



# Comprehensive Plan

Town of Delmar **2010**  
*Adoption Date - 10/25/2010*





# **Town of Delmar**

## **2010 Comprehensive Plan - Delaware**

**“The Town Too Big for One State”**

### **Elected Officials**

John F. Outten, Sr. - Mayor  
Michael Houlihan – Vice Mayor  
Mary Lee Pase  
Robert Thompson  
Glen Payne

### **Planning Commission**

Michael Houlihan – Vice Mayor  
Ed Farro  
William Boyan  
Carl Anderton, Jr. – Maryland Commissioner  
Joe Dixon  
David Ring, Jr.  
Thomas Luffman

### **Town Staff**

Sara Bynum-King – Town Manager  
William Hardin – Community Development Director

### **Consultants**

Timothy M. Bourcier, AICP, JD  
Radhika Paruchuri – Davis, Bowen and Friedel, Inc.

### **Disclaimer**

*Should a court decide that any section or provision of this comprehensive land use plan is unconstitutional or invalid, such decision shall not affect the validity of this comprehensive land use plan as a whole or any part other than the part judged unconstitutional or invalid.*



ORDINANCE # 158

AN ORDINANCE OF THE MAYOR AND COUNCIL MEMBERS OF THE TOWN OF DELMAR,  
DELAWARE, TO ADOPT THE COMPREHENSIVE LAND USE PLAN FOR 2010

WHEREAS, the Planning Commission of the Town of Delmar, DE. is charged with the development of the Comprehensive Land Use Plan pursuant to Livable Delaware requirements found in Title 29 and Title 22 of the Delaware Code; and

WHEREAS, the Delaware Town Council, the Delmar Planning Commission and the Town administration, governmental agencies and other interested parties have worked together to compile a Comprehensive Land Use Plan; and

WHEREAS, the Planning Commission has held several public meetings relating to the development of the concepts, factual background, and recommendation for the Comprehensive Land Use Plan; and

WHEREAS, The Planning Commission has recommended acceptance of the draft Comprehensive Land Use Plan; and

WHEREAS, a public hearing held before the Town Council on October 25, 2010, at which time there were no objections to the Comprehensive Land Use Plan.

NOW THEREFORE, BE IT RESOLVED, by the Town Council, in session met, a quorum pertaining at all times thereto, that the Comprehensive Land Use Plan of 2010, be and is hereby adopted as the Comprehensive Land Use Plan for the Town of Delmar, Delaware.

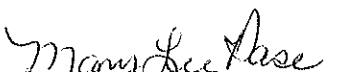
I, John F. Outten, Sr., Mayor of the Town of Delmar, DE., do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Town Council of Delmar, Delaware at its meeting on Monday, October 25, 2010, at which a quorum was present.

Attested By:

\_\_\_\_\_  
Sara Bynum-King, Town Manager

  
John F. Outten, Sr., Mayor

  
Michael Houllhan, Vice Mayor

  
Mary Lee Pase, Council Member

\_\_\_\_\_  
Glen Payne, Council Member

  
Robert Thompson, Council Member



# **The 2010 Town of Delmar Comprehensive Plan**

## **TABLE OF CONTENTS**

### **I. Introduction**

A. PURPOSE OF THE PLAN	1
B. THE FRAMEWORK FOR PLANNING	1
C. LEGAL BASIS FOR PLANNING	1
D. COMPOSITION OF THE PLAN	2
E. COMPONENTS OF A GROWTH MANAGEMENT PROGRAM	3
F. PUBLIC PARTICIPATION	3

### **II. Background for Planning**

A. LOCATION	5
B. HISTORICAL	5
C. NATURAL FEATURES	6
D. SOCIAL AND ECONOMIC CHARACTERISTICS	8

### **III. Statement of Goals and Objectives**

A. GOAL	14
B. OBJECTIVES	14

### **IV. Land Use Plan Element**

A. INFLUENCES ON FUTURE LAND USE	17
B. EXISTING LAND USE	17
C. ANNEXATION	18
D. THE LAND USE PLAN	19
E. RESIDENTIAL LAND USE	19
F. COMMERCIAL LAND USE	21
G. INDUSTRIAL LAND USE	23

### **V. The Transportation Plan**

A. REGIONAL GROWTH MANAGEMENT AND TRANSPORTATION	25
B. TRANSPORTATION FACILITIES	25
C. POLICIES	28
D. FUNCTIONAL CLASSIFICATION SYSTEM	29
E. LEVEL OF SERVICE	30
F. ROAD STANDARDS	31
G. HIGHWAY IMPROVEMENTS	32
H. RAILROAD	33
I. GREENWAYS	33
J. BICYCLE FACILITIES	34
K. RIDESHARING	34



## **VI. Sensitive Areas Plan**

A. SENSITIVE AREAS RECOMMENDATIONS	35
B. HISTORIC FEATURES	38

## **VII. Community Facilities**

A. GOALS AND OBJECTIVES	41
B. WATER AND SEWER FACILITIES	42
C. EDUCATION	46
D. PUBLIC HEALTH SERVICES	47
E. PARKS AND RECREATION	47
F. FIRE AND POLICE	49
G. LIBRARIES	50
H. CHURCHES, INSTITUTIONS AND CULTURAL FACILITIES	51

## **VIII. Housing**

A. POLICIES	53
B. HOUSING DEFICIENCIES	54
C. RECOMMENDED ACTIONS	54
D. HOUSING PROGRAMS	56

## **VIII. Comprehensive Plan Implementation**

A. INTRODUCTION	61
B. INTERGOVERNMENTAL COOPERATION	61
C. ENFORCEMENT AND ADMINISTRATION	62
D. TOWN COUNCIL AND COMMISSIONERS	62
E. PLANNING COMMISSION	64
F. ZONING REGULATIONS	65
G. DEVELOPMENT DESIGN AND COMMUNITY CHARACTER	65
H. TOWN CENTER	66
I. RESOURCE PROTECTION STANDARDS	67
J. HIGHWAY CORRIDORS AND SCENIC ROADWAYS	67
K. BUFFERYARD PERFORMANCE STANDARDS	68
L. DEVELOPMENT APPEARANCE STANDARDS	68
M. CONCLUSION	71

## **Appendix A – Maryland Water Resource Element**

## **Appendix B – October 20, 2010 PLUS Comments**



## **LIST OF TABLES**

TABLE 1 POPULATION COUNTS	8
TABLE 2 SEX, RACE, AND HISPANIC POPULATION	9
TABLE 3 POPULATION BY AGE – 2000	9
TABLE 4 FAMILY INCOME	10
TABLE 5 EMPLOYMENT (16 YEARS AND OVER)	11
TABLE 6 HOUSING UNIT TYPE	13
TABLE 7 HOUSING VALUE ---OWNER OCCUPIED UNITS	13
TABLE 8 OCCUPANCY – PERSON/ROOM	13
TABLE 9 UNITS BY PLUMBING FACILITIES	13
TABLE 10 EXISTING LAND USE 2010	18
TABLE 11 RECOMMENDED STREET STANDARDS	31
TABLE 12 PUBLIC AND SEMI PUBLIC RECREATION AREAS – DELMAR DELAWARE& MARYLAND	47
TABLE 13 STANDARDS FOR RECREATIONAL ACTIVITIES	48

## **LIST OF MAPS**

MAP #1	COMMUNITY FACILITIES
MAP #2	EXISTING LAND USE
MAP #3	FUTURE LAND USE
MAP #4	GROWTH AREAS
MAP #5	ENVIRONMENTAL FEATURES
MAP #6	STATE STRATEGIES FOR SPENDING
MAP #7	TRANSPORTATION
MAP #8	HYDRIC SOILS
MAP #9	WATERSHEDS



## **I. INTRODUCTION**

### **A. PURPOSE OF THE PLAN**

The Comprehensive Plan is intended to serve as a general guide to public and private decisions for the long-term physical development of Delmar. It is also an effort to identify problems and anticipate the need for community facilities and improvements. It serves as the basis for land use regulations such as the zoning code, and attempts to set forth general policies to assist governing bodies in making decisions over the next decade.

The Town of Delmar prepared and adopted the Comprehensive Plan to address requirements of both the States of Maryland and Delaware. In doing so, the Town has outlined a framework for future growth and development that will preserve rural character, enhance economic vitality, and protect vital natural resources.

This Comprehensive Plan is put forth to meet the requirements for the State of Delaware. Maryland and Delaware both have mandates for completing comprehensive plans, but each state's requirements vary greatly, and each state has different timelines for updating the plans. The Planning Commission for the town reviews plans and policies for the entire town, and have worked hard to ensure both plans are consistent. The Town adopted its Maryland Comprehensive Plan in 2009.

Additionally, many State and Federal programs place reliance entirely on the Comprehensive Plan as a basis for the provision of funds for various community improvements. It is essentially a commitment on the part of the citizens of a community in its future.

### **B. THE FRAMEWORK FOR PLANNING**

Comprehensive Planning is carried out under the authority of planning and zoning legislation adopted by the States of Delaware and Maryland. The plan was developed with the cooperation of Wicomico County, Maryland, Sussex County, Delaware, the Maryland Department of Planning, and the Delaware Office of State Planning Coordination.

### **C. LEGAL BASIS FOR PLANNING**

Title 22, Chapter 7 of the Annotated Code of Delaware is the Planning enabling legislation from which the Town of Delmar, Delaware derives its comprehensive planning powers. Title 22, chapter 3 of the Annotated Code of Delaware is the Zoning enabling legislation from which the Town of Delmar, Delaware derives its power to regulate land use. The State of Delaware requires that each municipality prepare a comprehensive development plan and that the plan be reviewed and updated every five years.

Delaware requires that a comprehensive development plan contain, at a minimum, "a municipal development strategy setting forth the jurisdiction's position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. The comprehensive planning process shall demonstrate coordination with other municipalities, the county and the State during plan preparation."



Once the State has reviewed the plan and found that it meets the requirements set forth in the Delaware Code and that it is consistent with the Strategies for State Policies and Spending, the Governor certifies the plan. After a comprehensive plan or portion thereof has been adopted by the municipality in accordance to this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan" (from §702(d), Title 22, Delaware Code). This status places a particular burden on the writers of the plan and the elected officials considering its adoption. The provisions of the plan define the stage for future growth and change - zoning, subdivision regulations, code enforcement, and infrastructure investment follow and implement the plan.

#### Severability Clause

Should a court decide that any section or provision of this comprehensive land use plan is unconstitutional or invalid, such decision shall not affect the validity of this comprehensive land use plan as a whole or any part other than the part judged unconstitutional or invalid.

#### **D. COMPOSITION OF THE PLAN**

This Plan for Delmar consists of the following eight elements:

1. Background for Planning
2. Goals and Objectives
3. Land Use Plan Element - Growth and Annexation
4. Sensitive Areas Element
5. Transportation Element
6. Community Facilities Element
7. Housing Element
8. Implementation Recommendations

The following is a brief description of each of the sections included in the Delmar Plan.

The first section is an introduction to the plan. It sets forth the general basis for comprehensive planning.

The second section is devoted to an accumulation of information and data about the community.

The first plan element consists of a set of Goals and Objectives. The Goals and Objectives should reflect the general consensus of the community concerning the future development of Delmar. Goals and objectives are the basis for the Comprehensive Plan.



The Land Use Plan is intended to determine the most desirable use of land. It provides the basis for development of land use regulations, such as, the Zoning Code and Subdivision Regulations.

The Transportation Plan provides a direction for the Improvement of the transportation systems to facilitate the movement of people and material. The proposals for improvements are correlated with proposed land use.

The Sensitive Area element addresses the environmental protection requirements in Delaware law. It provides recommendations for implement protective measures for sensitive areas.

The Community Facilities element includes a brief report on the major community facilities and makes recommendations for the provision of additional facilities. Community Facilities include sewerage and water systems, recreation facilities and government buildings, among others.

The Housing element seeks to identify housing needs and make general recommendations for improvement to the residential environment of the community. The Implementation element makes recommendations for the regulation of land use and other recommendations to achieve the objectives and policies contained in the Plan.

In addition to these elements or sections, Maryland State law requires that areas of "Critical State Concern" be identified. In the case of Delmar, the areas that have been identified are of great importance to Delmar as well as of regional and State concern.

#### **E. COMPONENTS OF A GROWTH MANAGEMENT PROGRAM**

This Comprehensive Plan provides the basic framework and direction for all components of what may be considered the Town's overall Comprehensive Planning Program. It is not a stand-alone document but is supported and, in turn, supports related Planning Program documents including:

1. Zoning Ordinance
2. Subdivision Ordinance
3. Capital Improvements Budget

These documents and others, when used concurrently, are the basis for directing and managing growth in the Town of Delmar.

#### **F. PUBLIC PARTICIPATION**

The Town has two different comprehensive plans for Maryland and Delaware. Each of these plans were adopted within a year of each other. The Town sought public input for both comprehensive plans, and where provided, it has been included in these plans.

Several participation meetings were advertised, but were poorly attended. The Town also created an online survey asking residents for their input on a variety of matters, including a future vision of the community. The survey was also available in paper copy at Town Hall. No responses were provided.



Public hearings were also held as part of the legal adoption requirements and public comment was accepted at these hearings. The Town will continue to reach out to its residents and will incorporate any necessary revisions to its comprehensive plans upon amendment or periodic review.



## **II. Chapter 01**

### **BACKGROUND FOR PLANNING**

#### **A. LOCATION**

The Town of Delmar is an incorporated community situated on the Mason-Dixon Line, at the most southerly boundary between Delaware and Maryland. Delmar lies midway between the Atlantic Ocean and the Chesapeake Bay. It is almost equally divided by State Street, a street that follows the state line. Delmar, Delaware is in the southwesterly corner of Sussex County, and Delmar, Maryland is in the north central portion of Wicomico County.

The unique position of Delmar on the boundary between Maryland and Delaware has led to the creation of two separate town charters, one from each state. Although there are two separate town governments, otherwise, in all respects, Delmar is a single, unified entity.

#### **B. HISTORICAL**

The Town of Delmar was founded, in October of 1859 with the extension of the Delaware Railroad to the southern boundary of Delaware. The Mason Dixon Line was responsible for the founding of this unique bi-state town because the Charter of the Delaware Railroad Company permitted only the building of a railroad within the State of Delaware and the charter of the corresponding railroad company in Maryland permitted only the laying of railroad track within the State of Maryland. Thus, in 1859, the two respective railroads met and the Town of Delmar was born. The name of Delmar was derived for this railroad center from the states whose line it straddles - Delaware and Maryland.

The Town of Delmar grew slowly until 1884 when the New York, Philadelphia and Norfolk Railroad Co. completed a railroad from Pocomoke to Cape Charles and also established a ferry service across the Chesapeake Bay between Cape Charles and Norfolk. These new developments immediately made the Delmarva Peninsula an important link between the north and south. The Town of Delmar, being the midway town of the Delmarva Peninsula and already a railroad terminal, was the point for trains to change crews and locomotives and also a center for maintenance of the rolling equipment. As a result of these developments, there was a tremendous influx of experienced railroad men into the community and considerable extra employment was furnished local townspeople. During this accelerated rapid growth period, Delmar became a "boom town". New dwelling units sprang up all over town and new businesses were established to meet the demands of its growing population. By 1889, the population of the Town of Delmar had increased to 680 and was still growing.

In 1888, the Town of Delmar, Maryland was granted a charter by the General Assembly of Maryland. An examination of this charter and the laws of Maryland fail to reveal any mention of the twin town of Delmar, Delaware. Therefore, it could be assumed that up until this time there was very little cooperation between halves of the Town of Delmar.

The Town of Delmar was almost entirely destroyed by fire in 1892 and again in 1901. The first fire destroyed everything in its path over a ten-acre area and the second major fire was almost as destructive. In each instance, the Town of Delmar was rebuilt and continued as a flourishing town.



The first indication of any cooperation between Delmar, Maryland and Delmar, Delaware came in 1924 when surveys were conducted for a possible sewerage system for the entire Town of Delmar. The construction of the sewerage system in 1927 was considered the first joint project between the two towns in that the law provided that both towns would maintain the outfall sewer with Maryland paying the expenses and billing the Delaware side one half of all costs. The biggest push towards abolishing the jurisdictional, legal effects of the State line came when the Lions Club voted to sponsor a project for the consolidation of the two school systems in the town. Since the town was founded, each side had its own individual school with the one in Delaware operating under the local School Board and the Maryland School operating under the Wicomico County Board of Education. This very controversial issue was bitterly contested for over three years and finally in 1949, this dream became a reality when the junior and senior high schools were consolidated into one school using the Delaware facilities. Four years later, the fourth, fifth and sixth grades were also consolidated with classes in the Maryland school. This controversial decision represented one of the greatest steps forward educationally for the town of Delmar and also towards eliminating the jurisdictional barrier between the two parts of town.

### **C. NATURAL FEATURES**

#### **Climate**

The climate of the Delmarva Peninsula is influenced by the proximity of, the Atlantic Ocean and the Chesapeake Bay. This climate, often called "East Coast Marine", is distinguished as warm and humid with no distinct dry season. Summer weather is influenced by sub-tropical warm moist air moving poleward. Winter precipitation results mostly from continental air masses moving west to east, though ocean air moving west provides a warming effect.

Climatic conditions provide for a relatively long growing season of 191 days generally between the months of April and September. The average date of the last killing frost in the Spring is April 20 and the first of the Fall is October 20. Delmar's central location on the Delmarva Peninsula provides for a shorter growing season than that Sound nearer to the Atlantic Ocean or Chesapeake Bay.

The average annual temperature is approximately 57 F. The month of July is the warmest month with temperature reaching 90 F. The coldest month occurs during later January and early February with temperatures in the 20 F. While a temperature of 0 is rare, temperatures of 32 F or lower can be expected on about 90 days.

Annual precipitation averages about 46 inches of which 12.4 inches expected to fall as snow. Drought may occur at any time of the year, though even the drier summer months usually receive 1.2 inches of precipitation.

#### **Physiography**

The Eastern Shore is of fairly recent geologic origin, resulting from a gradual decline in Sea Level. The decline in Sea Level created a number of Marine Terraces, which determine elevation and geologic age. Delmar is located on the Penholoway Marine Terrace, which ranges between 40 to 70 feet above sea level.



The relief of the Delmar area ranges from nearly level to slightly sloping with local relief provided by stream and erosion action. Located in the Wicomico River Watershed, the Delmar area drains and slopes gradually southward.

### **Ground Water Hydrology**

Approximately 50% of the annual precipitation that falls on the Lower Eastern Shore becomes ground water recharge, while the rest is lost to surface runoff, evaporation, or transpiration. The relatively permeable soils and the lack of topographic relief result in a high water table. In the wetter months when evaporation and transpiration are low, the water table often exceeds ground level, creating areas too marshy for urban use.

Ground water resources in the Delmar area are generally abundant and readily developed. The layered unconsolidated formations of sand and clay that constitute the Atlantic Coastal Plain provide the structure for the Eastern Shore's aquifer system. An aquifer is a permeable underground geological formation through which ground water flows. There are two aquifers of importance to Delmar, the Manokin Aquifer and the Naylor Mill Paleochannel. The Manokin Aquifer, at a depth of approximately 50 feet below sea level, provides a water yield of 100 to 1,000 gallons per minute. In many places, as a result of unique geologic configurations, the Manokin Aquifer may be artesian. The chemical character of the water varies widely and may be mildly acidic and/or high in iron content in places.

### **The Paleochannel**

The Paleochannel is the bed of an ancient river that lies at a depth of 100 to 200 feet below the surface. It is a channel that was scoured out of the earth in an earlier geologic age when sea level was much lower. So much water had been captured in glaciers that the shoreline of the sea was at the edge of the continental shelf 75 miles east of Ocean City. When the glaciers melted and the sea rose, the river slowed and the channel gradually filled with sand and gravel. Seventy percent of the old riverbed is filled with sand and gravel. The remainder is filled with water.

The paleochannel is entirely within the Maryland borders of the Town and where development is being regulated to prevent contamination of this important natural resource. If the paleochannel is found to extend within the Delaware border, similar regulations should be put in place that currently exist within Maryland.

### **Soils**

The soils of the Delmar area are of the Matawan-Norfolk associations. According to the U.S. Soil Conservation Service, these soil types consist of level to gently sloping, moderately well-drained to well-drained, generally sandy, upland soils that have a subsoil of fine, sandy, clay loam.

More specific information about the soil makeup in the Delmar area can be found online at <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.



## D. SOCIAL AND ECONOMIC CHARACTERISTICS

### Population

The town of Delmar, since the 1950s, has experienced a gradual decline in total population (See Table 1). Prior to the 1950 Delmar was rapidly growing with a 13 percent increase in population between 1940 and 1950. However, by 1960, Delmar, Delaware and Delmar, Maryland decreased in population; total decrease in population was 118 people or 5.03 percent of the total population. Between 1960 and 1970, Delmar again decreased in total population, losing 91 people or 4.08 percent of the total population. That trend reversed in the 1970s and 1980s. Delmar experienced a small population increase from 2,134 in 1970 to 2,392 in 1990. The largest portion of this population increase occurred in Delmar, Maryland. Over the course of the 1990s, Delmar experienced its highest level of growth since the 1940s, with a population increase of 37 percent.

Table 1 - Population Counts

	1930	1940	1950	1960	1970	1980	1990	2000
Delmar, MD	1,180	1,184	1,328	1,291	1,191	1,238	1,430	1,859
Delmar, DE	***	881	1,015	934	943	942	962	1,407
Total	1,180	2,065	2,343	2,225	2,134	2,180	2,392	3,266
Change		885.	278	-118	-91	46	212	874
Percent Chg		75%	13%	-5%	-4%	2%	10%	37%

Source: US Census 1930-2000

Females made up 55 percent of the population in Delmar in 2000 (See Table 2). Whites composed 74 percent of the population and blacks 21 percent.

The term Hispanic does not refer to a person's race, but instead their origin. The origin can be viewed as the heritage, nationality group, lineage, or country of birth of the person or the person's parents or ancestors. In the year 2000, 3 percent of the residents of Delmar categorized themselves as Hispanic.

The population of Delmar, Delaware is somewhat older than the population of Delmar, Maryland (See Table 3). The median age in Delmar, Delaware was 5.6 years older than Delmar, Maryland and 21 percent of the Delmar, Delaware population was 65 years or older in 2000 as compared to 10 percent in Delmar, Maryland.



Table 2 – Sex, Race and Hispanic Population

		MD	DE	Total	Percent
ALL PERSONS	1,859	1,407	3,266	100%	
Male		842	620	1,462	45%
Female		1,017	787	1,804	55%
RACE					
White		1,372	1,052	2,424	74%
Black		395	293	688	21%
Other Race		92	62	154	5%
HISPANIC					
Hispanic Origin		59	30	89	3%
All other ethnicity		1,800	1,377	3,177	97%

*Source: US Census 2000*

Table 3 - Population by Age – 2000

	MD	DE	Total
All Persons	1859	1407	3266
Under 5	157	120	277
5 to 9	162	104	266
10 to 14	173	95	268
15 to 19	147	86	233
20 to 24	129	69	198
25 to 34	247	180	427
35 to 44	313	186	499
45 to 54	216	139	355
55 to 59	69	84	153
60 to 64	61	45	106
65 to 74	100	118	218
75 to 84	64	117	181
85 Years and over	21	64	85
Median age	31.7	37.3	

*Source. US Census 2000*

#### Population Projections

Population projection provides a means to anticipate future growth and to reflect such growth into a planning program. It should be noted that population projection is precarious science. The location of a major industry, a large-scale subdivision, or other unforeseeable events can cause relatively large changes, especially in small communities. Current forecasts indicate the population of Wicomico County is expected to increase through 2020 from 3,581 (2010 estimate) to somewhere between 4,155 and 4,499. The Delaware Population Consortium estimates that Sussex County will grow by 24 percent in the next decade. This plan assumes Delmar will get its proportional share of its increase in the county's population.



Based on the 2005 Comprehensive Plan, Delmar, Delaware's population would reach 1,745. However, because of the large housing increases between 2005 and 2010, the expected increase in Delmar, Maryland's population was less 66% of 2005 estimates. If the Delaware population estimates were off by a similar amount, the current population could be as high as 2,900 residents.

Per the Delaware Population Consortium, Sussex County's population will increase by 38,165 between 2010 and 2020. Delmar, Delaware's population is approximately 1.5% of the County's population. If the proportion of the population between the town and the county remains the same, Delmar could expect to gain an additional 600 residents over the next ten years.

As stated earlier, population projections can be unpredictable for small communities. Delmar, Delaware recently annexed in several large properties along US Route 13, some of which are planned for residential development. If the real estate market starts moving along again, the population increases could be much greater. The Town will need to monitor its population closely when updating this plan and will need to ensure services and community facilities are available for future populations.

### Income

The per capita income for Delmar, Maryland was \$13,821 in 2000. It was slightly higher in Delmar, Delaware, where it was \$15,060. This is substantially lower than the per capita income is in both the State of Delaware (\$23,305), and State of Maryland (25,614). The per capita income may reflect the over 65 age population of the town and the number of retired persons living in both sides of town. The 65 and older population accounts for approximately 15 percent of the town's population.

Median Family income (Table 4) levels for Delmar are \$31,991 in the Maryland portion of the town, and \$35,521 in the Delaware portion of town. Approximately 13 percent of the population in Delmar is classified under poverty status. This figure represents a 5 percent decline from the 1970 census figures.

Table 4: Family Income

	Delmar, Delaware	Delmar, Maryland
Income	329 Families	445 Families
Less than \$10,000	21	45
\$10,000 to \$14,999	21	44
\$15,000 to \$24,999	65	74
\$25,000 to \$34,999	55	86
\$35,000 to \$49,999	47	65
\$50,000 to \$74,999	86	89
\$75,000 to \$99,999	15	18
\$100,000 to \$149,999	19	20
\$150,000 to \$199,999	0	0
\$200,000 or more	0	4
Median Family		
Income	\$35,521	\$31,991

Source: US Census 2000



## Employment and Industry

Employment and labor force statistics have not been tabulated for Delmar; however, a fairly accurate cross-section of employment by industry may be estimated for Delmar using 2000 Census information. As shown in Table 5, the primary sources of employment are retail trade; educational, health and human services; manufacturing; and construction.

Table 5 - Employment (16 Years and Over)

Industry	MD	DE	Total	%
Employed person	853	582	1435	100%
Agriculture, forestry, fisheries, mining	6	5	11	1%
Construction	96	58	154	11%
Manufacturing	122	83	205	14%
Wholesale trade	47	28	75	5%
Retail trade	183	106	289	20%
Transportation and warehousing and utilities	20	29	49	3%
Information	10	15	25	2%
Finance, insurance, real estate, and rental and leasing	29	21	50	3%
Professional, scientific, administrative, and waste management	58	46	104	7%
Educational, health and social services	121	121	242	17%
Arts, entertainment, recreation, accommodation and food services	69	37	106	7%
Other services	53	17	70	5%
Public administration	39	16	55	4%

Source: US Census 2000

Employment and labor force statistics based on the 2000 census data indicate that Delmar had approximately a 3 percent unemployment rate for the town with approximately 65% calculated as being in the labor force. The unemployment rate was slightly lower on the Delaware side (2 percent), than in the Maryland portion (4 percent). The overall unemployment rate for Delmar was down from the 1990 rate of 5 percent.

The existence of a good labor supply and close proximity of the railroad make Delmar attractive to industrial development. Existing industry is diverse, though heavily dependent on semiskilled and unskilled labor.

Delmar is a major rail classification center. As such, industries in the area have the advantage of low car transfer costs and many are large rail users. This generates a number of town problems such as rail traffic disrupting highway traffic at crossings and heavy truck traffic generated by rail-using industries. There are other advantages to locating in the Delmar area. Being centrally located on the Delmarva Peninsula with access to major highways Route 13 and Route 50. Delmar is in easy reach of major markets. In addition, both Maryland and Delaware have aggressive policies for attracting industry, including low corporate taxes, 100 percent financing, employee training programs, close proximity to Universities and Community Colleges, and in Delaware no sales tax.



**Principal employers in the Delmar area include:**

Delmar Middle Senior High School  
Delmar Elementary School  
Chancellor Care Nursing Home  
Allen Grain  
Food Lion  
Aero Fuel  
Triglia Transportation  
Concrete Building System, Inc.  
Crystal Steel Fabricators, Inc.  
Gateway Subaru  
Widgeon Enterprises, Inc.

Delmar is directly adjacent to the City of Salisbury, which has major employers at the Centre at Salisbury, Salisbury University and Perdue Farms to name a few. Though it is difficult to know for sure the number of Delmar residents working in Salisbury or in other communities, the vitality of Delmar is strongly related to the economic health of its surrounding communities.

Housing

In 2000, there were a total of 1379 housing units in the Town of Delmar. Single family housing was approximately 61 percent of the total housing units (See Table 6) and approximately 55 percent of units are owner occupied. There were a total of 566 renter occupied units. Two hundred and ninety-three (293) of these units are located in the Chestnut Manor Apartments (88 units), State Street Station (28 units), Concord Apartments (12 units), Delmar Crossing (107 units), Golden Meadows (34 units), and Country Meadows (24 units).

The vacancy rate provides a reasonable selection of housing suitable to family needs and income levels. The Delmar, Delaware rental vacancy rate was 9.5 percent and the homeowner vacancy rate was 1.6 percent, per the 2000 U.S. Census.

