



STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

August 19, 2026

Julie Goodyear
141 Main Street
Townsend, DE 19734

RE: PLUS review – 2026-07-03 Town of Townsend 5 Year Update

Dear Ms. Goodyear,

Thank you for meeting with State agency planners on July 29th, 2026 to discuss the proposed Town of Townsend comprehensive plan update. According to the application, the Town desires to amend the Comprehensive Plan and Future Land Use Map.

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 Delaware Code.

Office of State Planning Coordination – Contact: Samantha Bulkilvish 739-3090

- **Intergovernmental Coordination**

- Please document in writing the Comprehensive Plan Update has been reviewed by Middletown, Odessa, and New Castle County and that any issues they raise have been addressed in the document before adoption. Update intergovernmental coordination section of Plan (pg. 83).

- **Maps**

- There are several issues I have identified with discrepancies between the map and legend of the Future Land Use and Annexation map. Please revise these so that the land use classifications match in the inset map and the larger map, and that the legend is appropriately labeled.
- All maps in the Appendix Section of the Plan should be updated with the most current data (Existing land use, 2025 State Strategies, latest Townsend

boundaries, consider removing annexation areas from all maps except the Future Land Use and Annexation Areas map, etc.)

○

- **Population Growth**

- Thoroughly update the section 2-1c. Demographics with the 2020 Census data, or most recent data from the ACS.
- Update the Diversity Composition section under 2-1c. Demographics with 2020 numbers.

- **Housing Growth**

- Update section 2-1f. Housing Affordability with current Census data and ACS data. Consider using DSHA's Housing Needs Assessment.

- **Land Use & Annexation Areas**

- The greenbelt areas mentioned on Page 38 of the Plan are no longer shown in the proposed Future Land Use and Annexation Areas map. Will this area be removed from the plan or added to the map? The same goes with the TDR.
- Update Land Use Changes 2002-2020 text to match updated table below (pg. 75). Complete the update to Table 16 and identify the correct source (pg. 76).
- The Town's Future Land Use Map shows a category of Farmland as a future land use in the legend. If this is in fact a land use you wish to include please include it as well throughout Section 2-7 of the Plan.
- Edit sections 2-7f and 2-7g to reflect the revisions in the proposed Future Land Use and Annexation Areas map as a lot has changed on this map since the Plan was updated in 2020. Particularly, the new maps proposed annexation areas has changed and warrants an update to the description of this area. The area labeled B is no longer the "green belt," but public protected lands, and Area C is now Area B in the 2026 map.

- **Agency Specific Concerns (further details can be found under each agencies comments below)**

- **DNREC**

Many of the parcels proposed to be incorporated into Townsend contain habitat that is part of a larger ecological network vital for the survival of migrating birds, waterfowl, and other wildlife. Disturbance to these areas could have lasting and regional impacts beyond the extent of Townsend's border. For this reason, annexation as proposed should only take place after a thorough update to Townsend's *2020 Comprehensive Plan*, whereby existing protective measures are evaluated, and appropriate codes and ordinances are adopted.

While DNREC reviewers acknowledge that certain measures exist within Townsend's code to protect riparian forest buffers within the current municipal boundary, as it stands, this code is inadequate to protect the greater network of critical habitat that exists within the scope of the proposed annexations. Currently under New Castle County jurisdiction, several of these areas are offered 100% protection and are classified under resource preservation in the County's *2022 Future Land Use Map*. In contrast, annexing these parcels into Townsend would likely result in the elimination of high-value habitat unless the Town amends its code to implement additional environmental protection measures. To that point, the Town's proposed *Future Land Use & Growth & Annexation Map* shows these areas as residential.

Some of the parcels proposed for annexation:

- Lie within the Appoquinimink River Natural Area or the Blackbird Natural Area.
 - Possess mature forest and contiguous forest.
 - Contain a perennial stream, pond, or coastal seasonal pond.
 - Hold unique habitat types known to support a high diversity of plant and animal species.
 - Contain state-endangered species.
 - Are located in an Excellent Groundwater Recharge Area. These are the delineated areas which contribute water to a public water supply.
 - Are located in Level 4 lands, according to the *2025 Delaware Strategies for State Policies and Spending*. These lands provide important ecosystem services to Delaware and its surroundings. As such, state investments in Level 4 lands are intended to retain and support the rural landscape, open spaces, and farmlands.
 - Are proposed as residential in the *Future Land Use & Growth & Annexation Areas* map. In some cases, this is inconsistent with the text of the comprehensive plan, which states these areas should serve as a greenbelt for the Town.
- **Department of Agriculture**
- The Department strongly opposes the annexation of any properties that are protected through the Delaware Agricultural Lands Preservation Program. These preserved farms represent a long-term commitment by landowners and the

State of Delaware to safeguard productive agricultural land from encroaching development and municipal expansion. The Department fully supports the commitment these landowners have made to preserve their farms and believes these properties should remain protected from annexation and incompatible land uses.

Preserved farmland is essential to the long-term survival and economic viability of Delaware's agricultural industry. The State has invested hundreds of millions of taxpayer dollars to permanently protect these working lands because agriculture is not only Delaware's largest land use but also one of its most important economic drivers. Municipal comprehensive plans should recognize and respect these public investments by avoiding policies that encourage the annexation or urbanization of permanently preserved farmland.

Office of State Planning Coordination – Contact: Samantha Bulkilvish 739-3090

General Comments

The Office of State Planning Coordination recognizes the time and effort put into the 2026 update to the Townsend Comprehensive Plan which was last certified in February of 2022. Should the town adopt this Comprehensive Plan Update and the Governor Certify it, the Plan will be good for another 10 years with a review at the 5-year mark.

Overall, there are concerns that maybe this update is coming too soon and that the sewer agreement between the Town and New Castle County be finalized before proceeding to plan for extensive growth as the agreement may set limitations on sewer capacity. There are still some sections of the plan that seem to have not been updated since 2010 and there is new data that should be incorporated into the plan.

