

County ensuring that transportation infrastructure will be constructed in Southern New Castle County, in conjunction with the expansion of public sewer service in Southern New Castle County, to effectively and efficiently support its planned development; and

WHEREAS, it is preferable that the infrastructure for the various projects along Boyds Corner Road and in the area of influence of the Village of Bayberry including road improvements and other transportation-related changes (the New Infrastructure) be designed and constructed in a coordinated fashion, i.e., "master planned", so as to make the New Infrastructure as efficient and inexpensive as possible; and,

WHEREAS, DelDOT desires that the New Infrastructure for the various projects be planned and constructed in a coordinated fashion, and would be pleased to have New Castle County join in this Agreement at such time as the County may desire; and,

WHEREAS, by coordinating the infrastructure related to several projects at once, DelDOT will be able to "master plan" the road improvements in a way that would not be possible on a traditional project-by-project basis; and,

WHEREAS, certain road improvements will be called for by the cumulative effect of the various projects, but no one project could sustain the entire cost for such improvements, nor would it be fair for one project to shoulder the burden alone; and,

WHEREAS, the Village of Bayberry and the Bayberry Town Center are planned in a designated growth area on the Comprehensive Development Plan for New Castle County, in an area zoned as a Suburban (S) District; and

WHEREAS, the Village of Bayberry and the Bayberry Town Center are located in one of the geographic areas defined by the State's Policy on Infrastructure and Spending as appropriate for the type and extent of the proposed development, and incorporate open space preservation and planned community design principles in a manner that advances the goals of Governor Minner's Livable Delaware principles; and

WHEREAS, the Village of Bayberry will have positive implications for the State's ability to comply with the air quality conformity regulations of the federal Clean Air Act, because as proposed, and in conjunction with the Bayberry Village Town Center, this development is expected to reduce and shorten motor vehicle trips in comparison with more traditional forms of development; and

WHEREAS, those New Infrastructure projects identified on Exhibit A and Exhibit B must achieve and maintain acceptable levels of service in accordance with the County of New Castle Unified Development Code, Section 40.11.210; and

WHEREAS, the development of all New Infrastructure should be coordinated in a manner consistent with the projected timeframes for the phased build out of the Village of Bayberry, as reflected in Exhibit C, and with the projected construction of the Bayberry Town Center if and when such construction occurs; and

WHEREAS, Developer and DelDOT have a common interest in coordinating the