



PLANNING & DEVELOPMENT
CITY OF NEWARK

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November 10, 2022

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Tom,

The City of Newark's Subdivision Advisory Committee has reviewed the June 23, 2022 submission of Minor Subdivision, Rezoning and Comprehensive Development Plan Amendment plans for the proposed Garden Apartments at 55 Benny Street, PR#22-06-04. We have the following comments:

Electric Department

1. Electric service is available from Benny Street. Electric service to the building will come from pole 26F21.
2. A new primary single-phase aerial line from pole 26F22 to pole 26F21 will be installed to supply electric service to the building. An aerial transformer on pole 26F21 will be installed, and an underground secondary line from pole 26F21 to the building will be installed. **(Include in the next submission)**
3. All the electric services to the existing building need to be disconnected before the demolition of the building.
4. An open utility easement is required and must be listed on the prints. **(Include in the subdivision Agreement)**
5. The proposed SJ tree on the east side of the building conflicts with the existing overhead electric line. No trees over 18 feet at maturity can be planted under aerial lines. **(Include in next submission)**
6. The developer must pay all costs for electric service infrastructure. The price is subject to a yearly CPI escalation from the date of council approval. **(Include in the subdivision agreement)**

7. The developer is responsible for all trenching, backfilling, and installing conduits and cables for low-voltage services. **(Include in the subdivision agreement)**
8. Individual electric meters will be required for each dwelling unit. All meters must be grouped in one location and installed on the front north side of the building. The developer is responsible for the cost of the electric meters. **(Include in the subdivision agreement)**
9. The proposed meter location must be shown on the plan. **(Include in next submission)**
10. The developer must include the proposed aerial and underground electric on the plan. **(Include in next submission)**
11. The developer must provide the load calculation and electrical single-line diagram. **(Lines and Grades)**

Parks and Recreation Department

1. We would like to see the scholar tree replaced with a Kentucky coffee tree (*Gymnocladus dioecious*). **(Lines and Grades)**
2. A landscape screening or fencing will be required along the north side of the property. **(Lines and Grades)**

Police Department

1. Lighting – Provide LED lighting at all exterior access points. **(Prior to Planning Commission)**
2. Landscaping – Canopy trees or other landscaping provided along Benny Street should be of the variety that will limit leaves / vegetation from ground level to 72", to allow for a natural line of sight to all first-floor areas from the street. **(Prior to Planning Commission)**
3. Landscaping - Any rock material used for landscaping / decorative purposes should be smaller than 1" in size. **(Prior to Issuance of CO)**
4. Addressing – Clearly marked and illuminated address markings, at least 6" in height, visible from the street, for each entrance. The address for this project will be 55 Benny Street. **(Prior to Issuance of CO)**

Planning and Development Department

Code Enforcement Division

1. Demolition Permits required. Environmental Survey of the building(s) required. Proper abatement and disposal of any hazardous material by registered contractor prior to issuance of demolition permit. **(Prior to Demolition Permits)**
2. Site and public protection required during demolition and construction. **(Prior to Demolition)**
3. All buildings and all use to comply with 2009, ANSI 117.1; Accessibility Standards. **(Prior to Building Permits)**
4. Complete architectural, structural, plumbing, HVAC electrical and fire protection drawings required for review prior to building permits. **(Prior to Building Permits)**
5. Comcheck work sheet required to verify compliance. **(Prior to Building Permits)**
6. Exterior opening area to be determined per 2018 IRC. **(Prior to Building Permits)**
7. Comments based on 2018 ICC Codes.
8. Building Height and Area will be determined by type of construction. **(Prior to Building Permits)**
9. Compliance with LEED requirements as adopted by the City of Newark. Sustainability compliance narrative should be including with building permit application. **(Include in Building Permit Application)**

Fire Protection Specialist

1. Must have 2 hour fire ratings above garages and between units. **(Include in subdivision agreement)**

Land Use Division

1. Please address future submissions to Planning and Development Director Renee Bensley.
2. State scale of drawings in terms of 1 inch = X feet on the drawings above the ruler. **(Include in next submission)**
3. Indicate the number of parking spaces on the plans at the locations they are provided.

(Include in next submission)

4. Plan title section should read “Minor Subdivision, Rezoning & Comprehensive Development Plan Amendment by Site Plan Approval”. **(Include in next submission)**
5. Please note, while 55 Benny Street is zoned RS and has a Land Use designation of “Residential, Low Density”, it is located within Focus Area #4 of the newly adopted Comprehensive Development Plan which states:

Recommendations: Properties designated for “Residential, Low Density” and “Industrial” may be considered for “Residential, High Density.”

