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9 July 2008

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

**SUBJECT: PLUS Review – 2008-04-01
Pawnee Village Rezoning**

Dear Ms. Holland:

We have prepared the following responses based on the comments from your PLUS review letter dated May 23, 2008:

Office of State Planning Coordination

Ok.

State Historic Preservation Office (SHPO)

- We are aware the proposed project site is in a Level 3 Investment Area.
- Noted.
- Noted.
- Noted.
- The Department of Transportation has already evaluated the site for historic and cultural resources when they began their design of the Thompsonville Road Interchange Service Road.
- Noted.

Department of Transportation

- 1) We would have to defer this question to Kent County Planning. We believe it is a designation for more than one zoning district on a parcel.
- 2) The total area of rezoning is 15.55 acres. The area listed on the PLUS application mistaken did not include the 2.20 acre smaller parcel.
- 3) Noted.
- 4) We will comply with DelDOT and Kent County requirements and provide a TIS for the proposed development. However, a conceptual development plan has not been developed for this project. At this time, we have only laid out the service road alignment for our rezoning request. We would ask that we be permitted to provide the TIS after rezoning approval.
- 5) It is not our intention to connect the service road to Keller Avenue as part of our project. The connection was only shown on the plan to show what DelDOT was planning. It is our intention to construct the extension road toward Keller

- 6) Avenue only as far as we need to obtain access to the proposed businesses along the service road.
- 7) We will contact Brad Herb regarding the specific requirements for the site plans.

Department of Natural Resources and Environmental Control

Water Supply

Artesian Water Company has contacted the owner regarding possibly purchasing a portion of the AR zoned property for a public well. We do not know the present status of this, but will make sure the proper agencies are notified. We will make sure the required separation distances for water, outermost boundaries and septic areas are maintained.

We will contact the Water Supply Section if dewatering is needed.

Drainage

We will take the recommended precautions and work with the Drainage Program when designing grading and drainage for the site.

Forest Preservation

We believe the aerial photograph (which we have not seen) with the application does not reflect the current site conditions. The owner received written permission from the Department of Agriculture that they may harvest and remove trees from this parcel. A full boundary, existing features (including trees and treeline) and topo will be performed prior to design of this site. We will work to protect as much forested area as possible during the design of the development.

Underground Storage Tanks

Noted.

State Fire Marshal's Office

a. Fire Protection Water Requirements

The fire protection water requirements will be met.

b. Fire Protection Features

The required fire protection features will be met.

c. Accessibility

The accessibility requirements will be met.

d. Required Notes

The required note will be listed on the plans.

Department of Agriculture

Noted.

Public Service Commission

Noted.

Delaware State Housing Authority

Noted.

Department of Education

Noted.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J.C. Williams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jeffrey C. Williams, P.E.

cc: Fred Voshell – Pawnee Village, Ltd. (owner)