STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

August 15, 2025

Jonathan Richard, P.E.
Becker Morgan Group, Inc.
309 South Governors Avenue
Dover, Delaware 19904

RE: PLUS review – 2025-07-04 Barratt's Landing Subdivision

Dear Mr. Richard:

Thank you for meeting with State agency planners on July 30th, 2025, to discuss Barratt's Landing Subdivision. According to the information received, you are seeking review of a proposed 245 lot single-family residential subdivision on 88 agricultural acres in unincorporated Kent County within the Growth Overlay Zone.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that Kent County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

The proposed development is located in Investment Levels 3 and 4 according to the 2020 Strategies for State Policies and Spending, with small portions of Out of Play due to wetlands and the 100-year floodplain present on the property. The site plan depicts the majority of lots in the Level 3 area with minor portions of Level 4.

Based on its location in Levels 3 and 4 investment areas, this project may be consistent with the 2020 Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but please be advised that the State has other priorities for the near future. Investment Level 4 indicates where State investments will support agricultural

preservation, natural resource protection, and the continuation of the rural nature of these areas.

The majority of the proposed development is located in Level 3, the property is directly adjacent to the Little Heaven Master Plan area, and the property is located within the proposed Magnolia Transportation Improvement District (TID), which is under development. Due to these reasons, OSPC has no objections to this subdivision plan.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The site access on all State maintained roads must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Development Coordination Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- In terms of traffic analysis and based on the expected trip generation this project will require a Traffic Impact Study (TIS). With that requirement in mind, this location is in what will become the Magnolia Transportation Improvement District (TID). The Magnolia TID is currently under development. If the timeline of the TID development and implementation accommodate the developer's timeline they may satisfy their traffic analysis requirements by participating in the TID rather than completing a TIS. Please contact Sarah Coakley at (302) 739-2251 or sarah.coakley@delaware.gov for more information on how to satisfy the traffic analysis requirements associated with this project through participation in the TID.

- Section 1.7 of the Development Coordination Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Barratts Chapel Road. The following right-of-way dedication note is required, "An X-foot wide strip of right-of-way from the centerline is

hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."

- In accordance with Section 3.2.5.1.2 of the Development Coordination Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."

- Referring to Section 3.4.2.1 of the Development Coordination Manual, the following items, among other things, are required on the Record Plan:

- A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

- Depiction of all existing entrances within 300 feet of the proposed entrance on Barratts Chapel Road.

- Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- In accordance with Section 3.8 of the Development Coordination Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along all State maintained roads.

- In accordance with Section 5.2.9 of the Development Coordination Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.4 of the Development Coordination Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Development Coordination Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Stormwater Management

The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency, prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Kent Conservation District.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically https://enoi.dnrec.delaware.gov/, (select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General Stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Wastewater Disposal Systems – Large Systems

For wastewater conveyance offsite by way of a new sewer connection, flow rates exceeding 2,500 gallons of liquid waste per day will require a Wastewater Pollution Collection and Conveyance (WPCC) permit from the Commercial and Government Services section.

Contact: DNREC Commercial and Government Services Section at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/

Wetlands and Waterways

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal and tidal wetlands in the southwestern portion of the site, as well as along the northern, southern, and western property boundaries. A wetland delineation is in progress, according to feedback from the project applicant during the PLUS meeting. The concept plan proposes to disturb the eastern wetlands for an internal road crossing.

State Requirements:

- The wetlands and waterways are not mapped on the site plan. Include all wetland boundaries, streams, and waterways on site plans.

- State permits from the DNREC Wetlands and Waterways Section may be required for disturbance proposed in state jurisdictional wetlands and waterways. To apply for a permit online, please visit their website at https://dnrec.delaware.gov/water/wetlands-subaqueous/permits/.

- It is recommended to schedule a meeting with the DNREC Joint Permit Processing (JPP) service for assistance with the necessary state and federal permitting procedures and requirements. Please contact the DNREC Division of Water's Wetlands and Waterways Section to schedule.

