



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

M E M O R A N D U M

TO: Dr. A.J. Lathbury, Superintendent, Sussex Technical School District
Terry Little, Director of Facilities and Operations, Sussex Technical School District

FROM: Connie Holland, AICP, Director, Office of State Planning Coordination *CH*

RE: Summary of PLUS Reviews for Proposed School Sites
Option 5 – PLUS 2013-11-05 (Rt. 113 and Rt. 9)
Option 6 – PLUS 2013-11-01 (Rt. 113 and Trap Pond Rd.)
Option 7 – PLUS 2013-11-06 (Sand Hill Road)

DATE: January 17, 2014

As we continue to work together to identify a site that is suitable for construction of a new Sussex Technical High School, I want to provide this memo that summarizes our PLUS review of the latest three options considered. At the PLUS meeting it became clear that all of the sites reviewed contained environmental concerns that would have to be addressed in any site design for a new school. However, from the discussion at the meeting it was unclear how much of each parcel was impacted by these environmental issues. Our office organized a meeting with DNREC staff on December 19th to review their concerns in more detail. Out of that meeting we used our GIS resources to analyze the buildable acres on each site, and highlight areas of each site that should be preserved to protect sensitive natural features. Below you will find a summary of our findings in the order of our preference for school construction:

Option 5 – PLUS 2013–11-05 (Rt. 113 and Rt. 9)

- This site is our most preferred option for school construction among these three proposals, and in fact among all sites proposed so far.
- The detailed environmental analysis completed using GIS data indicates that approximately 142 acres are buildable for school construction. Detailed wetlands delineations and soils testing will be required to field verify this finding.

- The largest block of buildable land is approximately 71 acres, and would be a good place to construct the school with access to Rt. 9 and /or Asbury Rd.
- Two smaller blocks of buildable land of approximately 36 and 24 acres would perhaps be suitable for the construction of athletic fields or other facilities to support the school and its mission.
- The site contains an extensive tax ditch network which will probably have to be preserved in-tact to provide for drainage. The ditches can be bridged to allow access across them, but neither the ditches nor the right of way can be built upon.
- The site contains wetlands that will have to be delineated and preserved.
- Compliance with the stormwater management regulations will be required. We are aware that the District has already hired engineers to investigate this issue.
- DelDOT and the Town of Georgetown have entered into the agreement mentioned in the PLUS letter that reduces the level of service to “D” for the intersection at Rt. 113 and Rt. 9. This may result in less extensive improvements needed at that intersection than would otherwise be required.
- The future plans for a grade separation at Rt. 113 and Rt. 9 may ultimately lead to safer, more efficient access to the school. If the school is placed in the 71 +/- acre area, it can be designed so that eventual impacts from the construction of the grade separation will be minimal.

Option 6 – PLUS 2013-11-01 (Rt. 113 and Trap Pond Rd.)

- This is our second most preferred option of these three proposed sites. With that said, the configuration of the site is less optimal than Option 5 as described below.
- The detailed environmental analysis completed using GIS data indicates that approximately 98 acres are buildable for school construction. Detailed wetlands and soils testing will be required to field verify this finding.
 - The site contains two buildable areas of approximately 43 and 54 acres respectively.
 - These buildable areas are separated by wetlands. It appears to be possible to bridge the wetlands area to connect the two halves of the site. Clearly, this is not ideal.
 - Detailed site planning will be necessary to determine whether or not the school and all of its required parking and facilities could be constructed in one of these buildable areas, leaving the other for the construction of the athletic fields.
- The site contains tax ditches. It appears that these tax ditches could be moved if necessary.
- The site contains wetlands that will have to be delineated and preserved.
- Compliance with the stormwater management regulations will be required.
- DelDOT indicates that they prefer the main site access along Parker Rd. This will require upgrades to Parker Rd, Trap Pond Road, and several other roads. These improvements could be a significant cost given the current standard these roads are built to.
- Intersection improvements at Rt. 113 and Trap Pond Rd. will also likely be required. The extent of these improvements would be determined by the traffic impact study.

