



PENNONI ASSOCIATES INC.  
CONSULTING ENGINEERS

TASB 0601

January 18, 2007

**Ms. Constance C. Holland, AICP, Director  
State of Delaware – Executive Department  
Office of Management and Budget – State Planning Coordination  
122 William Penn Street – Suite 302  
Haslet Building – Third Floor  
Dover, Delaware 19901**

**RE: Holly Oak Estates Planned Unit Development  
Southeast Intersection of Central Church Road and Kenton Road  
Dover, Kent County, Delaware  
Preliminary Land Use Service (PLUS) Application 2006-10-08  
Response to PLUS Review Comments**

Dear Ms. Holland:

We appreciate the opportunity to meet with State agency planners on October 25, 2006 to discuss the development proposed as part of the Holly Oak Estates Planned Unit Development at the southeast intersection of Central Church Road and Kenton Road in Dover, Kent County, Delaware. We have received and reviewed your November 20, 2006 review letter and offer the following response to the comments made by the various review agencies:

**Executive Summary**

The following is our response to site specific highlights provided in the PLUS review letter. A formal response to the agency comments are provided in following sections.

**State Strategies/Project Location**

The developer appreciates the fact that State investments supports and has no objections to the proposed development.

**Street Design and Transportation**

Property dedication adjacent to Central Church Road and Kenton Road will be provided to the Delaware Department of Transportation (DelDOT) so that both collector roads may incorporate a forty-foot (40') right-of-way from roadway centerline. In addition, a fifteen-foot (15') wide permanent easement containing a ten-foot (10') wide shared use path will be provided along the full length of the subject property where abutting these roadways. The developer anticipates the fact that an agreement to improve sections of Central Church Road and Kenton Road may be required to meet Delaware standards for collector roads. In addition, the developer anticipates the fact that an agreement and the associated funding for the construction of a signalized intersection at Central Church Road and Kenton Road may be

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required if DelDOT determines that one is required. A meeting was conducted with DelDOT and Johnson, Mirmiran and Thompson (JMT) on January 08, 2007 to discuss this project. According to DelDOT and JMT, the horizontal curve radii for the proposed subdivision streets are acceptable. Specifically, the proposed configuration of E-Street, D-Street and K-Street are acceptable to DelDOT since they are not typical subdivision streets. In addition, the intersection of B-Street and L-Street is a ninety degree (90°) stop-condition intersection and will not require horizontal curvature. Furthermore, since it is an integral part of the subdivision, the north entrance proposed on Kenton Road may remain as long as the Kenton Road improvements (e.g., right-turn lane, left-turn lane, etc.) do not introduce safety hazards along the roadway corridor. However, DelDOT feels that the two (2) intersections proposed adjacent to Central Church Road are undesirably close to one another and that one (1) of the intersections shall be eliminated. Therefore, the western entrance (closest to the intersection with Kenton Road) will remain and the eastern entrance will be removed and replaced with a cul-de-sac. Roadway connections to the existing Woods of Carlisle Subdivision are not proposed; however, the alley in this area has been looped behind Lot #206, #207, #208, #209 and #210. To the maximum extent possible, individual driveways will be provided adjacent to an alley and not a subdivision street. The developer understands that DelDOT will not maintain the proposed alleys.

### **Natural and Cultural Resources**

In accordance with Kent County Code, there are no proposed lot lines within delineated wetland areas. This will minimize potential cumulative impacts that may result from unauthorized and/or illegal activities and disturbances that may be caused by individual homeowners. The proposed development only impacts approximately 0.13 acres of the total 14.85 acres (or 0.9%) of environmentally sensitive wetlands. This disturbance is solely due to the construction of B-Street so that the north side and south side of the site may be connected. In order to mitigate this disturbance, a 0.26 acre wetland mitigation area is proposed. Where possible, one hundred foot (100') riparian buffer areas are provided adjacent to the wetland areas.

