

### 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/DNREcels](http://www.dnrec.state.de.us/DNREcels)  
[data11.delaware.gov](http://data11.delaware.gov)  
[www.state.de.us/deptagri](http://www.state.de.us/deptagri)

1. Project Title/Name:	THE OVATIONS		
2. Location (please be specific):	WEST SIDE OF DUCK CREEK ROAD JUST SOUTH OF PROVIDENCE CREEK		
3. Parcel Identification #:	KH-04-018.06-01-65.00-008. County or Local Jurisdiction Name: TOWN OF CLAYTON		
5. Owner's Name:	PROVIDENCE CREEK II, LLC		
Address:	872-A WALKER ROAD		
City:	DOVER	State:	DELAWARE
		Zip:	19904
Phone:	302-677-1940	Fax:	302-677-1872
		Email:	TONY@ASHBURNHOMES.NET
6. Applicant's Name:	ASHBURN HOMES INCORPORATED		
Address:	872-A WALKER ROAD		
City:	DOVER	State:	DELAWARE
		Zip:	19904
Phone:	302-677-1940	Fax:	302-677-1872
		Email:	TONY@ASHBURNHOMES.NET
7. Project Designer/Engineer:	PENNONI ASSOCIATES INC.		
Address:	62 ROCKFORD ROAD - SUITE 201		
City:	WILMINGTON	State:	DELAWARE
		Zip:	19806
Phone:	302-655-4451	Fax:	302-654-2895
		Email:	DBARRY@PENNONI.COM
8. Please Designate a Contact Person, including phone number, for this Project:	DOUGLAS D. BARRY, P.E. PHONE # 302-655-4451		

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: SUBDIVISION OF 50 ACRES OF LAND INTO 200 AGE-RESTRICTED DUPLEX AND TRIPLEX RESIDENTIAL UNITS	
11. Area of Project(Acres +/-): 50.0.	
12. According to the State Strategies Map, in what Investment Strategy Level is the project located? <input type="checkbox"/> Investment Level 1 <input checked="" type="checkbox"/> Investment Level 2 <input type="checkbox"/> Investment Level 3 <input 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: RS	15. Proposed Zoning: RS
16. Present Use: OPEN SPACE/AGRICULTURAL	17. Proposed Use: CLUSTER RESIDENTIAL
18. If known, please list the historical and former uses of the property, and any known use of chemicals or hazardous substances: AGRICULTURAL	
19. Comprehensive Plan recommendation: If in the County, which area, according to their comprehensive plan, is the project located in: <sup>NOT IN COUNTY</sup> New Castle <input type="checkbox"/> Kent <input type="checkbox"/> Sussex <input type="checkbox"/> (TOWN OF CLAYTON) 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 type="checkbox"/> Developing <input type="checkbox"/> Other <input type="checkbox"/> Environ. Sensitive Dev. District <input type="checkbox"/>	
20. Water: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: TOWN OF CLAYTON 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? 40,000 GPD How will this demand be met? Existing Capacity	
21. Wastewater: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: TOWN OF CLAYTON	
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: 200 Gross Density of Project: 4.0 Net Density 6.0 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: 200

Target Population (check all that apply):  
Renter-occupied units  
 Family  
 Active Adult (check only if entire project is restricted to persons over 55) \* PER FEDERAL REGULATIONS

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) \* PER FEDERAL REGULATIONS

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26. Present Use: % of Impervious Surfaces: 0%  
Square Feet: 0  
Proposed Use: % of Impervious Surfaces: 53%  
Square Feet: 1,150,000 S.F.

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27. What are the environmental impacts this project will have? FLOODPLAIN DEVELOPMENT (CLMRF Application APPROVED BY FEMA)

How much forest land is presently on-site? 0 How much forest land will be removed? 0

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 (HOWEVER CLOSE)

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-arclms02.co.new-castle.de.us/website/nccparcelmap2/viewer.htm>

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

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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 (CLMRF Application APPROVED)

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. ADDITIONAL STORMWATER VOLUME - TYPICAL

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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 0.32

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: HOME CONSTRUCTION WITHIN 100' OF WETLAND AREAS ASSOCIATED WITH PROVIDENCE CREEK

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: two dry stormwater detention 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.): PROVIDENCE CREEK  
 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? 15.9 Acres Square Feet 692,604  
 Open space proposed (not including stormwater management ponds and waste water disposal areas) 13.6 AC / 592,416 S.F.  
 What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? ACTIVE RECREATION, PASSIVE RECREATION, STORMWATER MANAGEMENT  
 Where is the open space located? ADJACENT TO WETLANDS, INTERIOR TO SITE, ADJACENT TO DUCK CREEK ROAD  
 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? DUCK CREEK ROAD IMPROVEMENTS

36. Are any environmental mitigation measures included or anticipated with this project?  Yes  No  
 Acres on-site that will be permanently protected 0.0  
 Acres on-site that will be restored 0.0  
 Acres of required wetland mitigation 0.0  
 Stormwater, erosion and sediment control, and construction best management practices (BMPs) that will be employed TWO (2) STORMWATER DETENTION PONDS  
 Buffers from wetlands, streams, lakes, and other natural water bodies 25' - 150'

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 **520**

What percentage of those trips will be trucks, excluding vans and pick-up trucks? **0% (UNDER NORMAL CONDITIONS)**

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 DUCK CREEK ROAD ADJACENT TO LONGWOOD LANE. DUCK CREEK ROAD TO BE IMPROVED TO ACCOMMODATE 10' RIGHT TURN LANE, 5' BIKE LANE, 11' TRAVEL LANES, 11' LEFT TURN LANE & 3' SHOULDERS**

40. Will the street rights of way be public, private, or town? **TOWN OF CLAYTON**

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. **CONNECTIONS TO ADJACENT PROPERTY (TAX PARCEL # 3040180601630000) ARE CONTEMPLATED VIA STUB STREETS ADJACENT TO CRESCITA LANE**

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

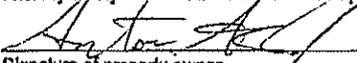
Would you be open to a site evaluation by the State Historic Preservation Office?  Yes  No

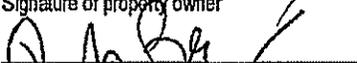
42. Are any federal permits, licensing, or funding anticipated?  Yes  No

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: **TRASH**

45. Please make note of the time-line for this project: **PROJECT ALREADY RECORDED; PROJECT MAY BEGIN AS EARLY AS SPRING 2009**

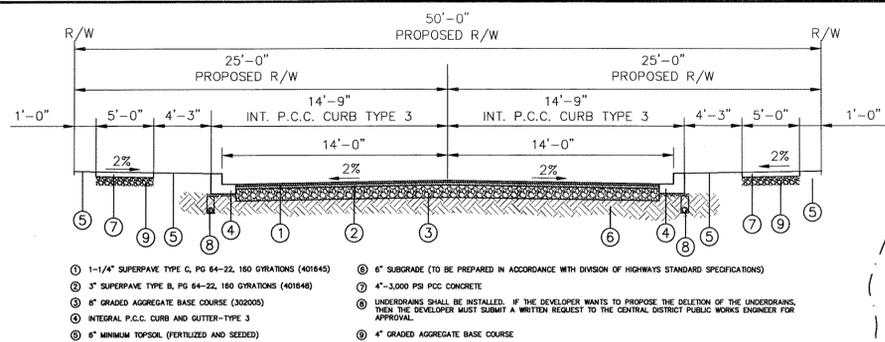
I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