Approximately 75 percent of the housing fell between the value of \$50,000 and \$99,999 (See Table 7). The median value of housing in the Delaware portion of the town was \$78,600, which was significantly higher than on the Maryland portion of the town where the median value was \$66,600. There was less of a difference in rental prices between the two sides of town, in Delaware median gross rent was \$440 and in Maryland \$480. The current development plans of single and multiple family housing on both sides of town will help ensure that adequate housing will be available for a diverse range of needs.

In 1993, the Maryland Commission and the Delaware council amended the Zoning code to prohibit the future conversion of single-family houses into multifamily housing units in R-1 and R-2 residential districts. These restrictions were intended to help maintain the single-family atmosphere of those districts and to provide development of multifamily housing in more appropriate areas of the town.



Table 6: Housing Unit Type

	DE	MD	Total	%DE	%MD	% Total
Single-family	346	496	842	59%	62%	61 %
Multi-family	147	247	394	25%	31%	29%
Other (mobile homes)	89	54	143	15%	7%	10%
Total Housing	582	797	1379			

Source: US Census 2000

Table 7: Housing Value - Owner Occupied Units

	MD	%	DE	%
Less than \$50,000	57	20%	16	7%
\$50,000 - \$99,000	217	76%	175	75%
\$100,000 - \$149,000	8	3%	32	14%
\$150,000 +	4	1%	10	4%

Source: US Census 2000

Two indicators of overall housing condition are persons per room and plumbing facilities. There were a total of 43 units, or about 3 percent of the total housing stock in which there was 1.01 person per room or more, and indication of crowding (see Table 8). There were a total of 5 units that lacked one or more basic plumbing facilities (see Table 9). This represents less than 1 percent of the total housing stock.

Table 8: Occupancy - Person/Room

	MD	DE
1.00 person or less	688	518
1.01 persons or more	22	21

Source: US Census 2000

Table 9 : Units by Plumbing Facilities\*\*

	MD	DE
Total units with all	705	539
Total units lacking 1 or more	5	0

Source: US Census 2000

\*\* Units with all plumbing facilities have all the following: hot piped water, flush toilet for household only, and a bathtub or shower for household only.



### **III. Chapter 02**

#### **STATEMENT OF GOALS AND OBJECTIVES**

##### **A. GOALS**

1. The people of Delmar aspire to create a community, through a plan for its long term development, that will:
2. Foster the quiet enjoyment of residents in their homes;
3. Provide a better place for the pursuit of social, recreational and civic activities;
4. Renew older and encourage new residential development in order to attract new citizens to the community;
5. Make provision for the necessary recreational facilities and other amenities that make an attractive residential community;
6. Firmly establish a sense of community spirit and civic pride;
7. Promote the development of safe, decent, and sanitary housing, in a variety of housing types, in attractive neighborhoods, in order to assure a wide selection of housing, within the means of families, to meet varied family housing needs;
8. Work to achieve the Strategies for State Policies and Spending and Livable Delaware;
9. Ensure new development, both housing and commercial to meet the needs of the community;
10. Continue to provide incentives to revitalize the downtown district;
11. Continue to develop creative economic incentives for business and industry.

The plan will recognize the need for increased opportunities to work and earn a living, and promote industrial development within and near Delmar, where such development will not impair or make secondary the primary goal of making Delmar an attractive residential community.

##### **B. OBJECTIVES**

To the ends established in the Goal statement above, the Town sets forth the following objectives:

##### **Land Use**

1. Preserve and protect existing and new residential neighborhoods from encroachment by traffic, and by commercial and industrial activities that may adversely affect them.
2. Promote the best use of land for residential, commercial and industrial development.
3. Provide suitable areas for shopping, and adequate facilities for recreation, public services and civic affairs.
4. Establish land use relationships, which offer healthy, convenient and efficient living and working arrangements.
5. Promote optimum efficiency in land use.
6. Reserve the most appropriate land in sufficient quantity for residential, commercial, and industrial development, as well as for recreation purposes, and public facilities for the foreseeable future.
7. Achieve through preservation of historic sites, the retention of open space, and conservation of natural features, a sense of continuity and grace.



## **Transportation**

1. Coordinate transportation decisions regionally and locally.
2. Provide for the easy, efficient movement of people and goods.
3. Reduce dependence on auto use, especially drive-alone vehicle use during the morning and evening commute hours.
4. Achieve efficient use of energy in transportation.
5. Develop a clearly defined classification system of streets and highways, with different segments serving different, but coordinated functions.
6. Keep through traffic out of residential neighborhoods and other concentrated areas of similar land uses.
7. Reduce on-street parking in residential and commercial areas.
8. Provide an efficient transportation system with minimal Town expense.
9. Reduce through truck traffic volume on Delmar streets.
10. Work to develop alternative traffic routes through the community.
11. Provide a balance of transportation facilities meeting the needs of Delmar.

## **Sensitive Areas**

1. Preserve the natural resources and features of Delmar and the surrounding environs to insure a balance between development and the need to protect natural resources or sensitive features.
2. Minimize adverse impacts on water quality (including ground water) that result from high nutrient loadings or pollutants in runoff from surrounding lands or from pollutants that are discharged from structures and to conserve fish, wildlife, and plant habitats in the Town by protecting stream corridors.
3. Assess future development proposals in light of the site physical suitability to accommodate development while protecting natural resources and features.
4. Provide specific protection measures for the following areas: 1) Streams and stream buffers, 2) 100-year floodplains, 3) endangered species habitats, and 4) steep slopes. Although Delmar currently does not have these natural resources in its corporate limits, the Town will take protective measures if it annexes property that includes sensitive natural resources.

## **Community Facilities**

1. Provide educational facilities adequate in size to handle the anticipated enrollment in their service area and strategically located so as to minimize travel distance.
2. Combine, whenever possible, school and recreation sites in order to provide benefits of safety, convenience, and economy.
3. Provide adequate recreation areas for all age groups within reasonably close proximity to concentrations of residential development.
4. Protect the health, safety, and welfare of all the people residing in Delmar by maintaining and/or providing adequate water and- sewerage systems.
5. To ensure all public buildings and Park facilities are accessible to accommodate the population of groups that live with physical challenges.
6. Insure that the community is adequately served by a variety of facilities suiting the desires and needs of all citizens.
7. Assure that community facilities are placed so that they guide development.
8. Seek to provide a full spectrum of community facilities in a most efficient and effective manner.



## **Housing**

1. To ensure that all housing receives a proper and equitable delivery of public facilities and services.
2. To assure that housing concerns and needs become an integral component of the community planning and management process.
3. To encourage the upgrading of substandard housing to desirable levels and to retard deterioration causing factors. .
4. To adopt regulatory measures to prevent existing housing deterioration and to encourage sound housing in the future.
5. Preserve housing in good condition from replacement by other uses or public facilities unless a greater public need would be served by such action.
6. Provide increased housing, particularly in the downtown area for small families, including the elderly, semi-retired, and other families with no children.
7. Encourage families seeking affordable housing to consider community reinvestment of older, abandoned property.
8. Encourage continued maintenance and upkeep of existing housing and stimulate the replacement or removal of housing that becomes unfit for human habitation.
9. Protect residential zones from incompatible activities and land uses to create comfortable and safe living environments.
10. Provide a balanced housing stock with housing opportunities for all Town residents.
11. Improve housing conditions for all the Town's residents, especially the disadvantaged and elderly populations.



#### **IV. Chapter 03**

##### **LAND USE PLAN ELEMENT**

###### **A. INFLUENCES ON FUTURE LAND USE**

The future growth and development of Delmar will be affected, to a greater or lesser degree, by several external influences. It will be to Delmar's advantage to recognize trends and develop policies, which make the most of and reflect these externalities.

First among the various external influences will be a general trend by Sussex County to conserve rural areas for agricultural pursuits. There is recognition by farmers and others at state and local levels that policies and land use restrictions are needed to prevent loss of usable farmland to urban development. Future development policies and land use decisions by these counties will increasingly reflect this growing concern and development will be encouraged to occur in or adjacent to existing urban areas and small towns. The Strategies for State Policies and Spending, the Livable Delaware agenda, and the Sussex County Comprehensive Plan also recognize the need to focus future development around existing urban centers. The immediate areas surrounding Delmar, in the Sussex County Comprehensive Plan is identified as either Town Center or Development Districts.

Second, the Salisbury area is expected to continue as the focal point of growth on the Eastern Shore. The increase in activity in Salisbury will engender increased growth in nearby Delmar. In fact, Delmar has been identified as part of the core development zone.

Third, there is an increasing number of Federal and State programs to supplement financing of public facilities. By taking advantage of such funding, towns commit themselves to providing a full complement of public services, which in turn attract additional growth.

###### **B. EXISTING LAND USE**

In order to become familiar with the existing land development patterns in Delmar, and its environs, a land use survey was conducted in 2010. Fourteen categories of land use were noted. The results of the land use survey are summarized in Table 10.



**Table 10: EXISTING LAND USE 2010**

Land Use	DE Acres	Percent	Percent
Agricultural	56	11.7%	8%
Commercial	46	9.6%	8%
Forestland	69	14.5%	9%
Industrial	4	0.8%	3%
Institutional	29	6.2%	4%
Mix Use	1	0.1%	0%
Mobile Home	28	5.8%	4%
Multi-Family	17	3.6%	4%
Recreational	9	1.8%	4%
Retail	11	2.4%	2%
Single Family	82	17.2%	26%
Transportation	14	2.9%	10%
Utility	1	0.3%	0%
Vacant	110	23.2%	19%
Total	477	100.0%	100%

\*Acreage and percentages are rounded. 0% represents less than 1%.

Several properties shown as vacant on Map 2 are planned for development over the planning horizon of this plan. Map 4 indicates the type of development currently planned for these areas.

### C. ANNEXATION

Future annexations should be of sufficient size to allow for proper planning of land uses and community facilities. Annexations should be in accordance with a predetermined policy, which permits smaller areas to be annexed as a part of an overall pattern. Smaller area annexations should also be undertaken to clarify boundaries and to prevent "enclaves" from occurring.

Financial considerations play the paramount role in determining the course of future annexations, both from the standpoint of the Town and its current residents and prospective Town residents in the area proposed for annexation. The Town assumes considerable obligations to supply basic Town services to these areas: as they develop. Unless development occurs within the areas immediately adjacent to existing development, public funds are wasted in attempting to service remote and scattered clusters of development. Financial policy is equally important to public policy criteria for annexation and for resolving practical problems for people living in future Town areas.

To avoid Town-County conflicts, which might result from development and community facility improvements, the following broad annexation objectives are presented to establish guidelines for future annexation efforts.

The primary purpose of future annexation efforts should be to provide existing residents and future citizens of the area with the public facilities and services necessary for protection of health and property.



Proposed annexation areas should be economically self-sufficient and should not result in larger municipal expenditures than anticipated revenues, which would burden existing Town residents with the costs of services or facilities to support the area annexed. The costs of providing roads, utilities, parks, and other community services should be borne by those people gaining the most value from their existence through income, profits or participation.

In a situation where Delmar's growth plans differ from the State Strategies for Policies and Spending and/or the Sussex County Comprehensive Plan, the town will work with these the State and the county to reconcile these differences. This Plan has been provided to the County for comment and revisions. The State is currently updating the spending areas classification map and the Town will work with the State to have growth areas appropriately recognized in that update.

Use of these guidelines for future annexations should result in the expansion of the Town at a pace and maker, which provide the maximum benefits of service at the lowest possible costs. Assurance is also extended to existing Town residents that new additions to the Town will be in accordance with long-range public policy.

Map 3 shows areas of consideration for annexation during the Planning Period. These future growth areas are serviceable by the Town within the planning horizon, and offer opportunities for the Town to direct the future pattern and scale of development along its edges.

Annexation Procedures can be found in the Town Charter at [www.town.delmar.md.us](http://www.town.delmar.md.us). In addition to the charter, state regulations apply.

#### **D. THE LAND USE PLAN**

The Land Use Plan concerns itself with the most favorable use of land by public and private development, leading toward establishment of a pattern of land use that reflects community goals and objectives, and will promote orderly growth and development. To achieve this purpose, the planning study area is divided into general land use categories showing what land and how much of it may be desirable to reserve for certain kinds of land use. Additionally, zoning districts and the development code should be further refined to clarify appropriate land uses and maintain a clear guide to development.

#### **E. RESIDENTIAL LAND USE**

##### **Objectives**

1. To protect existing and newly developing residential neighborhoods from encroachment by commercial and industrial activity that may adversely affect them.
2. To prevent scattered residential development in order to permit greater efficiency in the provision of public services.
3. To improve the quality of residential areas through the establishment of adequate living space appropriate for each type of dwelling in terms 'of standards for intensity of development.



## **The Residential Land Use Plan**

The primary goal of the Comprehensive Plan is to place emphasis on the development of Delmar as a thriving residential community. Future development, whether industrial, commercial or residential, will be greatly influenced by the quality of the residential setting provided by Delmar. The following recommendations relating to intensity of development of residential areas are intended to provide a standard, to guide future residential development in conformance with the goals and objectives established in this plan and in a way acceptable to the people of Delmar. Residential land uses are divided into four classifications of intensity of development:

- (1) Multifamily residential, including apartments and single-family attached dwellings, with development density not exceeding 10 units per acre;
- (2) Medium density single-family residential areas with densities between 4.5 and 6 units per acre;
- (3) Low density single-family residential areas with densities of 2 units per acre; and,
- (4) Rural-agricultural areas consisting of farm and farm related dwellings.

### Multifamily Residential

Apartments are generally smaller than conventional homes and make more efficient use of land. Therefore apartment development may occur at a higher density and it is recommended that apartment developments occur at a density not to exceed 10 units per acre, excluding internal streets and drives needed to serve them.

It is recommended that specific areas be delineated and set aside for apartment developments in the zoning code to permit flexibility in selection of sites; however, zoning regulations should provide standards to assure greatest compatibility with surrounding development. It is further recommended that a joint policy be developed with both Counties (Wicomico & Sussex) prohibiting apartment development and manufactured housing in the Delmar area without public sewer and water or annexation.

### Medium Density Single-Family

Many areas within the Town of Delmar are subdivided into very small lots. In order to increase lot size gradually in these areas, larger lot sizes are recommended. In the central portion of Delmar, lots are extremely small and a minimum lot area of 7,000 square feet is recommended. In other portions of Delmar, a minimum lot area of 9,000 square feet is recommended in recognition of the general size of lots now in existence.

### Low Density Single-Family

Areas outside the Delmar corporate limits must be developed according to Wicomico County Health Department regulations or Sussex County zoning and subdivision regulations. When annexation is imminent or impending, residential density should be based on the characteristics of existing development in the area or of adjoining areas.

It would be advantageous to Delmar to annex land prior to development. This policy would permit development to occur at a higher density than otherwise possible for the more efficient and economical provision of public facilities and urban services.



Low-density residential development is recommended to be on land in close proximity to the present day corporate limits. In such areas, residential development will be close enough for efficient, logical extension of services, and be convenient to shopping, recreational, cultural and other public facilities in town.

It is recommended that additional residential development occur in close proximity to the north, south and east of the corporate limits. In general, substantial residential development is not recommended the west for two reasons; first the railroad acts as a barrier separating and isolating one section of town from another, and second it will be uneconomical to provide necessary urban services. (Please see map - Areas to be given priority for annexation).

#### Rural-Residential

Much of the outlying portion of the Delmar Planning Area is dominated by agricultural pursuits, with a few scattered isolated residential dwellings. It is recommended that additional residential development, not farm related, be discouraged from these areas. More intensive development would lead, to scattered residential development requiring public services which would be difficult, expensive and inefficient to deliver (i.e., solid waste collection, police and fire protection, etc.). In addition, soils in these agricultural areas have severe limitations for septic tank absorption fields; more intensive development could have a long-term effect on water quality and the public health of the entire planning area.

In summary, it is recommended that outlying areas be devoted to agricultural use. Residential development that does occur should be related to agriculture.

### **F. COMMERCIAL LAND USE**

#### **Objectives**

1. To maintain and revitalize the downtown area's Central Business District.
2. To relate future development to major thoroughfares, and simultaneously preserve the functional ability of those thoroughfares.
3. To promote clustering of commercial activity as opposed to strip commercial development.
4. To provide, at existing commercial districts in Delmar, areas for neighborhood convenience-shopping using a Town Center approach rather than strip type development.
5. To emphasize safety, convenience, and attractiveness in all commercial developments.

#### **The Commercial Land Use Plan**

This Land Use Plan has set aside more than sufficient land for new commercial activity. Areas recommended for commercial land use were chosen on the basis of optimal location on a long-term basis rather than on immediate site demand. The immediate focus of Delmar should be on revitalizing existing commercial areas, especially the Central Business District.

Land areas proposed for commercial or business use may be described by two general land use categories Central community business and highway commercial.



### **Central Business District**

The Central Business District is an area, although not sharply defined, provided with good access via State Street, is centrally located, and functions as the focal point of commercial activity in Delmar. Currently, this area is confronted with several severe problems that contribute to its apparent decline. Among these are physical decay, some difficulty in traffic movement due to narrow streets, inadequate parking, and the close proximity of incompatible uses. A symptom of the need for a concerted improvement effort is the number of vacant stores in the area.

Because of the importance of the Central Business District as the focal point of Delmar's commercial activity, it is necessary that a concerted effort be made to revitalize the area to prevent further decline at the center of town. It is recommended that a Central Business District Committee be formed to develop a plan of action to improve and rehabilitate Delmar's Central Business District by providing off-street parking, improve traffic movement, provide street directional signs, rehabilitate buildings or properties, and other necessary actions.

### **Highway Commercial**

Highway commercial is a land use category that recognizes the space needs of commercial activities which require drive-by traffic along high traffic areas; and therefore require sites with adequate access to major highways (i.e. restaurants, motels, auto dealers, repair shops, service stations, etc). This plan recognizes those areas that have developed in strip commercial fashion, but recommends that such development in the future occur in clusters or groupings. Groups or clusters of commercial development are more efficient to serve residents, reduce traffic hazards by confining traffic movements to an area that may easily be controlled and expose less commercial activity to nearby, essentially incompatible residential development.

Appropriate regulations should be developed to provide for off-street parking, sign control and landscaping or buffering to protect nearby residential areas. Interparcel connectors, as well as ingress/egress access, should be controlled to prevent several turning movements into high speed highway areas. This conforms to DelDOT access management programs along US Route 13.

Most highway commercial activities will require public sewerage and water mains, and should be carefully evaluated as to their impact on the capacity of the systems and other priorities. A policy requiring annexation prior to extension of public services should prevail.

### **Casinos and Gaming Establishments**

Recently, the gaming industry and/or casinos have gained some steam for development in Delaware. This is due to the allowance of table games and sports betting under State law, where only slot machines and traditional card games with computerized dealers were allowed. The Town has received some pressure to consider the development of a casino within the Town. Though the gaming industry can attract a broad range of consumers and benefit the Town's tax base, there are a lot of negative outcomes that can stem from casino development, including unsavory businesses complimentary to the gaming industry and crime.

While it may be a worthwhile economic development opportunity on paper, there are many factors to study prior to the Town allowing casinos within Delmar. The Town will perform an extensive study to



determine the benefits and negative issues associated with casino development prior to allowing gaming industries in the zoning and development code.

## **G. INDUSTRIAL LAND USE**

### **Objectives**

1. To provide a variety of attractive, safe, and convenient sites that are suitable for industry in terms of size, location, physical characteristics, and accessibility.
2. To require buffering and suitable standards as a means to control undesirable influences or adverse effects of potential industrial development on surrounding areas.

### **The Industrial Land Use Plan**

Considerably more land than may be needed in the near future for industrial development. Industrial operations require special sites and conditions, creating a need to reserve appropriately suited areas, and to prevent encroachment by incompatible uses. Existing industrial development is situated along the Penn Central railroad. The railroad is the main factor influencing location of industry in the Delmar area. Industrial development located along the rail line is an appropriate land use. However, land along the rail line near and in town should be limited to development that does not produce excessive smoke, odor, or noise, or generate heavy truck traffic, because of its close proximity to residential neighborhoods. The industrial section of the Land Use Plan describes two categories light industrial and heavy industrial land use.

#### **Light Industrial**

Light industrial activity includes processing, manufacturing or assembly of soft or non-durable goods, often confined to one building. They have few objectionable external effects, are labor intensive, the unit value of the product is high, and require smaller functional sites.

While light industrial development is incompatible in residential areas, with proper site treatment, it would be suitable for a location in Town limits. It is proposed that only light industrial uses be permitted in close proximity to residential development. It is recommended that zoning regulations be adopted to insure that light industrial developments are adequately buffered from adjoining uses and that external effects, i.e. noise, odor, traffic, etc. are minimal.

#### **Heavy Industrial**

Heavy industrial activity includes handling or storage of bulk commodities, manufacture or storage of potentially hazardous materials. Heavy industrial activity is often characterized by a need for large sites, not only because these activities are not entirely confined to buildings, but because their operation is often accompanied by objectionable external effects such as noise, odor, dust, smoke, vibration, glare, and unsightly outdoor storage

The Land Use Plan proposes that heavy industrial development occur on large outlying sites adjacent to the railroad tracks. Such sites should be removed from residential area and have good access to the major highways. Zoning regulations should establish standards to evaluate proposed industrial uses and insure compatibility with the surrounding vicinity. This plan does not contemplate the extension



of sewerage or water mains, except for minor service lines, to industries locating in the heavy industrial district for processing or manufacturing purposes or treatment of industrial waste because of the difficulty of extending service to these areas and because a single industry often requires 40 to 60 percent of the capacity of a treatment system, leaving little or no capacity in the system to accommodate other kinds of development. The extension of water mains northward along Bi-State Blvd. to serve residential areas to the west should provide adequate hydrants and water capacity to afford fire protection to adjoining industrial development on the west.



## **V. Chapter 04**

### **TRANSPORTATION PLAN**

#### **A. REGIONAL GROWTH MANAGEMENT AND TRANSPORTATION**

The movement of people and goods is an important concern in any community's growth plan. To provide a safe and efficient transportation network with minimal disruption of the area can sometimes be difficult to achieve. The Transportation Plan must be closely coordinated with other elements of the Plan to assure that transportation plans and policies complement and promote those of other sections.

#### **B. TRANSPORTATION FACILITIES**

Several facilities, highways, streets, and rail lines, make up the basic transportation system in and around the Town of Delmar. The predominate modes of transport are automobile, truck and train. These modes are expected to continue to dominate travel throughout the time frame of this Plan.

##### **The Regional Transportation System Highways**

The Town of Delmar is served by both highway and rail systems. US 13, a major north-south regional highway, borders Delmar mostly on the east. East-west DE 54 and north-south Route 13A serve as links to towns, communities and the Atlantic coastal beaches. US 50 connects with DE 54 west and US 13 south. US 50 is the major connection between the Delmarva Peninsula and the Baltimore-Washington areas. US 13 connects Delmar to Wilmington to the north and Norfolk to the south. Route 13A (MD 675) and DE 54 are known as Bi-State Blvd, and State Street, respectively. These thoroughfares connect Delmar with the towns of Laurel, Seaford, and Mardela Springs. They intersect at the center of town dividing Delmar into quadrants.

A regional line of Norfolk Southern traverses north and south through the center of town. The Town of Delmar was founded as a rail transfer and classification center for the Delmarva Peninsula railroads. Rail traffic has been on the decline since the 1940's because truck transportation is often cheaper and more convenient. Although reliance on the railroad has declined, rail transportation remains potentially important for future economic considerations.

The Salisbury-Wicomico Airport is the closest regional airport. The airport provides commuter service to Baltimore -Washington International, National Airport, and Philadelphia International Airports. Flights are scheduled throughout the day and on weekends. The Salisbury-Wicomico Airport is the second largest airport in Maryland. Currently the airport is served by a Flight Service Center operated by the Federal Aviation Administration.

Some problems that seriously impair the residential quality of Delmar, and hamper the movement of local traffic are created by the regional highway system. The primary problem is the high volume of truck traffic passing through town. It is caused by the fact that trucks of local origin must use the collector system in the center of town to reach major regional highways. This situation is aggravated by trucks that use DE 54 as a short-cut between U.S. 50 and U.S. 13, and further aggravated by those passing through town to avoid weigh stations on U.S. 13.



## **Salisbury/Wicomico County Area Metropolitan Planning Organization**

The Salisbury/Wicomico County Area Metropolitan Planning Organization (MPO) is the regional transportation planning organization that manages the major planning of the movement of goods and services. The MPO is required to develop a long-range transportation plan (LRTP) that examines how to improve the safety, accessibility and connectivity of the regional transportation system over a 20-year period. The entire Town of Delmar and its proposed growth area is within the MPO's authority.

The plan was adopted in 2006 and looks through the year 2030. Many improvements are planned to relieve congestions on roadways that have failing LOS standards. The LRTP is also used to develop the Transportation Improvement Plan (TIP). The TIP is a shorter term program, consistent with the LRTP, to provide Federal funding for transportation system improvement. The Town should continue to provide input to the MPO and work to see the roadway improvements discussed herein.

More information about the MPO, including the LRTP and TIP, can be found at [www.swmpo.org](http://www.swmpo.org).

### **Corridor Capacity Preservation**

Delaware's Corridor Capacity Preservation Program (CCPP) contains strategies and information that advance policies adopted by the Cabinet Committee on State Planning Issues. The program outlines how the state seeks to preserve the roads we already have, improve safety, and focus development toward areas where infrastructure already exists. It assists landowners, developers, businesses, legislators and others in understanding the goals, objectives, and preservation techniques DelDOT is using to retain capacity on Delaware's major highways, particularly those that serve predominantly statewide and/or regional travel. The Corridor Capacity Preservation Program affects Route 13 and a plan was developed with DelDOT and the Town that shows how access will be managed along Route 13 in the Delmar area.

1. Encourage completion of DelDOT identified road and intersection improvement project at Route 13 and within the Town and surrounding area.
2. Better integrate US Route 13 into the life of the Town through reevaluating traffic flows. Intersection improvements and design streetscape projects which can be combined with infrastructure improvements.
3. Work with surrounding municipalities, Sussex County, and DelDOT on planning for road and other transportation improvements.
4. The Town should work with DelDOT to define a Six-Year Capital Improvement Program for Transportation Projects.
5. Maintain and upgrade Town streets and parking areas as necessary.

Corridor Capacity Preservation Program policies advocate land use and transportation plans working together toward the goal of creating a more Livable Delaware, even as we continue to pursue the economic development that brings jobs and vitality to our state.



#### Goals of the Program:

- MAINTAIN a road's ability to handle traffic safely and efficiently
- MINIMIZE the impacts of increased economic growth
- PRESERVE the ability to make future improvements
- PREVENT the need to build an entirely new road
- SORT local and through traffic

#### The Local Transportation System

State Street and Bi-State Blvd. serve regional and local traffic. They collect traffic from residential streets and distribute it to other points of local destination or provide access to regional highways. The local street system, which is comprised primarily of residential streets, is formed into a grid pattern. In several cases, streets are not directly aligned where they intersect other streets, thereby forming an off-set or jog in the street. The intersection of State Street and Bi-State Blvd. is problematic in that the intersection is narrow and DE 54 does not provide a left turn lane onto Bi-State in either direction. The State of Delaware maintains Rt. 54 East of Rt. 13. The State of Maryland maintains Rt. 54 West of Rt. 13. The State of Delaware maintains 13A/Rt. 675 North of Rt. 54. The State of Maryland maintains 13A/Rt. 675 South of Rt. 54.

There are also a number of obstructions at intersections preventing a clear view of traffic and pedestrians. Delmar's streets are generally in good condition, although, as with many older communities, reconstruction and repaving of streets is a constant need. The town streets are constructed of asphalt.

Much of the interior street system was not designed for the automobile. The numerous narrow streets cut the town into small blocks creating a proliferation of intersections. The typical street is narrow, averaging about 30 feet in width for east-west and 20 feet for north-south streets. Residences, particularly in the older sections, lack off street parking space. On-street parking reduces the capacity of the already narrow streets, often permitting passage of only one automobile. To improve this situation a one-way street system has been established for some sections of the town. There are also few public off-street parking areas, especially in the down town area.

Another problem associated with the Delmar street system is that curb, gutter and sidewalk are not often provided, especially for many of the north-south streets. This can create a pedestrian safety hazard, and standing water has an adverse effect on abutting properties. Current construction standards for new annexations suggest the use of roll curb and guttering, and maximum use of sidewalks for new streets. The practice of using roll curbing may be extended to existing streets where there is limited automobile and pedestrian traffic, especially on one-way streets and on north-south streets where the use of sidewalks and square curbs are not realistic.

#### Alternative Modes of Transportation

Providing for mass transportation opportunities, walking and bicycling can help make a healthier community and reduce traffic congestion. Two different bus systems serve each state: Shore Transit (Maryland) and DART (Delaware). Neither system directly serves the Town. For mass transportation to be useful for residents of the Town, bus stops and connectivity need to be available. The Town should coordinate with both bus companies to seek stops within Delmar.



The Town has a system of sidewalks, but there are connectivity issues between neighborhoods and into downtown. The Town should, where possible, work to connect the residential neighborhoods to the central business district by improving sidewalks. The Town should also require sidewalks within all new residential development to ensure pedestrian circulation. Safe bicycle usage is also important for the Town. The Town should work regionally to create a bike route connecting Delmar with communities to the north and south.

