



ENVIRONMENTAL CONSULTANTS INTERNATIONAL CORPORATION

ENGINEERING
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SURVEYING

August 4, 2006

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**RE: PLUS PROJECT NO. 2006-05-03
THE RETREAT ON THE INDIAN RIVER
ECI PROJECT NO. 05-086**

Dear Ms. Holland:

Thank you for the opportunity to meet with various state agency planners at your office on May 24, 2006 to discuss the Retreat on the Indian River. We have reviewed the comments contained in your letter to us dated June 13, 2006 and offer the following responses.

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Office of State Planning Coordination – Herb Inden, 739-3090

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We understand that the project is located in an environmentally sensitive developing area as described in the Sussex County Comprehensive Plan. We have designed the roadways and lot configuration to respect the wetlands and to have minimal impact on existing woods. We are providing open space to the rear of the buildings that will remain in a natural state where grading allows, and replantings of forest and/or shrubs within the area of disturbance where appropriate.

We recognize that, this project is within an Investment Level 3 Zone and that growth within this zone will be State supported, as appropriate, considering State priorities, it will be the developer's responsibility to provide infrastructure for this project. All central wastewater treatment and water distribution facilities planned for this project will be built entirely with private funds. The wastewater disposal and treatment for this project will be addressed off-site by a permitted wastewater treatment facility and disposal site duly approved by DNREC and Sussex County. The operation of the wastewater facility will be by public utility, with water provided by Tidewater. Both systems will be operated by public utilities governed by the Public Service Commission, thereby insuring safe and fiscally responsible management of these facilities.

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Division of Historical and Cultural Affairs – Alice Guerrant, 739-5685

Both a due diligence assessment of cultural resources and a Phase I archeological survey have been prepared by Dr. Edward Otter. A copy of this report will be made available to the Division upon written request.

If during construction of the project any unmarked graves or other cultural resources are discovered we will contact all appropriate agencies in accordance with the Delaware Unmarked Human Remains Act.

The developer has no objection to the Division visiting the site and will gladly provide access upon receiving written request from the Division.

Department of Transportation – Bill Brockenbrough, 760-2109

Comment 1: Additional land will be granted to DelDOT on Warwick Road and Blue Claw Road in order to increase the right-of-way to 30 feet as measured from the centerline of those roads.

Comment 2: The developer has no desire for a portion of Warwick Road to be vacated by himself or his neighbor.

Comment 3: In previous discussions with DelDOT it was stipulated that this project would have one, and only one, entrance and that entrance was to be off of Blue Claw Road (SCR 313A), as far as possible from Warwick Road. Our plan is in accordance with those stipulations. Indifference to the Department, the Developer is willing to provide a gated emergency access to Warwick Road for Emergency use only. This compromise will address the Department's concern and still maintain the privacy associated with a gated community.

Comment 4: This will be a gated community similar to other gated communities within the area. A stub street would not be practical and would destroy the exclusivity and "park-like" setting of the project.

Comment 5: Site access requirements will be fully coordinated with Mr. Fiori.

The Department of Natural Resources and Environmental Control - Kevin Coyle, 739-3091

Soils

We have worked diligently with Ms. Lisa Wood, a recognized soil scientist, to develop the proposed layout of this site. Full consideration has been given to existing soil conditions, their location and proximity to the Indian River.

Wetlands

State wetlands have been approximated on the preliminary plan and are currently being delineated by a wetlands scientist. Our layout will not infringe upon these wetlands or the required buffer.

Buffer form Wetlands and Water Bodies

We are providing a 50 foot buffer in accordance with State requirements. Where necessary, in-fill landscaping will be provided in order to establish vegetation within the buffer.

Impervious Cover

Best Management Practices (BMP's) will be used to clean the stormwater runoff from impervious areas prior to discharge or infiltration.

ERES Waters

A pollution control strategy using BMP's will be incorporated into the design of the community wastewater system and stormwater management facilities for this project.

TMDL's

We recognize the importance of addressing total maximum daily loads (TMDL's) as a method of reducing nutrients to the inland bays water shed. It is our intention to implement BMP's and nutrient removal in the community wastewater system and stormwater management facilities and comply with applicable TMDL regulations where physically possible.

Compliance with TMDL's through the PCS

ECI will develop a stormwater management plan for the site that will incorporate BMP's and pollution control strategies throughout the system.

