



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

July 24, 2023

Mark Ziegler  
McBride & Ziegler, Inc.  
2607 Eastburn Center  
Newark, DE 19711

RE: REVISED PLUS review – 2023-06-04; 610 W 7<sup>th</sup> Street, Revised 7/24/2023

Dear Mr. Ziegler:

Thank you for meeting with State agency planners on June 28, 2023 to discuss the site plan for 610 W 7<sup>th</sup> Street. According to the information received, you are seeking review of a proposed site plan for the construction of 10 apartment buildings containing a total of 396 units and a 2,400 SF clubhouse.

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 as the City of New Castle is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.**

### **Strategies for State Policies and Spending**

This project is 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.

Development in Level 1 is consistent with the 2020 Strategies for State Policies and Spending; the Office of State Planning Coordination has no objections to this site plan provided it meets the relevant codes and ordinances of the City of New Castle.

## **Code Requirements/Agency Permitting Requirements**

Department of Transportation – Contact Stephen Bayer 302-760-4834

- This project is located within the regulated airspace zones of New Castle Airport (ILG) which is a public-use facility. Federal Aviation Regulation (FAR) Part 77 imposes height restrictions on any structures within these zones. DelDOT requires that the applicant for this project submits a “Proposed Construction/Alteration in Airport Zones Notification Form” in accordance with Delaware Code (2 Del. C. § 602).

This notification form can be submitted during the plan approval process with the local land use jurisdiction, but DelDOT’s Office of Aeronautics is willing to test hypothetical height numbers to prevent any future project complications. Please contact Mr. Steve Bayer with the Office of Aeronautics at (302) 760- 4834 or [stephen.bayer@delaware.gov](mailto:stephen.bayer@delaware.gov) with any questions or concerns. A copy of the notification form can be found at this address:

[https://www.deldot.gov/Programs/aviation\\_svcs/pdfs/aviation\\_obstruction\\_review\\_for\\_m.pdf?012913](https://www.deldot.gov/Programs/aviation_svcs/pdfs/aviation_obstruction_review_for_m.pdf?012913).

- The project has frontage along the Norfolk Southern Corporation rail line. The applicant is to work with the railroad program manager for DelDOT, Rich Sinegar. Mr. Sinegar can be reached at [Richard.Sinegar@delaware.gov](mailto:Richard.Sinegar@delaware.gov) regarding any requirements associated with the rail line when the project comes in for plan review.
- The project is located within the control zone of Harriet Tubman Underground Railroad and the Delaware Bayshore Byways. Delaware State Code Title 17, Chapter 1, Sections 190-194 and Title 17, Chapter 11, Sections 1101-1120 with applicable amendments apply.
  1. No new billboards, variable message boards, or electronic changing message sign(s) anywhere on or off W. 7<sup>th</sup> St. Any such structure or fixture shall be 660 feet away, i.e., any closest byway right-of-way edge.
  2. No off-premises advertising on the property for others within 660 feet of W. 7<sup>th</sup> St., e.g., displaying on-site the bank/financial institution funding the project or the contractor building the project.
  3. In addition, New Castle County code - Byways Ordinance 22-071 (Substitute 1) applies:
  4. <https://www.newcastlede.gov/DocumentCenter/View/47535/22-072>

- The site access points on West 7<sup>th</sup> Street (New Castle Road 378) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at [https://www.deldot.gov/Business/subdivisions/pdfs/Meeting\\_Request\\_Form.pdf?08022017](https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017).
- Each segment of State maintained road is assigned a Functional Classification in accordance with the States Functional Classification Map. Definitions of these classifications are found in Sections 1.6.4 to 1.6.8 of the Manual. The existing design of the road is not required to meet the design standards of the functional classification at the time the classification is assigned. All access designs shall meet the standards set forth in the Manual for the assigned functional class of the frontage road and/or affected segment of road. The developer is responsible for improving the segment of road along their site's frontage to meet the design standards.
- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development (LUC 220/396 Units and LUC 435/2,400 sf) would generate 2,614 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 146 and 191, respectively. Therefore, a TIS would normally be required.
- The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. In addition to whatever other offsite improvements may be identified, DelDOT anticipates requiring the developer to improve W 7<sup>th</sup> Street within the limits of their frontage, to meet DelDOT's standards associated with their Functional Classifications. W 7<sup>th</sup> Street is a Minor Arterial Road, for which the standard includes 12-foot lanes and 8-foot shoulders. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway.

