



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

September 25, 2014

Ms. Phyllis Kohel
Milford School District
906 Lakeview Avenue
Milford, DE 19963

RE: PLUS review 2014-08-06, Proposed Milford High School Site

Dear Ms. Kohel,

Thank you for meeting with State agency planners on August 27, 2014 to discuss the proposed plans for the Milford High School site. According to the information received, you are seeking review of a proposed school site for the Milford School District.

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

Strategies for State Policies and Spending

This proposed high school site is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. This site is also located in the City of Milford. 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. This proposed school site is designated as commercial future land use in the City of Milford's certified comprehensive plan and is zoned commercial. The City indicates that schools are not permitted uses in commercial zones, so a comprehensive plan amendment and a rezoning would be required if this school site is to move forward.

Code Requirements/Agency Permitting Requirements

State Historic Preservation Office – Contact Terrence Burns 736-7404

- There is a 20th-century dwelling and farm on this parcel known as the Sunnybrae Mansion and Farm (K-7726). However, this property was determined ineligible for the National Register of Historic Places according to an intensive-level historic architectural survey

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

conducted by DeIDOT. Therefore we have no recommendations to make on protecting the current buildings on the property. In regard to Sunnybrae, the developer may want to read the report on the survey, which is an addendum to a report titled: Northeast Front Street Grade-Separated Intersection Project. If you would like to review that report, please contact our office to request a copy.

- According to the Pomeroy and Beers Atlas of 1868, it appears that there were a couple of dwellings either on the parcel or very close to it. The dwellings were associated with a C. Fleetwood and S. Paisley, so there is a possibility that there are archaeological remains associated with them. With this in mind, it is very important that the developer be aware of Delaware's Unmarked Human Burials and Human Skeletal Remains Law, which is 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 pertaining 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 may want to hire an archaeological consultant to examine the parcel for any potential archaeological site (historic or pre-historic), historic cemetery or unmarked human remains. Furthermore, 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 their 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.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- Per Section 2.3.1 of the Standards and Regulations for Subdivision Streets and State Highway Access, Traffic Impact Studies (TIS) are warranted for developments generating more than 400 vehicle trip ends per day or 50 vehicle trip ends per hour. However, Section 2.3.2 provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour, DelDOT may accept an Area Wide Study Fee of \$10 per daily trip in lieu of a TIS. DelDOT estimates that a 1,300 student high school would generate 2,138 vehicle trip ends per typical weekday and 559 vehicle trip ends per hour during the morning highway peak hour of that day. Therefore, a TIS would be warranted and payment of the Area Wide Study Fee is not an option.
- DelDOT recognizes that the School District may not be ready to commit to the expense of a TIS for this site but the primary purpose of a TIS is to identify traffic problems that either exist near a proposed development or would be caused by that development, and remedies for those problems. Therefore it could be useful to the School District to obtain a scope of work for a TIS now. Doing so, would show them what locations a TIS for this site would need to address and therefore the possible locations that we might require them to improve. To obtain a scope, the applicant may have their engineer contact Mr. Troy Brestel of this office. Mr. Brestel may be reached at (302) 760-2167.

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

TMDLs

- The project is located in the greater Delaware River and Bay drainage area, specifically within the Mispillion River watershed. In this watershed, the State of Delaware has developed specific Total Maximum Daily Load (TMDL) pollutant reduction targets for nitrogen, phosphorus, and bacteria (under the auspices of Section 303(d) of the Clean Water Act). A TMDL is the maximum level of pollution allowed for a given pollutant below which a “water quality limited waterbody” can assimilate and still meet State water quality standards (e.g., dissolved oxygen, nutrients, and bacteria; State of Delaware Surface Water Quality Standards, as amended July 11, 2004) to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. The TMDL for the Mispillion River watershed calls for a 57 percent reduction in nitrogen and phosphorus from baseline conditions. The TMDL also calls for an 87 percent reduction in bacteria from baseline conditions.

