

EXHIBIT A

Conditions	Recommendations	Responses
Review Compliance		
The Applicant shall prepare responses to the comments provided by the City Engineer and recommendations identified in the City Planning Report for evaluation during Final Plan review.	Consider incorporating provision in development restrictive covenants prohibiting rental of units for less than 2 week period.	Noted.
The Applicant shall, as part of its complete application, obtain all necessary permits (DeIDOT, DNREC, State Fire Marshall) and submit approval verification to the City prior to applying for construction permits.		Noted.
Site Design and Resource Protection		
Recommendations provided by the Lewes Parks and Recreation Commission shall be followed including submittal of a landscape and tree planting plan for review as part of final plan.	Provide opportunity to allow for input on the architectural design and placement of structures, especially as viewed from New Rd. as part of final plan review.	Noted.
As part of the final plan the applicant will include a notation limiting the height of the rear portion of the units, adjacent to New Road, to no greater than 2 stories.		A note has been added to Sheet C-1 of the CIPs stating that “The rear portion of the units for lots 1-22 shall have a height restriction of no greater than 2 stories”.
The Applicants shall take steps during construction to limit disturbance to adjacent wetlands areas and trees by installing silt fences around the wetland buffer & tree drip lines and limiting storage of material in the those areas. A management plan that would be incorporated into the HOA document, and related proposed covenants, to preserve and maintain the wetland buffers and woodlands will be submitted as part of final plan review.	The Final Site Plan should include incorporate native vegetation and shade trees, pervious pavement and green infrastructure, where practicable.	Super silt fence has been shown to be placed along the limit of disturbance that borders the wetlands. Draft HOA documents will be submitted under separate cover.

As part of final plan approval the Applicant will provide additional details on the basic amenities (gazebo, benches, walking paths that were defined on the site plan, along with strategies that will support continued public access to Canary Creek along the ROW. These details should be included on the Site Plan or separate plan for review, along with descriptions on how the common areas would be managed and maintained.	As part of final plan review the Applicant should consider providing a trail or access easement from New Rd. to the rear of the property to accommodate a greenway/trail connection that has been identified in many planning projects.	A shared-use path, sidewalks, and walking trails have been provided. Details for the proposed gazebo, benches, and picnic tables have been provided on Sheet L-3. Canary Creek Drive is a private ROW. Therefore, there will be no public access to Canary Creek Drive.
As part of the final plan, the applicant shall provide a proposed conservation easement outlining the terms for protection of wetlands, buffers and floodplain areas.		Noted.
The applicant shall, as part of final plan review submit draft HOA rules that will cover the perpetual maintenance of open space, buffer areas and all amenities.		Noted. Draft HOA documents will be submitted under separate cover.
The Applicant shall meet with representatives of the Historic Lewes Byway Committee to consider voluntary site design suggestions to support the character of the corridor.	Consideration should be given to providing public access to portions of the site that might contain cultural resources, if they are identified.	Noted.
Existing trees, shrubbery and ground cover shall be preserved as much as possible and incorporated into the site design to enhance views, limit problems such as soil erosion and help reduce energy costs.	The Applicant should include a plan for the management of invasive vegetation on the site that will be included in the HOA rules. In particular a plan for the management of phragmites should be addressed, representatives from the Hazard Mitigation Planning Team can assist with that condition.	Noted. Draft HOA documents will be submitted under separate cover.
As part of the final plan include notations identifying areas of potential archaeological significance that would remain undisturbed and list mitigation measures should artifacts be uncovered during development activities.	The Applicant shall consider conducting an archeological review of all or portions of the site.	An archeological review has already been conducted, and there were no results found within the proposed limit of disturbance.
As part of the final plan review the Applicants should provide details on the proposed pump station location and construction including steps to effectively screen the facility using context sensitive treatments to maintain the New Rd. Corridor.	If feasible, relocate pump station to area of the tract that is less visible from the New Road Corridor.	Noted. Details for the pump station have been provided. The pump station has been adjusted and will take access from inside the subdivision. The top elevation is 1.5 feet above the 100-year flood elevation.

