

2006-11-08

Preliminary land Use Service (PLUS)

Delaware State Planning Coordination

122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Please complete this "PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090. Possible resources for completing the required information are as follows:

www.state.de.us/planning
www.dnrec.state.de.us/dnrec2000
www.dnrec.state.de.us/DNRECeis
datamil.delaware.gov
www.state.de.us/deptagri

1. Project Title/Name: Byler Farm

2. Location (please be specific): North Side of W. Denny's Rd, (Co. Rd. 100), 0.3 Miles West of Blue Heron Rd. (Co. Rd. 164)

3. Parcel Identification #: ED-00-065.00-01-29.01-00001

4. County or Local Jurisdiction Name: Kent

5. Owner's Name: Byler Farm Partnership, LLC

Address: 1086 Jackson Ditch Rd

City: Harrington

State: DE

Zip: 19952

Phone: 302-270-6275

Fax: 302-674-2001

Email: wehavelots@aol.com

6. Applicant's Name: Alan O. Thompson

Address: 22 Old Rudnick Lane, Suite 2

City: Dover

State: DE

Zip: 19901

Phone: 302-674-1800

Fax: 302-674-2001

Email: al@smartmap.com

7. Project Designer/Engineer: Thompson Elliott Associates

Address: 22 Old Rudnick Lane, Suite 2

City: Dover

State: DE

Zip: 19901

Phone: 302-674-1890

Fax: 302-674-2001

Email: al@smartmap.com

8. Please Designate a Contact Person, including phone number, for this Project: Alan O. Thompson 302-674-1800

Information Regarding Site:	
9. Type of Review: <input type="checkbox"/> Rezoning <input type="checkbox"/> Comp. Plan Amendment (Kent County Only) <input type="checkbox"/> Site Plan Review <input checked="" type="checkbox"/> Subdivision	
10. Brief Explanation of Project being reviewed: Single-family Subdivision (60 Lots)	
11. Area of Project(Acres +/-): 61.49	
12. According to the State Strategies Map, in what Investment Strategy Level is the project located? <input type="checkbox"/> Investment Level 1 <input type="checkbox"/> Investment Level 2 <input type="checkbox"/> Investment Level 3 <input checked="" type="checkbox"/> Investment Level 4 <input type="checkbox"/> Environmentally Sensitive Developing (Sussex Only)	
13. If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications. N/A	
14. Present Zoning: AR	15. Proposed Zoning: AR
16. Present Use: Farmland	17. Proposed Use: SF Residential
18. If known, please list the historical and former uses of the property, and any known use of chemicals or hazardous substances: N/A	
19. Comprehensive Plan recommendation: Low Density If in the County, which area, according to their comprehensive plan, is the project located in: New Castle <input type="checkbox"/> Kent <input checked="" type="checkbox"/> Sussex <input type="checkbox"/> Suburban <input type="checkbox"/> Inside growth zone <input type="checkbox"/> Town Center <input type="checkbox"/> Low Density <input type="checkbox"/> Suburban reserve <input type="checkbox"/> Outside growth zone <input checked="" type="checkbox"/> Developing <input type="checkbox"/> Other <input type="checkbox"/> Environ. Sensitive Dev. District <input type="checkbox"/>	
20. Water: <input checked="" type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input type="checkbox"/> Public (Utility) Service Provider Name: Tidewater Will a new public well be located on the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the estimated water demand for this project? 350 GPD per DU How will this demand be met? Central System	
21. Wastewater: <input checked="" type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input type="checkbox"/> Public (Utility) Service Provider Name: Tidewater	
22. If a site plan please indicate gross floor area: N/A	
23. If a subdivision: <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Mixed Use	
24. If residential, indicated the number of number of Lots/units: 60 Gross Density of Project: 1 DU per Ac. Net Density 2 DU per Ac. Gross density should include wetlands and net density should exclude wetlands, roads, easements, etc..	

25. If residential, please indicate the following:

Number of renter-occupied units: 0
Number of owner-occupied units: 60

Target Population (check all that apply):

Renter-occupied units

- Family
 Active Adult (check only if entire project is restricted to persons over 55)

Owner-occupied units

- First-time homebuyer – if checked, how many units
 Move-up buyer – if checked, how many units 60
 Second home buyer – if checked, how many units
 Active Adult (Check only if entire project is restricted to persons over 55)

26. Present Use: % of Impervious Surfaces: Less than 1% Proposed Use: % of Impervious Surfaces: 10%
Square Feet: 4000 sq. ft. Square Feet: 307,304.04 sq. ft.

