

US 301 Project Development Final Environmental Impact Statement



1

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION

PUBLIC HEARING

IN RE: US 301 PROJECT DEVELOPMENT

Middletown Fire Hall
27 West Green Street
Middletown, Delaware

Monday, January 8, 2007
4:11 p.m.

BEFORE:

ANDREW BING, Facilitator
KRAMER & ASSOCIATES

MARK C. TUDOR, P.E.
DEPARTMENT OF TRANSPORTATION
Group Engineer - Project Development

ERIC ALMQUIST, Environmental Planner
RUMMEL, KLEPPER & KAHL

CAROLYN O'DONOGHUE, Real Estate
DEPARTMENT OF TRANSPORTATION

WILCOX & FETZER
1330 King Street - Wilmington, Delaware 19801
(302) 655-0477
www.wilfet.com

List of Persons Providing Testimony:

Charles Weymouth
Andye Daley
Pastor Lasko
Wanda James
Thomas Russell

NOTE:

Pages 2-40 of the "Public Hearing in re: US 301 Project Development" text has not been reproduced in this section, as it contains only the spoken introduction to the project and no oral testimony. The full text of this portion of the hearing transcript is included in **Appendix I**.

US 301 Project Development Final Environmental Impact Statement



41

1 Charles Weymouth. Charles, we're going to use a
2 hand-held mike, just from your seat there, okay?

3 MR. WEYMOUTH: Good evening, all. Evening
4 all, Charlie Weymouth, 39-year architect, planner
5 practitioner, independent, local resident for over 60
6 years.

7 My plea this evening is aimed,
8 particularly, to the Army Corps, that professional
9 body traditionally under instructions to also oversee
10 our bridges, those vital transportation links, such as
11 the Summit Bridge.

12 My plea is the following: maintain the
13 originally intended interstate 301 alignment and tie
14 it to the south Newark interchange. The presently
15 intended diversion eastward to predominantly serve as
16 a collector road for two proposed housing developments
17 shreds the original intention of Route 301, this still
18 a primary Delmarva Peninsula feeder to the I-95
19 system.

20 Further, please consider for all agencies
21 the following: restore I-95 as the critical through
22 traffic means rather than continue to serve as a badly
23 impacted secondary road for local traffic.

24 2, require of the individual states to

Response to Charles Weymouth:

Thank you for your statement.

The Red Alternative, which followed the ridge route and SR 896, crossing the C&D Canal on the Summit Bridge, was evaluated during the planning process but was not retained for detailed evaluation. Reasons for not retaining the Red Alternative included:

- it does not accommodate the 65% of traffic on US 301 that is destined for points to the northeast
- it would require additional lanes on the Summit Bridge to accommodate increased traffic volumes
- it did not provide direct access to SR 1
- it would have required major improvements to the SR 896/I-95 interchange and tie-in to Old Baltimore Pike
- it had identified impacts to Section 4(f) resources
- it would have been the costliest to construct
- required the most difficult maintenance of traffic and inconvenience to travelers during construction.

The full explanation for not retaining the Red Alternative are in the DEIS, Section II.B.2.a.

Although some of the improvements you mention merit review, they are outside of the scope of the US 301 Project. Your suggestions will be forwarded to others who could evaluate their feasibility.

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



42

1 fund necessary access to this system.
2 Require of the sponsors in design for
3 local residential growth from inception of plan to
4 incorporate how road systems will be incorporated and
5 locally funded. Require under and overpasses, and
6 control access measures, including corrective
7 measures, along Routes 301 extended as Route 896 to be
8 locally funded. Local roads abandoned as a
9 responsibility of our county in the mid 1930's by the
10 mid 1960's with county reorganization, other
11 substantial responsibilities, despite new, massive
12 direct federal moneys through revenue sharing were yet
13 quietly relinquished. Who can best our counties for
14 low real estate taxes? Alaska? Alabama?
15 The local government belief had become,
16 substantially, let the state or outside revenues pay
17 for the necessary infrastructure. Obviously our state
18 regional infrastructure planning should be carefully
19 prioritized. It currently is not.
20 4, a further note, considering DelDOT's
21 announced shortfalls, please give consideration to the
22 following to meet budgetary constraints: abandon
23 maintenance of private development roads; abandon
24 DelDOT's discretionary grants to other state agencies

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The US 301 project will be funded by a variety of sources, including toll collection, federal funds, and other traditional sources of transportation funding.

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



43

1 and private entities; abandon obvious politically
2 accommodating projects, such as the Indian River Inlet
3 Bridge, a bridge which served but few -- or will serve
4 but few.

5 And to the Corps, stand by your original
6 instructions: facilitate commerce and prosperity.
7 The Army Corps of Engineers' motto is essayons. It
8 means try, try to seek better solutions. One here is
9 found very much in need. Thank you. My time?

10 MR. BING: Thank you. Again, there are
11 seats up here for people that want to come up front,
12 please do so.

13 The next person on the list is Andye
14 Daley. Just so everyone knows, the third person on
15 the list is Patrick Daley. Ms. Daley is going to be
16 taking the four minutes from Mr. Daley, so she has
17 eight minutes.

18 MS. DALEY: I'm going to face you guys.
19 Hello. Good evening, my name is Andye Daley and I am
20 board president of Chesapeake Meadow Maintenance
21 Corporation.

22 First and foremost, Chesapeake Meadow is
23 clearly the most negatively impacted by the Green
24 route and the proposed spur than any other existing

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DelDOT and the Corps are continuing to coordinate with the other agencies involved in this project to complete the best possible solution for the US 301 roadway.

Response to Andye Daley:

(Please see also response to Andye Daley email comment form, Section J. Pages 9 ff)

Thank you for your statement.

Response to comment 1, beginning on line 22:

Noise analysis for the US 301 project follows the national requirements of the FHWA and the DelDOT Noise Policy, and use the Design Noise Level of 67dBA (**Activity Category B**) for sensitive receptors such as those in the project area, as listed below. (The handout/Noise Analysis Display from the January 8 and 9, 2007 Public Hearing, which were handed to all attendees at the Hearing, provided information regarding FHWA and DelDOT noise policies.)

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



44

1 community.

2 Regarding the proposed spur, Homeowners of
3 Chesapeake Meadow object for the following reasons:

4 The spur would cause an extreme increase
5 in noise to our very quiet community. In your own
6 sound study it was noted that the current sound weight
7 average is 47 DBA maximum. This expected final DBA
8 will be around 65 DBA. This is an unacceptable
9 increase of approximately 20 times or 2,000 percent in
10 perceived sound. The Churchtown Road bypass would
11 provide a path for sound to escape without careful
12 design of sound abatement. What DBA will DelDOT
13 guarantee for our community? Will DelDOT reimburse
14 our community for our own sound study? Can DelDOT
15 provide sound abatement similar to the Blue Route in
16 Pennsylvania? The current stated sound budget is not
17 large enough. We expect that the final sound level
18 would be around 50 DBA with only limited excursions to
19 55 DBA due to the published expectations of other
20 similar road projects in Delaware, Pennsylvania and
21 New Jersey areas when an existing residential
22 neighborhood is being affected. We remind you that an
23 increase of 10 DBA is an increase of 10 times the
24 existing sound power levels.

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The FHWA Design Noise Levels are as follows (refer to DEIS, page III-65, Table III-31):

- Activity Category A: Design Noise Level 57 dBA Leq(h) (exterior) Land on which serenity and quiet are of extraordinary significance and serve an important public need, and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
- Activity Category B: Design Noise Level 67 dBA Leq(h) (exterior) Residences, motels, hotels, schools, churches, libraries, hospitals, picnic areas, recreation areas, playgrounds, active sports areas, and parks.
- Activity Category C: Design Noise Level 72 dBA Leq(h) (exterior) Developed lands, properties or activities not included in categories A and B above.
- Activity Category D: (no level assigned) Undeveloped lands.
- Activity Category E: Design Noise Level 52 dBA Leq(h) (interior) Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals and auditoriums.

DelDOT considers noise mitigation when either of the following conditions is satisfied:

- predicted design-year noise levels exceed existing noise levels by 10 dBA or greater, regardless of overall noise level or
- predicted design-year noise levels approach or exceed the FHWA's Noise Abatement Criteria Design Noise Levels listed above; i.e. FHWA and DelDOT consider a noise impact to occur for Category B when the design-year noise level would be 66 dBA or greater.

In the noise analysis, Chesapeake Meadow was identified as a noise-sensitive land use (NSA) under Activity Category B of the FHWA Noise Abatement Criteria (NAC). Existing noise levels were measured at 47 dBA for both primary Chesapeake Meadow receptors CM-1 (208 Deerfield Court) and CM-3 (26 Meadow Lane). Existing noise levels at the property lines along Fox Den Court/Churchtown Road (102 Fox Den Court) were projected at 50 dBA. Current community noise levels are influenced mainly by local activity. Design year noise level predictions for 2030 show an increase from 5 to 13 dBA above existing noise levels in the west portion of Chesapeake Meadow. Receptor CM-3 is in the rear yards of the properties on the west side of the community, and shows the greatest predicted noise increases. These increases are measured and predicted without accounting for the proposed visual earth berm.

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US 301 Project Development Final Environmental Impact Statement



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These noise levels were assessed according to FHWA NAC. Year 2030 noise levels along the west row of residences, within Chesapeake Meadow, would exceed federal guidelines at eleven properties. Year 2030 noise levels along the south row of residences (Fox Den Court), within Chesapeake Meadow, would not exceed federal guidelines, with the anticipated increase of 4dBA over existing noise levels, and no increase when compared to year 2030 No-Build.

Noise mitigation options were analyzed, but none was found to be cost-effective, as defined under DelDOT's noise policy (approved by FHWA). Although the criteria for the construction of a noise barrier or berm in this location are not met, DelDOT has committed to constructing a visual screening earth berm (11 feet high by 1,600 feet long) between the community and the Spur Road (including not only the affected residences along Meadow Lane, but extending to the southern end of the community). The length of the berm is limited on the south by Tidewater Utilities and on the north by Back Creek. The presence of this visual berm would also be beneficial to the community with regard to noise, reducing noise increases to only 1 dBA at the Deerfield Drive location and 5 dBA at Meadow Lane on the north.

The relationship between decibel increases and the actual volume of noise is a complicated one. The ability of the human ear to perceive a change in noise is limited. A 3 dBA increase is generally "barely perceptible" and a 5 dBA increase is considered "recognizable" or "noticeable". Also, while a 10 dBA increase is a 10-fold increase in power, it is only a perceived doubling of the volume to the human ear.

US 301 Project Development Final Environmental Impact Statement



45

1 The spur would be an unsafe distance from
2 the playground and park area utilized by our
3 development and Dickerson Farms. This would
4 absolutely put our children in danger, especially
5 since the only divider proposed by the 301 Planning
6 Commission is a berm, which is essentially a pile of
7 dirt between our children and tractor trailers
8 traveling at 70 miles per hour.

9 Reducing traffic -- future traffic has
10 been stated as a reason for building the spur, but we
11 strongly believe that it would, in fact, increase the
12 flow of traffic on Choptank and Churchtown Roads by
13 redirecting traffic off existing 301/896 and the spur
14 to avoid tolls.

15 The spur in conjunction with existing
16 896/301 would cause extensive additional traffic
17 northbound on Summit Bridge, causing a bottleneck
18 effect. At the first US 301 meeting, the project
19 representatives stated that the bridge could not
20 sustain any additional traffic flow. There are no
21 proposed improvements for 896 north of the bridge.
22 This area already experiences high traffic volume and
23 the spur would only add to this issue.

24 No one in Middletown would use the spur

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Response to comment 2, beginning on line 1:

The proposed berm would be 11 feet high in this location; continuous safety fencing will also be installed on both sides of the Spur Road to prevent pedestrian access to the highway.

Response to comment 3, beginning on line 9

With the Green Alternative plus the Spur Road, the average number of daily vehicles projected to use Choptank Road north of Churchtown Road would be 5,400, approximately 57% less in 2030 than with the No Spur Road condition (14,500). Additionally, the average daily traffic on existing US 301/SR 896 is projected to be 1/4 less with the Green plus Spur Alternative (27,900) than with the No Spur Road condition (37,200).

Throughout the US 301 Project Development effort, the project team has been aware of the potential effects of toll diversions on local communities and has worked to mitigate these potential effects. Two different working groups, which included members from DelDOT, community leaders, law enforcement, local elected officials, and other technical staff (including representatives from the Maryland State Highway Administration), were established during the process. These working groups were primarily focused on the issue of heavy truck diversions, and developed a series of recommendations to help manage these diversions through a combination of truck restrictions on local roads and targeted enforcement efforts.

The working groups also examined the potential for passenger cars to divert around the toll facilities. Based on the toll rates assumed in our analyses, these types of diversions were not projected to be significant, with the exception of the area of Warwick Road (near the MD/DE state line). Additional measures are being considered for this area to address the potential for traffic diversions. These efforts are detailed in the FEIS, Chapter III.G.4.c and Chapter IV.C.

With regard to traffic using SR 15 (Choptank Road/Bethel Church Road) to avoid the US 301 tolls, it is in the best interests of DelDOT to entice traffic to use the toll facility; more traffic on the toll road will result in more revenue and a more financially sound project. To that end, DelDOT will work to establish a tolling structure and toll rates which attempt to minimize diversions to alternate routes (including Choptank Road), while optimizing the revenues from the new toll facility. Clearly, it would not be in the best interests of DelDOT to include design features on this new facility that discouraged its use and reduced the potential toll revenues.

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US 301 Project Development Final Environmental Impact Statement



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Response to comment 4, beginning on line 15 of previous page:

The recommended Spur Road includes a “Y” type interchange south of Summit Bridge, which has been developed in accordance with current DelDOT design standards. The interchange has been analyzed and is projected to operate at a satisfactory level of service in design year 2030. Daily traffic on Summit Bridge, in Design Year 2030, is projected to be 59,500 vehicles per day with new US 301 and the Spur Road, while the projected volume on the Summit Bridge is 53,900 vehicles per day with new US 301, but without the Spur Road, a difference of less than 10%. Traffic projections show that regardless of the alternative, including the Middletown Corridor Coalition’s suggested Green North without the preferred Spur Road, there is a consistently high traffic demand to use Summit Bridge.

The volume of traffic projected to use the Summit Bridge daily in 2030 with the Green Alternative with the Spur Road is 59,500; under the No Spur Road condition the volume is 53,900 and under the No-Build, 65,000. Therefore, the Green Alternative with the Spur Road is projected to provide some relief to traffic on Summit Bridge in 2030. While both of these projections represent a significant increase over existing daily volume of 26,300, the level of service (LOS) on Summit Bridge is projected to be LOS D during peak hours with the Green with the Spur Road, which is still considered acceptable.

The ability to provide capacity improvements north of Summit Bridge was designed into the dualization of US 301/SR 896 that was completed in the 1990s. Should capacity be needed north of the bridge, it can be built within the existing right-of-way from the bridge to US 40 and with the acquisition of right-of-way between US 40 and I-95. In that scenario, the Summit Bridge would indeed be the bottleneck.

Response to comment 5, beginning on previous page, line 24:

The purpose of the Spur Road is to better manage traffic from destined for Glasgow, Newark and points north (approximately 1/3 of the traffic currently on existing US 301 near the Maryland line) that is continuing on US 301 from Maryland and from south of Middletown (and the Westown area). The Spur would reduce traffic on local roads such as existing US 301 and Choptank Road, thus reducing congestion and improving safety.

US 301 Project Development Final Environmental Impact Statement



46

1 except for the 100 yards just south of the bridge, and
2 in fact the people to most benefit from the spur would
3 not even be from the State of Delaware. How can the
4 commission justify spending over \$100 million of our
5 tax money to build a road that we can't even access or
6 utilize to our benefit?

7 We are disappointed and somewhat dismayed
8 that the spur was added to the Green route. The
9 people of this community supported the Green route
10 only to find out that it now represents all of the
11 negative aspects of the Brown route, which we fully
12 opposed.

13 For these vital reasons, Homeowners of
14 Chesapeake Meadows strongly oppose the proposed spur.

15 We propose the following alternatives,
16 which should be considered: our first proposed
17 solution is to remove the proposed spur, which would
18 in fact save Delaware taxpayers at least \$75 million
19 and would decrease the negative impact of the spur on
20 property owners by an estimated 20 percent. If the
21 \$100 million spur is not constructed, the Green route
22 would, as a result, become the least expensive 301
23 alternative.

24 We recommend that the existing 301/896 be

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Surveys of current traffic show that 65% of northbound US 301 traffic is going northeast (SR 1), 35% of northbound US 301 traffic is going north (SR 896), and 95% of the long distance or inter-state trucks are going northeast (SR 1). Traffic projections (2030) support the need for a new 4-lane US 301 and 2-lane Spur Road. Northbound traffic projected to use the Spur Road includes 57% from the new Levels Road interchange (southern Middletown area, including Westtown), 39% comes from MD, and 4% is from other locations.

The Spur Road significantly reduces traffic on Choptank Road (by 57% - 14,500 to 6,200 vehicles per day) and on existing US 301 (by 25% - 37,200 to 27,900) compared to non-spur options, in year 2030. The Spur Road draws traffic away from two undivided roads (Choptank Road and US 301) and places it on a divided roadway (Spur) – divided roadways typically have lower accident rates. And, the Spur Road provides additional opportunities in addressing the sharp curve and traffic signal at the base of the Summit Bridge. The Spur Road will also provide another north-south route that could carry traffic in the event of a major incident (closure of SR 1 or US 301, or evacuation).

The Project Team presented a Spur Road option that provided local access via intersections with major local cross roads (Old School House Road and Churchtown Road). However, comments were received from the public and New Castle County opposing this option, due to concerns that the additional local access would accelerate proposed development in the area or result in new development in areas to the west of the Spur Road that are not projected for development.

DelDOT considers the cost of the Spur Road appropriate to provide a through route for through traffic (especially truck traffic) that will separate this traffic from local vehicular traffic and increase safety on local roadways, thus benefiting local residents. The Spur Road will also serve southern Middletown, as well as decrease the need for future improvements to Choptank Road and existing US 301.

Response to comment 6, beginning on line 7:

In the process that was used for the US 301 Project Development effort, alternatives evolve over time. Alternatives are proposed and eliminated (like the Blue Alternatives) and alternatives change (the addition of the spur to the Purple and Green Alternatives), based on continued analysis and public and agency input.

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US 301 Project Development Final Environmental Impact Statement



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The public was informed of the Range of Alternatives, the Retained Alternatives, the Recommended Preferred Alternative and the Preferred Alternative. The Green Alternative (including a north and south option) has been under consideration from the beginning of the process and the Green + Spur option has been under consideration since December 2005 when the Retained Alternatives were announced. The addition of the Spur Road presented to the public at the December 2005 public workshops, was presented in considerable detail at the February 2006 "Issues" workshop, including its Purpose and Need, benefits, etc., and again at the April 2006 public workshops. The Green North + Spur was the Recommended Preferred Alternative announced by DelDOT in November 2006, as noted in the DEIS, and was presented as such at the January 2007 Combined Location-Design Public Hearings. Additionally, after every workshop/hearing, the Project Team mailed extensive documentation to community leaders including those from Chesapeake Meadow. DelDOT has been aware of the community's "no spur" position as a result of the comments and petitions received during the workshops' comment periods, including those from residents in Chesapeake Meadow and others.

The Spur Road was added because:

- (1) it balances the available capacities of the Summit Bridge, SR 1 bridge and St. Georges Bridge crossings of the C&D Canal;
- (2) its addition provided flexibility in addressing the sharp curve and signal at the base of Summit Bridge at the intersection of SR 896, US 301, and SR 15; and
- (3) it will accommodate the 35% of through traffic that was identified in the Origin & Destination Survey, and confirmed by traffic projections, as desiring to access points directly north, while the US 301 mainline will accommodate the 65% of through traffic wishing to access I-95 and points to the northeast.

Response to comment 7, beginning on line 15 of previous page:

This comment suggests improving US 301 from Armstrong Corner Road to Mount Pleasant and eliminating the Spur Road. However, traffic analysis suggests the need to widen existing US 301 from Peterson Road to Mount Pleasant, should the Spur Road be deleted. Improvements would include adding one additional lane in each direction plus a continuous left turn lane and a raised median or additional left turn lane as necessary. Widening would occur primarily along the west side of the roadway, and would require approximately 55 feet of additional right-of-way (ROW) along the west side of the corridor. On the east side, approximately 20 feet of additional ROW would be required. In locations of existing Section 4(f) historic resources (RG Hayes House, CRS Number N05153; Armstrong-Walker House, CRS N05146, and Mt. Pleasant Farm, CRS N05242), the roadway would be shifted to avoid impact to these properties. These shifts would require additional ROW from the opposite sides of the roadway. DelDOT has considered this option and believes it is not the most prudent approach. While the total cost of this option is approximately \$67-\$83 million, less than the estimated preferred Spur Road cost of approximately \$105-\$120 million, it does NOT fully meet the project purpose and need:

US 301 Project Development Final Environmental Impact Statement



47

1 used as the spur from the base of Summit Bridge to the
2 proposed Green route entrance/exit between Armstrong
3 Corner Road and School House Road without tolls. This
4 would alleviate the need for an entirely separate
5 roadway and would lessen the direction of additional
6 traffic to the Summit Bridge.

