

October 17, 2005

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State of Delaware
Office of State Planning
540 S. Dupont Highway
Thomas Collins Building, Third Floor
Dover, Delaware 19901

Attn: Ms. Constance C. Holland, AICP
Director

RE: PLUS Review – PLUS 2005-07-08, Lands of Vale Asche
Milford, Delaware
DBF # 1423A001

Dear Ms. Holland:

Thank you for the response letter in regards to the proposed plan for the Vale Asche property

The developer has the following comments:

Office of State Planning Coordination

Thank you for your support with this proposed mixed used project.

State Historic Preservation Office (SHPO)

The developer acknowledges the comment regarding appropriate landscaping and will take into consideration the request to conceal this development from the neighboring historic houses.

The developer acknowledges SHPO's request to perform archeological testing.

Department of Transportation

- 1) The developer acknowledges that there is a traffic impact study currently in progress and will continue to communicate with DeIDOT and the City of Milford regarding the TIS results.
- 2) Thank you for the contact information regarding the US 113 North-South Study. The developer acknowledges the limitations and requirements if the mentioned alternative is selected.

- 3) Thank you for the contact information regarding access on Route 113
- 4) The developer acknowledges the request for a four-way intersection with Seabury Avenue, Lakeview Avenue, and Shawnee Road.

The developer also acknowledges the placement of the service road behind the fronting Route 113 parcels as well as the repositioning of the street layout and lot layouts for possible extension of the service road to the south. The developer will attempt to offer such recommendations.

- 5) The developer acknowledges the request for stub streets.
- 6) The developer acknowledges the potential impact of installing ponds along Route 113. The plan however does not indicate ponds being constructed along the site frontage. As stated during the PLUS review meeting the grading thought to be stormwater ponds by DelDOT is actually a proposed landscape berm.
- 7) The developer acknowledges the recommendation for pedestrian access and will attempt to contact Mr. Wayne Henderson as to the placement of such amenities.

The Department of Natural Resources and Environmental Control

Impervious Cover

The developer acknowledges the recommendation for the use of both natural and constructed Best Management Practices (BMP) in lieu of impervious surfaces.

TMDL's

The developer acknowledges that to date there is currently no developed TMDL for the Mispillion River.

Water Supply

The developer acknowledges that the project site is currently not in the City of Milford's CPCN territory. The City has complied with statute (26 Del C., § 203C(a)) and has notified The Public Service Commission of the completed annexation of this property.

The developer will follow any and all regulations and permit processes in obtaining any and all well permits during development.

Sediment and Erosion Control/Stormwater Management

The developer will follow any and all regulations as it pertains to sediment and stormwater plan approval.

Drainage

The developer acknowledges the request for checking and cleaning of ditches prior to construction.

The developer also acknowledges the concern of off-site drainage problems upstream as well as downstream.

The developer acknowledges the recommendation for 25 foot maintenance zone as well as a 10 foot setback zone along open ditches and/or swales. The developer will attempt to provide such zones. The developer will also attempt to select and plant native species to help control drainage maintenance.

The developer acknowledges the recommendation for a 15 foot maintenance equipment zone along stormwater pipes. The developer will attempt to provide such zones. The developer also acknowledges the request for native species to be planted in said zones and will attempt to plant such species.

The developer acknowledges the recommendation for unobstructed drainage/utility easements.

Forests

The developer acknowledges the recommendation for preservation of the forest located at the southern portion of the site. The developer will minimize clearing of the forest area to the extent required by the City of Milford.

Open Space

The developer acknowledges the recommendation for removal of infrastructure and lot lines in the area around the forest.

Nuisance Waterfowl

The developer acknowledges the request to plant tall grasses, wildflowers, shrubs and trees at the edge of the stormwater management ponds to minimize nuisance waterfowl.

Underground Storage Tanks

The developer acknowledges the presence of the two inactive LUST sites. The developer will follow all rules and regulations as they pertain to the contamination of surrounding soils.

Solid Waste

The developer acknowledges the comments regarding the Delaware Solid Waste Authority (DSWA) Milford Transfer Station.

Air Quality

The developer acknowledges the request to provide Energy Star qualified homes to mitigate the effects of the projected 7.0 tons of nitrogen oxides and 24.2 tons of sulfur dioxide per year. Thank you for the information regarding training by DNREC on energy efficient homes.

State Fire Marshal

Thank you for the information on Fire Protection Water Requirements, Fire Protection Features, Accessibility, Accessibility, Gas Piping and System Information, and Required Notes. The developer will follow all fire regulations and will work with the Fire Marshal's office to obtain final approval.

Department of Agriculture

Thank you for encouragement regarding responsible development

Improved Landscape Design

The developer acknowledges the recommendation to follow the "Right Tree for the Right Place" design. The developer will attempt to provide such landscaping.

Native Landscapes

The developer acknowledges the recommendation to use native tree species to buffer the project site from adjacent properties. The developer will attempt to provide such landscaping and thanks you for the contact information regarding acceptable native trees.

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Public Service Commission

The developer will work with the City of Milford and the PSC regarding wastewater service territory. The developer will follow all rules, regulations and safety guidelines as they pertain to the expansion of natural gas and/or installation of a closed propane system.

Delaware State Housing Authority

The developer acknowledges the type of development encouraged in Levels 1, 2 and inside the growth zone.

Sincerely,



Randy B. Duplechain, P.E.
Principal

\\Developer\Vale 1423\PLUS Response Vale2

cc: City of Milford