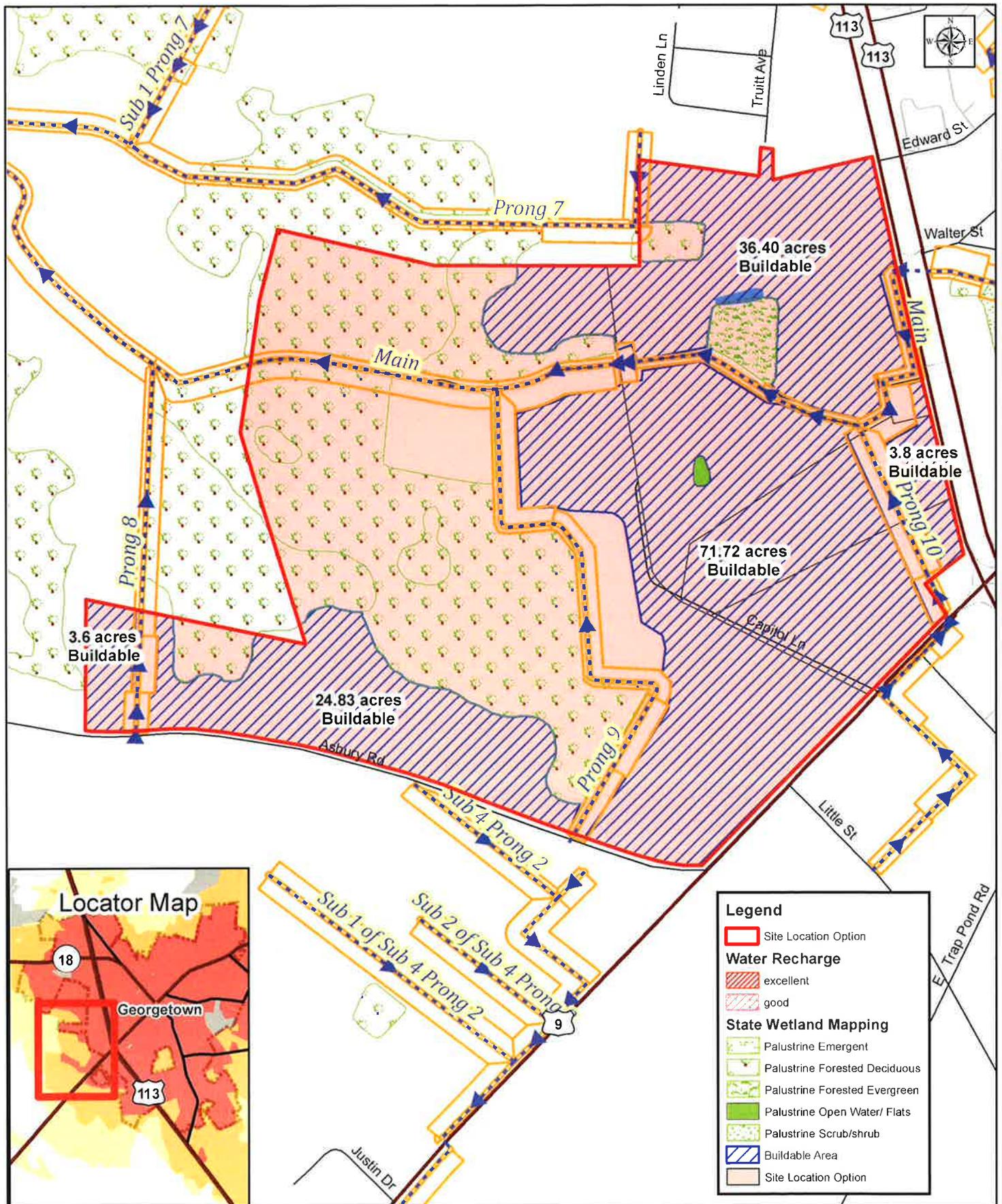
- There are also future plans for a grade separation at the Rt. 113 and Trap Pond Rd. intersection. These improvements will likely impact the 43 acre buildable parcel, thus reducing the effective usable area in this portion of the site.

Option 7 – PLUS 2013-11-06 (Sand Hill Rd).

