



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

CITY COUNCIL AGENDA Monday, August 22, 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 ①. 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>

or

<http://www.cityofmilford.com/553/Watch-Public-Meetings>

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 PM

15-Minute Public Comment Period*

COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Roll Call

Recognition

Introduction of New City Employee(s)

Public Hearings/Public Comments ①

Adoption/Ordinance 2022- 28/Feebs Distilling Conditional Use

Adoption/Ordinance 2022-29/PAM Conditional Use

Adoption/Ordinance 2022-30/Chapter 41/Meetings

Adoption/Ordinance 2022-31/Chapter 45/Milford Parking Authority

Adoption/Ordinance 2022-32/Chapter 52/Partnership of Greater Milford

Communications & Ward Reports

Monthly Finance Report

Unfinished Business

Downtown Public Restroom Project Presentation/City Engineering Interns
Appointment/Tree Commission Members
Appointment/P&R Advisory Board

New Business

Authorization Milford Community Parade Insert/Funding
DelDOT Agreement/North Front Street & South Washington Street Intersection Signalization

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.

*Comments restricted to same date's Council agenda items.

The time limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers.

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CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, August 16, 2022 @ 7:00 p.m.
City Council Hearing: Monday, August 22, 2022 @ 6:00 p.m.

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and City Council. City Council has the option to approve or deny the application. By not adopting the ordinance, City Council will deny the application. By adopting the ordinance, City Council will approve the application and the reason for the language being written in the affirmative. This form of writing is not used to influence any decision of City Council:

ORDINANCE 2022-28

Application of Feebs Distilling Co on behalf of S & P Holdings LLC for an Amended Conditional Use
2.19 +/- acres of land located along the east side of
McColley Street between Delaware Avenue and McCoy Street.
Addressed: 733 McColley Street, Milford, Delaware.
Comprehensive Plan Designation: Industrial
Zoning District: I-1 (Limited Industrial District)
Present use: Distillery with Tasting Room
Proposed Use: Distillery with Tasting Room and Outdoor Seating
Tax Parcel: 3-30-11.09-015.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for an Amended conditional use; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing on August 16, 2022; and

WHEREAS, Milford City Council will hold a Public Hearing on August 22, 2022 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to approve the conditional use, as herein described.

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

Section 1. Following adoption of Ordinance 2022-28, and upon the effective date, Feebs Distilling Co on behalf of S & P Holdings LLC is hereby granted a Conditional Use to allow a craft distillery, in accordance with the application, approved plans, and any conditions set forth at the Public Hearings.

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

Section 3. Dates.

Planning Commission Review & Public Hearing: August 16, 2022

City Council Introduction: August 8, 2022

City Council Public Hearing: August 22, 2022

Effective: September 21, 2022

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

Advertised: Delaware State News 07-13-22



DATA SHEET FOR FEEBS DISTILLING CO.

Planning Commission Meeting: August 16, 2022

Application Number / Name	:	22-018 / Feebs Distilling Co.
Applicant	:	Feebs Distilling Co. 733 McColley Street Milford, DE 19963
Owner	:	S & P Holdings, LLC 1503 W. Stein Way Milford, DE 19963
Application Type	:	Amended Conditional Use
Present Comprehensive Plan Map Designation	:	Industrial
Present Zoning District	:	I-1 (Limited Industrial District)
Present Use	:	Distillery with Tasting Room
Proposed Use	:	Distillery with Tasting Room and Outdoor Seating
Size and Location	:	2.19 +/- acres of land located along the east side of McColley Street between Delaware Avenue and McCoy Street. Addressed as 733 McColley Street.
Tax Map & Parcel	:	3-30-11.09-015.00

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



STAFF REPORT
July 22, 2022

Application Number / Name	:	20-018 / Feebs Distilling Co.
Present Comprehensive Plan Designation	:	Industrial
Present Zoning District	:	I-1 (Limited Industrial District)
Present Use	:	Distillery with Tasting Room
Proposed Use	:	Distillery with Tasting Room and Outdoor Seating
Tax Map & Parcel	:	3-30-11.09-015.00
Size and Location	:	2.19 +/- acres of land located along the east side of McColley Street between Delaware Avenue and McCoy Street. Addressed as 733 McColley Street.

I. BACKGROUND INFORMATION:

- The applicant received conditional use approval from City Council on January 27, 2020 to operate a distillery with retail sales and on-site sampling within a 12,500 square foot portion of a building located at 733 McColley Street.
- The applicant is seeking approval to amend the conditional use approval to allow permanent outdoor seating as shown on the provided plans and sketch. There are 11 existing seats within the building and the applicant is proposing an additional 11 seats outside for a total of 22 seats. Hours of operation are Friday 5 to 9 pm, Saturday 1 to 9 pm and Sunday 1 to 6 pm. There are a total of two employees.
- Chapter 230-16(C)(4) states “craft distillery and microbrewery establishments” are considered a conditional use within the I-1 Limited Industrial zoning district subject to specific requirements outlined in the Zoning code. These requirements are provided under Section II of the staff report.

II. STAFF ANALYSIS:

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

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

A. The presence of adjoining similar uses.

The subject parcel is zoned I-1 Limited Industrial and is located within an area with other light industrial uses. The properties to the north are zoned I-1 and contain legal non-conforming single-family detached dwellings. The property to the south contains a light manufacturing use. The properties to the west and the building to the east contain a mixture of warehousing and wholesale uses.

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

The proposed use is allowed by conditional use approval within the I-1, I-2 and BP zoning districts. The use may also be found in commercial zones if the production portion of the use is in conjunction with a restaurant or tavern. Generally, retail sales and the consumption of alcohol are located within commercial districts.

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

The Comprehensive Plan designates this area as Industrial, which is intended to provide areas of light to moderate industrial and manufacturing uses.

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

The applicant proposes to construct a permanent outdoor seating area along the south side of the building on an existing concrete area. The outdoor seating area is screened from the residential uses to the north by the existing building.

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

The I-1 zoning district permits light manufacturing uses for which the distilling portion of the proposed use is permitted by-right. The City may want to consider screening, restrictions on the hours of operation or require additional onsite improvements to minimize the impacts on the neighborhood and other adjacent uses. It should be noted that the adjacent residential uses are on parcels zoned I-1 and are considered legal non-conforming.

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

The applicant proposes to make improvements to the parking lot to accommodate 8 parking spaces as required by the zoning ordinance. The proposed outdoor seating area would be along the south side of the building which provides screening from the adjacent residential uses to the north.

- Evaluation based on the criteria found under Chapter 230-16(C)(4).
 - (a) All permits and approvals required by the Delaware Alcoholic Beverage Commission are obtained and remain in full force and effect.

The applicant will provide approval from the OABCC if the conditional use amendment is approved by City Council.

- (b) All aspects of the distilling and brewing process are completely confined within a building, including storage of all materials and finished products.

All aspects of the distilling operation are completely housed within the existing building.

- (c) Such establishments offers the public, on a regular and continuing basis, various activities ancillary to its distilling and/or brewing process, including by way of example: tours of the premises, educational classes, demonstrations, tasting rooms, and retail sales areas limited to the sale of beer, mead, cider or spirits brewed or distilled on the premises for consumption off-premises and other retail items.

The applicant proposes to continue the production of alcohol and offer retail sales. There is onsite sampling and the applicant is proposing an outdoor seating area.

- (d) On-site consumption or tasting associated with a craft distillery or microbrewery establishment shall be permitted. Any area associated with on-site consumption or tasting shall not operate as a stand-alone bar or tavern, shall be located on the premises of the craft distillery or microbrewery establishment, and shall be ancillary to the primary use. "Ancillary" for purposes of this section means subordinate, auxiliary, smaller and less intensive than the primary use. On-site consumption or tasting of alcohol shall be limited to those products brewed or distilled on the premises, except as otherwise permitted by Delaware Law.

The existing use includes onsite consumption. The applicant is proposing to expand onsite consumption to an area outside of the main structure along the south side of the building. Onsite consumption would be limited to those items distilled on the premises. The applicant is proposing to increase the on-site parking to accommodate more customers as shown on the provided plans.

- (e) All food sales shall be limited to prepackaged snack items or those food items prepared by a food establishment licensed by the State of Delaware. If a craft distillery or microbrewery intends to operate on its premises a food establishment that is otherwise a permitted use in this district (i.e. restaurant, café, or full-service restaurant), the City may require the property owner to provide the City with a letter of no objection from the Delaware Alcoholic Beverage Control Commissioner regarding the operation of a food establishment on the premises of a craft distillery or microbrewery.

The applicant is not proposing to serve any food on-site as part of this conditional use application.

- (f) Outdoor seating and gathering areas shall be permitted subject to the following requirements:
- i. Permanent and temporary outdoor seating and gathering areas shall be subject to building permit application and approved requirements.

The applicant proposes to place outdoor carpeting over the existing concrete area located along the south side of the building as shown on the plans. A barrier will be constructed around the outdoor seating area as required by the State. The applicant will be required to obtain a building permit from the City to occupy the outdoor seating area.

- ii. Outdoor seating and gathering areas and ancillary improvements shall include physical barriers from public rights-of-way and physical and visual barriers from adjoining properties. Physical barriers along public rights-of-way shall restrict access from the public rights-of-way to the outdoor seating and gathering areas and shall not exceed four feet in height. Barriers along adjoining property lines shall create a physical and visual barrier consisting of fencing six feet in height or vegetation at least six feet in height. The regulations herein shall be in addition to any regulations imposed by the State of Delaware.

The applicant proposes to place outdoor carpeting over the existing concrete area located along the south side of the building as shown on the plans. A barrier will be constructed around the outdoor seating area as required by the State. The applicant will be required to obtain a building permit from the City to occupy the outdoor seating area.

- iii. Maximum occupancy and points of ingress/egress shall be clearly marked. Occupancy of outdoor seating and gathering areas shall not exceed one person per 15 square feet for the outdoor seating and gathering areas identified in the building plans or any other occupancy limit established by the Office of the State Fire Marshall.

The applicant will be required to obtain a building permit from the City of Milford, which will include verification of State Fire Marshal's Office approval for the use of the outdoor seating area. Maximum Occupancy limit will be reviewed at the time of building permit issuance.

- iv. All structures and uses related to outdoor seating and gathering areas and facilities are subject to the City of Milford Building Code and the City of Milford Zoning Code.

The applicant will be required to obtain a building permit from the City.

- v. The occupancy of outdoor seating and gathering areas shall be included when calculating the building requirements and minimum parking standards required by the City of Milford and State of Delaware. Outdoor seating and gathering areas shall meet all requirements of the city of Milford and the State of Delaware.

The applicant will be required to provide adequate off-street parking to meet the City's zoning code prior to the issuance of a Certificate of Occupancy. The applicant has stated that there are 11 existing seats within the building and another proposed 11 seats within the proposed outdoor seating area.. The applicant has provided 8 parking spaces, which permits a total of 24 total seats.

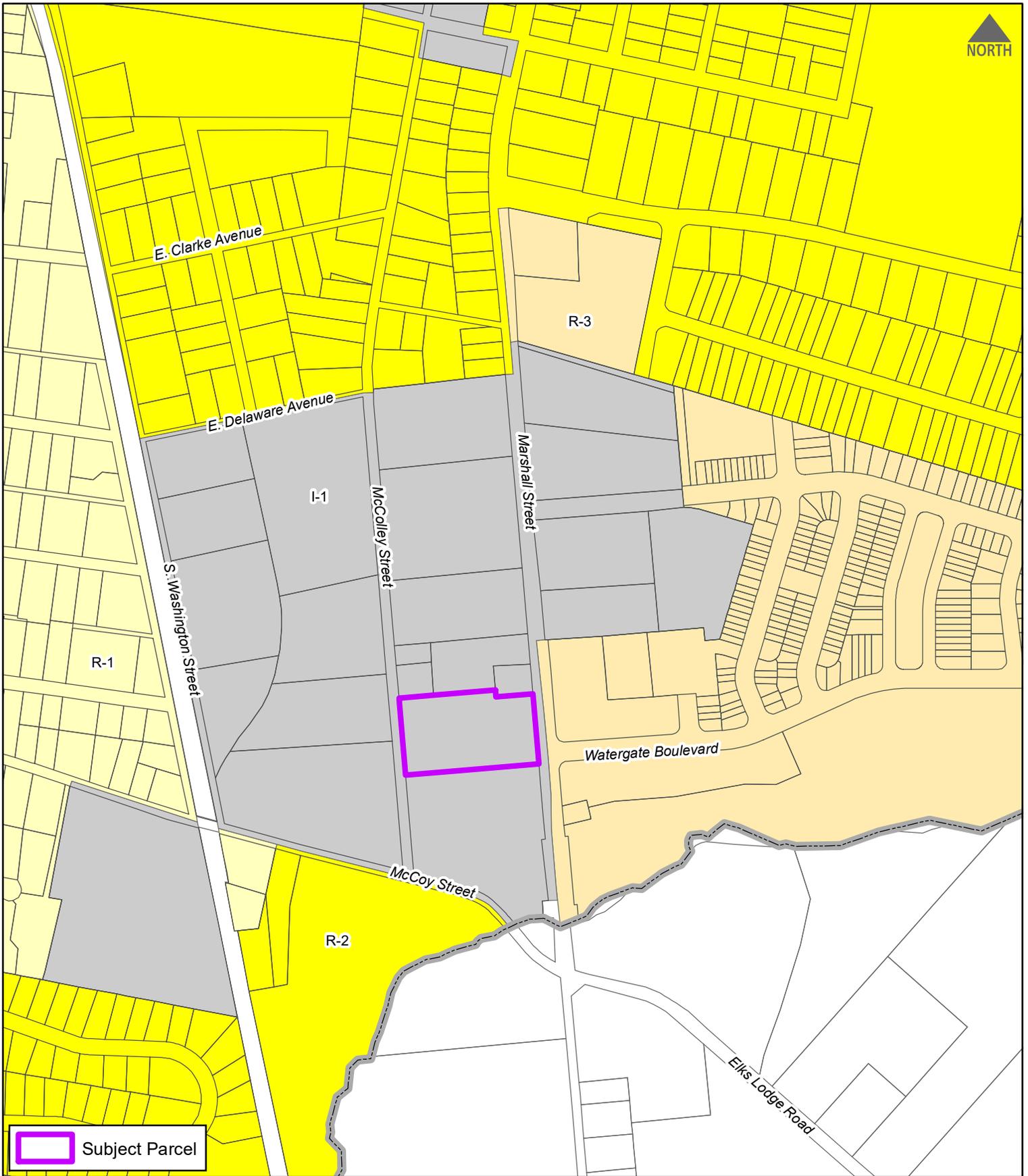
- vi. Tables, chairs, umbrellas, equipment, games, and any other items provided in connection with outdoor seating and gathering areas shall be maintained in good repair and shall be secured during non-business hours in a safe and orderly manner.

This will be enforced by the City's Code Enforcement Officials.

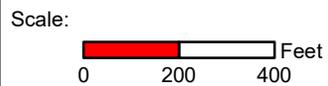
- vii. Any licensing required by the Delaware Alcoholic Beverage Control Commissioner for outdoor seating and gathering areas shall be obtained.

The City will verify licenses from the OABCC prior to the issuance of a Certificate of Occupancy to utilize the outdoor seating area.

- If the Planning Commission and City Council elect to approve the applicant's request, staff recommends the following minimum conditions of approval:
 - The applicant must obtain a building permit from the City of Milford for the proposed outdoor seating area. A copy of the State Fire Marshal's Office must accommodate the building permit submission.
 - The applicant must have the parking lot appropriately paved and striped to accommodate the required eight (8) off-street parking spaces.
 - The parking lot improvements must be in place prior to the issuance of the Certificate of Occupancy.



 Subject Parcel



Drawn by: WRP Date: 07/22/22

Title:

Amended Conditional Use
Febs Distilling
Location & Zoning Map

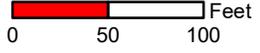
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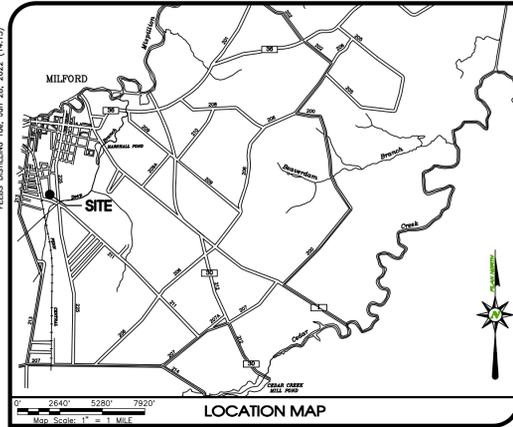


Legend

 Subject Parcel

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

	Scale:  Feet 0 50 100	Title: <h2 style="text-align: center;">Conditional Use Feebs Distilling Aerial Map</h2>
	Drawn by: WRP Date: 07/22/22	
Filepath: AmendedConditionalUse_Aerial_FeebsDistilling.mxd		



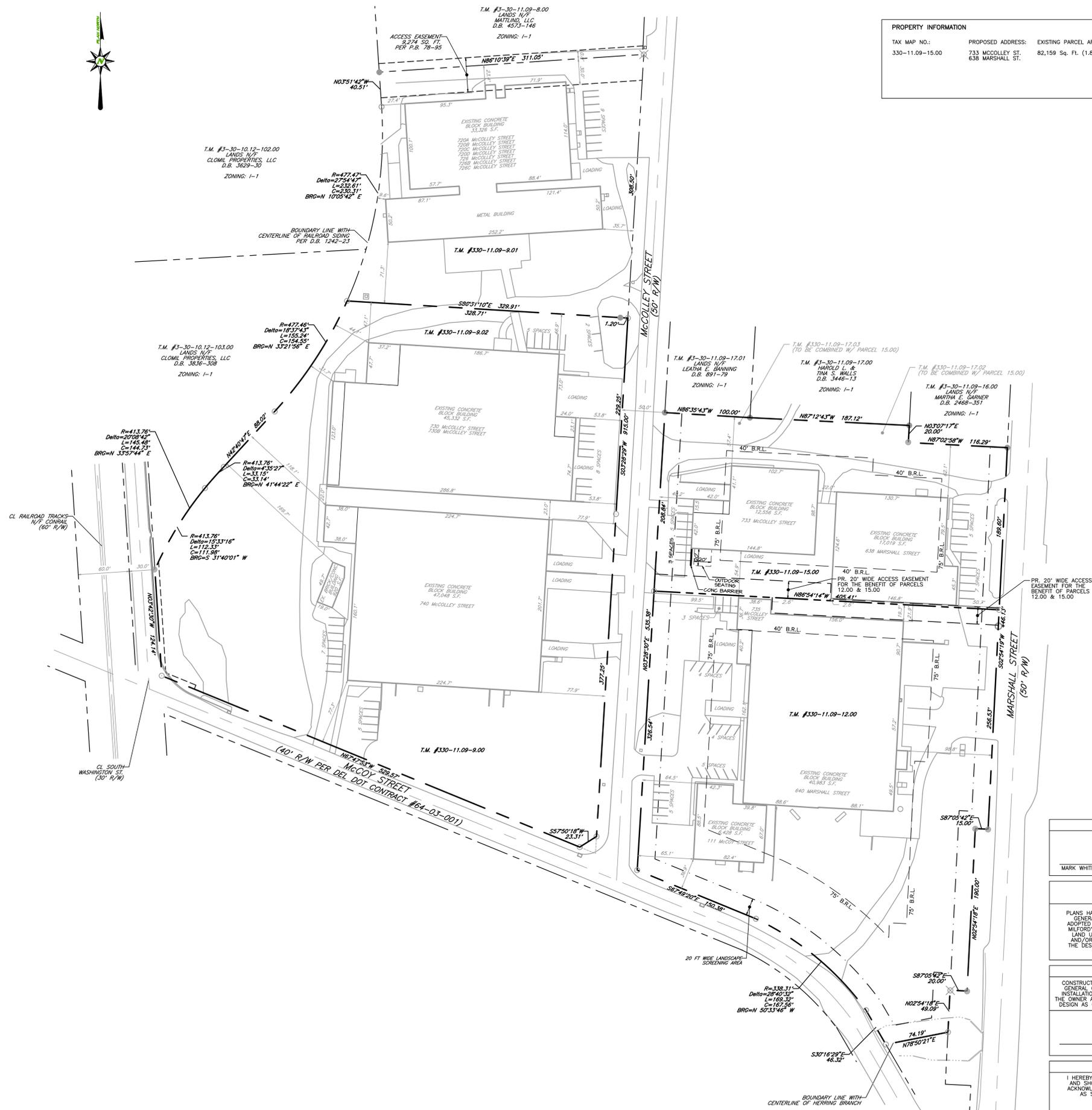
PLAN LEGEND

- EXISTING PROPERTY BOUNDARY
EXISTING ADJACENT PROPERTY BOUNDARY
EXISTING CENTERLINE OF ROAD
EXISTING BUILDING
EXISTING EDGE OF PAVEMENT
EXISTING EASEMENT
EXISTING PROPERTY BOUNDARY TO BE REMOVED
PROPOSED PROPERTY BOUNDARY
LANDSCAPE SCREENING AREA
PROPOSED CROSS ACCESS EASEMENT
IRON PIPE FOUND
IRON ROD SET (BY OTHERS)
PK NAIL SET (BY OTHERS)
BOUNDARY POINT

SITE DATA and ZONING SCHEDULE

Table with 2 columns: PROPERTY INFORMATION and ZONING SCHEDULE. Includes details like TAX MAP No., PROPOSED ADDRESS, EXISTING PARCEL AREA, etc.

Table with 3 columns: AREA AND HEIGHT REGULATIONS, REQUIREMENT, and Parcel 15.00. Lists various zoning requirements such as minimum lot area, maximum lot coverage, etc.



PROPERTY INFORMATION table with columns: TAX MAP No., PROPOSED ADDRESS, EXISTING PARCEL AREA, EXISTING EMPLOYEES / DEVOTED TO SALES, PARKING REQUIRED, PARKING PROPOSED.

REVISIONS

HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE ORDINANCES OF THE CITY OF MILFORD AND THE LAWS OF THE STATE OF DELAWARE.



APPROVED BY: BUSINESS: J.C.W. ENGINEER: J.C.W. DATE: 6/28/22. Includes a graphic scale in feet and inches.

OWNER/APPLICANT: FEEDS DISTILLING, 733 MCCOLLEY STREET, MILFORD, DE 19963. Phone: 443.643.2204.

PARCEL INFORMATION: T.M. 330-11.09-15.00, DEED REF: 417/792. CITY OF MILFORD - SUSSEX COUNTY - DELAWARE.

THE KERCHER GROUP, INC. CONSULTING • SYSTEMS • ENGINEERING. 37585 RANDOLPH AVE., UNIT 11 - REHOBOTH BEACH, DELAWARE 19971. Phone: 302.884.1099 (Fax) 302.781.4345 (Voice).

Approval blocks for CITY OF MILFORD APPROVAL, CITY PLANNING DEPARTMENT APPROVAL, CITY ENGINEER APPROVAL, and OWNER CERTIFICATE. Includes fields for Mark Whitfield, City Manager, and the City Engineer's signature and date.

program. Complaints, efforts to resolve complaints and the results of such efforts shall be recorded.

[5] The design of the facility will be compatible with the neighborhood within which it is located, including its landscaping and architecture.

[6] The health and safety of the residents will be protected. Community residential programs shall meet all City ordinances and regulations, including review by the Office of the State Fire Marshal and the Department of Public Health.

[7] Community residential programs shall be located a minimum of 1,500 feet from any other community residential program or school.

[8] The following documentation will be required to be submitted with the application:

[a] Site plan, including parking area and landscaped area.

[b] Floor plan, with elevation drawings or photographs of existing building.

[c] List of board members, proprietors or governmental officials to whom staff are responsible.

[d] Written neighborhood relations plan.

[e] Complaint recording and resolution plan.

D. Area regulations.

(1) Minimum lot area shall be one acre.

