STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF MANAGEMENT AND BUDGET
STATE PLANNING COORDINATION

January 24, 2006

Amanda Jones
Morris & Ritchie Associates
18 Boulden Circle
New Castle, DE 19720

RE: PLUS review – PLUS 2005-12-14; Mack/McCall Properties

Dear Ms. Jones:

Thank you for meeting with State agency planners on January 4, 2006 to discuss the proposed plans for the Mack/McCall property project to be located at the intersection of Canterbury Road and Andrews Lake Road, northeast of Felton.

According to the information received, you are seeking site plan approval for 284 residential units on 105.1 acres. The site plan shows a commercial area on the southwest corner of Canterbury Road and Andrews Lake Road. At the meeting, the developer indicated that no specific use was anticipated for it.

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 Kent County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.

Executive Summary

The following section includes some site specific highlights from the agency comments found in this letter. This summary is provided for your convenience and reference. The full text of this letter represents the official state response to this project. ***Our office***

notes that the applicants are responsible for reading and responding to this letter and all comments contained within it in their entirety.

State Strategies/Project Location

This project is located in Investment Level 2 according to the *State Strategies for Policies and Spending*. This site is also located in the Kent County Growth Zone. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future. State investments will support growth in these areas. Our office has no objections to the proposed development of this project in accordance with the relevant County codes and ordinances.

Street Design and Transportation

- The proposed development would exceed DelDOT's traffic volume warrants for a traffic impact study (TIS), so DelDOT will require a TIS for this development.

- Andrews Lake Road is classified as a local road and Canterbury Road is classified as a major collector road. Local roads in Delaware typically have right-of-way widths ranging from 33 to 50 feet. Collector road rights-of-way also vary but are generally wider. DelDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 30 feet from the centerline on local roads and 40 feet from the centerline on collector roads. Therefore they will require right-of-way dedication along the frontage to provide any additional width needed from this project.

- The developer will be required to improve Canterbury Road to meet DelDOT's standard typical section for major collector roads (two 12-foot lanes and two 8-foot shoulders) for the length of the site frontage. They will also be required to improve Andrews Lake Road to meet DelDOT's standard typical section for local roads (two 11-foot lanes and two 5-foot shoulders) for the length of the site frontage. Because there are several existing development entrances close to the proposed entrance to the north parcel, improvements beyond the north end of the site frontage may be required on Canterbury Road.

- DelDOT will also require that a paved multi-modal path, located in a 15-foot wide permanent easement, be provided across the frontage of the site.

- Easements should be provided so that four outparcels (Tax Parcels SM-00-129.00-02-03.00, 04.04, 20.17 and 22.00) along Canterbury Road can be tied into the proposed development streets.

- DelDOT commends the developer for providing the proposed stub streets and making the connection to Oaknoll. They recommend that the stub street to the Biggs Property be aligned with the one being proposed by that developer. DelDOT does not mean to endorse a particular location yet, but the stubs should line up. Similarly the south entrance on Canterbury Road should be coordinated, not necessarily aligned with that of the Meding Property.

The following are a complete list of comments received by State agencies:

Office of State Planning Coordination – Contact: David Edgell 739-3090

This project is located in Investment Level 2 according to the *State Strategies for Policies and Spending*. This site is also located in the Kent County Growth Zone. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future. State investments will support growth in these areas. Our office has no objections to the proposed development of this project in accordance with the relevant County codes and ordinances.

