

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/DNRECois
datamil@delaware.gov
www.state.de.us/deptarr

1. Project Title/Name: Martia McGinnis
2. Location (please be specific): 3399 Hartly Road Hartly De 17753
3. Parcel Identification #: 18563 4. County or Local Jurisdiction Name: Hent
5. Owner's Name: Martia McGinnis

Address:

City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email: _____

6. Applicant's Name: Martia Keating (McGinnis)
- Address: 4130 Downs Chapel Rd
- City: Clayton State: De Zip: 19938
- Phone: 302-653-2500 Fax: 302-389-8537 Email: mmaamm78@msn.com

7. Project Designer/Engineer:

Address:

City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____ Email: _____

8. Please Designate a Contact Person, including phone number, for this Project: Martia Keating
302-653-2500

Information Regarding Site:

9. Type of Review: Rezoning Comp. Plan Amendment (Kent County Only) Site Plan Review
 Subdivision
10. Brief Explanation of Project being reviewed:
would like zoning changed from AR to BG
11. Area of Project(Acres +/-): 1.94
12. According to the State Strategies Map, in what Investment Strategy Level is the project located? Investment Level 1
 Investment Level 2 Investment Level 3 Investment Level 4 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: BG
16. Present Use: residential/vacant
17. Proposed Use: unknown
18. If known, please list the historical and former uses of the property, and any known use of chemicals or hazardous substances:
none
19. Comprehensive Plan recommendation:
If in the County, which area, according to their comprehensive plan, is the project located in:
New Castle Kent Sussex
Suburban Inside growth zone Town Center Low Density
Suburban reserve Outside growth zone Developing
Other Environ. Sensitive Dev. District
20. Water: Central (Community system) Individual On-Site Public (Utility)
Service Provider Name:
Will a new public well be located on the site? Yes No What is the estimated water demand for this project?
How will this demand be met?
21. Wastewater: Central (Community system) Individual On-Site Public (Utility)
Service Provider Name:
22. If a site plan please indicate gross floor area:
23. If a subdivision: Commercial Residential Mixed Use
24. If residential, indicated the number of number of Lots/units: Gross Density of Project: Net Density
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:
Number of owner-occupied units:

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
 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: Proposed Use: % of Impervious Surfaces:
Square Feet: Square Feet:

27. What are the environmental impacts this project will have? NONE

How much forest land is presently on-site? NONE 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/hydrormap11.pdf>

Sussex County

<http://www.udel.edu/dgs/Publications/pubsonline/hydrormap12.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-arclms02.cp.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

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:

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

30. Are there streams, lakes, or other natural water bodies on the site? Yes No
If the water body is a stream, is it: Perennial (permanent) Intermittent Ephemeral (Seasonal)
If "Yes", have the water bodies been identified? Yes No
Will there be ground disturbance within 100 feet of the water bodies Yes No If "Yes", please describe :
31. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)?
 Yes No
If yes, please list name:
32. List the proposed method(s) of stormwater management for the site:
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.):
Will development of the proposed site create or worsen flooding upstream or downstream of the site? Yes No
33. Is open space proposed? Yes No If "Yes," how much? Acres Square Feet
Open space proposed (not including stormwater management ponds and waste water disposal areas) acres/Sq ft.
What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)?
Where is the open space located?
Are you considering dedicating any land for community use (e.g., police, fire, school)? Yes No
34. Does it border existing natural habitat or preserved (for example, an agricultural preservation district or protected State Resource Area) land? Yes No If "Yes," what are they?
35. Is any developer funding for infrastructure improvement anticipated? Yes No If "Yes," what are they?
36. Are any environmental mitigation measures included or anticipated with this project? Yes No
Acres on-site that will be permanently protected
Acres on-site that will be restored
Acres of required wetland mitigation
Stormwater, erosion and sediment control, and construction best management practices (BMPs) that will be employed
Buffers from wetlands, streams, lakes, and other natural water bodies
37. Has any consideration been given to nuisance species (for example, mosquitoes or Canada geese)? Yes No

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

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

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.

