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

August 15, 2025

Rajkumar Thangavelu
13338 Horsepen Woods Ln
Herndon, VA 20171

RE: PLUS review – 2025-07-06 Rezoning Webb /Thangavelu Parcel

Dear Mr. Thangavelu:

Thank you for meeting with State agency planners on July 30, 2025, to discuss Rezoning the Webb /Thangavelu Parcel. According to the information received, you are seeking review of a proposed amendment to the Kent County Comprehensive Plan to change the future land-use designation on the property from Low-Density Residential to Highway Commercial, to enable the review of a proposed rezoning from AR (Agricultural Residential) to BG (General Business) for the development of a self-storage facility and other future uses.

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 regulations regarding this property. We also note that Kent County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

The proposed amendment is located in Investment Level 4 according to the 2020 Strategies for State Policies and Spending and is outside the Growth Overlay Zone for Kent County.

Investment Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. New development activities and suburban development are not supported in Investment Level 4. These areas are comprised of prime agricultural lands and environmentally sensitive wetlands and wildlife habitats, which should be, and in many cases have been preserved.

From a fiscal responsibility perspective, future commercial development of this site is likewise inappropriate. The cost of providing services to development in rural areas is an inefficient and

wasteful use of the State's fiscal resources. For these reasons, OSPC does not support the proposed amendment.

Code Requirements/Agency Permitting Requirements

Department of Transportation – 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 – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

DNREC reviewers recognize that there is no development proposal at this time, and this application is only seeking to rezone from AR to BG. Should this parcel be developed in the future, please be aware of the following environmentally sensitive features on-site.

Tax Ditches
Sub 11 of the West Prong of the Beaverdam Tax Ditch lies on the southeastern portion of the site. Tax ditches are man-made channels created to move normal water flow off agricultural lands. These channels have associated tax ditch Rights-of-Way (ROW) that are utilized for access as well as sediment and debris disposal during maintenance. Tax ditch ROWs vary by channel size and location. Sub 11 of the West Prong of the Beaverdam Tax Ditch has a 48-foot to Centerline (CL) ROW extending into the project boundary.

- Development of the site may result in a change to the drainage pattern and associated tax ditch watershed boundaries. To change existing tax ditch watershed boundaries, a Court Order Change must be submitted by the DNREC Drainage Program. To initiate this process, complete and submit the attached Land Development Project Review Request form.

- If the site and/or stormwater management features are designed to discharge into Sub 11 of the West Prong of the Beaverdam Tax Ditch, located at the southeast corner of the site, design must consider existing conditions versus design specifications. Please consult with the DNREC Drainage Program for As-Built design information if necessary.

- Contact the DNREC Drainage Program to discuss the on-site tax ditch ROWs prior to the project application meeting with the appropriate plan review agency for construction stormwater management.

- Permanent obstructions including, but not limited to, stormwater management facilities, buildings, sheds, streets, wells, and septic systems are not allowed within the tax ditch ROWs.

- Existing tax ditches on the property must be surveyed and compared to tax ditch design specifications for effective function. The channel should be cleared or excavated prior to the construction of the project if needed.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/
Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines:
https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

Hydrologic Soils Group

Hydrologic Soil Group C and D, poorly drained soils, have been identified on nearly 95% of the site. These soil types could worsen existing drainage issues if present and are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins. These practices must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

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/

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

Proposed Project Parcel Flood Concern

- This parcel is located within an area of **Minimal Flood Concern of 1,000 years or greater**.

Parcel Status within County Evacuation Zone Location

- The parcel is not yet located within a Kent County Evacuation Zone.

Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

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

- The Delaware State Historic Preservation Office does not recommend or support development in Level 4 areas. There are no archaeological sites or historic properties on the parcel. The waterways in the area have been heavily channelized but it appears the nearest natural body of water is the very end of the Nanticoke River over 4,000 feet away. Soils are poorly drained. There are three archaeological sites within a mile of the project area. Two are precontact one is historic. There is a known cemetery on the neighboring parcel to the southeast. The project area had a moderate potential for precontact archaeological resources.

- The Delaware SHPO recommends an archaeological survey prior to any ground disturbing activities and ask that the applicant to be aware of the Unmarked Human Skeletal Remains Law (Del. C. Title 7, Ch.54). If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office.

