal maxes out at 145 occupants (which seems extremely high given the furniture and fitness equipment). It is also considerably smaller than described in the Public Offering Statement. The pool maximum occupancy is 50 persons. The existing community includes 140 homes (inclusive of Brenda Lane housing missing from the Concept Plan) with 3-4 bedrooms each. Most owners are full time residents. The clubhouse already cannot accommodate community events and the pool is already crowded on many days. It does not seem reasonable to expect this amenity to accommodate an additional 170 housing units. Using the Ocean View average of 2.18 people per household, that would equate to a building rated for 145 occupants supporting 613 people and a pool rated for 50 accommodating that same

number. Parcel A must have its own clubhouse and pool facility constructed to accommodate the additional housing units proposed.

3. The Concept Plan envisions creating a major intersection where Luzerne Drive, Old Forge Drive, and the proposed new Pittston Avenue meet. This major intersection is directly adjacent to the existing clubhouse and pool, where currently children feel safe crossing the street unescorted. That would no longer be the case should this intersection be added and hundreds of new car trips utilize this area. It seems more appropriate that if a secondary exit is needed at what is now known as Parcel A (20.91 acres), it be at the Northern end of the parcel connecting directly to Beaver Dam Road (perhaps as a one way entrance to minimize impact on Beaver Dam Road).
4. We are concerned as to whether the current utilities can support doubling the existing housing units without significant infrastructure improvements to the sewers, water and heating facilities. The roads currently flood during every storm since the owner has yet to complete properly paving the roadways. Also, since the roads and other promised improvements from the prior development phases remain incomplete, what risk is the town taking if the developer fails to complete this ambitious project, given the unfinished improvements in the current phase of development.

The existing Silverwoods community, much like Ocean View as a whole, is characterized by open spaces, walking and biking friendly roads and trails and friendly, community-oriented neighbors. Trying to stuff as many housing units as possible in a small parcels, will ruin the charm that makes Ocean View such a desirable place to live.

Sincerely,

Marc & Barbara Bogнар
20 Luzerne Drive
Ocean View, DE 19970

Douglas W. Scott

22 Luzerne Drive, Ocean View, Delaware 19970
Scotty8416@mail.com 302-841-2137

March 10, 2022

Town of Ocean View
Planning & Zoning Commission
201 Central Avenue
Ocean View, DE 19970

Dear Commission Members,

I am writing in reference to the Silver Woods Mixed-Use Planned Community proposal. My wife Patricia and I live within close proximity of the proposed new development area. We oppose the application in its current configuration. We are against the application due to density, lack of this new section having their own amenities, the lack of a natural buffer between phases and that the developer is unreliable and can't seem to follow-through with previous commitments and promises.

First, the proposed density is unacceptable. It would seem that the developer would like to cram a home into every available space. This development phase reminds me of the townhouse section of Fairway Village. The amount of off-street parking would most assuredly create a parking issue. I am sure the town does not want another repeat of the Fairway Village debacle and all of its issues. Please hold the developer to a standard the town and its residents will be happy with.

Secondly, there does not appear to have any amenities on the proposed new section. The current clubhouse and pool in the existing development cannot accommodate the amount of proposed increase in population. It is clear to any reasonable individual that another complete set of amenities is a necessity for the new phase and should be required.

Thirdly, the proposed new section backs up directly to the existing phase II of the community. This is not what was portrayed to the buyers of phase II, both verbally and visually. Please hold to developer to his original comments and plans to establish a natural buffer between phases, the existing woods line would be ideal and satisfactory.

Finally, it would seem the Mr. Thorton is big on promises and small on follow-through. It would be easier to believe the developer if he did what he said at least once in a while. Please take time to check the public record of his promises verses the progress in other phases within the community such as final paving on the streets and installing walking trails. This speaks to credibility of the developer and if you can trust that he will do what he says he will.

In summary, the density, lack of amenities, lack of natural buffers, and the lack of follow-through on behalf of the developer are not acceptable to my family and many of the families living within the current Silver Woods development. Please take a hard look at what is being proposed and I urge the commission to deny this application in its current configuration. Please feel free to contact me at any time.

Sincerely,

Douglas W. Scott

Douglas W. Scott

DATE: March 10, 2022

TO: Town of Ocean View, Planning & Zoning Commission

FROM: Diane Seeger

RE: Silver Woods Mixed Use Planned Community, PIDNs:413.200, 413.300, & 413.400

CTM# 134-16.00-914.00, 134-16.00-951.00, 143-16.00-45.00

Good evening. The purpose of this letter is to express my concerns about the proposed concept plan for the creation of a Single-Family District and mixed use planned community of Silver Woods.

I purchased my home in the Silver Woods (SW) community in 2020 based on the information/promises from the Developer relayed to me by John DiPietro, Ryan Sales Manager. I was looking for a new development that was not too large, had basic new development amenities, and which incorporated natural landscaping, such as trees, ponds, and wetlands. As a result of my conversation with John, the drawing and photos of the community, and the belief that the Developer, Robert Thornton, embraced and was committed to developing a "green, natural" community, I bought a house in SW.

My current reality is that my home, for which I paid a land premium, backs up to a beige fence buffer and houses from the neighboring community of Forest Landing. There are no natural/green buffers. The community streets are not paved, requiring me to maneuver around sewer drain covers that sit a few inches above the street. The pool and the clubhouse which are smaller than the original plan, are not built to accommodate the current residents of SW, much less the addition of families from 170 more homes. The promised walking trails are nowhere to be seen. In summary, less than basic amenities that do not accommodate the current number of residents, unfulfilled commitment to green space, wetlands, and nature, and unfinished and unsafe roads.

I understand the developer has the right to build additional homes in our community. It is the way he is deciding to build them that will result in a dramatic impact on our community. Should this concept plan be approved as shown, my current reality will result in the,

- Loss of the small-town development feeling.
- Loss of additional land behind the pool area that was supposed to be designated for additional amenities.
- Loss of nature, trees, and wetland.
- Overcrowded amenities.
- Traffic, traffic, traffic. Especially the traffic from the assistant living building onto Thornton Avenue.
- A strain on current services like sewer, internet, roads, storm water drains, etc.

The current concept plan is inaccurate. Specifically, the measurement of the pool, clubhouse, availability of land for a tennis court, existing swales, etc.

To say the quality of life for the current and future residents of SW, as well as a few of the surrounding developments, will suffer with the proposed concept plan is an understatement. Had I wanted traffic

and a multitude of residents of whom I do not know, I would have purchased a home in Bear Trap, Millville by The Sea, or any of the other large-scale developments.

I am requesting that the current plan be denied until such time that Mr. Thornton is agreeable to fulfill the commitments he made to the current homeowners.

Sincerely,

Diane Seeger

Diane Seeger



Mary Jane Volk

47 Luzerne Drive
Ocean View, DE 19970

March 10, 2022

Ocean View Planning and Zoning Commission
Via comment@oceanviewde.gov

I am writing as a current resident of Silver Woods regarding the Single-Family Villa District concept plan review scheduled for March 17, 2022. Today I want to again bring to the Commission's attention my concerns about this latest development and about the Developer, Mr. Robert Thornton.

