



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

PHONE: (302) 739-9000
FAX: (302) 739-6242

OFFICE OF THE
SECRETARY

October 7, 2008

Lifetime Living LLC
c/o Davis, Bowen and Friedel, Inc.
23 North Walnut Street
P.O. Box 809
Milford, DE 19963

Greetings:

This letter acknowledges concessions made by the developer of Canary Creek (PLUS 2008-08-09) and clarifies DNREC's comments on this project.

In order to protect additional woodland and address concerns expressed by DNREC, two single-family lots (28 and 29) will be removed from the plan and the retention area/bioswale will be relocated to this area. This relocation will not impinge upon the Beebe archeological site. This action will significantly mitigate the tree loss and increase the buffer to the wetlands in this area. The wetland buffers requested by DNREC were essentially already met in the current plan.

The State also credits the developer for working with the surrounding neighbors and community and agreeing to permanently protect 22.52 acres of open space.

According to the Strategies for State Policies and Spending, this project falls in Investment Level 2. The State Strategies document describes this level as "diverse areas (that) surround many municipalities and also seem to be the most popular portion of Delaware's developed landscape. They serve as transition areas between the Investment Level 1 Areas and the state's more open, less populated areas." As such, the State strongly encourages development to be directed to Level 1 (existing communities) and Level 2.

Many of the comments provided by DNREC's various program were "boilerplate;" that is, the same type of comments are provided on nearly every PLUS application. The cumulative effect of those comments may seem negative. In the case of this particular project, however, the State acknowledges its preferred location in a growth area, the attention paid to avoiding environmental impacts, and the cooperation with neighbors and the community.

Sincerely,

Lee Ann Walling
Chief of Planning

Delaware's Good Nature depends on you!