(2) Maximum lot coverage shall be ~~80~~70%.

(3) Minimum lot width shall be 150 feet.

(4) Height of buildings shall not exceed 50 feet.

(5) Minimum **front yard** building setback shall be as follows:

(a) Thirty feet for the first 15 feet of height.

(b) An additional 10 feet for the second 15 feet of height.

(c) Twenty feet for each additional 15 feet of height.

(6) Each side yard shall equal 20 feet for each 15 feet of height.

(7) A rear yard shall be provided to equal 20 feet for each 15 feet of height.

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

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

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

(11) Accessory structures in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.

(12) Accessory structures shall be located in the side and rear lot areas.

(13) Accessory structures shall meet the principal use setbacks and shall not be located less than 5 feet from a principal structure.

§ 230-16. - I-1 Limited Industrial District.

In an I-1 District no building/structure or premises shall be used and no building/structure or part thereof shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any purpose except for one or more of the following uses and complying with the requirements herein indicated.

- A. The purpose of an I-1 Limited Industrial District shall be to provide locations for the development of light to moderate industrial manufacturing, warehousing, wholesale and limited research establishments which, because of their type and nature, would be compatible with or adjacent to residential areas. Also, the purpose is to provide guidelines and performance standards which will control and confine any offensive features (i.e., noise, vibration, heat, smoke, glare, dust, objectionable odors, toxic wastes or unsightly storage) to the confines of the premises and within enclosed buildings or within a visually enclosed space.
- B. Permitted uses. Permitted uses of the I-1 District shall be as follows:
- (1) All permitted uses of the OC-1 District and BP District.
 - (2) Light manufacturing, assembling, converting, altering, finishing, baking, cooking or any other type of processing or storage of an industrial nature for the production and/or distribution of any goods, materials, products, instruments, appliances and devices, provided that the fuel or power supply shall be of an approved type. Also included shall be all incidental clinics, offices, cafeterias and recreational facilities for the exclusive use of in-house staff and employees.
 - (3) ~~Research, design, testing and development laboratories.~~ **Wholesale storage, warehousing and distribution centers.**
 - ~~(4) Printing, publishing, binding, packaging, storage, warehousing, distribution and trucking terminal operations and trucking schools.~~
 - ~~(5) Municipal and public services and facilities, such as utility supply areas (i.e., water, sewer and electric), distribution facilities and substations.~~
 - ~~(6) Truck or large vehicle repair facilities with associated parking area. All fuel and lubricant storage shall be installed in compliance with state and federal regulations and shall not be closer than 500 feet to any school or building(s) used for assembly.~~
- ~~C. Prohibited uses. The following are expressly prohibited in an I-1 District:~~
- ~~(1) Residences, except those in existence at the time of adoption of this amendment.~~
 - ~~(2) Manufacturing uses involving production of the following products from raw materials: asphalt, cement, charcoal and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (both natural and manufactured) of an explosive nature, potash, petrochemical, pyroxylin, rayon yarn and hydrochloric, nitric, picric, phosphoric and sulfuric acids; coal, coke and tar products, including gas manufacturing, explosives, fertilizers, glue and size (animal); linoleum and oil cloth, matches, paint, varnishes and turpentine; rubber (natural and synthetic); and soaps, including fat rendering.~~
 - ~~(3) Dumps, junkyards, automobile salvage and dismantling plants/yards, storage areas or operations for the storage or resale of used automotive or other machine parts.~~
 - ~~(4) Operations involving slaughterhouses, stockyards or slag piles.~~
 - ~~(5) Storage of explosives and bulk or wholesale storage of gasoline above ground.~~
 - ~~(6) Quarries, stone crushers, screening plants and all associated uses.~~
 - ~~(7) The following processes: large scale reduction, refining, smelting and alloying of metal or metal ores; refining petroleum products, such as gasoline, kerosene, naphtha and lubricating oil; and reduction and processing of wood pulp and fiber, including paper mill operations.~~
- CD.** Conditional uses. **All uses specified as conditional uses in the OC-1 and BP zoning districts and T** the following uses are permitted in the I-1 District, in accordance with the provisions within Article IX (conditional use portion) of this chapter:
- (1) Airfields or airpark facilities.
 - (2) Mini-warehouses or public storage facilities.

- (3) Radio-television facilities.
- (4) Craft distillery and microbrewery establishments, provided that:
 - (a) All permits and approvals required by the Delaware Alcoholic Beverage Commission are obtained and remain in full force and effect.
 - (b) All aspects of the distilling or brewing process are completely confined within a building, including storage of all materials and finished products.
 - (c) Such establishment offers the public, on a regular and continuing basis, various activities ancillary to its distilling and/or brewing process, including by way of example: tours of the premises, educational classes, demonstrations, tasting rooms, and retail sales areas limited to the sale of beer, mead, cider, or spirits brewed or distilled on the premises for consumption off-premises and other retail items.
 - (d) On-site consumption or tasting associated with a craft distillery or microbrewery establishment shall be permitted. Any area associated with on-site consumption or tasting shall not operate as a stand-alone bar or tavern, shall be located on the premises of the craft distillery or microbrewery establishment, and shall be ancillary to the primary use. "Ancillary" for purposes of this section means subordinate, auxiliary, smaller and less intensive than the primary use. On-site consumption or tasting of alcohol shall be limited to those products brewed or distilled on the premises, except as otherwise permitted by Delaware Law.
 - (e) All food sales shall be limited to prepackaged snack items or those food items prepared by a food establishment licensed by the State of Delaware. If a craft distillery or microbrewery intends to operate on its premises a food establishment that is otherwise a permitted use in this district (i.e. restaurant, café, or full-service restaurant), the City may require the property owner to provide the City with a letter of no objection from the Delaware Alcoholic Beverage Control Commissioner regarding the operation of a food establishment on the premises of a craft distillery or microbrewery.
 - (f) Outdoor seating and gathering areas shall be permitted subject to the following requirements:
 - [1]i- Permanent and temporary outdoor seating and gathering areas shall be subject to building permit application and approval requirements.
 - [2]ii- Outdoor seating and gathering areas and ancillary improvements shall include physical barriers from public rights-of-way and physical and visual barriers from adjoining properties. Physical barriers along public rights-of-way shall restrict access from the public rights-of-way to the outdoor seating and gathering areas and shall not exceed four feet in height. Barriers along adjoining property lines shall create a physical and visual barrier consisting of fencing six feet in height or vegetation at least six feet in height. The regulations herein shall be in addition to any regulations imposed by the State of Delaware.
 - [3]iii- Maximum occupancy and points of ingress/egress shall be clearly marked. Occupancy of outdoor seating and gathering areas shall not exceed one person per 15 square feet of the outdoor seating and gathering areas identified in the building plans or any other occupancy limit established by the Office of the State Fire Marshall.
 - [4]iv- All structures and uses related to outdoor seating and gathering areas and facilities are subject to the City of Milford Building Code and the City of Milford Zoning Code.
 - [5]v- The occupancy of outdoor seating and gathering areas shall be included when calculating the building requirements and minimum parking standards required by the

City of Milford and State of Delaware. Outdoor seating and gathering areas shall meet all requirements of the City of Milford and the State of Delaware.

~~[6]vi.~~ Tables, chairs, umbrellas, equipment, games, and any other items provided in connection with outdoor seating and gathering areas shall be maintained in good repair and shall be secured during non-business hours in a safe and orderly manner.

~~[7]vii.~~ Any licensing required by the Delaware Alcoholic Beverage Control Commissioner for outdoor seating and gathering areas shall be obtained.

DE. Design standards and requirements. These are minimum requirements for all activities that are permitted or conditional uses. Conditional use activities are subject to much greater restrictions as may be required by the **City Council Planning Commission**.

~~(1) Accessory uses shall not be permitted without a principal use.~~

~~(2) Any uses not permitted, as previously listed, are prohibited.~~

~~(13)~~ All uses shall be conducted within a completely enclosed building. There shall be no open storage of raw, in process or finished products, supplies or waste material, except that these items shall be shielded from public view by a landscaped screen, fence or wall.

~~(24)~~ In a planned industrial park or any lands designated as an I-1 District, no building/structure, accessory structure or sign shall be located closer than 200 feet to any nonindustrial district boundary.

~~(5) Adequate off-street parking shall be provided for all employees and traffic to the buildings. The minimum requirements are given in Article IV of this chapter and are to be deemed as minimum standards only. Standards in excess of those stated in Article IV may be stipulated by the Planning Commission during the site plan review.~~

~~(6) All fencing shall be properly maintained.~~

~~(37)~~ All front yard areas and all areas open to public view shall be maintained in a neat and attractive condition.

~~(48)~~ All loading operations shall be conducted at the side or rear of the building. In the unloading or loading process, no vehicles participating in these operations shall be allowed to extend into any public or private driveway or street or impede its traffic circulation.

~~(59)~~ All odorous fumes or matter emitted into the environment from any/all fuel-burning equipment, open stacks and internal combustion engines must comply with the requirements set forth by the State of Delaware, Department of Natural Resources and Environmental Control (DNREC).

~~(610)~~ Dust or particulate debris from any processing or production operations will be minimized by the use of appropriate mechanical and/or electrical devices to the extent necessary to ensure that such emissions shall not be offensive at or beyond the property line of the industry/warehouse. All such activities will comply with the requirements of the DNREC, State of Delaware.

~~(11) All internal roads, driveways and parking areas (for public, in-house employee or truck/vehicular traffic) shall be paved.~~

~~(712)~~ All dry waste, in dust or particulate form, will be transported in closed or covered vehicles.

~~(813)~~ The proposed use shall not endanger the surrounding areas to the possibilities of fire, explosion or contamination. All uses shall comply with state regulations which govern their operations. There shall be no allowance for the storage of radioactive materials or those materials deemed to be toxic or dangerous. All liquid storage shall have an approved containment (area) barricade capable of containing any failure of storage medium.

(914) The proposed use shall not allow the emission of heat or glare beyond its property line. All lighting shall be directed so as not to cause glare to the surrounding properties. The light source shall be shielded so as not to be visible from adjoining properties or streets.

~~(15) All I-1 District projects and proposals are subject to site plan review by the Planning Commission.~~

EF. Area and height regulations.

- (1) Minimum lot area shall be two acres.
- (2) Maximum lot coverage shall be ~~75~~60%, with the remainder being that of grass and landscape areas. ~~Parking areas shall be landscaped.~~
- (3) Minimum lot width shall be 150 feet.
- (4) Maximum building height shall be 50 feet.
- (5) Minimum front yard setback shall be 75 feet.
- (6) Minimum side yard setback shall be 40 feet.
- (7) Minimum rear yard setback shall be 45 feet.
- (8) ~~Off-street parking. See Article IV of this chapter.~~ **Parking shall comply with the requirements provided in Article IV of this chapter.**
- (9) ~~Landscape screening. See Article V of this chapter.~~ **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.
- (11) Accessory structures **in aggregate** shall occupy no more than 10% **percent** of the **required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.**
- (12) Accessory structures shall be located in the rear yard/lot area.
- (13) Accessory structures shall **meet the principal use setbacks and shall not be located less than 5 feet from a principal structure** ~~be located at least 45 feet from the rear lot line.~~

§ 230-17. - I-2 General Industrial District.

In an I-2 District no building/structure or premises shall be used and no building/structure or part thereof shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any purpose except for one or more of the following uses and complying with the requirements herein indicated.

- A. The purpose of the I-2 General Industrial District shall be to provide locations for the development of large or heavy manufacturing, warehousing, wholesale and research establishments, which may include those that may produce some objectionable conditions, and also to concentrate the more intensive industrial uses in areas that would least impact neighboring zoning districts or uses.
- B. Permitted uses. Permitted uses for the I-2 District shall be as follows:
 - (1) All **permitted uses** ~~items allowed~~ in the I-1 District.
 - (2) Heavy manufacturing, assembling, converting, altering, finishing, cleaning or any other processing, handling or storage of products or materials, provided that the fuel or power supply shall be of an approved type. Also included shall be all incidental clinics, offices, cafeterias and recreational facilities for the exclusive use of in-house staff and employees.
 - (3) Research, design and development laboratories.
 - ~~(4) Wholesale storage and warehousing.~~

stabilization facilities therein (such as stone rip-rap, turf stabilization, or other geosynthetic materials) may be permitted for the purpose of stabilizing and/or installing stormwater management outfalls, thus providing for a non-erosive flow condition at the outfall, provided that such encroachments into the twenty-five-foot setback area shall be limited to a maximum distance into the wetland buffer of 15 feet measured from the twenty-five-foot wetland buffer line, and shall be limited to a maximum width of 20 feet.

§ 230-445.3 - Water bodies, streams and other watercourses; riparian buffers.

- A. Lakes, ponds, rivers, and streams shall be left as permanent open space. No filling, piping or diverting of water bodies, lakes, ponds, or streams shall be permitted except for required roads, to be approved by the U.S. Army Corps of Engineers, DelDOT, and/or DNREC as appropriate.
- B. No buildings, structures, or paved surfaces, except stairs and ramps, fences, open decks, patios or docks shall be permitted to be constructed under naturally occurring riparian buffer conditions nearer than:
 - (1) Twenty-five feet to the shoreline, as defined by the mean high-water line, of any tidal water body, tidal stream, or tidal marsh; or
 - (2) Fifty feet to the shoreline, as defined by the mean high-water line of any non-tidal freshwater water body, lake, pond, or blue-line stream as depicted on the most recent revision of the United States Geological Survey Topographic Quadrangle Maps.
- C. No buildings, structures, or paved surfaces, except stairs and ramps, fences, open decks, patios or docks with a combined area of 200 square feet or less, shall be permitted to be constructed under redevelopment conditions in previously disturbed or removed riparian buffers nearer than:
 - (1) Ten feet to the shoreline, as defined by the mean high-water line, of any tidal water body, tidal stream, or tidal marsh; or
 - (2) Ten feet to the shoreline, as defined by the mean high-water line of any non-tidal freshwater water body, lake, pond, or blue-line stream as depicted on the most recent revision of the United States Geological Survey Topographic Quadrangle Maps.
- D. For projects located within a promulgated total maximum daily load basin, the preservation or reestablishment of riparian buffers facilitating the reduction of nutrients and other pollutants to the level necessary to ensure compliance with promulgated load reductions shall be required. The clearing or removal of natural vegetation within this setback area shall be prohibited. Existing riparian buffers shall either be preserved or planted to the limits as provided above under paragraphs B. or C. respectively.

§ 230-45. - Reserved.

ARTICLE IX - Conditional Uses

§ 230-46. - Purpose.

- A. The intent of the conditional use is to maintain a measure of control over uses that have an impact on the entire community. Generally, conditional uses may be desirable in certain locations for the general convenience and welfare. They must use the property in a manner that assures neither an adverse impact upon adjoining properties nor the creation of a public nuisance. In short, because of the nature of the use, it requires sound planning judgment on its location and site arrangement.
- B. Conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provisions of this chapter, provided that the City Council shall find that the application

is in accordance with the provisions of this chapter after duly advertised hearings held in accordance with the provisions of Article XII.

§ 230-47. - Application and approval procedures.

- A. ~~The application for a conditional use shall first be made with the Code Official, who shall then forward the materials to the Planning Commission.~~ **Conditional Use Site Plans shall follow the procedures for application and review outlined in Article X Site Plan Review of this Chapter.**
- B. ~~The Planning Commission shall study such information and make recommendations to the City Council within 60 days of the Code Official's referral to the Commission after holding a public hearing.~~ **Conditional Use Major Subdivisions shall follow the procedures for application and review outlined in Chapter 200 Subdivision of Land**
- C. ~~The Council shall then act within 60 days of the receipt of the Commission's recommendation to either approve with conditions or deny such use after holding a public hearing. The Council's decision shall be based on the determination that the location of the use is appropriate, it is not in conflict with the Comprehensive Plan and it is consistent with the purpose and intent of this chapter.~~ **Standalone Conditional Use applications that do not require site plan review or major subdivision review shall be subject to the following procedures:**
 - (1) A conditional use application and documents, as specified by the Planning Department, shall be prepared by the applicant and submitted in accordance with the submission schedule as determined by the Planning Director, along with the appropriate fees, as specified in § 230-57.**
 - (2) A public hearing on the conditional use shall be conducted by the Planning Commission. The Planning Commission shall review the application and shall recommend to City Council approval of the application with or without conditions, denial of the application, or table the application. The conditional use shall be reviewed based on the requirements set forth in the zoning ordinance. In case of an unfavorable recommendation for denial by the Planning Commission, such application shall not be approved except by a favorable vote of 3/4 of the City Council.**
 - (3) No hearing shall be held by the Commission until notice of time and place thereof has been provided to the applicant, property owners within 200 feet of the subject property, and to such other interested parties as may be determined by the Planning Director at least 10 days before the date of said hearing. Notice shall be provided as follows:**
 - (a) The Planning Department shall notify by mail all property owners within 200 feet of the extreme limits of the subject parcel as their names appear in the City or County tax record at least 10 days prior to the hearing.**
 - (b) The Planning Department shall provide notice to the general public of the public hearing before the Planning Commission by publishing the date, time, place and nature of the hearing at least 10 days before the hearing in a newspaper of general circulation in the City and posting the same information in City Hall and on the City website.**
 - (c) The Planning Department will also post a notice outlining the date, time, place, and nature of the hearing in a conspicuous location on the property. The published and posted notices shall contain reference to the time and place within the City where text, maps and plans for the proposal may be examined.**
 - (4) City Council shall review the application and shall approve the application with or without conditions, deny the application, or table the application. The conditional use shall be reviewed based on the requirements set forth in the zoning ordinance.**

§ 230-48. - Criteria for evaluation.

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

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

~~§ 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.~~

§ 230-49. - Conditions for approval; expiration.

- A. In granting any conditional use permit, the City Council may designate such conditions as will, in its opinion, assure that the use will conform to the requirements as stated in § 230-48 and that such use will continue to do so.
- B. ~~Construction or operation shall be commenced within one year of the date of issuance or the use permit becomes void.~~ **A conditional use approval in conjunction with a Site Plan review shall expire upon expiration of the associated Site Plan.**
- C. **A conditional use approval in conjunction with a Major Subdivision application shall expire upon expiration of the associated Major Subdivision.**
- D. **A standalone conditional use permit shall expire within eighteen months of the date of issuance unless construction or operation of said use has commenced.**
- E. A reapplication for a **conditional** use permit for the same lot or use shall not be considered by the City Council within a period of **one-year** 365 days from its last consideration. This provision, however, shall not impair the right of the Council to propose a **conditional** use permit on its own motion.
- D. ~~See fee schedule.~~
- E. ~~If a conditional use permit is granted under the provisions of this article, the City Council shall direct the Code Official to officially notify the applicant, in writing, of all conditions approved by the Council.~~
- F. ~~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. Permits may be revoked by the Council for failure to comply with the stated conditions of approval or applicable regulations.~~

ARTICLE X - Site Plan Review

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, August 16, 2022 @ 7:00 p.m.
City Council Hearing: Monday, August 22, 2022 @ 6:00 p.m.

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and City Council. City Council has the option to approve or deny the application. By not adopting the ordinance, City Council will deny the application. By adopting the ordinance, City Council will approve the application and the reason for the language being written in the affirmative. This form of writing is not used to influence any decision of City Council:

ORDINANCE 2022-29

Application of PAM Milford on behalf of CAH Development, LLC
for a Preliminary Conditional Use

128.87 +/- acres of land located along the south side of Wilkins Road, east of Elks Lodge Road
and west of Cedar Creek Road, part of the Sussex Health Campus.

Comprehensive Plan Designation: Employment

Zoning District: IS (Institutional Service District)

Present use: Health Campus

Proposed Use: Health Campus with Additional Medical Office Building

Tax Parcel: 3-30-15.00-058.05 (portion of)

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Preliminary Conditional Use; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing on August 16, 2022; and

WHEREAS, Milford City Council will hold a Public Hearing on August 22, 2022 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to approve the Preliminary Conditional Use, as herein described.

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

Section 1. Following adoption of Ordinance 2022-29, and upon the effective date, PAM Milford on behalf of CAH Development, LLC is hereby granted a Preliminary Conditional Use to allow a health campus with an additional medical office building, in accordance with the application, approved plans, and any conditions set forth at the Public Hearings.

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

Section 3. Dates.

Planning Commission Review & Public Hearing: August 16, 2022

City Council Introduction: August 8, 2022

City Council Public Hearing: August 22, 2022

Effective: Ten Days following Adoption

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

Advertised: Delaware State News 07-13-22

08-08-2022 (R)

DATA SHEET FOR PAM MILFORD

Development Advisory Committee: June 15, 2022

Planning Commission Meeting: August 16, 2022

Application Number / Name	:	22-014 / PAM Milford
Applicant	:	CAH Development, LLC 41 North Jefferson Street, 4 th Floor Pensacola, FL 32502
Owner	:	Sussex Campus Development, LLC 604 S. State Street Dover, DE 19901
Application Type	:	Preliminary Conditional Use Site Plan
Present Comprehensive Plan Map Designation	:	Employment
Present Zoning District	:	IS (Institutional Service District)
Present Use	:	Health Campus
Proposed Use	:	Health Campus with Additional Medical Office Building
Size and Location	:	128.87 +/- acres of land located along the south side of Wilkins Road, east of Elks Lodge Road and west of Cedar Creek Road, part of the Sussex Health Campus.
Tax Map & Parcel	:	3-30-15.00-058.05 (por)

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



STAFF REPORT
July 22, 2022

Application Number / Name	:	22-014 / PAM Milford
Present Comprehensive Plan Designation	:	Employment
Present Zoning District	:	IS (Institutional Service District)
Present Use	:	Health Campus
Proposed Use	:	Health Campus with Additional Medical Office Building
Tax Map & Parcel	:	3-30-15.00-058.05 (por)
Size and Location	:	128.87 +/- acres of land located along the south side of Wilkins Road, east of Elks Lodge Road and west of Cedar Creek Road, part of the Sussex Health Campus.

I. BACKGROUND INFORMATION:

- The applicant proposes to construct a 74,738 square foot post-acute medical building located on the Sussex Health Campus as shown on the provided preliminary site plans.
- Chapter 230-45 states “in any and all zoning districts, multiple permitted uses or mixed use of a property shall be deemed a conditional use subject to special requirements.”

II. STAFF ANALYSIS:

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

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

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

A. The presence of adjoining similar uses.

The project is located within Bayhealth's Sussex Health Campus and will be the second large medical office building constructed on the parcel adjacent to the hospital. The property is bound on the north by Wilkins Road and residentially zoned properties containing single-family detached dwellings. The property is bound on the east by the existing hospital and is bound on the west by a property owned by the City of Milford containing underground electric primary.

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

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

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

The Comprehensive Plan designates this area as Employment. The proposed use is consistent with the land use plan for the Comprehensive Plan and addresses additional goals and objectives related to economic development and employment growth.

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

The project is located within the Sussex Health Campus. Trees will remain along the western side of the site to provide screening from existing and proposed uses located along the south side of Wilkins Road. Some trees are proposed along the north side of the site along Wilkins Road.

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

The proposed use should not detract from other permitted uses in the district and should provide economic benefits to both existing and future uses in the immediate vicinity through additional employment opportunities for the Milford area.

