



DC GROUP

DESIGN CONSULTANTS GROUP, L.L.C.

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July 14, 2010

07-20-10P12:17 RCVD

Mrs. Constance C. Holland, AICP
State of Delaware
Office of State Planning Coordination
122 William Penn Street
Third Floor
Dover, Delaware 19901

RE: PLUS Review – 2010-06-01; Workman's Store CZ#1686

Thank you for the written comments dated July 13, 2010 in reference to our meeting dated June 23, 2010. As written and discussed was the application for the rezoning of the Workman's Store property located at the northwest intersection of Hardscrabble Road (Delaware Route 20) and Shortly Road (SCR 431).

Presented at the meeting, Workman Store, LLC is proposing to rezone a 0.57± acre parcel, more commonly known as the Workman Store property, from AR-1 to B-1, Neighborhood Business in order to reopen Workman's Store for minor convenience retail sale of dry goods and food. An area dedicated for sit-down eating will be made available as was the case in previous years. The remaining building will not be used for "feed" sales (feed house) but will be used for the owner's storage.

Workman Store, LLC plans to reopen Workman's Store with in the existing building as it is shown on the site today. Modifications to the buildings will be expected in order to meet structural, electrical, plumbing, building and health codes. No additional expansion of the buildings is expected due to the size constraint of the site for access, parking loading, dumpster and the upgrade of the onsite wastewater disposal system.

Strategies for State Policies and Spending

Workman's Store, LLC is planning to reopen Workman's Store in the existing building, with only modifications to the existing building and appreciates the States "No Objection" to this.

Code Requirements/Agency Permitting Requirements

State Historic Preservation Office (SHPO)

According to our search of the database, background research and the historical aerial photos viewed for this site; there are no known unmarked human remains located on this property.

Department of Transportation (Del DOT)

We have had three (3) formal meetings with Del DOT and have been working with them to coordinate the existing access for this property. Mr. and Mrs. Elder have had conversations with Del DOT regarding their use for the property and access to the site. The applicant and Consultant were not aware that Del DOT participated in any roads improvements no matter what Level of Service the project was in.

Attached to this response is an email from Del DOT with an agreed upon fee that was part of the Area-Wide Traffic Impact Study.

The agreed upon dedications were part of a meeting dated May 4, 2010 with Marc Cote, PE, William T. Brockenbrough, PE, Derek Sapp & Lenny Massotti, PE. The existing layout of the site was taken from comments provided by Mr. Massotti to Mr. Elder and myself during phone conversations and emails.

On May 7, 2010, the applicant was ready to submit the necessary site plans and construction plans, Initial Stage Fee Form and Construction State Fee Form and the fees necessary for Del DOT's review and approval of the plans as discussed in the May 4, 2010 meeting.

Department of Natural Resources and Environmental Control (DNREC)

The applicant acknowledges that the site is located within the Inland Bays Watershed but is not in the "Early Implementation Area" for wastewater requirements. On June 24, 2010 DNREC approved a Site Evaluation for the replacement of the existing Cesspool to a Low Pressure Pipe (LPP) disposal system.

Only minor modification to the site will be made based on current zoning and Del DOT regulations. Stormwater Management exists for the site and no upgrades are necessary for what the applicant proposes for Workman's Store.

Once the existing well is tested, it will then be determined if a new well will be needed for Workman's Store. The new well as well as the existing well will adhere to all current written regulations as set forth by the State.

On June 14, 2010, the applicant received an approval from the Sussex Conservation District based on the current site plan submitted. It is not anticipated that this site will disturb more than 5,000 square feet for the reopening of Workman's Store.

Workman's Store, LLC will research the issues regarding any Underground Storage Tank that may be present on site and will follow all State and Federal guidelines regarding this issue.

Delaware State Fire Marshall's Office

A formal Fire Marshal Site Plan will be submitted for approval as part the final site plan requirements.

We appreciate the States expeditious review of our application and the comments received. We are providing our written response to the comments received and have and/or will continue to incorporate or take into advisement all agency comments into the site plans.

Respectfully Submitted,

Design Consultants Group, L.L.C.

A handwritten signature in black ink, appearing to read 'M. Davidson', with a long horizontal flourish extending to the right.

Mark H. Davidson
Project Consultant

RECEIVED

343212
SITE EVALUATION ENVIRONMENTAL SERVICES, INC.
REFERENCE # 302-684-8030
302-684-8030
DAVIDSON DRIVE; MILTON, DE 19968

DCGES

JUN 22 2010

GROUNDWATER EVALUATION APPROVAL PAGE - REPLACEMENT SYSTEM

The soils on this site are approved when the following is completed in full and signed by the approving authority. Isolation distance requirements, limited area of suitable soils, and/or removal or compaction of the topsoil during wet weather may negate construction permit approval or modify the type of system that can be permitted. A site inspection of cleared wooded lots is required prior to system installation at the discretion of the installer. An approved Site Evaluation must accompany any septic system permit applications. This is not a construction permit.