Several of the lots (i.e., Lot #21, #64, #118, #119, #204, #80, #81, #82, #87, #88, #89, #90, #91, #148, #149, #150, #218 and #219) are proposed over existing man-made farm ditches and isolated pockets of wetlands. In order to alleviate drainage issues, these areas are to be properly filled and compacted. Detailed construction specifications related to development in these areas will be prepared on the Sediment and Stormwater Plans to be submitted to the Kent Conservation District. In addition, the developer is willing to include a statement on the deeds for these lots identifying the previous use of the property and warning of future potential drainage issues.

The developer is willing to consider allowing a program botanist and zoologist from the Delaware Department of Natural Resources and Environmental Control (DNREC) survey the existing forest and wetland areas on the subject site.

According to DNREC, *Ardea Herodias* (Great Blue Heron) and other colonial nesting species may exist within the project site along Fork Branch. The developer has hired a consultant to survey the Fork Branch for the existence of colonial nesting species. This consultant will also survey the forested areas for the possible existence of *Accipiter Cooperii* (Cooper's Hawk). According to the developer, this survey is scheduled for January 26, 2007 and a report is expected by January 31, 2007.

Of the existing 40.63 acres of forest on the subject site, only 16.13 acres (or 39.7%) will be disturbed. 24.50 acres of forest (60.3%) will remain on the 72.80 acre subject site following construction of the proposed improvements. In accordance with Kent County Code, a minimum of forty percent (40.0%) of the existing forest must be preserved for this development. Therefore, the development, as proposed, is designed in accordance with Kent County's Woodland Preservation Regulations. Where possible, stormwater management facilities and active recreation areas will be located outside the limits of existing forest. The

developer is willing to consider not implementing tree clearing between April 1<sup>st</sup> and August 30<sup>th</sup> in order to reduce impacts to birds and other wildlife species that utilize trees for breeding.

With the exception of the B-Street crossing, the large wetland area in the central portion of the site is to be undisturbed. Buffers on both the north and south side of this wetland area range from twenty-five feet (25') to one hundred and thirty feet (130'). The wetland area at the south side of the subject property that is associated with the floodplain of Fork Branch will not be disturbed. Buffers adjacent to these wetlands range from fifty feet (50') to one hundred and seventy feet (170'). It shall be noted that Kent County Code requires a minimum twenty-five foot (25') setback from wetland areas. Therefore, the plan as submitted is in accordance with the Kent County Code as it relates to wetland riparian buffer area requirements. In addition, where necessary, stormwater runoff will be directed away from these wetland areas and diverted into a stormwater quality control facility prior to discharge into these natural ecosystems.

**Office of State Planning Coordination (Contact: David Edgell 739-3090)**

The developer appreciates the fact that the Office of State Planning Coordination supports the proposed development. According to this agency, this project proposes an innovative subdivision design that utilizes the "new urbanist" style to integrate single-family, duplex and townhouse dwellings. New urbanist design strives to build more densely while protecting critical natural resources and integrating natural features within the overall site design. In addition, the Office of State Planning Coordination feels that the subdivision design incorporates meaningful open space throughout the housing areas while also attempting to preserve tracts of forests, wetlands and natural resources. This design incorporates many of the concepts the Office of State Planning Coordination promotes in the *Better Models for Development in Delaware* publication.

**Division of Historical and Cultural Affairs (Contact: Alice Guerrant 739-5685)**

The developer understands that the subject property contains an early 20<sup>th</sup> century historic agricultural complex in the southern corner of the subject property. In addition, the Central Church is located adjacent to the subject site. The developer also understands that there is a potential for the discovery of prehistoric archaeological sites during construction. The developer is willing to allow representatives from the Division of Historic and Cultural Affairs to examine the site for possible archaeological sites prior to site-disturbing activity, specifically the existing buildings prior to their demolition.

There are substantial buffers between the site and Central Church that will mitigate adverse visual effects. In order to mitigate noise from this residential development, prohibitions as stipulated in §161 ("Noise") of the Kent County Code will be enforced via community deed restrictions.