7 Improving Choptank Road for local traffic
8 has already been approved under a separate DelDOT
9 budget. The curve on 301/896 just south of the bridge
10 is already slated to be improved. We suggest
11 improving access to Bethel Church Road just south of
12 the bridge by straightening out the entrance curve.

13 Utilizing 301/896 would benefit everyone
14 by saving vast amounts of money and time. Obviously,
15 this would also remove the negative impacts on
16 Chesapeake Meadow and the large number of homeowners
17 in the area affected by the proposed spur.

18 We suggest that the 301 Commission sell
19 the properties previously purchased, return the profit
20 to the main 301 project, or utilize these profits for
21 new open space areas, such as bicycle or running
22 tracks, representing a political windfall that would
23 counteract bad feelings caused by this project.

24 Our second suggested alternative, although

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- Results in more traffic on local roads (e.g. Choptank Road and existing US 301, among others)
- Results in higher accident rates/actual accidents, because of more traffic on lower type roads, signalized/unsignalized intersections and numerous access points
- Results in mixing through truck traffic with local traffic from north of Armstrong Corner Road to Summit Bridge (reference two recent accidents near DE/MD line – 4 fatalities – (both involved 18-wheelers) and the most recent accident/fatality at US 310/SR 896 and Old Summit Bridge Road..
- Results in reduced traffic at the toll plaza just north of the state line – less toll revenues to fund new US 301 and the Spur Road and results in diversion of truck traffic to local roads in DE and MD.
- Results in significant property impacts along existing US 301, as noted below, due to the need to widen existing US 301 from Peterson Road to Mount Pleasant.
Partial Impacts to Businesses: Burger King, Summit Plaza, Middletown Chevy, Nu-Car Connection, Middletown Medical Professional Bldg, Ciamaricone’s Landscaping, Tri State Materials, Cooper Wilbert Vault Company, Mr. Mulch, Guardian Fence Company, Rollins Metal Works, Keenan Auto Body Shop , 301 Cycle, Shops of Mt. Pleasant
Total Takes of Businesses: Ringold Chapel AME, Logullo’s Country Market, M. Madic, Inc., KO’s Cleaning
Partial Impacts to Homes: 3 plus impacts to Middletown Village and Springmill
Total Takes of Homes: 9
Plus impacts to additional vacant or farmed residential/commercial properties

The Recommended Spur Road does not require any residential or business relocations.

Response to comment 8, beginning on line 18:

DelDOT will continue to consider the feasibility of adding a greenway trail adjacent to the east side of the Spur Road. Changes to the typical section of the Spur Road, such as an adjustment of the width of the median or reduced clearances could be evaluated to provide some additional outside width and include the proposed trail within the right-of-way without additional property acquisition.

Response to comment 9, beginning on line 24:

DelDOT would like to note the following with respect to the proposed Spur Road in the vicinity of the Chesapeake Meadow community. An 11’x 1,600’ long earth berm is proposed between the Spur Road and Chesapeake Meadow. Approximately 150-175 feet of additional open space would remain between the bottom of the earth berm (community side) and the nearest property line at Chesapeake Meadow. This additional open space results from the proposed US 301 Spur Road being shifted to the west as it passes Chesapeake Meadow, such that the proposed travel lanes actually fall outside of the DelDOT-owned right-of-way. This was done to ensure ample room for an earth berm, as well as to shift the roadway as far from Chesapeake Meadow as

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



48

1 clearly not as beneficial to our community or
2 Middletown as a whole, is to move the proposed spur
3 further to the west of our community into the open
4 farm field, which is a leased property not utilized by
5 its owners.

6 Now with regard to the overpass on
7 Churchtown Road, Homeowners of Chesapeake Meadow
8 object to this for the following reasons: beginning
9 immediately in front of our community, the overpass
10 would have a negative visual impact by rising 22 feet
11 into the air, taller than our homes. It would be
12 extremely wide, up to 50 additional feet on either
13 side of the roadway, resulting in the loss of
14 integrity of a country road.

15 There are only two stormwater drainage
16 ponds for our community and Dickerson Farms, a total
17 of 268 homes. The overpass would run into our front
18 pond so it would need to be reconfigured. There is no
19 open space available to alter the pond, the shape of
20 the pond, and to move the pond would result in our
21 homeowners losing portions of their property once
22 again.

23 The overpass would require moving the berm
24 and trees in front of our development, which the 301

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reasonably possible. The strip of property directly to the west of Chesapeake Meadow, owned by DelDOT, is approximately 2,200 feet in length and varies in width from 250 on the south end to 350 feet on the north end. As a result of this westerly shift, DelDOT needs to acquire an additional strip of property adjacent to the DelDOT-owned parcel approximately 2,220 feet long and 200 feet wide.

Suggestions have been received from impacted property owners on both sides of the Spur Road, requesting DelDOT look at moving the alignment to avoid their specific property. The requests from those in Chesapeake Meadow to move the corridor further to the west have been countered by the owners of the farms west of the proposed Spur Road, whose desire is to have the road moved further to the east and closer to the vicinity of Chesapeake Meadow. Clearly, both sides cannot be accommodated, and the roadway has already been shifted further from the Chesapeake Meadow community to provide the distance needed to construct a visual berm for the community. For those on both sides of the roadway, additional shifts in the alignment are not being considered at this time. However, we will review the alignment in this location during final design and evaluate the potential to shift the alignment and/or narrow the proposed cross-section, which could potentially lower impacts on both sides.

Response to comment 10, beginning on line 6:

Under the current design and based upon the level of information available at this time, Churchtown Road would not be closed during construction of new Churchtown Road over the Spur Road. The new Churchtown Road overpass would be located just to the north of the existing roadway, with retaining walls to allow existing Churchtown Road to remain open in both directions during construction. There however most likely will be intermittent lane closures to allow for construction adjacent to the existing roadway as is typical with any roadway construction. Access to Tidewater Utilities will be maintained and they will not be acquired for the project.

During construction of the overpass, it may be necessary to close one lane of Churchtown Road while a section of retaining wall is constructed along the south edge of new Churchtown Road. During this period, the contractors would use flaggers so that continuous access could be maintained. It is currently anticipated that traffic will be maintained continuously on Churchtown Road during construction and will not be diverted as noted in the MCC comment above.

Finally, the highest elevation on the Churchtown Road overpass will be approximately elevation 77. The elevation of the backyards of 102 and 104 Fox Den Court are approximately elevation 55 and 53.5, respectively. As a result, the overpass structure will be approximately 22 feet above the elevation of the backyard of 102 Fox Den Court and located approximately 1,200 feet from the overpass high point. The overpass structure will be approximately 23.5 feet above the elevation of the backyard of 104 Fox Den Court and located approximately 1,000 feet from the overpass high point. Adjacent

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US 301 Project Development Final Environmental Impact Statement



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to 102 Fox Den Court, new Churchtown Road will remain at the same location and elevation. Adjacent to 104 Fox Den Court, new Churchtown Road will be located approximately 6 feet closer and approximately 2 feet higher than the existing Churchtown Road.

Based on the level of information we have at this time, no homes will be taken for the Churchtown Road improvements. Along the north side of Churchtown Road, currently anticipated impacts involve only the community's common area. We currently anticipate being able to avoid any individual residential property takings. On the south side of Churchtown Road, we have significantly reduced the impact on 838, 842, 852 and 858 Churchtown Road. However, temporary construction easement along these parcels will likely be needed. In addition, some property from 852 and 858 Churchtown Road will need to be acquired to tie existing Churchtown Road into New Churchtown Road. Access to all four properties will be continuously maintained.

The Project Team has also relocated the previously proposed stormwater management pond from the 858 Churchtown Road property to DelDOT property located on the north side of Churchtown Road. Finally, the alignment of New Churchtown Road, east of the Spur Road, has been shifted slightly to the north, to minimize impacts on the wetlands to the south of Churchtown Road and the Zapata property.

Response to comment 11, beginning on line 15 of previous page:
The current design does not impact the Chesapeake Meadow stormwater drainage ponds.

Response to comment 12, beginning on line 23 of previous page:
A landscaping plan will be prepared during the project's final design to mitigate the removal of the existing berm and trees adjacent to the new US 301.

Potential partial property acquisitions are noted in the DEIS, as are potential relocations; however, only potential relocations are specifically identified. Specifically, as a result of their attendance at a meeting of the Chesapeake Meadow community on the US 301 Project Development effort, the property owners at 102 Fox Den Court were provided information on the potential impact on their property. The overpass will not result in a taking of any property from 100 Fox Den Court. The property owners at 104 Fox Den Court have not been notified of the potential taking of slightly more than 0.1 acre from their property. The potential takings of community open space do not impact the community stormwater management ponds located there. Many of these partial property acquisitions noted in the DEIS have been reduced or eliminated. As noted previously, design and minimization efforts since the DEIS have eliminated any individual property acquisitions along Fox Den Court, and reduced partial property impacts on the south side of Churchtown Road.

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



49

1 Planning Commission would have to replace for us. In
2 addition, the overpass would cross over homeowners'
3 properties, causing them to lose part of their land.
4 DeLDOT never individually advised these homeowners or
5 any members of the community that portions of our open
6 space and privately owned land would be taken. DeLDOT
7 would have to redesign our entryway.

8 By raising the vehicles into the air, the
9 overpass would cause an increased traffic noise in
10 addition to the increased noise of the proposed spur.
11 The 301 Commission has refused to provide us with any
12 noise abatement for this noise caused by an overpass
13 due to costs. We would like the commission to explain
14 how they are going to decrease the noise traffic with
15 no budget to do so.

16 We have been advised that the Churchtown
17 Road would be closed for up to two years for
18 construction of this overpass alone, not counting the
19 construction of the spur. This would limit our access
20 to the roads, communities and et cetera west of
21 Chesapeake Meadow, as well as anyone else who
22 currently drives on Churchtown Road. Closing
23 Churchtown Road would clearly deny the volunteer fire
24 and ambulance company recently built on Churchtown

(continued from previous page)

The entryway will not be affected by the overpass since the modifications to Churchtown Road will begin west of the entrance.

Response to comment 13, beginning on line 8:

The current daily volume of traffic on Churchtown Road is approximately 2,700 vehicles per day (vpd). Under the Green North and No-Spur Road scenario, noise levels are predicted to increase from 50 dBA (existing, modeled) to 54 dBA. Under Green North + Spur Road, daily traffic volumes on Churchtown Road are less (3,700 vpd) than Green North and No-Spur (4,200 vpd), but design-year noise levels are predicted to be the same at 54 dBA. The noise contribution from Churchtown Road being raised is actually reduced slightly as a result of the property's exposure to east-bound traffic on Churchtown Road being slightly reduced. At the same time, the Spur Road results in a minor increase in the design-year noise level, which results in the overall noise level at 102 Fox Den Court being the same, with or without the Spur Road.

102 Fox Den Court is located at the extreme southern end of Chesapeake Meadow, and would not be impacted by traffic noise from the Spur Road, i.e. the Spur Road does not result in a projected increase of 10dBA or a noise level that approaches 67dBA. The primary traffic noise influence to 102 Fox Den Court is Churchtown Road, which it borders, and not the Spur Road, since the distance to the Spur road ranges from approximately 850 feet at its western-most point to 1,200 feet at the east property line. With no southern exposure to the Spur Road, due to a raised Churchtown Road, 102 Fox Den is only minimally affected by traffic noise from the Spur Road. Thus, although noise levels were modeled accounting for all contributing traffic noise sources to the property, including the Spur Road, Churchtown Road was found to be the most relevant noise source.

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



50

1 Road its direct access to any communities west of the
2 overpass, although these communities are directly
3 served by the fire company. This extreme risk needs
4 to be addressed.

5 Building the spur and overpass as proposed
6 would require the Tidewater Utility water towers and
7 buildings to be relocated, as the overpass would take
8 over the land on which this utility is located and
9 deny access to that property.

10 The spur and overpass would have a
11 negative impact on the resale value of our property.

12 The construction of the overpass and spur
13 would cause extensive damage to the stucco facades of
14 homes, of our homes and other homes in the surrounding
15 area. We would expect the commission to plan to
16 repair or replace all damage caused by vibrations from
17 construction.

18 For these reasons, we request the overpass
19 be moved to the west beyond the Tidewater Utilities,
20 or, an even better idea, not to build it at all.

21 In summary, Homeowners of Chesapeake
22 Meadow oppose the spur as proposed, including the
23 overpass on Churchtown Road. We also oppose the Brown
24 route, which has the same negative impacts on our

(continued from previous page)

Response to comment 14, beginning on line 16 of previous page:

See the response to comment 10

Response to comment 15, beginning on line 5:

The Project Team has met with Tidewater Utilities, who have generally concurred in the latest concept for the Churchtown Road overpass of the Spur Road, including the suggested method for providing access to Tidewater's facility and operations. Access will be provided, for the most part, along existing Churchtown Road, which will curve to the north and pass under the Churchtown Road overpass bridge.

Response to comment 16, beginning on line 10:

Neither DelDOT nor FHWA can be responsible for any decrease in property values because of the proximity of a roadway project, and there is no compensation available for such changes in property values. On the other hand, there is equally no compensation for FHWA or DelDOT for potential increases in property values that may occur because of a highway project.

Response to comment 17, beginning on line 12:

It is anticipated that none of the construction will be close enough to homes in Chesapeake Meadow to cause a vibration that would cause a problem such as described in the comment.

Summary response:

A refined Preferred Alternative is presented in the Final EIS, and commitments regarding minimization and mitigation of impacts will be memorialized in the Record of Decision which is anticipated to be signed following the availability of the FEIS and a subsequent review period. Final engineering and design of the roadway will be guided by those commitments, as will construction. During the final design process, DelDOT will meet with those directly and indirectly affected to secure their input.

US 301 Project Development Final Environmental Impact Statement



51

1 community. We ask the 301 Planning Commission to
2 utilize existing 896/301 as the spur. Thank you for
3 your time.

4 MR. BING: Ms. Daley, could you just, I
5 forgot to ask you, could you just say your name and
6 your address for the record, spell it if you could,
7 your husband's who gave you your four minutes, the
8 extra time.

9 MS. DALEY: Okay, it's Patrick Daley,
10 P-a-t-r-i-c-k, D-a-l-e-y. I'm Andye Daley, A-n-d-y-e,
11 D-a-l-e-y, at 103 Fox Den Court, Chesapeake Meadow,
12 Middletown, Delaware, 19709.

13 MR. BING: Thank you.

14 MS. DALEY: You're welcome.

15 MR. BING: The next on our list is
16 Reverend Lasko. Also, Mr. Lasko, Reverend Lasko, if
17 you could give your name and address for the record.

18 MR. LASKO: Pastor Ed Lasko, 812 South
19 Scott Street, Middletown, Delaware, 19709.

20 I thought I had something to say, but I
21 guess I'm done, Pat. You said it all, Andye.

22 We certainly are grateful for the
23 privilege to be able to live here in the Middletown
24 area. We've been here for 40 years, my wife and I,

(continued from previous page)

Response to Pastor Lasko:

Thank you for your statement

(see next page)

US 301 Project Development Final Environmental Impact Statement



52

1 and we'll finish our 40th year in pastoring Middletown
2 Baptist Church the end of next month.

3 Our church purchased out on Armstrong
4 Corner Road, about 40 years ago, a two-and-a-half-acre
5 lot in a very nice pastoral setting with a lot of
6 trees and grass and on a secondary road, and assumed
7 that we would have this quiet place to have church
8 functions, preaching and teaching the gospel of Jesus
9 Christ, as well as social activities for our church
10 and the community.

11 Things have changed; high schools are
12 being built; new developments, again and again and
13 again and again, and a lot of people. I was a
14 newcomer, an outsider when I came to Middletown. And
15 people looked on me like who are you coming into our
16 area, and bringing your family, your seven children,
17 and all of this extra outside influence into our area.

18 But that is a part of progress, and our
19 community has certainly grown exceptionally large in a
20 very brief period of time, the last 10 or 15 years
21 especially.

22 We recently constructed and dedicated a
23 new church facility October the 9th, 2005. About
24 three weeks later we learned that DeLDOT had a plan

Thank you for your comments. We are pleased to have been able to work with the church community to develop an option that would minimize impacts to the community.

US 301 Project Development Final Environmental Impact Statement



53

1 that would affect some of our property, and over the
2 ensuing year, year and a half, DelDOT has brought to
3 us about 12 different options in ways that they were
4 going to affect our property, from taking about a half
5 an acre, most recently to five acres, to our entire
6 church property and moving us off site.

7 And you say what would Middletown Baptist
8 Church do if such a thing happened? Well, we would
9 claim what the Bible says, all things work together
10 for good, and we would have found another place to
11 meet and to worship and serve God in this community
12 that he has called us to.

13 We appreciate DelDOT and the courteous
14 ways that they have responded to many of our very deep
15 questioning of their plans of achieving the ultimate
16 goal, and the desire of each one of us here is to move
17 traffic through. All of us know we've seen one
18 traffic light grow to seven traffic lights just to get
19 from Middletown to Odessa, and we know something has
20 to be done.

21 We are going to be affected at Armstrong
22 Corner Road. DelDOT has worked to try to please us,
23 try to please the Midtown Community Association,
24 Springdale -- or Springmill, and all of the people

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US 301 Project Development Final Environmental Impact Statement



54

1 that are going to be affected, all of us are affected
2 in some way.

3 We're going to have a 25-foot elevated,
4 four-lane, high-speed highway that's going to pass
5 within 75 feet of the corner, southeast corner of our
6 property. And we're not really happy with that, but
7 we're being realistic and realizing that something has
8 to be done.

9 I do want to say thank you for opening
10 this conversation and these many workshops to us that
11 we could address and have questions answered. You've
12 been very thorough. We appreciate that. We
13 appreciate all of the people in this community that
14 have stood with us and tried to help us through this,
15 signing petitions, filling out comment cards. We want
16 to say thank you to this community and thank you to
17 each one of the DelDOT folks and their subcontractors
18 that have worked together with them. May God bless
19 you all.

20 MR. BING: Thank you.

21 The next person on our list is Wanda
22 James. Wanda?

23 MS. JAMES: Good evening. My name is
24 Wanda James, and I'm the president of Airmont, 234 Oak

Response to Wanda James:

Thank you for your statement.

(begins on next page)

US 301 Project Development Final Environmental Impact Statement



55

1 Drive.

2 My family and I purchased a property that
3 runs to Hyetts Corner Road approximately 10 years ago.
4 We did so because we had bought a home on Route 40 and
5 we chose to leave the nest that had been created
6 there, only now to find that we will have a four-lane
7 proposed highway a football field away from our back
8 door. We feel this will bring noise and air pollution
9 through our windows and force us possibly to have to
10 sell our home.

11 The noise will be tremendous, and
12 currently we are approximately two miles from both the
13 canal and the toll plaza, and we can hear the noise of
14 the ships' engines and the rumble strips now from the
15 toll plaza on a daily basis.

16 What will this highway bring? The choice
17 of Green North over Green South was supposedly based
18 on environmental impact. The difference in
19 environmental impact between these two routes appears
20 to be incidental.

21 We ask, please, that you reconsider
22 refining the choice to the south route. The south
23 version will lessen the impact on Airmont, and will
24 serve to route the traffic as you propose. It is the

(continued from previous page)

The rationale and justification for the selection of Green North as DelDOT's recommended preferred alternative are well-documented in the DEIS (Chapter V). The recommendation was based on a balanced overview which included a comparison of the impacts to the natural environment (wetlands and waters of the US, potential bog turtle habitat and forests), social and economic impacts (property acquisition, relocations, community and community facilities), cultural resources (physical, noise and visual effects) and the feasibility and restraints of the engineering design (ability to meet project purpose and need, design complexity, construction costs) of various elements of the roadway. When compared to the Green South Alternative, the differences in environmental impacts were that the Green North has lower wetlands, forest and stream impacts and has less potential to disrupt the habitats of wetland dependent wildlife. Green North also has a single, shorter and more perpendicular crossing of Scott Run than Green South. For these reasons, DNREC did not support the Green South Alternative. The Green North Alternative represents, in the opinion of the resource and regulatory agencies, the best solution to the existing need.

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



56

1 smarter choice to protect the families living in
2 Airmont.

3 In the event that the north route is still
4 chosen, we want to ask for several things: we ask for
5 the road to run below grade as it passes Airmont; to
6 install the berm between the road and Airmont to
7 further lessen the impact of the neighborhood; and to
8 perhaps build the berm before the road construction
9 begins so that the construction impact on the
10 neighborhood is less.

11 Please make sure the berm runs the entire
12 length of the Airmont development. As it is on the
13 map now it does not. We would like to have a voice in
14 the selection of the berm and the landscape.

15 Lastly, this new road is going to put
16 additional traffic on the Lorewood Grove Road, in
17 particular the intersection of Route 412 -- or 412A,
18 excuse me. Please consider extending this Jamison
19 Corner Road where it curves to the east, and instead
20 make it go straight to Lorewood Grove Road. Maybe we
21 should abandon the existing road of 412 altogether.
22 To slow down traffic at this dangerous intersection,
23 consider a roundabout or traffic circle where the
24 roads meet and install signs to route traffic away

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During final design, the elevation of the roadway in this location will be evaluated further in a effort to keep the profile as low as reasonably possible. A visual earthen berm is proposed between the community and new US 301 to minimize visual and noise impacts.

During the final design phase, DeIDOT will evaluate the practicality of constructing the berm prior to construction of the roadway or as a part of the initial phase in the sequence of construction.

