



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF  
STATE PLANNING COORDINATION

November 16, 2004

Ms. Donna Anthony  
Town of Farmington  
47 Broad Street  
Farmington, DE 19950

RE: PLUS review – PLUS 2004-10-05; Town of Farmington Comprehensive Plan

Dear Ms. Anthony:

Thank you for meeting with State agency planners on October 27, 2004 to discuss the draft Town of Farmington Comprehensive Plan.

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. This office has received the following comments from State agencies:

**Office of State Planning Coordination – Contact: Herb Inden 577-5199**

The OSPC compliments the town for preparing a well done plan that is realistic in its goals and objectives for a town this size. This office will recommend that the plan be certified.

**State Historic Preservation Office (SHPO) – Contact: Anne McCleave 739-5685**

The SHPO stated that they are happy the Town and its residents respect the historic resources in Farmington and are glad to see the importance of their preservation stated in the Plan. Farmington is a historic town; however it is not listed in the National Register of Historic Places. There is only one property listed, the Tharp House, which is located just outside the northeast corner of town (K134). There is a historic district that has been determined as eligible for listing in the Register. The district boundaries are roughly described as including: the parcels on the north and south sides of Main Street from Flatiron Road to Broad Street; South on Railroad Avenue to School Street, to include the

parcels between Railroad Avenue and Broad Street and the parcels on the north side of School Street, between Broad Street and the alley; also includes two parcels on the south side of School Street, which includes the school building (Town Hall).

The Town is strongly encouraged to list the district in the National Register of Historic Places, which would allow property owners to take advantage of county, state, and federal tax incentives and grants to rehabilitate and maintain their properties. The Town would also be able to take advantage of preservation grants to help adapt and rehabilitate the school building into Town Hall. The Town can work with Kent County's Preservation Program and our office as they prepare to write the nomination.

On page 22, the Plan states that preservation and rehabilitation of existing homes in Farmington is encouraged. How will it be encouraged? Are there incentives the Town will use to encourage the preservation? It is suggested that the Plan include a statement on the desire to list the district in the National Register, which will encourage and allow the owners to take advantage of existing preservation incentives.

On page 24, Route 13 Frontage Annexation, the Town should be aware of the National Registered listed Tharp House and if and when annexation occurs, the Town should plan for the preservation of the property accordingly.

On page 31, the Plan suggests the adoption of architectural guidelines and/or standards. The SHPO supports this idea and would be happy to work with the Town as they develop the guidelines. They should also be aware of the subsequent review process necessary with the adoption of such guidelines.

Page 34, the Plan states that Farmington should protect its historic character by maintaining the current historic structures within the town; however it does not state how it intends to protect the character. Architectural guidelines are one solution; however incentives are important to offer the property owners who will have to follow and apply the guidelines. Therefore, we strongly encourage the listing of the historic district, which will allow the properties to be eligible for the incentives.

On page 35, the Plan states that the Town plans to promote and publicize existing state and county resources for repair and redevelopment of housing. The historic preservation tax credits that are available at the county and state level for historic properties should be included in the Plan, possibly in this section, to make property owners aware of such incentives and the potential historic district.

The SHPO realizes the Town was not obligated by law to include a historic preservation section in their Comp Plan, but is happy that they did place such an emphasis on their historic resources within the Plan. The SHPO would be happy to work with the Town as they continue to preserve the historic resources and list the potential historic district in the National Register of Historic Places. Please feel free to contact Anne McCleave at 302-739-5685 with any questions.

**Department of Transportation – Contact: Bill Brockenbrough 760-2109**

DelDOT congratulates the Town for having completed a thoughtful and well-written first plan.

- 1) It is suggested that the Town consider using the Plan to help create an identity for the Town and establish a specific revitalization strategy, possibly centered on the Town's history as an agricultural center and railroad stop.
- 2) On page 4, the Introduction, refers to the Plan as an advisory document in the second paragraph and as a legal document in the fourth paragraph. It should be made clear how this document serves both purposes.
- 3) On page 9, in Section 1-4, the Plan indicates that 18 questionnaires were returned but does not elaborate. In a town with an adult population of 60, that is a response rate of 30 percent, which is quite high. Such a high response rate should be recognized in the Plan.
- 4) On page 12, in Section 2-1, the Plan recommends that the Town develop the capacity to administer land use regulations and evaluate the need either to hire staff or to contract for services to carry out planning objectives and provide other services. These are large tasks for a small town with limited resources. The Plan should recommend how to accomplish these tasks or at least recognize how difficult they will be in the short term.
- 5) On page 13, in Section 2-2b, the Plan projects an increase in the population of Farmington even though that same section shows the population has fallen from 1990 to 2000 and Section 2-2g shows that the number of dwellings has fallen from 1990 to 2000. Given those decreases, the basis for the projected increase should be stated.
- 6) On page 21, in Section 2-3, Map 8 is referred to where Map 6 is meant.
- 7) On page 23, Section 2-3e refers to home-based businesses or "cottage industries". It may be worthwhile to examine the possibility of expanding these businesses into vacant buildings. Those buildings might serve as adaptive reuses for incubator businesses.
- 8) DelDOT supports the recommendation on pages 29 and 30, respectively in Sections 2-7a and 2-7f, that the Town work with DelDOT regarding redevelopment of commercial uses along Route 13 in a manner consistent with the Corridor Capacity Preservation Program (CCPP).

