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December 6, 2004

Mr. Michael J. Petit de Mange, AICP
Director
Kent County – Department of Planning Services
414 Federal Street
Dover, Delaware 19901

RE: Winding Creek Estates (CS-04-11) – Comment Narrative

Dear Michael,

I would like to offer the following, item by item, response and explanations for the documented RPC and PLUS comments that were received by JAED on November 30, 2004.

II. Planning Staff and Associated State Agency Recommendations:
(Section II.A.1.a of referenced comments)

1. The Planning Office File Number CS-04-11 has been added to the title block of all plan sheets.
2. Parcel numbers 61.02 thru 61.05 will not be included in this submission and have been removed from the title block.
3. The record plan sheets have been adjusted to include entire lot, so not to split between pages.
4. We have reviewed the request to renumber the lot within the subdivision. We have found that the break from the rear of the subdivision to the point that numbering would continue is going to remain constant. We ask that this comment be waved.
5. We have been in contact with DART and Capital School District on our intent for this land use. A bus pad and shelter have been added toward the front entrance of the subdivision. The actual architectural aspects of the shelter and potential lighting have not been determined at this time.
6. All Major and Minor roads within Winding Creek Estates (WCE) have DelDOT Approved crosswalks and ADA pedestrian ramps.
7. All special features located at the entrance of WCE have been addressed by Landscape Architectural Services, including the sign, lighting pertaining to that sign and landscaping.
8. Roadway lighting has been added to the entrance of WCE.
9. A copy of the proposed Homeowners Association Documents will be completed and submitted to the County.
10. A 25-foot special buffer has been established on the plans. All proposed construction will avoid this buffer.
11. The street name has been revised to Schnauzer Way. Previously "Schnanzer Way".
12. Note number 19 has been revised to reflect that "no" Certificate of Occupancy will be issued.
13. Note number 12 has been revised to reflect "A homeowners association shall be established for, but not limited to, all future maintenance and repairs of all storm water management facilities, entrance and subdivision signs and all open space area."
14. Note number 27 has been revised to reflect 50% by bonded phase instead of 20%.
15. Note number 23 has been revised to reflect the new verbiage in reference to "rights, privilege and authority to enter upon such premises..."

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16. The community septic design is currently being designed by WWES Associates and will follow ALL requirements and guidelines set by DNREC.
17. The responsibility to operate and maintain the community well and septic will be determined prior to recordation. Currently, Tidewater is being contacted for the water and WWES Associates will aid in drafting the maintenance agreement for the septic.
18. All Active Recreation Improvements will be designed by the landscape architect. All details pertinent to the actual equipment or other elements will be provided prior to recordation.

(Section II.A.2 of referenced comments [GIS Section])

All pertinent street blade signing shall be installed prior to certificate of occupancy is requested.

(Section II.A.3 of referenced comments [Public Works])

- a. Any and all proposed central sanitary sewer collection and/or transmission systems shall be designed and constructed in accordance with Kent County Code, in particular Chapter 180.
- b. Any and all proposed central sanitary sewer treatment, disposal, and/or reuse systems shall be designed and constructed, in accordance with all applicable State and/or Federal regulations.
- c. All associated sanitary sewer easement/ dedication areas have been shown on the record plans.

III. PLUS Process Comments:

(Section III.A of referenced comments – David Engell)

We understand the concern for development in the Investment Level 4 area. The developer and JAED recognize the need for preservation and have over-extended our design to minimize any negative impacts.

(Section III.B of referenced comments – Anne McCleave)

We have met with representatives from the States’ Historic Preservation Office. A formal report has not been received by JAED.

(Section III.C of referenced comments – Bill Brockenbrough)

1. All entrance designs and other pertinent DeIDOT issue have been coordinated with JAED and DeIDOT’s Subdivision Section.
2. All streets and entrance designs shall meet DeIDOT’s requirements and guidelines.

(Section III.C of referenced comments – Kevin Coyle)

- All soils types have been recognized on the plans and will be defined in greater detail from the soil scientist.
- All proposed land disturbance shall avoid the existing delineated wetlands.
- A 100’ blue-line stream buffer has been shown on the plans. A 25’ wetland buffer has been shown on the plans. All proposed construction has been designed outside of these areas.
- Best Management Practices (BMP’s) shall be used to reduce degradation impacts associated with development.
- Tidewater has been contacted for the major water supplier for WCE.
- It is our intent to design the Storm Water Management Ponds to retain the pertinent storm events. These waters will be released at a minimized amount in comparison to the pre-development amounts. This should minimize the downstream effects of WCE.
- All vegetation species will be reviewed by DNREC prior to final approval. Our Landscape Architect is aware of the attempt to remove all Invasive Species.
- All vegetation species will be reviewed by DNREC prior to final approval. Our Landscape Architect is aware of the attempt to remove all Nuisance Species.

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- Meadow type grasses shall be installed in area designated as passive open space.
- Sidewalks are currently designed for the entire subdivision. The County and DelDOT have required this design.
- Recreational activity areas are currently included in this design.
- If underground storage tanks are discovered on this site, the Tank Management Branch shall be notified.

(Section III.D of referenced comments – Kevin McSweeney)

All pertinent Fire Marshal code requirements in reference to fire protection water requirements, accessibility, gas piping and system information and required notes, have been addressed.

(Section III.E of referenced comments – Mark Davis)

We understand the concern for development in the Investment Level 4 area. The developer and JAED recognize the need for preservation and have over-extended our design to minimize any negative impacts. All pertinent notes have been added to the plans.

(Section III.F of referenced comments – Andrea Maucher)

JAED is currently coordinating effort with Tidewater Utilities and will confirm the application for CPCN.

(Section III.G of referenced comments – Don Knox)

We understand the concern for development within the specified flood plains. We have indicated the floodplain on the record plan and have revised our design to remove all lots from these dedicated limits. With the increase of growth in the Dover area, we do agree that a 214 home subdivision will increase traffic volumes.

(Section IV of referenced comments)

JAED and the developer are fully aware of the agencies that will need to approve prior to recordation.

(Section V of referenced comments)

WWES Associates confirmed Mr. Edwards and Mr. Holmes' comments that DNREC will be left to approve any maintenance agreement in reference to the community septic design.

If you have any questions with these resolved issues, please do not hesitate to contact me.

Very truly yours,

Bret A. Martine, P.E.
Project Manager/ Civil Engineer
JAED Architects and Engineers