



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

March 16, 2005

Mr. Bill Ronalter
Salisbury Baseline Development, Inc.
155 West New York Avenue, Ste. 200
Southern Pines, NC 28387

RE: PLUS review – PLUS 2005-02-05; Fed Ex Ground Small Package Facility

Dear Mr. Ranalter:

Thank you for meeting with State agency planners on February 23, 2005 to discuss the proposed plans for the FedEx Ground small package handling facility to be located in the Ross Industrial Park in Seaford.

According to the information received, you are seeking site plan approval for a 78,661 square foot package handling facility on 15.57 acres.

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

The following are comments received by State agencies:

Office of State Planning Coordination – Contact: Ann Marie Townshend 739-3090

The Office of State Planning Coordination notes that this proposal is located in an Investment Level 1 area according to the Strategies for State Policies and Spending, and is also located within the Ross Business Park in the City of Seaford. State policies support this type of development in these areas.

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

This continued business park development adversely affects the National Register-listed Ross Plantation through visual intrusion into the historic landscape. The State Historic Preservation Office requests that the City of Seaford install a vegetative buffer, to screen this from the Ross Plantation parcel. There is also a high probability of prehistoric period archaeological sites along the stream. The site plan for this facility appears to avoid this area for the most part. If the developer would like, they would be happy to meet on site to delineate any archaeological areas.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

A traffic impact study was completed for the Ross Business Park in October 2000 and was reviewed by DelDOT in January 2001. While DelDOT has responsibility for the park where it would access the State highway system, the proposed facility would access City streets, over which DelDOT otherwise has no jurisdiction. Therefore, their comments on the subject development are only advisory.

- 1) In their review of the TIS, DelDOT recommends that Venture Drive, the main east-west road in the park, be built for its entire length, from Pine Street Extended to Bridgeville Highway (US Route 13A). If the traffic projections on the PLUS forms are correct, i.e. 188 vehicles per day, it does not seem essential that Venture Drive be connected to Bridgeville Highway now. However, DelDOT would remind the City that until Road A is connected to Bridgeville Highway, the traffic that would use that entrance to the business park will use Virginia Avenue.
- 2) If the City does not expect to build the north entrance to the business park in the near future then they should consider building separate right and left turn lanes exiting onto Bridgeville Highway at the east site entrance.
- 3) Within the business park, sidewalks should be provided on all roadway frontage with appropriate links to on-site buildings and adjacent communities.
- 4) Parking areas within the business park should be designed to be pedestrian friendly, incorporating lighting, crosswalks and walkways.
- 5) Bicycle parking should be required at building fronts, in a well-lit area, clear of pedestrian travelways.
- 6) Bicycle lockers are recommended to encourage commuting by bicycle.

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

Soils

According to the Sussex County soil survey, Evesboro, Rumford, Woodstown, Fallsington, and Johnston. Evesboro is an excessively well-drained upland soil that has moderate limitations on account of its rapid permeability. Rumford is a well-drained upland soil that has few limitations for development. Woodstown is a moderately well-drained soil of low-lying uplands that has moderate limitations for development. Fallsington is a poorly-drained wetland associated (**hydric**) soil that has severe limitations for development. Johnston is a very poorly-drained wetland associated (**hydric**) floodplain soil that has severe limitations for development.

Wetlands

Statewide Wetland Mapping Project (SWMP) maps indicate the presence of palustrine wetlands 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.

We understand, based on discussion at the PLUS meeting, that a wetland delineation was conducted on the parcel when the business park was established.

The applicant is strongly encouraged to maintain a 100-foot minimum buffer width from the landward edge of all delineated wetlands and/or watercourses (including ditches). In cases where natural buffer vegetation has been removed or reduced by past development or farming activities, the developer is encouraged to restore/establish to said buffer width or greater with native herbaceous and/or woody vegetation. We note that the site plan submitted maintains the existing vegetation in the riparian area.

It should also be noted that the northern portion of subject parcel immediately borders sensitive headwater or near headwater riparian wetlands associated with the Herring Creek. Headwater streams and their associated 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. Since such streams are a major avenue for nutrient-laden stormwater and sediment runoff, their protection deserves the highest priority.

In recognition of this concern, the Department strongly recommends that the applicant preserve the existing natural forested buffer (both wetlands and uplands) adjacent to the headwater stream in its entirety. Efforts to maximize or expand the existing natural forested buffer width, via planting of native woody or herbaceous vegetation, is further recommended.