- A nutrient management plan is required under the *Delaware Nutrient Management Law (3 Del. Chapter 22)* for all persons or entities who apply nutrients to lands or areas of open space in excess of 10 acres. This project's open space may exceed this 10-acre threshold. Please contact the Delaware Nutrient Management Program at 739-4811 for further information concerning compliance requirements – or, view the following weblink for additional information: <http://dda.delaware.gov/nutrients/index.shtml>

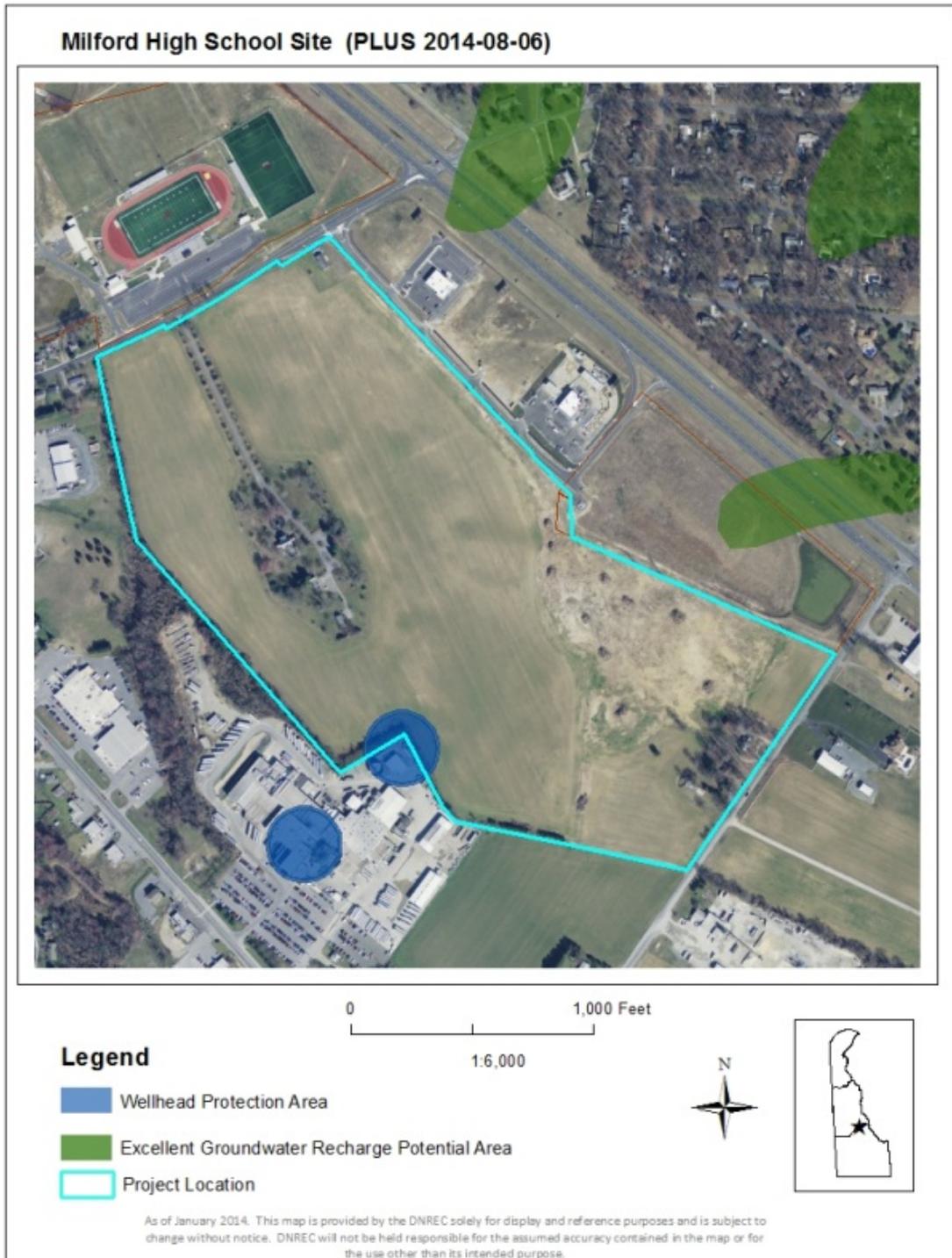
Water Supply

- The information provided indicates that water will be provided to the project by the City of Milford via a public water system. DNREC records indicate that part of the project (parcels: MD-16-174.19-01-01.01, MD-16-174.19-01-1.00, MD-16-174.19-01-02.00, MD-16-174.19-01-03.00 and MD-16-174.19-01-04.00) is located within the public water service area granted to the City of Milford under Certificate of Public Convenience and Necessity 91-CPCN-09, however, parcels MD-16-174.19-01-11.00 & MD-16-174.19-01-12.00, MD-16-174.19-01-13.00, and MD-15(should be 16)-174.19-01-14.00 are **not** located within the jurisdiction of the City of Milford's CPCN. They will need to file an application for a CPCN with the Public Service Commission, if they have not done so already. Information on CPCN requirements and applications can be obtained by contacting the Public Service Commission at 302-736-7547.
- 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 (2) Underground Storage Tanks associated with: (1) Perdue Farms, Inc. and (2) Mills Brothers #3 located within 1,000 feet of the proposed project.

Source Water Protection Areas

- The DNREC Water Supply Section, Ground-Water Protection Branch (GPB) has reviewed the above referenced PLUS project. GPB determined that a wellhead protection area for the Perdue Milford Facility exists on the southern border (see map below).

- Wellhead protection areas are surface and subsurface areas surrounding a public water supply well where land use activities or impervious cover may adversely affect the quantity and quality of ground water moving toward such wells. Management of stormwater runoff from the site should address the dissolved components of potential contaminants.



Sediment and Stormwater Program

- A detailed Sediment and Stormwater Management Plan must be approved for construction of a new school campus. The stormwater design for the site must maximize recharge of the Resource Protection Event (equivalent to the 1-year storm) and safely convey the Conveyance (10-year) and Flooding (100-year) events with no adverse impact to the watershed.
