



CITY OF DOVER, DELAWARE
COUNCIL COMMITTEE OF THE WHOLE MEETING
Tuesday, June 23, 2026 at 6:00 PM

City Hall Council Chambers, 15 Loockerman Plaza, Dover, Delaware

AGENDA

Public comments are welcomed on any item and will be permitted at the appropriate time. When possible, please notify the City Clerk (302-736-7008 or email at cityclerk@dover.de.us) should you wish to be recognized.

VIRTUAL MEETING NOTICE

This meeting will be held in City Hall Council Chambers with electronic access via WebEx. Public participation information is as follows:

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CALL COUNCIL COMMITTEE OF THE WHOLE MEETING TO ORDER

ADOPTION OF AGENDA

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

ADOPTION OF THE AGENDA

- 1. Request for Waiver – Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section A – Streets, Item 15. (Plan for Lands of Wyoming LCC and Functional Properties LLC at Jefferson Terrace Extended as Ekaman Subdivision): Waiver to allow an increased percentage of Lots on Cul-de-Sac associated with the Conceptual Subdivision Plan to subdivide two existing parcels totaling 4.5754 acres into five residential lots with the residual. (Property Owner: Wyoming, LLC and Functional Properties, LLC. Property Addresses: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). (Tax Parcels: ED05-077.17-06-02.01-000 and ED-05-077.17-06-13.00-000. Planning Reference: SB-25-02C) (Dawn Melson-Williams, Principal Planner)**

(Planning Commission Recommendation: Approval of the Subdivision Waiver to allow an Increased Percentage of Lots on a Cul-de-Sac.)

ADJOURNMENT OF THE SAFETY ADVISORY AND TRANSPORTATION COMMITTEE MEETING

UTILITY COMMITTEE

ADOPTION OF THE AGENDA

1. Annexation Request - 102 Fox Hall Drive (Dawn Melson-Williams, Principal Planner)

(Staff Recommendation: Upon consideration of utility services, it is found that electric, water, and sanitary sewer services are provided and/or available to the property located at 102 Fox Hall Drive. The Electric Department and Department of Water and Wastewater have no objection to its annexation.)

ADJOURNMENT OF THE UTILITY COMMITTEE MEETING

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

ADOPTION OF THE AGENDA

1. City of Dover - Move to .gov Domain (Joe Simmons, IT Director)

(Committee Action Not Required)

2. Proposed Ordinance #2026-05 with SA #1- Amending Chapter 70 - Offenses and Miscellaneous Provisions, Sec. 70-4. - Throwing and kicking objects and playing games in streets and public places (Eddie Kopp, Chief Code Enforcement Officer)

(Staff Recommendation: Forward Proposed Ordinance #2026-05 to council for approval)

ADJOURNMENT OF THE LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETING

ADJOURNMENT OF THE COUNCIL COMMITTEE OF THE WHOLE

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(e)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING

CONSIDERATION OF SUBDIVISION WAIVER REQUEST

Review by Council Committee of the Whole: Safety Advisory & Transportation Committee
on June 23, 2026

Recommendation from Planning Commission Meetings of September 15, 2025 and May 18, 2026
with Staff and Development Advisory Committee Review

Plan Title: Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan, SB-25-02C

Plan Type: Major Subdivision Plan

Applicant/Owners: Wyoming, LLC (Area of Lots 1-3, 5 and Residual)
Functional Properties, LLC (Lot 4)

Property Locations: South of but not adjacent to Wyoming Avenue and west of Monroe Terrace

Property Address: unaddressed on Jefferson Terrace extension (referenced as 3.8904 acres of Wyoming Avenue Rear)

Tax Parcels: ED-05-077.17-06-02.01-000
ED-05-077.17-06-13.00-000

Total Area of Parcels: 4.5754 acres +/-

Proposed Number of Lots: Five lots and Residual tract

Lot 1:	0.4714 acres+/- (20,536.1 SF +/-)
Lot 2:	0.2795 acres+/- (12,173.5 SF +/-)
Lot 3:	0.4693 acres+/- (20,440.7 SF +/-)
Lot 4:	0.6211 acres+/- (27,055 SF +/-)
Lot 5:	0.4446 acres+/- (19,365.4 SF +/-)
Residual:	2.1016 acres +/- (91,545.1 SF +/-)

Present Zoning: R-10 (One Family Residence Zone)
R-8 (One Family Residence Zone)

Proposed Zoning: R-10 (One Family Residence Zone)
R-8 (One Family Residence Zone)

Current Use: Undeveloped vacant land including woodland areas

Proposed Uses: Residential (one-family detached dwelling units) and Natural Area for Stormwater Management

Subdivision Waiver Request: Percentage of Lots on a Cul-de-sac

Planning Commission

Recommendation:

The Major Subdivision Plan (Conceptual Subdivision Plan) Application SB-25-02C was represented by the project's engineering firm (Troy Adams, P.E. of Mountain Engineering Services) and the property ownership representative (Mr. Emmanuel Elize). The Planning Commission deferred action for Application SB-25-02C on September 15, 2025 seeking additional information. The Planning Commission continued consideration of the Application SB-25-02C on May 18, 2026. A Public Hearing was conducted on May 18, 2026 where four members of the public spoke, and four sets of public comments were entered into the record. **The Planning Commission moved by a vote of 6-2 (with one member absent) to grant conditional approval of the Conceptual Subdivision Plan SB-25-02 and including a recommendation approval of one waiver. The Planning Commission recommended approval of the Subdivision Waiver Request to allow Increased Percentage of Lots on a Cul-de-Sac.** The action of conditional approval was based on information provided during meeting and in the submitted documents and the DAC Report and with the testimony during the meeting. (Meeting Minutes attached.)

The Subdivision Waiver Request is forwarded to the Council Committee of the Whole: Safety Advisory and Transportation Committee and City Council who has the final authority to grant the request for the Subdivision Waiver to allow an Increased Percentage of Lots on a Cul-de-Sac. This regulation on Lots on a Cul-de-sac is found in the *Dover Code of Ordinances*, Appendix A – Subdivision (*Land Subdivision Regulations*), Article IV. – Subdivision – General Requirements and Design Standards, A. Streets, Item 15 listed below:

ARTICLE VI. - SUBDIVISION—GENERAL REQUIREMENTS AND DESIGN STANDARDS

The following shall be deemed to be minimum requirements and shall be varied or waived by the commission only under circumstances set forth in article VII, section A.

15. Dead-end streets shall be discouraged unless determined to be necessary to access the property due to its size, shape, or width. When determined to be necessary, dead-end streets, designated to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end cul-de-sac with a turnaround having an outside roadway diameter of 80 feet and a street right-of-way diameter of 100 feet. In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac.

The *Dover Code of Ordinances*, Appendix A – Subdivisions (*Land Subdivision Regulations*), Article VII – Special Provisions, A. Variance and Waiver outlines the provisions for consideration of a Subdivision Waiver. The “commission” referenced is the “Planning Commission.” See code excerpt below.

ARTICLE VII. - SPECIAL PROVISIONS

A. - Variance and waiver.

1. Upon the findings of the commission that, due to special conditions peculiar to a subdivision or a site, certain requirements of these regulations are inappropriate, or that strict compliance with said requirements may cause extraordinary and unnecessary hardships, the commission may recommend to the city council, and the city council may vary or waive said requirements, provided that such variance or waiver shall not be detrimental to the public health, safety, or general welfare, or have the effect of nullifying the intent and purpose of the official map, the zoning ordinance, the development plan or these regulations. In varying or waiving certain requirements, the council may specify such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or waived.

2. Upon the findings of the commission that, due to special natural features or physical amenities peculiar to a proposed subdivision having the qualities of a single-family suburban residential subdivision with a density of less than two dwelling units per gross acre, certain requirements of these regulations are inappropriate, or that strict compliance with these regulations would have a detrimental effect on the desired preservation of the natural features or amenities, or that the overall design of the subdivision would be enhanced by taking advantage of the natural features or amenities which would not be possible if these regulations were strictly complied with, the commission may recommend to the city council, and the city council may vary or waive the requirements of article VI of these regulations with respect to streets, sidewalks, curbs and gutters, provided that such variance or waiver shall not be detrimental to the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of the official map, the zoning ordinance, and development plan or these regulations. In varying or waiving certain requirements, the council may specify such conditions as will, in its judgment, secure substantially the objectives of the requirements varied or waived.

The following is the Development Advisory Committee Report (dated September 3, 2025) prepared for SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan including the application review narrative and Department/Agency Review comments. The Subdivision Waiver Request is discussed in Section IV, Section V, Section VII, Section IX - Item 1, and Section X - Item 2 of the DAC Report. The Planning Commission's Recommendation can be found at the end of this Report.

Application SB-25-02C Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan

I. PLAN SUMMARY

This Application is for the Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision (SB-25-02). The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2.

II. PREVIOUS APPLICATIONS

The most recent Application in 2024 involving the properties was Conceptual Subdivision Plan SB-24-01C that proposed to create six (6) lots consisting of five residential lots with the residual lot for stormwater management from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The Planning Commission denied the application on August 19, 2024.

Previously, a Conceptual Subdivision Plan SB-23-01C was conditionally approved by Planning Commission in March 2023. Involving only the larger 4.2311-acre tract (ED-05-077-17-06-02.01-000), Plan SB-23-01C proposed subdivision of six (6) lots from an existing parcel totaling 4.2311 acres. The proposed subdivision was to consist of four residential lots, a stormwater management area lot, and a residual lot for residential use along with the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The project sought waiver requests for alternative lot configuration, reduced lot frontage, increased percentage of lots on a cul-de-sac, and partial elimination of sidewalk. After unsuccessful attempts for the waivers and no preliminary plan submission, the plan expired without being finalized.

In 2013, there was Application SB-13-06 The Meadow Subdivision at Jefferson Terrace that was proposed to subdivide a tract of land totaling 4.23 acres $\pm$ into five (5) parcels for single family detached dwellings with residual land. The Plan, submitted as The Meadow, was renamed to Jefferson Terrace to avoid replication with another residential subdivision. It was reviewed by the Planning Commission at their November 2013 meeting and received conditional approval of the Conceptual Subdivision Plan SB-13-06. The required Preliminary Subdivision Plan was submitted for review by the Planning Commission at their February 2014 meeting. However, the Application SB-13-06P was postponed by the Planning Commission at the request of the Applicant and did not return for review. The Subdivision Plan SB-13-06 was never finalized and has since expired.

In 2012, the Planning Staff administratively reviewed a Minor Lot Line Adjustment Plan (Application MI-12-10) and granted its approval on June 5, 2012 (recorded June 12, 2012). The land south of 324 Wyoming Avenue with frontage on Jefferson Terrace and Monroe Terrace (the current larger subject parcel) was divided from the parcel that included the existing dwelling at 324 Wyoming Avenue and aligned its rear property line with adjacent residential parcels.

III. PROJECT DESCRIPTION – Major Subdivision

This Major Subdivision Plan proposes to subdivide the existing large tract (Parcel 2.01) and an adjacent parcel (Parcel 13.00). The Plan identifies Lots 1-5 as being for residential development. The Residual parcel is mostly interior to the overall subject site with some frontage on Monroe Terrace; it is to be used for a stormwater management area due to the location of a stream and associated floodplain and woodland areas. This Residual Lot is the southernmost parcel proposed and is to contain a 20-foot cross-access easement for a residential property located to the southwest of the subject site that does not have frontage on any public right of way. This adjacent parcel is therefore accessed only via a driveway (Mallard Drive) across the subject property, connecting from Monroe Terrace. See Chart below for description of proposed Lots:

Site	Zoning	Proposed Lot Size	Proposed Use
Lot 1	R-8 R-10	0.4714 acres+/- (20,536.1 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 2	R-10	0.2795 acres+/- (12,173.5 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 3	R-10	0.4693 acres+/- (20,440.7 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 4	R-10	0.6211 acres+/- (27,055.0 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 5	R-10	0.4446 acres+/- (19,365.4 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Residual	R-10	2.1016 acres+/- (91,545.1SF +/-)	Stormwater Management Area
Right-of-way dedication	--	Clarify size of additional ROW	Cul-de-Sac as terminus to Jefferson Street Extension
TOTAL		4.5754 acres +/-	

As shown above, apart from the existing legal non-conforming frontage existing for the proposed Residual parcel on Monroe Terrace, the Lots proposed appear to be compliant with the Zoning and Bulk Standards for the R-10 Zone and R-8 Zone. The five (5) residential proposed lots have frontage on the proposed Jefferson Terrace Extension, which will also be the main points of access to the properties. The Residual Lot will be utilizing the existing legal non-conforming frontage of the property along Monroe Terrace. There is a proposed maintenance easement across Lot 5 related to stormwater management purposes. It is noted that there is an alley along the western boundary of the subject property, but this is unimproved and is not utilized for any type of access.

IV. SUBDIVISION REGULATIONS REVIEW

The procedures for subdivision of land are found in the *Land Subdivision Regulations, (Dover Code of Ordinances, Appendix A)*. Planning Staff confirms this application as a Major Subdivision. As such, the Application will require the submission and review of a Conceptual Subdivision Plan by the Planning Commission first, which is this subject Application. For the next step, the Applicant will then be required to submit a Preliminary Layout Subdivision Plan for further Planning Commission review and approval. The last step is submission of a Plat for Final Approval by Planning Staff (and DAC Agencies) and recordation at the Kent County Recorder of Deeds.

To subdivide the properties, the plan review must ensure that the subdivision does not create any new non-conformities with the bulk standards of the *Zoning Ordinance*. These bulk standards include minimum lot size, front yard setbacks, side yard setbacks, rear yard setbacks, lot coverage, etc. See also discussion below under Zoning Review.

V. ZONING REVIEW

R-10 (One-Family Residence Zone) and R-8 (One-Family Residence Zone)

The subject properties are zoned R-10 (One-Family Residence Zone) and R-8 (One Family Residence Zone) and are subject to the regulations of *Zoning Ordinance*, Article 3 §1 and Article 4 §4.1. The use as a one-family detached dwelling-unit (single-family home) is a permitted use in the R-10 Zone and in the R-8 Zone. The proposed Lots largely comply with the Zoning Bulk Provisions as noted in Article 4 §4.1 of the *Zoning Ordinance*. The following Table highlights some of the lot design standards for the R-10 Zone and R-8 Zone:

MINIMUM REQUIRED:	R-10 ONE FAMILY RESIDENCE ZONE	R-8 ONE FAMILY RESIDENCE ZONE
Lot Area	10,000 SF	8,000 SF
Lot Width (ft.)	80 ft.	70 ft.
Lot Depth (ft.)	110 ft.	100 ft.
Front yard setback (ft.)	25 ft.	25 ft.
Minimum Side yard setback (ft.)	15 ft.	10 ft.
Total both Side Yards (ft.)	30 ft.	20 ft.
Rear yard setback (ft.)	30 ft.	30 ft.
Off-Street Parking Spaces	2 per dwelling	2 per dwelling
Maximum Permitted: Building Height: Stories Feet	2 ½ stories 35 feet	2 ½ stories 35 feet
Lot Coverage	30%	35%

Since these parcels are zoned R-10 and R-8, they are subject to the provisions of *Zoning Ordinance*, Article 5 §1.7 Uniformity of design in all one-family residence zones. These provisions limit construction of buildings that are like or substantially like a neighboring building to prevent monotony of architectural design.

Subdivision Waiver Request: Increase Percentage of Lots on Cul-de-sac

Per the *Land Subdivision Regulations*, a maximum of 20% of the lots in a development are allowed to front on the turnaround section of a cul-de-sac. This version of the Subdivision consists of a total of five lots and the residual and has four lots frontage on the cul-de-sac. Lots 2, 3, 4, and 5 have frontage on the curved line of the cul-de-sac. The Planning Commission will need to provide a recommendation on this Waiver Request.

VI. STREETS

The Subdivision Plan proposes an extension of Jefferson Terrace as a public street leading to the west from Monroe Terrace. There is existing right-of-way (approximately 60 feet wide with some variation in width) for a portion of the street. The extension of Jefferson Terrace is proposed to terminate in a cul-de-sac. This length of a dead-end street must comply with the maximum length permitted (400 feet). The right-of-way for the street must be sixty (60) feet of width. The width of the paved street is not provided, but the estimated width does not appear to allow for on-street parking. The applicant has stated that the paved width of the street will be 24 feet, which does not allow for on-streeting parking. Parking would be prohibited within the cul-de-sac.

The street extension is required to include upright curbing and sidewalk constructed to the City of Dover Standards. The plan proposes sidewalks along the entire periphery of the Jefferson Terrace extension, though none is shown along the Monroe Terrace frontage (Residual Lot). If the developer is seeking not to construct sidewalk on the Monroe Terrace frontage, then a waiver request must be submitted.

The type of curbing is not identified. The applicant will need to work with the City's Department of Public Works regarding the street width design for this extension of Jefferson Terrace including paved width, where on-street parking may be provided, the curbing, and the sidewalk design.

VII. SITE CONSIDERATIONS

Site Access

The properties are currently undeveloped. The site abuts Monroe Terrace along the southern end of the east property line. The terminus of Monroe Terrace provides access to the privately maintained Mallard Drive, which crosses the subject site to provide vehicle access to a residential property to the southwest.

Jefferson Terrace is currently only paved from South Governors Avenue to Monroe Terrace. While the right-of-way thereof continues from Monroe Terrace westward to the subject site, it is unimproved. The Applicant is proposing to construct a westward extension to Jefferson Terrace, and extend it into the subject site, and provide a cul-de-sac for vehicle turn-arounds. To achieve this, the Plans note that the Applicant is to allocate a portion of the subject site for the purpose of the purpose of right-of-way dedication to create the cul-de-sac terminus of Jefferson Terrace. The maximum length of the cul-de-sac street is 400 feet. The method of measurement (start point and end point) for the cul-de-sac length is from the centerline of Monroe Terrace to the end of right-of-way at the cul-de-sac. This results in a compliant length of 374.6 feet +/- . The Applicant must coordinate with the Public Works Office, as the extension of Jefferson Terrace will have to be done to City of Dover standards for street construction. This is necessary to then dedicate the extended road to the City for maintenance.

Infill Standards

The *Zoning Ordinance* Article 5, Section 1.12 *Infill Standards* notes requirements for development for a lot or group of lots in an already developed area. It further specifies:

- (a) *Sidewalks*. Standard City of Dover sidewalk, per chapter 98, shall be required to be installed along public street frontage of every infill property by the property owner or developer
- (b) *Landscaping*. Infill structures shall be designed to minimize the impact on existing, mature trees when practical. All residential lots shall include landscaping to include plants and shrubs along the portions of the house that front a public street. No form of vegetation shall be planted on a property in a way that blocks more than half of the front façade(s) from public view.
- (c) *Primary facade*. All buildings shall include a primary entry along the property's street frontage, and shall also include a porch or other entry feature.

As noted on the Plan, the existing legal non-conforming width of the frontage along Monroe Terrace is 68.65 feet. This is not proposed to change per this Conceptual Subdivision Plan. From Jefferson Terrace south to the terminus of Monroe Terrace, there are eight (8) other parcels with frontage on Monroe Terrace, most of which are developed with one-family detached dwelling units (single-family homes). The development of this southern portion of the site noted as “Residual Lot” and containing frontage on Monroe Terrace would therefore be considered an infill lot and should follow the above referenced provisions when developed.

Sidewalks

There is no existing sidewalk along Monroe Terrace frontage of the existing property. As noted, the right-of-way for Jefferson Terrace extension is unimproved. As such, there is no existing sidewalk where the proposed Jefferson Terrace Extension is located. The Plan submitted shows a sidewalk is proposed along both the north and south sides of the Jefferson Terrace Extension, as well as the entirety of the cul-de-sac. No sidewalk is shown as being proposed along the Monroe Terrace frontage of the existing property (proposed Residual parcel). A written waiver request would be required to consider elimination of this sidewalk. *The applicant has indicated the intention to provide all required sidewalks including the segment on Monroe Terrace.*

Flood Hazard Areas

Special Flood Hazard Areas (1% Chance of Annual Flood/ 100-year flood plain) appear to remain as natural open space. The southern portion of this tract of land includes a Flood Hazard Area. The area is proposed as the Residual Lot is largely subject to the Flood Hazard Area; however, there is a portion of the property near the Monroe Terrace frontage that remains outside of the Flood Hazard Area and may therefore be still partially buildable. The proposed Lots 1-5 appear to be outside the Flood Hazard Area.

Wetlands

The Plan indicates that the southern portion of this tract of land includes areas as wetlands adjacent to a stream that crosses the property. The reference source for the wetlands delineation must be provided. If an area is large enough in size (0.25 acres) to require a setback from the wetland area per the *Zoning Ordinance* it is to be provided. The setback of 100 feet can be reduced to fifty (50) feet when a riparian buffer is established. The Applicant will have to provide evidence to show that the existing woodland can be recognized as satisfying the riparian buffer requirement. The wetland areas and required buffer shown on the plans do not appear to impact the lots proposed for residential development.

Wet Soils and Basements

The *Zoning Ordinance*, Article 5 §11.23 regarding wet soils limits the building construction when seasonally high-water table is within two and one-half feet of the surface and requires construction subject to conditions to address the prevention of water damage. Subdivision Plans must identify the seasonal high watertable on each lot if basements are proposed.

VIII. TREE AND LANDSCAPE PLANTING

The tree preservation, tree planting and landscaping requirements are subject principally to the regulations found in *Zoning Ordinance*, Article 5 Sections 15 and 16 and are also addressed in other various sections of code related to buffering, screening, and open space.

Tree Planting & Preservation Plan

The subject site includes areas of existing woodland. It is not clear if and where woodland areas may be cleared for development activities. Most of the woodland appears to be located in the southern portions of Lots 4 and 5 and on the Residual Lot. The details of the Tree Preservation and Planning Plan will be reviewed in the Preliminary Subdivision Plan application. Tree clearing is limited to a maximum of 50% of the woodland per lot. New tree plantings are required at a rate of one tree per 3,000 SF of non-woodland lot area.

There was a previous Permit that authorized some dead tree and debris clean-up activities on this land tract and from within the stream that crosses the property.

Active Recreation Plan

The *Zoning Ordinance* includes requirements for areas of Active Recreation to be provided with the development of residential subdivisions at a land area rate per dwelling unit. There are exceptions to this requirement for residential subdivisions where the property is less than five acres and less than ten dwelling units are proposed. This requirement is reviewed in the Preliminary Subdivision Plan application process.

IX. CITY AND STATE CODE REQUIREMENTS

The subject proposal has been reviewed for code compliance, plan conformity, and completeness in accordance with this agency's authority and area of expertise. The following items have been identified as elements which need to be addressed by the applicant:

- 1) The Planning Commission must make a recommendation on the Subdivision Waiver Request for an increased percentage of lots on a cul-de-sac. The Subdivision Waiver Request will be forwarded to City Council for review and final action.
- 2) A sidewalk must be provided along the Monroe Terrace frontage of the proposed Residual Lot. A Written Waiver Request from this requirement to provide said sidewalk along the Monroe Terrace frontage of the proposed Residual Lot has not been filed consideration by the Planning Commission. *The applicant has indicated the intention to construct this sidewalk segment.*
- 3) Confirm proposed use of the Lot marked as "Residual" to the south of the subject site. If it too is intended for residential development, label it consistently with other such Lots (Lot 6).
 - a. A portion of the Residual Lot appears to be buildable for residential development in the area adjacent to Monroe Terrace.
 - b. If this Lot is to be limited for Stormwater Management activities only, then a conservation easement to limit its use may be appropriate. Also, the long-term owner/manager of this parcel for its stormwater management areas must be identified.
- 4) Update Location Map as it appears to be missing some linework.
- 5) Mark the Alley to the west of the subject site as "unimproved." Add tie line or move the street labels for Monroe Terrace and Jefferson Terrace.
- 6) Check labels and listing of the lot area for Lot 5; it appears to be more than 9,365.4 SF.

- 7) The source of the Wetlands Delineation must be listed on the plan along with the required buffers. Label the size of the wetlands area.
- 8) Clarify the location of the 100 feet setback from the stream as only part to shown. Identify if the stream has a name.
- 9) Clarify the woodland areas to be preserved (remain) and woodland areas to be removed. Also list these sizes of each woodland area.
- 10) Add measurements of the front, side, and rear setbacks on each property as some are unlabeled.
 - a. Lots 3 and 4 have a rear yard setback along the west property line.
 - b. The southern property line of the Residual Lot has a side yard setback (not a rear yard setback).
- 11) Add paved width for extended street segment. Clarify the intent of on-street parking options for this development.
- 12) Clarify the length of the proposed cul-de-sac as per the measurement method (start point and end point) as determined by City Staff. Label and note on the plan.
- 13) Corrections to the Data Column:
 - a. Note the Zoning Classification as R-10 (**One-Family** Residence Zone) and R-8 (**One-Family** Residence Zone).
 - b. Item #5: Add the Residual Lot to listing.
 - c. For the proposed use, specify that it is to be “Residential (Single-Family Detached Houses).”
 - d. Remove 25 ft. Wetlands Buffer from the Legend as this is not a City of Dover code provision.
- 14) Following Preliminary Subdivision Plan approval, the Record Plan Sheet must document and identify any existing and proposed easements for cross access, utilities, drainage, etc. associated with the subdivision of these lots.
 - a. The Final Record Plat submission must include requirements described in *Dover Code of Ordinances*, Appendix A: Land Subdivision Regulations, Article IV, C. Plat and any additional requirements of the Planning Commission.
 - b. The formal Record Plan will need to be recorded upon completion of the approval process with any corrections identified by the reviewing agencies.
- 15) The applicant will need to work with the Department of Public Works regarding the design of the extension of Jefferson Terrace to the City of Dover Standards for the street, curbing, and sidewalks.

X. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES:
The *Land Subdivision Regulations*, Article I. Purpose, indicates that the regulations are adopted in order to promote and protect the public health, safety, convenience and general welfare;

ensure the orderly growth and development of the City, the conservation, protection and proper use of land, and adequate provision for housing, recreation, circulation, utilities and services; and safeguard the City from undue future expenditure for the maintenance of streets and public spaces.