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

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 Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

DNREC reviewers recognize that there is no development proposal at this time, and this application is only seeking to rezone from AR to BG. Should this parcel be developed in the future, please be aware of the following environmentally sensitive features on-site.

Tax Ditches

- All existing 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.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/
Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines:
https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

Aglands Preservation District

The proposed project is adjacent to and shares property boundaries with an Aglands Preservation District (Kauffman Expansion of the Mitchell-Quillen District). Adjacent properties may be impacted.

- DNREC reviewers request that a 50-foot vegetated buffer is placed between this project and the Aglands Preservation District to minimize any potential noise/dust nuisances coming from the farm. Buffers should be maintained with a mix of native species. Please reach out to the Delaware Department of Agriculture (DDA) for further information.

Contact: DDA Aglands Preservation and Planning Section at (302) 698-4530.
Website: https://agriculture.delaware.gov/agland-preservation-planning/

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

Population

- The county has a population density of 310.20 persons per square mile based on the US 2020 Census report; an increase from 2010 at 271.30 persons per square mile. The specific census block(s) the project is located on has a total population of 31 persons, though, with development, this will undoubtedly change. The 7 adjacent blocks aggregated bring the area to a total population of 213 persons.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.



- According to FEMA's National Risk Index, the parcel **is** considered **relatively moderate** for overall natural hazards risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience is rated as **relatively high** whereas its social vulnerability is rated as **relatively moderate.**

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **electricity** as the predominant fuel type for heating purposes.

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs or solar panels where applicable and allowable, and the like.

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

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, 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,

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

Attachment:

- 2025-07-06 Tax-Ditch-Land-Development-Project-Review-Request-Form.pdf
- Dover / Kent MPO Comments

Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Tax Ditch Land Development Project Review Request Form

Project Name: _____

Attach Site Plan of proposed request(s) and include all structures, easements, setbacks, etc. that make your proposal as requested necessary. Include and label existing tax ditch channel and rights-of-way for comparison.

Check out de.gov/taxditchmap to view tax ditch channels and rights-of-way from any web browser. To download the tax ditch GIS Feature Service layer to your own application, visit Delaware FirstMap. Don't forget to label all tax ditch features in all your plans!

Project Representative/Consultant Information:

Name(s): _____
Company: _____
Title(s): _____
Phone Number(s): _____
Email(s): _____

Owner(s) Contact Information:

Name: _____
Phone Number: _____
Email: _____

Authorized Signer(s) Contact Information (when applicable):

Name: _____
Title: _____
Phone Number: _____
Email: _____

For Internal Use Only
Date Received: _____
Tracking #: _____

Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Property Information:

Tax Parcel(s) Affected: _____

Tax Ditch Organization(s) Affected: _____

Request(s) of / Proposed Impact(s) to Tax Ditch System (Check all that apply):

☐	Outfall/Discharge into Tax Ditch Channel(s)
☐	Pipe Crossing/Entrances in Tax Ditch Channel(s)
☐	Relocate/Eliminate Tax Ditch Channel(s)
☐	Reduce/Increase Tax Ditch Rights-of-Way
☐	Change Tax Ditch Watershed Boundary
☐	Alteration of Existing Tax Ditch Channel(s)
☐	Utility Crossing in Tax Ditch Channel
☐	Other Explain:

Based on the options selected above, additional information may be requested.

Please specify Tax Ditch Channel(s) affected, existing and requested tax ditch rights-of-way extents whenever applicable, using the space below. (REQUIRED)

Submit all forms to the DNREC Drainage Program
Via email: DNREC_drainage@delaware.gov
Subject Line: Tax Ditch- Land Development Request

For questions about this form please call the Tax Ditch Program at 302-855-1930.

For Internal Use Only
Date Received: _____
Tracking #: _____

DOVER/KENT COUNTY MPO
METROPOLITAN PLANNING ORGANIZATION

ADVISORY BRIEF

TO: Delaware Office of State Planning Coordination

FROM: Malcolm Jacob

DATE: 7/30/2025

SUBJECT: PLUS Comments 7/2025

Dear Members of the OSPC,

Attached, please find comments submitted by Dover Kent MPO for each of the current Preliminary Land Use Service (PLUS) project reviews in Kent County. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

Projects were reviewed during the PLUS meeting of **Wednesday, July 30, 2025**, and comments are being submitted as a follow-up to this meeting. Please reach out to the MPO if further input is needed.

