



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

March 26, 2008

Mr. Doug Liberman
Larson Engineering, Inc.
2727 Pulaski Highway
Newark, DE 19702

RE: PLUS review – 2008-02-04; CR Plaza II

Dear Mr. Liberman:

Thank you for meeting with State agency planners on February 27, 2008 to discuss the proposed CR Plaza II project to be located on the southbound side of US 13 near Camden.

According to the information received, you are seeking to rezone 6 acres from R-4 to C-2 for a commercial shopping center. The PLUS review is for the rezoning of the property. If the rezoning is approved, the site plan, once completed, may need to be reviewed through PLUS. You should contact the Office of State Planning Coordination to determine if that review is required.

Please note that additional plan changes, 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 development will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the Town of Camden is the governing authority over this land, you 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 is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. This site is also located in the Town of Camden. 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.

Street Design and Transportation

- DelDOT is presently engaged in a Camden Area Study, in which they are evaluating options for improving the transportation network. Some of those options would affect the subject land in that they would involve the extension of Old North Road across the north edge of the property to and in some options across Route 13. DelDOT asks that the developer contact the manager of that study, Mr. Charles Altevogt, to become familiar with the study and work cooperatively with them as they further develop their plans for

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 Town of Camden. 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 project is being reviewed through PLUS because the rezoning is technically inconsistent with the currently certified Camden Comprehensive Plan. However, the Camden Comprehensive Plan Update has been reviewed and approved by this office, has been adopted by the Camden Planning Commission, and is expected to be adopted by

Camden Town Council and certified by the Governor shortly. This project is consistent with the plan update, and as such the State has no objection to this rezoning application.

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

The State Historic Preservation Office, would like to advise the developer of the following historical observations and information in reference to this project area.

There did not appear to be any known historic or cultural resource site such as a known archaeological site or national register listed property on this project area, **but the developer needs to be very aware that this project area is close to the boundary of a National Register Site. That National Register site is the Camden Historic District (K-271), and it is listed on the National Register of Historic Places of the National Park Service of the United State Department of Interior. In addition, the Camden Historic District (K-271) does have quite a bit of historic and cultural resource sites with many historical attributes. For further information in reference to this, contact Ms. Robin Krawitz at State Historic Preservation Office of Division of Historic & Cultural Affairs at (302) 736-7400.**

Another historical aspect that the developer should be aware of is the historical background of the location of the project area. According to the **Beers Atlas of 1868**, this project area is within the vicinity of North Murderkill Hundred, and there is a variety of historical attributes within the vicinity of North Murderkill Hundred. The **Beers Atlas of 1868** also indicates that there were a few structures of some type very close to where the project area is located today. There is a possibility that there could be potential historic and cultural resources or archaeological resources affiliated with or related to those structures.

Since this project area is located where there is a known historic or cultural resource site nearby, there is possibility that there could be a potential historic or cultural resource of some type within this project area. This historic or cultural resource could also be some type of archaeological resource such as cemetery, burial ground, unmarked human remains, or some other type of hidden contents or remains that has significant historical attributes or aspects. It is very important that the developer become familiar with the laws and regulations of the state of Delaware that pertains to the discovery and disposition of archaeological resources and unmarked human burials or skeletal remains.

The State Historic Preservation Office strongly recommends that the developer should reads **Chapters 53 and 54, in Title 7, of the Delaware State Code** prior to or before any ground-disturbing activities, demolition, or construction starts or begins on this project area. **Chapter 53** pertains to the “Conservation of Archaeological Resources In or On

State Lands”, and **Chapter 54 pertains to the Delaware Unmarked Human Remains Act of 1987**. The unexpected discovery archaeological resources or unmarked human remains during construction can result in significant delays.