Other Considerations:

- If the Plan is not adopted by November 15, 2026 it will be subject to the Climate Change and Resiliency requirements outlined by Senate Bill 237.
- If the Plan is not adopted by February 1, 2027 it will be subject to the housing requirements outlined by Senate Bill 23. (or this will go into effect at the 5-year review)
- The Comprehensive Plan should anticipate the requirements as outlined in House Bill 450 that will impact the Town's zoning.

Suggestions:

- Update the title of the Plan to reflect that this is the 2026 Plan update.

- Please provide us with the zoning ordinance and zoning map to ensure future compliance with SB 23 and HB 450. There is no formal guidance on how Towns are expected to comply with these bills yet, but the Office of State Planning Coordination will be a resource in getting your questions answered and ensuring the Comprehensive Plans are in compliance.
- Update Section 2-1g. Community Profile Implications, Critical Issues & Future Needs as there are facts and figures throughout this section that are out of date.
- Update Transportation recommendations to match the updated Transportation section.
- In section 2.7c you may want to include under Community/Institutional why the large area in the future annexation area is shown as Community/Institutional. (After our discussion on 8/17 this may be removed and if so then disregard this comment).

Department of Transportation – Contact Stephen Bayer 302-760-4834

DelDOT thanks the Town for compiling the update to their existing 2020 Comprehensive Plan. In several areas below DelDOT offers suggested follow-up actions for consideration while developing the 2026 Comprehensive Plan:

- The 2020 version of the Town's Comprehensive Plan referenced the need for a traffic study in and around Railroad Avenue, Commerce Street, Main Street, Dogtown/Blackbird Station Road/Levels Road (Route 15), South Street, and Wiggins Mill Road. The Town should include information on the status of this study in the 2026 update and reach out to DelDOT or the Wilmington Area Planning Council (WILMAPCO) for assistance.
- The 2020 version of the Town's Comprehensive Plan referenced a streetscape and safe corridor project with several phases. The Town should include an update of where the most current phase stands and make note of any future extensions.
- DelDOT recommends that the Town focus on and prioritizes infill development. This will best maximize existing space and infrastructure.
- Explore funding opportunities for multimodal transportation opportunities.
 - DelDOT's Transportation Alternatives Program (TAP) may provide funds for smaller multimodal transportation projects and may be a means of implementing improvements identified in the various plans that have been conducted. Additionally, developer contributions may assist in implementing various portions of the plans. Aside from this the Municipal Street Aid program can be a useful source of infrastructure funding for the Town.

- Require, where feasible and not detrimental to an environmental resource, interconnection between existing and planned residential developments to reduce impacts on major roadways.
 - Interconnectivity between developments, for all modes of travel, allows the Town to grow in a walkable manner and helps reduce the load of traffic onto collector and arterial roads.
- Promote the increase of transit service by working with DelDOT/DART to reduce bus transit headways and improve landside facilities (such as sidewalks, lighting and passenger shelters) for transit users.
- Work with DelDOT to include complete streets/context sensitive design features in any highway improvement project, site plan or subdivision within the Town to promote the safe use of the street network by all users, including pedestrians, bicyclists, motorists, and freight deliverers.
- Delaware Byways Program.
 - The Harriet Tubman Underground Railroad Byway runs adjacent through the Town of Townsend. Byways are regulated in State Code at Title 17, Chapter 1, Sections 190-194 and Title 17, Chapter 11, Sections 1101-1120 with applicable amendments apply. Additional information on the Byways program is available at (302) 760-2254.
- Coordinate with DelDOT to utilize resources available through the Safe Routes to School Program.
 - There are several schools in and around the Town of Townsend. If the Town would like information or other resources associated with that program please contact Chip Kneavel at (302) 760-2527.
- DelDOT encourages the Town to be mindful of Capital Transportation Program projects near town limits, including:
 - N15, Boyds Corner Road, Cedar Lane Road to US 13
 - US13, Duck Creek to SR1
 - SR 896 and Bethel Church Rd Interchange
- The Town is encouraged to continue working with WILMAPCO on the Southern New Castle County Regional Master Plan. This will be an important element of intergovernmental coordination and has the opportunity to facilitate the Town achieving its transportation and infrastructure goals.

Land use changes near these proposed capital projects may limit their effectiveness for both regional and local transportation needs.

Lastly, DelDOT reiterates the importance of a thoughtfully developed comprehensive plan and future land use map that accurately and comprehensively reflects the long-range planning needs of the Town of Townsend. Inconsistency in application of the policies and strategies identified in the Comprehensive Plan and in the future land use map, and frequent changes to future land use maps, reduce the reliability of tools DelDOT uses to analyze changing demographics and travel patterns, which are used to project long-term infrastructure needs.

Delaware Department of Agriculture – Contact Milton Melendez (302) 698-4534

The Delaware Department of Agriculture (DDA) appreciates the opportunity to review and provide comments on this Municipal Comprehensive Plan update.

The Department strongly opposes the annexation of any properties that are protected through the Delaware Agricultural Lands Preservation Program. These preserved farms represent a long-term commitment by landowners and the State of Delaware to safeguard productive agricultural land from encroaching development and municipal expansion. The Department fully supports the commitment these landowners have made to preserve their farms and believes these properties should remain protected from annexation and incompatible land uses.

Preserved farmland is essential to the long-term survival and economic viability of Delaware's agricultural industry. The State has invested hundreds of millions of taxpayer dollars to permanently protect these working lands because agriculture is not only Delaware's largest land use but also one of its most important economic drivers. Municipal comprehensive plans should recognize and respect these public investments by avoiding policies that encourage the annexation or urbanization of permanently preserved farmland.

Agriculture is Delaware's largest industry and its most significant land use. The agriculture and food system generates billions of dollars in economic activity, supports thousands of jobs, and provides numerous environmental benefits including water quality protection, carbon sequestration, wildlife habitat, flood mitigation, scenic landscapes, and outdoor recreation. These benefits are largely uncompensated yet are fundamental to Delaware's quality of life.