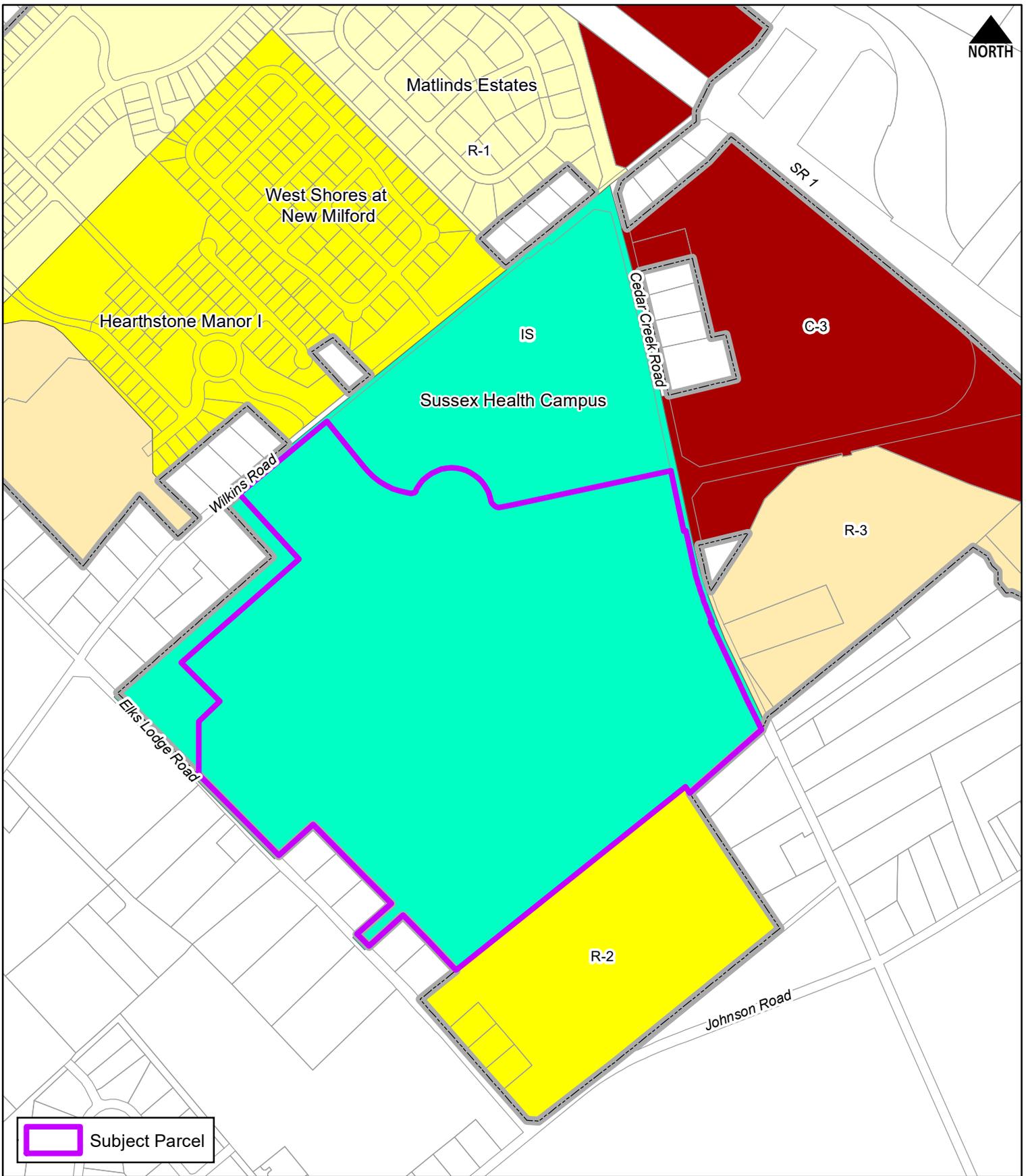
F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

The project will take access from Healthy Way, a private road internal to the Sussex Health Campus. The project will utilize the existing entrance at Wilkins Road, which will require improvements that will require review and approval from DelDOT. The project meets the City setback and parking requirements for the proposed use. Existing trees will remain along the west side of the project site to provide screening from existing and future uses along the south side of Wilkins Road. Some trees are proposed between the proposed parking lot and existing shared use path along the south side of Wilkins Road as shown on the landscaping plan.

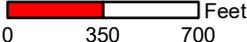
- The following comments must be addressed prior to final site plan approval:
 - Final Site Plan approval will require approvals or no objection letters from DeIDOT, State Fire Marshal's Office, Sussex Conservation District, DHSS Office of Engineering;
 - Address Preliminary Site Plan and Conditional 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 address additional department and agency comments outlined in Section III.

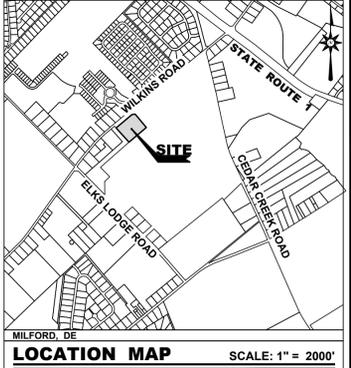
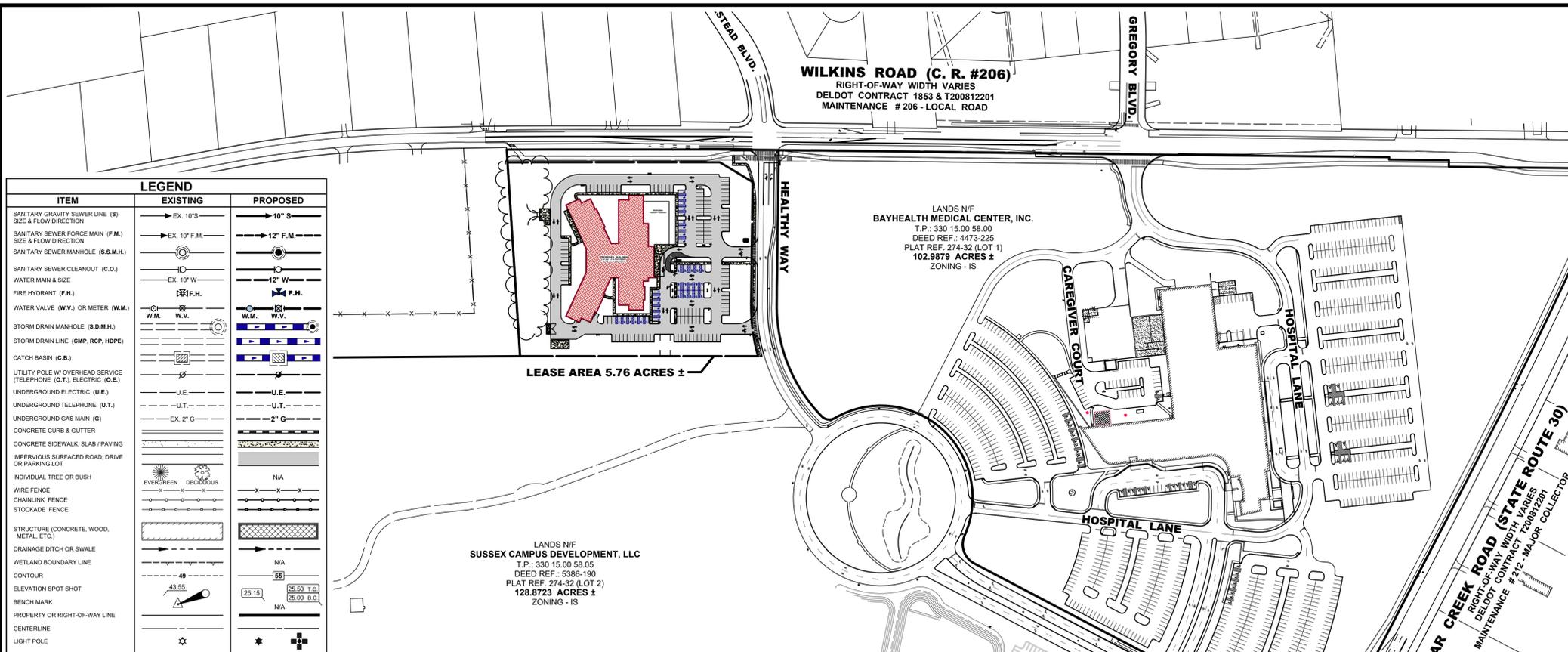
III. AGENCY COMMENTS:

- **Office of State Planning Coordination**
No comments provided.
- **DeIDOT Planning, Development Coordination**
See attached comments.
- **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 Engineer**
See attached Preliminary Site Plan review comments dated July 21, 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.



 Subject Parcel

	Scale:  Feet 0 350 700	Title: Conditional Use Site Plan PAM Milford Location & Zoning Map
	Drawn by: WRP Date: 05/12/22	
Filepath: CUSitePlan_PAM.mxd		



ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION	→ EX. 10" S	→ 10" S
SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	→ EX. 10" F.M.	→ 12" F.M.
SANITARY SEWER MANHOLE (S.S.M.H.)	○	○
SANITARY SEWER CLEANOUT (C.O.)	○	○
WATER MAIN & SIZE	→ EX. 10" W	→ 12" W
FIRE HYDRANT (F.H.)	⊗ F.H.	⊗ F.H.
WATER VALVE (W.V.) OR METER (W.M.)	⊗ W.M. W.V.	⊗ W.M. W.V.
STORM DRAIN MANHOLE (S.D.M.H.)	○	○
STORM DRAIN LINE (CMP, RCP, HDPE)	→	→
CATCH BASIN (C.B.)	□	□
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.))	○	○
UNDERGROUND ELECTRIC (U.E.)	→ U.E.	→ U.E.
UNDERGROUND TELEPHONE (U.T.)	→ U.T.	→ U.T.
UNDERGROUND GAS MAIN (G)	→ EX. 2" G	→ 2" G
CONCRETE CURB & GUTTER	—	—
CONCRETE SIDEWALK, SLAB PAVING	—	—
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT	—	—
INDIVIDUAL TREE OR BUSH	○	○
WIRE FENCE	—	—
CHAINLINK FENCE	—	—
STOCKADE FENCE	—	—
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)	—	—
DRAINAGE DITCH OR SWALE	—	—
WETLAND BOUNDARY LINE	—	—
CONTOUR	—	—
ELEVATION SPOT SHOT	43.55	25.15
BENCHMARK	—	—
PROPERTY OR RIGHT-OF-WAY LINE	—	—
CENTERLINE	—	—
LIGHT POLE	○	○

LANDSCAPING REQUIREMENTS	
1. DENSITY : 1 TREE PER 3,000 S.F. OF LOT AREA	84 TREES REQUIRED
2. EXISTING TREES TO BE RETAINED :	0
3. PARKING LOT ISLAND AREA :	5,798 SF
4. PARKING LOT TREES PROVIDED:	5,798 SF / 200 SF = 28.99 = 29 TREES
5. TOTAL TREES :	84 TREES

CITY OF MILFORD GENERAL NOTES :

- THE BOUNDARY INFORMATION SHOWN ON THESE DRAWINGS IS BASED ON A SURVEY PERFORMED BY BECKER MORGAN GROUP IN MARCH OF 2022.
- THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
- ALL MEASUREMENTS MADE ARE BASED ON A GNSS RTK SITE CALIBRATION SET BY BECKER MORGAN GROUP, DOVER, DE. IN MAY OF 2014. BOTH VERTICAL AND HORIZONTAL COORDINATES FOR SITE CALIBRATION WERE DERIVED THROUGH A LIMITED CONSTRAINT POST PROCESS OF STATIC GNSS OBSERVATIONS. VERTICAL DATUM IS BASED ON NGS MONUMENT NGS GPS SBA (NAVD 88) WITH TIES TO OTHER NEAR BY PASSIVE NGS MONUMENTS. HORIZONTAL DATUM IS BASED ON ACTIVE NGS MONUMENTS - DELAWARE STATE PLANE NAD 83 (2011) - DEED.
- 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 TO UTILITY LOCATION AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTOR'S EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY DELMARVA (800-282-8555) A MINIMUM OF THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO ANY EXCAVATION.
- ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. MATERIALS AND WORKMANSHIP SHALL MEET THE REQUIREMENTS OF THE CITY OF MILFORD STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION AND SUBDIVISION PAVEMENT DESIGN, AND ALL APPLICABLE AGENCIES HAVING JURISDICTION OVER THE PROPOSED IMPROVEMENTS.
- USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACKFILLING TRENCHES.
- THE CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ANY DISTURBED AREAS BEYOND THE RIGHT-OF-WAY OR EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
- ALL VALVE CLOSURES AND CUT-IN'S SHALL BE COORDINATED WITH THE CITY. CITY OFFICIALS WILL CARRY OUT ALL NECESSARY VALVE CLOSURES. CONTRACTOR SHALL COORDINATE ISOLATION OF EXISTING WATER MAINS WITH THE CITY AND NOTIFY AFFECTED RESIDENTS AT LEAST 48 HOURS PRIOR TO CUT-IN.
- PIPELINE DETECTION TAPE SHALL BE COLOR CODED, APPROPRIATELY LABELED, AND INSTALLED 18 INCHES BELOW THE GROUND SURFACE AND DIRECTLY ABOVE ALL PROPOSED NON-METALLIC WATER MAIN, WATER MAIN, SEWER LATERALS, AND WATER SERVICES.
- CONDUCTIVE TRACER WIRE SHALL BE INSTALLED WITH ALL NON-METALLIC WATER PIPE AND SERVICES; AND ALONG ALL SEWER LATERALS AND FORCEMAIN. WIRE SHALL BE SECURED TO THE PIPE AND SHALL BE SECURELY BONDED TOGETHER AT ALL WIRE JOINTS WITH APPROVED WATER TIGHT CONNECTORS. TRACER WIRE SHALL BE ACCESSIBLE AT ALL VALVE BOXES, METER PITS, CLEANOUTS, AND AIR RELEASE VALVES.
- PRIOR TO ISOLATION AND CUT-IN PROCEDURES, CONTRACTOR SHALL EXCAVATE, LOCATE, AND OBSERVE FUNCTION OF ALL EXISTING VALVES TO ASSIST IN THE SYSTEM ISOLATION.
- SHOP DRAWINGS FOR ANY ITEM(S) WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO THE ORDERING OF AND/OR INSTALLATION OF THE ITEM(S).
- ALL SANITARY SEWER MAINS AND FORCEMANS SHALL HAVE A MINIMUM COVER OF 36 INCHES AND ALL WATER MAINS SHALL HAVE A MINIMUM COVER OF 42 INCHES AS MEASURED FROM THE TOP OF PIPE TO PROPOSED GRADE. SEWER LATERALS SHALL HAVE A MINIMUM DIAMETER OF SIX (6) INCHES AND HAVE A MINIMUM COVER OF 36 INCHES.
- THERE SHALL BE A MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWER MAINS AND FORCEMANS OF 10 FEET, AS MEASURED FROM EDGE OF PIPE TO EDGE OF PIPE. THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 18 INCHES BETWEEN WATER MAINS AND SANITARY SEWER MAINS OR FORCEMANS AT CROSSINGS. ONE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO THAT BOTH JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE AT CROSSINGS.
- THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 12 INCHES BETWEEN ANY STORM DRAIN PIPE AND ANY WATER MAIN OR SEWER MAIN. IF 12 INCHES CANNOT BE MAINTAINED, A MINIMUM OF SIX (6) INCHES IS REQUIRED AND PROVISIONS SHALL BE MADE ACCEPTABLE TO THE CITY OF MILFORD FOR PROPERLY ENCASED THE PIPE IN CONCRETE.
- PARCEL IS NOT LOCATED WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN ZONE. BASED ON FIRM MAP 10005C0044K, PANEL 44 OF 660, DATED MARCH 16, 2015.
- ALL ROADWAYS ARE TO BE SWEEPED FREE OF SEDIMENT ON A DAILY BASIS.
- THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CURBS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATIONAL SIGNS SHALL REMAIN FUNCTIONAL, AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER WILL OCCUR AFTER PAVING IS COMPLETE.
- THE STORM DRAINAGE SYSTEM HAS BEEN DESIGNED USING THE CRITERIA OF THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION DEVELOPMENT COORDINATION MANUAL, LATEST EDITION.
- ALL FIRE LANES, FIRE HYDRANTS, EXITS, AND STANDPIPES WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
- DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE OWNER.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.

CITY OF MILFORD GENERAL NOTES :

- CONTRACTOR SHALL GRADE, TOPSOIL, SEED AND MULCH ALL DISTURBED AREAS OF CONSTRUCTION, INCLUDING PIPE INSTALLATION OR DITCH CONSTRUCTION. EROSION CONTROL MATTING SHALL BE PROVIDED ON ALL SLOPES GREATER THAN 3:1.
- THE OWNER AND/OR THEIR CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE SERVICES OF A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF DELAWARE FOR THE PERMANENTLY RE-ESTABLISHING OF ANY PROPERTY MARKERS OR MONUMENTS DISTURBED DURING CONSTRUCTION. A SURVEY AND METES AND BOUNDS THAT INCLUDES THE RE-ESTABLISHED MARKER(S) OR MONUMENT(S) SHALL BE PRESENTED TO THE PROPERTY OWNER FOR COMPARISON WITH THE ORIGINAL PLAT, FOR VERIFICATION.
- THE OWNER SHALL BE RESPONSIBLE FOR THE SHORT-TERM MAINTENANCE OF THE ANY AND ALL STORMWATER MANAGEMENT FACILITIES AND STORM SEWER SYSTEMS UNTIL SUCH TIME THAT THE LONG-TERM MAINTENANCE RESPONSIBILITIES CAN BE TRANSFERRED TO A LEGALLY-ESTABLISHED HOMEOWNERS ASSOCIATION OR OTHER RESPONSIBLE ENTITY.
- THE CITY OF MILFORD WILL ASSUME OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF WATER AND SEWER PIPES AND APPURTENANCES, INSTALLED WITHIN CITY RIGHT-OF-WAY AND EASEMENTS DEDICATED TO THE CITY, STORM SEWER PIPES AND CATCH BASINS, INSTALLED FULLY WITHIN CITY RIGHT-OF-WAY, ONCE
- 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.
- SEWER AND WATER CAPACITY ARE NOT GUARANTEED UNTIL BUILDING PERMITS ARE ISSUED, ALL FEES ARE PAID AND SUITABLE UTILITIES ARE IN PLACE FOR PROPER CONVEYANCE, TREATMENT AND DISPOSAL.
- PRELIMINARY APPROVAL FROM PLANNING COMMISSION SHALL BE VOID AFTER TWENTY-FOUR (24) MONTHS, UNLESS AN EXTENSION IS REQUESTED BY THE OWNER AND APPROVED, FOR GOOD CAUSE, BY THE PLANNING COMMISSION PRIOR TO THE DATE OF EXPIRATION.
- THE APPROVAL OF A CONDITIONAL USE IN CONJUNCTION WITH A SITE PLAN APPLICATION SHALL EXPIRE UPON EXPIRATION OF THE ASSOCIATED SITE PLAN.
- 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 EIGHTEEN (18) MONTHS OF FINAL SITE PLAN APPROVAL, THE SITE PLAN APPROVAL SHALL BE VOID. THE APPLICANT MAY REQUEST A ONE (1) YEAR EXTENSION FROM THE PLANNING COMMISSION FOR GOOD CAUSE.
- THE APPLICANT IS RESPONSIBLE TO ENSURE THAT ALL CITY AND/OR AGENCY CONSTRUCTION PERMIT APPLICATIONS HAVE BEEN COMPLETED, SUBMITTED, AND ALL APPLICABLE FEES HAVE BEEN PAID PRIOR TO COMMENCING CONSTRUCTION. THE CITY SHALL NOT BE HELD RESPONSIBLE FOR AN ANTICIPATED CONSTRUCTION START DATE THAT IS NOT MET DUE TO THE APPLICANT OR HIS/HER CONTRACTOR NOT HAVING MET THE CONSTRUCTION PERMITTING REQUIREMENTS.
- AS A CONDITION OF THE APPROVAL OF THE CONSTRUCTION DRAWINGS, AND PRIOR TO THE ISSUANCE OF THE FIRST BUILDING PERMIT, THE APPLICANT SHALL POST A COMPLETION GUARANTY IN THE AMOUNT OF 125% OF THE COST OF INSTALLATION FOR THE CONSTRUCTION OF RECREATIONAL AND OPEN SPACE AMENITIES, INCLUDING BUT NOT LIMITED TO COMMUNITY BUILDINGS, PLAYGROUNDS, WALKING PATHS, LANDSCAPING AND LANDSCAPE SCREENING. THE GUARANTY SHALL BE IN THE FORM OF A BOND OR FUNDS DEPOSITED IN AN ESCROW ACCOUNT.
- 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 OBTAIN CERTIFICATES OF OCCUPANCY AND ACHIEVE FINAL COMPLETION OF THE IMPROVEMENTS AND RELEASE OF ANY COMPLETION GUARANTY. THE MAINTENANCE PERIOD SHALL BE A MINIMUM OF ONE YEAR AND ALL CONSTRUCTION VALUES MUST BE SUBMITTED TO, REVIEWED AND APPROVED BY THE CITY ENGINEER PRIOR TO THE ISSUANCE OF ANY BONDS.
- UPON COMPLETION OF THE CONSTRUCTION IMPROVEMENTS AND PRIOR TO THE RELEASE OF ANY DEVELOPER'S COMPLETION GUARANTEE, THE DEVELOPER SHALL PROVIDE THE CITY ENGINEER A DRAFT PAPER SET OF DETAILED RECORD PLANS (PLAN VIEW AND PROFILE SHEETS). RECORD INFORMATION SHALL BE PLACED ON THE APPROPRIATE APPROVED DRAWINGS. ORIGINAL DESIGN ELEVATION AND/OR DISTANCE INFORMATION SHALL BE STRUCK THROUGH WITH A FINE LINE AND THE RECORD INFORMATION SHALL BE INSERTED 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:
 - ALL PROPERTY MONUMENTS/MARKERS;
 - SEWER MANHOLE RIM & INVERT ELEVATIONS, WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, PUMP STATION RIM, BOTTOM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, 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;
 - WATER VALVES, FIRE HYDRANTS, METER VAULTS, METER PITS, AND CURB STOPS;
 - STORM SEWER CATCH BASIN AND/OR MANHOLE GRATE, RIM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED; AND
 - ANY OTHER ITEM WHICH WILL BE TAKEN OVER BY THE CITY.
- THE CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS DEPARTMENT AT (302) 422-1110 A MINIMUM OF TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SCHEDULE A PRE-CONSTRUCTION MEETING. THE SITE CONTRACTOR AND THE OWNER, OR HIS/HER REPRESENTATIVE SHALL BE IN ATTENDANCE.
- BECKER MORGAN GROUP CERTIFIES THAT THERE ARE NO WATER PROTECTION AREAS LOCATED WITHIN THE IMPROVED AREA.
- BECKER MORGAN GROUP CERTIFIES THAT THERE ARE NO FRESH WATER WETLANDS LOCATED WITHIN THE IMPROVED AREA.

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/SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

CITY ENGINEER DATE

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.

ENGINEERS CERTIFICATION
I, J. MICHAEL RIEMANN, HEREBY CERTIFY 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.

