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

CITY COUNCIL AGENDA
April 10, 2023

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

This meeting is available for viewing by the public by accessing the following link:
https://zoom.us/j/99156131279
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: 991 5613 1279

6:00 PM
15-Minute Public Comment Period*

Virtual attendees must register prior to start time of meeting by calling 302-422-1111 Extension 1300 or 1303, or by sending an email to cityclerk@milford-de.gov and providing your name, address, phone number, and the specific agenda item you wish to comment on. Persons in attendance that wish to speak must sign up prior to the start of the Council Meeting.

COUNCIL MEETING

Call to Order – Mayor Arthur J. Campbell

Invocation

Pledge of Allegiance

Roll Call

Approval of Previous Minutes

Recognition
- Introduction/New City Employees
- Proclamation 2023-06/National Linemen Appreciate Day
- Proclamation 2023-07/Public Safety Dispatchers Telecommunicators Week

Staff Reports

Monthly Police Report
City Clerk
Monthly City Manager Report:
Public Works Department
Electric Department
Planning & Zoning Department
Parks & Recreation Department
Human Resources
Economic Development & Community Engagement
IT Department
Finance Department

Communications & Correspondence

Unfinished Business

Waiver Authorization/Chapter 77 Alcohol/Riverwalk Freedom Festival

Authorize/DMI Funding/Ladybug Festival

New Business

Authorization/General Fund Reserve Funding/Police Take-Home Vehicles

Authorization/Interfund Loan/Police Facility Project [3]

Agreement/DelDOT/SE Transportation Improvement District Ⓟ [2]

Introduction/Ordinance 2303-19 Electric Rate Increase [1]

Introduction/Ordinance 2023-17 - Preliminary Major Subdivision
Application of Milford Corporate Center on behalf of City of Milford
182 +/- acres of land located at the northwest corner of
Milford-Harrington Highway and Canterbury Road
Comprehensive Plan Designation: Industrial Commercial
Zoning District: I-1 (Limited Industrial) BP (Business Park)
Present Use: Vacant Proposed Use: Industrial Park
Tax Parcel: MD-16-173.00-01-01.00

Adjournment

All items on the Council Meeting Agenda are subject to a potential vote.

ALL 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, DISTRIBUTED, OR PRESENTED AT MEETING ONCE PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE. ANY MATERIALS UTILIZED DURING THE MEETING SHALL BE FROM THE COUNCIL PACKET AND REFERENCED BY PRESENTER USING AUDIO AND VISUAL MEANS TO ENSURE VIRTUAL PARTICIPATION BY ALL IN ATTENDANCE.

℗ *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.

113022 012423 032723 032823 032923 040323
[1] 040423 City Manager Related Question
Agenda Items Rearranged
[2] 040623 Public Hearing Added
[3] Late Addition Request by Finance Director
041023 Items Removed by City Manager

CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
February 22, 2023

The City Council of the City of Milford convened in a Workshop Session on Wednesday, February 22, 2023, beginning at 6:06 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Dan Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Nirmala Samaroo, Brian Baer, Katrina Wilson, and Jason James Sr.

STAFF: City Manager Mark Whitfield, Police Chief Cecilia Ashe, and Deputy City Clerk Katrina White

COUNSEL: Solicitor David Rutt, Esquire

City Manager Mark Whitfield informed Council he is changing the order of the agenda by moving the Strategic Plan discussion to follow the fire company.

Carlisle Fire Update/Siren

City Manager Whitfield provided the following information Local Government Fellow Melody Barger prepared in relation to other local fire companies:

Dear Mayor and City Council,

The following contains the survey results of a survey that was conducted across 22 cities and towns in Delaware regarding fire sirens. The participating towns included Milton, South Bethany, Blades, Newark, Seaford, Selbyville, Frankford, Delaware City, Townsend, Newport, Georgetown, Felton, Henlopen Acres, Ocean View, Fenwick Island, Harrington, Laurel, Bridgeville, Rehoboth Beach, Middletown, New Castle City, and Cheswold.

1. Does your municipality own, operate, and maintain fire sirens within the city/town?

Yes	No
1	21

Yes: Seaford
No: Milton, South Bethany, Blades, Newark, Selbyville, Frankford, Delaware City, Townsend, Newport, Georgetown, Felton, Henlopen Acres, Ocean View, Fenwick Island, Harrington, Laurel, Bridgeville, Rehoboth Beach, Middletown, New Castle City, Cheswold

2. How many sirens are in operation within the city or town?

# Sirens	0	1	2	3	Unknown
Towns	10	8	2	1	1

0: South Bethany, Newark, Selbyville, Delaware City, Townsend, Felton, Henlopen Acres, Fenwick Island, New Castle City, Cheswold
1: Seaford, Frankford, Newport, Georgetown, Ocean View, Bridgeville, Rehoboth Beach, Middletown
2: Milton, Laurel
3: Harrington
Unknown: Blades
Note: Ocean View siren is out of town and is owned by Millville Fire

3. Are there any time restrictions about when the siren CANNOT be blown?

Yes	No	Other
1	16	3

Yes: Seaford
No: Selbyville, Frankford, Delaware City, Townsend, Newport, Georgetown, Felton, Henlopen Acres, Ocean View, Fenwick Island, Harrington, Laurel, Bridgeville, Middletown, New Castle City, Cheswold

Unknown: Blades
Note: Both Rehoboth Beach and Newark report that the siren was turned off by the fire department

President Tor Hazzard reviewed the following statistics for Council:

Carlisle Fire Company's Presentation
EMS Improvements/Challenges
- Four additional EMT's in process of being hired which will place full time EMS staffing to (8)
- Seeking fulltime EMS Supervisor
- Increased starting rate for EMS staff. Carlisle paved the way with higher wages for EMT's from which, surrounding companies following with increases which reformed the Employee Committee to expand on needs
- Researching family medical and pension plans
- We offer 100% paid medical for Employee's
- We do not cover Family medical however, is available at a very high premium
- No current retirement or pension package is available
- We lost one employee due to no family medical coverage and pension offered and countless potential new employees
- Increased call volume resulting in EMS staff becoming overwhelmed
- Last year EMS calls 4,010
- Continue to serve in a dual role as EMT/Firefighter (when needed)
- Increased response rate at several facilities which include, Milford Center, Milford Place, Delaware Veterans Home, and most of all Milford Wellness Village that includes 3-4 calls each shift
- EMS staff are overwhelmed daily with numerous means of transport from these facilities. On any given day, respond to an average of 3 calls per shift to one of these facilities

Fire Response Improvements/Challenges
- A total of 5 new volunteers have joined
- Increase with new member applications
- Several inactive members have increased their response rates becoming active again
- Alarm attendance has improved 50%
- Drill participation has increased 50%
- Improved relations with surrounding, neighboring companies with monthly meetings being held with area Fire Department Chiefs
- Increased Fire Company tours of area businesses including Nutrien AG, Milford Wellness Village, Dentsply Sirona and Aldi Grocery
- Call volumes continue to increase
- As of today, Carlisle has responded to 119 alarms
- 40% of responses have been the result of automatic fire alarms
- Increased community development has resulted in the increased volume of calls

Fire Chief Shawn Hinton discussed the following information:

- Since 1802 The Carlisle Fire Company continues to Protect and Serve the Citizens of Milford and surrounding communities
- The public has been misinformed for too long now due to ineffective news and social media platforms
- Need for increased public education relating to the Volunteer Fire Company and surrounding companies
- The fire siren alerts not only for fire alarms but also for the ambulance on manpower assists
- The fire siren does not alert on calls where a business is placed on officer's call; in 2023, we ran over 780 calls and the fire siren was not set off for 100 of those calls
- The fire siren is not only for fire and ambulance calls but, also natural disasters i.e., increase of tornado warnings, etc.
- The Carlisle Fire Company wants to work with the City of Milford, but are looking for the City of Milford to work with us

The Chief then talked about the role the siren plays within the department. The siren alerts the department that there is an emergency some type of emergency that we are going out to investigate what it should mean to the citizens of Milford

is that the volunteers are leaving from their homes and responding to the firehouse with their hazard lights on, in order to get to the firehouse, get our gear on and get the fire trucks out. With that, the sirens are meant to inform our residents of the emergency and to be aware that all this activity is occurring.

He added that every time the siren blows, that takes the volunteers away from their full-time jobs and away from their families to serve the citizens of Milford. The fire department is asking that the Council work with the fire department. The fire department prefers to maintain the control over the fire siren and hope this can be worked out with Council.

Councilmember Culotta asked the policy when the fire alarm goes off, noting that where he lived before, the first time a home alarm went off, the first time they come out, that is not a problem. The second time there is a $50 charge and the third time there is a $100 charge, and the fourth time it was $500. The intent was to manage the alarm to prevent false alarms.

Chief Hinton confirmed there is no similar policy, though in the case of commercial alarms, they submit a report to the fire marshal's office, who investigates why that alarm continues to sound. After three false alarms, he believes there is a fine accessed through the State Fire Marshal's Office.

Councilmember James agreed that education and clarity are important. He has been on Council for four years and pointed out there has never been any mention of Council being in opposition to Carlisle Fire Company, though that seems to be the perception, though that is not true. Council has always been important, and as far as the fire alarm goes, he asked if there is a misunderstanding by Council or the public. He does not hear there is a problem with the alarm from the public, but instead is the location and the volume. He asked if it can be heard in the outskirts of Milford, and he often does not hear it.

It seems to be a matter of location to serve the intended purpose and having one alarm where it is located it not working.

He also pointed out that Council has a responsibility to provide fire safety and are pleased that Carlisle provides that service and will continue to support the fire department and its efforts in any way possible that is advantageous to our taxpayers and residents. Unfortunately, they do not have free will to do what they want, but are governed to use the taxpayers' money in the best possible manner.

Councilmember Fulton said he has been talking to a lot of his constituents and people are more worried about not being able to hear the alarm in all areas of the citizens and that people recognize the intent is to alert the public of emergency vehicles. He, too, only heard complaints from those that live in the immediate area closest to the siren. Expanding the range without increasing the volume may work.

Councilman Culotta said if all the comments are combined, there are people that feel like we don't need it at all. Others understand the need but say it is too loud. He lives two houses over from the siren, and with the windows closed, it tested at 50 decibels and when open, it is about 90 to 95. He agrees that is loud especially in the middle of the night.

The argument to him is location and proximity and Council's plan to put the sirens closer to the corners of the city is a good one, besides bringing that volume to reasonable as it used to be.

He recalled it being placed on top of the tower in 2015 and that is when the sounds really increased. Prior to that, there were four fire alarms. He questioned why the city got lazy and let the balance of those alarms fall apart and rely on one as a result.

To him, placing them in better locations is ideal, which will allow them to be heard in the greater Milford area, which is also part of Carlisle's fire district.

Chief Hinton stated the education to the public is what is lacking. The department does not disagree with the relocation of the fire sirens and especially adding three more sirens. He noted the siren on Marshall Street has been inoperable for some time, as well as other locations, which leaves the department with only one siren.

He continued by stating the education in those areas in which the fire sirens are proposed, is where the education needs to be expanded. At that point, there will be four sirens with 90 decibels sitting right at the center. For example, adding one at the substation will place it adjacent to a group home of underprivileged residents and very close to the hospital. He has also heard of the possibility of placing one near US 113 and Route 36, which is going to be sitting in the backyard of somebody who has never had a fire siren. If we have five complaints coming to the Council, he asked them to consider these four other locations.

They want the community to be alerted so that they can provide the right of way to get Carlisle's responders to the fire company. They agree with that, but thinks education is needed to provide the businesses and residences in these four outer locations they will have 90 decibels that will reverb out to 60 decibels into the city is where the department wants to make sure the entire community is ok with these new locations.

Councilwoman Wilson recalled the communication breakdown a few years ago. The Council worked through that, but she does not think that was the result of most of the City Council, adding they have always been supportive and proud of Carlisle Fire Company.

When she first heard these siren complaints from some of the downtown residents, she did not understand the big deal. She did not understand but does not live where Councilmember Culotta lives. She agrees it is not loud at her house either. She appreciates knowing and being aware of the warning and is grateful that this could possibly save someone's life. She is willing to relocate the sirens, but only if the fire company agrees. She also thinks it is important that the Carlisle Fire Company continue to control the sirens and not City Council.

Councilman Marabella asked if the four locations will have the same decibel as the sole siren in downtown now. Chief Hinton confirmed that all four will have the same decibel. What is proposed currently, is in the center of the four locations is 90 decibels just as it is today, and will reverberate out to 60 decibels within the center of the city coming in from the four locations.

Chief Hinton confirmed that the City of Milford currently owns the sirens and it is their responsibility to maintain them.

It was noted that the City of Milford let them go over the years instead of providing regular maintenance.

It was suggested that the fire company own and maintain them as the ones that are related to them versus the City maintenance crews.

Councilmember Boyle asked about the need for fire sirens today when there is technology that could instantly notify the emergency personnel, in addition to the upgraded equipment of automobiles with flashing lights that can better alert the drivers on the road. He is very aware when he is in a vehicle when an emergency vehicle is approaching though he does not hear the siren.

Councilmember Culotta feels that the upkeep and maintenance of the sirens should be the responsibility of the city. The volunteers are there to fight fires and not for maintenance. The city already has personnel in place to handle those duties. If a paid force, there may be an argument, but at this point, it is a public notification that should be the City's charge.

City Manager Whitfield says he has no one on staff to maintain the sirens other than running electricity to them. That work would need to be contracted out. Currently, there has been no need for this work since he was hired by the city.

President Hazzard noted there is technology, and the firefighters have pagers, cell phones with a cheap, mobile app, and Pulse Point. The pagers do not always go off nor do Pulse Point or Chiefs Mobile (mobile communication). NFPA's (National Fire Protection Association) standard is two forms of reliable communication, one being the fire siren.

He again referenced the lack of public education is not only the fire sirens, and the last three group settings he has been involved with, a member of the public has always wanted to know why our response rate is so low, and why other departments are coming into the city and fighting Carlisle's fires. Or questions about neighboring fire companies assisting with ambulance calls.

President Hazzard explained that on all motor vehicle accidents with reported entrapment, the closest neighboring company is automatically dispatched with their rescue truck as a rescue assist. Carlisle has three ambulances but only the ability to staff two. The third is only used as a backup.

Recently, there were 21 calls in 24 hours, or a call almost every hour. When out on multiple calls, and a third, fourth, fifth or sixth emergency comes in, Kent Center 911 will automatically dispatch the next closest company to that call. That is why these other companies are seen coming into Carlisle's district and something the public needs to be informed about.

Chief Hinton also talked about the misconception about Carlisle's response being low. He noted that every form of traffic or construction jeopardizes the responder's response time. At present, it is hard to get those living in the middle of town to volunteer. As is seen at Route 113 and Route 14, there is a complete traffic jam that jeopardizes the members getting to the fire station, as well as congested traffic created by the bridge closure that is being rerouted downtown.

Chief Hinton lives two blocks away from the firehouse and it takes at least six minutes for him to arrive, regardless of the time of day. On a confirmed entrapment and ambulance response, or confirmed working fire, they get four minutes to respond. There is no way with the construction, congestion, and traffic rerouting they will make that response, though most of the time they do, but with very limited staffing.

When asked if the current location is a problem, Chief Hinton stated yes, it is a problem and there is a need to research other locations. They have a lot of members from the southern part of Milford that have been hindered by the Mispillion bridge closing which causes them to go through the center of town. The change of traffic patterns throughout town is going to be a problem for them.

They hope to work with the City on at a minimum, the location for a substation.

Councilman James talked about getting back to normalcy when there was not all the work on these intersections and roadwork, he is pleased to hear there are new firefighters and some that have reactivated their service. However, prior to that, he has heard that lack of volunteerism does affect the response time. He is hoping for more volunteers, adding that the City is willing to do anything to help this volunteer effort.

The Councilman pointed out the City has been open to that, in addition to active in that, for many years.

When discussing the need for a substation, there is a need to talk about a funding mechanism for that. He has talked about this before and would like Council to work with the fire company to determine a time line, and how can the City help get there. There needs to be money available for a substation, and right now, the money is not there.

He wants to see that discussion occur.

Councilman Fulton said there is current grant-in-aid and they will be receiving another $64,000 a year for that substation, if the pattern is followed for other companies. That is after it is operational, and also get money for apparatuses and training, ladders, rescues, ambulances, and so on and so forth, through the Grant-in-Aid Bill though no assistance for constructing it.

Mayor Campbell recalled discussing another substation by the hospital, adding that additional personnel will be needed for that as well. He agrees that recruitment of volunteers is needed and suggested signs be installed advertising the need.

Chief Hinton announced that the recruitment and retention team has been working on that since their new officers took over in January. As mentioned, they have five new members as well as the reactivation of some previous members, the result of this team and other officers.

They have other plans to attract younger bodies, noting that many active members have forty years of service.

He emphasized the importance of persuading younger ladies and gentlemen to become members and hope that one day they would be addressing this Council.

They then spoke about grant submissions though no new grants have been submitted this year, though they continue to search what is available.

When asked about the implementation of the fire sirens, Electric Director Tony Chipola said he obtained some estimates though they do not have an implementation time line. He is willing to do some work to determine the lead times for the material.

He did a ride-along with one of the contractors the other day, and found there are not a lot of delays in terms of equipment that they have seen on the electrical side in the past couple of years. But they have managed to get through a lot of those and he no longer anticipates any major issues in getting material and equipment.

With Milford having its own electric utility, they can set the polls and get the electricity there. They can work with the contractor to get the controls hung and tested out.

Councilman Marabello asked if Chief Hinton could get an estimate for a new substation so Council has something work with moving forward.

It was confirmed there is a contractor the electric department can work with to get this accomplished.

Council's desire is to work as one team, as pointed out by Councilman James, and not as two separate entities.

Councilmember Baer stated he agrees with the comments about the consideration of new technologies aiding in making the community a little less noise. Though people argue about the fire siren going off too often, that does not mean the community does not support the fire department and instead a discussion about the reduction in noise.

He also referenced the information that Local Government Fellow Melody Barger reporting that ten different cities have zero fire sirens in Delaware. He noted those fire departments seem to be working well without the sirens.

Chief Hinton noted that the fire departments in New Castle are all within a quarter mile of each other, and most, if not all, with ambulance and fire crews paid. That is how they operate successfully without a fire siren. In Carlisle's district, only the ambulance personnel are paid.

It was also noted that no other town, on the list prepared by Ms. Barger, has four sirens. In response, Milford is a community that is spread out with much more landmass, and most of the towns on the list are very small and compact.

Chief Hinton referenced Kirkwood Highway that has approximately six departments that are very close. One fire siren would be heard by five departments in that area.

Dover has thirteen sirens with a paid fire department.

A conversation followed regarding the need for meetings with the fire company to discuss needs, as well as funding.

It was suggested that perhaps quarterly meetings be planned in a workshop setting. Councilman James said that will ensure a true partnership through regular communication.

Mayor summarized the meeting stating that the four sirens need to be installed and operating with reduced decibels, make sure Councilmembers are invited to the Fire Company meetings, and vice versa, and then reconsider committee meetings to review these items.

Chief Hinton asked who will be controlling the fire sirens.

City Manager Whitfield said he can put this on an upcoming agenda. Right now, he needs Director Chipola to handle the bid process to know the costs and for Council to act at that time. When questioned, he said anytime a bid is awarded, public comment is taken.

In conclusion, a decibel map showing the four locations was included in the packet. They will be located at the solar field on Route 14, one at the Shawnee Pump station at the intersection of Route 36 and 113, substation at Elks Lodge Road, and the water pump station at the Perdue facility.

Director Chipola added that he did not have time to include the data in the packet, sharing that from the existing versus proposed, looking at the 90 to 100 decimal levels, it will now go from 53 to 73 with only about 20 additional households that will be impacted as shown in the red zones.

The most significant is from the 80 to 90 range, where it goes from 372 to just under 1,200 customers from 80 to 90. Then anywhere from 70 to 80. Though it jumps up significantly, though that is more of a toggle level that goes from 17 to 20 to 47,33. The increase of 60 and 70 decibel levels, which is about normal city volume, goes from 1,288 to 1,799 so not a significant change in that green area.

The City Manager said he, Chief Hinton, and President Hazzard will follow up on this matter and will bring back the information to Council in terms of an agreement, including the upkeep and maintenance of the sirens.

Strategic Plan Update

University of Delaware/Public Innovator Bill McGowan referenced Milford's last Strategic Plan was in 2018. Four Community Conversations have been held since the Council Retreat in October. At that time, Council was asked to invite some residents representative of the four wards. They broke the different conversations into the elements of your strategic plan--neighborhoods and community services, economic development, public safety, and infrastructure.

After those conversations, they went back out to an open workshop. Provided were an overview of what they learned with an opportunity for those present to comment. They were provided with completed boards for each area, and were asked to either reinforce, add, or to dispute.

Starting with neighborhoods and community services, the overall feeling was positive. The meetings were well attended, and conversations rolled with meaningful and respectful comments.

Growth –Growth is a major concern of all residents and is a contributing factor to an emerging identity challenge. Residents want to see controlled growth and limited sprawl and wanted more stores and amenities.

There is a lot coming with housing, and what does it look like and who can afford it and who cannot and is this what we really want.

Aesthetics and beautification throughout the town is desired. There is a beautiful downtown, but they ask if it is really being taken care of and does it look like you really care.

Issues such as litter and rundown housing were discussed. The visual is Milford is beautiful when you drive through it, but sometimes you just don't want to look too hard or too closely. Is that being taken care of.

Activities and amenities and are we taking care of. There is a Boys and Girls Club and there is an athletic league. But can everyone participate; is there more room for opportunities for people to engage. Things like a public bathroom downtown, more parking downtown were always a topic.

There is a downtown development plan. They went into this knowing there are multiple plans and how you can pay attention to all of them and keep everyone on the same place.

Some folks feel there is a need for more youth activities, and they are willing to step up monetarily.

Economic health and development involved discussions about a better mix of businesses. There is a downtown but does it provide enough to keep someone in town for a day. There are some issues with the government issues on Main Street which come with challenges. That works from 8 am to 5 pm but provides nothing after that.

It includes some industries naturally coming here that include healthcare and culture. Perhaps there is a way to piggyback on them to keep things moving.

Current lack of jobs is seen as a deterrent to young people which is unfortunately universal right now.

There were some comments on public infrastructure as well.

There is a high rate of crime when discussing public safety and preparedness, as well as a lack of community policing. Community policing means a lot of things and in many cases means getting the cops out of the car, put them on the street, get to know their neighborhood and things like that. He believes that is where the conversation was going.

The notion of homelessness came up numerous times. Everyone is looking at Georgetown right now to see how that goes.

Code enforcement that flips back to are you really taking care of your town, and do you have someone walking the talk and making sure the buildings stay up to code.

Lighting issues came up several times as well.

There were a couple of things related to infrastructure and transportation. Driving and walking seems to be okay though there were some conversations around biking.

He knows Milford has a bike and pedestrian plan, but this was more related to safety, safety, safety.

Most residents are comfortable driving and walking around Milford. There is a lot of interest in cycling. However, residents do not feel safe using streets and roads without separate bike facilities.

Concerns were expressed about large truck traffic and congested intersections.

Residents want more transportation options that connect Milford with the larger community / regional destinations, such as DE Turf and the hospital.

Many are skeptical about streets in developments being properly graded and repaved when construction concludes.

There are issues with so many years before the final paving is required, and there is an issue with the one-inch gap with the curve and utilities came up several times.

Residents rate Milford's infrastructure as good and reliable, especially with snow removal.

Some concerns included the lack of expanded gas service, lack of ISP competition, and the effectiveness of solid-waste removal.

Residents are also acutely aware that increased development might strain City resources when it comes to infrastructure.

Reassurance is needed that essential infrastructure is properly secured from vandalism and domestic terrorism.

Major across the board concerns were whether Milford is very anxious for the growth and can it be controlled. There was some good strong conversation about the relationship between the city and the development community, which is something the city needs to pay attention to.
Most residents recognize the positive attributes of the City and its government. However, there are areas they feel could be improved. They want to know what the city is doing. There were folks in attendance that love Milford and are participating. One of things that came up is the number of opportunities to volunteer, but where are they. They don't know what the city is doing and what is coming and any opportunities or events that are happening. There is a perception they want to know and are unable to find things out.

Milford is at an identity crossroads; there is a difference of opinion about the vision of Milford's future has emerged between newer residents and legacy residents.

There is a need to determine why people are picking Milford and then figure out how to keep people here.
There is concurrence. What is needed now is to extrapolate what was heard. That was put together with the plan and develop some recommendations for the plan rewrite.

A workshop should be scheduled before the end of March to get Council's input. After that it goes into the updated plan, and then a public workshop should be scheduled.

Customer Service Update

Finance Director Lou Vitola introduced Cash Operations & Revenue Supervisor Suzannah Frederick to provide the annual update, noting the outstanding job she does.

After providing a brief description of what each employee does in the Billing Operations and Cash Operations, she then spoke about each individual and their various strengths in a multitude of areas and the efficiency within the department as a result. Each possesses skills that go beyond the typical customer service roles with a mindset that puts customers first.

Also discussed was the advantage of having two Spanish speaking and bilingual employees who have been a tremendous asset to the city to the point that some of our customers ask for them when they come into the department.

An activity comparison was also presented.

Non-Payment Statistics:

	2022	2021	2020
Electric Accts	8,200	7,992	7,476
Water/Sewer Accts	5,186	5,117	4,786
Trash Accts	4,364	4,277	3,960
Solar Accts	197	172	154
Tax Parcels	7,225	7,065	6,514
Settlements	260	600	350
Elec Meter Setup	320	420	347
Water Meter Setup	765	681	622
Leak Work Orders	887	400	350
Initial Read Work Orders (new accounts)	2,023	2,564	2,218
Disconnected for Nonpay	1,071	763	505

Payment Statistics

Method	2022 Count	2022 Amount ($ million)	2021 Count	2021 Amount ($ million)
Cash	7,674	$1.5	7,642	$1.5
Check	34,959	$23.1	37,649	$24.7
Credit Card	8,103	$1.6	5,948	$1.1
Online Credit Card	35,510	$6.1	29,332	$5.6
Online eCheck	8,456	$2.2	7,668	$1.6
Bank EFT	440	$14.1	419	$13.7
Auto Pay	22,578	$4.1	18,070	$3.1

2022 Phone Volume
- 17,600 inbound calls
- 8,700 outbound calls
- **26,300 total**
- 110 per day
- 20 per person per day

Ms. Frederick explained this is by calendar year.

Customer Service employees continue to process 43% of our payments in-house with cash, check, and credit cards. Bank EFTs are also processed in-house. They last they were at 48% while continuing to push the online bill, the automatic bill so there is has been a slight improvement.

The biggest change was during Covid when customers did not come in and noted the increase from 2021 to 2022 with auto pay.

Monthly, 9,000 bills are processed of which 43% are still paid in the office or just below 4,500 accounts.

In relation to nonpayment statistics, all electric accounts, water accounts, trash and solar accounts have increased.

Tax parcels continue to grow, when with the subdivisions that are being sold as individual lots, and each generated a tax bill. However, settlements in 2023 have decreased due to increased housing prices and interest rates. Last year, there was an upsurge in property sales.

Building the meter in the system relates to electric meter and water meter set up.

Leaks have been a huge focus of her staff over the past couple of years. They have really become accustomed to using the software to the customer's advantage. A leak report can be run, sorted, cross off the 24-hour facilities and industrial plants, after which staff reviews for discrepancies. They locate those numbers found to be unusual.

Staff found several leaks during the freezing temperatures during the holidays. They ran the report Monday morning to Sunday and caught a very high number of leaks quickly. No longer do customers have to wait for the billing cycle.

The initial read work orders will signify how many accounts are set up. Of the 2,000 accounts, she estimates 1,700, or more, are tenants, that move in and out of various properties. They are required to bring in their lease, their identification, pay their deposit, which involves a substantial amount of staff's time.

The new phone system has been beneficial and IT had them up and running when staff returned to work. The reporting and the metrics will be much better than the old software.

It was confirmed that the system that customers use to pay by phone is still inoperable. Ms. Frederick explained that the margin service provider was switched in October from the former company and is the result of the new software requirements. That was switched to Central Square's payment portal. When that was done, the upgrade does not allow manual payments until future upgrades have been completed.

IT is aware of that issue. And she understands it is a huge benefit to customers especially when making collection calls. Though she is anxious to get it up and running. However, she has no timeline.

When asked if the department has requests for French Creole, Ms. Frederick stated they started DEMEC customer service training, live and in person. They were closed for one day last month and they only came back to six voice mails in response to the out of office message.

Other towns use an interpreter, and she plans to put that in her budget this year. A translation phone would be set up for the customer to use. However, often the creole community brings someone that speaks English to communicate with staff.

Ms. Frederick has also used Google Translate, which has helped in various situations.

She again reviewed the billing cycle and workload management for the month. It used to correlate with the four wards, though that has changed with the boundaries changing this past year. Bills are always due on a Monday, with each ward on a different week.

Read dates can vary from Friday to Monday, and sometimes during the holidays, it may occur on a Friday and then the following Tuesday, if the holiday falls on a Monday. Delinquent letters are mailed on the second day after the due date. Nine days are required before a disconnect.

However, the department is very customer friendly and allows payment plans, attempt phone calls to inform customers, Swift 911 was being used until the city no longer allowed it for collection calls. The first-time offender will be called.

On average, Ms. Frederick said typically there are about 25 disconnects per week.

Also reviewed were the various resources and partnerships that customers can be referred to. Delaware State Service Center is one that is located down the street. Catholic Charities and First State Community Action are other resources used on a regular basis. Many times, customers are unaware of what is available, and her staff is happy to provide the information.

She talked about their alignment to the City's Strategic Plan. That information is used in the staff's evaluation as a reminder.

Ms. Frederick talked about the advantage of the drive-thru window and the number of customers that use that service.

Councilmember Samaroo recalled talking about the problems with setting up new accounts last year and understood there were some updates occurring. Ms. Frederick said there has been very little progress with the on-line bill payment process though they hope that may improve with the software update.

They do walk customers through the process and get them set up. They also provide step-by-step directions, but it is not always successful. That is a planned software update with the new Tyler system, though again, she does not have a timeline.

The one update is the ability for a customer to make a one-time payment without setting up an account using the customer number and last name.

Investment Management Policy

Finance Director Vitola Lou provided an intro stating that our investment policy has been in place for many years. The most recent update was in 2012 and leaned heavily on the State of Delaware's cash management and policy boards.

He made some changes he thought were appropriate to simply tweak and tailor it, based on some best practices that aligned with the GFOA (Government Finance Officers Association).

He took that to the Finance Committee for review before taking it to council for their final recommendation and approval which occurred at the end of 2021. In 2022, he had planned to solicit proposals. But then the State Treasurer, at the Sussex County Association of Towns meeting, pledged to assist municipalities in the form of leveraging investment management services and leveraging debt issuance using the State's providers.

Because there is not a lot of interest for something like investment management, when there is not a lot of cash in the bank. Recently, DEMEC put out a bid for investment management services and got three responses. That resulted in a clear winner, and this is the two gentlemen in attendance tonight. Dover and the City of Newark did the same and got some interest, and both chose PFM. The State of Delaware, who has billions of dollars under management with several firms, of which one is PFM.

In order to leverage the State of Delaware's contracts, in the absence of the typical state procurement contract, which they put out and required the vendors to work with any county, municipalities, and any other political subdivision, the treasury does not have it for its investment contracts. Instead, they were just looking out for themselves. It took an Attorney General's ruling that said, per State Code, cities, counties, towns, political subdivisions, can piggyback, on a State of Delaware contract if the Delaware State Treasury, and the vendor agree to serve that unit.

As a result, he got the Treasury's approval to hop on the contract and PFM has expressed interest, and have already looked at the policy with some improvements they would like to do if City Council will follow the recommendation to hire PFM and run the funds.

PFM Asset Management's Managing Director Marty Hammond, Jr. and Senior Managing Consultant Zach O'Grady| Senior Managing Consultant then provided the presentation.

Mr. Hammond provided some background noting that he is the head of the Northeast Region which spans from Maine down to Delaware and works with both State Treasurers. Both he and Mr. O'Grady work out of the central New Jersey office near Trenton.

They go out to the market and buy and sell securities on behalf of their clients. That means that at the end of the day, the client will get the best price possible on any transaction they are handling on the client's behalf. They have approximately 42 years of experience and work with almost 300 employees.

They have had double-digit asset growth going back almost two decades, and now have $202 billion in assets they manage on behalf of their clients, many of which are state and local governments. All of their clients are institutions like the City of Milford and do not work with individuals, 401K's, but work on behalf of folks in the municipality or state.

Mr. O'Grady will speak about how they work with client starting with their investment philosophy, The stated goals in the city's investment policy align with their general investment philosophy safety liquidity yield. They want to invest in very safe, fixed income securities, all within the realm and in compliance with the city's investment policy and your risk tolerance.

It is important for them to understand the liquidity needs to have enough funds to pay the bills on a daily basis and identify some of the funds that may be used to invest on a more long-term basis. After those two items are met in the order of priority, safety, liquidity, then comes yield, where they seek to earn a competitive rate of return on those investments over time.

They try to understand the client's cash flow needs and select basement investments based on relative value. There are many permitted investment sectors as a city fixed income securities that can be invested in.

The different sectors will be looked at over time and select investments based on the relative value available in those different sectors. That includes US treasuries, federal agency notes, corporate debt, and mortgage-backed securities.

They are competitively bidding out every trade as they seek to find the best price for those investments. Usually, at least three competitive bids on every security are bought and sold on the city's behalf.

He then talked about cash flow analysis noting that they will seek to understand the city's cash flow needs at the onset. This is a good foundational piece to any investment strategy identifying how much can be invested. They talked about liquidity and its importance.

The onset of any engagement is to look at a cash flow analysis, understand what is coming in and out, what the debt service schedule look like, and some of those more fixed payments in order to understand them.

They will update cash flow analysis very frequently and sometimes annually.

He talked about liquid funds that should be available the same day, next day. It should be considered like a bank balances and money in the bank or in a money market, mutual funds, and funds with access to with little notice.

Talking about reserves and core funds and that Milford has a really good investment policy. Those are funds that will be identified and can be invested in intermediate to longer term fixed income securities.

The federal reserve has been aggressive over the past year and seems to dominate the headlines in terms of raising interest rates. Rates have been raised seven times in 2022 and one time so far in 2023, and are expected to raise more.

The interest rate environment for fixed income securities is attractive right now. The ability to implement a fixed income portfolio like this can add value, especially now with fixed income security yields at almost 20 year highs.

