

Milford City Hall Council Chambers 201 South Walnut Street Milford DE 19963

CITY COUNCIL AGENDA Monday, February 28, 2022

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council meetings will be held virtually beginning in 2022. Public Comments are encouraged on the items that qualify and denoted with a ® on the agenda. Virtual attendees may alert the City Clerk that they wish to speak at the appropriate time by submitting their name, address, and the agenda item (®) on which they would like to comment via the Zoom Q&A function or by using the Raise Your Hand function during the meeting. Written public comments received prior to the meeting will be read into the record.

This meeting is also available for viewing by the public by accessing the following link:

<https://zoom.us/j/94877121629>

Members of the public may also dial in by phone using the following number:

Call 301 715 8592 Webinar ID: 948 7712 1629

7:00 P.M. COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Public Hearings ®

Adoption/Ordinance 2021-27

City Code Part II

General Legislative/Chapter 230 Zoning Code/

Article VII-Board of Adjustment ¹

Adoption/Ordinance 2022-07

First Baptist Church for an Amended Conditional Use in an R1 Zoning District

Located along the west side of Old Shawnee Road, Milford, Delaware.

Present & Proposed Use: Church

Tax Map 3-30-3.06-127.00

Adoption/Ordinance 2022-08

William Allen Property Management, LLC – Conditional Use

2.59 +/- acres of land located along the east side of Silicato Parkway

Address: 104 Silicato Parkway

Comprehensive Plan Designation: Commercial

Zoning District: C-3 (Highway/Commercial District)

Present Use: Vacant Proposed Use: Restaurant and Retail

Tax Parcel: MD-16-174.15-01-01.03

Adoption/Ordinance 2022-09

Lands of Shelley Maloney – Conditional Use

0.754 +/- acres located on the south side of East Clarke Avenue approximately 260 feet east of South Walnut Street

Address: 8 E. Clarke Avenue

Comprehensive Plan Designation: Low Density Residential

Zoning District: R-1 (Single-family Residential District)

Present Use: Single-family Detached Dwelling

Proposed Single-family Detached Dwelling with Professional Home Occupation

Tax Parcel: 3-30-10.08-004.00

Recognition

Introduction/City Employees

Proclamation 2022-03/Endometriosis Awareness Month

Proclamation 2022-04/National Engineers Week

MPD Recognition

Communications & Correspondence

Monthly Finance Report-December 2021

Monthly Finance Report-January 2022

Unfinished Business

New Business

Authorization/Preliminary Extension #2/Request/Milford Marina Enterprises LLC/Knight’s Crossing

Authorization/Service Contract/Engineering/Industrial Park

Executive Session ¹

Personnel Matter:

Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed

Return to Open Session

Potential Vote/Personnel Matter

Adjournment

All items on the Council Meeting 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.

¹ Public Comment permitted; up to three minutes per person



The background of the image is a stylized American flag with a dark blue field containing white stars and alternating red and white horizontal stripes. The flag is slightly wavy, giving it a sense of movement. The text is overlaid on this background in a white, gothic-style font.

The Pledge of Allegiance

I pledge allegiance to the flag
of the United States of America,
and to the republic for which it stands,
one nation under God,
indivisible, with liberty and justice for all.

NOTICE OF CITY OF MILFORD RESCHEDULED PUBLIC HEARINGS

Notice is hereby given that Public Hearings on the following Zoning Ordinance have been extended accordingly:
Planning Commission: Tuesday, February 15, 2022* @ 7:00 p.m.
City Council: Monday, February 28, 2022* @ 7:00 p.m.

ORDINANCE 2021-27
CODE OF THE CITY OF MILFORD
PART II – GENERAL LEGISLATION
CHAPTER 230-ZONING CODE
ARTICLE VII-BOARD OF ADJUSTMENT

WHEREAS, Article VII, Chapter 230-35 of the Zoning Code of the City of Milford establishes the salaries of the members of the Board of Adjustment; and

WHEREAS, amendments to Chapter 230 must be published in a local newspaper not less than 15 days prior to the hearing date(s); and

WHEREAS, members of the Board of Adjustment provide a positive service that is invaluable to the continued progress of our City; and

WHEREAS, from time to time, there is a need to adjust the salaries of those appointed to Commissions and Boards by City Council; and

WHEREAS, salaries should be adjusted on an annual basis to align with rising costs; and

WHEREAS, during a duly advertised hearing on February 15, 2022*, the Planning Commission discussed the merits of the ordinance, considered public comment, and made a recommendation to approve the amendment to Chapter 230; and

WHEREAS, after having given proper public notice and holding a final public hearing on February 28, 2022*, the Council of the City of Milford adopted the amendment to the City of Milford Zoning Ordinance.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. The City of Milford Zoning Code, §230-35 Salaries and Compensation, Board of Adjustment, is hereby amended to read as follows, with strikeouts indicating matter stricken and underlined text as new matter:

Each member of the Board of Adjustment shall be paid ~~\$50.00~~ \$75.00 per regular or special meeting s/he attends and may be reimbursed for actual expenses incurred in connection with their official duties.

Section 2. Dates.

City Council Re-introduction: Monday, February 14, 2021*

Planning Commission Review & Recommendation: Tuesday, February 15*, 2022

City Council Review & Final Determination: Monday, February 28*, 2022

Section 4. This Ordinance becomes effective Sunday, January 1, 2023

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

Dates Revised: 01/19/2022*
02/16/2022

Published: Milford Beacon 12/01/2021
Milford Beacon 01/26/2022 (R)

NOTICE OF PUBLIC HEARINGS
PLANNING COMMISSION PUBLIC HEARING: February 15, 2022 at 7:00 PM
CITY COUNCIL PUBLIC HEARING: February 28, 2022 at 7:00 PM
Milford City Hall 201 South Walnut Street Milford, DE 19963

NOTICE IS HEREBY GIVEN the City of Milford Planning Commission will hold a Public Hearing on **Tuesday, February 15, 2022** 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 Monday, February 28, 2022 at 7:00 pm to hear evidence from interested parties and make a final determination regarding the ordinance.

ORDINANCE 2022-07

First Baptist Church for an Amended Conditional Use in an R1 Zoning District
Located along the west side of Old Shawnee Road, Milford, Delaware.
Present & Proposed Use: Church
Tax Map 3-30-3.06-127.00

WHEREAS, the City of Milford Planning Commission considered the ordinance, as described, at a duly noticed Public Hearing on February 15, 2022 and recommended its adoption to City Council; and

WHEREAS, Milford City Council conducted a duly noticed Public Hearing on February 28, 2022 to consider all information presented by City Staff, the Applicant, written and verbal public testimony; and

WHEREAS, the need for the application was determined by the criteria found under Chapter 230-48 Conditional Uses; and

WHEREAS, it is deemed reasonable, beneficial, and in the best interest of the City of Milford to allow an amendment to a Conditional Use, which will allow the expansion of the church parking lot to provide an additional 87 parking spaces along the east side of the church property.

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

Section 1. Upon the adoption of this ordinance by City Council, First Baptist Church is hereby granted an amendment to the Conditional Use Permit, in accordance with the application, and 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: February 15, 2022

City Council Introduction: February 10, 2022

City Council Public Hearing: February 28, 2022

Section 4. Effective Date.

The effective date will be ten days following the adoption of this Ordinance.

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.

01.12.22

Published Milford Beacon 01192022



DATA SHEET FOR FIRST BAPTIST CHURCH OF MILFORD

Planning Commission: February 15, 2022

Application Number / Name	:	21-011 / First Baptist Church
Applicant	:	First Baptist Church of Milford 6062 Old Shawnee Road Milford, DE 19963
Owner	:	Same
Application Type	:	Amended Conditional Use & Final Site Plan
Present Comprehensive Plan Map Designation	:	Low Density Residential
Present Zoning District	:	R-1 (Single-family Residential District)
Present Use	:	Church
Proposed Use	:	Church
Size and Location	:	8.45 +/- acres of land located along the west side of Old Shawnee Road, addressed as 6062 Old Shawnee Road.
Tax Map & Parcel	:	3-30-3.06-127.00

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



STAFF REPORT
December 22, 2021

Application Number / Name	:	21-011 / First Baptist Church of Milford
Tax Map & Parcel	:	1-30-3.06-127.00
Size and Location	:	8.45 +/- acres of land located along the west side of Old Shawnee Road, addressed as 6062 Old Shawnee Road.

I. NATURE OF REQUEST:

- The applicant proposes to expand the church parking lot on the above referenced parcel as shown on the provided final site plans. The expansion would provide an additional 87 parking spaces along the east side of the church property. The site work requires the construction of an infiltration stormwater management basin which has been reviewed and approved by the Sussex Conservation District.
- The First Baptist Church of Milford property was annexed into the City of Milford on December 13, 2004. The church buildings were existing at the time of annexation.
- The First Baptist Church of Milford acquired the adjacent residential property addressed 6044 Old Shawnee Road and annexed the property into the City of Milford on June 22, 2020.
- The property owner recorded a lot line adjustment plan that combined parcels and moved property lines to the current arrangement in 2021, leaving a single parcel for the church property, and parcel for the dwelling along Old Shawnee Road and a parcel for the dwelling along Oak Street.

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 Amended Conditional Use Final Site Plan:

- The Final Site Plan meets the minimum standards of Chapter 230 Zoning and Chapter 200 Subdivision of Land.
- The plans have been reviewed for general compliance with the City's Standard Construction Specifications.

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

A. The presence of adjoining similar uses.

The property is primarily surrounded by single-family detached dwellings on lots ranging in size from 15,000 square feet to 40,000 square feet.

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

The proposed use is allowed by conditional use approval from City Council within the R-1, R-2, R-3, R-8, and OB-1 zoning districts. The proposed use is permitted by-right within the C-2 and C-3 zoning districts.

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 Low Density Residential, for which the R-1 zoning district is permitted. Typically, places of worship are accessible to the community and generally located within residential areas.

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

The existing church does not currently have screening from the adjacent residential uses. The proposed parking lot expansion includes the construction of a 6' tall privacy fence along the property line adjacent to the parking lot as shown on the final site plans which will provide a visual barrier for the neighboring homes.

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

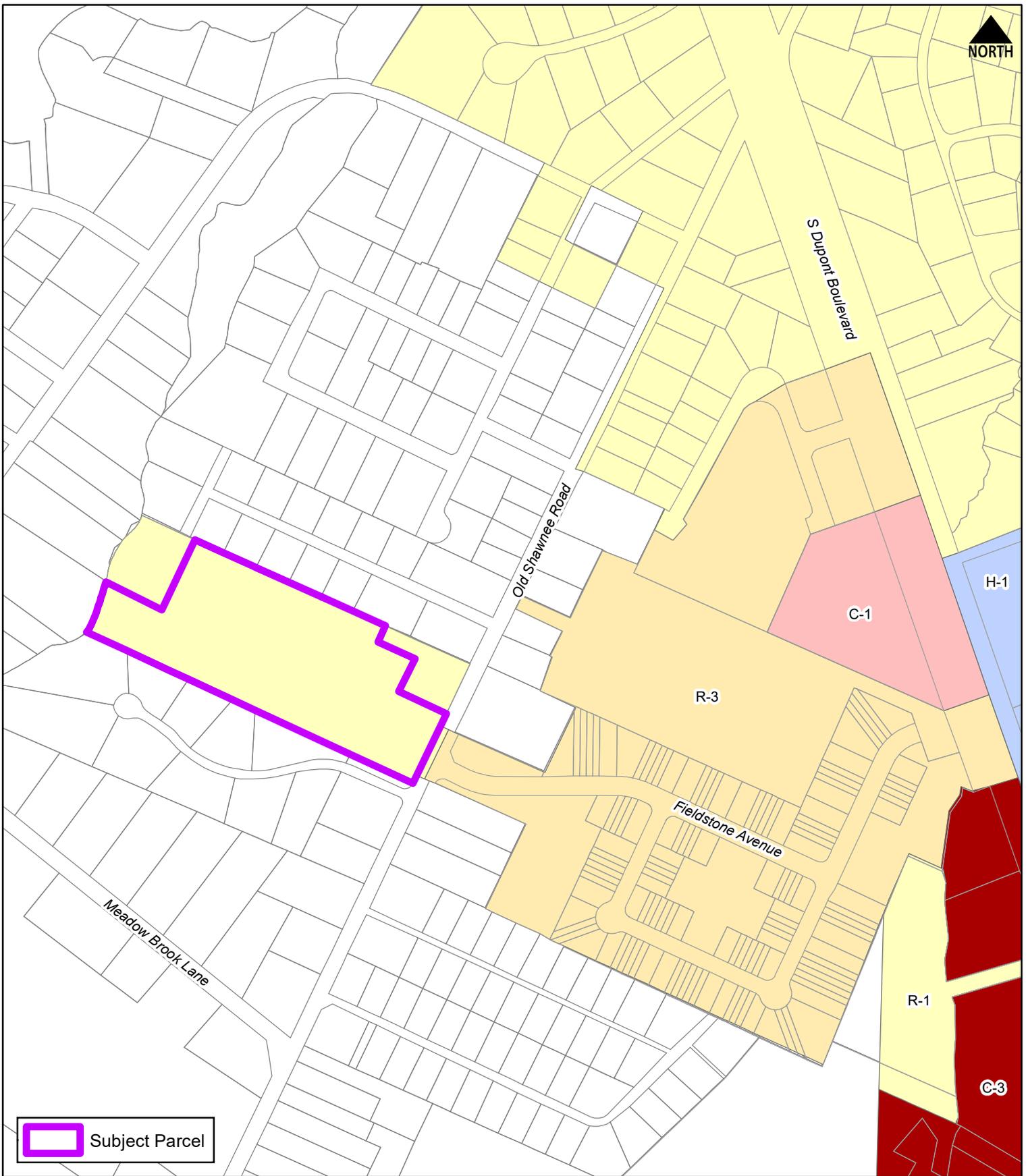
The church is an existing use on the property. The proposed parking lot expansion provides a 6-foot-tall privacy fence to screen the parking lot use from the adjacent residential homes.

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

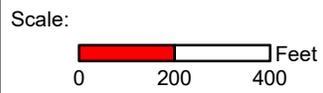
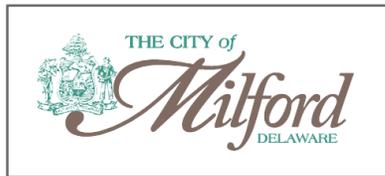
The church is an existing use located along an established state maintained major collector road (Old Shawnee Road) which contains two existing entrances for the existing use. The applicant has provided a 6-foot-tall privacy fence between the proposed parking lot expansion area and the adjacent residential uses to provide adequate screening between the church property and adjacent homes.

III. AGENCY COMMENTS:

- **Sussex Conservation District**
See attached for Sussex Conservation District approval letter dated October 12, 2021.
- **Delaware State Fire Marshal's Office**
See attached for SFMO Permit dated October 22, 2021.
- **City of Milford Engineer**
See attached for approval letter.



 Subject Parcel



Drawn by: WRP Date: 12/07/21

Title:

Conditional Use Site Plan
First Baptist Church
Location & Zoning Map

Filepath: CUSitePlan_FirstBaptistChurch.mxd

DRAWING INDEX:

- T1.1 TITLESHEET
- T1.2 GENERAL AND CONSTRUCTION NOTES
- EX1.1 EXISTING CONDITIONS PLAN
- SP1.1 SITE PLAN
- GP1.1 GRADING PLAN
- UT3.1 STORMWATER SYSTEM PLAN AND PROFILE
- LP1.1 LIGHTING PLAN
- CD1.1 CONSTRUCTION DETAILS
- CD1.2 CONSTRUCTION DETAILS

PROPOSED PARKING LOT FIRST BAPTIST CHURCH OF MILFORD

FINAL SITE PLAN
MISPILLION RIVER-DELAWARE BAY WATERSHED,
CITY OF MILFORD CEDAR CREEK HUNDRED,
SUSSEX COUNTY, DELAWARE
TAX MAP # 130-3.06-127.00
SEPTEMBER 2021 FIR02-02

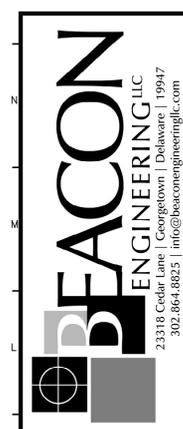
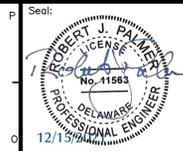
SITE DATA

OWNER / DEVELOPER:
FIRST BAPTIST CHURCH OF MILFORD
PASTOR DAVID P. PERDUE
6062 OLD SHAWNEE ROAD
MILFORD, DELAWARE 19963
PHONE: 302-422-9795
PASTORPERDUE@FBCMCS.NET

CONSULTANT:
BEACON ENGINEERING, LLC
ROBERT J. PALMER, P.E.
23318 CEDAR LANE
GEORGETOWN, DELAWARE 19947
PHONE: 302-864-8825
RPALMER@BEACONENGINEERINGLLC.COM

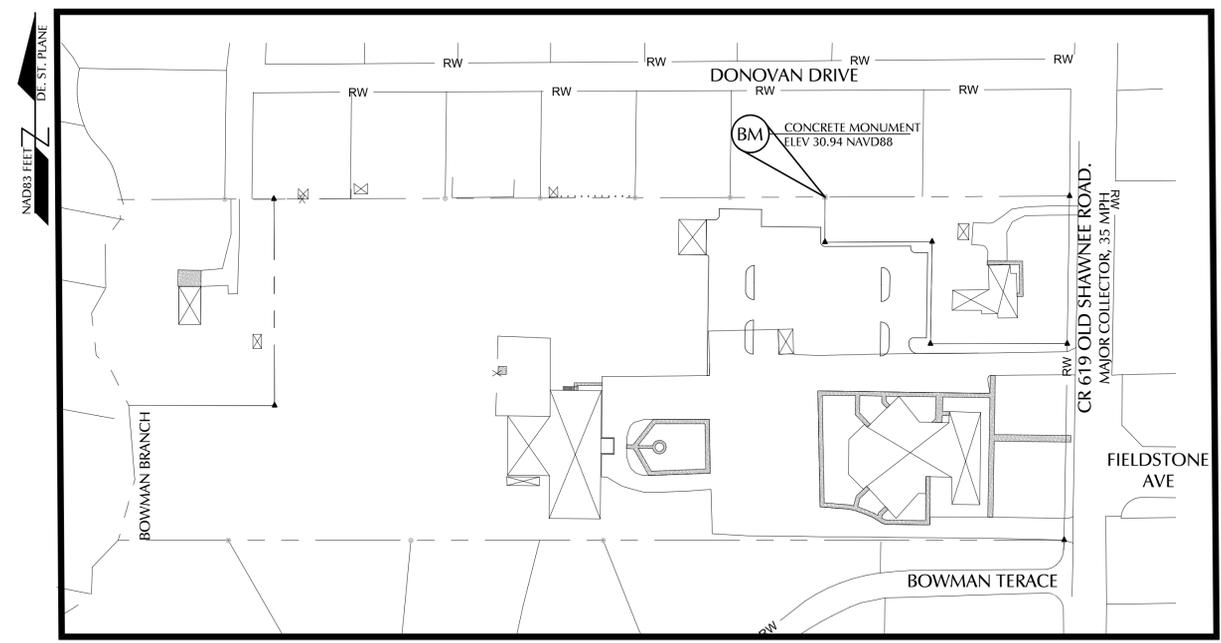
PROPERTY AND ZONING DATA:
EXISTING TAX PARCEL NUMBER: 130-3.06-127.00
SUSSEX CONSERVATION DISTRICT FILE NO.:
TOTAL SITE AREA: 8.45 AC.
TOTAL PROPOSED SITE AREA: 8.45 AC.
TOTAL LOD AREA: 2.4 AC.
PAVING AND PARKING: 2.31 AC.
PROPOSED OPEN SPACE: 5.45 AC.
CUT VOLUME: 1,869-44 CY.
FILL VOLUME: 478-68 CY.
LATITUDE AND LONGITUDE: LAT : 38.90549803 LON: -75.44827680
SITE ADDRESS: 6062 OLD SHAWNEE ROAD
MILFORD, DELAWARE 19963

SEWER: PRIVATE
WATER: PRIVATE
PROPOSED DISCHARGE LOCATION: INFILTRATION
NO WETLANDS EXIST WITHIN THE LIMIT OF DISTURBANCE.
THIS SITE IS LOCATED WITHIN AN EXCELLENT GROUNDWATER RECHARGE AREA
DEFINED BY THE STATE OF DELAWARE.
THIS AREA IS A TIER 3 ZONE AS DEFINED IN THE CITY OF MILFORD ZONING ORDINANCE.
THIS SITE DOES NOT CONTAIN LAND THAT IS DESIGNATED AS A WELLHEAD
PROTECTION AREA.
THIS SITE IS NOT WITHIN THE 100YR FLOOD PLAIN PER FEMA MAP NUMBERED
10005C0039J DATED JANUARY 6, 2005.



3' x 5' AREA FOR SUSSEX CONSERVATION DISTRICT APPROVAL STAMP

CITY OF MILFORD APPROVAL	
_____ CITY MANAGER	_____ DATE
CITY PLANNING DEPARTMENT APPROVAL	
PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE MOST RECENTLY ADOPTED AND/OR CERTIFIED VERSIONS OF THE CITY OF MILFORD'S CODE OF ORDINANCES AND COMPREHENSIVE LAND USE PLAN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.	
CITY ENGINEER APPROVAL	
CONSTRUCTION IMPROVEMENTS PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE CITY OF MILFORD'S STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION PROJECTS AND SUBDIVISION PAVEMENT DESIGN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.	
_____ CITY ENGINEER	_____ DATE



SITE PLAN

AREA AND BULK REQUIREMENTS:

FRONT YARD:	R-1
SIDE YARD:	25'
REAR YARD:	12'
HEIGHT MAX.:	25'
MAX LOT COVERAGE:	35%
MIN LOT WIDTH:	80'
MIN LOT AREA:	10,000 SQFT

EXISTING ZONING: CITY OF MILFORD
R-1 RESIDENTIAL DISTRICT
HORIZONTAL DATUM: NAD83 (DELAWARE STATE PLANE)
SURVEYOR: BEACON ENGINEERING, LLC
DATE OF SURVEY: JULY 2020

LAND USE:
EXISTING TOTAL NUMBER OF LOTS: 1
PROPOSED TOTAL NUMBER OF LOTS: 1
EXISTING BUILDING LOT COVERAGE: 8%
PROPOSED BUILDING LOT COVERAGE: 8%
EXISTING IMPERVIOUS ON SITE: 27%
PROPOSED IMPERVIOUS ON SITE: 33%
CURRENT USE: CHURCH
PROPOSED USE: CHURCH
ZONING: R-1

PARKING REQUIREMENTS:
CHURCH: 1 SPACE PER 5 SEATS
PUBLIC OR PRIVATE SCHOOL : 3 PER ROOM USED FOR ADMINISTRATIVE OFFICES, PLUS 1 PER ROOM USED FOR CLASS INSTRUCTION, PLUS 1 FOR EACH 5 SEATS IN THE AUDITORIUM AND OTHER PLACES OF ASSEMBLY OR FACILITY AVAILABLE TO THE PUBLIC.

PARKING DATA:
EXISTING PARKING = 110 SPACES +4 BUS SPACES
EXISTING PARKING TO BE REMOVED = 13 SPACES
PROPOSED PARKING TO BE ADDED = 87 SPACES
TOTAL PARKING = 184 SPACES +5 BUS SPACES

ACCESSIBLE PARKING REQUIREMENTS:
PARKING SPACES PROVIDED (151-200): 6 (ADA) ACCESSIBLE SPACES REQUIRED WITH A MIN. OF 1 OF THE PROVIDED SPACES BEING VAN ACCESSIBLE.
TOTAL ACCESSIBLE PARKING PROVIDED: 9 SPACES AND 5 VAN ACCESSIBLE SPACES
TOTAL: 14 ACCESSIBLE SPACES

Date:	12/15/2021
By:	BAS
Revision:	TOWN OF MILFORD COMMENTS

OWNER'S / DEVELOPER'S CERTIFICATION

DEVELOPMENT CERTIFICATION:
IT IS HEREBY CERTIFIED THAT I AM THE OWNER /DEVELOPER OF THE PROPERTY DESCRIBED AS PARCEL #130-3.06-127.00 AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, AND I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN CONSTRUCTED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

RESPONSIBLE PERSONNEL CERTIFICATION:
I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHOULD BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E., BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT, AS REFERENCED IN THESE PLANS.

FIRST BAPTIST CHURCH OF MILFORD
PASTOR DAVID P. PERDUE
6062 OLD SHAWNEE ROAD
MILFORD, DELAWARE 19963
PHONE: 302-422-9795
PASTORPERDUE@FBCMCS.NET

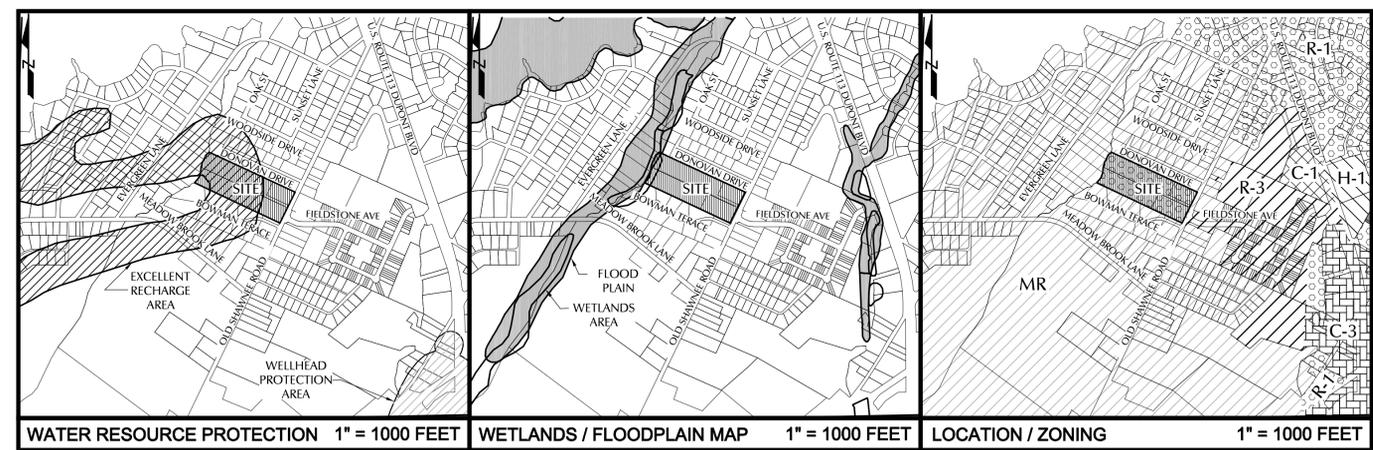
DATE

ENGINEER'S CERTIFICATION

I, ROBERT J. PALMER, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THIS PLAN WAS EITHER PREPARED BY ME OR UNDER MY DIRECTION. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAN COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES. MY LICENSE NUMBER IS 11563, AND EXPIRES ON JUNE 30, 2022.

Robert J. Palmer
ENGINEER: ROBERT J. PALMER, P.E.

12/15/2021
DATE



FIRST BAPTIST CHURCH OF MILFORD
CITY OF MILFORD, CEDAR CREEK HUNDRED,
SUSSEX COUNTY, DELAWARE
TAX MAP # 130-3.06-127.00

TITLE SHEET

Date:	MAR. 19, 2021
Scale:	NONE
Dwn.By:	BAS
Proj.No.:	FIR02-02

Dwg. No.:
T1.1

SEDIMENT AND STORMWATER CONSTRUCTION NOTES

- THE SUSSEX CONSERVATION DISTRICT SHALL BE NOTIFIED IN WRITING FIVE (5) DAYS PRIOR TO COMMENCING WITH CONSTRUCTION. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED SEDIMENT AND STORMWATER PLAN.
- REVIEW AND/OR APPROVAL OF THE SEDIMENT AND STORMWATER MANAGEMENT PLAN SHALL NOT RELIEVE THE CONTRACTOR FROM HIS OR HER RESPONSIBILITIES FOR COMPLIANCE WITH THE REQUIREMENTS OF THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS, NOR SHALL IT RELIEVE THE CONTRACTOR FROM ERRORS OR OMISSIONS IN THE APPROVED PLAN.
- IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY DNREC OR THE SUSSEX CONSERVATION DISTRICT.
- FOLLOWING SOIL DISTURBANCE OR REDISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED FOR ALL PERIMETER SEDIMENT CONTROLS, SOIL STOCKPILES, AND ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE WITHIN 14 CALENDAR DAYS UNLESS MORE RESTRICTIVE FEDERAL REQUIREMENTS APPLY.
- ALL EROSION & SEDIMENT CONTROL PRACTICES SHALL COMPLY WITH THE DELAWARE SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
- AT ANY TIME A DEWATERING OPERATION IS USED, IT SHALL BE PREVIOUSLY APPROVED BY THE AGENCY CONSTRUCTION SITE REVIEWER FOR A NON-EROSIVE POINT OF DISCHARGE, AND A DEWATERING PERMIT SHOULD BE APPROVED BY THE DNREC WELL PERMITTING BRANCH.
- APPROVED PLANS REMAIN VALID FOR 5 YEARS FROM THE DATE OF APPROVAL.
- POST CONSTRUCTION VERIFICATION DOCUMENTS ARE TO BE SUBMITTED TO THE SUSSEX CONSERVATION DISTRICT SEDIMENT AND STORMWATER PROGRAM WITHIN 60-DAYS OF STORMWATER MANAGEMENT FACILITY COMPLETION.
- APPROVAL OF A SEDIMENT & STORMWATER PLAN DOES NOT GRANT OR IMPLY A RIGHT TO DISCHARGE STORMWATER RUNOFF. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ACQUIRING ANY AND ALL AGREEMENTS, EASEMENTS, ETC., NECESSARY TO COMPLY WITH STATE DRAINAGE AND OTHER APPLICABLE LAWS.
- THE NOTICE OF INTENT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER A NPDES GENERAL PERMIT FOR THIS PROJECT IS # 6560. THE PERMITTEE OF RECORD SHALL NOT BE RELIEVED OF THEIR RESPONSIBILITIES UNTIL A NOTICE OF TERMINATION HAS BEEN PROCESSED BY THE DEPARTMENT.
- THE OWNER SHALL BE FAMILIAR WITH AND COMPLY WITH ALL ASPECTS OF THE NPDES CONSTRUCTION GENERAL PERMIT.
- THE CONTRACTOR SHALL AT ALL TIMES PROTECT AGAINST SEDIMENT OR DEBRIS LADEN RUNOFF OR WIND FROM LEAVING THE SITE. PERIMETER CONTROLS SHALL BE CHECKED DAILY AND ADJUSTED OR REPAIRED TO FULLY CONTAIN AND CONTROL SEDIMENT FROM LEAVING THE SITE. ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN IT HAS REACHED HALF OF THE EFFECTIVE CAPACITY OF THE CONTROL. IN ADDITION, THE CONTRACTOR MAY NEED TO ADJUST OR ALTER MEASURES IN TIMES OF ADVERSE WEATHER CONDITIONS, OR AS DIRECTED BY THE AGENCY CONSTRUCTION SITE REVIEWER.
- BEFORE ANY EARTHWORK OR EXCAVATION TAKES PLACE, THE CONTRACTOR SHALL CALL MISS UTILITY AT 811 OR 1.800.282.8555 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION, TO HAVE ALL EXISTING UTILITIES MARKED ONSITE.
- BEST AVAILABLE TECHNOLOGY (BAT) SHALL BE EMPLOYED TO MANAGE TURBID DISCHARGES IN ACCORDANCE WITH REQUIREMENTS OF 7 DEL.C. CH. 60 AND THE CURRENT DELAWARE CONSTRUCTION GENERAL PERMIT (CGP).
- DOCUMENTATION OF SOIL TESTING AND MATERIALS USED FOR TEMPORARY OR PERMANENT STABILIZATION INCLUDING BUT NOT LIMITED TO SOIL TEST RESULTS, SEED TAGS, SOIL AMENDMENT TAGS, ETC. SHALL BE PROVIDED TO THE SUSSEX CONSERVATION DISTRICT TO VERIFY THAT THE PERMANENT OR TEMPORARY STABILIZATION HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLAN.
- THE SUSSEX CONSERVATION DISTRICT MAY REQUIRE ADDITIONAL SOIL TESTING AND REAPPLICATION OF PERMANENT OR TEMPORARY STABILIZATION IN ACCORDANCE WITH THE SPECIFICATIONS IN THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, OR ALTERNATIVE MEASURES THAT PROVIDE FUNCTIONAL EQUIVALENCY.
- THE SITE CONTRACTOR, UNDER THE DIRECTION OF THE OWNER, SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR TO ALL THE SEDIMENT CONTROL AND STORMWATER MANAGEMENT DEVICES DURING SITE CONSTRUCTION ACTIVITIES INCLUDING UTILITY INSTALLATION.
- THE OWNER GRANTS THE SUSSEX CONSERVATION DISTRICT PERMISSION TO CONDUCT ONSITE INSPECTIONS. THE DISTRICT SHALL REPORT TO THE SITE OFFICE PRIOR TO ACCESSING THE FACILITY.
- THE OWNER SHALL MAINTAIN ALL STORMWATER MANAGEMENT DEVICES FOR THE LIFE OF THIS FACILITY.
- A PERIODIC MAINTENANCE OF ALL SEDIMENT CONTROL MEASURES SHALL BE REQUIRED TO INSURE EFFECTIVE SEDIMENT CONTROL. INSPECTION OF ALL SEDIMENT AND EROSION CONTROL MEASURES OTHER THAN PERIMETER CONTROLS SHALL BE MADE WEEKLY AND AFTER EACH RAINFALL.
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION IS ESTABLISHED AND ACCEPTED BY THE AGENCY CONSTRUCTION SITE REVIEWER.
- ALL AREAS NOT COVERED BY BUILDING OR PAVEMENT WILL BE SEEDED USING PERMANENT SEED MIXTURE SHOWN ON THIS PLAN. A MINIMUM OF 4" OF TOPSOIL (6" IN DELDOT RIGHT-OF-WAY) SHALL BE APPLIED TO ALL AREAS REQUIRING SEEDING. AREAS OF "CUT" SHALL BE UNDERCUT AND FINAL GRADES ESTABLISHED WITH A MINIMUM OF 4" TOPSOIL (6" IN DELDOT RIGHT-OF-WAY).
- UPON COMPLETION OF STOCKPILING, TOPSOIL, SEED AND MULCH USING TEMPORARY SEED MIXTURE SPECIFICATIONS IF TO REMAIN IN PLACE LONGER THAN 14 DAYS.
 - SEEDING (PERMANENT):
 - SHALL BE CONSTRUCTED BETWEEN FEBRUARY 1 TO APRIL 30 OR AUGUST 15 TO OCTOBER 31.
 - SEED BED PREPARATION: APPLY 23 LBS. OF 10-10-10 FERTILIZER PER 1000 SQ. FT.; HARROW OR DISC INTO SOIL TO A DEPTH OF 3 TO 4 INCHES; APPLY DOLOMITIC LIMESTONE AT 92 LBS. PER 1000 SQ. FT.
 - SEEDING: APPLY SPECIFIED DELAWARE SEED MIX ON A MOIST SEED BED WITH SUITABLE EQUIPMENT, MINIMUM COVERAGE 1/4 INCH, UNLESS OTHERWISE NOTED. REFER TO STABILIZATION REQUIREMENTS ON SHEET SW2.1.
 - MULCHING: IMMEDIATELY AFTER SEEDING, UNIFORMLY MULCH ENTIRE AREA WITH UNWEATHERED SMALL GRAIN STRAW AT A RATE OF 92 LBS. PER 1000 SQ. FT. MULCH TO BE ANCHORED WITH MULCH ANCHORING TOOL ON THE CONTOUR OR ASPHALT TIE-DOWN METHODS.
 - ALL FILL SLOPE AREAS SHOWN HEREON ARE TO BE STABILIZED PER PARAGRAPH 24 ABOVE IMMEDIATELY AFTER COMPLETION OF GRADING OPERATIONS FOR THESE SLOPES.
 - IF CONSTRUCTION ACTIVITY IS COMPLETED OR CEASES FOR A PERIOD OF 14 DAYS, ALL DISTURBED AREAS WILL BE STABILIZED EITHER PERMANENTLY OR TEMPORARILY, FOLLOWING THE SPECIFICATIONS AND STANDARDS IN THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
 - TEMPORARY VEGETATIVE COVER, MULCHING AND/OR SPRINKLING WITH WATER SHALL BE THE METHODS USED AS NECESSARY TO CONTROL DUST. CONTROL DUST USING ONE OF THE APPROVED METHODS SPECIFIED IN DE-ESC-3.4.8. REFER TO SHEET SW3.2.
 - THE CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY, OR DELETE ANY SEDIMENT CONTROL MEASURES AS IT DEEMS NECESSARY.
 - PROVIDE EXCELSIOR MATTING ON ALL SLOPES OF 3:1 OR GREATER AND IN ALL AREAS OF CONCENTRATED FLOW. DNREC REQUIRES ALL EROSION CONTROL MATTING TO BE BIODEGRADABLE. USE SSM-I (NORTH AMERICAN GREEN S758N OR EQUIVALENT), FOR SLOPES UP TO 3:1 AND USE SSM-II (NORTH AMERICAN GREEN S1508N OR EQUIVALENT), FOR SLOPES BETWEEN 2:1 AND 3:1.
 - STREETS SHALL BE SWEEP CLEAN AT THE END OF EVERY WORK DAY AND PRIOR TO EXPECTED RAINFALL.
 - ALL STONE, USED FOR EROSION CONTROL PRACTICES SHALL BE UNDERLAIN WITH GEOTEXTILE FABRIC (US FABRICS US 315 OR EQUIVALENT).
 - ALL PROJECTS WITH A PROJECT LOD EXCEEDING 2 ACRES REQUIRE A 3RD PARTY CCR INSPECTION.

SEQUENCE OF CONSTRUCTION

- CONTACT SUSSEX CONSERVATION DISTRICT AT 302-856-2105, THE PERSON RESPONSIBLE FOR STORMWATER SYSTEM CONSTRUCTION REVIEW (SSCR) OF INTENT TO BEGIN CONSTRUCTION AND SCHEDULE A PRE-CONSTRUCTION MEETING. REFER TO SEDIMENT AND STORMWATER CONSTRUCTION NOTE 1. STORMWATER FACILITIES MUST BE REVIEWED THROUGH OUT THEIR CONSTRUCTION.
- PRIOR TO ANY CLEARING, A PRE-CONSTRUCTION MEETING MUST BE SCHEDULED AND CONDUCTED WITH THE AGENCY CONSTRUCTION SITE REVIEWER, THE LANDOWNER/DEVELOPER, THE GEOTECHNICAL ENGINEER RESPONSIBLE FOR FIELD TESTING, AND CONTRACTOR ARE REQUIRED TO BE IN ATTENDANCE AT THE PRE-CONSTRUCTION MEETING; THE DESIGNER IS RECOMMENDED TO ATTEND.
- CONDUCT THE PRE-CONSTRUCTION MEETING AT THE SITE.
- INSTALL PERIMETER CONTROLS INCLUDING PERIMETER SILT FENCE OR BERMS AND STABILIZE PERIMETER BERMS.
- ALL PERIMETER CONTROLS ARE TO BE REVIEWED BY THE AGENCY CONSTRUCTION SITE REVIEWER AND APPROVED PRIOR TO PROCEEDING WITH FUTURE SITE DISTURBANCE OR CONSTRUCTION.
- INSTALL SILT FENCE AROUND ALL INFILTRATION BASINS. DO NOT STRIP TOPSOIL FOR INFILTRATION BASINS UNTIL READY TO BEGIN INFILTRATION BASIN CONSTRUCTION. A SSCR CONSTRUCTION REVIEW IS REQUIRED AT THIS TIME.
- CONTACT DNREC AT (302) 739-9944 TO OBTAIN A CONSTRUCTION DEWATERING PERMIT IF DEWATERING IS NECESSARY TO CONSTRUCT PROPOSED IMPROVEMENTS. THE SUSSEX COUNTY CONSERVATION DISTRICT INSPECTOR SHALL INSPECT AND APPROVE ALL DEWATERING OPERATIONS.
- DISTURBANCE SHALL NOT EXCEED THE LIMITS SHOWN ON THE APPROVED PLAN WITHOUT APPROVAL OF THE SUSSEX CONSERVATION DISTRICT.
- EXCAVATE SEDIMENT TRAP AS SHOWN.
- EXCAVATE TEMPORARY SWALES WHERE INDICATED.
- AS NECESSARY, CLEAR AND GRUB WITHIN THE LIMITS OF DISTURBANCE.
- STRIP TOPSOIL FROM PAVING AREAS AND AREAS TO BE FILLED AND STOCKPILE TOPSOIL. STABILIZE THE TOPSOIL STOCKPILE AND SURROUND WITH SILT FENCE.
- INSTALL CULVERT, STRUCTURE AND INLET PROTECTION WORKING UPSTREAM FROM INFILTRATION BASIN.
- GRADE REMAINDER OF SITE AND CONSTRUCT AND INSTALL PAVING.
- STABILIZE AREAS TO REMAIN UNPAVED.
- NOTIFY THE PERSON RESPONSIBLE FOR STORMWATER SYSTEM CONSTRUCTION REVIEW AT LEAST 3 DAYS PRIOR TO THE START OF STORMWATER SYSTEM CONSTRUCTION; STORMWATER FACILITIES MUST BE REVIEWED THROUGH OUT THEIR CONSTRUCTION.
- CONSTRUCT INFILTRATION BASIN. REFER TO POND CODE 378 CONSTRUCTION SPECIFICATIONS. PROVIDE PERMANENT STABILIZATION; REFER TO INFILTRATION BASIN SEQUENCE OF CONSTRUCTION ON DRAWING SW4.1. TOPSOIL, SEED, AND MULCH THE SIDE SLOPES, BOTTOM OF POND AND DISTURBED AREAS AROUND THE POND. SOIL STABILIZATION MATTING SHALL BE USED ON SLOPES STEEPER THAN 3:1. SSCR CONSTRUCTION REVIEW IS REQUIRED DURING THIS WORK.
- FILL THE SEDIMENT TRAP TO DESIGN GRADE ONLY AFTER ALL UPSTREAM AREAS HAVE BEEN STABILIZED.
- TOPSOIL, SEED, AND MULCH ALL OTHER DISTURBED AREAS IN ACCORDANCE WITH THE SEDIMENT AND STORMWATER CONSTRUCTION NOTES.
- RESTORE ALL PAVEMENT AND CONCRETE DAMAGE, PLACE FINISHED PAVING.
- UPON COMPLETION OF PAVEMENT RESTORATION AND PERMANENT SITE STABILIZATION WITH 75% OR GREATER VEGETATION COVERAGE, INSPECT AND REMOVE SILT FROM STORM DRAINS. A SSCR CONSTRUCTION REVIEW IS REQUIRED AT THIS TIME.
- CONTACT SUSSEX CONSERVATION DISTRICT FOR FINAL CLOSEOUT INSPECTION.
- EROSION AND SEDIMENT CONTROL DEVICES SHOULD BE REMOVED ONLY AFTER WORK IN AN AREA HAS BEEN COMPLETED AND STABILIZED, WITH WRITTEN APPROVAL FROM THE AGENCY CONSTRUCTION SITE REVIEWER.
- THE TERMINATION OF THE GENERAL PERMIT WILL REQUIRE SUBMISSION AND ACCEPTANCE OF POST CONSTRUCTION VERIFICATION DOCUMENTS, INCLUDING FINAL STABILIZATION THROUGHOUT THE SITE, ELEMENTS OF THE SEDIMENT AND STORMWATER PLAN IMPLEMENTED, AND ACCEPTANCE OF THE FINAL O AND M PLAN.

