

City of Milford



CITY COUNCIL AGENDA

Tuesday, May 29, 2018

Joseph Ronnie Rogers Council Chambers
Milford City Hall, 201 South Walnut Street, Milford, Delaware

6:30 P.M.

WORKSHOP

Kent Economic Partnership Presentation

7:00 P.M.

PUBLIC HEARING

ADOPTION/ORDINANCE 2018-13

Gator & Associates Inc for an Amended Conditional Use
in a C3 Zoning District; Located on north side of Milford-Harrington Hwy, approximately 3,600
feet west of S DuPont Blvd intersection, Milford, Delaware.

Present Use: Brew Pub with Distillery/Retail.

Proposed Use: Same with Warehouse and amended hours of Brew Pub.

Tax Map MD-16-173.00-01-12.00

Paul Mills for a Final Minor Subdivision

in an R1 Zoning District; Located on the northeast side of McCoy Ave and the south side of
Elizabeth St, Milford, Delaware.

Tax Map 3-30-10.12-064.00

Renate K Wiley and Joseph E Wiley for a Final Minor Subdivision

in an R3 Zoning District; Located at 431 North Street and 433 North Street, Milford, Delaware.

Tax Map MD-16-183.06-02-29.00 and MD-16-183.06-02-30.00

ADOPTION/ORDINANCE 2018-14

Code of the City of Milford Part II-General Legislation

Chapter 230-Zoning

Article III-Use and Area Regulations

§230-19.3-IM Institutional Medical District

COUNCIL MEETING

Call to Order – Mayor Archie Campbell

Invocation

Pledge of Allegiance

Recognition

Public Works Employee

Communication & Correspondence

Unfinished Business

Kent Economic Partnership Funding Request

Approval/Greater Kent Committee Annual Dues

Adoption/Resolution 2018-12/Scheduling Special Election/Second Ward Vacancy®

New Business

Planning Commission Appointment

Approval/Land Installment Contract Amendment/Touch of Italy/Il Nostro Locale LLC

Adoption/Ordinance 2018-15/Chapter 19-Economic Development and Redevelopment ®

Adoption/Resolution 2018-10/Sidewalk Waiver/Paul & Barbara Jean Mills/6 Elizabeth Street ®

*EXECUTIVE SESSION

Motion to Recess into Executive Session

{Pursuant to 29 Del. C. 29 §10004 (b)(4) Collective Bargaining Matters

Return to Open Session

MPD Teamsters Negotiations

Adjourn

All items on the agenda are subject to a potential vote.

SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE ACCEPTED OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.

® *Public Comment, up to three minutes per person, will be accepted.*

032018 041618 041918 050218 050818 050918 051718 *051818 Added by City Manager

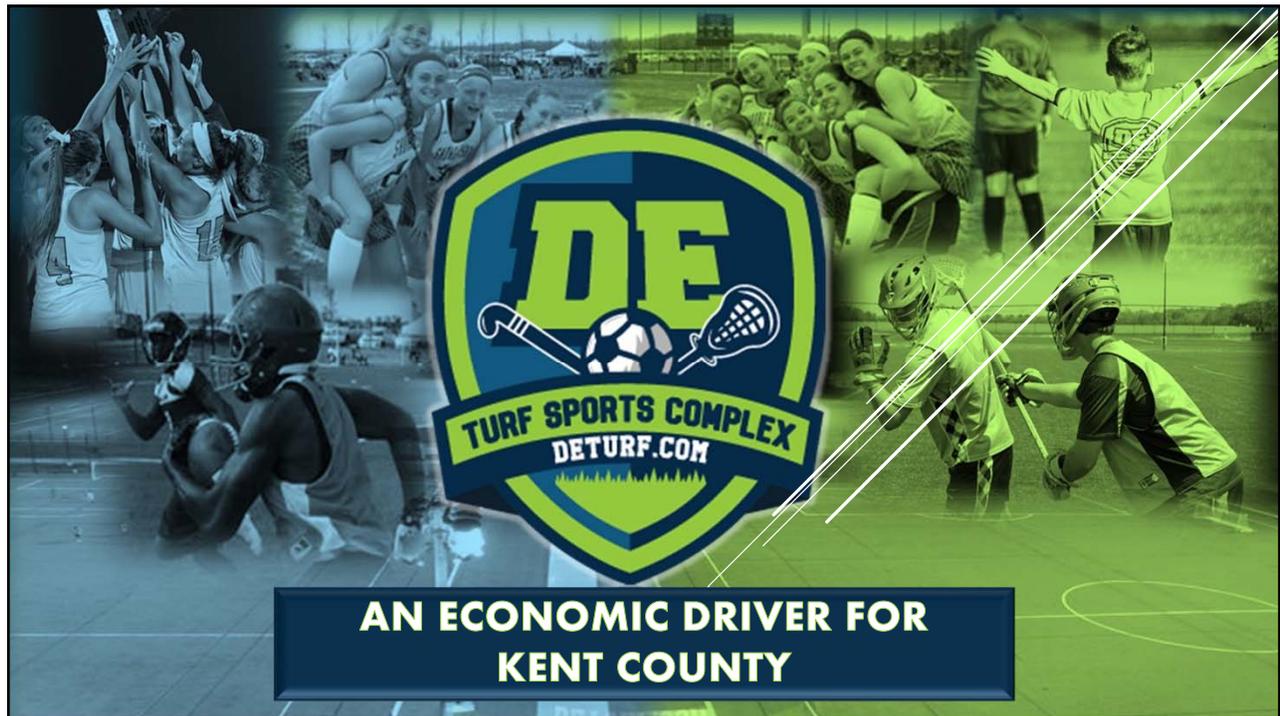
FOCUS ON ECONOMIC DEVELOPMENT



Greater Kent
COMMITTEE

...moving Central Delaware forward!

WHO IS THE
GREATER KENT
COMMITTEE?





Economic Impact

40,000+ Visitors on tournament weekends

920 Youth travel sports teams

20 Events booked for 2017 Year, **40+** in 2018

5 Sports: Soccer, Field Hockey, Lacrosse, T/V / Football, Ultimate

Teams travel from 20+ states and Canada

The infographic is set against a blue background. It features several white icons: a car, an airplane, a hotel building, a family of four, a shopping cart, and a fork and knife. A map of the United States is shown with numerous green pushpins indicating travel locations. The DE Turf Sports Complex logo is in the top right corner, and a large version of the logo is at the bottom right. The text 'Teams travel from 20+ states and Canada' is placed over the map.

SPONSORS



DELAWARE
ECONOMIC DEVELOPMENT OFFICE
Right Place. Right Size.

Delaware Prosperity Partnership
THE DELAWARE PARTNERSHIP FOR PROSPERITY

Division of Small Business, Development & Tourism

DELAWARE PROSPERITY PARTNERSHIP, INC.

Delaware Prosperity Partnership hires permanent CEO

JEFF NEIBURG AND SCOTT GOSS | THE NEWS JOURNAL

11:02 pm EST March 1, 2018



New Delaware Prosperity Partnership president and CEO William Kurt Foreman speaks during a meeting with the press after it was announced the DPP has ended their search for a new CEO earlier Thursday. Foreman comes to Delaware from Oklahoma City where he was the executive vice president of economic development for the Greater Oklahoma City Chamber of Commerce
 JERRY HABRAKEN, THE NEWS JOURNAL

Delaware Prosperity Partnership

DELAWARE PROSPERITY PARTNERSHIP, INC. BOARD OF DIRECTORS

Governor John Carney (co-chair)

Rod Ward, President, CSC (co-chair)

Desmond Baker, Founder, Desmond A. Baker & Associates

Alan Brangman, Executive Vice President, University of Delaware

Patrick Callahan, Founder, CompassRed

Eric Cheek, Associate Vice President, Delaware State University

Doneene Damon, Executive Vice President, Richards, Layton, & Finger

Jeanmarie Desmond, Vice President and Controller, DowDuPont

Robert Herrera, Founder, The Mill

Nick Lambrow, President of Delaware Region, M&T Bank

Greg Lavelle, Delaware State Senate

Gregg Moore, Vice President, Becker Morgan Group

Lori Palmer, Ventures Executive Leader, Trellest Marketing Technology

Rob Rider, CEO, O.A. Newton

Bryon Short, Delaware House of Representatives

Richelle Vible, Executive Director, Catholic Charities

Jack Walsh, Delaware State Senate

Lyndon Yearick, Delaware House of Representative

Ed Kee, Former Secretary of Agriculture



\$10,000

\$10,000

\$10,000

3 YEAR COMMITMENT

DELaware PROSPERITY PARTNERSHIP
P.O. Box 671, Wilmington, Delaware 19899-0671
Phone: (302) 441-1000

INVOICE
Invoice #: 2017023
Invoice Date: 10/9/2017

Ms. Shelly Cecchetti
Greater Kent Committee
59 Roosevelt Ave.
Dover, DE 19901

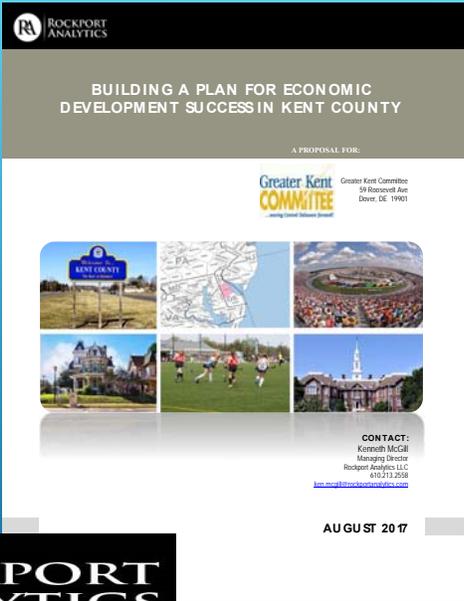
Ms. Shelly Cecchetti
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59 Roosevelt Ave.
Dover, DE 19901

Invoice #: 2017023
Invoice Date: 10/9/2017

Please mail payment to:
Delaware Prosperity Partnership
PO Box 671
Wilmington, DE 19899-0671

Payment Enclosed:
\$ _____











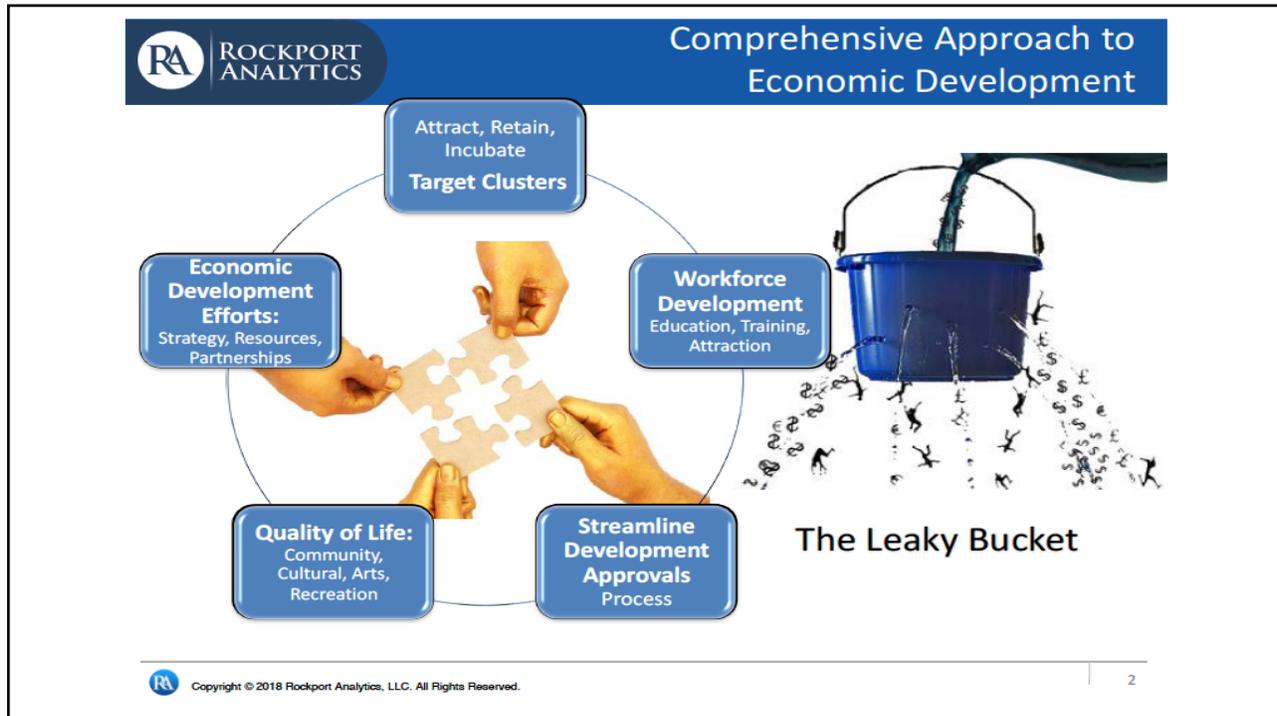
Completed Steps & Key Findings

- ✓ **Conducted Data-Driven Analysis** -uncover key Kent opportunities, strengths, weaknesses, and targets
- ✓ **Interviewing Local & Regional Business Owners and Investors** –better understand approvals, regulations, permitting
- ✓ **Met with Local Business Leaders** -to vet data-driven findings and collect intel on local development challenges




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Data Driven

Sector Code	Description	2016 Total Sales (x1000)	2016 Jobs	2016 Paid Wages (x1000)	2016 Sales per Worker	Average Salary per Worker
000	Total Kent County	\$12,256,912.7	88,490	\$4,078,364.0	\$138,520	\$46,090
531	State govt, non-education	\$575,807.2	6,350	\$475,353.2	\$90,710	\$74,890
536	Federal govt, military	\$514,009.9	4,450	\$334,897.5	\$115,620	\$75,330
092	Poultry processing	\$462,617.0	1,540	\$71,069.4	\$300,970	\$46,240
440	Real estate	\$399,958.3	2,920	\$12,976.3	\$136,950	\$4,440
482	Hospitals	\$350,321.0	2,310	\$176,883.3	\$151,830	\$76,660
532	State govt, education	\$335,187.8	5,060	\$278,208.3	\$66,270	\$55,000
534	Local govt, education	\$329,785.1	3,870	\$271,702.2	\$85,170	\$70,170
495	Gambling industries (except casino hotels)	\$307,152.4	1,970	\$70,900.3	\$155,660	\$35,930
152	Sanitary paper product manufacturing	\$298,209.9	300	\$28,645.4	\$989,330	\$95,030
395	Wholesale trade	\$272,250.9	1,370	\$76,334.7	\$198,360	\$55,620
438	Insurance agencies, brokerages, and related activities	\$256,569.1	490	\$26,757.3	\$519,360	\$54,160
357	Aircraft manufacturing	\$253,247.1	350	\$30,081.3	\$726,160	\$86,250
433	Monetary authorities and depository credit intermediation	\$233,399.3	390	\$26,604.6	\$594,590	\$67,780
535	Federal govt, non-military	\$210,330.9	1,430	\$134,148.3	\$146,880	\$93,680
449	Commercial and industrial machinery and	\$206,197.1	90	\$3,775.1	\$2,367,160	\$43,340

WHAT DID WE FIND!