He then talked about the present investment policy and the four components that should be part of any investment policy, includes GFOA best practices. Their value add is to talk about best practices. They mentioned the Delaware State Cash Management Policy Board, which many municipalities in Delaware follow. They work closely with the board to craft that policy and update those rules and regulations on an ongoing basis.

Mr. O'Grady also talked about some observations and considerations in the investment policy including corporate debt instruments, max maturity of fifteen years and just going into it blind.

Another thing they picked up was asset backed securities, but similar in function to a mortgage-backed security, though the city is allowed to invest in it per the State Code, though that is not specifically included in the investment policy.

He referenced some of their initial high-level observations found when the current policy was reviewed, though overall, it is a strong policy.

A lengthy discussion followed with asset back securities. It was noted they are buying them now, though they have not been purchased in the past, but are now adding them to client portfolios. Though they want to limit them too and not add 80 to 100%. Instead adding a little bit of diversification, a little bit of value, while trying to eke out some basis points.

Mr. O'Grady continued by stating once they have a good understanding of the cash flow needs, it is about setting the overall strategy and having conversations with staff on value in the market, length of investment, identifying the reserve funds and whether it is a one-to-three-year investment portfolio, to understand the strategy.

The structure of the city's portfolio in the current environment and taking advantage of all the permitted investment sectors. Provided were their best ideas on where they are seeing relative value in the market.

It is a one to five year portfolio with fixed income security, structured, referencing the duration distribution, average maturity, distribution. The yield of that portfolio in today's environment is around 4.5%, 6%. So very attractive in today's terms.
He talked about the fed's intent on raising rates aggressively over the past year, but think at some point, will get back to a sort of normalization. Overall, they find fixed income, at the 20-year high, is very attractive in the current environment and will seek to sort of lock in those yields as long as possible.

Councilman Culotta asked how quickly the investment velocity change, noting it is relative conservative, but in the case of the hard landing all the experts keep talking about.

Mr. O'Grady talked about the onset of the pandemic as an example and their reaction to what was happening in the markets and their ability to pivot. As mentioned, their investment committee approves purchases on behalf of their clients and many include high quality credit names such as Apple. That committee meets monthly and intermonth as needed during market events.

At the onset of covid, they put all credit issuers on hold and were not buying new credit names within client portfolios because they wanted to understand the different implications in certain areas of the fixed income market. And, are different areas of the corporate market going to be more effective than others, such as the financial or manufacturing sector.

He emphasized it changes on a monthly basis and what is happening in the market.

Finance Director Vitola added that the response that PFM will deliver is way faster than he or anyone on staff could, even with a very sound, thorough and clear policy in place. Even if talking monthly investment committee meetings, they will react and make adjustments before the Finance Director even knew.

Councilman Culotta said the risk is relatively low overall and there is not a lot of room for movement.

Director Vitola said that is true, and this conversation is not about the stock market. This is only fixed-income markets.

When asked about the 4% yield meaning they are making a good profit while being very comfortable; Director Vitola said they do well and PFM is one of the best firms in the industry. And the best with respect to municipal and government client service. But there will be a fee the city pays, as a percentage. If the city's portfolio earns 1%, 2% or 9%, they are only paid that fee.

The Director said it would be irresponsible to go find a money manager or broker that would take commissions or a percentage of the profit. And no one will share in a loss.

Councilmember James asked for clarity and how the firm id paid; Mr. O'Grady explained they are paid a net basis point fee--a percentage fee on assets under management . To directly answer the question right, if yields were 1% or 10%, the basis point fee would be the same, as long as the assets don't fluctuate throughout the year. In market value, their fee would be the same.

Councilmember James reiterated for those unfamiliar with financial language, regardless of how much yield received from the investments that PFM has made on the city's behalf, PFM's fee is only based on the dollar value of the city's assets PFM has under management. It does not fluctuate with what is made, more or less, but is the value of the city assets that PFM has under management.

Councilmember Culotta said but what occurs if the city's asset increase; Councilman James said it is not based on the yield and does not want to confuse anyone listening.

Mr. O'Grady explained they are not a broker dealer or investment adviser. Instead, they work with 24 or 25 prime, large broker deals and are competitively bidding on every security on the city's behalf. And absolutely, no commissions on any security transactions.

When asked the return on the city's assets last year, Director Vitola stated somewhere around 55, 57 basis points or so. One the city's cash funds with our commercial bankers, we were earning 85 basis points. Everything over that hurdle to cover our banking fees, after applying 85 basis points to that balance, we earned what he believes is 35 basis points, that weighed somewhere a little more than a half percent.

Director Vitola further explained that every dollar in the city's account, the cash balances and the money market balances were collateralized at a level of like 108% with securities that WSFS pledged in the city's name in a separate account

should anything happen. That 85 blended down to 57 points, and was about 54 basis points better than our next best alternative. Money market funds were in the 3 to 5 basis point range.

He also noted that rates have gone up sharply in 2022, and naturally the question is what was left on the table in 2022 which Director Vitola said he would argue nothing. If invested in fixed income mutual funds, at the time those were bought, whether it was fixed income instruments with 3 to 5 to 7 to even more maturities, or if we were in funds consisting of such securities, as interest rates shot up, the principal value of those accounts were have gotten crushed.
As interest rates rise, the price of fixed income securities dropped. While receiving higher interest payments, but the principal value would have been absolutely obliterated, and there would have been probably in that negative, as he has seen in some of his municipal peers, but assets under management, even in fixed income, were badly hurt in 2022 for that reason.

Now is the perfect time to enter the market. He will admit the city was earning a decent return for how safe the cash was over the year, but this was only partially and intentionally done. Part of that has to do with the electric fund redemption money and the movement of the rates through 2022.

Part of it was timing with the State Treasurer's Office and the Attorney General, and part of it was just natural workflow and priorities.

Mr. O'Grady then talked about the feedback loop. They provide monthly reporting and if managing the funds to a benchmark, they provide quarterly performance reporting.

He also talked about the annual budgeting process and the assistance they can provide. They have an earnings projection tool that helps many of their clients and helps with the budgeting process.

Councilman James said this came out of the revision to the investment policy and seeking someone to actually perform the investment services for us. This will preserve principle, because we must do that, but also the timing of investments. The city has reserves, operating cash, and knows when some monies are planned to be spent. Some are shorter, though there is a need to tie the investment to those spending needs, gives a better yield. The purpose is to give the maximum earning potential to the taxpayer without putting them at unreasonable risk.

From what Councilman James has heard from Finance Director Vitola, this points in that direction.

Councilman James also recalled that the Finance Committee was going to be the de facto Investment Committee. If the city does not have a Finance Committee, there is no Investment Committee. Director Vitola said that was his recommendation because the Finance Committee was already in place, serving as the Audit Committee and
the Finance Committee and the Accounting Committee. When he said he would like the Finance Committee to serve as the Investment Committee, Council said no and he thought the consensus was that the committee does enough and there should be another vehicle or it should be Council as a whole.

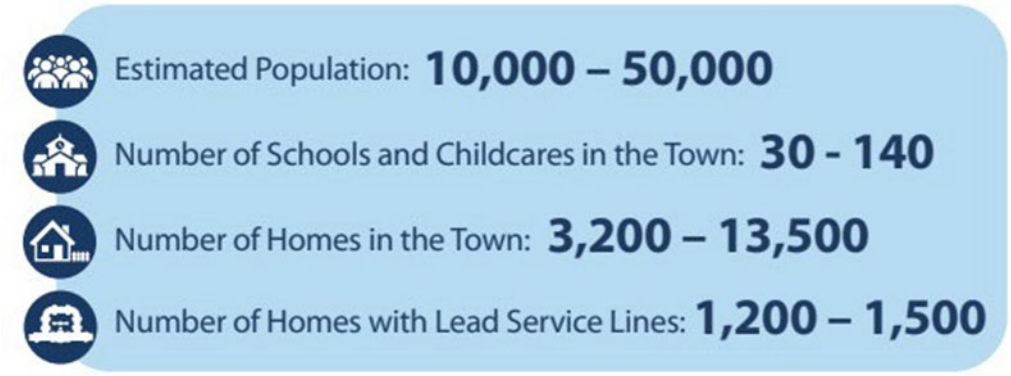
Councilmember James feels that was a misunderstanding and knows the value of Investment Committees which is different from other functions. Council should consider what they want as an Investment Committee and is too important not to be watched over.

Lead and Copper Rule Revision

The City's Professional Engineer (PE) James Puddicombe talked about the amendment which was revised by the EPA.

He said the two key points are the effective date of the regulations of December 21, 2021, which means they are officially in effect. The compliance date, which is the date the lead service inventory must be completed by, is October 16, 2024.

The general guidance by the EPA is as follows:



Their general guidance for a community of between 10,000 and 50,000 residents is somewhere around 30 schools, which is closer to the lower end. Milford has around 4,500 homes. The initial first swipe of homes with lead service lines is around 700, though about 100 of those were resolved with the last Streets Program.

Though not a detailed inventory, CE Puddicombe believes we have approximately 600 homes left with lead service lines to be addressed.

He will need to finish the inventory first to get some better numbers and locations, though there is some information that will need to be made publicly which is addressed later in this presentation and will answer some of the questions.

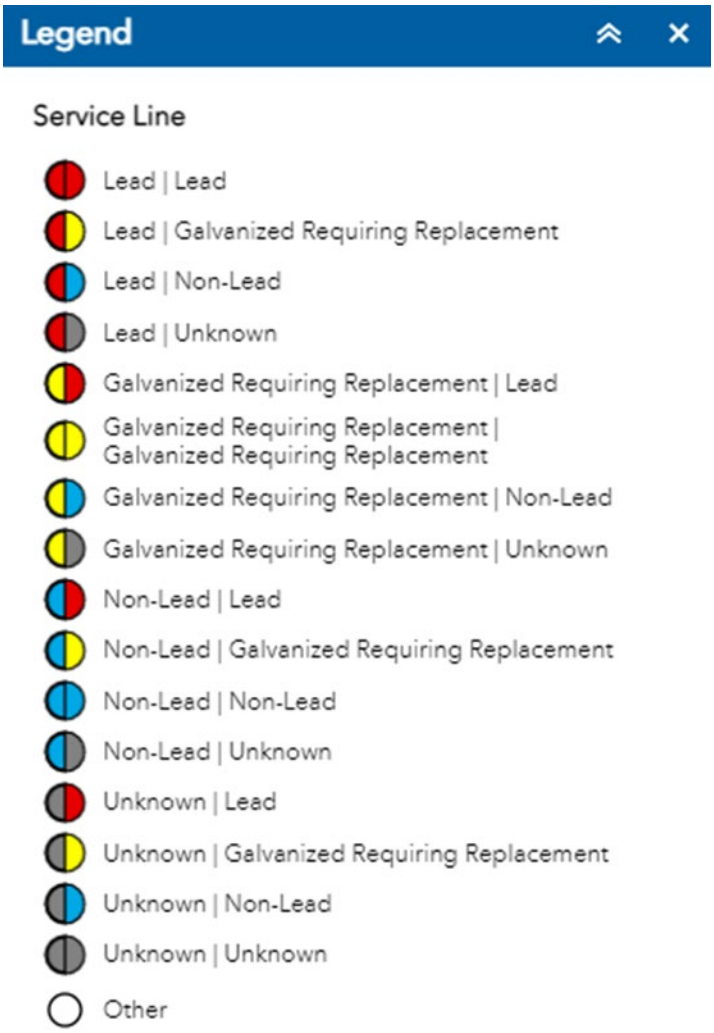
Councilwoman Wilson added that every child is given lead testing prior to preschool and it would be interesting to learn of those statistics. She confirmed that her former employer was required to report elevated lead levels of children to the State of Delaware.

Mr. Puddicombe referenced the following old and new rule:

New Rule	Old Rule
% of Schools and Childcares required to be tested for lead	
20% a year	0%
% of Lead Service Lines that will be fully inventoried	
100%	0%
Length of time the system can delay removing LSL	
0 – Must be prepared and have plans in place to start right away.	48 Months

He also talked about the inventory requirements. Previously, there was no inventory requirement. The new rule of the EPA requires every service in the city, whether it is a fire line, residential service, or commercial service, be marked as lead, unknown, galvanized, etc.

Following is the breakdown of the GIS system created that has the customer side/city side which must be tracked by the type of service:



Those lines need to inventoried by October 16, 2024, and made publicly available. The EPA also wants any galvanized line that is downstream of lead to be categorized. To be safer, they plan to replace any galvanized lines, to prevent the risk of lead and the additional effort to try to prove that it didn't have lead downstream. The State may not accept it, so they will be replaced as well.

Once the inventory is complete, they are required to notify any customer, to include anybody renting, and the owner of the property within 30 days of the inventory completion if there is a lead, a galvanized downstream, or an unknown service line.

The city's goal is to have no unknown service lines if possible. They are working through that process through records review, etc. They will then be required to notify any of those people within 30 days of the completion of that inventory, as well as an annual notification in addition to an annual notification.

In addition, notification is required anytime there is a change/relocation of a resident. If there is a service to a house that is being rented when they transfer that service, the new person getting the service will also have to be notified.

It was noted that the lead line replacement was included in the Capital Improvement Plan and believes it was first adding in FY21.

Mr. Puddicombe also talked about grant funding, adding there is a zero-match grant available through the EPA.

When Councilmember Fulton shared that the schools have not been tested, the City Engineer confirmed that the city is responsible for testing daycares and schools. Their new recommendation is 20% per year to ensure every daycare and

school is tested once every five years. Any exceedance would require immediate action by the city that includes 3 to 7% lead service removal.

He also confirmed that per the new EPA rule, that the city (utility) is now responsible up to the building and not the meter as the previous law.

PE Puddicombe then discussed what occurs after the inventory:

- Notification of all persons at the service connection where it is LSL, GRR or Unknown within 30 days of inventory completion.
- Must be repeated annually until all leads are removed and for any new customer at time-of-service initiation.
- Notice must be in appropriate languages or information for obtaining a translated version must be included.
- Water system must demonstrate that the notification was delivered and provide a copy as part of their report to the State on an annual basis.

- Lead Service Replacement
- Residents must be notified 45 days prior to replacement of any part of a lead service. Notice must explain that the system will replace the portion of the line it owns and offer to replace the portion of the service line not owned by the water system.
- The City must provide the consumer with a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, six months of replacement cartridges, and instructions for use before the affected service line is returned to service.
- City must offer to perform follow up testing at each residence for three and six months after completion of the work. If only partially replaced the City is required to perform these tests.
- If a customer informs the City or the City finds a replacement on the customer side has already been completed in the last six months or will be completed the City must complete the replacement of our side within 45 days.

When asked the negative of not getting credit, PE Puddicombe explained that if the city goes beyond October of 2024, and we have any remaining lead services, the city will have to replace a certain percentage per year of our unknown galvanized and led services.

The focus of the EPA was to force all utilities to take an inventory of their system. Mr. Puddicombe does not believe they thought too far beyond that.

The City Engineer believes the EPA is basically saying they are unaware of the full extent of the lead issue, but wants to force the issue by starting with an inventory. Then work out how to fix it down the line. He is certain that the Mayor and Council prefer to fix it and move forward.

It was noted that most meters are outside the homes when the city converted to the AMI meters, though there may be a handful within the basement of homes.

When asked if that makes the city responsible, PE Puddicombe believes the city is, because the city owns the meter and requires access.

PE Puddicombe reiterated that if the city suspects there is a lead service, even if not confirmed, or if it is unknown, if the city is going to be doing work on the service lines, the city must provide 45 day notice to the resident, as well as six months of filtering so with either Brita with the carbon filter or NSF approved for removing lead, instructions and several other that will need to be provided to the property owner.

He is working with the Economic Development staff to put together a small box that we can deliver to the homeowners. A video was also created with information on the lead replacement process.

A three and six-month follow-up test is also required. PE Puddicombe discussed this with Water Supervisor Steve Ellingsworth who is working to obtain some pricing. If a customer replaces their side, outside of a program of the city's, the city has 45 days to replace its side. Which will require an on-call contractor.

The Public Works group is doing:

- Replacement in conjunction with street projects to avoid having to return to recently paved streets.
- Inventory mapping has been created and the process to identify by property has begun.
- City has performed a cursory review of installation dates and main types to determine targeted areas of testing while simultaneously performing a records review.
- Looking into grant opportunities to offset the costs of replacing these lead services.
- Begun the process with Community Engagement to create an informational video and to determine the best course of action for public outreach.

State	Implemented Lead Ban	Method	Date Effective	Certification Signature	Requires Solder	Use of Flux	Lead Pipe	Notes
Delaware	Yes	State Plumbing Code, Section 119 Chapt. 79, Sec. 7906; Chapt. 1, Sec. 122e	06/17/88	Secy. Dept. Health & Social Services	X	X	X	Adopted BOCA

Over the next six months,

- City will source filtering devices to be procured and stored with Public Works for distribution as needed.
- On call contract creation and bidding for the replacement of lead service lines from the meter to within the home.
- Completion of an outreach box to be provided in advance of street projects to serve as 45 day notification, provide filtering and additional information.
- Grant submissions for funds to cover City costs associated with service line replacements.
- Continued inventory, records review, and digitization to properly document all service lines.
- Once inventory is complete, a project to eliminate the remaining lead services will be proposed in order to make the City lead free prior to the October 16, 2024 date. Eliminating additional reporting and tracking needs.

When asked how a copper pipe with a lead solder is, PE Puddicombe said that the city would replace it simply because we do not want it to go back into streets that were just paved. Generally, this is being done with paving. On the customer side, it would be up to the customer, but would offer the same service as the contractor performing the work. They would then work out the billing with the resident/property owner.

Department Role Policy

Mr. Whitfield reminded Council that they had asked him to create a Department Role Policy of what each department is responsible for so there is no interlap. Some of the things he looked at were where employees had opened checking accounts for their department. He pointed out that everything needs to go through the Finance Department and there should not be any ghost checking accounts.

He also found problems with ghost personnel files that are being kept in various offices though HR Director Jamesha Eaddy should be the keeper of all personnel files, with the exception of the police as he was informed.

He added it for Council to review and he will have it on the next agenda to pass as a resolution and asked Council to inform him of needed changes.

There being no further business, the Workshop Session concluded at 8:52 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
February 27, 2023

The City Council of the City of Milford met in Regular Session on Monday, February 27, 2023.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Nirmala Samaroo, Brian Baer, Jason James Sr., and Katrina Wilson

STAFF: City Manager Mark Whitfield, Police Chief Cecilia Ashe, and Deputy City Clerk Katrina White

COUNSEL: Solicitor David Rutt, Esquire

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 are being held in the Council Chambers at City Hall, with attendees also participating virtually.

PUBLIC COMMENT PERIOD PRIOR TO MEETING

Kim Wills of 8061 Shawnee Road shared that a leasing company was called to clear off the homeless in Walmart Shopping Center. She expressed concern about the money being spent to clean up the trash and items left by the homeless on private property who are being provided with meals and funds.

CALL TO ORDER

Mayor Campbell called the meeting to order at 6:03 p.m.

INVOCATION AND PLEDGE

The innovation was given by Councilmember Wilson, followed by the Pledge of Allegiance.

The agenda was rearranged to allow public comment at this time. See item prior to regular meeting agenda.

PUBLIC HEARING/PUBLIC COMMENTS

Ordinance 2023-07
Lands of Oak Forest Park, LLC/Change of Zone
3.93 +/- acres of land located along the west side of S. Rehoboth Boulevard
Comprehensive Plan Designation: Low Density Residential
Present Zoning District: R-2 (Residential District)
Proposed Zoning District: C-1 (Neighborhood Commercial) (Proposed Lot One only)
Present Use: Golf Course, Clubhouse and Restaurant
Proposed Use: Restaurant/Brew Pub (Proposed Lot 1)
Tax Parcel: 3-30-11.00-008.00 (portion)

Planning Director Pierce read the portions of the staff report into record.

The applicant proposes to subdivide parcel 3-30-11.00-008.00 into two parcels, separating the existing golf course operation from the former restaurant and pro shop. The applicant is requesting to rezone approximately 3.93 acres of land from R-2 (Residential District) to C-1 (Neighborhood Commercial) shown as "Proposed Lot 1" on the provided survey. The rezoned portion of the property currently contains the existing clubhouse and restaurant. The applicant would like to renovate the existing clubhouse and restaurant into a standalone restaurant and brewpub.

Staff would review the minor subdivision administratively per Chapter 200 Subdivision of Land.

Based on the information presented, the City of Milford Code, and the Comprehensive Plan, staff submits the following regarding the request to amend the Zoning Map:

The Change of Zone request is consistent with the adopted 2018 Comprehensive Plan Future Land Use maps. The Future Land Use designation for the property is Low Density Residential, for which C-1 (Neighborhood Commercial) is a suitable zoning designation. See attached Land Use & Zoning Link table from the comprehensive plan document.

Per the 2018 Comprehensive Plan, neighborhood commercial and office-type uses that do not detract from the residential character of the area may be found in this area as well. This land use is similar to the R-1, R-2, C-1, and OB-1 zoning districts found in the Milford Zoning Ordinance.

Chapter 230 states, the purpose of the C-1 district is to provide for limited commercial and professional services activities that can be compatible in a neighborhood setting to provide goods and services to local residents.

Restaurants, excluding fast-food service or franchised food service operated restaurants are permitted uses within the C-1 zoning district.

The provided plan provides adequate off-street parking for the restaurant on the C-1 zoned property per the City's off-street parking requirements found under Chapter 230-21. The zoning ordinance does not provide a specific parking calculation for a public golf course. The residual land containing the golf course would contain 81 parking spaces, which equates to more than four spaces per hole, which should be adequate.

Any future use of the property must comply with Chapter 230 and the C-1 (Neighborhood Commercial District) zoning use and area regulations. Enclosed is a copy of the current permitted and conditional uses within the C-1 District.

He identified each map in the packet and the public notice advertised in the Delaware State News on February 2, 2023, and advised that all owners of properties within 200 feet of parcel were mailed the notice. The property was posted with a public hearing notice sign.

The Planning Commission reviewed the application with a recommended approval by a vote of 5 to 0, with one abstention.

Property Owner Timothy Johnson of 119 Coursey Mill Road, Felton Delaware, stated he lives about ten miles outside of Milford, on Canterbury Road.

Matthew Johnson of 8028 Canterbury Road, Felton, also introduced himself, stating he also lives approximately ten miles from Milford.

T. Johnson stated he has been here since 1985 and is an electrical contractor. He met his wife here, adding that her family is from this area and she grew up in Milford and has been for 67 years and worked at Milford Hospital.

He has been here for the past 48 years.

One of his first projects was building Air Park Plaza out on the highway prior to Milford coming to Milford. They initially bought O'Neill's liquor store which was managed by his mother-in-law.

He then purchased the business park land that the city purchased from him in 2000. His goal back then was to build a golf course and a housing project in that area. The city came to him and informed him they wanted to build a business park in Milford, and he agreed with the need for more businesses in Milford. The city then purchased the land from him.

In the meantime, the Food Bank was looking for land, and he donated the land to them the current Food Bank is located on today.

Because they are building a new 67,000 square foot facility, he most recently purchased the Food Bank property back and the money paid for the property will be used for the cost of the new facility.

He has developed numerous properties in Milford. On McColley Street, he renovated a 100,000 square feet building there that was used by a medical facility. He purchased the old Dr. Graybeal's Office on the emergency room side of the old Milford Hospital. That was turned over to Brandywine Autism.

Mr. Johnson also purchased the old NutrienAg Solutions across from Perdue and has been more than two years getting a clean bill of health on that property. He hopes that the project will come before the city soon.

He is very excited about the golf course, noting that it has been closed for two years. His son, Mat, played golf there when he was in high school. It has been an asset to the community and the restaurant and golf course need to work hand in hand. That is the purpose of the rezoning which will allow the restaurant that his son will discuss.

M. Johnson stated that along with the packet submitted to the city for the rezoning from R2 to C1 included a detailed letter which he read into the record:

The existing Rookery North golf course, formerly known as Shawnee Country Club, has been vacant for the past 2 years. However, effective December 27, 2022, Tim and Matt Johnson t/a Oak Forest Park, LLC have purchased the golf course and former country club. Our plan is to reopen the golf course and country club after giving them both an extensive remodel. The golf course will remain a regulation 18-hole course with semi-private memberships, that will also be open to the public.

The old country club building will receive a much-needed facelift both inside and outside using the existing footprint. Our concept for the former country club is to open a restaurant and brewpub that will occupy the main building and former pro shop. This new restaurant and brewpub is expected to employ 75-100 people, not including the 15-25 employees for the golf course. Ample parking already exists to satisfy the needs of both the restaurant and golf course. Typical hours of operation for the restaurant will be comparable to other restaurants in town, which are approximately 8am-9pm. The plan is to have the restaurant and brewpub open to the public by September 1st 2023.

Currently, a restaurant and brewpub would be an approved conditional use in the R2 zoning as long as the golf course remains open. The potential tenant is going to make a substantial investment in the renovation of the former clubhouse and because of this, they would like the option to purchase their portion of the property in the future. Essentially, we would like to carve out 4 acres for the restaurant and rezone this to Cl, which would be an approved use.

For the golf course, work has already begun to clean up the existing landscaping. We plan to have the first 9 holes, driving range, and pro shop open by September 1st 2023 to coincide with the opening of the restaurant. The final 9 holes, we will have open by June 1st 2024, if not sooner. Since the existing course layout will remain the same, all of our concentration will be on landscaping and refurbishing the greens, fairways, bunkers, and irrigation systems. The former pool house will be remodeled into a new pro shop which will provide services to both golf and pickleball activities.

Aside from the golf course, we know the City of Milford is looking to connect multiple properties going West towards Elks Lodge Rd. We have no problem with allowing the city to install a bike/walking path across our property to allow access to other adjacent properties in the future.

The future success of this property depends on the establishment of a new restaurant, which will be the anchor, and create an attraction for the golf course. We would hate to see the golf course fail once again and houses take its place. We are excited about the potential for this property and the great benefit it will once again provide for residents of the City of Milford and surrounding communities.

When asked for questions by the Council, it was confirmed the property would be leased to the restauranteur. When asked why a C-1 is requested, as long as the brewpub and restaurant are permitted if it continues to be operated with the gold course. M Johnson stated it is permitted, but only if the golf course is to remain open. As seen in the past, the community did not support the golf course and it was forced to close. In turn, that would force the restaurant to close and because of his substantial investment of $2 million, no bank is going to lend him money on a property he cannot buy.

It was also pointed out they are making a substantial investment in the golf course itself.

When asked if the $2 million investment would allow him to own the property; the answer was inaudible.

Councilman Marabello asked if the restauranteur would need to get his loan if he needs it for the restaurant based on his business plan and his net worth and asked if that is correct. That question will be asked of the potential restaurant owner.

It was clarified that the reference to the nonsupport of the golf course was related to the public, and not the City of Milford.

Jeff Hammer of Rehoboth Beach, Delaware, then addressed the Council. He stated he has been here since two years after graduating from college and has owned restaurants for more than 31 years. He started with Arena's Deli down here and sold it in 2005 to his employees. He has owned numerous coffee shops. He currently owns Fins Hospitality Group and as of today, has seven restaurants in Sussex County. He just purchased Just Hooked in Fenwick Island and will be opening that in April.

He will then begin working on this project if this is approved tonight and if the good citizens of Milford want them here. Fin's Hospitality includes Fins Ale House and Raw Bar, Claw's Seaford House, JR's Seafood Shack and Big Oyster Brewery at 1007 Kings Highway which is on approximately four acres. They have a canning building and a restaurant there as well. The canning building is their brew house and beer is also stored there.

His purpose is to come to Milford and provide an approximate 200-seat restaurant in the old clubhouse. The pro shop will be their brewery building, so substantial renovations are needed to the pro shop and the current clubhouse. That building has been unoccupied for several years. And it will need some mold and mildew remediation. It will require quite a bit of money and interior improvements, as well as electric and fire suppression system upgrades.

Mr. Hammer said it is basically a project that will start almost from scratch except the bones of the building are good. The roof and walls are in pretty good shape.

His response to the question about the need to rezone to C-3, is because he is going to put $500,000 to $600,000 of his own money into this and borrow the rest. The lender will want to see a long-term lease with a purchase option. The idea is the Johnson are going to make a substantial commitment as well on the exterior of the building, the parking lot, and landscaping. They will be leasing him approximately 3.9 acres and it will be his responsibility to maintain the parking lot in my zone area, the landscaping, but they will also have common area fees related to the paving, grounds, etc.

Mr. Hammer confirmed he will be leasing the entire 3.9 acres with the option to purchase it, which he hopes to do in five years. Otherwise, he will have a 15-year long-term lease. The banks will want to see a long-term lease in order to recoup their investment. Currently, the estimate includes the cost of renovating the property, redoing the pro shop, interior, electric, and plumbing, and the hope is to be open by September.

Currently through his restaurant group, he supports about 150 different charities. They work well in the community and have always done that. They have great partnerships with the police and fire departments and he believes they will be an asset to the community.

There will be an area for people to have weddings, birthday parties, family reunions, and somewhat pay homage to what it was when it was a clubhouse at the country club, were many of the local citizens here tonight probably grew up swimming at the pool there and playing golf the first time with their kids.

He thinks it is great to have a public course in the community and have those types of advantages such as playing golf with their kids, playing pickleball or using the walking path.

Mr. Hammer sees this as part of the whole redevelopment of the area and has talked with area folks about some walking paths that would extend down the roadway, around to the hospital.

At his Big Oyster location, there is the Breakwater Trail, he adds new places for bicycles every year. Because literally, he will have a hundred bicycles there on a Saturday because so many people bicycle around the community in Lewes. They have been blessed to be able to add to the old train tracks down. He noted most people are probably familiar with the area that goes out to almost Georgetown now.

He pointed it that has become a family outing with their kids in the carrier on the rear of their bikes. It has become a family atmosphere.

Mr. Hammer encouraged anyone concerned about a brewpub to visit the restaurant or go on the Instagram page to see their playgrounds with corn hole and bocce ball, as well as chalkboards for the children to color on and sandboxes for them to play in. Families enjoy going there who hang out and play with their kids while they eat.

Though they are a brewpub, they are 25% alcohol and 75% food. He emphasized they are not nightclubs and close early at 9 or 930 on the weekends.

He believes this will be a benefit to the community and does not want area neighbors to worry about noise. The Baptist Church is next to the Big Oyster in Lewes, and they were very nervous when he first moved there. They ended up part of their property later and are great friends and work well together.

Mr. Hammer concluded by stating that when he first moved into Lewes, he purchased .7 of an acre and it was zoned commercial. They had a plot for the restaurant and had parking. The Baptist Church was next door, and Pastor John and the Senior Pastor were very nervous about a brewpub moving in next to a Baptist Church.

Mr. Hammer asked if they were Southern Baptist, and they said they are not conservative enough for their church. So he didn't know what he was getting into at that time, but they fought him on it, and got some signatures, though he had a lot of signatures from residents on Kings Highway, and they ended up being granted their license.

He went to them afterward and said they are going to be neighbors and what can he do; they asked him to put up a fence and he installed a six-foot fence. They also asked if he would not have an early branch on Sundays during their church service. His response was he was happy to do that. And when they asked if he was open late at night, he again told them no, and he assured them he would not have loud music outside bothering them. He also offered his parking when the church has some big events that other churches attend. He also agreed to install a sign prohibiting his customers from parking on the church property.

They became friends and several years later, they approached him and asked if he was willing to buy some of their property, so they could rebuild their church further down on their property, which was better suited for their parishioners who were older and couldn't get up to the second floor, which is now the main portion of the building and hold their services.

Since that time, they have had many conversations and are very good friends, purchased their property which gave them the ability to rebuild their church.

His belief is that if someone stands by what they say they will do, then you're rewarded in that community, and he was blessed with that reward by doing what he said he was going to.

His goal is to be a good steward of this neighborhood in Milford, hopes to donate to local charities, and help with some of the missions here for both Kent and Sussex Counties.

Councilmember Marabello confirmed that Mr. Hammer will be asking for an option to purchase the property; Mr. Hammer stated in the lease that is correct.

Councilmember Marabello referred to the Johnson letter that states with the option to buy only Mr. Hammer's portion of the property and not the 3.9 acres. When asked about his loans, Mr. Hammer said it will be a predetermined price for a future price purchase. He added that he will already have $2 million in the project before he purchases the property

He shared that most restaurants work on an approximate 4 to 6% margin. With the way labor has been lately and the cost of goods today, it is more on the 2 to 4% margin which is a very narrow business margin. Most prefer to purchase the properties if they are blessed enough to be able to do that from the landlord because that really is the asset.

At the end of the day, like other businesses, they will have used equipment, a building that is aging, and hopefully having a building they own will allow them to maintain it and be a good neighbor.

He also confirmed there will not be an option before the renovations are started, though that is the nature of the restaurant business and is why nine out of ten fail the first year.

Councilmember Marabello verified that Mr. Hammer will need to provide a business plan to the lender, which Mr. Hammer stated is already done, and includes assets.

Councilmember Marabello asked if the business loan will be contingent on the C-1 or an R-2. Mr. Hammer said in this instance yes because the bank is not going to lend the money. Their intention is to keep the golf course open, but the money will not be lent on a property that could close later, which would prevent his restaurant from being open because it would be contingent upon the golf course. As a result, he will not receive a business loan without the proper zoning.

Councilmember Boyle spoke to Mr. Johnson stating that shortly before the golf course was purchased, they had a long discussion about the rezoning. Perhaps the councilmember misunderstood, and asked if it was his intention to rezone the entire property along the front and adjacent to Rehoboth Boulevard. Mr. T Johnson confirmed only the restaurant and they spoke about the 3.9 acres, which was finally plotted out, that included the restaurant and the pro shop.

Councilmember Boyle informed both gentlemen that they had provided a lot of clarification that he wish had come out a lot sooner in the process.

Mr. T Johnson stated that is the reason he approached Council, adding that he did make phone calls to the Councilmembers because the news media often gets things out of text. He never made any public comments and the reason he called Council to speak to them and inform them that around December 27th they were approaching the property. He was going to take the old pool house and convert it into the pro shop and remodel the existing clubhouse with the brew portion in the old pro shop.

Councilman Baer said they know that fees are going to be charged for the golf course and asked if there would be a pickleball court fee. It was noted the pickleball courts are a substantial investment as well. What is out there now are the old tennis courts. Anyone driving by has seen the fence that is coming down and trees are being removed. So yes, there will be a fee structure that will be managed and schedule by the pro shop.

