



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

May 20, 2024

Robert Palmer
Beacon Engineering, LLC
23318 Cedar Lane
DE, Georgetown 19947

RE: PLUS review – 2024-04-05; Procter & Gamble Warehouse Expansion

Dear Mr. Palmer:

Thank you for meeting with State agency planners on April 24, 2024, to discuss the Procter & Gamble Warehouse Expansion. According to the information received, you are seeking review of a proposed site plan for a 110,000 SF expansion of the existing JE warehouse and 20,000 SF expansion of warehouse 3 as well as improved truck storage and parking. This project is on 13.6 acres zoned IPM (Industrial Park Manufacturing).

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 the City of Dover 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. This site is located in the City of Dover and consistent with their Comprehensive Plan.

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 has no objections to this site plan, provided it meets the relevant codes and ordinances of the City of Dover.

Code Requirements/Agency Permitting Requirements

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

- This project is located within the regulated airspace of Dover Air Force Base (DAFB). 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. Austin Gray with the Office of Aeronautics at (302) 760-2145 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.
- Any site access points onto State maintained roads 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>.
- 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.
- 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 30 feet of right-of-way from the physical centerline of West North Street along the site’s frontage. 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.
 - 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.
- 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>. Based on the updates to this project since the original Auxiliary Lane Worksheet submission a new sheet is necessary.
- 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.

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

- A Type 2 (5x8) bus stop pad is needed on Hazlettsville Road.
- Bicycle parking is recommended.

Department of Natural Resources and Environmental Control (DNREC) – 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.

Special Stormwater Management Requirements

Time stormwater release exists for the stormwater system receiving any additional flow volume to lessen flooding conditions downstream.

- The project applicant must consult with the Kent Conservation District on the timing of stormwater released into this system.

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/>

General Stormwater Management Requirements

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/>

Industrial Stormwater

This site may hold an existing industrial stormwater discharge permit under the National Pollutant Discharge Elimination System.

- The applicant must contact the DNREC Surface Water Discharges Section to determine regulatory requirements.

Contact: DNREC Surface Water Discharges Section at (302) 739-9946.

Website: <https://dnrec.delaware.gov/water/commercial-government/npdes/industrial-stormwater/>

Wetlands and Waterways

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site, as also marked on the preliminary plan. The application indicates that wetlands have been delineated, with no direct impacts to the wetlands expected.

- If the site design changes and dredge or fill of wetlands or waterways becomes necessary, permitting and/or authorization requirements may apply.
- Federal permits from the U.S. Army Corps of Engineers may also be necessary if plans change and 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 Waterways Section at (302) 739-9943.

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

Wellhead Protection Area

A Wellhead Protection Area is located at the far southeastern 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 Wellhead Protection Areas.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.

Website: <https://dnrec.delaware.gov/water/supply/ground-water-protection/>

Excellent Groundwater Recharge Area

An Excellent Groundwater Recharge Area is located on the western half of the property. The proposed tractor trailer expansion and 110,000 square foot building expansion, as designed, would sit immediately over this Excellent Groundwater Recharge Area. 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/supply/ground-water-protection/>

Previous Contamination

DNREC records indicate that contamination has occurred on the project site. Records show that Scott Paper Company - Dover Plant (project ID DE-060) is a closed remediation site under the Hazardous Substance Cleanup Act (HSCA).

- No issues have been identified at this time. Contact the DNREC Remediation Section for any concerns.
- Additional information may also be found online by searching Delaware's Environmental Navigator at <https://den.dnrec.delaware.gov/>.

Contact: Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600. Website: <https://dnrec.delaware.gov/waste-hazardous/remediation/>

Leaking Underground Storage Tanks

Based on DNREC records, there has been one or more confirmed leaking underground storage tank(s) located on the proposed site.

- Additional information may be found online through Delaware's Environmental Navigator at <https://den.dnrec.delaware.gov/>.
- Contact the Division of Waste and Hazardous Substances Remediation Section to determine the status of the remedy for the leaking underground storage tank and any associated restrictions.
- If any indication of a Release of a Regulated Substance from a tank is discovered, the Responsible Parties shall report it within 24 hours: 24-hour Release Hot Line, (800) 662-8802.

Contact: Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600. Website: <https://dnrec.delaware.gov/waste-hazardous/remediation/>

