



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

April 22, 2009

Cathryn Thomas
City of New Castle
220 Delaware Street
New Castle, DE 19720

RE: PLUS review – 2009-03-05; City of New Castle Comprehensive Plan

Dear Ms. Thomas:

Thank you for meeting with State agency planners on March 25, 2009 to discuss the proposed City of New Castle comprehensive plan update.

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:

Certification Comments:

The last comprehensive plan annual report we have on file for the City of New Castle is dated 2005. Please forward annual reports for 2006, 2007, and 2008 for our records. The annual reports are a requirement in the Delaware Code, and we will not be able to forward the plan to the Governor until this requirement is met. A template is attached to this letter that you may use when preparing your report.

Recommendations: Our office strongly recommends that the Town consider these recommendations from the various State agencies as you review your plan for final approval.

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

Our office would like to commend the City of New Castle for preparing a well crafted and thorough comprehensive plan update. The plan document and map series are very

extensive, and represent a detailed vision for the future growth and development for the City of New Castle. It was very encouraging to see the special attention paid to the large tracts known as the **Ferry Cut-off** and **7th and South Street** areas and the recommended visioning process for arriving at an implementation strategy. Such large tracts of land can be best served by taking a master planning approach that involves all possible stakeholders. Feel free to call on our office to assist you in this effort.

Other comments and suggestions to improve upon this plan are as follows:

- This plan, like the 2003 plan, is ambitious as noted through the large number of Goals and implementation strategies. As such, the inclusion of the **Implementation Matrix** as **Appendix C** is very helpful. Given the extent of this matrix, it might be even more helpful to give some generalized timeframes (e.g., Short, Medium and Long Range or 0-3 years, 3-10 years or 10 years and beyond) to allow for easier tracking of your implementation efforts. This would also be helpful to the City in preparing its annual comprehensive plan report to our office.
- It would be helpful to shape **Appendix A: Accomplishments**, around the implementation strategies of the 2003 plan, possibly discussing what is left to implement from this plan, what is not necessary to implement, and also discussing what is different in the 2009 plan implementation strategies;
- 2008 Public Participation: if other opportunities for the public to comment were held, such as, at Planning commission or City Council meetings these should be noted as well as noting when the document was released for public comment;
- On page 4 you state that the City is expecting a 43% increase in population by 2030. Given that this seems quite significant we would like to see some analysis as to what will cause this increase and your analysis of the potential impact on the City as to housing and businesses;
- As noted at the PLUS meeting, it is our intention to use these Plan updates to review the PLUS MOU's we have with municipalities and counties. In this regard if you could note as a strategy or task, some analysis of the existing MOU we have as to either maintaining or changing the current document so that we can work toward its update.

We congratulate the City in its efforts and offer our assistance in implementing the Plan.

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

This update of the City of New Castle's comprehensive plan displays the City's pride in its history and commitment to preserving its historic buildings and character. The State Historic Preservation Office strongly supports its efforts to integrate the surrounding neighborhoods better with the downtown historic district, using pedestrian-friendly design, high standards of urban design and redevelopment, and mixed-use zoning. They

also applaud the concern expressed over historic properties that lie outside of the district, including in possible annexation areas. By examining other areas of the City, both as districts and as individual properties that may be eligible now for the National Register of Historic Places, the City could make historic preservation tax credits available to a wider group of its citizens. As the plan notes, this can contribute to maintaining affordable housing and architectural integrity throughout the City. Sponsoring a homeowners' maintenance workshop periodically is another goal that illustrates the City's integration of historic preservation values throughout the document.

Well-defined gateways and edges are important to maintaining a sense of the unique historic character of the City, as well as making the City more welcoming to tourists and other visitors. Walking trails to serve outlying areas, such as Dobbinsville, will be an excellent addition to offer new tourist and recreational opportunities as well as tying the areas of the City together. There was no mention of the New Castle Green, of the Division's New Castle Court House Museum, or of the New Castle Historical Society's museums in the Parks and Recreation section. Perhaps this was because these were not in need of any update from the 2003 plan, but as a stand-alone document, the City may want to include a short summary of these.

