



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

February 23, 2016

Mr. Colm DeAscanis  
CDA Engineering, Inc.  
6 Larch Ave. Suite 401  
Wilmington, DE 19804

RE: PLUS review 2016-01-01; Concord Plaza

Dear Colm:

Thank you for meeting with State agency planners on January 27, 2016 to discuss the proposed plans for the Concord Plaza project. According to the information received, you are seeking review of a site plan for 341 residential units and 98,186 square feet of new commercial space on 41.85 acres along Silverside Road in New Castle County.

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 (which in this case is New Castle County) regulations regarding this property.**

**Strategies for State Policies and Spending**

- This project is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. 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.
- We are encouraged to see a mixed-use development plan like this in the County that also includes some connectivity to adjacent commercial/retail areas. One of the many positive benefits of a development like this is that it has the potential to affect the health of our citizens as such places, if well designed, can provide options to driving that include walking and bicycling thus providing different modes of transportation as well as recreation opportunities. If this project is developed, as presented, we would hope that it serve as an example for future development in New Castle County.

**Code Requirements/Agency Permitting Requirements**

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](http://www.stateplanning.delaware.gov)

**Department of Transportation – Contact Bill Brockenbrough 760-2109**

- Per Section 2.2.2.1 of the Development Coordination Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. As evident from the 8,807 vehicle trip ends per day shown on the PLUS application, the subject development would meet these warrants. Accordingly, DelDOT met with representatives of the applicant and New Castle County and developed a scope of work for that study at a meeting on January 7, 2016.
- The site access on Silverside Road must be designed in accordance with DelDOT's Development Coordination Manual (formerly the Standards and Regulations for Subdivision Streets and State Highway Access), which is available at <http://www.deldot.gov/information/business/subdivisions/changes/index.shtml>.
- Section 3.2.4.2 of the Manual addresses the placement of right-of-way monuments (markers) along the roads on which a property fronts, in this case Silverside Road. Monuments sufficient to re-establish the permanent rights-of-way after the dedication discussed below should be shown on the plan and provided in the field in accordance with this section.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage on Silverside Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the outermost edge of the through lanes on Silverside Road. The following right-of-way dedication note is required, "**An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat.**" Preliminarily, it appears that, with the proposed dedication along Silverside Road, this requirement is met.
- In accordance with Section 3.2.5.1.2 of the Development Coordination Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Silverside Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby established to the State of Delaware, as per this plat.**"
- Referring to Section 3.4.2 of the Development Coordination Manual, the Initial Stage review fee shall be assessed to this project.

- In accordance with Section 3.4 of the Development Coordination Manual, a record plan shall be prepared prior to issuing “Letter of No Objection”. The following information will be required for the “Letter of No Objection” review:
  - Initial Stage Fee Calculation Form
  - Initial Stage Review Fee
  - Gate-Keeping Checklist – Site Plan
  - Design Checklist - Record Plan
  - Sight Distance Spreadsheet
  - Owners and Engineers’ name and e-mail address
  - Record Plan
  - Conceptual Entrance Plan
  - Submission of the Area-Wide Study Fee (If applicable)
  
- Referring to Section 3.4.2.1 of the Development Coordination Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  
  - Depiction of all existing entrances within 300 feet of the proposed entrances.
  - 
  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
  
- In accordance with Section 3.8 of the Development Coordination Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Silverside Road.
  
- Referring to Section 4.3 of the Development Coordination Manual, the Construction Stage review fee shall be assessed to this project.
  
- Referring to Section 4.3 of the Development Coordination Manual, an entrance plan shall be prepared prior to issuing entrance approval. The following information will be required for Entrance Plan review:
  - Construction Stage Fee Calculation Form
  - Construction Review Fee
  - Gate-Keeping Checklist – Entrance Plan
  - Design Checklist - Entrance Plan
  - Auxiliary Lane Spreadsheet
  - Entrance Plan
  - Pipe/Angle Spreadsheet (If applicable)
  - SWM Report and Calculations (If applicable)
  
- In accordance with Section 5.2.5.6 of the Development Coordination Manual, Turning Movement Diagrams shall be provided to verify vehicles can safely enter and exit the site

entrance. As per Section 5.2.3 of the Manual, the entrance shall be designed for the largest vehicle using the entrance.