Farms and forests comprise the majority of Delaware's private lands and account for more than three-quarters of the state's private open space. As such, agriculture and forestry must remain central considerations in every municipal comprehensive plan. Future growth should be carefully balanced with the preservation of working lands and the continued economic viability of Delaware agriculture.

The Delaware Department of Agriculture encourages municipalities to incorporate the following agricultural planning principles into their comprehensive plans.

Agricultural Preservation and Support

- Identify and recognize areas where agriculture is the highest priority land use.
- Protect prime agricultural soils and productive farmland.
- Discourage annexation and development of preserved farmland and other agricultural lands critical to the local farming economy.
- Avoid development patterns, infrastructure investments, and capital projects that conflict with modern agricultural operations.
- Promote adequate separation between residential development and active farms through zoning, subdivision design, setbacks, and vegetative buffering.
- Support existing agricultural operations, agribusinesses, and agricultural service industries.
- Encourage the expansion of local and regional markets for Delaware-grown agricultural products.
- Strengthen Right-to-Farm protections and other policies that minimize land use conflicts.
- Promote financial incentives and programs that help landowners continue farming.
- Adopt policies that improve the long-term economic sustainability and competitiveness of the agricultural industry.

Efficient Growth and Land Use Planning

- Direct future growth toward existing municipalities and established population centers where public infrastructure already exists or is planned.
- Maximize the efficient use of existing infrastructure through infill and redevelopment opportunities.
- Identify infill and redevelopment areas and estimate anticipated residential growth within those locations.
- Discourage inefficient land development patterns that consume excessive amounts of farmland, including developments with lot sizes substantially larger than minimum zoning requirements.

- Coordinate residential land needs with population projections to ensure that land consumption does not exceed anticipated demand while allowing for reasonable market flexibility.

The decisions made through municipal comprehensive planning will shape Delaware's landscape for generations to come. The Department encourages municipalities to pursue growth strategies that preserve productive farmland, respect permanently protected agricultural lands, and maintain a strong, sustainable agricultural economy while accommodating appropriate development within existing growth areas.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 735-3495

DNREC reviewers appreciate the Town reflecting on the *2020 Comprehensive Plan*, certified in 2022. DNREC reviewers offer the following recommendations to enhance the outcomes of Townsend's plan, including those related to climate change adaptation and greenhouse gas mitigation.

New Requirements for Climate and Resilience

New climate scenarios are now available for Delaware, which should be considered. It is recommended to include in this review the most recent forecast data for temperatures and precipitation, as reported in *Delaware 2025 Climate Change Projections Report* <https://documents.dnrec.delaware.gov/energy/Climate-Plan/Delaware-2025-Climate-Change-Projections.pdf>.

Please note that Senate Bill 327 was signed into law in 2024 and takes effect November 15, 2026. For municipalities with populations greater than 2,000, the law will require comprehensive plans to increase community resiliency and to address the impacts of climate change. Guidelines for comprehensive plans have been published by the Office of State Planning Coordination and can be found at <https://stateplanning.delaware.gov/lup/documents/climate-change-and-community-resiliency-toolkit.pdf>.

2-1f. Housing Affordability

The *2020 Comprehensive Plan* includes a statement that the Town should encourage the development of a variety of housing types, including more compact alternatives to single-family homes. DNREC reviewers note that addressing and improving housing affordability has the potential to be consistent with goals and strategies within the *2025 Delaware Climate Action Plan*.

Because programs and designs for low-to-moderate income affordable housing tend to favor multi-modal access to nearby employment and basic needs, affordable housing is often synergistic with policies for reducing greenhouse gas emissions. The common ground is a reduced reliance on personal vehicles for travel. The most recent greenhouse gas inventory for Delaware shows that transportation is the first state's highest emitting sector. In accordance

with the Delaware Climate Change Solutions Act of 2023, Delaware has a directive to reduce greenhouse gas emissions on a net basis by at least 50% by 2030 and 100% by 2050, compared to the 2005 baseline.

The *2025 Delaware Climate Action Plan* (CAP) advocates for multimodal transportation, including biking, walking, and public transit. The CAP also explains how the use of higher densities, compact development, and mixed uses within designated growth zones supports the feasibility of multimodal transportation and also minimizes the emissions associated with construction, due to the presence of existing infrastructure.

In addition, affordable rental housing tends to include the cost of utilities in the overall calculations for affordability. Therefore, units built to be energy efficient are generally more affordable. Where feasible, the CAP advocates for beyond-code energy efficiency, to reduce greenhouse gas emissions associated with building operations across various sectors, including housing.

However, reviewers note that the Town code currently allows very limited opportunities for multi-family housing in Townsend. For example, only one residential district allows multi-family housing: R-3. In this zoning district, the Town allows up to 7 dwelling units per acre. A challenge to meeting this density is that the R-3 zoning district prohibits on-street parking. Therefore, all parking has to be provided off-street and entirely within the served property's lot lines, as stated in the code. This can reduce the amount of land available for residences and can significantly increase development costs, thereby undermining opportunities for affordable housing.

- Consider removing minimum parking requirements in R-3 and allowing developers to utilize calculations in a parking demand and needs analysis (PDNA) or calculations in the Institute of Traffic Engineers (ITE) Parking Generation Manual. Such calculations could be subject to Town approval during the review of land use applications. This approach has already been implemented in Kent County and is being reviewed for adoption in New Castle County.

Climate and Energy Contact: DNREC Climate and Sustainability Section at (302) 735-3480.

Website: <https://dnrec.delaware.gov/climate-coastal-energy/climate-and-sustainability/>

Mobile Source Emissions Contact: DNREC Division of Air Quality's Mobile Sources Program

at (302) 739-9402. Website: <https://dnrec.delaware.gov/air/mobile-sources/>

2-1g. Community Profile Implications, Critical Issues & Future Needs

Transportation

Human activities have increased the amount of greenhouse gases in our atmosphere, threatening the health and wellbeing of people, as well as the natural environment. According to *Delaware's Greenhouse Gas Inventory 2021*, the leading sources of emissions in Delaware

are the transportation, industrial and electric power sectors. The combined emissions from these three sectors have represented at least 75% of Delaware's GHG emissions since 1990. Strategies that reduce vehicle emissions, in particular, can help reduce locally generated air pollution and support environmental health. Expanding multi-modal transportation options, for example, is consistent with strategies and goals identified in the *2025 Delaware Climate Action Plan*.