State Contact: DNREC Wetlands and Waterways Section at (302) 739-9943.
Website: https://dnrec.delaware.gov/water/wetlands/

Federal Requirements:

- Federal permits from the U.S. Army Corps of Engineers may be necessary if dredge or fill is proposed in tidal wetlands, streams, and certain non-tidal wetlands. A delineation of waterways and wetlands may also be required. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the US Army Corps of Engineers to determine the appropriate federal permitting requirements.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.
Website: https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/

Coastal Zone Federal Consistency Certification (state contact): DNREC Coastal Management Program at (302) 739-9283.
Website: https://dnrec.delaware.gov/coastal-programs/coastal-management/

Special Flood Hazard Area
According to the newest Flood Insurance Rate Maps (FIRM), a portion of this parcel is situated within a Special Flood Hazard Area, specifically within the mapped 100-year floodplain (1% annual chance of flooding). The Special Flood Hazard Area identified on the site lies within zone AE. In lands contained within the 100-year floodplain, the National Flood Insurance Program's floodplain management regulations must be enforced through the local floodplain ordinance, which can have higher standards. Although houses are proposed outside of the Special Flood Hazard Area (SFHA), some houses may still be required by lenders to purchase flood insurance, based on the proximity to the SFHA.

A portion of this site is also situated within the moderate risk floodplain, or 500-year floodplain (0.2% annual chance of flooding), identified as a shaded zone-X.

- The applicant must comply with the local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at https://floodplanning.dnrec.delaware.gov/

Contact: DNREC Shoreline and Waterway Management Section at (302) 608-5500.
Website: https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/

State Natural Heritage Site
Due to the presence of a rare butterfly species, Bronze Copper (*Lycaena hyllus*), this project lies within lands designated as a State Natural Heritage Site. State Natural Heritage Sites are identified as "Designated Critical Resource Waters" by the U.S. Army Corps of Engineers.

- The applicant must comply with the restrictions and limitations imposed through the U.S. Army Corps of Engineers Nationwide Permit General Condition No. 22, which can be found here: https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits/

- If permits are required by the U.S. Army Corps of Engineers, the applicant may be required to obtain confirmation that the site is not designated as a State Natural Heritage Site. The project applicant should contact the DNREC Division of Fish and

Wildlife's Environmental Review Program to obtain a letter regarding State Natural Heritage Site status.

State Contact: DNREC Division of Fish and Wildlife, Environmental Review Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/conservation/reviews/

Federal Contact: U.S. Army Corps of Engineers, Dover Field Office, at (302) 736-9763. Website: https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/

Electric Vehicle Charging Requirements

Electric vehicle charging infrastructure is now required for all residential dwellings in Delaware (see 80 Del. Laws, c. 145 § 8001- § 8006) for which:

1. A building permit is issued on or after January 1, 2024 (single family), or

2. The final site plan is approved on or after January 1, 2025 (multi-family).

Requirements are summarized below. Consult the Delaware Code directly for further details.

Single-family Dwellings, effective 2024:

- The developer of a single-family residential dwelling shall install at least one electric vehicle capable parking space at each single-family residential dwelling constructed.

- If the single-family residential dwelling does not have an attached or detached garage, an electric vehicle capable parking space must be provided in the driveway, assigned parking space for the dwelling, or at an unassigned non-street residential parking space constructed as part of the project.

Air Quality – Particulate Emissions

Particulate emissions are regulated by DNREC's Division of Air Quality. To control particulate emissions from construction and materials handling operations, the following is required:

- The applicant must use dust suppressants and other measures during demolition activities, grading, land clearing, excavation of non-paved roads, material movement or storage, and sandblasting activities.

Contact: DNREC Division of Air Quality at (302) 739-9402.
Website: https://dnrec.delaware.gov/air/permitting/

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- The majority of the parcel is located within an area of **Minimal Flood Concern of 1,000 years or greater**; however there is a 100-year floodplain to the south and west of the parcel. According to the included renderings, nothing is being constructed within the floodplain and stormwater management is identified nearby.