Questions regarding the requirement to improve the site frontage should be directed to the Acting New Castle County Review Coordinator, Mr. John Pietrobono. Mr. Pietrobono may be reached at is [john.pietrobono@delaware.gov](mailto:john.pietrobono@delaware.gov) or (302) 533-3966.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline of W 7<sup>th</sup> Street. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from outmost edge of the through lanes of W 7<sup>th</sup> Street. The following right-of-way dedication note is required, **"An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 300 feet of the proposed entrance on W 7<sup>th</sup> Street.
  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required. Continue sidewalk to the property line, should follow projected property line. Sidewalk and curbing may need to be upgraded.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along W 7<sup>th</sup> Street.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated. Aerial Utilities lines seem low. Please verify height.
- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DelDOT shall be shown on the Record Plan. It is recommended to place a "Pull Off" at this stop and Turn Around for transportation vehicles. Install bicycle lane within turn lane and provide covered bicycle parking.

DART First State – Contact Jared Kauffman 302-576-6062

- A bus stop and pull off are needed on 7<sup>th</sup> Street placed before the entrance.
- The developer should coordinate with DART for needed transit facilities both within DelDOT Right-of-Way and internal to the site.
- In order to encourage the use of non-motorized travel and accommodate those in need of affordable transportation, it is recommended to provide covered bicycle parking near the apartment buildings.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 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 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.

### **Concerns Identified Within the Development Footprint**

#### **Wetlands and Subaqueous Lands**

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site. The application indicates that wetlands have been delineated. The application proposes to disturb approximately 2 acres of non-tidal wetlands.

#### **Requirements:**

- Federal permits from the U.S. Army Corps of Engineers may be necessary if dredge or fill is proposed in non-tidal wetlands or streams. A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the U.S. Army Corps of Engineers to determine the appropriate permitting requirements if federal permits are required.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.

Website: <https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/>

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

#### **Vegetated Buffer Zones**

Site plans do not show a vegetated buffer along non-tidal wetlands. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

#### **Requirements:**

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Special Flood Hazard Area**

According to the newest Flood Insurance Rate Maps (FIRM), most of this parcel is situated within a Special Flood Hazard Area, specifically within the mapped 100-year floodplain (1% annual chance of flooding). The Special Flood Hazard Area identified on the site lies within zone AE. In lands contained within the 100-year floodplain, the National Flood Insurance Program's floodplain management regulations must be enforced through the local floodplain ordinance, which can have higher standards. Structures and features such as homes and roadways are proposed within the floodplain. A portion of this site is also situated within the moderate risk floodplain, or 500-year floodplain (0.2% annual chance of flooding), identified as a shaded zone-X.

#### **Requirements:**

- The applicant must comply with the local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at <https://floodplanning.dnrec.delaware.gov/>
- If fill is to be placed in floodplain to increase grade elevation to raise proposed development out of mapped floodplain, a Certified Letter of Map Revision – Fill (CLOMR-Fill) request should be submitted to FEMA for review followed by an application to FEMA for a Letter of Map Revision (LOMR) at completion. Please note that a property will not be officially recognized by FEMA as being located out of the mapped floodplain until a LOMR has been issued.

Contact: DNREC Shoreline and Waterway Management Section at (302) 739-9921.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/waterways/floodplains/>

### **Stormwater Management**

The project proposes greater than 5000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

#### **Requirements:**

- 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 New Castle Conservation District.
- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through

submission of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.delaware.gov/enoi/>, 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: New Castle Conservation District at (302) 832-3100, Ext. 3.

Website: <https://www.newcastlecd.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

### **Current or Previous Contamination**

The proposed project lies within an identified brownfield site, DE-1474. A brownfield investigation was completed in 2009. The investigation found exceedances of metals and semi-volatile organic compounds (SVOCs) in both soil and groundwater. In September 2022, Freedom Development LLC expressed interest in the site through the Brownfields program. Additional sampling was planned to supplement the existing data from the previous brownfield investigation (BFI), which is now approximately 14 years old. A Brownfields Development Agreement was drafted but was not signed by the developer. The site is not currently suitable for residential use.

### **Requirements:**

- Continue working with the DNREC Divisions of Waste and Hazardous Substances Remediation Section to complete environmental investigations of the project site and identify remediation actions to be conducted prior to any development.

Contact: Gina Marinacci (302-395-2616 or [gina.marinacci@delaware.gov](mailto:gina.marinacci@delaware.gov))

Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600.

