



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

January 19, 2016

Mr. Roger Brickley PLS
4450 Summit Bridge Road
Middletown, DE 19709

RE: PLUS review 2015-12-07; HRS Real Estate

Dear Roger:

Thank you for meeting with State agency planners on December 16, 2015 to discuss the proposed plans for the HRS Real Estate property. According to the information received, you are seeking review of a proposed annexation of 8.97 of land into the town of Odessa.

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 New Castle 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. This is in addition to all necessary efforts to work with the Town of Odessa in order to annex.**

State agencies, through the PLUS process, do not comment regarding the annexation or property unless the land in question is not in the annexation plan outlined in the town's current comprehensive plan. In this case then an amendment would be needed for the comprehensive plan which would thus require PLUS review. Otherwise, the annexation process is done through the Plan of Services form. The property owner and the town can work through Laura Simmons in the Office of State Planning Coordination (302-739-3090) to ensure that process is completed and a Plan of Service approval letter is received prior to the town's final action on the proposed annexation.

With that said, the State agencies have supplied comments regarding the proposed development that could happen on this site. According the PLUS application the developer is hoping to subdivide the property into 6 lots for future commercial use. It is our understanding that the developer intends to use the lots for future professional office space. The comments below are

general and the developer should understand that future development of this property could require an additional PLUS review, depending on the size of the commercial space planned.

In addition, if the project is not annexed and develops in the County, the applicant will need to coordinate with the Office of State Planning and the County to determine if additional PLUS reviews are required.

Strategies for State Policies and Spending

- This project is located in Investment Level 1 and 2 according to the *Strategies for State Policies and Spending*. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. 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.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

DelDOT has no requirements specific to the proposed annexation. DelDOT offers the following comments on the proposed plan for the use of the subject lands if the proposed annexation is approved:

- Per Section 2.2.2.1 of the Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. From the PLUS application, we see that the total daily trips are estimated at 864 vehicle trip ends per day. Based on that volume, this project would warrant a TIS.
- Per Section 2.2.2.2 of the Development Coordination Manual, for developments generating between fewer than 2,000 vehicle trip ends per day and fewer than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an Area-Wide Study Fee in lieu of a TIS. Payment of the Fee does not excuse the developer from building or participating in off-site road improvements or from providing a Traffic Operational Analysis (TOA) for a site entrance if DelDOT identifies the need for one in their review of the site plan.

Presently DelDOT is willing to accept the Area-Wide Study Fee but have made no determination regarding off-site improvements or the need for a TOA. These topics may be discussed at the Pre-Submittal Meeting mentioned below.

- To obtain a scope of work for the TIS, the applicant may have their engineer contact Mr. Troy Brestel of this office. Mr. Brestel may be reached at (302) 760-2167.

- The site access on US Route 13 must be designed in accordance with DelDOT's Development Coordination Manual (formerly the Standards and Regulations for Subdivision Streets and State Highway Access), which is available at <http://www.deldot.gov/information/business/subdivisions/changes/index.shtml>.
 - Section 3.2.4.2 of the Manual addresses the placement of right-of-way monuments (markers) along the roads on which a property fronts, in this case US Route 13. Monuments sufficient to re-establish the permanent rights-of-way after the dedication discussed below should be shown on the plan and provided in the field in accordance with this section.
 - As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage on US Route 13. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the outermost edge of the through lanes. The following right-of-way dedication note is required, **“An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.”**
 - In accordance with Section 3.2.5.1.2 of the Development Coordination Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on US Route 13. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **“A 15-foot wide permanent easement is hereby established to the State of Delaware, as per this plat.”**
 - Referring to Section 3.4.2 of the Development Coordination Manual, the Initial Stage review fee shall be assessed to this project.
 - In accordance with Section 3.4 of the Development Coordination Manual, a record plan shall be prepared prior to issuing “Letter of No Objection”. The following information will be required for the “Letter of No Objection” review:
 - Initial Stage Fee Calculation Form
 - Initial Stage Review Fee
 - Gate-Keeping Checklist – Site Plan
 - Design Checklist - Record Plan
 - Sight Distance Spreadsheet
 - Owners and Engineers' name and e-mail address
 - Record Plan
 - Conceptual Entrance Plan
 - Submission of the Area-Wide Study Fee (If applicable)