- 1) This Major Subdivision Conceptual Plan creates six (6) lots out of the existing parcels, with five (5) of the proposed residential lots having direct access on the proposed Jefferson Terrace street extension and cul-de-sac, and a lot noted as “Residual Lot” to have access off Monroe Terrace. The Subdivision Plan generally appears to comply with the *Land Subdivision Regulations* (with one exception) and the bulk standards of the R-10 Zone and R-8 Zone.
- 2) **Subdivision Waiver Request – Increased Percentage of Lots on the Cul-de-sac:** Planning Staff recommends approval of a Subdivision Waiver Request to permit more than 20% of lots in a development to front on the turnaround section of a cul-de-sac thus allowing the lot configuration on the cul-de-sac. The unique shape of the larger tract of land does not allow for the inter-connection of the proposed street to another existing street to avoid the cul-de-sac.
 - a) This would also allow for the proposed maintenance easement shown for stormwater management (shown on Lot 5) to instead be placed as part of the Residual Lot. An adjustment of the property line location between Lots 4 and 5 may be necessary to maintain lot frontage requirements.
- 3) **Sidewalk along the Monroe Terrace frontage:** Staff recommends providing sidewalk along the Monroe Terrace frontage of the Site (frontage of the proposed Residual Lot). As noted, the Lot is considered “Infill” and as such would be required to follow the development standards set out for Infill Lots and found in the *Zoning Ordinance*, Article 5, Section 1.12. It is noted that several recently developed parcels with frontage on Monroe Terrace (south of Jefferson Terrace) do include sidewalks along their Monroe Terrace frontages.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise. The Recommended Additional Considerations to Meet Code Objectives are offered for consideration by the Planning Commission.

XI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Subdivision Waiver Request is required to be considered by the City Council following a recommendation from the Planning Commission.
- 2) The Conceptual Plan is the first step in the major subdivision process. For this project, the next step is the submission of the Preliminary Subdivision Plan for review. A Pre-Application meeting is required to file the Preliminary Subdivision Plan.
- 3) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

- 4) In the event, that major changes and revisions to the Conceptual Subdivision Plan occur in the development of the plan contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other commissions making recommendations regarding the plan.
- 5) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required.
- 6) The applicant shall be aware that Conceptual Subdivision approval does not represent a Building Permit, Sign Permit and other associated construction activity permits. A separate application process is required for issuance of a Permit from the City of Dover.

Findings and Recommendations of the Dover Planning Commission

The Planning Commission deferred action for Application SB-25-02C at its Meeting of September 15, 2025 seeking additional information. The Planning Commission continued consideration of the Application SB-25-02C on May 18, 2026. At the Hybrid (In-Person and Virtual) Planning Commission Meeting on May 18, 2026, the Planning Commission reviewed the proposed Subdivision Waiver Request as part of its review of the Major Subdivision: Conceptual Subdivision Plan SB-25-02C for the Lands of Wyoming, LLC and Functional Properties, LLC at Jefferson Terrace Extended (Ekaman Subdivision). The Application (SB-25-02C) was represented by Troy Adams, P.E. of the application's engineering firm Mountain Engineering Services and Emmanuel Ehize of the property ownership entities. During the Public Hearing, four members of the public spoke, and four sets of Public Comments were entered into the record.

The Planning Commission moved by a vote of 6-2 (with one member absent) to grant conditional approval of the Conceptual Subdivision Plan SB-25-02 and including a recommendation approval of one waiver. The Planning Commission recommended approval of the Subdivision Waiver Request to allow Increased Percentage of Lots on a Cul-de-Sac. The action of conditional approval was based on information provided during meeting and in the submitted documents and the DAC Report and with the testimony during the meeting. (Meeting Minutes attached.)

See also the included excerpt of the DRAFT Meeting Minutes of the May 18, 2026 Planning Commission Meeting for this Application along with the written public comments received.

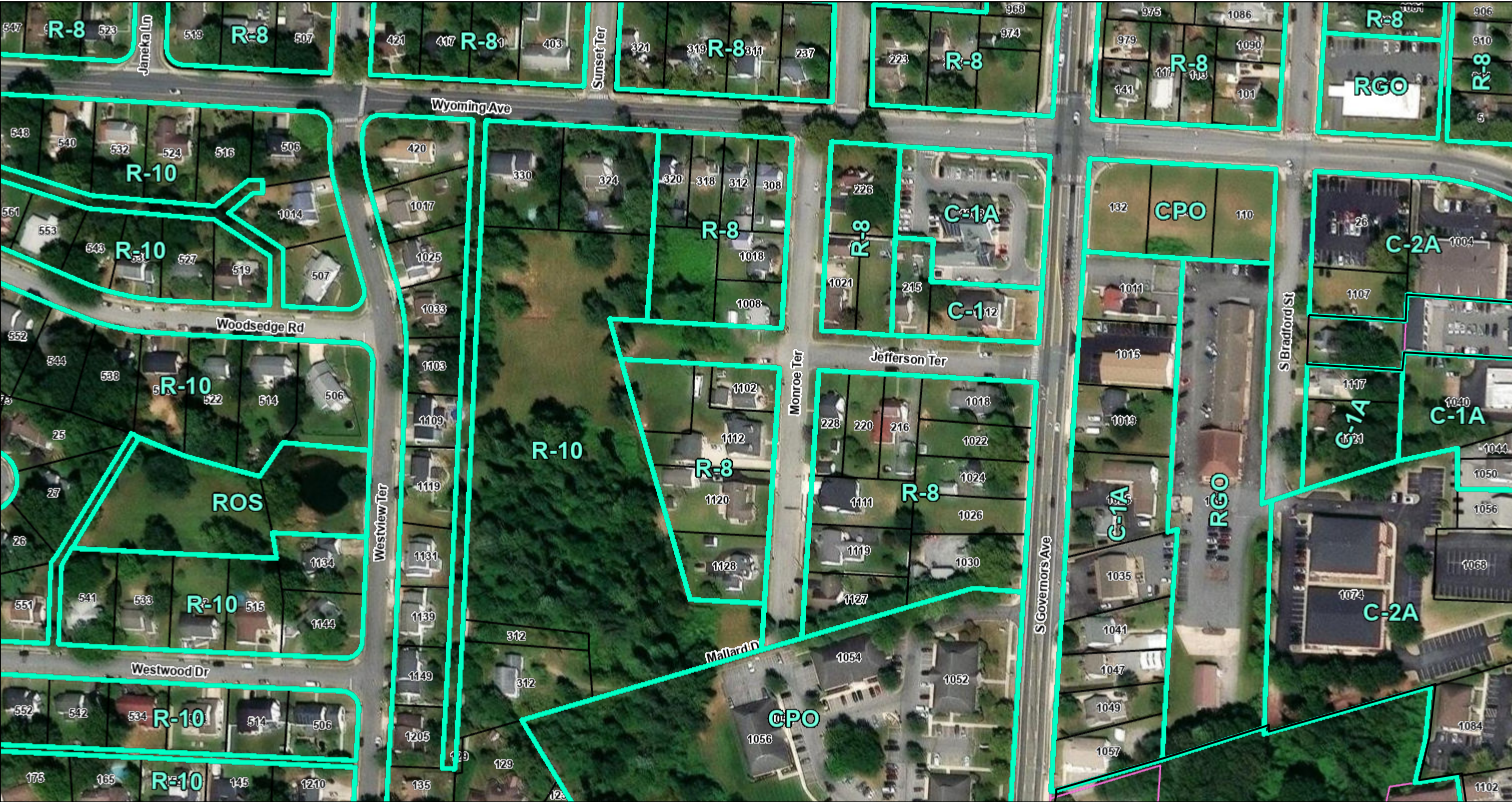
Attachments:

The following include the Packet Items for the May 18, 2026 Planning Commission Meeting Public Hearing and Continued Review of Application SB-25-01, various letters, Public Comments Set, and with other items submitted to the Planning Commission for the September 15, 2025 Meeting.

- Planning & Inspections View Map (Aerial Map) of subject area
- Conceptual Subdivision Plan Sheet

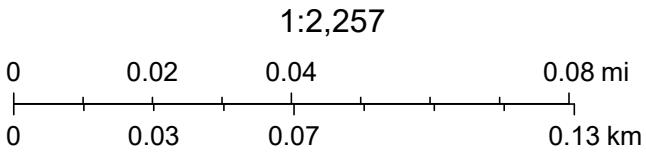
- Subdivision Waiver Request: Percentage of Lots on Cul-de-sac for Ekaman Subdivision - Letter dated August 1, 2025
- Excerpt of Planning Commission Meeting Minutes of May 18, 2025 for SB-25-01
- Development Advisory Committee Report Comments of September 2025: Comments from City of Dover Public Works Department and Department of Water & Wastewater, City of Dover Electric Department, City Office of the Fire Marshal, DelDOT, Kent Conservation District, and Dover/Kent County MPO
- Kent Conservation District Letter of September 15, 2025
- Excerpt of Planning Commission Meeting Minutes of September 15, 2025 for SB-25-02
- Letter of March 16, 2026 on Woodbrook Development Drainage Improvement from Davis, Bowen, & Friedel, Inc. (Consultant) to City of Dover Department of Water & Wastewater
- Public Comments: Set 1 Received Through September 15, 2025
- Public Comments: Set 2 of May 2026 – Received through May 8, 2026, 12 noon
- Public Comments: Set 3 of May 2026 – Received through May 15, 2026, 3:00pm
- Public Comments: Set 4 of May 2026 – Received through May 18, 2026, 1:30pm

Planning & Inspections View Map



5/8/2026, 9:24:47 AM

- Dover_Boundary
- Zoning Boundary Line
- Parcels Outside Dover
- Dover Parcels



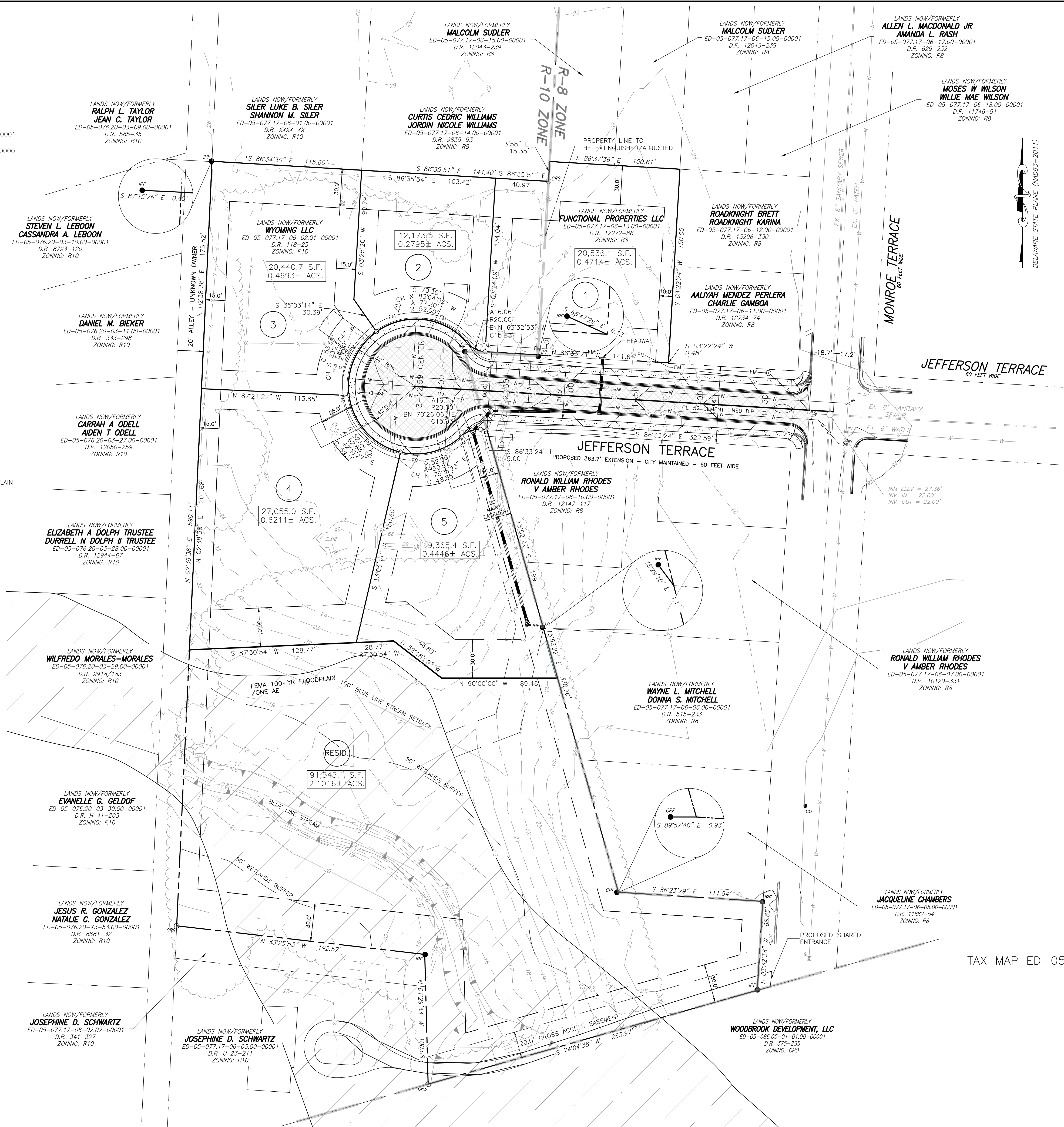
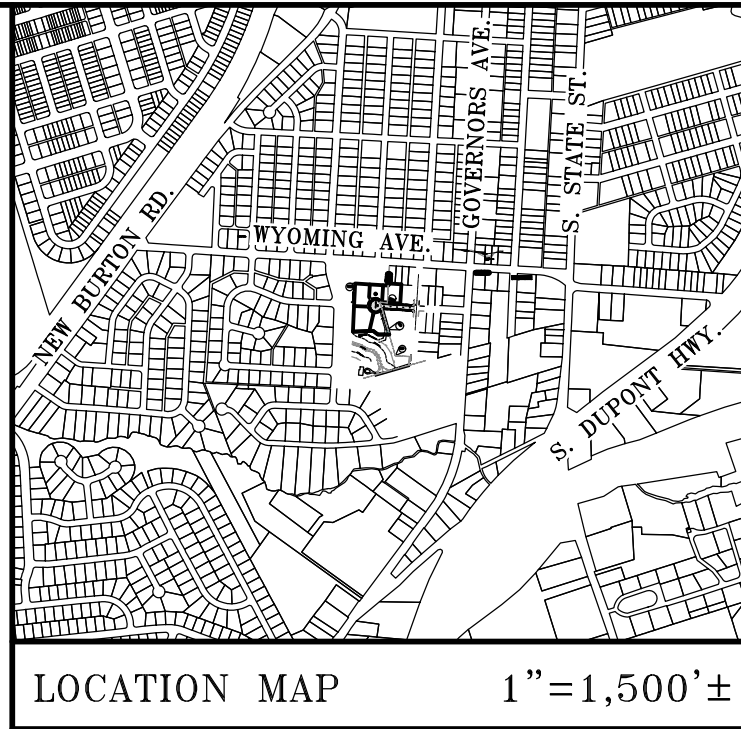
VGIN, Microsoft, Vantor

DATA COLUMN

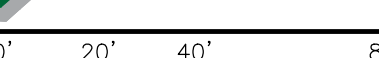
1. OWNER:
WYOMING LLC & FUNCTIONAL PROPERTIES LLC
3 BOGGS RUN
DOVER, DE 19904
862-237-4515
2. ENGINEER OF RECORD:
MOUNTAIN ENGINEERING SERVICES, LLC
103 S. BRADFORD ST.
DOVER, DE 19904
302-744-9875
3. TAX PARCEL NUMBERS: ALL OF ED-05-077.17-06-02.01-00001 (WYOMING LLC)
ALL OF ED-05-077.17-06-13.00-00000 (FUNCTIONAL PROPERTIES LLC)
4. ZONING CLASSIFICATION: R-10 (SINGLE-FAMILY RESIDENTIAL)
R-8 (SINGLE-FAMILY RESIDENTIAL)
5. TOTAL NUMBER OF LOTS:
EXISTING - 2
PROPOSED - 5
6. BULK AREA RESTRICTIONS:

R-10	R-8
MIN. LOT AREA: 10,000 S.F.	8,000 S.F.
MIN. LOT WIDTH: 80'	70'
MIN. LOT DEPTH: 110'	100'
FRONT YARD SETBACK: 25'	25'
SIDE YARD SETBACK: 15'	10'
TOTAL SIDE YARD SETBACK: 30'	20'
REAR YARD SETBACK: 30'	30'
MAX. IMPERVIOUS COVERAGE: 30%	35%
7. TOTAL ACREAGE WITHIN EACH LOT AFTER SUBDIVISION
LOT 1: 0.4714 ACS. (20,536.1 S.F.)
LOT 2: 0.2795 ACS. (12,173.5 S.F.)
LOT 3: 0.4693 ACS. (20,440.7 S.F.)
LOT 4: 0.6211 ACS. (27,055.0 S.F.)
LOT 5: 0.4446 ACS. (9,365.4 S.F.)
RESIDUAL: 2.1016 ACS. (91,545.1 S.F.)
8. NUMBER OF PERMANENT MONUMENTS:
8 - IPF (IRON PIPE FOUND)
1 - CPF (CAPPED PIPE FOUND)
9. PROPOSED TYPE OF UTILITIES:
WATER: CITY OF DOVER
WASTEWATER: CITY OF DOVER
- 12.RELATION TO THE GROWTH ZONE: INSIDE
- 13.FLOODPLAIN: THIS SITE IS IMPACTED BY THE 100 YR. FLOODPLAIN PER FEMA MAP PANEL NUMBER 10001C0169J, EFFECTIVE JULY 7, 2014, ZONE AE.
- 14.PRESENT USE: RESIDENTIAL (UNDEVELOPED)
- 15.PROPOSED USE: RESIDENTIAL

LEGEND	
	PROPERTY LINES
	ADJOINING PROPERTY LINES
	BUILDING RESTRICTION LINE
	WETLANDS
	25' WETLANDS BUFFER
	100' BLUE LINE STREAM BUFFER
	BLUE LINE STREAM
	EXISTING FENCE
	EXISTING EDGE OF PAVEMENT
	EXISTING TREELINE
	PROPOSED TREELINE
	100-YR. FLOOD PLAIN
	PROPOSED PAVEMENT
	EXISTING BUILDING
	PROPOSED SIDEWALK
	PROPOSED CURB
	ZONING LINE
	GRINDER PUMP



MAJOR SUBDIVISION
FOR
EKAMAN SUBDIVISION
TAX MAP ED-05-077.17-06-02.01-00001 & ED-05-077.17-06-13.00-00000
CITY OF DOVER – KENT COUNTY
STATE OF DELAWARE

REVISIONS	CHECKED BY	 <div>mountain engineering services</div>	103 S. BRADFORD ST. DOVER, DE 19904 P.O. BOX 558 DOVER, DE 19903 T-302-744-9875 F-866-672-4428			
						
		GRAPHIC SCALE				
		SCALE: 1" = 40'		DRAWN BY: KFB		
		DESIGNED BY: TLA		CHECKED BY: TLA		
				DRAWING NAME:		
		DATE: 8/1/25		COMM. NO. 2022067EM		
				FILE NO.		
				SHEET 1 OF 1		



August 1, 2025

Dawn Melson-Williams, AICP
Principal Planner
City of Dover
Department of Planning & Inspections
P.O. Box 475
Dover, DE 19903

RE: Waiver Request – Percentage of Lots on Cul-de-sac
Ekaman Subdivision – Tax Parcel # ED-05-077.17-06-02.01 – Jefferson Terrace Extension

Dear Mrs. Melson-Williams:

We respectfully request a waiver from the City of Dover Subdivision Regulations as outlined in the Dover Code of Ordinances, Appendix A, Article VI, Section A.15, which states:

“In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac.”

We are seeking relief to permit 4 out of 6 proposed lots—equivalent to 67%—to front on the cul-de-sac turnaround.

This request is necessitated by the unique shape and physical constraints of the parcel, which limit feasible access to a dead-end cul-de-sac extension of Jefferson Terrace. The proposed layout is the only practical configuration that allows for safe and functional access to all lots.

All proposed residential lots comply with applicable zoning requirements, including yard setbacks, and incorporate standard infrastructure such as sidewalks, curbing, and signage. Additionally, the total length of the dead-end roadway—from the centerline of Monroe Terrace to the end of the proposed right-of-way—is 374.6 linear feet, which remains within the maximum allowable length per the Code.

We appreciate your consideration of this request and are available to provide any additional information or clarification as needed. I can be reached directly at 302-922-5574 or by email at tadams@mntnesllc.com. Thank you for your consideration.

Sincerely,
MOUNTAIN ENGINEERING SERVICES, LLC

Troy L. Adams, P.E.
President

**Excerpt of Meeting Minutes
CITY OF DOVER PLANNING COMMISSION
May 18, 2026**

The Meeting of the City of Dover Planning Commission was held on Monday, May 18, 2026, at 7:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Chairman Mr. Witham presiding. Members present were Mr. Lewis, Mr. Roach (virtual), Mrs. Denney, Mrs. Maucher, Dr. Jones, Mrs. Welsh, Mr. Reaves (virtual) and Mr. Witham. Mr. Baldwin was absent.

Staff members present were Mrs. Dawn Melson-Williams, Mr. Jason Lyon, Mrs. Sierra Brown, Mr. Dan Griffith (City Solicitor) and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

The Agenda has been revised by adding Item #2 – Update to Development Application C-25-01 Lands of 4BL, LLC; Cecil Street Townhouses at 207 N. West Street – Update on Revisit Request for Review of Cash-in-Lieu Payment for Active Recreation Area (with subsequent agenda items renumbered).

Mrs. Maucher moved to approve the Revised Agenda as presented, seconded by Dr. Jones and the motion was carried 8-0 by voice vote with Mr. Baldwin absent.

Pending Development Application:

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan - Public Hearing and Continued Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver Requested: Percentage of Lots on a cul-de-sac. The Planning Commission deferred action for SB-25-02 on September 15, 2025 seeking additional information. This property was reviewed in 2013-2015 as SB-13-06 Jefferson Terrace Subdivision; however, the plan was never finalized. Application for Conceptual Subdivision Plan SB-23-01C was conditionally approved by the Planning Commission in March 2023; previous waiver requests were unsuccessful, and the plan expired. The properties were examined again under Conceptual Subdivision Plan SB-24-01 and were denied by the Planning Commission on August 19, 2024.*

Representative: Mr. Troy Adams, Mountain Consulting; Mr. Emmanuel Ehize of Wyoming, LLC

Mr. Witham stated that he is looking for a motion from the Commissioners to lift this application from the table since it was postponed and to continue with this public hearing and review.

Mrs. Maucher moved to lift this application from the table and continue with a public hearing and review, seconded by Mrs. Denney and the motion as carried 8-0 by voice vote with Mr. Baldwin absent.

Mrs. Melson-Williams stated that this application is SB-25-02. It is a Conceptual Subdivision Plan. The lands are held in two ownership entities: Lands of Wyoming, LLC and Functional Properties, LLC. We also refer to it as the Ekaman Subdivision. It is a Subdivision Plan and it involves the large property in the center of the screen that has the R-10 (One Family Residence Zone) on it as well as an adjacent property to the north and east. This property has frontage on both Monroe Terrace and also on the right-of-way from Jefferson Terrace. Those two streets create that cross type format of street network shown in the center of the screen. Jefferson Terrace to the west of Monroe Terrace is currently not improved to City street standards. The right of way exists; however, there is a part of some pavement there at that intersection and it turns into gravel and then into unpaved surface. This proposed Conceptual Subdivision Plan is a plan to create a series of five lots and then the residual land area. The next image includes information on creating Jefferson Terrace to the west of Monroe Terrace and with that terminating in a cul-de-sac. The lots for development of individual single family homes would be along this extension of Jefferson Terrace and around the cul-de-sac area. The residual land is the lower portion of the image here, that is to remain as open space. It includes what is a water way that cuts through it where there are areas of wetland and floodplain areas that by the City's *Zoning Ordinance* would not be allowed to be developed. This project does not involve development in those areas. The property for the larger parcel is zoned R-10 (One Family Residence Zone) and the additional parcel that is on the north side of Jefferson Terrace is zoned R-8 (One Family Residence Zone). The uses in those two zones are the same; the difference is really the minimum lot size in each of those zones. With the project, they are seeking a recommendation this evening in regards to a Subdivision Waiver. The City's *Land Subdivision Regulations* include a requirement related to the percentage of lots on the cul-de-sac. It limits that percentage to 20%. In this case, the property layout basically is a cul-de-sac so pretty much and four of the five of the residential lots proposed for development have frontage on that cul-de-sac area. While they meet the lot width requirements, the sheer percentage number anything greater than 1 and they would have to be asking for that Subdivision Waiver. This project, as noted, began review back in September 2025. At that time, the Development Advisory Committee reviewed the submission and has provided the Report with comments. The Planning Office kicks off that Report by going through all of the lot size requirements which they are meeting. With a Conceptual Subdivision Plan, this is an initial look at the layout of the project. Should it move forward, it will have to return with a little bit more of a detailed plan for their project as part of a Preliminary Subdivision Plan review process. With the extension of Jefferson Terrace as a public street noting that the right-of-way does exist, the street will have to be built by City street standards which include certain types of paving section, upright curbing as well as sidewalks on both sides of the street. This project is in this Concept Plan and showing those

elements in this point in time. There are some standards for infill development. This is what that would be because it is totally surrounded by development. There are some landscaping requirements and some features of the individual buildings that will have to be met for those infill standards as well as providing sidewalks is one of those infill standard items. She noted that this property has some areas that are in the Special Flood Hazard Area that is the 1% annual chance flood or 100-Year Flood Plain. They are to remain as natural open space. They can be utilized for things related to stormwater management but they are not on individual lots. The southern property line of two of the parcels stays out of the Flood Hazard Area leaving it on the residual lot that is designed as part of this project. Likewise, there are certain wetland areas that are identified. The City's Code has a buffering requirement from those wetland areas where a riparian buffer is to be established. That can be done by leaving those areas in their needed vegetative or treed state. Additionally, there are tree planting requirements so the individual lots can retain existing trees on them but there are some minimum tree planting that will be in more detail should this project move forward and also any Active Recreation Area requirements would be looked at during a Preliminary Subdivision Plan review process. The Planning Office provided comments. They recognize that this project creates really a total of six lots out of the two existing parcels that it starts with. Five of those are proposed for residential lots where one house would be located on each lot. The Planning Commission will need to make a recommendation on the Subdivision Waiver request about that increased number of lots on the turnaround portion of the cul-de-sac. Planning Staff notes that given the configuration of the land mass we are starting with, it really doesn't allow for any other scenario other than creating a cul-de-sac because of the surrounding development. The Development Advisory Committee Report includes more detailed comments from the Department of Public Works, the Department of Water/Wastewater as all of these lots will need to be connected to City water and sewer. Likewise, there are comments from the City's Electric Department and from the Fire Marshal's Office. The Fire Marshal will be looking carefully at the cul-de-sac and the details of its sizing as well as fire hydrant placement. DelDOT has provided comments; however, these are not DelDOT or State maintained roadways so what they have to do with DelDOT may be somewhat limited. Stormwater management very specifically, will be reviewed by the Kent Conservation District and is subject to compliance with the Delaware Sediment and Stormwater Management Regulations. There will be much greater detail about how that will be resolved for this property as things move forward. The Kent Conservation District is well aware of the challenges in this watershed area and will be working with the applicant to ensure that their water goes where is needs to and does not cause anything different than what already may happen today in that area. She does want to note that there is a letter that the Kent Conservation District has included specifically as part of the packet regarding this application. Additionally, the Planning Staff included the excerpt of the Meeting Minutes from that September 15th meeting and then they have also included a letter dated March 16, 2026 related to the Woodbrook Development Drainage Improvement Project. It was written by Davis, Bowen and Friedel who was providing consultant services to the City regarding that drainage improvement project. That was one of the reasons why the Planning Commission back in September tabled this application as they wanted to learn more about that drainage improvement project that was underway at the time. She is going to refer to Mr. Jason Lyon as he is an engineer with the City and he can enlighten us a little bit about the Woodbrook Development Drainage Improvement Project; where it stands and how it is related or not related to what is before you this evening.

