



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

December 19, 2008

Mr. Scott Lobdell  
Van Cleef Engineering  
630 Churchmans Road, Ste. 105  
Newark, De 19702

RE: PLUS review – 2008-11-03; Northside Shopping Center – Parcel A

Dear Mr. Lobdell:

Thank you for meeting with State agency planners on November 26, 2008 to discuss the proposed plans for the Northside Shopping Center Parcel A project to be located at Route 301 and Doc Levinson Drive in Middletown.

According to the information received, you are seeking a site plan approval through Middletown for a 60,900 sq. ft. shopping center.

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 Middletown 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**

- This project is located in Investment Level 1 according to the *2004 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. We would encourage a design that is pedestrian friendly and interconnected with the rest of Middletown where appropriate. Our office has no objections to the proposed development of this project.

### **Street Design and Transportation**

- An operational analysis is recommended to assess what improvements are needed to Doc Levinson Drive to address the traffic generated from this site. This analysis should include a check of queue lengths for proposed left turn lanes and an examination of the need for and location of additional crosswalks.
- The proposed signal at Doc Levinson Drive does not have accommodations for pedestrians (poles, signal heads, curb ramps, etc), so they will be needed to be constructed with this development. A signal agreement will be necessary in this regard.
- Sidewalk will need to be extended beyond the property frontage to connect to any bus stop areas within 1/4 mile.
- Curb ramps at the rights in rights out on US Route 301 will need to meet Americans with Disabilities Act (ADA) guidelines.

### **Natural and Cultural Resources**

- Relocate the Gas Station and Car Wash outside the excellent ground-water recharge potential area.

This office has received the following comments from State agencies:

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

This project is located in Investment Level 1 according to the *2004 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. We would encourage a design that is pedestrian friendly and interconnected with the rest of Middletown where appropriate. Our office has no objections to the proposed development of this project.

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

No comments received regarding this project.

**Department of Transportation – Contact: Bill Brockenbrough 760-2109**

- 1) This property is within the area identified in the Middletown Transportation Infrastructure Development Agreement approved between The Town of Middletown, DelDOT, and local developers; therefore, generally long term regional traffic issues have already been evaluated as part of an area wide Traffic Impact Study (TIS). No additional formal TIS is recommended.
- 2) Since the property is located within the Westown Area of the Town of Middletown, right-of-way dedication along the State-maintained highway system and offsite transportation improvements, normally required with development approvals of this size, have already been accounted for in contributions outlined in the Middletown Transportation Infrastructure Development Agreement for a total development of up to 210,000 square feet on Parcels A and B.
- 3) An operational analysis is recommended to assess what improvements are needed to Doc Levinson Drive to address the traffic generated from this site. This analysis should include a check of queue lengths for proposed left turn lanes and an examination of the need for and location of additional crosswalks.
- 4) The proposed signal at Doc Levinson Drive does not have accommodations for pedestrians (poles, signal heads, curb ramps, etc), so they will be needed to be constructed with this development. A signal agreement will be necessary in this regard.
- 5) Sidewalk will need to be extended beyond the property frontage to connect to any bus stop areas within 1/4 mile.
- 6) Curb ramps at the rights in rights out on US Route 301 will need to meet Americans with Disabilities Act (ADA) guidelines.
- 7) DeDOT is concerned about the amount of traffic that may be drawn to the rights in/rights out located on US Route 301, in terms of conflicts with multiple movements of traffic so close to the entrance on US Route 301. DelDOT offers three possible options to address these concerns:
  - a) Only provide rights in/rights out to proposed gas station/convenience parcel directly from US Route 301, and don't provide access to either of the other buildings to the proposed roadway connecting on US Route 301. In other words, access to these other two parcels would only be provided via the connection to Doc Levinson Drive.

- b) Install a median along entire length of this access roadway, to provide rights in/rights out only on access roadway to 6,119 sq. ft. retail building and the gas station/convenience store.
  - c) Only provide rights out from this access roadway to US Route 301 (no rights in from US Route 301)
- 8) The developer's site engineer should contact Mr. Pao Lin, our Subdivision Manager for southern New Castle County, regarding our specific requirements for access. He may be reached at (302) 760-2157.