Water Supply

We will comply with all requirements concerning dewatering while the site is being developed. As referenced with the application, a public water supply will be used to provide potable water to the project.

Sediment and Erosion Control/Stormwater Management

A comprehensive stormwater management plan will be developed for this project. The plan will be designed in accordance with the Sussex Conservation District (SCD) and the State of Delaware regulations. The stormwater management plan will address current pre-development hydrology at the site, and will address conveyance of stormwater from adjacent properties that migrate through the project. The developer recognizes the importance of stormwater management and related aspects associated with the management of post-project hydrology throughout the project. The developer will cooperate fully with the agencies responsible for stormwater management. Due to the sites proximity to the Indian River watershed, the developer

Plant Rescue

Due to insurance issues, private individuals not directly employed by a Federal, State or local government are excluded from site entry.

Nuisance Waterfowl

The two large stormwater ponds shown on the preliminary plan will be consolidated into a single smaller pond. This, along with the use of creative landscaping techniques, should diminish the attraction of nuisance waterfowl.

Underground Storage Tanks

A Phase I environmental site assessment has been prepared for this project in those areas of greatest potential interest. The inactive LUST site has been noted and does not influence the site.

Solid Waste

This project, like any other land development project, will generate solid waste. The developer will arrange for central pick-up of solid waste by a reputable solid waste hauler and disposal at appropriate solid waste disposal sites, located within the state of Delaware.

Air Quality

The project will utilize Energy Star certifications for appliances, heating and air conditioning systems, insulation and other factors that directly impact power requirements and/or energy requirements to support the residences.

With regard to electrical power generation, although the resident of the development will purchase electrical power, the inhabitants of the residences located within the development have no direct control of the manner in which power is generated within the State of Delaware. The project provides significant opportunities for bicycling and walking throughout the project site. As the project is a condominium, grass cutting and landscape services will be contracted to a landscape firm.

With regard to vehicular traffic, the developer is not in a position to control impacts related to vehicle emissions.

State Fire Marshal Office – Duane Fox, 856-5298

The developer will fully comply with Fire Marshal regulations and will file appropriate plans for review by the State Fire Marshal's Office.

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With regard to gas piping, at present there are no plans to provide a central gas system. If however, a gas utility elects to construct a distribution system the developer may pursue the option of obtaining gas service for this project. Should that be the case, the construction of gas piping, through the residential units, will be in direct conformance with all applicable fire protection standards.

Department of Agriculture – Milton Melendez, 698-4500

A comprehensive landscaping plan will be developed for this project which provides a buffer to the adjacent properties and creates a pleasing viewshed of the site and surrounding area by the use of the native trees, shrubs, and plantings where appropriate.

With regard to the “right tree for the right place”, it is the intention of the developer to preserve woodlands where possible, and to provide reforestation of the project in a comprehensive manner.

Public Service Commission – Andrea Maucher, 739-4247

At this time, we do not anticipate a closed propane system for this development. Any central or local propane systems will fully comply with all local, state and Federal regulations.

Delaware State Housing Authority – Karen Horton, 739-4658

The developer recognizes the demographics associated with incomes and home costs within the Sussex County geographic area and agrees that more affordable housing would be beneficial to the community. However, land and infrastructure costs associated with this project require the developer to market this project in a manner that will provide a reasonable return on investment.

Delaware Department of Education – John Marinucci, 739-4658

Based upon the sale of homes similar in nature to those proposed for this project it appears that the majority of home buyers will be persons contemplating retirement or acquiring second homes. Therefore we expect minimal impact on school services since people in retirement typically do not have children of school age.

Sussex County – Richard Kautz, 855-7878

The preliminary plan provides pedestrian walk-ways that allow safe pedestrian movement throughout the project.

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The wastewater treatment plant will be operated by a Delaware licensed entity. The design and construction of the collection and transmission system will be in accordance with Sussex County Ordinance 38 Standards and Specifications and will be submitted to the Sussex County Engineering Department for approval.

We understand the requirement pertaining to connecting to a Sussex County gravity system should it become available in the future.

Conclusion

We appreciate the comments generated by your comprehensive review. We hope that these responses and related revisions meet with your approval. Please call me if you have any further questions or comments.

Sincerely,

Environmental Consultants International Corporation

A large, stylized handwritten signature in black ink, appearing to read 'G. Cuppels', is written over the company name.

Gary T. Cuppels, PLS, PP
President