



## MEMORANDUM

To: ACEC-DE Executive Committee  
From: Tim Filasky, P.E.  
Date: December 7, 2011  
Re: NCC Land Use Partnering Meeting Minutes – November 7, 2011

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The NCC Land Use Partnering Committee Meeting was held at 2:00 PM, Monday, November 7, 2011, at the County Government Center, Land Use Conference Room. The topics discussed are listed below. If you have any questions about the meeting or changes to the minutes, please contact Tim Filasky at 302-369-2900 x30 or by email at [tfilasky@karinsengineering.com](mailto:tfilasky@karinsengineering.com)

### Old Business/Continuing Items:

1. **“BRAC” Amendments (Small Business Incentives)** – Update  
Landscaping has been completed, NCC waiting on final text amendments.  
Meetings will be held to determine final stacking and parking numbers. There was some confusion as to whether the meetings were necessary and who would be involved. Participants will be the same committee as the parking requirements, along with anyone new who may be interested in the outcome of these meetings.  
Portable parking structures were discussed.
2. **Sign Code Ordinance** – Update – Timeframe for NCCDLU to issue final draft?  
No update, anticipated to be included in the revisions early 2012.
3. **Agency Coordination** – Update – DelDOT and NCC  
NCC to hold coordination meeting with DelDOT in Dec/Jan.  
20 foot clear zone from DelDOT R/W was discussed. DNREC does not agree that it is necessary. DNREC and NCC will meet with DelDOT on this matter.  
NCC holds monthly meetings with DNREC. New SWM regulations are slated to be issued in Feb. 2012 and implemented Aug. 2012. The list of Best management Practices will increase from 5 to 15. Several are available for use now with DNREC consensus.
4. **Electronic Plan Submissions** – Update. Would like to invite IT personnel to review any issues. (DJ Guthrie-Carter?)  
Several submissions have been made but no feedback to the firms. Bruce Tease from LandmarkJCM will resubmit one of his projects and alert George when he does so George can assist getting comments.
5. **Comprehensive Development Plan** – Update.  
Draft Plan is online at the following link:  
<http://projects.jmt.com/new-castle-county-comprehensive-plan/documents.aspx>  
Plan will be discussed by Planning Board at their January 3, 2012 meeting.
6. **Utility Easements** – NCCDLU working on resolution to issue.  
Text amendments may be necessary.



7. **Certified Construction Review** – Continue discussion from meeting held with NCCDLU Engineering Section regarding NCC CCR duties. Homebuilders weigh-in. NCC plans to perform all CCR inspections after January 1, 2012, except those for SWM facilities. Homebuilders did not comment on the changes as it does not affect individual lot construction. Lengthy discussion regarding CCR inspection and NPDES requirements for owners to keep an Owner's Log(Also See #11):
  1. **NCC can perform the CCR inspection**
  2. **Private firms can perform the CCR inspection in addition to the NCC inspection**
  3. **Owner needs to keep an Owner's Log. A NCC CCR inspection cannot count as the Owners Log, however, a private firm CCR inspection can count as the Owner's Log.**
  
8. **Underground SWM Facility Checklist** – Updated attached to agenda  
Comments have been considered and the checklist should be adopted and posted to the website for use in the near future.

**New Business/Items:**

9. **Temporary CO** – Availability and timeframes.  
Temporary CO's are still available with the same timeframe limitations. The fees have increased and will continue to do so periodically. The ultimate goal is to eliminate the need and get the Final CO.
  
10. **DelDOT Note on Record Plan** – names local land use jurisdiction as one of the responsible parties for MUTCD signage within site. Required note below:  
**“The developer, local agency, and/or private owner shall ensure that the traffic control devices on the non-state maintained roadways open to public travel are in compliance with the MUTCD”**  
George will speak to Dave Culver and discuss with DelDOT, if necessary.
  
11. **Owner NPDES Reporting** – Clarification from Land Use and DNREC  
**Eric Laramore provided comments via email that clarified the following:**  
Owners are required by the NPDES program to keep a log for monitoring the sediment and stormwater components of the site on a weekly basis and after each rainfall event.  
Private Firm CCR reports can suffice as an Owner's Log  
NCC CCR Reports cannot suffice as an Owner's Log  
Firms agree that most developers will keep log themselves.
  
12. **Construction Plan Sets** – Land Use now requires One set of 11x17 plans for field use.  
It is confirmed that Land Use will require one set of 11x17 signed and sealed prints, which can be reproductions of the full sized, approved sets.
  
13. **Additional Items or Comments:**  
No additional items or comments



14. **Next Meeting** – The next scheduled meeting with Land Use will be held on January 9, 2012 (second Monday due to New Years Holiday), at 2:00 PM, in the Land Use office of the Government Center.

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