We also support the strategy to bury overhead utilities where possible; however, there is always the chance of archaeological deposits that may be disturbed by those efforts. This can also be an issue when homeowners add wings to a historic building. SHPO definitely supports the City's re-examination of its codes, and hope that architectural standards that would prevent a wing from overwhelming the original building be considered, as well as some level of protection for archaeological resources.

The State Historic Preservation Office thanks the City for its dedication to historic preservation now and in the future. They will be happy to continue the long-standing relationship to the City of New Castle and to help the City in any way they can with technical advice and support. If you have any questions, or would like to discuss this issues further, please contact Alice Guerrant at (302) 736-7412.or by e-mail at alice.guerrant@state.de.us.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

Briefly, DelDOT finds that it is a good plan as written. The 2003 Plan was an outstanding effort and this update builds on it. DelDOT offers the following suggestions as to how the update might be improved.

- 1) The Introduction references Warren Boeschstein's Historic American Towns Along the Atlantic Coast. Would it be appropriate to include an excerpt from that book for those who may be unfamiliar with it?
- 2) The Introduction refers to the Update having Parts One and Two, but that is the only place this division was mentioned. Was that format followed?

- 3) Community Profile section, mentions a sharp peak in the population occurring between 1940 and 1960, quantified by the 1950 Census, but does not explain it. Was this peak, perhaps, associated with World War II and the Air Force base at what is now the New Castle County Airport?
- 4) DelDOT has two comments on the Government Services and Community Facilities Plan:
 - a) Goal #1 is for the City Council to appoint a Charter Review Commission, but the supporting sentence states that there is a strong desire “to review, update and modernize the City Charter.” Shouldn’t that be the goal? Appointing the Commission would seem to be a strategy.
 - b) Goal #2, requiring that everyone who buys land in the city be given package of information about the subject land seems like a laudable goal, but there is nothing in the Plan to indicate why it is listed as a goal. Have there been problems with buyers being unaware of important conditions?
- 5) There are no Strategies listed to accomplish Goal #1 for the Land Use Plan.
- 6) In the Annexation Plan, The “Strategies” heading is missing under Goal #3.
- 7) In the Transportation Plan, DelDOT has three minor edits to the Background Paragraph under Goal #2.
 - a) Route 13 is listed as a State Route, but it is a US Route.
 - b) Route 9 is listed as a “Scenic State Route.” While much of Route 9 is designated as Delaware’s Coastal Heritage Scenic Byway, DelDOT does not have a series of Scenic State Routes numbered separately from other State Routes. The easiest correction would be to change the S in “Scenic” to an s.
 - c) Table 18 is on page 34.
- 8) Again in Goal #2 of the Transportation Plan, the second strategy listed is to “Determine the feasibility of creating a Route 9 bypass south of downtown New Castle as a part of WILMAPCO’s upcoming update to the 1999 Transportation Plan.” DelDOT believes this would be a short work effort. While they have never published a report in this regard, they have examined possible routes for such a bypass before, and point out that the 2003 Plan included a specific route for the Bypass. On May 31, 2006, City Council voted to remove that route from the Plan. As explained to the Council at the time, the City thereby effectively rendered a bypass infeasible because that was the last somewhat viable corridor and the then-pending River Bend development was allowed to move forward and build in its path.

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

Most of DNREC's comments are suggestions relating to actual implementation of the City's comprehensive plan.

