THE CITY of Milford DELAWARE

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

CITY COUNCIL AGENDA
Monday, March 28, 2022

Per the Limited Public Health Emergency Declaration issued by Governor John Carney on March 1, 2022, and the virtual meeting provisions provided in Senate Bill 94, Milford City Council Meetings and Workshops will be held in the Council Chambers at City Hall. Attendees are welcome to participate virtually as well. Public Comments are encouraged on the agenda items designated with a Ⓟ. Virtual attendees may alert the City Clerk that they wish to speak by submitting their name, address, and agenda item via the Zoom Q&A function or by using the Raise Your Hand function during the meeting. Those attending in person may comment when the floor is opened for that purpose.
All 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

6:00 P.M.
WORKSHOP

Annual Reports/Presentations:
Downtown Milford Incorporated
Greater Milford Chamber of Commerce
Milford Public Library
Milford Museum
Carlisle Fire Company

7:00 P.M.
COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Recognition
- Award/Chief Kenneth Brown

Public Hearings Ⓟ
- Ordinance 2022-11
  Lands of Cypress Hall Residential – Phase III
  91.69 +/- acres of land located on the west side of Route 113
  approximately 3,100 feet south of the Shawnee Road intersection
  Application Type: Revised Planned Unit Development

Preliminary Major Subdivision
Comprehensive Plan Designation: Moderate Density Residential
Zoning District: R-3
Present Use: Vacant
Proposed Use: Planned Unit Development
Tax Parcel: 1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00

Ordinance 2022-13
Lands of Halpern Family Series, LLC – Teal Creek on behalf of Teal Creek Plaza
5.04 +/- acres of land located along the west
side of N. Dupont Boulevard approximately 125 feet south of Rogers Drive
Application Type: Conditional Use
Comprehensive Plan Designation: Commercial
Zoning District: C-3 (Highway/Commercial District)
Present Use: Shopping Center & Vacant Land
Proposed Use: Shopping Center
Tax Parcel: MD-16-174.17-01-26.00 & 27.02, MD-16-183.05-01-01.00

Ordinance 2022-14
Amending Chapter 197 Streets & Sidewalks
The Code of the City of Milford is hereby amended to repeal in its entirety, the current version of the Chapter 197, entitled Streets and Sidewalks. A new Chapter 197, entitled Streets, Sidewalks, Storm Sewers, and Other Public Places.

Ordinance 2022-15
Amending Chapter 230-Zoning Code
An Ordinance to amend Article III - Use and Area Regulations of Chapter 230 – Zoning Code of the Cit of Milford. Chapter 230 is hereby amended by adding a new subsection § 230-19.10 entitled Wireless Communication Facilities.

Communication & Correspondence

Monthly Finance Report

Unfinished Business

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

New Business

Request/Alcohol Waiver/Chamber of Commerce/Riverwalk Freedom Festival [1]

Appointment/City of Milford Election Board

Authorization/Aid-in-Construction Fee/Shawnee Acres Pump Station

Adoption/Resolution 2022-03/Consolidated City Fees ℗

Support/Mispillion Bridge Repair Project

Executive Session

Motion to Recess into Executive Session

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on-site Acquisitions for any Publicly Funded Capital Improvements, or Sales or Leases of real property

Return to Open Session

Potential Vote/Property 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.

℗ *Designated Items only; Public Comment, up to three minutes per person will be accepted.*

080521 113921 123021 011922 021722 022822 030122 03102 031122 031422 (2) 031822
*032422 Late Amendment/Req PD Pierce/Item Transferred to 042522 Agenda
[1] 032522 Late Addition/Submitted with Annual Council Report presented same Date
032622 Late Amendment/Req VM James/Item Transferred to 042522 Agenda

2021 DMI City Council Report



James Rabe

Downtown Milford, Inc.

3/28/2022

March 28, 2022

City Council
Joseph Ronnie Rogers Council Chambers
201 S. Walnut St
Milford, DE 19963

RE: 2021 End of Year Report to City of Milford

City Council Members -

Downtown Milford, Inc. is thankful for your support during 2021 and very much appreciates the financial support of the city and the community at large at it seeks to deliver value according to its core mission of promoting the quality development of the traditional central business district of Milford in order to preserve the area's rich historic heritage and bring new life and purpose to the downtown area.

Attached is the end of year summary report of Downtown Milford's initiatives during 2021 and a summary of the 2022 initiatives.

If you have any additional questions, please do not hesitate to reach out to the Executive Director or myself.

Respectfully,

James Rabe

President, Board of Directors
Downtown Milford, Inc.
10 S. Walnut St.
Milford, DE 19963
James@Downtownmilford.org

2021 DMI City Council Report

Executive Summary

Downtown Milford Inc completed a successful year that included staff and board changes as well as a more limited events schedule. Despite these disruptions, DMI was able to finish the year in a better place from an operations and financial standpoint.

In 2021, DMI hired a new executive director, onboarded new board members, and saw tremendous growth in its volunteer base. In 2022, the organization will also be adding an Ex-Officio board to provide additional advisory support.

Financially, DMI finished the year with a budgetary surplus which DMI intends to extend forward into growing value by adding additional services and events for the downtown and surrounding community.

The total direct and indirect economic impact of Downtown Milford to the downtown for 2021 is estimated at $335,140. This is the culmination of the DMI volunteer base, an outstanding farmer's market, an outstanding partnership from the City of Milford, and the downtown businesses DMI is privileged to serve.

Today, DMI is requesting funding from the city in the amounts of $49,070.00 for operations expenses (which includes a 7% increase) and $30,000, for the Ladybug Music Festival.

Financial Summary

In 2021 Downtown Milford, Inc. received funds from the City of Milford totaling $45,860, for operations expenses. The operations funds were provided under the ARPA conditions that they could only be used for staffing related costs.

Our current estimate is that DMI will not use the full amount allocated to marketing and event staffing and will be able to target that surplus towards FYE 2023 events. This surplus is the result of hiring an Executive Director starting in February of 2022 and not in October when the position became fully vacant. Funds have been allocated for onboarding training and annual conference training as well as Executive Director salary and benefits.

To date for FYE 2022 (June 30th), Downtown Milford has a total of $44,314.34 in total expenditures and $78,395.95 in income from grants, events, small business funding, and donations resulting in a net income of $34,081.61. Detailed Profit & Loss statement is available in Appendix C.

2021 Initiatives

Post-covid event planning has many challenges ranging from heavy volunteer loss to covid restrictions which make planning successful events challenging. Despite those challenges, Downtown Milford was successful in executing the following items during 2021:

- Several events providing value added services and community centric activities for Milford and the surrounding areas
- Recruitment of several new board members and committee members
- Interview and hiring of a new Executive Director
- Strategic Planning for years 2022 - 2025
- Relocation to a new office located on 10 S Walnut St
- Transition to a new website at https://downtownmilford.org
- Grant awarded to the Vinyard Shipyard Project

Staffing, Committee, & Board Changes

During 2021, Downtown Milford was fortunate enough to add several new volunteers to its Board of Directors. Peggy Reilly completed her term as President and was succeeded by Yanelle Powell and then James Rabe. James Rabe will complete the remainder of Yanelle Powell's term through June of 2021 until new officers are elected from the Board of Directors.

Two notable members (Peggy Reilly and Lang Redden) will be retiring from the Board of Directors (June 2022) having served and completed a 6-year term which require that they step down from the board for a 12-month period. Their service to the Downtown Milford community has been appreciated by all and they have most certainly left a positive impact on the organization and the community at large.

Notable changes on committees include the loss of Yanelle Powell (Promotions Committee Chair) and Sarah Bluhm (Promotions Committee Member). Both were long standing members on these committees and their absence moving forward has not gone unnoticed. Notable additions to committees include a dedicated grant writer with the Organization committee and several additional members to the Promotions committee. An additional committee was commissioned for the management of the Riverwalk Farmers Market and is chaired by Melissa Pingue.

The Executive Director position was being filled by Cat Perfetti following the completion of Trish Gerkins contract for that position. Cat was able to provide full support for that position for several months until family obligations required she take a permanent leave of absence. During that period, Lorraine Dion filled the position of Interim Executive Director and participated in the Executive Director search committee. Downtown Milford reviewed around 25 applications submitted from members of the community and the mid-Atlantic region from October to January. The two final candidates were reviewed, and an offer was extended to Janne Collins who accepted the position and started February 1, 2022.

Janne Collins is a longtime supporter of Downtown Milford with her role at the Music School of Delaware. She brings a wealth of experience in non-profit operations and community outreach in Kent and Sussex County.

Janne was onboarded in February with the assistance of Lorraine Dion who provided her training. DMI will be sending Janne to the National Mainstreet Conference in Virginia in May of 2022.

2021 Events Summary & 2022 Events Schedule

Downtown Milford's events & fundraisers for 2021 included the following:

- Milford Clean Up – 200 attendees
- Third Thursday – 1500 attendees
- Riverwalk Farmers Market – 8,874 attendees & shoppers
- Trunk or Treat Street Party
- Small Business Saturday
- The Aftermarket – 399 attendees & shoppers
- The Christmas Market – 540 attendees
- Terry Lynn Fundraiser
- Holiday Wreath Fundraiser
- Holiday Stroll – 5232 attendees & shoppers
- Santa House
- Ribbon Cuttings (QTY 3)

Pending additional direction from the City of Milford and the State of Delaware, DMI is committed to having a full event schedule in 2022. This year, DMI anticipates being able to add the following into its regular event schedule and fundraising efforts:

- Oktoberfest Pub Crawl (moved from St. Patrick's Day)
- Irish Music & Dance Concert
- Bug & Bud Festival
- Sussex/Kent County Marker ceremony
- Ladybug Music Festival
- Light up the River

Starting in 2022 and 2023, DMI is also seeking to add quarterly business seminars, Sussex and Kent County business development resources, and weekly networking events for community members.

Presently, the largest constraint for events is the availability of volunteers for planning and staffing.

Specific design elements added to downtown Milford include standardized sign elements which include elements of downtown events, hometown heroes, graduating seniors, and selected town and DMI branding.

2021 Key Performance Indicators & 2022 KPI Targets

Downtown Milford Inc provides indirect economic value to the downtown area of Milford through events, volunteering, and promotion of downtown causes.

DMI's estimate of the total direct and indirect economic benefit to the downtown of the City of Milford is $335,140. That number is based upon the following items:

2021 DMI Volunteer Hours – 6,289 hours ($179,488.06) (2022 Goal – 7,000 hours)

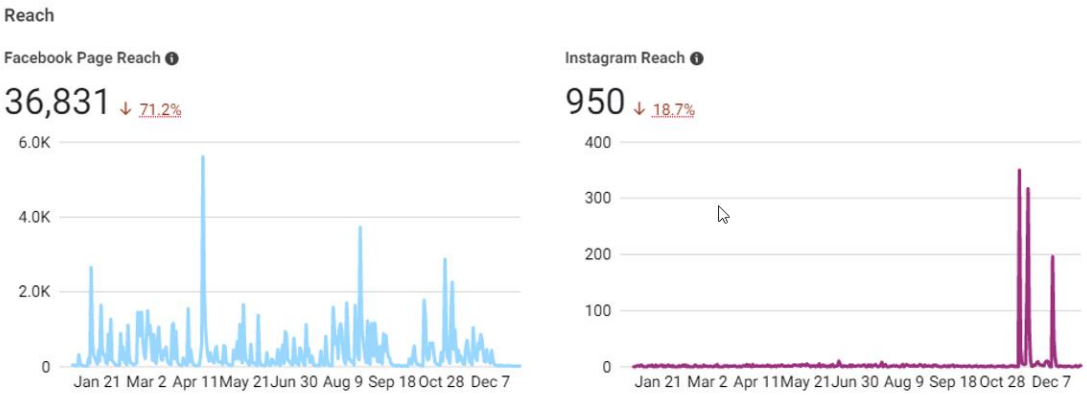
2021 Riverwalk Farmers Market – 1,131 hours ($32,278.74) (2022 Goal – 2,000 hours)

- Total downtown foot traffic – 8,874 shoppers
- Total commerce conducted - $145,611.16.

2021 "The After Market" for 5 market sessions – 108 hours ($3,082.32) (2022 Goal - 150 hours)

- Total downtown foot traffic – 399 shoppers
- Total commerce conducted - $10,041

2021 Social Media Marketing Analysis – 102 posts



2022 Social Media Reach Goal – 75,000 total with 100 – 150 submissions

2022 Social Media Content Objectives

- Volunteer appreciation – 12 posts
- Downtown business spotlights – 45 posts
- Downtown event highlights – 24 posts
- DMI initiatives – 12 posts
- Sponsor Appreciation – 12 posts

Downtown Milford, Inc has five individuals working in concert with each other to deliver a unified marketing message regarding downtown stakeholders, events, and value-added services.

2021 Economic Development – 4 businesses opened, 2 expanded, 2 closed, 2 additional downtown artists added to existing business suites, 3 properties purchased with intent to open additional businesses

2022 - 2025 Strategic Planning & Funding Request

Downtown Milford, Inc is currently completing year 4 (FYE 2022) of a 5-year contract with the City of Milford for approximately $45,000 with adjustments based upon mid-Atlantic CPI per year in key stakeholder funding from the city. In 2021, DMI received $45,860 from the City which was allocated from ARPA funding.

For FYE 2023, Downtown Milford Inc is requesting the 5th year of funding from the city in the amount of $47,500 with inflation adjustment outlined in the contract of 7.0% (as defined by the BLS for % change in CLI from February of 2021 to 2022) for a total of $49,070.00 This amount will be used as compensation towards the salary of the Executive Director, Janne Collins.

Additionally, DMI is requesting funding and partnership for the Milford Ladybug Festival in the amount of $30,000. The cost to provide the Ladybug Music Festival has increased from the 2019 event totals to $40,000. Downtown Milford, Inc is anticipating bridging this gap from event fundraising and event income.

Following the completion of the 5-year contract with the City of Milford, Downtown Milford, Inc is requesting a renewal of the existing contract which will encompass salary expenses, rent expenses, and preliminary funding for many of the events that DMI provides to the city. With this increase in funding, DMI is anticipating adding the following to the organization and the downtown community:

- Dedicated event planning services exclusive of the Executive Director role
- Providing Social Media Management services (setup, maintenance, & full service)
- Free website and online design services
- Online downtown vacancy portal to display available properties
- Entrepreneur toolkit and business portal
- Formalize downtown business lending fund
- Additional Senior Center focused events
- Creation of Arts Festival in alignment with the Art Town themes
- Reintroduction of the International Food Festival
- Introduction of a New Year's Eve Downtown Event
- Reintroduction of Eat in the Street
- Reintroduction of a Brewgrass Festival (or similar)
- Additional items to be considered

Downtown Milford, Inc will work with the City of Milford to determine a timeline for submitting requests for a future operations contract and funding.

Appendix A - Board & Committees

Executive Director
Janne Collins

Board of Directors
Officers
President - James Rabe
Treasurer - Sandy Gulledge

Members at Large
Craig de Mariana Aleman
Matt Babbitt
Shelbie DiCostanzo
Debbie Long
Ben Muldrow
Joey Phillips
Lang Redden
Peggy Reilly

Committee Chairs & Meeting Schedules
Design Committee - Joey Phillips
Meets Monthly at 6:00 PM on the Second Tuesday

Economic Vitality Committee - David Pickrell
Meets Monthly at 4:00 PM on the Third Tuesday

Promotions Committee - Janne Collins
Meets Monthly at 5:30 PM on the Second Tuesday

Organization Committee - Peggy Reilly
Meets Monthly at 5:00 PM on the First Thursday

Riverwalk Farmer's Market Committee - Melissa Pingue
Meets Monthly at 5:30 PM on the Second Thursday

Appendix B - 2022 Events Calendar

Milford Clean-Up – April 9, 2022

Irish Concert & Music Festival – March 21, 2022

Bug & Bud Festival – April 30, 2022

Third Thursday – May through October

Riverwalk Farmers Market & Extended Market – May through November

Ladybug Music Festival – July 30, 2022

Octoberfest Pub Crawl – October 1 or 8, 2022

Trunk or Treat – October 27 or 31, 2022

Small Business Saturday – November 26, 2022

Santa House - December

Holiday Stroll – December 3, 2022

Christmas Market – December 3, 2022

After Market – December 2022 through May 2023

Appendix C - Financial Reports

	Jul '21 - Mar 16 22	Jul '20 - Jun 21	$ Change
Ordinary Income/Expense			
Income			
4000 · Operations Income	47,158.71	48,116.40	-957.69
4200 · Organization Committee Inc	738.85	12,327.23	-11,588.38
4400 · Promotion Committee Inc	4,119.44	4,888.24	-768.80
4600 · Design Committee Inc	238.00	4,287.25	-4,049.25
4680 · Banner Income	320.00	0.00	320.00
4800 · EV Committee Inc	5,751.17	5,348.15	403.02
4880 · Vineyard Shipyard	10,777.78	0.00	10,777.78
Total Income	69,103.95	74,967.27	-5,863.32
Gross Profit	69,103.95	74,967.27	-5,863.32
Expense			
5000 · Operations Exp	27,116.49	55,285.52	-28,169.03
6200 · Organization Committee Exp	200.00	831.25	-631.25
6400 · Promotion Committee Exp	6,174.91	3,170.57	3,004.34
6409 · Trunk or Treat	66.04	0.00	66.04
6600 · Design Committee Exp	6,250.96	2,493.10	3,757.86
6800 · EV Committee Exp	553.32	1,428.20	-874.88
6830 · Big Ask Expense	0.00	123.28	-123.28
6880 · Vineyard Shipyard - Feasibility	3,952.62	6,527.78	-2,575.16
Total Expense	44,314.34	69,859.70	-25,545.36
Net Ordinary Income	24,789.61	5,107.57	19,682.04
Other Income/Expense			
Other Income			
8010 · SBA PPP Loan	9,292.00	9,200.00	92.00
Total Other Income	9,292.00	9,200.00	92.00
Net Other Income	9,292.00	9,200.00	92.00
Net Income	**34,081.61**	**14,307.57**	**19,774.04**

ASSETS			
Current Assets			
Checking/Savings			
1010 · Petty Cash	100.00	100.12	-0.12
1020 · M&T Checking Operations	4,937.26	20,264.09	-15,326.83
1030 · M&T Checking Promotions	4,924.79	4,940.79	-16.00
1100 · M&T Money Market	40,090.46	40,086.90	3.56
1100 - M&T City of Milford Grant	35,860.00	0.00	35,860.00
1110 · WSFS M/M Restricted	19,218.05	13,994.32	5,223.73
Total Checking/Savings	105,130.56	79,386.22	25,744.34
Other Current Assets			
1220 · Security Deposit	880.00	880.00	0.00
Total Current Assets	106,010.56	80,266.22	25,744.34
Fixed Assets			
1500 · Branding Street Banners	18,660.00	18,660.00	0.00
1510 · Farmer's Market	14,309.21	14,237.64	71.57
1630 · Kiosk	18,181.00	18,181.00	0.00
1650 · Buildings-Santa House	11,511.34	11,511.34	0.00
1660 · Art Display Boats	32,342.47	32,342.47	0.00
1700 · General Office	15,305.27	15,305.27	0.00
1790 · Accumulated Depreciation	-96,600.20	-96,600.20	0.00
Total Fixed Assets	13,709.09	13,637.52	71.57
Other Assets			
1820 · L/R PSShoppe LLC (Petite Sweet)	4,122.87	4,122.87	0.00
1850 · L/R Cookies Paper Petals, LLC	3,743.99	4,480.85	-736.86
1900 · Major Project Investments	57,490.95	57,468.94	22.01
Total Other Assets	65,357.81	66,072.66	-714.85
TOTAL ASSETS	**185,077.46**	**159,976.40**	**25,101.06**
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Payroll Taxes Payable	1,527.00	1,215.55	311.45
Total Current Liabilities	1,527.00	1,215.55	311.45
Long Term Liabilities			
2600 · N/P SBA PPP Loan	0.00	9,292.00	-9,292.00
Total Long Term Liabilities	0.00	9,292.00	-9,292.00
Total Liabilities	1,527.00	10,507.55	-8,980.55
Equity			
3600 · Restrictive Funds	19,218.05	13,987.81	5,230.24
3900 · Retained Earnings	130,250.80	121,173.47	9,077.33
Net Income	34,081.61	14,307.57	19,774.04

Total Equity	183,550.46	149,468.85	34,081.61
TOTAL LIABILITIES & EQUITY	**185,077.46**	**159,976.40**	**25,101.06**

Reserved Funds	
Bike Racks	4,335.75
Loan Fund	11,710.66
Vinyard Shipyard	2,702.98
Façade Funds	468.66
Total Reserved Funds	19,218.05













ESTD 2000

RIVERWALK FREEDOM FESTIVAL

MILFORD, DE

Saturday, September 17th, 2022

Thank you!!!

City Council and City of Milford
for providing the funding
for the most amazing festival in 2021





- <u>$30,000 City contribution was allocated for the 2021 event as follows:</u>

  - AAA Co-op Effective/Comcast TV with Southern Delaware Tourism $1,570.00
  - Brother's Pyro Fireworks: $10,000.00
  - Charlie Joseph the Magician Kids Corner: $500.00
  - Salisbury Zoo Kids Corner: $370.00
  - Amazon Kids Corner Game prizes: $197.24
  - Jump On Over Kids Korner games: $2,605.40
  - Atlantic Business Contracting – Large Entertainment Stage: $3,500.00
  - Plead the 5th Live Band: $2,000.00
  - Mike Hines & the Look Live Band: $2,000.00
  - Kathie Martin & the Hot Rods Live Band: $900.00
  - Lincoln City (Pilot Entertainment) Live Band: $600.00
  - Forever Media Geo Fencing: $1,800.00
  - Forever Media Eagle 97.7 Radio Advertising: $1,000.00
  - WBOC TV: $5,520.00

- <u>Requesting contribution of $35,000 for 2022 event to be used similar spending as above and differences below:</u>

  - Significant increase in cost of fireworks from $15,000 to $20,000. Shipping & limited availability of product.
  - Port-a-Johns and sanitation costs.
  - Inflation costs of entertainment, many are charging extra fees to cover fuel & travel.

Milford
PUBLIC LIBRARY



Patrons Visits by Month

Months	Traffic Ins
May-21	6338
Jun-21	9329
Jul-21	10707
Aug-21	10375
Sep-21	8916
Oct-21	9189
Nov-21	9266
Dec-21	8959
Jan-22	5825
Feb-22	7481
Total	86385
Average	8639



Adult Services: Circulation & Technology

Adult Collection and Circulation

- 35,200 items
- Roughly 3,000
  - Audiobooks
  - DVDs
  - Large Print Books
- 43,859 circulations in the last year!

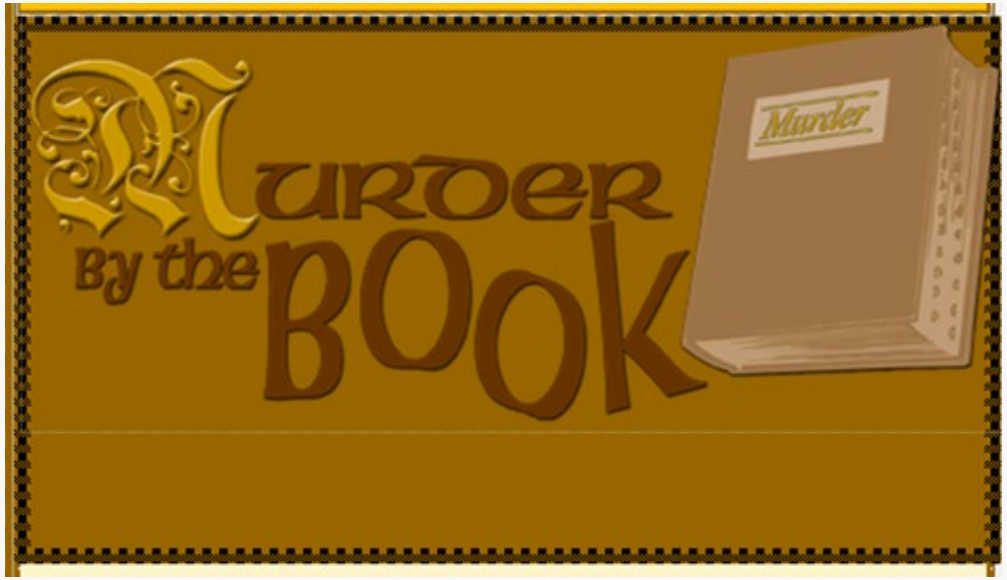
Technology

- 8 Blood Pressure Monitors
- 4 Chrome-books
- 15 Public Computers
- 6 Wi-Fi Hotspots



Adult Programing & Outreach

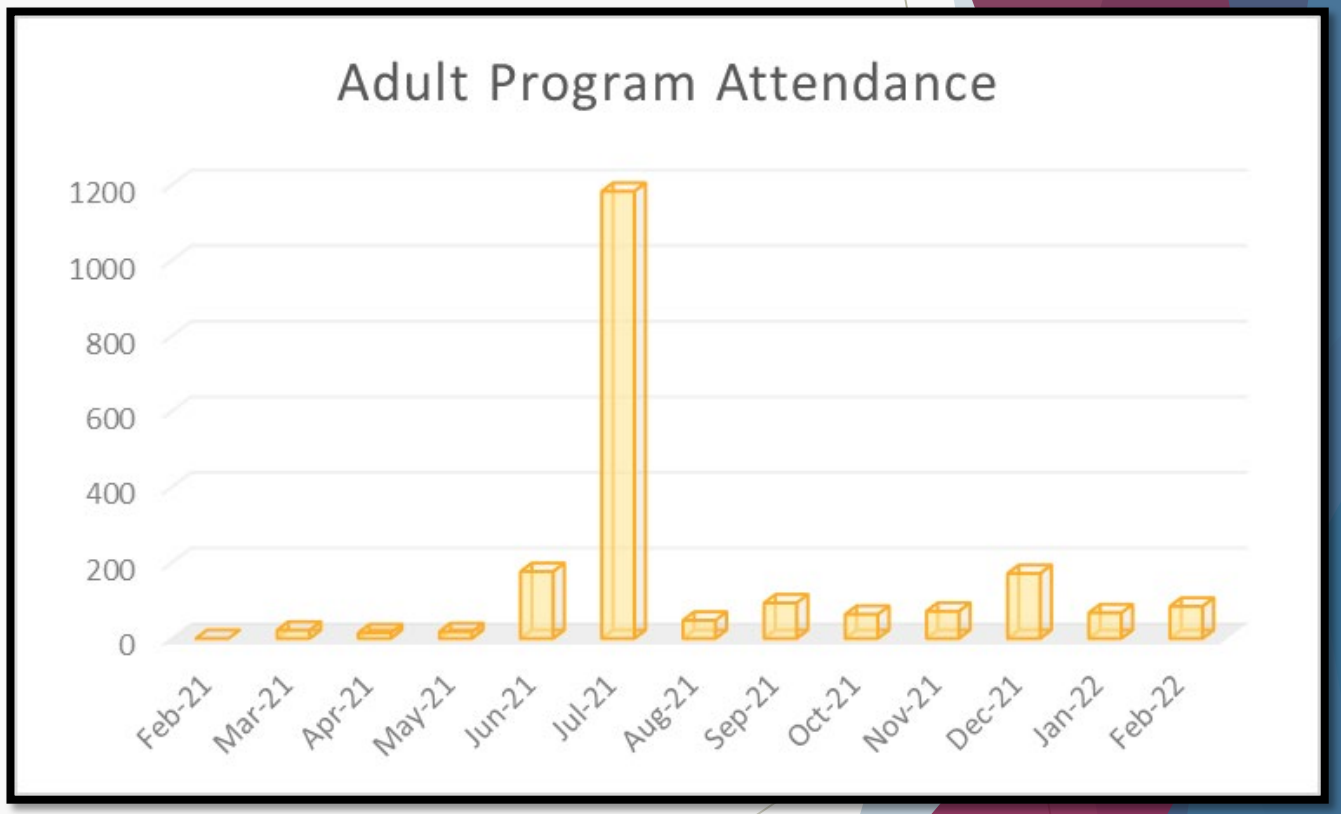
The library has a multitude of programs of interest to adults, from information from the Delaware Senior Medicare Patrol to Murder by the Book – a live performance held last Saturday at the library. Stop by and see us. We are here to serve.



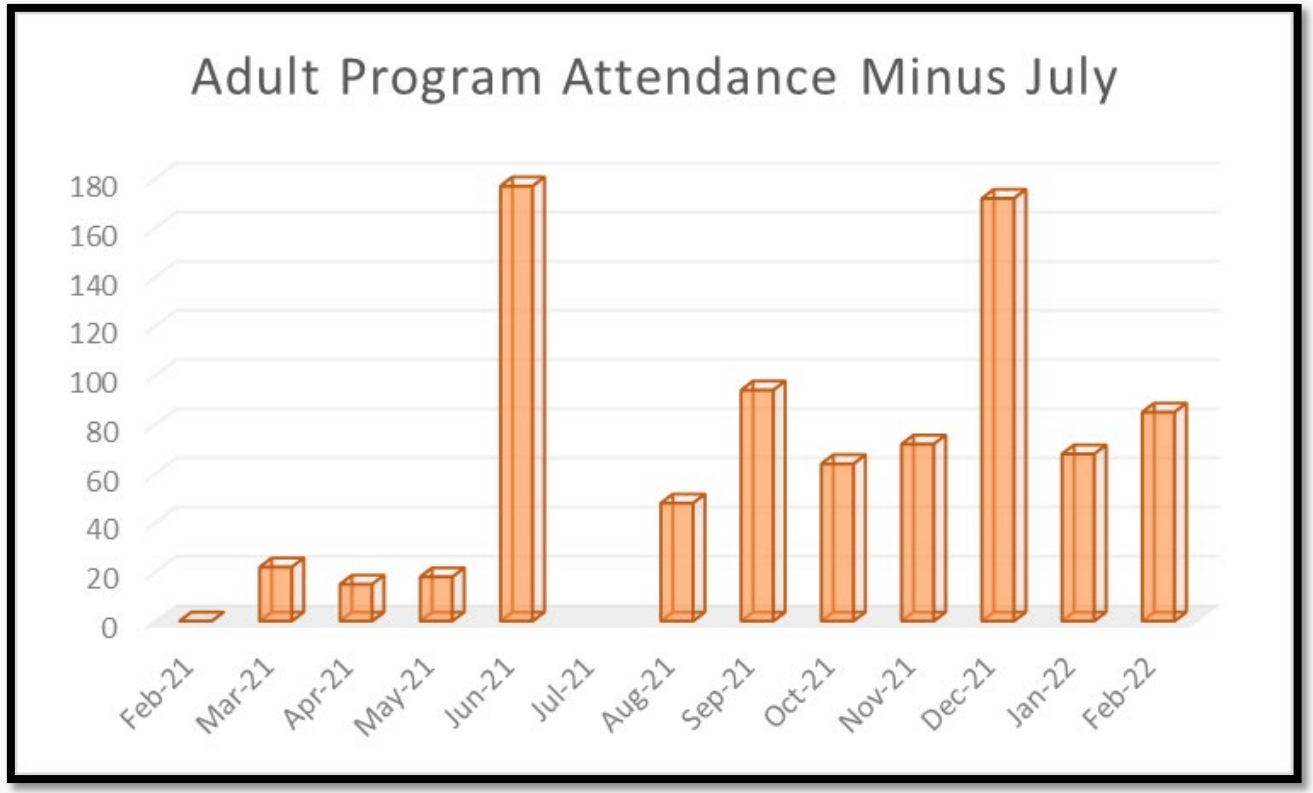


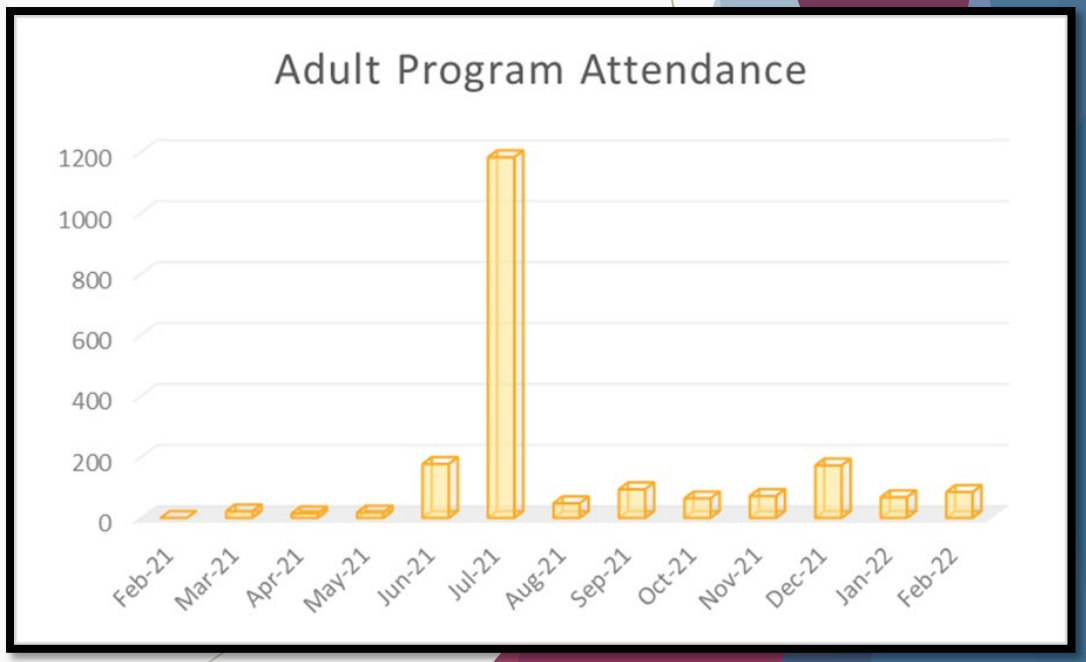
Adult Program Attendance

Months	Number of Programs	Attendance
Feb-21	4	0
Mar-21	4	22
Apr-21	1	15
May-21	1	18
Jun-21	2	177
Jul-21	6	1183
Aug-21	2	48
Sep-21	4	94
Oct-21	5	64
Nov-21	7	72
Dec-21	13	172
Jan-22	13	68
Feb-22	12	85
Total	**74**	**2018**
Average	**6**	**155**



Adult Program Attendance (Continued)





Computer Classes

Tuesdays 3-4 & Thursdays 5-6

Everything from learning about computer security, to creating a power point using the NorthStar library program.

Need to create a resume? Apply for a job? Print from your phone? Computer help walk in or by appointment.

NORTHSTAR
DIGITAL LITERACY ASSESSMENT



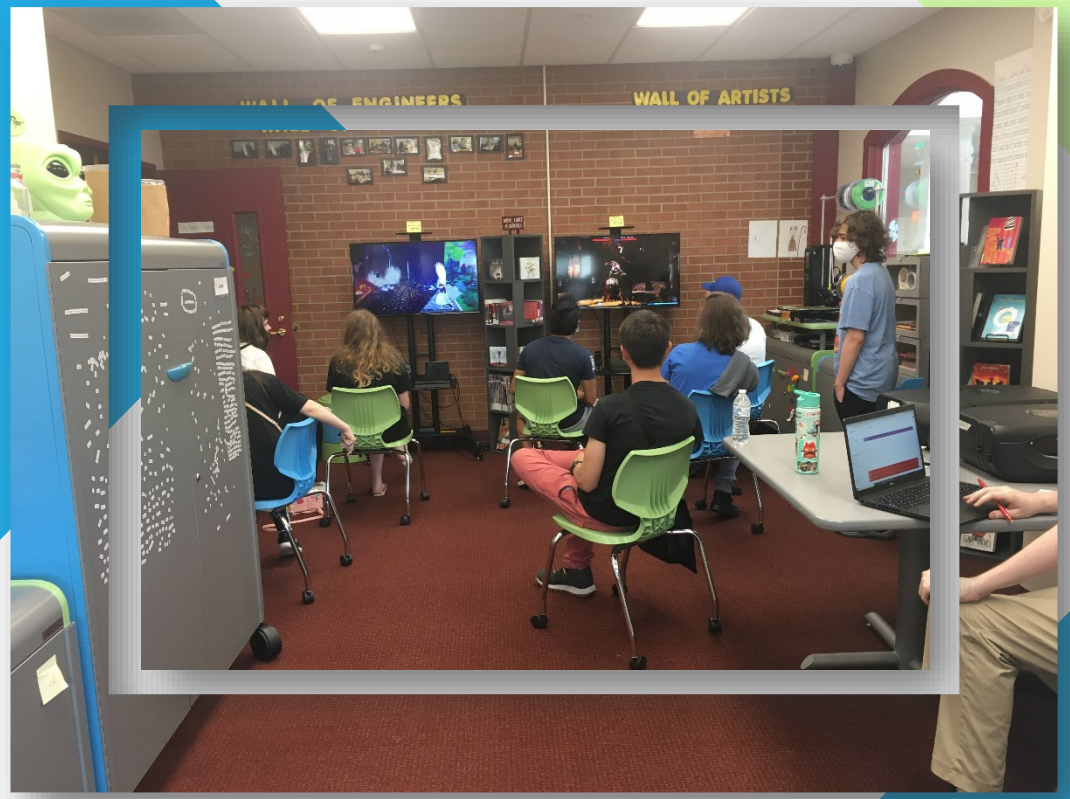
We Encourage Patrons to Use the Following Apps upon Registration



Teen Center

Events

Video Games
Art Club
3D Printing
Virtual Reality
Dungeons & Dragons
And more!

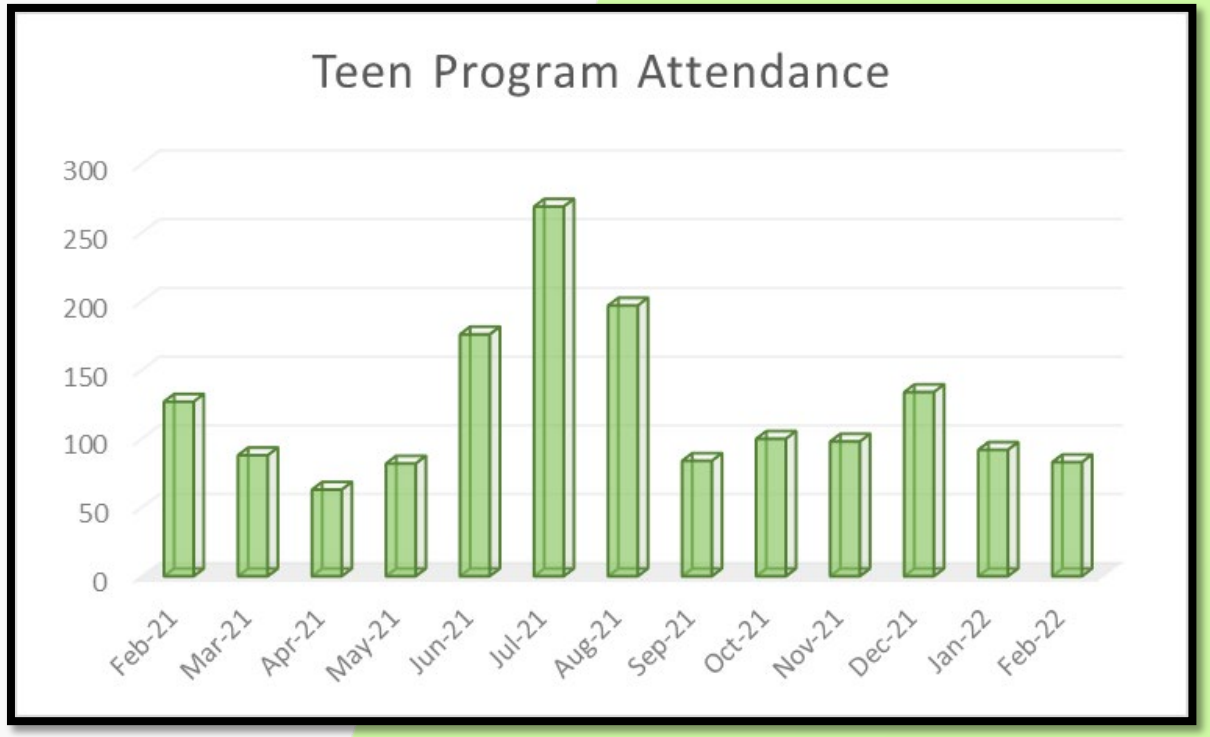


Collection

We are working on expanding our Manga & Graphic Novel collections

Teen Program Attendance

Months	Number of Programs	Attendance
Feb-21	12	127
Mar-21	12	88
Apr-21	5	63
May-21	16	82
Jun-21	61	176
Jul-21	61	269
Aug-21	61	197
Sep-21	51	84
Oct-21	50	100
Nov-21	41	98
Dec-21	39	134
Jan-22	42	92
Feb-22	48	83
Total	**499**	**1593**
Average	**38**	**123**



Children's Services

Children's Collection and Circulation

- 13,673 items
- Materials from birth through age 12
- 26, 298 items circulated last year!

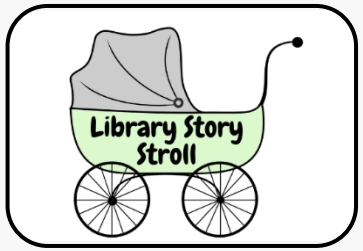


Children's Programming







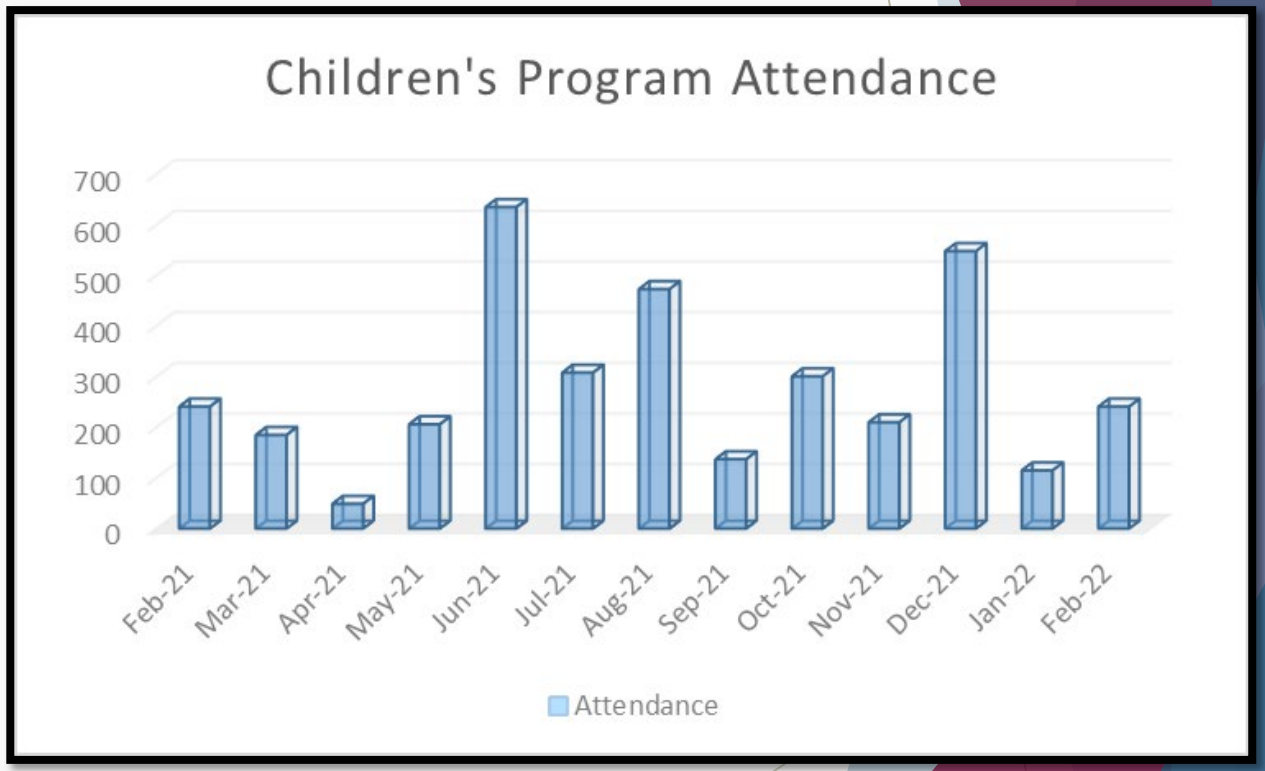




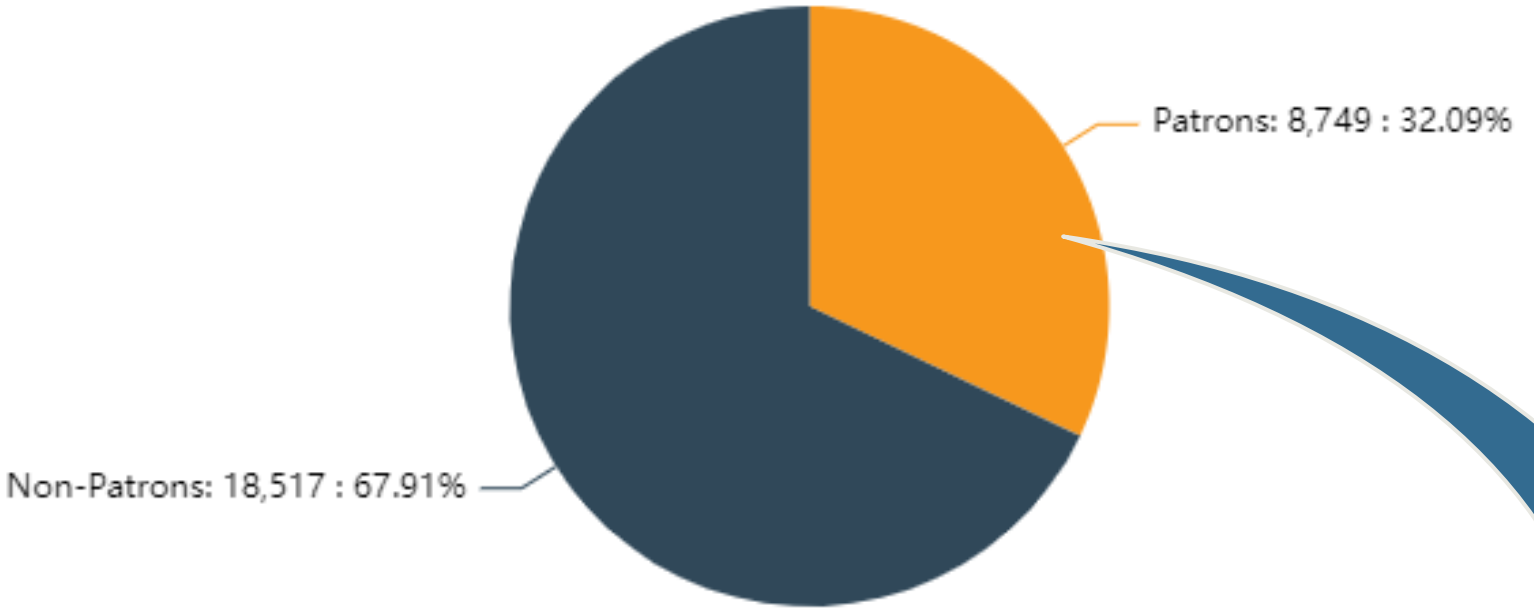


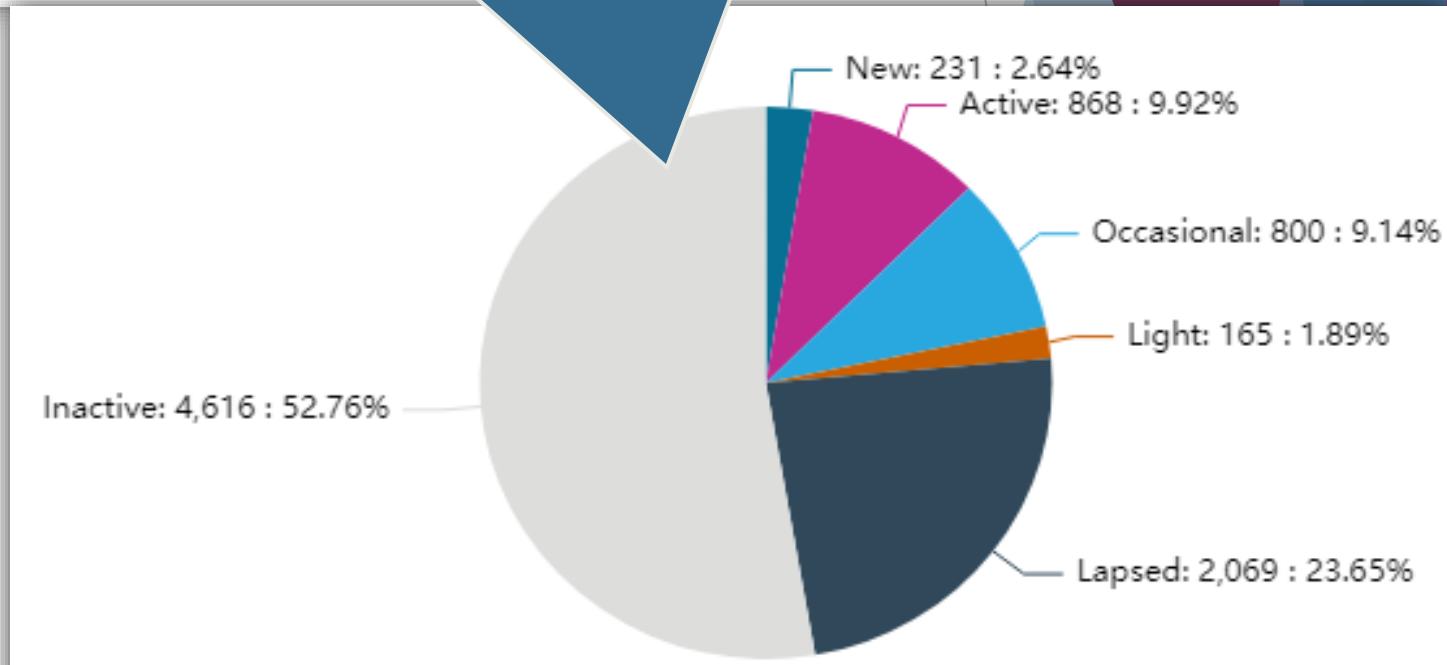
Children's Program Attendance

Months	Number of Programs	Attendance
Feb-21	8	241
Mar-21	4	185
Apr-21	3	49
May-21	7	206
Jun-21	9	635
Jul-21	10	308
Aug-21	6	473
Sep-21	8	137
Oct-21	9	301
Nov-21	7	210
Dec-21	7	548
Jan-22	5	115
Feb-22	8	241
Total	**91**	**3649**
Average	**7**	**281**



Milford Library Patron Breakdown





Connecting & Looking Forward

- Third Thursday
- Holiday Stroll
- Community Meetings
- Advertising
- Community Activities
- Needs Assessment





MILFORD MUSEUM
ANNUAL UPDATE & FUNDING REQUEST
MARCH 2022

OPERATIONS/PROGRAMS/SERVICES

1) Paid part-time Assistant retired. As of March 1, we have hired a full-time Museum Operations Manager.
2) Reordered 1,000 "Mispillion Greenway Walking Trail & Tour" booklets.
3) Installed three new rolling storage racks and new kitchen sink
4) Working with new History Club at Milford High School, and MHS Supervisor of Equity & Support Services Dr. Brittany Hazzard is assisting with our new Black History Exhibit and community programs.
5) Assisted Chamber of Commerce with organization & set up of baskets for Taste of Milford event.
6) A total of 303 new items have been added to the Museum's collections during 2021 including a modern collection of 116 dolls.
7) Held successful Holiday Stroll with 300 visitors.
8) We are preparing to install a small Museum store.

PERFORMANCE INDICATORS

Due to COVID, the Museum was closed during January.. Our total visitation for calendar year 2019 was 3,255. Our visitation for 2020 was only 1,122. 2021 Visitation increased to 2,365.

VOLUNTEERS

The Museum will start the year with one new Board member. Yanelle Powell, Sussex Co. Social Services Administrator. The Museum Board now includes a total of 14 members who volunteer their time and talents.

UPCOMING EVENTS

The following Fundraising events are being planned for 2022: May 21 & September 24 will be our WALKING TOURS; Saturday August 20 HIPPIEFEST at Causey Mansion; Friday & Saturday October 22-23 GHOSTWALK from The Towers to Causey Mansion

CITY FUNDING

CALENDAR YEAR 2020	
ITEM	AMOUNT
Payroll	$44,387
Utilities	$9,193
TOTAL:	$53,580.

CALENDAR YEAR 2021	
ITEM	AMOUNT
Payroll	$36,422
Utilities	$ 7,940
TOTAL:	$44,462

The Milford Museum is requesting funding support from the City of Milford for 2022 in the amount of $35,000.

CARLISLE FIRE COMPANY



ANNUAL REPORT

2021

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PHOTO GALLERY







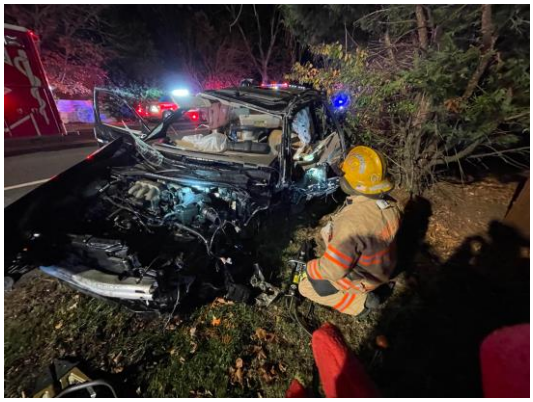






PHOTO GALLERY







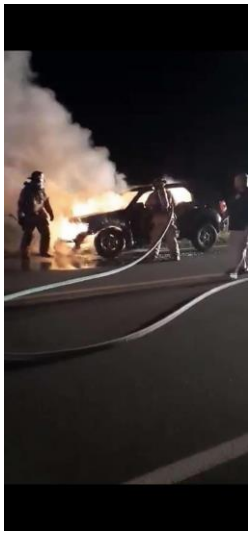








PHOTO GALLERY









HISTORY

The Milford Fire Company was established in 1802 and has been providing emergency services to both Kent and Sussex Counties since that time. On November 12, 1918 at a regular company meeting members voted to officially change the name to Carlisle Fire Company in honor of one of its active members Paris T. Carlisle who was killed in action on October 6, 1918 in France. Throughout the years the company has experience many changes, growth, and has battled many notable incidents. Records from the City's museum document some large fires over the years including one in February 1885 that started in Lowery's livery stables behind the Milford Hotel on Walnut St. 500 men used buckets and force pumps to bring this fire under control. During the winter of 1891 a large fire occurred behind the Central Hotel on NW Front St. and would be extinguished by the efforts of 300 men. A year after this devastating fire citizens helped purchase a hand-drawn hook and ladder truck for the fire company. Shortly thereafter the town council also voted to begin installation of a public water system to help protect the downtown area. In 1952 the home of Ruby and Maria Vale was destroyed by fire three days after Christmas. This home was located on land that is now Milford City Hall. On December 26, 2012 another large fire would reshape the downtown business district. This fire would destroy a three-story building that housed Warren Furniture. The building was eventually torn down and the lot remains vacant. The fire company has always been a pioneer in fostering new ideas and blazing new paths. In January 1921, a few firemen from throughout the state met in Milford for the purpose of discussing ways and means of organizing a State Association. At this meeting the Carlisle Fire Company was authorized to take the necessary steps to form a State Association. Nine departments sent delegates to a meeting held on February 24, 192. Mr. Charles E. Varney of Carlisle Fire Company was made temporary Chairman and called the meeting to order. This meeting formed what became the Delaware State Volunteer Fireman's Association with the first regular convention being held July 1, 1921 with 13 companies being represented. In 1922 the company purchased land that was home to the Barto Shirt Factory which operated from 1900-1921, before being destroyed by fire in 1921. The Carlisle Fire House was completed in 1925 and was occupied until the company moved to its present location on NW Front St. in 1978. The company has approximately 94 members and 20 pieces of equipment.

OVERVIEW

The past year may seem like a blur at times but here we are closing out another busy and accomplished year. We began 2021 with many COVID restrictions remaining in place as hospitalizations and positivity rates once again surged. Masking and social gathering restrictions continued to limit the use of our banquet hall for public events but the administration of the COVID vaccine was starting to shine a light of hope on the pandemic. The ladder truck and equipment committees continued their diligent work monitoring the progress of the departments new tower and associated equipment. The ambulance committee had also started work to purchase a new ambulance replacing a unit with high mileage and some previous mechanical issues. They were fortunate to have an opportunity present itself, the dealer they had been working with acquired a demo model that matched the specifications they were looking for and was available for purchase at a cost savings to the company. The company agreed to pursue the unit allowing the committee to stay well under budget and would ultimately put a new unit in service 10 months earlier than anticipated. In April the truck committee traveled to Wisconsin to conduct the final inspection of Tower 42 and the company agreed to sell Ladder 42 through a private sale. Knowing the new truck would not be ready to be placed into service until late June, a stipulation was agreed to that the existing ladder truck would not be taken out of service until late May and would continue to serve the city in its full capacity until that time. In June the company proudly placed a new ambulance along with Tower 42 in service. The citizens of Milford should be proud of the time and dedication given by the committee members to acquire both apparatus that will serve the community well. The company was fortunate to be able to purchase state-of-the-art equipment for both fire and EMS responses in the approved budget. An integral addition to our rescue capabilities was the acquisition of grain bin rescue equipment provided by grant funding through the farm bureau. Throughout the year the company participated in many community outreach events, hosted several chicken barbeque fundraising events, held our annual public crab feast and hosted the 2nd Annual Car Show to help raise funds for our future company museum. Unfortunately, we had to take time this year to mourn the loss of several accomplished members of the company to include: Franklin Fountain, Robert Caiola, and Larry Lewis. 2021 proved to be a very busy year with the highest number of fire and EMS responses to date but we are well prepared and ready to tackle future challenges.

Mission Statement

It is the mission of the Carlisle Fire Company's volunteers and career staff to preserve life and property, promote public safety, and foster community support services in a professional manner.

Core Values

Be prepared for duty

Serve with integrity

Respond with compassion

Commit to Professional Excellence

2021 Board of Directors

President: Tor Hazzard
Vice President: Lee Vincent
Secretary: Brian Muise
Treasurer: Joseph Mriss
Fire Chief: Ryan Knowles
Chief Engineer: Joe Morris
Building Superintendent: Billy Foxwell
Ambulance Captain: Vada Sample
Director #1: Wayne B. Whitney
Director #2: Glenn Gillespie
Director #3: Curtis Sharp
Fire Recorder: Lester Guyer

OPERATIONS

The services we provide include, structural firefighting, hazardous materials response, technical rescue, emergency medical response and a wide variety of public assistance requests. In 2021 we responded to a total of 4,248 calls for assistance; 646 fire and 3,602 EMS responses. The department also supported several special service requests and public outreach events.

In an effort to effectively appraise the Operation of the company, we utilize a strategic planning technique called a SWOT analysis to help identify our Strengths, Weaknesses, Opportunities and Threats relating to our overall mission and the services we provide to our service area.

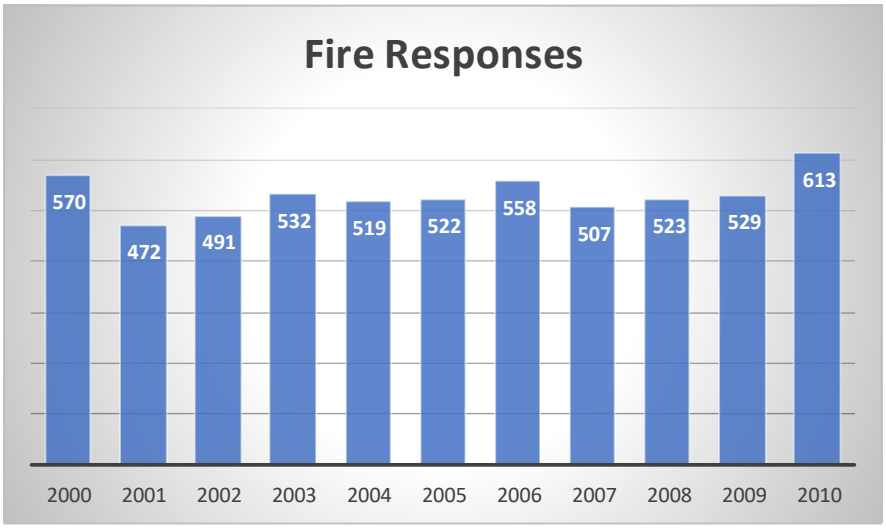
Strengths:
People- members with diverse backgrounds and experiences
Continued community involvement
Purchase/maintain state-of-the-art apparatus and equipment

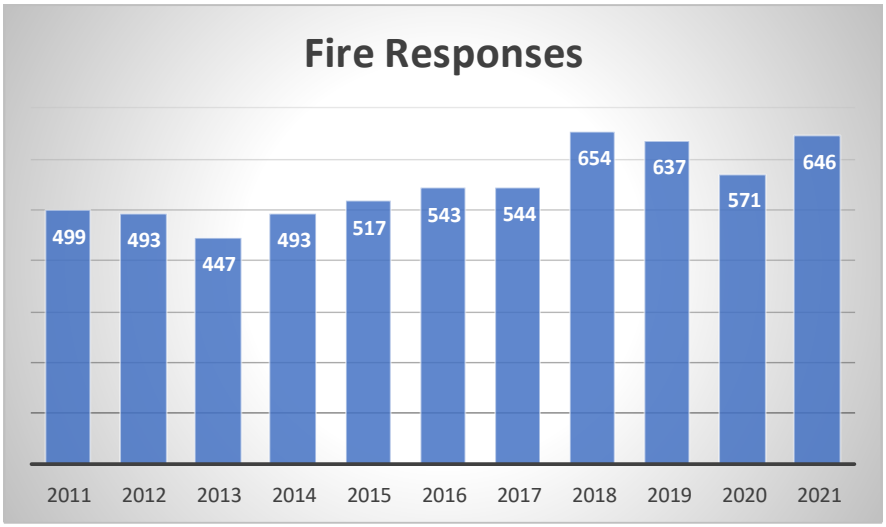
Weaknesses:
Limited manpower
Increased training requirements
Increased call volume
Increased response times due to increased traffic
Added responsibilities of Board of Directors

Opportunities:
Expansion of EMS service
Upgrades to equipment
Utilization of new technology
Planning for future growth

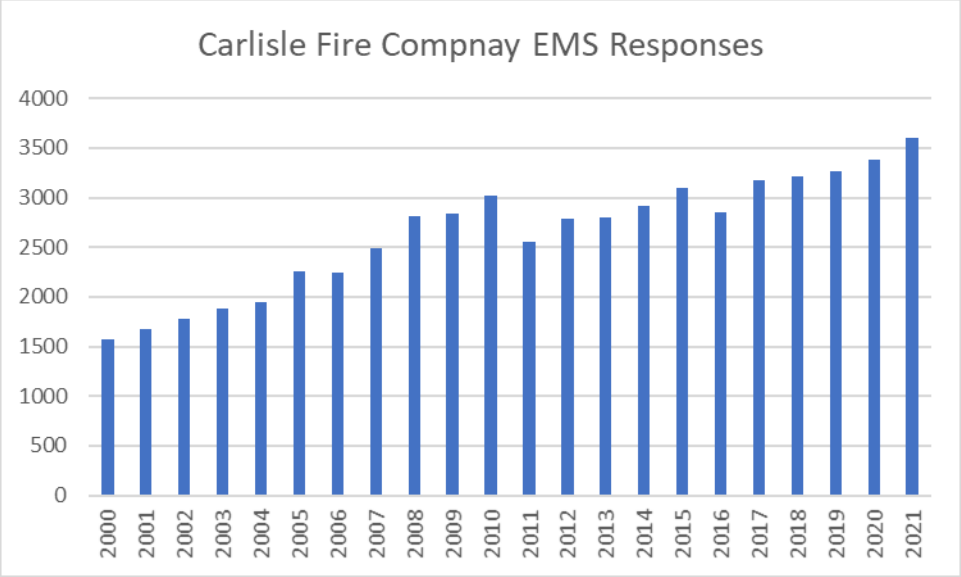
Threats:
Complacency/motivation
Low recruitment rate
Retention rate
Unpredictability of funding
Continued development and annexation

Carlisle Fire Company has always been proactive with our mutual aid partners and this year proved no different. We continued to be active in monthly Kent County Fire Chief's Association meetings, the Kent County Volunteer Firefighters Association, as well as the Kent County Fire Police Association and were able to conduct 4 joint training sessions with 50 firefighters.