Website: <https://dnrec.alpha.delaware.gov/waste-hazardous/remediation>

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

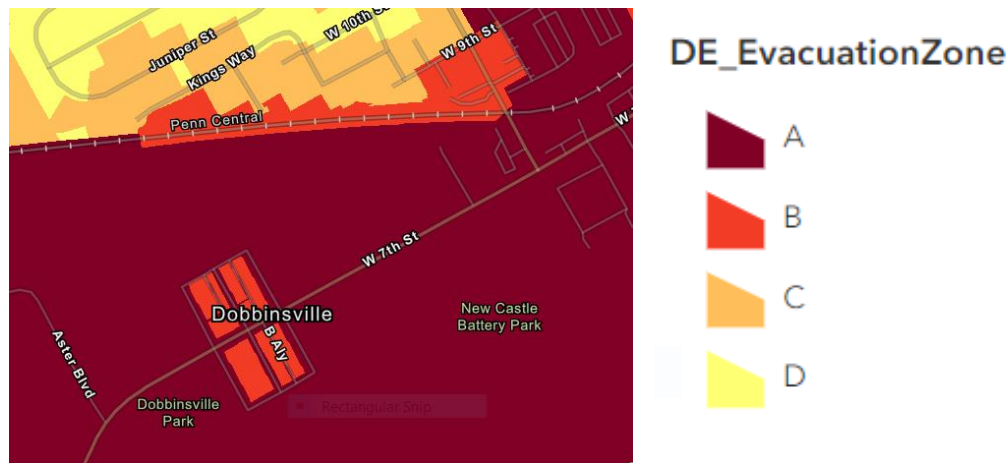
### **Proposed Project Parcel Flood Concern**

- This/These parcel(s) is/are located within an area of **1% Flood Concern for 100 years**.

### **Parcel Status within County Evacuation Zone Location**



- The parcel(s) is/are located within the **New Castle County** Evacuation Zone **A**.



\*\*\*DEMA recommends and encourages the **County Evacuation Zone Location** to be made publicly available to businesses and patrons through signs, pamphlets, or other means.

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

- The parcel(s) **are not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

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

- While there are no archaeological sites within the parcel, the area has not been subjected to systematic archaeological survey. The potential for precontact and historic period archaeological resources in the western portion of the parcel is medium. The level of disturbance that has occurred is unclear but appears somewhat minimal.
- An archaeologist should be hired to assess the level of disturbance that has occurred, particularly in the western portion of the project, as well as to assess the parcel for the potential to contain archaeological deposits prior to any ground disturbance.

#### 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.

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulations (DSFPR):

### **Fire Protection Water Requirements**

- Water distribution system capable of delivering at least 1,000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for mixed occupancy use sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

### **Fire Protection Features**

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane access and marking requirements.
  - Show Fire Department Connection locations (must be within 300 feet of fire hydrant) and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR.
- Fire standpipe systems may be required for each building.
- The proposed community center may require a fire sprinkler system based on use and occupant load.

### **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that any access roads must be constructed so fire department apparatus may negotiate it.
- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

### **Gas Piping and System Information**

- Provide type of fuel proposed and show locations of bulk containers on plan.

### **Required Notes**

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations.”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered.
- Name of Water Provider
- Letter from Water Provider approving the system layout.
- Provide Lock Box Note (as detailed in DSFPR) if any buildings are to be sprinklered.
- Provide Road Names, even for County Roads

**Please note that this project has not been reviewed for adequacy of emergency responder (fire, emergency medical services, law enforcement) response.**

### **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 Transportation – Contact Stephen Bayer 302-760-4834**

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to W 7<sup>th</sup> Street.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

### **Wetlands and Subaqueous Lands**

- Do not disturb wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants, and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.

Website: <https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/>

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

### **Vegetated Buffer Zones**

- Incorporate a 100-foot vegetated buffer zone from the edge of wetlands and all waterways to protect water quality and to provide an additional margin of safety for flooding.
- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.
- Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is

shrinking due to development and climate change.

- Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

### **Sea Level Rise**

Portions of this site are vulnerable to permanent inundation from sea level rise. By 2050, mean sea levels are projected to rise by 0.7 – 1.9 feet; by end of century sea levels are projected to increase by 1.7 – 5.0 feet. Buildings and roadways are proposed on land subject to inundation by sea level rise between 1 and 5 feet. In addition to permanent inundation, as mean sea levels rise, the frequency and severity of tidal flooding events is expected to increase.