### **C. POLICIES**

As presented in the background, there are a number of problems associated with the existing transportation system of Delmar. The internal street system is a poorly aligned grid network characterized by extremely narrow streets. Heavy truck traffic, highway-rail crossings, the poor condition of some streets, and inadequate off-street parking compound the problems.

The Transportation Element policies provide a framework for the preparation and implementation of concepts, plans, and programs to rectify transportation deficiencies and suggest improvements for the future. Further, in coordination with the land use element, these policies provide a means to achieve the development goal of Delmar. These policies are:

1. Existing roads and highways should be improved and new linkages built to support the Land Use Plan. Responsibility for these improvements should be proportionally and equitably shared by the public and private sectors.
2. The Town should not permit development that would result in an unacceptable level of service on roads serving the development, unless the developer agrees to make or fund improvements so that the road could adequately service traffic generated by the development.\
3. The Town will work with DelDOT to review Traffic Impact Statements (TIS) for developments along state-maintained roadways. The Town will also come up with standards for requiring developers to provide TIS for developments with the potential of affecting the LOS of local and county maintained roadways.
4. Limiting and controlling future access points should conserve roadway capacity on county and state roads.
5. Strip forms of development should be discouraged. Access onto major public roads should be reduced whenever possible.
6. When new roads are built by the public or private sector, the roads should be constructed with an appropriate design, which is suited to the road's primary function, as well as future development.
7. New roadway construction and major improvement projects for existing Town streets should be scheduled as part of an overall Capital Improvements Program.



8. The Wicomico County, Maryland Department of Transportation, Delaware Department of Transportation and Delmar should coordinate with each other during the planning and design of roadway improvements in or near town which would impact the both Counties, town or state's road system.
9. The Town should explore the feasibility of improved transit service for residents and encourage such services when needed and economically feasible.
10. The Town should promote alternatives to driving alone and encourage both States to inform citizens of the public and private monetary and environmental costs of continued dependence on automobile transportation.
11. The Town supports providing bicyclists and pedestrians safe, convenient, and inviting routes and walkways between activity centers.
12. The Town will work with the State and County to coordinate the land use and transportation elements of the Comprehensive Plan with adjacent jurisdictions in order to achieve the reduction in drive alone rates.
13. The Town will require that the layout of new street and road connections in undeveloped areas assure connectivity to the overall street and highway system.
14. The Town will plan for adequate right-of-ways taking into account existing and future development and proposed alternative transportation support facilities and programs.
15. All developments will have adequate access and circulation for public service vehicles but actual paved street sections should be as narrow as possible to maintain a human scale.
16. The Town encourages the use of recycled materials whenever possible when making right-of-way improvement.
17. The Town encourages the use of alternative fuels (re-refined oil, electric, and compressed natural gas powered cars) to save energy resources.
18. The Town encourages the use and continued development of the local rail system.

#### **D. FUNCTIONAL CLASSIFICATION SYSTEM**

The initial and most essential step in the development of an integrated and balanced transportation system is the classification of the function the streets and highways were designed to provide. The development of a functional classification system provides for the logical coordination of the street and highway network of the Delmar area.

Federal functional classification categories in Delmar include; 1) principal arterial, 2) major and minor collectors and 3) local streets.



## **Principal Arterials**

The highest level of highway service provided to the Town is the principal arterial system. The primary purpose of all arterials is to provide continuous and efficient routes for movement of high volume traffic between urban centers. Direct access to adjoining land should not be provided except at certain key points. Arterial highways are designed to maintain homogeneous neighborhoods and to serve as boundaries between various neighborhoods. On-street parking should be prohibited. U.S. 13 is classified by the Delaware Department of Transportation as a principal arterial.

## **Collectors**

Both minor and major collectors serve a similar function though varying in volume and intensity of use. The primary purpose of the collector system is to collect traffic from local residential streets and provide for the direct movement of traffic to commercial and industrial areas and the arterial highways.

Major collectors connect areas of relatively dense settlement with each other and with other major traffic routes. These streets are intended for inter-neighborhood and through traffic. Delmar is served by two major collectors, MD Route 675 and DE Route 54.

Minor collectors are streets, which, in addition to serving abutting properties, intercept minor streets, connect with community facilities and are intended primarily to serve neighborhood traffic. Such streets assume medium traffic flow and standards have been established accordingly.

Foskey Lane/Maryland Avenue may be considered a minor collector in the Maryland portion of Delmar.

## **Locals**

The most extensive part of the Town of Delmar's street network is local residential streets. Local residential streets, including cul-de-sacs, are streets intended primarily to provide access to abutting properties and are designed to discourage their use by through traffic. Such streets assume light traffic flow and their standards have been established accordingly.

## **E. LEVEL OF SERVICE**

The ability of a roadway system to carry traffic is qualitatively measured as Level of Service (LOS). LOS can be determined at any given intersection or on any given segment of road. Levels of service are often utilized as a measure of system performance and to define public policy concerning highway performance. They are also used in traffic impact analysis to determine local traffic impacts of proposed developments. These standards should be utilized by developers whenever feasible.

Highway level of service (LOS) reflects driver satisfaction with a number of factors that influence the degree of congestion, including speed and travel time, traffic interruption, freedom to maneuver, safety, driving comfort and convenience, and delays. Six levels of service are used to describe highway flow conditions (road segments and intersections). The LOS is equated to grades A through F, with A being the best and F being the worse.



Level of service D is acceptable for short periods of time, i.e., the AM and PM peak hours, though a more vibrant community often will see lower LOS standards. Level of service C or better should be standard in off-peak hours. These standards provide a basis for evaluating the impacts of proposed development projects and may be used as the standard for exacting off-site improvements, impact fees or in conjunction with adequate public facilities ordinance.

## F. ROAD STANDARDS

The Transportation Plan further classifies the local street system into neighborhood collectors and local residential streets. The following standards (Table 13) should apply to the development and/or classification of local streets:

**Table 11: Recommended Street Standards**

DESIGNATIONS	LOCAL	MINOR COLLECTOR	MAJOR COLLECTOR
Function	Provide individual house and site connection to the collector network	Provide residential neighborhood connections	Provide residential neighborhood connection to high density areas & to arterial highways
Design	54' right-of-way, 36' pavement way, 5' planting space, between curb and sidewalk, 4' sidewalk	60' right-of-way, 42' pavement, 4' sidewalk.	66' right-of-way, 42' pavement, 8' planting space between curb and sidewalk, 5' sidewalk
Other Features	Setbacks may vary	Building setback from R.O.W of 30'	Building setback from R.O.W. of 30'
Parking and Site Access	Off-street, and curb parking	Optional, may be prohibited adjacent intersections	Prohibited adjacent intersections.
Truck Traffic	Service needs only	Service needs only	Service needs only

In existing situations, no pavement on any street should be narrower than 22 feet, to provide one moving lane in each direction. Parking should not be permitted on such narrow pavement. A width of 36 feet should be quite adequate on local residential streets and rural roads serving mainly the properties abutting them. Wider pavements are necessary on the collector streets; 42 feet of pavement being necessary to serve heavy traffic movement.

The proposed highway and street improvements would provide by-pass routes around Delmar and channel truck traffic to U.S. Route 13, the only highway in the Delmar area (except DE 54 west of Town) with the functional capacity for trucks.

Off-street Parking - Off-street parking in the business district and older residential areas, is inadequate. The establishment of the Town's one-way street system will lessen the serious problems associated with on-street parking in residential areas. In commercial areas with inadequate parking, it is recommended that existing or future vacant areas be utilized for parking and selected widening of local streets be made to provide on-street parking.



Parking standards should be adopted to ensure that new developments and redevelopment efforts provide adequate off-street parking for their patrons. All new residential developments should provide sufficient off-street parking for the residents.

## **G. HIGHWAY IMPROVEMENTS**

The recommendations of the transportation plan are primarily directed at achieving desired street standards for the future. However, a number of existing streets and intersections may be improved.

Intersection Alignment - Pennsylvania Avenue (and York Street) is a heavily traveled street which provides an alternate cross-town route. It is recommended that Pennsylvania Avenue's intersection with State Street be properly aligned to ease movement of vehicles crossing State Street. North Pennsylvania Avenue may be relocated closer to the railroad line to intersect directly with South Pennsylvania Avenue. The widening of Pennsylvania Avenue adjacent to the business district could be utilized to provide angular parking. Parking facing the business district would also reduce the hazard for pedestrians, as they would not have to cross Pennsylvania Avenue adjacent a blind intersection.

Street Reclassification and Improvements - A number of streets within Delmar have a higher volume of traffic than their design capacity. It is recommended that such streets be classified and improved according to the function they serve. Specific recommendations are as follows:

1. Major Collectors - Bi-State Boulevard and State Street are major collectors that link with the arterial highway network (US 13). These streets have adequate traffic capacity for the foreseeable future though several street improvements may be warranted. Naylor Road is also a major collector, which serves as the secondary by-pass of Salisbury. Naylor Road will become a part of the super block with U.S. 13 and 50. Recommended improvements include: elimination of on-street parking; provision of longer turning lanes at U.S. 13; selective street widening; and, installation of curb, gutter and sidewalks where none exist.
2. Minor Collectors - Several streets in Delmar function as collectors though are designed as residential streets. It is recommended that these streets be classified as minor collectors and upgraded according to minor collector standards. Streets, which warrant upgrading to minor collectors, include:
  - a. Sussex Road 502 from DE 54 to Bi-State Boulevard with a new collector constructed to link Sussex Road 502 with U. S. 13.
  - b. North Pennsylvania Avenue and York Street from State Street to Bi-State Boulevard to improve access to the Delmar Business District.
  - c. On a long-range basis, when development in the area west of town warrants, a new highway is recommended to tie in Sussex Road 502 and DE 54 with Foskey Lane and Connelly Mill Road.
3. Residential Streets - A program should be undertaken to systematically upgrade Delmar's residential streets following the standards presented in Table \*. Such a program should include repaving, installation of curb, gutter and sidewalk, storm drainage and planting of street trees. Priorities for residential street improvements would improve circulation in the Delmar Business District and as such should include Lincoln, Grove, and East Streets between Bi-State Boulevard



and Pennsylvania Avenue. Other priorities for improvements are South Pennsylvania Avenue from Foskey Lane to State Street and West Jewel Street.

## **H. RAILROAD**

The main line of the Norfolk Southern and provides rail freight service to industry in the Delmar area. The main line runs in a north-south direction, passing through the western portion of Delmar.

The chief advantage to local rail users is the savings incurred through a low car transfer fee. As mentioned in the background material, an active railroad makes Delmar attractive to industrial development.

The uncertainties relating to the future status of the railroad are of great concern to Delmar because it is vital to existing industrial activity and future growth. In order to encourage continued rail service, it is recommended that Delmar develop policies to stimulate rail use, attract new industry, and heighten public awareness of the importance of the railroad to Delmar and the entire region. This matter is discussed further in the last section of this plan, "Areas of Critical State Concern".

## **I. GREENWAYS**

Greenways are generally defined as corridors of protected public and private land established along rivers, stream valleys, ridges, abandoned railroad corridors, utility right-of-way, canals, scenic roads, or other linear features. They often link recreational, cultural, and natural features, provide transportation pathways for people and wildlife, protect forests, wetlands, and grasslands, and improve the economic vitality of a community.

There are opportunities for greenway development in Delmar to serve primarily as a pedestrian corridor to link recreational and cultural resources for children and adults. Creating a greenway corridor to the Tourist Center/recreational pond would increase the safety for children going to and from the site, and enhance connectivity of neighborhoods in Delmar. The Town should identify greenway routes to enhance the recreational potential of the community and improve the safety for children traveling throughout the community. Funding is available for development of a greenway from various Maryland and Delaware state agencies, as well as private funding sources.

*Delaware's Greenway and Trail Program* is a statewide initiative to preserve and protect corridors of open space, and where appropriate, enhance these areas with trails and paved pathways. The Program is administered by the Division of Parks and Recreation, Department of Natural Resources and Environmental Control. The Program makes annual grants to municipal, county and state agencies for greenway and trail acquisition and development.

*Council on Greenways and Trails* - in 1995, the Delaware General Assembly established the Council on Greenways and Trails to foster a cooperative effort to preserve protect and link our green open spaces. The Council acts in an advisory capacity to the Secretary of the Department of Natural Resources and Environmental Control (DNREC), and encourages local communities, counties, and state agencies to create greenway links to serve environmental and recreational needs of Delaware citizens. Applications for the greenway & trail grants from the Delaware Land and Water Conservation Trust Fund are reviewed and approved by this Council. In order to meet its objectives, the Council works closely with public and private organizations throughout the State. The Council works to



incorporate greenway projects into a comprehensive state greenway network, and acts as a resource for all organizations who wish to enhance their neighborhoods by linking open spaces.

*American Greenways DuPont Awards Program* - Provides small grants to stimulate the planning and design of greenways in communities throughout America. The grants will support design activities, hiring a consultant, building a footbridge, planning a bike path, or other creative projects. For additional information, contact American Greenways: The Conservation Fund at (703) 525-6300.

## **J. BICYCLE FACILITIES**

It is recommended that the Delmar Zoning Ordinance be amended to require space be provided for parking of bicycles in non-residential developments and permit an appropriate reduction in parking based on the availability of space for parking bicycles. .

## **K. RIDESHARING**

It is recommended that the Town encourage business and industry to provide to reserved parking spaces for carpools, vanpools, and bicycle racks at office and industrial sites to accommodate and encourage high occupancy vehicles (HOV) commuting.



## **VI. Chapter 05**

### **SENSITIVE AREAS**

Delaware law requires that the comprehensive plan for Delmar contain a Sensitive Areas Element that describes how the Town will protect the following sensitive areas:

- a) Streams and stream buffers,
- b) 100-year floodplain,
- c) endangered species habitats,
- d) steep slopes, and
- e) other sensitive areas the jurisdiction wants to protect from the adverse impacts of development.

In addition to the "Sensitive Areas" highlighted above, the Town of Delmar is also interested in developing strategies to protect its wellheads, and preserve its historical and cultural resources. Delaware law also requires that environmental protection be included in the comprehensive plan, and that by 2007, comprehensive plans and local ordinances must address wellhead protection and the protection of excellent recharge areas. Recommendations to protect and preserve these resources are included in this chapter.

#### **A. SENSITIVE AREAS RECOMMENDATIONS**

##### **Streams and Stream Buffers**

Streams and their buffers are important resources. Streams provide natural drainage and irrigation for farmers. Streams are prime spots for recreation, for fishing and serve as spawning areas for sport and commercial fish stock, and wildlife areas. Development near streams could be subject to flooding that could result in the loss of life and property.

Streams and adjacent areas are home to countless species of animals and transport valuable nutrients, minerals and vitamins to the Chesapeake Bay and its tributaries. The floodplains, wetlands and wooded slopes along streams are important parts of the stream ecosystem. Natural growth adjacent to our streams often serves as a natural screen between different types of land use.

As development activity becomes more intense, a large amount of land, forests and natural vegetation along streams is diminished. The cumulative loss of large amounts of open space and natural land has reduced the ability of remaining land along streams to buffer the effects of such intrusions as high stormwater runoff.

Buffers serve as protection areas placed adjacent to streams to preserve some of the biological and hydrological integrity of the stream basin. These areas act as run off and groundwater pollution control systems by filtering pollutants through the soil and root zone of natural growth. For example, microscopic organisms that inhabit the soils in a forested buffer assist in the decomposition of pollutants, much like microbes in a sewage treatment plant.



There are potentially five (5) stream corridors in the Delmar planning area that are classified as perennial streams as established by critical area definitions. These are Connelly Mill Branch to the west side of town, Wood Creek to the south (extending into the town), Leonard Pond Run to the south, Jackson Branch to the east (within the corporate limits), and Mayer Branch to the east. It is recommended that the Town define a stream corridor as all land and water areas within 100 feet of these stream banks. Any development occurring within this area should be evaluated for its potential impact on adjacent streams. The minimum stream buffer requirement for areas that are already subdivided into lots where a 100 buffer is not possible should be at least twenty-five (25) feet from the bank of all streams. For undeveloped areas the stream buffer should be a minimum of one hundred (100) feet from the bank of all perennial streams and fifty (50) for all intermittent streams. Where possible the stream buffer should be vegetated in a manner that reduces run-off from adjacent land. The stream buffer should be expanded beyond the minimum if the Town determines it to be in the best interest of protecting the stream. The Town will comply with all Maryland and Delaware laws and requirements.

### **Floodplains**

The purpose of floodplain regulation is to protect human life and health and to minimize public and private property damage. Regulatory provisions are designed to encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future and to protect individuals from unwittingly buying lands and structures which are unsuited for intended purposes because of the flood hazards. The public health purpose of floodplain regulation is to protect water quality, sanitary sewage disposal, and natural drainage and to reduce financial burdens imposed on the community by preventing the unwise design and construction of development in areas subject to flooding. The resource protection objective of regulations is to provide for the biological and environmental quality of the watersheds or portions thereof located in the Town of Delmar.

Currently, the Town has no 100-year floodplains in its corporate boundaries. However, in the case that future annexations may have floodplains, the Town will take the appropriate steps, which could include prohibiting development within the floodplain, in order to protect human life and private property and preserve the vital watershed sensitive resources of these areas.

### **Threatened and Endangered Species Habitat**

No threatened or endangered species and habitat related to them have been identified in the Town of Delmar. However, to ensure the protection and continued existence of potential endangered species within the Town's jurisdiction, zoning and subdivision ordinances should include the following ~ protective measures.

1. Require that anyone proposing development activities must address protection of State and federally designated endangered species. The developer must determine through contact with the Town and the Maryland Fish, Heritage and Wildlife Administration (MFHWA) or The Delaware Natural Heritage Program whether proposed activities will occur within or adjacent to identified endangered species habitats and whether the activities will affect the area.



2. If it is established that an activity will occur within or adjacent to an endangered species habitat, the Town should require that the developer provide' protection measures in the project design. A written environmental assessment including site design plans and a description of measures to be taken to protect the endangered species should be submitted to the Town as part of the development review process. The developer must work with the MFHWA and/or Delaware Natural Heritage Program in establishing species/site-specific protection measures. Protection measures may include:

Designation of protection areas around the essential habitat of the designated species. Development activities or other disturbances will be prohibited in the protection area, unless it can be shown that these activities or disturbances will not have or cause adverse impact on the habitat. The protection area designation will be made with input from the MFHWA.

Implementation of design strategies that work to protect the species and essential habitat. These strategies should include (but are not limited to) restrictions on siting of structures, use of cluster design, establishment of undisturbed open space areas, restrictive covenants, and restrictions on noise levels and timing of construction activities.

### **Steep Slopes**

Although there are no steep slopes in Delmar, placement of structures or impervious surfaces should be severely limited on any slope with a grade of twenty-five (25) percent or more. On slopes between fifteen (15) and twenty-five (25) percent, development should also be strongly discouraged. However, if development does occur, good engineering practices should be required to insure sediment and erosion control and slope stabilization before, during and after disturbance activities and to minimize cut and fill.

### **Wellhead Protection**

The State of Delaware Source Water Protection (SWAP) Law of 2001 (7 Del. C. 6081, 6082, 6083) requires government jurisdictions with year-round populations of 2,000 residents or greater to implement measures to protect both the quality and quantity of public water, wellhead, and ground-water recharge areas by 2007.

The goal of the SWAP is to identify and delineate the sources of public drinking water and evaluate the susceptibility of each source to known potential contaminants. The Delaware SWAP outlines the three main tasks required by the U.S. EPA:

- 1) Delineate the boundaries of the source water areas
- 2) Develop a contaminant inventory within the delineated areas, and
- 3) Assess the susceptibility to contamination of each public drinking water source.

The Town of Delmar, recognizing the need for source water protection, established wellhead protection areas through ordinance and provided water use regulations (with enforcement) covering the misuse of the water supply in lawn watering, using hoses to clean sidewalks, and car washing. This will need to be reviewed from time to time to ensure the proper steps are being taken to protect the



Town's wellheads and excellent recharge areas. Map 5 shows the excellent recharge areas and the Town has maps available to review wellhead protection areas.

## **B. HISTORIC FEATURES**

History can be kept alive through education and preservation, both of which can take many forms and vary in intensity. History is something one lives in daily and is not only a "do not touch" museum. Old homes can be restored such that they are comfortable homes of today or they could be refurbished as an office. Historic sites can honor the past while providing a place for leisure activities. An old church can still hold worship services similar to those held one hundred years ago. A number of programs exist to help individuals and groups temporarily or permanently protect sites and structures considered significant. The past is a building block for the future and, if a plan is to be comprehensive, it must incorporate that past as a key element of planning for the future.

Historic preservation is a program that involves the inventorying, researching, restoration, and ongoing protection of sites and structures having a significant local or national historic interest. Continued historic and cultural resource preservation and enhancement through sensitive land use planning and other administrative means would provide Delmar with a number of benefits including:

1. Promotion of a strong sense of community pride for Town residents;
2. Maintain the integrity of the historic significance and character of the older structures.
3. Community revitalization through the renovation or adaptive reuse of older structures;
4. Increased property values and tax revenues as a result of renovation and restoration; and
5. Increased revenues generated from tourism.

There are a number of structures and sites within the Town that are of historic, cultural, or architectural significance. These structures, given proper concern and recognition, have tremendous potential to serve as physical reminders of the history and heritage of our past.

In recent years, there has been considerable public concern that the vestiges of our heritage will be irretrievably lost. It has been found that an active historic and architectural preservation program could have beneficial social, economic and aesthetic impacts on the area. Therefore, rather than permit demolition, destruction, or abandonment of our rich heritage, an active historic preservation program is recommended. Such a program should permit the continued use of the identified sites and structures while simultaneously discouraging inappropriate exterior alterations. The development of a Historic Preservation Program for the Town should be the result of a cooperative effort between the public and private sectors of the community.

The following programs and strategies are designed to facilitate achieving this Plan's goal of preserving and enhancing the Town's rich cultural and historic heritage.



## **Inventory**

The Town should continue to identify significant historic structures and sites within the corporate limits. Once sites are identified, there are a number of actions the Town can take to insure that these cultural resources are preserved for future generations.

## **Protection and Preservation Programs**

A number of existing programs provide assistance in protection or preservation, offer tax benefits, provide professional historical/architectural consulting, and so forth. More detailed information on programs including the National Historic Landmark, National Register of Historic Places, Conservation and Preservation Easements, and Historic Overlay Districts can be found from various historic preservation organizations such as the Maryland Historical Trust and its local chapter in Wicomico County and the Delaware State Historic Preservation Office.

**National Register of Historic Places:** In 1966, Congress established the National Register of Historic Places as the Federal Government's official list of properties, including districts, significant in American history and culture. Some benefits resulting from a listing in the National Register include the following:

1. National recognition of the value of historic properties individually and collectively to the Nation.
2. Eligibility for Federal tax incentives and other preservation assistance.
3. Eligibility for income tax benefits for the approved rehabilitation of owner-occupied residential buildings.
4. Consideration in the planning for federally and state assisted projects.

Listing does not interfere with a private property owner's right to alter, manage or dispose of property.

**Delaware State Historic Preservation Office:** The Delaware State Historic Preservation Office is part of the Division of Historical and Cultural Affairs. The State Historic Preservation Officer is responsible for the administration of the programs and policies of the National Historic Preservation Act, as amended, assisted by the staff of the Delaware State Historic Preservation Office. The historians, architectural historians, and archaeologists who make up the staff must meet qualifications established by the Secretary of the Interior for state staffs nationwide. Working in concert with academic and professional communities, preservation organizations, concerned citizens, and all levels of government, the Delaware State Historic Preservation Office coordinates preservation efforts throughout Delaware and serves as an advocate for the preservation of Delaware's historic places and unique cultural identity.

**Local Historic Overlay Zone:** Another type of designation is the locally zoned historic district, which is an overlay on the existing zoning ordinance of a specified area. The main purpose of local historic area zoning is:



1. To safeguard the heritage of Delmar by preserving the sites, structures, or districts therein which reflect elements of cultural, social, economic, political, archaeological, or architectural history;
2. To stabilize or improve property values of such sites, structure, or districts;
3. To foster civic beauty;
4. To strengthen the local economy;
5. To promote the preservation and appreciation of sites, structures, and districts for the education and welfare of the residents of Delmar.

**Adaptive Re-Use.** The Town should adopt zoning provisions that promote the adaptive reuse of historic structures for public and private uses including, but not limited to, bed and breakfast establishments, craft/gift shops, museums, and studio space for artisans, when such uses minimize exterior structural alteration.

**Support Owners.** The Town should encourage, through the use of various incentives, the preservation of historic structures. Include tax incentives for major structural or exterior renovation or the donation of protective historic easements.

**Local Historic Districts.** The Town may, through the use of various incentives, encourage the establishment of local historic districts in Town. Incentives may include tax incentives and recognition through the awarding of plaques.

**Development Proposal Review.** The Zoning Ordinance and Subdivision Regulations for the Town should require developers to identify cemeteries/burial grounds/archaeological sites/historical structures on a property prior to any disturbance of the site and support archaeological and historical research through preservation of significant sites.



## **VII. Chapter 06**

### **COMMUNITY FACILITIES**

*The Community Facilities Element analyzes, evaluates and makes recommendations for the potential improvement of existing facilities and services, which are provided by public or quasi-public agencies.*

*The vision portrayed in a community facilities element is a public commitment to maximize living and working environment of Delmar. The coordination and staging of the recommended community facilities will, in addition, provide a means to encourage development and channel growth in the most desired manner.*

*Map 1 is provided, which indicates the location of community facilities discussed herein.*

#### **A. GOALS AND OBJECTIVES**

- Provide an updated and detailed inventory of the Town's current communities facilities, and identify the present problems and opportunities as well as current needs for improvement, renovation, innovation and expansion of these existing facilities;
- Coordinate with Wicomico and Sussex Counties' school boards so as to ensure that educational facilities are adequate in size and location to handle the enrollment in their service area (i.e. provide population/growth statistics so that the school boards can better plan to accommodate the Town's children);
- Combine, whenever possible, school and recreation sites in order to provide benefits of safety, convenience, and economy;
- Provide adequate recreation areas for all age groups within reasonably close proximity to concentrations of residential development;
- Protect the health, safety, and general welfare of all the people residing in Delmar by maintaining and/or providing adequate water and sewerage systems;
- To ensure all public buildings and park facilities are accessible to accommodate the population of groups that live with physical challenges;
- Ensure that the Town's library resources answer the community's needs;
- Regularly assess and upgrade safety and emergency facilities and equipment so as to provide best possible quality services to residents in both Maryland and Delaware;
- Encourage the restoration and development of cultural and religious institutions so as to enhance the community's character and sense of belonging;



- Insure that the community is adequately served by a variety of facilities suiting the desires and needs of all citizens;

## **B. WATER AND SEWER FACILITIES**

### **Water Systems**

#### Groundwater Sources

The Town's source of potable water is groundwater from the Manokin and Columbia Aquifers. The Town has two different wells to supply water but only well 3A is currently utilized to supply water to the public distribution system. These wells are located near the Delmar Water Treatment Plant (WTP) on York Street. Both wells yield high quality water, with the exception of moderate iron contamination. In June 2008, the Town published the *"Annual Drinking Water Quality Report for 2007"* stating there were no violations of EPA Maximum Contaminant Levels (MCL).

In 2009 the Town adopted a Wellhead Protection Ordinance to provide regulations to prevent source water contamination through land use regulations. The Town will utilize the Wellhead Protection Ordinance during project planning and evaluate potential problem areas and present solutions to prevent source water contamination. The Ordinance establishes Wellhead Protection Areas, Source Water Protection Areas, and Groundwater Recharge Areas in Delmar and the surrounding area.

#### Water Appropriations & Use Permit

The Town's Water Appropriation and Use Permit (WAUP) allows for withdrawal of 438,000 gallons per well for a total of 876,000 gallons on a daily average on an annual basis. The permit allows for up to 650,000 gallons to be withdrawn from each well during the maximum day. In 2008, the annual daily average was 331,000 gallons per day, and the peak month was July with average daily usage of 396,000 gallons per day.

These numbers show that the Town's permitted water yield allowed by the present WAUP is sufficient to meet the Town's current usage demands. However, *"Ten States Standards", (Recommended Standards for Water Works, 2007)*, requires that the total source capacity meet the peak demand with the largest well out of service. The Town is currently attempting to acquire funding to construct a back-up well that has already been designed by its engineering consultant. Construction of this well will allow the Town to meet supply requirements and permit regulations with the largest well out of service.

#### Water Treatment

Raw water from the wells is treated at the Delmar Water Treatment Plant located on York Street. The water treatment process includes chlorine disinfection, fluoridation, and media filtration for iron removal. A corrosion inhibitor is also added to minimize corrosion in the distribution system piping. The existing media filters are in need of replacement to facilitate continued iron removal. The Town is currently attempting to procure funding for this maintenance project. Iron removal is performed to reduce the iron concentration in Well 3A to exceed recommended levels for aesthetic purposes.



Currently, the Town is running Well 3A throttled back to about 500 gallons per minute (GPM) so the media filters can effectively remove the iron. Raw water from Well 2A has a higher flow rate and higher iron concentration which the depleted filters cannot effectively reduce to the SMCL of 0.3 ppm. There are no health risks associated with the existing iron levels, but high iron can cause aesthetic issues such as odor, taste and color; or maintenance issues related to staining, scaling, sedimentation, and corrosion.