Fire responses from 2000 through 2021 have remained fairly consistent



2000- 1566
2001- 1670
2002- 1785
2003- 1878
2004- 1941
2005- 2259
2006- 2244
2007- 2486
2008- 2820
2009- 2839
2010- 3022
2011- 2549
2012- 2785
2013- 2797
2014- 2912
2015- 3101
2016- 2850
2017- 3172
2018- 3209
2019- 3271
2020- 3377
2021- 3602

In the ten year span from 2000 to 2010 we saw our EMS call volume increase by 93% with an additional increase of 37% during the period 2011 to 2021. Overall, in a 21 year period our EMS call volume has increased 130%. According to census data, Milford had a population of 6,732 in 2000. In 2010 that number had increased to 9,559, an increase of 42%. The most current census data shows a population of 12,484, an additional increase of approximately 30.5% As the City's populatoin continues to grow at a rate of approimaely 3% a year, if our EMS call volume continues on the same trend we've seen we could conservitavley be responding to 7,000 calls per year, equating to 19 calls per day on average by 2030.

Community Events Supported

First Responder Appreciation Night
Milford Riverwalk Festival
Several Fire Prevention events at local schools and Early Education facilities
Milford Community Parade
Trunk-or-Treat at the firehouse
Milford Holiday Stroll

PROJECTS

With the help and dedication of our members we were able to complete the following this year:

- Purchase a new ambulance
- Purchase a new Traffic Control vehicle
- Purchase and place in service Tower 42
- Purchase 10 pagers
- Purchase new power-lift stretcher for the ambulance

FUTURE GOALS

As we begin a new year and plan ahead for 2022/23, there are a few projects we want to see completed as well as some goals we would like to set for ourselves.

- Complete storage facility for tables/chairs
- Renovation of banquet hall bathrooms
- Install perimeter fence
- Hire two additional full-time EMS personnel
- Complete install of overhead fans in ambulance bay

In addition to completing the above projects, there are some goals we would like to set for ourselves to continue improving our department as we move forward:

- Continue to raise funds for company museum
- Recruit six new members

In looking back on 2021, Carlisle Fire Company has initiated and accomplished many great things thanks to the hard work and dedication of our membership. We continue to improve our training program, dedicated countless hours in public safety education events and are continuing to work with our mutual-aid partners. The pride, professionalism and teamwork of our personnel is evident and will continue to play a vital role in supporting the mission of Carlisle Fire Company.

TOR HAZZARD
President





Carlisle Fire Company Annual Funding Request





City utilities - $35K

Employee Insurance - $32K

Salaries/payroll - $150K

Total $217K




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.

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS
Planning Commission Hearing: Tuesday, March 15, 2022 @ 7:00 PM
City Council Hearing: Monday, March 28, 2022 @ 7:00 PM

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

ORDINANCE 2022-11

Application of Shawnee Farm LLC for the Preliminary Major Subdivision (Phase III) of 91.69 +/- acres of land, in an R-3 (Garden Apartment & Townhouse) Zoning District to be known as Cypress Hall (Residential). Property is located on the west side of US Route 113 approximately 3,100 feet south of the Shawnee Road intersection in Milford, Delaware.
Present Use: Vacant; Proposed Use: Planned Unit Development
Tax Map: 1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford to amend the Planned Unit Development Master Plan by modifying the unit count and mix; and

WHEREAS, the owners are also seeking Preliminary Major Subdivision approval of Cypress Hall Phase III; and

WHEREAS, the City of Milford Planning Commission has considered the application at a Public Hearing that allowed public comment on Tuesday, March 15, 2022; and

WHEREAS, Milford City Council held a Public Hearing on Monday, March 28, 2022, that allowed for additional review and public comment at which time a final determination was made.

NOW THEREFORE BE IT RESOLVED, by the City of Milford:

In accordance with Chapter 200 of the City of Milford Code, the City Council hereby finds and determines, as follows:

Section 1. The Planned Unit Development Master Plan is consistent with the objectives, policies, general land uses and programs in the City of Milford Comprehensive Plan, Subdivision and Zoning Codes, in that it establishes obligations and conditions for the implementation of the Cypress Hall Development.
Section 2. The Preliminary Major Subdivision Phase III Plan is in conformity with public convenience, general welfare and good land use practice.
Section 3. The Final Major Subdivision Plan will not be detrimental to the public health, safety and general welfare of the community.
Section 4. These changes and additions will not adversely affect the orderly development of adjacent properties and will maintain the preservation of property values.
Section 5. Dates.
City Council Introduction: March 14, 2022
Planning Commission Review & Public Hearing: March 15, 2022
City Council Public Hearing: March 28, 2022
Effective: Ten Days Following Adoption by City Council

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

02.25.22

Published:
Delaware State News 02.28.22
Milford Beacon 03.02.2022

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THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

DATA SHEET FOR CYPRESS HALL RESIDENTIAL – PHASE III

Development Advisory Committee: October 20, 2021

Planning Commission Meeting: March 15, 2022

Application Number / Name	:	21-043 / Cypress Hall Residential – Phase III
Applicant	:	Shawnee Farm, LLC 105 Foulk Road Wilmington, DE 19803
Owner	:	Same
Application Type	:	**Revised** Planned Unit Development Preliminary Major Subdivision
Comprehensive Plan Designation	:	Moderate Density Residential
Zoning District	:	R-3
Present Use	:	Vacant
Proposed Use	:	Planned Unit Development
Area and Location	:	91.69 +/- acres of land located on the west side of Route 113 approximately 3,100 feet south of the Shawnee Road intersection.
Property Identification Numbers	:	1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00

ENC: Staff Analysis Report
Exhibit A - Location & Zoning Map
Exhibit B - Preliminary Major Subdivision & PUD Master Plan

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THE CITY of Milford DELAWARE

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STAFF ANALYSIS REPORT
February 24, 2022

Application Number / Name	**:**	21-043 / Cypress Hall Residential – Phase III
Application Type	**:**	**Revised** Planned Unit Development Preliminary Major Subdivision
Comprehensive Plan Designation	**:**	Moderate Density Residential
Zoning District	**:**	R-3
Present Use	**:**	Vacant
Proposed Use	**:**	Planned Unit Development
Property Identification Numbers	**:**	1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00
Area and Location	**:**	91.69 +/- acres of land located on the west side of Route 113 approximately 3,100 feet south of the Shawnee Road intersection.

I. BACKGROUND INFORMATION:

- The applicant is seeking conditional use approval for a revised Planned Unit Development known as Cypress Hall for the construction of 96 townhouses, 288 garden apartments, 118 single-family detached dwellings and 46 single-family semi-detached dwellings for a total of 548 units. Phase I includes the construction of the townhouse units, Phase II includes the construction of the apartment units and Phase III includes the construction of the single-family detached and semi-detached dwellings. The applicant is seeking approval of the following deviations associated with the revised Planned Unit Development;
    1. For single family corner lots allow one edge of the corner to use a side building setback rather than two front setbacks. **(Previously approved by City Council on March 25, 2019)**
    2. Multi-family parking requirement reduced from 2.5 spaces per dwelling unit to 2 spaces per dwelling unit. **(Previously approved by City Council on March 25, 2019)**
    3. Garden or low-rise apartments are not limited to 12 units per building but instead can have up to 24 units per building. **(Previously approved by City Council on March 25, 2019)**

- The applicant is also seeking Preliminary Major Subdivision approval for Phase III of the Cypress Hall development which is comprised of 118 single-family detached dwellings and 46 single-family semi-detached dwellings. The applicant has requested the following deviations from Chapter 200 Subdivision of Land for Phase III;
    1. Request the length of the cul-de-sac be increased from 400' to 500'.
    2. Request the maximum block length be extended from 1,200' to 1,500
    3. Request the minimum block width be reduced from 275' to 240'.

- City Council previously granted approval of a Planned Unit Development application on March 25, 2019 along with a revised Preliminary Major Subdivision application for Phase I (consisting of the townhouse area) and a revised Preliminary Site Plan application for Phase II (consisting of the multi-family area). The 2019 Planned Unit Development approval consisted of 96 townhouses, 288 garden apartments and 162 single-family detached dwellings for a total of 546 units.

- City Council originally granted Final Major Subdivision for Cypress Hall - Phase I on June 22, 2009 consisting of 96 townhouses and 288 garden apartments, for a total of 384 total units.

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 a revised Planned Unit Development and Preliminary Major Subdivision approval:

- Evaluation based on "Criteria for Planned Unit Residential Development" as provided in Chapter 230-48.1

    Permitted Uses. Uses, accessory uses and signs permitted in any residential district shall be permitted in accordance with the additional requirement and provisions of the article.

    The proposed single-family detached, semi-detached, townhouse and multi-family housing uses are permitted within the City's residential districts and meet this requirement.

    Minimum requirements, area and width. In a planned unit residential development, minimum lot area and width may be less than that required by the district regulations, except that no single-family lot shall be less than 4,000 square feet in area nor less than 40 feet in width. The width of the lot shall be between lot lines at the front building setback line as determined by the Planning Commission.

    The proposed subdivision meets the minimum standards for lot area and lot width outlined under Chapter 230 for R-3 Garden Apartment and Townhouse District. Lot requirements are listed in the data column on the PUD sheet for each unit type.

    Density. A planned unit residential development is not intended to increase density, but to allow flexibility in the design of the number of dwelling units permitted. If a parcel or parcels have more than one zoning classification, the total permitted density may be located throughout the parcel or parcels. The total permitted density shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district in which the land is located. Net development area shall be determined by subtracting 25% of the gross area. Gross area shall not include any wetlands, floodway or similar area not suitable for building as determined by the Planning Commission.

The data column on the PUD sheet shows the density calculation. The total site contains 91.69 acres, which has a 68.77 net developable area. 548 dwelling units divided by 68.77 acres equals a project density of 7.97 dwelling units per acre.

Other requirements. Off-street parking, parking beneath buildings, front, side and rear setbacks, landscaping and buffering, lot coverage, number of units per building and building separation shall be as determined by the Planning Commission. Maximum height shall not exceed 48 feet and four stories maximum.

The applicant is seeking the following deviations from Chapter 230 and Chapter 200 which are outlined on the PUD sheet and are to be approved by the Planning Commission and City Council;

- Reduction in the parking requirement for the multi-family area from 2.5 parking spaces per unit to 2.0 parking spaces per unit. **(Previously approved by City Council on March 25, 2019)**
- Increase the number of units per multi-family building from 12 to 24. **(Previously approved by City Council on March 25, 2019)**
- For single-family detached lots, allow one of the road frontages to be considered the side yard setback instead of requiring two front yard setbacks as shown on the provided plan. **(Previously approved by City Council on March 25, 2019)**
- Request the length of the cul-de-sac be increased from 400' to 500'. **(New Request)**
- Request the maximum block length be extended from 1,200' to 1,400'. **(New Request)**
- Request the minimum block width be reduced from 275' to 240'. **(New Request)**

Neighborhood Commercial.

No neighborhood commercial is proposed since the project is adjacent to a major commercial area.

A minimum of 400 square feet per unit shall be designated as open space subject to the recreational use. Recreational use requirement – 50% of the required open space shall be set aside for recreation use.

With a total of 548 dwelling units, the project requires 5.03 acres of open space of which 2.5 acres must be designated recreational open space. The development provides 23.75 acres of open space of which 5.74 acres are designated as recreational open space. The proposed recreational open space includes a community clubhouse, pool area and picnic areas.

- The required 50' landscape buffer between the Cypress Hall project and the Delaware Solid Waste Authority property is shown on the revised Planned Unit Development plans and the Phase III Preliminary Major Subdivision plans.

- The Preliminary Major Subdivision application for Phase III is consistent with the Planned Unit Development request outlined above. Other than the requested deviations noted in the staff report, the preliminary plans meet the minimum requirements of Chapter 230 Zoning and Chapter 200 Subdivision of Land. The preliminary plans have been reviewed for general compliance with the City's Construction Standards and Specifications.

- The following comments must be addressed prior to Final Major Subdivision;
    - Obtain approvals or no objection letters from DelDOT, State Fire Marshal's Office, Sussex Conservation District, DHSS Office of Drinking Water;
    - Address remaining City plan review comments (copy of which is included in the packet);
    - Address any conditions imposed by the Planning Commission and City Council as part of the PUD approval;
    - Obtain final approval of engineering plans from the City Engineer; and
    - Address additional department and agency comments outlined in Section III.

III. AGENCY & DEPARTMENT COMMENTS:

- **Office of State Planning Coordination**
  No comments provided.

- **DelDOT**
  No comments provided.

- **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.

- **Sussex Conservation District**
  No comments provided.

- **Delaware State Fire Marshal's Office**
  See attached comments.

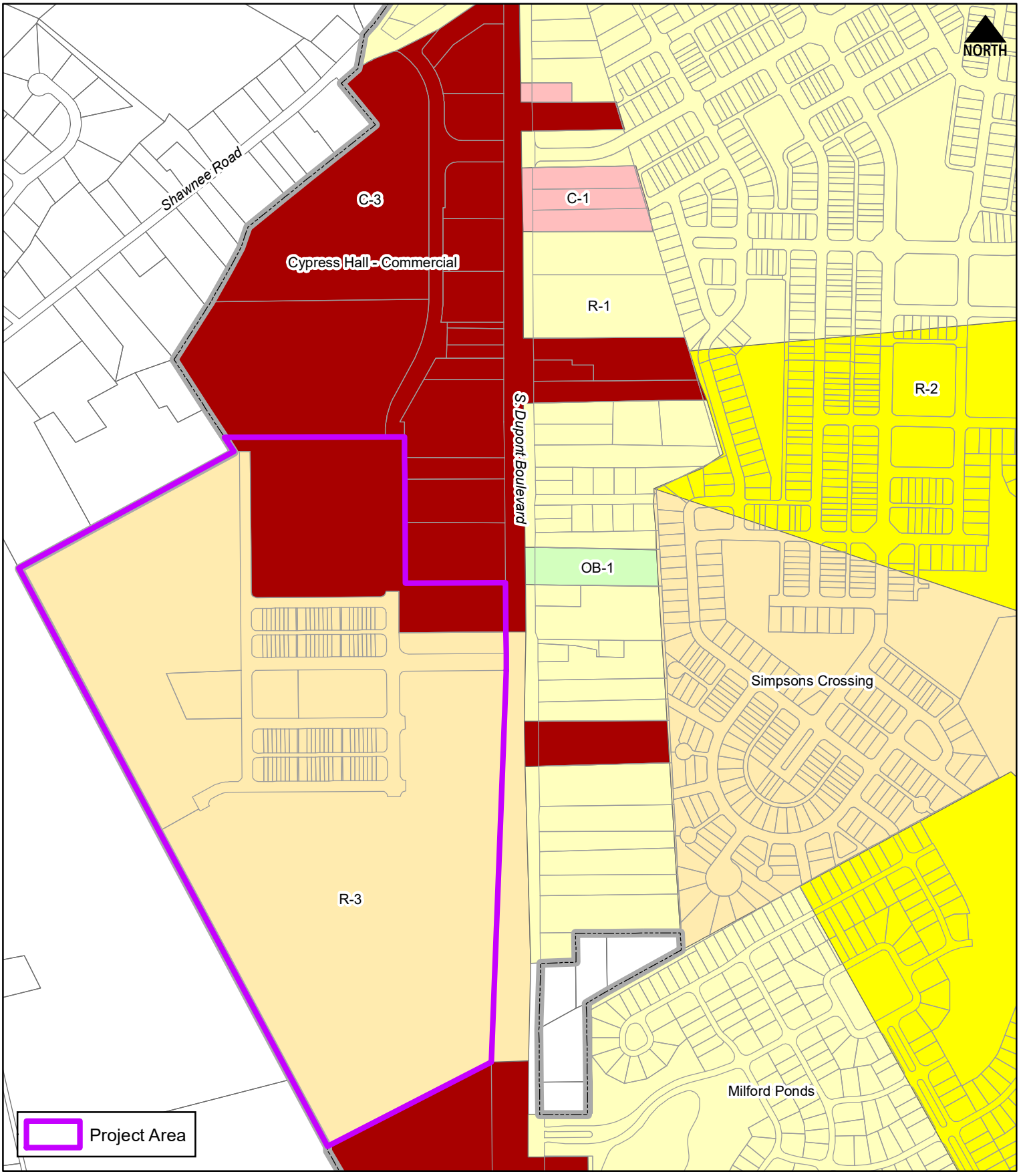
- **Carlisle Fire Company**
  No comments provided.

- **City of Milford Public Works Department, City Engineer**
  See attached Preliminary Major Subdivision review comments.

- **City of Milford Parks and Recreation Department**
  No comments provided.

- **City of Milford Police Department**
  No comments provided.

- **Milford School District**
  No comments provided.



THE CITY of Milford DELAWARE

Scale: Feet
0 300 600

Drawn by: WRP Date: 10/06/21

Filepath: PrelimMajor_CypressHallResidential_PhaseIII.mxd

Title:

Revised Planned Unit Development
Preliminary Major Subdivision

Cypress Hall - Residential - Phase III

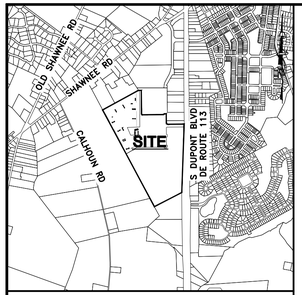
Location & Zoning Map

CYPRESS HALL - RESIDENTIAL

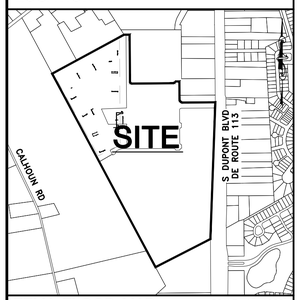
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE
DBF PROJECT # 1423A001

SEPTEMBER 2021

PRELIMINARY MAJOR SUBDIVISION
PHASE 3 - SINGLE FAMILY LOTS
TITLE SHEET

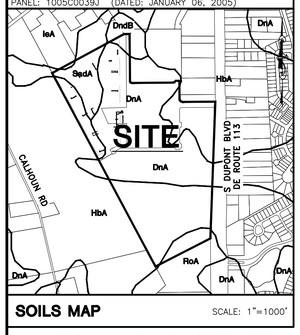


LOCATION MAP SCALE: 1"=2000'



FEMA FLOOD MAP SCALE: 1"=1000'

PANEL: 10005C0039J (DATED: JANUARY 06, 2005)



SOILS MAP SCALE: 1"=1000'

DnA: DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES
DndB: DOWNER LOAMY SAND, 2 TO 5 PERCENT SLOPES
FmA: FORT MOTT LOAMY SAND, 0 TO 2 PERCENT SLOPES
FmB: FORT MOTT LOAMY SAND, 2 TO 5 PERCENT SLOPES
HbA: HAMBROOK LOAMY SAND, 0-2 PERCENT SLOPES
IeA: INGLESIDE LOAMY SAND, 0 TO 2 PERCENT SLOPES
RoA: ROSEDALE LOAMY SAND, 2-5 PERCENT SLOPES
SadA: SASSAFRASS SANDY LOAM, 0-2 PERCENT SLOPES

DATA COLUMN

TAX MAP ID	1-30-03.00-261.01, 1-30-3.00-658.00 & 1-30-3.00-659.00
EXISTING ZONING	R-3
PROPOSED USE	PLANNED UNIT DEVELOPMENT
TOTAL SITE AREA	91.69 AC
NET DEVELOPMENT AREA	68.77 AC
PHASE 1 UNITS	
PROPOSED TOWNHOUSES UNITS	96 UNITS
PHASE 2 UNITS	
PROPOSED MULTI-FAMILY UNITS	
ONE BEDROOM (TYPE C BLDG)	60 UNITS (5 BUILDINGS)
TWO BEDROOM (TYPE A BLDG)	180 UNITS (15 BUILDINGS)
THREE BEDROOM (TYPE B BLDG)	48 UNITS (4 BUILDINGS)
TOTAL	288 GARDEN APARTMENTS
PHASE 3 UNITS	
PROPOSED SINGLE FAMILY SEMIDETACHED	46 LOTS
PROPOSED SINGLE FAMILY DETACHED	118 LOTS
TOTAL SINGLE FAMILY LOTS	164 LOTS
TOTAL DWELLING UNITS PROVIDED	548
TOTAL DENSITY (548 DU ÷ 91.69 AC)	5.98 DU/AC

R-2 ZONING SINGLE FAMILY SEMIDETACHED	REQUIRED	PROPOSED
MINIMUM LOT SIZE ALLOWED	4,000 S.F.	4,000 S.F.
MINIMUM LOT WIDTH	40'	40'
FRONT YARD SETBACK	30'	30'
SIDE YARD SETBACK	8'	8'
REAR YARD SETBACK	15'	15'
MAXIMUM LOT COVERAGE	30%	
MAXIMUM HEIGHT	35' OR 3 STORIES	
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT	

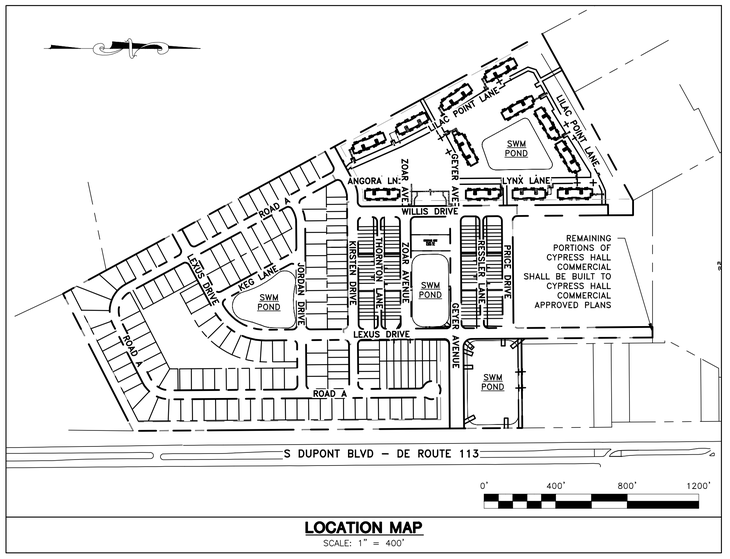
R-3 ZONING SINGLE FAMILY DETACHED	REQUIRED	PROPOSED
LOT SIZE	7,500 S.F.	7,800 S.F.
LOT WIDTH	60'	60'
FRONT YARD SETBACK	30'	30'
SIDE YARD SETBACK	8'	8'
REAR YARD SETBACK	15'	15'
MAXIMUM LOT COVERAGE	45%	
MAXIMUM HEIGHT	35' OR 3 STORIES	
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT	

R-3 ZONING REQUIREMENTS TOWNHOUSES	
MINIMUM LOT SIZE ALLOWED	2,000 S.F.
MINIMUM LOT WIDTH	20'
FRONT YARD SETBACK	30'
SIDE YARD SETBACK	8'
REAR YARD SETBACK	15'
MAXIMUM LOT COVERAGE	60%
MAXIMUM HEIGHT	35' OR 3 STORIES
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT
MAXIMUM DENSITY	12 UNITS PER ACRE

R-3 ZONING REQUIREMENTS GARDEN APARTMENTS	
MINIMUM LOT SIZE ALLOWED	2,500 S.F.
MINIMUM LOT WIDTH	50'
FRONT YARD SETBACK	30'
SIDE YARD SETBACK	8'
REAR YARD SETBACK	15'
MAXIMUM LOT COVERAGE	30%
MAXIMUM HEIGHT	35' OR 3 STORIES
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT
MAXIMUM DENSITY	16 UNITS PER ACRE
MINIMUM PROJECT SIZE	1 AC
TOTAL OPEN SPACE REQUIRED	400 S.F. x 548 UNITS = 219,200 S.F. (5.03 AC.)
TOTAL OPEN SPACE PROVIDED	1,787,002 S.F. (19.33 AC.)
RECREATIONAL SPACE REQUIRED	109,600 S.F. (2.52 AC.)
RECREATIONAL SPACE PROVIDED	73,650 S.F. (1.69 AC.) CLUBHOUSE POOL AREA 140,486 S.F. (3.23 AC.) RECREATIONAL AREA + 35,840 S.F. (0.82 AC.) PICNIC AREA 249,976 S.F. (5.74 AC.) TOTAL
TOTAL AMOUNT OF STORMWATER	8.44±AC
TOTAL AMOUNT OF PROPOSED RIGHT-OF-WAY	17.80±AC
TOTAL AREA OF LOTS	38.22±AC
ESTIMATED EDU'S	550
CLUBHOUSE SPACES REQUIRED	5,200 S.F. ÷ 150 = 35 SPACES
PARKING SPACES REQUIRED	2 SPACES/UNIT MULTI-FAMILY + 2.5 SPACES/UNIT TOWNHOUSE + 35 CLUBHOUSE SPACES = 851 SPACES
PARKING SPACES PROVIDED	576 MULTI-FAMILY + 240 TOWNHOUSE + 35 CLUBHOUSE = 851 SPACES ADDITIONALLY 55 GARAGE UNITS ARE PROVIDED
SEWER PROVIDER	CITY OF MILFORD
WATER PROVIDER	CITY OF MILFORD
ELECTRIC PROVIDER	CITY OF MILFORD
WETLANDS	NONE ARE PRESENT ON SITE
SOURCE WATER PROTECTION AREAS	NONE ARE PRESENT ON SITE
FLOOD ZONE	ZONE X AREA OF MINIMAL FLOOD HAZARD PANEL 10005C0039J EFF. 01/06/2005
FIRE DISTRICT	CARLISLE
SCHOOL DISTRICT	MILFORD
ELECTION DISTRICT	2ND
PERMANENT MONUMENTS FOUND	16
PERMANENT MONUMENTS PLACED	14
HORIZONTAL DATUM	: NAD83
VERTICAL DATUM	: NAVD88

OWNERS/DEVELOPERS
SHAWNEE FARM LLC
105 FOULK RD.
WILMINGTON, DELAWARE 19803
(302)422-0945

ENGINEER/SURVEYOR
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE 19963
(302)424-1441



LOCATION MAP
SCALE: 1" = 400'

LEGEND

EXISTING		PROPOSED	
RIGHT-OF-WAY	EX-RW	RIGHT-OF-WAY / BOUNDARY LINE	
ADJACENT PROPERTY LINE		PROPERTY LINE	
EASEMENT	PE	SETBACK	
DELMARVA POWER LINES	DP-E	EASEMENT	
SWALE/DRAINAGE DITCH		LANDSCAPE BUFFER	
CONTOUR	33	STORM SEWER IDENTIFICATION, CATCH BASIN, MANHOLE, PIPE	
CATCH BASIN, STORM PIPE		SANITARY SEWER IDENTIFICATION, MANHOLE, PIPE, FLOW ARROW, PIPE SIZE	8SS
SANITARY SEWER MANHOLE, PIPE	EX-SS	WATER MAIN, TEE W/ VALVES, PIPE SIZE	8W
WATER MAIN	EX-W	FIRE HYDRANT ASSEMBLY	
FIRE HYDRANT ASSEMBLY		SIGN	
UTILITY POLE		TREE LINE	
SIGN		PAVEMENT	
FENCE		SIDEWALK	
TREE LINE			

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CITY OF MILFORD GENERAL NOTES

1. THE BOUNDARY INFORMATION SHOWN ON THESE DRAWINGS IS BASED ON A SURVEY PERFORMED BY DAVIS, BOWEN & FRIEDEL, INC. IN AUGUST 2005.
2. A TOPOGRAPHIC SURVEY WAS PERFORMED BY DAVIS, BOWEN & FRIEDEL, INC. IN AUGUST 2005. ELEVATIONS ARE BASED ON CONTROL MONUMENT FOUND, WITH AN ELEVATION OF 42.56 NGVD88.
3. HORIZONTAL DATUM IS BASED ON DELAWARE STATE GRID, NAD83, CONTROL MONUMENTS FOUND.
4. HYDRIC SOILS ARE NOT INDICATED AS BEING PRESENT ACCORDING TO THE SUSSEX COUNTY SOIL SURVEY. SOILS HAVE BEEN INSPECTED BY ENVIRONMENTAL RESOURCES, INC A LICENSED WETLANDS SCIENTIST.
5. 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.
6. 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.
7. USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACKFILLING TRENCHES.
8. 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.
9. 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.
10. 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.
11. CONDUCTIVE TRACER WIRE SHALL BE INSTALLED WITH ALL NON-METALLIC WATER PIPE AND SERVICES; AND ALONG ALL SEWER LATERALS AND FORCE MAIN. 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.
12. PRIOR TO ISOLATION AND CUT-IN PROCEDURES, CONTRACTOR SHALL EXCAVATE, LOCATE, AND OBSERVE FUNCTION OF ALL EXISTING VALVES TO ASSIST IN THE SYSTEM ISOLATION.
13. 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).
14. 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.
15. THERE SHALL BE A MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWER MAINS AND FORCE MAINS 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 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.
16. 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 ENCASING THE PIPE IN CONCRETE.
17. THIS PROPERTY IS NOT LOCATED IN THE FLOOD ZONE AS DETERMINED BY FEMA PANEL 10005C0039J DATED JANUARY 06, 2005.
18. ALL ROADWAYS ARE TO BE SWEPT FREE OF SEDIMENT ON A DAILY BASIS.
19. 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.
20. 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.
21. THE STORM DRAINAGE SYSTEM HAS BEEN DESIGNED USING THE CRITERIA OF THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION DEVELOPMENT COORDINATION MANUAL, LATEST EDITION.
22. ALL FIRE LANES, FIRE HYDRANTS, EXITS, AND STANDPIPES WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. 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:
    a. ALL ITEMS HAVE PASSED CITY INSPECTION;
    b. THE CITY HAS RECEIVED AND APPROVED DIGITAL AND HARD COPIES OF THE RECORD DRAWINGS; AND
    c. THE RIGHTS-OF-WAY AND/OR EASEMENTS HAVE BEEN DEEDED TO THE CITY AND RECORDED WITH THE RECORDER OF DEEDS.
29. 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.
30. 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.
31. 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.
32. WITHIN 90 DAYS OF FINAL APPROVAL FROM CITY COUNCIL, THE SUBDIVIDER SHALL RECORD THE PLAT AT THE COUNTY RECORDER OF DEEDS OFFICE. FAILURE TO RECORD THE APPROVED PLAT WITHIN ONE YEAR FROM THE DATE OF CITY COUNCIL APPROVAL SHALL VOID THE FINAL APPROVAL. IN ORDER TO OBTAIN FINAL APPROVAL AFTER IT HAS BEEN VOIDED, THE SUBDIVIDER MUST MAKE APPLICATION FOR FINAL APPROVAL AGAIN. FAILURE TO RECORD THE APPROVED PLAT IN MORE THAN ONE YEAR FROM THE DATE OF CITY COUNCIL APPROVAL SHALL VOID THE PRELIMINARY APPROVAL AND FINAL APPROVAL. IN ORDER TO OBTAIN PRELIMINARY AND FINAL APPROVAL AFTER THEY HAVE BEEN VOIDED, THE SUBDIVIDER MUST MAKE APPLICATION FOR AND RECEIVE PRELIMINARY APPROVAL, THEN MAKE APPLICATION FOR AND RECEIVE FINAL APPROVAL.
33. IF CONSTRUCTION OF IMPROVEMENTS SHOWN ON THE RECORDED SUBDIVISION PLANS DO NOT COMMENCE WITHIN FIVE YEARS OF THE ORIGINAL RECORDATION DATE, AND CONTINUE PROGRESSING TOWARDS COMPLETION, THE SUBDIVISION IS SUBJECT TO EXPIRATION PER CHAPTER 200-9 OF THE CITY CODE.
34. 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.
35. 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.
36. 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.
37. 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 NEXT TO IT. WHEN 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 PLANE, NAD 83 HORIZONTAL CONTROL AND NAVD88 VERTICAL CONTROL. RECORD PLAN INFORMATION SHALL INCLUDE SURVEYED AS-BUILT ELEVATIONS AND HORIZONTAL LOCATIONS OF THE FOLLOWING:
    a. ALL PROPERTY MONUMENTS/MARKERS;
    b. SEWER MANHOLE RIM & INVERT ELEVATIONS, WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, PUMP STATION RIM, BOTTOM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, FORCE MAIN INVERT ELEVATIONS EVERY 50 FEET, FORCE MAIN AIR RELEASE VALVE RIM & INVERT ELEVATIONS, SEWER CLEANOUTS RIM & INVERT ELEVATIONS, AND GREASE TRAP RIM, BOTTOM & INVERT ELEVATIONS;
    c. WATER VALVES, FIRE HYDRANTS, METER VAULTS, METER PITS, AND CURB STOPS;
    d. STORM SEWER CATCH BASIN AND/OR MANHOLE GRATE, RIM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED; AND
    e. ANY OTHER ITEM WHICH WILL BE TAKEN OVER BY THE CITY.
38. 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.
39. SOURCE WATER PROTECTION AREAS ARE NOT LOCATED ON SITE.
40. FEDERALLY REGULATED WETLANDS ARE NOT PRESENT ON SITE.
41. ALL RIGHT OF WAYS SHOWN ON THIS PLAT SHALL BE DEDICATED TO THE PUBLIC USE UPON RECORDATION OF THESE PLATS.
42. ALL SUBDIVISION LOTS SHALL HAVE A 5 FOOT PUBLIC EASEMENT ALONG LOT LINES FOR A TOTAL EASEMENT WIDTH OF AT LEAST TEN FEET ALONG A LOT LINE COMMON TO TWO LOTS AND A TEN FOOT WIDE EASEMENT ALONG FRONT PROPERTY LINES WITHIN THE SUBDIVISION. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION SHALL BE TEN FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY.
43. NO PLANTINGS OR IMPROVEMENTS MAY BE PLACED IN THE DEDICATED EASEMENT AREAS, EXCEPT FOR FENCES.

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

ENGINEER'S STATEMENT

I, W. ZACHARY CROUCH, P.E. 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.

W. ZACHARY CROUCH, P.E. — DATE
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.

SHAWNEE FARM LLC — DATE
105 FOULK RD.
WILMINGTON, DELAWARE 19803
(302) 422-0945

PREVIOUSLY APPROVED DEVIATIONS FROM R3 ZONING CODE

1. FOR SINGLE FAMILY CORNER LOTS ALLOW ONE EDGE OF THE CORNER TO USE A SIDE BUILDING SETBACK RATHER THAN TWO FRONT SETBACKS.
2. MULTI-FAMILY PARKING REQUIREMENT REDUCED FROM 2.5 SPACES PER DWELLING UNIT TO 2 SPACES PER DWELLING UNIT.
3. GARDEN OR LOW RISE APARTMENTS ARE NOT LIMITED TO 12 UNITS PER BUILDING BUT INSTEAD CAN HAVE UP TO 24 UNITS PER BUILDING.

ADDITIONAL CONDITIONS REQUIRED

1. 50' WIDE WOODED BUFFER TO BE PROVIDED IN OPEN SPACE ALONG ENTIRE SOUTHERN PROPERTY LINE SHARED WITH DELAWARE SOLID WASTE AUTHORITY.

ADDITIONAL DEVIATIONS REQUESTED FROM R3 ZONING CODE

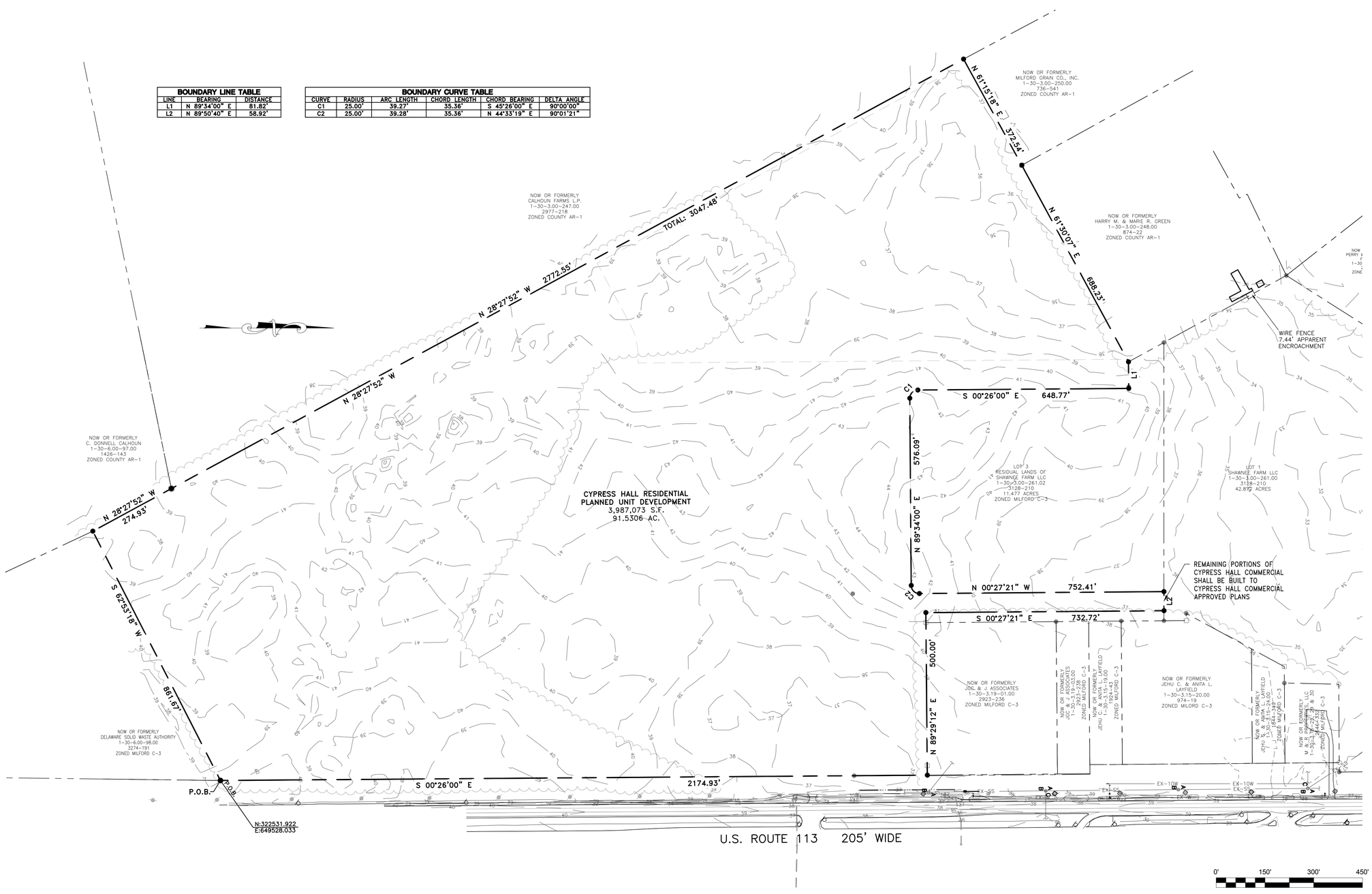
1. REQUEST THE LENGTH OF THE CUL-DE-SAC BE INCREASED FROM 400' TO 500'
2. REQUEST THE MAXIMUM BLOCK LENGTH BE EXTENDED FROM 1200' TO 1400'.
3. REQUEST THE MINIMUM BLOCK WIDTH BE REDUCED FROM 275' TO 240'.

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°34'00" E	81.82'
L2	N 89°50'40" E	58.92'

BOUNDARY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	39.27'	35.36'	S 45°26'00" E	90°00'00"
C2	25.00'	39.28'	35.36'	N 44°33'19" E	90°01'21"



DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
OCEAN CITY, MARYLAND (302) 641-1441
EASTON, MARYLAND (410) 770-4744

CYPRESS HALL - RESIDENTIAL
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

PHASE 3 EXISTING CONDITIONS PLAN

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: NOVEMBER 2021
Scale: 1" = 150'
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: PL-02

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\\mil0\Civil\Louis Capano-Client 080\1423A005 - Cypress Hall Single Family\Design\Preliminary\1423A005 - PRELIMINARY - EXISTING CONDITIONS PLAN.dwg Feb 07, 2022 - 1:21pm mcka

PHASE 3 SITE PLANS

SHEETS PL-03 TO PL-05

LOT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
PC-1	120.00'	0.52'	0.52'	S 89°26'36" W	0°14'48"
PC-2	25.00'	39.27'	35.36'	N 45°26'00" W	90°00'00"
PC-3	25.00'	39.27'	35.36'	N 44°34'00" E	90°00'00"
PC-4	175.00'	7.46'	7.46'	S 88°20'45" W	2°26'29"
PC-5	175.00'	67.25'	66.84'	S 76°06'57" W	22°01'08"
PC-6	175.00'	10.91'	10.90'	S 63°19'15" W	3°34'15"
PC-7	25.00'	39.27'	35.36'	S 73°27'52" E	90°00'00"
PC-8	25.00'	39.27'	35.36'	N 73°27'53" W	90°00'00"
PC-9	25.00'	39.27'	35.36'	N 16°32'08" E	90°00'00"
PC-10	25.00'	39.27'	35.36'	N 73°27'53" W	90°00'00"
PC-11	170.00'	58.83'	58.54'	S 38°22'42" E	19°49'38"
PC-12	170.00'	60.85'	60.53'	S 58°32'46" E	20°30'30"
PC-13	170.00'	60.85'	60.53'	S 79°03'16" E	20°30'30"
PC-14	170.00'	60.85'	60.53'	N 80°26'14" E	20°30'30"
PC-15	170.00'	21.64'	21.63'	N 66°32'08" E	7°17'42"
PC-16	170.00'	60.84'	60.51'	N 52°38'11" E	20°30'14"
PC-17	170.00'	60.85'	60.53'	N 32°07'49" E	20°30'30"
PC-18	170.00'	60.85'	60.53'	N 11°37'19" E	20°30'30"
PC-19	170.00'	5.34'	5.34'	N 00°28'02" E	1°48'04"
PC-20	25.50'	1.05'	1.05'	S 00°44'28" W	2°20'56"
PC-21	25.50'	12.52'	12.39'	S 15°58'44" W	28°07'37"
PC-22	50.50'	59.61'	56.21'	N 03°46'20" W	67°37'46"
PC-23	50.50'	42.30'	41.08'	S 12°43'13" W	47°59'48"
PC-24	50.50'	45.22'	43.73'	S 36°55'57" E	51°18'32"
PC-25	25.50'	8.10'	8.07'	N 53°29'07" W	18°12'11"
PC-26	25.50'	19.56'	19.08'	N 22°24'32" W	43°58'59"
PC-27	25.00'	39.27'	35.36'	N 44°34'00" E	90°00'00"
PC-28	25.00'	39.27'	35.36'	S 45°26'00" E	90°00'00"
PC-29	25.00'	39.27'	35.36'	S 44°34'00" W	90°00'00"
PC-30	25.00'	39.27'	35.36'	N 45°26'00" W	90°00'00"
PC-31	25.00'	39.27'	35.36'	N 44°34'00" E	90°00'00"
PC-32	25.00'	39.27'	35.36'	S 45°26'00" E	90°00'00"
PC-33	25.00'	39.27'	35.36'	S 44°34'00" W	90°00'00"
PC-34	25.00'	39.27'	35.36'	N 45°26'00" W	90°00'00"
PC-35	120.00'	66.31'	65.47'	N 15°23'49" E	31°39'39"
PC-36	120.00'	66.31'	65.47'	N 47°03'28" E	31°39'39"
PC-37	120.00'	185.66'	167.69'	S 72°47'18" E	88°38'50"
PC-38	25.00'	39.27'	35.36'	S 16°32'08" W	90°00'00"
PC-39	330.00'	34.05'	34.04'	N 58°54'46" E	5°54'44"
PC-40	330.00'	60.00'	59.91'	N 50°24'54" E	10°25'00"
PC-41	330.00'	60.00'	59.91'	N 39°59'54" E	10°25'00"
PC-42	330.00'	60.00'	59.91'	N 29°34'54" E	10°25'00"
PC-43	330.00'	60.00'	59.91'	N 19°09'54" E	10°25'00"
PC-44	330.00'	60.00'	59.91'	N 08°44'54" E	10°25'00"
PC-45	330.00'	22.89'	22.88'	N 01°33'12" E	3°58'24"
PC-46	25.00'	39.27'	35.36'	N 16°32'08" E	90°00'00"
PC-47	25.00'	39.27'	35.36'	S 73°27'52" E	90°00'00"
PC-48	450.00'	46.43'	46.41'	N 58°54'46" E	5°54'44"
PC-49	450.00'	81.81'	81.70'	N 50°24'54" E	10°25'00"
PC-50	450.00'	81.81'	81.70'	N 39°59'54" E	10°25'00"
PC-51	450.00'	81.81'	81.70'	N 29°34'54" E	10°25'00"
PC-52	450.00'	81.81'	81.70'	N 19°09'54" E	10°25'00"
PC-53	450.00'	81.81'	81.70'	N 08°44'54" E	10°25'00"
PC-54	450.00'	31.21'	31.20'	N 01°33'12" E	3°58'24"

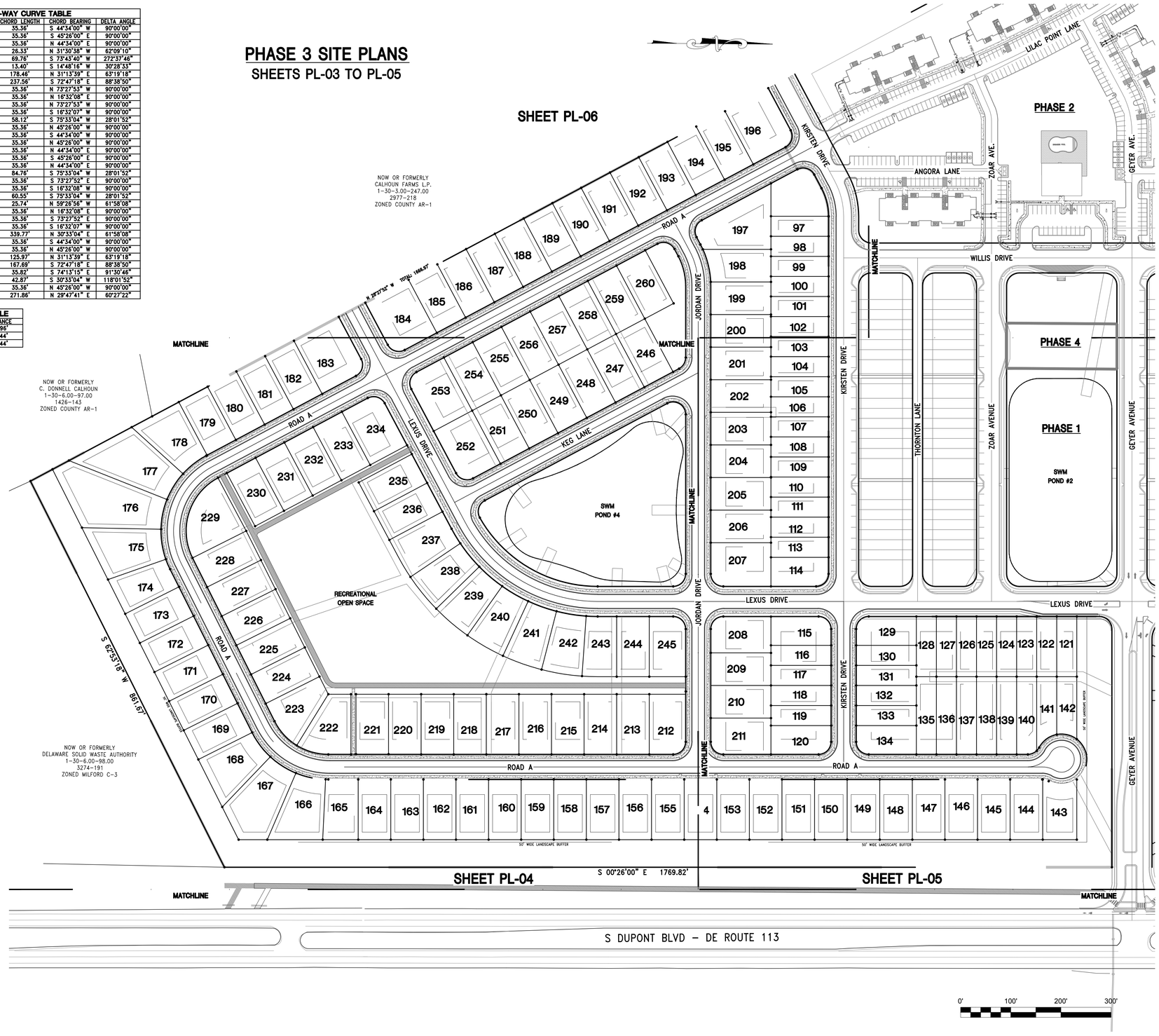
RIGHT-OF-WAY CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC-1	25.00'	39.27'	35.36'	S 44°34'00" W	90°00'00"
RC-2	25.00'	39.27'	35.36'	S 45°26'00" E	90°00'00"
RC-3	25.00'	39.27'	35.36'	N 44°34'00" E	90°00'00"
RC-4	25.50'	27.66'	26.33'	N 31°30'38" W	62°09'10"
RC-5	50.50'	240.29'	69.76'	S 73°43'40" W	272°37'46"
RC-6	25.50'	13.56'	13.40'	S 14°48'16" W	30°28'33"
RC-7	170.00'	187.88'	178.46'	N 31°13'39" E	63°19'18"
RC-8	170.00'	263.02'	237.56'	S 72°47'18" E	88°38'50"
RC-9	25.00'	39.27'	35.36'	N 73°27'53" W	90°00'00"
RC-10	25.00'	39.27'	35.36'	N 16°32'08" E	90°00'00"
RC-11	25.00'	39.27'	35.36'	N 73°27'53" W	90°00'00"
RC-12	25.00'	39.27'	35.36'	S 16°32'07" W	90°00'00"
RC-13	120.00'	58.71'	58.12'	S 75°33'04" W	28°01'52"
RC-14	25.00'	39.27'	35.36'	N 45°26'00" W	90°00'00"
RC-15	25.00'	39.27'	35.36'	S 44°34'00" W	90°00'00"
RC-16	25.00'	39.27'	35.36'	N 45°26'00" W	90°00'00"
RC-17	25.00'	39.27'	35.36'	N 44°34'00" E	90°00'00"
RC-18	25.00'	39.27'	35.36'	S 45°26'00" E	90°00'00"
RC-19	25.00'	39.27'	35.36'	N 44°34'00" E	90°00'00"
RC-20	175.00'	85.62'	84.76'	S 75°33'04" W	28°01'52"
RC-21	25.00'	39.27'	35.36'	S 73°27'52" E	90°00'00"
RC-22	25.00'	39.27'	35.36'	S 16°32'08" W	90°00'00"
RC-23	125.00'	61.15'	60.55'	S 75°33'04" W	28°01'52"
RC-24	25.00'	27.04'	25.74'	N 59°26'56" W	61°58'08"
RC-25	25.00'	39.27'	35.36'	N 16°32'08" E	90°00'00"
RC-26	25.00'	39.27'	35.36'	S 73°27'52" E	90°00'00"
RC-27	25.00'	39.27'	35.36'	S 16°32'07" W	90°00'00"
RC-28	330.00'	356.92'	339.77'	N 30°33'04" E	61°58'08"
RC-29	25.00'	39.27'	35.36'	S 44°34'00" W	90°00'00"
RC-30	25.00'	39.27'	35.36'	N 45°26'00" W	90°00'00"
RC-31	120.00'	132.62'	125.97'	N 31°13'39" E	63°19'18"
RC-32	120.00'	185.66'	167.69'	S 72°47'18" E	88°38'50"
RC-33	25.00'	39.93'	35.82'	S 74°13'15" E	91°30'46"
RC-34	25.00'	51.50'	42.87'	S 30°33'04" W	118°01'52"
RC-35	25.00'	39.27'	35.36'	N 45°26'00" W	90°00'00"
RC-36	270.00'	284.89'	271.86'	N 29°47'41" E	60°27'22"

RIGHT-OF-WAY LINE TABLE		
LINE	BEARING	DISTANCE
RL-1	N 61°32'08" E	30.96'
RL-2	S 61°32'08" W	16.44'
RL-3	N 61°32'08" E	16.44'

LINE TABLE		
LINE	BEARING	DISTANCE
PL-1	S 61°32'08" W	16.44'
PL-2	N 28°27'53" W	2.02'

OPEN SPACE AREA TABLE		
LOT #	SQ. FT.	ACRES
OPEN SPACE A	168,654±	3.8718±
OPEN SPACE B	140,486±	3.2251±
OPEN SPACE C	12,705±	0.2917±
OPEN SPACE D	8,887±	0.2040±
SWM AREA	103,164±	2.3683±

LOT AREA TABLE								
LOT #	Sq. Feet	Acres	LOT #	Sq. Feet	Acres	LOT #	Sq. Feet	Acres
97	4,600±	0.1056±	152	7,800±	0.1791±	206	7,800±	0.1791±
98	4,600±	0.1056±	153	7,800±	0.1791±	207	10,306±	0.2366±
99	4,600±	0.1056±	154	7,800±	0.1791±	208	8,566±	0.1966±
100	4,600±	0.1056±	155	7,800±	0.1791±	209	7,800±	0.1791±
101	4,600±	0.1056±	156	7,800±	0.1791±	210	7,800±	0.1791±
102	4,600±	0.1056±	157	7,800±	0.1791±	211	8,566±	0.1966±
103	4,600±	0.1056±	158	7,800±	0.1791±	212	8,566±	0.1966±
104	4,600±	0.1056±	159	7,800±	0.1791±	213	7,800±	0.1791±
105	4,600±	0.1056±	160	7,800±	0.1791±	214	7,800±	0.1791±
106	4,600±	0.1056±	161	7,800±	0.1791±	215	7,800±	0.1791±
107	4,600±	0.1056±	162	7,800±	0.1791±	216	7,800±	0.1791±
108	4,600±	0.1056±	163	7,800±	0.1791±	217	7,800±	0.1791±
109	4,600±	0.1056±	164	7,800±	0.1791±	218	7,800±	0.1791±
110	4,600±	0.1056±	165	8,148±	0.1871±	219	7,800±	0.1791±
111	4,600±	0.1056±	166	10,812±	0.2482±	220	7,800±	0.1791±
112	4,600±	0.1056±	167	13,699±	0.3145±	221	7,800±	0.1791±
113	4,600±	0.1056±	168	10,392±	0.2386±	222	9,398±	0.2157±
114	6,536±	0.1500±	169	7,800±	0.1791±	223	8,701±	0.1998±
115	6,766±	0.1553±	170	7,800±	0.1791±	224	7,800±	0.1791±
116	4,800±	0.1102±	171	7,800±	0.1791±	225	7,800±	0.1791±
117	4,800±	0.1102±	172	7,800±	0.1791±	226	7,800±	0.1791±
118	4,800±	0.1102±	173	7,800±	0.1791±	227	7,800±	0.1791±
119	4,800±	0.1102±	174	8,266±	0.1898±	228	7,800±	0.1791±
120	6,766±	0.1553±	175	11,618±	0.2667±	229	11,140±	0.2557±
121	4,800±	0.1102±	176	19,086±	0.4381±	230	7,800±	0.1791±
122	4,800±	0.1102±	177	15,372±	0.3529±	231	7,800±	0.1791±
123	4,800±	0.1102±	178	10,404±	0.2388±	232	7,800±	0.1791±
124	4,800±	0.1102±	179	7,800±	0.1791±	233	7,800±	0.1791±
125	4,800±	0.1102±	180	7,800±	0.1791±	234	9,870±	0.2266±
126	4,800±	0.1102±	181	7,800±	0.1791±	235	7,800±	0.1791±
127	4,800±	0.1102±	182	7,800±	0.1791±	236	7,800±	0.1791±
128	4,800±	0.1102±	183	12,028±	0.2761±	237	9,453±	0.2170±
129	6,766±	0.1553±	184	11,587±	0.2660±	238	8,508±	0.1953±
130	4,800±	0.1102±	185	7,800±	0.1791±	239	8,508±	0.1953±
131	4,800±	0.1102±	186	7,800±	0.1791±	240	8,508±	0.1953±
132	4,800±	0.1102±	187	7,800±	0.1791±	241	8,508±	0.1953±
133	4,800±	0.1102±	188	7,800±	0.1791±	242	8,508±	0.1953±
134	6,766±	0.1553±	189	7,800±	0.1791±	243	7,819±	0.1795±
135	6,200±	0.1423±	190	7,800±	0.1791±	244	7,800±	0.1791±
136	6,200±	0.1423±	191	7,800±	0.1791±	245	8,566±	0.1966±
137	6,200±	0.1423±	192	7,800±	0.1791±	246	7,800±	0.1791±
138	6,200±	0.1423±	193	7,800±	0.1791±	247	7,800±	0.1791±
139	6,200±	0.1423±	194	7,800±	0.1791±	248	7,800±	0.1791±
140	6,161±	0.1414±	195	7,800±	0.1791±	249	7,800±	0.1791±
141	5,070±	0.1164±	196	11,587±	0.2660±	250	7,800±	0.1791±
142	4,682±	0.1075±	197	13,527±	0.3105±	251	7,800±	0.1791±
143	7,713±	0.1771±	198	15,972±	0.3667±	252	10,306±	0.2366±
144	7,800±	0.1791±	198	8,172±	0.1876±	253	10,306±	0.2366±
145	7,800±	0.1791±	199	7,800±	0.1791±	254	7,800±	0.1791±
146	7,800±	0.1791±	200	7,800±	0.1791±	255	7,800±	0.1791±
147	7,800±	0.1791±	201	7,800±	0.1791±	256	7,800±	0.1791±
148	7,800±	0.1791±	202	7,800±	0.1791±	257	7,800±	0.1791±
149	7,800±	0.1791±	203	7,800±	0.1791±	258	7,800±	0.1791±
150	7,800±	0.1791±	204	7,800±	0.1791±	259	7,800±	0.1791±
151	7,800±	0.1791±	205	7,800±	0.1791±	260	7,800±	0.1791±



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

PRELIMINARY PHASE 3 SITE PLAN OVERVIEW

CYPRESS HALL - RESIDENTIAL

CEDAR CREEK HUNDRED

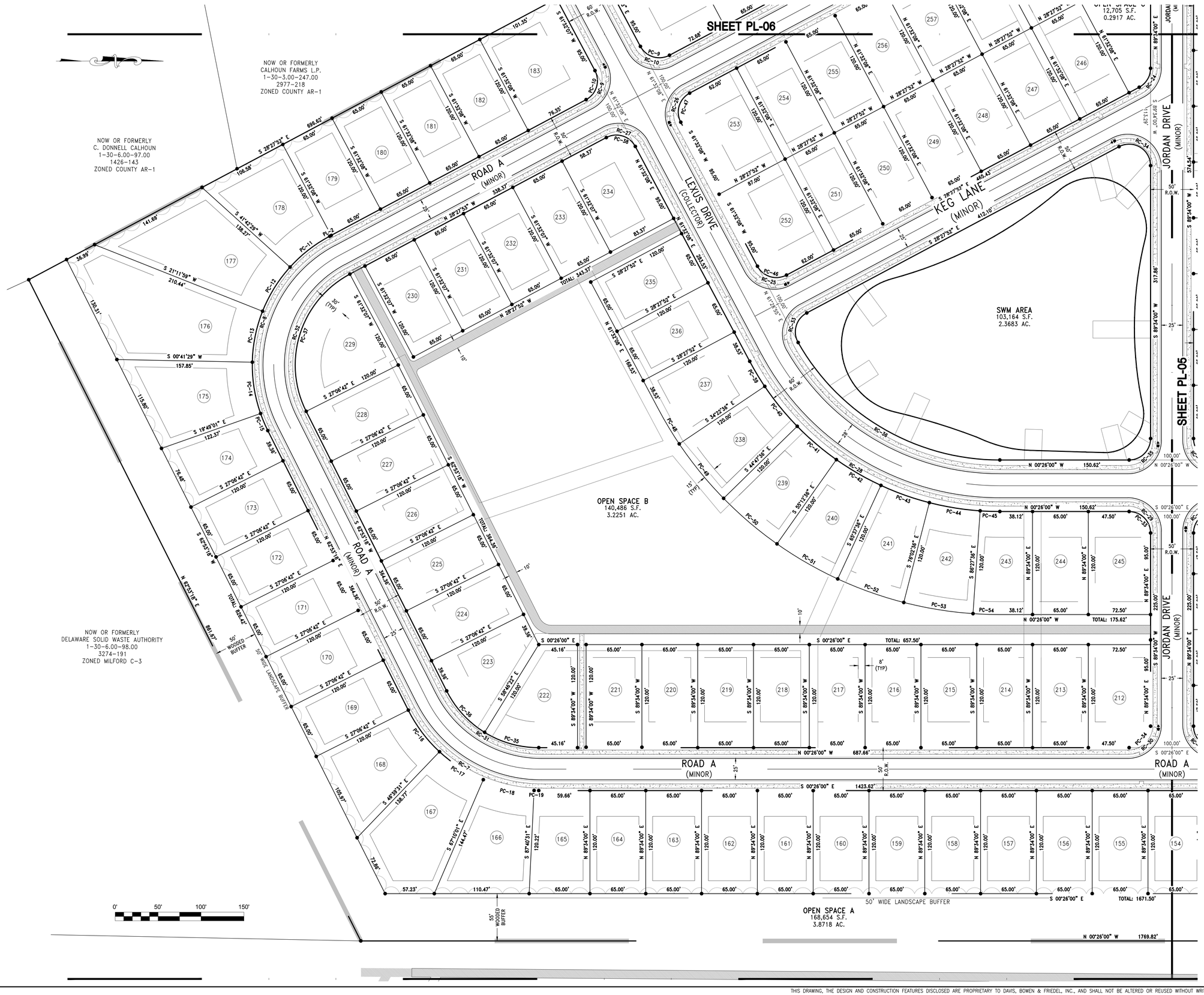
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: SEPTEMBER 2021
Scale: 1" = 100'
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: PL-03

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\\mil01\Civil\Louis Capano-Client 0801\1423A005 - Cypress Hall Single Family\Design\Preliminary\1423A005 - PRELIMINARY - SITE PLAN.dwg Feb 07, 2022 - 1:22pm mcka



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ARCHITECTS ENGINEERS SURVEYORS
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OCEAN CITY, MARYLAND (302) 537-1441
EASTON, MARYLAND (410) 770-4744

PRELIMINARY PHASE 3 SITE PLAN

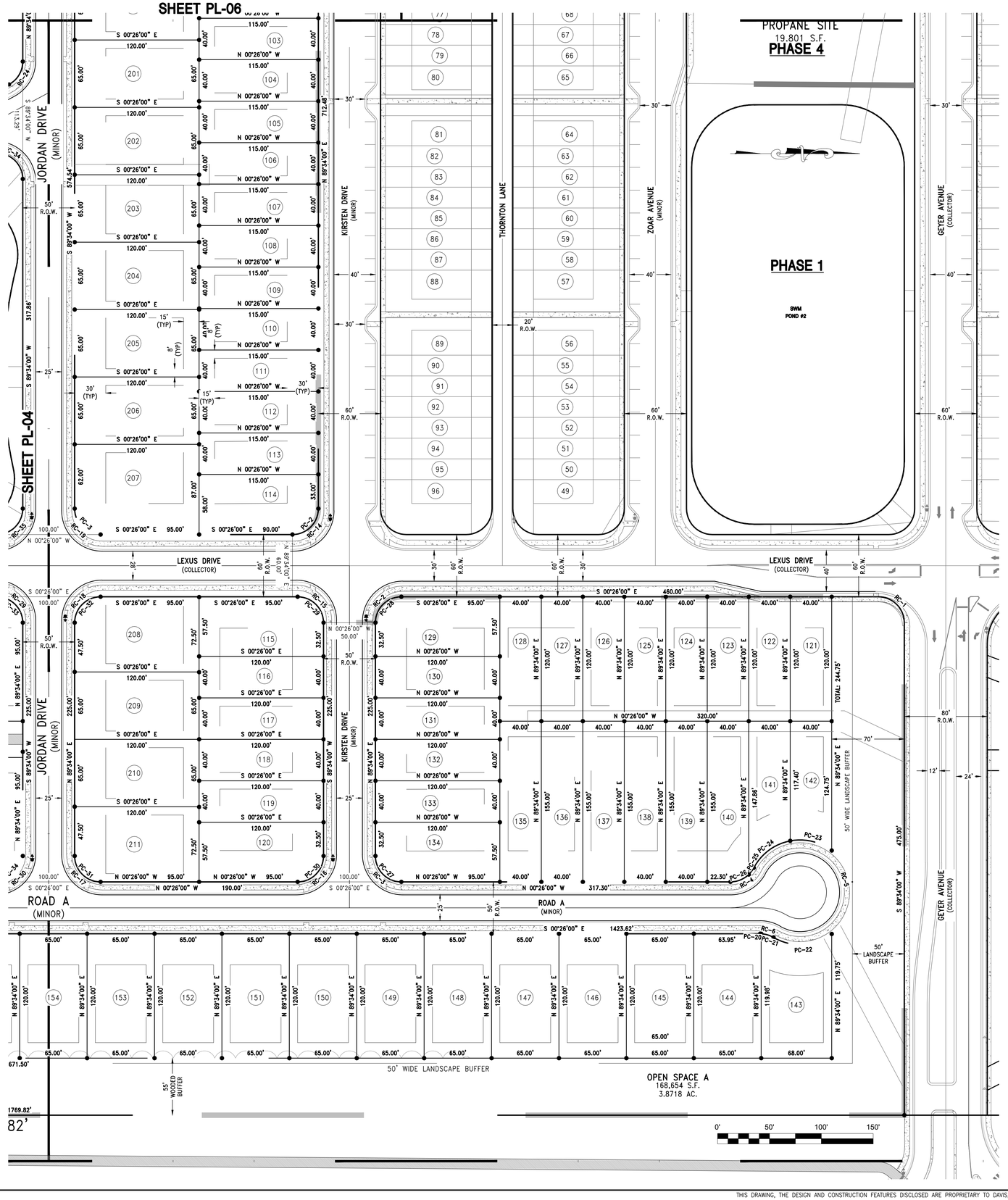
CYPRESS HALL - RESIDENTIAL
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: SEPTEMBER 2021
Scale: 1" = 50'
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: PL-04

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PRELIMINARY PHASE 3 SITE PLAN

CYPRESS HALL - RESIDENTIAL
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
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2022-01-07 KCI COMMENTS

Date: SEPTEMBER 2021
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NOW OR FORMERLY
CALHOUN FARMS L.P.
1-30-3.00-247.00
2977-218
ZONED COUNTY AR-1

SHEET PL-04

SHEET PL-05

ROAD A (MINOR)

JORDAN DRIVE (MINOR)

KIRSTEN DRIVE (MINOR)

OPEN SPACE D
12,705 S.F.
0.2917 AC.

