



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

May 22, 2018

Jesse Savage
Town of Bridgeville
101 N. Main Street
Bridgeville, DE 19933

RE: PLUS review 2018-04-11; Town of Bridgeville Comprehensive Plan

Dear Mr. Savage:

Thank you for meeting with State agency planners on April 25, 2018 to discuss Bridgeville's comprehensive plan. State agencies have reviewed the documents submitted and offer the following comments. 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.

Certification Comments: These comments must be addressed in order for our office to consider the plan update consistent with the requirements of Title 22, § 702 and Title 29, § 9103 of the Del. Code.

Source Water Protection

- The DNREC Source Water Protection and Assessment Program determined that there is excellent ground water recharge potential and there are wellhead protection areas within the Town's municipal boundaries.

The text references source water protection in the Wastewater and Water section, directing the reader to the next section (Environment, Open Space and Recreation).

- As prescribed by Title 9 or Title 22 of the Delaware Code, this text should be placed within the water and sewer element of the plan.
- The Plan discusses source water ordinances in a general sense, it does not specifically discuss the protection afforded by the Town's adopted ordinance nor does it discuss the

goals and objectives of the Town's ordinance. The text references 'Delaware Code' without a citing to 7 Del. C. 6082(b).

- Text of the comprehensive plan must include description of source water requirements in 7 Del. C. 6082(b), and include goals and objectives related to the protection of the resource.
- The map of source water resources is included. The map references the source of the data as 'Groundwater Protection Branch, Division of Water, and DNREC'. However, the source of the data should be referenced as ¹<http://opendata.firstmap.delaware.gov/datasets/delaware-well-head-protection-areas>. In accordance with 7 Del. C. 6082(e) the Department revises and updates the overlay maps of source water assessment areas.

Recommendations: Our office strongly recommends that the Town consider these recommendations from the various State agencies as you review your plan for final approval.

Office of State Planning Coordination – Contact: Dorothy Morris 739-3090

Congratulations to the Town of Bridgeville on a very well written plan which will guide the town through the upcoming years. The Office of State Planning would like to offer the following recommendations to be considered before adoption of the plan.

- Page 33 - first paragraph under bullets states the town is currently relying on a committee with a small budget to identify and carry out economic development goals. For the clarity of those reading the plan, please explain what committee you are referring to and describe the committee (membership, where the money is budgeted for this committee, etc).
- Page 34/35 – Under retail opportunities you talk about the 2015 master plan (is this the downtown master plan?) Then you discuss the 2014 Greenwood-Bridgeville master plan. Under façade improvements you begin speaking about the “reports”, which seem to be the 2015 and 2017 reports by Arnett, Muldrow and Associates. To the general public the talk of different master plans and the reports can be confusing. Consider adding to the beginning of this section a list of the plans/reports that were completed, the year they were completed, and how they are referred to in the plan so that the general public can more easily read this section.
- Page 61 and Page 93 first paragraph – The second paragraph under Preserved Farmland in and Around Bridgeville in correctly states that Farmers participating in the Agricultural Preservation Program have committed to stay in farming by offering a discount off the appraised value of their development rights. This paragraph should read that Delaware's Farmland Preservation Program has two major components – Agricultural Preservation Districts and Agricultural Conservation Easements.

Preservation Districts are voluntary agreements where landowners agree to continue to only use their land only for agriculture for at least 10 years. Agricultural easements are purchases of development rights by the Foundation, placing a permanent agricultural conservation easement on the property. Landowners must enroll their farm into a Preservation District before they can sell an easement

- Ag District/Easement map on page 63. The copy presented to the OSPC for review is very hard to decipher the districts from the easements. It is suggested that you either make the distinction between the District and the easement clearer.
- Page 93 – Future Land Use discussion – the plan states “that municipalities are required to designate future land uses for all parcels within their boundaries and within short term annexation areas”. Actually all annexation areas, short term and long term, should have a designated Future land use.

Understandably it is difficult to do, especially with many parcels in the long term areas being in the 10 year district. Please note that before the town can annex property within the long term annexation area, it will need to amend the map to designate a future land use. This can hold up annexation while the amendment is being reviewed.