  
Signature of property owner **11/3/08**  
Date

  
Signature of Person completing form  
(If different than property owner) **11-03-08**  
Date

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

LINE TABLE		CURVE TABLE				CURVE TABLE						
LINE	BEARING	CURVE	LENGTH	RADIUS	CHORD	CHORD-DIRECTION	CURVE	LENGTH	RADIUS	CHORD	CHORD-DIRECTION	
L1	20.00	N77°40'38"E	C1	14.14	9.00	12.73	S57°19'22"E	C64	14.89	9.75	13.48	S78°19'42"E
L2	20.00	S39°34'42"E	C2	145.17	525.00	144.71	S89°45'20"W	C65	99.55	360.00	99.23	S89°45'20"W
L3	20.00	S39°34'42"E	C3	388.84	475.00	378.16	S39°23'07"W	C66	84.02	340.00	83.72	S89°45'20"W
L4	20.00	S39°34'42"E	C4	42.94	275.00	42.90	N19°23'34"E	C67	12.57	8.00	11.31	N32°40'38"E
L5	20.00	S39°34'42"E	C5	115.12	275.00	114.28	N35°51'31"E	C68	12.57	8.00	11.31	N57°19'22"W
L6	20.00	N50°48'21"E	C6	189.88	125.00	172.21	N32°40'38"E	C69	214.20	575.00	212.97	S78°19'42"E
L7	20.00	N50°48'21"E	C7	14.14	9.00	12.73	N05°46'21"E	C70	10.20	7.00	9.32	S81°35'09"E
L8	20.00	N77°40'38"E	C8	14.14	9.00	12.73	S05°46'21"W	C71	51.29	290.00	51.22	S54°26'01"E
L9	20.00	N77°40'38"E	C9	130.38	275.00	129.16	S84°05'43"W	C72	21.67	585.00	21.67	N58°26'21"W
L10	20.00	N77°40'38"E	C10	14.14	9.00	12.73	S32°40'38"E	C73	11.45	8.00	10.50	N81°33'11"E
L11	20.00	N142°22'4"W	C11	14.14	9.00	12.73	N57°19'22"W	C74	51.46	320.00	51.40	S45°13'26"W
L12	20.00	N142°22'4"W	C12	14.14	9.00	12.73	N32°40'38"E	C75	44.19	300.00	44.15	S45°36'38"W
L13	20.00	N142°22'4"W	C13	14.14	9.00	12.73	N57°19'22"W	C76	13.30	8.00	11.82	S06°14'33"E
L14	20.00	N142°22'4"W	C14	14.14	9.00	12.73	N32°40'38"E	C77	211.61	585.00	210.45	N43°30'48"E
L15	20.00	N77°40'38"E	C15	11.00	7.00	9.90	N57°19'22"W	C78	12.29	8.00	11.11	S77°09'00"E
L16	20.00	N77°40'38"E	C16	131.35	475.00	130.93	S89°45'20"W	C79	41.20	275.00	41.17	N35°32'37"W
L17	20.00	N77°40'38"E	C17	14.14	9.00	12.73	S32°40'38"E	C80	45.66	240.00	45.60	S33°24'00"E
L18	20.00	N77°40'38"E	C18	13.61	9.00	12.35	N77°42'55"W	C81	45.10	225.00	45.03	N38°18'28"W
L19	20.00	N77°40'38"E	C19	158.68	425.00	157.76	S48°15'12"W	C82	14.23	9.00	12.79	S75°51'25"E
L20	20.00	N77°40'38"E	C20	121.46	425.00	121.04	S28°39'58"W	C83	14.21	9.00	12.78	N13°32'59"E
L21	20.00	N77°40'38"E	C21	14.16	9.00	12.79	S28°39'51"E	C84	53.29	310.00	53.21	S84°34'37"E
L22	20.00	N77°40'38"E	C22	14.72	9.00	13.16	S81°35'09"W	C85	258.56	565.00	256.31	N46°23'25"W
L23	20.00	N77°40'38"E	C23	50.01	325.00	49.96	N19°27'31"E	C86	12.86	8.00	11.52	N12°47'07"E
L24	20.00	N77°40'38"E	C24	136.05	325.00	135.08	N35°51'31"E	C87	48.17	260.00	48.39	S33°24'00"W
L25	20.00	N77°40'38"E	C25	113.99	75.00	103.33	S04°18'43"W	C88	136.61	325.00	135.61	S89°45'20"W
L26	20.00	N77°40'38"E	C26	11.00	7.00	9.90	S84°13'39"E	C89	31.93	325.00	31.91	N68°56'54"W
L27	20.00	N77°40'38"E	C27	11.00	7.00	9.90	S05°46'21"W	C90	23.77	275.00	23.76	N88°36'37"W
L28	20.00	N77°40'38"E	C28	14.14	9.00	12.73	S84°13'39"E	C91	103.91	275.00	102.00	N55°21'03"W
L29	20.00	N77°40'38"E	C29	13.71	9.00	12.42	N07°08'07"E	C92	89.26	175.00	88.29	N27°26'19"W
L30	20.00	N77°40'38"E	C30	14.61	9.00	13.06	S82°42'21"E	C93	9.99	9.00	9.49	N18°38'22"E
L31	20.00	N77°40'38"E	C31	140.78	325.00	139.68	S85°16'04"W	C94	16.77	9.00	14.45	N87°45'41"W
L32	20.00	N77°40'38"E	C32	14.14	9.00	12.73	N32°40'38"E	C95	11.39	9.00	10.64	N43°30'48"E
L33	20.00	N77°40'38"E	C33	106.02	475.00	105.80	S71°16'59"W	C96	15.66	9.00	13.76	S82°41'14"E
L34	20.00	N77°40'38"E	C34	50.06	475.00	50.03	S81°52'12"W	C97	52.79	225.00	52.67	S74°10'28"W
L35	20.00	N77°40'38"E	C35	8.95	7.00	8.56	S28°39'51"E	C98	15.21	9.00	13.47	N32°28'02"E
L36	20.00	N77°40'38"E	C36	238.10	625.00	236.66	S25°17'14"E	C99	19.79	13.00	17.94	N88°51'46"W
L37	20.00	N77°40'38"E	C37	238.98	660.00	237.68	S24°44'48"E	C100	21.07	13.00	18.84	N01°11'16"E
L38	20.00	N77°40'38"E	C38	25.74	190.00	25.72	N18°15'15"W	C101	53.88	980.00	53.87	S49°11'51"W
L39	20.00	N77°40'38"E	C39	28.45	210.00	28.43	N18°15'15"W	C102	13.56	8.00	12.25	N78°15'14"W
L40	20.00	N77°40'38"E	C40	14.07	8.00	12.32	S84°44'32"E	C103	4.62	8.00	4.55	S12°44'52"E
L41	20.00	N77°40'38"E	C41	70.98	318.00	70.83	S71°16'59"W	C104	32.37	60.00	31.98	N11°40'10"W
L42	20.00	N77°40'38"E	C42	65.51	298.00	65.36	S71°16'59"W	C105	17.55	13.00	16.26	S23°22'35"E
L43	20.00	N77°40'38"E	C43	12.57	8.00	11.31	N32°40'38"E	C106	9.47	7.00	8.76	N60°21'17"W
L44	20.00	N77°40'38"E	C44	12.57	8.00	11.31	N57°19'22"W	C107	92.01	175.00	90.95	S85°50'04"W
L45	20.00	N77°40'38"E	C45	9.99	140.00	9.99	N142°22'4"W	C108	36.08	110.00	35.92	S80°10'13"W
L46	20.00	N77°40'38"E	C46	11.42	160.00	11.42	N142°22'4"W	C109	175.49	675.00	175.00	S29°03'14"E
L47	20.00	N77°40'38"E	C47	12.57	8.00	11.31	N32°40'38"E	C110	28.52	90.00	28.39	S60°10'13"W
L48	20.00	N77°40'38"E	C48	168.27	450.00	167.50	S66°57'52"W	C111	20.42	13.00	18.38	S05°46'21"W
L49	20.00	N77°40'38"E	C49	62.24	640.00	62.21	S20°53'57"E	C112	20.42	13.00	18.38	N39°44'45"E
L50	20.00	N77°40'38"E	C50	166.77	430.00	165.73	S66°33'59"W	C113	20.65	275.00	20.65	S38°01'05"E
L51	20.00	N77°40'38"E	C51	11.47	8.00	10.51	S23°48'16"E	C114	74.53	480.00	74.46	N39°44'45"E
L52	20.00	N77°40'38"E	C52	62.24	640.00	62.21	S20°53'57"E	C115	77.64	500.00	77.55	N39°44'45"E
L53	20.00	N77°40'38"E	C53	14.08	8.00	12.34	S23°19'02"E	C116	112.52	980.00	112.46	N47°29'00"E
L54	20.00	N77°40'38"E	C54	11.40	8.00	10.46	S14°38'48"W	C117	56.73	1000.00	56.73	N49°08'50"E
L55	20.00	N77°40'38"E	C55	88.83	640.00	88.74	S30°53'11"E	C118	54.98	1000.00	54.97	S49°11'51"W
L56	20.00	N77°40'38"E	C56	12.57	8.00	11.31	N57°19'22"W	C119	64.80	40.00	57.84	N04°21'40"E
L57	20.00	N77°40'38"E	C57	12.32	8.00	11.14	S33°34'09"W	C120	23.29	13.00	20.30	S86°37'25"W
L58	20.00	N77°40'38"E	C58	116.48	525.00	116.24	S71°19'16"W	C121	32.83	325.00	32.81	S37°16'34"E
L59	20.00	N77°40'38"E	C59	12.82	8.00	11.49	S56°25'51"E	C122	36.29	325.00	36.21	S82°34'31"W
L60	20.00	N77°40'38"E	C60	12.57	8.00	11.31	N32°40'38"E	C123	12.65	1000.00	12.65	N44°33'24"E
L61	20.00	N77°40'38"E	C61	58.33	525.00	58.30	S59°30'57"W	C124	20.46	13.00	18.41	S00°09'51"E
L62	20.00	N77°40'38"E	C62	14.79	8.00	13.18	S09°15'50"W	C125	19.77	13.00	17.92	S88°48'44"E
L63	20.00	N77°40'38"E	C63	35.28	325.00	35.27	N34°41'41"W					



