



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

December 19, 2008

The Honorable James Ford, III
Mayor, City of Lewes
P.O. Box 227
Lewes, DE 19958

RE: PLUS 2008-11-02; Lewes Comprehensive Plan Amendment

Dear Mr. Ford:

Thank you for meeting with State agency planners on November 26, 2008 to discuss the proposed City of Lewes comprehensive plan amendment to modify map 9B to change the proposed future land use of a certain property from Institutional to Residential.

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.

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact: Bryan Hall 739-3090

The Office of State Planning Coordination has no objection to the City of Lewes's proposed amendment to its 2005 Comprehensive Plan Map 9B, Future Land Use which seeks to change the designation of a portion of Tax Parcel 3-35-8.00-5.01 from Institutional to Residential to permit the proposed Canary Creek development.

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

No comments received.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

The City of Lewes proposes to amend its 2005 Comprehensive Plan Update with specific regard to Map 9B, Future Land Use. Specifically, they seek to change the designation of part of Tax Parcel 3-35-8.00-5.01 from Institutional to Residential to permit the proposed Canary Creek development. DelDOT has no objections to this amendment.

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

DNREC has no comments on this comprehensive plan amendment.

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

At this time, this Agency has no objection to, and makes no comments regarding, the Comprehensive Plan or an amendment to a Comprehensive Plan.

The Delaware State Fire Marshal’s Office has the responsibility to review all commercial and residential subdivisions for compliance with the Delaware State Fire Prevention Regulations. This Agency asks that a MOU be established and maintained between the Delaware State Fire Marshal’s Office and the Town of Lewes. The State Fire Marshal’s Office would be issuing approvals much like DelDOT, Kent Conservation, and DNREC. This Agency’s approvals are based on the Delaware State Fire Prevention Regulations only.

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans in accordance with the Delaware State Fire Prevention Regulation.

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 Department of Agriculture has no objections to the city’s comprehensive plan amendment. The plans are consistent with the *Strategies for State Policies and Spending*.

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 regarding this application.

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

No comments received regarding this application.

Delaware State Housing Authority – Contact Vicki Powers 739-4263

No comments received for this application

Department of Education – Contact: John Marinucci 735-4055

The DOE supports the State Strategies for Policies and Spending, to the extent possible and practicable within the limits of the Federal and State mandates under which the Department operates. In its review of Comprehensive Plans and Comprehensive Plan Amendments, the DOE considers:

- Adequate civil infrastructure availability within the region to accommodate current and future educational facilities.
- Transportation system connections and availability to support multimodal access within the community, to include but not limited to walk paths, bike paths, and safe pedestrian grade crossings.
- Transportation road system adequacy to accommodate bus and delivery vehicle traffic to current, planned or potential educational facilities.
- Recreation facilities and opportunities within the community and their respective proximity to current and planned or potential education facilities. The DOE also recognizes the potential that the educational facilities are to be considered recreational facilities by and within the community.

The DOE *typically* considers industrial/commercial development incompatible with educational facilities, however, residential development and educational facilities *are typically* considered to be compatible. As a result, the DOE is interested in the proximity of current and planned or potential education facilities to commercial/industrial development zones.

The DOE recognizes the integral role of educational facilities within communities. As such, the DOE seeks to assure that residential growth, that generates additional demand on educational facilities, is managed with adequate educational infrastructure being made a part of sub-division plans as appropriate.

The DOE offers its support to assist and participate by coordinating with the City of Lewes, the local school districts the County, the Office of State Planning Coordination as well as other school districts and stakeholders as future development and annexations may be considered.

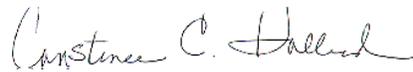
DOE has no objections or comments regarding the Comp. Plan Amendment under consideration.

Approval Procedures:

Once the Planning Commission and Council have taken action on these amendments, please forward a copy of the any ordinances (approval or denial) relating to these amendments, any changes to the written section of you plan if the amendments are approved and an update map, if applicable, so that we can update our records.

Thank you for the opportunity to review this plan amendment. 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: Sussex County