



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF MANAGEMENT AND BUDGET
Budget Development, Planning and Administration
State Planning Coordination

October 28, 2008

Mr. Bruce Buker
Karins & Associates
17 Polly Drummond Center, Ste. 201
Newark, De 19711

RE: PLUS review – 2008-09-04; Shoppes of Townsend

Dear Mr. Buker:

Thank you for meeting with State agency planners on October 1, 2008 to discuss the proposed plans for the Shoppes of Townsend project to be located on the west side of Delaware Route 71, north of Main Street in Townsend.

According to the information received, you are seeking site plan approval for a 108,900 sq. ft. shopping center with retail, office, banks and restaurants.

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 Town of Townsend 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

The project is located in Investment Level 2 and 3 area according to the State Strategies for Policies and Spending, and as such the State supports development in this area.

Street Design and Transportation

- Delaware Route 71 is classified as a minor arterial highway and the other roads where this project has frontage are classified as local roads. DeIDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 40 feet from the centerline on minor arterial highways. Therefore they will require right-of-way dedication along the frontage to provide any additional width needed from this project.
- Preliminarily, DeIDOT will require the developer to provide a 15-foot wide permanent easement along the property frontage on Route 71 and to provide a 10-foot wide shared use path within that easement. Recognizing that this project is in a town, DeIDOT would consider an alternative to the shared use path, such as sidewalks, for consistency with Town standards.
- The proposed right turn into the north part of the development is too close to the right turn lane for Karins Boulevard, such that drivers planning to turn into Karins Boulevard could mistakenly pull into the wrong turn lane. This arrangement becomes a problem when the driver ahead of them slows unexpectedly to enter the shopping center.
- Both the proposed right turn into the north part of the development and the proposed right turn out of the south part of the development would be controlled only by signing and striping. DeIDOT would likely require concrete median islands on Route 71 to discourage wrong-way turns.
- The east entrance on Karins Boulevard may be too close to Route 71. The operational analysis mentioned in item 1 above will determine whether it will need to be moved.
- The pavement widths on Karins Boulevard appear to be 20 feet on either side of the median. DeIDOT is reluctant to recommend ripping out new construction, but this is an awkward width, too wide to expect all drivers to drive single-file, but narrower than DeIDOT would normally recommend for operation as two lanes each way. Given the low speeds involved, DeIDOT recommends striping Karins Boulevard for two lanes each way between Route 71 and the west pair of shopping center entrances, with signs and pavement markings to indicate that the left lane is for through and left-turn movements and the right lane is for through and right movements. Between the west entrances and the circle, striping should be used to mark single lanes in and out of the circle.

Natural and Cultural Resources

- Limit impervious cover to less than 30% as per the Town of Townsend Unified Development Code.
- A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site.
- The applicant explore the option of preserving the remaining forested area that occurs on the parcels listed on the application (25-010.00-001 & 25-008.00-002) rather than propose future development in these areas. Especially important is the forest that occurs along the tributary between Wiggins Mill Pond and Noxontown Pond.

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact: Herb Inden 739-3090

The project is primarily located in Investment Level 2 area with a small portion in Level 3, according to the State Strategies for Policies and Spending, and as such the State supports development in this area. We appreciate the fact that the project will be connected to the adjacent neighborhood. In this regard, we would encourage the appropriate pedestrian amenities both to and from the development and also within the development to promote walking and biking to this project by Townsend residents.

State Historic Preservation Office (SHPO) – Contact: Terrence Burns 739-5685

No comments received.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- 1) The subject shopping center would be divided by Karins Boulevard, the main entrance to the Townsend Village II residential development. A July 2004 traffic impact study (TIS) for that development included 45,000 square feet of commercial space on the north side of Karins Boulevard. DelDOT reviewed that study but did not issue formal comments. In January 2005 DelDOT asked that the developer enter three agreements:
 - a) A signal agreement for the intersection of Karins Boulevard and Route 71.
 - b) A signal agreement for the intersection of Route 71 and Main Street to cover the cost of pedestrian improvements and signal modifications.
 - c) One or more agreements with the Town concerning signs for the intersection of Ginn Street and Gray Street and the intersection of South Street and Gray Street.