DeIDOT will continue to evaluate the feasibility of extending the berm during final design. The berm is currently not proposed where the roadway will be below-grade.

DeIDOT is currently in the design phase of planned improvements in this area (Jamison Corner Road reconstruction, Route 412A realignment, Lorewood Grove Road reconstruction) that are included in the Capital Transportation Plan (refer to DEIS, Chapter I, Section C.5.g.).

US 301 Project Development Final Environmental Impact Statement



57

1 from Airmont. Traffic cutting through Airmont Drive
2 is already an issue. We please ask that you choose
3 Green south. Thank you.

4 MR. BING: Thank you, Wanda.

5 The next person on our list is Thomas
6 Russell. Mr. Russell?

7 MR. RUSSELL: Thomas Russell, I live at
8 1368 Cedar Lane, Middletown, 19709.

9 Of the DelDOT retained US 301 alternative
10 routes offered, none seem to cure the current and
11 future gridlock we are facing in southern New Castle
12 County. Most of the alternatives simply combine two
13 major routes into one crossing at the SR 1 bridge, to
14 create a gridlock at the Route 7 and Hares Corner
15 locations.

16 The real problem we're facing below the
17 canal, in case anybody hadn't noticed, in case anybody
18 hadn't noticed, is that we only have five bridge
19 crossings; two are over 50 years old, and one has been
20 already kind of replaced with the SR 1. The other
21 bridge is the Reedy Point Bridge. It's kind of
22 useless to getting rid of some of the congestion.

23 The other useful bridge is the Summit
24 Bridge. And another one cited for replacement, if it

Response to Thomas Russell:

Thank you for your statement.

DelDOT did consider and evaluate, during this planning study, the potential to widen the Summit Bridge to accommodate additional traffic desiring a direct route from US 301 to I-95 and points north and west (Red Alternative, not retained for detailed evaluation). The construction of an additional Canal crossing is outside of the scope of this study.

US 301 Project Development Final Environmental Impact Statement



58

1 hasn't been yet, needs to be the Chesapeake City
2 Bridge. If the bridge has to be replaced in
3 Chesapeake City, why can't the bypass around
4 Chesapeake City be to the east, putting the new bridge
5 on the Delaware/Maryland state line? There's going to
6 have to be another bridge one way or the other.
7 Thereby, you can bring up 301 right where it comes
8 into Delaware, bring it right up to the new bypass and
9 a straight run right from Route 40 and you can
10 continue right to 95 if you wanted to. There's hardly
11 any houses in the way. That's about it.

12 MR. BING: Thank you, Mr. Russell.

13 At this time those are the only people who
14 have signed up for testimony. Is there anyone here
15 now who did not sign up that would like to give public
16 testimony? Please just raise your hand.

17 Okay, what we are going to do, we have
18 committed to being here till 10:00 to receive public
19 testimony. Obviously there are people who still may
20 be arriving. We are going to wait till 10.

21 Additionally, if you would rather not give
22 public testimony but would rather give testimony
23 directly to a stenographer, you still can do that.
24 The stenographer is upstairs. All you have to do is

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US 301 Project Development Final Environmental Impact Statement



59

1 come talk to one of the Project Team staff and we can
2 direct you there. But at this point, there will be no
3 more testimony.

4 Again, is there anyone else who would like
5 to give testimony? Okay, again, we will be here till
6 10:00. Please just come up and see me if you would
7 like to give testimony. Thank you very much.

8 (Recess from 7:38 p.m. to 8:02 p.m.)

9 MR. BING: Everyone, it is now 8:00 p.m.
10 If there is anyone else at this time that would like
11 to give public testimony, please come up to the podium
12 and let me know. Okay, there are no hands at this
13 time. Again, we will be available until 10:00 p.m. to
14 take public testimony. If at any time you would like
15 to give testimony, please just come up to the front of
16 the room and let me know. Thank you very much.

17 (Recess from 8:03 p.m. to 8:32 p.m.)

18 MR. BING: It is now 8:30 p.m. Again, we
19 are open for public testimony. If there's anyone who
20 would like to give public testimony, please come up to
21 the front of the room and we will hear your testimony.
22 Okay, I do not see any show of hands or anyone
23 indicating they want to testify, so we will stay open
24 until 10:00. If you would like to testify, come on up

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US 301 Project Development Final Environmental Impact Statement



60

1 front. Thank you.

2 (Recess from 8:34 p.m. to 9:00 p.m.)

3 MR. BING: It is now 9:00. If there is
4 anyone who would like to give public testimony, we are
5 open for public testimony. Please just come forward
6 and we will accommodate you. We will be open until
7 10:00 to give public testimony. Please just let one
8 of the project staff members know if you would like to
9 provide any public testimony. Thank you.

10 (Recess from 9:01 p.m. to 9:31 p.m.)

11 MR. BING: It is now 9:30. If anyone
12 would like to give public testimony, we are open till
13 10:00. Please just come up to the front of the room.
14 Thank you.

15 (Recess from 9:31 p.m. to 10:00 p.m.)

16 MR. BING: It is now 10:00 p.m. The
17 hearing for Monday, January 8th, 2007 is now closed.
18 We are going to reconvene at 4:00 p.m. on January 9th,
19 2007, where public testimony will be accepted from
20 4:00 p.m. till 10:00 p.m.

21 Thank you.

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US 301 Project Development Final Environmental Impact Statement



61

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CERTIFICATE

STATE OF DELAWARE)
)
NEW CASTLE COUNTY)

I, Julie H. Parrack, Registered
Professional Reporter and Notary Public, do hereby
certify that the foregoing record, pages 1 to 61
inclusive, is a true and accurate transcript of my
stenographic notes taken on January 8, 2007, in the
above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 9th day of January, 2007.

Julie H. Parrack, RMR-CRR
Certification No. 102-RPR
(Expires January 31, 2008)

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US 301 Project Development Final Environmental Impact Statement



2

1
2 (STEVEN AUGUSIEWICZ, 1010 BOHEMIA MILL ROAD,
3 MIDDLETOWN, DELAWARE, 19709, 302-738-1919.)
4 MR. AUGUSIEWICZ: My name is Steven
5 Augusiewicz and I have a 21-acre farm on
6 1010 Bohemia Mill Road and the green route, the
7 preferred route they have now, I want to know if they
8 can just adjust the spur a little south so it will
9 miss my well house and my building. I don't mind they
10 take the land, but try to leave the structures there
11 if they can. It's about 100 feet, 150 feet they have
12 to move it south or change the bend in the new highway
13 so it will miss the structures.

14 Thank you.
15 (JERRY EMERSON, 1017 JAMISON CORNER ROAD, MIDDLETOWN,
16 DELAWARE, 302-378-2439.)

17 MR. EMERSON: My name is Jerry Emerson,
18 1017 Jamison Corner Road, Middletown, Delaware.
19 I've lived in this area all my life and
20 have seen farm after farm disappear. Let me first say
21 that I agree that there's most definitely a need for
22 this project. That being said, I also think that this
23 should be accomplished with the least amount of impact
24 to the people, environment, and tradition of the area.

Response to Steven Augusiewicz:

Thank you for your statement.

We will consider your request to move the alignment to avoid impacts to your property. We may not be able to accommodate all of these requests, because alignments often represent a trade-off of impacts to properties on either side. We will evaluate your request, as well as others of a similar nature, during the final design phase of the project.

Response to Jerry Emerson

Thank you for your statement.

(continued)

US 301 Project Development Final Environmental Impact Statement



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1 At the same time, it should be completed at the most
2 reasonable cost to the public.

3 Recently, my wife and I were informed that
4 in the near future we'll be losing our home of
5 40 years to the Department of Transportation for road
6 improvement, so I sympathize with all the people that
7 will be in a similar situation due to this project.
8 It concerns me that over 40 years ago a plan was
9 established to build this road with the State even
10 purchasing some required land, but that plan has been
11 completely scrapped even though the need for this
12 route is still recognized because most of the proposed
13 bypasses call for a spur to upgrade that area.

14 Secondly, a great deal of focus has been
15 placed on preserving the properties of the two
16 churches near the route. While I agree that churches
17 should be considered, since neither church has any
18 historical value giving their property preferential
19 treatment that would result in individuals losing
20 their homes is completely wrong.

21 Since it seems that the green route has
22 been selected, I would like to discuss where it would
23 cross Route 896 because the original crossing has been
24 dropped and four new options added.

Response to Jerry Emerson (continued)

DelDOT received the map proposing Option 4B, with signatures as noted, during the Public Hearing. [Option 4B is a hand-drawn alignment that would traverse the distance between Boyds Corner Road and Jamison Corner Road approximately 1,500 feet east of the alignment presented in the DEIS (shown on this map as Option 1)]. DelDOT is committed to working with the environmental resource agencies, the Army Corps of Engineers and the farmers, owners and neighbors in the Ratledge Road community to develop an alignment for this portion of the Green North Alternative that will minimize, to the greatest extent possible, impacts to active farmlands and minimize impacts to the wetland area.

To this end, representatives from the Ratledge Road/Jamison Corner neighborhood, Corps of Engineers, FHWA, DelDOT, DNREC, the Delaware News Journal and the Project Team met in the field on January 30, 2007, to review the existing environment in the vicinity of the proposed options. Follow up meetings have been held to discuss ongoing concerns and design an alignment that would preserve the affected farm properties and homes while minimizing impacts to wetlands in the area.

As a result of the community's concerns and ongoing consultation, DelDOT is proposing the Option 4B Modified alignment as the preferred alignment of new US 301 in this area. Option 4B Modified essentially is aligned on the DP&L corridor from south of the Cedar Lane School complex to the boundary of the Whitehall properties, where it then curves to the east toward Jamison Corner Road. DelDOT is also proposing a minimization and mitigation package that will compensate for the increased impacts this alignment will cause to wetlands and forest, in coordination with the resource agencies. The option and commitments in the mitigation package are included in the FEIS and ROD.

US 301 Project Development Final Environmental Impact Statement



1 Options one and two would seize the
2 property of my neighbor that farmed that land for more
3 than 60 years. Over the years they have received
4 numerous offerings to sell their property for
5 development. Each time they refused due to their love
6 and devotion to farming. To reward them for this
7 devotion, their land was selected because there is no
8 subdivision plan for their property. What kind of
9 message does this send to other farmers struggling to
10 make a living and retain some open space in this
11 state?

12 In addition, the field being considered is
13 a major aquifer recharge area. I ask you: How much
14 drinking water will the highway recharge for us?

15 Option four would affect one of the last
16 six working dairy farms in New Castle County. This
17 farm has been in operation for 40 years. In addition
18 to the two families that it supports, there are three
19 full time and several part-time employees that depend
20 on it for their livelihood.

21 One of the problems associated with dairy
22 farming is disposing of the animal waste due to the
23 impact on the environment. Every year these farmers
24 are required to file a nutrient management plan for

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US 301 Project Development Final Environmental Impact Statement



5

1 its disposal. This plan must be then approved by
2 State Ag. Department. Any loss of property would make
3 it impossible to satisfy this requirement thereby
4 eliminating another dairy farm in the county.

5 It seems strange to me that after
6 practically two years of planning and public meetings,
7 these three options were only presented to the
8 property owners and the property owners were notified
9 within the last six weeks. Mr. Helman told the
10 Ratledge Road community that the original proposal was
11 scratched because it went through wetlands. I pointed
12 out the wetland impact at the first presentation at
13 Brick Mill last year. The Department of
14 Transportation representative told me that there was
15 no problem; the State could make new wetlands like
16 they did on Route 1.

17 Mr. Helman said that this was not the case
18 here. When I asked why the proposed weigh station
19 could be built in wetland, he said it would have a
20 different impact. It's hard to understand this
21 reasoning.

22 It's obvious that the main reason the green
23 route is being considered is to provide access for the
24 White Hall properties. This road could have ran

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US 301 Project Development Final Environmental Impact Statement



6

1 through the Churchtown properties. The road could
2 have run from the Churchtown property through the
3 proposed Bayberry development to Route 1. The
4 distance is much shorter, so construction costs would
5 have been less. A few homes on Cedar Lane Road would
6 have been lost, but all the other property is in
7 proposed development status and these plans could be
8 altered. This more direct route would have no wetland
9 impact, and since it is already planned for
10 development, no reduction of farmland. But sadly, as
11 one of your representatives told me, we have to
12 consider the wishes of the large property owners.

13 My point is that wetlands can be mitigated;
14 farmland cannot. Please remember: No farms, no food,
15 and we all like to eat.
16 (Wayne USILTON, 4914 Summit Bridge Road, Middletown,
17 Delaware, 19709.)

18 MR. USILTON: My name is Wayne Usilton. I
19 live at 4914 Summit Bridge Road. Right now I'm in the
20 direct route of the green route, the impact at
21 Armstrong's Corner. I have approximately four and a
22 half, plus or minus, acres there, all-brick home with
23 horses and it's going to be very difficult for me, you
24 know, to locate, you know, something, you know, to

Response to Wayne Usilton:

Thank you for your statement.

Generally, right-of-way acquisition is anticipated to begin in fiscal year 2008, following receipt of the Record of Decision (ROD) and the announcement of the Selected Alternative. In the case of hardship or protective buying, early acquisition will be accomplished following application and review of the request by the Department on a case-by-case basis.

We appreciate your preference for the Brown Alternative and the reasons you have for preferring it over the Green North Alternative. The reasons for DelDOT's recommendation of Green North as the preferred alternative, and the reasons why Brown was not recommended, are documented in Chapter V of the DEIS, in the public workshops and public hearings displays and handouts, and in Chapter II of the FEIS.

US 301 Project Development Final Environmental Impact Statement



7

1 substitute what we have now. I'm very frustrated.
2 I've been to numerous meetings, not only
3 this study, but the studies prior to this. I've been
4 in this area over 22 years. I think that they should
5 have taken the brown route, the Summit Bridge, the
6 original route that was supposed to be done 40 years
7 ago. The road before it was moved to Armstrong's
8 Corner was further north, but the Army Corps of
9 Engineers said that they could not go through
10 wetlands. And since there were no bog turtles found
11 this past spring and summer, I -- you know, if they
12 are going to go the green route, instead of impacting
13 homes, I know it's going to impact properties, but why
14 couldn't they go back north through the wetlands and
15 over to SR-1? They did it with SR-1 when they built
16 SR-1 going through the wetlands and I don't understand
17 why they want to impact private owners or private
18 homes.
19 The other point that I'd like to bring up
20 since I have suggested that they take the brown route
21 was in previous studies, White Hall had agreed at that
22 time to allow thoroughfare or right-of-way to SR-1.
23 Plus there are some other interesting things that they
24 are going to have to do, and that is SR-1 right now

Response to Wayne Usilton (continued):

Sections of the Preferred Alternative do go through wetlands. However, wetlands and streams are protected by federal law under the Clean Water Act of 1972. The Corps of Engineers (ACOE) has regulatory jurisdiction over wetlands and streams under the Clean Water Act, and is directed to protect waters and wetlands. DeIDOT must obtain a permit for the project from the ACOE; their regulations only allow permitting for the least environmentally damaging practicable alternative. Their permit review process includes a rigorous review of efforts to first avoid wetlands; second to minimize the impact on wetlands; and finally, after making every effort to avoid and minimize wetland impacts, provide an acceptable mitigation package to replace and compensate for unavoidable impacts.

In cooperation with all of the agencies that have been involved in the US 301 Project Development process, the design team endeavored to avoid impacts to wetlands (and other environmental resources) wherever possible. Whenever wetlands are impacted, mitigation (usually replacement) is required and provided

Although no bog turtles were found during the field investigation during the summer of June 2006, some of the areas are still considered potentially occupied and are protected under the federal Endangered Species Act of 1973. A biological assessment of potential bog turtle habitat and the potential impacts of the project is scheduled for completion by the end of April 2007. The proposed Green North alignment will cross over potential bog turtle habitat areas on structure.

Improvements are programmed to relieve congestion at the I-95/SR 1 interchange, which include the construction of direct ramps between I-95 and SR 1 in both directions, separating through traffic from local traffic. These improvements are scheduled for completion in 2013, based on the FY2008 – FY 2013 Capital Transportation Program. This completion schedule is dependant on the availability of state and federal funding. The new interchange was designed to relieve existing congestion and accommodate future traffic volumes. The potential diversion of US 301 traffic to SR 1 was considered during the design of the new interchange improvements. Additional capacity on I-95 from SR 1 to SR 141 is currently under construction as well.

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



8

1 with the I-95 connection to Christiana Mall is a
2 nightmare. And to dump more traffic on there is even
3 going to be worse, I think.

4 The other issue is the 301 connection was
5 supposed to be to the Summit Bridge originally, and I
6 might be repeating myself and I apologize, but
7 taking -- that road was supposed to alleviate the old
8 301 or Summit Bridge Road.

9 Now with the -- what the green route is
10 doing is it's dumping traffic back onto Summit Bridge
11 Road by having that major interchange there. And I
12 just don't feel that that's a good design myself. I
13 thought it was supposed to be a limited access road
14 from point A, Maryland line, to point B, whether it be
15 Summit Bridge or SR-1.

16 And that concludes my testimony and I hope
17 you consider possibly moving -- if the green route is
18 decided upon, the final route, to maybe move it north
19 going through the wetlands versus impacting my
20 property and other people's property, homeowners.

21 (PAULA MARSILII, 426 ARMSTRONG CORNER ROAD,
22 MIDDLETOWN, DELAWARE, 19709.)

23 MS. MARSILII: My name is Paula Marsilii
24 and I live at 426 Armstrong Corner Road and I am one

(continued from previous page)

The volume of traffic projected to use the Summit Bridge daily in 2030 with the Green Alternative with the Spur Road is 59,500; under the No-Build condition the volume is 65,000. Therefore, the Green Alternative with the Spur Road is projected to provide some relief to traffic on Summit Bridge in 2030. While both of these projections represent a significant increase over existing daily volume of 26,300, the level of service (LOS) on Summit Bridge is projected to be LOS D during peak hours with the Green with the Spur Road, which is still considered acceptable.

We appreciate your concern and your request to move the alignment to avoid impacts to your property. We may not be able to accommodate all of these requests, because alignments often represent a trade-off of impacts to properties on either side. We will evaluate your request, as well as others of a similar nature, during the next phase of design.

US 301 Project Development Final Environmental Impact Statement



9

1 of the lot owners with my husband, Paul, who will be a
2 part of the total acquisition as a result of the
3 Armstrong Corner interchange.

4 My husband, Paul, has owned this lot for
5 18 years. I wanted to offer positive comments on this
6 alternative, as well as additional comments affecting
7 my lot as well as the property surrounding it.

8 The protection and preservation of the
9 Middletown Baptist Church and the New Covenant Church
10 is to be applauded. These churches are at the core of
11 our community and serve many residents in the MOT
12 area. It is easy to recognize that relocating these
13 churches would have been next to impossible unless a
14 generous developer opted to donate land to these
15 objections.

16 The choice of the green route north allows
17 the trucks access to the industrial park which will be
18 built in the White Hall area. The green route north
19 also avoids negative impacts on the education complex
20 located at Boyd's Corner road and Cedar Lane Road.

21 Our concerns regarding our property are as
22 follows: Our property is two and a half acres with no
23 significant deed restrictions, no maintenance
24 corporation, and is quite secluded. Our concern

Response to Paula Marsilii:

Thank you for your statement.

US 301 Project Development Final Environmental Impact Statement



10

1 regards the fair market value of our home and our
2 property. The interior of our structure, which is a
3 two-story home, was almost completely remodeled in
4 2003 as a result of a fire and the home, although
5 18 years old, is now in mint condition.

6 The property is located within five miles
7 of our church, local shopping centers, and
8 restaurants. The land behind our lot has already been
9 subdivided and creates primarily large farmette-type
10 lots, continuing to give us some level of privacy and
11 seclusion with little to no increase in traffic or
12 noise.

13 Availability of this size and type of lot
14 is nonexistent within a ten-mile radius of our
15 existing home.

16 Our next concern is the uncertainty of the
17 timing of the project. Having been told that our
18 property will be acquired, we are now being held
19 hostage by the DelDOT project schedule. The
20 announcement of the preferred alternative without a
21 project timetable places us in a difficult position.
22 We cannot sell our home for reasonable value prior to
23 the project acquisition, nor is it wise to do major
24 improvements to the property since we are not likely

Response to Paula Marsilii (continued):

Generally, right-of-way acquisition is anticipated to begin in fiscal year 2008, following the receipt of the Record of Decision (ROD) and the announcement of the Selected Alternative. In the case of hardship or protective buying, early acquisition will be accomplished following application and review of the request by the Department on a case-by-case basis.

DelDOT's Real Estate group will be working with you and all displaced property owners to achieve a fair and equitable settlement for the purchase of your property and to provide relocation assistance to you.

We anticipate completion of the FEIS in the fall of 2007. Following FHWA's issuance of the Record of Decision (ROD), engineering design and right-of-way acquisition is estimated to take up to four years (2008-2011), with construction following, beginning in 2012. Construction could take from four to 10 years to complete depending on funding.

US 301 Project Development Final Environmental Impact Statement



11

1 to see a return on this investment.

2 We had no intention of relocating and find
3 that we must depend on the acquisition to make the
4 cost of moving including the physical move as well as
5 the increase in interest rates mandatory in order to
6 make a home purchase affordable.

7 We are regularly losing out on available
8 market of homes that may meet our preferences while a
9 timetable is being established.