- Future Land Use Map - - on the east side of town there is a single parcel adjacent to the town without a future land use designated. One should be designated now so that when it annexes the town does not have to submit an amendment to the plan to designate a land use. In addition, there are random small parcels marked as residential in the mixed use, and industrial areas. Please make sure these are correct before adopting the plan.
- Page 95 Suggested Land use changes

The plan makes specific recommended changes to the land use code. It should be noted that these are suggested changes and that the changes are at the discretion of the town council.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- On page 68, the Plan discusses street trees for Market Street and recommends different types and positioning of trees on the north and south sides because of overhead utility lines along the north side. Because, with proper care, the trees could be in place a long time and because utilities are inherently relocatable, DeIDOT urges the Town to consider how it wants Market Street to look and develop a plan to achieve that look, even if it means relocating the utilities underground or to some combination of easements and back streets. From aerial photography, it appears that the pole line could be moved to John Street, Mill Street and the parking lot of Union United Methodist Church.
- DeIDOT recommends that the Plan include a map with the downtown street grid labeled. There are several places where specific streets are mentioned and a person new to the Town might have difficulty following the discussion.

State Historic Preservation Office – Contact: Carlton Hall 302-736-7404

- There is good history in Bridgeville and our office appreciates the town of Bridgeville including historic preservation in their plan. The town doesn't have a traditional Historic Review Board but establishes procedures for the review by Bridgeville's Planning and Zoning Commission.
- The town brought up good ideas especially improving standards where they suggest applying design standards to renovations and remodeling of commercial and residential buildings in the town's historic district.
- The Delaware State Historic Preservation Office supports the ideas referenced under the Key Findings to be Addressed of Section 8 and look forward to reviewing future 1-A Building and Design Standards for Bridgeville.

State Housing Authority – Contact: Karen Horton 739-4263

- The Town of Bridgeville conducted a thorough analysis of their demographic, economic and housing trends and identifying issues, concepts and potential strategies. This includes:
 - The need for “missing middle” housing types to better meet a variety of housing needs.
 - The aging population and how their needs will grow as they age.
 - Allowing accessory dwelling units.
 - Defining a Downtown Development District for a potential future designation.
- While there are many good strategies, some appear to be still be concepts such as “missing middle” housing, housing sharing, and “villages” to help the aging population age-in-place. DSHA recommends firming up some of these concepts into strategies. The draft Plan accurately identifies that demographics and growth are trending toward higher incomes, however there are existing residents struggling with severe affordability issues. For example, almost 40 percent of renters pay more than 35 percent of their income toward housing costs. As a result, DSHA recommends identifying strategies that preserve the affordability of existing housing and create new affordable housing – whether homeownership or rental. Residents would benefit from an increased supply of well-designed affordable units integrated into the Bridgeville community.
- DSHA offers technical assistance to the Town in reviewing tools and strategies to increase affordable housing opportunities within the Town.
- As a resource for municipalities, DSHA has developed a website, **Affordable Housing Resource Center**, to learn about resources and tools to help create housing for households earning 100% of median income or below. Our website can be found at: www.destatehousing.com "Affordable Housing Resource Center" under Other Programs.

If you have any questions, please feel free to call me at (302) 739-4263 or via e-mail at hillary@destatehousing.com.

Department of Agriculture – Contact: Scott Blaier 698-4532

The Department of Agriculture would like to compliment the town on the most recent update of its comprehensive plan. The department offers the following comments on the plan.