DelDOT records indicate that none of these agreements have been entered. DelDOT will require that the two signal agreements be entered. With that said, even if the developer agrees to fund a signal at Route 71 and Karins Boulevard, DelDOT will install one only when one is demonstrated to be warranted based on an 8-hour warrant study. If the developer would like to initiate that study, they may have their traffic engineer contact the DelDOT Traffic Studies Manager, Mr. Thomas Meyer. Mr. Meyer may be reached at (302) 659-4090.

DelDOT will support the Town if they require a new TIS for this development, but they will not require one as they believe they have sufficient information derived from the 2004 TIS. However, DelDOT will require an operational analysis to verify that the proposed access will be adequate. DelDOT's concerns include the length of the left-turn and right-turn lanes on Route 71 and the extent to which Karins Boulevard can accommodate left turns onto and off of it. See item 4 below for further discussion of the site access.

- 2) Delaware Route 71 is classified as a minor arterial highway and the other roads where this project has frontage are classified as local roads. DelDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 40 feet from the centerline on minor arterial highways. Therefore they will require right-of-way dedication along the frontage to provide any additional width needed from this project.
- 3) Preliminarily, DelDOT will require the developer to provide a 15-foot wide permanent easement along the property frontage on Route 71 and to provide a 10-foot wide shared use path within that easement. Recognizing that this project is in a town, DelDOT would consider an alternative to the shared use path, such as sidewalks, for consistency with Town standards.
- 4) Regarding the proposed access, a more thorough review will be necessary. See item 5 below. Four areas, however, are of immediate concern:
 - a) The proposed right turn into the north part of the development is too close to the right turn lane for Karins Boulevard, such that drivers planning to turn into Karins Boulevard could mistakenly pull into the wrong turn lane. This arrangement becomes a problem when the driver ahead of them slows unexpectedly to enter the shopping center.
 - b) Both the proposed right turn into the north part of the development and the proposed right turn out of the south part of the development would be controlled only by signing and striping. DelDOT would likely require concrete median islands on Route 71 to discourage wrong-way turns.
 - c) The east entrance on Karins Boulevard may be too close to Route 71. The operational analysis mentioned in item 1 above will determine whether it will need to be moved.

- d) The pavement widths on Karins Boulevard appear to be 20 feet on either side of the median. DelDOT is reluctant to recommend ripping out new construction, but this is an awkward width, too wide to expect all drivers to drive single-file, but narrower than DelDOT would normally recommend for operation as two lanes each way. Given the low speeds involved, DelDOT recommends striping Karins Boulevard for two lanes each way between Route 71 and the west pair of shopping center entrances, with signs and pavement markings to indicate that the left lane is for through and left-turn movements and the right lane is for through and right movements. Between the west entrances and the circle, striping should be used to mark single lanes in and out of the circle.
- 5) DelDOT recommends that the developer's site engineer contact the DelDOT Subdivision Manager for southern New Castle County, Mr. Pao Lin, for more detailed comments on the site access and required frontage improvements. Mr. Lin may be reached at (302) 760-2157.

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

Overall Comment

DNREC's chief concern with this project is the apparent underestimation of impervious cover to be created by the development and the apparent violation, even using the applicant's lower estimate of impervious cover, of Townsend's Unified Development Code since this proposed project lies within the Town's Greenbelt area. See discussion below.

Soils

Based on the New Castle County soil survey, Reybold-Sassafras complex (0-2%, 2-5, and 5-10% slopes) were mapped on subject parcel. Limitations for development are few (where slopes < 5%) to moderate (5-10%).