Adding 281 new housing units to our community would be growing it by over 60%. This has the **potential for over 500 new residents** in our current neighborhood. Since Mr. Thornton has **no plans to add amenities to the new residential area, nearly 750 residents would be using the current pool and clubhouse**. This is a problem. The small pool deck can only accommodate 24 lounge chairs and four table and chair sets. **The Fire Marshall has designated that the Clubhouse may hold up to 145 people at a time**. We would no longer be able to hold community events and gatherings (as we often do) for fear of a fire code violation. Mr. **Thornton's original plan called for a 4000 sq. ft. Clubhouse, yet he built it half that size at just over 2000 sq. ft.**

Mr. Thornton has made it clear that he does not want to spend his money on amenities for the community even though he represented to Ryan Homes (the builder of Phase II) that he planned to put in a large pool and clubhouse, walking trails and space for additional amenities as well as maintain open space. Shouldn't a developer have to finish all deliverables in one phase before beginning a new phase of building? **These promised amenities have been severely misrepresented, delayed or not delivered at all.**

- It took over three years for the pool to be built.
- Thornton refused to include a cover for the pool leaving residents to bear this cost.
- Ocean View granted Mr. Thornton a post facto variance on the Clubhouse because it was not built properly.
- Residents want to add bocci ball and pickle ball courts, a horseshoe pit and other leisure activities but because the Clubhouse was built improperly there will be no room for such new amenities.
- The highly advertised walking trail was promised again and again. The latest missed deadline was November of 2020. There is still no walking trail.
- Open space is growing less and less as Thornton develops more and more.
- Hundreds of mature trees were recently removed to make way for additional residential development in Phase I.

Is it not the responsibility of the Ocean View Planning and Zoning Commission to protect the residents of their town from dishonest developers? Is it not the responsibility of the town of Ocean View to comply with DNREC's open space regulations and support a high quality of life for residents?

I am in my third year as a resident of Silver Woods and yet **our streets are still not fully paved**. Last year we were told that when all the curbs were fixed to the town's standard, the paving would be completed. Here we are nearly six months later, and the streets are not finished. **This is a safety hazard**. Is it not the responsibility of the town of Ocean View to protect their residents from harm? Why is a developer allowed to get away with this?

And speaking of streets, **is the new Single Family Villa District going to have adequate parking?** As with most "villa" type units, we can presume that the garages will only accommodate a single car. The concept plan drawing does not seem to indicate any other parking area for those new residents. I am concerned that the parking will spill out into the neighborhood.

Will there continue to be a buffer of trees between the cluster of new villas and the current residents on Luzerne Drive? It is unclear on the rendering. Once again, this tree line was promised to us by Ryan Homes and the Developer, Mr. Thornton. In fact, residents paid a premium for "wooded lots." Was this just another assurance used as a sales pitch? Shouldn't the Town of Ocean View protect its residents from such deceit?

In addition to these concerns, there is a list of others such as water quality, wastewater management, storm drains, wetlands protection, swale maintenance and pond maintenance. These environmental matters should be of concern not only to the Town of Ocean View and future Silver Woods residents, but to Sussex County and the State of Delaware as well.

I am asking the Zoning Commission to please give your utmost consideration to the numerous problems that adding over 500 new residents to our small neighborhood will cause. The plans for the new phase should include a dedicated pool and clubhouse and ample parking. I hope the Commission will keep the best interest of the current and future residents of Silver Woods in mind as you decide how development in our neighborhood may proceed. Thank you.

Sincerely,



Mary Jane Volk
Silver Woods Resident

CC: Mayor John Reddington
County Councilman Douglas B. Hudson
Town Councilman Don Walsh
Town Manager Carol Houck

Donna Schwartz

From: Jeff Walters <jeffwalters38@comcast.net>
Sent: Thursday, March 10, 2022 3:09 PM
To: comment
Subject: Planned Development of Silver Woods Parcels A, B, and C

To Whom It May Concern:

We are the owners of the property at 19 Luzerne Drive in Ocean View in the existing Silver Woods community. We have reviewed the Concept Plan (for the proposed development of Silver Woods Parcels A, B, and C) which is to be presented to the Ocean View Planning and Zoning Commission on March 17, 2022. Upon our review, we have several concerns as listed below.

1. The Concept Plan does not show the existing swale on Luzerne Drive behind the homes built on lots 1-12. Additionally, the property lines shown for the proposed villas touch the existing properties. This is not possible. Furthermore, these homeowners were promised a buffer of woods behind their homes and paid a premium for those lots. The woods are not shown in the Plan.
2. In addition to the swale referenced above, an existing swale is located on Iron Forge near the sewer pump station and lot 85. This is not reflected on the Plan.
3. There appears to be a miscalculation in the notes on the Plan. The parking calculations show two spaces per dwelling for 151 villas. There are, however, 170 villas proposed on the Plan.
4. As existing homeowners, we have major concerns regarding the additional traffic on Luzerne Drive, Beaver Dam Road, and Central Avenue that would occur as the result of the proposed villas. Additionally, we are bothered by the impacts the proposed development would add to the existing water, sewer, and propane utilities.
5. The developer's plans fail to indicate a separate swimming pool and clubhouse for the use of the homeowners of the proposed villas. Apparently, the developer intends the residents from the villas would use the existing Silver Woods clubhouse and pool. The current facilities are already at maximum use capacity with the existing homes and the 29 homes on Brenda Lane. The addition of 170 homes to these facilities would be untenable.
6. The size of the existing clubhouse is incorrect on the Plan. The club house is 2,582 square feet. The Concept Plan shows 3,200 square feet.
7. Notes on the plan indicate private roads in the area of the villas. That would seem inconsistent with the practice of turning over roads to the Town of Ocean View when construction of those homes would be completed. If the roads are truly private, who will pay to maintain them, for snow removal, etc.?
8. As a general point, the developer has failed to fulfill some of his promises / obligations in the current neighborhood. A walking trail was promised with completion by November 2020. This has not been completed as of this time. The final macadam paving has not been done nor have the roads

been turned over to the Town of Ocean View. The existing homeowners are forced to dodge raised sewer manholes, etc. as we drive on the streets in our neighborhood.

Thank you for your time and consideration of these concerns. It is greatly appreciated.

Jeff and Laura Walters
19 Luzerne Drive
Ocean View

Cell Phone: (717) 439-7432

Donna Schwartz

From: CURTIS CHEW <curtmarge1008@comcast.net>
Sent: Friday, March 11, 2022 4:07 PM
To: comment
Cc: John Reddington; Bruce White; Frank Twardzik; Tom Maly; Donald Walsh
Subject: Silverwoods Mixed-Use Planned Community, comments concerning
Attachments: CONCEPT PLAN WITH REVISIONS.pdf

To whom it may concern,

I am a resident of the Silverwoods Community and I live on Luzerne Drive.

It has come to my attention that the original plans for the upcoming portion of Silverwoods have been modified. The original plans called for at least a 50 foot buffer along the end of the properties along Luzerne Drive, and we were also informed that the existing trees would remain. Since reviewing the proposed new plans, it seems as though there would be no swale and the trees would be removed meaning that our back property would meet at the back of the new homes to be built. The purpose of me purchasing the property was to have a wooded background. The developer, Mr. Thornton who claims to be a GREEN BUILDER and environmental advocate seems to not follow through with his conviction based on the new concept plan!!!! Base on his actions, it seems to me that his credibility is questionable.

My other concern is, will the new development have their own clubhouse and pool?

In ending with this letter, the streets have yet to be finished with the final coat and the walking trail has not begun. I would think that Mr. Thornton would finish this phase before starting another.

Final thought: Make the buyers happy!!!!