The *2020 Comprehensive Plan* mentions that, due to the rapid change in population, a traffic study is needed for the areas of Railroad Avenue, Commerce Street, Main Street, Dogtown/Blackbird Station Road/Levels Road (Route 15), South Street, and Wiggins Mill Road.

The 2020 plan also states that, to ensure walkability of the downtown area, the Town initiated a streetscape and safe corridor project in 2014. Phase 2 was completed in 2020. As of the 2020 plan, Phase 3 was pending funding. Phase 3 of the project was planned to span from approximately Railroad Avenue/Commerce Street to Kaitlyn Drive.

More generally, the five-year review notes that the completion of the 2020 plan was extended to allow coordination with the Southern New Castle County (SNCC) Regional Master Plan, being developed by WILMAPCO. The master plan includes input from state agencies, school districts, New Castle County, and the municipalities of Middletown, Odessa, Smyrna, and Townsend. DNREC reviewers note that the development of this master plan appears to be ongoing, with public workshops in 2026 and the final report scheduled to be published in 2027. As such, the SNCC Regional Master Plan is not yet complete. This is noteworthy because the stated goals and objectives of the plan are to support coordinated growth, improve mobility and reduce congestion, strengthen multi-modal connectivity, and prioritize transportation safety. Such outcomes could be very important toward improving the Town's existing transportation challenges, as well as protecting local air quality and ensuring overall quality of life as the Town expands and develops.

- Provide an update on whether the traffic study has been initiated for the areas including Railroad Avenue, Commerce Street, Main Street, Dogtown/Blackbird Station Road/Levels Road (Route 15), South Street, Wiggins Mill Road. If the traffic study has been initiated, provide a summary of the study's findings and recommendations.
- Provide an update on Phase 3 of the safe corridor project.
- Work with DeIDOT for sidewalk maintenance and repair needs along state-maintained streets, where needed.
- Continue to participate in DeIDOT's Municipal Street Aid (MSA) program to secure funding for sidewalk improvements along town-maintained streets.

- Continue to work with DelDOT's Transportation Alternatives Program (TAP) to evaluate and plan improvements for bicycle/pedestrian connectivity throughout Townsend.
- Be sure to prioritize safe bicycle/pedestrian connectivity between residential and commercial areas, so residents have the opportunity to meet daily needs without a vehicle. Reviewers noted that the 2020 plan and five-year review focus heavily on recreational connectivity.
- Continue to collaborate with WILMAPCO, DelDOT, and New Castle County on the Southern New Castle County Regional Master Plan. Be sure to articulate Townsend's desired future growth in that plan, and then incorporate the plan's transportation recommendations into Townsend's future growth scenarios.
- Consider providing a link to the Southern New Castle County Regional Master Plan on the Town's website, so residents may be informed of the plan's scope and may have the opportunity to participate in future public workshops being held between September and December 2026. The link can be found at <https://wilmapco.org/sncc/>.
- Include a summary of Townsend's position on installing electric vehicle charging stations for areas that have a public or semi-public character. For example, the Town might consider installing chargers in the commercial district along Summit Bridge Road (SR 71), where parking is already offered and businesses are concentrated. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 75% of the cost of purchasing and installing the charging station for commercial properties and up to 90% of the purchase and installation costs for government and non-profit entities. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (<https://dnrec.delaware.gov/climate-coastal-energy/clean-transportation/>).

Climate and Energy Contact: DNREC Climate and Sustainability Section at (302) 735-3480.

Website: <https://dnrec.delaware.gov/climate-coastal-energy/climate-and-sustainability/>

Mobile Source Emissions Contact: DNREC Division of Air Quality's Mobile Sources Program at (302) 739-9402. Website: <https://dnrec.delaware.gov/air/mobile-sources/>

2-2a. Town Government

Annexation Process

Sewer Service

Reviewers acknowledge that New Castle County provides sewer services to Townsend.

Townsend's *2020 Comprehensive Plan* indicates that the sewer agreement signed between New Castle County and Townsend requires that all annexations be approved by both New Castle

County Council and the New Castle County Executive. The five-year review indicates that the Town is currently in negotiations with the County regarding sewer services for the proposed annexations.

- Continue coordinating municipal growth with New Castle County to ensure that annexations and the future land uses thereof do not exceed the capacity for adequate sewer services, in accordance with the requirements of Title 22 Chapter 7 of the Delaware Code.

Water Service

Reviewers acknowledge that Artesian provides drinking water services to Townsend. The *2020 Comprehensive Plan* mentions that Artesian initiated a five-year plan to upgrade the water system, including the installation of an additional pump, to help increase water delivery and meet future needs.

- Provide an update on the status of the planned water system upgrades.
- Continue coordinating municipal growth with Artesian to ensure that annexations and the future land uses thereof do not exceed the capacity for adequate drinking water services, in accordance with the requirements of Title 22 Chapter 7 of the Delaware Code.

Environmental Features

Reviewers note that many of the parcels proposed to be incorporated into Townsend contain habitat that is part of a larger ecological network vital for the survival of migrating birds, waterfowl, and other wildlife. Disturbance to these areas could have lasting and regional impacts beyond the extent of Townsend's border. For this reason, annexation as proposed should only take place after a thorough update to Townsend's *2020 Comprehensive Plan*, whereby existing protective measures are evaluated, and appropriate codes and ordinances are adopted.

While DNREC reviewers acknowledge that certain measures exist within Townsend's code to protect riparian forest buffers within the current municipal boundary, as it stands, this code is inadequate to protect the greater network of critical habitat that exists within the scope of the proposed annexations. Currently under New Castle County jurisdiction, several of these areas are offered 100% protection and are classified under resource preservation in the County's *2022 Future Land Use Map*. In contrast, annexing these parcels into Townsend would likely result in the elimination of high-value habitat unless the Town amends its code to implement additional environmental protection measures. To that point, the Town's proposed *Future Land Use & Growth & Annexation Map* shows these areas as residential.