10 Our next concern is the advanced
11 acquisition process. We do understand that we may
12 write a letter requesting that we be a part of an
13 advanced buyout program. We understand that the
14 committee that evaluates the advanced acquisition only
15 meets once per year.

16 We request that this committee meet at
17 least twice per year until the entire property
18 acquisition process is completed. Homeowners should
19 not be held hostage by the fact that a committee met
20 one month before the paperwork was completed and will
21 then not be meeting again for eleven months.

22 Our final concern is for the welfare of the
23 properties surrounding those that are part of the
24 acquisition.

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US 301 Project Development Final Environmental Impact Statement



12

1 The lot closest to the proposed roadway,
2 which is the Armstrong Corner interchange, is not
3 close enough for total acquisition. This lot belongs
4 to Molly and Blair Smith. They have invested many
5 thousands of dollars in improvements on their home and
6 are now unable to live in the quiet area because the
7 highway will be in their backyard.

8 It appears as though DeLDOT has no ability
9 to provide noise attenuation because of the lot's
10 proximity to the roadway. This may be a DeLDOT
11 policy, but it is unfair. It may be wise for DeLDOT
12 to consider some minor relocation of the roadway to
13 better facilitate noise attenuation berms for the lot
14 owners left behind after the acquisition at Armstrong
15 Corner are completed.

16 There is no doubt that the quality of life
17 of the remaining lot owners will be dramatically
18 reduced both during the construction process as well
19 as after the project is completed. DeLDOT should
20 consider some sort of compensation for these lot
21 owners who were originally under the impression that
22 the existing right-of-way behind the Armstrong Corner
23 lots that had been purchased by DeLDOT 40 years ago as
24 the future 301 connection would have been the choice

(continued from previous page)

DeLDOT is reviewing the impacts to your neighbors' properties and the potential to minimize the impacts of the new road. Unfortunately, the Smith property does not meet the criteria for noise abatement. A visual screening berm, which would provide a measure of noise impact relief, was not considered for your property because of right-of-way constraints, highway elevation and/or cost constraints.

Changes in drainage designs/stormwater management that will be detailed during final design may affect the property beyond that which is currently envisioned. DeLDOT will continue to coordinate with the Smiths during the final design process.

US 301 Project Development Final Environmental Impact Statement



13

1 for the rerouting of the Route 301.

2 (KAREN W. WOOD, 2344 DUPONT PARKWAY, MIDDLETOWN,
3 DELAWARE.)

4 MS. WOOD: My name is Karen Wood. I live
5 at DuPont Parkway at Boyd's Corner. We've lived there
6 for 35 years. Actually a little bit longer than that.
7 We moved into a very rural area and it's changed
8 radically.

9 Looking at the four routes that have been
10 proposed, the only two that make logical sense to me
11 are the green and brown, and I strongly support the
12 green with the northern alternative for several
13 reasons.

14 I live between Route 13 and SR-1. I live
15 on an island. I am between two highways. I am
16 approximately 80 feet off of U.S. 13. I am about
17 approximately 800 feet off of SR-1. There are two
18 points. One is that -- actually, there's more than
19 that.

20 First, no matter what route is chosen, they
21 need to make this highway asphalt based. The noise
22 level from the road 1,000 or so feet behind me is much
23 greater than the road 80 feet in front of me. And
24 that's with trucks accelerating versus going in the

Response to Karen Wood:

Thank you for your statement.

Studies on the reduction of noise from the materials used for roadway construction have shown that the decrease in noise levels generally is within a range that is not discernable by the human ear. In addition, over time and use, such approaches as raised concrete aggregate pavement or open graded asphalt pavement wear and voids fill and the initial benefit diminishes. The use of screening, either living or constructed, is both less expensive and more effective in addressing noise and will be implemented with the selected alternative.

Other roadway construction elements that may generate noise, such as rumble strips, may be installed for safety purposes and in conjunction with the project toll facilities, should traditional toll collection facilities be provided.

US 301 Project Development Final Environmental Impact Statement



14

1 straight speed on SR-1 behind me. The noise level in
2 front is much less than the noise level in back. The
3 concrete is hard.

4 Second point being I think the green route,
5 northern spur, is probably the least destructive to
6 most people who have lived here for a period of time
7 or even people that moved in in the last 20 years.

8 In that island area that I live on, we have
9 a section of woods and water. Because of all the
10 other construction that has taken place, I'm now
11 running a wildlife preserve with yellow and purple
12 would go behind me along with SR-1. Putting yellow or
13 purple in that direction ends up taking even more of
14 the Augustine Creek watershed.

15 We have anything from -- well, today there
16 were gray herons, a river otter, deer, and various
17 assorted birds in my yard including eagles. We know
18 that we have a nesting pair of bald eagles. We had
19 one juvenile bald eagle this summer.

20 Putting that road behind me, adding that
21 much more into that area will only destroy the
22 Augustine Creek watershed as it flows out down into
23 Augustine, the wildlife conservation area, which is
24 where these animals are coming up from.

Response to Karen Wood (continued):

DelDOT prefers the Green North Alternative, and this alignment will not affect your property or the Augustine Creek Natural Area.

US 301 Project Development Final Environmental Impact Statement



15

1 But I fully believe that green probably is
2 the least destructive of all of them, not that any are
3 good. If I had my choice, I would take out all four
4 bridges and make Delmarva peninsula be the 51st state
5 or territory. I don't have that option.

6 The other point is that the State, once
7 they choose the route, which should be green, needs to
8 go to New Castle County and tell them they cannot let
9 the builders put in the houses where the road is
10 planned to go.

11 Case in point, two of the proposals go over
12 a piece of property that is adjacent to me. The State
13 owns that property now. I was sent a notice that that
14 was going up for sale. I had to call the 301 project
15 people and ask them why since they hadn't announced
16 where it was going at that point. Suddenly it got
17 pulled back off the market.

18 Much of the land, the green route, the
19 purple route -- actually, all four of them entail is
20 already planned for development. Builders have
21 already bought it. It may or may not have an improved
22 subdivision on it. If it has an approved subdivision
23 or subdivision in the works, the State and the county
24 need to work together to secure the land that's going

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US 301 Project Development Final Environmental Impact Statement



16

1 to be needed for 301 so that we do not pay ten times
2 what you would pay if they bought it now or if they
3 put a hold on it now. I don't know how they do that,
4 but it is a lot cheaper to buy acreage than it is to
5 buy homes.

6 In the 35 plus years we have lived in our
7 house, we have faced probably, "gee whiz, are they
8 going to take our house this year" approximately ten
9 times. I don't want anybody else to go through that
10 constant stress.

11 So I would ask my legislators to get their
12 act together, approve, even if they don't have the
13 money, approve with the county's aid, putting a hold
14 on the land and paying the developers as they get the
15 money before they construct.

16 I also strongly urge them to use not a
17 concrete surface. The concrete is terribly noisy. I
18 cannot speak to my husband -- it used to be we
19 couldn't talk on the front yard of Route 13, now we
20 can't talk anywhere where it used to be very quiet in
21 the back. You can't hear at all.

22 Thank you.
23 (GENE ALDERSON, 240 Oak Drive, MIDDLETOWN, DELAWARE,
24 19709.)

(continued from previous)

Response to Karen Wood (continued):

Following the completion of the FEIS, receipt of the Record of Decision (ROD) from FHWA and the announcement of a Selected Alternative for the project, the DelDOT will proceed with right-of-way acquisition and final engineering, which will likely take up to four years. Construction is likely to begin in 2011, and last 4-5 years under ideal conditions and with full funding. Construction may take up to 10 years if limited funding requires phasing of construction.

DelDOT will continue to interact with property owners and developers throughout the balance of the planning process to acquire the needed right-of-way.

The preferred roadway material is concrete, based upon its durability and long life. Although concrete is the material of choice, concrete roadways may not be feasible throughout the length of the project due to increasing costs of this material. Other materials, such as asphalt, may be used. Although studies have shown that asphalt roadways do not generate as much noise as concrete, the use of asphalt paving is not considered when evaluating noise abatement.

Other roadway construction elements, such as rumble strips, are installed for safety purposes and in conjunction with toll facilities, should traditional toll collection facilities be provided.

US 301 Project Development Final Environmental Impact Statement



17

1 MR. ALDERSON: We live in the development
2 of Airmont at 240 Oak Drive, Middletown, Delaware, and
3 we've seen the proposed Route 1, which comes directly
4 behind our house, and we are requesting an earthen
5 berm be placed between our entire development and the
6 school property at St. George's Technical High School
7 alongside of the road, and that pine trees be planted
8 between Hyatt's Corner Road and the berm to mediate
9 the truck noise and dust that will be expected to
10 occur from the traffic and truck traffic on the 301
11 bypass.

12 Just to add, the reason we are requesting
13 the berm is because you've seen one of the proposed
14 drawings does not show the berm running the entire
15 length of our development. And the Jake brakes on the
16 trucks are very, very loud. They are the air brakes
17 the trucks use and they are very, very loud.

18 Thank you.

19 (ARNOLD COHEN, 519 East Creek LANE, MIDDLETOWN,
20 DELAWARE.)

21 MR. COHEN: What I would like to suggest be
22 done instead of or before this major construction is
23 add a second lane a quarter to a half mile before the
24 traffic lights on 301 between 896 and Maryland. The

Response to Gene Alderson:

Thank you for your statement.

DelDOT will evaluate the feasibility of extending the berm during design engineering. The berm is currently not proposed where the roadway will be below-grade.

Landscaping will be determined during final design. It is anticipated that the visual earth berms will be landscaped.

Response to Arnold Cohen:

Thank you for your statement.

The improvements you suggest are outside the scope of the US 301 project.

US 301 Project Development Final Environmental Impact Statement



18

1 extra lane would be used as a truck lane at the
2 traffic light. The extra lane would also continue for
3 a quarter to a half mile after the light in each
4 direction. When the light changes green, the trucks
5 can accelerate at their acceleration rate and cars, of
6 course, much faster than that. Then there would be
7 signs of some sort to allow the trucks to reenter the
8 main lanes of traffic.

9 If this system doesn't sound right at these
10 traffic lights or any other -- well, at these traffic
11 lights, excuse me, have either an elevated or a
12 depressed section of road so that the traffic light
13 could be discontinued and traffic could flow in either
14 direction, east, west, north, south, without stopping
15 for a light.

16 If the water table is too high in those
17 areas, then the other system would have to be used or
18 an elevated system, which would be much more
19 expensive.

20 In addition, if possible, please have a law
21 passed or enforced if it's already there, "pass left,
22 keep right" and directional signals must be used at
23 all times when appropriate. There are too many -- I
24 tell people they have damaged cars because their

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US 301 Project Development Final Environmental Impact Statement



19

1 directional signals don't work and I don't have the
2 foggiest idea what they are about to do.

3 In addition, increase speed limits in areas
4 where the speed of the road or, as you put it, as also
5 put or whatever that go with the flow is five, ten, or
6 more miles above the speed limit. All of us are not
7 idiots. We know how fast is safe at any given time.
8 Therefore, the limit should be in those general areas,
9 not far below where everybody is violating laws which
10 doesn't work, anyway, at that point.

11 Let's see. What else? Yeah, I'm done. I
12 wish to thank you.

13 (MARTHA A. DENISON, 1102 CHELMSFORD CIRCLE, NEWARK,
14 DELAWARE, 19713.)

15 MS. DENISON: I'm here as one of the board
16 directors of the civic league for New Castle County
17 and our organization has both supported the original
18 plan that went up 896, 301 to 896 and over to 95. It
19 was also voted on the people above the canal there
20 when we did the Route 40 corridor study and it was
21 voted on by many people up and down the 301 route at
22 least from '92 on.

23 So there's nothing in anything they've
24 given that shows that anything would really be all

Response to Martha Denison:

Thank you for your statement.

The Red Alternative, which followed the ridge route and SR 896, crossing the C&D Canal on the Summit Bridge, was evaluated during the planning process but was not retained for detailed evaluation. Reasons for not retaining the Red Alternative included:

- it does not accommodate the 65% of traffic on US 301 that is destined for points to the northeast
- it would require additional lanes on the Summit Bridge to accommodate increased traffic volumes
- it did not provide direct access to SR 1
- it would have required major improvements to the SR 896/I-95 interchange and tie-in to Old Baltimore Pike
- it had identified impacts to Section 4(f) resources
- it would have been the costliest to construct
- required the most difficult maintenance of traffic and inconvenience to travelers during construction.

The full explanation for not retaining the Red Alternative are in the DEIS, Section II.B.2.a.

US 301 Project Development Final Environmental Impact Statement



20

1 that much more costly either than what they are
2 proposing right now. And the new routes that they are
3 proposing including the green route are going to be
4 routing so much truck traffic situations through
5 development areas as to be another further hazard.

6 So safety is a big component, and noise.
7 They have to maintain as many wetlands as possible and
8 preserve as many historical sites as possible, but
9 human beings should always be first in terms of health
10 and safety. And 301 is already laid out very well and
11 896 has already been widened to accommodate. So you
12 are not having to reinvent the wheel.

13 And it would be taking more of the traffic
14 that will now be routed up SR-1 and cut down for much
15 of the need of so many huge entrances and exits being
16 expanded on 95. There's still the need for the
17 improvement by the Christiana Mall for 95, and I'm
18 looking at this as the total project because it
19 doesn't just affect below the canal. And, yes, it is
20 not going -- what is above the canal or below the
21 canal, we feel it should be going up 301 as originally
22 proposed.

23 That's it.
24 (STEPHEN M. POWELL, 17 MEADOW DRIVE, MIDDLETOWN,

Response to Martha Denison (continued):

DelDOT is providing a limited-access roadway for the US 301 project to provide increased safety by taking many of the through trucks off of local roads through developments.

By routing much of the through traffic from US 301 to SR 1, DelDOT has eliminated the need for improvements to the I-95/SR 896 interchange. The I-95/SR 1 interchange improvements should be constructed before the new US 301 is completed.

US 301 Project Development Final Environmental Impact Statement



1 DELAWARE, 19709.)

2 MR. POWELL: My name is Stephen,
3 s-t-e-p-h-e-n, Powell. I live in Chesapeake Meadow.

4 A group of our residents got together and
5 looked at the planning maps and some of the
6 suggestions that we had were -- or some of the
7 concerns we had first were the overpass on the spur.
8 We like the green route. It's, for our community, one
9 of the best choices there is. The spur route gives us
10 a lot of the negative effects of the brown route that
11 we had definitely opposed.

12 One of the things we found out at the last
13 set of hearings was that there would be limited access
14 to, or the suggestion is to have limited access to the
15 spur route with overpasses.

16 The overpass would negatively affect our
17 community because it would wind up eating into the
18 backs of properties that are at the front end of our
19 community.

20 It would also affect our water retention
21 ponds for storm flow. That pond that's in the front
22 of our development would need to be reconfigured,
23 moved, and unfortunately, there's no space for that,
24 so that would also wind up taking away people's

Response to Stephen Powell:

Please see the response to Andye Daley, Public Testimony - January 8, 2007

Thank you for your statement.

Response to comment 1, beginning on line 12:

The purpose of the Spur Road is to better manage traffic from existing US 301 and the Westown area destined for Glasgow, Newark and points north (approximately 1/3 of the traffic currently on existing US 301 near the Maryland line). The Spur would reduce traffic on local roads such as existing US 301 and Choptank Road, thus reducing congestion and improving safety.

Surveys of current traffic show that 65% of northbound US 301 traffic is going northeast (SR 1), 35% of northbound US 301 traffic is going north (SR 896), and 95% of the long distance or interstate trucks are going northeast (SR 1). Traffic projections (2030) support the need for a new 4-lane US 301 and 2-lane Spur Road. Northbound traffic projected to use the Spur Road includes 57% from the new Levels Road interchange (southern Middletown area, including Westown), 39% comes from MD, and 4% is from other locations

The Spur Road significantly reduces traffic on Choptank Road (by 57% - 14,500 to 6,200 vehicles per day) and on existing US 301 (by 25% - 37,200 to 27,900) compared to non-spur options, in year 2030. The Spur Road draws traffic away from two undivided roads (Choptank Road and US 301) and places it on a divided roadway (Spur) - divided roadways typically have lower accident rates. And, the Spur Road provides additional opportunities in addressing the sharp curve and traffic signal at the base of the Summit Bridge. The Spur Road will also provide another north-south route that could carry traffic in the event of a major incident (closure of SR 1 or US 301, or evacuation).

The Project Team presented a Spur Road option that provided local access via signalized intersections with major local cross roads (Bethel Church Road, Old Schoolhouse Road and Churchtown Road). However, comments were received from the public and New Castle County opposing this option, due to concerns that the additional local access would accelerate proposed development in the area or result in new development in areas to the west of the Spur Road that are not projected for development.

DelDOT considers the cost of the Spur Road appropriate to provide a through route for through traffic (especially truck traffic) that will separate this traffic from local and vehicular traffic and increase safety on local roadways, thus benefiting local residents. The Spur Road will also serve southern Middletown, as well as decrease the need for future improvements to Choptank Road and existing US 301.

(continued on next page)

US 301 Project Development Final Environmental Impact Statement



22

1 property.

2 And for the folks that live on the south
3 side of Churchtown Road, that would actually take
4 their entire house because their house butts right up
5 against the road where the overpass would be built up
6 to clear the proposed spur.

7 The other concern is that the Tidewater
8 Utilities is right at the intersection of Churchtown
9 Road and where the spur would be, those utilities
10 would have to be moved, relocated, and all of the
11 utilities rerouted, which is very expensive.

12 One of the suggestions we come up with that
13 we believe would be a much better option instead of
14 building a spur, which costs -- I think the estimate
15 was \$100 million for the spur, would be to utilize the
16 existing 896/301 roadway from the interchange at -- I
17 believe it's Armstrong Corner Road and Route 896.
18 Basically instead of building a spur, to use that
19 existing 896/301 roadway, bring it up past on the
20 existing roadbed up to Summit Bridge, straighten out
21 the S curve and make that safer, but to basically not
22 do the spur and just use the existing roadway and
23 improve that roadway a bit mainly because the spur is
24 only -- would only affect people from outside of

(continued from previous page)

Response to comment 2, beginning on line 20 of previous page:

The current design does not impact the Chesapeake Meadow stormwater drainage ponds.

Response to comment 3, line 2:

The highest elevation on the Churchtown Road overpass will be approximately elevation 77. The elevation of the backyards of 102 and 104 Fox Den Court are approximately elevation 55 and 53.5, respectively. As a result, the overpass structure will be approximately 22 feet above the elevation of the backyard of 102 Fox Den Court and located approximately 1,200 feet from the overpass high point. The overpass structure will be approximately 23.5 feet above the elevation of the backyard of 104 Fox Den Court and located approximately 1,000 feet from the overpass high point. Adjacent to 102 Fox Den Court, new Churchtown Road will remain at the same location and elevation. Adjacent to 104 Fox Den Court, new Churchtown Road will be located approximately 6 feet closer and approximately 2 feet higher than the existing Churchtown Road.

Potential partial property acquisitions are noted in the DEIS, as are potential relocations; however, only potential relocations are specifically identified. Specifically, as a result of their attendance at a meeting of the Chesapeake Meadow community on the US 301 Project Development effort, the property owners at 102 Fox Den Court were provided information on the potential impact on their property. The overpass will not result in a taking of any property from 100 Fox Den Court. The property owners at 104 Fox Den Court have not been notified of the potential taking of slightly more than 0.1 acre from their property.

The potential takings of community open space do not impact the community stormwater management ponds located there. Many of the partial property acquisitions noted in the DEIS that were required for the overpass have been reduced or eliminated. Design and minimization efforts since the DEIS have eliminated any individual property acquisitions along Fox Den Court, and reduced partial property impacts on the south side of Churchtown Road.

The entryway will not be affected by the overpass since the modifications to Churchtown Road will begin west of the entrance.

Based on the level of information we have at this time, no homes will be taken for the Churchtown Road improvements. Along the north side of Churchtown Road, currently anticipated impacts involve the community's common area. We currently anticipate being able to avoid any individual residential property takings. On the south side of Churchtown Road, we have significantly reduced the impact on 838, 842, 852 and 858 Churchtown Road. However, temporary construction easement along these parcels will likely be needed. In addition, some property from 852 and 858 Churchtown Road will

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US 301 Project Development Final Environmental Impact Statement



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need to be acquired to tie existing Churchtown Road into New Churchtown Road. Access to all four properties will be continuously maintained.

Response to comment 4, beginning on line 7, previous page

The Project Team has met with Tidewater Utilities, who have generally concurred in the latest concept for the Churchtown Road overpass of the Spur Road, including the suggested method for providing access to Tidewater's facility and operations. Access will be provided, for the most part, along existing Churchtown Road, which will curve to the north and pass under the Churchtown Road overpass bridge.