It was confirmed the actual brewing building will actually be in the footprint of the pro shop. The pro shop has not yet been measured though it will be expanded a little and most likely around 4,500 square feet, with the walk-ins, hop, grain and keg storage will all be inside.

Councilmember Marabello said that though he hopes not, he asked what will occur if the restaurant fails and what will be done at that point to safeguard the investment. Mr. T Johnson said when he was talking to Councilman Boyle, he pointed out that a convenient store could be built there with gas stations. Though the Planning Director can explain that would require a conditional use.

However, he has done other properties throughout Kent and Sussex Counties, that is not the right location for a gas station/convenient store. Because there is heavy traffic going to the hospital or to Route 1, it is not the correct place to put in that type of operation. He said the Planner will also say a shopping center can be placed there on 1.5 acres. But again, he pointed out a shopping center does not work well in the middle of a thru street/40 mile per hour road. It needs to be at an intersection or somewhere similar.

Mr. Hammer spoke again, stating he has a 100% track record. When he first started in the restaurant business and started doing larger restaurants and Arena's, people said don't go in there. They wanted Route 1 and were told don't put your Fins Ale House in the cursed shopping center that only has a rear entrance. That has turned out to be his busiest restaurant.

They told him not to go to the old Smitty McGee's because it would never survive the winters. He is doing great there and it is the third busiest restaurant.

He went to Kings Highway and was told he would never survive next to a Baptist Church and the property is too small. Now it is four acres and is his second busiest restaurant.

Fins has a record of always doing well wherever they are and he has been blessed not only because he has amazing employees, but because they are a good employer as well. They provide health, insurance, paternity/maternity leave, and paid vacations. They are a very progressive company and that goes is advantageous for the company, the community and

those that work with them, and hire people within the community. Those people, their friends, and families come and do events there and he believes they will prove they can succeed in this community.

Mr. Hammer continued by stating that failure can happen, but he will not let it happen.

When asked if anyone wishes to speak in favor of the application.

Gerald Esposito of 18 Victoria Drive, Milford read two letters of support into the record. One was signed by Chairman Joseph T. Conway, Sussex Economic Development Action Committee, and the other was written by Mr. Esposito. Both letters are available at the City Planning Department located at the Public Works Facility at 180 Vickers Drive.

Hunter Emory then spoke, stating his business is at 116 North Washington Street, Milford though he lives at 20417 Spangler Drive in Lincoln, Delaware, stated he was born and raised right here in Milford, Delaware. Generations go back so far we can't count anymore. He went to Milford School District and graduated from Milford High School and came back as a schoolteacher, and now I own a small business in both the Milford and Georgetown communities specializing in insurance.

He also sat on the Milford School Board for five years and now sits on the Delaware Co-Op Board of Electric. In full disclosure, he does rent a space out from Mr. Johnson at the Airpark Plaza. But he is not here on behalf on that nor on behalf of Mr. Hammer but is here on behalf of his children. They love Big Oyster and love the location on Kings Highway in Lewes. They go down on are regular basis to attend it and use the playground. The food is delicious, the beer is great, but the playground is the best part of the whole operation. On behalf of a lot of families in the community, he is speaking by saying they are very excited about the opportunity that this restaurant is coming to our community. He thinks that Mr. Esposito put it best that this could be a game-changing project for this community with open space and opportunities for families to have a meeting place to get together, to break bread and to watch the kids play—something that Milford appears to lack.

He is here in support of this project and thinks this is a great opportunity for this community and revitalizing the country club that has so much nostalgia for so many is a great opportunity for this community to grow and to thrive.

Butch Elzey of 199 Jenkins Pond Road, Milford, said he was six years old when his family jointed the country club. When he was twelve, he was allowed to ride his bike from Marshall Street through the Sharp Farm. He had a guy ask him if he would caddy eighteen holes for him. He did not know what a caddy was though he did. He then gave him $20 which was a ton of money back then.

He became a member and loved golfing and his wife was a five-year champion golfer. They have done many events at Shawnee and did homecoming for the 198th Signal Battalion and the 153rd. They have done so much in that building. Milford needs this building and the country club. His two boys love to golf as do his granddaughters.

He also said that Timmy Johnson does not fail. When he had his business, he did a lot of business with Timmy. He painted heavy equipment and when Timmy brought a piece of equipment around, you better have your act together, because it has to be right. And that is how he is.

People do not realize how many jobs he's created in our town and how many businesses have been created because of Timmy Johnson. He said it is amazing and believes he is one of the best people he has ever met. He is not just blowing smoke because he is here, but it is a fact and is an amazing individual and he will not lose.

If Council approves this, it will help this community so much.

Someone told him that golfing is a thing of the past, but that is not the case. He said there is little for kids to do in Milford except to look at their cell phones. The Rookery/Shawnee Country Club will lighten the community and Timmy will do it right.

Bryan Shupe lives at 30048 Stage Coach Circle, Milford, stated he is a small business owner who recently rehabilitated the old Growmart building as well, so he knows a little bit about rehabilitating properties in Milford. Tonight he is here to speak in support of the rehabilitation of the old Shawnee Country Club and zoning the 3.9 acres to commercial.

The Rookery has been successful in the past, and it can be successful again. But he thinks almost everyone understands from this community that this restaurant will cement the success of the golf course, He just wanted to take this chance to personally and in public to thank Tim Johnson for putting another investment in our community and providing more jobs in our community, and for Jeff Hammer for taking this chance on Milford as well.

He said a little bit about Jeff Hammer, who speaks to Council's vote tonight. Usually, when voting on rezoning is usually an unknown as to what restaurant or business will end up there. But in this case, we do know and have the opportunity to consider the good quality of the person who is coming in and their experience. Jeff Hammer is an absolutely amazon CEO, an amazing businessperson, an amazing restauranteur. As he said before, his restaurant is 75% is food. When he and his wife go down to his restaurants with their children, they don't drink and look for places that have great food and have amazing atmosphere and amenities for their kids. His restaurants have it all and that is what is needed and he will bring to Milford to help with the rehabilitation of that golf course and property.

It speaks to something that was put into the Riverwalk/Rivertown plan ten years ago and that is the quality of life. This is to have a place where people can be outside. A place where families can meet and talk about their day, talk about their week, talk about their plans, and being a small business owner myself, who has invested in this community, it is projects like this that will reinventing what that course looks like and what the restaurant looks like. It will make people like himself invest more in this community and want to put more businesses here and want to employ more people because of the excitement surrounding our community. He urged Council to think hard and to please vote in favor of the rezoning.

Jason Weissberg and live at 115 Beufort Lane, Milford. He, his wife and family have been residents of Orchard Hill for over fifteen years. He comes here as a resident of Milford, a golfer, and for full disclosure, he is and has been lucky enough to have made a career in craft beer for the last 20 plus years. He started as a brewer back in 1999 when there were about 1,000 breweries. He is fortunate enough to still be in that industry and part of the more than 9,000 breweries. He is not going to rehash your instructions, what everybody said, but just to give an overview of what craft beer is and the potential of craft beer has on a community.

He stated that nationally, the 9,000 breweries that are in operation have an economic impact nationally, from 2021 data, $76.3 billion dollars is what craft beer brings to the communities that it serves. It is also responsible for over 490,000 jobs on the national level. Locally, the jobs these breweries create are going to keep people in our community. They are a growing, feeding, learning, nurturing environment. The cooks, the dishwasher, the hosts, the bus boys, the wait staff who will become the next chefs, the next HR specialists, the next payroll administrators, the next managers, the next purchasing agents for their community.

The brewers and the folks that come in to help the process and want to learn a trade and want to learn a skill that will take them from continuing to work within the Big Oyster Brewery network to other local breweries, or they can open their own and provide more economic development in a community

There are a number of small breweries that have opened here recently that have grown and that have done nothing but bring people to our communities. Talking about why these people come here locally, there is an entire segment of tourism called beer tourism that is specifically the travelers motivated by visiting breweries. Brew pubs, going to beer festivals, going to visit places where they have beer events. From Delaware alone, that impact was $405 million dollars to our small state.

While Delaware was 41st in the nation of per capita impact, we were 9th overall nationally. So that craft beer in Delaware, that $405 million dollars was done by over 2,200 people working in the craft beer industry in Delaware alone, with an average wage of over $62,000. These are real jobs and real opportunities to invest in the people in our community to keep people in our community who can benefit not only in their current jobs, but all the ancillary support systems and businesses that go along with it.

He is going to touch upon the crime because online, he has been reading about the fear of crime. Studies have shown that response, calls or emergency calls of all different types of alcohol serving establishments, whether it's just bars only, restaurants with beer and liquor and wine, brew pubs and tap rooms. The frequency of emergency calls to brew pubs and tap rooms is lower than the average of any other establishment.

It is his hope that Council will realize the benefits of allowing this group to move forward with their plans to bring a brew put to the property at the golf course. It will be a strong partnership that will both encourage golfers and craft beer

aficionados to visit Milford, and join not only the golf, but take advantage of everything our town has to offer. This will be another tourism amenity that our community can get behind and support and he hopes Council does the same.

No one else reacted to speaking in favor of the application. The floor was then opened to those opposed.

Joe Palermo, 5 Misty Vale Court, Milford, stated that at the Planning Commission meeting, Mr. Johnson and Mr. Hammer stated they had several lucrative businesses in Sussex County, as well as a new establishment in Fenwick Island and he comments them employing about 800 people. He commends them on that.

That is not the issue, and it is the fact as Councilman Marabella elaborated that if it fail, there are other options for the property. That is the concern of the residents of Milford. He finds it hard to believe that a financial institute requires you to get a change of usage from R-2 to C-1. Neighbors are concerned that if it flounders, considering there is no sure bet, that they can flip it, have a strip mall, a laundromat, and any other use in the C-1 category.

Gloria Markowitz of 8 East Thrush Drive, Meadows at Shawnee, stated the restaurant and the pub sounds wonderful, and she likes to eat. Her letter is in the packet and will not reiterate the entire letter. She is aware that five to six of the councilmembers have already decided on this but wants to give some food for thought.

She thinks it is amazing that WBOC, the Delaware State News, and the Cape Gazette have carried the new business story the next day after the Planning Commission meeting. That was quick and seems like this zone change is fast tracked and appears that way to simple people. The neighbors had a little time to get together for a meeting, plan to move, hire an attorney. They may have had eight or ten days after they found out.

She read a little excerpt from her letter reading that since the issue we nearby residents are having against this project is the zoning change, I propose that rather than change the zoning code. the title of the proposed brew pub be changed to accommodate the existing R-2 definition and call it "specialty brews, handcrafted libations, brewed on premises, brews and bordello". She doesn't care but it can be tweaked to fit the current R-2 definition. Changing the zone leaves this property open to many undesirable businesses if the proposed plan does not last, as has happened in the past. The 3.93 acres can be subdivided out without changing the zone.

The parties involved could also change their minds and spin it off as soon as it is sold as commercial property.

Two businesspeople are requesting this zone change. Many people in attendance are opposing the zone change. It could be 50 for and 50 against in their community. She is glad she is not sitting there and has to judge it. Finally, she asked if a traffic study had been done and do you think it's prudent that we should do a traffic study? She said traffic will adversely impact their neighborhood.

She is requesting Ordinance 2023 -07 be denied, or at least tabled so that more research can be done with the taxpayers most affected, and the neighbors living around this property.

No one else spoke in opposition. No one indicated they wanted to make a general comment.

In attendance virtually, Nina Pletcher of 428 South Walnut Street, Milford, said she has spoken to both of her councilmembers in advance of this meeting in favor of the project. She thinks it will be a wonderful service to the community. It is no secret that the brew pub has some serious roots in our family. She puts all the faith in the world in the folks that have brought this investment to our community and have been successful to this point in time.

She wishes the son Matt all the luck in the world because she understands it will fall to him to make it success. She urges the Milford community to step up and be Milford strong and support this because it will require the community's support for long-term and she hopes it does not fail in her lifetime, or anyone else sitting in the room tonight.

There being no one else wishing to speak, Mayor Campbell closed the floor to further comments.

Councilman James then spoke stating he appreciates all the comments for and against this project. If the change of zone is not approved, the clubhouse/brewpub still can function as a restaurant as an ancillary business to the golf course. The planner agreed that is correct.

Councilman James said if this property is zoned to C-1, and if the golf course fails, the restaurant could continue operating as a restaurant and brewpub. The planner clarified that if it is rezoned, it would be separate and not dependent on having the golf course operating.

The Councilman confirmed the brewpub/restaurant could operate in either situation. He does appreciate all the comments concerning the business plan and the ability not to fail. He said in his mind, that is really the risk that the investor will have to bear. And not a decision that he, as a Councilperson, is not going to make for anyone that comes before council, when they want to start a business. That is a lot of scrutiny and whether a business can succeed or fail. He cannot make those decisions.

However, Councilman James can decide on the fact presented, relative to the zoning request of an applicant. Talking about the risks to the citizens of Milford, if it is rezoned, the risk is that it could be flipped.

When questioned about other properties in the area zoned commercial, the Planner stated that within the city limits, about 1,200 feet to the north, the Deep Branch Plaza was approved though the construction has not yet begun. There is commercial extending north on Rehoboth Boulevard all the way up until it meets Route 113 and is intermixed with some industrial uses. Heading south, there is a 15-acre piece of land zoned commercial just before the overpass of Wilkins/Cedar Neck Road. Going further south below the overpass, there is about 40 to 50 acres zoned C-3 at the interchange.

He said there are also some commercial uses across the road that are in Sussex County.

Councilman Culotta said fundamentally, Rehoboth Boulevard has always been a commercial corridor. There have been some housing developments there overtime, but it is commercial for the most part. This is not a stretch when it comes to traffic or issues like that.

He pointed out this is a big deal and important for Milford. The open green space of a golf course is vital to activity in Milford. The improvement of the property includes other functions, including pickleball and the brewery. Jeff Hammer has been successful everywhere and anyone that has visited his facilities knows that. He wants to come to Milford and make an investment and speculate on our city. Whether he borrows the money, borrows from private businesses, or uses his own money is not his business.

It is vital to Milford and will bring a lot of jobs. It will create opportunities for people.

Everyone benefits from this project, and he looks forward to this happening in Milford and is excited about it.

Councilman Boyle reiterated that there has been a great deal of confusion about this request. In talking with nearby neighbors, most did not comprehend anything involving the scope of tonight's action. His reticence on this in the beginning really has been that Council is making a decision that does not appear to be ad hoc because there was so much confusion.

This represents a significant change in the nature of the community. He does not want to send a warning to other residential areas that this could happen to them. A process is needed and there is a need to be serious about the decisions and not make a decision because someone says it can be done.

Councilmember Boyle is very happy to hear the answers tonight by the applicants and in his opinion, settled a lot of unknowns and resolved a lot of confusion. His decision is going to be based on the sense that this Council will take anything that comes along like this, very seriously and that each of us understand that it will have an immediate impact on these neighborhoods. Commercials coming into residential areas can be very upsetting to people and can cause other reactions not anticipated.

He knows what the vote is going to be, but Council still needs to assure the community that these applications are taken seriously and not something that we want because it will be a fun establishment. There is a need to recognize there will be changes and they need to be accommodated by the city to help this succeed.

Councilwoman Wilson said she respects Councilman Boyle's comment about Council being serious, though she thinks Council is serious by just sitting here. She watched this town slowly grow with many considerations. She recalls when

Tim Johnson and City Manager Carmean were meeting about the business park. She appreciates what Mr. Johnson did for the City of Milford by allowing the transaction of that property.

She is also very happy Mr. Johnson wants to develop the property, and that Mr. Hammer wants to put the brewery/restaurant there.

Councilwoman Wilson said she has history of being the first black person to go to Shawnee Country Club, knowing that the only time you saw black people at Shawnee Country Club is when they worked in the kitchen. She is excited to know that this will provide equal opportunity for all of our families, citizens, and allow youth to come back here to get jobs to learn the trade and grow up that ladder, up to the point of starting their own brewery.

Shis is passionate about the economics about the economics in this town and growth is needed.

The Councilwoman referenced an earlier comment about New Milford—and she emphasized there is no New Milford. We are Milford and this is one town. Whatever goes on that side of town impacts everyone in Milford. She is excited about the project and especially thankful the golf course will be saved, and there will still be a restaurant. However, she is most excited that her husband will feel comfortable and go and play golf there. She is very pleased the old stigma at Shawnee Country Club is gone.

This will change the culture and thinks it will make beach residents comfortable in coming to Milford, and especially travelers. Anyone who traveled through this little town has to recognize the slow growth, though she calls it good management. She appreciates what these developers are going to do for Milford.

When the Planner was asked to again clarify his earlier statement, that in order to have the restaurant open, the course has to open, and all eighteen holes have to be open.

Mr. Pierce stated that in the R-1, a country club regulation golf course, including customary accessory uses, are permitted, provided that all buildings have a minimum setback of 120 feet from all street and property lines. This is an 18-hole golf course.

When asked if the golf course fails and the rezoning was denied and it stays an R-2, and the restaurant stayed the same. Councilmember Fulton asked how many houses could be built there; the Planner said depending on the acreage, 8,000 square foot lots are permitted, or four to five units per acre are permitted. Taking three-quarters of the 149 acres and multiplying it by four to five is the number of units that can be built on the property.

Mayor Campbell sees all his neighbors and buddies from the golf course in the audience. He knows each of them personally for the seventeen years he has been here. The golf course is needed, it is good for the community and brings money and visitors to Milford. The city looks a lot better with the gold course and it is a great place for people to meet. He belongs to Shawnee Country Club and now the Rookery and anyone that knows him knows he is an avid golfer. For him it is home.

Councilmember Marabello pointed out that knowing what the City knows about the property, he is unsure that number of homes would have been permitted there.

Councilmember Baer asked what the new Police Chief knows about brewpubs and if she has any experience policing them in the Wilmington area. Chief Ashe stated that in dealing with that, it is about the responsibility of the business, creating a good partnership with the owners, and having open communication with them. She would always promote that and not an individual or type of business, but promote open communication with any business owner and encourage it through every rank from the Chief down to a patrol officer. She welcomes any open communication with business owners.

Councilmember Fulton made a motion to adopt Ordinance 2023-07, approving the change of zone from R-2 to C-1, for lands of Oak Forest Park, LLC, seconded by Councilmember Culotta:

Motion carried by the following 7-1 roll call vote:

Marabello: I will preface my vote with some comments. I don't have any objections to a brewpub or renovating of the eatery. The synergy between the golf course and the brewpub would be great. What worries him is the unknown and if it

fails and a strip center can go there. I don't think we need a strip center because we have one approved right up the road and if we had a strip center which would detract from the residential character of the single-family homes. And I don't think for a big area, it is not really a commercial street and mostly single family homes. If the C-1 is approved and we have the unknown and that bothers me. Most importantly changing the zoning from R-2 to C-1 would set an unnecessary precedent. I believe the two parties, the builder, the property owner, and the restauranteur seem to be very confident this will be successful, and I have no doubt they have success stories. And I think they could borrow the money under the R-2 which is why I vote no.

Boyle: When I came in here I was very skeptical and I wasn't sure. I was tending to lean to vote no. But after listening to the presentation and the questions that were answered, I am reassured. I think that we don't know, and we don't know the future. We have to basically go on track records, and a person's pledge to do their best with the interest of the neighborhood. I am too concerned about the changes that will come about, simply because the neighborhoods will have to change and adapt.it to that. But to be honest, I've been swayed, and I will vote in favor of the application.

Fulton: I vote yes, it is in accordance Chapter 230 and the Planning Commission voted 5 to 0. It's in accordance with the Comp Plan and is good for the city and good for recreation. It is good for a green space.

Culotta: I vote yes and I am excited about what is to come to Milford and he is excited about the people involved and have a lot of confidence that this will be a successful project.

Samaroo: I vote yes based on Chapter 230 and the 2018 Comprehensive Plan. The comments that the applicants made about whether this fails, that is the only concern I had. But based on clarification today with the property owners, I feel a little more confident that this will be successful.

Baer: I vote yes and thinks this will be good for the city, and commend the people who are willing to put up their money and hard work.

James: Based on the facts presented today, and what we know, and not what we can try and crystal ball for the future, I do vote yes for this project. I think it will be a great amenity for the City of Milford.

Wilson: I vote yes based on Planning and Zoning, based on economic growth, based on future diversity for business, and the product itself is well thought through and the track record of the individuals that presented it.

Mayor Campbell temporarily recessed the meeting at 7:41 p.m.

The meeting resumed at 7:54 p.m.

RECOGNITION

New City Employee Recognition

City Manager Whitfield introduced his new Executive Assistant Valerie Heritage who was Smyrna's former City Clerk for many years and was hired on February 1st.

Proclamation 2023-03/Black History Month

Acting City Clerk White read Proclamation 2023-03 into record. Please refer to the Council packet for the document.

Proclamation 2023-04/Captain Edward Huey's Retirement

Though Captain Huey was not in attendance, Chief Ashe asked that Acting City Clerk White read Proclamation 2023-04 into record. She will present the official proclamation to him at his Walkout on March 1st.

The complete document can also be found in the associated Council packet.

Mayor Campbell asked that all Councilmembers attend Captain Huey's Walkout at the Police Department on March 1, 2023.

Ordinance 2023-08/Pedestrian Safety Ordinance
Chapter 197 – Streets, Sidewalks, Storm Sewers, and Other Public Places
Adds New Article entitled Pedestrian Safety

Local Government Fellow Melody Barger presented the new section relating to Pedestrian Safety to address the issues created by people standing in medians for long terms, as well as approaching vehicles.

She explained this ordinance is almost identical to what was presented previously. However, it has now been made a separate article to make it easier to enforce. Clarifying language was added to include any pedestrian within 200 feet of a traffic signal is not permitted to approach a vehicle for their safety. The $100 fine was also removed at the request of the City Council.

Councilman Fulton asked the ramifications, should someone violate the ordinance.

Chief Ashe confirmed there is no trespassing component of the ordinance because this is in a public space. She rephrased the question to Ms. Barger asking what the punishment for the violator is and is there going to be fine or what is the possible punishment.

Councilmember James explained that when he previously made reference to the removal of the fine, that was in consideration of the individuals who are frequenting the intersections. He felt that if there is a fine, it most likely would never be collected. He asked if there should be a punishment for someone in the vehicle who stops and may cause the intersection to become congested as a result. Maybe—but he is unsure though he agrees that any fine for the individual, in his opinion, would never be collected.

Councilmember Fulton feels this is a toothless wonder though there are a lot of words and no teeth. Without any repercussions, even though the ordinance states this is right, and this is wrong. But why would a person abide by it when there is no penalty.

Councilmember Culotta referenced the code that does not allow construction work to be done after a certain hour. If someone were to call in a noise complaint during that prohibited time, the police would respond and inform the contractor they were working when it is not permitted. In Rehoboth, the contractor would be shut down. Though he is unsure if his contracting license would be lifted or he would be fined.

Councilwoman Wilson recalled the need for the ordinance was just to provide the police the ability to make the individual move from the intersection. She does not believe the intent was to fine them, but simply to get them to move for safety reasons.

Chief Ashe explained there are several angles in which this can be addressed. She shared that it has been established by the courts that it's a constitutional right of an individual to be allowed to beg for money. Where the violation of the law can come into play is when they do it in an aggressive or disorderly manner which is enforced through Delaware law. Or if they enter into an intersection or step off onto the highway, there are traffic rules and laws that would prevent that currently under Title 21 and Title 11. Being covered under the state law, allows Milford's Police Officers to handle in that manner.

The Chief defers to the City Solicitor for any other angle as to why the ordinance is being created, or the thought behind it. She does agree with Councilman Fulton and if the job of the police officers is to enforce the law, that law has to be enforced with some of a penalty.

Solicitor Rutt referred to Chapter 1 of the city code 1-11 Standard Penalty states unless otherwise indicated in the Code of the City of Milford, or, unless otherwise provided by the Delaware Code, anu violation of any Chapter, Article, or Ordinance of the City of Milford, shall be punishable by a fine of not less than $100, no more than $500.

He continued by stating that because this new ordinance does not include the language that there is no penalty, any violation of this code would fall under the Standard Penalty section of the City Code. It could be amended to give them a warning for the first violation, before going into the second penalty phase.

Council agreed there is a need for some type of penalty.

Chief Ashe explained the officers naturally have discretion in these enforcement efforts. As previously discussed, a lot of these people may be dealing with mental health or drug addictions. Police already have the components in place to be able to recognize and identify that when coming across those type of individuals. She would recommend that it starts at $100 and stays at $100 and not go to $500. The responsibility of law enforcement officers is to enforce a law that's put into place, but there are already mechanisms built into the policing system here in Milford that identify those that have needs. The officers are very mature in what they do day in, day out, and have that discretion to give somebody a warning even at a traffic stop. Warnings are often issued on a case-by-case basis and are already done on a daily basis.

Mayor Campbell then opened the floor to public comment.

It was noted there is someone online, though there was no response to speak.

Councilmember Fulton moved to adopt Ordinance 2023-08, now that he understands there is some teeth behind it, seconded by Councilmember Boyle.

Motion carried by the following 7-1 roll call vote:

Wilson: Yes, for public safety.
James: Yes, it promotes public safety.
Baer: No, I don't think it's necessary.
Samaroo: Yes, based on safety reasons.
Culotta: I actually agree with Councilman Baer, but will vote yes because of the spirit is safety.
Fulton: Yes being an EMS I have seen a lot of people hurt in intersections hit by cars. I know Councilman Baer may not have, but it’s pretty terrible body parts coming off. So in light of public safety and taking care of people and enforcing it, I vote yes.
Boyle: Yes, as a matter of public safety.
Marabello: Yes, I give something for the enforcement of parties to use when they ask them to move along.

MONTHLY FINANCE REPORT

Finance Director Lou Vitola addressed Council, stating that he will let the report stand as is included in the packet.
He commented that cash remains strong as was reported in December. There is a very strong RTT In January even considering the current economy. However, most of that can be attributed to the sale of the Rookery.

On the O&M side, in both utilities and the general fund, there was a slight step back after seeing improvements in November and December related to capital projects, advancing debt service, and continuing to be fully staffed on the personnel side. He does not view it as a major problem.

As we get through February, March, and April, which is another short month with utilities, there is a need to keep an eye on things. An adjustment made be needed in the FY23 budget, though he is hoping we can get along with the existing budgets as they are.

When asked if the projections for the year show substantial surpluses, the Finance Director said that based on the last five pages, three that show expenses, he does not expect much carryover this year.

Councilmember James moved to accept the Monthly Finance Report, seconded by Councilmember Wilson. Motion carried.

COMMUNICATIONS

See packet for correspondence items.

It was confirmed that tomorrow is the first day of the transportation change/stop sign installation in the downtown area.

Mayor Campbell reported he will be presenting Douglas Gibson with a proclamation for his 100th birthday tomorrow at approximately 11:00 a.m. He invited councilmembers to attend and Councilmembers James and Marabello indicated they would attend.

Councilmember Fulton said he received a number of calls from Ward 2 residents supporting the rezoning change at the Rookery. Councilmember Boyle also reported that no one in the City of Milford received a letter with public notice. They instead were mailed to all property owners living in Sussex County's jurisdiction.

Planner Pierce said that any property within 200 feet received notices. Meadows at Shawnee HOA received a letter because their open space backs up to Cedar Creek Road. That was one of the causes of the confusion and chaos because so many residents nearby were unaware. He suggests that be considered in the future for properties within the city that are reasonably close.

Councilmember Baer thanked the City Manager for addressing the speeding issue and adding to the Milford app.

Councilmember James reported he met with the Milford School District Superintendent and the Fire Chief and Deputy Chief who are continuing to work on a curriculum in their Health Ways Pathway for EMT's and have made considerable process. This would provide Carlisle with more EMSs and firefighters.

Solicitor Rutt congratulated Mark on his recent certification as he had recently announced.

UNFINISHED BUSINESS

Cancelation/City of Milford Annual Election

The City Clerk's Office reported the following:

NOTICE OF ELECTION CANCELLATION
CITY OF MILFORD 2023 ANNUAL ELECTION

Notice is hereby given that the City of Milford Annual Election scheduled for April 22, 2023, has been canceled.

Prior to the filing deadline of February 21, 2023 at 4:30 p.m., the following individuals submitted nominating petitions for the offices as indicated below:

Ward 1 Council---Daniel Marabello
Ward 2 Council---F. Todd Culotta
Ward 3 Council---Nirmala Samaroo
Ward 4 Council---Jason L. James Sr.

There being only one candidate for the Office of Council in Ward 1, Ward 2, Ward 3, and Ward 4, the above candidates are entitled to assume office without a formal election pursuant to 15Del.C. 7555(j).

Duly elected candidates will be sworn in at the Annual Organizational Meeting on Monday, May 1, 2023 that begins at 6:00 p.m.

Update/Milford Corporate Center

Mike Riemann of Becker Morgan Group provided an update on the Milford Corporate Center.

A lot of progress has been made since his last update. They completed surveys and have geotechnical activities going on. They have resolved one of the key issues with DelDOT which is the access to Church Hill versus Route 14 by putting that to bed. They are now moving forward with access on Routes 14 and 15.

The traffic study is still in the works and is in step two of the three steps and is ahead of schedule.

The preliminary plans have been filed and are currently under view and are targeting April Planning Commission and Council hearings to formally act on the preliminary plan.

As they continue, the plan is for October final approval.

According to Mayor Campbell, Planner Pierce has provided information for the name of the main roadway.

When asked if there has been any interest in locating there, Mr. Riemann explained that does not fall under his authority as they are handling the land portion of the project.

The City Manager said he has received several inquiries. Councilman James said he was contacted by interested parties.

NEW BUSINESS

Update/PD Project/Change Order Report

Finance Director Lou Vitola recalled the referendum approval to spend up to $20 million. By the time it was bid, and refined the budgets, it is down to $17.5 million. The city is going to self-finance $1 million and received approval from USDA for financing up to $16.5 million.

When Council approved the sixteen bids for a total of slightly more than $13 million, which authorizes City staff to spend that exact amount to the penny. In the budget, there is another $4.5 million approved and financed over and above the $13 million. One half million of that is builder's contingency which contemplates construction change orders. However, it is unknown when, how much of which vendors that will involve.

From a contractual standpoint, he will need to cycle back to Council to get approval on what has been spent formally.

He said we have a critical mass from February of more than $300,000 involving seven change orders and three vendors and referenced the following memo:

Staff recommend that Council approve the PD Facility project change orders arising in the field as recommended by Richard Y. Johnson & Son (RYJ) in the course of the Firm's daily construction management responsibilities. The change orders totaling $0.3 million through February remain within the anticipated budget of $0.5 million, so there is no change in the projected tax hurdle or funding requirements. Staff was consulted on all change orders arising in the field.

Builder's Contingency Budget $ 520,062
Change Order Total 317,804
Builder's Contingency Remaining $ 202,258

The reality / inevitability of changes arising during construction due to site conditions, changes to design City staff and consultants anticipated specifications and even regulatory compliance early in the planning process. The earliest PD Facility Project budgets drafted by Becker Morgan Group (BMG) reflected contingency budgets for construction activities ("builder's contingency") and other uncertainties driven by decisions to be made by the City, such as then-unknown permitting, financing, outfitting and other costs ("owner's contingency"). The contingency budgets were percentage-driven based on BMG's experience designing other buildings, and the Firm especially relied on its experience constructing police facilities in Delaware. The contingency budgets were finalized in January 2022 in connection with City Council approval of the 16 construction contracts following RYJ's bid process. The change orders identified through February remain within the anticipated budget, so there is no change to the property tax hurdle or financing requirements initially projected. Staff were consulted on all change orders, which total $0.3

million as summarized by contractor below:

Filec Services – Electrical Contract A-16: $ 257,530
Zack Excavating – Sitework Contract A-01: 37,384
J.F. Sobieski – Mechanical Contract A-14: (3,351)
RYJ/BMG Project Management & Design 26,241 $ 317,804
Builder's Contingency (Original & Remaining) 520,062 $ 202,258

Public Works Director Mike Svaby reviewed the seven change orders listed in the memo. He shared that anytime there is a changed overall construction price, it falls under the domain of change that needs to be administered by the Construction Manager. After which, they assess their fee of 3%.

If it falls under the domain of the architect and engineering effort that went into the design, it falls under the 6% fee. Some are both and some only apply to the one fee.

The largest was $151,250. Of the seven change orders, none were driven by any professional omission or mistakes. All the changes with this exception of the large one, were the result of dialing in further on a material specification. In one case, it was the result of the city's preference for electrical equipment. Another $5,000 change order was somewhat a credit for pulling out the various types of material for piping and making it PVC where possible.

One involved two combined changes orders for the electrical subcontractor for a net positive change order of $8,000. That allowed it to be stubbed out to some future time in a quazite box for the storage building.

Director Svaby again talked about the supply change issue involving a particular type of switch gear and the design which was related to the generator equipment. Engineers were asked to review a workaround or an alternative design with materials more readily available. That resulted in the additional cost of $151,250 and prevents a dark building for three or more months.

He noted there has not been anything extraordinary with the exception of the $151,250 change order and they do not anticipate any additional supply issues.

It was confirmed that the approval of the $317,804 contingency fund of the $520,062 will be depleted by that amount.

Finance Director Vitola noted that the majority of the City's contingency will be capitalized interest. He anticipated that number to be around $375,000 to $400,000 though that may not hold. Other items not included are minor, including the security cameras and so forth. When two-thirds of that is spent, he will come back to Council with a recommendation.

Councilmember Fulton moved to authorize the change orders submitted in the amount of totaling $317,804. Funding is available within the project budget, and the approved USDA community facilities loan funding, seconded by Councilmember James. Motion carried with no one opposed.

Authorization/Utility Extension Outside City Limits

Relative to the Colony West/Colony South and the Christiana Excavating utility extension requests presented at the last Council meeting, City Engineer James Puddicombe prepared two exhibits to answer Council questions at that time.

It was determined there are 5,683 electric meters within the City of Milford and 1,665 electric meters outside city limits. In addition, there are 3,987 water meters within city boundaries and 156 water meters outside city limits.

He shared that electric is driven predominantly by Delaware Co-Op and/or Delmarva Power. Often there may be a branch that stretches out and allows the city to provide services in an easier manner and does not follow city boundaries. Water is more aligned with city boundaries and most areas outside the city are within a pocket in the city area where there is either a single home or a small community that is generally within the city's area, but not annexed into the city.

Planner Piece then stated he has been unable to locate the previously approved utility agreement with Colony South, though he did ask the engineer who is overseeing the project.

Councilmembers felt that if we have nothing, nothing should be considered.

