

June 21, 2013

Michael H. Vincent  
Council President  
Sussex County Council  
2 The Circle, P.O. Box 589  
Georgetown, DE. 19947

RE: The Village Center- Kings Highway and Gills Neck Road

Dear President Michael H Vincent,

We would like to express our concerns regarding the “Village Center” shopping center proposed for the intersection of Kings Highway and Gills Neck Road. Specifically, we are concerned about the proposed development’s impact on the quality and quantity of the water recharged from this site entering our water supply system. The Lewes Board of Public Works (BPW) is responsible for providing water to the citizens of Lewes as well as many customers in the county. The location of the proposed shopping center falls within the boundary of our supply wells’ fragile well head protection area.. Because these are relatively shallow wells, they are susceptible to contamination and recharge reduction due to activities within their recharge area. The wells are the sole supply of potable water to our citizens and our customers in the county.

The Lewes well field currently provides the quantity and quality of water that is needed to service our customers now and in the future. If that supply were to be compromised, options and abilities to recover are almost nonexistent. To even consider the chance of harming that supply is incomprehensible.

As noted in the findings of DNREC’s Chief of Planning, Lee Anne Walling’s October 19, 2009 letter to Sussex County Council, regarding the original proposal for this project,

*"DNREC's primary concern is that the development as proposed would adversely affect the Lewes region’s available water supply and water quality, which combined would impact public health in the area."*

On page 9 of the most recent Office of State Planning’s PLUS review, 2015–03–02, DNREC pointed out,

*“DNREC acknowledges that the Sussex County has a source water protection ordinance in place, but DNREC recommends that this project go beyond the requirements of the ordinance and consider the recommendations that will afford this resource additional and much needed protection. DNREC asks the Sussex County consider Chapter 115 Zoning Article IV §115-19 of the County’s Code that states in part that agricultural*

*districts are also intended for protection of water resources. As an agricultural district, Lewes' drinking water source would be afforded more protection if the parcel remains agricultural."*

The BPW strongly supports DNREC in this recommendation. The PLUS review goes on to say,

*"The amount of impervious cover proposed in this project is significant. This amount of impervious cover added to the existing impervious cover within the wellhead protection area has the potential to reduce ground-water recharge for the City of Lewes well field."*

The maintenance of water levels in this aquifer is critical to our coastal community due to long-term risks of salt water intrusion if the head levels decline in the freshwater aquifer. Changing the pervious nature of the site to impervious creates grave concerns about the resulting reduction in recharge to our only source of water supply..

As you evaluate this project, we respectfully request that you consider the potential impact this project may have on Lewes's long-term water quality and supply.

We are attaching Lee Anne Walling's letter of October 19, 2009 and other literature supporting the science of our position and concerns. Please contact us with any questions you may have regarding this important issue.

Respectfully,

C. Wendell Alfred- President

D. Preston Lee, P.E.- Vice President

A. Thomas Owen- Secretary

Jack Leshner- Treasurer

Nancy Levenson- Assistant Treasurer

Directors of The  
Board of Public Works for the City of Lewes



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
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89 KINGS HIGHWAY  
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Secretary

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October 19, 2009

The Honorable Vance C. Phillips  
President, Sussex County Council  
2 The Circle  
Georgetown DE 19947

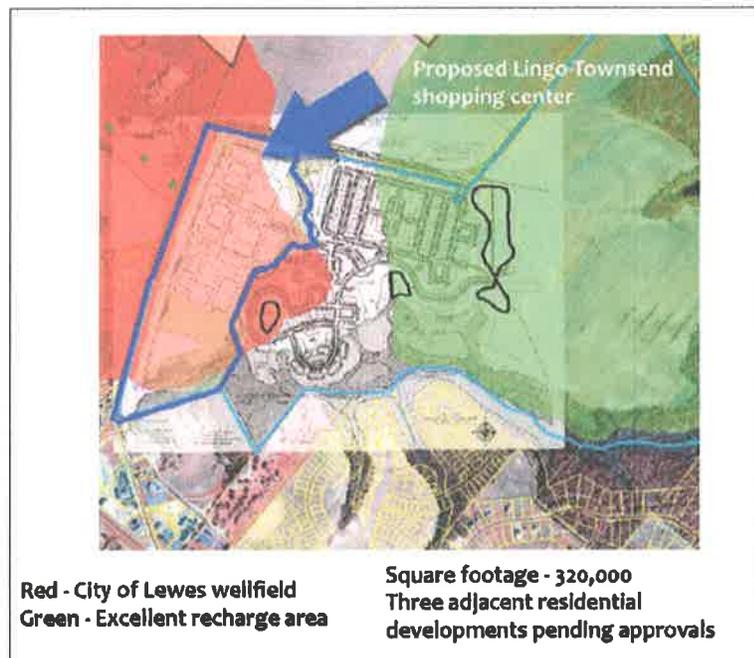
RE: C/Z #1690 (LT Associates LLC)

Dear Mr. Phillips:

As you consider the application for a proposed shopping center on Kings Highway outside Lewes, we wanted to share some important environmental concerns that we have with the development as proposed. These comments match those expressed by DNREC in The Preliminary Land Use Service (PLUS) comments from March 2007 and April 2009.

DNREC's primary concern is that the development as proposed would adversely affect the Lewes region's available water supply and water quality, which combined would impact public health in the area.

The project as proposed would pave over a substantial portion of Lewes' well field, which consists of a series of shallow public wells that draw water from the shallow unconfined aquifer that receives recharge directly from precipitation. Maintenance



of water levels in this aquifer is critical to this coastal community ability to access clean drinking water, especially due to long-term risks of salt water intruding into fresh water sources. The project developer estimates impervious cover for the project at 59 percent; however, this amount – when added to the existing impervious cover of the Cape Henlopen High School and planned neighboring developments – has the potential to reduce ground-water recharge of Lewes' well field significantly which could impact residents' access to clean drinking water.

Studies have shown a strong relationship between increases in impervious cover and decreases in a watershed's overall water quality. In our PLUS comments, DNREC's Groundwater Protection Branch urged the applicant to reduce impervious cover to below 50 percent and adopt green infrastructure best-management practices, such as pervious surfaces, that could reduce some of the project's adverse impacts. These recommendations were not integrated into the project. Further, it was recommended that an environmental assessment report be prepared by a Delaware Registered Professional Engineer and/or Professional Geologist to analyze the adverse impacts to water supply and water quality and the correlation to negative public health outcomes.

Since this wellhead protection area is the source of public drinking water for the City of Lewes, any leakage from hazardous substances or wastes stored on site may have a significant impact on degrading water quality. Such activities should not be allowed within the area unless specific approval is obtained from the relevant state, federal, or local program.

As you evaluate this project, we respectfully request that you consider the potential impacts this project as proposed may have on the water quality, the long-term safety of water supply, and the public health of the residents of Lewes.

Respectfully,



Lee Ann Walling  
Chief of Planning

cc: The Honorable James L. Ford III  
Lawrence Lank