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August 30, 2006

State of Delaware
Office of Management and Budget
State Planning Coordination
122 William Penn Street, Third Floor
Dover, DE 19901

Attn: Constance Holland, AICP
Director

Re: The Oaks at Georgetown
GMB Project No. 2005193
PLUS 2006-04-06;
PLUS Comment Responses

Dear Ms. Holland:

We have received the PLUS comments dated May 25, 2006, and offer the following responses:

Office of State Planning Coordination

No response necessary

Division of Historic and Cultural Affairs

We will contact Faye Stocum to further investigate the possibility of archaeological sites on the property.

Landscape buffers in excess of twenty-five feet in width are provided.

Department of Transportation

We are coordinating the final recommendations of the traffic impact study with DelDOT.

There is sufficient area for appropriate right-of-way dedication. We are coordinating right-of-way dedication with Sussex County and DelDOT concerning proposed improvements to Arrow Safety Road and South Bedford Street that will result from the Park Avenue re-alignment project.

We have contacted John Fiori and will incorporate his comments on the access permits as well as sidewalks and multi-use paths.

Department of Natural Resources and Environmental Control

Green Infrastructure

A green "corridor" is maintained through the center of the site that will serve as a natural floodplain for stormwater management. A multimodal path will run through the floodplain. The Town of Georgetown has initiated plans to continue the multimodal path to the north and to the south to connect to the museum and the Bedford Village residential planned community.

The existing site has approximately 33.6 acres of forested area. 17.1 acres will be maintained after construction. Another 5.5 acres will be added as landscape buffer.

Impervious Cover

We concur that we under-estimated impervious cover for our initial submittal. We have calculated impervious cover as 36 acres, or 37.6% of 95.77 acres.

ERES Waters

See TMDL section for discussion on BMPs.

TMDLs

The Oaks at Georgetown is located in a high nutrient reduction area of the Inland Bays Watershed.

Attached please find the nutrient budget protocol worksheet as developed for the Oaks at Georgetown project. As currently computed, the project meets the nutrient reduction strategy for nitrogen, but does not meet the goal for phosphorous by .01 lbs/day.

Concerning our evaluation of the nutrient budget worksheet, please note the following:

1. A 100 ft buffer has been maintained along all wetlands, and along the ditch as a natural floodplain in meadow condition.
2. We have incorporated a natural floodplain into the stormwater management design for the project. This method is recommended by representatives of DNREC's Sediment and Stormwater Program. We have attempted to simulate a natural floodplain in the worksheet through the use of wet ponds, constructed wetlands, and biofiltration swales in series. We believe that this methodology may underestimate pollutant removal capacities of a floodplain approach during smaller rainfall events. In addition, we believe additional credits should be awarded since the floodplain approach is a preferred method.
3. For forested areas adjacent to wetlands, as well as the back half of the homes and lots in the single-family home portion of the development, runoff

drains to the existing wetlands. We believe the filtering capacity of the wetlands has not been estimated appropriately in the model. In other states, areas with that much disconnect in the development would be completely removed from the stormwater management requirements. As such, we have modeled these areas as infiltration systems for stormwater management.

4. The zoning allows for 597 units on the property. Because the buffers and the floodplain have been preserved on the landplan, approximately 500 units will be installed. As such, the loading could have been slightly higher. We believe developing the site with fewer units than allowed is an important BMP toward reducing nutrient loading.

Based on the above, we believe the developer has made every reasonable effort to meet the goals of the Inland Bays Pollution Control Strategy.

Water Supply

No comment necessary

Sediment and Erosion Control / Stormwater Management

We have discussed the project at length with representatives from the Sussex Conservation District. We have attended the pre-application meeting.

Concerning the tax ditch that bisects the site, we have contacted Brooks Cahall at the DNREC state drainage office in Georgetown.

We will submit our NOI application.

We are familiar with the requirements of DNREC's Stormwater and Sediment Program and will comply with all applicable regulations in our submittal package to the Sussex Conservation District.

Drainage

Concerning the tax ditch that bisects the site, we have contacted Brooks Cahall at the DNREC state drainage office in Georgetown. We are working to get the small prong of the tax ditch removed from the tax ditch system. We are working with the state drainage office in preparing court-order change documentation. The purpose of eliminating the drainageway from the tax ditch system is to allow greater flexibility in designing the floodplain approach for stormwater management.

If we are not successful in eliminating the ditch from the tax ditch system, we will comply with all applicable regulations.

The tax ditch or drainage easement will not be on individual private property, but will be surrounded by a natural floodplain in common open space.



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Open Space

The created floodplain will be planted with native species. The intent is for a natural, meadow condition. Open space in wetlands and buffers will be set aside in a permanent conservation easement.

Site Visit Request

We will contact DNREC regarding a site visit for a species survey.

