



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

June 22, 2018

William McSpadden
Town of Slaughter Beach
357 Bay Ave.
Slaughter Beach, DE 19963

RE: PLUS review 2018-05-11; Town of Slaughter Beach Comprehensive Plan

Dear William:

Thank you for meeting with State agency planners on May 23, 2018 to discuss the Town of Slaughter Beach'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.

- Page 63, 3.7th sentence should read Strategies for State Policies and Spending document, not State Strategies for Investment
- Please update the maps as follows
 - Map 11 - Please add municipal boundaries
 - All maps should contain the date (month/year) to avoid confusion if a map is changed in the future.

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 Slaughter Beach on a very well written plan which will guide the town through the upcoming years. Please consider the following recommendations as you finalize our plan.

- Page 8 – Under Recreational, second sentence take out added “access”
- Page 19 – First paragraph, 7th sentence – Has the water company already been purchased? If it has, should this sentence be deleted?
- Page 57 - Change first sentence to read certified by the State. The State Planning Office does not certify plan.

Maps

- Map 2 & Map 3 - Existing Land Use

There is a standard coloring scheme for maps. For simplicity and to avoid confusion by the public it is recommended that the land use classification maps be changed to the following color scheme:

Yellow – residential
Brown – Multi-family
Red – Commercial
Purple - Industrial
Blue - Institutional/Public
Grey - Industrial Utilities
Green – Recreational/open space/preserved land

- Map 9 Area of Concern is very light and difficult to read in some areas because of the background map. Please fix to make the area of concern easier to read.
- Map 10 Change colors to match the Strategies for State Policies and Spending maps. Please contact Miriam Pomilio of this office and she can help you with the Strategies data for the map.

Level 1 –Red
Level 2 – Orange
Level 3 - Yellow
Level 4 – White
Out of Play – Grey

- Map 12, the Sussex County Future Land Use Map. The County is currently updating the plan which should be completed by November 2018. It is suggested that the town remove this map. If the town wants this information as part of your plan you could include a link to the County comprehensive plan website page within the text of your document. This ensures the information stays up-to-date.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- Ms. Jennifer Cinelli, a planner in DelDOT’s Regional Systems Planning Section, would like to meet with the Town about their Plan. While she intends to initiate that contact, the Town may reach her at (302) 760-2549 or Jennifer.Cinelli@state.de.us.
- In the list of officials on page iii and in the Acknowledgements on page iv, respectively, Connie Holland and Michael Hahn should have the credential “AICP” after their names.
- As discussed in Section 3.6, on pages 62 and 63, the Delaware Bayshore Byway now runs through Slaughter Beach. Accordingly, DelDOT suggests the following words, or similar text, be added in the Overview of the Community, Section 1.3.B on pages 4 and 5, “In 2017 Slaughter Beach became part of the Delaware Bayshore Byway. The byway is an alternative transportation corridor that travels along Delaware roadways traversing and offering an eco-tourism package effort to discover and bolster Delaware history, outdoor scenery, small town charm, recreation, and various natural areas.”

Also, consider introducing in the section the fact that Slaughter Beach is included in the Delaware Bayshore Initiative, a point developed in more detail in Section 2.7 on page 34.

- The Transportation section, Section 2.4.C on pages 22 through 24, makes significant points about the lack of shoulders on the roads leading to the Town and the lack of shoulders or other bicycle and pedestrian facilities within the Town. However, the Summary of Recommendations and Action Items, Section 3.4 on pages 60 and 61, does not address these points. While DelDOT does not consider this to be a certification issue, DelDOT does urge the Town to participate in DelDOT’s Capital Transportation Program process and to seek funding for transportation projects that it would like to see.

Also, it should be clarified that Bay Avenue now has two to three-foot shoulders striped on it. This is a relatively recent striping change that has been implemented since the 2010 Plan.

- The Climate Change section, Section 2.8.D on pages 48 through 50, adequately captures the concern about the increase in the number of flooding events but it does not describe the impacts of those events. What specific locations are prone to flooding? How severe is it? How does it affect residents in terms of evacuations and/or isolation?
- In the bulleted list of accomplishments in Section 3.1, on page 57, the last bullet point should be edited to read “Became a discovery point on the Delaware Bayshore Byway.”