- Referring to Section 3.4.2.1 of the Development Coordination Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 300 feet of the proposed entrances.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for provision of shared-use paths and sidewalks. Projects located in Level 1 and 2 Investment Areas are required to install a shared-use path or sidewalk along the State-maintained road frontage.
- In accordance with Section 3.8 of the Development Coordination Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along US Route 13.
- Referring to Section 4.3 of the Development Coordination Manual, the Construction Stage review fee shall be assessed to this project.
- Referring to Section 4.3 of the Development Coordination Manual, an entrance plan shall be prepared prior to issuing entrance approval. The following information will be required for Entrance Plan review:
 - Construction Stage Fee Calculation Form
 - Construction Review Fee
 - Gate-Keeping Checklist – Entrance Plan
 - Design Checklist - Entrance Plan
 - Auxiliary Lane Spreadsheet
 - Entrance Plan
 - Pipe/Angle Spreadsheet (If applicable)
 - SWM Report and Calculations (If applicable)
- In accordance with Section 5.2.5.6 of the Development Coordination Manual, Turning Movement Diagrams shall be provided to verify vehicles can safely enter and exit the site entrance. As per Section 5.2.3 of the Manual, the entrance shall be designed for the largest vehicle using the entrance.
- In accordance with Section 5.2.9 of the Development Coordination Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrance and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/information/business/subdivisions/auxiliary_lane_worksheet.xls.

- In accordance with Section 5.4 of the Development Coordination Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/information/business/subdivisions/Intersection-Sight-Distance.xls>.
- In accordance with Section 5.14 of the Development Coordination Manual, all existing utilities should be shown on the plans and a utility relocation plan will be required if any relocations are necessary.

Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352

Upon reviewing the HRS Real Estate project, DNREC has identified that the proposed project is located in an appropriate site for development. Opportunities exist to reduce the environmental impact and provide additional energy efficiency alternatives on-site.

We encourage high energy efficiency building standards (with consideration for alternative energy sources), and the use of green infrastructure, wherever practicable, to protect water quality. DNREC further recommends an abundant use of native vegetation and shade trees throughout the landscape, as well as infrastructure for electric plug-in vehicles in the project's parking design, to promote clean sustainable energy and reduce greenhouse gas emissions.

The following pages provide applicable regulations and detailed recommendations associated with this project, from various DNREC Divisions. DNREC would like to be a partner in creating appropriate development that highlights the environment as a natural amenity of the landscape. The Department has resources and expertise that are available to help make this a reality, often at no expense to the landowner.

TMDLs

- The project is located in the greater Delaware River and Bay drainage area, specifically within the Appoquinimink River watershed. In this watershed, the State of Delaware has developed specific Total Maximum Daily Load (TMDL) pollutant reduction targets for nitrogen, phosphorus, and bacteria (under the auspices of Section 303(d) of the Clean Water Act). A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited waterbody" can assimilate and still meet State water quality standards (e.g., dissolved oxygen, nutrients, and bacteria; State of Delaware

Surface Water Quality Standards, as amended July 11, 2004) to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. The TMDL for the Appoquinimink River watershed calls for a 60 percent reduction in nitrogen and phosphorus from baseline conditions. The TMDL also calls for an 8 percent (freshwater) reduction in bacteria from baseline conditions.

A nutrient management plan is required under the *Delaware Nutrient Management Law* (3 Del. Chapter 22) for all persons or entities who apply nutrients to lands or areas of open space in excess of 10 acres. This project's open space may exceed this 10-acre threshold. Please contact the Delaware Nutrient Management Program at (302) 739-4811 for further information concerning compliance requirements, or view the following web link for additional information: <http://dda.delaware.gov/nutrients/index.shtml>

Water Supply

- The project information sheets state water will be provided to the project by Artesian Water Company via a public water system. Our records indicate that part of the project (parcel 13-023.00-127) is located within the public water service area granted to Artesian Water Company under Certificate of Public Convenience and Necessity 95-CPCN-14, however, parcel 13-023.00-130 is not located within the jurisdiction of Artesian Water Company's CPCN. They will need to file an application for a CPCN with the Public Service Commission, if they have not done so already. Information on CPCN requirements and applications can be obtained by contacting the Public Service Commission at (302) 736-7547.

