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

July 16, 2007

Mr. Gary Moore, Sr.
River Basin Engineering
724 Yorklyn Road, 300
Hockessin, DE 19707

RE: PLUS review – PLUS 2007-06-05; Bennett's Ridge

Dear Mr. Moore:

Thank you for meeting with State agency planners on June 27, 2007 to discuss the proposed plans for the Bennett's Ridge project to be located in Milford, approximately .27 miles west of the intersection of Route 113 and 14.

According to the information received, you are seeking site plan approval through Milford for 920 residential units on 91.58 acres.

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 City of Milford 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 within an Investment Level 2 according to the Strategies for State Policies and Spending and is within the City of Milford. 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 rezoning of this parcel in accordance with the relevant City codes and ordinances.

- The State appreciates the thought put into the design of the community, using mixed uses that include the live work units, community center, and the many parks and recreation opportunities oriented for the pedestrian.

Street Design and Transportation

- Delaware Route 14 is classified as a minor arterial road. DelDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 40 feet from the centerline on minor arterial roads. Therefore DelDOT will require right-of-way dedication along the frontage to provide any additional width needed from this project.

- DelDOT suggests that the open space shown on the most recent plan be reserved for a future stub street for a possible future connection to the adjoining West Milford Enterprises, LLC parcel (Tax Parcel MD-16-183.00-01-02.00). They recommend that a stub street also be provided for a possible future connection to the Ronald J. Prisco parcel (MD-00-173.00-02-32.04).

- DelDOT will require the developer to provide a 15-foot wide permanent easement along the property frontage on Route 14. Ordinarily they would also require the developer to provide a 10-foot wide shared use path within that easement, but due to the limited amount of site frontage, they may only require the easement in this case. The project manager for Kent County, Mr. Brad Herb, will determine the specific improvements as part of the entrance plan review. He may be reached at (302) 266-9600.

Natural and Cultural Resources

- The Watershed Assessment Section recommends that the applicant maintain a minimum 100-foot upland buffer from the landward edges from all riparian wetlands and water bodies.

- A 100-foot upland buffer comprised of existing trees should be maintained along Mullet Run and associated wetlands. The athletic courts/fields should be pulled out of this buffer zone (if they are within it).

- The applicant proposes to construct two entrances. The proposed entrance on Milford- Harrington Highway is a two-lane roadway. It sits on an excellent recharge potential area (see map). The applicant states that the development would generate 4,736 vehicle trips on an average weekday. This land use produces petroleum hydrocarbons, other organics, metals, and other inorganic compounds (DNREC, 1999). The contaminants associated with this land use could easily infiltrate the unconfined aquifer and compromise shallow residential wells down gradient of the entry. Groundwater Resources recommends that the entry-way be relocated to an area that is not in an area of excellent ground-water recharge potential

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 within an Investment Level 2 according to the Strategies for State Policies and Spending and is within the City of Milford. 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 rezoning of this parcel in accordance with the relevant City codes and ordinances.

The State appreciates the thought put into the design of the community, using mixed uses that include the live work units, community center, and the many parks and recreation opportunities oriented for the pedestrian.

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

The historic resources at the Division of Historical & Cultural Affairs- State Historic Preservation Office do show that there are or were two known Cultural Resource Survey (CRS) sites on or within the area of where this parcel (property) is located, and they are K-855 and K-4950. K-855 refers to a house-dwelling that was there, but it was demolished in the late 1980s, and this dwelling was very close to this parcel. K-4950 is a house-dwelling along with a stable/barn, facing Rt.14, and it is definitely on this parcel. It is also possibility that there could be prehistoric-period or historic-period archaeological sites still existing on this parcel, or within the area of where this parcel is located. If this development is approved or proceeds, the Division of Historical & Cultural Affairs-State Historic Preservation Office would like the opportunity to examine the area prior to any ground-disturbing activities, to see if there are in fact any archaeological sites on the parcel and to learn something about their location, nature, and extent.

It is also important for the developer to include sufficient landscaping around this project area, in order to protect the other historic properties in or within this specific area from the adverse visual and noise effects that may come from this commercial development. If you would like to discuss this information or other issues further, contact the Division of Historical & Cultural Affairs at (302) 744-7400 ext.25.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

1) The developer has completed a traffic impact study (TIS) for this project. DelDOT received it on November 28, 2005, and sent their comments on the study to the City on April 10, 2006. A copy is enclosed. While the number of dwellings now proposed is slightly less than what the TIS evaluated, the recommendations in that letter remain valid as written.

