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W. Zachary Crouch, P.E.

February 5, 2007

State Planning Coordination
Haslet Armory
122 William Penn Street
Dover, DE 19901

Attn: Constance C. Holland, AICP

RE: PLUS Response
Watson Property
DBF#1452A002

Dear Ms. Holland:

This letter is in response to comments received from the Office of State Planning Coordination, dated October 19, 2006. We offer the following item-by-item response for your review.

Office of State Planning Coordination

The developer acknowledges the State's response regarding State Strategies and project location.

Division of Historic and Cultural Affairs (DHCA)

The developer acknowledges DHCA's concern regarding the adverse effects to the property and surrounding area.

The developer acknowledges the potential for delays if unmarked human remains are discovered at the project site.

The developer also acknowledges the request for DHCA to conduct an archaeological study before construction begins, as well as the request for sufficient landscaping to minimize visual and noise effects.

Department of Transportation

The developer acknowledges the Department's comments regarding refraining from participating in the costs of any road improvements needed for the project.



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The Department of Natural Resources and Environmental Control

Investment Level 4 Policy Statement

The developer acknowledges DNREC's comments regarding the location of the project and DNREC's perspective on open space.

The developer acknowledges DNREC's concerns regarding water quality and air quality.

The developer also acknowledges DNREC's comments on transfer development rights.

The developer acknowledges the DNREC's concerns regarding the impacts to two layers of green infrastructure, increase of impervious cover, loss of forest acreage, the projects location to an excellent recharge area, and the projects location near a State Resource Area/Cedar Creek Natural Area.

The developer also acknowledges that the Department will not provide financial, technical, nor other support regarding this project.

Soils

Thank you for the classification of the soils within the subdivision.

Wetlands

The developer acknowledges the presence of palustrine forested wetlands on site. The developer will work with the Army Corp of Engineers to verify the delineation of the wetlands.

The developer will follow any and all regulations and permitting as they apply to this matter.

Thank you for the suggestion to attend the Joint Permit Process Meeting.

The developer acknowledges the concern regarding the preservation of the riparian buffer. The developer will provide a 100' buffer from the stream. All lots and storm water ponds are located outside wetlands boundaries.

Impervious Cover

The developer acknowledges the recommendation to utilize BMP's to reduce runoff and thanks you for the information regarding methods to reduce impacts.

The developer also acknowledges that constructed surface imperviousness should be included in impervious calculations.

TMDL's

The developer acknowledges that a TMDL study for the area has not yet been done but will utilize best available technologies (BAT) and/or best management practices (BMP) in order to reduce the impacts that might be associated with this project. Thank for you the recommendations as to reduce excessive nutrient runoff.

The developer will attempt to contact the Department regarding nutrient budget protocol and its availability. If available, the developer will attempt to verify that the project is in compliance with the specified TMDL loading rates.

Water Resource Protection Area

The developer acknowledges that the project is partially located within an excellent recharge area. The developer also acknowledges the Department's concerns regarding the effects on the groundwater in the area.

The developer acknowledges the Department's request not to exceed 20% impervious cover for the portion located within the recharge area. The developer also acknowledges that a water balance calculation will be necessary to determine the quantity of clean water to be recharged via a recharge basin.

The developer acknowledges the recommendation to relocate open space to the area within the recharge area as well as implementing clean rooftop run-off systems in order to maintain the quality and quantity of water that will recharge the area.

Water Supply

The developer will follow all regulations and permit processes in obtaining any and all well permits during development as well as following the procedure in obtaining a Certificate of Public Convenience and Necessity.

Sediment and Erosion Control/Stormwater Management

The developer will provide the necessary sediment and stormwater plan as well as follow any and all regulations within the Sussex Conservation District.

The developer will provide the information requested on the Record Plan.

The developer acknowledges the recommendation to consider a conservation design and limit the amount of trees cleared.

The developer will provide the necessary 12-foot wide access to the proposed stormwater facility.

The developer acknowledges the recommendation to incorporate stormwater management areas into the landscape plan.

The developer acknowledges that a certified construction reviewer will be required.

The developer acknowledges that no more than 20 acres will be disturbed at on time. The project will be broken in two phases.

Floodplains

All lots proposed will be outside the 100 years floodplain.

Rare Species

The developer acknowledges the Department's concern regarding the potential for a federally threatened swamp pink plant and other rare species along the creek. The developer also acknowledges the request to place a 300-foot buffer along the creek into permanent conservation in order to prevent future clearing.

Forest Preservation

The developer acknowledges the request to eliminate certain lots in order to conserve existing forests. If the trees are cleared the developer will attempt not to clear from April 1st to July 31st in order to minimize impacts on wildlife.

Nuisance Waterfowl

The developer acknowledges the recommendation to provide tall grasses, wildflowers, shrubs, and trees around the stormwater management ponds to help minimize the attraction of waterfowl.

State Resources Areas/Natural Areas

The developer acknowledges the Office of Nature Preserves request to redesign the site in order to preserve the forested area on site.

Thank you for the information regarding State Resource Area Lands and Natural Areas.

.Solid Waste

The developer acknowledges the concern regarding construction waste and the State's limited landfill resources.

Air Quality

Thank you for the information regarding vehicle emissions, emissions from surrounding areas, and electrical power generation emissions for the proposed project.

The developer acknowledges the recommendation to build Energy Star qualified homes and thanks you for the information on Energy Star qualified homes.

The developer acknowledges the recommendation to offer geothermal and photo voltaic energy options. The developer also acknowledges the recommendation to provide tie-ins to local bike paths, links to mass transits and to offer a lawnmower exchange program.

State Fire Marshal

Thank you for the information on Fire Protection Water Requirements, Fire Protection Features, Accessibility, Gas Piping and System Information, and Required Notes. The developer will follow all fire regulations and will work with the Fire Marshal's office to obtain final approval.

Department of Agriculture

The developer acknowledges the Department's comments regarding State Strategies and project location as well as their comments regarding the potential impacts on the local industries.

The developer acknowledges that the project overlaps with the State's Green Infrastructure Strategy plan.

The developer acknowledges the concern regarding the loss of "excellent" and/or "good" recharge areas and will attempt to consider this concern during the design phase as well as during the construction phase.

The developer will continue to work with the Department in helping minimize impacts on the agricultural and forestry industries.

Public Service Commission

The developer will follow any and all guidelines as they pertain to Pipeline Safety.

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Delaware State Housing Authority

The developer acknowledges the Department's comments regarding the site location relevant to the State Strategies.

Department of Education

The developer will attempt to contact the Milford School District regarding the over-crowding issue. The developer will also attempt to contact the School District transportation department in regards to a bus shelter.

Sussex County

The stormwater management pond has been relocated to the interior of the development. The open space contiguous to lot 27 has been incorporated into the stormwater management area.

The above comments serve as an official response for Davis, Bowen & Friedel, Inc. On behalf of our client, we thank you for your review and comments on this project. If you should have any questions or concerns please contact me at 424-1441.

Sincerely,



Joseph M. Joachimowski, Jr.