- In areas within 5 feet of mean sea level, avoid construction of permanent structures and infrastructure. All infrastructure and structures on the site should incorporate the effects of sea level rise through the expected lifespan of the structures. This may include increasing freeboard of structures, ensuring that critical infrastructure is elevated to withstand future sea level rise, construction of flood control measures, and incorporating green infrastructure for flood control.

Contact: DNREC Climate and Sustainability Section at (302) 735-3480.

Website: <https://dnrec.alpha.delaware.gov/coastal-programs/planning-training/adapting-to-sea-level-rise/>

### **Special Flood Hazard Area**

- Locate all structures outside of the floodplain. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

Contact: DNREC Shoreline and Waterway Management Section at (302) 739-9921.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/waterways/floodplains/>

### **Marsh Nesting Birds**

The marsh at this project site does not appear to be high quality nesting habitat for any marsh bird species; however, it is possible that marsh nesting birds occur here.

- Project equipment should be staged away from surrounding marsh habitat.

- While we do not request any time of year restrictions for this project, if feasible, it would be best for the work near the marsh to be completed before April 1 or after July 31, and if that is not possible, the next best option would be before June 1 and after July 31.
- In the interest of water quality and wildlife habitat, we recommend maintaining an upland buffer of at least 100 feet along rivers, streams and wetlands. This recommendation is based on peer reviewed research that suggests that buffer values increase noticeably with widths of 100 feet or more. This buffer should not be a maintained lawn area and should not contain lot lines or infrastructure. We recommend the buffer area be comprised of the existing vegetation or planted with Delaware native species of trees, shrubs, grasses or wildflowers.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/conservation/>

### **Mosquitoes**

The project is expected to be impacted by mosquitoes due to its location near large expanses of wetlands. Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands for mosquito control services beyond what DNREC has the resources to provide.

- If necessary, arrange for long-term mosquito control services through a private company licensed in this area of specialty. In some cases, the DNREC Mosquito Control Section may be able to provide these services free of charge.

Contact: DNREC Division of Fish and Wildlife, Mosquito Control Section at (302) 739-9917.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/>

### **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: New Castle Conservation District at (302) 832-3100, Ext. 3.

Website: <https://www.newcastlecd.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

### **Drainage**

- 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 Subaqueous Lands 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.alpha.delaware.gov/drainage-stormwater/>

### **Additional Sustainable Practices**

- Install electric vehicle (EV) charging stations for your residents. Residents will increasingly expect options for EV charging. Installation costs can vary significantly depending on the parking and electricity distribution at a given location, so it is often easier and cheaper to plan for the installation at construction, rather than doing costly retrofits later. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/>).
- Use renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).
- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.
- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.

Website: <https://dnrec.alpha.delaware.gov/climate-coastal-energy/>

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

### Population

- The county has a population density of **1,321.50** per square mile based on the US 2020 Census report: an increase from 2010 at **1,241.00** persons per square mile.
- The specific census block(s) the project is located on has a total population of **37**, though, with development, this will certainly change.
- The adjacent blocks aggregate brings the area to a total population of **1,036**.

### FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk of 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hal, 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.

Expected Annual Loss

× Social Vulnerability

÷ Community Resilience

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= Risk Index



- According to FEMA's National Risk Index, the parcel(s) is considered **very low** for overall natural hazard 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** while its social vulnerability is rated as **very low**.

### **Renewable Energy Commitment**

- 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 where applicable and allowable, and the like.

### Delaware State Housing Authority - Contact Karen Horton 302-739-4263

- DSHA supports the proposed site plan for the construction of 10 multi-family housing building containing 396 units on 16.3 acres 610 W. 7<sup>th</sup> Street and 200 Larkin Street in Town of New Castle. While market-rate, multi-family rental units offer a **more** affordable option to the many county residents experiencing housing insecurity. The severity of the housing crises is acute and well documented, whether it is through a continued increase in homelessness (particularly families with children), increased cost burden, or lack of units. It is important to highlight that these proposed housing challenges are disproportionately experienced by racial and ethnic minorities. The additional units will help alleviate this crisis experienced by so many residents.
- Due to the proposal's intensity, we recommend a site layout and design measures that are human-scaled and pedestrian-oriented to seamlessly connect the site with the nearby historic downtown. This can be accomplished by incorporating attractive

streetscapes, visually appealing façade treatments, and significant landscaping measures and hardscape.

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](http://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,

A handwritten signature in black ink, appearing to read 'D. Edgell', with a stylized, cursive script.

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