

March 22, 2024

Margo Reign, MBA
Planning Commission, Chair
City of New Castle
220 Delaware Street
New Castle, Delaware 19720

RE: The Battery, Site Plan

Dear Chair Reign:

AECOM is in receipt of the above-mentioned Site Plan prepared by MidAtlantic Engineering Partners, llc, dated 2/15/22 and a Planning Commission Updated Response with exhibits pdf file dated 3/20/24. In review of this information, AECOM offers the following comments:

1. The Site Plan was tabled by the Planning Commission at the November 27, 2023 meeting. Using the approved minutes of said meeting, below are the conditions associated with the tabling decision (in italics) with AECOM's commentary in bold:
 - *All items in the November 27th letter need to be addressed.*
The applicant has provided responses to the November 27th letter in the above-mentioned Planning Commission Updated Response with exhibits pdf (Response). AECOM finds the responses to be satisfactory.
 - *There needs to be a more natural finish on the retaining wall visible from the street.*
PDF pages 21-24 of the Response indicate alternative natural finishes to the retaining wall.
 - *Resolution of the pumping station area with the City Council needs to be complete.*
The applicant's attorney and the City Attorney have been in discussions and this issue will be resolved to the satisfaction of the City Council in their capacity of approving the Site Plan by Resolution after the Planning Commission's approval.
 - *It was agreed to approve 14 2" to 2-1/2" caliper native trees in the parking lot.*
Sheet LT-02 of the Site Plan indicates fourteen 2 ½ inch caliper trees.
 - *It was agreed that no trees in front is acceptable.*
No comment necessary.
 - *At a minimum one bench will be added in the front.*
PDF page 20 of the Response indicates 2 benches along the street frontage.
 - *The issue with the wetlands Parcel B needs to be resolved.*
The applicant's attorney and the City Attorney have been in discussions and this issue will be resolved to the satisfaction of the City Council in their capacity of approving the Site Plan by Resolution after the Planning Commission's approval.

- *That the applicant makes further progress on the status of other agency approvals.*

PDF pages 2-3 of the Response indicate the status of the various agency approvals. AECOM finds said statuses to be satisfactory for the purposes of conditional approval of the Site Plan.

- *That the applicant makes further progress on items noted in Mr. Rogers' letter of November 21, 2023, i.e., extinguishment of cross-access and utility easements, the provision of access to the existing County sewage pump station, and the resolution of long-term maintenance of proposed Parcel B.*

The applicant's attorney and the City Attorney have been in discussions and this issue will be resolved to the satisfaction of the City Council in their capacity of approving the Site Plan by Resolution after the Planning Commission's approval.

2. If approved by the Planning Commission, the Site Plan should be forwarded to the City Council for their approval by Resolution. Once approved by the City Council, the Site Plan shall be recorded with the Recorder of Deeds upon satisfactory completion of any conditions imposed by the City Council.
3. Prior to the Planning Commission Chair signing the site plan, the applicant should provide evidence of approval of the following items by the following agencies:

• Site Access Permit	-	DeIDOT
• Sediment and Stormwater Plan	-	New Castle Conservation District
• Construction General Permit	-	DNREC
• Non-tidal Wetlands Permit	-	US Army Corps of Engineers
• Emergency Access Design	-	City Fire Marshal (City Building Official)
• Letter of Map Revision	-	FEMA and City Floodplain Administrator
• Sanitary Sewer Plans	-	New Castle County
• Water Plans	-	Municipal Services Commission
4. A note should be added to the Site Plan stating that the proposed streetscape improvements and the finished retaining wall shall be in place prior to the issuance of the Certificate of Occupancy by the City.

If you have any questions or need additional information, please let me know.

Sincerely,

AECOM Technical Services, Inc.



Christopher J. Rogers, AICP
Principal Planner

Cc: Planning Commission
Max B. Walton, Esq.
Stephen Weathers, 9th Street Development Co