OPEN SPACE E
9,462 S.F.
0.2172 AC.

0' 50' 100' 150'

CYPRESS HALL - RESIDENTIAL
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

PRELIMINARY PHASE 3 SITE PLAN

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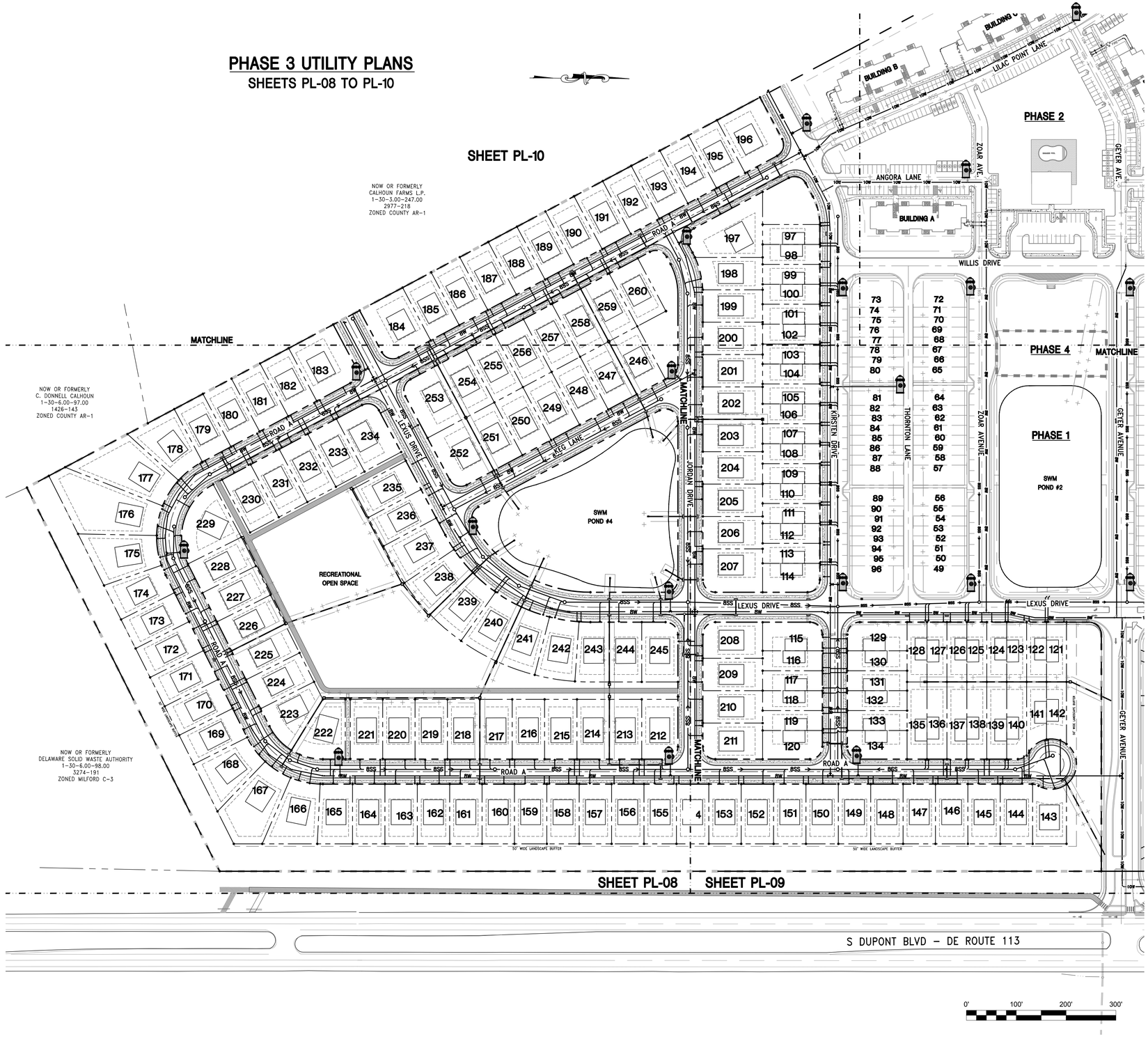
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PHASE 3 UTILITY PLANS

SHEETS PL-08 TO PL-10



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PRELIMINARY PHASE 3 UTILITY PLAN OVERVIEW

CYPRESS HALL - RESIDENTIAL

CEDAR CREEK HUNDRED

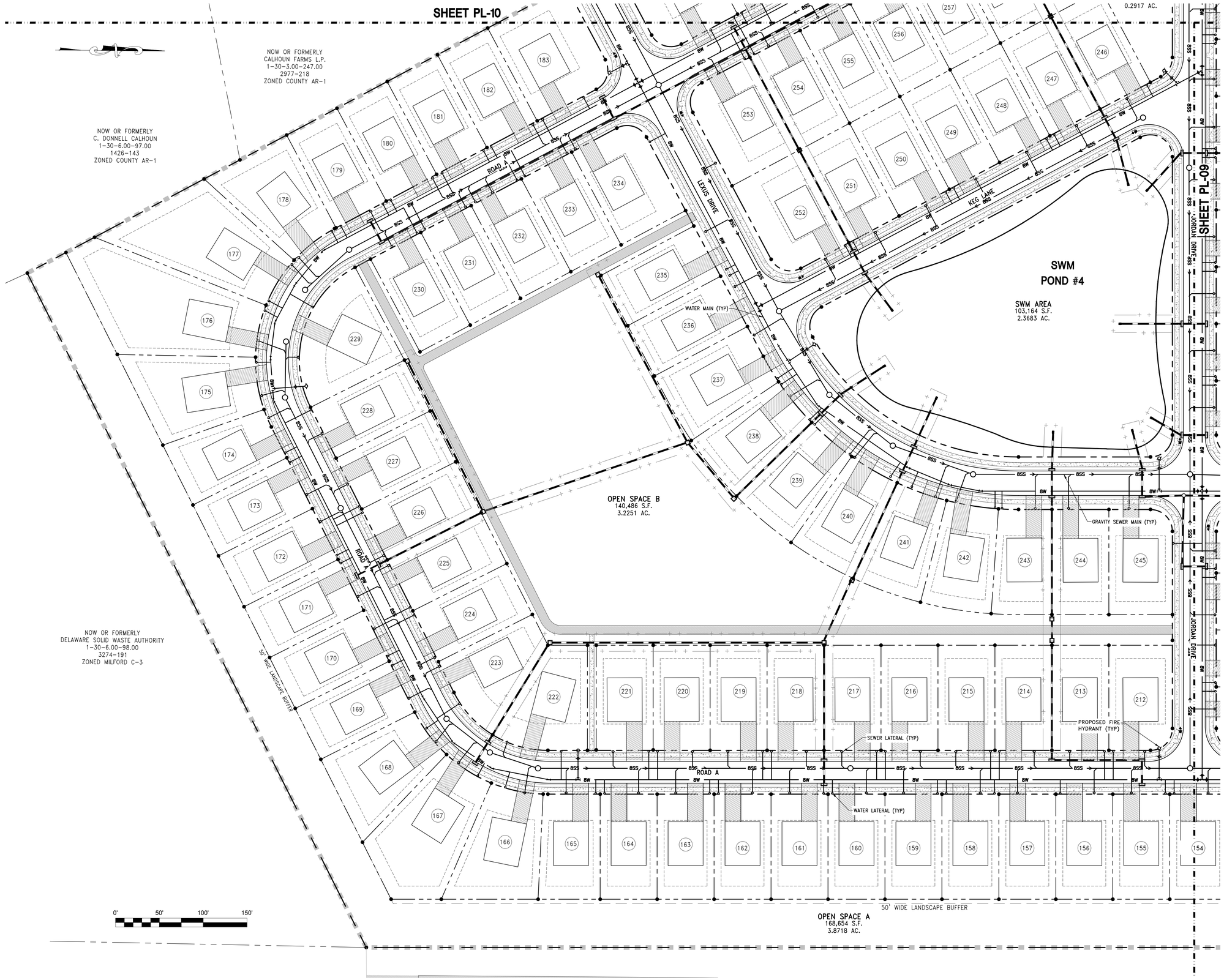
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PRELIMINARY PHASE 3 UTILITY PLAN

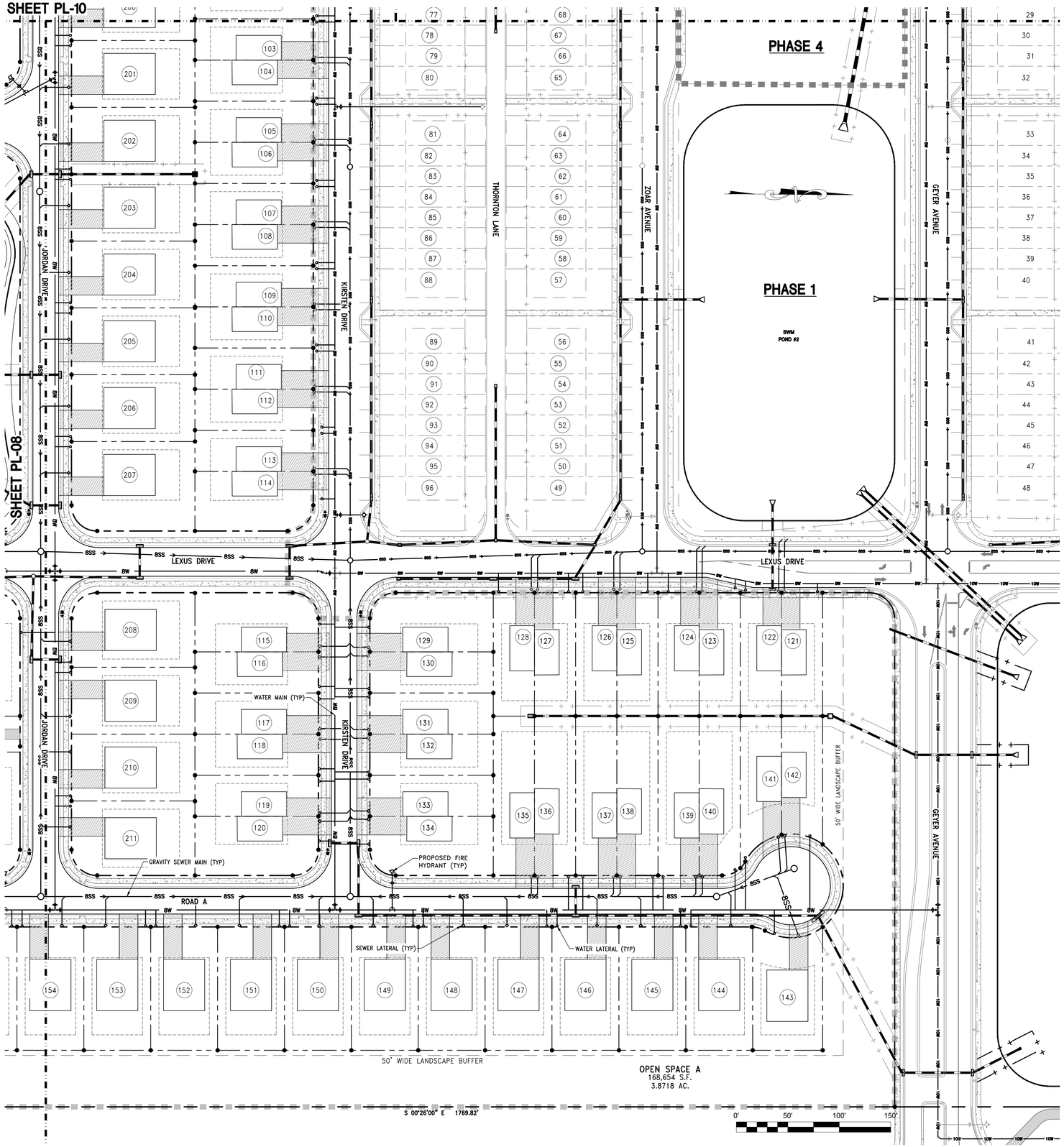
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PRELIMINARY PHASE 3 UTILITY PLAN

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CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
2021-11-23 KCI COMMENTS
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PRELIMINARY PHASE 3 UTILITY PLAN

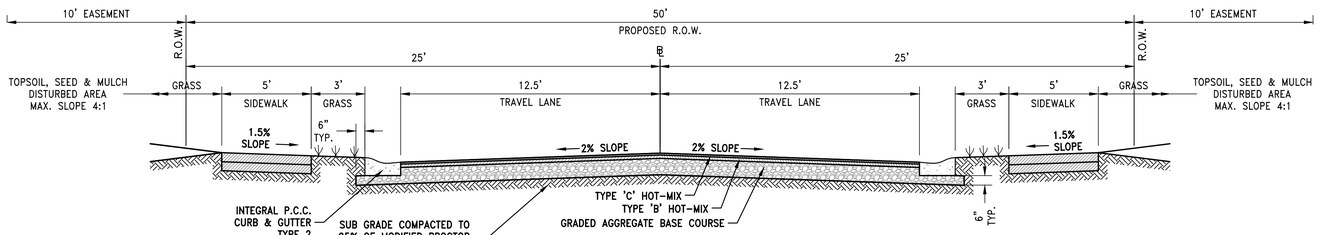
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Revisions:
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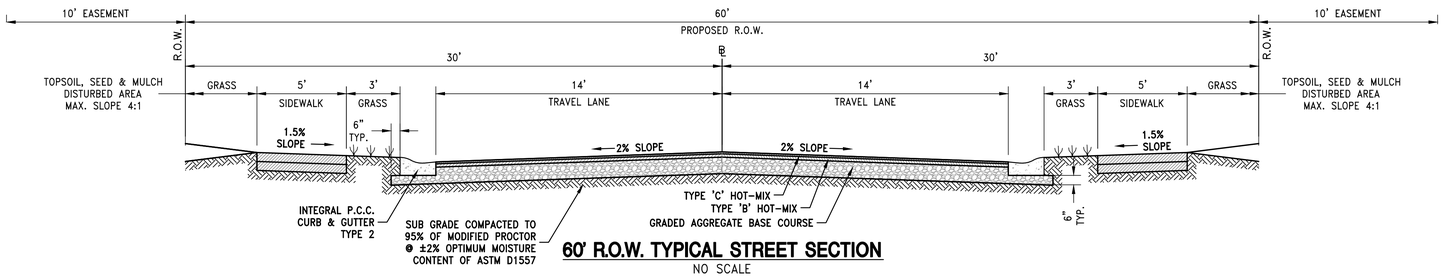
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50' R.O.W. TYPICAL STREET SECTION

NO SCALE

JORDAN DRIVE, KEG LANE, KIRSTEN DRIVE & ROAD A



60' R.O.W. TYPICAL STREET SECTION

NO SCALE

LEXUS DRIVE & KIRSTEN DRIVE

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PRELIMINARY PHASE 3 TYPICAL ROAD SECTIONS

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CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
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Date: AUGUST 2021
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Dwg.No.: PL-11

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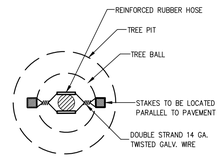
LANDSCAPE PLANT SCHEDULE

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
		DECIDUOUS TREE			
	AR	Acer rubrum 'Red Sunset'	RED MAPLE	1 3/4"–2" Cal., B&B	4
	BN	Betula nigra 'BNMTF'	DURA HEAT RIVER BIRCH	1 3/4"–2" Cal., B&B	5
	FG	Fagus grandifolia	AMERICAN BEECH	1 3/4 – 2" Cal., B&B	15
	QM	Quercus macrocarpa	WILLOW OAK	1 3/4"–2" Cal., B&B	12
	ZS	Zelkova serrata	JAPANESE ZELKOVA	1 3/4"–2" Cal., B&B	13
	GT	Gleditsia triacanthos 'Inermis'	THORNLESS HONEY LOCUST	1 3/4"–2" Cal., B&B	8
	TC	Tilia cordata	LITTLELEAF LINDEN	1 3/4"–2" Cal., B&B	9
		EVERGREEN TREE			
	PS	Pinus strobus	EASTERN WHITE PINE	5'/6' Ht., B&B	29
	JV	Juniperus virginiana	EASTERN RED CEDAR	5'/6' Ht., B&B	11
	TS	Tsuga canadensis	CANADIAN HEMLOCK	5'/6' Ht., B&B	17
			TOTAL		123

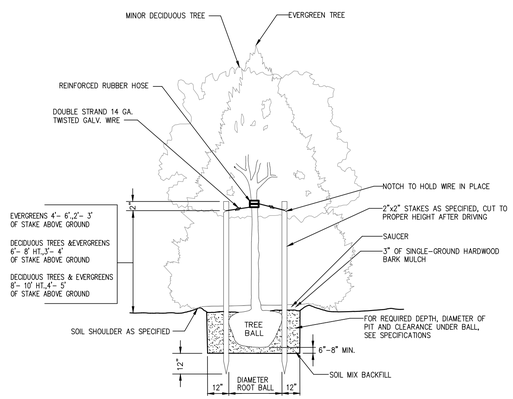


GENERAL LANDSCAPE NOTES

1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF 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 BARK 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.



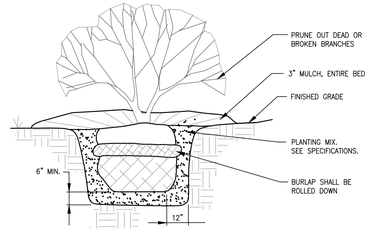
PLAN



SECTION

STAKING DETAIL

NO SCALE



SHRUB PLANTING DETAIL

NO SCALE

PHASE 3 LANDSCAPE PLANS

SHEETS PL-12 TO PL-15

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PRELIMINARY PHASE 3 LANDSCAPE PLAN OVERVIEW

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CEDAR CREEK HUNDRED

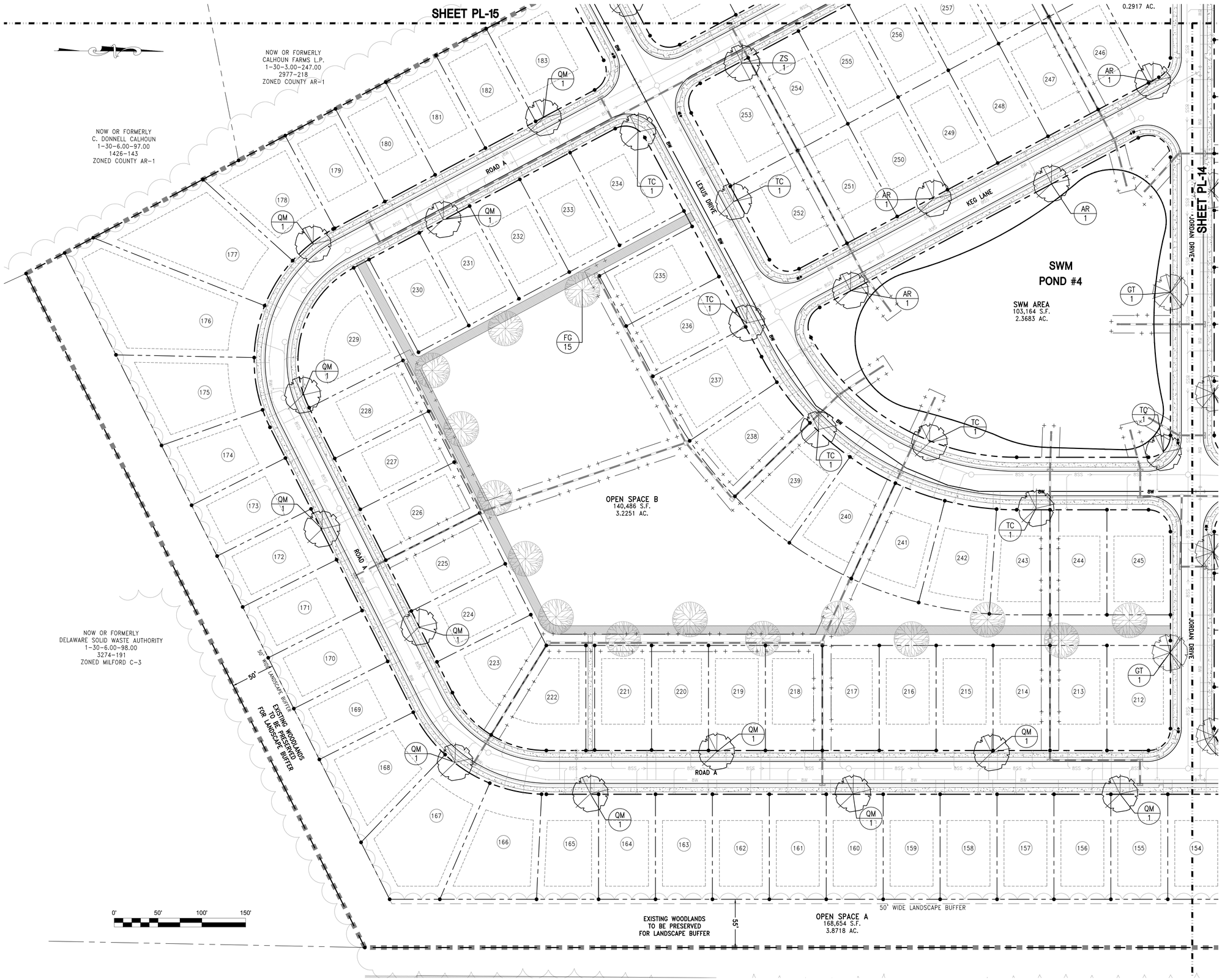
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PRELIMINARY PHASE 3 LANDSCAPE PLAN

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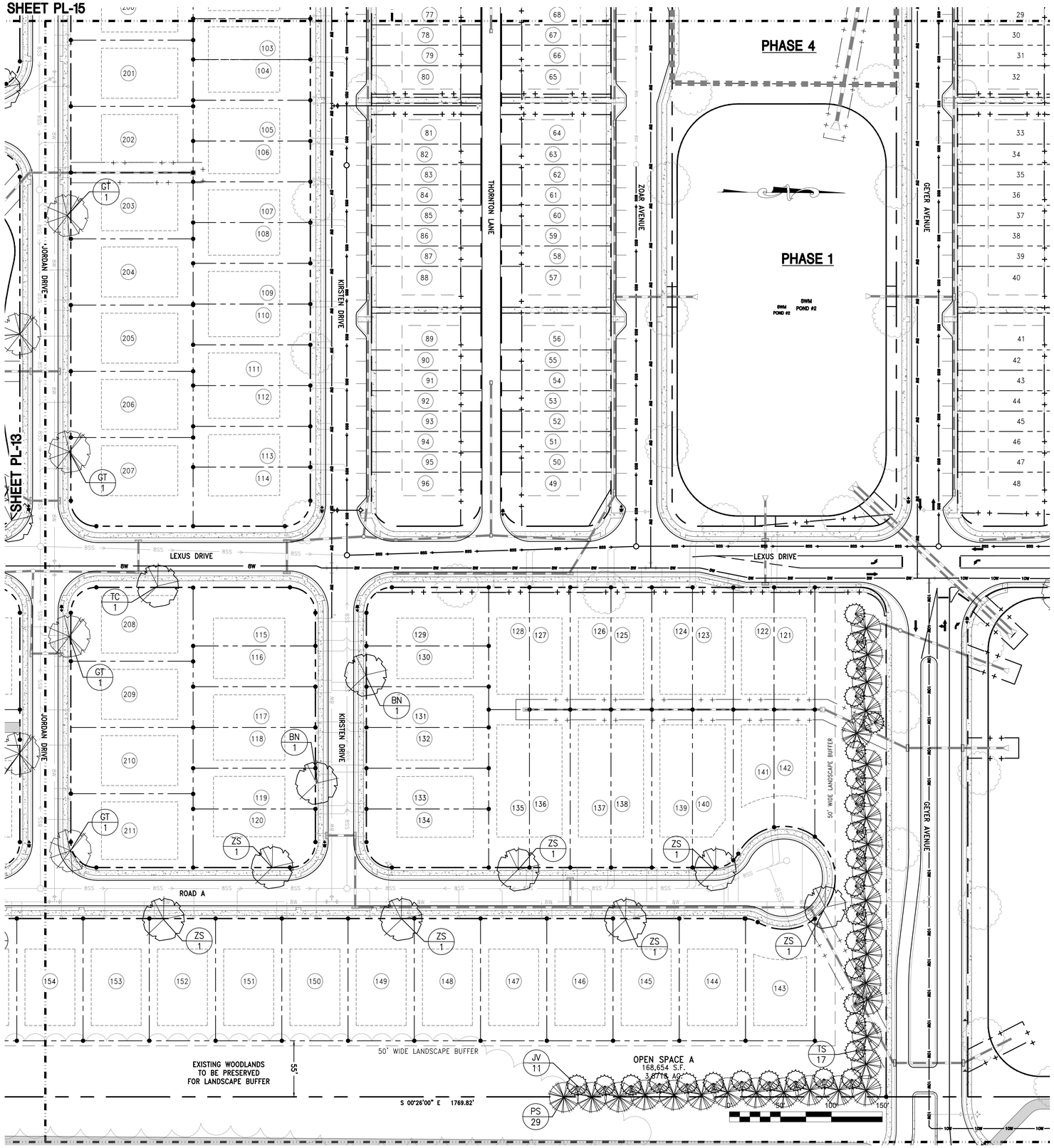
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PRELIMINARY PHASE 3 LANDSCAPE PLAN

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0' 50' 100' 150'

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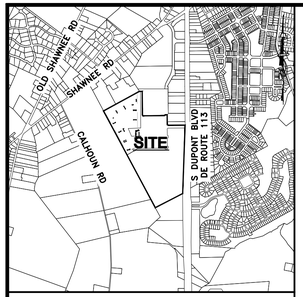
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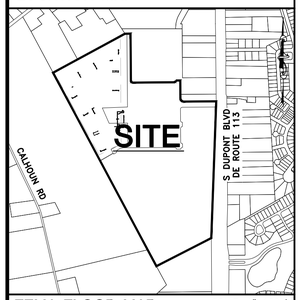
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CITY OF MILFORD, SUSSEX COUNTY, DELAWARE
DBF PROJECT # 1423A001
SEPTEMBER 2021

PLANNED UNIT DEVELOPMENT

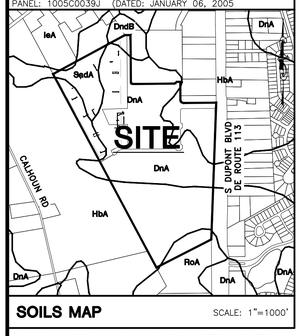
PHASE 3 - SINGLE FAMILY LOTS
TITLE SHEET



LOCATION MAP SCALE: 1"=2000'



FEMA FLOOD MAP SCALE: 1"=1000'
PANEL: 10005C0039J (DATED: JANUARY 06, 2005



SOILS MAP SCALE: 1"=1000'

DnA: DOWNER LOAMY SAND, 0 TO 2 PERCENT SLOPES
DndB: DOWNER LOAMY SAND, 2 TO 5 PERCENT SLOPES
FmA: FORT MOTT LOAMY SAND, 0 TO 2 PERCENT SLOPES
FmB: FORT MOTT LOAMY SAND, 2 TO 5 PERCENT SLOPES
HbA: HAMBROOK LOAMY SAND, 0–2 PERCENT SLOPES
IeA: INGLESIDE LOAMY SAND, 0 TO 2 PERCENT SLOPES
RoA: ROSEDALE LOAMY SAND, 2–5 PERCENT SLOPES
SadA: SASSAFRASS SANDY LOAM, 0–2 PERCENT SLOPES

DATA COLUMN

TAX MAP ID	1-30-03.00-261.01, 1-30-3.00-658.00 & 1-30-3.00-659.00
EXISTING ZONING	R-3
PROPOSED USE	PLANNED UNIT DEVELOPMENT
TOTAL SITE AREA	91.69 AC
NET DEVELOPMENT AREA	68.77 AC
PHASE 1 UNITS	
PROPOSED TOWNHOUSES UNITS	96 UNITS
PHASE 2 UNITS	
PROPOSED MULTI-FAMILY UNITS	
ONE BEDROOM (TYPE C BLDG)	60 UNITS (5 BUILDINGS)
TWO BEDROOM (TYPE A BLDG)	180 UNITS (15 BUILDINGS)
THREE BEDROOM (TYPE B BLDG)	48 UNITS (4 BUILDINGS)
TOTAL	288 GARDEN APARTMENTS
PHASE 3 UNITS	
PROPOSED SINGLE FAMILY SEMIDETACHED	46 LOTS
PROPOSED SINGLE FAMILY DETACHED	118 LOTS
TOTAL SINGLE FAMILY LOTS	164 LOTS
TOTAL DWELLING UNITS PROVIDED	548
TOTAL DENSITY (548 DU ÷ 91.69 AC)	5.98 DU/AC

R-2 ZONING SINGLE FAMILY SEMIDETACHED	REQUIRED	PROPOSED
MINIMUM LOT SIZE ALLOWED	4,000 S.F.	4,000 S.F.
MINIMUM LOT WIDTH	40'	40'
FRONT YARD SETBACK	30'	30'
SIDE YARD SETBACK	8'	8'
REAR YARD SETBACK	15'	15'
MAXIMUM LOT COVERAGE	30%	
MAXIMUM HEIGHT	35' OR 3 STORIES	
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT	

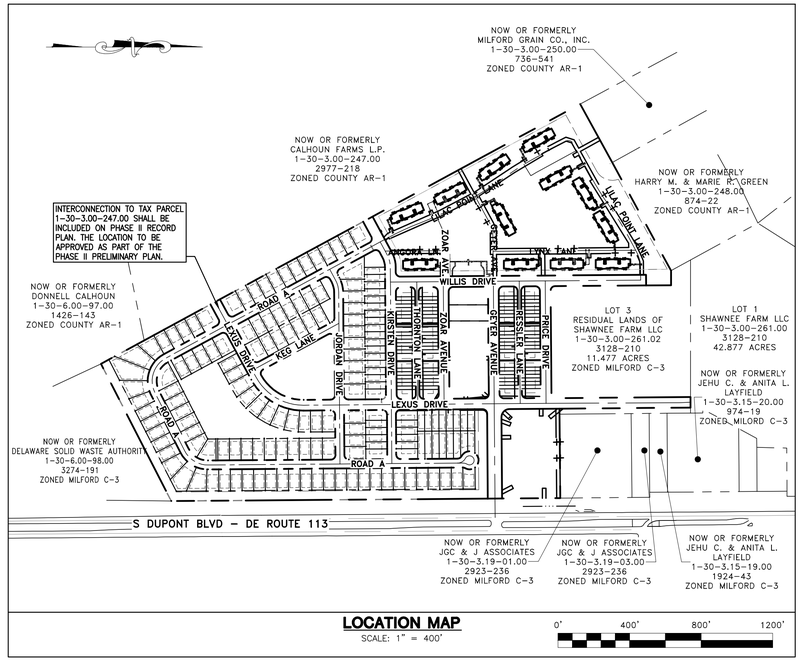
R-3 ZONING SINGLE FAMILY DETACHED	REQUIRED	PROPOSED
LOT SIZE	7,500 S.F.	7,800 S.F.
LOT WIDTH	60'	60'
FRONT YARD SETBACK	30'	30'
SIDE YARD SETBACK	8'	8'
REAR YARD SETBACK	15'	15'
MAXIMUM LOT COVERAGE	45%	
MAXIMUM HEIGHT	35' OR 3 STORIES	
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT	

R-3 ZONING REQUIREMENTS TOWNHOUSES	
MINIMUM LOT SIZE ALLOWED	2,000 S.F.
MINIMUM LOT WIDTH	20'
FRONT YARD SETBACK	30'
SIDE YARD SETBACK	8'
REAR YARD SETBACK	15'
MAXIMUM LOT COVERAGE	60%
MAXIMUM HEIGHT	35' OR 3 STORIES
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT
MAXIMUM DENSITY	12 UNITS PER ACRE

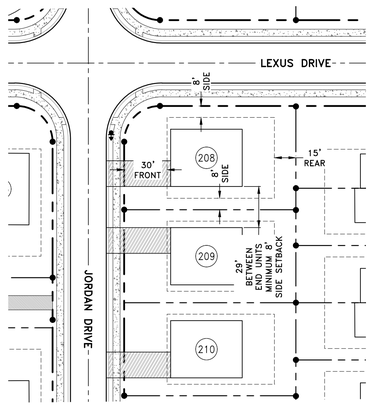
R-3 ZONING REQUIREMENTS GARDEN APARTMENTS	
MINIMUM LOT SIZE ALLOWED	2,500 S.F.
MINIMUM LOT WIDTH	50'
FRONT YARD SETBACK	30'
SIDE YARD SETBACK	8'
REAR YARD SETBACK	15'
MAXIMUM LOT COVERAGE	20%
MAXIMUM HEIGHT	35' OR 3 STORIES
OPEN SPACE REQUIRED	400 S.F. PER DWELLING UNIT
MAXIMUM DENSITY	16 UNITS PER ACRE
MINIMUM PROJECT SIZE	1 AC
TOTAL OPEN SPACE REQUIRED	400 S.F. x 548 UNITS = 219,200 S.F. (5.03 AC.)
TOTAL OPEN SPACE PROVIDED	1,787,002 S.F. (19.33 AC.)
RECREATIONAL SPACE REQUIRED	109,600 S.F. (2.52 AC.)
RECREATIONAL SPACE PROVIDED	73,650 S.F. (1.69 AC.) CLUBHOUSE POOL AREA 140,486 S.F. (3.23 AC.) RECREATIONAL AREA + 35,840 S.F. (0.82 AC.) PICNIC AREA 249,976 S.F. (5.74 AC.) TOTAL
TOTAL AMOUNT OF STORMWATER	8.44±AC
TOTAL AMOUNT OF PROPOSED RIGHT-OF-WAY	17.80±AC
TOTAL AREA OF LOTS	38.22±AC
ESTIMATED EDU'S	550
CLUBHOUSE SPACES REQUIRED	5,200 S.F. ÷ 150 = 35 SPACES
PARKING SPACES REQUIRED	2 SPACES/UNIT MULTI-FAMILY + 2.5 SPACES/UNIT TOWNHOUSE + 35 CLUBHOUSE SPACES = 851 SPACES
PARKING SPACES PROVIDED	576 MULTI-FAMILY + 240 TOWNHOUSE + 35 CLUBHOUSE = 851 SPACES ADDITIONALLY 55 GARAGE UNITS ARE PROVIDED
SEWER PROVIDER	CITY OF MILFORD
WATER PROVIDER	CITY OF MILFORD
ELECTRIC PROVIDER	CITY OF MILFORD
WETLANDS	NONE ARE PRESENT ON SITE
SOURCE WATER PROTECTION AREAS	NONE ARE PRESENT ON SITE
FLOOD ZONE	ZONE X AREA OF MINIMAL FLOOD HAZARD PANEL 10005C0039J EFF. 01/06/2005
FIRE DISTRICT	CARLISLE
SCHOOL DISTRICT	MILFORD
ELECTION DISTRICT	2ND
PERMANENT MONUMENTS FOUND	16
PERMANENT MONUMENTS PLACED	14
HORIZONTAL DATUM	: NAD83
VERTICAL DATUM	: NAVD88

OWNERS/DEVELOPERS
SHAWNEE FARM LLC
105 FOULK RD.
WILMINGTON, DELAWARE 19803
(302)422-0945

ENGINEER/SURVEYOR
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE 19963
(302)424-1441

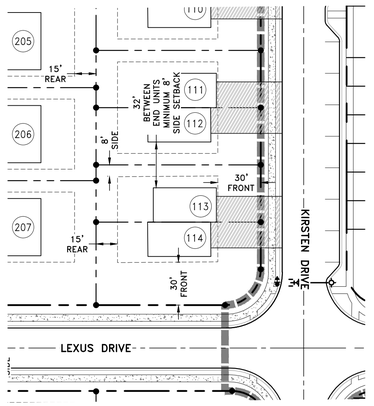


LOCATION MAP
SCALE: 1" = 400'
0' 400' 800' 1200'



TYPICAL SINGLE FAMILY DETACHED LOT SETBACKS
SCALE: 1" = 50'

0' 50' 100'
SCALE: 1" = 50'



TYPICAL SINGLE FAMILY SEMI-DETACHED LOT SETBACKS
SCALE: 1" = 50'

PLANNED UNIT DEVELOPMENT - INDEX OF SHEETS	
PLANNED UNIT DEVELOPMENT – TITLE SHEET	PUD-01
PLANNED UNIT DEVELOPMENT – PHASING OVERVIEW	PUD-02
PHASES 1 & 4 TOWNHOUSES & PROPANE SITE	PUD-03
PHASE 2 GARDEN APARTMENTS	PUD-04
PHASE 3 SINGLE AND TWO-FAMILY LOTS	PUD-05
TYPICAL ROAD SECTIONS	PUD-06

PREVIOUSLY APPROVED DEVIATIONS FROM R3 ZONING CODE

1. FOR SINGLE FAMILY CORNER LOTS ALLOW ONE EDGE OF THE CORNER TO USE A SIDE BUILDING SETBACK RATHER THAN TWO FRONT SETBACKS.
2. MULTI-FAMILY PARKING REQUIREMENT REDUCED FROM 2.5 SPACES PER DWELLING UNIT TO 2 SPACES PER DWELLING UNIT.
3. GARDEN OR LOW RISE APARTMENTS ARE NOT LIMITED TO 12 UNITS PER BUILDING BUT INSTEAD CAN HAVE UP TO 24 UNITS PER BUILDING.

ADDITIONAL CONDITIONS REQUIRED

1. 50' WIDE WOODED BUFFER TO BE PROVIDED IN OPEN SPACE ALONG ENTIRE SOUTHERN PROPERTY LINE SHARED WITH DELAWARE SOLID WASTE AUTHORITY.

R-3 GARDEN APARTMENT AND TOWNHOUSE DISTRICT								
REQUIREMENTS	SINGLE FAMILY DETACHED DWELLINGS		SINGLE FAMILY SEMI-DETACHED DWELLINGS		GARDEN OR LOW RISE APARTMENTS		TOWNHOUSES OR ROW DWELLINGS	
	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
MAX DWELLING UNIT PER BUILDING	1	1	2	2	12	24	≥ 3 AND ≤8	8
PARKING SPACES	2.5 PER DU	2.5 PER DU	2.5 PER DU	2.5 PER DU	2.5 PER DU	2 PER DU	2.5 PER DU	2.5 PER DU
PUBLIC ROAD WIDTH	25'-0"	25'-0"	25'-0"	25'-0"	30'-0"	24'-0"	30'-0"	30'-0"

ADDITIONAL DEVIATIONS REQUESTED FROM R3 ZONING CODE

1. REQUEST THE LENGTH OF THE CUL-DE-SAC BE INCREASED FROM 400' TO 500'
2. REQUEST THE MAXIMUM BLOCK LENGTH BE EXTENDED FROM 1200' TO 1400'.
3. REQUEST THE MINIMUM BLOCK WIDTH BE REDUCED FROM 275' TO 240'.

LEGEND

- RIGHT-OF-WAY / BOUNDARY LINE
- ADJACENT PROPERTY LINE
- PROPERTY LINE
- BUILDING SETBACKS
- EASEMENT
- LANDSCAPE BUFFER
- ROAD CENTERLINE
- (8) LOT DELINEATION / IDENTIFICATION

NOTE:
THIS PLAN IS NOT A RECORD DRAWING AND THE PLAN DOES NOT REPRESENT A PRELIMINARY OR FINAL APPROVAL OF ANY SUBDIVISION OR SITE PLAN.

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

PUD-01

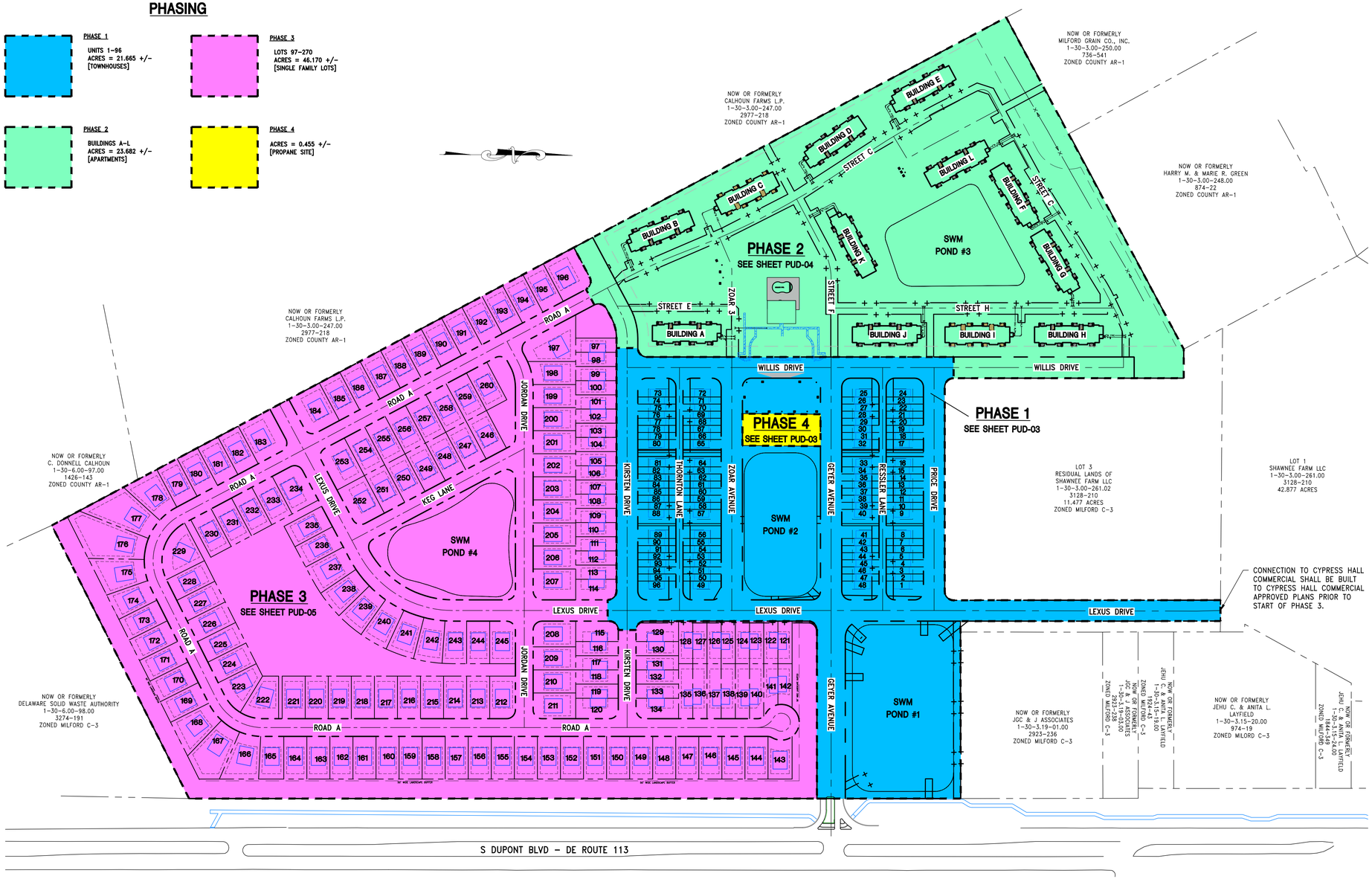
PHASING

PHASE 1
UNITS 1–96
ACRES = 21.665 +/–
[TOWNHOUSES]

PHASE 2
BUILDINGS A–L
ACRES = 23.682 +/–
[APARTMENTS]

PHASE 3
LOTS 97–270
ACRES = 46.170 +/–
[SINGLE FAMILY LOTS]

PHASE 4
ACRES = 0.455 +/–
[PROPANE SITE]



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ANNAPOLIS, MARYLAND (301) 261-1444
EASTON, MARYLAND (410) 770-4744

PLANNED UNIT DEVELOPMENT PHASING OVERVIEW

CYPRESS HALL - RESIDENTIAL

CEDAR CREEK HUNDRED

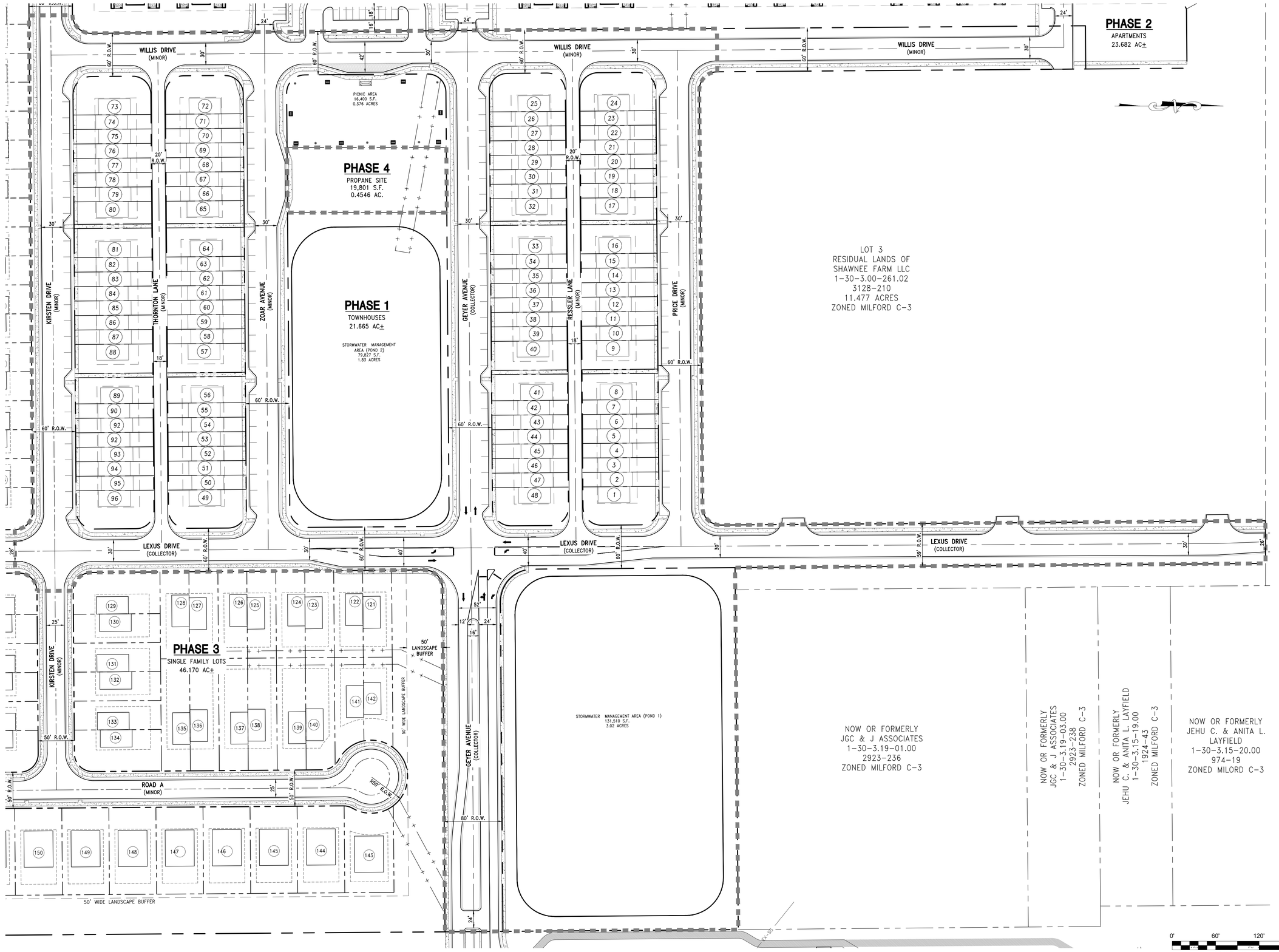
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: AUGUST 2021
Scale: 1" = 150'
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: PUD-02

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\\mil0\Civil\Louis Casano-Client 08071\1423A005 - Cypress Hall Single Family\Design\Planned Unit Development\1423A005 - PUD - PHASING OVERVIEW.dwg Feb 07, 2022 - 1:50pm matt



\\mil0\Civil\Louis Capano-Client 0807\1423A005 - Cypress Hall Single Family\Design\Planned Unit Development\1423A005 - PUD - SITE PLAN.dwg Feb 07, 2022 - 1:25pm mcka

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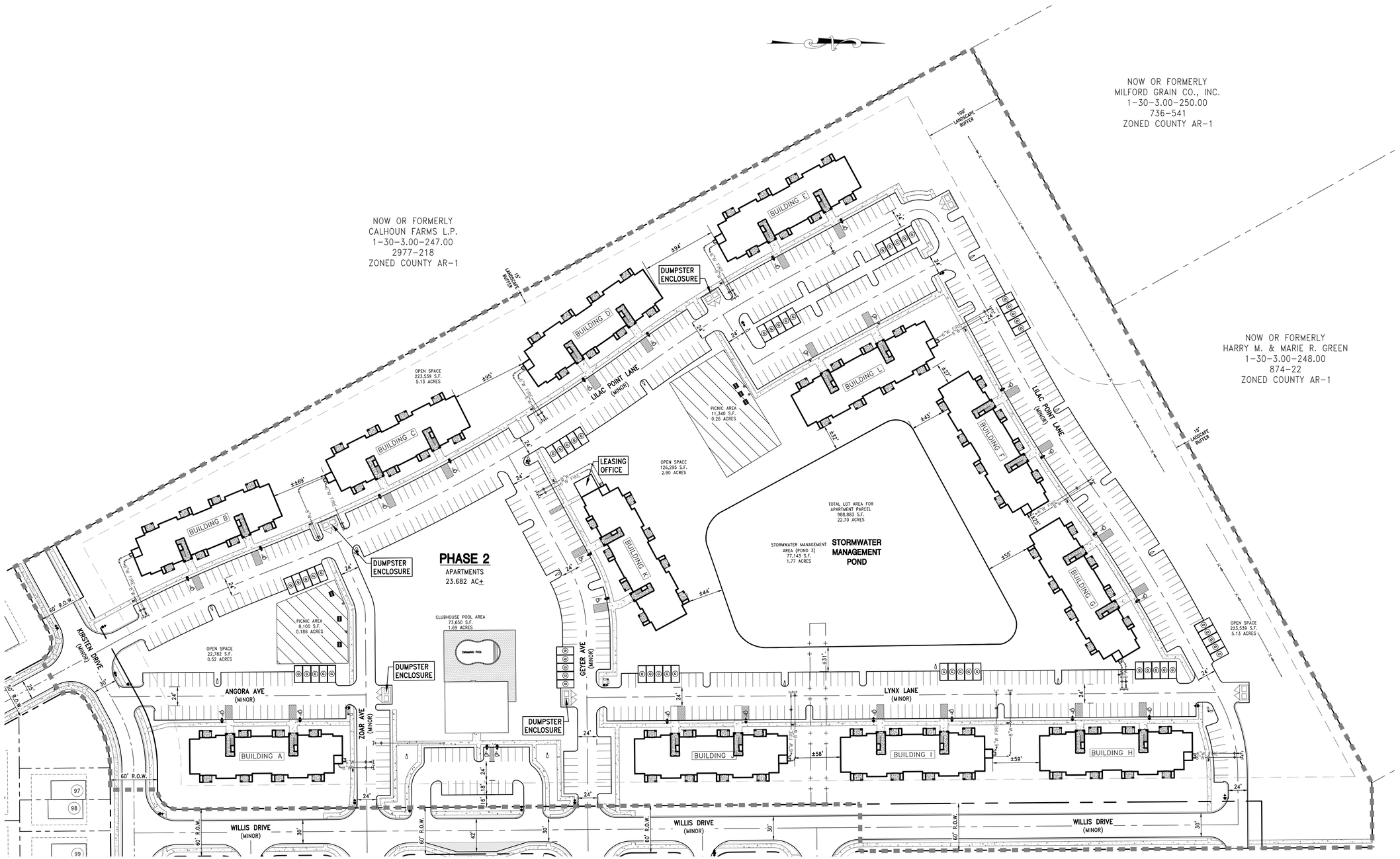
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OCEAN CITY, MARYLAND (302) 537-1441
EASTON, MARYLAND (410) 770-4744

PHASES 1 & 4 TOWNHOUSES & PROPANE SITE

CYPRESS HALL - RESIDENTIAL
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: AUGUST 2021
Scale: 1" = 60'
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: **PUD-03**



0' 60' 120' 180'
SCALE: 1" = 60'

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EASTON, MARYLAND (410) 770-4744

PHASE 2 GARDEN APARTMENTS

CYPRESS HALL - RESIDENTIAL

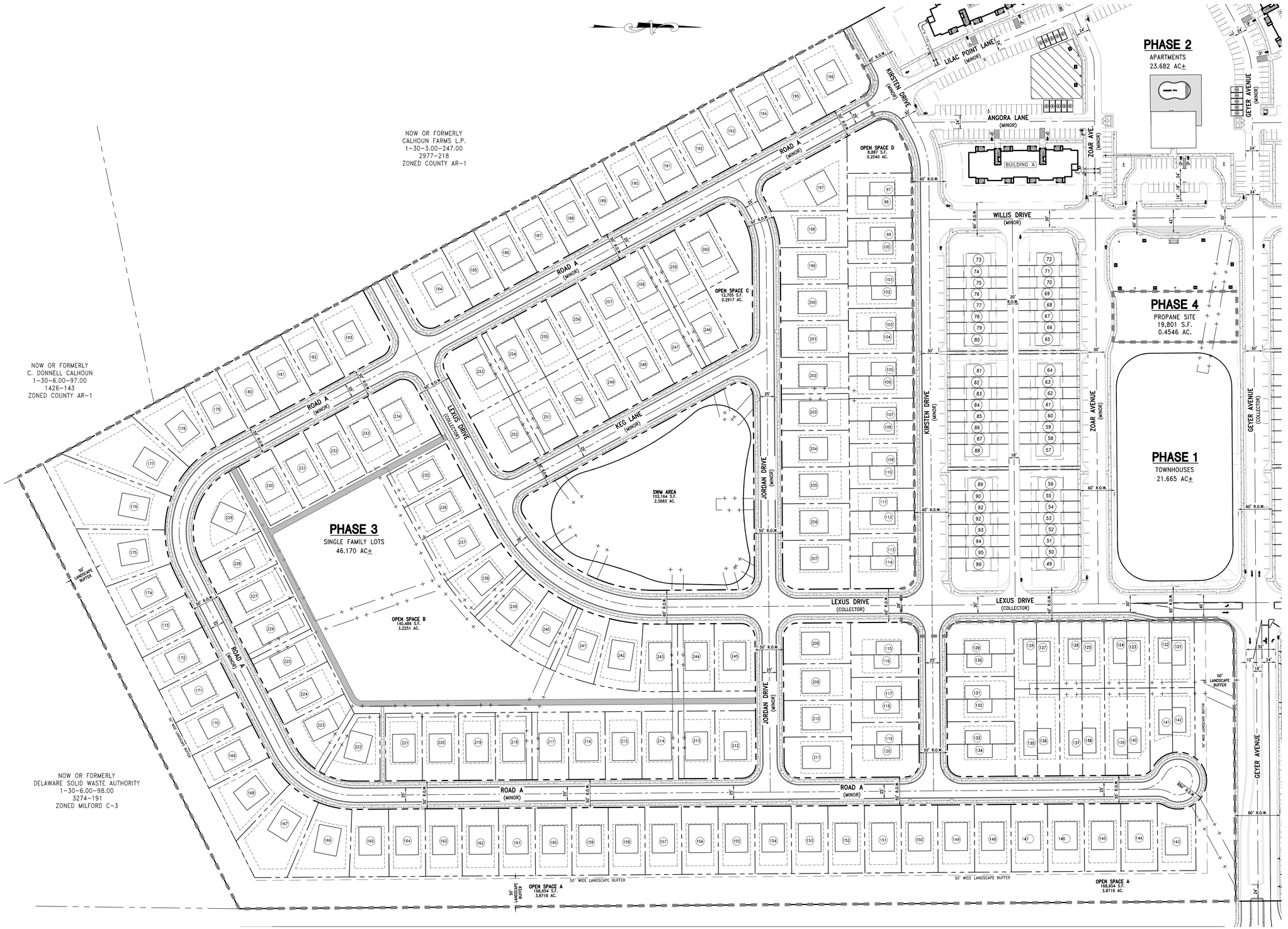
CEDAR CREEK HUNDRED

CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: AUGUST 2021
Scale: 1" = 60'
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: PUD-04

\\mil01\Civil\Louis Capano-Client 08071\1423A005 - Cypress Hall Single Family\Design\Planned Unit Development\1423A005 - PUD - SITE PLAN.dwg Feb 07, 2022 - 1:25pm mcka



0' 80' 160' 240'
SCALE: 1" = 80'

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EASTON, MARYLAND (410) 770-4744

PHASE 3 SINGLE AND TWO-FAMILY LOTS

CYPRESS HALL - RESIDENTIAL

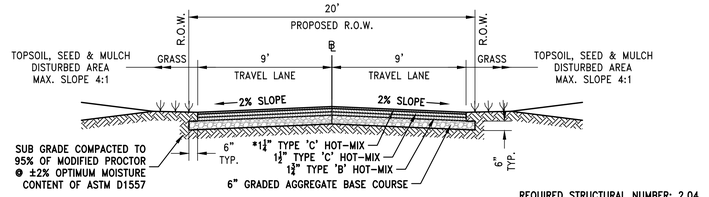
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: AUGUST 2021
Scale: 1" = 80'
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: PUD-05

\\mil0\Civil\Louis Capano-Client (080)\1423A005 - Cypress Hall Single Family\Design\Planned Unit Development\1423A005 - PUD - SITE PLAN.dwg Feb 07, 2022 - 1:25pm mcka

*NOTE: FINAL TYPE C HOT-MIX LAYER TO BE INSTALLED JUST PRIOR TO DELDOT ACCEPTANCE

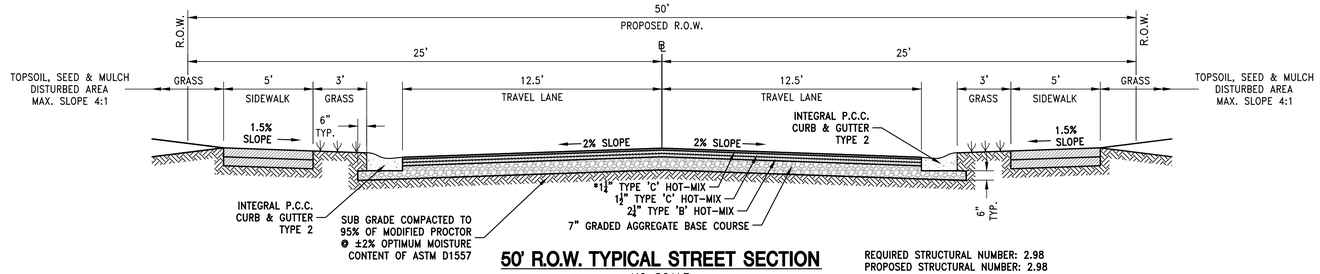


20' R.O.W. TYPICAL STREET SECTION

NO SCALE

RESSLER LANE & THORTON LANE

REQUIRED STRUCTURAL NUMBER: 2.04
PROPOSED STRUCTURAL NUMBER: 2.64

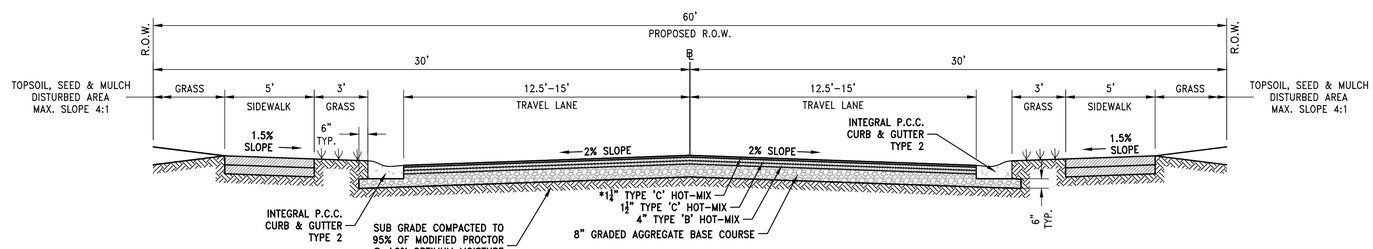


50' R.O.W. TYPICAL STREET SECTION

NO SCALE

JORDAN DRIVE, KEG LANE & ROAD A

REQUIRED STRUCTURAL NUMBER: 2.98
PROPOSED STRUCTURAL NUMBER: 2.98

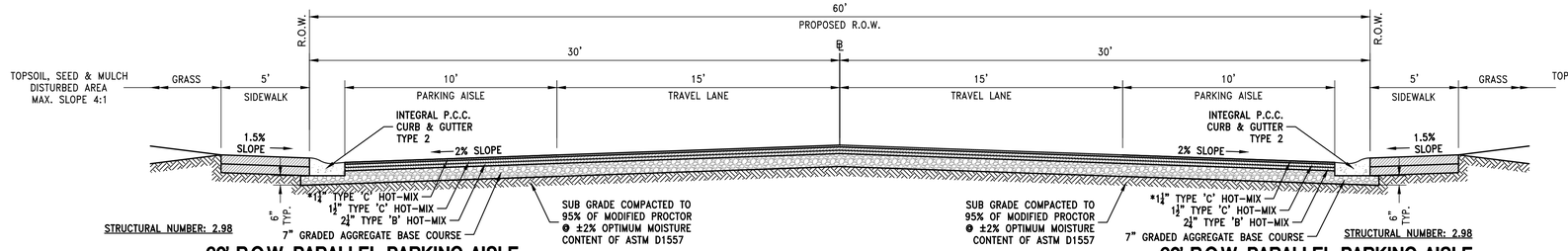


60' R.O.W. TYPICAL STREET SECTION

NO SCALE

GEYER AVENUE, PRICE DRIVE, LEXUS DRIVE, KIRSTEN DRIVE, WILLIS DRIVE & ZOAR AVENUE

REQUIRED STRUCTURAL NUMBER: 3.70
PROPOSED STRUCTURAL NUMBER: 3.82



STRUCTURAL NUMBER: 2.98

60' R.O.W. PARALLEL PARKING AISLE TYPICAL STREET SECTION

NO SCALE

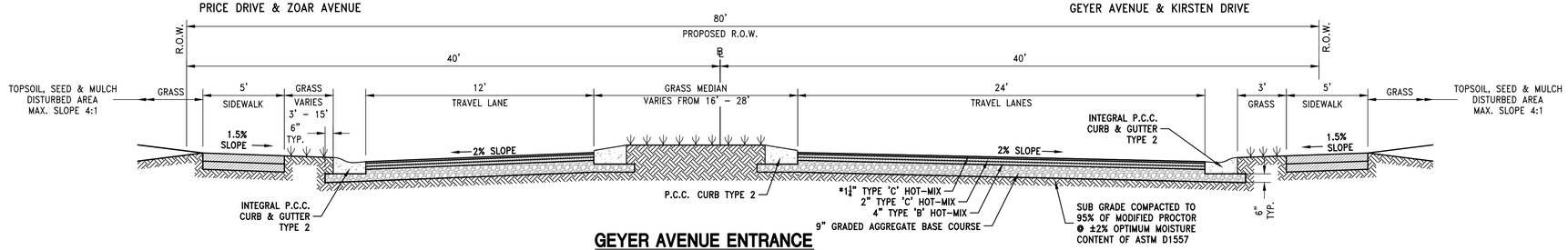
PRICE DRIVE & ZOAR AVENUE

STRUCTURAL NUMBER: 2.98

60' R.O.W. PARALLEL PARKING AISLE TYPICAL STREET SECTION

NO SCALE

GEYER AVENUE & KIRSTEN DRIVE



GEYER AVENUE ENTRANCE
80' R.O.W. TYPICAL STREET SECTION

NO SCALE

REQUIRED STRUCTURAL NUMBER: 4.12
PROPOSED STRUCTURAL NUMBER: 4.16

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

CYPRESS HALL - RESIDENTIAL
CEDAR CREEK HUNDRED
CITY OF MILFORD, SUSSEX COUNTY, DELAWARE

TYPICAL ROAD SECTIONS

Revisions:
2021-11-23 KCI COMMENTS
2022-01-07 KCI COMMENTS

Date: AUGUST 2021
Scale: AS NOTED
Dwn.By: DEG
Proj.No.: 1423A001
Dwg.No.: PUD-06

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\\mil0\Civil\Louis Capano-Client 0807\1423A005 - Cypress Hall Single Family\Design\Planned Unit Development\1423A005 - PUD - TYPICAL SECTIONS.dwg Feb 07, 2022 - 1:25pm mcka

City of Milford, Delaware
Development Advisory Committee

Comment Sheet

****

DATE OF REVIEW: October 6, 2021

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

INDIVIDUAL REVIEWERS: **Duane T. Fox, CFPS, CFPE, CFI, Asst. Chief Technical Services**
Dennett E. Pridgeon, CFPS, CFPE, CFI, Sr. Fire Protection Specialist
Jefferson L. Cerri, CFI, Sr. Fire Protection Specialist
Desiree B. McCall, CFI, Sr. Fire Protection Specialist
John A. Colpo, Fire Protection Specialist

AGENCY PHONE NUMBERS: **302-856-5298, Fax: 302-856-5800**

RE: CYPRESS HALL RESIDENTIAL PHASE III (21-043)

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 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Townhouses)
- Where a water distribution system is proposed for single-family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
  - In September 2021 the DE State Fire Prevention Regulations are changing to require all fire hydrants to be on 800 ft centers and not more than 300 feet from a fire department connection. Measurements are as the fire apparatus drive.
- 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:**
- For townhouse and duplex buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

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 S duPont Blvd 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)
- Townhouse 2-hr separation wall details shall be shown on site plans
- 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

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

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

November 24, 2021

City of Milford
201 S. Walnut St.
Milford, Delaware 19963

Attn: Mr. Rob Pierce
Planning Director

RE: Cypress Hall – Phase 3
Tax Map No.: 1-30-3.00-261.01
DBF # 1423A005

Dear Mr. Pierce,

On behalf of our client, we are pleased to submit additional waiver requests to support the PUD and Phase 3 Subdivision.

