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June 12, 2007

Office of State Planning
Haslet Armory
122 William Penn St.
Dover, DE. 19901

Attn: Mrs. Constance C. Holland, AICP
Director

RE: PLUS Response Letter
Evans Property (PLUS 2007-04-02)
DBF# 670A079A

Dear Mrs. Holland:

Thank you for the response letter dated May 15, 2007, in regards to the proposed plan for the Evans Property for 148 residential units on 74.93 acres.

The developer has the following responses:

Office of State Planning Coordination

The developer acknowledges the State's concerns for the development being located in Level 4. The development does contain a small portion of areas within Levels 2 and 3, and is within Ellendale's growth area.

Division of Historic and Cultural Affairs (DHCA)

The developer acknowledges the potential existence for prehistoric archaeological sites in the area and will attempt to work with DHCA to minimize the disturbance of such sites.

The developer is aware of the possibility of unmarked human remains and will comply with Delaware Unmarked Remains Act of 1987.

Department of Transportation

The developer understands DelDOT refrains from participating in the cost of any road improvements

Mrs. Constance C. Holland

June 12, 2007

Page 2

The Department of Natural Resources and Environmental Control

Green Infrastructure

Thank you for the explanation of Green Infrastructure.

Soils

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

Wetlands

Wetlands evaluation has been performed and found the only wetlands on-site is the area immediately surrounding the tax ditch. A buffer has been provided from the tax ditch

The developer does not anticipate any direct impacts on the wetlands from construction activity. However, if impacts occur the developer will follow any and all regulations and permitting as they apply to this matter.

Impervious Cover

The developer will attempt to use Best Management Practice to reduce runoff and decrease the amount of impervious cover.

In calculating the impervious area we used the following figures:

A typical house (50'x50')-2,500 Sq Ft.; Driveway (16'wide by 30' long)-480 Sq Ft.; Additional 1000 Sq Ft./lot for Sheds, etc x 148 lots = 13.5 Acres. Paving the entire ROW is 11.87 Acres. For the development is approx. 25.5 acres impervious.

Taking the Total Area (74.93 Acres) and subtracting out 6.39 Acres of Stormwater and 0.49 acres of wetlands leave us with 68.05 Acres.

Giving the total development just under 40 percent total impervious area.

TMDL's

The developer 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.

Water Supply

Tidewater will be responsible for applying and obtaining the CPCN from the Public Service Commission. The developer will follow all regulations and permit processes in obtaining any and all well permits during development.

Sediment and Erosion Control/Stormwater Management

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

Mrs. Constance C. Holland

June 12, 2007

Page 3

Drainage

The developer has contacted the Drainage Program and has provided all the required buffers associated with the School House Tax Ditch. The developer will consider using native trees, grasses, forbs and sedges within these buffers.

Open Space

The developer will consider the recommendation to relocate the passive open space in order to minimize forest removal and place open space along the forested areas.

The developer acknowledges the recommendation to establish additional forest areas and/or meadow areas.

The developer acknowledges the recommendation to place remaining forest and/or wetlands into a protection zone as well as indicate areas to prevent infringement by homeowners.

Rare Species/Site Visit Request

The developer acknowledges DNREC's concern regarding the potential for a federally threatened swamp pink plant, Red-headed Woodpecker, and ground skink; and will attempt to work with DNREC to have the site surveyed and studied to help avoid any impacts.

Forest Preservation

The developer will use selective clearing on lots within wooded areas, the 17.88 acres is likely an overestimate as it account for the entire lot and ROW area. Over 20 acres of open space is located adjacent to Redden Forest and will remain undisturbed open space.

Plant Rescue

Wetlands areas will not be impacted. The developer will work with the Delaware Native Plant Society to allow "plant rescue" at no expense to the developer/landowner.

Potential Hunting Issue

The developer acknowledges the recommendation to contact adjacent homeowners in regards to hunting on the adjacent properties.

State Resource Areas/Natural Areas

The developer acknowledges the Office of Nature Preserves request to remove lots 31-79, 98-110 and 142.

Solid Waste

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

Mrs. Constance C. Holland

June 12, 2007

Page 4

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 will follow all Sussex County Code requirements relating to Agriculture. The developer will work with the Department regarding the possibility of transferring the open space to the State Forest.

Public Service Commission

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

Delaware State Housing Authority

Thank you for acknowledging the development is within Levels 2, 3, and 4. The developments close proximity to level 1, 2 and 3 areas, and Route 113, will allow for convent access to infrastructure, services, and employment.

Department of Education

The developer will work with the Milford School District in regards to transportation and any issues the District may have.

Sussex County

The GR zoning line has been put on the plan and that area will be deleted from the AR-1 Cluster subdivision calculations. The developer has made contact with the Town of Ellendale in regards to being in their Short-Term Annexation Area. Thank you for pointing out the sites close proximity to the Ellendale Sewer District and that sewer capacity is available. Should the developer attempt to come into the Sewer District, he will follow all applications and guidelines of the Sussex County Engineer.

Mrs. Constance C. Holland

June 12, 2007

Page 5

Should you have any questions or need any additional information, please call (302) 424-1441.

Sincerely,

A handwritten signature in black ink that reads "Joseph M. Joachimowski Jr." with a stylized flourish at the end.

Joseph M. Joachimowski Jr.
GIS Specialist

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Enc.