The applicant should also be reminded that they must avoid construction/filling activities in those areas containing wetlands or wetland associated hydric soils as they are subject to regulatory jurisdiction under Federal 404 provisions of the Clean Water Act. A site-specific field wetlands delineation using the methodology described in the 1987 United States Army Corps of Engineers (USACE, or “the Corps”) manual is the only acceptable basis for making a jurisdictional wetland determination for nontidal wetlands in Delaware. The applicant is forewarned that the Corps views the use of the National Wetlands Inventory (NWI) mapping or the Statewide Wetlands Mapping Project (SWMP) mapping as an unacceptable substitute for making such delineations. To ensure compliance with said Corps regulatory requirements, it is strongly recommended that a field wetlands delineation using the above-referenced methodology be performed on this parcel before commencing any construction activities. It is further recommended that the Corps be given the opportunity to officially approve the completed delineation. In circumstances where the applicant or applicant’s consultant delineates what they believe are nonjurisdictional isolated (SWANCC) wetlands, the Corps must be contacted to evaluate and assess the jurisdictional validity of such a delineation. The final jurisdictional authority for making isolated wetlands determinations rests with the Corps; they can be reached by phone at 736-9763.

Based on a review of existing buffer research by Castelle et al. (Castelle, A. J., A. W. Johnson and C. Conolly. 1994. *Wetland and Stream Buffer Requirements – A Review*. J. Environ. Qual. 23: 878-882), an adequately-sized buffer that effectively protects wetlands and streams, in most circumstances, is about 100 feet in width. In recognition of this research and the need to protect water quality, the Watershed Assessment Section recommends that the applicant maintain/establish a minimum 100-foot upland buffer (planted in native vegetation) from all water bodies (including ditches) and wetlands.

Impervious Cover

Based on information provided by the applicant in the PLUS application, this projects post-development surface imperviousness is estimated to reach 47%. However, given the scope and density of this project (i.e., large commercial business park) this estimate

appears to be a significant underestimate (i.e., from review of the conceptual project layout). When calculating surface imperviousness, it is important to include all forms of constructed surface imperviousness (i.e., rooftops, parking lots, sidewalks, stormwater management structures, and roads) in the calculation for surface imperviousness – this will ensure a realistic assessment of this project’s likely post-construction environmental impacts. The applicant’s estimate for surface imperviousness should be recalculated with all of the above-mentioned forms of constructed surface imperviousness included. Failure to do so will significantly understate this project’s true environmental impacts.

Studies have shown a strong relationship between increases in impervious cover to decreases in a watershed’s overall water quality. It is strongly recommended that the applicant implement best management practices (BMPs) that reduce or mitigate some of

its most likely adverse impacts. Reducing the amount of surface imperviousness through the use of pervious paving materials (“pervious pavers”) in lieu of asphalt or concrete in conjunction with an increase in forest cover preservation or additional tree plantings are some examples of practical BMPs that could easily be implemented to help reduce surface imperviousness.

TMDLs

Total Maximum Daily Loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the Appoquinimink watershed. A TMDL is the maximum level of pollution allowed for a given pollutant below which a “water quality limited water body” can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are required by federal law, states are charged with developing and implementing standards to support these desired use goals. In the Appoquinimink watershed, a post-development TMDL reduction level of 60 percent will be required for both nitrogen and phosphorus. Additionally, an 8% reduction in bacteria will also be required.

TMDL Compliance through the PCS

As stated above, TMDLs for nitrogen and phosphorus have been promulgated through regulation for the Appoquinimink Watershed. The TMDL calls for a 60% reduction for nitrogen and phosphorus from baseline conditions. Additionally, an 8% reduction in bacteria will also be required. The Department developed an assessment tool to evaluate how your proposed development may reduce nutrients to meet the TMDL requirements. Additional reductions may be possible through the implementation of Best Management Practices as, reducing surface imperviousness, increasing passive wooded open space, and the use of green-technology stormwater management treatment trains. Contact Lyle Jones at 302-739-9939 for more information on the assessment tool.

Water Resource Protection Areas

The Water Supply Section, Ground-Water Protection Branch (GPB) has determined that the eastern section falls within an excellent ground-water recharge potential area for the Town of Townsend (see following map and attached map).

Excellent Ground-Water Recharge 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 (excellent) is an indicator of how fast contaminants will move and how much water may become contaminated (Andres, 2004). Land use activities or impervious cover on areas of excellent ground-water recharge potential may adversely affect ground water in these areas.

