



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

DOVER/KENT COUNTY MPO TECHNICAL ADVISORY COMMITTEE MINUTES OF DECEMBER 9, 2009

Technical Advisory Committee Representatives attending:

Scott Koenig, City of Dover/Public Works (Chair)
David Edgell, Office of State Planning (Vice-chair)
Anne Marie Townshend, City of Dover/Planning/Insp.
Karen Emory Brittingham for Greg Oliver, DelDOT Planning
Mary Ellen Gray for Sarah Keifer, Kent County Planning

Phil Wheeler, DNREC
Joe Zilcosky for Jeff Stone, DE Econ. Dev. Office
Byard O'Neal, DE Motor Transport Assoc.
Bill Osborne, Transp. Mgmt. Assoc. DE

Members not attending:

David Hugg, Town of Smyrna
Tim Riley, Kent Conservation District
Milton Melendez, DE Dept. of Agriculture
Rick Crawford, Norfolk Southern
Kris Riesenber, Federal Highway Administration

Mayor Donald Tinari, Cheswold, municipal rep.
Gary Norris, City of Milford
Charles Mikula, Dover Air Force Base
Keith Lynch, Federal Transit Admin.
Cathy Smith, Delaware Transit Corporation

Non-members attending:

John Kotula, DE Transit Corporation
Juanita Wieczoreck, MPO Staff
Jim Galvin, MPO Staff

Kate Layton, MPO Staff
Catherine Samardza, MPO Staff

The meeting was called to order without a quorum and began with Discussion Items #6 and 7.

1. (6) *DISCUSSION*: Community VIZ – J. Galvin

Mr. Galvin gave a brief overview of the Community VIZ program and how it was used in Sussex County. He gave a short demonstration of the different layers that could be used in the program. He noted that although Sussex County used 100-acre grids, the scale could be adjusted. Mr. Galvin was working with representatives from Kent County, and they decided to use 500 meter grids with 50 cells per grid. This would allow for more analysis. The next phase of the project would be to assign criteria to each cell. Mr. Galvin would be using the information with Kent County to work on the Transportation Improvement Districts (TIDs). The MPO has 3 licenses for the software; one for the MPO and one may be used by Kent County. The third has not been assigned yet. There was some discussion concerning using the program to determine traffic demand. Mr. Galvin reported that outputs from Community Viz will go into DelDOT's Travel Demand model, but Community VIZ itself will not be used for Air Quality purposes. Mr. Edgell noted that the Traffic Analysis zones (TAZs) need to be updated, and it would be good if Community VIZ could assist with that.

2. (7) *DISCUSSION*: Impact of Valero Delaware City Closing on Kent and Sussex Counties

Mr. Zolcosky reported that the Valero closing affected 18 people in Kent County and 4 in Sussex County. He noted that the 18 people in Kent County represented ½ of 1% of the County's income. The overall effect on Kent and Sussex counties is negligible. The plant will still be used for distribution. Mr. Zolcosky said that although it is hard to judge gasoline issues, no sudden fuel shortage is expected. Mr. Osborne said that he heard another Valero was closing on the east coast, and that gasoline costs were increased ten cents. Mr. Zilcosky told the committee that the Delaware City Valero cleaned heavy crude, and while that used to mean different prices of gas, it no longer applied. Mr. Osborne asked about DEDO talks with a Venezuelan company concerning the Delaware plant; Mr. Zilcosky had no information on that issue.

Mr. Koenig asked if there could be a presentation on how this closing would affect gas prices at the next meeting. Mr. Zilcosky said that he or Mr. Stone would make the presentation,

There was now a quorum, and the meeting continued with the first items on the agenda.



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3. Introduction of Members & Guests

4. Public Comments – No comments

5. ACTION ITEM: Approval of Agenda

In addition to the changes noted above, Mr. Edgell asked that Item #11, the next meeting date, become an action item to change the date from February 10.

MOTION By Mr. Osborne to amend the agenda as noted above. Seconded by Mr. Wheeler. Motion carried.

6. ACTION ITEM: Approval of Minutes/October 14, 2009

MOTION By Mr. Edgell to approve the minutes. Seconded by Mr. Osborne. Motion carried with one abstention.

7. DISCUSSION and ACTION ITEM: Proposed Amendment to the FY 2010-2013 Transportation Improvement Program

Ms. Wiecezorek reviewed the two amendments. The first, a DTC project for solar panels, was funded through a TIGGER grant. One of the four locations scheduled for the panels is in Kent County. The second amendment was for additional paving projects. Bids for other projects came in lower than expected, leaving funds for additional projects.

MOTION By Mr. Osborne to recommend that Council adopt both TIP amendments. Seconded by Ms. Townshend. Motion carried.

8. DISCUSSION: Estimating Air Pollution Emissions

There was considerable discussion concerning the information that DNREC provides to developers and municipalities regarding the air quality impact of developments. Developers are required to have Traffic Mitigation Agreements (TMAs) but for the most part they are ignoring DNREC's analysis and recommendations. Mr. Osborne felt that Traffic Mitigation Agreements (TMAs) should be enforceable; currently they are not. Developers are required to respond to DNREC, but they are not required to implement the recommendations. It was felt that there was no hard data to point to, giving developers room to say the reports were inconclusive. Some felt that the data from DNREC was adequate, but not presented well. Ms. Townshend said that there seems to be a general "all developments are bad for air quality" approach. This does not take into consideration whether or not a development is close to services and/or in the growth zone. An additional problem is that EPA holds Delaware accountable for "upwind emissions that the State cannot control.

