



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF MANAGEMENT AND BUDGET  
Budget Development, Planning and Administration  
State Planning Coordination

July 22, 2009

Mr. Jason Halpin  
Halpin Engineering & Design, LLC  
1465 Cedar Land Road  
Middletown, DE 19709

RE: PLUS 2009-06-03; Evergreen Acres

Dear Mr. Halpin:

Thank you for meeting with State agency planners on June 24, 2009 to discuss the proposed plans for the Evergreen project to be located on the south side of White Oak Road, approximately 2,000 ft. southeast of State Route 1 and White Oak Road intersection.

According to the information received, you are seeking a rezoning of 79.16 acres from AR to RM-2 for a 480 unit residential subdivision.

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 Sussex 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 represents a major land development application that will result in 480 residential units East of Route 1 in the City of Dover. This project is located in Investment Levels 2 and 3 according to the *Strategies for State Policies and Spending*. Although areas located in Investment Level 2 are typically seen as favorable for new development and State Investments by the State Strategies, the project's location East of State Route 1 is of particular concern.

We have considered this conceptual subdivision plan as it relates to the City of Dover's certified comprehensive plan and the 1999 MOU that addresses the development of the Garrison Oak Business Park and the area East of Route 1. Our office does not object to the development of this site as "workforce housing" in conjunction with the development of the Garrison Oak Business Park, with the following conditions:

- The plan should be revised to improve the protection of natural resources on and adjacent to the site, and to protect sourcewater resources. See DNREC's comments in this letter for more detail.
- Final plan documents should show and document the State owned conservation easement adjacent to this property.
- The plan should address land preservation goals for the area East of Route 1, perhaps as a TDR receiving area.
- The City should review this plan in the context of the "master plan" for Garrison Oak Business Park, and phase approvals and construction to coincide with business park development.
- It is recommended that the two sides of the community be connected by pedestrian and vehicular access ways.

### **Street Design and Transportation**

- DelDOT estimates that the proposed development would generate about 3,284 vehicle trip ends per day and about 310 vehicle trip ends in the evening peak hour. This trip generation is significantly greater than the 1,980 vehicle trip ends per day shown on the PLUS application and it places the project in a range wherein a traffic impact study (TIS) is required by DelDOT regulations
- DelDOT supports the idea of having two entrances for a development the size of the one proposed, and under normal circumstances the amount of frontage that the subject parcel has would probably be sufficient to allow it. However, the bridge over the Little River may be a constraint.

- DelDOT recommends that at least one of the travelways in the apartment and condominium complex be connected to the main street serving the rest of the development.
- DelDOT suggests that the entrance to the Garrison Oak Business Park be relocated to a location opposite the proposed East entrance to this development.
- DelDOT suggests that the main entrance road in this development leading from the East entrance be extended with a street stub, and that it be redesigned so that it may become the northerly portion of the service road leading from Garrison Oak to the Route 8 interchange.

### **Natural and Cultural Resources**

- From several indicators (hydric soils, wetlands, floodplain, tax ditch/drainage), the site is wet, suggesting that this site is not the most favorable place to develop houses.
- Impervious cover: The applicant indicated on the PLUS Application Form that impervious cover was projected at 17%. According to the TR-55 methodology for determining impervious cover, given a mixed (single family, duplex, townhouse, and apartment/condominium) residential development that averages 6 units/acre (gross density), impervious cover is more likely to be between 38 and 65 percent. This is particularly significant, given the palustrine headwater water riparian wetlands associated with the Little River in the southern portion of the development and the potential effect on water quality and the maintenance of ecological integrity and functions throughout the length of the stream; also, this site lies almost totally within a wellhead protection area.
- Wetlands: We highly recommend that the wetlands delineation be submitted to the U.S Army Corps of Engineers for their review. Any stormwater BMP of any type in State-regulated wetlands would require a permit; there is no guarantee that a permit would be granted, depending on what exactly was being proposed.

This office has received the following comments from State agencies:

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

This project represents a major land development application that will result in 480 residential units East of Route 1 in the City of Dover. This project is located in Investment Levels 2 and 3 according to the *Strategies for State Policies and Spending*. Although areas located in Investment Level 2 are typically seen as favorable for new development and State Investments by the State Strategies, the project's location East of State Route 1 is of particular concern.

This application involves the lands formerly reviewed as Bay Village of Dover (PLUS 2004-08-09). The State strongly opposed the Bay Village of Dover plan, and in fact purchased a conservation easement on a portion of these lands to prevent large scale development of the parcel.

In accordance with the City of Dover’s recent comprehensive plan update (certified by the Governor on February 9, 2009) these lands were designated for future medium density residential use. As a part of the State review of Dover’s comprehensive plan we identified the following criteria that would be acceptable to the State to guide future development of the parcel. Our comments on the concept plan follow each criterion.

**Criteria 1:** The lands are developed in a manner which respects the environmental features on the site, including wetlands, woodlands and wellhead protection areas;

**Comment:** The subdivision plan makes some honest efforts to preserve environmental features on the site and buffer adjacent forest and wetland areas. Yet this is clearly a maximum yield plan, and it is recommended that more be done to protect the on-site and adjacent natural features. See DNREC’s comments below for more detail. Please be advised that DNREC cautions that hydric soils, headwater wetlands, and floodplain areas all create challenges to developing this site in an environmentally sensitive manner. We encourage the developer to work with DNREC and the City to develop a sustainable design for this sensitive site.

**Criteria 2:** The project respects the conservation easement purchased by the State;

**Comment:** The concept subdivision plan appears to respect the boundaries of this conservation easement. It is strongly recommended that final plan documents show the boundaries of the easement and reference easement documents in the notes.

**Criteria 3:** The project enhances land conservation objectives East of Route 1, perhaps as a TDR receiving area;

**Comment:** The applicant provided no information about this topic as a part of their application, or during the PLUS meeting. It is strongly encouraged that the applicant and the City work together to address this State comment through the rezoning and subdivision process.

**Criteria 4:** The project is developed as “workforce housing” and is developed in conjunction with the Garrison Oak business park; and

**Comment:** The applicants have presented this project as a “workforce housing” proposal, with price points geared towards working families. Our office strongly recommends that this plan be reviewed in the context of the larger effort to “master plan” the Garrison Oak business park. The City should require revisions

and conditions to this plan through its approval process to ensure harmony between the economic development uses and the new housing on this site. It is further recommended that the City phase this development so that construction begins in conjunction with the business park.

