



DOVER/KENT COUNTY MPO TECHNICAL ADVISORY COMMITTEE
JUNE 14, 2006 MINUTES

Technical Advisory Committee Representatives attending:

David Edgell, Office of State Planning (Vice-chair)
Anne Marie Townshend, City of Dover/Planning/Insp.
Mike Petit de Mange, Kent County Planning
Cathy Dennis, Delaware Transit Corporation
Louis Lombard, Dover Air Force Base
Gary Norris, City of Milford

Tim Riley, Kent Conservation District
Greg Oliver, DelDOT Planning
Phil Wheeler, DNREC
Milton Melendez, DE Dept. of Agriculture
Paul Lang, Federal Highway Admin.

Members not attending:

Scott Koenig, City of Dover/Public Works (Chair)
Rick Crawford, Norfolk Southern
Jack Taylor, DE Motor Transport Assoc.
Gary Smith, DE Economic Dev. Office

David Hugg, Town of Smyrna
Florence Bicchetti, Federal Transit Admin.
Tammy Ford, Transp. Mgmt. Assoc. DE

Non-members attending:

Juanita Wiczoreck, MPO Staff
Richard Kautz, Sussex County Planning
Adrienne Lombard, IDEA Institute

Catherine Samardza, MPO Staff
Mark Cote, DelDOT
Mark Mallamo, City of Milford

Mr. Edgell chaired the meeting in Mr. Koenig's absence.

- 1. Introduction of Members & Guests**
- 2. ACTION ITEM: Approval of Agenda**

MOTION By Mr. Oliver to approve the agenda. Seconded by Mr. Petit de Mange. Motion carried

- 3. ACTION ITEM: Approval of Minutes/April 12, 2006 Meeting**

MOTION By Mr. Petit de Mange to approve the minutes. Seconded by Mr. Wheeler. Motion carried.

- 4. PRESENTATION: Proposed Changes to the DelDOT Subdivision Manual – M. Cote, DelDOT**

Mr. Cote reported that the revised and renamed Subdivision Manual replaces both the 1984 Suburban Street Design Manual and the Access to Highway manual. There was one public workshop in March for the manual. DelDOT hopes for a July 1, 2006 effective date for this manual. There was considerable discussion concerning fees for reviewing developers' plans. Mr. Cote explained that any change in the fees would have to be passed by the Legislature. Mr. Petit de Mange felt that some recognition of the difference between rural and urban and suburban streets should be taken into consideration in the manual, which as presented makes no allowances or reference to the differences or alternative requirements for design or LOS. Ms. Wiczoreck was asked if the MPO TAC could take a position on this matter; she agreed that the TAC could do so. Mr. Cote told the members that comments should be addressed to Mr. Ted Bishop at DelDOT. Mr. Edgell noted that the development community has objections to revising the threshold on design goals. The new manual also requires DelDOT's review of semi-final plans before they are recorded by the County. There was some discussion and concern regarding the manual being in conflict with local codes, and questions concerning which ordinance would prevail. Mr. Petit de Mange felt that the County might need to change their ordinance to agree with the new State manual. There was also discussion concerning sidewalk issues. Mr. Oliver reported that



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work on the DelDOT Sidewalk Policy is suspended due to the Governor's Executive Order requiring a study of pedestrian issues. He reported that after the study, DelDOT policies would be amended to include recommendations from the study. Mr. Cote also reported that DelDOT is working with the Fire Marshal, due to a conflict with the Fire Marshall's office, which is calling for wider lanes than state and local design guidelines specify. Ms. Wieczoreck asked if the manual was in any way tied into the state investment area; Mr. Cote said that it wasn't. Ms. Wieczoreck also asked about CAAA exemptions; Mr. Cote said that he would have to check on that and get back to her.

MOTION By Mr. Petit de Mange that the TAC ask Council to recommend to DelDOT that the new manual include the language to enable the department to pursue the ability to collect the actual cost of TIS reviews and any reasonable administrative fees. Seconded by Mr. Riley. Motion carried.

Mr. Petit de Mange opened discussion on Level of Service requirements.

MOTION By Mr. Petit de Mange to recommend Council support the Level of Service standards as proposed in the Subdivision Manual. Seconded by Ms. Townshend. Motion carried.

MOTION By Mr. Petit de Mange that the TAC ask Council to recommend to DelDOT that the new manual incorporate some flexibility concerning sidewalk requirements, such as exemptions in low-density, rural and conservation areas.

Mr. Wheeler proposed amending the motion to note that it would not preclude DelDOT from requiring other types of pedestrian facilities such as trails. Mr. Petit De Mange accepted the amendment.