#### Water Storage

“Ten States Standards” require that finished water storage facilities have sufficient capacity to meet one day’s domestic usage plus fire flows. Where source water and water treatment facilities have back-up power, available capacity can supplement peak storage demands.

Storage for the distribution system is provided by two elevated storage tanks. One 250,000 gallon pedestal spheroid water tower is located on the north end of Town on York Street on the WTP property. It was constructed in 2001. The second water tower is a 300,000 gallon leg tank on the south end of Town on Foskey Lane. The towers provide a system pressure of approximately 50 PSI.

Generally accepted water distribution system design practice necessitates that finished water storage facilities have sufficient capacity to meet one day’s domestic usage plus fire flows. Where source water and water treatment facilities have back-up power, available capacity can supplement peak storage demands.

The domestic usage would be the average daily usage during the peak month, equal to 395,645 Gallons. The fire flow storage required would be calculated based on 1500 GPM fire flow for 2 hours, which is equal to 180,000 Gallons. Therefore, total storage required would be 575,645 Gallons. The existing elevated storage tanks provide with a total storage of 550,000 Gallons. The water supply and treatment systems can supplement an additional 650,000 GPD, if required. Therefore, the two towers, in addition to the supplemental storage offered by the water supply and treatment facilities with back-up power, provide sufficient storage capacity and pressures for the existing distribution system demands.

#### Distribution System

The Town is served by a single distribution system consisting of 4” through 12” diameter water mains with isolations valves and fire hydrants. Significant distribution system upgrades have been made in the last 10 years. Many of the older 4-inch lines have been upgraded, however, some undersized mains still inhibit fire flows and pressures and do not meet the minimum 6” main diameter for fire protection systems, per “Ten States Standards”.

#### Water Summary

The Town currently has sufficient water supply capabilities to accommodate the current user demands. However, the Town will need to have the existing media filters at the WTP replaced or construct a back-up well to meet source redundancy requirements.



## **Sewer Systems**

### Collection and Transmission

The Town of Delmar is served by a single sewerage system. A combination of gravity sewer collection and sewage pumping stations convey the sewage to the Wastewater Treatment Plant (WWTP). A study is currently being finalized that will recommend upgrades to several major pumping stations and manifold transmission force main systems to accommodate aging infrastructure and facilities, and recent growth and development within Town limits.

### Wastewater Treatment

The Town owned and operated WWTP is located off Connelly Mill Road south of Delmar's corporate limits. The sewage is treated to a secondary level and discharged into Wood Creek, a small tributary of the Wicomico River. The treatment facility is currently permitted for 650,000 gallon per day with a present 5 year average usage of 447,000 gallons per day, or 69% of rated capacity. The five-year maximum month average was 673,000 GPD.

The waste is treated to a secondary level utilizing activated sludge, secondary and tertiary clarification. TMDL loading allocations necessitate that nitrogen and phosphorus levels be reduced. Effluent Discharge Permit limits for the existing plant require that Total Phosphorus be limited to 0.5 mg/L, which equates to 989 lbs/yr. The permit all sets a Total Nitrogen monthly average goal of 8.0 mg/L, which equates to 15,829 lbs/yr.

A design was recently completed by the Town Engineer to upgrade waste treatment to enhanced nutrient removal (ENR) levels. After the ENR upgrades are completed, the plant will be permitted for 850,000 gallons per day. The new effluent discharge limit for Total Phosphorus will be 0.3 mg/L (777 lbs/yr). Total Nitrogen will be limited to 4.0 mg/L (10,355 lbs/yr).

### On-Site Septic Systems

Currently there are an estimated 75 to 80 on-site septic systems in use within Town limits in areas that are not served by the central collection system. There are no immediate plans to extend sewer service to these areas. However, the Town will eventually have to serve these areas if they fail and the septic systems should be added to their wastewater treatment allocation plan.

### Sewer Summary

The Town currently has sufficient sewer collection, transmission and treatment capabilities to accommodate the current user demands.



## **Chesapeake Bay Total Maximum Daily Loads (TMDL) and State Tributary Strategies**

The U.S. Environmental Protection Agency has developed an extensive TMDL for the Chesapeake Bay. All states that have Chesapeake Bay watershed lands must adopt a tributary strategy to help reduce pollutants to allowable levels. Delaware has not yet adopted a statewide tributary strategy that requires local governments to assess how current and future growth patterns will affect the Chesapeake Bay.

Maryland has developed legislation requiring local governments to examine how growth will affect point source and non-point source nutrient runoff for watersheds within a town, city or county as part of the comprehensive planning process. The Water Resources Element (WRE) is a detailed description of future growth, infrastructure and analysis of pollutants affecting local watersheds, and ultimately the Chesapeake Bay. The local government must also indicate permitted water usage levels, permitted wastewater treatment plant discharge levels and how growth will affect these permits. Where a community does not have the required infrastructure or where permitted levels will be exceeded a plan must be put in place to mitigate those issues or growth must be scaled back.

The Maryland WRE is a valiant attempt to implement many of the EPA's TMDL limitations and to further implement Maryland's tributary strategy. However, it is flawed in many ways and will likely see some refinement before the five-year cycle of local governments having to revisit their comprehensive plans. Nevertheless, there is some important information in the WRE that will be useful for Delaware's tributary strategy when formulated.

Yet, due to the flaws in the Maryland WRE and the inability to predict what Delaware will require in local comprehensive plans to help implement its tributary strategy, the Maryland WRE is not being adopted as part of this comprehensive plan. Delmar has decided to incorporate the Maryland WRE by reference and it has been included in Appendix A of this plan. More information concerning Delaware's TMDL strategy will be available after incorporating final EPA comments into their Watershed Implementation Plan.

EPA is requiring the State of Delaware to develop a Watershed Implementation Plan (WIP) and 2-year progress milestones for purposes of accelerating efforts to improve and restore waters of the Chesapeake Bay. The WIP and milestones will identify specific pollution reduction practices and programs to reduce nitrogen, phosphorus, and sediment from a variety of sources within the watershed. The WIP is being developed by an Interagency Workgroup, made up of representatives from DNREC, the Department of Agriculture, DelDOT, Office of State Planning Coordination, and other local, state, and federal partners and stakeholder groups. Delaware's Draft Phase 1 WIP is currently available for review at:

[http://www.wr.dnrec.delaware.gov/Information/Pages/Chesapeake\\_WIP.aspx](http://www.wr.dnrec.delaware.gov/Information/Pages/Chesapeake_WIP.aspx).



The Final Phase I WIP will be provided to EPA by November 29, 2010, so that they may finalize the Chesapeake basin-wide TMDL by December 31, 2010. More detailed actions and strategies will be produced in the Phase 2 WIP, which will be completed in 2011. DNREC and the Chesapeake Interagency Workgroup are eager to work with local governments to gather their input into this plan and determine a path forward for the most effective and efficient implementation of the WIP.

### **C. EDUCATION**

Delmar has two schools within the Town boundaries, Delmar Middle/Senior High School and Delmar Elementary School, the largest elementary school in Wicomico County in terms of students and teachers.

The Delmar educational system has been one of the more significant successes and unifying factors in a town obstructed with administrative barriers due to its location in both Maryland and Delaware. Originally each side of Delmar supported its own school system, creating a needless duplication of services. Fortunately the civic leaders had the foresight to unite both schools into a single school system. The school on Foskey Lane in Delmar, Maryland became Delmar Elementary School. The Delmar, Delaware school on Eighth Street became Delmar High School. 2007 enrollment numbers for Delmar Elementary and Delmar Middle/High were 927 and 1,025 (Middle School:469; High School: 556), respectively. However, a concern raised by residents in Delmar, Maryland, is the fact that their children have difficulty enrolling in Delmar Middle and High School in Delaware.

In terms of higher education, Delmar residents can choose among a variety of colleges/universities in surrounding municipalities.

#### *Colleges/universities with over 2000 students nearest to Delmar:*

- *Salisbury State University* (about 7 miles; Full-time enrollment: 5,645)
- *Delaware Technical and Community College-Owens* (about 21 miles; Georgetown, DE; FT enrollment 2,053)
- *University of Maryland-Eastern Shore* (about 22 miles; Princess Anne, MD; FT enrollment: 2,940)
- *Delaware State University* (about 50 miles; Dover, DE; FT enrollment: 2,641)
- *Chesapeake College* (about 54 miles; Wye Mills, MD;)
- *United States Naval Academy* (about 73 miles; Annapolis, MD; FT enrollment: 4,172)
- *University of Delaware* (about 77 miles; Newark, DE; FT enrollment: 17,786)
- *Wilmington College* (about 79 miles; New Castle, DE; FT enrollment: 3,087)



#### D. PUBLIC HEALTH SERVICES

All County public health offices that provide services to the public are located in Salisbury. The Town should support efforts to schedule periodic clinics to provide health services to residents of the area, especially elderly, handicapped and low-income residents in the community. Local facilities could be made available to the local Health Department to increase temporary clinics for citizens rather than requiring them to travel to Salisbury.

#### E. PARKS AND RECREATION

The provision of a variety of park and recreational facilities to serve the existing and future residents of Delmar assists greatly in maintaining a high quality of life. In addition to being activity centers, the parks and recreation facilities serve as neighborhood focal points and provide a favorable residential image of the community.

Recreation areas are considered to be any building or land basically devoted to recreational pursuits but non-profit in nature. Within the Town of Delmar and the surrounding area, there are nine public and semi-public recreation areas (See Table 12 ).

<b>Table 12</b> <b>Public and Semi-Public Recreation Areas</b> <b>Delmar, Maryland &amp; Delaware</b>	
<b>Name</b>	<b>Acreage</b>
Woodlawn Family Campground	29.5
Delmar Park	22
Delmar Elementary School/Mason-Dixon Sports Complex	11.4
Gordy Park	5.0
Woodlawn Park	4.6
State Street Park	2.6
Bi-State Park	.23
Westside Tot Lot	.21
<b>Total:</b>	<b>75.54</b>



Currently, the Town's 5,144 residents have access to 75.5 acres of parks, recreation and open space facilities, located in both Maryland and Delaware. This ratio of residents/parks is much lower than Maryland's standards for open space which is to provide 30 acres of open space for every 1,000 residents. The Town would thus need to increase its parks and recreational facilities by approximately an additional 80 acres to meet the State's goals.

A well-balanced community recreational plan requires well-defined areas and facilities to be located in close proximity to the residential neighborhoods that they serve. The type and amount of park and recreation facilities required for a community depends to a large degree on the needs and desires of the residents. The standards in Table 13 serve as a general guideline in determining community recreation needs.

**Table 13**  
**Standards for Recreational Activity**  
**Delmar, Maryland & Delaware**

Type	Age Group Served	Optimal Site Size	Service Area
Playlot	Pre-School	50'x100'	Walking Distance - 1/8 mile
Playground	5-14 Years	3-7 Acres	1/4 to 1/2 mile radius
Neighborhood Park	All ages	5-15 Acres	1/4 to 1/2 mile radius
Playfield	15 years and over	12-20 Acres	1/2 to 1 mile radius

*Source: Town of Delmar, 2004 Comprehensive Plan*

At present, Delmar contains a number of suitable playlots, playgrounds and playfields in various locations throughout Town, as well as a functional neighborhood park along State Street (Delmar Park). The 2005 Comprehensive Plan recommended that the Delmar elementary school grounds be improved to provide open play fields and paved areas. At the time of the 2009 Comprehensive Plan update, the grounds have indeed been improved to include a paved driveway for safer student bus drop off and pick-up, an additional parking area was added, and an expanded fenced in open playfield has been provided along with new playground equipment.

A grant was awarded to the Town of Delmar through Maryland Department of Natural Resources, Program Open Space (Maryland's Community Parks & Playgrounds Program) to retrofit Gordy Park with two newly constructed basketball courts and a skate park. The project will be completed by late spring/early summer 2009. A determination with regard to making Gordy Park a lighted playfield will be pending an evaluation by Town officials of the operation and maintenance upon completion of the facility improvements.

In addition, a second playfield of at least 10 acres in size should be developed off Lincoln Avenue to serve northern Delmar. This area is lacking in active recreation facilities and needs a playfield. The proposed playfield should include: regulation softball field, soccer/football field, children's playground



and totlot facilities, other organized play activity as well as lighted tennis and basketball courts, and landscaped passive recreation areas.

Previous input provided by Town residents indicated that a community swimming pool could be included in future projects. Delmar however assessed that the construction of a swimming pool has a low priority relative to other project deemed more vital to the Town's growth at this stage of development.

In addition, it was recommended that the wooded area between U.S. 13 and Woodlawn Park be purchased to serve as a passive recreational extension of Woodlawn Park. But because of the location of these two playgrounds, many residents of Delmar might be inadequately served.

Open space and recreational facilities, which serve a wider interest, such as county or regional facilities, are not reflected in this plan. These facilities are beyond the purview and financial capability of Delmar. However, Delmar should work closely with the various recreation agencies to insure that its recreation needs are voiced.

In order to encourage the development of open space, the Delmar Planning & Zoning Commission is requiring developers to include the incorporation of public recreational facilities as part of the proposed Site Plan prior to obtaining approval to build. An alternative is to assess a fee for the development of recreational facilities by the Town.

## **F. FIRE AND POLICE**

### **Fire Department**

The Delmar Fire Department is located at the corner of Bi-State Boulevard (Alternate Route 13) and Grove Street. This two-story structure has space for 15 pieces of equipment and contains a social hall, kitchen and elevator.

The Delmar Fire Department is responsible for providing fire protection and emergency ambulance service to all areas of Wicomico and Sussex Counties from Leonard's Mill Pond on the south to Whitesville Road on the north, and from Melson on the east to the Huckory Mills area on the west. The Bi-State Fire Company, which is currently composed of 75 active members, currently utilizes 9 pieces of firefighting equipment, which includes: 3 pumpers, 1 tank truck, 1 rescue truck, 2 ambulances and 2 utility trucks.

### **Police Department**

The Delmar Police Headquarters are located on Pennsylvania Avenue. The department consists of 12 officers, one full-time and two part-time civilian officers, 10 vehicles and a K9 police dog. The department is inter-jurisdictional, providing police services in both Delmar, Maryland and Delmar, Delaware. Police officers must be sworn-in in both Maryland and Delaware so as to legally provide the



bi-state police service. In addition, there is a mutual agreement that the Delmar Police Department will serve as back up to the County and/or State institutions that occur outside the Town boundaries.

Based on standards developed by the International Association of Chiefs of Police (IACP), Delmar's Police Department currently responds to police and emergency calls with adequate resources in both Delmar, Maryland and Delmar, Delaware with 12.86 officers needed for a total population of 5,144 residents (IACP Standard: 2.5 police officers are adequate to serve every 1,000 residents).

However, in reality the police department is in serious need of expansion. The current facilities are cramped and overcrowded as there is not enough room for storage and equipment. There are no detention facilities in Delmar and arrested persons must be transported to either the Wicomico County Jail in Salisbury, Maryland or the Sussex County Correctional Center in Georgetown, Delaware.

Furthermore, the unique Bi-State police service provided in Delmar creates a number of problems. Maryland and Delaware police agencies operate on different radio frequencies; therefore, each Delmar police car must be equipped with two radios. Separate police reports must be filed and separate arresting procedures followed in the two states.

Plans to obtain a new police headquarters will occur in the near future and land on Foskey Lane (near Bi-State Boulevard, next to the athletic and fitness center Diamond Dreams) has been acquired by the Town for its construction, but sources of funding still need to be found.

## **G. LIBRARIES**

The Delmar Public Library – located on Bi-State Boulevard (at the corner of Grove Street) – counts 5,816 registered borrowers, including Delmar residents (both in Maryland and Delaware) as well as patrons from the surrounding areas: Mardela Springs, Sharptown, Salisbury, Parsonsburg, etc. There are four full-time and six part-time employees. In 2008, the library collection included 23,882 books and offered a variety of special services (i.e. large-print books, magazines, newspapers, videos, to name a few).

Demand for the library is increasing as the community realizes that it offers a variety of free services. Thus, the costs for providing these services are going up, but the funding is being cut. A building program for the library was completed in November 2007. It determined that in order to satisfy the library needs of the Delmar community for the next 20 years, the library would need to increase and more than double the current amount of floor space (Gross Square Feet (GSF) of current building: 4,980 – Proposed GSF: 11,000).

However, funding is a large concern. Even though half of the population served resides in Wicomico County and the State of Maryland, both County and State do not contribute to the costs. The library is independent and relies financially mainly on Sussex County and the State of Delaware, and receives donations and services (i.e. sewer, free water, trash pickup) from the Town. (Refer to Appendix B for more detailed information)



In addition, residents have access to the library branch located in the Center at Salisbury Mall. The Wicomico County Bookmobile also used to stop in Delmar, Maryland, but discontinued these services since not enough people were using it. However, plans to reintroduce the Bookmobile in Delmar are currently being considered.

## **H. CHURCHES, INSTITUTIONS AND CULTURAL FACILITIES**

Below is a list of Delmar's churches, institutions and community facilities in and around Town. Locations of the main institutions can be found on *Map 1 - Community Facilities*.

### *Delmar Area Churches*

- *Delmar Christian Center* – 107 State St.
- *Fellowship Tabernacle Worship Center Inc* – 202 Popular St.
- *First Church of the Lord* – 106 N. Second St.
- *God's Missionary Church* – 29436 Connelly Mill Rd.
- *Grow in Grace Worship Center* – 9000 Bi-State Blvd.
- *Harvest Ministries Inc* – 305 N. Bi-State Blvd.
- *Holy Redeemer Catholic Church* – 501 E. Chestnut St.
- *Mt. Zion Holy Church* – 209 N. Memorial Dr.
- *Faith Baptist Church* – 1207 E. State St.
- *First Baptist Church of Delmar* – 501 Bi-State Blvd.
- *New Covenant Fellowship* – 8917 Bi-State Blvd.
- *All Saints Episcopal Church* – 10<sup>th</sup> & Grove Sts.
- *Line United Methodist Church* – Line Rd.
- *Melsons United Methodist Church* – 32705 Melson Rd.
- *Mt. Nebo United Methodist Church Community Center* – Rd. 507
- *Union United Methodist Church* – 1203 Pine St.
- *St. Stephens United Methodist Church* - 101 E. State Street
- *Life Center Ministries, Inc.* - 13 W. State Street
- *Delmar Wesleyan Church* - 800 E. East Street



*Institutions Present in Town (i.e. social clubs, & other civic organizations of similar character):*

- *Delmar Fire Department (Volunteer)* - P.O. Box 143, N. Bi-State Blvd., Delmar, DE
- *Delmar American Legion* – 104 N. Second St., Delmar, DE
- *Delmar Masonic Lodge* – 100 State Street, Delmar, MD
- *Kiwanis Club of Delmar* – All Souls Episcopal Church, 10<sup>th</sup> & Grove St., Delmar
- *Lions Club* – c/o King Lion Anna Era, 6697 Oak Ridge Drive, Hebron, MD
- *New Century Club* – P.O. Box 104, Delmar, DE
- *Wood Workers Association* – 601 N. Second Street, Delmar, DE
- *V.F.W. Memorial Post #8276* – 200 W. State Street, Delmar, MD
- *V.F.W. Ladies Auxiliary* – 200 W. State Street, Delmar, MD
- *V.F.W. Men's Auxiliary* – 200 W. State Street, Delmar, MD

*Cultural Facilities*

The Delmar Public Library is the home to a one-of-a-kind collection of four model trains hand-whittled down to the last detail. There is a collection of railroad books and lots of items from the Delmar Railroad when it was at the height of its activity. There are other historical items that revolve around the Town of Delmar and its residents.



## **VIII. Chapter 08**

### **HOUSING**

The future growth of Delmar depends in great measure upon the development of housing and its availability in quantity and variety within a broad price range. The provision of areas, and the redevelopment and maintenance of attractive residential neighborhoods, protected from adverse effects of traffic and incursion of incompatible uses, are also major considerations in the relocation of new industry and future growth of Delmar. No other element in the physical development of a community has such a direct influence of its future. For this reason, the Housing Element is included within the framework of the Comprehensive Plan so that housing proposals can be fully integrated into community development proposals.

The quality of Delmar's neighborhoods is determined by the cumulative impact of the Town's housing supply and living environment. Since major community goals are to improve the quality of life and to promote the availability and affordability of decent, safe, and sanitary housing for all Town residents, housing ranks as an important local concern. Important factors to be considered in forming Town policy toward the public function of housing in the Comprehensive Plan are:

1. Housing is a durable, physical product in a neighborhood setting.
2. Housing is a major user of the Town's land.
3. 3, Housing is a generator of local public facilities and services.
4. Housing is the object of local real estate taxes.
5. Housing is a major influence on the Town's physical and social environment.
6. Housing is an essential requirement for continued economic development.
7. Housing construction is a major source of employment.
8. Housing is a major investment or expenditure for individual families.
9. Housing is a major investment for the private financial community.
10. Housing is a major ingredient in family satisfaction or dissatisfaction and in a community's sense of well-being.

#### **A. POLICIES**

1. The following are the Town's policies for housing planning.
2. A variety of housing types should be provided for within the Town's land use controls.
3. The purpose of Town housing and building codes is to insure high standards of quality in new construction, but with sensitivity to housing affordability.



4. Regulations for mobile homes and mobile home parks have been established to insure that those developments meet the same standards as required for other single family dwelling developments.
5. The Town will continue to encourage, through both private and public actions, the renovation or removal of substandard housing.
6. Continue to encourage, through both private and public actions, an opportunity for families to live in adequate homes in price ranges that are affordable.
7. Federal and state programs should be utilized when appropriate to help meet Delmar's housing needs.

## **B. HOUSING DEFICIENCIES**

The background information provided at the beginning of this planning report indicated that a substantial portion of the housing in Delmar is old and in need of repair. In addition, certain areas, particularly at the northwesterly sector of Delmar, in need of clearance, rehabilitation or redevelopment or a combination of all three. These general conclusions were based upon age and value of housing, as compared with the same statistics for the State of Delaware, crowding and a windshield survey of the various residential areas in Delmar. The background study revealed that housing, occupied by minority groups, is in a deteriorated or dilapidated condition. Much other information, which is not available to us, such as family income as correlated to age, and size of family, we believe would corroborate the general statement that the elderly, the low income family and the large family occupy poorer housing and bear the brunt of housing deficiencies.

Middle income families also find it increasingly more difficult to purchase a home because of the rising cost of land and homes. Their ability to live and prosper in the Town is essential to the community's quality of life. Therefore, the Town should provide medium and low-income families with information on housing programs that can assist them in purchasing homes within the Town.

## **C. RECOMMENDED ACTIONS**

In an effort to provide a comprehensive approach to relieve housing deficiencies and provide more housing in Delmar, the following actions are recommended:

1. Cooperation with Wicomico County and Delaware State Housing Authorities to provide housing for the elderly or public subsidized housing for those displaced by enforcement of housing codes.
2. Make information available pertaining to federally assisted housing rehabilitation and loan programs (The Farmers Home Administration always ends the year with surplus funds available for such programs.)
3. Include in capital improvements programs, public improvements such as street paving and repair, street lighting, tot lots, playgrounds, and sewerage and water mains in transition neighborhoods to reinforce and protect residential uses and demonstrate public commitment in the preservation of such areas.



4. Revise the zoning code, which provides for a variety of housing types including apartments, and townhouses.
5. Work with landlords to develop and provide incentives to upgrade rental property in ways, which do not cause exorbitant rent increases.

#### Mobile Home Enhancements

Mobile homes offer housing ownership within the means of people who might otherwise be required to rent, and this mode of housing should not be excluded entirely from the Delmar Planning Area. However, due to their basic incompatibility with areas developing with conventional housing, mobile homes should be carefully controlled.

It is recommended that mobile homes be permitted on an individual basis as accessory to farms in rural-agricultural areas or in mobile home parks in areas carefully selected and provided for in the zoning code. Areas for mobile home parks should be selected on the basis of the ability to serve the area efficiently with public services and compatibility with surrounding development.

Mobile home parks should be developed at a density appropriate for conventional dwellings; 7,000 to 9,000 square feet per dwelling unit is recommended. Mobile home parks should be excluded from established, conventional residential areas and zoning regulations should provide standards to assure greatest compatibility with the character of the area. The following mobile home standards should be considered:

1. A minimum total area standard required for a manufactured home subdivision and a rental community - a 10-acre total area minimum is suggested.
2. Standards should be set for maximum density of all manufactured home subdivisions and rental communities (6 units per acre is suggested), and all homes should be required to have landscape plantings and low-level decorative fencing.
3. Setbacks should be required. A minimum setback of 50 feet from county and state roads, as well as other properties is a recommended minimum.
4. Both a manufactured home subdivision and a rental community should be buffered on all sides with a permanently maintained natural or artificial barrier/buffer. Such a buffer could be located in the area suggested for a minimum setback.
5. All manufactured homes should be installed upon an approved anchor tie-down system and should be securely anchored to prevent them from shifting or overturning.

#### **Housing Deficit Actions**

The following recommendations are made in an effort to increase the supply of housing in Delmar:

1. Extend sewer and water service lines into undeveloped areas to encourage residential construction and to permit higher densities. This action may tend to reduce land cost per dwelling unit.
2. Provide sufficient residentially zoned land to allow developers adequate market choice and discourage land speculation, thereby reducing land appreciation costs.



3. Program and phase supporting community facilities (street improvements and recreational facilities) to anticipate and induce demand for residential development.

In addition to the actions described above, there are several implementation alternatives available to local governments for the provision of affordable housing. The extent, to which these alternatives are used, either singularly or in combination, depends on the particular needs of the community. Each approach to providing affordable housing has varying degrees of success.

## **D. HOUSING PROGRAMS**

### **Homeownership Programs**

#### Single Family Mortgage Revenue Bond Program - (SFMRB)

Commonly referred to as the First-Time Home Buyers Program or the Bond Program, this program helps low- and moderate-income Delawareans afford homeownership by providing a below market interest rate mortgage to persons who have not owned a home in the past three years.

#### Second Mortgage Assistance Loan Program - (SMAL)

This program provides up to \$5,000 (at 6% interest rate) in down payment and closing costs assistance to persons who have not owned a home in the past year.

#### Delaware Housing Partnership - (DHP)

This initiative combines 6% interest rate down payment and closing cost loans of up to \$10,000 with pre-approved, newly-constructed affordable homes.

#### Live Near Your Work - LNYW

The LNYW Program is a cooperative partnership between the state, local jurisdictions and employers to provide financial assistance to eligible employees in purchasing homes near their places of employment.

#### Resident Homeownership Program - (RHP)

This program offers eligible DSHA assisted housing residents the option of purchasing a home. Qualified participants will have the opportunity to purchase a home utilizing their existing assistance toward the mortgage.



## **Rental Housing**

### Housing Development Fund - (HDF)

The HDF is Delaware's primary financial resource to help housing providers across the State access financing to create or rehabilitate affordable housing, or offer unique housing programs for low- and moderate-income persons.

### HOME Investment Partnerships - (HOME)

This federal program is offered statewide by DSHA and provides financial assistance to affordable housing providers, often in conjunction with Housing Development Fund financing.

### Low Income Housing Tax Credits - (LIHTC)

This program provides a direct federal income tax credit to qualified owners and investors who build, acquire or rehabilitate rental housing units to rent to low-income Delawareans.

### Multi-Family Mortgage Revenue Bond Program - (MFMRB)

This statewide program permits DSHA, through the issuance of tax-exempt mortgage revenue bonds to finance the acquisition, new construction or substantial rehabilitation of apartment complexes which are available for rent to low-income individuals and families.

## **Subsidized Rental Housing Assistance Programs**

### Public Housing - (PH)

DSHA offers low-income Delawareans in Kent and Sussex Counties who are in need of assistance to afford month-to-month rent payments a subsidized rental housing assistance program. The program offers DSHA-owned Public Housing apartment site residency.

### Section 8 Housing Choice Vouchers

DSHA also offers a Section 8 Housing Choice Voucher Program for DSHA-approved private rental residency. For more information, please see the Moving To Work Demonstration Program description below.

### Moving To Work Demonstration Program - (MTW)

Applicants on the two programs listed above are placed on a combined waiting list for assistance. They are given the first available subsidy location, which may be a public housing site or in the form of a Section 8 Voucher for use in the private market. Most residents, with the exception of the elderly and disabled, are eligible to receive subsidy under these programs for a maximum of 5 years (with some one-year extensions) while they take part in a mandatory self-sufficiency program.

### Section 8 New Construction- (SEC 8 NC)

This program" offers very low-income Delawareans 30 different affordable housing sites throughout the state, at which participants pay approximately 30% of their income for rent. DSHA provides managerial and financial oversight to these sites and directly manages two of the locations. (The name of this program is misleading, for it does not concern new construction.)



## Home Repairs

### Housing Rehabilitation Loan Program - (HIUP)

This program offers loans of up to \$35,000 at 3% interest rates to low- and moderate-income home owners and landlords who rent to low-income tenants in order to make necessary State Housing Code repairs or handicapped- accessibility modifications.

### Neighborhood Revitalization Fund – (NRF)

***New Funding\*Currently Unavailable.*** The goal of this program is to help entire communities restore their homes to State Housing Code standards. Neighborhoods and communities apply to receive a set aside of funds that their home owners can access in the form of low-interest loans. Home owners residing in approved neighborhoods can access deferred low-interest rate loans of up to \$35,000; landlords can borrow up to \$25,000.