1. We are requesting the cul-de-sac maximum requirement for a 400 foot dead-end street per Chapter 200-8.D be extended to 500 feet.

   The cul-de-sac is needed in lieu of connecting to Geyer Avenue or Lexus Drive. A connection to Geyer Avenue is too close to its intersection with S. DuPont BLVD and would be an unsafe intersection. A connection to Lexus Drive is infeasible due to the minimum centerline road radii. The cul-de-sace meets the Fire Marshal Regulations and the additional 100' is not a public safety issue.

2. We are requesting the the maximum block length of 1,200 feet per Chapter 200-8 D be extended to 1,500 feet.

   The site was revised to accommodate a buffer for the Delaware Solid Waste Authority. The site has been laid out to efficiently use the remaning area for roads, lots and open space. Given the unique land there is a block that excees the maximum length by about 300 feet.

3. We are requesting the minimum block width of 275 feet per Chapter 200-8 D be reduced to 240 feet.

   As noted above the site was revised to accommodate a buffer for the Delaware Solid Waste Authority. There are some lots that were required to be back to back. The minimum lot lengh per Code is 100 feet and we are proposing 120 feet deep lots and unable to extend them further or provide an additional 35 feet of open area between the lots.

If you have any questions or need additional information, please do not hesitate to contact me at (302) 424-1441 or tmm@dbfinc.com.

Respectfully Submitted,
DAVIS, BOWEN & FRIEDEL, INC.



Timothy M. Metzner, R.L.A.
Associate

P:\Louis Capano-Client 0807\1423A005 - Cypress Hall Single Family\Docs\City of Milford\Phase 3\2021-11-24 Comment Response\2021-11-24 Cypress Hall PUD Additonal Waiver Request.docx

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

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

February 7, 2021

City of Milford – Planning and Zoning
180 Vickers Drive
Milford, DE 19963

Attn: Rob Pierce, Planning and Zoning Director

RE: **Cypress Hall – Phase 3**
Comment Response
Tax Parcel No: 130-3.00-261.01, 562.00-657.00, 658.00, 659.00
DBF #

Dear Mr. Pierce,

On behalf of our client, Louis Capano, we are pleased to submit revised plans for Cypress Hall PUD and Phase 3. These revisions address comments in your letter dated January 7, 2022. We provided the following responses to those comments:

PUD

1. Add a data column on the cover sheet for the entire project and remove individual data columns from subsequent sheets. Ensure all characteristics of the project are captured, including lot characteristics, the entire project open space, recreational amenities, etc. **Addressed.**
2. Provide a table of PUD waivers for the project, including any waivers necessary for Phase 3 from the Phase 3 review comments. This could range from lot sizes, lot widths,road widths, neighborhood block lengths, dead end street lengths, etc. **Addressed.**
3. Label all landscape bufferyards on the plan. **Addressed with Comment – On sheet PL-15, label the 50' woodland buffer along the southern property line similar to what was done on sheet PL-13.** A 50' Wooded Buffer is now called out on the plans.
4. Revise the plan accordingly to label the right-of-way widths and pavement widths on the site plans. **Addressed.**
5. Road names musts meet the requirements of Chapter 200-8.A.17 and will require approval from Sussex County 911 Addressing. Additionally, Zoar Avenue in Phase 3 must be renamed since Zoar Avenue exists in Phase I and is not connected to the Phase 3 road. **Comment Remains – The road names will have to be finalized and approved by**

Sussex County 911 Addressing prior to final approval.
Understood. All but one road name has been approved.

6. Label all road classifications (i.e. collector, minor, etc.) on the plans per Chapter 200, Subdivision of Land. For example, Lexus Drive and Geyer Avenue should be designated a collector with the remainder being minors. **Addressed.**

7. Add a cross section detail for the roads with parallel parking. **Addressed.**

8. Provide all road sections and verify the dimensions of the road cross-section on sheet PUD-06 per comment 42 of this letter. **Addressed.**

9. The provided phasing plan leaves a gap between Phase 1 and the commercial site. Clarify how the construction of this section will be handled. **Addressed.**

10. Add a note to the PUD, Phase 1/2, and Phase 3 plan sets that the rest of Cypress Hall should be constructed per the Cypress Hall Commercial Plans at the end of Lexus Drive. **Addressed with Comment – This note was added to the PUD. Please add this note to the other plan sets.** The note has been added to other plan set's title sheets.

11. **Remove the density calculations for each individual phase. Revise the site data to only list the density calculation for the entire PUD per 230-48.1 of the City's Zoning Code which states "A planned unit residential development is not intended to increase density, but to allow flexibility in the design of the number of dwelling unitspermitted. If a parcel or parcels have more than one zoning classification, the total permitted density may be located throughout the parcel or parcels. The total permitted density shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district in which the land is located. Net development area shall be determined by subtracting 25% of thegross area. Gross area shall not include any wetlands, floodway, or similar area not suitable for building as determined by the Planning Commission."** The calculations have been revised as requested.

12. **Currently, the minimum required lot width and lot area for duplexes is listed as 30' and 3,750 SF, respectfully. Revise the plan accordingly so that it lists the minimum required lot width as 40' and the minimum required lot area as 4,000 SF.** The information on the plan has been revised as requested.

13. **Currently, it appears that items that were not approved by City Council are listed under "Previously Approved Deviations from R3 Zoning Code". Remove items 4 and 5 as these deviations were denied by City Council on March 25, 2019. In addition, City Council also added a condition at that time that a 50' wide wooded buffer be provided in an open space area along the entire southern property line shared with the Delaware Solid Waste Authority.** The information on the plan has been revised as requested.

14. **Currently, the PUD table states that a 28' wide roadway is being provided for the Townhomes. However, City Council did not approve this deviation and it does not appear that it is being proposed on the plans. Revise the provided road width to be**

30' for the townhomes. The information on the plan has been revised as requested.

15. **Please clarify when the connection will be made between Phase 1 and the existing improvements on the Cypress Hall Commercial property along Lexus Drive. The interconnection needs to be done before proceeding to phase 2 or phase 3 in order to provide safer access to Route 113 northbound. The owner shall be made aware of this and a note should be added to the plan stating this.** The Phase Plan has been revised to reflect this.

16. **Per comment #5 of the Cypress Hall Phase 1 and 2 letter dated 11/1/2021, the parking lot of the clubhouse needs to be outside of the City's right-of-way and shall meet the City's minimum parking lot setback of 15'.** The clubhouse parking lot has been revised to be outside the setback.

17. **Revise sheet PUD-04 so that the landscape buffer adjacent to the Milford Grain property is labeled.** The landscape buffer is now labeled.

18. **Revise sheet PUD-05 to label the 50' landscape buffer along the southern property line adjacent to Delaware Solid Waste Authority.** The landscape buffer is now labeled.

19. **In regards to the typical street sections on sheet PUD-06, label the pavement thicknesses (GABC, Type B, Type C) for each section.** The pavement thicknesses are now provided.

Preliminary Subdivision Plan

20. Address the following to the cover sheet:

    d. Revise the data column to reflect the entire PUD (inclusive of Phase 1 and 2) and provide additional information related to Phase 3 since Cypress Hall is one subdivision. Items such as open space, density, etc. should be listed for the entire PUD. **Addressed with Comment – Similar to comment 11, remove the density calculations for each individual phase. Revise the site data to only list the density calculation for the entire PUD per 230-48.1 of the City's Zoning Code which states "A planned unit residential development is not intended to increase density, but to allow flexibility in the design of the number of dwelling units permitted. If a parcel or parcels have more than one zoning classification, the total permitted density may be located throughout the parcel or parcels. The total permitted density shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district in which the land is located. Net development area shall be determined by subtracting 25% of the gross area. Gross area shall not include any wetlands, floodway or similar area not suitable for building as determined by the Planning Commission.".** The information on the plan has been revised as requested.

    f. Under the bulk area requirements, the proposed designated open space area is listed as 256,657 SF. However, the total open space listed under "Proposed Site:"

is listed as 9.599 (418,132 SF). Verify what the proposed open space is and revise the plan accordingly so that the areas are consistent. **Comment Remains – The "Total Open Space Required" calculation uses 546 units. However, the total number of units listed on the plan is 548 units. Verify the total number of units and revise the plan accordingly so that the site data is consistent.**
The information on the plan has been revised as requested.

g. Currently, the bulk area requirements are listed as the same for the single-family detached and semi-detached homes. However, the requirements are different. The single-family detached homes shall meet the R3 requirements listed in Chapter 230-11.b.1.a and the semi-detached homes shall meet the R-2 requirements in Chapter 230-10 of the City's Zoning Code. Any deviations or waivers of these requirements shall be listed on this plan and the PUD. Please list the requirementsand proposed conditions for both the single-family detached and semi-detached homes. **Comment Remains – The City's Zoning Code defines Two-Family Dwellings as "two dwelling units accommodating two families, which units are located one over the other, and having two side yards". The required/proposed bulk area requirements for the semi-detached lots are incorrect in the site data. Revise the permitted lot area and lot width for semi-detached lots to be 4,000 SF and 40'. The R-3 code defers to the R-2 forsingle-family semi-detached lot area regulations.** The information on the plan has been revised as requested.

m. The FEMA Flood Map is incorrect. Revise the FEMA Flood Map to be 1005C0039J. **Comment Remains – The Flood Map number in the Site data is still incorrect.** The information on the plan has been revised as requested.

n. **Revise the cover sheet to list the PUD waivers for the entire subdivision. The waivers need to be listed on the cover sheet of the Record Plan for Phase 3 based on City Council's approval/denial.** The information on the plan has been revised as requested.

27. Currently, the cul-de-sac exceeds the maximum 400' dead end street per Chapter 200-8.D. Revise the plan accordingly to shorten this road or request a waiver and add this to the PUD table. In addition, revise the right-of-way width for this road leading to the cul-de-sac to be 50'. **Comment Remains – If the waiver is approved, add the waiver to the cover sheet.** The waiver is shown on the coversheet and will be labeld as approved once it has been.

29. Per Chapter 200-8.D, the maximum block length shall be 1,200 feet. Revise the plan accordingly to meet this requirement or request a waiver. **Comment Remains – If the waiver is approved, add the waiver to the cover sheet.** The waiver is shown on the coversheet and will be labeld as approved once it has been.

30. Per Chapter 200-8.D, block widths shall not be less than 275 feet nor more than 450'. Revise the plan accordingly to meet this requirement or request a waiver. **Comment Remains – If the waiver is approved, add the waiver to the cover sheet.** The waiver is shown on the coversheet and will be labeld as approved once it has been.

31. Currently, it is difficult to differentiate between the phases. Please gray out all other phases so that phase 3 is clearly illustrated. **Comment Remains – Please add phase lines**

throughout the plan set to distinguish infrastructure (utilities, roads, etc.) between phases 1/2 and phase 3. Currently, just the lots are different, but phase lines should be added to the plans to distinguish where the infrastructure starts/ends between the phases. Phase lines are now shown on the plan.

49. Additional handicap ramps need to be provided throughout the subdivision. Per DelDOT Development Coordination Manual, "4-way intersections should have a total of 4 crossings, wherever possible, with two ramps on each corner. 3-way "T" intersections should have a total of 2 crossings, with one for each road. Where feasible, drainage structures shall be placed to allow for two ramps on each corner and perpendicular crossings. Single ramps at the intersection radius may only be used in exceptional circumstances at entrances or offsite intersection improvements such as retro-fit improvements, where the existing infrastructure or field conditions prohibit two ramps to be installed." Some examples of where handicap ramps need to be added are at the following intersections: Handicap ramps are now provided in the requested locations.
    a. (PL-04) Keg Lane and Lexus Drive. **Comment Remains.**
    b. (PL-04) Jordan Drive and Road A. **Comment Remains.**
    c. (PL-04) Keg Lane and Jordan Drive. **Comment Remains.**
    d. (PL-05) Kristen Drive and Road A. **Addressed with Comment – Verify that the handicap ramp won't be in the driveway of lot 149.**
    e. (PL-06) Jordan Drive and Road A. **Comment Remains.**
    f. (PL-06) Kristen Drive and Road A. **Comment Remains.**

50. Address the following to the Preliminary Utility Plan:

    a. Utility easements will have to be provided for the storm drain pipes that are not within the City's Right-of-Way when Construction Plans are submitted. **Comment Remains – Utility easements will be added to the plan when stormdrain system is finalized.** Utility easements are now shown for the stormdrain.

    b. Currently, there are many storm drain pipes that are running in between side property lines. The building setback lines are 8' wide which only leaves room for a 16' easement. Revise the plan accordingly so that 20' wide utility easements canbe achieved per the City's Standard Specifications. Additional easement width may be necessary depending on the depth of the storm drain pipes which will be determined when Construction Plans are submitted. **Comment Remains – Utility easements will be added to the plan when storm drain system is finalized.** Utility easements are now shown for the stormdrain.

    c. Currently, there are many yard basins and storm drain pipes in between rear property lines. Please consider any problems this may cause for home owners since a 20' easement will have to be provided for this storm drain pipe. This will leave only a 5' rear yard that is not within an easement. These problems could include restrictions of fences, sheds, landscaping, etc. We encourage the engineerto look into possibly grading the subdivision so that yard basins are not needed where two rear yard property lines meet if possible. This is also the case for the lots that abut Open Space Area B. However, if drainage cannot be achieved without catch basins

in the rear yards, the current design may remain. **Comment Remains – Utility easements will be added to the plan when storm drain system is finalized.** Utility easements are now shown for the stormdrain.

d. Clarify how drainage will be handled along the rear yards of the residential lots that do not currently have catch basins. See lots 177-185, 115-128, 129-142, 186-198 and 210-212. Lines and grades as-built plans will have to be submitted for all lots when each individual lot is developed during construction. **Comment Noted – Per response letter from DBF, a combination of swales and inlets will be provided. Currently, there is no code requirement for individual lines and grades plans but the City is looking into implementing this.** The storm system will be revised for the final plan submission.

e. The City of Milford prefers location of the cleanouts to be in the sidewalk when Construction Plans are submitted. They should not be located in the driveway. **Comment Remains – Cleanouts should be shown in the sidewalks when final plans are submitted. In addition, driveway layouts will have to be provided when final plans are submitted. This can either be done by showing the driveways on the plan or with typical lot layout details.** The cleanouts will be revised to be in the sidewalk for the final plans. The driveways are now shown on the Utility Plans.

f. Water meters shall be placed in a non-traffic bearing location. The driveways will have to be shown on the plan when Construction Plans are submitted to show that the water meters are not within traffic bearing areas. **Addressed.**

g. It appears that the storm drain pipes have different line styles for the pipes in this phase and the previous phases. Revise the plan accordingly so that the water and sanitary sewer mains that are to be installed in a separate phase also have a separate line style (i.e. gray). When Construction Plans are submitted, the tie-insto the existing phases will have to be clearly shown on the plan with any elevations, inverts, etc. listed. This will clearly delineate where the phase end forthe utilities. **Comment Remains – Plans will be revised to clearly show tie-in to previous phases when Construction Plans are submitted.** This will be addressed during final approvals.

h. Revise the plan accordingly so that the maximum length of pipe between sanitary sewer manholes is 400'. **Comment Remains.** The sewer has been revised as requested.

i. There appears to be two unnecessary valves located on the 8" water main that services the fire hydrants throughout the plan. We recommend removing these water valves. **Comment Remains.** These valves are shown as part of the hydrant assembly, Milford's hydrant detail D2-7 itself shows a valve for the hydrant.

j. (PL-08) Water and Sanitary Sewer stubs should be provided for the Delaware Solid Waste Authority property (parcel 1-30-6.00-98.00). An easement will have to be

provided for the utilities if they are outside of the right-of-way. Depending on how deep the sanitary sewer main is, an easement larger than the typical 10' oneach side of pipe may be required. **Comment Remains – Per Chapter 200- 8(H)(1), utility easements are required to be granted and recorded by the subdivider to allow extension of utilities to neighboring properties and all water/sewer systems shall be extended to handle all present and probable future development. The city is requesting that an easement and water/sewerextensions are provided for the property (1-30-6.00-98.00) to the south. This utility extension may be in between lots 166 and 167 and stubbed out into the open space. We recommend that a 30' wide easement and open space area beincorporated in between these lots to fit the water and sanitary sewer main. Another option would be to extend a water main in between two lots and a sanitary sewer main in between two different lots with 20' wide easements and open space areas be incorporated in between the lots.** This revision will be made during final approvals.

k. (PL-08) Lot 254 has two water and sanitary sewer services. Revise the plan accordingly so that the lot has only one of each. **Addressed with Comment – Lot 207 has two water and sanitary sewer services. Revise the plan accordingly so that the lot has only one of each.** The services have been revised as requested.

l. (PL-08) There is currently a water valve located on top of a storm drain pipe at the intersection of Jordan Drive and Lexus Drive. Revise the plan accordingly to provide adequate horizontal separation from other utilities at the valve clusters. **Comment Remains.** The valve was revised as requested.

m. **(PL-09 & PL-10) When final plans are submitted, revise the plan so that the water and sewer lateral stubs are located in front of the lots. For example, the services in front of lots 97-114 need to be revised.** The services have been revised.

n. (PL-09) Lot 209 has two water and sanitary sewer services. Revise the plan accordingly so that the lot has only one of each. **Addressed with Comment – There are multiple lots that have more than one water/sewer service. When final plans are submitted, revise the plans accordingly so that just one water/sewer service is provided for each lot.** The services have been revised.

o. (PL-09) The water service for lot 150 appears to tie into the water main tee. Revise the water service so that it ties into the main outside of the valve cluster. **Addressed.**

p. (PL-09) Per comment 26 of the Phase 1/2 letter dated 10/22/21, the water main should be looped at the end of the cul-de-sac to tie into the water main along the southern side of Geyer Avenue. Revise the plan accordingly to loop the water main in this location. In addition, please revise the alignment of the water main/storm drain system so that the water main has adequate horizontal separation from the catch basin at the end of the cul-de-sac. **Addressed with Comment – Water valves shall be provided on each leg of the water main tee.** Valves are provided as requested.

q. **(PL-09) There is a sanitary sewer main that crosses underneath curb just east of SWM Pond #4. Revise the plan accordingly so that the sanitary sewermain stays within the paved roadway.** The sewer and water mains have been revised in this location.

r. (PL-10) There appears to be a terminal storm drain manhole at the northeast corner of lot 261. Verify if this is correct. **Addressed.**

s. (PL-10) There is a catch basin in front of lot 97 but no storm drain pipes. Verify that all structures and storm drain pipes are shown on the plan along Kristen Drive. **Addressed.**

t. (PL-10) There is a water service provided for open space area E. Verify if this is correct. **Addressed.**

51. Address the following to the Typical Street Section Details on sheet PL-11:

a. Currently, the travel lanes on the 50' typical street section are labeled as 12'. However, on the plan view, the street width is labeled as 25'. Revise the plan/section detail accordingly so that they are consistent. **Addressed with Comment – There are two 25' dimensions from the center line that do not extend to the end of the 50' right-of-way dimension.** The dimensions have been revised.

b. Currently, the travel lanes on the 60' typical street section are labeled as 12'. However, on the plan view, the street width is labeled as 28'. Revise the plan/section detail accordingly so that they are consistent. **Addressed.**

c. Per City of Milford General Note 42, a 10' easement shall be provided along the right-of-way in front of the lots. Add the 10' easement to both section details on both sides of the right-of-way. **Comment Remains – General Note was added to the plan to add a blanket easement along the property lines. However, the section detail shall still be revised to show the easements along the right-of-way.** The sections have been revised as requested.

52. Submit the following approvals for final approval:

a. DelDOT. **Comment Remains.** Understood.

b. Sussex Conservation District. **Comment Remains.** Understood.

c. DHSS. **Comment Remains.** Understood.

d. Fire Marshal. **Comment Remains.** Understood.

If you have any questions or need additional information, please do not hesitate to contact me at (302) 424-1441 or tmm@dbfinc.com.

Sincerely,
DAVIS, BOWEN & FRIEDEL, INC.



Timothy M. Metzner, RLA, LEED AP ND
Associate / Sr. Landscape Architect

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February 24, 2022

City of Milford
201 South Walnut Street
Milford, Delaware 19963

Attention: Rob Pierce
Subject: Cypress Hall – PUD and Phase 3
KCI Job No. 131803632 – Task 11

Dear Mr. Pierce,

As requested, KCI Technologies performed a review of the Cypress Hall Residential PUD and Phase 3 Preliminary Plans dated November 2021. This review was performed on the basis of the City's Standard Specifications, codes and general engineering best practices.

We offer the following comments for your consideration. Many of the comments listed below apply to both the PUD and Phase 3. Therefore, many comments have been duplicated under the PUD and Preliminary Subdivision Plan due to the applications being separate. We recommend preliminary approval, however the remaining comments must be addressed during the final review.

PUD

1. Label all landscape bufferyards on the plan. **Comment Remains – On sheet PL-15, label the 50' woodland buffer along the southern property line similar to what was done on sheet PL-13.**
2. Road names musts meet the requirements of Chapter 200-8.A.17 and will require approval from Sussex County 911 Addressing. Additionally, Zoar Avenue in Phase 3 must be renamed since Zoar Avenue exists in Phase I and is not connected to the Phase 3 road. **Comment Remains – All road names will have to be finalized and approved by Sussex County 911 Addressing prior to final approval.**
3. Add a note to the PUD, Phase 1/2, and Phase 3 plan sets that the rest of Cypress Hall should be constructed per the Cypress Hall Commercial Plans at the end of Lexus Drive. **Addressed with Comment – This note was added to the PUD. Please add this note to the other plan sets. Comment Remains.**

4. Remove the density calculations for each individual phase. Revise the site data to only list the density calculation for the entire PUD per 230-48.1 of the City's Zoning Code which states "A planned unit residential development is not intended to increase density, but to allow flexibility in the design of the number of dwelling units permitted. If a parcel or parcels have more than one zoning classification, the total permitted density may be located throughout the parcel or parcels. The total permitted density shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district in which the land is located. Net development area shall be determined by subtracting 25% of the gross area. Gross area shall not include any wetlands, floodway, or similar area not suitable for building as determined by the Planning Commission." **Addressed.**
5. Currently, the minimum required lot width and lot area for duplexes is listed as 30' and 3,750 SF, respectfully. Revise the plan accordingly so that it lists the minimum required lot width as 40' and the minimum required lot area as 4,000 SF. **Addressed.**
6. Currently, it appears that items that were not approved by City Council are listed under "Previously Approved Deviations from R3 Zoning Code". Remove items 4 and 5 as these deviations were denied by City Council on March 25, 2019. In addition, City Council also added a condition at that time that a 50' wide wooded buffer be provided in an open space area along the entire southern property line shared with the Delaware Solid Waste Authority. **Addressed.**
7. Currently, the PUD table states that a 28' wide roadway is being provided for the Townhomes. However, City Council did not approve this deviation and it does not appear that it is being proposed on the plans. Revise the provided road width to be 30' for the townhomes. **Addressed.**
8. Please clarify when the connection will be made between Phase 1 and the existing improvements on the Cypress Hall Commercial property along Lexus Drive. The interconnection needs to be done before proceeding to phase 2 or phase 3 in order to provide safer access to Route 113 northbound. The owner shall be made aware of this and a note should be added to the plan stating this. **Addressed.**
9. Per comment #5 of the Cypress Hall Phase 1 and 2 letter dated 11/1/2021, the parking lot of the clubhouse needs to be outside of the City's right-of-way and shall meet the City's minimum parking lot setback of 15'. **Addressed.**
10. Revise sheet PUD-04 so that the landscape buffer adjacent to the Milford Grain property is labeled. **Addressed.**
11. Revise sheet PUD-05 to label the 50' landscape buffer along the southern property line adjacent to Delaware Solid Waste Authority. **Addressed.**
12. In regards to the typical street sections on sheet PUD-06, label the pavement thicknesses (GABC, Type B, Type C) for each section. **Addressed.**

Preliminary Subdivision Plan

13. Address the following to the cover sheet:

    a. Revise the data column to reflect the entire PUD (inclusive of Phase 1 and 2) and provide additional information related to Phase 3 since Cypress Hall is one subdivision. Items such as open space, density, etc. should be listed for the entire PUD. Addressed with Comment – Similar to comment 11, remove the density calculations for each individual phase. Revise the site data to only list the density calculation for the entire PUD per 230-48.1 of the City's Zoning Code which states "A planned unit residential development is not intended to increase density, but to allow flexibility in the design of the number of dwelling units permitted. If a parcel or parcels have more than one zoning classification, the total permitted density may be located throughout the parcel or parcels. The total permitted density shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district in which the land is located. Net development area shall be determined by subtracting 25% of the gross area. Gross area shall not include any wetlands, floodway or similar area not suitable for building as determined by the Planning Commission". **Addressed.**

    b. Under the bulk area requirements, the proposed designated open space area is listed as 256,657 SF. However, the total open space listed under "Proposed Site:" is listed as 9.599 (418,132 SF). Verify what the proposed open space is and revise the plan accordingly so that the areas are consistent. The "Total Open Space Required" calculation uses 546 units. However, the total number of units listed on the plan is 548 units. Verify the total number of units and revise the plan accordingly so that the site data is consistent. **Addressed.**

    c. Currently, the bulk area requirements are listed as the same for the single-family detached and semi-detached homes. However, the requirements are different. The single-family detached homes shall meet the R3 requirements listed in Chapter 230-11.b.1.a and the semi-detached homes shall meet the R-2 requirements in Chapter 230-10 of the City's Zoning Code. Any deviations or waivers of these requirements shall be listed on this plan and the PUD. Please list the requirements and proposed conditions for both the single-family detached and semi-detached homes. The City's Zoning Code defines Two-Family Dwellings as "two dwelling units accommodating two families, which units are located one over the other, and having two side yards". The required/proposed bulk area requirements for the semi-detached lots are incorrect in the site data. Revise the permitted lot area and lot width for semi-detached lots to be 4,000 SF and 40'. The R-3 code defers to the R-2 for single family semi-detached lot area regulations. **Addressed.**

    d. Add the gas provider to the plan if applicable. **Comment Remains.**

e. The FEMA Flood Map is incorrect. Revise the FEMA Flood Map to be 1005C0039J. **Comment Remains – The Flood Map number in the Site Data is still incorrect.**

f. Revise the cover sheet to list the PUD waivers for the entire subdivision. The waivers need to be listed on the cover sheet of the Record Plan for Phase 3 based on City Council's approval/denial. **Comment Addressed with comment, make sure all PUD waivers are listed.**

14. CAD files will need to be submitted to the City Electric Division when Final Construction Plans are submitted so that the electric design can be updated. **Comment Remains.**
15. Currently, the cul-de-sac exceeds the maximum 400' dead end street per Chapter 200-8.D. Revise the plan accordingly to shorten this road or request a waiver and add this to the PUD table. In addition, revise the right-of-way width for this road leading to the cul-de-sac to be 50'. **Comment Remains - If the waiver is approved, indicate this on the cover sheet.**
16. Per Chapter 200-8.D, the maximum block length shall be 1,200 feet. Revise the plan accordingly to meet this requirement or request a waiver. **Comment Remains - If the waiver is approved, indicate this on the cover sheet.**
17. Per Chapter 200-8.D, block widths shall not be less than 275 feet nor more than 450'. Revise the plan accordingly to meet this requirement or request a waiver. **Comment Remains - If the waiver is approved, indicate this on the cover sheet.**
18. Currently, it is difficult to differentiate between the phases. Please gray out all other phases so that phase 3 is clearly illustrated. Comment Remains – Please add phase lines throughout the plan set to distinguish infrastructure (utilities, roads, etc.) between phases 1/2 and phase 3. Currently, just the lots are different, but phase lines should be added to the plans to distinguish where the infrastructure starts/ends between the phases. **Addressed.**
19. Clarify what recreation amenities will be provided on Open Space Area B to meet the recreational open space requirement. **Comment Remains - Label the width of the walking path on the plan. In addition, when final plans are submitted, provide details of the recreational open space area (walking path material, bench locations, etc.).**
20. (PL-02 and PL-06) Add a north arrow to the plan view sheets. Add a north arrow to sheet PL-07 and PL-12. **Addressed.**
21. (PL-05) The cul-de-sac shall be renamed to "_____ Court". Road names shall be finalized prior to final approval. **Comment Remains.**
22. (PL-06) Verify that all handicap ramps are aligned per ADA standards. For example, the handicap ramps on the eastern side of the Kristen Drive and Road A intersection are not aligned. **Addressed with comment –handicap ramps at intersection of Lexus Drive at**

Zoar Avenue and Road A at Kristen Drive do not lead to another ramp on the other side of the road. Verify the plans accordingly so there is a handicap ramp on the receiving side.

23. Additional handicap ramps need to be provided throughout the subdivision. Per DelDOT Development Coordination Manual, "4-way intersections should have a total of 4 crossings, wherever possible, with two ramps on each corner. 3-way "T" intersections should have a total of 2 crossings, with one for each road. Where feasible, drainage structures shall be placed to allow for two ramps on each corner and perpendicular crossings. Single ramps at the intersection radius may only be used in exceptional circumstances at entrances or offsite intersection improvements such as retro-fit improvements, where the existing infrastructure or field conditions prohibit two ramps to be installed." Some examples of where handicap ramps need to be added are at the following intersections:
    a. (PL-04) Keg Lane and Lexus Drive. **Addressed.**
    b. (PL-04) Jordan Drive and Road A. **Addressed.**
    c. (PL-04) Keg Lane and Jordan Drive. **Addressed with comment, sign post appears to be on the landing area for the East-West crossing on Keg Lane. Relocate the sign and revise the plans accordingly.**
    d. (PL-05) Kristen Drive and Road A. Verify that the handicap ramp won't be in the driveway of lot 149**. Addressed.**
    e. (PL-06) Jordan Drive and Road A. **Addressed.**
    f. (PL-06) Kristen Drive and Road A. **Addressed.**
24. Address the following to the Preliminary Utility Plan:
    a. Utility easements will have to be provided for the storm drain pipes that are not within the City's Right-of-Way when Construction Plans are submitted. Utility easements will be added to the plan when storm drain system is finalized**. Comment addressed with comment, dimension, and label all the utility easements on the plan.**
    b. Currently, there are many storm drain pipes that are running in between side property lines. The building setback lines are 8' wide which only leaves room for a 16' easement. Revise the plan accordingly so that 20' wide utility easements can be achieved per the City's Standard Specifications. Additional easement width may be necessary depending on the depth of the storm drain pipes which will be determined when Construction Plans are submitted. **Comment addressed with comment, dimension, and label all the utility easements on the plan.**
    c. Currently, there are many yard basins and storm drain pipes in between rear property lines. Please consider any problems this may cause for home owners since a 20' easement will have to be provided for this storm drain pipe. This will leave only a 5' rear yard that is not within an easement. These problems could

include restrictions of fences, sheds, landscaping, etc. We encourage the engineer to look into possibly grading the subdivision so that yard basins are not needed where two rear yard property lines meet if possible. This is also the case for the lots that abut Open Space Area B. However, if drainage cannot be achieved without catch basins in the rear yards, the current design may remain. **Comment Remains – Utility easements will be added to the plan when storm drain system is finalized.**

d. Clarify how drainage will be handled along the rear yards of the residential lots that do not currently have catch basins. See lots 177-185, 115-128, 129-142, 186-198 and 210-212. Lines and grades as-built plans will have to be submitted for all lots when each individual lot is developed during construction. **Comment Noted – Per response letter from DBF, a combination of swales and inlets will be provided. Currently, there is no code requirement for individual lines and grades plans but the City is looking into implementing this.**

e. The City of Milford prefers location of the cleanouts to be in the sidewalk when Construction Plans are submitted. They should not be located in the driveway. **Comment Remains – Cleanouts should be shown in the sidewalks when final plans are submitted. In addition, driveway layouts will have to be provided when final plans are submitted. This can either be done by showing the driveways on the plan or with typical lot layout details.**

f. It appears that the storm drain pipes have different line styles for the pipes in this phase and the previous phases. Revise the plan accordingly so that the water and sanitary sewer mains that are to be installed in a separate phase also have a separate line style (i.e. gray). When Construction Plans are submitted, the tie-ins to the existing phases will have to be clearly shown on the plan with any elevations, inverts, etc. listed. This will clearly delineate where the phase end for the utilities. **Comment Remains – Plans will be revised to clearly show tie-in to previous phases when Construction Plans are submitted.**

g. Revise the plan accordingly so that the maximum length of pipe between sanitary sewer manholes is 400'. **Comment Remains.**

h. There appears to be two unnecessary valves located on the 8" water main that services the fire hydrants throughout the plan. We recommend removing these water valves. **Addressed.**

i. (PL-08) Water and Sanitary Sewer stubs should be provided for the Delaware Solid Waste Authority property (parcel 1-30-6.00-98.00). An easement will have to be provided for the utilities if they are outside of the right-of-way. Depending on how deep the sanitary sewer main is, an easement larger than the typical 10' on each side of pipe may be required. **Comment Remains – Per Chapter 200-8(H)(1), utility easements are required to be granted and recorded by the subdivider to allow extension of utilities to neighboring properties and all water/sewer systems shall be extended to handle all present and probable**

future development. The city is requesting that an easement and water/sewer extensions are provided for the property (1-30-6.00-98.00) to the south. This utility extension may be in between lots 166 and 167 and stubbed out into the open space. We recommend that a 30' wide easement and open space area be incorporated in between these lots to fit the water and sanitary sewer main. Another option would be to extend a water main in between two lots and a sanitary sewer main in between two different lots with 20' wide easements and open space areas be incorporated in between the lots.

j. (PL-08) Lot 254 has two water and sanitary sewer services. Revise the plan accordingly so that the lot has only one of each. Lot 207 has two water and sanitary sewer services. Revise the plan accordingly so that the lot has only one of each. **Addressed.**

k. (PL-08) There is currently a water valve located on top of a storm drain pipe at the intersection of Jordan Drive and Lexus Drive. Revise the plan accordingly to provide adequate horizontal separation from other utilities at the valve clusters. **Addressed.**

l. (PL-09 & PL-10) When final plans are submitted, revise the plan so that the water and sewer lateral stubs are located in front of the lots. For example, the services in front of lots 97-114 need to be revised. **Comment Remains.**

m. (PL-09) Lot 209 has two water and sanitary sewer services. Revise the plan accordingly so that the lot has only one of each. There are multiple lots that have more than one water/sewer service. When final plans are submitted, revise the plans accordingly so that just one water/sewer service is provided for each lot. **Addressed.**

n. (PL-09) Per comment 26 of the Phase 1/2 letter dated 10/22/21, the water main should be looped at the end of the cul-de-sac to tie into the water main along the southern side of Geyer Avenue. Revise the plan accordingly to loop the water main in this location. In addition, please revise the alignment of the water main/storm drain system so that the water main has adequate horizontal separation from the catch basin at the end of the cul-de-sac. Water valves shall be provided on each leg of the water main tee. **Addressed.**

o. (PL-09) There is a sanitary sewer main that crosses underneath curb just east of SWM Pond #4. Revise the plan accordingly so that the sanitary sewer main stays within the paved roadway. **Addressed.**

25. Address the following to the Typical Street Section Details on sheet PL-11:

a. Currently, the travel lanes on the 50' typical street section are labeled as 12'. However, on the plan view, the street width is labeled as 25'. Revise the plan/section detail accordingly so that they are consistent. There are two 25' dimensions from the center line that do not extend to the end of the 50' right-of-way dimension. **Addressed.**

b. Currently, the travel lanes on the 60’ typical street section are labeled as 12’. However, on the plan view, the street width is labeled as 28’. Revise the plan/section detail accordingly so that they are consistent. **Addressed.**

c. Per City of Milford General Note 42, a 10’ easement shall be provided along the right-of-way in front of the lots. Add the 10’ easement to both section details on both sides of the right-of-way. General Note was added to the plan to add a blanket easement along the property lines. However, the section detail shall still be revised to show the easements along the right-of-way. **Addressed.**

26. Submit the following approvals for final approval:

a. DelDOT. **Comment Remains.**

b. Sussex Conservation District. **Comment Remains.**

c. DHSS. **Comment Remains.**

d. Fire Marshal. **Comment Remains.**

If you have any questions or comments regarding this letter, please do not hesitate to contact me any time at (302) 318-1087

Sincerely,

Ardalan Faghri,
Project Designer

Jason McClafferty, P.E.
Project Manager

§ 200-4. Application procedure.

A. Preliminary approval.

(1) A preliminary plan and documents, as specified by the Planning Department, shall be prepared by the subdivider and submitted in accordance with the submission schedule as determined by the City Planner, along with the appropriate fees, as specified in § 230-57.

(2) The Development Advisory Committee (DAC) shall review the application and plan. Comments from the DAC must be addressed via either submitting revised plans and/or necessary documents or via a narrative submitted to the City Planner. Upon confirmation by the City Planner that all DAC issues have been addressed satisfactorily, the application will then be scheduled to be heard by the Planning Commission.

(3) The Planning Commission shall review the application and provide either a recommendation of preliminary approval with or without conditions, a recommendation of denial, or table the application. Upon a recommendation of approval with or without conditions or recommendation of denial, the application shall be scheduled to be heard by the City Council.

(4) City Council shall grant preliminarily approval of the application with or without conditions, deny the application, or table the application.

(5) Preliminary approval from City Council shall be void after one year, unless an extension is requested by the owner and approved by City Council prior to the expiration.

B. Final approval.

(1) A final plat and documents, as specified by the Planning Department, shall be prepared by the subdivider and submitted in accordance with the submission schedule as determined by City Planner, along with the appropriate fees, as specified in § 230-57.

(2) The Development Advisory Committee shall review the application and plan. Comments from the DAC must be addressed via either submitting revised plans and/or necessary documents or via a narrative submitted to the City Planner. The final plan shall also be reviewed by the City Planner for confirmation that the application is designed in accordance with all subdivision, zoning and other land use regulations of the City. The final plan shall also be reviewed by the City Engineer for confirmation that the application is designed in accordance with the construction standards and specifications of the City. Upon confirmation by the City Planner and City Engineer that all issues have been addressed satisfactorily, the application will be scheduled to be heard by the Planning Commission.

(3) The Planning Commission shall review the application and provide either a recommendation of final approval with or without conditions, a recommendation of denial, or table the application. Upon a recommendation of approval with or without conditions, or recommendation of denial, the application shall be scheduled to be heard by City Council.

(4) City Council shall approve the application with or without conditions, deny the application, or table the application.

(5) Within 90 days of final approval from City Council, the subdivider shall record the plat at the County Recorder of Deeds office and provide the City Planner a receipt of the recordation including the deed book and page number. Prior to recording the plat, five copies of the plat must be submitted to the City Planner for stamping and signing. Four sets will be returned to the subdivider.

(6) Upon recordation of the plat, the subdivider shall provide the Land Data Manager of the City a mylar copy of the plat including the deed book and page printed thereon.

(7) Failure to record the approved plat within one year from the date of City Council approval shall void the final approval. In order to obtain final approval after it has been voided, the subdivider must make application for final approval again.

(8) Failure to record the approved plat in more than one year from the date of City Council approval shall void the preliminary approval and final approval. In order to obtain preliminary and final approval after they have been voided, the subdivider must make application for and receive preliminary approval, then make application for and receive final approval.

§ 200-6. Revisions to recorded subdivision plats.

A. For rerecordation of previously subdivided and recorded major subdivision and minor subdivision, the revised plat must be signed by all lot owners within the subdivision who are adjacent to or share a common boundary line with the area of proposed change in addition to 75% of all lot owners within the entire subdivision. The adjacent property owners shall be included as a part of the required 75% of required signatures.

(1) A copy of the subdivision deed restrictions must accompany the application to revise a recorded subdivision plat. If there are procedures regarding revisions to the subdivision outlined in the deed restrictions, the applicant must meet the stricter of the two requirements.

B. Prior to seeking approval of any rerecordation, the owner/applicant shall give notice to all persons indicated by assessment records to be lot owners within the subdivision. The owner/applicant shall provide proof of notification in the form of certified mail receipts for each lot owner to the Department.

C. With the exception of Subsections D and E below, new letters of "No objection" from all agencies granting original approval of a project must be submitted.

D. The following are exempt from the rerecordation signature requirements:

(1) Administratively approved applications such as lot line adjustments where no additional lots are proposed; and

(2) Cases where utility easements are added to a subdivision plan.

E. For minor changes or alterations to recorded subdivision plats, in lieu of formal plan review by the Planning Commission and City Council, said minor changes may be administratively approved at the discretion of the Planning Director or designee, provided that such changes or amendments:

(1) Do not increase density;

(2) Do not substantially alter the road design or layout;

(3) Do not substantially alter the original conditions for approval;

(4) Involve no changes in permitted use of the property;

(5) Do not conflict with the specific requirements of this chapter or Chapter 230, Zoning;

(6) Do not change the general character or content of an approved plan in a material way;

(7) Have no adverse effect on adjoining or surrounding property;

(8) Do not result in any substantial change of major external access points;

(9) Do not decrease the minimum specified yards, setbacks, and open spaces; and

(10) Have no adverse effects on traffic operations.

§ 200-7. Expiration of approved subdivision development plans.

A. The following regulations concerning expiration of recorded and approved plans are applicable to major subdivisions and minor subdivisions.

B. Construction of improvements shown on recorded subdivision plans shall commence within five years of the original recordation date and continue progressing toward completion.

C. The Department shall notify by certified mail, return receipt requested, applicants and landowners of properties involving approved plans where construction has not commenced one year prior to the expiration date and again six months prior to the expiration date that they are subject to the expiration provisions and identify their options for possible reapproval.

D. For the purpose of this section, "commencement of construction" shall mean:

(1) That a building permit or such other permit or approval by City of Milford or an applicable state agency has been issued and construction commenced under such permit which is visible on an inspection of the property by a representative of City. Such construction must be intended to accomplish the installation of improvements under Section 200-6, General Requirements and Design Standards, but excludes general earthmoving activities, and such work must have been started with a good-faith intention and purpose then formed to continue the work until completion.

(2) That all financial obligations associated with a City approved public works utility agreement have been satisfied and the improvements pursuant to said agreement have been completed, provided that the construction described in Subsection D(1) above shall commence within 10 years from receipt by the City of the final monetary contribution required under said agreement.

E. Construction shall be deemed to be progressing toward completion so long as there is no cessation in construction activity longer than 12 consecutive months. The City shall inspect sites semiannually to determine the progress of construction. If the City determines that construction activity has ceased for a period of 12 consecutive months or more, the staff shall notify the applicant and landowners by certified mail, return receipt requested, that construction shall recommence within 30 days or the subdivision shall be considered expired.

F. For subdivisions and land developments in which a certificate of occupancy has been issued for a dwelling, the subdivision shall no longer be subject to expiration.

G. The applicant and/or landowner shall bear the burden of providing evidence to the City establishing that construction has commenced within the five-year period and is progressing toward completion.

H. Applicants and/or landowners who have been notified that their projects may be subject to expiration have the following courses of action available to them:

(1) The applicant has the opportunity to provide evidence to the City establishing that construction has commenced;

(2) The applicant may apply to the City for reapproval of the project for an additional five-year period in accordance with the following procedures:

(a) The City shall review the original (i.e, initial) recorded and/or approved plan for consistency with all current provisions of this chapter, Chapter 230 Zoning, and the Comprehensive Plan. Such review may involve coordination with and review by applicable Development Advisory Committee (DAC) agencies. Based upon that review, the Planning Director will determine if the original recorded plan meets current standards, or if the original recorded plan requires minor revisions in order to comply with current standards, or if the original recorded plan must be

resubmitted as a new application subject to all appropriate review procedures, regulations, and fees.

(b) In the event that the Planning Director determines that the original recorded plan is consistent with current policies and regulations, he/she shall reapprove the plan and provide written notice to the owner of reapproval. Such approval shall allow the issuance of building permits in accordance with all conditions of approval. The owner shall then have five years from the date of such notice of reapproval to obtain building permits and commence construction.

(c) Should the Planning Director determine that the plan requires minor revisions in order to comply with current policies and regulations, such notice shall be provided in writing and the applicant shall make such adjustments for administrative approval. Once the required minor revisions are completed, the plan may be reapproved administratively by the City Planning Department allowing the issuance of building permits subject to the provisions of the original record subdivision plan and/or any recorded resubdivision plans. The owner shall then have five years from the date of such notice of reapproval to obtain building permits and commence construction.

(d) Should the Planning Director determine that the plan would involve considerable revision to an extent that would change the scope of the project, the plan must be resubmitted for review by the Planning Commission and City Council for compliance with current policies and regulations. The City shall provide written notice to the owner of the specific areas of noncompliance. The landowner shall have the opportunity to make the necessary modifications to the plan and apply to the City as a new application in accordance with this chapter. Should new plans compliant with all current Code provisions be submitted, they must receive approval from the Planning Department, City Engineer, Planning Commission, and/or City Council, as applicable. Once reapproved, subdivision plans shall be recorded and shall have the effect of superseding the original record major subdivision plan. The owner/applicant shall then have five years from the date of reapproval to obtain building permits, commence construction, and progress toward completion.

(3) All of the above-referenced reviews, determinations, and reapprovals must be completed prior to the expiration of the five-year period.

I. Minor plan revisions, as described in Section 200-8, subsection E and F, that do not achieve full compliance with all current subdivision and land development provisions shall not reset the five-year time frame for commencement of construction and shall remain subject to expiration.

J. Should the five years lapse without the owner pursuing any of the options described in Subsections H(2)(a) through (d) above, the plan shall be considered expired. Expired subdivision plans shall be deleted from the City and County property records by deleting individual subdivision lots from the official City and County Tax Map and by eliminating the undeveloped parcels from the assessment records.

§ 200-8. General requirements and design standards.

The following shall be deemed to be minimum requirements and may be varied or waived by the Commission only under circumstances set forth in § 200-6:

A. Streets.

(1) The layout, character, extent, width, grade and location of proposed streets shall be established with due regard to:

(a) Public convenience and safety.

(b) Proposed uses of the land to be served by said streets.

(c) Proper relation and connection with and continuation and projection of streets in the adjacent areas, whether these streets are existing or proposed in another subdivision in a neighborhood plan, in the development plan or in the Official Map, as approved or adopted by the Commission.

(d) Topography and other land features.

(2) The layout of proposed streets shall furthermore be arranged in a manner acceptable to the Commission and City Council.

(3) Minor streets shall be laid out so as to discourage their use by through traffic.

(4) Where a subdivision abuts or contains an existing or proposed arterial street, limited-access highway or railroad, the City Council may require marginal access or service streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line and deep lots with rear service alleys or other treatment, such as parks, which may be necessary for the protection of residential properties and for separation of through and local traffic, with due regard for the requirements of future approach grades and grade separations.

(5) Where a tract of land is subdivided into lots substantially larger than the minimum size required in the zoning district in which a subdivision is located, the Commission may require that streets and lots be laid out so as to permit future resubdivision in accordance with the requirements of this chapter.

(6) Reserve strips controlling access to streets shall be prohibited except where the control and disposal of land comprising such strips has been placed in the governing body under conditions approved by the City Council such as provided in Subsection A(4) above.

(7) Certain proposed streets may be required to be extended to the boundary line of the subdivision to provide access to tracts which may be subdivided in the future. Wherever necessary, when a street is carried to the boundary line of the subdivision, the City Council may require a temporary turnaround improved to the satisfaction of the City Engineer and of the size specified in Subsection A(16) below at the stub end.

(8) The creation of dead-end or loop streets and superblocks will be encouraged wherever the City Council finds that such layout will not interfere with traffic convenience and safety. The City Council shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two such connections shall be provided, except where a proposed subdivision only contains one dead-end street.

(9) Street jogs shall be prohibited. Street intersections, where center lines do not meet, shall have center-line offsets of 150 feet or more.

(10) A tangent at least 100 feet long shall be introduced between reverse curves on arterial and collector streets and may be required on all other streets.

(11) Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which for the inner right-of-way lines shall not be less than 750 feet on arterial streets, 300 feet on collector streets and 100 feet on minor streets. The outer right-of-way line shall be parallel to said inner right-of-way line.

(12) Streets shall be laid out so as to intersect as nearly as possible at right angles. The inner right-of-way line of a street intersecting another street at an angle of less than 90° shall be tangent to and follow a curve with a minimum radius of 150 feet centered on the nearest right-of-way line of the intersecting street. The outer right-of-way line shall be parallel to said inner right-of-way line.

(13) Street right-of-way lines at intersections shall be connected with a curve, the radius of which shall be 25 feet.

(14) Right-of-way widths.

(a) Street right-of-way widths shall be as shown on the Official Map or development plan, and, if not shown thereon, said widths for the various street types between face of curb or edge of road shall not be less than as follows:

Street Type (feet)	Right-of-Way Roadway (feet)	
Arterial	80 to 110	As required by DelDOT
Collector	60	28
Minor, for townhouses and apartments	60	30
Minor, for other residences	50	25
Dead-end	50	22
Marginal access	30	16
*Alley	20	12

Note:
* If utilities are present in an alley, the City reserves the right to modify the minimum right-of-way and roadway widths.

(b) Subdivisions utilizing open swale drainage shall have a ten-foot drainage easement along the front of each property to accommodate the back slope of the drainage swales.

(15) Half streets shall be prohibited except where essential to the reasonable development of a subdivision in conformity with the requirements of this chapter and where the Commission finds that it shall be practicable to require the dedication of the other half when the abutting property is subdivided. Wherever an approved half street shall be adjacent to a subdivision, the other half of the street shall be platted within said subdivision.

(16) Dead-end streets, designed to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of 76 feet and a street right-of-way diameter of 100 feet.

(17) Street names.

(a) Street names shall be selected so as not to duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Commission. It is recommended that all new streets shall be named in the following manner:

General direction	Long	Short (under 1,000 feet)
North and south	Streets	Places
East and west	Avenues	Courts
Diagonal	Roads	Ways
Curving	Drives	Lanes or Circles

(b) Arterial streets shall be named "boulevards."

(18) Street grades shall not exceed 5%.

(19) Street grades shall be not less than 0.5% wherever feasible.

(20) Changes in street grades shall be connected by vertical curves of suitable length.

(21) The width of streets adjacent to areas designed, proposed or zoned for nonresidential use shall be increased by such amount as may be deemed necessary by the Commission to assure the free flow of through traffic without interference by parked or parking cars and to provide adequate and safe parking space.

(22) All required roads shall be constructed in accordance with the standard specifications as issued by the City Engineer.

B. Sidewalks and curbs.

(1) Sidewalks shall be required in all subdivisions on both sides of the street. Sidewalks shall have the following widths:

(a) In residential subdivisions: four feet unless otherwise specified.

(b) In commercial and industrial subdivisions: from the curb to property lines unless otherwise specified.

(2) Curbs or drainage swales conveying stormwater shall be required in all subdivisions.

(3) All required sidewalks shall be constructed in accordance with standard specifications as issued by the City Engineer.

C. Easements. Where a subdivision is traversed by a watercourse, drainageway, channel, pipe or stream, there shall be provided a stormwater easement or drainage right-of-way of such width as will be adequate for the purpose, in accordance with requirements specified by the City Engineer. Parallel streets or parkways may be required in relation thereto.

D. Blocks.

(1) The lengths, widths and shapes of blocks shall be determined with due regard to:

(a) The provision of building sites suitable to the needs of the type of use contemplated.

(b) Zoning requirements as to lot sizes and dimensions.

(c) The control, safety and convenience of pedestrian and vehicular traffic.

(d) The characteristics of topography.

(2) Block length shall not exceed 1,200 feet.

(3) Block widths shall be not less than 275 feet nor more than 450 feet and shall be planned to provide two rows of lots.

(4) Pedestrian walkways other than in streets may be required where deemed essential to provide for circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities. Said walkways shall be not less than four feet wide.

(5) Alleys shall be provided if required by the City Engineer.

E. Lots.

(1) Lot width, depth, shape and orientation and the building setback lines shall be appropriate for the location of the subdivision, for the type of development and for the use contemplated.

(2) Lot sizes shall conform to the requirements of Chapter 230, Zoning.

(3) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to comply with the off-street parking and loading requirements contained in Chapter 230, Zoning.

(4) Corner lots shall have sufficient width to provide an adequate building site within all the yard requirements. Corner lots shall have two front yard setbacks fronting each street, one side yard setback, and one rear yard setback.

(5) All lots in a subdivision shall have frontage on a public street.

(6) Double-frontage lots shall be avoided. Reverse-frontage lots shall be provided where necessary for protection of residential properties from through traffic and adverse nonresidential uses, for separation of through and local traffic and to overcome difficulties of topography or other specific conditions. Screen planting and a fence or wall shall be provided along the rear property line within an easement 10 feet or more in width, across which there shall be no right of access.

(7) Side lot lines shall be at right angles or radial to street lines.

(8) No lots shall be platted on land subject to flooding for residential or any other use where danger to life or property or an aggravation of flood hazard may result. Such land should be set aside for uses which would not be endangered by periodic or occasional inundations.

(9) No lots shall be platted within 25 feet of land under the jurisdiction of the U.S. Army Corps of Engineers.

F. Parks, playgrounds, open spaces, school sites and natural features.

(1) Parks and playgrounds. Where a proposed park or playground is located in whole or in part in a subdivision, the Commission may require the dedication or reservation of such area within the subdivision, in those cases in which the Commission deems such requirements to be reasonable.

(2) Open spaces. Where deemed essential by the Commission and City Planner, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale developments, the Commission or City Planner may require the dedication or reservation of sites of a character, extent and location suitable to the needs created by such development for playgrounds or parks. The Commission shall not require that more than 10% of the gross area of the open space of the subdivision to be so dedicated or reserved unless otherwise specified by the Zoning Code.[1] In case of a conflict, the requirement of the Zoning Code prevails. The Commission shall give due credit for the provision of open spaces reserved for the common use of all property owners within the proposed subdivision by covenants in the deeds. Generally, the minimum area of contiguous open space acceptable for dedication for public use shall be at least three acres and preferably five acres. Open spaces with a lesser area may be approved by the Commission whenever it deems that the difference between the area offered and three acres may be made up in connection with the future subdivision of adjacent land or added to an existing recreation area.

(3) School sites or sites for other public uses. The Commission may also require a subdivider to set aside such area as it may deem to be required for a school or other public use. Upon failure of the proper authorities to purchase such site within one year after the date of the approval of the plat, the subdivider, upon application to the Commission and approval of such application, shall be relieved of the responsibility of reserving such land for public purposes.

(4) Preservation of natural features. The Commission may require the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and historic spots and similar irreplaceable assets. In no case shall a tree over 12 inches in diameter measured three feet from the base be removed without prior approval by the City Arborist.

G. General grading. No final slope on the property shall exceed the normal angle of repose of the soil of said slope as determined by the City Engineer, except where said slope consists of a natural rock formation or is supported by a retaining wall or equivalent of a design acceptable to the City Engineer.

H. Improvements.

(1) In major subdivisions the following improvements are required:

(a) Paved streets.

(b) Street signs.

(c) Curbs and gutters, or roadside swales. Curbs shall be required as per standard specifications to stabilize intersections, entrances, and parking areas, and where they are necessary for the conveyance of stormwater and protecting road surfaces and driveway surfaces from vehicular traffic.

(d) Sidewalks.

(e) Streetlighting.

(f) Shade trees. Shade trees 150 feet on center each side of the road shall be located so as not to interfere with utilities or sidewalks and shall be of the types recommended by the City Arborist.

(g) Topsoil protection. No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed so as to provide at least six inches of cover to all areas of the subdivision and shall be stabilized by seeding or planting.

(h) Monuments. Monuments shall be of the type, size and shape required by the City Engineer.

(i) Water mains, culverts, storm sewers and sanitary sewers.

[1] All water installations shall be looped; all sewer and storm sewer systems shall be extended at minimum slope, maximum depth, and connected with an approved method and shall be adequate to handle all present and probable future development.

[2] All of the above-listed improvements shall be subject to inspection and approval by the City Engineer, who shall be notified by the subdivider at least 24 hours prior to the start of construction. No underground installation shall be covered until inspected and approved.

[3] Utility easements shall be required to be granted and recorded by the subdivider to allow extension of utilities to neighboring properties.

(j) Swales. Conveyance of stormwater is permitted by open drainage systems where appropriate for environmental and engineering integrity and design. Such systems shall be separated from the edge of road to the top of bank by a minimum five-foot shoulder. The depth of such systems shall not exceed two feet below crown of road. The side slope shall be a maximum of 4:1. The bottom of the system shall have a minimum width of two feet. The system slope shall be such that the maximum velocity does not exceed two feet per second. The system has to be designed in such a way as to incorporate driveway and crossroad drainage pipes; such systems shall be restored with topsoil and sod. Temporary check dams shall be placed in intervals not to exceed 300 feet.

(k) Headwalls. Storm drainage pipes which are part of an open swale drainage system shall be terminated with a headwall in accordance with standard specifications.

(2) The developer shall complete all utilities and street improvements not specifically waived by the Commission in accordance with standard specifications as issued by the City Engineer and with any additional requirements specified by the Commission. Construction drawings shall be submitted in a form satisfactory to the City Engineer.

(3) When the Commission or the City Engineer, due to planning considerations extraneous to the subdivision, requires a standard of improvements higher than that which is sufficient to serve the subdivision, the amount of the bond to be posted shall be deemed to be satisfactory if it adequately covers the cost of improvements which would be normally required.

(4) The developer shall pay the review and inspection fees as set forth in Chapter 230, Zoning, § 230-57, Planning, Zoning and Engineering Fees. The cost for each segment or phase of the development shall be paid prior to commencement of utility construction.

[Ord. No. 2013-7, § 1, 9-23-2013; Ord. No. 2019-13, § 1, 7-22-2019]

§ 200-9. Variances and waivers.

Applicants may request, at the time of application submission, the varying or waiving of requirements of Chapter 200, and the Planning Commission may, at its discretion, recommend to City Council the varying or waiving of said requirements and request conditions that substantially secure the objectives of the requirements so waived. Upon the findings of the City Council that, due to special conditions peculiar to a subdivision or a site, certain requirements of these regulations are inappropriate or that strict compliance with said requirements may cause extraordinary and unnecessary hardships, the City Council may vary or waive said requirements, provided that such variance or waiver shall not be detrimental to the public health, safety or general welfare or have the effect of nullifying the intent and purpose of the Official Map, Chapter 230, Zoning, the Development Plan or this chapter. In varying or waiving certain requirements, the City Council may specify such conditions at will, in its judgment, secure substantially the objectives of the requirements so varied or waived.

[Ord. No. 2019-13, § 2, 7-22-2019]

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

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

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

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

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

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

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

[2] Maximum building coverage shall be 45%.

[3] Minimum lot width shall be 60 feet.

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

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

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

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

[8] Decks, subject to the following requirements:

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

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

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

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

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

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

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

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

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

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

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

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

(a) The number of dwelling units per group shall not exceed eight nor be fewer than three.

(b) The number of dwelling units per acre shall not exceed 12.

(c) Maximum building coverage shall be 60%.

(d) No group of townhouses shall be closer than 60 feet as to facing walls and 30 feet as to end walls from any other group of such dwellings nor closer than 60 feet from any boundary line of a designated townhouse area of which the group is a part.

(e) There shall be within any contiguous group of townhouses at least three different architectural plans having substantially different designs and building materials. In addition, no more than three continuous townhouses shall have the same front setback, and the variations in front setback shall be at least four feet.

(f) The minimum width of any side yard abutting a street, driveway or parking area within the townhouse area shall not be less than 30 feet.

(g) Height of buildings shall not exceed three stories or 35 feet.

(h) Alleys in the rear of townhouse groups are required for access to units by owners and to facilitate City services, trash collection, meter reading and parking.

(i) Minimum lot size shall be one acre for townhouse projects or complexes, with a minimum of 2,000 square feet of lot area for each dwelling unit.

(j) A minimum of 400 square feet per unit shall be designated as open space subject to the recreational use requirements in Subsection B(3)(k) herein.

(k) Recreational use requirement. 50% of the required open space shall be set aside for recreational uses. This requirement only applies to subdivisions or developments with 15 or more lots or units.[2]

C. Conditional uses subject to special regulations. All uses specified as conditional uses in the R-1 and R-2 Districts and subject to its area regulations, and the following uses may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with the provisions of Article IX of this chapter:

(1) Rooming or boarding houses.

(2) Business offices for administrative purposes only.

(3) Professional offices (nonresident).

(4) Medical clinics.

(5) Sanatoriums or nursing homes.

(6) Mobile home parks, subject to conformance with the following requirements and subject to site plan review:

(a) The total area to be developed as a mobile home park shall be at least 20 acres.

(b) The maximum density shall not exceed eight units per acre.

(c) Mobile home parks with more than 25 units shall provide at least 5,000 square feet or 400 square feet per lot of open space. At least 10% of the open space shall be developed as a recreational area.

(d) Landscape screening shall be required along all property lines. The screening shall be accomplished with an evergreen hedge, shrubs or trees. The screen shall be located not less than five feet from the property line.

(e) Common sidewalks four feet in width shall be required where pedestrian traffic is located. Individual sidewalks 2 1/2 feet wide shall connect each mobile home unit to the common walk.

(f) Off-street parking shall be provided on the basis of two spaces per lot. All parking areas shall be located not more than 400 feet from the mobile home unit. There shall be no on-street parking.

(g) Streets shall be required from abutting public streets to individual lots. The streets shall be designed to minimize congestion and traffic hazards and must be built to the street and storm drainage specifications of Chapter 200, Subdivision of Land, of this Code. No more than two streets shall intersect at one point.

