



Karins and Associates

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O.P.C. PLANNING AND BUDGET

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2008 DEC 22 PM 12:37

December 18, 2008

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

RE: **SHOPPES OF TOWNSEND
PLUS COMMENTS RESPONSE
KARINS PROJECT NO. 1530KC**

Dear Ms. Holland:

We are in receipt of your comment letter, dated October 28, 2008. In that letter, you compiled comments from the various PLUS agencies on the above referenced project. I have enclosed one (1) set of prints of the Record Major Land Development Plan for the project. These are submitted for your files as they generally reflect comments made.

Please note first that our project has been reduced from the originally proposed 108,900 s.f. to 89,250 s.f. shopping center with retail, office, banks, and restaurants. Furthermore, no two story buildings are proposed at this time as was depicted on previous plans and retail has been eliminated from Parcel No. 318. With regard to comments tabulated in your October 28, 2008 letter, and specifically those requiring response, we offer the following:

Page 2, Street Design and Transportation

We are working with DeIDOT in preparing a traffic operational analysis. Counts have been performed and a report will soon be prepared and submitted to DeIDOT for review and comment. All issues raised will be addressed and discussed with DeIDOT including but not limited to the rights in, rights out, pavement and R/W widths, signal agreements, and signalization.

Page 3, Natural and Cultural Resources

I submit to you that impervious coverage is less than 30% per the Town's Unified Development Ordinance. Note that Townsend Village II is considered as a one entire project in our calculation as this commercial component was contemplated at the same time as the residential. Furthermore, the Town has approved our calculations relative to this issue.

As required by State Law, the suggested sediment and stormwater plan has been prepared and is currently under review by the New Castle Conservation District.

Minimization of forest removal and preservation thereof was considered in the site design. We feel that forest removal has been kept to a minimum in this design, well below the levels required by the Unified Development Ordinance.

Page 3, Office of State Planning Coordination

We believe that the sidewalk system and roadway system shown on the plans are adequate in promoting pedestrian and bike traffic to and from the center from the residential area. Additional sidewalks have been added to facilitate pedestrian traffic.

Page 3, Department of Transportation

We are working with DeIDOT in preparing a traffic operational analysis. Counts have been performed and a report will soon be prepared and submitted to DeIDOT for review and comment. All issues raised will be addressed and discussed with DeIDOT including but not limited to the rights in, rights out, pavement and R/W widths, signal agreements, and signalization.

Page 5, DNREC - Overall Comment

I submit to you that impervious coverage is less than 30% per the Towns Unified Development Ordinance. Note that Townsend Village II is considered as a one entire project in our calculation as this commercial component was contemplated at the same time as the residential. Furthermore, the Town has approved our calculations relative to this issue.

Page 6, Wetlands

Regarding wetlands, a wetlands study was performed by JCMECI. Wetlands were flagged and field located by survey. A Wetlands Plan was then prepared to accompany the study prepared by the environmental consultant. Finally, the study was noted on the plans. The plan was reviewed by the Corp of Engineers and a site visit made for jurisdictional determination. No work is proposed within wetland areas.

Page 7, First Paragraph

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Page 7, Second Paragraph

With regard to watercourses on-site, no development or intrusion into these areas are proposed by this project. Therefore, no permits are contemplated relative to this topic.

Page 8, First Paragraph

Regarding wetlands, a wetlands study was performed by JCMECI. Wetlands were flagged and field located by survey. A Wetlands Plan was then prepared to accompany the study prepared by the environmental consultant. Finally, the study was noted on the plans. The plan was reviewed by the Corp of Engineers and a site visit made for jurisdictional determination. No work is proposed within wetland areas.

Page 8, Second Paragraph

The plan depicts buffers in accordance with the Town's Unified Development Ordinance. A minimum of 50' from the wetlands, or 100' from the ditch, whichever is greater, is established as Riparian Buffer.

Page 8, Impervious Cover

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Page 9, TMDL's and TMDL Compliance through the PCS

We have completed a Nutrient Loading Assessment and have enclosed the results in a spreadsheet attached to this letter. The project meets the reduction requirements required by DNREC.

Page 9, Water Resource Protection Areas

I submit to you that impervious coverage is less than 30% per the Towns Unified Development Ordinance. Note that Townsend Village II is considered as a one entire project in our calculation as this commercial component was contemplated at the same time as the residential. Furthermore, the Town has approved our calculations relative to this issue.

Page 12, Sediment and Erosion Control/Stormwater Management

As required by State Law, the suggested sediment and stormwater plan has been prepared and is currently under review. Contrary to what is suggested in the comment, New Castle Conservation District has jurisdiction over this project for E & S/SWM review as opposed to Department of Land Use.

Page 12, Drainage

A stormwater management plan has been developed to assure that both upstream and downstream land owners are not adversely effected by this project. Stormwater management for this project includes quality management, quantity management, and volume control.

