



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

April 23, 2007

Gary Taylor
Town of Selbyville
P.O. Box 106
Selbyville, DE 19975

RE: PLUS review – PLUS 2007-03-03; Selbyville Comp. Plan Amendment

Dear Mr. Taylor:

Thank you for meeting with State agency planners on March 28, 2007 to discuss the proposed Town of Selbyville Comprehensive Plan amendment to change Map 8 “Area of Potential Expansion” to include 19 acres located on northwest of the town adjacent to the current town boundaries.

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. T

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

Office of State Planning Coordination – Contact: Bryan Hall 739-3090

The Office of State Planning has no objection so the proposed comprehensive plan amendment.

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

The Division of Historical and Cultural Affairs has no objections to the proposed amendment.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

DeIDOT has no objection to this amendment.

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

Water Resource Protection Areas

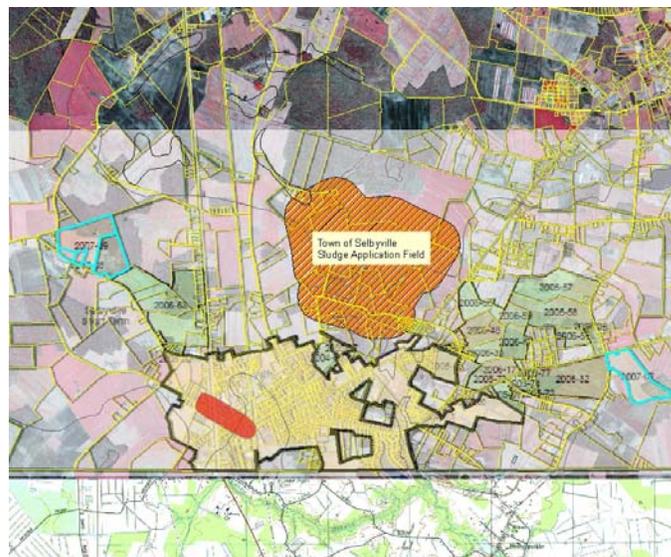
The Water Supply Section has reviewed Map 5 and 8 of the Town of Selbyville Comprehensive Plan Amendment.

Map 8 showing additions to the 2006 Comprehensive Plan Annexation Area show that the parcels are not in wellhead protection areas or excellent ground-water recharge potential (see attached Map 1).

Map 5 shows commercial and industrial land use within the town's wellhead protection area (see attached Map 2). As noted in the 2006-09-17 the change to mixed residential and commercial zoning is in an area that directly impacts the wellhead protection area for the Selbyville Water.

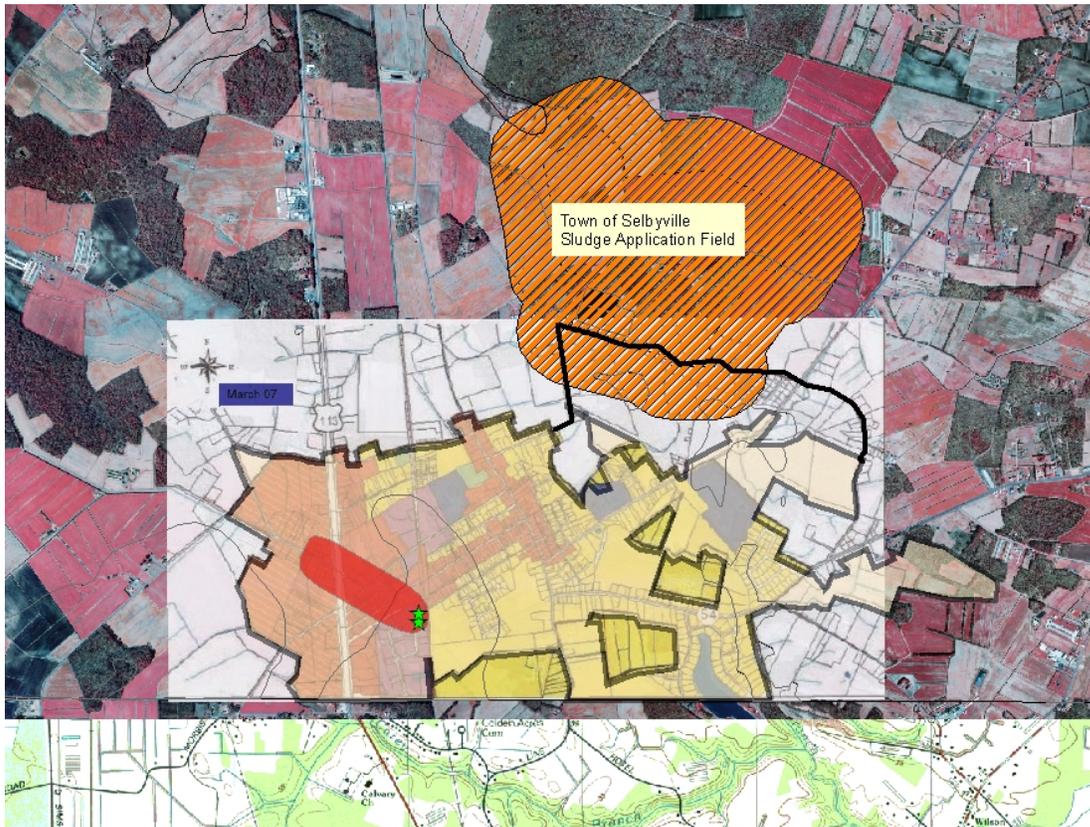
Map 1. Town of Selbyville Comprehensive Plan Amendment (PLUS 2007-03-03)

