

Memorandum of Meeting

Date: March 21, 2007

Time: 5:30 p.m. to 8:30 p.m.

Location: Carlisle Fire Hall, Milford, Delaware

Topic: **Milford Area Working Group Meeting #16**

Attendees: See Page 10

Introduction

Bob Kramer called the meeting to order at 5:55 p.m. He welcomed the Working Group members to their 16th meeting and reminded them that they are close to the finish line, just one more meeting after this evening. Mr. Kramer then turned the meeting over to Monroe Hite.

Mr. Hite also welcomed the Working Group and apologized for having to cut the last Working Group meeting short because of the inclement weather. He went through the items in the hand-out package, as well as the agenda for the evening's meeting. While mentioning the review of workshop comments, Mr. Hite reminded the Working Group that the comment period for the Milford Workshops had not closed when the group last met and the Project Team reported on workshop comments.

Answers to Specific Questions from last Working Group Meeting

Mr. Hite concluded a review of the meeting agenda and stated that he would answer specific questions raised by the Working Group at the last meeting. Regarding Skip Pikus's question concerning the ownership of the property on the NW corner of SR 1 and SR 14, that property is owned by DelDOT. Regarding the request for the location of the air and noise measurement locations, tonight's handout materials contain a map showing the receptor locations. Monroe then turned the meeting over to Bob Kramer to summarize the comments from the Milford Area Public Workshops.

Review of Workshop Comments

Mr. Kramer stated that since the previous Working Group meeting on March 7th, the Department had received only 5 to 8 additional comments. He noted that the number of formal comments (84) received by DelDOT was a small percentage when you consider that over 400 people attended the two workshops.

Mr. Kramer reviewed for the Working Group their roll as an advisory group to the Department. He then reviewed the process for establishing a recommendation by the Working Group, indicating that the Working Group guidelines that were originally reviewed in the second Working Group meeting were included in the last Working Group Meeting # 15 handout package. Procedurally, only Working Group members can vote. If there is no consensus on a recommended preferred alternative, a vote will be taken to determine if there is a super majority (75%) in favor of an alternative. Absentee votes will also be allowed. Minority opinion will also be captured. Mr. Kramer asked if there were any questions. Hearing none, he turned the meeting back over to Mr. Hite.

Bond Bill Committee Meeting

Mr. Hite stated to the Working Group that the Department presented its budget today to the Legislative Bond Bill Committee. Following the Department's opening presentation, the public had an opportunity to offer comment. He indicated that Working Group members Skip Pikus and Ed Kee were among those offering comment. Following the public comment, Secretary Wicks, in response, stated that the Department has heard loud and clear the community concerns expressed at the recent Public Workshops. For the Milford Area, she has directed the Project Team to revisit the Brown alternative and make it as acceptable to the environmental agencies as possible. As of late today, she has discussed that approach with State Representative George Carey. Mr. Hite then turned the meeting back to Mr. Kramer.

Discussion on Recommended Preferred Alternative

Mr. Kramer stated for the Working Group that all of the retained alternatives are still on the table. He expanded the previous comments by Mr. Hite by describing, in somewhat greater detail, the approach that Secretary Wicks would like the Project Team to take in revisiting the Brown alternative. Mr. Kramer stated that the Project Team needs to hear the Working Groups views. He stated that if any member of the Working Group needs additional information, they should let the Project Team know so that the information can be provided at the next meeting.

Mr. Kramer initiated the discussion of the Working Group with the Western Bypass alternatives.

Robert Burriss stated that the Working Group has been at this for almost 5 years. The pace of development has slowed significantly. Have the parameters changed and is the road needed?

Mr. Kramer stated that the road is not needed for tomorrow. The goal of this study from the beginning was to identify a corridor and protect that corridor for the time when it is needed. The slow down in development may shift when the additional roadway capacity is needed but not the fact that the capacity will be needed in the future.

