



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF  
STATE PLANNING COORDINATION

December 16, 2004

Mr. Dennis L. Schrader  
Simpler Surveying and Associates  
Rt. 1, Box 98E  
Frankford, DE 19945

RE: PLUS review – PLUS 2004-11-02; General's Green

Dear Mr. Schrader:

Thank you for meeting with State agency planners on December 1, 2004 to discuss the proposed plans for the General's Green project to be located on the north side of Clayton Street in Dagsboro.

According to the information received, you are seeking rezoning through the Town of Dagsboro from R and LI to HR to develop 513 units on 115.58 acres. Specifically, there are 229 single-family detached homes and 284 townhouses proposed.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the Town of Dagsboro is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the Town.

This office has received the following comments from State agencies:

**Office of State Planning Coordination – Contact: Ann Marie Townshend 739-3090**

The Office of State Planning Coordination notes that this project is within an Investment Level 2 area according to the 2004 Strategies for State Policies and Spending and within the Town of Dagsboro. In Investment Level 2 areas, State policies support orderly, well

planned development that is consistent in character with the surrounding area. We are pleased to see this proposal located within the Town of Dagsboro.

We encourage the developer to revisit the design of the proposal, using the concepts presented in our recent publication *Better Models for Development in Delaware*. Specifically, we encourage road connections to the adjacent sites, including the property to the north owned by the developer, the Coastal Supply Company property, and the Savannah Square proposal to the west. Because all of these parcels are planned for development, we encourage a master plan for the area that would be a logical extension of the Town rather than a series of isolated development proposals. We also suggest eliminating dead-end streets and cul-de-sacs and developing a street layout that provides interconnection throughout the community.

**State Historic Preservation Office (SHPO) – Contact: Anne McCleave 739-5685**

There is a high probability for prehistoric archaeological sites within the subject property. The SHPO encourages the developers to contact Anne McCleave at 739-5685 if artifacts are found.

**Department of Transportation – Contact: Bill Brockenbrough 760-2109**

- 1) DelDOT's US 113 North-South Study is presently evaluating alternative alignments for a limited access highway between Milford and the Maryland line at Selbyville. In the Dagsboro area, there are multiple alignments under consideration, but none of them would run through General's Green. Presently DelDOT is still gathering input from the public. They anticipate making a determination on the alternatives to be retained for detailed analysis in the spring of 2005. For more information on the US 113 North-South Study, the developer or the Town may contact Mr. Monroe Hite at (302) 760-2120.
- 2) On June 7, 2004, a traffic impact study (TIS) was scoped for the Smith Property, a larger project including other lands of the owner to the north of General's Green and outside the Town limits. The General's Green project also warrants a TIS. We will require the completion of a TIS, addressing either General's Green alone or the whole Smith Property with General's Green as a first phase, before DelDOT issues any plan approvals. They recommend that the Town do so as well. If it is possible that the Town might choose to deny this rezoning request because of concerns about traffic, then DelDOT recommends that they not act on the rezoning either until they have the results of the TIS. DelDOT will comment to Town on the results of any TIS, for the Smith Property or General's Green, when they are complete and DelDOT has reviewed them. They would expect such a TIS to identify a need for off-site road improvements but they do not know the nature or location of those improvements.

- 3) The Savannah Square commercial development was also reviewed at this meeting. That project is proposed for an assemblage of parcels that separates General's Green from northbound US Route 113. A bicycle and pedestrian connection to Savannah Square should be provided. A vehicular connection from General's Green to Route 113 through the Savannah Square project would remove some traffic from Clayton Street and appears to be desirable from DelDOT's perspective. To work well, however, a vehicular connection should be planned as an integral part of both the General's Green and Savannah Square developments and evaluated as part of the TIS mentioned above. If the developer of this project is interested in such a connection, DelDOT recommends that they contact the developer of Savannah Square as soon as possible.
- 4) DelDOT supports the comments from the Town and the Office of State Planning recommending stub streets to the Coastal Supply Company lands, which DelDOT understands has recently been rezoned for high-density residential use. The two developments should be interconnected.
- 5) DelDOT also supports the comments from the Town and the Office of State Planning recommending that this project, the Coastal Supply Company development and the balance of the Smith property be designed to function as an integrated portion of Dagsboro rather than as a series of isolated projects.
- 6) DelDOT offered the following recommendations with regard to the October 1, 2004, site plan:
  - a) The plan shows a cul-de-sac street looping part way around Pond A. The plan should be amended to allow the future completion of that loop, from the cul-de-sac bulb to the collector road through the Dehaven and Carey properties.
  - b) The townhouse groups on either side of Pond I should be linked with a street to the north of the pond.
  - c) At Route 26, a median is proposed on the collector street. The four lots shown along the divided section of the street should be eliminated because they would not have left turn access. In addition, the strip of open space separating the collector road right-of-way from the William E. League property should be eliminated so that that property can access the collector road.
  - d) Near Route 20, a minor street to serve 24 town houses is proposed. The point where that street intersects the collector street should be moved further from Route 20.