27. What are the environmental impacts this project will have? N/A

How much forest land is presently on-site? 4.83 Ac +/- How much forest land will be removed? None

Are there known rare, threatened, or endangered species on-site? Yes No

Is the site in a sourcewater (for example, an excellent groundwater recharge) protection area? Yes No

Recharge potential maps are available at

Kent County

<http://www.udel.edu/dgs/Publications/pubsonline/hydromap11.pdf>

Sussex County

<http://www.udel.edu/dgs/Publications/pubsonline/hydromap12.pdf>

New Castle County has a map viewer that shows the Wellhead protection areas and excellent recharge areas under Natural Features – Water Resources.

<http://dmz-arcims02.co.new-castle.de.us/website/nccparcelmap2/viewer.htm>

Does it have the potential to impact a sourcewater protection area? Yes No

28. Is any portion of construction located in a Special Flood Hazard Area as defined by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM)? Yes No

Will this project contribute more rainwater runoff to flood hazard areas than prior to development? Yes No If "Yes," please include this information on the site map.

29. Are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? Yes No

Are the wetlands: Tidal Acres
 Non-tidal Acres 3.41 Ac +/-

If "Yes", have the wetlands been delineated? Yes No

Has the Army Corp of Engineers signed off on the delineation? Yes No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? Yes No If "Yes", describe the impacts: N/A

Will there be ground disturbance within 100 feet of wetlands Yes No

<p>30. Are there streams, lakes, or other natural water bodies on the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If the water body is a stream, is it: <input type="checkbox"/> Perennial (permanent) <input type="checkbox"/> Intermittent <input type="checkbox"/> Ephemeral (Seasonal)</p> <p>If "Yes", have the water bodies been identified? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Will there be ground disturbance within 100 feet of the water bodies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", please describe : N/A</p>
<p>31. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please list name: N/A</p>
<p>32. List the proposed method(s) of stormwater management for the site: Stormwater Pond</p> <p>Define the anticipated outlet location(s) for stormwater generated by the site (for example, perennial stream, tax ditch, roadside swale, storm drain system, infiltration, etc.): Storm Drain System</p> <p>Will development of the proposed site create or worsen flooding upstream or downstream of the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>33. Is open space proposed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," how much? 23.3 Acres 1,014,948 Square Feet</p> <p>Open space proposed (not including stormwater management ponds and waste water disposal areas) 15.26 acres/Sq ft.</p> <p>What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? Active/Passive/Wildlife</p> <p>Where is the open space located? Wooded rear portion of parcel and centrally located as well</p> <p>Are you considering dedicating any land for community use (e.g., police, fire, school)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>34. Does it border existing natural habitat or preserved (for example, an agricultural preservation district or protected State Resource Area) land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," what are they? N/A</p>
<p>35. Is any developer funding for infrastructure improvement anticipated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," what are they? N/A</p>
<p>36. Are any environmental mitigation measures included or anticipated with this project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Acres on-site that will be permanently protected 4.83 Ac +/-</p> <p>Acres on-site that will be restored N/A</p> <p>Acres of required wetland mitigation N/A</p> <p>Stormwater, erosion and sediment control, and construction best management practices (BMPs) that will be employed As per KCD</p> <p>Buffers from wetlands, streams, lakes, and other natural water bodies Yes, as required</p>
<p>37. Has any consideration been given to nuisance species (for example, mosquitoes or Canada geese)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

38. Will this project generate additional traffic? Yes No

How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume the peak season 10 per day per DU

What percentage of those trips will be trucks, excluding vans and pick-up trucks? 0.3%

39. If the project will connect to public roads, please specify the number and location of those connections. Please describe those roads in terms of number of lanes, width (in feet) of the lanes and any shoulders. One entrance from W. Denny's Rd., 60'

40. Will the street rights of way be public, private, or town? Public

41. Is any of the project's road frontage subject to the Corridor Capacity Preservation Program? Yes No

42. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections. To the East, West and North.