The wetland crossing proposed for construction of B-Street will require a permit from the U.S. Army Corps of Engineers. Therefore, coordination with the Division of Historical and Cultural Affairs will be required. Depending on the limit of U.S. Army Corp of Engineers jurisdiction, archaeological investigations may be required.

**Department of Transportation (Contact: Bill Brockenbrough 760-2109)**

The developer understands that DelDOT will not require a Traffic Impact Study as part of this development. Property dedication adjacent to Central Church Road and Kenton Road will be provided to the Delaware Department of Transportation (DelDOT) so that both collector roads may incorporate a forty-foot (40') right-of-way from roadway centerline. In addition, a fifteen-foot (15') wide permanent easement containing a ten-foot (10') wide shared use path will be provided along the full length of the subject property where abutting these roadways. The developer anticipates the fact that an agreement to improve

sections of Central Church Road and Kenton Road may be required to meet DelDOT standards for collector roads. In addition, the developer anticipates the fact that an agreement and the associated funding for the construction of a signalized intersection at Central Church Road and Kenton Road may be required if DelDOT determines that one is required. A meeting was conducted with DelDOT and Johnson, Mirmiran and Thompson (JMT) on January 08, 2007 to discuss this project. According to DelDOT and JMT, the horizontal curve radii for the proposed subdivision streets are acceptable. Specifically, the proposed configuration of E-Street, D-Street and K-Street are acceptable to DelDOT since they are not typical subdivision streets. In addition, the intersection of B-Street and L-Street is a ninety degree (90°) stop-condition intersection and will not require horizontal curvature. Furthermore, since it is an integral part of the subdivision, the north entrance proposed on Kenton Road may remain as long as the Kenton Road improvements (e.g., right-turn lane, left-turn lane, etc.) do not introduce safety hazards along the roadway corridor. However, DelDOT feels that the two (2) intersections proposed adjacent to Central Church Road are undesirably close to one another and that one (1) of the intersections shall be eliminated. Therefore, the western entrance (closest to the intersection with Kenton Road) will remain and the eastern entrance will be removed and replaced with a cul-de-sac. Roadway connections to the existing Woods of Carlisle Subdivision are not proposed; however, the alley in this area has been looped behind Lot #206, #207, #208, #209 and #210. To the maximum extent possible, individual driveways will be provided adjacent to an alley and not a subdivision street. The developer understands that DelDOT will not maintain the proposed alleys.

**The Department of Natural Resources and Environmental Control (Contact: Kevin Coyle 739-9071)**

**Green Infrastructure**

The developer understands that a portion of the subject site is situated within the Livable Delaware Green Infrastructure Area established under Governor Minner's Executive Order #61. In an effort to protect these sensitive resources, an appropriate site design is provided. Specific measures include the buffer areas between the proposed development and the environmentally sensitive wetlands and wildlife habitat, as well as the existing forests to be preserved on the site.

**Soils**

The following table summarizes the site soils within the limits of the proposed improvements:

Abbreviation	Soil Type	Limitations for Development
Fs	Fallsington Loam	Severe
Po	Pocomoke Loam	Severe
SaB	Sassafras Sandy Loam, 2-5% Slopes	Slight

There are no Elkton soils mapped on the subject property. Fallsington Loam and Pocomoke Loam are soils which are indicative of the existence of a high water table. In some cases, the water table may be as high as one foot (1') below the soil surface. A detailed soils investigation will be performed in order to properly design the stormwater management facilities. At that time, the elevation of the static and seasonal high water tables at various locations throughout the site may be determined. Development proposed within areas of high water table will typically be raised so that positive drainage is provided away from dwellings and in the direction of the proposed stormwater management facilities.



## Wetlands

The subject property consists of four (4) separate parcels of land: APN# ED-00-056.00-01-21.00 (Parcel #1), APN# ED-00-056.00-01-46.00 (Parcel #2), APN# ED-00-056.00-01-46.04 (Parcel #3) and APN# ED-00-056.00-01-46.02 (Parcel #4). Wetlands on Parcel #1 were field-delineated by Environmental Consulting Services, Inc. in October 2005. Wetlands on Parcel #2, #3 and #4 were field-delineated by Ten Bears Environmental, Inc. in November 2004. A formal Jurisdictional Determination to verify these delineations will be made by the U.S. Army Corps of Engineers.