Parcel Status within County Evacuation Zone Location

- The parcel is located within Kent County's Evacuation Zone A.

Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- There are two known archaeological sites on the parcel. Double Run borders the parcel to the south and two tributaries border the parcel on either side. Soils are well drained. The area is well known for archaeological sites. This parcel has a high potential for precontact archaeological resources.

- We highly recommend an archaeological survey prior to any ground disturbing activities. If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

Fire Protection Water Requirements:

- Where a water distribution system is proposed for single-family dwellings, it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 800 feet spacing on centers are required. (One & Two- Family Dwelling)

- One- and Two-Family dwellings are required by law to offer the homeowner an automatic sprinkler system, therefore infrastructure should accommodate water needs.

- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Accessibility:

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Barratts Chapel Rd must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.

- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information:

- Provide type of fuel proposed and show locations of bulk containers on plan.

Required Notes:

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”

- Proposed Use

- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units

- National Fire Protection Association (NFPA) Construction Type

- Maximum Height of Buildings (including number of stories)

- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Road Names, even for County Roads

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at https://www.deldot.gov/Business/subdivisions/

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Removal of Forest within Key Wildlife Habitat, Delaware Ecological Network, and Murderkill River Natural Area

The preliminary plan proposes the elimination of approximately 3 of 24 acres of forest on the site. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.

- Removing forested areas for development should be avoided to the greatest extent possible.
- In general, contiguous forest and connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement from one area to another while reducing roadway mortality.

- The forested area on this site is located within the Murderkill River Natural Area. Local codes and ordinances may apply to protect areas designated as Natural Areas. Please consult with local planning agencies to see how local codes and ordinances may impact the proposed development of this site.
- The forested area on this site occurs within the Delaware Ecological Network, a statewide network of interconnected lands having significant ecological value. Avoid disturbance within these habitats.
- The forested wetlands on this property are mapped as Key Wildlife Habitat in the Delaware Wildlife Action Plan because they are part of a large forest and wetland complex that can support an array of plant and animal species across the landscape. Key Wildlife Habitat should be conserved to the maximum extent practicable and negative impacts should be minimized.
- Consider dedicating forested areas as a Nature Preserve through a conservation easement or donation of land. For more information, please contact the DNREC Planning Preservation and Development Section.

General Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.
Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Natural Area Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039.
Website: https://dnrec.delaware.gov/parks/natural-areas/ or https://dnrec.delaware.gov/parks/open-space/conservation-easements/

Forested Wetlands and Vegetated Buffer Zones

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of forested wetlands on the southwestern portion of the property, as well as along the northern, southern, and western property boundaries of the site. This habitat type is known to support an array of plants and animals, most notably wetland dependent species such as amphibians.

There is potential for high marsh habitat to exist in the wetland area of this parcel. Several state-rare species, state-listed endangered species, and federally-listed threatened species, particularly birds, nest in high marsh habitats.

To reduce impacts to these species, the following is recommended:

- Do not disturb forested wetlands. Increase upland buffers to at least 100 feet along all wetlands, waterways, and sensitive habitats, including those containing existing forest or natural vegetative cover.

- Vegetated buffer zones should be identified outside of the Limit of Disturbance on the engineering plans.
- Maintain vegetated buffer zones as native species meadows or forest.
- Vegetated buffer zones should be deeded as community open space and not contained within any lot lines. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- Maintain habitat connections to undeveloped open space, which are especially important for species movement across the landscape.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.
Website: https://dnrec.delaware.gov/fish-wildlife/conservation/

Nature Preserve
The site is located within the vicinity of the Murderkill River Nature Preserve.

- The applicant should contact DNREC to discuss potential impacts of development to the Nature Preserve, which are legally protected through articles of dedication or a conservation easement. Impacts to these protected areas must be avoided.
- Reduce development impacts near Nature Preserves by avoiding disturbance to sensitive environmental areas such as wetlands and forest habitat. Where possible, design site features to avoid the removal of contiguous tracts of forests.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039.
Website: https://dnrec.delaware.gov/parks/natural-areas/

Aglands Preservation Districts
The proposed project is adjacent to and shares property boundaries with an Aglands Preservation District (Caulk Expansion of the Emil Gallo-Ruth Gallo District). Adjacent properties may be impacted.