GENERAL SITE PLAN NOTES

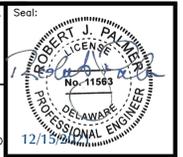
- THE BOUNDARY INFORMATION SHOWN ON THESE DRAWINGS IS BASED ON A SURVEY PERFORMED BY BEACON ENGINEERING, LLC, ON MAY 20 2020 REVISED NOVEMBER 2020. COUNTY RECORDER OF DEEDS OFFICE, PLAT BOOK 337, PAGE 32.
- A TOPOGRAPHIC SURVEY WAS PERFORMED BEACON ENGINEERING, LLC, ON MAY 20 2020 REVISED NOVEMBER 2020. ELEVATIONS ARE BASED ON THE CONCRETE MONUMENT BENCHMARK WITH AN ELEVATION OF 36.92 NGVD88.
- HORIZONTAL DATUM IS BASED ON DELAWARE STATE GRID, NAD83/91, CONTROL MONUMENT THE CONCRETE MONUMENT BENCHMARK.
- HYDRIC SOILS ARE NOT INDICATED AS BEING PRESENT ACCORDING TO THE SUSSEX COUNTY SOIL SURVEY. SOILS HAVE BEEN INSPECTED BY HARDIN KIGHT.
- EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETENESS OR CORRECTNESS THEREOF IS NOT GUARANTEED. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATION AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTORS EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY DELMARVA (800-282-8555) A MINIMUM OF THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO ANY EXCAVATION.
- ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS. MATERIALS AND WORKMANSHIP SHALL MEET THE REQUIREMENTS OF THE CITY OF MILFORD STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION AND SUBDIVISION PAVEMENT DESIGN, AND ALL APPLICABLE AGENCIES HAVING JURISDICTION OVER THE PROPOSED IMPROVEMENTS.
- USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACKFILLING TRENCHES.
- THE CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ANY DISTURBED AREAS BEYOND THE RIGHT-OF-WAY OR EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION. ALL VALVE CLOSURES AND CUT-INS SHALL BE COORDINATED WITH THE CITY. CITY OFFICIALS WILL CARRY OUT ALL NECESSARY VALVE CLOSURES. CONTRACTOR SHALL COORDINATE ISOLATION OF EXISTING WATER MAINS WITH THE CITY AND NOTIFY AFFECTED RESIDENTS AT LEAST 48 HOURS PRIOR TO CUT-IN.
- PIPELINE DETECTION TAPE SHALL BE COLOR CODED, APPROPRIATELY LABELED, AND INSTALLED 18 INCHES BELOW THE GROUND SURFACE AND DIRECTLY ABOVE ALL PROPOSED NON-METALLIC WATER MAIN, SEWER MAIN, SEWER LATERALS, AND WATER SERVICES.
- CONDUCTIVE TRACER WIRE SHALL BE INSTALLED WITH ALL NON-METALLIC WATER PIPE AND SERVICES; AND ALONG ALL SEWER LATERALS AND FORCE MAINS. WIRE SHALL BE SECURED TO THE PIPE AND SHALL BE SECURELY BONDED TOGETHER AT ALL WIRE JOINTS WITH APPROVED WATER TIGHT CONNECTORS. TRACER WIRE SHALL BE ACCESSIBLE AT ALL VALVE BOXES, METER PITS, CLEANOUTS, AND AIR RELEASE VALVES.
- PRIOR TO ISOLATION AND CUT-IN PROCEDURES, CONTRACTOR SHALL EXCAVATE, LOCATE, AND OBSERVE FUNCTION OF ALL EXISTING VALVES TO ASSIST IN THE SYSTEM ISOLATION.
- SHOP DRAWINGS FOR ANY ITEM(S) WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO THE ORDERING OF AND/OR INSTALLATION OF THE ITEM(S).
- ALL SANITARY SEWER MAINS AND FORCE MAINS SHALL HAVE A MINIMUM COVER OF 36 INCHES AND ALL WATER MAINS SHALL HAVE A MINIMUM COVER OF 42 INCHES AS MEASURED FROM THE TOP OF PIPE TO PROPOSED GRADE. SEWER LATERALS SHALL HAVE A MINIMUM DIAMETER OF SIX (6) INCHES AND HAVE A MINIMUM COVER OF 36 INCHES.
- THERE SHALL BE A MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWER MAINS AND FORCE MAINS OF 12 INCHES AS MEASURED FROM EDGE OF PIPE TO EDGE OF PIPE. THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 18 INCHES BETWEEN WATER MAINS AND SANITARY SEWER MAINS OR FORCE MAINS AT CROSSINGS. ONE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO THAT BOTH JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE AT CROSSINGS.
- THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 12 INCHES BETWEEN ANY STORM DRAIN PIPE AND ANY WATER MAIN OR SEWER MAIN. IF 12 INCHES CANNOT BE MAINTAINED, A MINIMUM OF SIX (6) INCHES IS REQUIRED AND PROVISIONS SHALL BE MADE ACCEPTABLE TO THE CITY OF MILFORD FOR PROPERLY ENCASED THE PIPE IN CONCRETE.
- THIS SITE IS NOT WITHIN THE 100YR FLOOD PLAIN PER FEMA MAP NUMBERED 10005C0039J DATED JANUARY 6, 2005.
- ALL ROADWAYS ARE TO BE SWEEP FREE OF SEDIMENT ON A DAILY BASIS.
- THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATIONAL SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
- IT IS THE CONTRACTORS RESPONSIBILITY TO ENSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER WILL OCCUR AFTER PAVING IS COMPLETE.
- THE STORM DRAINAGE SYSTEM HAS BEEN DESIGNED USING THE CRITERIA OF THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION DEVELOPMENT COORDINATION MANUAL, LATEST EDITION.
- ALL FIRE LANES, FIRE HYDRANTS, EXITS, AND STANDPIPES WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
- DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE OWNER.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- CONTRACTOR SHALL GRADE, TOPSOIL, SEED AND MULCH ALL DISTURBED AREAS OF CONSTRUCTION, INCLUDING PIPE INSTALLATION OR DITCH CONSTRUCTION. EROSION CONTROL MATTING SHALL BE PROVIDED ON ALL SLOPES GREATER THAN 3:1.
- THE OWNER AND/OR THEIR CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE SERVICES OF A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF DELAWARE FOR THE PERMANENTLY RE-ESTABLISHING OF ANY PROPERTY MARKERS OR MONUMENTS DISTURBED DURING CONSTRUCTION. A SURVEY AND METES AND BOUNDS THAT INCLUDES THE RE-ESTABLISHED MARKER(S) OR MONUMENT(S) SHALL BE PRESENTED TO THE PROPERTY OWNER FOR COMPARISON WITH THE ORIGINAL PLAT, FOR VERIFICATION.
- THE OWNER SHALL BE RESPONSIBLE FOR THE SHORT-TERM MAINTENANCE OF THE ANY AND ALL STORMWATER MANAGEMENT FACILITIES AND STORM SEWER SYSTEMS UNTIL SUCH TIME THAT THE LONG-TERM MAINTENANCE RESPONSIBILITIES CAN BE TRANSFERRED TO A LEGALLY-ESTABLISHED HOMEOWNERS ASSOCIATION OR OTHER RESPONSIBLE ENTITY.

~~THE CITY OF MILFORD WILL ASSUME OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF WATER AND SEWER PIPES AND APPURTENANCES INSTALLED WITHIN CITY RIGHT-OF-WAY AND EASEMENTS DEDICATED TO THE CITY. STORM SEWER PIPES AND CATCH BASINS, INSTALLED FULLY WITHIN CITY RIGHT-OF-WAY, ONCE THE FOLLOWING CONDITIONS HAVE BEEN MET:~~

- ALL ITEMS HAVE PASSED CITY INSPECTION;
 - THE CITY HAS RECEIVED AND APPROVED DIGITAL AND HARD COPIES OF THE RECORD DRAWINGS; AND
 - THE RIGHTS-OF-WAY AND/OR EASEMENTS HAVE BEEN DEEDED TO THE CITY AND RECORDED WITH THE RECORDER OF DEEDS.
- SEWER AND WATER CAPACITY ARE NOT GUARANTEED UNTIL BUILDING PERMITS ARE ISSUED, ALL FEES APPLIED AND SUITABLE UTILITIES ARE IN PLACE FOR PROPER CONVEYANCE, TREATMENT AND DISPOSAL.
 - PRELIMINARY APPROVAL FROM PLANNING COMMISSION SHALL BE VOID AFTER ONE (1) YEAR, UNLESS AN EXTENSION IS REQUESTED BY THE OWNER AND APPROVED, FOR GOOD CAUSE, BY THE PLANNING COMMISSION PRIOR TO THE DATE OF EXPIRATION.
 - THE APPROVAL OF A CONDITIONAL USE IS VALID FOR ONE YEAR, UNLESS PERMITS ARE OBTAINED OR CONSTRUCTION OR USE IS SUBSTANTIALLY UNDERWAY, ALL PROVISIONS OF THE CONDITIONAL USE ARE AUTOMATICALLY RESCINDED.
 - FINAL APPROVAL FROM THE CITY SHALL BECOME VOID IF THE FINAL RECORD PLAT IS NOT RECORDED WITHIN 90 DAYS OF THE DATE OF PLANNING COMMISSION'S GRANTING OF FINAL APPROVAL. IF CONSTRUCTION OF THE APPROVED IMPROVEMENTS IS NOT SUBSTANTIALLY UNDERTAKEN WITHIN ONE (1) YEAR OF FINAL SITE PLAN APPROVAL, THE SITE PLAN APPROVAL SHALL BE VOID. THE APPLICANT MAY REQUEST A ONE (1) YEAR EXTENSION FROM THE PLANNING COMMISSION FOR GOOD CAUSE.
 - THE APPLICANT IS RESPONSIBLE TO ENSURE THAT ALL CITY AND/OR AGENCY CONSTRUCTION PERMIT APPLICATIONS HAVE BEEN COMPLETED, SUBMITTED, AND ALL APPLICABLE FEES HAVE BEEN PAID PRIOR TO COMMENCING CONSTRUCTION. THE CITY SHALL NOT BE HELD RESPONSIBLE FOR AN ANTICIPATED CONSTRUCTION START DATE THAT IS NOT MET DUE TO THE APPLICANT OR HIS/HER CONTRACTOR NOT HAVING MET THE CONSTRUCTION PERMITTING REQUIREMENTS.
 - AS A CONDITION OF THE APPROVAL OF THE CONSTRUCTION DRAWINGS, AND PRIOR TO THE START OF CONSTRUCTION, THE APPLICANT MAY BE REQUIRED TO ENTER INTO A FORMAL PUBLIC WORKS AGREEMENT WITH THE CITY AND/OR TO POST A COMPLETION GUARANTY FOR ANY IMPROVEMENTS WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY. THE GUARANTY SHALL BE IN AN AMOUNT EQUAL TO 150% OF THE COST OF THE IMPROVEMENTS AS ESTIMATED OR APPROVED BY THE CITY ENGINEER. THE GUARANTY SHALL BE IN THE FORM OF A BOND OR FUNDS DEPOSITED IN AN ESCROW ACCOUNT. THE PUBLIC WORKS AGREEMENT AND THE GUARANTY SHALL BE REVIEWED AND APPROVED BY THE CITY SOLICITOR. THE COMPLETION GUARANTEE SHALL NOT BE RELEASED UNTIL A MAINTENANCE BOND IN THE AMOUNT OF 10% OF THE IMPROVEMENTS HAS BEEN SUBMITTED.
 - A MAINTENANCE BOND IN THE AMOUNT OF 10% OF THE CONSTRUCTION VALUE FOR ANY CONSTRUCTED IMPROVEMENTS AND A PERFORMANCE BOND IN THE AMOUNT OF 125% OF THE CONSTRUCTION VALUE FOR ANY UNCOMPLETED WORK SHALL BE PROVIDED IN ORDER TO ACHIEVE FINAL COMPLETION OF THE IMPROVEMENTS AND RELEASE OF ANY COMPLETION GUARANTY. THE MAINTENANCE PERIOD SHALL BE A MINIMUM OF ONE YEAR AND ALL CONSTRUCTION VALUES MUST BE SUBMITTED TO, REVIEWED AND APPROVED BY THE CITY ENGINEER PRIOR TO THE ISSUANCE OF ANY BONDS.

- UPON COMPLETION OF THE CONSTRUCTION IMPROVEMENTS AND PRIOR TO THE RELEASE OF ANY DEVELOPER'S COMPLETION GUARANTEE, THE DEVELOPER SHALL PROVIDE THE CITY ENGINEER A DRAFT PAPER SET OF DETAILED RECORD PLANS (PLAN VIEW AND PROFILE SHEETS). RECORD INFORMATION SHALL BE PLACED ON THE APPROPRIATE APPROVED DRAWINGS. ORIGINAL DESIGN ELEVATION AND/OR DISTANCE INFORMATION SHALL BE STRIKED THROUGH WITH A FINE LINE AND THE RECORD INFORMATION SHALL BE INSERTED NEXT TO IT. WHEN THE DRAFT SET OF DRAWINGS HAS BEEN APPROVED BY THE CITY, THREE (3) PAPER COPIES SHALL BE SUBMITTED, SIGNED AND SEALED BY THE OWNER'S ENGINEER OR SURVEYOR. ADDITIONALLY, A CD SHALL BE PROVIDED WITH A DIGITAL RECORD INFORMATION IN AUTOCAD FORMAT (VERSION 2018 OR LATER). THE DIGITAL INFORMATION SHALL BE ON DELAWARE STATE PLANE, AND 83 HORIZONTAL CONTROL AND NAVD83 VERTICAL CONTROL. RECORD PLAN INFORMATION SHALL INCLUDE SURVEYED AS-BUILT ELEVATIONS AND HORIZONTAL LOCATIONS OF THE FOLLOWING:
 - ALL PROPERTY MONUMENTS/MARKERS;
 - SEWER MANHOLE RIM & INVERT ELEVATIONS, WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, PUMP STATION RIM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, FORCE MAIN INVERT ELEVATIONS EVERY 50 FEET, FORCE MAIN AIR RELEASE VALVE RIM & INVERT ELEVATIONS, SEWER CLEANOUT RIM & INVERT ELEVATIONS, AND GREASE TRAP RIM, BOTTOM & INVERT ELEVATIONS;
 - WATER VALVES, FIRE HYDRANTS, METER VAULTS, METER PITS, AND CURB STOP;
 - STORM SEWER CATCH BASIN AND/OR MANHOLE GRATE, RIM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED; AND
 - ANY OTHER ITEM WHICH WILL BE TAKEN OVER BY THE CITY.

- THE CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS DEPARTMENT AT (302) 422-1110 A MINIMUM OF TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SCHEDULE A PRE-CONSTRUCTION MEETING. THE SITE CONTRACTOR AND THE OWNER, OR HIS/HER REPRESENTATIVE SHALL BE IN ATTENDANCE.
- THIS AREA IS A TIER 3 ZONE AS DEFINED IN THE CITY OF MILFORD ZONING ORDINANCE. THIS SITE DOES NOT CONTAIN LAND THAT IS DESIGNATED AS A WELLSHEAD PROTECTION AREA. THIS SITE IS LOCATED WITHIN AN EXCELLENT GROUNDWATER RECHARGE AREA DEFINED BY THE STATE OF DELAWARE.
- NO WETLANDS EXIST WITHIN THE LIMIT OF DISTURBANCE.
- THE CONTRACTOR SHALL PROVIDE ALL STAKEOUT WORK NECESSARY FOR PROJECT CONSTRUCTION BY A SURVEYOR LICENSED IN THE STATE OF DELAWARE.
- CONTRACTOR SHALL NOTIFY "MISS UTILITY OF DELMARVA" AT (1-800-282-8555) AT LEAST 48 HOURS PRIOR TO EXCAVATION, TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED AND MARKED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF TRAFFIC IN ALL WORK AREAS.
- THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
- CONTRACTOR SHALL ADJUST TO FINISH GRADE AS REQUIRED ANY EXISTING OR NEW VALVE BOXES, MANHOLES, CATCH BASINS ETC., PRIOR TO PLACING PAVING.



Revision	By:	Date:
1	BAS	9/27/2021
2	BAS	12/15/2021
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FIRST BAPTIST CHURCH OF MILFORD
 CITY OF MILFORD, CEDAR CREEK HUNDRED,
 SUSSEX COUNTY, DELAWARE
 TAX MAP # 130-3-06-1127-00

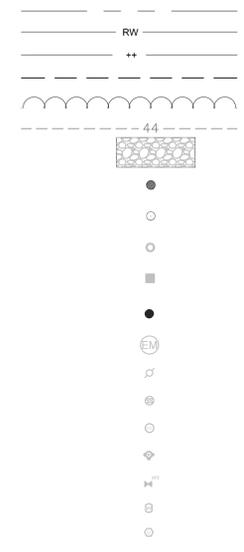
GENERAL AND CONSTRUCTION NOTES

Date:	MAR. 19, 2021
Scale:	NONE
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Proj.No.:	FIR02-02

Dwg. No.:
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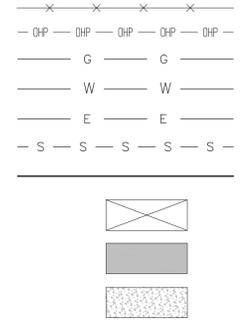
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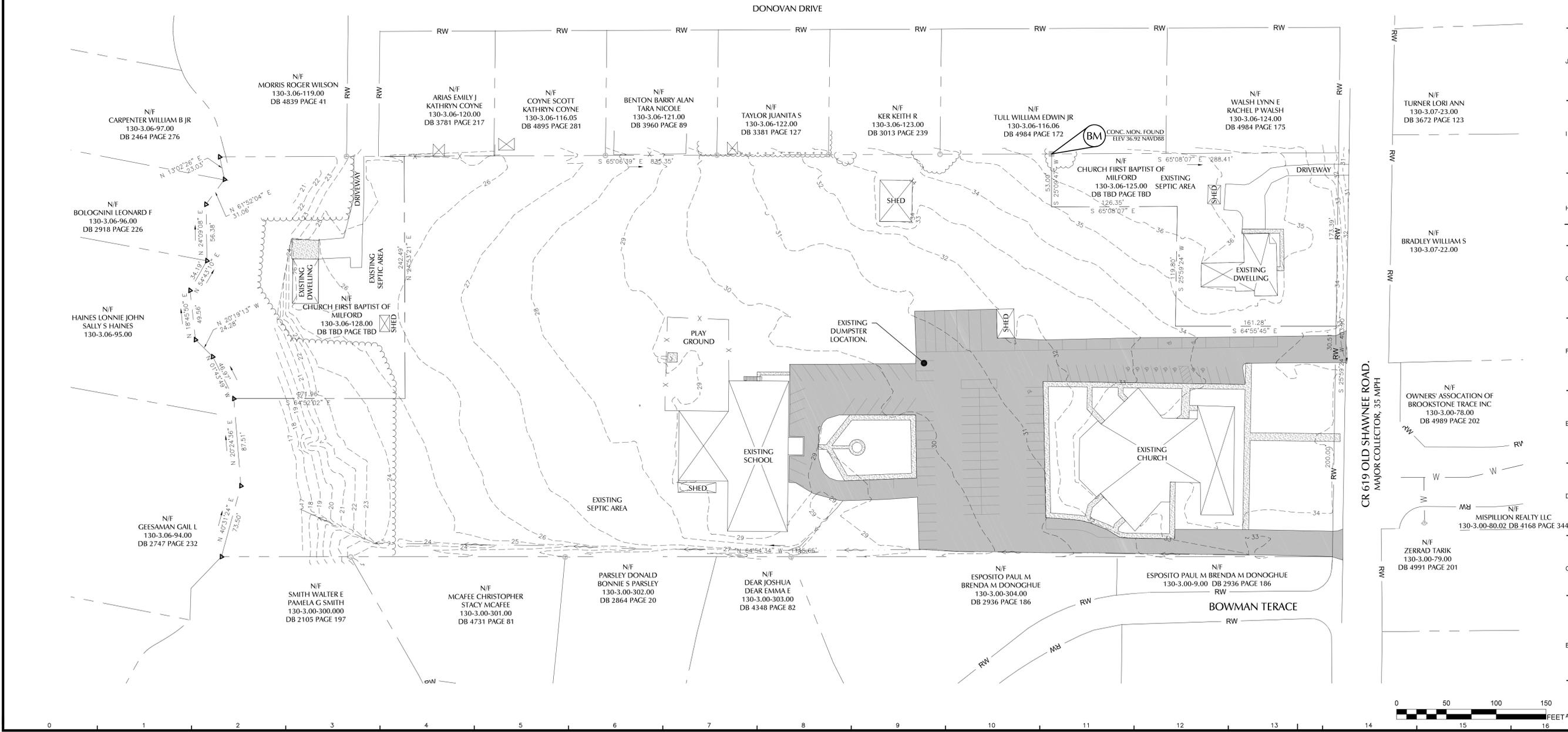
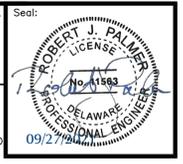
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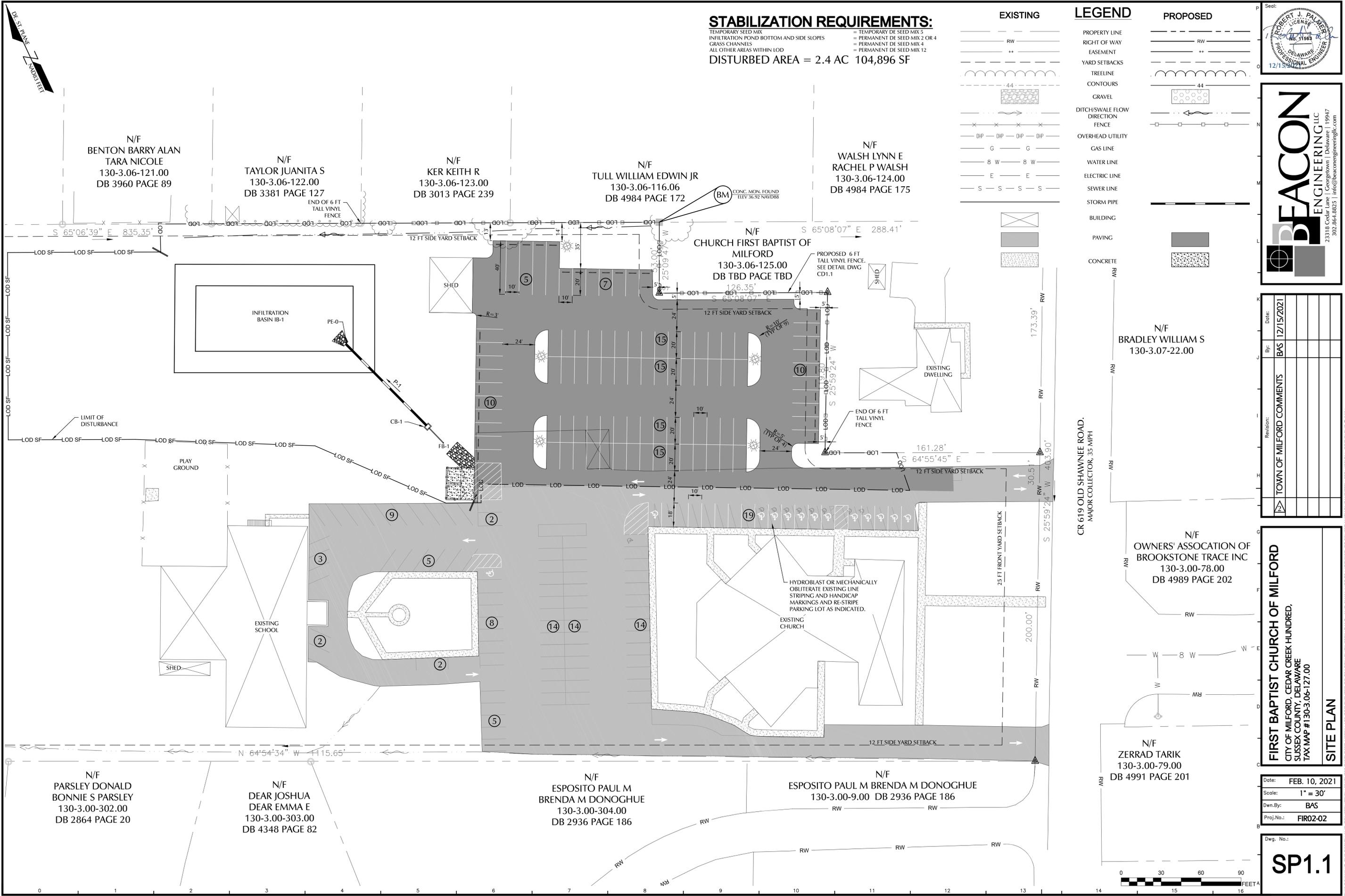
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By:	BAS 9/27/2021
Revision:	
	SCD COMMENTS

FIRST BAPTIST CHURCH OF MILFORD
 CITY OF MILFORD, CEDAR CREEK HUNDRED,
 SUSSEX COUNTY, DELAWARE
 TAX MAP # 130-3.06-127.00
EXISTING CONDITIONS PLAN

Date:	APRIL 9, 2021
Scale:	1" = 50'
Dwn. By:	BAS
Proj. No.:	FIR02-02

Dwg. No.: **EX1.1**





STABILIZATION REQUIREMENTS:
 TEMPORARY SEED MIX = TEMPORARY DE SEED MIX 5
 INFILTRATION POND BOTTOM AND SIDE SLOPES = PERMANENT DE SEED MIX 2 OR 4
 GRASS CHANNELS = PERMANENT DE SEED MIX 4
 ALL OTHER AREAS WITHIN LOD = PERMANENT DE SEED MIX 12
DISTURBED AREA = 2.4 AC 104,896 SF

EXISTING	LEGEND	PROPOSED
— RW —	PROPERTY LINE	— RW —
— ** —	RIGHT OF WAY	— ** —
— --- —	EASEMENT	— --- —
— --- —	YARD SETBACKS	— --- —
— --- —	TREELINE	— --- —
— --- —	CONTOURS	— --- —
— --- —	GRAVEL	— --- —
— --- —	DITCH/SWALE FLOW DIRECTION	— --- —
— --- —	FENCE	— --- —
— --- —	OVERHEAD UTILITY	— --- —
— --- —	GAS LINE	— --- —
— --- —	WATER LINE	— --- —
— --- —	ELECTRIC LINE	— --- —
— --- —	SEWER LINE	— --- —
— --- —	STORM PIPE	— --- —
— --- —	BUILDING	— --- —
— --- —	PAVING	— --- —
— --- —	CONCRETE	— --- —

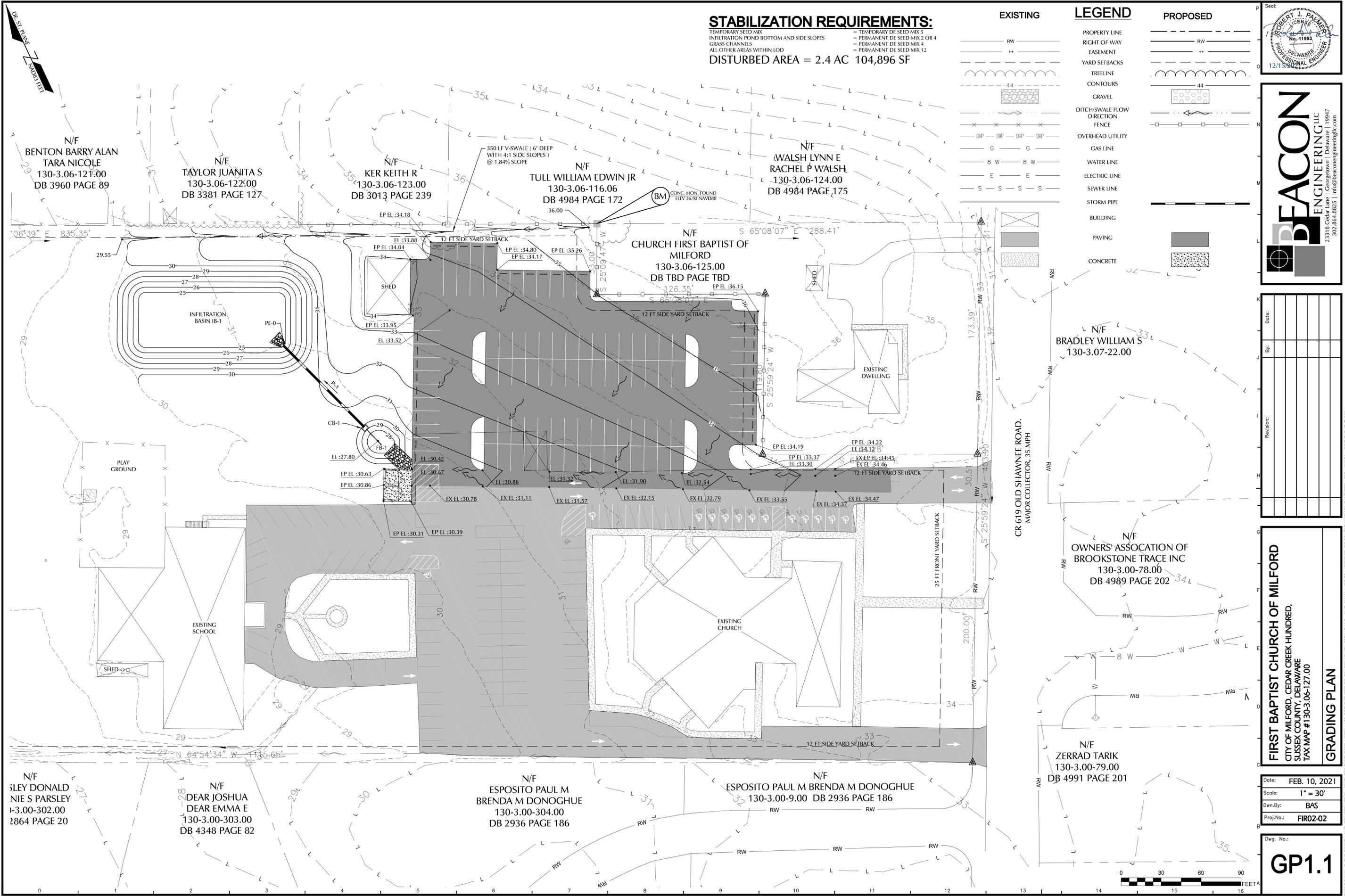


Revision	By	Date
TOWN OF MILFORD COMMENTS	BAS	12/15/2021

FIRST BAPTIST CHURCH OF MILFORD
 CITY OF MILFORD, CEDAR CREEK HUNDRED,
 SUSSEX COUNTY, DELAWARE
 TAX MAP # 130-3-06-127.00
SITE PLAN

Date:	FEB. 10, 2021
Scale:	1" = 30'
Dwn. By:	BAS
Proj. No.:	FIR02-02

Dwg. No.: **SP1.1**



STABILIZATION REQUIREMENTS:
 TEMPORARY SEED MIX = TEMPORARY DE SEED MIX 5
 INFILTRATION POND BOTTOM AND SIDE SLOPES = PERMANENT DE SEED MIX 2 OR 4
 GRASS CHANNELS = PERMANENT DE SEED MIX 4
 ALL OTHER AREAS WITHIN LOD = PERMANENT DE SEED MIX 12
DISTURBED AREA = 2.4 AC 104,896 SF

EXISTING	LEGEND	PROPOSED
RW	PROPERTY LINE	RW
++	RIGHT OF WAY	++
---	EASEMENT	---
---	YARD SETBACKS	---
---	TREELINE	---
---	CONTOURS	---
---	GRAVEL	---
---	DITCH/SWALE FLOW DIRECTION	---
---	FENCE	---
---	OVERHEAD UTILITY	---
---	GAS LINE	---
---	WATER LINE	---
---	ELECTRIC LINE	---
---	SEWER LINE	---
---	STORM PIPE	---
---	BUILDING	---
---	PAVING	---
---	CONCRETE	---



Date:	
By:	
Revision:	

FIRST BAPTIST CHURCH OF MILFORD
 CITY OF MILFORD, CEDAR CREEK HUNDRED,
 SUSSEX COUNTY, DELAWARE
 TAX MAP # 130-3.06-127.00
GRADING PLAN

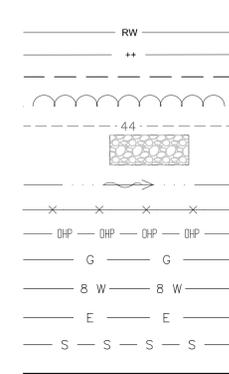
Date:	FEB. 10, 2021
Scale:	1" = 30'
Dwn. By:	BAS
Proj. No.:	FIR02-02

Dwg. No.: **GP1.1**

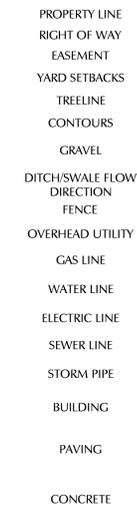
STABILIZATION REQUIREMENTS:

TEMPORARY SEED MIX = TEMPORARY DE SEED MIX 5
 INFILTRATION POND BOTTOM AND SIDE SLOPES = PERMANENT DE SEED MIX 2 OR 4
 GRASS CHANNELS = PERMANENT DE SEED MIX 4
 ALL OTHER AREAS WITHIN LOD = PERMANENT DE SEED MIX 12
DISTURBED AREA = 2.4 AC 104,896 SF

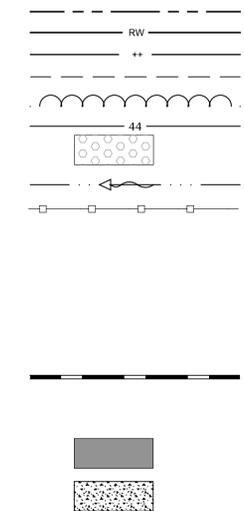
EXISTING



LEGEND



PROPOSED

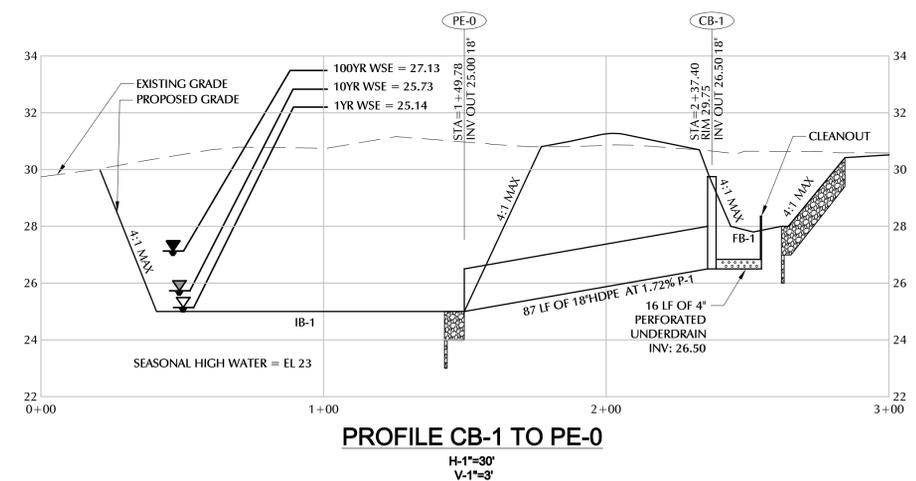
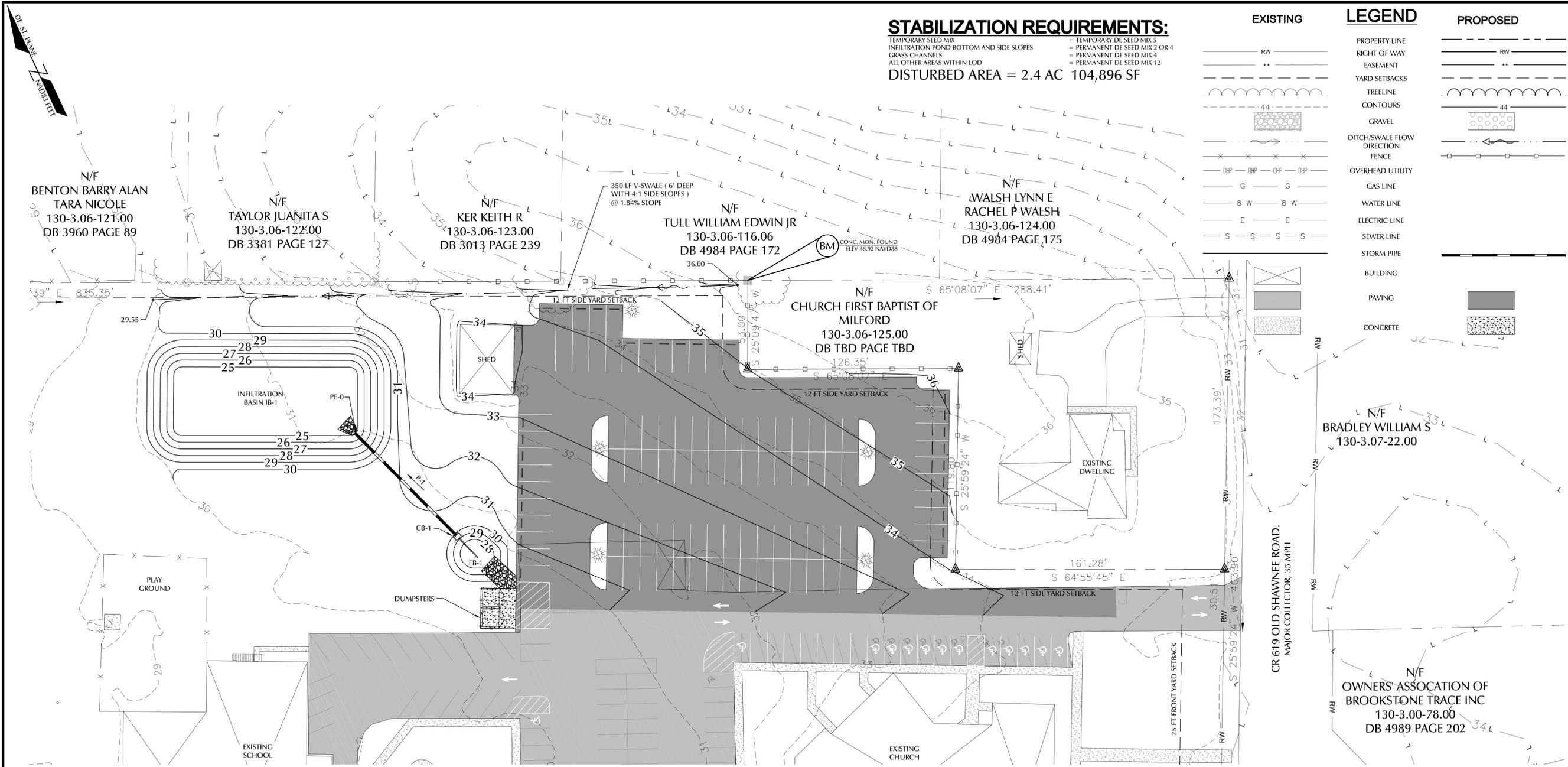


Date:	
By:	
Revision:	

FIRST BAPTIST CHURCH OF MILFORD
 CITY OF MILFORD, CEDAR CREEK HUNDRED,
 SUSSEX COUNTY, DELAWARE
 TAX MAP # 130-3.06-127.00
STORMWATER SYSTEM PLAN AND PROFILE

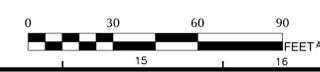
Date: FEB. 10, 2021
 Scale: 1" = 30'
 Dwn. By: BAS
 Proj. No.: FIR02-02

Dwg. No.: **UT3.1**



STRUCTURE SCHEDULE						
NAME	NORTHING	EASTING	RIM EL	INV. IN	INV. OUT	TYPE
PE-0	329870.50	647163.58	N/A	N/A	25.00	Pipe End
CB-1	329789.35	647195.28	29.75	N/A	26.50	P.W.-B.D. 1

PIPE SCHEDULE								
PIPE	FROM	TO	SIZE	TYPE	LENGTH	SLOPE (%)	INV. IN	INV. OUT
P-1	CB-1	PE-0	18.0	HDPE	87	1.72	26.50	25.00