The Unified Development Code for the Town of Townsend Section 1111, B. limits impervious cover within the ‘Townsend Greenbelt’ to 30% of the entire parcel and/or development within the recharge area. Section 1111 A. refers to ‘Townsend Proper’ and allows for higher percentages of impervious surface if an environmental study and report. The ‘Townsend Greenbelt’ has no such provision thereby limiting impervious cover of this project to 30% or less.

The proposed development would change the impervious cover from 0% to approximately 47 % of the entire parcel. The Developer provided these numbers on the PLUS application form. Using an ArcMap application GPB calculated approximately 38% impervious cover within the portion of the parcel within the recharge area. Thirty-eight percent impervious cover exceeds the limit allowed by the Town of Townsend Unified Development Code.

GPB recommends:

- Limiting impervious cover to less than 30% as per the Town of Townsend Unified Development Code

In addition, because the excellent ground water recharge area can readily 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

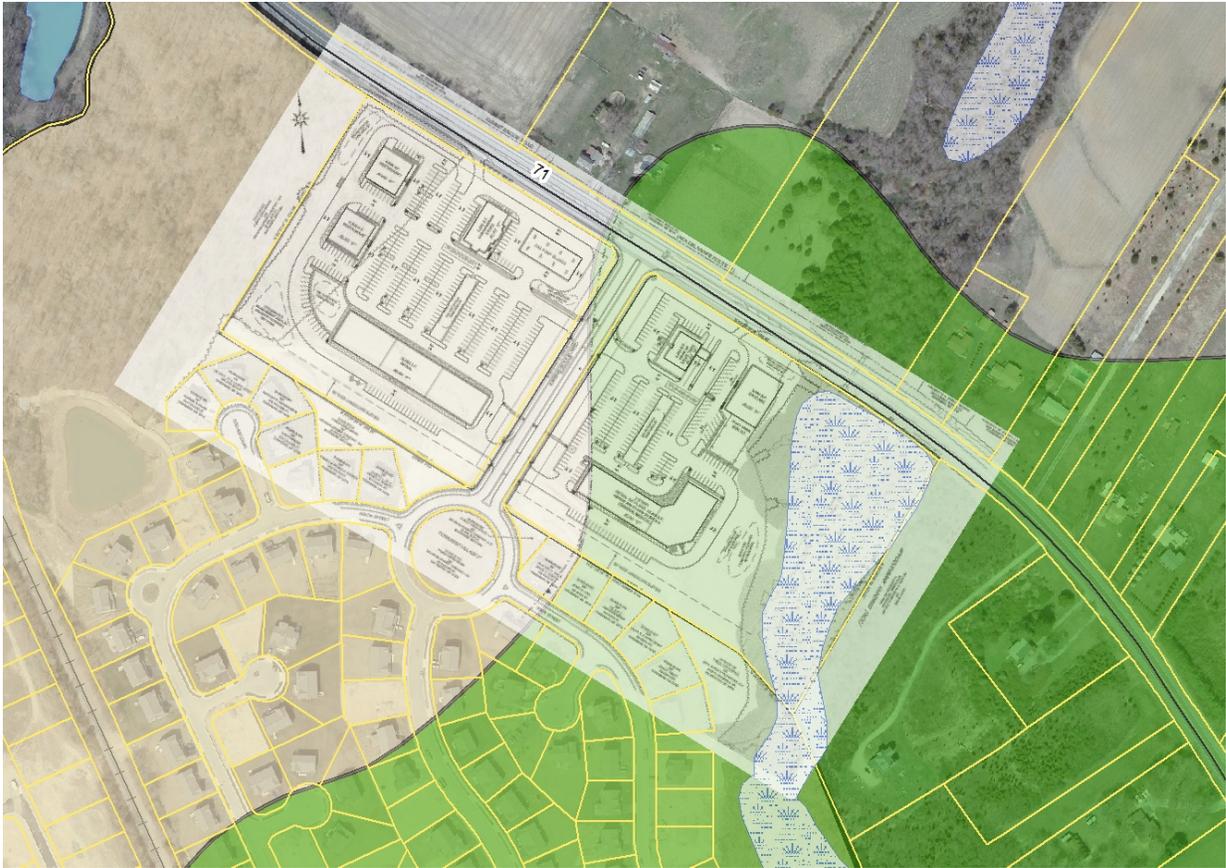
Andres, A. Scott, 2004, Ground-Water Recharge Potential Mapping in Kent and Sussex Counties, Delaware: Delaware Geological Survey Report of Investigations No. 66, p. 14.