A specific example: Under New Castle County jurisdiction, the Unified Development Code (UDC) specifies that any site listed in the State Natural Areas inventory is considered a "critical natural area" and is subject to an Environmental Impact Assessment and a Critical Natural Area Report prior to consideration for development. Development proposed within a designated critical

natural area is also subject to the UDC's resource protection standards. The standard protection applied to critical natural areas is 100%. When development is proposed for a parcel that is partially located within a critical natural area, the portion within the critical natural area is further subject to the UDC's open space requirements, which place the critical natural area in a protected or preserved status. However, if such a parcel were annexed into Townsend and then subject to the Town code, there does not appear to be similar protection. The following is the only statement on Natural Areas within the Townsend code – "24.36.090 Critical Natural Areas (CNA). The applicant is required to contact the DNREC for the determination of all potential CNA and shall follow the state guidelines for developmental procedures." This may be a misunderstanding of DNREC's Natural Areas program, as DNREC does not have regulatory authority for lands included in the State Registry of Natural Areas until such lands have been formally preserved by Conservation Easement pursuant to 7 Del. Code, Chapter 69, or by formal Nature Preserve dedication pursuant 7 Del. Code, Chapter 73. Prior to formal preservation, the protection of Natural Areas is addressed by local governments.

The table below lists parcels proposed to be annexed into Townsend. Some of these parcels:

- Lie within the Appoquinimink River Natural Area (*) or the Blackbird Natural Area (x).
- Possess mature forest and contiguous forest.
- Contain a perennial stream (ps), pond (p), or coastal seasonal pond (csp) or
- Hold unique habitat types known to support a high diversity of plant and animal species.
- Contain state-endangered species.
- Are located in an Excellent Groundwater Recharge Area. These are the delineated areas which contribute water to a public water supply.
- Are located in Level 4 lands, according to the *2025 Delaware Strategies for State Policies and Spending*. These lands provide important ecosystem services to Delaware and its surroundings. As such, state investments in Level 4 lands are intended to retain and support the rural landscape, open spaces, and farmlands.
- Are proposed as residential in the *Future Land Use & Growth & Annexation Areas* map. In some cases, this is inconsistent with the text of the comprehensive plan, which states these areas should serve as a greenbelt for the Town.

For more information on these environmental features and reviewers' recommendations, see comments below this table.

Parcel ID	Natural Area	Mature Forest	Non-tidal Wetlands	Waterbody	Excellent Groundwater Recharge Area	State Strategies Level
North of Appoquinimink River						
1401100087		X	X	ps		2,3,Out of Play
1401100086					X	2
1401100019					X	2
1401100028					X	2,3
1401100029					X	3
1401100018		X	X	ps	X	2,3
1401100038			X		X	2
1401100037					X	2
1401100036					X	2
1401100035					X	2
1401100034					X	2
1401100033					X	2
1401100032					X	2
1401100031						2
1401100030					X	2
1401100016					X	2
1401100059					X	2,3
1401100051					X	2
1401100050					X	2
1401100049					X	2
1401100052					X	2,3
1401100010		X	X	ps	X	2,3
1401100048					X	2
1401100047					X	2
1401100046					X	2
1401100045					X	2
1401100044					X	2
1401100043					X	2
1401100058		X	X	ps	X	2,3
1401100027					X	3
1401100011		X	X	ps	X	2,3,4,Out of Play

1401100013			X	ps		Out of Play
1401100106						2,3
1401100091						2,3
1401100100						2,3
1401100099						2,3
1401100101						2,3
1401100102						2,3
1401100103						2,3
1401100104						2
1401100093						3
1401100092						3
1401100094						3
1401100095						3
1401100096						3
1401100097						3
1401100021						2,3
1401100022						2
1401100023						2
1401100053						2
1401100054						2,3,Out of Play
1401100055						2,3,Out of Play
1401100056						2,3,Out of Play
1401100057						3,4
1401100105						3
1401100107						3
1401100111						3
1401100110						3
1401100109						3
1401100108						3
1401100012				ps, p		4,Out of Play
East of Summit Bridge Rd.						
1401100039					X	4
1401100042						2,3

1401200175	*	X	X		X	4,Out of Play
1401200168						2
1401200185	*	X	X		X	2,4,Out of Play
1401200186						2
1401200169						4
1401200194	*	X	X		X	4,Out of Play
1401200179					X	2,3
1401200172	*	X	X		X	4,Out of Play
1401200173	*	X	X		X	4
1401200170	*	X	X		X	4
1401200171					X	4
1401600003	*	X	X		X	4
1401601032						2,4
1401600002						2
1401600169						2
1401200034		X	X			2,4
1401600315			X			2
1401600058	x	X	X	csp		4
1401600065			X			4
1401600066	x	X	X	csp		4
1401600067	x	X	X	csp		4
1401600068	x	X	X	ps, csp		4
1401600069			X	csp		2,4
1401600070	x	X	X	ps, csp		4
1401600071	x	X	X	ps, csp		4
1401600078	x	X	X	ps		4
1401600107	x	X	X	ps, csp		Out of Play
1401600081						3
1401600208						3
1401600082						3
1401600083						3
1401600084					X	3
1401600085						3
1401600086						3
1401600207						3

1401600088						3
1401600093					X	3
1401600214		X	X		X	3,4
1401600094		X	X		X	3,4
1401600168		X	X		X	3,4
1401600161		X	X		X	3,4
1401600095		X	X		X	3,4
1401600096		X	X		X	3
1401600225						3,4
1401600226		X	X		X	3,4
West of Summit Bridge Rd						
1401600038					X	3
1401600223					X	3
1401600039					X	3
1401600040					X	3,4
1401600041	x	X	X	csp	X	4
1401600042	x	X	X	csp		4
1401600043	x	X	X	csp		4
1401600044						4
1401600045	x	X	X	csp		4
1401600046						4
1401601003					X	1
1401601006					X	1
1401601005					X	1
1401601004					X	1
1401601107					X	1
1401601009					X	1
1401601010					X	1
1401601011					X	1
1401601012					X	1
1401601013					X	1
1401601014					X	1
1401601015					X	1
1401601016					X	1,2
1401601104					X	1,2
1401601017					X	1
1401601018					X	1
1401601019					X	1