With Regards,

An Unhappy Homeowner

Donna Schwartz

From: Annika Johansson <annikakj@yahoo.com>
Sent: Wednesday, March 9, 2022 4:54 PM
To: comment; John Reddington; Carol Houck; kicimino@oceanviewde.gov; Donald Walsh
Subject: Silverwoods Mixed-Use Planned Community

We write this letter as full time residents of Silverwoods in Ocean View. We chose to live in Ocean View as the best beach area town based on:

- Small town feeling, near beach area, with woods and appreciation of natural resources
- Established government structure which highlights nature preservation and smart development
- Reviewing town website and community outreach initiatives, particularly on planning and development and town management priorities to ensure smart governance.

We appreciate the opportunity to express our concerns to the town regarding the new proposal for development of Silverwoods. Our experience has been that the town is very approachable and responsive when we have voiced any concerns in the past. We have participated in community planning in our prior towns (Annika has served on planning board) thus we understand there is a process, and we fully support development done right for the greater good of the community.

Our concerns of the proposed development are:

- Current development needs to be completed before any future plans are approved. Our streets remain unfinished, our common area drainage easements took over 2 years to grade and sod, and we still have significant drainage issues that have yet to be resolved.
- Current Silverwoods Clubhouse and Common Areas need to be resolved before future plans can be approved. It is unlikely the current Clubhouse and Pool can safely accommodate a doubling of the community it serves. It also must be noted that our sales and marketing material implied that new developments would have separate Clubhouse and Pool. There is a disagreement with the developer over property lines, size of structure, delay in actually building the pool that do not establish trust with the developer.
- Current Silverwoods development was marketed as having amenities including walking trails and tennis courts. They are not completed, and there is no clear commitment from the developer on completion. This does not encourage trust in the developer.
- Future development should take advantage of preserving trees and establishing vegetative buffers for the benefit of both the current and future neighborhoods. Ocean View should lead in establishing new standards in Level 2 development and have some protection for established woods. This benefits the entire town in maintaining a rural character, supports town pride in being a recognized "Tree City".
- Future development needs thorough review of the proposed ponds, our experience is the current drainage system could have been designed better. Perhaps the town could tap into the resources and expertise at the Delaware Botanical Garden, Dagsboro and utilize any state support for best practice drainage solutions and use of native plantings.

- We ask the board to carefully consider the environmental impact of the amount of impervious surface being proposed and the negative effect on the intimately connected creeks and waterways which empty into our already stressed Inland Bays and ultimately the ocean.

In summary, we are requesting the developer complete and remedy the issues in the existing neighborhood before being granted any future approvals. We respectfully request the town consider previously proposed vegetative buffers and complete drainage review, including pond locations in the new proposal. Our hope is that we all continue to work together to achieve the objectives of Ocean View's comprehensive plan. The goal being to add a new neighborhood that enhances the arboreal character of the town, rather than clear cutting more forest and installing high density building.

Sincerely,

Annika Johansson, Senior Research Staff Assistant, Lamont-Doherty Earth Observatory, Columbia University/AstroMat Data Manager, NASA.

Joseph Natale, Director Samsung Business Planning (retired)

65 Old Forge Drive, Ocean View

Donna Schwartz

From: Dan Vance <dan.vance1543@gmail.com>
Sent: Sunday, March 13, 2022 5:05 PM
To: comment; John Reddington; Carol Houck; Kenneth Cimino; Donald Walsh
Cc: Judy Vance; Laura Giagiorni
Subject: Silverwoods Mixed Use Planned Community Concept Plan Concerns and Comments

From: Dan & Judy Vance
To: Ocean View Town Representatives
Ken Cimino
John Reddington
Carol Houck
David Walsh
Subject: Silverwoods Mixed Use Planned Concept Plan

My wife (Judy) and I are writing this email to discuss some of our concerns about the Silverwoods Proposed Concept Plan expansion. We appreciate that you have our backs and that you are working to protect our Silverwoods community development. Judy and I live at 5 Old Forge Drive, which is lot 111 in the Silverwoods development.

As you consider this plan, please keep in mind that any development plan should do no harm to Ocean View community environment and the town as a whole. Our concerns and comments that we would like to address fall into the following categories:

- Bob Thorton's promises versus reality
- Proposed plan expansion is Dense and double the size
- ClubHouse and Pool are insufficient
- Tennis Court won't fit
- Walking Trails still not installed
- Roads and Traffic issues
- Environmental Issues
- Utility concerns

1. Bob Thorton's promises versus reality

In an article in Echo Homes Magazine, April 2009, Bob claims he is a Green Home builder and as such he claims he will only tear down trees as absolutely necessary. While many of the Silverwoods Woods homes are effectively green in efficiency, except for the Brenda Lanes area, all of the trees have been cut out completely where Ryan Homes built houses. The Concept Plan shows all of them being cut down with no buffering or retention of trees.

He has promised a walking trail, which is discussed further below. Numerous promise dates have come and gone, and the development as a whole has serious doubts that this will ever be completed.

In the case of the common areas for drainage between homes, it took several attempts before they were actually growing grass, but some people are still concerned about the drainage between homes where ponds still appear at times in backyards.

The only way that I see to handle his unreliability in promises is that NO additional expansion should be allowed before he completes his already promised items such as walking trails, road pavements, providing a properly sized

Clubhouse and Pool, and some type of actual guarantee that no additional harm to the environment be allowed such as sufficient buffering between current homes and expansion as well as adjacent developments such as Forest Landing and Bear Trap.

2. Proposed plan expansion is Dense and double the size

As currently shown in the Concept Plan, the developer plans to fit 170 new villa homes in an extremely compact format. With this densely designed expansion, this exacerbates multiple issues for this development such as traffic into and out of Silverwoods, trying to use an already undersized Clubhouse and Pool, and other environmental issues to just name a few of the issues. The existing homes consist of 111 homes built by Ryan Homes, plus the 29 homes on Brenda Lane. The Concept Plan document does not take into account these additional 29 homes on Brenda lane. The expansion of 170 new Villas more than doubles the current size of 140 (111+29) existing homes in Silverwoods, which will result in 310 homes. Note that there is an additional error in his math as indicated in note #10 $281+1+2$ does NOT equal 265 units or lots.

3. ClubHouse and Pool are insufficient

The current clubhouse is 2582 square feet, but only 1000 square feet is usable between the main room and card room. This excludes the gym area, which is usable, but not for general common use. The Firemarshall claims that this will handle 145 people. I don't see how this is possible. At numerous Silverwoods events, the most I have seen is about 40-50 people, and it was very packed in the main room. Logic would say, the current clubhouse is not really even big enough for the 140 current homes. There is NO way this will handle the expansion to 310 homes. The size of the current Clubhouse absolutely will not support 310 homes.

Note that the current clubhouse parking is not very big. No plans are shown to handle additional the additional 170 new homes.

For the pool area, there are 29 lounges, which will not support that many people, with only minor expansion to potentially add more lounges. The current pool and kid pools are not very big as is. On big weekends, the entire area is consistently filled to pretty much full capacity before even considering the effects of 170 additional homes.

Logic would say both the Clubhouse and Pool are just barely large enough to handle the current 140 homes, it WILL NOT handle 310 homes.

The initial public offering by Thorton said it would be 3500-4000 square feet. At a very minimum an additional Clubhouse should be added to at least 1500 square feet (4000-2500). In reality, this should really be about 3135 sq ft ($2852 * 170/140$) to just allow for the new homes. An additional pool should be at least as large as the current pool, plus some to handle the larger number of new homes.

