McCRONE

•Engineering
•Enviromental Sciences
•Construction Services
•Land Planning & Surveying

October 31, 2006

Ms. Constance C. Holland, AICP
Director
Delaware Office of State Planning Coordination
540 S. DuPont Hwy.
Dover, DE 19901
Phone: (302) 739-3090
Fax: (302) 739-6958

Re: PLUS review – PLUS 2004-11-11; Blue Water (FNA Short Bayside)

Dear Constance,

This letter is in response to comments received from the Delaware Office of State Planning Coordination following PLUS review of the Blue Water (FNA Short Bayside) in Sussex County, Delaware. It should be noted that the project has been redesign from 93 detached homes to 49 single family residential lots. The PLUS Comments are included herein with [our responses are in blue.]

Office of State Planning Coordination – Contact: Ann Marie Townshend 739-3090

The Office of State Planning Coordination notes that this proposal is mostly within an Investment Level 3 area with the western edge along the wetland in Investment Level 4. Investment Level 3 areas generally reflect long term growth areas and/or areas within growth areas with environmental constraints on or around the site. In this case, the Investment Level 3 reflects the environmental constraints detailed in the DNREC comments. In Investment Level 4 areas, State policies encourage preservation of natural and agricultural resources. The Investment Level 4 area on this site is a reflection of the significant environmental constraints, particularly the wetlands along the western edge of the site. It appears that, with the exception of the clubhouse area, the development proposal stays out of the Level 4 area. We would prefer that all development be removed from the Investment Level 4 area of the site. [The club house has been removed and replaced with a single family lot.]

The Office of State Planning Coordination notes that the site plan as submitted shows significant impact to the forested areas on the site. Both DNREC and the Department of Agriculture included comments on the impacts to the forest. We encourage you modify the plan, based on the comments submitted by these agencies to preserve forested areas. [Where feasible, the existing trees along the rear property lines will be selectively clear.]

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a subsidiary of Design Teams, Inc.

State Historic Preservation Office (SHPO) – Contact: Anne McCleave 739-5685

There is a high probability for prehistoric archaeological sites within the area. It is encouraged that the developers contact Anne McCleave at 739-5685 if artifacts are found. [This site is not listed on the National Register of Historic Places.]

Department of Transportation – Contact: Bill Brockenbrough 760-2109

1) In accordance with DelDOT's agreement pursuant to the Quality of Life Act, the Sussex County Planning and Zoning Commission sent them a Service Level Evaluation Request, which was received on November 15, 2004. DelDOT intends to respond to the County by December 15 as to whether a traffic impact study (TIS) is needed for this project.They will send you a copy of their response, but preliminarily it does not appear that a TIS will be necessary.
2) The developer's site engineer should contact the DelDOT Subdivision Manager for Sussex County, Mr. John Fiori, regarding their specific requirements for the design of the site entrance. Mr. Fiori may be reached at (302) 760-2260.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-3091

Soils

According to the recent soil survey update, the soils in the vicinity of the proposed construction are mapped as Askeck, Woozar and Brockatnorton-Urban Land Complex.

The following is a summary of mapped soils found within the proposed construction area and are grouped on the basis of drainage class:

> Poorly to Very poorly drained (**hydric**) – Askecky (137),Woozar mucky silt loam (1) and Brockatnorton-Urban Land Complex (7)

The soils found on this site are very wet, tidal-influenced soils with mostly sandy surface and subsurface horizons. Sandy soils have rapid permeabilities and little or no phosphorus/nitrogen adsorption capacity, compared to finer-texture soils. Therefore, such soils are conducive to nutrient leaching via groundwater or surface runoff into receiving tributaries of the watershed; these impacts are intensified in those soils containing shallow water tables such Askecky, Woozar and Brockatnorton-Urban Land complex soils.

Wetlands and Subaqueous Lands

Statewide Wetland Mapping Project (SWMP) maps indicate the presence of estuarine wetlands on this parcel. The parcel is bisected by one drainage ditch that is not indicated on site plans. Site plans show impacts to both the drainage ditch and estuarine wetlands.

The developer and County should note that impacts to these wetlands and drainage ditches are regulated by both the DNREC Wetlands and Subaqueous Lands Section and the Army Corps of Engineers through the Delaware Subaqueous Lands Act and Section 404 of the Federal Clean Water Act. In addition, individual 404 permits and certain Nationwide Permits from the Army Corps of Engineers also require 401 Water Quality Certification from the DNREC Wetland and Subaqueous Land Section and Coastal Zone Federal Consistency Certification from the DNREC Division of Soil and Water Conservation, Delaware Coastal Programs Section. Each of these certifications represents a separate permitting process.