<http://www.udel.edu/dgs/Publications/pubform.html#investigations>

The Town of Townsend Unified Development Code (2003). Section 1111, Recharge Areas. [Electronic version], Retrieved September 17, 2008, from <http://www.townsend.delaware.gov/codes/UnifiedDevelopment112003.pdf>

Shoppes of Townsend (PLUS 2008-09-04)

The excellent ground-water recharge potential area is shaded in green. State of Delaware delineated Wetlands are patterned in blue and white. The site plan submitted by the Developer is overlain on the parcel.



Water Supply

The project information sheets state water will be provided to the project by Artesian Water Company via a public water system. Our records indicate that the project is located within the public water service area granted to Artesian Water Company under Certificate of Public Convenience and Necessity 02-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. 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 New Castle County Department of Land Use Engineering Section. Contact the Department of Land Use at (302) 395-5470 for details regarding submittal requirements and fees.

Drainage

- The Drainage Program requests that the engineer take precautions to ensure the project does not hinder any off site drainage upstream of the project or 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 ditches and pipes for function and blockages prior to the construction. Notify downstream landowners of the change in volume of water released on them.

Rare Species

Natural Heritage and Endangered Species Program staff has never surveyed this site; therefore, it is unknown if there are State-rare or federally listed plants, animals or natural communities that would be impacted by this project.

Forest Preservation

This project is mostly located within the non-forested portion of the parcels and will result in the clearing of 2.2 acres of trees. Although this is a relatively small amount of forest, cumulative forest loss throughout the State is of utmost concern to the Division of Fish and Wildlife which is responsible for conserving and managing the State's wildlife (see www.fw.delaware.gov and the Delaware Code, Title 7). Because of an overall lack of forest protection, DNREC has to rely on applicants and/or the entity that approves the project (i.e. counties and municipalities) to consider implementing measures that will aide in forest loss reduction.

Recommendations:

- The applicant explore the option of preserving the remaining forested area that occurs on the parcels listed on the application (25-010.00-001 & 25-008.00-002) rather than propose future development in these areas. Especially important is the

forest that occurs along the tributary between Wiggins Mill Pond and Noxontown Pond.

- Tree clearing should not occur April 1st to July 31st to reduce impacts to birds and other wildlife that utilize forests for breeding. This would only protect those species for one breeding season; because once trees are cleared there is an overall loss of habitat.

Nuisance Waterfowl

The application notes that there will be 7 bio-retention ponds. Wet ponds created for stormwater management purposes may attract resident Canada geese and mute swans that will create a nuisance. High concentrations of waterfowl in ponds create water-quality problems, leave droppings on lawn and paved areas and can become aggressive during the nesting season. Short manicured lawns around ponds provide an attractive habitat for these species.

The Division of Fish and Wildlife does not provide goose control services, and if problems arise, the property owner/land manager 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.

Recommendation: Exclusion is one of the most effective methods at deterring geese. In a commercial setting such as this project, completely fencing the pond at the edge (even one foot high) may be feasible. Even though geese can fly over the fence, if they constantly have to fly between land and water the area is less desirable. If fencing is not a desired option, we recommend native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within an adequate buffer (15-30 feet in width) around the ponds. When the view of the surrounding area from the pond is blocked, geese can't scan for predators and are less likely to reside and nest in the area of the pond. The vegetation also blocks the ability to easily move between land and water.

At this time, DNREC does not recommend using monofilament grids due to the potential for birds and other wildlife to become entangled if the grids are not properly installed and maintained. In addition, the on-going maintenance (removing entangled trash, etc.) may become a burden to the property owner/land manager.

Site Investigation and Restoration

No SIRB sites or salvage yards were found within a ½-mile radius of the proposed development. However, based on the previous agricultural use of the proposed project site, which may have involved the use of pesticides and herbicides, SIRB recommends that a Phase I Environmental Site Assessment be performed prior to development. In addition, should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil),

construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRB should also be contacted as soon as possible at 302-395-2600 for further instructions.