4. Tennis Court won't fit

The Tennis Court as shown in the Concept plan covers an area of 100' x 50', but according to google searches, a Tennis Court requires 120' x 60'. Ideally there should be more than one Court. We do support adding at least one Tennis Court, but it needs to be located and designed to properly fit.

5. Walking Trails still not installed

Bob Thorton has promised a walking trail through the woods in Silverwoods. Multiple promise dates have long since come and gone. The concept plan shows some paths around the new Villa expansion area, but these paths if even added would not be convenient for existing homeowners. Logic, common sense, and past experience, says you can not count on Thorton to complete something where he has mis-represented and flat out not met his

promises and guarantees. NO additional development should be allowed until these trails have been added as originally promised. Ryan Homes claimed they were going to be added which also make Ryan Homes look bad in addition to Thorton.

6. Roads and Traffic Issues

The current roads through Silverwoods have not been properly paved, resulting in sewer manholes creating issues for unsafe travel, and drastically complicates snow removal as experienced during this year's snow storms. These roads MUST be paved before allowing any further development.

The Concept Plan as shown will create serious traffic issues during construction as well as on completion. Currently Piston road only supports construction traffic and does not support common egress to the community, but in reality a new construction path needs to be added, and change "Piston" to normal egress traffic. There is a location in the North West section of the Concept Plan which is close to Beaver Dam that should be changed to a construction entrance for now, and then later changed to an additional Silverwoods entrance.

The current plan shows one new egress on Piston road, which is supposed to support 170 new homes in addition to supporting a second egress for the current 140 homes. That is a lot of traffic for a very compact and dense new development in addition to the current homes. This doesn't even touch the future issues if the Parcel C is further developed for commercial use (Multi Use area), in addition to the assisted living area. As currently planned egress for current homes will be difficult. An additional access point as discussed above in the North West area will help in this area.

In addition traffic circles should be considered at the corner of Luzerne, Forge Drive and Piston, as well as the new intersection in the middle of Piston road which would also connect to Parcel C Villas and commercial area.

To account for the additional 170 homes, traffic lights should be considered on one or more of the entrances to Silverwoods from Beaver Dam Road. This will also have an effect on intersections of Beaver Dam and Central, as well as Beaver Dam and Parker House roads. Traffic lights should be considered for these intersections as well.

7. Environmental Issues

There are two main areas of environmental concern in the areas of A) tree retention and B) storm water drainage and general wetland handling. T

8. Utility concerns

Marie & Ken Milner
17 Luzerne Drive, Ocean View, 19973
Lot 3, Silver Woods Development

March 11, 2022

Good afternoon,

In reference to the meeting scheduled for Thursday March 17, 2022 to review the concept plan for the Single Family Villa District for Silver Woods. We would like to express our concerns prior to the meeting.

As stated in a previous email to you on 10/12/20, when the original plans were submitted, our personal main concern is the proposed development directly behind our lot, #3. According to the plans for discussion at the meeting, there is absolutely no buffer between the end of our lot and the proposed development. When we purchased our home we paid a \$2500 lot premium for a wooded lot. At the time we were told that there would be a 50ft buffer of woods/trees remaining. A copy of the plan we were given is attached. This plan clearly shows open space behind our lot and other lots on Luzerne Drive. This appears not to be the case on the current plans. There is also a swale that runs along the end of our lot that is not represented on the plans. Looking at the plans, the proposed lots would butt right up to the end of our lot, with no trees or swale. We are concerned about water drainage if the swale is no longer present. We understand that these are concept plans but would expect them to represent true and accurate descriptions of any proposed changes. We have other personal concerns about this proposed plan. We purchased this home for the privacy, security and noise factors. We thoroughly enjoy the wildlife that currently resides in the woods. We are very concerned about our property value going down. Backing to a wooded lot vs residential dwellings. All of which are valid concerns if this proposal is allowed to proceed according to the current plans.

Besides our personal concerns for our home, we have several neighborhood and environmental concerns that we would also like to address.

Neighborhood

Increased traffic throughout Silver Woods and Beaver Dam Rd

Wildlife displacement

Clubhouse/pool and proposed tennis court - Will the clubhouse and pool be able to accommodate the increased usage from the new residences? We did not see any provision for a second pool or clubhouse in the current plans. The existing clubhouse cannot accommodate the current number of residents. How will this be addressed for the number of new homes to be built. We cannot hold our HOA meetings in the clubhouse now because of this issue. There are not enough loungers or chairs at the pool for the current residents. Again, how will the current clubhouse and pool accommodate additional residents?

The clubhouse is much smaller than originally planned. It is 2582 sq ft. The original plan was expected to be 3500-4000 sq ft. It was under construction when we purchased our home so we could not go inside to see it. Plus it was built in the wrong position on the lot.

Looking at the space available for the proposed tennis court, it does not appear that a full size tennis court would fit on this space. The plans do not seem to be to scale.

Will the new development have its own HOA or will they be part of Silver Woods HOA? If they are separate, our concern is that properties may be rented out by the week. Which raises concerns about security, safety and noise for us. Plus all of the additional people using the already overflowing amenities.

Walking Trails

Another amenity that we considered when purchasing our home was the planned walking trails. They were advertised as part of the community plan. Flags hung at the model home advertising the amenities, one of which was the walking trails. They were supposed to be installed by November 2020. To date, none have been installed.

Environmental

Utilities - will the current Sharp Energy tanks be able to handle the load or will more tanks be required.

Water quality - the water quality is very poor to say the least. Will more development and demand lead to even poorer water quality. What measures will be put in place to prevent this.

Wildlife - we currently enjoy an abundance of wildlife in the woods at the back of our home. If the current plan goes ahead all of this wildlife will be displaced.

Pittston Avenue - We purchased our home in September of 2019. This road was used as an access road for construction. Ryan Homes have completed the construction at Silver Woods as far as we are aware but yet this stretch of proposed roadway continues to be a dumping ground for old furniture, wood that was used for framing when the sidewalks were repaired, large pieces of concrete that look like the old sidewalks that were removed. It is a total eyesore.

Sidewalk repair - the sidewalk repair that was completed at the end of last year is another eyesore. The concrete is not even close to the original color.