Because there is strong evidence that federally regulated wetlands exist on site, a wetland delineation, in accordance with the methodology established by the Corps of Engineers Wetlands Delineation Manual, (Technical Report Y-87-1) should be conducted. Once complete, this delineation should be verified by the Corps of Engineers through the Jurisdictional Determination process. Based on the information shared at the meeting on December 1, the developer has begun this process. [A Jurisdictional Determination was granted on December 23, 2005.]

To find out more about permitting requirements, the applicant is encouraged to attend a Joint Permit Process Meeting. These meetings are held monthly and are attended by federal and state resource agencies responsible for wetland permitting. Contact Denise Rawding at (302) 739-4691 to schedule a meeting.

Particularly because of the environmental sensitivity of this area, lots should be removed in their entirety from both the wetland and the forested areas. Vegetated buffers comprised of native trees, shrubs or no-mow grasses, of no less than 100 feet should be employed from the edge of the wetland complex. The developer should note that both DNREC and Army Corps of Engineers discourage allowing lot lines to contain wetlands to minimize potential cumulative impacts resulting from unauthorized and/or illegal activities and disturbances that can be caused by homeowners. [The site configuration has been revised to include single family detached lots. None of the lots are located with the wetlands.]

PLUS materials indicate that a recreational facility is proposed in the southwestern portion of the parcel. This facility includes a community pool and bath house. This proposed recreational facility cuts through Fresh Pond Canal and estuarine wetlands. Permits to fill these wetlands, even for "small impacts" will be difficult to obtain unless the developer can prove that no reasonable alternative exists and that the project could not go forward without these impacts. **DNREC strongly recommends that the recreational facility be moved to a more suitable location away from the wetlands.** [The club house area has been removed and replaced with a single family lot.]

The project should have State Wetlands and State Subaqueous Lands jurisdictional determinations. The stormwater discharge structures may need permits from the State of Delaware. The structures over wetlands and waters may need permits from the State of Delaware. Contact the Wetlands and Subaqueous Lands Section at 302.739.5726 for more information.

ERES Waters

This project is located adjacent to receiving waters of Inland Bays designated as waters having Exceptional Recreational or Ecological Significance (ERES). ERES waters are recognized as special assets of the State, and shall be protected and/ or restored, to the maximum extent practicable, to their natural condition. Provisions in Section 11.5 of Delaware's "Surface Water Quality Standards" (as amended August 11, 1999), specify that all designated ERES waters and receiving tributaries develop a "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMPs). Best Management Practices as defined in subsection 11.5(e) of this section, expressly authorizes the Department to provide standards for controlling the addition of pollutants and reducing them to the greatest degree practicable, or where attainable, a standard requiring no discharge of pollutants.

TMDLs

With the adoption of Total Maximum Daily Loads (TMDLs) as a "nutrient-runoff-mitigation strategy" for reducing nutrients in the Inland Bays Watershed, reduction of nitrogen and phosphorus loading will be mandatory. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited water body" can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are authorized under federal code, states are charged with developing and implementing standards to support those desired use goals. The Jurisdictional authority for attaining these use goals will fall under the auspices of Section 11.5 of the State of Delaware's Surface Water Quality Standards (as amended August 11, 1999), and will be achieved via nutrient reductions referred to as "pollution control strategies." [A TMDL analysis was performed using the DNREC provided spreadsheet. Based on the results, the site meets the TMDL requirements.]

Nutrient reductions prescribed under TMDLs are assigned on basis of water quality concerns – that is, the those regions deemed to be of greatest environmental concern will require correspondingly higher levels of nutrient reduction than those regions deemed less environmentally sensitive. In this watershed, these regions are demarcated as high and low reduction zones. The high reduction zone corresponds to the western portion of the watershed, and requires a reduction of nitrogen and phosphorus by 85 and 65 percent, respectively. The low reduction zone corresponds to the eastern portion of the watershed, and requires a reduction of nitrogen and phosphorus by 40 percent. **This project is**

proposed within the low nutrient reduction zone.

In order for the applicant to verify compliance with the TMDL mandate, a full nutrient accounting process known as nutrient budget should be prepared. The developer/consultant should contact Lyle Jones in the Department's Watershed Assessment Section for further information regarding the acceptable protocol for calculating a nutrient budget. He can be reached as 302- 739-4590.

Water Supply

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-3665.

Water Resource Protection Areas

A small portion of the southwestern area of the site is located in a wellhead protection area (see map). According to the State law that created the Source Water Protection Program, county and municipal governments will be required to enact ordinances to protect Water Resource Protection Areas. The following language has been excerpted from the Source Water Protection Guidance Manual for Local Governments, Supplement 1 - Ground-Water Recharge Design Methodology.