- e) The plan includes an east-west collector street that runs straight for about 2,800 feet and includes driveways on both sides. Because of the length, DelDOT recommends that the alignment of the street be varied, preferably by adding curves, or if necessary by adding traffic calming, to prevent speeding.
- 7) DelDOT supports the recommendation from the Department of Natural Resources' (DNREC's) Division of Parks and Recreation that sidewalks and pedestrian paths be included in the development plan.
- 8) The developer's site engineer should contact the Subdivision Manager for Sussex County, Mr. John Fiori, regarding their specific requirements for the design of the site entrance. Mr. Fiori may be reached at (302) 760-2260.

**The Department of Natural Resources and Environmental Control – Contact:  
Kevin Coyle 739-3091**

**General Comment**

There are numerous advantages and benefits to addressing issues like water and wastewater, stormwater management, open space and habitat, and recreation on a regional level. Interconnectivity is another issue that could be addressed regionally. The developer is encouraged to provide walkways and streets between this parcel and the proposed Savannah Square.

**Soils**

According to the recent soil survey update, the soils in the vicinity of the proposed construction are mapped as Mullica-Berryland Complex (267) and Hurlock (237) soils.

The following is a summary of mapped soils found within the proposed construction area and are grouped on the basis of drainage class:

Very poorly drained (**hydric**) – Mullica-Berryland Complex (267)  
Poorly drained (hydric) -- Hurlock (237)

The soils found on this site also contain mostly sandy surface and subsurface horizons. Sandy soils have rapid permeabilities and little or no phosphorus/nitrogen adsorption capacity, compared to finer-texture soils. Therefore, such soils are conducive to nutrient leaching via groundwater or surface runoff into receiving tributaries of the watershed; these impacts are intensified in those soils containing shallow water tables such Mullica-Berryland Complex (267) and Hurlock (237).

## **Wetlands and Waterbodies**

Statewide Wetland Mapping Project (SWMP) maps indicate the presence of palustrine forested wetlands. The site is bisected by a number of drainage ditches. Impacts to wetlands should be avoided and vegetated buffers of no less than 100 feet should be employed from all wetlands and waterbodies. Lots should exclude all wetlands and associated buffers. The developer should note that both DNREC and Army Corps of Engineers discourage allowing lot lines to contain wetlands to minimize potential cumulative impacts resulting from unauthorized and/or illegal activities and disturbances that can be caused by homeowners.

Impacts to Palustrine wetlands are regulated by the Army Corps of Engineers through Section 404 of the Clean Water Act. In addition, individual 404 permits and certain Nationwide Permits from the Army Corps of Engineers also require 401 Water Quality Certification from the DNREC Wetland and Subaqueous Land Section and Coastal Zone Federal Consistency Certification from the DNREC Division of Soil and Water Conservation, Delaware Coastal Programs Section. Each of these certifications represents a separate permitting process. Impacts to streams and associated riparian wetlands, including road crossings, are regulated by the DNREC Wetlands and Subaqueous Lands Section, and by the Corps of Engineers.

In addition, impacts to drainage ditches are sometimes regulated by the DNREC Wetland and Subaqueous Land Section.

To find out more about permitting requirements, the applicant is encouraged to attend a Joint Permit Process Meeting. These meetings are held monthly and are attended by federal and state resource agencies responsible for wetland permitting. Contact Denise Rawding at (302) 739-4691 to schedule a meeting.

## **ERES Waters**

This project is located adjacent to receiving waters of Inland Bays designated as waters having Exceptional Recreational or Ecological Significance (ERES). ERES waters are recognized as special assets of the State, and shall be protected and/ or restored, to the maximum extent practicable, to their natural condition. Provisions in Section 11.5 of Delaware's "Surface Water Quality Standards" (as amended August 11, 1999), specify that all designated ERES waters and receiving tributaries develop a "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMPs). Best Management Practices as defined in subsection 11.5(e) of this section, expressly authorizes the Department to provide standards for controlling the addition of pollutants and reducing them to the greatest degree practicable, or where attainable, a standard requiring no discharge of pollutants.