Response to comment 5, beginning on line 12, previous page:

This comment suggests improving US 301 from Armstrong Corner Road to Mount Pleasant and eliminating the Spur Road. However, traffic analysis suggests the need to widen existing US 301 from Peterson Road to Mount Pleasant, should the Spur Road be deleted. Improvements would include adding one additional lane in each direction plus a continuous left turn lane and a raised median or additional left turn lane as necessary. Widening would occur primarily along the west side of the roadway, and would require approximately 55 feet of additional right-of-way (ROW) along the west side of the corridor. On the east side, approximately 20 feet of additional ROW would be required. In locations of existing Section 4(f) historic resources (RG Hayes House, CRS Number N05153; Armstrong-Walker House, CRS N05146, and Mt. Pleasant Farm, CRS N05242), the roadway would be shifted to avoid impact to these properties. These shifts would require additional ROW from the opposite sides of the roadway. DelDOT has considered this option and believes it is not the most prudent approach. While the total cost of this option is approximately \$67-\$83 million, less than the estimated preferred Spur Road cost of approximately \$105-\$120 million, it does NOT fully meet the project purpose and need:

- Results in more traffic on local roads (e.g. Choptank Road and existing US 301, among others)
- Results in higher accident rates/actual accidents, because of more traffic on lower type roads, signalized/unsignalized intersections and numerous access points
- Results in mixing through truck traffic with local traffic from north of Armstrong Corner Road to Summit Bridge (reference two recent accidents near DE/MD line – 4 fatalities – (both involved 18-wheelers) and the most recent accident/fatality at US 310/SR 896 and Old Summit Bridge Road..
- Results in reduced traffic at the toll plaza just north of the state line – less toll revenues to fund new US 301 and the Spur Road and results in diversion of truck traffic to local roads in DE and MD.
- Results in significant property impacts along existing US 301, as noted below, due to the need to widen existing US 301 from Peterson Road to Mount Pleasant.

Partial Impacts to Businesses: Burger King, Summit Plaza, Middletown Chevy, Nu-Car Connection, Middletown Medical Professional Bldg, Ciamaricone's Landscaping, Tri State Materials, Cooper Wilbert Vault Company, Mr. Mulch,

US 301 Project Development Final Environmental Impact Statement



23

1 Middletown.

2 Most of the communities that are up in the
3 area by Summit Bridge or just south of Summit Bridge
4 wouldn't have access to the spur except just a couple
5 hundred yards before getting up onto Summit Bridge as
6 it's designed today.

7 So our main suggestion is you cannot build
8 the spur. Save the money from that. The State could
9 then sell the land that was originally purchased to
10 build the spur or build a road in that area, and put
11 that money either back into the 896/301 project to
12 help pay for it, or to construct open spaces such as
13 bike paths, running paths, open green spaces in those
14 areas, which I know is a political issue which any
15 time that they're building a highway and have
16 something that they can give back to the community to
17 somewhat offset it would be helpful.

18 The other thing is that Churchtown Road
19 would most likely be closed for, I think they said,
20 approximately two years for the construction. There
21 is a new fire department substation or small volunteer
22 fire department that was just built on Churchtown Road
23 and just to the east of Dickerson Farms. That fire
24 department services the neighborhoods to the west of

(continued from previous page)

Guardian Fence Company, Rollins Metal Works, Keenan Auto Body Shop , 301
Cycle, Shops of Mt. Pleasant
Total Takes of Businesses: Ringold Chapel AME, Logullo's Country Market, M.
Madic, Inc., KO's Cleaning
Partial Impacts to Homes: 3 plus impacts to Middletown Village and Springmill
Total Takes of Homes: 9
Plus impacts to additional vacant or farmed residential/commercial properties

The Recommended Spur Road does not require any residential or business relocations.

Response to comment 6, beginning on line 7:

DeIDOT will continue to consider the feasibility of adding a greenway trail adjacent to the east side of the Spur Road. Changes to the typical section of the Spur Road, such as an adjustment of the width of the median or reduced clearances could be evaluated to provide some additional outside width and include the proposed trail within the right-of-way without additional property acquisition.

Response to comment 7, beginning on line 18:

Under the current design and based upon the level of information available at this time, Churchtown Road would not be closed during construction of new Churchtown Road over the Spur Road. The new Churchtown Road overpass would be located just to the north of the existing roadway, with retaining walls to allow existing Churchtown Road to remain open in both directions during construction. There however most likely will be intermittent lane closures to allow for construction adjacent to the existing roadway as is typical with any roadway construction. Access to Tidewater Utilities will be maintained and they will not be acquired for the project.

During construction of the overpass, it may be necessary to close one lane of Churchtown Road while a section of retaining wall is constructed along the south edge of new Churchtown Road. During this period, the contractors would use flaggers so that continuous access could be maintained. It is currently anticipated that traffic will be maintained continuously on Churchtown Road during construction and will not be diverted as noted in the comment above.

US 301 Project Development Final Environmental Impact Statement



24

1 Chesapeake Meadow and to the west of where the spur
2 would be, and they would not have direct access to
3 those communities for those two years. They would
4 have to reroute around the area which would result in
5 a longer response time which could be dangerous to
6 folks if they need them.

7 I believe that's all I have. Thank you
8 very much.

9 The other issue is that there's no plan for
10 improvements of 301/896 north of Summit Bridge. So
11 all of the traffic is going to wind up bottlenecking
12 right at Summit Bridge, anyway.

13 So having the spur with some kind of a
14 proposed high-speed flow into Summit Bridge is going
15 to wind up conflicting with the existing 896/301
16 traffic. Basically you are going to have a lot of
17 traffic coming in at a high speed from the west,
18 traffic coming in on the existing 301/896 from the
19 east and bottlenecking right at the bridge.

20 So it would be probably safer and more
21 efficient to simply reconfigure the entrance to Summit
22 Bridge and use the existing 896/301.

23 (The hearing was then concluded at
24 10:00 p.m.)

(Continued from previous page)

Response to comment 8, beginning on line 9:

The recommended Spur Road includes a "Y" type interchange south of Summit Bridge, which has been developed in accordance with current DelDOT design standards. The interchange has been analyzed and is projected to operate at a satisfactory level of service in design year 2030. Daily traffic on Summit Bridge, in Design Year 2030, is projected to be 59,500 vehicles per day with new US 301 and the Spur Road, while the projected volume on the Summit Bridge is 53,900 vehicles per day with new US 301, but without the Spur Road, a difference of less than 10%. Traffic projections show that regardless of the alternative, including the Middletown Corridor Coalition's suggested Green North without the preferred Spur Road, there is a consistently high traffic demand to use Summit Bridge.

The volume of traffic projected to use the Summit Bridge daily in 2030 with the Green Alternative with the Spur Road is 59,500; under the No Spur Road condition the volume is 53,900 and under the No-Build, 65,000. Therefore, the Green Alternative with the Spur Road is projected to provide some relief to traffic on Summit Bridge in 2030.

While both of these projections represent a significant increase over existing daily volume of 26,300, the level of service (LOS) on Summit Bridge is projected to be LOS D during peak hours with the Green with the Spur Road, which is still considered acceptable.

The ability to provide capacity improvements north of Summit Bridge was designed into the dualization of US 301/SR 896 that was completed in the 1990s. Should capacity be needed north of the bridge, it can be built within the existing right-of-way from the bridge to US 40 and with the acquisition of right-of-way between US 40 and I-95. In that scenario, the Summit Bridge would indeed be the bottleneck.

US 301 Project Development Final Environmental Impact Statement



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1 State of Delaware)
2 County of New Castle)

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C E R T I F I C A T E

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6

I, Kathleen White Palmer, Registered Professional Reporter and Notary Public, do hereby certify that the foregoing record, pages 1 to 25, inclusive, is a true and accurate transcript of my stenographic notes taken on Monday, January 8, 2007, in the above-captioned matter.

10 IN WITNESS WHEREOF, I have hereunto set my
11 hand and seal this 9th day of January, 2007, in New
12 Castle County.

13
14

KATHLEEN WHITE PALMER, RMR, CSR, CLR
Certification No. 149-RPR
(Expires January 31, 2008)

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US 301 Project Development Final Environmental Impact Statement



Middletown Baptist Church

"A Church That Cares"

Pastor Edward J. Lasko, Sr.
Pastor Jack L. Spicer
419 Armstrong Corner Road
Middletown, DE 19709

www.middletownbaptistchurch.org

mbcpastor@verizon.net
mbcspicer@verizon.net
(302) 378-2443
Fax: (302) 378-4502

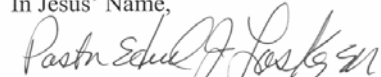
January 8, 2007

To Whom It May Concern:

Please find enclosed signatures from 158 people who are in support of the favored 301 route (Green North with Armstrong Corner Road option 2-a and spur road option 3-b).

We thank you for your consideration on behalf of our church family!

In Jesus' Name,


Pastor Edward J. Lasko, Sr.

Response to Pastor Edward Lasko:

Thank you for your comment; we acknowledge the receipt of this petition (reproduced herein).

MIDDLETOWN BAPTIST CHURCH

We are in favor of the Green North with
Armstrong Corner Road option 2A and spur road option 3B.

Name	Address	Telephone Number
BT Manley Bentley	712 Cambridge Drive, Keisler, NC 28504	(252) 522-4450
Jacira D. Bentley	1712 Cambridge Dr, Keisler, NC 28504	(252) 522-4450
John P. Bentley	223 Cambridge Dr, Keisler, DE 19101	(302) 836-1500
John P. Bentley	198 Dexter Court Rd, Townsend DE 19134	378-4477
Donna D. Brennan	"	"
Joy L. Brennan	5 Bessie Lane, P.O. Middletown, DE 19155	302-835-7054
Sam M. Brown	271 Monahan Way, Middletown, DE 19109	302-376-7273
Mark (Mott) Brown	217 Woodlawn, Middletown, DE 19109	302-376-7273
Steve C. Riss	1139 Dewey Marie Loop, DE 19101	202-836-3269
Lisa Skinner	116 Sherman Foresting Holly, DE 19103	302-492-3278
Gary Steines	23 Club Lane, Eastville, DE 21919	410-275-8121
Joanne Steines	"	"
Thomas Smith	768 Bethel Rd, Chrs. City, MD 21915	410-885-3037
Barbara Smith	"	"
Paul Olsavky	104 Wellington Way, Middletown, DE	442-889-5044
Joe Lamb	428 Holly Ct, Middletown, DE 19109	302-449-1765
Andy Redford	9302 Scholas Ave, Unit 6, Newark, DE	302-576-1548
Mark Carpenter	96 King St, Newark, DE 19102	767-925-9928
Phyllis Carpenter	96 King St, Newark, DE 19102	302-453-5614
Kenneth Shannon	60 Kings Square, O 19471	302-653-5614
Shirley Shannon	70 Box 919, Pockahokee, Va 25421	757-665-4294
Carolyne DeBrette	705 Bethel Church Rd, Middletown, DE	302-378-1747

MIDDLETOWN BAPTIST CHURCH

We are in favor of the Green North with
Armstrong Corner Road option 2A and spur road option 3B.

Name	Address	Telephone Number
Kain & Kathy Reynolds	911 Pleasant Run, Newark, DE 19711	(302) 368-3917
Walter & Cecelia Bank	503 Salsabane, Middletown, DE 19709	302-376-6204
Robert & Cheryl	528 Salk Lane, Middletown, DE 19709	302-376-6204
Tricia Bueren	503 Salk Lane, Middletown, DE 19709	376-10804
Timmy George	12584 Calvan Rd, Newark, MD 21680	410-428-5225
Alisa Long	8505 S. S. St, Middletown, DE	378-1420
Pat + Pam Brown	181 Shedd Rd, Newark, DE 19734	302-825-9673
Tom + Nancy Galt	1224 Calvan Rd, Middletown, MD 21150	410-828-5225
Dennis Gula	803 S. Vernon St, Middletown, DE 19709	378-4708
John Gula	803 S. Vernon St, Middletown, DE 19709	378-4708
Dorinda Gula	803 S. Vernon St, Middletown, DE 19709	378-4708
Kim Whitesel	352 E. Harvest Ln, Middletown	376-1658
Ann Whitesel	352 E. Harvest Ln, Middletown	376-1658
Missie Fowler	412 Alder Ave, Village Brook, Middletown, DE	378-1671
MariSSa Crowne	707 clever Lane, Middletown, DE	378-41305
Eddie Herron	707 Clever Lane, Middletown, DE	378-41305
Stacey Gabe	812 S. Scott St, Middletown, DE 19109	378-9325
Mike Gabe	121 Clayton Av, Clayton, DE 19938	584-0888
Mike Gabe	229 First Ave, Clayton, DE 19977	655-8501
Tracy Brown	26 Dolan Lane, Bethel, DE 19170	443-838-1355
Indy Dzwonalski	894 Vantage, Shrewsbury, DE 19160	302-658-1670
Brude Whitesel	352 E. Harvest Lane, Middletown, DE 19709	376-1658

MIDDLETOWN BAPTIST CHURCH

We are in favor of the Green North with
Armstrong Corner Road option 2A and spur road option 3B.

Name	Address	Telephone Number
John Oliver	930 Cleaver Farm Road Middletown DE	
Jane Minda	750 Cleaver Farm RD Middletown DE	
DAVID KLINGBEER	730 Vinway St. Smyrna, DE	
MARVIN GURIN	400 Dogwood Lane, middletown de. 19704	
Raym Guinn, Jr	400 Dogwood Lane, middletown de. 19704	
Ann Reynolds	135 Fern Drive Elkton, MD 21921	410-225-2666
Bonnie Matthews	317 Mauldeter Way, Middletown, DE 19709	309-818-3706
Robert Mackusie	317 Mauldeter Way, Middletown, DE 19709	309-316-7273
Michael Williams	326 Cleaver Farm Rd, Middletown DE 19769	
Jeff Buckner	428 17th Court, Middletown DE 19708	
Robert E. Fox	545 N. Pennsylvania Dr. Middletown DE 19709	
ANNA FOX	545 N. Pennsylvania Dr. Middletown DE 19709	
Phyllis Given	604 Postfield Rd Newark, DE 19713	
Zipporah Wilkerson	3330 Whittington Forest Rd Smyrna DE 19777	
Carolyn Smith	533 Firecrest Dr. Dover DE 19904	
Diane Doran	239 Time Mountain Springs DE 19971	657-8581
Jim Graves	1495 Dinahs Corner Rd Dover DE 19904	302-678-0610
VanLynn Gaultley	1339 Barbara Hill Rd Middletown DE	
Deborah Opal	58 Yale Blvd - Middletown DE 19709	444-1545
Jim Pate	14 Shore Street Townsend DE	309-378-4100
Walt Smith	506 Acornbird St. Townsend DE.	378-2400
Marlene Guinn	"	"

MIDDLETOWN BAPTIST CHURCH

We are in favor of the Green North with
Armstrong Corner Road option 2A and spur road option 3B.

Name	Address	Telephone Number
Paula Edward Flocke	812 S. Scott St Middletown DE 19709	302-378-9925
Emily R. George	12054 Galena Rd Masscy MD 21650	410 928 5225
Faith E. George	"	"
Lidia V.G. George	"	"
Carol R Long	398 Dorton Rd Townsend DE 19734	302 578 4009
Annalyn Jackson	8064 HARVEY STRATFORD	302 654 0117
5th Vallhauk	2239 Weavers Pond Rd Smyrna DE 19972	
Rebecca Matthews	817 Mauldeter Way	309-316-7273
Dee Williams	409 Annie Pt. Middletown DE 19709	302-376-5748
HOPE SPACI	207 BONDROCK RD MIDDLETOWN DE	302-316-5510
Bond Pains	23 Club Lane Forkville, MD 21814	410 275-8727
Quint DeBancro	337 Danglely Gap, Middle town 19709	302-449-1939
Alm Rhine Jr	3738 1764 01st Ave Rd Crystal, DE 19938	633-6316
ANDY & CATE CLAES	1057 Mauldeter Pt Middletown DE	326-7852
Robert & Tere Trucks	8000 Whomers Court Middle town DE	867-270431
quinte wherd	87 S. Guss St middle town de	
Emily Davis	2671 S. 35th St Decatur, GA 30521	(478) 423-0564
Miss Kathryn Worley	2392 Hollett's Rd Dover, DE 19938	302 653 4386
Paul & Barbara	1001 Blackbird Landing Rd. Townsend, DE	653-5553
Tom & Rose	"	"
Juldy M. Cannon	12711 Crystal Beach Rd. Earleville, MD	410-275-8317
Georgie Cannon	"	"

US 301 Project Development Final Environmental Impact Statement

MIDDLETOWN BAPTIST CHURCH

We are in favor of the Green North with
Armstrong Corner Road option 2A and spur road option 3B.

Name	Address	Telephone Number
ALAN & LANA RAY-SIMBARTY	116 Sturt Avenue East, Middletown, DE 19709	302-378-1086
Wen Lee P.illon	723 Dogtown Rd Townsend DE 19737	302-378-0449
Francisca Stalon Sr.	218 N. Dupont Middletown 19709	202-378-8709
Robert Bonafon Sr.	595 N. Rannum St Middletown 19709	302 378 8395
Janie Mackeavel	34 mt pleasant Ct Middletown	302 326 7156
Kevin Leanne Penning	500 Sella Lane Middletown DE 19709	302-376-7177
John Stula Jr.	853 Queen Vincent Rd Townsend 19734	302-378-1516
Bob Wrigley	103 Salem Church Rd 19713	302-454-0379
Pat Wright	103 Salem Church Rd 19713	302-454-0379
Thermy Spilling	5306 DuRoi Hwy Smyrna, DE 19977	302-373-3790
George Whiting	Cornet Lane, Smyrna, DE 19977	
Ruby Brown	2738 Holley's Cr. Rd. Clayton, DE 19938	302-653-6036
Debra & Steve	11 " "	11 11 11
Bruce + Makeda O'Donnell	1017E Daisy Drive Millington, MD 21105	410 925 5399
Andrea Gula	852 Green Grant Rd Townsend DE 19734	378-1516
Ed Lesko, Jr.	PO Box 842 Clayton DE 19938	
Jon McKinnny	108 Rutledge Dr, Queenstown MD 21158	410-490-2363
Angela McKinny	ONE Shanty Lane Newark DE 19702	
Ken Reese	335 Breckford Station Rd, Townsend	
Lynne Reese		
Cassia Craker	101 Clayton Avenue, Clayton DE 19938	

MIDDLETOWN BAPTIST CHURCH

We are in favor of the Green North with
Armstrong Corner Road option 2A and spur road option 3B.

Name	Address	Telephone Number
Y. Lance Cole	166 Blackbird ST, Townsend, DE	378-4521
Walter Fugate	292 " "	
Alan + Peggy Phillippi	343 Maryland Line Rd Townsend	378-1578
Moses Mungia	156 Lebanon Dr. Middletown DE 19709	378-3284
Davis + Holly Noeith	113 Old School House Rd, Middletown, DE 19709	376-7760
Dean Phillips Jr	809 Porter Terrace, Water Springs 71 52208	407-699-2615
Debra Phillips	11 " "	" "
Robert Beck	200 W. Thomas Ct, Middletown DE	
Joyce Kieck	200 W. Thomas Ct, Middletown DE	376-6550
Sara Sins	534 Danvers Mill Middletown DE	" "
Donna Foster	144 Vincent Circle Middletown	
El Orban	337 Driver Way, HODGSON	449-1939
Judy Drenth	878 Venture Shoreside Ct, Townsend DE	
Kelli + Barbara	408 Holly Cr, Middletown, DE 19709	302 373 1346
Paul + Deborah	408 Holly Cr, Middletown, DE 19709	" "
David + Anne Reynolds	135 EDWARDS BLVD, FULTON, MD 21921	410-885-3666
David + Kathleen	2329 Whalley Rd, Smyrna, DE 19977	302-653-5613

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

I am in the Area Alternative North and South OPTIONS

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: *Pam Sowden*

Community/Organization: _____

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Pam Sowden:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
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Monday January 8, 2007 & Tuesday January 9, 2007
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Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

*The former won out? The Blue route
should be the most appropriate, taking
less money and probably costing less
money.*

The Blue Route

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: *Helen Tyler*

Community/Organization: _____

Address: *320 Churchtown Rd.*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Helen Tyler:

Thank you for your comment.

We appreciate your preference for the Blue Alternative and the reasons you have for preferring it over the Green North Alternative. The reasons for DelDOT's recommendation of Green North as the preferred alternative, and the reasons why the other alternatives were not recommended, are documented in Chapter V of the DEIS, in the public workshops and public hearings displays and handouts, and in Chapter II of the FEIS. The reasons for not retaining the Blue Alternative are also detailed in *US 301 Project Development: Alternatives Retained for Detailed Evaluation* (DelDOT, November 2005), which received concurrence from the agencies. This document is available for review upon request.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

PLEASE PLEASE
PLEASE
SAVE THE WOOLEYHAN
FARM
PLEASE love,
Julia

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DeIDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Julia
Community/Organization: Bark Creek
Address: 123 Bark Creek drive middle town DE 19709

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Julia:

Thank you for your comment.

We have worked with the community and the resource and regulatory agencies to develop an option (4B Modified) that will avoid the Wooleyhan Farm.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

- Why does the purple route require elevation?
Why can't some of the existing roads where
301 will cross be elevated instead - this
would help with costs + noise if it
could be done

Have you considered the loss of business income
if yellow isn't built - i.e. will the
existing business be impacted disproportionately?

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: _____

Community/Organization: _____

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response:

The elevation of the Purple Alternative is required where it crosses existing US 301 near Armstrong Corner Road, crossing the Norfolk-Southern railroad, where it crosses Boyds Corner Road (two places) and at the ramps to SR 1. It would be impractical from both an engineering standpoint and a maintenance of traffic standpoint to rebuild the existing facilities.

The implementation of an alternative, other than the Yellow, will result in some decrease in drive-by traffic for businesses along existing US 301 through Middletown, resulting in negative effects to existing businesses. In addition, the No-Build Alternative would result in increased congestion which would, in turn, hinder access to local businesses.