1401601047					X	1
1401601002					X	1
1401601001					X	1
1401600005					X	2
1401600004					X	2
1401600012					X	2
1401200206		X	X		X	2,3
1401200011		X	X		X	2,3
1401200231		X	X		X	2,3
1401200230		X	X		X	2,3
1401200010		X	X		X	2,3
1401200009					X	2
1401100060			X		X	2,3
1401600008	x	X	X	ps, csp		4
1401600009	x	X	X	csp	X	4
West of the railroad						
1401500031			X			4
1401500236			X			4
1401500245		X	X	ps	X	Out of Play
1401500254			X		X	4
1401500018					X	1,2

Natural Areas with Key Wildlife Habitat in Delaware Ecological Network

Many of the parcels proposed for annexation lie within the Blackbird Natural Area and Appoquinimink River Natural Area. Natural Areas contain lands of statewide significance identified by the Governor's Natural Areas Advisory Council as containing high-quality natural features unique to Delaware. These parcels are also mapped as Key Wildlife Habitat in the *Delaware Wildlife Action Plan* because they are part of a larger forest block that can support an array of plant and animal species across the landscape. Furthermore, these parcels lie within the Delaware Ecological Network, a statewide network of interconnected lands having significant ecological value. This GIS data layer helps to identify and prioritize areas for natural resource protection, including forests, wetlands, streams, and high-quality habitat for rare plants and animals.

- Environmental impacts in Natural Areas can be reduced by avoiding development of these sensitive natural habitats. Key Wildlife Habitat within the Natural Areas should be conserved to the maximum extent practicable and negative impacts should be minimized.

- In general, larger, connected areas of natural habitat are beneficial to wildlife, allowing for safer movement and migration from one area to another and reducing roadway mortality.
- Consider revising the *Future Land Use & Growth & Annexation Areas* map to include a new category for resource preservation and show lands within designated Natural Areas as resource preservation.
- Consider adopting more protective measures within the Town code to clearly establish the Town's regulatory intent and specific expectations for development proposed in lands that are within designated Natural Areas.
- If parcels within the Blackbird Natural Area and the Appoquinimink River Natural Area are annexed into Townsend, it is recommended that such parcels be rezoned to P – Preservation District. Doing so would significantly limit the potential for disturbances to the mature forests, wetlands and waterbodies, as well as the rare and endangered species that depend on those habitats.
- Rezoning lands within the Natural Areas to P – Preservation District would also be consistent with the state's intent for investments in Level 4 lands to retain a rural and open space character, as described in the *Delaware Strategies for State Policies and Spending*.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039. Website: <https://dnrec.delaware.gov/parks/natural-areas/> or <https://dnrec.delaware.gov/parks/open-space/conservation-easements/>

Mature Forest

An analysis of historical data indicates that many of the parcels proposed for annexation have likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.

- It is recommended to adopt an ordinance to protect mature forest prior to annexing these lands. Specifically, for lands outside designated Natural Areas, consider codifying maximum percentages of allowable forest removal, as well as reforestation and afforestation percentage requirements where forest does not exist at the time of development. For new plantings, it is recommended that preference should be given to native tree species.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: <https://dnrec.delaware.gov/fish-wildlife/contact-information/>

Coastal Plain Seasonal Ponds within Forested Wetlands

Coastal plain seasonal ponds exist on some of the parcels proposed for annexation. Coastal plain seasonal ponds are among Delaware's most unique and important non-tidal wetland resources. These habitats are not currently afforded regulatory protection but have high ecological value. Occurring as isolated depressions within forested areas, these ponds provide habitat for plants and animals, many of which are considered rare in the state. Some rare amphibian species only breed in these types of wetlands due to the absence of fish to prey upon their eggs and larvae.

- It is recommended to protect these areas by placing them into conservation easements, where ownership allows. Note the locations and parcel IDs in the data table above.
- It is recommended to codify more protective measures within the Wetlands section of the Town Code to clearly prohibit disturbances to coastal plain seasonal ponds.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: <https://dnrec.delaware.gov/fish-wildlife/conservation/>

Federally Protected Species – Bog Turtle

A review of our database indicates that habitat suitable for bog turtles exists on some of the parcels proposed for annexation. This turtle is protected under the Federal Endangered Species Act. The following parcels contain habitat suitable for bog turtles: 1401500245 and 1401100013.

- If these parcels are annexed and become proposed for development, be aware that applicants must contact the U.S. Fish and Wildlife Service to determine what permits or surveys may be required.
- Until further agency guidance is provided, it is recommended to limit disturbance (including noise) of forest areas, wetlands, meadows, streams, etc.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: <https://dnrec.delaware.gov/fish-wildlife/conservation/>

Federal Contact: U.S. Fish and Wildlife Service, Chesapeake Bay Ecological Services Field Office at (410) 573-4599. Website: <https://www.fws.gov/office/chesapeake-bay-ecological-services>

State Endangered and Rare Species

The following animals are listed as State of Delaware endangered or rare species and have been documented on several parcels proposed for annexation.

