

## **Memorandum of Meeting**

**Date:** April 25, 2007

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

**Location:** Carlisle Fire Company, Milford, Delaware

**Topic:** **Milford Area Working Group Meeting #17**

**Attendees:** See Page 7

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Before the meeting formally started, Bob Kramer announced that because of the importance of the meeting, we would wait until 6:00 p.m. to start to allow as many Working Group members as possible a chance to arrive and participate.

Mr. Kramer opened the meeting at 6:05 p.m. He welcomed everyone and introduced himself for the benefit of the public who were in attendance. He stated that this was the 17<sup>th</sup> meeting of the Working Group. He also reminded the Working Group members that there are 27 members on the Working Group. A super majority for a formal recommendation from the Working Group to the Department requires 21 members agreeing. He then talked about the process established in earlier meetings for the Working Group to develop a recommendation.

Richard Carmean asked how many members were in attendance. He was informed that 17 members were present.

Mr. Kramer stated that this evening's presentation would begin with an update to answer the questions posed at the last meeting.

Mr. Kramer then turned the meeting over to Monroe Hite who reviewed with the Working Group the contents of their hand-out package. He stated that the next agency meeting was scheduled for May 10 where the Project Team would continue its discussion with agency representatives on all areas of the US 113 project. Mr. Hite reviewed the agenda and then turned the meeting over to Todd Oliver to provide responses to the questions raised at the previous Working Group meeting, including traffic and safety.

Mr. Oliver introduced himself for the benefit of those members of the public attending the meeting. He began his presentation with a discussion on traffic relating to the questions asked at the last Working Group meeting.

During Mr. Oliver's discussion of the Project Team's evaluation of the unsignalized intersections on US 113, Glen Stevenson asked if the evaluations assumed that no improvements were made to those intersections. Mr. Oliver stated that the evaluation did

not include intersection improvements. Mr. Stevenson then asked how far the Department's Capital Transportation Plan (CTP) carried. Mr. Hite stated that it is a 6 year plan.

Mr. Oliver completed the discussion on traffic and Mr. Kramer asked if there were any more questions on traffic before Mr. Oliver continues with a discussion on accidents and safety.

Richard Carmean asked what kind of delay would the east/west traffic experience in the future. Mr. Oliver explained that the side street delay would be greater than the delay for traffic on US 113 and the failure of the signalized intersections in the future was due more to side street delay than delay for US 113 traffic.

Skip Pikus asked if the traffic signals were synchronized. Mr. Oliver stated that the signals are currently actuated.

Elliot Workman asked for a clarification of the failure level at the intersections. Mr. Oliver stated that 54 seconds of delay represented a Level of Service (LOS) of E.

Mr. Oliver then reviewed the accident and safety information on US 113 through the Milford study area. When Mr. Oliver finished, Mr. Kramer stated that this is more specific data than we have given before. He reminded the Working Group that safety had been discussed in the earlier meetings along with the need for limited access. He then asked if there were any questions.

Richard Carmean asked what this information meant in terms of future crash data. Mr. Oliver stated, in general without capacity improvements, more traffic means more accidents.

Mike Simmons, speaking as Deputy Director in the Department of Transportation, explained that No-build means that the Department will maintain the current road system and motorists would have to live with the congestion that will come with added traffic and no plans to address the capacity issues.

David Edgell stated that a limited access roadway will provide for the capacity needs in the future. Small projects will not address Project Purpose & Need.

Mr. Hite stated that the feasibility study identified the need for a limited access roadway.

Skip Pikus asked for DelDOT's definition of limited access.

Mike Simmons stated that limited access meant getting rid of all crossing /conflicting movements.

Mr. Kramer added that it meant getting rid of the signalized intersections and creating grade separations, as well as full access control. He stated that these are two items that relate directly to the crash data that was just presented. Mr. Kramer stated that the Yellow Alternative eliminates rights in/rights out access, whereas the Georgetown plan would allow rights in and out.

Ronnie Robbins asked if No-build meant that 113 would be upgraded. Mr. Oliver stated that the No-build Alternative would leave existing US 113 as the default location for future North/South capacity improvements. Mr. Hite reminded the Working Group that at their last meeting they had voted against looking at a modified On-alignment option. He then reiterated Mr. Oliver's statement that No-build means future capacity improvements would occur along the existing alignment. Mr. Hite then stated that Secretary Wicks has serious concerns with the No-build Alternative.

Mr. Oliver stated that signal modifications at Johnson Road were the result of a Working Group recommendation. However, those improvements address safety not capacity.

