

## 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](http://www.state.de.us/planning)[www.dnrec.state.de.us/dnrec2000](http://www.dnrec.state.de.us/dnrec2000)[www.dnrec.state.de.us/DNRECeis](http://www.dnrec.state.de.us/DNRECeis)  
[datamil.delaware.gov](http://datamil.delaware.gov)[www.state.de.us/deptagri](http://www.state.de.us/deptagri)

1. Project Title/Name: Canary Creek
2. Location ( please be specific): North side of New Road (RT 266) with the City of Lewes
3. Parcel Identification #: 3-35-8.00-5.01
4. County or Local Jurisdiction Name: City of Lewes
5. Owner's Name: Lifetime Living, LLC  
Address: 1308 Veale Road, Suite 20  
City: Wilmington State: DE Zip: 19810  
Phone: 302-479-5571 Fax: 302-479-5575 Email:
6. Applicant's Name: Toni Vari  
Address: 1308 Veale Road, Suite 20  
City: Wilmington State: DE Zip: 19810  
Phone: 302-479-5571 Fax: 302-479-5575 Email:
7. Project Designer/Engineer: Davis, Bowen & Friedel, Inc.  
Address: 23 N. Walnut Street  
City: Milford State: DE Zip: 19963  
Phone: 302-424-1441 Fax: 302-424-0430 Email: [wzc@dbfinc.com](mailto:wzc@dbfinc.com)
8. Please Designate a Contact Person, including phone number, for this Project: W. Zachary Crouch, P.E.

**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:  
Subdivision consisting of 31 single family homes and 73 townhomes

11. Area of Project(Acres +/-): 75.22 acres

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.  
Canary Creek-Rezoning December 2003

14. Present Zoning: CFD Community Facilities District

15. Proposed Zoning: CFD AND O/R

16. Present Use: Agricultural

17. Proposed Use: 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: City of Lewes October 2005 Certified Plan Future Land Use is for institutional use. Requesting a rezoning to residential.

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: City of Lewes

Will a new public well be located on the site?  Yes  No What is the estimated water demand for this project? 31,200 g/day

How will this demand be met? City of Lewes has capacity

21. Wastewater:  Central (Community system)  Individual On-Site  Public (Utility)  
Service Provider Name: City of Lewes

22. If a site plan please indicate gross floor area: N/A

23. If a subdivision:  Commercial  Residential  Mixed Use

24. If residential, indicated the number of number of Lots/units: 104 Gross Density of Project: 1.38 units/acre Net Density 4.99 units/acre

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: N/A

Number of owner-occupied units: N/A

Target Population (check all that apply):

Renter-occupied units N/A

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 TBD

Move-up buyer – if checked, how many units

Second home buyer – if checked, how many units TBD

Active Adult (Check only if entire project is restricted to persons over 55)

26. Present Use: % of Impervious Surfaces: 0.0  
Square Feet: 0

Proposed Use: % of Impervious Surfaces: 6.94 acres  
Square Feet: 302,185 sq. ft.

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

How much forest land is presently on-site? 11.14 acres    How much forest land will be removed? 6.26 acres

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 22.36 +/- acres

Non-tidal    Acres 3.97 +/- acres

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

Has the Army Corp of Engineers signed off on the delineation?  Yes  No Submitted August 2006

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: Stormwater Management Ponds and Bio-Swales/Retention ponds

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.): See Site Plan

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? 11.66 Acres 507,909 Square Feet

Open space proposed (not including stormwater management ponds and waste water disposal areas) 10.82 acres/ 471,319 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)? See Site Plan

Where is the open space located? See Site Plan

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 22.52 acres

Acres on-site that will be restored N/A

Acres of required wetland mitigation N/A

Stormwater, erosion and sediment control, and construction best management practices (BMPs) that will be employed N/A

Buffers from wetlands, streams, lakes, and other natural water bodies N/A

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 845 ADT

What percentage of those trips will be trucks, excluding vans and pick-up trucks? 1%

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 connection to New Road (RT 266). New Road is 60' wide and is a two-lane road.