## **TMDLs**

With the adoption of Total Maximum Daily Loads (TMDLs) as a “nutrient-runoff-mitigation strategy” for reducing nutrients in the Inland Bays Watershed, reduction of nitrogen and phosphorus loading will be mandatory. A TMDL is the maximum level of pollution allowed for a given pollutant below which a “water quality limited water body” can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are authorized under federal code, states are charged with developing and implementing standards to support those desired use goals. The Jurisdictional authority for attaining these use goals will fall under the auspices of Section 11.5 of the State of Delaware’s Surface Water Quality Standards (as amended August 11, 1999), and will be achieved via nutrient reductions referred to as “pollution control strategies.”

Nutrient reductions prescribed under TMDLs are assigned on basis of water quality concerns – that is, the those regions deemed to be of greatest environmental concern will require correspondingly higher levels of nutrient reduction than those regions deemed

less environmentally sensitive. In this watershed, these regions are demarcated as high and low reduction zones. The high reduction zone corresponds to the western portion of the watershed, and requires a reduction of nitrogen and phosphorus by 85 and 65 percent, respectively. The low reduction zone corresponds to the eastern portion of the watershed, and requires a reduction of nitrogen and phosphorus by 40 percent. **This project is proposed within the high nutrient reduction zone.**

**In order for the applicant to verify compliance with the TMDL mandate, a full nutrient accounting process known as nutrient budget should be prepared. The developer/consultant should contact Lyle Jones in the Department’s Watershed Assessment Section for further information regarding the acceptable protocol for calculating a nutrient budget. He can be reached as 302- 739-4590.**

## **Water Supply**

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Potential Contamination Sources do exist in the area, and any well permit applications will undergo a detailed review that may increase turnaround time and may require site specific conditions/recommendations.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-3665.

### **Sediment and Erosion Control/Stormwater Management**

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through Sussex Conservation District. Contact Jessica Watson, Program Manager, at (302) 856-7219 for details regarding submittal requirements and fees.

It is strongly recommended that you contact Sussex Conservation District to schedule a pre-application meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre and post development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion.

A Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be submitted to DNREC Division of Soil and Water Conservation along with the \$195 NOI fee prior to plan approval.

Applying practices to mimic the pre development hydrology on the site, promote recharge, maximize the use of existing natural features on the site, and limit the reliance on structural stormwater components, such as maintaining open spaces, should be considered in the overall design of the project as a stormwater management technique.

Each stormwater management facility should have an adequate outlet for release of stormwater. Any drainage conveyed onto this site from neighboring properties must be adequately conveyed through the site to the discharge point without interruption.

A Certified Construction Reviewer (CCR) will be required for the site during construction. You should contact Sussex Conservation District for details regarding the CCR requirement.

A request for a waiver from stormwater quantity management requirements must be submitted to the Conservation District in writing.

Contact DNREC Drainage Section to determine if the stormwater outfall will be into a tax ditch. Discharge into a tax ditch will require Drainage Section approval for both the construction of the outfall and for the discharge from this site. A downstream analysis of

the tax ditch may be necessary to demonstrate the ditch's capacity to convey the runoff from this development.

### **Floodplains**

Portions of the property are within the 100-year floodplain. Construction should be limited to those areas outside of, and above, the 100-year floodplain.

### **Forests**

According to 2002 aerial photos there is a forested area on this parcel. The forested area appears to be predominantly wetlands; lot lines should avoid all impacts to the forested area. This area provides important water quality, air quality and habitat benefits both to the site itself and the region. Therefore, the developer is strongly encouraged to preserve, and where possible, enhance forested resources and the wetland complex on site. This includes removing lot lines and infrastructure (such as storm water management ponds) from forested areas to the extent possible and minimizing any clearing activities. The forested areas on-site should be viewed as a community asset and managed appropriately.

Forested areas on-site set aside for conservation purposes should be placed into a permanent conservation easement or other binding protection. These areas should be clearly marked and delineated so that residents understand their importance and so that homeowner activities do not infringe upon these areas.

### **Open Space**

To maximize the existing buffering capacity and wildlife habitat on site, it is recommended that lot lines and other infrastructure (such as storm water management ponds) be pulled out of the forest and that areas of community open space be designated along the forested areas.

In areas set aside for passive open space, the developer is encouraged to consider establishment of additional forested areas or meadow-type grasses. Once established, these ecosystems provide increased water infiltration into groundwater, decreased run-off into surface water, air quality improvements, and require much less maintenance than traditional turf grass, an important consideration if a homeowners association will take over responsibility for maintenance of community open spaces.

Open space containing forest and/or wetlands should be placed into a permanent conservation easement or other permanent protection mechanism. Conservation areas should also be demarked to avoid infringement by homeowners.