Under/Aboveground Storage Tanks

There are no LUST sites located within a quarter mile from the proposed project.

No environmental impact is expected; however, should any underground storage tanks or petroleum contaminated soil be discovered by any person during construction, the DNREC-TMB at (302) 395-2500 and the DNREC Emergency Response Hotline at (800) 662-8802 must be notified within 24 hours.

Should any contamination be encountered, PVC pipe materials will have to be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.

Also, please note that if any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the TMB. If any ASTs greater than 12,500 gallons are installed, they are also subject to installation approval by the TMB.

State Fire Marshal's Office – Contact: Duane Fox 856-5298

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):

a. **Fire Protection Water Requirements:**

- 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.
- Where a water distribution system is proposed for Mercantile sites, 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 Route 71 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. **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)
- 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

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 739-4811

The Delaware Department of Agriculture has no objections to the proposed project. The project is located within the Town of Townsend, and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 2 and 3 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.

Delaware Economic Development Office – Contact: Jeff Stone 672-6849

No comments received.

Delaware Division of Public Health- Health Promotion Bureau- contact Michelle Eichinger (302) 744-1011

Ensuring that new residential and commercial development incorporates pedestrian- and bicycle-friendly features allows people to travel by foot or by bicycle and promotes physical activity as part of daily routines. Regular physical activity offers a number of health benefits, including maintenance of weight and prevention of heart disease, type 2 diabetes and other chronic diseases.¹ Research shows that incorporating physical activity into daily routines has the potential to be a more effective and sustainable public health strategy than structured exercise programs.² This is particularly important considering about 65% of adult Delawareans are either overweight or obese.³ This current obesity crisis is also affecting children. Approximately 37% of Delaware's children are overweight or obese⁴, which places them at risk for a range of health consequences that include abnormal cholesterol, high blood pressure, type 2 diabetes, asthma, depression and anxiety.¹

In Delaware, as in other states across the nation, certain patterns of land use can act as a barrier to physical activity and healthy eating for children and adults alike. Examples of such barriers include neighborhoods constructed without sidewalks or parks and shopping centers with full-service grocery stores situated too far from residential areas to allow for walking or biking between them.

This proposed development is in a Level 2 area. Developing in such an area is consistent with the *Strategies for State Policies and Spending*. DPH is committed to the *Strategies* and therefore, does support development in the proposed area.

DPH supports new development in and around existing towns and municipalities where compact and mixed land use patterns facilitate physical activity. As a way to promote physical activity and access to healthy foods, we recommend that the following amenities be included in the Shoppes of Townsend plan:

Amenities to encourage active transportation

- Ensure that there is safe connectivity, via crosswalks and sidewalks, within the commercial development.
- Ensure that there are sidewalks, crosswalks and walking/bicycling paths connecting the neighboring residential developments, such as Townsend Village, to the commercial development.
- Designate bike paths to supplement the sidewalks already proposed in the plan so that visitors to the Shoppes of Townsend can travel by foot or by bicycle. In addition, install bike racks in convenient locations within commercial development.

Amenities to encourage recreation

- Designate open space for active recreation on the property, and incorporate a playground. This would offer active recreation opportunities for children and their caregivers during visits to the Shoppes. If feasible, consider including a walking path around the playground area. Although a playground is proposed, it seems this would be exclusive to the proposed day care.

Increase opportunities for healthy eating

- Designate an area for a seasonal farm stand or mini farmer’s market that will promote the sale of fruits and vegetables. Not only will this benefit commercial property users but the neighboring residential developments as well.

¹ Nemours Health and Prevention Services (2005). *Delaware Children’s Health Chartbook*, Newark, DE.

² Active Living by Design. *Transportation Fact Sheet*. Retrieved May 17, 2007, from http://www.activelivingbydesign.org/fileadmin/template/documents/factsheets/Transportation_Factsheet.pdf.