While local ordinances are not yet in place, the developer may find the language useful in modifying the site plan to protect the excellent recharge area.

> Water Resource Protection Areas (WRPAs) are defined as (1) surface water areas such as floodplains, limestone aquifers, and reservoir watersheds, (2) wellhead areas, or (3) excellent recharge areas. The purpose of an impervious cover threshold is to minimize loss of recharge and protect the quality and quantity of ground and surface water supplies in WRPAs.
> New development in WRPAs may exceed the 20 % impervious cover threshold, but be no more than 50 % impervious, provided the applicant

submits an environmental assessment report recommending a climatic water budget and facilities to augment recharge. The environmental assessment must document that post-development recharge will be no less than predevelopment recharge when computed on an annual basis.

Commonly, the applicant offsets the loss of recharge due to impervious cover by constructing recharge basins that convey relatively pure rooftop runoff for infiltration to ground water. [A note has been added to the site plan showing the well head protection area to remain a maximum of 20% impervious.]

The Department recommends the following (ranked in order of preference):

1) Preserve WRPAs as open space and parks by acquisition or conservation easement.

2) Limit impervious cover of new development to 20 % by right within WRPAs.

3) Allow impervious cover of new development to exceed 20% within WRPAs (but no more than 50% impervious) provided the applicant develops recharge facilities that directly infiltrate rooftop runoff.

4) Allow impervious cover of new development to exceed 20% within WRPAs (but no more than 50% impervious) provided the applicant develops recharge facilities that infiltrate stormwater runoff from forested and/or grassed surfaces with pretreatment.

Sediment and Erosion Control/Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through Sussex Conservation District. Contact Jessica Watson, Program Manager, at (302) 856-7219 for details regarding submittal requirements and fees.

It is strongly recommended that you contact Sussex 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.

A Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be submitted to DNREC Division of Soil and Water Conservation along with the $195 NOI fee prior to plan approval.

Applying practices to mimic the pre development hydrology on the site, promote recharge, maximize the use of existing natural features on the site, and limit the reliance on structural stormwater components, such as maintaining open spaces, should be considered in the overall design of the project as a stormwater management technique.

Each stormwater management facility should have an adequate outlet for release of stormwater. Any drainage conveyed onto this site from neighboring properties must be adequately conveyed through the site to the discharge point without interruption.

A Certified Construction Reviewer (CCR) will be required for the site during construction. You should contact Sussex Conservation District for details regarding the CCR requirement.

A request for a waiver from stormwater quantity management requirements must be submitted to the Conservation District in writing.

The use of the existing pond for stormwater management would necessitate revisions to this pond to bring it into compliance with all of the current Pond Code 378 safety standards. [Comments are noted.]

Floodplains

The entire site is within the 100-year floodplain. An increase in density may result in more development at risk to flooding impacts.

Forests

According to 2002 aerial photos there is a forested area within this parcel. Also, PLUS packet materials indicate that 6.34 acres of forest are on site and 5.02 acres of this forested area will be removed. This forest provides important habitat, wildlife connectors, and air quality and water quality benefits. This forest tract is extremely beneficial to the region. Fragmentation of this forest can have irreversible effects to the regional ecosystem.

Lot lines should be redesigned to avoid all impacts to the forested area. The developer is strongly encouraged to preserve, and where possible, enhance forested resources on site. This includes removing lots 68-72, 77-93, 44-54, 1-10,and 96, and infrastructure (such as storm water management ponds) from forested areas to the extent possible and minimizing any clearing activities. The forested areas on-site should be viewed as a community asset and managed appropriately. Where possible, the developer should

seriously consider habitat improvements such as revegetating portions of the site. A forested buffer of 100 feet or more would substantially benefit water quality and wildlife habitat.

Forested areas on-site set aside for conservation purposes should be placed into a permanent conservation easement or other binding protection. These areas should be clearly marked and delineated so that residents understand their importance and so that homeowner activities do not infringe upon these areas. [Forested areas outside of the lots are in buffered open space to be maintained by the HOA.]

Open Space

To maximize the existing buffering capacity and wildlife habitat on site, it is recommended that lot lines and other infrastructure (such as storm water management ponds) be pulled out of the forest and that areas of community open space be designated along the forested/riparian areas. Doing so will accomplish two things: it will preserve and expand the buffers on site and its value for birds and wildlife and it will create recreational opportunities for residents by allowing them access to and views of the forest and stream.