- More investigation of the site’s discharge point(s) needs to be conducted to determine that there is an adequate outlet. To maximize the recharge potential on this site, it is recommended that the building and parking areas containing the most impervious surfaces be planned for the portion of the site between the existing home and N.E. 10th Street where the recharge potential is lowest. The remainder of the site has a higher probability of being able to recharge stormwater and these areas should remain undisturbed or in open space such as athletic fields to take advantage of these good recharge areas.
- If this site is selected, the first step in obtaining a Sediment and Stormwater Plan approval would be to complete a Stormwater Assessment Study and submit it to the DNREC Sediment and Stormwater Program. A project application meeting will be scheduled following submittal of a complete Stormwater Assessment Study (Title 7, Delaware Code, Chapter 40 and Delaware Regulations, Title 7, Administrative Code, 5101).

Air Quality

- The applicant shall comply with all applicable Delaware air quality regulations. Please note that the following regulations in Table 1 – Potential Regulatory Requirements may apply to your project:

Table 1: Potential Regulatory Requirements	
Regulation	Requirements
7 DE Admin. Code 1106 - Particulate Emissions from Construction and Materials Handling	Use dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads. Use covers on trucks that transport material to and from site to prevent visible emissions.
7 DE Admin. Code 1113 – Open Burning	Prohibit open burns statewide during the Ozone Season from May 1-Sept. 30 each year. Prohibit the burning of land clearing debris. Prohibit the burning of trash or building materials/debris.
7 DE Admin. Code 1135 – Conformity of General Federal Actions to the State Implementation Plan	Require, for any “federal action,” a conformity determination for each pollutant where the total of direct and indirect emissions would equal or exceed any of the de minimus levels (See Section 3.2.1)

7 DE Admin. Code 1141 – Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products	Use structural/ paint coatings that are low in Volatile Organic Compounds. Use covers on paint containers when paint containers are not in use.
7 DE Admin. Code 1144 – Control of Stationary Generator Emissions	Ensure that emissions of nitrogen oxides (NO _x), non-methane hydrocarbons (NMHC), particulate matter (PM), sulfur dioxide (SO ₂), carbon monoxide (CO), and carbon dioxide (CO ₂) from emergency generators meet the emissions limits established. (See section 3.2). Maintain recordkeeping and reporting requirements.
7 DE Admin. Code 1145 – Excessive Idling of Heavy Duty Vehicles	Restrict idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.

For a complete listing of all Delaware applicable regulations, please look at our website:

<http://www.awm.delaware.gov/AQM/Pages/AirRegulations.aspx>.

