



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

January 22, 2004

Mr. Lawrence Lank
Sussex County Planning
119 Naylor Mill Road, Ste. 6
Salisbury, MD 21801

RE: PLUS Response Letter – PLUS 2004-10-07 River Oaks

Dear Mr. Lank:

The State reviewed the River Oaks development plan through the Preliminary Land Use Services (PLUS) process in October 2004. A copy of our comments regarding this review are attached.

On December 16, 2004, this office received a response to the PLUS comments. (Copy attached). From the information received, it appears that the developer has considered the State agency comments and made changes to the original design to include some of the comments. These changes include

- Providing a stub streets to the neighboring properties
- Removal of the SWM basin at the intersection of Phillips Branch and Hollymount Road.

However, the State still remains concerned about the development of this property. As stated in our original letter, this project is located in an Investment Level 4 area according to the 2004 Strategies for State Policies and Spending and in the Low Density area according to the 2003 Sussex County Comprehensive Plan. It should be noted that if this development moves forward, the State will not participate in any infrastructure upgrades necessary to support this development.

Of additional concern is the removal of trees on the western portion of the site for building lots. The State supports the cluster development concepts and we appreciate that the developer intends to include 38.3% open space; however, the location of the open space is as important as the percentage saved. The wooded area of this parcel is part of

a larger wooded area that provides important water quality, air quality and habitat benefits both to this site and the region. Impacts to these woodlands will cause “fragmentation” of the larger forest, which will result in a significant decrease in habitat value. The State asks that the County consider requiring the preservation of the forested areas.

The State also asks that the additional comments submitted by State agencies be considered as this project moves forward for approval.

If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in blue ink that reads "Constance C. Holland". The signature is written in a cursive style with a large initial 'C'.

Constance C. Holland
Director

CC: Rebecca Michaels, McCrone, Inc.