Owner's Name: Workman's Store, LLC.

Tax Map Number: 1-33-14.00-16.00
0.57 +/- acres Lot

Owner's Address: 33319 Elder Lane; Ocean View, DE 19970

Site located within the Inland Bays Watershed: Yes

Site located within the Early Implementation Area: No

Initial Disposal System and Location:

Option 1: Full Depth Low Pressure Pipe wastewater treatment and disposal system in the vicinity of Soil Borings # 1(SB-1), and #2 (SB-2), with the bottom of the system at 18 inches below grade.

Option 2: Capping Fill Low Pressure Pipe (LPP), or Elevated Sand Mound wastewater treatment and disposal system in the vicinity of Soil Borings # 3(SB-3) and SB-R.

Depth to limiting zone: ~40 inches or greater for Option 1 and ~29 inches or greater for Option 2

Design Considerations and Comments:

1. See Exhibits O, P in the Delaware On-Site Wastewater Treatment and Disposal Systems Regulations, amended April 11, 2005 (2005 Regulations).
2. All permit application received on or after January 1, 2015 for new or replacement systems throughout the Inland Bays Watershed shall comply with the Regulations which require incorporation of Nitrogen Reducing Technologies into the system.
3. See Exhibit C, Minimum Isolation Distances in the revised 2005 Regulations. All isolation distances specified in Exhibit C must be maintained e.g., 100-foot isolation distance between system and domestic water supply wells.
4. Upon the receipt of this Site Evaluation, the owner and/or property developer is responsible for surrounding the wastewater disposal area with construction fence/barrier and the area should be avoided as much as is feasible during construction activities to avoid disturbance/soil compaction. The Department of Natural Resources and Environmental Control (DNREC) has formulated guidance for clearing/soil compaction avoidance; contact DNREC at 302-856-4561 for guidance.
5. The plot drawing is not the result of a formal survey and was adapted from the Property Line Survey prepared by Steven M. Adkins Land Surveying, LLC (12/19/07). Soil borings, potential OWTDS area, wells and other pertinent features were field located from Electric pole, fixed survey markers and iron pipe set along the Property boundary.

Replacement Disposal System and Location: Same as Initial system if space permits or sand-lined upgrade.
Limitations of Soil Evaluation for System Design/Emplacement: The soil evaluation was performed to evaluate soil conditions with respect to a replacement wastewater disposal system for a retail store. For alternative uses contact the site evaluator or the DNREC to determine whether additional site evaluation is necessary.

INSTRUCTIONS TO PROPERTY OWNER

1. Contact a *Class C System Designer (Engineer)*.
2. A percolation rate of 60 minutes per inch (MPI) for Option 1 and 2 has been assigned for design purposes to the soils on your site based on the most restrictive soil texture within the upper 60 inches of the soil profile. You may use the percolation rate assigned or, at your own expense, have a percolation test conducted. If you do not choose to use the assigned percolation rate, contact a Licensed Class A percolation tester to have 3 tests conducted at depths to be specified by the Site Evaluator.
3. If you have any questions, call the evaluator at (302) 684-8030 or DNREC (302) 856-4561.

DCGES has conducted this Site Evaluation in accordance with DNREC Regulations and Policies to the best of its ability and with the information provided by the owner or client and under the conditions that existed at the time of this evaluation. DCGES is not liable for any latent subsurface conditions which may become evident in the future that may affect the emplacement or design criteria of the OWTDS. It is pertinent to note that conditions between borings are, in fact, unknown. The system designer should field-verify all isolation distances and measurements prior to permitting. DCGES is only liable for this evaluation to the extent of the cost of this evaluation.

John Dickson 6/21/10
John Dickson, PhD, CPSS date
DNREC Lic. Number 4496

For Office Use Only

06/24/10
Date

NO
Field Checked

06/24/15
Expiration Date

[Signature]
DNREC Reviewing Soil Scientist

Disclaimer: Approval of this site evaluation indicates only that this site evaluation, based on information presented to us, was conducted in compliance with the Regulations. It is not an indication of the correctness or quality of the evaluation nor does it guarantee the evaluation is free of omissions.

Paid 75.00 6-15-10 LB



June 14, 2010

Mr. Mark Davidson
DC Group
18072 Davison Drive
Milton, DE 19968

**RE: Workman's Store
Stormwater Exemption**

Dear Mr. Davidson:

The Sussex Conservation District has reviewed the site plan for the above referenced site. The District concurs with the information provided and agrees that the total site disturbance is less than 5,000 square feet, and is therefore exempt from Delaware's Sediment and Stormwater Regulations. Please note that if site conditions change or earth disturbance exceeds 5,000 square feet, you will be required to submit a Sediment and Stormwater Plan to the District for review.