- DNREC reviewers request that a 50-foot vegetated buffer is placed between this project and the Aglands Preservation District to minimize any potential noise/dust nuisances coming from the farm. Buffers should be maintained with a mix of native species. Please reach out to the Delaware Department of Agriculture (DDA) for further information.

Contact: DDA Aglands Preservation and Planning Section at (302) 698-4530.
Website: https://agriculture.delaware.gov/agland-preservation-planning/

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

- Consider relocating the proposed western stormwater management facility further north to avoid disturbing the existing forested wetland.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov

Drainage

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

- Any drainage/utility easement should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/

Special Flood Hazard Area

- As proposed, locate all structures outside of the floodplain. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

- Since some lots and houses are proposed within close proximity of the floodplain, it is recommended to increase the distance of development from the floodplain.

Contact: DNREC Shoreline and Waterway Management Section at (302) 608-5500.
Website: https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/

Sea Level Rise

The northern, southern, and western property boundaries of this site, as well as the southwestern interior, are vulnerable to permanent inundation from sea level rise. By 2050, mean sea levels are projected to rise by 0.7 – 1.9 feet; by end of century sea levels are projected to increase by 1.7 – 5.0 feet. In addition to permanent inundation, as mean sea levels rise, the frequency and severity of tidal flooding events is expected to increase.

- As proposed, in areas within 5 feet of expected sea level rise, avoid construction of permanent structures and infrastructure. All infrastructure and structures on the site should incorporate the effects of sea level rise through the expected lifespan of the structures. This may include increasing freeboard of structures, ensuring that critical infrastructure is elevated to withstand future sea level rise, construction of flood control measures, and incorporating green infrastructure for flood control.

Contact: DNREC Climate and Sustainability Section at (302) 735-3480.
Website: https://dnrec.delaware.gov/coastal-programs/planning-training/adapting-to-sea-level-rise/

Air Quality – Design to Minimize Mobile Source Emissions

Mobile sources include a variety of motor vehicles and mobile equipment that generate air emissions, such as ozone, particle pollution, and air toxics. The DNREC Mobile Sources Control Program reduces motor vehicle-related pollution from both on-road vehicles and non-road vehicles.

- Consider designing the project to connect to local pedestrian and bicycle lanes along Barratts Chapel Road. Designing for travel alternatives has the potential to minimize the overall tailpipe emissions associated with the use of this site.

- Consider designing the project for low maintenance green spaces. Designing green spaces to be less dependent on gas-powered lawn and garden equipment has the potential to minimize emissions associated with the on-going maintenance of this site.

Contact: DNREC Division of Air Quality's Mobile Sources Program at (302) 739-9402.
Website: https://dnrec.delaware.gov/air/mobile-sources/

Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

- Offer the option to install solar or geothermal systems for each home. This allows a purchaser to incorporate the cost into their mortgage, making it more affordable. For community facilities, consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.delaware.gov/climate-coastal-energy/renewable/assistance/).

- Consider planting select areas with native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Consider planting select areas with meadow comprised of native species. Native plants are well-suited to our climate and require limited maintenance. Mowing in these areas should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.

- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.

- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.
Website: https://dnrec.delaware.gov/climate-coastal-energy/

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Population

- The county has a population density of 310.20 persons per square mile based on the US 2020 Census report; an increase from 2010 at 271.30 persons per square mile. The specific census block(s) the project is located on has a total population of 45 persons, though, with development, this will undoubtedly change. The 27 adjacent blocks aggregated bring the area to a total population of 721 persons.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

Expected Annual Loss
× Social Vulnerability
÷ Community Resilience
= Risk Index

- According to FEMA's National Risk Index, the parcel **is** considered **relatively low** for overall natural hazards risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural

hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience and its social vulnerability is rated as **relatively high.**

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **bottled, tank or LP Gas** as the predominant fuel type for heating purposes.