In areas set aside for passive open space, the developer is encouraged to consider establishment of additional forested areas or meadow-type grasses. Once established, these ecosystems provide increased water infiltration into groundwater, decreased run-off into surface water, air quality improvements, and require much less maintenance than traditional turf grass, an important consideration if a homeowners association will take over responsibility for maintenance of community open spaces.

Open space containing forest and/or wetlands should be placed into a permanent conservation easement or other permanent protection mechanism. Conservation areas should also be demarked to avoid infringement by homeowners. [Passive recreation is proposed around the existing pond.]

Rare/Threatened/Endangered Species

DNREC submitted comments for this project regarding rare/threatened/endangered species to Edward Launay of Environmental Resources, Inc. on November 20, 2004 and the following comments are an excerpt from that response letter:

> "Based on review of topographic maps, aerial photographs, and because we have not visited the site previously, our DNHP botanist requests the opportunity to survey the forested and wetland areas for resources which could potentially be impacted by the project. This parcel is adjacent to State Park land where we have records of rare species. His observations would allow us to make more informed comments on this project and would allow the applicant the opportunity to reduce

potential impacts to rare species. Please contact Bill McAvoy at (302) 653-2880 to set up a site visit."

Revegetation/Landscaping

DNREC requests that no invasive species be used in the revegetation of disturbed or landscaped areas. A list of species considered invasive in Delaware can be found on the DNHP web site, www.dnrec.state.de.us/fw/invasive.htm. They further encourage, where possible/feasible, the use of native plants for habitat restoration projects on-site and their Botanist, Bill McAvoy can be contacted at (302) 653-2880 to assist you in developing a plant list. [Where deemed appropriate, native plants will be used on-site.]

State Resource Areas

This project borders land currently identified as part of a State Resource Area. State Resource Areas are comprised of lands that contain a variety of natural, cultural and open space resources significant to the state. Consideration should be given to protecting these resources during design and construction of this project. For more information, please contact Ron Vickers, Land Preservation Office, 739-3423.

An issue with this development is the property line along the western edge. The Division of Parks and Recreation boundary map shows a different configuration for the western boundary then the developer's proposal. If DNREC's boundary map is found to be correct, it may preclude road access to the club house in the southwest corner. DNREC is pleased to know that the developer is aware of this issue and they strongly encourage them to contact Ron Vickers, Land Protection Office, 739-3423 to assist in resolving this. [A Boundary survey has been prepared by a license surveyor. Based on the Boundary, access to southwest corner lot is feasible.]

It is recommended that the residents be made aware of the legal small game hunting activities in adjacent Delaware Seashore State Park and the associated firearm noises. We recommend the developer consider placing the dwellings as far away from the northern and western property boundaries as possible for safety reasons.

It is recommended that the manmade goose pond be filled in and lot #52 - #55 on the Northeast corner be removed or relocated to the pond. This design change not only protects a section of trees but the forested buffer will provide residents with a natural noise and light barrier from the southbound Route 1 traffic.

Recreation

It is recommended that sidewalks be built fronting every residence and stub streets. A complete system of sidewalks will: 1) fulfill the recreation need for walking and biking facilities, 2) provide opportunities for neighbors to interact in the community, and 3)

facilitate safe, convenient off-road access to neighboring communities, public mass transit stops, schools, stores, work, etc. [Sidewalks are provided on one side of the road with interconnecting walkways along select lot lines.]

Air Quality

Air pollution threatens the health of human beings and other living things on our planet. While often invisible, pollutants in the air create smog and acid rain, cause cancer or other serious health effects, diminish the protective ozone layer in the upper atmosphere, and contribute to the potential for world climate change. Breathing polluted air can have numerous effects on human health, including respiratory problems, hospitalization for heart or lung disease, and even premature death. Some can also have effects on aquatic life, vegetation, and animals.

Once complete, vehicle emissions associated with this project are estimated to be 7.1 tons (14,274.5 pounds) per year of VOC (volatile organic compounds), 5.9 tons (11,818.3 pounds) per year of NOx (nitrogen oxides), 4.4 tons (8,719.8 pounds) per year of SO2 (sulfur dioxide), 0.4 ton (776.2 pounds) per year of fine particulates and 597.0 tons (1,194,046.2 pounds) per year of CO2 (carbon dioxide).

Emissions from area sources associated with this project are estimated to be 2.9 tons (5,757.6 pounds) per year of VOC (volatile organic compounds), 0.3 ton (633.5 pounds) per year of NOx (nitrogen oxides), 0.3 ton (525.7 pounds) per year of SO2 (sulfur dioxide), 0.3 ton (678.4 pounds) per year of fine particulates and 11.7 tons (23,339.9 pounds) per year of CO2 (carbon dioxide).