Mr. Lyon stated that as Mrs. Melson-Williams mentioned, the City of Dover is entertaining a project where in concert with Bond Bill money to assist with drainage concerns in the Woodbrook area. This is northwest of the project that is proposed this evening and the extent of the study starts in the west in this (Woodbrook) development. There is an active swale that bisects the property. The image on the screen shows the squiggly lines on the properties. There are also culverts with catch basins in the road and so our engineering team was tasked with eliminating flooding in the roads. The next image shows the span to east. In the middle of the page you will see a stormwater pond that is there along with the swale that is going to the west and then again going through Westview Terrace. There are stormwater pipes that go under the ground and then discharge eventually to the swale that you see on the right of that drawing and then eventually to the pond that borders Lynnhaven Drive to the south. The task of the engineer was to eliminate what they call flash flooding and so the project does not increase capacity, it just allows the water to go quicker. If you think about a bath tub that doesn't drain very quickly, what you do is make the orifice bigger and water drains quicker. When water drains quicker, it gets to the spot that it needs to go faster instead of having stagnant water, potential mosquitos and all of the other things that we link with stagnant water. The proposed plan is to increase the catch basin size in both Westview Terrace and Woodbrook Drive as well as clean out the vegetation growth in the swale and dip out about two feet from that pond to allow the water to move quicker through that system. He will reiterate that this is not allowing more capacity. This is nothing to do with the proposed subdivision. That was not taking into account with this study, this is existing conditions.

Mrs. Denney stated that she used to manage the Town of Camden. We had very similar issues and of course that 100 Year Flood Plain always sounds intimidating to the community any time you have to talk about it. But, you kind of solidified what she has been thinking just as she has really been studying this because when we heard this in September, there was a huge issue brought up by the community of fear of like the unknown and the already existing. At that time, she felt very strongly just because of her history, that the community doesn't realize it but the best thing that could happen is the development because then the Kent Conservation District is going to get in there and do their job and so the problems that they already have may even go away. If you don't do this and you don't fully understand it, that fear is a reality especially if you've had a flooded basement or any of those things. Other than dredging the pond a little bit and increasing the size of the stormwater drains, then this should resolve itself with those two things happening, correct? Responding to Mrs. Denney, Mr. Lyon stated that it will increase the flow quicker. The same volume of rain is still going to get provided through this system, it is just going to go a little faster.

Mrs. Denney stated that it will go a little faster and the pond will be dredged so there will be a little more room in the pond to accept the extra runoff. Responding to Mrs. Denney, Mr. Lyon stated correct, but the swale it not getting bigger. We are not getting a bigger cross section, and we are not increasing the pipe size. We are just increasing the inlet size to allow more water to get off of the road quicker.

Mrs. Denney stated that from an engineering standpoint, obviously any time you plan a house on a field it takes up space where water goes; we all understand that. But, there is still going to be plenty of impervious soil as far as she can tell on these lots for appropriate drainage, or should

be. This is the beginning of what is a few more meetings and a lot more reviewing. Responding to Mrs. Denney, Mr. Lyon stated correct. As Mrs. Melson-Williams mentioned earlier in her opening statement, the Kent Conservation District has the authority and the jurisdiction of reviewing the stormwater improvements which is best management practices. Usually ponds or some sort of potential infiltration if feasible, all of that will be worked out throughout the project. And again, as Mrs. Melson-Williams stated and he will echo again, the Kent Conservation District does not allow development to occur that pushes more water in the post-development than the pre-development.

Mrs. Maucher stated that the project with the swale is going to go forward regardless of what happens with this project. Responding to Mrs. Maucher, Mr. Lyon stated yes, this project was part of the states Bond Bill money for design and they will be budgeting for this construction phasing on an out year. Mrs. Melson-Williams mentioned earlier that the budget hearings start tomorrow night. This is an out-year project so in other words, it is not next fiscal year but a future fiscal year. Regardless of this project, the subdivision construction project will be budgeted for and constructed.

Mrs. Maucher stated to clarify; the City will be responsible for the cost of that project. Responding to Mrs. Maucher, Mr. Lyon stated that potentially. They look at every revenue source; so if you know of anything, we are all ears.

Mrs. Maucher stated that if this development has to have stormwater, is there an HOA that would be required to fund the stormwater management portion? Responding to Mrs. Maucher, Mrs. Melson-Williams stated that residential subdivisions are required to have a Homeowners Association or some type of management entity when they hold common land and she believes that the residual land would make that a requirement. Their stormwater practices for this development would likely be first funded with the developer and then longer term maintenance would be with that Homeowners Association or other maintenance association.

Mr. Witham stated that we don't have a definite timeline for this improvement to this area, correct? Responding to Mr. Witham, Mr. Lyon stated that unfortunately, all he can tell them is that it will not be funded between July 1, 2026 and June 30, 2027.

Mr. Ehize stated that he is the owner of this vacant lot that is under discussion tonight. He appreciates the opportunity to speak directly. He wants to begin by acknowledging because of the concerns that have been raised, he understands that change in any neighborhood can bring questions, caution, and even hesitation. This is your community and your voice matters; he understands that fully. However, he also wants to share the purpose and intention behind this project because he believes that it is a misunderstanding that deserves to be addressed. This lot, as it currently stands is vacant and unused. It contributes no housing and no economic activity and no community benefit. Over time vacant properties often become liabilities and can lower property values and create safety concerns. To give you a sense of his commitment, maintaining this property costs him about \$3,000 every year since 2020 when he got this property. Under the advice of his engineers, he spent \$50,000 in 2024 to clear the waterways. That, again is commitment. This proposal is not about introducing a threat to the neighborhood. It is about removing the problem and replacing it with value. As it was mentioned in this independent

study, that the proposed development would not affect already existing infrastructure, it would make it more efficient. The project consists of single family homes and is designed to bring measureable benefits to this community, including improved safety for active use of the property, increasing property values for surrounding homeowners, beautification of the utilized space and responsible investment long term for the neighborhood and above all, additional taxes to the City of Dover. This project is designed to strengthen this community. He understands that concerns about change are to come from a place of wanting to protect what already exists, but we must also consider what happens when nothing changes. Change is part of progress in society and we have to walk together to proceed responsibly. A strong community is one that evaluates development based on parts, responsibility, and long term. He is confident that this proposal meets that standard. He is fully committed to ensuring that this project is completed correctly, safely and in full compliance with all applicable regulations. He is also open to continued dialogue to ensure the outcome aligns with the community values and expectations. To reiterate, it will all be single family homes. This is not his first project in this community. What he is asking for tonight is not a final approval. He is asking for a fair and rational evaluation of what is being proposed based on what currently exists. He believes that this project can become something that this community will be proud of and he is willing to work with all stakeholders to ensure that outcome.

Mr. Adams stated that he thinks everything has been explained very well by the presentation from Mrs. Melson-Williams and Mr. Ehize. He doesn't think there is much that he can really add but he wants to reiterate that the major concern the last time that we were here. He thinks the vote was 5-2: five people wanted more information and two people were willing to move forward at that time in September. He thinks the intent has been satisfied to provide the extra information that was desired.

Mr. Witham asked the applicant to explain more about his request with respect to the cul-de-sac. Responding to Mr. Witham, Mr. Adams stated that there is a regulation where only 20% of the lots can be on a cul-de-sac. Given the way this property is shaped, in order to get through the properties on both sides, we are creating a road. There is a paper road kind of there but we are creating a real road here. By the time you get to our land that is developable, you have to immediately create a cul-de-sac. So with that, pretty much all of the developable lots that a house would be placed on, touch the cul-de-sac. So four lots out of the total six lots which he thinks is about 66-67% which greater than 20%. So to make this more of a viable situation for Mr. Ehize, we have to request a waiver from that requirement to get a count.

Mr. Witham asked if he has considered the parking issue that will be created by virtue of that cul-de-sac. Responding to Mr. Witham, Mr. Adams stated that the road will be wide enough to at least have parking on one side. He thinks parking is not allowed in a cul-de-sac anyway.

Mr. Witham asked if the parking will be on the lots themselves. Responding to Mr. Witham, Mr. Adams stated yes, each lot will have a driveway.

Mrs. Maucher stated that was one of her concerns as well. From what she read, the access road will be 24 feet wide and it would prohibit parking on either side of the road. Responding to Mrs.

Maucher, Mr. Adams asked Mrs. Melson-Williams to confirm if parking could be on at least one side of the road if it was 24 feet wide.

Mrs. Melson-Williams stated that 24 feet wide is the minimum. If you wish to have parking on one side, she thinks that you add 6 feet to that.

Mr. Adams stated that whatever he has on the plan as width is what he needs to successfully build a road through here. Right-of-way to right-of-way, he has 36 feet. But he thinks that the most important piece here is that each lot will have a driveway. Most houses also have a garage typically. So, if there is anybody who is parking on the street, they are probably already parking there now if you get what he means. He doesn't think parking is a big issue.

Mrs. Maucher stated that in the Report it states that the applicant has stated that the paved width of the street will be 24 feet which does not allow for on-street parking and parking would be prohibited in a cul-de-sac. If someone was to have a family gathering or party or something, it would be forcing people to park down on Monroe Terrace. Responding to Mrs. Maucher, Mr. Adams stated that if they have to park on Monroe Terrace, fine but this is like any other community in a regular subdivision like everybody else lives in. He doesn't see that being a major concern by his estimation.

Mr. Reeves stated that there was a good question raised about visitors to the houses in the cul-de-sac. He believes the reason why we have the percentage limit is so that we could be able to navigate that cul-de-sac. His question is with the parking that you said that each house has a driveway. How many vehicles is that driveway going to fit for each house? Responding to Mr. Reeves, Mr. Adams stated that these lots are 0.47 acres, 0.27 acres, 0.46 acres, 0.62 acres, and 0.44 acres. These are large in town lots. These are just as large as a subdivision in the country. We have a standard driveway depending on where the houses are sitting on the lot, which is yet to be determined. They could be very long driveways. We have the proper width driveway that is at least two cars deep. You could probably get at least four cars in a driveway if not more, depending on how the house is set in there. For the cul-de-sac, its dimensions are per City of Dover regulations so everything is normal there. He thinks these lots are large enough to figure it out if there is a larger event, but how often will that happen?

Mr. Witham stated that he would agree that the plan itself shows the street width at 36 feet but not in the cul-de-sac. But Mrs. Maucher's comment about the Report under Item #6 states that the applicant states that the width of the street will be 24 feet which does not allow for on-street parking. Parking would be prohibited within the cul-de-sac. Is that inaccurate? Responding to Mr. Witham, Mr. Adams stated no, he doesn't think that is inaccurate. What he failed to have on (the plan) here is the dimension from back of curb to back of curb to verify the 24 feet.

Mr. Witham stated that perhaps you will have to revise that. Responding to Mr. Witham, Mr. Adams stated that he can tell you now, what he has on here works. If we start widening too much, then that creates other issues.

Mrs. Denney stated that this is so preliminary at this stage as we are looking at this. When we truly get into the design and the engineers and the Planning Department take a look at this and

say “okay, this doesn’t work” or this is a private road and there will be restrictions that have to be met. In the event that they don’t meet them, then it’s back to the drawing board. This is not the finality; we have a key to the gate. Yes, this looks like a plan and it looks like it fits but this is the first step. We unlock the gate and then they have a whole bunch more to go through to meet a whole lot more requirements. They have to meet requirements for so many parking spaces per bedroom on the property, etc. It could go further than us and find that there is a problem, but overall, does this look good? She is not crazy about a 24 foot width road and she happens to live on State Street which is nice and wide and they don’t have a driveway. If she has a party or a graduation or even a Sunday dinner now that the kids are all home and bring their friends, there are both sides of State Street lined up with cars. But as neighbors, we all understand that because of all of these years that we have been living together. But again, you have a lot more to go through in design and at any point someone can say this isn’t wide enough and the lots are going to be shorter.

Mr. Witham stated that this is a hearing on the Conceptual Subdivision Plan; it is the first of at least three hearings so he understands that. The Commissioners are simply pointing out things that they need to talk about. Responding to Mr. Witham, Mr. Adams stated that they hear it very clearly.

Mr. Witham opened the public hearing.

Mrs. Melson-Williams stated that there are a number of sets of public comments that they received in writing. Specifically, Set 1 which was from September 2025, then Sets 2, 3, and 4. Some of them were part of the Planning Commission’s packet distribution and others have come out in recent days and Set 4 is from this afternoon. She expects that we will hear from some of the individuals that have provided written comments. We will do the public hearing portion for those that may be present or online and then she will specifically enter all of those public comments into the record formally.

Mr. Steven LeBoon – 1025 Westview Terrace Dover, DE 19901

Mr. LeBoon stated that he wants to thank the Commission for last September for granting the continuance because he did receive the Survey Report from Davis, Bowen & Friedel and it was extraordinary. As Mr. Lyon has articulated, the water will push. One thing that he wants to highlight is that the Report is comprised of 160 pages and every page is intriguing. The water is definitely extraordinary in our area. The impervious coverage came up with the conclusion of 38 and Mr. Lyon can validate. If he is correct, the City is capped at 33 so our neighborhood cannot sustain anymore building. He had emailed Mrs. Melson-Williams the sign in sheet that comprises 19 residents in opposition and it’s in the record along with various letters from Mr. Dan Beaker, Mr. Lees and himself. He thinks it’s pretty extraordinary how he (applicant) doesn’t explain this. This image shows his entrance to his undeveloped land that has been vacant for 200+ years. It has been undeveloped because it’s in a flood plain. If you look very closely at where my door is, how is he going to put a road in there? Where are the sidewalks? He wants to remind this Commission, Council already denied this application because of no sidewalks. They were trying to get a variance. He doesn’t really know how we moved forward without addressing the sidewalks. In fact, the previous owner when he bought the recycled plans from the MacLeish’s, they couldn’t move forward to stage 2. Mr. Ehize acquired the property a couple of

years ago at a discounted price from \$300,000 to \$72,000. One of the things that he wants to share for the record is that his wife who is also going to speak to help this gentleman on how to sell this property in a flooded area. The image shown is his old house with an illegal two story garage that was put here illegally. Thankfully the Planning Department where he used to live up north eventually got rid of it. It shows the standing water from less than a quarter inch of rain; that is reality. That is why he wanted to explain why he has been so adamant for 10+ years of why this application needs to be denied. This has been ongoing for 14 years. He is asking the Commission to squash this. If you don't want to squash it based on the fact that he has no access. He purchased an undeveloped property with no access to even build properly. There are no sidewalks. Council has already denied it. Or you can combine two of them and deny him for the flooding which he has clearly articulated over and over along with all of the Ordinances that protect the residents. You cannot deviate from them. He just wanted to share with the Commission the reality. He cannot build because there is no sidewalk or even an adequate road to go into the entrance of his property. It is really truly extraordinary that he purchased this. With that being said, he has submitted a lot of stuff and he knows his fellow neighbors have all signed the petition. He is asking the Commission to deny it based on the landlock. If you can't get past the entrance of a two lane road with no sidewalks and Council has already denied this application, what is the point in even being here again?

Mr. Luke Siler – 330 Wyoming Avenue Dover, DE 19901

Mr. Siler stated that he is a neighbor and is located adjacent to the property. He wants to reiterate that there is from a visual and from just walking in the neighborhood, it does just look very difficult to make an appropriate entrance. He just worries about how that could impact the community. If these things can be addressed, he is definitely open to that. They love having neighbors and we want to have good neighbors but they do just hope. They are encouraged by your interest and the care of the Commissioners and them wanting to address the logistics and the properness of this development if it were to go forward.

Mrs. Cassandra LeBoon (virtual) – 1025 Westview Terrace Dover, DE 19901

Mrs. LeBoon stated that she first wants to thank the Planning Commission for continuing this matter previously so that the engineering reports could be completed. Those reports confirmed many of the concerns that residents have been raising for years regarding flooding, drainage, and infrastructure limitations in this area. It is also a concern that the project wants to go forward before any of the infrastructure work that Mr. Lyon referenced is completed. Her first concern is that the applicant's own modeling shows the drainage system is already operating near capacity. (Note: The applicant of SB-25-0 did not complete the drainage study being referenced. This is the Woodbrook Drainage Improvement Study completed by a consultant for the City of Dover.) The Report documents surcharge conditions, submerged structures, and crossing that are close to full hydraulic limits. Residents already experience flooding concerns and these findings show the system is already under stress before additional development is added. Second, the Report shows that there is almost no meaningful reduction in peak stormwater flow. The modeled inflow and outflow are essentially identical which suggests that the system is functioning mostly as a conveyance system rather than significantly reducing downstream runoff. This is very concerning with the downstream infrastructure is already strained. Third, there are major roadway and safety concerns. Residents remain concerned that there is not enough room for safe two way traffic, parking, sidewalks, and proper emergency vehicle access. These access concerns

have existed for years and were part of previous denials and variance issues involving this property. Additionally, the property seeking development sits above the residences on Westview Terrace which means at any downflow would come onto Westview Terrace. Fourth, this proposal has been brought before City and related areas many times over the years and the same fundamental issues continue to remain unresolved: flooding, drainage, access, infrastructure, limitations, and development feasibility. Residents continue to spend substantial time and resources responding to repeated applications involving substantially similar concerns. Also, many residents were told during the purchase of their own homes, that there would never be any building behind them in the field. They were told this by their real estate agents. Finally, she would like to ask the Commission to seriously consider preservation of this corridor as protected open space instead of additional residential development. This land already serves as important natural drainage and a stormwater absorption function within the watershed. Preserving it as open space would help reduce flooding risk, protect nearby homes, preserve natural drainage flow paths, and avoid major infrastructure costs. The area also supports local wildlife and natural habitat that would be permanently impacted by dense population development. In addition, Dover already has limited remaining green space, especially within the established residential areas. Once open land like this is developed, it is gone permanently. Preserving this corridor would help protect one of the few remaining natural green spaces in this part of the City while also supporting environmental stability, wildlife habitats and the overall quality of life for surrounding residents. For all of these reasons, she respectfully asks the Planning Commission to make a motion to deny the application with prejudice. As a final note, she would like to mention that the owner has either been unwilling or unable to maintain the property including cutting the grass and making sure that the field is in proper condition. We as residents are highly skeptical that the surrounding development which includes her neighborhood, would not be taken care of or will be taken care of properly. With that all of their ascertains and their saying that they believe that this is how it's going to be, that they are just saying that to get this through and they have no intention on following through.

Ms. Heather Mund, POA and Trustee for Robert Engles – 420 Wyoming Ave Dover, DE 19901

Ms. Mund stated that she is representing the corner property at 420 Wyoming Avenue that corners Westview Terrace. She wants to start by saying that it has been very difficult to hear most of this, but she did hear what Mrs. LeBoon said and she echoes entirely what she said. As it was told to them at the time of purchase of the property, the land was zoned for farmland and/or horses and at the time, there were horses there. They were concerned only because we didn't know what would be going on with that property before we moved in. After we moved in, there were issues with proper drainage and it was causing water intrusion and things. They had serious problems. She is really concerned about what they are evaluating and what they are able to say that they think they can handle this when without this work being added on. It's already been a problem in that area. She doesn't know how this property can withstand it.

Mrs. Melson-Williams stated that she wants to enter the various comments into the record. Beginning with Public Comment Set #1, these were comments received through September 15, 2025 at noon. They were made part of the packet but she will summarize. First, was an email from Steve LeBoon of 1025 Westview Terrace and it also had attachments to it. Email #2 was an email from Joan Sipple of 1139 Westview Terrace received on September 6, 2025. And

completing that set was Item #3 which was a letter of support from Mike Glick, property owner of 850 New Burton Road that was received on September 15, 2025. Public Comment Set #2 dates to May 8, 2026 at noon and it was those items received by the time of packet distribution. The item there is an email from Steve LeBoon that we received on May 7, 2026. It includes a letter of opposition of the same date and it had a photo link which she believes Mr. LeBoon showed this evening and then a couple of video links of flooding activity examples in the area. Public Comment Set #3, also of May 2026. These were comments received through May 15, 2026 at 3PM. These were distributed to the Planning Commission electronically after the receipt and this consists of a series of five items. The first being an email from Dan and Joy Bieker of 1033 Westview Terrace received on May 8, 2026. The next item was an email received on May 9, 2026 at 11:27AM that included a screenshot of Davee Lees comments on the project. Email #3 was also from Steve LeBoon received on May 9, 2026. It had two attachments, the original letter of opposition that he sent on May 7, 2026 and then a letter specifically talking about opportunities for open space dated May 9, 2026. Email #4 is again from Joan Sipple of 1139 Westview Terrace received on May 12, 2026. Email #5 is also from Steven LeBoon dated May 14, 2026 and it was in response to him receiving information from FOIA Request #2026-186: Drainage Improvement Engineering Support for Woodbrook Development with attachments. Attached to this email was a copy of letter of March 16, 2026 from Davis, Bowen & Friedel, Inc. to the City of Dover Department of Water & Wastewater. That letter was already part of the Commission's packet and then Mr. LeBoon also attached the Reports on HydroCAD Modeling associated with the existing conditions as prepared by Davis, Bowen & Friedel, Inc. and also the proposed conditions of areas. Both of those are in total, 160 pages of engineering information and evaluation related to the Woodbrook Drainage Improvement Study. The full document is on file in the City's Planning Office and the City's Department of Water/Wastewater and Engineering Services for those two HydroCAD Modeling runs. The last set of Public Comments is labeled as Set #4 also dated May 2026 and these were received through 1PM today: so, they are emails that were received over the weekend. The first item is an email from Steve LeBoon of 1025 Westview Terrace received on May 17, 2026 and it included the attachment Petition of Opposition (listing 16 properties with signatures). Email #2 appears that it is the same email other than the distribution included additional individuals, but it includes the attachment of the Petition of Opposition. Email #3 also from Steve LeBoon received at 1:26PM this afternoon, was again, that Petition of Opposition but it included an additional signature for the people who reside at 135 Crescent Drive. Set #4 was provided to the Commissioners on their desks this evening.

Mr. Witham closed the public hearing.

Mr. Witham asked if the Planning Commission does not act on the waiver, would it also still be considered by City Council. Responding to Mr. Witham, Mrs. Melson-Williams stated that regarding a Subdivision Waiver, the *Land Subdivision Regulations* suggest that the Planning Commission makes a recommendation and then City Council has final action on that. If the application were to move forward and you were not to act upon the waiver, we would have to report that to City Council. Otherwise, the plan would have to comply with the Code regarding the percentage of lots on the cul-de-sac.

Mr. Lewis asked if we could move forward without acting on the waiver. Responding to Mr. Lewis, Mrs. Melson-Williams stated that you could; but it probably is in the best interest of the application and she would refer to the City Solicitor, that you would take some action in regards to that specific request.

Mr. Griffith stated yes, if there is an application pending, there should be some action taken on the application whether it's recommended in favor or recommend against. Or you can be more creative and recommend that you take no official action. It would not be of any aid to the applicant or City Council and would pretty much obviate the need for Planning Commission if you take no action.

Mr. Lewis stated that he is trying to say that he voted to move forward in September. He was one of the two to move forward in September. Now I'm looking at a Report that says the proposed Lots 1-5 are outside the Flood Hazard Area and that if it gets to the second step then the Kent Conservation District is going to make them do their stormwater management plan after that. but it's dependent on our vote tonight. Is that correct? Responding to Mr. Lewis, Mr. Witham stated yes, that's correct.

Mrs. Denney stated that her understanding of this and she was retired for a little bit before she took this position, but she doesn't think it's changed much. If they open the gate then this will definitely as they move forward, go through all of the necessary reviews up and down the line with Kent Conservation District being a major one. As you might imagine, they are always backed up and it has to go through certain steps before they will address it just like DelDOT; they don't want to hear from you until you are actually putting the blueprint in the machine kind of deal. Responding to Mrs. Denney, Mr. Witham stated that he thinks she is correct. This is just a hearing on the Conceptual Subdivision Plan. It will have to go for a full review process. The next step will be a preliminary review of the Subdivision Plan itself and then a final review. The only exception that is before us is the Request for a Waiver on the cul-de-sac. Otherwise, there is no objection to the DAC comments at all; so, he believes that the applicant would have to comply with the DAC comments as well if we move forward.