**Criteria 5:** There is a clear understanding by all parties that this development is a special circumstance which addresses both economic development and land conservation objectives, and does not in any way represent a policy shift which would allow or encourage other land developments E. of Route 1.

**Comment:** Our office does not object to the development of workforce housing on this site in conjunction with the Garrison Oak business park development. It is the State's hope that the City will honor its commitments in regards to the 1999 MOU regarding business park funding and development and in the certified Dover Comprehensive Plan and ensure that additional development does not occur in this area.

In addition to these criteria, we would like to close by offering one design comment. The plan presented at the PLUS meeting did not have an interconnection between the multi-family portion of the project and the single family / duplex / townhouse area. This is very undesirable because it will complicate emergency access and service delivery, promote unnecessary car trips, and limit interaction between the two sides of the community. It is recommended that the two sides of the community be connected by vehicular and pedestrian access ways.

**State Historic Preservation Office (SHPO) – Contact: Terrence Burns 739-5685**

There does not appear to be any known historic or cultural resources such as archaeological sites or National Register listed properties on or within this project area, and the Division of Historical & Cultural Affairs has no objection with this development project. However, if this development goes forward as proposed, they request that there be sufficient landscaping around this development in order to block any noise or visual intrusions if there happens to be any potential historic houses nearby. If you would like to discuss this issue further or technical assistance, please contact Terence Burns at (302) 736-7404.

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

L.D. Shank seeks to build a residential development consisting of 41 single-family detached houses, 20 duplex (semi-detached) houses, 64 townhouses, 139 condominium apartments and 216 rental apartments on a 79.16-acre parcel (Tax Parcel LC-05-068.00-01-06.00). The land is located in the City of Dover on the south side of White Oak Road (Kent Road 66), for the most part immediately east of the Little River. The land is zoned Agricultural and a rezoning to RM-2 would be needed to permit the development.

- 1) DelDOT estimates that the proposed development would generate about 3,284 vehicle trip ends per day and about 310 vehicle trip ends in the evening peak hour. This trip generation is significantly greater than the 1,980 vehicle trip ends per day shown on the PLUS application and it places the project in a range wherein a traffic impact study (TIS) is required by DelDOT regulations. This study may lead to requirements for off-site improvements beyond those discussed below. It is recommended that the developer have their traffic engineer contact Mr. Troy Brestel of this office when they are ready to discuss the scope of work for that study. Mr. Brestel may be reached at (302) 760-2167.
  
- 2) Immediately across White Oak Road from the subject site is the Garrison Oak tract, where the City proposes to develop a technology park. One of the challenges that City faces in developing this park is obtaining access to Delaware Route 1. White Oak Road is not a desirable place for such access due to the proximity of the main line toll plaza to the north. In the initial planning for the technology park, a service road to connect the park to Delaware Route 8 was contemplated. This service road would begin opposite the existing farm lane on the property, extend along an existing tree line to the edge of Route 1 and extend south along Route 1 to the Cartanza Property (Tax Parcel ED-05-068.00-01-07.00). From there it would either follow the Route 1 on-ramp south to Route 8 or swing east and follow an existing farm lane south to intersect Route 8 opposite Fox Road (Kent Road 344). As proposed, however, the north end of this service road would have poor sight distance with respect to eastbound traffic on White Oak Road crossing the bridge over Route 1.

DelDOT has expressed concerns to the City previously about the development of a technology park on the Garrison Oak tract. However, if the City still intends to develop the park there, DelDOT suggests that the proposed east entrance to the subject development is a better location for the technology park entrance. For that reason they recommend that the City require Mr. Shank to extend the street leading in from the east entrance straight to the rear property line, at Tax Ditch Prong B, to serve as the north end of the service road. An alignment for the continuation of the service road would still have to be determined, but one apparently viable option would be to extend it east to Long Point Road, which presently handles industrial traffic associated with a large borrow pit (sand and gravel quarry). Additional discussion with DelDOT regarding this issue is warranted.

- 3) White Oak Road is classified as a local road. Beginning just east of the Little River Bridge, and extending east, the road is substandard, having no shoulders and, from aerial photography, approximately 9.5 foot wide lanes. DelDOT anticipates requiring the developer to widen the road from the bridge to the east limits of their frontage to meet our standards for local roads, which include 11-foot lanes and 5-foot shoulders. Similarly, they anticipate requiring the developer to dedicate sufficient right-of-way to provide a depth of 30 feet from the road centerline to the right-of-way line, and to provide appropriate bicycle and

- pedestrian facilities parallel to the right-of-way. The standard requirement is a 10-foot wide multi-use path in a 15-foot easement bordering the right-of-way. However DelDOT is willing to work with the City to the extent that their requirements differ and with the developer regarding the location of the easement.
- 4) DelDOT supports the idea of having two entrances for a development the size of the one proposed, and under normal circumstances the amount of frontage that the subject parcel has would probably be sufficient to allow it. However, the bridge over the Little River may be a constraint. Normally they do not permit a right-turn deceleration lane to begin on a bridge because of the proximity to the parapet wall. It is recommended that the developer's site engineer check the adequacy of the entrance locations early in the plan development process. Mr. Julio Seneus, the DelDOT Subdivision Manager for the city of Dover, can provide assistance in this regard if necessary. Mr. Seneus may be reached at (302) 760-2145.
  - 5) DelDOT recommends that at least one of the travelways in the apartment and condominium complex be connected to the main street serving the rest of the development. One way to do that would be to eliminate the cul-de-sac proposed next to the condominium building. The intent would be to provide secondary access to both parts of the development in case one of the entrances becomes blocked, such as by an accident or utility construction.
  - 6) DelDOT notes that a 16-foot travelway is proposed for at least one part of the apartment and condominium complex. Such a width is workable in low-volume situations with a negligible number of trucks and a strict prohibition on parking. However, they question the ability of the developer or their management company to maintain those conditions. They would urge the City to consider requiring at least 20-foot travelways.