Parcel ID	Species Common Name	Species Scientific name	Type of Species	Species Status	Natural Habitat
1401600058, 1401600066- 140600071, 1401600107, 1401600041- 1401600043, 1401600045, 1401600008, 1401600009	Tiger Salamander	<i>Ambystoma tigrinum</i>	Amphibian	Endangered	Forested wetlands, coastal plain seasonal ponds, fishless ponds
1401600058, 1401600066- 140600071, 1401600107, 1401600041- 1401600043, 1401600045, 1401600008, 1401600009	Barking Tree Frog	<i>Dryophytes graciosus</i>	Amphibian	Endangered	Forested wetlands, coastal plain seasonal ponds, vernal pools
1401600009	Rough Green Snake	<i>Opheodrys aestivus</i>	Reptile	Rare	Forest edge, edge of waterbodies and marshes
1401600041- 1401600043, 1401600045, 1401600008, 1401600009	Spotted Salamander	<i>Ambystoma maculatum</i>	Amphibian	Rare	Forested wetlands, coastal plain seasonal ponds, fishless ponds

- While some of these parcels are undeveloped, many are currently being used for very low density residential with an average density of approximately one dwelling per 10 acres.

- It is recommended that the natural habitats of these species be conserved to the maximum extent practicable.
- It is recommended to adopt ordinances to protect forests and wetlands prior to annexing these lands.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: <https://dnrec.delaware.gov/fish-wildlife/conservation/>

Development Infill within Town Limits

Townsend's five-year review states that future growth should prioritize infill development and redevelopment within existing Town boundaries where feasible, prior to annexation of new land, to support efficient service delivery and infrastructure use.

DNREC reviewers note that infill development is consistent with emerging opportunities identified in the *2025 Delaware Climate Action Plan*. When approached intentionally, redevelopment and infill development can support affordable housing, resilience to flooding, diverse transportation options, and the retention of natural landscapes. Further, when walking and biking are well supported, people have the opportunity to travel in ways that avoid creating local greenhouse gas emissions. As a result, trips that are replaced with biking or walking can support emissions reductions in the transportation sector, which is Delaware's largest source of emissions.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.

Website: <https://dnrec.delaware.gov/climate-coastal-energy/>

Parks, Recreation, and Open Space

Townsend's five-year review notes that Smaller Town Park was officially transferred to the Town in 2025 and is now maintained by the Town of Townsend. DNREC reviewers note that this park was improved with funding from DNREC's Outdoor Recreation, Parks and Trails (ORPT) grant program prior to the park being transferred to the Town. Please note that property held under ORPT protection must remain open to the public in perpetuity for conservation or public outdoor recreation use.

DNREC reviewers did not see the M.O.T. Community Playground mentioned in Townsend's five-year review. This 3-acre park is located within the Townsend municipal boundary, adjacent to the Townsend Early Childhood Center, and was also improved with funding from DNREC's Outdoor Recreation, Parks and Trails (ORPT) grant program.

The five-year review included a statement about exploring the feasibility of walking paths and bike trails to connect residential areas around Townsend Municipal Park to Wiggins Mill Pond.

Reviewers note that there is an existing bicycle route along Wiggins Mill Road, which offers similar connectivity.

- Include a statement in this review that Smaller Town Park was improved with funding from DNREC's Outdoor Recreation, Parks and Trails (ORPT) grant program.
- Include a paragraph on the M.O.T. Community Playground and state that this park was improved with funding from DNREC's Outdoor Recreation, Parks and Trails (ORPT) grant program.
- If an off-road walking path between Townsend Municipal Park and Wiggins Mill Pond is pursued, consider opportunities for cyclists and pedestrians to move safely between the off-road path and the existing bicycle route along Wiggins Mill Road.
- Contact DNREC's Parks Resource Office for future funding opportunities for recreational facilities in Townsend.

ORPT Contact: DNREC Division of Parks and Recreation, Parks Resource Office at (302) 739-9215. Website: <https://dnrec.delaware.gov/parks/planning/recreation-parks-trails/>

2-4. Natural Resources

Forested Areas

Tree Canopy and Climate Resilience

Content from this section of the *2020 Comprehensive Plan* applies to lands within the current Townsend municipal boundary. The 2020 plan states that the Town should actively promote the protection of this valuable resource by prohibiting forest clearing and requiring reforestation of open space. However, DNREC reviewers note that the current Townsend code, under 24.36.160 Clearing, allows forest clearing "to prepare land for a use permitted by this chapter."

Tree cover can help mitigate localized excess heat. Rising temperatures are already occurring in Delaware, particularly resulting in warmer winters and warmer nights. This trend is anticipated to continue, ultimately leading to longer heat waves in the summer. In Delaware, annual and seasonal temperatures have increased by about 3 degrees F since 1895, with 2010 to 2019 marking Delaware's hottest decade on record. Climate projections show continued warming, with average temperatures expected to rise 3 degrees F to 4 degrees F by midcentury and 5 degrees F to 9 degrees F by 2100. The number of days above 90 degrees F is projected to increase by 35 to 75 additional hot days per year by 2100.

Rising temperatures affect both human health and infrastructure. Of particular concern are vulnerable populations who may not have access to air conditioning in the summer, as they may become susceptible to heat-related illnesses. Warmer winters may also present health

concerns related to increases in ticks and mosquitoes year-round. Planning for rising temperatures now will help the Town prevent heat stress to both residents and the infrastructure that serves them. By maintaining adequate tree cover, Townsend can prepare for and help mitigate localized excess heat.

- As noted above, in *Annexation Process*, it is recommended to adopt an ordinance to protect Townsend's forests. Specifically, it is recommended to consider codifying maximum percentages of allowable forest removal, as well as reforestation and afforestation percentage requirements where forest does not exist at the time of development. For new plantings, it is recommended that preference should be given to native tree species.
- Be sure to include in the five-year review the most recent forecast data for temperatures, as reported in *Delaware 2025 Climate Change Projections Report* <https://documents.dnrec.delaware.gov/energy/Climate-Plan/Delaware-2025-Climate-Change-Projections.pdf>.

Climate Change and Tree Cover Contact: DNREC Climate and Sustainability Section at (302) 735-3480.

