



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

August 17, 2005

Mr. Colmcille DeAscanis, P.E.
Apex Engineering, Inc.
27 W. Market Street
Newport, DE 19804

RE: PLUS Review 2005-07-02, Sunnyside Elementary School

Dear Mr. DeAscanis,

Thank you for meeting with State agency planners on July 27, 2005 to discuss the proposed plans for the Sunnyside Elementary school project to be located on 18.10 acres on Rabbit Chase Lane in the Town of Smyrna. According to the information received, you are seeking to construct a 55,850 square foot elementary school.

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

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

This project is located in Investment Level 2 according to the *State Strategies for Policies and Spending*. This site is also located in the Town of Smyrna. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future. State investments will support the construction of critical public facilities, such as schools, in these areas. Our office has no objections to the proposed construction of this necessary educational facility in accordance with the relevant Town codes and ordinances.

Division of Historic and Cultural Affairs – Contact Alice Guerrant 739-5685

Nothing is known within this parcel. Mount Pleasant (K-3863) is nearby to the northeast, and is listed in the National Register of Historic Places. A 19th century house is just across Rabbit Chase facing on Sunnyside Road. There appears to have been an early 20th century building within the parcel on Rabbit Chase, towards the northwest corner of the parcel, and there may be archaeological resources associated with it. There is only a low potential for prehistoric-period archaeological sites in this parcel.

As planned now, the project will not affect the area of the early 20th century building, and is set far enough back to have no adverse effect on the 19th century house on the corner. There will be no visual effect on Mount Pleasant, which is already being surrounded by a housing development. If the school's plans change, SHPO would appreciate an opportunity to investigate the area of the early 20th century building.

Department of Transportation – Contact Bill Brockenbrough 760-2109

The Smyrna School District seeks to develop a 55,850 square foot elementary school on an 18.1-acre parcel (Tax Parcel DC-01-17-028.01-0200-001). The subject land is located on the east corner of Sunnyside Road (Kent Road 90) and Rabbit Chase Lane (Kent Road 145) on the south side of Smyrna. It would be accessed from Rabbit Chase Lane. The land is zoned R-2a in the Town of Smyrna and it would be developed by right.

- 1) Rabbit Chase Lane and Sunnyside Road are respectively classified as local and collector roads. Local roads in Delaware typically have right-of-way widths ranging from 33 to 50 feet. Right-of-way widths on collector roads also vary but tend to be wider. DelDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 30 feet from the centerline on local roads and 40 feet from centerline on collector roads. Right-of-way dedication will be required along the frontage to provide any additional width needed from this project.
- 2) A sidewalk or a paved multi-modal path will be required across the frontage of the site. The developer's site engineer should contact the project manager for Kent County, Mr. Brad Herb, regarding specific requirements. Mr. Herb may be reached at (302) 266-9600.
- 3) The building should be positioned closer to existing Sunnyside Village and proposed Meadows of Smyrna subdivisions and the District should work with the developers of those subdivisions to provide bicycle and pedestrian paths to connect the school to those developments. One of the advantages of having a school in a residential area is that children can walk to school. However, most parents will only let them do so if the route is safe and relatively short.
- 4) DelDOT has been working with the Town and the developers of Worthington and

the Meadows of Smyrna on a plan to improve Rabbit Chase Lane. Planning for the school has been part of that process. More information on the improvements to Rabbit Chase Lane is available from Mr. Herb.

- 5) The proposed entrance locations appear to be reasonable. The developer's site engineer should contact Mr. Herb regarding our specific requirements for access.

The Department of Natural Resources and Environmental Control
Contact Kevin Coyle 739-9071

Impervious Cover

Since large-scale construction projects often generate large amounts of impervious cover - often leading to large volumes of contaminant-laden runoff which ultimately drain into streams or waterways - the applicant is strongly urged to pursue both natural and constructed Best Management Practices (BMPs) that reduce such impacts. Reducing the amount of impervious surfaces and/or using pervious pavers in lieu of asphalt or concrete (where practicable), and the planting of trees are examples of ways to reduce such impacts. Research has consistently shown that once a watershed exceeds a threshold of 10 percent imperviousness, water and habitat quality irreversibly decline.