ROCKPORT ANALYTICS

Recommended Targets: Business & Legal Services

Key Subsectors (w Kent imports)

- Computer design & programming (\$144 million)
- Scientific, R&D Services (\$118 million)
- Employment/HR Services (\$108 million)
- Advertising/PR (\$104 million)
- Legal Services (\$58 million)
- Accounting Services (\$44 million)
- Building Services (\$52 million)

Case for Kent



Business & Legal Services Cluster

- Demand \$1.6 billion.
- Imported \$775 million
- Could create 4,500 jobs
- Average wage \$80,000
- Small Businesses

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**ROCKPORT
ANALYTICS**

**Recommended Targets:
Distribution, Warehousing, Logistics**

Key Subsectors
(w Kent imports)

- Wholesale Trade (\$296 million), especially Communications, Commercial, Medical, Industrial Equipment & Supplies
- Logistics & Trucking (\$82 million)
- Warehousing & Storage +\$68 million

Case for Kent



Distribution, Warehousing, & Logistics Cluster

- Demand \$756 million
- Imports \$310 million
- 2,300 jobs
- Average salary \$54,000
- Existing warehousing activity dominated by self-storage & agriculture. New DWL firms can serve both local and regional markets.
- Size small-to-mid business
- Lower land costs a Kent advantage.



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**ROCKPORT
ANALYTICS**

**Recommended Targets:
Health Care**

Key Subsectors
(w Kent imports)

- Offices of Physicians (\$75 million)
- Outpatient Care Facilities (\$40 million)
- Nursing & Community Care (\$23 million)
- Medical & Diagnostic Labs (\$9 million)

Case for Kent



Health Care Cluster

- Demand \$1.1 billion
- Imports \$158 million
- 1,000+ high-paying jobs
- Quality of Life
- Average wages \$54,000
- Small Business



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Critical Challenges



- Workforce attraction, development
- Quality of life –cultural, arts, recreational, shopping, health care...
- Evolving broadband infrastructure
- Access to travel infrastructure
- Need to change the traditional post-secondary curriculum for targeted work force

Recommended Targets: Education & Skills Development



Key Subsectors
(w Kent imports)

- Computer & Management Training, Technical Schools (\$7million)
- Educational Support Services
- Elementary & Secondary Ed (\$16million)
- Scientific, Research & Development Services
- Child Day Care Services

Case for Kent

- Holistic approach dictates elevation to Target status. Closely linked to Quality of Life.
- Data suggests Kent has sufficient traditional college & university supply. Greater need is technical & specialized skills.
- Latest data suggests only 1 small vocational/technical training firm in Kent
- Education/Training's contributes to rising productivity and wages of all Kent and DE sectors



**ROCKPORT
ANALYTICS**

**Recommended Targets:
Quality of Life**

Key Subsectors
(w Kent imports)

- Restaurants & Catering (\$22M)
- Underserved Retail (\$51M) clothing, sports, grocery, other
- Arts, Cultural, Recreation (\$54M)
- Non Gaming Entertainment (\$32M)

Quality of Life Cluster



Case for Kent

- Holistic approach dictates elevation to Target status
- All Kent businesses face this challenge
- Success brings benefits to Kent residents as well
- Coordinated effort of cultural, arts, recreational, tourism, chambers, and other community groups
- Further integrates & leverages DE Turf success
- Dovetails with ongoing tourism development efforts

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WHAT'S NEXT?

Collaboration Breeds Success



FOCUSED
ECONOMIC
DEVELOPMENT
IN KENT COUNTY

- Hire executive director
- Grow partnership with business, State & municipalities
- Backed by strength of County
- Increased budget

Reorganization of the KEP

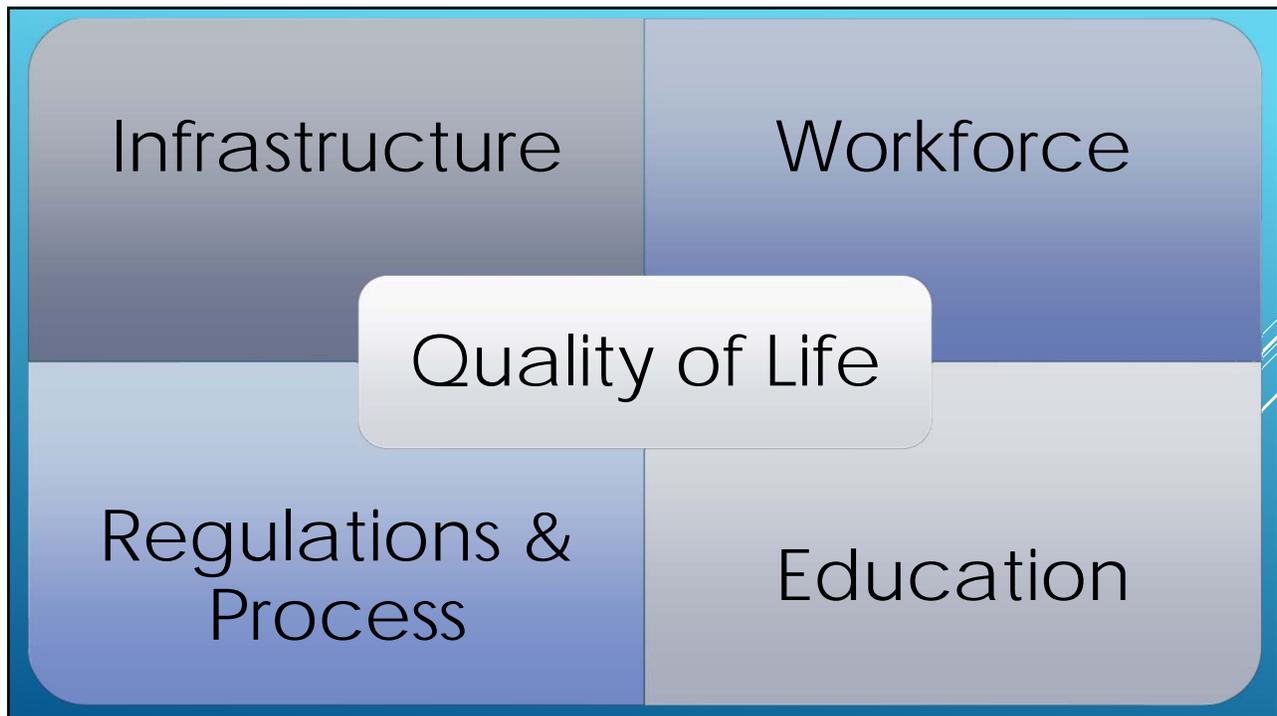
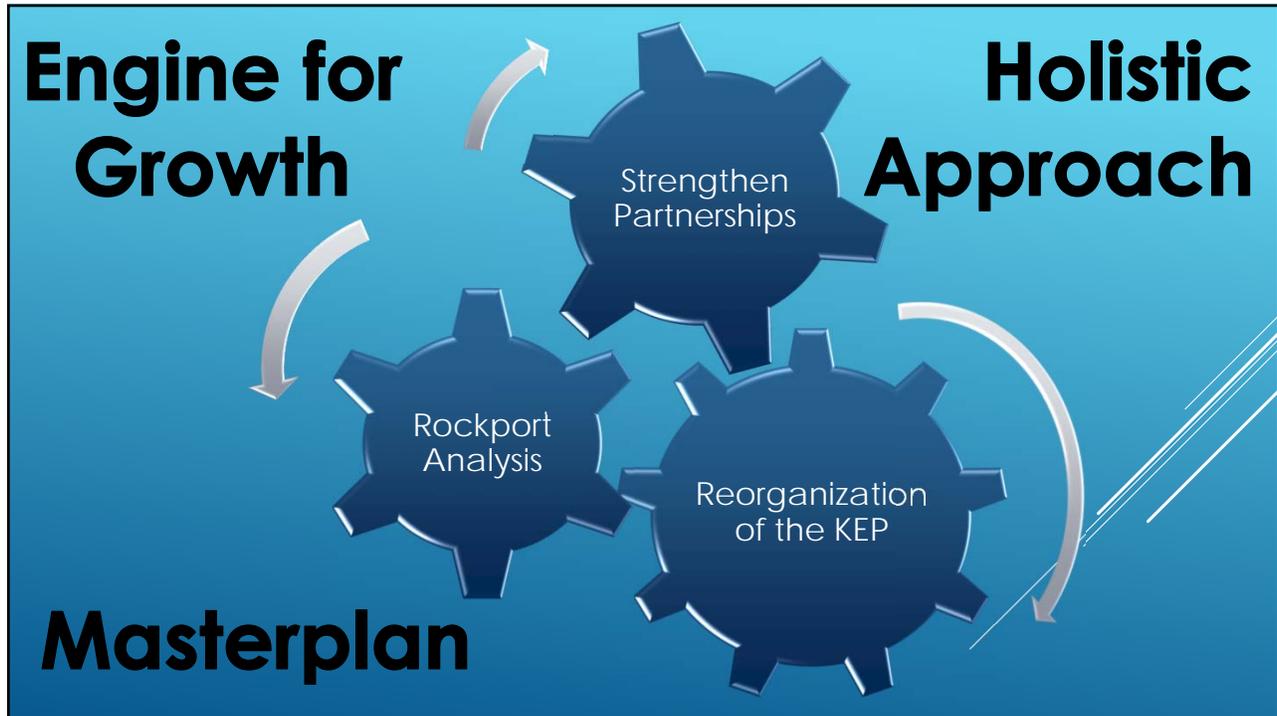


- Strategic approach
- Data driven results
- Clear & focused
- Master Plan



Strengthen
Partnerships

- KEP
- DPP
- Planners
- CDCC
- Kent County
- Municipalities
- Business community





FOCUS ON ECONOMIC DEVELOPMENT

Greater Kent
COMMITTEE

...moving Central Delaware forward!

NOTICE OF PUBLIC HEARINGS
PLANNING COMMISSION PUBLIC HEARING: April 17, 2018
CITY COUNCIL PUBLIC HEARING: May 29, 2018

NOTICE IS HEREBY GIVEN the City of Milford Planning Commission will hold a Public Hearing on **Tuesday, April 17, 2018** at 7:00 pm to hear evidence from interested parties and make a recommendation to City Council regarding the ordinance. The City of Milford City Council will hold a Public Hearing on **Tuesday, May 29, 2018** at 7:00 pm to hear evidence from interested parties and make a final determination regarding the ordinance.

All Public Hearings are held in the Joseph Ronnie Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware.

ORDINANCE 2018-13

Gator & Associates Inc for an Amended Conditional Use
in a C3 Zoning District; Located on north side of Milford-Harrington Hwy, approximately 3,600
feet west of S DuPont Blvd intersection, Milford, Delaware.
Present Use: Brew Pub with Distillery/Retail.
Proposed Use: Same with amended hours of Brew Pub.
Tax Map MD-16-173.00-01-12.00

WHEREAS, the City of Milford Planning Commission considered the ordinance, as described, at a duly noticed Public Hearing on April 17, 2018 and recommended its adoption to City Council; and

WHEREAS, Milford City Council conducted a duly noticed Public Hearing on May 29, 2018 to consider all information presented by City Staff, the Applicant, written and verbal public testimony; and

WHEREAS, it is deemed reasonable, beneficial, and in the best interest of the City of Milford to allow a Conditional Use that amends a previously-approved Conditional Use as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance by City Council, Gator & Associates Inc is hereby granted a Conditional Use Permit to amend the original Conditional Use, in accordance with the application, effective on the date so noted.

Section 2. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 3. Dates.

Planning Commission Review & Public Hearing: April 17, 2018

City Council Introduction: May 14, 2018

City Council Public Hearing: May 29, 2018

Projected Adoption: May 29, 2018

Projected Effective: June 8, 2018

For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

Advertised: Beacon 03/28/18

DATA SHEET FOR GATOR & ASSOCIATES, INC.

Planning Commission Meeting: April 17, 2018

Application Number / Name	:	16-008 / Gator & Associates, Inc.
Applicant	:	Easyspeak, LLC 586 Milford-Harrington Highway Milford, DE 19963
Owner	:	Gator & Associates, Inc. 1401 N. Clayton Street Wilmington, DE 19806
Application Type	:	Conditional Use Amendment
Present Comprehensive Plan Map Designation	:	Commercial
Present Zoning District	:	C-3 (Highway Commercial District)
Present Use	:	Brew Pub w/Distillery/Retail
Proposed Use	:	Brew Pub w/Distillery/Retail/Warehouse
Size and Location	:	1.20 +/- acres of land located on the north side of Milford-Harrington Highway (Route 14) approximately 3,600 feet west of Route 113. Addressed as 586 Milford-Harrington Highway
Tax Map & Parcel	:	MD-16-173.00-01-12.00-000

ENC: Staff Analysis Report
Exhibit A – Location & Zoning Map
Exhibit B – Site Plan

STAFF REPORT
March 7, 2018

Application Number / Name	:	16-008 / Gator & Associates, Inc.
Present Comprehensive Plan Designation	:	Commercial
Present Zoning District	:	C-3 (Highway Commercial District)
Present Use	:	Brew Pub w/Distillery/Retail
Proposed Use	:	Brew Pub w/Distillery/Retail/Warehouse
Tax Map & Parcel	:	MD-16-173.00-01-12.00-000
Size and Location	:	1.20 +/- acres of land located on the north side of Milford-Harrington Highway (Route 14) approximately 3,600 feet west of the Route 113 intersection, addressed as 586 Milford-Harrington Highway.

I. BACKGROUND INFORMATION:

- The applicant received conditional use approval from City Council on September 26, 2016 for a brew pub with a distillery, fitness center and warehouse within a C-3 zoning district. The brew pub and fitness center were to be constructed within the existing commercial building located towards the front of the property. Additional parking and a new warehouse building is proposed for the rear of the existing commercial building.
- City Council granted approval of the conditional use with the following conditions;
 - The owner must obtain the cross access easement from the adjacent property owner.
 - *The hours of operation for the brewpub shall be 4:00 pm until 11:00 pm Sunday through Wednesday and 4:00pm until 1:00 am Thursday through Saturday.*
 - The owner must adhere to the noise ordinance.
 - Final approval of the site plan subject to no objection letters from DelDOT, Kent Conservation District, State Fire Marshal's Office and the City's Public Works Department.