The 2006 Comprehensive Plan Annexation Area map is shown as it impacts the wellhead protection area. The wellhead protection area is shown in red. The parcels proposed for addition in this PLUS application are outlined in blue.



Map 2. Town of Selbyville Comprehensive Plan Amendment (PLUS 2007-03-03)

Map 5-Future Land Use as submitted by the applicant is shown as it impacts the wellhead protection area. The wellhead protection area is shown in red. The Groundwater Management Zone for the Selbyville Sludge Field is shown in orange.



Sediment and Erosion Control/Stormwater Management

The current Sediment and Stormwater Law and Regulations are available online at <http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/StormWater.htm>. The regulations are due to be revised in the coming year.

State Fire Marshal's Office – Contact: R.T. Leicht 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.

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 a MOU be established between the DE State Fire Marshal's Office and the Town of Selbyville. The State Fire Marshal's Office would be issuing 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 future land use map changes.

Department of Agriculture - Contact: Scott Blaier 698-4500

The Department has no objections to the Town's Comprehensive Plan amendment to annex a property that was inadvertently left off a previous comprehensive plan amendment that was brought through PLUS in 2006. However, the Department would be reluctant to support further Comprehensive Plan amendments involving annexation until the Town has updated its Comprehensive Plan.

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.

Delaware State Housing Authority – Contact Vicki Walsh 739-4263

The Town of Selbyville is proposing an Amendment to their Comprehensive Plan to annex several small parcels totaling no more than approximately 19 acres into the Town of Selbyville. The 2003 Statewide Housing Needs Assessment indicates that much of the housing in the Selbyville/Frankford CCD is outside of the affordability level of low – and moderate-income households. For example, real estate data collected by DSHA for the fourth quarter of 2006 indicated that the median home price was \$360,000, which is outside the affordability level of low- and moderate-income households. Conversely, the affordability price for low- and moderate-income households earning 100% of area median income is estimated to be \$174,485. Households that cannot afford to live in the coastal resort area have been displaced to western Sussex County. The provision of

moderately- priced units for first time homebuyers would help support the housing needs of low- and moderate-income families employed by the local retail, service, and tourism economy. We recommend that the Town of Selbyville, as part of this Amendment, also include incentives that ensure long-term affordable housing for low- and moderate-income persons.

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 offers its support to assist the town and participate in coordination between the town, the local School District, the County, the Office of State Planning Coordination as well as other school districts and stakeholders as future developments and annexations may be considered.
6. The DOE has no objections to the Comprehensive Plan Amendment under consideration.

Sussex County - Contact: Richard Kautz 855-7878

The town is encouraged to avoid the creation of new enclaves when annexing, to eliminate existing enclaves during its negotiation of the annexation agreement, and to notify the Sussex County Planning Department when the annexation becomes effective.

As no certification issues are noted with the comprehensive plan amendment, the Town should consider our comments before adopting the amendment. Once the amendment is adopted, please send a copy of the resolution to this office. Our office will issue a letter to confirm that the plan has been certified with the above referenced changes.

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