J. MICHAEL RIEMANN P.E. NO.: 13722 DATE

SITE DATA

- OWNER OF RECORD: SUSSEX CAMPUS DEVELOPMENT LLC
640 S. STATE STREET
DOVER, DE 19901
- LEASE HOLDER: CATALYST HEALTHCARE REAL ESTATE
41 NORTH JEFFERSON STREET 4TH FLOOR
PENSACOLA, FLORIDA 32502
- ENGINEER / SURVEYOR: BECKER MORGAN GROUP INC.
309 S. GOVERNORS AVENUE
DOVER, DE 19901
- PROPERTY ADDRESS: 101 WELLNESS WAY
CITY OF MILFORD
- TAX PARCEL NUMBER: 330-15.00-58.05 (PORTION OF)
- DEED SUMMARY: BOOK 5386 PAGE 190
BOOK 274 PAGE 32
- PLAT REFERENCE: LOT 2
- SITE AREA SUMMARY: LEASE AREA: 128.8723 ACRES ±
5.76 ACRES ± (PORTION OF LOT 2)
- PRESENT USE: OPEN LOT (GRASS FIELD / WOODS)
- PROPOSED USE: MEDICAL CAMPUS
- PROPOSED BUILDING: BUILDING 74,738 S.F. (2-STORY) (37,369 S.F. FOOTPRINT)
- ZONING CLASSIFICATION: EXISTING IS - INSTITUTIONAL SERVICE DISTRICT
PROPOSED IS - INSTITUTIONAL SERVICE DISTRICT
- SETBACKS: IS - INSTITUTIONAL SERVICE DISTRICT
FRONT: 50 FT.
SIDE: 50 FT.
REAR: 50 FT.
- IMPERVIOUS COVERAGE: MAXIMUM ALLOWED: 75% (128.8723 * 0.75 = 96.65 AC.)
PROPOSED: 6.25 AC. EXISTING + 2.94 AC. PROPOSED 9.19 / 96.65 = 9.50%
- PARKING CALCULATIONS: 1 SPACE PER 3 BEDS
REQUIRED: 50 BEDS PROPOSED, 1 / 3 = 17 SPACES
PROVIDED: 150 SPACES
HANDICAP PARKING SPACES: 36 SPACES
BICYCLE PARKING REQUIRED: 5 SPACES + 1 PER 20 PARKING SPACES :
150 / 20 = 7.5 + 5 = 12.5 BICYCLE SPACES = 13 SPACES
BICYCLE PARKING PROVIDED: 14 SPACES
LOADING BERTHS: 1
- UTILITIES: SEWER - CITY OF MILFORD
WATER - CITY OF MILFORD
ELECTRIC - CITY OF MILFORD
GAS - CHESAPEAKE UTILITIES
- BUILDING INFORMATION: PERMITTED HEIGHT: 30 FEET
PROPOSED HEIGHT: 37 FEET ±
PROPOSED STORIES: 2 STORY
CONSTRUCTION TYPE: TYPE IIA
MINIMUM LOT WIDTH: 150 FEET
MINIMUM LOT AREA: 2 ACRES
- OPEN SPACE: REQUIRED:
EXISTING: 95.2% (122.7 ACRES / 128.9 ACRES = 0.952)
PROPOSED: 92.1% (118.8 ACRES / 128.9 ACRES = 0.921)
- SURVEY BENCHMARK: NGS MONUMENT
VERTICAL: NAVD 88 - NGS GPS S6A
HORIZONTAL: NAD 83 (2011) - CORS
- SURVEY BENCHMARK: SURVEY INFORMATION WAS COLLECTED IN OCTOBER 2014 AND PREPARED IN AUGUST OF 2017 BY BECKER MORGAN GROUP, DOVER DELAWARE.
- ESTIMATED SEWER DEMAND: 49 EDUS

SHEET INDEX

COVER SHEET	COVER SHEET
C-001	EXISTING CONDITIONS PLAN / DEMO PLAN
C-201	SITE PLAN
C-301 - C-302	UTILITY PLAN
L-001	LANDSCAPE PLAN

OWNERS CERTIFICATION
I, BAYHEALTH MEDICAL CENTER, INC., CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED PLAN AND THAT RESPONSIBLE PERSONNEL (I.E. BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT, AT A DNRC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION I GRANT THE DNRC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REFERENCES, AND I UNDERSTAND MY RESPONSIBILITIES UNDER THE NPDES CONSTRUCTION GENERAL PERMIT, AS REFERENCED ON THIS COVER SHEET. I ALSO CERTIFY THAT RESPONSIBLE PERSONNEL CERTIFIED BY D.N.R.C. WILL BE IN CHARGE OF ON-SITE CLEARING AND LAND DISTURBING ACTIVITIES.

MIKE METZING, VICE PRESIDENT, CORPORATE SUPPORT SERVICES DATE

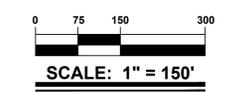
BAYHEALTH MEDICAL CENTER, INC.
640 S. STATE STREET
DOVER, DE 19901



PAM SUSSEX - BAYHEALTH SUSSEX CAMPUS

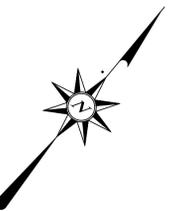
CEDAR CREEK ROAD (S-212) & WILKINS ROAD (S-206)
CITY OF MILFORD
SUSSEX COUNTY, DE
CEDAR CREEK HUNDRED

COVER SHEET



ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAYER/STATE	CORR	
PROJECT NO.:	2022042.00	
DATE:	03-29-2022	
SCALE:	1" = 150'	
DRAWN BY:	A.C.F. / PROJ. MGR.: J.D.R.	
SHEET		
C-001		
COPYRIGHT: 2021		



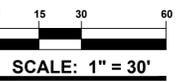
PROJECT TITLE

**PAM SUSSEX
- BAYHEALTH
SUSSEX
CAMPUS**

CEDAR CREEK ROAD (S-212) &
WILKINS ROAD (S-206)
CITY OF MILFORD
SUSSEX COUNTY, DE
CEDAR CREEK HUNDRED

SHEET TITLE

**EXISTING
CONDITIONS /
DEMO PLAN**



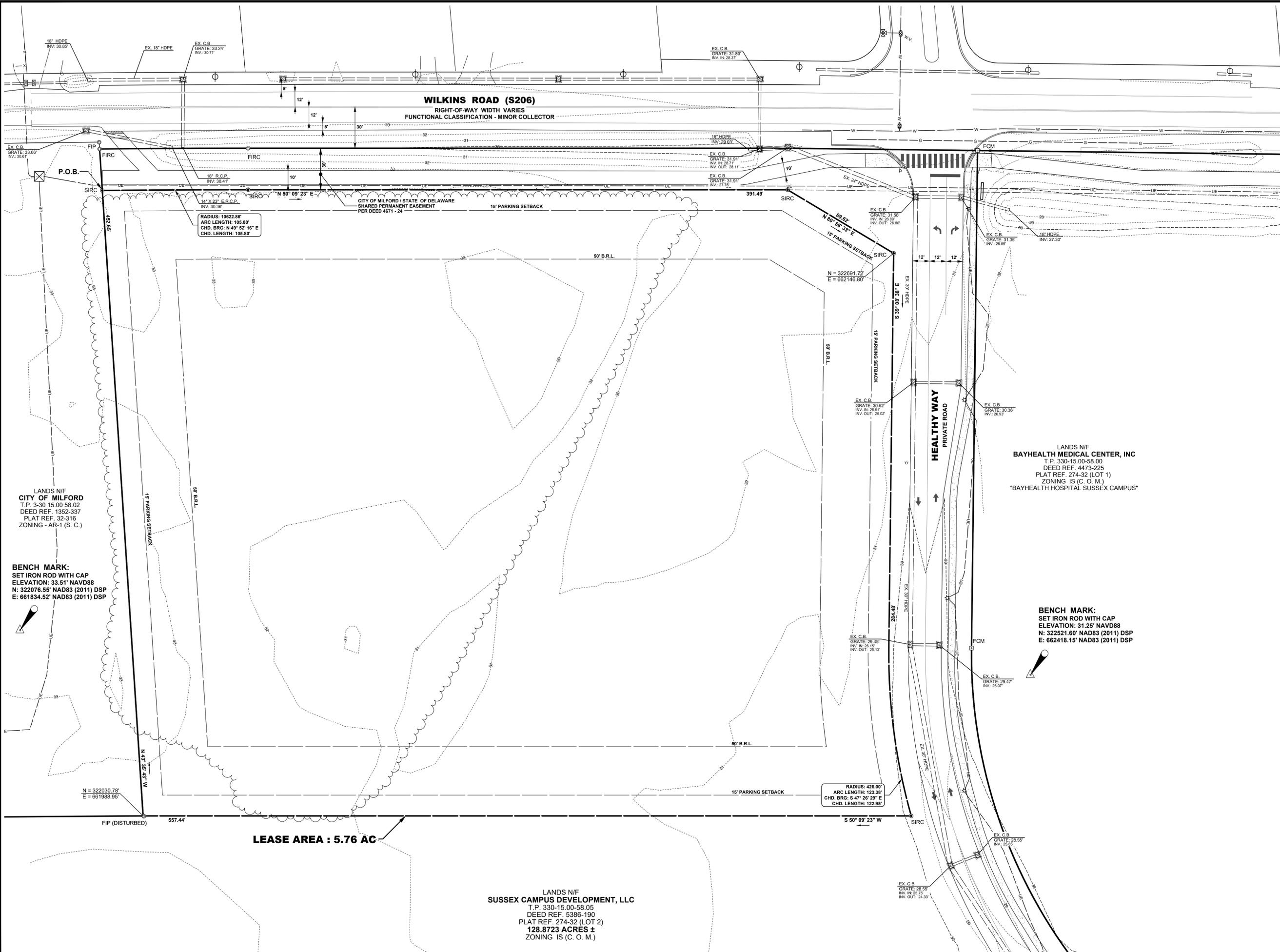
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MARK	DATE	DESCRIPTION

LAYER/STATE: C-101
PROJECT NO.: 2022042.00
DATE: 03-29-2022
SCALE: 1" = 30'
DRAWN BY: A.C.F. | **PROJ. MGR.:** J.D.R.

C-101

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WILKINS ROAD (S206)
RIGHT-OF-WAY WIDTH VARIES
FUNCTIONAL CLASSIFICATION - MINOR COLLECTOR

CITY OF MILFORD / STATE OF DELAWARE
SHARED PERMANENT EASEMENT
PER DEED 4671 - 24

LANDS N/F
BAYHEALTH MEDICAL CENTER, INC
T.P. 330-15.00-58.00
DEED REF. 4473-225
PLAT REF. 274-32 (LOT 1)
ZONING IS (C. O. M.)
"BAYHEALTH HOSPITAL SUSSEX CAMPUS"

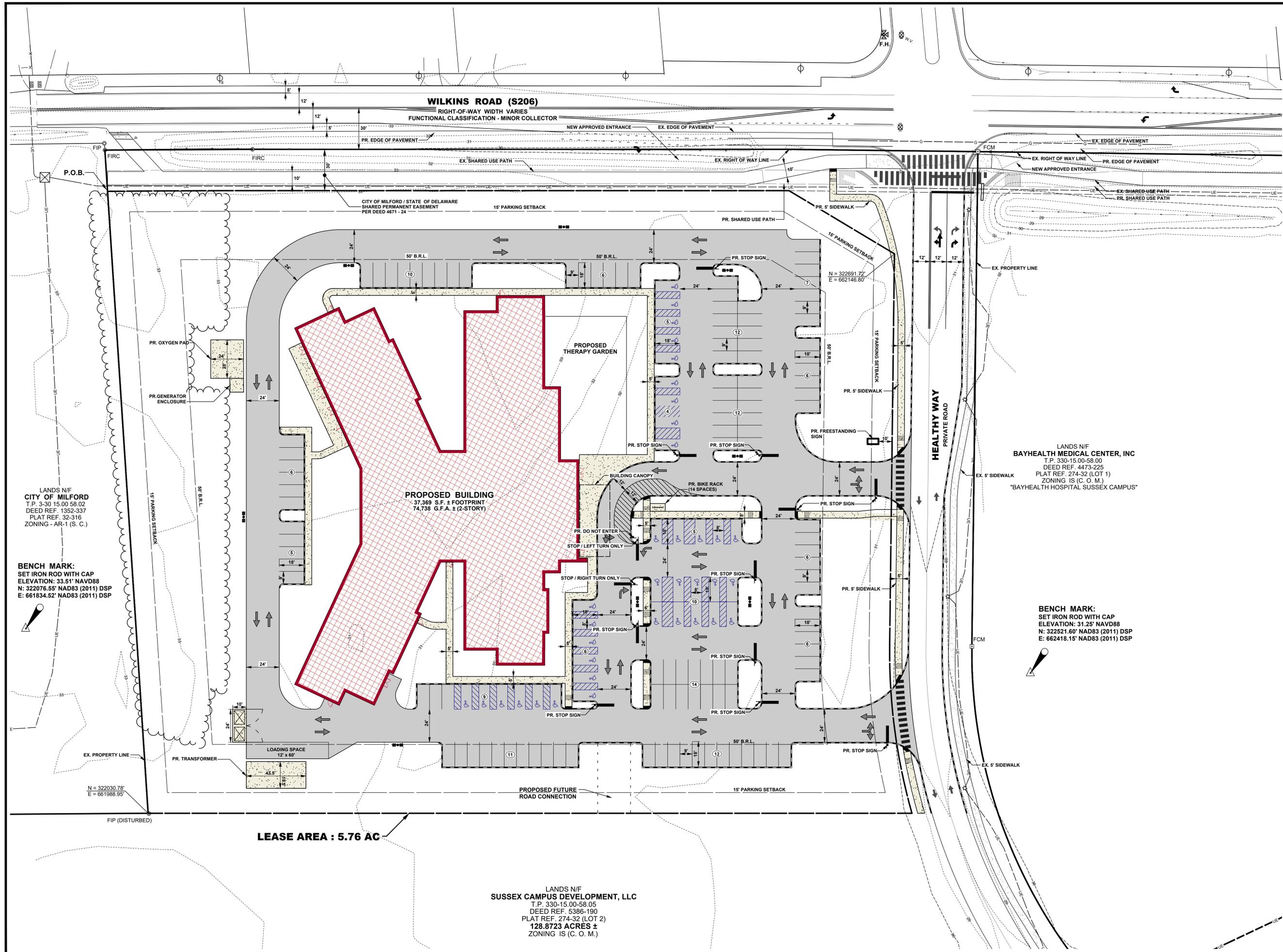
LANDS N/F
CITY OF MILFORD
T.P. 3-30 15.00 58.02
DEED REF. 1352-337
PLAT REF. 32-316
ZONING - AR-1 (S. C.)

BENCH MARK:
SET IRON ROD WITH CAP
ELEVATION: 33.51' NAVD88
N: 322076.55' NAD83 (2011) DSP
E: 661834.52' NAD83 (2011) DSP

BENCH MARK:
SET IRON ROD WITH CAP
ELEVATION: 31.25' NAVD88
N: 322521.60' NAD83 (2011) DSP
E: 662418.15' NAD83 (2011) DSP

LANDS N/F
SUSSEX CAMPUS DEVELOPMENT, LLC
T.P. 330-15.00-58.05
DEED REF. 5386-190
PLAT REF. 274-32 (LOT 2)
128.8723 ACRES ±
ZONING IS (C. O. M.)

LEASE AREA : 5.76 AC



LANDS N/F
CITY OF MILFORD
T.P. 3-30 15.00 58.02
DEED REF. 1352-337
PLAT REF. 32-316
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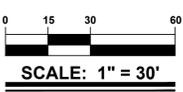
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LANDS N/F
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T.P. 330-15.00-58.05
DEED REF. 5386-190
PLAT REF. 274-32 (LOT 2)
128.8723 ACRES ±
ZONING IS (C. O. M.)

PROJECT TITLE
**PAM SUSSEX
- BAYHEALTH
SUSSEX
CAMPUS**

CEDAR CREEK ROAD (S-212) &
WILKINS ROAD (S-206)
CITY OF MILFORD
SUSSEX COUNTY, DE
CEDAR CREEK HUNDRED

SHEET TITLE
SITE PLAN



MARK	DATE	DESCRIPTION

PROJECT NO.: 2022042.00
DATE: 03-29-2022
SCALE: 1" = 30'
DRAWN BY: A.C.F. / PROJ. MGR.: J.D.R.

SHEET
C-201



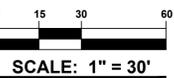
PROJECT TITLE

**PAM SUSSEX
- BAYHEALTH
SUSSEX
CAMPUS**

CEDAR CREEK ROAD (S-212) &
WILKINS ROAD (S-206)
CITY OF MILFORD
SUSSEX COUNTY, DE
CEDAR CREEK HUNDRED

SHEET TITLE

UTILITY PLAN

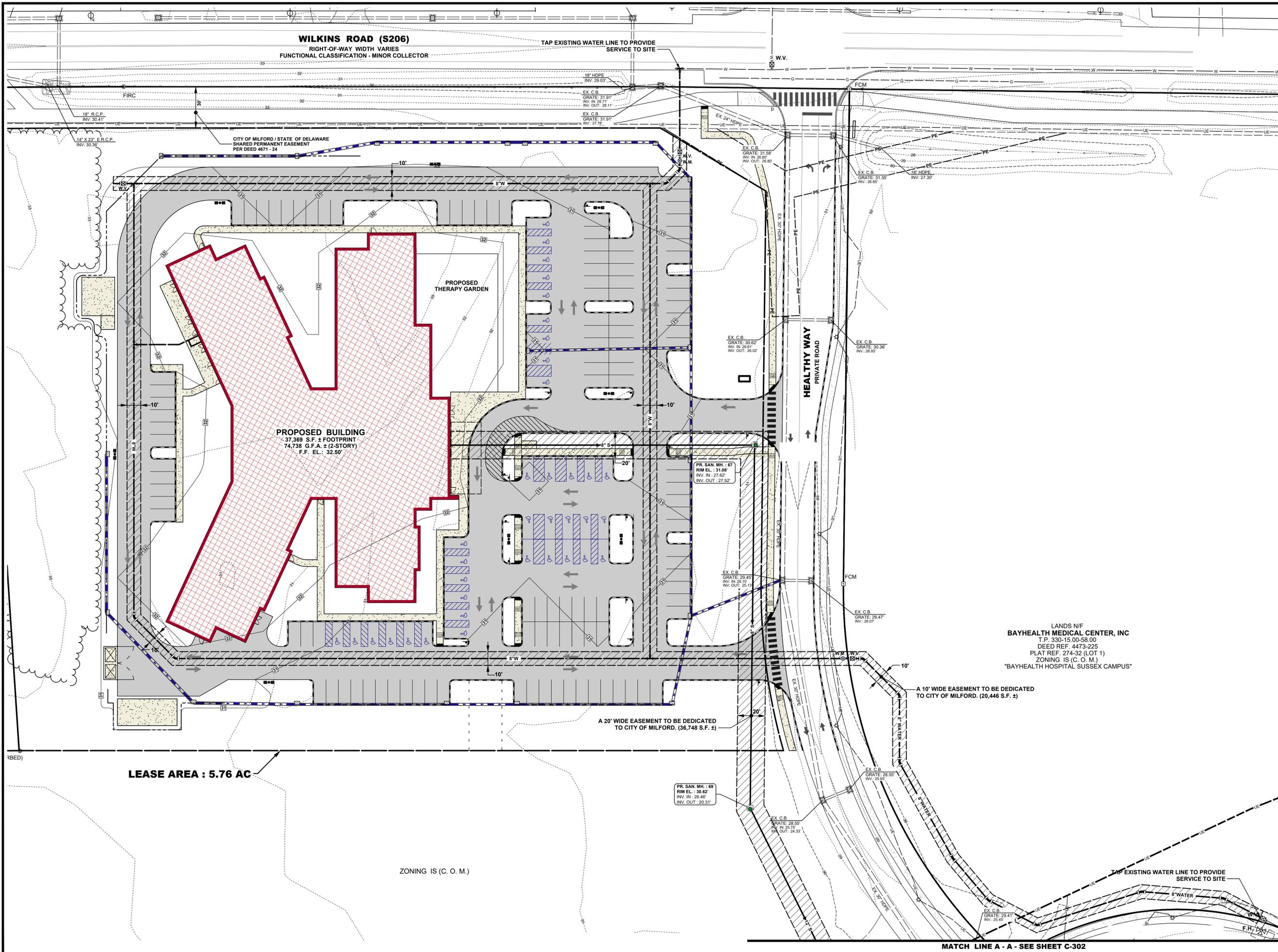


ISSUE BLOCK

MARK	DATE	DESCRIPTION
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PROJECT NO.:	2022042.00	
DATE:	03-29-2022	
SCALE:	1" = 30'	
DRAWN BY:	A.C.F. / PROJ. MGR.: J.D.R.	

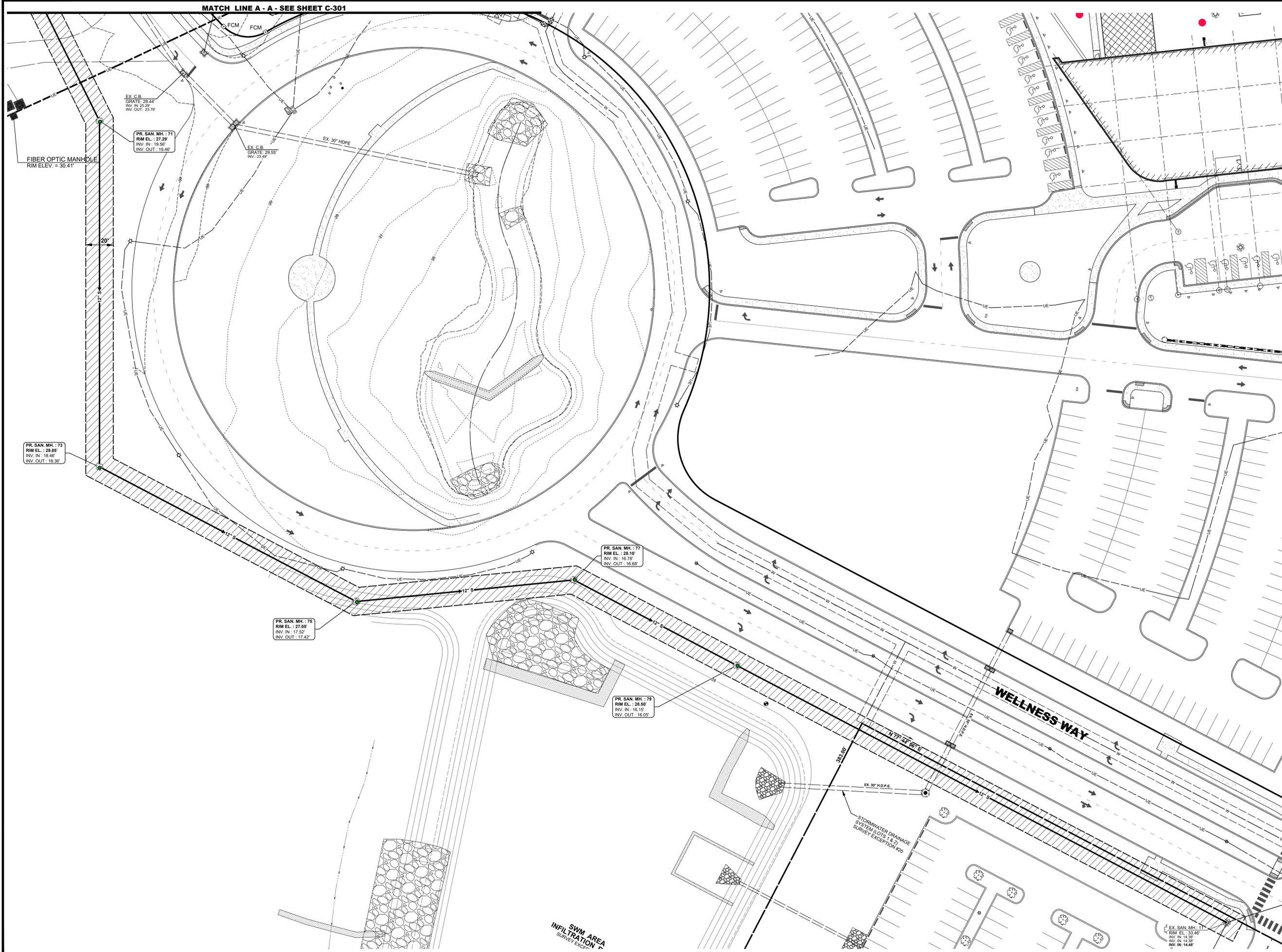
C-301

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MATCH LINE A - A - SEE SHEET C-302

MATCH LINE A - A - SEE SHEET C-301



ARCHITECTURE
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Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com



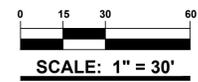
PROJECT TITLE

**PAM SUSSEX
- BAYHEALTH
SUSSEX
CAMPUS**

CEDAR CREEK ROAD (S-212) &
WILKINS ROAD (S-206)
CITY OF MILFORD
SUSSEX COUNTY, DE
CEDAR CREEK HUNDRED

SHEET TITLE

UTILITY PLAN



ISSUE BLOCK

MARK	DATE	DESCRIPTION

MARK DATE DESCRIPTION

PROJECT NO.: 2022042.00

DATE: 03-29-2022

SCALE: 1" = 30'

DRAWN BY: A.C.F. | PROJ. MGR.: J.D.R.