40. Will the street rights of way be public, private, or town? *N/A*

41. Is any of the project's road frontage subject to the Corridor Capacity Preservation Program? Yes No *Not that I am aware of*

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. *N/A*

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:

46. Please make note of the time-line for this project: *N/A*

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

Walter Keating

Signature of property owner

5-14-08

Date

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

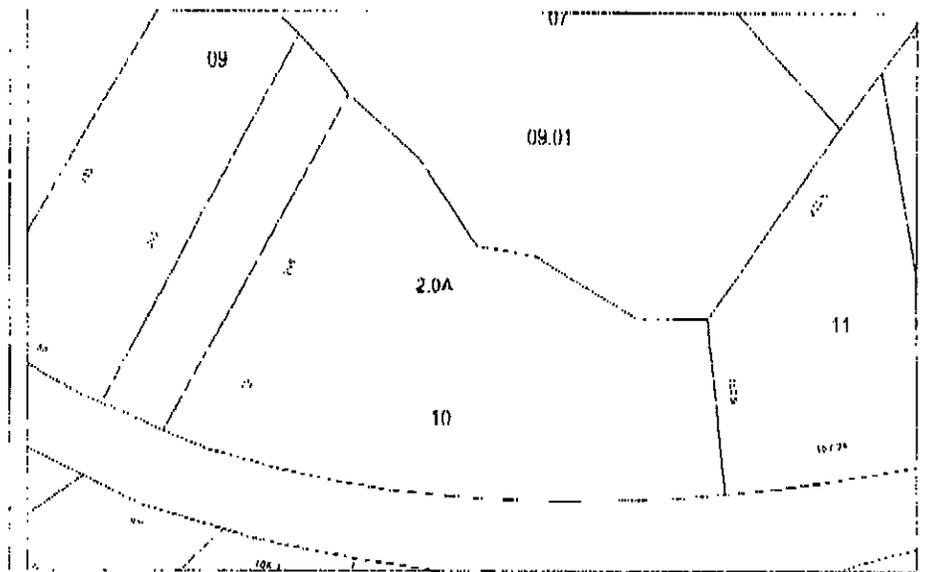
Date

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

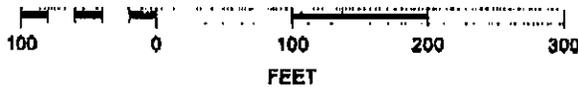
Kent County GIS Project

5-1-08

- Abc **Parcel Number**
- Abc **Lot Number**
- Abc **Lot Dimensions**
- Abc **Acreage-Plan**
- Abc **Acreage-Assessed**
- Abc **Street Names**
- Abc **Subdivision Text**
- Abc **Ditch Text**
- **Parcel Block**
- Abc **Parcel Block Text**
- Abc **Misc. Text**



SCALE 1 : 1,584



May 14, 2008

Martia Keating
4160 Downs Chapel Road
Clayton, DE 19938

PLUS
Delaware State Planning Coordination
122 William Penn Street
Dover, DE 19901

RE: Rezoning property at 3399 Hartly Road, Hartly, DE

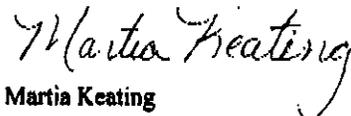
To Whom It May Concern:

I am the legal owner of the above referenced property, tax map number, 9-00-0400-01-1000-00001. The current zoning of my property is AR. I would like to make application to the State of Delaware for it's consideration to change the zoning to commercial use. The parcel is situated at the intersection of Route 8 and Route 44 directly across from the Royal Farms store and fuel station. There are several other properties adjacent to my parcel that are zoned BG.

This intersection has become very busy with vehicle and foot traffic since Royal Farms opened. I purchased the property with the intentions of making some repairs while living in it and then leasing it to residential tenants. It has been difficult to lease the property this past year and a half partly due to the increase in traffic and noise. The Kent County Building Department prohibits the installation of a sound barrier fence because Route 44 bends for nearly a quarter of a mile to the west at the front of my property.

At this time I would like to ask your committee to review and consider my request for rezoning. I believe that I would be more successful in leasing or selling the property if it were zoned for commercial use.

Sincerely,


Martia Keating

Preliminary Land Use Service (PLUS)

McGinnis Property
2008-06-03

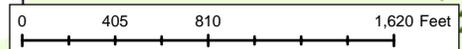


-  Project Areas
 -  Municipalities
 -  Purchased Dev. Rights
 -  Ag District
 -  Public Owned/Protected
 -  Forestry Easements
 -  Delaware State Forests
 -  Working Forests
 -  Highest Value Agriculture
- State Strategies**
-  Level 1
 -  Level 2
 -  Level 3
 -  Level 4
 -  Nat. Res. & Rec. Priorities
 -  Out of Play
 -  Area of Dispute
 -  Area of Study
 -  Env. Sens. Dev. (Sussex)