At the PLUS Meeting, Mr. Mark Davis of the Department of Agriculture indicated that his agency would like a more detailed treatment of how access

- would be provided under the CCPP. DelDOT has not developed the same sort of detailed plan for Farmington that they have for Harrington and Greenwood, but DelDOT would be willing to work with the Town in that regard if they are interested in doing so. It is recommended that the Town contact the CCPP manager, Mr. Charles Altevogt, in this regard. Mr. Altevogt may be reached at (302) 760-2124.
- 9) On page 30, Section 2-7e addresses speeding issues on Main Street and mentions traffic calming. Separate from traffic calming, but not addressed in the Plan, is the matter of the streetscape. It may be that drivers are speeding because they do not perceive that lower speeds are appropriate or it may be that pedestrians perceive vehicle speeds to be higher than they are because they must walk in or near the travel lane. If either is the case, improvements to the streetscape, such as landscaping, parking controls and sidewalks, may address the problem. These improvements may suffice, eliminating the need for traffic calming measures. If the Town is interested in pursuing that sort of improvement, our Transportation Enhancement (TE) program may be of assistance. Information on the TE program is available from our Assistant Director for Statewide and Regional Planning, Mr. Joseph Cantalupo. He can be reached at (302) 760-2121.
- 10) On page 30, in Section 2-7f, there is a recommendation that the Town work with DelDOT to pave North Railroad Avenue. From the Tax Parcel maps, it appears that North Railroad Avenue is part of the Norfolk Southern right-of-way and that the properties fronting on it are accessed by easement. Therefore, if that arrangement is satisfactory, the Town should work with Norfolk Southern to pave the street. Alternatively, the Town could ask Norfolk Southern to dedicate a right-of-way, encompassing North Railroad Avenue, to public use. If the railroad is amenable, the Town could then work with DelDOT to have the street added to our repaving program.

**The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-3091**

**General Comments**

The Department of Natural Resources and Environmental Control looks for the following to be addressed in a municipal comprehensive plan:

**I. Water and Sewer**

A water and sewer element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water (to include the identification of source water protection areas), and wastewater disposal for the area. The municipality, in conjunction with the State, shall assess their current, as well as projected, water needs and sources. The element shall describe the problems and needs and the general facilities

that will be required for solution of the problems and needs. The water and sewer element shall be developed in consultation with and reviewed by the Department of Natural Resources and Environmental Control. The water and sewer element shall include an assessment of fiscal considerations and shall be consistent with approved area-wide wastewater treatment Plans.

## **II. Conservation**

A conservation element for the conservation, use and protection of natural resources in the area and which results in the identification of these resources. At a minimum, the element shall consist of such natural area classifications as tidal and freshwater wetlands, woods, stream corridors and other habitat areas, geological areas, hydrological areas, floodplains, aquifer recharge areas, ocean beaches, soils and slopes. The land use map or map series contained in the future land use element shall generally identify and depict natural areas classifications, such as those enumerated in this section. The land uses identified on said maps shall be consistent with applicable state laws and regulations. Identification and depiction of the above shall be based on the best topographic maps and other information available from state and federal agencies or other sources that the municipality deems appropriate. The conservation element shall be developed in consultation with and reviewed by the Department of Natural Resources and Environmental Control.

## **III. Recreation and Open Space**

A recreation and open space element indicating a comprehensive system of public and private sites for recreation including, but not limited to, nature preserves, parks and playgrounds, greenways, water bodies including beaches and public access to beaches, open spaces and other recreational facilities should be included in the plan. A municipal recreation and open space plan is acceptable in lieu of a recreation and open space element. The recreation and open space element shall be consistent with the comprehensive land use plan. The element shall be developed in consultation with and reviewed by the Department of Natural Resources and Environmental Control and shall reflect the State's open space preservation and outdoor recreation planning activities.