- The applicant received final site plan approval from the City of Milford on December 19, 2017 for the improvements associated with the expansion of the parking area and new warehouse building.
- A temporary certificate of occupancy was issued to the Easyspeak Brew Pub in December 2017 pending entrance improvements approved by DelDOT. DelDOT had no objection to issuing the temporary certificate of occupancy once project bonding was in place. Entrance work has begun and should be completed in early spring.
- Although several of the proposed uses are permitted uses within the C-3 Highway Commercial zoning district, Chapter 230-45 states “in any and all zoning districts, multiple permitted uses or mixed use of a property shall be deemed a conditional use subject to special requirements.”
- The applicant, owner of Easyspeak Brew Pub, is requesting an amendment to the conditional use to revise the hours of operations listed in the conditions of approval. The applicant is requesting permission to be open from 10:00 am to 11:00 pm Sunday through Wednesday and 10:00 am to 1:00 am Thursday through Saturday. See attached for narrative provided by the applicant.

II. STAFF ANALYSIS:

Based on the information presented, the City of Milford Code, and the Comprehensive Plan, staff submits the following regarding the request for the Conditional Use:

- Evaluation based on the criteria found under Chapter 230-48 Conditional Uses.

A. The presence of adjoining similar uses.

The property is surrounded by industrial, residential and commercial uses. Residential uses are located on the opposite side of Milford-Harrington Highway and include strip-lot type parcels. The properties to the east and west are commercially zoned and include a contractor’s office and a medical transport business. The property to the north and behind the subject parcel is zoned R-3 and is the location of a solar farm. Similar retail and restaurant uses are located along Milford-Harrington Highway.

B. An adjoining district in which the use is permitted.

The proposed uses, except for the distillery, are permitted uses within the C-3 Highway Commercial zoning district. However, multiple permitted uses on the same property require conditional use approval based on the City Code.

C. There is a need for the use in the area proposed as established by the Comprehensive Plan.

The Comprehensive Plan designates this area as Highway Commercial. The proposed uses are consistent with the land use plan for the Comprehensive Plan and address additional goals and objectives related to redeveloping vacant buildings and property.

- D. There is sufficient area to screen the conditional use from adjacent different uses.

The site is located adjacent to similar commercially zoned property where screening is not necessary. The property to the rear of the subject parcel is the location of an existing solar farm located within the R-3 zoning category. Although screening is required between these two zoning districts, the existing use on the R-3 property will not be negatively impacted by the proposed uses on the subject parcel and a landscape screen is not necessary. The adjacent residential properties are located on the opposite side of Milford-Harrington Highway.

- E. The use will not detract from permitted uses in the district.

The uses, except for the distillery, are permitted uses within the C-3 Highway Commercial zoning district. However, multiple permitted uses on the same property require conditional use approval based on the City Code.

- F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

The site is located along an established minor arterial road as depicted on DelDOT's functional classification map. The applicant has obtained final site plan approval and has satisfied all agency and department design requirements. Construction of the site improvements should begin in late winter or early spring.



R-3

R-3
Solar Farm

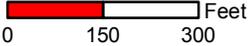
C-3

US Cold Storage
I-1

Milford-Harrington Highway

 Proposed Final Site Plan



Scale:  Feet
0 150 300

Drawn by: WRP Date: 10/09/17

Title:

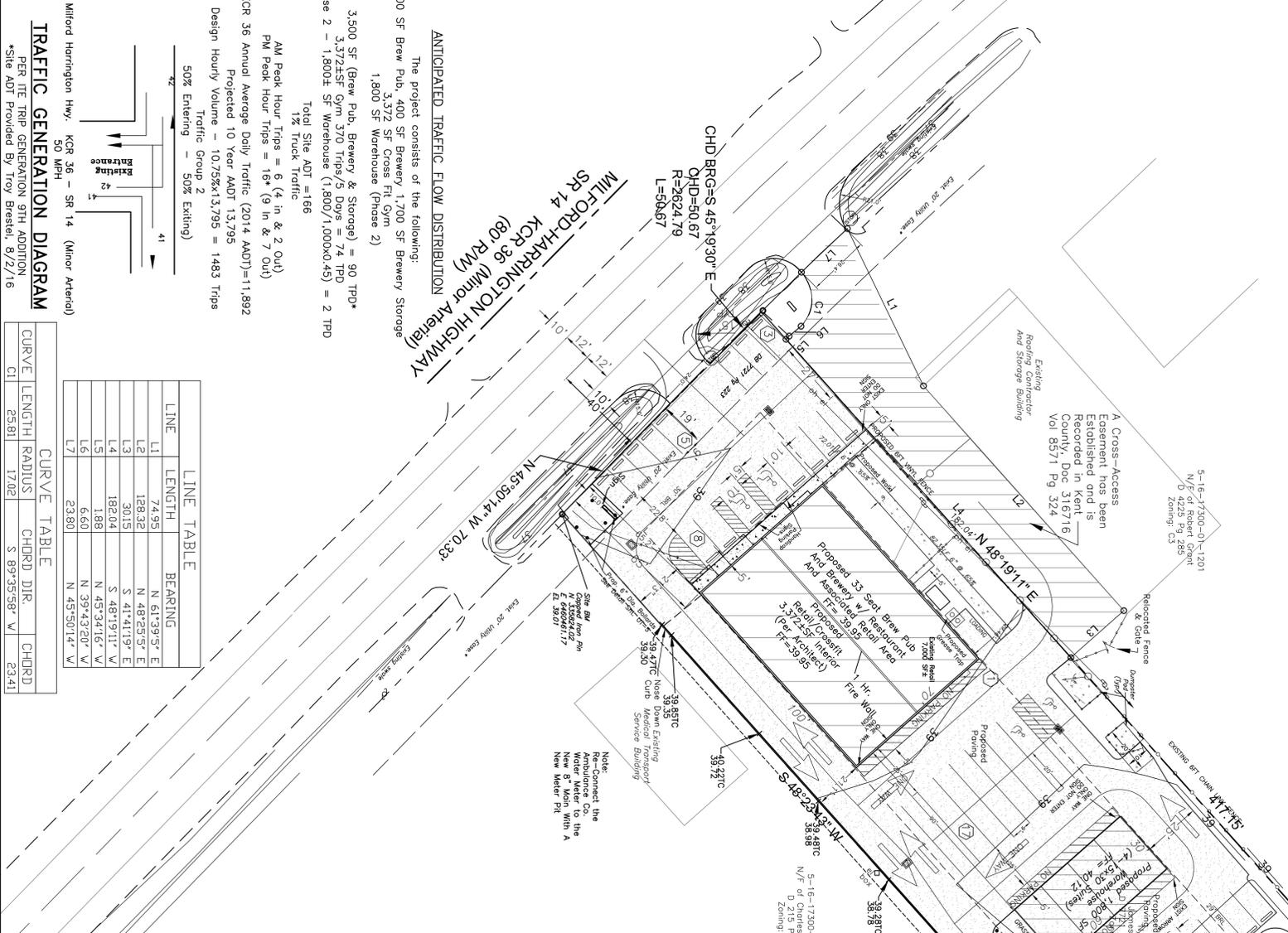
Final Site Plan
Gator & Associates, Inc.
Location & Zoning Map

Filepath: FinalSitePlan_GatorAssociates.mxd

(Last revised May 23, 2016)

RECORD PLAN GENERAL NOTES

- 1. All entrances shall conform to the Delaware Department of Transportation's (DDOT's) current Development Coordination Manual (DCM) and shall be subject to its approval.
2. Struckery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited within the defined roadway sight triangle...
3. Upon completion of the construction of the sidewalk or sidewalk path across this project's footage and physical conditions be adjacent existing facilities...
4. A perpetual cross access ingress/egress easement is hereby established as shown on this plan.
5. This commercial parcel has direct frontage along Milford-Harrington Hwy, SR 36, which has a functional classification of principle arterial/freeway/interstate as defined by...



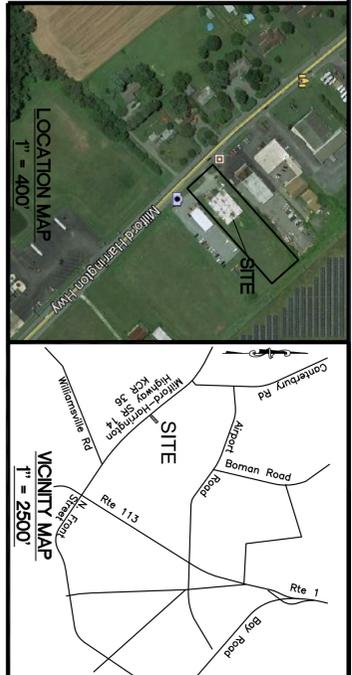
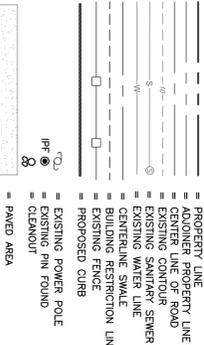
ANTICIPATED TRAFFIC FLOW DISTRIBUTION
The project consists of the following:
1,400 SF Brew Pub, 400 SF Brewery, 1,700 SF Brewery Storage
3,372 SF Cross Fit Gym
1,800 SF Warehouse (Phase 2)
3,500 SF (Brew Pub, Brewery & Storage) = 90 TPD*

Table with 3 columns: LINE, LENGTH, BEARING. Lists lines L1 through L7 with their respective lengths and bearings.

Table with 3 columns: CURVE LENGTH, RADIUS, CHORD DIR., CHORD. Lists curves C1 through C7 with their lengths, radii, and chord directions.

Milford-Harrington Hwy, SR 36 - SR 14 (Minor Arterial)
TRAFFIC GENERATION DIAGRAM
PER ITE TRIP GENERATION 9TH EDITION
*Site ADT Provided By: Troy Brestel, 8/22/16

LEGEND



SITE DATA

- 1. TAX MAP NUMBER: 05-16-17300-01-1200-0001
2. CURRENT OWNER: JAMES GRANT, OWNER, GATOR AND ASSOCIATES, INC.
3. DEED REFERENCE: WILMINGTON, DE 19806
4. ZONING: C-3 HIGHWAY COMMERCIAL (CURRENT + PROPOSED)
5. SITE AREA: 50.0944 SF
6. TOTAL LOTS: 1
7. BUILDING HEIGHT: 18'2" (MAX. 35 FEET, 3 STORES)
8. SETBACKS: FRONT: 30', SIDE: 20' Min (50' Total), REAR: 50'

GENERAL CONSTRUCTION PLANNOTES

- 1. THE BOUNDARY INFORMATION SHOWN ON THESE DRAWINGS IS BASED ON A SURVEY PERFORMED BY THE COTTEN ENGINEERING OF SEAFORD, DELAWARE, ON JUNE 2, 2016.
2. A TOPOGRAPHIC SURVEY WAS PERFORMED BY COTTEN ENGINEERING OF SEAFORD, DELAWARE, ON JUNE 2, 2016. ELEVATIONS ARE BASED ON CONTROL MONUMENT SITE BM (CORNER IRON PIN) WITH AN ELEVATION OF 39.01 FEET (NGVD).
3. HORIZONTAL DATUM IS BASED ON DELAWARE STATE GRID, NAD83. CONTROL MONUMENTS SITE BM (CORNER IRON PIN) IS USED AS A CHECK POINT.

GRAPHIC SCALE



IMPERVIOUS AREA CALCULATION

Table with 2 columns: EXISTING CONDITIONS, PROPOSED CONDITIONS. Lists areas for existing and proposed buildings, paving, gravel, impervious, open space, and building footprints.

FIRE MARSHAL NOTES:

- 1. INTENDED USE: STORAGE WAREHOUSE (SAME EXISTING USE) / RESTAURANT WITH PAHO/EXERCISE FACILITY
2. BUILDING TYPE: WOOD FRAME (WOOD) (WOOD FRAME) (BOTH)
3. WATER SUPPLY: CITY OF MILFORD
4. BUILDINGS ARE 1 STORY WOOD FRAME AND LESS THAN 35' IN HEIGHT.
5. THE PRIMARY OCCUPANCY OF ALL BUILDINGS IS NOT HIGH HAZARD OR FLAMMABLE.*
6. SPRINKLER SYSTEM: AUTOMATIC SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.
7. MANUAL SLOPE PERMITTED FOR 15 FEET AROUND PROPOSED BUILDING PERIMETER IS 10 PERCENT GRADE.
8. THE SITE OCCUPANT GRASS PERMISSIBLE TO THE FIRE DEPARTMENT IS 10 PERCENT GRADE.
9. ALL FIRE LINES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.

GENERAL PROJECT

- 1. The project is located on the eastern side of SR 14 AKA Milford-Harrington Hwy, which traverses Kent County, Delaware.
2. Based upon Flood Insurance Rate Map (FIRM) Number 1000500037J as Zone "X" (unshaded) which is in an area determined to be outside the 500-year flood plain.
3. Prior to any construction activities, permits and/or approvals are required from:
a. Kent County Planning District
b. Delaware Health Dept.
c. Delaware Sewer District
d. City of Milford
4. The topography shown on these documents is at one half foot contour intervals. Topographic information is subject to change due to ongoing construction activities.
5. Class "Urban" Survey
6. This survey does not certify to the location and/or existence of easements and Right-of-Ways crossing subject property as on Title Search was provided.
7. All entrances shall conform to the State of Delaware Department of Transportation (DDOT) standards and regulations for subdivision streets and State Highway Access (DDOT) standards and regulations for subdivision streets and State Highway Access.
8. Struckery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited within the defined roadway sight triangle. A sight easement shall be established and recorded with all proposed project owners in order to maintain the required sight distance.
9. The site slopes shall comply with chapter 220 of the Code of the City of Milford.
10. No state or Federal wetlands are present on the site.

OWNER/DEVELOPER'S CERTIFICATION

I HEREBY CERTIFY THAT I AM THE OWNER/DEVELOPER OF THE PROJECT SHOWN ON THESE DRAWINGS AND I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AND CONSTRUED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

MR. JAMES GRANT, OWNER, GATOR AND ASSOCIATES, INC. DATE: 10/29/16

ENGINEER'S CERTIFICATION
I HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, AND THAT THE INFORMATION HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

MICHAEL S. COTTEN, P.E.
COTTEN ENGINEERING LLC
1606 SW 13th STREET
WILMINGTON, DELAWARE 19806
PHONE/FAX: (302) 628-9164

DESIGNED: CE
DATE: 11/29/16
DRAWN: HC/R&K
APPROVED: HC
DATE: 12/16/16

FINAL SITE PLAN

COTTEN ENGINEERING LLC
CIVIL ENGINEERING, SURVEYING, ENVIRONMENTAL PLANNING CONSULTANTS

10087 CONCORD RD SEAFORD DE, 19973 PH: (302) 628-9166 FAX: (302) 628-9164

MICHAEL S. COTTEN, P.E. LICENSE# 12769

GATOR AND ASSOCIATES, INC.