(h) Minimum requirements for mobile home lots.

[1] Lot area shall be 5,000 square feet per mobile home.

[2] Width shall be 40 feet.

[3] Public street setback shall be 50 feet.

[4] Mobile home park setback shall be 35 feet.

[5] Mobile home street or parking area setback shall be 30 feet.

[6] Distance from other mobile homes and buildings shall be 25 feet.

[7] One patio shall be required per unit, 10 feet by 40 feet paved.

[8] Landscaping shall be one tree per lot.

[9] Mobile homes must meet the requirements of the Federal Manufacturer Housing Construction and Safety Standard Act of 1974.

[10] The entire lot occupied by a mobile home park shall be maintained in single ownership throughout the entire life of the mobile home park.

(7) Art or specialty shops/galleries. The following items shall be reviewed for conformance during the site plan review hearing by the Planning Commission:

(a) The residence shall remain as the predominant feature of the site.

(b) The shop or gallery shall occupy only 40% of the residence.

(c) Public parking shall be available, with the determination of said parking requirements being made by the Planning Commission during the site plan review hearing. These determinations and recommendations must be done in conjunction with any state regulations concerning traffic control within the given site area.

(d) The Fire Marshal review must be applied for and recommendations made by the agency must be presented two weeks prior to the hearing date. All requests or recommendations shall be adhered to.

(8) Planned unit residential development.

§ 230-48.1. Criteria for planned unit residential development.

A. Permitted uses. Uses, accessory uses and signs permitted in any residential district shall be permitted in accordance with the additional requirement and provisions of the article.

B. Minimum requirements, area and width. In a planned unit residential development, minimum lot area and width may be less than that required by the district regulations, except that no single-family lot shall be less than 4,000 square feet in area nor less than 40 feet in width. The width of the lot shall be between lot lines at the front building setback line as determined by the Planning Commission.

C. Density. A planned unit residential development is not intended to increase density, but to allow flexibility in the design of the number of dwelling units permitted. If a parcel or parcels have more than one zoning classification, the total permitted density may be located throughout the parcel or parcels. The total permitted density shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district in which the land is located. Net development area shall be determined by subtracting 25% of the gross area. Gross area shall not include any wetlands, floodway or similar area not suitable for building as determined by the Planning Commission.

D. Other requirements. Off-street parking, parking beneath buildings, front, side and rear setbacks, landscaping and buffering, lot coverage, number of units per building and building separation shall be as determined by the Planning Commission. Maximum height shall not exceed 48 feet and four stories maximum.

E. A planned unit residential development shall be subject to the same review procedures as for a major subdivision as provided in Chapter 200, Subdivision of Land.

F. Neighborhood commercial.

(1) Permitted neighborhood commercial uses. The following neighborhood commercial uses are permitted in a planned unit development:

(a) Retail goods and services.

(b) Child-care center (care for fewer than 24 children).

(c) Food services (grocery/convenience: cafe, coffee shop, but no facility with fuel distribution).

(d) Medical and dental offices, clinics, and laboratories.

(e) Professional and administrative offices.

(f) Repair services, conducted entirely within the building. (Auto repair and similar uses are not permitted.)

(g) Mixed use building (residential, including rentals, with other permitted use).

(h) Laundromats or dry cleaners.

(i) Art, music, or photography studio.

(j) Personnel service (barbershop, salons, video rental, fitness center and similar uses).

(k) Allowable uses (e.g., swimming pools, clubhouse and associated sport and exercise areas, tennis courts).

(2) Floor area standards. Up to 25% of the total acreage within the planned unit development may be available for nonresidential uses including neighborhood commercial, nursing home and hospice care, professional and small business office use, similar uses, but excluding areas reserved for clubhouse, pool, HOA offices and other development amenities. For neighborhood commercial, the maximum interior floor area shall not exceed 6,500 square feet total for any one use on one neighborhood commercial site without a variance.

(3) Hours of operation. Except for the swimming pool, clubhouse and associated sport or exercise areas, neighborhood commercial land uses shall be limited to the following hours of operation 6:00 a.m. to 9:00 p.m.

(4) Storage. Except for plants and garden supplies, overnight storage is not permitted.

(5) Parking. Parking spaces for the commercial space shall be determined in accordance with the overall planned unit development submission but in no event shall be less than 50% of the spaces required for standard commercial space.

(6) Control. Ownership of the land and buildings comprising the commercial space may be by individuals, corporations or partnership either in fee simple or as a condominium with limited common area control and shall be subject to the rules and regulations contained in the commercial area tenants association and covenants and restrictions. All commercial tenants shall pay dues and assessments to said association for management and upkeep of the common areas.

(7) Density. The overall density otherwise permitted under planned unit development shall be reduced at the rate of one dwelling unit per 3,000 square feet of commercial floor space.

G. A minimum of 400 square feet per unit shall be designated as open space subject to the recreational use. Recreational use requirement - 50% of the required open space shall be set aside for recreational use.

CITY OF MILFORD
NOTICE OF PUBLIC HEARING
Planning Commission Hearing: Tuesday, March 15, 2022 @ 7:00 PM
City Council Hearing: Monday, March 28, 2022 @ 7:00 PM

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

ORDINANCE 2022-13
Halpern Family Series, LLC – Teal Creek on behalf of Teal Creek Plaza for a Conditional Use
5.04 +/- acres of land located along the west side of N. Dupont Boulevard approximately 125 feet south of Rogers Drive
Address: 701-715 N. Dupont Boulevard
Comprehensive Plan Designation: Commercial
Zoning District: C-3 (Highway Commercial District)
Present Use: Shopping Center & Vacant Proposed Use: Shopping Center
Tax Parcels: MD-16-174.17-01-26.00 & 27.02; MD-16-183.05-01-01.00

WHEREAS, the applicant proposes to expand the existing Teal Creek Shopping Center by constructing a 14,347 +/- square foot addition and associated parking lot at the above referenced parcels and as shown on the preliminary site plans located at City Public Works Facility, 180 Vickers Drive, Milford; and

WHEREAS, • Chapter 230-14(C)(11) states a "shopping center" is a conditional use subject to City Council review and approval; and

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

WHEREAS, Milford City Council held a Public Hearing on March 28, 2022, allowing for additional public comment, after which time the majority members of 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 Delaware State News on February 28, 2022, and provided to property owners within 200 feet of the subject parcel; and

WHEREAS, this ordinance becomes effective ten days following the date of its adoption by City Council.

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 Halpern Family Series, LLC – Teal Creek on behalf of Teal Creek Plaza, to allow for the expansion of the Teal Creek Shopping Center and Parking Lot; at 701-715 N. DuPont Boulevard, Milford, Delaware.

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: March 14, 2022
Planning Commission Review & Public Hearing: March 15, 2022
City Council Public Hearing: March 28, 2022
Effective: Ten Days Following Adoption by City Council

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

02.25.22

Published:
Delaware State News 02.28.22
Milford Beacon 03.02.2022

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

DATA SHEET FOR TEAL CREEK PLAZA EXPANSION

Development Advisory Committee: January 19, 2022

Planning Commission Meeting: March 15, 2022

Application Number / Name	:	21-051 / Teal Creek Plaza Expansion
Applicant	:	Halpern Family Series, LLC – Teal Creek 2 Kings Highway Dover, DE 19901
Owner	:	Same
Application Type	:	Preliminary Conditional Use Site Plan
Present Comprehensive Plan Map Designation	:	Commercial
Present Zoning District	:	C-3 (Highway/Commercial District)
Present Use	:	Shopping Center & Vacant Land
Proposed Use	:	Shopping Center
Size and Location	:	5.04 +/- acres of land located along the west side of N. Dupont Boulevard approximately 125 feet south of Rogers Drive, addressed as 701-715 N. Dupont Boulevard.
Tax Map & Parcel	:	MD-16-174.17-01-26.00 & 27.02 MD-16-183.05-01-01.00

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

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THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
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STAFF REPORT
February 28, 2022

Application Number / Name	**:**	21-051 / Teal Creek Plaza Expansion
Present Comprehensive Plan Designation	**:**	Commercial
Present Zoning District	**:**	C-3 (Highway Commercial District)
Present Use	**:**	Shopping Center & Vacant
Proposed Use	**:**	Shopping Center
Tax Map & Parcel	**:**	MD-16-174.17-01-26.00 & 27.02 MD-16-183.05-01-01.00
Size and Location	**:**	5.04 +/- acres of land located along the west side of N. Dupont Boulevard approximately 125 feet south of Rogers Drive, addressed as 701-715 N. Dupont Boulevard.

I. BACKGROUND INFORMATION:

- The applicant proposes to expand the existing Teal Creek Shopping Center by constructing a 14,347 +/- square foot addition and associated parking lot on the above referenced parcel as shown on the provided preliminary site plans.

- Chapter 230-14(C)(11) states a “shopping center” is a conditional use subject to City Council review and approval.

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 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 project is bound on the north by residential land containing eight single-family detached dwellings. The project is bound on the west and south by a drainage feature and other commercial and industrial land. The project is bound on the east by Route 113.

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

     The proposed use is allowed by conditional use approval within the C-3 Highway Commercial district.

  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 the zoning code permits the use by conditional use approval from City Council.

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

     The project includes a 15-foot-wide landscape buffer along the entire northern property line shared with the residentially zoned properties. The applicant proposes to construct a 6-foot-tall fence from the edge of the Route 113 right-of-way 385 feet to the west as shown on the provided Preliminary Site Plans. Final site plans will need to ensure there is a 6-foot tall opaque buffer of either plantings or fence along the entire property line.

  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. The subject parcel is located along an established principal arterial state-maintained road which includes other highway commercial uses.

  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 principal arterial (N. Dupont Boulevard) and the applicant will be required to obtain DelDOT approval for the proposed expansion. The proposed site plan meets the minimum parking and setback requirements for the proposed use and screening has been provided between the subject parcel and the residentially zoned properties to the north.

- 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**
  - DelDOT subdivision held a pre-submittal meeting with the developer and their designer on January 14, 2021.
  - The process the in which the project will be reviewed has not been determined. The designer will provide supporting document to DelDOT. Upon receiving this information, DelDOT will be able to determine the plan review submissions required

- **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**
  See attached comments.

- **Delaware State Fire Marshal's Office**
  See attached comments.

- **Carlisle Fire Company**
  No comments provided.

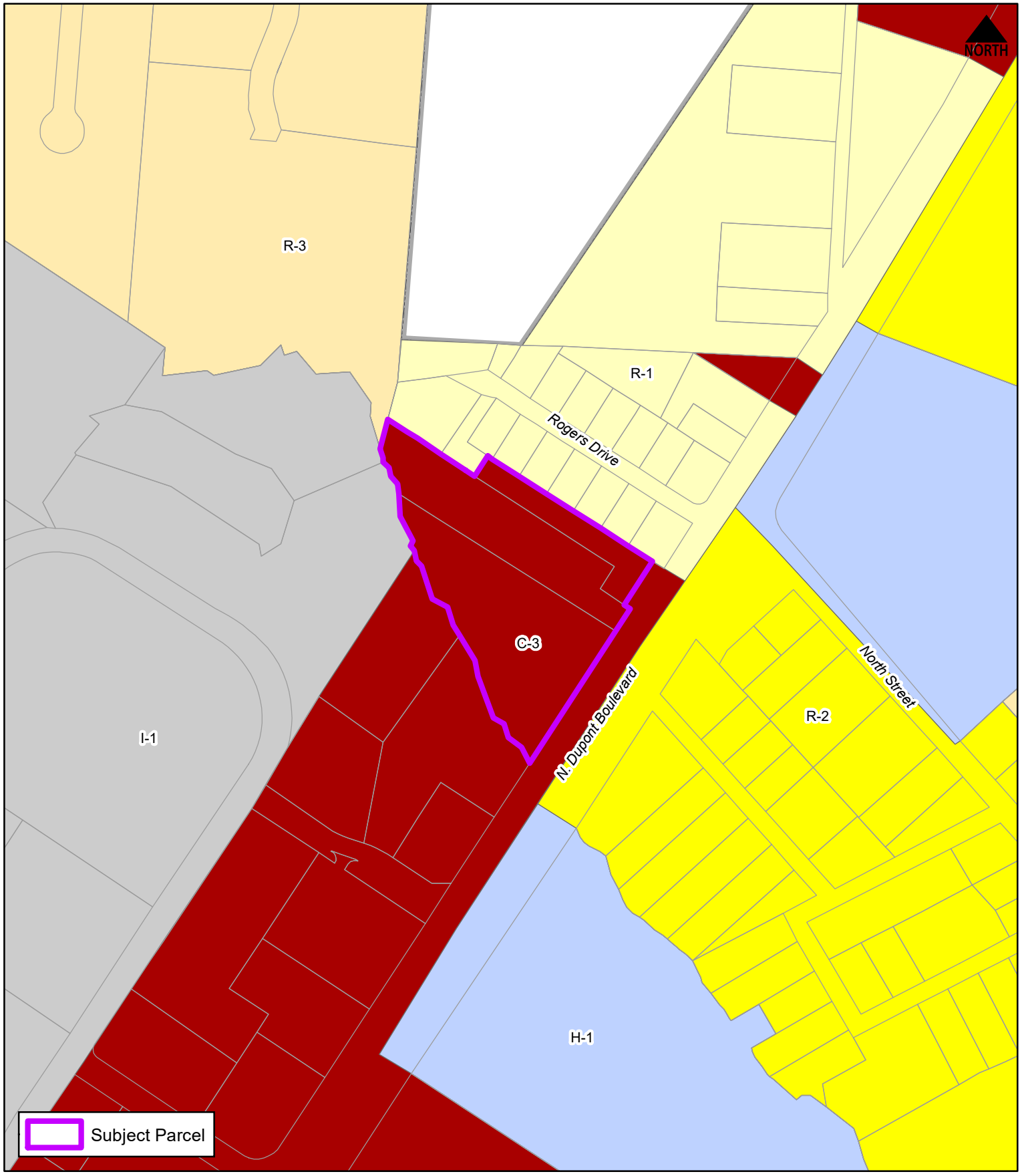
- **City Engineer**
  See attached Preliminary Site Plan review comments dated February 18, 2022 and corresponding responses from the applicant.

- **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.



THE CITY of Milford DELAWARE

Scale: Feet
0 150 300

Drawn by: WRP Date: 01/04/22

Filepath: CU_TealCreekPlazaExp.mxd

Title:

Preliminary Conditional Use Site Plan

Teal Creek Plaza Expansion

Location & Zoning Map

TEAL CREEK PLAZA EXPANSION

PRELIMINARY PLANS

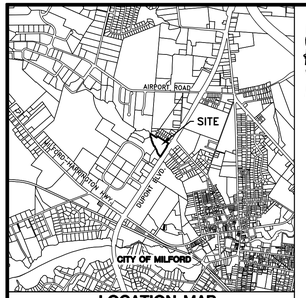
MISPILLION RIVER WATERSHED

MILFORD HUNDRED

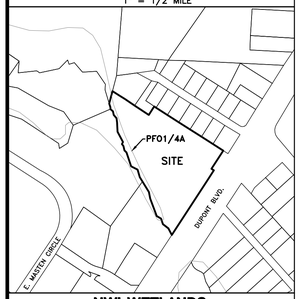
CITY OF MILFORD

KENT COUNTY, DELAWARE

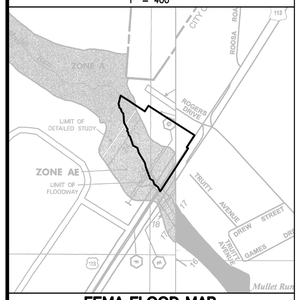
DBF PROJECT NO. 2916A021 DECEMBER 2021



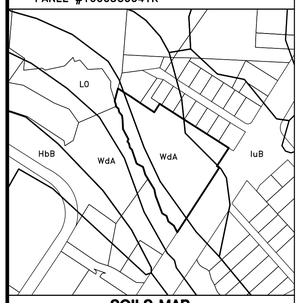
LOCATION MAP
1" = 1/2 MILE



NWI WETLANDS
1" = 400'



FEMA FLOOD MAP
PANEL #10005C0037J SCALE: 1" = 1/2 MILE
PANEL #10005C0041K



SOILS MAP

SOILS DATA

LABEL	SOIL NAME	TYPE
HbB	Hambrook sandy loam, 2 to 5 percent slopes	B
IuB	Ingleside–Urban land complex, 0 to 5 percent slopes	A
LO	Longmarsh and Indiantown soils, frequently flooded	B/D
WdA	Woodstown sandy loam, 0 to 2 percent slopes	C

DELDOT GENERAL NOTES

1. NO LANDSCAPING SHALL BE ALLOWED WITHIN R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).

2. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.

3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.

4. THIS COMMERCIAL PARCEL HAS DIRECT FRONTAGE ALONG DELAWARE ROUTE 113, WHICH HAS A FUNCTIONAL CLASSIFICATION OF INTERSTATE AS DEFINED BY THE STATE OF DELAWARE'S DEPARTMENT OF TRANSPORTATION. PER SECTION 3.6.1 OF THE DELDOT DEVELOPMENT COORDINATION MANUAL (DCM): IT IS THE DEVELOPER'S RESPONSIBILITY TO EVALUATE NOISE LEVELS AND THEIR IMPACTS ON PROPOSED DEVELOPMENT, FOR PROJECTS ADJACENT TO EXISTING TRANSPORTATION FACILITIES WITH THIS FUNCTIONAL CLASSIFICATION. ROADWAYS WITH THIS CLASSIFICATION CAN BE EXPECTED TO GENERATE ELEVATED LEVELS OF ROAD AND TRAFFIC RELATED NOISE, SIMILAR TO WHAT CAN BE EXPECTED IN URBAN AREAS. A DETAILED NOISE ANALYSIS PER DCM 3.6 IS TYPICALLY RECOMMENDED TO HELP GAUGE THE ACTUAL IMPACTS THAT ROADWAY RELATED NOISE MAY HAVE ON VARIOUS POTENTIAL LAND-USES (SUCH AS THOSE DESCRIBED IN DCM FIGURE 3.6.3-A: NOISE ABATEMENT CRITERIA). WITH THE INCLUSION OF THIS NOTE, THE DEVELOPER IS ACKNOWLEDGING THAT THE PROPOSED SITE AND/OR BUILDING LOCATION CAN BE EXPECTED TO EXCEED THE SPECIFIC MAXIMUM NOISE LEVELS FOR CERTAIN COMMERCIAL AND NON-RESIDENTIAL USES AS SHOWN IN DCM FIGURE 3.6.3-A. THE DEVELOPER'S WAIVER OF THE NOISE ANALYSIS AND REVIEW OF POTENTIAL NOISE MITIGATION MEASURES ARE SUPPORTED BY THE INFEASIBILITY OF APPLYING NOISE MITIGATION MEASURES, BASED ON ENGINEERING CONSIDERATIONS AND FACTORS THAT WOULD LIMIT THE ABILITY TO ACHIEVE SUBSTANTIAL NOISE REDUCTION, RELATED TO THE COMMERCIAL USE OF THE SITE AND/OR BUILDINGS. THIS WAIVER ACKNOWLEDGES THAT THE DECIBEL LEVEL FOR THIS PARCEL MAY EXCEED THE APPLICABLE LIMITS FOR SOME CURRENT OR FUTURE PROPOSED USES. THE USE OF THIS NOTE SIGNIFIES THE SUBDIVISION ENGINEER'S CONCURRENCE WITH WAIVING THE DEVELOPER'S COMPLETION OF A DETAILED NOISE STUDY AND SUBSEQUENT REVIEW OF RESULTING NOISE ABATEMENT FINDINGS OR MITIGATION MEASURES. ANY FUTURE COMPLAINTS RELATING TO EXISTING OR FUTURE NOISE LEVELS IMPACTING PROPOSED USES ON THIS SITE AND ALONG THIS EXISTING TRANSPORTATION FACILITY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER OR LAND OWNER OR BOTH.



LOCATION MAP
SCALE: 1"=400'

0 400 800 1200

INDEX OF SHEETS	
PL-01	PRELIMINARY TITLE
PL-02	GENERAL NOTES
PL-03	PRELIMINARY SITE PLAN

BENCHMARK INFORMATION			
BM#	DESCRIPTION	LOCATION	ELEVATION
1	IRON ROD W/CAP	N:335721.5858 E:650122.1840	24.71' (NAVD 88)

DATA COLUMN

PARCEL ID: 5-16-18305-01-0100; 5-16-17417-01-2600; 5-16-17417-01-2702

DATUM
- VERTICAL: NAVD 88
- HORIZONTAL: NAD 83 (DE STATE PLANE)

LAND USE
- EXISTING: COMMERCIAL
- PROPOSED: COMMERCIAL

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

LOT AREA
- MINIMUM: 1.000 AC.
- PROPOSED: 5.037 AC.
- TOTAL WETLANDS: 0.105 AC.
- DISTURBED WETLANDS: 0.000 AC.

LOT WIDTH
- MINIMUM: 150' INTERIOR, 170' CORNER
- PROPOSED: 552'

BUILDING S.F.
- EXISTING: 18,293± S.F.
- PROPOSED: 14,347± S.F.
- TOTAL: 32,640± S.F.

SETBACKS
- FRONT: 30 FT.
- SIDE: 20 FT. WITH A 50' AGGREGATE
- REAR: 50 FT.
- OFF-STREET PARKING BUFFER: 15 FT.
- NONRESIDENTIAL DISTRICTS: 15 FT.
- RESIDENTIAL DISTRICTS: 100 FT.

PARKING
- REQUIRED: 1 SPACE PER 200 S.F. OF RETAIL FLOOR AREA. USE 80% OF S.F. = 32,640 x 0.8 = 26,122 S.F. 26,122 S.F. / 200 S.F. = 131 SPACES REQUIRED
- PROVIDED: 143 PARKING SPACES INCLUDING 8 HANDICAPPED ACCESSIBLE

MAX BUILDING HEIGHT: 3 STORIES OR 35'
PROPOSED BUILDING HEIGHT: 1 STORY OR 20'

EXISTING DISTURBED AREA: 1.493 AC.
PROPOSED DISTURBED AREA: 0.949 AC.
TOTAL DISTURBED AREA: 2.442 AC.

MAX LOT COVERAGE: 80%
PROPOSED LOT COVERAGE: 48%

UTILITIES
- SEWER: CITY OF MILFORD
- WATER: CITY OF MILFORD
- ELECTRIC: CITY OF MILFORD
- GAS: PRIVATE

ESTIMATED EDUS: 30

FLOODPLAIN: THIS PROPERTY IS LOCATED ON THE FEMA FLOOD INSURANCE RATE MAP #10005C0037J DATED 1/6/2005 AND #10005C0041K DATED 3/16/2015 AND IS IN FLOOD ZONE AE 24.

WETLANDS: THIS SITE CONTAINS STATE OR FEDERAL WETLANDS

WELLHEAD PROTECTION AREA: THIS SITE IS NOT IN A WELLHEAD PROTECTION AREA

GROUNDWATER RECHARGE AREA: THIS SITE IN NOT IN A POOR, FAIR, OR GOOD GROUNDWATER RECHARGE AREA.

OWNER/DEVELOPER:
HALPERN FAMILY SERIES, LLC-TEAL CREEK
2 KINGS HIGHWAY
DOVER, DE 19901

ENGINEER:
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DE 19963
(302) 424-1441

CITY OF MILFORD APPROVAL

MARK WHITEFIELD 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.THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREIN

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

WETLAND'S STATEMENT

I, THOMAS NOBLE, STATE THAT THE STATE AND/OR FEDERAL WETLAND BOUNDARIES DELINEATED UPON THIS PLAN ARE ACCURATELY SHOWN AND THAT THE DELINEATING WAS PERFORMED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE APPROPRIATE STATE OR FEDERAL STANDARD FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS

SIGNATURE DATE

OWNER/DEVELOPER STATEMENT

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

DATE

HALPERN FAMILY SERIES LLC - TEAL CREEK
2 KINGS HWY.
DOVER, DE 19901

ENGINEER'S STATEMENT

I, JAMIE L. SECHLER, P.E., 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 BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DATE

by JAMIE L. SECHLER, P.E.
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVE.
MILFORD, DELAWARE, 19963

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
MILFORD, DELAWARE (302) 424-1441

PL-01

CITY OF MILFORD GENERAL NOTES

1. THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THESE DRAWINGS IS BASED ON A SURVEY PERFORMED BY DAVIS BOWEN AND FRIEDEL, INC, IN DECEMBER 1, 2021.
2. HORIZONTAL DATUM IS BASED ON DELAWARE STATE GRID, NAD83/88.
3. NO HYDRIC SOILS ARE INDICATED AS BEING PRESENT ACCORDING TO THE KENT COUNTY SOIL SURVEY.
4. 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.
5. 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.
6. USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACKFILLING TRENCHES.
7. 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.
8. 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.
9. 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.
10. 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.
11. PRIOR TO ISOLATION AND CUT-IN PROCEDURES, CONTRACTOR SHALL EXCAVATE, LOCATE, AND OBSERVE FUNCTION OF ALL EXISTING VALVES TO ASSIST IN THE SYSTEM ISOLATION.
12. 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).
13. ALL SANITARY SEWER MAINS AND FORCEMAINS 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.
14. THERE SHALL BE A MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWER MAINS AND FORCEMAINS 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 FORCEMAINS 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.
15. 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 ENCASING THE PIPE IN CONCRETE.
16. THE FEMA FLOODPLAIN CLASSIFICATION FOR THIS SITE IS ZONE AE 24 PER MAP #10005C0037J EFFECTIVE JANUARY 6, 2005 AND #10005C0041K EFFECTIVE MARCH 16, 2015.
17. ALL ROADWAYS ARE TO BE SWEPT FREE OF SEDIMENT ON A DAILY BASIS.
18. 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.
19. 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.
20. THE STORM DRAINAGE SYSTEM HAS BEEN DESIGNED USING THE CRITERIA OF THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION DEVELOPMENT COORDINATION MANUAL, LATEST EDITION.
21. ALL FIRE LANES, FIRE HYDRANTS, EXITS, AND STANDPIPES WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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:
    A. ALL ITEMS HAVE PASSED CITY INSPECTION;
    B. THE CITY HAS RECEIVED AND APPROVED DIGITAL AND HARD COPIES OF THE RECORD DRAWINGS; AND
    C. THE RIGHTS-OF-WAY AND/OR EASEMENTS HAVE BEEN DEEDED TO THE CITY AND RECORDED WITH THE RECORDER OF DEEDS.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. 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.
35. 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.
36. UPON COMPLETION OF THE CONSTRUCTION IMPROVEMENTS AND PRIOR TO THE RELEASE OF ANY DEVELOPER'S COMPLETION

CITY OF MILFORD GENERAL NOTES CONTINUED

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 NEXT TO IT. WHEN 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 PLANE, NAD 83 HORIZONTAL CONTROL AND NAVD88 VERTICAL CONTROL. RECORD PLAN INFORMATION SHALL INCLUDE SURVEYED AS-BUILT ELEVATIONS AND HORIZONTAL LOCATIONS OF THE FOLLOWING:

A. ALL PROPERTY MONUMENTS/MARKERS;
B. SEWER MANHOLE RIM & INVERT ELEVATIONS, WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, PUMP STATION RIM, BOTTOM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, FORCEMAIN INVERT ELEVATIONS EVERY 50 FEET, FORCEMAIN 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;
D. STORM SEWER CATCH BASIN AND/OR MANHOLE GRATE, RIM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED; AND
E. ANY OTHER ITEM WHICH WILL BE TAKEN OVER BY THE CITY.

37. 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.
38. SOURCE WATER PROTECTION AREAS ARE NOT PRESENT ON SITE.
39. STATE OR FEDERALLY REGULATED WETLANDS ARE PRESENT ON SITE.

CIVIL PLAN GENERAL NOTES

1. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL APPRISE AND COORDINATE DURING ALL PHASES OF CONSTRUCTION:
    1.1 DAVIS, BOWEN & FRIEDEL, INC. 302-424-1441.
    1.2 KENT CONSERVATION DISTRICT 302-741-2600, EXT. 2.
    1.3 CITY OF MILFORD PUBLIC WORKS DEPARTMENT 302-422-1110, EXT. 1110.
    1.4 CITY OF MILFORD ELECTRIC DEPARTMENT 302-422-1110, EXT. 1135.
    1.5 DEPARTMENT OF TRANSPORTATION, CENTRAL DISTRICT PERMITS SUPERVISOR 302-760-2433.
2. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
3. FINAL APPROVED SET OF PLANS AND SPECIFICATIONS SHALL BE MAINTAINED ON THE JOB SITE. FAILURE TO COMPLY WITH THIS PROVISION SHALL BE CONSIDERED CAUSE TO STOP THE WORK.
4. THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE PROSECUTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD. FINAL SET OF APPROVED CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE MAINTAINED ON THE JOB SITE AT ALL TIMES. FAILURE TO COMPLY WITH THIS PROVISION SHALL BE CONSIDERED CAUSE TO STOP THE WORK.
5. THE CONTRACTOR SHALL USE ONLY NEW MATERIALS, PARTS, AND PRODUCTS. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
6. ROUTINE PERIODIC INSPECTIONS DURING CONSTRUCTION WILL BE PROVIDED BY THE OWNER AND THE CITY. THESE INSPECTIONS DO NOT RELIEVE THE CONTRACTOR FROM HIS OBLIGATION AND RESPONSIBILITY FOR CONSTRUCTING ALL WORK IN STRICT ACCORDANCE WITH ALL STANDARDS AND SPECIFICATIONS AND CONSTRUCTION DOCUMENTS.
7. CONTRACTOR SHALL PROVIDE STAKEOUT SURVEY NECESSARY FOR THE INSTALLATION OF UTILITY WORK AND APPURTENANES AS REQUIRED PER THE CITY OF MILFORD STANDARDS AND SPECIFICATIONS.

DEMOLITION AND SAFETY GENERAL NOTES

1. MISS UTILITY OF DELMARVA SHALL BE NOTIFIED THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO EXCAVATION, AT 1-800-282-8555.
2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, RULES, REGULATIONS AND ORDERS OF ANY PUBLIC BODY HAVING JURISDICTION. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
3. THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURE FROM VEHICULAR OR PEDESTRIAN TRAFFIC.

POTABLE WATER DISTRIBUTION GENERAL NOTES

1. ALL WATER DISTRIBUTION WORK SHALL COMPLY WITH THE CITY OF MILFORD WATER MAIN CONSTRUCTION SPECIFICATIONS, LATEST EDITION. CONTRACTOR SHALL OBTAIN A COPY FROM CITY OF MILFORD PRIOR TO BIDDING ON THE JOB. FAILURE TO OBTAIN A COPY OF THE SPECIFICATIONS SHALL NOT RELIEVE THE CONTRACTOR OF THEIR RESPONSIBILITY. ANY ADDITIONAL COSTS CAUSED BY THE FAILURE TO FOLLOW THE SPECIFICATIONS SHALL BE AT THE SOLE COST OF THE CONTRACTOR.
2. ALL TRENCHING, PIPE LAYING, AND BACKFILLING SHALL BE IN ACCORDANCE WITH FEDERAL OSHA REGULATIONS.
3. THE CONTRACTOR SHALL FIELD VERIFY LOCATION OF EXISTING WATER LATERALS TO WHICH NEW CONSTRUCTION WILL CONNECT.
4. DIFFERING SITE CONDITIONS AND/OR DIFFERING MATERIAL PROPERTIES SHALL REQUIRE CITY OF MILFORD OR DESIGNEE APPROVAL OF SPECIAL DESIGN DETAILS PREPARED BY THE DESIGN ENGINEER PRIOR TO INITIATING OR RESUMING CONSTRUCTION ACTIVITIES.
5. THE CONTRACTOR SHALL ALLOW SUFFICIENT TIME FOLLOWING EXCAVATIONS FOR INSPECTION AND EVALUATION OF EXISTING SOIL SUBGRADE CONDITIONS BY CITY OF MILFORD OR DESIGNEE. CITY OF MILFORD OR DESIGNEE SHALL INSPECT ALL LATERAL SUBGRADES FOLLOWING EXCAVATION AND PRIOR TO CONSTRUCTION OF NEW WORK TO CONFIRM DESIGN CONDITIONS ARE MET AND SUBGRADE CONDITIONS ARE SUITABLE FOR CONSTRUCTION. IN THE EVENT THE SOIL BEARING CAPACITY IS LESS THAN THE MINIMUM DESIGN VALUE, CITY OF MILFORD OR DESIGNEE SHALL CAUSE AFFECTED CONSTRUCTION TO CEASE AND SHALL NOTIFY THE DESIGN ENGINEER FOR RE-DESIGN TO ACCOMMODATE THE REDUCED SOIL BEARING CAPACITY.
6. IN THE EVENT THE SUBGRADE CONDITION IS UNSTABLE, DUE TO UNSUITABLE MATERIALS AND/OR GROUNDWATER INFILTRATION/INTRUSION INTO THE SURROUNDING SOILS, AS DETERMINED BY CITY OF MILFORD OR DESIGNEE, THE CONTRACTOR SHALL, AS DIRECTED BY CITY OF MILFORD OR DESIGNEE, REMOVE THE UNSUITABLE MATERIAL AND FILL WITH SUITABLE APPROVED GRANULAR FILL MATERIAL.
7. CONTRACTOR SHALL EXTEND LATERAL BELOW ANY CONFLICTS OR OBSTRUCTIONS TO PROVIDE REQUIRED CLEARANCES. COST SHALL BE INCLUDED IN THE PRICE OF THE CONTRACT.
8. THROUGHOUT THE PROJECT, WHERE WATER MAINS ARE LOCATED IN, ACROSS OR ADJACENT TO DRAINAGE DITCHES AND SWALES, THE CONTRACTOR SHALL RESTORE DISTURBED AREAS TO THEIR ORIGINAL CONDITION AND VEGETATE AS REQUIRED.
9. ALL WATER MAINS SHALL BE HYDROSTATICALLY TESTED AND DISINFECTED IN ACCORDANCE WITH CITY OF MILFORD STANDARDS AND SPECIFICATIONS BEFORE ACCEPTANCE.
10. THE CONTRACTOR WILL INSTALL THE WATER SERVICE TO THE GROUND MARKER AS SHOWN ON THE STANDARD DETAILS. THE WATER METER AND PIT ASSEMBLY WILL BE PURCHASED BY THE DEVELOPER AND INSTALLED BY THE CITY OF MILFORD.
11. ALL FITTINGS SHALL BE DUCTILE IRON, MECHANICAL JOINT RESTRAINT AND AWWA APPROVED. SEE THE CITY OF MILFORD STANDARDS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION. ALL FITTINGS SHALL BE THRUST RESTRAINED AS SHOWN ON THE STANDARD DETAILS.
12. THE CONTRACTOR SHALL TAKE PRECAUTIONS TO LOCATE PROPERTY LINES, EASEMENTS, AND RIGHT-OF-WAY LINES PRIOR TO CONSTRUCTION AND AVOID CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY AND/OR RIGHTS OF WAYS WHERE SAID CONSTRUCTION IS PROHIBITED. THE CONTRACTOR MAY CONDUCT CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY PROVIDED HE HAS OBTAINED PRIOR WRITTEN PERMISSION FROM THE PROPERTY OWNER AND HAS SUBMITTED A COPY OF SAID WRITTEN PERMISSION TO THE CITY OF MILFORD. ANY DISTURBED AREAS BEYOND THE RIGHT-OF-WAY OR EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION. PAYMENT FOR THIS WORK SHALL BE INCLUDED IN THE COST OF ITEMS BID.

SANITARY SEWER GENERAL NOTES

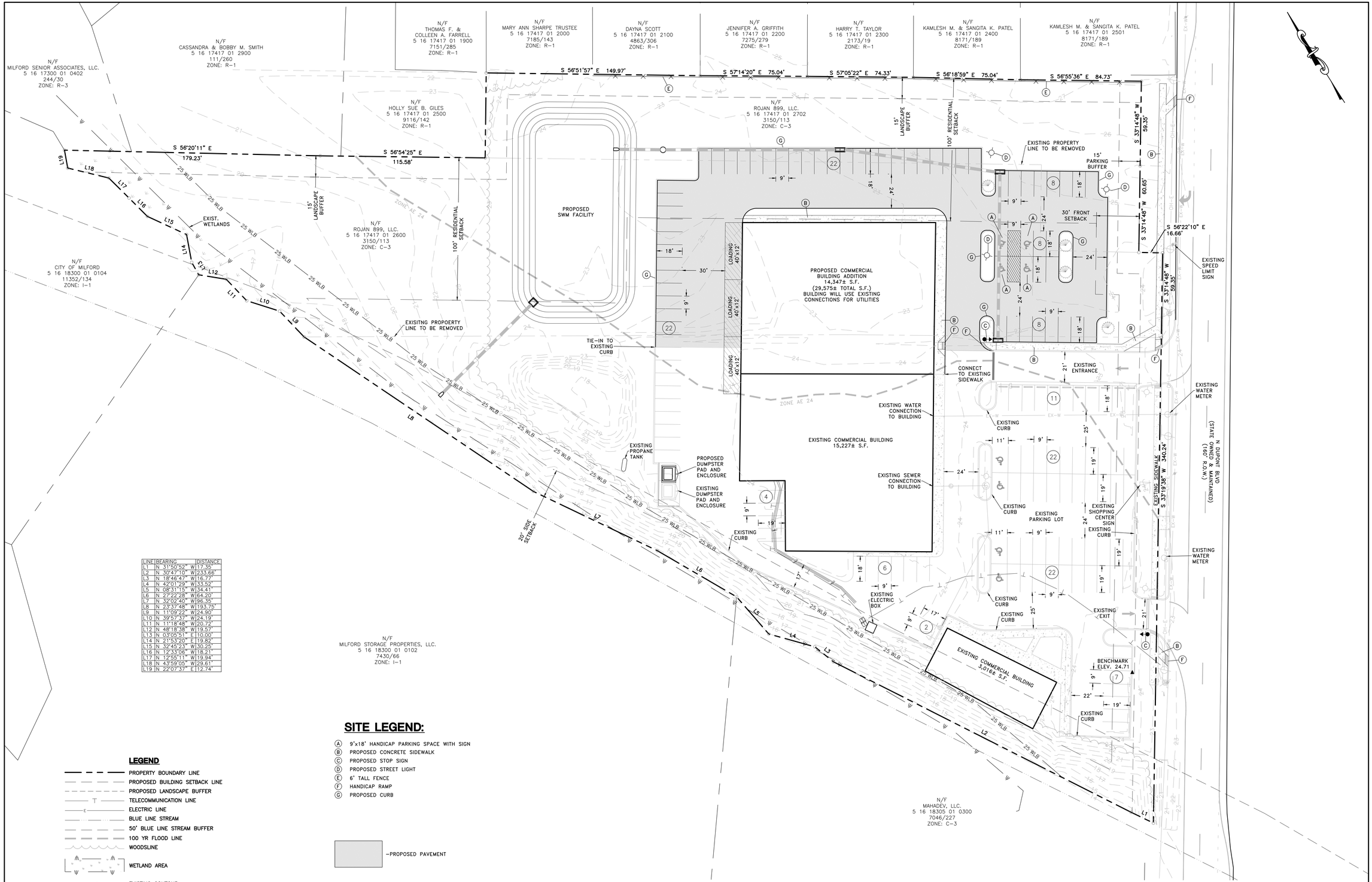
1. SANITARY SEWER CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MILFORD STANDARDS AND SPECIFICATIONS, AND DETAILS.
2. ALL SANITARY SEWER MATERIALS AND APPURTENANCES SHALL MEET OR EXCEED THOSE REQUIRED BY THE CITY OF MILFORD STANDARDS AND SPECIFICATIONS, AND DETAILS.
3. SANITARY SEWER LATERAL SHALL BE 8" PVC. SEWER LATERAL SHALL INCLUDE A 8" CLEANOUT, WYE, AND CAP JUST BEHIND THE ACCESS EASEMENT LINE.
4. ALL TRENCHING, PIPE LAYING, AND BACKFILLING SHALL BE IN ACCORDANCE WITH FEDERAL OSHA REGULATIONS.
5. TOP OF MANHOLE ELEVATIONS ARE TOP OF MANHOLE FRAME AND COVER.
6. PIPE SPAN LENGTHS ARE MEASURED FROM C/L OF STRUCTURE TO C/L OF STRUCTURE, WHERE APPLICABLE ARE ROUNDED TO THE NEAREST FOOT.
7. THE CONTRACTOR SHALL FIELD VERIFY INVERTS AND LOCATION OF EXISTING SANITARY SEWER MAINS OR MANHOLES TO WHICH NEW CONSTRUCTION WILL CONNECT.
8. THE CONTRACTOR SHALL TAKE PRECAUTIONS TO LOCATE PROPERTY LINES, EASEMENTS, AND RIGHT-OF-WAY LINES PRIOR TO CONSTRUCTION AND AVOID CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY AND/OR RIGHTS OF WAYS WHERE SAID CONSTRUCTION IS PROHIBITED. THE CONTRACTOR MAY CONDUCT CONSTRUCTION ACTIVITIES ON PRIVATE PROPERTY PROVIDED HE HAS OBTAINED PRIOR WRITTEN PERMISSION FROM THE PROPERTY OWNER AND HAS SUBMITTED A COPY OF SAID WRITTEN PERMISSION TO THE CITY OF MILFORD. ANY DISTURBED AREAS BEYOND THE RIGHT-OF-WAY OR EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION. PAYMENT FOR THIS WORK SHALL BE INCLUDED IN THE COST OF ITEMS BID.
9. DIFFERING SITE CONDITIONS AND/OR DIFFERING MATERIAL PROPERTIES SHALL REQUIRE CITY OF MILFORD APPROVAL OF SPECIAL DESIGN DETAILS PREPARED BY THE DESIGN ENGINEER PRIOR TO INITIATING OR RESUMING CONSTRUCTION ACTIVITIES.
10. THE CONTRACTOR SHALL ALLOW SUFFICIENT TIME FOLLOWING EXCAVATIONS FOR INSPECTION AND EVALUATION OF EXISTING SOIL SUBGRADE CONDITIONS BY THE CITY OF MILFORD OR HIS/HER DESIGNEE. THE CITY OF MILFORD SHALL INSPECT ALL SUBGRADES FOLLOWING EXCAVATION AND PRIOR TO CONSTRUCTION OF NEW WORK TO CONFIRM DESIGN CONDITIONS ARE MET AND SUBGRADE CONDITIONS ARE SUITABLE FOR CONSTRUCTION. IN THE EVENT THE SOIL BEARING CAPACITY IS LESS THAN THE MINIMUM DESIGN VALUE, THE CITY OF MILFORD ENGINEER SHALL CAUSE AFFECTED CONSTRUCTION TO CEASE AND SHALL NOTIFY THE DESIGN ENGINEER FOR RE-DESIGN TO ACCOMMODATE THE REDUCED SOIL BEARING CAPACITY.
11. IN THE EVENT THE SUBGRADE CONDITION IS UNSTABLE, DUE TO UNSUITABLE MATERIALS AND/OR GROUNDWATER INFILTRATION/INTRUSION INTO THE SURROUNDING SOILS, AS DETERMINED BY THE CITY OF MILFORD, THE CONTRACTOR SHALL, AS DIRECTED BY THE CITY OF MILFORD ENGINEER, REMOVE THE UNSUITABLE MATERIAL AND FILL WITH SUITABLE APPROVED GRANULAR FILL MATERIAL.

INTERNAL PAVING NOTES

1. BITUMINOUS CONCRETE ASPHALT SHALL BE INSTALLED IN ACCORDANCE WITH THE AUGUST 2016 DelDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION TO INCLUDE SPECIAL PROVISIONS:
    1.1. SECTION 1011 FOR PLACEMENT OF TACK COAT.
    1.2. SECTION 401 FOR PLACEMENT OF BITUMINOUS CONCRETE ASPHALT
    1.3. BITUMINOUS CONCRETE ASPHALT SHALL BE FROM A DelDOT APPROVED PLANT.
    1.4. BITUMINOUS CONCRETE ASPHALT SHALL NOT BE APPLIED WHEN BELOW TEMPERATURES SPECIFIED IN SECTION 401.03.F.
2. ALL DISTURBED AREAS NOT COVERED WITH IMPERVIOUS MATERIAL, SHALL BE TOPSOILED (6" MINIMUM), FERTILIZED, SEEDED AND MULCHED.
3. ALL SIGNING AND MAINTENANCE OF TRAFFIC IS THE CONTRACTOR'S RESPONSIBILITY AND SHALL FOLLOW THE 2011 DELAWARE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION).
4. DESIGN, FABRICATION, AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE 2011 DELAWARE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION).
5. FOR FINAL PERMANENT PAVEMENT MARKINGS, EPOXY RESIN PAINT SHALL BE REQUIRED FOR LONG LINE STRIPING AND THERMO WILL BE REQUIRED FOR SHORT LINE STRIPING, i.e. SYMBOLS/LEGENDS.
6. ALL TRAFFIC CONTROL DEVICES SHALL BE IN NEW OR REFURBISHED CONDITION, SHALL COMPLY WITH THE 2011 DELAWARE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION), AND SHALL BE NCHRP - 350 APPROVED AND SHALL BE APPROVED BY THE ENGINEER PRIOR TO INSTALLATION. TRAFFIC CONTROL DEVICES SHALL BE MAINTAINED IN GOOD CONDITION FOR DURATION OF USE.
7. BREAKAWAY POSTS SHALL BE USED WHEN INSTALLING ALL SIGNS. DETAIL CAN BE FOUND IN DelDOT'S STANDARD CONSTRUCTION DETAILS.
8. PLAN LOCATION AND DIMENSIONS SHALL BE STRICTLY ADHERED TO UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
9. OPEN-CUT TRENCHES AND PROVIDE PAVEMENT RESTORATION IN ACCORDANCE WITH THE APPROPRIATE JURISDICTION'S STANDARDS AND SPECIFICATIONS. USE ONLY SUITABLE AND APPROVED GRANULAR MATERIALS FOR BACKFILLING TRENCHES.

DRAINAGE, GRADING AND SEDIMENT CONTROL NOTES

1. ALL STORM DRAIN PIPING, INLET, MANHOLE AND END SECTION INSTALLATION WITHIN THE STATE OF DELAWARE RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION STANDARDS SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, AUGUST 2016.
2. ALL ROOF DRAIN PIPING TO BE 6" DIAMETER CAST IRON HUB & SPIGOT SOIL PIPE & FITTINGS MEETING ASTM A74 STANDARDS. INSTALL AT MINIMUM 1% SLOPE. COORDINATE DOWNSPOUT LOCATIONS WITH ARCHITECTURAL DRAWINGS.
3. THE CONTRACTOR SHALL PROVIDE SEDIMENT CONTROL MEASURES TO PROTECT STOCKPILE AREAS AND STORAGE AREAS. ALL AREAS USED BY THE CONTRACTOR FOR STAGING OPERATIONS SHALL BE FULLY RESTORED BY THE CONTRACTOR UPON COMPLETION OF THE PROJECT. IF THE STAGING AREA IS PAVED, IT SHALL BE RESTORED TO ITS ORIGINAL CONDITION. IF THE STAGING AREA IS UNPAVED, I



LINE	BEARING	DISTANCE
L1	N 31°50'52" W	17.35'
L2	N 30°43'16" W	233.66'
L3	N 18°46'47" W	116.77'
L4	N 42°01'29" W	33.52'
L5	N 08°31'15" W	34.41'
L6	N 27°22'28" W	64.20'
L7	N 32°02'40" W	96.35'
L8	N 23°37'48" W	193.75'
L9	N 11°09'22" W	24.90'
L10	N 39°57'37" W	24.19'
L11	N 11°18'48" W	20.72'
L12	N 48°18'38" W	19.57'
L13	N 03°05'51" E	10.00'
L14	N 21°53'20" E	19.82'
L15	N 32°45'23" W	30.25'
L16	N 12°33'06" W	18.21'
L17	N 12°55'11" W	19.94'
L18	N 43°59'05" W	29.61'
L19	N 22°07'37" E	12.74'

SITE LEGEND:

- (A) 9'x18' HANDICAP PARKING SPACE WITH SIGN
- (B) PROPOSED CONCRETE SIDEWALK
- (C) PROPOSED STOP SIGN
- (D) PROPOSED STREET LIGHT
- (E) 6' TALL FENCE
- (F) HANDICAP RAMP
- (G) PROPOSED CURB

–PROPOSED PAVEMENT

LEGEND

- PROPERTY BOUNDARY LINE
- PROPOSED BUILDING SETBACK LINE
- PROPOSED LANDSCAPE BUFFER
- TELECOMMUNICATION LINE
- ELECTRIC LINE
- BLUE LINE STREAM
- 50' BLUE LINE STREAM BUFFER
- 100 YR FLOOD LINE
- WOODSLINE
- WETLAND AREA
- EXISTING CONTOUR
- EXISTING SEWER MANHOLE
- EXISTING SEWER CLEANOUT
- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE

0 30 60 90

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P:\Lighthouse\Teal Creek Plaza\PRELIMINARY\PRELIMINARY PLAN 12-20-2021.dwg Feb 08, 2022 - 8:10am KESR

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
OCEAN CITY, MARYLAND (302) 537-1441
EASTON, MARYLAND (410) 770-4744

PRELIMINARY SITE PLAN

TEAL CREEK PLAZA EXPANSION
COMMERCIAL ADDITION
CITY OF MILFORD, KENT COUNTY, DELAWARE

Revisions:

Date:	DECEMBER 2021
Scale:	1"=30'
Dwn.By:	DJR
Proj.No.:	2916A021
Dwg.No.:	PL-03

KCI TECHNOLOGIES
ISO 9001:2015 CERTIFIED
ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS
1352 Marrows Road, Suite 100 • Newark, DE 19711 • Phone 302-731-9176 • Fax 302-731-7807

February 18, 2022

City of Milford
201 South Walnut Street
Milford, Delaware 19963

Attention: Rob Pierce

Subject: **Teal Creek Plaza Expansion – Preliminary Plan**
KCI Job No. 131803632 – Task 44

Dear Mr. Pierce,

As requested, KCI Technologies reviewed the Preliminary Plans for the Teal Creek Plaza Expansion Plans per the City of Milford's Standard Specifications, codes, and general engineering best practices. These plans were submitted by Davis, Bowen, & Friedel, Inc. and are dated December 2021.

We offer the following comments for your consideration:

1. Add the City approval blocks to the cover sheet. **Addressed.**
2. Add a certification statement to the plan which states the presence or lack thereof of wetlands. **Addressed.**
3. Currently the site data column lists the minimum lot width for a corner lot as 70'. According to City of Milford Zoning Code, the minimum lot width for a corner lot is 170'. Revise the site data accordingly to correctly list the minimum corner lot width. **Addressed.**
4. Total existing building square footage does not match the preliminary plan on Sheet "PL-03". Correct accordingly. **Comment Remains.**
5. Currently the site data column lists the setbacks of 15'. According to City of Milford Zoning Code minimum building setback shall be 30' front, 50' rear, 20 side/50 aggregate. Correct accordingly and show the setbacks/building restriction lines on the plan. **Addressed.**
6. Currently the site data column lists the total square foot of building as 26,073 for required parking. However, this is not consistent with the site plan. Verify the GFA of the proposed and existing building and revise the parking calculation per Chapter 230-14(C)(11)(d)[5] so that it is consistent with the plan. **Comment Remains. The total**

building square footage used in the data column does not appear to be consistent with the amount shown on Sheet PL-03.

7. Currently the site data column lists the required number of parking spaces as 145 including 6 handicapped accessible. However, according to the site plan on page PL-03 there are 144 parking spaces including 8 handicapped accessible. Revise as necessary. **Comment Remains. The total number of parking on sheet PL-03 is 142, revise the data column accordingly.**
8. Currently, the Data Column is not providing the name of natural gas provider. List the natural gas provider if the site is or will be served by natural gas. **Comment Addressed with the comment, list the name of the gas provider when it is determined.**
9. List the City of Milford as the electric provider in the Data Column. **Addressed.**
10. Revise the FEMA Flood Map note in the Data Column to also include the "date" of the map. **Addressed.**
11. Add a note regarding the absence or presence of source water protection areas. **Addressed with comment, change the note to read "This site is not in a source water protection area".**
12. Correct the FEMA floodplain classification zone for the site on General Note # 16. **Addressed.**
13. Per the City's Preliminary Site Plan Checklist, provide the existing and projected number of EDUs. Per chapter 128 of the Kent County Code, the projected number of EDUs is 1 + (Fixture Unit)/6. Revise Data Column accordingly to provide this calculation and the number of EDUs. **Comment Remains.**
14. According to Preliminary Site Plan Checklist, add the total acreage of wetlands to the Data Column along with the total amount to be disturbed. **Comment Remains.**
15. Currently the Title Block lists the county as Sussex County. However, this project is in Kent County. Revise the Title Block accordingly so that it lists Kent County. **Addressed.**
16. The parking row at the northern side of the site is labeled as 24 spaces. However, there are only 22 parking spaces in this row. Revise the plan accordingly so that the parking row is labeled correctly. **Addressed.**
17. Currently the very last parking spaces on the eastern side of the site is less than 9'. According to City of Milford Zoning Code, the minimum stall width shall be 9'. Correct accordingly. **Comment Remains. Five parking spots between exiting and entering entrances along the curb are less than 9'.**
18. Currently, there does not appear to be any existing or proposed water and sanitary sewer shown on the plan. Add all existing and proposed utilities (water, sanitary sewer, storm drain) to the plan. This includes the existing utilities that service the existing building, their tie ins to existing mains and any other proposed utilities. Ensure that all structures (cleanouts, valves, manholes, water meter, etc.) are shown. **Comment Noted.**
19. Currently the proposed water and sanitary sewer service for the proposed commercial building addition are not shown on the plan. Verify if there will be any proposed utilities

for the proposed building or if the existing building services will be used to service the proposed building. In addition, clarify if the building will be used by one or multiple tenants. If multiple tenants will use the building, separate water and sanitary sewer services will need to be provided. **Comment Noted.**

20. Verify if there is an existing water meter for the existing building and locate it on the plan. **Addressed.**
21. Revise the plan accordingly to show the location of the existing utility poles and overhead utilities along the property. **Addressed.**
22. Revise the plan accordingly to show the existing and proposed light fixtures within the property. **Addressed.**
23. Revise the plan accordingly to show the location of existing or proposed signs within the property. **Addressed.**
24. Revise the plan accordingly to show the limits of the roadway for North DuPont Boulevard. **Addressed.**
25. Currently, the existing sidewalk along North Dupont Boulevard is not shown on the plan. Revise the plan accordingly to show the existing sidewalk. Also extend the sidewalk and curbing along the entire frontage of the site along Route 113. In addition, provide pedestrian access to the building by extending sidewalk from North Dupont Boulevard along the "Existing Entrance". Handicap ramps and a crosswalk shall be provided where the sidewalk meets the edge of pavement just east of the building. **Addressed.**
26. Provide required 3 loading zones for the main building on the plan per Article IV, Section 230-21 of the City's Zoning Code. **Addressed.**
27. Verify if curb is existing/proposed and differentiate it on the plan. If curbing is not proposed, then parking blocks shall be installed for parking spaces that are adjacent to grass. **Addressed.**
28. Revise the plan accordingly to label the right-of-way width and who owns / maintains (i.e., state owned/maintained) North Dupont Road. **Addressed.**
29. Revise the plan accordingly to include the parcel number and zoning of the adjacent properties. **Addressed.**
30. Currently, it appears that there is a dumpster pad shown west of the existing commercial building. Verify that this is a dumpster pad and revise the plan accordingly to label the dumpster pad. Also indicate the type and height of screening. Additionally, provide an additional trash enclosure or enlarge the existing one to accommodate refuse collection. Dumpsters must be located within proper enclosures and should not be placed in parking spaces or loading spaces along the rear of the building. **Comment Remains. Indicate the type and heigh of screening.**
31. Currently, there is a wetland area along the southern property boundary. Revise the plan accordingly to show the 25' wetland buffer that is associated with the wetland per Article VIII, Section 230-45.2 of the City's Zoning Code and the 50' riparian buffer. Show the 50' riparian buffer from the blue line stream along the south side of the property. **Comment Remains. Provide the 50' riparian buffer.**

32. Currently, it appears that the site is impacted by 100-year floodplain according to FEMA flood map. The site needs to comply with Chapter 130 and FEMA requirements prior to final site plan. **Comment Remains.**
33. Currently, there are no specifications for the landscaping between the commercial and residential area on the north side of the site. Revise the plan to show the type of landscaping on the plan according to City of Milford Zoning Code Article V – Landscape Screening, Section 230.22. The City Code requires a 6' tall landscaped buffer or opaque fence. **Comment Remains, the fence should cover the entire length of the property going all the way to the west of the property.**
34. The City would like to work with the developer on installing a walking path along the north side of the site heading west to the rear of the property as part of a larger walking trail from Route 113 to Airport Road and the business parks. This would provide better connectivity between the residential areas downtown and the facilities located along Airport Road and will provide better access for the residential uses along Airport Road to amenities along Route 113. The City would like the dedication of an easement along the north side of the property line from Route 113 to the property owned by Milford Senior Associates. The City would install a walking path at a later date within the easement area. **Comment Noted.**
35. Currently, there are no tenant spaces shown on the site plan for proposed and existing building. Revise the plan to show existing and proposed tenant spaces for proposed and existing buildings. **Comment Remains. Show the spaces once architectural plans have been completed.**
36. Show any existing propane tank on the site plan if they exist. **Addressed.**
37. Currently, there is no outfall shown on the plan for the proposed stormwater management pond. Revised the plan to show an outfall for the proposed stormwater management pond and indicate if the existing stormwater management pond will remain in use. **Addressed.**
38. Final site plan approval will require the consolidation of the three parcels into a single lot. **Comment Remains.**
39. A final lighting plan must be submitted with the final plans demonstrating compliance with latest IES standards. **Comment Remains.**
40. Ensure all items on the checklist are provided on the site plan. **Addressed.**
41. Ensure that all site plan notes are incorporated on the note sheet. **Addressed.**
42. Show the 15' off-street parking buffer along the frontage. **Addressed.**
43. Add stop bars at the first intersection into the site from Route 113 for cross-traffic. **Comment Remains, The City recommends removing the stop condition for the incoming traffic and placing a stop condition on the cross-traffic in front of the commercial building.**
44. Show preliminary landscaping for the parking lot area. **Comment Addressed with comment, show the landscaping as proposed.**

45. 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.

If you have any questions or comments regarding this letter, please do not hesitate to contact us.

Sincerely,

Ardalan Faghri,
Project Designer

Jason McClafferty, P.E.
Project Manager

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

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

February 2022

Rob Pierce
City of Milford
201 South Walnut Street
Milford, DE 19963

Re: Teal Creek Plaza Expansion-Preliminary Plan
Milford, DE
DBF# 2916A021

Dear Mr. Pierce:

We are hereby submitting revised construction plans for Teal Creek Preliminary Plan for approval. This plan revision is to address the comments given per the review comment letter dated January 28, 2022. In response to the comments in the above refenced letter, we offer the following item-by-item response narrative.

1. Add the City approval blocks to the cover sheet.
   City approval blocks had been added to the title sheet.

2. Add a certification statement to the plan which stated the presence or lack thereof of wetlands.
   A wetlands certification statement has been added to the title sheet.

3. Currently the site data column lists the minimum lot width for a corner lot is 70'. According to City of Milford Zoning Code, the minimum lot width for a corner lot is 170'. Revise the site data accordingly to correctly list the minimum corner lot width.
   Lot width note has been revised in the data column.

4. Total existing building square footage does not match the preliminary plan on Sheet "PL-03". Correct accordingly.
   The total square footage has been updated in the data column.

5. Currently the site data column lists the setbacks of 15'. According to City of Milford Zoning Code minimum building setback shall be 30' front, 50' rear, 20 side/50 aggregate. Correct accordingly and show the setbacks/building restriction lines on the plan.
   Correct setbacks have been added to the data column.

6. Currently the site data column lists the total square foot of building as 26,073 for required parking. However, this is not consistent with the site plan. Verify the GFA of the proposed and existing building and revise the parking calculation per Chapter 230-14(C)(11)(d)[5] so that it is consistent with the plan.
   Parking calculation is based on 80% of total square footage. Data column has been updated to reflect this.

7. Currently the site data column lists the required number of parking spaces as 145 including 6 handicapped accessible. However, according to the site plan on page PL-03 there are 144 parking spaces including 8 handicapped accessible. Revise as necessary.
   Total parking has been recounted and updated.

8. Currently the Data Column is not providing the name of natural gas provider. List the natural gas provider if the site is or will served by natural gas.
   Gas provider has been added to the data column.

9. List the City of Milford as the electric provider in the Data Column.
   The City of Milford has been added to the data column as the electric provider.

10. Revise the FEMA Flood Map note in the Data Column to also include the "date" of the map.
    Note has been updated with map dates.

11. Add a note regarding the absence or presence of source water protection areas.
    Note has been added to the data column.

12. Correct the FEMA floodplain classification zone for the site on General Note # 16.
    Note has been updated.

13. Per the City's Preliminary Site Plan Checklist, provide the existing and projected number of EDUs. Per chapter 128 of the Kent County Code, the projected number of EDUs is 1 + (Fixture Unit)/6. Revise Data Column accordingly to provide this calculation and the number of EDUs.
    Estimated number of EDUs has been added to the data column.

14. According to Preliminary Site Plan Checklist, add the total acreage of wetlands to the Data Column along with the total amount disturbed.
    Total wetlands and total disturbed areas have been added to the data column.

15. Currently the Title Block lists the county as Sussex County. However, this project is in Kent County. Revise the Title Block accordingly so that it lists Kent County.
    County has been changed to Kent in the title block.

16. The parking row at the northern side of the site is labeled as 24 spaces. However, there are only 22 parking spaces in this row. Revise the plan accordingly so that the parking row is labeled correctly.
Parking label has been updated.

17. Currently the very last parking spaces on the eastern side is less than 9'. According to City of Milford Zoning Code, the minimum stall width shall be 9'. Correct accordingly.
Parking spaces are existing. Number of spots has been reduced to correctly restripe spaces to be 9' wide.

18. Currently, there does not appear to be any existing or proposed water and sanitary sewer shown on the plan. Add all existing and proposed utilities (water, sanitary sewer, storm drain) to the plan. This includes the existing utilities that service the existing building, their tie ins to existing mains and any other proposed utilities. Ensure that all structures (cleanouts, valves, manholes, water meter, ect.) are shown.
Existing and proposed utilities have been added to the plan.

19. Currently the proposed water and sanitary sewer service for the proposed commercial building addition are not shown on the plan. Verify if there will be any proposed utilities for the proposed building or if the existing building services will be used to service the proposed building. In addition, clarify if the building will be used by one or multiple tenants. If multiple tenants will use the building, separate water and sanitary sewer services will need to be provided.
Water and sewer will be connected through the existing buildings connections.

20. Verify if there is an existing water meter for the existing building and locate it on the plan.
Existing water meter has been shown on the site plan on sheet PL-03.

21. Revise the plan accordingly to show the location of the existing utility poles and overhead utilities along the property.
Existing utility poles and overhead utilities have been added to the site plan on sheet PL-03.

22. Revise the plan accordingly to show the existing and proposed light fixtures within the property.
Existing and proposed lighting has been provided on the site plan on sheet PL-03

23. Revise the plan accordingly to show the location of existing or proposed signs within the property.
Existing and proposed signs have been added to the site plan on sheet PL-03.

24. Revise the plan accordingly to show the limits of the roadway for North DuPont Boulevard.
Limits of the roadway have been added to the site plan on sheet PL-03

25. Currently, the existing sidewalk along North Dupont Boulevard is not shown on the plan. Revise the plan accordingly to show the existing sidewalk. Also extend the sidewalk and curbing along the entire frontage of the site along Route 113. In addition, provide pedestrian access to the building by extending sidewalk from North Dupont Boulevard along the "Existing Entrance". Handicap ramps and a crosswalk shall be provided where the sidewalk meets the edge of pavement just east of the building.
Existing sidewalk has been shown and a sidewalk leading from the existing sidewalk on North DuPont Boulevard to the proposed building has been added.

26. Provide required 3 loading zones for the main building on the plan per Article IV, Section230-21 of the City's Zoning Code.
Loading spaces have been added to the site plan.

27. Verify if curb is existing/proposed and differentiate it on the plan. If curbing is not proposed, then parking blocks shall be installed for parking spaces that are adjacent to grass.
Notes have been added to shown existing and proposed curb.

28. Revise the plan accordingly to label the right-of-way width and who owns / maintains (i.e., state owned/maintained) North Dupont Road.
R.O.W. has been updated to include this information.