Mr. Lewis moved to approve SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision) Conceptual Subdivision Plan to include approval of the waiver with the percentage of the lots in a cul-de-sac, seconded by Mrs. Denney and the motion was carried 6-2 with Mr. Baldwin absent. Mr. Lewis voting yes; this is step 1 of at least 3 and given the fact that he wanted to move forward in September and now that they have some more information which would seem to indicate that as of right now, Lots 1-5 are outside of the Flood Hazard Area. Mr. Roach voting yes; for reasons previously stated. He just feels as though it is beneficial and like he has said before, when it comes down to the application presented, whether we have road blocks or not, he feels as though this would be beneficial to the City. Mrs. Denney voting yes; she feels strongly that based on what we are hearing from Kent Conservation (District) and her little bit of conversation with Mr. Lyon. She really feels that it is not appropriate for them to say you can't do anything on those lots. The road is going to be designed and they will be on a cul-de-sac. Along time ago, she once got into an issue where they were accused of takings. What were we going to say; you can't do anything with those lots forever? She thinks the appropriate thing to do is approve this motion and allow it to go through all of the next steps and then be voted on

again by what would be the Council. Mrs. Maucher voting no; she is not in support of the waiver request. Dr. Jones voting yes; for the reasons previously mentioned. Mr. Reaves voting no; based on the fact of the opposition from the residents in that area and also based on the fact that this Flood Plain Area goes through extreme flooding. He also votes no based on the percentage of the dwellings in the cul-de-sac; exceeding that is problematic for our Code and it opens up the door for exceeding the limits that we have set. Mrs. Welsh voting yes; based on the information from Davis, Bowen & Friedel, Inc., the letters from Mr. Glick, and the other gentleman in favor of the positive things that could happen from this development and the information from Mr. Lyon that was received tonight. Mr. Witham voting yes; stating that this Commission has no authority to deny any application with prejudice. He votes yes as he thinks this matter is just at the preliminary stage. He would raise some questions with respect to the concept itself, but it is not sufficient to say no to the application itself. He thinks that what he has heard tonight, given all of the comments that were presented by Mr. Lyon, this Conceptual Plan should go forward for further review and with respect to the waiver, he votes no because he is not satisfied that the applicant has met requirements.

Meeting adjourned at 9:52 PM.

**Sincerely,
Kristen Mullaney
Secretary**

CITY OF DOVER

Item 1.



DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUGUST 27, 2025



APPLICATION: Lands of Wyoming, LLC and Functional Properties, LLC
(Ekaman Subdivision): Conceptual Subdivision Plan

FILE #: SB-25-02

REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater

CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services

CONTACT PHONE #: 302-736-7025

CONTACT EMAIL: jlyon@dover.de.us

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. Our office has no objection to the conceptual subdivision plan. Further requirements will be provided if additional development plans are submitted, this specifically refers to the sanitary sewer plan.

TYPICAL CITY AND STATE CODE REQUIREMENTS FOR SUBDIVISION

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
 - b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
 - c. The site contractor shall contact the City of Dover Public Works Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Public Works must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. All water mains within the proposed subdivision must be looped. No dead end mains are permitted. The utility plan must incorporate the appropriate termination valves on the water system between construction phases.
4. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. All water mains shall be either cement lined Class 52 cement lined ductile iron pipe or DR 18 PVC pipe. Division valves must be provided every 800 feet.
5. Water service lines shall be shown for each residential lot meeting the following requirements: The water services shall be one-inch (1") diameter Type K copper tubing or SDR9 pipe, and installed five feet (5') to the right of the sewer lateral as viewed from

the center line of the street. Curb stops shall be installed one foot (1') outside of the right-of-way for each lot. A water meter and meter pit must be installed on the domestic water service, in a non-traffic bearing location just downstream of the curb stop.

6. Fire hydrants shall be spaced no greater than 600 feet as measured along the curb. Fire hydrants shall be placed between the curb and sidewalk at intersections or centered on lot lines. Fifteen feet (15') separation must be provided between all hydrants and hydrant valves.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
 - b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "...any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. All sanitary sewer mains shall terminate at manholes between construction phases. This may require sewer lines to extend beyond the proposed phase lines to the next manhole.
4. Minimum slope criteria shall meet Ten States Standards. Provide flow calculations to justify sizing of the sewer mains, showing that velocity requirements are met. Waiver requests must be approved by the Department of Public Works.
5. The desired location for sewer mains is under the centerline of the street. One-tenth of a foot (0.1') drop must be provided across all manholes. The minimum slope for eight-inch (8") sanitary sewer pipe is 0.004 feet/feet. Minimum cover is 3.0 feet.
6. Sanitary sewer manholes shall be spaced no more than 400 feet apart.
7. The minimum size of all sanitary sewer laterals shall be six-inch (6").
8. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
9. Sanitary sewer laterals shall be shown for each residential lot meeting the following requirements: The sewer laterals shall be six-inch (6") diameter schedule 35 PVC and, where practicable, installed to the center of each lot. Sewer laterals shall be connected directly to the main, not manholes, unless impracticable. Sewer laterals are to be installed one foot (1') beyond the right-of-way line at a typical depth of three feet (3'), preferably not exceeding five feet (5'). Cleanouts shall be installed one foot (1') outside of the right-of-way for each lot.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.
3. Submerged pipe inlets to ponds may only be permitted if they are so designed that the permanent pool elevation of the storm water management area doesn't surcharge back into the City of Dover's storm drain structures and system.
4. The City of Dover Department of Public Works specifications require all culverts to be designed for the 25-year storm frequency and all storm sewers to be designed for the 10-year storm frequency. The Manning's equation shall be utilized in design as applicable. Storm sewers are required to provide a minimum full flow velocity of 2 fps. Provide the calculations for each proposed pipe segment that, at a minimum, include: upstream and downstream inverts, upstream and downstream ground elevations, and ground cover provided; pipe slope, length, material, n value, and diameter; design flow, depth and velocity; and full flow velocity.

5. The City of Dover Department of Public Works specifications require that all inlets (catch basins) be designed for the 10-year storm frequency (25-year storm frequency for sump conditions) and that the spread of water shall not exceed eight feet (8') from the flow line of the curb. The design must also meet the requirement that the hydraulic grade line may be no higher than one foot (1') below the top of the inlet. Provide the calculations for each proposed catch basin utilizing flows determined by each catch basin's contributory drainage area, for the appropriate storm frequency. Spread, depth of flow and hydraulic grade line data for each inlet must also be included. Any carryover should also be noted and included at appropriate downstream catch basins as applicable.
6. Provide all stormwater management calculations and erosion and sedimentation control plan as required by Article 5, Section 11.2 and 11.2 of the City of Dover Zoning Ordinance. Ensure that individual lot grading, house locations with finished floor elevations, and driveway locations and grades are provided on the plans in order to verify the adequacy of the design. The provided information should also show adequate conveyance of runoff from each lot.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.
3. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
 - b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.
4. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.
5. When determined to be necessary, dead-end streets, designated to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end cul-de-sac with a turnaround having an outside roadway diameter of 80 feet and a street right-of-way diameter of 100 feet. In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac.
6. Streets shall be laid out so as to intersect as nearly as possible at right angles. The inner right-of-way line of a street intersecting another street at an angle of less than 90 degrees shall be tangent to and follow a curve with a minimum radius of 150 feet centered on the nearest right-of-way line and shall be parallel to said inner right-of-way line.
7. Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which, for the centerline of the right-of-way, shall not be less than 500 feet on arterial streets, 300 feet on collector streets and 150 feet on minor streets. The outer and inner right-of-way line shall be parallel to said center right-of-way line.
8. Street rights-of-way lines at intersections shall be connected with a curve, the radius of which shall be at least 25 feet. The required radius may be increased by the city engineer if the increased radius is necessary for public safety.
9. Street grades shall not exceed five percent.
10. Street grades shall not be less than one-half percent wherever feasible.

SANITATION

1. Every person occupying a residence or duplex and every owner of an apartment shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overload the capacity of the containers.

1. Only trees listed as small to medium shall be planted under power lines; and no trees shall be planted within ten feet of any underground water line, sewer line, transmission line or other utility.
2. It shall be unlawful and a nuisance for any person to plant any vegetation in any public right-of-way. Upon receipt of notice from the city to remove any vegetation located in a public right-of-way, the owner of the abutting property shall remove such vegetation at his own expense within the time limit provided in such notice.
3. It shall be unlawful and a nuisance for any person to plant any tree, shrub or bush within 16 feet of the curblineline. Upon receipt of notice from the city to remove any tree, shrub or bush which is located within 16 feet of the curblineline, the owner of the property upon which such tree, shrub or bush is located shall remove the same at his own expense within the time limit fixed in such notice.

GENERAL

1. Add the following note to the plans, "A seven and one half feet (7.5') wide easement is retained along all side and rear lot lines, to be unoccupied by building, for utilities, drainage and sanitary sewer purposes. Except where lots are divided for any reason whatsoever, said easements shall fall along the actual side and rear lot lines as conveyed. A fifteen feet (15') wide utility easement is retained along all rear lines of lots abutting the project boundary and other open spaces." A ten feet (10') wide utility easement is required along all front yard lot lines for utility installation. When a water, sewer, or storm sewer main is not located in the right of way, it shall be located within five feet (5') of the center of a twenty feet (20') wide utility easement.
2. The final site plan must be submitted in the following compatible digital formats:
 - a. AutoCAD 2018 (.dwg format).
 - b. Adobe Reader (.pdf format).
3. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Water impact fees will be required to be paid prior to any Certificate of Occupancies issued for this project.
3. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
4. Any future development shall adhere to the City of Dover Water/Wastewater Handbook.
5. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
6. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.

2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to any Certificate of Occupancies issued for this project.
5. Depending on the effluent flow, the downstream pump station may need to be evaluated by the developer / engineer to verify it can handle the additional effluent flow.
6. Any future development shall adhere to the City of Dover Water/Wastewater Handbook.
7. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.

STORMWATER / STREETS

1. If this property is developed, future approvals may be required from the Kent Conservation District and DeIDOT.
2. Any future development shall adhere to the Specifications, Standards & Procedures for Public Works Construction.

GENERAL / SANITATION

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUG 27, 2025

APPLICATION: Lands of Wyoming, LLC and Functional Properties, LLC
 (Ekaman Subdivision): Conceptual Subdivision Plan

FILE #: SB-25-02

REVIEWING AGENCY: City of Dover Electric Department

CONTACT PERSON: Shawn Burgett, Engineering Services & System Operations Superintendent

CONTACT PHONE #: 302-674-7568

CONTACT EMAIL #: sburgett@dover.de.us

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
- 11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.**
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is available on the website at the following link: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Fillable load sheets are available on the website at the following link:
<https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 08/27/25

APPLICATION: Lands of Wyoming LLC and Functional Properties LLC**FILE:** SB-25-02 **REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal**CONTACT PERSON:** Jason Osika, Fire Marshal
josika@dover.de.us**PHONE #:** (302) 736-4457

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

- Proposed occupancy classification is a subdivision
- Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

Residential areas
24 feet wide with no parking,
30 feet wide with parking on one side, or
36 feet wide with parking on both sides

Commercial areas
26 feet wide with no parking,
32 feet wide with parking on one side, or
38 feet wide with parking on both sides

Alley
12 feet wide
- Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.
- Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
- Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).
5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose.

All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).

Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

NFPA 1

18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closet point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

6. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation.

All fire hydrants shall have minimum of four-inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides.

Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)

The owner is responsible if the hydrant is private.

7. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.

(2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)

The owner is responsible if the hydrant is private.

8. Hydrants are to be Darling Co. B-62-B Breakaway <https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5>

9. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location,* the number shall be placed on the house above or to the left or right of the front entrance, *color,* the number shall be contrasting to the background color, *Arabic numerals,* all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location,* numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color,* numbers shall be contrasting to the background color, *Arabic numerals,* all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally,* numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

10. Project to be completed per approved Site Plan.
11. Full building and fire plan review is required.
12. Construction or renovations cannot be started until building plans are approved.
13. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
14. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

Section 1. - Building permits.

No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the

proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please ensure that the cul-de-sac meets the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3
2. A fire hydrant is needed in the cul-de-sac

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
 2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
 2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
 2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
 2009 IBC (International Building Code)
 Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
 2021 Delaware State Fire Prevention Regulations
 City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

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APPLICATION: Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

FILE#: SB-25-02

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. Please contact the Department to schedule a project coordination meeting.



KENT CONSERVATION DISTRICT

Item 1.

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**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
SEPTEMBER 2025**

APPLICATION: Land of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

FILE #: SB-25-02

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Cullen Baker

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY’S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. A Stormwater Assessment Study (SAS) and pre-application meeting are required.
2. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District’s office.
3. The following notes must appear on the record plan:
 - a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - c. A clear statement of defined maintenance responsibility for stormwater management must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. There are previously approved stormwater plans that have expired due to construction never taking place. A new set of plans adhering to the current stormwater regulations will need to be submitted for approval.
2. This plan is located in an area that is to be undermanaged per the Puncheon Run Flood Study to beat the peak run-off generated in the contributing upland drainage area. This area is also under 10% of the total contributing drainage area and is only required to manage the 1-year (RPv) storm event.
3. The preferred methods of Stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.

4. The proposed plan doesn't appear to show stormwater management for the R_{Pv} storm. Provide stormwater management or specify if DNREC's fee in leu is being proposed for not managing the R_{Pv} storm event.
5. If the fee in leu is being proposed, we will require the stormwater drain pipe and stormwater easement proposed within lot 5 to be relocated into open space, since this will act as the sole drainage outlet for the subdivision. We will also require the end of the storm drain to extend past the rear of the lots further into the residual portion of the parcel, closer to the blue line stream.
6. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
7. As a reminder, the Kent Conservation District is required to verify that a Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under a NPDES General Permit has been received by DNREC prior to District approval.
8. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
ADVISORY BRIEF
D.A.C. MEETING DATE: 9/3/2025

**Dover/Kent
County
Metropolitan
Planning
Organization**

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision):
Conceptual Subdivision Plan

FILE # SB-25-02

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

Attached, please find comments submitted by Dover Kent MPO for each of the current City of Dover Development Advisory Committee (DAC) applications. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Site Development Plan Review

**SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision):
Conceptual Subdivision Plan**

Monroe Terrace is a low-volume local road that has a Level of Traffic Stress (LTS) of 1. These conditions suggest the road is generally safe for walking and biking. However, sidewalks would still be useful for separating pedestrians from vehicle traffic. Although the proposed subdivision does not have a significant amount of frontage along Monroe Terrace, it should still utilize sidewalks internally and on the property's frontage to the extent possible. This will make it easier to connect with new sidewalks on Monroe Terrace at a later date. Sidewalks are included in the current plan. Note that the applicant should follow the City of Dover Code for sidewalks when adding pedestrian facilities.¹

¹ "Dover Code: Appendix B, Article 5, Section 18." City of Dover, DE.

https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOR_APXBZO_ART5SURE_S18PEBIMUDAACRE.



It is also important to ensure that large vehicles, particularly emergency vehicles such as fire trucks and ambulances, can easily access and turn around within the cul-de-sac. Coordination with the City of Dover Fire Department will help with meeting this need.

Dover Kent MPO will have more specific comments for the property when a site plan is proposed.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.



KENT CONSERVATION DISTRICT

Item 1.

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September 15, 2025

Mrs. Dawn Melson-Williams, AICP
City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19903-0475

Re: Ekaman Subdivision – SB-25-02
Sediment & Stormwater Management Plans

The Kent Conservation District will be reviewing the Stormwater Management Plan for the proposed Ekaman Subdivision. The conceptual layout of the plan appears to align with the recommended approach for managing stormwater for site development, based on the findings of the Puncheon Run Flood Study. Before the proposed plan is approved, the Kent Conservation District will complete a detailed plan review and verify that the proposed stormwater management plan meets the requirements of the Puncheon Run Flood Study.

If you should have any questions concerning these comments, please contact the office at (302) 608-5370.

Sincerely,
KENT CONSERVATION DISTRICT

Cullen Baker
Stormwater Plan Reviewer

cc: Troy L. Adams, P.E., Mountain Engineering Services, LLC

CITY OF DOVER PLANNING COMMISSION
September 15, 2025

The Meeting of the City of Dover Planning Commission was held on Monday, September 15, 2025, at 6:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Chair Mr. Witham presiding. Members present were Mr. Michael Lewis, Mr. Roach (virtual – arrived at 7:15PM), Mrs. Denney (arrived at 6:45PM), Mrs. Maucher, Mr. Baldwin, Dr. Jones, Mr. Reaves (virtual), and Mr. Witham. Mrs. Welsh was absent.

Staff members present were Mrs. Dawn Melson-Williams, Ms. Sharon Duca, Mr. Dan Griffith; City Solicitor, Mr. Jason Lyon (virtual) and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mrs. Melson-Williams stated that application Site Development Master Plan S-25-12 Blue Hen Corporate Center Pad Sites Master Plan has been deferred. They received a request from the applicant involving S-25-12 Blue Hen Corporate Center Pad Sites Master Plan. The applicant made that request and the letter was included in your meeting packet. They asked to defer consideration of that application until the next meeting in October. We thought that at this point, since part of their public notice was completed, we needed to take action on it during your adoption of the Agenda. It will be rescheduled for an upcoming meeting, which they believe will be the October meeting and they will have to complete public notice again for that application.

Mrs. Maucher moved to approve the Agenda as presented, less the application S-25-12 Blue Hen Corporate Center Pad Sites Master Plan, seconded by Dr. Jones and the motion was carried 6-0 with Mr. Roach, Mrs. Denney, and Mrs. Welsh absent.

APPROVAL OF MEETING MINUTES OF JULY 21, 2025

Mrs. Maucher moved to approve the Planning Commission Meeting Minutes of July 21, 2025, seconded by Mr. Baldwin and the motion was carried 6-0 with Mr. Roach, Mrs. Denney, and Mrs. Welsh absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, October 20, 2025, at 7 PM. We do have applications for that evening so please mark your calendars.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on July 28 & 29, 2025, August 11 & 12, 2025, and September 8 & 9, 2025.

Mrs. Melson-Williams stated that in case you haven't noticed, we are missing a Planning person yet again. Mr. Chris Salzano who had been with us this summer as a Planner II, resigned his position in late August and moved to the private sector and a shorter commute. We are once again looking for a Planner II. We do have a new member of our Planning Staff and that is Mrs. Debbie O'Brien who is joining us. She will be taking over the Community Development Manager position as Mrs. Tracey Harvey will be retiring later this year. There is some overlap

there for training purposes.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Melson-Williams presented the audience information on policies and procedures for the In-Person Meeting and Virtual Meeting using the Webex system.

OLD BUSINESS

Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan - Public Hearing and Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver Requested: Percentage of Lots on a cul-de-sac. This property was reviewed in 2013-2015 as SB-13-06 Jefferson Terrace Subdivision; however, the plan was never finalized. Application for Conceptual Subdivision Plan SB-23-01C was conditionally approved by the Planning Commission in March 2023; previous waiver requests were unsuccessful, and the plan expired. The properties were examined again under Conceptual Subdivision Plan SB-24-01 and were denied by the Planning Commission on August 19, 2024.*

Representatives: Mr. Troy Adams, Mountain Engineering Services Inc.; Mr. Emanuel Ehize, property owner (online)

Mr. Witham stated that there has been a request by a resident to delay this process (for SB-25-02). *(The Chair allowed the resident to speak.)*

Mr. Stephen LeBoon – 1025 Westview Terrace Dover, DE 19901

Mr. LeBoon stated that he submitted a formal postponement request to allow all parties time. He thinks it is the most crucial and critical thing to do at this time. Me and my neighbors are waiting on the Davis, Bowen and Friedel engineer's report of the recent study of the extraordinary water issues in our development. He thinks it's prudent that we receive this Report and its findings in totality so that he and his neighbors can look at it and then we can perceive forward with formal objections regarding this application. This application was denied last year by this same Commission. This has been ongoing for 14 years which is a long time. He would like to get this Report, and so do his fellow neighbors, from the architects and engineers; so, he asks for the postponement.

Mr. Witham asked if he was speaking on behalf of his neighbors. Responding to Mr. Witham, Mr. LeBoon stated yes. He believes that Ms. Joan Siple notified this Commission and there are other neighbors like the Beikers, and Ralph and Jean Taylor who live next door to him. He does not want to revisit this right now; he would just like to get the postponement and then make formal objections like they did last year.

The Chair allowed others to speak on the Request to postpone.

Mr. Tom Frasier – 1102 Monroe Terrace Dover, DE 19901

Mr. Frasier stated that this parcel butts up to his land and he supports the request to postpone this matter.

Mr. Ronald Rhodes – 1112 Monroe Terrace Dover, DE 19901

Mr. Rhodes stated that he has two properties that but up and adjoin the road that crosses Jefferson Terrace Extension. He has some concerns about the water too and how they would put the roadway through the two lots that he owns that join up with property being six to eight feet below those road grades. He also supports the postponement of this application.

Mr. Griffith stated that this is just a reminder to the Commission, but the Commission does not vote on applications from members of the public. There can be a motion made by a member of the Commission for postponement that Commission members can act on. But members of the public can make requests to make public comments, but the Commission does not vote on applications from members of the public.

Mr. Lewis asked that given the fact that we already approved the agenda which includes the hearing, are we even allowed to postpone it? Responding to Mr. Lewis, Mr. Griffith stated that you can still vote to postpone the application. Again, it would have to be on a motion made by the member of the Commission.

Mr. Witham asked if the applicant for this application was present. Responding to Mr. Witham, Mrs. Melson-Williams stated yes, he is. Planning Staff stands ready to begin the presentation as we do with all applications with the Staff summary and then there are representatives of the application here. Their engineer is here in the room and the property owner has joined us online.

Mr. Witham stated that they will ask the property owner to state his/her position. He believes that the property owner submitted a letter in opposition. Responding to Mr. Witham, Mrs. Melson-Williams stated that the property owner of the application did not submit a letter. When we would get to public comments, there written public comments that Staff received and we would enter at that time, those items into the record. There are two of those comments that are basically requesting postponement of consideration of the application and then there is a letter of support from another individual that was provided to our office.

Mr. Witham stated that what he is trying to do is allow the folks who are moving forward with this application to state their position on the record. If they do not wish to do so, then he will turn it over to the Commission to decide on this particular application. There may be a person who represents a number of individuals who lives in the community or around the community, who

may oppose this application for the acceptance of this subdivision hearing.

Mr. Adams stated that he is a little bit confused. He is here to represent this application tonight. Responding to Mr. Adams, Mr. Witham stated that he gave him an opportunity to come forward and make an opposition.

Mr. Adams stated that he is not making a statement in opposition. He is here to represent in favor of it. I'm the professional representing the application.

Mr. Witham stated that we have a request for the postponement of the public participation of this application. If you are here to represent the applicant on the conceptual plan, then the question is to you have a position with respect to the request made by the other individuals to postpone this hearing.

Mr. Adams stated that he disagrees with them. Responding to Mr. Adams, Mr. Witham stated so you do oppose.

Mr. Adams stated that he does oppose the postponement.

Mrs. Maucher stated that she doesn't know if this is jumping ahead, but she is curious about the Study and what information it would or would not provide that would generally lead to our decision. If the Study would support or otherwise demonstrate that it's not a good project, then she might be inclined but she doesn't know enough about the Study. If the engineer is available and would like to speak to that or if we go through the whole process and then get to that. She doesn't know the proper process.

Mr. Witham stated let's turn to our Planner who may explain the process. This is the first step of the detailed process that will take place if the Commission hears the preliminary application.

Mrs. Melson-Williams stated that before you this evening there is an application for a Conceptual Subdivision Plan. That Conceptual Subdivision Plan has a review report. Normally, the process includes the opportunity for Staff to summarize that report and then the applicant to speak to their application and then there would be a public hearing. After which time, the Planning Commission could ask questions and then take action in regards to the application. The process for a Subdivision involves this first step, which is this Conceptual Subdivision Plan Review. There is a second step which is a Preliminary Subdivision Plan Review process; again, that requires an application and public hearing before this body. As a second step, it is a more detailed type of submission for that second step.

Mrs. Denney arrived at the meeting.

Mrs. Melson-Williams stated that basically for a Subdivision, it is really a three step process. This Conceptual Subdivision Plan review, the Preliminary Subdivision Plan review, and then the third step is an administrative process to deal with the Final Plat. This evening, it is consideration of a Conceptual Subdivision Plan. What Mr. Witham has been trying to put into the record is the consideration of the request that we have received from a member of the public to postpone

consideration of this application. As noted by the Solicitor, you cannot vote on that action to postpone specifically. It would have to be a motion coming from a Planning Commission member to then act upon.

Mrs. Maucher stated that her question was more to the Report mentioned in the request to postpone. What is that Report? What information would that give us? At this point, are those details necessary? She understands that it's a three step process. This Report that is mentioned is an onsite analysis at the end of all of this.

Mr. Witham stated that we do not have this Report. Responding to Mr. Witham, Mrs. Maucher stated she understand that we are waiting for the Report, hence the request by a resident that is impacted by this development to postpone pending the results of that Study. But she doesn't understand what that Study is.

Mrs. Melson-Williams stated that the member of the public references a Drainage Improvement Study that is underway for the Westview Terrace area which is located to the west of the subject property that is seeking subdivision consideration. The reference to Davis, Bowen and Friedel is an engineering consultant that she believes is under contract with the City to develop that Study. It is called the Drainage Improvement Engineering Support for the Woodbrook Development. Again, that is located to the west. She is not sure if Mr. Jason Lyon can elaborate on what that Study is but she believes that is focuses on an area to the west of where this subdivision is proposed.

Mr. Lyon stated that this Study is to evaluate the drainage concerns of Woodbrook. The scope is to the west of this application. It is west of Westview Terrace; inclusive is the pond that is adjacent to Westview Terrace and upstream of that pond towards the northwest. It should be noted that when this pond drains, it does drain under Westview Terrace to the east to the area of this development.