Sincerely,

Malcolm Jacob
Transportation Planner
Dover/Kent County Metropolitan Planning Organization
Malcolm.Jacob@doverkentmpo.org
(302) 387-6030
https://doverkentmpo.delaware.gov/

1. Barratt's Landing Subdivision (2025-07-04)

Barratts Chapel Road is classified as a major collector road, and with the projected growth in the area, it is expected to see increasing capacity issues in the coming years. According to data from DelDOT, this portion of the road sees an Average Annual Daily Traffic (AADT) of 1,876.[1] The addition of 243 single family lots could add as many as 2,430 new trips each day, further exacerbating the road network's capacity issues.

With these conditions in mind, a second entrance to the neighborhood would be beneficial. Both entrances would have to connect to Barratts Chapel Road, but one could be positioned to the southeast and the other to the northwest. By doing this, the two entrances would be approximately 600 feet apart from each other. This solution would allow for a better flow of traffic to and from the neighborhood, reduce congestion during peak hours, and allow access by emergency vehicles even if one of the two entrances was blocked.

It will be necessary to follow the Kent County Code regarding linkage streets to neighboring properties.[2] Although the neighborhood to the north is already being built, and therefore a connection in this direction is unlikely, it is still possible for the property to the south to be developed at a later date. Reserving the right-of-way and adding a stub street to this neighboring property would provide a valuable connection.

The applicant will also need to follow the Kent County Code regarding both frontage and internal sidewalks. These should be added to both sides of the street throughout the subdivision and along the property's frontage, they should be built at a minimum width of 5 feet, and they should be separated from the curb by a minimum distance of 3 feet. ADA access ramps will also be needed at street crossings.[3] A shared use path would be most beneficial along the property's frontage, but at minimum a sidewalk with the above requirements should be included.

Finally, it is worth noting that Dover Kent MPO has studied Barratts Chapel Road and other nearby roads as part of the *South Central Kent County Circulation & Sufficiency Study*. Although the study does not address the project location directly, it does recommend several improvements along Barratts Chapel Road, such as a four-way stop at the intersection with McGinnis Pond Road (approximately two miles to the west of the project location).[4] These improvements will be needed in the near-future due to the corridor's worsening capacity issues.

[1] "Traffic Counts." Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/e8679c5c19e14bafbff864eeaf553251.
[2] "§ 187-58 Street layout." Kent County, DE Code. https://ecode360.com/7601066#7601079.
[3] "§ 187-60 Sidewalks." Kent County, DE Code. https://ecode360.com/7601066#7601123.
[4] *South Central Kent County Circulation & Sufficiency Study*. Dover/Kent County MPO (2025). https://doverkentmpo.delaware.gov/files/2025/05/SC-Kent-Circulation-Sufficiency-Study-FINAL.pdf#page=61.

2. Rezoning Webb/Thangavelu Parcel (2025-07-06)

Dover Kent MPO has no comment on the rezoning. However, it has an important recommendation to improve safety and connectivity in the area. The applicants indicated that they do not plan to add sidewalks to the frontage of the property. Dover Kent MPO strongly recommends that sidewalks be added when site development takes place. This portion of US13 is classified as a principal arterial, and it sees an Average Annual Daily Traffic (AADT) of 25,195.[5] It is not safe for pedestrians or bicyclists, having few existing sidewalks and a Level of Traffic Stress (LTS) of 3 (which means it is generally used by more experienced bicyclists).[6] Although there are virtually no sidewalks in the area at this time, future commercial and residential development could change the area's conditions. If this were to happen, sidewalks would be beneficial for connecting the property with neighboring locations and allowing safe pedestrian travel, which is why the MPO recommends they be a part of this development project.

The applicants should refer to the Kent County Code regarding sidewalks along a property's frontage. These are to be built at a minimum width of 5 feet, they should be separated from the curb by a minimum distance of 3 feet, and they should include ADA access ramps and be free of utility poles and other obstructions. Sidewalks are to be included with any project on an arterial or collector road that requires Regional Planning Commission or Levy Court approval.[7]

[5] "Traffic Counts." Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/e8679c5c19e14bafbff864eeaf553251.
[6] "Bicycle/Pedestrian/Trails and Pathways." Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/7e27bdc85b3b463f8699abb86919e49e.
[7] "§ 187-60 Sidewalks." Kent County, DE Code. https://ecode360.com/7601066#7601123.