2) Delaware Route 14 is classified as a minor arterial road. DelDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 40 feet from the centerline on minor arterial roads. Therefore DelDOT will require right-of-way dedication along the frontage to provide any additional width needed from this project.

3) DelDOT suggests that the open space shown on the most recent plan be reserved for a future stub street for a possible future connection to the adjoining West Milford Enterprises, LLC parcel (Tax Parcel MD-16-183.00-01-02.00). They recommend that a stub street also be provided for a possible future connection to the Ronald J. Prisco parcel (MD-00-173.00-02-32.04).

4) DelDOT will require the developer to provide a 15-foot wide permanent easement along the property frontage on Route 14. Ordinarily they would also require the developer to provide a 10-foot wide shared use path within that easement, but due to the limited amount of site frontage, they may only require the easement in this case. The project manager for Kent County, Mr. Brad Herb, will determine the specific improvements as part of the entrance plan review. He may be reached at (302) 266-9600.

1) The developer's site engineer should contact Mr. Herb regarding specific requirements for access and off-site improvements, but the off-site improvements will be based on the recommendations contained in the comments on the TIS, mentioned above.

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

Soils

According to the Sussex County soil survey, Sassafras, Ingleside, Woodstown, and Longmarsh were mapped in the immediate vicinity of the proposed construction. Sassafras and Ingleside are well-drained upland soils that, generally, have few limitations for development. Woodstown is a moderately well-drained soil of low-lying uplands that has moderate limitations for development. Longmarsh is a very poorly-drained wetland associated (hydric) floodplain soil that has severe limitations for development.

Wetlands

According to the Statewide Wetland Mapping Project (SWMP) mapping, palustrine forested headwater riparian headwater wetlands bound much of the northwestern boundary of subject parcel.

The applicant should be reminded that they must avoid construction/filling activities in those areas containing wetlands or wetland associated hydric soils as they are subject to regulatory jurisdiction under Federal 404 provisions of the Clean Water Act. A site-specific field wetlands delineation using the methodology described in the 1987 United States Army Corps of Engineers (USACE) manual is the basis for making a jurisdictional wetland determination for nontidal wetlands in Delaware. The USACE views the use of the National Wetlands Inventory (NWI) mapping or the Statewide Wetlands Mapping Project (SWMP) mapping as an unacceptable substitute for making such delineations. To ensure compliance with USACE regulatory requirements, it is strongly recommended

that a field wetlands delineation using the above-referenced methodology be performed on this parcel before commencing any construction activities. It is further recommended that the USACE be given the opportunity to officially approve the completed delineation. In circumstances where the applicant or applicant's consultant delineates what they believe are nonjurisdictional isolated (SWANCC) wetlands, the USACE must be contacted to evaluate and assess the jurisdictional validity of such a delineation as the final jurisdictional authority for making isolated wetlands determinations ultimately rests with the USACE. The USACE can be reached by phone at 736-9763.

As noted previously, the palustrine headwater water riparian wetlands bound much of the northwestern boundary of subject parcel. Headwater riparian wetlands serve to protect water quality which helps maintain the ecological integrity and functions throughout the length of the stream, including the floodplain system and/or water bodies further downstream. Since headwater riparian wetlands serve as natural buffers that protect the water and habitat quality of steams from sediment and nutrient-laden runoff, their protection deserves the highest priority. Therefore, the Watershed Assessment Section recommends that the applicant maintain a minimum 100-foot upland buffer from the landward edges from all riparian wetlands and water bodies. Buffer widths less than 100 feet have been found to be insufficient to mitigate impacts to water quality. A literature review of existing buffer research by Castelle et al. (1994) has documented consensus among researchers that a 100-foot upland buffer is the minimum buffer width necessary, under most circumstances, to protect water quality.

Impervious Cover

Based on information provided by the applicant in the PLUS application, post-development surface imperviousness for this project was estimated by the applicant to reach 39 percent. However, given the scope and density of this project this projection is likely to be an underestimate.

The applicant should realize that all forms of constructed surface imperviousness (i.e., rooftops, sidewalks, stormwater management structures, and roads) should be included in the calculation for surface imperviousness; it was unclear from the submittal whether constructed surface imperviousness was comprehensively considered. Nonetheless, it is strongly recommended that the applicant include all of aforementioned forms of surface imperviousness in their finalized calculation for surface imperviousness. This will ensure a realistic assessment of this project's likely post-construction environmental impacts.