- Page 10 – Environmental Protection: The Department supports the town’s goal to preserve high-value agricultural parcels. The Department’s Farmland preservation program has already permanently preserved a number of farms around Bridgeville, and there are several more farms in the area that potentially will become permanently preserved.
- Page 15 – As with our previous comment regarding the goals on page 10, the department is continuing to preserve farmland in the Bridgeville area, and would welcome any opportunity to work with the town in that regard.
- Section 9-5 Agriculture Open Space (pages 51 through 53) - As shown in Figure 3, a number of parcels around Bridgeville are currently enrolled in the state’s Farmland Preservation Program. The program’s goal is to permanently preserve as many of those parcels as possible.
- Page 68 “Objectives for Farmland Preservation” – The Department does not currently have brochure regarding its farmland preservation program. However, they do maintain an up-to-date website with information about the program.
<https://agriculture.delaware.gov/agland-preservation-planning/>

The Department of Natural Resources and Environmental Control – Contact: Mike Tholstrup 739-9071

Source Water Protection

- All municipalities and counties with a population of 2,000 or more persons (as reported in the most recent decennial Census) undergoing regular plan updates will be required to incorporate updated source water maps derived from the most current datasets¹ provided by the Department of Natural Resources and Environmental Control (DNREC). The map and plan text must clearly include the note that the regulatory provisions of any source water ordinance will refer to this map, as provided in the Comprehensive Plan update and as amended from time to time.
 - The Town’s source water ordinance is protective of the resource and contains language that is suitable for inclusion in the comprehensive plan to meet these requirements.

- The Plan states: ‘The 2014 Bridgeville-Greenwood Master Plan recommended that the Town adopt an ordinance to protect the sources of provide drinking water for the town’.
 - There is a grammatical error in this sentence. Should this be ‘sources of drinking water...’ or ‘sources that provide drinking water...’?

Air Quality

- The town should consider including information about protecting air quality in Section 6 “Environment, Open Space and Recreation.” DNREC recommends the following considerations for the Town of Bridgeville in mitigating potential air pollution issues:
 - Encouraging mixed-use development where applicable,
 - Allowing opportunities for the increased use of public transit,
 - Expansion of the current bicycle and pedestrian network,
 - Increasing economic development and by extension, the number of people using alternative transportation modes,
 - Implementing ordinances that would involve the planting of trees for development projects and efforts to continue the preservation of trees in the Town which help to clear the air of pollutants.
- As an added component to address air quality concerns in the area, the Town of Bridgeville is encouraged to add electric vehicle supply equipment and charging where feasible in common areas to accommodate cleaner vehicular transportation through the area. For more information about the various electric charging options and where they are best deployed, please see our website. www.de.gov/cleantransportation
- DNREC supports the Town of Bridgeville in its efforts to diversify its housing stock. Specifically, we recommend the inclusion of more mixed-use or cluster-style developments that greatly reduce the square footage of development while retaining open space and generating shared community spaces (Page 27).
- DNREC was pleased to note that Annual Average Daily Traffic (AADT) data indicates that there is a reduced volume of truck traffic through Bridgeville. This is promising as heavy duty vehicles such as trucks have the potential to emit particulate matter (PM) which comes in two sizes (2.5 and 10 microns, respectively) the former of which can be inhaled and embedded in the lungs and the last of which can be inhaled and transferred directly into the bloodstream.
- DNREC supports the Town of Bridgeville in its efforts to increase its tree canopy. Trees have the ability to clean the air of pollutants and provide character and a sense of place for the Town.
- DNREC has noted that the Town of Bridgeville has a goal of expanding its bicycle and pedestrian network. We recommend reaching out to DelDOT’s Transportation Alternatives Program (TAP) for further assistance and possible grant funds.

- Lastly, the Town of Bridgeville is encouraged to work with DelDOT to address and identify the transit needs of the municipality. With 93% of the Town of Bridgeville working outside of the town limits, it is recommended that expanded transit services be pursued by the Town (Page 12).

Fish and Wildlife

- Much of the wetlands located inside the wetland areas along the Nanticoke River and the Bridgeville Branch (east side) are mapped as Key Wildlife Habitat because they are part of a large complex that can support an array of plants and animals. Some of these areas have documented rare species in these habitats. It will be important to ensure that riparian buffers (at least 100 feet wide.) surrounding these wetlands are retained to minimize impacts to these sensitive habitats and water quality. Additionally, Clear Brook is upstream of Hearn's Pond (state-owned) which has rare species records and as such curbing water quality impacts is of utmost importance.
- Annexation areas identified for residential development should also maintain adequate wetland buffers to minimize water quality impacts to Clear Brook and to avoid impacts to protected species that are known to occur there (e.g. bald eagle). Bald eagles are federally protected by the Bald and Golden Eagle Protection Act and nests receive state protection as well. The town should be aware that bald eagles nest within the proposed annexation area. We recommend consulting the National Bald Eagle Management Guidelines, to help landowners and others minimize disturbance (usually through buffers and/or time of year restrictions), which is prohibited. Any specific questions regarding bald eagles should be directed to Tom Wittig, USFWS Permit Biologist at (413) 253-8577 or Thomas_Wittig@fws.gov.