### Community Development Block Grants - (CDBG)

Each year, Kent and Sussex County and local municipalities within these counties apply to DSHA for a portion of this federal grant money. DSHA administers the funds to these governmental entities, which in turn use the money to help repair substandard housing and make infrastructure improvements in needy areas of each county. Municipalities can request sewer and water system improvements, street repairs, street lights and other infrastructure improvements that support low- and moderate-income housing development.

## Community Development

### Housing Capacity Building Program - (HCBP)

This initiative helps providers of affordable housing increase their capacity to build and maintain affordable housing. A joint initiative of DSHA, the University of Delaware, the Delaware Community Investment Corporation and the Delaware Community Foundation, the program provides a range of assistance including capacity building grants, training and technical assistance.

### Emergency Shelter Grants Program -. (ESGP)

The federal assistance provided under this program benefits emergency shelters by allowing them to expand services and renovate their shelters. It is offered by DSHA in Kent and Sussex Counties.



## **Special Loan Programs**

Accessory, Shared and Sheltered Housing Program (ACCESS) - The purpose of ACCESS is to expand low cost housing opportunities for low-income households and low-income elderly, handicapped or disabled persons by financing the creation of accessory, shared, and sheltered housing facilities.

Indoor Plumbing Program (IPP) - The purpose of the IIP is to provide indoor plumbing in residential properties. Loans are made to income eligible households in owner-occupied single family units.

Residential Lead Paint Abatement Programs (RELAP) - Loans are provided through the RELAP to reduce instances of lead poisoning of children by financing the abatement of lead paint in residential buildings.

Group Home Financing Program - The purpose of this loan program is to assist individuals and nonprofit organizations to construct or acquire and modify existing housing to serve as group homes or temporary and emergency shelter for income-eligible persons and households with special housing needs.

Single Family Home and Energy Loan Program (HELP SF) - The purpose of the HELP SF is to finance rehabilitation, energy conservation and basic livability of owner-occupied housing with one to four units using the proceeds or tax-exempt bonds.

Energy Bank Program - This program provides matching grants for energy conservation improvements in owner-occupied housing with one to four units using the funds from the Energy Overcharge Fund.

## **Housing Subsidy Programs**

Rental Allowance Program (RAP) - This program provides grants to local governments to provide flat rent subsidies to low-income families who are homeless or have emergency housing needs. The purpose of the program is to help these families to move from temporary housing to permanent housing and self-sufficiency.

Section 8 Existing Certificate/Voucher Program - A U.S. Department of Housing and Urban Development Program (HUD), Section 8 Existing is a rental assistance program which subsidizes the rent of low income families through the use of federal grants. This program is administered through the Maryland CDA.

Section 8 Moderate Rehabilitation Program - The U.S. Department of Housing and Urban Development Program (HUD) Moderate Rehabilitation Program, a component of the Section 8 Existing program, is designed to encourage owner investment in substandard and aging housing that would otherwise continue to deteriorate in order to expand the supply of rental housing to low-income households. This program is administered through the State of Delaware.

Section 8 Rental Rehabilitation Program - The U.S. Department of Housing and Urban Development Program (HUD) Rental Rehabilitation Program is designed to increase the supply of rental housing for low- and moderate-income families. As a split-subsidy federal grant funds are provided to building owners to help offset the cost, in conjunction with private financing, of rehabilitation of deteriorated existing rental units.



### **Low Income Housing Tax Credit Program**

The Federal Low-Income Housing Tax Credit, created by the Tax Reform Act of 1986 and extended by the Revenue Reconciliation Act of 1989, is designed to encourage private sector investment in the construction and rehabilitation of housing for low- and moderate-income families. The law gives states annual tax credit allocation based on population. CDA is the agency, which allocates the state's tax credits on a competitive basis. The purpose of this program is to provide an efficient and economical means of access to capital markets in order to finance infrastructure projects to local governments.



## **IX. Chapter 08**

### **COMPREHENSIVE PLAN IMPLEMENTATION**

#### **A. INTRODUCTION**

The Comprehensive Plan serves only as one element of a continual growth management process for the Town of Delmar. Although there are specific implementation responsibilities of the Town's planning commission and Town Council and commissioners, it will take the effort of both the public and private sector to ensure the Plan's successful implementation. Community involvement in the planning process is also essential if a community is to grow in a manner that is consistent with the Town's values, goals and objectives. Indeed, the Town has growth potential, but without opportunities to convene citizens, private and public sector representatives in a continual process to discuss growth management, then the manner in which the Town will grow may be inconsistent with the Town's overall goals and objectives. Planning and the planning process provide an opportunity to plan for growth to support Town goals and preserve Town values.

#### **B. INTERGOVERNMENTAL COOPERATION**

The Town of Delmar is an incorporated community situated on the Mason-Dixon Line at the most Southerly boundary between Delaware and Maryland. Delmar is two incorporated towns: Delmar, Delaware, governed by a Mayor and 4 Council Members, is located in Sussex County, and Delmar, Maryland, governed by a Mayor and 4 Commissioners, is located in Wicomico County. The Towns share a central administration office, police department and public works department. Although there are two separate town governments, there is joint ownership of all public property, such as water treatment facility and wastewater treatment facility.

The Towns also have several Commissions and Boards that consist of an elected official from each Council in addition to residential members from each side of town. Those boards are Planning & Zoning Commission, Utility Commission, and Parks & Recreations.

The Town also shares a Chamber of Commerce that helps keep the continuity in our community. In addition, the Towns share one volunteer Fire Department with paid Paramedic and EMT services.

In planning for the future growth of Delmar, cooperation must be enhanced between the Town and both Wicomico and Sussex Counties. Delaware State law requires intergovernmental cooperation on planning matters, and in general, this cooperation is good for sound development. The Town of Delmar should recommend that the Town, Sussex County Commissioners and other Metro Core municipal officials establish a joint committee to discuss growth and development in the Metro Core region. The Committee could discuss the following:

Items pertaining to Sussex County

1. The Town of Delmar, Delaware shall establish new opportunities for cooperation and coordination with nearby local governments as well as with Sussex County government. The Town should establish occasional meetings with these agencies and participate actively in other governmental activities in the territory.



2. The Town should work closely with Delaware State agencies such as State Planning Coordination, the DE Economic Development Office, DNREC, and DelDOT as a source to help structure the Town projects and programs.
3. The Town will remain active with the Sussex County Association of Towns and the DE League of Local Government.
4. Develop the Town's 5-year Capital Improvement Program that is coordinated with the C.I.D. Program of Sussex County.

The Town has reviewed the most recently adopted Comprehensive plan from Sussex County. The Town and County are consistent in a majority of their overall development policies. Also, the County's future land use plan is consistent with planned development by the Town. Sussex County generally has a policy of allowing land use decision to be made at a local level. While this will help the Town in implementing their comprehensive plan strategies, it also will require more consistent communication and discussion with County planning staff and officials. This re-emphasizes the need to establish the Joint Committee discussed above.

#### **C. ENFORCEMENT AND ADMINISTRATION**

One of the most important, yet often neglected, issues to be considered in the formulation of the Comprehensive Plan, Zoning Ordinance and Subdivision Regulations is administration and enforcement. Even the most well conceived plans and ordinances will lose effectiveness, and in some cases be invalidated, without consistent and equitable administration and enforcement. The responsibility for administering and enforcing the Comprehensive Plan and its associated ordinances and regulations rests primarily with the Town Council and Commissioners and the Planning Commission. The role of these groups in administration and enforcement of the Plan and its coinciding Ordinance and Regulations are defined in the following text.

The Town recently revised their Zoning and Subdivision Ordinance in 2008. The Town will again review this plan against those development standards and make revisions where necessary, within the 18 months required under State law.

#### **D. TOWN COUNCIL AND COMMISSIONERS**

The Town Council and Commissioners are the final authority concerning decisions to adopt or revise and amend the Comprehensive Plan for Delmar. They are also the primary groups responsible for implementing Plan proposals. As the elected officials of the Town they are responsible for addressing public concerns and community needs through the development of public policy.

Delmar Commissioners are fortunate in having charter powers, which invest them with a variety of responsibilities and authority necessary to discharge their public responsibilities. Under this section of the Comprehensive Plan, specific proposals are identified which will require consideration by the Town Commissioners. The Town Commissioners will work with County officials to ensure consistency with regional growth and development objectives, which are compatible with Delaware State law.



Recommendations of the Plan are designed to assist the Town in achieving Plan goals and objectives, and improving the quality of life of its residents. The Town Council and Commissioners will be primarily responsible for undertaking the following actions to make the Plan adopted public policy:

1. The Commissioners must, under law, review and adopt the Comprehensive Plan. This provides a foundation for the existing adopted Zoning and Subdivision regulatory controls, or to serve as a basis for their revision.
2. The Council and Commissioners will review specific improvement projects within the context of the Comprehensive Plan, and;
3. The Council and Commissioners should support the recommendations by allocating funds under their direct control to support specific actions outlined in the Plan, as well as research Town of Delmar and solicit County, State and Federal resource programs to support priority actions that the Town is currently unable to fund.
4. Institute procedures to coordinate with the County government, as well as various State and Federal agencies, to assure their actions are consistent with Town Planning objectives.
5. Oversee the coordination of development activities and proposed programs within the Plan either as a "committee as a whole" or by delegating this function to the Planning Commission and/or appropriate Town staff for their detailed analysis and opinions.
6. Ensure the consistency of the Zoning Ordinance and Subdivision Regulations with the Comprehensive Plan policies, objectives, and recommendations.

As a summary of the actions to be taken by the Town Council and Commissioners, the following items are listed as a guide. Each category is presented as a method of clarifying the various roles of the Council and Commissioners in Plan implementation.

a. Legislative

- 1) Officially adopt the revised Delmar Comprehensive Development Plan after appropriate review, discussion and public hearings, and in accordance with State law.
- 2) Review and adopt any necessary revisions to the 2008 revised Delmar Zoning Ordinance to implement basic land use policies of the Comprehensive Plan.
- 3) Review and adopt any necessary revisions to the 2008 revised Subdivision Ordinance to assure consistency with any development standards recommended within the Plan.



b. Administrative

- 1) Maintain an inspections staff to enforce locally enacted codes, including housing, zoning and building codes.
- 2) Continue to maintain an annual capital improvements program and capital budgeting process to help establish community priorities, clearly indicate assets and liabilities, and continue to provide essential community services.
- 3) Continue to maintain, through future appointments, the roles and functions of ongoing Town boards and commissions, including the Town Planning Commission, Board of Zoning Appeals, and other ad hoc committees which may be required to assist them from time to time in Plan-related actions or activities.

c. Coordination

- 1) Initiate cooperative meetings with the County library board, school board and other local boards to ensure that the future location of physical facilities will be consistent with local service extension policies.
- 2) Maintain ongoing procedures for incorporating citizen views into the planning process to make public plans consistent with public needs.
- 3) Coordinate with Sussex County, the State of Delaware, and the Sussex County Associations of Towns.

**E. PLANNING COMMISSION**

The Planning Commission, appointed by the Town Council and Commissioners, is instrumental in directing the Comprehensive Planning efforts of the Town of Delmar. The Commission's role is to coordinate, educate, advise, recommend and support, wherever possible, the activities of citizens and governmental agencies in their efforts to implement the Plan.

Under Title 22, Chapter 7, of the Delaware Code, the Planning Commission is responsible for the preparation and periodic update or revision of the Plan, as they deem necessary, by the Town Council and Commissioners. The current update of the Plan is to meet Delaware's requirements.

One of the most significant roles for the Planning Commission in the Town development process is to serve as a coordinating body for the Town Council and Commissioners.

In exercising this responsibility, the Planning Commission has the following responsibilities:

1. Preparation of the Comprehensive plan, which serves as a guide to public and private actions and decisions, to ensure the development of public and private property in appropriate relationship to local needs.
2. The Planning Commission must approve the Plan and recommend its adoption by the Town Council and Commissioners. The Plan must conform to the basic elements required by State Law.



3. The Planning Commission will promote public understanding of the Plan and what it seeks to accomplish and to incorporate citizen participation in the planning process.
4. The Planning Commission will recommend, to appropriate public officials, programs for construction of public structures and improvements, which are necessary to implement the Plan.
5. The Planning Commission will prepare and file an Annual Report with the Town Council and Commissioners at their first meeting of each new calendar year. The report is the method through which the Planning Commission identifies changing conditions within the Town and brings these conditions to the attention of the Town Council and Commissioners. Delaware law requires that zoning changes be implemented within 18 months to make the zoning consistent with the plan's future land use. There are also a variety of specific administrative functions, which are more directly related to day-to-day decisions, which cumulatively affect implementation of the Plan.

These functions include:

- a) Review and approval of all Subdivision proposals, consistent with the requirements and authority established by the Town Subdivision Regulations.
- b) Review, report and recommend to the Town 'Council and Commissioners actions on all rezoning requests brought before the Town. The Commission reviews each proposal for consistency with the Comprehensive Plan, in accordance with standards for review contained in the Town Zoning Ordinance.
- c) Review and comment upon various requests for Special Exceptions, which are ultimately decided by the Town Board of Appeals.
- d) Review and submit recommendations concerning the Town's Annual Capital Improvements Program.

Through exercising its responsibility related to these specific items, the Planning Commission can exert great influence on the course and pattern of local development to ensure consistency with Plan policies and objectives.

## **F. ZONING REGULATIONS**

Zoning Regulations must be consistent with the Comprehensive Plan, therefore recommendations made in the Plan relative to Zoning Ordinance revisions should be addressed. The Town of Delmar should revise their zoning ordinance to include the following:

## **G. DEVELOPMENT DESIGN AND COMMUNITY CHARACTER**

This chapter addresses the many aspects of development design in Delmar. Development design can be generally defined as the management of the visual and physical development of the built environment. Primary emphasis is placed on the preservation of the town's character. The Town of Delmar's intention is to respond to growing public concern about the increasing transformation of the town's traditional village landscape to sprawling suburban residential and strip commercial development and communities through, the nation. Managing development design to maintain and



enhance the character and aesthetics of the town is an important component of the Comprehensive Plan. Application of development design standards is appropriate anywhere human features are present, and where the physical and visual properties of development can significantly influence the character of the town. Development design guidance, or the lack thereof, significantly affects real estate values, community pride, a sense of obligation to private property, personal enjoyment and satisfaction, and the overall investment climate in the community.

## **H. TOWN CENTER**

The town and town centers have traditionally served as focal points for the surrounding rural community, providing some range of service and convenience to residents. Town Centers play an important functional role in providing homes, limited neighborhood-oriented commercial services and businesses, and civic buildings such as churches, post offices, fire stations, etc.

The Town Center has a unique character and "sense of place" with which local residents easily identify. Development design standards for the Town Center will help to preserve and enhance their image while still accommodating limited future growth in a responsible manner. It is ironic that the traditionally tightly-knit village pattern so typical in traditional villages in America is illegal to produce or emulate in many, if not most, communities today. Developers are required to rigorously separate different land uses and set each house on suburban size lots. Such regulations inadvertently destroy the character of villages and towns at a rapid pace and prohibit the development of new villages that foster a "sense of place".

The following are recommended development design guidelines for existing and future Town Centers:

1. Permit residential, small-scale commercial and public/semipublic uses to coexist adjacent to one another as was done in traditional villages.
2. Where existing buildings express a traditionally modest (pre-zoning) front setback, creating a characteristically close relationship with the street, retain this pattern in order to preserve the communities character.
3. Place off-street parking lots only to the rear or side of buildings. Reduce the visual impacts of parking areas upon community character through landscaping and buffering requirements.
4. Visually screen open storage areas, exposed machinery, and outdoor areas used for the storage and collection of rubbish, from roads and surrounding land uses.
5. Because roadside trees are extremely important to the character of any community, minimize removal of trees over five inches in diameter, especially along roadways. Removal of existing trees can usually be lessened by shading the site of the building, parking lot, or entrance/exit drives. In addition, encourage planting of new trees along roads to reinforce rural character throughout the town.
6. Control lighting in both height and intensity. Shield luminaries to prevent excessive lighting and glare beyond lot lines onto neighboring properties or public ways.



7. Design and build new construction to blend with its surroundings. Make new construction in neighborhood Centers compatible with surrounding buildings in terms of formal characteristics such as height, massing, roof shapes, and door and window proportions. Where new construction is surrounded by existing traditional buildings, make building height and exterior materials harmonious with those of adjacent properties.
8. One of the most readily apparent aspects of village character is signage. Since signs are intended to be highly visible and attract attention, they often produce a lasting impression on locals and visitors. Create signage standards for Town Centers that enhance character. Signs in these areas should relate to pedestrians and to people in slow moving vehicles and should be designed to be readable to these people, thereby encouraging shoppers and passersby to stop and linger. Large auto-oriented signs are a modern addition in these areas and are inconsistent, with both the scale of buildings and rural village character. The size, materials, color, lettering, placement, and illumination of signs in the Town Center should respect the character of existing buildings and foster a sense of place that is an important component of village character.

## **I. RESOURCE PROTECTION STANDARDS**

It is intended that resource protection standards will apply in all planning districts. These will be designed to protect such resources as flood plains, wetlands, steep slopes, and forested areas. The protection standards will be consistent with those presented in the Natural Resources and Sensitive Areas element of this Plan.

## **J. HIGHWAY CORRIDORS AND SCENIC ROADWAYS**

Roadways where access and aesthetics should be controlled in order to either avoid unappealing forms of commercial strip-development and resultant traffic congestion, or to preserve scenic rural views should be designated in the Plan as important corridors. Both of these objectives have great merit for the maintenance and improvement of rural character.

Along designated highway buffers, development should be limited and buffered from roadway view. Signage should also be limited to avoid detracting from rural vistas. Along major town highways limiting access is vital to preserving roadway capacity, decreasing congestion, and improving safety. Commercial development should not be stripped along these corridors, but rather, it should be concentrated into defined commercial nodes.

The large-scale and permanent loss of scenic views, characteristic landscapes, and open space is perhaps the most devastating visual result of conventionally regulated commercial highway development in suburban areas. The tendency has been for zoning to encourage new development to line both sides of major roadways, eventually obscuring fields, pastures, or woodlands behind commercial frontage lots. This kind of homogenous development contributes greatly to the loss of rural character and community identity.

When zoning highway commercial areas, the town should not succumb to the "broad brush" approach of designating all roadside areas for new commercial development, but should instead examine the rural landscape to identify the amenities and visual resources, which are present. Rather than allowing linear developments, commercial zoning can break the standard pattern by designating commercial nodes in compact, centralized areas, with visually important landscapes protected in between.



Commercial development, regardless of where it is located in the towns, should also be subject to development appearance standards which ensure compatibility to surrounding land uses and promote a high quality built environment that compliments the community character of Delmar.

#### **K. BUFFERYARD PERFORMANCE STANDARDS**

One of zoning's most important functions is the division of land uses into districts that have similar character and contain compatible uses. All uses permitted in any district have generally similar nuisance characteristics. In theory, the location of districts is supposed to provide protection, but in Delmar this is not always the case because uses as diverse as single-family residential and commercial can occasionally be found adjacent to one another. Bufferyards will operate to minimize the negative impact of any redevelopment or future use of vacant land on neighboring uses.

The bufferyard is a combination of setback and a visual buffer or barrier and is a yard or area together with the planting required thereon. Both the amount of land and the type and amount of planting specified for each bufferyard requirement of this plan are designed to minimize nuisances between adjacent zoning districts to ensure the desired character along public streets and roads. The planting units required of bufferyards can be calculated to ensure that they do, in fact, function as "buffers".

Bufferyards should be required to separate different zoning districts from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

#### **L. DEVELOPMENT APPEARANCE STANDARDS**

All future development in the town, except for single-family homes and farm buildings, should be subject to some level of design review for compliance with minimum development appearance standards. These minimum standards that should be achieved are performance standards rather than inflexible and stringent criteria. The intent of these performance standards is to promote quality development that will complement the community character of Delmar. One of the reasons for implementing these standards is, of course, to positively influence development aesthetics. However, this objective is justified by the greater goals of protecting and enhancing real estate values, fostering of civic pride, and improving the overall investment climate within the town.

These standards are not intended to restrict imagination or development creativity, but rather, to assist in focusing on development design principals that should result in enhancing the visual appearance of the built environment in the area. The development appearance standards relate to such factors as: relationship of buildings to the site; relationship of existing buildings and site to adjoining areas; landscape and site treatment; building design; signs; and, maintenance. These standards should not be considered cost prohibitive or overly restrictive since they embody common sense design principles, which were traditionally employed throughout the country prior to the advent of post-war suburbanization.

The following are recommended development appearance standards for future multi-family, commercial and industrial development in all areas of Delmar: -



#### Relationship of Buildings to Site

1. Plan the site to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and screened parking areas.
2. Encourage site planning in which setbacks and yards are in excess of zoning restrictions to provide an interesting relationship between buildings. Encourage buildings in the Town Center to minimize front setbacks to enhance the traditional street/building relationships typically found in rural villages
3. Treat parking areas with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from public ways.
4. Without restricting the permissible limits in the applicable zoning district, make the height and scale of each building compatible with its site and existing (or anticipated) adjoining buildings.
5. Place newly installed utility services and service revisions necessitated by exterior alterations underground wherever possible.

#### Relationship of Buildings and Site to Adjoining Area

1. Make adjacent buildings of different architectural styles compatible by such means as screens, site breaks, and materials.
2. Provide attractive landscape transition to adjoining properties.
3. Require harmony in texture, lines, and masses. Avoid monotony of design.
4. Screen adjacent incompatible land uses from one another by landscaping, berms, walls, and fences.

#### Landscape and Site Treatment

1. Preserve and develop natural or existing topographic patterns where they contribute to beauty and utility of a development. Permit modification of topography where it contributes to good appearance, or where it is necessary.
2. Provide an inviting and stable appearance for the pedestrian through grades of walks, parking spaces, terraces, and other paved areas.
3. Provide landscape treatment to enhance architectural features, strengthen vistas and important axes, and provide shade.
4. Achieve unity of landscape design by repetition of certain plant varieties and other materials and by coordination with adjacent development.
5. Select plant material for interests in its structure, texture and color, and for its ultimate growth. Use plants that are indigenous to the area and others that will be hearty, harmonious to design, and of good appearance.



6. Protect plants by appropriate curbs, tree guards, or other devices in locations where they will be susceptible to injury by pedestrian or motor traffic.
7. Enhance parking areas and traffic ways with landscaped spaces containing trees or tree groupings.
8. Where building sites limit planting, require the placement of trees in parkways or paved areas.
9. Use walls, fencing, and/or plantings to screen service yards and other places that tend to be unsightly. Screening should be effective in winter and summer.
10. In areas where general planting will not prosper, use other materials such as fences, walls, and paving of wood, brick, stone gravel, and cobbles. Combine carefully selected plants with such materials where possible.
11. Use exterior lighting to enhance the adjoining landscape. Lighting standards and building fixtures should be of a design and size compatible with the building and adjacent areas. Restrain the design and brightness of lighting.

#### Building Design

1. Do not restrict architectural style. Base the evaluation of the appearance of a project on the quality of its design and relationship to surroundings.
2. Buildings should be scaled and sized in harmonious conformance with permanent neighboring development.
3. Materials should have good architectural character and should be selected for harmony of the building with adjoining buildings. Materials should be of durable quality. Materials should be selected for suitability to the type of buildings and the design in which they are used. Buildings should have the same material, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways. In any design in which the structural frame is exposed to view, the structural materials should be compatible within themselves and harmonious with their surroundings.
4. Building components, such as windows, eaves, and doors. Parapets should have good proportions and relationships to one another.
5. Colors should be harmonious and should use only compatible accents.
6. Mechanical equipment or other utility hardware on roof, ground, or buildings should be screened from public view with materials harmonious with the building, or they should be so located as not to be visible from public ways.
7. Exterior lighting should be part of the architectural concept. Fixtures, standards, and all exposed accessories should be harmonious with building design.



8. Refuse and waste removal areas, service yards, storage yards, and exterior work areas should be screened from view of public ways.
9. Monotony of design in single or multiple building projects should be avoided. Variation of detail, form, and siting should be used to provide visual interest. In multiple building projects, variable siting of individual projects should be used to prevent a monotonous appearance.

#### Signs

1. Every sign should have good scale and proportion in its design and in its visual relationship to buildings and surroundings.
2. Every sign should be designed as an integral architectural element of the building and site to which it principally relates.
3. The number of graphic elements on a sign should be held to the minimum needed to convey the sign's major message and should be composed in proportion to the area of the sign face.
4. The colors, materials, and lighting of every sign should be restrained and harmonious with the building and site to which it principally relates.
5. Each sign should be compatible with signs on adjoining premises and should not compete for attention.

#### Maintenance -- Planning and Design Factors

1. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures should be conducive to easy maintenance and upkeep.
2. Materials and finishes should be selected for their durability and wear as well as for their beauty. Proper measures and devices should be incorporated for protection against the elements, neglect, damage, and abuse.
3. Provisions for washing and cleaning of buildings and structures, and control of dirt and refuse should be incorporated in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish should be avoided.
4. Provisions for landscape maintenance and replacement (i.e. native species) should be added.

#### **CONCLUSION**

As implementation options for the Comprehensive Plan are continually sorted-out and decided upon, it becomes important to think ahead to administration and enforcement. Once the Plan is completed, the job of putting it into action begins. Long established development review processes and practices may clearly need to be altered.



In the end, the ability of the Town to properly administer and enforce the Plan and its associated ordinances is the Plan's most accurate measure of success. No matter how good an idea sounds on paper, if the Town cannot make it work or neglects to make it work, then that idea has had little or no impact on the future well-being of Delmar. If the Plan cannot effectively be administered and enforced, it will not have served its public purpose. The Comprehensive Plan must be administratively feasible and enforceable given the budget and staffing resources allocated by the Town to do the job. Constant attention to management and re-evaluation of administrative processes and procedures should be considered equally important to initial structuring and staffing of administrative procedures. Sound administration derives from good management, which is attentive to needs of re-evaluation and adjustment over time.



**Appendix A**  
**Maryland Water Resources Element**  
**Adopted for Reference Purposes Only**





# 7

## Water Resources Element







## **Chapter Seven - Water Resources Element**

*In 2006, the Maryland Legislature required all counties and municipalities to examine their water resources when predicting future growth. The Water Resources Element requires municipalities to analyze current water supplies, wastewater treatment plant capacity, and point source and non-point source loadings. When looking at the future growth needs, the Town must address any shortcomings of water resources and either change future land use scenarios to eliminate problem areas or provide options to address any limitations. The following section examines Delmar's existing water resources in conjunction with the Town's current development and projected future growth. Where necessary, improvements and alternatives to solve any water resource problems are discussed.*

### **Growth Assumptions**

In Chapter 6, the Municipal Growth Element established growth scenarios for the residential dwelling units in Delmar, Maryland. Delmar is distinguished in the characteristic that it spans two states with different laws and regulations. However, the water service for all users in the Town is provided by sources and treatment in Delaware. Conversely, the sewage treatment for all sewer customers in the Town (and some in Wicomico County) is accomplished at the WWTP in Maryland. For the purpose of the Water Resource Element, assumptions and projections will be made based on the actual water demands and sewer capacities experienced by the entire Town and surrounding areas. Three scenarios will be evaluated for predicting growth, including: Capacity Management Plan calculations, evaluation of infill within the existing corporate limits, and analysis of designated growth areas.

The Capacity Management Plan developed for the Town in 2007 and updated in July 2008. The CMP compiles actual approved and pending residential and commercial projects and forecasts build-out through 2020. The total anticipated usage for approved and pending projects in the updated July 2008 Capacity Management Plan is 1,453 EDUs (refer to Table in Appendix E).

Evaluation of infill involves identifying undeveloped lots within the existing corporate limits of the Town and estimating uses and potential demands based on zoning and lot size. The total potential usage within the existing town boundary is estimated at 916 EDUs based on zoning and acreage. Infill lots currently served by on-site septic systems must also be accounted for future municipal service and are estimated at 75 EDUs. Therefore, total projected infill usage within the existing corporate limits will be estimated at 991 EDUs.



Designated growth areas are areas outside the current corporate limits that would be most conducive to annexation due to serviceability, geographic proximity, and presence of community facilities. Four designated growth areas in Delmar, Maryland are described in the Municipal Growth Element. The total Residential usage estimated within the designated growth areas would include 978 EDUs. Commercial/Light Industrial areas are estimated at 1316 EDUs based on 376 developable acres at an average demand of 3.5 EDUs/acre. Therefore, total projected usage within the designated growth areas will be estimated at 2294 EDUs. Growth areas are not designated in Delaware at this time, but it is anticipated that growth outside the existing Town corporate limits in Delaware will be minimal, particularly with ongoing negotiations with Tidewater Utilities, Inc for future water and sewer service agreements east of Town.

This Water Resource Element will evaluate the Town's water supply, wastewater capacity, and source loading with respect to the Capacity Management Plan build-out scenario of 1453 EDUs. The hypothetical ultimate build-out scenario would account for full infill and complete development of all four designated growth areas resulting in an increase of 3285 EDUs. At this time it is highly improbable that the Town will experience this level of growth over the next 20 years. Therefore, build-out projections will be based on the Capacity Management Plan build-out scenario with an additional 100 EDUs included for unanticipated development, resulting in an additional usage of 1553 EDUs.