Forest Preservation

We have revised the landplan slightly so that 17.5 acres of forested area will remain undisturbed. An additional 5.5 acres of forest buffer will be planted. As such, 23 acres of forested area will remain on community open space, and will be placed in a conservation easement. As such, there should be no loss due to extra clearing from homeowners. Additional efforts will be made to "fingerprint" the single-family lots, and maintain as many trees along the back of the lots (in private property) as possible.

Based on the revised landplan, a forested buffer corridor will remain along the back of the single-family lots to connect the forested areas. The connection to the adjacent development has been deleted. As such, the forest is no longer fragmented.

Concerning the comment regarding stormwater ponds in the forested areas, there appears to be some confusion, probably based on wetlands shading (and its similarity to the shading for SWM ponds). There are no stormwater ponds in the forested areas. These areas are wetlands, and will remain undisturbed.

The developer will make every effort to minimize forest clearing from April 1st to July 31st.

Nuisance Waterfowl

The intent with the stormwater ponds on-site is to provide a natural, meadow condition around the ponds and create the appearance of pocket pools in a floodplain. Planting schedules and a maintenance schedule will be included as part of the SWM plan.

Underground Storage Tanks

We are not expecting any underground tanks or contamination during construction, but the Tank Management Branch will be notified if a problem is encountered.

State Fire Marshal's Office

We are familiar with the requirements of the State Fire Marshal's Office and will comply with all procedures, requirements, and recommendations in our submittal package to the State Fire Marshal.

Department of Agriculture

We concur regarding the importance of a landscaping plan that incorporates the appropriate use of street trees, as well as the use of native species. The site will be surrounded by forest buffers. As designed, site construction will not result in fragmented forest areas. The proposed floodplain will be meadow type.

Public Service Commission

No comment necessary at this time.

Delaware State Housing Authority

The primary market for this project is affordable housing to first-time homebuyers. The developer plans to maintain affordable housing costs as long as materials and construction types are in compliance with the Town of Georgetown Design Standards.

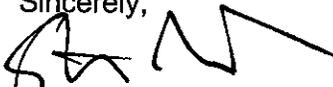
Department of Education

We have already contacted the Indian River School District concerning the proposed development. We will coordinate the number and location of bus stops with School District personnel.

We trust these responses satisfy the comments and concerns from the PLUS review process.

Please contact me with any questions or concerns.

Sincerely,



Steve Marsh, P.E.

Enclosures

cc: Anderson Homes, LLC
Attn: Mr. Mike Morgan (w/o encl.)
Attn: Mr. Steve Anderson (w/o encl.)
Town of Georgetown
Attn: Mr. Tom Klein (w/ encl.)

Nutrient Loading Assessment Protocol Worksheet (Version 5/30/06)

Please answer the following questions. This Protocol is intended to illustrate whether proposed future land use will reduce nutrient loads when compared to the base period for the applicable TMDL. The protocol works on a parcel basis and does not take into account cumulative impacts. It serves as an indicator to the county and municipal agencies as to the impact of the proposed development on water quality and provides potential ways to mitigate the project's impact. This Protocol is a tool; it does not suggest project approval. Therefore, the applicant should be aware that final project approval is contingent upon the satisfactory completion of all County, Municipal, State and/or Federal regulatory requirements. Enter "0" if the question does not apply.