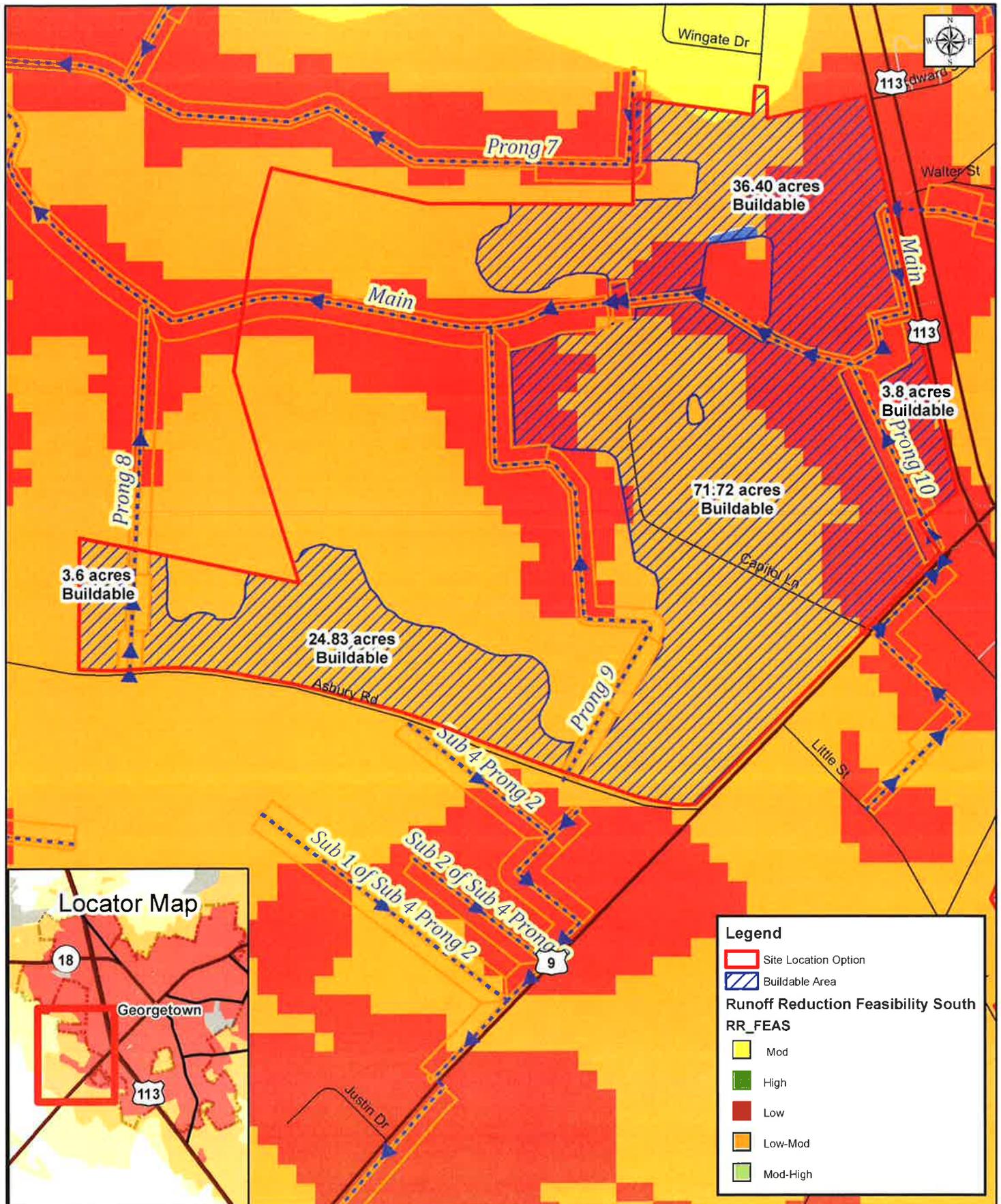
- DNREC and DelDOT both identified a significant drainage problem in this area. There is no outfall for stormwater from this area. DelDOT has tried, unsuccessfully, to acquire land to remedy this situation so that they can build a planned intersection improvement at Rt. 9 and Sandhill Road.
- Neither DNREC nor DelDOT indicate that there is any known solution to this drainage issue.
- We do not recommend that this site be considered any further.

Attached are maps showing our GIS analysis of buildable area for Option 5 and Option 6. We have also attached aerial photos of Option 7 showing the extent of the drainage problems caused by the lack of an outfall. Detailed technical comments from each agency are found in the PLUS letters for the proposed sites. If you have any questions, please contact our office.

