



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

CAROLANN WICKS, P.E.
SECRETARY

October 2, 2006

Mr. John P. Janowski
Transportation Planner
New Castle County Department of Land Use
87 Reads Way
New Castle, DE 19720

Dear Mr. Janowski:

I am writing in regards to a request from the developer that DeIDOT consider recommending a Traffic Impact Study (TIS) Waiver for the proposed residential and commercial development known as "LaGrange", Application No. 2005-1045(s) New Castle County. First, let me express my appreciation to the developer and Landmark Engineering for the cooperation they have evidenced in trying to work through a number of very difficult transportation problems that exist in the Route 40 corridor.

The justification for a TIS Waiver being proposed is that LaGrange is located in a Transportation Investment District (TID), specifically the area identified in the Route 40 Corridor 20-Year Transportation Plan. DeIDOT concurs with this as being consistent with the intent of the Unified Development Code, which has a provision for a waiver under such conditions. We currently do not have a means of implementing Section 40.11.121(C) of the County UDC, however the area addressed by the Route 40 Plan might reasonably be considered a TID if we did designate them. After careful consideration it is our conclusion that in this case the preparation of a TIS would be of little benefit since no additional information would be provided which would materially change DeIDOT's view of what transportation improvements are required in the Route 40 Corridor. Of greater benefit to the traveling public who must contend with traffic congestion in the area, would be a requirement that the developer complete on-site and off-site improvements. To that end, we offer the following suggestions for specific traffic improvements, which should be required prior to the issuance of a TIS Waiver.

1. The Developer will expand the existing signal (add a fourth leg), including pedestrian amenities (pedestrian signals, crosswalks, etc.), at the intersection of U.S. Route 40 and Perch Creek Drive.

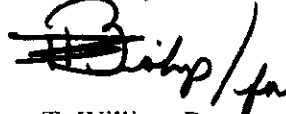


2. The Developer will acquire sufficient land to construct a cross over between U.S. Route 40 westbound and eastbound, including the installation of signalization and pedestrian amenities on U.S. Route 40 at the entrance for the proposed commercial development and the entrance for the Springside Office Park, as shown on the conceptual plan prepared by Landmark Engineering, Inc. and provided to DelDOT. DelDOT will work with the Developer in completing an acquisition for that portion of the property necessary to construct the cross over so that a separate subdivision plan is not required.
3. The Developer will fund the installation and/or construct a pedestrian signal and installation of the signal for the existing traffic signal at the intersection of U.S. Route 40/Peoples Plaza.
4. The Developer will provide a cross access easement between the proposed commercial development and the adjacent Deer Park Plaza shopping center. The Developer will offer to construct a vehicular crossing between the two commercial properties through direct negotiation with the owner of Deer Park Plaza. If after written documentation of these good faith efforts, construction of the vehicular crossing has not begun by January 1, 2010, then the Developer will make a \$50,000.00 contribution to DelDOT for road improvements along U.S. Route 40 in the vicinity of the Project.
5. The Developer will provide an easement reservation for a future vehicular access to be constructed by others between the proposed residential portion of the Project and the 48 +/- acre parcel to the east, which contains the historic house.
6. The Developer will construct a 10-foot wide sidepath along the LaGrange frontage along U.S. Route 40. Where necessary, the horizontal location of the sidepath can be adjusted closer to the shoulder of U.S. Route 40 than DelDOT's minimum standards to avoid conflict with existing wetlands. The sidepath will connect to the existing sidepath along the frontage of Deer Park Plaza and the existing paved access way of the "Glasgow Deli" parcel.
7. The Developer will provide full pavement markings, signage and a bus stop shelter within the area of the Project proposed for commercial development, for future transit service and will work with DART to bring regular bus service to the site.
8. The Developer will provide walking trails connecting the residential portion of the Project to the commercial portion of the Project. The Developer will also provide a walking trail in the area shown on the plans submitted to DelDOT from the residential portion to the southern limit of wetlands along the boundary line between lands of the Pencader Corporate Center and LaGrange, including an easement for future extension by others of the walking trail through the wetlands to the property line of lands of Pencader Corporate Center.

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9. The Developer will offer to share in the cost of providing a vehicular access between the Springside Office Park and Peoples Plaza through direct negotiation with the owner of Springside Office Park. If after written documentation of these good faith efforts, construction of the vehicular access has not begun by January 1, 2010, then the Developer will make a contribution of \$500,000.00 to DelDOT for road improvements along U.S. Route 40 in the vicinity of the Project.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator

TWB:tbm

cc: Mr. Ralph A. Reeb, Director, Planning
Mr. Theodore G. Bishop, Assistant Director, Development Coordination
Mr. J. Marc Coté, Subdivision Engineer
Mr. Mark C. Tudor, Regional Group Engineer, Project Development North II.
Division of Transportation Solutions
Mr. Ted C. Williams, Landmark Engineering, Inc.