In accordance with the Kent County Zoning Ordinance, there are no proposed lot lines within delineated wetland areas. This will minimize potential cumulative impacts that may result from unauthorized and/or illegal activities and disturbances that may be caused by individual homeowners. The proposed development only impacts approximately 0.13 acres of the total 14.85 acres (or 0.9%) of environmentally sensitive wetlands. This disturbance is solely due to the construction of B-Street so that the north side and south side of the site may be connected. In order to mitigate this disturbance, a 0.26 acre wetland mitigation area is proposed. Where possible, one hundred foot (100') riparian buffer areas are provided adjacent to the wetland areas.

It is our contention that the small wetland area at the north side of site and stretching from Lot #21 to Lot #64 across A-Street, the small wetland area at the southwest portion of the site and in the vicinity of Lot #118, Lot #119 and the proposed stormwater management facility, as well as the small wetland area at the southeast portion of the site adjacent to Lot #204 and within the proposed park area between J-Street and G-Street are man-made non-jurisdictional farm ditches and may be filled as long as the proper permits are procured with the U.S. Army Corps of Engineers. Similarly, it is our contention that the small isolated wetland pocket at the end of F-Street and in the vicinity of Lot #'s 80-82 and Lot #'s 87-91, as well as the small isolated wetland pocket along G-Street and in the vicinity of Lot #'s 148-150, Lot #218 and Lot #219 are non-jurisdictional wetlands and may be filled as long as the proper permits are procured with the U.S. Army Corps of Engineers. The developer understands that the U.S. Army Corps of Engineers will make the final determination of jurisdictional versus non-jurisdictional wetlands. A consultant for the developer has already initiated the Jurisdictional Determination Process with the U.S. Army Corp of Engineers.

Individual Section 404 Permits as stipulated by the Clean Water Act will be required from the U.S. Army Corp of Engineers. These permits in addition to certain Nationwide Permits from the U.S. Army Corp of Engineers also require 401 Water Quality Certification from the Delaware Department of Natural Resources and Environmental Control's Wetland and Subaqueous Land Section and Coastal Zone Federal Consistency Certification from the Delaware Department of Natural Resources and Environmental Control's Division of Soil and Water Conservation – Delaware Coastal Programs Section. The developer will be contacting the Delaware Department of Natural Resources and Environmental Control in order to schedule a Joint Permit Process Meeting with applicable federal and state resource agencies in order to discuss these issues.

## Impervious Cover

Following construction of the proposed improvements, it is estimated that the 72.8± acre site will be approximately 31.1% impervious. These calculations include building rooftop areas, sidewalks and roads. Imperviousness has been reduced to the greatest degree practical for environmental protection purposes. The developer is also willing to consider the use of pervious paving materials in lieu of asphalt or concrete in conjunction with additional native tree and shrub plantings as Best Management Practices (BMPs) to reduce surface imperviousness. In order to offset the increase in runoff rates and pollutant loading in runoff, two (2) stormwater management wet ponds and one (1) underground stormwater facility are proposed. These facilities will detain stormwater runoff so that the post-development discharge rate is equal to or less than pre-development discharge rates. In addition, the stormwater facilities will provide extended detention of the

“first-flush” rainfall event in an effort to allow unwanted pollutants to settle and prevent discharge into the adjacent ecosystem.

### **TMDLs**

As mentioned above, two (2) stormwater management wet ponds and one (1) underground stormwater facility are proposed as part of the development. These facilities are proposed as “methodological mitigative strategies” in order to reduce degradative impacts associated with development.

### **TMDL Compliance Through the Pollution Control Strategy (PCS)**

The developer is willing to contact DNREC in order to discuss the assessment tool developed to evaluate how the proposed development may reduce nutrients to acceptable Total Maximum Daily Load levels.