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

DNREC's concerns about this project include:

- What appears to be a significant underestimation of impervious cover for a project that lies entirely within a City of Dover wellhead protection area;
- The location of the project along the southern boundary of palustrine headwater water riparian wetlands associated with the Little River and the potential effect on water quality and the maintenance of ecological integrity and functions throughout the length of the stream; and
- The impact of impervious cover and development near these headwater wetlands on an already impaired watershed.

DNREC strongly urges the developer to consider reconfiguring the project to less than a maximum-yield site plan to preserve more forest cover and protect habitat and water quality.

### **Fish and Wildlife**

**Rare Species.** DNREC Fish and Wildlife Division scientists have not surveyed this project area; therefore, they are unable to provide information pertaining to the existence of State-rare or federally listed plants, animals or natural communities at this project site.

**Forest Preservation.** Cumulative forest loss throughout the State is of utmost concern to the Division of Fish and Wildlife, which is responsible for conserving and managing the State's wildlife (see [www.fw.delaware.gov](http://www.fw.delaware.gov) and the Delaware Code, Title 7). Because of an overall lack of forest protection, we have to rely on landowners and/or the entity that approves the project (i.e. counties and municipalities) to consider implementing measures that will aid in forest loss reduction.

With a maximum yield site plan such as this one, there are few measures that will minimize habitat loss other than downsizing or reconfiguration so that a larger area of forest is left as open space. Forested wetlands are especially important as this habitat type can support an array of plant and animal species.

To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, we recommend that clearing not occur April 1st to July 31st. This clearing recommendation would only protect those species during one breeding season; because once trees are cleared the result is an overall loss of habitat.

The site plan depicts a minimum of 100-foot wetland buffers; DNREC highly recommends that this buffer zone be comprised of the existing trees and vegetation, not a maintained lawn area. This buffer area should not contain structures, lot lines, or infrastructure. Forested buffers serve as critical habitat for many terrestrial species that are dependent on aquatic and wetlands habitats for a portion of their annual life cycle. Buffers are also an integral component of aquatic and wetland habitats, reducing the amount of sediments, pollutants, and other non-point source material that may affect the function and integrity of habitat and the condition and survivability of aquatic organisms.

**Nuisance Species.** Wet ponds created for stormwater management purposes may attract resident Canada geese and mute swans that will create a nuisance for community residents. 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. DNREC recommends native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within an adequate buffer (15-30 feet in width) around the ponds, to be planted in accordance with the Sediment and Stormwater Plan approval agency requirements. When the view of the surrounding area from the pond is blocked, geese can't scan for predators and are less likely to reside and nest in the area of the pond.

At this time, DNREC does not recommend using monofilament grids due to the potential for birds and other wildlife to become entangled if the grids are not properly installed and maintained. In addition, the on-going maintenance (removing entangled trash, etc.) may become a burden to the homeowners association or land manager.

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 a reduction in the number of ponds, proper landscaping, monitoring, and other techniques, geese problems can be minimized.

**Wildlife Entanglement.** For erosion control, DNREC recommends the applicant consider using materials that are biodegradable and that don't include plastic netting or have welded-joint poly-based matting. Wildlife entanglement in rolled erosion control products (RECP), especially that which contains plastic netting, is well documented throughout the U.S. (references available upon request). Some of these species are already undergoing major declines due to the impact of habitat loss, pollution, collection pressure and other causes. Plastic netting, even which marketed as 'biodegradable,' is particularly hazardous because of its durability, flexibility and resistance to degradation. Birds that occur within wetlands such as herons, ducks and geese are susceptible to entanglement, and snakes and lizards are particularly susceptible due to their twisting escape behavior when caught. Also, plastic netting is often placed on the ground or over vegetation where these species typically traverse or forage.

**Fishing Pond.** According to PLUS materials, access to a pond on an adjacent property is planned to provide recreational opportunities for residents. Tax parcel information indicates that this pond is owned by the Delaware Department of Transportation. If this pond will have public access, the Division of Fish and Wildlife can provide technical assistance and potential funding to improve its use for anglers. If the applicant/landowner would like more information they can contact Jared Jacobini, Fisheries Biologist, DNREC-Division of Fish and Wildlife at (302) 653-2887. *Edna Stetzar - (302) 653-2880, [Edna.Stetzar@state.de.us](mailto:Edna.Stetzar@state.de.us)*

## **Soil and Water**

**Sediment and Stormwater Program.** A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. It is strongly recommended that the owner and consultant contact the Kent 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. The plan review and approval as well as construction inspection will be coordinated through the Kent

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

Because of the parcel's location in an impaired watershed and the amount of impervious surface, green-technology BMPs and low-impact development practices should be considered a priority to reduce stormwater flow and to meet water quality goals.

**Drainage Program.** This project is located within the White Oak Tax Ditch, which has existing tax ditch rights-of-way. Any modification of the tax ditch or tax ditch right-of-way will require approval of the Tax Ditch Association and a change to the White Oak Tax Ditch court order. Please contact the Drainage Program in Georgetown at (302) 855-1930 as soon as possible to request a review of the tax ditch rights-of-way.

The proposed foot bridge and stormwater management areas may pose problems for maintenance of the tax ditch. Routine maintenance primarily consists of mowing ditch bank vegetation and the removal of small blockages. Periodic tax ditch reconstruction involves the removal of sediment from the ditch bottom to reestablish the original design grade. The removed sediment, referred to as spoil, is typically disposed of by spreading within the tax ditch right-of-way. Tax Ditch maintenance and the release of stormwater into the tax ditch should be discussed at the sediment and stormwater pre-application meeting.

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 onsite 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.

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.

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 watershed.

The Drainage Program does not support the removal of trees for the creation of stormwater management areas. However, the Drainage Program does recognize that tree removal is unavoidable in some cases. Where practical, plant native trees and shrubs to compensate for the loss of nutrient uptake and stormwater absorption the removed trees provided.