**TYPICAL ROADWAY SECTION - INTERNAL SUBDIVISION STREET (MINOR) AND ARE BOULEVARD (STA. 0+00 TO 7+50 ONLY)**  
NOT TO SCALE

**SITE DATA:**

1. AREA IN EXIST. OVERALL PARCEL	50.00 ACRES
2. AREA IN PROPOSED RIGHT-OF-WAY	12.73 ACRES
3. AREA IN PROPOSED LOTS	21.51 ACRES
4. AREA IN OPEN SPACE	15.76 ACRES

**APPLICATION/PROPERTY INFORMATION**

OWNER NAME	PROVIDENCE CREEK II, LLC
OWNER ADDRESS	872-A WALKER ROAD DOVER, DELAWARE 19904
PLAN PREPARER NAME	PENNONI ASSOCIATES, INC.
PLAN PREPARER ADDRESS	62 ROCKFORD ROAD - SUITE 201 WILMINGTON, DELAWARE 19806
DATE OF SURVEY	JANUARY 21, 2005
TYPE OF APPLICATION	RESIDENTIAL SUBDIVISION (CLUSTER DEVELOPMENT)
TAX PARCEL NO.	KH-04-018-06-01-65-00-000
PROPERTY ACREAGE	50.00 AC
ZONING REQUIREMENTS	REQUIRED: 4 D.U.'S PROVIDED: 4 D.U.'S
CLUSTER DEVELOPMENT	REQUIRED: 50 ACRES PROVIDED: 50 ACRES
MINIMUM TRACT AREA	200 D.U.'S
MAXIMUM DENSITY PER ACRE	4 D.U.'S
MAXIMUM ALLOWED DENSITY	25% (12.5 acres)
OPEN SPACE	32% (15.76 acres)
PARKING REQUIREMENTS	REQUIRED: 2 SPACES PER DWELLING UNIT
PROVIDED:	400 (2 GARAGE SPACES FOR EACH DWELLING UNIT)