Studies have shown a strong relationship between increases in impervious cover to decreases in a watershed's overall water quality. It is strongly recommended that the applicant implement best management practices (BMPs) that reduce or mitigate some of

its 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 preservation or additional tree plantings are some examples of practical BMPs that could easily be implemented to help reduce surface imperviousness.

TMDLs

Total Maximum Daily Loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the Mispillion River watershed. 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 required by federal law, states are charged with developing and implementing standards to support these desired use goals. In the greater Mispillion River watershed, "target-rate-nutrient reductions" of 57 percent will be required for nitrogen and phosphorus. Additionally, "target-rate-reductions" of 87 percent will be required for bacteria.

TMDL Compliance through the PCS

As indicated above, Total Maximum Daily loads (TMDLs) for nitrogen and phosphorus have been proposed for the Mispillion watershed. The TMDL calls for a 57 percent reduction in nitrogen and phosphorus from baseline conditions. The TMDL also calls for an 87 percent reduction in bacteria. A pollution control strategy (PCS) will be used as a regulatory framework to ensure that these nutrient reduction targets are attained. The Department has developed an assessment tool to evaluate how your proposed development may reduce nutrients to meet the TMDL requirements. Additional nutrient reductions may be possible through the implementation of Best Management Practices such as wider vegetated buffers along watercourses, increasing passive, wooded open space, and the use of green-technology stormwater management treatment trains. Contact Lyle Jones at 302-739-9939 for more information on the assessment tool.

Water Resource Protection Areas

The Water Supply Section has determined that the southwestern tip falls within a delineated area of excellent ground-water recharge potential. The review revealed that the land use of this area is an access road to the development. Wellhead protection areas were not found (see following map and attached map). The PLUS application lists two parcels for development: 5-16-1-6 and 5-16-183-1-15. WSS was unable to locate parcel number 5-16-183-1-15.

Excellent Ground-Water Recharge Areas are those areas mapped by the Delaware Geological Survey where the first 20 feet of subsurface soils and geologic materials are exceptionally sandy. These soils are able to transmit water very quickly from the land surface to the water table. This map category is an "indicator of how fast contaminants will move and how much water may become contaminated" (Andres, 2004, pg 1). Land use activities or impervious cover on areas of excellent groundwater recharge potential may adversely affect the quality and quantity of ground water in these areas.

The applicant proposes to construct two entrances. The proposed entrance on Milford-Harrington Highway is a two-lane roadway. It sits on an excellent recharge potential area (see map). The applicant states that the development would generate 4,736 vehicle trips on an average weekday. This land use produces petroleum hydrocarbons, other organics, metals, and other inorganic compounds (DNREC, 1999). The contaminants associated with this land use could easily infiltrate the unconfined aquifer and compromise shallow residential wells down gradient of the entry.

Groundwater Resources recommends that the entry-way be relocated to an area that is not in an area of excellent ground-water recharge potential. If relocation is not possible, we recommend managing the stormwater run off from this impervious surface with a pretreatment system before infiltrating this water. This action will/may be necessary to assure the quality and quantity of ground water in these areas.

References

Andres, A. Scott, 2004, Ground-Water Recharge Potential Mapping in Kent and Sussex Counties, Delaware: Delaware Geological Survey Report of Investigations No. 66, p. 14.http://www.udel.edu/dgs/Publications/pubform.html#nvestigations

Delaware Department of Natural Resources and Environmental Control, 1999, The State of Delaware Source Water Assessment Plan: Dover, DE, p. 301. http://www.wr.udel.edu/swaphome/publications.html

Map of Bennett Ridge (PLUS 2007-06-05)

Proposed site shown in blue outline. Area of excellent groundwater recharge potential in shaded in green. The entrance on Milford-Harrington Highway is circled in black, and labeled.

Water Supply

The project information sheets state water will be provided to the project by the City of Milford via a public water system. DNREC records indicate that part of the project (MD-16-173.00-01-06.00) is located within the public water service area granted to the City of

Milford under Certificate of Public Convenience and Necessity 00-CPCN-12, the other parcel identification # MD16-183.00-01-15.00 is located within the public water service area granted to City of Milford under Certificate of Public Convenience and Necessity 91-CPCN-09.

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

Prior to land disturbing activity greater than 5,000 square feet, and as soon as possible, the applicant should contact the Kent Conservation District's Jared Adkins at (302) 741-2600, ext. 3, to schedule a pre-application meeting to discuss stormwater management and erosion and sediment control plans. Use of green technology practices and low impact development practices are recommended where feasible.