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the DNREC 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 take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Potential Contamination Sources exist in the area, and any well permit applications will undergo a detailed review that may increase turnaround time and may require site specific conditions/recommendations. In this case, there are (2) Underground Storage Tanks associated with: (1) Conoco Inc. #08003, and (2) Ronnie's Getty located within 1,000 feet of the proposed project. Should you have any questions concerning these comments, please contact Rick Rios, at (302) 739-9944.

Sediment and Stormwater Management

- A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. Contact the reviewing agency to schedule a preliminary meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion. The plan review and approval as well as construction inspection will be coordinated through the New Castle Conservation District. Contact the New Castle Conservation District at (302) 832-3100, Ext. 3 for details regarding submittal requirements and fees.

Air Quality

- The applicant shall comply with all applicable Delaware air quality regulations. Please note that the following regulations in Table 1 – Potential Regulatory Requirements may apply:

Table 1: Potential Regulatory Requirements	
Regulation	Requirements
7 DE Admin. Code 1106 - Particulate Emissions from Construction and Materials Handling	<ul style="list-style-type: none"> • Use dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads. • Use covers on trucks that transport material to and from site to prevent visible emissions.
7 DE Admin. Code 1113 – Open Burning	<ul style="list-style-type: none"> • Prohibit open burns statewide during the Ozone Season from May 1-Sept. 30 each year. • Prohibit the burning of land clearing debris. • Prohibit the burning of trash or building materials/debris.
7 DE Admin. Code 1135 – Conformity of General Federal Actions to the State Implementation Plan	<ul style="list-style-type: none"> • Require, for any “federal action,” a conformity determination for each pollutant where the total of direct and indirect emissions would equal or exceed any of the de minimus levels (See Section 3.2.1)
7 DE Admin. Code 1141 – Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products	<ul style="list-style-type: none"> • Use structural/ paint coatings that are low in Volatile Organic Compounds. • Use covers on paint containers when paint containers are not in use.
7 DE Admin. Code 1144 – Control of Stationary Generator Emissions	<ul style="list-style-type: none"> • Ensure that emissions of nitrogen oxides (NO_x), non-methane hydrocarbons (NMHC), particulate matter (PM), sulfur dioxide (SO₂), carbon monoxide (CO), and carbon dioxide (CO₂) from emergency generators meet the emissions limits established. (See section 3.2). • Maintain recordkeeping and reporting requirements.

7 DE Admin. Code 1145 – Excessive Idling of Heavy Duty Vehicles	<ul style="list-style-type: none">• Restrict idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.
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For a complete listing of all Delaware applicable regulations, please look at our website:

<http://www.awm.delaware.gov/AQM/Pages/AirRegulations.aspx>.

Tank Management

- If a release of a Regulated Substance occurs at the proposed project site, compliance of 7 Del.C., Chapter 60; 7 Del.C., Chapter 74; and DE Admin. Code 1351, State of Delaware *Regulations Governing Underground Storage Tank Systems* (the UST Regulations) is required.
- The following (LUST) projects are located within a ¼ -mile of the proposed project area:
 - Sunoco Odessa Facility ID:3-000248, Project: N1104081, (Inactive)
 - The Market Place Of Odessa Facility ID3-001053:, Project:N8907267, (Inactive)
 - Ronnies Getty Facility ID:3-001034, Project:N9008050, (Inactive)
- Per the UST Regulations: Part E, § 1. Reporting Requirements:

Any indication of a Release of a Regulated Substance that is discovered by any Person, including but not limited to environmental consultants, contractors, utility companies, financial institutions, real estate transfer companies, UST Owners or Operators, or Responsible Parties shall be reported within 24 hours to:

- The Department's 24-hour Release Hot Line by calling (800) 662-8802; and
- The DNREC Tank Management Section by calling (302) 395-2500.