Rare animals and plants

- 1) There are **rare plants associated with tidal wetlands** within City Limits and along the Delaware River shoreline. There are also several state-rare animal species, also associated with wetlands within City limits. I will provide a list of those that are known to occur in my final written comments. We recommend that the town require new developments (and any not already recorded) to ensure that at least a 100ft upland buffer is left in between tidal wetlands and project boundaries. This buffer zone should provide the necessary protection for rare species and protect the function and integrity of the wetlands.
- 2) In the Environmental Protection Plan on page 69, Goal 1, #2 is: "Protect wetlands and woodlands along the river shore and banks from development as these have ecological values associated with flood protection." **What specific actions** does the City plan to use to accomplish this goal?
- 3) There are **two active Bald Eagle nests** within City Limits. One nest is on the edge of the area depicted as #4 Mixed-Use on *Map 2C: Suggested Land Use Zoning*. The other nest is on the edge of development in area depicted as #5 on the same map. The presence of these nests may impact planned development within these two areas. Although Bald Eagles are no longer listed as federally endangered, they are federally protected by the Bald and Golden Eagle Protection Act (BGEPA). BGEPA includes management guidelines to help landowners and others minimize impacts to eagles, including disturbance, which is prohibited by the BGEPA. The nest itself is protected both by both federal and state law (*7 Del. C. § 739*). These guidelines include distance buffers around the nest in which activities are limited.

Determinations of allowable activities within protection distances are evaluated on a case-by-case basis. Because BGEPA and the *National Bald Eagle Management Guidelines* are the jurisdiction of the USFWS, contact with the USFWS will be necessary should any new activities be proposed within proximity to these two nests. Craig Koppie, biologist with the USFWS, is the current contact (410) 573-4534.

Bald Eagle are listed as State-endangered and they are afforded protection under Delaware Code, Title 7 (*7 Del. C. § 739*). Specifically, *7 Del. C. § 739* prohibits disturbing, damaging and destroying nests. To clarify protection from disturbance, the state is currently in the process of drafting a regulation that will address activities that disturb nesting eagles and will, like the federal guidelines, define distances appropriate for protecting nests given Delaware's fragmented, open landscape.

For more information regarding these two nests or of the new regulation being drafted, please contact Anthony Gonzon at (302) 653-2880 ext. 123 or our Program Manager, Karen Bennett at (302) 739-9124 for additional information regarding this issue.

Water Quality

A section on Total Maximum Daily Loads (TMDLs) should be incorporated within the City of New Castle's Comprehensive Plan. Please consider the following narrative and table as a separate "stand alone" section within the Environmental Protection section of this document.

Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), states are required to identify all impaired waters and establish total maximum daily loads to restore their beneficial uses. A TMDL defines the amount of a given pollutant that may be discharged to a water body from point, nonpoint, and natural background sources and still allows attainment or maintenance of the applicable narrative and numerical water quality standards. A TMDL is the sum of the individual Waste Load Applications (WLA's) for point sources and Load Allocations (LA's) for nonpoint sources and natural background sources of pollution. A TMDL may include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting water quality. In simplistic terms, a TMDL matches the strength, location and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate the pollutant without adverse impact. A Pollution Control Strategy (PCS) specifies actions necessary to systematically achieve pollutant load reductions specified by a Total Maximum Daily Load for a given water body and must reduce pollutants to level specified by State Water Quality Standards.

The City of New Castle is located within the greater Delaware River and Basin drainage and is immediately circumscribed by four individual watersheds. These individual watersheds are assigned specific nutrient (nitrogen and phosphorus) and bacterial TMDL load reduction rates that must be met in order to comply with the State Water Quality

Standards. The following table is a listing of nutrient and bacteria reduction requirements for those four watersheds.

Delaware River and Bay Drainage		Nitrogen	Phosphorus	Bacteria
7	Delaware River	NL	NL	NL
9	Red Lion Creek	40%	40%	38%
11	C & D Canal East	TBD 2011	TBD 2011	NL
14	Delaware Bay	NL	NL	NL

Page 69; The Plan should offer more specific “actionable” environmental protection strategies than currently offered. We recommend consideration of the following ordinances if appropriate for the City:

- a) Require all applicants to submit to the City a copy of the development site plan showing the extent of State-regulated wetlands (as depicted by the State Wetland Regulatory Maps), and a United States Army Corps of Engineers (USACE) approved wetlands delineation as conditional approval for any new commercial and/or residential development. Additionally, the site plan should depict all streams and ditches which are jurisdictional pursuant to the Subaqueous Act (7 Del. C., Chapter 72) as determined by DNREC.
- b) Help protect freshwater wetlands where regulatory gaps exist between federal and state jurisdictions (i.e., isolated wetlands and headwater wetlands).
- c) Require, where feasible, a 100-foot upland buffer width from all wetlands or water bodies (including ditches).