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

The Department of Natural Resources and Environmental Control is concerned about five interrelated factors that, if not addressed, could severely impact water quality, recharge and drainage at the site (see detailed comments below):

- Middletown's lack of a sourcewater protection ordinance, as required by Title 7, Chapter 60, Section 6082
- What appears to be a significant underestimate of impervious cover
- The location of the entire parcel within an excellent recharge area
- The location of a stormwater infiltration pond in that excellent recharge area, with the potential for altering recharge capacity and contaminating groundwater
- The location of a gas station in that recharge area, also with the potential to cause groundwater contamination with underground storage tanks

**Soils**

Based on the New Castle County soil survey, Reybold-Sassafras complex and Reybold Hambrook complex were mapped on subject parcel. Reybold-Sassafras complex and Reybold-Hambrook complex are well-drained uplands soils that, generally, have few limitations for development.

**Impervious Cover**

Based on information provided by the applicant in the PLUS application form, this projects post-development surface imperviousness is estimated to reach 59%. However, given the scope and density of this project (i.e., large commercial business park) this estimate appears to be a significant underestimate. Using the TR-55 methodology, impervious cover for this type of development is estimated to be in the 85 percent range. When calculating surface imperviousness, it is important to include all forms of constructed surface imperviousness (i.e., rooftops, parking lots, sidewalks, open-water 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. Since some of these forms of surface imperviousness may have been omitted or incompletely assessed in the initial calculation,

this calculation should be revised or recalculated with all of the aforementioned forms of surface imperviousness included.

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. Moreover, since the proposed project is a commercial project likely to generate a large concentration of imperviously paved surface cover, it is strongly recommended that at least 50% of paved area(s) contain pervious paving materials in lieu of conventional paving materials.

### **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 Pollution Control Strategy (PCS)**

As stated above Total Maximum Daily loads (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, Groundwater Protection Branch (GPB) has determined that the project falls totally within an excellent ground-water recharge area for the Town of Middletown (see following map and attached map).

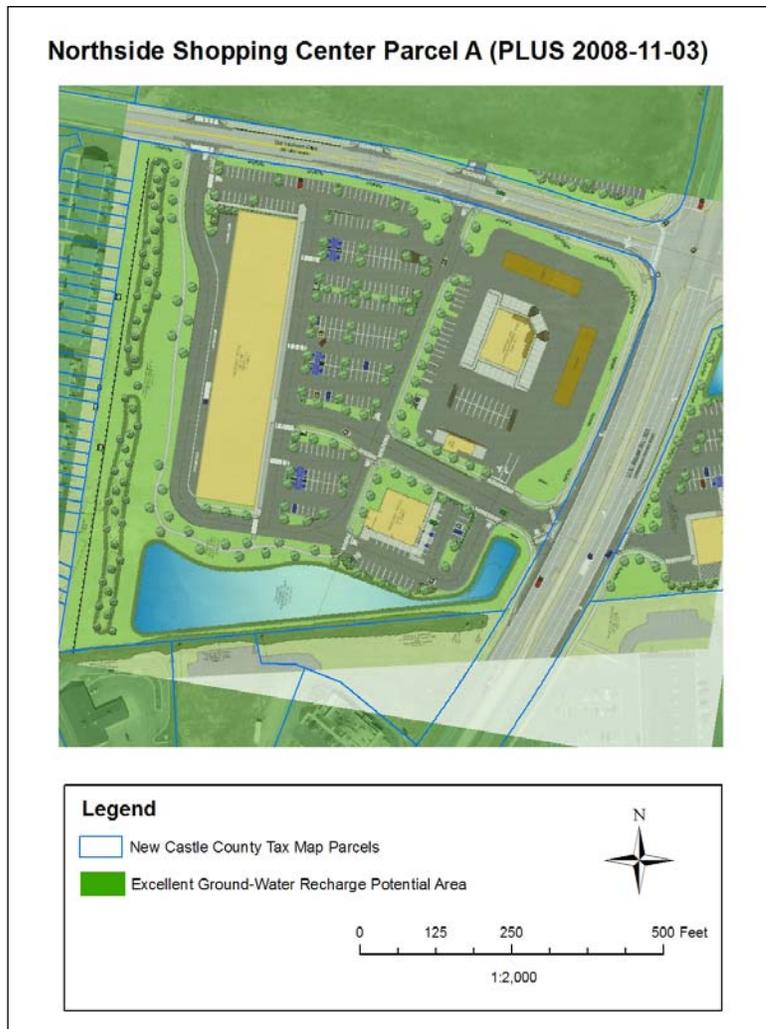
New Castle County (NCC) defines excellent ground-water recharge potential areas as “recharge areas.” Recharge areas are characterized as deposits of coarser grained material that have the best ability to transmit water vertically through the unsaturated zone to the water table. The NCC recharge areas were mapped using the methods described in the Delaware Geological Survey Open File Report No. 34, "Methodology for Mapping Ground-Water Recharge Areas in Delaware’s Coastal Plain" (Andres, 1991), and depicted in a series of maps prepared by the Delaware Geological Survey (Butoryak and Tally, 1993).