State Historic Preservation Office – Contact Terrence Burns 736-7404

- Nothing is known on this parcel. It was included in the archaeological survey for the construction of Route 1, and no archaeological resources were found here. The parcel is adjacent to the Town of Odessa, and close to the Odessa Historic District. We recommend that any development avoid building at a height that would intrude on the visual setting of the district. The planned entrance to the parcel from the Dupont Highway will avoid any additional traffic through the historic district.

Recommendations/Additional Information

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site

design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- DelDOT has no objection to the proposed annexation. With regard to the provision of Town services and having readily identifiable Town limits, it would be rational to have the Town boundary extend north to where Delaware Route 1 crosses US Route 13.
- The developer should expect a requirement that the existing median crossover north of the Sunoco station be relocated farther north and the entrance aligned with the crossover so that northbound traffic entering the site can turn directly in and out. We do not anticipate a need for a signal at the proposed entrance but will revisit the matter when a plan is presented.
- DelDOT recommends recommend that a walkway be provided to connect the proposed subdivision street to Leahy Street so that residents of that area can walk to the businesses in the proposed park without using US Route 13. Guidance on walkways is available in Section 3.5.4.3 of the Manual.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from the internal subdivision street with no direct access to US Route 13.
- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/information/business/subdivisions/>
- Be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision date of July 31, 2015. The notes can be found at http://www.deldot.gov/information/business/subdivisions/DelDOT_Development_Coordination_Plan_Sheet_Notes.doc.

Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352

Soils Assessment

The soil mapping units mapped on subject parcel is Sassafras (SaB). Sassafras is a well-drained soil mapping unit that, generally, has few limitations for development (Figure 1).

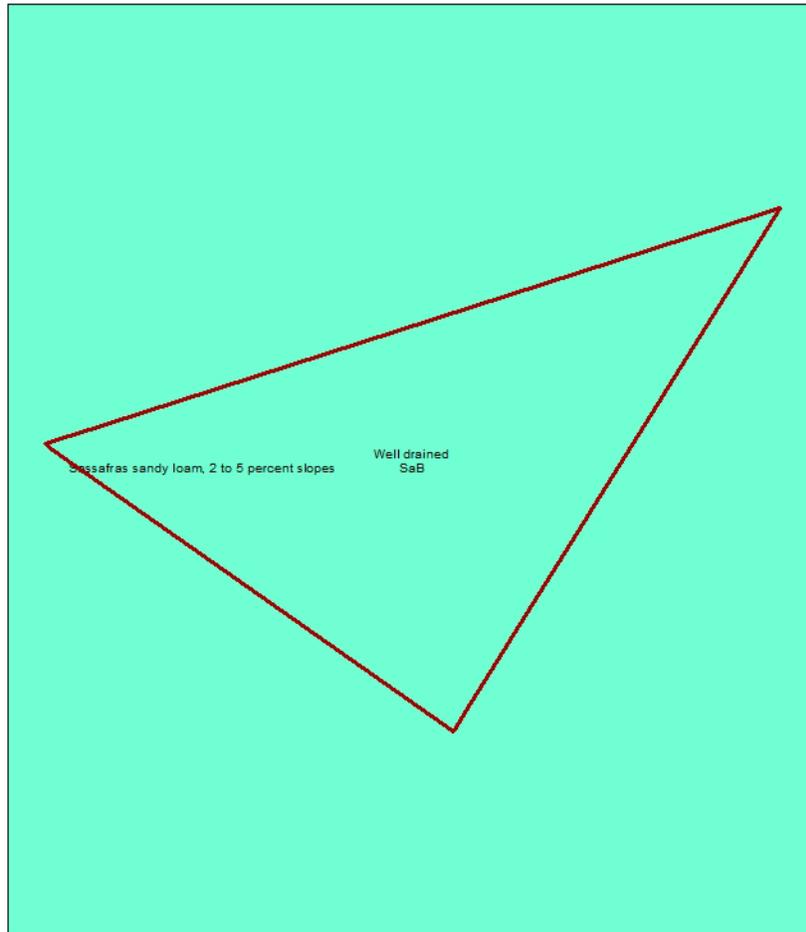
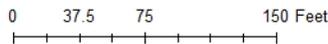