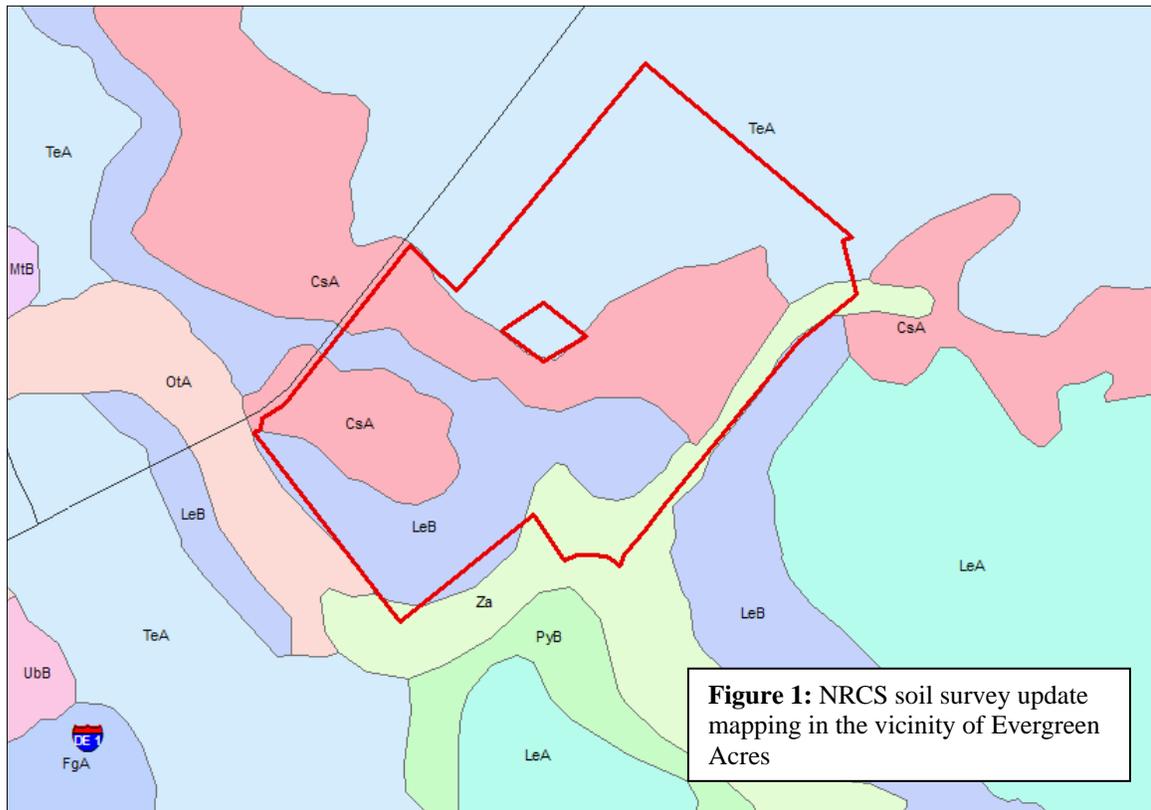
*Sediment/Stormwater and Drainage comments provided by James Sullivan - (302) 739-9921, [James.Sullivan@state.de.us](mailto:James.Sullivan@state.de.us)*

**Flood Management.** DNREC was unable to locate where the 1% annual chance floodplain line is located on the site plan. Using FEMA FIRM panel 10001C0186H, there is a Zone AE floodplain that runs north into the property from the 90 degree bend in the Little River. It appears as though the Condominium building, one apartment building, and multiple twins and single-family homes are located in the floodplain. We suggest altering the site plan to put as little development in the floodplain as possible. The additional burden of having to purchase flood insurance would be difficult for the "first-time homebuyers" this parcel is geared toward. They were also unable to determine the amount of fill being placed in the floodplain by looking at the site plan.

*Gregory Williams - (302) 739-9921, [Gregory.Williams@state.de.us](mailto:Gregory.Williams@state.de.us)*

### **Water Resources**

**Soils Assessment.** According to the NRCS soil survey update Leipsic (LeB), Crosiadore (CsA), Tent (TeA), and Zekiah (Za) were mapped in the immediate vicinity of the proposed construction (See figure 1). Leipsic is a moderately well drained soil of low-lying uplands that has moderate limitations for development. Crosiadore is a somewhat poorly-drained transitional soil between wetlands and uplands that is likely to contain both wetland and upland soil types. Tent is a poorly-drained wetland associated (hydric) soil that has severe limitations for development. Zekiah is a very poorly-drained wetland associated (hydric) soil associated with floodplain or riparian wetlands and has severe limitations for development.



**Wetlands.** According to the Statewide Wetland Mapping Project (SWMP) mapping, palustrine scrub-shrub emergent wetlands (PSS1/EM1A) and palustrine forested wetlands (PF01/3A & PF04/1A) were mapped in much of the northeastern portion of the parcel. Palustrine riparian wetlands (PFO1C7) wetlands bound the southeastern portion of this parcel (Figure 2).



extensive piping, filling or burying of streams or ditches in excess of minimum needed for road crossings should be avoided. Where road crossings are necessary, bridge spans which avoid significant impacts to stream banks and channels should be used wherever possible. Where placement of culverts is unavoidable, culvert designs which utilize multiple barrels at different elevations to preserve low flow channel are preferred. Contact the Wetlands and Subaqueous Lands Section for further information regarding preferred designs.

The applicant should also 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 or “the Corps”) manual is the acceptable basis for making a jurisdictional wetland determination for nontidal wetlands in Delaware.

The applicant is forewarned that the Corps 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 said Corps 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 Corps 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 Corps must be contacted to evaluate and assess the jurisdictional validity of such a delineation. The final jurisdictional authority for making isolated wetlands determinations rests with the Corps; they can be reached by phone at 736-9763.

As noted previously, the palustrine headwater water riparian wetlands associated with the Little River bound a portion of the southern boundary of the proposed project area. 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 streams from sediment and nutrient-laden runoff, their protection deserves the highest priority. Therefore, the Watershed Assessment Section strongly recommends that a 100-foot upland buffer be maintained or established from the riparian wetlands bounding the Little River. A literature review of existing buffer research by Castelle et al. (Castelle, A. J., A. W. Johnson and C. Conolly. 1994. *Wetland and Stream Buffer Requirements – A Review*. J. Environ. Qual. 23: 878-882) 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 Surfaces and Best Management Practices.** Based on a review of the PLUS application form, post-construction surface imperviousness was projected to reach

about 18 percent. However, given the projected scope and density of this project this estimate appears to significantly understate the actual amount of created post-construction surface imperviousness. When calculating surface imperviousness, it is important to consider all created forms of constructed surface imperviousness (i.e., rooftops, sidewalks, roads, and stormwater management structures) in the calculation for surface imperviousness; otherwise, an inaccurate assessment of this project's environmental impacts will result. Surface imperviousness should be recalculated if the above-mentioned forms of constructed surface imperviousness were not included.

