



**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION**

July 20, 2011

The Honorable Ronald Hunsicker  
Town of Bowers Beach  
3231 Main Street  
Frederica, DE 19946

RE: 2011-06-02; Town of Bowers Beach Comprehensive Plan Amendment

Dear Mr. Hunsicker:

Thank you for meeting with State agency planners on March June 22, 2011 to discuss the proposed comprehensive plan amendment. According to the information received the Town plans to amend the Future Land Use Map to create one future land use designation for two parcels currently designated on the map as being half for residential and half for conservation/agriculture land use.

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.

No objections were received from State agencies regarding this proposed plan amendment; however, the following comments were received regarding possible issues if the parcel is developed:

- The Department of Transportation noted that North Flack Avenue is a state-maintained road (Kent Road 18A). Accordingly, as detailed in Chapters 7 & 9 of the DeIDOT Standards and Regulations for Subdivision Streets and State Highway Access, any driveway construction or other work in the right-of-way will require a permit from the DeIDOT Central District office. The Central District Entrance Permit Manager, Mr. Scott Rust, will serve as an initial contact in this regard. Mr. Rust may be reached at 302-760-2433.
- The Department of Natural Resources and Environmental Control has noted that according to the State tidal wetlands map (map no. 183) a portion of the new lot fronting on Bayshore Drive is designated as State Regulated Wetlands. All of the new lot fronting on Flack Avenue is designated as State Regulated Wetlands. Consequently the development potential of these new lots would be affected. Note that no filling or

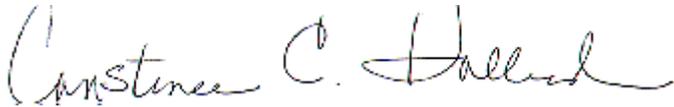
construction activity can be conducted in State Regulated Wetlands without first obtaining a permit from this Section as required under the State Wetlands Act. Additionally, the remaining area on the north side of the existing road connecting Bayshore Drive and Flack Avenue that separates the new lots from the original large parcel is also designated as State Regulated Wetlands.

- It should also be noted that the lots adjacent to the south side of the new lots were designated as State Regulated Wetlands. However, that designation has been changed to upland based on previous investigation(s) by this Section. Consequently, these lots are no longer subject to the requirements of the State Wetlands Act.

DNREC recommends that in the event any development of the new lots is considered or if any road work is proposed by the town, the Wetlands and Subaqueous Lands Section should be contacted to determine the status of the State Regulated Wetlands at this location and the legal requirements under the State Wetlands Act that may affect the proposed development or road work. Please feel free to call with any questions.

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, Office of State Planning Director

Cc: Kent County