Figure 1: NRCS soil survey mapping update



Legend

Drainage Class

<all other values>

DrainClass

<Null>

Moderately well drained

Poorly drained

Somewhat poorly drained

Very poorly drained

Well drained

Additional information on TMDLs

- In response to concerns about the need for reducing nonpoint source nutrient (nitrogen and phosphorus) and bacterial pollutants to levels sufficient to meet the prescribed TMDL reduction requirements in the Appoquinimink watershed, a multifaceted and comprehensive process known as a Pollution Control Strategy (PCS) has been developed to enable such reductions. Specifically, a PCS is a combination of best management practices and control technologies that reduce nutrient and bacterial pollutant runoff loading in waters within a given watershed to a level(s) consistent with the TMDL(s) reduction levels specified for that watershed. The PCS for the Appoquinimink River watershed consists of recommendations from the following four areas: agriculture, land

preservation (open space), stormwater, and wastewater. Additional information about Appoquinimink River PCS is available from the follow web link:

<http://www.dnrec.delaware.gov/swc/wa/Pages/WatershedManagementPlans.aspx>.

- In further support of the PCS, the applicant is also strongly urged to reduce nutrient and bacterial pollutants through voluntary commitment to the implementation of the following recommended BMPs, which would:
 - Maintain as much of the existing open space as possible; we further suggest additional native tree and native herbaceous planting, wherever possible.
 - Establish a vegetated buffer of at least 100 feet from the adjoining wetlands and waterbodies. Based on a 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.), an adequately-sized buffer that effectively protects wetlands and streams, in most circumstances, is about 100 feet in width. In recognition of this research and the need to protect water quality, the DNREC Watershed Assessment Section recommends that the applicant maintain/establish this aforementioned 100-foot buffer (planted in native vegetation) from all waterbodies (including all ponds) and all non-tidal and tidal wetlands (i.e., a USACE approved field wetlands delineation for non-tidal wetlands and State approved wetlands delineation for tidal wetlands).
 - Calculate post-construction surface imperviousness with all forms of created (or constructed) surface imperviousness (e.g., rooftops, driveways, parking lots, sidewalks, open-water storm water management structures, ponds, and roads) included in the calculation. Omission of any of the above-stated forms of surface imperviousness will result in an underestimate of the actual post-development surface imperviousness and the associated environmental impacts.
 - Employ green-technology storm water management and rain gardens (in lieu of open-water management structures) as BMPs to mitigate or reduce nutrient and bacterial pollutant runoff. Please contact Lara Allison at (302) 739-9939 for further information about the possibility of installing rain gardens on this parcel.
 - Use pervious paving materials instead of conventional paving materials (e.g., asphalt or concrete) to help reduce the amount of water and pollutant runoff draining to adjoining streams and wetlands. Pervious pavers are especially recommended for areas designated for parking.
 - Assess nutrient and bacterial pollutant loading at the preliminary project design phase. To this end, the Watershed Assessment Section has developed a methodology

known as the “Nutrient Load Assessment protocol.” The protocol is a tool used to assess changes in nutrient loading (e.g., nitrogen and phosphorus) resulting from the conversion of individual or combined land parcels to a changed land use(s); thus providing applicants and governmental entities with quantitative information about the project’s impact(s) on baseline water quality. DNREC strongly encourages the applicant/developer to use this protocol to help them design and implement the most effective BMPs. Please contact John Martin or Jen Walls of the Division of Watershed Stewardship, at (302) 739-9939 for more information on the protocol.

Hazardous waste.

- DNREC strongly recommends that the land owner perform environmental due diligence of the property by performing a Phase I Environmental Site Assessment (including a title search to identify environmental covenants) in accordance to Section 9105(c) (2) of the Delaware Hazardous Substance Cleanup Act (HSCA). While this is not a requirement under HSCA, it is good business practice and failure to do so will prevent a person from being able to qualify for a potential affirmative defense under Section 9105(c) (2) of HSCA.

Additional remediation may be required if the project property or site is re-zoned by the county.

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.

Additional information on tank management.

- When contamination is encountered, PVC pipe materials should be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.

If any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the DNREC Tank Management Section (TMS). If any ASTs greater than 12,500 gallons are installed, they are also subject to installation approval by the TMS.

Additional information on air quality.

