STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

December 19, 2024

Becker Morgan Group, Inc.
Attn: Chad Carter
309 S Governors Ave,
Dover, DE 19904

RE: PLUS review – 2024-11-01; Piney Point Property

Dear Mr. Carter,

Thank you for meeting with State agency planners on November 20th, 2024, to discuss Piney Point Property. According to the information received, you are seeking review of the proposed rezoning of a portion of a 22.69-acre property, currently used for agricultural purposes, from C2 (Highway Commercial District) to R-3 (Mixed Residential) for future development.

Please note that changes to the rezoning proposal, 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 future development of this property will also need to comply with any Federal, State, and local regulations. We also note that as the Town of Camden is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the town.**

Office of State Planning Coordination (OSPC) – Contact: Josh Thomas 302-739-3090

The proposed rezoning is inconsistent with the future land-use designation for the parcels in Camden's certified comprehensive plan. For the rezoning to proceed, the Town of Camden must submit a PLUS review for a comprehensive plan amendment to change the future land-use map designation for the subject parcels from Commercial to Residential or Mixed Use. This amendment needs to be adopted by Town Council before the rezoning can be reviewed and adopted by Camden. Based on the land-use designations in the current comprehensive plan, a change to Mixed Use would allow greater flexibility by enabling the properties to be zoned C2, R3, and any combination of the two districts.

The parcels are located in a Level 1 investment area, which is consistent with the 2020 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. Because development in Level 1 is consistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning Coordination (OSPC) supports the proposed rezoning.

Department of Transportation (DelDOT) – Contact Stephen Bayer 302-760-4834

- DelDOT has no comments on the proposed rezoning. DelDOT notes that if the property is developed in the future all applicable reviews and permits will still be required.

Department of Natural Resources and Environmental Control (DNREC) – Contact Beth Krumrine 302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments does not indicate that there are not additional constraints, nor does it indicate DNREC support of a project, code or ordinance.

DNREC reviewers recognize that there is no development proposal at this time, and this application is only seeking to change the zoning of a portion of the site, to allow for future multi-family housing. Should this site be developed in the future, please be aware of the following requirements and environmentally sensitive features on-site.

Requirements Identified Within the Development Footprint

Stormwater Management

The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency, prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Kent Conservation District.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically https://enoi.dnrec.delaware.gov/, (select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General Stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Wellhead Protection Area
A Wellhead Protection Area is located on the northern corner of the site. Wellhead Protection Areas are the surface and subsurface areas surrounding a water well, or a public water supply wellfield. Contaminants leaching into the soil have the potential to reach the water supplies in these areas.

- The applicant must comply with all county and municipal codes that affect public drinking water supply in Wellhead Protection Areas.

Contact: DNREC Public Water Supply Protection Program at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/public-water/

Excellent Groundwater Recharge Area
An Excellent Groundwater Recharge Area is located on the eastern portion of the site. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater. Preservation of these areas is important for replenishing groundwater supplies and ensuring drinking water for future generations.

- The applicant must comply with all county and municipal requirements for construction and uses in Excellent Groundwater Recharge Areas.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.
Website: https://dnrec.delaware.gov/water/commercial-government/public-water/

Wastewater Disposal Systems – Large Systems
For wastewater conveyance offsite by way of a new sewer connection, flow rates exceeding 2,500 gallons of liquid waste per day will require a Wastewater Pollution Collection and Conveyance (WPCC) permit from the Commercial and Government Services section.

Contact: DNREC Commercial and Government Services Section at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/

Electric Vehicle Charging

Electric vehicle charging infrastructure is now required for all residential dwellings in Delaware (see 80 Del. Laws, c. 145 § 8001- § 8006) for which:

1. A building permit is issued on or after January 1, 2024 (single family), or
2. The final site plan is approved on or after January 1, 2025 (multi-family).

Requirements are summarized below. Consult the Delaware Code directly for further details.

Multi-family Dwellings, effective 2025:

- The developer of a multi-family residential dwelling shall install electric vehicle parking spaces, where at least 5% of the total parking spaces for the multi-family residential dwelling must be electric vehicle capable parking spaces.
- In addition, a developer of a multi-family residential dwelling shall provide at least one electric vehicle charging infrastructure parking space in an area available for use by all residents of the multi-family residential dwelling (example: community centers).
- Construction documents must indicate the location of proposed electric vehicle charging infrastructure parking spaces and electric vehicle capable parking spaces.
- Parking space dimensions must comply with the county or municipal building code applicable to the multi-family residential dwelling.

Recommendations

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Excellent Groundwater Recharge Area

- For Excellent Groundwater Recharge Areas, limit impervious surfaces to no more than 20% of the entire area designated as having excellent recharge.

Contact: DNREC Public Water Supply Protection Program at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/public-water/

Water Quality

This site lies within the St. Jones River Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable. Break up large parking lots with planted islands.

- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. https://dnrec.alpha.delaware.gov/watershed-stewardship/

Drainage

- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance. All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/

Delaware Emergency Management Agency (DEMA) – Contact Phillip Cane 302-659-2325

- DEMA has no objections, comments, or concerns to the proposed rezoning.

State Historic Preservation Office (SHPO) – Contact Carlton Hall 302-736-7400

- The Delaware SHPO has no comments or objections. Our office will provide comments once final construction plans for future development are available.

Delaware State Housing Authority (DSHA) - Contact Alex Modeas 302-574-3656

- DSHA supports this proposal for a 400 multi-family unit complex on 22.69 acres at West Lebanon Road near Route 13 in Camden, DE 19934.

- According to DSHA's Housing Reform Map, this project location is in a Stable Area. This means a balance of market-rate units with subsidized housing and diverse housing types should be supported. Given that this is a market-rate proposal offering high-density housing options for rent, DSHA believes that this development will increase the diversity of housing types in the area and continue to foster balance and stability.

- The need for communities with diverse housing types is high throughout Kent County. Diverse housing types can promote affordability and reduce the cost burden. The county's lowest-income renters have very high levels of cost burden due to the shortage of affordable rentals but are less burdened if they live in higher-density rental housing. This higher-density rental housing development will allow households across a wide range of incomes to capitalize on opportunities that reduce their housing cost burden.

- Due to the intensity of this project, DSHA strongly encourages the developer to use exceptional site layout and design measures that are human-scaled and pedestrian-oriented. This includes attractive streetscapes, community recreation areas, visually appealing façade treatments, and significant landscaping measures. Connections to adjacent neighborhoods, services and existing or planned paths via trails, bike paths and sidewalks. These elements all serve to create desirable quality communities where

families can thrive.

If you have questions or would like more information on the above recommendations, please feel free to call me at ext. 302-574-3656 or via e-mail at Alexander.Modeas@delaware.gov

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- This Agency has no objection and submits no comments for the projects that involve only zoning or rezoning issues.

Once the rezoning is voted on by Planning Commission and/or Town Council, please forward a copy of the decision regarding the zoning change to this office for our files. Should any future development occur on this site please submit another PLUS application for the review of the site plan. Thank you for the opportunity to review this rezoning. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David L. Edgell, AICP
Director, Office of State Planning Coordination