



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

September 9, 2004

Mr. Colin Kraucunas
Duffield Associates, Inc.
5400 Limestone Road
Wilmington, DE 19808

RE: PLUS review – PLUS 2004-08-06; Hockessin Athletic Club & Wellness Center

Dear Mr. Kraucunas:

Thank you for meeting with State agency planners on August 25, 2004 to discuss the proposed plans for the Hockessin Athletic Club & Wellness Center project to be located on the northwest side of Valley Road in New Castle County, near Hockessin.

According to the information received, you are seeking a rezoning from S to CR for 11.66 acres to build a 119,156 square foot commercial building with a 107,808 sq. ft. parking deck. It should be noted that this is a redevelopment plan for a DNREC qualified Brownfield site to replace several industrial/agricultural buildings.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as New Castle County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact: Herb Inden 577-5188

The Office of State Planning Coordination notes the current draft of the 2004 Strategies for State Policies and Spending indicates that this project will be in the “Investment Level 2” designation area, where the State policies should support orderly and well-planned growth. Because the draft strategies will be finalized this month without any changes to

it's current form, we find that this project is not inconsistent. As such, we will find this project supportable if the County determines that it is appropriate and modifies its comprehensive plan accordingly.

State Historic Preservation Office (SHPO) – Contact: Anne McCleave 739-5685

The State Historic Preservation Office is aware of the plans to move the Tweed's Tavern to this area, to be located along the entrance road, adjacent to the subject property. This is a late 18th - early 19th century log building.

Within the subject project area, there is some potential for archaeological sites, which could only be determined by an on-site evaluation. The owner and developers should be aware that there could be federal permits required for DelDOT's Tweed's Park project, which would require the federal agency to comply with Section 106 of the National Historic Preservation Act (36 CFR 800) and consider effects to historic resources.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

On July 20, 2004, DelDOT wrote to Mr. John McGrellis to say that they would require a traffic impact study in association with his proposed auction hall on the south side of Valley Road. In that letter, DelDOT noted that they would seek similar analyses from other area projects given the concerns identified with respect to pedestrian safety and traffic operations in the area. The proposed fitness center and parking garage constitute one of those projects. Therefore, DelDOT will require a traffic impact study for this project as well. It is recommended that the developer have his traffic engineer meet with DelDOT to discuss a scope of work for a study that addresses those issues with a more comprehensive approach.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-3091

Soils

According to the soil survey update, Glenville was mapped in the immediate vicinity of the proposed construction. Glenville is a moderately well-drained soil of low-lying uplands that has moderate limitations for development.

Buffers

It should also be noted that this parcel contains sensitive headwater riparian wetlands associated with the Mill Creek. Headwater riparian wetlands are important for the protection of water quality and the maintenance/integrity of the ecological functions throughout the length of the stream, including the floodplain system downstream. That is, headwater riparian wetlands not only protect and enhance water quality; they provide migratory corridors and habitat for a variety of wildlife species. **Therefore, the**

Department strongly advocates a minimum 100-foot buffer width from the landward edge of all wetlands and/or waterbodies. The Department strongly prefers, however, that all forested wetlands and/or uplands contiguous to the above-referenced riparian area be preserved in their entirety.

Additionally, the Department strongly recommends that the periphery of any existing or proposed ponds (including stormwater management ponds) contain a 50-foot buffer of native woody and/or herbaceous vegetation. This buffer will serve to reduce nutrient runoff into the pond and reduce the problems associated with nuisance algae and geese.

Further, in areas where the where the existing natural buffer vegetation has been removed or reduced by past development or farming activities, the developer is encouraged to restore/reestablish native herbaceous and/or woody vegetation to said buffer width.

TMDLs

Although Total Maximum Daily Loads (TMDLs) as a “pollution runoff mitigation strategy” to reduce nutrient loading have not yet been developed for most of the tributaries or subwatersheds of the Delaware Bay watershed to date, work is continuing on their development. TMDLs for this portion of the Red Clay Creek, of which this parcel is part, are scheduled for completion in December 2006.

Therefore, until the specified TMDL reductions and pollution control strategies are adopted, it shall be incumbent upon the developer to employ best available technologies (BATS) and/or best management practices (BMPs) as “methodological mitigative strategies” to reduce degradative impacts associated with development.

The developer is encouraged to employ BMPs (or other pollution control strategies) such as stormwater management and riparian buffers to mitigate nutrient runoff into adjoining streams or watercourses. **The previously mentioned recommendation for a 100-foot minimum isolation distance from all waterbodies and wetlands is an important BMP management technique to help the State of Delaware achieve its nutrient pollutant load reduction goals.**

Water Supply

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule.

Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-3665.

Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection may be coordinated through New Castle County Department of Land Use. The Department of Land Use has already provided some preliminary comments.

