

Meridian Architects & Engineers

26412 Broadkill Road
Milton, DE 19968

(302) 684-4766 Phone
(302) 684-8228 Fax

September 20, 2006

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 2005-04-04; The Lakelyns

Dear Ms. Holland,

The proposed plans for the above referenced project were reviewed by the State agency planners on May 4, 2005. The comments generated by these agencies, summarized in the letter to Meridian Architects and Engineers dated May 24, 2005, have been incorporated into the revised "Preliminary GR/RPC Plat for The Lakelyns" as specified below.

Executive Summary **State Strategies/Project Location**

The proposed project is located in an Investment Level 4 area according to the *State Strategies for State Policies and Spending*. It is located in an Agricultural/Residential (AR-1) area according to Sussex County Zoning and an Environmentally Sensitive Developing Area according to the Sussex County. The project is proposed at a density of 3.69 DU/acre.

A buffer will be established at a minimum of 50 feet landward from the mean high tide line in accordance to Sussex County Ordinance No. 774. Where feasible, Meridian will extend this buffer to increase beneficial habitat.

In reference to the possibility of a population of Delmarva Fox Squirrel (*Sciurus niger cenereus*) within a three (3) mile radius of Assawoman Wildlife Area, Meridian is in the process of addressing the possibility of a population of Delmarva Fox Squirrels with the U.S. Fish & Wildlife Service.

Lots have been designed by Meridian to minimize impacts to the forested portion of the parcel by increasing buffers adjacent to waterways and by preserving selective trees. In addition, trees with a Diameter at Breast Height

2006 SEP 32 PM 3 12

RECEIVED
O.F.C. NIGHT AND BUDGET

(DBH) >12 inches will be replaced in the community open space portions of the project at a 1 to 1 ratio.

Streets and Roadways

- DeIDOT sent a Support Facilities Report for the Lakelyns to Planning and Zoning, dated August 19, 2005, recommending that they not require a Traffic Impact Study for this project.
- The proposed circle has been eliminated from the plan.

Natural and Cultural Resources

- The amount of open space along the wetlands has been increased.
- If this project obtains preliminary approval, Erosion and Sediment Control plans will be developed, in accordance with the Sussex Conservation District requirements, which will minimize disturbance of and sedimentation in the wetlands area during the construction phase of the project.
- The lot sizes have been reduced to decrease the impact on the forested areas.

Office of State Planning Coordination

The layout of the subdivision had been revised and the size of the lots has been decreased, thus reducing the impact on the natural resources and incorporating more open space into the community. Additionally, the parcel is located in the vicinity (to the west) of other GR and MR-zoned parcels and in the vicinity (to the south) of the municipality of Ocean View. The parcel is within approximately 500 feet of Level 3 areas according to the State Strategies Map.

State Historic Preservation Office (SHPO)

There are no known historic sites on this property. The D. Godwin House and the school house that are on the Beers Atlas are not located on this parcel.

Department of Transportation

- DeIDOT sent a Support Facilities Report for the Lakelyns to Planning and Zoning, dated August 19, 2005, recommending that they not require a Traffic Impact Study for this project.
- Lizzard Hill and Peppers Corner Roads are classified as local roads. A 5' wide strip of additional right-of-way has been dedicated along the frontage of both roads. This will meet the ultimate right-of-way requirement for a local road.

- A 15-foot wide permanent easement and a paved multi-modal path have been added to the plan.
- The proposed circle has been eliminated from the plan.
- Pedestrian and bicycle access has been provided at Rickards Road.

Department of Natural Resources and Environmental Control

WETLANDS

The proposed project has been designed to avoid/minimize impacts to State and Federal 404 wetlands. In addition, (BMP) will be utilized and all erosion and sediment regulations will be honored during the construction phase of the proposed project. A fifty-foot buffer will be honored from the mean high water line of tidal waters, tidal tributary streams and tidal wetlands and from the ordinary high water line in perennial non-tidal streams in accordance with Ordinance No. 774 of Sussex County.

A wetland delineation was performed on the proposed site to identify all Federal 404 Wetlands and State regulated wetlands. Lots have been designed to minimize impacts to Federal 404 or State regulated wetlands.

Impervious Cover

Should this application receive preliminary subdivision approval, stormwater BMP's will be designed to address the quality of runoff from all impervious areas. Any runoff from the site will meet or exceed quality standards as enforced by DNREC and the Sussex Conservation District.

ERES Waters

A "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMP) will be developed during the design phase of this project should it receive preliminary subdivision approval.

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 should it receive preliminary subdivision approval. The plan no longer proposes the removal of over 80% of the forest cover. The removal of forest has been reduced to 60%

Water Supply

Water for this development will be supplied by Artesian. The water system will have to be approved by the appropriate agencies including the Department of Public Health and DNREC prior to installation.

Sediment and Erosion Control/Stormwater Management

All comments from the Sussex Conservation District to be addressed during the design and review phase of the project should it receive preliminary subdivision approval.

Floodplains

This site is not located in the 100-year floodplain.