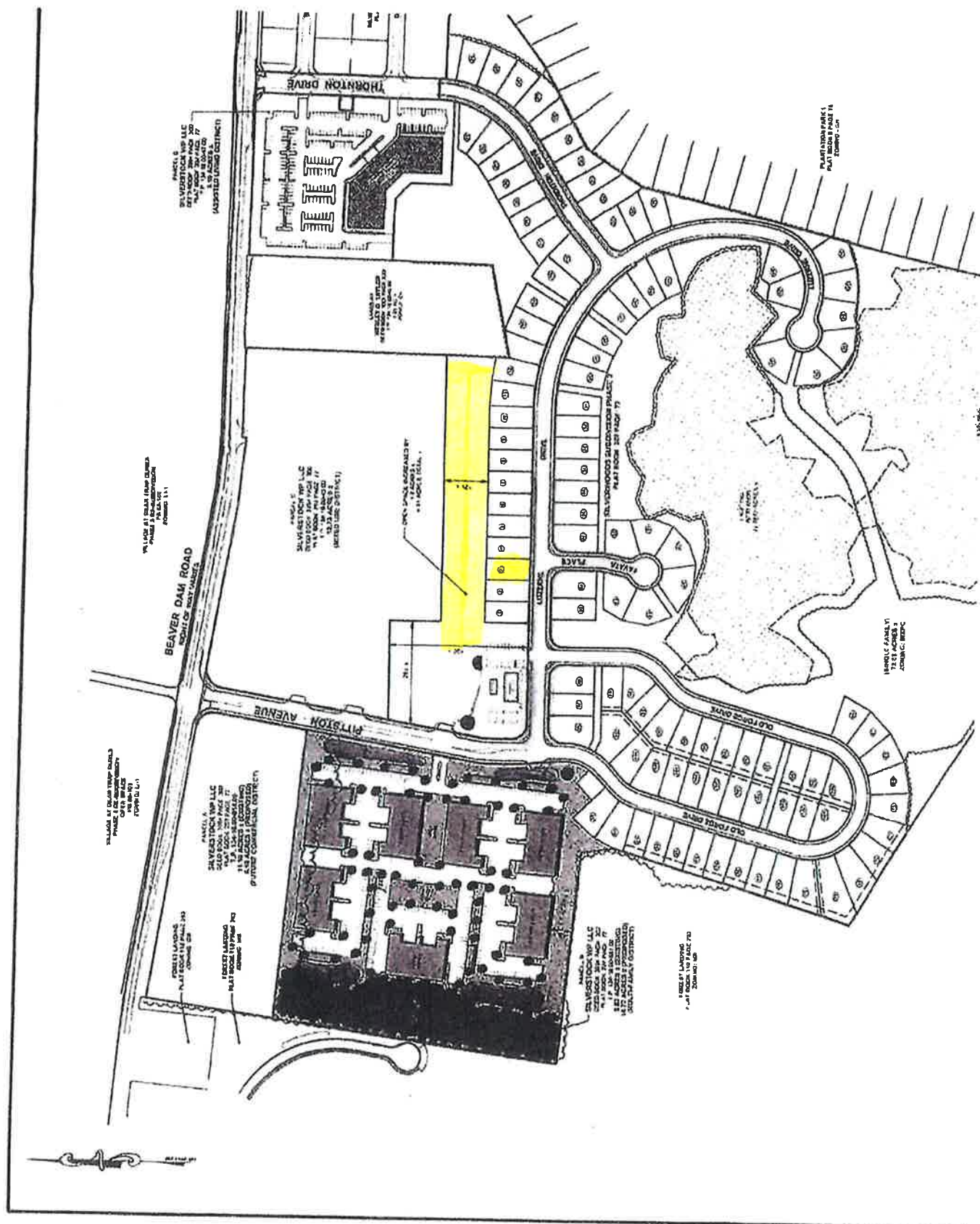
Roads - Will our roads be finished and turned over to the county/town prior to any new development starting?

It is hard to understand how a developer is allowed to begin another development when there are so many unresolved issues with an existing development.

Thank you very much for your consideration of our concerns.

Sincerely

Marie & Ken Milner



March 14, 2022
Wayne and Jacqueline Bogovich
3 Favata Pl
Ocean View, DE 19970
860-614-6920

Kenneth L. Cimino
Director of Planning, Zoning & Development
Town of Ocean View
kcimino@oceanviewde.com

Dear Mr. Cimino and Members of the Planning and Zoning Commission,

We live in the Silver Woods subdivision and wish to express our concerns about the Concept Plan for the creation of a Single Family Villa District in the mixed use planned community of Silverwoods submitted under revision to Application P-261 which will be discussed at the Town of Ocean View Planning and Zoning Commission meeting on March 17, 2022 at 5:30 PM. The following are some of the concerns we have about the proposed concept plan:

Personal Concern: During our completion of due diligence in search for and purchase of a home in 2018, we specifically asked the salesman for the Silverwoods single family homes development about the future of the property zoned as multifamily labeled as "Future Development" on the big map in the Silver Woods Ryan Homes Sales Office. Please see the attached Exhibit A. He assured us there would never be condos or anything like that built on that property. Based on his statement about this and other things, we ultimately purchased a lot and built a home which now, unfortunately, is within sight of the proposed high density villas. Had we known what we know today, we would have never purchased this property. It's not the first time we've been lied to by someone about this development and it won't be the last.

Clubhouse and Pool Concerns: The proposed Villa District needs to have its own clubhouse and pool. The existing clubhouse, which didn't exist when we purchased, is 2,582 sq. ft. and was expected to be between 3,500 and 4,000 sq. ft. per the Public Offering Statement. It is undersized for the current existing number of residents. The pool deck can only accommodate 24 lounge chairs and 4 small tables. This allows for approximately 6 families to comfortably be at the pool. The plan proposes to add 169 additional families. Existing developments have provided separate amenities for each phase as well as buffers/open spaces between phases to decrease congestion.

Per The Town of Ocean View Delaware Code, Article VII Planned Community Zoning Districts 140-51 Design Standards section F, Recreation and Open Space states: "(1) Each planned multifamily community shall provide recreation and open space areas." This is a proposed Villa District and therefor its own community. This concept plan needs to include these areas. These areas and facilities in the existing Silver Woods single family community are already at maximum occupancy capacity as stated earlier.

At the June 17, 2021 Town of Ocean View, Board of Adjustments Zoom meeting, under New Business, item E. V-420, a **variance** was granted for the existing clubhouse based on a contingency that land behind the pool area would be available to the existing residents for specific items. The developer stated **under oath**: "...part of that area behind the swimming pool for either a pavilion and/or a pickle ball or bocce ball courts that the residences had requested. I have plenty of area behind the pool so we are going to have some amenities back there as far as open space and gatherings..." The Concept Plan shows a Proposed Stormwater facility in that area. This is in direct conflict with the testimony given to acquire that Variance on July 17, 2021.

The drawings show a tennis court to the west of the existing clubhouse. A tennis court won't fit in this area and is in the only area available for possible future expansion of the undersized clubhouse. The map is very misleading and doesn't properly represent both the as-built pool and clubhouse.

Safety Concerns: Increased traffic through the streets of the existing Silver Woods subdivision is a concern for us, our children and grandchildren. There should only be one entrance to the proposed multifamily expansion unless required by the Town, County or State for emergency ingress and egress. The second entrance adjacent to clubhouse at the intersection of Luzerne Drive should be removed. Please see the X on the attached Exhibit B. This would direct most of the traffic from the proposed Villa District to enter and exit to Beaver Dam Road via Pittston Avenue rather than Luzerne Drive. Increased traffic on Beaver Dam Road is also of concern.

We are interested in the Town of Ocean View's plan to improve access to Beaver Dam Road secondary to the increase in traffic of the additional 169 villas.

Storm water management concerns: The stormwater ditch behind lots 1 through 12 along Luzerne Drive appears to be within the Building Restriction Limit of proposed villas 267 through 281. This is inappropriate. Stormwater ditches need to be located in common areas not on individual building lots where appropriate maintenance can be conducted when necessary.

Stormwater run-off from all the paved areas and roofs and the effect on the existing stormwater management system is of great concern.

We are very concerned that they are grandfathered into the 2001 erosion control standards and stormwater criteria. By not following current policy for stormwater and erosion control you can expect problems. They should be required to do no harm to adjacent and other areas.

Visual and Environmental Concerns:

The top of the units should be no higher than the existing adjacent trees. Some if not all the trees being knocked down to build this project is a concern along with displacement of the wildlife within the area and disruption of continuity at the intersection of this valuable wildlife corridor. We don't know if there are any endangered or protected species within the area but it should be investigated. Those bald eagles we see flying around and perched in trees within Silverwoods must live somewhere close.

The aesthetics of 21-multi-unit buildings so close to our house, clubhouse and pool will also be a visible eyesore from Bear Trap, Forest Landing, and other developments in the area. The buildings are not typical and out of place for the area.