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 Leipsic 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 Leipsic River watershed, "target-rate-nutrient reductions" of 40 percent for both nitrogen and phosphorus are required. Additionally, "target-rate-reductions" of 75 percent will be required for bacteria.

A pollution control strategy 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 BMPs such as increasing the amount of passive, wooded open space (planted with native woody and herbaceous vegetation), wider vegetated buffers along watercourses, use of pervious paving materials to reduce surface imperviousness, and the deployment of green-technology stormwater management treatment technologies. Contact Lyle Jones at 302-739-9939 for more information on the assessment tool.

*Soils, wetlands, subaqueous lands and TMDL comments provided by John Martin, Watershed Assessment Section, (302) 739-9939, [John.Martin@state.de.us](mailto:John.Martin@state.de.us)*

**Water Supply.** The project information sheets state water will be provided to the project by the City of Dover via a public water system. Our records indicate that the project is located within the public water service area granted to the City of Dover under Certificate of Public Convenience and Necessity 90-CPCN-07.

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. *Ricardo Rios* - (302) 739-9944, [Ricardo.Rios@state.de.us](mailto:Ricardo.Rios@state.de.us)

**Water Resource Protection Areas.** DNREC Water Supply Section, Ground-Water Protection Branch (GPB) has determined that the project falls entirely within a wellhead protection area for the City of Dover as delineated by DNREC. Although the City of Dover's Source Water Protection Ordinance meets the minimum standards of protection, this protection does not extend over all the scientifically delineated wellhead areas. This project is located in one of these areas.

Given that this is a wellhead protection area, the City is strongly encouraged to apply impervious cover limitations on this development. The Developer states that the impervious cover for this project is approximately 17%. Based on a review of the site plan, GPB finds this to be a significant underestimation (Figure 1). Impervious cover prevents precipitation from infiltrating through the soil to the water table aquifer. Impervious cover refers to structures including but not limited to roads, sidewalks, parking lots, and buildings. Any impervious cover within this wellhead protection area has the potential to have a negative affect the quality and quantity of drinking water available to the City.

The DNREC Water Supply Section recommends that the portion of the new development within the scientifically delineated wellhead protection area not exceed 20% impervious cover (DNREC, 2005). Some allowance for augmenting ground-water recharge should be implemented if the impervious cover exceeds 20% but is less than 50%. However, the development should not exceed 50%. A water balance calculation should be required to determine the quantity of clean water to be recharged via a recharge basin (Kaufmann, 2005). The purpose of an impervious cover threshold is to minimize loss of recharge (and associated increases in storm water) and protect the quality and quantity of ground water and surface water supplies.

In addition, because the project is located within a wellhead protection area and the wellhead is a source of public drinking water, the storage of hazardous substances or wastes should not be allowed within the area unless specific approval is obtained from the relevant state, federal, or local program.

### *References*

Delaware Department of Natural Resources and Environmental Control, 2005, Source Water Protection Guidance Manual for the Local Governments of Delaware, p. 144.

[http://www.wr.udel.edu/publications/SWAPP/swapp\\_manual\\_final/swapp\\_guidance\\_manual\\_final.pdf](http://www.wr.udel.edu/publications/SWAPP/swapp_manual_final/swapp_guidance_manual_final.pdf)

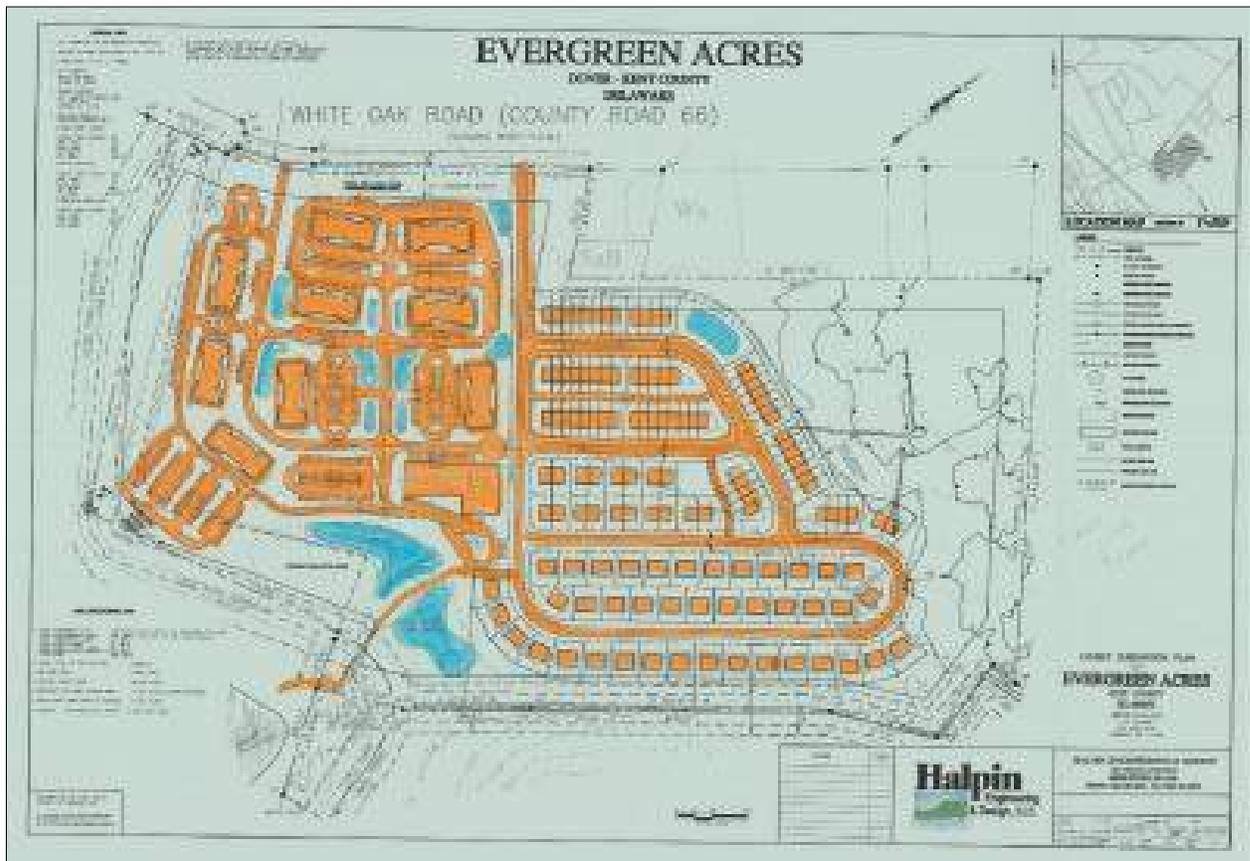
Kauffman, G.J., Wozniak, S.L., and Vonck, K.J., 2005, Delaware Ground-Water Recharge Design Manual: Newark, DE, Water Resources Agency, University of Delaware, p. 31.