ERES Waters

This project is located adjacent to environmentally sensitive receiving waters of the Chesapeake Bay Watershed; designated as waters having Exceptional Recreational or Ecological Significance (ERES). ERES waters are recognized as special assets of the State, and shall be protected and/ or restored, to the maximum extent practicable, to their natural condition. Provisions in Section 11.5 of Delaware's "Surface Water Quality Standards" (as amended August 11, 1999), specify that all designated ERES waters and receiving tributaries develop a "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMPs). Best Management Practices as defined in subsection 11.5(e) of this section, expressly authorizes the Department to provide standards for controlling the addition of pollutants and reducing them to the greatest degree practicable, or where attainable, a standard requiring no discharge of pollutants.

TMDLs

With the adoption of Total Maximum Daily Loads (TMDLs) as a "nutrient-runoff-mitigation strategy" for reducing nutrients in the Chesapeake Bay Watershed, reduction of nitrogen and phosphorus loading will be obligatory. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited water body" can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. In the Chesapeake Watershed, "target-rate-reductions" of 30 and 50 percent will be required for nitrogen and phosphorus, respectively.

Although TMDLs are authorized under federal code, states are charged with developing and implementing standards to support those desired use goals. The Jurisdictional authority for attaining these use goals fall under the auspices of Section 11.5 of the State of Delaware's Surface Water Quality Standards (as amended August 11, 1999), and will be achieved via nutrient reductions referred to as "pollution control strategies."

In order for the applicant to verify compliance with the TMDL mandate, a full nutrient accounting process known as nutrient budget should be prepared. The developer/consultant should contact Lyle Jones (739-4590) in the Department's Watershed Assessment Section for further information regarding the acceptable protocol for performing this calculation.

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.

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.

Water Resource Protection Areas

A portion of the site falls within a wellhead protection area (see map). Wellhead protection areas are surface and subsurface areas surrounding a public water supply well where the quantity and quality of groundwater moving toward such wells may be adversely affected by land use activities.

According to the State law that created the Source Water Protection Program, county and municipal governments will be required to enact ordinances to protect Water Resource Protection Areas. The following language has been excerpted from the Source Water Protection Guidance Manual for Local Governments, Supplement 1 - Ground-Water Recharge Design Methodology. While the local ordinances are not yet in place, the developer may find the language useful in modifying the site plan to protect the wellhead protection area.

Water Resource Protection Areas (WRPAs) are defined as (1) surface water areas such as floodplains, limestone aquifers, and reservoir watersheds, (2) wellhead areas, or (3) excellent recharge areas. The purpose of an impervious cover threshold is to minimize loss of recharge and protect the quality and quantity of ground and surface water supplies in WRPAs.

New development in WRPAs may exceed the 20 % impervious cover threshold, but be no more than 50 % impervious, provided the applicant submits an environmental assessment report recommending a climatic water budget and facilities to augment recharge. The environmental assessment must document that post-development recharge will be no less than predevelopment recharge when computed on an annual basis.

Commonly, the applicant offsets the loss of recharge due to impervious cover by constructing recharge basins that convey relatively pure rooftop runoff for infiltration to ground water.

The Department recommends the following (ranked in order of preference):

- 1) Preserve WRPA's as open space and parks by acquisition or conservation easement.
- 2) Limit impervious cover of new development to 20 % by right within WRPA's.
- 3) Allow impervious cover of new development to exceed 20% within WRPA's (but no more than 50% impervious) provided the applicant develops recharge facilities that directly infiltrate rooftop runoff.
- 4) Allow impervious cover of new development to exceed 20% within WRPA's (but no more than 50% impervious) provided the applicant develops recharge facilities that infiltrate stormwater runoff from forested and/or grassed surfaces with pretreatment.

For more information refer to the draft [Source Water Protection Guidance Manual for the Local Governments of Delaware](#)

<http://www.wr.udel.edu/swaphome/phase2/Manual/SwappManual.pdf> and [Ground-Water Recharge Design Methodology](#)

http://www.wr.udel.edu/swaphome/phase2/Manual/SwappManual_supplement_1.pdf.

In addition, activities that include the storage or disposal of hazardous substances may be prohibited or otherwise regulated by other state regulations. For more information on activities that are regulated please refer to

http://www.wr.udel.edu/swaphome/phase2/Publications/Existing%20Authorities%202_02.pdf.