29. Revise the plan accordingly to include the parcel number and zoning of the adjacent properties.
Tax map numbers and zoning are provided on the site plan on sheet PL-03.

30. Currently, it appears that there is a dumpster pad shown west of the existing commercial building. Verify that this is a dumpster pad and revise the plan accordingly to label the dumpster pad. Also indicate the type and height of screening. Additionally, provide an additional trash enclosure or enlarge the existing one to accommodate refuse collection. Dumpsters must be located within proper enclosures and should not be placed in parking spaces or loading spaces along the rear of the building.
An additional dumpster has been added and the pad has been enlarged.

31. Currently, there is a wetland area along the southern property boundary. Revise the plan accordingly to show the 25' wetland buffer that is associated with the wetland per Article VIII, Section 230-45.2 of the City's Zoning Code and the 50' riparian buffer. Show the 50' riparian buffer from the blue line stream along the south side of the property.
A wetlands and riparian buffer have been added to the site plan on sheet PL-03.

32. Currently, it appears that the site is impacted by 100-year floodplain according to FEMA flood map. The site needs to comply with Chapter 130 and FEMA requirements prior to final site plan.
Final plan will comply with the FEMA and City code requirements.

33. Currently, there are no specifications for the landscaping between the commercial and residential area on the north side of the site. Revise the plan to show the type of landscaping on the plan according to City of Milford Zoning Code Article V – Landscape Screening, Section 230.22. The City Code requires a 6' tall landscaped buffer or opaque fence.
A 6' tall fence has been added between the proposed parcel and the residential lots.

34. The City would like to work with the developer on installing a walking path along the north side of the site heading west to the rear of the property as part of a larger walking trail from Route 113 to Airport Road and the business parks. This would provide better connectivity between the residential areas downtown and the facilities located along Airport Road and will provide better access for the residential uses along Airport Road to amenities along Route 113. The City would like the dedication of an easement along the north side of the property line from Route 113 to the property owned by Milford Senior Associates. The City would install a walking path at a later date within the easement area.
The client is okay with giving the City an easement for the walking path. The easement will be reflected on the final plans.

35. Currently, there are no tenant spaces shown on the site plan for proposed and existing building. Revise the plan to show existing and proposed tenant spaces for proposed and existing buildings.
Architecture plans have not been finalized yet.

36. Show any existing propane tank on the site plan if they exist.
Existing propane tank has been shown on the plan.

37. Currently, there is no outfall shown on the plan for the proposed stormwater management pond. Revised the plan to show an outfall for the proposed stormwater management pond and indicate if the existing stormwater management pond will remain in use.
An outfall pipe has been added to the site plan on sheet PL-03.

38. Final site plan approval will require the consolidation of the three parcels into a single lot.
Noted.

39. A final lighting plan must be submitted with the final plans demonstrating compliance with latest IES standards.
Noted.

40. Ensure all items on the checklist are provided on the site plan.
Noted.

41. Ensure that all site plan notes are incorporated on the note sheet.
    Noted.
42. Show the 15' off-street parking buffer along the frontage.
    Parking buffer has been added to the site plan on sheet PL-03

43. Add stop bars at the first intersection into the site from Route 113 for cross-traffic.
    A stop bar has been added to the site plan on sheet PL-03.

44. Show preliminary landscaping for the parking lot area.
    Preliminary landscaping has been added to the site plan on sheet PL-03.

45. 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.

Sincerely,
DAVIS, BOWEN AND FRIEDEL, INC.

Jamie Sechler, P.E.
Principle

Enclosures

City of Milford, Delaware
Development Advisory Committee

Comment Sheet

****

DATE OF REVIEW: January 19, 2022

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: TEAL CREEK PLAZA EXPANSION (21-051)

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)
   - 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 structures over 10,000 sqft aggregate will require automatic sprinkler protection installed.
   - Buildings greater than 10,000 sqft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
   - Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
   - Show Fire Lanes and Sign Detail as shown in DSFPR

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 N duPont Blvd 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

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
January 2022

APPLICATION: Teal Creek Plaza Expansion at 701 N Dupont Boulevard
APPLICATION #: 21-051
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, of 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. It is advised to incorporate the existing stormwater pond into the proposed stormwater design.
2. A letter of no objection to recordation will be provided upon approval of a Sediment and Stormwater Management Plan.

§ 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]

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS
Planning Commission Hearing: Tuesday, March 15, 2022 @ 7:00 PM
City Council Hearing: Monday, March 28, 2022 @ 7:00 PM

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

ORDINANCE 2022-14
Amending Chapter 197 Streets & Sidewalks

WHEREAS, the Mayor and City Council of the City of Milford are charged with the protection of the public health, safety, and welfare of the citizens of the City of Milford; and

WHEREAS, the Mayor and City Council desire to delete Chapter 197- Streets and Sidewalks in its entirety and replace with Chapter 197 - Streets, Sidewalks, Storm Sewers and Other Public Places to update regulations for the permanent and temporary use of the rights-of-way, construction of utilities and sidewalks, and establish procedures for the creation and abandonment of public rights-of-way; and

WHEREAS, the City of Milford Planning Commission had a review and recommendation during their meeting on Tuesday, March 14, 2022, at which time interested parties publicly commented on the amendment; and

WHEREAS, Milford City Council held a Public Hearing on March 28, 2022, to allow for additional public comment and further review of the amendment.

NOW, THEREFORE, the City of Milford hereby ordains: ~~Chapter 197 – STREETS, SIDEWALKS, STORM SEWERS AND OTHER PUBLIC PLACES~~

Section 1. Purpose: The Code of the City of Milford is hereby amended to repeal in its entirety, the current version of the Chapter 197, entitled Streets and Sidewalks.

Section 2. A new Chapter 197, entitled Streets, Sidewalks, Storm Sewers, and Other Public Places, will inserted.

Section 3. The new provisions of Chapter 197 will read as follows:

Chapter 197 – STREETS, SIDEWALKS, STORM SEWERS AND OTHER PUBLIC PLACES

ARTICLE I - General Provisions

§ 197-1. - Purpose.

This chapter defines the use, maintenance and installation requirements of sidewalk, entrances, storm sewer, streets and alleyways.

§ 197-2. - Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

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ALLEY APPROACH — That portion of an alley between the curb and property line side of the sidewalk or right-of-way.

AWNING - A piece or several pieces of canvas, plastic, metal or similar material joined together and stretched over or attached to a frame to be affixed to the exterior of a building in front of a window or doorway for the purposes of providing protection from the sun or weather, for ornamentation of the building and/or for display of a business name or logo type.

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CANOPY - A roof-like structure, projecting from a wall or supported on pillars, for the purposes of providing protection from the sun or weather, ornamentation of the building and/or display of a business name or logo type.

CITY ENGINEER — The City Engineer of the City of Milford or their duly authorized representative.

CITY MANAGER – The City Manager or their duly authorized representative.

CODE ENFORCEMENT OFFICER — The Code Enforcement Officer of the City of Milford or their duly authorized representative.

DRAIN – means any pipe which carries water in a drainage system.

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DRIVEWAY APPROACH — That portion of the driveway between the curb and the property line.

PANEL — Any defined section by joints, or score marks or an approximate square when joints do not exist.

PRIVATE STORM SEWER – means any storm sewer not within the City ROW or otherwise dedicated to and accepted by the City.

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PROPERTY OWNER — Any natural individual or individuals, firm or firms, company or companies or corporation owning real estate in the City of Milford.

PUBLIC — Any facility within the public right-of-way between the property line and street curb and surfacing.

PUBLIC STORM SEWER – means any storm sewer owned by the City.

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STORM SEWER – means any system used for conveying rain water, stormwater, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage.

§ 197-3. Authority to temporarily close streets and sidewalks.

A. The City Manager shall have the authority to temporarily close or block streets, sidewalks or private entrances onto public streets to vehicular and pedestrian traffic when necessary for the publics' safety or to conduct work on streets or sidewalks.

B. Notification shall be provided to Milford Police Department, City Departments and the Carlisle Fire Company.

C. Any street or sidewalk closure that occurs requires proper maintenance of traffic, pursuant to the guidelines in the most recently amended Delaware Department of Transportation Manual on Uniform Traffic Control Devices (MUTCD), and sidewalk accessibility, pursuant to the guidelines laid out by the Americans with Disabilities Act.

D. Any roadway, lane or sidewalk closure request having direct and indirect impacts on a State of Delaware right-of-way must inform the Special Events Manager with the Delaware Department of Transportation Traffic Safety Section.

E. Emergency closures performed by emergency personnel including Police, Fire and Ambulatory Services are not required to gain permission from the City Manager to obstruct streets and sidewalks immediately preceding, during and shortly following emergency circumstances but shall strive to maintain traffic control in a safe manner.

§ 197-4. Right of Way Use and Construction Permits.

A. Temporary occupation of the right of way. No person shall occupy or place any object, building or structure that occupies the right of way on a temporary basis without first obtaining written approval from the City Manager or designee for that purpose.

B. Permanent occupation of the right of way.

(1) No person shall occupy or place any object, building or structure that occupies the right of way on a permanent basis without first obtaining written approval from the City Manager for that purpose. The right of way may not be permanently occupied for any reason except for provision of proper access to buildings or improvements to protect buildings after gaining written approval from the City Manager.

(2) Placement of canopies and awnings within rights-of-way.

(a) APPLICABILITY – The provisions of this section shall apply only to commercial establishments located within commercial zoning districts.

(b) WRITTEN APPROVAL REQUIRED – It shall be unlawful for any person to construct, erect or affix any canopy or awning which is situated within or encroaches upon any right-of-way owned or maintained by the city, unless and until such canopy or awning placement shall have been approved by the city manager. Prior to review and action by the city manager, the department of planning shall review each application. Concluding its review, the department of planning shall make a recommendation on each application under this section and forward its findings and recommendation to the city manager, in writing, for review and consideration.

(c) MAINTENANCE – Any such canopy or awning shall be maintained in good condition. If, upon inspection by the building inspector, such canopy or awning is determined by the building inspector to be in a state of disrepair or is otherwise in violation of the original approval, the applicant, owner or other responsible person shall be given reasonable notice by the building inspector to undertake corrective action.

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Failure to restore such canopy or awning to an acceptable condition or to otherwise comply with the original approval may, upon order of the city council, result in the removal of the canopy or awning at the property owner's expense.

(d) CONDITIONS – The city council may impose any additional conditions as it may deem necessary to protect the best interests of the city, its citizens and surrounding properties.

(e) RESPONSIBILITY – The applicant, owner or other responsible person shall enter into a written agreement with the city council to accept full responsibility for persons or property injured as a result of the canopy or awning and to completely indemnify and save harmless the city from any liability of any nature whatsoever regarding the canopy or awning.

C. Entrance Construction.

(1) It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the City Manager.

D. Sidewalk Construction.

(1) Installation of all curbs, sidewalks, and gutter shall be made in compliance with th e City of Milford Standard Construction Specifications, most recent edition, available on the City website. Written approval from the City shall be required prior to any work being performed.

E. Excavation or Placement of Utilities.

(1) No person shall injure or tear up any pavement, dig any hole, ditch or drain in, or dig or remove any soil, stone, earth, sand, or gravel from any street, public alley or public ground in the city, without having first obtained a written permit from the City Manager given in accordance with the provisions of this chapter.

F. Permit or License Fee. A person desiring a permit required by the provisions of this chapter shall pay such fee as may be established by the City Council.

G. No permit shall be issued to any person permitting or allowing the opening or the making of an excavation in any street, sidewalk, public alley or public place, or any part thereof, until the person making application for such permit shall have first executed to the city a good and sufficient bond in the amount of 100% of the cost of the construction work, with sureties to be approved by the City Manager, conditioned to indemnify and keep harmless the City from any and all loss, cost, damage, expense or liability of any kind whatsoever, which the City may suffer or to which it may be put or which may be recovered from it or on account of the issuance of such permit or from or on account of any act or thing done by virtue of the authority given in such permit or by reason of careless or improper guarding of said openings or excavation, or for any damage, loss or expense to any person caused by or on account of the obstruction of any street, sidewalk, public alley, or public space, or the tearing up, repairing or removing of such street, sidewalk, public alley or public place, or part thereof. Upon satisfactory completion of construction work, a maintenance bond in the amount of 10% shall be retained for a period of one-year for the completed work within the right-of-way.

§ 197-5. Responsibilities of Property Owners or Tenants.

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A. Property owners shall be responsible for maintaining, repairing, or replacing sidewalks adjacent to their property, and for keeping sidewalks in good repair, in safe condition, free of snow, Ice, and vegetation, and shall not permit hazards to either pedestrian or vehicular traffic to exist. All sidewalks within, adjacent to, or approximately parallel to an owner's property line, although it may be situated partially or wholly in a City right-of-way or easement, shall be considered the property owner's responsibility. The City is responsible for repair of ADA curb ramp at intersections; however, the property owner is responsible for the clearing snow, ice, and vegetation.

B. It shall be unlawful for the owner or occupant of any premises abutting upon a sidewalk to permit or allow snow or ice to remain thereon for longer than 12 hours of daylight after it has ceased snowing, or to permit debris or other materials to accumulate at any time so that pedestrians cannot conveniently and safely pass.

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C. It is the responsibility of the owner or occupant of any premises abutting upon a sidewalk to keep the landscaped area between the sidewalk and the curbline, or where no sidewalk exists between the property line and curbline or paved street, maintained in accordance with the standards set forth in the Property Maintenance Code of the City of Milford Chapter 174.

D. It shall be unlawful to sweep, blow or otherwise discharge grass clippings into any street, sidewalk, storm drain, or water course more than incidental amounts of grass.

E. All persons occupying commercial establishments or premises fronting on any street or public place shall keep the sidewalk immediately front of the premises clear of debris or other materials so that pedestrians may conveniently pass, and shall not sell, display or advertise goods or services on the sidewalk. Further, upon obtaining special permission from the City Manager (or his/her designee), such persons may utilize, for the display of merchandise, areas within the sidewalk right-of-way.

F. It shall be unlawful and a nuisance for any person to obstruct or obscure, or permit to be obstructed or obscured, the light from any streetlight erected by the authority of the city, by erecting any object upon or over any street or sidewalk. If, within five days after receiving a notice from the City Manager to remove the obstruction, the violator fails to comply with the notice, the City Manager shall proceed to have the obstruction removed and shall charge the cost of removal to the violator.

G. The following clearances must be maintained for the proper flow of vehicular and pedestrian traffic along all streets and sidewalks.

(1) Vision Clearance Areas. Vision clearance areas are triangular-shaped areas located at the intersection of any combination of right-of-ways, alleys, or driveways. The sides of the triangle extend 25 feet from the intersection of the right-of-way, alley or driveway in either/each direction. Trees, bushes and other vegetation shall be maintained as to not obscure an intersection vision clearance. No fences or other structures shall be erected as to interfere with the required vision clearance.

(2) Vehicle Area Clearances. Trees, bushes and other vegetation shall be maintained to provide at least 14 feet of vertical clearance between the street and the bottom of the vegetation to allow the safe passage of vehicular traffic.

(3) Pedestrian Area Clearances. Trees, bushes and other vegetation shall be maintained to provide at least 8 feet of vertical clearance between the sidewalk and the bottom of the vegetation to allow the safe passage of pedestrians and a minimum passing area the width of the sidewalk or 3 feet whichever is greater.

H. Violations; penalties. Any person(s) violating any provision of this section shall be fined as provided for in the Code of the City of Milford, Chapter 1, General Provisions.

§ 197-6. Speed reduction devices.

A. Prohibited. Any device used as a means of speed reduction on a city street, drive, parking lot, or any other driven surface, which causes a change in elevation is prohibited unless permission from the City Manager is obtained.

B. Permitted. Speed cushions may be installed on privately owned commercial property, at the owner's expense.

C. Installation and Design Standards. Installation and design standards for speed reduction devices shall be in accordance with the Delaware Traffic Calming Design Manual.

§ 197-7. - Litter, refuse, and debris.

A. It shall be unlawful for any person to cast, throw, drop, place, or otherwise cause or permit to be located upon, in, or about any public street, sidewalk, alley or any private or public property adjacent thereto, any litter, refuse, or debris.

(1) Exception. Items permitted and regulated in Chapter 193.

§ 197-8. - Throwing and kicking objects and playing games in streets.

A. It shall be unlawful for any person to throw, kick or project, in any manner whatsoever, any stone, ball or other object in the city streets, or to play or practice athletic games, pitching pennies and like games on the city streets, unless a specific area has been officially designated for those purposes by the city manager. Basketball hoop standards, skate board ramps, hockey nets, soccer goals, and other such devices shall not be placed within the street or right-of-way.

ARTICLE II – Streets and Right of Way

§ 197-9. Street Design.

A. All streets construction, including pavement section, curb ramps, curb cuts and other right-of-way improvements shall be in accordance with Chapter 200 Subdivision of Land and the City's Standard Construction Specifications.

§ 197-10. Street name change procedure

A. Recognizing that changing the name of a city street already named is a complicated and expensive procedure affecting many departments and many persons, the following procedure is adopted:

(1) PETITION – In order to initiate the procedure for changing the name of an existing street, a petition of other formal request must be received from a majority of the property owners abutting on the street in question, which documentation must be submitted to the Planning Director for further processing. The Planning Director shall verify that the requirements of a majority of the owners has been met. If the petition or other documentation does not meet this requirement, then the request shall be summarily dismissed by the city clerk and the person or persons presenting such request shall be notified.

(2) COMMENTS TO COMMITTEE – Once the requirements of subsection (1) of this section have been met, the Planning Director shall refer the request to the development advisory committee (DAC) to obtain comments of all involved parties, specifically including the

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police department, fire department, public works department, department of planning and city manager. The response from the DAC shall be submitted to the city clerk.

(3) PLANNING COMMISSION REVIEW – The Planning Director shall refer the petition and the DAC comments directly to the planning commission for its review and recommendation regarding the request. No public hearing is required before the planning commission and the planning commission shall recommend approval of the change of name or disapproval of the change of name, along with its reasons.

(4) NOTICE OF HEARING – Upon recommendation from the Planning Commission, a public hearing shall be scheduled for a regular council meeting regarding the request, and notice of the public hearing shall be given by placing such notice in one edition of a local newspaper, to be published at least ten days prior to the date of the public hearing before the city council.

(5) COUNCIL HEARING – The council shall hear public comments, and shall, at the conclusion of the public hearing, vote to approve the change of name or to disapprove the change of name. An affirmative vote to change the name shall require an affirmative vote of two-thirds of all persons elected to the council. If the change of name is granted, then notifications thereof shall be given to the city manager to implement the name change.

§ 197-11. Street Abandonment, Vacation, Auction or Sale

A. Definition. For purposes of this section, "Street" or "Public Street" shall consist of the entire right-of-way, whether or not improved, including sidewalks, curbs, lanes, alleys, roadways, streets, or other highways owned by, titled in the name of, or under the jurisdiction and control of the City of Milford. "Street" does not include any road, street, highway, or other public way under the jurisdiction and control of the Delaware Department of Transportation (or any successor state agency).
B. Power of the City Council to Abandon, Vacate, Sell or Auction Public Streets. City Council has the power and authority to abandon, vacate, sell or auction public streets or parts thereof, whenever City Council may deem it to be in the best interest of the City of Milford. The adjacent landowners of record have the first right to purchase or acquire any street being sold or auctioned by the City of Milford.
C. Procedure. For any action taken under this section, the procedure to be followed is as follows.

(1) Upon its own motion, or upon a petition of the majority of the adjacent landowners to the street, the City Council may adopt a Resolution that identifies the street or any portion thereof and states the action being considered. The Resolution must include a general description of the street, and the time, place and date of the hearing when City Council will consider the matter and allow any interested parties to appear and comment thereon.
(2) A copy of said Resolution shall be sent via certified mail to all adjacent landowners of record, the county in which the street is located, and the Delaware Department of Transportation at least 10 days before the scheduled hearing.
(3) A copy of the Resolution shall be published in a newspaper of general circulation within the City of Milford once a week for two consecutive weeks prior to the date fixed for the hearing.
(4) City Council may, following the hearing affording any interested persons an opportunity to be heard, take any such action by adoption of a resolution that must provide a legal description of such street or portion thereof and state whether such street or portion thereof to be abandoned, vacated, sold or auctioned.

(5) Upon adoption of the resolution, the street as described will cease to exist as a public street. If the action taken involves the vacation or abandonment of the street, the persons entitled to enclose the street may proceed to use and occupy the vacated street. The City of Milford may convey to any purchaser or adjacent landowner any interest the City of Milford may have in the street.

Article III – Curb Cuts.

§ 197-12. Entrance Permit Required.

A. It shall be unlawful for any person to alter the curb of any street without a permit issued by the city manager or designee.
B. Entrances shall comply with the requirements of Chapter 230 Zoning and the City's Standard Construction Specifications.

Article IV – Sidewalks.

§ 197-13. Sidewalk Specifications.

A. Sidewalks shall be located as outlined in Chapter 200 Subdivision of Land and meet the requirements of the City's Standard Construction Specifications.

B. The City Engineer shall maintain specifications regarding the installation of sidewalks and inspect and approve all construction of sidewalks.

§ 197-14. - Responsibility of installation.

A. In all new construction sites and subdivisions, the City shall require the builder or developer to install curb, gutter and sidewalk in cases where no such improvements previously existed or where, if in existence, they are in need of repair. Issuance of a certificate of occupancy by the City will be contingent upon compliance. In proposed developments, the City Council may, at its discretion, waive the requirement to install curb, gutter and sidewalk.

B. Existing residences and commercial establishments which are desirous of having curb, gutter and sidewalk installed where no such improvements currently exist may petition the City Engineer for permission to install said improvements. The City, at it's own discretion, may install curb and gutter at the City's expense. Upon approval of the City Engineer, the property owner may install sidewalks at their own expense. The City Engineer shall provide lines and grades, in writing, for said installations.

C. The City Council may order the installation of sidewalks at existing residents and commercial businesses, where sidewalks do not exist, at the property owner's expense, and the property owner shall, within 365 days, shall make the improvements.

§ 197-15. - Responsibility for costs; financing.

A. In all areas of new construction, the full cost of installation of curb, gutter and sidewalk shall be borne by the property owner, builder or developer at the time of construction. Where the City Council has waived the requirement for sidewalk installation a fee shall be assessed in the approximate amount of installation costs to be placed into escrow for construction by the City at a future date.

B. In instances where sidewalk installation, repair or replacement is required, the property owner shall be given the opportunity to finance such improvements through a method of reimbursement to the City, which shall not exceed 60 equal consecutive monthly payments.

C. Owners who are in arrears on said payments for a period of 90 days will be subject to legal action and/or a lien being placed upon the property where improvements were made.

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D. Property owners who meet the low-income criteria may apply for financial assistance, provided the City funding is available, for the cost of sidewalk repair or replacement.

§ 197-16. - Specifications

Installation of all curbs, sidewalks, and gutter shall be made in compliance with Standard Specifications for Installation of Utility Construction Projects and Subdivision Pavement Design, most recent edition.

§ 197-17. - Conditions requiring repair or removal and replacement of sidewalks.

All City sidewalks shall be maintained in compliance with current American with Disabilities Act requirements. In addition, sidewalks exhibiting a likelihood of failure within a 4 year period such as those with extensive cracking or heaving may require replacement prior to falling out of ADA compliance. The repair of a sidewalk shall be at the City Engineer's discretion to determine if a sidewalk requires repair.

§ 197-18. - City to perform work.

A. Upon the neglect of any property owner to comply with any of the requirements provided in the preceding sections, the City may, after 90 days and after duly notifying the property owner, cause the repairing, removal and replacement, or removal of obstructions and/or guttering to be done at the cost of such owner and may collect the cost thereof, from such owner, and may file a municipal lien therefor or collect the same by an action in assumpsits.

B. All such notices shall be served upon the owner of the premises to which the notice refers. If the owner is not a resident, such notice may be served upon the agent or tenant of the owner or upon the occupant of such premises. If the owner, agent or tenant cannot be located, then service shall be by notice posted on the premises.

C. The property owner is to contact the City Engineer within 30 days of receipt of the notice with a schedule of work, the name of the contractor, a cost estimate and any other information.

D. Upon receiving the notice, the property owner is required to obtain the appropriate permit for construction or reconstruction of said sidewalks and pay the appropriate fees as established by City Council.

§ 197-19. - Stop orders.

If any property owner shall commence, or permit others to commence, the repair or removal and replacement of any sidewalk not in compliance with this chapter or not in compliance with specifications provided by the City Engineer, said Code Enforcement Officer is authorized to issue a stop order directed to the property owner and serve it upon the property owner. Upon service of such stop order, all repair or removal and replacement shall immediately cease.

§ 197-20. - Liability.

Nothing in this chapter, including the issuing of a permit or a compliance certificate, shall be construed to hold the City of Milford liable for any failure due to faulty construction or any other act in connection with sidewalk construction.

ARTICLE V - Storm Sewers

§ 197-21. General

A. It shall be unlawful for any person to tap or have tapped any public storm sewer without a permit from the City Manager.

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B. Public storm sewers shall be designed and constructed according to the City's Construction Standards and Specifications and Delaware Stormwater Management Regulations.

§ 197-22. Prohibited discharges into system.

A. It shall be unlawful for any person or group of persons to throw, place or deposit, or attempt to throw, place or deposit, or cause to be thrown, placed or deposited, any article, object or substance in any of the storm sewers or into any of the inlets into the storm sewers of the city, or into any of the streets, lanes, alleys or gutters of the streets in the city from which such article, object or substance would be likely to enter into the storm sewers of the city, which object, or substance would injure in any manner said storm sewer system or area into which such storm sewers empty.

§ 197-23. Authority to enter and inspect private property.

A. The City Manager and their authorized agents shall have the authority to enter upon any lands as may reasonably be necessary to discharge their duties pursuant to this chapter. Pursuant to the entry, the city manager and their authorized agents shall properly discharge their duties, which may include inspection, conveyance or removal of materials necessary for construction upon the land or improvement or repair of any drain, gutter, storm sewer, manhole or natural watercourse.

§ 197-24. Violations.

A. Whenever the City Manager or their authorized agents shall determine that a condition exists which violates any portion of this chapter, the City Manager or their authorized agents shall notify the property owner or occupant of the specific violation.

B. Unless the condition is remedied within ten days after notice is given, the city may cause the condition to be remedied and assess the cost thereof against the property owner.

C. Any person violating any of the provisions of this chapter shall, upon conviction therefore, pay to the city the cost of any of the repairs resulting from the violation and be subject to the penalty provided in Chapter 1 General Provisions.

ARTICLE VI - Excavations.

§ 197-25. Interference with traffic or property.

A. The holder of a permit issued pursuant to this chapter shall take all appropriate measures to ensure that, during the performance of the excavation work, traffic conditions shall be maintained as nearly normal as practical at all times so as to cause as little inconvenience as possible to the occupants of the abutting property and to the general public.

§ 197-26. Fire hydrants.

A. The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants. Materials or obstructions shall not be placed within 15 feet of fire hydrants.

§ 197-27. Drainage.

A. The holder of a permit issued pursuant to this chapter shall provide for the flow of all watercourses, sewers or drains intercepted during the excavation work and shall make provision to take care of all surplus water, muck, silt, slickings or other runoff pumped from the excavation or resulting from sluicing or other operations and shall be responsible for any damage resulting from its failure to so provide.

§ 197-28. Barricades.

A. All street and sidewalk excavations shall be properly protected by a fence or suitable barrier, and if left open at night, in order to prevent injury to pedestrians or vehicles using the street or sidewalks, by proper lights.

§ 197-29. Repair of excavated areas.

A. When any excavation is made in a street or sidewalk, all earth and other materials taken up shall, when the work is completed, be replaced by the person making the excavation. The earth shall be rammed solid so as to be even with the street level and all paving shall be replaced so that the street or sidewalk shall be in as good or better condition than before the excavation. Replacement work shall be under the supervision of the city manager and, if he deems that it is improperly done, he shall cause it to be properly done, charging the costs thereof to the person responsible.

§ 197-30. Required Inspections.

A. The City Manager shall make such inspections as are reasonably necessary to enforce this chapter. He shall have the authority to promulgate and cause to be enforced such rules and regulations as may be reasonably necessary to enforce and carry out the intent of this chapter.

ARTICLE VII – Wireless Facilities within Rights-of-Way.

§ 197-31. Applicability. The provisions of this section shall apply to the use of rights-of-way as dedicated to the city or as otherwise maintained by the city.

§ 197-32. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

WIRELESS COMMUNICATIONS FACILITY (WCF) – An antenna facility or a wireless support structure that is used for the provision of wireless service, whether such service is provided on a stand-alone basis or commingled with other wireless communications services.

WIRELESS SUPPORT STRUCTURE – A freestanding structure, pole, tower, or other building, whether or not it has an existing antenna facility, that is used or to be used to support the placement or installation of a wireless communication facility for the provision of wireless service (whether on its own or comingled with other types of services).

§ 197-33. Permit Required.

A. It shall be unlawful for any person to construct, erect or affix any wireless support structure within or that encroaches upon any right-of-way owned or maintained by the city, unless and until such use of the right-of-way shall have been approved. A rights-of-way use permit shall be obtained from the city manager or their designee.

B. Each application for permit shall be accompanied by a fee as provided for in the Planning Department Fee Schedule as adopted by City Council.

C. Each wireless support structure not owned or maintained by the city located within or that encroaches upon any right-of-way owned or maintained by the city shall be subject to an annual fee as provided for in the Planning Department Fee Schedule as adopted by City Council.

D. Construction, erection or placement of any wireless communication facility or wireless support structure within or that encroaches upon any right-of-way owned or maintained by the city shall be in accordance with the provisions of Chapter 230 Zoning, Chapter 88 Building Construction, Appendix A Electric Rules and Regulations and other applicable City, State or Federal Regulations.

ARTICLE VIII – Public Utilities

§ 197-34. Public Utilities.

A. Placement of any public utilities within the public right-of-way, either underground or overhead, shall obtain a permit from the Public Works Department as outlined in Article I of this Chapter.
B. Public utilities shall be subject to a franchise agreement as approved by City Council.
C. It shall be unlawful for any person, company, city employee, or any employee of a contractor engaged by the city, to make an attachment to or within Milford Electric Division (MED) facilities without a valid, existing pole, duct, or conduit license agreement. All new or renewed pole, duct, or conduit license agreements with the MED shall be adopted pursuant to this chapter. The provisions of this chapter shall be deemed incorporated in each such agreement and shall be limited in scope or application only to the extent agreed by the parties or required by applicable federal or Delaware law. Notwithstanding the foregoing, MED may at its option enter into a joint use agreement with another utility that owns or controls poles that are utilized by MED; in such instances the terms of such joint use agreement may vary from the specifications of this section to the extent reasonable to reflect the reciprocal nature of the joint use agreement.

Section 4. Dates.
City Council Introduction: March 14, 2022
Planning Commission Review & Public Hearing: March 15, 2022
City Council Public Hearing: March 28, 2022

Section 5. Ordinance is Effective Ten Days Following Adoption by City Council

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

02.25.22

Published:
Delaware State News 02.28.22
Milford Beacon 03.02.2022

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Chapter 197 ~~STREETS AND SIDEWALKS~~

~~*ARTICLE I Curb, Gutter and Sidewalk Installation and Maintenance*~~

~~§ 197-1. Purpose.~~

~~These guidelines shall be used to determine when and to what extent public sidewalk, driveway approach, and alley approach repair shall be required. Repair or removal and replacement shall be required whenever a public sidewalk, driveway approach, or alley approach is in a hazardous or unsafe condition. A hazardous or unsafe condition shall be determined by the limits as set forth in these guidelines in conjunction with the judgment of the City Engineer or designated representative.~~

~~§ 197-2. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~ALLEY APPROACH — That portion of an alley between the curb and property line side of the sidewalk or right-of-way.~~

~~CITY ENGINEER — The City Engineer of the City of Milford or his duly authorized representative.~~

~~CODE ENFORCEMENT OFFICER — The Code Enforcement Officer of the City of Milford or his duly authorized representative.~~

~~DRIVEWAY APPROACH — That portion of the driveway between the curb and the property line.~~

~~PANEL — Any defined section by joints, or score marks or an approximate square when joints do not exist.~~

~~PROPERTY OWNER — Any natural individual or individuals, firm or firms, company or companies or corporation owning real estate in the City of Milford.~~

~~PUBLIC — Any facility within the public right-of-way between the property line and street curb and surfacing.~~

~~§ 197-3. Responsibility of installation.~~

~~A. In all new construction sites and subdivisions, the City shall require the builder and/or developer to install curb, gutter and sidewalk in cases where no such improvements previously existed or where, if in existence, they are in need of repair. Issuance of a certificate of occupancy by the City will be contingent upon compliance. In proposed developments, the City Council may, at its discretion, waive the requirement to install curb, gutter and sidewalk.~~

~~B. Existing residences and commercial establishments which are desirous of having curb, gutter and sidewalk installed where no such improvements currently exist may petition the City, in writing, for said installation. The City Council shall, within 60 days, notify the owner or proprietor making the request of the feasibility of installation of the improvements.~~

~~§ 197-4. Responsibility for maintenance.~~

~~In all instances, property owners shall be responsible for maintaining, repairing, or replacing sidewalks and for keeping sidewalks in good repair, in safe condition and free of vegetation and shall not permit hazards to either pedestrian or vehicular traffic to exist. All sidewalks within, adjacent to, or approximately parallel to an owner's property line, although it may be situated partially or wholly in a City right-of-way or easement, shall be considered the property owner's responsibility.~~

~~§ 197-5. Responsibility for costs; financing.~~

~~A. In all areas of new construction, the full cost of installation of curb, gutter and sidewalk shall be borne by the property owner, builder or developer at the time of construction.~~

B. In instances where sidewalk repair or replacement is required, the property owner shall be given the opportunity to finance such improvements through a method of reimbursement to the City, which shall not exceed 60 equal consecutive monthly payments.

C. Owners who are in arrears on said payments for a period of 90 days will be subject to legal action and/or a lien being placed upon the property where improvements were made.

D. Property owners who meet the low-income criteria may apply for financial assistance, provided the City funding is available, for the cost of sidewalk repair or replacement.

§ 197-6. Specifications; written approval required.

Installation of all curbs, sidewalks, and gutter shall be made in compliance with Standard Specifications for Installation of Utility Construction Projects and Subdivision Pavement Design, most recent edition. Written approval from the City shall be required prior to any work being performed.

§ 197-7. Conditions requiring repair or removal and replacement of sidewalks.

The following is the criteria by which a sidewalk is considered hazardous or unsafe and therefore requires repair or removal and replacement. Repairs or removal and replacement may be required based on any one of the items individually or a combination of the items. These criteria should be used as guidelines, with judgments and discretion of the City Engineer or designated representative used in their application. The repair of a sidewalk shall be at the City Engineer's discretion to determine if a sidewalk requires repair; however, removal and replacement of complete panels is required when any of the following conditions exist:

A. A vertical separation of more than one inch at either a joint or crack.

B. A horizontal separation of one inch or more at either a joint or crack.

C. The cross slope of sidewalks is greater than 3/4 inch per foot (1:16).

D. Insufficient cross slope or misalignment.

E. Water ponds due to insufficient cross slope or misalignment. If the problem is corrected by modifications to adjacent landscaping or obstruction, then the removal and replacement may not be required.

F. Severely rough, uneven surface due to scaling or spalling that would cause a tripping hazard.

G. Severe cracking resulting in multiple loose or unstable individual pieces within a panel.

§ 197-8. Grinding.

Grinding is required when any of the following conditions exist:

A. A vertical separation between 1/2 inch to one inch at the joint. Ground surfaces shall have a maximum slope of 1.5 inches per foot (1:8). Ground surfaces four inches or more in width shall be roughened.

§ 197-9. Other conditions: tree roots.

The following alternatives may be used to repair sidewalks affected by adjacent tree roots. Please consult the City of Milford Arborist regarding these options.

A. The sidewalk may be removed around the offending roots. Rerouting of the sidewalk may require dedication of an easement to the City for the sidewalk.

B. The sidewalk may be ramped over the tree roots, provided the longitudinal slope does not exceed one inch per foot (1:12).

C. The sidewalk may be removed and replaced after the tree roots have been pruned.

D. Prior to the removal of a tree within a public right-of-way the City Arborist shall be consulted. The removal of a tree in the public right-of-way should be considered only if other remedies are impractical.

§ 197-10. City to perform work.

A. Upon the neglect of any property owner to comply with any of the requirements provided in the preceding sections, the City may, after 90 days and after duly notifying the property owner, cause the repairing, removal and replacement, or removal of obstructions and/or guttering to be done at the cost of such owner and may collect the cost thereof, from such owner, and may file a municipal lien therefor or collect the same by an action in assumpsits.

B. All such notices shall be served upon the owner of the premises to which the notice refers. If the owner is not a resident, such notice may be served upon the agent or tenant of the owner or upon the occupant of such premises. If the owner, agent or tenant cannot be located, then service shall be by notice posted on the premises.

C. The property owner is to contact the City Engineer within 30 days of receipt of the notice with a schedule of work, the name of the contractor, a cost estimate and any other information.

D. Upon receiving the notice, the property owner is required to obtain the appropriate permit for construction or reconstruction of said sidewalks and pay the appropriate fees as established by City Council.

§ 197-11. Stop orders.

If any property owner shall commence, or permit others to commence, the repair or removal and replacement of any sidewalk not in compliance with this article or not in compliance with specifications provided by the City Engineer, said Code Enforcement Officer is authorized to issue a stop order directed to the property owner and serve it upon the property owner. Upon service of such stop order, all repair or removal and replacement shall immediately cease.

§ 197-12. Duties of City Engineer.

The City Engineer shall maintain specifications regarding the installation of sidewalks and inspect and approve all construction of sidewalks.

§ 197-13. Duties of Code Enforcement Officer.

The Code Enforcement Officer shall inspect complaints and determine if the sidewalk is in violation. If the sidewalk is in violation, the Code Enforcement Officer shall send a violation notice to the property owner, giving him/her 30 days to develop a schedule to repair the sidewalk violation and 90 days to fix the sidewalk violation. The Code Enforcement Officer shall also serve on the owner that failure to complete the violation in 90 days will result in the City of Milford completing the work and attaching a lien to the property. The Code Enforcement Officer will also inform the property owner that he/she needs to contact the City Engineer regarding the specifications for repair of the sidewalk violation.

§ 197-14. Liability.

Nothing in this article, including the issuing of a permit or a compliance certificate, shall be construed to hold the City of Milford liable for any failure due to faulty construction or any other act in connection with sidewalk construction.

ARTICLE II Miscellaneous Provisions

§ 197-15. Authority to temporarily close streets and sidewalks.

(A) The City Manager and/or designee and the Chief of Police and/or designee shall have the authority to temporarily close or block streets, sidewalks or private entrances onto public streets to vehicular and pedestrian traffic when necessary for the publics' safety or to conduct work on streets or sidewalks. Permission shall be granted in the form of a permit issued by the Office of the City Clerk. Permit shall at all times, when streets or sidewalks are closed, be in the possession of a person at the site of the temporary closure and provided to any Police Officer or employee of the City upon request.

(1) Notification shall be provided to Milford Police Department, City Departments and the Carlisle Fire Company.

(B) The Chief of Police and/or designee is hereby authorized to close temporarily any street or roadway in an impending or existing emergency or when in his/her opinion, there is reasonable justification for the closing of such street or roadway.

(C) This section shall not apply to those governmental agencies which are otherwise authorized to close streets. Any roadway, lane or sidewalk closure request having direct and indirect impacts on a State of Delaware right-of-way must inform the Special Events Manager in Delaware Department of Transportation Traffic Safety Section.

§ 197-16. Litter, refuse, and debris.

It shall be unlawful for any person to cast, throw, drop, place, or otherwise cause or permit to be located upon, in, or about any public street, sidewalk, alley or any private or public property adjacent thereto, any litter, refuse, or debris.

(a) Exception.

Items permitted and regulated in Chapter 193.

§ 197-17. Throwing and kicking objects and playing games in streets.

It shall be unlawful for any person to throw, kick or project, in any manner whatsoever, any stone, ball or other object in the city streets, or to play or practice athletic games, pitching pennies and like games on the city streets, unless a specific area has been officially designated for those purposes by the city manager.

Local Government
Management Fellow
10 SE Second Street
Milford, DE 19963

PHONE 302.422.1111 Ext. 1215
www.cityofmilford.com

Date: March 15, 2022

To: Members of the City of Milford Planning Commission

From: Melody Barger, Local Government Management Fellow

Re: Chapter 197, Streets and Sidewalks Revision

Dear Members of Planning Commission

You find in your packet a copy of the revised Chapter 197, Streets and Sidewalks. Due to a lack of relevant legislation regarding what may and may not occur in the right-of-way, I (Local Government Management Fellow), in conjunction with Rob Pierce (Planning Director), James Puddicombe (City Engineer), Mike Svaby (Public Works Director) and Mark Whitfield (City Manager) have developed a new version of Chapter 197, now known as Streets, Sidewalks, Storm Sewers and Other Public Places, for your consideration. The following relevant changes have been made in this version:

- Property owners are responsible for sidewalk maintenance, repair and obstruction removal (including snow and ice removal). The City will repair ADA curb ramps at intersections, but will not take responsibility for snow and ice removal at ADA curb ramps.
- Permits are required for entrance construction, sidewalk construction, and excavation or placement of utilities.
- A process has been developed for changing street names, including a petition, planning commission review and public hearings.
- The City may abandon, vacate, auction or sell streets in compliance with the State of Delaware Code.
- Existing residences and commercial establishments that want sidewalks may petition the City Engineer for permission to install sidewalks at the property owner's expense. The City also has discretion to install curb and gutter at the City's expense.
- The City Council may order the installation of sidewalks at the property owner's expense, to be completed within 365 days. Failure to complete the sidewalks and pay for, finance or apply for financial assistance for the sidewalks will result in legal action and a lien on the property.

Local Government
Management Fellow
10 SE Second Street
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- Public sewers may not be tapped without a permit, and the City may enter private property as necessary to inspect, convey or remove materials, or improve and repair storm sewers.
- Excavations must be repaired by the person making the excavation, and the City has the power to inspect said excavation for safety and repair purposes.
- A permit is required to locate a Wireless Communications Facility (WCF) within the right-of-way, and the City will charge $270 annually per WCF.
- Placement of utilities in the right-of-way requires a permit and is subject to a franchise agreement as approved by the City Council.

Staff recommends implementation of the above changes to Chapter 197 and welcomes any comments or adjustments made to the ordinance.

Sincerely,

Melody Barger

Local Government Management Fellow

Purpose of the Code Review

- The Streets and Sidewalks ordinance currently provides little regulation on the right-of-way (ROW) or on storms sewers or other public places.
- Other cities (including Dover, Newark and others) regulate the use of the ROW in their code to much higher degree than Milford currently regulates.
- Staff scraped and replaced the entirety of Chapter 197 and replaced it with what staff views as a more comprehensive and effective regulation of the ROW

Article 1: General Provisions

- Temporary occupation of the right-of-way requires approval of the City Manager and permanent occupation of the right-of-way is not permitted except for proper access to buildings (with approval of the City Manager)
- All construction or placement of utilities with the right-of-way requires a permit and licensing fee and excavation in ROW requires 100% bond
- Property owners are responsible for sidewalk maintenance, repair, and obstruction removal (including snow and ice removal). The City will repair ADA curb ramps at intersections but will not take responsibility for snow and ice removal at ADA curb ramps. Snow and ice must be removed within 12 hours of daylight after cessation of precipitation
- Playing games in the street is prohibited; devices like soccer goals and hockey nets may not be placed in the ROW

Article 2: Streets and ROW

- Street construction must be in accordance with Chapter 200 Subdivision of Land and the City Standard Construction Specifications
- Process for changing street names
- The City has the authority to abandon, vacate, sell or auction public streets.
  - The process includes proposing a resolution, providing sufficient notice to affected property owners, a public hearing and an adoption of the resolution.

Article 3: Curb Cuts

- Curb cuts require a permit
- Entrances must comply with Chapter 230 Zoning and the City Standard Construction Specifications

Article 4: Sidewalks

- Builders and developers are required to construct sidewalks in all new construction sites and subdivisions
- Existing residences and commercial establishments that want sidewalks may petition the City Engineer for permission to install sidewalks at the property owner's expense. The City may install curb and gutter with discretion at the City's expense.
- City Council may order installation of sidewalks at the property owner's expense, which must be completed with 365 days.
- The property owner may finance their improvements and may apply for financial assistance from the City
- Owners who fail to complete payments within 90 days will be subject to legal action and/or a lien on the property

Article 4: Sidewalks Cont.

- Responsibility for the repair of sidewalks rests with the property owner
- If the property owner fails to repair their sidewalks, the City must wait 90 days and provide proper notice to the landlord before repairing the sidewalks at the property owner's expense
- Property owners must obtain a permit for construction or reconstruction of sidewalks

Article 5: Storm Sewers

- Public sewers may not be tapped without a permit
- Citizens may not discharge articles, objects or substances into the storm sewer that may be dangerous or injure the storm sewer
- The City may enter any private property as reasonably necessary to inspect, convey or remove materials, or improve/repair storm sewers

Article 6: Excavations

- Traffic conditions must remain as close to normal as possible during excavations of the ROW
- Streets and sidewalks excavations must include a suitable barrier to protect against injury of pedestrians and vehicles
- Excavations must be repaired by the person making the excavation
- The City may make inspections to enforce proper use of excavations

Article 7: Wireless Facilities within the ROW

- A permit is required to locate a WCF in the ROW
- An annual fee of $270 will be assessed per WCF located in the ROW as provided in the Planning Department Fee Schedule

Article 8: Public Utilities

- Placement of utilities in the ROW requires a permit (either underground or aboveground)
- Public utilities are subject to a franchise agreement as approved by City Council
- No attachment may be made to any Milford Electric Division facilities without a license agreement

THE CITY of Milford DELAWARE

Questions?

Local Government
Management Fellow
10 SE Second Street
Milford, DE 19963

PHONE 302.422.1111 Ext. 1215
www.cityofmilford.com

Date: March 28, 2022

To: Mayor Archie Campbell and Members of City Council

From: Melody Barger, Local Government Management Fellow

Re: Chapter 197, Streets and Sidewalks Revision

Dear Mayor and Members of Council,

You find in your packet a copy of the revised Chapter 197, Streets and Sidewalks. As previously discussed in the workshop on this potential ordinance, this revised version of the Chapter adds several important pieces to the City's regulation of the right-of-way, including requiring permits for use or excavation of the right-of-way, regulating the use of Wireless Communications Facilities within the right-of-way, developing a procedure for changing street names, managing the placement and repair of sidewalks in the right-of-way, and other items. There has been only one substantive change to this ordinance since the workshop done in December of 2021. That change regards the process for the abandonment, vacation, auction, or sale of streets owned by the City of Milford. Previously, the abandonment or vacation of streets was an arduous process involving appeals to the Levy Court and other unwieldy activities. Now, we have developed a process that is consistent with the Delaware State Code but involves a greater amount of autonomy on the part of the City of Milford. The City needs only to follow a process very similar to the adoption of ordinances (including the adoption of a resolution identifying the street, the notification of adjacent land owners, advertisement in local newspapers, a public hearing and an adoption of the resolution).

The ordinance as it stands has been reviewed by Solicitor Rutt, and it holds the support of all the staff that have developed the ordinance, including City Manager Mark Whitfield. Thank you for your time.

Sincerely,

Melody Barger

Chapter 197 – Streets and Sidewalks

Draft Revisions

March 28, 2022

Purpose of the Code Review

- The Streets and Sidewalks ordinance currently provides little regulation on the right-of-way (ROW) or on storms sewers or other public places.
- Other cities (including Dover, Newark and others) regulate the use of the ROW in their code to much higher degree than Milford currently regulates.
- Staff scraped and replaced the entirety of Chapter 197 and replaced it with what staff views as a more comprehensive and effective regulation of the ROW

Substantive Changes

- Only one substantive change has been made since the workshop regarding this ordinance in December
- A process was developed to abandon, vacate, auction or sell streets
- Process
  - The City must adopt a resolution that identifies the street or portion of the street
  - A copy must be sent to adjacent land owners, the county and DelDOT at least 10 days before the hearing
  - A copy must be advertised in the newspaper
  - A public hearing must be held
  - The City may then adopt the resolution and the street will cease to exist as a public street

THE CITY of Milford DELAWARE

Questions?

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS
Planning Commission Hearing: Tuesday, March 15, 2022 @ 7:00 PM
City Council Hearing: Monday, March 28, 2022 @ 7:00 PM

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

ORDINANCE 2022-15
Amending Chapter 230-Zoning Code

WHEREAS, the Mayor and City Council of the City of Milford are charged with the protection of the public health, safety, and welfare of the citizens of the City of Milford; and
WHEREAS, the Mayor and City Council desire to amend the City of Milford Code Chapter 230 Zoning in order to establish regulations to govern Wireless Communication Facilities (WCF), including the placement of WCFs on private property and within the public right-of-way; and
WHEREAS, the City of Milford Planning Commission had a final review and recommendation during their meeting on Tuesday, March 14, 2022, at which time interested parties publicly commented on the amendment; and
WHEREAS, Milford City Council held a Public Hearing on March 28, 2022, to allow for additional public comment and further review of the amendment.

NOW, THEREFORE, the City of Milford hereby ordains:

Section 1. An Ordinance to amend Article III - Use and Area Regulations of Chapter 230 – Zoning Code of the Cit of Milford.

Section 2. Chapter 230 is hereby amended by adding a new subsection § 230-19.10 entitled Wireless Communication Facilities.

Section 3. § 230-19.10 -- Wireless Communication is added to the Zoning Code to read as follows:

§ 230-19.10 – Wireless Communication Facilities

A. *Purpose and intent.* The purpose of this section is to establish uniform standards for the siting, design, permitting, construction, maintenance, and use of wireless communications facilities (WCF) in the City of Milford (referred to herein as the "city"). While the city recognizes the importance of wireless communications facilities in providing high quality communications service to its residents, the city also recognizes that it has an obligation to protect public safety and to minimize the adverse effects of such facilities through the standards set forth in the following provisions and as referenced.

(1) By enacting these provisions, the city intends to:

(a) Promote the deployment of wireless communications facilities in the city while regulating their location and number to ensure the provision of necessary services;
(b) Provide for the managed development of wireless communications facilities in a manner that enhances the benefits of wireless communication and accommodates the needs of both city residents and wireless carriers in accordance with federal and state laws and regulations;
(c) Address new wireless technologies, including, but not limited to, distributed antenna systems, data collection units, small cells, cable, Wi-Fi and other wireless communications facilities;
(d) Establish procedures for the design, siting, construction, installation, maintenance and removal of small wireless communications facilities, non-tower based wireless communications facilities, and tower-based wireless communications facilities, in the city, including facilities both inside and outside the public rights-of-way;
(e) Preserve the character of the city's neighborhoods and corridors;

(f) Minimize the adverse visual effects and the number of such facilities through proper design, siting, screening, material, color and finish and by requiring that competing providers of wireless communications services collocate their commercial communications antennas and related facilities on existing wireless support structures where feasible;

(g) Promote the health, safety and welfare of the city's residents.

B. *Definitions.*

Accessory equipment. Any equipment serving or being used in conjunction with a wireless communications facility or wireless support structure. The term "accessory equipment" includes but is not limited to utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar structures.

Antenna. An apparatus designed for the purpose of emitting radio frequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of wireless service and any commingled information services.

Changes in height. Changes in height are measured from the original wireless support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act (47 CFR §1.4001(b)(7)(i)(A)).

Collocation. The mounting of one or more WCFs, including antennae, on a pre-existing structure, or modifying a structure for the purpose of mounting or installing a WCF on that structure.

Eligible facilities request. Any request for modification of an existing WCF that does not constitute a substantial change. Such request may involve: (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

Emergency. A condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided.

Equipment compound. An area surrounding or adjacent to a wireless support structure within which base stations, power supplies, or accessory equipment are located.

FCC. Federal Communications Commission.

Height of a tower-based WCF. The vertical distance measured from the ground level, including any base pad, to the highest point on a tower-based WCF, including antennae mounted on the tower and any other appurtenances.

Modification or *modify.* The improvement, upgrade or expansion of existing wireless communications facilities or base stations on an existing wireless support structure or the improvement, upgrade, or expansion of the wireless communications facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

Non-tower wireless communications facility (non-tower WCF). A wireless communications facility located or collocated on existing structures, such as, but not limited to, buildings, water towers, electrical transmission towers, utility poles, light poles, traffic signal poles, flag poles and other similar structures that do not require the installation of a new tower. This term includes the replacement of an existing structure with a similar structure that is required to support the weight of the proposed WCF. This definition excludes any installation constituting a small wireless communications facility.

Person. Individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations and other entities established pursuant to statutes of the State of Delaware, provided that "person" does not include or apply to the city, or to any department or agency of the city.

Replacement. The replacement of existing wireless communications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment that does not result in increased wind or structural loading, is substantially similar in size and weight as the wireless communications facilities initially installed, and that does not substantially change the physical dimensions of the existing wireless support structure.

Small wireless communications facility (small WCF). A wireless communications facility that meets the following criteria:

(1) The structure on which antenna facilities are mounted

(a) Is 50 feet or less in height; or
(b) Is no more than ten percent taller than other adjacent structures; or
(c) Is not extended to a height of more than 50 feet or by more than ten percent above its preexisting height as a result of the collocation of new antenna facilities.

(2) Each antenna associated with the deployment (excluding the associated equipment) is no more than three cubic feet in volume; and
(3) All antenna equipment associated with the facility (excluding antennas) are cumulatively no more than 28 cubic feet in volume; and
(4) The facilities do not require antenna structure registration under 47 CFR Part 17; and
(5) The facilities are not located on Tribal lands, as defined under 36 CFR §800.16(x); and
(6) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR §1.1307(b).

Stealth technology. Camouflaging or screening methods applied to wireless communications facilities and accessory equipment which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in a manner appropriate to the site's context and surrounding environment. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.

Substantial change. A modification to an existing WCF substantially changes the physical dimensions of a wireless support structure if it meets any of the criteria set forth in 47 CFR §1.6100, as amended.

Tower-based wireless communications facility (tower-based WCF). Any structure that is used for the primary purpose of supporting one or more antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles. This definition excludes any installation meeting the definition of a small wireless communications facility.

Wireless. Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.

Wireless communications facility (WCF). An antenna facility or a wireless support structure that is used for the provision of wireless service, whether such service is provided on a stand-alone basis or commingled with other wireless communications services.

Wireless communications facility applicant (WCF Applicant). Any person that applies for a wireless communications facility building permit, zoning/conditional use approval, and/or permission to use the public right-of-way or other city owned land or property.

Wireless support structure. A freestanding structure, pole, tower, or other building, whether or not it has an existing antenna facility, that is used or to be used to support the placement or installation of a wireless communication facility for the provision of wireless service (whether on its own or comingled with other types of services).

C. *Applicability.* The terms and provisions of this section shall apply to wireless communication facilities in the city. As defined, each type of WCF has specific allowable locations, development regulations, and design standards as follows:

(1) Small WCF described in 230-19.10(F).
(2) Non-tower WCF described in 230-19.10(G).
(3) Tower WCF described in 230-19.10(H).

(1) *Exceptions.* The activities by city residents to utilize satellite dishes, citizen or band radios, and antennae for the purpose of maintaining television, phone, or internet connections at their residences for non-commercial activity shall be exempt from the regulations enumerated in this Section 230-19.10.

(2) *Nonconforming uses.* The following provisions shall apply to all buildings, support structures, and uses as related to wireless communication facilities:

(a) All types of WCFs shall be permitted to collocate upon existing non-conforming WCFs, wireless support structures, and other non-conforming structures subject to the provisions of this Section 230-19.10.
(b) Collocation of antennae is permitted on non-conforming structures.
(c) Collocation of non-tower WCFs upon existing tower-based WCFs is encouraged even if the tower-based WCF is non-conforming as to use within a zoning district.
(d) WCF which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location but must otherwise comply with the terms and conditions of this Section 230-19.10.

D. *Type of Activity determination.* The following provisions outline the types of wireless communication facility applications.

(1) *Eligible facilities request.* The WCF application type is classified as an eligible facilities request if the request for modification of an existing WCF that does not constitute a substantial change under 47 CFR §1.6100, as amended. The request may involve: (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.
(2) *Substantial change activity.* The WCF application type is classified as a substantial change activity if the modification substantially changes the physical dimensions of a wireless support structure by meeting any of the criteria set forth in 47 CFR §1.6100, as amended, relating to height of the support structure or addition of new appurtenances or equipment cabinets.
(3) *New facility.* The WCF application type is classified as a new facility if it involves the construction and placement of a new wireless support structure and does not meet the definition of small WCF.
(4) *Small WCF.* The WCF application type is classified as a small WCF if the proposed antennas, accessory equipment and support structure (whether an existing, replacement or new structure) comply with the volume and height parameters set forth in the definition of small WCF.

E. *Application procedures.* The following provisions outline the procedures for wireless communication facility applications, policies and procedures for the administration of the WCF permitting and review process shall be developed by the Planning Director.

(1) *Location within public right-of-way.* WCF applicants proposing a WCF to be located within the public right-of-way, shall be required to obtain application approvals as follows:

(a) *Pole attachment process.* Compliance with the procedures found in Milford Code Ordinances, Chapter 197—Streets, Sidewalks, Storm Sewers and Other Public Places, Article VIII-Public Utilities, for a WCF proposed for attachment to Milford Public Works Department facilities.
(b) *Master license agreement required.* Any WCF applicant for a WCF proposed for attachment to a utility pole owned or controlled by the City of Milford Public Works Department shall first enter into a valid master license agreement with the city authorizing such attachment. No WCF shall be permitted to be attached to such utility poles without proof a valid master license agreement being provided as part of the permit application.
(c) *Permit—Use of rights-of-way.* Obtain a right-of-way use permit from the city in accordance with permit policies and procedures pursuant to Milford Code of Ordinances, Chapter 197—Streets, Sidewalks, Storm Sewers and Other Public Places, for a WCF proposed with city rights-of-way.
(d) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Chapter 88 – Building Construction.
(e) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 230-19.10 for the type of WCF.

(f) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in City Fee Schedule as adopted by resolution by City Council.

(2) *Compliance with zoning ordinance.* The following section of the zoning ordinance shall be adhered to, as applicable, in the approval of a WCF application:

(a) *Environmentally sensitive areas.* Location shall document compliance with the environmental protection measures for flood hazard areas and waterbodies and wetlands pursuant to Chapter 130 Floodplain Management.

(3) *Eligible facilities request.* WCF applicants proposing an eligible facilities request shall be required to obtain application approvals as follows:

(a) *Type.* WCF Applicant shall designate in writing that the application constitutes an eligible facilities request pursuant to 47 CFR §1.6100 and as defined by this Section 230-19.10.
(b) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Chapter 88 – Building Construction.
(c) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 230-19.10 for the type of WCF.
(d) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in the City Fee Schedule as adopted by resolution by City Council.

(4) *Substantial change activity.* WCF applicants proposing a substantial change activity shall be required to obtain application approvals as follows:

(a) *Type.* WCF Applicant shall designate in writing that the application constitutes a substantial change activity as defined by this Section 230-19.10.
(b) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Chapter 88 – Building Construction.
(c) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 230-19.10 based on the type of facility.
(d) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in the City Fee Schedule as adopted by resolution by City Council.

(5) *New facilities.* WCF applicants proposing a new facility located in a public right-of-way shall be subject to the provisions of Section 230-19.10(E)(1). WCF applicants proposing a new facility meeting the definition of tower-based WCF outside of a public right-of-way of shall be required to obtain application approvals as follows:

(a) *Conditional use authorization required*. Any WCF applicant proposing the construction of a new facility shall first obtain conditional use authorization pursuant to Chapter 230-48.
(b) *Documentation*. The conditional use application shall demonstrate that the proposed WCF complies with all applicable provisions of Section 230-19.10 based on the type of facility.
(c) *Conditional use application requirements.* The additional requirements for conditional use applications shall include the following:

i. A description of the type and manufacturer of the proposed transmission/radio equipment, the power in watts at which the WCF applicant transmits, and any relevant related tests conducted by the WCF applicant in determining the need for the proposed site and installation.
ii. Documentation demonstrating that the proposed tower-based WCF complies with all applicable state and federal laws and regulations concerning aviation safety.

iii. Evidence that the owner of the property on which the tower-based WCF is proposed has granted authorization to construct and operate the tower-based WCF.

iv. Written certification from a structural engineer licensed in the State of Delaware that the proposed WCF's ability to meet the structural standards offered by either the Electronic Industries Association or the Telecommunication Industry Association and certify the proper construction of the foundation and the erection of the structure.

v. An application for a new tower-based WCF shall demonstrate that the proposed tower-based WCF cannot be accommodated on an existing or approved structure or building. The City Council may deny an application to construct a new tower-based WCF if the WCF applicant has not made a good faith effort to mount the antenna(s) on an existing structure. The WCF applicant shall address the viability of any existing wireless support structures within a one quarter (¼) mile radius of the site proposed and demonstrate that such alternative candidates are inferior with respect to technical feasibility, cost, or terms of use.

(d) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Chapter 88 – Building Construction.

(e) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 230-19.10 based on the type of WCF.

(f) *Fee.* Each application to be approved under this section shall be accompanied by fees as provided for in the City Fee Schedule as adopted by resolution by City Council.

(6) *New small WCF.* WCF applicants proposing a new small WCF that does not qualify as an eligible facilities request shall be required to obtain application approval as follows:

(a) *Type.* WCF applicant shall designate in writing that the application constitutes a small WCF as defined by this Section 230-19.10.

(b) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Chapter 88 – Building Construction.

(c) *Documentation. WCF* application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 230-19.10 based on the type of facility.

(d) *Fee.* Each application to be approved under this section shall be accompanied by fees as provided for in the City Fee Schedule as adopted by resolution by City Council.

(e) *New wireless support structures.* An application involving installation of a new wireless support structure shall demonstrate that the proposed small WCF cannot be reasonably accommodated on an existing or approved structure or building within the right-of-way. The WCF applicant shall address the viability of any existing wireless support structures within 100 feet of the site proposed and demonstrate that such alternative candidates are inferior with respect to technical feasibility, cost, or terms of use.

(7) *Timing of approvals.* Each specific type of WCF is subject to specific approval timeframes. Such timeframes shall be subject to the tolling procedures established by the FCC.

(a) *Small WCF:* Timing of approval for all small WCF facilities that do not meet the definition of eligible facilities request. Once a WCF application is submitted these are the approval time lines:

i. *Notification of incomplete applications for small WCF.* Within ten days of receipt of an application for a small WCF, the city shall notify the WCF applicant in writing of any additional information required to complete application.

ii. *Approval timeframe—Collocation.* Within 60 days of receipt of an application for a collocation of a small WCF on a preexisting wireless support structure, the city shall make a final decision on whether to approve the application and the city shall notify the WCF applicant in writing of such decision.

iii. *Approval timeframe—New facility*. Within 90 days of receipt of an application for a small WCF requiring the installation of a new wireless support structure, the city planning department shall make a final decision on whether to approve the application and shall notify the WCF applicant in writing of such decision.

(b) *Non-tower WCF:* Timing of approval for all non-tower WCF facilities that do not meet the definition of eligible facilities request. Once a WCF application is submitted these are the approval time lines:

i. *Notification of incomplete applications for non-tower WCF*. Within 30 days of receipt of an application for a WCF on a preexisting wireless support structure, the city shall notify the WCF applicant in writing of any additional information required to complete application.

ii. *Approval timeframe—Substantial change.* Within 90 days of receipt of an application for a non-tower WCF on a preexisting wireless support structure that substantially changes the wireless support structure to which it is attached, the city shall make a final decision on whether to approve the application and the city shall notify the WCF applicant in writing of such decision.

iii. *Approval timeframe—Not substantial change.* Within 60 days of receipt of an application for a non-tower WCF on a preexisting wireless support structure that does not substantially change the wireless support structure to which it is attached, the city planning department shall issue the required building permit authorizing construction of WCF.

(c) *Tower-based WCF:* Timing of approval for all tower-based WCF facilities that do not meet the definition of eligible facilities request. Once a WCF application is submitted these are the approval time lines:

i. *Notification of incomplete applications for tower-based WCF*. Within 30 days of receipt of an application for a tower-based WCF, the city shall notify the WCF applicant in writing of any additional information required to complete application.

ii. *Approval timeframe.* All applications for tower-based WCFs shall be acted upon within 150 days of the receipt of a fully completed application for the approval of such tower-based WCF and the city shall advise the WCF applicant in writing of its decision. If additional information was requested by the city planning department to complete an application, the time required by the WCF applicant to provide the information shall not be counted toward the 150 day review period

(8) *Fees*. Each application for permit or plan approval shall be accompanied by a fee as provided for in the City Fee Schedule as adopted by resolution by City Council.