Listed as: “Supplement 1 –

Groundwater Recharge Design Methodology”

<http://www.wr.udel.edu/swaphome/Publications/SWPguidancemanual.html>

**Figure 1. Site Plan for Evergreen Acres (PLUS 2009-06-03)** Impervious cover is shaded in orange. The Blue areas are storm water management ponds.



Anne Mundel - (302) 739-9945, [Anne.Mundel@state.de.us](mailto:Anne.Mundel@state.de.us)

## Parks and Recreation

In May and June of 2008, 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

will be the foundation of the 2008-2011 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities.

Eighty-eight percent of residents living in Kent County indicated that outdoor recreation was very or somewhat important to them. With Kent County residents living an average of six miles from the nearest outdoor recreation facility, nearly two thirds (62%) of residents interviewed indicated the need for more close to home outdoor recreation opportunities. Based on the public opinion survey, the most needed outdoor recreation facilities in Kent County include: Walking/jogging paths, public swimming pools, bicycle paths, playgrounds, and picnic spaces or gathering areas.

The Evergreen Acres project is on the eastern side of Rt. 1 and is removed from close to home and easily accessible active recreational opportunities. As proposed this design will provide 355 renter occupied units and 64 'first time homebuyer' units. Most of these 419 units will be occupied by young families with children. In an effort to provide easily accessible close to home recreational opportunities, it is suggested that the proposed development include some of the recreational amenities mentioned above.

The parcel to the southwest border of the proposed development (Parcel # ED05-068.00-01-06.01) is owned and managed by the Delaware Department of Transportation. Has DelDOT granted public access to this pond? The applicant should demonstrate an agreement with DelDOT to provide recreational access to the adjacent 8-acre pond.  
*Kendall Sommers - (302) 739-9242, [Kendall.Sommers@state.de.us](mailto:Kendall.Sommers@state.de.us)*

## **Air and Waste**

**Air Quality.** Housing developments may unnecessarily emit, or cause to be emitted, significant amounts of air contaminants into Delaware's air, which will negatively impact public health, safety and welfare. These negative impacts are attributable to:

- Emissions that form ozone and fine particulate matter; two pollutants relative to which Delaware currently violates federal health-based air quality standards,
- The emission of greenhouse gases which are associated with climate change, and
- The emission of air toxics.

Air emissions generated from housing developments include emissions from:

- Area sources like painting, lawn and garden equipment and the use of consumer products like roof coatings and roof primers.
- The generation of electricity needed to support the homes in your development, and
- Car and truck activity associated with the homes in your new development.

These three air emissions components (i.e., area, electric power generation, and mobile sources) are quantified below, based on a per household/residential unit emission factor

that was developed using 2002 Delaware data. These emissions in the table represent the actual impact the Evergreen Acres development may have.

**Emissions Attributable to Evergreen Acres Subdivision (Tons per Year)**

	Volatile Organic Compounds (VOC)	Nitrogen Oxides (NOx)	Sulfur Dioxide (SO <sub>2</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )	Carbon Dioxide (CO <sub>2</sub> )
Direct Residential	14.9	1.6	1.4	1.8	60.2
Electrical Power Generation	ND*	5.9	20.5	ND*	3,021.2
Mobile	22.0	23.0	0.7	0.3	14,186.4
<b>Total</b>	36.9	30.5	22.6	2.1	17,267.8

(\*) Indicates data is not available.

Note that emissions associated with the actual construction of the subdivision, including automobile and truck traffic from working in, or delivering products to the site, as well as site preparation, earth moving activities, road paving and other miscellaneous air emissions, are not reflected in the table above.

*Recommendations:*

The applicant shall comply with all applicable Delaware air quality regulations. These regulations include:

<b>Regulation 6 -</b> Particulate Emissions from Construction and Materials Handling	<ul style="list-style-type: none"> <li>• <b>Using dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads.</b></li> <li>• <b>Using covers on trucks that transport material to and from site to prevent visible emissions.</b></li> </ul>
<b>Regulation 1113 –</b> Open Burning	<ul style="list-style-type: none"> <li>• <b>Prohibiting open burns statewide during the Ozone Season from May 1-Sept. 30 each year.</b></li> <li>• <b>Prohibiting the burning of land clearing debris.</b></li> <li>• <b>Prohibiting the burning of trash or building materials/debris.</b></li> </ul>
<b>Regulation 1145 –</b> Excessive Idling of Heavy Duty Vehicles	<ul style="list-style-type: none"> <li>• <b>Restricting idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.</b></li> </ul>

Additional measures may be taken to substantially reduce the air emissions identified above. These measures include:

- **Constructing only energy efficient homes.** Energy Star qualified homes are up to 30% more energy efficient than typical homes. These savings come from building envelope upgrades, high performance windows, controlled air infiltration, upgraded heating and air conditioning systems, tight duct systems and

upgraded water-heating equipment. Every percentage of increased energy efficiency translates into a percent reduction in pollution. The Energy Star Program is excellent way to save on energy costs and reduce air pollution.

- **Offering geothermal and/or photo voltaic energy options.** These systems can significantly reduce emissions from electrical generation, and from the use of oil or gas heating equipment.
- **Providing tie-ins to the nearest bike paths and links to any nearby mass transport system.** These measures can significantly reduce mobile source emissions.
- **Funding a lawnmower exchange program.** New lawn and garden equipment emits significantly less than equipment as little as 7 years old, and may significantly reduce emissions from this new development. The builder could fund such a program for the new occupants.