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

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. 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:

45. Please make note of the time-line for this project: January 2010

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

Signature of property owner

7/24/08  
Date

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

July 25, 2008  
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](mailto: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

SINGLE FAMILY DETACHED (PER OSCDD)  
 FRONT YARD SETBACK 25 FT MIN.  
 SIDE YARD SETBACK 8 FT MIN.  
 REAR YARD SETBACK 15 FT MIN.  
 MIN. LOT SIZE REQUIRED 5,000 SQ. FT.  
 MIN. LOT WIDTH 50'  
 MIN. LOT DEPTH 75'  
 MAX. BUILDING HEIGHT 30.5 FT.  
 PROPOSED NUMBER OF LOTS 31

TOWNHOMES (PER OSCDD)  
 FRONT YARD SETBACK 25 FT MIN.  
 SIDE YARD SETBACK 8 FT MIN.  
 REAR YARD SETBACK 15 FT MIN.  
 MIN. LOT SIZE REQUIRED 2,500 SQ. FT.  
 MIN. LOT WIDTH 65'  
 MIN. LOT DEPTH 75'  
 MAX. BUILDING HEIGHT 30.5 FT.  
 PROPOSED NUMBER OF LOTS 73

TOTAL PROPOSED UNITS 104

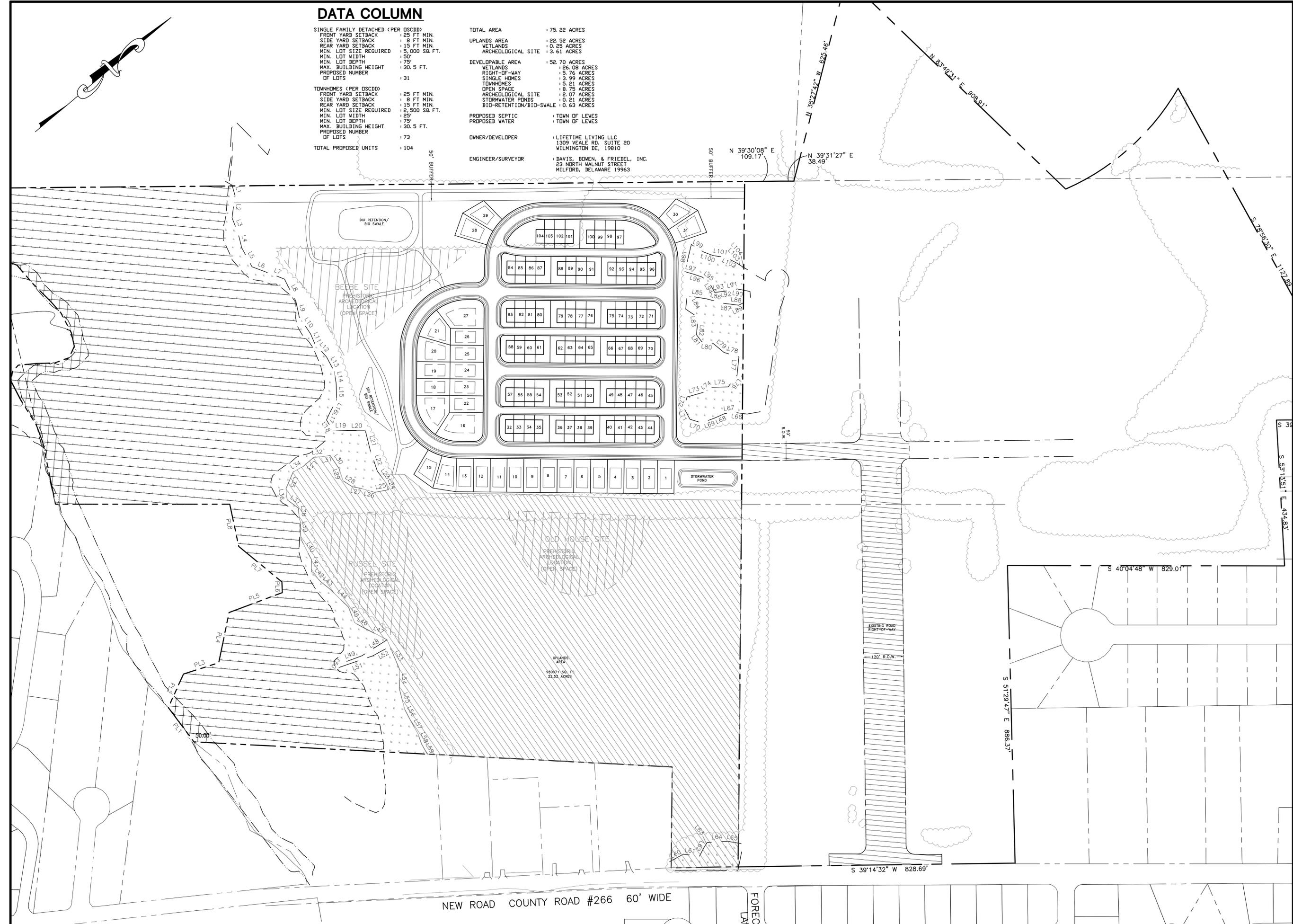
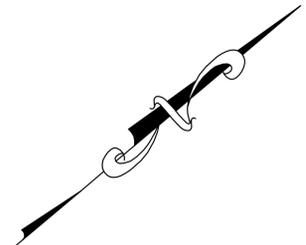
TOTAL AREA 75.22 ACRES  
 UPLANDS AREA 22.52 ACRES  
 WETLANDS 0.25 ACRES  
 ARCHEOLOGICAL SITE 3.61 ACRES