If you have any questions or concerns, please contact the District at 302-856-7219.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica L. Watson", with a long horizontal flourish extending to the right.

Jessica L. Watson
Program Manager

Mark H. Davidson

From: Brestel Troy (DeIDOT) [Troy.Brestel@state.de.us]
Sent: Thursday, March 12, 2009 11:20 AM
To: 'Mark H. Davidson'
Cc: Brockenbrough Thomas (DeIDOT)
Subject: RE: Workman's Store

Mark,

A 0.63-acre parcel will generate 449 ADT; the area wide study fee would then be \$5 X 449 = \$2,245.

Any questions, please let me know.

Thanks,

Troy

-----Original Message-----

From: Mark H. Davidson [mailto:mdavidson@dcgengineering.com]
Sent: Thursday, March 12, 2009 11:16 AM
To: Brestel Troy (DeIDOT)
Subject: RE: Workman's Store

Thanks Troy:

What was the exact fee for the area wide study?

Mark

-----Original Message-----

From: Brestel Troy (DeIDOT) [mailto:Troy.Brestel@state.de.us]
Sent: Thursday, March 12, 2009 11:09 AM
To: 'mdavidson@dcgengineering.com'
Subject: Workman's Store

Mark,

I spoke to Bill, he agrees with essentially the same thing I had mentioned during our conversation last night: Although the Workman's Store is small, and would not use up the entire property, if you rezone the parcel to B-1, we have to consider what could be done with the property. There's no guarantee that the Workman's Store remains there forever, and a future land use could be developed there that would generate enough traffic to cause LOS problems (example: a convenience store or gas station if the area around it develops and the need for one is met). Thus, we will still require a TIS or area-wide study contribution for the property.

Please let me know if you have any questions.

Thanks,

Troy

Troy Brestel, E.I., Project Engineer
Delaware Department of Transportation
Division of Planning
Development Coordination
Phone: (302) 760 - 2167
Fax: (302) 739-2251

Mark

-----Original Message-----

From: Brestel Troy (DelDOT) [mailto:Troy.Brestel@state.de.us]
Sent: Thursday, March 12, 2009 11:09 AM
To: 'mdavidson@dcgengineering.com'
Subject: Workman's Store

Mark,

I spoke to Bill, he agrees with essentially the same thing I had mentioned during our conversation last night: Although the Workman's Store is small, and would not use up the entire property, if you rezone the parcel to B-1, we have to consider what could be done with the property. There's no guarantee that the Workman's Store remains there forever, and a future land use could be developed there that would generate enough traffic to cause LOS problems (example: a convenience store or gas station if the area around it develops and the need for one is met). Thus, we will still require a TIS or area-wide study contribution for the property.

Please let me know if you have any questions.

Thanks,

Troy

Troy Brestel, E.I., Project Engineer
Delaware Department of Transportation
Division of Planning
Development Coordination
Phone: (302) 760 - 2167
Fax: (302) 739-2251

Mark H. Davidson

From: Brestel Troy (DeIDOT) [Troy.Brestel@state.de.us]
Sent: Friday, February 27, 2009 1:11 PM
To: 'Mark H. Davidson'
Subject: RE: SFR Response Workman's Store LLC

Mark,

By applying for a rezoning to B-1, it would kick up the need for a TIS, based on our regulations. However, with that being said, the property is also small enough that they could meet the criteria to pay towards an area-wide study in lieu of doing a TIS.

Troy

-----Original Message-----

From: Mark H. Davidson [mailto:mhdcontour@dol.net]
Sent: Friday, February 27, 2009 1:03 PM
To: Brestel Troy (DeIDOT)
Subject: RE: SFR Response Workman's Store LLC

Troy:

Thank you for the response.

My client is thinking of applying for B-1 (General Business) in order to get financing for opening the store...what would that do for this request knowing that the parcel is limited in size?

Mark

-----Original Message-----

From: Brestel Troy (DeIDOT) [mailto:Troy.Brestel@state.de.us]
Sent: Friday, February 27, 2009 11:33 AM
To: 'sheck@dcgengineering.com'
Subject: FW: SFR Response Workman's Store LLC

From: Marvel Karen (DeIDOT)
Sent: Tuesday, December 30, 2008 3:59 PM
To: Holland Connie (OMB); Cole Darrel (DeIDOT); Bishop Theodore (DeIDOT); Coté Marc (DeIDOT); Dryden William (DeIDOT); Norwood Gemez (DeIDOT); Fiori John (DeIDOT); Sapp Derek (DeIDOT); Sammons Todd (DeIDOT); Brestel Troy (DeIDOT); Brockenbrough Thomas (DeIDOT)
Subject: SFR Response Workman's Store LLC