



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF MANAGEMENT AND BUDGET
STATE PLANNING COORDINATION**

November 21, 2006

Charlotte Klauder
Town of Camden
2 South Main Street
P.O. Drawer 1002
Camden, DE 19934

RE: PLUS review – PLUS 2006-10-04; Town of Camden Comprehensive Plan
Amendment

Dear Ms. Klauder:

Thank you for meeting with State agency planners on October 25, 2006 to discuss the proposed Town of Camden comprehensive plan amendment.

According to the application, the Town is amending the comprehensive plan to amend the anticipated land use map, and the anticipated timing of annexations maps to clarify the town's intent to consider annexations of enclaves if the opportunity presents itself and to further emphasize the town's intent to promote smart growth through mixed-use design concepts.

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 following are a complete list of comments received by State agencies:

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

Certification Issues:

1. This plan amendment, for the most part, is intended to reconcile the future land use map with the recently completed comprehensive rezoning in Camden. The changes also reconcile some recent annexation requests. Our office has no objection to these changes.
2. Based on our discussion at the PLUS meeting, it is our understanding that the Town of Camden wishes to proceed with a limited plan amendment at this time in order to reconcile the land use, zoning, and annexation maps. We also understand that a more thorough plan amendment is underway and will be presented within the year. Our office will accept a limited amendment as an addendum or an appendix to your current comprehensive plan at this time. This limited amendment may not contain the “Savannah Station” project on the Abbott Farm.
3. There are several issues that will need to be fully addressed in the larger amendment / update.
 - a. The transportation plan must be updated to include detailed information on the new commercial property on the North side of Route 10, in the vicinity of Rising Sun Road. See DelDOT’s comments below.
 - b. The “Savannah Station” project on the Abbott Farm must be addressed in the amendment/update. Due to the size and complexity of this proposed project (rumored to include an elementary school, a shopping center, and as many as 1,600 homes) it is expected that significant revisions will be necessary to most plan sections. All plan maps will most likely need to be updated as well.
 - c. Groundwater recharge areas and appropriate land use regulations to protect these areas should be addressed. See DNREC’s comments below.

Other comments:

1. As stated above, our office will accept a limited plan amendment at this time. Please contact David Edgell to discuss the proper format for this amendment.
2. It is recommended that the larger plan amendment/update discussed at the PLUS meeting be fully integrated into the plan text, and that the entire plan be republished as a unified document. The current plan contains a bound document,

two unbound addendums that contain text and maps, and an amendment approved in 2004. These various documents make it extremely difficult to determine if one is reviewing the current version of the plan. It is in the best interest of the town and the public to consolidate the current plan text and maps into a unified document.

3. It is recommended that the plan text include a section that describes the anticipated land use plan, and clearly describes the goals and expectations associated with the individual land use categories. It is further recommended that this section be included in the limited plan amendment that we will accept at this time, as well as in the larger amendment/update discussed at the PLUS meeting.

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

The Division of Historical and Cultural Affairs has no objections to the changes proposed to bring the Town's zoning into consistency with its comprehensive plan, or the changes proposed to the future annexations map. The DHCA urges the Town to consider protecting any historic properties that may be annexed into the Town. As development proceeds, the Town should also ensure that any developers are aware of the Unmarked Human Remains Act of 1987, and will explore the potential for such cemeteries prior to any ground-disturbing activities.

As the Town begins its update of the comprehensive plan, they will be happy to provide technical information and advice about historic preservation programs and options that the Town may want to consider.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- 1) The maps do not reflect the Savannah Station development proposed on the west edge of the Town. This development, which DelDOT understands would be an annexation into the Town, would consist of 1,280 to 1,630 dwellings, a 35,000 square foot shopping center and a 50,000 square foot elementary school. From the discussion at the PLUS meeting, DelDOT understands that the development was deleted inadvertently but that the Town may now address that omission by bringing the development to PLUS separately. DelDOT recommends that they do that.
- 2) On the Anticipated Land Use map, the area on either side of Lochmeath Way between US Route 13 and Peachtree Run is shown as "Residential with local

Commercial and home-based Businesses”. Presently this area is developed with highway-oriented commercial uses. From the discussion at the PLUS meeting, we understand that the map will be revised to show commercial uses there.

- 3) While it does not bear directly on the maps now presented, we note that the Anticipated Land Use map shows an increase in commercial development near the already-congested intersections of Delaware Route 10 with US Route 13 and Rising Sun Road. It also shows a continued expansion of the existing industrial area on the west side of the Town, which will increase the demand for travel between there and Route 13. DelDOT understands that the Town will be revising its Comprehensive Plan this winter and they recommend that these issues be addressed in the Transportation element of it.

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

Water Resource Protection Areas

The Water Supply Section has reviewed the Town of Camden Comprehensive Plan Amendment limited to Map 9-Anticipated Land Use and Map 8-Anticipated Timing for Annexation submitted for review.