Mr. Edgell asked if there was a way to take into consideration in the modeling that a development is close to services; Mr. Wheeler said no, DNREC estimates 5 miles per unit, not actual mileage. Mr. Osborne noted that the issue seems to be generic information that isn't customized, and asked if there could be a weighted scale. He also reiterated that the TMA needed to have "teeth," with financial repercussions if developers don't meet levels agreed upon in the agreement. Mr. Koenig felt that punitive damages were not realistic.

It was suggested that Mr. Galvin work with Mr. Wheeler and Mr. Edgell and the municipalities to develop a process for local governments to use, but not to replace the air quality conformity analysis. There was further discussion on whether or not certain elements were in, or could be incorporated into the modeling process.

MOTION By Ms. Gray to form a subcommittee to explore developing a process that could be used by local governments to better quantify and implement data from DNREC into Traffic Mitigation Agreements. Seconded by Mr. Zilcosky. Motion carried with one opposed; Mr. Koenig felt that there are other avenues to explore.



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9. Member Agency Reports:

City of Dover: Planning – Ms. Townshend reported that on November 23 City Council adopted the 2009 Comprehensive Rezoning and Plan amendments. The next Comp Plan implementation effort will be to hammer out the Environmental Protection ordinance.

Public Works – NO REPORT

Kent County: Planning – Ms. Gray reported that the recommendation for the roads component of the Adequate Public Facilities Ordinance would be presented to Levy Court on December 17th. A waiver is being recommended if developers cannot meet Level of Service D at intersections inside the growth zone.

Soil Conservation – NO REPORT

TMA DE – Mr. Osborne noted that Ted Bishop at DelDOT is working on draft language for the engineering handbook for road construction that would allow LOS D, E and F at intersections in mixed-use developments. This effort is concurrent with a national effort for the same issue. He also reported that in December the Sustainable Energy Utility will be looking at transportation and developing recommendations for improvement. Mr. Osborne also noted that on December 1 the contract for Rideshare Delaware would be with URS, and TMA would be the subcontractor. TMA will be updating and improving the data base.

State of Delaware: DTC – Mr. Kotula, facilities engineer for DTC, announced that the Georgetown Transit Hub was completed this week. The Dover Transit Center has received Notice to Proceed, and is expected to be finished in time for the December service change next year. RK&K has the design contract, and Pearson is the contractor.

DNREC – Mr. Wheeler reported that DNREC has requested an extension for the SIP. If the date for 2010 is clean, the SIP will be approved. The new standard will be used for the next cycle. Ms. Wieczorek asked how close Delaware is to using the new model; Mr. Wheeler replied that it will be published on January 1, 2010; Delaware will be using it beginning next year.

Statewide Planning – Mr. Edgell said that he expects a new land use policy soon. The annual report is on hold in the Governor's office.

DEDO – Mr. Zilcosky noted that he is the Business Development Leader for Kent County. He offered to provide Sussex and New Castle contacts if anyone needed them.

Delaware Motor Transport – Mr. O'Neal had no report, but Mr. Osborn reported that the DE General Assembly is working on a bill that changes enforcement for overweight agriculture and construction vehicles.

NO REPORTS

Milford; Smyrna; Dover Air Force Base; Other Municipalities; Norfolk Southern; Association; Federal Highway Administration; Federal Transit Administration; DelDOT Planning; Agriculture

10. Staff Report –

10.1 Outreach Activities – K. Layton

Ms. Layton announced that the 2010 Bike Summit would take place on May 21 at the Grand Opera House in Wilmington. The management of the Opera House is providing the space for free.

10.2 Other Transportation Studies – J. Galvin

Mr. Galvin reported that he is working with the Office of Statewide Planning to provide training for the Milford Planning Commission on Transportation and Land Use.

10.3 Other Project Updates/Activities – J. Wieczorek

Ms. Wieczorek reported that the Regional Bike Plan is moving forward. A consultant is being hired to write the Plan after the MPO finishes gathering data. Bicycle related activities are planned for April and May 2010.

10.4 UPWP Progress & Financial Reports – J. Wieczorek

10.5 Correspondence & Publications/Reports – J. Wieczorek

Ms. Wieczorek reported that Secretary Wicks responded to Mayor Tinari's letter concerning DelDOT's cut to municipal street aid. The Secretary reiterated that the cuts were needed, but understood there was a communication problem in how it was handled.



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10. Next Meeting: February 10, 2010

Due to a conflict with the GIS conference, Mr. Edgell asked that the February date be changed. Ms. Wiczoreck suggested February 3rd.

MOTION By Ms. Townshend to recommend Council approve the change to February 3rd for the TAC meeting.
Seconded by Ms. Gray. Motion carried.

MOTION By Mr. Wheeler to adjourn the meeting. Seconded by Mr. Zilcosky. Motion carried.