



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

September 17, 2007

Bob Hershey  
Appoquinimink School District  
118 S. Sixth Street  
Odessa, DE 19730

RE: PLUS review – PLUS 2007-08-09; Appoquinimink School District

Dear Mr. Hershey:

Thank you for meeting with State agency planners on August 22, 2007 to discuss the feasibility of a school on 30 acres located on Green Giant Road near the intersection with Greers Corner Road in Townsend.

Please note that the site plan, when completed, will be required to go through the PLUS process. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The school district will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the Town of Middletown is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the Town.

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

**Office of State Planning Coordination – Contact: Herb Inden**

This project will be located on a recently annexed piece of land in Middletown. Prior to its annexation this parcel was in a Level 4 area. We noted our concerns about development in an Investment Level 4 area according to the Strategies for State Policies

and Spending in that PLUS review (2007-02-14) at the same time recognizing the difficulty that Appoquinimink School District was having finding suitable school sites in this fast growing area of New Castle County. Given the location adjacent to a Level 3 area and the fact that the Town of Middletown was limiting the development of this parcel for educational purposes we did not oppose the annexation and thus we do not oppose the use of the site for this project.

All school sites must be approved by the directors of the Department of Education, the Office of Management and Budget, and the Office of State Planning Coordination. The School District should contact the Department of Education to begin the school site approval process.

**Division of Historical and Cultural Affairs – Contact: Terrance Burns 739-5685**

According to the historical resources and documents at the State Historic Preservation Office, there are no recognized or known archaeological or historical sites on this parcel, but it is possibly there could probably still be undiscovered archaeological sites (prehistoric or historic) remaining somewhere on the premises of this particular parcel.

If any construction proceeds on this parcel, the State Historic Preservation Office of the Division of Historical & Cultural Affairs would like the opportunity to examine the area prior to any demolition or ground-disturbing activities, to see if there are any archaeological sites on it, in order to learn more information about this area in detail. If you would like to discuss this information or other issues further, contact the State Historic Preservation Office Division of Historical & Cultural Affairs at (302) 744-7400 ext.25, and they we will be more than happy to assist you.

**Department of Transportation – Contact: Bill Brockenbrough 760-2109**

Appoquinimink School District is seeking to develop school sites in the greater Middletown area. One of the sites is a 30-acre parcel (Tax Parcel 14-011.00-003) on the south side of Middletown. More specifically it is on the south side of Green Giant Road (New Castle Road 458) between Wiggins Mill Road (New Castle Road 446) and Grears Corner Road (New Castle Road 459). A 100,000 square foot elementary or middle school is proposed there.

DelDOT comments are as follows:

- 1) This site was identified in the Westtown Master Plan as a future educational location.

- 2) Green Giant Road is classified as a local road. 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. Therefore DelDOT would require right-of-way dedication along the frontage to provide any additional width needed from this project.
- 3) DelDOT would also require a 15-foot wide permanent easement across the frontage of the site for a future shared use path.
- 4) DelDOT would expect a 100,000 square foot middle school to generate 1,378 vehicle trips per day (689 entering, 689 exiting) and 435 vehicle trips during the morning peak hour. They would expect an elementary school of the size proposed to generate 1,272 vehicle trips per day (636 entering, 636 exiting) and 433 vehicle trips during the morning peak hour. These volumes are not enough to warrant a traffic impact study (TIS) under our current standards. However, under new standards that we expect to adopt this calendar year, a TIS would be warranted.
- 5) Regardless of whether we require a TIS, the District should anticipate a requirement to improve area roads leading to the school. To fully determine what they will require, we will need to know more about the number and location of students who would attend the school, bus routes, and the composition of the pavement on the surrounding roads. However, they will at least require that the District improve Green Giant Road from Delaware Route 71 to the school entrance to meet DelDOT's local road standards. Those standards include 11-foot lanes and 5-foot shoulders.
- 6) DelDOT would recommend that the District plan to provide a bicycle and pedestrian path to the school from St. Anne's Boulevard, a planned street in The Estates of St. Anne's subdivision.
- 7) Question 40 on the PLUS application asks about street rights-of-way, and is therefore better suited to the evaluation of a residential subdivision than to the evaluation of a school site. However, DelDOT did notice that the response to this question was "Town." To be clear, Green Giant Road is State-maintained and they have no plans to transfer its maintenance to the Town.
- 8) The District's site engineer should contact the DelDOT Subdivision Manager for southern New Castle County, Mr. Pao Lin, regarding specific requirements for access and off-site improvements. Mr. Lin may be reached at (302) 760-2157.