### **Water Supply**

Water supply to the proposed development will be provided by Tidewater Utilities. This project is located within the public water service area granted to Tidewater Utilities under Certificate of Public Convenience and Necessity PSC-1190. If necessary, a dewatering well construction permit will be obtained from the Water Supply Section.

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

A detailed Sediment and Stormwater Application will be submitted to the Kent Conservation District (KCD) upon Preliminary Plan approval by the Kent County Regional Planning Commission. This package will contain the results of a soils investigation performed to support the proper design of the stormwater management facilities proposed as part of the project. The amount of tree removal required for construction of the proposed stormwater management wet ponds will be minimized and a twelve-foot (12') wide maintenance easement will be provided for each facility. The stormwater management wet ponds will be incorporated into the overall landscape design so that water quality is enhanced and the facility may provide an attractive amenity to the community.

A Pre-Application Meeting was conducted with KCD on January 03, 2007. The purpose of this meeting was to discuss any known stormwater conveyance hindrances within the Fork Branch watercourse and to discuss specifics regarding the development potential of the subject property. KCD is not aware of any downstream conditions which may cause poor stormwater conveyance within the Fork Branch watercourse. KCD recommended that the Fork Branch watercourse adjacent to and downstream from the subject site be investigated for potential blockages such as beaver dams, construction debris or undersized storm sewers. The developer has agreed to investigate the Fork Branch watercourse for possible hindrances.

### **Drainage**

Several of the lots (i.e., Lot #21, #64, #118, #119, #204, #80, #81, #82, #87, #88, #89, #90, #91, #148, #149, #150, #218 and #219) are proposed over existing man-made farm ditches and isolated pockets of wetlands. In order to alleviate drainage issues, these areas are to be properly filled and compacted. Detailed construction specifications related to development in these areas will be prepared on the Sediment and Stormwater Plans to be submitted to the Kent Conservation District. In addition, the developer is willing to include a statement on the deeds for these lots identifying the previous use of the property and warning of future potential drainage issues.

Stormwater quantity and quality management will be provided through the installation of two (2) stormwater wet ponds and one (1) underground detention facility. These facilities will be designed so that post-development discharge rates for the two (2)- and ten (10)-year recurrence storm event are less than or equal to that of pre-development conditions. The site will also be designed so that upstream drainage patterns are maintained. In addition, the developer has agreed to evaluate the Fork Branch watercourse for function and blockages prior to construction.

Stormwater runoff will be conveyed to the proposed stormwater management facilities through the installation of an enclosed storm sewer system within public street right-of-way. To the maximum extent possible, individual lots will be graded in a way to provide positive sheet flow away from adjacent properties and in the direction of this system. Where this cannot be practically achieved, lawn inlets in lots or drainage inlets in alleys will be proposed. The routing of major stormwater pipes through yards will be avoided to the maximum extent possible. Drainage inlets placed in rear yards will be clear of obstructions and accessible for maintenance. These inlets will be clear of decks, sheds, fences, kennels and other accessory structures placed within ten feet (10') of the inlets. Where possible, ten-foot (10') wide drainage easements will be provided. Deed restrictions along with drainage easements recorded on deeds will ensure adequate future maintenance access.

If possible, a fifteen-foot (15') wide side yard setback will be provided for lots containing a drainage easement on the side lot line. This setback will allow space for equipment to enter the drainage easement and maneuver free of obstructions if the drainage conveyance system requires periodic maintenance or future reconstruction.

In addition to the stormwater management facilities, the existing riparian buffer areas and wetlands will aid in the reduction of nutrients, sediment and other pollutants entering Fork Branch.

### **Site Visit Request**

The developer is willing to consider allowing a program botanist and zoologist from DNREC survey the existing forest and wetland areas on the subject site.

### **Rare Species**

According to DNREC, *Ardea Herodias* (Great Blue Heron) and other colonial nesting species may exist within the project site along Fork Branch. The developer will be hiring a consultant to survey the Fork Branch for the existence of colonial nesting species. This consultant will also survey the forested areas for the possible existence of *Accipiter Cooperii* (Cooper's Hawk). According to the developer, this survey is scheduled for January 26, 2007 and a report is expected by January 31, 2007.