**GENERAL NOTES**

- PHOTOGRAMMETRY WAS PERFORMED BY SPECTRUM MAPPING, L.L.C. AERIAL MAPPING WAS PERFORMED ON JANUARY 21, 2005. ADDITIONAL TOPOGRAPHIC SURVEY WAS PERFORMED BY PENNONI ASSOCIATES, INC. SURVEY DATUM NAVD 88. BENCHMARK - TRAVERSE POINT #103 (TP-103), ELEVATION = 39.02, NEAR THE INTERSECTION OF DUCK CREEK ROAD AND WILSON AVENUE.
- THE SITE LIES PARTIALLY WITHIN THE 100-YEAR FLOODPLAIN OF PROVIDENCE CREEK AS DELINEATED PER FEMA FIRM PANEL NO. 100010004H, EFFECTIVE DATE MAY 5, 2003. THE 100-YEAR FLOOD ELEVATION IS 29.00 (ELEVATION 88').
- A WETLANDS DELINEATION WAS PERFORMED BY ENVIRONMENTAL CONSULTING SERVICES, INC. IN MARCH 2005. THE WETLANDS ARE ILLUSTRATED ON THE PLANS.
- SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY DEDICATED TO PUBLIC USE SHOWN ON THIS PLAN ARE TO BE MAINTAINED BY THE TOWN OF CLAYTON FOLLOWING THE COMPLETION OF THE STREETS BY THE DEVELOPER TO THE SATISFACTION OF THE TOWN. THE TOWN ASSUMES NO RESPONSIBILITIES WITHIN THE DEDICATED STREET RIGHT-OF-WAY UNTIL THE STREETS HAVE BEEN ACCEPTED BY THE TOWN.
- IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE KENT CONSERVATION DISTRICT.
- THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
- SEDIMENTS REMOVED FROM STORMWATER MANAGEMENT FACILITIES DURING PERIODIC MAINTENANCE OPERATIONS DURING CONSTRUCTION, SHALL BE PLACED IN THE APPROPRIATE TOPSOIL STOCKPILE LOCATION. AFTER CONSTRUCTION IS COMPLETED AND THE SITE IS STABILIZED, SEDIMENTS SHALL BE PLACED IN THE DESIGNATED OPEN SPACE AREAS AND STABILIZED ACCORDING TO THE APPROPRIATE SEEDING SPECIFICATIONS.
- IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO PROVIDE LONG TERM MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES UNTIL THAT RESPONSIBILITY IS ASSUMED BY A HOMEOWNER'S ASSOCIATION OR MAINTENANCE CORPORATION.
- LOTS 179 THROUGH 185 SHALL NOT BE CONSTRUCTED WITH BASEMENTS.
- THE 6" DELMARVA MUNICIPAL ELECTRIC COMPANY (DEMCO) GAS LINE MAY NEED TO BE RELOCATED. THE RELOCATION WILL BE DONE BY DEMCO/EASTERN SHORE NATURAL GAS COMPANY (ESNG). THE OWNER/DEVELOPER WILL BE RESPONSIBLE FOR ANY AND ALL WORK ASSOCIATED WITH THE INVESTIGATION AND RELOCATION EXPENSES. THIS INCLUDES THE COST ASSOCIATED WITH ANY AND ALL EASEMENTS AS NEEDED.
- COPY OF THE FINAL RECORDED DRAWINGS SHALL BE GIVEN TO DEMCO.
- THE HOMES TO BE CONSTRUCTED SHALL BE IN STRICT CONFORMANCE WITH THE TRADITIONAL NEIGHBORHOOD DESIGN THEME PRESENTED TO TOWN COUNCIL DURING THE SUBDIVISION APPROVAL PROCESS.
- THE ILLUSTRATED LOCATION, SIZE AND ARCHITECTURE OF THE PROPOSED SUBDIVISION SIGNS TO BE INSTALLED BY THE DEVELOPER MUST BE SUBMITTED, REVIEWED AND APPROVED BY THE TOWN OF CLAYTON PRIOR TO INSTALLATION IN THE FIELD.
- ON-STREET PARKING IS PERMITTED ONLY ON ONE (1) SIDE OF THE SUBDIVISION STREETS. PLEASE REFER TO SHEETS C1001, C1002 AND C1003 FOR PROPOSED LOCATION OF ONE-SIDED PARKING.

<b>PLANNING COMMISSION APPROVAL</b>		<b>OWNER CERTIFICATION</b>	
PLANNING COMMISSION CHAIRPERSON	DATE	AS AUTHORIZED REPRESENTATIVE OF PROVIDENCE CREEK II, LLC, I, ANTONIO ASHBURN, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN HAS BEEN PREPARED BY A LICENSED PROFESSIONAL ENGINEER AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC USE, THAT ALL PROPOSED MONUMENTS AND MARKERS SHOWN HEREON WILL BE SET AT THE LOCATION INDICATED, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO LAW.	DATE
<b>ENGINEER CERTIFICATION</b>		ANTONIO ASHBURN PROVIDENCE CREEK II, LLC	
I, DOUGLAS D. BARRY, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY PROFESSIONAL AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.		DATE	

NOTE: SEE CURVE AND LINE TABLES ON SHEET C1000 FOR TAG DIMENSIONS

MATCHLINE - SEE SHEET C1002

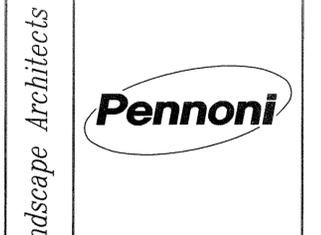
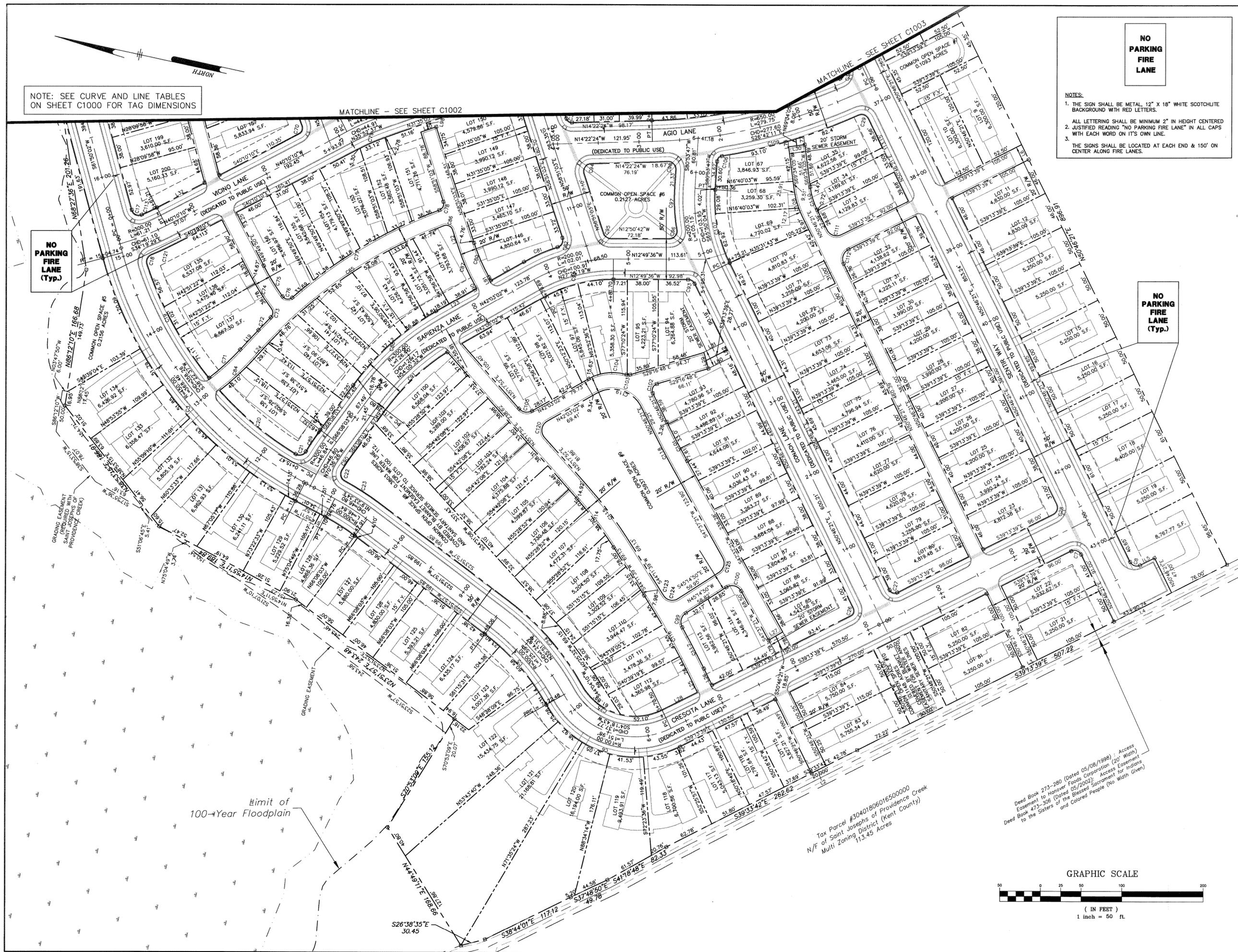
MATCHLINE - SEE SHEET C1003

NO PARKING FIRE LANE

- NOTES:
1. THE SIGN SHALL BE METAL, 12" X 18" WHITE SCOTCHLITE BACKGROUND WITH RED LETTERS.
  2. ALL LETTERING SHALL BE MINIMUM 2" IN HEIGHT CENTERED JUSTIFIED READING "NO PARKING FIRE LANE" IN ALL CAPS WITH EACH WORD ON ITS OWN LINE.
  3. THE SIGNS SHALL BE LOCATED AT EACH END & 150' ON CENTER ALONG FIRE LANES.