SHEET

C-302

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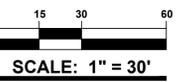
PROJECT TITLE

PAM SUSSEX - BAYHEALTH SUSSEX CAMPUS

CEDAR CREEK ROAD (S-212) & WILKINS ROAD (S-206)
CITY OF MILFORD
SUSSEX COUNTY, DE
CEDAR CREEK HUNDRED

SHEET TITLE

TREE CLEARING PLAN



ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAYER: STATE: L-001		

PROJECT NO.: 2022042.00

DATE: 06/13/2022

SCALE: 1" = 30'

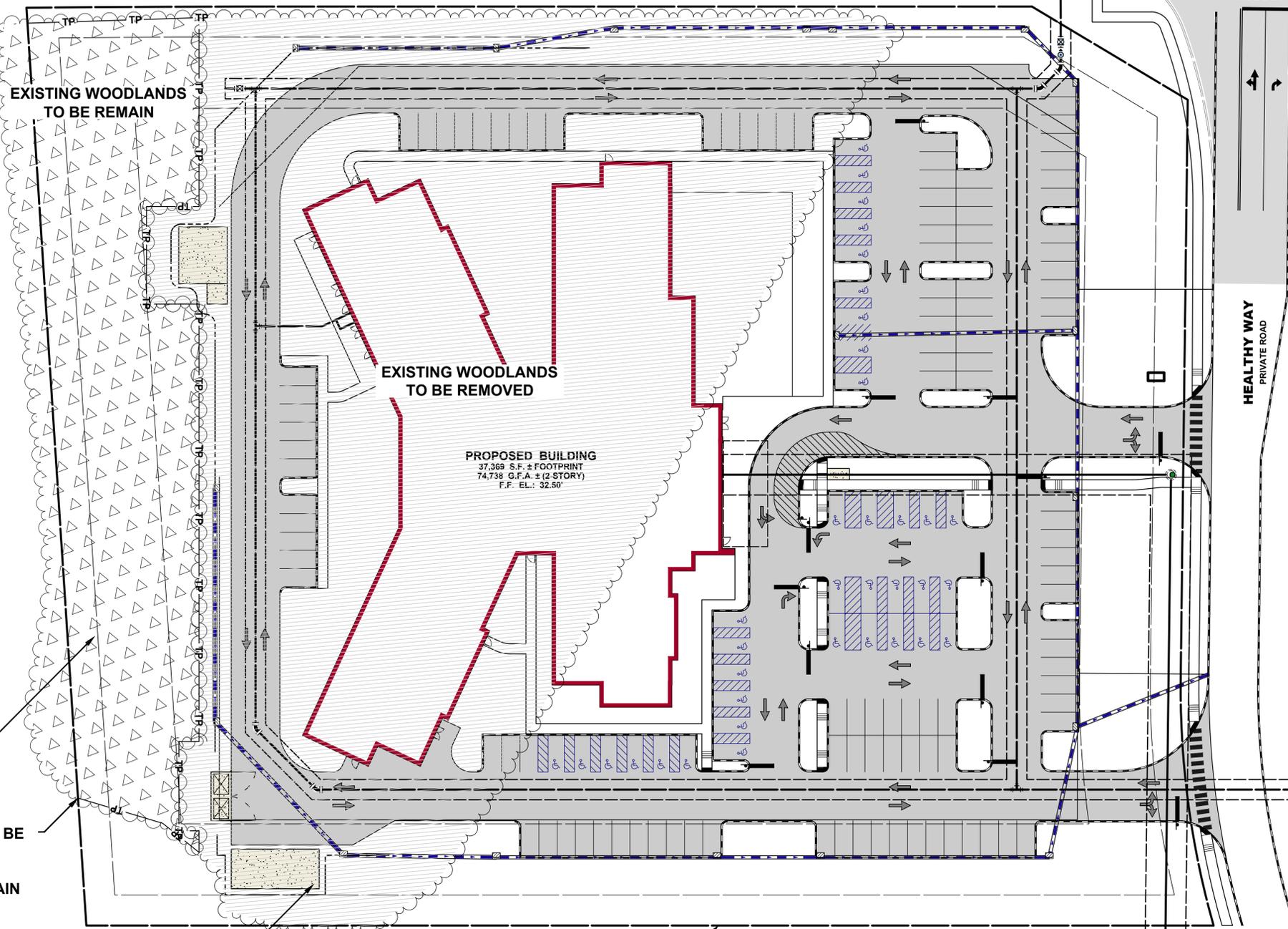
DRAWN BY: S.W.A. | PROJ. MGR.: J.D.R.

SHEET

L-001

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WILKINS ROAD (S206)
RIGHT-OF-WAY WIDTH VARIES
FUNCTIONAL CLASSIFICATION - MINOR COLLECTOR



LANDS N/F
CITY OF MILFORD
T.P. 3-30 15.00 58.02
DEED REF. 1352-337
PLAT REF. 32-316
ZONING - AR-1 (S.C.)

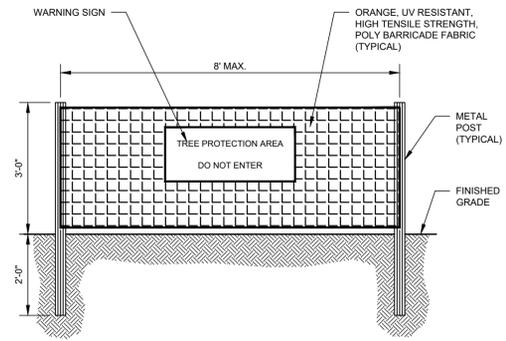
AREA OF WOODLANDS
TO REMAIN: 0.61 AC

TREE PROTECTION TO BE
INSTALLED AT THE
DRIP LINE OF THE
WOODLANDS TO REMAIN

AREA OF WOODLANDS
TO BE REMOVED: 2.38 AC

LEASE AREA : 5.76 AC

NOTE:
WARNING SIGNS TO BE MADE OF DURABLE,
WEATHERPROOF MATERIAL. LETTERS TO BE THREE
(3) INCHES HIGH MINIMUM, CLEARLY LEGIBLE AND
SPACED AS DETAILED. SIGNS SHALL BE PLACED AT
50' MAXIMUM INTERVALS. PLACE A SIGN AT EACH END
OF LINEAR TREE PROTECTION AND 50' ON CENTER
THEREAFTER. FOR TREE PROTECTION AREAS LESS
THAN 200' IN PERIMETER, PROVIDE NO LESS THAN
ONE SIGN PER PROTECTION AREA. ATTACH SIGNS
SECURELY TO FENCE POSTS AND FABRIC. MAINTAIN
TREE PROTECTION FENCE THROUGHOUT DURATION
OF PROJECT.

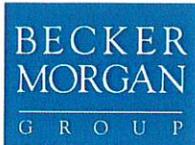


TREE PRESERVATION & DENSITY REQUIREMENTS	
1. EXISTING WOODLAND AREA :	3.09 A.C.
2. WOODLANDS TO BE CLEARED :	2.38 A.C.
3. TOTAL WOODLANDS REMAINING :	0.68 A.C.
4. TOTAL NON-WOODLAND AREA :	5.76 AC (250,905.6 SF)
5. DENSITY : 1 TREE PER 3,000 S.F. OF LOT AREA 250,905.6 S.F. / 3,000 S.F. / TREE = 83.63	84 TREES REQUIRED
6. EXISTING TREES TO BE RETAINED :	0
7. PROPOSED TREES :	84 TREES
8. TOTAL TREES :	84 TREES

LINEAR TREE PROTECTION DETAIL

NO SCALE

BMG NO. : L-05



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June 14th, 2022

Mr. Rob Pierce
City of Milford Planning & Zoning
City Hall
201 S. Walnut Street
Milford, Delaware 19963

RE: **Conditional Use Application Submission**
PAM SUSSEX – BAYHEALTH SUSSEX CAMPUS
Milford, Delaware
2022042.00

Dear Mr. Pierce:

On behalf of our client, Catalyst Healthcare Real Estate, Becker Morgan Group, Inc. is hereby submitting the above-referenced project for a Conditional Use Application. We offer the following information with respect to the goals of the proposal.

The City of Milford Code Chapter 230-42 provides that: “in any and all zoning districts, multiple permitted uses or mixed use of a property shall be deemed a conditional use subject to special requirements.” The current subject parcel has a permitted use of a medical office, Nemours Children’s Health building. We are proposing a rehabilitation hospital, on the same subject parcel.

The proposed arrangement of the building will be located in the northwest corner of the parcel, south of Wilkins Road and east of Healthy Way. The proposed site will take access from Healthy Way, a privately maintained roadway. The proposed building is not located adjacent to the existing medical office building. The site plan proposes that parking encompasses the proposed building, with site landscaping.

The proposed use of the permitted use is a Post Acute Medical (PAM) Rehabilitation Hospital. PAM helps patients recover from acute illnesses and injuries. The hours of operation are 24 hours, but with hours open to the general public from 7 am to 7 pm. The hospital will employ a 100+ employees, working on two shifts. The hospital is proposed to store and use a hazardous material, the hazardous material being oxygen. The proposed site is proposing an outdoor oxygen tank.

The following documents are provided in support of this submission.

- One (1) Conditional Use Application
- Three (3) sets of the Preliminary Site Plan
- One (1) legal description
- One (1) Check in the amount of \$700.00 (check no. 88964)

Please review the enclosed information and provide and comments you may have. Feel free to contact me with any questions or concerns.

Do not hesitate to call me should you have any questions.

Sincerely,

BECKER MORGAN GROUP, INC.

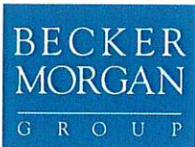
309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

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

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

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

www.beckermorgan.com



ARCHITECTURE
ENGINEERING

BECKER MORGAN GROUP, INC.

A handwritten signature in blue ink, appearing to read "Jonathan D. Richard".

Jonathan D. Richard, P.E
Senior Associate

Cc: Mr. Mike Metzger / Bayhealth Medical Center, Inc.
Stuart Armstrong / CAH Development, LLC

202204200ak-com-ltr.doc

DEPARTMENT OF TRANSPORTATION
COMMENTS FOR
Development Advisory Committee / Planning Commission - Preliminary Conditional Use
OF June 2022

22-014 PAM Milford
Tax Map # 3-30-15.00-058.05 (por)

**Located along Wilkins Road,
part of the Sussex Health Campus.**

Sussex County

CAH Development, LLC / Sussex Campus Development, LLC

1. Please refer to the “*Development Coordination Manual*” manual for the design of State-maintained subdivision streets and/or entrances to State-maintained roads. The website for the manual is the following;

<http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>
2. For all projects, any sub-station and/or wastewater facilities will be required to have access from the internal subdivision street with no direct access to the State maintained highway.
3. For all projects, a 20-foot wide buffer will be required from the edge of the stormwater management pond to the ultimate right-of-way of the County road. The ultimate right-of-way is based on the functional classification of the road.
4. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.5.1.2: Frontage Easements, a 15-foot wide permanent easement will need to be established across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way for this road. The following note is required, “**A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat.**”
5. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.5: Dedication of Right-Of-Way and Easements, Figure 3.2.5-a Minimum Standards for Total Roadway Right-Of-Way, the project shall be subject to dedicate right-of-way in accordance to the minimum standards.
6. Referring to the “*Development Coordination Manuals*”, Chapter 3 – Record Plan Design, Section 3.2.4.1: Subdivision Street Right-Of-Way Monuments, right-of-way monuments are recommended to be furnished and placed along the private subdivision street.

7. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.2.4.2; Frontage Road Right-of-Way Monumentation, concerning the right-of-way markers being placed to provide a permanent reference for re-establishing the right-of-way and property corners along frontage roads. Due to the right-of-way dedication, show and note the property corners markers that will need to be installed.
8. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.5.5: Transit Facilities, transit facilities requirements shall be followed as required by DTC or DelDOT.
9. Referring to the “*Development Coordination Manual*”, under Chapter 3; Record Plan Design, Section 3.2.5.1.1 – Easements, if this development is proposing a neighborhood sign/structure, then a permanent easement shall be established at the entrance. The easement shall be located outside of any existing and/or proposed right-of-way. It will also need to be verified that the sign/structure does not pose a sight distance and/or safety hazard.
10. Metes and bounds and total areas need to be shown for any drainage easements. A minimum 20-foot wide drainage easement must be provided for storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. These easements shall be shown and noted on record plan.
11. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.5: Connectivity, connectivity requirements shall be followed for all development projects having access to state roads or proposing DelDOT maintained public road for subdivisions. Private or municipal streets should follow the local land use agency’s requirements for connectivity.
12. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4.2.1: Record Plan Content, the traffic generation diagram is required. See Figure 3-4-2-a: Traffic Generation Diagram for what is required.
13. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4.2: Record Plan Submittal Requirements, adjacent existing features are required to be shown in accordance with Figure 3.4.2-b.
14. It will need to be noted on the Record Plan that a Letter Agreement will need to be developed for the type and timing of off-site improvements that are warranted for this project.
15. Referring to the “*Development Coordination Manual*”, Chapter 2 – Traffic Analysis and Improvements, it will need to be determined if a Traffic Impact Study (T.I.S.), Area-Wide Study Fee or a Traffic Operational Analysis (T.O.A.) will be required.
16. As per the Delaware State Strategies for Policy and Spending Map, this project is

- located within Investment Level I or II. Referring to the Departments Shared-Use Path/Sidewalk Policy a project in all Level I and Level II areas are required to install a path/sidewalk along the property frontage. If a physical impossibility exists, then a fee in lieu of construction shall be paid.
17. Referring to the “*Development Coordination Manual*” under Chapter 5; Design Elements, Section 5.2.5 – Subdivision and Commercial Entrance Design Guidelines – Intersection Corner Radii, a separate turning template plan shall be provided to verify vehicles can safely enter/exit the entrance. The entrance shall be designed for the largest vehicle using the entrance.
 18. Please check to determine if any utilities will need to be relocated as part of this project.
 19. Please use the newest version of Standard General Notes that have been updated and posted to the DelDOT Website. The notes can be found at the following website under the *Guidance* tab;
<http://www.deldot.gov/Business/subdivisions/index.shtml>
 20. All PLUS/TAC comments shall be addressed prior to submitting the plans for review.
 21. Referring to the “*Development Coordination Manual*”, Chapter 6 – Construction Administration, Section 6.4.3: Commercial Entrances – Inspection and Acceptance, Figure 6.4.3-a: Construction Inspection Responsibilities, determine if the project is a Level 1 or Level 2 project and if an inspection agreement will be required.
 22. The Auxiliary Lane Spreadsheet has been posted to the DelDOT website. Use this spreadsheet to determine if auxiliary lanes are warranted. The Auxiliary Lane Spreadsheet can be found at the following website under the *Forms* tab;
<http://www.deldot.gov/Business/subdivisions/index.shtml>
 23. Referring to the “*Development Coordination Manual*” under Chapter 5; Design Elements, Section 5.4 – Sight Distance, a sight distance triangle is required. A spreadsheet has been developed to assist with this task and can be found on the following website under the *Forms* tab;
<http://www.deldot.gov/Business/subdivisions/index.shtml>
 24. Please refer to the “*Development Coordination Manual*” Chapter 3; Record Plan Design, Section 3.4.1 Commercial or Major Residential Subdivisions – Record Plan Application Process, concerning if a pre-submittal meeting is required.
 25. Effective August 1, 2015, all new and resubmittals shall be uploaded via the PDCA with any fees paid online via credit card or electronic check (ACH). The design firm making the submittal must create the project in the PDCA and upload all the required items to allow DelDOT to start the review process. Our website offers more detailed information, including links to guidance about creating PDCA submittals. This information can be

found at the following website under the PDCA section;

<http://www.deldot.gov/Business/subdivisions/index.shtml>

26. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4.2: Record Plan Submittal Requirements, an Initial Stage review fee shall be assessed to this project.
27. Referring to the “*Development Coordination Manual*”, Chapter 3 – Record Plan Design, Section 3.4: Commercial or Major Residential Subdivisions, a record plan shall be prepared prior to issuing “Letter of No Objection”. The Record plan submittal shall include the items listed on the Critical Items for Acceptance: Record Plan document that can be found at the following website under the *Guidance* tab;

<https://www.deldot.gov/Business/subdivisions/index.shtml>

28. Referring to the “*Development Coordination Manual*”, Chapter 4 – Construction Plans, Section 4.3: Subdivision Construction Plan Submittal Requirements, the Construction Stage review fee shall be assessed to this project.
29. Referring to the “*Development Coordination Manual*”, Chapter 4 – Construction Plans, a subdivision/entrance plan shall be prepared prior to issuing subdivision/entrance approval. The Entrance/Construction/Subdivision plan submittal shall include the items listed on the Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plans document that can be found at the following website under the *Guidance* tab;

<https://www.deldot.gov/Business/subdivisions/index.shtml>

City of Milford, Delaware
Development Advisory Committee

Comment Sheet



DATE OF REVIEW: May 16, 2022

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: PAM MILFORD (22-014)

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

NO OBJECTION TO THE CONDITIONAL USE

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. (Business)
- 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 Wilkens Road 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



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June 15th, 2022

Mr. Rob Pierce
City of Milford Planning & Zoning
City Hall
201 S. Walnut Street
Milford, Delaware 19963

RE: **Preliminary Site Plan Submission #2**
PAM SUSSEX – BAYHEALTH SUSSEX CAMPUS
Milford, Delaware
2022042.00

Dear Mr. Pierce:

On behalf of our client, Catalyst Healthcare Real Estate, Becker Morgan Group, Inc. is hereby re-submitting the above-referenced project. The plans have addressed the previous set of comments from your office. See itemized response below.

The follow comments were received on June 3rd, 2022, our responses are italicized in bold beneath the comments:

Cover Sheet:

1. Add all City of Milford General Notes to the plan (attached).
Response: City of Milford General Notes added to cover sheet. See sheet C-001.
2. Submit conditional use application and review fee.
Response: Conditional use application and review fee attached with this submission.
3. Add City Approval Blocks.
Response: Approval Blocks added to cover sheet. See sheet C-001.
4. Provide a Tree Preservation and Selective Clearing Plan per Chapter 230 zoning. This could be a part of the overall lighting and landscaping plan.
Response: Tree preservation and clearing plan provided in the submission. See sheet L-001 & L-101. Lighting Plan forthcoming in later submission.

Data Column:

1. Provide Tax Parcel Number.
Response: Tax Parcel Number added to site data column. See number 5 in Site Data.
2. Verify the existing zone of the site.
Response: Existing Zone the site added to Site Data. See number 12.
3. Per the City of Milford's zoning ordinance, a minimum area of at least 20 acres is required to request an Institutional Service District. Verify this is what is being proposed.

BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

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

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

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

www.beckermorgan.com

Response: It is to our understanding that the lot is zoned IS – Institutional Service District with a Lot Area of 128.87 Ac. We are developing 5.76 of the 128.87 Ac.

4. Proposed the minimum required and proposed lot length and width based on the new City of Milford's updated zoning code. For IS zoning the minimum shall be 150 feet.
Response: See sheet C-201 for Bearing and Distances.
5. Add a statement regarding the absence or presence of source water protection areas.
Response: Note added for source protection areas. See Sheet C-001, General Note #37.
6. Provide the estimated number of EDUs for the building. Provide written correspondence from Bayhealth that the project can utilize design capacity that was paid for by Bayhealth.
Response: Estimated EDU count attached with this submission see Site Data # 21. The letter from Bayhealth regarding the written correspondence for utilizing sewer design capacity is forth coming.
7. The maximum lot coverage allowed in the IS zone is 75% based on City of Milford's updated zoning codes. Lot coverage and impervious coverage are defined the same way in the zoning code and one reference can be removed.
Response: Impervious Coverage changed to 75% and numbers updated. Lot coverage removed from the Site Data.
8. Provide Bicycle parking per Chapter 230 of the City's Zoning ordinance and add the calculation to the data column on the cover sheet.
Response: Bicycle Parking added to the Plan and added to the Parking Calculations in the Site Data.
9. As mentioned, a landscape plan is required for review which shows tree plantings within the parking lot area as required by chapter 230. **Provide the calculation of island area and the number of trees required and planted in the data column on the cover sheet.**
Response: Calculation of the island area and trees required provided on the Cover sheet. See Landscape Requirements on C-001.

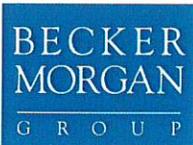
Sheet C-201:

1. Show the 50' front setback from the lease line along Health Way. In addition, show the setback from the lease line to the South.
Response: 50' Setback shown along Health Way and along the property lines.
2. Show the 15' off-street parking setback from the property line along Wilkins Road and along the lease line.
Response: 15' off-street parking setback shown along all property lines.
3. Add proposed signing and striping to the site plan, including stop signs, stop bars, crosswalks, do-not enter signs.
Response: Proposed Signage and Striping added to the Site plan. See Sheet C-201.

4. Show parking lot traffic directional arrows for reference.
Response: Directional arrows shown on site plan. See Sheet C-201.
5. Add all ADA ramps to the plan.
Response: ADA ramps shown on site plan. See Sheet C-201.
6. Add curbing along Health Way from Wilkins Road entrance to the southern limits of the lease area, similar to what was done in the other developed portions of the health campus.
Response: Curbing added along the whole portion of Health Way on both sides. See Sheet C-201.
7. Label the sidewalk as existing or proposed along Healthy Way. Show all limits of improvements if the intent is to connect into the existing sidewalks around the circle and along Wilkins Road.
Response: Both existing and proposed sidewalk labeled. See Sheet C-201. Intent is to stop improvements at southern limits of the lease area.
8. Provide a curbed landscape island on the northern portion of the site where the hatched area is proposed.
Response: Hatched Island tuned into curbed landscape island. See Sheet C-201.
9. Adjust the parking row on the southeast side of the site so that the row does not exceed 12 parking spaces between landscaped islands.
Response: Parking Spaces adjusted to not exceed 12 parking spaces. See Sheet C-201.
10. Label the proposed use/purpose of the two concrete pads on the northwest side of the site.
Response: Directional arrows show on site plan. See Sheet C-201.
11. Label the monument sign and the distance between the sign and the lease line.
Response: Sign labeled and distance between lease line and sign shown on site plan. See Sheet C-201.
12. Are there dedicated loading bays along the south side of the building?
Response: There is only 1 (one) loading bay proposed on the plan and is labeled along the south side of the plan. See Sheet C-201.
13. Provide and label the right-of-way line for Wilkins Road and Healthy Way on the plan and revise accordingly.
Response: Right-of-way shown and labeled on Site Plan. Health Way does not have a Right-of-Way. See Sheet C-201.
14. Provide existing and proposed contours on the plans. Existing contours should be shown in grey and proposed contours should be shown in a dark line.
Response: Existing and proposed contours shown on Site Plan. See Sheet C-201.
15. Verify/label the concrete pads on the west of the site.
Response: Both concrete pads on the west of the site labeled. See Sheet C-201.