(a) *Permit fees*. The city may assess appropriate and reasonable permit fees directly related to the city's actual costs in reviewing and processing the application for approval of a WCF, as well as related inspection, monitoring and related costs. Such permit fees shall be established by City Council and shall comply with the applicable requirements of the FCC.

(b) *Reimbursement for WCF in right-of-way*. In addition to permit fees as described in this section, every small WCF in the right-of-way is subject to the city's right to recover its actual costs incurred as a result of the small WCF's presence in the right-of-way, including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other right-of-way management activities by the city. The owner of each small WCF shall reimburse the city for the city's costs reasonably incurred in connection with the activities described above. All fees shall comply with applicable state and federal law and not exceed amounts presumed reasonable by the FCC.

F. *Small wireless communication facilities (small WCF)*. The following regulations shall apply to all small WCF and associated wireless support structures as defined by this Section 230-19.10.

(1) *Location.*

(a) Small WCF are permitted to be located in all city zoning districts subject to the application requirements of this Section 230-19.10.
(b) Small WCF are subject to compliance with zoning ordinance provisions outlined in Section 230-19.10(E)(2).
(c) Small WCF are permitted to be located within the public right-of-way subject to application requirements of this Section 230-19.10.

(2) *Development regulations.*

(a) *Sizing*. To be considered as small WCF, the WCF must comply with the criteria established in the definition of small wireless communications facility in Section 230-19.10(B).
(b) *Height*. The total height of a small WCF shall comply with the maximum height permitted in the zoning district of the property to the extent technically feasible. In accordance with industry standards, small WCF applicants must submit documentation to the city justifying the total height of the WCF.
(c) *Height.* The total height of a small WCF when located in the public right-of-way shall be no more than ten percent taller than the tallest existing utility pole or wireless support structure within a 250 radius of the proposed WCF or 50 feet above ground level, whichever is greater.
(d) *Placement.* All small WCF shall comply with the applicable requirements of the Americans with Disabilities Act and all applicable requirements pertaining to streets and sidewalks, as codified in Chapter 197 of the Milford Code.
(e) *Placement*. Small WCF in the public right-of-way requiring the installation of a new wireless support structure shall not be located directly in front of any building entrance or exit such that it would interfere with ingress or egress.
(f) *Accessory equipment*. Small WCF and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, create safety hazards to pedestrians and/or motorists, or to otherwise inconvenience public use of the ROW as determined by the city.

(3) *Design standards.* All small WCF shall be designed to meet applicable requirements of the city "Small Wireless Communications Facility Design Manual," a copy of which is kept on file at the City Planning Department.

G. *Non-tower wireless communication facilities (non-tower WCF).* The following regulations shall apply to all non-tower WCFs as defined by this Section 230-19.10 and that do not meet the definition of a small WCF.

(1) *Location.*

i. Non-tower WCF are permitted to locate in all city zoning districts subject to the application requirements of this Section 230-19.10.
ii. Non-tower WCF are subject to compliance with zoning ordinance provisions outlined in Section 230-19.10(B).
iii. Non-tower WCF are permitted to be located within the public right-of-way subject to application requirements of this Section 230-19.10.
iv. Non-tower WCF shall be collocated on existing wireless support structures, such as poles, certain existing buildings or tower-based WCF.

(2) *Prohibitions on certain structures.* Non-tower WCF shall not be located on one-family detached dwellings, one-family attached dwellings, semi-detached dwellings, duplexes, townhouses, manufactured homes, mobile homes, modular homes, or any residential accessory structure.

(3) *Development regulations.*

i. *Sizing*. To be considered as non-tower WCF, the WCF must comply with the criteria established in the definition of non-tower wireless communications facility in Section 230-19.10(B).
ii. *Height*. The total height of a non-tower WCF shall not exceed the maximum height permitted in the zoning district. In accordance with industry standards, non-tower WCF applicants must submit documentation to the city justifying the total height of the WCF.

Commented [PR1]: The Planning Commission was concerned about the 50 foot height allowance. They recommended 50 feet or the maximum height allowed in the zoning district, whichever is less. Our lowest height allowance is 35 feet.

iii. *Replacement of existing support structure.* The replacement of an existing support structure with a similar structure that is required to support the weight of the proposed WCF is allowed.

iv. *Accessory equipment buildings.* If accessory equipment is to be located in a separate building, the building shall comply with the minimum requirements for accessory structure in the applicable zoning district.

v. *Fences.* A security fence with a minimum height of six feet and a maximum height of eight feet shall surround any separate equipment compound located outside the right-of-way.

vi. *Access.* Vehicular access to the accessory equipment building or equipment compound shall not interfere with the parking or vehicular circulations on the site for the principal use.

(4) *Design standards.* Where appropriate, non-tower WCF shall employ stealth technology and be treated to match the wireless support structure in order to minimize aesthetic impact. The stealth technology utilized by the WCF applicant shall be subject to the application approval process.

H. *Tower-based wireless communication facilities (tower-based WCF).* The following regulations shall apply to all tower-based WCFs as defined by this Section 230-19.10 and that do not meet the definition of a small WCF.

(1) *Conditional uses.* Tower-based WCF are permitted outside the public rights-of-way in certain zoning districts upon conditional use approval of the City Council in accordance with the procedures and subject to the general conditions set forth in Chapter 230-48.

(a) In approving the conditional use, the City Council may take into consideration the following:

[1] The aesthetic impact of the proposed facility, including, but not limited to, whether its decision upon the subject application will promote the harmonious and orderly development of the zoning district involved;

[2] Encourage compatibility with the character and type of development existing in the area;

[3] Prevent a negative impact on the aesthetic character of the community;

[4] Preserve woodlands and trees existing at the site to the greatest possible extent; and

[5] Encourage sound engineering and land development design and construction principles, practices and techniques.

(b) *Additional antennae.* As a condition of approval for all tower-based WCF, the WCF applicant shall provide with a written commitment that it will allow a minimum of two other service providers the opportunity to collocate antennae on tower-based WCF where technically feasible. The WCF applicant reserves the right to lease the space to other service providers.

(2) *Location.*

(a) Tower-based WCF are allowed by a conditional use permit within the BP, I-1, I-2, C-3 and IS zones.

(b) Tower-based WCF are subject to the application requirements of this Section 230-19.10.

(c) Tower-based WCF are subject to compliance with zoning ordinance provisions outlined in Section 230-19.10(E)(2).

(3) *Uses on property.*

(a) *Principal use.* A tower-based WCF shall be permitted as a sole principal use on a lot.

(b) *Combined with another use.* A tower-based WCF may be permitted on a property with an existing use, or on a vacant parcel in combination with another permitted use.

(c) *Existing uses.* The existing use on the property may be any permitted use in the applicable zoning district and need not be affiliated with the WCF.

(d) *Ability to use.* Where applicable, the WCF owner shall present documentation that the property owner has granted an easement or other property right for the proposed facility.

(4) *Development regulations.*

(a) *Minimum lot area*. The minimum lot area shall comply with the requirements for the applicable zoning district and shall be the area needed to accommodate the tower-based WCF and guy wires, the equipment building, security fence, and buffer planting.

(b) *Height.* Tower-based WCFs shall be designed and kept at the minimum functional height. The maximum total height of a tower-based WCF shall not exceed the 150 feet. No WCF applicant shall have the right under these regulations to erect a tower to the maximum height specified in this section unless it proves the necessity for such height.

(c) *Minimum setbacks*. The minimum distance between the base of a tower-based WCF and any property line or street right-of-way line shall equal 110 percent of the proposed height of the tower-based WCF, unless the WCF applicant shows to the satisfaction of the City that the proposed tower-based WCF has been designed in such a manner that a lesser setback will have no negative effects on public safety.

(5) *Design standards.*

(a) *Multiple antennae.* Any proposed tower-based WCF shall be designed structurally to accommodate both the WCF applicant's antennae and at least two comparable antennae for future users.

(b) *Security.* Any tower-based WCF shall be equipped with an anti-climbing device, as approved by the manufacturer.

(c) *Lighting*. No tower-based WCF shall be artificially lighted, except as required by law. If lighting is required, the WCF applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.

(d) *Surrounding environs*. Existing vegetation, trees and shrubs located within proximity to the tower-based WCF structure shall be preserved to the maximum extent possible.

(e) *Fences*. A security fence having a minimum height of six feet and a maximum height of eight feet shall surround any tower-based WCF, as well as guy wires, equipment compound or housing WCF equipment.

(f) *Screening*. A screen of evergreen trees planted eight feet on center, each at least four feet in height, shall surround the tower-based WCF and security fence. Existing vegetation shall be preserved to the maximum extent possible and landscaping is not required where landscaping already exists

(g) *Accessory equipment*. Where feasible, accessory equipment associated, or connected, with a tower-based WCF shall be placed underground. Any above-ground accessory equipment associated or connected with a tower-based WCF shall be screened from public view using stealth technology. All ground-mounted accessory equipment, utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated.

(h) *Accessory equipment buildings.* If accessory equipment is to be located in a separate building, the building shall comply with the minimum requirements for accessory structures in the applicable zoning district.

(i) *Accessory equipment*. Accessory equipment not exceeding 500 square feet in area shall be permitted for each unrelated company sharing space on the tower-based WCF.

(j) *Access road*. Where necessary, an access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to tower-based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion.

(h) *Visual appearance*. Tower-based WCF shall employ stealth technology which may include painting or finish of the tower portion. All tower-based WCF and accessory equipment shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible.

I. *General requirements for wireless communication facilities.* The following shall apply to all types of wireless communication facilities. Each application for a WCF shall require proof of compliance with the following.

(1) *Standards for wireless communication facilities.*

(a) *Wind and ice.* Each WCF shall be designed to withstand the effects of wind gusts and ice to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/TIA-222, as amended), or to the industry standard applicable to the structure.

(b) *Aviation safety.* WCF shall comply with all federal and state laws and regulations concerning aviation safety.

(c) *Interference.* WCF shall not interfere with public safety communications or the reception of broadband, television, radio or other communication services by occupants of nearby properties.

(d) *Radio frequency emissions.* WCF shall not, by itself or in conjunction with other WCFs existing on the same structure at the time of installation, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

(e) *Signage.* WCF owners shall post a sign in a readily visible location identifying the name, phone number of a party to contact in the event of an emergency, and permit number. The only other signage permitted on the WCF shall be those required by the FCC, or any other federal or state agency.

(f) *Noise.* WCF shall be operated and maintained so as not to produce noise in excess of applicable noise standards under state law and the City Code, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.

(g) *Engineer seal and signature.* All plans and drawings for a WCF shall contain a seal and signature of a professional structural engineer, licensed in the State of Delaware.

(h) *FCC license.* Each person that owns or operates a tower-based WCF shall submit a copy of its current FCC license, including the name, address, and emergency telephone number for the operator of the facility.

(2) *Maintenance and care of wireless communications facilities.*

(a) *Standard of care.* Any WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, National Association of Tower Erectors, or to the industry standard applicable to the structure.

(b) *Maintenance.* Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or damage any property in the city. Such maintenance shall be performed to ensure the upkeep of the WCF in order to promote the safety and security of the city's residents and utilize industry standard technology for preventing failures and accidents. The following maintenance requirements shall apply:

[1] The WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.

[2] Such maintenance shall be performed to ensure compliance with applicable structural safety standards and radio frequency emissions regulations.

[3] All maintenance activities shall conform to industry maintenance standards.

(c) *Lighting*. The WCF applicant shall promptly report any outage or malfunction of FAA-mandated lighting to the appropriate governmental authorities and to the city.

(d) *Graffiti*. Any graffiti on the WCF or on any accessory equipment shall be removed at the sole expense of the owner within 30 days of notification by the city.

(3) *Inspection of wireless communication facilities.* The city reserves the right to inspect any WCF to ensure compliance with the provisions of Chapter 230 – Zoning and any other provisions found within the City Code or state or federal law. The city and/or its agents shall have the authority to enter the lease area of any property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

(4) *Construction and repairs in the right-of-way.*

(a) *Work in right-of-way.* The City of Milford Public Works Department, in consultation with the City Planning Department, shall determine the time, place and manner of construction, maintenance, repair and/or removal of all small WCF in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. All construction, maintenance, repair and/or removal of small WCF shall comply with the applicable requirements of the City Code.

(b) *Pole repairs.* In the event of damage to a small WCF attached to a utility pole owned or controlled by the City of Milford Public Works Department, the owner of the small WCF shall be solely responsible for all costs associated with the repair of the small WCF, unless such damage was caused by the city's own negligence or willful misconduct.

(c) *Repairs of city property.* In the event of damage to city property during installation of any WCF, including utility poles, streets, sidewalks, streetlights, signs, or other infrastructure, the company responsible for the damage shall make repairs accepted by the city or shall reimburse the city for the cost of such repairs.

(d) *Change or alteration required.* Within 90 days following written notice from the city, or such longer period as the city determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a small WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the city, consistent with its police powers and applicable public utility commission regulations, determines that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

[1] The construction, repair, maintenance or installation of any city or other public improvement in the right-of-way;
[2] The operations of the city or other governmental entity in the right-of-Way;
[3] Vacation of a street or road or the release of a utility easement; or
[4] An emergency as determined by the city.

In such cases the city will make reasonable efforts to assist the WCF owner in identifying and permitting an alternate location for the WCF.

(5) *Removal.* In the event that use of a WCF is to be discontinued, the owner shall provide written notice to the city of its intent to discontinue use and the date when the use shall be discontinued and removed. Unused or abandoned WCF, or portions of WCF, shall be removed as follows:

(a) Complete removal of the structure of a tower-based WCF shall require a demolition permit in accordance with permit policies and procedures pursuant to Chapter 88-Building Construction.

(b) Any unused portions of tower-based WCF, including antennae, shall be removed within 90 days of the time of cessation of operations. All replacements of portions of a tower-based WCF previously removed are subject to the provisions of this Section 230-19.10.

(c) All used or abandoned WCFs and accessory equipment shall be removed from the wireless support structure within 90 days of the cessation of operations at the site unless a time extension is approved by the city.

(d) If the WCF or accessory equipment is not removed from the wireless support structure within 90 days of the cessation of operations at a site, or within any longer period approved by the city, the WCF and/or associated facilities and equipment may be removed by the city and the cost of removal assessed against the owner of the WCF.

Section 4. Dates.
City Council Introduction: March 14, 2022
Planning Commission Review & Public Hearing: March 15, 2022
City Council Public Hearing: March 28, 2022

Section 5. Ordinance is Effective Ten Days Following Adoption by City Council

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

02.25.22

Published:
Delaware State News 02.28.22
Milford Beacon 03.02.2022

PUBLIC WORKS FACILITY
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THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

TO: Planning Commissioners

FROM: Rob Pierce, AICP - Planning Director

DATE: March 15, 2022

RE: Chapter 230 – Zoning – Wireless Facilities Ordinance

A workshop was held with the Planning Commission on October 19, 2021 and with City Council on December 13, 2021 to review draft amendments to Chapter 230 Zoning pertaining to Wireless Communication Facilities.

Enclosed is a proposed amendment to Chapter 230 Zoning which would create a new section regulating wireless communication facilities. There are currently no provisions in the City Code for the allowance of wireless communication facilities within City limits on private property or in the public right-of-way.

The language provides regulations for Small Wireless Communication Facilities (WCF), Non-tower WCFs and Tower-based WCFs.

- Small WCFs includes antenna and support structures that are generally 50 feet or less in height.
- Tower-based WCFs are structures used to support one or more antennae that include self-supporting lattice towers, guy towers and monopoles.
- Non-tower WCFs are antenna facilities that are not supported by towers.

Tower-Based Wireless Communication Facilities

- Would be allowed by conditional use approval within the BP Business Park, C-3 Highway Commercial, I-2 General Industrial, I-1 Limited Industrial and IS Institutional Service districts.
- Height would be limited to a maximum of 150 feet and the minimum distance from the base of a tower and any property line shall equal 110 percent of the tower height.
- Additional standards are provided for security, lighting, fences, accessory structures and visual appearance.

Non-tower Wireless Communications Facilities

- Would be allowed within all zoning districts and within the public right-of-way.
- Would not be permitted to be attached to residential dwellings or residential accessory structures.
- The height of the WCF cannot exceed the maximum height permitted within the zoning district in which it is located.

Small Wireless Communication Facilities

- Would be allowed within all zoning districts and the public right-of-way.

- When on private property, the height of the facility cannot exceed the maximum height permitted within the zoning district in which it is located.
- When in the right-of-way, the height of the facility cannot be more than 10 percent taller than the tallest existing utility pole or wireless support structure within 250 feet of the proposed location or 50 feet above the ground, whichever is greater.
- New towers may be denied if the applicant does not make a good faith effort to mount antennas on existing structures. The applicant would need to evaluate the viability of any existing wireless support structure within ¼ mile of the proposed site.

Accompanying the ordinance is a Resolution to establish permit and licensing fees for wireless communication facilities along with a Small Wireless Communications Facility Design Manual that is adopted by reference in the Chapter 230 amendment.

Staff is recommending approval of Ordinance 2022-15 establishing regulations pertaining to Wireless Communication Facilities.

THE CITY of Milford DELAWARE

Chapter 230 – Zoning
Wireless Facilities Ordinance

Draft Revisions

December 13, 2021

Purpose of the Code Review

- There are currently no provisions in the City Code for the allowance of Wireless Communication Facilities within City limits on private property or in the public right-of-way.
- Allows for the construction of tower-based and non-tower wireless communication facilities.
- Allow for the installation of small-cell wireless facilities within the public right-of-way to accommodate current and future cellular data needs.

Wireless Communication Facilities

- Tower-based Wireless Communication Facilities (WCF). – Structures used to support one or more antennae that include self-supporting lattice towers, guy towers and monopoles.
- Non-tower WCFs – Antenna facilities that are not supported by towers and not considered Small WCFs.
- Small WCFs – Includes antenna and support structures that are generally 50 feet or less in height.
  - The draft ordinance provides procedures and standards for each of the above three categories.

Tower-based WCFs





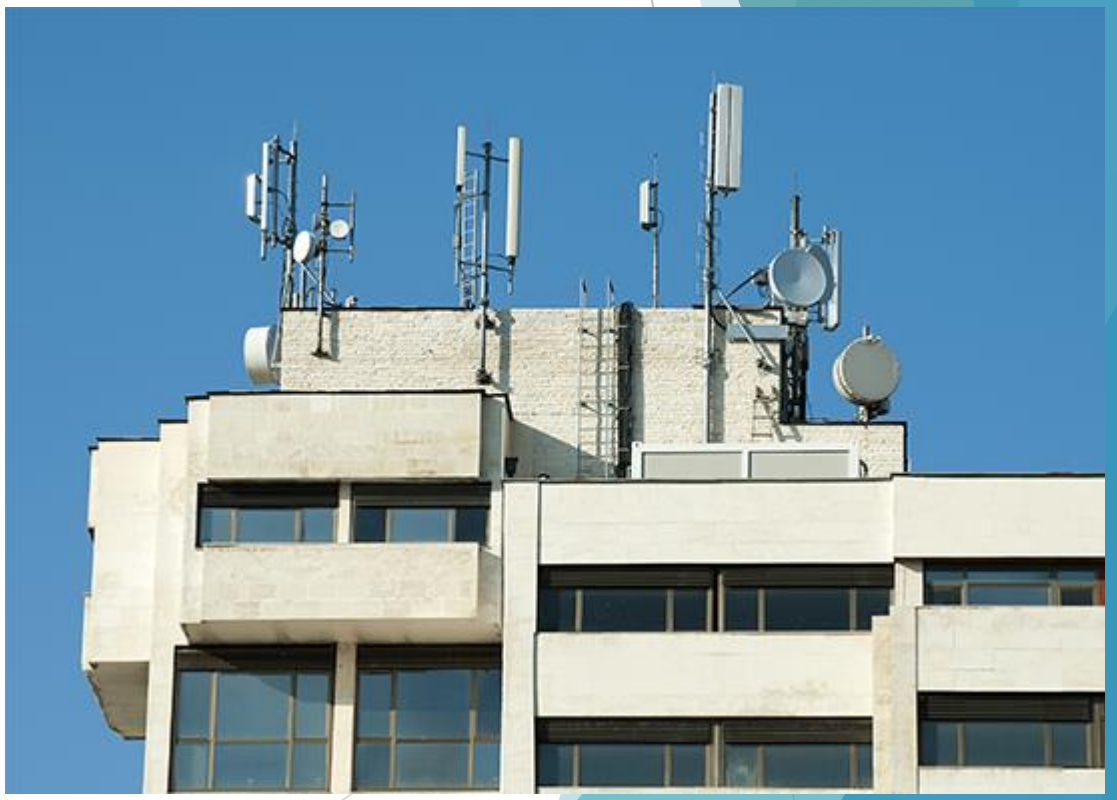


Tower-based WCFs

- Tower-based WCFs
  - Would be allowed by Conditional Use approval within the BP Business Park, C-3 Highway Commercial, I-1 Limited Industrial, I-2 General Industrial and IS Institutional Service zoning districts.
  - Height would be limited to a maximum of 150 feet and the minimum distance from the base of a tower and any property line shall equal 110 percent of the tower height.
  - Additional standards are provided for security, lighting, fences, accessory structures and visual appearance.
  - New towers may be denied if the applicant does not make a good faith effort to mount antennae on existing structures. The applicant would need to evaluate the viability of any existing wireless support structure within ¼ mile of the proposed site.

Non-tower WCFs

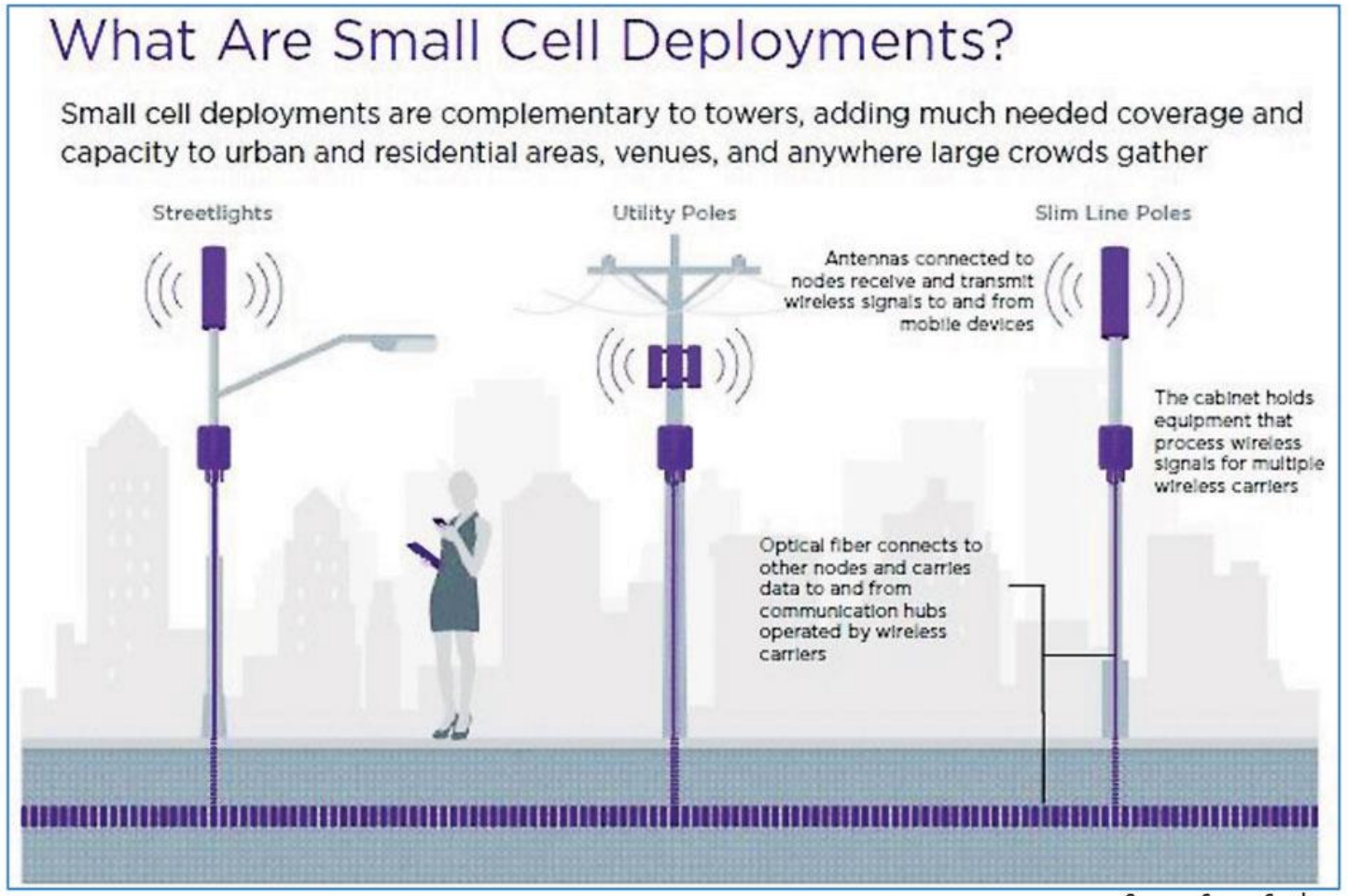




Non-tower WCFs

- Non-tower WCFs
  - Would be allowed within all zoning districts and within the public right-of-way.
  - Would not be permitted to be attached to a residential dwelling or residential accessory structure.
  - The height of the WCF cannot exceed the height permitted within the zoning district in which it is located.

Small WCFs



Source: Crown Castle

Small WCFs

- Small WCFs
  - Would be allowed within all zoning districts and the public right-of-way.
  - When on private property, the height of the facility cannot exceed the maximum height permitted in the zoning district in which it is located.
  - When in the public right-of-way, the height of the facility cannot be more than 10 percent taller than the tallest utility pole or wireless support structure within 250 feet of the proposed location or 50 feet above the ground, whichever is greater.

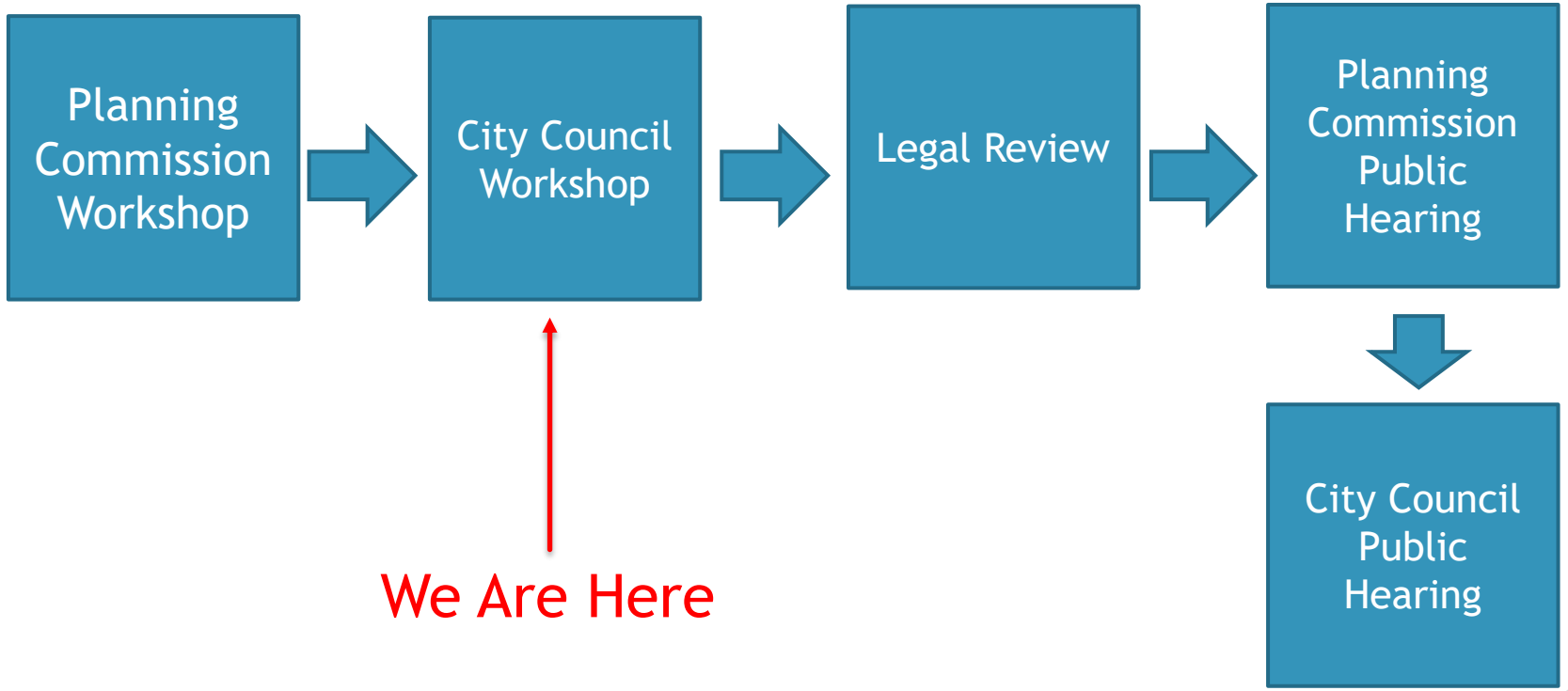
Design Manual

- A design manual would need to be prepared with the assistance of the Planning Commission similar to the attached document from the City of Dover.

Permit & Licensing Fees

- WCFs would be added to the Planning Department Fee schedule and charged in the same format as commercial building permits.
  - $100 plus $5 per $1,000 of construction costs
- WCFs placed within the City right-of-way would be assessed an annual licensing fee of $270 per structure.

Next Steps


Planning Commission Workshop
City Council Workshop
Legal Review
Planning Commission Public Hearing
City Council Public Hearing
We Are Here

CITY OF MILFORD, DELAWARE
SMALL WIRELESS COMMUNICATIONS FAICLITY
(Small WCF) DESIGN MANUAL

This Small Wireless Communications Facility Design Manual (Small WCF Design Manual) is part of the City of Milford Wireless Communication Facilities provisions as found in the Milford Code of Ordinances, Chapter 230 Zoning. The City's Wireless Communications Facilities provisions were adopted as Ordinance 2022-15 by action of the City Council on March 28, 2022 following recommendation of the City of Milford Planning Commission (March 14, 2022).

The Small WCF Design Manual addresses the applicable design standards and the process for application and review by the City of Milford for Small Wireless Communication Facility applications. Small Wireless Communication Facilities have a specific definition and are governed by the Milford Code of Ordinances and the Zoning Ordinance, Article III Section 19.10 which outlines development regulations and application review procedures. This Small WCF Design Manual is specifically referenced in Zoning Ordinance, Article III, Section 19.10(F)(3) as the source for the Design Standards for Small Wireless Communications Facilities.

The installation of Small WCFs are subject to applicable Review Processes and Fees for Permits, Applications, Pole Attachment provisions, and Annual Right-of-Way Usage. A Wireless Communications Facility Building Permit (WCF Building Permit) is required for all proposed Small Wireless Communications Facility activities whether involving modifications to existing facilities or involving an attachment to an existing utility pole or similar support structure or a new location for a Small Wireless Communication Facility. Review of Small Wireless Communications Facilities proposals is an administrative review process subject to the adopted Code regulations and this Small WCF Design Manual.

DESIGN STANDARDS for SMALL WIRELESS COMMUNICATION FACILITIES

SECTION I. DEFINITIONS

The adopted Wireless Communications Facilities Ordinance (Zoning Ordinance, Article III, Section 19.10) includes a series of definitions. For assistance in using the Small WCF Design Manual, the following terms are defined as follows:

1. Accessory Equipment – Any equipment serving or being used in conjunction with a wireless communications facility or wireless support structure. The term "Accessory Equipment" includes but is not limited to utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar structures.
2. Antenna – An apparatus designed for the purpose of emitting radio frequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of wireless service and any commingled information services.
3. Collocation – The mounting of one or more WCFs, including antennae, on a pre-existing structure, or modifying a structure for the purpose of mounting or installing a WCF on that structure.
4. Decorative Pole – A City-owned pole that is specially designed and placed for aesthetic purpose and on which no appurtenances or attachments, other than a small wireless communications

facility, lighting, or municipal attachments (informational or directional signage, temporary holiday/event attachments as banners or decorations, etc.) have been placed or are permitted to be placed.

5. Prior Approved Design – A design for a small wireless communications facility that has been reviewed and deemed to be in accordance with this Design Manual and approved for construction by the City.
6. Small Wireless Communications Facility (Small WCF) – A wireless communications facility that meets the following criteria:
   (1) The structure on which antenna facilities are mounted
      a) Is 50 feet or less in height, or
      b) Is no more than 10 percent taller than other adjacent structures, or
      c) Is not extended to a height of more than 50 feet or by more than 10 percent above its preexisting height as a result of the collocation of new antenna facilities; and
   (2) Each antenna associated with the deployment (excluding the associated equipment) is no more than three (3) cubic feet in volume; and
   (3) All antenna equipment associated with the facility (excluding antennas) are cumulatively no more than 28 cubic feet in volume; and
   (4) The facilities do not require antenna structure regulations under 47 CFR Part 17; and
   (5) The facilities are not located on Tribal lands, as defined under 36 CFR §800.16(x); and
   (6) The facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 CFR §1.1307(b).
7. Stealth Technology – Camouflaging or screening methods applied to wireless communications facilities and accessory equipment which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in a manner appropriate to the site's context and surrounding environment. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.
8. Wireless Communications Facility (WCF) – An antenna facility or a wireless support structure that is used for the provision of wireless service, whether such service is provided on a stand-alone basis or commingled with other wireless communications services.
9. Wireless Support Structure – A freestanding structure, pole, tower, or other building, whether or not it has an existing antenna facility, that is used or to be used to support the placement or installation of a wireless communication facility for the provision of wireless service (whether on its own or comingled with other types of services).

SECTION II. GENERAL DESIGN STANDARDS FOR SMALL WIRELESS COMMUNICATIONS FACILITIES

Small Wireless Communications Facilities (Small WCF) are governed by the regulations found in Zoning Ordinance, Article III, Section 19.10. Small WCF may be located within the public rights-of-way or on other property in all zoning districts. In addition to the Location and Development Regulations found within the Code, the following Design Standards are presented.

1. Applicants for Small Wireless Communications Facility locations shall first consider collocation on an existing City owned utility pole, or a replacement with a new pole in the same general location and matching to the maximum extent possible the existing style, color, materials, and configuration of the pole being replaced.
2. Small Wireless Communications Facilities shall only be located on distribution voltage electric utility poles meeting the approval of the City of Milford Public Works Department. These

installations will be a minimum of six (6) feet above the secondary conductors. Installation above primary conductors is prohibited. Installation on transmission voltage poles is prohibited.

3. Small Wireless Communications Facilities may be considered for placement on an existing Decorative Pole when the applicant provides documentation showing that such Decorative Pole is the only technically feasible location for placement and that no suitable alternative sites exist. A replacement Decorative Pole of similar style or the addition of a Decorative Pole may be used if accepted by the City Manager or their designee.
4. The viability of any existing wireless support structures within one hundred (100) feet of the proposed Small Wireless Communications Facility location shall be evaluated. The Applicant must demonstrate that the alternative candidates are inferior with respect to technical facility, cost, or terms of use prior to a new wireless support structure being authorized.
5. Small Wireless Communications Facility locations must comply with applicable provisions set forth in Zoning Ordinance, Article III, Section 19.10(E)(2) for the Wireless Communication Facilities as related to Environmentally Sensitive Areas.
6. Small Wireless Communications Facilities shall comply with the maximum height permitted in the zoning district and to the extent technically feasible.
7. Small Wireless Communications Facilities shall be designed and constructed to minimize aesthetic impact on the surrounding neighborhood in accordance with this Small WCF Design Manual to the extent technically feasible.
8. Stealth technology methods to camouflage or screen shall be utilized to render Small Wireless Communication Facilities more visually appealing or to blend the proposed facility into its wireless support structure and/or the visual backdrop of the placement. Methods should be appropriate to the site's context and surrounding environment.
9. Small Wireless Communication Facility shall not extend beyond the boundaries of the rights-of-way unless approved on a case-by-case basis by the City Manager or their designee.
10. The wireless support structure and related equipment of the Small Wireless Communication Facility shall not obstruct vehicular, pedestrian, or cyclist traffic or sight lines in an unsafe manner that obstructs, impedes or hinders the usual travel or public safety.
11. Small Wireless Communication Facilities shall comply with applicable federal and state standards regarding pedestrian access and movement.
12. Small Wireless Communications Facilities shall comply, to the extent consistent with applicable state and federal law, the Americans with Disabilities Act, guidelines adopted by the City, and all applicable requirements of the City Code relating to streets and sidewalks as established by the Milford Code of Ordinances, Chapter 197 – Streets, Sidewalks, Storm Sewers and Other Public Places.
13. Small Wireless Communication Facilities shall be installed and maintained in compliance with the National Electric Safety Code and the National Electrical Code, as applicable.
14. Small Wireless Communication Facilities shall be designed to withstand the effects of wind gusts and ice to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association and Telecommunications Industry Association (ANSI/TIA-222, as amended), or to the industry standard applicable to the structure.
15. Any existing City-owned utility pole requiring replacement that is currently utilizing a concrete base will have the concrete base removed and replaced with a breakaway steel screw in foundation. This foundation type is not required for third party pole installations.

SECTION III. ANTENNA AND ACCESSORY EQUIPMENT STANDARDS

The following standards are presented for Antenna, Accessory Equipment, and Wiring as associated with Small Wireless Communications Facilities.

1. Antenna Standards
    a. Any Antenna associated with a Small Wireless Communications Facility shall not exceed three (3) cubic feet in volume.
    b. All pole-top Antennas shall be flush-mounted as closely to the top of the pole as technically feasible. Location must be a minimum of six (6) feet above secondary conductors on a utility pole.
    c. All Antennas shall be of a design, style, and color that reasonably matches the pole upon which they are attached.
    d. Any necessary pole-top extension shall be of the minimum height necessary to achieve separation from the existing pole attachments; and a minimum clearance of six (6) feet above secondary distribution wires.
    e. Any Antenna mounted on a lateral standoff bracket shall protrude no more than necessary to meet clearances.
    f. If mounted on an existing structure, Antenna shall not impair the function of said structure.
    g. Antenna placement shall not materially impair light, air, or views from adjacent windows to the extent technically feasible.
    h. No more than two (2) collocated Small Wireless Communications Facilities shall be permitted on a single utility pole.
2. Accessory Equipment Standards
    a. Accessory Equipment shall not exceed twenty-eight (28) cubic feet in volume. Equipment utilized solely for the minimization or mitigation of the aesthetic impact of the Small Wireless Communications Facility shall not be included in the Accessory Equipment volume calculation.
    b. Accessory Equipment shall be mounted flush to the side of a pole, or as near flush to the side of a pole as technically feasible.
    c. Accessory Equipment shall be mounted to provide a minimum of eight (8) feet vertical clearance from ground level.
    d. Meter socket installations shall be no lower than four (4) feet and no higher than six (6) feet above finished grade. If installed in a pole manufactured to house Small WCF equipment, the pole will be positioned to allow a minimum of three (3) feet clearance to allow access to the meter.
    e. Accessory Equipment and its attachment hardware (i.e. banding, straps) shall be of a color that reasonably matches the pole or wireless support structure upon which such Accessory Equipment is mounted.
    f. To the extent feasible, Accessory Equipment shall be contained within a single equipment shroud or cabinet. Such equipment shroud or cabinet shall be of the smallest dimensions technically feasible.
    g. Small Wireless Communications Facilities shall post a sign in a readily visible location identifying the owner's permit number and the name and phone number of a party to contact in the event of an emergency. The only other signage permitted shall be that required by the FCC or any other federal or state agency. All signage associated with a Small Wireless Communications Facility shall be reviewed as part of the WCF Building Permit process.

h. Accessory Equipment placement shall not materially impair light, air or views from adjacent windows. To the extent technically feasible, all Accessory Equipment shall be placed away from adjacent windows and the primary pattern of pedestrian and vehicular traffic.
i. Accessory Equipment shall not feature any lighting, including flashing indicator lights, unless required by state or federal law.

3. Wiring Standards
    a. Exposed wiring is prohibited on any Small Wireless Communication Facility, Accessory Equipment or Accessory Equipment enclosure.
    b. Transmission, fiber, power cables and any other wiring shall be contained within any pole for which such concealment is technically feasible. If wiring cannot be contained within the pole, all wiring shall be contained within conduit or U-guard that is flush-mounted to the pole.
    c. Any conduit or U-guard shall be of a color that reasonably matches the pole to which the Small Wireless Communications Facility is attached.
    d. All wiring shall be installed without excessive slack or extra cable storage on the pole. Loops or coils of extra wiring shall not be attached to or otherwise visibly stored on any pole.
    e. Service lines must be undergrounded whenever feasible to avoid additional overhead lines.

SECTION IV. POLE STANDARDS

The following standards are presented for the types of Poles as wireless support structures for Small Wireless Communications Facilities.

1. Replacement Utility Poles
    a. Any replacement utility poles utilized as wireless support structures shall comply with the following requirements to the extent that the requirements do not conflict with the standards and requirements of the owner of the wireless support structure being replaced:
        i. The maximum height of any proposed replacement utility pole shall be: 1) no more than ten (10%) percent taller than the tallest existing utility pole in the public rights-of-way within a two hundred fifty (250) foot radius of the proposed Small Wireless Communications Facility; or 2) fifty (50) feet above ground level, whichever is greater.
        ii. Any replacement utility pole shall be of comparable materials and design to the existed utility pole unless otherwise authorized by owner. All attachment hardware will match, as much as possible, to the color of the pole being installed.
        iii. Any replacement utility pole shall be placed within five (5) feet of the existing utility pole being replaced.
        iv. Any replacement utility pole shall be designed to accommodate all uses that existing on the existing utility pole prior to replacement. As part of an application for a Small Wireless Communications Facility, the applicant shall provide documentation from a structural engineer licensed in the State of Delaware confirming that the replacement utility pole, Small Wireless Communications Facility, and prior existing uses shall be structurally sound.

v. Any replacement utility pole shall not deviate from the predominant pattern of existing adjacent structures including their alignment to the extent possible.

b. Replacement of any City owned utility pole shall additionally comply with the following requirements:
    i. Any existing City owned utility pole requiring replacement that is currently utilizing a concrete base will have the concrete base removed and replaced with a breakaway steel screw-in foundation.
    ii. City owned poles requiring replacement that contain lighting attached with davit arms must allow for the installation of the same lighting configuration on the new pole.
    iii. Replaced City owned poles will be capable of supporting davit arms for lights. If the original arm cannot be installed on the new pole, a new arm will be provided by the applicant.

2. New Small WCF Poles
    a. The maximum height of any new Small Wireless Communications Facility pole when located in the public right-of-way shall be: 1) no more than ten (10%) percent taller than the tallest existing utility or wireless support structure in the public rights-of-way within a two hundred fifty (250) foot radius of the proposed Small Wireless Communications Facility; or 2) fifty (50) feet above ground level, whichever is greater.
    b. Any new pole shall be installed in accordance with the predominant pattern of existing adjacent structures and their alignment to the extent possible.
    c. New poles shall be of the same or similar material and color of existing adjacent structures.
    d. To the extent technically feasible, a new Small WCF pole shall not be installed:
        i. Directly in front of any building entrance or exit so that it would interfere with ingress or egress;
        ii. Directly in front of a window of any residential structure;
        iii. Within ten (10) feet of the edge of any driveway;
        iv. In the public rights-of-way directly opposite any driveway;
        v. In a manner that unreasonably increases visual clutter or disorganization of utility infrastructure along the street; or
        vi. In violation of the Design Standards contained herein.

3. Decorative Poles
    a. Decorative Poles shall be required in any portion of the C-2 Central Business District as shown on the adopted City zoning map or within any Historic District as shown within the City's Comprehensive Plan on a non-discriminatory basis, unless not technically feasible.
    b. Decorative Poles shall be required for the replacement of any existing Decorative Pole.
    c. For any replacement Decorative Pole, the new Decorative Pole shall match the existing Decorative Pole in shape, design, color, and material.
    d. Replacement Decorative Poles shall also comply with the requirements of replacement utility poles found in Section IV, Item 1 of this Small WCF Design Manual.

SECTION V. REVIEW AND APPROVAL

There are review and approval processes established for Small Wireless Communications Facilities as part of the adopted Wireless Communications Facilities provisions.

A Wireless Communications Facility Building Permit (WCF Building Permit) is required for all proposed Small Wireless Communications Facility activities whether involving modifications to existing facilities or involving an attachment to an existing utility pole or similar support structure or a new location for a Small Wireless Communications Facility. An application for Wireless Communications Facility Building Permit shall be submitted on the proper form with accompanying documentation to the City of Milford, Delaware Planning Department prior to initiation of any construction or installation. The Department will coordinate an administrative review for proposals under the adopted Code regulations and this Small WCF Design Manual.

The following is a summary of the review and approval process for Small Wireless Communications Facilities.

1. Consultation
    a. Applicants are encouraged to become familiar with the regulations and application review procedures for Wireless Communications Facilities for the City of Milford, Delaware.
    b. The applicant may choose to participate in a pre-application consultation meeting with the Planning Director or their designee in order to discuss any location, aesthetic or safety concerns of the City with respect to the proposed Small WCF.
    c. The Planning Director shall consult with the City Manager, the City Engineer and the Public Works Director and any other applicable departments and shall advise the applicant of any findings or recommendations.
2. Application Submission
    a. A Wireless Communications Facilities Building Permit package consisting of the WCF Building Permit Application Form, documentation materials, and Fees are to be submitted to the Planning Department.
    b. The Planning Director shall create a Checklist to be used to determine the requirements for submittal of a "Complete Permit Application."
    c. The minimum information required for the WCF Building Permit includes the following;
        i. Name and address of applicant, including contact person information (phone, email, and mailing address).
        ii. Address of the proposed Small WCF which may be street address, parcel number, or other definitive location as may be relevant to the location.
        iii. Physical geographic coordinates (latitude and longitude).
        iv. Design and construction details presented in plans and drawings.
    d. For Small WCF installations within City rights-of-way, a Rights-of-way Use Permit with Fee is required.
    e. For Small WCF installations on City-owned support structures (poles), submission of proof of valid Master License Agreement is required.
    f. For Small WCF installations on wireless support structures owned by other non-City entities, proof of authorization from the owner is required.
3. Application Review
    a. The Planning Director shall reasonably determine whether a proposed Small Wireless Communications Facility design complies with the requirements of the Small WCF Design Manual and Code regulations.
    b. The Planning Director shall coordinate the review of Application Submission by the appropriate City Departments including the City Manager, City Engineer, Public Works

Director and other applicable departments. The Planning Director shall advise the applicant of any findings or recommendations from the review.

c. The Planning Director may impose such additional, reasonable conditions as determined by the City to minimize the impact of the Small Wireless Communications Facility on the neighborhood in which to be located.
d. A WCF Building Permit will not be issued until a Rights-of-Way Use Permit and/or City of Milford Pole Attachment Agreement/Master License Agreement are approved and in place if required for the Small Wireless Communications Facility.
e. The review and the resulting approval or denial of the WCF Building Permit shall be provided in writing to the applicant. The WCF Building Permit may be issued by paper copy or authorized electronic copy.

4. Waivers of Small WCF Design Manual
    a. Any requests for a waiver of the requirements of this Small WCF Design Manual shall be considered on a case-by-case basis by the Planning Director. The waiver request shall be approved upon a determination that such waiver is in the best interests of the City or necessary to avoid the effective prohibition of wireless service pursuant to the Rules of the Federal Communications Commission.
    b. Upon approval of a design for a Small Wireless Communications Facility requiring a waiver from the requirements of this Small WCF Design Manual, such design shall be incorporated by reference into this Design Manual as a Prior Approved Design.
    c. A record of Prior Approved Designs shall be kept on file at the Planning Department Office.

SECTION VI. APPROVAL TIMING

Approval timing for Permits and Applications shall be as set forth in Section 19.10(E)(7) of the City of Milford Wireless Communications Facilities regulations (Milford Code of Ordinance, Chapter 230 – Zoning, Article III, Section 19.10 and referenced sections). The specific approval timeframes are also subject to the tolling procedures established by the Federal Communications Commissions (FCC).

SECTION VII. AMENDMENT OF DESIGN MANUAL

This Small Wireless Communications Facility Design Manual may be amended as necessary to comply with adopted regulations for Wireless Communications Facilities, the Milford Code of Ordinances, and other related regulations and policies established by the City affecting this activity. A copy of the current Small WCF Design Manual shall be available from the Planning Department.

Small Wireless Communications Facility Design Checklist

Item	Description	Included in Application?	
		Yes	No
WCF Building Permit Form	Complete Wireless Communications Facility Building Permit Application form for each proposed Small WCF installation		
Cover Letter	The application shall include a cover letter detailing the location of the proposed Small WCF site, summary of equipment being proposed, and a certification that the applicant has included all information required by the City Code.		
Plan & Drawings	Plan and drawings shall show existing wireless support structure to be utilized or the proposed wireless support structure and equipment associated with the Small WCF.		
	The manufacturer and model, proposed location, and dimensions of each piece of equipment should be clearly shown.		
	Before and after diagrams of the proposed site showing, the dimensional changes shall be included.		
	If the existing pole supports existing attachments, the site plan shall show the location and dimensions of all such attachments.		
	If installation of a new utility pole or decorative pole is being proposed, the site plan shall include the color, dimensions, material and type of pole proposed.		
	The site plan shall show the location of any existing wireless support structures within one hundred (100) feet of the proposed Small WCF location, including but not limited to structures, commercial structures, light poles, traffic signals, traffic signage, and existing poles.		
	The plan and drawings shall show location and information of existing utility poles within two hundred fifty (250) feet radius of the proposed Small WCF location.		
Volume Calculations	Provide dimensions and volume calculations of each Antenna		
	Provide dimensions and volume calculations of Accessory Equipment		
Photo Simulations	Photo simulations shall depict the Small WCF from at least two locations near the proposed site. The photo simulations should reflect the proposed design and location of all Antenna and Accessory Equipment associated with the Small WCF.		
Material & Color	Information on material and color of Wireless Support Structure and Accessory Equipment to match mounting		

	location. Information on methods employed to achieve aesthetic uniformity of the site.		
Wiring	All proposed wires associated with the Small WCF shall be clearly shown. A depiction and description of the concealment methods to be utilized for the wiring shall be included.		
Signage	Signage shall be posted in a readily visible location and identify the owner's permit number and the name and phone number of a party to contact in the event of an emergency. If required, FCC-mandated signage is permitted. Applicant shall identify such signage in its application.		
Right-of-way Placement	Copy of Rights-of-Way Use Permit for Small WCF location, if required. Information to demonstrate that line of sight and paths of travel are not impaired.		
Authorizations	Submit documentation of a valid Master License Agreement for Pole Attachments to City owned Poles. Submit documentation of authorization to attach to non-City owned support structures.		

FINANCE DEPARTMENT
10 SE Second Street
Milford, DE 19963

THE CITY of Milford DELAWARE

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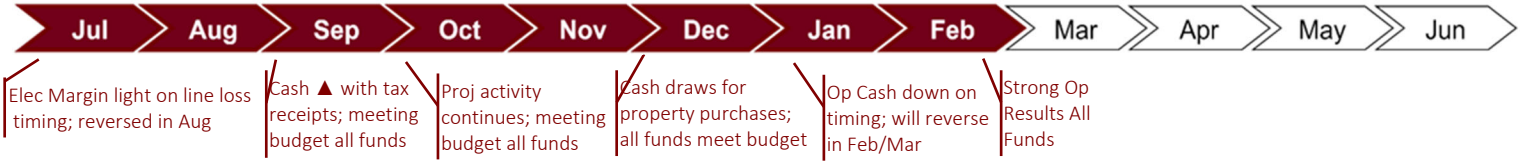
To: Mayor and City Council
Cc: Mark Whitfield, City Manager; Finance Department
From: Louis C. Vitola, Finance Director
Date: March 28, 2022
Re: February 2022 Financial Reporting Package

The Financial Reporting Package for the fiscal year through February 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.

FYTD results continue to exceed budget expectations through the first two-thirds of the year. Operating expenditures remain below even the seasonalized budget across funds for the eighth consecutive month. Electric Fund margins rebounded in February on the normalization of 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 surplus has improved in each of the last three months to the point that results exceed budget expectations and prior year results, adjusted for the new water fund transfer to the general fund. The sewer fund operating results are weaker in February on a reclassification of I&I costs to the operating expense lines, while solid waste results improved for the second consecutive month to exceed the budget and prior-year. The FY21 operating surplus residing in the operating cash accounts was transferred to the reserve accounts in February, but overall cash and investment balances were relatively stable in February.

Quick Reference for FY22 Financial Developments and Report Upgrades

Recap FY22 Financial Highlights



Summary of FY22 Modifications (February Changes Highlighted)

- New P.1 – Net Cash and Funding Availability Summary (in thousands)
  - New page stacks the beginning and ending cash and investment balances from the Cash Rollforward p.2 into columns 1 and 2 so elements of the Restricted Cash Reserves Report on p.3 can be consolidated into a single, comprehensive executive summary.
  - The Lodging Tax Fund and the Parks & Recreation Facilities Fund were added to p.1 and p.2
- P.2 (formerly p.1) – Cash Rollforward
  - New Solid Waste Reserves Acct created by FY22 Water Fund interfund loan forgiveness; new variance indicators
- P.3 (formerly 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
  - Lines 12 & 24 updated in Feb 2022 to carve out the MCR attributable to Op Cash & report with p.1 Op Cash
- P.4 (formerly 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 16-19 compare current net surplus by fund to the seasonalized budget and prior FYTD periods
  - Variance indicators added for quick reference to both P&L reports; refined in October 2021
- P.5 (formerly p.4) – The General Fund "P&L Style" Report created to complement existing Enterprise Funds P&L Report
  - Rows 19-22 compare current net surplus by major function to the seasonalized budget and prior FYTD periods
- P.6 (formerly p.5) – Planned Use of ARPA Funding by Category compared to Actual Spending added in Sept 2021
- P.7-11 – Revenue (p.7) & Expenditure/Inter-dept Reports (p.8-11) will be produced indefinitely as "legacy" reports



Financial Reporting Package

As of and For the Period Ended February 28, 2022

Net Cash and Funding Availability Summary *(in thousands)*

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

Net Cash and Funding Availability Summary *(in thousands)* [1]

For the Period Ended February 28, 2022

Operating Cash Balances

▼*Marks Ref Closing Bal* [4]

Description	Opening Balance (Jan 31, 2022)		Closing Balance (Feb 28, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund	$ 4,819	↓	$ 3,777	$ (1,491)	$ -	$ (1,236)	$ 1,049
Electric Fund	3,788	↓	1,841	165	-	(1,652)	354
Water Fund	2,042	↓	1,456	46	-	(280)	1,221
Sewer Fund	899	→	961	117	-	(200)	878
Solid Waste Fund	599	↓	398	17	-	(175)	240
Operating Cash Totals [4]	**$ 12,146**	●	**$ 8,433**	**$ (1,147)**	**$ -**	**$ (3,543)**	**$ 3,742**

Federal, State and Other Special Purpose Cash Balances

Description	Opening Balance (Jan 31, 2022)		Closing Balance (Feb 28, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Improvement	$ 537	→	$ 537	$ -	$ (500)	$ -	$ 37
Municipal Street Aid (MSA)	532	→	532	68	(600)	-	-
Realty Transfer Tax (RTT)	4,405	→	4,420	286	(2,713)	(1,041)	952
Economic Development	682	→	682	-	(106)	-	576
Lodging Tax Fund [3]	359	→	367	44	(411)	-	-
ARPA Grant Fund	2,005	→	1,846	3,167	(5,013)	-	-
Special Purpose Cash Totals [4]	**$ 8,520**	●	**$ 8,385**	**$ 3,565**	**$ (9,344)**	**$ (1,041)**	**$ 1,565**

Reserve Fund Cash Balances [1]

Description	Opening Balance (Jan 31, 2022)		Closing Balance (Feb 28, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund Capital Reserves	$ 1,454	↑	$ 2,040	$ 2,003	$ (1,653)	$ (764)	$ 1,625
Water Fund Capital Reserves	2,779	↑	3,376	5	(604)	(2,580)	196
Sewer Fund Capital Reserves	3,884	→	3,937	2	(195)	(3,362)	382
Solid Waste Fund Capital Reserves	71	↑	287	0.3	-	(287)	-
Electric Fund Capital Reserves	13,444	↑	15,358	8	(5,847)	(4,779)	4,740
Operating Cash Totals [4]	**$ 21,633**	●	**$ 24,999**	**$ 2,017**	**$ (8,300)**	**$ (11,772)**	**$ 6,944**

Impact Fees and Police/General Facilities Cash Balances

Description	Opening Balance (Jan 31, 2022)		Closing Balance (Feb 28, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
Police & General Gov't Facilities	$ 274	↓	$ 174	$ 20	$ (194)	$ -	$ -
Carlisle Fire Co Permit Fund	536	→	537	10	(547)	-	-
Parks & Recreation Facilities [3]	142	→	143	1	(144)	-	-
Water Impact Fee Reserves	4,717	→	4,726	36	(4,762)	-	-
Sewer Impact Fee Reserves	2,703	→	2,709	24	(2,733)	-	-
Electric Impact Fee Reserves	1,085	→	1,088	9	(1,097)	-	-
Impact Fees & Police/GF Totals [4]	**$ 9,457**	●	**$ 9,376**	**$ 100**	**$ (9,476)**	**$ -**	**$ -**

Grand Totals [4]	**$ 51,756**	▲	**$ 51,193**	**$ 4,535**	**$ (27,120)**	**$ (16,357)**	**$ 12,251**

[1] New report merges Cash Roll (p.2) and Restricted Reserves (p.3) into one single reference for net funds available after commitments & restrictions.

[2] Approx. $3.5 million was moved from Operating Cash to Reserve Cash this month to record the annual prior period operating surplus transfer to reserve accounts. Outflows from Reserve Accounts (lines 19-23) supported Equipment & Tech spending, particularly early implementation costs for the ERP project spread across funds. Line 27 reflects cash outflows for Police Facility design costs. Please see Appendix for ARPA Spend (line 15) vs Plan Detail.

[3] The Parks & Recreation Facilities and Lodging Tax Fund have historically not been represented on the monthly finance reports but will be included going forward for comprehensiveness and transparency.

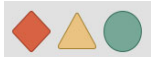
[4] Closing Balance Indicator sets ***Red, Yellow*** and ***Green*** signify month-to-month cash variance as follows:



-10% ≤ Variance ≤ 10%



-5% ≤ Variance ≤ 5%



-2.5% ≤ Variance ≤ 2.5%

City of Milford, Delaware

Cash and Investment Balance[1] Rollforward

For the Period Ended February 28, 2022

Operating Cash Balances

▼*Marks Ref Closing Bal*[4]

Description	Opening Balance (Jan 31, 2022)	Receipts	Interest Earned	Disbursements[2]	Closing Balance (Feb 28, 2022)
General Fund	$ 4,818,770	$ 1,031,031	$ 642	$ (2,073,374)	$ 3,777,070
Electric Fund	3,787,949	2,430,291	1,967	(4,379,357)	1,840,850
Water Fund	2,042,255	250,495	1,143	(1,441,373)	1,455,906
Sewer Fund	898,717	330,181	462	(268,323)	961,037
Solid Waste Fund	598,698	112,514	65	(313,384)	397,893
Operating Cash Totals[4]	**$ 12,146,389**	**$ 4,154,513**	**$ 4,280**	**$ (8,475,810)**	**$ 8,432,757**

Federal, State and Other Special Purpose Cash Balances

Description	Opening Balance (Jan 31, 2022)	Receipts	Interest Earned	Disbursements[2]	Closing Balance (Feb 28, 2022)
General Improvement	$ 537,119	$ -	$ 69	$ -	$ 537,187
Municipal Street Aid (MSA)	532,037	-	69	-	532,106
Realty Transfer Tax (RTT)	4,405,063	48,086	573	(33,333)	4,420,389
Economic Development	681,714	-	-	-	681,714
Lodging Tax Fund[3]	359,303	7,457	-	(0)	366,760
ARPA Grant Fund	2,004,639	-	-	(158,140)	1,846,500
Special Purpose Cash Totals[4]	**$ 8,519,875**	**$ 55,542**	**$ 711**	**$ (191,473)**	**$ 8,384,655**

Reserve Fund Cash Balances

Description	Opening Balance (Jan 31, 2022)	Receipts[2]	Interest Earned	Disbursements[2]	Closing Balance (Feb 28, 2022)
General Fund Capital Reserves	$ 1,454,226	$ 643,936	$ -	$ (58,369)	$ 2,039,793
Water Fund Capital Reserves	2,778,586	603,386	-	(5,721)	3,376,251
Sewer Fund Capital Reserves	3,884,132	76,384	-	(23,184)	3,937,332
Solid Waste Fund Capital Reserves	71,287	218,521	-	(2,935)	286,873
Electric Fund Capital Reserves	13,444,498	1,992,012	-	(78,042)	15,358,468
Reserve Fund Cash Totals[4]	**$ 21,632,728**	**$ 3,534,239**	**$ -**	**$ (168,251)**	**$ 24,998,716**

Impact Fees and Police/General Facilities Cash Balances

Description	Opening Balance (Jan 31, 2022)	Receipts	Interest Earned	Disbursements[2]	Closing Balance (Feb 28, 2022)
Police & General Gov't Facilities	$ 273,614	$ 3,998	$ -	$ (103,414)	$ 174,197
Carlisle Fire Co Permit Fund	535,810	1,333	-	-	537,143
Parks & Recreation Facilities[3]	142,100	400	-	-	142,500
Water Impact Fee Reserves	4,716,557	9,585	-	-	4,726,142
Sewer Impact Fee Reserves	2,703,447	5,064	-	-	2,708,511
Electric Impact Fee Reserves	1,084,990	3,000	-	-	1,087,990
Impact Fees & Police/GF Totals[4]	**$ 9,456,518**	**$ 23,379**	**$ -**	**$ (103,414)**	**$ 9,376,483**

Grand Totals[4]	**$ 51,755,510**	**$ 7,767,673**	**$ 4,991**	**$ (8,938,948)**	**$ 51,192,611**

[1]Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves and Net Cash & Funding Availability Reports for detail.

[2]Approx. $3.5 million was moved from Operating Cash to Reserve Cash this month to record the annual prior period operating surplus transfer to reserve accounts. Outflows from Reserve Accounts (lines 19-23) supported Equipment & Tech spending, particularly early implementation costs for the ERP project spread across funds. Line 27 reflects cash outflows for Police Facility design costs. Please see Appendix for ARPA Spend (line 15) vs Plan Detail.

[3]The Parks & Recreation Facilities and Lodging Tax Fund have historically not been represented on the monthly finance reports but will be included going forward for comprehensiveness and transparency.