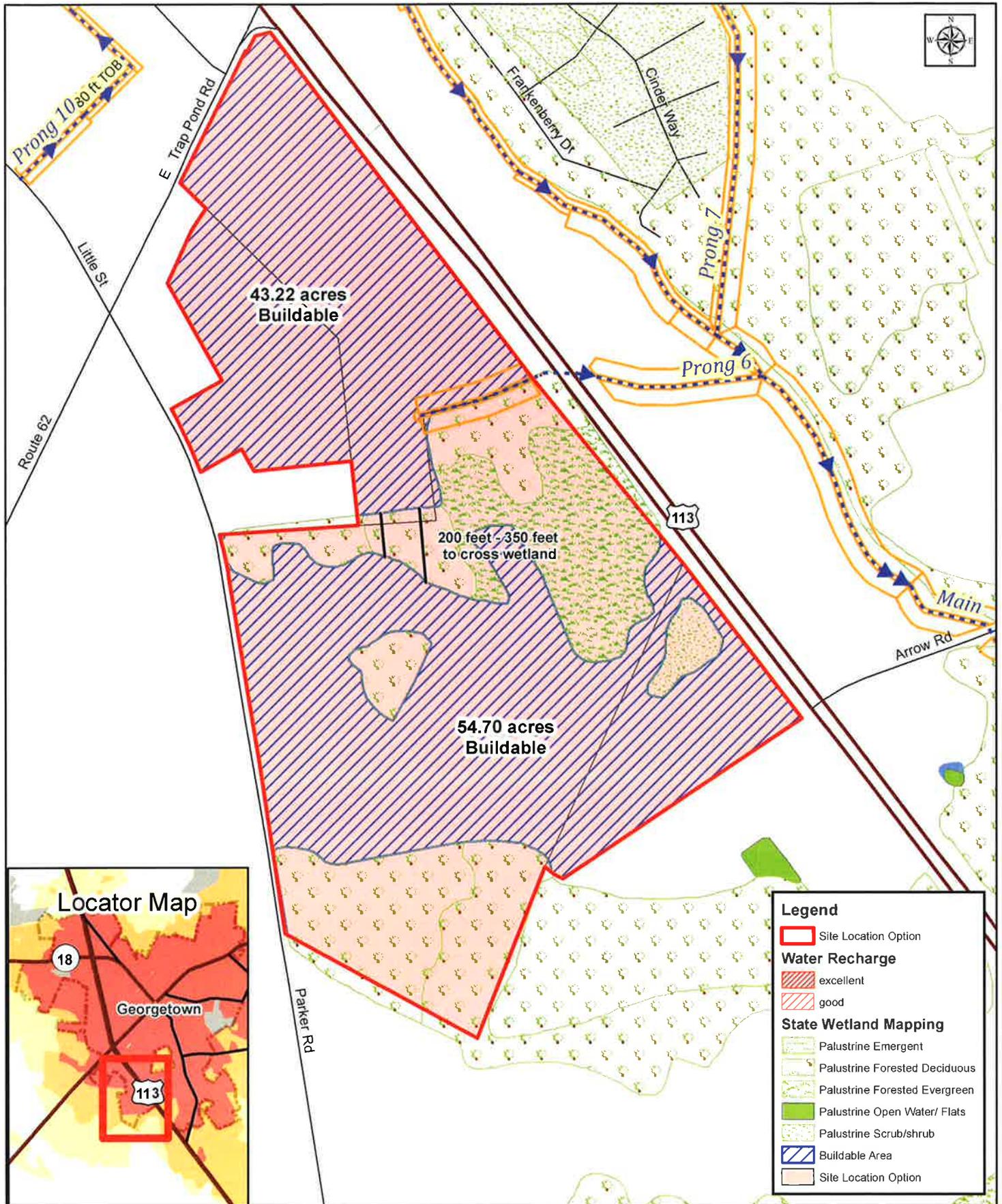
Sussex Vocational School District - Environmental Data Option 5



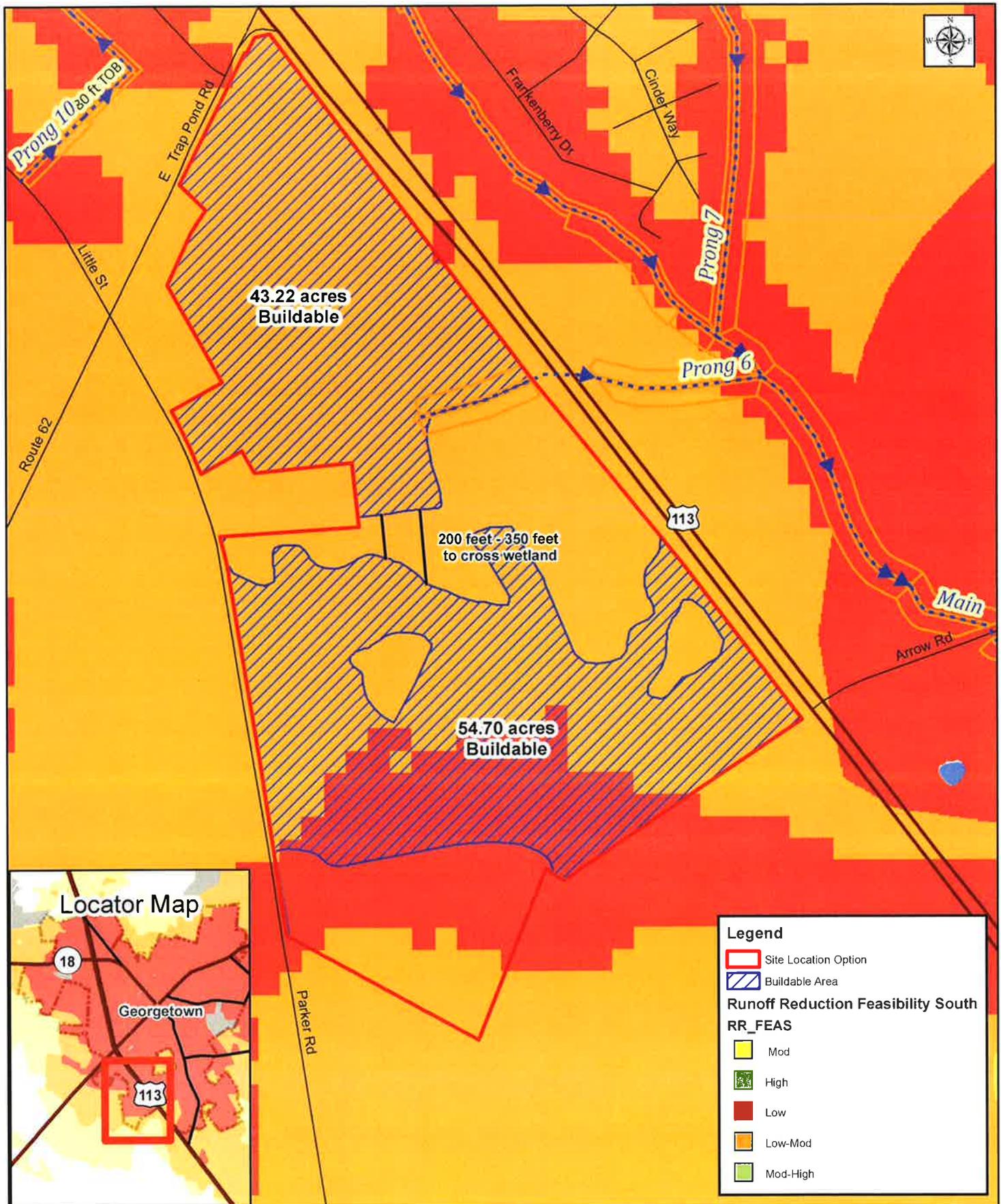
Sussex Vocational School District - Runoff Reduction Feability Data Option 5