Planner Pierce then continued stating that if it is broken into two categories, the city already serves Colony West which is Phase One of the development. We also serve some row homes in the apartment complex to the north and Colony South is Phase Two of the development. Because the city had already made a commitment, he included an agreement to memorialize the arrangement that Interfaith Housing would annex if they became contiguous. This involves the one to the northern side, noting there is only one property between that is not included in city limits.

Councilmember Culotta hopes that the city never agrees to provide utility services to a new development in the future and not require them in the city. Once that is done, there is no reason to annex. In this situation, he is confident they will annex eventually.

Councilmember James referenced the older minutes, it includes the ability to continue the services when they develop Phase Two. He feels that having the minutes memorializes that intent.

Mr. Pierce stated that the noncontiguous property (IG Burton Car Dealership) between the city boundary and this property, is already commercially developed. It has city water but is on county sewer.

A discussion followed regarding the development of Colony West/South.

Interfaith Housing approached the city because they are planning to start developing again.

Councilmember James emphasized that often the Council is faced with making decisions about historical activities that were never documented, Council never voted on, nor were there minutes. In this case, Council took a vote and it is clearly stated in the minutes.

Councilmember Culotta moved to authorize the Mayor to sign the electric and water agreement with Interfaith Housing Delaware to provide electric and water utilities at the properties located outside the city limits, with the condition, that if and when the properties become contiguous, the owner would be required to annex, seconded by Councilmember Wilson.

The Solicitor asked if this involves rented apartments or are the selling the units; it was noted that apartment buildings exist today and townhouse that are in a condominium arrangements. There are also fee-simple lots that have been sold off. They would not be included in the agreement because they are no longer owned by Interfaith Housing.

Solicitor Rutt pointed out they would have to make a requirement on any conveyance to a third party, that they would have to annex. He asked if this would create 'spots' though there may be a common area still owned by Interfaith Housing, but also individual properties conveyed out.

Unless there are restrictions in the sale contract that says they have to be bound by this, this could create many issues.

The proposed agreement has a binding effect that states the agreement shall be binding upon any parties hereto their administrators, successors, interest or assigns, according to Planner Pierce. However, the language could be modified so that it would convey with ownership though his understanding is this would convey with any future ownership.

It was confirmed that the city provides water and electricity though the property is served by Kent County sewer. It was confirmed maintenance would be required by the city if it were in an easement area. The city will only install the utilities at their cost.

Motion carried by a 7 to 1 vote, with Councilmember Culotta casting the dissenting vote.

According to Planner Pierce, the Christiana Excavating request for utilities to be extended to the southern part of town, was deferred. This is shown as commercial development in the city's comprehensive plan, though this is also unable to be annexed due to one noncontiguous property.

When asked if there are any pre-existing conditions requiring the city to provide these services, Planner Pierce stated the city would serve the property with electricity regardless of the agreement.

City Engineer Puddicombe shared that Electric Director Tony Chipola verified it would be served with city electric because the next provider is a distance away.

It was confirmed the same conditions would apply as with Interfaith Housing and Mr. Pierce added that this is done primarily for septic or well elimination. However, there is a risk of the continuation of onsite well and septic which would prevent the property from being on the city system for thirty years or so.

It was confirmed the property is presently current, though Planner Pierce thinks it is zoned industrial within Sussex County. He pointed out that any change of zone would require a change of zone and a comprehensive plan amendment hearing by Sussex County Zoning Office.

Planner Pierce stated it is currently zoned industrial; Solicitor Rutt said the property owner could request a downzone from Sussex County because H-1 is the highest and most restricted industrial zone.

Several questions were asked, and the applicant was in attendance.

Chad Warren of Davis, Bowen and Friedel, representing Christiana Excavating, verified the plan is to build a large warehouse style storage facility.

It was confirmed that this involves 17.5 acres of undeveloped land. Councilmember Culotta said it will most likely be annexed in. Councilmember Boyle pointed out they also own an acre and a half of land just north of this, that is noncontiguous with this property.

His concern is we continue to repeat the same mistake over and over. It was also discussed that this property called the neighboring property to talk about annexation, but never heard back.

Councilmember Fulton pointed out the reason he favored extending utilities to Colony West/South, was because there were minutes that stated that Council had approved it. In this situation, there is nothing and even though there is only one lot prohibiting it, someone could purchase it, annex it and then Council would be more than willing to extend its sewer lines and water lines.

Councilmember Fulton moved to deny the matter and it can be reconsidered once the property becomes contiguous to the city, seconded by Councilmember Boyle.

Motion carried by the following 7-1 roll call vote:

Marabello-Yes to deny. It is too much of a precedent. He agrees with Councilman Fulton and if they really want to, they can buy the piece of box.
Boyle-Yes to deny extending services.
Fulton-Yes to deny.
Culotta-No only because it goes back to his economic development and they are putting something there that will create jobs and places for a business to run. That's the only reason though he does agree he doesn't like giving sewer and water away.
Samaroo-Yes to deny.
Baer-Yes to deny based on the comments from Councilmembers Fulton and Boyle.
James-Yes based on Councilmember Fulton's motion.
Wilson-Yes based on the reasons stated and going back to the days of the annexation committee and the reasons needed and why people wanted to come into the city.

EXECUTIVE SESSION

Councilmember Marabello moved to go into Executive Session reference the below statute, seconded by Councilman Boyle:

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

Motion carried.

Mayor Campbell recessed the Council Meeting at 9:25 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Councilmember Fulton moved to return to Open Session, seconded by Councilmember Wilson. Motion carried.

Council returned to Open Session at 9:32 p.m.

Potential Vote/Personnel Matter

No information provided.

ADJOURNMENT

There being no further business, the Council Meeting adjourned at 9:31 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
March 13, 2023

The City Council of the City of Milford met in Regular Session on Monday, March 13, 2023, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer and Jason James Sr.

STAFF: City Manager Mark Whitfield, Police Chief Cecilia Ashe, and Deputy City Clerk Katrina White

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmembers Katrina Wilson and Nirmala Samaroo

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 are being held in the Council Chambers at City Hall, with attendees also participating virtually.

PUBLIC COMMENT PERIOD PRIOR TO MEETING

No one was signed up to speak.

CALL TO ORDER

Mayor Campbell called the meeting to order prior to the unofficial Public Comment Session period at 6:04 p.m.

INVOCATION AND PLEDGE

The innovation was given by Councilmember Wilson, followed by the Pledge of Allegiance prior to the start of the Council Meeting.

ROLL CALL

All members in attendance.

APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the January 18, 2023, January 31, 2023, and February 13, 2023 Council Meetings. A motion was made to approve by Councilmember Fulton, seconded by Councilmember Boyle to approve the minutes as submitted. Motion carried.

RECOGNITION

Public Works Director Mike Svaby introduced Sean Barnes who comes from the Delaware Department of Transportation started his employment on Monday, February 27, 2023, as a Public Works Equipment Operator in our Streets & Utilities Divisions.

STAFF REPORTS

Monthly Police Report

Councilman Boyle provided statistics and information on behalf of Chief Ashe from the monthly report as included in the packet.

Councilmember Fulton moved to accept the Police Report, seconded by Councilmember James. Motion carried.

Monthly City Clerk Report

Deputy City Clerk Katrina White referenced the City Clerk's report that was part of tonight's packet.

All updated election notices have been provided to the State Election Commissioner's Office and the Sussex County Department of Elections. Because the Election Board has not been appointed for 2023, Council will need to officially vote on the board members in order for them to meet and certify the election results.

The Annual Organization Meeting will be held on Monday, May 1, 2023 beginning at 6:00 pm at which time Councilmembers Marabello, Culotta, Samaroo, and James will be sworn in and begin their next two-year terms.

Hill Day, sponsored as part of the Congressional Conference in Washington DC, will be held on Tuesday, March 28, 2023. Let the City Clerk's Office should you wish to attend and they will make arrangements through Delaware League for Local Governments.

The Chamber of Commerce will be hosting a Community Job Expo on March 30, 2023.

Councilmember Fulton moved to adopt the City Clerk's Report, seconded by Councilmember Baer. Motion carried.

Monthly City Manager Report

The complete report is included in the packet.

He reported that Valerie Heritage was hired on February 1st and has taken on most of Local Government Fellow Melody Barger's responsibilities.

He met with Milford School District regarding the Heron Branch Greenway and the path network. Though they have concerns they are still interested in hopes of connecting neighborhoods which would allow children to walk to school.

All other information was part of the City Manager Report including his recommendation to have speeding reports in the city's MyMilford app.

When asked if another workshop on the fire siren locations will be held, Mr. Whitfield said he plans to award a contract for the placement of the fires. Any locations could be considered at that point. He also plans to mail letters to all residents in the new zones advising of Council's intent relocate those sirens and asking for comments.

There was a comment regarding City electric rates by a customer as well.

The Causey Mansion vegetation remains a problem and a hinderance to sight view of oncoming traffic.

When asked if electric vehicles will be a problem to acquire, Mr. Svaby said some types are more available than others.

Public Works Department

The complete report was included in the packet with many highlights reported by Public Works Director Mike Svaby.

Southwest Front Street no-parking was questioned; Director Svaby said additional striping and signing will be completed.

When asked about the availability of electric vehicles, Director Svaby said some are more available than others. As far as standard electric vehicles, the passenger vehicles are more available. He then talked about information received from Energize Delaware on the charging stations and the various types of work trucks that will become more available. He does not foresee the hurdles that have been experienced with the hybrid police vehicles.

Councilman Boyle shared information received from the University of Delaware who announced that DelDOT has no timelines on when the charging stations can be expected, in addition to some anticipated zoning issues.

Confirmed was the North Washington and Northeast Front Streets, and Mr. Svaby said that will be incorporated in the upcoming Streets Program.

City Engineer James Puddicombe confirmed that part of the frontage will be ripped with the TAP (Transportation Alternatives Program) and the electricity will have to be extended to a DelDOT box for the intersection signal. He is attempting to stagger the projects to prevent installing new equipment only to have it removed for later work. That should begin before the end of the fiscal year.

The engineer most recently reached out to the Department of Health regarding the lead abatement program grant. The city website includes the related report that provides a range of testing showing all are in compliance currently.

Electric Department

Electric Department Director Tony Chipola referenced his full report, sharing several highlights including updates to the EV charging station project, filling of vacant positions, and other Council-related items.

When asked the status of the City's load study, Director Chipola explained a formalized study has not yet started. The first phase will involve the electrical field inventory which identifies the assets. After that it will be added to the GIS system with CIP money requested for additional software though the base work continues.

He believes the city has enough capacity and does not foresee a huge stress on our equipment locally.

When asked about meeting the standards, Finance Director Lou Vitola reported that DEMEC meets the State of Delaware's renewable portfolio standards, even though technically by statute the city is not required to. However, there is a need to demonstrate we are a leader there, and at a minimum, would comply.

Though he is unsure of the exact percentage, it is approaching 25% and will be 25% by 2025.

Planning & Zoning Department

The complete report is included in the packet. Planner Pierce talked about how busy his department is with the number of land applications he is processing.

A Public Input meeting was held March 8th for approximately two dozen people that attended to review the downtown streetscapes plan. Another will be held on March 23rd.

When asked for the status of the expansion of the Downtown Development District, the Planner said the State expanded their regulations for this program and Milford is allowed to enlarge by fifteen acres. He has been tied up with workshops and other work and has not had the time to prepare that. He also must work on the extension that is needed for the program. Council can expect two options by April.

Also asked if there are a lot of people that are past due on their business licenses, Mr. Pierce is unsure though he will report that at some point in the future.

Parks & Recreation Department

Parks & Recreation Department Brad Dennehy was recently recertified as a Parks and Recreation Professional.

He also thanked those that attended the Groundbreaking of the Pickleball Court and Playground Project last Saturday.

Last winter, 279 people participated in the Parks and Recreation programs. This year, that number increased to 520. Much of that can be contributed to the 218 participants in the indoor pickleball and adult basketball program.

Other items discussed were included in his report that can be found in the Council packet.

Councilman Fulton complained that signs were installed prohibiting items from being placed on the east side of the Community Cemetery; there are no prohibitions on the west side and the usual items can be seen on the graves on that side. Director Dennehy explained the underestimated the number of signs that were needed and started in the older section of the cemetery. Additional signs were received last Friday and signs were to be installed on the east side starting this morning.

Human Resources

HR Director Eaddy said she continues to work on recruitment. Other than the customer service and electric technician positions, all other vacancies are due to retirements this month, including the two police officer positions and dispatcher.

See Council packet for complete report.

Economic Development & Community Engagement

Economic Development and Community Engagement Administrator Sara Bluhm is still out on FMLA.

IT Department

IT Director Bill Pettigrew reviewed each of the items contained in his written report in the packet.

Finance Department

Director Lou Vitola reported his department has been busy with the ERP implementation as well as the CIP. He provided some educational sessions with some of the directors this month as to what is expected of them as they began to compile the CIP in the next budget.

He may be bringing the PFM advisors back to talk about some ways to save on the capitalized interest based on the shape of the yield curve. The city has an inverted yield curve, which means the shorter rates are higher than the longer rates. In an upward sloping yield curve environment, the lowest rates are being paid on what is being capitalized as part of the project costs. However, that is not the case now and the capitalized interest looks low.

It is poised to take off and he is working on one option, though another is with the USDA. That would split up the $16.5 million debt in two--$8 million and $8.5 million. Fixing the first half once it hits $18 million would place us in a good position.

Councilmember Boyle moved to accept the City Manager's Reports, seconded by Councilmember James. Motion carried.

COMMUNICATIONS

Councilmember James commended Steve Zeveney for his ability to handle any complaints from electric customers, noting he is very patient, knowledgeable, and patient.

Councilmember Boyle noted the request for a new position in the electric division and the City Manager noted the need for his assistant and asked if there is a need for another staff position. City Manager Whitfield said they continue to use the staffing study when he finds there is a need for a new position. Most areas were identified in the study.

Councilmember James concurs with Councilmember Boyle and going into the budget is a perfect time for each department to look at what is realistic and any obvious needs.

City Manager Whitfield said he is very proud of how he has been able to retain his staff and hears stories from other municipalities that do not have that luxury. Staff that has been here 10 or 15 years cannot be replaced. Though there has been a lot of turnover, keeping the tenured employees is very important in terms of human resources.

Councilmember Baer reported a complaint he received about speeding, and that remains a hot topic in the city.

UNFINISHED BUSINESS

None

NEW BUSINESS

Authorization/Agreement/SE Transportation Improvement District/DELDOT

DelDOT's TID Program Manager Principal Planner Sarah.Coakley provided background for the TID. The last time she was present, Council authorized DelDOT to move forward with concepts and estimates which will be reviewed this evening.

Also included are the bicycle and pedestrian improvements from the bike plan update that are within the TID area.

A map was presented with the TID area of the Southeast Master Plan area showing all intersections in red are within the boundary and the ones in blue are located outside. Because land use within that smaller pink district boundary. traffic from that land use will impact facilities outside.

The total area is over eight square miles and includes thirty-five total intersections.

Previously it was agreed to look at 2045 as the horizon year because their regulations require looking at least 20 years out from the most recent census. Twenty-six committed developments that the City Planning Office provided information on. IN addition to the developments within the TID, there is expected growth that will impact those areas.

It was previously agreed to pursuing level service E standard, which is less than 80 seconds overall average intersection delay during the heaviest traffic time of the day.

A map showing the TID improvements and the only changes from the last time include an additional roundabout at Cedar Neck Road and Bucks Road which would bring the total roundabouts to eight. Most of the intersections, a traffic signal will also work, though DelDOT prefers roundabouts where it is possible for safety benefits.

The plan does call for two new signals, one at Johnson Road and State Route 30 and one at the northbound State Route 1 off ramp on Cedar Neck Road.

The orange lines around the hospital are where capacity improvements would be needed with turn lanes and through lanes along Cedar Creek Road.

DelDOT has committed to prioritizing bicycle and pedestrian lanes based on what is included in the city's bike plan.

Another map showed a related improvement and project called the Corridor Capacity Preservation Program, designed to maintain capacity along State Route 1 by providing alternative access points and travel ways for local traffic. The intent is that Route 1 be used only for regional or through traffic and to provide alternatives for local traffic.

A recent update to that program would close the crossovers by adding a service road on the northbound side of Route 1 with additional access to the local properties there.

Because the Corridor Plan is more of a regional scope, DelDOT does not believe it is appropriate the individual developers any fees. It will be a separate program that DelDOT will be pursuing its own funding sources.

Based on the improvements reviewed with Council, a concept and cost estimate was created using a segment approach.

The first is the Cedar Creek Road and Wilkins Road corridor and includes intersection improvements and a new access for the future Hall property which will be from the Route 1 ramp that is limited to right in right out. A traffic signal will be installed near the hospital to accommodate full access of that property. In that situation, the developer would be responsible for the signal. Also included is a shared bike/pedestrian path.

All other intersections in that area would be fundable through the TID.

The estimated cost for that corridor is $21.3 million.

The corridor that starts at Johnson Road and extends north with second through lanes added at Johnson Road on the approaches to that intersection, along with the traffic signal, and a shared use path on both sides of Cedar Creek Road.

The next signalized intersection is at the hospital with two through lanes on northbound and southbound Cedar Creek Road, with turn lanes along each approach, and share paths on both sides.

Though no field surveys were completed, the need is based on the right of way lines, though the surveys will need to be done for confirmation. The intersection would be built (referring to a map) and responsible for the signal, as well as pay into the TID at the time of development. That is expected to be needed by 2025 again based on the full buildout of the TID area.

The intersection at Wilkins Road with two thru lanes along both northbound sides of Cedar Creek Roads, two left turn-lanes along Wilkins Road, share-use paths on both sides of Cedar Creek except for the northeast corner that goes into the bridge, and a northbound right turn lane.

Improvements to Wilkins Road were shown without changes to the bridge though it could be restriped to provide shoulders with bike lanes on both sides and two east bound and one west bound lane approaching Cedar Creek Road.

The Cedar Neck Road corridor from Wilkins Roads from the northbound Route 1 ramp to Bucks Road, and northeast of Bucks Road. A signal would be added to the northbound State Route 1 ramp and either a roundabout or another signal at Bucks Road.

The total cost of this corridor is $17.5 million.

As part of the corridor preservation program, which is separate from the TID, includes a proposal to relocate the ramp location a little bit further west and the Thawley property would have access from there and that is not part of the TID and is included in the corridor preservation program with the relocation of the ramp. Thawley would then be responsible for providing their own access but only the signalization and shared use path is included in the TID project.

Two options are presented for Cedar Neck Road and Bucks Road. One is a single lane roundabout. Right now, it is basically a one way stop on Bucks Road with drivers coming to a stop and through traffic on Cedar Neck Road doesn't have to stop. That would stay the same though turn lanes would be added at the intersection.

For purposes of the budget, they included a roundabout option, which is the most expensive. But for all of the projects, before they are put out to bid, they go through a robust public workshop and public input process.

When the City and DelDOT agree that a project is ready to be added to their capital program with a six-year project list that is already funded. When it starts design, the first step is a field survey, then a public workshop to get input.

The next segment is South Rehoboth Boulevard at SE Front Street and Cedar Beach Road. A bike/ped improvement is included, and right now, there is a right turn slip lane from SE Front Street, onto Cedar Creek Road/South Rehoboth Boulevard. That would be eliminated, and a left turn lane added from SE Front Street northbound.

The estimate for this project is $5.2 million.

Additional pedestrian and bicycle facility improvements proposed along the following roadways (estimated cost in parenthesis):

- Beaver Dam Road –Shared Use Path ($2,599,133)
- Cedar Beach Road –Shared Use Path ($2,545,505)
- Elks Lodge Road –Shared Use Path ($4,157,880)
- Evans Street –Shared Use Path ($512,698)
- Johnson Road –Shared Use Path and Bike Lane ($1,072,548)
- Kirby Road –Shared Use Path ($1,086,443)
- Marshall Street –Shared Use Path, Protected Bike Lane, Sharrows ($4,517,980)
- N. Rehoboth Boulevard –Shared Use Path ($1,409,900)
- S. Rehoboth Boulevard –Shared Use Path ($2,635,420)
- Wilkins Road -Shared Use Path ($828,853)
- McCoy Street –Sharrows ($274,135)

She also talked about roundabout improvements at Cedar Beach Road and Sapp Road at a cost of $2.6 million, Elks Lodge Road and Johnson Road at $2.4 million; Elks Lodge Road and Marshall Street at $2.3 million; Elks Lodge Road and Wilkins Road at $2.8 million, and Old North Old State Road and Johnson Road at $2.5 million, South Rehoboth Boulevard and Kirby Road at $2.5 million. The roundabout at State Route 30 and Fleatown Road is just under $5 million because there are two bridges and the associated environment work that is needed.

Ms. Coakley then talked about two infrastructure fee program options. DelDOT will be happy with either or anything similar. The idea is this will be for new development only for applications that are submitted after Council approval of the TID agreement.

It would apply to new housing units or new commercial building square footage. Redevelopment projects would only be charged for the new square footage and not existing buildings. There is a one-time fee that would be paid at the building permit application, and then collected and held by the city and used on the transportation projects.

Exhibit E to accompany Southeast Milford TID Agreement
Initial Contribution Rates

Between 30% and 35% developer contributions

Southeast Milford TID Initial Fee Schedule 2023	
Residential Rates	
Single family detached residential	$2,750 per unit by phase
	$2,887 per unit by lot
Single family attached residential	$2,090 per unit by phase
	$2,194 per unit by lot
Multi-family residential, low-rise, 1-3 floors	$1,952 per unit by phase
	$2,049 per unit by lot

Multi-family residential, mid-rise, 4 or more floors	$1,320 per unit by phase
	$1,386 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	$1.00 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	$1.45 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	$2.90 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	$5.80 per sq ft
200 or more trips per 1,000 SF GFA	$6.80 per sq ft
Notes: Single family attached rate is 76% of single-family detached rate. Low-rise Multi-family rate is 71% of single-family detached rate. Mid-rise Multi-family rate is 48% of single-family detached rate. All non-residential rates are based on the number of daily trips per 1,000 square foot	

Southeast Milford TID Initial Fee Schedule 2023	
Residential Rates	
Single family detached residential	$3,250 per unit by phase
	$3,412 per unit by lot
Single family attached residential	$2,470 per unit by phase
	$2,593 per unit by lot
Multi-family residential, low-rise, 1-3 floors	$2,307 per unit by phase
	$2,422 per unit by lot
Multi-family residential, mid-rise, 4 or more floors	$1,560 per unit by phase
	$1638 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	$1.07 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	$1.58 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	$3.15 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	$6.30 per sq ft
200 or more trips per 1,000 SF GFA	$7.37 per sq ft
Notes: Single family attached rate is 76% of single-family detached rate. Low-rise Multi-family rate is 71% of single-family detached rate. Mid-rise Multi-family rate is 48% of single-family detached rate. All non-residential rates are based on the number of daily trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 11th Edition.	
of gross floor area.	

Future development will contribute about 30% of the transportation improvement costs according to Ms. Coakley.

It starts at about $2,750 per unit by phase for single-family detached residential. And then that rate is prorated per unit based on trip generation for the other types of residential units.

The single family attached residential multi-family residential, low rise and multi-family residential midrise are percentages of the single family detached rate, based on trips.

Similarly for the non-residential rates middle tier, that is at least 34, but less than 75 trips for 1,000 square foot gross floor area of non-residential development
would be $2.90 per square foot.

The others are prorated or based on percentages.

The next one up is double because those uses generate double the amount of traffic.
There is another rate of $6.80 for the highest trip generating uses. Based on that $2.90 middle tier, the second to lowest tiers is about half of that based on the trip generation.

Then the dollar per square foot would be the lowest.

This is an attempt to get as close as possible to a per trip fee, so that those that are generating the highest number of trips would pay the highest fee. Most of the non-residential uses are going to come in that middle tier of $2.90 per square foot on the lower end.

Also discussed is the 35% developer contribution that increases the single-family detached residential by $500 to $3,250 per unit, by phase. All others increase based on the percentage of trip generation.

For the non-residential rates, the middle tier is $3.15 with the higher and lowers based on trip generation.

The main benefit of using the higher one is that the projects would be done more quickly and move them forward in the CTP (capital transportation program) prioritization process. They can use up to 80% of federal funding for capital projects, and the other 20% match must come from DelDOT. Having a fee schedule between 30 and 35% would enable projects to be quicker than otherwise.

The projects in the TID also receive extra points in our prioritization process as it is updated every two years. Projects are most often added to start preliminary design in the latter two years of the program. With a quantitative prioritization process, all projects go through with seven different criteria. Projects in TIDs will get extra points.

The next step is for DelDOT to negotiate the infrastructure fee program and add the transportation improvements, the service standards, and the list of projects in the infrastructure fee program. Once the amended TID agreement is executed, it can start to be implemented.

City Manager Whitfield explained this will allow the many projects in the southeastern part of Milford to move forward without having to do a transportation impact study. Developers like it and the city likes it because a plan is in place to address the traffic concerns.

He feels Milford is ahead of the game, when comparing it to the one in Lewes, knowing which improvements need to be made to address the additional traffic.

Ms. Coakley confirmed that no specific projects have a time frame. Once the agreement is signed, that will be developed.

She added there may be some minor impact to properties that abut the roadway. However, the one at South Rehoboth Boulevard and Kirby Road may need to be moved further south to accommodate the golf course.

Planner Pierce is recommending Council take action this evening, though Council can also take more time to review the materials in the packet and is amenable to that.

He does have a recommendation in the packet to authorize the Mayor to sign and execute the revised TID agreement.

The Planner asked if Council prefers the 30%, which is the lower charge, for the development or the 35% which will allow the projects to move quicker the CTP prioritization with DelDOT.

Councilmember Culotta prefers to hear some public input on this. A decision could be made as Mr. Pierce is directing, but he recalled input from various developers and believes they may want some additional input, which he prefers to hear.

Councilmember Boyle agreed that public comment should be taken on the improvements as well as the rates, before the agreement is executed. Once it is signed it paves the way for the next twenty-five years.

Ms. Coakley said she is willing to come down at a later date for a public hearing. She agrees Milford will only want to do this once.

Planner Piercer then referred to the escalation provision and the fees will be reviewed annually, or maybe every few years to ensure they keep up with the cost of construction. Council can expect to see fee increases if they wait.

When asked if the county contributes to the costs, Planner Pierce said that Sussex County was not a signer of the Southeast Master Plan and are not part of the TID agreement. This only applies to development within the city limits.

When the Solicitor was asked how to handle, he said there needs to be a public hearing at the next council meeting.

When asked about a kickoff, Ms. Coakley said she is ready to put it out now and the Council on Transportation will make a recommendation in August. There may be some time.

Solicitor Rutt recommends April 10th or April 24th to move this along. The City Manager recommends March 27th after which time Council could act. Solicitor Rutt pointed out there are several applications that night already.

Ms. Coakley will return for the public hearing on April 10th.

Authorization/New Position/Technical Services

Electric Director Chipola presented the following request:

Staff requests City Council consider a recommendation to develop and hire an additional position within the Electric Department. As the City continues to grow, the Electric Department is facing rapid changes in technology, increased areas of responsibility, and managing an ever-expanding distribution system. To keep pace with growth and to ensure we continue to provide safe and reliable electric service to our customers an Associate Engineering position is being requested.

The new position will report to the Electric Director with areas of responsibility in both Technical Services and Electric Lines.

This position will support the increased workload of the department, enable cross-training and back-up for critical roles, and implementation of new technologies for an increasingly intelligent grid. The new position will also support the operation and maintenance of the SCADA network, review and assessment DER and new business applications, maintain and develop critical system maps, and serve as a technical resource within the Electric department for continued support of other Public Works departments.

Approval and hiring in the next couple months will allow for a larger candidate pool as it would align closely with prospective 2023 graduates.

Pay Grade assessment has been performed through Human Resources with a recommended grade of 105. If Council authorizes the position and we follow with a successful recruitment, even the most optimistic start date would result in a maximum of $30,000 in unanticipated personnel expenses in FY23, requiring a budget adjustment from the distribution line maintenance account. Distribution line expenses are projected to finish the year sufficiently below budget to permit an intradepartmental transfer in support of the additional costs. Therefore, no Council action would be required for the funding

of the position, only the authorization of the position. The additional position is anticipated to increase the 2024 operating budget by an additional $105K-135K (min-max).

When asked if this position was identified in the staff study, City Manager Whitfield assured it was.

It was confirmed that once the one vacancy in the electric department is filled, they will be fully staffed.

When asked if Director Chipola is waiting until after graduation, he stated he prefers to act on it right away.

Councilmember Fulton moved to authorize the additional position of Associate Engineer within the Electric Department effective immediately, with the funding to be paid from the existing budget to a maximum of $30,000, with the posting to include all benefits, for a total of $105,000 to $135,000, going forth out of this fiscal year, seconded by Councilmember Boyle. Motion carried with no one opposed.

Adoption/Resolution 2023-04/Investment Policy

Finance Director Vitola referred to the following memo:

It is recommended that Council authorize the execution of the enclosed Investment Advisory Agreement with PFM Asset Management LLC ("PFMAM") and adopt a Resolution to update the City's Investment Policy as described in the enclosed redline revisions to the existing Policy. The access to the attractive fee structure in the agreement was achieved through participation with the State agencies. The fees are among the lowest in the industry and will be netted against investment earnings, so no budget adjustment is required. Further, PFMAM is recognized nationally as a leading advisor for the niche municipal investment management market, serving as fiduciary on behalf of the city and operating independently from securities markets that traditionally serve individuals and corporations. The recommended changes to the Policy were developed by PFMAM and are strongly supported by staff.

The City's Investment Policy should be reviewed annually; it was last reviewed by the city's Finance Committee and City Council in 2021, leading to the most current revision in November 2021. On the heels of the update, which also prescribed the notion for a more comprehensive investment program to be coordinated in concert with the City's operating budgets, capital improvement planning, and fund reserve policies, the search for an investment advisor ensued. In 2022, collaboration with the State Treasurer's Office and the Attorney General's Office affirmed the City's eligibility to leverage favorable rates and terms through participation in the State's existing investment advisory agreements in lieu of the Delaware Government Investment Pool (DelGIP), which was a pooled investment of state and municipal investments that was closed to new investment and ultimately eliminated years ago. Discussions with PFM in 2022 and in preparation of the February 22, 2023 Council Workshop led to the proposed updates to the City's investment policy, which strengthen the City's program by specifically identifying asset-backed securities (ABS) as an eligible investment class and defining specific limitations for the class, improving the benchmarking reliability by scheduling it to reflect the mix of actual investment, and building a process around the recourse for securities that fall outside of the City's tolerable limits after initial investment.

Councilmember James pointed out various sections within the policy that he find very beneficial.

Councilmember James moved that Council adopt Resolution 2023-04 updating the City of Milford Investment Policy, seconded by Councilmember Fulton:

RESOLUTION 2023-04
Adoption of the City of Milford Investment Policy Update

WHEREAS, it is the policy of the City of Milford to invest public funds under its control in a manner that will provide the highest investment return consistent with the maximum safety of principal, while meeting cash flow needs of the City; and

WHEREAS, the City investment program shall conform to all state and local statutes governing the investment of public funds; and

WHEREAS, the City investment policy was most recently updated on November 8, 2023 by City Council following the review and recommendation of the Finance Committee;
WHEREAS, the City Finance Committee or City Council will, no less than once a year, review the Investment Policy for any required updates and amendments; and
WHEREAS, the efforts in 2022 and 2023 to identify an investment management firm to advise the City on the investment policy resulted in this recommendation to update the City investment policy; and
WHEREAS, the City Council has determined that it is appropriate and necessary to update the "Investment Policy for the City of Milford" to bring the policies in line with current financial practices, procedures, and strategies of the City of Milford.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE, AS FOLLOWS:

Section 1: The City Council hereby adopts and approves the Investment Policy as updated.
Section 2: The City Manager is authorized to act, provide guidance, and create procedures with the input of the City Finance Director, to ensure the investment program authorized by this Resolution is implemented pursuant to the guidelines set forth in the Investment Policy.

Motion carried.

Authorization/Investment Management Agreement

Councilmember Marabello moved to authorize the execution of the Investment Management Agreement with PFM Asset Management LLC ("PFMAM") as described in the enclosed redline revisions to the existing Policy, seconded by Councilmember James. Motion carried with no one opposed.

Authorization/Tyler Technologies Contract Amendment/ERP System

The following memo was read into record by Planner Pierce:

The Tyler ERP Project Management Team recommend that the Council authorize an Amendment to the Software as a Service (SaaS) Agreement with Tyler Technologies, Inc. (Tyler). The amendment permits the addition of Tyler's eReviews and Workforce Mobile modules at a total cost of $64,173.75 over 3.75 years.

Finance and Administration staff issued RFP 2020-12 for an Enterprise Resource Planning (ERP) System Selection on December 8, 2020. Tyler was selected, and the contract covering the implementation and a five-year maintenance horizon was approved by Council on August 9, 2021 (enclosed). The city subsequently hired a Project Management Firm – Brandywine Technologies (the PM) – to lead the project and serve as liaison between Tyler and the City. On July 22, 2022, City Council authorized an addendum to the SaaS Agreement in the amount of $45,356 over five years for the inventory management module. Project implementation is underway, and the PM and project steering committee were involved in the eReviews and Workforce Mobile modules discussion. The Tyler quotation and contract amendment are enclosed for your review.

The eReviews module provides for electronic submission and review of building plans for the online issuance of building permits. The Workforce Mobile module allows staff to conduct inspections (building, code violation, rental, and infrastructure) in the field and enter results directly into the permitting, inspections and code enforcement software. The Workforce Mobile module will be utilized by both Planning Department and Public Works Department staff.
PRICING AND FUNDING
The one-time cost of Tyler's implementation services and third-party hardware, software, and services total $21,000. Tyler's discounted pricing in the initial SaaS terms was made available to fix the annual maintenance costs at $11,513 over the initial 3.75-year term for contractual maintenance costs of $43,173.75. One-time costs plus 3.75 years of recurring annual maintenance total $64,173.75. Like the inventory module recommendation, no additional funding is required at this time because the existing CIP item covering the ERP Implementation is sufficient to meet the one-time costs associated with this

amendment. The out years of the project will carry the incremental contract costs arising from the inventory, eReviews and mobile workforce modules, resulting in higher total costs than the existing plan. The revised comprehensive

ERP project cost will be reflected in the FY2024-28 CIP document and presented for Council approval in the FY24 operating budget.

When asked about the time savings, and will it equate the amount of money that will be needed each year in just maintenance fee of over $11,000, Planner Pierce said it will be more convenient for the applicants who submit applications. He thinks it is worth the annual maintenance costs though there is some ability for on-line building permits through the current system, but he thinks it would be nice to have a more convenient way to interact with the public on the permit side.