DEVELOPABLE AREA 52.70 ACRES  
 WETLANDS 26.08 ACRES  
 RIGHT-OF-WAY 5.76 ACRES  
 SINGLE HOMES 13.99 ACRES  
 TOWNHOMES 5.21 ACRES  
 OPEN SPACE 8.75 ACRES  
 ARCHEOLOGICAL SITE 2.07 ACRES  
 STORMWATER PONDS 0.21 ACRES  
 BIO-RETENTION/BIO-SWALE 0.63 ACRES

PROPOSED SEPTIC 1 TOWN OF LEVES  
 PROPOSED WATER 1 TOWN OF LEVES

OWNER/DEVELOPER LIFETIME LIVING LLC  
 1309 VEALE RD. SUITE 20  
 WILMINGTON DE, 19810

ENGINEER/SURVEYOR DAVIS, BOWEN, & FRIEDEL, INC.  
 23 NORTH WALNUT STREET  
 MILFORD, DELAWARE 19963



DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS, ENGINEERS & SURVEYORS  
 SALISBURY, MARYLAND (410) 543-9091  
 MILFORD, DELAWARE (302) 424-1441



PRELIMINARY SITE PLAN

**CANARY CREEK**  
**CITY OF LEWES**  
**SUSSEX COUNTY, DELAWARE**

REVISIONS:  
 8-31-04 MULTI USE PATH  
 9-5-07 LANDSCAPE  
 11-26-07 HOUSING UNITS AND ROAD  
 1-28-08 HOUSING UNITS AND ROADS