Sussex Vocational School District - Environmental Data Option 6



Sussex Vocational School District - Runoff Reduction Feability Data Option 6







**STATE OF DELAWARE
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January 17, 2014

Terry Little
Sussex Tech School District
P.O. Box 351
Georgetown, DE 19947

RE: PLUS review 2013-11-01; Sussex Tech School District (Option 6)

Dear Mr. Little:

Thank you for meeting with State agency planners on November 27, 2013 to discuss the feasibility of a school site on a 141.07 acres located along Route 113 and Trap Pond Road within the Town of Georgetown.

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 Georgetown is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the town.**

Strategies for State Policies and Spending

This project is located in Investment Level 1 and Level 2 according to the *Strategies for State Policies and Spending*. This site is also located in the Town of Georgetown. 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. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future. State investments will support growth in these areas.

The Office of State Planning Coordination has met with DNREC to discuss this parcel and after reviewing and discussing the comments noted below, it is noted that this site appears to contain poorly to very poorly drained wetland associated hydric soils and has low runoff reduction feasibility which may result in the need to employ the offset option in order to meet the runoff reduction requirements. However, this site does have tax ditches to provide stormwater outlet.

It is recommended that a wetland delineation be done on this site to determine the extent of the wetlands associated with this site and the limitations they will pose to the school district. Please see the comments below for specific details about this site.

Code Requirements/Agency Permitting Requirements

State Historic Preservation Office – Contact Terrence Burns 736-7404

- There are no known cultural or historic resources, such as a National Register-listed property or an archaeological site, on this parcel. However, there is a known agricultural complex (K-3203) near the parcel near Parker Road, probably built during the late-19th or early-20th century. Furthermore, according to the Pomeroy and Beers Atlas of 1868 (which is a 19th-century historic map), it appears that there was a dwelling or structure on the parcel, associated with a C. T. Pepper. In addition, the USGS Topographic Map of 1917 also shows that a dwelling or structure was there, as well as another one near the parcel, approximately in the same location as the agricultural complex (K-3203).

If there will be any development or construction activity on the parcel, the developer should be aware of the Delaware's Unmarked Human Burials and Human Skeletal Remains Law, which is outlined in Chapter 54 of Title 7 of the Delaware Code. Abandoned or unmarked family cemeteries are very common in the State of Delaware. They are usually in rural or open space areas, and sometimes near or within the boundary of an historic farm site. Even a marked cemetery can frequently have unmarked graves or burials outside of the known boundary line or limit. Disturbing unmarked graves or burials triggers the Delaware's Unmarked Human Burials and Human Skeletal Remains Law (Delaware Code Title 7, Chapter 54), and such remains or discoveries can result in substantial delays while the procedures required under this law are carried out. If there is a discovery of any unmarked graves, burials or a cemetery, it is very costly to have them archaeologically excavated and the burials moved. The Division of Historical & Cultural Affairs recommends that owners and/or developers have a qualified archaeological consultant investigate their project area, to the full extent, to see if there is any unmarked cemetery, graves, or burial sites. In the event of such a discovery, the Division of Historical & Cultural Affairs also recommends that the plans be re-drawn to leave the full extent of the cemeteries or any burials on its own parcel or in the open space area of the development, with the responsibility for its maintenance lying with the landowner association or development. If you would like to know more information that pertains to unmarked human remains or cemeteries, please check the following websites for additional information: www.history.delaware.gov/preservation/umhr.shtml and www.history.delaware.gov/preservation/cemeteries.shtml.