Sediment and Erosion Control/Stormwater Management

1. Provide the Sussex Conservation District with an approval letter from the City of Seaford accepting the runoff from this development into the Industrial Park's Stormwater Facility.

Floodplains

Portions of the site are within the 100-year floodplain, with base flood elevations determined. It is recommended that activities remain outside of the floodplain and required that any activities within the floodplain comply with local floodplain regulations.

Open Space

The large area of the parcel that is currently designated as 'open space' should be maintained with no-mow grasses, wildflowers, and shrubs. This type of planting is low maintenance and does not contribute the amount of nutrients to adjacent waterways as a manicured lawn. In addition, this type of early successional habitat is attractive to wildlife. If the applicant is interested in creating wildlife habitat on this portion of the parcel, our program botanist Bill McAvoy can assist in developing a plant list.

Nuisance Waterfowl

The stormwater management pond for this project is located off-site but on the same parcel. Currently this pond does not have a buffer of vegetation around its perimeter. If the applicant wants to deter nuisance geese, a buffer area containing tall grasses, wildflowers, shrubs, and trees around the perimeter will deter geese because they do not feel as safe from predators and other disturbance when their view of the area is blocked. The Division of Fish and Wildlife does not provide goose control services and if problems arise, the landowner/manager will have to accept the burden of dealing with these species.

Recreation

It is recommended that sidewalks be built along the south side of future Road A. A complete system of sidewalks will: 1) fulfill the recreation need for walking and biking facilities, 2) provide opportunities for neighbors to interact in the community, and 3) facilitate safe, convenient off-road access to neighboring communities, parks, public mass transit stops, schools, stores, work, etc.

Site Investigation and Restoration

There are two SIRB sites located within a 1/2 mile of the proposed property: DE-0202, Moore Dump, and DE-0268, Seaford Arbutus Street Well. DE-0202 is a 2-acre unlined dump. A Preliminary Assessment was completed in 1988, and a Site Investigation was completed in 1989. The SI found trace levels of volatiles, pesticides, and PAHs in the sediment samples, and metals in the soil samples. Lead was also detected in the groundwater above drinking water standards. A Facility Evaluation was completed in 1996. This study was to determine the source of the groundwater contamination. Volatile and semivolatile compounds were found in MW-1, but they were not found in a downgradient well, so it was determined that the source of the contaminants had not come from the dump. SIRB determined that there was no environmental risk or human health hazard associated with the site. For DE-0268, a Site Investigation was completed in 1992 because the Department of Public Health detected PCE in this public well. The SI found the source of the PCE and the responsible parties installed a granular activated-carbon adsorption system in 1993. SIRB does not foresee any impacts from these sites to affect the proposed property.

Underground Storage Tanks

There are two inactive LUST site(s) located near the proposed project:

Seaford Police Department, Facility # 5-000629, Project # S9110233

Seaford Middle School, Facility # 5-000618, Project # S9810174

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.

The proposed site plan indicates a future fueling station. It is recommended that you contact the Tank Management Branch at (302) 395-2500 regarding above ground/underground storage tank regulations.

State Fire Marshal's Office – Contact: Duane Fox 856-5298

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 1500 gpm for 2-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 (Industrial) 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 of 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

- Large Area Building requirements will apply to this project (DSFPR Part II Chp 5)
- Fuel Depot in rear of structure would have to meet the provisions of NFPA 30-A. Setbacks from property lines and structures would need to be addressed

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 Road "A" 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.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

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.

Department of Agriculture - Contact: Mark Davis 739-4811

The Delaware Department of Agriculture and the Delaware Forest Service recognizes the Town of Seaford as a Tree City USA Community. This national recognition rewards communities whom have invested time, energy and monies into enhancing their urban forest resources. The Forest Service encourages the developer to work closely with the town to achieve their long-term goals to grow their urban forest resources.

Right Tree for the Right Place

The Delaware Department of Agriculture Forest Service encourages the developer to use the “Right Tree for the Right Place” for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Native Landscapes

The Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

Public Service Commission - Contact: Andrea Maucher 739-4247

The project information sheets state water will be provided to the project by the City of Seaford via a central water system. PSC records indicate that the project is located within the public water service area granted to the City of Seaford under Certificate of Public Convenience and Necessity 95-CPCN-18.

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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.

