



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

April 22, 2005

Roy Lopata
220 Elkton Road
Newark, DE 19711

RE: PLUS review – PLUS 2005-03-02; Comprehensive Plan Amendment

Dear Mr. Lopata:

Thank you for meeting with State agency planners on April 6, 2005 to discuss the proposed City of Newark comprehensive plan amendment to include 44.18 acres owned by the University of Delaware in the annexation area.

Please note that changes to the amendment, 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 following are a complete list of comments received by State agencies:

Office of State Planning Coordination – Contact: Herb Inden 739-3090

We understand that this annexation request came from the University of Delaware for the purpose of having all of their property in this area within the City's boundaries. We further understand that there are no plans for developing this property and that the City's zoning for this parcel is similar to its current zoning under NCC. As such, we support the Comprehensive Plan amendment for the purpose of allowing this parcel to be annexed into the City.

State Historic Preservation Office (SHPO) – Contact: Alice Guerrant 739-5685

This annexation is just for the farm fields that belong to the probably historic farm already in Newark's boundaries, and no change in use is expected. This annexation will not affect any historic properties.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

DelDOT supports this amendment as leading to a more rational boundary for the City. The present boundary bisects the farm, leaving the subject 44.18 acres as an enclave of land under County jurisdiction but accessible only through the University's other lands in the City.

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

The area proposed for annexation falls entirely within a New Castle County Class C wellhead protection area for the City of Newark South well field. 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.

This parcel, once annexed, will then come under City of Newark Article VII. Water Resource Protection Regulations: Section 30-54 Use Regulations Part a. Wellhead Resource Protection Areas. This regulation addresses specific distances away from the wellhead for certain construction types and maximum impervious cover limits for those construction types. There are provisions in this regulation that specify that volume and quantities of groundwater recharge be maintained.

Public Service Commission - Contact: Andrea Maucher 739-4247

The parcel identified on the application appears to be within the certificated water service territory of United Water. If the City of Newark intends to provide water services to the parcel, it will need to negotiate with United Water. Additionally, the City of Newark should be encouraged to provide to the Commission information regarding its water service territory.

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.

The City of Newark should be encouraged to provide to the Commission information regarding its wastewater service territory.

Delaware Economic Development Office – Contact: Dorrie Moore 739-4271

The Delaware Economic Development Office (DEDO) supports the comprehensive plan amendment to include the 44.00 acres of the University of Delaware Property know as the Webb Farm in their annexation area.

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-

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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". The signature is written in black ink and is positioned above the printed name and title.

Constance C. Holland, AICP

Director

CC: New Castle County