



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

February 20, 2008

Martin Dusbiber
George, Miles, & Buhr, LLC
1143 Savannah Road, Ste. 1
Lewes, DE 19958

RE: PLUS review –2008-01-08; Milford Public Library

Dear Mr. Dusbiber:

Thank you for meeting with State agency planners on January 23, 2008 to discuss the proposed plans for the Milford Public Library project located at 11 SE Front Street in Milford.

According to the information received, you are seeking to expand the existing library by 21, 941 sq. feet.

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 developers 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 County.

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 is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. This site is also located in the City of Milford. 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. Our office has no objections to the proposed development of this project in accordance with the relevant City codes and ordinances

Natural and Cultural Resources

- Ground Water Protection Branch recommends:
 1. Relocate any open space areas to the part of the parcel within the wellhead protection area
 2. Direct run off from the impervious surface away from the wellhead protection area.
 3. Augment ground-water recharge with clean rooftop run-off systems
- The proposed additions must not be constructed within the 100-year floodplain.

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

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

This project is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. This site is also located in the City of Milford. 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. Our office has no objections to the proposed development of this project in accordance with the relevant City codes and ordinances

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

No comments were received from the Division of Historical and Cultural Affairs.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

The Milford Public Library, located on the northwest corner of South Washington Street and Southeast Front Street (Tax Parcel 3-30-6.20-5.01) proposes additions that would increase their floor area by about 10,000 square feet.

The Library will be required to obtain a Letter of No Objection from the Department and should contact The DelDOT Subdivision Manager for western Sussex County, Mr. Derek Sapp, to in this regard. Mr. Sapp may be reached at (302) 760-4803. DelDOT does not anticipate a need for any changes to their current access.

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

Water Supply

The project information sheets state water will be provided to the project by the City of Milford via a public water system. DNREC 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.

Potential Contamination Sources exist in the area, and any well permit applications will undergo a detailed review that may increase turnaround time and may require site specific conditions/recommendations. In this case, there are two Underground Storage Tanks, located within 1000 feet of the proposed project, associated with Walls Service Center and the Milford Senior Center, northeast of this project site.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-9944.

Water Resource Protection Areas

The Water Supply Section, Ground Water Protection Branch, has determined that the northeast portion of the proposed development falls within a wellhead protection area for Milford Water (see following map and attached map). Wellhead protection areas are

surface and subsurface areas surrounding a public water supply well where land use activities or impervious cover may adversely affect the quantity and quality of ground water moving toward such wells.

The Water Supply Section recommends that the portion of the new development within the wellhead protection area not exceed 20% impervious cover (DNREC, 2005). Some allowance for augmenting ground-water recharge should be considered if the impervious cover exceeds 20% but is less than 50% of that portion of the parcel within this area. However, the development should not exceed 50% regardless. 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 over from 64% to approximately 82%, based on the square footage provided by the applicant. Based on the aerial photograph, the portion of the parcel within the wellhead protection area is a parking area. This category of land use is associated with petroleum hydrocarbons (DNREC, 1999).

Ground Water Protection Branch recommends:

- Relocate any open space areas to the part of the parcel within the wellhead protection area
- Direct run off from the impervious surface away from the wellhead protection area.
- Augment ground-water recharge with clean rooftop run-off systems

A water balance calculation will be necessary to determine the quantity of clean water to be recharged via a recharge basin (DNREC Supplement 1, 2005).

In addition, because the wellhead protection area the source of public drinking water, 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

Delaware Department of Natural Resources and Environmental Control (1999). *The State of Delaware Source Water Assessment Plan*: Dover, DE, p. 301.

<http://www.wr.udel.edu/swaphome/publications.html>

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/swaphome/Publications/SWPguidancemanual.html>

Milford Public Library (PLUS 2008-01-08)

Map of proposed development as it influences the wellhead protection area. The dark red area shows the wellhead protection area. The parcel under review is outlined in light blue.



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. Contact the reviewing agency to schedule a pre-application meeting to discuss the sediment and erosion control and stormwater

management components of the plan as soon as practicable. 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. The plan review and approval as well as construction inspection will be coordinated through the Sussex Conservation District. Contact Jessica Watson at the Sussex Conservation District at (302) 856-7219 for details regarding submittal requirements and fees.

Because of the parcel's location in an impaired watershed and the amount of impervious surface, consider incorporating green technology BMPs and low impact development practices to reduce stormwater flow and to meet water quality goals.

Floodplains

There are two concerns at this time regarding the floodplain:

1. The proposed additions must not be constructed within the 100-year floodplain.
2. The addition located within the 500-year floodplain is proposed to be a second story addition only. This would be preferable.

Underground Storage Tanks

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

Milford Post Office, Facility # 5-000464, Project # S9804070

Milford Global, Facility # 5-000139, Project # S9702019

Milford Library Association, Facility # 5-000796, Project # S9212289

Kings Medds #1 Dairy Market, Facility # 5-000137, Project # S8707040

Milford Mobil, Facility # 5-000318, Project # S0209073

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.

Site Investigation and Restoration

One Site Investigation and Restoration Branch (SIRB) site was found within a 1/2-mile radius of the proposed site: Judy Brown Dry Cleaners (DE-1280) is located south east of the proposed site. It is a low priority site. It is more than a thousand feet away from the proposed site. Because of its low priority, and the commercial nature of the proposed site, DNREC-SIRB foresees no negative impact on the proposed site.

State Fire Marshal's Office – Contact: R.T. Leicht 739-4394

This project is located within the City of Milford. You should contact the City of Milford Fire Marshal's Office to determine what the site plan submittal requirements are for this project.

Department of Agriculture - Contact: Scott Blaier 698-4500

The Delaware Department of Agriculture has no objections to the proposed library expansion. The library is located within the City of Milford, and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 1 areas.

Right Tree for the Right Place

The Delaware Department of Agriculture Forest Service encourages the developer to use the "Right Tree for the Right Place" for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Do Not Plant List

Due to the high risk of mortality from insects and disease, the Delaware Forest Service does not recommend planting any of the following species:

Callery Pear
Leyland Cypress
Red Oak (except for Willow Oak)
Ash Trees

Please contact the Delaware Forest Service for more information at (302) 698-4500.

Native Landscapes

The Delaware Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and will clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

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.

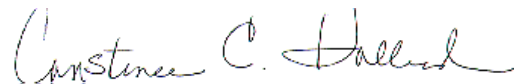
Department of Education – Contact: John Marinucci 735-4055

This proposed project is in the Milford School District. This is a site plan review for a commercial public library expansion. This site plan review is commercial in nature with no apparent impact on educational service delivery and, as such DOE has no objections regarding this request.

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,



Constance C. Holland, AICP
Director

CC: City of Milford

