



PLANNING & DEVELOPMENT
CITY OF NEWARK

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October 30, 2020

Mr. Alan Hill
Hillcrest Associates, Inc
PO Box 1180
Hockessin, DE 19707

Dear Alan:

The City of Newark's Subdivision Advisory Committee has reviewed the subdivision plan revision for 141 East Main Street (PR#20-07-03) submitted on July 17, 2020. We have the following comments:

Electric Department

1. Electric service is available.
2. The existing aerial lines on the North and Southside of the property cannot be de-energized during the construction and tree removal. The developer must contact the electric department before starting any work for this project. The developer must pay all the line covering costs.
3. There is a 34,500 voltage underground cable installed on the west side of the property along the sidewalk from East Main to East Delaware Avenue. The cable cannot be de-energized for long periods because it feeds the U.D. Science Building.
4. No part of the building can be closer than 12.5 feet to the power lines.
5. All the existing utility poles and electric lines along the East Main street, Haines Street, and East Delaware Avenue must be shown on the print.
6. A suitable location approved by the Electric Department will be required for a pad-mounted transformer.
7. The developer must submit the detailed load calculation and electrical single line diagram for the project.

8. The developer must pay all costs for material and labor for the installation of electrical distribution equipment and meters. The total cost will be calculated after receiving the load calculation and electrical single line diagram. The price is subject to a yearly CPI escalation from the date of council approval.
9. No trees growing over 18 feet at maturity can be planted near the electric service pole.
10. Individual electric meters will be required for each commercial unit. All meters must be grouped in one location, and keys must be provided to access the electric meter room if meters are inside.
11. The developer must pay any costs needed to ensure the new smart meters will talk to the existing system.

Parks and Recreation Department

1. The plan shows the existing three Okame Cherries as remaining so a "Tree Protection" note needs to be made on both the planting plan as well as on sheet #3 (General Development Plan). Any temporary structure such as scaffolding is to be place/built around the trees during construction. Any damage to the trees during construction and tree replacement would be the responsibility of the developer.
2. The tree pits along Haines Street are shown as 4'x4', we will require the 5 tree pits to be 6'x6' with tree guards. This will not only give a greater volume of soil for the trees to get established in but will also help protect the trees from vandalism. The City of Newark will provide the product information for the tree pit that is to be installed.
3. Please change the three Katsura Trees near Delaware Ave. to Kentucky Coffee tree for plant diversity and increase the native tree count on the plan.
4. The plan calls for 12 Ilex glabra (Inkberry Holly) to be installed in the planting area along Haines Street. There are too many Inkberry hollies already in Newark and we need to diversify our plant types. Suggest changing out the six Ilex on the ends to six Diervilla "Kodiak Orange" (native) as well as planting along the street side in front of the Diervilla and Ilex some perennials such as Nepta "Cats Pajamas" and Coreopsis "Zagreb". All the suggested plantings are salt and heat tolerant.

Police Department

1. No Comments at this time.

Planning and Development Department

Code Enforcement Division

1. A Demolition Permit is required for each existing structure.
2. An Environmental survey is required for each structure. All abatement work to be performed by licensed contractor. All reports to be submitted to the City of Newark.
3. Demolition plan and sequence of events to be prepared and submitted by a licensed Professional Engineer.
4. Protection of the public required during demolition and construction.
5. Fire protection required for all buildings. Complete fire protection plans must be submitted with application for review.
6. Complete architectural, structural, plumbing, HVAC, electrical and drawings required for review prior to permits.
7. Comments based on 2018 ICC Codes.
8. The building shall comply with 2009, ICC A117.1, Accessible and Usable Buildings and Facilities. The elevator car shall be sized to comply with 2018 IBC.
9. Building Height and Area will be determined by type of construction.
10. Compliance with LEED requirements as adopted by the City of Newark will be required.
11. Submit sequence of construction and location of staging area for constructions materials. Site must be enclosed with approved barrier during construction to ensure public safety.