Division of Historic and Cultural Affairs – Contact: Alice Guerrant 739-5685

The project has the potential to impact cultural resources and therefore, the Division of Historical and Cultural Affairs recommends the property owner/developer consider undertaking a cultural resource study of the project area before proceeding. Both marked and unmarked burials are protected by Delaware law. Please refer to the following sections of the Delaware State Code: (1) Title 11 Sub-Chapter 1340, titled "Desecration of Burial Places"; and (2) Title 7 Chapter 54, known as the "Delaware Unmarked Human Remains Act". For more information about these laws and the implications for the project, contact Craig Lukesic or Faye Stocum of this office at 302-736-7400. The Division provides a list of qualified consultants on our web site at http://www.state.de.us/shpo/PDF/Consultants.pdf.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

1) The proposed development would exceed DelDOT's traffic volume warrants for a traffic impact study (TIS), so DelDOT will require a TIS for this development. Because these studies typically take 6 to 12 months from their initial scoping meeting to the completion of DelDOT's review, they recommend that the developer have their traffic engineer contact Mr. Todd Sammons of the DelDOT

Development Coordination Section as soon as possible to obtain a scope for this study. Mr. Sammons may be reached at (302) 760-2134.

Having said that, there are two TIS in progress for developments nearby, one for the Biggs Property, immediately to the south along Canterbury Road, and one for the Meding Property on the east side of Canterbury Road, across from the south parcel. DelDOT recommends that the applicant contact one or both of those developers to determine whether there could be some efficiency in combining their efforts on a single TIS. Mr. Sammons can provide names and contact information for the firms doing the Biggs and Meding TIS.

If the TIS finds that improvements are needed at the intersection of Canterbury Road and Andrews Lake Road, a single-lane roundabout should be considered as one of the possible improvements. The TIS should include an assumed use for the commercial development proposed at this intersection.

2) Andrews Lake Road is classified as a local road and Canterbury Road is classified as a major collector road. Local roads in Delaware typically have right-of-way widths ranging from 33 to 50 feet. Collector road rights-of-way also vary but are generally wider. DelDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 30 feet from the centerline on local roads and 40 feet from the centerline on collector roads. Therefore we will require right-of-way dedication along the frontage to provide any additional width needed from this project.

3) The developer will be required to improve Canterbury Road to meet DelDOT's standard typical section for major collector roads (two 12-foot lanes and two 8-foot shoulders) for the length of the site frontage. They will also be required to improve Andrews Lake Road to meet DelDOT's standard typical section for local roads (two 11-foot lanes and two 5-foot shoulders) for the length of the site frontage. Because there are several existing development entrances close to the proposed entrance to the north parcel, improvements beyond the north end of the site frontage may be required on Canterbury Road.

4) DelDOT will also require that a paved multi-modal path, located in a 15-foot wide permanent easement, be provided across the frontage of the site.

5) Easements should be provided so that four outparcels (Tax Parcels SM-00-129.00-02-03.00, 04.04, 20.17 and 22.00) along Canterbury Road can be tied into the proposed development streets.

6) DelDOT commends the developer for providing the proposed stub streets and making the connection to Oaknoll. They recommend that the stub street to the Biggs Property be aligned with the one being proposed by that developer. DelDOT does not mean to endorse a particular location yet, but the stubs should line up. Similarly the south entrance on Canterbury Road should be coordinated, not necessarily aligned with that of the Meding Property.

7) On the street connecting Canterbury Road and Andrews Lake Road south of the commercial parcel, there is one intersection proposed. It appears to be too close to the curve.

8) The developer's site engineer should contact Mr. Brad Herb, the project manager for Kent County, regarding the specific requirements for streets and access. He may be reached at (302) 266-9600.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-9071

Soils

Based on the Kent County soil survey Sassafras and Rumford were mapped in the immediate vicinity of the proposed project. Sassafras and Rumford are well-drained upland soils that, generally, have few limitations for development.