Sheet C-301:

1. Show the full extents of the sewer and water improvements, including connection points. Place the water main within a 10' wide utility easement. Place the sewer gravity line along Healthy Way in a 20' wide utility Easement.
Response: Full extents of sewer and water shown on the utility plans and both utilities are in easements. See Sheets C-301 & C-302.
2. The city recommends realigning the proposed water main by turning the water main along Healthy Way into the site at the southern entrance, extending the main through the site south and west of the building and connecting to a proposed water main along Wilkins Road. Extend water main near Wilkins Road/Healthy Way intersection west to the edge of the property line, connecting the proposed water main through the PAM site and providing a stub to the west for future connection.
Response: The water main has been realigned as requested and a stub has been added to the west for future connection. See Sheets C-301 & C-302.
3. Show all existing and proposed easements on the plan.
Response: All proposed and existing easements have been shown on the utility plans. See Sheets C-301 & C-302.
4. Provide the information for the gravity sewer including but not limited to the rim elevations, inverts, pipe size, etc.
Response: All details for the proposed sewer shown on the Utility Plan. See Sheets C-301 & C-302.
5. Show the full extents of the sewer and water improvements, including connection points. Place the water main within a 10' wide utility easement. Place the sewer gravity line along Healthy Way in a 20' wide utility Easement.
Response: Full extents of sewer and water shown on the utility plans and both utilities are in easements. See Sheets C-301 & C-302.
6. Currently, the horizontal separation between the 8" water main and the 8" Sanitary Sewer line near the north entrance to the site is less than the required 10'. Revise the plan to show a minimum of 10' horizontal separation between the utility lines.
Response: The proposed water main has been realigned to meet the separation requirements. See Sheets C-301 & C-302.
7. Verify how the existing water will be tapped into. Clarify if a DelDOT permit/approval will be required.
Response: Both water taps shown on the Utility Plan. The water tap located in Wilkins Road will require a DelDOT permit/approval. The other tap will not. See Sheets C-301 & C-302.
8. Provide rim elevations, inverts, slopes, etc. for the existing and proposed sewer
Response: All details for the proposed sewer shown on the Utility Plan. See Sheets C-301 & C-302.



ARCHITECTURE
ENGINEERING

Please review the enclosed information and provide and comments you may have. Feel free to contact me with any questions or concerns.

Do not hesitate to call me should you have any questions.

Sincerely,

BECKER MORGAN GROUP, INC.

A handwritten signature in blue ink, appearing to read "Jonathan D. Richard".

Jonathan D. Richard, P.E
Senior Associate

Cc: Mr. Mike Metzger/ Bayhealth Medical Center, Inc.
Stuart Armstrong / CAH Development, LLC

202204200aj-com-ltr.doc



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

July 21, 2022

City of Milford
201 South Walnut Street
Milford, Delaware 19963

Attention: Rob Pierce

Subject: PAM Health Medical Campus – Preliminary Plan
KCI Job No. 131803632 – Task 47

Dear Mr. Pierce,

As requested, KCI Technologies reviewed the Preliminary Plans for PAM Health Medical Center per the City of Milford’s Standard Specifications, codes, and general engineering best practices. These plans were submitted by Becker Morgan Group and are dated March 29, 2022.

We offer the following comments for your consideration:

1. Address the Following Comments to the cover Sheet:
 - a. Add all City of Milford General Notes to the plan (attached). **Addressed with Comment – Add note regarding the Hydric Soils.**
 - b. Submit conditional use application and review fee. **Addressed.**
 - c. Add City Approval Blocks. **Addressed.**
 - d. Provide a Tree Preservation and Selective Clearing Plan per Chapter 230 zoning. This could be part of the overall lighting and landscaping plan. **Comment Remains – Provide Lighting plan with final site plan submission. Additionally, add “L-101” and all additional sheets to the Sheet Index.**
2. Address the Following Comments to the Data Column:
 - a. Provide Tax Parcel Number. **Addressed.**
 - b. Verify the existing zoning of the site. **Addressed.**
 - c. Pre the City of Milford’s zoning ordinance a minimum area of at least 20 acres is required to request an Institutional Service District. Verify this is what is being proposed. **Comment Noted.**
 - d. Provide the minimum required and proposed lot length and width based on the new City of Milford’s updated zoning code. For IS zoning the minimum lot width shall be

Employee-Owned Since 1988

- 150 feet. **Addressed with Comment – Add the required and proposed lot width information to the site data column.**
- e. Add a statement regarding the absence or presence of source water protection areas. **Addressed.**
 - f. Provide an estimated number of EDUs for the building. Provide written correspondence from Bayhealth that the project can utilize sewer design capacity that was paid for by Bayhealth. **Comment Remains – Provide calculations for the 49 EDUS and the letter from Bayhealth regarding the written correspondence for utilizing sewer design capacity.**
 - g. The Maximum lot coverage allowed in the IS zone is 75% based on City of Milford’s updated zoning codes. Lot coverage and impervious coverage are defined the same way in the zoning code and one of the references can be removed. **Addressed.**
 - h. Provide bicycle parking per Chapter 230 of the City’s zoning ordinance and add the calculation to the data column on the cover sheet. **Addressed.**
 - i. As mentioned, a landscaping plan is required for review which shows tree plantings within the parking lot area as required by Chapter 230. Provide the calculation of island area and the number of trees required and planted in the data column on the cover sheet. **Addressed.**
3. Address the following comments to Sheet C-201:
- a. Show the 50’ front setback from the lease line along Healthy Way. In addition, show the setback from the lease line to the south. **Addressed.**
 - b. Show the 15’ off-street parking setback from the property line along Wilkins Road and along the lease line. **Addressed.**
 - c. Add proposed signing and striping to the site plan, including stop signs, stop bars, crosswalks, do-not enter signs. **Addressed.**
 - d. Show parking lot traffic directional arrows for reference. **Addressed.**
 - e. Add all ADA ramps to the plan. **Addressed.**
 - f. Add curbing along Healthy Way from Wilkins Road entrance to the southern limits of the lease area, similar to what was done in the other developed portions of the health campus. **Addressed.**
 - g. Label the sidewalk as existing or proposed along Healthy Way. Show all limits of improvements if the intent is to connect into the existing sidewalks around the circle and along Wilkins Road. **Addressed.**
 - h. Provide a curbed landscape island on the northeast portion of the site where the hatched area is proposed. **Addressed.**
 - i. Adjust the parking row on the southeast side of the site so that the row does not exceed 12 parking spaces between landscaped islands. **Addressed.**
 - j. Label the proposed use/purpose of the two concrete pads on the northwest side of the site. **Addressed.**

- k. Label the monument sign and the distance between the sign and the lease line. **Addressed.**
 - l. Are there dedicated loading bays along the south side of the building? **Comment Noted.**
 - m. Provide and label the right-of-way line for Wilkins Road and Healthy Way on the plan and revise accordingly. **Addressed.**
 - n. Provide existing and proposed contours on the plans. Existing contours should be shown in gray and proposed contours should be shown in dark line. **Comment Remains – Currently proposed contours are not showing on the plan. Show proposed contours and revise the plan accordingly.**
 - o. Verify/label the concrete pads on the west of the site. **Addressed.**
 - p. **Currently, there are 9 parking spaces located to the northwest of the proposed building that are labeled as 10. Correct the labeling and revise the plan accordingly.**
 - q. **Provide depressed curbing adjacent to the proposed ADA parking spaces to allow access to the sidewalk. Proposed parking bumpers will be required in replacement of the curb to ensure no cars park on the sidewalk.**
 - r. **Confirm that the sidewalk along the east side of Healthy way is existing. If not revise the plans accordingly.**
4. Address the following comments to Sheet C-301:
- a. Show the full extents of sewer and water improvements, including connection points. Place the water main within a 10' wide utility easement. Place the sewer gravity line along Healthy Way in a 20' wide utility easement. **Addressed.**
 - b. The city recommends realigning the proposed water main by turning the water main along Healthy Way into the site at the southern entrance, extending the main through the site south and west of the building and connecting to a proposed water main along Wilkins Road. Extend water main near the Wilkins Road/Healthy Way intersection west to the edge of the property line, connecting the proposed water main through the PAM site and providing a stub to the west for future connection. **Addressed.**
 - c. Show all existing and proposed easements on the plan. **Addressed.**
 - d. Provide the information for the gravity sewer including but not limited to the rim elevations, inverts, pipe size, etc. **Addressed.**
 - e. Currently, the horizontal separation between the 8" water main line and the 8" Sanitary Sewer line near the north entrance to the site is less than the required 10'. Revise the plan to show a minimum of 10' horizontal separation between the utility lines. **Addressed.**
 - f. Verify how the existing water will be tapped into. Clarify if a DelDOT permit/approval will be required. **Comment remains – Provide DelDOT's approval with final site plan submission.**

- g. Provide rim elevations, lengths, inverts, slopes, etc. for the existing and proposed sewer. **Addressed.**
 - h. **Provide utility profiles with final site plan submission so the vertical separation for utility crossings can be verified.**
 - i. **Extend the water easement and water main back to the right-of-way of Wilkins Road to allow the City access for future connection.**
 - j. **End the sanitary sewer easement along Healthy Way at proposed MH-67 and revise the plans accordingly.**
5. **Currently, the landscape buffer is not labeled on sheet L-101. Provide and label landscape buffer and revise the plan accordingly.**
6. Submit the following for final site plan approval:
- a. Sussex Conservation District Approval for the Stormwater and Erosion & Sediment Control Plans. **Comment Remains.**
 - b. Fire Marshal Approval. **Comment Remains.**
 - c. Lighting Plan. **Comment Remains.**
 - d. Landscape Plan. **Addressed.**
 - e. DelDOT LONO. **Comment Remains.**

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

Sincerely,



Ardalan Faghri,
Project Designer



Scott Koenig, P.E. ICMA-CM
Senior Project Manager

August 17, 2022

To: Mayor and Members of City Council

From: City Clerk Terri Hudson

Re: Ordinances 2022-30, 2022-31, and 2022-32

Please find the following three ordinances in your packet:

2022-30	41	Meetings
2022-31	45	Milford Parking Authority
2022-32	68	Partnership of Greater Milford

The text included in each of these chapters is either obsolete, replaced or included in a more up-to-date ordinance/regulation, or a State Statute now supersedes.

Both the Milford Parking Authority and Partnership of Greater Milford no longer exist as outlined in the introductory whereas clauses of each ordinance.

Please consider the adoption of the three ordinances and allow the City Clerk's Office to officially remove each chapter from the Code of the City of Milford.

tkh

CITY OF MILFORD
NOTICE OF ORDINANCE REVIEW
City Council Hearing: Monday, August 22, 2022 @ 6:00 PM
Repeals Chapter 41 Meetings

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

ORDINANCE 2022-30
Chapter 41 Meetings

WHEREAS, after a thorough and extensive examination of the Code of the City of Milford, it was determined it contained several Chapters found to be outdated and obsolete; and

WHEREAS, the City Council of the City of Milford, Delaware, by ordinance, originally adopted this ordinance on January 19, 1972; and

WHEREAS, Chapter 41 Meetings, derived from requirements at that time, have since been addressed in updated legislation; and

WHEREAS, the City Council of the City of Milford desires to conform its legislation in accordance with current local and state laws.

NOW, THEREFORE, the City of Milford hereby resolves:

Section 1. The purpose of this ordinance is to repeal Chapter 41 Meetings of the Code of the City of Milford.

Section 2. City Council concurs with its purpose and hereby amends the Code of the City of Milford Part I Administration Legislation by rescinding Chapter 41 in its entirety and reserving the Chapter number for future uses:

Chapter 41 MEETINGS

~~§ 41-1. Regular and special meetings.~~

~~The regular meetings of the Milford City Council shall be held on the second Monday in each month at 7:30 p.m. in the Council chambers. Special meetings may be called by the Mayor or by four or more members and, whenever practicable, upon no less than 12 hours' notice. All meetings, regular and special, shall be open to the public.~~

Section 3. Dates

Introduction: August 8, 2022

Council Review/Public Comments: August 22, 2022

Effective Date: Ten Days Following Adoption of this Ordinance

CITY OF MILFORD
NOTICE OF ORDINANCE REVIEW
City Council Hearing: Monday, August 22, 2022 @ 6:00 PM
Repeals Chapter 45 City of Milford Parking Authority

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

ORDINANCE 2022-31
City of Milford Parking Authority

WHEREAS, the City Council of the City of Milford, Delaware, by ordinance, originally adopted Chapter 45 Parking Authority on July 30, 1974, in accordance with the provisions of the State of Delaware and the City of Milford; and

WHEREAS, on March 8, 2010, City Manager David Baird reported that he had received a request from Harvey Marvel, Chairman of the Milford Parking Authority to terminate its existence and that the City of Milford take ownership of its lands; and

WHEREAS, on November 28, 2011, City Council by unanimous vote, authorized the approval of a Certificate Requesting the Termination of Existence of Parking Authority, per 22 Del. C. § 513, be forwarded to the State of Delaware; and

WHEREAS, after a careful examination and analysis of the Code of the City of Milford, City Council has determined that Chapter 45 Parking Authority remains in the Code without cause, and

WHEREAS, for editorial and codification purposes, it is in the best interests of the City to remove Chapter 45 from the Code of the City of Milford in its entirety as it is no longer applicable.

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

Section 1. Dissolution of Parking Authority

The Parking Authority of the City of Milford, created by an ordinance that was adopted on July 30, 1974, was officially dissolved on November 28, 2011.

Section 2. Removal from Code

Chapter 45 Parking Authority of the City of Milford Code Part I Administrative Legislation is hereby stricken in its entirety and the Chapter number reserved for future use as deemed necessary:

~~Chapter 45 PARKING AUTHORITY
GENERAL REFERENCES~~

~~§ 45-1. Obligations.~~

~~The Parking Authority shall not at any time or in any manner pledge the credit or taxing power of the State of Delaware or the City of Milford, nor shall any of its obligations be deemed to be obligations of the State of Delaware or the City of Milford, nor shall the State of Delaware or the City of Milford be liable for the payment of principal or of interest on such obligations.~~

~~§ 45-2. Establishment of benefit district.~~

~~In addition to the provisions contained in Chapter 5 of Title 22 of the Delaware Code providing for the financing of the cost of acquiring land and premises for the construction and improvement of parking projects, the Parking Authority of the City of Milford may, by resolution, as provided in 22 Del. C. § 504, establish a benefit district.~~

§ 45-3. Sale of real property.

A. ~~When any real property or any interest therein heretofore or hereafter acquired by the Parking Authority of the City of Milford is no longer needed for the purposes defined in Chapter 5 of Title 22 of the Delaware Code or when, in the opinion of the Parking Authority of the City of Milford, it is not desirable or feasible to hold and use said property for said purposes, the Parking Authority of the City of Milford may sell the same at private or public sale, as the Authority shall determine, granting and conveying to the purchaser thereof a fee simple marketable title thereto.~~

B. ~~The Authority may make such sale for such price and upon such terms and conditions as the Authority deems advisable and for the best interest of the Authority and may accept in payment, wholly or partly, cash, bonds, mortgages, debentures, notes, warrants or other evidences of indebtedness as the Authority may approve. The consideration received from any such sale may be applied by the Authority, in its discretion, to the repayment, in whole or in part, of any funds contributed to the Authority by the City of Milford under the provisions of 22 Del. C. § 508 or retained by the Authority for the purposes for which it was incorporated.~~

C. ~~Without limitation of the foregoing, the Authority may accept as consideration in whole or in part for the sale of any such real property a covenant, agreement or undertaking on the part of any purchaser to provide and maintain off-street parking facilities on such property or a portion thereof for the fulfillment of public parking needs for such period and under such terms and conditions as the Authority shall determine. Any such covenant, agreement or undertaking on the part of the purchaser as aforesaid and the right of the Authority to fix and alter rates to be charged for any such parking facilities as well as the right of appeal as set forth in Chapter 5 of Title 22 of the Delaware Code shall be set forth and reserved in the deed or deeds of conveyance. Any such contract, agreement or undertaking may be enforced by the Authority in an action for specific performance brought in the court of jurisdiction of the State of Delaware.~~

§ 45-4. Issuance of bonds.

~~All bonds issued by the Parking Authority of the City of Milford shall be issued in accordance with the provision of Chapter 5 of Title 22 of the Delaware Code and all other applicable laws of the City of Milford, State of Delaware and United States of America.~~

§ 45-5. Rights and remedies of bond holders.

~~All holders of bonds of the Parking Authority of the City of Milford shall have the rights and the remedies conferred upon or granted to the bond holders by Chapter 5 of Title 22 of the Delaware Code and other applicable laws of the State of Delaware and the United States of America, which rights and remedies shall be in addition to, and not in limitation of, any rights and remedies lawfully granted to such bond holders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust, indenture or other agreement under which the same may be issued by the Parking Authority of the City of Milford.~~

§ 45-6. Board; appointments; terms of office; vacancies; removal.

~~The powers of the Parking Authority of the City of Milford shall be exercised by a board composed of five members, all of whom shall be residents of the City of Milford. The Mayor of the City of Milford shall appoint the members of the Board, one of whom shall serve for one year, one for two years, one for three years, one for four years and one for five years from the first day of July in the year in which this Authority is created. Thereafter the Mayor shall, not sooner than 60 days nor later than 30 days prior to July 1 in each year in which a vacancy occurs, appoint a member of the Board for a term of five years to succeed the member whose term expires on the first day of July next succeeding. Vacancies for unexpired terms that occur more than 60 days before the end of a term shall be promptly filled by appointment by the Mayor. All such appointments shall be subject to the confirmation of the City Council. Any member of the Board may be removed for cause by the Mayor, with the concurrence of 2/3 of all the members of the City Council, and the person against whom such charges are made shall be given a reasonable opportunity to make his defense.~~

§ 45-7. Succession of members; salaries and compensation.

Members of the Parking Authority of the City of Milford shall hold office until their successors have been appointed and may succeed themselves. A member shall receive no compensation for his services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties.

§ 45-8. Board officers; staff; quorum; liability; powers and duties.

The members of the Board of the Parking Authority of the City of Milford shall select from among themselves a Chairman, a Vice Chairman and such other officers as the Board may determine. The Board may employ a Secretary and Executive Director, its own legal counsel and legal staff and such technical experts and such other agents and employees, permanent or temporary, as it may require and may determine the qualifications and fix the compensation of such persons. Three members of the Board shall constitute a quorum for its meeting. Members of the Board shall not be liable personally on the bonds or other obligations of the Authority, and the rights of creditors shall be solely against such Authority. The Board may delegate to one or more of its agents or employees such of its powers as it deems necessary to carry out its purposes, subject always to the supervision and control of the Board. The Board shall have full authority to manage the properties and business of the Authority and to prescribe, amend and repeal bylaws, rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied.

§ 45-9. Acquisitions through purchase or eminent domain proceedings.

The Parking Authority of the City of Milford may acquire by purchase or eminent domain proceedings either the fee or such rights, title, interest or easement in such lands as the Parking Authority of the City of Milford deems necessary for any of its purposes, subject to the qualifications and restrictions set forth in Chapter 5 of Title 22 of the Delaware Code and in accordance with the provisions for the exercise of the right of eminent domain as set forth in Chapter 61 of Title 10 of the Delaware Code.

§ 45-10. Financing incurred costs.

The Parking Authority of the City of Milford shall finance those costs incurred to achieve its established purposes in accordance with the provisions set forth in Chapter 5 of Title 22 of the Delaware Code.

§ 45-11. Contracts and agreements.

A. — The procurement of material and the award of contracts for construction, repairs or work of any nature made by the Parking Authority of the City of Milford shall be subject to the provisions of Chapter 69 of Title 29 of the Delaware Code.

B. — No member of the Authority or officer thereof shall either directly or indirectly be a party to, or be in any manner interested in, any contract or agreement with the Authority for any matter, cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such Authority. If any contract or agreement shall be made in violation of the provisions of this section, the same shall be null and void, and no action shall be maintained thereon against such Authority.

C. — The provisions of Subsection A shall not apply to the construction of parking facilities intended to serve and be an integral part of the redevelopment project in the City of Milford, where the City of Milford or its redevelopment agency has designated or selected a developer who is responsible for the overall development of the project, including parking facilities. In such case, the Authority may negotiate with the developer for the construction and design of parking facilities on such terms and conditions as the Authority may deem justified and in the public interest.

§ 45-12. Transfer of property, projects and existing facilities to Authority.

A. — The City of Milford or any owner of property may sell, lease, lend, grant or convey to the Parking Authority of the City of Milford any interest in real or personal property which may be used by the Authority in the construction, improvement, maintenance or operation of any project. The City of Milford may transfer, assign and set over to the Authority any contracts which may have been awarded to it for the construction of projects not begun or, if begun, not completed. The territory being served by any project or the territory within such project is authorized to render service at the time of the acquisition of

~~such project by the Parking Authority of the City of Milford and shall constitute the area in which the Parking Authority of the City of Milford shall be authorized to render service.~~

~~B. The Parking Authority of the City of Milford shall first report to and advise the City Council of the City of Milford of the agreement to acquire existing facilities, including all its terms and conditions. The proposed action of the Authority, and the proposed agreement to acquire existing facilities, shall be approved by the City Council. Such approval shall be by two thirds vote of all members of the Council.~~

~~§ 45-13. Termination.~~

~~Unless previously terminated by operation of law, the Parking Authority of the City of Milford shall be terminated only in accordance with the provisions of Chapter 5 of Title 22 of the Delaware Code.~~

Section 3. Dates

Introduction: August 8, 2022

Council Review/Public Comments: August 22, 2022

Effective Date: Ten Days Following Adoption of this Ordinance

CITY OF MILFORD
NOTICE OF ORDINANCE REVIEW
City Council Hearing: Monday, August 22, 2022 @ 6:00 PM
Repeals Chapter 52 Partnership of Greater Milford

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

ORDINANCE 2022-32
Chapter 52 Partnership of Greater Milford

WHEREAS, the City Council of the City of Milford, Delaware originally adopted on October 5, 1987, Chapter 52 Partnership of Greater Milford, in accordance with the provisions of the State of Delaware, the City of Milford, and the City of Milford Comprehensive Plan; and

WHEREAS, on November 12, 1989, the language related to the Partnership of Greater Milford was removed from the City of Milford Comprehensive Plan; and

WHEREAS, the Partnership of Greater Milford has not convened since prior to that date; and

WHEREAS, after a careful examination and analysis of the Code of the City of Milford, City Council has determined that Chapter 52 has remained in the Code of the City of Milford without need; and

WHEREAS, it is in the best interest of the City of Milford to repeal Chapter 52 from Part I Administrative Legislation of the Code of the City of Milford, in its entirety, as it is no longer applicable.

ORDINANCE 2022-32
Repeal Chapter 52 Partnership of Greater Milford

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

Section 1. The purpose of this ordinance is to rescind Chapter 52 Partnership of Greater Milford of the Code of the City of Milford.

Section 2. City Council concurs with the purpose and hereby amends the Code of the City of Milford by rescinding Chapter 52 in its entirety and reserving the Chapter number for future uses:

~~Chapter 52 PARTNERSHIP OF GREATER MILFORD~~

~~§ 52-1. Establishment.~~

~~There is hereby established a commission to be known as the "Partnership of Greater Milford," hereinafter referred to as the "Commission."~~

~~§ 52-2. Membership; residency requirements.~~

~~The Commission shall be comprised of no more than 19 members, at least 10 of whom but no more than 12 of whom shall be residents of the City of Milford. One member shall be a representative from the Milford Planning Commission. Additional members shall reside in any of the neighborhoods adjoining city limits.~~

~~§ 52-3. Appointment of resident members; terms of office.~~

~~Those members of the Commission who are residents of the City of Milford shall be appointed by the Mayor each, subject to the approval of City Council. Initially, 1/3 of the appointments shall be made for a term of three years, 1/3 of the appointments shall be made for a term of two years and 1/3 of the appointments shall be made for a term of one year. At the expiration of those initial terms all new appointments shall be made for three year terms.~~

~~§ 52-4. Election of nonresident members; terms of office.~~

~~Members of the Commission who reside in those neighborhoods adjacent to city limits shall be nominated by and elected to the Commission by the Commissioners themselves. One third of these Commissioners shall be elected to serve three year terms, 1/3 of these Commissioners shall be elected to serve two year terms and 1/3 of these Commissioners shall be~~

elected to serve a one-year term. At the expiration of those initial terms all new Commissioners shall be elected for a three-year term. Elections shall be held no later than one month following the appointment of Commissioners by the Mayor and approval of these appointments by Council.