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

**Soils**

The New Castle soil survey update indicates that most of the soils mapped on this parcel are well-drained Reybold-Hambrook and Reybold-Sassafras complex soils (estimated 90-95% of the mapped soils on this parcel); such soils, generally, have few apparent limitations for development. Additionally a small mapping unit of moderately well-drained Woodstown loam bounds much of the same parcel's southern boundary.

**Wetlands**

It should be noted that the Statewide Wetland Mapping project (SWMP) maps indicate the presence of a small mapped area of palustrine riparian wetlands in the same vicinity of a portion of the Woodstown soil mapping unit (i.e., far southeastern corner). This suggests that portions of the Woodstown soil mapping may be wetter than this mapping units suggest. It is strongly recommended that the applicant have a wetland delineation conducted before commencing beyond the initial planning stages of this project; this will ensure that jurisdictional wetlands are not impacted.

**Water Resource Protection Areas**

The Water Supply Section has determined that a substantial portion of the proposed development falls within an excellent ground-water recharge potential area; the review did not show any wellhead protection areas (see following map and attached map). The proposed site is located in New Castle County (NCC) and subject to the County's Unified Development Code.

NCC defines excellent ground-water recharge potential areas as 'recharge areas'. Recharged areas are characterized as deposits of the coarser grained material have the best ability to transmit water vertically through the unsaturated zone to the water table. The NCC recharge areas were mapped using the methods described in the Delaware Geological Survey Open File Report No. 34, "Methodology for Mapping Ground-Water Recharge Areas in Delaware's Coastal Plain" (August 1991), and depicted in a series of maps prepared by the Delaware Geological Survey.

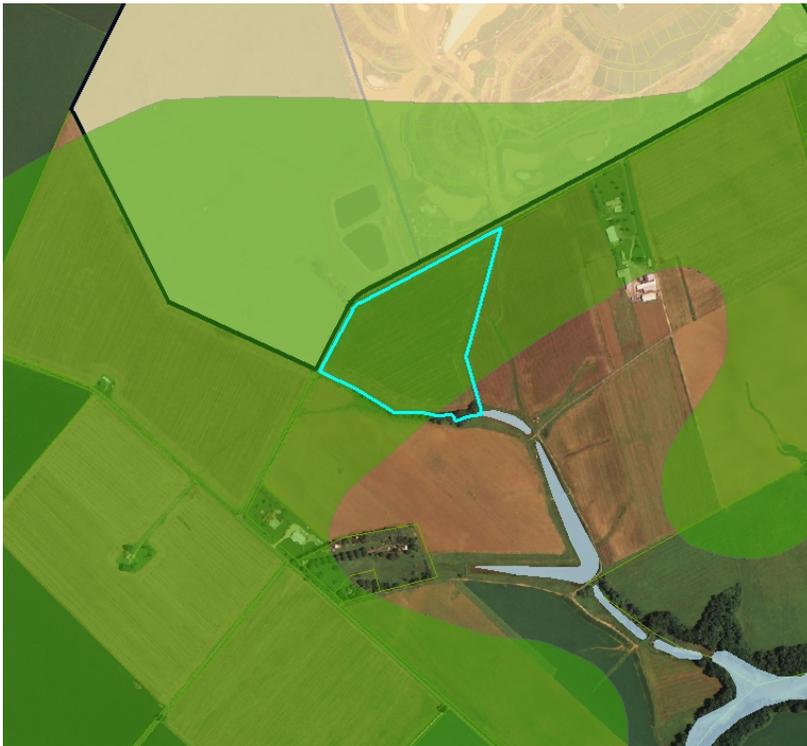
The PLUS applicant implies the impervious cover for the proposed project will be 19%. The Unified Development Code limits development to less than 20% impervious cover

(Sec. 40.10.380, B). NCC requires an environmental impact assessment if the project were to exceed 20%.

The proposed project is also subject all relevant elements of the Unified Development Code regarding Water Resource Protection Areas.

### **Map of Appoquinimink School District (PLUS 2007-08-09)**

The proposed site is outlined in light blue. The excellent ground-water recharge potential area is highlighted in green. The municipality of Middletown is shaded in beige.



### **Water Supply**

The information provided indicates that the Town of Middletown will provide well water to the proposed projects through a central public water system. Our files reflect that the Town of Middletown does not currently hold a certificate of public convenience and necessity (CPCN) to provide public water in these areas. They will need to file an application for a CPCN with the Public Service Commission, if they have not done so

already. Information on CPCN requirements and applications can be obtained by contacting the Public Service Commission at 302-739-4247. Should an on-site public well be needed, it must be located at least 150 feet from the outermost boundaries of the project. The Division of Water Resources will consider applications for the construction of on-site wells provided the wells can be constructed and located in compliance with all requirements of the Regulations Governing the Construction and Use of Wells. A well construction permit must be obtained prior to constructing any wells.