Map 9-Anticipated Land Use is more descriptive with a clearer legend and corresponding symbols than the map submitted in 2004. The review of this map shows commercial development in the area of excellent groundwater recharge potential area (see attached map -southeast edge). The review also shows planned commercial development with the wellhead protection area of a shallow unconfined well (see attached map- southeast corner). Groundwater Resources urges the Town to adopt legislation to protect these areas as critical areas to assure the public a safe water supply and does not make this well exceed drinking water standards. The August 2004 PLUS comments explicitly state the recommended measures.

Map 8- Anticipated Timing for Annexation presents clearly. It also shows an area to be annexed in 2006-2008 that is in an excellent groundwater recharge potential area. Groundwater Resources again urges the Town to adopt legislation to protect these areas as critical areas and assure the public a safe water supply.

The Delaware Geological Survey Report of Investigations No. 66 published in 2004 explains in detail the need to protect excellent groundwater recharge potential areas. .

The intent of the project was to identify areas of excellent recharge to protect them as critical areas. Excellent recharge areas are near-surface areas where precipitation infiltrates the land surface to the unconfined aquifer at a more rapid rate than other areas. The Report states that the recharge potential “map categories are indicators of how fast contaminants will move and how much water may become contaminated” (Andres, 2004, pg 1). This proposed Zoning Map shows commercial zones within an excellent ground-water recharge area.

References

Andres, A. Scott, 2004, Ground-Water Recharge Potential Mapping in Kent and Sussex Counties, Delaware: Delaware Geological Survey Report of Investigations No. 66, p. 14.

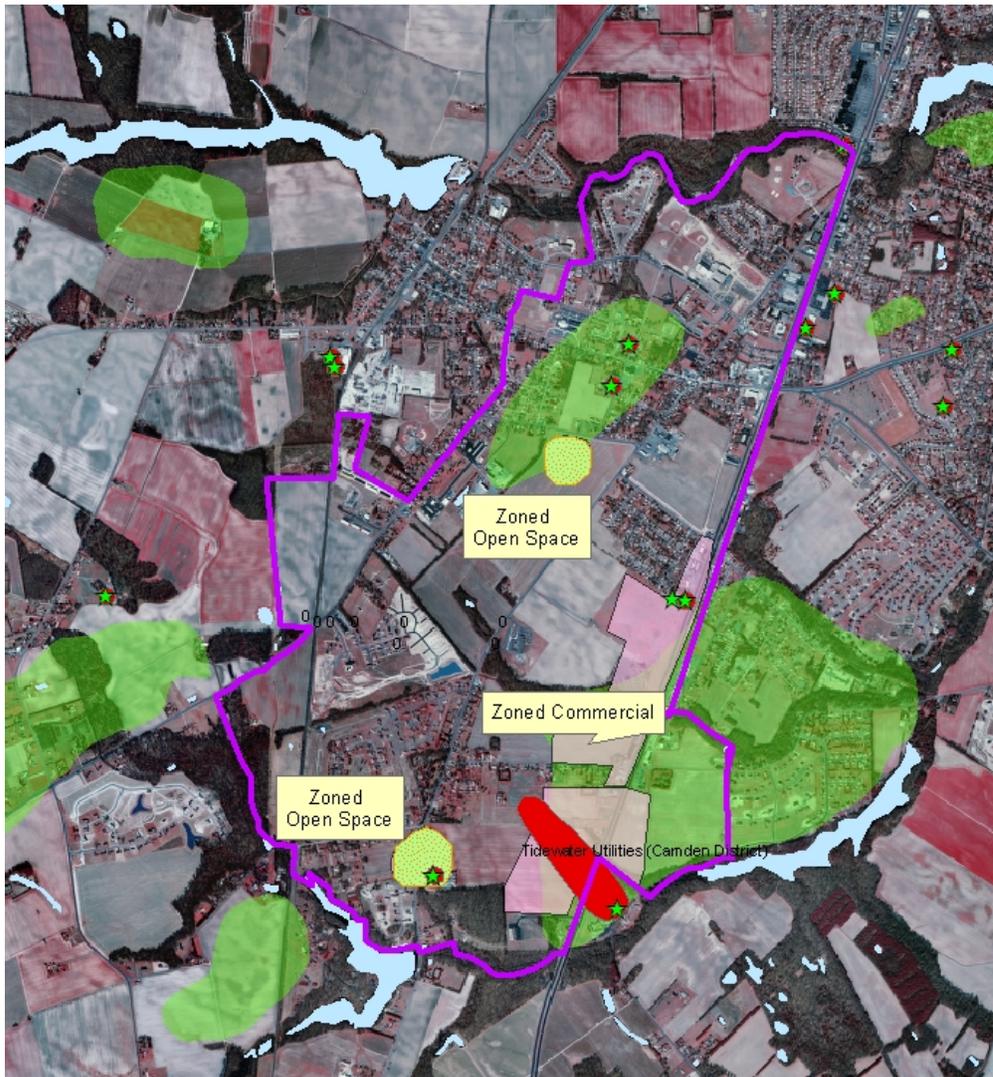
<http://www.udel.edu/dgs/Publications/pubform.html#investigations>

Delaware Department of Natural Resources and Environmental Control, 2005, Source Water Protection Guidance Manual for the Local Governments of Delaware, p. 144.

http://www.wr.udel.edu/publications/SWAPP/swapp_manual_final/swapp_guidance_manual_final.pdf

Town of Camden (PLUS 2006-10-04)

Excellent Groundwater recharge potential in green. Wellhead protection areas are in red. Commercial areas are in pink and labeled.