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 is one SIRS site found within a ½-mile radius of the proposed project. Scarborough Pit (DE-0236) is located 0.17 miles north of the proposed project. The Site was a former sand and gravel borrow pit about 5 ½ acres in size. The pit was used from approximately 1973 to 1986. Yard waste and domestic waste were dumped in to the pits and buried. No hazardous material was dumped into the pits. After the pit was closed the owner used the property to cultivate Christmas trees. A Preliminary Assessment (PA) was completed on the Site in 1989 and it recommended that no further action was needed. Residential wells adjacent to the Site were sampled for inorganics in 1997 as a precaution. The analytical results showed there was no contamination coming from the former borrow pit. The Site is currently closed and files have been archived.

Tank Management Section

- 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:
 - Perdue Farms Inc, Facility: 1-000069, Project: K9808141 (Active Monitoring)

- Mikes Food Market, Facility: 1-000357, Project: K8706043 (Inactive)
 - Delmarva Textile, Facility: 5-000749, Project: S9309167 (Inactive)
 - Kent & Sussex Industries, Facility: 1-000649, Project: K9807106 (Inactive)
 - Lebanon Chemical, Facility: 5-000050, Project: S9204017 (Inactive)
 - Red Star Express Lines Inc, Facility: 1-000258, Project: K9105104 (Inactive)
 - Kent Sussex Industries Inc, Facility: 1-000086, Projects: K9108184, K9311199, K9707110 (all Inactive)
 - IG Burton, Facility: 1-000196, Project: K9205147 (Inactive)
 - Wharton & Barnard Inc, Facility: 1-000026, Projects: K9909187, K9501011 (both Inactive)
 - Medds # I, Facility: 1-000482, Project: K8706041 (Inactive)
 - Milford Motors, Facility: 1-000431, Project: K9204068 (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 Section by calling 302-395-2500.

Delaware State Fire Marshall's Office – Contact Duane Fox 739-4394

- 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):
 - **Fire Protection Water Requirements**
 - Water distribution system capable of delivering at least 1000 gpm for 1-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 the site of an educational occupancy, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
 - **Fire Protection Features**
 - All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
 - Buildings greater than 10,000 sqft, 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

- **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 the access road to the site 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.

- **Gas Piping and System Information**
 - Provide type of fuel proposed, and show locations of bulk containers on plan.

- **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
 - 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 the 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)
 - Provide Road Names, even for County Roads

City of Milford-Contact Richard Carmean 424-3712

Zoning

- There are a total of seven (7) parcels that make up the proposed sight, which is located between Tenth Street and Northeast Front Street, just west of Silicato Parkway. The parcels and their respective tax parcel numbers are shown on the attached drawing. All of the parcels are zoned C-3 - Highway Commercial District. If the school proposal is funded and if it passes the referendum, changes of zone will be required for these parcels. Public schools are not permitted in the C-3 Zone, either by right, or as a conditional use. There are four (4) zoning districts which permit public schools as a conditional use; and there are two (2) zoning districts that allow which permit public schools as a by right use. Zoning districts which permit public schools are as follows: R-1 – Single-Family Residential District (as a

conditional use), R-2 – Residential District (as a conditional use), BP – Business Park District (as a conditional use), IS – Institutional Service District (as a by right use), and IM – Institutional Medical District (as a by right use).

- If the site comes to fruition, the City would require that the parcels be consolidated. The change of zone request could be made concurrent with the consolidation of the parcels.

Water

- The proposed site is currently supplied water through what the City believes is a 6-inch water main. The 6-inch water main is connected to the City's 10-inch water main located in Tenth Street. The City suggests that if the site is developed for a school, that a minimum of an 8-inch water main be tapped into the existing 10-inch water main in Tenth Street to provide both fire protection and domestic water to the site. The City would also require that this water main be looped. This could be accomplished by connecting the new 8-inch main to the south end of the dead ended 6-inch water main on Silicato Parkway; or by connecting it to the existing 10-inch water main on Northeast Front Street. Attached is a schematic map which shows the location of the existing water mains discussed above.

Sewer

- The City has an existing 8-inch sewer main in Tenth Street that terminates in a manhole located near the northwest corner of the proposed site. However, this sewer main has very limited cover and it will not be able to be extended. If the site comes to fruition, the District will need to install a sewer pump station and forcemain to pump the wastewater generated by the school to the terminal manhole on the existing sewer in Tenth Street. Attached is a schematic map which shows the location of the existing sewer main in Tenth Street.