In addition to being able to perform their duties outside of the office, Councilmember James asked if it offers extended features that are not included in the hardware currently used. Planner Pierce said currently his staff uses paper, but this allows electronic reviews and stamps.

If a separate device will be needed by each employee, the Planner said he will work with the IT office and will be using laptop though some sort of tablet could also be used. In the meantime, IT is encouraging the elimination of all desktop stations to allow all employees to work remotely.

His officers would work as the police officers do who have laptops in their police vehicles without the need to go into the building to work. His plan is to have the laptops set up like the officers have in each vehicle.

It was confirmed that this module will allow anything related to the one property including approvals, violations, etc.

Planner Pierce said yes it will be like the current ERP system and these modules were never included in the initial contract.

When asked about the timeline, Planner Pierce said we are already in a year and quarter. Councilmember James expressed concern we have not yet gone live and Finance Director Vitola explained it is going live in stages but Tyler's willingness to quote only the 3.75 years is more a function of their ability to hold pricing and less of a function of doing the next round of five years. He believes we have passed the point we contractually agreed to hold prices firm, but that is being done with only 3.75 years of the discounted prices.

Councilmember Boyle moved to authorize amendment #2 to the Tyler Technology SaaS Agreement as a service agreement permitting the addition of Tyler's eReviews and Workforce Mobile Modules for a total increase cost of $64,173.75 over 3.75 years remaining on the contract, seconded by Councilmember James. Motion carried.

Authorization/Purchase Non-Hybrid Police Vehicles/Take-Home Vehicle Program

Chief Ashe submitted the following memo for Council consideration:

On November 8, 2021 then Chief Brown came before City Council to receive approval of a Take-Home Vehicle Program. This request was for the purchase of 15 Ford Hybrid Police Interceptors as well as equipment needed for the vehicle. The total project would equal $883,551.27 and these funds were available through the American Rescue Plan Act (ARPA).

In that hearing Chief Brown advised that the delivery of those vehicles could be up to nine months. This memo is to not only provide an update of the status of that order but also to request from City Council the flexibility on the type of vehicle that may be purchased.

The current projection for the "build-out" date for the Hybrid police vehicle is not going to start until now mid-2024. Which would mean that the delivery of those vehicles would not be until early 2025.

In her original analysis of this program, one of the concerns was a 7 to 9% increase in the overall costs of the vehicle, and the required equipment. That cost will continue to increase and she can only anticipate that by 2024, and unlike other

products, they are unable to lock in the price of those vehicles until there is a bill date and have signed a contract with Ford to obtain those vehicles.

Based on these significant delays, she requests that City Council allow the Police Department the ability to purchase police vehicles that are currently available. There are several dealers with police vehicles available for purchase on their lot. She will not disclose where they are to prevent other agencies from stealing them and that information will remain top secret.

They have the ability to purchase as many as eleven of the fifteen vehicles this week. With that, she anticipates reducing the overall expected cost of the 7% to 9% cost increase if they waited.

In talking with Ford, they are unable to guarantee the buildout would even happen in 2024. With the unpredictability and being locked in the funds, she is asking Council to approve and consider the ability to purchase the police cars they are able to acquire to get this program up and running and the funds used.

If able to purchase these vehicles now, they would have the ability to purchase a 16th vehicle that would contribute to that plan.

It was noted by Councilmember James that these vehicles were in addition to the current vehicles that may be on a cycle for replacement. The ability to avoid additional costs is important, but also in the Finance Director's memo, he states this recommendation is not motivated solely by financials, but also by scarcity and operational management.

The Councilmember also emphasized the take-home vehicle program was also approved for recruitment and retention purposes. Waiting until 2024 defies that intent.

Councilmember Culotta pointed out the delay on hybrid vehicles is the result of the move to electric vehicles and the manufacturers are not encouraging them because the gasoline vehicles have better margins right now. He thinks waiting would take this beyond that anticipated date.

When questioned about the ARPA funding, it was confirmed that half the money for the program came from a Sussex County grant given to law enforcement agencies on an annual basis.

Councilmember Fulton moved to authorize Chief Ashe to have the flexibility to purchase police vehicles as they come available using the project funds totaling $883,551.27, seconded by Councilmember James. Motion carried.

Reappointment/City of Milford Election Board

Deputy City Clerk White requested that City Council approve the appointment of the City of Milford Board of Election. Though there is no election this spring, they are still required to meet and certify the results of the four unopposed candidates.

Councilmember Boyle moved to appoint Carlene Wilson, Karen Boone, and Donna Merchant to the City Board of Elections, seconded by Councilmember Fulton. Motion carried.

Approval/DNREC Mosquito Spraying Control Policy

The City Manager explained that the policy requires the governing body to approve the annual agreement to allow Mosquito Spraying in the City.

Councilmember Fulton moved to authorize the 2023 DNREC Mosquito Spraying Control Policy within the City of Milford, seconded by Councilmember James. Motion carried.

Mayor Campbell introduced the following ordinances, after which Planner Pierce read each title and purpose into record, noting that all ordinances are scheduled for a final public hearing before City Council on March 27, 2023:

Introduction/Ordinance 2023-09 - Conditional Use Application of Bay to Beach Builders, Inc. 0.172 +/- acres of land located along the north side of SE Second Street between Montgomery Street and Franklin Street Comprehensive Plan Designation: Low Density Residential Zoning District: R-2 (Residential District) Present Use: Vacant Proposed Use: Single-family Semi-detached Tax Parcel: 3-30-7.17-118.00

Introduction/Ordinance 2023-10 - Conditional Use Application of Jaasiel, LLC 0.304 +/- acres of land located at the northwest corner of the NE Front Street and East Street intersection Comprehensive Plan Designation: Commercial Zoning District: C-2 (Central Business District) Present Use: Single-Occupancy Retail Proposed Use: Mixed Use – (3) Commercial Tenant Spaces and (10) Apartments Tax Parcel: MD-16-183.10-03-68.00

Introduction/Ordinance 2023-11 - Conditional Use Application of Patricia Persia 0.238 +/- acres located along the north side of School Place between Lakeview Avenue and Seabury Avenue Comprehensive Plan Designation: Low Density Residential Zoning District: R-1 (Single-family Residential District) Present Use: Single-family Detached Dwelling
Proposed Use: Single-family Detached Dwelling with an Accessory Dwelling Unit
Tax Parcel: 1-30-3.08-028.00

Introduction/Ordinance 2023-13/City of Milford Comprehensive Plan Amendments:
Amending and Adopting the 2018 City of Milford Comprehensive Plan Amendment #15
MILFORD MINI-STORAGE, INC.
3-30-11.09-134.00
FUTURE LAND USE DESIGNATION CHANGE

Introduction/Ordinance 2023-15 – Change of Zone
Application of Milford Mini-Storage, Inc.
0.08 +/- acres of land located along the south of
Industrial Boulevard and Watergate Boulevard North
Comprehensive Plan Designation: Industrial
Present Zoning: R-3 (Garden Apartment & Townhouse)
Proposed Zoning: I-1 (Limited Industrial)
Present Use: Vacant
Proposed Use: Self-Storage
Tax Map & Parcel 3-30-11.09-134.00

Introduction/Ordinance 2023-12 - Conditional Use
Application of Milford Mini-Storage, Inc.
1.82 +/- acres of land located along the east side of Marshall Street
approximately 1,025 feet north of the McCoy Street intersection
Comprehensive Plan Designation: Industrial
Zoning District: I-1 (Limited Industrial District)
Present Use: Vacant Lot
Proposed Use: Outdoor Storage
Tax Parcel: 3-30-11.09-029.01

Introduction/Ordinance 2023-14/City of Milford Comprehensive Plan Amendments:
Amending and Adopting the 2018 City of Milford Comprehensive Plan Amendment #14
SOUTHERN STATES MILFORD COOPERATIVE, INC.
MD-16-182.00-01-03.00
FUTURE LAND USE DESIGNATION CHANGE

Introduction/Ordinance 2023-16 – Change of Zone
Application of Southern States Milford Coop, Inc.
4.959 +/- acres of land located along the north side of
Milford-Harrington Highway at the intersection of Williamsville Road
Present Zoning: I-1 (Limited Industrial)

Proposed Zoning: C-3 (Highway Commercial)
Present Use: Vacant
Proposed Use: Retail Sales
Tax Map & Parcel MD-16-182.00-01-03.00

The Planning Commission will review the ordinances at their March 21, 2023 meeting and make a recommendation to City Council.

EXECUTIVE SESSION

Councilmember Boyle moved to go into Executive Session reference the below statute, seconded by Councilmember Fulton:

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property.

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

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:20 p.m., to go into Closed Session, for the purposes as permitted by the Delaware Freedom of Information Act.

Council left the Council Chambers and went into the City Hall Conference Room for the closed discussion.

Return to Open Session

Councilmember Fulton moved to return to Regular Session at 5:59 p.m., seconded by Councilmember James.
Motion carried.

Potential Vote/Real Estate Purchase/Sale/Lease

Councilmember Fulton moved that more consideration be given to the gift that has been offered to the City of Milford after looking at the possible funding for that gift, seconded by Councilmember James. Motion carried.

Potential Vote/Personnel Matter/Communications Item

Councilmember Fulton moved to increase the City Manager's salary by 3% effective January 1, 2023 and extend for one year or until April 30, 2024, seconded by Councilmember James. Motion carried.

ADJOURNMENT

There being no further business, Councilmember Fulton moved to adjourn the meeting, seconded by Councilmember James.
Motion carried.

The Council Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
MINUTES OF MEETING
March 14, 2023

A Meeting of the duly appointed City of Milford Board of Elections was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Tuesday, March 14, 2023.

PRESIDING: Election Inspector Karen Boone

IN ATTENDANCE: Board Members Carlene Wilson and Donna Merchant

ELECTION STAFF: Deputy City Clerk Katrina White

Board Member/Inspector Karen Boone called the Election Certification Meeting to order at 3:15 p.m.

CERTIFICATION OF UPCOMING APRIL 22, 2023 ELECTION RESULTS

The members of the Board discussed and reviewed the pre-election and candidate information presented.

Prior to the filing deadline, each of the four candidates submitted petitions for their respective ward vacancy. All met the eligibility requirements in the City of Milford Charter and Chapter 75 of Title 15 of the Delaware Code.

Given each candidate ran unopposed, an election for the First, Second, Third, and Fourth Ward Council Seat was not required.

As such, the Board of Election for the City of Milford certified the following results:

Daniel Marabello	Declared Elected-First Ward Councilmember
F. Todd Culotta	Declared Elected-Second Ward Councilmember
Nirmala Samaroo	Declared Elected-Third Ward Councilmember
Jason L. James Sr.	Declared Elected-Fourth Ward Councilmember

All four candidates will be given their Oath of Office at the City of Milford's Annual Organizational Meeting on May 1, 2023 scheduled for 6:00 p.m., at which time the two-year term will begin.

The Board of Election Meeting adjourned at 3:22 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

PROCLAMATION 2023-06

LINEMAN APPRECIATION DAY

Whereas, on January 3, 2017, the 115th United States Congress adopted House Resolution 10 recognizing the profession of Electric Linemen, the contributions these brave men and women make to protect public safety, and to express support for the designation of April 18th as National Lineman Appreciation Day; and

Whereas, Linemen work with thousands of volts of electricity high atop power lines, sometimes 24 hours a day, 365 days a year, putting their lives on the line with little recognition from the community regarding the danger of their work; and

Whereas, Linemen are often the first responders during storms working to repair broken and damaged electrical lines under hazardous conditions to make the area safe for other public safety officials; and

Whereas, Milford's Linemen have been temporarily mobilized to assist other communities in emergency situations where mass numbers of people were left without electricity; and

Whereas, on this day, it is only appropriate we recognize the many contributions of these brave men who work tirelessly to provide dependable electricity not only within the City, but also to the Greater Milford area; and

Whereas, linemen play a vital role in our citizens' everyday lives by maintaining and growing our electrical infrastructure and simply 'keeping our lights on', which is often taken for granted by so many customers.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, hereby proclaim April 18, 2023 as

Lineman Appreciation Day in the City of Milford

and urge all citizens to take a moment and recognize the professionals that work tirelessly each day to ensure electricity continues to flow to our homes, schools, hospitals, and businesses throughout our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Milford to be affixed hereto this 10th day of April 2023.

_____

Mayor Arthur J. Campbell

Attest: _____

City Clerk Teresa K. Hudson

THE CITY of Milford DELAWARE

PROCLAMATION 2023-07

National Public Safety Telecommunicators Week

April 9-15, 2023

Whereas, emergencies can occur at any time that require police, fire or emergency medical services; and,

Whereas, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

Whereas, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Milford Police Department Emergency Communications Center and Sussex County and Kent County 911 Centers; and

Whereas, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

Whereas, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

Whereas, Public Safety Telecommunicators of the Milford Police Department, and the Kent and Sussex 911 Centers have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

Whereas, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job 24 hours per day and seven days per week.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, Delaware, do hereby proclaim week of April 10 through 16, 2022, to be National Public Safety Telecommunicators Week in the City of Milford, in honor of the men and women of the Milford Police Department Emergency Communications Center, Sussex County 911 Center and Kent County 911 Center, whose diligence and professionalism keep our city, county and citizens safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed hereto this 10th day of April 2023.

_____

Mayor Arthur J. Campbell

Attest: _____

City Clerk Teresa K. Hudson

OFFICE OF THE CHIEF OF POLICE
CECILIA E. ASHE
cecilia.ashe@cj.state.de.us

THE CITY of Milford DELAWARE

400 NE Front Street
Milford Delaware 19963
302.422.8081 Fax 302.424.2330

TO: Mayor and Members of City Council

FROM: Chief Cecilia E. Ashe

DATE: April 5, 2023

RE: Activity Report/March 2023

Monthly Stats:

A total of 787 arrests were made by the Milford Police Department during March 2023. Of these arrests, 184 were for criminal offenses and 603 for traffic violations. Criminal offenses consisted of 39 felony and 145 misdemeanors. Traffic violations consisted of 67 Special Duty Radar, 14 Drunk-Driving charges, 522 others.

Police officers investigated 42 accidents during the month and issued 151 written reprimands. In addition, they responded to 1487 calls for service.

Monthly Activities:

Throughout the month of March, participated in numerous conference calls, virtual meetings and in-person meetings including the monthly State, Kent and Sussex Chiefs meetings, DPCC Meeting, City Council and Workshop meetings, bi-weekly City Manager's meeting with Department Heads, and PD Staff meetings. Mayor & Council are provided weekly updates on major incidents throughout the month and ensure they stay informed of the status and results of these incidents. Participated in a podcast recording event for the National Institute for Justice.

- **Training Unit**

- **K9 Unit**

- **Social Media/Public Information Update**

  March statistics are as follows. Our Nextdoor post reached 1025 people during the month. Nextdoor reaches 1858 households in 15 neighborhoods according to statistics provided by the website. Our Facebook page has 12,394 followers. Posts during the month reached 42,957 people. On Twitter our Tweets made 2291 impressions and our followers are at 1394. Our Instagram account has 1806 followers and posts during the month reached 1666 users. Below are some items that received media attention during the month.

https://doverpolice.org/2023/03/06/eighteen-officers-graduate-from-dover-municipal-police-academy-2/

https://www.wrde.com/news/local-police-stations-still-looking-for-officers-despite-new-recruits/article_25bb2c02-be0c-11ed-848b-ebcd6e8bb30f.html

https://www.milfordpolicede.org/news/Investigation-Into-a-Firearm-Discharge-Leads-to-Multiple-Charges-for-Milford-Man.htm

https://www.milfordpolicede.org/news/Millsboro-Man-Arrested-for-Tip-Jar-Thefts.htm

https://www.milfordpolicede.org/news/Drug-Investigation-Leads-to-Arrest-of-Milford-Woman-.htm

- **Community Engagement**

Lt. Wells, Sgt. Masten, Sgt. Smith, Det/Sgt. Maloney, and S/Cpl. Swan attended the March community meeting at Silver Lake Estates. The officers joined management in meeting with residents about a variety of topics, which included several safety related items.

Delaware Emergency Management's Comprehensive School Safety team contracted a third-party contractor (Critical Response Group) to complete thorough mapping of all schools in Delaware. All schools in the Milford School District were completed and forwarded to Sgt. Masten. These in-depth maps are a great resource for our staff understanding the floor plans and outside ground layouts of each building. The maps have been uploaded to our Computer Aided Dispatch System and Power DMS, for all of our staff to review.

Chief Ashe, Lt. Wells, Sgt. Masten, and S/Cpl. Bloodsworth attended the Delaware Department of Safety and Homeland Security Active Assailant Symposium yesterday at Delaware State University. This valuable training was attended by Fire, EMS, and Law Enforcement personnel from all over the state.

S/Cpl. Bloodsworth assisted elementary school staff with chaperoning an elementary school dance at the Milford Central Academy.

S/Cpl. Bloodsworth assisted staff at Lulu Ross with conducting an Intruder Drill.

S/Cpl. Bloodsworth met with the Crisis Team at Ross to discuss various safety related topics following multiple school threat phone calls that were phoned in across the state earlier this month.

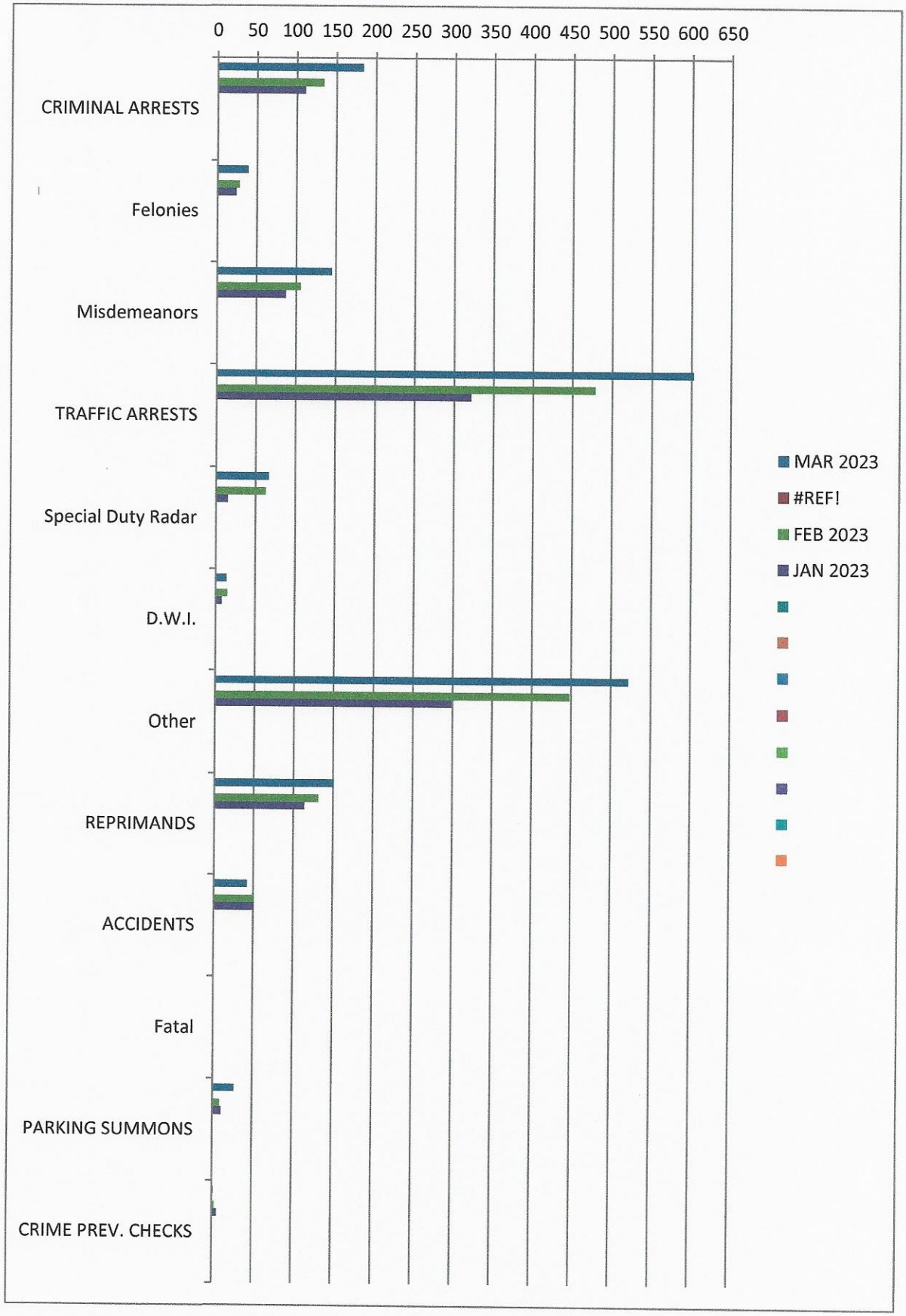
S/Cpl. Bloodsworth was thrilled to get the opportunity to spend time reading to several 1st and 2nd grade classes at Lulu Ross.

Sgt. Masten and Mike Sharp (Milford School District Building and Grounds) continue to have conversations about numbering exterior doors on all school buildings in an effort to improve finding response locations for first responders. A plan adopted by the State of Pennsylvania seems to be a

good fit for the district to implement. Sgt. Masten and Mr. Sharp plan on meeting with Carlisle Fire Company staff to discuss the plan in early April.

MARCH 2023 ACTIVITY REPORT

	MAR 2023	TOTAL 2023	MAR 2022	TOTAL 2022
COMPLAINTS	1487	3781	1141	3211
CRIMINAL ARRESTS	184	429	66	270
Felonies	39	91	16	31
Misdemeanors	145	338	51	240
TRAFFIC ARRESTS	603	1404	327	946
Special Duty Radar	67	145	91	188
D.W.I.	14	37	9	22
Other	522	1269	227	736
REPRIMANDS	151	397	119	282
ACCIDENTS	42	144	61	151
Fatal	0	0	0	0
PARKING SUMMONS	27	47	3	8
CRIME PREV. CHECKS	2	11	8	31
FINES RECEIVED	$5,381.49	$ 16,998.32	$4,951.16	$14,537.59


0 50 100 150 200 250 300 350 400 450 500 550 600 650
CRIMINAL ARRESTS
Felonies
Misdemeanors
TRAFFIC ARRESTS
Special Duty Radar
D.W.I.
Other
REPRIMANDS
ACCIDENTS
Fatal
PARKING SUMMONS
CRIME PREV. CHECKS
MAR 2023
#REF!
FEB 2023
JAN 2023

Dates	Hours Worked	Meetings Attended/Hosted	Trainings Attended	# of NEW Contacts	New Contact Notes	# of Diversions from Arrest	# of Diversions from ER	# of Follow-Up's
March 1-March 5, 2023	28.5	1. Rural Subcommittee Meeting 2. Meeting w/ A Peaceful Place SUD Treatment Center	1. Juvenile Psychiatric Concerns in a Modern World	6	**Referrals to Services:** Check the Welfare Public Assistance Domestic Burglary	1	1	4
March 6-March 12, 2023	62	1. Opioid System of Care Meeting	1. Trauma in the Workplace 2. Using Technology to Support Harm Reduction	10	**Referrals to Services:** 10-81 10-10 Public Assistance Check the Welfare	1	2	9
March 13-March 19, 2023	60	1. Delaware Homeless Continuity of Care Meeting	1. Healthy Police, Healthy Policing 2. Academy of Criminal Justice Sciences Conference 3. Domestic Violence & Victim Safety Protocols	11	**Referrals to Services:** Public Assistance Domestic 10-81 Check the Welfare	0	1	8
March 20-March 26, 2023	59	1. Delaware Behavioral Health Consortium Meeting 2. Milford Public Library Narcan/Homeless Education Event 3. Criminal Justice Council & DSP Meeting	1. Burnout, Organizational Stress, and Creating Presence as an Organizational Antidote	9	**Referrals to Services:** Domestic 10-81 Check the Welfare SOG Warrrant	1	1	7
March 27-March 31, 2023	52	N/A	1. Veteran Suicide and What We Can Do 2. How to Build and Sustain An Effective Officer Wellness Program: A Policing Matters Special	10	**Referrals to Services:** Public Assistance 10-81 Check the Welfare Shoplifting Domestic Overdose	1	1	8
Totals:	261.5			46		4	6	36
Overall Totals:	4382.85			923		70	94	855

Milford Police Department - March 2023 BHU Statistics
Jenna Haines, LCSW, MSW, DE-CMHS
Gregory Bisset, LCSW, C-AADC
Danielle Blackwell, LMSW

OFFICE of the City Clerk
201 South Walnut Street
Milford, DE 19963

THE CITY of Milford DELAWARE

Teresa K. Hudson, MMC
O 302.422.1111 | F 302.424.3558
www.cityofmilford.com

DATE: April 5, 2023
TO: Mayor and Members of City Council
FROM: City Clerk Terri Hudson
RE: March 2023

REMINDER:
The Annual Organization is scheduled for May 1st at 6:00 p.m. at which time Councilmembers Marabello, Culotta, Samaroo, and James will be sworn in and begin their next two-year term. Again, congratulations to those Councilmembers who ran unopposed this year.

We are receiving an increased number of phone calls regarding upcoming events in the community. Many are inquiring about the need for a permit. If the event is contained entirely on their property (private property only), and there is no impact to traffic or other public facilities, there is often no need for a permit. Applicants for the most part seem very willing to work with the city, and we try very hard to make the process easy and seamless.

Permitted requests received so far:

Permit #	Organization	Event Name	Event Date
2023 08	St John the Apostle Church	Cinco De Mayo Celebration	5/5/2023
2023 07	DMI	Bug and Bud Festival	4/29/2023
2023 06	Milford Public Library	Music in the Park	6/30/23, 7/5/23, 7/12/23, 7/19/23, 7/26/23
2023 05	Milford Little League	Milford Little League Parade	4/21/2023
2023 04		First State Chainsaw Competition	6/15/23 - 6/17/23
2023 03	DMI	Pub Crawl	3/18/2023
2023 02	Boys & Girls Club of DE/Races 2 Run	Run the Goat	5/19/2023
2023 01	DMI	The After Market	2/11/23, 3/11/23, 3/25/23,4/8/23, 4/22/23

We continue to assist other towns with shared information. Recent requests involve information on utility meters, contracted engineer/architectural firms, meeting agendas, bereavement leave policy, job descriptions, elections and voter registration, and retiree health benefits.

Katrina and I continue to work on the FY24 budget with Accountant Sandra Peck. Though this was a very straightforward process in the past, this is much more challenging since the City Clerk's Office will be removed from City Administration and combined with the Council budget. Sandra has been an immense help with this task.

House Bill 93 has returned and is again being considered by our State Legislators. That is the bill that requires all municipalities in Delaware to use the State of Delaware Voter rolls. There remains a lot of concerns, particularly with the resort towns that allow non-resident property owners to vote. In addition to updating my comments, we have offered assistance to anyone with concerns or questions.

I did stress that our 'somewhat easy' transition over to the state records was due mainly to the help of City Engineer Puddicombe and GIS Specialist Zach Lawson.

The City Clerk's Office hosted the Women Leading Government meeting at the Public Works Facility for their quarterly meeting on March 15, 2023.

We both also attended the Delaware Municipal Clerks Association's (DMCA) meeting on March 16, 2023.

Katrina organized FOIA training for City Staff during their workday, prior to it being provided to City Council in a workshop. Providing the training, Senior Fellow Max Walton is the Chair of Connolly Gallagher LLP's government practice group and is the managing partner of the firm's Newark Office. He concentrates his practice on advising and litigating on behalf of government entities and business. He handles complex commercial, corporate, constitutional, land use, construction, environmental, election, and insurance coverage matters in Delaware state and federal courts.

Max has acted as special litigation counsel for the State of Delaware, numerous State Agencies, New Castle County, Kent County and more than a dozen municipalities, and numerous other boards and public bodies.

Monthly Activities

- ❑ Coordinated SCAT Dinner registrations and payments (7)
- ❑ Coordinated SCAT Breakfast registrations and payments (2)
- ❑ Coordinated DLLG Dinner registrations and payments (4)
- ❑ Assisted multiple Delaware Municipalities with policy, procedural and related items
- ❑ Record requests/assistance from City Departments (5)
- ❑ FOIA Requests to Date (26)

- ❑ Coordinate FOIA issues with other Departments to ensure compliance
- ❑ Created/revised/reloaded 3/13 Council Meeting Agenda (7)
- ❑ Created/revised/reloaded 3/13 Council Meeting Packet (8)
- ❑ Created/revised/reloaded 3/22 Council Workshop Agenda (2)
- ❑ Created/revised/reloaded 3/22 Council Workshop Packet (3)
- ❑ Created/revised/reloaded 3/27 Council Meeting Agenda (8)
- ❑ Created/revised/reloaded 3/27 Council Meeting Packet (10)
- ❑ Executive Sessions Year to Date (8)
- ❑ Created/revised/reloaded Planning Commission Notices (1)
- ❑ Created/revised/reloaded Planning Commission Agenda (1)
- ❑ Created/revised/reloaded Board of Adjustment Notices (3)
- ❑ Created/revised/reloaded Board of Adjustment Agenda (1)
- ❑ Created/revised/reloaded P & R Advisory Board Agenda (1)
- ❑ Created/revised/reloaded P & R Advisory Board Packet (1)
- ❑ Created/revised/reloaded Tree Preservation Advisory Council Agenda
- ❑ Created/revised/reloaded Tree Preservation Advisory Council Packet
- ❑ Created/revised/reloaded Board of Adjustment Agenda (1)
- ❑ Provided Notary Public Services (3)
- ❑ Transcribed and proofread Minutes from City Council Meetings (7)
- ❑ Transcribed and Proofread Minutes from Board of Adjustment (1)
- ❑ Transcribed and proofread Minutes from Planning Commission (1)
- ❑ Transcribed and proofread Minutes from P & R Advisory Board (1)
- ❑ Transcribed and Proofread Minutes from Milford Community Cemetery Board (1)
- ❑ Transcribed and Proofread Minutes from Tree Preservation & Advisory Council
- ❑ Proclamations Created, Signed, Sealed, and Distributed Year to Date (7)
- ❑ Resolutions Created, Signed, Sealed, and Distributed Year to Date (4)
- ❑ Special Event Permits Requested to Date (7)
- ❑ Ongoing Research Continues on Records Management & Storage Contractor

MARK A. WHITFIELD, CITY MANAGER
201 South Walnut Street
Milford, DE 19963

THE CITY of Milford DELAWARE

PHONE 302.422.1111
FAX 302.424.3553
www.cityofmilford.com

To: City Council and Mayor
From: Mark A. Whitfield, City Manager
Subject: March 2023 Monthly Report
Date: April 4, 2023

- Mike Svaby, Brad Dennehy, Rob Pierce, and I attended the Milford School District's Career and Technical Education Annual Advisory Board meeting on Monday. Each year, MSD asks for feedback from the community on various employers' education needs for high school students, so students are able to enter the work force coming out of high school. I was impressed with the various career paths students can chose from. I attended the health care group and discussed the need for EMTs/Firefighters. In other areas, students may take on projects that will benefit the community. As one example, Brad is working with the Ag Science group to have students propagate plants for the City.
- Apparently, there is some misinformation circulating via social media that the Milford Cemetery is no longer allowing flowers on graves. The only thing that has been done, in accordance with the direction from the Cemetery Board, is to place signs on graves that do not meet the rules and regulation, notifying them that the gravesites will be brought into compliance prior to the onset of mowing season.
- Councilman Culotta and I met with concerned residents from Milford Ponds
- Tony and I met with Carlisle Fire Chief and President regarding the siren relocation.
- I attended the Chamber of Commerce Executive Board meeting.
- Terri, Valerie and I met with Bill McGowan, Chase Barnes and IPA team regarding the strategic plan.
- Rob and I met with Century Engineering regarding the 10th St/Rehoboth/Church intersection.
- Rob, James, Mike and I met regarding the Marshall Street bike lane striping plan.
- Howard Willis and I have been dealing with a property complaint regarding the gravel parking lot on S. Maple Street
- Code Enforcement followed up on a POD that was left in the street on East Clarke.
- Several staff members met with representatives from Bayhealth regarding utility services to the new PAM Rehabilitation facility. Bayhealth has a desire to own the utility lines within the campus, however, the new facility is not under Bayhealth and is independent. The City must be the utility provider, which requires Bayhealth to provide utility easements for maintenance. Bayhealth has agreed, and staff continues to work with design professionals for the location of the proposed utilities and easements.
- An Open House was held to reveal landscape architect's concept plans for several downtown streets. The Open House was well attended, and we received good feedback on how to improve the plans.

- We received word from the State Benefits Office that health insurance premiums are expected to increase more than 15% next year. They will vote on the matter on March 20.
- Several staff members and the Mayor met with Delaware Food Bank regarding placing solar panels on their new building.
- I attended the monthly meeting of the DEMEC Executive Board.
- Lou, Mike, and I met with Chief Ashe, Lieutenants Wells and Jefferson and Vicky regarding moving away from hybrid vehicles for the take home car program and going to regular gasoline police vehicles. The move is proposed since hybrids have not yet been built, and there is not a date when they will be built.
- I had a meeting with the Hearthstone Developer regarding their project.
- Councilmen Boyle, Marabello, Baer, and Culotta along with various City staff attended the WIIN event on March 31, celebrating the completing of the Ecotourism and Coastal Resiliency Report. The event was well attended.
- Chief Ashe, Jamesha and I met with the Teamsters Union regarding the Dispatcher's contract which expires June 30 of this year.
- Rob Pierce, James Puddicombe, Mike Svaby and I met with Century Engineering regarding the South Walnut Street traffic calming project.
- I met with Claudia Leister regarding questions she had about City financial support of other non-profit building projects.

PUBLIC WORKS FACILITY
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THE CITY of Milford DELAWARE

DIRECTOR MICHAEL J. SVABY
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msvaby@milford-de.gov

TO: Mayor and City Council

THRU: Mark Whitfield, City Manager

FROM: Michael Svaby, Director, Public Works

DATE: April 5th, 2023

RE: March 2023 - Public Works Department Staff Report

The following input represents a high-level list of activities and accomplishments for the month of March 2023.