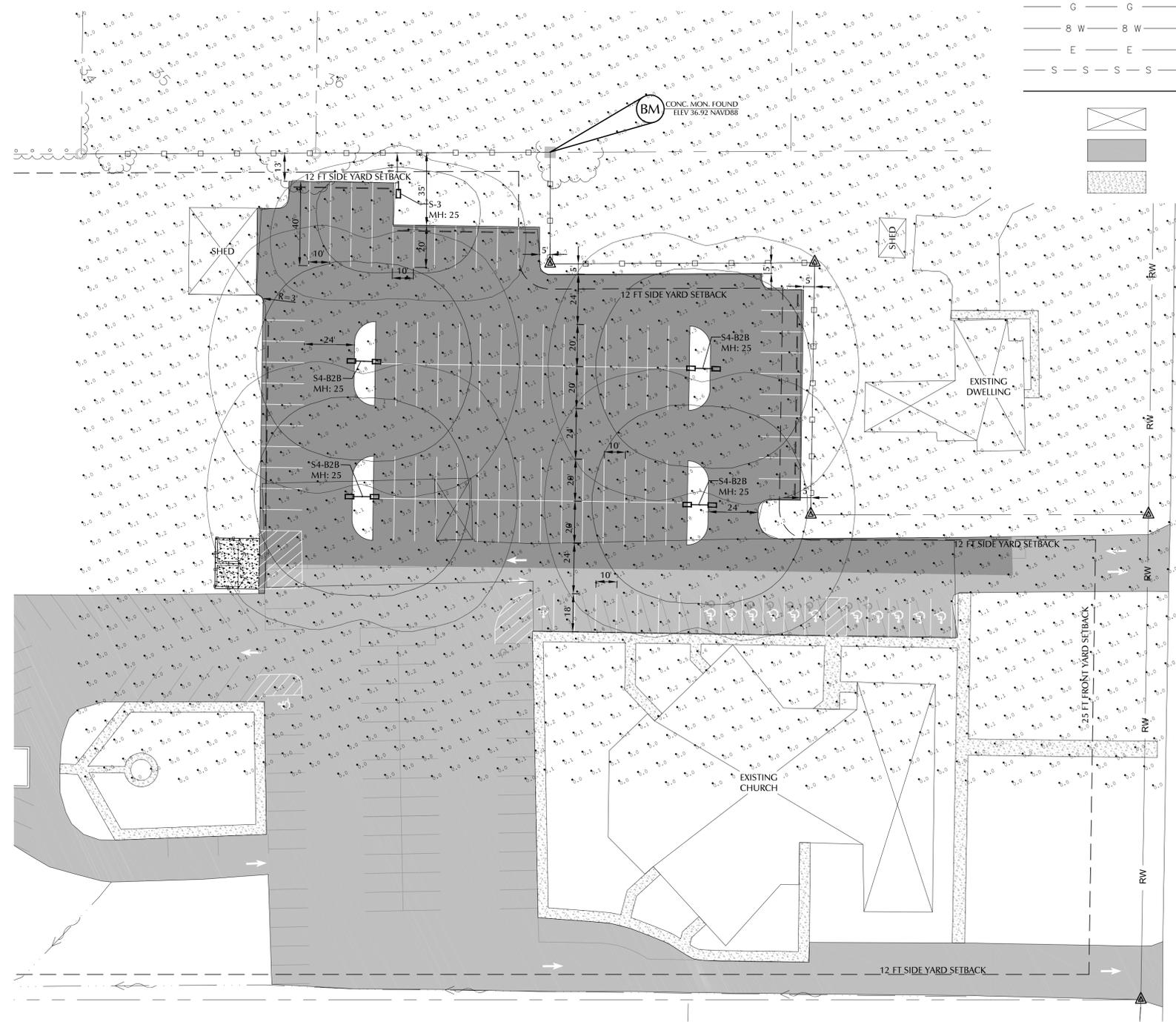


LIGHTING SCHEDULE

SYMBOL	QTY	LABEL	LLF	DESCRIPTION	LUM. WATTS	LUM. LUMENS
—○—	1	S3	SINGLE	Gardco ECF-S-32L-1A-NW-G2-3	105.6	13388
—□—	4	S4-B2B	BACK-BACK	Gardco ECF-S-32L-1_2A-NW-G2-4	121.6	15537

PARKING LOT:
 ILLUMINANCE (Fc)
 AVERAGE = 2.27
 MAXIMUM = 7.1
 MINIMUM = 0.7
 AVG/MIN RATIO = 3.24
 MAX/MIN RATIO = 10.14

EXISTING	LEGEND	PROPOSED
— RW —	PROPERTY LINE	— RW —
— ** —	RIGHT OF WAY	— ** —
— 44 —	EASEMENT	— 44 —
— 44 —	YARD SETBACKS	— 44 —
— 44 —	TREELINE	— 44 —
— 44 —	CONTOURS	— 44 —
— 44 —	DITCH/SWALE FLOW DIRECTION	— 44 —
— 44 —	FENCE	— 44 —
— 44 —	OVERHEAD UTILITY	— 44 —
— 44 —	GAS LINE	— 44 —
— 44 —	WATER LINE	— 44 —
— 44 —	ELECTRIC LINE	— 44 —
— 44 —	SEWER LINE	— 44 —
— 44 —	STORM PIPE	— 44 —
— 44 —	BUILDING	— 44 —
— 44 —	PAVING	— 44 —
— 44 —	CONCRETE	— 44 —



BEACON ENGINEERING LLC
 23318 Cedar Lane | Georgetown | Delaware | 19947
 302.864.8825 | info@beaconengineeringllc.com

Date:	
By:	
Revision:	

FIRST BAPTIST CHURCH OF MILFORD
 CITY OF MILFORD, CEDAR CREEK HUNDRED,
 SUSSEX COUNTY, DELAWARE
 TAX MAP # 130-3-06-1127.00

LIGHTING PLAN

Date:	DEC. 15, 2021
Scale:	1" = 30'
Dwn.By:	BAS
Proj.No.:	FIR02-02

Dwg. No.: **LP1.1**



ECF-S EcoForm small Area luminaire

3000K LED Wattage and Lumen Values

Ordering Code	Total LEDs	LED Current (mA)	LED Temp. (°C)	Average System Watts	Type 2			Type 3			Type 4			Type 5			Type 1W		
					Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)
ECF-S-32L-95W-WW-Q2-V	32	300	3000	43	3769	81-00-01	13	3.81	81-00-01	84	2.449	81-00-01	67						
ECF-S-32L-95W-WW-Q2-V	32	300	3000	56	7477	81-00-01	13	5.005	81-00-02	97	3.182	81-00-01	58						
ECF-S-32L-134W-WW-Q2-V	32	1000	3000	104	15681	81-00-02	13	8.024	81-00-02	130	4.739	81-00-02	56						
ECF-S-48L-90W-WW-Q2-V	48	900	3000	139	17791	81-00-02	13	11.860	81-00-02	138	6.426	81-00-02	57						
ECF-S-48L-134W-WW-Q2-V	48	1000	3000	159	20176	81-00-02	13	13.453	81-00-02	138	6.836	81-00-02	56						
ECF-S-64L-90W-WW-Q2-V	64	900	3000	179	23844	81-00-02	13	15.327	81-00-04	137	21.603	81-00-03	57						
ECF-S-64L-134W-WW-Q2-V	64	1000	3000	209	27428	81-00-02	13	17.774	81-00-03	137	21.603	81-00-04	54						

Ordering Code	Total LEDs	LED Current (mA)	LED Temp. (°C)	Average System Watts	Type AFR			BLC			LCL or RCL		
					Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)
ECF-S-32L-95W-WW-Q2-V	32	300	3000	43	3769	81-00-01	13	3.81	81-00-01	84	2.449	81-00-01	67
ECF-S-32L-95W-WW-Q2-V	32	300	3000	56	7477	81-00-01	13	5.005	81-00-02	97	3.182	81-00-01	58
ECF-S-32L-134W-WW-Q2-V	32	1000	3000	104	15681	81-00-02	13	8.024	81-00-02	130	4.739	81-00-02	56
ECF-S-48L-90W-WW-Q2-V	48	900	3000	139	17791	81-00-02	13	11.860	81-00-02	138	6.426	81-00-02	57
ECF-S-48L-134W-WW-Q2-V	48	1000	3000	159	20176	81-00-02	13	13.453	81-00-02	138	6.836	81-00-02	56
ECF-S-64L-90W-WW-Q2-V	64	900	3000	179	23844	81-00-02	13	15.327	81-00-04	137	21.603	81-00-03	57
ECF-S-64L-134W-WW-Q2-V	64	1000	3000	209	27428	81-00-02	13	17.774	81-00-03	137	21.603	81-00-04	54

Ordering Code	Total LEDs	LED Current (mA)	LED Temp. (°C)	Average System Watts	Type 2			Type 3			Type 4			Type 5			Type 1W		
					Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)
ECF-S-32L-95W-WW-Q2-V	32	300	3000	43	3769	81-00-01	13	3.81	81-00-01	84	2.449	81-00-01	67						
ECF-S-32L-95W-WW-Q2-V	32	300	3000	56	7477	81-00-01	13	5.005	81-00-02	97	3.182	81-00-01	58						
ECF-S-32L-134W-WW-Q2-V	32	1000	3000	104	15681	81-00-02	13	8.024	81-00-02	130	4.739	81-00-02	56						
ECF-S-48L-90W-WW-Q2-V	48	900	3000	139	17791	81-00-02	13	11.860	81-00-02	138	6.426	81-00-02	57						
ECF-S-48L-134W-WW-Q2-V	48	1000	3000	159	20176	81-00-02	13	13.453	81-00-02	138	6.836	81-00-02	56						
ECF-S-64L-90W-WW-Q2-V	64	900	3000	179	23844	81-00-02	13	15.327	81-00-04	137	21.603	81-00-03	57						
ECF-S-64L-134W-WW-Q2-V	64	1000	3000	209	27428	81-00-02	13	17.774	81-00-03	137	21.603	81-00-04	54						

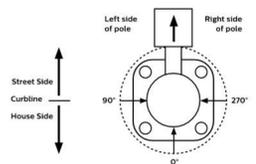
Ordering Code	Total LEDs	LED Current (mA)	LED Temp. (°C)	Average System Watts	Type AFR			BLC			LCL or RCL		
					Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)
ECF-S-32L-95W-WW-Q2-V	32	300	3000	43	3769	81-00-01	13	3.81	81-00-01	84	2.449	81-00-01	67
ECF-S-32L-95W-WW-Q2-V	32	300	3000	56	7477	81-00-01	13	5.005	81-00-02	97	3.182	81-00-01	58
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ECF-S-64L-90W-WW-Q2-V	64	900	3000	179	23844	81-00-02	13	15.327	81-00-04	137	21.603	81-00-03	57
ECF-S-64L-134W-WW-Q2-V	64	1000	3000	209	27428	81-00-02	13	17.774	81-00-03	137	21.603	81-00-04	54

ECF-S_Ecoform_area_small 08/21 page 4 of 9

ECF-S EcoForm small Area luminaire

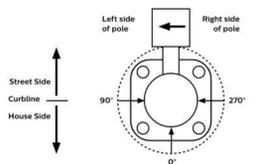
Optical Orientation Information

Standard Optic Position
Luminaires ordered with asymmetric optical systems in the standard optic position will have the optical system oriented as shown below:



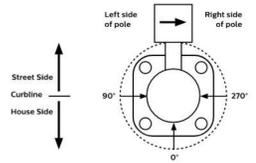
Note: The hand hole will normally be located on the pole at the 0° point.

Optic Rotated Left (90°) Optic Position
Luminaires ordered with optical systems in the Optic Rotated Left (90°) optic position will have the optical system oriented as shown below (Type 5 and SW optics are not available with factory set rotatable optics):



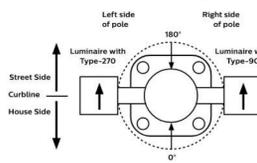
Note: The hand hole will normally be located on the pole at the 0° point.

Optic Rotated Right (270°) Optic Position
Luminaires ordered with optical systems in the Optic Rotated Right (270°) optic position will have the optical system oriented as shown below (Type 5 and SW optics are not available with factory set rotatable optics):



Note: The hand hole will normally be located on the pole at the 0° point.

Two Luminaire Assemblies with Type-90/Type-270 Rotated Optical Systems
Two luminaire assemblies installed with rotated optical systems are an excellent way to direct light toward the interior of the site (Street Side) without additional equipment. It is important, however, that care be exercised to insure that luminaires are installed in the proper location.



Note: The hand hole location will depend on the drilling configuration ordered for the pole.

ECF-S_Ecoform_area_small 08/21 page 7 of 9

ECF-S EcoForm small Area luminaire

5000K LED Wattage and Lumen Values

Ordering Code	Total LEDs	LED Current (mA)	LED Temp. (°C)	Average System Watts	Type 2			Type 3			Type 4			Type 5			Type 1W		
					Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)
ECF-S-32L-95W-WW-Q2-V	32	300	3000	43	3769	81-00-01	13	3.81	81-00-01	84	2.449	81-00-01	67						
ECF-S-32L-95W-WW-Q2-V	32	300	3000	56	7477	81-00-01	13	5.005	81-00-02	97	3.182	81-00-01	58						
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ECF-S-64L-90W-WW-Q2-V	64	900	3000	179	23844	81-00-02	13	15.327	81-00-04	137	21.603	81-00-03	57						
ECF-S-64L-134W-WW-Q2-V	64	1000	3000	209	27428	81-00-02	13	17.774	81-00-03	137	21.603	81-00-04	54						

Ordering Code	Total LEDs	LED Current (mA)	LED Temp. (°C)	Average System Watts	Type AFR			BLC			LCL or RCL		
					Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)
ECF-S-32L-95W-WW-Q2-V	32	300	3000	43	3769	81-00-01	13	3.81	81-00-01	84	2.449	81-00-01	67
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ECF-S-64L-90W-WW-Q2-V	64	900	3000	179	23844	81-00-02	13	15.327	81-00-04	137	21.603	81-00-03	57
ECF-S-64L-134W-WW-Q2-V	64	1000	3000	209	27428	81-00-02	13	17.774	81-00-03	137	21.603	81-00-04	54

Ordering Code	Total LEDs	LED Current (mA)	LED Temp. (°C)	Average System Watts	Type 2			Type 3			Type 4			Type 5			Type 1W		
					Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)	Lumen Output	BIG Rating	Efficiency (LPW)
ECF-S-32L-95W-WW-Q2-V	32	300	3000	43	3769	81-00-01	13	3.81	81-00-01	84	2.449	81-00-01	67						
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ECF-S-48L-134W-WW-Q2-V	48	1000	3000	159	20176	81-00-02	13	13.453	81-00-02	138	6.836	81-00-02	56						
ECF-S-64L-90W-WW-Q2-V	64	900	3000	179	23844	81-00-02	13	15.327	81-00-04	137	21.603	81-00-03	57						
ECF-S-64L-134W-WW-Q2-V	64	1000	3000	209	27428	81-00-02	13	17.774	81-00-03	137	21.603	81-00-04	54						

ECF-S_Ecoform_area_small 08/21 page 5 of 9

Transmitted via E-mail

December 15, 2021

City of Milford
180 Vickers Drive
Milford, Delaware 19963

Attn: Mr. Rob Pierce
Planning Director

Re: Site Plan Review for Conditional Use
Review Comments – Response Letter
First Baptist Church of Milford
Project No. FIR02-02

Dear Mr. Pierce:

In response to your review comments, dated November 2, 2021, enclosed please find one set of revised Site Plans where all comments have been addressed. The following narrative represents our responses in the same order presented in your email:

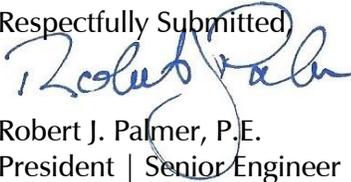
Comments

1. **Comment:** *Adjust the name on the cover sheet to include Final Site Plan.*
Response: Acknowledged & addressed. Final Site Plan was added to the cover sheet.
2. **Comment:** *Data Column: The property is currently served by onsite sewer and onsite water.*
Response: Acknowledged & addressed. The Data Column has been updated.
3. **Comment:** *Data Column: Double check your parking count. Also, 187 parking spaces requires 6 ADA parking spaces. This appears to be met but the data column should be updated.*
Response: Acknowledged & addressed. The parking labels and counts have been adjusted.
4. **Comment:** *Incorporate the attached general site plan notes.*
Response: Acknowledged & addressed. The notes have been added to sheet T1.2
5. **Comment:** *Provide the dimensions between the proposed parking lot and the closest property line. Chapter 230 Zoning requires a minimum of 5 feet between the parking lot and the neighboring parcel lines. The parking lot should also be screened from the adjacent residential uses.*
Response: Acknowledged & addressed. The dimension has been added and the fence has been shown and labeled for clarity on sheet SP1.1

6. **Comment:** *Provide a 6' tall buffer between the parking lot and the adjacent residential lots to the north. This could be accomplished by the installation of a privacy fence or plantings or combination of both. The intent of the buffer is to minimize impact of headlights onto adjacent parcels from parking activity.*
Response: Acknowledged & addressed. A 6' tall vinyl fence has been added to the Site Plan.
7. **Comment:** *Provide a lighting plan footcandle map for the parking lot to ensure there is proper illumination of the paved areas and no impact on neighboring properties.*
Response: Acknowledged & addressed.
8. **Comment:** *Is the traffic one-way or two-way along the main existing drive aisles? Provide direction arrows on the plan.*
Response: Acknowledged & addressed. Directional arrows have been shown in the existing main drive aisles. All drive aisles permit 2-way traffic with the exception of the traffic circle for the school drop-off area and the south exit.
9. **Comment:** *The parking row next to the bus spaces only has 7 spaces, please adjust the label.*
Response: Acknowledged & addressed. The label has been adjusted.
10. **Comment:** *The parking spaces next to the trash enclosure do not appear to be accounted for in the parking row totals.*
Response: Acknowledged & addressed.
11. **Comment:** *Indicate the limit of disturbance and provide the LOD square footage.*
Response: Acknowledged & addressed. The LOD line and area are now shown on sheet SP1.1.

We trust our responses adequately address your comments. Following your review of the foregoing, please call me with any questions.

Respectfully Submitted



Robert J. Palmer, P.E.
President | Senior Engineer

Enclosures

cc: Mr. Eric W Heishman (via DropBox)



October 12, 2021

Mr. Robert Palmer
Beacon Engineering, LLC
rpalmer@beaconengineeringllc.com

RE: First Baptist Church of Milford

Dear Mr. Palmer,

The Sussex Conservation District has reviewed the sediment and stormwater management plans submitted for the above referenced project and they are acceptable. Please provide the District with the following:

- Five sets of plans.
- One set of plans scaled 12 x 18.
- An electronic copy in PDF format of the project's complete construction plan set.
- An electronic copy in PDF format of the stormwater report, and all exhibits.
- A check for inspection fee of \$3,450 and maintenance fee of \$850. These fees can be combined into one check.

Please note:

- Every plan sheet is to be signed and sealed by a qualified design professional.
- The SCD Owners Certification Statement is to be signed in ink on each set of plans.

If plans are submitted with any of the above items missing, they will not be approved. Be advised if there are any deficiencies which cannot be addressed within 72 hours the plans will be considered withdrawn and therefore, you will need to entirely resubmit. We appreciate your cooperation in this matter as we are trying to maintain a professional and structured office to better serve you.

If ownership is going to change, the District will require a new application and two sets of plans with the new owner's information and signed certification statement. In addition, the authorization to discharge stormwater under the regulations *Part 2 Special*

Conditions for Storm Water Discharges Associated with Construction Activities, must be transferred by the original owner to the new owner, please contact DNREC at 302-739-9921 for assistance.

If you have any questions or concerns regarding the aforementioned, please do not hesitate to contact the District.

Sincerely,

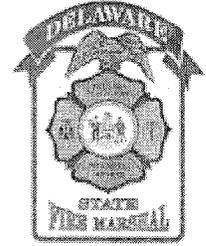
Barbara Schauer, PE

Plan Review



**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

22705 Park Avenue
Georgetown, DE 19947



SFMO PERMIT – SHALL BE POSTED ON JOBSITE UNTIL FINAL INSPECTION

Plan Review Number: 2021-04-208512-MJS-01
Status: Approved as Submitted

Tax Parcel Number: 130-3.06-127.00
Date: 10/22/2021

Project

Parking Lot Expansion
First Baptist Church of Milford

6062 Old Shawnee Road
Milford DE 19963

Scope of Project

Number of Stories:
Square Footage:
Construction Class:
Fire District: 42 - Carlisle Fire Co Inc

Occupant Load Inside:
Occupancy Code:

Applicant

Robert Palmer
23318 Cedar Lane
Georgetown, DE 19947

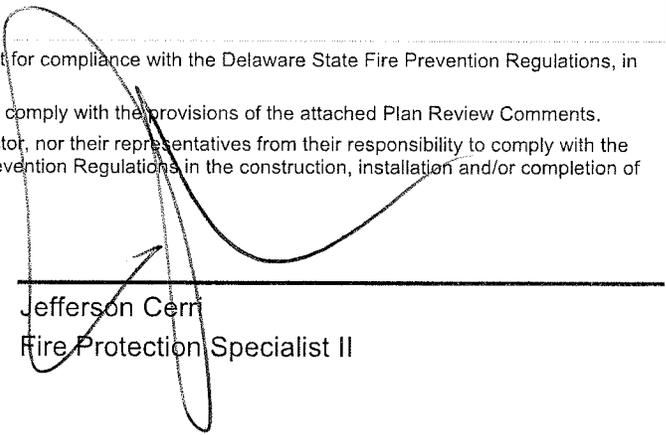
This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

A final inspection is required.

This Plan Review Project was prepared by:



Jefferson Cern
Fire Protection Specialist II

FIRE PROTECTION PLAN REVIEW COMMENTS

Plan Review Number: 2021-04-208512-MJS-01

Tax Parcel Number: 130-3.06-127.00

Status: Approved as Submitted

Date: 10/22/2021

PROJECT COMMENTS

- | | |
|---------------|---|
| 1002 A | This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) ADOPTED September 1, 2. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes. |
| 1050 A | This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 1,500 gpm @ 20 psi residual for 2 hours duration. Hydrant Spacing: 800' on center. |
| 1180 A | This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies. |
| 1501 A | If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved. |



§ 230-9. R-1 Single-Family Residential District.

In an R-1 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 intent of the R-1 Residential District is to preserve the spacious residential atmosphere and quality of living of existing low-density residential development, to provide for the orderly and appropriate development of new low-density housing and to allow related uses that would not be detrimental to the residential character of the district.
- B. Permitted uses. Permitted uses for the R-1 District shall be as follows:
- (1) A single-family detached residential dwelling.
 - (2) Farming, agricultural activities and roadside stands for the sale of farm and nursery products produced on the property where offered for sale.
 - (3) Municipal and public services and facilities, including City Hall, water storage towers, water reservoirs, water pumping stations, water treatment plants, sewage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, public transportation bus or transit stops, police and fire stations and substations for electric, gas and telephone facilities.
 - (4) Parks, playgrounds, athletic fields, recreation buildings, swimming pools and community centers operated on a noncommercial basis for recreation purposes.
 - (5) Customary accessory uses, such as private garages, swimming pools and storage sheds, subject to the following special requirements:
 - (a) The primary residence must exist or be under construction.
 - (b) Private residential garages shall not exceed 750 square feet.
 - (c) Residential storage sheds or related outbuildings shall not exceed 150 square feet.
 - (6) Home occupational/office (subject to the following special requirements):

[Added 4-9-1990]

- (a) All employees are to be of the immediate family.
 - (b) The appearance of the dwelling shall not be inconsistent with the primary use of the structure.
 - (c) The area used for the home occupation shall not exceed 30% of the total floor area of the dwelling, unless, as in the case of family day care, the state has final jurisdiction of the area requirements.
 - (d) No storage of products or associated materials is allowed in accessory structures/buildings, and no products are to be stored where they are outwardly visible to the public view.
 - (e) Family day care shall involve a maximum of six full-time and two after-school children, as specified by state regulations.
 - (f) The occupation will not cause excessive vehicular traffic or noise.
 - (g) The occupation will not involve animal boarding and/or care.
- 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 in Article IX of this chapter:

(1) Churches and other places of worship and cemeteries.

- (2) Public and private elementary, junior or senior high schools.
- (3) Day-care centers.
- (4) Conversion of a one-family dwelling into multiple dwelling units, if such dwelling is structurally sound but too large to be in demand for one-family use and if that conversion would not impair the character of the neighborhood, subject to conformance with the following requirements:
 - (a) There shall be a lot area of at least 2,000 square feet for each unit to be accommodated.
 - (b) There shall be a gross leasable floor area, computed as the sum of those areas enclosed by the outside faces of all exterior walls surrounding each story used for the residence, exclusive of any area for any accessory private garage, of at least 500 square feet per family to be accommodated.
 - (c) No dwelling shall be converted unless it complies with Chapter 145, Housing Standards, and Chapter 88, Building Construction, of this code.
 - (d) No addition shall extend within the front yard, side yards or rear yard required for the district within which it is located.
 - (e) Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of the building and shall not be located on any building wall facing a street.
 - (f) Two off-street parking spaces shall be provided for each additional dwelling unit created.
- (5) Professional occupation restricted to the owner/occupant, subject to conformance with the following requirements:
 - (a) There shall be three off-street parking spaces in addition to those otherwise required.
 - (b) No more than two persons shall be employed by the practitioner of the professional occupation to provide secretarial, clerical, technical or similar assistance.
 - (c) No storage of materials or products outside the dwelling shall be permitted unless completely housed.
 - (d) The area used for the practice of a professional occupation shall occupy no more than 50% of the total floor area, including garages or other accessory buildings.
 - (e) The professional use shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
 - (f) No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.
 - (g) No display of products shall be visible from outside the building.
- (6) Customary home occupation or a studio for artists, designers, photographers, musicians, sculptors and other similar persons, subject to conformance with the following requirements:
 - (a) The area used for the practice of the home occupation or studio shall occupy no more than 50% of the total floor area of the dwelling unit in which it is located.
 - (b) No storage of materials or products outside the dwelling shall be permitted unless completely housed.
 - (c) The home occupation or studio shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.

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- (d) No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.
 - (e) No display of products shall be visible from outside the building.
 - (f) A maximum of two employees shall be permitted in the operation of the home occupation or studio.
- (7) Social club or fraternal, social service, union or civic organization.
 - (8) Cultural facilities, including a library, museum or art gallery.
 - (9) Country club, regulation golf course, including customary accessory uses, provided that all buildings have a minimum setback of 120 feet from all street and property lines.
 - (10) Planned unit residential development.

[Added 6-11-2001 by Ord. No. 4-2001]

- (11) Planned Residential Neighborhood Development.

[Added 11-27-2006 by Ord. No. 2006-15]

- (a) Planned Residential Neighborhood Development. In order to encourage superior residential environments through a unified planning process, the Planned Residential Neighborhood Development shall be permitted in the R-1 Single Family Residential District Zone as a conditional use subject to the provisions of this chapter and after a determination by the Planning Commission that the proposed planned neighborhood design presents a community design that would not be possible under the conventional zone and is in accordance with the goals and policies of the Comprehensive Plan. The minimum size required for a Planned Residential Neighborhood Development (PRND) shall be 10 acres.
- (b) Review process. The planned neighborhood design option shall involve a three-step review and approval process. In the first step, the developer shall meet with the City Council and present a general sketch plan and a statement documenting the project's compliance with the goals of the Comprehensive Plan for review. The general sketch plan shall reflect the general layout of streets, open space, and housing areas and types. The City Council shall determine whether the proposed project is of such a design and type that it warrants further review by the Planning Commission. If the City Council determines that further review is warranted, the second step shall be the conditional use review process which involves the submission of a conceptual plan which conforms in content to the design standards and requirements specified in this section, as well as the plan submission requirements of this chapter and Subdivision Ordinance. If the conditional use/conceptual subdivision plan is approved, the plan would proceed to the third step which involves the submission of a site development plan and preliminary/final subdivision plans for review and approval by the Planning Commission and City Council.
- (c) Maximum density. The gross residential density in a Planned Residential Neighborhood Development shall not exceed four dwelling units per acre, however the density could be increased to eight dwelling units per acre, provided the development provides the amenities listed under the density bonus section. In no case shall the development exceed eight dwellings units per gross acre.
- (d) Design standards. The design standards and dimensional requirements (bulk and parking regulations) shall be in accordance with this chapter.

- [1] Lot coverage. Based on the following type of residential construction, the following is the maximum lot coverage:

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- [a] Single-family detached dwelling: 35%.
 - [b] Single-family semidetached dwelling: 35%.
 - [c] Single-family attached dwelling: 40%.
 - [d] Garden apartments/condominiums: 30%.
- [2] Minimum setback areas. New buildings shall observe a twenty-five-foot minimum front yard, ten-foot minimum side yards, and a twenty-five-foot minimum rear yard.
 - [3] Height of buildings. The height of buildings shall not exceed three stories or 35 feet. Accessory buildings shall not exceed 15 feet in height.
 - [4] Off-street parking. Off-street parking shall be provided for residents, visitors and employees of the facility. The applicant shall demonstrate to the satisfaction of the Planning Commission that, based on total potential occupancy load (resident, visitor and employee), a sufficient number of off-street parking spaces will be provided.
- (e) Design requirements.
- [1] Common open space.
 - [a] The area set aside and preserved for open space shall aggregate no less than 25 percent of the total site area. Common open space shall be provided in the PRND proposals. The common open space shall not include any wetlands, floodways or similar area not suitable for building as determined by the Planning Commission and City Council. Significant natural features shall be incorporated into common open space whenever possible.
 - [b] The common open space shall be designed as a contiguous area if possible, and shall be interspersed with residential areas so as to provide pedestrian access and visual amenity. The common open space shall be designed and maintained by the property owner/s or an HOA. Recreational areas shall be constructed and may be located within the 25% of open space set aside.
 - [2] Planned neighborhoods. The area set aside and preserved for open space shall aggregate no less than 25% of the total site area.
 - [3] Buffers. Buffers shall be required to provide transition between planned residential development and adjacent properties/rights-of-way or changes in land use. Buffers should consist of earth berms and a planting area. No building shall be constructed less than 40 feet from the perimeter property line of the development. This buffer may consist of either common open space, earth berms, planting areas or private yards or a combination of both; however, no more than 30% of the required buffer area may be counted toward the minimum common open area requirement.
 - [4] Disruption of natural environment. The planned neighborhood design development shall be designed and scheduled so as to minimize earthmoving, erosion, tree clearance and other disruption of the natural environment. Existing vegetation shall be preserved wherever possible. Where extensive natural tree cover and vegetation do not exist or cannot be preserved on the site, landscaping shall be undertaken in order to enhance the appearance of the development and screen streets and parking areas, and enhance privacy of private dwellings. Natural drainage systems shall be preserved wherever possible.
 - [5] Privacy. Dwelling unit structures shall be located and arranged so as to promote privacy for residents within the development and maintain privacy for residents adjacent to the development. Recreational and nonresidential uses shall be located and designed so as not

to interfere with nearby residential areas. All structures and activities located near the periphery of the site shall be designed so as to harmonize with neighboring areas.

(f) Density bonus.

[1] A density bonus may be granted if the developer furnishes improvements that significantly demonstrate to the Planning Commission that the improvements contribute to superior design and which exceed the standard requirements of the city ordinances in accordance with the following schedule:

- [a] Open space. For each increase of 10% in common open space over the minimum requirement of 25%, a density bonus of 10% shall be granted.
- [b] Housing types. Neighborhood design which integrates a variety of housing types to provide architectural diversity and which avoids monotony and segregation by dwelling type in order that single housing type does not dominate the planned neighborhood or section thereof shall be awarded a density bonus of 10%. The term "housing type" refers to each of the following dwelling types: single-family detached houses, semidetached and duplex houses, multiplexes, townhouses, and garden apartments.
- [c] Public buildings. The construction and leasing of a public building, including a firehouse, or a library, or a branch library which is necessitated, either wholly or partially, by the development, may increase the permitted density by 10%, if approved by the City, the Planning Commission and the agency to which the building is to be leased.
- [d] School sites. The donation of a school site may increase the permitted density by 25%, if approved by the City, the Planning Commission and the local school board.
- [e] Recreation facilities. Where the developer provides recreation facilities in accordance with recommendations from the City, the Planning Commission, and the Parks and Recreation Department where the facilities are in excess of those required by City ordinances, a density bonus of 5% shall be given. Such facilities may include, but are not limited to walking trails, bike paths, tennis courts, and boating access areas.
- [f] Community gardens. The reservation of additional common land for the establishment of community gardening space for the raising of flowers, fruits and vegetables shall be awarded a 5% of density bonus.
- [g] Community day-care facilities. The construction of a building to house a day-care center for use primarily by residents of the community shall be awarded a density bonus of 10%.
- [h] Community buildings. The construction of a community building to serve as a meeting hall for various community functions, including, but not limited to, civic meetings, recreational purposes, receptions and special events, shall be awarded a density bonus of 10%.
- [i] Conservation easements. The establishment of a permanent easement for the purpose of conserving and protecting a woodland area, a wetland area, and/or a stream corridor from removal of existing natural vegetation, and/or encroachment by future development shall be awarded a density bonus of 5%.

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- [j] Parking lot landscaping. The construction of landscaping in and around parking lots/areas shall be awarded a density bonus of 2%.
 - [k] Low-level lighting. The construction of low level light within the development and in/around parking lots/areas shall be awarded a density bonus of 3%.
 - [l] School bus pull off/school bus shelter. The construction of school bus pull offs or school bus shelters within the development shall be awarded a density bonus of 5%.
 - [2] Note: City Council will have the final determination in determining the amount of the allowable density bonus.
- (g) Conditional use plan approval.
- [1] In addition to the minimum conditional use plan requirements listed in this chapter and the minimum conceptual subdivision plan requirements listed in the Land Subdivision Regulations, the following additional items shall be reflected on or shall accompany the conditional use plan:
 - [a] Architectural drawings illustrating exterior elevations of typical dwelling units and nonresidential structures to be constructed.
 - [b] Statements and illustrations of the materials to be used in construction and their compatibility with the City Building Code and other codes relating to construction.
 - [c] Total acreage of development, land uses in each area, total number of dwelling units, average gross residential density, average lot area and lot width by unit type, and gross residential density in each section.
 - [d] Building coverage lines accurately locating all types of dwelling units, and nonresidential structures, giving dimensions of the structures, distances between the structures, and distances to street rights-of-way and parking areas, with distances accurate to the nearest hundredth of a foot, and total amount and percentage of impervious area.
 - [e] Accurate dimensions of common open space areas specifically indicating those areas to be developed for active recreation. Where common space areas are to be developed, the exact location of the structures in common open space will be illustrated.
 - [f] Locations and dimensions of parking areas and pedestrian walkways.
 - [2] Each application for a conditional use plan approval shall be accompanied by a fee of \$700 (§ 230-57).
- (h) Site development preliminary subdivision plan review.
- [1] Application for site development plan approval shall be made to the Planning Commission in accordance with this chapter and the land subdivision regulations. Such application may be requested in stages. The following additional requirements shall be included for review along with the site development plan submission:
 - [a] A development phasing plan if proposed, which clearly defines the boundaries of each phase of the development and indicates the number of dwelling units to be constructed in each phase. Each phase shall be assigned a number which

represents that phase's order in the construction sequence of the development.

- [b] Architectural drawings illustrating exterior and interior designs of typical dwelling units of each type and nonresidential structures to be constructed.
- [c] Statements and illustrations of the materials to be used in construction and their compatibility with the City Building Code and other codes relating to construction.
- [d] All covenants running with the land governing the reservation and maintenance of dedicated or undedicated open space land. These shall bear the certificate of approval of the City Solicitor as to their legal sufficiency.
- [e] Restrictions of all types which will run with the land and become covenants in this chapter or in the Land Subdivision Regulations.
- [f] In the case of a planned neighborhood design which is proposed to be developed over a period of years in specific phases, the site development/preliminary subdivision plan requirements as listed in this section shall apply to the phase or phases for which approval is being sought. The site development plan for each phase must demonstrate compliance with minimum plan requirements and shall provide phase specific information regarding proposed development density and dwelling types, locations of common open space, sanitary sewer and water distribution systems, and street systems consistent with the approved conditional use conceptual plan developed for the entire neighborhood.

- [2] Each application for a preliminary plan approval and final plan approval shall be accompanied by a fee of \$1,000 plus \$10 per dwelling unit (§ 230-57).

(i) Site requirements.

- [1] All structures shall be so located as to provide proper access to the building for fire-fighting equipment, trash collection and deliveries.
- [2] All off-street parking shall be provided at the rate of 2.5 spaces for every dwelling unit.
- [3] Outdoor light fixtures shall be provided at locations that will assure the safe and convenient use of walks, steps, parking areas, driveways, streets and other facilities.
- [4] Facilities for temporary trash/refuse storage shall be provided in such manner that is adequate for the dwelling units they support.

(j) Final subdivision plat approval.

- [1] Final subdivision plat review and approval for planned neighborhood design projects involving subdivision of land shall follow the requirements pertaining to the review and recordation of final subdivision plats. In the case of projects for which a phasing plan has been approved, the final subdivision plat for each phase shall demonstrate compliance with minimum plan requirements and shall provide phase specific information regarding proposed development density and dwelling types, locations of common open space, sanitary sewer and water distribution systems, and street systems consistent with the approved conditional use conceptual plan developed for the entire neighborhood.
- [2] Each application for a preliminary plan approval shall be accompanied by a fee of \$1,000 plus \$10 per dwelling unit (§ 230-57).

(12) Bed-and-breakfast, subject to the following requirements:

[Added 9-8-2008 by Ord. No. 2008-13]

- (a) The bed-and-breakfast establishment does not adversely affect the residential character of the neighborhood and such use is carried on in an existing residential structure.
 - (b) The building proposed for use as a bed-and-breakfast must have the owner of the bed-and-breakfast residing in the building as his/her principal residence.
 - (c) The serving of meals shall be limited to breakfast and afternoon tea for overnight guests and customers.
 - (d) Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
 - (e) No exterior alterations other than a sign and those required by law to ensure the safety of the structure shall be made.
 - (f) The bed-and-breakfast operation shall not use more than 50% of the floor area of the principal residence. Common areas such as the kitchen, foyer, living room or dining room are not included in this calculation.
 - (g) No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than 20 feet. Sidewalks shall not be illuminated by lighting fixtures higher than 15 feet. Exterior lighting shall be so shaded as to prevent illumination off-site. All external lighting, except for demonstrated security needs, shall be extinguished by 10:00 p.m.
 - (h) All bed-and-breakfasts must be in compliance with the requirements of the Uniform Building Code and Uniform Fire Code as adapted and enforced by the state fire marshal. Requirements include smoke detectors centrally located on each floor with sleeping rooms and the basement stairway. They must have battery backup and be connected or have a sounding device to provide an alarm which can be heard in all sleeping areas. Every sleeping room must provide at least 50 square feet of floor area per guest and have an operable window of 5.7 square feet or more of clear opening or exterior door for emergency escape or rescue. The maximum distance to a fire extinguisher rated 2A and having a BC rating is 75 feet.
 - (i) Safe food handling is the responsibility of the "host." He/She must properly train employees and other household members in safe food handling procedures and requirements and secure the proper state health permit if applicable.
 - (j) Parking requirements: one space per guestroom plus two spaces for residence. Spaces shall be located to the side and rear of the building and shall be screened from adjacent properties by a five-foot-high wood or masonry fence or by sight-obscuring vegetation of the same height. The area of the parking lot, including driveways, shall be graded, surfaced with asphalt or other suitable material and drained to the satisfaction of the City Engineer to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining properties.
- D. Area regulations.
- (1) Minimum lot area shall be 10,000 square feet. Minimum interior lot shall be 10,000 square feet. Minimum corner lot shall be 13,000 square feet.
 - (2) Maximum lot coverage shall be 30%, exclusive of accessory buildings.
 - (3) Minimum lot width shall be 80 feet.

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- (4) Height of buildings shall not exceed three stories or 35 feet. Accessory buildings shall not exceed 15 feet in height.
 - (5) Minimum front building setback line shall be 25 feet.

[Amended 11-27-2006 by Ord. No. 2006-15]

- (6) Minimum rear yard shall be 25 feet. For corner lots the rear yard may be reduced 20% in depth to allow for skewing of a residential dwelling on the lot.
- (7) Side yards shall be provided as follows: each lot shall have two side yards with a minimum of 12 feet each.
- (8) Parking shall comply with the requirements provided in Article IV of this chapter.
- (9) Signs shall comply with the requirements provided in Article VI of this chapter.
- (10) Decks, subject to the following requirements:

[Added 11-27-2006 by Ord. No. 2006-15; amended 9-8-2008 by Ord. No. 2008-13]

- (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.

[Ord. No. 2019-38, § 3, 11-25-2019]

§ 230-48. Criteria for evaluation.

The following criteria shall be used as a guide in evaluating a proposed conditional use:

- A. The presence of adjoining similar uses.
- B. An adjoining district in which the use is permitted.
- C. There is a need for the use in the area proposed as established by the Comprehensive Plan.
- D. There is sufficient area to screen the conditional use from adjacent different uses.
- E. The use will not detract from permitted uses in the district.
- F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

**CITY OF MILFORD
NOTICE OF PUBLIC HEARING**

Planning Commission Hearing: Tuesday, February 15, 2022 @ 7:00 PM

City Council Hearing: Monday, February 28, 2022 @ 7:00 PM

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by the City of Milford Planning Commission and City Council, with action scheduled to occur on the date(s) and time(s) so indicated:

ORDINANCE 2022-08

William Allen Property Management, LLC – Conditional Use
2.59 +/- acres of land located along the east side of Silicato Parkway
Address: 104 Silicato Parkway
Comprehensive Plan Designation: Commercial
Zoning District: C-3 (Highway/Commercial District)
Present Use: Vacant Proposed Use: Restaurant and Retail
Tax Parcel: MD-16-174.15-01-01.03

WHEREAS, 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.” and are subject to approval from City Council; and

WHEREAS, the applicant is constructing construct a 5,022 square foot restaurant and a 4,000 square foot retail building on the above-described parcel; and

WHEREAS, the City of Milford Planning Commission reviewed the application during their regular meeting on Tuesday, February 15, 2022, at which time interested parties publicly commented on the application; and

WHEREAS, Milford City Council held a Public Hearing on Monday, February 28, 2022, allowing for additional public comment after which the majority of the City Council voted to approve the Conditional Use by adopting this ordinance; and

WHEREAS, the notice as required by Chapter 230, was published in the Milford Beacon on January 19, 2022, and provided to property owners within 200 feet of the subject parcel.

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

Section 1. Upon adoption of this ordinance, a conditional use permit is hereby granted to the William Allen Property Management, LLC to allow a 5,022 square foot restaurant and a 4,000 square foot retail along the east side of Silicato Parkway addressed as 104 Silicato Parkway and as described herein.

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

Section 3. Dates.

City Council Introduction: Monday, February 14, 2022

Planning Commission Review & Public Hearing: Tuesday, February 15, 2022

City Council Public Hearing: Monday, February 28, 2022

Section 4. Effective Date.

This Ordinance is effective ten days following its adoption.

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

01.12.2022

Published: *Milford Beacon 01192022*

DATA SHEET FOR WILLIAM ALLEN PROPERTY MANAGEMENT, LLC

Development Advisory Committee: December 15, 2021

Planning Commission Meeting: February 15, 2022

Application Number / Name	:	21-046 / William Allen Property Management, LLC
Applicant	:	William Allen Property Management, LLC 505 Stanton Christiana Road Newark, DE 19713
Owner	:	Same
Application Type	:	Conditional Use & Preliminary Site Plan
Present Comprehensive Plan Map Designation	:	Commercial
Present Zoning District	:	C-3 (Highway/Commercial District)
Present Use	:	Vacant
Proposed Use	:	Restaurant and Retail
Size and Location	:	2.59 +/- acres of land located along the east side of Silicato Parkway addressed as 104 Silicato Parkway.
Tax Map & Parcel	:	MD-16-174.15-01-01.03

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



STAFF REPORT
January 25, 2022

Application Number / Name	:	21-046 / William Allen Property Management, LLC
Present Comprehensive Plan Designation	:	Commercial
Present Zoning District	:	C-3 (Highway Commercial District)
Present Use	:	Vacant
Proposed Use	:	Restaurant & Retail
Tax Map & Parcel	:	MD-16-174.15-01-01.03
Size and Location	:	2.59 +/- acres of land located along the east side of Silicato Parkway addressed as 104 Silicato Parkway.

I. BACKGROUND INFORMATION:

- The applicant proposes to construct a 5,022 square foot restaurant and a 4,000 square foot retail building on the above referenced parcel as shown on the provided preliminary site plans.
- 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.”

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 Preliminary Site Plan:

- The Preliminary Site Plan meets the minimum standards to Chapter 230 Zoning and Chapter 200 Subdivision of Land.
- The plans have been reviewed for general compliance with the City’s Standard Construction Specifications.