MILFORD HUNDRED
TM# 5-16-17300-01-1200-00001
586 MILFORD HARRINGTON HWY., KENT COUNTY
MILFORD, DELAWARE

SHEET NO. F-1

Table with 2 columns: #, COMMENTS. Lists revision history including comments like 'REVISED PER P&Z COMMENTS 3-31-17, AND ENG. COMMENTS 3-30-17' and 'Revised Per DB&F Comments Dated: 6/16/17'.

Amendment to Conditional Use Application
586 Milford Harrington Highway

This request for an amendment to chapter 230-14 (C) (17) business, commercial or industrial uses that do not adversely affect neighboring properties. The amendment is requesting an adjustment to the brew pubs hours to the following: Sunday-Wednesday (10AM-11PM) Thursday-Saturday (10AM-1AM). The change in hours is as a result of resident demand for lunch service. As daily lunch service is less than evening dinner service, there will be no impact on adjacent properties that are 9AM-5PM businesses. Additionally, the change in hours is supported by sufficient parking on site for the entire parcel and all buildings/businesses. The granting of the amendment will create additional jobs in the community and provide a much needed service to the community. Economic hardship will be placed on the business if amendment is not passed as the business will not be able to continue growth as planned and will discourage customers that desire additional dining options.

NOTICE OF PUBLIC HEARINGS
PLANNING COMMISSION PUBLIC HEARING: April 17, 2018
CITY COUNCIL PUBLIC HEARING: May 29, 2018

NOTICE IS HEREBY GIVEN the City of Milford Planning Commission will hold a Public Hearing on **Tuesday, April 17, 2018** at 7:00 pm to hear evidence from interested parties and make a recommendation to City Council regarding the following matter. The City of Milford City Council will hold a Public Hearing on **Tuesday, May 29, 2018** at 7:00 pm to hear evidence from interested parties and make a final determination regarding the following matter.

All Public Hearings are held in the Joseph Ronnie Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware.

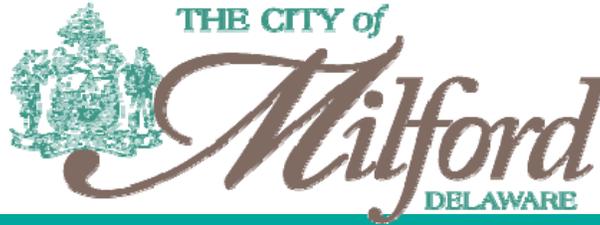
Paul Mills for a Final Minor Subdivision
in an R1 Zoning District; Located on the north side of McCoy St and the south side of Elizabeth
St, Milford, Delaware.
Tax Map 3-30-10.12-064.00

All interested parties are hereby notified to be present for the review and recommendation by the Planning Commission to City Council and express their views before a final decision is rendered by City Council. If unable to attend the hearings, written comments will be accepted up to one week prior to the hearings.

For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

By: Christine Crouch, CMC
Deputy City Clerk

Advertised: Beacon 03/28/18



DATA SHEET FOR LANDS OF PAUL MILLS

Planning Commission Meeting: April 17, 2018

Application Number / Name	:	18-003 / Lands of Paul Mills
Applicant	:	Paul Mills 5299 Cedar Neck Road Milford, DE 19963
Owner	:	Same
Application Type	:	Final Minor Subdivision
Present Comprehensive Plan Map Designation	:	Low Density Residential
Present Zoning District	:	R-1 (Single-Family Residential District)
Present Use	:	Single-family detached
Proposed Use	:	Single-family detached
Size and Location	:	0.442 +/- acres of land fronting both Elizabeth Street and McCoy Street.
Tax Map & Parcel	:	3-30-10.12-064.00

ENC: Staff Analysis Report
Exhibit A – Location & Zoning Map
Exhibit B – Record Plan



STAFF REPORT
March 8, 2018

Application Number / Name	:	18-003 / Lands of Paul Mills
Present Comprehensive Plan Designation	:	Low Density Residential
Present Zoning District	:	R-1 (Single-Family Residential District)
Present Use	:	Single-family detached
Proposed Use	:	Single-family detached
Tax Map & Parcel	:	3-30-10.12-064.00
Size and Location	:	0.442 +/- acres of land fronting both Elizabeth Street and McCoy Street.

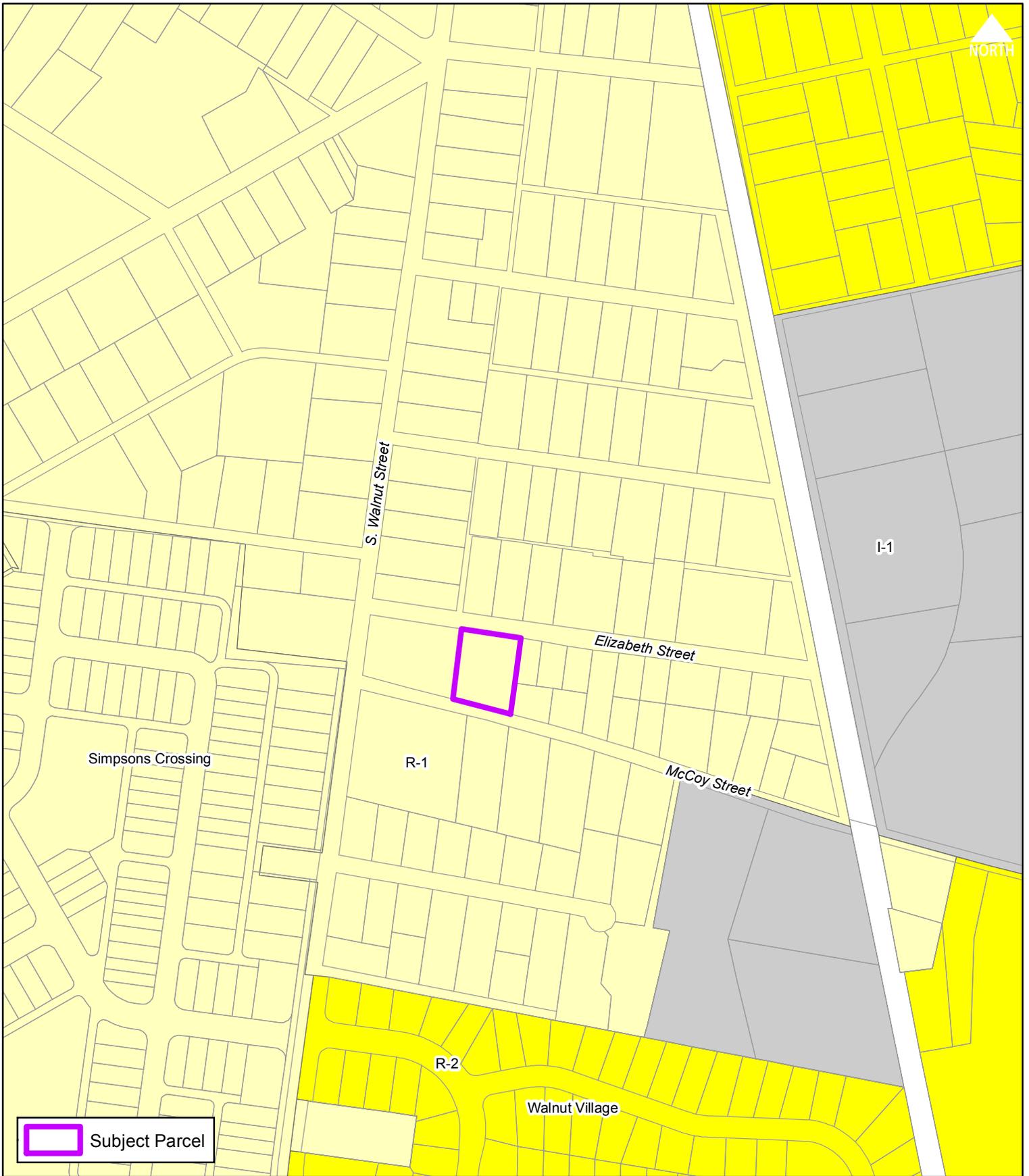
I. STAFF ANALYSIS:

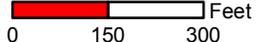
- The applicant proposes to subdivide the above referenced parcel into two building lots. The property currently contains an existing single-family detached dwelling fronting Elizabeth Street. The applicant has requested two variances from the Board of Adjustment which were reviewed and approved during the March 8, 2018 meeting.
 - The applicant received approval for a reduction in the rear yard setback requirement for Lot 1 of 6.4 feet, which would place the house 18.6 feet from the rear property line.
 - The applicant received approval for a reduction in the rear yard setback requirement for the residual parcel fronting McCoy Street of 5 feet, which would allow a home to be constructed 20 feet from the rear property line.
- The residual parcel will require new utility connections for sewer, water and electric which will need to be approved by the City Engineer.
- The residual parcel fronting McCoy Street will be required to construct sidewalk along the entire frontage of the parcel.
- The applicant has requested a waiver from Chapter 197 Streets and Sidewalks which requires sidewalk be constructed on Lot 1 along the entire frontage of Elizabeth Street.

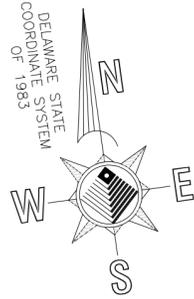
- Other than the two variance requests related to the rear yard setback requirement noted above, the minor subdivision meets the requirements set forth in Chapter 230 Zoning and Chapter 200 Subdivision of Land.
- A new driveway is proposed for Lot 1 along Elizabeth Street. The driveway must be concrete or asphalt and meet the requirements of the City's construction standards and specifications and placement must be approved by the City Engineer.

II. AGENCY COMMENTS:

- DeIDOT – No comments solicited
- Sussex Conservation District – No comments solicited
- State Fire Marshal – No comments solicited



	Scale:  Feet 0 150 300	Title: Final Minor Subdivision Lands of Paul Mills Location & Zoning Map
	Drawn by: WRP Date: 03/27/18	
Filepath: MinorSubdivision_Mills.mxd		



VICINITY MAP - SCALE: 1" = 2,000'

DATA COLUMN

• PARCEL:	3-30-10.12-64.00
• CURRENT OWNER:	PAUL MILLS
• ADDRESS:	5299 CEDAR NECK ROAD MILFORD, DE 19963
• SOURCE OF TITLE:	DEED BOOK 4722, PAGE 160
• AREA:	
PRE ADJUSTMENT GROSS	20,944 SQ. FT.
POST ADJUSTMENT LOT 1 RESIDUE	10,818 SQ. FT. 10,126 SQ. FT.
• LOT FRONTAGE:	
LOT 1	130.00 FT.
RESIDUE	130.66 FT.
• No. EXISTING PARCELS:	1 PARCEL
• No. PROPOSED PARCELS:	2 PARCELS
• IMPERVIOUS COVERAGE:	15.5% (LOT 1)
• MONUMENTS:	5 FOUND, 2 PROPOSED
• EXISTING ZONING:	R1 (SINGLE FAMILY RESIDENTIAL)
• EXISTING EASEMENTS:	NONE EXIST, NONE LOCATED
• PRESENT USE:	RESIDENTIAL
• PROPOSED USE:	RESIDENTIAL
• UTILITIES:	CITY OF MILFORD SANITARY SEWER CITY OF MILFORD
• FEMA FLOOD MAP:	10005C0043K
MAP REVISED:	MARCH 16, 2015
FLOOD ZONE:	UNSHADED X
• POSTED SPEED LIMIT:	25 M.P.H.
R1 (SINGLE FAMILY RESIDENTIAL)	
MIN. LOT AREA	10,000 SQ. FT.
MIN. LOT FRONTAGE	80 FEET
MAX. BUILDING HEIGHT	35 FEET / 3 STORIES
MAX. IMPERVIOUS COVERAGE	30%
MIN. FRONT SETBACK	25 FEET
MIN. REAR SETBACK	25 FEET
MIN. SIDE SETBACK	12 FEET

NOTES:

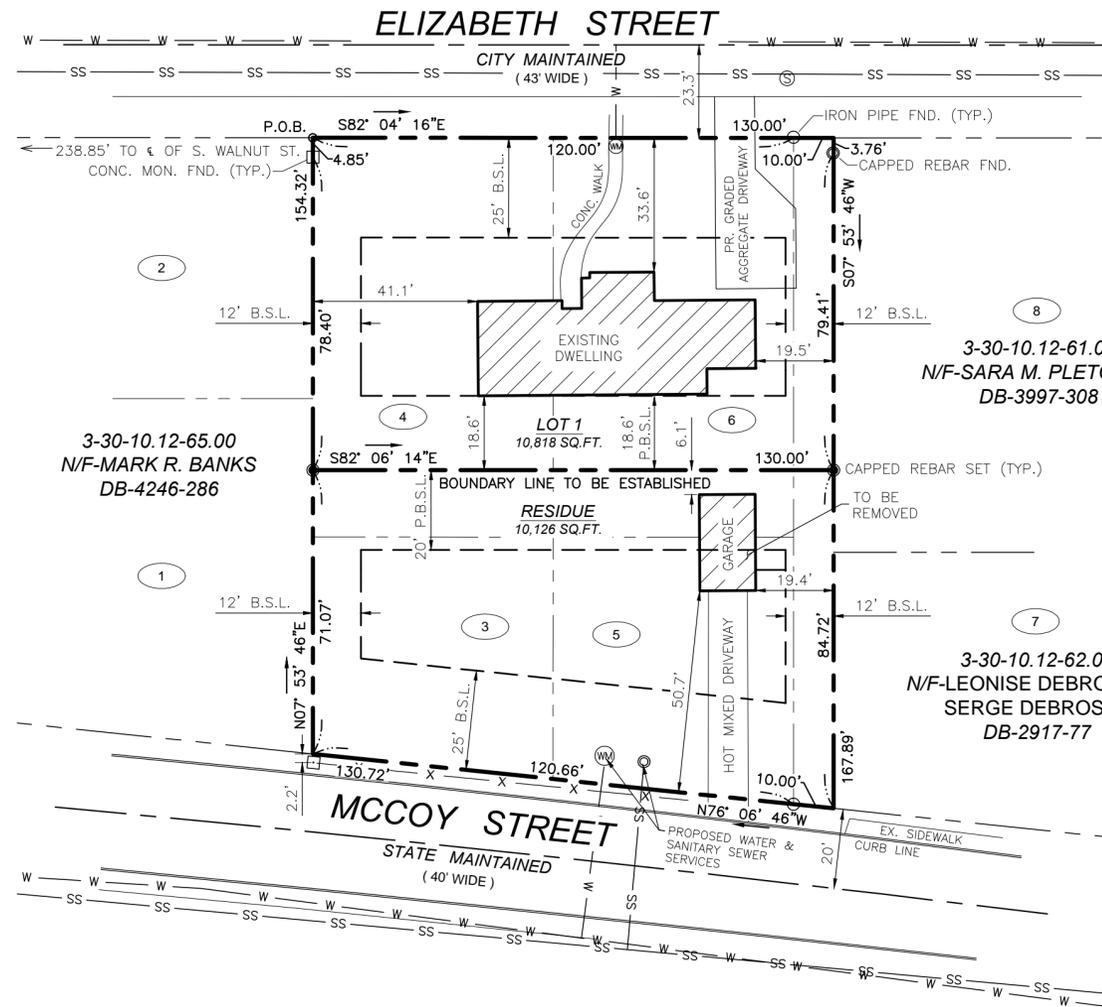
- THIS PROPERTY IS NOT IMPACTED BY WETLANDS, STREAMS, DITCHES, PONDS, LAKES, OR ANY OTHER SOURCE-WATER PROTECTION AREA.
- THIS PLAN IS VALID ONLY WHEN SIGNED IN RED INK AND EMBOSSED WITH A RAISED IMPRESSION SEAL AND WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARD OF ACCURACY FOR A SUBURBAN CLASSIFICATION.
- NO EASEMENTS OTHER THAN SHOWN WERE PROVIDED.
- LOCATION OF WATER AND SEWER FROM INFORMATION PROVIDED BY THE CITY ENGINEER.