The GPB recommends that the portion of the new development within the excellent ground-water recharge area not exceed 20% impervious cover. Some allowance for augmenting ground-water recharge should be implemented 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 (DNREC, 2005). A water balance calculation (environmental assessment) will be necessary to determine the quantity of clean water to be recharged via a recharge basin (Thorntwaite, 1957). 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.

The proposed development would change the impervious cover from 0% to approximately 59%. The developer on the PLUS application provided these numbers. A large percentage of this is parking and roadways. This land use produces petroleum hydrocarbons, other organics, metals, and other inorganics (DNREC, 1999). These contaminants associated with this land use could easily infiltrate the unconfined aquifer and compromise water quality.

GPB recommends:



- Reduce impervious cover to less than 50%
- Perform an environmental assessment report showing that *water quality* as well as *water quantity* of post development recharge is equal to or greater than pre-development recharge (Kaufmann, 2005).
- Quantify amount of recharge lost due to impervious cover and provide for onsite infiltration of water at least equal to or greater than pre-development recharge (Kaufmann, 2005).
- Pretreatment of parking area runoff to remove chemical and nutrient loads

The PLUS Application form indicates that a Gas Station and Car Wash are to be located in the excellent ground-water recharge potential area. Underground storage tanks containing petroleum products have the potential to contaminate the ground water if a release occurs.

The site plans show a storm-water management pond within the area of excellent ground-water recharge potential. This pond is reported to be an infiltration pond with an outflow to the Rt. 301 drainage system. The construction phase of this type of pond requires excavation, hauling, and grading. The heavy equipment used in this phase has the capacity to compact and degrade the structure of the strata that defines the area as an excellent ground water recharge area (Schueler, 2000a). Changes to the structural soil properties may cause significant reduction in recharge capacity resulting in release of water to the Rt. 301 drainage system further reducing recharge quantity. Installing storm-water management ponds in excellent ground-water recharge areas has the potential to contaminate the ground water beneath it and infiltrate into the aquifer (Schueler, 2000b).

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, 1991, Methodology for Mapping Ground-Water Recharge Areas in Delaware's Coastal Plain: Delaware Geological Survey Open File Report No. 34, p. 18.
- Butoryak, Kathleen R. , and Talley, John H., 1993, Delineation of Ground-Water Recharge Resource Protection Areas in the Coastal Plain of New Castle County, Delaware: Delaware Geological Survey Project Report for the Water Resources Agency for New Castle County, p. 26.

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)

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>

Kauffman, G.J., Wozniak, S.L., and Vonck, K.J., 2005, *Delaware Ground-Water Recharge Design Manual*: Newark, DE, Water Resources Agency, University of Delaware, p. 31.

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

Schueler, T. R., 2000a, The Compaction of Urban Soils, *in* Schueler, T.R., and Holland, H.K., eds., *The Practice of Watershed Protection*: Ellicott City, MD, Center for Watershed Protection, p. 210 - 218.

Schueler, T. R., 2000b, Pollutant Dynamics of Pond Muck, *in* Schueler, T.R., and Holland, H.K., eds., *The Practice of Watershed Protection*: Ellicott City, MD, Center for Watershed Protection, p. 453 - 460.