However, it has been noted on the application that this project is a brownfield cleanup project. If the Site Investigation and Remediation Branch (SIRB) is involved with the cleanup project, DNREC Sediment and Stormwater Program will review the sediment and stormwater plan for the cleanup portion of the project. If the cleanup involves redevelopment of the site, then DNREC Sediment and Stormwater Program will potentially review the entire project.

Some significant historic drainage problems exist in this drainage area downstream of this site. New improvements must be planned and stormwater managed so as to not make the situation worse. Contact the DNREC Sediment and Stormwater Program to schedule a meeting regarding the hydrologic model for the site and the downstream drainage area.

Revegetation

It is requested that no invasive species be used in the revegetation of disturbed areas. A list of species considered invasive in Delaware can be found on the DNHP web site, <www.dnrec.state.de.us/fw/invasive.htm>. DNREC recommends the use of native plants and their Botanist, Bill McAvoy can be contacted at (302) 653-2880 to assist you in developing a plant list.

Recreation

It is recommended that sidewalks be built accessing Valley Road. A complete system of sidewalks will fulfill the recreation need for walking and biking facilities while facilitating safe, convenient off-road access to the fitness center.

If a trail system is planned, it is recommended that a series of stacking trail loops be designed with access points in each subdivision “pod” and connections to adjacent communities. Community trail systems with long continuous trails, perimeter-only trails, and systems with few access points, often go unused and neglected. For trail design/construction specifications, contact Susan Moerschel at (302) 739-5285.

The Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings are the foundation of the 2003-2008 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities. The high and moderate facility needs in Northern New Castle County are listed below. Consideration should be given to incorporate some of these recreation opportunities into the project. For additional information about the outdoor recreation priorities, contact Bob Ehemann at 739-5285.

High Priorities

Walking or Jogging Paths

Bike Paths

Hiking Trails

Playgrounds

Moderate Priorities

Picnic Areas

Swimming Pools

Fishing Areas

Baseball/Softball Fields

Skate Facilities

Basketball Courts

Canoe/Kayak Access

Campgrounds

Soccer Fields

Underground Storage Tanks

There are three inactive LUST sites located near the proposed project:

M.A.Zecola & Sons, Facility # 3-001594, Project # N9504085

Southwood Farms, Facility # 3-000932, Project # N9103048

Delmarva Power & Light, Facility # 3-001449, Project # N9212273

No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would be need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel in the contaminated areas.

Site Investigation and Restoration

Several sites were found within a 1-mile radius of the proposed project:

- a. Basher Lane: The proposed project is located on the Basher Lane site, which is entering the Brownfields program.
- b. Reeves and Reeves Clay Pit: This site was a clay pit that was used for several years as a common dump by area residents. The site was filled in by a now defunct construction company. Following a complaint that a pipe from the clay pit was discharging into a local stream, DNREC conducted a Preliminary Assessment (PA) in 1984, and no such pipe was located. In 1996, DNREC conducted a site visit and found that the clay pit is now located in a residential front yard as well as a paved secondary road.
- c. Southwood Farms: This site was formerly a mushrooms canning facility that is no longer in operation. The site was referred to Site Investigation and Restoration Branch (SIRB) by the Tank Management Branch (TMB) because sampling detected some elevated values of contaminants. The current owners are aware of groundwater contamination and are trying to get into the Voluntary Cleanup Program (VCP).
- d. Hockessin Valley Falls: This project came about because a homeowner was concerned about potential contamination in their yard. Some samples were taken and debris was found but no contamination, and the project was declared No Further Action (NFA).

State Fire Marshal's Office – Contact: John Rossiter 323-5365

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

- a. **Fire Protection Water Requirements:**
 - Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
 - Where a water distribution system is proposed for (business/educational/assembly/healthcare/multi-family) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- b. **Fire Protection Features:**
 - All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

- Buildings greater than 10,000 sq.ft., 3-stories or more or over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR

c. **Accessibility:**

- All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Valley Road must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- If the use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

d. **Gas Piping and System Information**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered

- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.delawarestatefiremarshal.com, technical services link, plan review, applications or brochures.

Public Service Commission - Contact: Andrea Maucher 739-4247

The PSC has verified that this project is in a certificated area for Artesian Water Company, Inc.

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

If not already completed, New Castle County will need to notify the Commission of the areas to which it is providing wastewater services.

Delaware Emergency Management Agency – Contact: Don Knox 653-3362

Some impact to public safety is foreseen by implementation of this project, due to the number of potential members using the fitness center. The developer should notify the police, fire service, and emergency medical response organization serving this portion of New Castle County, to keep them apprised of all development activities.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely



Constance C. Holland, AICP
Director

CC: Kenneth Bieri, NCC