1:10,000

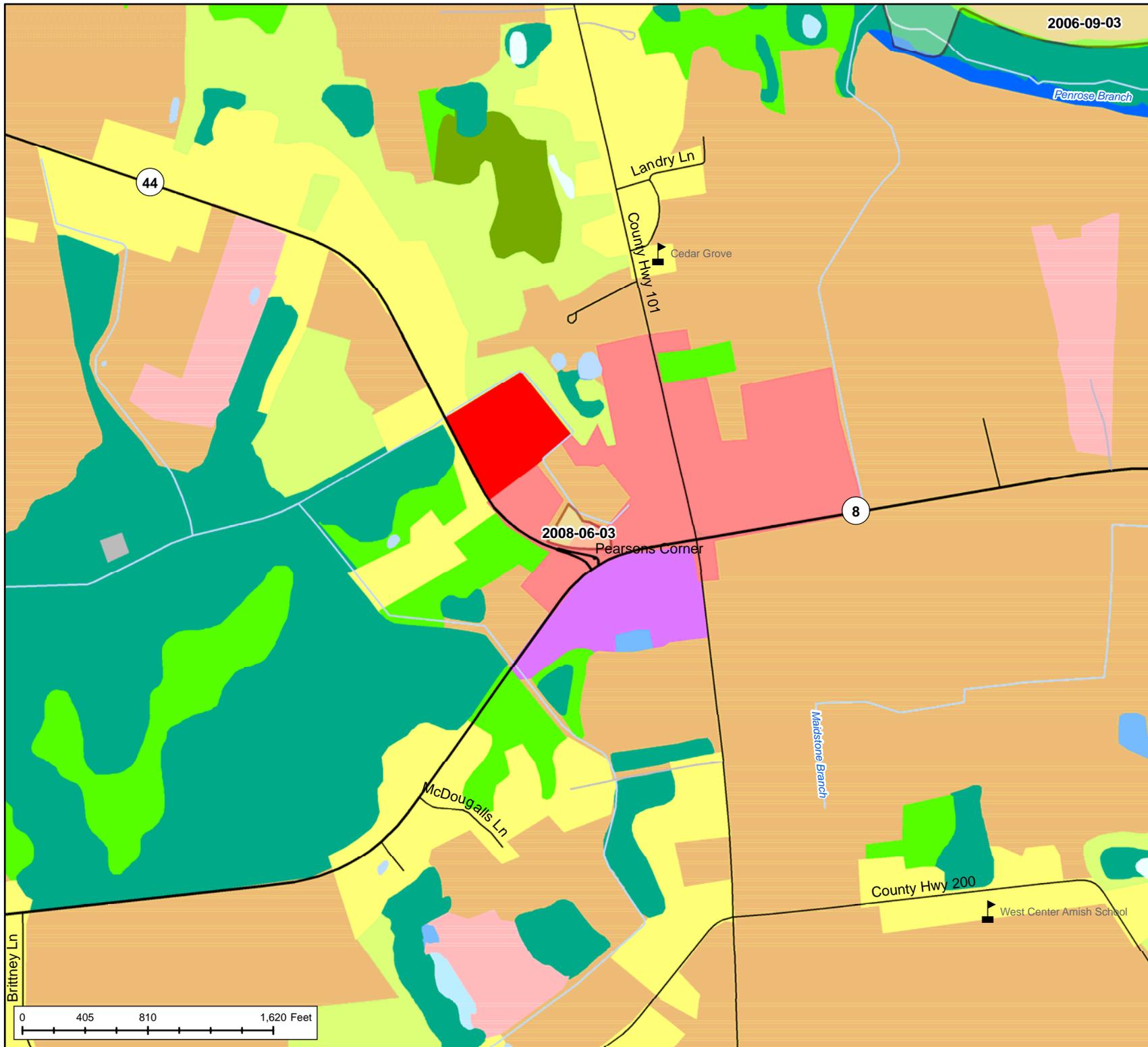


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stateplanning.delaware.gov



Preliminary Land Use Service (PLUS)

McGinnis Property
2008-06-03



2006-09-03

Penrose Branch

Landry Ln

County Hwy 101

Cedar Grove

44

8

2008-06-03

Pearsons Corner

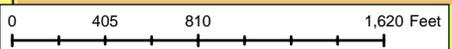
Mardstone Branch

McDougalls Ln

County Hwy 200

West Center Amish School

Brittney Ln



- Project Areas
- Municipalities
- Land Use/Land Cover**
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Trans./Comm./Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- CAFO
- Rangeland
- Orchards/Nurseries
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Reservoirs and Impoundments
- Marinas/Ports/Docks
- Open Water
- Emergent Wetlands
- Forested Wetlands
- Scrub/Shrub Wetlands
- Sandy Areas
- Extraction/Transition

1:10,000



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Preliminary Land Use Service (PLUS)

McGinnis Property
2008-06-03

-  Project Areas
-  Municipalities

2007 Aerial Photography:
Provided by Delaware
Office of Management
and Budget



2008-06-03

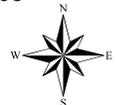
Pearsons Corner

44

8

County Hwy 101

1:2,608



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