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

- In February 2014, DelDOT met with representatives of the City and the Office of State Planning Coordination regarding the creation of a master plan for North East Milford but has heard little from the City about that effort since then. At that time there was discussion of possibly creating a Transportation Improvement District (TID) based on that master plan. In a TID, TIS generally unnecessary. Instead, DelDOT and the local government determine what transportation improvements will be needed as the district develops and assess landowners a fee when they develop their land. DelDOT recommends that the School District consult with the City about their intentions with regard to the master plan, both

because the school would be a significant part of that plan and because location in a TID could be advantageous to the School District. More information about TIDs is available at http://www.deldot.gov/information/pubs_forms/TIS_TID/TIS_and_TID_Regulations_Power_Point.pdf and in Section 2.13 of the Standards and Regulations for Subdivision Streets and State Highway Access (http://www.deldot.gov/information/pubs_forms/revisions_to_ASR/TrafficImpactStudiesDraftRegulationAmendment130214.pdf).

- Near the proposed school site, DeIDOT has plans to grade-separate the intersection of Delaware Route 1 and NE Front Street, bridging Front Street over Route 1 and connecting them with ramps. Information about the work to be done and our schedule for doing it is available on the project web page (http://www.deldot.gov/information/projects/sr1/sr1_northeast_front_st/).

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

Soils Assessment

- Based on NRCS soil survey mapping update, mostly well-drained and excessively well-drained soil mapping units were mapped in the vicinity of the proposed project (Figure 1). Therefore, the soil mapping units mapped on this site, generally, have few limitations for development.