The State Historic Preservation Office also recommends strongly that the developer should consider hiring an archaeological consultant to check and examine the project area thoroughly prior to or before any ground-disturbing activities, demolition, or construction starts or begins on this project area. The purpose for this is to make sure that there is no indication or evidence of a potential historic or cultural resource or archaeological resource of some type such as a cemetery, burial ground, unmarked human remains, or some other type of hidden contents or remains with historical attributes.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

DelDOT is presently engaged in a Camden Area Study, in which they are evaluating options for improving the transportation network. Some of those options would affect the subject land in that they would involve the extension of Old North Road across the north edge of the property to and in some options across Route 13. DelDOT asks that the developer contact the manager of that study, Mr. Charles Altevogt, to become familiar with the study and work cooperatively with them as they further develop their plans for the property. Mr. Altevogt may be reached at (302) 760-2124.

- 1) DelDOT will require a traffic impact study for the development of the proposed shopping center. To begin that process, the developer’s traffic engineer may contact Mr. Troy Brestel of this office. Mr. Brestel may be reached at (302) 760-2167.
- 2) If the rezoning is approved, the developer’s site engineer should contact with our project manager for Kent County, Mr. Brad Herb, to determine our specific requirements for access and off-site improvements. Mr. Herb may be reached at (302) 266-9600.

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 Town of Camden via a public water system. DNREC records indicate that the project is located

within the public water service area granted to Camden-Wyoming Sewer & Water Authority under Certificate of Public Convenience and Necessity 95-CPCN-06.

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. 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 and to discuss options for an outlet for stormwater. 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 Kent Conservation District. Contact Jared Adkins at the Kent Conservation District at (302) 741-2600 for details regarding submittal requirements and fees.

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

The Sediment and Stormwater Management Program ensures sediment and erosion control plans and stormwater plans comply with local land use ordinances and policies, including the siting of stormwater management facilities. However, DNREC does not support placement in resource protection areas or the removal of trees for the sole purpose of placement of a stormwater management facility/practice.

Underground Storage Tanks

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

Dawson Bus Service, Facility # 1-000216, Project # K9205130
Department of Agriculture, Facility # 1-000623, Project # K0101007
Camden Super Soda Center, Facility # 1-000124, Project # K9506133

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 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. If the plan is approved the developer will be required, at the time of formal submittal, to provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

This Agency has no objection to the re-zoning request. 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:**
 - For mercantile occupancies, water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
 - For places of assembly type occupancies, 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

- b. **Fire Protection Features:**

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
 - Buildings greater than 10,000 sqft, 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
 - For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.
- 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.
 - 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.
 - Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
 - 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. **Gas Piping and System Information:**
- Provide type of fuel proposed, and show locations of bulk containers on plan.
- e. **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(s) is/are 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

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.statefiremarshal.delaware.gov, 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 proposed rezoning request. The parcel is located within the Town of Camden, 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.

Delaware State Housing Authority – Contact Vicki Powers 739-4263

This proposal is for a rezoning of 6.858 acres from R-4 to C-2 located on the southbound side of U.S. 13 just north of Rt. 10 in Camden. The DSHA is opposed to this proposal due to the displacement of the existing residents that would result. Manufactured housing is an affordable option for low- and moderate- income persons and there are few housing options for them in the Camden area. It is important to note that there are several requirements under Section 7010 of Title 25 Chapter 70 of the Delaware Code for landlords regarding the:

- Provision of a 1-year termination or non-renewal notice;
- Provision of a relocation plan to each affected tenant; and

- Submission of the relocation plan to the Delaware Manufactured Home Relocation Authority.

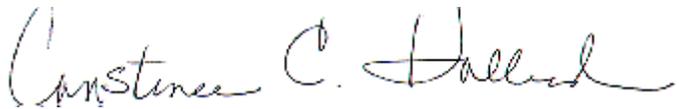
Department of Education – Contact: John Marinucci 735-4055

This proposed project is in the Caesar Rodney School District. This rezoning request is commercial in nature with no apparent impact on educational service delivery or infrastructure and, as such DOE has no further comments 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,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP
Director

CC: Town of Camden