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs or solar panels where applicable and allowable, and the like.

- In reference to the flood zones, DEMA strongly discourages construction of any type directly within, adjacent to or within proximity to a 100-year floodplain as water knows no bounds. If the homes are being constructed at flood level or below and a mortgage is obtained, an NFIP insurance policy is also required. Regardless of whether within or adjacent to a floodplain, should construction continue, we recommend utilizing additional mitigation strategies to reduce the risk from flooding. This could include, but isn't limited to, wet/dry floodproofing, elevating the home out of the flood plain, elevating mechanicals/HVAC/Electricity out of the flood waters, mass notification systems, large drainage systems (increased diameter pipes, ditches, basins, etc.) and other similar methods.

- Lastly, in reference to the county evacuation zones, DEMA encourages this information be made readily available to any and all persons residing there. This can be done simply through pamphlets or a neighborhood sign.

<u>Delaware State Housing Authority - Contact Rachel Alfano (302) 739-4263</u>

- DSHA reviewed the proposal to construct 245 single family subdivision lots on 88 acres at Barratts Chapel Road in Frederica. This is a residential project with ownership at the market rate.

- According to DSHA's Housing Reform Map, this project is in an Area of Opportunity. This map shows the distribution of affordable housing throughout the state. We encourage

the creation of affordable housing in Areas of Opportunity which contain little to none. These areas have high-quality schools, and supportive infrastructure, which leads to the capacity to support diverse and affordable housing types. Link to Interactive Map.

- DSHA supports the addition of bike paths and sidewalks to ensure the residents have easy access to its surrounding amenities. We also encourage offering diverse housing types.

Delaware Department of Agriculture – Contact Milton Melendez 302-698-4500

- The Delaware Forest Service supports the conservation of forested lands and the integration of sustainable building designs that help conserve forested acres on-site. These conserved acres act as natural filters, wildlife corridors, and provide a range of ecological benefits. Forests, regardless of their size or shape, offer invaluable contributions to the environment. It's essential to prioritize the conservation of these areas to maintain their critical role in protecting our ecosystems. We recommend not removing and taking steps to ensure forest loss does not occur. If any additional information or support is needed the Delaware Forest Service and it's five core programs are available.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Fire Department Comments:

- The volunteer fire department is obligated to provide Fire and EMS service to this property. In addition**,** new developments in their Fire and EMS district have put a financial strain on their volunteer fire service. As their call volume increases yearly due to the unprecedented growth within the service area, current funding does not keep up with development within the district. State, County, and Local funding does not keep up with the growth of the fire district, so the developer and future residents need to help financially support the Volunteer Fire Department. Future residents need to consider joining the fire department to serve their new community.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

David L. Edgell, AICP
Director, Office of State Planning Coordination

Attachments:

- Dover / Kent MPO Comments

DOVER/KENT COUNTY MPO
METROPOLITAN PLANNING ORGANIZATION

ADVISORY BRIEF

TO: Delaware Office of State Planning Coordination

FROM: Malcolm Jacob

DATE: 7/30/2025

SUBJECT: PLUS Comments 7/2025

Dear Members of the OSPC,

Attached, please find comments submitted by Dover Kent MPO for each of the current Preliminary Land Use Service (PLUS) project reviews in Kent County. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

Projects were reviewed during the PLUS meeting of **Wednesday, July 30, 2025**, and comments are being submitted as a follow-up to this meeting. Please reach out to the MPO if further input is needed.

Sincerely,

Malcolm Jacob
Transportation Planner
Dover/Kent County Metropolitan Planning Organization
Malcolm.Jacob@doverkentmpo.org
(302) 387-6030
https://doverkentmpo.delaware.gov/

1. Barratt's Landing Subdivision (2025-07-04)

Barratts Chapel Road is classified as a major collector road, and with the projected growth in the area, it is expected to see increasing capacity issues in the coming years. According to data from DelDOT, this portion of the road sees an Average Annual Daily Traffic (AADT) of 1,876.[1] The addition of 243 single family lots could add as many as 2,430 new trips each day, further exacerbating the road network's capacity issues.