43. Are there existing or proposed sidewalks? Yes No; bike paths Yes No

Is there an opportunity to connect to a larger bike/pedestrian network? Yes No

44. Is this site in the vicinity of any known historic/cultural resources or sites Yes No

Has this site been evaluated for historic and/or cultural resources? Yes No

Will this project affect, physically or visually, any historic or cultural resources? Yes No
If "Yes," please indicate what will be affected (Check all that apply)

- Buildings/Structures (house, barn, bridge, etc.)
- Sites (archaeological)
- Cemetery

Would you be open to a site evaluation by the State Historic Preservation Office? Yes No

42. Are any federal permits, licensing, or funding anticipated? Yes No

43. Will this project generate any solid waste or require any special permits within State agencies to the best of your knowledge?
 Yes No If yes, please List them: N/A

45. Please make note of the time-line for this project: 2008

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Mark Collins

Signature of property owner

10/31/2006
Date

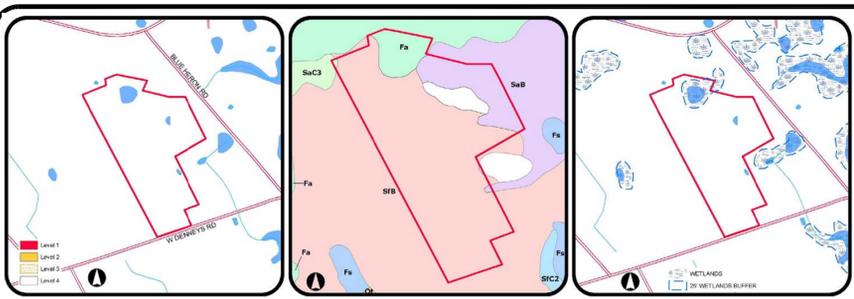
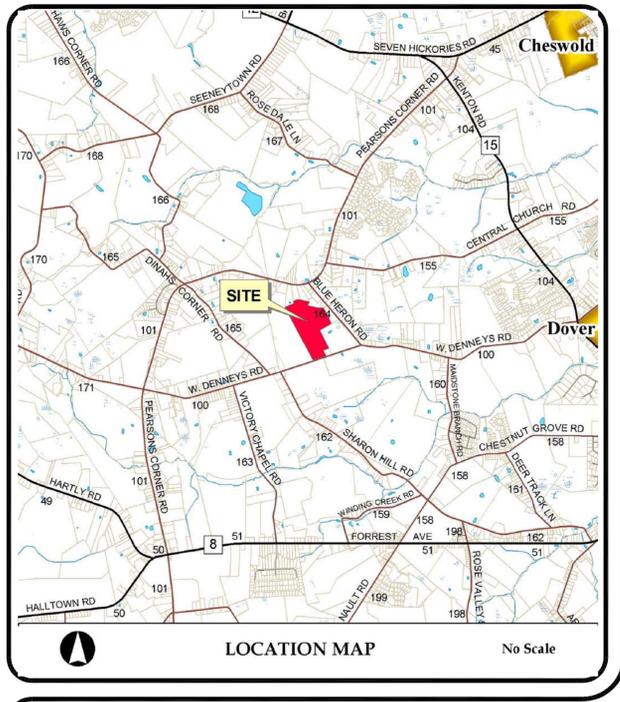
Alan O. Thompson

Signature of Person completing form
(If different than property owner)

10/31/2006
Date

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning electronically at Dorothy.morris@state.de.us along with an electronic copy of any site plans and development plans for this site. Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. **If electronic copy of the plan is not available, contact Dorothy at (302) 739-3090 for further instructions.** A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Suite 302, Haslet Building, Third Floor, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