A limited access highway, regardless of the alternative selected, would alter the thinking process by drivers of through traffic regarding the need to access local businesses. However, while some business losses from through traffic must be anticipated, the increased ability for local trips to access local businesses coupled with the growth in the area is anticipated to actually provide some benefit to local businesses. With the decreased congestion that results from the removal of through traffic from the local roadways, it is expected that business impacts from the limited access roadway would be negligible and that some businesses will actually be helped by the improved local access and reduced congestion.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday, January 8, 2007 & Tuesday, January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

Hi, I live on Strawberry Lane 209 on the West Side of 301 according to the plans it looks like I might lose about 15-25 FT in my front yard. That would be ok BUT I think it might impact my septic system. (I am going to look into that)

My suggestion would be taking more property from the North side of Strawberry Lane (Dr. Boste's property) and add to Strawberry Lane that way. Just an idea to consider

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Jim Young
Community/Organization: Home owner & local Real Estate Broker
Address: 209 Strawberry Lane 19209 cell 302-547-2525

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Jim Young:

Thank you for your comment.

We will consider your request to move the alignment to avoid impacts to your property. We may not be able to accommodate all of these requests, because alignments often represent a trade-off of impacts to properties on either side. We will evaluate your request, as well as others of a similar nature, during the final design phase of the project.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

I support the Green North Option.
It is one of the Lower cost options
Has a lower impact on the environment.
Has less impact on existing properties.

Thank You.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Jack L. Holaman

Community/Organization: _____

Address: 122 Churchill Lane, Wilmington DE 19808

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Jack Holaman:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

I fully support recommendation by project team of Green route North with Spur. I believe the project team has done an excellent professional job in weighing advantages & disadvantages of all alternatives. As a member of Middletown Baptist Church, I am pleased that the proposed alternative does not cause the direct impact of the church property, although the close proximity of the route will have some negative impact such as noise, traffic, in not directly impact on church property (as other alternatives do). I am pleased & fully support the recommended route (Green + Spur North.)

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Guy Matthews

Community/Organization: Middletown Baptist Church

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Grey Matthews:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

*I'm for The Green
route*

*it SAVES my CHURCH New Covenant
Ptes. BY TENANT*

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

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OPTIONAL: Please provide your information:

Name: _____

Community/Organization: _____

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

*I like Green North. It does not impact Lea Earo Farms
and it is best for New Covenant Church on Junction Corner Rd.*

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

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OPTIONAL: Please provide your information:

Name: *Catherine L. Short and J. Michael Short*

Community/Organization: *Lea Earo Farms*

Address: *425 Maplewood Dr. Middletown, DE 19709*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Catherine L. and J. Michael Short:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

Green looks good to me

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

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OPTIONAL: Please provide your information:

Name: *Benj. M. Pleasanton*

Community/Organization:

Address: *561 Whispering Trail Middletown De 19709*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Benj. Pleasanton:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

Would like to have a copy of Retained Alternative map.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: *Ron Czajkowski*
Community/Organization: *1362 CEDAR HANE Rd.*
Address: *Middle town DE 19709*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Ron Czajkowski:

Thank you for your comment; a copy of the map was forwarded to you after the January 8, 2007 meeting.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

Living in MD and doing most of my shopping in Middletown, my concern is access to local 301 without having to pay a toll.

Hopefully with EZ Pass it would be possible to deduct the toll at the Levels Rd interchange.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Russell Brown

Community/Organization: _____

Address: 13972 Mill Creek Ln Golden MD 21635

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Typed for readability:

Living in MD and doing most of my shopping in Middletown, my concern is access to Local 301 without having to pay a toll.

Hopefully with EZ Pass it would be possible to deduct the toll at the Levels Rd. interchange.

Response to Russell Brown:

Access to local US 301 will still be available using existing local roads such as Warwick Road, Strawberry Lane and the Levels Road access.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

JAN. 8th 2007

WE WOULD PREFER THE BROWN ROUTE, HOWEVER THE GREEN ROUTE WOULD BE OKAY IF IT CROSSES ARMSTRONG CORNER INSTEAD OF BOYDS CORNER ROAD.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

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OPTIONAL: Please provide your information:

Name: *N/A*

Community/Organization: _____

Address: *N/A*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response:

Thank you for your comment.

We appreciate your preference for the Brown Alternative and the reasons you have for preferring it over the Green North Alternative. The reasons for DelDOT's recommendation of Green North as the preferred alternative, and the reasons why the other alternatives were not recommended, are documented in Chapter V of the DEIS, in the public workshops and public hearings displays and handouts, and in Chapter II of the FEIS.

DelDOT's reasons for not preferring the Brown Alternatives include:

- Major impact to Summit Airport
- Greatest impact to communities at the base of Summit Bridge due to the proposed 3-level interchange
- Greatest impacts to high quality wetlands
- Considerable opposition from those expressing an opinion at public workshops and community meetings

The Green Alternative crosses both Armstrong Corner Road and Boyds Corner Road.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

GOOD JOB GUYS!

I / We wish to comment or inquire about the following aspects of this project: „

STILL LIKE YELLOW RT. ~~TRAFFIC FURTHER~~
I CAN LIVE WITH GREEN NORTH
BECAUSE THERE IS NO ON/OFF (OF SPUR)
RAMPS TO SCHOOL HOUSE RD AND
CHURCH TOWN RD. THAT'S GREAT.
ALSO ARMSTRONG CORN EMBARCASSMENT
MOVED CLOSER TO OLD 301. THIS
MEANS TO ME THAT TRAFFIC WILL
MORE LIKELY NOT BACK ~~TRIP~~
CHARTER RD TO GO NORTH TO
SUMMIT WHEN THEY CAN STAY
ON THE SPUR TO GO NORTH ACROSS
SUMMIT BRIDGE WITHOUT A
TOLL. TRAFFIC ON THE SPUR WILL
HAVE NO REASON TO SLOW DOWN OR STOP.
LEAST AMOUNT OF NOISE

Please ADD my/our name(s) to the Mailing List Please DELETE my/our name(s) from the Mailing List

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OPTIONAL: Please provide your information:

Name: DONN WILT
Community/Organization: FOX HUNTER CROSSING (RT 15/CHARTER RD)
Address: 417 JOSHUA LN.

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Don Wilt:

Thank you for your comment.

We appreciate your preference for the Yellow Alternative and the reasons you have for preferring it over the Green North Alternative. The reasons for DelDOT's recommendation of Green North as the preferred alternative, and the reasons why the other alternatives were not recommended, are documented in Chapter V of the DEIS, in the public workshops and public hearings displays and handouts, and in Chapter II of the FEIS.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

*I agree with the green alternative North plan as the preferred
Alt for the New 301, alt seem to have the less impact on housing and land
and resources. Go green*

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: _____

Community/Organization: _____

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Typed for readability:

“I agree with the green alternative North plans as the preferred rt for the new 301. It seems to have the lease [sic] impact on housing and land and resources. Go green.”

Response:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

I'd like to show my support in favor of DelDOT's Green Alternative North plan. I believe this option will be the most successful as it affects the least amount of surroundings in its construction. I believe the Green Alternative North is a very positive option & I look forward to seeing the progress on this project.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

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OPTIONAL: Please provide your information:

Name: Jessica Reagle

Community/Organization:

Address: 97 Emerald Ridge dr. Bear, DE 19701

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Jessica Reagle:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

I THINK Del DOT HAS DONE THEIR HOMEWORK AND THE
GREEN + SPUR NORTH IS THE BEST CHOICE FOR RT 301
RELOCATION AND EXPANSION. THIS IS THE LEAST EXPENSIVE
ALTERNATIVE, AND DISPLACES THE FEWEST PEOPLE. GOOD
JOB!

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: _____

Community/Organization: _____

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
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Response:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

Dear Sir, I am in support of DelDOT chosen preferred alternative for US 301 - The Green P. Alt. w/ connecting Corner Rd Opt 2A and Summit Bridge Opt 3B. Looking to the future this is the most logical alternative. Thank you Jim Relling

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

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OPTIONAL: Please provide your information:

Name: _____

Community/Organization: _____

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

This study has been going on for a long time. I support the decision to use the Greenwhite Road as has been recommended. It seems to have less impact on the environment, creating housing while allowing the road to fulfill its purpose of moving traffic north/south in a safe manner. Creating every route will have a negative impact of some sort, but the Green-Trail seems to be the best. After all that has been done I would trust that DelDOT's decision would not be overturned.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: *Scott Burkley*
Community/Organization: *New Covenant Presbyterian Church*
Address: *506 Aspen Ct Middletown DE 19709*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Scott Burkley:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

1/8/07

Wanda James
234 Oak Dr
Middletown De 19709

We wish to ask that the recommendation be Green South.
We understand North was chosen however it will greatly
impact the residents of Armont and our property values

The Environmental impact is not dramatically different
w/ the 2 routes however the South would LESSEN
the Air & noise pollution this will bring as a 4 lane
highway

We ask that a berm run the entire length of
Armont if in fact the North route is chosen.
We ask that the Armont residents be given a choice
or choices

Please choose the Green South route

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Wanda James

Community/Organization: Armont

Address: 234 Oak Dr.

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Wanda James:

(See also Section D Public Testimony – January 8, 2007)

Thank you for your comment.

The rationale and justification for the selection of Green North as DelDOT's recommended preferred alternative are well-documented in the DEIS (Chapter V). The recommendation was based on a balanced overview which included a comparison of the impacts to the natural environment (wetlands and waters of the US, potential bog turtle habitat and forests), social and economic impacts (property acquisition, relocations, community and community facilities), cultural resources (physical, noise and visual effects) and the feasibility and restraints of the engineering design (ability to meet project purpose and need, design complexity, construction costs) of various elements of the roadway. When compared to the Green South Alternative, the differences in environmental impacts were that the Green North has lower wetlands, forest and stream impacts and has less potential to disrupt the habitats of wetland dependent wildlife. Green North also has a single, shorter and more perpendicular crossing of Scott Run than Green South. The Green South Alternative has an additional crossing of Scott Run. For these reasons, DNREC did not support the Green South Alternative. The Green North Alternative represents, in the opinion of the resource and regulatory agencies, the best solution to the existing need.

During final design, the elevation of the roadway in this location will be evaluated further in an effort to keep the profile as low as reasonably possible. A visual earthen berm is proposed between the community and new US 301 to minimize visual and noise impacts.

During the final design phase, DelDOT will evaluate the practicality of constructing the berm prior to construction of the roadway or as a part of the initial phase in the sequence of construction.

DelDOT will continue to evaluate the feasibility of extending the berm during final design. The berm is currently not proposed where the roadway will be below-grade.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

I am writing in support of the Green North
Alternative as it provides easy access
to Scott Run business park which makes it more
convenient for employees + business people to access park

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Dana Adlesic

Community/Organization: SELF

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Dana Adlesic:

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

save

*Please
save the
wooleyhan farm
please*

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: *Jeffrey William Smith*

Community/Organization:

Address: *123 Back Creek*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Jeffrey Smith:

Thank you for your comment.

We have worked with the community and the resource and regulatory agencies to develop an option (4B Modified) that will avoid the Wooleyhan Farm.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

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Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project:

I don't think you should destroy the Wooleyhan farm.
Please find some where else to build your road.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: Emily Rose Smith

Community/Organization: _____

Address: _____

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Emily Smith:

Thank you for your comment.

We have worked with the community and the resource and regulatory agencies to develop an option (4B Modified) that will avoid the Wooleyhan Farm.

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

**DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS**

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
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Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I / We wish to comment or inquire about the following aspects of this project: _____

Is there serious consideration being given to the road surface to reduce the tire noise due to expansion strips and rumble strips. This noise, if there, can carry great distances.

Please ADD my/our name(s) to the Mailing List

Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:

Name: *Gregory G. Gaden*
Community/Organization: *Spring Mill*
Address: *81 Spring Mill Drive - Middletown DE*

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Typed comment for readability:

Is there serious consideration being given to the road surface to reduce the tire noise due to expansion strips and rumble strips?

This noise, if there, can carry great distances.

Response to Gregory Gaden:

Thank you for your comment.

The preferred roadway material is concrete, based upon its durability and long life. Although concrete is the material of choice, concrete roadways may not be feasible throughout the length of the project due to increasing costs of this material. Other materials, such as asphalt, may be used. Although studies have shown that asphalt roadways do not generate as much noise as concrete, the use of asphalt paving is not considered when evaluating noise abatement.

Other roadway construction elements, such as rumble strips, are installed for safety purposes and in conjunction with toll facilities, should traditional toll collection facilities be provided.

US 301 Project Development Final Environmental Impact Statement



STEPHEN POWELL
17 MEADOW DR.
MIDDLETOWN, DE 19707
302-668-6344
302-499-5205

U.S. 301 Testimony of January 8, 2007

Good evening, my name is ~~Andy Daley~~ ^{STEPHEN POWELL} and I am ~~the Board President of the~~ ^{a RESIDENT} Chesapeake Meadow Maintenance Corporation. I am testifying on behalf of the entire Chesapeake Meadow community tonight.

First and foremost, our community is clearly the most negatively impacted by the Green Route and the proposed spur than any other existing community in Middletown. Our voices must be heard.

My testimony will include our points of opposition to both the proposed spur and the overpass on Churchtown Road, as well as our proposed alternatives.

First, regarding the spur, the 68 homeowners of Chesapeake Meadow object to the proposed spur for the following reasons:

1. The spur would cause an extreme increase in noise to our very quiet country community. In your own sound study it was noted that the current sound weighted average is 47DBA Maximum. The expected final DBA will be around 65 DBA. This is an unacceptable increase of approximately 20 times or 2000 percent in perceived sound. The Churchtown Road bypass would provide a path for sound to escape without careful design of sound abatement. What DBA will DelDot guarantee for our community? Will DelDot reimburse our community for our own sound study? Can DelDot provide sound abatement similar to the Blue Route in Pennsylvania? The current stated sound budget is not large enough. We expect that the final sound level will be around 50 DBA with only limited excursions to 55 DBA due to the published expectations of other similar road projects in the DE, PA, NJ areas when an existing residential neighborhood is being affected. We remind you that an increase of 10DBA is an increase of ten times the existing sound power levels.
2. The spur would negatively impact the value of our homes, especially those which are immediately adjacent to it.
3. The spur would be an unsafe distance from the playground and park area utilized by our development and Dickerson Farms. The close proximity of our neighborhood to the spur would absolutely put our children in danger, especially since the only divider proposed by the 301 Planning Commission is a berm, which is essentially a pile of dirt between our children and tractor trailers traveling at 70 miles an hour.
4. Reducing future traffic has been stated by the 301 Planning Commission as a reason for building the spur, but we strongly believe that it would in fact **increase** the flow of traffic on Choptank and Churchtown Roads by redirecting traffic off existing 301/896 and the spur to avoid tolls. In addition, traffic on Choptank and Churchtown Roads is currently very light, no matter what statistics the 301 Planning Commission has published.

1

Response to Stephen Powell:

See also the response to Stephen Powell – Private Testimony – January 8, 2007

Thank you for your comment.

Response to comment 1:

Noise analysis for the US 301 project follows the national requirements of the FHWA and the DelDOT Noise Policy, and use the Design Noise Level of 67dBA (**Activity Category B**) for sensitive receptors such as those in the project area, as listed below. (The handout/Noise Analysis Display from the January 8 and 9, 2007 Public Hearing, which were handed to all attendees at the Hearing, provided information regarding FHWA and DelDOT noise policies.)

The FHWA Design Noise Levels are as follows (refer to DEIS, page III-65, Table III-31):

- Activity Category A: Design Noise Level 57 dBA Leq(h) (exterior) Land on which serenity and quiet are of extraordinary significance and serve an important public need, and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
- Activity Category B: Design Noise Level 67 dBA Leq(h) (exterior) Residences, motels, hotels, schools, churches, libraries, hospitals, picnic areas, recreation areas, playgrounds, active sports areas, and parks.
- Activity Category C: Design Noise Level 72 dBA Leq(h) (exterior) Developed lands, properties or activities not included in categories A and B above.
- Activity Category D: (no level assigned) Undeveloped lands.
- Activity Category E: Design Noise Level 52 dBA Leq(h) (interior) Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals and auditoriums.

DelDOT considers noise mitigation when either of the following conditions is satisfied:

- predicted design-year noise levels exceed existing noise levels by 10 dBA or greater, regardless of overall noise level or
- predicted design-year noise levels approach or exceed the FHWA's Noise Abatement Criteria Design Noise Levels listed above; i.e. FHWA and DelDOT consider a noise impact to occur for Category B when the design-year noise level would be 66 dBA or greater.

In the noise analysis, Chesapeake Meadow was identified as a noise-sensitive land use (NSA) under Activity Category B of the FHWA Noise Abatement Criteria (NAC). Existing noise levels were measured at 47 dBA for both primary Chesapeake Meadow receptors CM-1 (208 Deerfield Court) and CM-3 (26 Meadow Lane). Existing noise levels at the property lines along Fox Den Court/Churchtown Road (102 Fox Den Court) were projected at 50 dBA. Current community noise levels are influenced mainly by local activity. Design year noise level predictions for 2030 show an increase from 5 to 13 dBA above existing noise levels in the west portion of Chesapeake Meadow. Receptor CM-3 is in the rear yards of the properties on the west side of the

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US 301 Project Development Final Environmental Impact Statement



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community, and shows the greatest predicted noise increases. These increases are measured and predicted without accounting for the proposed visual earth berm.

These noise levels were assessed according to FHWA NAC. Year 2030 noise levels along the west row of residences, within Chesapeake Meadow, would exceed federal guidelines at eleven properties. Year 2030 noise levels along the south row of residences (Fox Den Court), within Chesapeake Meadow, would not exceed federal guidelines, with the anticipated increase of 4dBA over existing noise levels, and no increase when compared to year 2030 No-Build.

Noise mitigation options were analyzed, but none was found to be cost-effective, as defined under DelDOT's noise policy (approved by FHWA). Although the criteria for the construction of a noise barrier or berm in this location are not met, DelDOT has committed to constructing a visual screening earth berm (11 feet high by 1,600 feet long) between the community and the Spur Road (including not only the affected residences along Meadow Lane, but extending beyond to the southern end of the community). The length of the berm is limited on the south by Tidewater Utilities and on the north by Back Creek. The presence of this visual berm would also be beneficial to the community with regard to noise, reducing noise increases to only 1 dBA at the Deerfield Drive location and a 5 dBA increase at meadow Lane.

The relationship between decibel increases and the actual volume of noise is a complicated one. The ability of the human ear to perceive a change in noise is limited. A 3 dBA increase is generally "barely perceptible" and a 5 dBA increase is considered "recognizable" or "noticeable". Also, while a 10 dBA increase is a 10-fold increase in power, it is only a perceived doubling of the volume to the human ear.

Response to comment 2 (previous page)

Neither DelDOT nor FHWA can be responsible for any decrease in property values because of the proximity of a roadway project, and there is no compensation available for such changes in property values. On the other hand, there is equally no compensation for FHWA or DelDOT for potential increases in property values that may occur because of a highway project.

Response to comment 3 (previous page)

The proposed berm would be 11 feet high in this location; continuous safety fencing will also be installed on both sides of the Spur Road to prevent pedestrian access to the highway.

Response to comment 4 (previous page)

With the Green Alternative plus the Spur Road, the average number of daily vehicles projected to use Choptank Road north of Churchtown Road would be 5,400, approximately 57% less in 2030 than with the No Spur Road condition (14,500). Additionally, the average daily traffic on existing US 301/SR 896 is projected to be 1/4 less with the Green plus Spur Alternative (27,900) than with the No Spur Road condition (37,200).

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Throughout the US 301 Project Development effort, the project team has been aware of the potential effects of toll diversions on local communities and has worked to mitigate these potential effects. Two different working groups, which included members from DelDOT, community leaders, law enforcement, local elected officials, and other technical staff (including representatives from the Maryland State Highway Administration), were established during the process. These working groups were primarily focused on the issue of heavy truck diversions, and developed a series of recommendations to help manage these diversions through a combination of truck restrictions on local roads and targeted enforcement efforts.

The working groups also examined the potential for passenger cars to divert around the toll facilities. Based on the toll rates assumed in our analyses, these types of diversions were not projected to be significant, with the exception of the area of Warwick Road (near the MD/DE state line). Additional measures are being considered for this area to address the potential for traffic diversions. These efforts are detailed in the FEIS, Chapter III.G.4.c and Chapter IV.C.

With regard to traffic using SR 15 (Choptank Road/Bethel Church Road) to avoid the US 301 tolls, it is in the best interests of DelDOT to entice traffic to use the toll facility; more traffic on the toll road will result in more revenue and a more financially sound project. To that end, DelDOT will work to establish a tolling structure and toll rates which attempt to minimize diversions to alternate routes (including Choptank Road), while optimizing the revenues from the new toll facility. Clearly, it would not be in the best interests of DelDOT to include design features on this new facility that discouraged its use and reduced the potential toll revenues.

Response to comment 5 (next page)

The recommended Spur Road includes a "Y" type interchange south of Summit Bridge, which has been developed in accordance with current DelDOT design standards. The interchange has been analyzed and is projected to operate at a satisfactory level of service in design year 2030. Daily traffic on Summit Bridge, in Design Year 2030, is projected to be 59,500 vehicles per day with new US 301 and the Spur Road, while the projected volume on the Summit Bridge is 53,900 vehicles per day with new US 301, but without the Spur Road, a difference of less than 10%. Traffic projections show that regardless of the alternative, including the Middletown Corridor Coalition's suggested Green North without the preferred Spur Road, there is a consistently high traffic demand to use Summit Bridge.

