

January 4, 2016

Ms. Constance Holland, AICP
Office of State Planning Coordination
122 Martin Luther King Jr. Blvd. South
Third Floor
Dover, DE 19901

via email connie.holland@state.de.us
original via U.S. Mail

re: **PLUS review**
NCC Application 2014-0468
Milltown Square
Our File No. 90223

Dear Ms. Holland,

Regarding the above referenced site, we would like to offer the following responses to the PLUS review comments and summary dated March 24, 2015.

Strategies for State Policies and Spending

We acknowledge the statements, and no specific response is necessary.

Code Requirements/Agency Permitting Requirements

Department of Transportation

A Traffic Impact Study was prepared, and was approved by DeIDOT and New Castle County. The Old Limestone Road access has been modified to two-way per DeIDOT. It is acknowledged that all entrances will be designed in accordance with DeIDOT regulations. The closing of Old Limestone Road with a cul-de-sac has been met with positive reaction to date, however we are still working out specific design details. We acknowledge the resolution referred to will need to be superseded to allow the two-way traffic movements proposed. As the existing local residents are currently opposed to a sidewalk along Old Limestone Road, and installation of a sidewalk would result in additional impact to existing steep slopes and vegetation, we are currently revisiting potential strategies to eliminate the requirement of a sidewalk, while still complying with code requirements.

Department of Natural Resources and Environmental Control

TMDLs

This project will meet all requirements associated with nutrient reductions.

Water Supply

Comments are acknowledged regarding proposed dewatering if necessary, the permits required, the requirements of the applicant and the timeframe for processing, review, and advertising.

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Source Water Protection Areas

Comments are acknowledged, and NCC UDC regulations and requirements serve as our guidelines for the development as proposed.

Sediment and Stormwater Program

A Sediment and Stormwater Plan is currently being prepared for this site in accordance with all regulations. A project application meeting has already been held with NCC, and we are aware of the plan requirements and application fees.

Air Quality

The Delaware air quality regulations are acknowledged, and requirements will be met with this project.

Tank Management

The requirements of the UST Regulations are acknowledged, as are the LUST project sites close to the project area.

State Fire Marshal

Comments regarding submission requirements, fire protection water requirements, fire protection features, accessibility, gas piping, and required notes are hereby acknowledged, and will be complied with at the time of application and submission.

Recommendations/Additional Information**Department of Transportation**

We are aware of the revised regulations, and the required meetings have been held.

Department of Natural Resources and Environmental Control

Information on soils classification is acknowledged. Soil borings have been performed on-site, and testing results indicate no areas proposed for development were found to be unsuitable due to soils. Additional information on TMDLs and water quality, tank management, air quality, and instructions for handling asbestos is also acknowledged, and no specific responses are necessary at this time. A copy of the PLUS review summary is also being provided to the architect in order that architectural suggestions can be considered.

State Fire Marshal

Comments are acknowledged; no response is immediately necessary.

State Historic Preservation Office

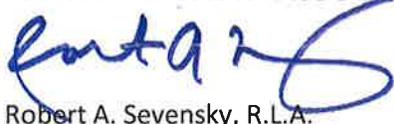
Comments regarding the historic structures are acknowledged; we are also aware of the historic structure across Old Limestone Road, and have been working with the property owners, as well as other neighboring property owners to achieve a layout that keeps Old Limestone Road in its current fairly rural condition or state. Comments and requirements pertaining to unmarked cemeteries and burial sites are acknowledged and the developer is aware of the regulations. We acknowledge the comments pertaining to federal involvement, but do not anticipate application for any type of federal permits or funding.

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We believe our responses satisfactorily address the comments and concerns included in the PLUS review report dated March 24, 2015. Upon your receipt and review, should you require any additional information, please contact our office at your convenience. Thank you.

Sincerely,

RAMESH C. BATTA ASSOCIATES, P.A.



Robert A. Sevensky, R.L.A.

cc: Mr. Antoni Sekowski via email
Mr. Marco Boyce via email
Milltown, LLC via email
Larry Tarabicos, Esq. via email