Concerns for Silver Woods Residents: General Note 5 also states that all roads, parking and paved areas will not be dedicated to the town - the residents of Silverwoods will maintain? We are sure this is an added expense the new villa district HOA will not be anticipating.

An additional 169 villas and their associated vehicles is definitely doing harm to our quiet development. This and the proximity to the existing Silverwoods clubhouse and pool are a major concern.

The proposed villas #112 through #114 (Exhibit B) appear to encroach within the buffer shown behind Lot 85 on Old Forge Drive in red on Exhibit A.

Concern for the Residents of Ocean View: In other General Notes, Item 30, "The Storm Drainage System to be dedicated to the Town of Ocean View..." So Ocean View residents' taxes will be increased to maintain these facilities?


General: The proposed plan drawing arbitrarily moved/removed the lot line between the commercial district and the multi-family district so that more villa units could be added. We are not sure you can just arbitrarily do this. We understand that the Town of Ocean View has recently reduced the commercial requirement from 40% to 25% for mixed use communities but this doesn't relieve the developer of the requirement to get the appropriate approvals from the County and Town and not overload existing undersized recreation facilities, open space and stormwater systems.

There is a concern about the ability to lease/rent the units and the limitations on the terms of those leases. Leases should be for 6 months or more. If short term leases are allowed i.e., daily, weekly, monthly or quarterly, then this is no more than a hotel/motel. It's our understanding a while ago that there was a hotel proposed for this commercial property along Beaver Dam Road. This proposal just moves the hotel/motel onto the property zoned multifamily. This is very sneaky and not appropriate.

In Conclusion: It was very difficult to determine correct numbers of items in the proposed concept plan because of the conflicting information between the proposed villas on the drawings and Site Data on Sheet C-001 of the drawings. For instance, the math in item 10 doesn't work among other things. We weren't sure which information was correct.

This high density development is definitely not consistent with our area and Ocean View.

Respectfully Submitted,


Wayne Bogovich


Jacqueline Bogovich

Exhibit B – Proposed Villa District drawing C-102

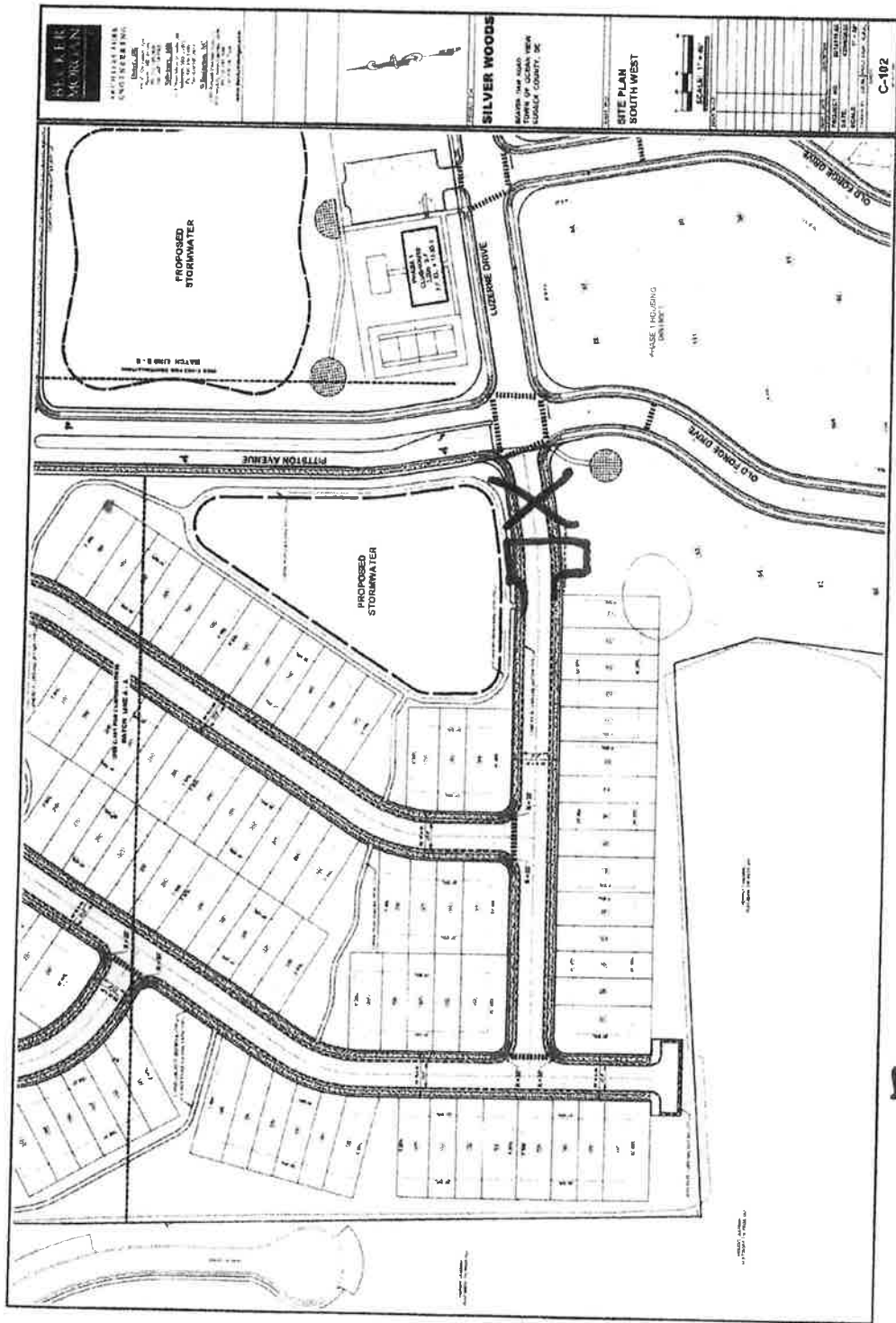


EXHIBIT B- MAP OF VILLAS

To: Ocean View Planning and Zoning Commission (comment@oceanviewde.gov)

Cc: Town Manager – Carol Houck – chouck@oceanviewde.gov
Town Mayor – John Reddington – jreddington@oceanviewde.gov
Planning and Zoning – Ken Cimino - kcimino@oceanviewde.gov
District 4 Council Member - Don Walsh - dwalsh@oceanviewde.gov

From: Dr. Randi Johnson, PhD
23 Old Forge Dr, Ocean View DE (District 4)
randi22043@gmail.com
541-619-8915

Re: Silver Woods Phase II concept plan comments

My name is Randi Johnson, and I am a resident of Ocean View and live in Silver Woods. I have spent much of my career examining management and land use changes on the environment and have numerous concerns with the concept plan provided by Becker Morgan Group, Inc. on behalf of Mr. Robert Thorton / Silverstock WP, LLC. My concerns fall within five points: (1) Mr. Thorton has demonstrated a history of not being forthright with the residents of Silver Woods (your constituents) and does not seem to be able to come through with his promises with regard to either his proposed plans or promises.; (2) his previous plan (Phase II) has damaged the environment and I am worried this is indicative of his future plans; (3) the current concept plans have great potential to hurt the environment and the water quality of Ocean View. (4) I am unsure if the current infrastructure can handle the number of new residences proposed and am quite certain that the current amenities in the neighborhood cannot support additional homes (they are not sufficient for the current homes). (5) I do not believe this is the type of development that will help bring our vision for Ocean View forward but take us backwards given the large number of "villas" that may attract large numbers of renters who may come to party.

