

CDA Engineering Inc.

Civil/Site Engineering + Land Planning + Stormwater Management

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October 17, 2022

Mr. David L. Edgell, AICP
Director, Office of State Planning Coordination
122 Martin Luther King Jr. Blvd. South, Third Floor
Dover, DE 19901

**Subject: PLUS Review 2022-05-06
The Flats at Riveredge**

Dear Mr. Edgell:

In response to the Office of State Planning Coordination review letter dated June 21, 2022, we have addressed the comments as follows:

Strategies for State Polices and Spending

- Site design will respect environmental features and site constraints.

Code Requirements/Agency Permitting Requirements

Office of State Planning Coordination (OSPC)

- While the "Suggested Land Use Map" provides for Light Industrial/Office Park the entire 2020 City Comprehensive Plan ("Comp Plan") carries the force of law. To that end, it is also important to note that the Comp Plan strongly encourages mix-use development such as that proposed in the pending Riveredge application. As further explained in the Comp Plan:

"New Castle's land use is shaped by historic patterns of development and planned efforts starting with its first Comprehensive Plan in 1964. Often these two forces are at odds. Whereas historically, land developed with mixed types of land use within neighborhoods and even buildings; the trend since the Second World War has been to devote whole areas to a single use. Hence, newer neighborhoods such as Van Dyke Village and Washington Park are solely residential, the office and industrial parks are solely places of work, and most properties along the Ferry Cut-off may only be used for commercial purposes. While the original intent of this type of land use zoning was to separate incompatible uses, such as heavy industry and residential, its effects have been to isolate uses at such a distance that many simple trips must be done by car. As a result, traffic has increased, commercial architecture has changed to facilitate and attract automobile drivers, and former neighborhood stores die off without parking and presence on a major road. *** Lately, planners have looked critically at this practice, and the idea of mixing uses has come back into fashion." Comp Plan, Chapter 4, Page 37.

Department of Transportation

- As was noted during the PLUS public meeting and in your letter, DeIDOT does not possess jurisdiction because the project does not take direct access to DeIDOT's right-of-way.
- Entrance plans will be submitted to the Town of New Castle for review and approval.

DART First State

- Our Parcel does not include the existing stop ID 3692. This bus stop is located in front of adjacent Probations and Parole parcel. However, the applicant has been in on-going discussions with DART about locating a bus stop at the Riveredge site.
- The current plan is that we will continue to negotiate with DART to provide two (2) shelter pads along Lukens Drive: (1) Type 2 12'x8' shelter pad (toward Cherry Lane) and (1) Type 2 5'x8' shelter pad (toward Steel Drive).

Concerns Identified Within the Development Footprint

Wetlands

- No impact to wetlands is proposed by the development. *Note: Plans do show approximate layout for potential future walk that would have sections of elevated boardwalk in areas of wetlands. This walk layout is shown for general reference only and would be performed in conjunction with City and is not currently considered part of the proposed Land Development.*

Vegetated Buffer Zones

- Vegetated buffers are provided along the adjacent wetlands in compliance with City Code. In many areas the proposed buffers exceed the City requirements.

Special Flood Hazard Area

- The most recent FIRM maps are depicted on the plan. Proposed development will comply with local floodplain ordinance requirements.

Limit of Moderate Wave Action

- Proposed development will comply with local floodplain ordinance requirements.

Stormwater Management

- Sediment and Stormwater Plans will be submitted to New Castle Conservation District for review and approval.
- NOI permit will be obtained from DNREC.
- A project application will be requested with New Castle County Conservation District.

Wastewater Permitting – Large Systems

- New Castle County provided email confirmation that sewer capacity is regionally available.

Nutrient Management Plan

- As noted.

Delaware Emergency Management Agency

- Noted.