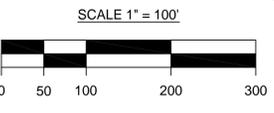
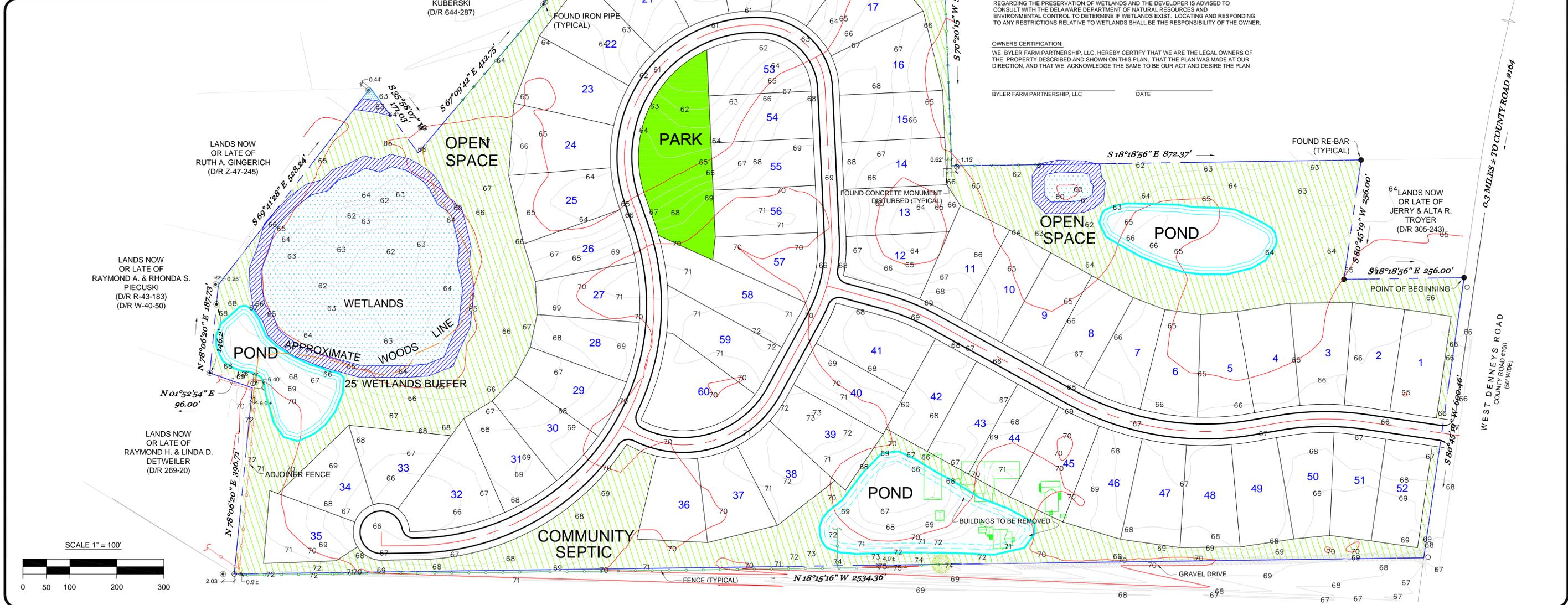


DATA COLUMN

KENT PROPERTY ID NO. (PART OF)	ED-00-065.00-01-29.01-0001
ZONING CLASSIFICATION	AR
TOTAL NUMBER OF LOTS	60
AVERAGE LOT SIZE	21,780 SQ. FT.
PROPOSED USE	SINGLE-FAMILY RESIDENTIAL SUBDIVISION
FRONT YARD SETBACK	25'
SIDE YARD SETBACK	10'
REAR YARD SETBACK	25'
MONUMENTS FOUND	3
SEWER	COMMUNITY SEPTIC
WATER	CENTRAL PARK
WETLANDS	3.41 ACRES +/-
FLOOD PLAIN	N/A
STREAMS	AS SHOWN
TOTAL SITE AREA	61.49 ACRES +/-
STORM WATER MANAGEMENT ACREAGE	3.27 ACRES +/-
PERMITTED IMPERVIOUS COVERAGE	20%
TOTAL ACREAGE WITHIN WOODLAND PRESERVATION	4.83 ACRES +/-
TOTAL ACREAGE WITHIN OPEN SPACE	15.26 ACRES +/-
OWNER OF RECORD	BYLER FARM PARTNERSHIP, LLC 1086 JACKSON DITCH RD. HARRINGTON, DE 19952
ENGINEER/SURVEYOR	THOMPSON ELLIOTT ASSOCIATES, LLC. 22 OLD RUDNICK LANE, SUITE 2 DOVER, DE 19901