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

- The Delaware SHPO recommends the town include a Historic Preservation section in their Comprehensive Plan, and offers their assistance in accessing information on historic properties. Note that the State Historic Preservation agency has hired a consultant to do initial architectural survey of several small coastal communities, including Slaughter Beach. The State Historic Preservation Office will keep the town posted on the progress of the survey.

State Housing Authority – Contact: Karen Horton 739-4263

- DSHA supports the Town of Slaughter Beach's Comprehensive Plan and its goals and recommendations related to housing. These recommendations were developed through: an analysis of demographic and housing data; public feedback; and, a review of the existing housing stock and environmental constraints. As a result, the recommendations are thorough and appropriate for 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 karenh@destatehousing.com. Thank you.

Department of Agriculture – Contact: Scott Blaier 698-4532

- The Department of Agriculture offers the comments below for the town's comprehensive plan update has no concerns with the plan as written and has verified that Map 5 accurately reflects the farms currently enrolled in the Agricultural Lands program

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

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.

Representatives from seven DNREC divisions reviewed the submitted materials and no certification issues were raised. However, DNREC reviewers had a number of comments and suggestions, outlined below. DNREC looks forward to helping the Town of Slaughter Beach refine the components of its Comprehensive Development Plan to express its vision to conserve and protect its natural surroundings, and support a healthy, walkable, and resilient community.

DNREC is available to discuss the recommendations below, implement future ordinance improvements, and work with you to identify available grant and technical assistance programs.

Climate Change

- Slaughter Beach has taken an important step forward in recognizing the significant impacts that climate change will have on its economy, resources, and citizens by highlighting the need to address resiliency to impacts and including a climate change section in its Comprehensive Development Plan. DNREC appreciates that the Town has recognized the threats of climate change in this plan and provides the following recommendations:
 - The effects of climate change on human health should be emphasized in the conversation around specific impacts. Public safety concerns and mental health are key factors that could be addressed through planning and education. Below are some areas where the Town can incorporate language about the health of its residents.
 - Page 24 -- Flooding of Roadways: consider discussing how this flooding affects the residents.
 - Pages 43-44 -- Sea Level Rise: consider how sea level rise will affect residents' property and the resulting mental stress.
 - Pages 45-46 -- Marine Catastrophes: consider the health effects on humans, as these events affect water quality due to exposure to toxic materials.
 - Pages 47-48 -- Wildfires: consider adding the health effects of wildfires (air quality) and increased risks to vulnerable populations, including residents with asthma or existing chronic illnesses.
 - Pages 48-50 -- Climate Change: consider how human health will generally be affected by climate change (e.g., more incidences of heat-related illness, vector-borne illness, respiratory illness, etc.).
- A map of the 1 foot flooding inundation (20 year sea level rise scenario) may be added to the mapping appendix as a reference for planning. The Delaware Inundation Mapping tool can be found in the Flood Ready Community resources (see link below).
- There is new socio-economic data concerning tidal wetlands from the UD Water Resources Agency. This may be able to provide some specific costs which the Plan can reference in the discussion of Socio-Economic Values, on pg. 33:
 - <http://www.wrc.udel.edu/research/socioeconomic-value-of-delaware-wetlands-draft-report-2018/>

- On pg. 43 there is discussion on the Lewes tidal gauge's historic recordings of water levels. A graph depicting this may be valuable to include in the Plan, as well. The most recent graph can be downloaded at https://tidesandcurrents.noaa.gov/sltrends/sltrends_station.shtml?id=8557380.
- The discussion in Section 2.8.a., 3.8, and pg. 47, should also reference your Slaughter Beach Vulnerability Assessment and Adaptation Option report.
- Pg. 60 in the section on the flood warning signage, it should be noted that DelDOT also promised to include, in their a mobile app, a function that would alert users to flooding as well as send out alerts via the local A.M. radio station.
- 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. New sea level rise scenarios and maps are available, as of November 2017. The new maps provide inundation at 1-foot increments and the new scenarios provide improved information about sea level rise impacts mid-century. The report and links to maps can be found on the Delaware Geological Survey website: <http://www.dgs.udel.edu/projects/determination-future-sea-level-rise-planning-scenarios-delaware>
 2. The Creating a Flood Ready Community training site provides links to a wide variety of resources that can be used to plan for sea level rise: <http://dnrec.delaware.gov/coastal/DNERR/Pages/CTP%20Pages/FloodReadyCommunityResources.aspx>
 3. 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

