

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



June 29, 2007

Constance C. Holland, AICP
Director
Office of State Planning Coordination
122 William Penn Street, Suite 302
Dover, DE 19901

Re: Response Letter
PLUS 2006-11-10
Meyer Property

Dear Ms. Holland,

On behalf of our client Mr. Marc Ramos of Thorndyk Creek Holdings LLC and developer for the proposed subdivision of the Meyer Property (henceforth to be called The Villages at Thorndyk Creek), we hereby submit this response letter in regards to the PLUS review comments.

Our responses to the PLUS comments are as follows:

State Strategies/Project Location

- The originally submitted PLUS plan for Thorndyk Creek was designed under the standards of Kent County's TDR ordinance and consisted of 493 lots. To date the subdivision plan has been submitted to Kent County as a conditional use Planned Unit Development (PUD) featuring the same mix of unit types as the original TDR plan but with 497 lots. Additionally, the subdivision as submitted is now proposed to be an entirely age-restricted active adult community.

Street Design and Transportation

- The proposed PUD subdivision plan allows sufficient land for both 30 foot and 40 foot wide right-of-ways as measured from the centerline of all existing public roadways along the perimeter of the parcel.
- The required 15 foot wide multi-modal easement with 10 foot wide shared use path has been added to the plan.
- A traffic impact study (TIS) for this project was submitted to DelDOT for final review on June 20, 2007. A preliminary TIS was approved on March 23, 2007.

- The centerline radius of Briarbush Road is proposed to be 660 feet, an increase over the existing centerline radius of approximately 220 feet. Additionally, efforts to coordinate this adjustment to the geometry of Briarbush Road with the designers/developers of the adjacent Invitational Fields subdivision have been made.
- The developer is aware of the potential requirements to improve the existing public roads along the frontages of the proposed subdivision.

Natural and Cultural Resources

- A field run wetland delineation was completed by James C. McCulley IV, Environmental Consultants Inc. in April 2006. The results of which are shown on the subdivision plan.
- Streets and lots will not impact the delineated wetland areas. Additionally impacts to forested areas will be minimized where possible; this includes selective clearing of trees on proposed lots.
- The subdivision plan provides a 25 foot wetlands buffer and a 100 foot blue-line stream buffer as required by the Kent County Code.
- During the engineering phase of this subdivision project, precautions will be taken so any modifications made to Millchop Lane will not impede the conveyance of storm water nor create any problems due to the release of any on-site storm water.
- As a modification to the original PLUS plan, the new subdivision plan, as submitted to Kent County, eliminates the community center adjacent to the existing forested area and replaces it with undeveloped open space.
- Tree clearing within the existing forested riparian buffer will take place only where absolutely necessary. Efforts to further minimize this impact will be taken in subsequent design phases of the project.
- Please see previous response comment regarding the southwesterly storm water management pond.
- The stub road connection to an adjacent parcel is a requirement per §187-58 H(3) of the Kent County Code and also per Section 3.5.7 “Interconnectivity” of the DelDOT Standards and Regulations for Subdivision Streets. With that being said, the location of any required stub road will be kept outside of any existing forested areas. Additionally the ‘circular trail’ as been eliminated from this portion of the plan.
- Regarding the timing of any necessary tree clearing, the comment is noted.

Office of State Planning Coordination

- The applicant/developer appreciates the suggestion to integrate a “big house” type residential unit into the overall subdivision layout. However, at this time our client has decided to submit this subdivision to Kent County as a conditional use PUD consisting of a mix of age-restricted single-family, duplex and townhouse units.

Division of Historical and Cultural Affairs

- The applicant is aware of Delaware’s Unmarked Human Remains Act of 1987.

Department of Transportation

- Please see the previous Street Design and Transportation responses for the majority of comments given under this section.
- The “seven small street loops serving single-family lots”, called center island courts, are essentially elongated standard DelDOT cul-du-sacs. After consulting with Mr. Brad Herb, the internal geometry of the center island courts were designed to accommodate a WB-40 truck turning radius.

The Department of Natural Resources

- Soils – All efforts will be made to avoid placing development on areas of hydric soils.
- Wetlands – a field run wetland delineation was completed by James C. McCulley IV, Environmental Consultants Inc. in April 2006. The results of which are shown on the subdivision plan. Additionally, streets and lots are not proposed to cross any wetlands or their associated 25 foot wide buffer areas.
- Water Bodies – Per the Kent County Code, a 100 foot blue-line stream buffer has been delineated on the plan. Additionally all lot and right of way lines are proposed to be outside of this buffer
- Impervious – The 16.5% impervious figure given was the result of a drafting mistake. The percent imperviousness for this project will be in accordance with Kent County land development and zoning standards.
- TMDLs – All TMDL reduction practices are noted. This project will also follow the standards for storm water management best management practices (BMP) as directed by the Kent Conservation District (KCD) and the State of Delaware.
- WRPA – The southeast portion of the proposed subdivision that overlays the excellent recharge areas are slated for mainly single family lots, which when analyzed for imperviousness, typically fall under the 20% impervious recommendation that is given.