Additional information on TMDLs and water quality

- In Section 6, Page 55 "The Water Quality Challenge," DNREC suggests the Town list the specific TMDL reduction requirements for nutrients (e.g., nitrogen and phosphorus) and sediment within the Chesapeake Bay drainage basin. The TMDL requires a 60 percent reduction for both nutrients and sediment. The Draft Plan correctly states that the EPA has made the TMDL reduction requirements more stringent than were made in the past.

Please include the following short narrative as an explanation of what the Watershed Implementation Plan is. "The Watershed Implementation Plan identifies specific pollution reduction practices, from a variety of sources, and provides the guidance for reducing nutrient and sediment pollution in the Chesapeake Bay drainage basin." DNREC suggests that the "WIP" denoted in the Comp Plan be written out before the acronym so the reader understands what it stands for ("watershed implementation plan").

- In Section 11 "Recommendations and Implementation," DNREC recommends that the Town of Bridgeville be proactive to improve water quality and attain the TMDL nutrient and bacteria reductions. They have offered the following "*actionable strategies*" as proposals for discussion in the Draft Plan or to help develop future ordinances:

- Require all applicants to submit to the Town a copy of the development site plan showing the extent of State-regulated wetlands (as depicted by the State Wetland Regulatory Maps), and a United States Army Corps of Engineers (USACE) approved wetlands delineation as conditional approval for any new commercial and/or residential development. Additionally, the site plan should depict all streams and ditches which are jurisdictional pursuant to the Subaqueous Act (7 Del. C., Chapter 72) as determined by DNREC.
- Implement regulations to protect freshwater wetlands where regulatory gaps exist (i.e., isolated wetlands and headwater wetlands).
- Require a 100-foot upland buffer width from all field-delineated wetlands or waterbodies (including ditches).
- Call for an impervious surface mitigation plan specifically requiring the use of pervious paving materials in all parking areas for all projects with 20% or more total post-development surface imperviousness. In high density (usually commercial) developments with post-development surface imperviousness of 50% or more, we suggest half of total area(s) of imperviousness in paved areas contain pervious pavers, including the entire parking lot area(s).
- Require the calculation for surface imperviousness (for both commercial and residential development) include all constructed forms of surface imperviousness - including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water storm water management structures.
- Exclude structural Best Management Practices such as community wastewater treatment areas, open-water storm water treatment structures, and natural areas containing regulated wetlands from consideration as open space.
- Prohibit development on hydric soils. Proof or evidence of hydric soil mapping units should be provided through the submission of the most recent NRCS soil survey mapping of the parcel, or through the submission of a field soil survey of the parcel by a licensed (Delaware Class D) and certified (CPSS) soil scientist.
- Insist that the applicant use “green-technology” storm water management in lieu of “open-water” storm water management ponds whenever practicable.
- Require the assessment of a project’s TMDL nutrient loading rate through use of the Department’s nutrient budget protocol. The applicant should be further required to use any combination of approved Best Management Practices to meet the required TMDLs for the affected watershed(s) in question.

Climate Change

- The subject of climate change was not specifically addressed in the plan, however the Department believes that recognizing the significant impacts that climate change will have on Delaware's economy, resources and citizens and incorporating those within the Comprehensive Development Plan is important. When discussing climate change impacts to Delaware, the Department is concerned with sea level rise, increased heavy precipitation events, and more extreme high temperatures. While the Town would not likely be impacted directly by sea level rise, stormwater management, which has been identified as an issue in the Draft Plan, will be a greater challenge in the future.