### **Forest Preservation**

Of the existing 40.63 acres of forest on the subject site, only 16.13 acres (or 39.7%) will be disturbed. 24.50 acres of forest (60.3%) will remain on the 72.80 acre subject site following construction of the proposed improvements. In accordance with Kent County Code, a minimum of forty percent (40.0%) of the existing forest must be preserved for this development. Therefore, the development, as proposed, is designed in accordance with Kent County's Woodland Preservation Regulations. Where possible, stormwater management facilities and active recreation areas will be located outside the limits of existing forest. The developer is willing to consider not implementing tree clearing between April 1<sup>st</sup> and August 30<sup>th</sup> in order to reduce impacts to birds and other wildlife species that utilize trees for breeding.



## Wetland Buffers

The subject property consists of 14.85 acres of forested wetlands, floodplain-associated wetlands, man-made farm ditches and isolated wetland pockets. It is our contention that the small wetland area at the north side of site and stretching from Lot #21 to Lot #64 across A-Street, the small wetland area at the southwest portion of the site and in the vicinity of Lot #118, Lot #119 and the proposed stormwater management facility, as well as the small wetland area at the southeast portion of the site adjacent to Lot #204 and within the proposed park area between J-Street and G-Street are man-made non-jurisdictional farm ditches and may be filled as long as the proper permits are procured. Similarly, it is our contention that the small isolated wetland pocket at the end of F-Street and in the vicinity of Lot #'s 80-82 and Lot #'s 87-91, as well as the small isolated wetland pocket along G-Street and in the vicinity of Lot #'s 148-150, Lot #218 and Lot #219 are non-jurisdictional wetlands and may be filled as long as the proper permits are procured. A consultant for the developer will initiate the Jurisdictional Determination Process with the U.S. Army Corp of Engineers.

With the exception of the B-Street crossing, the large wetland area in the central portion of the site is to be undisturbed. Buffers on both the north and south side of this wetland area range from twenty-five feet (25') to one hundred and thirty feet (130'). The wetland area at the south side of the subject property that is associated with the floodplain of Fork Branch will not be disturbed. Buffers adjacent to these wetlands range from fifty feet (50') to one hundred and seventy feet (170'). It shall be noted that Kent County Code requires a minimum twenty-five foot (25') setback from wetland areas. Therefore, the plan as submitted is in accordance with Kent County Code as it relates to wetland riparian buffer area requirements. In addition, where necessary, stormwater runoff will be directed away from these wetland areas and diverted into a stormwater quality control facility prior to discharge into these natural ecosystems.

### Plant Rescue

The developer is willing to consider initiating a plant rescue when the small area of forested wetlands is disturbed. Through this initiative spearheaded by the Delaware Native Plant Society, selected plants from the area of disturbance are collected and transplanted to a nursery. These plants may then be used in restoration projects and/or sold at the Delaware Native Plant Society's annual native plant sale.

### Nuisance Geese

Two (2) stormwater management wet ponds are currently proposed for this development. In order to deter the congregation of waterfowl such as resident Canada geese and mute swans, the developer is willing to consider native plantings of tall grasses, wildflowers and trees at the edge and within the peripheral strip of these stormwater management facilities.

### Solid Waste

The developer will dispose of construction waste in an environmentally appropriate manner.

### Air Quality

The developer understands that the proposed development will increase concentrations of volatile organic compounds, nitrogen oxides, sulfur dioxides, and carbon dioxide through mobile, residential, and electrical power emissions. The developer is willing to consider more energy efficient homes which may lessen air quality impacts. The developer is also willing to evaluate the potential to construct Energy Star qualified homes. Every percentage of increased energy efficiency translates into a percent reduction in pollution. These savings are based on heating, cooling, and hot water energy use and are typically achieved through a combination of building envelope upgrades, high performance windows, controlled air infiltration, upgraded

heating and air conditioning systems, tight duct systems, and upgraded water-heating equipment. The developer is also willing to consider funding a lawnmower exchange program for new residents.