NO PARKING FIRE LANE (Typ.)

NO PARKING FIRE LANE (Typ.)



Engineers • Surveyors • Planners • Landscape Architects

DATE	NO.	REVISIONS	BY
03/27/07	5	PER DATE COMMENTS (01/26/07)	GBR
01/25/07	4	PER DELDOT COMMENTS (1-10-07)	JGA
01/12/07	3	PER KCD COMMENTS	GBR
7/18/09	2	PER DELDOT COMMENTS (7/07/06)	GBR
6-7-06	1	PER DELDOT COMMENTS (5/19/06)	GBR

ALL DIMENSIONS MUST BE VERIFIED BY THE FIELD SURVEYOR. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

62 Rockford Road - Suite 201  
 Wilmington, Delaware 19806  
 Tel: (302) 655-4451 Fax: (302) 654-2895

**Pennoni Associates Inc.**

OVATIONS - RESIDENTIAL SUBDIVISION  
 TOWN OF CLAYTON  
 KENT COUNTY, DELAWARE

**PARTIAL RECORD PLAN**

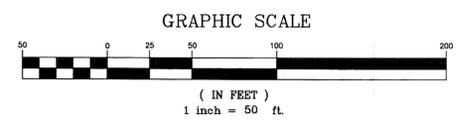
TONY ASHBURN & SON, INC. BUILDERS  
 872-A WALKER ROAD  
 DOVER, DELAWARE 19904

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSES INTENDED. WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

JOB NO.	TASB 0501
BLOCK MAP NO.	SHEET
	2 OF 4
SCALE	DRAWING NO.
1"=50'	C1001
DRAWN BY	JGA
DATE	05-26-06
APPROVED	DDB

Deed Book 273-280 (Dated 05/08/1998) Access Easement 1 to Hanover Foods Corporation 20' Width, Deed Book 473-306 (Dated 05/20/02) Access Easement to the Sisters of the Blessed Sacrament for Indians and Colored People (No Width Given)

Tax Parcel #3040180601650000  
 N/F of Saint Josephs of Providence Creek  
 Multi Zoning District (Kent County)  
 113.45 Acres



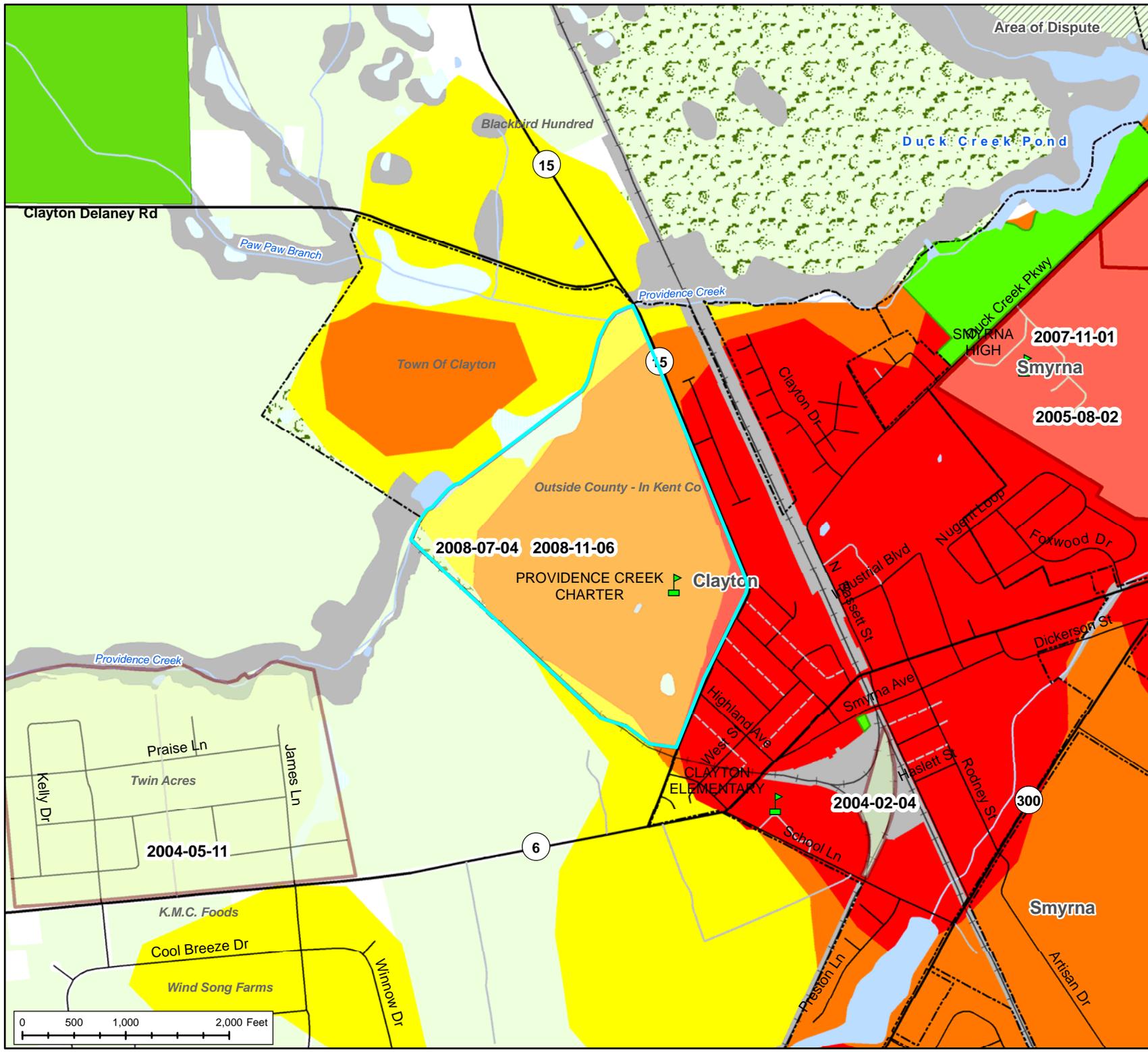
# Preliminary Land Use Service (PLUS)

The Ovations  
2008-11-06

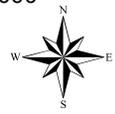
- Project Areas
- Municipalities
- Purchased Dev. Rights
- Ag District
- Public Owned/Protected
- Forestry Easements
- Delaware State Forests
- Working Forests
- Highest Value Agriculture

