

April 18, 2007

Ms. Constance C. Holland, AICP
The Delaware Office of State Planning Coordination
540 S. DuPont Hwy
Thomas Collins Building, Third Floor
Dover, DE 19901

RE: PLUS Review Comment Response
PLUS 2005-04-01; Gray Dawn Acres

Dear Ms. Holland,

The proposed plans for the above referenced project were reviewed by the State agency planners on April 27, 2005. The comments generated by these agencies, summarized in the letter to Meridian Architects and Engineers dated May 16, 2005, have been incorporated into the revised "Preliminary Subdivision Plat for Gray Dawn Acres" as specified below.

Office of State Planning Coordination

The proposed project is located in an Investment Level 4 area according to the *State Strategies for State Policies and Spending*. It is considered to be outside the "Growth Zone" for Kent County. It is located in an Agricultural Residential (A-R) area according to Kent County Zoning. The project is proposed at a density of 0.87 DU/acre which is less than the allowable density of 1.0 DU/acre for this zoning. In addition, the project is less than 1000' feet from Delaware Route 13, a principle arterial for the state of Delaware, and not consistent with other properties "Outside the Growth Zone"

State Historic Preservation Office (SHPO)

An on-site archeological and historic survey was conducted for this project. It was determined that there are no archeological and or historic structures on the site. It was also determined that there are no burial sites on the property.

Department of Transportation

- 5' additional right-of-way has been dedicated on KCR 117 providing for an ultimate right-of-way of 60' which is what is required by DelDOT for a *local* road.

- A 15-foot wide permanent easement has been added to the plan for a future multi-modal path.
- The plans have been designed to incorporate several road improvements to Woodyard Road (KCR 117) These include:
 - Re-alignment of the 90 degree bend and incorporation of stop control in conjunction the proposed development entrance.
 - Road widening and shoulder repair in areas adjacent to the project site.
 - Re-alignment of the intersection of Woodyard Road and Rod and Gun Club Road in introduction of stop control.
- Any further improvements designated as necessary by DoIDOT will be incorporated at such time that an agreement is reached by the owner and the state.

Department of Natural Resources and Environmental Control

Green Infrastructure

The plan has been revised to include a 30-foot minimum forested buffer around the property in addition to the conservation of 35 acres of existing Farm land for Farming and/or passive open space, thus leaving approximately 24% of the site undisturbed.

The plan also proposes an additional 3 acres of active open space.

Water bodies

A 30-foot minimum buffer has been maintained from the top edge of the ditches located on site where adjacent to any proposed development (lots, roads, stormwater). In addition, in areas where the ditches are considered to be a blue-line stream, we have shown a 100' buffer to be recorded with the final site plan.

Wetlands

Based on an investigation conducted by Laurel Oak, LLC; there are wetlands on this site. These are limited to the multiple tax ditches and the connecting agricultural ditches. A 50-foot minimum buffer has been maintained from these waterways.

TMDL's

A nutrient budget will be prepared to verify compliance with the TMDL mandate upon completion of the stormwater management design that is to be developed during the design phase of this project.

Water Supply

Water for this development will be supplied and managed by Artesian. Please see attached willing and Able to serve letter.

Water Resource Protection Areas

The density of the site is less than 1 DU per acre and nearly 35 acres of the site are being left as undisturbed. This should limit the amount of impervious coverage on site. In addition, the associated stormwater management practices and rapid infiltration basins proposed on site should allow for the necessary recharge of ground water.

Sediment and Erosion Control/Stormwater Management

All comments from the Kent Conservation District to be addressed during the design and review phase of the project.

Drainage

The section ditches on this site is part of the Bright-Haines, Whitemarsh and Beaverdam Tax Ditches. The maintenance area/easement for the tax ditch is not less than 15-feet from the top of the ditch and not more than 60-feet from the top of the ditch. A site meeting will be conducted with Brooks Cahall of DNREC-Drainage Section to establish the exact setback.

Open Space

There are 25.2 acres of open space on the site, not including stormwater and wastewater areas. In addition 16.4 acres of the farmland is to remain undisturbed.

Air Quality

At present there are virtually no trees on site. As part of this project, a minimum of 588 trees will be planted on site. This will improve the current air quality improvement abilities of the site.

State Fire Marshal

All comments generated from the State Fire Marshal's office will be addressed as part of the design and review phase of this project should the subdivision receive preliminary approval.

Department of Agriculture

There are 25.2 acres of open space on the site, not including stormwater and wastewater areas. In addition 16.4 acres of the farmland is to remain undisturbed. At present there are virtually no trees on site. As part of this project, a minimum of 588 trees will be planted on site.

Public Service Commission

The central community water system and the central community wastewater system are to be provided by Artesian Water Supply. Please see attached Willing and Able to Serve letter from Artesian. Artesian is a Public Service Commission approved service supplier.

Delaware State Housing Authority

The project is proposed at a density of 0.87 DU/acre. According to Sussex County current zoning regulations, a parcel zoned A-R has an allowable density of 1.0 DU/acre. This project is being proposed in accordance with the general planning practices as outlined in the Kent County Code.

Delaware Emergency Management Agency

This site is located within 1 mile of the Farmington Fire Company. They have been contacted and will continue ongoing communication with them throughout the design process.

Department of Education

The superintendent for the Woodbridge School District has been contacted and made aware of the proposed development. At this time Woodbridge School District is not at full capacity, and should be able to absorb any potential students from this subdivision.

A copy of the revised Preliminary Subdivision Plat has been attached with this letter. If you have any questions please do not hesitate to contact me at your convenience.

Sincerely,

Thomas R. Bartosiewicz, P.E.

cc. Merritt Savage, Kent County Planning and Zoning

Enclosures