MINOR SUBDIVISION PLAN
FOR PROPERTY KNOWN AS
LOTS 4 THRU 6 * MILFORD VIEW * SECTION C
ALSO KNOWN AS
6 ELIZABETH STREET
SITUATE IN
CITY OF MILFORD
SUSSEX COUNTY * STATE OF DELAWARE

GRAPHIC SCALE



(IN FEET)
1 inch = 30' ft.



LEGEND

BOUNDARY LINE	---
BUILDING SETBACK LINE	- - - -
CENTERLINE ROAD	— W — W —
WATER LINE	— W — W —
SEWER LINE	— SS — SS —
WATER METER	(WM)
SANITARY SEWER MANHOLE	(S)
SANITARY SEWER CLEAN OUT	(C)
CONCRETE MONUMENT FOUND	(□)
IRON PIPE FOUND	(○)
CAPPED REBAR FOUND	(●)
CAPPED REBAR SET	(●)
MILFORD VIEW LOT No.	(3)
B.S.L. = BUILDING SETBACK LINE	
P.B.S.L. = PROPOSED BUILDING SETBACK LINE	

OWNERS CERTIFICATION

I, PAUL J. MILLS, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE SUBDIVISION OF THE PARCEL LOCATED AT 6 ELIZABETH STREET, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THAT THIS PLAN IS TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE _____ DATE _____

SURVEYOR'S CERTIFICATION

I, ROBERT W. NASH, P.L.S. #551, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

ROBERT W. NASH, PLS 551 _____ DATE _____

CITY MANAGER CERTIFICATION

CITY MANAGER SIGNATURE _____ DATE _____

CITY ENGINEER CERTIFICATION

CITY ENGINEER SIGNATURE (ERIK RETZLAFF) _____ DATE _____

<p align="center">MERESTONE CONSULTANTS, INC. ENGINEERS - PLANNERS - SURVEYORS</p>		
<p>33516 CROSSING AVENUE, UNIT 1 FIVE POINTS SQUARE LEWES, DE 19958 PHONE: 302-226-5880 FAX: 302-992-7911</p>		<p>12/20/17 CITY OF MILFORD COMMENTS DTG</p>
DATE	REVISION	CHKD
DRAWN BY: DTG		DATE: 5 SEPTEMBER 2017
SHEET#: 1 OF 1		

M E R E S T O N E
Consultants, Inc.

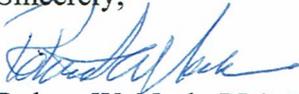
Civil Engineers - Land Surveyors - Site Planners

March 23, 2018
City of Milford
201 S. Walnut St.
Milford, DE 19963
Attn: Rob Pierce

Dear Mr. Pierce,

My client Mr. Paul Mills would respectfully like to request a waiver to Sec. 197-3 of the Municipal Code, requiring construction of sidewalks. There are currently no sidewalks on Elizabeth St. which is where the existing dwelling faces. We would like to request that no sidewalks be required on the Elizabeth St. frontage since there are none existing on either side of the street. There are existing sidewalks on McCoy St. at the adjoining lot to the east, and upon construction of a dwelling on the proposed lot, sidewalk would be constructed along that frontage at that time.

Sincerely,



Robert W. Nash, PLS 551
Professional Land Surveyor

"The Extra Measure People"

5215 W. Woodmill Drive, Suite 38 - Wilmington, DE 19808 - (302) 992-7900 - FAX (302) 992-7911
33516 Crossing Ave. Unit 1, Five Points Square, Lewes, DE 19958 - (302) 226-5880

NOTICE OF PUBLIC HEARINGS
PLANNING COMMISSION PUBLIC HEARING: April 17, 2018
CITY COUNCIL PUBLIC HEARING: May 29, 2018

NOTICE IS HEREBY GIVEN the City of Milford Planning Commission will hold a Public Hearing on **Tuesday, April 17, 2018** at 7:00 pm to hear evidence from interested parties and make a recommendation to City Council regarding the following matter. The City of Milford City Council will hold a Public Hearing on **Tuesday, May 29, 2018** at 7:00 pm to hear evidence from interested parties and make a final determination regarding the following matter.

All Public Hearings are held in the Joseph Ronnie Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware.

Renate K Wiley and Joseph E Wiley for a Final Minor Subdivision
in an R3 Zoning District; Located at 433 North Street and 431 North Street, Milford, Delaware.
Tax Map MD-16-183.06-02-29.00 and MD-16-183.06-02-30.00

All interested parties are hereby notified to be present for the review and recommendation by the Planning Commission to City Council and express their views before a final decision is rendered by City Council. If unable to attend the hearings, written comments will be accepted up to one week prior to the hearings.

For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

By: Christine Crouch, CMC
Deputy City Clerk

Advertised: Beacon 03/28/18

DATA SHEET FOR LANDS OF JOSEPH & RENATE WILEY

Planning Commission Meeting: April 17, 2018

Application Number / Name	:	18-005 / Lands of Joseph & Renate Wiley
Applicant	:	Joseph E. & Renate K Wiley 202 Lakeview Avenue Milford, DE 19963
Owner	:	Same
Application Type	:	Final Minor Subdivision/Lot Line Adjustment
Present Comprehensive Plan Map Designation	:	Moderate Density Residential
Present Zoning District	:	R-3 (Garden Apartment & Townhouse District)
Present Use	:	Vacant
Proposed Use	:	Single-family
Size and Location	:	0.162 +/- acres of land located along the east side of North Street, addressed as 431 & 433 North Street.
Tax Map & Parcel	:	MD-16-183.06-02-29.00 & 30.00

ENC: Staff Analysis Report
Exhibit A – Location & Zoning Map
Exhibit B – Survey

STAFF REPORT
March 5, 2018

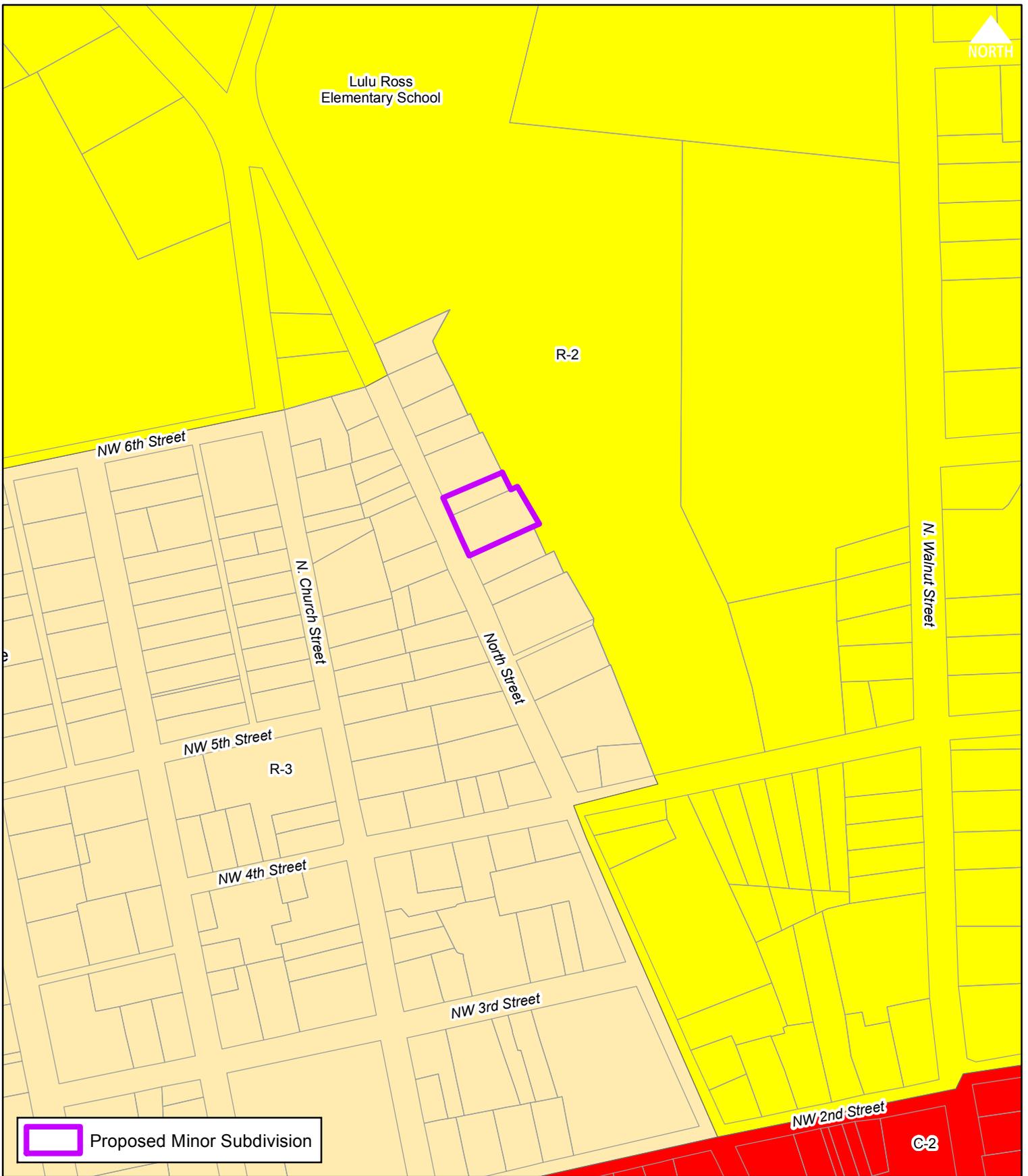
Application Number / Name	:	18-005 / Lands of Joseph & Renate Wiley
Present Comprehensive Plan Designation	:	Moderate Density Residential
Present Zoning District	:	R-3 (Garden Apartment & Townhouse District)
Present Use	:	Vacant
Proposed Use	:	Single-family
Tax Map & Parcel	:	MD-16-183.06-02-29.00 & 30.00
Size and Location	:	0.162 +/- acres of land located along the east side of North Street, addressed as 431 & 433 North Street.

I. STAFF ANALYSIS:

- The applicant proposes to move the common property boundary between the two existing parcels 4.5 feet to the southeast in order to create two lots of equal width.
- The proposed lot line adjustment requires variance approvals for the lot width and lot area. These applications were reviewed by the Board of Adjustment on April 12, 2018.
- Other than the above referenced variances, the proposed lot line adjustment meets the requirements of Chapter 200 Subdivision of Land and Chapter 230 Zoning.
- The applicant is responsible for providing individual sewer, water and electric services to each property.

II. AGENCY COMMENTS:

- DelDOT – No comments solicited
- Sussex Conservation District – No comments solicited
- State Fire Marshal – No comments solicited



	Scale: Feet 0 100 200	Title: Final Minor Subdivision/Lot Line Adjustment Lands of Joseph & Renate Wiley Location & Zoning Map
	Drawn by: WRP Date: 03/06/18	
Filepath: MinorSubdivision_Wiley.mxd		

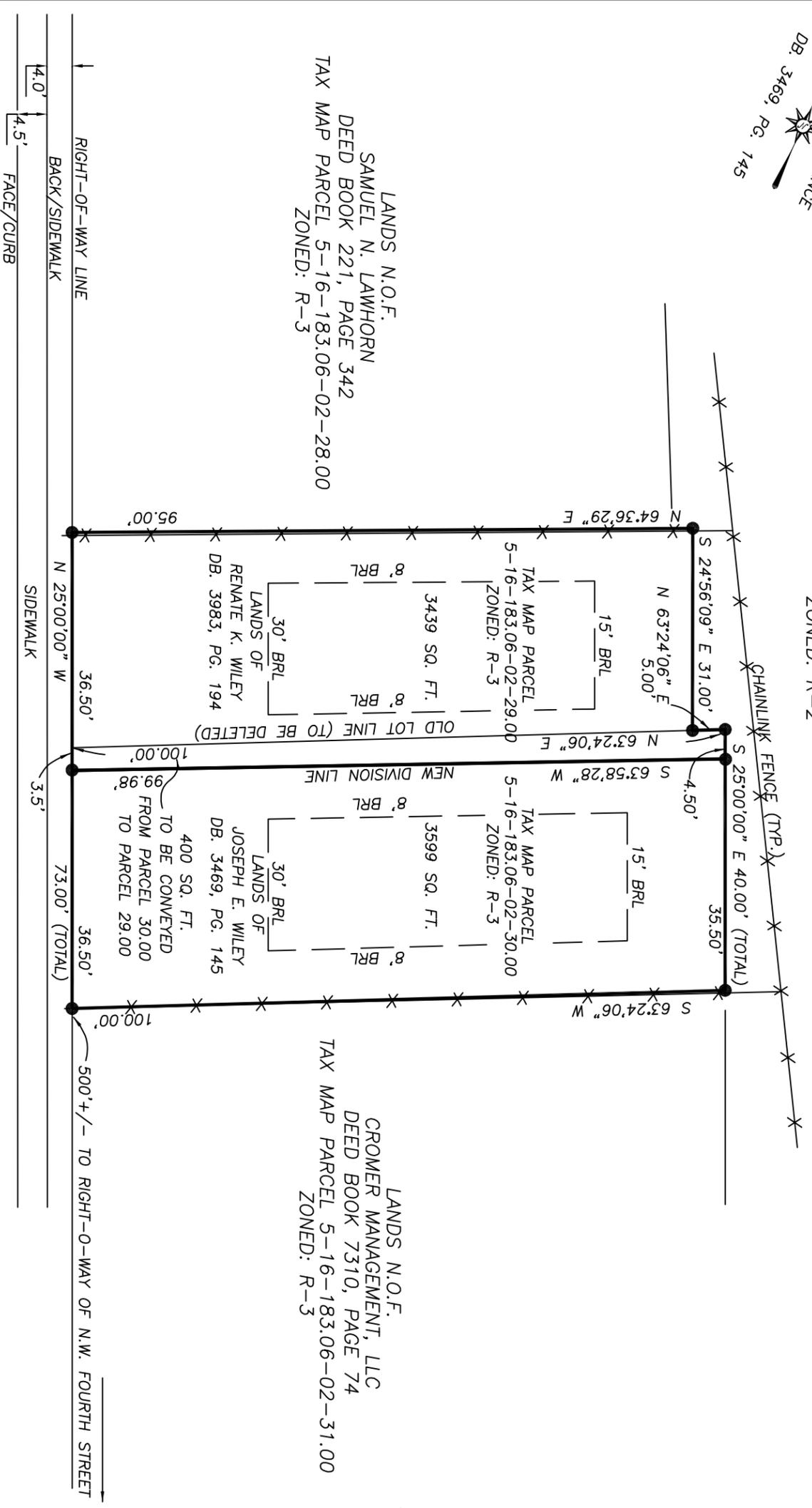


LANDS N.O.F.
MILFORD SCHOOL DISTRICT
TAX MAP PARCEL 5-16-183.06-02-18.00
ZONED: R-2

DATA COLUMN:
TAX MAP PARCEL
5-16-183.06-02-29.00 (ZONED: R-3)
MINIMUM LOT AREA: 7500 SQ. FT.
ACTUAL LOT AREA: 3439 SQ. FT.
MINIMUM LOT WIDTH: 60 FEET
ACTUAL LOT WIDTH: 36.50 FEET
FRONT SET BACK: 30 FEET
REAR SET BACK: 8 FEET
SIDE SET BACK: 15 FEET
MAXIMUM LOT COVERAGE: 45%