³ Delaware Health and Social Services (2008), *Division of Public Health, Behavioral Risk Factor Surveillance System (BRFSS), 1990-2007*.

⁴ Nemours Health and Prevention Services (2007). *2006 Delaware Survey of Children’s Health Descriptive Statistics Summary, Volume 1*.

Delaware State Housing Authority – Contact Vicki Powers 739-4263

No comments received - -commercial proposal

Department of Education – Contact: John Marinucci 735-4055

No comments received.

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,



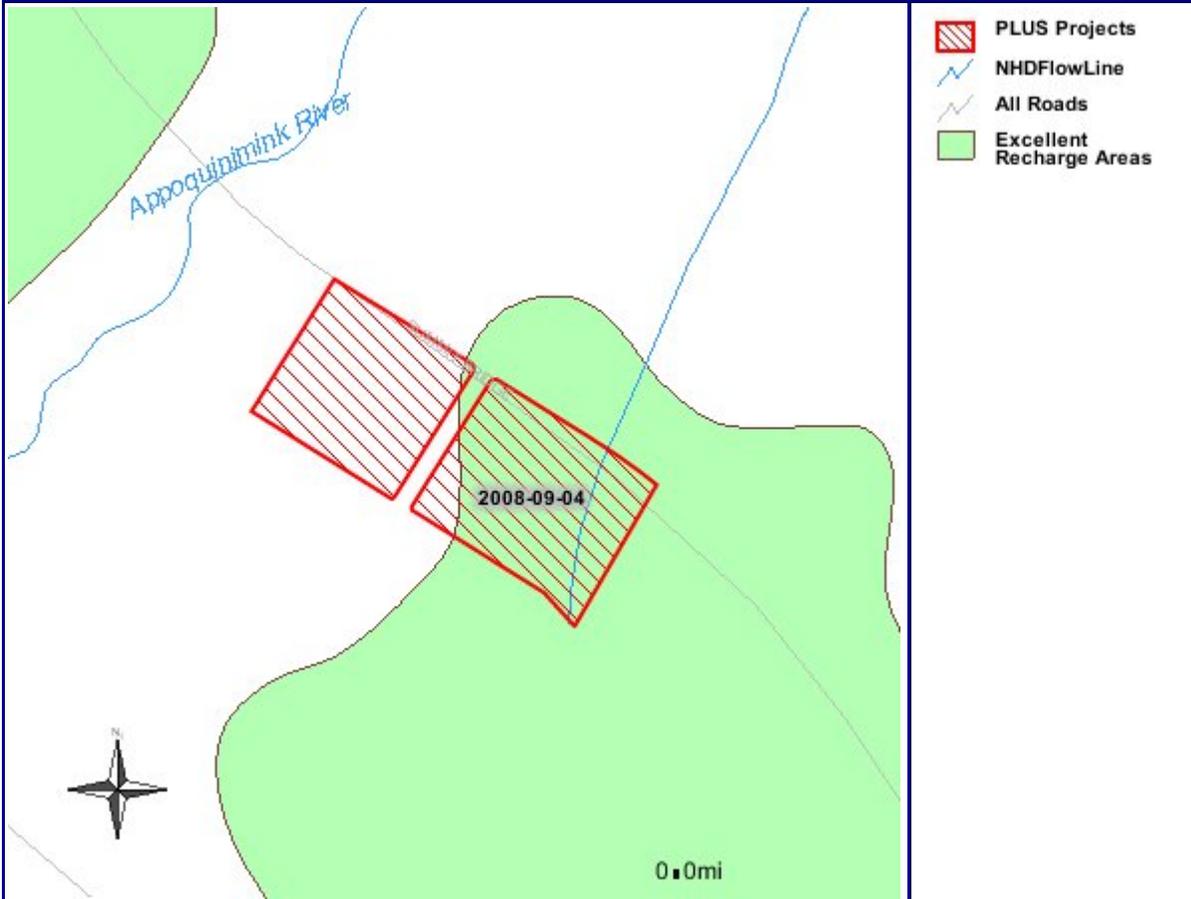
Constance C. Holland, AICP
Director

CC: Town of Townsend



Shoppes of Townsend

2008-09-04



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