| | | | |
|---|---|----------|------------------------------------|
| 1 | What is the name of your project? | | Oaks at Georgetown |
| 2 | What is the project area's tax parcel number(s)? | | 6:00 and 6:02 |
| 3 | Which watershed is the parcel located in? (If unsure go to Map link worksheet.) | | Inland Bays High Reduction Area |
| | PLUS project number? | | 2006-04-06 |
| | What is/are the pre-development land use(s) on the proposed project parcel? | | |
| | 4a. Is this project a redevelopment of a golf course? | no | |
| | 4b. What is the total acreage of the parcel? | | 95.77 |
| | 4c. How many acres are Agricultural? | | 62.17 |
| | 4.d How many acres of agricultural land had routine application of chicken manure? | | 62.17 |
| | 4.e How many acres of constructed agricultural buffers are on the land? | | 0.00 |
| | | 0 | |
| | | 0 | |
| | 4h. How many acres of the parcel are managed with water control structures? | | 0.00 |
| | 4h. How many acres are already developed (urban)? | | 0.00 |
| | 4i. How many acres are Forest? | | 38.60 |
| | 4j. How many acres of forest are also nontidal wetlands? | | 5.60 |
| | 4k. How many acres of wetlands are on the parcel? | | 5.60 |
| | 4.l Acres of tidal wetlands | | 0.00 |
| | 4.m Acres of non-tidal wetlands | | 5.60 |
| | 4n. How many acres of Grassland are on the parcel (including buffers)? | | 0.00 |
| | 4o. How many acres of Brushland are on the parcel? | | 0.00 |
| | 4p. Are there any Gravel pits? If so how many acres? | | 0.00 |
| | Please provide information on the PROPOSED DEVELOPMENT Land uses: | | |
| | 0.0 | acres | 0.00 |
| 5 | 5a. How many acres are you proposing to disturb? | | 78.62 |
| | 5b. Do you have an estimate of percent of impervious cover? | yes | |
| | 5c. What is that percentage? | | 35.0 |
| | 6a. How many acres of wetlands are removed in this proposed project? | | 0.00 |
| | 6b. Tidal wetlands removed? | | 0.00 |
| | 6c. Non-Tidal removed? | | 0.00 |
| | These many acres of forest have been removed. | | 16.45 |
| | 6d. Acres that will not be developed or will remain in their natural state. | | 17.15 |
| | 6e. How many acres will be planted to native vegetation? | | 0.00 |
| | 6f. How many of the Upland Forested acres will remain? | | 11.66 |
| | Forested wetlands | | 5.60 |
| | Tidal wetlands | | 0.00 |
| | non-tidal wetlands which are not forested | | 0.000 |
| | Acres of wetlands that will not be disturbed | | 5.60 |
| | 6g. Are any lands going to be replanted into Forests? | | 0 |
| | 7a. How many acres will be mitigated as a result of wetlands removal? | | 0.00 |
| | Acreage available for development. | | 78.62 |
| | N/A | | 0.00 |
| | | | Acres dwelling units |
| | 8a. How many acres will be used for residential or commercial purposes including right of ways? | | 68.20 |
| | 8b. How many dwelling units are being proposed for this development? | | 500 |
| | 8.c How many acres and dwelling units are allocated for all single family units? | | 58 |
| | 8d. How many acres and dwelling units are allocated for all Multi-family units? | | 442 |
| | 8e. How many acres will be developed for Commercial uses? | | 0.00 |
| | Acreage for Clubhouse or Conference Center | | 0.00 |
| | Acreage for Retail | | 0.00 |
| | 8f. How many acres will be used for active recreational facilities (i.e. pool, tennis/basketball courts, bike path, etc.) | | 5.72 |
| | Acres of impervious cover resulting from this development | | 26.05 |
| | Total developed acres with impervious area | | 74.42 |
| | Undeveloped Acreage | | 17.15 |
| | 8g. Number of open space acres that will be managed/manicured (parks, lawns, athletic fields, playgrounds, community open spaces, excluding golf courses) etc)? | | 4.20 |
| | 8h. Will this development have a Golf Course, if so how many acres? | | 0.00 |
| | Total acreage in development | | 95.77 |
| | 9a. Are you going to use buffers in this development? | (yes/no) | yes |
| | 9b. What type of buffer grass or forested? | | Forested buffers |
| | 9c. What is the average width of the buffer? | | 90 |

| | | | | | | | | |
|---|---|---|---|----|------------------------------------|--|-------------------------|-------|
| 9d. How many linear feet of buffers are you planning? | | 6742 | | | | | | |
| 10a. Are stormwater BMPs going to be used independently, in series, or both implies some areas will have individual Stormwater BMPs and other areas will have stormwater BMPs in a treatment train? | | Series | | 4 | | | | |
| 10b. How many of BMPs will be used on the site? | | 4 | | | | | | |
| 10 | * | Put '0' in the column if BMP is a Series otherwise a '1'. | 10c. Stormwater BMPs (For independent BMPs used the actual acreage treated and for BMPs used in a treatment train (Series) calculate the total acreage treated by the train. For Combination indicate the acres treated by individual BMPs and the acreage treated by the BMP used in Series. Sum of acreage treated by all the BMPs should equal acreage area disturbed in question 5.) | | Total treatment acres for each BMP | | | |
| | | | 4 | 0 | | BMP 1 | Stormwater wetlands | 73166 |
| | | | 4 | 0 | | BMP 2 | Wetponds | 73166 |
| | | | 4 | 0 | | BMP 3 | Biofiltration/bioswales | 73166 |
| | | | 4 | 0 | | BMP 4 | Infiltration systems | 22111 |
| | | | 4 | 1 | | 0 | none of these | 0 |
| | | | 4 | 1 | | 0 | none of these | 0 |
| | | | 4 | 1 | | 0 | none of these | 0 |
| | | | 4 | 1 | | 0 | none of these | 0 |
| | | | 11a. How will your wastewater be handled? | | | Connect to Georgetown Treatment facility | | |
| 11b. Do you have an estimated wastewater flow for this project? | | | | 0 | | | | |
| | | | | 0 | | | | |
| 11d. Will any septic systems be eliminated due to sewerage or by community wastewater system being developed for the project? (yes/no) | | | | no | | | | |
| * | | | | 0 | | | | |
| 12 | | | | | | | | |