Prior to any demolition or ground-disturbing activities, the developer should consider hiring an archaeological consultant to examine the parcel for potential historic or cultural resources, such as a potential archaeological site, a cemetery or unmarked human remains. . Furthermore, the developer should also include sufficient landscaping

protection or barrier between the proposed development, and the dwelling/agricultural complex (K-3203) to protect it from any adverse sound and visual effects. In addition, if there is any federal involvement with the project, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider the project's effects on any known or potential cultural or historic resources. Owners and developers who may plan to apply for an Army Corps of Engineers permit or for federal funding, such as HUD or USDA grants, should be aware of the National Historic Preservation Act of 1966 (as amended). Regulations promulgated for Section 106 of this Act stipulate that no ground-disturbing or demolition activities should take place before the Corps or other involved federal agency determines the area of potential effect of the project undertaking. These stipulations are in place to allow for comment from the public, the Delaware State Historic Preservation Office, and the Advisory Council for Historic Preservation about the project's effects on historic properties. Furthermore, any preconstruction activities without adherence to these stipulations may jeopardize the issuance of any permit or funds. If you need further information or additional details pertaining to the Section 106 process and the Advisory Council's role, please review the Advisory Council's website at www.achp.gov. In addition, the developer may also want to look at a report titled: Evaluation of National Register Eligibility for Architectural Properties in the Georgetown Study Area, U.S. 113 North/South Study (1000112); and you would like to see or obtain a copy, please contact our office for further assistance.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- DelDOT would expect the proposed school to warrant a Traffic Impact Study (TIS) per Section 2.3.1 of DelDOT's Standards and Regulations for Subdivision Streets and State Highway Access. We will make a final determination in this regard and will determine a scope for that study when more information is available on expected traffic to be generated by the proposed school.
- If this site is selected, an early decision that will need to be made is where to place the school's main access. Access on US Route 113 would be complicated by DelDOT's Corridor Capacity Preservation Program (17 Del. C. Section 145) and planning for a future widening and grade separation of US Route 113. Right turns into and out of the site could be permitted north of Arrow Safety Road (Sussex Road 87) but left turn access would be possible only opposite Arrow Safety Road, at the existing signal and this access would only be temporary. Our long-term plans are to create a grade separation at this intersection. Part of the site will need to be reserved for the construction of that grade separation. Ramps could be included in that work so that the school's access could resume there after the construction, but temporary access would have to be provided elsewhere for two to three years.
- Access on East Trap Pond Road (Sussex Road 62) may be possible but adequately serving drivers exiting to the north and east would be challenging because eastbound traffic is only permitted to turn right at US Route 113. This restriction was placed to address operational problems and we anticipate it remaining in place.

- Access on Parker Road (Sussex Road 469) would be straightforward to design and build. However, significant improvements would likely be needed on East Trap Pond Road, Parker Road, Bull Pine Road (Sussex Road 325) and Shortly Road (Sussex Road 431) to support such access. Significantly, if access is sought on US Route 113 at Arrow Safety Road, all of this work could be needed to manage traffic while the grade separation mentioned above is built.
- Also, previous TIS for commercial developments in the area have identified significant existing congestion problems at the intersection of US Route 113 and Delaware Route 404 and to a greater extent at the intersection of US Routes 9 and 113.
- In accordance with Section 2.15.2 (formerly 3.10.2) of DelDOT's Standards and Regulations for Subdivision Streets and State Highway Access, the District should expect to be held responsible for improvements to the affected facilities and should factor them into their consideration of this site.
- More information on the future widening and grade separation of US Route 113 is available on DelDOT's website at <http://www.deldot.gov/information/projects/us113/> or by calling DelDOT's project manager, Bryan Behrens, at (302) 760-2756.

Department of Natural Resources and Environmental Control – Contact Bahareh Van Boekhold 735-3495

Wetlands

- DNREC's Wetland and Subaqueous Lands section has reviewed the proposed project. State regulated wetlands ARE NOT located on this property based on a review of the State wetland maps. State regulated wetlands are those wetlands identified on the State's official State Regulated Wetland Maps. Additional information about State regulated wetlands is available by contacting the Wetlands and Subaqueous Lands Section at (302) 739-9943 or on line at <http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx>.
- State regulated subaqueous lands ARE likely to be located on this property based on a review of aerial photographs, SWMP maps, Soil Surveys and/or USGS topographic maps. Alms House Ditch and a minor stream are located on these parcels. State subaqueous lands include all tidal waters (up to the mean high water line), most non-tidal rivers, streams, lakes, ponds, bays and inlets (up to the ordinary high water line), most perennial streams and ditches and many intermittent streams and ditches. Additional information about State regulated subaqueous lands is available by contacting the Wetlands and Subaqueous Lands Section at (302) 739-9943 or on line at <http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx>.