- In accordance with Section 5.2.9 of the Development Coordination Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrance and how long those lanes should be. The worksheet can be found at [http://www.deldot.gov/information/business/subdivisions/auxiliary\\_lane\\_worksheet.xls](http://www.deldot.gov/information/business/subdivisions/auxiliary_lane_worksheet.xls).
- Section 5.3.1 of the Development Coordination Manual addresses placement of sidewalks and states that a five-foot buffer between the sidewalk and the curb is preferred. Due to the urban nature of the site, we would accept a 3-foot buffer.
- In accordance with Section 5.4 of the Development Coordination Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/information/business/subdivisions/Intersection-Sight-Distance.xls>.
- In accordance with Section 5.14 of the Development Coordination Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

**Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352**

The Department envisions a Delaware that offers a healthy environment where people embrace a commitment to the protection, enhancement and enjoyment of the environment in their daily lives; where Delawareans' stewardship of natural resources ensures the sustainability of these resources for the appreciation and enjoyment of future generations; and where people recognize that a healthy environment and a strong economy support one another.

**Executive Summary.**

The proposed project is located in a developed corridor and has limited natural resource impacts. As you move forward, opportunities exist to further reduce the environmental impacts and provide additional energy efficiency alternatives, on-site.

We encourage high energy efficiency building standards (with consideration for alternative energy sources), and infrastructure for electric plug-in vehicles in the project's parking design.

These considerations promote clean sustainable energy and reduce greenhouse gas emissions. DNREC further recommends an abundant use of native vegetation and shade trees throughout the landscape, as well as pervious pavement and green infrastructure, wherever practicable, to protect water quality.

The following pages provide applicable regulations and detailed recommendations associated with this project, from various DNREC Divisions. We would like to be a partner in creating appropriate development that highlights the environment as a natural amenity of the landscape. The Department has resources and expertise that are available to help make this a reality, often at no expense to the landowner.

#### **TMDLs.**

- The project is located in the greater Piedmont drainage area, specifically within the Shellpot Creek watershed. In the Shellpot Creek watershed, the State of Delaware has developed specific Total Maximum Daily Load (TMDL) pollutant reduction targets for nutrients (e.g., nitrogen, phosphorus), and bacteria (under the auspices of Section 303(d) of the Federal 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. In the Shellpot Creek watershed, post-development nitrogen and phosphorus loading must be capped at the pre-development or baseline loading rate (or a 0% post-development increase in N & P for stream segments above Rt. 13) to meet the required TMDL for each nutrient. Moreover, bacteria must be reduced by 78% to meet the required TMDL. The specific required nutrient and bacterial requirements for the various stream segments watershed and background information can be retrieved here: <http://www.dnrec.delaware.gov/swc/wa/Pages/WatershedAssessmentTMDLs.aspx>

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 (302) 739-4811 for further information concerning compliance requirements, or view additional information here: <http://dda.delaware.gov/nutrients/index.shtml>

#### **Water Supply.**

- The information provided indicates that the City of Wilmington will provide water to the proposed project through a public water system. Our records indicate that the project is located within the public water service area granted to United Water Delaware under Certificate of Public Convenience and Necessity 88-CPCN-03. DNREC recommends that the developer contact United Water Delaware to determine the availability of public water. Any public water utility providing water to the site must obtain a Certificate of Public Convenience and Necessity (CPCN) from the Public Service Commission.

Information on CPCNs and the application process can be obtained by contacting the Public Service Commission at (302) 736-7500. Should an on-site Public/Miscellaneous Public well be needed, a minimum isolation distance of 150 feet is required between the well and any potential source of contamination, such as a septic tank and sewage disposal area, and it must also be located at least 150 feet from the outermost boundary of the project. 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 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 is an Underground Storage Tank site associated with Exxon #26038 located within 1000 feet of the proposed project. Should you have any questions concerning these comments, please contact Rick Rios, at (302) 739-9944.

#### **Sediment and Stormwater Management.**

- A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. Contact the reviewing agency to schedule a preliminary meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion. The plan review and approval as well as construction inspection will be coordinated through the New Castle Conservation District. Contact the New Castle Conservation District at (302) 832-3100, Ext. 3 for details regarding submittal requirements and fees.

#### **Hazardous Waste Management.**

- DNREC's Site Investigation and Restoration Section (SIRS) has determined that if 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.