Mr. Witham further stated that as our Planner indicated, the only way that this application can't be considered is if there is a motion to approve the delay. There is no motion to delay so we will have to proceed.

Mr. LeBoon stated that last time, this project was denied. He is trying to give this gentleman his benefit of the doubt to allow the inspection of the findings of this Report. I am being very fair. I think I should be commended for that. If the postponement is not granted, then hopefully we will seek it from Council in the next few weeks. He just thinks it is in the best interest for this party and all of the neighbors. It says it right here, this project aims to address long standing flooding. He has already said it to this Commission; the Governor's Order has prohibited his property from being built on or near a floodplain. So, I hope you would grant it. Responding to Mr. LeBoon, Mr. Witham stated that you do understand that this isn't part of it. This is a process. The only thing that is before the Commission today is the public hearing of the Conceptual Subdivision Plan. It is not a final application.

Mr. LeBoon stated true, but he is just trying to wait for the Report. If the Report says there is no flooding in the area and contradicts the engineer and 80 years of history, so be it. But he thinks

that is why they have rushed this application. They rushed to get it in here because they know this Report is pending.

Mrs. Denney stated that she is coming in late but she has gone over everything and she is obviously familiar with this application. The last time they were here, she felt that she should have made a motion or at least brought something up for discussion and she didn't. Of course now, it is back again and she is reminded of that. Managing the Town of Camden, being on Board of Adjustment and being involved with the County, and many other things that she has been involved in that involve Planning, the one way that we can get Kent Conservation in there doing what they are supposed to do is to do an evaluation. If need be and the word comes down from Kent Conservation that there needs to be a stormwater management pond or whatever done there, then that comes from the people who know. In doing that, it doesn't always make everybody happy because they tend to be inundated and it takes longer. So, that is never the desire of the developer or the property owners who are trying to do something different. But, if it were to move forward, then Kent Conservation can come in and pretty much the people who will say this can be done and manage the stormwater. Or if there are too many wetlands or whatever the issue is, Kent Conservation is the place to find out. They are not going to find out while we sit around and twiddle our thumbs because they have such a full plate like every other agency. They are not going to go out and do it just because we would like to have information. She just wants to throw that out to the members of the Commission as a food for thought.

Mrs. Melson-Williams stated that Mr. Reaves has indicated that he wishes to speak. She is not sure that he has that ability; if not, she can read what he placed in the chat. She is not hearing Mr. Reaves. Through the chat, he indicates the following: "I believe that the engineer report is crucial to the decision of the Planning Commission. I have a question about the non-receipt of the engineer report."

Mr. Reaves moved to approve the delay of SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan pending the review of the engineer report based on their request for the waiver, seconded by Dr. Jones.

Mrs. Denney asked if the delay will be until the Report comes in so that we, with Report in hand, can then make a better decision. Is it delayed or tabled? Responding to Mrs. Denney, Mr. Witham stated that since Mr. Reaves made the motion, he will ask whether that is a friendly amendment to his motion.

Mr. Adams stated that typically he has seen it where he has the ability to testify and represent the application and not get blindsided by this gentleman bringing up something that has been brought up about three times before about stormwater. You have not even heard the fact that there is a Puncheon Run Study that has been done. And if you look in the notes that are here, the Conservation District is okay with the approach of how we are handling the stormwater which satisfies the requirements of the Puncheon Run Study. This community has done this every single time and it is just to confuse the situation. His job as a civil engineer is to project the client. That is part of his duty. Also, he is supposed to meet the intent of the Code and also present a technically acceptable plan that is reviewed by those particular agencies that are experts in those particular areas. We have done that. We meet the intent of the Code. We are on track to

meet all of the technical requirements. That is not an issue. In the Report (Puncheon Run Study) that I just read there is not a problem. So his client, who bought this property in 2022, had a delay at least three times to this point dealing with the stormwater. There is nothing more that he can do. This gentleman has spent his money, paying taxes here, wants to develop this property and, it's an infill situation that is just sitting there. He is going to make all of the improvements. If they are willing to buy the property; great, take it off of his hands but that is not what we are here to do.

Mr. Witham stated that he notes that the Report of the Kent Conservation District is a part of the DAC notes and its advice would be to the applicant. It states that the approved stormwater plans have expired due to construction never taking place. A new set of plans adhering to the current stormwater regulations will need to be submitted for approval. That indicates to him, that in some point in time, we are going to have to hear this engineer report before we can get final approval to your construction plans. As he has said before, this is the first step. He realizes that there have been earlier denials of this project, but this is the first step as a Conceptual Plan. You are going to have to come before this body again as you know because you have done this before. He is pointing out that this is a new plan and it starts again. It is only a preliminary application at this point in time.

Mrs. Denney stated that in the letter that is before us on the screen which comes from Kent Conservation, it does say "they (Kent Conservation District) will be reviewing stormwater management plan for the proposed Ekaman Subdivision. The conceptual layout of the plan appears to align with the recommendation approach for managing the stormwater site for development based on the findings of the Puncheon Run Flood Study. But it says before the proposed plan is approved, Kent Conservation District will complete a detailed plan review and verify that the proposed stormwater management plan meets the requirements of the Puncheon Run Flood Study." While she is certainly empathetic to the fact that this land owner probably feels as though it is the never ending story, but getting just a letter from Kent Conservation is indicative to the fact that they are working on trying to come up with a plan. The other thing that she just wants to add and again, she should have said this when we addressed this before; when Kent Conservation gets in there and makes a stormwater management plan, it is not just going to be for these five lots. It may add great relief to everybody else in that development because there will be room for the water that is now causing issues for the people in that development.

Mrs. Melson-Williams stated that Mr. Reaves did clarify his motion as she thinks that was what you were looking for at one point.

Mr. Reaves moved to table SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan until the Report is furnished and the community has had ample time to review and bring this action forward.

Mrs. Melson-Williams stated that she believes that he is referring to the Report that is related to the Woodbrook improvements.

Mr. Witham stated that we will turn to our City Solicitor for comments.

Mr. Griffith stated that this is a very technical point. A “motion to table” requires that it is to be taken up at the very next meeting. You are considering something that may or may not be available for the next meeting. The correct term or be a motion to “postpone” the application.

Mr. Reaves moved to postpone SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan until the engineering report (Report for the Woodbrook Development Improvement Study) is furnished and the community has had ample time to review and bring this action forward, seconded by Dr. Jones and the motion was carried 5-2 with Mr. Roach and Mrs. Welsh absent. Mr. Reaves voting yes. Mr. Lewis voting no; in consideration of the fact that this is step one of a multi-step process. We are going to have to be back here at some point anyway. We have somebody at least ready to talk about it. We have multiple studies to still to wait. He says we can at least get started with it. Mrs. Denney voting yes; to give this Commission any opportunity to see the reports and have a better idea of what the engineers are thinking with regard to the stormwater management. Mrs. Maucher voting yes. Mr. Baldwin voting yes; he thinks we should be able to see the reports from the engineer before we can make a decision. Dr. Jones voting yes; she too believes that they should have every bit of information that we possibly can have and if the residents can have as much information as possible in order to make an informed decision. Mr. Witham voting no; he thinks this slows the process down because this is a part of a multi-step process in gaining approval. Eventually, we are going to have to have this Report in before we can finally approve the plan for construction. He knows this has been an ongoing matter and it has been a thorn in their sides for quite some time. It seems to him that any further delay will not be beneficial for the citizens of Dover.

S-25-01 Revised Dover Mobility Center Garage at 133 S. Governors Avenue – Public Hearing and Review of a Revised Site Development Plan Application, Parcel Consolidation Plan, and associated Revised Architectural Review Certification for construction of a four story, multi-purpose parking garage structure to be known as the Dover Mobility Center Garage. The structure is revised to consist of 329 parking spaces, welcome and retail space, a management office, and retail and storage spaces. There have been architectural changes as designed, including the removal of the S Bradford Street garage entrance. The subject site involves a series of parcels in the block between S. Governors Avenue and S. Bradford Street north of Minor Street Alley. The properties are zoned C-2 (Central Commercial Zone) and subject to the H (Historic District Zone). The owners of record are the Downtown Dover Partnership, City of Dover, Capital City Transformation Alliance, and Main Street – Dover Inc. Property Addresses: 133 S. Governors Avenue, 139 S. Governors Avenue, 145 S. Governors Avenue, 136 S. Bradford Street, 148 S. Bradford Street, 150 S. Bradford Street, and 132 S. Bradford Street, Dover. Tax Parcels: ED-05-077.09-02-10.00-000, ED-05-077.09-02-09.00-000, ED-05-077.09-02-08.00-000, ED-05-077.09-02-24.00-000, ED-05-077.09-02-25.00-000, ED-05-077.09-02-27.00-000, and ED-05-077.09-02-23.00-000. Council District 4. *Previously Approved: Tree Mitigation Plan. For Consideration: Revised Parking Strategy Statement. This Revised project was the subject of HI-24-09 Revised for Historic District Commission Review and Recommendation on the Architectural Review Certification on August 21, 2025. The project is also associated with MI-24-10 Request for Alley Abandonment: Part of Alley Between S. Governors Avenue and S. Bradford Street.*

Representative: Mr. Mike Riemann, Becker Morgan Group; Mr. Michael Cane, Core States; Mr. JD Bartlett, EDiS Company (virtual); Mr. Todd Stonesifer, President of the Board for the

Ring W. Lardner, P.E.
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Jamie L. Sechler, P.E.

March 16, 2026

City of Dover
Department of Water & Wastewater
P.O. Box 475
Dover, DE 19903

Attn: Jason A. Lyon, P.E.
Director of Water & Wastewater / Engineering Services

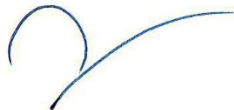
RE: Woodbrook Development Drainage Improvement
Dover, Delaware
DBF #0194A022.A01

Dear Mr. Lyon:

The Woodbrook Development Drainage Improvement focused on an evaluation of existing conditions with recommendations to mitigate roadway flooding on Woodsedge Road and Westview Terrace. The proposed improvements are not increasing the overall conveyance capacity of the system but making the existing infrastructure more efficient in allowing water to enter the system. Based on the evaluation performed, the discharge rates through the system are not increasing and are not anticipated to negatively impact the downstream pond.

Should you have any questions regarding this submission, please contact me at (302) 424-1441 or via e-mail at skc@dbfinc.com.

Sincerely,
DAVIS, BOWEN & FRIEDEL, INC.



Sharon K. Cruz, P.E., AICP
Associate

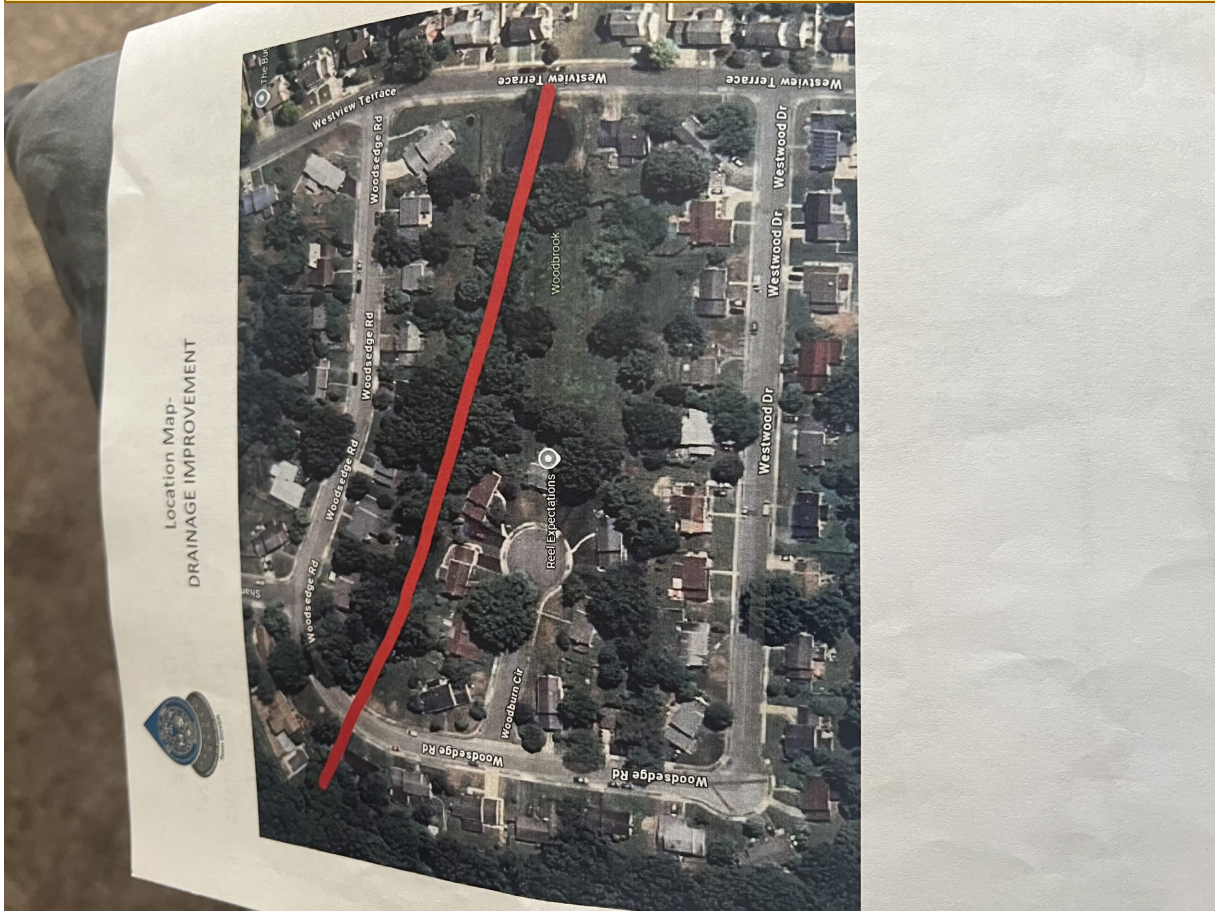
Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC
(Ekaman Subdivision)

Public Comments: Set 1 – Received through September 15, 2025, 12 noon

1. Email from Steve LeBoon of 1025 Westview Terrace received 9/5/2025 at 3:34pm with Attachment 1: City's Notice of Drainage Improvement Engineering Support – Woodbrook Development and Attachment 2: Notice of Application SB-25-02
2. Email from Joan Sciple of 1139 Westview Terrace received 9/6/2025 at 10:44am
3. Letter of Support from Michael Glick, property owner of 850 New Burton Road received 9/15/2025 at 7:13am

From: [LeBoon](#)
To: [City Clerks Office](#); [Melson-Williams, Dawn](#); [Duca, Sharon](#); [Hugg, Dave](#); [Anderson, David](#); [Neil, Fred](#); [Christiansen, Robin](#); [Sudler, Roy](#); [Donyale Hall](#); [Lewis, Brian E.](#); rayna.katz@mail.house.gov; [LeBoon LeBoon](#); [A cassbaby](#); [Carrah LeBoon](#); [Joan Sciple](#); DEOOSMIMA@mail.house.gov
Subject: EXTERNAL: Postponement regarding September 15, 2025
Date: Friday, September 5, 2025 3:49:44 PM
Attachments: [scan0004.pdf](#)
[scan0003.pdf](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



September 5, 2025

To:
 The Honorable Chair
 Dover Planning Commission

Re: Request for Postponement of Public Participation – September 15, 2025 Meeting

Dear Chair,

I respectfully request that the Planning Commission postpone the scheduled public participation session currently set for **Monday, September 15, 2025, at 6:00 PM.**

The basis of this request is the pending final rendering and report from **Davis, Bowen & Fridell, Inc.**, the architects, engineers, and surveyors who conducted extensive inspections of the infrastructure project from **August 11, 2025 through late August 2025**. Their findings are critical to the record and must be available for proper review and consideration by the community.

This proposed project has already been **denied by the Planning Commission last year**, yet it has reemerged repeatedly—this being the seventh attempt. My neighbors and I view it as not only a matter of public harassment but also a serious threat to our community's safety and well-being. The proposed development site sits on or near a floodplain, which is in direct violation of the Governor of Delaware's order prohibiting new construction in such areas.

Postponement is in the best interest of both the Commission and the public. It will allow sufficient time for myself and my fellow residents to:

- Review and synthesize the forthcoming civil engineering reports,
- Incorporate professional findings into our opposition, and
- Seek legal counsel if necessary to ensure our community is properly represented.

Enclosed with this request are:

1. Notification from the engineers,
2. Correspondence from the City of Dover civil engineer,
3. A certified letter regarding the notice of adhering application, and
4. A photograph documenting the longstanding drainage problems that have persisted in this area for over 45 years.

On behalf of myself and my neighbors, I respectfully urge the Planning Commission to postpone the September 15, 2025 public participation session until all relevant reports and findings can be reviewed and incorporated.

Also, I formally request, we neighbors formally request at least 60 days extension from the time we receive the publications and final report from the engineers regarding the inspection of the infrastructure drainage project. Thank you so much and thank you for your kindness.

And just to let you know, I'm incorporating and cc The honorable Sarah McBride, United States State Congress lady.

Thank you for your consideration.

Respectfully,

Steve LeBoon
[1025 Westview Terrace](#)
[Dover, DE 19904](#)

----- Forwarded message -----

From: **LeBoon** <cleboon89@gmail.com>
Date: Fri, Sep 5, 2025 at 3:33 PM
Subject:
To: Steve Leboon <slspiders@gmail.com>



**DRAINAGE
IMPROVEMENT
ENGINEERING
SUPPORT—
WOODBROOK
DEVELOPMENT**

Item 1.

AUGUST 11, 2025

Dear Valued City of Dover Residents,

As part of the City of Dover's ongoing commitment to improving public infrastructure, we will begin the design phase for potential drainage improvements in the **Westview Terrace area**. This project aims to address long-standing flooding concerns, especially near **Westview Terrace and Woodsedge Road**.

The design which will be carried out by **Davis Bown & Fridel, Inc.**, they will be working in the area starting **Monday, August 11, 2025**, through **Monday, August 25, 2025**. During this period, residents may notice survey crews in and around the neighborhood collecting necessary data to inform the design process.

Please note that no construction will take place during this phase. The purpose of this work is strictly for planning and design.

We appreciate your cooperation as we carry out this important work, and we encourage residents to reach out to the City of Dover's Department of Water & Wastewater with any questions or concerns.

Sincerely,

Srilekha

Srilekha Zallipalli
Civil Engineer
City of Dover
Department of Water & Wastewater
Phone: 302-760-4945

The following is the emergency contact for use on the above project:

Ring W. Lardner, PE.
President/ Senior Civil Engineer- (302)-632-9779
Sharon K. Cruz, PE.
Senior Civil Engineer- (302)-270-3903

NOTICE OF HEARING ON APPLICATION TO CITY OF DOVER PLANNING COMMISSION

PLEASE TAKE NOTICE:

That the undersigned has filed an application for a Conceptual Subdivision Plan with the City of Dover Planning Commission. (Application SB-25-02)

DESCRIPTION

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision):
Conceptual Subdivision Plan - Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver to be Requested: Percentage of Lots on a cul-de-sac.*

A public hearing has been scheduled for the Monday, September 15, 2025 Meeting of the City of Dover Planning Commission at 6:00 P.M. This meeting will be held in person in the City Council Chambers of City Hall before the Planning Commission as well as in a virtual format using the participation information below. When this application is called you may appear either in person, virtually, or by agent or attorney, and present any comments.

Public Participation Information

To Attend City of Dover Planning Commission Meeting of September 15, 2025 at 6:00 P.M.

Join by Phone: Dial +1-650-479-3208

Access Code: 253 196 09870

Password from Phones: 3683772

Join Online: <https://bit.ly/PCMeeting09152025>

Webinar Number: 2531 960 9870

Webinar Password: DoverPC

Written comments are also accepted via mail City of Dover – Planning Commission P.O. Box 475 Dover DE 19903 and via email at CompPlan@dover.de.us.

The papers are on file in the Office of the City Planner, City Hall, 15 Loockerman Plaza, Dover DE and are available for inspection. The Planning Commission Meeting Agenda and Meeting Packet will be posted on www.cityofdover.com under the City Meeting Calendar. This Notice is sent to you by the applicant, by order of the Planning Commission. Agenda items are subject to change. Confirmation of an agenda item can be done after 1 P.M., on the day of the hearing by calling the Planning Department at (302) 736-7196 or checking the website at www.cityofdover.com.

Respectfully,

Emmanuel Ehize

(Applicant)

Name (Print) Emmanuel Ehize

Address 3 Boggs Run Dover, DE 19904
JJ

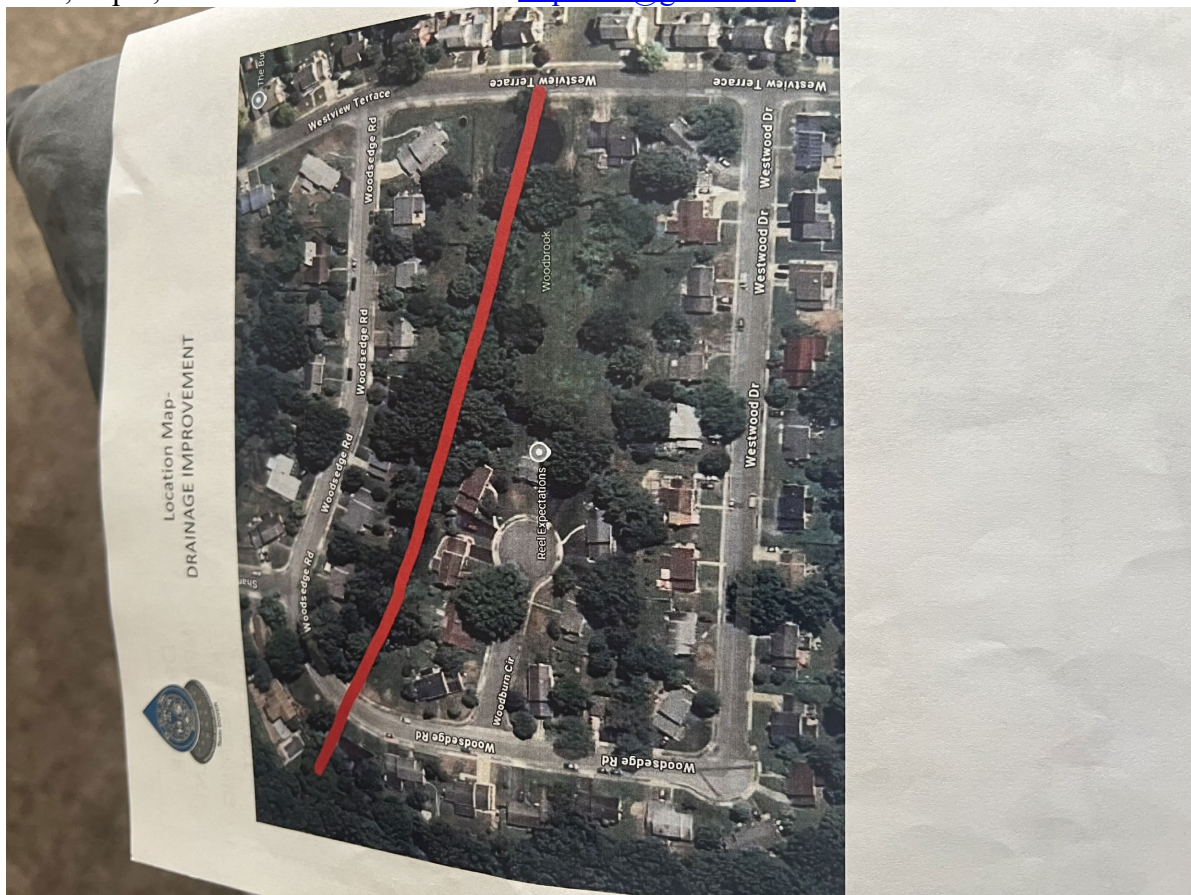
From: [Joan Sciple](#)
To: [LeBoon](#)
Cc: [City Clerks Office](#); [Melson-Williams, Dawn](#); [Duca, Sharon](#); [Hugg, Dave](#); [Anderson, David](#); [Neil, Fred](#); [Christiansen, Robin](#); [Sudler, Roy](#); [Donyale Hall](#); [Lewis, Brian E.](#); rayna.katz@mail.house.gov; [A cassbaby](#); [Carrah LeBoon](#); DEOOSMIMA@mail.house.gov
Subject: EXTERNAL: Re: Postponement regarding September 15, 2025
Date: Saturday, September 6, 2025 10:44:50 AM

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Steve for once again notifying the city on our behalf. I concur with your request . We have been trying for five years to get help to protect our homes from the devastation to the drainage problems caused by the 2020 tornado. No changes to the surrounding properties should be initiated until this is resolved.

Joan Sciple
 1139 Westview Terrace

On Fri, Sep 5, 2025 at 3:48 PM LeBoon <slspiders@gmail.com> wrote:



September 5, 2025

To:
 The Honorable Chair
 Dover Planning Commission

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4. A photograph documenting the longstanding drainage problems that have persisted in this area for over 45 years.

On behalf of myself and my neighbors, I respectfully urge the Planning Commission to postpone the September 15, 2025 public participation session until all relevant reports and findings can be reviewed and incorporated.

Also, I formally request, we neighbors formally request at least 60 days extension from the time we receive the publications and final report from the engineers regarding the inspection of the infrastructure drainage project. Thank you so much and thank you for your kindness.

And just to let you know, I'm incorporating and cc The honorable Sarah McBride, United States State Congress lady.

Thank you for your consideration.

Respectfully,

Steve LeBoon

[1025 Westview Terrace](#)

[Dover, DE 19904](#)

----- Forwarded message -----

From: **LeBoon** <cleboon89@gmail.com>

Date: Fri, Sep 5, 2025 at 3:33 PM

Subject:

To: Steve Leboon <slspiders@gmail.com>

From: [Michael Glick](#)
To: [CompPlan](#)
Subject: EXTERNAL: Letter of Support - SB-25-02
Date: Monday, September 15, 2025 7:13:28 AM
Attachments: [Scan_20250915_070736.pdf](#)

Some people who received this message don't often get email from mglick@lhconstruction.com. [Learn why this is important](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Please find attached letter of support for the SB-25-02 subdivision scheduled for today's P&Z Meeting.