Air Quality

- DNREC recommends including air pollution mitigation measures in the Plan. Specifically, air quality should be addressed within the “Natural Resources, Features and Habitat” portion of the plan (page 25).
- DNREC has noted that the Town of Slaughter Beach has a goal of expanding their bicycle and pedestrian network and specifically, creating more “usable shoulders” (page 22). DNREC supports the town’s efforts to provide safe alternative transportation modes for pedestrians and bicyclists, and DNREC recommends working with DelDOT to achieve these goals.

- DNREC also supports the town's implementation of traffic control measures such as solar powered traffic feedback signs to further enforce the posted speed limit and serves to enhance safety for other transportation modes (page 23).

TMDLs and water quality

- DNREC recommends that the discussion of Total Maximum Daily Loads (TMDLs) on Page 55, reference the Mispillion Pollution Control Strategy (PCS). A Pollution Control Strategy identifies the specific strategies and actions necessary for reducing pollutants in a given water body or basin/watershed, thus realizing the water quality criteria or standards set forth in the State of Delaware's Water Quality Standards. Ultimately, the goal of the PCS is the restoration of a given waterbody's designated beneficial uses. A PCS is a combination of best management practices (e.g., wetland buffers, green technology stormwater treatment, pervious paving materials, rain gardens, etc.) that will reduce nutrient and bacterial pollutant runoff loading by optimizing their beneficial effects. Information about the PCS can be obtained from the following web link:
http://www.dnrec.state.de.us/water2000/Sections/Watershed/ws/ib_pcs.htm

Solid Waste Disposal and Recycling

Please be aware that per Delaware's Universal Recycling Law, §6053 (<http://www.delcode.delaware.gov/sessionlaws/ga145/chp275.shtml>), there have been changes to requirements concerning recycling collection services for a variety of residential and commercial customers since your 2008 Plan was adopted. Understanding these will assist the town in coordinating with service providers, as referenced on Page 19, as well as informing and educating residents/business owners.

Effective no later than September 15, 2011, all persons providing solid waste collection services in the State of Delaware shall also provide:

- Single stream curbside recycling collection services to all of their Delaware single-family residential customers, including delivery of a container for the purpose of storage and collection of recyclables that is adequately sized for the customers use such that recycling is encouraged and disposal of recyclables is discouraged; and the recyclables collection service shall be provided at a frequency of not less than once every other week.
- Source separated recycling collection services to dealers who provide on premise sales, including delivery of a recyclables container that is adequately sized for the premise being served and a frequency of recyclables collection that shall preclude the recycling containers from overflowing and otherwise causing a nuisance.
- All single-family residential and on premise sales customers with a single charge for the collection of waste and recyclables on their "waste services" bill that is inclusive of the combined waste and recycling collection service costs. Local

governments that do not presently bill separately for the costs of waste collection are exempt from this requirement.

- Notification to all customers that the single stream recycling service will be provided and instructions on participation, prior to September 15, 2011.
- Effective no later than January 1, 2013, all persons providing solid waste collection services in the State of Delaware shall provide:
 - Single stream recycling collection services to all of their Delaware multi-family residential customers, including providing the multi-family complex with an appropriately sized and centrally located recyclables collection container(s) for the complex being served and ideally in the same proximity as the complex's waste disposal containers. Local governments may require multi-family complex owners to provide their own recyclable collection containers consistent with local requirements.
 - Notification to the multi-family complex management that the single stream recycling service, including instructions on participation, will be provided.
 - A frequency of recyclables collection that shall preclude the recycling containers from overflowing and otherwise causing a nuisance..."

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,



Constance C. Holland, AICP

Director, Office of State Planning Coordination