



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

June 18, 2013

Gene Dvornick
Town of Georgetown
39 The Circle
Georgetown, DE 19947

RE: PLUS 2013-05-03; Town of Georgetown Comp Plan Amendment

Dear Mr. Dvornick:

Thank you for meeting with State agency planners on May 22, 2013 to discuss the proposed Town of Georgetown comprehensive plan amendment to change the future land use of parcel 135-20.00-50.00 located at 413 South Bedford Street from NB to LI.

As noted in the PLUS application, this parcel is owned by KGB Properties and is home to the 16 mile Brewery which has been operating under a conditional use. This comprehensive plan amendment is the first step to rezoning the property to make the zoning consistent with the actual 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.

The State supports the comprehensive plan amendment and has no comments regarding the proposed rezoning of the property.

Please note that if the owners intend to expand the existing brewery, they should contact this office to determine if the expansion requires a PLUS review. They should also consider the following comments provided by a couple of the agencies. Please note that additional comments may be given if an expansion site plan is provided.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- When the brewery seeks to expand, then in accordance with Section 8.6 of the Standards and Regulations for Subdivision Streets and State Highway Access, the expansion will constitute a change in use. At that time, their Commercial Entrance Permit will need to

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be evaluated and entrance improvements may be required. Depending on how much the traffic is expected to increase, a Traffic Impact Study (TIS) could be required in accordance with Section 2.3 of the Standards and Regulations.

Preliminarily, DelDOT sees no reason why the brewery could not make any needed entrance improvements and they do not expect a TIS to be needed, but in both regards they would need a specific development proposal to be certain.

In preparing their expansion plans, the brewery should have their site engineer contact Mr. Derek Sapp of the DelDOT Planning office to discuss those plans and arrange for a Pre-Submittal Meeting if necessary. Mr. Sapp can be reached at (302) 760-4803.

- The Future Land Use Map appears to designate the lands surrounding the subject parcel for Medium High Residential use. Currently, from aerial photography, much of both the subject parcel and the surrounding lands is undeveloped. Depending on the Town's requirements for buffers between different uses, DelDOT sees the potential for conflict as the brewery expands and the neighboring parcels develop or redevelop. If the Town finds Light Industrial use appropriate for the subject parcel, DelDOT suggests that they consider expanding that Light Industrial district to be contiguous with the Light Industrial districts along Arrow Safety Road and New Park Road.

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

Tank Management Branch. Please be aware:

- If a release of a Regulated Substance occurs at the proposed project site, compliance of 7 Del.C., Chapter 60, 7 Del.C., Chapter 74 and DE Admin. Code 1351, State of Delaware *Regulations Governing Underground Storage Tank Systems* (the UST Regulations) is required.
- The following confirmed leaking underground storage tanks (LUST) projects are located within a quarter mile of the project boundary related to parcel 135-20.00-50.00:
 - J & G Auto Sales, Facility: 5-001033, Project: S0711125 (Active)
 - Georgetown Pumping Station, Facility: 5-000777, Projects: S8602017, S9511277 (Both Inactive)
- Per the **UST Regulations: Part E, § 1. Reporting Requirements:**
 - Any indication of a Release of a Regulated Substance that is discovered by any Person, including but not limited to environmental consultants, contractors, utility companies, financial institutions, real estate transfer companies, UST Owners or Operators, or Responsible Parties shall be reported within 24 hours to:
 - The Department's 24-hour Release Hot Line by calling 800-662-8802; and

- The DNREC, Tank Management Section by calling 302-395-2500.

Hazardous Waste Sites

- If it is determined by the Department that there was a release of a hazardous substance on the property in question and the Department requires remediation pursuant to the Hazardous Substance Cleanup Act, the provisions of 7 Del.C., Chapter 91, Delaware Hazardous Substance Cleanup Act and the Delaware *Regulations Governing Hazardous Substance Cleanup* shall be followed.
- Should a release or imminent threat of a release of hazardous substances be 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). SIRS should also be contacted as soon as possible at 302-395-2600 for further instructions.
- When contamination is encountered, PVC pipe materials should be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.
- If any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the TMS. If any ASTs greater than 12,500 gallons are installed, they are also subject to installation approval by the TMS.
- Should the municipality anticipate being more restrictive than Delaware's Regulations Governing Underground Storage Tank Systems or Delaware's Regulations Governing Aboveground Storage Tanks, please be aware that the municipality shall be responsible for enforcing the more restrictive rules.

Approval Procedures:

The Town shall report back to the Office of State Planning Coordination regarding adoption of any amendment, and forward the office any relevant meeting minutes, resolutions, ordinances and a copy of the final Plan Review or Amendment text and maps as adopted.

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, Office of State Planning Coordination