Impervious Cover

Based on a review of the submitted PLUS application, the applicant projects that only about 18 percent of this parcel will be rendered impervious following this parcel's development. This figure, however, appears to be a significant underestimate and should be revised to reflect the actual amount of created post-development surface imperviousness. All forms of created surface imperviousness (i.e., rooftops, sidewalks and roads) should be considered when calculating surface imperviousness. Research has consistently shown that once a watershed exceeds a threshold of 10 percent imperviousness, water and habitat quality irreversibly decline. Based on analyses of 2002 aerial photography by the University of Delaware, the Murderkill watershed, at that time, had about 8.1 percent impervious cover. Although this data is almost 4 years old and likely an underestimate, it illustrates the importance of a proactive strategy to mitigate for predictable and likely cumulative environmental impacts. Since the amount of imperviousness generated by this project will be significantly higher than the desirable watershed threshold of 10 percent, the applicant is strongly advised to pursue

best management practices (BMPs) that mitigate or reduce some of the most likely adverse impacts. Reducing the amount of surface imperviousness through the use of pervious paving materials ("pervious pavers") in lieu of asphalt or concrete in conjunction with an increase in forest cover via preservation or additional tree plantings are examples of practical BMPs that could easily be implemented to reduce surface imperviousness.

TMDLs

With the adoption of Total Maximum Daily Loads (TMDLs) as a "nutrient-runoff-mitigation strategy" for reducing nutrients in the Murderkill River 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. Nutrient reductions prescribed under TMDLs are assigned to those watersheds or basins on the basis of recognized water quality impairments.

In the Murderkill watershed, the primary source of water quality impairment is associated with nutrient runoff from agricultural and/or residential development. In order to mitigate for the aforementioned impairments, a post-development TMDL reduction level of 50 and 30 percent will be required for nitrogen and phosphorus, respectively. Compliance with the post-development TMDL nutrient loading reduction requirements will be assessed via nutrient budget protocol, a computer-based model that quantifies post-development nutrient loading under a variety of land use scenarios in combination with a variety (or absence) of BMP types and intensities. This post-development loading rate is then compared with the pre-development loading rate as a means to assess whether the project meets the acceptable TMDL reduction levels. Based on a preliminary evaluation of this project using this model, the development as currently conceived **does not** meet the Murderkill River watershed TMDL nutrient reduction requirements for nitrogen and phosphorus. The applicant is strongly advised to consider the use of appropriate BMPs and Best Available Technologies (BATS) to ensure compliance. Examples of BMPs or BATs that should be used to significantly reduce nutrient loading from this project, include: practices that prevent or mitigate surface imperviousness; maintenance of recommended wetland buffer widths; and the use of innovative or "green-technology" stormwater methodologies. As mentioned previously, it is suggested that the applicant recalculate the projected amount of post-development impervious cover on the basis of a more realistic assessment (see the impervious cover section), since surface imperviousness is an important variable in the nutrient budget calculation. We suggest that the applicant verify their project's compliance with the specified TMDL loading rates by running the model themselves (using the corrected

impervious cover figure). Please contact Lyle Jones of Watershed Section at 739-9939 for the acceptable model protocol.

Water Supply

The project information sheets state that water will be provided to the project by a public water system. DNREC records indicate that the project is located within the public water service area granted to Tidewater Utilities under Certificate of Public Convenience and Necessity PSC-1190. Any public water utility providing water to the site must obtain a certificate of public convenience and necessity (CPCN) from the Public Service Commission. Information on CPCNs and the application process can be obtained by contacting the Public Service Commission at 302-739-4247. Should an on-site public well be needed, it must be located at least 150 feet from the outermost boundaries of the project. The Division of Water Resources will consider applications for the construction of on-site wells provided the wells can be constructed and located in compliance with all requirements of the Regulations Governing the Construction and Use of Wells. A well construction permit must be obtained prior to constructing any wells.

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.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-9944.

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 Kent Conservation District. Contact Jared Adkins, Program Manager, at (302) 741-2600, ext. 3, for details regarding submittal requirements and fees.

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. Green Technology BMPs must be given first consideration for stormwater quality management. Each stormwater management facility should have an adequate outlet for release of stormwater.

It is strongly recommended that you contact the reviewing agency to schedule a preliminary 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.