## **Water Systems**

### **Groundwater Sources**

The Town's sole source of potable water is groundwater from the Pleistocene formation in the Manokin and Columbia Aquifers. The Town has two wells to supply water but only well 3A is currently utilized to supply water to the public distribution system. These wells are located near the Delmar Water Treatment Plant (WTP) on York Street. The Town is currently attempting to obtain funding for construction of a back-up well in the Columbia aquifer in case the existing well becomes unavailable due to maintenance or failure.

The Town has recently adopted a Wellhead Protection Ordinance to provide guidance and recommendations to prevent source water contamination through land use regulations. The Ordinance establishes Wellhead Protection Areas, Source Water Protection Areas, and Groundwater Recharge Areas in Delmar and the surrounding area. The Town will utilize the Wellhead Protection Ordinance during project planning and evaluate potential problem areas and establish solutions to prevent source water contamination.



## **Well Production**

In 2008, the annual daily average was 331,000 gallons per day (GPD). This average is representative of the annual averages for the past decade. The peak month in 2008 was July with average daily usage of 395,645 gallons per day (GPD). Utilizing the average usage during the peak month and the Town's currently active 1,551 equivalent dwelling units (EDUs), the Town averages 255 GPD per EDU during the peak month. Applying this usage rate to the projected growth scenarios of 1553 EDUs in the Town, will result in an approximate increase in water demand of 396,015 GPD, bringing the total water supply required to 791,660 GPD. To validate this average usage estimate, if we use the MDE generally accepted projection of 100 GPD/person, multiplied by the average household size in Delmar of 2.55 persons, the average usage equates to 255 GPD/EDU.

## **Water Appropriations & Use Permit**

The Town's Water Appropriation and Use Permit (WAUP) allows for withdrawal of 438,000 gallons per well for a total of 876,000 gallons on a daily average on an annual basis. The permit allows for up to 650,000 gallons to be withdrawn from each well during the maximum day. In 2008, the annual daily average was 331,000 gallons per day, and the peak month was July with average daily usage of 395,645 gallons per day. The Town's well capacity is sufficient to meet the Town's future usage demands. However, implementation of the proposed media filter replacement will be necessary to allow the Town to meet the WAUP requirements for the average annual withdrawal per well.

In addition, *Recommended Standards for Water Works (2007)*, "Ten States Standards", requires that the total source capacity meet the peak demand with the largest well out of service. As previously stated, the Town is currently attempting to acquire funding to construct a 900 GPM (864,000 GPD) back-up well that has already been designed by its engineering consultant. Construction of this well will allow the Town to meet the projected supply requirements and permit regulations for the future growth scenarios with the largest well out of service. In the interim period, the Town should closely monitor water usage and well production as the Town continues to grow to ensure the WAUP requirements are being met.



The following table summarizes well capacities, current and future water supply needs.

**Table 7.1**  
**Well Capacities and Estimated Potable Water Usage (GPD)**

Well	Well 3A	Well 2A <sub>6</sub>
Well Capacity (GPM)	750	900
Max. Capacity <sub>1</sub> (GPD)	720,000	864,000
Permitted Avg. Annual Capacity (GPD)	438,000	438,000
Permitted Max. Day Capacity (GPD)	650,000	650,000
Existing Average Usage <sub>2</sub> (GPD)	331,000	0
Existing Peak Month Usage <sub>2</sub> (GPD)	395,645	0
Well	All Wells	
2030 Projected Growth <sub>3</sub> (EDUs)	1553	
Additional Projected Supply Required <sub>3</sub>	396,015	
Total Projected Supply Required	791,660	

<sup>1</sup> Maximum well capacity is based on 16 hour runtime at the well's rated GPM flow rate.

<sup>2</sup> Existing usage is based on metered well production in gallons per day for 2008.

<sup>3</sup> 2030 Projected Growth and Supply Required are based on current well production during the peak month and projected future growth scenarios and assumptions presented. Actual water demand will have to be monitored as growth continues.

<sup>4</sup> Well 2A is not currently being used as a water source because it is not needed to meet demands.

## Water Quality

Both wells yield high quality water, with the exception of iron contamination. However, there are no health risks associated with the pretreated iron levels. In June 2008, the Town published the "Annual Drinking Water Quality Report" stating there were no violations of EPA Maximum Contaminant Levels (MCL).

Raw water from the wells is treated at the Delmar Water Treatment Plant located on York Street. The water treatment process includes chlorine disinfection, fluoridation, and media filtration for iron removal. Iron removal is performed to reduce the iron concentration to meet recommended levels for aesthetic and maintenance purposes. The media filters are currently in need of replacement to facilitate continued iron removal. The Town is currently attempting to procure funding for this maintenance project. Currently, the Town is running Well 3A throttled back to about 500 gallons per minute (GPM) so the media filters can effectively remove the iron. Assuming a 16 hours/day run-time, this equates to 480,000 GPD. Raw water from Well 2A has a higher flow rate and higher iron concentration which the depleted filters cannot effectively reduce to the SMCL of 0.3 ppm.



## **Water Storage**

“Ten States Standards” require that finished water storage facilities have sufficient capacity to meet one day’s domestic usage plus fire flows. Where source water and water treatment facilities have back-up power, available capacity can supplement peak storage demands.

The projected 2030 domestic usage would be the average daily usage during the peak month, realistically in the order of 791,660 gallons. The fire flow storage required would be calculated based on 1500 GPM fire flow for 2 hours, which is equal to 180,000 gallons. Therefore, total storage required would be 971,661 gallons. Storage for the distribution system is currently provided by two elevated storage tanks with a total storage of 550,000 gallons. The water supply and treatment systems can supplement an additional 480,000 gallons, if required. Therefore, the two towers, in addition to the additional storage offered by the water supply and treatment facilities with back-up power, provide 1,030,000 gallons. This equivalent storage provides sufficient capacity and pressures for the existing and future distribution system demands.

## **Water Summary**

The Town currently has sufficient water supply and storage capabilities to accommodate the current population and projected future growth with the existing facilities. However, the Town will need to have the existing media filters at the WTP replaced to meet permit limitations for average annual withdrawal and install a back-up well to meet source redundancy requirements. The Town will need to closely monitor well production to determine if an amendment to the WAUP is in order utilizing the existing wells or any future wells to meet its future growth needs.

## **Wastewater Systems**

### **Wastewater Flows**

The Town currently averages approximately 450,000 GPD of wastewater based on the Town’s wastewater treatment plant’s effluent meter over a 5 year period from January 2004 through December 2008. Based on 2441 EDUs actively utilizing the sewer system, this equates to approximately 184 GPD per EDU served by the system. The treatment facility is currently permitted for 650,000 GPD which puts it at 69% of rated capacity.

Projected growth of 1553 EDUs, at an average of 250 GPD/EDU, will result in an approximate increase in wastewater flows of 388,000 GPD. This growth projection will bring the total average daily flow for the WWTP to 838,000 GPD. A project was recently initiated (bidding is complete and construction is scheduled to begin in June 2009) by the Town to upgrade waste treatment to enhanced nutrient removal (ENR) levels. After the ENR upgrades are completed, (the project is scheduled for completion in the Fall of 2010) the plant will be permitted for 850,000 gallons per day. With the addition of a surge tank and the increase in the WWTP’s overall rated capacity, the facility should be able to handle the projected growth for 2030 and normal peak or wet weather flows.



## **Wastewater Treatment**

The waste is currently treated to a secondary level utilizing activated sludge, secondary and tertiary clarification. TMDL loading allocations necessitate that nitrogen and phosphorus levels be reduced. The ENR upgrades taking place in the near future will allow the WWTP to meet ENR goals. The project includes modifications to the existing aeration treatment basin to utilize the Modified Ludzack-Ettinger (MLE) process to achieve BNR effluent goals and installation of a de-nitrification filter to meet ENR effluent goals.

## **Nutrient Loads**

The Town owned and operated WWTP discharges into Wood Creek, a small tributary of the Wicomico River. Under the Chesapeake Bay Tributary Strategy, the Town's wastewater treatment plant is currently assigned annual Total Maximum Discharge Loading (TMDL) goal of 15,829 pounds per year for Total Nitrogen, which equates to 8.0 mg/L. Total Phosphorus has a goal of 989 pounds per year which equates to 0.5 mg/L. After the ENR upgrades are completed, the new effluent discharge limit for Total Phosphorus will be 0.3 mg/L (777 lbs/yr). Total Nitrogen will be limited to 4.0 mg/L (10,355 lbs/yr). Current and future nutrient loads are located in Appendix F.

## **Inflow & Infiltration**

Although the WWTP regularly meets its permitted capacity rating based on the average monthly flow, during periods of heavy precipitation, the WWTP can at times exceed its capacity by more than twice the rated discharge. There is sufficient evidence to indicate that significant inflow and infiltration (I&I) is received at the WWTP. Over the years the Town has replaced aging gravity sewer in several areas of Town to address issues. The Town has also performed an I&I study to identify problem areas and prioritize repairs or replacements of aging sanitary sewer mains where necessary. Additional I&I investigation and repairs are scheduled for 2010 if sufficient funding allocations permit.

## **Septic Systems**

Currently there are an estimated 75 to 80 on-site septic systems in use within Town limits in areas that are not served by the central collection system. There are no immediate plans to extend sewer service to these areas. The Town requires all properties that are annexed into the Town to connect to the public water and sanitary sewer systems. No new septic systems are being anticipated for future growth areas.

## **Wastewater Summary**

The Town's existing WWTP has sufficient capacity to treat wastewater flows generated by the current population. However, projected future growth would cause the facilities to exceed capacity and TMDL limits. The WWTP ENR upgrades, which are currently in process, will allow the WWTP to meet future flow capacity projections and TMDLs for Total Nitrogen and Total Phosphorus.



### **Hypothetical Build-Out Scenario**

The following build-out discussion takes into consideration the water needs and wastewater capacity needs the Town will have if all four growth areas are completely developed. Please keep in mind that this scenario is not expected to happen within the 2030 planning period of this document.

Hypothetically, 2294 residential units are possible in all four growth areas and including all undeveloped and underdeveloped parcels within the existing Town limits. It is estimated that the wastewater treatment system would receive an additional 573,500 gallons per day capacity and the Town's wells would need to provide an additional 584,970 gallons per day. This would require upgrades to the wastewater treatment facilities and water supply and treatment facilities.

### **County Water and Sewer Master Plan**

*Wicomico County is in the process of updating its Water and Sewer Master Plan. Currently, the draft Water and Sewer Master Plan only indicates potential water and sewer service in the old growth area based on the County's 1998 Comprehensive Plan and Delmar's 1997 Comprehensive Plan. The growth areas were modified in this plan and were endorsed by the County and County Planning Staff at an open public workshop on June 16, 2008. The new service areas for Delmar will be indicated in the County's draft plan and the accompanying maps.*

### **Stormwater Loading**

Delmar plans to increase the Town corporate limits in order to accommodate future residential growth and to provide areas for commercial and industrial growth. Future non-point source loads are based on the need to increase residential areas by 645 acres and the potential for 323 acres of commercial property and 190 acres of industrial property. Increase in development may result in the increase of stormwater runoff and non-point nutrient loading. Currently, Wicomico County reviews all stormwater related issues in the Town however, any future developments will be required to minimize if not eliminate any increase in stormwater runoff.

### **Land Use Scenarios**

Delmar has a substantial amount of existing development beyond the Town boundaries but within the planned growth areas. The Town assumes considerable obligations to supply certain services to these developments outside the Town boundaries. The existing Town boundary created partial enclaves of unincorporated lands by extending the Town boundaries to remote areas. The Town mapped future growth areas that will increase the Town by more than double is necessary not only to make the Town boundary compact and remove the enclaves of unincorporated lands and incorporate the existing development to which the Town is already providing partial services but also to control the type of development and to direct growth in the designated areas and to allow for developer contributions for adequate public facilities and for conservation.



For the previously mentioned reasons, the Town ability to create a land use scenario that has least impact on the environment is minimal. The Town should exercise extra care when dealing with regions located near sensitive or critical areas, streams, or forested areas in order to protect the environment. However, annexing the existing development and connecting these developments to the Town's wastewater treatment plant will benefit the environment by improving the quality of water.

Two land use scenarios were performed to determine the non-point source loading (See Appendix F). The first scenario looks at only infill development within the existing Town boundaries and the second scenario is ultimate build out in the mapped growth area. The second scenario will reduce the nitrogen loading substantially with only a small increase of phosphorous loading, assuming that all septic systems will get connected to the wastewater treatment plant.

### **Non-Point Source Loading**

Based on the non-point source (NPS) worksheet provided by the Maryland Department of the Environment, it is estimated that the Town is generating 28,204 pounds of nitrogen per year. Potential new growth is estimated to decrease discharge levels to 20,454 pounds of nitrogen per year generated by stormwater runoff; an decrease of 7,750 pounds per year. Phosphorous levels are currently being discharged at an estimated 2,167 pounds per year. Projected future growth is estimated to increase phosphorous discharge to 2,223 pounds per year; an increase of 56 pounds per year. All estimates are based on projected future growth occurring inside and outside of the existing Town limits. Any new development annexed into the Town will be required to address nutrient loading.

MDE nitrogen, phosphorous loading and impervious surface estimates are based on land use assumptions. The land uses discussed in the Land Use Chapter of this plan do not match MDE's land use categories. Delmar will work with MDE and Wicomico County to simplify and coordinate non-point source loading estimates and to coordinate improving the Town's stormwater load reduction efforts.

### **Total Maximum Daily Loads (TMDLs)**

The Federal Clean Water Act requires the State of Maryland to identified water bodies that are impaired and/or high in quality (Tier II water bodies). The impaired water body list is updated annually by the State.

The Nanticoke River is considered by the State to be an impaired water body based on existing bacteria and biological impairments. The State has provided a draft TMDL plan to EPA for approval. The Town will work with the State to follow any approved TMDL plans and to monitor the State's water quality reports for the Nanticoke River.



Plum Creek, which is in the vicinity of Delmar, is listed as a Tier II water body. Tier II water bodies have a special permit process for new development which is required under State law. Currently, Delmar's designated growth areas as shown on Map 5 do not encroach on Plum Creek. The Town will work with MDE and the County on development south of the existing Delmar boundaries to determine if Plum Creek will be affected and to see if permitting is necessary for development.

As discussed earlier, Wood Creek and the Wicomico River receive point source and non-point source discharge from the Town of Delmar. The suitability of Wood Creek, the Wicomico River, and the Chesapeake Bay and its tributaries, for receiving waters is difficult to assess. Delmar is a small contributor, albeit a contributor, to the Wicomico River watershed.

The purpose of a TMDL is to reduce water impairments, which suggests these waterways are no longer suitable for WWTP discharge, stormwater point source discharge or urban runoff. Regardless of a TMDL, as in the case for Wood Creek and portions of the Wicomico River, unfettered discharge could impair these waterways, thus making it "unsuitable" for discharge. However, the location of Delmar and its infrastructure prior to development of a TMDL limit the Town's ability to reduce its impacts.

Delmar is making strides to improving its effluent discharge, as well as requiring developers to better take care of the areas natural resources, and will continue to do so.

### **Impervious Surface**

According to estimated calculations using the Maryland Department of the Environment's methodology, the Town's current impervious surface totals 495 acres. Future growth will lead to a 359 acre increase of impervious surface resulting in a total of 854 acres of impervious surface. Even though Town has plans of increasing its size by 72.6% the nitrogen loads will be decreased by 27.5% and phosphorus loads increase by 2.6%. Currently the Town's growth area has more than 250 single family homes and approximately 550 acres of commercial acres that are on septic systems. If these areas get annexed into the Town and connected to the Town's wastewater treatment plant, it will reduce nutrient loadings and thereby improve the quality of water.

•



## Policies and Recommendations

### Potable Water

- Monitor well production to ensure water supply is below WAUP thresholds;
- Replace the existing media filters at the WTP to meet permit limitations for average annual withdrawal
- Install a back-up well to meet source redundancy requirements.
- The Town will need to closely monitor well production to determine if an amendment to the WAUP is in order utilizing the existing wells or any future wells to meet its future growth needs.
- Update the Capacity Management Plan in order to allocate EDUs for infill development and possible future annexations;
- Enforce the wellhead protection and excellent recharge areas protection ordinance to best ensure protection of the Town's source water areas;
- The Town should educate residents and businesses on water conservation techniques in order to decrease the average gallons per day;
- Water meters should be periodically inspected to ensure proper water usage is being documented.

### Wastewater Treatment

- Proceed with planned wastewater treatment plant upgrades to increase capacity and improve nutrient loading;
- Update the Capacity Management Plan in order to allocate EDUs for infill development and possible future annexations;
- Perform an inflow and infiltration study to identify problem areas and subsequently repair or replace any items deemed necessary.

### Stormwater and Non-Point Source Loading

- Use stormwater best management practices in order to limit non-point source runoff;
- Use stormwater best management practices to eliminate an increase in stormwater runoff if applicable.

### Impervious surface

- Encourage the use of open space and pervious concrete to decrease impervious surface.

### Land Use and Zoning

- Encourage the use of **Best Management Practices** (BMPs) to minimize the impact of forestry practices on water quality.



**Appendix B**  
**October 20, 2010 PLUS Comments**





**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION**

October 20, 2010

Sara Bynum-King  
Town of Delmar  
100 S. Pennsylvania  
Delmar, MD 21875

RE: 2010-09-05; Town of Delmar Comprehensive Plan

Dear Ms. Bynum-King:

Thank you for meeting with State agency planners on September 22, 2010 to discuss the proposed Town of Delmar draft comprehensive plan update.

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.

***Certification Comments:*** These comments must be addressed in order for our office to consider the plan amendment consistent with the terms of your certification and the requirements of Title 22, § 702 of the Del. Code.

1. Currently within the Residential Land Use (pg. 19) element of the document, there is some confusion on what is considered Medium and High densities, where these uses are permitted and to what levels of density. The Town should clarify the Residential Land Use element to clarify the difference between densities and the acceptable housing products within these areas.
2. The Town should expand the discussion of Public Participation even if any public meetings were poorly attended to document the public process for the Town to comment and discuss this document.



***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: Bryan Hall 739-3090**

The Office of State Planning Coordination wishes to extend its appreciation to the Town for its continued efforts to develop and implement its land use agenda through the comprehensive planning process. This office recognizes that this is often a difficult process and again the Town should be commended for its efforts.

After review this office offers the following recommendations:

- Where there are any reference to Maryland Code, with the exception of the Maryland Water Element Appendix, we ask that these be corrected and reflect the proper reference to Delaware Code.
- Should consider the additional recommendations provided by State agencies to further strengthen the document and to address any certification issues.

Once again thank you for your efforts and if you have any questions, please contact me.

**State Historic Preservation Office (SHPO) – Contact: Terrence Burns 739-5685**

The Town of Delmar (DE) Comprehensive Plan includes a strong historic section. It is an important part of the stated goals to preserve the traditional feel and heritage of Delmar. It mentions continuing identification efforts, use of tax incentives and easements, adaptive reuse, and identification of cemeteries and archaeological sites during development projects. The Division supports and applauds all of these recommendations, and will be happy to work with the Town in their efforts. However, historic preservation should be integrated into other sections of the plan, in particular the Central Business District and the housing sections. The Division has identified a potential historic district on Delmar's Delaware side (see attached), which includes most of the CBD and the older housing in the town.

If the Town pursues a nomination of this district for the National Register of Historic Places, business owners would be eligible for federal and state tax credits and homeowners would be eligible for state tax credits if they rehabilitate their properties to the Secretary of the Interior's Standards for Treatment. In addition, the Town may want to consider participating in the National Trust for Historic Preservation's Main Street program, which works with historic downtowns in rehabilitating and marketing. (Note for the history section: Delmar is not actually on the Mason-Dixon Line. It is on the 1750-1751 Trans-peninsular Line, run by a colonial survey team, made up of surveyors from Pennsylvania and Maryland, who established Middle Point and set up the boundary markers for that line. However, they ran into difficulties in trying to establish the Tangent Line north to the Twelve-mile Arc around New Castle. This resulted in the Penn and



Calvert families hiring Mason and Dixon in 1764 to run this line using the most up-to-date astronomical equipment available. They made a slight correction to Middle Point but accepted the Trans-peninsular Line as set.). If you would like to discuss these issues further, please contact Alice Guerrant at 302-736-7412.

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

- On page 3, DelDOT recommends that the section on Public Participation be expanded slightly, to say how many public meetings were held and, if possible, how many people attended them and how many people commented on the Plan. Such information can be useful in addressing future concerns regarding the Plan adoption process.
- On pages 10 and 11, the discussion of Employment and Industry seems somewhat narrowly focused on employers in Delmar. In many small towns, the majority of working residents commute to jobs outside the Town limits. In the case of Delmar, we note the proximity of Salisbury, Maryland which is a regional employment center. To the extent that information is available, DelDOT recommends that the Plan address the extent to which residents work elsewhere and where those places are. It can have significant implications for transportation.
- At the top of page 18, in the section on Annexation, there is a sentence that says “The cost of providing...services shall be borne by those people gaining the most value....” [Emphasis added]. Because the Plan is a legal document, DelDOT recommends caution in the use of the word “shall” and suggest that “should” appears to serve the desired purpose in this instance. “Shall” could require the Town to adopt more rigid and rigorous annexation requirements than it would like.
- On page 19, the section on the Residential Land Use Plan divides residential land use into three “classifications of intensity of development,” medium density, low density and rural agricultural.” Logically, if low density and medium density are defined, high density should also be defined. As appropriate, the Plan could say that high density development is not contemplated in this Plan, or that high density development presently exists only in downtown Delmar and is not proposed for future development elsewhere, but the term should be defined and the concept should be addressed.
- Again on page 19, in the section on the Residential Land Use Plan, the paragraph on Medium Density suggests that higher density development, on lots of 7,000 to 9,000 square feet or less should not be permitted and that those smaller lots should be systematically eliminated. DelDOT suggests that lot sizes of less than 7,000 square feet can be quite reasonable, especially for townhouses and semi-detached houses, and recommend that the Town reconsider its policy in this regard, especially for the downtown area.
- Further regarding the section on the Residential Land Use Plan, after identifying three “classifications of intensity of development” on page 19, a fourth classification is added on



page 20 to address apartments. While the discussion of apartment is sound as written, DelDOT has to wonder how the Town means to apply the term. Typically, apartment refers to a room or group of rooms where people live in a structure that also contains other apartments or rooms for other purposes. If that is the intent here, then the Plan leaves townhouses and semi-detached houses unaddressed and does not directly address mixed use developments where apartments share buildings with other uses, the most common being apartments over retail stores. DelDOT recommends that the Residential Land Use Plan be expanded slightly to better address the range of housing options that might be proposed for development.

- On page 25, in the section on Corridor Capacity Preservation, the Plan says that “The Town should work with DelDOT to define a Five-Year Capital Improvement Program for Transportation Projects.” Presently, DelDOT has a six-year statewide Capital Transportation Program. If there is not a particular reason for the Town to have a five-year program, it is suggested that a six-year program might be more convenient for meshing DelDOT planning and programming efforts.
- The discussion of the Local Transportation System on page 26 suggests that the Town is challenged by a lack of curbs, sidewalks and an engineered drainage system. DelDOT would recommend if the Town has not already begun to do so, that they develop a prioritized list of problem locations and include it in their Capital Improvement Program. While roll curb is appropriate under certain conditions, they recommend that the Town use it accordingly. There are locations where upright curb is a better choice.
- On page 27, transportation policies 2 and 3 deal with Levels of Service (LOS) and Traffic Impact Statements, or as DelDOT more commonly call them Traffic Impact Studies. The subject of LOS is discussed further on pages 29 and 30, where LOS D and C are specified for peak hour and non-peak hour conditions. We would welcome the opportunity to work with the Town in these regards. The Town or their representatives may contact me directly, at (302) 760-2109, or [thomas.brockenbrough@state.de.us](mailto:thomas.brockenbrough@state.de.us) on these subjects. With that said, DelDOT recommends a more deliberate approach in setting standards for Levels of Service. As a concept, Level of Service is based on how the driver perceives the facility to be operating. Therefore it works well where automotive travel is the highest priority. It works less well on local streets, which primarily serve to provide access, rather than mobility. Also, many jurisdictions have found a focus on Level of Service to be counterproductive in central business districts, even on arterial streets where the LOS can often be found to be E or even F during peak travel periods. Often the need to move traffic efficiently needs to be balanced with creating or maintaining a pedestrian-friendly, and commerce-friendly streetscape.
- The discussion of Functional Classification Systems on pages 28 and 29 is oriented toward Maryland. As this is the Delaware plan, we recommend that it be revised to reflect that. DelDOT’s functional classification maps are available at [http://www.deldot.gov/information/pubs\\_forms/func\\_maps/pdf/functional\\_classification.pdf](http://www.deldot.gov/information/pubs_forms/func_maps/pdf/functional_classification.pdf).



- On page 30, in Table 11, Recommended Street Standards, the pavement widths specified are very wide for areas that will not have on-street parking all the time. DelDOT recommends that the Town consider narrower widths and/or traffic calming measures such as bulb outs on streets where off-street parking is available.
- Also on page 30, in Table 11, Recommended Street Standards, the recommended section for major collectors is too wide to fit in the recommended right-of-way.
- On pages 32 and 33, in the discussion of Greenways, DelDOT's Transportation Enhancement Program should be mentioned as a possible means of building some greenway projects. More information on this program is available from Mr. Jeff Niezgoda, a Planning Supervisor in our Statewide and Regional Planning Section. Mr. Niezgoda can be reached at (302) 760-2178.
- On page 34, in the section on Streams and Stream Buffers, there is a sentence that begins "Streams provide drinking water for local communities." DelDOT is not aware of any communities on the Delmarva Peninsula that use surface water for drinking water.
- On page 44, in the discussion on On-Site Septic Systems, the Plan states that there are 75 to 80 such systems within the Town limits in areas not served by the central collection system and that "There are no immediate plans to extend sewer service to these areas." DelDOT recommends that the Town begin planning now for the extension of sewer service to these areas. Eventually those systems will fail.
- On page 47, there is mention of a plan to improve Gordy Park by early summer 2009. DelDOT recommends that paragraph be updated.
- At the top of page 56, there is mention of a program that is said to be available only in Kent County. DelDOT recommends that that paragraph be removed.
- On page 58, two Section 8 programs are mentioned as being administered by the Maryland Community Development Authority (CDA). There is a similar reference on page 59 in the section on the Federal Low-Income Housing Tax Credit Program. Ordinarily in Sussex County, these programs would be administered by the Delaware State Housing Authority. Does the CDA cover all of Delmar by some arrangement, or does the text need to be updated?
- At the bottom of page 61, in the section on the Town Council and Commissioners, there is a reference to the 1992 Maryland Planning Act. A reference to similar legislation in Delaware should be included.



**The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-9071**

DNREC offers several comments and suggestions to improve conservation and protection of the Town's resources. While the cumulative impact of various program suggestions and concerns may sound negative, the intent is to improve the plan elements related to environmental protection, open space, recreation and water quality and supply. DNREC would welcome the opportunity to meet with the Town in a collaborative manner to discuss these recommendations and possible future ordinances.

**Recommendations for Comprehensive Plan Revisions**

**Soils.**

- On pages 6 and 7, the Matawan soil mapping unit has not been mapped in the vicinity of the Town of Delmar, and the Norfolk mapping unit has never been mapped in the State of Delaware.

Recommendation: It should be noted that an updated or revised soil survey has since been completed; it is recommend that the Town use the information in the updated or revised soil survey to correct the inaccurate information in the current soils narrative. The updated soil information can be retrieved via the following web link: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.

**Total Maximum Daily Loads (TMDLs).**

- Recommendation: On page 44, under the Chesapeake Bay Total Maximum Daily Loads (TMDL) and State Tributary Strategies section, please include information (may be paraphrased) about the Watershed Implementation Plan (WIP) in the Plan.

The applicant should be aware that EPA is requiring the State of Delaware to develop a Watershed Implementation Plan (WIP) and 2-year progress milestones for purposes of accelerating efforts to improve and restore waters of the Chesapeake Bay. The WIP and milestones will identify specific pollution reduction practices and programs to reduce nitrogen, phosphorus, and sediment from a variety of sources within the watershed. The WIP is being developed by an Interagency Workgroup, made up of representatives from DNREC, the Department of Agriculture, DelDOT, Office of State Planning Coordination, and other local, state, and federal partners and stakeholder groups. Delaware's Draft Phase 1 WIP is currently available for review at: [http://www.wr.dnrec.delaware.gov/Information/Pages/Chesapeake\\_WIP.aspx](http://www.wr.dnrec.delaware.gov/Information/Pages/Chesapeake_WIP.aspx).

The Final Phase I WIP will be provided to EPA by November 29, 2010, so that they may finalize the Chesapeake basin-wide TMDL by December 31, 2010. More detailed actions and strategies will be produced in the Phase 2 WIP, which will be completed in 2011.



DNREC and the Chesapeake Interagency Workgroup are eager to work with local governments to gather their input into this plan and determine a path forward for the most effective and efficient implementation of the WIP.

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

- Stormwater is not mentioned within the Plan, which makes it difficult to understand what role the Town has in providing stormwater management for the residents. There are currently three Tax Ditch Organizations within the Town boundary or mapped growth area (Meadow Branch Tax Ditch, Ward-Cordrey Tax Ditch, and Jackson Branch Tax Ditch). During rain events the Town and surrounding areas rely on the conveyance of stormwater through these tax ditches. Wetlands play a vital role in flood management and water quality but are not addressed in the Sensitive Areas Recommendations.