- Waters of the U.S. regulated by the U.S. Army Corps of Engineers ARE likely to be located on this property based on a review of aerial photographs, SWMP maps, Soil Surveys and/or USGS topographic maps. DNREC recommends an on-site inspection and wetland delineation be done by an environmental consultant. Waters of the United States include the following: navigable waters of the United States; wetlands; tributaries to navigable waters of the United States, including adjacent wetlands and lakes and ponds; interstate waters and their tributaries, including adjacent wetlands; and all other waters of the United States not identified above, such as isolated wetlands, intermittent streams, and other waters that are not part of a tributary system to interstate waters or to navigable waters of the United States, where the use, degradation or destruction of these waters could affect interstate or foreign commerce. The extent of Federal jurisdiction over Waters of the United States is determined by the U.S. Army Corps of Engineers and is based on site specific conditions. Therefore, an on-site inspection by an environmental consultant is recommended to determine if Waters of the U.S. are located on the property and the limits of Federal jurisdictional. The U.S. Army Corps of Engineers can be contacted at (215) 656-6728 or online at <http://www.nap.usace.army.mil/cenap-op/regulatory/regulatory.htm>.

Water Supply

- The information provided indicates that the Town of Georgetown will provide water to the proposed project via a public water system. Our records indicate that the Town of Georgetown does not currently hold a certificate of public convenience and necessity (CPCN) to provide public water for parcels (135-19.00)-64.00, 65.00, & 59.03, however, parcel 135-19.00-63.00 is within the Town of Georgetown's annexation project under CPCN, 01-CPCN-01. If the Town of Georgetown plans on annexing this project to their municipality, then according to §203C, Subchapter II, Chapter 1, Title 26, Delaware Code, the municipality is required to give notice to the Public Service Commission when the annexation is complete. Information on CPCN requirements and applications can be obtained by contacting the Public Service Commission at 302-736-7547. The Division of Water Resources will consider applications for the construction of on-site wells provided the wells can be constructed and located in compliance with all requirements of the Regulations Governing the Construction and Use of Wells. A well construction permit must be obtained prior to constructing any wells.
- 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.
- Potential Contamination Sources exist in the area, and any well permit applications will undergo a detailed review that may increase turnaround time and may require site specific conditions/recommendations. In this case, there are two Underground Storage Tanks Associated with: (1)Paul Short and (2)First State Chevrolet, located within 1000 feet of the proposed project.

Sediment and Stormwater Program

- DNREC Sediment and Stormwater Program has consulted Runoff Reduction Feasibility mapping for these parcels to determine the site's suitability to comply with the Resource Protection Event runoff reduction requirements of the revised Sediment and Stormwater Regulations that will be effective January 1, 2014. This location is mapped as Low or Low-Moderate for Runoff Reduction Feasibility. Due to a combination of poor soils and high groundwater table, it is likely based on this mapping that these sites would not be able to comply onsite with the runoff reduction requirements and would have to consider

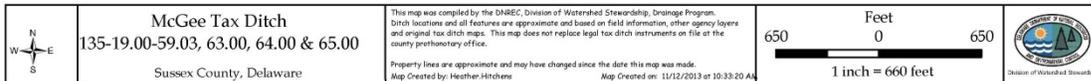
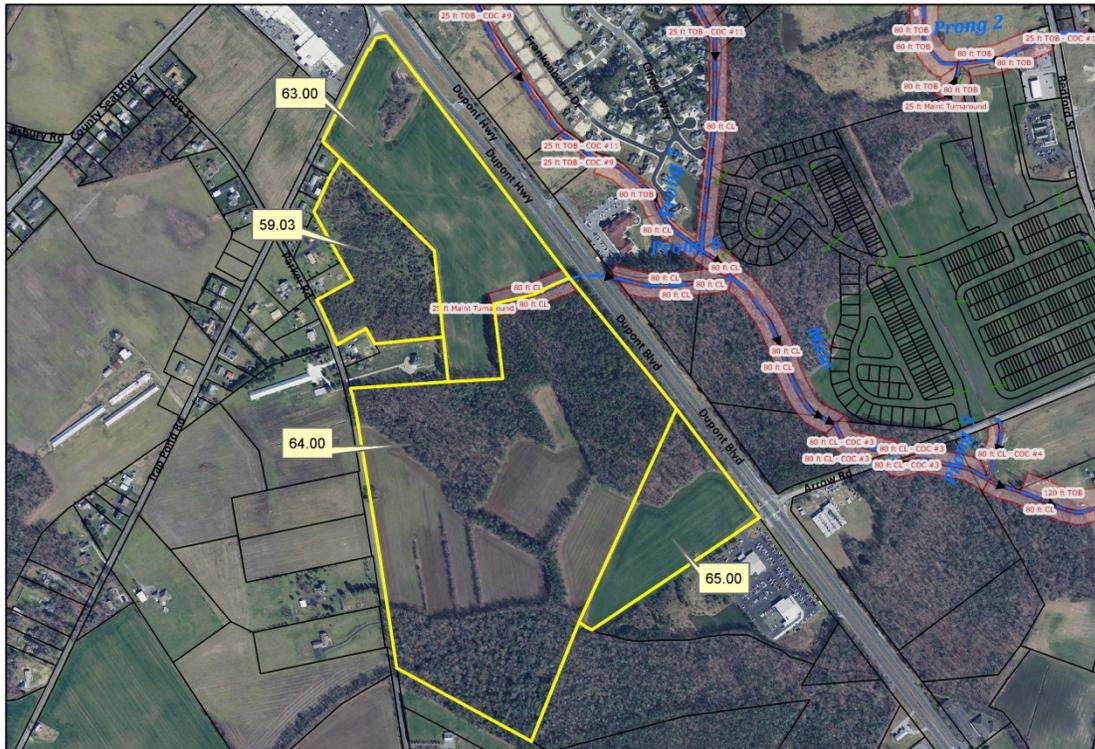
an offset for compliance with the revised Sediment and Stormwater Regulations Resource Protection Event requirements