NOTES:
THE WETLAND BOUNDARY AND 25' WETLAND BUFFER AREA ARE BASED ON A WETLANDS DELINEATION PERFORMED BY CERTIFIED WETLAND CONSULTANT SCOTT KLINE OF KLINE CONSULTING ON OR ABOUT APRIL 15, 2006.
FLOOD MAP PANEL 10001C0145F, EFFECTIVE 5/5/2003 REVEALS NO FLOOD PLAIN IMPACT ON THIS PROPERTY.
ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF, ONLY IF SAID MAP AND COPIES BEAR THE IMPRESSION SEAL AND SIGNATURE, IN RED INK, OF THE LICENSED LAND SURVEYOR WHOSE NAME APPEARS HEREON.
WE HEREBY CERTIFY THAT THIS PLAN WAS PREPARED FOR THE INDIVIDUAL(S) NOTED BELOW, NO RESPONSIBILITY IS IMPLIED AND/OR ASSUMED BY THE SURVEYOR TO ANY FUTURE LAND OWNER OR OCCUPANT.
THIS PLAN IS BASED UPON THE RECORD PLAN(S) NOTED, AND/OR DEED RECORDS SHOWN THUS (D/R), AND PHYSICAL EVIDENCE FOUND.

NOTES:
SOURCE OF TITLE: KENT COUNTY RECORDER OF DEEDS, BK. X-54-146, DATED 6-30-94, & BEING AS SHOWN ON A PLAN OF GERALD A. DONOVAN ASSOCIATES DATED 6-24-94.
NO TITLE SEARCH WAS PROVIDED TO, NOR PERFORMED BY THE PREPARER HEREOF EASEMENTS AS SHOWN.
THIS PROPERTY IS NOT LOCATED WITHIN THE GROWTH ZONE.
THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARMING OPERATIONS.
THIS PROPERTY IS IMPACTED BY STREAMS, DITCHES, PONDS, OR LAKES. KENT COUNTY HAS REGULATIONS REGARDING THE PRESERVATION OF STREAMS, DITCHES, PONDS, OR LAKES AND THE DEVELOPER IS ADVISED TO CONSULT WITH KENT COUNTY PLANNING SERVICES TO DETERMINE THE SETBACKS FROM STREAMS, DITCHES, PONDS OR LAKES.
THIS PROPERTY IS IMPACTED BY WETLANDS. KENT COUNTY HAS REGULATIONS REGARDING THE PRESERVATION OF WETLANDS AND THE DEVELOPER IS ADVISED TO CONSULT WITH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DETERMINE IF WETLANDS EXIST. LOCATING AND RESPONDING TO ANY RESTRICTIONS RELATIVE TO WETLANDS SHALL BE THE RESPONSIBILITY OF THE OWNER.
OWNERS CERTIFICATION:
WE, BYLER FARM PARTNERSHIP, LLC, HEREBY CERTIFY THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN



SURVEYORS CERTIFICATION:
I, WILLIAM A. ELLIOTT, HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.
WILLIAM A. ELLIOTT REG. NO. DATE

LANDS NOW OR LATE OF DANIEL J. & MATILDA BEACHY (D/R R-17-142)



ENGINEER/SURVEYOR
THOMPSON ELLIOTT ASSOCIATES, LLC.
22 OLD RUDNICK LANE, SUITE 2
DOVER, DE 19901
PH #: 302-674-1890
www.thompson-elliott.com