Director's Office

- **Meeting Attendance/Whereabouts**:
  - With DelDOT regarding Mispillion Bridge Repairs and means to mitigate bridge strikes
  - Kent County Sewer Advisory Board
  - At GPI for Walnut Street Bridge Final Design Review
  - Payment Kiosk/ATM installation/construction
  - Participated in HR Interviews (5): Mechanic (1), Public Works Equipment Operator (4)
  - With PD and Becker Morgan on design and fit out of dispatch area, fleet purchases, key hierarchy, and Storage Building
  - Public Workshops (2) – Downtown Streetscapes and S. Walnut St. Speed/Traffic Study
  - APWA Board Meeting
  - FY 24 Budget Prep (Multiple)
  - FOIA Training
  - DLLG Dinner
  - WIIN Program Update
  - At DEMEC for Customer Service Key Accounts
- **Solid Waste Time Analysis** - Conducted Solid Waste time study for Hearthstone and for large container collection.
- **Leave Sellback** - Coordinated leave sellback for PW personnel.
- **Census Construction Report** - Completed Construction Census Report for March
- **Cross Connection Prevention Program** - Drafted Cross Connection and Backflow Prevention Program document for Council review
- **CCTV Equipment Arrival** - Received new CCTV equipment and coordinated the scheduling of the equipment's training schedule
- **Police Dept Project** - Attended job meetings, filed monthly Department of Labor report for US Census, coordinated building tour, attended meeting on dispatch and furniture quotes, and

reviewed transmittals and progress payments for the PD Building project. Project still on schedule for October 2022 completion.

Public Services Division

Streets/ Utilities

- Replaced 18 signs and replaced 12 poles (Ward 1);
- Street Swept 1,325 curb miles.
- Jetted/Vaccd'2,300 ft of sewer line.
- Replaced delineators on N Church St., on south side;
- Exercised twenty-six valves.
- Applied 280 lbs. of crack sealant in locations as needed/reported.
- Closed road down for crane on N Washington St.

Facilities/Refuse Management Section

- **Contractor Coordination**:
    - Repaired Smoke detector (Warehouse) and pull stations (Wash bays) at PW.
    - Repaired actuators on City Hall Fire System
    - Replaced All HVAC filters at PW.
    - Repaired heat in garage office
    - Repaired leaks in men's and women's toilets
    - Inspection of Fire extinguishers at all locations
    - Replacement of relay switch at PW rear gate
    - Installation of Hi-Def Camera on PD Tower

- **Self**
    - Installed thermostat covers with key/lock at Customer Service
    - Maintained leadership of Streets and Utilities section while supervisor was on vacation for 2 weeks.
    - Setup PW conference room for two different events
    - Helped IT run communication wire for IT at Public works for fax machines.

- **Refuse**

    - Collected 345 tons of refuse and 83 tons of recyclable material, 20 tons of yard waste for March. March's divergence rate of 25% for the month backed up against an overall 23% divergence rate YTD for the Fiscal Year.
    - The section satisfied 67 bulk/brush requests for the month with a year to date total of 531 pickups.

Water/Wastewater

- Pulled, disassembled and cleaned 8 total pump stations: Milford Crossing, Milford Ponds, SE 2nd, Wendy's, Knotts Landing, Days Inn by Wyndham, North Shores, and Fork Landing. Clothing and miscellaneous debris caught in pumps and impellors has

been on the increase. May's Utility newsletter will address this intermittent but recurring problem.

Engineering

- Completed the American Water Works Association (AWWA) audit for water consumption.
- Sent letters to residential developers who exceeded or were near 75% complete for topcoat completion
- Performed 367 utility locates.
- Assisted IT in converting GIS Servers to *Virtualized*
- Completed a Milford Ponds Phase 1.7 and 1.8 walk-through.
- Completed a Cypress Hall Phase 1 walk-through.

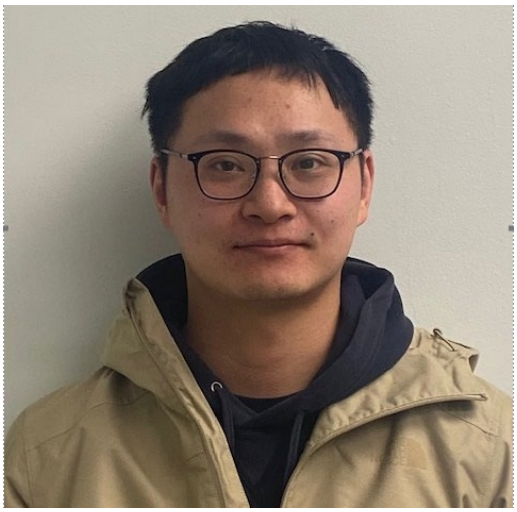
Operations/Administration

- Compiled and submitted PW Operating Budget input among various Public Works functions.
- Assisted IT in coordinating PC replacement schedule for PW
- Supported multiple Tyler Munis/ERP implementation and training meetings.
- Resolved several invoicing and budget transfer issues.
- Worked with Head Mechanic to fabricate fork-lift extensions to serve as mechanical lift for lawn mower repair.

New Employee Starts

- Nevis Gregory began employment with the City on March 20th as a Public Works Equipment Operator – Solid Waste, reporting to Brian Jester, Building Operations and Refuse Supervisor. . Nevis comes to us from GFL Environmental where he was a residential driver. He resides in Dover, DE. In his free time, he enjoys going to the gym and cooking.

- Minjiong “Bill” Wu is a graduate of the A. James Clark School of Engineering, University of Maryland. He began his employment with the City on March 30, reporting to City Engineer James Puddicombe. Bill is originally from Hangzhou, China. In his free time, he enjoys spending time with family and friends.



Public Works Department - March 2023	*March 2022*	March 2023	*FY22 YTD (07/01/21-03/31/22)*	FY23 YTD *(07/01/22-03/31/23)*
Streets/Utility Division				
Signs Installed/Replaced	27	18 sign 12 poles	158	279
Curb Miles Swept	420	1,325	4,910	9,275
Sewer Lines Flushed (in feet)	1,235	2,300	21,885	37,598
Sewer Back-up Response	2	3	28	15
Sewer Line Repaired	0	0	4	3
Water Hydrants Flushed	7	92	240	150
Fire Hydrants Replaced/Installed	2	0	10	2
Water Line Repair	1	1	14	10
Water Valves Exercised	16	26	183	112
De-icing Salt Used (tons)	2	0	104	1
Potholes Filled - Cold Patch	37	17	429	414
Potholes Filled/Spray Patch - Gallons Emulsion Used	0	0	7	0
Leaves Collected (Tons)	0	0	102	113
After Hours Calls	6	5	66	44
Crack Sealing (pounds of sealant used)	0	280	100	780
Work Orders Completed	12	17	161	145
Storm Sewer Inlets Cleaned	54	92	586	684
Street Closures/Festivals	0	2	24	20
Engineering Division				
Utility Locates Completed	186	367	*1,374*	1526
Infrastructure Work Orders Completed	*7*	21	*83*	115
Backfill Inspection Work Orders Completed	*9*	38	*114*	111
Operations Division				
Fleet Work Orders Completed	*Data Unavailable*	15	*161*	250
Fuel Use-Diesel (Gallons)	2,617	2,661	*19,949*	21,085
Fuel Use-Gas (Gallons)	4,467	4,440	*31,767*	23,213
Blue Def (Gallons)	*Data Unavailable*	86	*Data Unavailable*	646
Solid Waste & Facilities Division				
Refuse Collected (Tons)	326.92	344.81	*2,360*	3,105
Recycle Collected (Tons)	77.58	83.17	*565*	712.94
Yard Waste Collected (Tons)	38.75	19.5	*420.12*	440.75
Diversion Percentage (%)	*X*	*X*	*0.31*	34.00%
Missed Collections	*Data Unavailable*	37	*Data Unavailable*	372
Bulk/Brush Collection Requests Completed	62.00	67	*527*	531
Containers Delivered	43.00	31	*371*	342
Containers Serviced (Swap, Replacement, Removed)	*12*	21	*204*	233
Facilities After Hours Calls	*Data Unavailable*	4	*Data Unavailable*	60
Facilities Work Orders Completed	*Data Unavailable*	57	*Data Unavailable*	117
Water & Waste Water Facilities Division				
Water Treated (Millions of Gallons)	*81,504,000*	83,528,200	*228,525,300*	238,002,900
Waste Water Transferred (Millions of Gallons)	*70,505,000*	74,339,000	*136,259,000*	168,132,000
Work Orders Completed	*62*	69	*335*	441
Pump Stations Cleaned	*X*	10	*2*	18
After Hours Calls	*2*	11	*19*	55

Public Works Projects - March 2023	Planning Stage	Bid/PO Award	In Progress	Complete
Water				
Install Automated Blow-off Valves 2 in stock	Charlie / James	charlie	X	simpson/mil. Pon
Protection Upgrades Caulk & 10th Street Towers	Steve			
Water Tower Altitude Valve at Caulk Tower	Charlie / James	Schrock	X	**DONE**
Water Trtmnt Monitoring & Process Control Upgrades (4&5)	Steve / Steve Z.		X	
City-wide Valve & Hydrant Replacement/Improvements	Charlie / James	Charlie		
Standardized Water Treatment Facility Controls	Steve / Steve Z.		X	
DNREC Water Allocation Permit	Steve	State	80% complete	Patty Murray
Sewer				
Truitt Avenue PS Groundwater Investigation & Repair	KCI	KCI	X	
SCADA Instrumentation Upgrades & Integration	Steve / Steve Z.		X	
Targeted Inflow and Infiltration Investigation & Repair	KCI	KCI	X	
North Shore Pump Station Hatch Replacement	DBF	?		
Streets				
Mispillion, McColley, Marshall Streets Reconstruct/Paving				
Fisher Ave				
Financing for Private Sidewalk Improvements				
Street Resurfacing and Rehabilitation, ADA Ramps				
Installation of ADA Compliant Ramps				
Walnut Street Pedestrian Crossing (Landscaping)				
Truck Turning Study				

PARKING				
BUILDINGS				
PW-Complex Security				X
Shutter Painting and Molding Repair- City Hall	X			
Siding Replacement- Parks & Rec		X		
HVAC Replacement- Parks & Rec				X
Exterior Lighting- Parks & Rec				X
Basement Waterproofing- Customer Service				X
Concrete Repair Drive-Thru- Customer Service	X			
Door Replacement- Armory		X		
HVAC- Armory		X		
Facilities Management Binder				
Public Works Equipment & Vehicles - March 2023	Planning Stage	Bid/PO Award	In Progress	**Complete**
ELECTRIC				
Replacing Vermer Trencher (E128)				
Replacing 3 Phase Wire Trailer (E114)				
Replacing Dump Truck				
TECHNICAL SERVICES				
WATER				
Replace W-16 IR Compressor				
Replace W-8 F250 2022	Ordered	**Hertrich**	Ordered	
Replace W-15 Pick up 2022	Ordered	**Hertich**	Ordered	
SEWER				
Replace SE-2 Ford F250 Pickup 2022	Ordered	**Hertrich**	Ordered	
STREETS				
SOLID WASTE				
Grappler Hook Body				
GARAGE				
WAREHOUSE				
Active Developments - March 2023	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Awaiting Final Inspection
Hearthstone Manor I				
Lighthouse Estates II				
Brookstone Trace				
Brookstone Trace II				

Orchard Hill				
West Shores at New Milford				
Watergate				
Walnut Village				
Milford Ponds Phase I				
Hearthstone Manor II				
Milford Ponds Phase II				
Simpson's Crossing Phase 1a				
Simpson's Crossing Phase 1b				
Simpson's Crossing Phase 1c				
Cypress Hall Phase I				
Cypress Hall Phase II				
Wickersham				
Mispillion Landing				
Riverwalk Villas				
Windward on the River				
Milford Ponds Phase III				
Red Cedar Farms				
Hickory Glen				
Knights Crossing				
Commercial Projects - March 2023	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Awaiting Final Inspection
Wash-It				
Splash Laundry Mat				
Deep Branch Plaza				
Police Station				
Delaware Mini Storage				
William Allen Property Lot 3				
Food Bank				
Arbys				
PAM				

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THE CITY of Milford DELAWARE

Anthony J. Chipola III, Electric Director
PHONE 302.422.1110, Ext 1137
achipola@milford-de.gov

To: Mayor and City Council
From: Anthony Chipola, Electric Director
Subject: February 2023 Electric Dept Staff Report
Date: April 4, 2023

Director's Office

- Resumed discussions with Food Bank regarding Solar Integration
- Coordinated Oil Processing and Repairs at Delivery 1 Substation
- Attended DEMEC Board Meeting
- Attended various preconstruction meetings for new businesses / developments
- Developed preliminary CIP for FY24-28
- Discussed potential zoning considerations for distributed energy resources (DERs) w/ City Planner
- Attended discussions with Carlisle and City Manager to establish Fire Siren Requirements
- Met w/ Asplundh Tree Service - Obtained pricing for pre-emergent spraying of Substation Facilities & Discussed Supplemental Trimming Resource needs and availability
- Attended Monthly AMI Call to discuss outstanding software issues
- Attended FOIA and Ethics Training
- Site Mtg w/ PAM - Bay Health Campus RE: Temp and Permanent Service
- Delivery 1 Electrical Testing
    - Burlington Electrical Testing completed Preventative Maintenance and Electrical Testing of assets
    - Preliminary results indicate several deficiencies in T1
    - T1 to remain out of service until replacement parts can be obtained
    - Final Report pending
- Attended Demand Response presentation hosted by DEMEC

Electric Lines

- Conducted Power Quality Investigation – Found faulty secondary cable
- Escorted SD Myers Personnel for Oil Processing and repairs of Del 1 Equipment
- Escorted Burlington Electrical Testing for PM and Electrical Testing
- Developed various estimates for new developments
- Responded to various outages

Technical Services

- Work with AMP to resolve issues with AMI devices and software
- Added additional meter to AMI network by upgrading water meter device to new 500W
- Met with various contractors to specify metering equipment and advise on installation.
- Developing Displays for SCADA
- Reviewed Solar interconnection requests
- Work with customer service to identify and resolve issues with meters
- Assist water department with industrial control issues and troubleshooting

Electric Department -March 2023	March 2022	**March 2023**	FY22 YTD *(07/01/21-03/31/22)*	**FY23 YTD *(07/01/22-03/31/23)***
Electric Division				
Trouble Service Call	36	**18**	224	**178**
Work Orders Completed	55	**32**	377	**312**
Outages	14	**2**	87	**57**
LED Street Lights Replaced	32	**5**	94	**120**
New Service Install	4	**10**	61	**35**
Poles Replaced	2	**0**	13	**31**
After Hours Calls	11	**12**	98	**121**
Trees Cut (Days)	0	**0**	10	**19**
Technical Services Division				
New Electric Service Installed/Meter Set	7	**4**	197	**92**
New Water Service Installed/Meter Set	25	**1**	76	**29**
Electric Meter Replacement	3	**6**	35	**67**
Water Meter Replacement	41	**45**	340	**490**
Work Orders Completed	773	**670**	5,952	**6,029**
After Hours Calls	3	**4**	39	**48**

PUBLIC WORKS FACILITY
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THE CITY of Milford DELAWARE

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

TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: April 5, 2023

RE: March 2023 – Planning Department Staff Report

- During the first three months of the 2023 calendar year, the City issued 25 new residential construction permits. The total construction investment in Milford for through the end of March based on issued building permits was $9,852,407.
- The City of Milford has seen 162 projects with a committed investment of over $32.7 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over $3.5 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over $650,00 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines (click the below link to see project locations).
  https://milfordde.maps.arcgis.com/apps/MapSeries/index.html?appid=ab3ecb0d8cbc44d884b7c3063f75125c
- The Planning Commission will review the Preliminary Major Subdivision application for the Milford Corporate Center at their April meeting.
- The Planning Commission began reviewing the zoning ordinance, specifically permitted and conditional uses, at the February meeting. We will continue our review over the next few months before bringing recommended amendments to City Council hopefully in June.
- The Board of Adjustment will review three variance requests during the month of April. One is related to an addition to a dwelling in Milford Ponds, one is for a reduction in the rear yard setback for an accessory building and lot coverage variance and one for a side yard setback reduction for a new home on West Street.
- The City is currently reviewing a final major subdivision submission for the Westwood development on Williamsville Road.
- The City reviewed a Preliminary Major Subdivision submission for the Milford Corporate Center project and provided comments to our engineering consultant. The application has been placed on the April Planning Commission and City Council agendas for review.
- The City reviewed a Preliminary Conditional Use Site Plan for Caliber Collision for an expansion of a car repair business at the R&D Collision site and provided comments to the applicant.
- The City reviewed a Final Site Plan submission for the Masten Circle, LLC project and provided comments to the applicant.
- The City reviewed a Preliminary Conditional Use Site Plan application for the Milford Middle School redevelopment and provided comments to the applicant.

- The City received and reviewed a Preliminary Site Plan submission for Milford Ponds – Phase IV and provided comments to the applicant.
- The City received and reviewed a Final Site Plan submission for Knight Crossing – Phase 2B and provided comments to the applicant.
- Staff attended the weekly ERP Project update meetings.
- Submitted FY24 budget and 5-year Capital Improvement Plan (CIP) to the Finance Department.
- The City held a preconstruction meeting for the Arby's project on N. Dupont Boulevard.
- Prepared for and attended the Downtown Streetscapes open house on March 8, 2023 at City Hall. Public comments are being compiled and a presentation will be made to City Council at the April 19, 2023 workshop.
- Attended the annual Milford School District Career and Technical Education (CTE) Advisory meeting.
- Met with DelDOT and the Dover/Kent County MPO regarding potential bicycle projects in Milford.
- Prepared for and attended the 10th Street/N. Walnut Street Intersection Study open house on March 23, 2023 at the Public Works Facility. Public comments are being compiled and a presentation will be made to City Council at a future meeting to review the final recommendations.
- Met with the Electric Director to review potential zoning code changes pertaining to solar and wind energy facilities. These revisions will be incorporated in with the amendments being reviewed by the Planning Commission.
- Attended the preconstruction meeting for the NE Front Street TAP project at the DelDOT administrative office in Dover.
- Reviewed a draft striping plan for Marshall Street between SE Second Street and Watergate and provided comments to Century Engineering.
- Attended the preconstruction meeting for the PAM Milford project on the Sussex Health Campus.
- Attended the Chamber of Commerce Affordable Housing Taskforce meeting.
- Attended a meeting with the Public Works and Electric Department to review the Westwood and Milford Corporate Center sewage pump station designs.
- Attended the DART Reimagined Technical Advisory Committee kickoff meeting.
- Attended the monthly Milford Corporate Center project meeting.
- Attended a development coordination meeting hosted by the City Engineer to review the status of various projects with the Public Works Department and Electric Department.
- Met with Tyler Technologies to review possible implementation schedule changes that would impact the Planning Department.
- Prepared for the S. Walnut Street Traffic Calming & Bike/Ped Study open house on April 4, 2023 at City Hall from 6 to 8 pm.
- The Code Enforcement Officials continue to perform rental inspections on 800 plus units in the larger apartment complexes in the 4th Ward. Individual properties will receive notices in May for inspections in June, July and August.
- Staff continue to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan (see below links).
    - **2018 Comprehensive Plan & SE Master Plan (Click Here to View)**
    - **Downtown Development District Plan (Click Here to View)**
    - **Rivertown Rebirth Master Plan (Click Here to View)**
    - **Strategic Plan – Press Play: Vision 2023 (Click Here to View)**

Case Activity:

	Total
New Cases	20
Closed Cases	28
Open Cases at Start of Period	150
Open Cases at End of Period	142

*0 open cases is for tall grass, which stays open the entire growing season.

Violation Activity:

New Violations Cited	Total
Abandoned Vehicle	1
Dangerous Tree	0
Furniture Violation	0
Generic Violation	15
Property Maintenance Violation	1
Rubbish & Garbage	2
Weeds & Grass	0
Zoning Use Violation	1
Total	20

Rental Licenses Issued: 161
Vendor Licenses Issued: 0
Contractors Licenses Issued: 32
Business Licenses Issued: 13

Building Permits Issued:

Permits Issued by Type	Count
Commercial Demolition	0
Commercial Foundation	3
Commercial Building Permit	7
Construction Trailer	1
Residential Demolition	2
Residential Building New Construction	12
Residential Renovation/Accessory	16
Roof/Siding Permit	6
Sign Permit	4
Solar Panel Permit	1
Utility Permit	10
Total	62

Inspections Performed:

Inspections Performed by Type	Count
Footer	24
Foundation	32
Framing	18
Insulation	4
Final	65
Residential Rental	424
Total	567

PARKS & RECREATION DEPARTMENT
207 Franklin Street
Milford, DE 19963

PHONE 302.422.1104
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www.cityofmilford.com

TO: Mayor and City Council

FROM: Brad Dennehy-Parks and Recreation Director

DATE: April 5, 2023

RE: March 2023 – Parks and Recreation Staff Report

Parks

- Trash and recycling for all municipal waste receptacles were emptied on weekly basis by parks crews.
- 6 members of staff attended the two-day Delaware Recreation and Parks Society annual conference, which included some good training opportunities for staff on a range of recreation and parks topics.
- Staff continued to work on maintenance of mowers with the City mechanic in preparation for the cutting season.
- Two large landscape trailers were also repaired and required welding (these trailers are used for hauling the zero turn mowers).
- Park staff removed a large tree from the trail on Goat Island which came down in a storm.
- Park Superintendent placed violation signs in the community cemetery for any non-conforming lots at a request of the cemetery board.
- Interviews were held for seasonal workers to cut grass. Seven workers were hired and started back on 3.13.23.
- Clean up of the cemetery was performed of Christmas decorations starting the week of 3.13.23.
- Park Superintendent met with our seasonal flower planter and crews began removing areas of dead shrubs in preparation for planting in the spring.
- Crews began spreading mulch throughout the City maintained areas, including around City owned buildings and flower beds.
- Staff continued to respond to any seeclickfix items via the App.
- Staff installed new basketball nets at the courts on the river.
- When the bathrooms were opened at Tony Silacato Memorial Park, a leak was discovered when the water was turned back on. This required a plumber having to make a repair at that facility.
- Park Staff helped with preparations for both the groundbreaking of the new pickleball courts and playground and with the WIIN presentation in Bicentennial park.
- Soccer fields were cut in preparation for the spring soccer program.
- First day of cutting grass in the City was 3.29.23.
- Park Superintendent attended the monthly safety meeting.

Arborist

- Removal of large dead tree that was causing interference with electrical infrastructure on Rogers drive.
- Attended the DRPS conference (2 days) with the arborist helper.
- Electric transmission line clearance on Carpenters pit Rd. This was a three-day project which required a Del.DOT permit, certified flaggers, temporary signage, and the rental of a safety attenuator truck. Del.DOT gave us credit for being "textbook" in following the requirements of the permit for working alongside a state-maintained road.
- Attended the safety meeting and performed equipment maintenance.
- During periods of high wind and rain we inspected main electrical lines for tree damage, readied all equipment for emergency storm response/clean up.
- Removed trees at goat island by main power lines. Several cherry trees growing into lines, promoting invasive Porcelain Berry, Wild Grape, and invasive Knott weed.
- Assisted with brush clean up with Public works alongside the perimeter of the Lulu Ross elementary school.
- Cleaned up residential brush piles on New St.
- Bucket truck had mechanical issues and was un-operational for four days.
- Performed shoreline clean up and remediation at Goat Island area.
- Vine removal and tree trimming at goat island on large native maple tree to save it from dying.
- Installed mulch along Riverwalk and at Mill St. and behind Gods Way to Recovery (this was recycled wood chips). Cleared trash from outfall, performed routine tree pruning along Riverwalk.
- Tree removal/vine removal/mechanical vegetation control at the Chaney Wilmont parcel area.
- Survey, measure, and planned a proposed pollinator area behind dog park. Identify invasive, dead, and undesirable trees in that area. Drew up topographical map and measured square footage for material cost.
- Evaluated a tree concern for resident per seeclickfix app at #307 Pierce St. (reassigned to code enforcement).
- Consulted with a representative of the Mt Cuba center about the plant life along the shoreline of the Riverwalk. Identified several invasive species and non-desirable plants, devised a plan for control and eradication of said species to prevent further infrastructure damage.
- Trim trees away from electric lines along several addresses at North shore drive, and down Elks lodge road.
- Completed current list of trees to be trimmed for the Electric Department.

Recreation

Spring Programming

Our Spring programs has officially started.

- **5-6 Spring Soccer**: This program, which introduces participants to introductory soccer, was in such high demand that when Milford Parks & Recreation had all available spots taken, we offered another day and time slot to meet the needs of our community. Because of this, our 5-6 soccer program grew by 1.5 times.

- **7-8 Spring Soccer**: This program which builds off the skills of the 5-6 groups has also reached its max enrollment of 40 with 2 individuals on the waitlist. Parent volunteers for coaching has tripled this season.

- **9-10 & 11-13 Spring Soccer**: This program introduces players to a full-size soccer pitch with 7 on 7 play. The enrollment for these programs is standing at 90% full considering we are competing with other school's soccer programs.

- **Spring Youth Basketball**: This 7-week program will build on last season's momentum of building back better basics. This program will be run by our parent volunteers that have an interest in making our basketball community fun and a great place to play. Our recreation coordinators will be overseeing this program.

- **Flag Football**: With new NFL rules being used as our instructive foundation, players will apply the skills that they have learned and play flag football on a variety of local and regional levels. This program is 5 individuals away from maxing out our enrollment.

- **Tennis**: This program has gained steam this year. Compared to the last year's Spring Season, Milford Parks went from 0 to 26 participants. Because of this increase, we were able to provide two levels for this program, beginner and intermediate.

- **Spring Pickleball**: This is the first time this program will be starting in the Spring. Following the course as the winter program, pickleball is again slowly gaining traction with sign-ups. If it proceeds like last season, we should see up to 10 sign-ups along with over 100 drop-in players.

- **Adult Basketball**: This program will continue to provide the opportunity for adult players to get out and play in our community. We currently have 12 sign-ups for this season. Just like last season, we expect this program to grow to 20 participants as well as our drop-ins.

- **Summer Fun Club**: Milford Parks and Rec advertised our summer camp program on our FB page and Milford Local Delaware group just over 10 days ago and we have already signed up and average of 12 kids per week.

- **Community Egg Hunt**: This event will be held on 4/8/23 and has garnered just shy of 80 participants. This Egg Hunt has also been adaptive for those with physical and visual disabilities so that we can better serve the Milford Community by being more inclusive.

Other

- Director attended the DRPS conference with staff in Rehoboth.
- Director submitted capital and operating budgets for FT24.
- Director hosted the ribbon cutting with the Mayor and Council, Stare Representatives, and members of the public for the new pickleball courts and playground on Saturday 03.04.23.
- Director attended the Milford School District career and technical education open house with the City Manager and Public Works Director.
- Director submitted comments on behalf of the Tree advisory commission regarding the remodeling of the old middle school and desire to retain trees on that campus.
- Director and Human Resources Director met to discuss temporary employees' wages and operating budget for FY24.
- Director attended the FOIA and Ethics training.
- Director assisted with the preparations for outdoor WIIN meeting in Bicentennial Park.
- Director met with the Streets and Utilities Supervisor regarding redevelopment of an area at the Seabury Water plant and installation of a yard hydrant for a new flower bed.
- Construction began on the new pickleball courts and children playground in Memorial Park.
- Preconstruction meeting was held for the replacement handrail project and construction on that project is set to begin week of April 17th.

HUMAN RESOURCES
10 SE Second Street
Milford, DE 19963

THE CITY of Milford DELAWARE

PHONE 302.424.5142
FAX 302.424.5932
www.cityofmilford.com

TO: Mayor and City Council

FROM Jamesha C. Williams, MBA, MSL- Human Resources Director

DATE: April 4, 2023

RE: March 2023 –Human Resources Department Staff Report

- Onboarded new hires for the following positions:
  Civil Engineer I
  Cash Operations Clerk II
  Public Works Equipment Operator II-Solid Waste
  Mechanic

- Attended FOIA and Ethics Training as scheduled by the Clerks Office on March 22, 2023.

- Virtual Meeting scheduled with Kate Lynch in April related to opportunities for City employees to speak with Milford students in the 2023/2024 school year.

- Scheduled to attend job fairs on April 27, 2023, and May 3, 2023 hosted by the Department of Labor.

- Rooster Recipient: Vince Waydelis, Head Mechanic received the Rooster from Brian Jester, Building Operations & Refuse Supervisor for always going above and beyond to ensure the City's fleet is operational to meet the needs of the City.

- **<u>Current Job Openings as of April 4, 2023:</u>**
  Electric Line Technician, First Class-1 opening (retirement)
  Associate Engineer-1 opening (new position)
  Police Dispatcher-1 opening (retirement)
  Police Officer-2 openings- 1 Union, 1 Command Staff (retirements)

- 2nd Annual Touch-A-Truck event scheduled for Saturday, May 20, 2023 from 10:00am-2:00pm. Location: S Walnut Street.

INFORMATION TECHNOLOGY
201 South Walnut Street
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

City Hall 302.422.1098
www.cityofmilford.com

Date: April 10th 2023

To: Mayor and City Council

From: Bill Pettigrew

Re: April 2023 Information Technology Department Staff Report

---

Good evening Mr. Mayor and City Council, the IT departments full March 2023 report is in your packages, I will address some highlights.

Virtualization

A month ago when I reported to council we had just started virtualizing our old network servers, I can happily report that since that time we have virtualized 24 physical servers. This virtualized server environment gives us high availability, failover, allows us to copy, upgrade and spin up a new server in minutes instead of days or sometimes weeks with physical servers. Because of the hard work and dedication of the IT staff we were able to start improving our network performance, utilize smaller more reasonable switches, remove a bird's nest of wires and save on electricity. (Please see pictures below).

The Affordable Connectivity Program (ACP)

Milford's part in the ACP program was kicked off on March 20th by the Governor, Mayor and members of the IT department. We will have flyers for citizens printed in multiple languages around the city for awareness.

ERP

Tyler will be on site this month implementing additional training to staff on Munis.

Riverwalk Wifi

We have been speaking with several vendors to offer wifi along the Riverwalk, until an option is selected, we have identified a temporary solution should the need arise.

PICTURES ARE WORTH A THOUSAND WORDS…

Servers and racks decommissioned in the last 30 days!

Milford IT's Denham Dodd with the Mayor & Governor
kicking off the ACP program,
the Milford branded ACP Poster in Customer Service

FINANCE DEPARTMENT
10 SE Second Street
Milford, DE 19963

THE CITY of Milford DELAWARE

PHONE 302.424.5140
FAX 302.424.5932
www.cityofmilford.com

To: Mayor and City Council
From: Louis C. Vitola, Finance Director
Date: April 8, 2023
Re: March 2023 Finance Department Staff Report

- Monthly Financial Reporting
  - The Report for the YTD period ending February 2023 was presented to City Council
- Staffing
  - The Cash Operations recruitment was concluded in March with the addition of Nikki Mumaw to the Customer Service team; I look forward to introducing Nikki to Council at an upcoming meeting.
- Training and Improvement Efforts
  - The Finance team participated in extensive training and implementation sessions as the Tyler ERP core financial module nears the July 3, 2023 go-live date.
  - The Customer Service team participated in 16 hours of training related to the APPA Key Accounts Program and the ERP Implementation
- Police Facility Project Financing
  - USDA Officials continue to participate in weekly project update meetings when available; we've opened discussions with the USDA on closing requirements for the first half of the Project
  - Construction activity – financial summary:

Police Facility Project: Budget & Payment Activity	Approved Budget	Incurred thru 3/31/23	Less: Retainage & Unpaid	Paid as of 3/31/23
Construction & CM: Total Bid Awards	$ 13,650,954	$ 7,214,494	$ (1,914,216)	$ 5,300,277
Plus (Less) Proposed Change Orders	300,310	-	-	-
Subtotal: Construction & CM Contracts	$ 13,951,264	$ 7,214,494	$ (1,914,216)	$ 5,300,277
Other Project Expenses & Contingencies				
Design / Architect (BMG)	$ 823,088	$ 774,971	$ -	$ 774,971
Builder's Contingency	226,667	-	-	-
Owner's Contingency	670,897	122,562	(21,198)	101,363
Owner's FFE ($350k) / Tech ($150k)	500,000	-	-	-
Subtotal: Pre/Post-Construction & Contingencies	$ 2,220,653	$ 897,532	$ (21,198)	$ 876,334
Grand Total Project Budget	$ 16,171,916	$ 8,112,026	$ (1,935,415)	$ 6,176,611

- FY22 Audit
  - The FY22 audit process has been delayed from the outset as a result of the extended FY21 process
  - The Finance Department is putting the finishing touches on the trial balance detail required to set the balance of the audit process in motion
  - The City's continuing disclosure requirements were published to the MSRB/EMMA portal on time
- Billing & Customer Service Department
  - Kiosk selection and placement are being coordinated among departments for input
  - With the most recent addition to the Customer Service team, the department is fully staffed and the in-house billprint initiative will be revisited to weigh the challenges and opportunities
  - Past Due Property Tax Statistics for **Current** and Prior Years are reported in the following tables:

Property Tax Levy	Past Due ($000) as of: 11/1/22	12/1/22	1/3/23	2/2/23	3/1/23	4/1/23	As % of Levy 4/1/23
2022 ***(FY23)***	$237	$208	$197	$169	$132	$113	2.3%
2021 & Prior	$202	$196	$196	$186	$176	$125	2.6%
Total	**$439**	**$404**	**$392**	**$355**	**$308**	**$239**	**4.9%**

Property Tax Levy	As of: 4/1/22	As % of Levy 4/1/22
2021 ***(FY22)***	$97	2.1%
2020 & Prior	$140	3.0%
Total	**$236**	**5.1%**

FINANCE DEPARTMENT
10 SE Second Street
Milford, DE 19963

THE CITY of Milford DELAWARE

PHONE 302.424.5140
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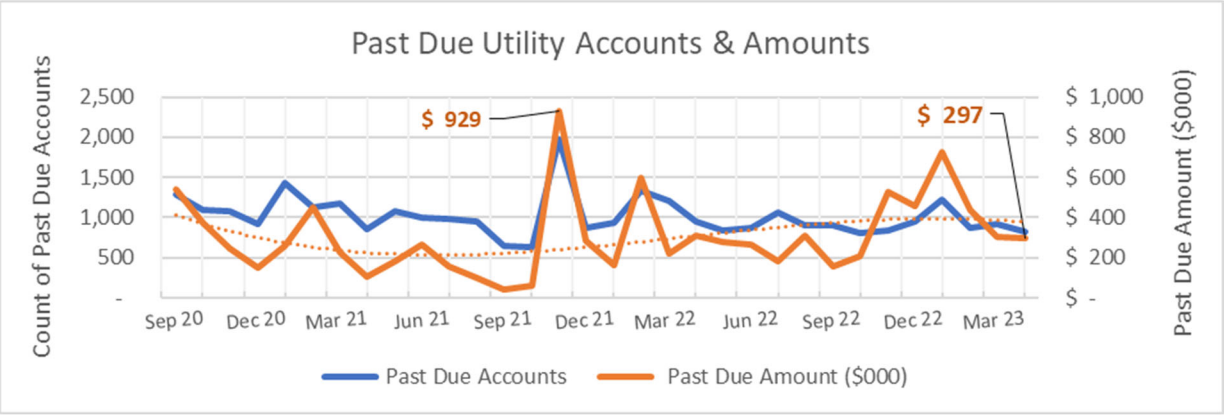
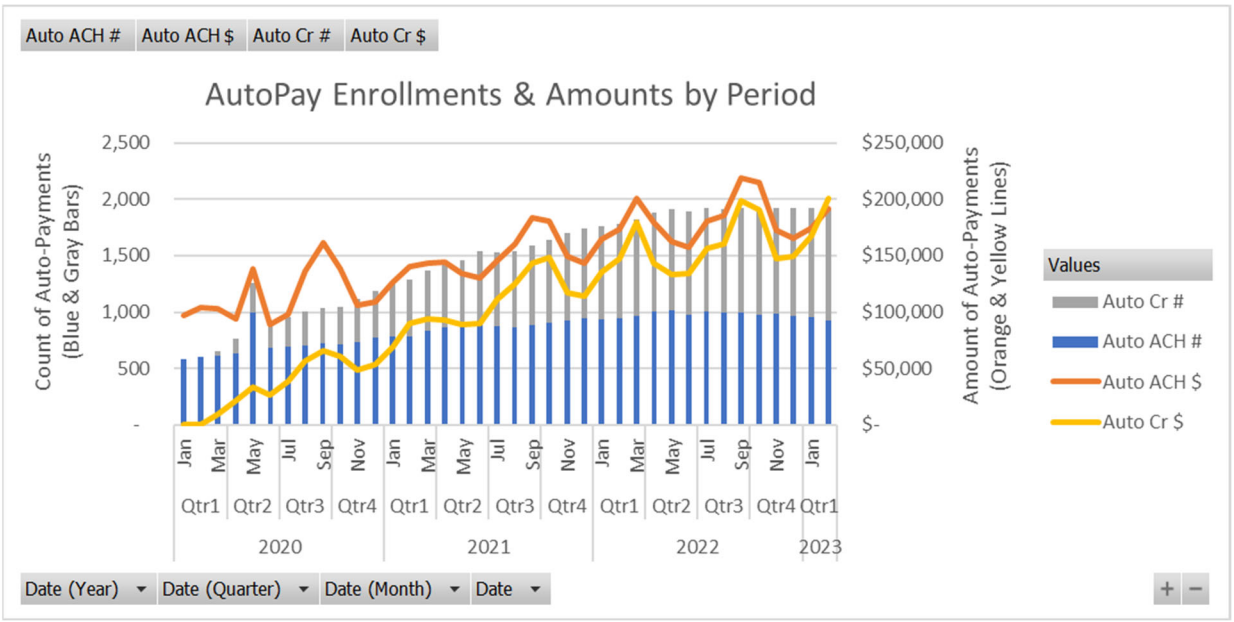
www.cityofmilford.com

- Billing & Customer Service Department, Continued



  - Past due utility balances improved for the third month in a row thanks to continued efforts of the customer service team to reach out to closed account holders with personal phone calls prior to remitting accounts to the City's third-party collections firm, among other active account management
  - March results are favorable compared to averages and mixed versus last March
    - The accounts with any amount past due (blue line) are 19% below the long-term average and 32% below last March
    - The dollar amount past due (orange line) is higher than last March but lower than the long-term average
  - The graph below exhibits the number and dollar amount of automatic payments by type and period from 2020 through March 31, 2023
    - The auto-payment count is up almost 2% this month than last, while dollar volume is about $11,000 higher (2.9%) than February
    - The auto-payment count is 7.4% higher this March than last, and dollar volume is nearly $23,000 higher (6%) than last March



DLLG April 20, 2023 Dinner Meeting

DLLG members, League partners, and friends are cordially invited to attend the Delaware League of Local Governments' monthly dinner meeting from 5:30 - 8:00 p.m. on Thursday, April 20, 2023 at the Maple Dale Country Club in Dover. The event features a keynote presentation from Kurt Foreman, President and CEO of the Delaware Prosperity Partnership (DPP).