Website: <https://dnrec.delaware.gov/climate-coastal-energy/climate-and-sustainability/>

Floodplains and Flooding

Townsend's five-year review states that increased precipitation intensity associated with climate change is expected to increase flood risk. DNREC reviewers agree with this statement. Since 1895, Delaware's annual total precipitation has increased by about 3 inches per year and is projected to increase by another 2 to 4 inches per year by mid-century. Increases in average rainfall are not evenly distributed across all seasons. Information and data regarding precipitation increases in Delaware can be found at

<https://documents.dnrec.delaware.gov/energy/Climate-Plan/Delaware-2025-Climate-Change-Projections.pdf>. Comprehensive information and data regarding climate change and climate impacts in Delaware can be found at <https://dnrec.alpha.delaware.gov/energy-climate/climate-change/>.

However, reviewers note that the Town does not currently participate in FEMA's National Flood Insurance Program (NFIP). Lands along the Appoquinimink River are located within the 100-year (1% annual chance) Special Flood Hazard Area and the 500-year (0.2% annual chance) moderate risk floodplain. While development appears to avoid the floodplain, lenders may require homeowners to purchase flood insurance based on proximity to the Special Flood Hazard Area. This would also be true for lands that may be annexed and subsequently developed on the north side of the Appoquinimink River.

- Be sure to include in this review the most recent forecast data for precipitation, as reported in *Delaware 2025 Climate Change Projections Report*

<https://documents.dnrec.delaware.gov/energy/Climate-Plan/Delaware-2025-Climate-Change-Projections.pdf>.

- It is recommended that the Town consider participating in the National Flood Insurance Program (NFIP). Doing so helps property owners, renters, and businesses recover faster after a flood. In addition, participating communities are eligible for federal disaster mitigation grants, which help reduce the risk of repetitive flood damage.
- If the Town decides to pursue participation in the NFIP, contact DNREC's Floodplain Management program for more information.
- For information and resources on flood-ready communities, please visit <https://dnrec.delaware.gov/coastal-programs/planning-training/coastal-training/creating-flood-ready-community/>.

Floodplain Contact: DNREC Shoreline and Waterway Management Section at (302) 608-5500. Website: <https://dnrec.delaware.gov/watershed-stewardship/waterways/floodplains/>

Climate and Precipitation Contact: DNREC Climate and Sustainability Section at (302) 735-3480. Website: <https://dnrec.delaware.gov/climate-coastal-energy/climate-and-sustainability/>

Delaware Emergency Management Agency – Contact Tara Wilbur 302-659-2325

- DEMA has no objections or concerns on the Comprehensive Plan Update.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO commends the Town of Townsend for taking into account their various historic resources and incorporating them into their Comprehensive Plan. The inclusion of both individually significant properties and the National Register listed Townsend Historic District within the Comprehensive Plan will help the municipality to continue to safeguard its local heritage and sense of community through planning efforts. The inclusion of historic preservation-based goals, strategies, and actions within the Comprehensive Plan assists with the protection of cultural resources and aligns local planning efforts with statewide historic preservation strategic goals.
- The Townsend Historic District was listed in the National Register of Historic Places for its association with industry and architecture in 1986. The National Register of Historic

Places is the official list of the Nation's historic places worthy of preservation.

Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources.

- Since the National Register listed Townsend Historic District is nearly 40 years old, the municipality may consider amending the nomination with updated architectural inventory data and adding additional historic context material. Our office encourages the municipality to coordinate with our National Register Coordinator on any proposed amendments to the National Register listing.
- We acknowledge that one of the noted community recommendations is to review the State Historic Preservation Plan. The statewide historic preservation plan, *Partners in Preservation: Planning for the Future, Delaware's Historic Preservation Plan 2018-2022*, is available online at: <https://history.delaware.gov/pdfs/2018-2022DelawareSHPOPlan.pdf> (single-page version for printing also available). The plan emphasizes partnering with local and state preservation organizations to achieve historic preservation minded goals and connecting with other statewide planning efforts.
- Please note the Delaware State Historic Preservation Plan was written and published by the Delaware State Historic Preservation Office in coordination with community partners. The Delaware SHPO encourages the Town of Townsend to coordinate with our office on historic preservation planning initiatives and goals. Let us know if you have any questions or wish to discuss the State Historic Preservation Plan.
- The annexation plan described in the Comprehensive Plan includes areas of high potential for historic structures and archaeological resources. Please be aware that areas of long-term agricultural use often have historic agricultural complexes and could include family cemeteries or other unmarked graves, along with precontact archaeological resources. We request that the applicant review the Delaware Unmarked Human Burials and Skeletal Remains Law (Delaware Code: Title 7, Chapter 54), which addresses the process around the treatment and disposition of unmarked human burials that are inadvertently discovered. The Law also prohibits any failure to report their discovery.

- Our Office also requests that the town of Townsend contact us if development is being planned for any of the planned annexation areas. If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Housing Authority - Contact Cole Shultz 302-574-3659

- DSHA supports the Town of Townsend's 5-Year Update to its comprehensive plan, owing to the inclusion of recommendations which support increasing housing supply through "missing middle" options like townhomes, condos, and ADUs. We agree with the plan's assessment that recent sprawl-style construction of large detached single-family homes has worsened the housing crisis in the city, as that style of housing is inherently the least efficient and most expensive to build. We also support the plan's interest in enrolling in a TDR program, as that is one of the strongest anti-sprawl tools proposed and could support future infill development. However, we recommend that Townsend identify on the future land-use map where rezoning for missing middle housing may occur, and we also recommend updating the housing section to include the most recent 2020 census data.

If you have questions or would like more information on the above recommendations, please contact me at Cole.Shultz@delaware.gov or at ext. 302-574-3659.

Delaware State Fire Marshall's Office – Contact Duane Fox 739-4394

- At this time, this Agency has no objection to the Comprehensive Plan updates, but does offer some suggestions.
- On page 43 Public Water Supply – Infrastructure. Consider language for minimum pipe size for fire hydrants (6" – 8" – 10") and minimum size domestic feeds to support residential sprinkler systems. State law requires all builders to offer residential sprinklers.

Once the amendment is voted on by Planning and Zoning and/or Town Council, please forward a copy of the decision regarding the amendment to this office for our files. Thank you for the opportunity to review this amendment. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David L. Edgell, AICP
Director, Office of State Planning Coordination