LANDS N.O.F.
SAMUEL N. LAWHORN
DEED BOOK 221, PAGE 342
TAX MAP PARCEL 5-16-183.06-02-28.00
ZONED: R-3

LANDS N.O.F.
CROMER MANAGEMENT, LLC
DEED BOOK 7310, PAGE 74
TAX MAP PARCEL 5-16-183.06-02-31.00
ZONED: R-3



NORTH STREET (CITY MAINTAINED)
(40' WIDE)

- NOTES:**
- 1) CLASS "B", SUBURBAN SURVEY
 - 2) THERE ARE NO PROPOSED BUILDINGS OR DRIVEWAYS FOR THESE VACANT PROPERTIES.
 - 3) THERE WERE NO WATER OR SEWER HOOKUPS FOUND ON THE PROPERTIES OR ADJACENT SIDEWALK.

Prepared By
DOUGLAS J. ANNAND
PROFESSIONAL LAND SURVEYOR
10027 NORTH OLD STATE ROAD
LINCOLN, DELAWARE 19960
PHONE: (302) 448-0320
douglasannand7@gmail.com

DOUGLAS J. ANNAND, PLS 622

- LEGEND:**
- SET IRON PIPE

LOT LINE ADJUSTMENT SURVEY PLAN

PREPARED FOR
JOSEPH E. WILEY
& **RENATE K. WILEY**

FOR PROPERTIES KNOWN AS
TAX MAP PARCELS 5-16-183.06-02-29.00 & 30.00
SITUATED IN
CITY OF MILFORD, KENT COUNTY, STATE OF DELAWARE
TOTAL AREA: 7038 SQ. FT.
SCALE: 1" = 20'
DATE: FEBRUARY 22, 2018 REVISED: MARCH 1, 2018
REVISED: MARCH 6, 2018

§ 230-11. - R-3 Garden Apartment and Townhouse District.

In an R-3 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

A. Purpose. The purpose of the R-3 District is to provide for the orderly development of existing and proposed medium- to high-density residential areas where adequate public facilities exist. The district will permit development of garden-type apartments as well as townhouses that will yield high densities in selected areas, multifamily dwellings and a variety of housing types.

B. Permitted uses. Permitted uses for the R-3 District shall be as follows:

(1) All uses permitted in an R-2 District and subject to its area regulations, unless otherwise indicated in this section as provided below:

(a) Single-family and two-family dwellings shall be subject to the following area regulations:

[1] Minimum lot area shall be 7,500 square feet.

[2] Maximum building coverage shall be 45%.

[3] Minimum lot width shall be 60 feet.

[4] Height of buildings shall not exceed three stories or 35 feet.

[5] Minimum building setback line shall be 30 feet.

[6] Side yards shall be provided as follows: each lot shall have at least two side yards eight feet in width, except semidetached structures, which shall have at least one side yard per lot eight feet in width.

[7] Minimum rear yard setback shall be 15 feet. For corner lots the rear yard setback may be reduced 20% in depth to allow for skewing of a residential dwelling on the lot.

[8] Decks, subject to the following requirements:

[a] The deck cannot be located in the front yard.

[b] A minimum distance of 10 feet must be maintained from the deck to the rear property line.

(2) Garden or low-rise apartments, subject to site plan review and the following requirements:

(a) The number of dwelling units per acre shall not exceed 16.

(b) Building coverage shall be a maximum of 20% for any lot developed for garden apartments.

(c) The maximum number of dwelling units per building shall be 12.

(d) Distance between buildings or groups of buildings shall be as follows: each building or group of buildings shall be at least 25 feet from any other building or group of buildings.

(e) Minimum lot width on any public street shall be at least 50 feet.

(f) Minimum lot size shall be one acre for garden apartment properties or complexes, with a minimum of 2,500 square feet of lot area for each dwelling unit.

(g) A minimum of 400 square feet per unit shall be designated as open space subject to the following recreational use requirements in Subsection B(2)(h) herein.

(h) Recreational use requirement. 50% of the required open space shall be set aside for recreational uses. This requirement only applies to subdivisions or developments with 15 or more lots or units.

(3) Townhouses or row dwellings, subject to site plan review and the following requirements:

- (a) The number of dwelling units per group shall not exceed eight nor be fewer than three.
- (b) The number of dwelling units per acre shall not exceed 12.
- (c) Maximum building coverage shall be 60%.
- (d) No group of townhouses shall be closer than 60 feet as to facing walls and 30 feet as to end walls from any other group of such dwellings nor closer than 60 feet from any boundary line of a designated townhouse area of which the group is a part.
- (e) There shall be within any contiguous group of townhouses at least three different architectural plans having substantially different designs and building materials. In addition, no more than three continuous townhouses shall have the same front setback, and the variations in front setback shall be at least four feet.
- (f) The minimum width of any side yard abutting a street, driveway or parking area within the townhouse area shall not be less than 30 feet.
- (g) Height of buildings shall not exceed three stories or 35 feet.
- (h) Alleys in the rear of townhouse groups are required for access to units by owners and to facilitate City services, trash collection, meter reading and parking.
- (i) Minimum lot size shall be one acre for townhouse projects or complexes, with a minimum of 2,000 square feet of lot area for each dwelling unit.
- (j) A minimum of 400 square feet per unit shall be designated as open space subject to the recreational use requirements in Subsection B(3)(k) herein.
- (k) Recreational use requirement. 50% of the required open space shall be set aside for recreational uses. This requirement only applies to subdivisions or developments with 15 or more lots or units. [\[2\]](#)

C. Conditional uses subject to special regulations. The following uses may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with the provisions of Article IX of this chapter:

- (1) Rooming or boarding houses.
- (2) Business offices for administrative purposes only.
- (3) Professional offices (nonresident).
- (4) Medical clinics.
- (5) Sanatoriums or nursing homes.
- (6) Mobile home parks, subject to conformance with the following requirements and subject to site plan review:
 - (a) The total area to be developed as a mobile home park shall be at least 20 acres.
 - (b) The maximum density shall not exceed eight units per acre.
 - (c) Mobile home parks with more than 25 units shall provide at least 5,000 square feet or 400 square feet per lot of open space. At least 10% of the open space shall be developed as a recreational area.
 - (d) Landscape screening shall be required along all property lines. The screening shall be accomplished with an evergreen hedge, shrubs or trees. The screen shall be located not less than five feet from the property line.
 - (e) Common sidewalks four feet in width shall be required where pedestrian traffic is located. Individual sidewalks 2 1/2 feet wide shall connect each mobile home unit to the common walk.

- (f) Off-street parking shall be provided on the basis of two spaces per lot. All parking areas shall be located not more than 400 feet from the mobile home unit. There shall be no on-street parking.
- (g) Signs.
 - [1] An identification sign may be set up at the park entrance. This sign may be illuminated and shall have a street setback of 15 feet. It may have a maximum height of 20 feet and may not exceed 20 square feet of area on either side.
 - [2] Unilluminated traffic direction signs may also be erected. These signs shall have a street and property setback of 15 feet. They shall be no more than four square feet in area or two feet in height.
- (h) Streets shall be required from abutting public streets to individual lots. The streets shall be designed to minimize congestion and traffic hazards and must be built to the street and storm drainage specifications of Chapter 200, Subdivision of Land, of this Code. No more than two streets shall intersect at one point.
- (i) Minimum requirements for mobile home lots.
 - [1] Lot area shall be 5,000 square feet per mobile home.
 - [2] Width shall be 40 feet.
 - [3] Public street setback shall be 50 feet.
 - [4] Mobile home park setback shall be 35 feet.
 - [5] Mobile home street or parking area setback shall be 30 feet.
 - [6] Distance from other mobile homes and buildings shall be 25 feet.
 - [7] One patio shall be required per unit, 10 feet by 40 feet paved.
 - [8] Landscaping shall be one tree per lot.
 - [9] Mobile homes must meet the requirements of the Federal Manufacturer Housing Construction and Safety Standard Act of 1974.
 - [10] The entire lot occupied by a mobile home park shall be maintained in single ownership throughout the entire life of the mobile home park.
- (7) Art or specialty shops/galleries. The following items shall be reviewed for conformance during the site plan review hearing by the Planning Commission:
 - (a) The residence shall remain as the predominant feature of the site.
 - (b) The shop or gallery shall occupy only 40% of the residence.
 - (c) Public parking shall be available, with the determination of said parking requirements being made by the Planning Commission during the site plan review hearing. These determinations and recommendations must be done in conjunction with any state regulations concerning traffic control within the given site area.
 - (d) The Fire Marshal review must be applied for and recommendations made by the agency must be presented two weeks prior to the hearing date. All requests or recommendations shall be adhered to.
- (8) Planned unit residential development.

NOTICE OF PUBLIC HEARINGS

PLANNING COMMISSION PUBLIC HEARING: TUESDAY, MAY 15, 2018
CITY COUNCIL PUBLIC HEARING: TUESDAY, MAY 29, 2018

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on Tuesday, May 15, 2018 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Tuesday, May 29, 2018 at 7:00 p.m. before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

ORDINANCE 2018-14

CODE OF THE CITY OF MILFORD
PART II-GENERAL LEGISLATION
CHAPTER 230
ZONING
ARTICLE III-USE AND AREA REGULATIONS
§230-19.3-IM INSTITUTIONAL MEDICAL DISTRICT

WHEREAS, the City of Milford enacted a Zoning Code, Chapter 230, to protect the health, safety, morals and general welfare of its citizens and to protect and preserve places and areas of historical, cultural or architectural importance and significance; and

WHEREAS, from time to time, City Council determines the need for amendments and additions to the Zoning Code of the City of Milford; and

WHEREAS, City Council has determined all uses permitted in the R-8 Zoning District and residential housing owned, maintained and operated by a health-care organization for the primary benefit of its patients, patient families, and/or health-care employers and their employees as well as overnight accommodations for patient families and individuals that are receiving treatment from a hospital or other health-care facility are appropriate conditional uses in the IM-Institutional Medical Zoning District.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Chapter 230 is hereby amended by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 230-19.3. - IM Institutional Medical District.

A. Purpose. The Institutional Medical District is intended to achieve the following:

- (1) To encourage a harmonious pattern of institutional development which can mutually benefit the City of Milford and the institutions themselves.
- (2) To encourage the development of institutional medical uses in accordance with approved standards and to promote the planning for the location of future health institutional uses serving a regional population.

B. District area. The minimum area to request an Institutional Medical Zoning District shall be 20 acres.

C. Permitted uses.

- (1) Outpatient health-care clinics.
- (2) Professional offices, medical offices, and medical laboratories involving the diagnosis, treatment and care of humans, including any and all support services related thereto.

- ~~(3)~~ — Any residential housing owned, maintained and operated by a health-care organization for the primary benefit of its patients, patient families, and/or health-care employers and their employees as well as overnight accommodations for patient families and individuals that are receiving treatment from a hospital or other health-care facility.
- (4) **(3)** Private education institutions **and** training centers related to health care (but not including other trade schools).
- ~~(5)~~ **(4)** Nursing facilities and/or convalescent homes.
- ~~(6)~~ **(5)** Child or adult day-care facilities (including both day-care homes and day-care centers) to accommodate patients, patient families, health-care employers and their employees, and the public.
- ~~(7)~~ **(6)** Data and computer processing, and similar uses and structures which reflect and incorporate technological advancements.
- ~~(8)~~ **(7)** Parking areas, including parking facilities.
- ~~(9)~~ **(8)** Rehabilitation facilities and fitness centers related to health-care fitness and wellness.
- ~~(10)~~ **(9)** Any and all uses and/or structures which are of the same general character as those listed above.
- ~~(11)~~ **(10)** Any and all uses which are customarily accessory and incidental to any of the above permitted uses.
- ~~(12)~~ **(11)** Government offices, municipal and public services and facilities, including city hall, water storage towers, water reservoirs, pumping stations, water treatment plants, sewerage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, police and fire stations and substations for electric, gas and telephone facilities.
- ~~(13)~~ **(12)** Public and private elementary, junior or senior high schools and colleges.
- ~~(14)~~ — All uses permitted in the R-8 Zoning District.
- (13)** Cafeteria facilities, snack and gift shops, banking facilities, restaurants, retail, personal service shops, and laundry facilities primarily for the use of health-care employees, patients and visitors.
- (14)** Pharmacies.
- (15)** Hospitals and all other health-care facilities, including any and all support services related thereto.

D. Conditional uses subject to special regulations. The following uses may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with the provisions in Article IX of this chapter:

- (1) All uses permitted in the R-8 Zoning District.**
- (2) Any residential housing owned, maintained and operated by a health-care organization for the primary benefit of its patients, patient families, and/or health-care employers and their employees as well as overnight accommodations for patient families and individuals that are receiving treatment from a hospital or other health-care facility.**

E. Uses prohibited. Outside storage or warehousing of materials, except storage which is incidental and/or customary to the permitted uses, excluding temporary activities such as new construction activities. Incinerators shall not be a permitted use. Autoclaves, sterilization equipment and similar devices are not classified as incinerators for purposes of this prohibition.

