

May 1, 2008

2008 MAY 2 PM 10 11  
RECEIVED  
S. C. MARTLAND BUDGET

**VIA FEDERAL EXPRESS**

Constance C. Holland, AICP  
Director  
Delaware State Planning Coordination  
122 William Penn Street, Third Floor  
Dover, DE 19901

Re: PLUS 2007-10-07; Bayberry Town Center

Dear Ms. Holland:

This letter is in response to your letter of December 21, 2007 regarding the above-referenced Application. In terms of the comments received from your Office and other State agencies, we offer the following:

1. Division of Historical and Cultural Affairs: We appreciate the Division's comments relative to the potential for archaeological resources on the site. To the extent that we encounter same we will consult with the Division and follow the appropriate procedures.
2. Department of Transportation: As we acknowledged during our presentation, the number and location of proposed access points and the right of way required by DelDOT along Rt. 896 shall be further reviewed by DelDOT as part of the plan approval process. We have submitted to DelDOT an operational analysis which supports the proposed access scenario. As for the proposed realignment of Jamison Corner Road, we have modified the reverse curves. We have included additional traffic calming measures and on street parking in the vicinity of the proposed athletic fields.
3. Department of Natural Resources and Environmental Control: We have reviewed the post construction impervious surface ratio and determined it to be 68.7%. This plan does implement best management practices to reduce or mitigate the amount of impervious cover. Concerning TMDLs, we will achieve a post-development TMDL reduction level of 60% for both nitrogen and phosphorus and an 8% reduction in bacteria. We will work with Artesian Water Company to ensure that they obtain the necessary CPCN to provide water to our project. As part

of the Preliminary Plan submittal to New Castle County, detailed sediment and stormwater plans will be prepared and submitted for review and approval.

4. State Fire Marshal's Office: We will comply with the comments of the Fire Marshal's Office and incorporate the required notes on the Preliminary Plan for the project.

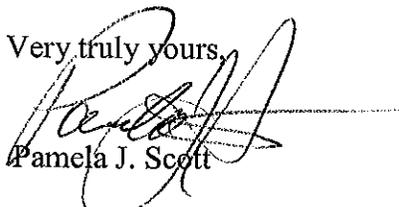
5. Department of Agriculture: In working with the Landscape Architect for the project, we will incorporate the "Right Tree for the Right Place" concept in the design, and use native trees and shrubs to the extent practicable.

6. Public Service Commission: Comments duly noted.

7. Department of Education. As the project is commercial and has no residential component, there is no impact upon the Appoquinimink School District.

Should you have any questions or require any further information, please do not hesitate to contact me.

Very truly yours,



Pamela J. Scott

cc: Mr. Jay N. Sonecha  
Ms. Robyn Thompson  
Mr. Dev Sitaram