## State Strategies

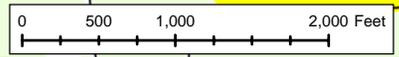
- Level 1
- Level 2
- Level 3
- Level 4
- Nat. Res. & Rec. Priorities
- Out of Play
- Area of Dispute
- Area of Study
- Env. Sens. Dev. (Sussex)



1:15,000



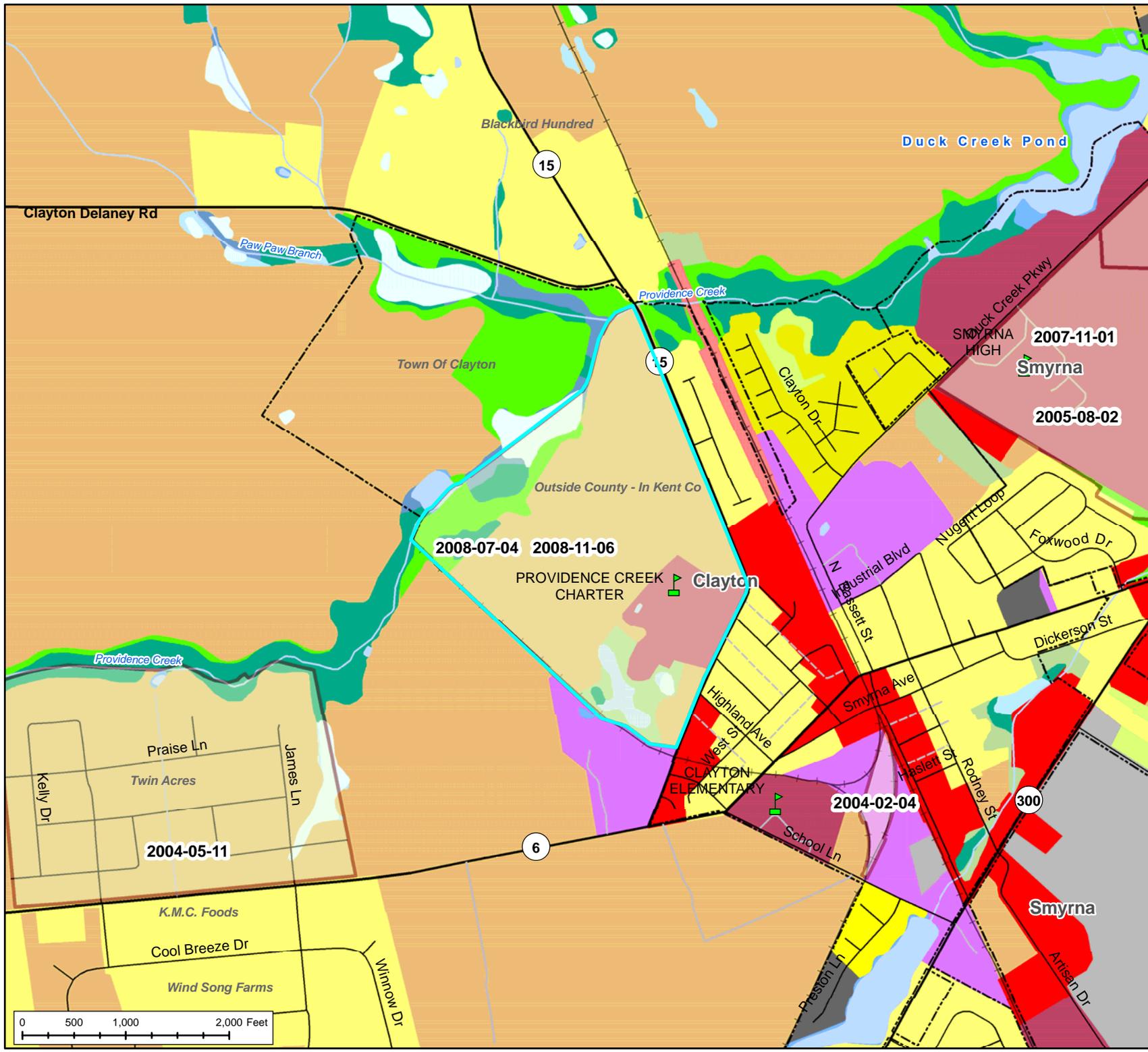
Produced by the Delaware Office of State Planning Coordination.  
stateplanning.delaware.gov



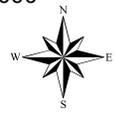
# Preliminary Land Use Service (PLUS)

The Ovations  
2008-11-06

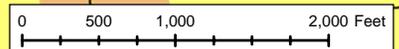
-  Project Areas
-  Municipalities
- Land Use/Land Cover**
-  Single Family Dwellings
-  Multi-Family Dwellings
-  Mobile Home Parks/Courts
-  Commercial
-  Industrial
-  Trans./Comm./Utilities
-  Mixed Urban/Built-up
-  Institutional/Governmental
-  Recreational
-  Farms, Pasture, Cropland
-  CAFO
-  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



1:15,000



Produced by the Delaware Office of State Planning Coordination.  
stateplanning.delaware.gov



# Preliminary Land Use Service (PLUS)

Ovations  
2008-11-06

-  Project Areas
-  Municipalities

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





# Federal Emergency Management Agency

Washington, D.C. 20472

January 03, 2007

THE HONORABLE ROBERT E. BERGHORN  
MAYOR, TOWN OF CLAYTON  
P.O. BOX 1130  
CLAYTON, DE 19938-1130

CASE NO.: 07-03-0194C  
COMMUNITY: TOWN OF CLAYTON, KENT  
COUNTY, DELAWARE  
COMMUNITY NO.: 100005

DEAR MR. BERGHORN:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Conditional Letter of Map Revision based on Fill (CLOMR-F) Comment Document. This comment document provides additional information regarding the effective NFIP map, the legal description of the property and our comments regarding this proposed project.

Additional documents are enclosed which provide information regarding the subject property and CLOMR-Fs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 130, Alexandria, VA 22304-6439.

Sincerely,

William R. Blanton Jr., CFM, Chief  
Engineering Management Section  
Mitigation Division

**LIST OF ENCLOSURES:**

CLOMR-F COMMENT DOCUMENT

cc: Mr. Douglas D. Barry



# Federal Emergency Management Agency

Washington, D.C. 20472

## CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	TOWN OF CLAYTON, KENT COUNTY, DELAWARE	Proposed Lots 179 through 184, and the southerly 35 feet of Lot 185, The Reserve at Providence Creek
	COMMUNITY NO.: 100005	
AFFECTED MAP PANEL	NUMBER: 10001C0042H	
	DATE: 5/5/2003	
FLOODING SOURCE: PROVIDENCE CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 39.299, -75.642 SOURCE OF LAT & LONG: PRECISION MAPPING STREETS 7.0      DATUM: NAD 83

COMMENT TABLE REGARDING THE PROPOSED PROPERTY (PLEASE NOTE THAT THIS IS NOT A FINAL DETERMINATION. A FINAL DETERMINATION WILL BE MADE UPON RECEIPT OF AS-BUILT INFORMATION REGARDING THIS PROPERTY.)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT WOULD BE REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
179- 185	--	The Reserve at Providence Creek	--	Property	X (shaded)	29.0 feet	--	29.0 feet

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

**ADDITIONAL CONSIDERATIONS** (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

### CONDITIONAL LOMR-F DETERMINATION

This document provides the Federal Emergency Management Agency's comment regarding a request for a Conditional Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the proposed property(ies) would not be located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) if built as proposed. Our final determination will be made upon receipt of a copy of this document, as-built elevations, and a completed Community Acknowledgement form. Proper completion of this form certifies the subject property is reasonably safe from flooding in accordance with Part 65.5(a)(4) of our regulations. Further guidance on determining if the subject property is reasonably safe from flooding may be found in FEMA Technical Bulletin 10-01. A copy of this bulletin can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/mit/tb1001.pdf>. This document is not a final determination; it only provides our comment on the proposed project in relation to the SFHA shown on the effective NFIP map.