~~§ 52-5. Quorum.~~

~~A simple majority of the Commission shall constitute a quorum, but a smaller number as determined by the Commission may conduct hearings.~~

~~§ 52-6. Salaries and compensation.~~

~~The members of the Commission shall serve without compensation, but they shall be reimbursed by the city for travel, subsistence and other necessary expenses incurred by them in the performance of the duties invested in the Commission. In no case, however, will expenses be compensated for by the city unless they are within the limits of a budget approved by City Council.~~

~~§ 52-7. Action Plan.~~

~~The function of the Commission is to vigorously pursue the objectives set forth in the Action Plan adopted by Council in a meeting held on October 5, 1987. It is the further objective of this Commission to see that the Action Plan is updated on an annual basis and formally reviewed and reapproved by Council in no more than five-year intervals.~~

~~§ 52-8. Recommendations.~~

~~The Commission shall present its recommendations to City Council from time to time but at least once per year at the regular meeting of the Council in June.~~

~~§ 52-9. Records.~~

~~All records and papers of the Commission shall be delivered to the City Manager for deposit at City Hall.~~

~~§ 52-10. Advisement from outside sources.~~

~~In carrying out its duties the Commission shall seek the advice of various groups interested in the problems concerning the Commission, including but not limited to federal, state and county governments, public and private organizations and city groups and interested citizens.~~

~~§ 52-11. Annual budget request.~~

~~The Commission shall submit an annual budget request to the City Council at the aforementioned April meeting. Said request, when approved, shall be administered solely by the Commission without further approval of City Council and subject only to such qualifications as uniformly imposed on other disbursements of the City of Milford.~~

~~§ 52-12. Contracts.~~

~~The Commission is not authorized to enter into any contract or agreement with any public or private organization, but shall recommend such course of action to the City Council only, in order to carry out assigned purposes.~~

~~§ 52-13. Powers and duties.~~

~~The Commission, within the approved budget and approved plan, shall have the following powers and shall be able to:~~

- ~~A.— Hire an efficient staff.~~
- ~~B.— Expend funds as authorized.~~
- ~~C.— Make application for grants in the name of the City of Milford to county, state, federal or other governmental agencies.~~
- ~~D.— Provide leadership to the city and to the citizens of its immediately surrounding area to achieve the goals set forth in the Action Plan adopted by Council.~~

Section 3. Dates

Introduction: August 8, 2022

Council Review/Public Comments: August 22, 2022

Effective Date: Ten Days Following Adoption



Sussex County Association of Towns

37 The Circle, Georgetown, Delaware 19947

S.C.A.T. Dinner for Wednesday, September 7, 2022

Town of Bethany Beach

Town of Bethel

Town of Blades

Town of Bridgeville

Town of Dagsboro

Town of Delmar

Town of Dewey Beach

Town of Ellendale

Town of Fenwick Island

Town of Frankford

Town of Georgetown

Town of Greenwood

Town of Henlopen Acres

Town of Laurel

City of Lewes

City of Milford

Town of Millsboro

Town of Millville

Town of Milton

Town of Ocean View

City of Rehoboth Beach

City of Seaford

Town of Selbyville

Town of Slaughter Beach

Town of South Bethany

Sussex County Council

LOCATION: Lewes Yacht Club
2701 Cedar Street
Lewes, Delaware 19958

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

HOST: The City of Lewes

SPEAKER: Mark Chura, Executive Director, Sussex County Land Trust

COST: \$37.00 per person

MENU: *******PLEASE SELECT ONE ENTRÉE*******

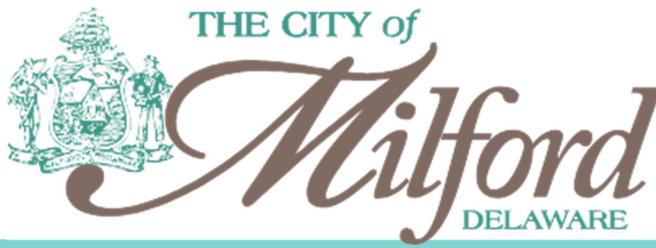
(Option #1) Chicken Cordon Bleu
(Option #2) Grilled Salmon with Lemon Dill Cream Sauce
(Option #3) Risotto Cakes over a Bed of Spring Vegetables
Dessert: Chocolate Mousse
Coffee and Tea
Cash Bar

All served with house salad, roasted red potatoes, green beans almandine and rolls.
Wearing of face covering is optional.

Reservations and entrée choice due no later than August 24, 2022 to
Sue Ann Hennessy

(302) 645-7777 ext. 104 or by email: shennessy@ci.lewes.de.us

Please make your check payable to **City of Lewes** and mail to:
The City of Lewes
Sue Ann Hennessy, Office of the City Manager
PO Box 227
Lewes, DE 19958



FINANCE DEPARTMENT
10 SE Second Street
Milford, DE 19963

PHONE 302.424.5140
FAX 302.424.5932
www.cityofmilford.com

To: Mayor and City Council
Cc: Mark Whitfield, City Manager; Finance Department
From: Louis C. Vitola, Finance Director *LV*
Date: August 22, 2022
Re: July 2022 Financial Reporting Package

The first Financial Reporting Package of fiscal year 2023 (FY23) is enclosed for your review. The 11-page report has been stable for several months following significant changes put in place late in FY21 and most of FY22. Planned improvements for FY23 include a spending report for the new PD Facility project, a consolidated balance sheet and monthly financial results versus the monthly, seasonalized budget to supplement the usual YTD actual versus budget analysis. Thank you for your patience as these items are developed and rolled out over time.

The first month of the fiscal year on its own usually does not reveal enough about the year ahead to begin meaningful trend analysis. Property tax revenue is seasonally at a minimum in July and will spike with the August billing, though the cash follows in September and early October. Other revenue and expense accounts are light due to seasonality or deferred start times for new initiatives. This July is no different, as cash balances are stable, capital spending is light across all funds, and operating expenditures are below even the seasonalized budget.

All four major utilities are generating margins in excess of the budget and ahead of last July. In the general fund, only Admin/Council is pacing behind the budget, though the general fund in total this month is \$40,000 off the pace of last July. The most significant changes evident in the report are the levels of restrictions on reserve cash with the new CIP year loaded, the changes in the Minimum Cash Reserve (MCR) and Equipment Replacement Reserve (ERR) amounts, as they are updated each July with the new operating and CIP budget metrics. Changes in expected contributions and interest also change with the start of the new fiscal year.

Like last year, a timeline summary like the one below will be included on each report to recap the most significant ongoing financial highlights as the fiscal year unfolds:



Strong start for utility funds

Any report modifications will be recapped with page number references in the final paragraph of the FY23 financial reports for your convenience.

Please do not hesitate to reach out with any questions about the monthly reports.



Financial Reporting Package
As of and For the Period Ended July 31, 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 July 31, 2022 (Revised 8/22/2022)

1 Operating Cash Balances

▼ Marks Ref Closing Bal⁴

Description	Opening Balance (Jun 30, 2022)	Closing Balance (Jul 31, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund	\$ 2,790	↓ \$ 2,280	\$ -	\$ (501)	\$ (1,491)	\$ 288
Electric Fund	2,659	↑ 3,291	-	(24)	(1,652)	1,615
Water Fund	1,749	↑ 1,978	-	(740)	(294)	944
Sewer Fund	936	↑ 1,124	-	(645)	(205)	274
Solid Waste Fund	498	↑ 558	-	(314)	(190)	54
Operating Cash Totals⁴	\$ 8,631	\$ 9,231	\$ -	\$ (2,224)	\$ (3,831)	\$ 3,176

9 Federal, State and Other Special Purpose Cash Balances

Description	Opening Balance (Jun 30, 2022)	Closing Balance (Jul 31, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Improvement	\$ 553	→ \$ 553	\$ -	\$ (500)	\$ -	\$ 53
Municipal Street Aid (MSA)	371	→ 371	269	(640)	-	-
Realty Transfer Tax (RTT)	4,452	→ 4,570	738	(3,283)	(1,203)	821
Economic Development	682	→ 682	224	(906)	-	-
Lodging Tax Fund ³	420	→ 447	132	(579)	-	-
ARPA Grant Fund	2,739	↓ 2,413	-	(2,413)	-	-
Special Purpose Cash Totals^{2,4}	\$ 9,218	\$ 9,035	\$ 1,363	\$ (8,321)	\$ (1,203)	\$ 874

18 Reserve Fund Cash Balances¹

Description	Opening Balance (Jun 30, 2022)	Closing Balance (Jul 31, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund Capital Reserves	\$ 2,052	→ \$ 1,961	\$ 2,501	\$ (3,928)	\$ (356)	\$ 178
Water Fund Capital Reserves	2,866	→ 2,779	740	(1,132)	(2,245)	142
Sewer Fund Capital Reserves	3,911	→ 3,901	645	(1,095)	(3,437)	13
Solid Waste Fund Capital Reserves	279	→ 275	386	(656)	-	5
Electric Fund Capital Reserves	15,128	→ 15,113	24	(6,800)	(4,753)	3,583
Operating Cash Totals⁴	\$ 24,235	\$ 24,028	\$ 4,296	\$ (13,611)	\$ (10,792)	\$ 3,921

26 Impact Fees and Police/General Facilities Cash Balances

Description	Opening Balance (Jun 30, 2022)	Closing Balance (Jul 31, 2022)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
Police & General Gov't Facilities	\$ 80	↓ \$ 11	\$ 13	\$ (24)	\$ -	\$ -
Carlisle Fire Co Permit Fund	551	→ 551	4	(555)	-	-
Parks & Recreation Facilities ³	145	→ 145	4	(149)	-	-
Water Impact Fee Reserves	4,779	→ 4,782	37	(4,819)	-	-
Sewer Impact Fee Reserves	2,736	→ 2,738	19	(2,757)	-	-
Electric Impact Fee Reserves	1,100	→ 1,102	20	(1,122)	-	-
Impact Fees & Police/GF Totals⁴	\$ 9,391	\$ 9,330	\$ 97	\$ (9,427)	\$ -	\$ -

Grand Totals⁴	\$ 51,475	\$ 51,624	\$ 5,756	\$ (33,583)	\$ (15,826)	\$ 7,972
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¹New report merges Cash Roll (p.2) and Restricted Reserves (p.3) into one single reference for net funds available after commitments & restrictions.

²The decrease in Special Purpose Cash Balances was driven by the application of ARPA funding to capital projects. Please see Appendix for ARPA Spend (line 16) vs Plan Detail.

³The Parks & Recreation Facilities and Lodging Tax Fund have historically not been represented on the monthly finance reports but were added in February 2022 and will be included going forward for comprehensiveness and transparency.

⁴Closing Balance Indicator sets Red, Yellow and Green signify month-to-month cash variance as follows:



City of Milford, Delaware
Cash and Investment Balance¹ Rollforward
For the Period Ended July 31, 2022
(Revised 8/22/2022)

▼ Marks Ref Closing Bal⁴

1 **Operating Cash Balances**

Description	Opening Balance (Jun 30, 2022)	Receipts	Interest Earned	Disbursements	Closing Balance (Jul 31, 2022)
General Fund	\$ 2,789,660	\$ 893,092	\$ 541	\$ (1,403,590) ↓	\$ 2,279,702
Electric Fund	2,659,375	2,560,233	1,667	(1,930,018) ↑	3,291,257
Water Fund	1,748,743	300,736	1,280	(72,885) ↑	1,977,875
Sewer Fund	935,877	473,900	592	(286,564) ↑	1,123,804
Solid Waste Fund	497,794	131,420	87	(70,910) ↑	558,391
Operating Cash Totals⁴	\$ 8,631,449	\$ 4,359,381	\$ 4,166	\$ (3,763,968) □	\$ 9,231,029

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

Description	Opening Balance (Jun 30, 2022)	Receipts	Interest Earned	Disbursements ²	Closing Balance (Jul 31, 2022)
General Improvement	\$ 552,915	\$ (96)	\$ 96	\$ - →	\$ 552,915
Municipal Street Aid (MSA)	371,117	(104)	104	(335) →	370,782
Realty Transfer Tax (RTT)	4,452,378	117,144	812	(807) →	4,569,527
Economic Development	681,714	-	-	- →	681,714
Lodging Tax Fund	420,349	26,450	-	- →	446,799
ARPA Grant Fund ³	2,739,287	-	-	(325,964) ↓	2,413,324
Special Purpose Cash Totals⁴	\$ 9,217,760	\$ 143,394	\$ 1,012	\$ (327,106) □	\$ 9,035,060

18 **Reserve Fund Cash Balances**

Description	Opening Balance (Jun 30, 2022)	Receipts ²	Interest Earned	Disbursements ²	Closing Balance (Jul 31, 2022)
General Fund Capital Reserves	\$ 2,051,703	\$ 38,277	\$ -	\$ (129,146) →	\$ 1,960,834
Water Fund Capital Reserves	2,865,651	-	-	(86,809) →	2,778,842
Sewer Fund Capital Reserves	3,911,429	-	-	(10,460) →	3,900,968
Solid Waste Fund Capital Reserves	278,578	-	-	(4,053) →	274,525
Electric Fund Capital Reserves	15,127,722	-	-	(15,027) →	15,112,695
Reserve Fund Cash Totals⁴	\$ 24,235,081	\$ 38,277	\$ -	\$ (245,494) □	\$ 24,027,864

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

Description	Opening Balance (Jun 30, 2022)	Receipts	Interest Earned	Disbursements ²	Closing Balance (Jul 31, 2022)
Police & General Gov't Facilities	\$ 79,706	\$ 1,139	\$ -	(69,534) ↓	\$ 11,312
Carlisle Fire Co Permit Fund	550,735	380	-	- →	551,114
Parks & Recreation Facilities	144,500	400	-	- →	144,900
Water Impact Fee Reserves	4,778,860	3,323	-	- →	4,782,183
Sewer Impact Fee Reserves	2,736,363	1,756	-	- →	2,738,119
Electric Impact Fee Reserves	1,100,340	1,800	-	- →	1,102,140
Impact Fees & Police/GF Totals⁴	\$ 9,390,504	\$ 8,798	\$ -	\$ (69,534) □	\$ 9,329,768

Grand Totals⁴	\$ 51,474,795	\$ 4,549,849	\$ 5,179	\$ (4,406,102) ▲	\$ 51,623,721
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¹Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves and Net Cash & Funding Availability Reports for detail.

²\$0.2 million disbursed across all utility reserves (lines 20-24) reflects progress on FY22 ongoing projects and early, minor expenses on FY23 initiatives.

³The second tranche of ARPA funding was distributed just before the end of the fiscal year.

⁴Closing Balance Indicator sets **Red**, **Yellow** and **Green** signify month-to-month cash variance as follows:



-10% ≤ Variance ≤ 10%



-5% ≤ Variance ≤ 5%



-2.5% ≤ Variance ≤ 2.5%

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

General Fund Capital Reserves		Amount
Cash/Investment Balance (7/31/22)	\$	1,960,834
Expected Contributions & Interest		500,894
Restricted Funds:		
Vehicle & Equipment Replacement		(199,695)
Street Repair		(688,000)
Parking Enhancements		(320,000)
Parkland, Trails & Recreation		(1,412,443)
Other Proj		(500,700)
OpEx Support (Tax R/A & PD R/M)		(807,000)
Support Policy with RTT ¹		2,000,000
Draft Reserve (MCR) Policy ²		-
Equipment Replacement Reserve ²		(355,800)
Uncommitted Reserve Balance	\$	178,090

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (7/31/22)	\$	15,112,695
Expected Contributions & Interest		24,238
Restricted Funds:		
Electric Vehicles & Equipment		(186,026)
Lighting & System Improvements		(593,628)
Traffic Signal Upgrades		(350,000)
Citywide Projects		(1,610,785)
Redeem / Defeasement Bond (Jan 2022)		(4,060,000)
Draft Reserve (MCR) Policy ^{3,6}		(4,693,372)
Equipment Replacement Reserve ³		(60,000)
Uncommitted Reserve Balance	\$	3,583,122

Water Fund Capital Reserves		Amount
Cash/Investment Balance (7/31/22)	\$	2,778,842
Expected Contributions & Interest		739,863
Restricted Funds:		
Vehicle & Equipment Replacement		(145,164)
Streets 2020 Utility Engineering		(201,000)
		-
Milford Business Campus		(92,385)
Sum of FY23 Projects		(693,000)
Draft Reserve (MCR) Policy ^{3,6}		(2,099,788)
Equipment Replacement Reserve ³		(145,164)
Uncommitted Reserve Balance	\$	142,204

Solid Waste Reserves		Amount
Cash/Investment Balance (7/31/22)	\$	274,525
Expected Contributions & Interest		386,377
Restricted Funds:		
Solid Waste Vehicles & Equipment ⁴		(549,500)
Solid Waste Alloc of PW Projects		(106,250)
Draft Reserve (MCR) Policy ^{4,6}		-
Equipment Replacement Reserve ⁴		-
Uncommitted Reserve Balance	\$	5,152

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (7/31/22)	\$	3,900,968
Expected Contributions & Interest		644,741
Restricted Funds:		
Sewer Vehicles & Equipment		(167,500)
Citywide Projects & Engineering		(22,869)
Utility Engineering		-
Sum of FY23 Projects		(905,000)
Draft Reserve (MCR) Policy ^{3,6}		(3,327,474)
Equipment Replacement Reserve ³		(110,000)
Uncommitted Reserve Balance	\$	12,866

MSA & RTT Reserves		Amount
RTT Balance (7/31/22)		4,569,527
MSA Balance (7/31/22)		370,782
MSA & RTT Est Receipts thru FY22:		1,007,308
MSA: Street & Bridge Improvements		(1,190,958)
RTT: Transfer to Police Dept		(275,000)
RTT: Sidewalk Project Funding		(426,170)
MSA & RTT: 2020 Combined St-Util		(31,000)
		-
RTT: Support GF Policies ¹		(2,000,000)
RTT: Draft Reserve Policy ⁵		(1,203,346)
Uncommitted Reserve Balance	\$	821,142

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

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

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

⁴Solid Waste Reserves initiated in FY22 with seed funding from interfund loan forgiveness. Through at least FY23, 100% reserved for purchase of new vehicle per FY23-27 CIP; moved from MCR to Restricted

⁵Approved Reserve Policies recommend dynamic MCR based on average of trailing-three-year RTT receipts; FY23 increase related to strong FY22 vs FY19, which fell out of T3 Avg

⁶The 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 (\$170k added to MCR for OpEx)

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

	205	202	203	204				
Enterprise Funds Profit & Loss (P&L) Statement	Electric	Water	Sewer	Solid Waste	Total	FY23 Total (as % of Rev)	FY22 Total (as % of Rev)	
1 Operating Revenue	\$ 2,210	\$ 289	\$ 429	\$ 127	\$ 3,055	100.0%	100.0%	
2 Cost of Revenue ¹	(1,886)	(23)	(207)	(27)	(2,143)	-70.1%	-68.4%	
3 Gross Margin	324	266	222	101	912	29.9%	31.6%	
4 Operating Expenses								
5 Operations & Maintenance	(37)	(24)	(3)	(45)	(110)	-3.6%	-14.8%	
6 Personnel	(77)	(17)	(15)	(12)	(122)	-4.0%	-3.0%	
7 Total Operating Expenses	(115)	(41)	(19)	(57)	(232)	-7.6%	-17.8%	
8 Operating Income	\$ 209	\$ 225	\$ 203	\$ 43	\$ 680	22.3%	13.8%	
9 Non-Operating Revenue (Expense)	7	-	-	-	7	0.2%	0.1%	
10 Surplus (Deficit) for debt service & capital	216	225	203	43	687	22.5%	13.9%	
11 Debt Service - Principal & Interest	-	-	(5)	-	(5)	-0.2%	-1.1%	
12 Capital Spending / Contributions from (to) Reserves	-	-	-	-	-	0.0%	-2.1%	
13 Surplus (deficit) available for transfers	216	225	198	43	682	22.3%	10.7%	
14 Transfers Out	(208)	(25)	-	-	(233)	-7.6%	-8.0%	
15 Net Surplus (Deficit) - FYTD through Jul 2022	\$ 7	\$ 200	\$ 198	\$ 43	\$ 448	14.7%	2.7%	
16 Net Surplus (Deficit) - FYTD through Jul 2021	\$ (46)	\$ 89	\$ 4	\$ 32	\$ 80	2.7%		
17 Current vs Prior - Favorable (Unfavorable)²	↑ \$ 53	↑ \$ 111	↑ \$ 194	↑ \$ 11	↑ \$ 369	↑ 12.0%		
18 Net Surplus (Deficit) - Current FYTD Budget	\$ (55)	\$ 89	\$ 7	\$ 0	\$ 42	1.2%		
19 Current vs Budget - Favorable (Unfavorable)²	↑ \$ 62	↑ \$ 111	↑ \$ 191	↑ \$ 43	↑ \$ 407	↑ 13.4%		

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

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

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

General Fund Sources and Uses of Funding	Admin & Council	Public Safety	Parks & Rec	Planning & All Other	Total	FY23 Total (as % of Rev)	FY22 Total ³ (as % of Rev)
Sources of Funding:							
Real Estate (Property) Taxes	\$ 23	\$ -	\$ -	\$ -	\$ 23	6.8%	11.5%
Permits, Licensing & Franchise Fees	19	-	-	18	37	11.0%	2.2%
Fines, Fees & Misc Revenue	6	11	-	-	16	4.9%	2.2%
General Revenue Subtotal	47	11	0	18	76	22.7%	15.8%
Utility Transfers & Cost Allocation	258	-	-	-	258	77.3%	84.2%
Grant Revenue	-	-	-	-	-	0.0%	0.0%
Application of Reserve Balances	-	-	-	-	-	0.0%	0.0%
General Fund Operating Support	258	0	0	0	258	77.3%	84.2%
Total Sources of Funding	\$ 306	\$ 11	\$ -	\$ 18	\$ 334	100.0%	100.0%
Uses of Funding:							
Operations & Maintenance	33	53	36	27	150	44.8%	75.3%
Personnel	35	236	26	85	382	114.4%	18.7%
Total Operating Expenses²	68	290	62	112	532	159.1%	94.0%
Surplus (Deficit) for Debt Svc & Capital	\$ 238	\$ (279)	\$ (62)	\$ (94)	\$ (198)	-59.1%	6.0%
Debt Service - Principal & Interest	-	-	-	-	-	0.0%	0.0%
Capital Spending / Transfers from (to) Reserves	10	78	1	-	89	26.6%	69.4%
Net Surplus (Deficit) - FYTD through Jul 2022	\$ 228	\$ (357)	\$ (64)	\$ (94)	\$ (287)	-85.8%	-63.3%
Net Surplus (Deficit) - FYTD through Jul 2021³	\$ 331	\$ (302)	\$ (95)	\$ (181)	\$ (247)	-63.3%	
Current vs Prior - Favorable (Unfavorable)⁴	\$ (103)	\$ (55)	\$ 31	\$ 87	\$ (40)	-22.5%	
Net Surplus (Deficit) - Current FYTD Budget	\$ 288	\$ (490)	\$ (187)	\$ (208)	\$ (598)	-129.7%	
Current vs Budget - Favorable (Unfavorable)⁴	\$ (60)	\$ 134	\$ 123	\$ 114	\$ 311	43.9%	

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

²The General Fund Operating Expenses totaling \$0.5mm reported in row 14 ties to the legacy expenditure report in row 58 totaling \$0.6mm, less \$0.1mm in Capital.