Additionally, the following measures will reduce emissions associated with the actual construction phase of the development:

- **Using retrofitted diesel engines during construction.** This includes equipment that are on-site as well as equipment used to transport materials to and from site.
- **Using pre-painted/pre-coated flooring, cabinets, fencing, etc.** These measures can significantly reduce the emission of VOCs from typical architectural coating operations.
- **Planting trees at residential units and in vegetative buffer areas.** Trees reduce emissions by trapping dust particles and by replenishing oxygen. Trees also reduce energy emissions by cooling during the summer and by providing wind breaks in the winter, whereby reducing air conditioning needs by up to 30 percent and saving 20 to 50 percent on fuel costs.

This is a partial list, and there are additional things that can be done to reduce the impact of the development on air quality. The applicant should submit a plan to the DNREC Air Quality Management Section which address the above listed measures, and that details all of the specific emission mitigation measures that will be incorporated into the Evergreen Acres development.

*Deanna Morozowich - (302) 739-9402, [Deanna.Morozowich@state.de.us](mailto:Deanna.Morozowich@state.de.us)*

**Hazardous Waste Sites.** DNREC's Site Investigation and Restoration Branch (SIRB) has reviewed the proposed project. No SIRB sites were found within a ½-mile radius of the proposed development. One salvage yard, White Oak Salvage yard, is located approx. 0.13 miles north of the proposed development. Based on the previous agricultural use of the proposed project site, which may have involved the use of pesticides and herbicides, and the potential contamination from the salvage yard, SIRB recommends that a Phase I

Environmental Site Assessment be performed prior to development. In addition, should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRB should also be contacted as soon as possible at 302-395-2600 for further instructions. *Krystal Stanley - (302) 395-2644, [Krystal.Stanley@state.de.us](mailto:Krystal.Stanley@state.de.us)*

**Tank Management Branch.** There is one inactive LUST site located within a quarter mile of the proposed project:

Name: Garrison Farm

Facility ID: 1-000589

Project: K9907126

No environmental impact is expected from the above inactive LUST sites. However, should any underground storage tanks or petroleum contaminated soil be discovered by any person during construction, the DNREC-TMB at (302) 395-2500 and the DNREC Emergency Response Hotline at (800) 662-8802 must be notified within 24 hours.

Should any contamination be encountered, PVC pipe materials would have to be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.

Also, please note that if any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the TMB. If any ASTs greater than 12,500 gallons are installed, they are also subject to installation approval by the TMB. *Elizabeth Wolff - (302) 395-2500, [Elizabeth.Wolff@state.de.us](mailto:Elizabeth.Wolff@state.de.us)*

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

No comments received regarding this project.

**Department of Agriculture - Contact: Scott Blaier 739-4811**

The Department of Agriculture has no objections to the proposed project. The project is located within the City of Dover, and in Investment Level 2 and 3 areas according to the State's *Strategies for State Policies and Spending*.

*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.

*Do Not Plant List*

Due to the high risk of mortality from insects and disease, the Delaware Forest Service does not recommend planting any of the following species:

Callery Pear  
Leyland Cypress  
Red Oak (except for Willow Oak)  
Ash Trees

*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 Economic Development Office – Contact: Jeff Stone 672-6849**

No comments were received regarding this project

**Delaware Division of Public Health- Health Promotion Bureau- Contact: Michelle Eichinger (302) 744-1011**

Ensuring that new residential and commercial development incorporates pedestrian- and bicycle-friendly features allows people to travel by foot or by bicycle and promotes physical activity as part of daily routines. Regular physical activity offers a number of health benefits, including maintenance of weight and prevention of heart disease, type 2 diabetes and other chronic diseases.<sup>1</sup> Research shows that incorporating physical activity into daily routines has the potential to be a more effective and sustainable public health strategy than structured exercise programs.<sup>2</sup> This is particularly important considering about 65% of adult Delawareans are either overweight or obese.<sup>3</sup> This current obesity crisis is also affecting children. Approximately 37% of Delaware's children are overweight or obese<sup>4</sup>, which places them at risk for a range of health consequences that

include abnormal cholesterol, high blood pressure, type 2 diabetes, asthma, depression and anxiety.<sup>1</sup>

In Delaware, as in other states across the nation, certain patterns of land use can act as a barrier to physical activity and healthy eating for children and adults alike. Examples of such barriers include neighborhoods constructed without sidewalks or parks and shopping centers with full-service grocery stores situated too far from residential areas to allow for walking or biking between them.

This proposed development is in a Level 2/3 area. Developing in such an area is consistent with the *Strategies for State Policies and Spending*. DPH is committed to the *Strategies* and therefore, does support development in the proposed area.

DPH supports new development in and around existing towns and municipalities where compact and mixed land use patterns facilitate physical activity. As a way to promote physical activity and access to healthy foods, we recommend that the following amenities be included in the Evergreen Acres plan:

#### **Amenities to encourage active transportation**

- Ensure safe connectivity with sidewalks, crosswalks and walking/bicycling paths within the site. The planned cul-de-sac is not recommended.
- Designate bike paths to supplement the sidewalks already so that residents can travel by foot or by bicycle to the site. In addition, install bike racks throughout the development in convenient and safe locations within the site, especially around the amenities for recreation.

#### **Amenities to encourage recreation**

- Designate open space for active recreation that promotes physical activity for all ages. Amenities to consider include a playground, tennis/basketball courts, horseshoe pit, etc. Ensure that amenities are centrally located in the site plan, and away from the main entrance to the site. Having the amenities too close to the entrance poses a safety concern due to the traffic volume in and out of the development. Having the amenities centrally located would encourage optimal use and accessibility.
- The planned walking trail along the river is encouraged.

#### **Increase opportunities for healthy eating**

- Designate an area for a community garden. Community gardens not only provide residents access to healthy nutrition, but they also provide opportunities for physical activity and community cohesiveness.<sup>5</sup>

<sup>1</sup> Nemours Health and Prevention Services (2005). *Delaware Children's Health Chartbook*, Newark, DE.