Recommendation: Develop a section that addresses stormwater management and drainage including, but not limited to, watersheds/sub-watersheds, tax ditches, floodplains/flood management, and future annexation areas.

The Land Use Plan, Page 18: The Drainage and Stormwater Section understand the approach the Town is taking by dividing land use into general categories. However, by utilizing the natural drainage pattern, the Town may be able to combine habitat protection, recreation, and storm water management.

Recommendation: The Drainage and Stormwater Section recommends first dividing the future annexation areas into sub-watershed planning areas. The Town would need to partner with Sussex County as the watersheds extend out of the potential expansion area identified by the Town.

### **Natural Heritage and Endangered Species.**

#### Streams and stream habitat (pages 34-35)

DNREC strongly supports the Town's recommendation of 100-foot buffers for undeveloped land adjacent to streams. The Town should also consider that other wetlands, such as isolated wetlands, can support an array of plant and animal species and are in need of similar protection. Some isolated wetlands provide habitat for species of conservation concern. Isolated wetlands perform many of the same environmental functions as other wetlands, including filtering pollutants, recharging streams and aquifers, storing flood waters, and providing habitat for an array of plant and animal species. The lack of regulatory protection for this wetland type in Delaware is not based on science and does not reflect the ecological importance of this wetland type. Other states in the U.S. have state acts and regulations that make no distinction between isolated and non-isolated wetlands.



Recommendation: It is recommended that these wetlands be protected from direct impacts and provided with a 100-foot upland buffer.

Threatened and Endangered Species Habitat (page 35-36):

The Town should be recognized for taking a proactive approach to protect habitat that supports species of concern. The Town wants to discourage growth in outlying areas of the planning area primarily for financial considerations, but this objective may also result in the protection of habitat important for wildlife. Firstly, these areas should be identified prior to consideration of annexation or development. According to our database, potentially important wildlife habitat occurs within current Town boundaries as well as in “Growth Area.” These areas are mapped as Key Wildlife Habitat (KWH) in the Delaware Action Plan<sup>1</sup> (DEWAP). KWH are rare, have special significance in Delaware, are particularly sensitive to disturbance, support or are expected to support species of conservation concern, and/or are large blocks of unfragmented forest or wetlands. KWH can support an array of plant and animal species across the landscape. Maps in the DEWAP illustrate areas of the State where conservation efforts can be focused. Although designation as KWH is non-regulatory, the maps are intended to help guide site-specific conservation planning efforts.

Recommendation: As noted on page 35, the Town should coordinate with the Natural Heritage and Endangered Species Program (NHESP) to determine what areas are of most concern. NHESP can provide technical assistance regarding potential for state-rare, federally listed and Species of Greatest Conservation Need (SGCN<sup>2</sup>) and also work with developers on site specific protection measures. Most of the habitat within the planning area has not been surveyed and in some cases a site visit may be requested by NHESP in order to provide the necessary information.

Contact information:  
c/o Environmental Review Coordinator  
Natural Heritage and Endangered Species Program  
DNREC-Division of Fish and Wildlife  
4876 Hay Point Landing Rd

---

<sup>1</sup> The Delaware Wildlife Action Plan (DEWAP) is a comprehensive strategy for conserving the full array of native wildlife and habitats-common and uncommon- as vital components of the state’s natural resources. Congress challenged the states to demonstrate comprehensive wildlife conservation. Delaware, along with all of the other states and provinces throughout the country are working to implement their wildlife action plans. DEWAP can be viewed via the Natural Heritage and Endangered Species program website at <http://www.fw.delaware.gov/dwap/Pages/default.aspx>. This document also contains a list of species of greatest conservation need, Key Wildlife Habitat Maps, and species-habitat associations

<sup>2</sup> Species of greatest conservation need (SGCN) are indicative of the overall diversity and health of the State’s wildlife resources. Some may be rare or declining, others may be vital components of certain habitats, and still others may have a significant portion of their population in Delaware. SGCN are identified in the Delaware Wildlife Action Plan (DEWAP).



Smyrna, DE 19977  
(302) 735-8654  
[Edna.Stetzar@state.de.us](mailto:Edna.Stetzar@state.de.us)

#### Forest Preservation.

Forest blocks or large wetlands areas that are identified as Key Wildlife Habitat could also be considered for preservation as open space.

Recommendation: Contact Bill Jones, wildlife biologist, Division of Fish and Wildlife, (302) 284-4795, for additional information about incentive-based programs for wildlife management that are available to private landowners.

#### **Parks and Recreation Facilities.**

In May and June of 2008, the Delaware Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information and trends on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings are the foundation of the 2009-2011 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities and needs within county and municipal comprehensive plans. For the purpose of refining data and research findings, Delaware was divided into five planning regions. The Town of Delmar is located within SCORP Planning Region 4.

When looking at the findings from the 2008 telephone survey, it is apparent that Delawareans place a high importance on outdoor recreation. Statewide, 91% of Delaware residents indicated that outdoor recreation had some importance in their lives, while 64% said it was very important to them personally. These findings are very close to the results of the same question asked in the 2002 public opinion telephone survey, indicating a continued demand for outdoor recreation opportunities throughout the State.

Placing high importance on outdoor recreation resonates throughout the five SCORP regions. In Region 4 (western Sussex County), 87% of residents indicated that outdoor recreation had some importance in their lives, while 60% said it was very important to them personally.



### Outdoor Recreation Needs/Priorities

Based on the public opinion survey, the most needed outdoor recreation facilities in Delmar include:

High facility needs:

- Walking or Jogging Paths
- Swimming Pools
- Open Space/Passive Recreation
- Picnic Areas
- Playgrounds
- Fishing Areas
- Bicycle Paths
- Beach Access
- Access to Historic Sites

Moderate facilities needs:

- Hiking Trails
- Camping Areas
- Nature Programs
- Powerboat Access
- Baseball/Softball Fields
- Basketball Courts
- Kayak/Canoe Access
- Hunting Areas
- Football Fields
- Soccer Fields
- Golf Courses
- Volleyball Courts
- Skate Parks

Recommendation: The Town of Delmar is encouraged to work toward incorporating and/or continuing to offer some of these opportunities in the development of their Comprehensive Plan (pages 46-48).

### Delaware Land and Water Conservation Trust Fund (DTF)

The Division of Parks and Recreation provides matching grant assistance through the Delaware Land and Water Conservation Trust Fund (DTF) to local governments for land acquisition and for park development. Lands that have received DTF assistance must remain as open space for conservation or recreation purposes in perpetuity. Two of



Delmar's parks have received funding through the DTF program. They include: Delmar Park and West Delmar Tot Lot. The Town of Delmar could further benefit from this program when incorporating new outdoor recreational facilities or adding amenities to existing parks. For more information on the Delaware Land and Water Conservation Trust Fund, please contact: Robert Ehemann @ 302.739.9235.

Recommendation: The municipal parks in Delmar receiving funds through the DTF program are protected in perpetuity. To clarify this in the Comprehensive Plan, it is recommended that Delmar develop a 'Parks/Open Space' or 'Protected' land use zoning designation for these parcels.

### **Recommendations for Ordinances and Plan Implementation**

- **Source Water Protection.** The DNREC Ground-Water Protection Branch has reviewed the Town's Source Water Protection Ordinance as part of the review of the Town's Plan. The Town is to be commended for its protection of the resource. The Town provides protection for Good Recharge Potential Areas. This exceeds the State requirement.

It should be noted on page 6, in Section 5 of the Source Water Protection Ordinance, it states that DNREC uses a two hundred foot radius to delineate low volume wells in unconfined aquifers. DNREC uses a one-hundred fifty foot radius. However, the Town provides wellhead protection using a 200-foot radius, providing additional protection.

- **Open Space:** We note that it might be helpful to have a consistent definition of "open space" in your comprehensive plan and/or Town ordinances. In a guidance document that DNREC is developing for the PLUS and other local technical review processes, we have defined open space as: those areas with public value in a predominantly natural state and undeveloped condition. Such areas may contain, but are not limited to, wildlife and native plant habitat, forest, farmland, meadows, wetlands, floodplains, shorelines, stream corridors, steep slopes, and other areas that have species or habitats of conservation concern.

Open Space may be preserved, enhanced and restored in order to maintain or improve the natural, ecological, hydrological, or geological values. An important design element to consider when incorporating Open Space in a development is to take maximum advantage of adjoining Open Space areas. This will advance the goal of an interconnected network of habitat corridors for wildlife and provide for future potential linkages.

#### **Open Space is not:**

- impervious surfaces (e.g., roads, parking lots, sidewalks, buildings)
- swimming pools or ponds that are lined or contain an impervious substrate
- stormwater management structures
- wastewater treatment systems



### **Types of Recreational Open Space:**

*Passive*-Passive recreation areas include only low-impact activities having little or no disturbance on natural features.

*Active*-Active recreation areas (e.g., ball fields, playgrounds) should be placed only in Open Space areas that do not already contain natural habitat.

- **Total Maximum Daily Loads (TMDLs):** All open space land uses should be designed and managed in a manner that mitigates or reduces nutrient pollutant loading and its' damaging impacts to water quality. Since changes in land use often increase runoff of nutrient pollutants into nearby waterways (including wetlands) draining to a common watershed, these nutrient pollutant loading impacts should be assessed at the preliminary project design phase. To this end, the Watershed Assessment Section has developed a methodology known as the "Nutrient Load Assessment Protocol" to assess such impacts. The protocol is a tool used to assess changes in nutrient loading that result from the conversion of individual or combined land parcels to a different land use(s), and serves as a "benchmark indicator" of that project's likely impacts to water quality. It is the intention of this protocol to inform those relevant governmental entities (i.e., State, county, and municipal) how a given project will affect water quality in their jurisdictions, while informing/encouraging developers of the need to incorporate better conservation practices (i.e., BMPs) in their project designs to help improve water quality.

**Recommendation:** Require completion of a Nutrient Budget protocol before granting preliminary approval for any proposed projects/developments.

- **Wetlands Delineations:**

**Recommendation:** Require all applicants to submit to the Town a copy of the development site plan showing the extent of State-regulated wetlands (as depicted by the State Wetland Regulatory Maps), and a United States Army Corps of Engineers (USACE) approved wetlands delineation as conditional approval for any new commercial and/or residential development. Additionally, the site plan should depict all streams and ditches which are jurisdictional pursuant to the Subaqueous Act (7 Del. C., Chapter 72) as determined by DNREC.

**Recommendation:** Include wetlands setbacks as part of the ordinances to protect environmental resources. Wetlands should be protected with setbacks of unsubdivided open space surrounding them. No portion of any building lot should be within the setback. During prolonged wet periods, the area within the wetland setback may become too wet for normal residential use. Designation as open space will aid in the prevention of decks, sheds, fences, kennels, and backyards being placed within the setback, thereby reducing nuisance drainage complaints.



- **Freshwater Wetlands Protections:**

**Recommendation:** Implement ordinances to protect freshwater wetlands where regulatory gaps exist (i.e., isolated wetlands and headwater wetlands).

- **Impervious Surface Mitigation Plan:**

**Recommendation:** Require the calculation for surface imperviousness (for both commercial and residential development) take in to account all constructed forms of surface imperviousness - including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water storm water management structures.

**Recommendation:** To encourage compact development and redevelopment in the Town's central business area, require an impervious surface mitigation plan for all residential and commercial developments exceeding 20% imperviousness outside that area, or at least in excellent recharge areas outside that area. The impervious surface mitigation plan should demonstrate that the impervious cover in excess of 20% will not impact ground water recharge, surface water hydrology, and/or water quality of the site and/or adjacent properties. If impacts to groundwater recharge, surface water hydrology will occur, the plan should then demonstrate how these impacts will be mitigated. If the impacts cannot be mitigated, the site plan should then be modified to reduce the impacts from impervious cover.

- **Poorly Drained (Hydric) Soils:**

**Recommendation:** Prohibit development in poorly or very poorly-drained (hydric) soil mapping units. Building in such areas predictably leads to flooding and drainage concerns from homeowners, as well as significant expense for them and, often, taxpayers. Proof or evidence of hydric soil mapping units should be provided through the submission of the most recent NRCS soil survey mapping of the parcel, or through the submission of a field soil survey of the parcel by a licensed soil scientist.

- **Green Technology Stormwater Management:**

**Recommendation:** Require the applicant to use "green-technology" storm water management in lieu of "open-water" storm water management ponds whenever practicable.

- **Stormwater Utility:**

**Recommendation:** Explore the feasibility of a stormwater utility to fund upgrades to existing stormwater infrastructure. Upgrades to the stormwater system may reduce pollutant loads and help reach the established total maximum daily load for nitrogen, phosphorus, and bacteria. Reach out to the Sussex Conservation District, Sussex



County and the Delaware Clean Water Advisory Council as partners in funding stormwater retrofits.

- **Drainage Easements:**

**Recommendation:** The Town should pursue drainage easements along waterways, ditches, and storm drains where currently there are none.

- **Tax Ditches.** Existing tax ditch rights-of-way should be protected from development encroachment to allow for routine maintenance and periodic reconstruction. Routine maintenance primarily consists of mowing ditch bank vegetation and the removal of small blockages. Periodic tax ditch reconstruction involves the removal of sediment from the ditch bottom to reestablish the original design grade. The removed sediment, referred to as spoil, is typically disposed of by spreading within the tax ditch right-of-way. The placement of permanent obstructions within tax ditch rights-of-way is prohibited. Any change to the location of the tax ditch, or the existing tax ditch rights-of-way, will require a change to the tax ditch court order.

**Recommendation:** The Drainage Program recommends each parcel have a tax ditch right-of-way review conducted on the parcel prior to annexation by the Town. Please contact our Georgetown office at (302) 855-1930 to request a review tax ditch rights-of-way on a parcel. When a development project involves a tax ditch, or tax ditch right-of-way, include the Drainage Program in the pre-application meeting with the Sussex Conservation District to discuss drainage, stormwater management, tax ditch maintenance, and the release of stormwater into the tax ditch.

- **Stormwater Management, overall:** The Drainage and Stormwater Section would like the Town to consider the following, to the extent that Town ordinances do not already do so. Please be advised that the Sediment and Stormwater Program is currently revising the Delaware sediment and stormwater regulations. It is unclear at this time when the new regulations will be promulgated.
  - The Division of Watershed Stewardship is requesting that the Town incorporate a requirement for a stormwater and drainage review in the Town's pre-approval requirements for new development requests. Proposed development projects should hold a project application meeting with the delegated agency, the Sussex Conservation District, to discuss stormwater and drainage prior to the town reviewing and/or approving plans or issuing building permits. The Sediment and Stormwater Program is set to begin requiring a project application meeting for all proposed land disturbing activities that require a detailed Sediment & Stormwater Plan within the coming year. These meetings are structured to assist developers in the design process and for early notification of approval requirements. In order to schedule a project application meeting, the applicant must forward a completed Stormwater Assessment Report (SAR) to the appropriate Delegated Agency. Please contact Elaine Webb with



the DNREC Sediment and Stormwater Program if you have any questions regarding this new process. Please note that this process does not replace the State's PLUS process. The Stormwater Assessment Report will also be provided through that process.

- As the Town of Delmar updates any land use or subdivision codes, the Sediment and Stormwater Program requests that the Town make a note of the Sediment and Stormwater requirements on any construction-related project application checklists, etc.
- Lines and grades: If the Town does not have a lines and grades requirement for new construction, the Division recommends this be considered to help resolve drainage issues arising from new construction, during and post-construction. County/municipal building inspectors would be able to use approved lines and grades requirement to field-verify prior to issuance of Certificate of Occupancy or building permit, as appropriate.
- Consider adding upgrades to stormwater infrastructure when developing a Capital Improvements Program.
- Consider addressing stormwater when developing an adequate public facilities ordinance. Ensure adequate stormwater outlets, easements, and infrastructure is available at time of subdivision.
- Evaluate the existing drainage patterns within the future annexation area to ensure adequate drainage for the cumulative stormwater impact upon full build out of the annexation area. The Town should be mindful of potential stormwater impacts from the Town onto county residents.

- **Redevelopment of Brownfield Sites:**

**Recommendation:** DNREC's Site Investigation and Restoration Branch (SIRB) encourage the development of Brown fields and can provide assistance when investigating and remediating Brownfield sites. Although SIRB has no specific comments regarding the proposed comprehensive plan at this time, if any future development occurs on sites with previous manufacturing, industrial, or agricultural use, SIRB recommends that a Phase I Environmental Site Assessment be conducted prior to development, due to the potential for a release of hazardous substances. If a release or imminent threat of a release of hazardous substances is discovered during the course of future development (e.g., contaminated water or soil); construction activities should be discontinued immediately, and DNREC should be notified at the 24-hour emergency number (800-662-8802). In addition, SIRB should be contacted as soon as possible at 302-395-2600 for further instructions.



**Department of Agriculture - Contact: Scott Blaier 739-4811**

- Map 4 shows the town's projected growth area within the next five to ten years. At both the western and eastern edge of that boundary are properties enrolled in the state's Agricultural Lands Preservation program (Map 5). If the town does eventually grow to meet those properties, or any new properties added to the program, the Department of Agriculture asks that the town require (preferably by ordinance) a 50 foot forested buffer be included in the developer's subdivision plan where it borders farms preserved in the Delaware Agricultural Lands Preservation program. Sussex County currently requires such a buffer. A buffer would help separate the two disparate land uses, residential and agriculture, and help mitigate any conflict that may arise.
- The Delaware Forest Service encourages the town to develop a formal urban forestry management plan that addresses a tree canopy goal if it has not already. Trees are a vital part of any community and the Delaware Forest Service recommends that trees be preserved during the development process. A tree ordinance protecting existing woodlands in future development as well as existing street trees can be developed and implemented to address this issue. The Delaware Urban & Community Forestry Program would be glad to offer assistance. Please contact the Delaware Forest Service for more information at (302) 659-6705 or 698-4547.
- The Department encourages the town to develop and promote agricultural businesses whenever possible, especially farm markets. The Department has a fully staffed marketing section, and we encourage the town to contact them at (302) 698-4535 to see how they can help. Please contact Kelli Steele of the Department's marketing section to explore agricultural economic development activities. Food safety, nutrition, and wholesomeness are consumer priorities these days, and many people are turning to local sources of food supply. As a result, there are a number of agricultural development opportunities.

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

- On page 14, Delaware State Housing Authority (DSHA) recommends including high density in the listed classifications of residential use in addition to medium density and low density, as apartments are addressed on the following page.
- The Delaware State Housing Authority is encouraged to see the Town proactively delineate appropriate areas for apartments as it is extremely difficult to rezone to higher density later when coming through the development process.
- The recommendations listed on page 53 and 54 are separated into two separate sections when they are all recommendations for housing. The Town may want to combine them into one housing recommendations section.



- The first recommendation listed at the bottom of page 54 discusses encouraging higher densities in undeveloped areas in order to reduce land cost per dwelling unit. While they applaud the intent of the Town to provide higher densities, it is important to encourage higher densities in areas that have close proximity to jobs, services, and retail.
- All of DSHA's programs are listed on pages 55 through 59. There are many federal, state, local, and non-profit resources available to address affordable housing issues. It is suggested that the Town reference them only if the town is actively planning to use them in their housing strategies and recommendations.
- Finally, DSHA has developed a website, **Affordable Housing Resource Center**, to assist communities in learning about resources and tools to help create housing for households earning 100% of median income or below. This website can be found at: [www.destatehousing.com](http://www.destatehousing.com) "Affordable Housing Resource Center" under "Services".

**Department of Education – Contact: John Marinucci 735-4055**

The DOE supports the State Strategies for Policies and Spending within the limits of the Federal and State mandates under which the Department operates.

- In its review of Comprehensive Plans, Comprehensive Plan Updates and Comprehensive Plan Amendments, the DOE considers:

Adequate civil infrastructure availability within the region to accommodate current and future educational facilities.

Transportation system connections and availability to support multimodal access within the community, to include but not limited to walk paths, bike paths, and safe pedestrian grade crossings.

Transportation road system adequacy to accommodate bus and delivery vehicle traffic to current, planned or potential educational facilities.

Recreation facilities and opportunities within the community and their respective proximity to current and planned or potential education facilities. The DOE also recognizes the potential that the educational facilities are to be considered recreational facilities by and within the community.

- The DOE *typically* considers industrial/commercial development incompatible with educational facilities, however, residential development and educational facilities *are typically* considered to be compatible. As a result, the DOE is interested in the proximity of current and planned or potential education facilities to commercial/industrial development zones.



- The DOE recognizes the integral role of educational facilities within communities. As such, the DOE seeks to assure that residential growth, that generates additional demand on educational facilities, is managed with adequate educational infrastructure being made a part of sub-division plans as appropriate.
- The DOE offers its support to assist and participate by coordinating with this municipality, the local school districts, the County, the Office of State Planning Coordination as well as other school districts and stakeholders as this Compressive Plan update progresses.

***Approval Procedures:***

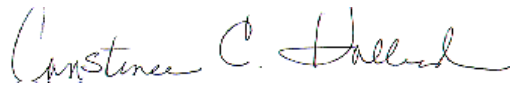
1. Once all edits, changes and corrections have been made to the plan, please submit the completed document (text and maps) to our office for review. **Your PLUS response letter should accompany this submission.** Also include documentation about the public review process. In addition, please include documentation that the plan has been sent to other jurisdictions for review and comment, and include any comments received and your response to them.
2. Our office will require a maximum of 20 working days to complete this review.
  - a. If our review determines that the revisions have adequately addressed all certification items, we will forward you a letter to this effect.
  - b. If there are outstanding items we will document them in a letter, and ask the town to resubmit the plan once the items are addressed. Once all items are addressed, we will send you the letter as described above.
3. Once you receive our letter stating that all certification items have been addressed, the Planning Commission and Council should adopt the plan pending State certification. We strongly recommend that your Council adopt the plan by ordinance. The ordinance should be written so that the plan will go into effect upon receipt of the certification letter from the Governor.
4. Send our office a copy of the adopted plan along with the ordinance (or other documentation) that formally adopts your plan. We will forward these materials to the Governor for his consideration.



5. At his discretion, the Governor will issue a certification letter to your town/city.
6. Once you receive your certification letter, please forward two (2) bound paper copies and one electronic copy of your plan to our office for our records.

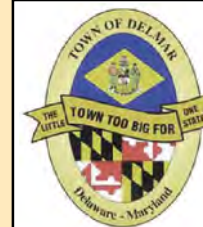
Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland". The signature is written in dark ink and is positioned above the printed name.

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





# Town of Delmar Comprehensive Plan

Adopted: 10/25/2010

## Map 1: Community Facilities Legend

- |                             |                 |
|-----------------------------|-----------------|
| Bus Stop                    | Schools         |
| Churches                    | Post Office     |
| Fire Station                | V.F.W.          |
| Library                     | Musuem          |
| Town Offices                | Nursinghome     |
| Parks                       | American Legion |
| Police Station              | Railroad Line   |
| Water Treatment Plant       | Bus Line        |
| Waste Water Treatment Plant |                 |



0 800 1,600 Feet

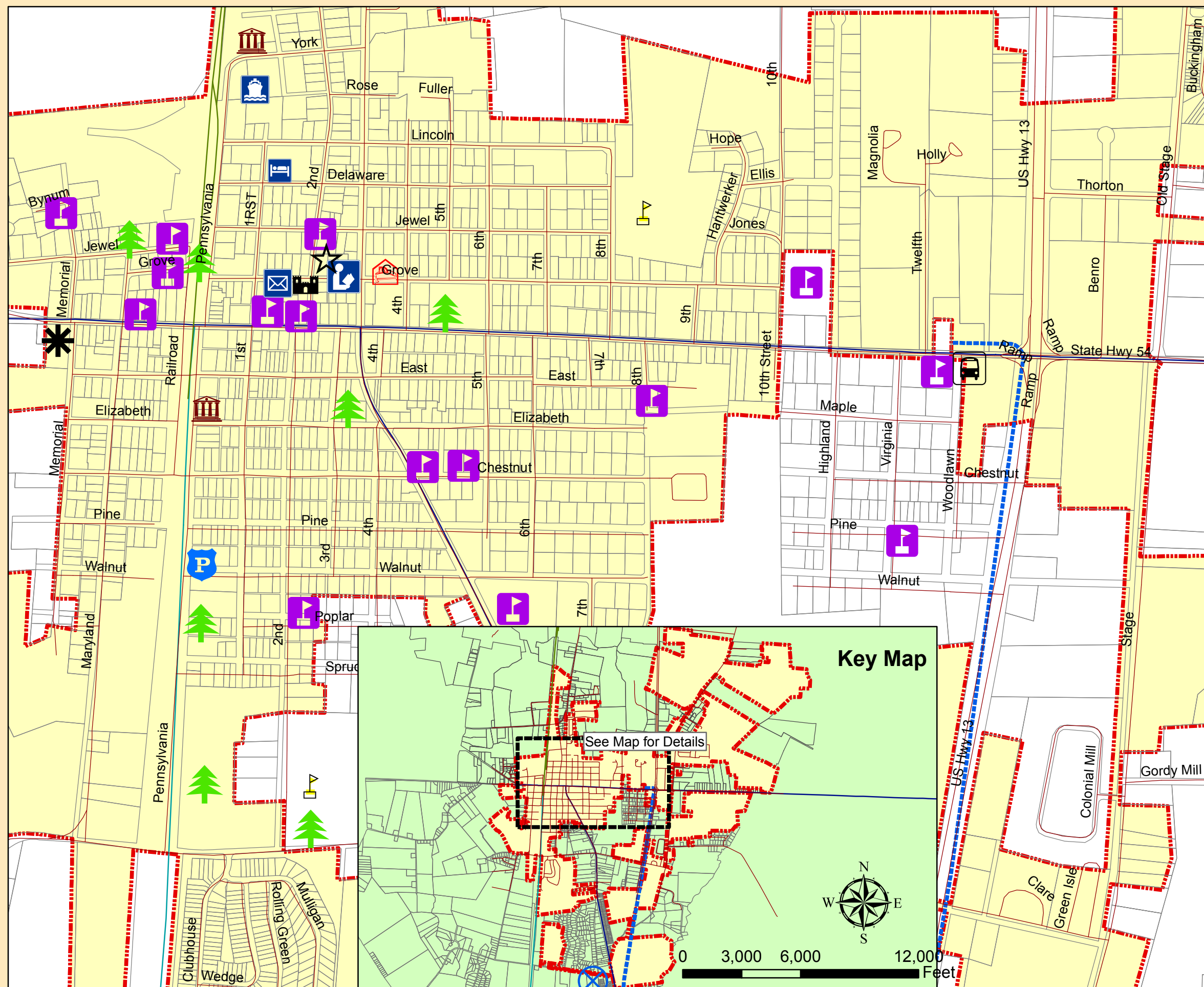
Source:  
Town parcel data was supplied by the Town of Delmar.

This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.

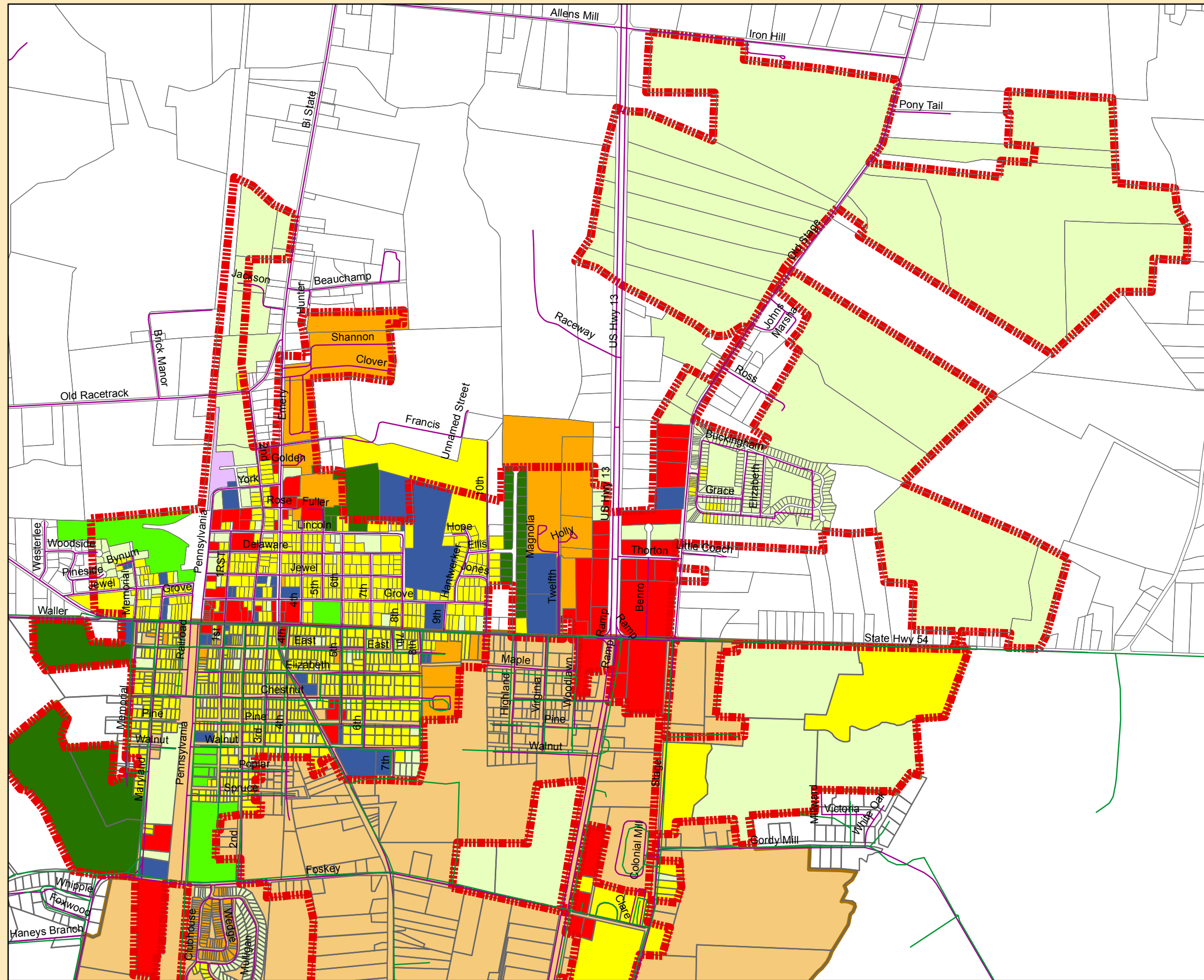
**dbf** DAVIS  
BOWEN &  
FRIEDEL, INC.  
[www.dbfinc.com](http://www.dbfinc.com)

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744










### Map 2: Existing Land Uses


## Legend


 Town Boundary


#### Existing Land Uses


 Vacant


 Multi-Family


 Agriculture

 Commercial

 Industrial

 Institutional


 Open Space

 Single Family

Source:  
Town parcel data was supplied by the Town of Delmar.