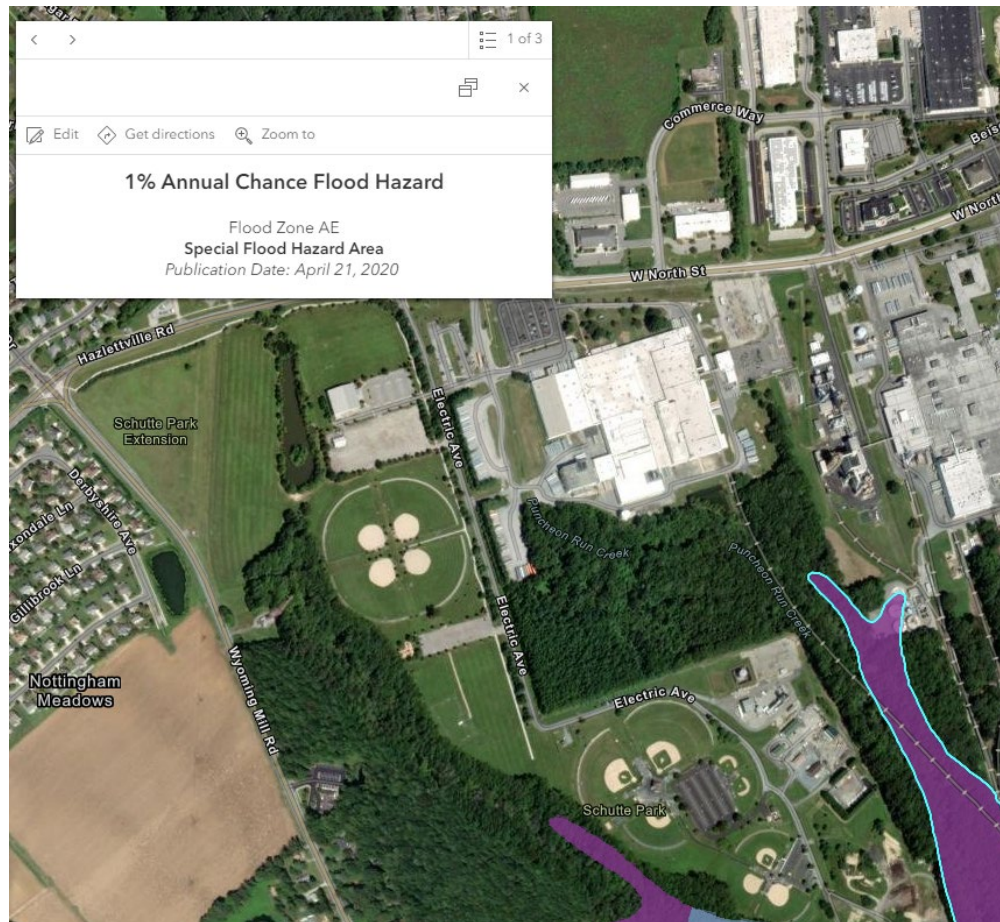
Delaware Department of Agriculture (DDA) – Contact Milton Melendez 302-698-4500

- No Delaware Department of Agriculture code or regulations apply to this PLUS project.

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

Proposed Project Parcel Flood Concern

- The majority of this parcel primarily is located within an area of **Minimal Flood Concern of 1,000 years or greater** and therefore no direct concern; however, the southeastern portion borders a Special Flood Hazard Area identified as Flood Zone AE—a 1% Annual Chance Flood Hazard or 100-year Flood Plain—that follows the Beaver Dam Creek. Though no construction appears to be directly within the flood zone.



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 (SHPO) – Contact Carlton Hall 302-736-7400

- There are no known archaeological sites or known National Register-listed or eligible properties on the parcel.
- The proposed expansion includes expanded truck storage and stormwater management on the southwestern portion of the parcel. The southwestern portion of the parcel is adjacent to a stream and is composed of well-drained soils.
- There are considered favorable conditions for past human occupation. Historic maps and aerials show an occupation in the southwestern corner of the parcel. Due to known occupation, there is high potential for historic archaeological sites.
- Our Office recommends an archaeological survey prior to any ground disturbance for the proposed Trailer Lot B/C and stormwater pond. The developer should be aware of Delaware's Unmarked Human Remains Law (Del. Code Title 7 Chapter 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.

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 (DelDOT) – Contact Stephen Bayer 302-760-4834

- 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 (DNREC) – Contact Beth Krumrine
302-735-3480

Wetlands and Waterways/Vegetated Buffer Zones

- As proposed, implement an upland buffer of at least 100 feet along all wetlands (or increase the wetland buffer to 100 feet across the entire site), including those containing existing forest or natural vegetative cover.
- Use wide, open bottom box culverts to allow for passage of amphibians.
- Maintain habitat connections to undeveloped open space, which are especially important for species movement across the landscape.
- 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.
- 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.delaware.gov/fish-wildlife/contact-information/>

Land and Water Conservation Fund or Outdoor Recreation, Parks, and Trails

This site is adjacent to Schutte Park, a property that is held under Outdoor Recreation, Parks, and Trails (ORPT) protection. State grant funding was specifically used to improve public-use areas such as playgrounds, trails, and other recreational opportunities.

- It is recommended to extend the existing raised berm and plant evergreen trees sufficient to continue the existing tree line the full length of said berm. The berm should run the full length of the proposed parking lot edge facing Schutte Park.

Contact: DNREC Division of Parks and Recreation, Parks Resource Office at (302) 739-9215.

Website: <https://dnrec.delaware.gov/parks/planning/recreation-parks-trails/>

Removal of Forest

The preliminary plan proposes to remove 3.8 acres of forest on the site, while allowing 33.8 acres of forest to remain intact. The removal is limited to the placement of a stormwater management pond and the expansion of trailer drop lot B/C.

- Removing forested areas for development should be avoided to the greatest extent possible.
- In general, contiguous forest and connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement from one area to another while reducing roadway mortality.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

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

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

Water Quality

- 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 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.

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

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 Source Water Assessment and Protection Program at (302) 739-9945. Website: <https://dnrec.delaware.gov/water/supply/ground-water-protection/>

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/>

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 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.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <https://dnrec.delaware.gov/drainage-stormwater/>

Sustainable Practices

- On large expanses of impervious surfaces and asphalt, design parking areas to include trees for shading.
- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

- Consider installing electric vehicle charging stations for staff/visitors. 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 80% 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.delaware.gov/climate-coastal-energy/clean-transportation/>).
- Consider using 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.delaware.gov/climate-coastal-energy/renewable/assistance/>)).
- Consider planting stands of native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.
- 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.delaware.gov/climate-coastal-energy/>

Delaware Emergency Management Agency (DEMA) – 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 15 persons, though, with development, this will undoubtedly change. The 15 adjacent blocks aggregated bring the area to a total population of 1230 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.

Expected Annual Loss

× Social Vulnerability

÷ Community Resilience

= Risk Index

- According to FEMA's National Risk Index, the parcel **is** considered **relatively low** 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 at **relatively high** whereas its social vulnerability is rated as **very high**.

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **utility/natural gas** 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.

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". The signature is fluid and cursive, with a large initial "D" and a stylized "Edgell".

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