<sup>2</sup> Active Living by Design. *Transportation Fact Sheet*. Retrieved May 17, 2007, from [http://www.activelivingbydesign.org/fileadmin/template/documents/factsheets/Transportation\\_Factsheet.pdf](http://www.activelivingbydesign.org/fileadmin/template/documents/factsheets/Transportation_Factsheet.pdf).

<sup>3</sup> Delaware Health and Social Services (2008), *Division of Public Health, Behavioral Risk Factor Surveillance System (BRFSS), 1990-2007*.

<sup>4</sup> Nemours Health and Prevention Services (2007). *2006 Delaware Survey of Children's Health Descriptive Statistics Summary, Volume 1*.

<sup>5</sup> Hancock, T. (2001). People, partnerships and human progress: building community capital. *Health Promotion International*, 16(3), 275-80.

### **Delaware State Housing Authority – Contact Valerie A. Miller 739-4263**

This proposal is for a rezoning of 79 acres from AR-1 to RM-2 for 480 residential units, approximately 2,000 feet southeast of State Route 1 and White Oak Road Intersection, within the City of Dover. According to the *State Strategies Map*, the proposal is located in an Investment Level 2 and Level 3 area. DSHA supports this proposal because residents will have proximity to existing services, markets, and employment opportunities. In addition, this proposed subdivision is a residential planned community that features a variety of housing types and largely targets first-time homebuyers. These developments can be the most economical to construct, and are necessary to meet the needs of low- and moderate-income families. Furthermore, rental communities give residents housing options and create a balanced housing stock for the community. For informational purposes, the most recent real estate data collected by DSHA shows the median home price in Kent County to be \$213,000. However, households earning respectively 100% of Kent County's median income only qualify for mortgages of \$205,035, thus creating an affordability gap of \$7,965. The provision of units within reach of households earning at least 100% of Kent County's median income would help increase their housing opportunities.

### **Department of Education – Contact: John Marinucci 735-4055**

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

1. Using the DOE standard formula, this development will generate an estimated 240 students.
2. DOE records indicate that the Capital School Districts' *elementary schools are very close to 100% of current capacity* based on September 30, 2008 elementary enrollment.
3. DOE records indicate that the Capital School Districts' *secondary schools are very close to 100% of current capacity* based on September 30, 2008 secondary enrollment.
4. This development will create additional elementary and secondary student population growth which the school district will need to address.
5. The developer is strongly encouraged to contact the Capital School District Administration to address the additional students that this development will likely generate.
6. DOE requests developer work with the Capital 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 that school district.

**Dover/Kent County Metropolitan Planning Organization- Contact: Jim Galvin 302-387-6030**

The Dover/Kent MPO has requested and has been offered the opportunity to comment on land use proposals in Kent County. They understand that the proposal under consideration by the City of Dover is the rezoning of the subject parcel and some minor subdivision changes. The package posted to the State's PLUS site and to be considered in the PLUS meeting is the full subdivision of the property for several housing types. The MPO is compelled to comment on this proposal as our initial foray into plan review by the significance of the project and the opportunities it presents. They are taking the opportunity to review the substance of the PLUS submissions early in the process, rather than make our comments before the Dover Planning Commission.

Notice and Disclosure:

This evaluation was prepared by Jim Galvin. Mr. Galvin recommended the development of this project to the City of Dover City Council while the Director of Planning and Inspections in 2005. Jim was asked to assist the developer with this project; first while working for Davis, Bowen & Friedel in 2005 and then while unemployed. He last reviewed the status and plans in the spring of 2007. He met with the developer on the project one time in the past three years.

Comments:

Kent County is in the Philadelphia, PA NJ DE MD non-attainment area for air quality. One of the major factors impacting air quality is emissions from vehicles. A primary interest and responsibility of the MPO in a non-attainment area is reduction of transportation related vehicle emissions affecting air quality. Many of the comments are meant specifically to address the concerns.

The plan provided in the PLUS package indicated two entrance roads to two separate sides of the proposed development and no interconnection. The MPO encourages this subdivision request, like all others, include interconnecting streets. This will reduce the frequency of vehicles being required to enter White Oak Road to travel to the other side of the neighborhood. White Oak Road is considered a local road. Neighborhood traffic using White Oak Road to make intra-neighborhood trips also unnecessarily burdens traffic flow.

It is not obvious from the plan that there is intent to include sidewalks in the neighborhood. The MPO advocates the developer incorporate a [Complete Streets](#) concept. This should be a walkable neighborhood that facilitates safe pedestrian movement while reducing the reliance on an automobile for every trip. Similarly, the MPO advocates design that promotes the safe use of bicycles in a neighborhood and

interconnections in a community. The traffic volume in a neighborhood of this size should not be so great as to require designated bike lanes in the neighborhood streets. White Oak Road is more heavily traveled and at a higher speed, however. The MPO supports the DeIDOT requirement for a bike lane on this road. There is no provision for a transit stop in the Plan, despite that the neighborhood is to have well over 1000 residents. The MPO recommends a transit stop be included in the plan. If it is not warranted immediately, it provides the opportunity for service in the near future.

The 1000 residents of the subdivision will be required to drive anywhere for their daily needs, even to a store to purchase a gallon of milk or loaf of bread. These trips add to the already non-compliant air quality and traffic congestion of the County. Under most circumstances, the MPO would advocate services be included in the plan so the residents wouldn't be required to drive everywhere for occasional trips. We would have suggested neighborhood grocery/convenience store or other services for developments of this size and density. This, however, is a unique site. Beyond the site to the east is the one other subdivision in which 11 single family detached log homes have been built. The addition of commercial establishments would likely serve owners to the east and perhaps encourage development further east. The benefit is that the trip to purchase those staples at a replacement for Metro in the *Center at Dover*, about one mile away or Safeway, about two miles away. The VMT is not as great as other projects outside the Growth Zone, though the number of trips, the vehicles on the road and their emissions are not reduced. For this project, the MPO is not advocating including commercial uses.

PLUS reviews aren't intended to dictate or critique design. There are, though, urban design considerations to this neighborhood plan that require citation. There is tremendous opportunity on this site to create a more cohesive community that supports the residents. We urge the developer to review the designs of projects in surrounding areas such as Cannery Village in Milton, or the Overlook in Dover. The characteristics these share is the sense of 'place' when developed. We encourage the developer to look for opportunities to create that in Evergreen Acres.

**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