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

A. The presence of adjoining similar uses.

The property is surrounded by developing commercial uses. The properties to the north, west and south are zoned C-3 (Highway Commercial). The property is bounded by SR1 to the east. There is an existing restaurant, medical office building, hotel and gas station/convenience store in the immediate vicinity.

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

The proposed uses are permitted by-right if they were constructed individually, however, multiple permitted uses requires a conditional use approval from City Council.

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 use is consistent with the land use plan for the Comprehensive Plan and addresses additional goals and objectives related to economic development and business growth.

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 site parking lot will be interconnected with the adjacent restaurant and hotel sites for better connectivity.

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

The proposed use should not detract from other permitted uses in the district and should provide economic benefits to both existing and future uses in the immediate vicinity through increased customer traffic.

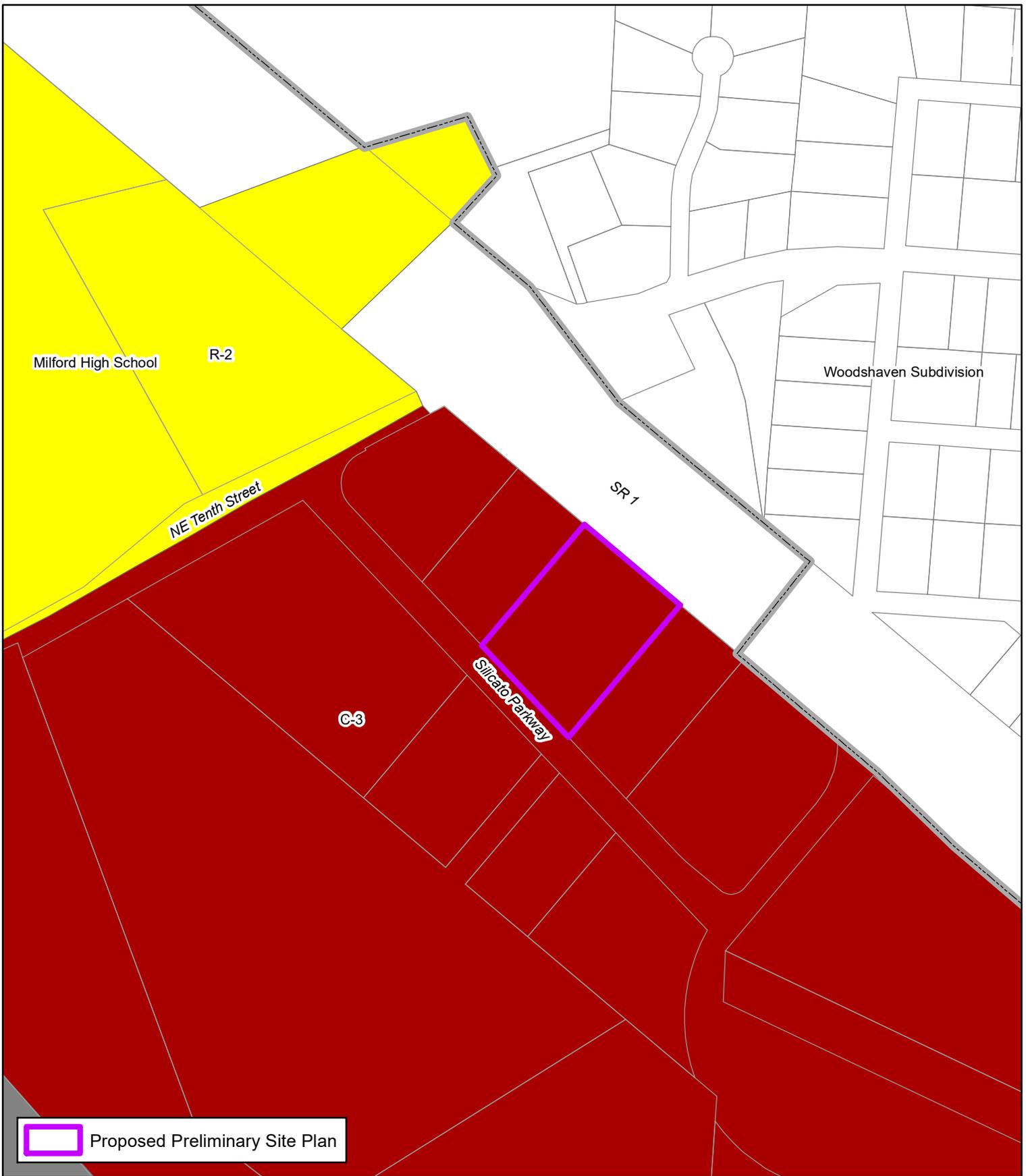
F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

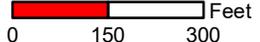
The site is located along an established state-maintained road and the applicant will be required to obtain DelDOT approval prior to final site plan approval from the City. The site meets the minimum parking requirements and landscape screening is not necessary based on similar and compatible adjacent uses.

- The following comments must be addressed prior to final site plan approval:
 - Final Site Plan approval will require approvals or no objection letters from DelDOT, State Fire Marshal's Office and Kent Conservation District;
 - Address Preliminary Site Plan and Conditional Use review comments (a copy of which is provided in the packet);
 - Applicant must obtain final approval of engineering plans from the City Engineer; and,
 - Additional department and agency comments outlined in Section III.

III. AGENCY COMMENTS:

- **Office of State Planning Coordination**
No comments provided.
- **DelDOT Planning, Development Coordination**
 1. The developer shall submit for a pre-submittal meeting to begin discussing the development.
 2. The developer shall be required at a minimum to submit Record Plan for Review and approval through DelDOT Subdivisions.
- **Delaware Health and Social Services – Division of Public Health**
No comments provided.
- **Department of Natural Resources and Environmental Control (DNREC), Division of Water, Surface Water Discharges Section (SWDS)**
No comments provided.
- **Kent Conservation District**
No comments provided.
- **Delaware State Fire Marshal’s Office**
See attached comments.
- **Carlisle Fire Company**
No comments provided.
- **City Engineer**
See attached Preliminary Site Plan review comments dated January 25, 2022 and corresponding responses from the applicant.
- **City of Milford Public Works Department**
No comments provided.
- **City of Milford Parks and Recreation Department**
No comments provided.
- **City of Milford Police Department**
No comments provided.
- **Milford School District**
No comments provided.



	Scale:  Feet 0 150 300	Title: Preliminary Site Plan William Allen Property Management, LLC Location & Zoning Map
	Drawn by: WRP Date: 11/22/21	
Filepath: PreliminarySitePlan_WilliamAllenPropMgt.mxd		

SILICATO-WOOD COMMERCIAL (LOT 3)

DBF # 3969A001
NOVEMBER 2021

PRELIMINARY SITE PLAN

ADJACENT PROPERTY OWNERS

PARCEL	OWNER	ADDRESS	DEED BVP	PLAT BOOK	ZONING
A	MD-16-174.15-01-01.01-000	MILFORD MEDICAL BUILDING, LLC	36932 SILICATO DR, STE 10, MILLSBORO DE 19966	D9928/88	0138 0054 C3
B	MD-16-174.15-01-01.02-000	GROTTO PIZZA MILFORD, LLC	20376 COASTAL HWY, REHOBOTH BEACH DE 19971	D7155/157	0111 0033 C3
C	MD-16-174.15-01-01.04-000	MILFORD MICROTEL, LLC	PO BOX 5, REHOBOTH BEACH DE 19971	D9235/171	0138 0052 C3
D	MD-16-174.15-01-01.05-000	TWO FARMS, INC.	3611 ROLAND AVE, BALTIMORE MD 21211	D5834/99	0114 0058 C3
E	MD-16-174.19-01-14.00-000	DILEK, LLC	17064 S DUPONT HWY, HARRINGTON DE 19952	D10679/161	0135 0048 R2
F	MD-16-174.19-01-13.01-000	BLUE HEN VENTURES, LLC	20283 CEDAR BEACH RD, MILFORD DE 19963	D9535/208	0135 0048 R2
G	MD-16-174.19-01-01.01-000	MCCOLLEY LYNN A. TRUSTEE	20283 CEDAR BEACH RD, MILFORD DE 19963	D9967/26	0135 0048 R2
H	MD-16-174.19-01-13.02-000	BLUE HEN VENTURES, LLC	20283 CEDAR BEACH RD, MILFORD DE 19963	D9535/208	0135 0048 R2
I	MD-16-174.19-01-13.03-000	BLUE HEN VENTURES, LLC	20283 CEDAR BEACH RD, MILFORD DE 19963	D9535/208	0135 0048 R2

SHEET INDEX

PRELIMINARY TITLE SHEET	PL-01
PRELIMINARY EXISTING CONDITIONS PLAN	PL-02
PRELIMINARY SITE PLAN	PL-03
PRELIMINARY UTILITY PLAN	PL-04
PRELIMINARY LANDSCAPE PLAN	PL-05

DATA COLUMN

TAX MAP ID: MD-16-174.15-01-01.03-000

DATUM:
VERTICAL: NAVD 88
HORIZONTAL: NAV83/91

ZONING:
EXISTING: HIGHWAY COMMERCIAL DISTRICT (C-3)
PROPOSED: HIGHWAY COMMERCIAL DISTRICT (C-3)

EXISTING USE:
PROPOSED USE: RESTAURANT & RETAIL

(C-3) ZONING REQUIREMENTS:

REQUIRED	PROPOSED
MINIMUM LOT AREA: 1 ACRE	2,590 ACRES
MAXIMUM LOT COVERAGE: 80%	77.44%
MINIMUM LOT WIDTH: 150 FEET	292 FEET
FRONT SETBACK: 30 FEET	30 FEET (2 FRONT YARDS)
SIDE SETBACK: 20 FEET (50' AGGREGATE)	25 FEET (50' AGGREGATE)
MAXIMUM BUILDING HEIGHT: 3 STORIES OR 35 FEET	1 STORY OR 28 FEET

IMPERVIOUS AREA:
TOTAL SITE AREA: 2,590 ACRES, 112,802 SF
TOTAL IMPERVIOUS AREA: 87,322 SF
MAXIMUM IMPERVIOUS COVER: 80%
PROPOSED IMPERVIOUS COVER: 77.44%

REQUIRED PARKING SPACES:
LIQUOR STORE: 1 PER 200 SF OF FLOOR AREA USED OR DESIGNATED AS SALES, PLUS 1 FOR EACH 2 EMPLOYEES
4,000 SF/200 SF = 20 SPACES +4 EMPLOYEES = 22 REQUIRED SPACES

RESTAURANT: 1 PER 3 SEATING ACCOMMODATIONS PLUS 1 PER 2 EMPLOYEES ON GREATEST SHIFT
300 SEAT ACCOMMODATIONS/3 = 100 SPACES +30 EMPLOYEES = 115 REQUIRED SPACES

TOTAL REQUIRED PARKING SPACES: 137 SPACES

PROPOSED PARKING SPACES: 154 SPACES

UTILITIES:
ELECTRIC: CITY OF MILFORD
GAS: CHESAPEAKE UTILITIES
SEWER: CITY OF MILFORD
WATER: CITY OF MILFORD
LIQUOR STORE = 2 EDUS (ESTIMATED FLOW)
RESTAURANT = 10 EDUS (ESTIMATED FLOW)

FIRE DISTRICT: CARLISLE
SCHOOL DISTRICT: MILFORD
CITY WARD: 3RD

PERMANENT MONUMENTS FOUND: 2
PROPERTY CORNERS FOUND: 2
PROPERTY CORNERS TO BE PLACED: 0

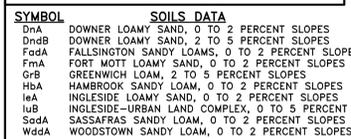
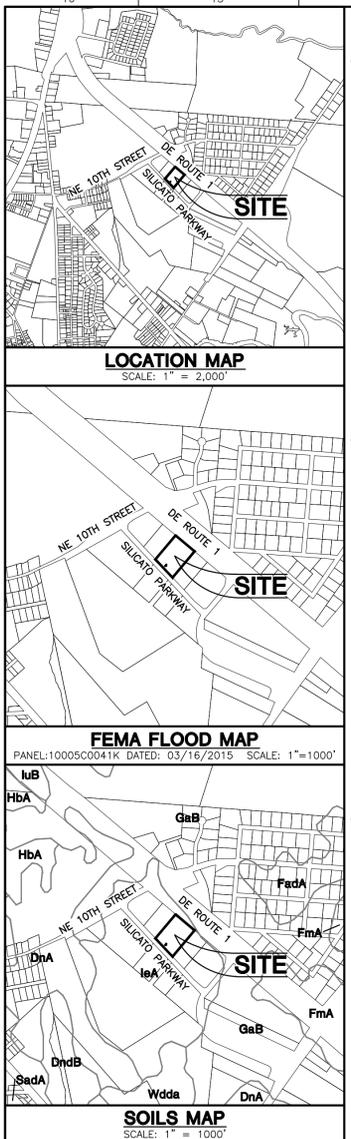
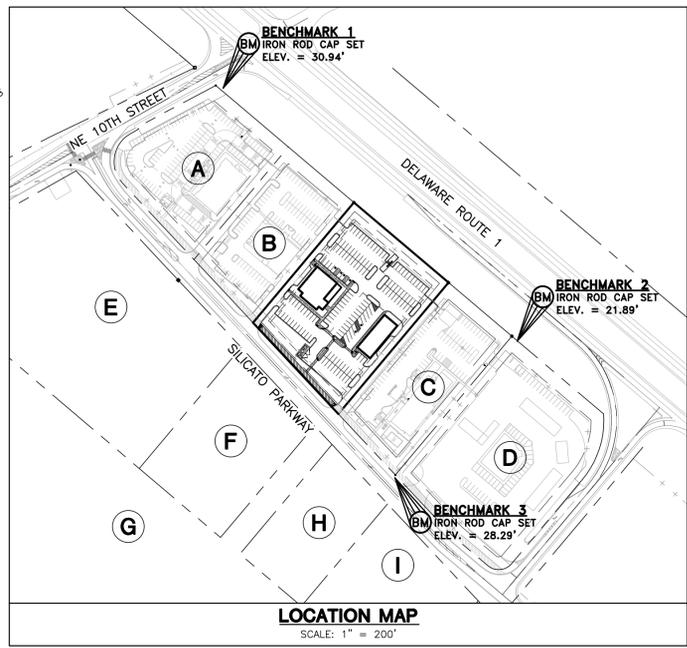
OWNER/DEVELOPER:
WILLIAM ALLEN PROPERTY MANAGEMENT, LLC
505 STANTON CHRISTIANA ROAD
NEWARK, DE 19713
PHONE: 302-750-7358

PREPARED BY:
DAVIS, BOWEN & FRIEDEL, INC.
CLIFTON D. MUMFORD, P.E.
1 PARK AVENUE
MILFORD, DE 19963
PHONE: 302-424-1441
FAX: 302-424-0430

PROPERTY ADDRESS:
104 SILICATO PARKWAY
MILFORD, DELAWARE 19963

SOILS DATA

SYMBOL	SOILS DATA
DnA	DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES
DnB	DOWNER LOAMY SAND, 2 TO 5 PERCENT SLOPES
FdA	FALLSINGTON SANDY LOAMS, 0 TO 2 PERCENT SLOPES
FmA	FORT MOTT LOAMY SAND, 0 TO 2 PERCENT SLOPES
Gb	GREENWICH LOAM, 2 TO 5 PERCENT SLOPES
HbA	HAMBROOK SANDY LOAM, 0 TO 2 PERCENT SLOPES
Ia	INGLESIDE LOAMY SAND, 0 TO 2 PERCENT SLOPES
IaB	INGLESIDE-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPES
SaA	SASSAFRAS SANDY LOAM, 0 TO 2 PERCENT SLOPES
WdA	WOODSTOWN SANDY LOAM, 0 TO 2 PERCENT SLOPES



CITY OF MILFORD GENERAL NOTES

- THE BOUNDARY INFORMATION SHOWN ON THESE DRAWINGS AS PER THE PREVIOUSLY APPROVED AND RECORDED SILICATO-WOOD COMMERCIAL DEVELOPMENT (PLOT BOOK 106 PAGES 59 & 60) RECORDED JULY 21, 2009.
- A TOPOGRAPHIC SURVEY WAS PERFORMED BY DAVIS, BOWEN & FRIEDEL, INC. ON SEPTEMBER 22, 2021. ELEVATIONS ARE BASED ON CONTROL MONUMENT BENCHMARK (CRCS), WITH AN ELEVATION OF 30.94 Meters.
- HORIZONTAL DATUM IS BASED ON DELAWARE STATE GRID, NAD83/91, CONTROL MONUMENT BENCHMARKS #1, #2 AND #3.
- HYDRIC SOILS ARE NOT INDICATED AS BEING PRESENT ACCORDING TO THE KENT COUNTY SOIL SURVEY. SOILS HAVE BEEN INSPECTED BY ERI, A LICENSED WETLANDS SCIENTIST.
- EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETENESS OR CORRECTNESS THEREOF IS NOT GUARANTEED IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATION AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTOR'S EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY DELMARVA (800-282-8555) A MINIMUM OF THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO ANY EXCAVATION.
- ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. MATERIALS AND WORKMANSHIP SHALL MEET THE REQUIREMENTS OF THE CITY OF MILFORD STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION AND SUBDIVISION PAVEMENT DESIGN, AND ALL APPLICABLE AGENCIES HAVING JURISDICTION OVER THE PROPOSED IMPROVEMENTS.
- USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACKFILLING TRENCHES.
- THE CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ANY DISTURBED AREAS BEYOND THE RIGHT-OF-WAY OR EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
- ALL VALVE CLOSURES AND CUT-INS SHALL BE COORDINATED WITH THE CITY. CITY OFFICIALS WILL CARRY OUT ALL NECESSARY VALVE CLOSURES. CONTRACTOR SHALL COORDINATE ISOLATION OF EXISTING WATER MAINS WITH THE CITY AND NOTIFY AFFECTED RESIDENTS AT LEAST 48 HOURS PRIOR TO CUT-IN.
- PIPELINE DETECTION TAPE SHALL BE COLOR CODED AND APPROPRIATELY LABELED, AND INSTALLED 18 INCHES BELOW THE GROUND SURFACE AND DIRECTLY ABOVE ALL PROPOSED NON-METALLIC WATER MAIN, SEWER MAIN, SEWER LATERALS, AND WATER SERVICES.
- CONDUCTIVE TRACER WIRE SHALL BE INSTALLED WITH ALL NON-METALLIC WATER PIPE AND SERVICES, AND ALONG ALL SEWER LATERALS AND FORCEMAIN. WIRE SHALL BE SECURED TO THE PIPE AND SHALL BE SECURELY BONDED TOGETHER AT ALL WIRE JOINTS WITH APPROVED WATERTIGHT CONNECTORS. TRACER WIRE SHALL BE ACCESSIBLE AT ALL VALVE BOXES, METER PITS, CLEANOUTS, AND AIR RELEASE VALVES.
- PRIOR TO ISOLATION AND CUT-IN PROCEDURES, CONTRACTOR SHALL EXCAVATE, LOCATE, AND OBSERVE FUNCTION OF ALL EXISTING VALVES TO ASSIST IN THE SYSTEM ISOLATION.
- SHOP DRAWINGS FOR ANY ITEM(S) WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO THE ORDERING OF AND/OR INSTALLATION OF THE ITEM(S).
- ALL SANITARY SEWER MAINS AND FORCEMANS SHALL HAVE A MINIMUM COVER OF 36 INCHES AND ALL WATER MAINS SHALL HAVE A MINIMUM COVER OF 42 INCHES AS MEASURED FROM THE TOP OF PIPE TO PROPOSED GRADE. SEWER LATERALS SHALL HAVE A MINIMUM DIAMETER OF SIX (6) INCHES AND HAVE A MINIMUM COVER OF 36 INCHES.
- THERE SHALL BE A MINIMUM HORIZONTAL SEPARATION BETWEEN SANITARY SEWER MAINS AND SANITARY SEWER MAINS AND FORCEMANS OF 10 FEET, AS MEASURED FROM EDGE OF PIPE TO EDGE OF PIPE. THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 18 INCHES BETWEEN WATER MAINS AND SANITARY SEWER MAINS OR FORCEMANS AT CROSSINGS. ONE FULL LENGTH OF WATER PIPE SHALL BE INSTALLED LOCATED SO THAT BOTH JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE AT CROSSINGS.
- THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 12 INCHES BETWEEN ANY STORM DRAINPIPE AND ANY WATER MAIN OR SEWER MAIN. IF 12 INCHES CANNOT BE MAINTAINED, A MINIMUM OF SIX (6) INCHES IS REQUIRED AND PROVISIONS SHALL BE MADE ACCEPTABLE TO THE CITY OF MILFORD FOR PROPERLY ENCASED THE PIPE IN CONCRETE.
- THIS SITE DOES NOT CONTAIN COY-OR FLOOD PLAIN BASED ON FEMAL FLOOD PLAIN PANEL 10005C0041K, DATED MARCH 16, 2015.
- ALL ROADWAYS ARE TO BE SWEEP FREE OF SEDIMENT ON A DAILY BASIS.
- THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CURBS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING, AND INFORMATIONAL SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER WILL OCCUR AFTER PAVING IS COMPLETE.
- THE STORM DRAINAGE SYSTEM HAS BEEN DESIGNED USING THE CRITERIA OF THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION'S COORDINATING MANUAL, LATEST EDITION.
- ALL FIRE LANES, FIRE HYDRANTS, EXITS, AND STANDPIPS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
- DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE OWNER.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- CONTRACTOR SHALL GRADE, TOPSOIL, SEED AND MULCH ALL DISTURBED AREAS OF CONSTRUCTION, INCLUDING PIPE INSTALLATION OR DITCH CONSTRUCTION. EROSION CONTROL MATTING SHALL BE PROVIDED ON ALL SLOPES GREATER THAN 3:1.
- THE OWNER AND/OR THEIR CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE SERVICES OF A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF DELAWARE FOR THE PERMANENTLY RE-ESTABLISHING OF ANY PROPERTY MARKERS OR MONUMENTS DISTURBED DURING CONSTRUCTION. A SURVEY AND METES AND BOUNDS THAT INCLUDES THE RE-ESTABLISHED MARKER(S) OR MONUMENT(S) SHALL BE PRESENTED TO THE PROPERTY OWNER FOR COMPARISON WITH THE ORIGINAL PLAT, FOR VERIFICATION.
- THE OWNER SHALL BE RESPONSIBLE FOR THE SHORT-TERM MAINTENANCE OF THE ANY AND ALL STORMWATER MANAGEMENT FACILITIES AND STORM SEWER SYSTEMS UNTIL SUCH TIME THAT THE LONG-TERM MAINTENANCE RESPONSIBILITIES CAN BE TRANSFERRED TO A LEGALLY ESTABLISHED HOMEOWNERS ASSOCIATION OR OTHER RESPONSIBLE ENTITY.
- THE CITY OF MILFORD WILL ASSUME OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF WATER AND SEWER PIPES AND APPURTENANCES INSTALLED WITHIN CITY RIGHT-OF-WAY AND EASEMENTS DEDICATED TO THE CITY, STORM SEWER PIPES AND CATCH BASINS, INSTALLED FULLY WITHIN CITY RIGHT-OF-WAY, ONCE THE FOLLOWING CONDITIONS HAVE BEEN MET:
 - ALL ITEMS HAVE PASSED CITY INSPECTION;
 - THE CITY HAS RECEIVED AND APPROVED DIGITAL AND HARD COPIES OF THE RECORD DRAWINGS; AND
 - THE RIGHTS-OF-WAY AND/OR EASEMENTS HAVE BEEN DEEDED TO THE CITY AND RECORDED WITH THE RECORDER OF DEEDS.
- SEWER AND WATER CAPACITY ARE NOT GUARANTEED UNTIL BUILDING PERMITS ARE ISSUED, ALL FEES ARE PAID AND SUITABLE UTILITIES ARE IN PLACE FOR PROPER CONVEYANCE, TREATMENT AND DISPOSAL.
- PRELIMINARY APPROVAL FROM CITY COUNCIL SHALL BE VOID AFTER ONE (1) YEAR, UNLESS AN EXTENSION IS REQUESTED BY THE OWNER AND APPROVED BY CITY COUNCIL PRIOR TO THE DATE OF EXPIRATION.
- THE APPROVAL OF A CONDITIONAL USE IS VALID FOR ONE YEAR, UNLESS PERMITS ARE OBTAINED OR CONSTRUCTION OR USE IS SUBSTANTIALLY UNDERWAY. ALL PROVISIONS OF THE CONDITIONAL USE ARE AUTOMATICALLY RESCINDED.
- FINAL APPROVAL FROM THE CITY SHALL BECOME VOID IF THE FINAL RECORD PLAT IS NOT RECORDED WITHIN 90 DAYS OF THE DATE OF THE PLANNING COMMISSION'S GRANTING OF FINAL APPROVAL.
- CONSTRUCTION OF THE APPROVED IMPROVEMENTS IS NOT SUBSTANTIALLY UNDERTAKEN WITHIN ONE (1) YEAR OF FINAL SITE PLAN APPROVAL, THE SITE PLAN APPROVAL SHALL BE VOID. THE APPLICANT MAY REQUEST A ONE (1) YEAR EXTENSION FROM THE PLANNING COMMISSION FOR GOOD CAUSE.
- THE APPLICANT IS RESPONSIBLE TO ENSURE THAT ALL CITY AND/OR AGENCY CONSTRUCTION PERMIT APPLICATIONS HAVE BEEN COMPLETED, SUBMITTED, AND ALL APPLICABLE FEES HAVE BEEN PAID PRIOR TO COMMENCING CONSTRUCTION. THE CITY SHALL NOT BE HELD RESPONSIBLE FOR AN ANTICIPATED CONSTRUCTION START DATE THAT IS NOT MET DUE TO THE APPLICANT OR HIS/HER CONTRACTOR NOT HAVING MET THE CONSTRUCTION PERMITTING REQUIREMENTS.
- AS A CONDITION OF THE APPROVAL OF THE CONSTRUCTION DRAWINGS, AND PRIOR TO THE START OF CONSTRUCTION, THE APPLICANT MAY BE REQUIRED TO ENTER INTO A FORMAL PUBLIC WORKS AGREEMENT WITH THE CITY AND/OR TO POST A COMPLETION GUARANTY FOR ANY IMPROVEMENTS WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY. THE GUARANTY SHALL BE IN AN AMOUNT EQUAL TO 150% OF THE COST OF THE IMPROVEMENTS AS ESTIMATED OR APPROVED BY THE CITY ENGINEER. THE GUARANTY SHALL BE IN THE FORM OF A BOND OR FUNDS DEPOSITED IN AN ESCROW ACCOUNT. THE PUBLIC WORKS AGREEMENT AND THE GUARANTY SHALL BE REVIEWED AND APPROVED BY THE CITY SOLICITOR. THE COMPLETION GUARANTEE SHALL NOT BE RELEASED UNTIL A MAINTENANCE BOND IN THE AMOUNT OF 10% OF THE IMPROVEMENTS HAS BEEN SUBMITTED.
- A MAINTENANCE BOND IN THE AMOUNT OF 10% OF THE CONSTRUCTION VALUE FOR ANY CONSTRUCTED IMPROVEMENTS AND A PERFORMANCE BOND IN THE AMOUNT OF 125% OF THE CONSTRUCTION VALUE FOR ANY UNCOMPLETED WORK SHALL BE PROVIDED IN ORDER TO ACHIEVE FINAL COMPLETION OF THE IMPROVEMENTS AND RELEASE OF ANY COMPLETION GUARANTY. THE MAINTENANCE PERIOD SHALL BE A MINIMUM OF ONE YEAR AND ALL CONSTRUCTION VALUES MUST BE SUBMITTED TO, REVIEWED AND APPROVED BY THE CITY ENGINEER PRIOR TO THE ISSUANCE OF ANY BONDS.
- UPON COMPLETION OF THE CONSTRUCTION IMPROVEMENTS AND PRIOR TO THE RELEASE OF ANY DEVELOPER'S COMPLETION GUARANTEE, THE DEVELOPER SHALL PROVIDE THE CITY ENGINEER A DRAFT PAPER SET OF DETAILED RECORD PLANS (PLAN VIEW AND PROFILE SHEETS). RECORD INFORMATION SHALL BE PLACED ON THE APPROPRIATE APPROVED DRAWINGS. ORIGINAL DESIGN ELEVATION AND/OR DISTANCE INFORMATION SHALL BE STRUCK THROUGH WITH A FINE LINE AND THE RECORD INFORMATION SHALL BE INSERTED INTO THE DRAFT SET OF DRAWINGS HAS BEEN APPROVED BY THE CITY. THREE (3) FINAL PAPER COPIES SHALL BE SUBMITTED, SIGNED AND SEALED BY THE OWNER'S ENGINEER OR SURVEYOR. ADDITIONALLY, A CD SHALL BE PROVIDED WITH DIGITAL RECORD INFORMATION IN AUTOCAD FORMAT (VERSION 2018 OR LATER). THE DIGITAL INFORMATION SHALL BE ON DELAWARE STATE PLANS HAD 83 HORIZONTAL, CONTROL AND NAVIGS VERTICAL CONTROL. RECORD PLAN INFORMATION SHALL INCLUDE SURVEYED AS-BUILT ELEVATIONS AND HORIZONTAL LOCATIONS OF THE FOLLOWING:
 - ALL PROPERTY MONUMENTS/MARKERS;
 - SEWER MANHOLE RIM & INVERT ELEVATIONS, WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, PUMP STATION RIM, BOTTOM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, FORECMAIN INVERT ELEVATIONS EVERY 50 FEET, FORECMAIN AIR RELEASE VALVE RIM & INVERT ELEVATIONS, SEWER CLEANOUT RIM & INVERT ELEVATIONS, AND GREASE TRAP RIM, BOTTOM & INVERT ELEVATIONS;
 - C WATER VALVES, FIRE HYDRANTS, METER VAULTS, METER PITS, AND CURB STOPS;
 - STORM SEWER CATCH BASIN AND/OR MANHOLE GRATE, RIM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED; AND
 - ANY OTHER ITEM WHICH WILL BE TAKEN OVER BY THE CITY.
- THE CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS DEPARTMENT AT (302) 422-1110 A MINIMUM OF TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SCHEDULE A PRE-CONSTRUCTION MEETING. THE SITE CONTRACTOR AND THE OWNER, OR HIS/HER REPRESENTATIVE SHALL BE ATTENDING.
- THERE ARE NO SOURCE WATER PROTECTION AREA ON THIS SITE ACCORDING TO DNRC.
- THERE ARE NO WETLANDS PRESENT ON SITE AS PER THE PREVIOUSLY APPROVED AND RECORDED SILICATO-WOOD COMMERCIAL DEVELOPMENT (PLOT BOOK 111 PAGE 33) RECORDED OCTOBER 8, 2010.

ENGINEER'S STATEMENT

I, THE UNDERSIGNED, HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

CLIFTON D. MUMFORD, P.E.
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE, 19963

OWNER'S STATEMENT

I, THE UNDERSIGNED, CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE ACT AND DESIRE THE PLAN TO BE RECORDED TO ORDINANCE.

WILLIAM ALLEN PROPERTY MANAGEMENT, LLC
505 STANTON CHRISTIANA ROAD
NEWARK, DE 19713

DEVELOPER'S STATEMENT

I, THE UNDERSIGNED, CERTIFY THAT I AM THE DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE ACT AND DESIRE THE PLAN TO BE RECORDED TO ORDINANCE.

WILLIAM ALLEN PROPERTY MANAGEMENT, LLC
505 STANTON CHRISTIANA ROAD
NEWARK, DE 19713

CITY OF MILFORD APPROVAL

MARK WHITFIELD CITY MANAGER DATE

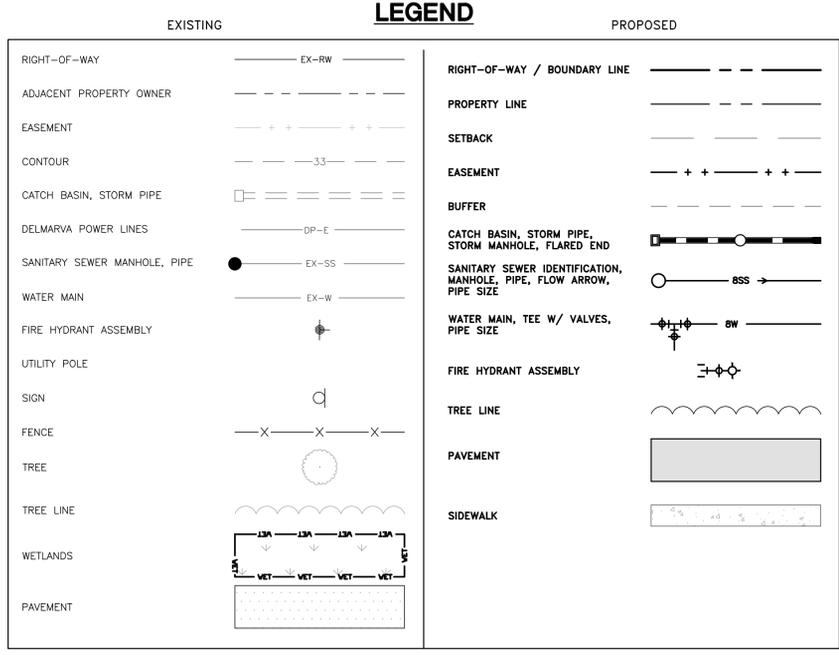
CITY PLANNING DEPARTMENT APPROVAL

PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE MOST RECENTLY ADOPTED AND/OR CERTIFIED VERSIONS OF THE CITY OF MILFORD'S CODE OF ORDINANCES AND COMPREHENSIVE LAND USE PLAN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

CITY ENGINEER APPROVAL

CONSTRUCTION IMPROVEMENTS PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE CITY OF MILFORD'S STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION PROJECTS AND SUBDIVISION PAVEMENT DESIGN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

CITY ENGINEER DATE

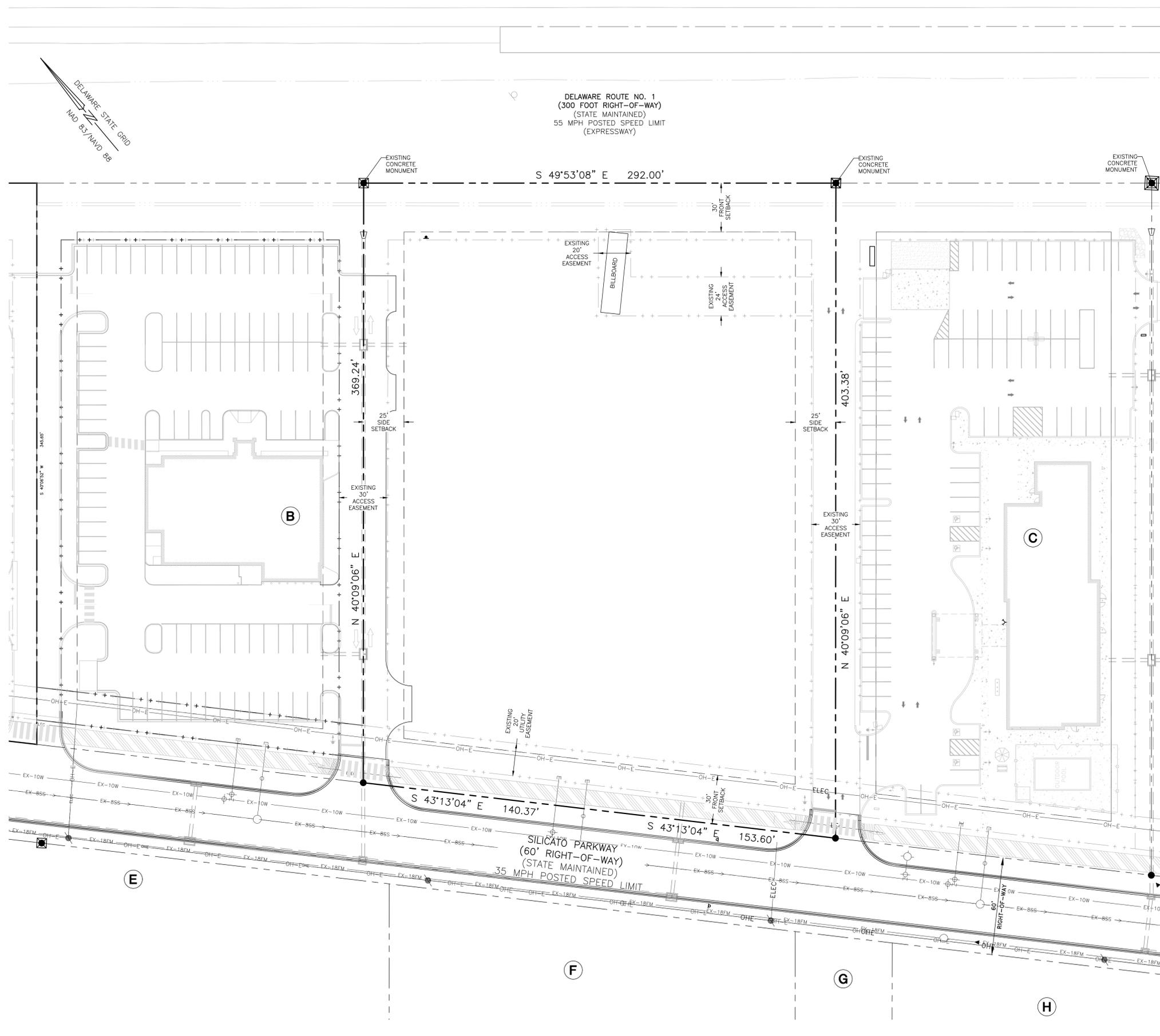


DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
1000 N. MARKET STREET
MILFORD, DELAWARE 19963
PHONE: 302-424-1441
FAX: 302-424-0430

SILICATO-WOODS COMMERCIAL (LOT 3)
CITY OF MILFORD
MILFORD HUNDRED, KENT COUNTY, DELAWARE

Revisions:
2021-12-13
KCI COMMENTS

Date: NOVEMBER 2021
Scale: AS NOTED
Dwn. By: DEG
Proj. No.: 3969A001
Dwg. No.: PL-01



DELAWARE STATE GRID
NAD 83 NAVD 88

DELAWARE ROUTE NO. 1
(300 FOOT RIGHT-OF-WAY)
(STATE MAINTAINED)
55 MPH POSTED SPEED LIMIT
(EXPRESSWAY)

S 49°53'08" E 292.00'

369.24'

N 40°09'06" E

345.85'

25' SIDE SETBACK

EXISTING 30' ACCESS EASEMENT

EXISTING 20' ACCESS EASEMENT

EXISTING ACCESS EASEMENT

EXISTING 30' UTILITY EASEMENT

EXISTING CONCRETE MONUMENT

EXISTING CONCRETE MONUMENT

403.38'

N 40°09'06" E

EXISTING 30' ACCESS EASEMENT

S 43°13'04" E 140.37'

S 43°13'04" E 153.60'

SILICATO PARKWAY
(60' RIGHT-OF-WAY)
(STATE MAINTAINED)
35 MPH POSTED SPEED LIMIT

E

F

G

H



P:\William Allen Property Management\Design\Preliminary\3532A003 - PRELIMINARY - EXISTING CONDITIONS.dwg Dec 23, 2021 - 3:25pm GRED

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
GALLERY, WILMINGTON (302) 442-9800
MILFORD, DELAWARE (302) 442-1441
EASTON, MARYLAND (410) 770-4744

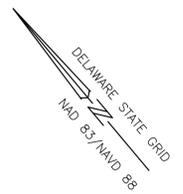
SILICATO-WOOD COMMERCIAL (LOT 3)
MILFORD HUNDREDS
CITY OF MILFORD, KENT COUNTY, DELAWARE

Revisions:
2021-12-13
KCI COMMENTS

Date: **NOVEMBER 2021**
Scale: **1" = 30'**
Dwn. By: **DEG**
Proj. No.: **3969A001**
Dwg. No.:

PL-02

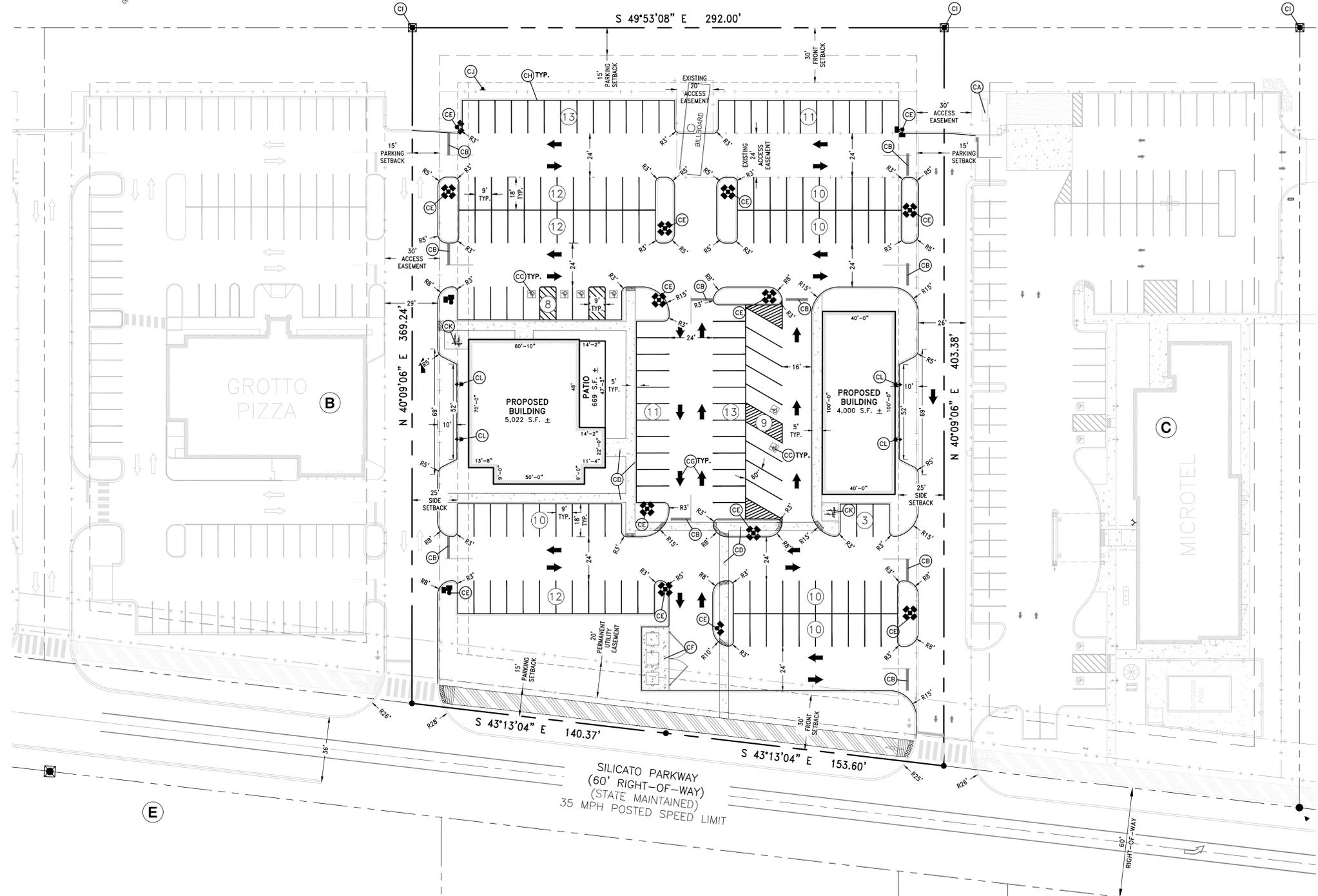
PRELIMINARY EXISTING CONDITIONS PLAN



DELAWARE ROUTE NO. 1
(300 FOOT RIGHT-OF-WAY)
(STATE MAINTAINED)
55 MPH POSTED SPEED LIMIT
(EXPRESSWAY)