Fire Marshal

1. Need to provide Fire Marshal plan and required information on said plan including fire lanes and fire perimeter access.
2. Need to specify whether this is classified as one, two or three buildings.
3. Existing access to structures on East Main Street and Delaware avenue are removed, were they built under previous easements?
4. Apt entrance further than 40 ft off main access.
5. Building construction types need to be provided.

6. Side access only 14ft wide to 18ft wide.

Land Use Division

1. Plan needs to articulate the actual number of units as required by Code and not the estimated equivalent.
2. Density calculations must represent actual number of apartment units and bedrooms.
3. Parking calculations must be based on actual number of apartment units. Parking waiver requests can use comparable bedroom counts as justification of waiver, but waiver number must be based on actual code parking requirements as required by Code.
4. Given that this plan is being reviewed under the Site Plan Approval provision, the architecture needs to be redesigned to more appropriately fit in with the current architecture of the surrounding streetscape. The proposed architecture is too stark and doesn't compliment the streetscape. Staff suggests incorporating the brickwork and/or architectural features of the Starbucks/Del-One and Duck Donuts Building or a similar design that is complementary to the Main Street streetscape. Staff further suggests reviewing the Design Guidelines for Downtown Newark. The link for this document can be found here: <https://newarkde.gov/DocumentCenter/View/9611/DNP-Design-Committee-Revised-Design-Guidelines-2016?bidId=>
5. Elevations needs to be provided for all sides of structure.
6. Per Section 32-98.3 (a) (3) provide a description of the building materials.
7. Plan and narrative letter needs to include application for Special Use Permit for apartment use.

Public Works and Water Resources Department

GENERAL / SITE:

1. The Cover letter indicates Public Works and Water Resources Review fees were submitted with the Major Subdivision Plan submission however the amounts are incorrect. Please refer to the latest [Public Works and Water Resources Schedule of Fees](#) effective 4/27/2020. The following fees shall accompany any future submission:
 - 1.1. Sediment and Stormwater Management Review Fee = 1.14 Disturbed Acres = $(\$825 \times 1 \text{ acre}) + (0.14 \text{ acres} \times \$275) = \$863.50$ **PAID - Check #1086**
 - 1.2. Water and Wastewater Review Fee = Greater than 2,000 GPD = \$1,100.00 **PAID -**

Check #1085

2. Plans must be signed by all appropriate parties and sealed by the engineer of record prior to Subdivision approval.
3. Add the Planning Department Project Number (#20-07-03) to all plan sheets.
4. Provide addresses for all buildings and units. Ensure any new addressing has been coordinated with AETNA and NPD.
5. Include the square footage and gross floor area in the Data Column.
6. Consider the vehicle maneuvering required to access the dumpster locations and the corresponding impact to traffic. The current location along Haines Street seems problematic.
7. Include trash enclosure details on future Subdivision Plans.
8. The limit of disturbance (LOD) will need to be added to the Major Subdivision Plan Cover/Index Sheet.
9. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project site including existing parking areas. Label all ADA ramps.
10. Include the ADA parking count in the Parking Tabulation column.
11. Correct the spelling of the word “bedrooms” in the Parking Tabulation for the apartments.
12. Bike racks should be provided in a location that is accessible and visible to tenants and visitors at the point of entry. The bike racks and rack layout will need to conform to the City of Newark Bicycle Plan and [DelDOT Standard Construction Detail](#) M-4 – “Bike Rack Layout Details”. Include the detail for both the rack and pad layout on the plans and ensure the pad shown on the plans conforms to the size and spacing on the detail. Add the following note to the bike rack detail, “The bike pad needs to be installed at a higher elevation than the adjacent pavement (4” min.) or separated by a curb.”
13. A DelDOT Letter of No Objection to Recordation (LONOR) shall be furnished to the Public Works Department prior to **CIP approval**. It is highly recommended that the developer submits for a Letter of No Objection to Recordation (LONOR) from DelDOT as soon as possible to prevent any delays in the plan review process. LONOR shall be provided concurrently with any future **CIP submission**.
14. A demolition Plan for all structures and utilities needs to be provided. The current “Schematic Preconstruction Site SWM Plan” shows existing features but does not show demolition features. It would be the City’s preference to add an Existing Conditions Plan

which also shows proposed demolition.