The volume of traffic projected to use the Summit Bridge daily in 2030 with the Green Alternative with the Spur Road is 59,500; under the No Spur Road condition the volume is 53,900 and under the No-Build, 65,000. Therefore, the Green Alternative with the Spur Road is projected to provide some relief to traffic on Summit Bridge in 2030. While both of these projections represent a significant increase over existing daily volume of 26,300, the level of service (LOS) on Summit Bridge is projected to be LOS D during peak hours with the Green with the Spur Road, which is still considered acceptable.

The ability to provide capacity improvements north of Summit Bridge was designed into the *(continued on next page)*

US 301 Project Development Final Environmental Impact Statement



5. The spur in conjunction with existing 896/301 would cause extensive additional traffic north bound on Summit Bridge, causing a bottleneck effect. We base this point on the fact that at the first US 301 meeting, the project representatives stated that the Bridge cannot and must not sustain any additional traffic flow. However, now the Commission is trying to justify increasing traffic via the spur to the bridge. Additionally, there are no proposed improvements for 896 north of the bridge. This area already experiences high traffic volume and the spur would only add to this issue which has been conveniently absent in all planning and discussions of this project.
6. No one in Middletown would even use the spur except for the 100 yards just south of the bridge, and in fact the people to most benefit from the spur would not even be from the State of Delaware. How can the commission justify spending over \$100 million dollars of our tax money to build a road that we cannot even access or utilize to our benefit.
7. The residents of Chesapeake Meadow are disappointed and somewhat dismayed that the spur was added to the green route somewhat after the fact. The people of this community supported the green route only to find out that the green route now represents all of the negative aspects of the brown route, which we fully opposed. There is a feeling in our community and in the town of Middletown in general that the Commission is trying to justify previous actions and purchases of property while not looking out for the residents of Delaware.

For these vital reasons, the 68 homeowners of Chesapeake Meadow strongly oppose the proposed spur. This roadway would have no significant positive impact on Delaware residents and would be utilized only to a minimal extent by its residents.

Therefore, we have compiled the following alternatives, which must be considered:

Our first proposed solution, to remove the proposed spur, would in fact save Delaware taxpayers at least \$75 million dollars and would decrease the negative impact of the green route on property owners by an estimated 20%. If the \$100 million dollar spur is not constructed, the green route would, as a result, become the least expensive 301 alternative.

For these reasons, we recommend that existing 301/896 be utilized as the spur from the base of Summit Bridge to the proposed Green Route entrance/exit between Armstrong Corner Road and School House Road, without tolls. This would alleviate the construction of an entirely separate roadway and would lessen the direction of additional traffic to the Summit Bridge.

Improving Choptank Road for local traffic has already been approved under a separate DelDot budget. The curve on 301/896 just south of the bridge is also already slated to be improved. We suggest also improving access to Bethel Church Road just south of the bridge by straightening out the entrance curve.

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dualization of US 301/SR 896 that was completed in the 1990s. Should capacity be needed north of the bridge, it can be built within the existing right-of-way from the bridge to US 40 and with the acquisition of right-of-way between US 40 and I-95. In that scenario, the Summit Bridge would indeed be the bottleneck.

Response to comment 6

The purpose of the Spur Road is to better manage traffic from existing US 301 and the Westtown area destined for Glasgow, Newark and points north (approximately 1/3 of the traffic currently on existing US 301 near the Maryland line). The Spur would reduce traffic on local roads such as existing US 301 and Choptank Road, thus reducing congestion and improving safety.

Surveys of current traffic show that 65% of northbound US 301 traffic is going northeast (SR 1), 35% of northbound US 301 traffic is going north (SR 896), and 95% of the long distance or inter-state trucks are going northeast (SR 1).

Traffic projections (2030) support the need for a new 4-lane US 301 and 2-lane Spur Road. Northbound traffic projected to use the Spur Road includes 57% from the new Levels Road interchange (southern Middletown area, including Westtown), 39% comes from MD, and 4% is from other locations

The Spur Road significantly reduces traffic on Choptank Road (by 57% - 14,500 to 6,200 vehicles per day) and on existing US 301 (by 25% - 37,200 to 27,900) compared to non-spur options, in year 2030. The Spur Road draws traffic away from two undivided roads (Choptank Road and US 301) and places it on a divided roadway (Spur) – divided roadways typically have lower accident rates. And, the Spur Road provides additional opportunities in addressing the sharp curve and traffic signal at the base of the Summit Bridge. The Spur Road will also provide another north-south route that could carry traffic in the event of a major incident (closure of SR 1 or US 301, or evacuation).

The Project Team presented a Spur Road option that provided local access via intersections with major local cross roads (Old School House Road and Churchtown Road). However, comments were received from the public and New Castle County opposing this option, due to concerns that the additional local access would accelerate proposed development in the area or result in new development in areas to the west of the Spur Road that are not projected for development.

DelDOT considers the cost of the Spur Road appropriate to provide a through route for through traffic (especially truck traffic) that will separate this traffic from local vehicular traffic and increase safety on local roadways, thus benefiting local residents. The Spur Road will also serve southern Middletown, as well as decrease the need for future improvements to Choptank Road and existing US 301.

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US 301 Project Development Final Environmental Impact Statement



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Response to proposed solution one:

This comment suggests improving US 301 from Armstrong Corner Road to Mount Pleasant and eliminating the Spur Road. However, traffic analysis suggests the need to widen existing US 301 from Peterson Road to Mount Pleasant, should the Spur Road be deleted. Improvements would include adding one additional lane in each direction plus a continuous left turn lane and a raised median or additional left turn lane as necessary. Widening would occur primarily along the west side of the roadway, and would require approximately 55 feet of additional right-of-way (ROW) along the west side of the corridor. On the east side, approximately 20 feet of additional ROW would be required. In locations of existing Section 4(f) historic resources (RG Hayes House, CRS Number N05153; Armstrong Walker House, CRS N05146, and Mt. Pleasant Farm, CRS N05242), the roadway would be shifted to avoid impact to these properties. These shifts would require additional ROW from the opposite sides of the roadway. DelDOT has considered this option and believes it is not the most prudent approach. While the total cost of this option is approximately \$67-\$83 million, less than the estimated preferred Spur Road cost of approximately \$105-\$120 million, it does NOT fully meet the project purpose and need:

- Results in more traffic on local roads (e.g. Choptank Road and existing US 301, among others)
- Results in higher accident rates/actual accidents, because of more traffic on lower type roads, signalized/unsignalized intersections and numerous access points
- Results in mixing through truck traffic with local traffic from north of Armstrong Corner Road to Summit Bridge (reference two recent accidents near DE/MD line – 4 fatalities – (both involved 18-wheelers) and the most recent accident/fatality at US 310/SR 896 and Old Summit Bridge Road..
- Results in reduced traffic at the toll plaza just north of the state line – less toll revenues to fund new US 301 and the Spur Road and results in diversion of truck traffic to local roads in DE and MD.
- Results in significant property impacts along existing US 301, as noted below, due to the need to widen existing US 301 from Peterson Road to Mount Pleasant.

Partial Impacts to Businesses: Burger King, Summit Plaza, Middletown Chevy, Nu-Car Connection, Middletown Medical Professional Bldg, Ciamaricone’s Landscaping, Tri State Materials, Cooper Wilbert Vault Company, Mr. Mulch, Guardian Fence Company, Rollins Metal Works, Keenan Auto Body Shop , 301 Cycle, Shops of Mt. Pleasant

Total Takes of Businesses: Ringold Chapel AME, Logullo’s Country Market, M. Madic, Inc., KO’s Cleaning

Partial Impacts to Homes: 3 plus impacts to Middletown Village and Springmill

Total Takes of Homes: 9

Plus impacts to additional vacant or farmed residential/commercial properties

The Recommended Spur Road does not require taking any residential homes or businesses.

DelDOT will continue to consider the feasibility of adding a greenway trail adjacent to the east side of the Spur Road. Changes to the typical section of the Spur Road, such as an adjustment of the width of the median or reduced clearances could be evaluated to provide some additional outside width and include the proposed trail within the right-of-way without additional property acquisition.

Response to proposed solution two:

DelDOT would like to note the following with respect to the proposed Spur Road in the vicinity *(continued on next page)*

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of the Chesapeake Meadow community. An 11’x 1,600’ long earth berm is proposed between the Spur Road and Chesapeake Meadow. Approximately 150-175 feet of additional open space would remain between the bottom of the earth berm (community side) and the nearest property line at Chesapeake Meadow. This additional open space results from the proposed US 301 Spur Road being shifted to the west as it passes Chesapeake Meadow, such that the proposed travel lanes actually fall outside of the DelDOT-owned right-of-way. This was done to ensure ample room for an earth berm, as well as to shift the roadway as far from Chesapeake Meadow as reasonably possible. The strip of property directly to the west of Chesapeake Meadow, owned by DelDOT, is approximately 2,200 feet in length and varies in width from 250 on the south end to 350 feet on the north end. As a result of this westerly shift, DelDOT needs to acquire an additional strip of property adjacent to the DelDOT-owned parcel approximately 2,220 feet long and 200 feet wide.

Suggestions have been received from impacted property owners on both sides of the Spur Road, requesting DelDOT look at moving the alignment to avoid their specific property. The requests from those in Chesapeake Meadow to move the corridor further to the west have been countered by the owners of the farms west of the proposed Spur Road, whose desire is to have the road moved further to the east and closer to the vicinity of Chesapeake Meadow. Clearly, both sides cannot be accommodated, and the roadway has already been shifted further from the Chesapeake Meadow community to provide the distance needed to construct a visual berm for the community. For those on both sides of the roadway, additional shifts in the alignment are not being considered at this time. However, we will review the alignment in this location during final design and evaluate the potential to shift the alignment and/or narrow the proposed cross-section, which could potentially lower impacts on both sides.

With regard to the overpass of Churchtown Road:

(1) Under the current design and based upon the level of information available at this time, Churchtown Road would not be closed during construction of new Churchtown Road over the Spur Road. The new Churchtown Road overpass would be located just to the north of the existing roadway, with retaining walls to allow existing Churchtown Road to remain open in both directions during construction. There however most likely will be intermittent lane closures to allow for construction adjacent to the existing roadway as is typical with any roadway construction. Access to Tidewater Utilities will be maintained and they will not be acquired for the project.

During construction of the overpass, it may be necessary to close one lane of Churchtown Road while a section of retaining wall is constructed along the south edge of new Churchtown Road. During this period, the contractors would use flaggers so that continuous access could be maintained. It is currently anticipated that traffic will be maintained continuously on Churchtown Road during construction and will not be diverted as noted in the comment above.

Finally, the highest elevation on the Churchtown Road overpass will be approximately elevation 77. The elevation of the backyards of 102 and 104 Fox Den Court are approximately elevation *(continued on next page)*

US 301 Project Development Final Environmental Impact Statement



Utilizing existing 301/896 would benefit everyone by saving vast amounts of money and time. Obviously, this would also remove the negative impacts on Chesapeake Meadow and the large number of homeowners in the area affected by the proposed spur.

In addition, we suggest that the 301 Commission sell the properties previously purchased, at quite a profit most likely, and return this money into the main 301 project. Or perhaps the properties previously purchased for the 301 project could be utilized for new open space areas. Middletown would greatly benefit from a bicycling or running track constructed on these properties. Creating new open space would represent a political windfall which would help counteract the bad feelings caused by this project.

Our second suggested alternative, although clearly not as beneficial to our community or Middletown as a whole, is to move the proposed spur further to the west of our community into the open farm field, which is a leased property, not utilized by its owner.

Now with regard to the overpass, the 68 homeowners of Chesapeake Meadow object to the proposed overpass on Churchtown Road for the following reasons:

1. Beginning immediately in front of our community, the overpass would have a negative visual impact by rising 22 feet into the air, taller than our homes. It would also be extremely wide, up to 50 additional feet on either side of the roadway, resulting in the loss of the integrity of a country road.
2. There are only two storm water drainage ponds for both our community and Dickerson Farms, a total of 268 homes. The overpass would run into our front pond, so it will need to be reconfigured. There is no open space available to alter the shape of the pond, and to move the pond would result in our homeowners losing portions of their property once again.
3. The overpass would require removing the berm and trees in front of our development, which the 301 Planning Commission would have to replace for us. In addition, the overpass would cross into homeowner's properties, causing them to lose part of their land. Let it be stated on the record that DelDot never individually advised these homeowners or any member of the community that portions of our open space and privately owned land would be constructed upon. DelDot will have to redesign our entranceway and purchase said land at fair market value at the time of construction.
4. By raising vehicles into the air, the overpass would cause increased traffic noise in addition to the increased noise from the proposed spur. Let it be stated on the record that the 301 Planning Commission has refused to provide us with any noise abatement for noise caused by an overpass due to "costs". We would like the Commission to explain how they are going to decrease the noise traffic with no budget to do so.

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55 and 53.5, respectively. As a result, the overpass structure will be approximately 22 feet above the elevation of the backyard of 102 Fox Den Court and located approximately 1,200 feet from the overpass high point. The overpass structure will be approximately 23.5 feet above the elevation of the backyard of 104 Fox Den Court and located approximately 1,000 feet from the overpass high point. Adjacent to 102 Fox Den Court, new Churchtown Road will remain at the existing location and elevation. Adjacent to 104 Fox Den Court, new Churchtown Road will be located approximately 6 feet closer and approximately 2 feet higher than existing Churchtown Road.

Based on the level of information we have at this time, no homes will be taken for the Churchtown Road improvements. Along the north side of Churchtown Road, currently anticipated impacts involve only the community's common area. We currently anticipate being able to avoid any individual residential property takings. On the south side of Churchtown Road, we have significantly reduced the impact on 838, 842, 852 and 858 Churchtown Road. However, temporary construction easement along these parcels will likely be needed. In addition, some property from 852 and 858 Churchtown Road will need to be acquired to tie existing Churchtown Road into New Churchtown Road. Access to all four properties will be continuously maintained.

The Project Team has also relocated the previously proposed stormwater management pond from the 858 Churchtown Road property to DelDOT property located on the north side of Churchtown Road. Finally, the alignment of New Churchtown Road, east of the Spur Road, has been shifted slightly to the north, to minimize impacts on the wetlands to the south of Churchtown Road and the Zapata property.

(2) The current design does not impact the Chesapeake Meadow stormwater drainage ponds.

(3) A landscaping plan will be prepared during the project's final design to mitigate the removal of the existing berm and trees adjacent to the new US 301.

Potential partial property acquisitions are noted in the DEIS, as are potential relocations; however, only potential relocations are specifically identified. Specifically, as a result of their attendance at a meeting of the Chesapeake Meadow community on the US 301 Project Development effort, the property owners at 102 Fox Den Court were provided information on the potential impact on their property. The overpass will not result in a taking of any property from 100 Fox Den Court. The property owners at 104 Fox Den Court have not been notified of the potential taking of slightly more than 0.1 acre from their property. The potential takings of community open space do not impact the community stormwater management ponds located there. Many of these partial property acquisitions noted in the DEIS have been reduced or eliminated. As noted previously, design and minimization efforts since the DEIS have eliminated any individual property acquisitions along Fox Den Court, and reduced partial property impacts on the south side of Churchtown Road.

(continued on following page)

US 301 Project Development Final Environmental Impact Statement



5. We have been advised that Churchtown Road would be closed for up to 2 years for the construction of the overpass alone, not counting the construction of the spur. This would limit our access to roads, communities, etc. west of Chesapeake Meadow, as well as anyone else who currently drives on Churchtown Road. Closing Churchtown Road would clearly deny the Volunteer Fire and Ambulance Company recently built on Churchtown Road its direct access to any of the communities west of the overpass, although these communities are directly serviced by that fire company. This extreme risk needs to be addressed immediately.
6. Building the overpass as proposed would require the Tidewater Utilities water tower and buildings to be relocated, as the overpass would take over the land on which this utility is located and deny any access to that property.
7. The overpass would have a negative impact on the resale value of our properties.
8. The construction of the overpass and spur would cause extensive damage to the stucco facades of homes in our community and the surrounding area. We would expect the Commission to plan to repair or replace all damage caused by the vibration from construction, yet this has escaped your budget as well.

For these reasons, the 68 homeowners of Chesapeake Meadow testify that the proposed overpass on Churchtown Road will only have negative impacts on the homeowners, utilities, and fire and ambulance company located in that area. Therefore, we request that the overpass be moved to the west beyond the Tidewater utilities, or an even better idea is to not build it at all.

In summary, the community of Chesapeake Meadow opposes the spur as proposed, including the overpass on Churchtown Road. We also oppose the Brown Route, which has the same negative impacts on our community. We implore the 301 Planning Commission to utilize existing 896/301 as the spur. Thank you for your time.

(continued from previous page)

The entryway will not be affected by the overpass since the modifications to Churchtown Road will begin west of the entrance.

(4) 102 Fox Den Court is located at the extreme southern end of Chesapeake Meadow, and would not be impacted by traffic noise from the Spur Road, i.e. the Spur Road does not result in a projected increase of 10dBA or a noise level that approaches 67dBA. The primary traffic noise influence to 102 Fox Den Court is Churchtown Road, which it borders, and not the Spur Road, since the distance to the Spur road ranges from approximately 850 feet at its western-most point to 1,200 feet at the east property line. With no southern exposure to the Spur Road, due to a raised Churchtown Road, 102 Fox Den is only minimally affected by traffic noise from the Spur Road. Thus, although noise levels were modeled accounting for all contributing traffic noise sources to the property, including the Spur Road, Churchtown Road was found to be the most relevant noise source.

The current daily volume of traffic on Churchtown Road is approximately 2,700 vehicles per day (vpd). Under the Green North and No-Spur Road scenario, noise levels are predicted to increase from 50 dBA (existing, modeled) to 54 dBA. Under Green North + Spur Road, daily traffic volumes on Churchtown Road are less (3,700 vpd) than Green North and No-Spur (4,200 vpd), but design-year noise levels are predicted to be the same at 54 dBA. The noise contribution from Churchtown Road being raised is actually reduced slightly as a result of the property's exposure to east-bound traffic on Churchtown Road being slightly reduced. At the same time, the Spur Road results in a minor increase in the design-year noise level, which results in the overall noise level at 102 Fox Den Court being the same, with or without the Spur Road.

(5) See response to number 1

(6) The Project Team has met with Tidewater Utilities, who have generally concurred in the latest concept for the Churchtown Road overpass of the Spur Road, including the suggested method for providing access to Tidewater's facility and operations. Access will be provided, for the most part, along existing Churchtown Road, which will curve to the north and pass under the Churchtown Road overpass bridge.

(7) Neither DelDOT nor FHWA can be responsible for any decrease in property values because of the proximity of a roadway project, and there is no compensation available for such changes in property values. On the other hand, there is equally no compensation for FHWA or DelDOT for potential increases in property values that may occur because of a highway project.

(8) It is anticipated that none of the construction will be close enough to homes in Chesapeake Meadow to cause a vibration that would cause a problem such as described in the comment.

US 301 Project Development Final Environmental Impact Statement



Mr. Mark Tudor, P.E.
US 301 Project Director
Delaware Dept. of Transportation
P.O. Box 778
Dover, DE 19903

Re: Route 301 Preferred Alternative

Dear Mr. Tudor:

I am writing you in support of DeIDOT's chosen preferred alternative for US 301, the Green North Alternative, with Armstrong Corner Road Option 2A and Summit Bridge Option 3B.

I support this alternative for a number of reasons, among which is that it seems to provide the most logical North/South routing and alignment for Route 301, and provides easy access to Routes 1 and I-95 Northbound. In addition, it avoids impacting a lot of pre-existing housing, which saves money in eminent domain takings, not to mention avoiding the imposition of the loss of homes on families. I also think it allows for easy access to the proposed Scott Run Business Park, which will make it much more convenient for employees and business people to access the park, and will help attract some much needed job growth south of the canal.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Susan Squire'.

Response to Susan Squire:

Thank you for you comment.

US 301 Project Development Final Environmental Impact Statement



January 8, 2007

For the record I would like to complain about DELDOT and how they have handled the 301 project

I) Through out the process DELDOT had asked those people who came to their workshops to let them know which Alternatives we liked AND which alternatives we objected to. The Brown Rt had some of the largest objections and smallest support. Not only did it last Thru the process, but at the last minute DELDOT did some small modifications to the Brown RT and added it as spurs to the most popular routes. Del dot purchased the right of way along portions of the Brown route and seems determined to use it not matter what the community has to say.

II) No where in the process has DELDOT disclosed to the community of Chesapeake Meadow or to Homeowners whose property line is on Churchtown Road the fact that they will lose land to Construction of the spur.

III) Del dot has done a sound study for the Community of Chesapeake Meadow that is flawed. The study done, and resulting noise projections were done with out accounting for the Churchtown Rd overpass which will provide a path for sound to escape. When asked about this the Del dot people have informed us that there is no money in the budget for additional studies. When further questioned about noise abatement for both the Spur and overpass the response from DELDOT was that it is too costly And not in the Budget.

Iv) Early on the commission stated that the Summit Bridge must not and cannot sustain any additional Traffic flow. The Spur will infact direct more traffic over the bridge, and when combined with 896 traffic will cause bottlenecks.