Skip Pikus asked if there were plans to make improvements to East/West roads including 404/18/9, 26, 24, etc.

Mr. Kramer stated that at least two previous studies regarding specific East/West roads in Sussex County have had the plug pulled. The alternative to new roads is to improve the existing roads by adding shoulders, turning lanes at critical intersections, etc. Since the termination of the studies to add additional capacity on new alignment and the effort to improve the existing roads began, real estate costs have gone up significantly. In addition, there has been a Legislative request for a new East/West Roads Study. Other US 113 Working Groups are looking at East/West recommendations as part of their recommendation package.

Bill Hellmann indicated that the Maryland State Highway Administration is currently dualizing 404 east of Denton but the “neck in the bottle” so to speak remains between Denton and US 50.

Mr. Hite indicated that Routes 24, 26 and 54 are at various stages in Design.

Mr. Kramer added that they are also in DeIDOT’s 6-year Capital Transportation Program (CTP).

Ed Kee asked if the Project Team could review the costs for the various alternatives. Mr. Hite stated that costs were provided at the January Working Group meeting. They ranged from \$300 to \$500 million dollars. Cost is a factor but not the only thing that the Working Group should consider.

Mr. Kramer asked if any Working Group member needed any additional information on the Western Bypass alternatives. Hearing no response, he asked if there was anything else relating to the Western Bypass alternatives. Again, hearing silence from the Working Group members, he moved on to the On-alignment Alternative.

Mr. Kramer stated that the response from the public at the Georgetown Workshop was overwhelmingly against the East/East options and in favor of On-alignment, but a less impactful On-alignment. He stated that as a result of the public response, unless there is a ground swell of support before the end of the comment period, it is highly unlikely that the East/East alternatives will be retained for detailed study. Secondly, the Project Team will be looking at modifications to the On-alignment Alternative to address the public’s concerns.

Connie Fox asked if the public response was for a quick fix.

Mr. Kramer stated that the Project Team would be looking for a credible solution for 2030.

Richard Carmean stated that the City of Milford’s position on On-alignment was based

on the anticipated business impacts, emergency services impacts and the general feeling that an On-alignment alternative would divide the City. Politics did not play into their position.

Robert Burris asked if the On-alignment alternative had the most expensive real estate cost. It was indicated that it did but the Project Team would check that and report back to the Working Group at their next meeting. Mr. Burris also asked if the On-alignment alternative was all or nothing. Todd Oliver stated that Project Purpose and Need had to be met.

Scott Atkinson asked if Section 106 (Cultural Resource) properties can't be avoided can Federal funds be used for that portion of the roadway.

Mr. Hellmann stated that you can't segment a project. If you have a Section 106 impact and you have alternatives that do not have a Section 106 impact, if you choose the alternative with the impact, Federal funds could not be used. He further indicated that the Project Team could look at an option that is less than full control of access to see if the Section 106 impact could be avoided and would follow up with the Working Group at the next meeting.

Ed Kee stated that contrary to what some might believe, he is not for the Brown alternative. He believes that a compromise decision to do less to meet the need at less cost is the best solution.

Lawrence Lank asked why do the improvements need to be limited access.

Mr. Hellmann stated that limited access roadways carry more traffic and are safer. He further stated that highways that change sections create driver expectancy problems. He finished his response by stating that less than limited access roadways are being built elsewhere and they work, but not as well.

Richard Carmean stated that the City would have to review and react to any changes that might be developed for the On-alignment alternative. Their response to the On-alignment was based on what was developed and that is what they reacted to.

Randy Marvel asked who said that the solution had to be limited access.

Mr. Hite stated that direction to look at a limited access highway came directly from the legislative resolution which initiated the study.

David Edgell reviewed the Project Purpose and Need. He stated that choosing the No-build will result in de facto improvement along existing US 113 and is going backward in the process. He stated that the overall goal is to help the transportation system and the Working Group needs to choose a solution that will help the Milford area.