15. Provide a separate Fire Marshal Plan for review during the Subdivision Plan phase.
16. Include the following notes on the Major Subdivision Plan:
 - a. "As-Built Plans and checklist shall be submitted to the City of Newark prior to issuance of Certificate of Occupancy."
 - b. "All handicapped parking stalls, logos, and access aisles shall be marked with blue paint and hatched accordingly."
 - c. "Any damage to the City storm sewer, water, or sanitary sewer infrastructure shall be repaired or replaced to the satisfaction of the Public Works and Water Resources Director."
 - d. "All on-site storm sewer and sanitary sewer is private. On-site manholes shall not have "Newark" anywhere on the lid."
 - e. "The Developer shall paint all existing and proposed fire hydrants associated with this project to reflect the flow capacity and apply 2-inch reflective tape in accordance with the State Fire Code."
 - f. "Sprinklers are required in all units and all fire protection systems shall be submitted to the City of Newark Fire Marshal's office for review and permitting prior to issuance of building permit." [add or amend General Note 13]
 - g. "Water meter shall be located as close as possible to where the domestic main enters the building. The meter room shall be readily accessible to the City of Newark. A ¼ turn locking ball valve shall be located immediately on both sides of the meter." [replace General Note 20]
 - h. "Individual water meters will be provided for each dwelling and/or commercial unit. The developer will be responsible for the cost of the meters. The City will determine the size of the meters in coordination with the developer." [amend General Note 18. Verify meter pits will be installed for each apartment unit, if this is not the case update General Note 18.]
 - i. "The Developer shall pay fees associated with the new water meters prior to issuance of any building permit."
 - j. "An "Approval to Construct" will be required from the Department of Health and Social Services Office of Drinking Water. A copy of the approved permit shall be furnished to the City prior to CIP approval."
 - k. "An "Approval to Operate" from the Department of Health and Social Services Office of Drinking Water shall be provided to the City prior to the use of any domestic water or issuance of any certificate of occupancy."
 - l. "Developer shall provide a set of water system drawings in accordance with the State Department of Health Drinking Water Standards for their review and approval."
 - m. "All water valves shall be Mueller unless otherwise approved by the City of Newark Public Works and Water Resources Department."
 - n. "The Developer shall pay the Sewage Treatment Plant (STP) fee prior to receiving a building permit." *A credit for any existing structure will be given when determining the*

- STP fee.*
- o. "Any sanitary sewer laterals proposed to be reused shall be visually inspected (televised) by the Developer and approved for re-use by the Public Works and Water Resources Department." *Contact Shawn Gealy, Water and Wastewater Inspector, at (302) 229-1396 a minimum of 48 hours in advance of the CCTV work and provide a digital copy to the Public Works and Water Resources Department.*
 - p. "A DNREC "Construction of Wastewater Collection and Conveyance Systems" permit will be required and shall be furnished to the City prior to CIP approval."
 - q. "The notice of intent for stormwater discharges associated with construction activity under a NPDES general permit for this project is _____. If at any time the ownership for this project changes, a transfer of authorization or a co-permittee application must be submitted to DNREC. The permittee of record shall not be relieved of their responsibilities until a notice of termination has been processed by DNREC."
 - r. "A Blue Card holder will be on site at all times during construction to ensure all sediment and stormwater regulations are adhered to."
 - s. "Weekly inspections by a DNREC Certified Construction Reviewer (CCR) will be required for this site. Weekly inspection reports are to be logged on-site and submitted to the City within 14 calendar days of inspection."
 - t. "A concrete washout area shall be installed by the contractor and approved by the Public Works and Water Resources Department."