Drainage

1. The Drainage Program requests that 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 that the engineer check existing downstream ditches and pipes for function and blockages prior to the construction. Notify downstream landowners of the change in volume of water released on them.

2. The Drainage Program encourages the elevation of rear yards to direct water towards the streets and alleyways where storm drains are accessible for maintenance. However, the Drainage Program recognizes the need for catch basins in yards in certain cases. Therefore, catch basins placed in rear and side yards will need to be clear of obstructions and be accessible for maintenance.

Decks, sheds, fences, pools, and kennels can hinder drainage patterns as well as future maintenance to the storm drain or catch basin. Deed restrictions, along with drainage easements recorded on deeds, should ensure adequate future maintenance access.

3. Increase the side yard setback to 15 feet on all properties with a drainage easement on the side. The increase will allow room for equipment to utilize the entire easement and maneuver free of obstructions if the drainage conveyance requires periodic maintenance or future re-construction. The side yard setback would only increase on the side with the drainage easement.

4. All catch basins in rear or side yards should have a 10-foot drainage easement around them on all sides. Place restrictions on fences, sheds, and other structures within the easement to prevent obstructions from being place next to the catch basin.

5. Have all drainage easements recorded on deeds and place restrictions on obstructions within the easements to ensure access for periodic maintenance or future re-construction. Future property owners may not be aware of a drainage easement on their property if the easement is only on the record plan. However, by recording the drainage easement on the deed, the second owner, and any subsequent owner of the property, will be fully aware of the drainage easement on their property.

6. Preserve existing riparian buffers on this site to aid in the reduction of nutrients, sediment, and other pollutants entering the watershed. Please explore methods to filter excess nutrients in stormwater runoff from this site before releasing the stormwater into the Mispillion River watershed.

For questions or clarifications, please contact Jim Sullivan at (302) 739-9921.

Rare Species

DNREC has never surveyed the project area; therefore, it is unknown if there are state-rare or federally listed plants, animals or natural communities at this project site. However, there are rare plant and animal species downstream that could be impacted by run-off generated by this development. It is hard to discern from the site plan the buffer width provided for along Mullet Run, and it is possible that there are athletic courts/fields within 100 feet of wetlands associated with this water body, that may require tree clearing. Therefore, the following is recommended:

Recommendation: A 100-foot upland buffer comprised of existing trees should be maintained along Mullet Run and associated wetlands. The athletic courts/fields should be pulled out of this buffer zone (if they are within it). This recommendation for 100-foot buffers is based on peer reviewed scientific research and is made to protect water quality and wildlife habitat. Water quality affects the survivability of aquatic organisms, and is important for the early stages of some aquatic species and those sensitive to water quality changes. Also, upland buffers around wetland areas serve as habitat for wetland dependent species during a portion of their life cycle and provide a travel corridor for wildlife.

Nuisance Geese

The applicant indicated that stormwater management ponds were going to be "designed to discourage" nuisance species, however, specific methods were not listed. We recommend native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within a buffer area (at least 50 feet) around stormwater management ponds. Geese do not feel as safe from predators when their view of the area is blocked and will be less likely to take up residence in the pond. 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

The Delaware Solid Waste Authority (DSWA) currently owns and operates a solid waste transfer station on the Route 113, approximately 2.6 miles south of the proposed Baywind Subdivision. DNREC permits the facility to transfer no more than 350 tons of solid waste per day. The operation of the transfer station involves municipal solid waste collection vehicles and private residents hauling garbage, recyclables, and wastes to the transfer station, in which the wastes are then loaded into larger semi-trailers and transported to the landfill. Operations at the facility may include heavy vehicle traffic as well as heavy machinery including front-end loaders and tractor-trailers. All waste handling operations are conducted within the transfer station building. For questions pertaining to the DNREC solid waste permit, please call David Perrego of the Solid and Hazardous Waste Management Branch at (302)739-9403.

Underground Storage Tanks

There are five inactive LUST site(s) located near the proposed project:

Super Soda Center, Facility # 1-000405, Project # K9710160
Diamond State Telephone Milford, Facility # 1-000253, Project # K9211276
NKS Distributors, Facility # 1-000467, Project # K 9303053
B & C Equipment, Facility # 1-000007, Project # K9402059
E D Supply Company, Facility # 1-000306, Project # K9108163

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 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 with nitrile rubber gaskets in the contaminated areas.