Emissions from electrical power generation associated with this project are estimated to be 1.1 tons (2,281.9 pounds) per year of NOx (nitrogen oxides), 4.0 tons (7,937.0 pounds) per year of SO2 (sulfur dioxide) and 585.4 tons (1,170,706.3 pounds) per year of CO2 (carbon dioxide).

	VOC	NOx	SO_2	$PM_{2.5}$	CO_2
Mobile	7.1	5.9	4.4	0.4	597.0
Residential	2.9	0.3	0.3	0.3	11.7
Electrical Power		1.1	4.0		585.4
TOTAL	10.0	7.3	8.7	0.7	1194.1

The Department of Natural Resources and Environmental Control is asking that local jurisdictions consider mitigation to help resolve this issue. Mitigation might involve limiting large new developments to growth zones, focusing development to urban areas capable of providing mass transit services, requiring more energy efficient homes which would lessen air quality impacts, and promoting walkability and bikability within and between developments and town centers. [Sidewalks are provided on one side of the road with interconnecting walkways along select lot lines, including access to Route 1.]

State Fire Marshal's Office – Contact: Duane Fox 856-5800

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR): [Comments are noted.]

a. **Fire Protection Water Requirements**:
   - Water distribution system capable of delivering at least 1000 gpm for 1hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly)
   - Where a water distribution system is proposed for single family dwellings it shall be capable of delivering at least 500 gpm for 1 -hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
   - Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:** All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
   - Buildings greater than 10,000 sq.ft., 3-stories of more or over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.

Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR. Show Fire Lanes and Sign Detail as shown in DSFPR

c. **Accessibility**
   - All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Coastal Highway must be constructed so fire department apparatus may negotiate it.
   - Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
   - Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also,

please be advised that parking is prohibited in the cul-de-sac or turn around.

- The proposed gate shall allow both fire and emergency medical apparatus to activate and hold open in the event of an emergency. Contact should be made with Bethany Beach Volunteer Fire Company, Millville Volunteer and EMS Company, and the County Paramedics.
- If the use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

d. **Gas Piping and System Information:**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

e. **Required Notes**:

- Provide a note on the final plans submitted for review to read " All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.delawarestatefiremarshal.com, technical services link, plan review, applications or brochures.

Department of Agriculture - Contact: Mark Davis 739-4811

Trees on this site are typical seaside pine. The Forestry Section would encourage the developer to preserve them if possible. If not, then forest mitigation should be considered for the site or adjacent state property. A diverse landscape plan, with the use of native, the right tree for the right place and that addresses fire danger concerns is encouraged.

Public Service Commission - Contact: Andrea Maucher 739-4247

The project information sheets state water will be provided to the project by Sussex Shores Water Company via a central water system. PSC records indicate that the project is located within the public water service area granted to Sussex Shores Water Company. Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Delaware State Housing Authority – Contact Karen Horton 739-4263

The units are targeted to move up and second home buyers. DSHA encourages the developer to include prices that are affordable to low- and moderate-income households as well. This proposal is in the Selbyville/Frankford County Census Division (CCD) an area that has serious housing needs. The 2003 Statewide Housing Needs Assessment indicates that of the 10,527 housing units in this CCD, 726 are substantially substandard and 3,261 are occupied by low-income households earning less than 80 percent of the area median income ($40,700 for a family of four). In addition, this area is experiencing rapid price increases. Real estate data collected by DSHA indicates that in the second quarter of 2004, the median housing price for this area was $370,000 - which is outside the affordability level of low- and moderate-income households. The provision of units affordable to low- and moderate-income households will help address the area's significant needs.

Delaware Emergency Management Agency – Contact: Don Knox 659-3362

Due to the number of residential units being proposed, an impact to public safety is foreseen by implementation of this project. The developer should notify the police, fire service, and emergency medical response organization serving this portion of Sussex County, to keep them apprised of all development activities. This property is located in the Special Flood Hazard Area inundated by the 100-year flood. This area could also experience possible flooding from a category 1 or greater hurricane. Routes 1 and 26 are coastal storm evacuation routes and this development will be affected by traffic volume on these routes during a coastal storm event. [The developer will notify police, fire and emergency services of this proposed project.]

Sussex County - Contact: Richard Kautz 855-7878

This project is within the Environmentally Sensitive Development area. The required report should be revised to show how the PLUS comments have been addressed and the plan revised accordingly. [The environmentally sensitive report is addressed in the project development booklet.]