Applicant may consider including this in their Project Narrative.

6. Planning requests the applicant provide contextual color renderings that show the proposed building within the surrounding streetscape as this has been a frequent request of both Planning Commission and Council members during project review.

Public Works and Water Resources Department

GENERAL / SITE:

1. The Cover letter indicates no Public Works and Water Resources Review fees were submitted with the Major Subdivision Plan submission. Please refer to the latest [Public Works and Water Resources Schedule of Fees](#). The following review fees shall accompany any future submission (additional fees to be determined during the Lines and Grades Phase):
 - 1.1. Sediment and Stormwater Management Review Fee = Up to 1.0 Disturbed Acres (0.3 as currently listed on plan) = \$825.00 **(Prior to Council)**
 - 1.2. Water and Wastewater Review Fee = Greater than 2,000 GPD (3,600 GPD) = **\$1,100.00.**
2. Sanitary Treatment Plant Fee for the proposed 3 townhouses (@833.33 each = \$2,499.99) minus the credit for the single-family dwelling (\$1,000.00) will require a fee of **\$1,499.99**. This fee shall be paid prior to the issuance of any building permit **(Lines and Grades) Fee will be included within the Subdivision Agreement.**
 - 2.1. Update City of Newark General Note 15 on the Cover Sheet to reflect required fee. **(Prior to Council)**
3. Indicate the buildings, structures, and utilities to be demolished, terminated, or abandoned. We recommend adding this information to the Existing Conditions Plan.

(Prior to Planning Commission)

4. Show the approximate area of tree line clearing on the Demolition Plan as it is shown on the Landscape Plan. Show the proposed tree line on the proposed plans. Add linetypes to legend or add annotation. **(Prior to Planning Commission)**
5. Update the Planning Number #22-06-04 on all sheets. **(Prior to Planning Commission)**
6. Plans must be signed by all appropriate parties and sealed by the engineer of record prior to Subdivision approval. **(Prior to Planning Commission)**
7. Delineate the limit of disturbance (LOD) on the plan and include all proposed improvements (e.g., utility work within the Right-of-Way, roadway restoration, and curb and sidewalk replacement). Update the plan and Data Column on the Cover/Index Sheet. **(Prior to Planning Commission)**
8. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project site including existing parking areas. Label all ADA ramps. **(Prior to Planning Commission)**
9. Cover Sheet General Note 14 indicates that trash will be privately collected and handled by use of a dumpster. Show the dumpster pad location on the plan. **(Prior to Planning Commission)**
10. Consider location of gas meter and electric meter, feasibility of installation at that location, and potential screening from public view. **(Prior to Planning Commission)**
11. A wetlands report is required to be submitted for major subdivisions involving new and/or additional construction in accordance with Chapter 27, Section VIII of the City Code of Ordinances. The notes on the plan indicate that no wetlands exist, as verified by New Castle County GIS. If there are no wetlands, a letter certifying no wetlands are present will need to be submitted by a wetland scientist or the professional engineer of record. **(Prior to Planning Commission)**
12. Cover Sheet General Notes 7 and 16 seem to be duplicates. Is a blanket easement intended? If so, remove note 7. **(Prior to Council)**
13. Monuments shall be placed at corners, angle points, points of curve, or intermediate points to mark the physical location of property. Location of all monuments must be shown on the plans. Monuments shall be stone or concrete and have a flat top at least five inches in diameter or four inches square, and at least 36 inches in length. Any existing monuments that do not meet this requirement will need to be replaced and indicated as such on the plans. Revise plans to indicate all existing and proposed monuments as required. **(Prior to Council)**

14. Include trash enclosure details on future Lines and Grades. **(Lines and Grades)**
15. Provide addresses for all buildings and units. Ensure any new addressing has been coordinated with AETNA and NPD. **(Lines and Grades)**
16. Several locations within Benny Street will be disturbed by the installation of new utilities and termination of existing utilities. The Public Works and Water Resources Department will require the property frontage of Benny Street be milled and overlaid (curb to curb) once all utility improvements are complete and prior to the issuance of certificate of completion. Delineate the extents of the pavement restoration on the plans. **(Prior to Planning Commission)**

WATER & SEWER:

1. A hydrant flow test will be required to verify the flow rate and system pressure are consistent with the basis of design. Complete the [Application for Fire Flow Test](#) and submit to the Public Works and Water Resources Department to schedule a flow test at a cost of \$300 per test. **(Prior to Council)**
2. Show the existing water and sanitary sewer on the existing conditions plan. Indicate if they are to remain and be re-used or terminated at the main. Show restoration as applicable. **(Prior to Council)**
3. Indicate location, size, invert, and material for all existing and proposed utilities associated with the project. **(Prior to Council)**
4. Label sanitary sewer cleanouts or add the symbol to the legend. **(Prior to Council)**
5. Include the linetype for the proposed sewer laterals in the legend. **(Prior to Council)**
6. Provide top of structure, invert, size and material of all storm and sanitary pipes and structures. **(Prior to Council)**
7. A water shut-off valve shall be placed at the Right-of-Way. **(Prior to Council)**
8. General Note 15 and City of Newark General Note 7 on the Cover sheet refers to meters located in a utility/meter room. For townhouses, meters shall be placed in a meter pit outside the unit.
 - 8.1. Remove General Note 15 and City of Newark General Note 7 from the Cover Sheet. **(Prior to Council)**

- 8.2. Meter and meter pit locations will need to be shown on the plans. **(Prior to Council)**
9. A shutoff valve will be required before the water meter for each unit. **(Prior to Council)**
10. A dedicated fire service will be required for each unit. **(Prior to Council)**
11. The Developer shall televise any existing sanitary sewer laterals to be re-used and provide a copy of the video to the City for review. The condition will be evaluated by Public Works to determine the suitability for reuse. **(Prior to Council)**
12. The Developer shall investigate the capacity of the existing sanitary sewer system to determine if sufficient capacity exists to handle the anticipated wastewater flows and furnish the report to the City for review and approval. PWWR can provide the applicant's engineer with the diurnal curve for dry weather flows for the project area that they will need to adjust their field measurements. **(Prior to Council consideration)**
13. The condition of the downstream City owned and maintained sanitary manhole (MH01647) will need to be evaluated. If the conditions are unsuitable, the manhole will need to be replaced or restored to the satisfaction of PWWR at the Developer's expense. **(prior to Subdivision approval, capture in Subdivision Agreement)**
14. The sanitary sewer lateral located in the public right-of-way shall be SDR-26, not less than 6-inches in diameter, and shall have a minimum slope of 2%. Class 52 DIP will be required if a 5-foot minimum depth cannot be achieved. **(Lines and Grades)**
15. Coordinate with the MEP to provide an anticipated peak water demand in gallons per minute as determined by the number of fixtures in each unit. Meter sizes will be determined when this information is provided. *The City stocks meters and pits up to 1-inch diameter. Projects requiring a larger meter should be aware of potential extended lead times for meter and meter pit purchases. To avoid delays, it is recommended to have the required meter and pit purchased as soon as possible.* **(Lines and Grades)**
16. Provide on the plans the most recent City of Newark standard details for water and sanitary sewer improvements as applicable to the project. They can be found in the [Water and Wastewater Standards and Specifications](#). **(Lines and Grades)**

STORMWATER:

1. The [SAS checklist](#) and SAR have not been submitted for review. Once the SAR is submitted and reviewed by PWWR, a Sediment and Stormwater Program Project Application Meeting will need to be scheduled with the City's Planning and Design Engineer (Mike Falkowski, email: mfalkowski@newark.de.us). **(Prior to Planning Commission)**

2. Per City of Newark Code Chapter 27 Appendix IV Sect. I(a)(1)a “post-development peak discharge rates for the 2, 10, and 100-year frequency storm events shall not exceed the pre-development peak discharge rates for the 2, 10, and 100-year frequency storm events.”
 - 2.1. Provide 2-year storm event analysis within the SAS-Preliminary Stormwater Management Analysis report. **(Prior to Planning Commission)**
3. A Sediment and Stormwater Management Application was not submitted with the submission and shall be included with the future submission. The application can be found using the following link:
<https://newarkde.gov/DocumentCenter/View/5364/Application-for-Sediment-and-Stormwater-Management-Plan-Approval>. **(Prior to Planning Commission)**
4. Development projects that require a detailed Sediment and Stormwater Management Plan require NPDES permit coverage through submittal of a Notice of Intent (NOI). If the LOD remains less than 1.0 acre and, depending on the results of the SAS/SAR, an NOI may not be required for this project. Should it be determined that an NOI is not required, remove Cover Sheet General Note #17. **(Prior to Council)**
5. Proof of the NOI submission to DNREC will be required prior to Lines and Grades approval if applicable. **(Lines and Grades)**

This plan review is solely based upon the information and details provided in the submitted documents. Additional comments may be generated following any future submissions.

I hope you find this information helpful. **Please provide a written response to all comments with subsequent submissions.** Should you have questions or need more information, please do not hesitate to contact me at 366-7000, extension 2045.

Sincerely,



Renee K. Bensley
Director of Planning and Development