WATER & SEWER:

1. Provide an overall utility plan showing the full extent of the development and all existing and proposed utilities on one sheet. Show existing and proposed utilities (including water and sanitary sewer) on the plan and indicate how the proposed utilities will connect to the existing including top of structure, invert, size and material. Existing tops and inverts of all storm and sanitary structures will be required to be shown on the Subdivision Plans.
2. Show any termination of existing utilities. Depending on the location of the utility it could potentially require restoration of Main Street, if it is allowed at all by DelDOT, due to the recent completion of the Main Street Restoration Project. There are other options for terminating unused utilities that should be discussed with the Department if any existing utilities are to be abandoned.
3. Show the mechanical/meter room location and confirm the proposed water line is not below the proposed building slab for greater than 10-feet.
4. If the proposed use of the building includes food preparation such that a grease trap is required, two (2) separate service laterals are required so that flows from kitchens or containing grease or oils flow to the grease trap and not directly to the public sewer. Grease traps should be located outside the building for ease of cleaning and inspection.
5. The developer shall investigate the capacity of the existing sanitary sewer system to

determine if sufficient capacity exists to handle the anticipated wastewater flows and furnish the report to the city for review and approval. PWWR can provide the applicant's engineer with the diurnal curve for dry weather flows for the project area that they will need to adjust their field measurements.

6. The condition of the existing downstream sanitary manhole being tied into will need to be verified. If the conditions are unsuitable the manhole will need to be replaced or restored accordingly. A note will need to be added to the Major Subdivision Plan and Subdivision Agreement prior to Subdivision approval.
7. Specify on the plans that when tying into existing sanitary sewer manholes that the manhole must be core drilled and link sealed.
8. A hydrant flow tests will be required to verify the flow rate and system pressure are consistent with the basis of design. Public Works and Water Resources personnel must be present during flow testing to collect flow test results. Please submit an [application for fire flow test](#) to PWWR **(CIP)**.
9. The required sprinkler flow rate for each building will need to be provided with the Subdivision Plan submission.
10. The anticipated peak water demand for all buildings and units will need to be provided during the **CIP phase** so appropriately sized water meters can be specified.
11. Provide on the plans the most recent City of Newark standard details for water and sanitary sewer improvements as applicable to the project. They can be found here: <https://newarkde.gov/DocumentCenter/Home/View/464> **(CIP)**.
12. Ensure water lines have a minimum of 18" vertical separation from all other utilities.

STORMWATER MANAGEMENT:

1. A Project Application Meeting was held on December 4, 2019 with the meeting minutes distributed that same day to meeting attendees.
2. Proof of the NOI submission to DNREC will be required during the **CIP phase**.
3. A wetlands report is required to be submitted for major subdivisions involving new and/or additional construction in accordance with Chapter 27, Section VIII of the City Code of Ordinances. If there are no wetlands, a letter certifying no wetland are present will need to be submitted by a wetland scientist or the professional engineer of record.
4. Provide tabular data from HydroCAD to show the volume of water which passes through the biomedica during the Rpv storm event. This is needed to verify Rpv requirements are met.

5. Delaware Ave is scheduled to be repaved by DelDOT in July of 2021. Replacement of the 12" storm sewer pipe under Delaware Ave must occur prior to the road repaving project. If necessary PWWR can work with the developer and design engineer to process a separate approval to complete this work ahead of full project approval.
6. The submitted HydroCAD report contains warnings revise the model to rectify the warnings or provide an explanation within the narrative as to why those warnings can be ignored.

This plan review is solely based upon the information and details provided in the submitted documents. Additional comments may be generated following any future submissions.

I hope you find this information helpful. **Please provide a written response to all comments with subsequent submissions.** Should you have questions or need more information, please do not hesitate to contact me at 366-7000, extension 2040.

Sincerely,



Mary Ellen Gray, AICP
Planning and Development Director

MEG/tf