State Fire Marshal's Office – Contact: John Rossiter 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.

The DE State Fire Marshal's Office has the responsibility to review all commercial and residential subdivisions for compliance with the DE State Fire Prevention Regulations. This Agency asks that the MOU be updated between the DE State Fire Marshal's Office and the Town of Camden. The State Fire Marshal's Office issues approvals much like DelDOT, Kent Conservation, and DNREC. This Agency's approvals are based on the DE State Fire Prevention Regulations only.

The DE State Fire Marshal's Office has no objection to the annexation growth and boundaries.

Department of Agriculture - Contact: Scott Blaier 698-4500

The Department has no objection to the Town of Camden's comprehensive plan amendment.

A portion of the of the town's southeast expansion area has been designated as having "excellent" ground-water recharge potential. DNREC has mapped all ground-water recharge-potential recharge areas for the state, and an "excellent" rating designates an area as having important groundwater recharge qualities.

Senate Bill 119, enacted by the 141st General Assembly in June of 2001, requires the counties and municipalities with over 2,000 people to adopt as part of the update and implementation of their 2007 comprehensive land use plans, areas delineating excellent ground-water recharge potential areas. Furthermore, the counties and municipalities are required to adopt regulations by December 31, 2007 governing land uses within those areas to preserve ground-water quality and quantity.

Maintaining pervious cover in excellent and good recharge areas is crucial for the overall environmental health of our state and extremely important to efforts which ensure a safe drinking water supply for future generations. Retention of pervious cover to ensure an adequate future water supply is also important for the future viability of agriculture in the First State. The loss of every acre of land designated as "excellent" and "good" recharge areas adversely impacts the future prospects for agriculture in Delaware. The developer should make every effort to protect and maintain valuable ground-water recharge potential areas.

Public Service Commission - Contact: Andrea Maucher 739-4247

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.

Department of Education – Contact: John Marinucci 739-4658

1. The DOE supports the State Strategies for Policies and Spending, to the extent possible and practicable within the limits of the Federal and State mandates under which the Department operates.
2. In its review of Comprehensive Plans and Comprehensive Plan Amendments, the DOE considers:
 - Adequate civil infrastructure availability within the region to accommodate current and future educational facilities.
 - Transportation system connections and availability to support multimodal access within the community, to include but not limited to walk paths, bike paths, and safe pedestrian grade crossings.
 - Transportation road system adequacy to accommodate bus and delivery vehicle traffic to current, planned or potential educational facilities.
 - Recreation facilities and opportunities within the community and their respective proximity to current and planned or potential education facilities. The DOE also recognizes the potential that the educational facilities are to be considered recreational facilities by and within the community.
3. The DOE *typically* considers industrial/commercial development incompatible with educational facilities, however, residential development and educational facilities *are typically* considered to be compatible. As a result, the DOE is interested in the proximity of current and planned or potential education facilities to commercial/industrial development zones.
4. The DOE recognizes the integral role of educational facilities within communities. As such, the DOE seeks to assure that residential growth, that generates additional demand on educational facilities, is managed with adequate educational infrastructure being made a part of sub-division plans as appropriate.
5. The DOE has no comments or objections to the proposed plan amendment.

Approval Procedures:

1. Once all edits, changes and corrections have been made the plan please submit the completed document (text and maps) to our office for review. The Town should provide to 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 amendment or not and the reason therefore.

Your response letter should accompany this submission. Also include documentation about the public review process. In addition, please include documentation that the plan has been sent to other jurisdictions for review and comment, and include any comments received and your response to them.

2. Our office will require a maximum of 20 working days to complete this review.
3. We will provide the Town of Camden with written verification that our office has accepted the plan and all changes for adoption and certification.
4. The plan may then be formally adopted by your Planning and Zoning Commission and Town Council.
5. Send our office documentation that the plan has been formally adopted by your Planning and Zoning Commission and Town Council. We will also require two (2) bound paper copies of the plan and map series, and one (1) electronic copy for our records. We will accept the plan as an amendment to your certified plan. A letter to this effect will be sent within 10 working days. The amendment will not alter your original plan certification date. A full plan update will be due on or before May 3, 2008.

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: Kent County