KEY LEGEND	
LABEL	DESCRIPTION
CA	EXISTING SIGNAGE
CB	PROPOSED STOP BAR
CC	PROPOSED 96" VAN ACCESSIBLE HANDICAP PARKING SPACES
CD	PROPOSED CONCRETE SIDEWALK
CE	PROPOSED LIGHT POLE
CF	PROPOSED DUMPSTER PAD & ENCLOSURE
CG	TRAFFIC DIRECTIONAL FLOW ARROWS
CH	PROPOSED MODIFIED P.C.C. CURB TYPE 1-6
CI	EXISTING PROPERTY MONUMENT
CJ	PYLON SIGN
CK	PROPOSED BICYCLE RACK
CL	LOADING ZONE - NO PARKING SIGN

VEHICLE PARKING	
TYP. 9'x18' PARKING SPACES	148
96" VAN ACCESS HANDICAP SPACES	6



SILICATO-WOOD COMMERCIAL (LOT 3)
MILFORD HUNDREDS
CITY OF MILFORD, KENT COUNTY, DELAWARE

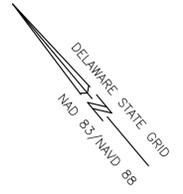
DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
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MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

Revisions:
2021-12-13
KCI COMMENTS

Date: **NOVEMBER 2021**
Scale: **1" = 30'**
Dwn. By: **DEG**
Proj. No.: **3969A001**
Dwg. No.:

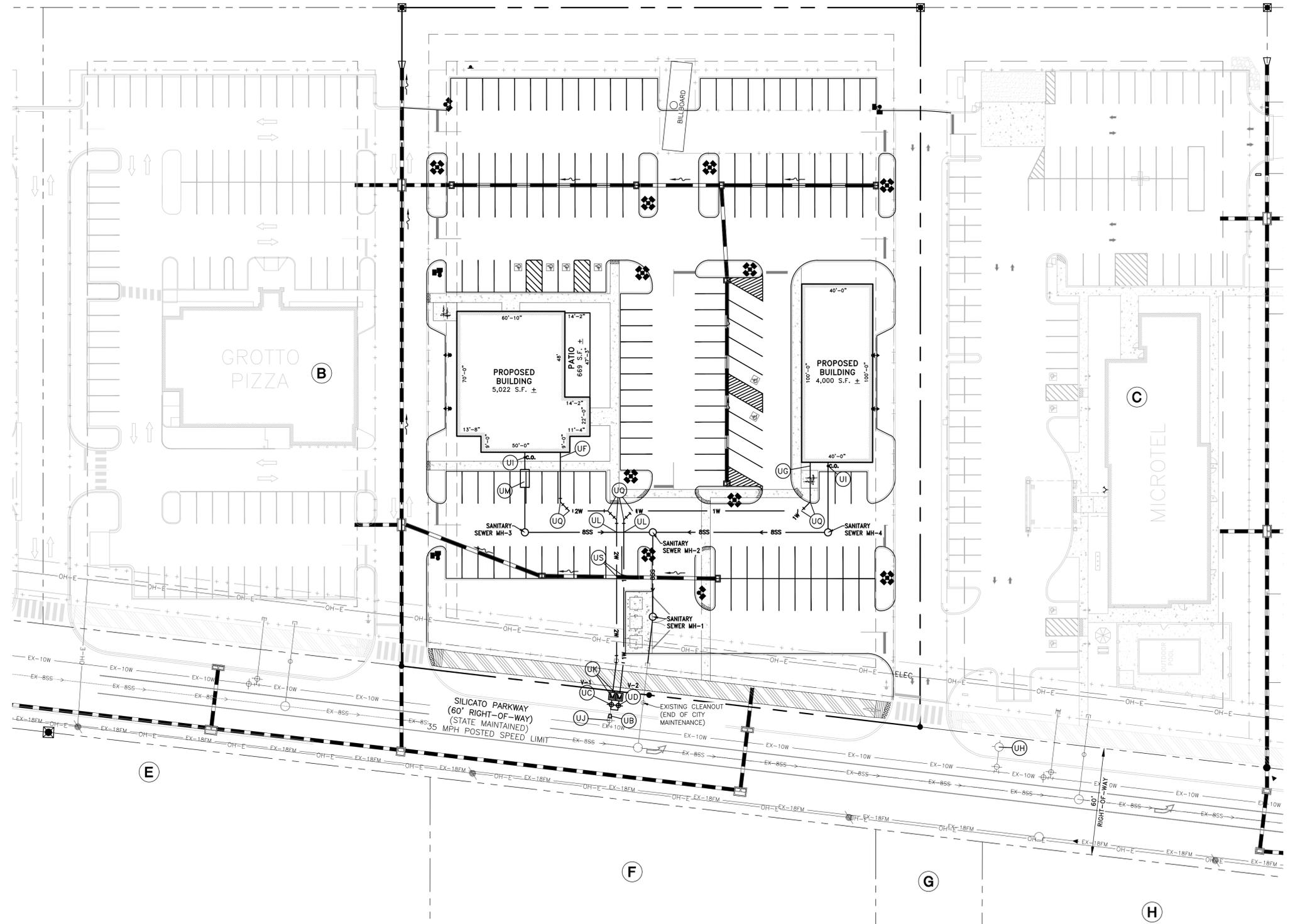
PL-03

PRELIMINARY SITE PLAN



DELAWARE ROUTE NO. 1
(300 FOOT RIGHT-OF-WAY)
(STATE MAINTAINED)
55 MPH POSTED SPEED LIMIT
(EXPRESSWAY)

KEY LEGEND	
LABEL	DESCRIPTION
UA	CONNECT TO EXISTING GRAVITY SEWER
UB	6" X 2" REDUCER CONNECTION TO EXISTING WATER MAIN
UC	2" WATER VALVE FOR DOMESTIC SERVICE
UD	1" WATER VALVE FOR DOMESTIC SERVICE
UE	METER VAULT
UF	2" DOMESTIC WATER SERVICE LINE
UG	1" DOMESTIC WATER SERVICE LINE
UH	EXISTING FIRE HYDRANT
UI	8" SANITARY SEWER CLEANOUT
UJ	EXISTING WATER VALVE
UK	WATER METER
UL	WATER/SEWER CROSSING
UM	GREASE TRAP
UN	8" SANITARY SEWER WYE
UO	PROPOSED 11.25' BEND
UP	PROPOSED 22.5' BEND
UQ	PROPOSED 45' BEND
UR	PROPOSED 90' BEND
US	WATER/STORM CROSSING
UT	CAP AND AUTOMATIC BLOW-OFF VALVE
X-#	SEWER/WATER CROSSING AND STORM/WATER CROSSING IDENTIFICATION NUMBER
H-#	PROPOSED HYDRANT IDENTIFICATION NUMBER
V-#	PROPOSED VALVE IDENTIFICATION NUMBER



UTILITY LEGEND	
	FIRE HYDRANT ASSEMBLY
	PROPOSED WATER MAIN, SIZE
	PROPOSED SANITARY SEWER MAIN, SIZE, MANHOLE
	PROPOSED SANITARY SEWER CLEANOUT
	EXISTING FORCE MAIN & SIZE
	EXISTING WATER MAIN & SIZE
	EXISTING SEWER MAIN & SIZE
	EXISTING GAS MAIN & SIZE
	EXISTING UTILITY EASEMENT



ARCHITECTS ENGINEERS SURVEYORS
DAVIS, BOWEN & FRIEDEL, INC.
 1000 W. MARKET ST., SUITE 200
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PRELIMINARY UTILITY PLAN

SILICATO-WOOD COMMERCIAL (LOT 3)
MILFORD HUNDREDS
CITY OF MILFORD, KENT COUNTY, DELAWARE

Revisions:
 2021-12-13
 KCI COMMENTS

Date: **NOVEMBER 2021**

Scale: **1" = 30'**

Dwn. By: **DEG**

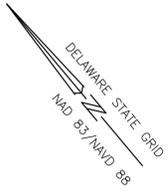
Proj. No.: **3969A001**

Dwg. No.:

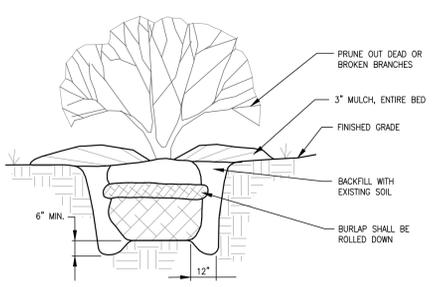
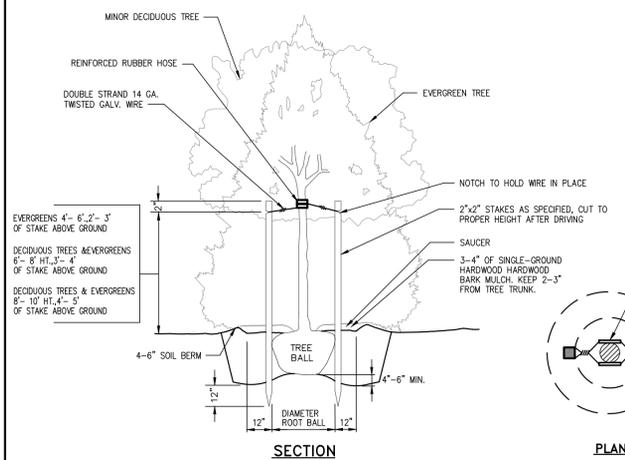
PL-04

GENERAL LANDSCAPE NOTES

- 1 QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF ROOT BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK".
- 2 CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND FINAL ACCEPTANCE OF PHASE I SITE WORK HAS BEEN GIVEN. AT THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS ORIGINALLY SPECIFIED.
- 3 CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
- 4 NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.
- 5 ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)
- 6 EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
- 7 ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 7'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.
- 8 THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 3" OF SHREDDED HARDWOOD MULCH PER SPECIFICATIONS.
- 9 THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.
- 10 ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANT'S ORIGINAL GRADE BEFORE DIGGING.
- 11 THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON.

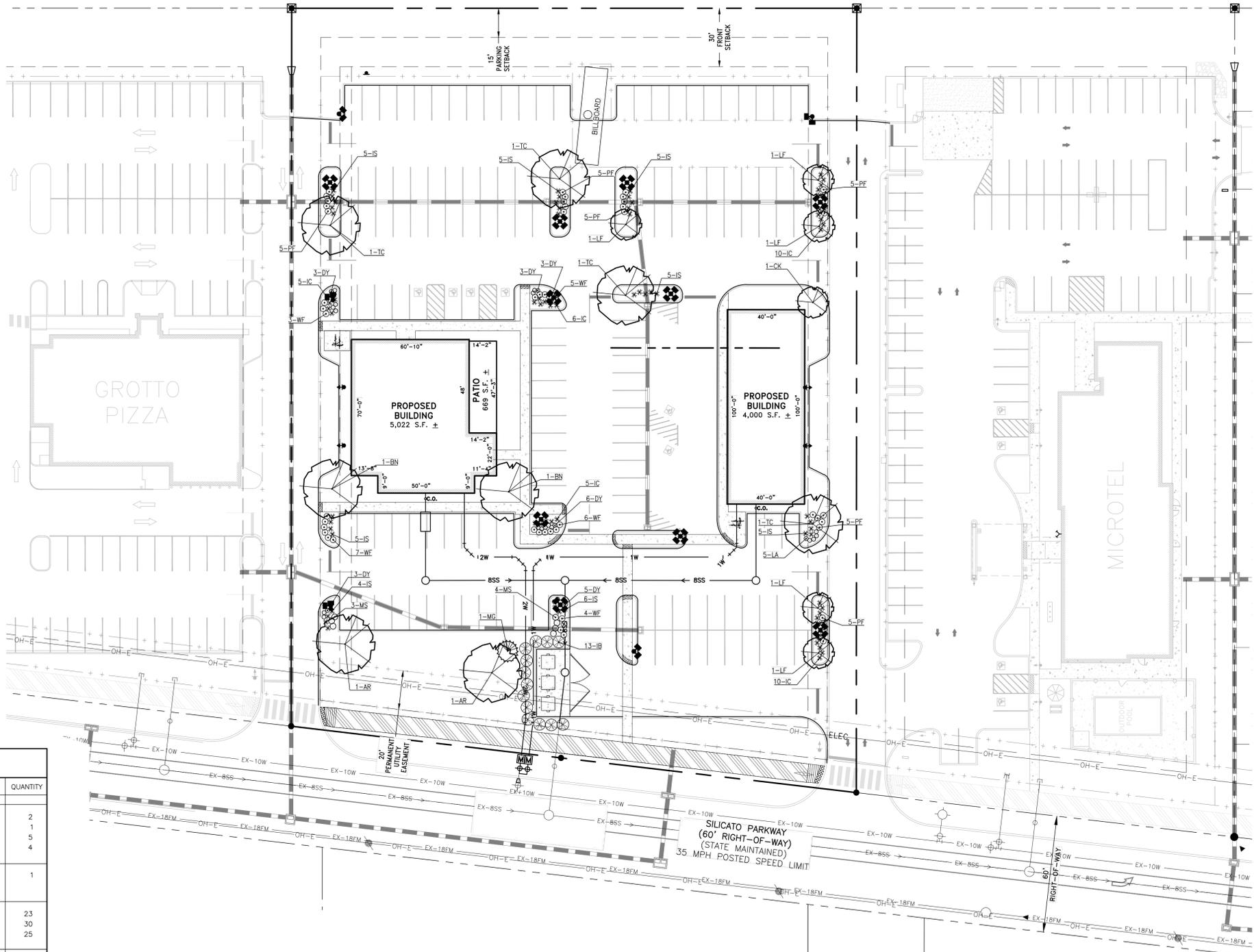


DELAWARE ROUTE NO. 1
(300 FOOT RIGHT-OF-WAY)
(STATE MAINTAINED)
55 MPH POSTED SPEED LIMIT
(EXPRESSWAY)



LANDSCAPE PLANT SCHEDULE

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
DECIDUOUS TREES					
AR	CK	ACER rubrum 'OCTOBER GLORY'	OCTOBER GLORY RED MAPLE	2"-2 1/2" Cal., B&B	2
CK	LF	CORNUS kousa 'VENUS'	KOUSA VENUS DOGWOOD	6'-7" Ht., B&B	1
LF	TC	LAGERSTROEMIA indica x fauriei 'TUSCARORA'	TUSCARORA CRAPEMYRTLE	6'-7", B&B, 3 or 5 stem	5
TC		TILIA cordata 'GREENSPIRE'	GREENSPIRE LINDEN	2"-2 1/2" Cal., B&B	4
EVERGREEN TREES					
MG		MAGNOLIA grandiflora 'LITTLE GEM'	MAGNOLIA LITTLE GEM	4'-5" Ht., B&B.	1
DECIDUOUS SHRUBS					
DY		DEUTZIA 'YUKI SNOWFLAKE'	YUKI SNOWFLAKE DUTZIA	12"-15", Cont.	23
PF		POTENTILLA fruticosa 'MONSIEUR'	FROSTY POTENTILLA	12"-15", Cont.	30
WF		WEIGELA florida 'BOKRASPIW'	SPILLED WINE WEIGELA	18"-24", Cont.	25
EVERGREEN SHRUBS					
IB		ILEX cornuta 'DWARF BURFORD'	DWARF BURORD HOLLY	24"-36", Cont.	13
IC		ILEX crenata 'SOFT TOUCH'	SOFT TOUCH HOLLY	18"-24", Cont.	36
IS		ILEX glabra 'SHAMROCK'	SHAMROCK INKBERRY	18"-24", Cont.	40
LA		LAVANDULA angustifolia 'BLUE IMP.'	AROMATIC BLUE IMP LAVENDER	#1 Cont.	5
GRASSES & PERENNIALS					
MS		MISCANTHUS sinensis 'MORNING LIGHT'	MORNING LIGHT MAIDEN GRASS	#1 Cont.	7



SILICATO-WOOD COMMERCIAL (LOT 3)
MILFORD HUNDREDS
CITY OF MILFORD, KENT COUNTY, DELAWARE

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
GALLERY WALK AND
MILFORD, DELAWARE (302) 424-1411
EASTON, MARYLAND (410) 770-4744

Revisions:
2021-12-13
KCI COMMENTS

Date: **NOVEMBER 2021**

Scale: **1" = 30'**

Dwn.By: **DEG**

Proj.No.: **3969A001**

Dwg.No.:

PL-05

PRELIMINARY LANDSCAPE PLAN

\\m01\c01\william.allen\property\management\design\preliminary\35324003 - PRELIMINARY - LANDSCAPE PLAN.dwg Dec 23, 2021 - 11:56am sand

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

December 28, 2021

Mr. Rob Pierce, Planner Director
180 Vickers Drive
Milford, DE 19963

RE: Silicato-Wood Commercial (Lot 3) – Preliminary Plan
Comment Response

Dear Mr. Pierce,

On behalf of our client, we are pleased to submit revised construction plans per the comments from KCI Technologies, dated December 9, 2021. We offer the following item-by-item response:

1. *Currently, the title block lists that this is located in Sussex County. Revise the title block to state Kent County. **The title block has been corrected.***
2. *Revise General Note 2 to refer to the benchmark and vertical datum. In addition, label the benchmark on the plan. **The information has been added.***
3. *Revise General Note 3 to clarify the control monuments. **The note has been clarified.***
4. *Remove general notes 32 and 33 and replace with the General Note “Final approval from the City shall become void if the Final Record Plat is not recorded within 90 days of the date of planning commission’s granting of final approval. If the construction of the approved improvements is not substantially undertaken within one (1) year of final site plan approval, the site plan approval shall be void. The applicant may request a one (1) year extension from the planning commission for good cause.” **The notes have been removed and replaced.***
5. *Remove General Notes 41, 42, and 43. These general notes are typically only on subdivision plans. **The general notes have been removed.***
6. *Verify all the deeds listed in the “Adjacent Property Owners” table. Per Kent County GIS Mapping, all of them are incorrect except for MD-16-174.15-01-01.01-000 and MD-16-174.15-01-01.02-000. **All of the information has been verified and revised as necessary.***

7. *Currently, the proposed use is listed as “Restaurant”. Revise the proposed use to clarify the uses of both buildings. **The uses of both buildings have been added.***
8. *Currently, the number of proposed parking spaces is listed as 153. However, there are 154 parking spaces on the plan. Revise the listed number of proposed parking spaces to be correct. **The parking spaces have been revised.***
9. *List the total number of required parking spaces (137 spaces). **The number of spaces has been revised.***
10. *The plan currently meets the required bulk zoning requirements; however, the listed bulk zoning requirements need to be revised. Revise the bulk area requirements as follows:*
 - a. *Revise the minimum lot width to be 150’. Per the City’s Zoning code, a 170’ width is required for corner lots. **The data column has been corrected.***
 - b. *Revise the side yard setback to be listed as 20’ minimum, with a 50’ aggregate. **The data column has been corrected.***
 - c. *Revise the rear yard setback to be listed as 50’. Since there is no rear yard for this lot, revise the front yard setback note to clarify that there are two front yards. **The data column has been revised and a note has been added in the proposed column regarding the double front and no rear yard.***
11. *Revise the projected flow per Chapter 128 of the Kent County Code. The projected number of EDUs per Kent County is $1 + FU \text{ (fixture units)}/6$. Revise the data column to list out the calculation. **The projected flow cannot be determined as we do not have plumbing plans and acknowledge that fixture units are used to calculate EDUs. The flows shown are estimated based on similar projects.***
12. *Revise the plan accordingly so that Silacato Parkway is labeled as State Maintained. **The plan has been revised.***
13. *Clarify the angle of the diagonal parking spaces to the west of the 4,000 SF proposed building. **We have added an angle dimension for clarification.***
14. *Label the 15’ parking lot setback on the plan. **The parking lot setback has been added.***
15. *Clarify the height and type of screening on the plan. Details for the dumpster pad and screening will be required when final plans are submitted. **This information will be included as part of the final plans.***
16. *Clarify the width of the handicap parking space aisles (typically 8’ for van accessible spaces). **We have added a typical dimension.***

17. *Clarify the width of the sidewalk (the minimum sidewalk width shall be 5').* **We have added a typical dimension to the sidewalk.**
18. *Currently, there is an existing sign (labeled as CA). Verify if this is existing or proposed. If existing, revise the line style to be gray.* **The sign is existing and line weight has been adjusted.**
19. *Add diagonal no parking striping on the south side of the diagonal parking row.* **Diagonal striping has been added.**
20. *Label the widths of all drive aisles. Labels are missing from the drive aisle to the east of the dumpster pad and the drive aisle to the north of the proposed buildings.* **The drive aisles have been labeled.**
21. *Currently, there are three intersections in the parking lot between the two proposed buildings that do not have stop bars. Revise the plan accordingly to provide additional stop bars on the west and east side of the three intersections (the same orientation as the proposed stop bars along the shared drive aisles in between this site and the existing Microtel/Grottos).* **We have added additional stop signs and stop bars.**
22. *When final plans are submitted, it shall be clearly shown that depressed curb/bollards are provided in front of the ADA parking spaces northeast of the 5,022 SF building.* **These will be clearly shown on the final plans.**
23. *Currently, there appear to be loading zones next to each building. Provide loading zone/no parking signs to these areas.* **We have added signs as requested.**
24. *Currently, the most southern entrance/exit of this site is not aligned with the entrance/exit of the adjacent property to the northwest of the site. Revise the site layout so that all entrances/exits are aligned with the adjacent properties' entrance/exits.* **The site layout cannot be revised to align. We have aligned all the entrances as feasible as possible. The building footprints do not allow for the requested alignment.**
25. *Sidewalk will have to be added to the site to provide pedestrian access to both proposed buildings from the existing shared use path along Silicato Parkway. The city recommends that sidewalk be added at both entrance/exits to lead pedestrians to the proposed buildings.* **We have added additional sidewalk.**
26. *Revise the plan accordingly to provide better pedestrian connectivity throughout the parking lot. Sidewalk, ramps, crosswalks should be provided in order to provide pedestrian connectivity between the two buildings.* **All buildings have a pedestrian connection. Additional sidewalk may be added during the construction plan phase as the building plans are developed.**
27. *Provide handicap ramps where sidewalk meets the edge of pavement. This includes the sidewalk to the northwest, northeast, and southeast of the 5,022 SF proposed building and to the northwest and southwest of the 4,000*

SF proposed building. ADA compliant ramps will be shown on the final site plan at the appropriate accessible route. Truncated domes are shown at all pedestrian access routes where sidewalk meets the street.

28. *Provide a bicycle rack per the City's recommendations. Bicycle racks have been provided.*
29. *Provide a cleanout within 5' of each of the proposed buildings per the City's Standard Specifications. Clean-outs have been provided.*
30. *The water meters/curbstops should be located within the existing easement or at the right-of-way line in order to delineate where City ownership ends. The water meters have been relocated to the ROW.*
31. *Relocate the proposed sanitary sewer main/dumpster pad so that the sanitary sewer main does not run underneath the dumpster pad. The manhole should be located at the easement line to delineate where City ownership ends. If the lot is subdivided in the future, an easement will have to be provided for the sanitary sewer main. The sewer has not been relocated from under the dumpster pad. This portion of the sewer will be privately maintained. We have added a note to the existing clean-out that demarks the limit of the City's responsibility.*
32. *Provide a preliminary landscape plan. The plantings may be added to the site plan. A preliminary landscape plan has been included.*
33. *Show the location of the existing billboard's support structure to verify that the proposed improvements will not affect the existing billboard. In addition, provide dimensions between the proposed grade and the bottom of the billboard to ensure there is adequate clearance between the proposed grade and billboard. The structural support has been added to the plan. The sign has a 13'-6" clearance and will be noted on the grading plan and included in the final site plan.*
34. *It is the City's understanding that the fire marshal now requires all restaurants to have a sprinkler system regardless of size. Please verify this requirement with the SFMO and add a fire line to the proposed restaurant if required. We will discuss with the SFMO and add a fire line if sprinklers are required.*
35. *Contact Kent County Public Works Department to register with their grease trap program and provide calculations for review when construction plans are submitted. We will contact Public Works to register the grease trap.*
36. *Submit the following for final approval:*
 - a. *Kent Conservation District Approval for the Stormwater and Erosion & Sediment Control Plans.*
 - b. *Fire Marshal Approval.*
 - c. *DelDOT Approval.*

d. *Lighting Plan.*

The above items will be included with the final site plan.

If you have any questions or need additional information, please call me at (302) 424-1441.

Sincerely,
Davis, Bowen & Friedel, Inc.



Cliff Mumford, P.E.
Associate

P:\William Allen Property Management\Docs\City of Milford\2021-12-17 Prelim Revision 1\2021-12-17 Comment response.docx

Attachment



KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

**CITY OF MILFORD
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
December 2021**

APPLICATION: William Allen Property Management, LLC at 104 Silicato Parkway

APPLICATION #: 21-046

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by Kent Conservation District prior to any land disturbance (i.e. clearing, grubbing, filling, grading, etc.). The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District's office.
2. A pre-application meeting must occur prior to submitting a sediment and stormwater detailed plan application.
3. The following notes must appear on the record plan:
 - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - A clear statement of defined maintenance responsibility for stormwater management facilities.

ADVISORY COMMENTS TO THE APPLICANT:

1. A letter of no objection to recordation will be provided upon approval of a Sediment and Stormwater Management Plan.

City of Milford, Delaware
Development Advisory Committee

Comment Sheet



DATE OF REVIEW: December 1, 2021

REVIEWING AGENCY: **Delaware State Fire Marshal's Office, Sussex Office**

INDIVIDUAL REVIEWERS: **Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services**
William C. Kelly, CFI, Sr. Fire Protection Specialist

AGENCY PHONE NUMBERS: **302-739-4394, Fax: 302-739-3696**

RE: WILLIAM ALLEN PROPERTY (21-046)

The reasons and conditions applied to this project and their sources are itemized below:

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. **Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Mercantile)
- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- All assembly occupancies that are used as restaurants are now required to be sprinkled no matter the occupant load.

c. **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Silicato Parkway must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.

- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
 - The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
 - The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.
- d. **Gas Piping and System Information:**
- Provide type of fuel proposed and show locations of bulk containers on plan.
- e. **Required Notes:**
- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
 - Proposed Use
 - Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
 - Square footage of each structure (Total of all Floors)
 - National Fire Protection Association (NFPA) Construction Type
 - Maximum Height of Buildings (including number of stories)
 - Note indicating if building is to be sprinklered
 - Name of Water Provider
 - Letter from Water Provider approving the system layout
 - Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
 - Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website:

www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

THIS DOCUMENT IS INFORMATIONAL ONLY, AND DOES NOT CONSTITUTE ANY TYPE OF APPROVAL FROM THE DELAWARE STATE FIRE MARSHAL'S OFFICE

§ 230-14. C-3 Highway Commercial District.

In a C-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 C-3 District is to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact. These uses generally require locations on major arterial routes and serve both local and regional customers.
- B. Permitted uses. Permitted uses for the C-3 District shall be as follows:
- (1) Those uses permitted in the C-2 District.
 - (2) Warehouses.
 - (3) Large retail outlets.
 - (4) Indoor storage accessory building.
 - (5) Fast-food restaurants and drive-in restaurants.
 - (6) Supermarkets.
 - (7) Truck and trailer rentals.
 - (8) Roadside produce market.
 - (9) Memorial stone shop.
 - (10) Outdoor commercial recreational facilities, not motorized vehicles.
 - (11) Swimming club.
 - (12) Indoor facility for amusement or assembly.
 - (13) Bus station.
- C. Conditional uses subject to special requirements. The following uses are permitted subject to receiving a conditional use permit by the City Council as provided in Article IX of this chapter:

[Amended 10-12-1998 by Ord. No. 10-1998]

- (1) Motels or hotels with a minimum lot size of three acres.
- (2) Commercial greenhouse.
- (3) Wholesale establishment.
- (4) Newspaper publishing or printing establishment.
- (5) Contractors', craftsmen's or general service shops, including welding and similar shops.
- (6) Laboratory, testing and research.
- (7) Car repair shops.
- (8) Used car lots.
- (9) Telephone central office or television cable central office.
- (10) Service station, automobile sales agency, public garage, parking garage or lot, but not including storage of wrecked cars, subject to the following special requirements:

-
- (a) All facilities shall be located and all services shall be conducted on the lot.
 - (b) All repair work shall be conducted within an entirely enclosed building.
 - (c) No equipment for the service of gasoline or oil shall be placed closer to any street or property line than 20 feet.
 - (d) No portion of such structure or its equipment shall be located within 500 feet of the premises of any school, hospital, church or public recreation building.
 - (e) No service station shall be located within 800 feet of another service station on the same side of the street within the same block.
 - (f) Any such use shall be permitted only where it is determined that it will not materially interfere with the main pedestrian movement in conjunction with a compact retail area.
- (11) Shopping center, subject to site plan review and the following site requirements:
- (a) The total shall not be less than one acre.
 - (b) The site must be served by public water, sewer and electricity.
 - (c) Stormwater drainage. The facilities shall be provided by the developer to handle the increase in stormwater runoff, and he shall make contributions towards the cost of off-site facilities of the shopping center.
 - (d) Traffic and parking.
 - [1] The internal circulation of traffic shall be separated from the external street system, and pedestrian and vehicular traffic shall be separated through traffic control devices and appropriate site design.
 - [2] Access to state highways shall be controlled by the State Department of Transportation.
 - [3] The minimum distance between accessways and a residential district shall be 50 feet.
 - [4] Spacing of accessway.
 - [a] From adjoining property: 50 feet.
 - [b] From minor intersections: 50 feet.
 - [c] From major intersections: 100 to 150 feet.
 - [5] Five and one-half parking spaces shall be provided per 1,000 feet of leasable area.
 - [6] Parking lots shall be attractively landscaped as shown on the general site plan.
 - (e) Setback.
 - [1] From street right-of-way: 15 feet.
 - [2] From nonresidential districts: 15 feet.
 - [3] From residential districts: 100 feet.
 - (f) Buffering and landscaping.
 - [1] There shall be a minimum of a ten-foot landscaped buffer along all lot lines. The screening shall be six feet high near residential districts.
 - [2] Ten percent of the site shall be landscaped and may include features such as pedestrian walking or rest areas and courtyards.

(12) Day-care centers, with site plan required.

[Added 10-14-1991]

(13) Car wash, all types (staffed, automatic, self-service, etc.).

[Added 6-14-1993]

(14) Convenience stores with gas pumps.

(15) Community residential treatment program.

[Added 9-13-1999 by Ord. No. 6-1999]

(16) All dwellings other than single-family with a maximum density of 12 units per acre.

(17) Business, commercial or industrial uses that do not adversely affect neighboring properties.

(18) Aquarium.

D. Area regulations.

(1) Minimum lot area shall be one acre.

(2) Maximum lot coverage shall be 80%.

(3) Minimum lot width shall be as follows: for an interior lot 150 feet and for a corner lot 170 feet.

(4) Height of buildings shall not exceed three stories or 35 feet, with the following exception: a motel, hotel, or aquarium may be erected to a height of over three stories, but not over five stories, and not exceeding 60 feet.

(5) Minimum building setback shall be 30 feet.

(6) Side yards shall be provided as follows: each lot shall have two side yards a minimum of 20 feet with a minimum aggregate width of two side yards of 50 feet.

(7) Minimum rear yard shall be 50 feet.

(8) Parking shall comply with the requirements provided in Article IV of this chapter.

(9) Landscape screening shall comply with the requirements provided in Article V of this chapter.

(10) Signs shall comply with the requirements provided in Article VI of this chapter.

[Ord. No. 2008-18, § 3, 8-24-2009; Ord. No. 2009-22, § 2, 9-27-2010; Ord. No. 2016-14, §§ 2, 3, 10-24-2016; Ord. No. 2019-38, § 7, 11-25-2019]

§ 230-45. Multiple permitted uses and mixed uses.

[Added 6-29-1992]

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.

§ 230-48. Criteria for evaluation.

The following criteria shall be used as a guide in evaluating a proposed conditional use:

A. The presence of adjoining similar uses.

-
- B. An adjoining district in which the use is permitted.
 - C. There is a need for the use in the area proposed as established by the Comprehensive Plan.
 - D. There is sufficient area to screen the conditional use from adjacent different uses.
 - E. The use will not detract from permitted uses in the district.
 - F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

CITY OF MILFORD
NOTICE OF PUBLIC HEARING

Planning Commission Hearing: Tuesday, February 15, 2022 @ 7:00 PM
City Council Hearing: Monday, February 28, 2022 @ 7:00 PM

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by the City of Milford Planning Commission and City Council, with action scheduled to occur on the date(s) and time(s) so indicated:

ORDINANCE 2022-09

Lands of Shelley Maloney – Conditional Use

0.754 +/- acres located on the south side of E. Clarke Avenue approximately 260 feet east of S. Walnut Street

Address: 8 E. Clarke Avenue

Comprehensive Plan Designation: Low Density Residential

Zoning District: R-1 (Single-family Residential District)

Present Use: Single-family Detached Dwelling

Proposed Single-family Detached Dwelling with Professional Home Occupation

Tax Parcel: 3-30-10.08-004.00

WHEREAS, Chapter 230-9(C)(5) states “professional occupation restricted to the owner/occupant” and are subject to approval from City Council; and

WHEREAS, the applicant is applicant proposes to use a portion of an existing single-family detached dwelling as a professional home occupation for a bail bonds company on the above-described parcel; and

WHEREAS, the City of Milford Planning Commission reviewed the application during their regular meeting on Tuesday, February 15, 2022, at which time interested parties publicly commented on the application; and

WHEREAS, Milford City Council held a Public Hearing on Monday, February 28, 2022, allowing for additional public comment after which the majority of the City Council voted to approve the Conditional Use by adopting this ordinance; and

WHEREAS, the notice as required by Chapter 230, was published in the Milford Beacon on January 19, 2022, and provided to property owners within 200 feet of the subject parcel.

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

Section 1. Upon adoption of this ordinance, a conditional use permit is hereby granted to Lands of Shelley Maloney to allow the use of a portion of the existing single-family detached dwelling located at 8 E. Clarke Avenue as a professional home occupation for a bail bonds company as described herein.

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

Section 3. Dates.

City Council Introduction: Monday, February 14, 2022

Planning Commission Review & Public Hearing: Tuesday, February 15, 2022

City Council Public Hearing: Monday, February 28, 2022

Section 4. Effective Date.

This Ordinance becomes effective ten days following its adoption.

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

01.12.2022

Published *Milford Beacon* 01192022



DATA SHEET FOR LANDS OF SHELLEY MALONEY

Planning Commission Meeting: February 15, 2022

Application Number / Name	:	21-050 / Lands of Shelley Maloney
Applicant	:	Shelley Maloney 8 E. Clarke Avenue Milford, DE 19963
Owner	:	Same
Application Type	:	Conditional Use
Present Comprehensive Plan Map Designation	:	Low Density Residential
Present Zoning District	:	R-1 (Single-family Residential District)
Present Use	:	Single-family Detached Dwelling
Proposed Use \ 	:	Single-family Detached Dwelling with Professional Home Occupation
Size and Location	:	0.754 +/- acres located along the south side of E. Clarke Avenue approximately 260 feet east of S. Walnut Street, addressed as 8 E. Clarke Avenue.
Tax Map & Parcel	:	3-30-10.08-004.00

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



STAFF REPORT
December 22, 2021

Application Number / Name	:	21-050 / Lands of Shelley Maloney
Present Comprehensive Plan Designation	:	Low Density Residential
Present Zoning District	:	R-1 (Single-family Residential District)
Present Use	:	Single-family Detached Dwelling
Proposed Use	:	Single-family Detached Dwelling with Professional Home Occupation
Tax Map & Parcel	:	3-30-10.08-004.00
Size and Location	:	0.754 +/- acres located along the south side of E. Clarke Avenue approximately 260 feet east of S. Walnut Street, addressed as 8 E. Clarke Avenue.

I. BACKGROUND INFORMATION:

- The applicant proposes to use a portion of an existing single-family detached dwelling located at 8 E. Clarke Avenue as a professional home occupation for a bail bonds company.
- The owner of the property is the only employee of the bail bonds company which operates 24 hours a day, 7 days a week. According to the applicant, the proposed use would not generate any additional traffic and clients would not be coming to the property for any services. Title 18 of the Delaware Code requires a physical location to register the bail bonds agent with the State of Delaware and the applicant states the site would only be used to store files. Delaware Code requires the placement of a sign in the front yard identifying the business which would be required to comply with the City’s sign regulations for a home occupation in a residential zone.
- Chapter 230-9(C)(5) states “professional occupation restricted to the owner/occupant” requires conditional use approval from City Council and is subject to the conditions outlined in Section II of the staff report.

- Chapter 230 defines professional office as “includes the office of a physician, dentist, optometrist, minister, architect, landscape architect, City planner, engineer, insurance agent, realtor, accountant, lawyer, author or similar professional activity.” Bail bonds agents are governed by Title 18 of the Delaware Code entitled Insurance Code, and are similar to insurance agents with regards to state regulations.

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 230-9(C)(5) Professional Occupation restricted to the owner/occupant;

A. There shall be three off-street parking spaces in addition to those otherwise required.

Applicant Response: There is another drive to the west side of the residence that holds 6 vehicles.

Staff Response: The property contains two driveways as shown on the provided survey which provide enough parking required for the single-family detached dwelling (2.5 spaces) and the professional home occupation (3 spaces).

B. No more than two persons shall be employed by the practitioner of the professional occupation to provide secretarial, clerical, technical or similar assistance.

Applicant Response: I am the only employee.

Staff Response: The property owner would be the only employee of the professional home occupation.

C. No storage of materials or products outside the dwelling shall be permitted unless completely housed.

Applicant Response: I have no need to externally store anything related to my business.

Staff Response: No materials or products of the home occupation would be stored on the outside of the dwelling.

D. The area used for the practice of a professional occupation shall occupy no more than 50% of the total floor area, including garages or other accessory buildings.

Applicant Response: The dimensions of space is less than 25% of home stated on previous document.

Staff Response: The applicant has indicated that the proposed professional home occupation would be located within an 8' x 16' portion of the home as shown on the

provided floor plan. This equates to less than 5% of the total floor area for the principal structure according to the City assessment records.

- E. The professional use shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.

Applicant Response: Nothing is being altered or changed internally or externally to space.

Staff Response: The professional home occupation would be incidental to the residential use of the dwelling and no exterior changes to the dwelling are proposed, other than a freestanding sign that would need to comply with the zoning code.

- F. No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.

Applicant Response: None.

Staff Response: The applicant does not propose any exterior alterations that would be inconsistent with the primary residential use other than a freestanding sign that would comply with the sign regulations of the City's zoning code.

- G. No display of products shall be visible from outside the building.

Applicant Response: Only thing outside is sign within requirements of City of Milford as to size and to meet Department of Insurance criteria.

Staff Response: No products would be visible from outside of the building. The applicant has stated the proposed use would only include the administrative function of the bail bonds company.

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

- A. The presence of adjoining similar uses.

The property is surrounded by single-family detached dwellings on lots ranging in size from 13,000 square feet to 70,000 square feet.

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

Professional home occupations are allowed by conditional use approval of City Council within the R-1, R-2, R-3 and R-8 zoning districts. Professional offices are permitted by-right within the commercial zoning districts.

- 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 Low Density Residential for which the R-1 zoning district is a permitted zoning category. The comprehensive plan does not specifically address home occupations.

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

There is an existing privacy fence installed along the entire side property line on the side of the home where the home occupation would occupy. Otherwise, no other screening is proposed.

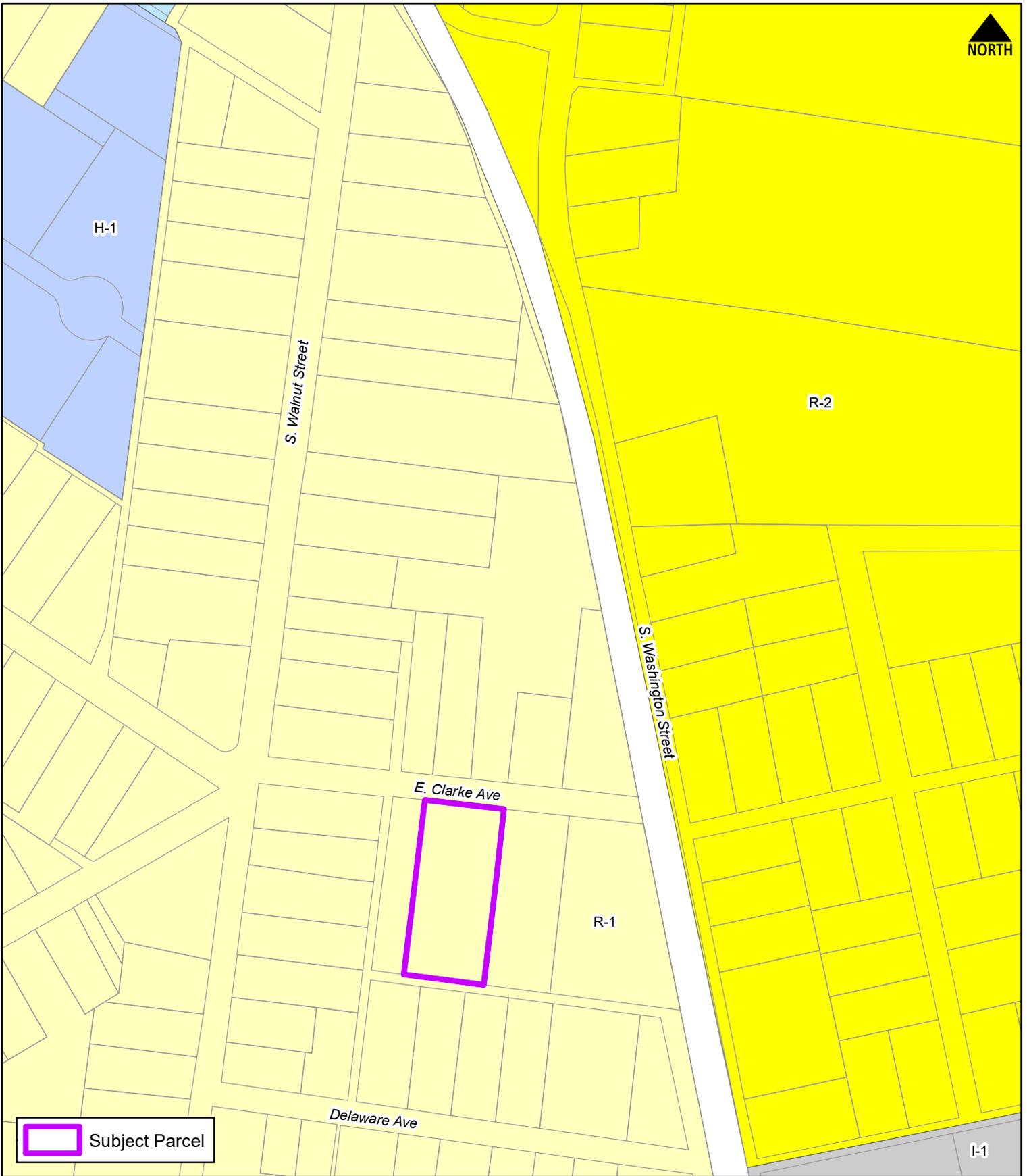
E. The use will not detract from permitted uses in the district.