As part of the final plan review the Applicants should provide details on the proposed pump station construction including details regarding flood proofing measures to ensure continued operation.		Noted.
Transportation		
The Applicant shall, as part of its complete application, work with DeIDOT to identify improvements that are needed to ensure that road corridors, intersections, access points and pedestrian facilities are designed and maintained to provide safe and efficient movement of vehicular and pedestrian traffic. Copies of reports outlining improvements or permit approvals from DeIDOT shall be submitted to the City to help maintain records.		Noted.
The Applicant shall work with DeIDOT to contribute to identified area improvements. DeIDOT shall apply the collected fee to complete identified area-wide improvements. Payment of an area-wide study fee in lieu of a TIS will not preclude the Applicant's responsibility for funding and/or construction of its share of offsite improvements.		Noted
Traffic counts should be reviewed and updated on the final plan as per recommendation in the PLUS Review		Noted.
Final plans shall comply with defined standards (§ 170-27, Streets), particularly with respect to their connections with public streets		Noted.
The applicant shall submit road names to the City and Sussex County Emergency Services as part of final plan review application as required by the Subdivision Code.		Road names have been selected and approved.

As part of final plan review, the Applicants will need to address the length of some of the road segments given the City Code cites a maximum length of 200' for a dead-end street. Each of the segments contains a cul-de-sac or tee turn-around which can assist in traffic movement but additional steps may be needed, including obtaining a waiver from the subdivision regulations that would allow the greater lengths if steps are taken to address possible impacts.		Noted. Waiver request has been submitted.
The area between the stub road end of Road D and the adjacent property line shall be offered to the City for dedication as a paper street which will be used to interconnect roads should the adjacent property develop.		Noted.
Documentation shall be submitted with final plan that includes covenants defining the operation and possible expansion of Canary Creek Drive.		Noted.
The Applicant should continue to work with DelDOT and Byways to incorporate strategies adopted in New Rd. Master Plan.		Noted.
On street parking should be prohibited on Road A and within 15' of all intersections.		Noted.
The applicants, as part of final plan approval, should identify the number of additional off-street parking spaces that could be used for overflow parking.		Noted. Overflow parking has been provided.
Community Services		
The Applicant shall, as part of its complete application, work with the County Conservation District to create a stormwater management solution that meets or exceeds all requirements for runoff, reduces pollutants and erosion and protects the water quality of downstream resources.	To minimize problems during emergency events the Applicant's should consider restricting on-street parking in certain locations such as along Road A and using fire suppression systems as part of the townhouse construction.	Noted.

<p>The Applicant shall, as part of its complete application, explore available BMP practices that the City Engineers have identified as suitable to the site that would minimize adverse off site impacts by reducing runoff volume & rate, and contamination of adjacent waterways.</p>	<p>As part of final plan review the Applicants should discuss opportunities, with SCCD and the City Engineers, to use SWM designs that can help operate in extreme events (500 year storm) or still operate into the future using projected sea level rise data through 2050 or beyond.</p>	<p>Noted.</p>
<p>Applicant should clarify how existing utility services on the property will be impacted as part of final plan review.</p>	<p>Some of the proposed lots (Lots 21, 22, 47 – 69) may be impacted by SLR. As part of final plan review the Applicant should add notations to the final site plan that these lots may be impacted for future reference.</p>	<p>Noted. The existing overhead electric on the property is to be removed.</p>
<p>Final plans shall comply with defined standards (§ 170-30, Stormwater management system)</p>	<p>Consider incorporating guidelines into the HOA rules to 1 the use of herbicides, pesticides, insecticides, fungicides and fertilizers, and the practices of automobile washing.</p>	<p>Noted.</p>
<p>Final plans shall include or update the following references: electric services to be provided by BPW and the presence and location of any gas utilities.</p>		<p>Noted.</p>
<p>The Applicant shall meet with representatives of the Lewes Hazard Mitigation Planning Team to create a plan for managing phragmites.</p>		<p>Noted,</p>
<p>Exterior lighting systems shall be designed to minimize spill over light pollution while maintaining a safe environment.</p>		<p>Noted.</p>