



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

September 17, 2007

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

RE: PLUS review – PLUS 2007-08-10; 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 18.5 acres located along Route 299 and on both sides of Mechanic Street in Odessa.

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

**Executive Summary**

The following section includes some site specific highlights from the agency comments found in this letter. This summary is provided for your convenience and reference. The full text of this letter represents the official state response to this project. ***Our office notes that the applicants are responsible for reading and responding to this letter and all comments contained within it in their entirety.***

### **State Strategies/Project Location**

- This project will be located within Odessa, within an Investment Level 2 area according to the Strategies for State Policies and Spending. The State has no objections to the new school being constructed provided it is in compliance with all Odessa ordinances and regulations. This is a particularly good location given that it is part of a neo-traditional development and adjacent to an existing park.
- 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.

### **Street Design and Transportation**

- Although it is not mentioned in the application, there is a narrow, unnamed right-of-way extending west from the curve in Route 299. It is recommended that the District contact Ms. Enright to pursue the vacation of this right-of-way at the same time that Mechanic Street is vacated.
- If the District were to use Mechanic Street for its primary access, DelDOT would require that it be improved to meet their local road standards. Those standards include 11-foot lanes and 5-foot shoulders, although some adaptation of those standards may be necessary within the Town limits.
- From discussion at the PLUS meeting, DelDOT understands that the District plans to use Route 299 for its primary access to this site and to use Mechanic Street only for bicycle, pedestrian and emergency vehicle access. DelDOT agrees that this is the best way to proceed.
- The curve in Route 299 at the east end of the site's frontage will constrain access to the site, and should be studied in regard to the entrance design, but it does appear that they can provide access toward the west end of the site frontage.

### **Natural and Cultural Resources**

- Application materials indicate that most of this forest is going to be removed, but DNREC encourages the applicant to reconsider. This forest could be an asset to the school curriculum and useful to science classes as an outdoor 'laboratory'. If feasible, part or most of this parcel could be maintained as open space.

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

**Office of State Planning Coordination – Contact: Herb Inden 577-5188**

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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 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 shown on the PLUS application as an 18.5-acre assemblage of parcels (Tax Parcels 24-003.00-001, 24-003.00-004 and 24-003.00-005) on the west side of Odessa. More specifically the site is on both sides of Mechanic Street, adjoining the east side of SR 1 and the north side of SR 299.

As discussed in the PLUS meeting, the Putnam Group proposes to build a neo-traditional development on the above assemblage (and Tax Parcel 24-003.00-002, which was not mentioned in the application). They have approached the District about including a school site in their development. An 80,000 square foot elementary school is proposed there.

DelDOT comments are as follows:

- 1) Presently the subject site is bisected by a section of Mechanic Street. The District is working with our Real Estate Section to have that right-of-way vacated. Also, one of the parcels proposed as part of the site (Tax Parcel 24-003.00-005) is presently excess property the District is seeking to acquire from DelDOT. If the District has any questions regarding DelDOT's part in these efforts, they may contact Ms. Kathleen Enright of that office. Ms. Enright may be reached at (302) 760-2237.
- 2) Although it is not mentioned in the application, there is a narrow, unnamed right-of-way extending west from the curve in Route 299. It is recommended that the District contact Ms. Enright to pursue the vacation of this right-of-way at the same time that Mechanic Street is vacated.
- 3) DelDOT would expect an elementary school of the size proposed to generate 1,020 vehicle trips per day (510 entering, 510 exiting) and 338 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 are expected to be adopted this calendar year, a TIS would be warranted.
- 4) Regardless of whether DelDOT requires a TIS, if the District were to use Mechanic Street for its primary access, DelDOT would require that it be improved to meet their local road standards. Those standards include 11-foot lanes and 5-foot shoulders, although some adaptation of those standards may be necessary within the Town limits.

From discussion at the PLUS meeting, DelDOT understands that the District plans to use Route 299 for its primary access to this site and to use Mechanic Street only for bicycle, pedestrian and emergency vehicle access. DelDOT agrees that this is the best way to proceed.

The curve in Route 299 at the east end of the site's frontage will constrain access to the site, and should be studied in regard to the entrance design, but it does appear that they can provide access toward the west end of the site frontage.

- 5) The District's site engineer should contact the 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**

Based on the New Castle County soil survey update, the soils mapped on this parcel was Reybold-Sassafras complex and Matapeake soils. Reybold-Sassafras complex and Matapeake soils are well-drained upland soils that, generally, have few limitations for development. Additionally, Statewide Wetland Mapping Project (SWMP) maps indicate no apparent wetlands.

### **Water Supply**

The project information sheets indicate that the source of water service to the project is yet to be determined. Our records indicate that the project site is not located in an area where public water service is available. Any public water utility providing water to the site must obtain a certificate of public convenience and necessity (CPCN) from the Public Service Commission. Information on CPCNs and the application process can be obtained by contacting the Public Service Commission at 302-739-4247. Should an on-site public/miscellaneous public well be needed, a minimum isolation distance of 150 feet is required between the well and any potential source of contamination, such as a septic tank and sewage disposal area. The Division of Water Resources will consider applications for the construction of on-site wells provided the wells can be located and constructed 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.

### **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.

### **Rare Species and Wildlife Habitat**

DNREC has not surveyed this parcel; therefore, it is unknown if there are state-rare or federally listed plants, animals or natural communities at this project site. Habitat that would support these species is not obvious on tax parcel 2400300004 according to our GIS database, hydrology, topography, soils and aerial photographs. The majority of construction activities should take place on this parcel. Tax parcel 2400300005 is partially forested, but it is difficult to ascertain the quality of this forest or state of successional growth from the materials available. Application materials indicate that most of this forest is going to be removed, but DNREC encourages the applicant to reconsider. This forest could be an asset to the school curriculum and useful to science classes as an outdoor 'laboratory'. If feasible, part or most of this parcel could be maintained as open space.

## **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. We recommend 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.

## **Underground Storage Tanks**

There are four inactive and one active LUST site(s) located near the proposed project:

Kayo Gas Station, Facility # 3-000248, Project # N8707031

Getty Service Station, Facility # 3-001034, Project # N9006038

The Market Place of Odessa, Facility # 3-001053, N8907267

Former Chevron Station, Facility # 3-000908, Project # N9006041

Traders Gulf, Facility # 3-000313, Project # N9209221

No environmental impact is expected from the above inactive/active LUST site(s). 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 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 with nitrile rubber gaskets in the contaminated areas.

**State Fire Marshal's Office – Contact:**

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):

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

The Delaware Department of Agriculture has no objections to the proposed location for an elementary school. The project is within Town of Odessa's incorporated area 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 Odessa 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 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".

Constance C. Holland, AICP  
Director

CC: Town of Odessa