If customers are permitted on site, the proposed use may detract from permitted adjacent residential uses within the district due to excessive noise and vehicular traffic. If the professional home occupation is simply an administrative office to conduct administrative functions of the business and no customers will be on site, then adverse impacts on adjacent uses should be minimal.

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

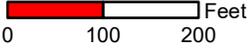
The proposed use is located on a minor residential dead-end street which is not ideal for increased vehicular traffic. If customers are not permitted at the site, potential adverse influences related to noise and traffic would be minimal. Parking, setbacks and screening may not require consideration if customers are not permitted at the site as well.

- If the Planning Commission and City Council elect to approve the applicant's request, staff recommends the following minimum conditions of approval:
 - No customers are permitted on the property.
 - The applicant must obtain a sign permit from the Planning Department for the placement of a freestanding sign.



 Subject Parcel



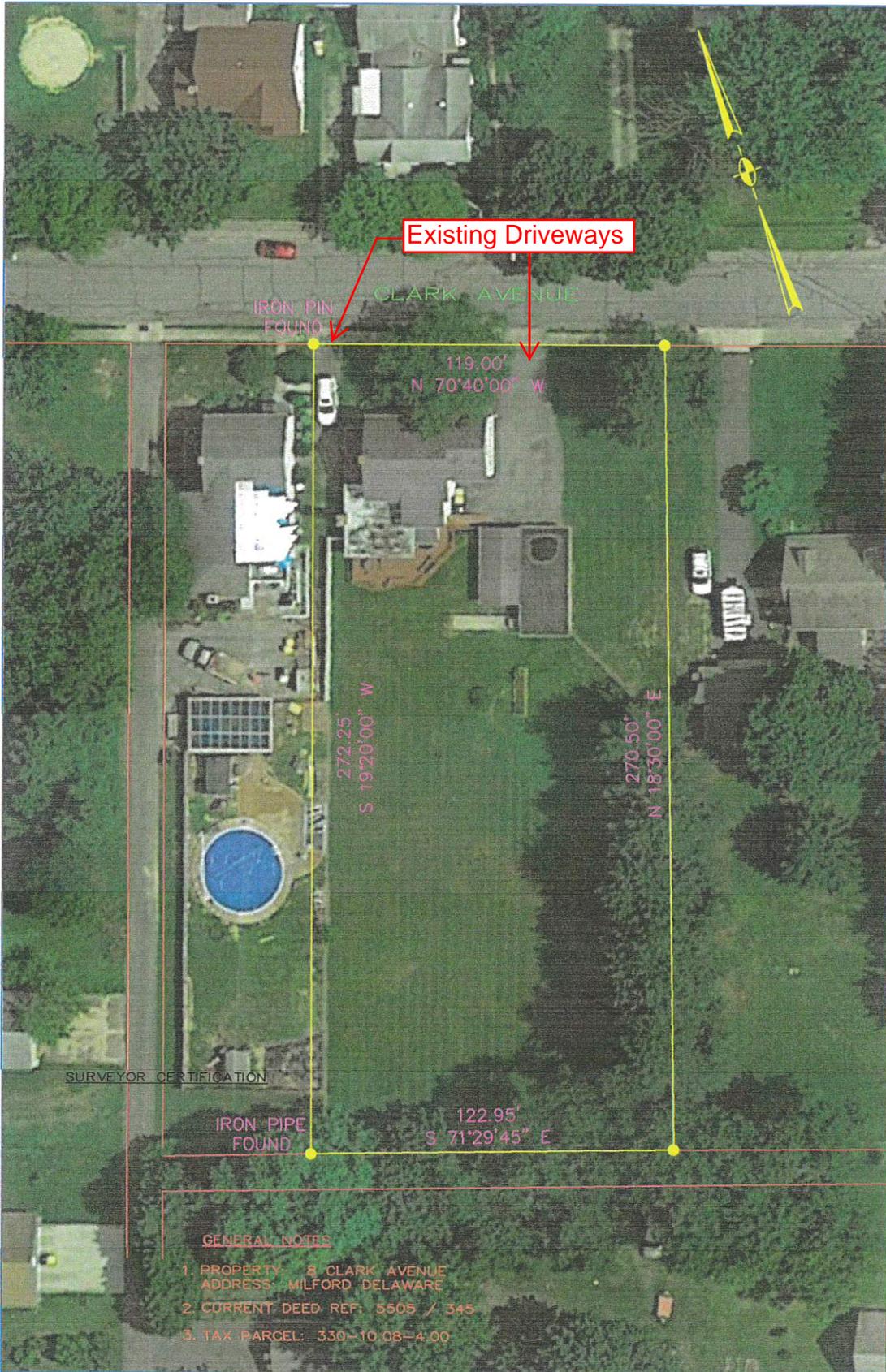
Scale:  Feet
0 100 200

Drawn by: WRP Date: 12/22/21

Title:

Conditional Use
Shelley Maloney
Location & Zoning Map

Filepath: CU_Maloney.mxd



SURVEYOR CERTIFICATION

GENERAL NOTES

1. PROPERTY: 8 CLARK AVENUE
ADDRESS: MILFORD, DELAWARE
2. CURRENT DEED REF: 5505 / 345
3. TAX PARCEL: 330-10 08-4-00

dbf DAVIS,
BOWEN &
FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS

EASTON, MARYLAND (410) 770-4744
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

PLAT SHOWING
THE LANDS OF
SHELLEY MALONEY

CITY OF MILFORD
SUSSEX COUNTY, DELAWARE

Date: 9-27-21 | Scale: 1" = 30' | Proj.No.: 3939

Pierce, Rob

From: Shelley Maloney <shelley.maloney@comcast.net>
Sent: Friday, December 17, 2021 6:05 PM
To: Pierce, Rob
Subject: Re: Narrative for home office

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- A. There is another drive to the west side of residence that holds 6 vehicles.
- B. I am the only employee.
- C. I have no need to externally store anything related to my business.
- D. The dimensions of space is less than 25% of home stated on previous document.
- E. Nothing is being altered or changed internally or externally to space.
- F. None
- G. Only thing outside is sign with in requirements of city of Milford as to size and to meet Dept of insurance criteria.

Shelley Maloney

On Dec 17, 2021, at 4:18 PM, Pierce, Rob <rpierce@milford-de.gov> wrote:

Shelley,

Below are a list of criteria that must be met for a conditional use professional home occupation. Can you provide a response for each?

- A. There shall be three off-street parking spaces in addition to those otherwise required.
- B. No more than two persons shall be employed by the practitioner of the professional occupation to provide secretarial, clerical, technical or similar assistance.
- C. No storage of materials or products outside the dwelling shall be permitted unless completely housed.
- D. The area used for the practice of a professional occupation shall occupy no more than 50% of the total floor area, including garages or other accessory buildings.
- E. The professional use shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
- F. No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.
- G. No display of products shall be visible from outside the building.

Rob

From: Shelley Maloney <shelley.maloney@comcast.net>
Sent: Monday, December 13, 2021 2:57 PM
To: Pierce, Rob <rpierce@milford-de.gov>
Subject: Narrative for home office

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My office space is being used for a superficial store front to be in compliance with Dept of Insurance for bailbonds company. I have been a bail agent in delaware for 10 yrs and during Covid my previous location was placed up for sale therefore I had to leave that location. I have to have an area where my files are secured due to fact I handle a lot of money at times and personal informations of clients. My business hours are 24/7 but as I stated no one will come to office to conduct business I meet those people at the courts or other public locations when needed. There is no traffic increase to residence or neighborhood it's merely for personal use and compliance. No structural changes have happened nor appearance of residence I just need to hang a shingle with my business name and information on it. I have no desire to have clientele to come to my residence but the room or area I'm using has its own entrance and can be locked and secured from interior door that enters into the main house.

Shelley Maloney
Absolute Bailbonds llc
8 E Clarke Ave
Milford De
(302)6702752

Milford, DE : Residential Property Record Card

[\[Back to Search Results \]](#)
[\[Start a New Search \]](#) [\[Help with Printing \]](#)

Search For Properties

Parcel ID

Street Name

Search

Reset Search

Parcel ID	Card	Map-Block-Lot	Location	Zoning	State Class	Acres
3-30-10.08-004.00	1	1325	8 E CLARKE AVE	R1	R10	0.754

Owner Information

Uffner, Martin J
8 East Clarke Ave
Milford DE 19963

Deed Information

Book/Page: 0
Sale Date: n/a

Dwelling Information

Living Units: 1
Style: Conventional
Story Height: 2
Exterior Wall: Alum/Vinyl
Attic Living: None
Basement: Full
Year Built: 1940
Ground Floor Area: 1593
Fin BSMT Living: 0
Tot Living Area: 2616
Rec Room: 0 x 0
Tot Rooms: 8
Bedrooms: 3
Full Baths: 2
Half Baths: 1
Mas Fire Place: 0
Frame Fire Place: 1 / 1
Heating Type: Basic

Property Picture



Valuation

Land: \$49,100
Building: \$133,000
Total: \$182,100

Sales History

Document No	Date	Price	Type	Validity
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Permit History**Date**

2017/03/21

Purpose

ROOF

Price

\$2,800

Out Building Information**Type**

Garage-Wd/Cb

Qty

1

Year

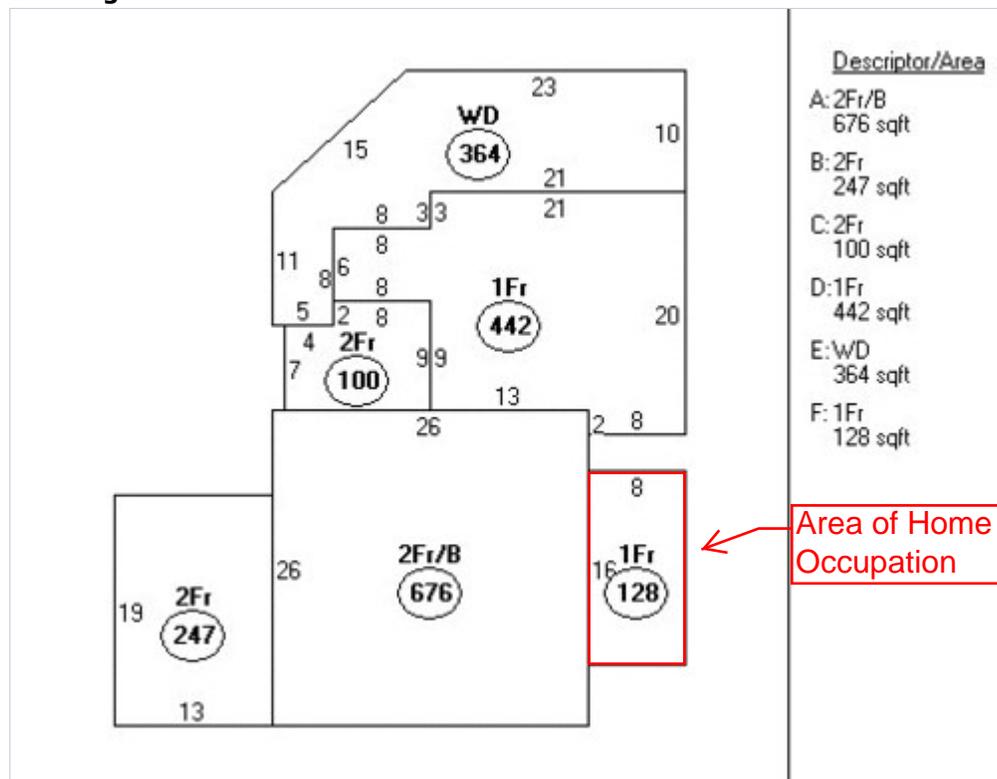
1970

Size1

28

Size2

34

Building Sketch**Comparable Sales Information**

Parcel ID	Location	Sale Date	Price	Area	Style	Grade	Year	Bedrooms	FB	HB	Acres
1-30-3.07-084.01	211 LAKELAWN DR	2010/03/26	\$234,900	2457	RANCH	B-	1983	3	2	1	0.384
1-30-3.07-066.00	505 LAKELAWN DR	2011/05/20	\$219,000	2408	SPLIT LEVEL	C	1957	4	2	0	0.414
1-30-3.11-077.00	800 NEW ST	2011/04/07	\$164,000	2035	CAPE	C	1927	3	1	1	0.239
3-30-6.20-054.00	215 S WALNUT ST	2011/08/23	\$157,000	1998	F/B SPLIT	C	1920	3	2	0	0.101
3-30-10.12-004.00	513 S WALNUT ST	2011/12/22	\$162,500	1857	CAPE	C	1945	3	1	1	0.178

Notice

The information delivered through this on-line database is provided in the spirit of open access to government information and is intended as an enhanced service and convenience for citizens of Milford, DE.

The providers of this database: Tyler/CLT, Big Room Studios, and Milford, DE assume no liability for any error or omission in the information provided herein.

Comments regarding this service should be directed to: sfrederick@milford-de.gov







§ 230-9. R-1 Single-Family Residential District.

In an R-1 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 intent of the R-1 Residential District is to preserve the spacious residential atmosphere and quality of living of existing low-density residential development, to provide for the orderly and appropriate development of new low-density housing and to allow related uses that would not be detrimental to the residential character of the district.
- B. Permitted uses. Permitted uses for the R-1 District shall be as follows:
- (1) A single-family detached residential dwelling.
 - (2) Farming, agricultural activities and roadside stands for the sale of farm and nursery products produced on the property where offered for sale.
 - (3) Municipal and public services and facilities, including City Hall, water storage towers, water reservoirs, water pumping stations, water treatment plants, sewage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, public transportation bus or transit stops, police and fire stations and substations for electric, gas and telephone facilities.
 - (4) Parks, playgrounds, athletic fields, recreation buildings, swimming pools and community centers operated on a noncommercial basis for recreation purposes.
 - (5) Customary accessory uses, such as private garages, swimming pools and storage sheds, subject to the following special requirements:
 - (a) The primary residence must exist or be under construction.
 - (b) Private residential garages shall not exceed 750 square feet.
 - (c) Residential storage sheds or related outbuildings shall not exceed 150 square feet.
 - (6) Home occupational/office (subject to the following special requirements):

[Added 4-9-1990]

- (a) All employees are to be of the immediate family.
 - (b) The appearance of the dwelling shall not be inconsistent with the primary use of the structure.
 - (c) The area used for the home occupation shall not exceed 30% of the total floor area of the dwelling, unless, as in the case of family day care, the state has final jurisdiction of the area requirements.
 - (d) No storage of products or associated materials is allowed in accessory structures/buildings, and no products are to be stored where they are outwardly visible to the public view.
 - (e) Family day care shall involve a maximum of six full-time and two after-school children, as specified by state regulations.
 - (f) The occupation will not cause excessive vehicular traffic or noise.
 - (g) The occupation will not involve animal boarding and/or care.
- 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 in Article IX of this chapter:

-
- (1) Churches and other places of worship and cemeteries.
 - (2) Public and private elementary, junior or senior high schools.
 - (3) Day-care centers.
 - (4) Conversion of a one-family dwelling into multiple dwelling units, if such dwelling is structurally sound but too large to be in demand for one-family use and if that conversion would not impair the character of the neighborhood, subject to conformance with the following requirements:
 - (a) There shall be a lot area of at least 2,000 square feet for each unit to be accommodated.
 - (b) There shall be a gross leasable floor area, computed as the sum of those areas enclosed by the outside faces of all exterior walls surrounding each story used for the residence, exclusive of any area for any accessory private garage, of at least 500 square feet per family to be accommodated.
 - (c) No dwelling shall be converted unless it complies with Chapter 145, Housing Standards, and Chapter 88, Building Construction, of this code.
 - (d) No addition shall extend within the front yard, side yards or rear yard required for the district within which it is located.
 - (e) Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of the building and shall not be located on any building wall facing a street.
 - (f) Two off-street parking spaces shall be provided for each additional dwelling unit created.
 - (5) Professional occupation restricted to the owner/occupant, subject to conformance with the following requirements:
 - (a) There shall be three off-street parking spaces in addition to those otherwise required.
 - (b) No more than two persons shall be employed by the practitioner of the professional occupation to provide secretarial, clerical, technical or similar assistance.
 - (c) No storage of materials or products outside the dwelling shall be permitted unless completely housed.
 - (d) The area used for the practice of a professional occupation shall occupy no more than 50% of the total floor area, including garages or other accessory buildings.
 - (e) The professional use shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
 - (f) No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.
 - (g) No display of products shall be visible from outside the building.
 - (6) Customary home occupation or a studio for artists, designers, photographers, musicians, sculptors and other similar persons, subject to conformance with the following requirements:
 - (a) The area used for the practice of the home occupation or studio shall occupy no more than 50% of the total floor area of the dwelling unit in which it is located.
 - (b) No storage of materials or products outside the dwelling shall be permitted unless completely housed.
 - (c) The home occupation or studio shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.

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- (d) No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.
 - (e) No display of products shall be visible from outside the building.
 - (f) A maximum of two employees shall be permitted in the operation of the home occupation or studio.
- (7) Social club or fraternal, social service, union or civic organization.
 - (8) Cultural facilities, including a library, museum or art gallery.
 - (9) Country club, regulation golf course, including customary accessory uses, provided that all buildings have a minimum setback of 120 feet from all street and property lines.
 - (10) Planned unit residential development.

[Added 6-11-2001 by Ord. No. 4-2001]

- (11) Planned Residential Neighborhood Development.

[Added 11-27-2006 by Ord. No. 2006-15]

- (a) Planned Residential Neighborhood Development. In order to encourage superior residential environments through a unified planning process, the Planned Residential Neighborhood Development shall be permitted in the R-1 Single Family Residential District Zone as a conditional use subject to the provisions of this chapter and after a determination by the Planning Commission that the proposed planned neighborhood design presents a community design that would not be possible under the conventional zone and is in accordance with the goals and policies of the Comprehensive Plan. The minimum size required for a Planned Residential Neighborhood Development (PRND) shall be 10 acres.
- (b) Review process. The planned neighborhood design option shall involve a three-step review and approval process. In the first step, the developer shall meet with the City Council and present a general sketch plan and a statement documenting the project's compliance with the goals of the Comprehensive Plan for review. The general sketch plan shall reflect the general layout of streets, open space, and housing areas and types. The City Council shall determine whether the proposed project is of such a design and type that it warrants further review by the Planning Commission. If the City Council determines that further review is warranted, the second step shall be the conditional use review process which involves the submission of a conceptual plan which conforms in content to the design standards and requirements specified in this section, as well as the plan submission requirements of this chapter and Subdivision Ordinance. If the conditional use/conceptual subdivision plan is approved, the plan would proceed to the third step which involves the submission of a site development plan and preliminary/final subdivision plans for review and approval by the Planning Commission and City Council.
- (c) Maximum density. The gross residential density in a Planned Residential Neighborhood Development shall not exceed four dwelling units per acre, however the density could be increased to eight dwelling units per acre, provided the development provides the amenities listed under the density bonus section. In no case shall the development exceed eight dwellings units per gross acre.
- (d) Design standards. The design standards and dimensional requirements (bulk and parking regulations) shall be in accordance with this chapter.

- [1] Lot coverage. Based on the following type of residential construction, the following is the maximum lot coverage:

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- [a] Single-family detached dwelling: 35%.
 - [b] Single-family semidetached dwelling: 35%.
 - [c] Single-family attached dwelling: 40%.
 - [d] Garden apartments/condominiums: 30%.
- [2] Minimum setback areas. New buildings shall observe a twenty-five-foot minimum front yard, ten-foot minimum side yards, and a twenty-five-foot minimum rear yard.
 - [3] Height of buildings. The height of buildings shall not exceed three stories or 35 feet. Accessory buildings shall not exceed 15 feet in height.
 - [4] Off-street parking. Off-street parking shall be provided for residents, visitors and employees of the facility. The applicant shall demonstrate to the satisfaction of the Planning Commission that, based on total potential occupancy load (resident, visitor and employee), a sufficient number of off-street parking spaces will be provided.
- (e) Design requirements.
- [1] Common open space.
 - [a] The area set aside and preserved for open space shall aggregate no less than 25 percent of the total site area. Common open space shall be provided in the PRND proposals. The common open space shall not include any wetlands, floodways or similar area not suitable for building as determined by the Planning Commission and City Council. Significant natural features shall be incorporated into common open space whenever possible.
 - [b] The common open space shall be designed as a contiguous area if possible, and shall be interspersed with residential areas so as to provide pedestrian access and visual amenity. The common open space shall be designed and maintained by the property owner/s or an HOA. Recreational areas shall be constructed and may be located within the 25% of open space set aside.
 - [2] Planned neighborhoods. The area set aside and preserved for open space shall aggregate no less than 25% of the total site area.
 - [3] Buffers. Buffers shall be required to provide transition between planned residential development and adjacent properties/rights-of-way or changes in land use. Buffers should consist of earth berms and a planting area. No building shall be constructed less than 40 feet from the perimeter property line of the development. This buffer may consist of either common open space, earth berms, planting areas or private yards or a combination of both; however, no more than 30% of the required buffer area may be counted toward the minimum common open area requirement.
 - [4] Disruption of natural environment. The planned neighborhood design development shall be designed and scheduled so as to minimize earthmoving, erosion, tree clearance and other disruption of the natural environment. Existing vegetation shall be preserved wherever possible. Where extensive natural tree cover and vegetation do not exist or cannot be preserved on the site, landscaping shall be undertaken in order to enhance the appearance of the development and screen streets and parking areas, and enhance privacy of private dwellings. Natural drainage systems shall be preserved wherever possible.
 - [5] Privacy. Dwelling unit structures shall be located and arranged so as to promote privacy for residents within the development and maintain privacy for residents adjacent to the development. Recreational and nonresidential uses shall be located and designed so as not

to interfere with nearby residential areas. All structures and activities located near the periphery of the site shall be designed so as to harmonize with neighboring areas.

(f) Density bonus.

[1] A density bonus may be granted if the developer furnishes improvements that significantly demonstrate to the Planning Commission that the improvements contribute to superior design and which exceed the standard requirements of the city ordinances in accordance with the following schedule:

- [a] Open space. For each increase of 10% in common open space over the minimum requirement of 25%, a density bonus of 10% shall be granted.
- [b] Housing types. Neighborhood design which integrates a variety of housing types to provide architectural diversity and which avoids monotony and segregation by dwelling type in order that single housing type does not dominate the planned neighborhood or section thereof shall be awarded a density bonus of 10%. The term "housing type" refers to each of the following dwelling types: single-family detached houses, semidetached and duplex houses, multiplexes, townhouses, and garden apartments.
- [c] Public buildings. The construction and leasing of a public building, including a firehouse, or a library, or a branch library which is necessitated, either wholly or partially, by the development, may increase the permitted density by 10%, if approved by the City, the Planning Commission and the agency to which the building is to be leased.
- [d] School sites. The donation of a school site may increase the permitted density by 25%, if approved by the City, the Planning Commission and the local school board.
- [e] Recreation facilities. Where the developer provides recreation facilities in accordance with recommendations from the City, the Planning Commission, and the Parks and Recreation Department where the facilities are in excess of those required by City ordinances, a density bonus of 5% shall be given. Such facilities may include, but are not limited to walking trails, bike paths, tennis courts, and boating access areas.
- [f] Community gardens. The reservation of additional common land for the establishment of community gardening space for the raising of flowers, fruits and vegetables shall be awarded a 5% of density bonus.
- [g] Community day-care facilities. The construction of a building to house a day-care center for use primarily by residents of the community shall be awarded a density bonus of 10%.
- [h] Community buildings. The construction of a community building to serve as a meeting hall for various community functions, including, but not limited to, civic meetings, recreational purposes, receptions and special events, shall be awarded a density bonus of 10%.
- [i] Conservation easements. The establishment of a permanent easement for the purpose of conserving and protecting a woodland area, a wetland area, and/or a stream corridor from removal of existing natural vegetation, and/or encroachment by future development shall be awarded a density bonus of 5%.

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- [j] Parking lot landscaping. The construction of landscaping in and around parking lots/areas shall be awarded a density bonus of 2%.
 - [k] Low-level lighting. The construction of low level light within the development and in/around parking lots/areas shall be awarded a density bonus of 3%.
 - [l] School bus pull off/school bus shelter. The construction of school bus pull offs or school bus shelters within the development shall be awarded a density bonus of 5%.
 - [2] Note: City Council will have the final determination in determining the amount of the allowable density bonus.
- (g) Conditional use plan approval.
- [1] In addition to the minimum conditional use plan requirements listed in this chapter and the minimum conceptual subdivision plan requirements listed in the Land Subdivision Regulations, the following additional items shall be reflected on or shall accompany the conditional use plan:
 - [a] Architectural drawings illustrating exterior elevations of typical dwelling units and nonresidential structures to be constructed.
 - [b] Statements and illustrations of the materials to be used in construction and their compatibility with the City Building Code and other codes relating to construction.
 - [c] Total acreage of development, land uses in each area, total number of dwelling units, average gross residential density, average lot area and lot width by unit type, and gross residential density in each section.
 - [d] Building coverage lines accurately locating all types of dwelling units, and nonresidential structures, giving dimensions of the structures, distances between the structures, and distances to street rights-of-way and parking areas, with distances accurate to the nearest hundredth of a foot, and total amount and percentage of impervious area.
 - [e] Accurate dimensions of common open space areas specifically indicating those areas to be developed for active recreation. Where common space areas are to be developed, the exact location of the structures in common open space will be illustrated.
 - [f] Locations and dimensions of parking areas and pedestrian walkways.
 - [2] Each application for a conditional use plan approval shall be accompanied by a fee of \$700 (§ 230-57).
- (h) Site development preliminary subdivision plan review.
- [1] Application for site development plan approval shall be made to the Planning Commission in accordance with this chapter and the land subdivision regulations. Such application may be requested in stages. The following additional requirements shall be included for review along with the site development plan submission:
 - [a] A development phasing plan if proposed, which clearly defines the boundaries of each phase of the development and indicates the number of dwelling units to be constructed in each phase. Each phase shall be assigned a number which

represents that phase's order in the construction sequence of the development.

- [b] Architectural drawings illustrating exterior and interior designs of typical dwelling units of each type and nonresidential structures to be constructed.
- [c] Statements and illustrations of the materials to be used in construction and their compatibility with the City Building Code and other codes relating to construction.
- [d] All covenants running with the land governing the reservation and maintenance of dedicated or undedicated open space land. These shall bear the certificate of approval of the City Solicitor as to their legal sufficiency.
- [e] Restrictions of all types which will run with the land and become covenants in this chapter or in the Land Subdivision Regulations.
- [f] In the case of a planned neighborhood design which is proposed to be developed over a period of years in specific phases, the site development/preliminary subdivision plan requirements as listed in this section shall apply to the phase or phases for which approval is being sought. The site development plan for each phase must demonstrate compliance with minimum plan requirements and shall provide phase specific information regarding proposed development density and dwelling types, locations of common open space, sanitary sewer and water distribution systems, and street systems consistent with the approved conditional use conceptual plan developed for the entire neighborhood.

- [2] Each application for a preliminary plan approval and final plan approval shall be accompanied by a fee of \$1,000 plus \$10 per dwelling unit (§ 230-57).

(i) Site requirements.

- [1] All structures shall be so located as to provide proper access to the building for fire-fighting equipment, trash collection and deliveries.
- [2] All off-street parking shall be provided at the rate of 2.5 spaces for every dwelling unit.
- [3] Outdoor light fixtures shall be provided at locations that will assure the safe and convenient use of walks, steps, parking areas, driveways, streets and other facilities.
- [4] Facilities for temporary trash/refuse storage shall be provided in such manner that is adequate for the dwelling units they support.

(j) Final subdivision plat approval.

- [1] Final subdivision plat review and approval for planned neighborhood design projects involving subdivision of land shall follow the requirements pertaining to the review and recordation of final subdivision plats. In the case of projects for which a phasing plan has been approved, the final subdivision plat for each phase shall demonstrate compliance with minimum plan requirements and shall provide phase specific information regarding proposed development density and dwelling types, locations of common open space, sanitary sewer and water distribution systems, and street systems consistent with the approved conditional use conceptual plan developed for the entire neighborhood.
- [2] Each application for a preliminary plan approval shall be accompanied by a fee of \$1,000 plus \$10 per dwelling unit (§ 230-57).

(12) Bed-and-breakfast, subject to the following requirements:

[Added 9-8-2008 by Ord. No. 2008-13]

- (a) The bed-and-breakfast establishment does not adversely affect the residential character of the neighborhood and such use is carried on in an existing residential structure.
 - (b) The building proposed for use as a bed-and-breakfast must have the owner of the bed-and-breakfast residing in the building as his/her principal residence.
 - (c) The serving of meals shall be limited to breakfast and afternoon tea for overnight guests and customers.
 - (d) Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
 - (e) No exterior alterations other than a sign and those required by law to ensure the safety of the structure shall be made.
 - (f) The bed-and-breakfast operation shall not use more than 50% of the floor area of the principal residence. Common areas such as the kitchen, foyer, living room or dining room are not included in this calculation.
 - (g) No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than 20 feet. Sidewalks shall not be illuminated by lighting fixtures higher than 15 feet. Exterior lighting shall be so shaded as to prevent illumination off-site. All external lighting, except for demonstrated security needs, shall be extinguished by 10:00 p.m.
 - (h) All bed-and-breakfasts must be in compliance with the requirements of the Uniform Building Code and Uniform Fire Code as adapted and enforced by the state fire marshal. Requirements include smoke detectors centrally located on each floor with sleeping rooms and the basement stairway. They must have battery backup and be connected or have a sounding device to provide an alarm which can be heard in all sleeping areas. Every sleeping room must provide at least 50 square feet of floor area per guest and have an operable window of 5.7 square feet or more of clear opening or exterior door for emergency escape or rescue. The maximum distance to a fire extinguisher rated 2A and having a BC rating is 75 feet.
 - (i) Safe food handling is the responsibility of the "host." He/She must properly train employees and other household members in safe food handling procedures and requirements and secure the proper state health permit if applicable.
 - (j) Parking requirements: one space per guestroom plus two spaces for residence. Spaces shall be located to the side and rear of the building and shall be screened from adjacent properties by a five-foot-high wood or masonry fence or by sight-obscuring vegetation of the same height. The area of the parking lot, including driveways, shall be graded, surfaced with asphalt or other suitable material and drained to the satisfaction of the City Engineer to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining properties.
- D. Area regulations.
- (1) Minimum lot area shall be 10,000 square feet. Minimum interior lot shall be 10,000 square feet. Minimum corner lot shall be 13,000 square feet.
 - (2) Maximum lot coverage shall be 30%, exclusive of accessory buildings.
 - (3) Minimum lot width shall be 80 feet.

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- (4) Height of buildings shall not exceed three stories or 35 feet. Accessory buildings shall not exceed 15 feet in height.
 - (5) Minimum front building setback line shall be 25 feet.

[Amended 11-27-2006 by Ord. No. 2006-15]

- (6) Minimum rear yard shall be 25 feet. For corner lots the rear yard may be reduced 20% in depth to allow for skewing of a residential dwelling on the lot.
- (7) Side yards shall be provided as follows: each lot shall have two side yards with a minimum of 12 feet each.
- (8) Parking shall comply with the requirements provided in Article IV of this chapter.
- (9) Signs shall comply with the requirements provided in Article VI of this chapter.
- (10) Decks, subject to the following requirements:

[Added 11-27-2006 by Ord. No. 2006-15; amended 9-8-2008 by Ord. No. 2008-13]

- (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.

[Ord. No. 2019-38, § 3, 11-25-2019]

§ 230-48. Criteria for evaluation.

The following criteria shall be used as a guide in evaluating a proposed conditional use:

- A. The presence of adjoining similar uses.
- B. An adjoining district in which the use is permitted.
- C. There is a need for the use in the area proposed as established by the Comprehensive Plan.
- D. There is sufficient area to screen the conditional use from adjacent different uses.
- E. The use will not detract from permitted uses in the district.
- F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

Dear Rob and Terri,

Please see the attached letter addressed to Mayor Campbell, City Council, and the Planning and Zoning Commission regarding the Conditional Use Permit request from 8 E Clarke Ave. I did not see a deadline included in the Notice of Public Hearing, but hope that it is not too late to submit a written comment. Unfortunately, neither Andy nor I can attend Tuesday evening's public hearing, but are still very concerned over the situation.

If you have any questions or concerns, please feel free to contact me at (302) 491-6034 or (757) 635-2832.

Thank you,

Amanda Fulton

February 11, 2022

Amanda M. Fulton
15 E Clarke Avenue
Milford, DE 19963
(302) 491-6034

Dear Mayor Campbell and Members of the City of Milford's Council and Planning Commission,

As a homeowner living across from 8 E. Clarke Avenue in Milford, I would like to share my thoughts and concerns regarding the Conditional Use Permit under review.

To begin, E. Clarke Avenue is a shorter, residential side street with no outlet. The road is just comfortably wide enough for two-way traffic and many of our neighbors utilize street parking, further decreasing passage. At times, we have difficulty entering or exiting our driveway when vehicles are parked on the eastbound side. With no possible outlet other than Walnut Street, increasing the amount of vehicle's traveling and parking on our small road will lead to further congestion. I was unable to determine what the daily average of client visits to a bail bonds office are, but do not feel that our small, dead-end residential street is the proper setting.

Secondly, we have lived on E. Clarke Avenue since Spring of 2012 and our children have never before expressed any signs of worry or concern for their safety. Unfortunately, that is no longer the case. Since the sign for a 24-hour bail bondsman was erected, our younger son and daughter have begun to alert us of every car they see parked across from our house and are nervous until the vehicle is identified or leaves. They also have begun expressing anxiety over any noises they hear after dark, worried that someone is trying to enter our home. This is a major cause of concern for me, both as a parent and neighbor. According to Bail Bondsman, Jose Espinoza (2018) *"The bails bondsman career practically requires individuals to spend their days dealing with criminals and only accused criminals. In some instances, the criminals may be violent and unpredictable... As a result, bail bondsmen face more threats to their safety than most business owners. They have to confront this threat and often hire guards and employ security systems. The threat can never be completely eliminated."* While I respect Ms. Maloney for accepting the risks that come along with her business, I do not feel that it is fair to require the families in proximity to do the same.

In the event of the Planning Commission and City Council approving this Conditional Use Permit, I kindly request an increase of patrolling by the Milford Police Department to ensure the safety of the residents of E. Clarke Avenue.

Thank you for your time and consideration.

Sincerely,
Amanda Fulton

Reference List:

Jose Espinoza (2018) *Pros and Cons of being a Bail Bondsman*

Retrieved from <https://joseespinozabailbonds.com/bail-bondsman/pros-cons-bail-bondsman/>

From: Brian Donovan <bdonovan31@yahoo.com>
Sent: Monday, February 14, 2022 12:27 PM
To: CityClerk <CityClerk@milford-de.gov>
Subject: Comments for Planning Commission hearing February 15, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: Ordinance 2022-09

To whom it may concern on the Planning Commission,

I might not be able to join the Planning Commission hearing tomorrow night (2/15/22), so I'm writing a few comments regarding Ordinance 2022-09 (E. Clarke Avenue). I live right around the corner.

I am against granting this use because it is a bail bonds business. My 4 main objections may have already been voiced. They are (1) I am concerned for the safety of nearby residents--especially children--because of the type of clients it might bring in, (2) I am concerned about the noise it might bring to the neighborhood when people are sleeping, (3) I am concerned about the traffic it might bring to the street, and of course (4) I am concerned for safety of the people who live in that house.

Respectfully,

Brian Donovan

S. Walnut Street, Milford

RE:

Ordinance 2022-09

Lands of Shelley Maloney

0.754 +/- acres located along the south side of E. Clarke Avenue approximately

260 feet east of S. Walnut Street

Application Type: Conditional Use

Comprehensive Plan Designation: Low Density Residential

Zoning District: R-1 (Single-family Residential District)

Present Use: Single-family Detached Dwelling

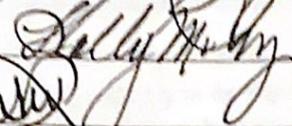
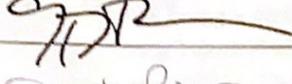
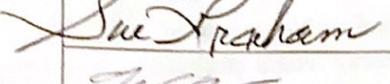
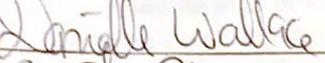
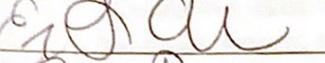
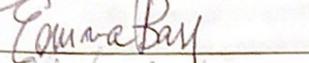
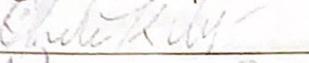
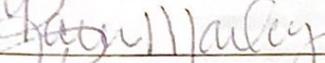
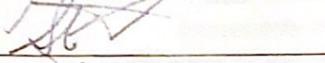
Proposed Use: Single-family Detached Dwelling with Professional Home Occupation

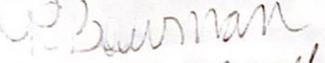
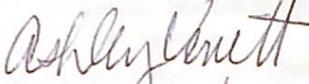
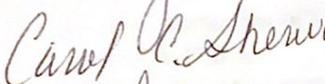
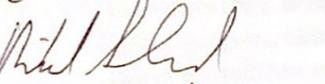
Tax Parcel: 3-30-10.08-004.00

Shared neighborhood concerns regarding a bail bonds business located at 8 E Clarke Ave.:

1. Safety of the neighborhood
 - a. “Milford is in the top 5 for both violent and property crime in Delaware. Milford is the 3rd most dangerous city in Delaware. Property crime is high - you've got a 1 in 20 chance of being a victim here. The violent crime rate is also disturbingly high, which just over a 1-in-100 chance of having to defend yourself from violent crime” (Magaraci, 2021). Therefore, we do not want to invite more potential crime into this area.
 - b. DE has one of the highest (if not the highest) recidivism rates in the nation, with property crimes including robbery being one of the highest rates of repeat offenders (74%), a crime that often allows for bail and puts potential thieves on our quiet, residential street providing crimes of opportunity.
 - c. Many people arrested for crimes in DE lack transportation, causing an increased potential foot traffic of criminals on our dead-end street at all hours looking for the bail bonds business, when kids may be playing in yards or garages may be left open with personal property and vehicles in full view. Several property owners have children and grandchildren who play outside, ride bikes or walk on the sidewalks on East Clarke.
 - i. “The first hours after being released from arrest can be among the most vulnerable for many of the 10,000 returning citizens released from U.S. prisons and jails every week. Inmates walking out of prison or jail alone are slapped in the face with the immediate urgency of navigating transportation, shelter, food, and other basic needs” (Flatown, N. 2015). These dire circumstances create potential property crimes.
 - d. In the event of any issues or disturbances, the neighbors do not have confidence that professional communication or normal businesses practices will occur with the owner. She has not made any effort to communicate or establish a good rapport with the neighbors.
2. Safety of children in the community
 - a. The intersection of E. Clarke and S. Walnut is a designated bus stop for Milford School District.
 - b. The referendum to revitalize the old middle school has been passed, and when the school re-opens, kids who walk to school cut through East Clarke Ave from the other side of the railroad tracks.
 - c. Parents do not want their children to encounter accused criminals on their way to school without parental supervision.
3. Lowering of property values
 - a. We are concerned that the presence of a bail bonds business will negatively affect property values in our neighborhood. We feel this business is not equivalent to a daycare or insurance agent; it has real or perceived negative connotations of danger and crime. **We agree this business belongs in a commercial district, not a residential area.**

Conclusion: the neighbors identified below strongly oppose the approval of a bail bonds business on East Clarke Ave.

Signed	Print	Address
	Keri B Fry	501 S Walnut St
	Holly Fey	501 S. Walnut St.
	Nirey ROBERTS	10 E. CLARKE AVE
	Craig Roberts	10 E. Clarke AVE
	Donna Robinson	5 Delaware Ave
	Sue GRAHAM	511 S. WALNUT ST.
	Matthew LaHue	502 S Walnut St.
	Danielle Wallace	502 South Walnut Street
	Aina Allen	30 Delaware Ave
	Emma Barr	507 S Walnut St
	Charles Manley	435 S. Walnut
	Karen Manley	435 S. Walnut
	Brian Donovan	503 S. Walnut
	Steven Keyser	505 S. Walnut St

 Rachel BOWMAN 500 S. Walnut St
 Ashley Venett 509 S. Walnut St
 Carol C. Sherwood 13 E Clarke Ave.
 Richard Sherwood 13 E. Clarke Ave.
 Steve Venett 509 S Walnut St.