The proposed project is within ½ mile of the following SIRS sites:

**Panella Ski Shop (DE-1423) is located 0.20 miles south west of the proposed project property.**

- The Site was residential until the construction of the ski shop in 1978. No known contaminant releases occurred at the time.
- The Site became a certified Brownfield site in December 2007 because of the concern of a dry cleaner related contaminants in the groundwater.
- An Environmental Covenant was placed on the property to prohibit installation of drinking water wells and providing for notification to DNREC if soil-disturbing activities are planned.
- The Site was given a Certificate of Completion of Remedy (COCR) in June 2011.

**Royal Dry Cleaners (DE-1435) is located 0.20 miles south west of the proposed project property.**

- PCE and TCE were discovered in soils and groundwater during the Phase One and Phase Two of the Panella Ski Shop and Taco Bell-Concord Pike sites.
- The remedial investigation (R.I.) work plan was approved in July, 2009 but the remedial work did not begin until January 2013 under SIRS.
- Data showed that solvents from Royal Dry Cleaners migrated off of the site. The investigation proceeded to adjacent properties to determine the extent of the release.
- The investigation is still ongoing.

**Taco Bell-Concord Pike (DE-1439) is located 0.20 miles south west of the proposed project property.**

- The site was a Gulf Oil gasoline service station prior to 1980 when it was sold and a Taco Bell restaurant was constructed.
- The site is directly south of an operating dry cleaner that is a known source of groundwater contamination.
- An Environmental Site Assessment was conducted in 2007 in which soil and groundwater contamination was discovered coming from the Royal Dry Cleaners Site.
- The Site was given a COCR in June 2011.

**Jiffy Lube Concord Pike (DE-1471) is located 0.30 miles south west of the proposed project property.**

- The Site groundwater was affected by solvents associated with the Royal Dry Cleaners.
- The owners joined the Voluntary Clean-up Program to address the groundwater contamination on the property.
- The Site was given a COCR in August 2012.

**Tank Management.**

- Please be aware that 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 (LUST) projects are located within a quarter mile of the proposed project area:**

- SMO #290 Facility ID: 3-000346, Project: N0508068, (Inactive)
- TALLEYVILLE FIRE COMPANY Facility ID:3-001718, Project: N9607121, (Inactive)
- Taco Bell Talleyville Facility ID: 3-002445, Project: N0802019, (Inactive)
- Former Panella Ski Shop Facility ID: 3-002463, Project: N0806070, (Inactive)
- BENEFICIAL NATIONAL BANK Facility ID:3-001773, Project: N9703027, (Inactive)
- Talleyville Sunoco Facility ID: 3-000427, Project: N0908065, (Inactive)
- Talleyville Shell (SMO#416) Facility ID: 3-000390, Project: N1307069, (Inactive)
- RON'S TIRE SERVICE RT 202 Facility ID: 3-000916, Project: N8810046, (Inactive)
- PAUL RESIDENCE Facility ID: 3-001676, Project: N9602030, (Inactive)
- Clay Scott Residence Facility ID: 3-002531, Project: N1106115, (Inactive)

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.

**State Historic Preservation Office – Contact Terrence Burns 736-7404**

- There are no known archaeological sites or National Register-listed property on this parcel. However, 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](http://www.achp.gov).

**Delaware State Fire Marshall's Office – Contact John Rudd 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 1500 gpm for 2-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 mercantile sites, 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**
  - 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

- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- 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 if 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) if Building is to be sprinklered
- Provide Road Names, even for County Roads

### **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**

- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/information/business/subdivisions/>
- Be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision date of July 31, 2015. The notes can be found at [http://www.deldot.gov/information/business/subdivisions/DelDOT\\_Development\\_Coordination\\_Plan\\_Sheet\\_Notes.doc](http://www.deldot.gov/information/business/subdivisions/DelDOT_Development_Coordination_Plan_Sheet_Notes.doc)