Drainage Program

- Parcel (135-19.00-65.00) is not located in a Tax Ditch right-of-way; therefore it is not affected by Tax Ditch rights-of-way.
- Parcels (135-19.00-59.03 & 135-19.00-63.00) are located in the **Deep Creek** Tax Ditch; however they are not affected by Tax Ditch rights-of-way
- Parcel (135-19.00-63.00) is located in the **Layton Vaughn** Tax Ditch; however it is not affected by Tax Ditch rights-of-way.
- Parcels (135-19.00-63.00 & 135-19.00-64.00) are located in the **McGee** Tax Ditch and are affected by the following rights-of-way:

McGee Tax Ditch	Left	Right
Prong 6 <i>*also a 25' right-of-way around the upstream end of this Prong, measured from top of ditch bank.</i>	80'	80'

- Please note that the above rights-of-way are measured from the centerline of the ditch, with the exception of the ones noted with an asterisk, which are measured from top of the ditch bank. The designation of Left and Right side are based upon looking upstream.
- Any change to the location of the tax ditch or existing tax ditch rights-of-way will require a change to the McGee Tax Ditch court order. The placement of permanent obstructions within tax ditch rights-of-ways is prohibited.
- Please contact Matthew Grabowski, Environmental Program Manager with the Drainage Program in Georgetown at (302) 855-1930 to discuss the tax ditch rights-of-way on this property. (Title 7, Delaware Code, Chapter 41)



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.
- There are two SIRS sites within a ½ miles radius of the property in question:
 - Rt 113 Associates Site (DE-1414) is located adjacent north to the project property. The Site was a former gas station with underground storage tanks and storage area for fertilizer. The Site entered a Brownfield Agreement with SIRS in August 2007 and an Emergency Removal Action took place to remove containers of unknown material in September the same year. The Brownfield Investigation Report was approved in June of 2008 and a Proposed Plan and Final Plan (PP/FP) were posted for public comment in September and October of 2008. No comments were received. The FP recommended that a Environmental Covenant be placed on the property. The EC was

signed in December 2008. The Site received a Certificate of Completion of Remedy in August 2009.

- Shortly Rd. Equipment Yard Site (DE-1529) is located 0.5 miles to the south of the project property. The Site is being purchased by the State of Delaware and will maintain the same functions as a maintenance yard. SIRS has received a Conceptual Site Model and Sampling Analysis Plan for work on the Site in April 2013. The Site is currently being investigated by SIRS for any potential soil and groundwater contamination.

Tank Management. 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 tank (LUST) projects are located within a quarter mile from the proposed project area:
 - First State Chevrolet, Facility: 5-000222, Project: S9105084 (Inactive)
 - Paul Short, Facility: 5-000460, Project: S9201012 (Inactive)
 - RE Blakeley & Son Georgetown, Facility 5-000158 Project: S0001012, S9404077 (Inactive)
 - Discount Gas, Facility: 5-000162, Project: S9106113 (Inactive)
 - Jeff Whites Quality Auto, Facility: 5-000728, Project: S9304070 (Inactive)
- No environmental impacts are anticipated; however, 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 Branch by calling 302-395-2500

Recommendations/Additional Information

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- A possible mitigating factor with regard to the offsite improvement costs mentioned above is that the Town is in the process of amending their Comprehensive Plan to accept Levels of Service E and F, at the intersection of US Route 113 and Delaware Route 404 and at the intersection of US Routes 9 and 113, during peak periods. If they make this amendment, DelDOT will be able to consider issuing a Letter of No Objection for developments near them even if offsite improvements do not result in Level of Service D or better. DelDOT would likely still require road and intersection improvements, but we would have more latitude with regard to the extent of the improvements that would be necessary.

Department of Natural Resources and Environmental Control – Contact Bahareh Van Boekhold 735-3495

Soils Assessment

- This parcel appears to have limited suitability because much of the parcel is comprised of poorly to very poorly-drained wetland associated (hydric) soil mapping units ((e.g., Hurlock (HuA), Mullica (MmA), & Mullica-Berryland (MuA); Figure 1a)) that are indicative of wetland conditions. The hydric soil mapping units closely correspond with the SWMP mapped wetland mapping units; particularly in those areas with forested land cover (Figure 1b).