References:

Flatow, N. (2015). The Prison Doors Open And You're Released. You Have No Money Or Transportation. Now What? – ThinkProgress

Magaraci, K. (2021). Here Are The 7 Most Dangerous Cities In Delaware After Dark (onlyinyourstate.com)

Recidivism Rates by State 2022 (worldpopulationreview.com)

City of Milford



PROCLAMATION 2022-03 ENDOMETRIOSIS AWARENESS MONTH

WHEREAS, endometriosis, a condition that happens when tissue similar to the lining of a women's uterus (womb) grows outside of the uterus, is one of the most common gynecological diseases and affects 200 million worldwide and about 1 in 10 women in the United States; and

WHEREAS, endometriosis is often misdiagnosed or missed altogether due to lack of education and awareness, as well as significant demand for greater understanding, especially when it comes to diagnosis and treatment options; and

WHEREAS, because endometriosis can have a devastating effect on the quality of life due to its very painful symptoms that oftentimes requires multiple surgeries as well as being the biggest cause of infertility in women, it is imperative that awareness is spread so that the proper diagnosis can occur at the earliest stage possible as well as the importance of proper education of the debilitating disease so that the proper treatment can begin before ever reaching a critical point:

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, Delaware, proclaim March 2022

ENDOMETRIOSIS AWARENESS MONTH

in Milford to help highlight the importance of education, early diagnosis and support of women with lived experience of this disease.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed hereto this 28th day of February 2022.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson



PROCLAMATION 2022-04
NATIONAL ENGINEERS WEEK

WHEREAS, engineers use their scientific skills and specialized knowledge and skills in creative and innovative ways to fulfill society's needs; and

WHEREAS, engineers help solve major technological challenges of our time - from designing efficient building systems to rebuilding towns devastated by natural disasters; and,

WHEREAS, engineering has been called the invisible or stealth profession because everything around us and things we use every day have been engineered in some way, yet we may not see the engineers behind the scenes or know much about engineering; and,

WHEREAS, founded in 1951, National Engineers Week is dedicated to ensuring a diverse and well-educated future engineering workforce by increasing understanding of, and interest in, engineering and technology careers; and,

WHEREAS, National Engineers Week is a formal coalition of more than 70 engineering, education and cultural societies, with more than 50 corporations and government agencies dedicated to raising public awareness of engineers' positive contributions to quality of life; and,

WHEREAS, National Engineers Week promotes recognition among parents, teachers, and students of the importance of a technical education and a high level of math, science, and technology literacy, and motivates youth to pursue engineering careers in order to provide a diverse and vigorous engineering workforce; and,

WHEREAS, the City of Milford would like to acknowledge City of Milford Engineer James Puddicombe in honor of National Engineers Week, observed February 20-26, 2022.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, Delaware, by virtue of the authority vested in me by the laws of the City of Milford and the State of Delaware, do hereby proclaim February 20-26, 2022 as NATIONAL ENGINEERS WEEK and urge our citizens to pay tribute to City Engineer James Puddicombe who has, in accordance with his professional responsibilities and duties associated with his assignments within the City of Milford Department of Public Works, exemplify the work, deliberative analysis and conduct associated with the professional code of ethics under the Delaware Association of Professional Engineers (DAPE);

AND FURTHER recognize all engineers for the substantial contributions they have made to reimagining and protecting our infrastructure, health, safety, and quality of life in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed hereto this 22nd day of February 2022.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson

Presentation to Chief



Sussex County Association of Towns

37 The Circle, Georgetown, Delaware 19947

S.C.A.T. Dinner for Wednesday, March 2, 2022

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: Laurel Fire Hall
205 W 10th Street
Laurel, DE 19956

TIME: 6:00 pm – Cash Bar
6:30 pm – Dinner

HOST: Town of Laurel

SPEAKER: Kevin Carson, Sussex Tech Superintendent

COST: \$26.00 per person

MENU: Chicken Cordon Bleu
Stuffed Shells
Roast Bottom Round of Beef
Red Skin Potatoes
Broccoli Casserole
Succotash
Mixed Garden Salad
Apple Crisp
Tea and Water

For reservations, please contact Jamie Smith at (302) 875-2277 or by email: laureltm@comcast.net no later than **February 24, 2022 BY NOON**

Please make checks payable to **Town of Laurel**
Mail to: Town of Laurel
Attn: Jamie Smith
201 Mechanic Street
Laurel, DE 19956

Reminder: S.C.A.T. Steering Committee Breakfast
Friday, March 4, 2022 at 9AM, ARENA's Delaware Coastal Airport

Speaker: Todd Lawson

Cost \$11.00 (checks written to Arena's)

RSVP to Kristen Dabrowski kdabrowski@georgetowndel.com

To: Mayor and City Council
Cc: Mark Whitfield, City Manager; Finance Department
From: Louis C. Vitola, Finance Director
Date: January 21, 2022
Re: December 2021 Financial Reporting Package

The Financial Reporting Package for the fiscal year through December 2021 (FY22 YTD) is enclosed. The following executive summary highlights this month's notable developments and recaps any changes to the report. The "Quick Reference" section of this memo recaps important financial highlights and modifications made in FY22 to help shorten the executive summaries.

YTD results continue to exceed budget expectations through the first half of the fiscal year. Operating expenditures remain below even the seasonalized budget across funds for the sixth consecutive month. While understaffing results in unintended savings, we welcome the recent improvement in staffing levels and look forward to stability the second half of this fiscal year. Results in the electric fund rebounded in December, as timing issues between wholesale and retail electric sales continue to drive artificially choppy results on a month-to-month basis. The water fund, while still behind compared to the first half of FY21, has improved in December as well; the new water fund transfer to the general fund represents the only variance. Cash balances were drawn during December, as expected, primarily due to the closing of two property purchases, but in part due to a busy month for capital projects and purchases.

Quick Reference for FY22 Financial Developments and Report Upgrades

Recap FY22 Financial Highlights



Summary of FY22 Modifications (no changes this month)

- P.1 – Cash Rollforward
 - New Solid Waste Reserves Acct created by FY22 Water Fund interfund loan forgiveness; new variance indicators
- P.2 – Restricted Cash Reserves Report
 - The MSA and RTT reserves were combined into one shared summary to make room for Solid Waste Fund
 - Lines 3 & 17 added to show additions & interest earnings in the capital reserve accounts
 - Lines 12, 13, 24 & 25 feature updated MCR & ERR calculations for FY22 pursuant to cash reserve policy
- P.3 – The Enterprise Funds “P&L Style” Report features a new comparative column and four new rows
 - The rightmost column compares current vs prior FYTD periods by revenue and expense lines and subtotals
 - Rows 16 & 17 compare current & prior FYTD periods net surplus by fund
 - Rows 18 & 19 compare actual surplus vs seasonalized budget surplus for the current FYTD period
 - Variance indicators added for quick reference to both P&L reports; refined in October 2021
- P.4 – The General Fund “P&L Style” Report was created to complement the existing Enterprise Funds P&L Report
 - The new statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary
 - The scaled, common-size columns at right match the prior year comparability goals featured in the Enterprise Fund version of the report, while also putting general fund revenues and expenses in context for the first time in the monthly financial reporting package
 - Rows 19 & 20 allow for a comparison of the current and prior year FYTD periods by major function
 - Rows 21-22 show comparison of actual surplus vs seasonalized budget surplus for the current FYTD period
- P.5 (prev p.10) – Planned Use of ARPA Funding by Category compared to Actual Spending added in Sept 2021
- P.6-10 – Revenue (p.6) & Expenditure/Inter-dept Reports (p.7-10) will be produced indefinitely as “legacy” reports



Financial Reporting Package
As of and For the Period Ended December 31, 2021

Cash & Investment Balance Rollforward

Restricted Cash Reserves Report

Enterprise Funds YTD Revenue & Expenditure Report

General Fund YTD Revenue & Expenditure Report

Appendix: ARPA Funding Plan vs Actual Expenses

Legacy Revenue Report with MTD & YTD vs Annual Budget

Legacy Expenditure Report with MTD & YTD vs Annual Budget

Legacy Interservice Department Cost Allocation

City of Milford, Delaware
Cash and Investment Balance¹ Rollforward
For the Period Ended December 31, 2021

1 **Operating Cash Balances**

▼ Marks Ref Closing Bal⁴

Description	Opening Balance (Nov 30, 2021)	Receipts	Interest Earned	Disbursements	Closing Balance (Dec 31, 2021)
General Fund	\$ 5,477,538	\$ 1,481,211	\$ 818	\$ (1,733,450) →	\$ 5,226,118
Electric Fund	4,308,322	2,085,367	2,408	(1,959,627) →	4,436,470
Water Fund	1,914,041	271,370	1,331	(217,333) →	1,969,408
Sewer Fund	1,185,513	258,321	543	(365,321) →	1,079,056
Solid Waste Fund	536,835	133,059	86	(101,965) →	568,016
Operating Cash Totals⁴	\$ 13,422,250	\$ 4,229,329	\$ 5,186	\$ (4,377,696) →	\$ 13,279,068

9 **Federal, State and Other Special Purpose Cash Balances**

Description	Opening Balance (Nov 30, 2021)	Receipts	Interest Earned	Disbursements ²	Closing Balance (Dec 31, 2021)
General Improvement	\$ 536,959	\$ -	\$ 82	\$ - →	\$ 537,042
Municipal Street Aid (MSA)	692,851	-	75	(200,852) ↓	492,074
Realty Transfer Tax (RTT)	4,246,796	130,173	650	(113,333) →	4,264,286
Economic Development	681,714	-	-	- →	681,714
ARPA Grant Fund	2,576,098	-	-	(259,005) ↓	2,317,093
Special Purpose Cash Totals⁴	\$ 8,734,419	\$ 130,173	\$ 807	\$ (573,190) ↓	\$ 8,292,209

17 **Reserve Fund Cash Balances¹**

Description	Opening Balance (Nov 30, 2021)	Receipts	Interest Earned ³	Disbursements ²	Closing Balance (Dec 31, 2021)
General Fund Capital Reserves	\$ 1,829,820	\$ -	\$ -	\$ (375,594) ↓	\$ 1,454,226
Water Fund Capital Reserves	9,411,722	-	-	(6,633,136) ↓	2,778,586
Sewer Fund Capital Reserves	3,884,132	-	-	- →	3,884,132
Solid Waste Fund Capital Reserves	71,287	-	-	- →	71,287
Electric Fund Capital Reserves	14,050,228	-	-	(553,063) →	13,497,165
Reserve Fund Cash Totals⁴	\$ 29,247,189	\$ -	\$ -	\$ (7,561,793) ↓	\$ 21,685,395

25 **Impact Fees and Police/General Facilities Cash Balances**

Description	Opening Balance (Nov 30, 2021)	Receipts	Interest Earned	Disbursements ²	Closing Balance (Dec 31, 2021)
Police & General Gov't Facilities	\$ 515,783	\$ 3,346	\$ -	\$ (232,685) ↓	\$ 286,444
Carlisle Fire Co Permit Fund	533,595	1,115	-	- →	534,710
Water Impact Fee Reserves	4,703,138	6,390	-	- →	4,709,528
Sewer Impact Fee Reserves	2,696,358	3,376	-	- →	2,699,734
Electric Impact Fee Reserves	1,078,990	3,000	-	- →	1,081,990
Impact Fees & Police/GF Totals⁴	\$ 9,527,863	\$ 17,228	\$ -	\$ (232,685) ↓	\$ 9,312,405

Grand Totals⁴	\$ 60,931,720	\$ 4,376,730	\$ 5,992	\$ (12,745,364) ↓	\$ 52,569,078
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¹Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves Report for reserve funding commitments
²Please see Appendix for ARPA Spend (line 15) vs Plan Detail. Disbursements from MSA & RTT (lines 12-13) include the monthly recurring PD support and Mispillion St project spending. Outflows from General Fund Reserves (line 19) supported the Mispillion St Project, Equipment & Tech spending, Vehicles and Parks & Rec equipment. Disbursements from Water and Electric Reserves (lines 20 & 23) consist of property settlements. Line 27 reflects cash outflows for Police Facility design costs.
³Interest earned in WSFS reserves flow to operating cash accounts (PFM reserve accounts liquidated), so reserve interest reported at \$0
⁴Closing Balance Indicator sets **Red**, **Yellow** and **Green** signify month-to-month cash variance as follows:

-10% ≤ Variance ≤ 10%	-5% ≤ Variance ≤ 5%	-2.5% ≤ Variance ≤ 2.5%

City of Milford, Delaware
Restricted Cash Reserves Report
As of December 31, 2021

General Fund Capital Reserves		Amount
Cash/Investment Balance (12/31/21)	\$	1,454,226
Expected Contributions & Interest		658,799
Restricted Funds:		
Vehicle & Equipment Replacement		(151,283)
Building Upgrades		(205,415)
Parking Enhancements		(200,000)
Parkland, Trails & Recreation		(610,180)
2020 Combined Utilities		(22,396)
OpEx Support (Tax R/A & PD R/M)		(522,000)
Support Policy with RTT ¹		2,000,000
Draft Reserve (MCR) Policy ²		(1,236,356)
Equipment Replacement Reserve ²		(764,100)
Uncommitted Reserve Balance	\$	401,296

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (12/31/21)	\$	13,497,165
Expected Contributions & Interest		1,999,821
Restricted Funds:		
Electric Vehicles & Equipment		(96,026)
Lighting & System Improvements		(593,628)
Traffic Signal Upgrades		(350,000)
Citywide Projects ⁶		(878,194)
Redeem / Defeasement Bond (Jan 2022)		(4,060,000)
Draft Reserve (MCR) Policy ³		(6,345,238)
Equipment Replacement Reserve ³		(85,400)
Uncommitted Reserve Balance	\$	3,088,500

Water Fund Capital Reserves		Amount
Cash/Investment Balance (12/31/21)	\$	2,778,586
Expected Contributions & Interest		607,958
Restricted Funds:		
Vehicle & Equipment Replacement		(145,164)
Streets 2020 Utility Engineering		(122,534)
SE Second Street - Lead Gooseneck		-
Milford Business Campus		(35,200)
Balance of FY20-21 Projects		(129,784)
Draft Reserve (MCR) Policy ³		(2,695,121)
Equipment Replacement Reserve ³		(145,164)
Uncommitted Reserve Balance	\$	113,576

Solid Waste Reserves		Amount
Cash/Investment Balance (12/31/21)	\$	71,287
Expected Contributions & Interest		218,781
Restricted Funds:		
Draft Reserve (MCR) Policy ⁴		-
Equipment Replacement Reserve ⁴		(290,068)
Uncommitted Reserve Balance	\$	-

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (12/31/21)	\$	3,884,132
Expected Contributions & Interest		78,232
Restricted Funds:		
Sewer Vehicles & Equipment		(169,503)
Citywide Projects & Engineering		(29,256)
Utility Engineering		(231)
NE/NW Front St Sewer Rehab, net of Change Order Credit		(26,039)
Draft Reserve (MCR) Policy ³		(3,327,000)
Equipment Replacement Reserve ³		(235,000)
Uncommitted Reserve Balance	\$	175,335

MSA & RTT Reserves		Amount
RTT Balance (12/31/21)		4,264,286
MSA Balance (12/31/21)		492,074
MSA & RTT Est Receipts thru FY22:		547,124
MSA: Street & Bridge Improvements		(415,958)
RTT: Transfer to Police Dept		(200,000)
RTT: Sidewalk Project Funding		(140,000)
MSA & RTT: Mispillion Street Group		(219,036)
MSA & RTT: 2020 Combined Utilities		(404,316)
RTT: Support GF Policies ¹		(2,000,000)
RTT: Draft Reserve Policy ⁵		(1,041,454)
Uncommitted Reserve Balance	\$	882,720

¹Approved GF Reserve Policies permit support from an eligible funding source; portion of RTT balance pledged to support GF Reserves for foreseeable future

²Approved GF Reserve Policies recommend MCR of 45 days OpEx & Equip Repl Res minimum of 110% of upcoming CIP budget

³Approved Reserve Policies split Minimum Cash Req'd from COS study into new MCR & Equip Repl Reserve (20% of CIP)

⁴Solid Waste Reserves initiated in FY22 with seed funding from interfund loan forgiveness. Through at least FY23, 100% of balance will be reserved for purchase of new vehicle per FY22-26 approved CIP

⁵Approved Reserve Policies recommend dynamic MCR based on average of trailing-three-year RTT receipts

⁶This \$1.4 million funding restriction includes the \$0.9 million in FY22 CIP projects as well as the \$0.55 million restriction targeted for the open space parcel, which settled in November.

City of Milford, Delaware
Enterprise Funds: Statement of Revenues & Expenditures
For the YTD Period Ended December 31, 2021 vs Prior FYTD & Current Budget (in thousands)

Enterprise Funds Profit & Loss (P&L) Statement		Electric	Water	Sewer	Solid Waste	Total	FY22 Total (as % of Rev)	FY21 Total (as % of Rev)
1	Operating Revenue	\$ 12,648	\$ 1,576	\$ 2,410	\$ 728	\$ 17,362	100.0%	100.0%
2	Cost of Revenue ¹	(8,838)	(145)	(1,241)	(177)	(10,402)	-59.9%	-62.2%
3	Gross Margin	3,810	1,431	1,168	551	6,960	40.1%	37.8%
4	Operating Expenses							
5	Operations & Maintenance	(1,138)	(497)	(418)	(358)	(2,411)	-13.9%	-14.4%
6	Personnel	(518)	(162)	(158)	(120)	(959)	-5.5%	-5.8%
7	Total Operating Expenses	(1,656)	(660)	(576)	(478)	(3,370)	-19.4%	-20.2%
8	Operating Income	\$ 2,154	\$ 771	\$ 592	\$ 73	\$ 3,590	20.7%	17.6%
9	Non-Operating Revenue (Expense)	23	7	3	0	33	0.2%	0.1%
10	Surplus (Deficit) for debt service & capital	2,177	778	595	74	3,623	20.9%	17.7%
11	Debt Service - Principal & Interest	-	(183)	(112)	-	(295)	-1.7%	-4.4%
12	Capital Spending / Contributions from (to) Reserves	(4)	-	(61)	-	(65)	-0.4%	-0.9%
13	Surplus (deficit) available for transfers	2,172	595	423	74	3,264	18.8%	12.4%
14	Transfers Out	(1,250)	(150)	-	-	(1,400)	-8.1%	-7.4%
15	Net Surplus (Deficit) - FYTD through Dec 2021	\$ 922	\$ 445	\$ 423	\$ 74	\$ 1,864	10.7%	5.0%
16	Net Surplus (Deficit) - FYTD through Dec 2020	\$ 756	\$ 482	\$ (436)	\$ 39	\$ 841	5.0%	
17	Current vs Prior - Favorable (Unfavorable)²	↑ \$ 166	↓ \$ (36)	↑ \$ 858	↑ \$ 35	↑ \$ 1,023	↑ 5.7%	
18	Net Surplus (Deficit) - Current FYTD Budget	\$ (44)	\$ 139	\$ (132)	\$ 2	\$ (35)	-0.2%	
19	Current vs Budget - Favorable (Unfavorable)²	↑ \$ 966	↑ \$ 307	↑ \$ 554	↑ \$ 71	↑ \$ 1,899	↑ 10.9%	

¹Cost of Revenue reported in the electric fund reflects wholesale cost of power and serves as an ideal revenue offset to arrive at gross margin. Cost of revenue in the water, sewer and solid waste funds are estimated based on a limited set of known, direct inputs to the cost of providing the utility services billed. Aside from Kent County sewer treatment charges, costs of revenue in the water, sewer and solid waste funds are likely understated.

²Comparative Indicators **Green**, **Yellow** and **Red** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

City of Milford, Delaware

General Fund: Statement of Revenues & Expenditures¹

For the YTD Period Ended December 31, 2021 vs Prior FYTD & Current Budget (in thousands)

General Fund Sources and Uses of Funding	Admin & Council	Public Safety	Parks & Rec	Planning & All Other	Total	FY22 Total <i>(as % of Rev)</i>	FY21 Total ³ <i>(as % of Rev)</i>
Sources of Funding:							
Real Estate (Property) Taxes	\$ 4,679	\$ -	\$ -	\$ -	\$ 4,679	62.3%	57.8%
Permits, Licensing & Franchise Fees	126	-	-	163	289	3.9%	3.8%
Fines, Fees & Misc Revenue	26	288	-	-	314	4.2%	5.8%
General Revenue Subtotal	4,832	288	0	163	5,283	70.4%	67.4%
Utility Transfers & Cost Allocation	1,968	-	-	-	1,968	26.2%	23.7%
Grant Revenue	46	11	-	-	57	0.8%	0.0%
Application of Reserve Balances	-	200	-	-	200	2.7%	8.9%
General Fund Operating Support	2,014	211	0	0	2,225	29.6%	32.6%
Total Sources of Funding	\$ 6,846	\$ 499	\$ -	\$ 163	\$ 7,508	100.0%	100.0%
Uses of Funding:							
Operations & Maintenance	437	351	232	206	1,225	16.3%	12.6%
Personnel	673	2,449	267	381	3,770	50.2%	47.7%
Total Operating Expenses²	1,110	2,799	499	587	4,995	66.5%	60.3%
Surplus (Deficit) for Debt Svc & Capital	\$ 5,736	\$ (2,301)	\$ (499)	\$ (423)	\$ 2,513	33.5%	39.7%
Debt Service - Principal & Interest	-	-	-	-	-	0.0%	0.0%
Capital Spending / Transfers from (to) Reserves	44	9	34	23	110	1.5%	3.2%
Net Surplus (Deficit) - FYTD through Dec 2021	\$ 5,692	\$ (2,310)	\$ (533)	\$ (446)	\$ 2,402	32.0%	36.5%
Net Surplus (Deficit) - FYTD through Dec 2020³	\$ 5,952	\$ (2,145)	\$ (522)	\$ (608)	\$ 2,677	36.5%	
Current vs Prior - Favorable (Unfavorable)⁴	➔ \$ (260)	➔ \$ (165)	➔ \$ (11)	⬆️ \$ 161	⬇️ \$ (275)	⬇️ -4.5%	
Net Surplus (Deficit) - Current FYTD Budget	\$ 6,105	\$ (2,867)	\$ (965)	\$ (533)	\$ 1,739	23.4%	
Current vs Budget - Favorable (Unfavorable)⁴	⬇️ \$ (413)	⬆️ \$ 557	⬆️ \$ 432	⬆️ \$ 87	⬆️ \$ 663	⬆️ 8.6%	

¹This Statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary. The common size reporting (two rightmost columns) benefits readers in two ways; first, each line is scaled with total revenue to add context, and second, the common size format is comparable across fiscal years and budgets. This report should be considered a working draft that will be improved over time to improve its usefulness to readers.

²The General Fund Operating Expenses totaling \$3.3 million reported in row 14 ties to the legacy expenditure report in row 58.

³This format presents expenditures in the context of funding sources while comparing subtotals (rightmost column) and the net surplus (deficit) to the prior YTD period (rows 19 & 20)

⁴Comparative Indicators **Green**, **Yellow** and **Red** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

Appendix: Planned Use of Funding vs Spending by Category
American Rescue Plan Act of 2021 ("ARPA")

<i>Actual Spending by Category vs Plan, as Amended</i>						
ARPA Eligibility Categories	Plan (11/30)	Plan (12/31)	Actual 12/31/2021	Remaining	Notes	
COVID-19 Health Impact	\$ 1,178,212	\$ 1,048,698	\$ 35,848	\$ 1,012,851		
Operational Facilities	491,776	491,776	-	491,776	Revised Plan Reflects Take-Home Vehicle Program @ 50%	
Air Quality & Ventilation	147,450	147,450	-	147,450		
Behavioral Health Care	180,000	180,000	35,250	144,750	Primarily Personnel Costs	
Administering COVID-19 Response	358,388	228,874	-	228,874		
COVID-19 Mitigation	598	598	598	-	Vaccination Incentive; COVID test kits	
COVID-19 Economic Impact	\$ 879,286	\$ 845,973	\$ 339,306	\$ 506,667		
Assistance to Community (Annual)	324,460	324,460	45,860	278,600	DMI Funding	
Critical Ops Staffing / Retention	269,790	236,476	236,476	-	December 2021 Initiative	
Assistance to Community & Households	256,929	256,929	46,500	210,429	MHDC Affordability Grant	
Aid Tourism Recovery	25,483	25,483	7,845	17,638	Signage / Banner Upgrade	
Parks & Rec Programming	2,625	2,625	2,625	-	Signage cost share with DMI	
Rehiring Public Safety Staff	-	-	-	-		
Infrastructure	\$ 4,171,632	\$ 4,334,460	\$ 474,699	\$ 3,859,761		
Water Quality	2,902,074	2,902,074	382,080	2,519,994	Mispillion St Project; NE Front St Water Line Replacement	
Flood/Pollution Control	724,600	724,600	63,565	661,035	4th St Drainage & Mispillion St Project	
Improve Resilience to Disasters	310,000	435,000	-	435,000		
Improve Wastewater Treatment	234,958	272,785	29,053	243,732	Sewer component of Mispillion St Project	
Revenue Recovery	\$ 104,762	\$ 104,762	\$ -	\$ 104,762		
Parks & Rec Programming	97,000	97,000	-	97,000		
Economic Development	7,762	7,762	-	7,762		
Public Safety Operations	-	-	-	-		
Grand Total	\$ 6,333,893	\$ 6,333,893	\$ 849,853	\$ 5,484,040		

City of Milford, Delaware
 Legacy Revenue Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended December 31, 2021

50.0% of Year Elapsed

Account / Function	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
General Fund:				
Economic Development Fund	\$ 105,860	\$ -	\$ -	0.0%
General Fund Reserves	1,967,500	-	-	0.0%
ARPA Funding - Operating Support	568,233	-	59,688	10.5%
Realty Transfer Tax - Police	400,000	33,333	200,000	50.0%
Real Estate Tax	4,770,043	4,151	4,679,424	98.1%
Business License	72,000	470	6,435	8.9%
Rental License	103,000	500	8,475	8.2%
Building Permits	316,300	11,691	73,842	23.3%
Planning & Zoning	52,200	1,400	66,660	127.7%
Grasscutting Revenue	16,000	1,333	8,000	50.0%
Police Revenues	431,500	115,255	287,596	66.7%
Misc. Revenues	418,111	13,153	132,853	31.8%
Transfers In	3,835,178	328,013	1,968,080	51.3%
Total General Fund Revenue	\$ 13,055,925	\$ 509,299	\$ 7,491,053	57.4%
Enterprise Funds:				
Water Fund Revenues	\$ 2,824,888	\$ 254,397	\$ 1,586,294	56.2%
Sewer Fund Revenues	2,893,047	219,454	1,383,765	47.8%
Kent County Sewer	1,974,629	158,329	1,028,922	52.1%
Solid Waste Fund Revenues	1,479,370	122,564	728,744	49.3%
Electric Fund Revenues	25,250,410	2,037,802	12,665,559	50.2%
Total Enterprise Fund Revenue	\$ 34,422,344	\$ 2,792,546	\$ 17,393,284	50.5%
Other Enterprise Revenue	\$ -	\$ 3,200	\$ 25,766	
Other Enterprise Expense	-	(4,055)	(34,822)	
Total General & Enterprise Fund Revenue	\$ 47,478,269	\$ 3,300,990	\$ 24,875,281	52.4%

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended December 31, 2021

50.0% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
General Fund					
City Administration					
Personnel	\$ 715,791	\$ 68,679	\$ 334,774	46.8%	\$ 381,017
Operation & Maintenance (O&M)	492,929	13,038	84,356	17.1%	408,573
Capital	230,000	-	-	0.0%	230,000
Subtotal: City Administration	1,438,720	81,717	419,130	29.1%	1,019,590
Planning & Zoning; Code					
Personnel	493,285	54,769	228,854	46.4%	264,431
O&M	138,135	9,663	63,893	46.3%	74,242
Capital	-	-	-	-	-
Subtotal: Planning & Zoning; Code	631,420	64,432	292,747	46.4%	338,673
Council					
Personnel	35,934	2,519	15,007	41.8%	20,927
Legal	35,000	5,020	5,020	14.3%	29,980
City Hall Building Expense	17,424	1,452	8,712	50.0%	8,712
Insurance	25,745	-	7,630	29.6%	18,115
Christmas Decorations	5,000	-	-	0.0%	5,000
Council Expense	35,000	1,000	16,656	47.6%	18,344
Employee Recognition	28,000	20,143	23,265	83.1%	4,735
Codification	15,000	-	4,897	32.6%	10,103
Carlisle Fire Company	140,000	-	-	0.0%	140,000
Museum	30,000	-	30,000	100.0%	-
Downtown Milford, Inc.	45,860	-	45,860	100.0%	-
Milford Public Library	25,000	-	-	0.0%	25,000
Transcription Service	15,000	-	-	0.0%	15,000
Armory Expenses	23,600	-	18,981	80.4%	4,619
Vehicle & Equipment Repl	6,500	-	-	0.0%	6,500
Resident Survey	18,500	-	17,300	93.5%	1,200
Election - Wages	6,000	-	-	0.0%	6,000
Election - Supplies	2,800	-	-	0.0%	2,800
Community Festivals	60,000	-	-	0.0%	60,000
Subtotal: Council	570,363	30,134	193,328	33.9%	377,035

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended December 31, 2021

50.0% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Finance					
Personnel	456,230	41,279	185,081	40.6%	271,149
O&M	49,970	2,493	20,574	41.2%	29,396
Capital	-	-	-		-
Subtotal: Finance	506,200	43,772	205,655	40.6%	300,545
Information Technology					
Personnel	382,258	24,960	138,415	36.2%	243,843
O&M	228,241	3,658	153,277	67.2%	74,964
Capital	96,400	16,500	44,215	45.9%	52,185
Subtotal: Information Technology	706,899	45,118	335,907	47.5%	370,992
Police Department					
Personnel	5,129,212	558,629	2,448,580	47.7%	2,680,632
O&M	974,498	54,089	350,723	36.0%	623,775
Capital	108,100	-	9,347	8.6%	98,753
Subtotal: Police Department	6,211,810	612,718	2,808,650	45.2%	3,403,160
Streets & Grounds Division					
Personnel	382,587	35,197	152,209	39.8%	230,378
O&M	508,931	19,345	141,854	27.9%	367,077
Capital	73,000	-	22,972	31.5%	50,028
Subtotal: Streets & Grounds Division	964,518	54,542	317,035	32.9%	647,483
Parks & Recreation					
Personnel	589,633	62,779	266,715	45.2%	322,918
O&M	473,362	22,782	232,332	49.1%	241,030
Capital	963,000	3,930	33,848	3.5%	929,152
Subtotal: Parks & Recreation	2,025,995	89,491	532,895	26.3%	1,493,100
Total General Fund Expenditures	\$ 13,055,925	\$ 1,021,924	\$ 5,105,347	39.1%	\$ 7,950,578

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended December 31, 2021

50.0% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Enterprise Funds:					
Water Division					
Personnel	\$ 328,260	\$ 32,567	\$ 162,462	49.5%	\$ 165,798
O&M	1,644,327	104,897	642,548	39.1%	1,001,779
Transfer to General Fund	300,000	25,000	150,000	50.0%	150,000
Capital	187,028	-	435	0.2%	186,593
Debt Service	365,273	46,500	182,637	50.0%	182,636
Subtotal: Water Division	2,824,888	208,964	1,138,082	40.3%	1,686,806
Sewer Division					
Personnel	\$ 319,977	31,355	158,016	49.4%	161,961
O&M	1,993,116	84,860	631,478	31.7%	1,361,638
Capital	168,528	1,134	44,406	26.3%	124,122
Debt Service	411,426	66,283	111,887	27.2%	299,539
Subtotal: Sewer Division (excl. Kent County)	2,893,047	183,632	945,787	32.7%	1,947,260
Kent County Sewer	1,974,629	158,213	1,028,560	52.1%	946,069
Subtotal: Sewer Division (Comprehensive)	4,867,676	341,845	1,974,347	40.6%	2,893,329
Solid Waste Division					
Personnel	334,276	21,906	120,359	36.0%	213,917
O&M	1,086,019	79,020	534,788	49.2%	551,231
Capital	59,075	-	223	0.4%	58,852
Subtotal: Solid Waste Division	1,479,370	100,926	655,370	44.3%	824,000
Subtotal: Water, Sewer & Solid Waste	9,171,934	651,735	3,767,799	41.1%	5,404,135
Electric Division					
Personnel	1,275,540	86,722	518,048	40.6%	757,492
O&M	2,759,848	197,240	1,138,459	41.3%	1,621,389
Transfer to General Fund	2,500,000	208,333	1,250,000	50.0%	1,250,000
Capital	1,549,021	64,110	161,486	10.4%	1,387,535
Debt Service	321,615	-	-	0.0%	321,615
Subtotal: Electric Division (excl. Power)	8,406,024	556,405	3,067,993	36.5%	5,338,031
Power Purchased	16,844,386	1,387,203	8,838,302	52.5%	8,006,084
Subtotal: Electric Division (Comprehensive)	25,250,410	1,943,608	11,906,295	47.2%	13,344,115
Total Enterprise Fund Expenditures	\$ 34,422,344	\$ 2,595,343	\$ 15,674,094	45.5%	\$ 18,748,250
Grand Total Operating Budget	\$ 47,478,269	\$ 3,617,267	\$ 20,779,441	43.8%	\$ 26,698,828

City of Milford, Delaware
 Legacy Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended December 31, 2021

50.0% of Year Elapsed

Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Interservice Departments					
Garage					
Personnel	\$ 123,933	\$ 10,057	\$ 44,367	35.8%	\$ 79,566
Operation & Maintenance (O&M)	120,813	5,644	50,492	41.8%	70,321
Capital	-	-	-		-
Subtotal: Garage	244,746	15,701	94,859	38.8%	149,887
Public Works					
Personnel	750,563	76,942	361,459	48.2%	389,104
O&M	293,510	14,074	85,965	29.3%	207,545
Capital	-	-	-		-
Subtotal: Public Works	1,044,073	91,016	447,424	42.9%	596,649
Tech Services					
Personnel	271,033	25,593	144,455	53.3%	126,578
O&M	472,729	24,956	180,396	38.2%	292,333
Capital	-	-	-		-
Subtotal: Tech Services	743,762	50,549	324,851	43.7%	418,911
Billing & Collections					
Personnel	632,304	61,579	284,309	45.0%	347,995
O&M	644,405	16,102	112,833	17.5%	531,572
Capital	-	-	-		-
Subtotal: Billing & Collections	1,276,709	77,681	397,142	31.1%	879,567
City Hall Cost Allocation					
O&M	45,000	2,652	20,576	45.7%	24,424
Capital	30,000	-	-	0.0%	30,000
Subtotal: City Hall Cost Allocation	75,000	2,652	20,576	27.4%	54,424
Interdepartmental Cost Allocation	\$ (3,384,290)	\$ (237,599)	\$ (1,284,852)	38.0%	\$ (2,099,438)
Net Interdepartmental Costs¹	\$ -	\$ -	\$ -		\$ -

¹All costs reported here are allocated to and entirely funded by the various departments that use the services provided internally by these shared departments.



FINANCE DEPARTMENT
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To: Mayor and City Council
Cc: Mark Whitfield, City Manager; Finance Department
From: Louis C. Vitola, Finance Director
Date: February 25, 2022
Re: January 2022 Financial Reporting Package

The Financial Reporting Package for the fiscal year through January 2022 (FY22 YTD) is enclosed. The following executive summary highlights this month's notable developments and recaps any changes to the report. The "Quick Reference" section of this memo recaps important financial highlights and modifications made in FY22 to help shorten the executive summaries.

YTD results continue to exceed budget expectations through the first half of the fiscal year. Operating expenditures remain below even the seasonalized budget across funds for the seventh consecutive month. Electric Fund margins fell in January on higher wholesale power costs and higher distribution losses as timing issues between wholesale and retail electric sales continue to drive artificially choppy results on a month-to-month basis. The water fund, while still behind compared to the first half of FY21, has improved in each of the last two months; the new water fund transfer to the general fund represents the only variance, and is partially offset by otherwise stronger year-over-year results. Strong results in the sewer fund through December were tempered in January due to debt service payments. Operating cash balances in the enterprise funds were drawn in January due to receivable growth and timing issues, but are expected to reverse by March depending on billing cycles.

Quick Reference for FY22 Financial Developments and Report Upgrades

Recap FY22 Financial Highlights



Summary of FY22 Modifications (no changes this month)

- P.1 – Cash Rollforward
 - New Solid Waste Reserves Acct created by FY22 Water Fund interfund loan forgiveness; new variance indicators
- P.2 – Restricted Cash Reserves Report
 - The MSA and RTT reserves were combined into one shared summary to make room for Solid Waste Fund
 - Lines 3 & 17 added to show additions & interest earnings in the capital reserve accounts
 - Lines 12, 13, 24 & 25 feature updated MCR & ERR calculations for FY22 pursuant to cash reserve policy
- P.3 – The Enterprise Funds “P&L Style” Report features a new comparative column and four new rows
 - The rightmost column compares current vs prior FYTD periods by revenue and expense lines and subtotals
 - Rows 16 & 17 compare current & prior FYTD periods net surplus by fund
 - Rows 18 & 19 compare actual surplus vs seasonalized budget surplus for the current FYTD period
 - Variance indicators added for quick reference to both P&L reports; refined in October 2021
- P.4 – The General Fund “P&L Style” Report was created to complement the existing Enterprise Funds P&L Report
 - The new statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary
 - The scaled, common-size columns at right match the prior year comparability goals featured in the Enterprise Fund version of the report, while also putting general fund revenues and expenses in context for the first time in the monthly financial reporting package
 - Rows 19 & 20 allow for a comparison of the current and prior year FYTD periods by major function
 - Rows 21-22 show comparison of actual surplus vs seasonalized budget surplus for the current FYTD period
- P.5 (prev p.10) – Planned Use of ARPA Funding by Category compared to Actual Spending added in Sept 2021
- P.6-10 – Revenue (p.6) & Expenditure/Inter-dept Reports (p.7-10) will be produced indefinitely as “legacy” reports



Financial Reporting Package
As of and For the Period Ended January 31, 2022

Cash & Investment Balance Rollforward

Restricted Cash Reserves Report

Enterprise Funds YTD Revenue & Expenditure Report

General Fund YTD Revenue & Expenditure Report

Appendix: ARPA Funding Plan vs Actual Expenses

Legacy Revenue Report with MTD & YTD vs Annual Budget

Legacy Expenditure Report with MTD & YTD vs Annual Budget

Legacy Interservice Department Cost Allocation

City of Milford, Delaware
Cash and Investment Balance¹ Rollforward
For the Period Ended January 31, 2022

1 **Operating Cash Balances**

▼ Marks Ref Closing Bal⁵

Description	Opening Balance (Dec 31, 2021)	Receipts	Interest Earned	Disbursements	Closing Balance (Jan 31, 2022)
General Fund	\$ 5,226,118	\$ 1,171,098	\$ 721	\$ (1,579,168) →	\$ 4,818,770
Electric Fund ⁴	4,436,470	1,805,855	2,198	(2,456,574) ↓	3,787,949
Water Fund	1,969,408	237,069	1,280	(165,502) →	2,042,255
Sewer Fund	1,079,056	356,144	493	(536,977) ↓	898,717
Solid Waste Fund	568,016	128,705	71	(98,094) →	598,698
Operating Cash Totals⁴	\$ 13,279,068	\$ 3,698,871	\$ 4,764	\$ (4,836,315) ⬛	\$ 12,146,389

9 **Federal, State and Other Special Purpose Cash Balances**

Description	Opening Balance (Dec 31, 2021)	Receipts	Interest Earned	Disbursements ²	Closing Balance (Jan 31, 2022)
General Improvement	\$ 537,042	\$ -	\$ 77	\$ - →	\$ 537,119
Municipal Street Aid (MSA)	492,074	67,886	77	(28,000) →	532,037
Realty Transfer Tax (RTT)	4,264,286	173,470	640	(33,333) →	4,405,063
Economic Development	681,714	-	-	- →	681,714
ARPA Grant Fund	2,317,093	-	-	(312,454) ↓	2,004,639
Special Purpose Cash Totals⁴	\$ 8,292,209	\$ 241,356	\$ 794	\$ (373,787) ⬛	\$ 8,160,572

17 **Reserve Fund Cash Balances¹**

Description	Opening Balance (Dec 31, 2021)	Receipts	Interest Earned ³	Disbursements ²	Closing Balance (Jan 31, 2022)
General Fund Capital Reserves	\$ 1,454,226	\$ -	\$ -	\$ - →	\$ 1,454,226
Water Fund Capital Reserves	2,778,586	-	-	- →	2,778,586
Sewer Fund Capital Reserves	3,884,132	-	-	- →	3,884,132
Solid Waste Fund Capital Reserves	71,287	-	-	- →	71,287
Electric Fund Capital Reserves	13,497,165	-	-	(52,667) →	13,444,498
Reserve Fund Cash Totals⁴	\$ 21,685,395	\$ -	\$ -	\$ (52,667) ⬛	\$ 21,632,728

25 **Impact Fees and Police/General Facilities Cash Balances**

Description	Opening Balance (Dec 31, 2021)	Receipts	Interest Earned	Disbursements ²	Closing Balance (Jan 31, 2022)
Police & General Gov't Facilities	\$ 286,444	\$ 3,300	\$ -	\$ (16,130) →	\$ 273,614
Carlisle Fire Co Permit Fund	534,710	1,100	-	- →	535,810
Water Impact Fee Reserves	4,709,528	7,029	-	- →	4,716,557
Sewer Impact Fee Reserves	2,699,734	3,714	-	- →	2,703,447
Electric Impact Fee Reserves	1,081,990	3,000	-	- →	1,084,990
Impact Fees & Police/GF Totals⁴	\$ 9,312,405	\$ 18,143	\$ -	\$ (16,130) ⬛	\$ 9,314,418

Grand Totals⁴	\$ 52,569,078	\$ 3,958,370	\$ 5,558	\$ (5,278,899) ⬛	\$ 51,254,107
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¹Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves Report for reserve funding commitments
²Please see Appendix for ARPA Spend (line 15) vs Plan Detail. Disbursements from MSA & RTT (lines 12-13) include the monthly recurring PD support and Mispillion St project spending. Outflows from General Fund Reserves (line 19) supported the Mispillion St Project and Equipment & Tech spending. Disbursements from Electric Reserves (line 23) consists of data security initiatives. Line 27 reflects cash outflows for Police Facility design costs.
³Interest earned in WSFS reserves flow to operating cash accounts (PFM reserve accounts liquidated), so reserve interest reported at \$0
⁴Cash collections in the Electric Fund surged in the first week of February, offsetting the net cash outflow in January
⁵Closing Balance Indicator sets **Red**, **Yellow** and **Green** signify month-to-month cash variance as follows:

		
-10% ≤ Variance ≤ 10%	-5% ≤ Variance ≤ 5%	-2.5% ≤ Variance ≤ 2.5%

City of Milford, Delaware
Restricted Cash Reserves Report
As of January 31, 2022

General Fund Capital Reserves		Amount
Cash/Investment Balance (1/31/22)	\$	1,454,226
Expected Contributions & Interest		658,799
Restricted Funds:		
Vehicle & Equipment Replacement		(151,283)
Building Upgrades		(205,415)
Parking Enhancements		(200,000)
Parkland, Trails & Recreation		(610,180)
2020 Combined Utilities		(22,396)
OpEx Support (Tax R/A & PD R/M)		(522,000)
Support Policy with RTT ¹		2,000,000
Draft Reserve (MCR) Policy ²		(1,236,356)
Equipment Replacement Reserve ²		(764,100)
Uncommitted Reserve Balance	\$	401,296

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (1/31/22)	\$	13,444,498
Expected Contributions & Interest		1,999,880
Restricted Funds:		
Electric Vehicles & Equipment		(96,026)
Lighting & System Improvements		(593,628)
Traffic Signal Upgrades		(350,000)
Citywide Projects ⁶		(825,527)
Redeem / Defeasement Bond (Jan 2022)		(4,060,000)
Draft Reserve (MCR) Policy ³		(6,345,238)
Equipment Replacement Reserve ³		(85,400)
Uncommitted Reserve Balance	\$	3,088,559

Water Fund Capital Reserves		Amount
Cash/Investment Balance (1/31/22)	\$	2,778,586
Expected Contributions & Interest		607,958
Restricted Funds:		
Vehicle & Equipment Replacement		(145,164)
Streets 2020 Utility Engineering		(122,534)
SE Second Street - Lead Gooseneck		-
Milford Business Campus		(34,600)
Balance of FY20-21 Projects		(123,628)
Draft Reserve (MCR) Policy ³		(2,695,121)
Equipment Replacement Reserve ³		(145,164)
Uncommitted Reserve Balance	\$	120,332

Solid Waste Reserves		Amount
Cash/Investment Balance (1/31/22)	\$	71,287
Expected Contributions & Interest		218,781
Restricted Funds:		
Draft Reserve (MCR) Policy ⁴		-
Equipment Replacement Reserve ⁴		(290,068)
Uncommitted Reserve Balance	\$	-

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (1/31/22)	\$	3,884,132
Expected Contributions & Interest		78,232
Restricted Funds:		
Sewer Vehicles & Equipment		(169,503)
Citywide Projects & Engineering		(22,869)
Utility Engineering		-
NE/NW Front St Sewer Rehab, net of Change Order Credit		(26,039)
Draft Reserve (MCR) Policy ³		(3,327,000)
Equipment Replacement Reserve ³		(235,000)
Uncommitted Reserve Balance	\$	181,953

MSA & RTT Reserves		Amount
RTT Balance (1/31/22)		4,405,063
MSA Balance (1/31/22)		532,037
MSA & RTT Est Receipts thru FY22:		401,903
MSA: Street & Bridge Improvements		(415,958)
RTT: Transfer to Police Dept		(166,667)
RTT: Sidewalk Project Funding		(140,000)
MSA & RTT: Mispillion Street Group		(219,036)
MSA & RTT: 2020 Combined Utilities		(404,316)
RTT: Support GF Policies ¹		(2,000,000)
RTT: Draft Reserve Policy ⁵		(1,041,454)
Uncommitted Reserve Balance	\$	951,572

¹Approved GF Reserve Policies permit support from an eligible funding source; portion of RTT balance pledged to support GF Reserves for foreseeable future

²Approved GF Reserve Policies recommend MCR of 45 days OpEx & Equip Repl Res minimum of 110% of upcoming CIP budget

³Approved Reserve Policies split Minimum Cash Req'd from COS study into new MCR & Equip Repl Reserve (20% of CIP)

⁴Solid Waste Reserves initiated in FY22 with seed funding from interfund loan forgiveness. Through at least FY23, 100% of balance will be reserved for purchase of new vehicle per FY22-26 approved CIP

⁵Approved Reserve Policies recommend dynamic MCR based on average of trailing-three-year RTT receipts

⁶This \$0.9 million includes only the remaining FY22 CIP projects following the settlement of the Sharp property

City of Milford, Delaware
Enterprise Funds: Statement of Revenues & Expenditures
For the YTD Period Ended January 31, 2022 vs Prior FYTD & Current Budget (in thousands)

Enterprise Funds Profit & Loss (P&L) Statement		Electric	Water	Sewer	Solid Waste	Total	FY22 Total <i>(as % of Rev)</i>	FY21 Total <i>(as % of Rev)</i>
1	Operating Revenue	\$ 14,787	\$ 1,824	\$ 2,770	\$ 851	\$ 20,232	100.0%	100.0%
2	Cost of Revenue ¹	(10,616)	(174)	(1,248)	(201)	(12,238)	-60.5%	-59.8%
3	Gross Margin	4,172	1,650	1,522	650	7,994	39.5%	40.2%
4	Operating Expenses							
5	Operations & Maintenance	(1,323)	(584)	(490)	(411)	(2,809)	-13.9%	-13.8%
6	Personnel	(613)	(187)	(182)	(136)	(1,118)	-5.5%	-5.6%
7	Total Operating Expenses	(1,936)	(772)	(672)	(547)	(3,927)	-19.4%	-19.4%
8	Operating Income	\$ 2,236	\$ 878	\$ 850	\$ 103	\$ 4,067	20.1%	20.9%
9	Non-Operating Revenue (Expense)	25	8	3	1	37	0.2%	0.2%
10	Surplus (Deficit) for debt service & capital	2,261	887	853	103	4,104	20.3%	21.0%
11	Debt Service - Principal & Interest	(277)	(183)	(349)	-	(809)	-4.0%	-4.1%
12	Capital Spending / Contributions from (to) Reserves	(94)	-	(61)	-	(155)	-0.8%	-0.8%
13	Surplus (deficit) available for transfers	1,890	704	442	103	3,140	15.5%	16.1%
14	Transfers Out	(1,458)	(175)	-	-	(1,633)	-8.1%	-8.1%
15	Net Surplus (Deficit) - FYTD through Jan 2022	\$ 432	\$ 529	\$ 442	\$ 103	\$ 1,507	7.4%	8.0%
16	Net Surplus (Deficit) - FYTD through Jan 2021	\$ 1,008	\$ 559	\$ 52	\$ (6)	\$ 1,613	8.0%	
17	Current vs Prior - Favorable (Unfavorable)²	↓ \$ (576)	↓ \$ (30)	↑ \$ 390	↑ \$ 110	↓ \$ (106)	↓ -0.5%	
18	Net Surplus (Deficit) - Current FYTD Budget	\$ (16)	\$ 211	\$ (72)	\$ 1	\$ 125	0.6%	
19	Current vs Budget - Favorable (Unfavorable)²	↑ \$ 448	↑ \$ 318	↑ \$ 515	↑ \$ 102	↑ \$ 1,382	↑ 6.8%	

¹Cost of Revenue reported in the electric fund reflects wholesale cost of power and serves as an ideal revenue offset to arrive at gross margin. Cost of revenue in the water, sewer and solid waste funds are estimated based on a limited set of known, direct inputs to the cost of providing the utility services billed. Aside from Kent County sewer treatment charges, costs of revenue in the water, sewer and solid waste funds are likely understated.

