

APEX ENGINEERING INCORPORATED

27 WEST MARKET STREET
(302) 994-1900

NEWPORT, DE 19804
(302) 994-9099 FAX

www.apexengineeringinc.com

March 24, 2011

Apex Project # 07205.000

Antoni Sekowski
New Castle County
Department of Land Use
87 Reads Way
New Castle, DE 19720

**Re: Application No. 2008-0275(S)
Barley Mill Plaza**

Dear Antoni:

We hereby submit the preliminary plan for Application No. 2008-0275(S). This revised plan is being submitted as part of the Compromise Agreement executed by the Stoltz organization and Citizens for Responsible Growth of New Castle County, Inc. effective December 31, 2010. Per that Agreement, certain changes have been made to the plan to address the concerns of the community while at the same time accommodating the needs of the Applicant to develop the property. Consistent with our prior discussions with the Department, the revised plan will continue through the land use process under the same Application Number and continue to follow the processes in place under the UDC prior to the adoption of the Enhanced Review Process per Substitute No. 2 to Ordinance No. 09-066.

Highlights of some of the changes to the Application include:

- Reduction of overall square footage proposed from 2,846,000 square feet to 1,654,000 square feet
- Propose to rezone approximately 37 acres of the approximately 96 acre site located along SR 141 from "OR" to "CR"
- Propose retail development of 454,000 square feet
- Propose office development of 1,200,000 square feet

Antoni Sekowski
March 24, 2011

Barley Mill Plaza
Preliminary Plan Submission

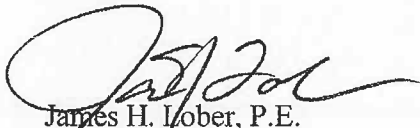
- Height of retail buildings not to exceed one story or 40 feet, plus rooftop mechanical equipment not to exceed 10 additional feet.
- Height of office buildings not to exceed 4 stories or 50 feet in height, plus rooftop mechanical equipment not to exceed 10 additional feet.
- Height of parking garages not to exceed either a ground level floor plus three stories or 36 feet.
- No more than 8 pad sites to be created on the portion of the property to be rezoned to "CR" with no more than 5 of the pad sites to be located along SR 141.
- Stoltz to set aside and construct an approximate 4 acre stormwater storage basin toward the rear of the site to provide stormwater runoff management above and beyond statutory requirements by collecting and managing stormwater runoff from areas located to the north of the site.

The following items are included:

1. Twenty (20) copies of the preliminary plan;
2. Barley Mill, LLC check #100001727 in the amount of \$39,130.00 for the planning and engineering preliminary plan review fee;
3. One (1) copy of the completed and signed SLD form;
4. One (1) copy of the completed and signed and sealed engineering section preliminary plan checklist;
5. One (1) copy of the preliminary plan certification of distribution;
6. One (1) copy of the existing conditions stormwater management report; and,
7. One (1) copy of the non-delineated floodplain study.

Consistent with our prior discussions with the Department, we anticipate that the plan, once reviewed, will be scheduled for a Planning Board hearing. Thank you for your assistance with this project. Please let me know if you have any questions or require anything further.

Regards,



James H. Lober, P.E.
Project Engineer

Enclosures

Cc: Keith Stoltz Stoltz Management
Pamela Scott Saul Ewing

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NEW CASTLE COUNTY DEPARTMENT OF LAND USE
SLD-1 Form
(Application for Plan Review)

Level of Plan Submission	Plan Type	For New Castle County Use Only
<input type="checkbox"/> Pre-App. / Exp. Sketch Plan	<input checked="" type="checkbox"/> Major Land Development Plan	Date Received _____ Application Number _____ Assigned Planner _____ Assigned Engineer _____
<input checked="" type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Minor Land Development Plan	
<input type="checkbox"/> Check Print	<input type="checkbox"/> Resubdivision	
<input type="checkbox"/> Record Plan	<input type="checkbox"/> Site	
<input type="checkbox"/> Revised Plan	<input type="checkbox"/> Utility	
	<input type="checkbox"/> Parking	
<input type="checkbox"/> Engineering Section Submission Only	<input type="checkbox"/> Sanitary Sewer	
	<input type="checkbox"/> Grading/E&S/Stormwater	
	<input type="checkbox"/> Floodplain	
	<input type="checkbox"/> General Permit	