Foreman's presentation will highlight how Delaware local governments can explore, attract, respond, and successfully secure business investment best suited to their location. In addition, Foreman will explain how DPP can work with Delaware local governments to boost economic development and investment readiness, how qualified local governments can apply for the Delaware Division of Small Business' Site Readiness Fund, and helpful resources - including DPP's Zoom Prospector Site Location Tool.

Chamber of Commerce for Greater Milford
24 NE Front St. ~ Suite 101
Milford, DE 19963
Phone: 302-422-3344
Fax: 302-422-7503
www.milfordchamber.com

March 20, 2023

Milford City Council
201 S. Walnut Street
Milford DE 19963

Dear Council Members:

The Chamber of Commerce for Greater Milford is excited to host the 22nd Riverwalk Freedom Festival scheduled for Saturday, September 16, 2023. As in the past, the event will be held on one day, with vendors and various attractions beginning at 9 am continuing throughout the day, concluding with fireworks after dark that evening. We would like to host the Red, White and Brew Garden in Bicentennial park again this year. We request your permission to waive the alcohol restrictions in the park on the date of the festival.

We will use a similar layout that has worked so well in past years. There will be a fenced area in a section of the park with a view of the stage. We will be checking identifications and applying wrist bands to those twenty-one (21) years old or older. This will allow the purchase and consumption of alcoholic beverages in the designated area only. As the Delaware Alcoholic Beverage Control regulations permit, the designated area will be family friendly, so all ages will be permitted to enter the area. We will have one entrance/exit clearly marked with eye level signage that no alcoholic beverages are permitted beyond the designated area. We will have crowd monitors to assure no one leaves the area with alcohol. We will have a portable restroom in the enclosed area, as well as multiple trash bins. We plan to have cornhole and food vendor(s) in the area as well. We will provide several open tents to provide shade, cover and in the evening the area will be well lit. All Delaware Alcoholic Beverage Control regulations regarding alcohol service, including obtaining a “Gathering License" will be observed and adhered to.
The Brew Garden would open at 12 noon on Saturday, September 16th and would close at 10:30 pm. All alcoholic beverage sales will end promptly at 10:00 pm. We are requesting your approval to waive the restrictions against alcohol in the park on this date. If you have any questions, please contact me at 302-588-3573 or email at angeladorey@comcast.net.

Thank you for your consideration in this matter.

Sincerely,

Angela Dorey
Event Chairperson

March 27, 2023

Milford City Council
201 South Walnut Street
Milford, DE 19963

RE: 2023 Milford LadyBug Festival

City Council -

Downtown Milford and the greater Milford community very much appreciates the partnership with the City of Milford in providing a stage for female musicians and groups from the mid-Atlantic, north east, and national stages.

This year, in partnership with Gable Music, DMI is expecting the largest LadyBug music festival to date. Changes have been made to attract larger and more popular female groups from across the country while providing a stage for popular local groups as well.

DMI is requesting two decisions from the Council this evening:

1. Approval in the total amount of $55,000 for this event (increase of $15,000 from previous year)
2. Approval for two payouts from the City of Milford (1) on July 1 - $25,000 and (2) on August 15 - $30,000.

We have not yet publicly released the date for this event but currently are targeting September 30th. This provides for two weeks between the Riverwalk Freedom Festival and the LadyBug Festival while moving the festival to a cooler time of year to provide for a more comfortable atmosphere for Milford and community based attendees. We recognize the substantial investment that the City is making and have a plan to make this event self-sustaining within 4 years.

For additional information and to view a copy of the contract with Gable Music, please see attached.

Again, thank you so much for your partnership in providing community events to Milford.

Respectfully,

James Rabe

President, Board of Directors
Downtown Milford Inc.
10 S Walnut St.
Milford, DE. 19963

OFFICE OF THE CHIEF OF POLICE
CECILIA E. ASHE
cecilia.ashe@cj.state.de.us

THE CITY of Milford DELAWARE

400 NE Front Street
Milford Delaware 19963
302.422.8081 Fax 302.424.2330

DATE: April 4, 2023

TO: Mayor & Council
Mark Whitfield, City Manager

FROM: Chief Cecilia E. Ashe

RE: Authorization for additional funds for Take Home Car Program

A recent request was made before City Council in March to allow for the Police Department to purchase police vehicles for the Assigned Vehicle Program. Over the last several weeks we were able to purchase four (4) Chevrolet Tahoes and four (4) Dodge Chargers. However after assessing the current funding for this project we are projecting that the project will be short by approximately $203,000. Since City Council's original approval of this project in November of 2021, costs of vehicles and equipment have only increased. Therefore I am requesting that the Police Department be provided with additional funding in the amount of $203,000, which will allow us to purchase the final three vehicles needed to complete the project. Thank you for your time and consideration in this matter.

FISCAL NOTE

The eligibility to utilize funding through the American Rescue Plan Act (ARPA) was established and approved by City Council in connection with the initial approval for the Assigned Vehicle Program. At the time, the expected cost of 15 vehicles approached $885,000, all of which was supported through ARPA funding. Later, $500,000 in Sussex County matching funds were provided to support PD vehicle purchases, which permitted us to reduce the ARPA allocation to $500,000 while increasing the total funding to $1 million to support the 15 assigned vehicles as well as the three vehicles scheduled for replacement in the approved FY23 CIP & O&M budgets. Of the $385,000 in ARPA funding able to be redeployed, only $182,000 was directed to other infrastructure projects, with the remaining $203,000 reserved for general administrative support (and, truly, reserved as a hedge in the event of unanticipated project contingencies, but residually available for absorption into administrative support in the absence of any contingencies). The funding requested to complete the Assigned Vehicle Program may be met with ARPA funding without displacing funding for any other ARPA-funded projects, opportunity costs notwithstanding.

FINANCE DEPARTMENT
10 SE Second Street
Milford, DE 19963

THE CITY of Milford DELAWARE

PHONE 302.424.5140
FAX 302.424.5932
www.cityofmilford.com

Date: April 6, 2023 (revised April 8, 2023)

To: Mayor and City Council

From: Louis C. Vitola, Finance Director

Re: Recommendation to Supplement PD Facility Financing with Reserves

EXECUTIVE SUMMARY

Staff recommend that Council approve internal financing of $5 million from Realty Transfer Tax ("RTT") reserves and $3.5 million from electric fund, lodging tax and/or economic development fund reserves to be reimbursed at an annual rate of 1.00% to support PD Facility construction costs from May 2023 through the date the City closes on the second of two USDA Community Facility loans, which is expected to occur by March 31, 2024. This internally-sourced financing would save approximately $226,000 in project costs from the owner's contingency portion of the PD Facility budget. Further, it would not impact the City's electric rates or rate study, infringe on funding availability for any other City project, violate the City's cash reserve policies, or violate any restrictions on the usage of funds imposed at the state level.

ADDITIONAL INFORMATION

The PD Facility Project is utilizing $1 million in reserves and $16.5 million in short-term Bond Anticipation Notes (the "BAN") to finance costs through the construction period, at which point the temporary BAN financing will be refinanced with long-term USDA funding. Capitalized interest costs estimated at $0.4 million constitute a majority of the owner's contingency budget for the Project. Sharp increases in short-term interest rates threaten to double the budgeted capitalized interest costs. Fortunately, the option for a staggered loan settlement process with the USDA would help reel in interest costs to avoid breaching the original capitalized interest budget. Staying within the original budget is a fine goal, but the staggered USDA closing and the changes in interest rates since the budget was initially developed also present an opportunity to save $226,000 in interest costs by temporarily leveraging $8.5 million in City reserves from May 2023 through project completion.

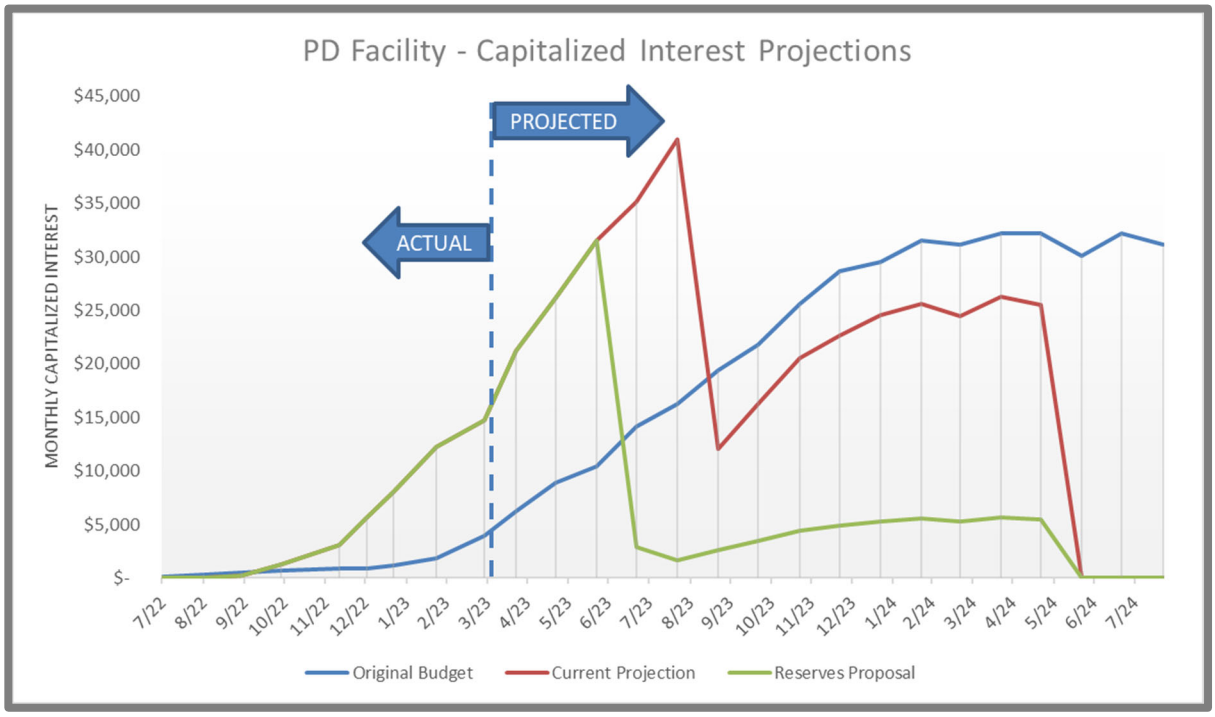
Electric, RTT, and lodging/economic development funds are being recommended for the internal financing because they are available in sufficient quantity without impacting the City's other project needs, the use is consistent with the City's cash reserve policies and any state-level restrictions on the funding (RTT), and each funding source alone would otherwise be eligible to permanently fund the entirety of the PD project. Further, the use of the electric funds will not influence the City's electric rate study or electric rates. See page two for a graphical representation of the capitalized interests costs as initially budgeted ($411k), currently projected ($398k), and self-funded alternative ($171k).

RECOMMENDATION

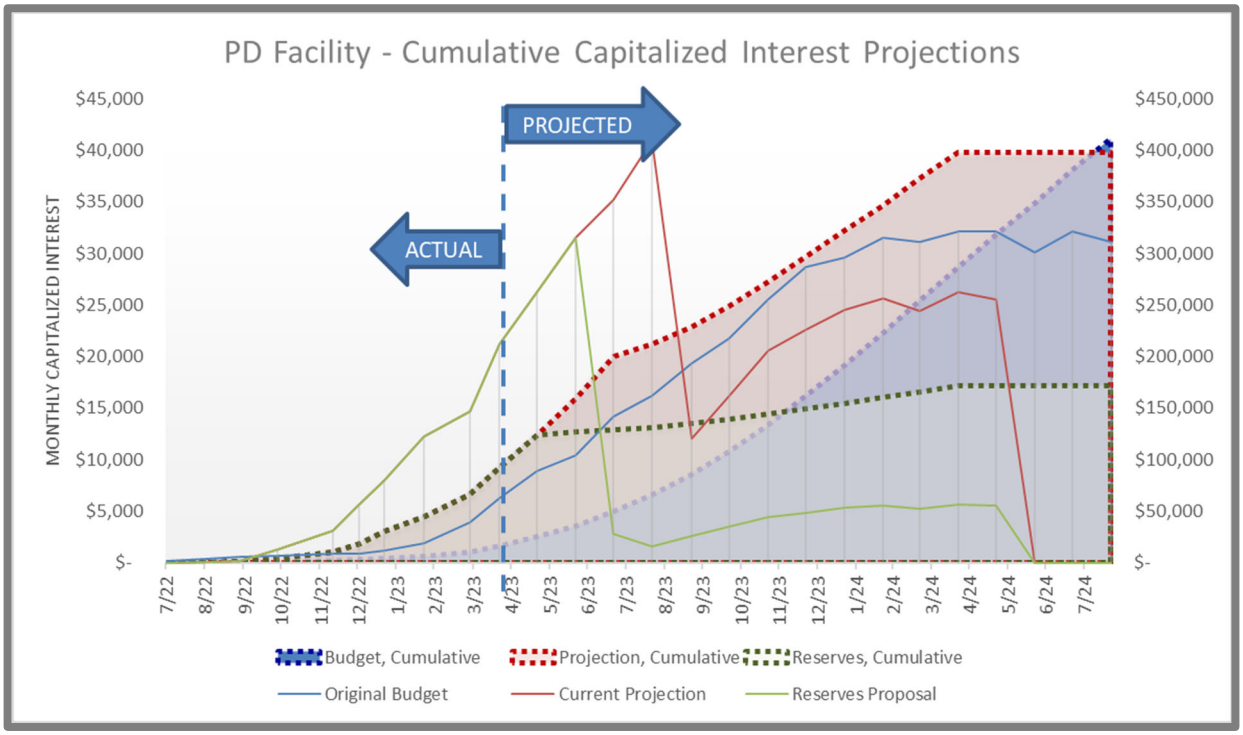
Staff recommend that Council approve internal financing of $5 million from RTT reserves and $3.5 million from electric fund, lodging tax and/or economic development fund reserves to be reimbursed at an annual rate of 1.00% to support PD Facility construction costs from May 2023 through the settlement date of the final USDA Community Facility loan as approved for the PD Facility construction project on December 12, 2022.

CAPITALIZED INTEREST SAVINGS POTENTIAL

In the graph below, the blue line represents the initial capitalized interest budget in terms of monthly interest expense over the construction period. The area under the curve represents the total capitalized interest budget of $411k. The red line projects the total capitalized interest costs based on the first ten months of actual experience and a projection through the project completion date based on current rates and a mid-project loan closing with the USDA for the first $8.5 million in project costs. The area under the red curve totals $398k, which fits within the existing project budget despite the sharply increased short-term interest rates thanks to the staggered USDA loan closing process. The green line represents the recommended alternative. By self-financing $8.5 million of the project, we can nearly eliminate cash interest costs during the second half of the project and save up to $227k.



The graph below layers in the cumulative interest costs for each of the three scenarios described.



City of Milford, DE

Electric Financial Projection

March 22, 2023

Corporate location:
Utility Financial Solutions, LLC
185 Sun Meadow Court
Holland, MI USA 49424

UTILITY FINANCIAL SOLUTIONS, LLC

March 22, 2023

Mr. Louis Vitola
Finance Director
10 SE 2nd St.
Milford, DE 19963

Dear Mr. Vitola,

We are pleased to present this executive summary report for a financial projection in the Electric Department completed for the City of Milford. This report was prepared to provide the utility with a comprehensive examination of its existing financials by an outside party.

The specific purposes of this long-term financial projection study are:

1) Determine electric utility's revenue requirements for fiscal year 2024,
2) Projected rate adjustments needed to work toward targeted revenue requirements.

This report includes results of the financial projections and identifies projected future rate adjustments of the Electric Department. Specific findings included in this report are:

1) Projected rate tracks are based on the utilities ability to meet three factors listed below:
    a. Debt Coverage Ratio,
    b. Minimum Cash Reserves,
    c. Optimal Net Income.

This report is intended for information and use by management and the Board of Directors for purposes stated above and is not intended to be used by anyone except the specified parties.

Sincerely,

Dawn Lund

Utility Financial Solutions, LLC
Dawn Lund
Vice-President

UTILITY FINANCIAL SOLUTIONS, LLC

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Significant Assumptions	**7**
Electric Department Findings	**8**
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INTRODUCTION

This report was prepared to provide the City of Milford with a long-term financial projection and rate track. The specific purposes of the financial plan are identified below:

1) ***Determine electric utility's revenue requirements for fiscal year 2024***. The Electric Utility's revenue requirements were projected for the period from 2023 – 2027 and included adjustments for the following:
    a. Anticipated power costs,
    b. Capital improvements currently underway and scheduled over next five years. The Utility provided capital improvement information.

2) ***Projected rate adjustments needed to meet targeted revenue requirements.*** The primary purpose of this study is to identify appropriate revenue requirements and the rate adjustments needed to work toward requirements. The report includes a long-term rate track for the City of Milford to help ensure the financial stability of the utility in future years. The rate track was designed after discussions with management to work towards targets, while keeping rate adjustments to a certain threshold to minimized rate impact to customers.

The City of Milford retained Utility Financial Solutions, LLC to review the above items and report on findings on the appropriate course of action. This report includes results of the long-term financial projection.

Utility Revenue Requirements

Revenue requirements for the City of Milford were projected for 2024 based on 2022 actual, and 2023 Budget expenses. Revenues and expenses were analyzed with adjustments made to actual expenses to reflect projected operating characteristics.

Table One is the projected financial summary for the Electric Department from 2023 – 2027 without rate adjustments. Projections indicate an operating loss of ($625,062) in 2023 and losses increase to an operating loss of ($1.2) million in 2027. Cash balances and debt coverage ratios decline throughout the projection period.

Table One – Projected Financial Summary – (Without Rate Adjustments)

Fiscal Year	Projected Rate Adjustments	Capital Improvements Plan	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Targeted Minimum Cash
2023	0.0%	$ 428,000	2.64	$25,812,173	$27,808,629	$ (625,062)	$ 885,529	$19,739,289	$ 9,284,307
2024	0.0%	672,000	2.60	25,711,947	27,680,776	$ (652,687)	901,105	$19,604,143	9,261,478
2025	0.0%	1,327,000	2.30	25,649,800	27,468,865	$ (802,452)	946,168	$18,708,343	9,272,698
2026	0.0%	1,628,000	1.92	25,772,130	27,419,127	$ (974,520)	1,005,786	$17,388,903	9,319,353
2027	0.0%	1,365,000	1.58	25,942,250	27,413,144	$ (1,150,624)	1,053,993	$16,214,629	9,373,292

1. The five-year capital improvement plan was provided by the Utility.
2. Financial projections should be updated during the budgeting process each year as expenses and capital expenditures change from projections.

DEVELOPMENT OF FINANCIAL TARGETS

When evaluating rates to charge customers, three key factors must be considered:

1. Debt Coverage Ratio
2. Minimum Cash Reserves
3. Optimal Net Income

Each of these factors is discussed below:

1. **Debt Coverage Ratio –** The minimum targeted debt coverage ratio for prudent financial planning purposes is 1.45 for the outstanding revenue bonds on the Electric Department. Maintaining a debt coverage ratio of 1.45 is good business practice and helps to achieve the following:

    a. Helps to ensure adequate funds are available to meet debt service payments in years when sales are low due to cold summers or loss of a major customer(s).
    b. Obtain higher bond rating, if revenue bonds are sold in the future, to lower interest cost.

    Table Two below indicates projected debt coverage ratios from 2023-2027.

Table Two – Debt Coverage Ratio – (Without Rate Adjustments)

Description	Projected 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027
Debt Coverage Ratio					
Net Income	$ (523,278)	$ (545,583)	$ (691,216)	$ (862,956)	$ (1,040,651)
Add Depreciation/Amortization Expense	1,308,996	1,322,436	1,362,416	1,421,516	1,481,376
Add Interest Expense	100,045	95,338	90,531	85,724	80,717
Cash Generated from Operations	$ 885,763	$ 872,191	$ 761,731	$ 644,284	$ 521,443
Debt Principal and Interest	$ 335,045	$ 335,338	$ 330,531	$ 335,724	$ 330,717
Projected Debt Coverage Ratio (Covenants)	**2.64**	**2.60**	**2.30**	**1.92**	**1.58**
Minimum Debt Coverage Ratio	**1.45**	**1.45**	**1.45**	**1.45**	**1.45**

2. **Minimum Cash Reserve Target** - To help ensure timely completion of capital improvements and enable the utility to meet requirements for large unexpected expenditures, a minimum cash reserve policy should be established. Minimum cash reserves attempt to quantify the minimum amount of cash the utility should keep in reserve, actual cash reserves may vary substantially above the minimum and is dependent on the life cycle of assets that are currently in service. The methodology used in this report is based on certain assumptions related to percent of operation and maintenance, rate base, capital improvements, and debt service. The establishment of minimum cash reserves should consider a number of factors including:
   - **Working Capital Lag** - Timing differences between when expenses are incurred, and revenues received from customers. Establishing a minimum cash reserve helps to ensure cash exists to pay expenses in a timely manner.
   - **Investment in assets** – Catastrophic events may occur that require substantial amounts of cash reserves to replace damaged assets. Some examples of catastrophic events include ice storms, earthquakes, wind storms, floods, or tornadoes. Many of these catastrophic events may allow the utility to recover the cost of damages from FEMA; however, FEMA reimbursements can take between 6 months to 2 years to recover. The utility should ensure adequate cash reserves exist to replace the assets in a timely fashion. The minimum reserve levels are often combined with emergency funding from banks or bonding agencies.
   - **Annual debt service** – Debt service payments do not occur evenly throughout the year and often occurs at periodic times typically every six months. The utility has to ensure adequate cash reserves exist to fund the debt service payment when the payment is due.
   - **Capital improvement program** – Some capital improvements are funded through bond issuances and some through cash reserves. The establishment of a minimum cash reserve level helps to ensure timely replacement or construction of assets.

The minimum cash reserves calculation for the Electric Department is $9.3 million. The projected cash reserves meet minimum targets throughout the projected years. Table Three provides the minimum cash reserve calculation.

Table Three – Minimum Cash Reserves – 2023–2027 (Without Rate Adjustments)

	Percent Allocated	Projected 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027
Operation & Maintenance Less Depreciation Expense	12.3%	$ 774,143	$ 789,926	$ 803,461	$ 817,389	$ 831,720
Purchase Power Expense	12.3%	2,569,997	2,540,200	2,514,074	2,507,942	2,507,205
PCA Premium	10%	2,084,553	2,060,385	2,039,194	2,034,220	2,033,621
Historical Rate Base	3%	1,045,844	1,066,004	1,105,814	1,154,654	1,195,604
Current Portion of Debt Service Reserve	100%	335,338	330,531	335,724	330,717	330,710
Five Year Capital Improvements - Net of bond proceeds	20%	1,084,000	1,084,000	1,084,000	1,084,000	1,084,000
Loss of Major Customer	5%	1,390,431	1,390,431	1,390,431	1,390,431	1,390,431
Minimum Cash Reserve Levels		**$ 9,284,307**	**$ 9,261,478**	**$ 9,272,698**	**$ 9,319,353**	**$ 9,373,292**
Projected Cash Reserves		**$ 19,739,289**	**$ 19,604,143**	**$ 18,708,343**	**$ 17,388,903**	**$ 16,214,629**

Cash reserves meet minimum targets throughout the projection period.

Notes:

1. Operation and maintenance expenses exclude purchased power costs and exclude depreciation expense.
2. Rate base is historical investment in plant and equipment.
3. Average five-year capital is budgeted capital improvements for next five years and excludes capital improvements funded through debt issuances.

3. **Optimal operating income targets** - The optimal target for setting rates is the establishment of a target operating income to help ensure the following:

    1. Funding of Interest Expense on the outstanding principal on debt. Interest expense is below the operating income line and needs to be recouped through the operating income balance.
    2. Funding of the inflationary increase on the assets invested in the system. The inflation on the replacement of assets invested in the utility should be recouped through the Operating Income
    3. Adequate rate of return on investment to help ensure current customers are paying their fair share of the use of the infrastructure and not deferring the charge to future generations.

As improvements are made to the system, the optimal operating income target will increase unless annual depreciation expense is greater than yearly capital improvements. The target established for the projection period is approximately $960,000. Rate of return falls below the targeted minimum throughout the projection period.

Table Four - Optimal Operating Income Targets Compared to Projected

Target Operating Income	Percent Allocated	Projected 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027
Interest on Debt	2.66%	$ 100,045	$ 95,338	$ 90,531	$ 85,724	$ 80,717
System Equity	8.25%	$ 785,484	$ 805,767	$ 855,637	$ 920,062	$ 973,276
Target Operating Income		**$ 885,529**	**$ 901,105**	**$ 946,168**	**$ 1,005,786**	**$ 1,053,993**
Projected Operating Income		**$ (625,062)**	**$ (652,687)**	**$ (802,452)**	**$ (974,520)**	**$ (1,150,624)**
Rate of Return in %		**6.3%**	**6.7%**	**7.1%**	**7.4%**	**7.9%**

The projected operating income is below optimal targeted operating income throughout the projection period.

SUMMARY OF FINANCIAL POSITION

PROPOSED RATE TRACK

Table Five below is the five-year financial projection with proposed rate increases of 1.2% in 2024-2027. The rate track was set to establish and operating income instead of losses. The rate track should be reviewed with the budget process as changes in expenses and capital can impact the rate track.

Table Five – Projected Financial Summary (With Rate Adjustments)

Fiscal Year	Projected Rate Adjustments	Capital Improvements Plan	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Targeted Minimum Cash
2023	0.0%	$ 428,000	2.64	$25,812,173	$27,808,629	$ (625,062)	$ 885,529	$19,739,289	$ 9,284,307
2024	1.2%	672,000	3.58	25,711,947	28,010,673	$ (322,791)	901,105	$19,934,039	9,261,478
2025	1.2%	1,327,000	4.32	25,649,800	28,132,616	$ (138,701)	946,168	$19,703,639	9,272,698
2026	1.2%	1,628,000	4.92	25,772,130	28,420,739	$ 27,093	1,005,786	$19,390,788	9,319,353
2027	1.2%	1,365,000	5.67	25,942,250	28,756,672	$ 192,904	1,053,993	$19,570,052	9,373,292

Significant Assumptions

This section outlines the significant assumptions for the City of Milford electric study.

Forecasted Operating Expenses

Forecasted expenses were based on 2022 adjusted for power supply costs and inflation. Inflation for the period is expected to be 4.9% in 2023, 3.5% in 2024, and 2.9% in 2025-2027.

Power Supply

Power supply costs were provided by the Utility.

Sales Forecast

Growth rates were projected to be 0.0%.

Revenue Forecast

The revenue forecast was based on 2022 usages adjusted for growth and rate change assumptions.

Capital Improvement Program

The capital improvement program was provided by the Utility and is listed below.

Fiscal Year	Capital Improvements Plan
2023	$ 428,000
2024	672,000
2025	1,327,000
2026	1,628,000
2027	1,365,000

Electric Department Findings

1. The projection indicates current revenues are not adequate to maintain the long-term financial health of the Utility. The rate track should be reviewed closely as part of the annual budget process as costs, revenues and capital may vary from projections and affect the rate track and bonding requirements. To ensure the utility meets financial targets and remains financially healthy, the following rate track should be considered.

Fiscal Year	Projected Rate Adjustments	Capital Improvements Plan	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Targeted Minimum Cash
2023	0.0%	$ 428,000	2.64	$25,812,173	$27,808,629	$ (625,062)	$ 885,529	$19,739,289	$ 9,284,307
2024	1.2%	672,000	3.58	25,711,947	28,010,673	$ (322,791)	901,105	$19,934,039	9,261,478
2025	1.2%	1,327,000	4.32	25,649,800	28,132,616	$ (138,701)	946,168	$19,703,639	9,272,698
2026	1.2%	1,628,000	4.92	25,772,130	28,420,739	$ 27,093	1,005,786	$19,390,788	9,319,353
2027	1.2%	1,365,000	5.67	25,942,250	28,756,672	$ 192,904	1,053,993	$19,570,052	9,373,292

2. The financial projection revenue, expenses and cash flow should be updated annually with the budget process to determine if the rate track is on target. The rate track was set at a minimum and any changes in capital or expenses can affect the future rate track.

RATE DESIGN AND IMPACTS

FINANCE DEPARTMENT
10 SE Second Street
Milford, DE 19963

THE CITY of Milford DELAWARE

PHONE 302.424.5140
FAX 302.424.5932
www.cityofmilford.com

Date: April 6, 2023

To: Mayor and City Council

From: Louis C. Vitola, Finance Director

Re: Introduction of Ordinance to Amend Electric Tariff; Electric Rate Study FY24-26

The enclosed redline changes to the Code of the City of Milford, Part II – General Legislation, Appendix B – Electric Rules and Regulations Including the Electric Tariff are being introduced on Monday, April 10, 2023 in connection with professional recommendations arising out of the City's FY23 engagement with Utility Financial Solutions, LLC (UFS) to perform an electric rate study covering FY24-FY26. The results of the study are also enclosed. UFS also performed the most recent cost of service study and rate update for the electric fund as well as rate studies for the City's water, sewer and solid waste funds. The Firm's Vice President, Dawn Lund, will join City Council virtually on April 24, 2023 to present UFS findings, recommend the enclosed rate action, and respond to questions and inquiries related to the engagement.

Thank you in advance for the time and effort you invest in the review of the enclosed report.

APPENDIX B ELECTRIC RULES AND REGULATIONS

City of Milford

—-Electric Division—-

Rules and Regulations
Including the
Electric Tariff

For

City of Milford
201 South Walnut Street
Milford, Delaware 19963
Phone 302-424-3712
Fax 302-424-3558

APPENDIX B
ELECTRIC RULES AND REGULATIONS[1]

(Updated with Marked Changes Reflecting Recommendations in FY24-26 Electric Rate Study)

[1]Editor's note(s)—Contained herein are the City of Milford Electric Rules and Regulations adopted June 22, 2015, and effective July 2, 2015. Where further amendatory ordinances have been incorporated, citations are in brackets following the amended provisions. The system of headings, catchlines, capitalization, citation to state statutes, and expression of numbers in text remains unchanged. See Code Comparative Table for detailed history of derivation.

3. The word "Tariff" also is used to refer to all of the rules and regulations governing the operation of the Electric Department and the supply of electric service. Consequently, "Tariff" is sometimes synonymous with "Rules and Regulations".