Mr. Kramer stated that he now wanted to shift to a review of the alternatives and discussion amongst the Working Group.

Skip Pikus asked if the Project Team had the number of accidents on SR1 from the SR 1 split to SR 30. Mr. Oliver indicated that he did not have those numbers available for tonight's meeting.

## **YELLOW ALTERNATIVE**

Wyatt Hammond said that in "25 or so years Monroe stated we would be looking at On-alignment, how does that jive with Yellow's fatal flaw". Mr. Hite stated that the improvements would be less than full limited access.

## **BROWN MODIFIED**

Skip Pikus asked under modification 2 of the Brown Modified Alternative is Old State Road closed. Mr. Oliver indicated that it would be for that and all other Brown Modified Alternatives.

Ed Kee, in looking over the matrix hand-out asked in the column addressing minimum distance from ponds, what ponds are being referred to. Mr. Oliver stated that the matrix refers to Cubbage and Clendaniel ponds. Mr. Kee asked if smaller ponds didn't count. Mr. Kramer stated that Mr. Kee's question related to slide 39 in the Working Group's Handout and indicated for the public that the material from this evenings meeting would be posted on the project website.

Skip Pikus asked if the cost estimates were in today's prices. Mr. Oliver stated that they were. Mr. Pikus was fearful that the estimates would be short in the future. Bill Hellmann indicated that the project in the Department's Capital Transportation Plan (CTP) would

include an inflation factor. Mr. Hite stated that estimates in the CTP are modified on a yearly basis. Mr. Hite, in reference to slide 25 of the Power Point presentation, reiterated that the Project Team has made a concerted effort to make each alternative the best that it could be, recognizing that under the Department's three pronged approach to participation -Agencies/Working Group/Public- each prong has different needs for

information and interprets that information based on their responsibilities.

David Edgell asked what the agencies have to see. Mr. Kramer indicated a broader scope under their regulations in order for them to review. Mr. Edgell asked if the agencies are being given input. Both Mr. Hite and Mr. Kramer stated that they were being inundated with information.

Skip Pikus asked when will a hearing be held. Mr. Kramer outlined the process of a recommendation from the Working Group, the Department recommendation, the preparation and publication of a Draft Environmental Impact Statement and then a Public Hearing, in all likelihood in the fall.

Skip Pikus stated that it was discouraging that the agencies have to give their blessings. It makes a decision by the Working Group kind of moot. Mr. Kramer stated that the second bullet in the last slide (slide 42) leaves the door open and makes the Working Group recommendation important.

Connie Fox asked how soon before land is purchased. We have a group back here (referring to the audience) “whose property values have gone down”. Mr. Kramer stated that money was earmarked in the Department’s CTP request for the upcoming fiscal year. Those funds won’t buy everything. Advanced acquisitions and hardships will be considered. By law, the Department must pay fair market value, highest and best use.

Richard Carmean asked if a motion, outside of the current alternatives, could be put forward by the Working Group. He stated that he represented the City of Milford and realized that each person at the table had a different dog in the fight. He stated that everyone needed to step out of their roles and consider the public good. He then asked if No-build meant On-alignment in the future. Mr. Hite stated that No-build meant only minor improvements. However, in the long term, given the growth in the area it meant future capacity improvements in existing corridors.

Mr. Kramer reiterated the agency position and stated that they had a roll to advise just like the Working Group. He then stated that the Working Group could put any motion on the floor that they chose.

Skip Pikus stated that he represents the downtown Milford business community but feels he also represents everyone. He asked if it was fair to put a line in the sand that places restrictions on many people. The Working Group has to choose the best thing for Milford/Lincoln. The legislature will decide how much funding to provide to DelDOT.

He asked the Working Group members to read Randy Marvel’s memo. The No-build

does not mean do nothing.

He then made the following motion:

- Change signage in New Castle and Kent Counties to direct beach bound traffic to use SR 1 and traffic to Maryland and Virginia areas to use US 13.
- Make necessary improvements to the SR 1 and SR 30 intersection.
- Make necessary improvements to the SR 1 and SR 14 (N.E. Front Street) intersection.

- Make minor changes to US 113 in the Milford and Lincoln areas to synchronize the traffic signals, but not make US 113 a limited access highway.

Glen Stevenson asked what was the driving force to make Brown acceptable and were similar things done for Orange and Blue. Mr. Hite stated that similar things were done for every alternative. Efforts to reduce the natural resource impacts of the Western Bypass alternatives were presented to the Working Group at an earlier meeting. Mr. Stevenson stated that it is a moot point. The road was never going west. Too many politicians over there. Mr. Hite stated that Herring Branch has far less wetlands impacts and it is also an issue of the quality of the wetlands as well as the quantity.