With these conditions in mind, a second entrance to the neighborhood would be beneficial. Both entrances would have to connect to Barratts Chapel Road, but one could be positioned to the southeast and the other to the northwest. By doing this, the two entrances would be approximately 600 feet apart from each other. This solution would allow for a better flow of traffic to and from the neighborhood, reduce congestion during peak hours, and allow access by emergency vehicles even if one of the two entrances was blocked.

It will be necessary to follow the Kent County Code regarding linkage streets to neighboring properties.[2] Although the neighborhood to the north is already being built, and therefore a connection in this direction is unlikely, it is still possible for the property to the south to be developed at a later date. Reserving the right-of-way and adding a stub street to this neighboring property would provide a valuable connection.

The applicant will also need to follow the Kent County Code regarding both frontage and internal sidewalks. These should be added to both sides of the street throughout the subdivision and along the property's frontage, they should be built at a minimum width of 5 feet, and they should be separated from the curb by a minimum distance of 3 feet. ADA access ramps will also be needed at street crossings.[3] A shared use path would be most beneficial along the property's frontage, but at minimum a sidewalk with the above requirements should be included.

Finally, it is worth noting that Dover Kent MPO has studied Barratts Chapel Road and other nearby roads as part of the *South Central Kent County Circulation & Sufficiency Study*. Although the study does not address the project location directly, it does recommend several improvements along Barratts Chapel Road, such as a four-way stop at the intersection with McGinnis Pond Road (approximately two miles to the west of the project location).[4] These improvements will be needed in the near-future due to the corridor's worsening capacity issues.

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[1] "Traffic Counts." Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/e8679c5c19e14bafbff864eeaf553251.
[2] "§ 187-58 Street layout." Kent County, DE Code. https://ecode360.com/7601066#7601079.
[3] "§ 187-60 Sidewalks." Kent County, DE Code. https://ecode360.com/7601066#7601123.
[4] *South Central Kent County Circulation & Sufficiency Study*. Dover/Kent County MPO (2025). https://doverkentmpo.delaware.gov/files/2025/05/SC-Kent-Circulation-Sufficiency-Study-FINAL.pdf#page=61.

2. Rezoning Webb/Thangavelu Parcel (2025-07-06)

Dover Kent MPO has no comment on the rezoning. However, it has an important recommendation to improve safety and connectivity in the area. The applicants indicated that they do not plan to add sidewalks to the frontage of the property. Dover Kent MPO strongly recommends that sidewalks be added when site development takes place. This portion of US13 is classified as a principal arterial, and it sees an Average Annual Daily Traffic (AADT) of 25,195.[5] It is not safe for pedestrians or bicyclists, having few existing sidewalks and a Level of Traffic Stress (LTS) of 3 (which means it is generally used by more experienced bicyclists).[6] Although there are virtually no sidewalks in the area at this time, future commercial and residential development could change the area's conditions. If this were to happen, sidewalks would be beneficial for connecting the property with neighboring locations and allowing safe pedestrian travel, which is why the MPO recommends they be a part of this development project.

The applicants should refer to the Kent County Code regarding sidewalks along a property's frontage. These are to be built at a minimum width of 5 feet, they should be separated from the curb by a minimum distance of 3 feet, and they should include ADA access ramps and be free of utility poles and other obstructions. Sidewalks are to be included with any project on an arterial or collector road that requires Regional Planning Commission or Levy Court approval.[7]

[5] "Traffic Counts." Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/e8679c5c19e14bafbff864eeaf553251.
[6] "Bicycle/Pedestrian/Trails and Pathways." Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/7e27bdc85b3b463f8699abb86919e49e.
[7] "§ 187-60 Sidewalks." Kent County, DE Code. https://ecode360.com/7601066#7601123.