Thornthwaite, C. W., and Mather, J. R., 1957, *Instructions and Tables for Computing Potential Evapotranspiration and the Water Balance*, Volume x, Drexel Institute of Technology, Laboratory of Climatology.

## **Water Supply**

The project information sheets state water will be provided to the project by the Town of Middletown via a public water system. Our records indicate that the project is located within the public water service area granted to the Town of Middletown under Certificate of Public Convenience and Necessity 91-CPCN-12. 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 Stormwater**

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 Town of Middletown. Contact Town of Middletown at (302) 378-9120 for details regarding submittal requirements and fees.

### **Site Investigation and Restoration**

Only one Site Investigation & Restoration Branch (SIRB) site was found within a half mile radius of the proposed site: Johnson Control (DE-0048) located 0.042 miles from the proposed development.

Johnson Control, previously known as Globe Union, was a vehicle battery manufacturing plant. In 1983, Globe Union was under investigation for a lead oxide release. The lead oxide was released in a gas form and settled in a nearby ditch, downwind of the plant. Information regarding the remedial action is not available. Globe Union did receive a No Further Action designation in spring of 1999.

Based on the previous manufacturing and industrial use of the proposed project site, which involved the use of hazardous substances, 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 Tank**

There are five (5) inactive leaking underground storage tank (LUST) sites located within a quarter mile from the proposed construction.

Name: One Stop Shop (Inactive)  
Facility ID: 3-000247  
Project: N9212292

Name: Army National Guard-Wm Nelson Armory (Inactive)  
Facility ID: 3-000733

Project: N9301003

Name: Army National Guard-Wm Nelson Armory (Inactive)

Facility ID: 3-000733

Project: N9612206

Name: Johnson Controls, Inc (Inactive)

Facility ID: 3-000176

Project: N9208207

Name: Southern States-Middletown (Inactive)

Facility ID: 3-000158

Project: N9108183

No environmental impact is anticipated; however, should any additional 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.

In addition, should petroleum contamination be encountered during new construction activities, note that 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 access to the buildings, especially those from Doc Levinson Drive 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](http://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. It is located within the Town of Middletown, and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 1 areas.

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. To further support this concept the Delaware Forest Service does not recommend the planting of the following species due to the high risk of mortality from insects and disease:

Callery Pear  
Leyland Cypress

Ash Trees  
Red Oak (except for Willow Oak)

If you would like to learn more about the potential problems or impacts associated with these 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 regarding this project.

**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.<sup>1</sup> 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.<sup>2</sup> This is particularly important considering about 65% of adult Delawareans are either overweight or obese.<sup>3</sup> This current obesity crisis is also affecting children. Approximately 37% of Delaware's children are overweight or obese<sup>4</sup>, 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.<sup>1</sup>

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 1 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 Northside Shopping Center Parcel A:

**Amenities to encourage active transportation**

- Ensure that there are sidewalks, crosswalks and walking/bicycling paths connecting the neighboring residential and commercial developments.
- Ensure safe connectivity within the commercial development so that consumers can safely walk/bike to the various retail shops.
- Designate bike paths to supplement the sidewalks already so that residents can travel by foot or by bicycle to the retail shops. In addition, install bike racks in convenient and safe locations within the 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 shopping center. If feasible, consider including a walking path around the playground area.
- Designate open space for passive recreation. Amenities for passive recreation can include park benches, picnic tables, or a gazebo.

### **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.

<sup>1</sup>Nemours Health and Prevention Services (2005). *Delaware Children's Health Chartbook*, Newark, DE.

<sup>2</sup>Active Living by Design. *Transportation Fact Sheet*. Retrieved May 17, 2007, from [http://www.activelivingbydesign.org/fileadmin/template/documents/factsheets/Transportation\\_Factsheet.pdf](http://www.activelivingbydesign.org/fileadmin/template/documents/factsheets/Transportation_Factsheet.pdf).

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

<sup>4</sup>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 regarding this project.

### **Department of Education – Contact: John Marinucci 735-4055**

This commercial project is located in the Appoquinimink School District. This site plan review 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 Middletown