[4]Closing 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 February 28, 2022

General Fund Capital Reserves		Amount
Cash/Investment Balance (2/28/22)	$	2,039,793
Expected Contributions & Interest		2,568
Restricted Funds:		
Vehicle & Equipment Replacement		(138,799)
Building Upgrades		(205,415)
Parking Enhancements		(200,000)
Parkland, Trails & Recreation		(564,295)
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]		-
Equipment Replacement Reserve[2]		(764,100)
Uncommitted Reserve Balance	**$**	**1,625,356**

Water Fund Capital Reserves		Amount
Cash/Investment Balance (2/28/22)	$	3,376,251
Expected Contributions & Interest		4,572
Restricted Funds:		
Vehicle & Equipment Replacement		(145,164)
Vehicle Cost Increase - Post Budget		(20,000)
Streets 2020 Utility Engineering		(122,534)
Milford Business Campus		(198,885)
Balance of FY20-21 Projects		(117,907)
Draft Reserve (MCR) Policy[3, 7]		(2,414,939)
Equipment Replacement Reserve[3]		(165,164)
Uncommitted Reserve Balance	**$**	**196,229**

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (2/28/22)	$	3,937,332
Expected Contributions & Interest		1,848
Restricted Funds:		
Sewer Vehicles & Equipment		(146,319)
Citywide Projects & Engineering		(22,869)
Utility Engineering		-
NE/NW Front St Sewer Rehab, net of Change Order Credit		(26,039)
Draft Reserve (MCR) Policy[3,7]		(3,127,195)
Equipment Replacement Reserve[3]		(235,000)
Uncommitted Reserve Balance	**$**	**381,758**

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (2/28/22)	$	15,358,468
Expected Contributions & Interest		7,868
Restricted Funds:		
Electric Vehicles & Equipment		(96,026)
Lighting & System Improvements		(593,628)
Traffic Signal Upgrades		(350,000)
Citywide Projects[6]		(747,485)
Redeem / Defease Bond (Jan 2022)		(4,060,000)
Draft Reserve (MCR) Policy[3,7]		(4,693,372)
Equipment Replacement Reserve[3]		(85,400)
Uncommitted Reserve Balance	**$**	**4,740,425**

Solid Waste Reserves		Amount
Cash/Investment Balance (2/28/22)	$	286,873
Expected Contributions & Interest		260
Restricted Funds:		
Draft Reserve (MCR) Policy[4,7]		-
Equipment Replacement Reserve[4]		(287,133)
Uncommitted Reserve Balance	**$**	**-**

MSA & RTT Reserves	Amount
RTT Balance (2/28/22)	4,420,389
MSA Balance (2/28/22)	532,106
MSA & RTT Est Receipts thru FY22:	352,870
MSA: Street & Bridge Improvements	(415,958)
RTT: Transfer to Police Dept	(133,333)
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	**$ 951,268**

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

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

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

[4]Solid 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

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

[6]This $0.8 million includes only the remaining FY22 CIP projects following the settlement of the Sharp property

[7]The Days Operating Expenditures (Days OpEx) piece of MCRs reclassified from Reserve balances here to Operating Cash; the Total MCR has not changed, except Solid Waste ($170 added to MCR for OpEx)

City of Milford, Delaware

Enterprise Funds: Statement of Revenues & Expenditures

For the YTD Period Ended February 28, 2022 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	$ 17,325	$ 2,083	$ 3,167	$ 981	$ 23,556	100.0%	100.0%
2	Cost of Revenue[1]	(12,074)	(199)	(1,837)	(221)	(14,331)	-60.8%	-61.1%
3	Gross Margin	5,251	1,884	1,330	759	9,225	39.2%	38.9%
4	Operating Expenses							
5	Operations & Maintenance	(1,477)	(653)	(651)	(460)	(3,241)	-13.8%	-13.9%
6	Personnel	(711)	(215)	(208)	(155)	(1,289)	-5.5%	-5.6%
7	Total Operating Expenses	(2,188)	(868)	(859)	(615)	(4,530)	-19.2%	-19.5%
8	**Operating Income**	**$ 3,063**	**$ 1,016**	**$ 471**	**$ 145**	**$ 4,695**	**19.9%**	**19.4%**
9	Non-Operating Revenue (Expense)	27	9	4	1	41	0.2%	0.1%
10	Surplus (Deficit) for debt service & capital	3,091	1,026	475	145	4,737	20.1%	19.5%
11	Debt Service - Principal & Interest	(277)	(272)	(349)	-	(899)	-3.8%	-4.0%
12	Capital Spending / Contributions from (to) Reserves	(94)	-	(125)	-	(219)	-0.9%	-0.3%
13	Surplus (deficit) available for transfers	2,720	753	1	145	3,619	15.4%	15.2%
14	Transfers Out	(1,667)	(200)	-	-	(1,867)	-7.9%	-7.3%
15	**Net Surplus (Deficit) - FYTD through Feb 2022**	**$ 1,053**	**$ 553**	**$ 1**	**$ 145**	**$ 1,752**	**7.4%**	**7.9%**
16	***Net Surplus (Deficit) - FYTD through Feb 2021***	*$ 1,158*	*$ 742*	*$ (107)*	*$ 33*	*$ 1,826*	*7.9%*	
17	*Current vs Prior - Favorable (Unfavorable)*[2]	*$ (105)*	*$ (189)*	*$ 108*	*$ 112*	*$ (74)*	*-0.5%*	
18	***Net Surplus (Deficit) - Current FYTD Budget***	*$ 19*	*$ 195*	*$ (84)*	*$ 1*	*$ 130*	0.6%	
19	*Current vs Budget - Favorable (Unfavorable)*[2]	*$ 1,034*	*$ 359*	*$ 85*	*$ 144*	*$ 1,622*	*6.9%*	

[1]Cost 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.

[2]Comparative 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 & Expenditures[1]

For the YTD Period Ended February 28, 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)
1	***Sources of Funding:***							
2	Real Estate (Property) Taxes	$ 4,676	$ -	$ -	$ -	$ 4,676	54.9%	51.5%
3	Permits, Licensing & Franchise Fees	234	-	-	320	554	6.5%	5.8%
4	Fines, Fees & Misc Revenue	39	301	-	-	340	4.0%	5.4%
5	General Revenue Subtotal	4,949	301	0	320	5,571	65.4%	62.7%
6	Utility Transfers & Cost Allocation	2,624	-	-	-	2,624	30.8%	27.8%
7	Grant Revenue	46	11	-	-	57	0.7%	0.0%
8	Application of Reserve Balances	-	267	-	-	267	3.1%	9.5%
9	General Fund Operating Support	2,670	278	0	0	2,948	34.6%	37.3%
10	**Total Sources of Funding**	**$ 7,619**	**$ 579**	**$ -**	**$ 320**	**$ 8,518**	**100.0%**	**100.0%**
11	***Uses of Funding:***							
12	Operations & Maintenance	582	490	268	298	1,638	19.2%	14.4%
13	Personnel	926	3,375	359	533	5,193	61.0%	56.1%
14	Total Operating Expenses[2]	1,508	3,864	627	831	6,831	80.2%	70.5%
15	**Surplus (Deficit) for Debt Svc & Capital**	**$ 6,111**	**$ (3,285)**	**$ (627)**	**$ (511)**	**$ 1,687**	**19.8%**	**29.5%**
16	Debt Service - Principal & Interest	-	-	-	-	-	0.0%	0.0%
17	Capital Spending / Transfers from (to) Reserves	54	12	80	23	169	2.0%	3.1%
18	**Net Surplus (Deficit) - FYTD through Feb 2022**	**$ 6,057**	**$ (3,297)**	**$ (707)**	**$ (534)**	**$ 1,519**	**17.8%**	**26.4%**
19	***Net Surplus (Deficit) - FYTD through Feb 2021*** [3]	*$ 6,424*	*$ (2,865)*	*$ (624)*	*$ (726)*	*$ 2,208*	26.4%	
20	*Current vs Prior - Favorable (Unfavorable)* [4]	*$ (367)*	*$ (432)*	*$ (83)*	*$ 192*	*$ (689)*	*-8.6%*	
21	***Net Surplus (Deficit) - Current FYTD Budget***	*$ 6,654*	*$ (3,802)*	*$ (1,335)*	*$ (701)*	*$ 816*	9.6%	
22	*Current vs Budget - Favorable (Unfavorable)* [4]	*$ (597)*	*$ 505*	*$ 628*	*$ 167*	*$ 703*	*8.2%*	

[1]This 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.

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

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

[4]Comparative 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")

Actual Spending by Category vs Plan, as Amended				
ARPA Eligibility Categories	**Plan (12/31)**	**Plan (1/31)**	**Actual (2/28)**	**Remaining**	**Notes**
COVID-19 Health Impact	**$ 1,048,698**	**$ 1,033,514**	**$ 43,395**	**$ 990,119**	
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	42,797	137,203	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, MHDC, CFC, Food Bank, Library
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 Affortability 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**	**$ 823,809**	**$ 3,510,651**	
Water Quality	2,902,074	2,902,074	716,190	2,185,885	Mispillion St Project; NE Front St Water Line Replacement
Flood/Pollution Control	724,600	724,600	78,566	646,034	4th St Drainage & Mispillion St Project
Improve Resilience to Disasters	435,000	435,000	-	435,000	
Improve Wastewater Treatment	272,785	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**	**$ 1,320,446**	**$ 5,001,059**	

City of Milford, Delaware

Legacy Revenue Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended February 28, 2022

66.7% of Year Elapsed

	Account / Function	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
1	**General Fund:**				
2	Economic Development Fund	$ 105,860	$ -	$ -	0.0%
3	General Fund Reserves	1,967,500	-	-	0.0%
4	ARPA Funding - Operating Support	568,233	245,046	304,734	53.6%
5	Realty Transfer Tax - Police	400,000	33,334	266,667	66.7%
6	Real Estate Tax	4,770,043	(4,632)	4,675,971	98.0%
7	Business License	72,000	11,965	52,820	73.4%
8	Rental License	103,000	24,725	90,800	88.2%
9	Building Permits	316,300	5,521	86,414	27.3%
10	Planning & Zoning	52,200	5,880	79,791	152.9%
11	Leases and Franchise Fees[1]	397,612	70,126	233,820	58.8%
12	Grasscutting Revenue	16,000	1,333	10,667	66.7%
13	Police Revenues	431,500	6,045	301,323	69.8%
14	Misc. Revenues[1]	20,499	6	19,631	95.8%
15	Transfers In	3,835,178	328,014	2,624,106	68.4%
16	**Total General Fund Revenue**	**$ 13,055,925**	**$ 727,363**	**$ 8,746,744**	**67.0%**
17	**Enterprise Funds:**				
18	Water Fund Revenues	$ 2,824,888	$ 264,442	$ 2,099,925	74.3%
19	Sewer Fund Revenues	2,893,047	230,995	1,825,539	63.1%
20	Kent County Sewer	1,974,629	167,289	1,346,435	68.2%
21	Solid Waste Fund Revenues	1,479,370	130,830	981,901	66.4%
22	Electric Fund Revenues	25,250,410	2,542,980	17,349,727	68.7%
23	**Total Enterprise Fund Revenue**	**$ 34,422,344**	**$ 3,336,536**	**$ 23,603,527**	**68.6%**
24	Other Enterprise Revenue	$ -	$ 2,810	$ 29,393	
25	Other Enterprise Expense	-	(6,960)	(37,195)	
26	**Total General & Enterprise Fund Revenue**	**$ 47,478,269**	**$ 4,059,749**	**$ 32,342,469**	**68.1%**

[1]Recurring, budgeted revenue such as franchise fees, tower leases and pole attachment fees reclassified from miscellaneous revenues (line 14) to leases and franchise fees (line 11)

City of Milford, Delaware

Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended February 28, 2022

66.7% of Year Elapsed

	Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
1	**General Fund**					
2	City Administration					
3	Personnel	$ 715,791	$ 60,122	$ 453,956	63.4%	$ 261,835
4	Operation & Maintenance (O&M)	492,929	1,672	257,538	52.2%	235,391
5	Capital	230,000	-	-	0.0%	230,000
6	Subtotal: City Administration	1,438,720	61,794	711,494	49.5%	727,226
7	Planning & Zoning; Code					
8	Personnel	493,285	44,057	316,640	64.2%	176,645
9	O&M	138,135	7,372	79,531	57.6%	58,604
10	Capital	-	-	-		-
11	Subtotal: Planning & Zoning; Code	631,420	51,429	396,171	62.7%	235,249
12	Council					
13	Personnel	35,934	2,250	18,861	52.5%	17,073
14	Legal	35,000	-	9,405	26.9%	25,595
15	City Hall Building Expense	17,424	1,452	11,616	66.7%	5,808
16	Insurance	25,745	-	10,131	39.4%	15,614
17	Christmas Decorations	5,000	4,379	4,379	87.6%	621
18	Council Expense	35,000	1,116	20,704	59.2%	14,296
19	Employee Recognition	28,000	30	23,095	82.5%	4,905
20	Codification	15,000	-	5,123	34.2%	9,877
21	Carlisle Fire Company	140,000	-	-	0.0%	140,000
22	Museum	30,000	-	30,000	100.0%	-
23	Downtown Milford, Inc.	45,860	-	45,860	100.0%	-
24	Milford Public Library	25,000	-	-	0.0%	25,000
25	Transcription Service	15,000	-	-	0.0%	15,000
26	Armory Expenses	23,600	-	20,523	87.0%	3,077
27	Vehicle & Equipment Repl	6,500	-	-	0.0%	6,500
28	Resident Survey	18,500	-	17,300	93.5%	1,200
29	Election - Wages	6,000	-	-	0.0%	6,000
30	Election - Supplies	2,800	-	-	0.0%	2,800
31	Community Festivals	60,000	-	-	0.0%	60,000
32	Subtotal: Council	570,363	9,227	216,997	38.0%	353,366

City of Milford, Delaware

Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended February 28, 2022

66.7% of Year Elapsed

	Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
33	Finance					
34	Personnel	456,230	36,937	258,820	56.7%	197,410
35	O&M	49,970	2,138	29,077	58.2%	20,893
36	Capital	-	-	-		-
37	Subtotal: Finance	506,200	39,075	287,897	56.9%	218,303
38	Information Technology					
39	Personnel	382,258	32,124	194,828	51.0%	187,430
40	O&M	228,241	11,569	96,927	42.5%	131,314
41	Capital	96,400	3,770	54,153	56.2%	42,247
42	Subtotal: Information Technology	706,899	47,463	345,908	48.9%	360,991
43	Police Department					
44	Personnel	5,129,212	380,626	3,374,697	65.8%	1,754,515
45	O&M	974,498	63,949	489,623	50.2%	484,875
46	Capital	108,100	590	11,893	11.0%	96,207
47	Subtotal: Police Department	6,211,810	445,165	3,876,213	62.4%	2,335,597
48	Streets & Grounds Division					
49	Personnel	382,587	34,747	216,444	56.6%	166,143
50	O&M	508,931	43,177	218,816	43.0%	290,115
51	Capital	73,000	-	22,972	31.5%	50,028
52	Subtotal: Streets & Grounds Division	964,518	77,924	458,232	47.5%	506,286
53	Parks & Recreation					
54	Personnel	589,633	45,561	358,759	60.8%	230,874
55	O&M	473,362	21,363	268,338	56.7%	205,024
56	Capital	963,000	24,487	79,733	8.3%	883,267
57	Subtotal: Parks & Recreation	2,025,995	91,411	706,830	34.9%	1,319,165
58	**Total General Fund Expenditures**	**$ 13,055,925**	**$ 823,488**	**$ 6,999,742**	**53.6%**	**$ 6,056,183**

City of Milford, Delaware

Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended February 28, 2022

66.7% of Year Elapsed

	Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
59	**Enterprise Funds:**					
60	Water Division					
61	Personnel	$ 328,260	$ 27,106	$ 214,604	65.4%	$ 113,656
62	O&M	1,644,327	94,151	852,196	51.8%	792,131
63	Transfer to General Fund	300,000	25,000	200,000	66.7%	100,000
64	Capital	187,028	-	6,156	3.3%	180,872
65	Debt Service	365,273	89,636	272,273	74.5%	93,000
66	Subtotal: Water Division	2,824,888	235,893	1,545,229	54.7%	1,279,659
67	Sewer Division[1]					
68	Personnel	$ 319,977	26,381	208,261	65.1%	111,716
69	O&M	1,993,116	263,965	974,510	48.9%	1,018,606
70	Capital	168,528	9,935	67,590	40.1%	100,938
71	Debt Service	411,426	-	349,341	84.9%	62,085
72	Subtotal: Sewer Division (excl. Kent County)	2,893,047	300,281	1,599,702	55.3%	1,293,345
73	Kent County Sewer	1,974,629	303,801	1,513,361	76.6%	461,268
74	Subtotal: Sewer Division (Comprehensive)	4,867,676	604,082	3,113,063	64.0%	1,754,613
75	Solid Waste Division					
76	Personnel	334,276	18,899	154,678	46.3%	179,598
77	O&M	1,086,019	69,498	681,378	62.7%	404,641
78	Capital	59,075	-	3,158	5.3%	55,917
79	Subtotal: Solid Waste Division	1,479,370	88,397	839,214	56.7%	640,156
80	Subtotal: Water, Sewer & Solid Waste	9,171,934	928,372	5,497,506	59.9%	3,674,428
81	Electric Division					
82	Personnel	1,275,540	97,983	711,068	55.7%	564,472
83	O&M	2,759,848	154,292	1,477,470	53.5%	1,282,378
84	Transfer to General Fund	2,500,000	208,334	1,666,667	66.7%	833,333
85	Capital	1,549,021	24,597	239,528	15.5%	1,309,493
86	Debt Service	321,615	-	276,958	86.1%	44,657
87	Subtotal: Electric Division (excl. Power)	8,406,024	485,206	4,371,691	52.0%	4,034,333
88	Power Purchased	16,844,386	1,458,431	12,074,019	71.7%	4,770,367
89	Subtotal: Electric Division (Comprehensive)	25,250,410	1,943,637	16,445,710	65.1%	8,804,700
90	**Total Enterprise Fund Expenditures**	**$ 34,422,344**	**$ 2,872,009**	**$ 21,943,216**	**63.7%**	**$ 12,479,128**
91	**Grand Total Operating Budget**	**$ 47,478,269**	**$ 3,695,497**	**$ 28,942,958**	**61.0%**	**$ 18,535,311**

[1]The spike in Sewer Fund O&M Costs is related to a reclassification of I&I investigation costs from the capital accounts here to the operating accounts

City of Milford, Delaware

Legacy Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended February 28, 2022

66.7% 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	$ 7,521	$ 59,532	48.0%	$ 64,401
Operation & Maintenance (O&M)	120,813	5,253	63,548	52.6%	57,265
Capital	-	-	-		-
Subtotal: Garage	244,746	12,774	123,080	50.3%	121,666
Public Works					
Personnel	750,563	57,664	476,935	63.5%	273,628
O&M	293,510	19,308	124,932	42.6%	168,578
Capital	-	-	-		-
Subtotal: Public Works	1,044,073	76,972	601,867	57.6%	442,206
Tech Services					
Personnel	271,033	21,670	191,666	70.7%	79,367
O&M	472,729	59,687	274,893	58.2%	197,836
Capital	-	-	-		-
Subtotal: Tech Services	743,762	81,357	466,559	62.7%	277,203
Billing & Collections					
Personnel	632,304	48,446	376,471	59.5%	255,833
O&M	644,405	39,953	164,592	25.5%	479,813
Capital	-	-	-		-
Subtotal: Billing & Collections	1,276,709	88,399	541,063	42.4%	735,646
City Hall Cost Allocation					
O&M	45,000	4,100	29,451	65.4%	15,549
Capital	30,000	-	-	0.0%	30,000
Subtotal: City Hall Cost Allocation	75,000	4,100	29,451	39.3%	45,549
Interdepartmental Cost Allocation	**$ (3,384,290)**	**$ (263,602)**	**$ (1,762,020)**	**52.1%**	**$ (1,622,270)**
Net Interdepartmental Costs[1]	**$ -**	**$ -**	**$ -**		**$ -**

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

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

DATA SHEET FOR KNIGHT CROSSING

Planning Commission Meeting: March 15, 2022

Application Number / Name	:	19-021 / Knight Crossing
Applicant	:	Limitless Development Company, LLC 26412 Broadkill Road Milton, DE 19968
Owner	:	Milford Marina Enterprise, LLC 26412 Broadkill Road Milton, DE 19968
Application Type	:	Preliminary Major Subdivision & Conditional Use Extension #2
Present Comprehensive Plan Map Designation	:	Moderate Density Residential
Present Zoning District(s)	:	R-3 (Garden Apartment & Townhouse)
Present Use	:	Vacant
Proposed Use	:	Planned Unit Development
Size and Location	:	25.80 +/- acres of land located south of Cedar Beach Road, east of Beaver Dam Road and west of Route 1.
Tax Map & Parcel(s)	:	3-30-7.00-035.00, 036.00 & 037.00 (portion)

ENC: Staff Analysis Report
Exhibit A – Location & Zoning Map
Exhibit B – Preliminary Major Subdivision

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PLANNING DEPARTMENT
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STAFF ANALYSIS REPORT
February 28, 2022

Application Number / Name	**:**	19-021 / Knight Crossing
Application Type	**:**	Preliminary Major Subdivision & Conditional Use Extension #2
Comprehensive Plan Designation	**:**	Moderate Density Residential
Zoning District	**:**	R-3 (Garden Apartment & Townhouse District) C-3 (Highway Commercial District)
Present Use	**:**	Vacant
Proposed Use	**:**	Planned Unit Development
Property Identification Numbers	**:**	3-30-7.00-035.00, 036.00 & 037.00 (portions)
Area and Location	**:**	40.64 +/- acres of land located south of Cedar Beach Road, east of Beaver Dam Road and west of Route 1.

I. BACKGROUND INFORMATION:

- The applicant is seeking a second extension of the Preliminary Major Subdivision and Conditional Use approvals for Phase II-A and II-B which were originally approved by City Council on February 24, 2020. City Council granted the first extension of these two approvals for Phase I, II-A and II-B on February 22, 2021. See attached for a copy of the original approval letter and extension letter.

- City Council granted Final Major Subdivision approval for Phase I on June 28, 2021; however, the developer has yet to submit final copies of required agreements, construction plans and record plats and the record plats have not been recorded to date.

- The applicant proposes to construct 87 single-family detached dwellings and 30 townhouses, for a total of 117 dwelling units. The original request was for 131 total dwelling units; however, the applicant had to redesigned the single-family detached layout to meet the required side separation of 16 feet between units which required a reduction in the number of homes within the project area.

II. AGENCY & DEPARTMENT COMMENTS:

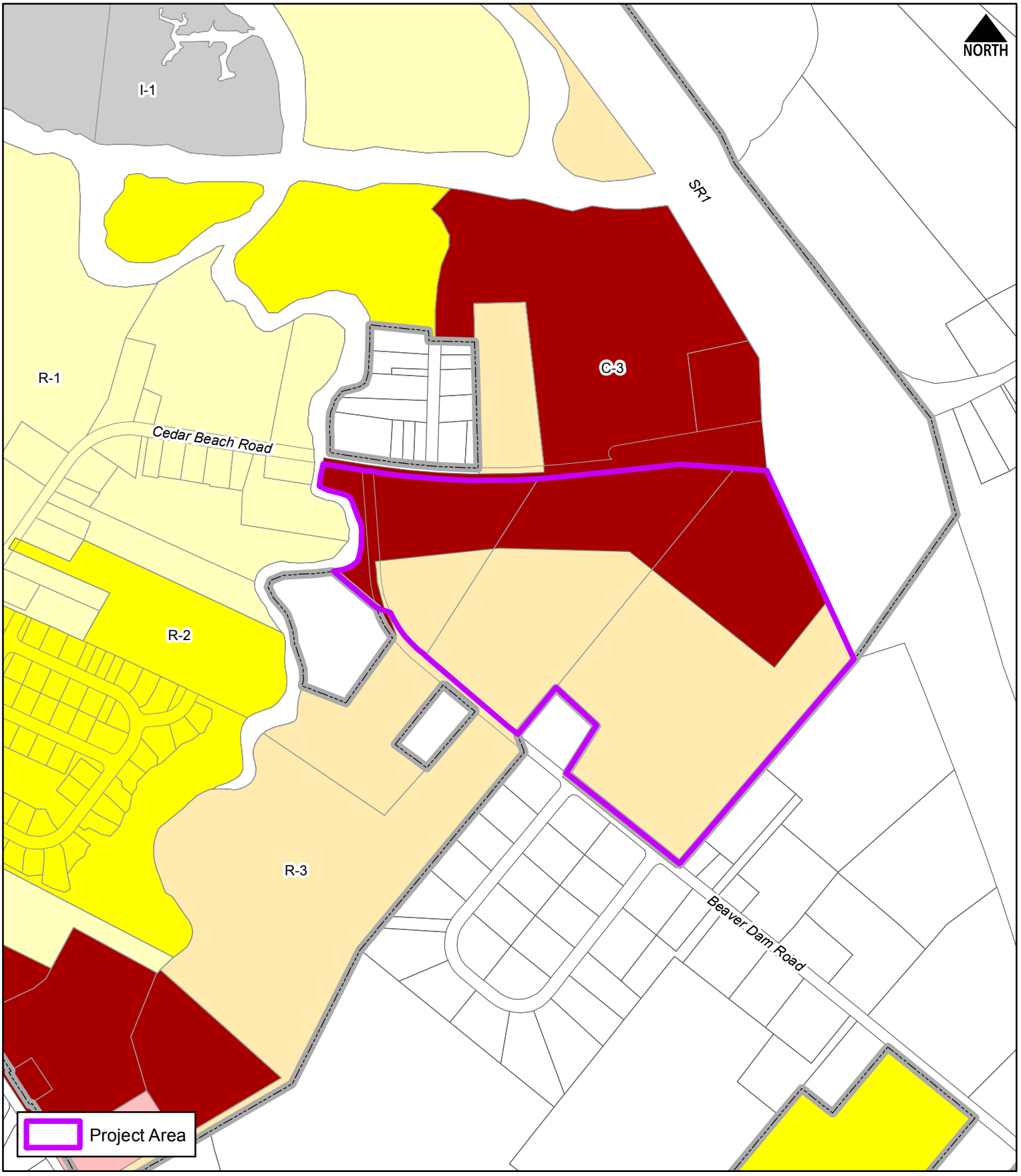
- **DelDOT Planning, Development Coordination**
  No approvals to date.

- **Delaware Health and Social Services – Division of Public Health**
  No approvals to date.

- **Sussex Conservation District**
  No approvals to date.

- **Delaware State Fire Marshal's Office**
  No approvals to date.

- **City Engineer – Construction Plan Review**
  Final Construction plans have been submitted for Phase II-A and II-B; however, the City is awaiting payment of the final construction plan review fee and other outstanding fees from previous reviews.



THE CITY of Milford DELAWARE

Scale: 0 250 500 Feet

Drawn by: WRP

Date: 09/30/19

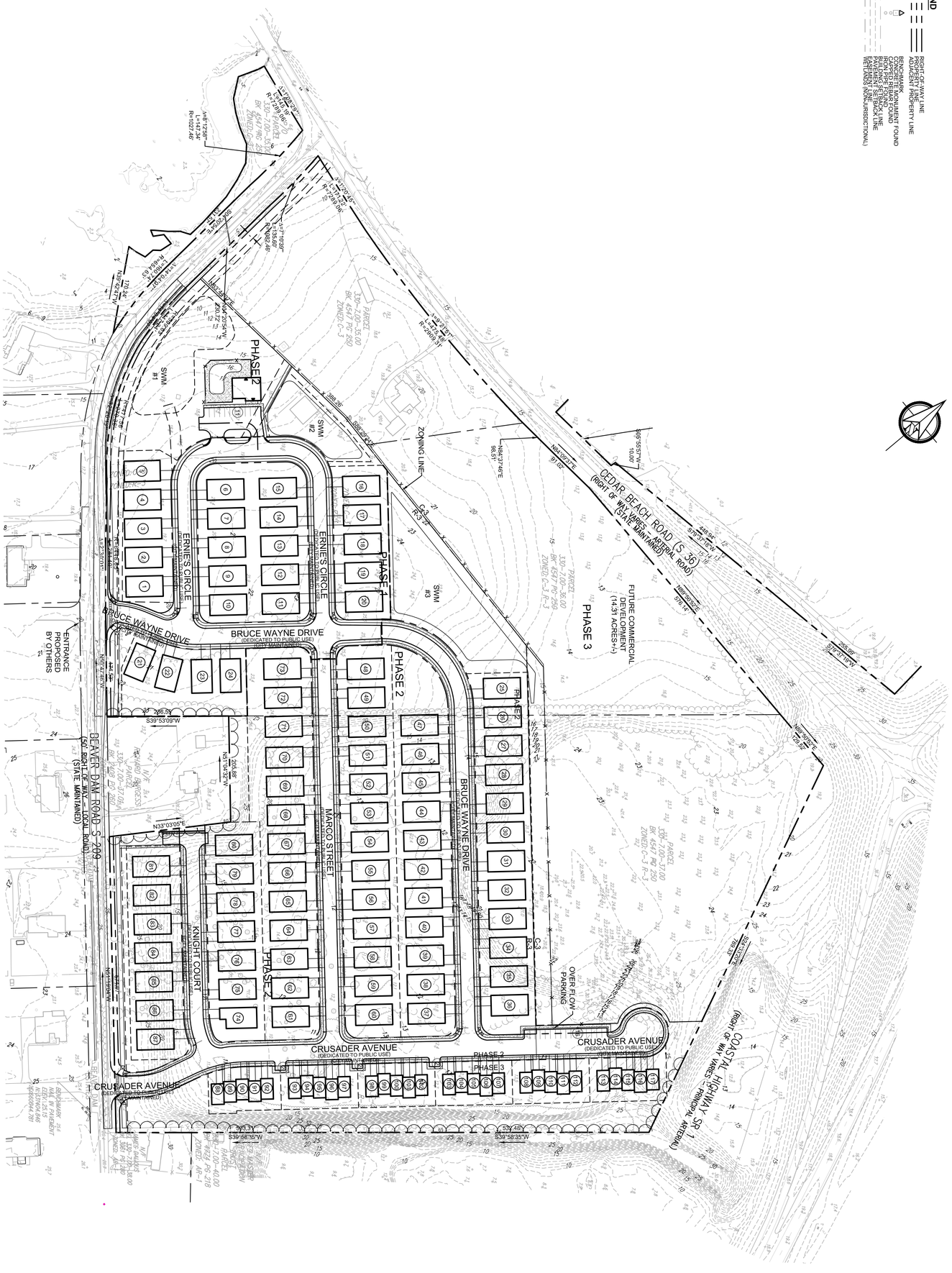
Filepath: PreliminaryMajorSubdivision_KnightCrossing.mxd

Title:

Preliminary Major Subdivision

Knight Crossing

Location & Zoning Map



OVERALL PHASING PLAN
PUD PHASING PLAN
KNIGHT CROSSING

CITY OF MILFORD ~ SUSSEX COUNTY ~ DELAWARE

DATE: 15 DECEMBER 2020
SCALE: 1" = 100'
PROJECT NO. 11686.CC
SHEET: 1 OF 1

OWNER: MILFORD MARINA ENTERPRISE, LLC
2120 LOVE POINT ROAD
STEVENSVILLE, MD 21666

DEVELOPER:
LIMITLESS DEVELOPMENT CO, LLC.
26412 BROADKILL ROAD
MILTON, DE 19968
PHONE: (302) 684-4844

No.	REVISION	CHK'D BY DATE
	PRELIMINARY NOT FOR CONSTRUCTION	
1	PER CITY COMMENTS - 1 JULY 2019	BRK 15 JULY 2019

DESIGNED BY:	CHECKED BY:
BRK	SJG
DRAWN BY:	FILE NAME:
BRK	11686-PUD PHASES

STEVE J. GORSKI, P.E.

STATE: DELAWARE P.E. #12625

DUFFIELD ASSOCIATES
Soil, Water & the Environment
5400 LIMESTONE ROAD
WILMINGTON, DE 19808-1232
TEL. 302.239.6634
FAX 302.239.8485
OFFICES IN DELAWARE, MARYLAND, PENNSYLVANIA AND NEW JERSEY
WEB: HTTP://DUFFNET.COM
E-MAIL: DUFFIELD@DUFFNET.COM

DUFFIELD ASSOCIATES
Soil, Water & the Environment

Duffield Associates, LLC
5400 Limestone Road
Wilmington, DE 19808
Phone: 302.239.6634
Fax: 302.239.8485
duffnet.com

January 12, 2022

Mr. Rob Pierce
City of Milford
201 South Walnut Street
Milford, DE 19963

RE: Project No. 11686.CC (Duffield)
Knight's Crossing – Preliminary Plan Extension Request and PUD Master Plan Revision

Dear Mr. Pierce:

Please accept this letter as a request to extend the City Council Preliminary Plan Approval for Knight's Crossing that is set to expire on February 25, 2022. We are currently working with the City to gain final plan approval on Phase 2A and 2B of the development.

Along with this Extension Request we would like to request a revision to the approved PUD Master Plan for this Project changing the unit mix from 93 single family condominium units and 20 townhouse condominium units totaling 113 units to 87 single family condo units and 35 townhouse condo units totaling 122 units. The original Preliminary Plan allocated 101 single family condo units and 30 townhome condo units, for a total of 131 units. A revised PUD Master Plan is included with this request.

The following is the current status of the various plan approvals through the different agencies:

- Delaware Department of Transportation – Entrance Plans were approved on 17 August 2021. This approval includes both Phase 1 and Phase 2 entrances.
- Sussex Conservation District – Sediment and Stormwater Plans were approved April 16, 2021.
- City of Milford – Phase 1 plans have been approved by the City including; Utility, Road and Storm Drain, and Record Plan on 5 May 2021. We submitted Phase 2A and 2B and are awaiting comments from the City.
- State Fire Marshal – The plans have been originally approved in February 2020 and were resubmitted with revisions and reapproved in November 2020.
- Public Works Agreement draft – pending draft from the Owner.

We received site approvals for Phase 1 from the City Council in June 2021. We anticipate obtaining Phase 2A and Phase 2B approvals for City Council approval in early May 2022.

If you have any questions on the content of this letter, please feel free to contact us at your convenience.

Very truly yours,

DUFFIELD ASSOCIATES, LLC

Stephen J Gorski, P.E.
Senior Project Manager

SJG/BRK:acj
\\Headquarters.duffnet.com\DFS\Share\Projects\11000\11686\CC\Working\11686CC.0122-ExtensionLetter_2.COR.docx

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

March 5, 2020

Don Lockwood
Limitless Development Company, LLC
26412 Broadkill Road
Milton, DE 19968

RE: Application Number: 19-021
Application Name: Knight Crossing
Application Type: Planned Unit Development & Preliminary Major Subdivision
Tax Parcel Number(s): 3-30-7.00-035.00, 036.00 & 037.00 (portions)

Mr. Lockwood,

According to our records, the City Council granted approval of the Planned Unit Development and Preliminary Major Subdivision known as Knight Crossing on February 24, 2020. City Council approved the following deviations and waivers from Chapter 200 Subdivision of Land and Chapter 230 Zoning associated with the application;

- Chapter 200-8(A)(14) – Reduction in the right of way requirement for the townhouse area from 60' to 50'.
- Chapter 200-8(A)(16) – Allow the construction of a "T" turnaround at the end of Knight Court instead of the required cul-de-sac.
- Chapter 200-8(A)(16) – Allow the construction of Knight Court as a dead-end street that is longer than the maximum length allowed of 400 feet as shown on the preliminary subdivision plans.
- Chapter 200-8(D)(3) – Allow a reduction in the block width from 275 feet to 250 feet.
- Chapter 200-8(E)(4) – Allow the use of one front yard setback for a corner lot and half setback for the other front yard area.
- Chapter 230-11(B)(1)(a)(2) – Allow an increase in the maximum lot coverage from 45% to 52%.
- Chapter 230-11(B)(1)(a)(5) - Allow a reduction in the front yard setback from 30 feet to 20 feet.
- Chapter 200-8(e)(6) – Allow a 25 foot setback for Lots 1-6 between the building envelope and the proposed planted buffer along Beaver Dam Road.

The City Council did not approve a waiver from Chapter 230-11(B)(1)(a)(6) and will require the developer provide the minimum side yard setback of 8 feet (or a side building separation of 16 feet) for the single-family detached dwellings.

In addition, the developer will be required to enter into a cost sharing agreement with the Windward on the River developer for the construction of the regional sanitary sewer pumping station and associated force main.

Per the Code of the City of Milford, Chapter 200-4, Subdivision of Land, A (5), "*Preliminary approval from City Council shall be void after one year, unless an extension is requested by the owner and approved by City Council prior to the expiration.*" Final Major Subdivision Approval or an extension must be obtained prior to February 24, 2021 in order to avoid expiration of the preliminary approval.

Please contact me at 302-424-8396 or via email at rpierce@milford-de.gov should you have any questions and to coordinate final construction plan and final major subdivision review for the development.

Sincerely,

William R. Pierce II

Rob Pierce, AICP
Planning & Economic Development Director

cc: *James Puddicombe, P.E. – City Engineer*
Steve Gorski, P.E. - Duffield Associates
Milford Marina Enterprise, LLC - Owner

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O 302.424.8396 | F 302.424.3559

March 3, 2021

Don Lockwood
Limitless Development Company, LLC
26412 Broadkill Road
Milton, DE 19968

RE: Application Number: 19-021
Application Name: Knight Crossing
Application Type: Planned Unit Development & Preliminary Major Subdivision
Tax Parcel Number(s): 3-30-7.00-035.00, 036.00 & 037.00 (portion)

Mr. Lockwood,

According to our records, on February 22, 2021, the City Council granted a one-year extension of the Planned Unit Development approval and the Preliminary Major Subdivision approval for the Knight Crossing subdivision. Final Major Subdivision approval or an extension must be obtained prior to February 22, 2022 in order to avoid expiration of the preliminary approval.

Feel free to contact me at 302-424-8396 or via email at rpierce@milford-de.gov should you have any questions.

Sincerely,

William R. Pierce II

Rob Pierce, AICP
Planning Director

cc: James Puddicombe, P.E. - City Engineer
Stephen Gorski, P.E. – Duffield Associates

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PLANNING DEPARTMENT
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O 302.424.8396 | F 302.424.3559

July 7, 2021

Steve Gorski, P.E.
Duffield Associates
5400 Limestone Road
Wilmington, DE 19808

RE: Application Number: 19-021
Application Name: Knight Crossing
Application Type: Final Major Subdivision
Tax Parcel Number(s): 3-30-7.00-035.00, 036.00 & 037.00

Mr. Gorski,

According to our records, City Council approved the Final Major Subdivision application for Knight Crossing – Phase I on June 28, 2021 contingent upon the following items: (1) provide a fully executed copy of the sewer cost sharing agreement with the Windward on the River Development, and (2) provide a fully executed copy of the City of Milford development agreement for countersignature.

In addition, per the Code of the City of Milford, Chapter 200: Subdivision of Land §200-4, B:

(5) Within 90 days of final approval from City Council, the subdivider shall record the plat at the County Recorder of Deeds office and provide the City Planner a receipt of the recordation including the deed book and page number. Prior to recording the plat, five copies of the plat must be submitted to the City Planner for stamping and signing. Four sets will be returned to the subdivider.

(7) Failure to record the approved plat within one year from the date of City Council approval shall void the final approval. In order to obtain final approval after it has been voided, the subdivider must make application for final approval again.

(8) Failure to record the approved plat in more than one year from the date of City Council approval shall void the preliminary approval and final approval. In order to obtain preliminary and final approval after they have been voided, the subdivider must make application for and receive preliminary approval, then make application for and receive final approval.

Please provide copies of the above agreements and copies of the approved plat to the Planning Office for signature and have the plats recorded with the Sussex County Recorder of Deeds no later than September 26, 2021. Feel free to contact me at 302-424-8396 or via email at rpierce@milford-de.gov should you have any questions.

Sincerely,

William R. Pierce II

Rob Pierce, AICP
Planning Director

cc: Don Lockwood – Limitless Development Company, LLC
James Puddicombe, P.E. – City Engineer

Chamber of Commerce for Greater Milford
24 NE Front St. ~ Suite 101
Milford, DE 19963
Phone: 302-422-3344
Fax: 302-422-7503
www.milfordchamber.com

March 24, 2022

Milford City Council
201 S. Walnut Street
Milford DE 19963

Dear Council Members:

The Chamber of Commerce for Greater Milford is excited to host the 21st Riverwalk Freedom Festival scheduled for Saturday, September 17, 2022. As in the past, the event will be held on one day, with vendors and various attractions beginning at 9 am continuing throughout the day, concluding with fireworks after dark that evening. We would like to host the Red, White and Brew Garden in Bicentennial park again this year. We request your permission to waive the alcohol restrictions in the park on the date of the festival.

We will use a similar layout that has worked so well in past years. There will be a fenced area in a section of the park with a view of the stage. We will be checking identifications and applying wrist bands to those twenty-one (21) years old or older. This will allow the purchase and consumption of alcoholic beverages in the designated area only. As the Delaware Alcoholic Beverage Control regulations permit, the designated area will be family friendly, so all ages will be permitted to enter the area. We will have one entrance/exit clearly marked with eye level signage that no alcoholic beverages are permitted beyond the designated area. We will have crowd monitors to assure no one leaves the area with alcohol. We will have a portable restroom in the enclosed area, as well as multiple trash bins. We plan to have cornhole and food vendor(s) in the area as well. We will provide several open tents to provide shade, cover and in the evening the area will be well lit. All Delaware Alcoholic Beverage Control regulations regarding alcohol service, including obtaining a “Gathering License" will be observed and adhered to.
The Brew Garden would open at 12 noon on Saturday, September 17th and would close at 10:30 pm. All alcoholic beverage sales will end promptly at 10:00 pm. We are requesting your approval to waive the restrictions against alcohol in the park on this date. If you have any questions, please contact me at 302-588-3573 or email at angeladorey@comcast.net.

Thank you for your consideration in this matter.

Sincerely,

Angela Dorey

Angela Dorey
Event Chairperson

CITY OF MILFORD, DELAWARE
ANNUAL MUNICIPAL ELECTION
SATURDAY, APRIL 23, 2022

ELECTION NOTICE
BOARD OF ELECTION MEMBERS

Notice is hereby given the following residents have been appointed as members of the City of Milford Election Board for the 2022 City of Milford Annual Election to be held on April 23, 2022 in Ward One:

City of Milford Election Board:

Karen Boone	303 Parson Thorne Apartments
Carlene Wilson	11 Nelson Street
Donna Merchant	108 Franklin Street

For additional information, please contact the City Clerk's Office at 302-422-1111, Ext 1300 or 1301.

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THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
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O 302.424.8396 | F 302.424.3559

TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: March 28, 2022

RE: Aid-in-Construction Fee – Shawnee Acres Pump Station

Enclosed in the packet is a proposed revision to the Sewer Fee Schedule adding an Aid-in-Construction Fee for the Shawnee Acres Regional Pump Station Upgrade project that was completed in 2020. The City of Milford incurred expenses upgrading the existing pump station to accommodate future growth in the Shawnee Acres Sewer Drainage Basin (see Exhibit A) and these expenses should be reimbursed on a per unit basis to the City in the form of an Aid-in-Construction Fee.

The pump station upgrade was designed to accommodate 2,450 Equivalent Dwelling Units (EDUs), of which 1,390 EDUs contributed to the original pump station construction from the early 2000's or are already connected and are not subject to the additional AIC fee (see below Table A). The City has reserved capacity for the remaining properties within Shawnee Acres and Matlinds Estates (see below Table B). These properties will be subject to the proposed AIC fee.

Table A. Original Contributors

Project Name	EDU
Orchard Hills	187
Hearthstone I (original approval)	784
Meadows at Shawnee	183
West Shores at New Milford	112
Shawnee Acres	124
	1,390

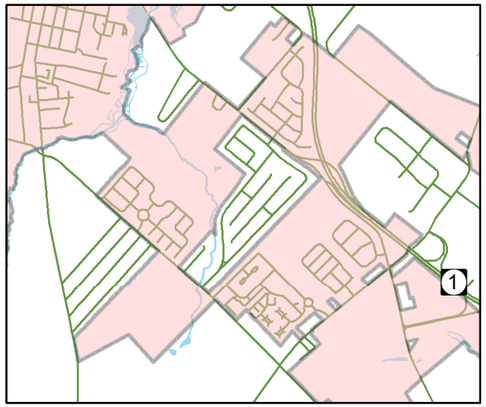
Table B. Reserved Capacity

Project Name	EDU
Shawnee Acres	111
Matlinds Estates	61
	172

The remaining capacity of 888 EDUs would be available for purchase by future developments in the sewer collection basin. Any developments proposing EDUs in excess of the remaining capacity would be financially responsible for additional upgrades.

The Shawnee Acres Pump Station Upgrade Project totaled $1,635,443, for which 50% was funded with USDA grants. Staff recommends requesting repayment of the 50% loan portion of the project in the form of an AIC Fee, which would equate to $771 per EDU. The proposed AIC fee would increase at the same percentage rate as the sewer impact fees and as shown in the revised Sewer Fee Schedule.

Staff recommends adopting Resolution 2022-03 to establish an Aid-in-Construction Fee for the Shawnee Acres Pump Station.



Shawnee Acres
Regional Pump Station

Exhibit "A"

- Existing Pump Station
- Existing Manholes
- Existing Force Main
- Existing Gravity
- Shawnee Acres PS Sewer Basin
- Municipal Boundary

0 1,000 2,000 Feet

Date: 3/7/2022 User Name: RPierce
SE_ShawneeAcres_AIC

S. Rehoboth Boulevard
Meadows at Shawnee
Shawnee Acres
Orchard Hills
Elks Lodge Road
Matlinds Estates
Key Properties Group, LLC
West Shores at New Milford
Hearthstone Manor I
Hearthstone Manor II
Wilkins Road

City of Milford

RESOLUTION 2022-03

CITY FEE SCHEDULE

WHEREAS, the new fee schedule consolidates all of the fee resolutions that have been created by various departments over the past few years; and

WHEREAS, the intent is to have all fees removed from the Codified Ordinances and placed into a resolution to allow a much quicker and easier process when updating; and

WHEREAS, the City Charter states that in addition to other acts required by State law or by specific provision of this Charter to be done by ordinance, those acts of the City Council which shall be by ordinance are as follows:
(a) Adopt or amend an administrative code or establish, alter or abolish any City department, office ore agency.
(b) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed.
(c) Levy taxes, except as otherwise provided in Article VII with respect to the property tax levied by adoption of the budget.
(d) Grant, renew or extend a franchise.
(e) Regulate the rate charged for its services or as a public utility.
(f) Authorize the borrowing of money.
(g) Sell or lease or authorize the sale or lease of any asset of the City if its value is equal to or greater than 1/5 of 1% of the assessed value of all real property within the corporate limits.
(h) Amend or repeal any ordinance previously adopted.
(i) Change of zone or conditional use of land; and

WHEREAS, the City Charter further states that acts other than those referred to in the preceding may be done either by ordinance or by resolution; and

WHEREAS, though there may be some individual fees remaining in the ordinances, nothing should be duplicated and all fees are properly referenced in the appropriate Chapter of the Code of the City of Milford.

NOW, THEREFORE, Be it Resolved by the City of Milford:

Resolution 2022-03 replaces Resolution 2016-12 (Parks & Recreation), Resolution 2020-04 (Solid Waste), Resolution 2020-23 (Public Works Department), Resolution 2020-24 (Planning), Resolution 2020-43 (Sewer), and Resolution 2020-44 (Water) in their entirety.

CITY FEE SCHEDULE

BUILDING INSPECTION AND PERMITTING FEES		
Description		*Fee*
	New Dwelling Unit	$50 per 100 heated square feet plus $13 per 100 unheated square feet

Building Permit, Residential, Use groups R3 or R4	Interior/Exterior Renovations, Accessory Building, Pool, Deck, Ramp, Solar Panels	$50 plus $5 per $1,000 up to $1M and $2 per $1,000 over $1M based on cost of project
	Demolition	$50.00
	Certificate of Occupancy	$25.00
Building Permit, Other than use groups R3 or R4	New Construction, Commercial Fit-Out, Interior/Exterior Renovations, Footer, Foundation**, Wireless Facilities**	$100 plus $5 per $1,000 up to $1M and $2 per $1,000 over $1M based on cost of project
	Sign, Sales/Construction Trailer, Solar Panel	$50 plus $5 per $1,000 up to $1M and $2 per $1,000 over $1M based on cost of project
	Demolition	$100.00
	Certificate of Occupancy	$25.00
Building Permit, Renewal		$50 or 10% of permit fee, whichever is greater
Violation Fee		$100 plus the building permit fee or double the normal permit fee, whichever is greater.
Re-inspection		$50.00
Temporary Certificate of Occupancy		$50.00
Carlisle Enhancement Fund		1/4 of 1% of heated square feet cost
Police and General Government Facilities Enhancement Fund		3/4 of 1% of heated square feet cost

CODE ENFORCEMENT AND LICENSING FEES		
Description		*Fee*
Licensing	Contractors	$100.00 annually, prorated semi-annually
	Residential Rental Operating	$50.00 per unit
	Transfer of Rental License	$50.00 per license
	Peddler, Solicitor, and Transient Merchant	$50.00 annually, prorated semi-annually
	Business	$30.00 per location
Inspection	Re-Inspection / Follow Up Inspection	$50.00
Small Cell Wireless Facility	**Right-of-Way License**	**$270 annually, per location**

ELECTRIC BILLING AND PERMIT FEES
See City of Milford Code, Appendix B – Electric Tariff

ELECTRIC DIVISION FEES	
Description	*Fee Per Hour*
Labor Rate	$79.37
Pick-Up Truck	$20.00
Service Truck	$25.00
Bucket Truck	$55.00
Digger Derrick	$65.00
Trencher*	$55.00
Chipper*	$35.00

ENGINEERING DIVISION FEES	
Description	*Fee Per Hour*
Labor Rate-Engineer	$61.87
Labor Rate-Engineer Tech*	$60.87

PARKS & RECREATION FEES		
Location	*Fee*	
	4-Hour Rate (not prorated)	
	Individuals & Non-Profit (501c3) Renters	*For Profit Renters*

Parks and Pavilions **MANDATORY DEPOSIT**		$50.00	$100.00
Bicentennial Park & Pavilion (Adjacent to Mispillion Riverwalk & NE Front Street Parking Lot)		$50.00	$100.00
Memorial Park South (Adjacent to Mispillion Riverwalk behind Calvary United Methodist Church off of SE Front Street & Franklin Streets) Optional: Basketball Court		$75.00 $25.00	$150.00 $50.00
Marvel Square Park & Pavilion (Located behind the Milford Parks & Recreation Department at 207 Franklin Street)		$75.00	$150.00
Riverwalk Basketball Court (one) (Memorial Park South along the Riverwalk)		$25.00	$50.00
Banneker Basketball Court & Park (Banneker School Park off of NW Fourth and North Streets) (Two Courts & Adjacent Green Areas)		$50.00	$100.00
All other open park areas must be approved by the Milford Parks and Recreation Department and/or the City of Milford		**$50.00**	**$100.00**
Meeting Room Fee	Civic-Oriented in Function (non-profit/non-political/non-religious)	$50.00	n/a

PLANNING & DEVELOPMENT FEES		
Description		*Fee*
Major Residential Subdivision / Land Development Plan (up to 25 lots)	Preliminary Plan Review	$1,750.00 plus $85.00 per unit/lot
	Final Construction and Record Plan Review	$3,500.00 plus $185.00 per unit/lot
Major Residential Subdivision / Land Development Plan (greater than 25 lots)	Preliminary Plan Review	$3,000.00 plus $30.00 per unit/lot
	Final Construction and Record Plan Review	$6,500.00 plus $85.00 per unit/lot
Minor Subdivision or Lot Line Adjustment (up to 5 lots)	Final Residential	$300.00 plus $50.00 per unit
	Final, Other than Residential	$500.00 plus $100.00 per unit
	Engineering Construction Review	Fees charged to the City of Milford by engineering consultant, plus 10%
Land Development Plan (up to 9,999 sf of GFA)	Preliminary Plan Review	$2,000.00 plus $75 per 1K SF of GFA
	Final Construction and Record Plan Review	$3,000.00 plus $50 per 1K SF of GFA
Land Development Plan (10,000 sf to 50,000 sf of GFA)	Preliminary Plan Review	$2,500.00 plus $30 per 1K SF of GFA
	Final Construction and Record Plan Review	$4,000.00 plus $50 per 1K SF of GFA
Land Development Plan (greater than 50,000 sf of GFA)	Preliminary Plan Review	$3,500.00 plus $10 per 1K SF of GFA
	Final Construction and Record Plan Review	$5,000.00 plus $40 per 1K SF of GFA
Conditional Use or Amendment to a Conditional Use		$700.00
Zoning Map Amendment/Comprehensive Plan Amendment		$1,000.00 plus $100.00 per acre
Zoning Code Amendment Request		$700.00
Annexation	Residential, less than 2 acres	$700.00
	Residential, 2+ acres	$1,000.00 plus $100.00 per acre
	Other than Residential	$2,500.00 plus $500.00 per acre
Variance(s)	1-3 variances	$300.00
	4-6 variances	$400.00
	7+ variances	$500.00
Board of Adjustment Hearing (no variance)		$300.00
Subdivision Agreement		$2,500.00
Zoning Verification Letter		$20.00
Certificate of Use		$75.00
Legal Interpretation of Subdivision or Zoning Code		Cost of legal services provided plus 10% administration fee
Street or Alley Closing		$300.00
Application Resubmission or Rescheduling Fee		$200.00

Professional Service Fees (including but not limited to Legal Fees, Engineering Review Fees)	Fees charged the City of Milford, plus 10%; Billed as encumbered.
Incomplete/Resubmission/Re-review Engineering Fee	$1,000.00
Transfer of Development Rights (TDR) Credit	$3,000 per dwelling unit
Engineering Construction Inspection	4% of Construction Costs for all infrastructure to be owned, operated and maintained by the City of Milford.
ENGINEERING REVIEW: At the time of filing an application for plan review, the applicant shall submit to the City the fees required to cover the engineering plan review in accordance with the adopted Fee Schedule listed in this Resolution. Incomplete submissions, plans that have changed significantly from a prior submission, or plan submissions that fail to adequately address mandated requirements may be charged an additional fee as determined by the City Manager in order to cover expenses associated with the additional cost for the engineering review.	

SEWER BILLING FEES							
Description		*Fee Per Month*	*Fee Per Month effective 07/01/2020*	*Fee Per Month effective 07/01/2021*	*Fee Per Month effective 07/01/2022*	*Fee Per Month effective 07/01/2023*	*Fee Per Month effective 07/01/2024*
Usage Fee; In-City Users	0-1,000 gallons of metered water consumption	$10.00	$10.49	$11.00	$11.54	$12.11	$12.70
	Over 1,000 gallons of metered water consumption, per 1,000 gallons	$2.78	$2.92	$3.06	$3.21	$3.37	$3.53
	Kent County Sewer Treatment	As determined by Kent County	As determined by Kent County	As determined by Kent County	As determined by Kent County	As determined by Kent County	As determined by Kent County
Usage Fee; Out-of-City Users	0-1,000 gallons of metered water consumption	$15.00	$15.74	$16.51	$17.31	$18.16	$19.05
	Over 1,000 gallons of metered water consumption, per 1,000 gallons	$4.17	$4.37	$4.59	$4.81	$5.05	$5.30
	Kent County Sewer Treatment	As determined by Kent County	As determined by Kent County	As determined by Kent County	As determined by Kent County	As determined by Kent County	As determined by Kent County
Late Utility Payment		1.50%	1.50%	1.50%	1.50%	1.50%	1.50%

SEWER MISC FEES	
Description	*Fee*
Penalties & Fines	Not less than $100 nor more than $1,000 plus cost of prosecution

SEWER PERMITTING FEES		
Description	*Fee*	
Sewer Utility Permit	$10.00	
Sewer Tap/Connection	Actual City cost	
Sewer Inspection	$35 per inspection	
Sewer Re-inspection	$50.00 per inspection	
Impact Fee, Kent County	As determined by Kent County, per EDU	
Impact Fee, City	$1,561 per EDU	Effective July 1, 2019
	$1,623 per EDU	Effective July 1, 2020
	$1,688 per EDU	Effective July 1, 2021
	$1,756 per EDU	Effective July 1, 2022

	$1,826 per EDU	Effective July 1, 2023
	$1,899 per EDU	Effective July 1, 2024
	$1,975 per EDU	Effective July 1, 2025
	$2,054 per EDU	Effective July 1, 2026
	$2,136 per EDU	Effective July 1, 2027
Aid-in-Construction Fee Route 30 Pump Station	N/A	N/A
	$1,598 per EDU	Effective July 1, 2020
	$1,662 per EDU	Effective July 1, 2021
	$1,729 per EDU	Effective July 1, 2022
	$1,798 per EDU	Effective July 1, 2023
	$1,870 per EDU	Effective July 1, 2024
	$1,944 per EDU	Effective July 1, 2025
	$2,022 per EDU	Effective July 1, 2026
	$2,103 per EDU	Effective July 1, 2027
Aid-in-Construction Fee **Shawnee Acres Pump Station**	**N/A**	**N/A**
	N/A	**N/A**
	$771 per EDU	**Effective January 1, 2022**
	$802 per EDU	**Effective July 1, 2022**
	$834 per EDU	**Effective July 1, 2023**
	$868 per EDU	**Effective July 1, 2024**
	$902 per EDU	**Effective July 1, 2025**
	$939 per EDU	**Effective July 1, 2026**
	$976 per EDU	**Effective July 1, 2027**

SOLID WASTE FEES

Description		*Fee Per Month*	*Fee Per Month effective 07/01/2020*	*Fee Per Month effective 07/01/2021*	*Fee Per Month effective 07/01/2022*	*Fee Per Month effective 07/01/2023*	*Fee Per Month effective 07/01/2024*
Trash, Recycle, Yard Waste Collection	Residential, per unit	$26.00	$27.05	$28.15	$29.30	$30.50	$31.75
	Non-Residential, per unit	$26.00	$27.05	$28.15	$29.30	$30.50	$31.75
	Multi-Unit Rental Complex, 95-gallon, Weekly Collection, per unit	$25.00	$27.05	$28.15	$29.30	$30.50	$31.75
	Multi-Unit Rental Complex, 3 CY, Weekly Collection, per unit	$150.00	$175.00	$200.00	$200.00	$200.00	$200.00
	Multi-Unit Rental Complex, 3 CY, Twice Weekly Collection, per unit	$300.00	$320.65	$370.65	$370.65	$370.65	$370.65
Bulk/Brush Collection	First & Second Request in 12 Months	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Third & After Request in 12 Months	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00
Additional Container	Trash, each	$5.00	$5.25	$5.50	$5.75	$6.00	$6.25
	Recycle, each	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Yard Waste, each	$3.00	$3.50	$3.75	$4.00	$4.25	$4.50

Description		*Fee*
Deposit, Rental Unit		$100.00
At-Door Collection	Commercial, per month	$10.00
	Special Assistance, per month	$0.00
Missed Collection	First Request	$0.00
	After First Request Through 12 Months, per collection	$25.00
Special Collection Request, per collection		$25.00
Container Left Curbside After Collection Day, per day		$5.00
	Container Removal	$35.00

Temporary Suspension of Collection	Container Return	$35.00
	Account Reconciliation	$100.00

SOLID WASTE PERMITTING FEES		
Description		*Fee*
Private Hauler	License	$150.00 per year
	Vehicle Registration	$250.00 per truck, per year

STREETS AND UTILITIES DIVISION FEES	
Description	*Fee Per Hour*
Labor Rate	$70.19
Pick-Up Truck	$20.00
Service Truck	$25.00
Backhoe	$30.00
Excavator	$20.00
Jetter/Vac	$100.00
Loader	$45.00
Jetter/Vac Trailer*	$45.00
Sweeper Truck	$75.00
Dump Truck	$55.00
Chipper*	$35.00

WATER BILLING FEES								
Description			*Fee Per Month*	*Fee Per Month effective 07/01/2021*	*Fee Per Month effective 07/01/2022*	*Fee Per Month effective 07/01/2023*	*Fee Per Month effective 07/01/2024*	*Fee Per Month effective 07/01/2025*
Usage Fee; Residential; In-City Users	0 gallons of metered water		$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	1-4,000 gallons of metered water consumption, per 1,000 gallons		$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	4,001-8,000 gallons of metered water consumption, per 1,000 gallons		$3.50	$3.64	$3.79	$3.94	$4.09	$4.26
	Over 8,000 gallons of metered water consumption, per 1,000 gallons		$4.00	$4.16	$4.33	$4.50	$4.68	$4.87
Usage Fee; Residential Out-of-City Users	0 gallons of metered water		$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	1-4,000 gallons of metered water consumption, per 1,000 gallons		$4.88	$5.08	$5.28	$5.49	$5.71	$5.94
	4,001-8,000 gallons of metered water consumption, per 1,000 gallons		$5.25	$5.46	$5.68	$5.91	$6.14	$6.39
	Over 8,000 gallons of metered water consumption, per 1,000 gallons		$6.00	$6.24	$6.49	$6.75	$7.02	$7.30
Usage Fee; Commercial	≤1" meter	Up to 10,000 gallons	$32.50	$33.80	$35.15	$36.56	$38.02	$39.54
		10,001-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16

		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	1.25" meter	Up to 15,000 gallons	$48.75	$50.70	$52.73	$54.84	$57.03	$59.31
		15,001-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	1.5" meter	Up to 25,000 gallons	$81.25	$84.50	$87.88	$91.40	$95.05	$98.85
		25,001-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	2" meter	Up to 50,000 gallons	$162.50	$169.00	$175.76	$182.79	$190.10	$197.71
		50,001-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	3" meter	Up to 125,000 gallons	$406.25	$422.50	$439.40	$456.98	$475.26	$494.27
		125,001-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	4" meter	Up to 300,000 gallons	$975.00	$1,014.00	$1,054.56	$1,096.74	$1,140.61	$1,186.24
		300,001-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	6" meter	Up to 800,000 gallons	$2,600.00	$2,704.00	$2,812.16	$2,924.65	$3,041.63	$3,163.30
		800,001-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	8" meter	Up to 1.2M gallons	$3,900.00	$4,056.00	$4,218.24	$4,386.97	$4,562.45	$4,744.95
		1.21M-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
	10" meter	Up to 1.6M gallons	$5,200.00	$5,408.00	$5,624.32	$5,849.29	$6,083.26	$6,326.60
		1.61M-31M gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95
		Up to 2M gallons	$6,500.00	$6,760.00	$7,030.40	$7,311.62	$7,604.08	$7,908.24

	12" meter	2.1M-31M gallons, per 1,000 gallons	$2.60	$2.70	$2.81	$2.92	$3.04	$3.16
		Over 31M gallons, per 1,000 gallons	$3.25	$3.38	$3.52	$3.66	$3.80	$3.95

Description	*Fee*
Temporary Water Usage	$50.00 per day, plus $4.00 per 1,000 gallons, per month
Fire Line/Hydrant, Private Availability	$15.00 per month
Late Utility Payment	1.50% per month
Water Tampering	$250.00 per occurrence
Water Account Set Up	$50.00 each
Water Service Re-connection	$50.00 per occurrence
Service Call; during normal business hours	$50.00 per occurrence
Service Call; after normal business hours	$100.00 per occurrence
Water Meter Testing	$100.00 per occurrence

WATER MISC FEES	
Description	*Fee*
Penalties & Fines	Not less than $50 nor more than $1,000 plus cost of prosecution

WATER PERMITTING FEES		
Description		*Fee*
Water Tap/Connection Permit		$10.00
Water Tap/Connection		Actual City cost
Water Line Installation		Actual City cost, plus 10%
Water Line Inspection		$35.00
Water Line Re-inspection		$50.00
Water Meter	Residential, 1"	$200.00
	Commercial, 1"	$350.00
	Over 1"	Calculated on individual basis
Water Meter Installation		$35.00
Fire Line	2" line size	$2,500
	4" line size	$3,000
	6" line size	$3,500
	8" line size	$4,000
	10" line size	$6,000
Impact Fee, Irrigation		Equal to current City Impact Fee
Impact Fee, City	$2,954 per EDU	Effective July 1, 2019
	$3,072 per EDU	Effective July 1, 2020
	$3,195 per EDU	Effective July 1, 2021
	$3,323 per EDU	Effective July 1, 2022
	$3,456 per EDU	Effective July 1, 2023
	$3,594 per EDU	Effective July 1, 2024
	$3,738 per EDU	Effective July 1, 2025
	$3,887 per EDU	Effective July 1, 2026
	$4,043 per EDU	Effective July 1, 2027

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 25th day of April 2022.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson

ARTHUR J. CAMPBELL, MAYOR
201 South Walnut Street
Milford, DE 19963

THE CITY of Milford DELAWARE

PHONE 302.422.1111
FAX 302.424.3553
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March 29, 2022

Ms. Nicole Majeski, Secretary
Delaware Department of Transportation
PO Box 778
Dover, DE 19903

RE: Mispillion Drawbridge

Dear Secretary Majeski,

City Council was recently made aware of the accident on the Mispillion drawbridge that has compromised the opening of the drawbridge. It is our understanding that DELDOT is consider leaving the bridge in the closed position, thereby cutting off downtown Milford to boat traffic navigating the Mispillion River from Slaughter Beach and the Delaware Bay.

In 2016, Milford branded itself as “ART TOWN, RIVER TOWN, HOMETOWN”. The Mispillion River has historically been part of the town’s heritage. Once knows as a ship building town, access to the Delaware Bay has always been critical to the economic vitality of the City. Milford and Slaughter Beach continue work on providing ecotourism opportunities on the Mispillion River, through a number of initiatives.

Closing the Mispillion to boat traffic will have an overall adverse effect on Milford. Through Council action taken on March 28, 2022, the City of Milford requests that DELDOT repair the historic drawbridge structure carrying Rehoboth Avenue over the Mispillion River, to its original operating status.

Yours truly,

Arthur J. Campbell, Mayor

Cc: Jason Hastings, DELDOT Chief of Bridges
Jo Schmeiser, Greater Milford Chamber of Commerce
Rep. Bryan Shupe, Representative District 36
Sen. David Wilson, Senate District 18

THE CITY of Milford DELAWARE

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*