



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

February 23, 2015

Ms. Ann Marie Townshend
City of Dover
15 Loockerman Plaza
P.O. Box 475
Dover, DE 19903

RE: PLUS review 2015-01-06, City of Dover Comprehensive Plan Amendment

Dear Ann Marie,

Thank you for meeting with State agency planners on January 28, 2015 to discuss the proposed comprehensive Plan Amendment for the City of Dover. This amendment includes changes relating to land use classification for specific parcels located on North State Street between Silver Lake and Lepore Road, and an amendment to the text in the Growth And Annexation Plan to remove the requirement for the use of the cost-benefit analysis tool.

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.

Recommendations: Our office strongly recommends that the Town consider these recommendations from the various State agencies as you review your plan for final approval.

This office has received the following comments from State agencies:

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

- The proposed amendment to the future land use plan in the vicinity of N. State Street and Silver Lake from residential to commercial is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. Our office has no objections to redevelopment and new development in Investment Level 1 areas. In addition, our office has no objections to the proposed text amendment to the Growth and Annexation chapter. However, we still encourage the City to carefully evaluate the costs and benefits of potential annexations.

State Historic Preservation Office – Contact Terrence Burns 736-7404

- There is a historic house on this parcel, which we have not yet surveyed, and we would like the opportunity to take photos and document information about it. Furthermore, prior to any demolition or ground-disturbing activities, the land or property owner may want to

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

hire an archaeological consultant to examine the parcel for any potential archaeological site or archaeological resources, such as cemetery, burial site, or unmarked human remains.

- Furthermore, if there is any federal involvement with the project, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. Owners and developers who may plan to apply for an Army Corps of Engineers permit or for federal funding, such as HUD or USDA grants, should be aware of the National Historic Preservation Act of 1966 (as amended). Regulations promulgated for Section 106 of this Act stipulate that no ground-disturbing or demolition activities should take place before the Corps or other involved federal agency determines the area of potential effect of the project undertaking. These stipulations are in place to allow for comment from the public, the Delaware State Historic Preservation Office, and the Advisory Council for Historic Preservation about the project's effects on historic properties. Furthermore, any preconstruction activities without adherence to these stipulations may jeopardize the issuance of any permit or funds. If you need further information or additional details pertaining to the Section 106 process and the Advisory Council's role, please review the Advisory Council's website at www.achp.gov.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- We understand the City's reasoning in seeking to remove from their Plan the requirement for use of a Cost-Revenue Analysis Model. However, it still seems appropriate for the City to consider the relative costs and benefits of annexing a property in determining whether to do so. We recommend that language to that effect be added in place of the requirement for use of the model.

Once a decision has been reached on this proposed comprehensive plan amendment, please forward a copy of the plan amendment to the Office of State Planning Coordination for our records. The plan amendment must include a revised version of any maps that were updated as well as any text that was approved in amending the comprehensive plan.

Thank you for the opportunity to review this Comprehensive Plan amendment. If you have any questions, please contact me at 302-739-3090.

Sincerely,



Constance C. Holland, AICP
Director, Office of State Planning Coordination