Thank you for the consideration.

G. Michael Glick
President

Lighthouse Construction, Inc.
Lighthouse Realty Management
MacLeish Group
302.677.1965 x105
www.LHConstruction.com

G. Michael Glick

Property Owner – 850 New Burton Road
Dover, DE 19904

September 15, 2025

City of Dover Planning Commission
15 Loockerman Plaza
Dover, DE 19901

Re: Support for Conceptual Subdivision Plan – Ekaman Subdivision (SB-25-02C)

Dear Members of the Planning Commission,

As the property owner of 850 New Burton Road, I am writing in support of the application titled *Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)* scheduled for review at your September 15, 2025 Planning Commission meeting.

This project represents exactly the type of thoughtful *infill subdivision* that benefits the City of Dover in multiple ways. Infill development makes efficient use of existing infrastructure, reduces sprawl, and encourages growth where services exist. By strengthening and filling in established neighborhoods, it ensures orderly growth and creates vibrant residential communities that are well-connected to schools, jobs, and services.

Equally important, Dover continues to face a pressing shortage of attainable and workforce housing. Local businesses—particularly major employers such as Bayhealth Hospital and its growing medical campus—depend on having affordable, nearby housing options for employees. Without adequate housing supply, it becomes increasingly difficult for Dover to attract and retain the workforce that drives our local economy. Projects such as the Ekaman Subdivision directly help address this need by adding new homes in an accessible, in-town location.

The proposed subdivision balances new residential lots with appropriate stormwater management and open space areas, while meeting the City's infill standards. The waiver request related to the cul-de-sac is a practical solution given the unique parcel shape and should not detract from the overall planning objectives.

I respectfully encourage the Planning Commission and the City of Dover to support this application. It represents smart growth, adds much-needed housing to the community, and helps ensure that Dover remains a place where both families and businesses can thrive.

Thank you for your consideration.

Sincerely,



Michael Glick

Property Owner – 850 New Burton Road

Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC
(Ekaman Subdivision)

Public Comments: Set 2 of May 2026 – Received through May 8, 2026, 12 noon

1. Email from Steve LeBoon of 1025 Westview Terrace received May 7, 2026 at 8:25pm with Letter of Opposition dated May 7, 2026 with photo image and links to videos/photos

From: [Mr. Mittens & Pirate](#)
To: [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian E.](#); [Christiansen, Robin](#); [Donyale Hall](#); [Joan Sciple](#); [A cassbaby](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphltaylorjr@gmail.com](#); [Neil, Fred A.](#); [Mr. Mittens & Pirate](#); [Dan Bieker](#); [silerquest@gmail.com](#); [Lyon, Jason A](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#)
Subject: EXTERNAL: Letter of opposition (15th time)
Date: Thursday, May 7, 2026 8:25:47 PM
Attachments: [Letter of opposition.pdf](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Subject: Request to Add Attached Materials to the Record with formal objections

Dear Ms. Melson & planning commission,

We hope this email finds you well in advance of the upcoming hearing.

Please see the attached materials, along with two video links and one photograph.

This appears to be the fifteenth instance of ongoing harassment affecting the elderly and valued residents of our community.

The applicant has now been denied four times. At the last meeting, when the matter was placed on hold, I made him an affordable cash offer, which he never responded to. We are now once again faced with hearing this unsupported and unlawful request for a conceptual subdivision plan.

I have included several of my neighbors on this email. Please also be advised that within the next few days I will formally submit additional neighborhood opposition materials from residents on the four or five streets surrounding this vacant lot, which has remained vacant for more than 150 years.

I have also copied the City Clerk's Office, the Mayor, and several Council Members, with the exception of the Honorable Brian Lewis and the Honorable Ms. Hall. I respectfully request that the Mayor's Office or City Clerk's Office provide the date and meeting information in which Council denied the variance request for this vacant lot, which I believe occurred approximately three to four years ago.

I will follow up shortly with additional documentation.

In the meantime, thank you for your time and attention to this matter. Please add this correspondence and all attached materials to the official record.

Once again, I am sorry that you have to be subjected to this nonsense again.

Residents of
 Westview Terrace, Jefferson Terrace, and Wyoming Avenue Residents
 Steve LeBoon and Cassandra LeBoon
 1025 Westview Ter, Dover, DE 19904
 [REDACTED]
 [REDACTED]

May 7, 2026

RE: Joint Formal Opposition and Request for Dismissal With Prejudice – SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

To The Honorable Planning Commission Chair, Dawn Melson, and Committee Members:

This letter constitutes a joint formal opposition submitted by the affected residents of Westview Terrace, Jefferson Terrace, and Wyoming Avenue regarding the proposed Conceptual Subdivision Plan identified as SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision), involving the proposed subdivision to create five residential lots and one residual lot from parcels totaling approximately 4.5754 acres located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace, including the unaddressed Jefferson Terrace extension area referenced within the application materials.

Residents of the surrounding neighborhood have repeatedly raised serious concerns regarding this property and the proposed development. To our knowledge, this matter has now been brought before Council, the Planning Commission, and/or relevant officials at least thirteen (13) separate times. On each prior occasion, the proposal has been rejected, struck down, denied, deferred, or otherwise failed to proceed due to unresolved concerns involving access, flooding, drainage, environmental impact, and overall development feasibility.

The City's April 29, 2026 notice states that the Planning Commission previously deferred action on SB-25-02 on September 15, 2025 "seeking additional information." Despite the passage of time and repeated prior proceedings, residents remain concerned that the same fundamental deficiencies and unresolved issues continue to exist.

Residents further object to procedural deficiencies associated with notice of the upcoming May 18, 2026 Planning Commission hearing. Although the City notice references adjacent property owners, it is the understanding of residents that not all affected and neighboring property owners received proper notice regarding the upcoming public hearing and continued review of this matter. Given the longstanding controversy surrounding this proposal and its direct impact upon surrounding neighborhoods, residents respectfully request that the adequacy of notice and community notification procedures be reviewed before further proceedings occur.

Accordingly, residents respectfully request that this matter be denied and dismissed with prejudice so that substantially similar proposals concerning this property are not repeatedly reintroduced without material changes addressing the longstanding legal, environmental, drainage, and access concerns previously identified by Council, agencies, and affected residents.

The repeated re-submission of substantially similar proposals concerning this property has imposed an ongoing and unnecessary burden upon surrounding residents. Neighbors have repeatedly been required to devote significant time, financial resources, and personal effort toward monitoring proceedings, attending meetings, gathering documentation, reviewing filings, consulting public records, and responding to unresolved issues that have already been identified during prior proceedings.

In addition to the financial burden, the continued uncertainty surrounding this matter has caused substantial emotional stress and disruption to affected residents, many of whom live immediately adjacent to the property and remain concerned about flooding risks, environmental harm, drainage impacts, property damage, and the overall safety and stability of the neighborhood. Residents respectfully submit that repeated applications raising materially similar issues, despite prior denials and longstanding unresolved deficiencies, undermine the interests of finality, efficient administration, and fundamental fairness to the surrounding community.

Residents continue to object due to significant concerns involving flooding, stormwater runoff, drainage impacts, environmental harm, access deficiencies, and potential misrepresentations made during the review and approval process.

Based upon the apparent grading, site conditions, and/or proposed development activity, residents believe this project may unlawfully increase stormwater runoff onto adjacent properties and create or worsen flooding conditions throughout the surrounding neighborhood. The property is located near a floodplain and/or flood-prone area, substantially increasing the risk of harm to nearby homes and properties if development proceeds without comprehensive review and mitigation.

Additionally, the subject property is landlocked and does not appear to have lawful or adequate legal access for development purposes. Attached photographs and supporting documentation illustrate these concerns. It is the understanding and belief of residents that the landowner has failed to fully disclose the lack of lawful access to Council members and/or other reviewing officials during discussions related to this property.

Residents are additionally concerned that the physical layout and dimensions of the access area and surrounding roadway infrastructure do not appear capable of safely accommodating adequate two-way traffic flow, emergency vehicle access, required roadway standards,

sidewalks, pedestrian safety requirements, or related infrastructure improvements customarily associated with residential subdivision development. Residents respectfully submit that there appears to be insufficient space to safely construct and maintain compliant two-way street access together with sidewalks and related pedestrian infrastructure without creating additional safety, drainage, and property-impact concerns affecting the surrounding neighborhood.

Residents are further concerned that the substantial infrastructure costs likely necessary to make this property minimally suitable for development — including roadway construction, drainage improvements, stormwater management systems, grading, environmental mitigation, utility installation, and related access improvements — raise serious questions regarding the overall feasibility, sustainability, and eventual quality of the proposed project. Based upon the apparent conditions and limitations associated with the site, residents understand that roadway construction and related infrastructure costs alone could potentially exceed one million dollars before additional development-related expenses are considered.

Given these substantial constraints and costs, residents respectfully question whether the proposed development can realistically be completed in a manner consistent with applicable safety standards, infrastructure requirements, environmental protections, neighborhood compatibility, and the level of construction quality reasonably expected within the surrounding community.

Residents are further concerned that inaccurate, incomplete, or misleading information may have been presented regarding the property's access status, drainage concerns, environmental implications, and overall development feasibility. These matters should be fully investigated before any approvals, permits, variances, or land disturbance activities are permitted to proceed.

The affected area is also located near environmentally sensitive and protected land, including areas subject to environmental oversight and conservation concerns. Delaware law recognizes the importance of conserving open space, flood-prone land, wetlands, and environmentally sensitive areas for the protection of water resources, wildlife habitat, drainage management, and the health, safety, and welfare of surrounding communities.

Delaware statutes and public policy strongly support the preservation of open land and environmentally sensitive areas where development would negatively impact neighboring properties, drainage systems, or ecological resources. Residents note that efforts have already been made in good faith to resolve this matter cooperatively, including offers made by certain residents to the developer and/or landowner intended to preserve the property as maintained open land rather than pursue unsuitable development.

Residents further note that Delaware environmental policy, executive directives, and land-use regulations strongly favor the protection of environmentally sensitive lands, flood-prone areas, wetlands, drainage corridors, and open space. This includes applicable provisions of Delaware's Sediment and Stormwater Law (7 Del. C. Ch. 40), Delaware wetland and water resource protections, Kent County drainage and subdivision ordinances, applicable FEMA floodplain management standards, and gubernatorial environmental and resiliency initiatives intended to protect Delaware communities from increased flooding, stormwater impacts, environmental degradation, and inappropriate development within vulnerable areas.

Residents respectfully submit that approval of the proposed development would be inconsistent with the intent and purpose of these protections, particularly given the property's apparent access deficiencies, flood-risk concerns, environmental sensitivity, repeated prior denials, and longstanding unresolved drainage issues affecting neighboring properties and the surrounding community

Delaware law and Kent County drainage regulations prohibit development practices that increase runoff or direct stormwater onto neighboring properties. Delaware's Sediment and Stormwater Law (7 Del. C. Chapter 40), together with applicable stormwater regulations, requires developments to properly manage runoff and prevent adverse impacts to surrounding properties and downstream areas.

Kent County drainage standards likewise prohibit stormwater discharge practices that create flooding, standing water, erosion, sediment impacts, or concentrated runoff onto adjacent lands.

Residents' concerns include, but are not limited to:

- Increased flooding risk to neighboring properties;
- Development near or within flood-prone areas;
- Adverse impacts to nearby environmentally sensitive or protected land;
- Alteration of natural drainage patterns;
- Concentrated runoff toward homes or structures;
- Insufficient stormwater management infrastructure;
- Potential erosion and sediment impacts;
- Reduced natural absorption caused by grading or impervious surfaces;
- Lack of lawful or practical access to the property;

- Potential misrepresentations made during the review or approval process;
- Inadequate notice to affected neighboring property owners; and
- Ongoing failure to adequately address repeated community concerns despite multiple prior proceedings.

Accordingly, residents respectfully request that the County, Council, Planning Commission, and/or reviewing agencies:

1. Deny this application and dismiss the matter with prejudice;
2. Require engineering analysis demonstrating that runoff volumes and flow rates will not adversely impact neighboring properties;
3. Investigate the property's access status and determine whether lawful development access exists;
4. Review all floodplain, wetland, environmental, and flood-risk implications associated with the site;
5. Investigate whether inaccurate or incomplete information was presented during the approval process;
6. Review whether all required notice procedures were properly satisfied regarding the May 18, 2026 hearing and continued review proceedings;
7. Preserve the existing environmental and open-space characteristics of the property where appropriate; and
8. Require appropriate corrective mitigation measures where necessary.
9. Consider all applicable Delaware executive directives, environmental protection policies, floodplain management requirements, stormwater regulations, subdivision ordinances, and open-space preservation objectives relevant to the subject property and surrounding environmentally sensitive areas.

Residents further request that this letter, together with all attached photographs, video evidence, and supporting documentation, be included in the official record for this matter and that affected residents be notified of any hearings, approvals, variances, applications, or further actions related to this property.

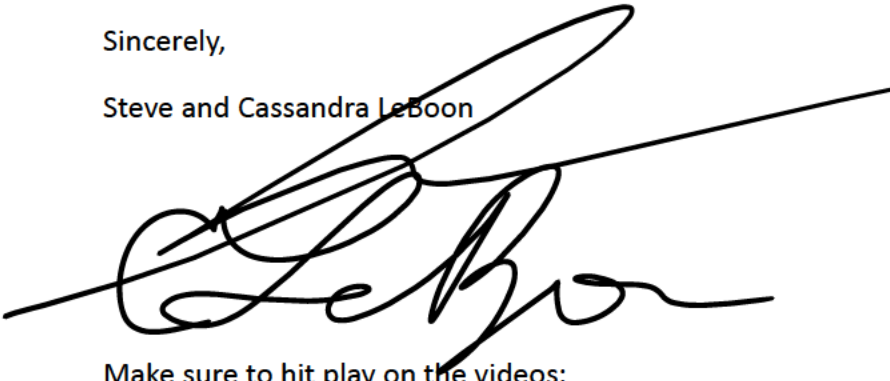
For further reference, The LeBoons are also attaching video evidence demonstrating a real-life example of the severe consequences that may occur when flooding regulations, stormwater management requirements, drainage protections, and responsible land-use practices are

ignored or inadequately enforced. This evidence is provided to illustrate the legitimate and substantial concerns shared by the surrounding community regarding the potential impact of the proposed development.

Thank you for your attention to these serious and ongoing concerns affecting the surrounding neighborhood and environment.

Sincerely,

Steve and Cassandra LeBoon

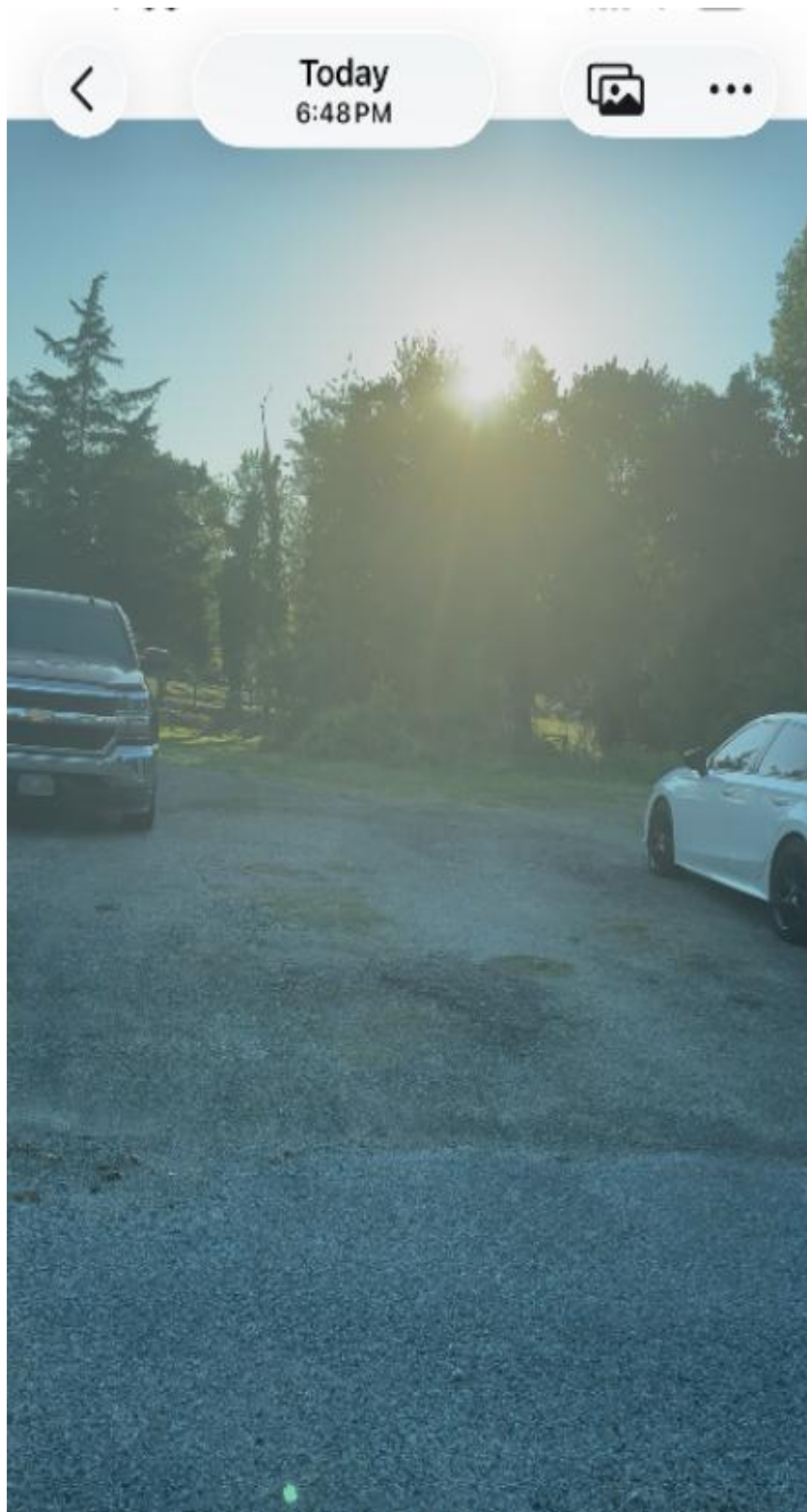
A handwritten signature in black ink, appearing to be 'LeBoon', written over a horizontal line.

Make sure to hit play on the videos:

<https://share.icloud.com/photos/0f1F6rfQPgDe2xFgapgEe4reQ>

<https://share.icloud.com/photos/0d45SJ911HkZOOtk0EX5c5P6g>

P.S. Some residents have been cc'd on this letter.



Picture from Jefferson Terrace into the area in question.

Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC
(Ekaman Subdivision)

Public Comments: Set 3 of May 2026 – Received through May 15, 2026, 3:00pm

1. Email from Dan and Joy Bieker of 1033 Westview Terrace received May 8, 2026 at 8:58pm
2. Email received May 9, 2026 at 11:27am with copy of Screenshot of Dave Lees comments
3. Email from Steve LeBoon of 1025 Westview Terrace received May 9, 2026 2:45pm with Attachments:
 - a. Original Letter of Opposition dated May 7, 2026 (Letter Also in Public Comments Set 2, Item 1)
 - b. Letter on Open Space Dated May 9, 2026
4. Email from Joan Sciple of 1139 Westview Terrace received May 12, 2026 at 10:31am
5. Email from Steve LeBoon received May 14, 2026 at 10:28am (his response after receiving FOIA Request Response 2026-186: Drainage Improvement Engineering support for Woodbrook Development) with attachments
 - a. Copy of Letter of March 16, 2026 on Woodbrook Development Drainage Improvement from Davis, Bowen, & Friedel, Inc. (Consultant) to City of Dover Department of Water & Wastewater (Letter is already part of the Planning Commission Packet)
 - b. Report on HydroCAD Modeling 002 0194A022 – Existing Conditions Sub Areas as Prepared by Davis Bowen & Friedel Inc. Printed 5/8/2026. Report on three sections: Pages 1-52, Pages 1-54, and Pages 1-54. Evaluation in Woodbrook Drainage Improvement Study. – Document on file in Planning Office and City Department of Water & Wastewater and Engineering Services/Department of Public Works.
 - c. Report on HydroCAD Modeling 002 0194A022 – Proposed Conditions Sub Areas Double Inlets as Prepared by Davis Bowen & Friedel Inc. Printed 5/8/2026. Report in three sections: pages 1-53, Pages 1-53, and pages 1-54. Evaluation in Woodbrook Drainage Improvement Study. – Document on file in Planning Office and City Department of Water & Wastewater and Engineering Services/Department of Public Works.

From: [Dan Bieker](#)
To: [Mr. Mittens & Pirate](#)
Cc: [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian E.](#); [Christiansen, Robin](#); [Donyale Hall](#); [Joan Sciple](#); [A cassbaby](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphltaylorjr@gmail.com](#); [Neil, Fred A.](#); [silerquest@gmail.com](#); [Lyon, Jason A](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [jordinwilliams23@gmail.com](#); [slpiders@gmail.com](#)
Subject: EXTERNAL: Re: Letter of opposition (15th time)
Date: Friday, May 8, 2026 8:58:29 PM

You don't often get email from dbieker32@gmail.com. [Learn why this is important](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Steve for initiating this correspondence. My wife and I both oppose the construction as our property is adjacent to and downhill from the proposed development.

We have been residents in Woodbrook for over 27 years and have already had several incidents where flood waters nearly entered our home. It is a cause of great concern that developing the land behind our home may threaten the homes and property of my family and my neighbors.

Thank you for your consideration in this matter.

Dan and Joy Bieker
 1033 Westview Terrace
 Dover, DE

On Thu, May 7, 2026, 10:21 PM Mr. Mittens & Pirate <slspiders@gmail.com> wrote:

Subject: Request for Engineering Water Study Results

Hello Mr. Lyon,

Over the next few days, would you be kind enough to provide me with the results of the engineering water study that was conducted last year?

I'm assuming the study has been completed by now, and I'm very eager to review the engineers' final findings and rendered results.

I truly appreciate your time and effort, as always. You have done an amazing job working for the city, and I continue to applaud your dedication and efforts.

If possible, you may email the results to me. If it is easier to leave a copy at the City Hall office, I would be more than happy to drive up and pick it up.

Thank you again.

Steve LeBoon
[484-716-4567](tel:484-716-4567)

On Thu, May 7, 2026 at 8:25 PM Mr. Mittens & Pirate <slspiders@gmail.com> wrote:

Subject: Request to Add Attached Materials to the Record with formal objections

Dear Ms. Melson & planning commission,

We hope this email finds you well in advance of the upcoming hearing.

Please see the attached materials, along with two video links and one photograph.

This appears to be the fifteenth instance of ongoing harassment affecting the elderly and valued residents of our community.

The applicant has now been denied four times. At the last meeting, when the matter was placed on hold, I made him an affordable cash offer, which he never responded to. We are now once again faced with hearing this unsupported and unlawful request for a conceptual subdivision plan.

I have included several of my neighbors on this email. Please also be advised that within the next few days I will formally submit additional neighborhood opposition materials from residents on the four or five streets surrounding this vacant lot, which has remained vacant for more than 150 years.

I have also copied the City Clerk's Office, the Mayor, and several Council Members, with the exception of the Honorable Brian Lewis and the Honorable Ms. Hall. I respectfully request that the Mayor's Office or City Clerk's Office provide the date and meeting information in which Council denied the variance request for this vacant lot, which I believe occurred approximately three to four years ago.

I will follow up shortly with additional documentation.

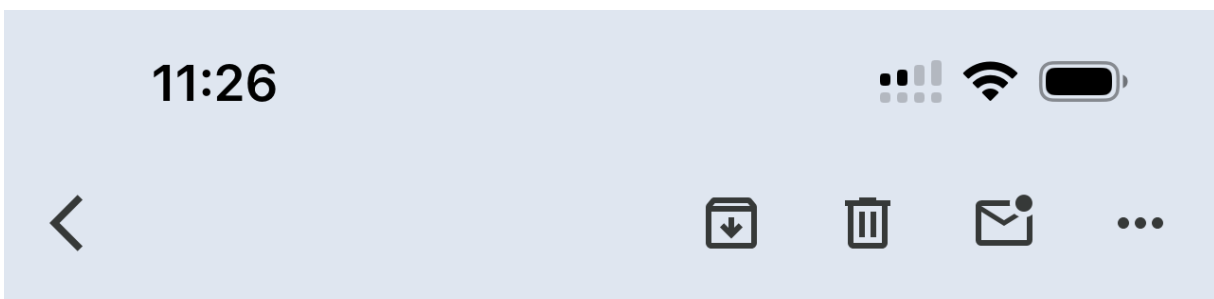
In the meantime, thank you for your time and attention to this matter. Please add this correspondence and all attached materials to the official record.

Once again, I am sorry that you have to be subjected to this nonsense again.

From: [Mr. Mittens & Pirate](#)
To: [Dan Bieker](#)
Cc: [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian E.](#); [Christiansen, Robin](#); [Donyale Hall](#); [Joan Sciple](#); [A cassbaby](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphltaylorjr@gmail.com](#); [Neil, Fred A.](#); [silerquest@gmail.com](#); [Lyon, Jason A](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [jordinwilliams23@gmail.com](#); [slpiders@gmail.com](#)
Subject: EXTERNAL: Re: Letter of opposition (15th time)
Date: Saturday, May 9, 2026 11:27:53 AM
Attachments: [IMG_8075.png](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

So I received a response from Neighbor, Mr. Lees and I don't know if he sent it to everyone, but I'd like to include a screenshot regarding his serious concerns regarding the application that's been ongoing for the last 15 years. enclose a screenshot.



Re: Letter of opposition (15th time)

Inbox



≡ Summarize this email



Dave Lees 11:19 AM

to me ▾



In support of the many objections herein:
 As a Woodbrook resident of over 20 years, I must object to the development of the land in question. The request for development by the developer has already been denied on multiple occasions for many reasons. These include but are not limited to lack of egress lack of local infrastructure to support

lack of access, lack of local infrastructure to support the development, potential harm to wetlands, harm to the ecosystem, potential flooding of the surrounding communities and more. It boggles the mind that this issue keeps coming up again and again and smacks of potential graft, bribery and fraud. Please reject this proposal with prejudice so that it cannot rear its head again.