Drainage

The Drainage Program requests the engineer take precautions to ensure the project does not hinder any off site drainage upstream of the project or create any off site drainage problems downstream by the release of on site storm water. The Drainage Program requests the engineer check downstream ditches and pipes for function and blockages prior to construction. Please notify downstream landowners if there will be a change in the volume of water released on them.

The Drainage Program encourages the elevation of rear yards to direct water towards the streets where storm drains are accessible for maintenance. The Drainage Program recognizes the need for catch basins in rear yards in certain cases. Catch basins placed in rear yards will need to be clear of obstructions and be accessible for maintenance. Decks, sheds, fences, and kennels should not be placed along the storm drain or near the catch basin. Deed restrictions or easements recorded on the deed, should be placed on the property to ensure maintenance access.

This project is within the Murderkill River Watershed, a designated critical area, with a promulgated Total Maximum Daily Load (TMDL). Preserve existing riparian buffers to aid in the reduction of nutrients, sediment, and other pollutants. For the further enhancement of water quality in the Murderkill watershed, the Drainage Program encourages additional widths of vegetated buffers and other water quality measures on this project. Please explore the use of a created wetland to filter excess nutrients in stormwater runoff from this site before releasing stormwater.

Nuisance Waterfowl

Stormwater management ponds can attract waterfowl like resident Canada geese and mute swans. 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. Short manicured lawns around ponds provide an attractive habitat for these species. We recommend native plantings of tall grasses, wildflowers, shrubs, and trees at the edge and within a buffer area (50 feet) around the perimeter. Waterfowl do not feel safe when they can not see the surrounding area for possible predators. These plantings should be completed as soon as possible as it is easier to deter geese when there are only a few than it is to remove them once they become plentiful. The Division of Fish and Wildlife does not provide goose control services, and if problems arise, residents or the home-owners 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 proper landscaping, monitoring, and other techniques, geese problems can be minimized.

Solid Waste

Each Delaware household generates approximately 3,600 pounds of solid waste per year. On average, each new house constructed generates an additional 10,000 pounds of construction waste. Due to Delaware's present rate of growth and the impact that growth will have on the state's existing landfill capacity, the applicant is requested to be aware of the impact this project will have on the State’s limited landfill resources and, to the extent possible, take steps to minimize the amount of construction waste associated with this development.

Air Quality

Once complete, vehicle emissions associated with this project are estimated to be 21.8 tons (43,591.0 pounds) per year of VOC (volatile organic compounds), 18.0 tons (36,090.4 pounds) per year of NOx (nitrogen oxides), 13.3 tons (26,628.2 pounds) per year of SO2 (sulfur dioxide), 1.2 ton (2,370.4 pounds) per year of fine particulates and 1,823.2 tons (3,646,334.7 pounds) per year of CO2 (carbon dioxide).

Emissions from area sources associated with this project are estimated to be 8.8 tons (17,582.2 pounds) per year of VOC (volatile organic compounds), 1.0 ton (1,934.6 pounds) per year of NOx (nitrogen oxides), 0.8 ton (1,605.4 pounds) per year of SO2 (sulfur dioxide), 1.0 ton (2,071.7 pounds) per year of fine particulates and 35.6 tons (71,274.5 pounds) per year of CO2 (carbon dioxide).

Emissions from electrical power generation associated with this project are estimated to be 3.5 tons (6,968.3 pounds) per year of NOx (nitrogen oxides), 12.1 tons (24,237.7 pounds) per year of SO2 (sulfur dioxide) and 1,787.5 tons (3,575,060.2 pounds) per year of CO2 (carbon dioxide).

	VOC	NOx	SO_2	$PM_{2.5}$	CO_2
Mobile	21.8	18.0	13.3	1.2	1823.2
Residential	8.8	1.0	0.8	1.0	35.6
Electrical Power		3.5	12.1		1787.5
TOTAL	30.6	22.5	26.2	2.2	3646.3

For this project the electrical usage via electric power plant generation alone totaled to produce an additional 3.5 tons of nitrogen oxides per year and 12.1 tons of sulfur dioxide per year.