### **Revegetation/Landscaping**

DNREC requests that no invasive species be used in the revegetation of disturbed or landscaped areas. A list of species considered invasive in Delaware can be found on the DNHP web site, [www.dnrec.state.de.us/fw/invasive.htm](http://www.dnrec.state.de.us/fw/invasive.htm). They further encourage, where possible/feasible, the use of native plants for habitat restoration projects on-site and their Botanist, Bill McAvoy can be contacted at (302) 653-2880 to assist you in developing a plant list.

### **Nuisance Species**

The numerous ponds scattered throughout the subdivision will likely attract waterfowl like resident Canada geese and mute swans that could create a nuisance for community residents. Although small numbers of these species are enjoyed by residents, geese and swans can quickly multiply and overwhelm the area. High concentrations of waterfowl in ponds create water-quality problems, leave droppings on lawn and paved areas and can become aggressive during the nesting season. Ponds that remain in the subdivision plan should be landscaped to deter nuisance species. Short manicured lawns around ponds provide an attractive habitat for these species. However, native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within a buffer area around ponds, are not as attractive to geese because they do not feel as safe from predators and other disturbance when their view of the area is blocked. The Division of Fish and Wildlife does not provide goose control services, and if problems arise, residents or the homeowners association will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions can be costly and labor intensive; however, with, a reduction in the number of ponds, proper landscaping, monitoring, and other techniques, geese problems can be minimized.

### **Recreation**

It is recommended that sidewalks be built fronting every residence and stub streets. A complete system of sidewalks will: 1) fulfill the recreation need for walking and biking facilities, 2) provide opportunities for neighbors to interact in the community, and 3) facilitate safe, convenient off-road access to neighboring communities, public mass transit stops, schools, stores, work, etc.

The Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings are the foundation of the 2003-2008 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities. The high facility needs in Eastern Sussex County are Walking and Jogging, Bike Paths and Fishing Areas. The moderate facility needs are Picnic Areas, Skate Facilities, Canoe/Kayak Access, Hiking Trails, Swimming Pools, Playgrounds, Soccer Fields, Tennis Courts, Power Boat Access and Baseball/Softball Fields. Consideration should be given to incorporate some of these

recreation opportunities into the project. For additional information about the outdoor recreation priorities, contact Bob Ehemann at 739-5285.

### **Underground Storage Tanks**

There are two active and three inactive LUST site(s) located near the proposed project:

Joseph A. Collock, Facility # 5-000837, Project # S9612214  
Dagsboro Getty, Facility # 5-000324, Project # S9108178  
Southern States Dagsboro, Facility # 5-000735, Project # S9308154  
Delmarva Power Dagsboro, Facility # 5-000829, Project # S 9511268  
Fry's Car Care Center, Facility # 5-000297, Project # S 9104077

No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would be need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel in the contaminated areas.

### **Air Quality**

Air pollution threatens the health of human beings and other living things on our planet. While often invisible, pollutants in the air create smog and acid rain, cause cancer or other serious health effects, diminish the protective ozone layer in the upper atmosphere, and contribute to the potential for world climate change. Breathing polluted air can have numerous effects on human health, including respiratory problems, hospitalization for heart or lung disease, and even premature death. Some can also have effects on aquatic life, vegetation, and animals.

Once complete, vehicle emissions associated with this project are estimated to be 39.4 tons (78,740.1 pounds) per year of VOC (volatile organic compounds), 32.6 tons (65,191.5 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 24.0 tons (48,099.5 pounds) per year of SO<sub>2</sub> (sulfur dioxide), 2.1 ton (4,281.7 pounds) per year of fine particulates and 3,293.3 tons (6,586,513.0 pounds) per year of CO<sub>2</sub> (carbon dioxide).

Emissions from area sources associated with this project are estimated to be 15.9 tons (31,759.5 pounds) per year of VOC (volatile organic compounds), 1.7 ton (3,494.5 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 1.4 ton (2,899.9 pounds) per year of SO<sub>2</sub> (sulfur dioxide), 1.9 ton (3,742.2 pounds) per year of fine particulates and 64.4 tons (128,745.8 pounds) per year of CO<sub>2</sub> (carbon dioxide).

Emissions from electrical power generation associated with this project are estimated to be 6.3 tons (12,587.2 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 21.9 tons (43,781.5

pounds) per year of SO<sub>2</sub> (sulfur dioxide) and 3,228.9 tons (6,457,767.1 pounds) per year of CO<sub>2</sub> (carbon dioxide).