## **IV. Drainage and Stormwater Management**

Municipalities developing comprehensive plan updates need to emphasize drainage as a necessary infrastructure element in areas targeted for growth and development. State stormwater regulations do not provide specific guidance for development in areas of poor drainage or historic flooding problems except for requiring a downstream study. Site-specific engineering solutions to poor drainage often end at the property line of the parcel being developed. A more comprehensive approach to providing drainage in areas being designated as growth centers will require coordination between the town or municipality, DNREC, and DelDOT.

## V. Total Maximum Daily Loads (TMDLs)

Municipal comprehensive plans should acknowledge any existing Total Maximum Daily Load regulations and how wastewater disposal and nonpoint sources of pollution should be addressed in response to those regulations.

### Water Supply

Although § 702 of Title 22, Delaware Code does not require the Town to address water supply issues, they have graciously done so in the planning goals cited below:

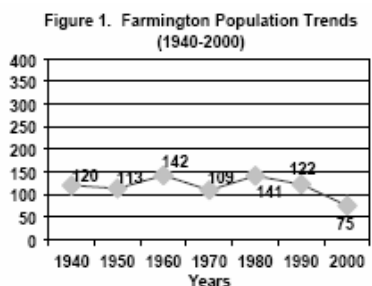
#### 1-5a Planning Goals

- *Develop a zoning ordinance and map to provide some certainty to land use in Farmington, protect property values, and encourage proper use of land in the town in support of this plan.*
- *Explore the possibility of developing a public water system to provide drinking water and fire protection for the residents and businesses in town.*

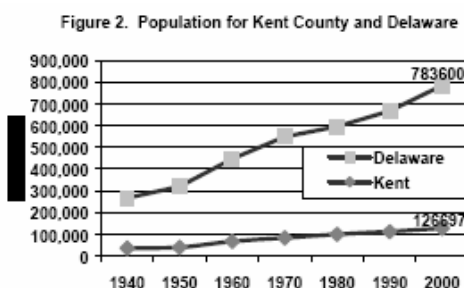
The current water supply system consists of domestic wells serving individual homes in the town, mostly using the Columbia aquifer. The three miscellaneous public systems in the area (Webb Acres Mini Mart, United Parcel Service and Nanticoke Homes) use deeper aquifers such as the Milford and Piney Point aquifers. There is ample capacity in any one of these aquifers to supply the public water supply needs of the Town at its current population.

The attached figure (Wells) shows no listed contamination sources in or around the Town. Although the Columbia aquifer is the most vulnerable to contamination statewide, there is no currently existing potential impact in Farmington to deter further development of ground-water resources.

The following charts show the population trends for Farmington, Kent County, and the State.



Source: U.S. Census 1940 – 2000.



Source: US Census 1940 – 2000.

Projections							
Population							
	2000	2005	2010	2015	2020	2025	2030
Kent County	127,134	133,558	140,036	146,690	153,292	159,785	166,366
Farmington	75	79	83	87	90	94	98
Housing Projections							
	2000	2005	2010	2015	2020	2025	2030
Farmington	31	33	34	36	37	39	41

Sources: Delaware Population Consortium Annual Population Projections, 2002. US Census 2000, SF-1.

Source: U.S. Census 1940 – 2000. Source: US Census 1940 – 2000.

The charts show the recent population downturn for the Town, but planners assume that growth similar to that of the county as a whole will resume in the near future. Although these projections indicate moderate growth at best, it is wiser to plan for an eventual subdivision, such as those already being constructed in nearby Harrington and Greenwood. A single new development could nearly double the population of the Town in five years or less. If a public water supply system is planned, the capacity should be designed for a population of at least 150.

Using this five-year projection of 150 consumers, the water resources of the area are still more than adequate for any anticipated demand.

Town planners should be advised that there is some potential for impacts to the current domestic water supplies during construction dewatering and in cases where agricultural irrigation wells are located too close to the Town. The Water Supply Section has permit review procedures to identify problem projects and resolve any possible water use conflicts before issuing the permits. Care should be taken to obtain all necessary well construction and water allocation permits for construction activities, new developments, public water supply wells and agricultural projects.

## TMDLs

Farmington is located in the headwaters of the Nanticoke watershed. The surrounding waters are impaired for dissolved oxygen and nutrients. As stated in the comprehensive plan, the TMDLs for the Upper Nanticoke were established in 1998 and require a 30% reduction in nonpoint source nitrogen and a 50% reduction in nonpoint source phosphorus loadings. Similar TMDLs will be established for the Marshyhope by the end of 2005. We recommend that the Town be mindful of these requirements when writing their environmental ordinances as all land use should be managed to reduce pollutant loadings. Please contact us for any assistance that may be needed. Pollution Control Strategies will be promulgated to implement these TMDLs. The Nanticoke Tributary Action Teams is about to send their final recommendations to the Department for consideration. A Tributary Action Team is about to be formed for the Marshyhope watershed. We recommend that you participate in this process. Taking actions to reduce nonpoint source pollution are even more important when you consider that the lands of

the Town ultimately drain into the Chesapeake Bay. If nonpoint sources of nutrients and sediment are not voluntarily reduced by 2010, TMDLs will be required for this water body as well. These TMDLs will likely be more stringent than the TMDL for local water quality purposes. Actions taken today cost less than those same practices taken in the future, thus, the Town should be proactive in requiring development to occur in an environmentally sensitive fashion.