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 302-739-9944.

### **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 the Division of Soil and Water Conservation Sediment and Stormwater Program. Contact Elaine Webb with the Sediment and Stormwater Program at (302) 739-9921, for details regarding submittal requirements and fees. It is strongly recommended that you contact the reviewing agency to schedule a pre-application meeting with the Sediment and Stormwater Section to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion.

Several schools throughout the state, including Lake Forest, have taken advantage of natural features on school properties by creating outdoor classrooms and environmental educational and stewardship opportunities through restoration and creation of wetlands and streams onsite. This site may provide opportunity for onsite outdoor classroom/educational opportunity and wetland/stream restoration project. Tom

Barthelmeh, Division of Soil and Water Conservation, 302.739.9921, can provide more information. Sara Wozniak of the Appoquinimink River Association may also be a resource if this opportunity is of interest to the school district.

### **Drainage**

The Drainage Program requests that the engineer take precautions to ensure the project does not create any off site drainage problems downstream by the release of on site storm water. The Drainage Program requests that the engineer check existing downstream conveyances for function and blockages prior to the construction. Notify downstream landowners of the change in volume of water released on them.

### **Floodplains**

FEMA's National Flood Insurance Program requires any new construction greater than 5 acres or 50 lots located in a Zone A floodplain must determine a Base Flood Elevation and submit it to the community. Please contact the Town of Middletown regarding their requirements/regulations.

### **Rare Species**

A review of our database has revealed that there may be suitable habitat for the federally listed bog turtle (*Glyptemys muhlenbergii*) within the proposed parcel, specifically within wetlands along the southern boundary of the parcel. Because the bog turtle is a federally listed species, protected under the Endangered Species Act, its presence can affect the scope of work. To ensure that the project will not impact bog turtles or their habitat, Phase I surveys for bog turtle habitat should be conducted. This is standard for projects with potential habitat within 300 feet of their project.

Phase I surveys can be conducted any time of year when snow cover is not present. If potential habitat is found, however, please note there is a time of year restriction during which Phase II surveys for bog turtles must be conducted. A Delaware approved bog turtle surveyor must be used to conduct the surveys. Please contact Holly Niederriter (302-653-2880) to obtain a list of contacts to conduct Phase I and, if necessary, Phase II surveys.

If potential bog turtle habitat is found during Phase I surveys, you are required to either:

1. Completely avoid all direct and indirect project impacts to the wetland, in consultation with the U.S. Fish and Wildlife Service and Delaware Division of Fish and Wildlife;

OR

2. Have Phase II surveys conducted to determine if bog turtles are present. In accordance with Delaware's bog turtle site survey procedures, surveys must be conducted by a State-approved bog turtle surveyor between April 15 and June 15.

### **Nuisance Species**

If wet stormwater management ponds are planned they should be landscaped to deter nuisance waterfowl. These ponds can attract waterfowl like resident Canada geese and mute swans that can create water-quality problems, leave droppings on lawn and paved areas, and can become aggressive during the nesting season. It is best not to locate athletic fields in proximity to a pond because mowed grass is attractive habitat to these species. DNREC recommends native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within a buffer area around stormwater management ponds. Geese do not feel as safe from predators when their view of the area is blocked and will be less likely to take up residence in the pond. 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, the school district 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.

### **State Fire Marshal's Office – Contact: John Rudd 323-5365**

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):

Generally, this Agency makes no comments regarding, a Feasibility Plan. The information provided below shall be considered when plans are being designed.

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 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 the site, 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 or more, 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.

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 the major thoroughfares 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.
- 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. **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)
- Townhouse 2-hr separation wall details shall be shown on site plans
- 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

**Department of Agriculture - Contact: Scott Blaier 698-4500**

The Department is not opposed to the school district acquiring this property for an elementary and/or middle school. The property has been annexed into the Town of Middletown for the specific purpose of constructing a new school and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 2 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 735-4055**

1. The DOE supports locating school facilities on parcels with existing or reasonable access to civil infrastructure to include but not limited to:
  - Roads, pedestrian walkways and shared use paths
  - Waste water/sewerage and domestic water
  - Electric, and telecommunications
  - Storm water drainage and conveyance

School sites with public water and sewer utilities or access to public water and sewer utilities are recommended by DOE over sites requiring on-site facilities. This school site appears to offer access to adequate public civil utilities.

2. The DOE supports the State Strategies for Policies and Spending. When considering school facility locations, the DOE considers proximity and access to basic support services as a high priority.