The Sussex County Engineer Department comments: The proposed project is within the

boundaries of the North Bethany Expansion of the Bethany Beach Sanitary Sewer District. The gross density for this project is 4.31 EDUs/acre. On the submitted subdivision plan I count 96 SFD and a community center with pool. It is stated in the application there are 3.47 acres of nontidal wetlands. The density calculation is 4.50 EDUs/acre. Not counting the community center and pool. Capacity cannot exceed 4 EDUs/acre in accordance with Sussex County Ordinance No. 439.
Due to a parcel split this project currently has no access to service. Pipeline will have to be extended at the developer's expense. System Connection Charges will be due prior to connection to the sanitary sewer system. Sussex County must be provided with a concept plan for the project to ensure proper alignment for the proposed units as well as the proper alignment of the proposed water lines. [A sanitary sewer concept plan has been prepared an approved by the County.]

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 855-7839.

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.

Should you have any additional questions or comments, please feel free to call me.

Sincerely,

McCrone, Inc.

K. Scott Aja, PE
Vice President

40109-plus_response

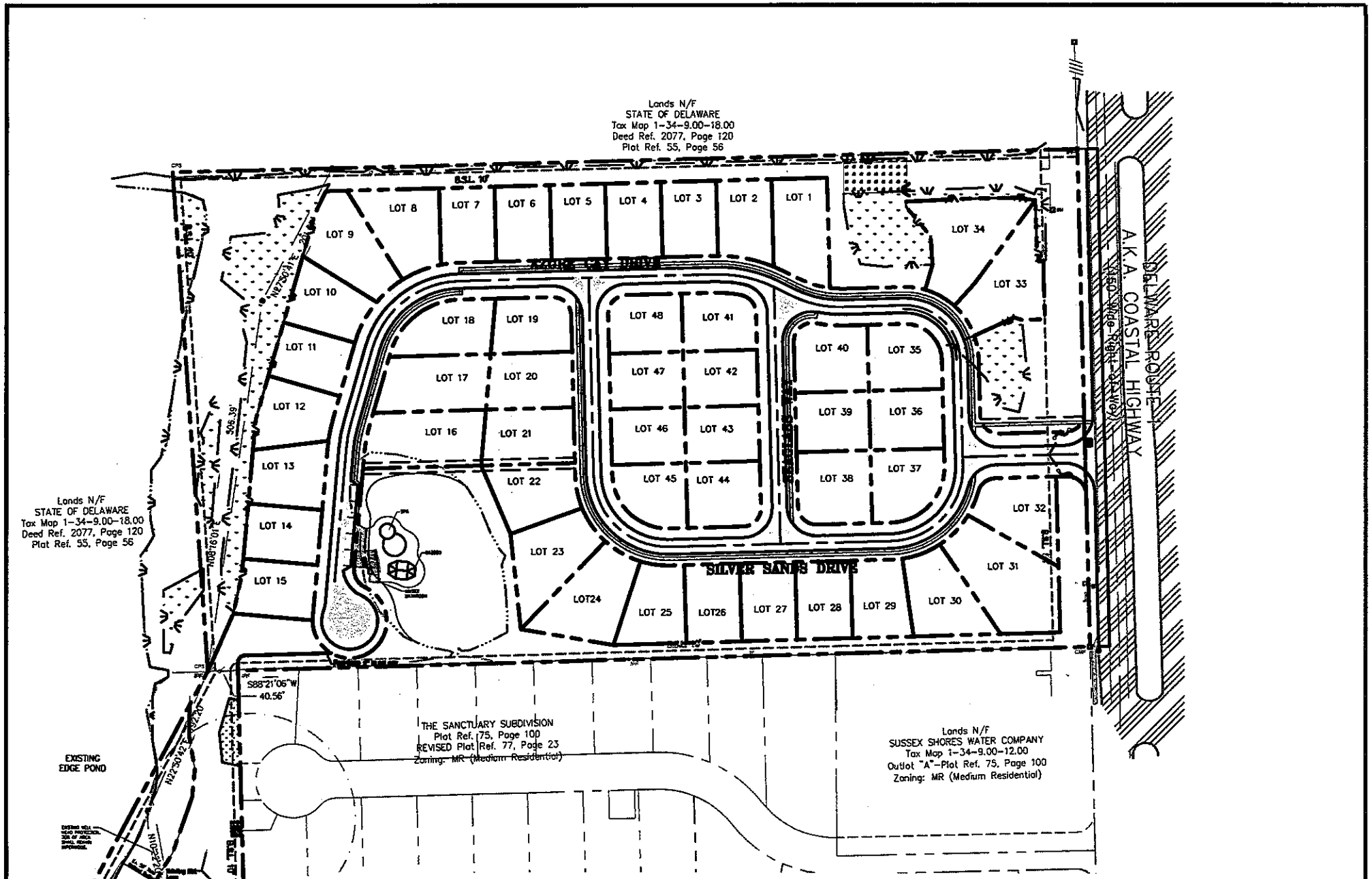

FIGURE 11 - CURRENT LAYOUT

FOR

BLUE WATER

SUSSEX COUNTY, DELAWARE

Prepared For: BETHANY SHORT PROPERTIES, LLC

DATE:	10/31/06
JOB NUMBER:	D2040109
SCALE:	NTS
DRAWN BY:	ML
DESIGNED BY:	JP
APPROVED BY:	KSA
FOLDER REFERENCE:	

McCRONE
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• Construction Services • Land Planning & Surveying
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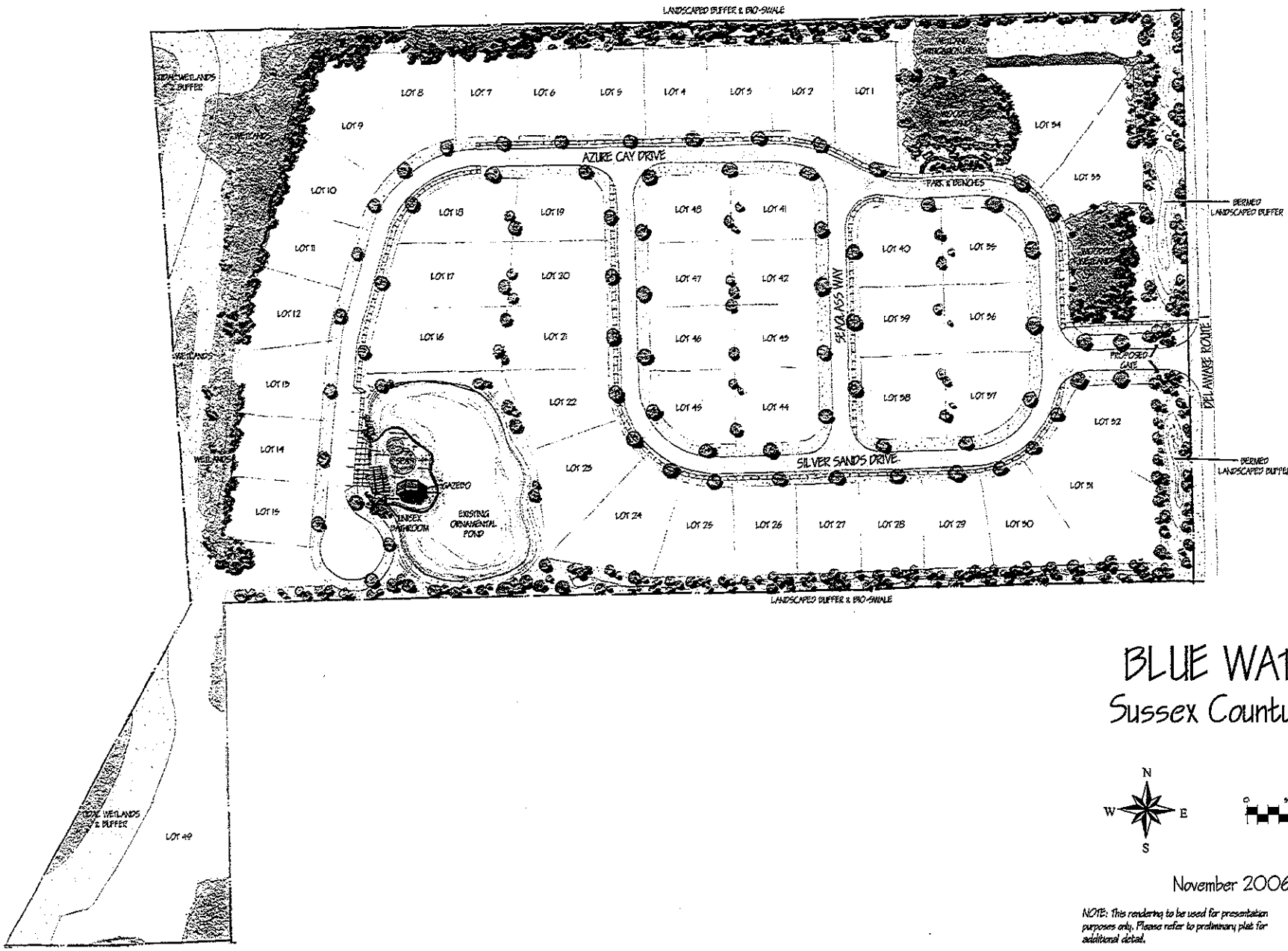

BLUE WATER

Sussex County, DE

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0 50 100 150

November 2006

NOTE: This rendering to be used for presentation purposes only. Please refer to preliminary plat for additional detail.