A significant method to mitigate this impact would be to require the builder to construct Energy Star qualified homes. Every percentage of increased energy efficiency translates into a percent reduction in pollution. Quoting from their webpage, http://www.energystar.gov/:

"ENERGY STAR qualified homes are independently verified to be at least 30% more energy efficient than homes built to the 1993 national Model Energy Code or 15% more efficient than state energy code, whichever is more rigorous. These savings are based on heating, cooling, and hot water energy use and are typically achieved through a combination of:

building envelope upgrades,
high performance windows,
controlled air infiltration,
upgraded heating and air conditioning systems,
tight duct systems and
upgraded water-heating equipment."

The Energy office in DNREC is in the process of training builders in making their structures more energy efficient. The Energy Star Program is excellent way to save on energy costs and reduce air pollution. They highly recommend this project development and other residential proposals increase the energy efficiency of their homes.

They also recommend that the home builders offer geothermal and photo voltaic energy options. Applicable vehicles should use retrofitted diesel engines during construction. The development should provide tie-ins to the nearest bike paths, links to mass transit, and fund a lawnmower exchange program for their new occupants.

State Fire Marshal's Office – Contact: John Rossiter 739-4394

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 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Mercantile)
   - 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 of 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 Canterbury Road and Andrews Lake Road 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.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

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, technical services link, plan review, applications or brochures.

Department of Agriculture - Contact: Milton Melendez 698-4500

The Delaware Department of Agriculture has no objections to the Mack/McCall Property application. The site is located on a controlled development area. The *Strategies for State Policies and Spending* encourages environmentally responsible development in areas within a Growth Level 2 Zone. This site is a part of a "good recharge" area. DNREC has mapped all ground water potential recharge areas. A "good recharge" rating is the highest rating and designates an area as having important groundwater recharge qualities. Maintaining pervious cover in "Excellent" and "Good" recharge areas is crucial for the overall environmental health of our state and extremely important to efforts which ensure a safe drinking water supply for future generations. Retention of pervious cover to ensure an adequate future water supply is also important for the future viability of agriculture in the First State. The loss of every acre of land designated as "excellent" and "good" recharge areas adversely impacts the future prospects for agriculture in Delaware.

Right Tree for the Right Place

The Delaware Department of Agriculture Forest Service encourages the developer to use the "Right Tree for the Right Place" for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Native Landscapes

The Delaware Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and will clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive

to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

Tree Mitigation

The Delaware Forest Service encourages the developer to implement a tree mitigation program to replace trees at a 1:1 ratio within the site and throughout the community. This will help to meet the community's forestry goals and objectives and reduce the environmental impacts to the surrounding natural resources. To learn more, please contact our offices at (302) 349-5754.

Public Service Commission - Contact: Andrea Maucher 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.

Project is not within a certificated service territory for any wastewater provider. Should wastewater services be desired and are unavailable from a governmental entity, the utility may need to apply to the Commission for a CPCN.

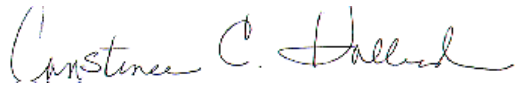
Delaware State Housing Authority – Contact Jimmy Atkins 739-4263

This proposal is to develop 284 residential units on 105 acres located on the west side of Canterbury Road (Route 15) and on both sides of Andrews Lake Road and northeast of Felton. According to the State Strategies Map, the proposal is located in Investment Level 2 area. DSHA supports this proposal because residents will have proximity to existing services, markets, and employment opportunities. Furthermore, the proposal targets units for first time homebuyers. For informational purposes, the most recent real estate data collected by DSHA, the median home price in the Central Kent County area is $225,750. However, families earning 80% of Kent County's median income only qualify for mortgages of $147,099. We recommend that some of the units be set-aside at this price level to ensure that working households have access to affordable housing.

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: Kent County