²Comparative Indicators **Green**, **Yellow** and **Red** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

City of Milford, Delaware
 General Fund: Statement of Revenues & Expenditures¹
 For the YTD Period Ended January 31, 2022 vs Prior FYTD & Current Budget (in thousands)

General Fund Sources and Uses of Funding	Admin & Council	Public Safety	Parks & Rec	Planning & All Other	Total	FY22 Total (as % of Rev)	FY21 Total ³ (as % of Rev)
Sources of Funding:							
Real Estate (Property) Taxes	\$ 4,681	\$ -	\$ -	\$ -	\$ 4,681	58.2%	54.0%
Permits, Licensing & Franchise Fees	176	-	-	271	447	5.6%	5.4%
Fines, Fees & Misc Revenue	27	295	-	-	322	4.0%	5.5%
General Revenue Subtotal	4,883	295	0	271	5,450	67.8%	64.9%
Utility Transfers & Cost Allocation	2,296	-	-	-	2,296	28.6%	25.9%
Grant Revenue	46	11	-	-	57	0.7%	0.0%
Application of Reserve Balances	-	233	-	-	233	2.9%	9.2%
General Fund Operating Support	2,342	244	0	0	2,586	32.2%	35.1%
Total Sources of Funding	\$ 7,225	\$ 540	\$ -	\$ 271	\$ 8,036	100.0%	100.0%
Uses of Funding:							
Operations & Maintenance	559	426	247	248	1,480	18.4%	14.4%
Personnel	795	2,994	313	454	4,557	56.7%	52.7%
Total Operating Expenses²	1,354	3,420	560	702	6,036	75.1%	67.1%
Surplus (Deficit) for Debt Svc & Capital	\$ 5,871	\$ (2,880)	\$ (560)	\$ (431)	\$ 2,000	24.9%	32.9%
Debt Service - Principal & Interest	-	-	-	-	-	0.0%	0.0%
Capital Spending / Transfers from (to) Reserves	50	11	55	23	140	1.7%	3.1%
Net Surplus (Deficit) - FYTD through Jan 2022	\$ 5,821	\$ (2,891)	\$ (615)	\$ (454)	\$ 1,860	23.1%	29.8%
Net Surplus (Deficit) - FYTD through Jan 2021³	\$ 6,087	\$ (2,519)	\$ (571)	\$ (656)	\$ 2,341	29.8%	
Current vs Prior - Favorable (Unfavorable)⁴	➔ \$ (266)	⬇️ \$ (372)	⬇️ \$ (45)	⬆️ \$ 202	⬇️ \$ (481)	⬇️ -6.6%	
Net Surplus (Deficit) - Current FYTD Budget	\$ 6,377	\$ (3,335)	\$ (1,150)	\$ (617)	\$ 1,275	16.0%	
Current vs Budget - Favorable (Unfavorable)⁴	⬇️ \$ (556)	⬆️ \$ 443	⬆️ \$ 534	⬆️ \$ 163	⬆️ \$ 585	⬆️ 7.1%	

¹This Statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary. The common size reporting (two rightmost columns) benefits readers in two ways; first, each line is scaled with total revenue to add context, and second, the common size format is comparable across fiscal years and budgets. This report should be considered a working draft that will be improved over time to improve its usefulness to readers.

²The General Fund Operating Expenses totaling \$3.3 million reported in row 14 ties to the legacy expenditure report in row 58.

³This format presents expenditures in the context of funding sources while comparing subtotals (rightmost column) and the net surplus (deficit) to the prior YTD period (rows 19 & 20)

⁴Comparative Indicators **Green**, **Yellow** and **Red** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

Appendix: Planned Use of Funding vs Spending by Category
American Rescue Plan Act of 2021 ("ARPA")

<i>Actual Spending by Category vs Plan, as Amended</i>					
ARPA Eligibility Categories	Plan (12/31)	Plan (1/31)	Actual (1/31)	Remaining	Notes
COVID-19 Health Impact	\$ 1,048,698	\$ 1,033,514	\$ 42,649	\$ 990,865	
Operational Facilities	491,776	491,776	-	491,776	Revised Plan Reflects Take-Home Vehicle Program @ 50%
Administering COVID-19 Response	228,874	213,690	-	213,690	
Behavioral Health Care	180,000	180,000	42,051	137,949	Primarily Personnel Costs
Air Quality & Ventilation	147,450	147,450	-	147,450	
COVID-19 Mitigation	598	598	598	-	Vaccination Incentive; COVID test kits
COVID-19 Economic Impact	\$ 845,973	\$ 861,157	\$ 453,242	\$ 395,527	
Assistance to Community (Annual)	324,460	324,460	45,860	278,600	DMI Funding
Assistance to Community & Households	256,929	256,929	157,640	99,289	December 2021 Initiative
Critical Ops Staffing / Retention	236,476	236,476	236,476	-	MHDC Affordability Grant
Aid Tourism Recovery	25,483	25,483	7,845	17,638	Signage / Banner Upgrade
Operational Facilities	-	15,184	2,796		
Parks & Rec Programming	2,625	2,625	2,625	-	Signage cost share with DMI
Rehiring Public Safety Staff	-	-	-	-	
Infrastructure	\$ 4,334,460	\$ 4,334,460	\$ 666,415	\$ 3,668,044	
Water Quality	2,902,074	2,902,074	477,892	2,424,183	Misphillion St Project; NE Front St Water Line Replacement
Flood/Pollution Control	724,600	724,600	78,566	646,034	4th St Drainage & Misphillion St Project
Improve Resilience to Disasters	435,000	435,000	-	435,000	
Improve Wastewater Treatment	272,785	272,785	109,958	162,828	Sewer component of Misphillion St Project
Revenue Recovery	\$ 104,762	\$ 104,762	\$ -	\$ 104,762	
Parks & Rec Programming	97,000	97,000	-	97,000	
Economic Development	7,762	7,762	-	7,762	
Public Safety Operations	-	-	-	-	
Grand Total	\$ 6,333,893	\$ 6,333,893	\$ 1,162,306	\$ 5,159,198	

City of Milford, Delaware
 Legacy Revenue Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended January 31, 2022

58.3% of Year Elapsed

Account / Function	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
General Fund:				
Economic Development Fund	\$ 105,860	\$ -	\$ -	0.0%
General Fund Reserves	1,967,500	-	-	0.0%
ARPA Funding - Operating Support	568,233	-	59,688	10.5%
Realty Transfer Tax - Police	400,000	33,333	233,333	58.3%
Real Estate Tax	4,770,043	1,179	4,680,603	98.1%
Business License	72,000	34,420	40,855	56.7%
Rental License	103,000	57,600	66,075	64.2%
Building Permits	316,300	7,051	80,893	25.6%
Planning & Zoning	52,200	7,251	73,911	141.6%
Grasscutting Revenue	16,000	1,333	9,333	58.3%
Police Revenues	431,500	7,682	295,278	68.4%
Misc. Revenues	418,111	50,466	183,319	43.8%
Transfers In	3,835,178	328,012	2,296,092	59.9%
Total General Fund Revenue	\$ 13,055,925	\$ 528,327	\$ 8,019,380	61.4%
Enterprise Funds:				
Water Fund Revenues	\$ 2,824,888	\$ 249,189	\$ 1,835,483	65.0%
Sewer Fund Revenues	2,893,047	210,779	1,594,544	55.1%
Kent County Sewer	1,974,629	150,224	1,179,146	59.7%
Solid Waste Fund Revenues	1,479,370	122,327	851,071	57.5%
Electric Fund Revenues	25,250,410	2,141,188	14,806,747	58.6%
Total Enterprise Fund Revenue	\$ 34,422,344	\$ 2,873,707	\$ 20,266,991	58.9%
Other Enterprise Revenue	\$ -	\$ 817	\$ 26,583	
Other Enterprise Expense	-	4,587	(30,235)	
Total General & Enterprise Fund Revenue	\$ 47,478,269	\$ 3,407,438	\$ 28,282,719	59.6%

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended January 31, 2022

58.3% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
General Fund					
City Administration					
Personnel	\$ 715,791	\$ 59,060	\$ 393,834	55.0%	\$ 321,957
Operation & Maintenance (O&M)	492,929	171,510	255,866	51.9%	237,063
Capital	230,000	-	-	0.0%	230,000
Subtotal: City Administration	1,438,720	230,570	649,700	45.2%	789,020
Planning & Zoning; Code					
Personnel	493,285	43,734	272,588	55.3%	220,697
O&M	138,135	8,266	72,159	52.2%	65,976
Capital	-	-	-	-	-
Subtotal: Planning & Zoning; Code	631,420	52,000	344,747	54.6%	286,673
Council					
Personnel	35,934	1,604	16,611	46.2%	19,323
Legal	35,000	4,385	9,405	26.9%	25,595
City Hall Building Expense	17,424	1,452	10,164	58.3%	7,260
Insurance	25,745	2,501	10,131	39.4%	15,614
Christmas Decorations	5,000	-	-	0.0%	5,000
Council Expense	35,000	2,932	19,588	56.0%	15,412
Employee Recognition	28,000	(200)	23,065	82.4%	4,935
Codification	15,000	226	5,123	34.2%	9,877
Carlisle Fire Company	140,000	-	-	0.0%	140,000
Museum	30,000	-	30,000	100.0%	-
Downtown Milford, Inc.	45,860	-	45,860	100.0%	-
Milford Public Library	25,000	-	-	0.0%	25,000
Transcription Service	15,000	-	-	0.0%	15,000
Armory Expenses	23,600	1,542	20,523	87.0%	3,077
Vehicle & Equipment Repl	6,500	-	-	0.0%	6,500
Resident Survey	18,500	-	17,300	93.5%	1,200
Election - Wages	6,000	-	-	0.0%	6,000
Election - Supplies	2,800	-	-	0.0%	2,800
Community Festivals	60,000	-	-	0.0%	60,000
Subtotal: Council	570,363	14,442	207,770	36.4%	362,593

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended January 31, 2022

58.3% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Finance					
Personnel	456,230	36,802	221,883	48.6%	234,347
O&M	49,970	6,365	26,939	53.9%	23,031
Capital	-	-	-		-
Subtotal: Finance	506,200	43,167	248,822	49.2%	257,378
Information Technology					
Personnel	382,258	24,289	162,704	42.6%	219,554
O&M	228,241	(67,919)	85,358	37.4%	142,883
Capital	96,400	6,168	50,383	52.3%	46,017
Subtotal: Information Technology	706,899	(37,462)	298,445	42.2%	408,454
Police Department					
Personnel	5,129,212	545,491	2,994,071	58.4%	2,135,141
O&M	974,498	74,951	425,674	43.7%	548,824
Capital	108,100	1,956	11,303	10.5%	96,797
Subtotal: Police Department	6,211,810	622,398	3,431,048	55.2%	2,780,762
Streets & Grounds Division					
Personnel	382,587	29,488	181,697	47.5%	200,890
O&M	508,931	33,785	175,639	34.5%	333,292
Capital	73,000	-	22,972	31.5%	50,028
Subtotal: Streets & Grounds Division	964,518	63,273	380,308	39.4%	584,210
Parks & Recreation					
Personnel	589,633	46,483	313,198	53.1%	276,435
O&M	473,362	14,643	246,975	52.2%	226,387
Capital	963,000	21,398	55,246	5.7%	907,754
Subtotal: Parks & Recreation	2,025,995	82,524	615,419	30.4%	1,410,576
Total General Fund Expenditures	\$ 13,055,925	\$ 1,070,912	\$ 6,176,259	47.3%	\$ 6,879,666

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended January 31, 2022

58.3% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Enterprise Funds:					
Water Division					
Personnel	\$ 328,260	\$ 25,036	\$ 187,498	57.1%	\$ 140,762
O&M	1,644,327	115,497	758,045	46.1%	886,282
Transfer to General Fund	300,000	25,000	175,000	58.3%	125,000
Capital	187,028	5,721	6,156	3.3%	180,872
Debt Service	365,273	-	182,637	50.0%	182,636
Subtotal: Water Division	2,824,888	171,254	1,309,336	46.4%	1,515,552
Sewer Division					
Personnel	\$ 319,977	23,864	181,880	56.8%	138,097
O&M	1,993,116	79,067	710,545	35.6%	1,282,571
Capital	168,528	13,249	57,655	34.2%	110,873
Debt Service	411,426	237,454	349,341	84.9%	62,085
Subtotal: Sewer Division (excl. Kent County)	2,893,047	353,634	1,299,421	44.9%	1,593,626
Kent County Sewer	1,974,629	-	1,028,560	52.1%	946,069
Subtotal: Sewer Division (Comprehensive)	4,867,676	353,634	2,327,981	47.8%	2,539,695
Solid Waste Division					
Personnel	334,276	15,420	135,779	40.6%	198,497
O&M	1,086,019	77,092	611,880	56.3%	474,139
Capital	59,075	2,935	3,158	5.3%	55,917
Subtotal: Solid Waste Division	1,479,370	95,447	750,817	50.8%	728,553
Subtotal: Water, Sewer & Solid Waste	9,171,934	620,335	4,388,134	47.8%	4,783,800
Electric Division					
Personnel	1,275,540	95,037	613,085	48.1%	662,455
O&M	2,759,848	184,719	1,323,178	47.9%	1,436,670
Transfer to General Fund	2,500,000	208,333	1,458,333	58.3%	1,041,667
Capital	1,549,021	53,445	214,931	13.9%	1,334,090
Debt Service	321,615	276,958	276,958	86.1%	44,657
Subtotal: Electric Division (excl. Power)	8,406,024	818,492	3,886,485	46.2%	4,519,539
Power Purchased	16,844,386	1,777,286	10,615,588	63.0%	6,228,798
Subtotal: Electric Division (Comprehensive)	25,250,410	2,595,778	14,502,073	57.4%	10,748,337
Total Enterprise Fund Expenditures	\$ 34,422,344	\$ 3,216,113	\$ 18,890,207	54.9%	\$ 15,532,137
Grand Total Operating Budget	\$ 47,478,269	\$ 4,287,025	\$ 25,066,466	52.8%	\$ 22,411,803

City of Milford, Delaware
 Legacy Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended January 31, 2022

58.3% of Year Elapsed

Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Interservice Departments					
Garage					
Personnel	\$ 123,933	\$ 7,644	\$ 52,011	42.0%	\$ 71,922
Operation & Maintenance (O&M)	120,813	7,803	58,295	48.3%	62,518
Capital	-	-	-		-
Subtotal: Garage	244,746	15,447	110,306	45.1%	134,440
Public Works					
Personnel	750,563	57,812	419,271	55.9%	331,292
O&M	293,510	19,659	105,624	36.0%	187,886
Capital	-	-	-		-
Subtotal: Public Works	1,044,073	77,471	524,895	50.3%	519,178
Tech Services					
Personnel	271,033	25,541	169,996	62.7%	101,037
O&M	472,729	34,810	215,206	45.5%	257,523
Capital	-	-	-		-
Subtotal: Tech Services	743,762	60,351	385,202	51.8%	358,560
Billing & Collections					
Personnel	632,304	43,716	328,025	51.9%	304,279
O&M	644,405	11,806	124,639	19.3%	519,766
Capital	-	-	-		-
Subtotal: Billing & Collections	1,276,709	55,522	452,664	35.5%	824,045
City Hall Cost Allocation					
O&M	45,000	4,775	25,351	56.3%	19,649
Capital	30,000	-	-	0.0%	30,000
Subtotal: City Hall Cost Allocation	75,000	4,775	25,351	33.8%	49,649
Interdepartmental Cost Allocation	\$ (3,384,290)	\$ (213,566)	\$ (1,498,418)	44.3%	\$ (1,885,872)
Net Interdepartmental Costs¹	\$ -	\$ -	\$ -	-	\$ -

¹All costs reported here are allocated to and entirely funded by the various departments that use the services provided internally by these shared departments.

From: Ben Kulp <bkulp@verdantas.com>

Sent: Wednesday, January 12, 2022 11:39 AM

To: Pierce, Rob <rpierce@milford-de.gov>

Cc: Steve Gorski <sgorski@verdantas.com>

Subject: RE: 11686.CC Knights Crossing Extension Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Rob,

Please move forward with the Extension request. We will follow up with you on the PUD comments shortly.

Thank you for understanding,

Ben Kulp

Senior Project Designer

O. 410.399.3977 | C. 302.489.2359 | F. 410.399.9770

1614 East Churchville Road, Suite3LL, Bel Air, MD 21015

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unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and permanently deleting it from your computer. Thank you.

From: Pierce, Rob <rpierce@milford-de.gov>

Sent: Wednesday, January 12, 2022 10:59 AM

To: Ben Kulp <bkulp@verdantas.com>

Cc: Steve Gorski <sgorski@verdantas.com>

Subject: RE: 11686.CC Knights Crossing Extension Request

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Ben,

We still have outstanding plan review comments for the revised PUD that would need to be addressed before it can be placed on an agenda. In addition, the developer still owes plan review fees that have not been paid to date. The City has been withholding final major subdivision plan review comments for Phase 2A since August 25, 2021 due to non-payment of fees. Additionally, we have not begun plan review of the revised Planned Unit Development and final major subdivision application for Phase 2B that was submitted on December 17, 2021 due to non-payment of plan review fees. Please provide an update on the unpaid review fees.

Also, please provide an update on the recordation of Phase I – Final Major Subdivision, the execution of the development agreement and the execution of the pump station cost-share agreement with Windward on the River.

We could place the Preliminary Major Subdivision extension request on the agenda for February, but any revisions still need to be fully reviewed and have been pending since last summer. Please advise if your client would like the Preliminary Major Subdivision approval extension request to be placed on the February agendas.

Rob Pierce | Planning Director

rpierce@milford-de.gov | O: 302.424.8395 | F: 302.424.3559

180 Vickers Dr. | Milford, DE 19963 | www.cityofmilford.com

From: Ben Kulp <bkulp@verdantas.com>
Sent: Wednesday, January 12, 2022 10:46 AM
To: Pierce, Rob <rpierce@milford-de.gov>
Cc: Steve Gorski <sgorski@verdantas.com>
Subject: 11686.CC Knights Crossing Extension Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Rob,

Attached please find an extension request and PUD Revision for the Knight Crossing property. We would need to be seen in February for the approval to not run out on this project. Please let us know if you have any questions of need further information.

Thank you,

Ben Kulp

Senior Project Designer

O. 410.399.3977 | C. 302.489.2359 | F. 410.399.9770

1614 East Churchville Road, Suite3LL, Bel Air, MD 21015

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TO: City Council and Mayor

FROM: Rob Pierce, AICP - Planning Director

DATE: February 28, 2022

RE: Milford Industrial Park – Engineering Services – Concept Master Plan

On February 14, 2022, City Council authorized the execution of a Memorandum of Understanding (MOU) with Tsionas Management Company, Inc and NAI Emory Hill Real Estate Services, Inc. for the development of the Milford Industrial Park located on the Fry property. Phase I of the MOU includes professional assistance with the development of a concept master plan and evaluation of off-site improvements. Over the past few weeks, the development team evaluated multiple engineering consulting firms that specialize in industrial and large-scale commercial development in the region. As a result, the team recommends selecting Becker Morgan Group of Dover, DE for the concept planning and engineering services.

The scope of work includes facilitating several public outreach meetings, the development of a concept site master plan based on stakeholder feedback and preliminary traffic analysis that will provide answers needed to proceed with formal engineering site design and will inform language in Phase II of the MOU.

On February 16, 2022, the City submitted a Level 1 Site Readiness Fund application to the Delaware Economic Development Authority. If awarded, the City would receive up to a \$100,000 matching grant for preliminary studies and engineering. The City intends to submit a Level 2 application next year for the remaining engineering services and construction activities.

Staff recommends Council authorize the Mayor to execute the proposal with Becker Morgan Group in the amount of \$110,000 for concept master planning and preliminary engineering services for the Milford Industrial Park to be paid from water reserves.



ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENTS' SUCCESS

February 10, 2022

REVISED

Rob Pierce, Planning Director
City of Milford
180 Vickers Drive
Milford, Delaware 19963
rpierce@milford-de.gov

Re: **Professional Services**
FRY FARM BUSINESS PARK
Milford, Delaware

Dear Mr. Pierce:

We have revised our proposal per your request. Becker Morgan Group, Inc. is pleased you have requested a professional services proposal for the Fry Farm Business Park in Milford, Delaware. We appreciate your confidence in our firm.

Enclosed please find an agreement documenting our initial services and compensation. If acceptable, please sign and return the agreement to our office. We will then proceed with our services.

Thank you for the opportunity to be of service. Please do not hesitate to call with any questions or concerns.

Sincerely,

BECKER MORGAN GROUP, INC.

J. Michael Riemann, P.E.
Vice President

CJW/rlh

Enclosure: Proposal (12.14.21, Revised 02.10.22,)

o21-0439aa-rppl.docx

BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3700

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

www.beckermorgan.com

REVISED

February 10, 2022
FRY FARM BUSINESS PARK
Page 2 of 4

Proposal/Agreement

REVISED

Professional Services

FRY FARM BUSINESS PARK

Milford, Delaware

Project Scope

It is our understanding that the City of Milford is interested in developing a business park on the Fry farm property at the northwest corner of Routes 14 and 15. Specifically, the property is identified as 5-16-17300-01-0100, is approximately 182.3 acres within City of Milford jurisdiction. The property was recently rezoned to Business Park (BP) along road frontage and Limited Industrial (I-1) on the interior of the site.

You would like Becker Morgan Group, Inc. to prepare a concept master plan of the proposed business park for Milford, as well as create presentation materials to be used in public meetings to convey the City's intent for the property. This proposal assumes that we will be provided a recent survey of the property, in CADD digital format, for our use. Survey of the property is excluded.

In addition, you would like us to provide consulting services related to traffic engineering due diligence and Transportation Infrastructure Investment Fund (TIIF) applications.

Based on our understanding of the project, we offer the following scope of service.

Services Scope

Concept Site Master Plan

Becker Morgan Group, Inc. will prepare a conceptual master plan of the proposed business park based on site information, local codes, and input from The City of Milford to ensure understanding of project goals. The plan will depict the general layout of the site including building lots, parking areas, walkways, internal road layout, preliminary stormwater management areas, and site entrances. The plan will be prepared over available aerial photography, and lidar. Our fee includes attendance at three (3) meetings with Milford staff/stakeholders, preparing one (1) conceptual master plan and two (2) revisions. If additional revisions are necessary, additional fees may be required.

Presentation Graphics

Once the concept site masterplan has been approved by Milford, we will use the approved concept plan to create digital plans over topographic survey data provided. A 2-dimensional presentation drawing of the proposed site plan will be color rendered, showing improvements including building lots, parking areas, streets, landscaping, and stormwater management areas. We will also prepare sample 3-dimensional elevations of view corridors to illustrate how the project might appear from surrounding streets. We will prepare up to three (3) elevation boards for presentation. Additional staff and/or additional meetings may incur additional costs.

Public Outreach/Presentation

Our services include three (3) public outreach meetings. The first will seek public input where we will solicit public comment about the project to better inform the design. Using

the final presentation graphics created, we will make one (1) presentation before Council and one (1) public presentation of the final concept master plan.

Traffic Impact Early Due Diligence

Based on the developed Concept Plan, we will perform trip generation calculations to determine the need for a Traffic Impact Study (TIS) or Traffic Operational Analysis (TOA). From these trip generation calculations, we will determine a probable study area based on DelDOT standards. We will also research previous Traffic Studies performed in the area to determine if there are potential operational issues at intersections anticipated to be included in the scope of a Traffic Impact Study. Upon completion, we will provide a summary memorandum of our findings.

Transportation Infrastructure Investment Fund (TIIF) Submission

We will prepare documentation and exhibits to support submission of a TIIF application to DelDOT. Anticipated documentation includes a Site Plan graphic of the Canterbury Road (SR 15) and Milford-Harrington Highway (SR 15) improvements, a Public Purpose statement, and coordination of a Public Sponsor letter. We will attend the TIIF Council hearing to represent the project.

Extra Services

We have established a scope of services based on information provided, services requested, and knowledge of the project as it currently exists. There may be instances when unforeseen issues arise and must be managed as part of the design, review and approval process that are not included in the current scope of services.

If unforeseen circumstances arise, an agency provides comments or requires additional design information, or you request information that is outside of the scope of this contract, we will immediately contact you and discuss the potential for extra services. If you as the developer/owner or anyone associated with your efforts requests or requires additions, deletions, or revisions to the scope of this contract, we will immediately contact you and discuss the potential for extra services. Any effort not considered within the scope of this contract will be billed on a time and materials basis, in accordance with our Terms and Conditions of Agreement. We will establish a budget with you prior to commencing with any of the efforts considered under these extra services.

Compensation

For the above referenced services, we will bill you a fixed fee of \$110,000.00. Extra Services will be provided on an hourly basis per our *Terms and Conditions of Agreement* (01.01.22).

Exclusions

- Regulatory Matters*: Variances; Exceptions; Amendments; Hearings; Review Meetings
- Surveying*: Subdivision Plats; Recordation; Agency Reviews; ALTA/ACSM Surveys; Recordation Drawings; As-Built Surveys; Construction Stake Out Services
- Studies*: Traffic; Community Impact Statements; Feasibility
- Environmental: Phase 1 and Phase 2 Studies; Forest Conservation Compliance*; Wetlands Delineation and Permitting*; Critical Areas Compliance*



ARCHITECTURE
ENGINEERING

- Engineering: Geotechnical (Soil Borings and Recommendations); Civil*; Structural; Mechanical, Electrical, Plumbing; Fire Protection; Life Safety; Technology and Telecommunications
- Design of any Off-Site Improvements or Utility Extensions to the Site*
- Design*: Architecture, Landscape or Interior Design
- Other Consultants: Acoustical; Cost Control; Food Service; Building Envelope; Roofing; Scheduling
- Fees: Filing; Review; Permits; Agency Approvals; Bonds
- Reproduction: Printing of Construction and Bid Sets of Drawings and Specifications
- Coordination of Owner/Tenant Provided Materials or Services

* Becker Morgan Group, Inc. has personnel qualified to perform these services as required.

Agreement Terms

Reimbursable items such as printing, mileage, shipping, etc. are not included in our fee, and will be billed separately. The attached *Terms and Conditions of Agreement* documents contract terms and is hereby incorporated into this agreement.

If this proposal is acceptable as written, please sign and return original to our office.

Thank you for the opportunity to be of service.

BECKER MORGAN GROUP, INC.

J. Michael Riemann, P.E.
Vice President

CJW/rlh

City of Milford
Rob Pierce

Accepted: _____

Title: _____

Date: _____

Attachment: *Terms and Conditions of Agreement* (01/01/22)

**TERMS AND CONDITIONS OF AGREEMENT
For Professional Services**

Scope of Project and Services

See attached proposal/letter of agreement. All references herein to A/E means Design Professional - Architect, Engineer, Landscape Architect, Surveyor, or Interior Designer.

Fixed Fee Projects

Billings are based upon the percentage of completion of each phase of services.

Hourly Rate Schedule

Compensation for hourly services:

Principals	\$225 - 275/hr
Senior Associate	\$150 - 200/hr
Associate	\$120 - 160/hr
Architect/Engineer/Interior Designer/Landscape Architect & Surveyor	\$145 - 165/hr
Designer	\$100 - 145/hr
Technician	\$ 50 - 110/hr
Support	\$ 50 - 150/hr
Field Crew	\$180/hr
Expert Witness	1.5 x billing rate
3D Scanner	\$200

Rates subject to change each January.

Any consultants required and authorized by the Owner will be billed at cost plus ten (10) percent.

Estimated Fees

Fee estimates are valid for sixty (60) days. Where an estimated total is given for hourly work, it shall not constitute an upset figure, but is provided to assist in project budgeting only.

Initial Payment

Services commence when the Owner's authorization is received with the initial payment, which will be applied to the final invoice.

Invoices

Invoices are sent monthly for services performed. Payment is due upon receipt. A late charge will be added thirty (30) days after the invoice date at 1.5% per month simple interest.

Reproduction Expenses

In-house reproduction expenses incurred in the interest of the project will be billed as follows:

Plots	Size	Regular	Color
	18x24	\$ 5.00	\$10.00
	24x36	\$10.00	\$15.00
	30x42	\$15.00	\$20.00
Photocopies	8½ x 11	\$.15	\$.50
	8½ x 14	\$.20	\$.75
	11x17	\$.25	\$ 1.00
Prints	18x24	\$ 2.00	
	24x36	\$ 3.00	
	30x42	\$ 4.00	

Reimbursable Expenses

Other expenses incurred in the interest of the project (travel, toll communications, postage, delivery, photographs, engineering or other consultants, renderings, models, etc.) will be billed monthly at cost plus ten (10) percent.

Government Agency Fees / Approvals

The owner shall pay directly (outside of Becker Morgan Group, Inc.'s fees and reimbursables) for all of the following governmental charges,

including but not limited to: application fees, review fees, permit fees, plat recordation, governmental charges, impact fees, front footage assessments, water flow and pressure test, tap-in fees, bonds, transfer taxes, etc. Owner should investigate and budget these items in their total project development soft costs. Owner acknowledges that the approval process necessary to estimate or maintain a project timeline is both unpredictable and outside of the A/E's control. A/E does not guarantee approvals by any governing authority or outside agency, nor the ability to achieve or maintain any project timeline.

Additional Services

Services beyond those outlined in the attached Scope of Work, including for revisions due to adjustments in the scope, budget or quality of the project, for redesign of previously approved drawings, and for additional Construction Phase services, will be billed at hourly rates above or at fixed fees.

Change of Scope

All fees are subject to renegotiations if the original scope of service is changed or if services are not completed within two (2) months of the project's projected completion date indicated in the proposal.

Early GMP or Design / Build

If Owner solicits early GMP or Design / Build proposals based upon work-in-progress drawings or prior to A/E's receipt of, and response to, permitting comments, Owner acknowledges that any cost scheduling information resulting for such solicitations or procurement necessary will be subject to revision until the Construction Documents are finally completed and issued for construction, including all addenda. Any services required to highlight drawing changes associated with early GMP or Design / Build proposals shall be compensated as an Additional Service.

Fast-Track or Phased Project Delivery

If Owner requests or requires fast-track design services or early or phased construction document packages, Owner assumes the elevated risk that the design services and/or phased construction document packages will have errors, omissions or incomplete coordination. Accordingly, A/E shall have no liability to Owner with respect to fast-track design services or early or phased construction packages absent gross negligence on the part of the A/E.

Betterment

In the case of design errors or omissions that lead to an increase in the cost of construction, A/E shall have no liability to Owner for the portion of such cost increase that represents betterment or value added to the project.

Third-Party Beneficiaries

Neither the Contractor nor any other person or entity, apart from the Owner and A/E, are intended beneficiaries of the A/E's services. A/E does not warrant or represent that its services or the Construction Documents will be free from errors, omissions or ambiguities. Owner shall inform all prospective contractors and construction managers, in writing, that A/E makes no representation whatsoever to any prospective contractor, trade contractor or construction manager regarding the quality, completeness or sufficiency of the Construction Documents, for any purpose whatsoever.

Design Without Construction Review

Should Owner elect not to engage A/E to perform normal periodic construction observation and normal full service Submittals, RFIs, Substitution and Change Order review services during construction, Owner acknowledges that there is an increased risk to Owner of misinterpretation of A/E's design intent by the Contractor, the Owner or inspecting agencies; an increased risk of non-compliant construction work on the part of the Contractor; and a

reduced opportunity afforded to the A/E and Owner to identify and resolve conflicts, errors or omissions in the construction or in the construction documents at a point when the consequences stemming from such risks and reduced opportunities could have been mitigated or avoided. Accordingly, A/E shall not be liable to Owner or others for any portions of any damages or harm that plausibly could have been avoided had the A/E been engaged to perform full service construction phase services.

Please note: Delaware Code Title 24 – Chapter 3 mandates an A/E is required for "construction contract administration services". If Becker Morgan Group, Inc. is not hired to provide these services, we are required by law to file a Construction Contract Administration Services Provider Change Form with the appropriate officials designating who will be providing the required services directly for the Owner.

Ownership of Documents

All documents (drawings, sketches, reports, etc.) prepared as instruments of service shall remain the copyrighted property of the A/E and are specific only to this project, Owner, and this Agreement. Work which is furnished, but not paid for, will be returned to the A/E and will not be used for any purpose by the Owner until payment in full is rendered. Owner agrees to indemnify, defend and hold A/E harmless for all claims arising out of Owners reuse, misuse, modification or assignment of A/E's instruments of service. This provision shall survive termination of this Agreement.

Insurance

The A/E is protected by Workmen's Compensation, Professional Liability and Standard Public Liability Insurance. The A/E will not be responsible for any loss, damage or liability arising from Owner's negligent acts, errors or omissions or those by Owner's consultants, contractors, and agents or from those of any person whose conduct is not within the A/E's contractual responsibility.

Risk Allocation

Owner and A/E have discussed the risk, rewards and benefits of the project and the A/E's total fee for services. The risks have been allocated such that the Owner agrees that to the fullest extent permitted by law, A/E's total liability to Owner for any and all injuries, claims, losses, expenses, damages or claims expenses arising out of this agreement from any cause or causes, shall not exceed the total fee or \$50,000, whichever is greater. Such causes include, but are not limited to design professional's negligent errors, omissions, or breach of contract. This limitation of liability may be increased up to the limits of A/E's insurance coverage available to pay for said increased liability only if a mutually agreed increase in A/E's fees is negotiated and set to this or written amendment executed by both parties.

Termination of Agreement

This Agreement may be terminated by either party upon seven (7) days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination. This Agreement may be terminated by the Owner upon at least seven (7) days written notice to the A/E in the event the Project is permanently abandoned. In the event of termination not the fault of the A/E, the A/E shall be compensated for all services performed to termination date together with Reimbursable Expenses then due.

Environmental Hazards / Subsurface Conditions

The A/E does not perform services related to the identification, containment or removal of asbestos, hazardous waste, or any other environmental hazards, nor will it assume liability for any damages or costs related to these materials. Unless specifically included under A/E's scope of services, A/E assumes no liability for geotechnical engineering or any other analysis or testing of subsurface conditions (including soils and the location of any utilities or structures not visible on the surface).

Nonpayment/Work Stoppage

The A/E reserves the right to stop work on the project upon ten (10) days written notice to Owner for non-payment and withdraw any permit documents. A/E's stoppage of work shall be without liability for consequential or other damages resulting from the stoppage. Restart on the project after thirty (30) days of stoppage will require payment of additional fees.

Standard of Care

The Owner acknowledges the inherent risks associated with construction. In performing professional services, the A/E will use that degree of care and skill ordinarily exercised under similar circumstances by competent licensed A/E in the jurisdiction where the project is located. Under no circumstances shall any other representation (express or implied) or any type of warranty or guarantee be included or intended by the A/E during the completion of its services under this Agreement.

Successors & Assigns

The Owner and the A/E bind themselves, their partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither party shall assign, sublet or transfer any interest in this Agreement without the written consent of the other.

Affidavits / Certifications

Any affidavits or certifications required by government agencies, lenders, or others shall be written to include language acceptable to the A/E. The Owner shall not require certification that would require knowledge or assumption of responsibilities beyond the scope of this agreement.

Miscellaneous Provisions

Unless otherwise specified, this Agreement shall be governed by Delaware Law. Terms in this Agreement shall have the same meaning as those in AIA Document A201, General Conditions of the Contract for Construction, current as of the date of this Agreement.

Collection

If it is necessary to enforce collection on any amount past due under this agreement, the A/E shall be reimbursed for all legal and other reasonable costs related thereto, including (33%) attorney's fees, court costs, administrative time and other collection costs.

Certificate of Merit

The Owner shall make no claim (whether directly or in the form of a third party claim) against the A/E unless the Owner shall have first provided the A/E with a written certification executed by a licensed professional in the State of Delaware, specifying each and every act or omission which the certifier contends constitutes a violation of the standard of care expected of an A/E performing professional services under similar circumstances. Such certificate shall be provided to the A/E thirty (30) days prior to the presentation of any such claim.

Frivolous Suit or Counterclaim

In the event the Owner makes a claim (or counterclaim) or brings an action against the A/E for any act arising out of the performance of the services hereunder, and the Owner fails to prove such a claim or action, then the Owner shall pay all

legal and other costs incurred by the A/E in defense of such claim or action.

Electronic Media

If electronic media of project files are requested, the Owner or requesting party must sign an Electronic Media Release Form, plus remit \$200.00 per file, plus printing costs per sheet for one (1) record set for Owner and one (1) set for A/E.

Privity of Contract

Owner agrees that any claim against A/E will be based solely on breach of contract and Owner also agrees that any contract by the Owner with any contractor for work on the project shall specifically state that "Contractor shall make no claim against A/E for the project and Contractor's sole basis for claim shall be breach of contract against the Owner regardless of whether such claim is based on any alleged error or omission of the A/E." Contractor also agrees to place such a clause as this in all its agreements with any subcontractors for the project restricting their right to recovery to breach of contract against the contractor.

Repose

As between the parties to this Agreement, any applicable statute of limitations or repose will begin to run, and any cause of action will have accrued, not later than the date of the last invoice sent to Owner by A/E for project services performed. In no event shall Owner be permitted to make any claim against any party, including third parties not in a privity with this Agreement, after four (4) years from the date of substantial completion of the project or the date of the final payment to A/E for this project, whichever event occurs earliest (referred to as the date of repose), whether the basis of any claim is known or discovered before or after that date of repose.

Publicity

All publicity developed for this project will credit Becker Morgan Group, Inc. as the Architects/Engineers, as appropriate.

January 1, 2022

Becker Morgan Group, Inc.

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The governing body has recessed to Executive Session. The regular meeting will resume shortly.

CITY COUNCIL MEETING



Executive Session
has concluded.
Council has returned to
Open Session