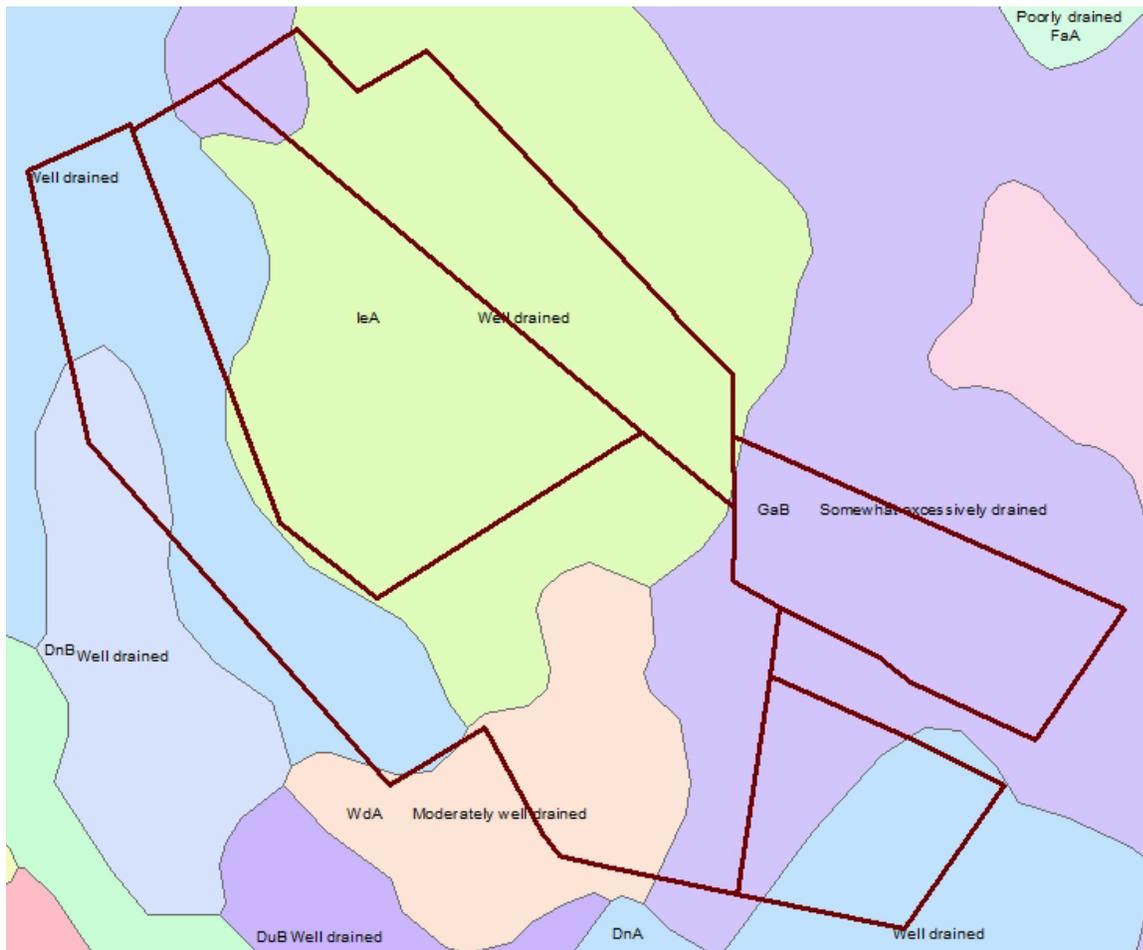


Figure 1: NRCS soil survey mapping update mapping in the immediate vicinity of the proposed project

Native Plants

- DNREC encourages planting native plants wherever possible. Program botanist, Bill McAvoy, would gladly assist in drafting a list of plants suitable for this site. Bill can be contacted at (302) 735-8668 or William.McAvoy@state.de.us.

Bat Survey

- According to the information provided there are buildings to be demolished within the project area. If these buildings have been abandoned or unoccupied, the Division of Fish and Wildlife (DFW) requests an opportunity to survey for the presence of bats. DFW has been monitoring bats for White Nose Syndrome, a disease that has been killing large numbers of cave bat species in the northeastern United States. Our division scientists have been conducting surveys throughout the state at various maternal and hibernation colonies, but there are many areas in which DNREC has minimal data. In Delaware, cave dwelling bats have been known to utilize man-made structures so an opportunity to survey these structures prior to demolition could be helpful.

If the buildings are accessible, the survey can be conducted anytime as it simply involves a visual survey for bats or signs of bat presence. If the buildings are not accessible, acoustic surveys during late April or early May would be best. This type of survey could be conducted during a few hours over one or two nights. If bats are located, we can provide best management practices that would minimize impacts when the structures are removed. This request is non-regulatory but is part of an effort to collect data throughout the state on our dwindling bat populations and gain a better understanding of WNS. Please get in touch with Holly Niederriter at 302-735-8670 or Holly.Niederriter@state.de.us if we may survey for the presence of bats. For more information on White Nose Syndrome, see: <http://www.fw.delaware.gov/bats/Pages/BatsWNS.aspx> and <http://www.fws.gov/WhiteNoseSyndrome/>.

Additional information on TMDLs and water quality

- In response to concerns about the need for reducing nonpoint source nutrient (nitrogen and phosphorus) and bacterial pollutants to levels sufficient to meet the prescribed TMDL reduction requirements in the Mispillion watershed, a multifaceted and comprehensive process known as a Pollution Control Strategy (PCS) has been developed to enable such reductions. Specifically, a PCS is a combination of best management practices and control technologies that reduce nutrient and bacterial pollutant runoff loading in waters of a given watershed to level(s) consistent with the TMDL(s) reduction levels specified for that watershed. The PCS for the Mispillion River watershed consists of recommendations from the following three areas: agriculture, stormwater, and wastewater. Although a PCS to achieve the required TMDL nutrient and bacterial load reduction requirements has been established for the Mispillion watershed, attainment of said load reduction(s) is hampered by the fact that the strategies for the Mispillion PCS are mostly voluntary in nature. Additional information about Mispillion River PCS is available from the follow web link:
<http://www.dnrec.delaware.gov/swc/wa/Pages/WatershedManagementPlans.aspx>.
- In further support of the PCS, the applicant is also strongly urged to reduce nutrient and bacterial pollutants through voluntary commitment to the implementation of the following recommended BMPs:
 - Maintain as much of the existing open space as possible; DNREC further suggests additional native tree and native herbaceous planting, wherever possible.
 - Calculate post-construction surface imperviousness with all forms of created surface imperviousness (e.g., rooftops, driveways, parking lots, sidewalks, open-water storm water management structures, and roads) included in the calculation.
 - Use of green-technology storm water management (in lieu of open-water management structures) and raingardens as BMPs for mitigating nutrient and bacterial pollutant runoff from increases in surface imperviousness. Please contact Lara Allison at 739-9939 for further information about the possibility for installing a raingarden(s) on this parcel.