Based on a review of existing buffer research by Castelle et al. (1994), 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 the landward edge of all wetlands and water bodies (including all ditches).

- d) Require an impervious surface mitigation plan for all residential and commercial developments exceeding 20% imperviousness. In commercial developments, it is strongly recommended that pervious paving materials be required on at least 50% of the total paved surface area(s).
- e) Require the calculation for surface imperviousness (for both commercial and residential development) take in to account all constructed forms of surface imperviousness – including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water stormwater management structures.
- f) Require the assessment of a project’s TMDL nutrient loading rate through use of the Department’s nutrient budget protocol. The applicant should be further required to use any combination of approved Best Management Practices (BMPs) to meet the required TMDLs for the affected watershed(s) in question.
- g) Exclude structural Best Management Practices (BMPs) such as community wastewater treatment areas, open-water stormwater treatment structures and natural areas containing regulated wetlands from consideration as open space.
- h) Prohibit development on hydric soil mapping units. Proof or evidence of hydric soil mapping units should be provided through the submission of the most recent NRCS soil survey mapping of the parcel, or through the submission of a field soil survey of the parcel by a licensed soil scientist.
- i) Require the applicant to use “green-technology” stormwater management in lieu of “open-water” stormwater management ponds whenever practicable.

Literature Cited

Castelle, A. J., A. W. Johnson and C. Conolly. 1994. *Wetland and Stream Buffer Requirements – A Review*. J. Environ. Qual. 23: 878

Drainage/Stormwater

Page 53 Goal 1: Strategy 2

Be advised the Sediment and Stormwater Program is currently undergoing revisions to the sediment and stormwater regulations. It is unclear at this time when the new regulations will be promulgated.

Streams and private ditches will require periodic reconstruction at intervals dependent upon the sedimentation load from upstream. Periodic reconstruction involves the removal

of sediment from the ditch bottom to establish or reestablish a design grade. The removed sediment, referred to as spoil, is typically disposed of by spreading or piling alongside the ditch. A Drainage Management Plan should include a maintenance plan for drainage conveyances, designating points of access for maintenance equipment, and spoil disposal areas.

Page 53 Goal 1: Strategy 3

The Drainage Program supports the planting of native vegetation throughout the City. However, when planting native vegetation along drainage conveyances please consider how future drainage maintenance will be performed. Key components for an ordinance to achieve this recommendation are:

- Consider future drainage maintenance before planting riparian areas. Planted trees and shrubs should be native species, spaced to allow for a small backhoe or excavator to work through when trees are at maturity. Tree and shrub planting in this manner will provide a shading effect promoting water quality while allowing future drainage maintenance.
- Do not plant trees closer than 5 feet of the top of the bank to avoid future blockages within the channel from tree roots.
- Plant the balance of the area, as well as stream and ditch banks, with herbaceous vegetation to aid in the reduction of sediment and nutrients entering into water conveyance.
- Grasses, forbs and sedges planted within these buffers should be native species, selected for their height, ease of maintenance, erosion control, and nutrient uptake capabilities.
- Remove invasive vegetation prior to the planting of native species.

Page 53 Goal 2: Strategy 1

The City should consider identifying any **problem drainage areas** within the city's boundaries. As annexation occurs, any drainage ways within those areas may become the responsibility of the City to maintain. Contact the Drainage Program concerning technical assistance for the maintenance and upgrade of private drainage ways within the city or future annexation area.

Page 53 Goal 2: Strategy 2

The Division of Soil and Water Conservation is requesting that the City incorporate a requirement for a **stormwater and drainage review** into the City's preapproval requirements for new development requests. Proposed development projects should hold a pre-application meeting with the delegated agency, the New Castle Conservation District, to discuss stormwater and drainage prior to the town reviewing and/or approving plans or issuing building permits.