Mr. Kramer pointed out that each alternative has opposition from different quarters. Understanding that, it is up to the Working Group to recommend an alternative that hopefully they can find consensus in or, if not, a majority of the members can be comfortable with.

Skip Pikus suggested that the Department change the variable message signs on SR 1 directing traffic south on US 113 because it is hard to do limited access on existing 113 because of the amount of development through Milford.

Mr. Kramer indicated that no one can predict the future. DelDOT is criticized when they don't plan in advance (too much pain) but at the same time is criticized for not planning and anticipating future needs.

Mr. Hellmann indicated that historically, traffic projections have always been less than actual traffic volumes. Statewide population, dwelling unit and employment constraints (caps) inevitably result in underestimating traffic. The current DelDOT traffic model indicates for southbound traffic in the year 2030, 50% has an origin or destination in the US 113 corridor, while only 25% has an origin or destination to the beaches. That means that over the next 25 years, the growth in housing and other development in the US 113 corridor will result in generating one-half of the trips on the roadway not the beach traffic. The issue of traffic on US 113 is becoming a local issue not the historic issue of beach traffic.

Wyatt Hammond asked if Georgetown was considering a hybrid On-alignment solution.

Mr. Kramer reiterated that the public in Georgetown was overwhelmingly negative on the East/East alternatives presented at the recent public workshop and asked that the Department focus on the existing corridor in the Georgetown Area and on a concept that minimizes impact. He stated that the On-alignment alternative in Georgetown doesn't present the same issues there as in Milford, since the area west of existing US 113 in Georgetown has been slow to grow, unlike Milford.

Mr. Hellmann stated that the Secretary has directed the Project Team to see if they can develop a different concept through Georgetown that satisfies the Department's needs as well as the public's desire to minimize impacts to businesses, homes, etc. Similarly, in the Milford/Lincoln area she hears the support for the Brown alternative coming from the public and has asked the Project Team to go back and look at it again.

Scott Adkisson asked for clarification that April 11 was the drop dead date for the Working Group to make a decision.

Mr. Kramer indicated that the Secretary wants a decision and that she has committed to make a recommendation on a preferred alternative in the Milford area in April.

Richard Carmean stated that he missed the last meeting and was glad that Brown was

back for further evaluation. He further stated that looking at another approach to the On-alignment alternative through Milford should have been done two years ago and it is now too late in the process.

Glen Stevenson asked if Georgetown was under the same time constraints.

Mr. Kramer indicated that the Secretary had committed to make a recommendation on a preferred alternative in May in the Georgetown Area.

Richard Carmean stated that he could see why On-alignment in Georgetown has less problems than in Milford.

Mr. Hellmann stated that we need a decision from the Working Group on whether or not the Project Team should look at an alternative approach to the On-alignment alternative in the Milford Area.

Ed Kee made a motion that the Project Team be directed to look at an alternative approach to the On-alignment alternative in the Milford Area. The motion was seconded. The Working Group voted 17 to 5 to not look at an alternative approach to On-alignment in Milford.

Robert Burris asked where the Millsboro Working Group stood.

Mr. Kramer stated that some support has been expressed for an Eastern Bypass alternative.

Glen Stevenson asked if they were against an Eastern alternative.

Mr. Kramer stated no, that there was opposition to the East/East alternatives connecting the Georgetown Eastern Bypass alternative with the Millsboro Eastern Bypass alternatives but considerable support for an Eastern Bypass solution.

I.G. Burton stated that the Working Group would be asked to make a decision when a lot of last minute material was still being worked on. If you look at the number of respondents from the latest Workshops, only 10 people favored the Brown alternative.

Mr. Kramer stated that the response from the previous Workshops is more indicative of the public support for Brown and the lack of support for the other Eastern Bypass alternatives. Many supporters of Brown felt that statements made by DeIDOT and the Project Team eliminated the Brown from consideration and therefore did not voice their opinion.