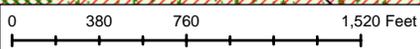
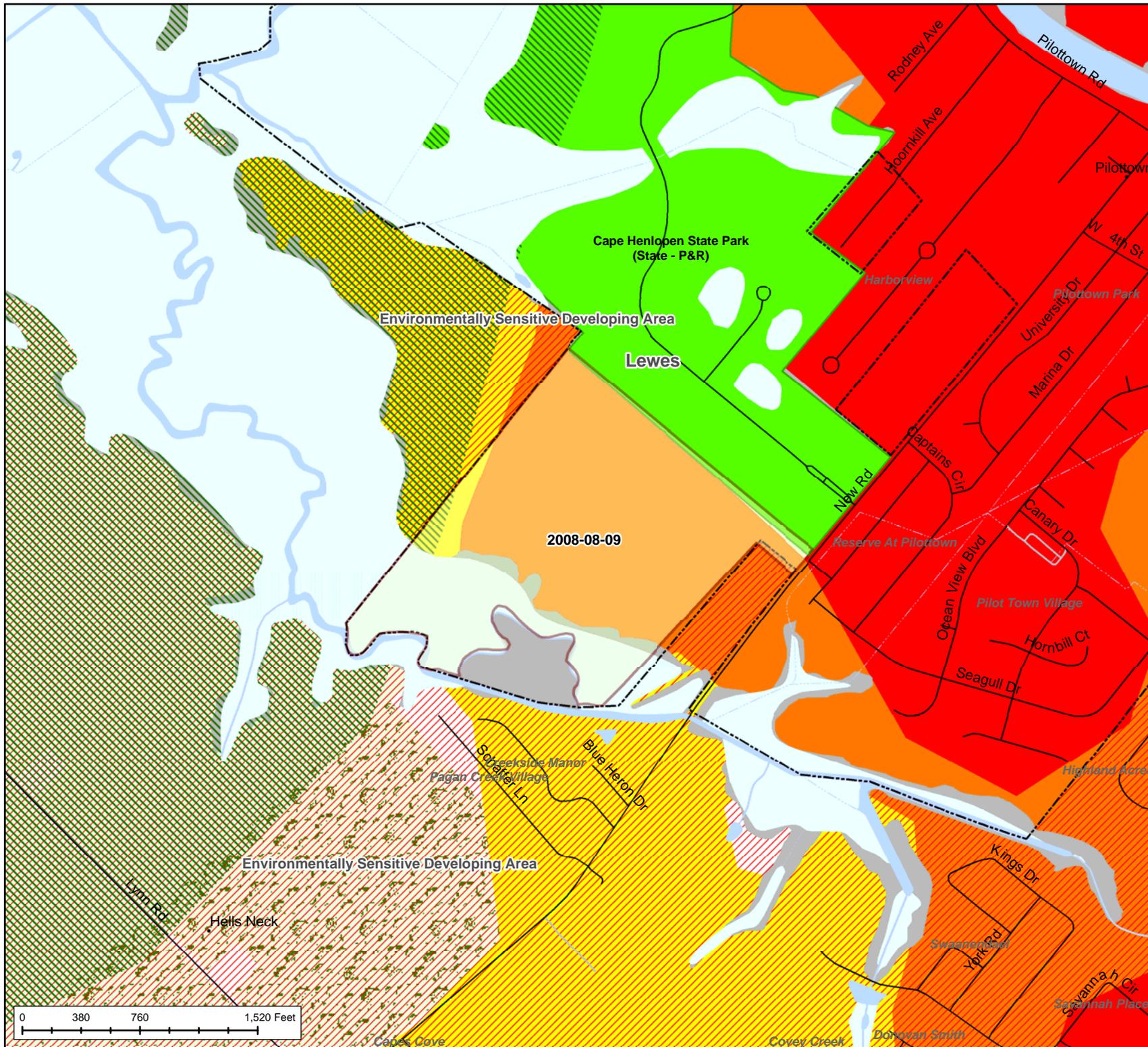
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 Dwn.By: DJS/LH/JML  
 Proj.No.: 1325A002  
 Dwg.No.:

**OPT L**

# Preliminary Land Use Service (PLUS)

Canary Creek  
2008-08-09

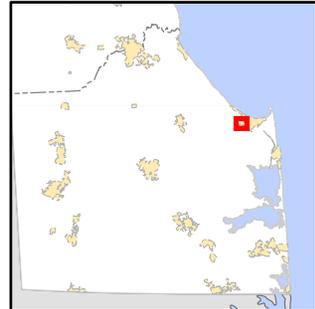
-  Project Areas
  -  Municipalities
  -  Purchased Dev. Rights
  -  Ag District
  -  Public Owned/Protected
  -  Forestry Easements
  -  Delaware State Forests
  -  Working Forests
  -  Highest Value Agriculture
- 
- State Strategies**
-  Level 1
  -  Level 2
  -  Level 3
  -  Level 4
  -  Nat. Res.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