Delaware Economic Development Office – Contact: Dorrie Moore 739-4811

The Delaware Economic Development Office fully supports this project. The facility will be built in an existing industrial park with infrastructure and amenities provided by the City of Seaford.

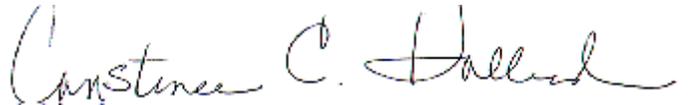
Delaware Emergency Management Agency – Contact: Don Knox 659-3362

No significant impact to public safety is foreseen by implementation of the of this project.

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,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP

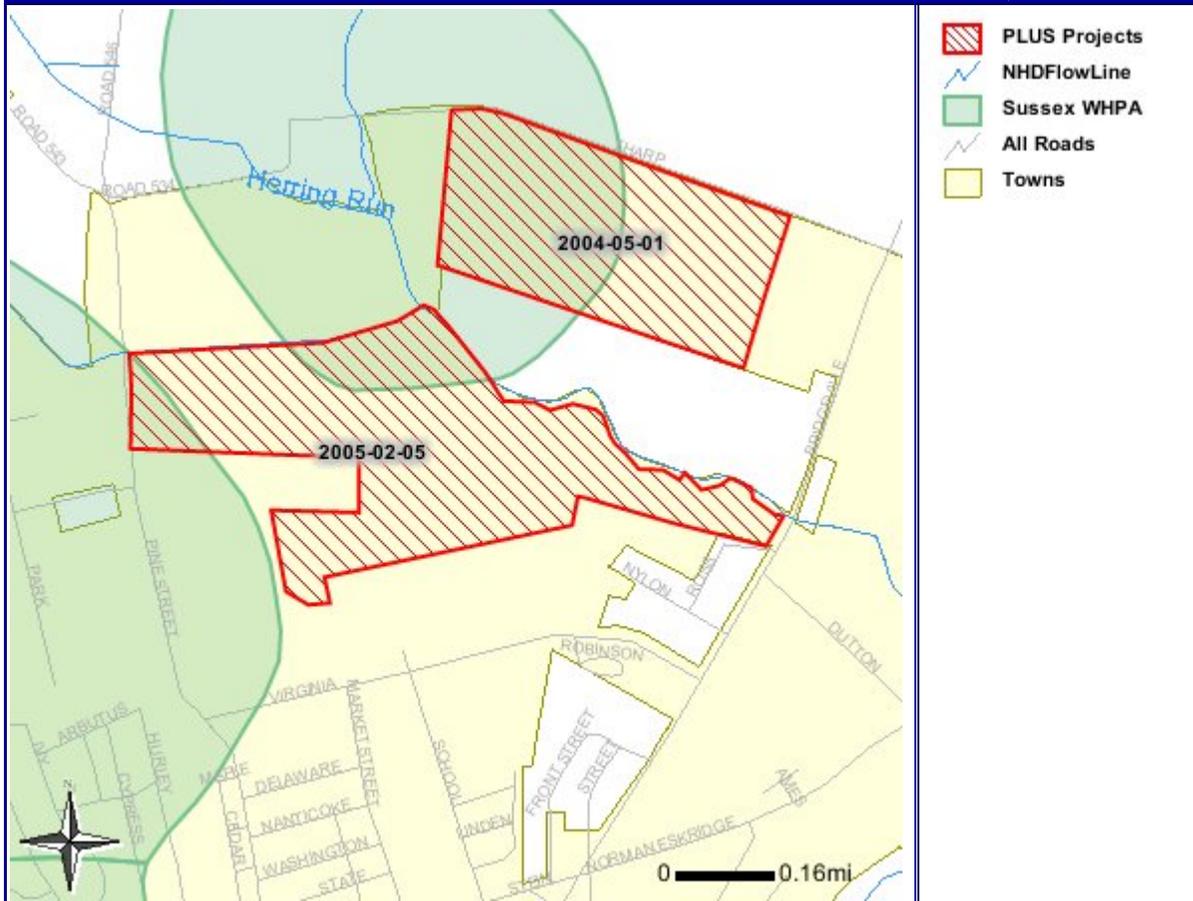
Director

CC: City of Seaford



Fed Ex Facility - Seaford

2005-02-05



- PLUS Projects
- NHDFlowLine
- Sussex WHPA
- All Roads
- Towns

This map was produced by the Delaware Department of Natural Resources and Environmental Control.