Page 12, Forest Preservation

Minimization of forest removal and preservation thereof was considered in the site design. We feel that forest removal has been kept to a minimum in this design, well below the levels required by the Unified Development Ordinance.

Page 13, Nuisance Waterfowl

Contrary to the assumption made in the comment, no wet ponds are proposed for this project. Our project proposes the use of seven bio-retention areas to provide water quality management. These areas are normally dry except during a rain event. We do not feel that geese are a concern on this site.

Page 13, Site Investigation and Restoration

A Phase I Environmental Site Assessment has been prepared for this site prior to its purchase. No adverse conditions were found to exist in the report.

PAGE FOUR
MS. CONSTANCE C. HOLLAND, AICP
DECEMBER 18, 2008

Page 14, State Fire Marshals Office

A Fire Marshal Plan has been prepared and submitted to the office of the State Fire Marshal for review, comment, and subsequent approval. The plan depicts the location of water lines, fire hydrants, fire lane markings, and details for markings. Also, flows and the requirement for sprinkler systems are shown on the plans.

Page 16, Right Tree for the Right Place

A Landscape Plan has been prepared for this project by a Registered Landscape Architect. The plan has been designed in accordance with requirements in the Unified Development Ordinance, reviewed and approved by the Town Engineer.

Page 17, Delaware Division of Public Health

We believe that the sidewalk system and roadway system shown the plans are adequate in promoting pedestrian and bike traffic to and from the center from the residential area and the center of town. Sidewalks on both sides of Karins Blvd. are proposed as well many walkways within the development. Several crosswalks are shown as well as bike racks.

Page 18, Amenities to encourage recreation

An active recreation area is proposed as accessory to the day care center. We prefer passive recreation as opposed to active recreation in the open areas.

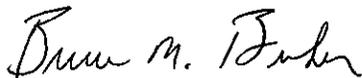
Page 18, Increase opportunities for health eating

Although a specific area for a seasonal farm stand is not depicted on the plans, opportunity does exist for this use in the retail area on Parcel 317.

We trust that this response letter is in order and meets your needs. However, please contact me if you require further information or explanation. Thank you.

Very truly yours,

KARINS AND ASSOCIATES



Bruce M. Buker, P.E.
Project Manager

BMB:bmb

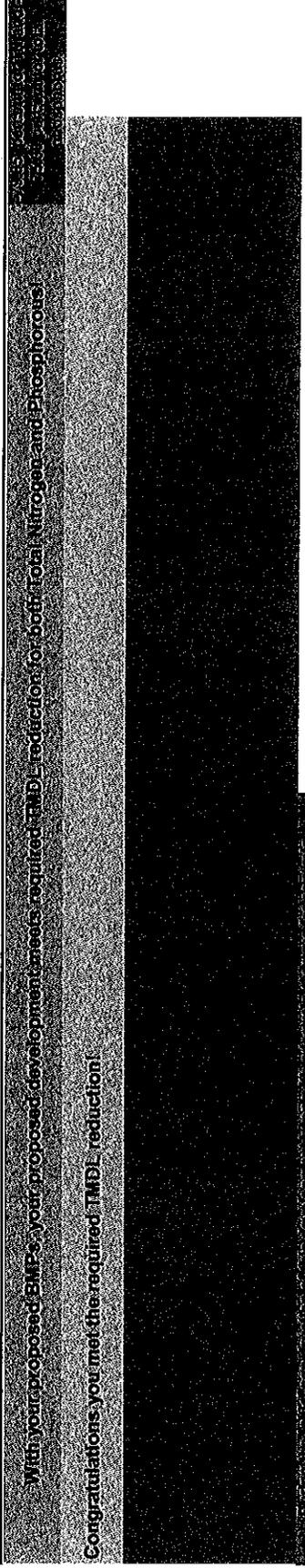
pc: Townsend Properties Two, LLC
William Manning, Esquire
Mike Jester, Code Enforcement Officer
Thomas Wilkes, P.E.

Nutrient Loading Assessment Protocol RESULTS

Please answer the following questions. This Protocol is intended to illustrate whether proposed future land use will reduce nutrient loads when compared to the base period for the applicable TMDL. The protocol works on a parcel basis and does not take into account cumulative impacts. It serves as an indicator to the county and municipal agencies as to the impact of the proposed development on water quality and provides potential ways to mitigate the project's impact. This Protocol is a tool. It does not suggest project approval. Therefore, the applicant should be aware that final project approval is contingent upon the satisfactory completion of all County, Municipal, State and/or Federal regulatory requirements.

With your proposed BMPs, your proposed development meets required TMDL reduction for both Total Nitrogen and Phosphorus.

Congratulations, you met the required TMDL reduction!



Parameter	Required TMDL Reduction	Proposed Development TMDL Reduction
Total Nitrogen	35%	35%
Phosphorus	35%	35%