1:10,000



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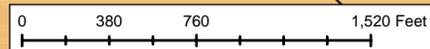
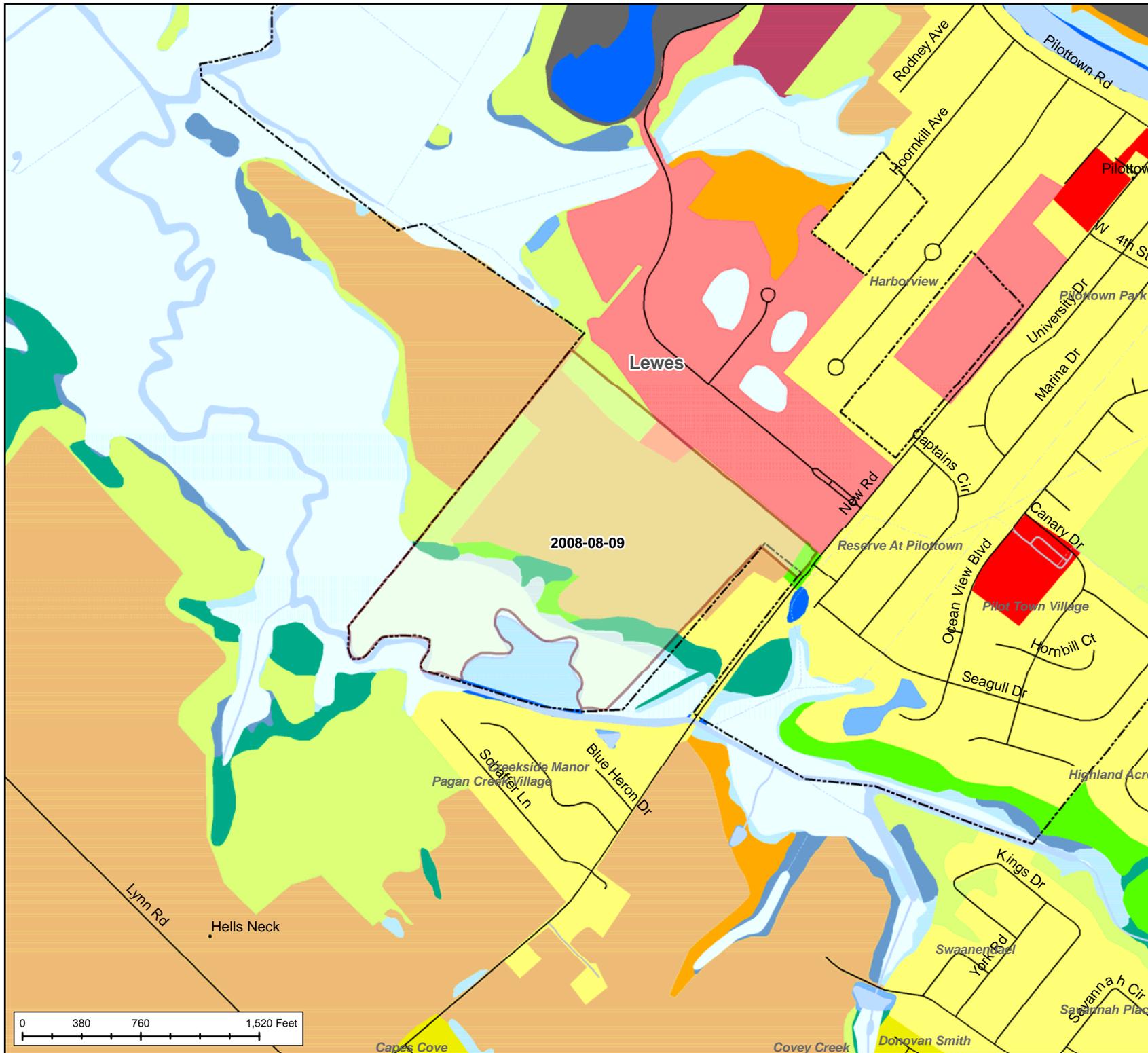
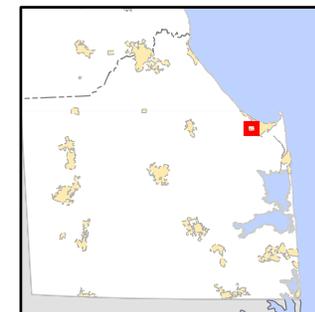
Canary Creek  
2008-08-09

-  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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Canary Creek  
2008-08-09

-  Project Areas
-  Municipalities

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



1:4,296



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