### **Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352**

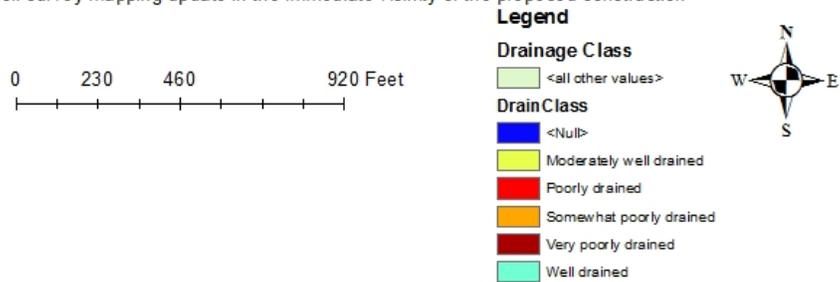
#### **Soils Assessment.**

- The soil mapping units mapped in the immediate vicinity of the proposed construction are Urban land Wheaton complex (VwB), Talleyville-Montalto-Urban land complex (TdB), and Watchung (WaA). Urban land is a soil mapping unit that consists of areas that have been modified or disturbed (e.g., excavation, filling, and/or grading) so that they may no longer have specific definable properties (e.g., drainage class, permeability, soil textures, etc.), thus they often cannot be classified properly. Talleyville-Montalto-Urban land complex, however, is an exception and is classified as well-drained. Watchung is a

poorly-drained wetland associated (hydic) soil that has severe limitations for development and should be avoided.



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



**Additional information on TMDLs and water quality.**

- A Pollution Control Strategy (PCS) to achieve the required TMDL nutrient and bacterial load reduction requirements has been established for the Shellpot Creek watershed. DNREC strongly encourages the applicant to reduce nutrient and bacterial pollutants through voluntary implementation of the following recommended BMPs:
  - Maintain as much of the existing open space as possible; we further suggest additional native tree and native herbaceous planting, wherever possible.
  - Establish a vegetated buffer of at least 100 feet from adjoining wetlands and waterbodies (if applicable). Based on a review of existing buffer research by Castelle et al. (Castelle, A. J., A. W. Johnson and C. Conolly. 1994. Wetland and Stream Buffer Requirements – A Review. J. Environ. Qual. 23: 878-882.), 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 this aforementioned 100-foot buffer width (planted in native vegetation) from all waterbodies (including all ponds) and all non-tidal and tidal wetlands (i.e., a USACE approved field wetlands delineation for non-tidal wetlands and State approved wetlands delineation for tidal wetlands).
  - Calculate post-construction surface imperviousness with all forms of created (or constructed) surface imperviousness (e.g., rooftops, driveways, parking lots, sidewalks, open-water storm water management structures, ponds, and roads) included in the calculation. Omission of any of the above-stated forms of surface imperviousness will result in an underestimate of the actual post-development surface imperviousness and the associated environmental impacts.
  - Employ green-technology storm water management and rain gardens (in lieu of open-water management structures) as BMPs to mitigate or reduce nutrient and bacterial pollutant runoff. Please contact Lara Allison at (302) 739-9939 for further information about the possibility of installing rain gardens on this parcel.
  - Use pervious paving materials instead of conventional paving materials (e.g., asphalt or concrete) to help reduce the amount of water and pollutant runoff draining to adjoining streams and wetlands. Pervious pavers are especially recommended for areas designated for parking.
  - 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) resulting from the conversion of individual or combined land parcels to a changed land use, thus providing applicants and governmental entities with quantitative information about the project’s impact(s) on baseline water quality. We strongly encourage the

applicant/developer use this protocol to help them design and implement the most effective BMPs. Please contact John Martin or Jen Walls (Division of Watershed Stewardship 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 DNREC Tank Management Section (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.

**Delaware State Housing Authority – Contact Karen Horton 739-4263**

- DSHA supports the proposal to redevelop Concord Plaza into 98,186 new square feet of commercial and 341 rental units on 41 acres at the intersection of Silverside Road and Rt. 202 in New Castle County. This site is in an ideal location with immediate access to services, markets, high performing schools, transit, and employment opportunities. In addition, the site plan details a pedestrian-oriented and walkable mixed-use community with specialty retail, restaurants, and cafes; as well as a new, state-of-the-art, signature office building, and many on-site amenities, services, and pedestrian enhancements both for residents and employees of this community.

Unfortunately, this proposal is targeted solely for the luxury rental market. DSHA's recently completed 2015-2020 Housing Needs Assessment identified a growing demand for rental housing as more households wait to purchase a home, or have transitioned into the rental market due to the recent foreclosure crises. Projected housing demand over the next five years is greatest in New Castle County and the greatest rental demand is among renters earning less than 50% of the area median income. We encourage some of the units to be affordable for households earning less than 50% of the area median income as these renters would benefit the most from this proposal in terms of opportunities for positive life outcomes provided by the location and site plan.

**Delaware State Fire Marshall's Office – Contact John Rudd 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](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

**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,



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

CC: New Castle County