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June 14, 2007  
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June 12, 2007

C-1800

Ms. Constance C. Holland, AICP  
Office of State Planning  
122 William Penn Street  
Suite 301  
Haslet Armory  
Dover, DE 19901

Dear Ms. Holland:

**SUBJECT: KING FARM INDUSTRIAL PARK  
PLUS REVIEW – PLUS 2006-07-05**

The following is a response to your August 23, 2006 review letter concerning the subject project:

**Street Design and Transportation**

- A traffic impact study has been prepared and submitted to DelDOT.
- The Owner intends to dedicate the required 40' of right-of-way from the centerline of Rt. 9 and a 15' wide permanent easement for a shared use path.

**Natural and Cultural Resources**

- A rare and threatened or endangered (hereinafter referred to as RTE) species letter by JCM ECI dated June 7, 2007, indicates that preliminary findings show no RTE species are present on the subject property. A more formal report is pending. In addition, a Forest Stands Delineation Report by Parker Forestry Services dated June, 2007 indicates that all forested stands on the property can be found throughout Sussex County. Based on these studies performed by the Owner to date, we feel that a state botanist or zoologist does not need to review the property and that development of part of this land will not disturb RTE species.
- The Owner proposes to maintain a 50 ft. buffer from the edge of all non-tidal wetlands. We consider this to be a significant buffer that far exceeds the Sussex County requirements for non-tidal wetlands.

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### **Recommended Site Plan Changes**

1. Based on a Wetlands Investigation Report prepared by JCM ECI and submitted to the Army Corps of Engineers in March, 2007, the areas initially identified as wetlands where warehouses 3 and 4 are shown, are considered insignificant and do not qualify as jurisdictional upon further investigation. No filling is proposed in any jurisdictional wetlands for this project. Therefore, we do not feel it is necessary to remove the warehouses.
2. The stormwater pond has been relocated outside of the jurisdictional wetlands.
3. Please see our previous second item response under the Natural and Cultural Resources section.
4. The proposed design involves the preservation of approximately 17.5 acres of forest, which is roughly 25% of the total land size. We feel that this is a significant portion of the site remaining in its natural state and thus feel that no additional preservation is necessary.
5. At this time, a clearing permit has been applied for but not obtained from the Sussex Conservation District. It is unclear when the clearing will take place this summer. However, occupancy demands by future tenants may dictate a July clearing date.

### **Division of Historical and Cultural Affairs**

- Please see our previous Item 1 response under the Recommended Site Plan Changes concerning any future Army Corps of Engineers permits.
- The Owner is aware of the Delaware's Unmarked Human Remains Act of 1987.

### **Department of Transportation**

- Please see the previous responses in this letter under the Street Design and Transportation section.

### **DNREC**

1. Please see our previous Item 1 response under Recommended Site Plan Changes.
2. Please see our previous Item 2 response under Recommended Site Plan Changes.

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3. Please see our previous second response under the Natural and Cultural Resources Section.
4. Please see our previous Item 1 response under Recommended Site Plan Changes.
5. Please see our previous response to Item 5 under the Recommended Site Plan Changes.

#### **Wetlands**

- Please see our previous Item 1 response under Recommended Site Plan Changes.

#### **Impervious Cover**

- The Owner intends to abide by all Sediment and Stormwater Management Regulations administered by the Sussex Conservation District.

#### **ERES**

- The Owner intends to perform all of the best Stormwater management practices required by the Sediment and Stormwater Management Regulations administered by the Sussex Conservation District.

#### **Water Supply**

- The proposed water supply for the industrial park is to be from the airport's water well system.

#### **Sediment and Erosion Control/Stormwater Management**

- Please see our previous response under the Impervious Cover Section.

#### **Open Space**

- The Owner has no plans to place any parts of the property into a permanent conservation easement or other permanent protection mechanism.

#### **Rare Species**

- Please see our previous responses under the Natural and Cultural Resources Section and under Item 4 of the Recommended Site Plan Changes.

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#### **Site Visit Request**

- Please see our previous response under the Natural and Cultural Resources Section.

#### **Plant Rescue**

- The Owner will consider contacting the Delaware Native Plant Society before clearing any woodlands.

#### **Nuisance Waterfowl**

- A dry Stormwater management area is proposed on the north end of the site and native plantings are expected to be included in the wet pond design on the south end of the site.

#### **Department of Agriculture**

- The Owner intends to follow all buffering/landscaping requirements required by Sussex County.
- The Owner does not intend to replace every tree removed. Please see our previous response to Item 4 under the Recommended Site Plan Changes.

#### **Sussex County Planning**

- All driveway widths shall be changed to a minimum of 24'.
- Landscaping will be proposed along the Park Avenue frontage to screen parking.
- A required and proposed parking table will be provided for Sussex County Planning review.
- Any interior sidewalks will connect to a DelDOT shared use path.
- Please see our previous response to Item 1 of the Recommended Site Plan Changes.

#### **Sussex County Engineer**

- It is the Owner's intent to utilize the airport's water and wastewater systems. They realize that an agreement needs to be reached but feel that this can be done with the incentive of an existing airport tenant, PATS Aircraft, utilizing 120,000 s.f. of the proposed industrial park and generating more jobs for Sussex County.

#### **Sussex County Airport**

- The Owner intends to abide by all FAA regulations.

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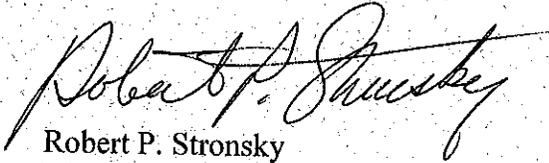
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- Please see our response under the Nuisance Waterfowl Section concerning our proposed stormwater management design.
- The Owner intends to work with the Sussex County Engineer regarding their lighting and tree height requirements.

Please contact me with any questions concerning this transmittal.

Sincerely yours,



Robert P. Stronsky  
Design Engineer

/iag

cc: Mr. Shane Abbott, Sussex County Planning & Zoning  
Mr. Robert Ruggio, Commonwealth Group  
Atty. Eugene Bayard, Wilson, Halbrook & Bayard

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