- Name of Plan Barley Mill Plaza
 Former Plan Name or Alias n/a
 Tax Parcel Number(s) 07-032.20-003; 048; 049; 050; 051; 052; 053; 054; 055; 057; 07-033.30-072
- Name of Legal Property Owner(s) Barley Mill, LLC
 Address 725 Conshohocken State Road
 City Bala Cynwyd State PA Zip 19004
 Phone Number (610) 667-5800 Fax (610) 664-1976
 Contact Person Steve Lewis
- Name of Applicant(s) Barley Mill, LLC
 Address 725 Conshohocken State Road
 City Bala Cynwyd State PA Zip 19004
 Phone Number (610) 667-5800 Fax (610) 664-1976
 Contact Person Steve Lewis
- Firm Responsible for Plan Prep. Apex Engineering Incorporated
 Address 27 West Market Street
 City Newport State Delaware Zip 19804
 Phone Number (302) 994-1900 Fax (302) 994-9099
 Contact Person Stephen G. Davies
 E-Mail sdavies@apexengineeringinc.com
- Existing Zoning OR Proposed Zoning (if applicable) OR / CR
- Also submitted are the following applicable fees as indicated: (See Appendix 2 for Details)

	Amount
Exploratory Sketch Plan Submission	
<input type="checkbox"/> Planning Land Development &/or Rezoning Review and Processing Fee	
<input type="checkbox"/> Engineering Review and Processing Fee	
Preliminary Plan Submission	
<input checked="" type="checkbox"/> Planning Land Development &/or Rezoning Review and Processing Fee	\$30,360.00
<input checked="" type="checkbox"/> Engineering Review and Processing Fee	\$8,770.00
Record Plan Submission	
<input type="checkbox"/> Planning Check Print Filing Fee	
<input type="checkbox"/> Planning Land Development &/or Rezoning Review and Processing Fee	
<input type="checkbox"/> Engineering Review and Processing Fee	
<input type="checkbox"/> Recorder of Deeds Fee	
<input type="checkbox"/> Delaware Document Account Fee	

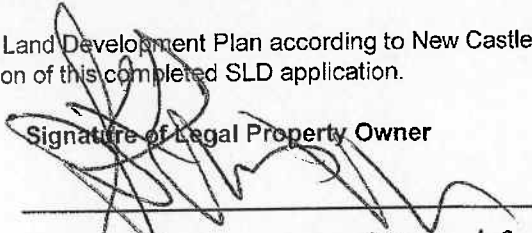
7) Other Items: (See Appendix 1 for Details)

8) It is required that the applicant notify the Federal Aviation Administration on their Form 7460-1, available at the New Castle County Airport Manager's Office if proposed construction, or crane operation will exceed 200 feet above ground level, or will penetrate a slope of 100:1 outward and upward from the nearest point of the nearest runway for a distance of 20,000 feet. For construction, or crane operations in closer proximity to any other airport or heliport in New Castle County, the obstruction/height criteria may vary. Clarification should be made by contacting the New Castle County Airport Manager's Office.

I certify that, to the best of my knowledge, all information listed above and all information and statements contained in any documents or plans submitted with this application are true, correct and complete and the legal owner of the land agrees with the filing of this application. I understand that any person who falsifies any information on any application made with the Department shall be subject to criminal proceedings under Title 11 of the Delaware Code.

I certify that I will post an application notice for this Major / Minor Land Development Plan according to New Castle County Code Chapter 40 (UDC) 31.320(F)(2) within 10 days of submission of this completed SLD application.

MANDATORY PLAN SUBMISSION DATA	
<input checked="" type="checkbox"/> Residential	<input checked="" type="checkbox"/> Non-Residential
Site Acreage:	92.0726
Disturbed Acreage:	83.4
	11 (existing)
Number of Lots:	1 (proposed)
Est. Number of Pumps:	0
Est. Sanitary Sewer Flow:	64,185 (net increase)
	1,654,000 (total)
Proposed GFA:	641,851 (net increase)
	934,864 (total)
Building Footprint:	407,004 (net increase)
Sewer:	New Castle County
Water:	City of Wilmington

Signature of Legal Property Owner

 Date: 3/22/11

Barley Mill, LLC - Steve Lewis Authorized Person
 (Print Legal Owner Name)

Signature of Legal Property Owner

 Date

 (Print Legal Owner Name)

Signature of Legal Property Owner

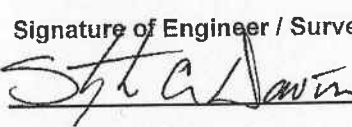
 Date

 (Print Legal Owner Name)

Signature of Applicant

 Date

 Same as Owner
 (Print Applicant Name)

Signature of Engineer / Surveyor

 Date: 3-24-11
 Stephen G. Davies
 (Print Engineer / Surveyor Name)

Ent	Name	Acct No	Invoice	Date	Reference	Amount
08139	Barley Mill LLC (InterCompany	1334-00	07-032.20-003	3/22/2011	Reszoning & Processing Fee	39,130.00