The school location under consideration appears to be within the Town of Middletown incorporated limits and as a result basic support service levels will reflect a commensurate level of service associated with incorporated local jurisdiction services.

3. The DOE supports locating school facilities strategically within the geographic region and/or community the facility is intended to serve in order to:
  - Encourage non-student pedestrian access to the school facility in an effort to reduce vehicle miles traveled to the extent practical
  - Encourage student pedestrian access to the school facility, in order to contain the school's life-cycle operating costs associated with student transportation, as practicable
  - Create education campuses by co-locating educational facilities and services in an effort to reduce life-cycle costs as a result of the co-located schools sharing common spaces, facilities and services.

The school location under consideration appears to be strategically located geographically within the community it is intended to serve.

4. As a result, the DOE supports this site as a potential future elementary or middle school site for the Appoquinimink School District.
5. The Appoquinimink School District must submit a letter to the Department of Education initiating the Use or Acquisition of Lands for School Construction approval process in accordance with Title 29, § 7525, Delaware Code.

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

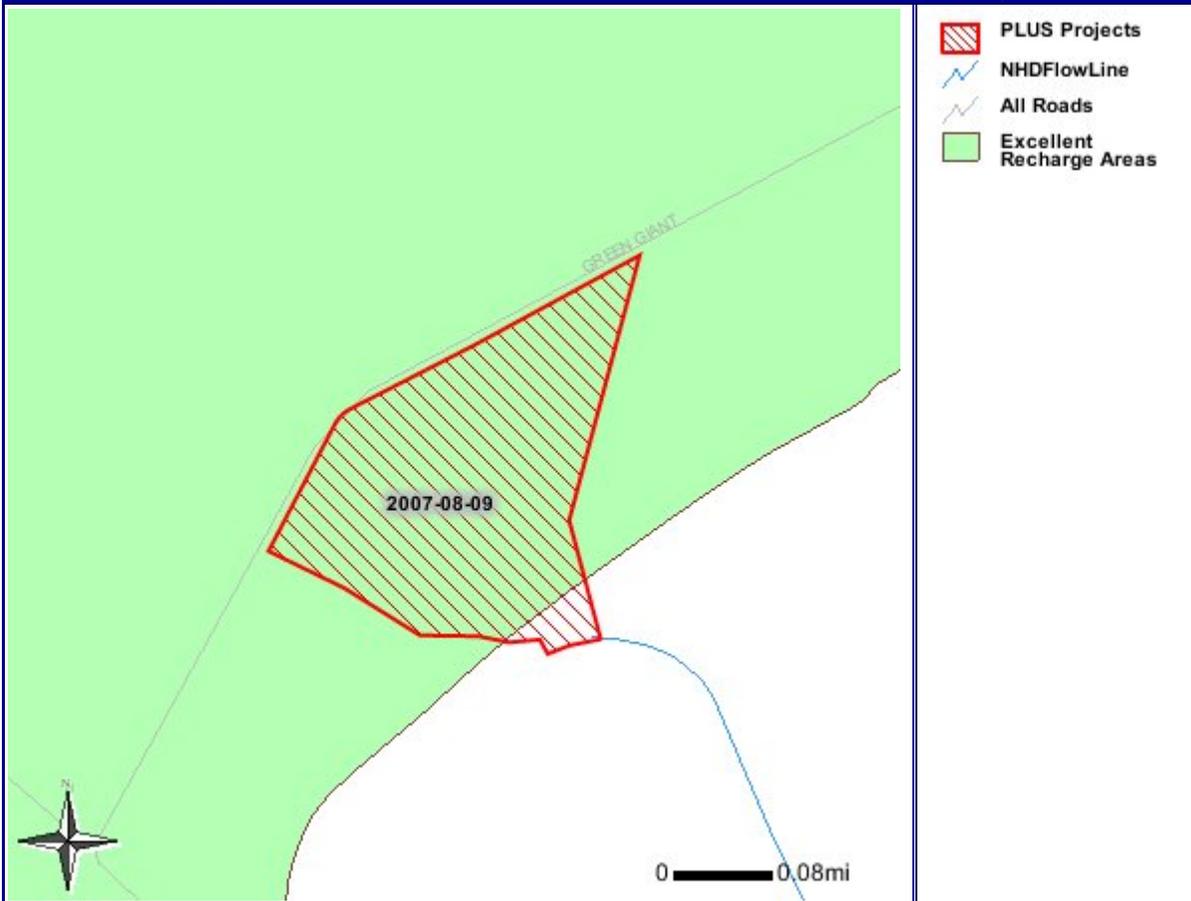
Constance C. Holland, AICP  
Director

CC: New Castle County



# Appoquinimink School District

2007-08-09



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