Air Quality

Once complete, vehicle emissions associated with this project are estimated to be 70.6 tons (141,210.4 pounds) per year of VOC (volatile organic compounds), 58.5 tons (116,912.6 pounds) per year of NOx (nitrogen oxides), 43.1 tons (86,260.3 pounds) per year of SO2 (sulfur dioxide), 3.8 ton (7,678.7 pounds) per year of fine particulates and 5,906.0 tons (11,812,070.0 pounds) per year of CO2 (carbon dioxide).

Emissions from area sources associated with this project are estimated to be 28.5 tons (56,956.6 pounds) per year of VOC (volatile organic compounds), 3.1 ton (6,266.9 pounds) per year of NOx (nitrogen oxides), 2.6 ton (5,200.7 pounds) per year of SO2 (sulfur dioxide), 3.4 ton (6,711.2 pounds) per year of fine particulates and 115.4 tons (230,889.2 pounds) per year of CO2 (carbon dioxide).

Emissions from electrical power generation associated with this project are estimated to be 11.3 tons (22,573.5 pounds) per year of NOx (nitrogen oxides), 39.3 tons (78,516.5 pounds) per year of SO2 (sulfur dioxide) and 5,790.6 tons (11,581,180.8 pounds) per year of CO2 (carbon dioxide).

	VOC	NOx	SO_2	$PM_{2.5}$	CO_2
Mobile	70.6	58.5	43.1	3.8	5906.0
Residential	28.5	3.1	2.6	3.4	115.4
Electrical Power		11.3	39.3		5790.6
TOTAL	99.1	72.9	85.0	7.2	11812.0

For this project the electrical usage via electric power plant generation alone totaled to produce an additional 11.3 tons of nitrogen oxides per year and 39.3 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 Rudd 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 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
   - Where a water distribution system is proposed for Mixed Use sites, 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, 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 Rte. 14 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)
- 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

Department of Agriculture - Contact: Scott Blaier 698-4500

The Delaware Department of Agriculture has no objections to the proposed development. The project is located within the City of Milford, and the *Strategies for State Policies and Spending* encourage environmentally responsible development in Investment Level 1 areas.

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.

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.

Delaware State Housing Authority – Contact Vicki Walsh 739-4263

This proposal is for a site plan review of 920 residential units on 91.58 acres located approximately .27 miles west of the intersection of Route 113 and 14 in Milford.

According to the State Strategies Map, the proposal is located in an Investment Level 1 area and inside the growth zone. As a general planning practice, DSHA encourages residential development in areas where residents will have proximity to services, markets, and employment opportunities such as Investment Level 1 and 2 areas outlined in the State Strategies Map. Furthermore, DSHA encourages residential development in Level 1 and 2 areas that are affordable to first time homebuyers. DSHA supports the fact that this proposal targets the full range of incomes including first time homebuyers.

For informational purposes, the most recent real estate data collected by DSHA shows the median home price in Kent County to be $229,000. However, families earning respectively 100% of Kent County's median income only qualify for mortgages of $180,115, thus creating an affordability gap of $48,885. The provision of units within reach of families earning at least 100% of Kent County's median income would help increase housing opportunities for first time homebuyers. We recommend that some of

the units be set-aside at this price level to ensure that working households have access to affordable housing.

Department of Education – Contact: John Marinucci 735-4055

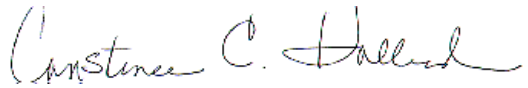
This proposed development is within the Milford School District. DOE offers the following comments on behalf of the Milford School District.

1. Using the DOE standard formula, this development will generate an estimated 460 students.
2. DOE records indicate that the Milford School Districts' *elementary schools* ***are at or beyond*** *100% of current capacity* based on September 30, 2006 elementary enrollment.
3. DOE records indicate that the Milford School Districts' *secondary schools are* ***not at or beyond*** *100% of current capacity* based on September 30, 2006 secondary enrollment.
4. The Milford School District has communicated to the DOE the district's lack of capacity at all grade levels given the number of planned and recorded residential sub divisions within district boundaries.
5. This development will create significant additional elementary and secondary student population growth which will further compound the existing shortage of space experienced by the Milford School District.
6. The developer is strongly encouraged to contact the Milford School District Administration to address the issue of school over-crowding that this development will exacerbate.
7. DOE requests developer work with both the Milford School District transportation department to establish developer supplied bus stop shelter ROW and shelter structures, interspersed throughout the development as determined and recommended by the school district.

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: City of Milford