Scott Adkisson asked if our alternative makes it to the Corps of Engineers and they can't approve are there other alternatives. Mr. Kramer reiterated that the Working Group's recommendation is one piece of advice. The Secretary of Transportation makes the decision on a recommended alternative. Then there is a process which was outlined earlier in which the Corps will be a participant and hopefully the Corps issues have been addressed during that process so that they can issue a permit.

Mike Simmons, in response to Mr. Pikus' motion stated that the Department's FY'08 CTP includes the start of design to improve the SR 1/SR 30 intersection. The SR 1/SR 14 Project is one on a long list of improvements that are caught in the revenue issue. He reminded the Working Group that the original intent of this study was to develop a limited access roadway corridor for preservation for future capacity needs. The No-build Alternative is simply trading congestion and safety for impacts.

Mr. Kramer stated as a reminder for members of the public in attendance that the legislature asked the Department to look at a limited access highway.

Wyatt Hammond stated that he is representing the Chamber of Commerce and the business people in the area. If you look at Milford, it started downtown, moved to 113, the downtown economy has rebounded. The impact with No-build will be increased noise with congestion. I live here too, and want to see everyone satisfied.

Ed Kee stated that contrary to what has been stated On-alignment does have support.

Ed Kee, in response to Mr. Edgell and referring to comments made by Mr. Edgell at the last Working Group meeting regarding the Dover experience, stated that Milford is not

Dover. He reminded the participants of the 1500 petition signatures. Other factors include economics, a \$350 million investment. It boils down to public opinion. No-build is not short sighted and is probably the most far-sighted. Wilmington I-95 through the heart of the city, why did they do that. Bypasses don't address heart of problem.

Glen Stevenson stated that he supported Mr. Pikus. He feels that 15% of traffic on 113 going to MD beaches, number presented earlier is too low. The improvements should be done on-alignment.

Ronnie Robbins stated that no one wants a bypass like SR1 around Milford. The money saved with the No-Build could be used on other needed improvements.

Mr. Kramer stated that it was time to vote on the motion. He indicated that 17 members are here this evening and 10 are absent. Absentee ballots will be sent to the members not present.

Glen Stevenson asked what vote total was needed for a super majority. It was indicated that 21 votes would constitute a super majority and a formal recommendation from the Working Group to the Secretary.

At this time, ballots were handed out. Everyone was asked if they had voted. Ballots were collected and counted. 10 votes were in favor of the motion, 7 were opposed. Based on Randy Marvel's e-mail, his vote was added to those in favor of the motion by Mr. Pikus making the vote 11 for and 7 opposed.

Mike Simmons made a motion in favor of an Eastern Bypass alternative. Scott Adkisson seconded the motion.

Ballots again were handed out. Mr. Kramer stated that a yes vote is a vote in favor of an Eastern Bypass alternative.

Everyone was asked if they had voted. Ballots were collected and counted. 7 votes were in favor of the motion, 10 were opposed. Mr. Marvel's e-mail was added to the votes opposing the motion for a total of 11 opposed and 7 in favor.

Mr. Kramer stated, since the two motions were the only motions offered by the members, that there were no further motions that could be voted on. He asked Skip Pikus to write up his motion and fax it to Monroe so that it can be correctly stated on the Absentee Ballot.

Secondly, as soon as the absentees have a chance to vote, we will notify the Working Group of the final responses to the two motions. He then turned the meeting over to Mr. Hite.

Mr. Hite thanked the Working Group members on behalf of the Department for their time and effort since this process started in February of 2004. He then handed out certificates of appreciation.

Glen Stevenson asked what would be the process for notifying those Working Group members not in attendance. It was stated to him that the meeting packet and an Absentee Ballot would be hand delivered to those not in attendance.

Mr. Kramer also thanked the Working Group.

The meeting adjourned at 8:30 p.m.

Attendees:

Scott Adkisson  
I. G. Burton, III  
Richard Carmean  
F. Brooke Clendaniel  
David Edgell  
Connie Fox  
Dean Geyer  
Wyatt Hammond  
E. Keith Hudson  
Ed Kee  
Carl King, Jr.  
Mark Mallamo  
Skip "Michael" Pikus  
Ronald Robbins  
Mike Simmons  
Glen Stevenson  
Elliott Workman

Minutes prepared by Joe Wutka