	VOC	NO <sub>x</sub>	SO <sub>2</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Mobile	39.4	32.6	24.0	2.1	3293.3
Residential	15.9	1.7	1.4	1.9	64.4
Electrical Power		6.3	21.9		3228.9
TOTAL	55.3	40.6	47.3	4.0	6586.6

The Department of Natural Resources and Environmental Control is asking that local jurisdictions consider mitigation to help resolve this issue. Mitigation might involve limiting large new developments to growth zones, focusing development to urban areas capable of providing mass transit services, requiring more energy efficient homes which would lessen air quality impacts, and promoting walkability and bikability within and between developments and town centers.

With that said this State notes that this proposed development is within an area planned for growth and within the Town of Dagsboro. Therefore, the State would ask that you consider the development of energy efficient homes and interconnectivity with the Town and surrounding areas to promote walkability and bikeability.

**State Fire Marshal's Office – Contact: Duane Fox 856-5298**

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

- a. **Fire Protection Water Requirements:**
  - Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly and Townhouses)
  - Where a water distribution system is proposed for single family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
  - Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- b. **Fire Protection Features:**
  - All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

- Buildings greater than 10,000 sq.ft., 3-stories or more or over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR
- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

c. **Accessibility**

- All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Clayton Street must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- If the use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

d. **Gas Piping and System Information:**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Townhouse 2-hr separation wall details shall be shown on site plans
- Note indicating if building is to be sprinklered
- Name of Water Provider

- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.delawarestatefiremarshal.com](http://www.delawarestatefiremarshal.com), technical services link, plan review, applications or brochures.

**Department of Agriculture - Contact: Mark Davis 739-4811**

A diverse landscape plan should be created with the use of native trees.

**Public Service Commission - Contact: Andrea Maucher 739-4247**

The application notes Town of Dagsboro will service this property with water. It appears that portion of the project (part of parcel 233-10.00-22.00) is not within the Dagsboro's certificated area, but it does lie within the town's municipal boundaries. If annexation occurred after July 13, 2001 (22 Del. Code, Chapter 1) then the town need only notify the PSC when the annexation was finalized. If annexation was prior to that date, Dagsboro may need to apply for the CPCN. *Contact: Andrea Maucher at (302) 739-4247.*

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

**Delaware State Housing Authority – Contact Karen Horton 739-4263**

While the prices of the units are not known at this time, the DSHA encourages the applicant to include prices that are affordable to low- and moderate-income households. This proposal is in the Selbyville/Frankford County Census Division (CCD) which has serious housing needs. The 2003 Statewide Housing Needs Assessment indicates that of the 10,527 housing units in this CCD, 726 are substantially substandard and 3,261 are occupied by low-income households earning less than 80 percent of the area median income (\$40,700 for a family of four). In addition, this area is experiencing rapid price increases. Real estate data collected by DSHA indicates that in the second quarter of 2004, the median housing price for this area was \$370,000 - which is outside the affordability level of low- and moderate-income households. The provision of units affordable to low- and moderate-income households will help address the area's significant needs.

**Delaware Emergency Management Agency – Contact: Don Knox 659-3362**

Due to the large number of residential units being proposed, a significant impact to public safety is foreseen by implementation of this project. The developer should notify the

police, fire service, and emergency medical response organization serving the Town of Dagsboro, to keep them apprised of all development activities.

Portions of this property are located in the Special Flood Hazard Area inundated by the 100 and 500-year flood.

**Sussex County – Contact: Richard Kautz 855-7878**

The developer should provide stub road access to adjacent property both within and outside the corporate limits as requested by DelDOT.

The Sussex County Engineer Department comments: This proposed subdivision is within the Dagsboro-Frankford Sanitary Sewer District Boundary. This proposal has a density of 4.42 EDUs/acre. Service is provided through a 6-inch lateral from State of Delaware Route 26 at the property line of parcel 260, and can be served through manhole 33.6 with an easement from the railroad. System Connection Charges will be due prior to connection to the sanitary sewer system. Sussex County must be provided with a concept plan for the project to ensure proper alignment for the proposed units and future expansion, as well as the proper alignment of the proposed water lines.

Currently, capacity at the Piney Neck Treatment Facility is limited to 4 EDU/acre. There may be a limit on the number of units constructed per year due to capacity concerns at the Piney Neck Treatment Facility. The Sussex County Engineering Department is undertaking a sewer study to address capacity concerns. Results of the study should be available within 2 years. The developer must supply a construction schedule with an anticipated startup and completion/buildout dates.

**Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.**

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



Constance C. Holland, AICP  
Director

CC: Town of Dagsboro  
Sussex County