01,6003,200

Feet



This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.














# Town of Delmar

## Comprehensive Plan

Adopted: 10/25/2010

### Map 3: Future Land Uses

#### Legend

-  Town Boundary
- Future Land Uses**
-  Commercial
  -  Highway Commercial
  -  Industrial
  -  Institutional
  -  Multi-Family
  -  Open Space
  -  Park
  -  Single Family

Source:  
Town parcel data was supplied by the Town of Delmar.

0 1,500 3,000 Feet

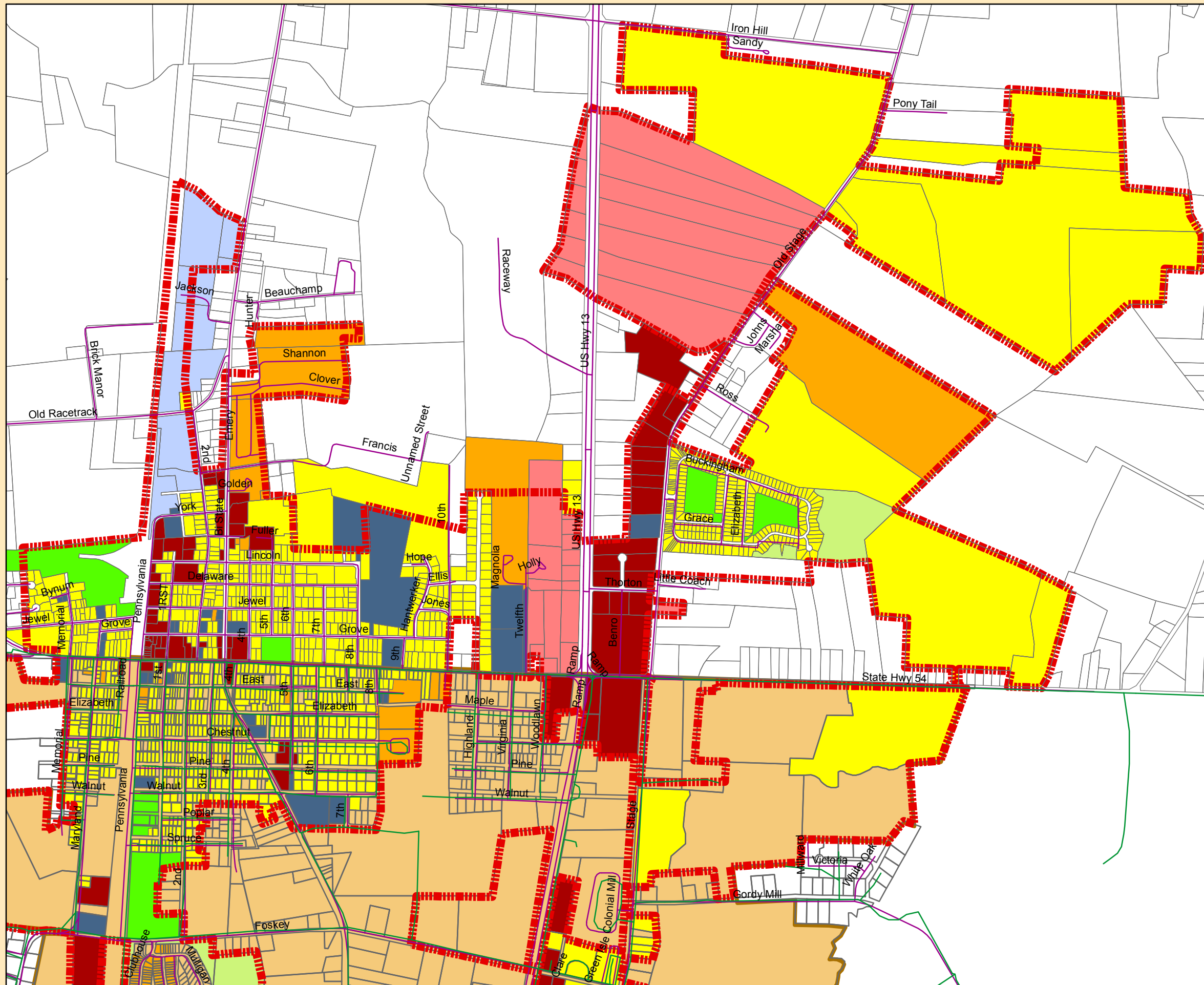


This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.

**dbf** DAVIS  
BOWEN &  
FRIEDEL, INC.  
[www.dbfinc.com](http://www.dbfinc.com)

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744







# Town of Delmar

## Comprehensive Plan

Adopted: 10/25/2010

### Map 4: Growth Areas

#### Legend



Town Boundary

#### Planning Area



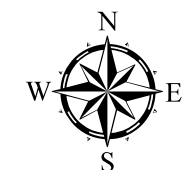
0 - 5 years



5 - 10 years

Source:  
Town parcel data was supplied by the Town of Delmar.

0 2,200 4,400 Feet

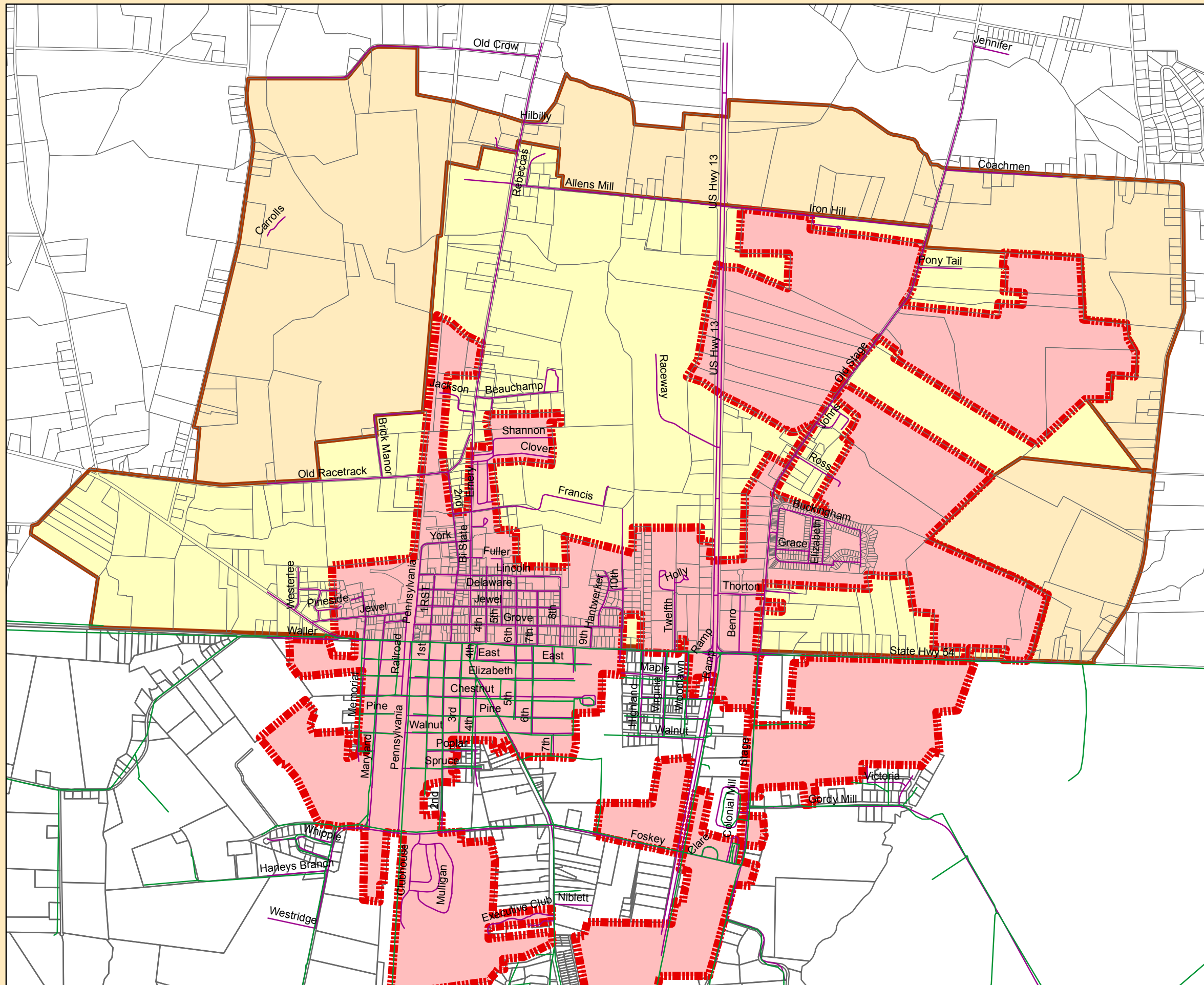


This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.

**dbf** DAVIS  
BOWEN &  
FRIEDEL, INC.  
[www.dbfinc.com](http://www.dbfinc.com)

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744















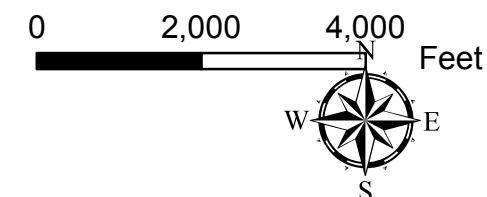
### Map 5: Environmental Features

## Legend

- 
- |                                                                                      |                               |
|--------------------------------------------------------------------------------------|-------------------------------|
|   | Town Boundary                 |
|   | Waterway                      |
|   | Excellent Water Recharge Area |
|   | National Wetland Inventory    |
|   | Wetlands of State Concern     |
|   | Agriculture Districts         |
|  | Agriculture Easements         |

Note:  
There are no Flood zone areas in and around the  
Town of Delmar.

Source:  
Town parcel data was supplied by the Town of Delmar.



This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.



ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744





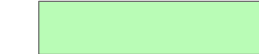





# Town of Delmar, Delaware Comprehensive Plan

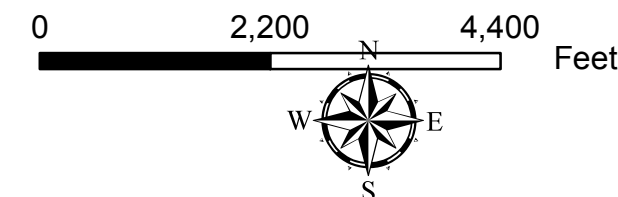
Adopted: 10/25/2010

## Map 6: State Spending Strategies

### Legend

-  Town Boundary
- State Spending Strategies**
-  Investment Level 1
-  Investment Level 2
-  Investment Level 3
-  Investment Level 4
-  Rivers & Streams

Source:  
Town parcel data was supplied by the Town of Delmar.

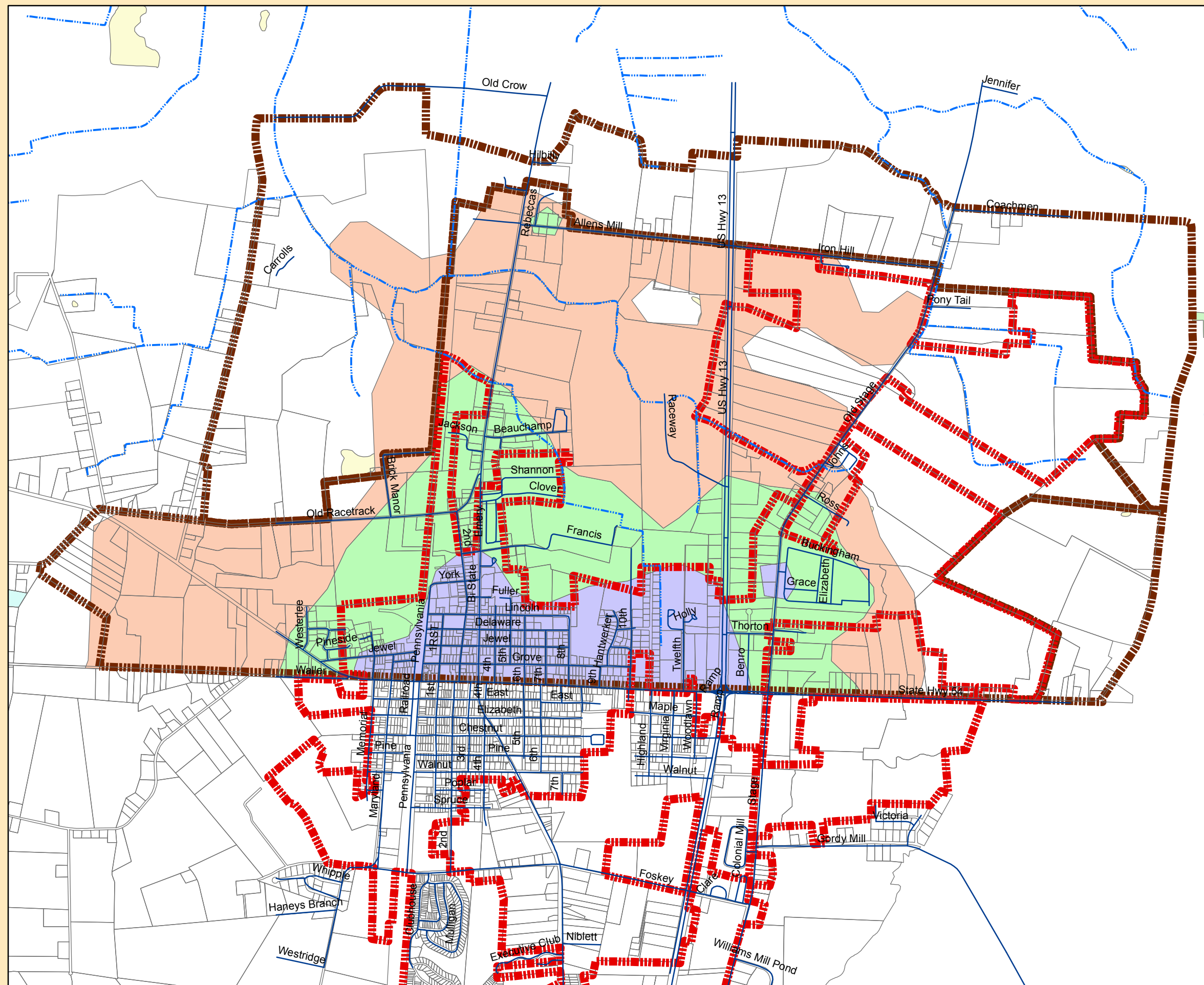


This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.

**dbf** DAVIS  
BOWEN &  
FRIEDEL, INC.  
[www.dbfinc.com](http://www.dbfinc.com)

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744







# Town of Delmar Comprehensive Plan

Adopted: 10/25/2010

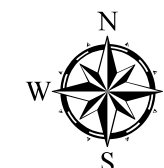
## Map 7: Transportation

### Legend

- Town Boundary
- Railroad Line
- Highway Class**
  - Interstate
  - US Highway
  - State Highway
  - County Highway
  - Off Interstate Business
  - None

Source:  
Town parcel data was supplied by the Town of Delmar.

0 1,500 3,000 Feet

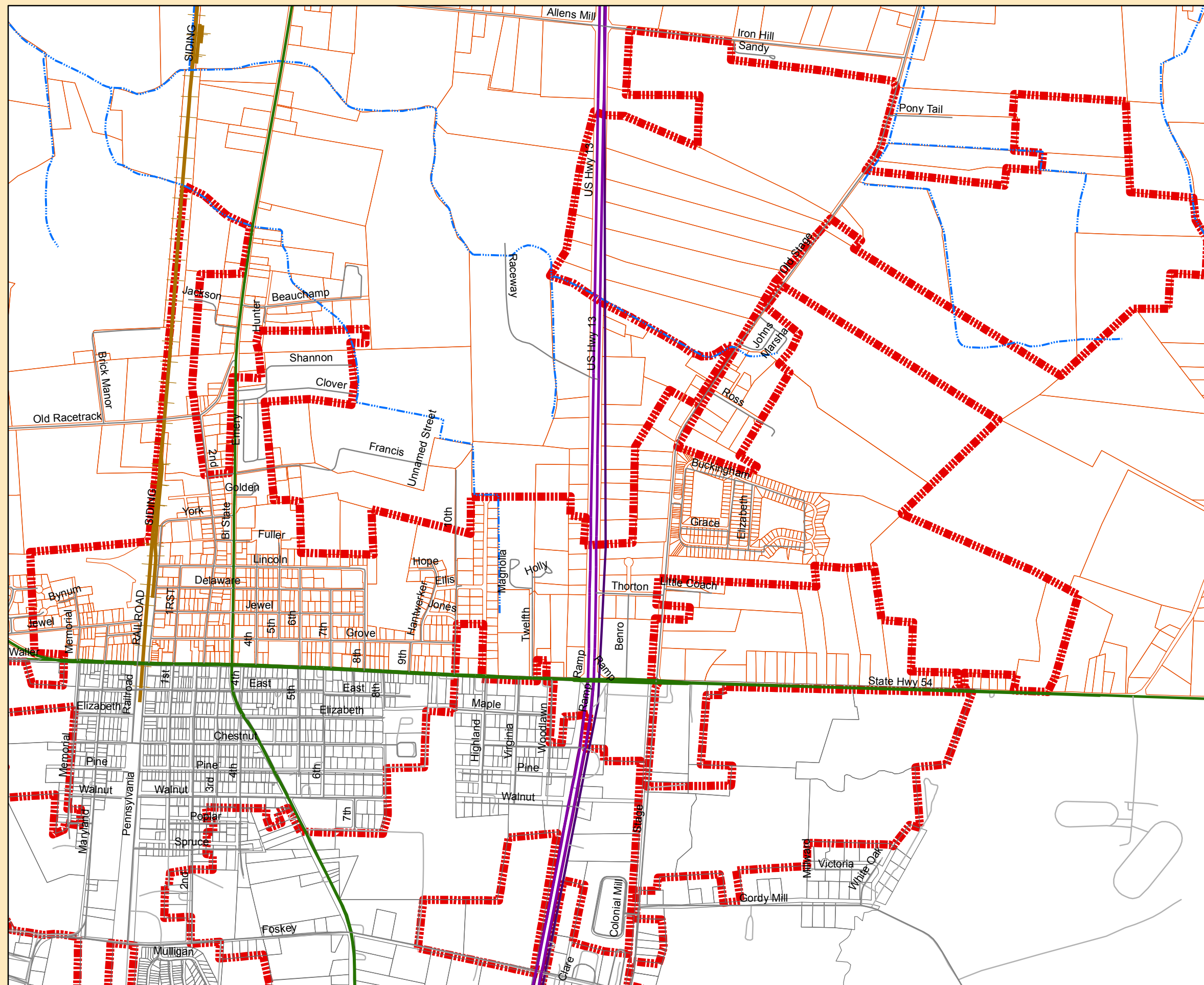


This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.

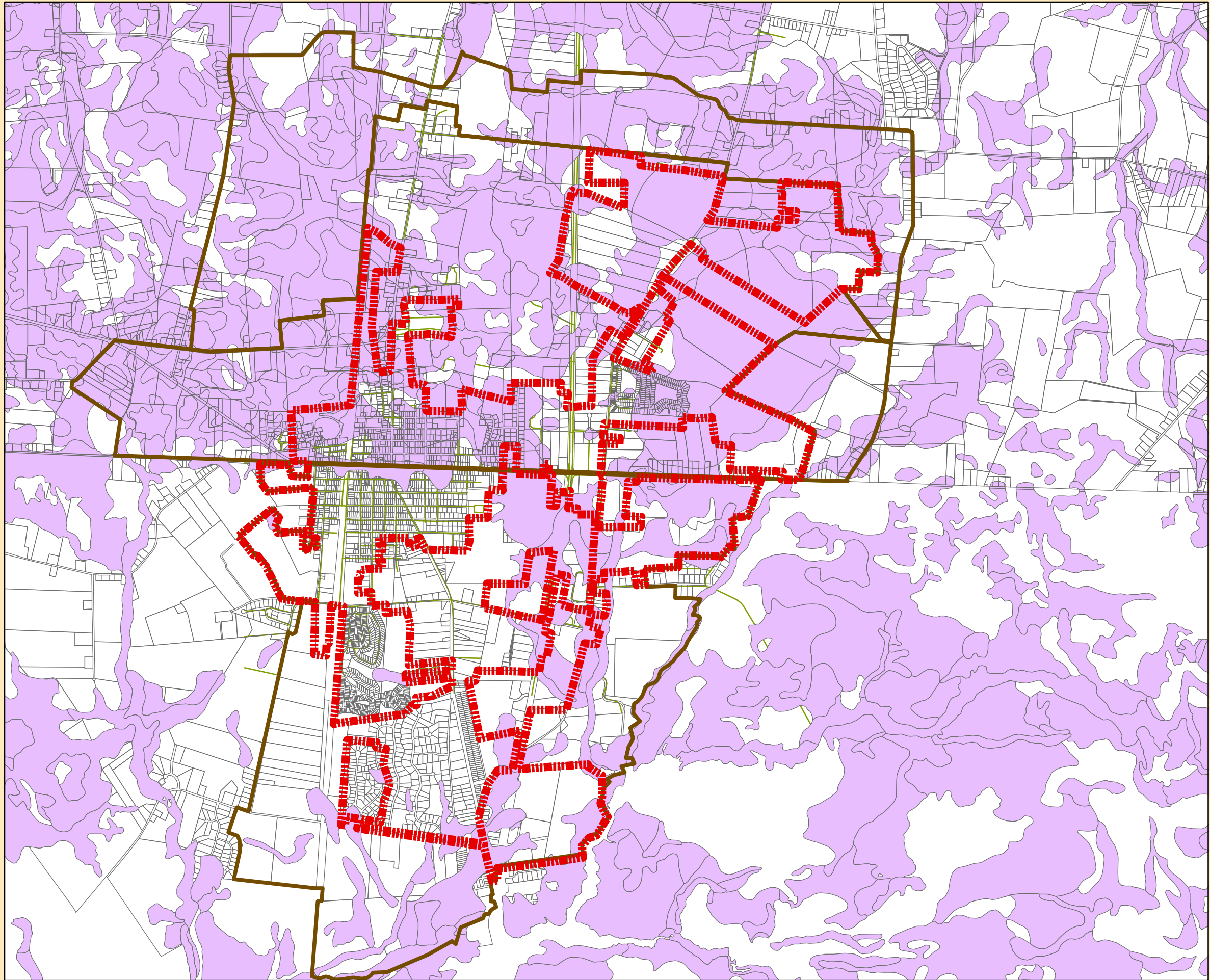
**dbf** DAVIS  
BOWEN &  
FRIEDEL, INC.  
[www.dbfinc.com](http://www.dbfinc.com)

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441  
EASTON, MARYLAND (410) 770-4744






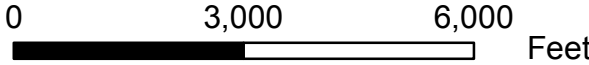


Map 8: Hydric Soils

Legend

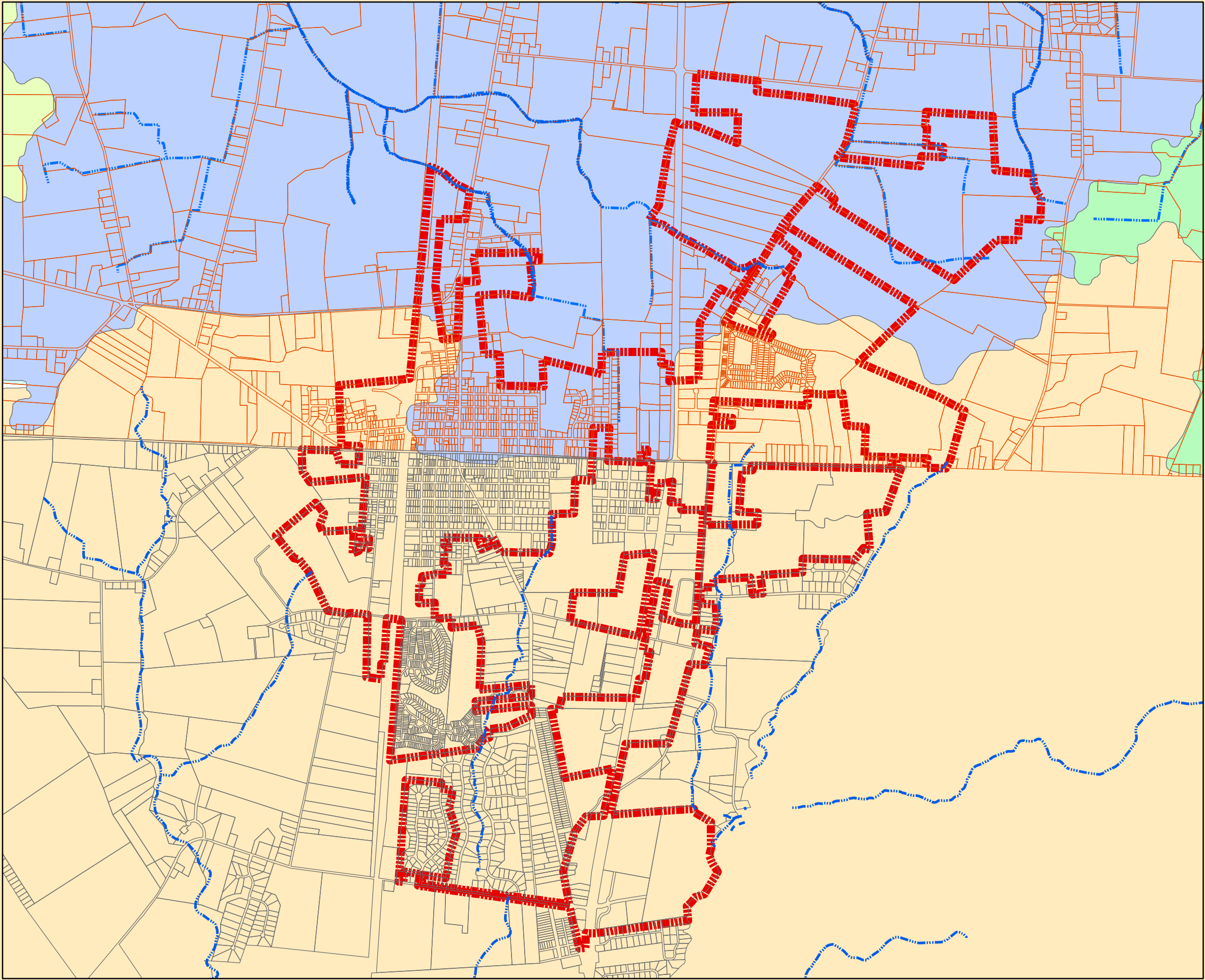
- Town Boundary
- Hydric/ Partially Hydric Soils


Source:  
Town parcel data was supplied by the Town of Delmar.



This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.









Town of Delmar,  
Delaware

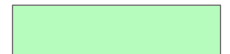
Comprehensive Plan


Adopted: 10/25/2010


Map 9: Watersheds


Legend

- Town Boundary
- Rivers & Streams
- Watersheds

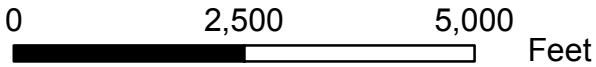
James Branch

Little Creek-Broad Creek


North Prong Wicomico River

Tussocky Branch-Broad Creek

Source:  
Town parcel data was supplied by the Town of Delmar.



This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed to be reliable for planning purposes, DBF cannot verify its accuracy and, therefore, assumes no responsibility for any errors or omissions incorporated into it.



DAVIS  
BOWEN &  
FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

www.dbfinc.com

SALISBURY, MARYLAND (410) 543-9091

MILFORD, DELAWARE (302) 424-1441

EASTON, MARYLAND (410) 770-4744