Best regards,
David Lees

dmlmidi@gmail.com

On Sat, May 9, 2026 at 11:17 AM Dave Lees

<dmlmidi@gmail.com> wrote:

As a Woodbrook resident of over 20 years, I must object to the development of the land in question. The request for development by the developer

← Reply

→ Forward



On Fri, May 8, 2026 at 8:58 PM Dan Bieker <dbieker32@gmail.com> wrote:

Thank you Steve for initiating this correspondence. My wife and I both oppose the construction as our property is adjacent to and downhill from the proposed development.

We have been residents in Woodbrook for over 27 years and have already had several incidents where flood waters nearly entered our home. It is a cause of great concern that developing the land behind our home may threaten the homes and property of my family and my neighbors.

Thank you for your consideration in this matter.

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[1033 Westview Terrace](#)
[Dover, DE](#)

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If possible, you may email the results to me. If it is easier to leave a copy at the City Hall office, I would be more than happy to drive up and pick it up.

Thank you again.

Steve LeBoon
[484-716-4567](tel:484-716-4567)

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Subject: Request to Add Attached Materials to the Record with formal objections

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I have included several of my neighbors on this email. Please also be advised that within the next few days I will formally submit additional neighborhood opposition materials from residents on the four or five streets surrounding this vacant lot, which has remained vacant for more than 150 years.

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I will follow up shortly with additional documentation.

In the meantime, thank you for your time and attention to this matter. Please add this correspondence and all attached materials to the official record.

Once again, I am sorry that you have to be subjected to this nonsense again.

From: [LeBoon](#)
To: [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian E.](#); [Christiansen, Robin](#); [Donyale Hall](#); [Joan Sciple](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphltaylorjr@gmail.com](#); [Neil, Fred A.](#); [Mr. Mittens & Pirate](#); [Dan Bieker](#); [silerquest@gmail.com](#); [Lyon, Jason A](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [Cassandra LeBoon](#); [patrick.emory@delaware.gov](#); [eric.ludwig@delaware.gov](#); [anthony.gonzon@delaware.gov](#)
Subject: EXTERNAL: City of Dover Planning Commission (Application SB-25-02)
Date: Saturday, May 9, 2026 2:45:19 PM
Attachments: [Open space proposal.pdf](#)
[Letter of opposition.pdf](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Attached please find the original letter in opposition to the proposed development of the land located between Westview Terrace and Monroe Terrace, along with a second letter outlining a proposed alternative solution that we respectfully request be presented to the owner of the landlocked property.

The attached materials address concerns involving flooding, drainage, infrastructure limitations, roadway access, neighborhood impact, and overall feasibility of development within this area. The proposed alternative is intended to provide a constructive solution while helping preserve neighborhood safety, drainage integrity, and surrounding property conditions.

We respectfully ask that both documents be reviewed in full and included as part of the official record and any ongoing discussions regarding this property.

Please confirm receipt of these materials at your earliest convenience.

Thank you for your time and consideration.

Sincerely,

Residents of

Westview Terrace, Jefferson Terrace, and Wyoming Avenue Residents

Steve LeBoon and Cassandra LeBoon

1025 Westview Ter, Dover, DE 19904

484-716-4567

slspiders@gmail.com

May 7, 2026

RE: Joint Formal Opposition and Request for Dismissal With Prejudice – SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

To The Honorable Planning Commission Chair, Dawn Melson, and Committee Members:

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Residents of the surrounding neighborhood have repeatedly raised serious concerns regarding this property and the proposed development. To our knowledge, this matter has now been brought before Council, the Planning Commission, and/or relevant officials at least thirteen (13) separate times. On each prior occasion, the proposal has been rejected, struck down, denied, deferred, or otherwise failed to proceed due to unresolved concerns involving access, flooding, drainage, environmental impact, and overall development feasibility.

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Accordingly, residents respectfully request that this matter be denied and dismissed with prejudice so that substantially similar proposals concerning this property are not repeatedly reintroduced without material changes addressing the longstanding legal, environmental, drainage, and access concerns previously identified by Council, agencies, and affected residents.

The repeated re-submission of substantially similar proposals concerning this property has imposed an ongoing and unnecessary burden upon surrounding residents. Neighbors have repeatedly been required to devote significant time, financial resources, and personal effort toward monitoring proceedings, attending meetings, gathering documentation, reviewing filings, consulting public records, and responding to unresolved issues that have already been identified during prior proceedings.

In addition to the financial burden, the continued uncertainty surrounding this matter has caused substantial emotional stress and disruption to affected residents, many of whom live immediately adjacent to the property and remain concerned about flooding risks, environmental harm, drainage impacts, property damage, and the overall safety and stability of the neighborhood. Residents respectfully submit that repeated applications raising materially similar issues, despite prior denials and longstanding unresolved deficiencies, undermine the interests of finality, efficient administration, and fundamental fairness to the surrounding community.

Residents continue to object due to significant concerns involving flooding, stormwater runoff, drainage impacts, environmental harm, access deficiencies, and potential misrepresentations made during the review and approval process.

Based upon the apparent grading, site conditions, and/or proposed development activity, residents believe this project may unlawfully increase stormwater runoff onto adjacent properties and create or worsen flooding conditions throughout the surrounding neighborhood. The property is located near a floodplain and/or flood-prone area, substantially increasing the risk of harm to nearby homes and properties if development proceeds without comprehensive review and mitigation.

Additionally, the subject property is landlocked and does not appear to have lawful or adequate legal access for development purposes. Attached photographs and supporting documentation illustrate these concerns. It is the understanding and belief of residents that the landowner has failed to fully disclose the lack of lawful access to Council members and/or other reviewing officials during discussions related to this property.

Residents are additionally concerned that the physical layout and dimensions of the access area and surrounding roadway infrastructure do not appear capable of safely accommodating adequate two-way traffic flow, emergency vehicle access, required roadway standards,

sidewalks, pedestrian safety requirements, or related infrastructure improvements customarily associated with residential subdivision development. Residents respectfully submit that there appears to be insufficient space to safely construct and maintain compliant two-way street access together with sidewalks and related pedestrian infrastructure without creating additional safety, drainage, and property-impact concerns affecting the surrounding neighborhood.

Residents are further concerned that the substantial infrastructure costs likely necessary to make this property minimally suitable for development — including roadway construction, drainage improvements, stormwater management systems, grading, environmental mitigation, utility installation, and related access improvements — raise serious questions regarding the overall feasibility, sustainability, and eventual quality of the proposed project. Based upon the apparent conditions and limitations associated with the site, residents understand that roadway construction and related infrastructure costs alone could potentially exceed one million dollars before additional development-related expenses are considered.

Given these substantial constraints and costs, residents respectfully question whether the proposed development can realistically be completed in a manner consistent with applicable safety standards, infrastructure requirements, environmental protections, neighborhood compatibility, and the level of construction quality reasonably expected within the surrounding community.

Residents are further concerned that inaccurate, incomplete, or misleading information may have been presented regarding the property's access status, drainage concerns, environmental implications, and overall development feasibility. These matters should be fully investigated before any approvals, permits, variances, or land disturbance activities are permitted to proceed.

The affected area is also located near environmentally sensitive and protected land, including areas subject to environmental oversight and conservation concerns. Delaware law recognizes the importance of conserving open space, flood-prone land, wetlands, and environmentally sensitive areas for the protection of water resources, wildlife habitat, drainage management, and the health, safety, and welfare of surrounding communities.

Delaware statutes and public policy strongly support the preservation of open land and environmentally sensitive areas where development would negatively impact neighboring properties, drainage systems, or ecological resources. Residents note that efforts have already been made in good faith to resolve this matter cooperatively, including offers made by certain residents to the developer and/or landowner intended to preserve the property as maintained open land rather than pursue unsuitable development.

Residents further note that Delaware environmental policy, executive directives, and land-use regulations strongly favor the protection of environmentally sensitive lands, flood-prone areas, wetlands, drainage corridors, and open space. This includes applicable provisions of Delaware's Sediment and Stormwater Law (7 Del. C. Ch. 40), Delaware wetland and water resource protections, Kent County drainage and subdivision ordinances, applicable FEMA floodplain management standards, and gubernatorial environmental and resiliency initiatives intended to protect Delaware communities from increased flooding, stormwater impacts, environmental degradation, and inappropriate development within vulnerable areas.

Residents respectfully submit that approval of the proposed development would be inconsistent with the intent and purpose of these protections, particularly given the property's apparent access deficiencies, flood-risk concerns, environmental sensitivity, repeated prior denials, and longstanding unresolved drainage issues affecting neighboring properties and the surrounding community

Delaware law and Kent County drainage regulations prohibit development practices that increase runoff or direct stormwater onto neighboring properties. Delaware's Sediment and Stormwater Law (7 Del. C. Chapter 40), together with applicable stormwater regulations, requires developments to properly manage runoff and prevent adverse impacts to surrounding properties and downstream areas.

Kent County drainage standards likewise prohibit stormwater discharge practices that create flooding, standing water, erosion, sediment impacts, or concentrated runoff onto adjacent lands.

Residents' concerns include, but are not limited to:

- Increased flooding risk to neighboring properties;
- Development near or within flood-prone areas;
- Adverse impacts to nearby environmentally sensitive or protected land;
- Alteration of natural drainage patterns;
- Concentrated runoff toward homes or structures;
- Insufficient stormwater management infrastructure;
- Potential erosion and sediment impacts;
- Reduced natural absorption caused by grading or impervious surfaces;
- Lack of lawful or practical access to the property;

- Potential misrepresentations made during the review or approval process;
- Inadequate notice to affected neighboring property owners; and
- Ongoing failure to adequately address repeated community concerns despite multiple prior proceedings.

Accordingly, residents respectfully request that the County, Council, Planning Commission, and/or reviewing agencies:

1. Deny this application and dismiss the matter with prejudice;
2. Require engineering analysis demonstrating that runoff volumes and flow rates will not adversely impact neighboring properties;
3. Investigate the property's access status and determine whether lawful development access exists;
4. Review all floodplain, wetland, environmental, and flood-risk implications associated with the site;
5. Investigate whether inaccurate or incomplete information was presented during the approval process;
6. Review whether all required notice procedures were properly satisfied regarding the May 18, 2026 hearing and continued review proceedings;
7. Preserve the existing environmental and open-space characteristics of the property where appropriate; and
8. Require appropriate corrective mitigation measures where necessary.
9. Consider all applicable Delaware executive directives, environmental protection policies, floodplain management requirements, stormwater regulations, subdivision ordinances, and open-space preservation objectives relevant to the subject property and surrounding environmentally sensitive areas.

Residents further request that this letter, together with all attached photographs, video evidence, and supporting documentation, be included in the official record for this matter and that affected residents be notified of any hearings, approvals, variances, applications, or further actions related to this property.

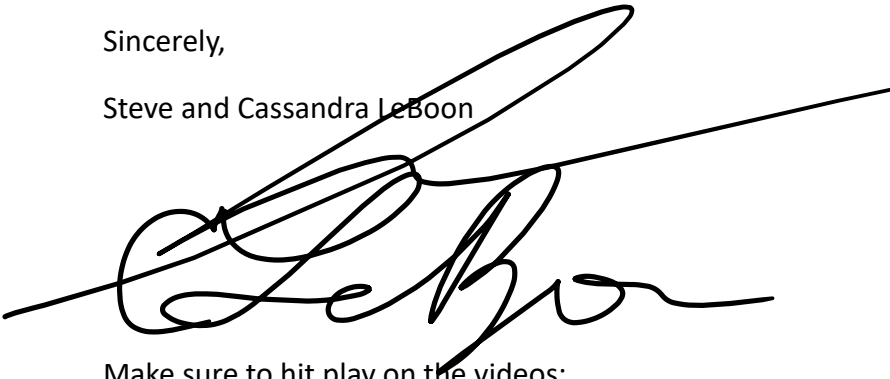
For further reference, The LeBoons are also attaching video evidence demonstrating a real-life example of the severe consequences that may occur when flooding regulations, stormwater management requirements, drainage protections, and responsible land-use practices are

ignored or inadequately enforced. This evidence is provided to illustrate the legitimate and substantial concerns shared by the surrounding community regarding the potential impact of the proposed development.

Thank you for your attention to these serious and ongoing concerns affecting the surrounding neighborhood and environment.

Sincerely,

Steve and Cassandra LeBoon

A handwritten signature in black ink, appearing to be 'LeBoon', written over a horizontal line.

Make sure to hit play on the videos:

<https://share.icloud.com/photos/0f1F6rfQPgDe2xFgapgEe4reQ>

<https://share.icloud.com/photos/0d45SJ911HkZOOtk0EX5c5P6g>

P.S. Some residents have been cc'd on this letter.



Picture from Jefferson Terrace into the area in question.

Steve LeBoon and Cassandra LeBoon
1025 Westview Ter, Dover, DE 19904
484-716-4567
cleboon89@gmail.com

May 9, 2026

RE: Joint Formal Opposition and Request for Dismissal With Prejudice – SB-25-02
Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

To All Venerable Participants:

I am writing to respectfully request that the undeveloped land corridor located between Westview Terrace and Monroe Terrace in Dover, Delaware be formally evaluated for preservation as protected open space under applicable state, county, or municipal conservation and flood resiliency initiatives.

I further submit this proposal as a practical and constructive alternative solution to the proposed development of land between Westview Terrace and Monroe Terrace. Rather than pursuing additional dense residential construction in an area already experiencing drainage and infrastructure concerns, preservation of this corridor as open space would better serve the long-term public interest, surrounding residents, and environmental stability of the area.

This area appears to serve an important natural drainage and stormwater absorption function within the broader Puncheon Run watershed corridor. Residents in the surrounding neighborhoods have already experienced recurring flooding concerns, drainage limitations, and increasing stormwater pressures during heavy rain events. Based on observed conditions and the character of the surrounding land, further residential development in this location could significantly worsen runoff impacts to nearby homes and streets.

Preserving this land as open space would provide several important public benefits, including:

- Protection of natural stormwater retention capacity
- Reduction of downstream flooding impacts
- Preservation of drainage flow paths connected to the Puncheon Run system
- Protection of nearby residential properties from increased runoff
- Maintenance of green space and environmental buffers within an already developed area
- Reduction of long-term infrastructure and stormwater management costs to taxpayers
- Support of Delaware's broader flood resiliency and watershed protection goals

Importantly, preserving this corridor as open space offers a reasonable land-use solution that avoids many of the concerns currently associated with development proposals in this area, including:

- increased flooding risks,
- traffic and roadway limitations,
- lack of space for safe sidewalks and two-way traffic,
- potential strain on drainage infrastructure,
- and the substantial public and private costs associated with constructing new roads and stormwater systems in a constrained area.

I respectfully request that the City of Dover and relevant state agencies evaluate whether this corridor qualifies for:

- open space preservation,
- conservation acquisition,
- drainage easement protection,
- floodplain preservation,
- or designation as a stormwater management and environmental buffer area.

Given the increasing frequency of severe rainfall events and ongoing concerns regarding development impacts throughout Kent County, preserving existing natural drainage areas should be considered a priority before additional subdivision approvals are granted.

I also ask that any future development proposals affecting this area undergo careful hydrologic review, including analysis of cumulative runoff impacts, roadway drainage capacity, emergency access concerns, and the adequacy of existing stormwater infrastructure.

The cost of correcting flooding failures after development is completed can far exceed the cost of preserving critical open space beforehand. Protecting this land now may prevent substantial public expense and property damage in the future.

Thank you for your time and consideration of this request. I respectfully ask that this matter be reviewed as part of any current or future land use, zoning, subdivision, stormwater, or infrastructure discussions involving this corridor.



Cassandra LeBoon

From: [Joan Sciple](#)
To: [LeBoon](#)
Cc: [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian E.](#); [Christiansen, Robin](#); [Donyale Hall](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphltaylorjr@gmail.com](#); [Neil, Fred A.](#); [Mr. Mittens & Pirate](#); [Dan Bieker](#); [silerquest@gmail.com](#); [Lyon, Jason A](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [patrick.emory@delaware.gov](#); [eric.ludwig@delaware.gov](#); [anthony.gonzon@delaware.gov](#)
Subject: EXTERNAL: Re: City of Dover Planning Commission (Application SB-25-02)
Date: Tuesday, May 12, 2026 10:31:35 AM

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning

My name is Joan Sciple. I reside at 1139 Westview Terrace, Dover, Delaware.

I have been a resident at this address for 43 years. This opposition to construction has been going on for years. We need closure.

According to State regulations for floodplain zoning laws in Delaware, one of the key components is:

“Ensure construction activities do not obstruct natural flow of floodwaters which could increase flooding risks for neighboring properties”.

Digging four to seven feet to install sewer lines as well as the weight of heavy equipment seems to me that this would be detrimental to the floodplain.

I thank Steve and Cassandra for their representation. I also want to thank ALL who are participating in this endeavor.

Sincerely,

Joan Sciple

On Sat, May 9, 2026 at 2:44 PM LeBoon <cleboon89@gmail.com> wrote:

Good afternoon,

Attached please find the original letter in opposition to the proposed development of the land located between Westview Terrace and Monroe Terrace, along with a second letter outlining a proposed alternative solution that we respectfully request be presented to the owner of the landlocked property.

The attached materials address concerns involving flooding, drainage, infrastructure limitations, roadway access, neighborhood impact, and overall feasibility of development within this area. The proposed alternative is intended to provide a constructive solution while helping preserve neighborhood safety, drainage integrity, and surrounding property conditions.

We respectfully ask that both documents be reviewed in full and included as part of the official record and any ongoing discussions regarding this property.

Please confirm receipt of these materials at your earliest convenience.

Thank you for your time and consideration.

Sincerely,

From: [Mr. Mittens & Pirate](#)
To: [Dan Bieker](#); [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian](#); [Christiansen, Robin](#); [London-Hall, Donyale](#); [Joan Sciple](#); [A cassbaby](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphitaylorjr@gmail.com](#); [Neil, Fred](#); [silerquest@gmail.com](#); [Lyon, Jason](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [jordinwilliams23@gmail.com](#); [Mr. Mittens & Pirate](#); [patrick.emory@delaware.gov](#); [eric.ludwig@delaware.gov](#); [anthony.gonzon@delaware.gov](#); [Ddolph3@gmail.com](#)
Subject: EXTERNAL: Fwd: FOIA Request Response 2026-186
Date: Thursday, May 14, 2026 10:28:09 AM
Attachments: [2026-03-16 Woodbrook Drainage Letter.pdf](#)
[0194A022 - Woodbrook Proposed Conditions Evaluation.pdf](#)
[0194A022 - Woodbrook Existing Conditions Evaluation.pdf](#)

Some people who received this message don't often get email from slspiders@gmail.com. [Learn why this is important](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Everyone,

As anticipated, the final engineering reports for the water study covering various communities have been completed. Cassandra and I would like to sincerely thank the Planning Commission for granting the continuance last year rather than proceeding without these critical documents.

Over the past 10 years, I have been involved in three instances where the Planning Commission issued a “no permit” decision. Today, I want to express my deep gratitude for your careful consideration and for the continuance, as these reports confirm what I have consistently stated: the water conditions in our area are extraordinarily poor. These findings validate both the concerns raised by residents and the expert evaluations conducted by the City of Dover engineers.

As the property owner seeking a permit for the fifth time, I would like to provide some context: the previous builder could not develop the property due to flooding issues and the lack of a compliant roadway, which includes sidewalks. The City Council previously denied a variance because the lot does not have sufficient width or space to build the required roadway.

I would also like to highlight a critical infrastructure issue in Woodbrook:

- The local pipe system is over 75 years old and cannot support additional water load.
- Pipes on Wyoming Avenue and near Monroe Avenue are approximately 125–150 years old, as these homes date back to the late 1800s and early 1900s.
- The open field in question remained undeveloped for 150 years because it is located in a floodplain, as confirmed by FEMA. Based on historical patterns, if FEMA were to update floodplain maps for the next century, much of this neighborhood would remain within a floodplain.

I have enclosed the full engineering reports and included a synopsis summarizing the key findings for your review.

In the coming days, I will also be submitting the signed petition from neighbors expressing opposition to development on this property.

Thank you for your careful consideration and commitment to ensuring responsible and safe development in our community.

Based on the applicant's own hydraulic modeling, several portions of the downstream drainage system appear to be operating at or near practical hydraulic capacity during the modeled storm event. The report documents surcharge conditions, submerged structures, limited remaining conveyance capacity, minimal attenuation at certain crossings, and significant regional watershed contributions. These findings raise legitimate concerns regarding downstream resiliency, cumulative runoff impacts, erosion potential, and the ability of the existing infrastructure to safely accommodate additional impervious area without increasing flooding risk to adjacent neighborhoods.

There are strong technical observations for an opposition or concern letter because they focus on hydraulic performance, capacity limitations, and downstream risk rather than generalized objections. The most persuasive comments to planning commissions and reviewing engineers are usually the ones tied directly to the applicant's own modeling results.

A few points are especially compelling:

- The modeled system is already operating very near hydraulic capacity during the design storm.
- The report documents surcharge and submerged conditions, which are recognized indicators of stressed drainage infrastructure.
- The detention system appears to provide little meaningful attenuation at certain crossings.
- The watershed contributing to these crossings is unusually large for a residential drainage corridor.
- The warnings suggest that system sensitivity may increase substantially during storms larger than the modeled event or under real-world clogged/debris conditions.

Existing System Stress

The HydroCAD results indicate that portions of the existing conveyance system may already be functioning near practical hydraulic limits during the modeled storm event.

Specific indicators include:

- Reach S-2 exceeded downstream manhole elevation by approximately 1.33 feet.
- Reach S-1 outlet depth exceeded modeled limits by approximately 0.83 feet.
- Multiple structures were reported as submerged during peak conditions.
- Several crossings approached bank-full or Manning capacity conditions.
- The model produced repeated surcharge and backwater warnings.

These conditions suggest the drainage network may already experience constrained flow conditions during major rainfall events.

Limited Remaining Capacity

The data suggests minimal reserve capacity exists within several key downstream crossings.

For example:

- Peak modeled flow at the Westview Terrace crossing was approximately 45.86 cfs.
- Estimated bank-full conveyance capacity was approximately 48.16 cfs.

This leaves only a narrow remaining margin before overtopping or additional surcharge conditions could occur.

Similarly, the Woodsedge Road crossing reportedly exceeded modeled pipe capacity warnings, which may indicate that portions of the downstream system are already undersized relative to contributing watershed runoff.

Minimal Peak Flow Reduction

One important concern is the apparent lack of meaningful attenuation at portions of the proposed system.

The model indicates:

- Inflow: 45.86 cfs
- Outflow: 45.84 cfs
- Reported attenuation: 0%

This suggests the system may function primarily as a conveyance mechanism rather than substantially reducing peak discharge before runoff is passed downstream.

Residents may reasonably question whether the proposed controls provide sufficient reduction in peak flows entering already stressed downstream infrastructure.

Large Regional Watershed Influence

The report indicates that approximately 141 acres ultimately drain through portions of this corridor.

That is a substantial contributing watershed for a neighborhood-scale drainage system.

The modeling also indicates that much of the flooding sensitivity may be driven by significant offsite runoff rather than only localized drainage from individual lots.

As a result, even modest increases in impervious coverage could compound existing downstream hydraulic pressures.

Backwater and Submergence Concerns

The submerged outlet conditions are important because they may indicate downstream tailwater influence or backwater effects.

The report states:

- Pond I-3 submerged by approximately 2.67 feet.
- Pond I-4 submerged by approximately 2.61 feet.

Submerged outlet structures can reduce stormwater control effectiveness and may limit the ability of detention facilities to release runoff as designed during peak storm conditions.

Erosion and Channel Stability

The modeled velocities also raise potential concerns regarding scour and downstream channel erosion.

The report identifies velocities approaching:

- 4.58 feet per second at certain crossings.

Depending on soil composition, stabilization methods, vegetation, and outlet protection design, these velocities could contribute to:

- channel erosion,
- scour near culverts,
- sediment transport,
- and long-term instability within the drainage corridor.

Incomplete Hydraulic Evaluation Indicators

The repeated model note stating:

“Inlet/Outlet conditions not evaluated”

is significant because entrance losses, exit losses, inlet control behavior, and localized backwater effects can materially affect real-world drainage performance. It means certain hydraulic entrance/exit effects were not fully analyzed in this model output, which can sometimes understate localized flooding or backwater behavior at pipe crossings.

Residents should request clarification regarding:

- inlet control assumptions,
- tailwater impacts,
- culvert entrance losses,
- debris blockage assumptions,
- and emergency overflow routing.

Cumulative Impact Concerns

A strong planning argument is that the system appears sensitive even under the modeled design event, raising concern about resiliency during:

- storms exceeding the modeled event,
- future upstream development,
- clogged inlets or culverts,
- debris blockage,
- saturated antecedent soil conditions,
- or changing rainfall intensities.

This is particularly important because real storm events often perform worse than idealized model assumptions. We, the community, formally ask to deny the application WITH prejudice so this matter never comes about again.

----- Forwarded message -----

From: **Arielle Rivera (Dover, DE)** <DoverDE@request.justfoia.com>
Date: Thu, May 14, 2026 at 9:07 AM
Subject: FOIA Request Response 2026-186
To: <slspiders@gmail.com>
Cc: <cityclerk@dover.de.us>

Mr. Leboon:

This email is in response to your request under the Freedom of Information Act (FOIA) #2026-186 for the Drainage Improvement Engineering Support for the Woodbrook Development. Attached please find the information that you requested.

Please let us know if you have any questions regarding your FOIA request.