Regarding the environmental damage, **I request that the Commission request a full Environmental Impact Statement** from Mr. Thorton to ensure that water quality (which is already poor) will not be adversely affected and that environmental damage will be minimal and mitigated. Approval of a project that jeopardizes water quality runs the risk for liability for the town of Ocean View, and my tax dollars. We are already at risk of environmental damage from climate change and this plan could make things even worse.

Below I expound on my first three points of concerns:

Point 1: Poor history of taking care of residents and keeping his word

- He failed to establish homes that met his own design guidelines. Street trees we never established (Article V, A Site Development, 6. Each Lot is required to have a minimum landscaping plan to include one street tree.....); there is not even space available to plant a street tree. Dozens of homes lack windows on primary walls (Article C 7).

- He failed to provide adequate storm water control for yards, areas are lacking needed storm drains.
- Told original residents an Olympic sized pool would be built; he got the 50 right but used feet instead of meters. It can't support the existing community, but he feels it can service twice the current number of houses.
- Plans state that the club house would be over 3500 sq ft, but it is less than 2600 sq ft
- Promised walking trails by November 2020, nope, not yet.
- Promised tennis, basketball or paddle ball court but hasn't even supplied the land to build it.
- Those of us in Silver Woods bought here given the impression of the sales team that this was a small neighborhood of detached single-family homes; a community of likeminded people setting out on a new journey as a new community. Unfortunately, hidden in a 400-page, unsearchable, electronic adobe document was the fact that the pool and club house were for all future communities as well. We feel we have been caught in a bait and switch situation.

Point 2 –Past plans have damaged the environment

- Despite the practice in Sussex County of leaving 20 ft buffers between communities, Phase 2 bulldozed to the property line and damaged the buffers of Forest Landing and those of the protected wetlands by damaging the root systems of the remaining trees. We and Forest Landing have lost numerous trees because of this practice.
- The banks of the constructed swails and storm water ponds are covered with weeds in much of the area and are beginning to erode in places. Establishment of proper vegetation to maintain the newly created riparian areas was never accomplished.
- Lack of fountains (or even electricity to run a fountain) in most of the ponds leaves them susceptible to becoming mosquito breeding grounds.
- Common areas lack irrigation which limits our ability to maintain proper ground cover
- I am not sure how much wetlands were destroyed in Phase II since current maps of wetlands do not cover the developed area, but I am fairly certain wetlands were probably destroyed.
- As in most developments, natural vegetation has been completely removed in developed areas.

Point 3 – The concept plans have the potential to do more environmental damage and comprise the drinking water quality in Ocean View.

- There are no plans to deal with the existing wetlands in the proposed site
- Water quality is already poor. Based on the 2020 water report (https://www.middlesexwater.com/wp-content/uploads/2021/06/Tidewater_CCR_21_E-copy.pdf), our current susceptibility ratings are:
 - o Nutrients, Pathogens, Petroleum Hydrocarbons, pesticides, other inorganics: HIGH

- Other Organics: VERY HIGH
- PCBs: LOW
- Metals: EXCEEDS

The proposed development will destroy the current forest environment that provides a filter for groundwater and replace it with roads, driveways and chemically maintained lawns that will further deteriorate water quality. Allowing such action will put the township at risk of legal liability for harming water quality if it is reduced further and the Commission does not consider the impacts in its decision making.

To fully understand the extent of damage, the Planning council should require an Environmental Impact Statement from the developer done by an independent firm.

Without which we will not know the full impact of this development (and this assumes that the developer will actually follow through with his plans) and allow Ocean View to properly assess its liability.

Thank you for the opportunity to express my concerns. I appreciate all the work you do for us in Ocean View.

Sincerely,

A handwritten signature in cursive script, appearing to read "Randi Johnson", followed by a long horizontal flourish.

Randi Johnson, PhD

Retired USDA

Kenneth Cimino

From: Ginny Biondi <ginny.biondi@gmail.com>
Sent: Tuesday, March 8, 2022 2:38 PM
To: Kenneth Cimino
Cc: Rich Biondi
Subject: Silver Woods' owner/developer Robert Thornton's Silverstock Parcel B Proposal near Forest Landing
Attachments: IMG_0510.pdf

Dear Mr. Cimino:

We hope this email finds you well.

My husband Richard and I write in opposition and with concern to Silverstock's proposed building of 137 villa-type houses across the street from our home.

We own a home and live at 37116 Fairway Drive that literally is across the street from the proposed development. The end of our driveway is 50 feet from the proposed development.

We were drawn to this home and neighborhood due in part for the serene environment our home is located, which is mostly due to the mature tree lined forest facing our home and the fact that we didn't have to view/stare at the backs of other homes. The developer of Forest Landing went to great lengths to preserve as many mature trees as possible when developing the community.

It is our understanding from reviewing the proposed architectural drawings that Silverstock intends to remove ALL trees if the project is approved as submitted. Indeed, clear-cut bulldozing is what occurred during construction of the Silver Woods housing development. This is ironic as Silverstock touts itself as a "NGBS Green Certified" builder given its construction practices. <http://www.silverstock.com/> (If we are mistaken and there is in fact going to be a significant tree line barrier, please let us know.)

This would be a tragedy if there are not plans to preserve the mature trees and provide a barrier for Forest Landing residents as well as for those in Silver Woods.

We submit any approved construction plans that must include preservation of a substantial tree line barrier. Indeed, Ocean View Code of Ordinances Chapter 140 Land Use and Development Section 140-51 requires as much. "The planned community shall be designed, and construction activities shall be scheduled so as to minimize earthmoving, erosion, tree clearance, and other disruption of the natural environment." Section 140-51 goes on to require that "[d]welling units...shall be located and arranged so as to provide privacy for residents within the development and to maintain privacy for residents adjacent to the planned community."

The homeowners on Fairway and Dog Leg Court should not be forced to endure years of construction chaos and noise, only to be left with an unobstructed and unimpeded view of a cluster of homes. And, we submit any new residents of the Silverstock development likewise would appreciate a substantial tree line as a buffer from the Forest Landing community.

We have enclosed the pdf of the proposed development highlighting the direct impact it will have on us and our neighbors located on Fairway Drive and Dog Let Court.

We understand there is a planned hearing on March 17. Is this going to be an in-person hearing? If not, we would appreciate you forwarding a link and providing us with an opportunity to speak at the hearing.

Thank you,

Suzanne and Richard Biondi

Suzanne and Richard Biondi
37118 Fairway Drive
Frankford, Delaware 19945
410-200-8911 (Richard)



March 13, 2022

To: Town of Ocean View Planning & Zoning Commission

Cc: Carol Houck, John Reddington, Ken Cimino, Don Walsh

Re: Silver Woods Concept Plan Public Hearing on 3/17/21

From: Joe & Laura Giorgianni

7 Favata Place

Ocean View, DE 19970

References:

- #1. Concept Plan - Project number 2012119.02 dated 2/8/22 (not attached)
- #2. As-built drawing of Silver Woods Clubhouse. Project number 0062-1501 dated 5/11/21
- #3. Audio transcript, BOA Meeting 6/17/21
<https://www.dropbox.com/s/x4r0f0ymxzgk0ae/BOA%206.17.21%20portion%20V-420.mp3?dl=0>
- #4. Silver Woods Clubhouse interior layout created by J. Giorgianni
- #5. Silverstock Developers website www.silverstock.com
- #6. ecohomemagazine.com March/April 2009 https://www.architectmagazine.com/design/silverwoods-offers-natural-surroundings-green-amenities-on-the-coast_o
- #7. Coastal Point article, "Ocean view council considers Silver Woods annexation" dated 6/16/11
https://www.coastalpoint.com/news/communities/oceanview/ocean-view-council-considers-silver-woods-annexation/article_b2db79a6-7189-5fb7-a8d2-8b4280d2d998.html
- #8. Ryan Homes Planned Community Site Map

To All Concerned Parties,

We feel approval of the Concept Plan (Ref #1) as shown is not in the best interest of current/future homeowners, neighboring communities or the town of Ocean View. Our three main reasons are explained below for your consideration. We also would like you to know that we truly love our neighborhood, neighbors, and living in Ocean View. We want to ensure our neighborhood is the best that it can be going forward, protecting current and future residents in all aspects.