- DNREC encourages developers and builders to consider all sustainable growth practices in their design, but we believe, however, that the air quality impacts associated with the project should be completely considered. New homes, businesses, and schools may emit, or cause to be emitted, 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 include emissions from the following activities:
 - Area sources such as painting, maintenance equipment and the use of consumer products like roof coatings and roof primers.
 - The generation of electricity needed to support the facility, and
 - All transportation activity.
- Based on the information provided, the three air emissions components (i.e., area, electric power generation, and mobile sources) could not be quantified. DAQ was able, however, to quantify the mobile emissions based on the proposed daily trip data presented in the application and data taken from the ITE Trip Generation Manual, 8th Edition. Table 2 – Projected Air Quality Emissions represents the actual impact the HRS Real Estate project may have on air quality.

Table 2: Projected Air Quality Emissions for HRS Real Estate					
Emissions Attributable to HRS Real Estate (Tons per Year)	Volatile Organic Compounds (VOC)	Nitrogen Oxides (NOx)	Sulfur Dioxide (SO ₂)	Fine Particulate Matter (PM _{2.5})	Carbon Dioxide (CO ₂)
Mobile Source	4.17	5.5	*	*	*

(*) Indicates data is not available.

Note that emissions associated with the actual construction of the road, 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.

- The DNREC Division of Air Quality (DAQ) encourages sustainable growth practices that:
 - Control sprawl;
 - Preserve rural and forested areas;
 - Identify conflicting land use priorities;
 - Encourage growth on previously developed sites and denser communities;
 - Coordinate transportation, housing, environment, and climate protection plans with land use plans; and
 - Demonstrate that communities can achieve the qualities of privacy, community, and contact with nature without degrading the natural environment or generating

unacceptable environmental costs in terms of congestion, use of natural resources, or pollution.

- Additional measures may be taken to substantially reduce the air emissions identified above. These measures include:
 - Constructing with only energy efficient products. Energy Star qualified products are up to 30 percent more energy efficient. 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 energy efficiency translates into a percent reduction in pollution. The Energy Star Program is an 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.
 - Constructing with high albedo, high solar reflectance materials. This includes roofing and hardscape. These materials help to reduce heat island impacts and, by extension, help to minimize the potential for localized ground-level ozone formation. These materials also help reduce demands on air conditioning systems and save on energy costs.
 - Providing shade for parking lot areas. Approaches may include architectural devices, vegetation, or solar panels. Providing shade for parking areas helps to reduce heat island impacts, and, by extension, helps to minimize the potential for localized ground-level ozone formation. Such measures can also have the additional benefit of channeling or infiltrating stormwater.
 - Encouraging the use of safe multimodal transportation. This measure can significantly reduce mobile source emissions. **For every vehicle trip that is replaced by the use of a sidewalk or bike path, 7 pounds of VOC and 11.5 pounds of NOx are reduced each year.**
 - Using retrofitted diesel engines during construction. This includes equipment that is 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 native trees in vegetative buffer areas. Native trees reduce emissions by trapping dust particles and replenishing oxygen. Trees also reduce energy emissions by cooling during the summer and by providing wind breaks in the winter, whereby

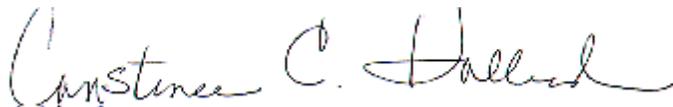
reducing air conditioning needs by up to 30 percent and saving 20 to 50 percent on fuel costs.

This is a partial list, and there are additional things that can be done to reduce the impact of the project. The applicant should submit a plan to the DNREC DAQ which address the above listed measures, and that details all of the specific emission mitigation measures that will be incorporated into the HRS Real Estate project. The DAQ point of contact is Deanna Cuccinello and may be reached at (302) 739-9402 or Deanna.Morozowich@state.de.us.

When this property develops, now or in the future, the applicant should refer to the comments in this letter regarding the development of this property. The applicant and the town can contact the reviewing agencies with questions regarding their comments. Once a site plan is determined for this site, please contact the Office of State Planning regarding the need for an additional PLUS review.

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

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: New Castle County
Town of Odessa