DNREC has guidance for utilizing green infrastructure, or nature-based strategies, to address this in an environmentally friendly manner (www.de.gov/greeninfrastructure). Some of these strategies have been offered through the planning work completed by TetraTech and this resource can supplement those efforts. Additionally, increased concerns for health & safety of the population are associated with increased temperatures, which could also be discussed in the Draft Plan along with establishing a designated cooling center among the listed Community Facilities and Assets (Section 9).

There is an incredible volume of information available about climate change impacts. The following is a short list of the most relevant and useful information for your comprehensive development plan efforts:

1. The Creating a Flood Ready Community training site provides links to a wide variety of resources that can be used to plan for increased heavy precipitation and sea level rise:
<http://dnrec.delaware.gov/coastal/DNERR/Pages/CTP%20Pages/FloodReadyCommunityResources.aspx>
 2. Climate change impacts to human health are reviewed in the fall issue of the Delaware Journal of Public Health: https://issuu.com/dam-dpha/docs/djph_october2017
- In addition, the Town may wish to consider opportunities for grant funding and technical assistance. DNREC offers grant funding for sustainability and climate change planning through the Sustainable Communities Planning Grant Program and the Resilient Community Partnership (RCP). These programs can provide resources for local governments to develop a long term plan for climate change and/or sustainability.
 - <https://dnrec.alpha.delaware.gov/energy-climate/sustainable-communities/sustainable-planning/>
 - <https://dnrec.alpha.delaware.gov/coastal-programs/planning-training/resilient-communities/>

DNREC staff are always available to assist and would be happy to meet with Town staff and its consultants to discuss climate change vulnerabilities and greenhouse gas reduction strategies.

Low Impact Development

- DNREC is supportive of incorporating energy efficiency into the development and redevelopment discussion (page 58) of your Draft Plan. The Draft Plan would be a valuable tool in identifying the benefits, both economic and environmental, of promoting high efficiency building materials, use of recycled materials, and energy efficient lighting and appliances. These strategies can be applied toward industrial/commercial, residential, and municipally owned facilities. DNREC offers funding and technical support for energy efficiency retrofits through the Energy Efficiency Investment Fund, which can be found at www.de.gov/eef.

DNREC's free Weatherization Assistance Program can also serve to help homeowners and renters cut their energy bills by weatherproofing and improving the energy efficiency of their homes. www.de.gov/wap

Sussex County – Contact Rob Davis 855-1299

- Sussex County has recently established the Western Sussex Area of the Sussex County Unified Sanitary Sewer District, which includes the Town of Bridgeville. Sussex County supports the Town's growth and annexation area as a Tier 2 service area.

Approval Procedures:

- Once all edits, changes and corrections have been made to the Plan, please submit the completed document (text and maps) to our office for review. **Your PLUS response letter should accompany this submission.** Also include documentation about the public review process. In addition, please include documentation that the plan has been sent to other jurisdictions for review and comment, and include any comments received and your response to them. Substantial changes to this draft could warrant another PLUS review.
- Our office will require a maximum of 20 working days to complete this review.
 - If our review determines that the revisions have adequately addressed all certification items (if applicable), we will forward you a letter to this effect.
 - If there are outstanding items we will document them in a letter, and ask the town to resubmit the plan once the items are addressed. Once all items are addressed, we will send you the letter as described above.
- Once you receive our letter stating that all certification items (if applicable) have been addressed, the Planning Commission and Council should adopt the plan pending State certification. We strongly recommend that your Council adopt the plan by ordinance. The ordinance should be written so that the plan will go into effect upon receipt of the certification letter from the Governor.

- Send our office a copy of the adopted plan along with the ordinance (or other documentation) that formally adopts your plan. We will forward these materials to the Governor for his consideration.
- At his discretion, the Governor will issue a certification letter to your Town.
- Once you receive your certification letter, please forward two (2) bound paper copies and one electronic copy of your plan to our office for our records.

Thank you for the opportunity to review this Comprehensive Plan. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in blue ink that reads "Constance C. Holland". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

CC: Lee Ann Walling, Cedar Creek Planning & Communications