**State Fire Marshal's Office (Contact: John Rossiter 739-4394)**

An Application for Fire Protection Plan Review will be submitted to the Office of State Fire Marshal following Preliminary Plan approval by the Kent County Regional Planning Commission and a Pre-Application Meeting with a Fire Protection Specialist. A proposed street configuration, water main and fire hydrant layout designed in accordance with the *Delaware State Fire Prevention Regulations* will be provided on the project subdivision plans. In addition, all necessary or required notes and details will be provided on the project subdivision plans. The developer fully intends on constructing the proposed improvements in conformance with the *Delaware State Fire Prevention Regulations* as they relate to fire protection water requirements, fire protection features, accessibility, gas piping, and system information.

**Department of Agriculture (Contact: Scott Blaier 698-4500)**

The developer appreciates the fact that the Department of Agriculture fully supports this development.

The current landscape design consists of new street trees spaced at forty foot (40') intervals along both sides of the proposed subdivision streets. Tree species that are native to the local area will be specified. Shortly after installation, most of the subdivision streets will be sufficiently shaded, thus reducing the amount of reflected heat generated and/or absorbed by the impervious area. The amount of street trees proposed far exceeds the required plantings as stipulated per Kent County Code. Since there are more trees proposed than what is required, mitigation of the existing forest areas to be removed will be provided. The forests to remain will maintain the existing wildlife habitat corridor which will improve both air and water quality.

**Public Service Commission (Contact: Andrea Maucher 739-4247)**

Any expansion of natural gas or installation of a closed propane system will be designed and constructed in accordance with the Pipeline Safety Guidelines.

**Delaware State Housing Authority (Contact: Karen Horton 739-4263)**

The developer appreciates the fact that the Delaware State Housing Authority fully supports this development. The Delaware State Housing Authority encourages this development since residents will have close proximity to services, markets and employment opportunities. In addition, this development targets a full range of incomes including first-time homebuyers.

**Department of Education (Contact: John Marinucci 739-4658)**

According to the Department of Education, this project will generate an additional one hundred and ten (110) elementary and secondary school students. September 30, 2005 Department of Education enrollment records indicate that the Capital School District's elementary and secondary schools are at or beyond one hundred percent (100%) of current capacity. The developer is willing to contact the Capital School District in order to discuss the issue of school-overcrowding. The current plans illustrate two (2) proposed bus/transit stop areas: one (1) adjacent to Central Church Road and one (1) adjacent to Kenton Road. However, the developer is willing to coordinate with the Capital School District Transportation Department in order to establish the most prudent locations of bus/transit stop areas.

**Pennoni**

In summary, the developer appreciates the fact that the Office of State Planning Coordination supports the proposed development. According to this agency, this project proposes an innovative subdivision design that utilizes the "new urbanist" style to integrate single-family, duplex and townhouse dwellings. New urbanist design strives to build more densely while protecting critical natural resources and integrating natural features within the overall site design. In addition, the Office of State Planning Coordination feels that the subdivision design incorporates meaningful open space throughout the housing areas while also attempting to preserve tracts of forests, wetlands and natural resources. This design incorporates many of the concepts the Office of State Planning Coordination promotes in the *Better Models for Development in Delaware* publication.

Nonetheless, the developer stands willing, ready, and able to work cooperatively with all local, state, and federal agencies having jurisdiction over the project to insure that the proposed development is designed and constructed in as environmentally sound and sensitive a manner as possible.

We trust that the responses set forth above adequately address all of the PLUS comments. As the proposed development proceeds forward through the design and approval process, we will continue to give full attention to all comments and concerns from the various PLUS agencies. If you should have any questions or concerns, or require any additional information, please do not hesitate to contact me at the above address.

Respectfully submitted,

**PENNONI ASSOCIATES, INC.**



Douglas D. Barry, P.E., Project Manager

cc: Holly Oaks Development Company  
Lambertson, LLC  
Torti Gallas and Partners  
Prickett, Jones & Elliott  
Kent County Department of Planning Services