Mr. Hellmann then went through the details of the approach to reevaluating Brown. He stated that the Project Team can not make any promises but at the direction of the Secretary, the Project Team will give it their best shot.

Mr. Kramer stated that the approach is creative, out of the box type of thinking. He then moved the discussion to the Eastern Bypass alternatives.

Skip Pikus stated that he keeps the maps in his shop and his customers occasionally look at them. In the SR 1/SR 30/S206 area there is a mass of interchange movements that no one understands.

Mr. Oliver stated that the confusion is the result of the three Eastern Bypass alternatives overlaying one another in the area of SR 1. Mr. Hite stated that the Department's Corridor Capacity Preservation Program includes a grade separation at SR 1/SR 30. The improvement is currently in the Department's CTP and regardless of the alternative selected, that intersection will be fixed. The Department is looking at this solution as a near-term improvement and is getting development in the area to help pay for the improvements.

Skip Pikus asked what the Department says to developers in the area. Mr. Hite stated that DelDOT's requirements, as well as the City of Milford's requirements are identified for any developer that may come into the area that influences that intersection.

Richard Carmean stated that comments are relayed through the Office of State Planning Coordination's PLUS process. Requirements are discussed at the PLUS meeting. DelDOT recognizes the intersection as a failed intersection and is therefore not underselling the importance of the intersection and the need to make improvements.

Mr. Kramer stated that a recommendation by the Working Group could include consideration of short and intermediate term improvements.

Mark Mallamo asked if a vehicle traveling south on US 113 could go east on the Brown alternative and then south on SR1. Mr. Oliver explained that the interchange at US 113 with the Brown alternative is a full movement interchange and outlined on the plan for him how you could make the requested movement.

Ed Kee stated that originally, the Brown alternative didn't meet Project Purpose and Need because it wasn't pulling enough traffic. Now you are telling me that it does. What has changed?

Mr. Hellmann went through a lengthy explanation of why the early version of the Brown alternative did not generate enough traffic to meet Project Purpose and Need and why the current versions do. He also reviewed the results of a recent analysis of the origins and destinations of the southbound traffic using the Brown alternative which indicated that 50% of the traffic was in the US 113 corridor while only 25% was to the beaches. This implies over the next 25 years that the current summer beach traffic issues will be overshadowed by the growth in the US 113 corridor. He indicated that a detailed explanation would be provided for the Working Group at the next meeting.

Wyatt Hammond stated a concern to Ed Kee that he currently lives on US 113 and at times he has difficulty getting out on US 113.

Ed Kee indicated that he drives US 113 and has talked to people that live on US 113 and he respectfully disagrees.

David Edgell asked what does the model indicate regarding the No-build alternative?

Mr. Hellmann stated that would be presented to the Working Group as part of the traffic information that the Project Team would bring to the group at their next meeting.

Robert Burris asked what do you want the Working Group to do since it is obvious that we are not voting to build a new highway.

Mr. Kramer indicated that the Department is seeking a recommendation on where to build in the future when it is needed.

Robert Burris asked what comfort does the Working Group have that it will be built when it is needed.

Mr. Kramer stated that it is the Department's responsibility to determine when the project will be needed.

Skip Pikus asked if the plans for the Green alternative indicate a holding (storm water management) pond on the Blueberry Hill property.

Mr. Oliver stated that conceptual storm water management pond locations had been looked at and since the northern portion of the Blueberry Hill development would be landlocked, it was an opportunity to use the property.

Skip Pikus stated that Representative Carey said if you put a line in the sand you better be ready to buy the land. DelDOT needs to address the funding issue.

Mr. Hite stated that DelDOT currently has programmed \$138 million for the US 113 project in the Capitol Transportation Plan that is currently being reviewed by the Delaware legislature. Mr. Kramer followed Mr. Hite's comments with a lengthy discussion on the real estate acquisition processed.