Furthermore, the percent imperviousness for this project will be in accordance with Kent County land development and zoning standards.

- **Water Supply** – The developer will work with Artesian Water Company to ensure that all required permits for any necessary dewatering practices are obtained from the appropriate agencies.
- **Sediment and Erosion Control/Stormwater Management** – The required SEC plans, applications and fees will be submitted to Kent Conservation District during the final engineering phase of the design process. Additionally all notes required by KCD will be added to the plan and comments regarding design, layout and methodology of storm water management facilities will be considered during the final engineering phase.

Drainage

- **Water Supply** – It is noted that up-stream and down-stream studies may become necessary during the final engineering and/or construction phase of this project for the existing drainage conveyance that runs parallel to Millchop Lane.
- Many times it becomes necessary to remove some trees from low lying areas since, on the preponderance of subdivision projects; these are the most advantageous areas to locate storm water management facilities. Efforts will be made to keep tree clearing to a minimum.
- Storm water will most likely be conveyed to the storm water management areas via a network of drainage inlets and pipes and/or bio swales.
- Efforts to minimize the need for rear yard swales and rear yard inlets will be made through the strategic grading of the land. However, where it becomes necessary to place rear yard inlets several standards have been agreed upon with Kent County Planning Services.
 - 1) Longitudinal gradients for swales shall be a minimum of 1% where possible.
 - 2) At sump locations at the rear yards of groups of lots, no more than 12 lots can utilize the same inlet.
 - 3) Fences that are placed by the future landowner on the lots must have a minimum 4” gap on the underside of the fence to allow for the free passage of runoff.
 - 4) Decks, sheds or other structures may not be placed within the side or rear building setback for lots. This is typically where most drainage conveyance systems are located.
- All drainage conveyance systems and structures will include a 10-foot easement on both sides for access and maintenance purposes. These easements will be included on all record-plat and deed documents for the lots that are affected.

Open Space

- Passive open space has been designated along the bulk of the existing woodland edge.
- The required 25 foot wetland and 100 foot blue-line stream buffers for the most part coincide with existing wooded areas. Additionally all efforts will be made to limit forest clearing for storm water management practices. As a minimum forest clearing will follow the standards of the Kent County Code.
- Please see the previous response in regards to eliminating the stub road connection.

Nuisance Geese

- The applicant is aware of potential nuisance geese problems associated with storm water management ponds.

Solid Waste

- The applicant is aware of the States' limited landfill resources and will endeavor to reduce waste produced by construction activities.

Air Quality

- The applicant is aware of the need to reduce emissions from electric power generation through the reduction of electric usage by the consumer.

State Fire Marshall

- During the final plan review stage for 'letters of no objection' from the Office of the State Fire Marshall, the applicant will endeavor to submit plans that are in compliance with all applicable State fire protection requirements.

Agriculture

- Please see the previous response in regards to water resource protection areas.
- As part of the final landscape design, the proper tree species will be selected that fit the spatial and environmental parameters of their chosen locations.
- Plants and trees deemed invasive by the Kent County Code, Kent Conservation District or other jurisdictional agency, will not be used.

- A comprehensive landscape plan in accordance with the Kent County Code will be completed as part of this subdivision project.

Public Service Commission

- The comment regarding natural and propane gas pipeline systems is noted. The applicant will endeavor to comply with all safety guidelines and permit requirements.

Delaware State Housing Authority

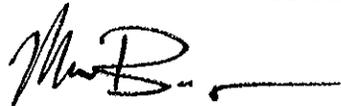
- As an age-restricted PUD subdivision for homebuyers 55 years old and older, a mix of unit types that hit a range of housing price points will be offered by this project.

Department of Education

- The applicant is aware of the school capacity issues being faced by the Caesar Rodney School District. As an entirely age-restricted PUD subdivision, this project will not generate any students for the School District. It will however, become a source of tax revenue for the School District and furthermore, due to the mix of unit types, potentially provide an affordable place to live for school district employees over the age of 55 of a wider income range than a standard single family subdivision.

Should you have any questions or comments regarding these responses to the PLUS review comments for the Villages at Thorndyk Creek, please feel free to contact me. We look forward to working with your office and the other review agencies on this project.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.



Marco K. Boyce, RLA, ASLA
Landscape Architect

Cc: Mr. Marc Ramos – Thorndyk Creek Holdings, LLC
Mr. Merritt Savage – Kent County
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