Thank you,
City Clerk's Office
City of Dover, Delaware
Email: cityclerk@dover.de.us
Phone: 302-736-7008
Fax: 302-736-5068

Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC
(Ekaman Subdivision)

Public Comments: Set 4 of May 2026 – Received through May 18, 2026, 1:30pm

1. Email from Steve LeBoon of 1025 Westview Terrace received May 17, 2026 at 4:46 pm with Attachment Petition of Opposition (listing of 16 properties with signatures)
2. Email from Steve LeBoon of 1025 Westview Terrace received May 17, 2026 at 4:50 pm with Attachment Petition of Opposition (listing of 16 properties with signatures). *(Note: It appears to be the same email and petition as above Item 1 with the only change being in the email distribution list).*
3. Email from Steve LeBoon of 1025 Westview Terrace received May 18, 2026 at 1:26 pm with Attachment Petition of Opposition with an additional signature

From: [Mr. Mittens & Pirate](#)
To: [Dan Bieker](#); [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian](#); [Christiansen, Robin](#); [London-Hall, Donyale](#); [Joan Sciple](#); [A cassbaby](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphitaylorjr@gmail.com](#); [Neil, Fred](#); [silerquest@gmail.com](#); [Lyon, Jason](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [jordinwilliams23@gmail.com](#); [Mr. Mittens & Pirate](#); [patrick.emory@delaware.gov](#); [eric.ludwig@delaware.gov](#); [anthony.gonzon@delaware.gov](#); [Ddolph3@gmail.com](#); [Heather Mund](#); [stegalle@aol.com](#); [Dee Schwartz](#); [anthony.dimmers@mail.com](#)
Subject: EXTERNAL: Neighborhood signatures in opposition for conceptual subscription plan
Date: Sunday, May 17, 2026 4:46:44 PM
Attachments: [Petition signatures.pdf](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Department Chair and Ms. Melson,

Please accept this final submission of opposition signatures from residents in Westview Terrace, Wyoming Avenue, Monroe Terrace, and Crescent Drive.

Additionally, thank you again for the 160-page City of Dover water survey report be entered into the record. My wife, an engineer, has conducted an analysis of these findings which I also request be made available to the committee members to highlight the significance of flooding in our area.

I apologize for the delay in this submission; I was waiting to consult with Ms. Schwartz, a long-standing community member and former owner related to 324 Wyoming Avenue. Please ensure this official opposition is formally entered into the record.

We hope the upcoming meeting results in a prompt denial of the application. As previously determined by the council, the property is landlocked and cannot accommodate a two-way road or sidewalks. Furthermore, the property faces significant FEMA flooding risks. These hazards warrant an immediate denial of the application with prejudice.

At tomorrow's meeting, I will be requesting that the committee deny this application permanently and with prejudice to prevent future applications from causing continued distress to the community.

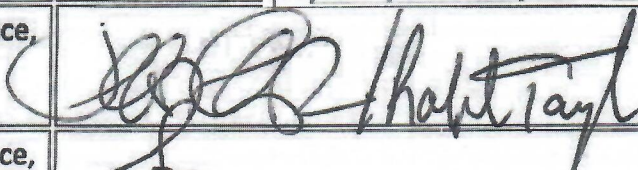
Truly yours,

Steve Leboon
 1025 Westview Terrace

We, the undersigned residents and concerned community members, hereby oppose Application SB-25-02 Lands of Wyoming LLC and Functional Properties, LLC (Ekaman Subdivision) – Conceptual Subdivision Plan.

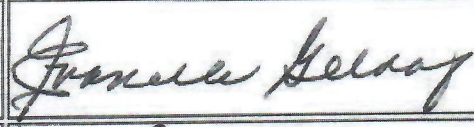
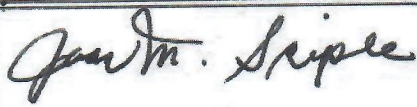
We respectfully request that the proposed subdivision application be denied due to concerns including, but not limited to, drainage and flooding impacts, increased traffic and safety concerns, neighborhood compatibility, infrastructure strain, environmental impacts, and the overall effect on the surrounding community.

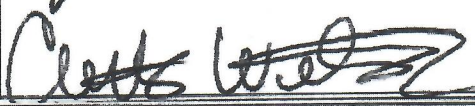
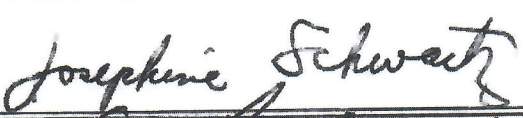
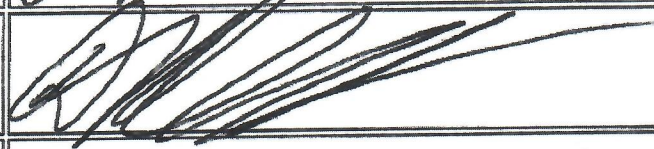
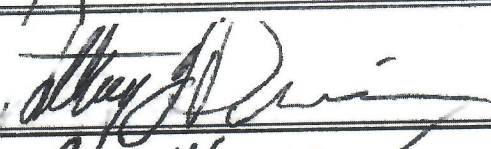
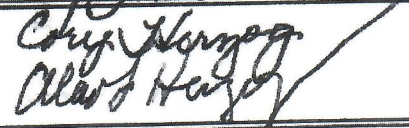
By signing below, we acknowledge our agreement with this opposition and request that local officials carefully consider the concerns of existing residents before approving this development.

Printed Name	Address	Signature	Date
Engless	420 Wyoming Ave, Dover, DE 19904	Heather M. Meind POA for Robert D. Engless	14 May 2026
Taylor	1017 Westview Terrace, Dover, DE 19904		05/14/2026
LeBoon	1025 Westview Terrace, Dover, DE 19904		5/14/26
Bieker	1033 Westview Terrace, Dover, DE 19904	Dan Bieker	5/13/26
Odell	1103 Westview Terrace, Dover, DE 19904	C. Odell	5/12/26
Dolph	1109 Westview Terrace, Dover, DE 19904		5/14/26

Page 1 ↑

Page 2 ↓

Geldof	1131 Westview Terrace, Dover, DE 19904		5/14
Sciple 1139	1139 Westview Terrace, Dover, DE 19904		
Stegall	1149 Westview Terrace, Dover, DE 19904		5/14

Printed Name	Address	Signature	Date
Jordin Williams	324 Wyoming Ave Dover, DE 19904		5/14/26
Curtis Williams	324 Wyoming Ave Dover, DE 19904		5/14/26
Siler	330 Wyoming Ave, Dover, DE 19904		5/13
Schwartz	312 Mallard Dr, Dover, DE 19904		5/17
Lees	1014 Westview Ter, Dover DE 19904		5/14/2026
Stehle	1102 Monna Ter, Dover 507 WOODBERRY RD DOVER 19904		5/14
Dimmers	123 Crescent Dr., Dover DE 19904		5/15
Herzog	1134 Westview Terrace, Dover, DE 19904		5/14

From: [Mr. Mittens & Pirate](#)
To: [Dan Bieker](#); [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian](#); [Christiansen, Robin](#); [London-Hall, Donyale](#); [Joan Sciple](#); [A cassbaby](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphitaylorjr@gmail.com](#); [Neil, Fred](#); [silerquest@gmail.com](#); [Lyon, Jason](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [jordinwilliams23@gmail.com](#); [Mr. Mittens & Pirate](#); [patrick.emory@delaware.gov](#); [eric.ludwig@delaware.gov](#); [anthony.gonzon@delaware.gov](#); [Ddolph3@gmail.com](#); [Heather Mund](#); [stegalle@aol.com](#); [Dee Schwartz](#); [anthony.dimmers@mail.com](#); [Ahezog134@aol.com](#)
Subject: EXTERNAL: Re: Neighborhood signatures in opposition for conceptual subscription plan
Date: Sunday, May 17, 2026 4:50:08 PM
Attachments: [Petition signatures.pdf](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Department Chair and Ms. Melson,

Please accept this final submission of opposition signatures from residents in Westview Terrace, Wyoming Avenue, Monroe Terrace, and Crescent Drive.

Additionally, thank you again for the 160-page City of Dover water survey report be entered into the record. My wife, an engineer, has conducted an analysis of these findings which I also request be made available to the committee members to highlight the significance of flooding in our area.

I apologize for the delay in this submission; I was waiting to consult with Ms. Schwartz, a long-standing community member and former owner related to 324 Wyoming Avenue. Please ensure this official opposition is formally entered into the record.

We hope the upcoming meeting results in a prompt denial of the application. As previously determined by the council, the property is landlocked and cannot accommodate a two-way road or sidewalks. Furthermore, the property faces significant FEMA flooding risks. These hazards warrant an immediate denial of the application with prejudice.

At tomorrow's meeting, I will be requesting that the committee deny this application permanently and with prejudice to prevent future applications from causing continued distress to the community.

Truly yours,

Steve Leboon
 1025 Westview Terrace

From: [Mr. Mittens & Pirate](#)
To: [Dan Bieker](#); [Melson-Williams, Dawn](#); [City Clerks Office](#); [Anderson, David](#); [Lewis, Brian](#); [Christiansen, Robin](#); [London-Hall, Donyale](#); [Joan Sciple](#); [A cassbaby](#); [Neil, Fred](#); [Sudler, Roy](#); [ralphitaylorjr@gmail.com](#); [Neil, Fred](#); [silerquest@gmail.com](#); [Lyon, Jason](#); [Duca, Sharon](#); [CompPlan](#); [Lynn, Sean M \(LegHall\)](#); [Jean Taylor](#); [Dave Lees](#); [jordinwilliams23@gmail.com](#); [Mr. Mittens & Pirate](#); [patrick.emory@delaware.gov](#); [eric.ludwig@delaware.gov](#); [anthony.gonzon@delaware.gov](#); [Ddolph3@gmail.com](#); [Heather Mund](#); [stegalle@aol.com](#); [Dee Schwartz](#); [anthony.dimmers@mail.com](#); [Ahezog134@aol.com](#); [pmservon@yahoo.com](#)
Subject: EXTERNAL: Re: Neighborhood signatures in opposition for conceptual subscription plan
Date: Monday, May 18, 2026 1:26:03 PM
Attachments: [updated petition signatures.pdf](#)

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Department Chair and Ms. Melson,

Please accept one additional signature for the opposition sheet from Peter and Mary. They were previously traveling but have now signed in opposition to the conceptual subscription plan.

I apologize for the late submission of this final signature.

Best regards,

Steve Leboon
 1025 Westview Terrace

On Sun, May 17, 2026 at 4:49 PM Mr. Mittens & Pirate <slspiders@gmail.com> wrote:

Dear Planning Department Chair and Ms. Melson,

Please accept this final submission of opposition signatures from residents in Westview Terrace, Wyoming Avenue, Monroe Terrace, and Crescent Drive.

Additionally, thank you again for the 160-page City of Dover water survey report be entered into the record. My wife, an engineer, has conducted an analysis of these findings which I also request be made available to the committee members to highlight the significance of flooding in our area.

I apologize for the delay in this submission; I was waiting to consult with Ms. Schwartz, a long-standing community member and former owner related to 324 Wyoming Avenue. Please ensure this official opposition is formally entered into the record.

We hope the upcoming meeting results in a prompt denial of the application. As previously determined by the council, the property is landlocked and cannot accommodate a two-way road or sidewalks. Furthermore, the property faces significant FEMA flooding risks. These hazards warrant an immediate denial of the application with prejudice.

At tomorrow's meeting, I will be requesting that the committee deny this application permanently and with prejudice to prevent future applications from causing continued distress to the community.

Truly yours,

Steve Leboon
1025 Westview Terrace

Printed Name	Address	Signature	Date
Jordin Williams	324 Wyoming Ave Dover, DE 19904	Jordin Williams	5/14/26
Curtis Williams	324 Wyoming Ave Dover, DE 19904	Curtis Williams	5/14/26
Siler	330 Wyoming Ave, Dover, DE 19904	Duke Siler	5/13
Schwartz	312 Mallard Dr, Dover, DE 19904	Josephine Schwartz	5/17
Lees	1014 Westview Ter, Dover DE 19904	[Signature]	5/14/2026
Stehle	1102 Monna Ter, Dover 507 WOODB 2 DE ERD DOVER 19904	Augie Stehle	5/14
Dimmers	123 Crescent Dr., Dover DE 19904	Ally Dimmer	5/15
Herzog	1134 Westview Terrace, Dover, DE 19904	Cory Herzog Alard Herzog	5/14

Servon 135 Crescent Drive Peter Servon 5-17-26
Dover, DE 19904

Servon 135 Crescent Dr. Mary J. Servon 5-17-26
Mary Dover, DE 19904

Printed Name	Address	Signature	Date
Jordin Williams	324 Wyoming Ave Dover, DE 19904	Jordin Williams	5/14/26
Curtis Williams	324 Wyoming Ave Dover, DE 19904	Curtis Williams	5/14/26
Siler	330 Wyoming Ave, Dover, DE 19904	Luke Siler	5/13
Schwartz	312 Mallard Dr, Dover, DE 19904	Josephine Schwartz	5/18
Lees	1014 Westview Ter, Dover DE 19904	[Signature]	5/14/2026
Stehle	1102 Monroe Ter, Dover 507 WOODBINE DR DOVER 19904	Angie Stehle	5/14
Dimmers	123 Crescent Dr., Dover DE 19904	Ally Dimmer	5/15
Herzog	1134 Westview Terrace, Dover, DE 19904	Cory Herzog Ally Herzog	5/14



PETITION TO ANNEX AND REZONE PROPERTY
Before the Dover City Council Committee of the Whole – Utility Committee
June 23, 2026

File Number: AX-26-03

Ordinance Number: 2026-13

Applicant/ Owner of Record: Frances L. Johnson and Bruce Johnson

Property Address: 102 Fox Hall Drive, Dover DE

Tax Parcel ID #: ED-00-076.06-01-06.00-000

Lot Size: 1.6390 acres +/- (71,394.84 SF)

Present Zoning: RS-1 (Residential Single Family Zone)

Proposed Zoning: R-20 (One Family Residence Zone)

2019 Comprehensive Plan Designation: Category 1: High Priority Annexation Areas

2019 Comprehensive Plan Land Use Category: Residential Low Density

Present Use: Single Family Detached Dwelling

Proposed Use: Single Family Detached Dwelling

Utility Availability:	<u>Electric:</u> 102 Fox Hall Drive is currently served by City of Dover Electric. With any future redevelopment or subdivision of the property, the electric service needs will be evaluated. The property owner will be responsible for any and all costs associated with the changes in electrical service needs related to any future redevelopment or subdivision including extending and providing service upgrades to the proposed property.
	<u>Water and Sanitary Sewer:</u> 102 Fox Hall Drive is not served by City of Dover Water. 102 Fox Hall Drive is not served by City of Dover Sanitary Sewer. The property owner has contacted the Department about the possible connection to these services.

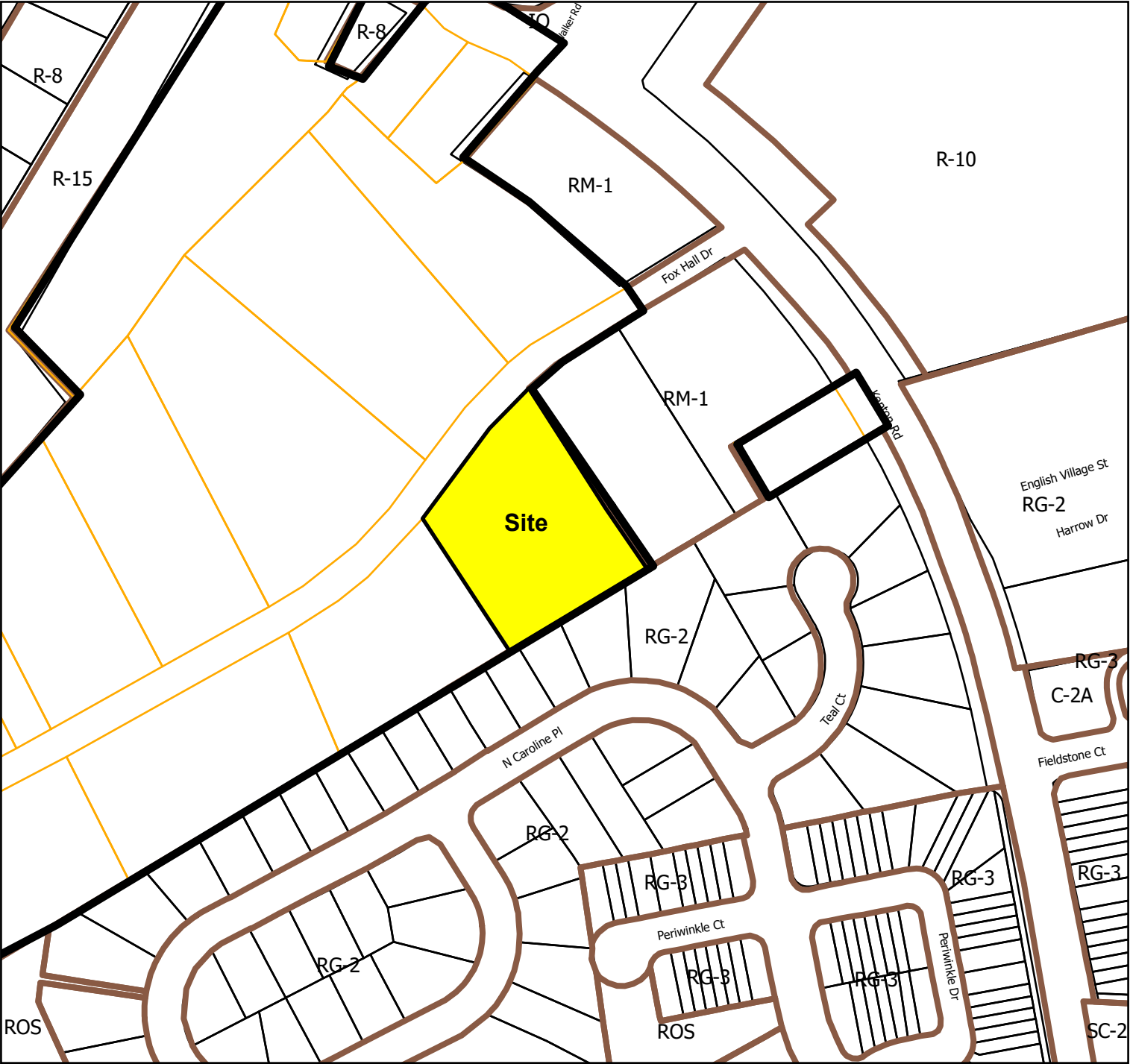
	Water and Sanitary Sewer are available to this property. The property owner is responsible for any and all costs associated with extending and providing service upgrades to the property. This may include, but not limited to, tapping the sanitary sewer and water mains, connection to the building for both utilities, purchasing appropriately sized water meter and pit, paying impact fees, and obtaining permits.
Staff Recommendation for AX-26-03:	<p>The Electric Department has no objection to the annexation.</p> <p>The Department of Water and Wastewater has no objection to the annexation.</p>

Attachments:

- Location Map AX-26-03
- Property Plan for 102 Fox Hall Drive

Annexation Review Process:

6/8/2026	First Reading/ Referral and Setting of Public Hearing by City Council
6/23/2026	Review of Utility Services by Council Committee of the Whole: Utility Committee
7/1/2026	Development Advisory Committee Meeting (Staff)
7/8/2026	Development Advisory Committee Meeting (Applicant)
7/20/2026	Public Hearing/Recommendation scheduled for the Planning Commission Meeting
8/10/2026	Public Hearing/Final Action scheduled for the City Council Meeting



Title: Annexation & Rezoning of Lands of Johnson
Ordinance #: 2026-13
Addresses: 102 Fox Hall Drive
Parcel ID: ED00-076.05-01-06.00-000
Existing Zoning: RS-1 (Residential Single Family Zone)
Proposed Zoning: R-20 (One Family Residence Zone)
Owner: Frances & Bruce Johnson
Date: 5/27/2026

Legend

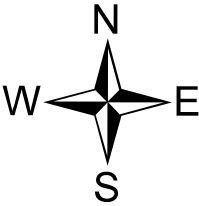
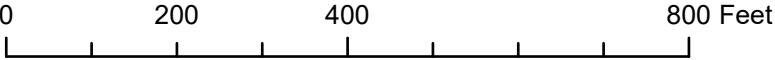
Subject Property

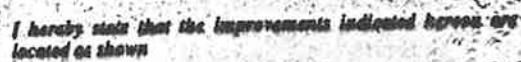
Dover Boundary

Zoning

Dover Parcels

Kent County Parcels







Attention City of Dover Employees, Mayor, Council and Committee Members

The City of Dover is changing our domain name from *dover.de.us* to *doverde.gov*. After weeks of work to configure and establish our new domain with a new Domain Name System (DNS) hosting service we are finally ready to make the move. As part of a larger technology modernization project, changing our domain name to .gov is more than a technical decision. It is a strategic move that signals credibility, strengthens public trust, and enhances cybersecurity protections and reinforces the public's perception that the City of Dover is a government entity that is committed to providing accurate and reliable information, maintaining high standards of professionalism that serves the best interests of our constituents.

[FAQ: Why now and what does this mean for the how we access networked devices and communicate internally and externally via email ...](#)

Why move and why now?

The .gov domain is a top-level domain specifically for U.S. government entities, helping the public identify official and trusted information. The Cybersecurity and Infrastructure Security Agency (CISA), manages the .gov top-level domain. They verify the identity of everyone who requests a .gov domain and ensure that organization like the City of Dover meets the criteria for having a .gov domain. It also allows us to take advantage of State and Local Cybersecurity Grant Program (SLGCGP) funding. Migration to the .gov domain is a cybersecurity best practice that is included as part of the city's Cybersecurity Plan.

How long will it take to transition fully to doverde.gov domain?

The transition of each employee's user ID, email address, external contact list and any promotional or printed materials (like letterhead or business cards), changing all this takes time! Once we convert to the new domain staff can start communicating to vendors, contacts and to the public of their new email address. We will communicate with each department when the changes take effect.

When should we start using my new email address?

The rollout of the new domain will start on or after **July 7th, 2026**. Once we convert to the new domain staff can start communicating to vendors, external contacts and to the public of their new email address. You will be notified when your new email address and user login are ready to be used.

Will we still be able to receive email sent to dover.de.us?

Yes! Once we convert to your new email address you will be able to still receive email sent to your old email for the foreseeable future. We will be maintaining the old domain until the majority of new emails being received are sent to the new *doverde.gov* domain before we suspend the use of the old domain, but not before **January 1, 2030**.

How should we let people know my new email address?

The City of Dover will share the fact that we're transitioning to a .gov domain name via press release and/or social media. IT will also work with users to add auto replies to emails to announce our email domain name change. Staff can also include a message in their email signature to announce the change.

Will we need to login to the network with my UserID with the new domain name?

Yes! We will also convert users network login to user@doverde.gov. This only affects applications that authenticate to our internal network via Active Directory. All users' mappings for network drives and access to internal applications will remain the same. Your UserID will remain the same with only only domain name will change.

External applications that use your email address as your login ID?

We recommend that you update your login name, if possible, to use *doverde.gov* if applicable. IT will take care of enterprise-wide applications such as Microsoft 365 and Adobe Pro Cloud access. Going forward when creating any new external accounts that use your email address as your login, please use your new *doverde.gov* name.

Why does our website domain is the cityofdover.gov and our email address and login doverde.gov?

The City of Dover maintains two .gov domains. The domain is used for the public accessing our public website and public facing applications that have or may be deployed in the future. Our *doverde.gov* domain is strictly for internal use to conduct city business and will allow us to offer secure applications onsite and offsite to only City of Dover authorized users.

Will we still have access to my Outlook Calendar, OneDrive, SharePoint and Network Folders?

Yes! Nothing will change with applications you're currently using. Your Outlook email box, file folders and application access will remain the same and will not be affected by this change.

Should we change our emails listed on letterheads, business cards, signage, marketing materials and displays?

Yes! You should change your email signature to reflect your new domain name. Printed materials such as letterheads or business cards should be changed when you're reordering new stock. There is no immediacy to purchase new stock since we will be able to receive emails from the old domain *dover.de.us* at least until January 1, 2030. Any new items ordered should reflect our new email address and our new domain *doverde.gov*.

Are there any other changes?

Yes! As part of this process IT has cleaned up our Active Directory and Outlook address book listing with each user's correct Name, Title and Department. If you notice a discrepancy in your official listing, you can contact HR to update your information, and it will automatically reflect in the directory.

How will the city announce the change to the general public?

As part of this process, we will be sending out a press release and posting to our social media sites. We will also notify various other government agencies and vendors of the change.

PROPOSED ORDINANCE #2026-05
WITH STAFF AMENDMENT #1
(STAFF AMENDMENT #1 IS INDICATED IN GREEN TEXT)

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN
COUNCIL MET:

That Chapter 70- Offenses and Miscellaneous Provisions, Section 70-4- Throwing and kicking
objects and playing games in the streets and public places, is amended by inserting the text
indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

**Sec. 70-4. ~~Throwing and kicking objects and~~ Pplaying games, and storing equipment in
streets and public places.**

(a) It shall be unlawful **between the hours of 11:00 p.m. and 7:00 a.m.** for any person to
throw, kick, or project, in any manner whatsoever, any ~~stone,~~ ball, or other object in the
city streets and public places, or to play or practice athletic games, quoits, pitching
pennies, and like games on the city streets and public places, ~~unless those places are
specifically designated for those purposes by lawful authority.~~

**(b) It shall be unlawful for any person to set up or store or at any time, leave
unattended for thirty minutes or more, play equipment or other similar objects in
streets, public right-of-way, or any area where pedestrian or vehicular traffic could
be hindered or impeded within the corporate limits of the city, unless those places
are specifically designated for those purposes by lawful authorities.**

**(c) Play equipment is defined as any structure or object designed for recreational play
use. This includes, but is not limited to, basketball goals, nets, ramps, swings, slides,
and climbing frames.**

Charter reference - Power of council to regulate use of streets, subpart A, § 29.

Proposed ADOPTED: *

SYNOPSIS

This ordinance amends provisions related to basketball goals and other play equipment. The
amendments clarify requirements for the storage of such equipment, particularly prohibiting
placement within the street, and establish a definition of play equipment.

(SPONSORS: NEIL, SUDLER)

32

33

34 Actions History

35 06/23/2026 – Staff Amendment #1 Scheduled for Introduction – Council Committee of the
36 Whole/Legislative, Finance, and Administration Committee

37 05/12/2026 - Introduction - Council Committee of the Whole/Legislative, Finance, and
38 Administration Committee (referred back to Staff)