There was some discussion concerning specific recommendations for pedestrian facilities. Mr. Oliver reminded the Committee that he would not support any changes to the Manual affecting pedestrian facilities pending the Executive Order Study. It was suggested that this could be evaluated at the first annual update of the Manual. Several members felt that this was an important issue and should be addressed.

The committee was reminded that it needed a motion. Mr. Petit de Mange reiterated his original motion. Seconded by Ms. Townshend. Motion carried with three (3) opposed and one abstention.

5. DISCUSSION: Recent SAFETEA-LU Guidance Documents – P. Lang, FHWA

Mr. Lang reviewed the distributed documents. He reported that the deadline for comments on the new rule is September 7, 2006. With the new time schedule the next Plan update will be July 2009; addendums can be done for minor changes. The addition of any significant project before 2009 would require an update and conformity at that time, and then the new schedule would take effect.

6. DISCUSSION: DelDOT Presentation to the Bond Bill Committee – J. Wieczoreck, D/KC MPO

Ms. Wieczoreck reviewed the distributed material. She reported that she would be meeting with DelDOT on Monday to discuss project priorities. She noted that any changes to the TIP would be an 06 TIP amendment.



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7. Member Agency Reports:

City of Dover / Planning / Ms. Townshend reported that there will be two Planning Commission meetings due to the number of applications. She also reported that Dover will annex 101 acres from the Carey farm on Route 8. The smaller parcel, 5 acres, will not be annexed.

Public Works – NO REPORT

Kent County / Planning / Mr. Petit de Mange reported that the Coastal Zone ordinance was passed on February 22. It restricts development density from Route 1 east to the Bay. He also reported that Kent County is being sued by farmers for fairness – the ordinance restricts development from one unit per acre to one unit per five acres. The Adequate Public Facilities ordinance was reviewed in November. There was a lot of opposition and it never got out of committee. The new plan is to introduce the four ordinances separately instead of together, so that if one element is approved it isn't held up by opposition to another element. There will be a public meeting the third week of July for comments. The new Comprehensive Plan will be out for comments in July and August at informal meetings with the public. More workshops will be held in the winter after the fall elections, with a goal of March 2007 for the Plan. This may be held up by lack of state resource maps, which by law are supposed to be available for use with the Comp Plan.

Soil Conservation – Mr. Riley reported that the Puncheon Run water study is being done by a Consultant; the developer is paying the cost. He reported that other developers are also offering to pay for necessary studies.

Dover Air Force Base – Mr. Lombard reported that representatives of the Air Base were meeting with attorneys and developers targeting Kent County. The Air Base maintains a reasonable prohibition on development near the base, but there seems to be a statewide movement to challenge Kent County ordinances. He reported that in Arizona, a county took a stringent position regarding dwellings near the air base.

Municipalities / Smyrna – NO REPORT

Milford – Mr. Mallamo introduced Mr. Norris to the TAC. Mr. Norris is the new City Planner for Milford.

Norfolk Southern – NO REPORT

Delaware Motor Transport Association - NO REPORT

Federal Transit Administration – NO REPORT

TMA DE – NO REPORT

Federal Highway Administration – NO REPORT

State of Delaware: DelDOT Planning / Mr. Oliver reported that the General Assembly is likely to add funds to DelDOT's budget.

DTC – Ms. Dennis reported that ridership on the resort/beach bus has doubled. DTC has two new MCI buses. In addition, DSU students have been using the buses Thursday through Monday to make SEPTA and AMTRAK connections in Wilmington.

DNREC – Mr. Wheeler reported that DNREC is still waiting for New Castle County's population and employment projections that will be input into the 8-hour State Implementation Plan (SIP).

Agriculture /

Statewide Planning / Mr. Edgell reported that the General Assembly is considering House Bill 280, a Sprawl Prevention Act concerning septic permits in rural areas. There is also Transfer of Development Rights Bill being reviewed by the Senate Executive Committee that will include municipal incentives. Mr. Oliver asked if Kent County was exempted from this Bill; Mr. Edgell said that the Bill was designed to work with Kent County programs, not interfere with local governments.

DEDO – NO REPORT



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8. Staff Report – J. Wieczoreck

8.1 UPWP Progress & Financial Reports

8.2 Correspondence & Publications/Reports

Ms. Wieczoreck reported that the Council will hold a July workshop to discuss the MPO mission and the new federal regulations. She invited those with suggestions for the workshop to submit them as soon as possible. She also reported that to date the office has collected 175 survey from senior citizens for the Elderly Mobility Committee.

Ms. Wieczoreck informed the TAC that the next meeting would be the annual meeting, and asked if a nominating committee was wanted, or if nominations would be made from the floor. Mr. Edgell said that he would prefer a nominating committee. Ms. Dennis and Mr. Petit de Mange volunteered for the committee.

9. Next Meeting: August 9, 2006

The meeting was informally adjourned without a motion.