REVISIONS

SCALE:	1"=100'
CAD FILE:	TE06-0224
SCJ FILE:	TE06-0224

DRAWN BY: AOT
CHECKED BY: WAE
DATE: 10-APR-2006

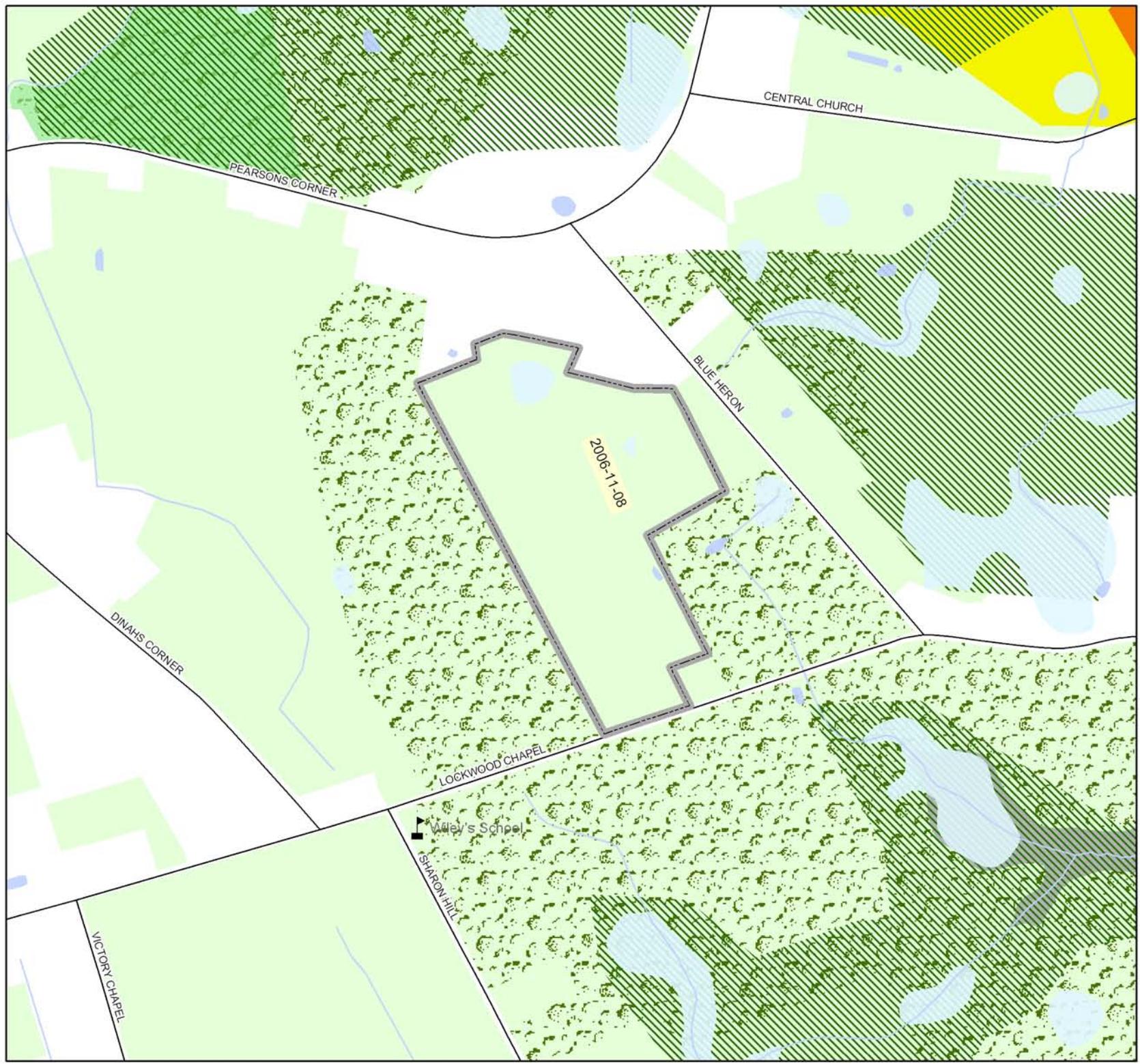
OWNER/DEVELOPER
BYLER FARM PARTNERSHIP, LLC.
1086 JACKSON DITCH ROAD
HARRINGTON, DELAWARE 19952

PRELIMINARY CONCEPT PLAN
LANDS OF BYLER FARM PARTNERSHIP, LLC
CLASS "B" SURVEY
TAX MAP #: ED-00-065.00-01-29.01-000
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

TE #: TE06-0224
SHEET NO. **1**

Preliminary Land Use Service (PLUS)

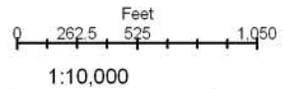
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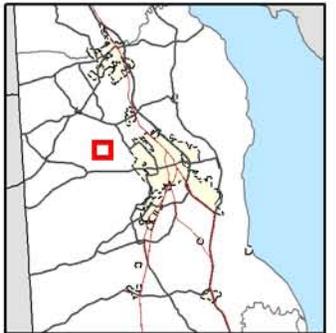
- Project Area
- Public-Owned
- Ag District
- Purchased Dev. Rights
- Municipalities

Strategies

- Level 1
- Level 2
- Level 3
- Level 4
- Nat. Res. & Rec. Priorities
- Working Forests
- Highest Value Agriculture
- Out of Play
- Area of Dispute
- Area of Study
- Env. Sens. Dev. (Sussex)



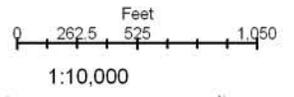
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www.state.de.us/planning



