

October 1, 2024

County Council: Step up on Northstar

In 2023, the 400-acre Northstar application was expedited because its representatives dangled 9 acres of Affordable Housing—the Willows—in front of the County. In 2024, The Willows at Northstar failed to secure state funding and must compete in 2025 for funding with no guarantee of success. Yet the project retained expedited status. Advantage Developer.

Planning and Zoning (P&Z) was to hear Northstar 4 months after its initial application, but the developer postponed until July 17<sup>th</sup>. At that hearing, DelDOT expressed no concerns, promising to provide more data requested by Commissioners and Sussex Preservation Coalition (SPC). The Public record closed September 4<sup>th</sup> without the promised data. Advantage Developer.

On September 24<sup>th</sup>, SPC and the public learned that the 9-acre affordable housing piece used to expedite the project may never materialize for a second reason: DelDOT's Rt. 9 expansion plan claimed those 9-acres for stormwater retention. Meanwhile, 380 acres for a 758-unit cluster subdivision could be approved by the P&Z a year ahead of schedule. Advantage Developer.

More complications: If those 9-acres remain Affordable Housing, then the DelDOT retention pond needs to move, a significant change in the Northstar preliminary plan. If water from the Rt. 9 expansion is moved into the community, who is responsible to maintain that utility? The community? Advantage Developer and DelDOT.

There's more: The DelDOT engineers for the Rt.9 expansion were unaware of the Mulberry Knoll Extension, a critical part of the new highway system proposed by DelDOT, itself. How can one properly design an expansion plan without considering all officially known components and impacts? Advantage Developer.

And DelDOT originally refused to release the traffic data it relied upon to justify its acceptance of the Northstar project and released only a fraction of the data in response to SPC's FOIA request. P&Z should have pursued the data that its Chair requested during the public hearing. Advantage Developer.

SPC has formally petitioned the County Council to step in and evaluate Northstar as a single proposal rather than allowing the 380-acre expedited cluster subdivision to be decided separately by P&Z. The County should not establish the precedent that allows developers to receive favorable treatment by including something that may never materialize. Advantage Developer.

As it now stands, five appointed and autonomous members of P&Z will decide on the 758-home cluster subdivision that would never have been expedited on its own. If P&Z does nothing within 45 days of the closed record, the Cluster Subdivision is approved by default. County Council will make decisions on the commercial rezoning and the affordable housing project that may or may not materialize. Advantage Developer.

Planning and Zoning should forward the entire proposal to County Council. This project needs consideration as a whole, not in broken pieces.

P&Z Commission, do the right thing.

County Council, step up.

Jill Hicks  
President  
Sussex Preservation Coalition