The Sediment and Stormwater Program is set to begin requiring a **pre-application meeting** for all proposed land disturbing activities that require a detailed Sediment & Stormwater Plan within the coming year. These meetings are structured to assist developers in the design process and for early notification of approval requirements. In order to schedule a pre-application meeting, the applicant must forward a completed Stormwater Impact Study (SIS) to the appropriate Delegated Agency. Please contact Elaine Webb with the DNREC Sediment and Stormwater Program if you have any questions regarding this new process. Please note that this process does not replace the State's PLUS process. The SIS Findings report will also be provided through that process.

Page 53 Goal 2: Strategy 3

Explore the feasibility of a **stormwater utility** to fund upgrades to existing stormwater infrastructure. Upgrades to the stormwater system may reduce pollutant loads and help reach the established total maximum daily load for nitrogen, phosphorus, and bacteria. Reach out to the New Castle Conservation District, New Castle County, and the Delaware Clean Water Advisory Council as partners in funding stormwater retrofits.

Page 53 Goal 2: Strategy 4

The City should contact Jamie Rutherford of the DNREC Sediment and Stormwater Program (302-739-9921) to schedule a meeting to discuss the process of becoming a **delegated agency**.

Page 53 Goal 3: Strategy 1

The City should consider obtaining **drainage easements** along waterways, ditches, and storm drains where currently there is none.

Existing woodland provides valuable wildlife habitat as well as soil erosion protection and water quality filtering. The Town could adopt an ordinance more stringent than the State regulations and not allow the clearing of woodland to create stormwater management areas.

Page 53 Goal 3: Strategy 2

The Drainage Program recommends existing drainage ways be incorporated into an open space plan. However, a maintenance plan needs to be in place should blockages from storm debris, beaver, or other sources occur. The City should identify existing open channels within the City boundary, along with potential annexation sites, as these channels may require maintenance in the future. Most of the channels have trees and wetlands adjacent to the channel and the riparian area provide a multitude of benefits for water quality and wildlife. There must be a balance between preserving the riparian area and having the capability to access the channel to perform maintenance. By identifying such areas now, future development would incorporate the areas into community open space thereby preserving the riparian area while allowing for channel maintenance access.

The Drainage Program recommends including wetlands setbacks as part of the ordinances to protect environmental resources. Wetlands should be protected, and a setback of un-subdivided open space should surround them. No portion of any building lot should be within the setback. During prolonged wet periods, the area within the wetland setback may become too wet for normal residential use. Designation as open space will aid in the prevention of decks, sheds, fences, kennels, and backyards being placed within the setback thereby reducing nuisance drainage complaints.

Brownfields

DNREC's Site Investigation and Restoration Branch (SIRB) encourages the development of Brownfields and can provide assistance when investigating and remediating Brownfield sites. Although SIRB has no specific comments regarding the proposed comprehensive plan at this time, if any future development occurs on sites with previous manufacturing, industrial, or agricultural use, SIRB recommends that a Phase I Environmental Site Assessment be conducted prior to development, due to the potential for a release of hazardous substances. If a release or imminent threat of a release of hazardous substances is discovered during the course of future 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). In addition, SIRB should be contacted as soon as possible at 302-395-2600 for further instructions.

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

No comments were received for this update.

Department of Agriculture - Contact: Scott Blaier 739-4811

The Department would like to congratulate the town on a thoughtful well-conceived comprehensive plan update. It is worth noting that the Department is actively involved with the Trustees of New Castle Common to bring the 112 acre farm along Route 273 back into active agriculture production. In addition, the Department's Urban Forester for New Castle County has been active with assisting the city with its tree canopy goal and other forest related issues. Therefore, the Department has no further comments on the plan.

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 were received for this update.

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.

As a way to promote physical activity and access to healthy foods, we recommend that the following be included in the City of New Castle Comprehensive Plan Review:

Identify opportunities for physical activity and active transportation

The draft comprehensive plan offered an excellent plan to address active transportation.

