

# ACEC

AMERICAN COUNCIL OF ENGINEERING COMPANIES  
of Delaware

## MEMORANDUM

To: CEC/DE Executive Committee  
From: Stephen Johns  
Date: September 18, 2007  
Re: NCC Partnering Meeting Minutes – September 10, 2007

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At 2:00 PM on Monday, September 10, 2007, the NCC Partnering Committee met with New Castle County's Land Use Department. The following topics were discussed:

1. **Water Management Code** – The code is being reviewed by the County's law department.
2. **Non-delineated Floodplains** – The current definition requires floodplains to be mapped along a drainage path that is both mapped on a USGS Quad Map or USDA SCS Soils Map and is a "watercourse" as defined by the UDC (has "bed and banks"). The County will continue to use this definition and require a report to document that a "mapped" drainage path is not a "watercourse". They may add ephemeral streams to the watercourse definition in the next omnibus amendment to the UDC. The County has found one significant "watercourse" which is not mapped. If more of these appear they may want to revisit the definition.
3. **Electronic Submissions** – The County is now accepting dwf files of all submitted plans on a voluntary, trial basis.
4. **Potential Engineering Review Fees** – The County's new fees, including the \$250.00 fee for incomplete submissions, and \$500.00 fee for all engineering resubmissions were discussed. A draft FAQ was presented by the County (copy attached). It should be noted that both fees apply even if there is no fee with the first submission.
5. **Two Step Process** – The County is working on getting this ordinance approved. Some members of Council are concerned about losing a public hearing.
6. **Street Trees** – The County said they have added the Street Tree requirement to the Individual Residential L&G Checklist. I checked online and could not find it. I will check with the County.
7. **Bio-Retention Basin Checklist** – The County presented a new Bio-Retention Basin Construction Checklist to be used by CCRs. This checklist is available on the NCC Land Use Engineering Website. Mike Clar also said that DNREC has agreed to allow some

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demonstration projects to use a different bio-soil mix using native soils. Anyone wanting to do this should contact Mike. Mike also said he is working with DNREC to change the allowable percolation rate to be less than 1 in/hr. An appropriate design would have a reservoir below the underdrain, sized to make use of this lower infiltration rate.

8. **Sanitary Sewer Utility Permits** – These permits are now being processed by Special Services.
9. **E&S without Detention Basins** – The County would like to have a discussion at the next meeting about issues we may be having designing E&S for projects where large detention basins are no longer available to act as sediment basins.
10. **Next Meeting** – The next scheduled meeting with Land Use will be held on November 5, 2007 at 2:00 PM, in the Land Use office.

# FAQ

(Frequently Asked Questions)

## Engineering Submission Fees

**When Does the Incomplete Submission Fee Apply & When Does the Resubmission Fee Apply?**

Incomplete Engineering Submission Fee - \$250.00

Upon receiving a plan submission, the Engineering Section will review the submission to ensure that all required elements are included in the submission. If any are not included, the submission will be refused. Upon receipt of a complete submission, the Incomplete Engineering Submission Fee of \$250.00 will be due.

EXAMPLE: An Exploratory Plan Submission does not include the completed Engineering submission checklist.

Engineering Resubmission Fee – \$500.00

Upon reviewing a complete plan submission, the Engineering Section finds that one or more aspects of the plan does not meet code requirements and must be revised. Upon receipt of an amended submission, the Engineering Resubmission Fee of \$500.00 will be due.

EXAMPLE: The plan submission does not fully address the requirements of the review stage and must be addressed prior to advancement.

QUESTION: Can both fees be assessed at the same time?

ANSWER: No. However, the same plan may – at different times – be subject to both fees, in particularly defective multiple submissions. Therefore, an exploratory plan may be submitted on April 1 that is incomplete and a \$250.00 Incomplete Submission Fee will be required. Resubmitted on April 15 and reviewed, the plan is found unacceptable. Upon correction and resubmission on May 5, a \$500.00 Resubmission Fee will be assessed. At each stage of the plan review process, under worst-case circumstances, a plan may be found first incomplete and then, upon completion and engineering review, later found to be unacceptable.

QUESTION: If the initial fee is less than \$500, does the resubmission fee still apply/remain \$500?

ANSWER: Yes.

QUESTION: Do the resubmission and incomplete fees apply even in circumstances where there is no initial fee?

ANSWER: Yes. For example, the review of stormwater as-built plans is subject to both incomplete and resubmission fees.

QUESTION: Do the incomplete and resubmission fees apply to expedited plans?

ANSWER: Yes. In addition, should the applicant wish the resubmission to be expedited, the fee for expediting the plan will have to be paid again.

QUESTION: Do the incomplete and resubmission fees apply to Individual Lines & Grades?

WWW.NCCDELU.ORG

302.395.5400

Created: September 4, 2007

Christopher A. Coons  
County Executive

Charles L. Baker  
General Manager



DEPARTMENT OF LAND USE

ANSWER: No.

QUESTION: Do the incomplete and resubmission fees apply to the LDIA?

ANSWER: No.

QUESTION: How can I help to avoid incomplete submissions?

ANSWER: Carefully follow the checklist for the plan you are submitting. Checklists for Exploratory, Preliminary, Record, Lines & Grades and other plans can be found on the Engineering Page of the New Castle County website ([www.nccdelu.org](http://www.nccdelu.org)). If you have any question as to whether a requirement applies to your plan, call first before making your submission.

**DRAFT**