TMDLs

A Total Maximum Daily Load (TMDL) is the maximum level of pollution for which a water quality limited water body can assimilate without compromising use and recreational goals such as swimming, fishing, drinking water, and shell fish harvesting. Although TMDLs as a "pollution runoff mitigation strategy" to reduce nutrient loading have not yet been developed for the Smyrna River subwatershed to date, work is continuing on their development and they should be completed by 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 that might be associated with this project. Reducing imperviousness and tree plantings are some examples of proactive mitigative strategies that will help reduce nutrient runoff and its likely impacts on the Smyrna River subwatershed's water quality, while ensuring State compliance with imminent Federal TMDL nutrient-reduction regulatory requirements

Water Supply

The project information sheets state water will be provided to the project by the Town of Smyrna via a central water system. Our records indicate that the project is located within the public water service area granted to the Town of Smyrna under Certificate of Public Convenience and Necessity 03-CPCN-15.

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. Contact Rick Rios at (302)739-9944.

Sediment and Erosion Control/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 will be coordinated through DNREC's Division of Soil and Water Conservation. Contact Elaine Webb at (302) 739-9921 for details regarding submittal requirements and fees. As of April 11, 2005, stormwater best management practices must also consider water quality as well as quantity in impaired water bodies.

Drainage

This project is located along the main of the South Mill Creek Tax Ditch. The Drainage Program strongly recommends the applicant contact the Tax Ditch organizations and the Kent Conservation District regarding the established tax ditch right-of-ways on the project. The Drainage Program does not have a clear understanding where the stormwater management areas will be located on this project. The Drainage Program encourages stormwater infiltration in suitable areas. The Drainage Program 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.

Nuisance Waterfowl

According to the site plan, there are no stormwater management ponds; however, the following information is provided in the event that ponds are deemed necessary for flood control. Stormwater management ponds will likely attract waterfowl like resident Canada geese and mute swans. Short manicured lawns such as those used for athletic fields and play areas provide an attractive habitat for these species. Therefore, ponds should not be constructed adjacent to athletic fields or play areas as waterfowl leave droppings on lawn and paved areas and can become aggressive during the nesting season.

Native plantings of tall grasses, wildflowers, shrubs, and trees at the edge and within a buffer area (50 feet) around the perimeter are recommended. Waterfowl do not feel safe when they can not see the surrounding area for possible predators. These plantings should be completed as soon as possible as it is easier to deter geese when there are only a few than it is to remove them once they become plentiful. The Division of Fish and Wildlife does not provide goose control services, and if problems arise, residents or the homeowners association will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions

can be costly and labor intensive; however, with proper landscaping, monitoring, and other techniques, geese problems can be minimized.

Underground Storage Tanks

There are no LUST site(s) located near the proposed project. 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.

State Fire Marshal's Office – Contact Duane Fox 739-4394

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):

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 (educational) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

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.

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 Rabbit Chase 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.
- 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.

Gas Piping and System Information

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

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 www.delawarestatefiremarshal.com.

Department of Agriculture - Contact Milton Melendez 698-4500

The Delaware Department of Agriculture has no objections to the Smyrna School District application. The site is located in a designated controlled development area which is supportive of the *Strategies for State Policies and Spending* encouraging responsible

development Level 2 areas; the Delaware Department of Agriculture supports growth in these areas.

Improved Landscape Design

The Delaware Department of Agriculture 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 Delaware Department of Agriculture 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 will clean rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to local landscapes, contact the Delaware Department of Agriculture Plant Industry Section at (302)698-4500.

Public Service Commission - Contact Andrea Maucher 739-4247

If the project connects to public wastewater services from the Town, and the project lies outside of the service territory established in October 2004, then the Town must date the information it filed with the Commission. Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines.

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: Smyrna School District
Department of Education
Town of Smyrna