- The proposed goals on bicycle/pedestrian connectivity within the city are encouraged. Ensure that there are sidewalks, crosswalks and walking/bicycling paths connecting the neighboring residential developments and the commercial district. The proposed plan for upgrading the streetscape and incorporating bike paths. To help facilitate bikability in the community, it is recommended the plan includes strategies to install bike racks in the commercial district, especially in the historic area. There was concern on the funding. It is suggested that the town planner review the “Healthy Communities: A Resource Guide to Delaware Municipalities.” This document addresses strategies and funding support to incorporate amenities (i.e. tree canopy, 5’ sidewalks, walking/bicycling paths, etc) that facilitate a healthy community
- The proposed strategies addressing recreation is commendable. Creating and public park in undeveloped lots and a dog park are encouraged. It is recommended to explore facilities that provide opportunities for indoor recreation for residents of all ages. Indoor facilities will allow residents to engage in activity during the winter season or inclement weather.

Increase opportunities for healthy eating

- Designate an area for a community garden. Community gardens in undeveloped lots or in the town center would be an approach to improve attractiveness. In addition, community gardens not only provide residents access to healthy nutrition, but they also provide opportunities for physical activity and community cohesiveness.⁵

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*.

⁵ Hancock, T. (2001). People, partnerships and human progress: building community capital. *Health Promotion International*, 16(3), 275-80.

Delaware State Housing Authority – Contact Valerie Miller 739-4263

DSHA has reviewed the Municipal Comprehensive Plan for the City of New Castle to determine how the Municipality has incorporated the State’s goals, policies, and

strategies as they relate to affordable housing. Since the City of New Castle has a population over 2,000 people, HB 396 mandates that towns of 2,000 or more develop a plan to address affordable housing, which the Plan does state. DSHA supports the Plan and they applaud the City of New Castle for responding to the needs of affordable housing. The Delaware State Housing Authority endorses the Plan's goals for improving the integrity of the housing stock through rehabilitation and improving housing maintenance through City codes. They specifically support the strategy to increase affordable opportunities for homeownership.

Overall, this is a well thought out Plan with an appropriate housing analysis that addresses housing issues pertinent to the City of New Castle. However, the DSHA recommends the utilization of more current data in your analysis. DSHA can provide any technical assistance in this manner. They have numerous resources available for local jurisdictions including a guide to writing your housing element.

Additionally, DSHA has developed a website, **Affordable Housing Resource Center**, to learn about resources and tools to help create housing for households earning 100% of median income or below. Our website can be found at: www.destatehousing.com "Affordable Housing Resource Center" under our new initiatives.

If you have any questions or would like to explore any of the housing tools in more depth, please feel free to call me at (302) 739-4263 ext. 260 or via e-mail at valerie@destatehousing.com.

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.

1. 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.
2. 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.

3. 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.
4. The DOE offers its support to assist and participate by coordinating with this municipality, 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.
5. DOE has no comments regarding the Comprehensive Plan draft under consideration.

Approval Procedures:

1. Once all edits, changes and corrections have been made to the plan, please submit the completed document (text and maps) to our office for review. **Your PLUS response letter should accompany this submission.** Also include documentation about the public review process. In addition, please include documentation that the plan has been sent to other jurisdictions for review and comment, and include any comments received and your response to them.
2. Our office will require a maximum of 20 working days to complete this review.
 - a. If our review determines that the revisions have adequately addressed all certification items, we will forward you a letter to this effect.
 - b. If there are outstanding items we will document them in a letter, and ask the town to resubmit the plan once the items are addressed. Once all items are addressed, we will send you the letter as described above.
3. Once you receive our letter stating that all certification items have been addressed, the Planning Commission and Council should adopt the plan pending State certification. We strongly recommend that your Council adopt the plan by ordinance. The ordinance should be written so that the plan will go into effect upon receipt of the certification letter from the Governor.
4. Send our office a copy of the adopted plan along with the ordinance (or other documentation) that formally adopts your plan. We will forward these materials to the Governor for his consideration.
5. At his discretion, the Governor will issue a certification letter to your City.

6. Once you receive your certification letter, please forward two (2) bound paper copies and one electronic copy of your plan to our office for our records.

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: Marian Hall, URS Corp.