F. Height regulations.

- (1) The height of all buildings utilized or intended to be utilized for residential purposes shall not be greater than four stories measured from ground level in conformity with the provisions concerning yard regulations set forth below.
- (2) The height of all buildings utilized for nonresidential purposes shall not be greater than 50 feet measured from ground level at the building's main entrance, excluding rooftop ancillary services (such as heating and air conditioning equipment, staircases or walkways, elevator shafts, and similar appurtenances).

~~F.~~ **G.** Yard regulations. In the Institutional Medical District, a lot shall have front, side and rear yards of not less than the depth or width indicated below for any land development which involves the construction of a permanent structure:

- (1) Front yard and side yard depth. Any building constructed in the Institutional Medical District shall be in conformity with a 60° lineal plane measured at the bottom of such plane at the applicable front and/or side property line. No portion of the building shall be permitted to break such lineal plane excepting such portions of the building which constitute gables, gabled dormers, rooftop ancillary services (such as heating and air conditioning equipment, staircases, fire escapes or walkways, elevator shafts, and similar appurtenances), signage, and/or facades. The requirement for side yard setbacks shall be decreased to the interior of the lots when lots have been combined into common ownership for a project which includes two or more lots.
- (2) Rear yard width: 25 feet.

~~G.~~ **H.** Lot coverage. The lot coverage, excluding areas paved and parking facilities, shall be no more than 60% of the area of the lot.

~~H.~~ **I.** Off-street parking. Parking shall be provided in accordance with the provisions of the City of Milford Zoning Ordinance.

~~I.~~ **J.** Signs in the Institutional Medical District.

- (1) In those instances involving a single building with a single business use occupying a single lot, the total allowable sign area shall be 18 square feet, exclusive of the necessary architectural supports or columns. The reference to sign area is reference to size of structure without reference to size of actual advertising area.
- (2) In those instances involving a single building but with multiple business uses, there may be erected a single advertising sign on which there shall be listed all of the occupants of the building, in which case the total allowable sign area, determined as provided in Subsection ~~I~~ **J** (1) above, may be up to but not in excess of 36 square feet. The only other allowable signage for the lot shall be name identification signs for each individual business, which shall not exceed two square feet for each and shall be limited solely to the name of the business being identified and shall be attached to the building.
- (3) In those instances involving a single lot comprised of a building with multiple occupants as well as a detached building with a single occupant or detached building with multiple occupants, the allowable signage for the lot shall be as provided in Subsection ~~I~~ **J** (2) ~~next~~ above.
- (4) Illumination. Any lighting used to illuminate advertising signs shall be arranged so that the direct rays from the lights will not fall on any adjoining property. Signs in the Institutional Medical District or lighting for signs shall not be placed in such a position that is will cause danger to traffic or create a traffic hazard by obscuring the view or in any way interfering with driver vision.

Section 2. Dates.

Planning Commission Review & Public Hearing: May 15, 2018

City Council Introduction: May 14, 2018

City Council Public Hearing: May 29, 2018

Adoption (Proposed): May 29, 2018

This ordinance shall take effect and be in force ten days after its adoption.

A complete copy of the Code of the City of Milford is available by request through the City Clerk's office or by accessing the city website at www.cityofmilford.com.

Advertised: Beacon 04/25/18





Chris Mundy, M.D.

DELAWARE TECHNICAL COMMUNITY COLLEGE
AWARDS AND COMMUNITY RELATIONS
Proudly presents the following as recipient of
2017 Water Operator of the Year
Steve Ellingsworth
Presented to
May 15, 2018
Chris Mundy
DELAWARE TECH
COMMUNITY COLLEGE



Sussex County Association of Towns

20 W Fourth Street, Blades, Delaware 19973

S.C.A.T. Dinner for Wednesday, June 6, 2018

Town of Bethany Beach

Town of Bethel

Town of Blades

Town of Bridgeville

Town of Dagsboro

Town of Delmar

Town of Dewey Beach

Town of Ellendale

Town of Fenwick Island

Town of Frankford

Town of Georgetown

Town of Greenwood

Town of Henlopen Acres

Town of Laurel

City of Lewes

City of Milford

Town of Millsboro

Town of Millville

Town of Milton

Town of Ocean View

City of Rehoboth Beach

City of Seaford

Town of Selbyville

Town of Slaughter Beach

Town of South Bethany

Sussex County Council

LOCATION: Milton Fire Company
116 Front Street
Milton, DE 19968

TIME: 5:30 pm - Social (cash bar)
6:30 pm - Dinner

HOST: Town of Milton

SPEAKER: Yolanda Schlabach, R.N., M.A., Executive Director
Zoë Ministries, Inc., www.zoe-delaware.org

COST: \$29.00

BUFFET DINNER: Deconstructed Wedge Salad
Homemade rolls & butter
Stuffed Rockfish with crab imperial
Manicotti with 3 kinds of cheese and marinara sauce
Carving station featuring Prime Rib with horseradish & Au Jus
Scalloped potatoes
Roasted vegetable medley with fresh herbs, olive oil, and spices
Apple pie with local ice cream
Iced tea (sweet & unsweet), Coffee, Water

PLEASE RSVP TO CHRISTINE NO LATER THAN 05/24/18

For those bringing guests, please mail and make checks payable to:
Town of Milton
115 Federal Street
Milton, Delaware 19968

**Greater Kent Committee
59 Roosevelt Ave
Dover, DE 19901**

Dues Invoice

City of Milford
Bryan Shupe
201 S. Walnut Street
Milford, DE 19963

Date	Invoice #
1/17/2018	2289

Terms	Due Upon Receipt
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Description	Amount
Annual Program Support x 1/2 (January through June)	875.00
Annual Program Support x 1/2 (July through December)	875.00
<p>Program Support payments can be paid-in-full or \$875.00 in January and July. Thank you for your support.</p>	

We now accept credit cards! Please include your account number with card type and expiration date along with the invoice if you select this method of payment. Thank you.

If you would like to also make a donation to the Greater Kent Committee please include with your payment and a receipt will be mailed to you for tax purposes

Please include Member's Name and Invoice Number with payment. Thank you.

Total Due for 2018	\$1,750.00
Payments/Credits	\$0.00
Balance Due	\$1,750.00

City of Milford



RESOLUTION 2018-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE, ESTABLISHING THE DATE AND GIVING NOTICE OF THE INTENT TO HOLD A SPECIAL ELECTION ON THURSDAY, AUGUST 23, 2018 FOR THE ELECTION OF AN UNEXPIRED TERM OF ONE CITY COUNCIL SEAT THROUGH MAY 2019 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF DELAWARE AND THE CHARTER OF THE CITY OF MILFORD.

WHEREAS, Article IV Council Government-Composition, Qualifications, Vacancies and Procedure, of the Charter (“Charter”) of the City of Milford and specifically § 4.05(A)(2) states that the Office of a Councilperson shall become vacant upon death, resignation or removal from office in any manner authorized by law, or ceases to be a lawfully registered voter of the City and a resident of the Ward in which he/she resided at the time of the election and the vacancy is confirmed by City Council; and

WHEREAS, Article IV § 4.05(C) of the Charter further states that if a vacancy occurs in the City Council and the remainder of the unexpired term is more than twelve months, the vacancy shall be filled by a special election, to be held in accordance with Delaware Code Title 15 Chapter 75 entitled Municipal Elections; and

WHEREAS, on May 14, 2018, City Council adopted Resolution 2018-11, calling for a Special Election to be scheduled.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILFORD HEREBY RESOLVES AS FOLLOWS:

Section 1. That pursuant to the requirements of the Laws of the State of Delaware and the City of Milford relating to Municipal Elections, there is called on Thursday, August 23, 2018, a Special Election for the purpose of electing a Member of the City Council to fill an unexpired term from September 2018 through May 2019.

Section 2. That notice of the time and place of holding the election be given and that the City Clerk is authorized, instructed and directed to give further notice of the Candidate Qualifications and Filing Deadline and Voter Requirements and Registration Deadline in the manner as required by law.

Section 3. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until seven o'clock p.m. of the same day when the polls shall be closed.

Section 4. That the candidate receiving a majority of the votes cast be declared elected to such office and the certification by the City of Milford Board of Election.

Section 5. The election shall be held and conducted as provided by law for holding Municipal Elections in the State of Delaware.

Mayor Arthur J. Campbell

Adopted May 29, 2018

City Clerk _____

Crouch, Christine

From: noreply@civicplus.com
Sent: Wednesday, May 2, 2018 10:09 PM
To: Hudson, Terri; Crouch, Christine
Subject: Online Form Submittal: Application for Boards and Commissions

Application for Boards and Commissions

Applications for Boards and Commissions are always accepted. Should a vacancy occur, the City will review all applications on file.

Which Board or Commission are you applying for? Planning Commission

Applicant Name: Jason L. James, Sr

Street Address: 1 James Drive

City, State, Zip:
Milford, DE 19963

Home Phone Number: [REDACTED]

Personal Phone Number: [REDACTED]

Email Address: [REDACTED]

How long have you been a resident of Milford? 46 years

Are you registered to vote in the City of Milford? Yes

Are you a plot owner in the Milford Community Cemetery? Yes

Occupation and Employer: Corporate Controller - Burriss Logistics

Describe any special knowledge, education, experience, qualities or talents you have that are relevant to the Board or Commission on which you are interested in serving: I have severed on Milford's Planning Commission for a commutative 10 years or more dating back quite a few years. As Contoller, in my employment I am familiar how other Planning Commission function in other jurisdictions in several other states.

Community and/or civic groups of which you are a member:

Advisory board member for Wilmington University and Del-Tech (Owens)

Please describe why you wish to serve on this Board or Commission:

I desire to resume a role in serving the City of Milford and all of its citizens.

Do you, your spouse or any immediate family members have any potential conflicts of interest (personal or financial) that could require you to recuse yourself from votes of the board/commission for which you are applying?

No

If yes, please describe:

Field not completed.

Thank you for your willingness to serve the City of Milford! Please be aware of the time commitment for the Board or Commission you are interested in serving on by reviewing the below information.

Board of Adjustment

[Additional Information](#)

Board of Appeals

[Additional Information](#)

Parks and Recreation Advisory Board

[Additional Information](#)

Planning Commission

[Additional Information](#)

Workforce Development Commission

[Additional Information](#)

By submitting this form, you certify the information contained is true and correct.

Email not displaying correctly? [View it in your browser.](#)

TAX MAP #MD-16-173.00-01-3.14-000 and MD-16-173.00-01-03.28-000
NO TITLE EXAMINATION
REQUESTED OR PERFORMED

Prepared by and return to: Moore & Rutt, P.A.
P.O. Box 554
Georgetown, DE 19947

(SELLER'S POSSESSION UPON DEFAULT)

INSTALLMENT LAND CONTRACT

THIS AGREEMENT made and entered into this _____ day of _____, 2018, between: **THE CITY OF MILFORD**, a political subdivision of the State of Delaware, with offices at 201 South Walnut Street, Milford, Delaware 19963 (hereinafter referred to as "Seller") and IL NOSTRO LOCALE, LLC, a Limited Liability Company of 38944 Cypress Lake Circle, Ste. 56167, Bethany Beach, DE 19930 (hereinafter referred to as "Buyer") do hereby agree as follows, to wit:

1. Seller does hereby bargain and sell to the Buyer and Buyer does hereby purchase from Seller, those certain lands and premises described on "**Exhibit A**" attached hereto and made a part hereof (hereinafter referred to as "Parcel"), being further identified as Kent County Tax Parcel MD-16-173.00-01-3.14-000 and MD-16-173.00-01-03.28-000.

2. Buyer does hereby covenant and agree to buy and pay for said Parcel the sum of One Hundred Eighty One Thousand Five Hundred Sixteen and 97/100 Dollars (\$181,516.97) without interest so long as Buyer makes payment on the schedule

hereafter stated and abides by the conditions set forth in this Contract. As consideration for the waiver of interest, Buyer agrees to the following conditions:

2.1 Buyer will construct a bakery, commissary and distribution warehouse on the Parcel and create a minimum of thirty (30) full-time equivalent (FTE) jobs within The Greater Milford Business Park. Construction shall commence as soon as practicable, but no later than eighteen (18) months from the date of this contract. FTE shall be calculated as total hours worked in jobs created divided by the number of hours in a full-time schedule. A full-time schedule shall be defined as an average of thirty (30) hours per week, or at least one hundred and thirty (130) hours in a month.

2.2 The City will audit Buyer annually to ensure the number of full-time equivalent jobs are achieved and maintained. Audits will begin thirty-six (36) months from the date of the signed contract and continue until full payment is made to the City.

2.3 Buyer must achieve the required thirty (30) full-time equivalent jobs thirty-six (36) months from the date of this Contract. If the initial job level is not achieved after thirty-six (36) months or employment level falls below the required level stated in this Contract, as calculated over a three (3) year average, the City has the right to terminate this Contract and Buyer will have the following two options:

- a. Surrender the land and all improvements on the property to the City;

b. Pay the remaining balance of this Installment Contract to the City in exchange for legal title to the property;

2.4 Buyer will be responsible for acquiring all agency approvals and permits not hereinafter waived, including, but not limited to, the following:

- (a) State of Delaware Plumbing Permit
- (b) State of Delaware Fire Marshall
- (c) State of Delaware Department of Health

2.5 For purposes of this Contract, Buyer shall include any entity owned by, controlled by, a subsidiary of or affiliated with IL NOSTRO LOCALE, LLC, Touch of Italy, LLC, Touch of Italy Milford, LLC or Giulianova, Inc, or other artificial entity owned or operated, in whole or in part, by Joseph L. Curzi III and/or Robert Ciprietti or their successors in interest. Provided, however, Buyer shall be obligated to produce all records from such entities upon request of the City necessary to verify the requirements of Paragraphs 2.1 and 2.2 herein.

2.6 As a further inducement from Seller to Buyer to purchase and improve this Parcel, Seller will provide a one-time waiver of the following City fees:

- (a) City Water Impact Fee
- (b) City Sewer Impact Fee
- (c) City Electric Impact Fee
- (d) Building Permit Fee
- (e) Water Meter and Service Connection Fees
- (f) Sewer Inspection Fees

- (g) Electric Service Connection Fee
- (h) Preliminary and Final Site Plan Fee
- (i) Professional and service costs associated with planning, engineering and legal review.

These fee waivers are contingent upon the guarantee of a minimum of thirty (30) full-time equivalent jobs. The City will audit Buyer after the third year and if the employment level stated in this Contract is not achieved, Buyer will be required to pay any waived fees to the City within ninety (90) days' of written notice of the violation.

2.7 Buyer will be responsible for the payment of the Carlisle Fire Department Enhancement Fee and the Kent County Sewer Impact Fee as well as any taxes or fees due to Kent County, the Milford School District or the Polytech School District. These fees cannot be waived by the City.