State Historic Preservation Office

- Historic Structures: Archaeological Survey recommended: Noted
- Human Burial and Skeletal Remains: Archaeological Consultant recommended: Noted
- Notes about requirements if there is federal involvement: Noted

Delaware Department of Education

- Developer will coordinate with the Department of Education for the Voluntary School Assessment if applicable.

Delaware State Fire Marshal

Fire Protection Water Requirements

- Water distribution system will be provided in accordance with Fire Protection Water requirements.

Fire Protection Features

- Automatic sprinklers will be provided for required structures.
- Fire lanes and signage will be provided in accordance with DSFPR.

Accessibility

- Site design will comply with Fire Marshal requirements.

Gas Piping and System Information

- If any fuel is proposed, plans will show locations of bulk containers.

Required Notes

- Required notes will be provided on the plan.

Recommendations/Additional Information

DART First State

- Covered Bike Parking near Apartments are anticipated.
- Bus turnaround enhancements are being discussed with DART.

Department of Natural Resources and Environmental Control

Wetlands

- No wetland disturbance is proposed by this project.

Vegetated Buffer Zones

- Vegetated buffers are provided along the adjacent wetlands in compliance with City Code. In many areas the proposed buffers exceed the City requirements.
- With the exceptions of stormwater related infrastructure/facilities, the Limits of Disturbance are located outside the required Vegetated Buffer Zone.
- VBZ will likely become part of Community Open Space but will be discussed with City during site plan approval process.
- The VBZ will likely be kept as grasslands/meadows or forest but will be discussed with City during site plan approval process.
- Grass cutting for VBZ requirements will also be discussed with City during site plan approval process.

Delaware Ecological Network

- Acknowledged. The majority of development is concentrated in cleared open areas.
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Key Wildlife Habitat

- Acknowledged.
- Acknowledged.
- Vegetated buffers are provided along the adjacent wetlands in compliance with City Code. In many areas the proposed buffers exceed the City requirements.
- The applicant will comply with all State and local site visit and survey code requirements that may apply.

Sea Level Rise

- All proposed residential dwellings will be constructed outside of the DNREC anticipated maximum projected sea level rise heights for 2050 and 2100 (See DNREC's Sea Level Rise comments on page 11 of the updated Plus Letter).

Special Flood Hazard Area

- All building structures will be located outside the limits of the Floodplain.

Limit of Moderate Wave Action

- Proposed building structures are located outside the Limit of Moderate Wave Action area.

Stormwater Management

- Infiltration will be promoted to the extent practical.
- No wetland disturbance is proposed. Tree and open space preservation will be provided where possible.

Drainage

- Existing drainage ditches will be evaluated and cleaned/cleared as required by applicable codes.
- Acknowledged.
- Acknowledged.

Mosquitoes

- Acknowledged.
- Acknowledged.

Additional Sustainable Practices

- Electric vehicle charging stations will be considered for the project.
- Use of recycled materials will be considered for the project.
- Recycling dumpsters will be considered for this project.
- Walkability and bike racks will be provided.
- Energy Star products will be considered.
- Structural paint coatings will be considered.
- Recycled materials will be considered.

Delaware Emergency Management Agency

- Acknowledged.
- Acknowledged.
- Acknowledged.
- Acknowledged.

- Acknowledged.
- Renewable energies and high-efficiency appliances will be considered.
- Electric vehicle charging stations will be considered for the project.

Delaware State Housing Authority

- Acknowledged.
- Recommendation for design that is human-scaled and pedestrian-oriented with interconnectivity will be considered.

Delaware State Fire Marshal's Office

- Recommendation for homes to have sprinkler protection will be considered.
- Homebuilder compliance with Subchapter III of Chapter 36 of Title 6 of DE Code will be met as required by law.
- All approval/meeting requirements from the State Fire Marshal and local Fire Chief will be met

Please note, responses provided above are prepared in conjunction with our overall project team and reflect other team member input.

Should you have any questions regarding this submission, please call me at 998.9202. Thank you.

Sincerely,



Colmille DeAscanis, PE