This comment document is based on the flood data presently available. The enclosed documents provide additional information regarding this request. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 130, Alexandria, VA 22304-6439.

*William R. Blanton Jr.*

William R. Blanton Jr., CFM, Chief  
Engineering Management Section  
Mitigation Division



# Federal Emergency Management Agency

Washington, D.C. 20472

## CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

### ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### CONDITIONAL LOMR-F DETERMINATION (This Additional Consideration applies to the preceding 1 Property.)

Comments regarding this conditional request are based on the flood data presently available. Our final determination will be made upon receipt of this Comment Document, certified as-built elevations and/or certified as-built survey. Since this request is for a Conditional Letter of Map Revision based on Fill, we will also require the applicable processing fee, and the "Community Acknowledgement" form. Please note that additional items may be required before a final as-built determination is issued.

This letter does not relieve Federal agencies of the need to comply with Executive Order 11988 on Floodplain Management in carrying out their responsibilities and providing Federally undertaken, financed, or assisted construction and improvements, or in their regulating or licensing activities.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 130, Alexandria, VA 22304-6439.

A handwritten signature in cursive script that reads "William R. Blanton Jr." followed by a stylized flourish.

William R. Blanton Jr., CFM, Chief  
Engineering Management Section  
Mitigation Division



Office of State Fire Marshal  
 Technical Services  
 1537 CHESTNUT GROVE RD



DOVER DE 19904-9610  
 Phone: 302 739 4394 Fax: 302 739 3696

# Fire Protection Plan Review Report

Plan Review Number 2005-03-0568-MJS-03 Tax Parcel Number KH-04-018.06-01-65.00-000  
 Review Status APPROVED as Submitted Review Date 01/04/07

Project

THE RESERVE AT PROVIDENCE CREEK	
DUCK CREEK RD	200 TOWN HOMES
CLAYTON	DE 19938

Scope of Project

Project Type	MJS	MAJOR SITE	Occupancy Load	
Number of Stories	2		Occupancy Code	9602
Square Footage			Fire District	45
Construction Class	V			

Applicant	Owner
PENNONI ASSOC .62 ROCKFORD ROAD STE 201 WILMINGTON DE 19806	TONY ASHBURN & SON INC 872 WALKER SQUARE SUITE DOVER DE 19904

This office has reviewed the plans and specifications of the above described project for compliance with the State of Delaware Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the State of Delaware Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

This Plan Review Report was prepared by:

GARY R. LONG



**DELAWARE HEALTH  
AND SOCIAL SERVICES**

**DIVISION OF PUBLIC HEALTH**

OFFICE OF DRINKING WATER  
PHONE: (302) 741-8630  
FAX: (302) 741-8631

February 2, 2007

**TOWN OF CLAYTON**

**APPROVAL TO CONSTRUCT**

The Reserve at Providence Creek  
Connection

PWS #DE0000565

Approval #07W20

Mr. Tony Ashburn  
Providence Creek II, L.L.C.  
872-A Walker Road  
Dover, DE 19904

Dear Mr. Ashburn:

As provided by Section 2.11 of the *State of Delaware Regulations Governing Public Drinking Water Systems*, you are granted approval to connect The Reserve at Providence Creek to the existing main in accordance with the plans submitted by Pennoni Associates, Inc. The plans consist of:

1. Transmittal letters dated September 1, 2006 and October 3, 2006.
2. Application for Construction of New or Existing Public Water System dated September 1, 2006.
3. Two copies of the plans entitled "The Reserve at providence Creek" dated August 22, 2006 and revised October 3, 2006.

These plans, as noted, are made a part of this approval. The Division of Public Health, Office of Drinking Water, looks forward to working with you to ensure the provision of potable water through proper operation and maintenance of this water system. This approval is granted subject to the enclosed list of conditions.

The Office of Drinking Water recommends detectable tracer tape that is three inches wide and blue in color to be installed directly above all water mains larger than two inches in diameter.

It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction. Prior to receiving an Approval to Operate, the Office of Drinking Water requires one set of as-built drawings, including profile markups.

Mr. Tony Ashburn  
Providence Creek II, L.L.C.  
February 2, 2007  
Page 2

I am sending one set of plans with a copy of this approval to Pennoni Associates, Inc. that is signed and dated by the Office of Drinking Water. Should you have any questions regarding this matter, please feel free to contact Bill Milliken at (302) 741-8586.

Plans reviewed by:



William J. Milliken, Jr.  
Engineer III  
Office of Drinking Water

Sincerely,



Edward G. Hallock  
Program Administrator  
Office of Drinking Water

cc: Stewart Lovell, DNREC  
Michael J. Petit de Mange, Kent County Planning & Zoning  
Douglas D. Barry, P.E., Penonni Associates, Inc.  
Jeff Hurlock, Town of Clayton  
John DeGour, ODW



March 9, 2007

Mr. Jeff Hurlock, Town Foreman  
Town of Clayton  
414 Main St.  
Clayton, DE 19938

Offices in: Baltimore, Maryland  
Sparks, Maryland  
Newark, Delaware  
Lake Mary, Florida  
Mount Laurel, New Jersey  
Pittsburgh, Pennsylvania  
York, Pennsylvania  
Dulles, Virginia  
Richmond, Virginia  
Virginia Beach, Virginia  
Charleston, West Virginia  
Morgantown, West Virginia

**SUBJECT: SKR4479: Ovations (fka Reserve at Providence Creek)**  
**Tax Parcel #: KH04-018.05-01-65.00**  
**KCR38-W. DUCK CREEK RD.**  
**Kenton Hundred, Town of Clayton, Kent County**

Dear Mr. Hurlock,

The Department of Transportation has reviewed the Site Plan dated May 26, 2006, for the above referenced site, and has no objection as shown on the enclosed drawings and noted below.

Entrance plans shall be developed in accordance with the Department's rules and regulations prior to entrance approval. This "Letter-of-No-Objection" is not a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on a analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local governments in which the land use decisions are authorized. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

Johnson, Mirmiran & Thompson, Inc has been authorized by DelDOT to provide full plan review and approval for certain land development proposals. If I can be of any further assistance, please call me at 302-266-9600.