Skip Pikus asked what does DelDOT do with homes that it purchases.

Jim McCloskey with DelDOT Real Estate stated that if they are rentable, DelDOT will rent them. If they are not, then the homes are taken down.

Skip Pikus asked who maintains agricultural property that DelDOT purchases.

Mr. McCloskey said that DelDOT maintains the property and will make an effort to rent the property and keep it in agricultural use, if possible, until the land is needed for the project.

Richard Carmean stated that Bayhealth was enamored with the Brown alternative with respect to their former proposal to move their facilities east of SR 1. He felt that the model numbers would go up if that move was ever to come about.

Robert Burris asked if the Working Group was to take a straw poll this evening.

Mr. Hellmann stated that there was information, such as the traffic numbers discussed earlier, that will be provided to the Working Group at their next meeting that may be helpful in the development of the members preference.

Ed Kee stated that there is opposition in the Lincoln community to an Eastern Bypass.

Glen Stevenson stated that the Working Group should use common sense and look at distances. At one time, the downtown in Milford was bustling with business. US 113 was built and the downtown died. A highway on East side of Milford is a glorified Puncheon Run Connector in Dover. It doesn't carry any traffic.

Ronnie Robbins stated that the solution was to upgrade the existing alignment. The presentation of the upgrade of US 113 (On-alignment) is overkill and designed to force it to be dropped.

Glen Stevenson indicated that he is in favor of a Western Bypass.

Mr. Kramer moved the discussion to the No-build alternative.

Lawrence Lank stated that the No-build alternative means that DelDOT will be back in 15 years to try again for a solution.

Mark Mallamo stated that the No-build was planning to fail.

Skip Pikus stated that DelDOT should change its signs and fix SR 1 and SR 30.

Ronnie Robbins stated that the On-alignment alternative will be the default alternative under a No-build choice.

Mr Kramer stated that every alternative involves pain and sacrifice.

Ed Kee stated that the No Build alternative does not work for some. He stated that this is a complex issue involving planning, zoning, quality of life and many other issues. The solution hasn't been hit on yet and the issue needs to be rethought out of the box. The caveman approach doesn't work.

Glen Stevenson stated that if the Working Group voted 27 to 0 for a Western Bypass alternative, the Working Group would be trumped by the resource agencies.

Mr. Kramer reminded the group that they were only one piece of the puzzle, when it came to the Department recommending and eventually selecting a preferred alternative.

I.G. Burton stated that the complexities can overwhelm you. He further stated that he had learned a lot through the process. He stated that a decision needs to be made regardless of the financial issue.

Ronnie Robbins stated that if an Eastern Bypass is selected, it won't be built for 25 years and nothing will happen in the area.

Mr. Kramer reminded the Working Group that the next meeting will be April 11th.

Glen Stevenson asked if the 11th was the Wednesday after Easter. That was confirmed.

David Edgell stated that he can't be at the meeting on the 11th but will send in his proxy. He asked the Working Group to think seriously about the consequences of a No-build alternative. He talked about the continuing need for a Western Bypass of Dover and the fact that it continues to be discussed after more than 50 years since the need was originally recognized. He reminded the Working Group of the issues with SR 1 at the beach and urged the Working Group to choose from one of the Eastern Bypass alternatives.

Mr. Hite thanked David on behalf of the Secretary, the Department and the Project Team and concluded the meeting at 8:30.

Minutes prepared by Joe Wutka.

Meeting Attendees:

Scott Adkisson

Robert Burris

I.G. Burton, III

Richard Carmean

F. Brooke Clendaniel

David Edgell

Terry Feinour

Scott Fitzgerald

Connie Fox

Dean Geyer

Wyatt Hammond

E. Keith Hudson

Ed Kee

Carl King, Jr.

Lawrence Lank

Mark Mallamo

Randy Marvel

Skip Pikus

Ronald Robbins

Mike Simmons

Glen Stevenson

Elliott Workman