- Use of pervious paving materials (instead of conventional asphalt and concrete) to mitigate the negative impacts from pollutant runoff.
- Assess nutrient and bacterial pollutant loading at the preliminary project design phase. To this end, the Watershed Assessment Section has developed a methodology known as the “Nutrient Load Assessment protocol.” The protocol is a tool used to assess changes in nutrient loading (e.g., nitrogen and phosphorus) that result from the conversion of individual or combined land parcels to a different land use(s), while providing applicants with quantitative information about their project’s impact(s) on baseline water quality. DNREC strongly encourages the applicant/developer use this protocol to help them design and implement the most effective BMPs. Please contact Jen Walls or John Martin at 302-739-9939 for more information on the protocol.

Additional information on tank management

- 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.

Additional information on hazardous waste sites

- DNREC strongly recommends that the land owner perform environmental due diligence of the property by performing a Phase I Environmental Site Assessment (including a title search to identify environmental covenants) in accordance to Section 9105(c) (2) of the Delaware Hazardous Substance Cleanup Act (HSCA). While this is not a requirement under HSCA, it is good business practice and failure to do so will prevent a person from being able to qualify for a potential affirmative defense under Section 9105(c) (2) of HSCA.
- Additional remediation may be required if the project property or site is re-zoned by the county.
- 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.

Additional information on air quality

- Schools may emit, or cause to be emitted, air contaminants into Delaware’s air, which will negatively impact public health, safety and welfare. These negative impacts are attributable to:
 - Emissions that form ozone and fine particulate matter; two pollutants relative to which Delaware currently violates federal health-based air quality standards,
 - The emission of greenhouse gases which are associated with climate change, and

- The emission of air toxics.
- Air emissions generated from schools include emissions from the following activities:
 - Area sources such as painting, maintenance equipment and the use of consumer products like roof coatings and roof primers.
 - The generation of electricity, and
 - All transportation activity.
- Based on the information provided, the three air emissions components (i.e., area, electric power generation, and mobile sources) for the project could not be quantified. Division of Air Quality (DAQ) was able, however, to quantify the mobile emissions based on the proposed daily trip data presented in the application and data taken from the ITE Trip Generation Manual, 8th Edition. Table 2 represents the actual impact the Milford High School project may have on air quality.

Emissions Attributable to Milford High School (Tons per Year)	Volatile Organic Compounds (VOC)	Nitrogen Oxides (NOx)	Sulfur Dioxide (SO ₂)	Fine Particulate Matter (PM _{2.5})	Carbon Dioxide (CO ₂)
Mobile	2.0	2.6	*	*	*

(*) Indicates data is not available.

- Note that emissions associated with the actual construction of the homes and retail space, including automobile and truck traffic from working in, or delivering products to the site, as well as site preparation, earth moving activities, road paving and other miscellaneous air emissions, are not reflected in the table above.
- DAQ encourages sustainable growth practices that:
 - Control sprawl;
 - Preserve rural and forested areas;
 - Identify conflicting land use priorities;
 - Encourage growth on previously developed sites and denser communities while at the same time protect our diminishing land base;
 - Coordinate transportation, housing, environment, and climate protection plans with land use plans; and
 - Demonstrate that communities can achieve the qualities of privacy, community, and contact with nature without degrading the natural environment or generating unacceptable environmental costs in terms of congestion, use of natural resources, or pollution.
- Additional measures may be taken to substantially reduce the air emissions identified above. These measures include:

- Constructing with only energy efficient products. Energy Star qualified products are up to 30% more energy efficient. Savings come from building envelope upgrades, high performance windows, controlled air infiltration, upgraded heating and air conditioning systems, tight duct systems and upgraded water-heating equipment. Every percentage of energy efficiency translates into a percent reduction in pollution. The Energy Star Program is excellent way to save on energy costs and reduce air pollution.
 - Offering geothermal and/or photo voltaic energy options. These systems can significantly reduce emissions from electrical generation, and from the use of oil or gas heating equipment.
 - Providing tie-ins to the nearest bike paths and links to any nearby mass transport system. These measures can significantly reduce mobile source emissions. For every vehicle trip that is replaced by the use of a sidewalk, a bike path or mass transit, 7 pounds of VOC and 11.5 pounds of NOx are reduced each year.
 - Using retrofitted diesel engines during construction. This includes equipment that are on-site as well as equipment used to transport materials to and from site.
 - Using pre-painted/pre-coated flooring, cabinets, fencing, etc. These measures can significantly reduce the emission of VOCs from typical architectural coating operations.
 - Planting trees in vegetative buffer areas. Trees reduce energy emissions by cooling during the summer and by providing wind breaks in the winter, whereby reducing air conditioning needs by up to 30 percent and saving 20 to 50 percent on fuel costs.
- This is a partial list, and there are additional things that can be done to reduce the impact of the development. The applicant should submit a plan to the DNREC DAQ which address the above listed measures, and that details all of the specific emission mitigation measures that will be incorporated into the Milford High School project.

Division of Public Health – Contact: Laura Saperstein 744-1011

- The Delaware Division of Public Health (DPH) is pleased to be able to participate in the PLUS application process. In keeping with its mission to protect and promote the health of all people in Delaware, DPH looks for opportunities to encourage and enhance our population's health behaviors that will result in healthy people and healthy communities.
- Community design can impact the health of a population. Studies show that persons in lower-income communities, the elderly, and children often suffer more from consequences of inadequate land-use and transportation. Additionally, physical activity has a direct correlation to many chronic diseases, including hypertension, diabetes and obesity. In 2012, 39.1% of Delawareans reported a BMI of "overweight," and 26.9% reported a BMI as "obese." To that end, DPH looks to make recommendations for land-use that can empower Delawareans to make good health behaviors a part of their daily lives.
- DPH is pleased to see the many different areas in which the new Milford high school site proposal aligns with the SCORP regional priorities. The students and surrounding neighborhood can look forward to many opportunities of active recreation.

- DPH feels the Milford high school has the opportunity to increase positive health behaviors for its community by incorporating the following recommendations into its land development proposal:
 - Provide pedestrian connection to the existing development to further active transportation (walking/Biking) among residents (students).
 - Consider joint-use agreements as part of the school's wellness plan.
 - Consider a Safe-Routes-to-School program as part of a Comprehensive School Physical Activity plan.

Delaware State Fire Marshall's Office – Contact Duane Fox 739-4394

- 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, technical services link, plan review, applications or brochures.
 - The Office of the State Fire Marshal strongly recommends that the water main layout of the fire protection services on the site be fed from at least two separate directions so as to be arranged in a circulating manner rather than dead-ended.

City of Milford-Contact Richard Carmean 424-3712

Vehicular & Pedestrian Traffic

- Tenth Street is a relatively narrow street and it is currently used as one of the access points for the existing high school. A new high school with Tenth Street as the main access would certainly increase the number of daily trips being made by vehicular traffic. Consideration should be given to potentially using Northeast Front Street as the primary point of access. This of course would be dependent upon the configuration of the proposed Northeast Front Street overpass. At the very least, improvements on Tenth Street need to be considered as part of the design if Northeast Front Street is not a viable option as the primary point of access to the site.
- If students at the proposed high school are to utilize existing athletic facilities at the site of the current high school, means of getting these students safely between the two facilities need to be incorporated in the project. The existing sidewalk on the north side of Tenth Street terminates just east of the paved entrance to the current high school. The existing sidewalk on the south side of Tenth Street terminates adjacent to the westerly Tenth Street entrance to the current high school. Sidewalk improvements and a safe method of controlling traffic to allow pedestrians to cross Tenth Street will be required if the project moves forward.

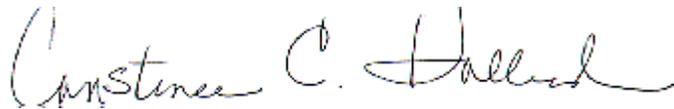
Conclusions

- The City cannot speak for the Planning Commission or Council regarding the changes of zone that will be required. However, aside from that, nothing noted above would disqualify the proposed site or the proposed use.

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". The signature is written in black ink and is positioned below the word "Sincerely,".

Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: City of Milford