2.8 The main purposes of paragraphs 2.1- 2.7 above are to describe the requirements for creating thirty (30) full-time equivalent (FTE) jobs within The Greater Milford Business Park. It is understood between the parties that the Buyer, IL NOSTRO LOCALE, LLC, may assign, employ, allocate, or otherwise form a business relationship with various individuals or artificial entities, including but not limited to those specifically mentioned in 2.5, that result in full time positions being created within the Greater Milford Business Park. It is agreed that as long as thirty (30) full-time equivalent (FTE) jobs are in place on the premises, the actual

employer 's name is irrelevant and IL NOSTRO LOCALE, LLC shall be deemed to be in compliance with all the terms set out in paragraphs 2.1-2.7

3. Buyer hereby agrees to pay No Dollars (\$0.00) upon the signing of this Contract.

3.1 The balance of the purchase price, to wit, One Hundred Eighty One Thousand Five Hundred and Sixteen and 97/100 Dollars (\$181,516.97) shall be paid by Buyer as follows: Beginning on the first day of the month following issuance of final Certificate of Occupancy and on the first (1st) day of each succeeding month for a period of two hundred forty (240) months, Buyer shall pay to Seller the sum of Seven Hundred Fifty-six and 32/100 Dollars (\$756.32).

3.2 Buyer shall have the privilege of prepaying in part or in full the principal amount together with accrued interest, if any, at any time, without penalty.

3.3 In the event any monthly installment of principal shall become overdue for a period in excess of five (5) days, a "late charge" of ten percent (10%) of the installment shall be due from Buyer to Seller, and such payment of principal and late fees shall bear interest at the rate of twelve percent (12%) per annum until paid in full.

3.4 So long as the Parcel is titled in the name of Seller, there shall be no real property taxes due to the City of Milford for the land. However, in the event taxes are assessed by Kent County, the Milford School District, the Polytech School District or any other political subdivision of the State of Delaware prior to the actual conveyance of the Parcel from Seller to Buyer, Buyer shall pay said

taxes when due and shall provide to Seller proof of said payment. Failure to either make the payment or to provide proof thereof shall be considered an act of default.

3.5 Payments shall be made to The City of Milford, 201 South Walnut Street, Milford, DE 19963.

4. In addition to the monthly installments hereinbefore provided, Buyer assumes all burdens normally associated with ownership of the real estate, and, to that end, does hereby covenant and agree: (a) to pay all taxes assessed against said Parcel as heretofore described; (b) to keep all buildings on said Parcel insured against loss by fire or other casualty in an amount which reasonably reflects the replacement value of the building or buildings to be erected upon the Parcel for the benefit of the Seller and the Buyer as their interests in said Parcel shall be from time to time; (c) to provide to Seller proof of said insurance; (d) to pay for the upkeep of the buildings on said Parcel; and (e) to pay for all utilities used or consumed on said Parcel.

5. In the event that the Buyer shall fail or neglect to make the monthly installment payments as hereinafter provided or shall fail or neglect to keep the buildings on the said Parcel thusly insured, or shall fail or neglect to pay for all utilities as aforesaid, or shall fail or neglect to pay the taxes mentioned hereinbefore, or in any other manner shall default in the performance of this Contract for a period of thirty (30) days, the Seller shall have the right and option to terminate this Installment Land Contract and to regain possession of said Parcel, subject to the following:

5.1 Before Seller may effect such termination, Seller shall give notice in writing of its intention to terminate this Contract because of such a default thirty

(30) days prior to such forfeiture, which notice shall set forth in particularity the nature of such default and shall state that upon the expiration of thirty (30) days' notice, the rights of the Buyer hereunder shall cease and terminate unless the act or acts which the Buyer failed or neglected to do has, or have, in fact, been completely performed during such thirty (30) day period of notice. If so performed within the allotted period, this Installment Land Contract shall continue in full force and effect.

5.2 In the event of default and termination as described above, this Contract shall, at the option of the Seller, be forfeited and determined, and the Buyer shall forfeit all payments made by it on this Contract, and such payments shall be retained by the Seller in full satisfaction and as liquidated damages by it sustained, and in such event the Seller shall have the right to re-enter and take possession of the Parcel aforesaid.

5.3 The remedy of forfeiture herein given to the Seller shall not be exclusive of any other remedy, but the Seller shall, in case of default or breach, for any other reason herein contained, have every other remedy given by this Contract and by law or equity, and shall have the right to maintain and prosecute any and every such remedy, contemporaneously or otherwise, with the exercise of the right of forfeiture, or any other right herein given.

5.4 Seller's remedy of forfeiture and entry shall be subject to the right of Buyer paying the remaining balance of this Contract price plus any other outstanding fees and costs prior to Seller's re-entry.

6. At such time that Buyer pays the aforesaid One Hundred Eighty One Thousand Five Hundred Sixteen and 97/100 Dollars (\$181,516.97) and any other fees, costs, taxes or other expenses arising under this Contract in full, then Seller agrees that Seller shall deliver to Buyer good and sufficient deed conveying said Parcel as described above by a good and marketable title that is fee simple and free and clear of all liens and encumbrances.

7. A waiver by Seller for any default by Buyer shall not be construed as a waiver of any future default.

8. It is mutually understood that the Parcel is sold to Buyer "as is." Buyer agrees that Buyer will keep the property in as good a state of repair as when Buyer received the property, at Buyer's own expense. SELLER SHALL NOT BE LIABLE TO PAY FOR ANY REPAIRS OR IMPROVEMENTS PLACED UPON THE PREMISES, AND SHALL NOT BE DEEMED TO HAVE CONSENTED TO ANY SUCH REPAIRS IN THE EVENT THAT A THIRD PARTY SHOULD ATTEMPT TO IMPOSE MECHANIC'S LIENS OR OTHER LIABILITY UPON SELLER. A MECHANIC'S LIEN CLAIM AGAINST THE PARCEL SHALL BE DEEMED AN EVENT OF DEFAULT.

9. In the event that this Installment Land Contract of Sale is terminated for any reason whatsoever, Buyer has the liability to satisfy any debts incurred by Buyer for alterations or installed equipment or improvements.

10. Seller shall not be liable for damages or injuries to persons or property occurring on the Parcel.

11. Seller shall have the right to inspect the Parcel and any improvements thereon at reasonable intervals at a reasonable hour after prior notice to Buyer.

12. In the event part or all of the Parcel is taken by public authority, this Contract shall not become void, but the condemnation award or settlement shall be first applied to pay the balance due on this Installment Land Contract.

13. Upon final settlement and transfer of the deed Buyer shall pay all of the applicable transfer taxes. Buyer shall pay for all other settlement charges including, but not limited to, the title search, title insurance, and the like.

14. Any notices to Seller from Buyer and any notices to Buyer from Seller, shall be given by depositing such notice in the U.S. Mail, with proper postage affixed, to Buyer or Seller as the case may be to the address last designated in writing by the party being noticed.

15. In the event that this Installment Land Contract is recorded and thereafter default by Buyer occurs, then Buyer does hereby agree that this Contract may be eliminated and terminated as an encumbrance on lands described herein by Seller sending Buyer written notice of the termination of this Contract, reciting the default of Buyer, said notice to be sent by registered or certified mail, return receipt requested, and if the return receipt is not signed and the letter is returned, Seller shall then send such notice a second time by regular mail and at the same time advertise in any newspaper of general circulation in the State of Delaware under legal notices, that the Installment Land Contract between Seller and Buyer, reciting their names and addresses, is being terminated and said notice shall be published once per week for three (3) weeks. The

termination of this encumbrance shall automatically occur thirty (30) days after the signing of the return receipt of the registered or certified mail, or if the registered or certified mail is returned unsigned, then the termination of this encumbrance shall automatically occur thirty (30) days after the sending of the second notice or after the completion of the advertising, whichever occurs last. For purposes of conveying title and satisfying liens, sufficient evidence of this automatic termination shall be an affidavit by Seller, swearing as to the breach and default by Buyer and either attaching to the affidavit the signed return receipt from the notice or further swearing that the notice was sent a second time and attaching proof of the advertisement as required above.

16. Seller shall not allow or permit any liens to be or remain against the Parcel and if such should occur, Seller within sixty (60) days of the date of entry or recording shall cause same to be removed; and Seller shall not voluntarily file for bankruptcy or involuntary proceedings, nor permit the bankruptcy or involuntary proceedings to continue unvacated against both or either of themselves for a period exceeding sixty (60) days so long as they have any obligations remaining to Buyer hereunder.

17. Buyer agrees not to permit any lien or encumbrance to be recorded against the Parcel without Seller's prior written consent. In the event any such lien or encumbrance is filed or recorded, Seller shall notify Buyer within ten (10) days of notice of said lien or encumbrance and Buyer shall forthwith satisfy said lien and encumbrance and provide proof thereof to Seller.

18. Buyer hereby agrees to indemnify and hold harmless Seller and its assigns from and against any and all liabilities, obligations, claims, suits, actions, causes of action,

expenses or any other matters arising from any acts, omissions or consequences, whether foreseen or unforeseen, by Buyer, its employees, representatives, agents, contractors, licensees, visitors, invitees, or any other person whatsoever in conjunction with Buyer's use of the Parcel. In the event any such claim, action, etc. is filed naming Seller as a party, Buyer shall defend and pay for the cost of such defense on behalf of Seller. In the event a judgment or lien is entered against Buyer or Seller in such instance, Buyer shall satisfy the same forthwith.

19. If either Buyer or Seller default under this Installment Land Contract, such defaulting party shall be liable for expenses incurred by the non-defaulting party, including reasonable attorney's fees in connection with this transaction and the enforcement of the subject Installment Land Contract.

20. This Contract shall be governed by the laws of the State of Delaware.

21. This Contract is binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

(Intentionally left blank with signatures on the next page)

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

ATTEST:

CITY OF MILFORD

City Clerk

By: _____(SEAL)
Bryan W. Shupe, Mayor

[MUNICIPAL SEAL]

WITNESS

IL NOSTRO LOCALE, LLC

By: _____(SEAL)

Name: _____

Title: _____

City of Milford
Ordinance Review

NOTICE IS HEREBY GIVEN that the following Ordinance is under review by Milford City Council:

ORDINANCE 2018-15

CODE OF THE CITY OF MILFORD
PART I-ADMINISTRATIVE LEGISLATION
CHAPTER 19
ECONOMIC DEVELOPMENT AND REDEVELOPMENT
ARTICLE III-SPECIFIC ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS
§19-9-DOWNTOWN DEVELOPMENT DISTRICT INCENTIVE PROGRAM

WHEREAS, the City of Milford enacted an Economic Development and Redevelopment Code, Chapter 19, to promote economic development and redevelopment within the City of Milford; and

WHEREAS, from time to time, City Council determines the need for amendments and additions to the Economic Development and Redevelopment Code of the City of Milford; and

WHEREAS, City Council has determined in order to be eligible for a tax abatement through the development incentives provided in the Downtown Development District, the property must have been registered with the City as a rental property as of August 10, 2016, which is when the State of Delaware designated downtown as a Downtown Development District.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Chapter 19 is hereby amended by making insertions as shown by underline as follows:

§ 19-9. - Downtown Development District Incentive Program.

C. Development Incentives.

(4) Abatement of Property Taxes.

(a) Incentive Beneficiaries shall qualify to receive City of Milford property tax abatements for a period not to exceed ten (10) years. The abatement period shall commence from the date of final certificate of occupancy.

(b) Rehabilitation Projects.

i. If the incentive beneficiary improves the assessed value, as determined by the City Tax Assessor, by more than 50% of the original assessed value, the incentive beneficiary shall receive a full abatement of City property taxes for ten (10) years.

ii. If the incentive beneficiary improves the assessed value, as determined by the City tax assessor, by less than 50% of the original assessed value, the incentive beneficiary shall receive a partial abatement of City property taxes on the value of the improvements for ten (10) years.

(c) New residential or commercial construction shall receive a full tax abatement for five (5) years.

(d) Properties converted from rental units to owner occupied housing shall receive a full tax abatement for ten (10) years, subject to continued occupancy by the property owner. In order to be eligible for the tax abatement, properties must have been registered as a rental property with the City of Milford at the time of Downtown Development District Designation by the State of Delaware, which was August 10, 2016.

Section 2. Dates.

City Council Introduction: 05/14/18

City Adoption: 05/29/18

Effective: 06/08/18

This ordinance shall take effect and be in force ten days after its adoption.

A complete copy of the Code of the City of Milford is available by request through the City Clerk's office or by accessing the city website at www.cityofmilford.com.

M E R E S T O N E
Consultants, Inc.

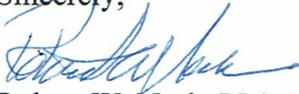
Civil Engineers - Land Surveyors - Site Planners

March 23, 2018
City of Milford
201 S. Walnut St.
Milford, DE 19963
Attn: Rob Pierce

Dear Mr. Pierce,

My client Mr. Paul Mills would respectfully like to request a waiver to Sec. 197-3 of the Municipal Code, requiring construction of sidewalks. There are currently no sidewalks on Elizabeth St. which is where the existing dwelling faces. We would like to request that no sidewalks be required on the Elizabeth St. frontage since there are none existing on either side of the street. There are existing sidewalks on McCoy St. at the adjoining lot to the east, and upon construction of a dwelling on the proposed lot, sidewalk would be constructed along that frontage at that time.

Sincerely,



Robert W. Nash, PLS 551
Professional Land Surveyor

"The Extra Measure People"

5215 W. Woodmill Drive, Suite 38 - Wilmington, DE 19808 - (302) 992-7900 - FAX (302) 992-7911
33516 Crossing Ave. Unit 1, Five Points Square, Lewes, DE 19958 - (302) 226-5880

Property Owner: Paul & Barbara Jean Mills
Address of Property: 6 Elizabeth Street
Milford, Delaware 19963
Tax Map No: 3-30-10.12-064.00

CITY OF MILFORD
RESOLUTION 2018-10
Sidewalk Waiver

WHEREAS, the above stated owner has requested a waiver of the provisions of Chapter 197 of the Code of the City of Milford requiring the installation of curbing and sidewalks; and

WHEREAS, there exists justifiable reasons to waive the installation of said improvements at the present time;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The required improvement for curbing and sidewalk as set forth in Chapter 197 of the Code of the City of Milford for the above property are hereby waived for installation at the present time.
2. When in the future it is determined by the City of Milford in its sole judgment that it is appropriate to install said improvements, the property owner, its successors or assigns shall be required to complete said improvements at the owner's expense within the time required by the City of Milford.
3. Waiver, as approved and conditioned by Milford City Council, on May 14, 2018 shall be reflected on the Site Plan.

Mayor Arthur J. Campbell

City Clerk Teresa Hudson

Date Adopted: May 29, 2018