FORESTS

The project is planned to minimize impacts to forested areas. In doing so, only selective trees will be removed and trees with a Diameter at Breast Height (DBH) >12 inches or greater will be replaced in the community open space portions of the project at a 1 to 1 ratio. In addition, where feasible trees will remain in the ecologically sensitive corridors adjacent to wetlands. Also, forested areas set aside as community space will be managed to control invasive species, i.e. phragmites, multi flora rose. The amount of woodlands that will be impacted has been reduced from 41 acres to 31 acres

OPEN SPACE

Community open space will be designed and managed by environmental professionals by developing a comprehensive management plan tailored for native ecosystems in the proposed project area. Components of the plan will include native grass and tree plantings and the control of invasive species.

The layout of the subdivision had been revised and the lot sizes have been decreased, thus reducing the impact on the natural resources and incorporating more open space into the community particularly along the sensitive wetland area. The amount of open space has been increased from 24 acres to 29 acres.

Should this project obtain preliminary approval, consideration will be made during the design process to locate the stormwater ponds in the existing open (not forested) areas of the site.

Rare/Threatened/Endangered Species

In reference to the possibility of a population of Delmarva Fox Squirrel (*Sciurus niger cinereus*) within a three (3) mile radius of Assawoman Wildlife Area:

Should this project obtain preliminary approval, coordination with the US Fish and Wildlife Service will commence to determine if Delmarva fox squirrels are present on this site. A conference with the Service is required for this project prior to beginning any work due to its location with respect to a known Delmarva fox squirrel population.

Potential Hunting Issue

A 60-foot minimum buffer from all property lines has been maintained for this project which reduces the potential impact on adjacent properties for hunting issues.

NUISANCE GEESE

Ponds in subdivisions provide desirable habitat for nuisance Canada Geese *Branta canadensis*. To offset the impacts of these birds a comprehensive management plan will be incorporated into the community by Envirotech Environmental Consulting inc. which will manage the nuisance geese. Examples of management practices could include Mono-filament grids, herbicide applications to deter grazing of geese, establishment of vegetative buffers and educational outreach to individuals living in the community.

Solid Waste

It is estimated that the development will produce 2,650,000 pounds of solid waste from the construction and occupancy of 265 homes in addition to 954,000 pounds of solid waste per year.

Air Quality

Conservation of a wooded buffer around the site will help offset the impact of this development on air quality by removing carbon dioxide from the air.

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

RIGHT TREE FOR THE RIGHT PLACE

The development plans will call for the most minimal removal of trees as feasible to meet project goals.

TREE PRESERVATION

Best management practices will be utilized during construction to minimize impacts to the health and vigor of trees. When feasible, guidelines by the International Society of Arboriculture will be implemented during construction to avoid impacts to established trees.

TREE MITIGATION

Lots have been designed by Meridian to minimize impacts to the forested portion of the parcel by increasing buffers adjacent to waterways and by preserving selective trees. In addition, trees with a Diameter at Breast Height (DBH) >12 inches will be replaced in the community open space portions of the project at a 1 to 1 ratio.

Department of Education

A covered bus stop will be provided for pick-up and drop-off at the development entrance per the Department of Education's guidelines for school transportation planning.

Delaware Emergency Management Agency

As proposed, this project meets the general guidelines for fire protection, regarding accessibility, as outlined in the Delaware State Fire Prevention Regulations. Should this project be approved as a preliminary, the water system and subdivision layout will be designed in accordance with the Delaware State Fire Prevention Regulations and reviewed for compliance by the Delaware State Fire Marshal's Office.

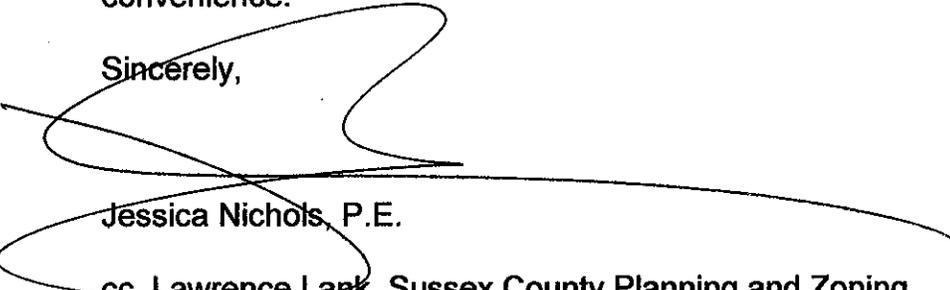
Sussex County

This project is in the Environmentally Sensitive Development District. An Environmental Assessment and Public Facility Evaluation Report is being submitted to Sussex County in accordance with Ordinance No. 1645 which will include a copy of this letter specifying how the PLUS comments were addressed.

The project is located in the Beaver Dam Planning Area for sewer. Meetings have been conducted with representatives from the Sussex County Engineering Department regarding annexation into the sewer district when it becomes available. It was determined that this parcel could be annexed into the district once the parcels that are in between the subject parcel and the sewer district boundary are annexed. Letters from the owners of these parcels requesting annexation into the district have been obtained and are included as part of the change of zone application with Sussex County.

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,



Jessica Nichols, P.E.

cc. Lawrence Lank, Sussex County Planning and Zoning

Enclosures