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January 2, 2008

Constance C. Holland, A.I.C.P.
State of Delaware
Office of State Planning Coordination
Haslet Armory – Third Floor
122 William Penn Street
Dover, DE 19901

RE: **PLUS 2007-05-01 Response Letter**
CAPITAL SCHOOL DISTRICT / SOUTH DOVER ELEMENTARY
Dover, Delaware
2007102.00

Dear Ms. Holland:

The Delaware Office of State Planning Coordination reviewed the Site Plan for the South Dover Elementary School project through their Preliminary Land Use Service (PLUS) process on May 23, 2007. This project, located on South State Street, proposes the construction of a new elementary school on the site of the existing elementary school along with new parking and bus pickup/drop-off areas, playground areas, and stormwater management areas.

Below you will find the required responses to your PLUS letter dated June 11, 2007 in reference to the above referenced project. Each State comment is listed with the associated response in italics below.

Office of State Planning Coordination – Contact: David Edgell 739-3090

This project will be located within the City of Dover, within an Investment Level 1 area according to the Strategies for State Policies and Spending and on the site of an existing school The State has no objections to the new school being constructed provided it is in compliance with all City of Dover ordinances and regulations.

All school sites must be approved by the directors of the Department of Education, the Office of Management and Budget, and the Office of State Planning Coordination. The School District should contact the Department of Education to begin the school site approval process.

(Action: This process has been initiated)

Division of Historical and Cultural Affairs – Contact: Alice Guerrant 739-5685

This property and area is an historic area, and there is a possibility that there could be prehistoric or historic archaeological artifacts on this property/parcel. Also there are early to mid 20th Century (1900s) house adjacent and across the street, and also it. If this development goes forward, the DHCA would like the opportunity to examine, take photographs and document information about the school and look for archaeological site on the property prior to any demolition or ground disturbing activities.
(Action: Capital School District will consider the request)

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Department of Transportation – Contact: Bill Brockenbrough 760-2109

DelDOT will require the school district to obtain a new entrance permit for the access on South State Street. While the entrance plan needed for the permit can be submitted relatively late in the design process, the district's site engineer should contact our Subdivision Manager for Dover, Mr. Richard Woodhall, as soon as possible to verify that the proposed entrance location and design will be acceptable. Mr. Woodhall may be reached at (302) 760-2262.

(Action: We have met with Subdivision Engineer, Mr. Marc Cote, and have reviewed the proposed entrance location and design. He has verified that it is acceptable.)

DelDOT will also require the school district to enter a signal agreement to cover the cost of relocating the traffic signal associated with the site entrance. Once the location of the entrance is agreed on, the district should contact Ms. Kristen Melendez, an engineer in our Traffic Section, regarding this agreement. Ms. Melendez may be reached at (302) 659-2046.

(Action: The location of the entrance is staying in the same location thus the traffic signal will not be relocated.)

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

Soils

According to the Kent County soil survey update, Hambrook-Urban Land complex and Sassafras soils were mapped in the immediate vicinity of the proposed construction. Hambrook-Urban Land complex soils are upland soils that have been extensively modified by past filling and grading practices; however, these soils are well-drained and likely to pose few limitations for development. Sassafras is a well-drained upland soil that, generally, has few limitations for development. Most of the soils on this parcel are, generally, considered suitable for development.

(Action: No action required)

Wetlands

According to the Statewide Wetland Mapping Project (SWMP) mapping, tidally-influenced riverine and palustrine wetlands bound the entire eastern boundary of subject parcel.

Tidally-influenced wetlands are subject to regulatory requirements under the State of Delaware's Tidal Wetlands Regulations (Delaware Code, Title 7, Chapter 66). Since tidal wetlands are likely to be found on this parcel, it is strongly advised that the applicant contact the Wetlands Section of the Division of Water Resources before proceeding beyond the initial planning stages of this project. The Wetlands Section can be reached at 739-9943.

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Based on a review of existing buffer research, an adequately-sized buffer to effectively protect wetlands and streams is, in most circumstances, at least 100 feet in width. In recognition of this research and the need to protect water quality, the Watershed Assessment Section strongly recommends that a 100-foot upland buffer (planted in native vegetation) from the landward edge of all wetlands and water bodies. This is particularly important along the eastern boundary of the project, adjacent to the St. Jones River.

(Action: The subject property has been delineated by Ten Bears Environmental. It appears the only wetlands on site are located along the river bank. We should be able to maintain the 100 ft. buffer requested. We will consider the vegetated buffer during the design process.)

Impervious Cover

Based on a review of the PLUS application, no projected estimate of post-development surface imperviousness was indicated. The applicant should make sure that all sources of post-development surface imperviousness (rooftops and all paved surfaces) are fully accounted for in the finalized calculation for surface imperviousness.

(Action: We will account for all impervious surfaces in the final calculations.)

Since studies link increases in impervious cover to decreases in water quality, the applicant is strongly encouraged to pursue best management practices (BMPs) that can mitigate or reduce some of the most likely adverse impacts. Reducing the amount of surface imperviousness through the use of pervious paving materials ("pervious pavers") in lieu of asphalt or concrete in conjunction with an increase in forest cover preservation or additional tree plantings are some examples of practical BMPs that could easily be implemented to reduce surface imperviousness.

