



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

November 16, 2004

Garth Jones
Becker Morgan Group
738 S. Governors Avenue
Dover, DE 19904

RE: PLUS review – PLUS 2004-10-10; Secure Storage

Dear Mr. Jones

Thank you for meeting with State agency planners on October 27, 2004 to discuss the proposed plans for the Secure Storage project to be located on 7.7 acres on Lafferty Lane.

According to the information received, you are seeking a site plan approval for a four building office/warehouse park with a total square footage of 112,000 square feet.

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 the City of Dover is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact: David Edgell 302-739-3090

This project is located in Investment Level 2 according to the 2004 State Strategies for Policies and Spending. This site is also located in the City of Dover. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future. State investments will support growth in these areas. Our office has no

objections to the proposed development of this project in accordance with the relevant City codes and ordinances.

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

There is high probability for prehistoric archaeological sites within the property. There is also a cemetery nearby, northeast of the subject parcel. The developer should be aware of the Unmarked Human Remains Act (7 Del. Code 54) and contact Faye Stocum, at 302-739-5685 if any unmarked human remains are discovered.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- 1) Question 36 on the PLUS form asks about the estimated trip generation from the proposed development. The response, 555 vehicle trips per day, seems low if there is a significant amount of office development proposed. However, DelDOT now understands from Mr. Petrosky's comments at the PLUS meeting that the proposed buildings would be primarily warehousing, with offices only incidental to the warehouse uses. The 555 vehicle trip figure is consistent with that use.
- 2) In DelDOT's preliminary comments, prepared in advance of the meeting, DelDOT noted that because of the curve in Lafferty Lane east of the site, They might require a sight distance analysis as part of the entrance plan submission. They have withdrawn that comment.

As part of DelDOT's plan review and approval for entrance to the adjoining mini-storage warehouses, they approved an entrance location for the proposed development. Sight distance was examined then and determined to be sufficient. The plan presented with the PLUS form shows the entrance further from the curve, so sight distance there would be adequate as well.

- 3) The developer's engineer should contact the DelDOT project manager for Kent County, Mr. Brad Herb of Johnson, Mirmiran & Thompson, regarding their requirements for access. Mr. Herb may be reached at (302) 266-9080.

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

Soils

According to the Kent County soil survey, Sassafras and Woodstown was mapped in the immediate vicinity of the proposed construction. Sassafras is well-drained upland soil that has few limitations for development. Woodstown is a moderately well-drained soil of low-lying upland that has moderate limitations for development.

Wetlands

Statewide Wetland Mapping Project (SWMP) maps indicate no presence of wetlands. However, there is a significant amount of palustrine wetlands located near and may be present within the parcel. Site plans show that there will not be direct impacts to these wetlands through construction activities; however, secondary impacts of construction could be detrimental to the health of these wetlands and their associated streams. The developer and County should note that impacts to these wetlands are regulated by both the DNREC Wetlands and Subaqueous Lands Section and the Army Corps of Engineers through Section 404 of the Clean Water Act. In addition, individual 404 permits and certain Nationwide Permits from the Army Corps of Engineers also require 401 Water Quality Certification from the DNREC Wetland and Subaqueous Land Section and Coastal Zone Federal Consistency Certification from the DNREC Division of Soil and Water Conservation, Delaware Coastal Programs Section. Each of these certifications represents a separate permitting process.

Because the area is surrounded by areas of palustrine wetlands, a wetland delineation, in accordance with the methodology established by the Corps of Engineers Wetlands Delineation Manual, (Technical Report Y-87-1) should be conducted. Once complete, this delineation should be verified Corps of Engineers through the Jurisdictional Determination process.

To find out more about permitting requirements, the applicant is encouraged to attend a Joint Permit Process Meeting. These meetings are held monthly and are attended by federal and state resource agencies responsible for wetland permitting. Contact Denise Rawding at (302) 739-4691 to schedule a meeting.

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 the St. Jones River subwatershed, 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.

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 me at 302-739-3665.

Stormwater Management

Land disturbing activities in excess of 5,000 square feet are regulated under the Delaware Sediment and Stormwater Regulations. A detailed sediment and stormwater management plan must be reviewed and approved by the Kent Conservation District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the Kent Conservation District. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction. Please refer to the fee schedule for those amounts.

Comments:

1. Stormwater management for this office warehouse area was considered in the overall stormwater plan for this site. Verification of the design assumptions should be made to compare to the actual impervious area proposed.
2. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.

Drainage

The Drainage Section is aware of existing drainage problems downstream of this project. The Drainage Section requests the volume of stormwater released offsite match existing pre construction volume. The Drainage Section further requests that all precautions be taken to ensure the project does not hinder any off site drainage upstream of the project or create any off site drainage problems downstream by the release of on site storm water.

Forests

According to 2002 aerial photos there is an extensive forested area within this parcel; site plans show that a significant portion will be impacted by this proposal. Forest clearing

should be minimized to the fullest extent possible. This forested area provides important water quality, air quality and habitat benefits both to the site itself and the region. Impacts to these woodlands will cause “fragmentation” of the larger forest, resulting in a significant decrease in habitat value. The developer is strongly encouraged to preserve, and where possible, enhance forested resources on site.

Any lands set aside for conservation purposes should be placed into a permanent conservation easement or other binding protection mechanism. These areas should be clearly marked and delineated so that commercial activities do not infringe upon these areas.

Underground Storage Tanks

There is one inactive LUST sites located near the proposed project:

Halls Auto and Tire Service, Facility # 1-000012, Project # K9011097

No environmental impact is expected from the above inactive/active LUST site. 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

There is one active SIRB site located near the proposed project. The Dover Air Force Base (DE-0031) is a National Priority List (NPL) site that is undergoing active remediation for soil and groundwater contamination. The Secure Storage site is located to the northwest of the Air Force Base, and the contaminated groundwater plume associated with the Air Force Base is flowing to the south toward the St. Jones River. SIRB does not foresee any issues relating to the Air Force Base to affect the Secure Storage site. If any soil vapors are encountered during construction, SIRB should be notified.

State Fire Marshal’s Office – Contact: John Rossiter 739-4394

Because this proposal is within the City of Dover, the State Fire Marshal had no comments.

Department of Agriculture - Contact: Mark Davis 739-4811

The *Delaware Forest Service* recommends the following:

- Use of a Diverse Landscape Plan the use the “right tree for the right place” concept which encourages native trees and shrubs when possible.
- The use of forest buffers for adjacent subdivisions, critical areas and agricultural sites.

Public Service Commission - Contact: Andrea Maucher 739-4247

The project information sheets state water will be provided to the project by the City of Dover via a central water system. PSC records indicate that the project is located within the public water service area granted to the City of Dover under Certificate of Public Convenience and Necessity 90-CPCN-07.

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.

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: City of Dover