## **Recreation**

The Delaware Land & Water Conservation Trust Fund (DTF) is a matching grant program administered by the Division of Parks and Recreation, Department of Natural Resources and Environmental Control. This competitive grant program assists county and municipal governments with park land acquisition and outdoor recreation facility development. If approved, the Trust Fund reimburses the municipality up to 50% of the project's costs.

Every year, all eligible agencies are contacted requesting project proposals. Sponsoring agencies must agree to dedicate the project site to public outdoor recreation use in perpetuity and assume responsibility for continuing operation and maintenance of the area. DTF funding has assisted municipalities with the purchase of local parks; additions to existing parks; and the development of playgrounds, ball fields, trails, picnic pavilions, and other active outdoor recreation facilities. Funds for indoor projects or park operations and maintenance are may not be funded through this program.

**Contact Information:** Bob Ehemann, Division of Parks & Recreation, 89 Kings Highway, Dover, DE 19901, 302.739.5285

## **State Fire Marshal's Office – Contact: John Rossiter 739-4394**

If and when the Town of Farmington decides to provide public water to the patrons of the town and/or out lying areas they shall provide fire protection (fire hydrants) in accordance with the DE State Fire Prevention Regulations. Any site plans that are to come before any type of Planning Commission shall be reviewed and approved by the DE State Fire Marshal's Office prior to any Recordation action or permit to begin work. If there are any questions please feel free to contact our Dover Office at 302-739-4394.

## **Department of Agriculture - Contact: Mark Davis 739-4811**

The Planning Section recommends the following:

- Establish a town beautification plan/program, possible funding from ISTEAA and DFS Urban Forestry Section
- A high level of coordination between town planning/zoning/development and DelDOT's US 13 Corridor Capacity Preservation Program



- Correct agreement between text and maps throughout the document

The Delaware Forest Service recommends the following:

- Use of a Diverse Landscape Plan the use the “right tree for the right place” concept which encourages native trees and shrubs when possible.
- Development of forest resources within park and open spaces areas.
- Use of trees to mitigate traffic issues.

The Delaware Forest Service looks forward to working with the community to provide technical educational and financial assistance to achieve the goals defined within the proposed comp plan.

**Public Service Commission - Contact: Andrea Maucher 739-4247**

Should the Town begin a water system, it will need to apply to the Commission for a Certificate of Public Convenience and Necessity (CPCN) to provide water services

**Delaware State Housing Authority – Contact Karen Horton 739-4263**

The DSHA commented that they have reviewed the draft Town of Farmington Comprehensive Plan, presented at the October 27<sup>th</sup> PLUS meeting and feel that the Town did a very good job developing this plan and they look forward to working together in achieving these goals. The draft plan documents the housing issues well and provides appropriate and innovative corresponding recommendations. Specifically, we support the following:

- ❑ The plan contains a goal regarding housing in its *Planning Goals and Vision*. Since housing for all incomes is integral to a community’s health and livability, we believe it is important for communities to state that commitment.
- ❑ Manufactured homes are acceptable in town to meet the need for affordable housing. Very few communities currently allow manufactured homes even though they are a viable option for affordable housing. By allowing manufactured homes in town, coupled with design and placement requirements, opportunities for attractive, but affordable housing can be provided.
- ❑ The development of a code enforcement plan will help protect all members of a community from the few who allow their properties to deteriorate to substandard conditions.
- ❑ Several recommendations are listed to help homeowners with maintenance and repair. Given the size of the town and lack of resources, these are low-cost and innovative recommendations that should be helpful to homeowners who may lack

the expertise or resources needed to properly maintain their homes.

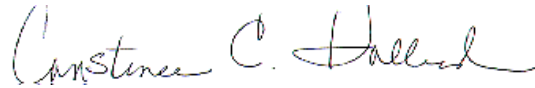
Please contact Karen Horton at (302) 739-4263 or [karenh@dsha.state.de.us](mailto:karenh@dsha.state.de.us) if you have any questions.

**Department of Education – Contact: Nick Vacirca 739-4658**

The Department of Education has noted that school sites should be considered as conditional use in all zoning areas. Further, it should be noted that, at this time, the State would not consider planning a school in the Farmington Area due to its rural location in relation to the Strategies for State Policies and Spending map.

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 cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP  
Director

CC: Kent County