Vendor: New Castle County	BM1687	Date 3/22/2011	Check No. 100001727	Check Amount 39,130.00
NEWCOU PO Box 15359	Wilmington DE 198865359			

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND NOT A WHITE BACKGROUND

Barley Mill, LLC
 c/o Stoltz Management of DE, Inc.
 725 Conshohocken State Road
 Bala Cynwyd, PA 19004

Firsttrust Bank
 555 City Line Avenue
 Bala Cynwyd, PA 19004

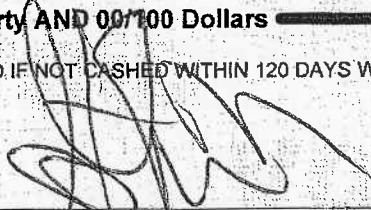
Date	Check No.	Check Amount
3/22/2011	100001727	39,130.00

Thirty Nine Thousand One Hundred Thirty AND 00/100 Dollars

Pay to the order of:
 New Castle County

PO Box 15359
 Wilmington, DE 19886-5359

VOID IF NOT CASHED WITHIN 120 DAYS WITHIN DATE OF ISSUE



AUTHORIZED SIGNATURE

THIS DOCUMENT CONTAINS A WATERMARK THAT IS VISIBLE WHEN HELD UP TO THE LIGHT

⑈ 100001727⑈ ⑆031975984⑆ 701911687⑈

Details on back
 Security Features Included



DEPARTMENT OF LAND USE

ENGINEERING CHECKLIST PRELIMINARY PLAN

Project Name:	<i>Barley Mill Plaza</i>
Application Number:	<i>2008 -</i>
Date Submitted:	<i>3/24/2011</i>

For Office Use Only

Date Accepted:	
Accepted By:	

STANDARD SUBMISSION REQUIREMENTS

- A) Completed Preliminary Plan Checklist signed, sealed and dated by a Delaware P.E./P.L.S
- B) One copy of all necessary computations signed, sealed and dated by a Delaware P.E./P.L.S.
- C) Review fee as listed in Appendix 2 of the Unified Development Code. (checks payable to New Castle County)
- D) When applicable, include correspondence that outlines the Applicant's compliance with each comment in the Department's Exploratory Sketch Plan review letter.

** PRELIMINARY PLAN BASED ON NEW SITE LAYOUT - COMMENTS
ISSUED PLAN AND DESIGN REQUIREMENTS PREVIOUSLY
ARE NOT NECESSARILY APPLICABLE AT THIS POINT*


- A) Title Block
 - 1) Names, mailing addresses, telephone and facsimile numbers of the owner(s) of the property, developer, engineer and applicant
 - 2) Name and address of the project, including Hundred, County and State
 - 3) Scale
 - 4) Date (including all plan revision dates and purpose of revision)
- B) Purpose of Plan
- C) Location Map, maximum scale 1" = 800' (site delineated on a street map bearing a north arrow with street names and approximate distance from major intersection labeled, preferably ADC map.)
- D) North Arrow
- E) Legend for all symbols used
- F) Topography
 - 1) Date and source of topography
 - 2) Field verification

- 3) Benchmark, location and elevation
- 4) Datum
- G) Stormwater analysis
- 1) Pre-developed discharge rates at all points of site discharge and all points of analysis
- 2) Drainage areas and sub areas including off-site drainage areas to points of analysis
- 3) CN values (site delineated on soil survey and description of type and condition of cover)
- 4) Tc paths depicted on drainage plan with associated computations
- 5) Natural runoff detention/retention features (sumps/swamps, etc.)
- 6) Methodology for computing peaks (TR-55 or TR-20 software)
- 7) Location, size and description of each proposed Stormwater management facility.
- 8) Provide results and analysis of field testing to demonstrate feasibility of open channel, conservation practices and GTBMP's for managing the quality, quantity and volume of post-developed stormwater runoff. *PER PREVIOUS DISCUSSION W/ DEPARTMENT*
- 9) Description of how downstream properties, if any, are impacted by post-developed stormwater discharge and identification of downstream constraints, if any, that limit the peak rate *AS PER ORIGINAL WATERCOURSE. PROVIDE SPECIFIC ACTION PLAN TO ADDRESS CONSTRAINTS AND EROSION POTENTIAL. PATH FORWARD*
- 10) Identification of areas sensitive to stormwater impacts not related to a watercourse (e.g. steep slopes, wetlands and existing development) *THESE ITEMS HAVE BEEN ADDRESSED W/ PREVIOUS SUBMISSION*
- 11) Submit request and justification for exemption(s), waiver(s) or variance(s) from the requirements of the Delaware Sediment and Stormwater Regulations, if applicable
- 12) Identification of on and off-site drainage easements required to convey post-development stormwater runoff from the site to a point of discharge and or point of analysis with adequate capacity. Identify the purpose of each easement and the party responsible for the maintenance within the easement per Section 12.04.005 of the NCC Drainage Code.
- H) Demonstration that critical hydraulic locations have been maintained or enhanced. Include detailed topography (not aerial) at each location.
- I) Documentation that the following objectives have been met: Cut/Fill analysis of bulk grading to establish the limit of disturbance that minimizes adverse impacts to existing vegetation, roads are situated along natural ridge lines and close to natural grade and natural drainage divides and patterns are honored.
- J) Final delineation of all natural resources, as listed in Table 40.10.010 of the UDC, accompanied by the applicable UDC Table 10.210 use designation for each use proposed within the resource (i.e. Y, N, L, S, or I) and appropriate report or assessment to authorize use, if any.
- K) Disturbance in:
- 1) Wetlands (y/n), Permits?
- 2) Steep slopes (y/n), Conditional Use Application?
- 3) Floodplain (y/n), Met criteria for locating non-delineated floodplains? Application?
- 4) WRPA's (y/n), Conditional Use Application?
- 5) Any other areas, specify
- L) Septic feasibility approval from DNREC, if applicable
- M) Sanitary Sewer Design
- 1) Compliance with Chapter 38 of the New Castle County Code.
- 2) Compliance with NCC's policy on pump stations, depth of sewer lines and grinder pumps, Special Services Policies #6 and #7.

