



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

October 29, 2007

Mr. Bret Martine  
Studio JAED  
20 E. Division Street  
Dover, DE 1 9901

RE: PLUS review – PLUS 2007-09-03; Milford School District – Bridgeham Avenue

Dear Mr. Martine:

Thank you for meeting with State agency planners on September 26, 2007 to discuss the proposed Milford School District site located on the corner of South 5<sup>th</sup> Street and Bridgeham Avenue.

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

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

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

This proposed school site is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. This site is also located within the City of Milford. Public facilities, such as schools, are desirable in Investment Level 1 areas where they are located near

infrastructure, public services, and the populations they serve. The State supports this location for new school construction.

**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 historic features, such as a National Register property, or Archaeological site on or within this parcel.

The developer should be aware of Delaware's Unmarked Human Remains Act of 1987, which governs the discovery and disposition of such remains. The unexpected discovery of unmarked human remains during construction can result in significant delays while the process is carried out, and the developer may want to hire an archaeological consultant to check for the possibility of a cemetery here if this development is approved.

Because of the nature of where this parcel is located there is a possibility that there still could be an un-discovered prehistoric or historic archaeological site on this parcel, or nearby. 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**

Milford School District is seeking to develop school sites in the greater Milford area. One of the sites is a 0.33-acre parcel (Tax Parcel 3-30-11.05-216.00) on the southeast corner of South 5<sup>th</sup> Street and Bridgeham Avenue in downtown Milford. Presently, this parcel is a developed residential lot adjoining the campus of the Lulu M. Ross Elementary School. The District proposes to buy some or all of it to expand the campus.

Because this site has access and frontage only on municipal streets, it is outside DelDOT's jurisdiction. DelDOT has no comments on this site.

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

**Soils**

The Sussex County soil survey update indicates that well-drained Downer and Ingleside Urban Land complex soils were mapped on this parcel. Such soils, generally, have few apparent limitations for development.

**Water Resource Protection Areas**

The Water Supply Section has determined that the site falls entirely within an excellent ground water recharge area for Kent County (see following map and attached map).

Excellent ground-water recharge potential areas are those areas mapped by the Delaware Geological Survey where the first 20 feet of subsurface soils and geologic materials are exceptionally sandy. These soils are able to transmit water very quickly from the land surface to the water table. This map category is an “indicator of how fast contaminants will move and how much water may become contaminated” (Andres, 2004, pg 1). Land use activities or impervious cover on areas of excellent ground-water recharge potential may adversely affect the quantity and quality of ground water beneath these areas.

The Water Supply Section recommends that the portion of the new development within the excellent ground-water recharge area not exceed 20% impervious cover (DNREC, 2005). The purpose of an impervious cover threshold is to minimize loss of recharge (and associated increases in storm water) and protect the quality and quantity of ground water and surface water supplies.

The proposed development would change the impervious from 0% to approximately 10-15%. The Developer on the PLUS application provided these numbers.

In addition, because the excellent ground water recharge area can so quickly affect the underlying aquifer if contaminants are spilled or discharged across the area, the storage of hazardous substances or wastes should not be allowed within the area unless specific approval is obtained from the relevant state, federal, or local program.

**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*: Dover, DE., 144 p.

[http://www.wr.udel.edu/publications/SWAPP/swapp\\_manual\\_final/swapp\\_guidance\\_manual\\_final.pdf](http://www.wr.udel.edu/publications/SWAPP/swapp_manual_final/swapp_guidance_manual_final.pdf)

**Map of Milford School District (PLUS 2007-09-03)** Excellent ground-water recharge potential area shown in green. Wellhead protection areas are shown in red. The parcel under review is outlined in blue.



### **Water Supply**

The project information sheets state water will be provided to the project by the City of Milford via a public water system. Our records indicate that the project is located within

the public water service area granted to the City of Milford under Certificate of Public Convenience and Necessity 91-CPCN-09.

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 must be approved by DNREC prior to beginning construction. Contact Elaine Webb at (302) 739-9921 to schedule a pre-application meeting.

### **Underground Storage Tanks**

There is one inactive LUST site(s) located near the proposed project:

Denton Carolina Corporation, Facility # 5-000380, Project # S9005025

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: 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):

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

Preliminary meetings with Fire Protection Specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.delawarestatefiremarshal.com](http://www.delawarestatefiremarshal.com), technical services link, plan review, applications or brochures.

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

The Delaware Department of Agriculture has no objections to the school district developing this parcel as part of its school campus expansion. The project is within the City of Milford and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 1 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 parcel is a contiguous parcel to the Lulu Ross Elementary School site which is already owned by the district. This parcel is needed to assure adequate vehicular access to the combined campus of the Lulu Ross Elementary School and the proposed new Elementary School.

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 parcel being reviewed is a additional parcel to lands already owned by the district and previously approved for school construction in accordance with Title 29, § 7525, Delaware Code.

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 parcel being reviewed is a additional parcel to lands already owned by the district and previously approved for school construction in accordance with Title 29, § 7525, Delaware Code.

4. As a result, the DOE supports the Milford School District's acquisition of this parcel to be added to the overall Lulu Ross/Proposed Elementary School Campus.
5. The Milford 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.

Constance C. Holland, AICP  
Director

CC: City of Milford