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

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

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

<i>Actual Spending by Category vs Plan, as Amended</i>						
ARPA Eligibility Categories	Plan (1/31)	Plan (5/31)	Actual (7/31)	Remaining	Notes	
COVID-19 Health Impact	\$ 1,033,514	\$ 1,073,014	\$ 314,589	\$ 758,425		
Operational Facilities	491,776	516,776	74,674	442,102	Revised Plan Reflects Take-Home Vehicle Cost @ 50%	
Administering COVID-19 Response	213,690	228,379	24,000	204,379	Pro Rata portion of DE Treasury ARPA Attorney	
Behavioral Health Care	180,000	180,000	150,506	29,494	Primarily Personnel Costs	
Air Quality & Ventilation	147,450	147,262	64,812	82,450	HVAC Replacement Project in Finance Building	
COVID-19 Mitigation	598	598	598	-	Vaccination Incentive; COVID test kits	
COVID-19 Economic Impact	\$ 861,157	\$ 861,157	\$ 831,144	\$ 30,013		
Assistance to Community (Annual)	324,460	324,460	324,460	-	DMI, Armory, Museum, CFC	
Assistance to Community & Households	256,929	256,929	256,929	-	MHDC, CFC, Food Bank, Library	
Critical Ops Staffing / Retention	236,476	236,476	236,476	-	December 2021 Initiative	
Aid Tourism Recovery	25,483	25,483	7,858	17,625	Signage / Banner Upgrade	
Operational Facilities	15,184	15,184	2,796	12,388		
Parks & Rec Programming	2,625	2,625	2,625	-	Signage cost share with DMI	
Infrastructure	\$ 4,334,460	\$ 4,329,460	\$ 2,749,573	\$ 1,579,887		
Water Quality	2,902,074	2,877,074	2,076,712	800,363	Mispiration St Project; NE Front St Water Line Replacement	
Flood/Pollution Control	724,600	724,600	197,702	526,898	4th St Drainage & Mispiration St Project	
Improve Resilience to Disasters	435,000	435,000	242,729	192,271	Pump Station Upgrades, Spare Pumps & IT Initiatives	
Improve Wastewater Treatment	272,785	292,785	232,430	60,355	Sewer component of Mispiration St Project	
Revenue Recovery	\$ 104,762	\$ 70,262	\$ -	\$ 70,262		
Parks & Rec Programming	97,000	62,500	-	62,500		
Economic Development	7,762	7,762	-	7,762		
Public Safety Operations	-	-	-	-		
Grand Total	\$ 6,333,893	\$ 6,333,893	\$ 3,895,307	\$ 2,438,586		

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

8.3% of Year Elapsed

Account / Function	FY23 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
General Fund:				
Economic Development Fund	\$ 105,860	\$ -	\$ -	0.0%
General Fund Reserves	837,986	-	-	0.0%
ARPA Funding - Operating Support	270,411	-	-	0.0%
Realty Transfer Tax - Police	300,000	-	-	0.0%
Real Estate Tax	4,941,100	22,592	22,592	0.5%
Business License	67,000	1,260	1,260	1.9%
Rental License	110,000	3,200	3,200	2.9%
Building Permits	215,000	4,212	4,212	2.0%
Planning & Zoning	85,100	7,570	7,570	8.9%
Leases and Franchise Fees ¹	428,351	19,172	19,172	4.5%
Grasscutting Revenue	16,000	1,333	1,333	8.3%
Police Revenues	491,250	10,884	10,884	2.2%
Misc. Revenues ¹	19,500	5,504	5,504	28.2%
Transfers In	4,046,909	258,333	258,333	6.4%
Total General Fund Revenue	\$ 11,934,467	\$ 334,061	\$ 334,061	2.8%
Enterprise Funds:				
Water Fund Revenues	\$ 3,138,348	\$ 289,011	\$ 289,011	9.2%
Sewer Fund Revenues	3,117,701	260,179	260,179	8.3%
Kent County Sewer	2,036,770	176,625	176,625	8.7%
Solid Waste Fund Revenues	1,609,208	127,445	127,445	7.9%
Electric Fund Revenues	27,538,891	2,213,304	2,213,304	8.0%
Total Enterprise Fund Revenue	\$ 37,440,918	\$ 3,066,564	\$ 3,066,564	8.2%
Other Enterprise Revenue	\$ -	\$ 5,882	\$ 5,882	
Other Enterprise Expense	-	(9,601)	(9,601)	
Total General & Enterprise Fund Revenue	\$ 49,375,385	\$ 3,396,906	\$ 3,396,906	6.9%

¹Recurring, 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 July 31, 2022

8.3% of Year Elapsed

Fund / Account / Divisional Groupings	FY23 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
General Fund					
City Administration					
Personnel	\$ 822,844	\$ 32,581	\$ 32,581	4.0%	\$ 790,263
Operation & Maintenance (O&M)	254,591	6,701	6,701	2.6%	247,890
Capital	226,250	-	-	0.0%	226,250
Subtotal: City Administration	1,303,685	39,282	39,282	3.0%	1,264,403
Planning & Zoning; Code					
Personnel	592,088	28,789	28,789	4.9%	563,299
O&M	136,943	8,556	8,556	6.2%	128,387
Capital	50,000	-	-	0.0%	50,000
Subtotal: Planning & Zoning; Code	779,031	37,345	37,345	4.8%	741,686
Council					
Personnel	36,688	2,358	2,358	6.4%	34,330
Legal	29,300	-	-	0.0%	29,300
City Hall Building Expense	35,810	-	-	0.0%	35,810
Insurance	14,200	490	490	3.5%	13,710
Christmas Decorations	5,000	-	-	0.0%	5,000
Council Expense	44,000	6,752	6,752	15.3%	37,248
Employee Recognition	28,000	2,000	2,000	7.1%	26,000
Codification	10,000	3,397	3,397	34.0%	6,603
Carlisle Fire Company	205,000	-	-	0.0%	205,000
Museum	35,500	-	-	0.0%	35,500
Downtown Milford, Inc.	47,500	-	-	0.0%	47,500
Milford Public Library	26,750	-	-	0.0%	26,750
Transcription Service	-	-	-	-	-
Armory Expenses	50,000	1,131	1,131	2.3%	48,869
Community Festivals	70,000	-	-	0.0%	70,000
Election - Wages	5,000	-	-	0.0%	5,000
Election - Supplies	2,800	-	-	0.0%	2,800
Other O&M	59,516	-	-	0.0%	59,516
Capital	75,000	-	-	0.0%	75,000
Subtotal: Council	780,064	16,128	16,128	2.1%	763,936

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

8.3% of Year Elapsed

Fund / Account / Divisional Groupings	FY23 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Finance					
Personnel	508,442	22,821	22,821	4.5%	485,621
O&M	54,413	5,233	5,233	9.6%	49,180
Capital	-	-	-		-
Subtotal: Finance	562,855	28,054	28,054	5.0%	534,801
Information Technology					
Personnel	447,230	16,078	16,078	3.6%	431,152
O&M	254,156	7,260	7,260	2.9%	246,896
Capital	65,837	9,616	9,616	14.6%	56,221
Subtotal: Information Technology	767,223	32,954	32,954	4.3%	734,269
Police Department					
Personnel	5,226,663	236,052	236,052	4.5%	4,990,611
O&M	958,611	53,493	53,493	5.6%	905,118
Capital	-	77,926	77,926		(77,926)
Subtotal: Police Department	6,185,274	367,471	367,471	5.9%	5,817,803
Streets & Grounds Division					
Personnel	376,673	17,272	17,272	4.6%	359,401
O&M	501,469	18,258	18,258	3.6%	483,211
Capital	720,000	-	-	0.0%	720,000
Subtotal: Streets & Grounds Division	1,598,142	35,530	35,530	2.2%	1,562,612
Parks & Recreation					
Personnel	688,620	26,069	26,069	3.8%	662,551
O&M	563,870	36,310	36,310	6.4%	527,560
Capital	1,085,443	1,450	1,450	0.1%	1,083,993
Subtotal: Parks & Recreation	2,337,933	63,829	63,829	2.7%	2,274,104
Total General Fund Expenditures	\$ 14,314,209	\$ 620,593	\$ 620,593	4.3%	\$ 13,693,616

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

8.3% of Year Elapsed

Fund / Account / Divisional Groupings	FY23 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Enterprise Funds:					
Water Division					
Personnel	\$ 324,234	\$ 13,127	\$ 13,127	4.0%	\$ 311,107
O&M	1,757,891	47,028	47,028	2.7%	1,710,863
Transfer to General Fund	300,000	25,000	25,000	8.3%	275,000
Capital	1,052,900	7,264	7,264	0.7%	1,045,636
Debt Service	365,274	-	-	0.0%	365,274
Subtotal: Water Division	3,800,299	92,419	92,419	2.4%	3,707,880
Sewer Division					
Personnel	360,693	15,359	15,359	4.3%	345,334
O&M ¹	1,858,390	33,903	33,903	1.8%	1,824,487
Capital	1,037,400	7,264	7,264	0.7%	1,030,136
Debt Service	412,478	5,226	5,226	1.3%	407,252
Subtotal: Sewer Division (excl. Kent County)	3,668,961	61,752	61,752	1.7%	3,607,209
Kent County Sewer	2,036,770	176,448	176,448	8.7%	1,860,322
Subtotal: Sewer Division (Comprehensive)	5,705,731	238,200	238,200	4.2%	5,467,531
Solid Waste Division					
Personnel	359,479	12,214	12,214	3.4%	347,265
O&M	1,181,700	72,008	72,008	6.1%	1,109,692
Capital	655,750	3,727	3,727	0.6%	652,023
Subtotal: Solid Waste Division	2,196,929	87,949	87,949	4.0%	2,108,980
Subtotal: Water, Sewer & Solid Waste	11,702,959	418,568	418,568	3.6%	11,284,391
Electric Division					
Personnel	1,598,456	77,411	77,411	4.8%	1,521,045
O&M	2,983,845	37,238	37,238	1.2%	2,946,607
Transfer to General Fund	2,500,000	208,333	208,333	8.3%	2,291,667
Capital	953,300	14,055	14,055	1.5%	939,245
Debt Service	324,315	-	-	0.0%	324,315
Subtotal: Electric Division (excl. Power)	8,359,916	337,037	337,037	4.0%	8,022,879
Power Purchased	19,484,755	1,886,416	1,886,416	9.7%	17,598,339
Subtotal: Electric Division (Comprehensive)	27,844,671	2,223,453	2,223,453	8.0%	25,621,218
Total Enterprise Fund Expenditures	\$ 39,547,630	\$ 2,642,021	\$ 2,642,021	6.7%	\$ 36,905,609
Grand Total Operating Budget	\$ 53,861,838	\$ 3,262,614	\$ 3,262,614	6.1%	\$ 50,599,224

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

8.3% of Year Elapsed

Account / Divisional Groupings	FY23 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Interservice Departments					
Garage					
Personnel	\$ 134,110	\$ 4,771	\$ 4,771	3.6%	\$ 129,339
Operation & Maintenance (O&M)	128,475	7,173	7,173	5.6%	121,302
Capital	-	-	-		-
Subtotal: Garage	262,585	11,944	11,944	4.5%	250,641
Public Works					
Personnel	881,630	38,500	38,500	4.4%	843,130
O&M	237,282	16,731	16,731	7.1%	220,551
Capital	-	-	-		-
Subtotal: Public Works	1,118,912	55,231	55,231	4.9%	1,063,681
Tech Services					
Personnel	294,863	13,130	13,130	4.5%	281,733
O&M	461,599	25,202	25,202	5.5%	436,397
Capital	-	-	-		-
Subtotal: Tech Services	756,462	38,332	38,332	5.1%	718,130
Billing & Collections					
Personnel	760,557	30,647	30,647	4.0%	729,910
O&M	370,235	20,173	20,173	5.4%	350,062
Capital	-	-	-		-
Subtotal: Billing & Collections	1,130,792	50,820	50,820	4.5%	1,079,972
City Hall Cost Allocation					
O&M	84,875	5,840	5,840	6.9%	79,035
Capital	-	-	-		-
Subtotal: City Hall Cost Allocation	84,875	5,840	5,840	6.9%	79,035
Interdepartmental Cost Allocation	\$ (3,353,626)	\$ (162,167)	\$ (162,167)	4.8%	\$ (3,191,459)
Net Interdepartmental Costs¹	\$ -	\$ -	\$ -		\$ -

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

Public Restroom

CITY OF MILFORD PUBLIC WORKS

Overview

Timeline

Proposals

Constraints

- Floodplain
- Public Lands
- Size
- Accessibility
- Budget

Additional Information

- Future Use
- Architecture
- Design

Timeline



Basic Layout Proposals

- Single-use or multi-use stall
- 2 or 3 stalls
 - An average of 2.29 stalls was desired by those surveyed
- Gendered or family bathroom
- Inclusion of a water fountain and a bottle filler
 - 83% of those surveyed wanted water fountains included
- Solar panels
- Electronic timer lock
- CCTV Camera

Constraints

- The set budget for building the restroom is \$300,000
- Environmental concerns
- Limited space
- Legal constraints and restrictions
- Public need

Publicly Owned Land



Accessibility

The Americans with Disabilities Act (ADA) legally requires the building to be accessible to everyone.

- ADA compliant ramps will be built wherever needed to allow for easy accessibility to anyone.
- Utilities within the restroom will be ADA compliant.

Future Use

Consider future proposed amenities in the Downtown district

- Pickleball Court
- Picnic Pavilion
- Playground
- Splashpad



Architectural

Some material options include

- Brick
- Concrete stamping

In general, the public was in favor of a sturdy, masonry material.

Some members also spoke of a decorative design on the outside such as a mural.



Existing Restroom Design

Public Location Selections

1ST CHOICE: ●

2ND CHOICE: ●



Questions and Feedback

Chapter 211 TREES

§ 211-3. Preservation and Advisory Council.

There is hereby created and established a Preservation and Advisory Council which shall consist of five members. These five members will include volunteer citizens, residents and/or local business owners, and will be appointed by the Mayor with the approval of Council. The term of the five members appointed by the Mayor and approved by Council shall be three years, except the term of two of the members appointed to the first Board shall be for only one year and the term of two of the members appointed to the first Board shall be for two years. If a member leaves the Board during his or her term, his or her successor shall serve for the unexpired portion of the term.

- A. The members of the Board shall serve without compensation.
- B. The members of the Board shall have public meetings at least semi-annually .
- C. The Board shall deliver the agenda for each meeting to the City Clerk 10 days prior to the meeting date. The City Clerk shall post the agenda seven business days prior to the meeting.
- D. Any action taken by the Board at a regularly scheduled meeting shall require a majority vote of members in attendance. Attendance by three or more members shall constitute a quorum for the conduct of business by the Board. Should nature create a hazard that needs immediate attention to protect the public's safety, the City Manager shall use his/her discretion to rectify the problem in a timely manner within the bounds of this chapter.

§ 211-4. Preservation and Advisory Council authority and responsibilities.

- A. The goal of the Preservation and Advisory Council is to ensure that the City will realize the benefits of trees by proposed policies, regulations and standards necessary to:
 - (1) Establish and maintain the appropriate amount of tree cover on public lands and to maintain an inventory of its City trees.
 - (2) Maintain City trees in a healthy and nonhazardous condition through good arboricultural practices.
 - (3) Establish and maintain diversity toward native tree species and age classes to provide a healthy and stable urban forest.
 - (4) Study, investigate, develop and/or update and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented to the City Council and, upon its acceptance and approval, shall constitute the official comprehensive tree plan for the City of Milford.
 - (5) Prepare and submit a tree planting/maintenance budget to Council for approval.
 - (6) Advise the City Manager on making application for and receiving grants or contributions of money, technical assistance and labor from any person, organization or agency, and, on the expenditure of such grants or contributions for specific projects relating to the planning, management, care, planting and preservation of trees in the community forest and for the beautification of the City of Milford.
 - (7) Assist and work with individuals and businesses developing new residential, commercial or industrial sites to preserve existing trees or oversee proper replacement of trees removed from the site being developed.
 - (8) Educate the public about the benefits of trees and their proper care.

-
- B. The Preservation and Advisory Council shall assist the City Council, Planning Commission, the owner/developer and any other entity having intent to develop and/or subdivide a lot, piece, parcel or tract of land. Where considered desirable by the Planning Commission, the owner/developer may be required to plant trees or shrubs in appropriate areas for both aesthetic and screening purposes. The type of planting shall be defined by the owner/developer, but subject to Planning Commission approval.
 - C. The Preservation and Advisory Council shall establish the preservation of all natural features which add value to the residential developments and to the community, such as large trees or groves, watercourses and falls, historical spots, vistas and similar irreplaceable assets. No tree on City lands with a diameter of eight inches or more as measured 4 1/2 feet above the base of the trunk shall be removed without prior consultation with the Preservation and Advisory Council.

ARTICLE VI – Parks and Recreation Advisory Board

§ 165-14. - Parks and Recreation Advisory Board.

A. There is hereby created and established a Parks and Recreation Advisory Board. The Parks and Recreation Advisory Board shall be composed of five (5) persons. The members shall be appointed by the Mayor, with the approval of City Council, for staggered terms of three (3) years each. At the time of the initial appointment, pursuant to this Chapter, the Mayor shall designate the length of term for each member to provide for staggered terms.

B. At least four members of the Advisory Board shall be residents of the City of Milford. If it is deemed beneficial to the work of the Advisory Board, one member may be a non-resident, but shall be a resident of the Milford School District.

C. Any member who is absent from three (3) consecutive meetings without being excused shall be considered as having vacated his/her appointment.

D. The members of the Advisory Board shall serve without compensation.

E. The Advisory Board shall meet at least quarterly.

§ 165-15. - Responsibilities.

A. Advisory Board members shall deal with Parks and Recreation employees or contractors solely through the Parks and Recreation Director or, if unavailable, the City Manager. The Advisory Board shall make decisions with respect to its recommendations and/or advice to the Director or the City Council collectively in public meetings in accordance with requirements and provisions of the Delaware Code. Any such recommendations to the City Council shall be communicated in writing in the form of minutes or memos.

B. The Parks and Recreation Advisory Board is responsible for advising the City Council on policy matters relating to:

- (1) The development of City parks and recreational facilities,
- (2) The recreation programs of the City,
- (3) The fees and charges for the use of parks and recreation facilities and for recreation programs,
- (4) Other subjects that may be referred to the Advisory Board by City Council or the Parks and Recreation Director.

C. The Parks and Recreation Advisory Board shall assist the Parks and Recreation Director with educating the public about the benefits of recreational activities, parks and open space, trees and their proper care.

August 4, 2022

I wanted to check and see if it was possible to include the contribution letter in the electric billing in the next couple of months. If not, could the link for contribution be included in the newsletter?

I have attached the letter and the link is below.

<https://milfordparade.eventbrite.com>

Either would be appreciated.

Sincerely,

Charles Gray
2022 Parade Chairperson

Terri,

Will you please add this to agenda this month? The insert would be best in the September utility bills.

NEED:

Authority to cover the costs associated with printing/including the Parade Committee's insert in our utility newsletters in September? The cost is approximately \$1,200.

Thank you,

Suzannah



Support the 2022 Milford Community Parade! “Splish Splash”

Milford's longest running family tradition marches on Walnut Street!

Keep the tradition alive. Your sponsorship of \$20, \$40, \$50 or more will help defray the cost associated with the Milford Community Parade. And now you can include your sponsorship in a **separate check** when you mail in your electric bill. If you missed out last year, this can be your year to be included. You may also contribute at <https://milfordparade.eventbrite.com>

Here's how you can help us reach our goal of \$10,000 in sponsorships: Just write a check in the amount of your sponsorship to Milford Community Parades, Inc. and include the check in your electric bill with the bottom portion of this flyer. The City of Milford will forward your contribution to the Milford Parade Committee. Then join us on Walnut Street, Wednesday, October 19, 2022 at 6:30pm for “Splish Splash”. We are on Facebook at Milford Parade for fun facts and updates. Download an entry form at www.milfordparade.com. Thank you for your continued support.

YES! Keep the tradition alive---

Please accept my \$20 \$40 \$50 \$100 Campaign**

****RECEIVE A YARD SIGN FOR YOUR YARD OR WINDOW!**

Sponsorship on behalf of

individual name / family name / company name

street address

city/state/zip

check #



Please return this bottom portion and separate check with your electric bill.



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

August 16, 2022

City of Milford, Delaware
Attention: Michael Svaby
180 Vickers Dr,
Milford, DE 19963

RE: STATE OF DELAWARE TRAFFIC SIGNAL TRANSFER AGREEMENT FOR SIGNAL (K175T) SR 14/N.E. Front St and N Washington St.

Dear Mr. Svaby:

THIS **AGREEMENT**, made this _____ day of _____, 2022 between the State of Delaware, Department of Transportation, (the “**STATE**”) and the City of Milford, a municipal corporation of the State of Delaware, (The “**CITY**”).

WITNESSETH THAT

WHEREAS, there currently exists a traffic signal at the intersection of SR 14/N.E. Front Street and Washington Street that is owned, maintained and operated by the **CITY** (the “**Signal**”), and

WHEREAS, the **STATE** currently has a scheduled N.E. Front Street Streetscaping Improvements-Milford Project (the “**Streetscaping Project**”), project number T201820001, which will result in repairs and/or improvements in the area of the Signal, including to the Signal itself, and

WHEREAS, the **STATE** can respond quicker with increased staffing and resources to address safety and/or operational problems experienced by the **Signal** located within the **CITY** Limits than the **CITY**, and

WHEREAS, the **Signal** is presently tied into, and/or will be upgraded as part of the Streetscaping Project to be interconnected to, the **STATE**'s coordinated traffic signal system, and

WHEREAS, the **STATE** and the **CITY** agree that it is in both parties best interest to transfer the ownership, control, day-to-day operations, including but not limited to sequencing, and long-term maintenance of the **Signals** from the **CITY** to the **STATE**;

NOW THEREFORE, the **CITY** and **STATE** for and in consideration of the mutual promises and benefits agrees, covenants, and promises with each other as follows:

1. Upon completion of the Streetscaping Project, the **CITY** will provide **Notice** (the "**Notice**") to the **STATE** initiating the transfer of ownership, day-to-day operations, including but not limited to sequencing, and long-term maintenance of the **Signal** from the **CITY** to the **STATE**. The **Notice** will include the date that the transfer will be effective. The **STATE** shall work with the **CITY** to come to a mutually agreeable date for the transfer prior to the **Notice** being issued.
2. The **CITY** agrees to pay at its sole expense all costs, expenses and fees required to improve, or rebuild where applicable, in the **STATE**'s sole discretion, the **Signal** and all curbing, sidewalks, ramps or other accessibility features required by the Americans with Disabilities Act ("ADA"), the State's current Standard Specifications for Road and Bridge Construction and, the State's Pedestrian Accessibility Standards Manual and, pending final approval of the design plans by the **CITY**. The improvements or rebuild must be constructed prior to transferring the ownership, day-to-day operations, and long-term maintenance of the **Signal** to the **STATE**.
3. Once the Signal is transferred to the State, the **CITY** agrees that the **STATE** may adjust signal operations to confirm with day-to-day operations, planned events, incidents, and emergency situations.
4. The **CITY** agrees that should the Signal become damaged or require replacement of the signal, pedestal or other supporting structures, once ownership has been transferred to the **State**, the Signal will be removed, and replaced by the State with powder coated black, non-decorative materials. Should the City desire to have a more decorative signal or components installed beyond the components supplied by the State, the City shall be solely responsible for the purchase and any additional installation costs associated with the installation of said signal and/or components.

IN WITNESS WHEREOF, the said parties hereto have caused this agreement to be duly executed and delivered as of the day and year above,

ATTEST:

**APPROVED FOR THE DEPARTMENT
OF TRANSPORTATION**

Charlanne A. Clymer

Director of Finance

Shanté Hastings

Director of Transportation Solutions

DATE

ATTEST:

APPROVED FOR: City of Milford

Witness Signature

BY:

Mayor Arthur J. Campbell

Witness Print Name

APPROVED AS TO FORM

George T. Lees III

Deputy Attorney General

Date

PROSPECTIVE DeIDOT INTERSECTIONS

Now in agreement proposed under DeIDOT Streetscape project:

DeIDOT

SR 14	(NW Front St) & Walnut St	(\$47,226)
177T	SR 14 (NW Front St) & Church St	(\$49,546.80)

Changing to all way stop red, currently underway with Century/DeIDOT

Signal removed and now changed to all way stop signs:

DeIDOT

S193T	SE Second St & Marshall St	(\$93,699.00)
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