Open Space/Amenities. Laura, as CA President, has had multiple conversations over the past year with the developer, through our property management company Excel, pertaining to the location of desired future amenities behind the rear property line of the clubhouse. The developer acknowledged this request but was unable to commit until Parcels A, B, and C were designed and the location of Pittston Avenue was solidified.

At the 6/17/21 Board of Adjustment hearing the developer was applying for variance (V-420). During the meeting a question was asked if the variance would have a negative effect on other properties in the area or the values of other properties. The developer under oath said obtaining the variance would have a positive impact (Ref #3). He goes on to say:

"We are going to appropriate part of that area behind the swimming pool for either a pavilion and/or pickleball or bocce ball courts that the residents have requested. I have plenty of area behind the pool. So, we are going to have some amenity back there for open space and gatherings."

The concept plan does not reflect the developer's response of appropriating space for such amenities. However, it does illustrate tennis court to the west of the clubhouse. There are three reasons why the tennis court as shown is not feasible.

1. Per the as-built drawing (Ref #2) there is not enough land for the tennis court. A tennis court with the safety area around the playing court is 60 feet wide. There is approximately 67 feet between the western-most concrete walk and Pittston Avenue. But there is a 10-foot easement and 20-foot building restriction line.
2. The as-build drawing shows current impervious coverage is 44%. A tennis court has a large impervious surface that would exponentially increase the impervious coverage.
3. Even if the tennis court would fit in this area, having it located immediately adjacent to sidewalks and streets on a busy intersection brings other health and safety concerns.

Per Ken Cimino, the developer owes the community 4 acres of open space. A centralized area of open space that can facilitate future amenities provides the community with the most benefit, while having a large open space on Beaver Dam Road is a waste of space All of these factors are driving our request for approximately 3/4th of an acre of open space behind the clubhouse on which a tennis/pickleball court, bocce court and pavilion can be built versus a storm water management pond as shown on the concept plan.

Clubhouse & Pool. While we understand that the size of and the sharing of the clubhouse and pool with Villa owners may be a legal matter between the developer and the CA, we feel this demonstrates that the developer is not holding up his end of the obligation to our community and the town. We are hoping the town will assist us in this matter by requiring another clubhouse and pool for the Villas.

Per our Public Offering Statement, the clubhouse was expected to be 3500-4000 square feet. The concept drawing shows the clubhouse is 3200 square feet and the as-built drawing shows it is 2582 square feet. Along with the overall size issue is that the layout of the clubhouse (Ref #4) leaves a lot to be desired as there is much wasted space. Subtracting bathrooms, the kitchen, the hallway and two closets, the clubhouse useable space is 1612 square feet which includes the gym area (569 square feet). Therefore, the area just for meetings and gathering is limited to 1043 square feet between two rooms for our current 140 homeowners.

Our pool deck holds 24 chaise lounges and 4 round tables with chairs (or enough for approximately 8-10 families). It should be noted that one side of the pool has barely enough space on the pool deck to walk between the chaises and the edge of the pool. A community survey completed the end of last year reflected that expanding the pool deck to accommodate more seating and adding a covered pavilion for those wishing to be out of the sun was a top priority. The request for open space behind the pool as discussed under "amenities" would allow for this pool deck expansion.

Buffers (Trees). The developer has been quoted several times in various media outlets as being a "Green Builder". From the Silverstock Builders website (Ref #5), to ecohomemagazine.com (Ref #6) to

the Coastal Point (Ref #7), he has expressed his desire to keep the trees. All of these resources could influence the town in the approval process and lead homebuyers to believe that there will be buffers and trees in our community. Furthermore, the builder sold "wooded" lots to homeowners charging a lot premium, showing trees on their community maps and stated "wooded" in their advertising (Ref #8). The concept drawing is completely lacking in buffers between current single-family homes and proposed Villas, and Forest Landing and the proposed Villas. We are requesting the concept plan be changed to incorporate buffers between existing single-family homes and the proposed Villas.

Other Issues with the Concept Plan:

- Two storm water swales do not appear on the concept plan and will have a direct impact of the location of the lots for the Villas. One runs behind lots 1-12 and at the western end is approximately 25 feet wide. The other is on the southern boundary of Parcel B.
- Parking calculations are only for 151 Villas, yet 170 are on the drawing (Concept Plan, General Note #20)
- Streets privately owned and maintained (Concept Plan, General Notes #4)
- Lot number math does not add up (Concept Plan, Site Date #10)
- The single-family home calculation doesn't take into account the 29 homes on Brenda Lane as they are in Frankford. These homeowners also use our amenities increasing the total number of homeowners using a smaller than promised clubhouse.

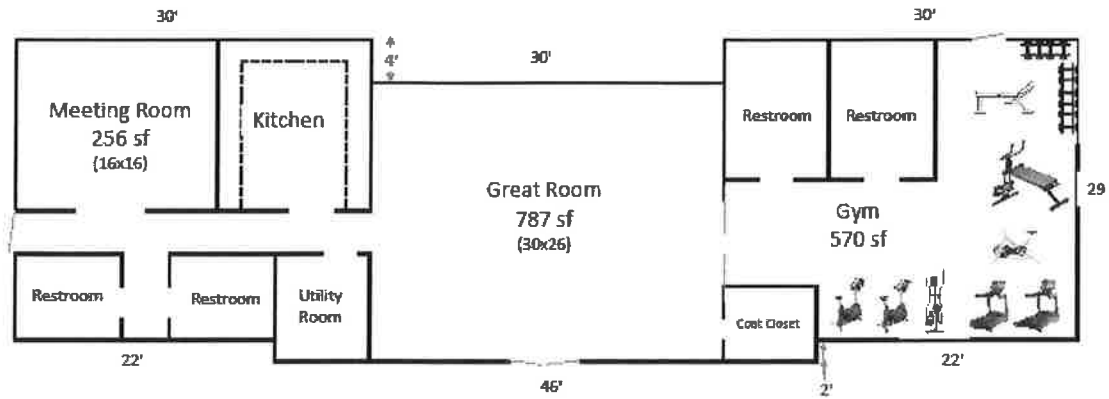
We appreciate you taking the time in reading this letter to better understand our concerns.

Respectfully Submitted,



Joe & Laura Giorgianni

Ref #4



The Silver Woods Clubhouse as-Built dimensions:

2582 sf, however only 1043 sf is usable for community gatherings, 1612 sf if you include the Gym.



- Up to 3,000 sq. ft. of living space
- Community amenities include clubhouse, pool and pool house

**Ryan
Homes**

SILVER WOODS

Private wooded community just minutes to beaches, entertainment and shopping. Offering new, single-family homes with first-floor living for an unbeatable value.

PLAN