- 3) Provide plan view of entire proposed sewer system complete to tie-in. Provide index of sheets and match lines for all sanitary sewer lines that continue onto other sheets.
- 4) Provide invert elevation at tie-in location and existing downstream manhole.
- 5) Flow directions for all existing and proposed sanitary lines.
- 6) Show all existing and proposed utility crossings of proposed sewer.
- 7) All proposed sanitary sewer easements dedicated to New Castle County must be a minimum forty feet (40') wide in unpaved areas and twenty feet (20') wide in paved areas. Each easement must be labeled and dimensioned and the pipe located in the centerline of easement.
- 8) Show manholes and/or force main cleanouts with numbers in consecutive order
- 9) Show pipe data on the plan view including length and type of pipe (300 foot maximum pipe length between manholes)
- 10) Aerial crossings not permitted
- 11) N/A Note on plans where anchorage is proposed.
- 12) Indicate portions of proposed sanitary sewer to be public and portions to be maintained privately.
- 13) N/A Identify landscaping that may be impacted by proposed off-site work.
- 14) Design flow data (Include both average and peak daily flows with rationale for the estimates)
- 15) N/A Note on plan any location where proposed depth of sanitary sewer is greater than twenty (20) feet or less than three (3) feet.
- 16) Identify location of any proposed Commercial Food Establishment and proposed location of 1000 gallon grease trap
- 17) N/A Designate the parcel that will be dedicated to New Castle County for pump station. A lines and grades plan must be approved by NCC prior to plan approval.
- 18) N/A Depict and dimension all force main easements on the plan.
- 19) N/A Show valves and all necessary information for force mains
- 20) N/A Demonstrate that three phase power will be supplied to the pump station.
- 21) N/A Indicate approximate depth of wet well (+/- five (5) feet)
- 22) N/A Exceptions from the County's standards and specifications

CERTIFICATION OF PROFESSIONAL ENGINEER / LAND SURVEYOR:

I, the undersigned, hereby certify that I am a Professional Engineer / Land Surveyor registered in the State of Delaware and that it is my professional opinion that, to the best of my knowledge, each element of this checklist was considered and addressed in accordance with all applicable regulations, codes, standards, guidelines and policies.



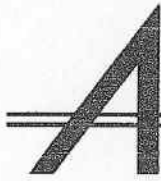
 Signature and Seal of Applicant

_____ 3/24/2011
 Date

Submission of this Checklist does not relieve the applicant of the responsibility to comply with all applicable regulations, codes, standards, guidelines and policies.

The Department of Land Use reserves the right to revise this Checklist periodically, as the need arises.

Revised: 9/28/2004



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(302) 994-1900


NEWPORT, DE 19804
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Certification of Preliminary Plan Distribution

Application # 2008-0275(S)
Plan Title Barley Mill Plaza
 Preliminary Major Land Development Plan
Plan Date January 14, 2011
Exploratory Sketch
Plan Approval Date March 11, 2009

In accordance with Section 40.31.113 paragraph B of the New Castle County Unified Development Code, I, James H. Lober hereby certify that paper prints of the above referenced preliminary major land development plan have been sent to every member of the Technical Advisory Committee on or before March 24, 2011.


James H. Lober
3/24/2011
DATE