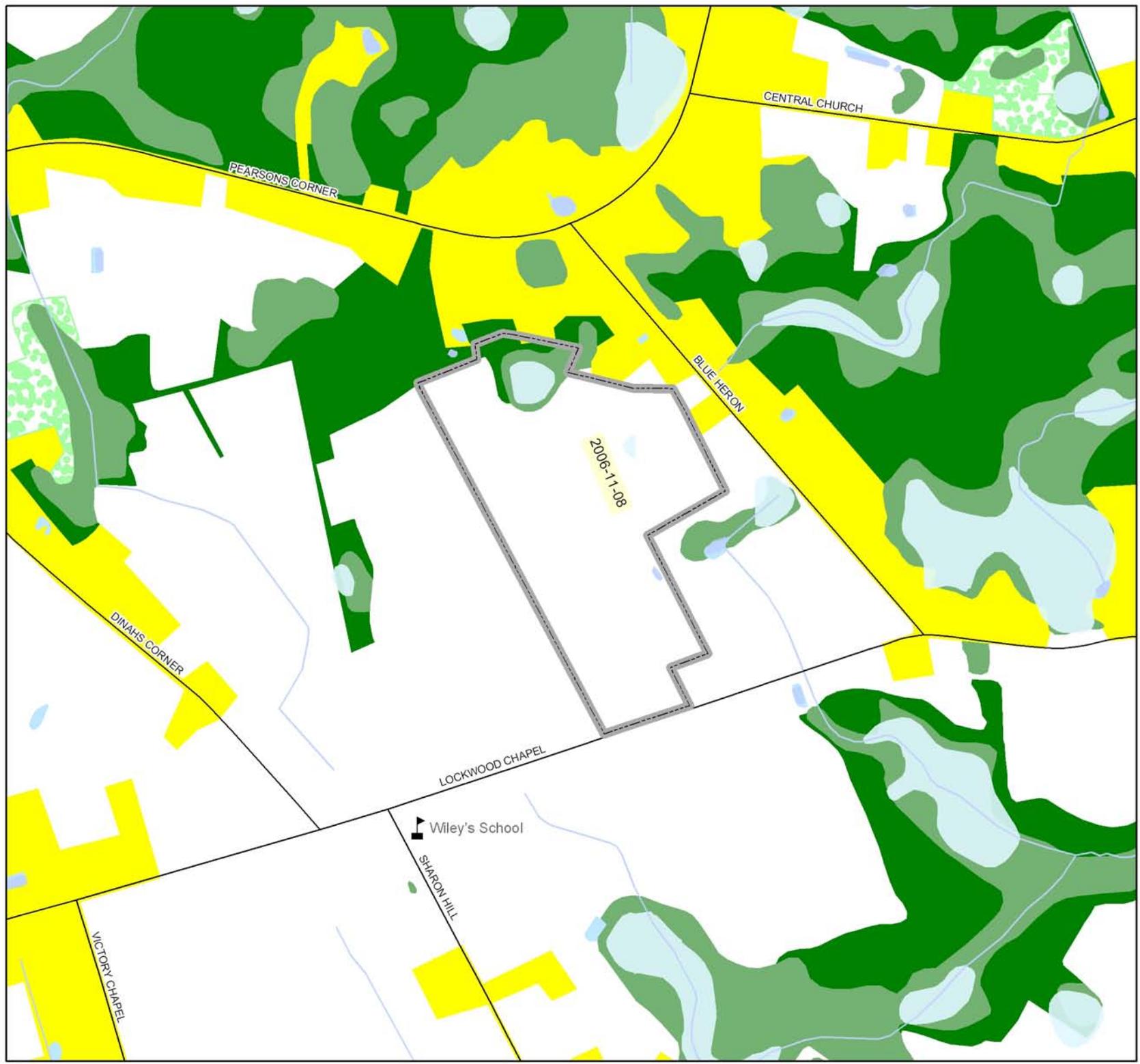
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Byler Farm
2006-11-08

-  Project Area
-  Municipalities
- 2002 Land Use/Land Cover**
-  Residential
-  Commercial/Urban
-  Industrial
-  Trans./Comm./Utilities
-  Institutional/Governmental
-  Recreational
-  Agriculture
-  Scrub/Clear Cut
-  Forest
-  Water
-  Wetlands/Wet Woods
-  Beach/Sandy Area
-  Extraction/Transition



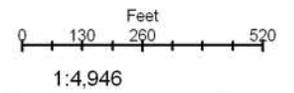
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Byler Farm
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-  Project Area
-  Municipalities



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