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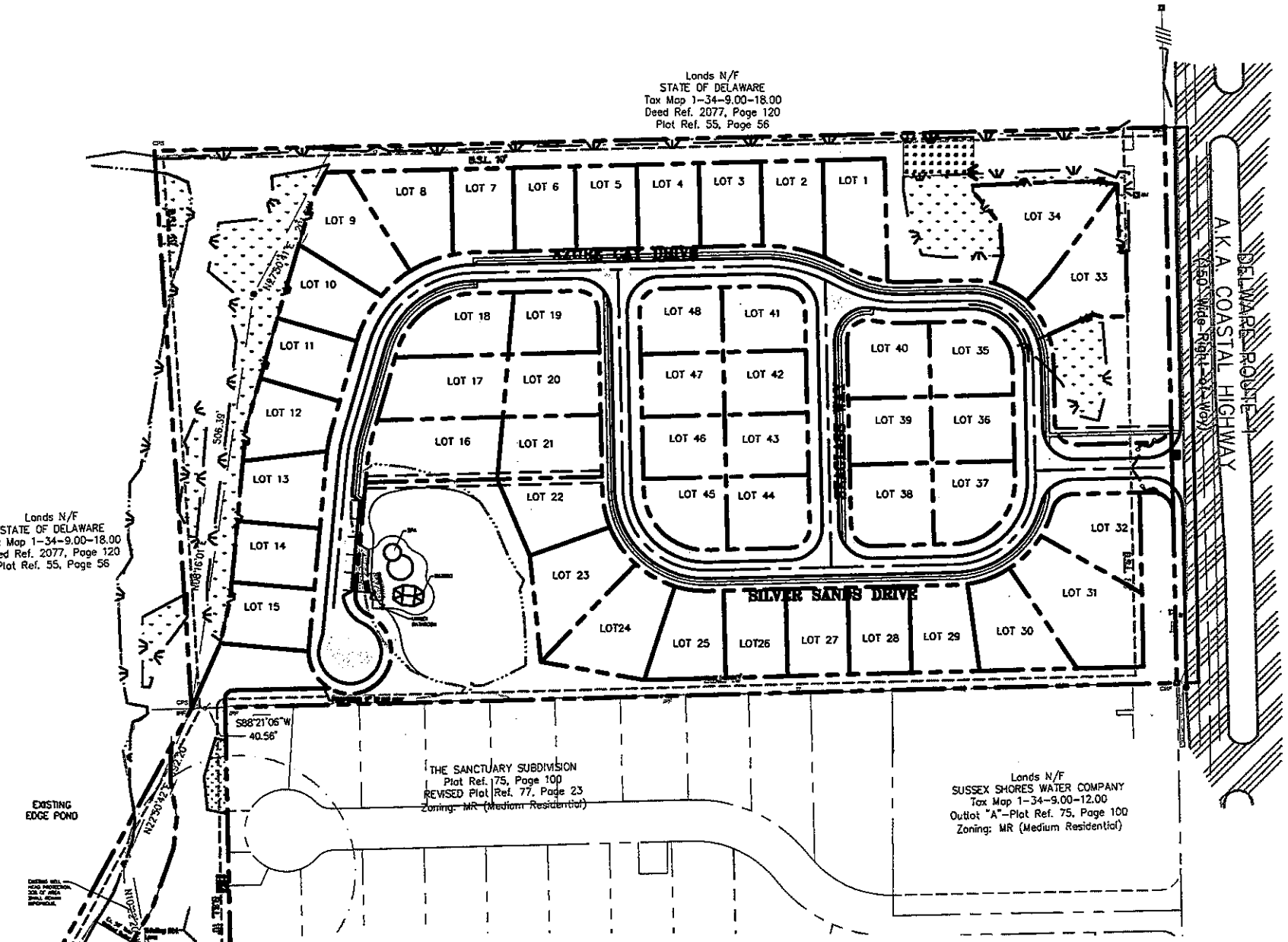

FIGURE 11 - CURRENT LAYOUT

FOR

BLUE WATER

SUSSEX COUNTY, DELAWARE

Prepared For: BETHANY SHORT PROPERTIES, LLC

DATE:	10/31/06
JOB NUMBER:	D2040109
SCALE:	NTS
DRAWN BY:	ML
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