(Action: We will consider the above mentioned recommendations)

TMDLs

Total Maximum Daily Loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the St. Jones watershed. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited water body" can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are required by federal law, states are charged with developing and implementing standards to support these desired use goals. In the St. Jones watersheds, a post-development TMDL reduction level of 40% will be required for nitrogen and phosphorus. Additionally, a TMDL reduction level of 90% will be required for bacteria.

(Action: We will work with DNREC Soil & Water Conservation regarding this issue)

TMDL Compliance through the Pollution Control Strategy (PCS)

As stated above, Total Maximum Daily loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the St. Jones watershed. The TMDL calls for a

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40% reduction in nitrogen and phosphorus, while a TMDL reduction of 90% will be required for bacteria; both nutrient and bacteria reductions must be from baseline conditions. The Department developed an assessment tool to evaluate how your proposed development may reduce nutrients and bacteria to meet the TMDL requirements. Additional reductions may be possible through the implementation of Best Management Practices such as wider vegetated buffers along watercourses, increasing passive wooded open space, and the use of stormwater management treatment trains. Contact Lyle Jones at 302-739-9939 for more information on the assessment tool.

(Action: We will work with DNREC Soil & Water Conservation regarding this issue)

Water Supply

The project information sheets state water will be provided to the project by the City of Dover via a public water system. DNREC records indicate that the project is located within the public water service area granted to the City of Dover under Certificate of Public Convenience and Necessity 90-CPCN-07.

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 is a Hazardous Waste Generator named George & Lynch located within 1000 feet of the proposed project.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-9944.

(Action: No action required)

Sediment and Erosion Control/Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through the Division of Soil and Water Conservation Sediment and Stormwater Program. Contact Elaine Webb with the Sediment and Stormwater Program at (302) 739-9921, for details regarding submittal requirements and fees. It is strongly recommended that you contact the Sediment and Stormwater Section to schedule a pre-application meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre-

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and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion.

(Action: We have met with Mr. Randy Greer preliminarily and will schedule a pre-application meeting at the appropriate time)

Underground Storage Tanks

There are ten LUST site(s) located near the proposed project:

Kent General Hospital, Facility # 1-000208, Project # K9101016
Holden Dodge, Facility # 1-000439, Project # K0011137
Holy Cross Church, Facility # 1-000545, Project # K9502046
Dr. Martz Property, Facility # 1-000569, Project # K9506142
Schaffer Car Dealership, Facility # 1-000022, Project # K91020343
South Dover Elementary School, Facility # 1-000172, Project # K9707135
Murry Property, Facility # 1-000610, Project # K9710152
Paul's Wholesale Cars, Facility # 1-000468, Project # K9304065
YMCA, Facility # 1-000481, Project # K9307139
Melvin's Sunoco, Facility # 1-000171, Project # K9107125

No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel with nitrile rubber gaskets in the contaminated areas.

Site Investigation and Restoration

5 SIRB sites were found within a half-mile radius of the proposed site:

1. Morris Work Release Center (DE-1143) is located north of the proposed site. Duffield Associates conducted an Environmental Evaluation in 1998. The results showed that soil was contaminated with polyaromatic hydrocarbons (PAH) and various metals. A remedial action plan was completed in 1999, and a remedy was implemented in July of that year. DNREC foresees no danger to the proposed site.

2. Skull Property (DE-153) is located north of the proposed site. A PA was conducted in 1968. The site was is a former dump site for a short time. A SI was recommended but not yet implemented due to the low priory status of the site. Therefore, DNREC foresees no danger to the proposed site.

3. Dover Public Works (DE-152) is located north of the proposed site. It was a dump site for latex material for years. This site is a low priority site. DNREC foresees no negative impact due to this site

4. S. State St (DE-143) is located north of the proposed site. An FE was conducted in 1999. But no further action was recommended. DNREC foresees no negative impact due to this site.

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5. 742 Governor's Ave (DE-1202) is located west of the proposed site. Since this site is a low priority site, DNREC foresees no negative impact on the proposed site.

(Action: If any underground tanks are encountered during construction, the tank management branch will be notified)

State Fire Marshal's Office – Contact: R.T. Leicht 739-4394

The subject facility is within the jurisdiction of the City of Dover and therefore the Delaware State Fire Marshal's Office defers comments to the City government. Preliminary meetings with the appropriate agencies of the City government are encouraged prior to formal submittal.

(Action: We have met with Mr. David Truax preliminarily)

Department of Agriculture - Contact: Scott Blaier 698-4500

The Delaware Department of Agriculture has no objections to the School District's plan. The project is located within the City of Dover, and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 1 areas.

Right Tree for the Right Place

The Delaware Department of Agriculture Forest Service encourages the developer to use the "Right Tree for the Right Place" for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

(Action: We will prepare a landscape plan per the City of Dover's Requirements)

Native Landscapes

The Delaware Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and will clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

(Action: We will prepare a landscape plan per the City of Dover's Requirements)

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Public Service Commission - Contact: Andrea Maucher 739-4247

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

(Action: No action required)

Department of Education – Contact: John Marinucci 735-4055

The Department of Education supports this project.

(Action: No action required)

If you should have any questions regarding the responses provided, please contact me directly.

Sincerely,

BECKER MORGAN GROUP, INC.

Michael J. Henry
Associate

MJH/rlh

CC: Dawn Melson, City of Dover Planning & Inspections
Sean Sokolowski, Capital School District

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