Regards,

Bradley P. Herb, P.E  
Kent County Project Manager, Development Coordination

Enclosure (1)

cc: (1) Marc Coté, Subdivision Engineer, Development Coordination  
(1) Thad McIlvaine, Project Manager, Project Development South  
Brad Saborio, Central District Public Works Engineer  
Jared Adkins, Kent Conservation District  
Douglas Barry, Pennoni Associates, Inc.  
Mr. Antoine Ashburn, Ashburne & Son, Inc.  
File

---

Kent



County

Department of Planning Services

Mapping/911 Addressing Division

MICHAEL J. PETIT DE MANGE, AICP  
Director of Planning Services

Phone: 302/744-2420

FAX: 302/736-2128

Email: sabrina.fite@co.kent.de.us

W. MICHAEL WARD  
Technology/GIS Administrator

FINAL LETTER OF NO OBJECTION

TO: - Pennoni Associates, Inc.  
- The Town of Clayton

FROM: Sabrina Fite  
Mapping/911 Addressing Division

DATE: March 28, 2007

PIN #: 3-04-018.06-01-65.00-000

OWNER: The Saint Joseph's Project Foundation

REF: Review of record plan received 3-19-2007 via email

.....

The use of the following subdivision name is APPROVED for the above referenced property:

OVATIONS

The use and layout of the following street names are APPROVED for the above referenced property:

AGIO LANE	ANDARE BOULEVARD	CRESCITA LANE
CONACH LANE	COSSU PLACE	SAPIENZA LANE
SENTIR WAY	VICINO LANE	

\*\*\*Official state or city street blade(s) must be erected before a certificate of occupancy is issued.\*\*\*



**CABE ASSOCIATES, INC.**  
**CONSULTING ENGINEERS**

144 SOUTH GOVERNORS AVENUE  
P.O. BOX 877  
DOVER, DELAWARE 19903-0877

-PRINCIPALS-  
LEE J. BEETSCHEN, P.E., DEE  
ROBERT W. KERR, P.E.

-ASSOCIATES-  
MARK K. DOWNES, P.E.

April 20, 2007

Mr. Jeffrey A. Hurlock  
Town of Clayton  
PO Box 1130  
Clayton, DE 19938

Re: Reserve at Providence Creek  
Construction Plan Review

Dear Mr. Hurlock:

We have reviewed the third submission of Construction Plans prepared by Pennoni Associates, Inc and Pump Station Plans prepared by VanCleaf Engineering Associates for the Ovation development (formerly Reserve at Providence Creek). All of our previous comments and recommendations have been satisfactorily addressed. Provided that all other agency approvals have been procured, we recommend that Council grant final plan approval

Very Truly Yours,

CABE ASSOCIATES, INC.

Mark K. Downes, P.E.

MKD  
129-046

cc: Mr. Douglas D. Barry, P.E.  
Pennoni Associates, Inc



June 14, 2007

Mr. Douglas Barry  
Penmoni Associates, Inc.  
62 Rockford Road, Suite 201  
Wilmington, DE 19806

Offices in: Baltimore, Maryland  
Sparks, Maryland  
Newark, Delaware  
Lake Mary, Florida  
Mount Laurel, New Jersey  
Pittsburgh, Pennsylvania  
York, Pennsylvania  
Dulles, Virginia  
Richmond, Virginia  
Virginia Beach, Virginia  
Charleston, West Virginia  
Morgantown, West Virginia

**SUBJECT: SKR4479: Ovations (fka Reserve at Providence Creek)**  
**Tax Parcel #: KH04-018.05-01-65.00**  
**KCR38-W. DUCK CREEK RD.**  
**Clayton, Kent County**

Dear Mr. Barry,

On behalf of DelDOT, please find attached approved entrance plans, dated April 21, 2006, last revised June 13, 2007, for the above referenced project. **This letter does not authorize the commencement of the entrance construction.** You must obtain a permit for entrance construction from DelDOT prior to beginning work.

Please take this approved plan and your itemized cost estimate to the Central District Permits Supervisor, so he may issue the required entrance permit. This plan approval shall be valid a period of six (6) weeks. If an extension of time is needed, contact the Permit Supervisor in writing before the six (6) week period has expired, or the plan will have to be resubmitted for review.

A 150% bond, based upon the itemized construction cost estimate, will be required at the time an entrance permit is requested. Please contact the Central District (302-760-2433) concerning any questions you may have.

Johnson, Mirmiran, & Thompson, Inc has been authorized by DelDOT to provide full plan review and approval for certain land development proposals. If I can be of any further assistance, please call me at 302-266-9600.

Regards,

Bradley P. Herb, P.E  
Kent County Project Manager, Development Coordination

DANIEL, DIBAL @  
STATE OF, US

Enclosure (2)

cc: (1) Marc Coté, Subdivision Engineer, Development Coordination  
(1) Tom Meyer, District I Traffic Engineer  
(2) Brad Saborio, Central District Public Works Engineer

121 Continental Drive Suite 109 Newark, Delaware 19713 Telephone (302) 266-9600 Fax (302) 266-9080 www.jmt.com

Jared Adkins, Kent Conservation District  
Jeff Hurlock, Town Foreman, Town of Clayton  
Mr. Antoine Ashburn, Ashburn & Son, Inc.  
File

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# KENT CONSERVATION DISTRICT

800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

July 30, 2007

Mr. Antoine Ashburn  
Providence Creek, II LLC  
872-A Walker Road  
Dover, Delaware 19904

RE: Oventions

Dear Mr. Ashburn:

The Kent Conservation District has reviewed and re-approved the sediment and stormwater management plans for the above referenced project. Two (2) approved plans are enclosed: one (1) is for your use and one (1) is for your contractor. The contractor's copy must remain on site at all times during construction. Kent Conservation District has no objection to recordation of the site plan.

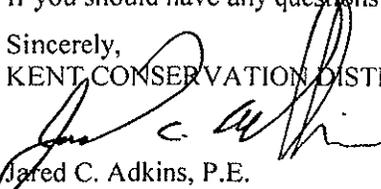
Conditions of this approval are as follows:

1. The Kent Conservation District reserves the right to add, modify, or delete any sediment control and stormwater management measures as deemed necessary during construction.
2. The construction inspection fee of \$10,000.00 can be submitted in phases. The construction inspection fee of \$4,000.00 for Phase I must be submitted to our office prior to any land disturbing activity (clearing, filling, grubbing, grading, etc.) taking place. The phases are as follows:

Phase 1	\$4,000.00	Phase 3	\$2,000.00
Phase 2	\$4,000.00		
3. A Certified Construction Reviewer (CCR) is required for this project unless waived. The CCR will be responsible for attending the pre-construction meeting and submitting weekly inspection reports to the Kent Conservation District.
4. A pre-construction meeting must take place before any earth disturbing activity begins. The meeting must be attended by an owner's representative, contractor, CCR, and Kent Conservation District inspector. Please contact our office to schedule a pre construction meeting.
5. The stormwater facility maintenance inspection fee of \$600.00 must be submitted to our office prior to acceptance of the streets.
6. An as-built survey for the stormwater management facilities must be completed and submitted to our office prior to acceptance of the streets.
7. The conditional approval for this site is valid for three (3) years from the approval date stamped on the plan by Kent Conservation District.
8. Approval of a Sediment and Storm Water Plan does not grant or imply a right to discharge storm water runoff. The owner/developer is responsible for acquiring any and all agreements, easements, etc., necessary to comply with State drainage and other applicable laws.

If you should have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,  
KENT CONSERVATION DISTRICT

  
Jared C. Adkins, P.E.  
Sediment & Stormwater Program Manager

Enclosures

cc: Doug Berry, Pennoni  
Wayne Stover, Town of Clayton