I urge DELDOT to go with one more round of public comments, to ask the community if we want the 100 million dollar spur on the Green Rote. I'm sure the comments will be enlightening

Scott Kirchner
102 Fox Den Ct
Middletown De 19709

Response to Scott Kirchner:

Thank you for your comment. For additional information, see the previous response to Stephen Powell, pages 30 to 36 of this section.

(1) In the process that was used for the US 301 Project Development effort, alternatives evolve over time. Alternatives are proposed and eliminated (like the Blue Alternatives) and alternatives change (the addition of the spur to the Purple and Green Alternatives), based on continued analysis and public and agency input.

The public was informed of the Range of Alternatives, the Retained Alternatives, the Recommended Preferred Alternative and the Preferred Alternative. The Green Alternative (including a north and south option) has been under consideration from the beginning of the process and the Green + Spur option has been under consideration since December 2005 when the Retained Alternatives were announced. The addition of the Spur Road presented to the public at the December 2005 public workshops, was presented in considerable detail at the February 2006 "Issues" workshop, including its Purpose and Need, benefits, etc., and again at the April 2006 public workshops. The Green North + Spur was the Recommended Preferred Alternative announced by DelDOT in November 2006, as noted in the DEIS, and was presented as such at the January 2007 Combined Location-Design Public Hearings. Additionally, after every workshop/hearing, the Project Team mailed extensive documentation to community leaders including those from Chesapeake Meadow. DelDOT has been aware of the community's "no spur" position as a result of the comments and petitions received during the workshops' comment periods, including those from residents in Chesapeake Meadow and others.

The Spur Road was added because:

(1) it balances the available capacities of the Summit Bridge, SR 1 bridge and St. Georges Bridge crossings of the C&D Canal;
(2) its addition provided flexibility in addressing the sharp curve and signal at the base of Summit Bridge at the intersection of SR 896, US 301, and SR 15; and
(3) it will accommodate the 35% of through traffic that was identified in the Origin & Destination Survey, and confirmed by traffic projections, as desiring to access points directly north, while the US 301 mainline will accommodate the 65% of through traffic wishing to access I-95 and points to the northeast.

(2) Potential partial property acquisitions are noted in the DEIS, as are potential relocations; however, only potential relocations are specifically identified. Specifically, as a result of their attendance at a meeting of the Chesapeake Meadow community on the US 301 Project Development effort, the property owners at 102 Fox Den Court were provided information on the potential impact on their property. The overpass will not result in a taking of any property from 100 Fox Den Court. The property owners at 104 Fox Den Court have not been notified of the potential taking of slightly more than 0.1 acre from their property. The potential takings of community open space do not impact the community stormwater management ponds located there. Many of these partial property acquisitions noted in the DEIS have been reduced or eliminated. As noted previously, design and minimization efforts since the DEIS have *(continued on next page)*

US 301 Project Development Final Environmental Impact Statement



(continued from previous page)

eliminated any individual property acquisitions along Fox Den Court, and reduced partial property impacts on the south side of Churchtown Road.

(3) Noise analysis for the US 301 project follows the national requirements of the FHWA and the DelDOT Noise Policy, and use the Design Noise Level of 67dBA (**Activity Category B**) for sensitive receptors such as those in the project area, as listed below. (The handout/Noise Analysis Display from the January 8 and 9, 2007 Public Hearing, which were handed to all attendees at the Hearing, provided information regarding FHWA and DelDOT noise policies.)

The FHWA Design Noise Levels are as follows (refer to DEIS, page III-65, Table III-31):

- Activity Category A: Design Noise Level 57 dBA Leq(h) (exterior) Land on which serenity and quiet are of extraordinary significance and serve an important public need, and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
- Activity Category B: Design Noise Level 67 dBA Leq(h) (exterior) Residences, motels, hotels, schools, churches, libraries, hospitals, picnic areas, recreation areas, playgrounds, active sports areas, and parks.
- Activity Category C: Design Noise Level 72 dBA Leq(h) (exterior) Developed lands, properties or activities not included in categories A and B above.
- Activity Category D: (no level assigned) Undeveloped lands.
- Activity Category E: Design Noise Level 52 dBA Leq(h) (interior) Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals and auditoriums.

DelDOT considers noise mitigation when either of the following conditions is satisfied:

- predicted design-year noise levels exceed existing noise levels by 10 dBA or greater, regardless of overall noise level or
- predicted design-year noise levels approach or exceed the FHWA's Noise Abatement Criteria Design Noise Levels listed above; i.e. FHWA and DelDOT consider a noise impact to occur for Category B when the design-year noise level would be 66 dBA or greater.

In the noise analysis, Chesapeake Meadow was identified as a noise-sensitive land use (NSA) under Activity Category B of the FHWA Noise Abatement Criteria (NAC). Existing noise levels were measured at 47 dBA for both primary Chesapeake Meadow receptors CM-1 (208 Deerfield Court) and CM-3 (26 Meadow Lane). Existing noise levels at the property lines along Fox Den Court/Churchtown Road (102 Fox Den Court) were projected at 50 dBA. Current community noise levels are influenced mainly by local activity. Design year noise level predictions for 2030 show an increase from 5 to 13 dBA above existing noise levels in the west portion of Chesapeake Meadow. Receptor CM-3 is in the rear yards of the properties on the west side of the community, and shows the greatest predicted noise increases. These increases are measured and predicted without accounting for the proposed visual earth berm.

These noise levels were assessed according to FHWA NAC. Year 2030 noise levels along the west row of residences, within Chesapeake Meadow, would exceed federal guidelines at 11 properties. Year 2030 noise levels along the south row of residences (Fox Den Court), within Chesapeake Meadow, would not exceed federal guidelines, with the anticipated increase of 4dBA over existing

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noise levels, and no increase when compared to year 2030 No-Build.

The current daily volume of traffic on Churchtown Road is approximately 2,700 vehicles per day (vpd). Under the Green North and No-Spur Road scenario, noise levels are predicted to increase from 50 dBA (existing, modeled) to 54 dBA. Under Green North + Spur Road, daily traffic volumes on Churchtown Road are less (3,700 vpd) than Green North and No-Spur (4,200 vpd), but design-year noise levels are predicted to be the same at 54 dBA. The noise contribution from Churchtown Road being raised is actually reduced slightly as a result of the property's exposure to east-bound traffic on Churchtown Road being slightly reduced. At the same time, the Spur Road results in a minor increase in the design-year noise level, which results in the overall noise level at 102 Fox Den Court being the same, with or without the Spur Road.

102 Fox Den Court is located at the extreme southern end of Chesapeake Meadow, and would not be impacted by traffic noise from the Spur Road, i.e. the Spur Road does not result in a projected increase of 10dBA or a noise level that approaches 67dBA. The primary traffic noise influence to 102 Fox Den Court is Churchtown Road, which it borders, and not the Spur Road, since the distance to the Spur road ranges from approximately 850 feet at its western-most point to 1,200 feet at the east property line. With no southern exposure to the Spur Road, due to a raised Churchtown Road, 102 Fox Den is only minimally affected by traffic noise from the Spur Road. Thus, although noise levels were modeled accounting for all contributing traffic noise sources to the property, including the Spur Road, Churchtown Road was found to be the most relevant noise source.

(4) The recommended Spur Road includes a "Y" type interchange south of Summit Bridge, which has been developed in accordance with current DelDOT design standards. The interchange has been analyzed and is projected to operate at a satisfactory level of service in design year 2030. Daily traffic on Summit Bridge, in Design Year 2030, is projected to be 59,500 vehicles per day with new US 301 and the Spur Road, while the projected volume on the Summit Bridge is 53,900 vehicles per day with new US 301, but without the Spur Road, a difference of less than 10%. Traffic projections show that regardless of the alternative, including the Middletown Corridor Coalition's suggested Green North without the preferred Spur Road, there is a consistently high traffic demand to use Summit Bridge.

The volume of traffic projected to use the Summit Bridge daily in 2030 with the Green Alternative with the Spur Road is 59,500; under the No Spur Road condition the volume is 53,900 and under the No-Build, 65,000. Therefore, the Green Alternative with the Spur Road is projected to provide some relief to traffic on Summit Bridge in 2030. While both of these projections represent a significant increase over existing daily volume of 26,300, the level of service (LOS) on Summit Bridge is projected to be LOS D during peak hours with the Green with the Spur Road, which is still considered acceptable.

The ability to provide capacity improvements north of Summit Bridge was designed into the dualization of US 301/SR 896 that was completed in the 1990s. Should capacity be needed north of the bridge, it can be built within the existing right-of-way from the bridge to US 40 and with the acquisition of right-of-way between US 40 and I-95. In that scenario, the Summit Bridge would indeed be the bottleneck.

US 301 Project Development Final Environmental Impact Statement



TO: DelDOT

January 8, 2007

Re: 301 proposal

I am writing in response to the latest proposal and recommendation for Route 301. First of all, I would like to say that I think the whole process was underhanded and manipulative. After many, many months of meetings and different routes, the spur was added at the end of the process. After people were worn out with meetings and had given up, telling me it didn't matter because the decision had already been made, that is when the spur was added. Many people believe that is why it was added at the last minute, so there would be few, if any, objections. Even after it was added to the remaining alternatives, no mention was ever made of where land would be taken from homeowners. If no objections were raised to the addition of the spur, it was because people were not told of the potential impact. I think if you are proposing to take land from homeowners, you have an obligation to inform them of the possibility. If our development had not had a meeting with the engineers and had continued to ask questions, we would never have known that we could lose our back yard, if the spur is built.

We understand that the land on which the proposed spur is to be built is already owned by the state. I do not think that trying to justify owning that land is sufficient reason to build the spur. You do not have to build on the land, just because you own it. The land could be sold and the proceeds used to fund other parts of the proposed project or left as open space. There is very little open space left in this area.

At the very first meeting, we were told that the purpose was to connect traffic from the Maryland line on 301, to the Route 1 bridge over the canal. We were also told that the Summit Bridge could not handle any more traffic. Now, at the last minute, the spur has been added which will direct a great deal more traffic to the Summit Bridge. Every time we attended a meeting, the explanation changed. No improvements are planned north of Summit Bridge so the increase in traffic will only add to the considerable congestion that exists on 896 north of the canal.

If the spur is built as planned, it will require the moving of utilities. We were told that moving utilities is very difficult and extremely expensive. Tidewater has a tank that would have to be moved. In addition, Churchtown Road would have to be widened in order to raise it to go over the proposed spur. In the process of widening, the storm water retention pond for Chesapeake Meadow would have to be changed or moved. There is no other open space available to accommodate the pond. The land would have to be taken from surrounding homes, in addition to the land that homes along Churchtown Road will lose.

At the meeting of Chesapeake Meadow homeowners with the engineers, we were told that a berm would be built along the proposed spur route to block the sight of and noise from the proposed spur. We were also told that NOTHING would be done along Churchtown Road to shield the homes from noise. Also, raising the road would put it in direct line of sight of the homes there. The road would be higher than our homes and

Response to Christine Burnett:

Pease see the previous responses to Stephen Powell, pages 30 to 36 of this section, and Scott Kirchner, pages 37 and 38 of this section.

Thank you for your comment.

US 301 Project Development Final Environmental Impact Statement



having to look at the road and hear the traffic would destroy the tranquility for which we moved to this area. I think it is inexcusable and outrageous to create this situation and not offer any protection from the noise or line of sight.

The current configuration of the spur would make it very unlikely that it will be used by anyone living in the Middletown area. In order to go to Maryland on 301, local residents would be required to pay a toll. The current 301 would dead end just south of town forcing local residents to get on the new road and pay for being inconvenienced and having our community destroyed.

We have always been told that the Planning Commission actually listened to the local residents who would be directly impacted. The Brown Route received the most negative comments. Instead of dropping it, they turned it in to a spur and added to the other alternatives. I think the Green Route should be used WITHOUT the spur. NOT building the spur would save approximately \$100 million dollars. Summit Bridge Road (301/896) could be improved from the bridge south to the ramp near Armstrong Corner Road, to provide access to Summit Bridge for traffic wanting to go to Newark or south on Route 95.

The engineers said that construction of the overpass on Churchtown Road would require two construction cycles or 18 months to two years. During that time, the Volunteer Fire and Ambulance Company would be cut off from the homes west of the proposed spur, creating a dangerous situation.

Overall, the spur is the worst of all situations. It will cost a great deal of money for very little, if any, benefit to the local community. The results would be almost entirely negative. I hope that my hard-earned tax dollars will not be wasted on this proposed spur.

Christine Burnett
102 Fox Den Court
Middletown, DE

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US 301 Project Development Final Environmental Impact Statement



US 301 Project Development Public Workshops/Combined Location – Design Public Hearings

TRADITIONAL STYLE PUBLIC TESTIMONY 7:00 pm TO CONCLUSION Registration Form

I want to register to provide Traditional Style Public Testimony at the US 301 Public Workshop/Combined Location – Design Public Hearing at the Middletown Fire Hall beginning at 7:00 p.m. on

Monday, January 8, 2007 @ 7:00 pm

or

Tuesday, January 9, 2007

Name CHARLES M. WEYMOUTH ^{LEA} / ARCHITECT-PLANNER

Organization INDEPENDENT

Address 1827 LORAIN AVE.
WILM., DE. 19806-2121

Email address CWEYMOUTH@AOL.COM so we can email you a confirmation of your registration.

Online registration will not be possible after 5:00 p.m., January 5, 2007. You can sign up to provide Public Testimony on site at the Workshop/Hearing sign-in table beginning at 4:00 p.m. on the day of each Workshop/Hearing.

A Speakers' List will be available at the Workshop/Hearing sign-in table showing the order in which people will be called on to provide their Public Testimony. People will be called on to testify in the order registration requests are received.

Response to Charles Weymouth:

Thank you for submitting the written text of your oral testimony presented on January 8, 2007 in the public testimony forum. Responses to your comments are included in that section, Section 1, pages 2-4).

US 301 Project Development Final Environmental Impact Statement



Weymouth Architects and Planners

1827 LOVERING AVENUE
WILMINGTON, DELAWARE 19806
(302) 658-8760

DEL DOT PROJECT 25-113-01
U.S. ARMY CORPS OF ENGINEERS
PROJECT R-2006-6071-1

GOOD EVENING!

I'M CHARLIE WEYMOUTH, AN ARCHITECT AND PLANNER WITH A 39 YEAR PRACTICE -- AND A LOCAL RESIDENT FOR OVER SIXTY YEARS.

MY PLEA THIS EVENING IS AIMED, PARTICULARLY, TO THE ARMY CORPS, THAT PROFESSIONAL BODY TRADITIONALLY UNDER INSTRUCTIONS TO ALSO OVERSEE OUR BRIDGES— THOSE VITAL TRANSPORTATION LINKS SUCH AS THE SUMMIT BRIDGE.

MY PLEA IS THE FOLLOWING:

MAINTAIN THE ORIGINALLY INTENDED INTERSTATE 301 ALIGNMENT AND TIE INTO THE SOUTH NEWARK INTERCHANGE.
(POINT OUT ON MAP)

1

THE PRESENTLY INTENDED DIVERSION EASTWARD TO PREDOMINANTLY SERVE AS A COLLECTOR ROAD FOR TWO PROPOSED HOUSING DEVELOPMENTS SHREDS THE ORIGINAL INTENTION OF RT. 301-THIS STILL A PRIMARY DELMARVA PENINSULA FEEDER TO THE I-95 SYSTEM.

FURTHER-PLEASE CONSIDER FOR ALL AGENCIES THE FOLLOWING:

1. RESTORE I-95 AS THE CRITICAL THRU TRAFFIC MEANS RATHER THAN CONTINUING TO SERVE AS A BADLY IMPACTED SECONDARY ROAD FOR LOCAL TRAFFIC .
2. REQUIRE OF THE INDIVIDUAL STATES TO FUND NECESSARY ACCESS TO THIS SYSTEM.
3. REQUIRE OF THE SPONSORS IN DESIGN FOR LOCAL RESIDENTIAL GROWTH FROM INCEPTION OF PLAN TO INCORPORATE HOW ROAD SYSTEMS WILL BE INCORPORATED AND LOCALLY FUNDED. REQUIRE UNDER/OVERPASSES, AND CONTROL ACCESS MEASURES, INCLUDING CORRECTIVE MEASURES, ALONG RT.'S 301/EXTENDED AS RT. 896 TO BE LOCALLY FUNDED. LOCAL

2

**US 301 Project Development
Final Environmental Impact Statement**



ROADS ABANDONED AS A RESPONSIBILITY BY OUR COUNTY IN THE MID 1930's, BY THE MID 1960'S WITH COUNTY REORGANIZATION, OTHER SUBSTANTIAL RESPONSIBILITIES, (DESPITE NEW, MASSIVE DIRECT FEDERAL MONIES THRU "REVENUE SHARING"), WERE YET QUIETLY RELINQUISHED---WHO COULD BEST OUR COUNTIES FOR LOW REAL ESTATE TAXES ?—ALASKA? ALABAMA? THE LOCAL GOVERNMENT BELIEF HAD BECOME, SUBSTANTIALLY,-"LET THE STATE OR OUTSIDE REVENUES PAY FOR THE NECESSARY INFRASTRUCTURE." OBVIOUSLY, OUR STATE AND REGIONAL INFRASTRUCTURE PLANNING SHOULD BE CAREFULLY PRIORITIZED----IT, CURRENTLY, IS NOT.

4. A FURTHER NOTE!

CONSIDERING DEL DOT'S ANNOUNCED SHORTFALLS, PLEASE GIVE CONSIDERATION TO THE FOLLOWING TO MEET BUDGETARY CONSTRAINTS:

- ABANDON MAINTENANCE OF PRIVATE DEVELOPMENT ROADS.
- ABANDON DEL DOT'S DISCRETIONARY GRANTS TO OTHER

STATE AGENCIES AND PRIVATE ENTITIES.

- ABANDON OBVIOUS, POLITICALLY ACCOMODATING, PROJECTS SUCH AS THE INDIAN RIVER INLET BRIDGE—A BRIDGE WHICH CAN SERVE BUT VERY FEW.

**TO THE CORPS----- STAND BY YOUR ORIGINAL INSTRUCTIONS-
"FACILITATE COMMERCE AND PROSPERITY".**

THE ARMY CORPS OF ENGINEERS MOTTO IS "ESSAYONS"—IT MEANS TRY-TRY TO SEEK BETTER SOLUTIONS:~ONE HERE IS FOUND VERY MUCH IN NEED.

THANK YOU-

US 301 Project Development Final Environmental Impact Statement



US 301 Project Development - Public Hearing Comment Form - January 8 & 9, 2007

DELAWARE DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
US ARMY CORPS OF ENGINEERS

QUESTIONS AND/OR COMMENTS

US 301 Delaware-Maryland Line to SR 1, South of C&D Canal
Combined Location-Design Public Hearings
Monday January 8, 2007 & Tuesday January 9, 2007
4:00 PM to 10:00 PM/Conclusion
Middletown Fire Hall

I wish to comment or inquire about the following aspects of this project:

We continue to support the Green Route with the following concerns

① Impact of North Route on existing homes. If this route is chosen, significant berms and plantings will be needed for noise/visual impact abatement. Road should be at or below grade as much as possible. South route does not impact as many existing homes, but impacts wetlands

② The spur has a high negative impact on existing homes and improvements could be made to existing roads without adding so many ramps, overpasses/bridges, etc. We support improvements but not a major highway

③ We continue our concern that other alternatives could run through New Covenant Church - a significant community gathering place.

Please ADD my/our name(s) to the Mailing List Please DELETE my/our name(s) from the Mailing List

Your comments and opinions are very important. All information provided on this form will be carefully considered by DelDOT. Under state law, this form is public domain, and if requested, a copy of it must be provided to the media or public. Thank you for your participation and contributions to this important transportation project.

OPTIONAL: Please provide your information:
Name: HORACE & LOIS HOUSTON
Community/Organization: NEW COVENANT CHURCH
Address: 210 SLOOP LANE, DRAWYER'S CREEK, MIDDLETOWN DE 19709

Phone 866-485-9988 (toll-free) Fax 302-739-2217 Email dot-public-relations@state.de.us
www.us301.org

Response to Horace and Lois Houston:

Thank you for your comments.

(1): Earthen berms of appropriate size are proposed for the communities of Airmont, Chesapeake Meadow, Middletown Village, Springmill, and Southridge to provide visual screening from the new US 301; these berms will also provide some noise attenuation for residents of those communities. During the roadway design and development of the roadway profile, efforts will continue to be made to look at depressing the roadway wherever the soils and drainage allow for that to occur. To facilitate this, taking local roads over the new US 301 has been a preference in the development of the alternatives.

(2): We acknowledge the potential noise, visual and property impacts of the Spur Road on existing homes. However, traffic studies show that, without the Spur Road, increased traffic on US 301/SR 896 between Armstrong Corner Road and Summit Bridge would require roadway improvements such as widening the roadway to four lanes south of Mount Pleasant. The studies also show that future traffic volumes on Choptank Road would be almost tripled from existing volumes without the Spur Road, which could lead to the necessity of further widening of Choptank Road in the future. Therefore, if the Spur is not built, there is a potential future impact to homes and businesses on Choptank Road and existing US 301/SR 896. The Spur Road is proposed as a limited access, two-lane roadway with a grassed and landscaped median, along the lines of a parkway rather than a major highway.

(3): There are no potential impacts to the New Covenant Church with the Green North Alternative, which is preferred. Options are also evaluated in the DEIS that would avoid the potential impacts associated with the Yellow and Purple Alternatives.