2.30 UTILITY

"Utility" shall mean City of Milford Electric Department, or any successor organization, that provides electric service to the Customers in the City's service area.

2.31 YEAR ONE

June 1, ~~2020~~ 2023 to June 30, ~~2021~~ 2024

2.32 YEAR TWO

July 1, ~~2021~~ 2024 to June 30, ~~2022~~ 2025

2.33 YEAR THREE

July 1, ~~2022~~ 2025 to June 30, ~~2023~~ 2026

[Ord. No. 2020-13, § 2, 5-11-2020]

SECTION 3 APPLICATION AND CONTRACT FOR SERVICE

3.1 APPLICATION FOR SERVICE FOR OWNER OCCUPIED PROPERTIES

An application for the supply of service is required from each Applicant (prospective Customer). This application, when executed by the City and the Applicant, shall be subject to the terms of the applicable Service Classification and these Rules and Regulations. The City reserves the right to require reasonable evidence of the Applicant's identity and service address, satisfactory to the City, and to make a reasonable credit investigation of such prior to rendering service. The City reserves the right to require a written application from any Applicant executed in a form satisfactory to the City. Applicants shall be eighteen years of age or older.

3.2 APPLICATION FOR SERVICE FOR NON-OWNER OCCUPIED PROPERTIES

An application for the supply of service is required from each Applicant (prospective Customer). This application, when executed by the City and the Applicant, shall be subject to the terms of the applicable Service Classification and these Rules and Regulations. The City reserves the right to require reasonable evidence of the Applicant's identity by requiring the Applicant to provide a valid identification card or driver's license issued by the State of Delaware or a valid U.S. Military Identification card and service address satisfactory to the City and to make a reasonable credit investigation of such prior to rendering service. The City reserves the right to require a written application from any Applicant executed in a form satisfactory to the City. Applicants shall be eighteen years of age or older.

3.3 RIGHT TO REJECT APPLICATION

The City shall have the right to reject and may reject any application for Service if the Applicant does not meet all the requirements of the Rules and Regulations and Tariff. The Applicant shall be given the reason or reasons for rejection of the application for service in writing, if requested.

3.4 ONE POINT OF DELIVERY

The Service Classifications of the Tariff, unless otherwise stated, are based upon the supply of the Service to one entire premise through a single delivery and metering point. The City will supply only one metering installation for each Class of Service. The use of Service at two or more separate properties will not be combined for billing purposes. The City reserves the right to deliver Service to more than one point where

SECTION 24 FEES, CLASSIFICATIONS AND SCHEDULES

The Fee Schedule is attached as Appendix 1 and supporting Worksheets are attached as Appendix 2 to this Tariff. Some of these Fees are described here.

Returned Check Fee

The City of Milford seeks to recover from each Customer the costs of bank processing fees for a returned check from that Customer with no gain or loss for the City.

Late Payment Charge

To encourage Customers to pay their electric bills on time, the City's policy is to charge the Customer a penalty on the outstanding balance of the Customer's bill after the due date. The City will set penalty rates.

Meter Inaccessibility Fee

To discourage Customers from allowing conditions to exist that prohibit City personnel from conducting their normal duties as meter reading, the City's policy is to charge the offending Customer an increasing penalty prior to service cutoff. The amounts are designed to be attention catching without being oppressive.

Right-of-Way Agreement

Generally, a Customer's provision to the City for a Right-of-Way is for the benefit of the Customer. Technically, however, the City is assuming control of the Right-of-Way (albeit for the purpose of providing electric service to the Customer).

24-1. FEE SCHEDULE

SERVICE CLASSIFICATIONS

24-2. RES—RESIDENTIAL SERVICE SCHEDULE

1. AVAILABILITY

   This rate applies to residences throughout the territory served by the City. Single phase electric Service will also be rendered to the dwelling appurtenances of single private family residences for domestic requirements and also for related farm or domestic purposes when such Service is supplied through one meter.

2. TERM OF SERVICE

   Residential service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3.6 of Rules and Regulations.

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~19.00~~21.25	$~~20.00~~21.50	$~~21.00~~21.75
Energy Charge:			
Block 1 (0—2,500 kWh)	$0.~~10560~~ 10477	$0.~~10456~~ 10603	$0.~~10353~~ 10730
Block 2 (Excess)	$0.~~11760~~ 11692	$0.~~11656~~ 11832	$0.~~11553~~ 11974

4. BILLING PERIOD

(SGS) provided that the Customer has not used more than 3,500 kWh for any two consecutive billing months within the most recent 12 months.

2. TERM OF SERVICE

Subject to conditions specified, Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3 of Rules and Regulations.

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~25~~30.00	$~~27~~31.00	$~~29~~32.00
Energy Charge:			
All Energy	$ 0.~~11258~~ 10918	$ 0.~~11039~~ 11017	$ 0.~~10821~~ 11127

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this Service Classification may be subject to Purchased Power Cost Adjustment (PPCA) charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charge under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MONTHLY FACILITIES CHARGE

A monthly charge to cover the fixed cost of supplying power to a Customer.

9. MINIMUM CHARGE

The minimum charge shall be the MONTHLY FACILITIES CHARGE. Minimum charge shall not be prorated.

10. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources. The City offers two rate options for this purpose. These are LCSS - Load Control Service Schedule and Net Metering Service.

11. AGRICULTURAL IRRIGATION USAGE

If a part of the power supplies, under this rate schedule, is used for commercial agricultural irrigation purpose, such consumption will not be used for changing the rate classification of the Customer and will be billed at all applicable kWh related rates under the SGS Rate Schedule.

12. PUBLIC UTILITIES TAX

In addition to the charges stated in this Service Classification, including Purchased Power Cost Adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21)

13. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-4. MGS—MEDIUM GENERAL SERVICE SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City of Milford. Electric service will be rendered through a single metering installation for the general lighting and/or power requirements of offices, institutions, professional or commercial establishments, and other applications outside the scope of other rate schedules.

This rate is available to any Customer having a maximum measured demand of less than 300 kW or a minimum of 3500 kWh and desiring service at the available secondary voltage as defined in Section 12.8. Any Customer taking service under this service classification whose measured demand in any four consecutive months is equal to or exceeds 300 kW shall be automatically transferred to Service Classification LGS, effective with the next succeeding billing month. Any Customer so transferred will remain on LGS, for at least 12 billing months, even though the Customer's maximum measured demand in succeeding months may be less than 300 kW.

After 12 billing months, at the Customer's request or when the City observes, upon a periodic review of the Customer's records, that the Customer has not exceeded 300 kW, the Customer will be transferred back to this service classification (MGS) provided that the Customer's monthly demand measurement has not exceeded 300 kW during any month within the most recent 12 months.

2. TERM OF SERVICE

Subject to conditions specified, Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3.

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~82~~99.50	$~~90.00~~101.50	$~~97.50~~103.50
Energy Charge:			
All Energy	$0.~~05246~~ 04770	$0. 04770 ~~05008~~	$0.04770
Demand Charge:			
All Demand	$~~14.80~~16.20	$~~15.30~~16.60	$~~15.80~~17.00

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

This rate is available to Customers having a maximum Measured Demand of 300 kW or greater who receive Service at the available secondary voltage as defined in Section 12.8. Any Customer served under this Service Classification shall remain on this Service Classification for at least 12 billing months, even though such Customer's maximum Measured Demand in succeeding months may be less than 300 kW. After 12 billing months, at the Customer's request or when the City observes, upon a periodic review of the Customer's records, that the Customer has not exceeded 300 kW, the Customer will be transferred back to Service Classification MGS provided that the Customer's monthly Measured Demand has not exceeded 300 kW during any month within the most recent 12 months.

2. TERM OF SERVICE

Service is offered on a month-to-month basis until terminated subject to the minimum period specified above and unless a special contract is required as discussed in Section 3 of Rules and Regulations.

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~165~~200.00	$~~180~~205.00	$~~195~~210.00
Energy Charge:			
On Peak	$0.~~06185~~ 05906	$0.~~06045~~ 05906	$0.05906
Off Peak	$0.~~05185~~ 04906	$0.~~05045~~ 04906	$0.04906
Demand Charge:			
All Demand	$~~15.25~~17.00	$~~15.75~~17.75	$~~16.25~~18.50

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this service classification shall be subject to Purchased Power Cost Adjustment charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charge under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MEASURED DEMAND

The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of a clock hour of the month during On-Peak hours as measured by the demand meter, taken to the nearest whole kilowatt.

9. ON-PEAK AND OFF-PEAK HOURS

On-peak hours are 6:00 AM to 10:00 PM Monday through Friday, excluding NERC holidays falling on weekdays. All other hours are Off-Peak hours.

10. POWER FACTOR

The average power factor of the Customer's installation, expressed to the nearest whole percent, shall be determined by metering installed by the City ratcheted to prevent reverse registration. If the actual average Power Factor is determined to be below a Base Power Factor as defined in Section 12.6 for any given month, the billing demand will be adjusted as per Section 12.6 of the Rules and Regulations.

11. BILLING DEMAND (TIME-OF-USE)

    The Billing Demand shall be the maximum Measured Demand during On-Peak Hours in each month.

12. MONTHLY FACILITIES CHARGE

    A monthly charge to cover the fixed cost of supplying power to a Customer.

13. MINIMUM CHARGE

    The minimum monthly charge shall be the MONTHLY FACILITIES CHARGE. MINIMUM CHARGE SHALL NOT BE PRORATED.

14. LOAD MANAGEMENT

    The City encourages its Customers to implement renewable energy and load management resources. The City offers two rate options for this purpose. These are LCSS - Load Control Service Schedule and Net Metering Service.

15. AGRICULTURAL IRRIGATION USAGE

    If a part of the power supplies, under this rate schedule, is used for commercial agricultural irrigation purpose, such consumption will not be used for changing the rate classification of the Customer.

16. PUBLIC UTILITIES TAX

    In addition to the charges stated in this Service Classification, including Purchased Power Cost Adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21).

17. RULES AND REGULATIONS

    The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-6. GSP—GENERAL SERVICE-PRIMARY VOLTAGE SCHEDULE

1. AVAILABILITY

   This rate applies to existing GSP Customers throughout the territory served by the City. Service will be rendered through a single metering installation under this Rate Schedule for lighting and/or power requirements of offices, institutions, and professional, commercial, or industrial establishments at primary voltage when the Customer owns and maintains the required transforming, switching and protection equipment and expected peak loads will be greater than 500 kW.

2. TERM OF SERVICE

   Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3 of Rules and Regulations.

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~330.00~~420.00	$~~370.00~~430.00	$~~410.00~~440.00
Energy Charge:			

On Peak	$0.~~06290~~05997	$0.~~06143~~05997	$0.05997
Off Peak	$0.~~05290~~04997	$0.~~05143~~04997	$0.04997
Demand Charge:			
All Demand	$~~14.29~~15.90	$~~14.79~~16.55	$~~15.29~~17.20

4. BILLING PERIOD

   Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

   All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment (PPCA) charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

   The monthly charge under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

   All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (See Section 22)

8. MEASURED DEMAND

   The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of a clock hour of the month during On-Peak hours as measured by the demand meter, taken to the nearest whole kilowatt.

9. ON-PEAK HOURS

   On-peak hours are 6:00 AM to 10:00 PM Monday through Friday, excluding NERC holidays falling on weekdays. All other hours are Off-Peak hours.

10. POWER FACTOR

    The average power factor of the Customer's installation, expressed to the nearest whole percent, shall be determined by metering installed by the City ratcheted to prevent reverse registration. If the actual average Power Factor is determined to be below a Base Power Factor as defined in Section 12.6 for any given month, the billing demand will be adjusted as per Section 12.6 of the Rules and Regulations.

11. BILLING DEMAND (TIME-OF-USE)

    The Billing Demand shall be the maximum Measured Demand during On-Peak Hours in each month.

12. MONTHLY FACILITIES CHARGE

    A monthly charge to cover the fixed cost of supplying power to a Customer.

13. MINIMUM CHARGE

    The minimum monthly charge shall be the MONTHLY FACILITIES CHARGE. MINIMUM CHARGE SHALL NOT BE PRORATED.

14. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources. The City offers two rate options for this purpose. These are LCSS - Load Control Service Schedule and Net Metering Service.

15. AGRICULTURAL IRRIGATION USAGE

If a part of the power supplies, under this rate schedule, is used for commercial agricultural irrigation purpose, such consumption will not be used for changing the rate classification of the Customer.

16. PUBLIC UTILITIES TAX

In addition to the charges stated in this Service Classification, including Purchased Power Cost Adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential Services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21)

17. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-7. SCS—SPECIAL CONTRACT SERVICE-PRIMARY VOLTAGE SCHEDULE

1. AVAILABILITY

This rate applies to customers throughout the territory served by the City. Service will be rendered through a single metering installation under this rate schedule for lighting and/or power requirements of offices, institutions, and professional, commercial, or industrial establishments at primary voltage when the Customer has executed an Electric Service Agreement with the City for full requirements Service with a term of at least five years, and the Customer owns and maintains the required transforming, switching, and protection equipment, and expected peak loads will be greater than 500 kW.

2. TERM OF SERVICE

Service under this Service Schedule is available for the initial term and subsequent renewal terms as stated in the Electric Service Agreement. Upon expiration or cancellation of the Service Agreement, continued Service will be available under the appropriate Service Schedule then in effect.

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~395.00~~425.00	$~~405.00~~435.00	$~~415.00~~445.00
Energy Charge:			
On Peak	$0.~~06595~~06170	$0.~~06382~~06170	$0.06170
Off Peak	$0.~~05595~~05170	$0.~~05382~~05170	$0.05170
Demand Charge:			
All Demand	$~~12.68~~15.18	$~~13.68~~15.68	$~~14.68~~16.18

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

h. The City will supply electricity, revamp when necessary, and maintain the equipment and optics which it owns. All other maintenance such as repairs/replacement of Customer owned pole will be at Customer's expense.

i. It is the Customer's responsibility to notify the City of any outage or problem with the operation of the Customer's private area light. No prorated credit on the Customer's bill will be allowed by the City for lack of Service when the City has not been notified of a problem.

j. Lamp renewals and/or maintenance will be performed during normal working hours within a reasonable period following notification of a problem by the Customer to the City.

k. All Private Area Lighting installations must be accessible to the City's maintenance trucks and personnel for revamping and repairs.

l. The City reserves the right to discontinue Service where cost of Service is excessive because of vandalism or other reasons.

7. Rate Schedules by equipment installation

Enclosed Asymmetric Luminaire with 2-1/2, 4 or 8 ft.

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
LED (100W)	$~~7.89~~8.05	$8.05 ~~$7.89~~	$8.05 ~~$7.89~~
LED (400W)	$~~10.85~~11.07	$11.07 ~~$10.85~~	$11.07 ~~$10.85~~
HPS (9500 Lumens)	$~~7.89~~8.05	$8.05 ~~$7.89~~	$8.05 ~~$7.89~~
HPS (16000 Lumens)	$~~10.85~~11.07	$11.07 ~~$10.85~~	$11.07 ~~$10.85~~
Mercury (22500 Lumens)	$~~22.69~~23.14	$23.14 ~~$22.69~~	$23.14 ~~$22.69~~
HPS (50000 Lumens)	$~~24.27~~24.76	$24.76 ~~$24.27~~	$24.76 ~~$24.27~~
Mercury (8600 Lumens)	$~~11.34~~11.57	$11.57 ~~$11.34~~	$11.57 ~~$11.34~~
250 Watt	$~~12.36~~12.61	$12.61 ~~$12.36~~	$12.61 ~~$12.36~~
MH (110000 Lumens)	$~~53.27~~54.34	$54.34 ~~$53.27~~	$54.34 ~~$53.27~~
MH (40000 Lumens)	$~~24.27~~24.76	$24.76 ~~$24.27~~	$24.76 ~~$24.27~~

The City does not offer Mercury, HPS, or Metal Halide lighting to any new Customer at this time.

8. GENERAL COST ADJUSTMENT

The monthly charges under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20).

9. GREEN ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification may be subject to Green/Renewable Energy Fund Rate. (Reference: Section 23).

10. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

11. PUBLIC UTILITIES TAX

In addition to the charges stated in this Service Classification, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate (Reference: Section 21).

24-9. AGR—AGRICULTURAL SERVICE SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City of Milford. Electric service will be rendered through a single metering installation for the general lighting and/or power requirements of active farms where the primary purpose of energy delivered is for the preparation of livestock.

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~82.50~~102.50	$~~90.00~~107.50	$~~97.50~~112.50
Energy Charge:			
All Energy	$0.~~05141~~ 04577	$0.~~04847~~ 04577	$0.04577
Demand Charge:			
All Demand	$ ~~14.80~~16.05	$ ~~15.30~~16.30	$ ~~15.80~~16.55

24-10. EDR—ECONOMIC DEVELOPMENT RATE SCHEDULE

1. PURPOSE

The purpose of this Economic Development Rate (EDR) is to provide a discount from the City's regular tariffs rates for Service to certain new and existing commercial and industrial Customers of the City if they make substantial new capital investments or create new employment opportunities and, in doing so, add or retain load in the City's Service territory.

2. AVAILABILITY

Customers to whom EDR is available are: (1) Customers eligible for or taking Service from the City under Service Classifications "MGS", "LGS", or "GSP"; (2) Whose operations at a facility in the City's Service territory, for which a discount under this Rate Schedule is sought, fall primarily under Standard Industrial Code classifications 20 through 38, and 60 through 67 except 65; (3) Who apply to the City in writing, for a discount under this Rate; and (4) Who satisfy all other EDR criteria described below.

Discounts under this Rate are available for New Load associated with either initial permanent Service (a "New Customer") or an expansion of existing Service (an "Expansion Customer") at a single integrated facility. The New Load of a New Expansion Customer must be at least 50 kW with a minimum of 60% load factor and the new Customer must have added at least 25 Investment Units as of the Operational Date. Discounts under this Rate may be available to the existing Customers, with a minimum load of 2,000 kW and a monthly load factor of 60% for enabling them to retain their loads.

The City shall have sole discretion in determining eligibility for discounts under this Rate, and the availability of such discounts may be limited or discontinued from time to time, as the City determines it is appropriate to do so. Examples of situations where discounts under this Rate are not available include when: (1) the identity of a Customer to whom the City currently provides, or has provided, Service has changed solely due to a name change, purchase, merger, consolidation, or reorganization; (2) A Customer has substituted one Service address in the City's Service territory for another; (3) Strikes, equipment failures, temporary plant shutdowns; or other similar circumstances are what allow the Customer to claim eligibility for discounts under this Rate; or (4) The economic development purpose of this Rate is not being served.

3. DEFINITIONS

3.1 New Load - For a New Customer, New Load is the total Metered Demand and Energy attributable to initial permanent Service. For an Expansion Customer, New Load is the net demand and energy attributable to the expansion, as determined by the City.

City of Milford, DE

Electric Financial Projection

March 22, 2023

Corporate location:
Utility Financial Solutions, LLC
185 Sun Meadow Court
Holland, MI USA 49424

March 22, 2023

Mr. Louis Vitola
Finance Director
10 SE 2nd St.
Milford, DE 19963

Dear Mr. Vitola,

We are pleased to present this executive summary report for a financial projection in the Electric Department completed for the City of Milford. This report was prepared to provide the utility with a comprehensive examination of its existing financials by an outside party.

The specific purposes of this long-term financial projection study are:

1) Determine electric utility's revenue requirements for fiscal year 2024,
2) Projected rate adjustments needed to work toward targeted revenue requirements.

This report includes results of the financial projections and identifies projected future rate adjustments of the Electric Department. Specific findings included in this report are:

1) Projected rate tracks are based on the utilities ability to meet three factors listed below:
    a. Debt Coverage Ratio,
    b. Minimum Cash Reserves,
    c. Optimal Net Income.

This report is intended for information and use by management and the Board of Directors for purposes stated above and is not intended to be used by anyone except the specified parties.

Sincerely,

Dawn Lund

Utility Financial Solutions, LLC
Dawn Lund
Vice-President

UTILITY FINANCIAL SOLUTIONS, LLC

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INTRODUCTION

This report was prepared to provide the City of Milford with a long-term financial projection and rate track. The specific purposes of the financial plan are identified below:

1) ***Determine electric utility's revenue requirements for fiscal year 2024***. The Electric Utility's revenue requirements were projected for the period from 2023 – 2027 and included adjustments for the following:
    a. Anticipated power costs,
    b. Capital improvements currently underway and scheduled over next five years. The Utility provided capital improvement information.

2) ***Projected rate adjustments needed to meet targeted revenue requirements.*** The primary purpose of this study is to identify appropriate revenue requirements and the rate adjustments needed to work toward requirements. The report includes a long-term rate track for the City of Milford to help ensure the financial stability of the utility in future years. The rate track was designed after discussions with management to work towards targets, while keeping rate adjustments to a certain threshold to minimized rate impact to customers.

The City of Milford retained Utility Financial Solutions, LLC to review the above items and report on findings on the appropriate course of action. This report includes results of the long-term financial projection.

Utility Revenue Requirements

Revenue requirements for the City of Milford were projected for 2024 based on 2022 actual, and 2023 Budget expenses. Revenues and expenses were analyzed with adjustments made to actual expenses to reflect projected operating characteristics.

Table One is the projected financial summary for the Electric Department from 2023 – 2027 without rate adjustments. Projections indicate an operating loss of ($625,062) in 2023 and losses increase to an operating loss of ($1.2) million in 2027. Cash balances and debt coverage ratios decline throughout the projection period.

Table One – Projected Financial Summary – (Without Rate Adjustments)

Fiscal Year	Projected Rate Adjustments	Capital Improvements Plan	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Targeted Minimum Cash
2023	0.0%	$ 428,000	2.64	$25,812,173	$27,808,629	$ (625,062)	$ 885,529	$19,739,289	$ 9,284,307
2024	0.0%	672,000	2.60	25,711,947	27,680,776	$ (652,687)	901,105	$19,604,143	9,261,478
2025	0.0%	1,327,000	2.30	25,649,800	27,468,865	$ (802,452)	946,168	$18,708,343	9,272,698
2026	0.0%	1,628,000	1.92	25,772,130	27,419,127	$ (974,520)	1,005,786	$17,388,903	9,319,353
2027	0.0%	1,365,000	1.58	25,942,250	27,413,144	$ (1,150,624)	1,053,993	$16,214,629	9,373,292

1. The five-year capital improvement plan was provided by the Utility.
2. Financial projections should be updated during the budgeting process each year as expenses and capital expenditures change from projections.

DEVELOPMENT OF FINANCIAL TARGETS

When evaluating rates to charge customers, three key factors must be considered:

1. Debt Coverage Ratio
2. Minimum Cash Reserves
3. Optimal Net Income

Each of these factors is discussed below:

1. **Debt Coverage Ratio –** The minimum targeted debt coverage ratio for prudent financial planning purposes is 1.45 for the outstanding revenue bonds on the Electric Department. Maintaining a debt coverage ratio of 1.45 is good business practice and helps to achieve the following:

    a. Helps to ensure adequate funds are available to meet debt service payments in years when sales are low due to cold summers or loss of a major customer(s).
    b. Obtain higher bond rating, if revenue bonds are sold in the future, to lower interest cost.

    Table Two below indicates projected debt coverage ratios from 2023-2027.

Table Two – Debt Coverage Ratio – (Without Rate Adjustments)

Description	Projected 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027
Debt Coverage Ratio					
Net Income	$ (523,278)	$ (545,583)	$ (691,216)	$ (862,956)	$ (1,040,651)
Add Depreciation/Amortization Expense	1,308,996	1,322,436	1,362,416	1,421,516	1,481,376
Add Interest Expense	100,045	95,338	90,531	85,724	80,717
Cash Generated from Operations	$ 885,763	$ 872,191	$ 761,731	$ 644,284	$ 521,443
Debt Principal and Interest	$ 335,045	$ 335,338	$ 330,531	$ 335,724	$ 330,717
Projected Debt Coverage Ratio (Covenants)	**2.64**	**2.60**	**2.30**	**1.92**	**1.58**
Minimum Debt Coverage Ratio	**1.45**	**1.45**	**1.45**	**1.45**	**1.45**

2. **Minimum Cash Reserve Target** - To help ensure timely completion of capital improvements and enable the utility to meet requirements for large unexpected expenditures, a minimum cash reserve policy should be established. Minimum cash reserves attempt to quantify the minimum amount of cash the utility should keep in reserve, actual cash reserves may vary substantially above the minimum and is dependent on the life cycle of assets that are currently in service. The methodology used in this report is based on certain assumptions related to percent of operation and maintenance, rate base, capital improvements, and debt service. The establishment of minimum cash reserves should consider a number of factors including:
   - **Working Capital Lag** - Timing differences between when expenses are incurred, and revenues received from customers. Establishing a minimum cash reserve helps to ensure cash exists to pay expenses in a timely manner.
   - **Investment in assets** – Catastrophic events may occur that require substantial amounts of cash reserves to replace damaged assets. Some examples of catastrophic events include ice storms, earthquakes, wind storms, floods, or tornadoes. Many of these catastrophic events may allow the utility to recover the cost of damages from FEMA; however, FEMA reimbursements can take between 6 months to 2 years to recover. The utility should ensure adequate cash reserves exist to replace the assets in a timely fashion. The minimum reserve levels are often combined with emergency funding from banks or bonding agencies.
   - **Annual debt service** – Debt service payments do not occur evenly throughout the year and often occurs at periodic times typically every six months. The utility has to ensure adequate cash reserves exist to fund the debt service payment when the payment is due.
   - **Capital improvement program** – Some capital improvements are funded through bond issuances and some through cash reserves. The establishment of a minimum cash reserve level helps to ensure timely replacement or construction of assets.

The minimum cash reserves calculation for the Electric Department is $9.3 million. The projected cash reserves meet minimum targets throughout the projected years. Table Three provides the minimum cash reserve calculation.

Table Three – Minimum Cash Reserves – 2023–2027 (Without Rate Adjustments)

	Percent Allocated	Projected 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027
Operation & Maintenance Less Depreciation Expense	12.3%	$ 774,143	$ 789,926	$ 803,461	$ 817,389	$ 831,720
Purchase Power Expense	12.3%	2,569,997	2,540,200	2,514,074	2,507,942	2,507,205
PCA Premium	10%	2,084,553	2,060,385	2,039,194	2,034,220	2,033,621
Historical Rate Base	3%	1,045,844	1,066,004	1,105,814	1,154,654	1,195,604
Current Portion of Debt Service Reserve	100%	335,338	330,531	335,724	330,717	330,710
Five Year Capital Improvements - Net of bond proceeds	20%	1,084,000	1,084,000	1,084,000	1,084,000	1,084,000
Loss of Major Customer	5%	1,390,431	1,390,431	1,390,431	1,390,431	1,390,431
Minimum Cash Reserve Levels		**$ 9,284,307**	**$ 9,261,478**	**$ 9,272,698**	**$ 9,319,353**	**$ 9,373,292**
Projected Cash Reserves		**$ 19,739,289**	**$ 19,604,143**	**$ 18,708,343**	**$ 17,388,903**	**$ 16,214,629**

Cash reserves meet minimum targets throughout the projection period.

Notes:

1. Operation and maintenance expenses exclude purchased power costs and exclude depreciation expense.
2. Rate base is historical investment in plant and equipment.
3. Average five-year capital is budgeted capital improvements for next five years and excludes capital improvements funded through debt issuances.

3. **Optimal operating income targets** - The optimal target for setting rates is the establishment of a target operating income to help ensure the following:

    1. Funding of Interest Expense on the outstanding principal on debt. Interest expense is below the operating income line and needs to be recouped through the operating income balance.
    2. Funding of the inflationary increase on the assets invested in the system. The inflation on the replacement of assets invested in the utility should be recouped through the Operating Income
    3. Adequate rate of return on investment to help ensure current customers are paying their fair share of the use of the infrastructure and not deferring the charge to future generations.

As improvements are made to the system, the optimal operating income target will increase unless annual depreciation expense is greater than yearly capital improvements. The target established for the projection period is approximately $960,000. Rate of return falls below the targeted minimum throughout the projection period.

Table Four - Optimal Operating Income Targets Compared to Projected

Target Operating Income	Percent Allocated	Projected 2023	Projected 2024	Projected 2025	Projected 2026	Projected 2027
Interest on Debt	2.66%	$ 100,045	$ 95,338	$ 90,531	$ 85,724	$ 80,717
System Equity	8.25%	$ 785,484	$ 805,767	$ 855,637	$ 920,062	$ 973,276
Target Operating Income		**$ 885,529**	**$ 901,105**	**$ 946,168**	**$ 1,005,786**	**$ 1,053,993**
Projected Operating Income		**$ (625,062)**	**$ (652,687)**	**$ (802,452)**	**$ (974,520)**	**$ (1,150,624)**
Rate of Return in %		**6.3%**	**6.7%**	**7.1%**	**7.4%**	**7.9%**

The projected operating income is below optimal targeted operating income throughout the projection period.

SUMMARY OF FINANCIAL POSITION

PROPOSED RATE TRACK

Table Five below is the five-year financial projection with proposed rate increases of 1.2% in 2024-2027. The rate track was set to establish and operating income instead of losses. The rate track should be reviewed with the budget process as changes in expenses and capital can impact the rate track.

Table Five – Projected Financial Summary (With Rate Adjustments)

Fiscal Year	Projected Rate Adjustments	Capital Improvements Plan	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Targeted Minimum Cash
2023	0.0%	$ 428,000	2.64	$25,812,173	$27,808,629	$ (625,062)	$ 885,529	$19,739,289	$ 9,284,307
2024	1.2%	672,000	3.58	25,711,947	28,010,673	$ (322,791)	901,105	$19,934,039	9,261,478
2025	1.2%	1,327,000	4.32	25,649,800	28,132,616	$ (138,701)	946,168	$19,703,639	9,272,698
2026	1.2%	1,628,000	4.92	25,772,130	28,420,739	$ 27,093	1,005,786	$19,390,788	9,319,353
2027	1.2%	1,365,000	5.67	25,942,250	28,756,672	$ 192,904	1,053,993	$19,570,052	9,373,292

Significant Assumptions

This section outlines the significant assumptions for the City of Milford electric study.

Forecasted Operating Expenses

Forecasted expenses were based on 2022 adjusted for power supply costs and inflation. Inflation for the period is expected to be 4.9% in 2023, 3.5% in 2024, and 2.9% in 2025-2027.

Power Supply

Power supply costs were provided by the Utility.

Sales Forecast

Growth rates were projected to be 0.0%.

Revenue Forecast

The revenue forecast was based on 2022 usages adjusted for growth and rate change assumptions.

Capital Improvement Program

The capital improvement program was provided by the Utility and is listed below.

Fiscal Year	Capital Improvements Plan
2023	$ 428,000
2024	672,000
2025	1,327,000
2026	1,628,000
2027	1,365,000

Electric Department Findings

1. The projection indicates current revenues are not adequate to maintain the long-term financial health of the Utility. The rate track should be reviewed closely as part of the annual budget process as costs, revenues and capital may vary from projections and affect the rate track and bonding requirements. To ensure the utility meets financial targets and remains financially healthy, the following rate track should be considered.

Fiscal Year	Projected Rate Adjustments	Capital Improvements Plan	Debt Coverage Ratio	Projected Expenses	Projected Revenues	Adjusted Operating Income	Target Operating Income	Projected Cash Balances	Targeted Minimum Cash
2023	0.0%	$ 428,000	2.64	$25,812,173	$27,808,629	$ (625,062)	$ 885,529	$19,739,289	$ 9,284,307
2024	1.2%	672,000	3.58	25,711,947	28,010,673	$ (322,791)	901,105	$19,934,039	9,261,478
2025	1.2%	1,327,000	4.32	25,649,800	28,132,616	$ (138,701)	946,168	$19,703,639	9,272,698
2026	1.2%	1,628,000	4.92	25,772,130	28,420,739	$ 27,093	1,005,786	$19,390,788	9,319,353
2027	1.2%	1,365,000	5.67	25,942,250	28,756,672	$ 192,904	1,053,993	$19,570,052	9,373,292

2. The financial projection revenue, expenses and cash flow should be updated annually with the budget process to determine if the rate track is on target. The rate track was set at a minimum and any changes in capital or expenses can affect the future rate track.

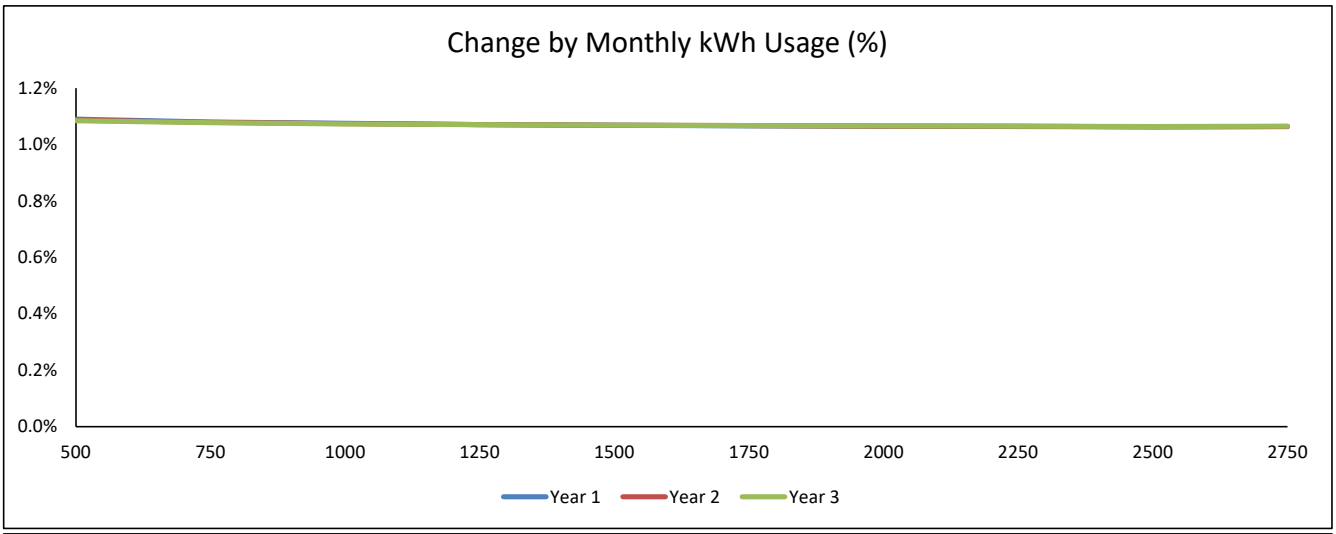
RATE DESIGN AND IMPACTS

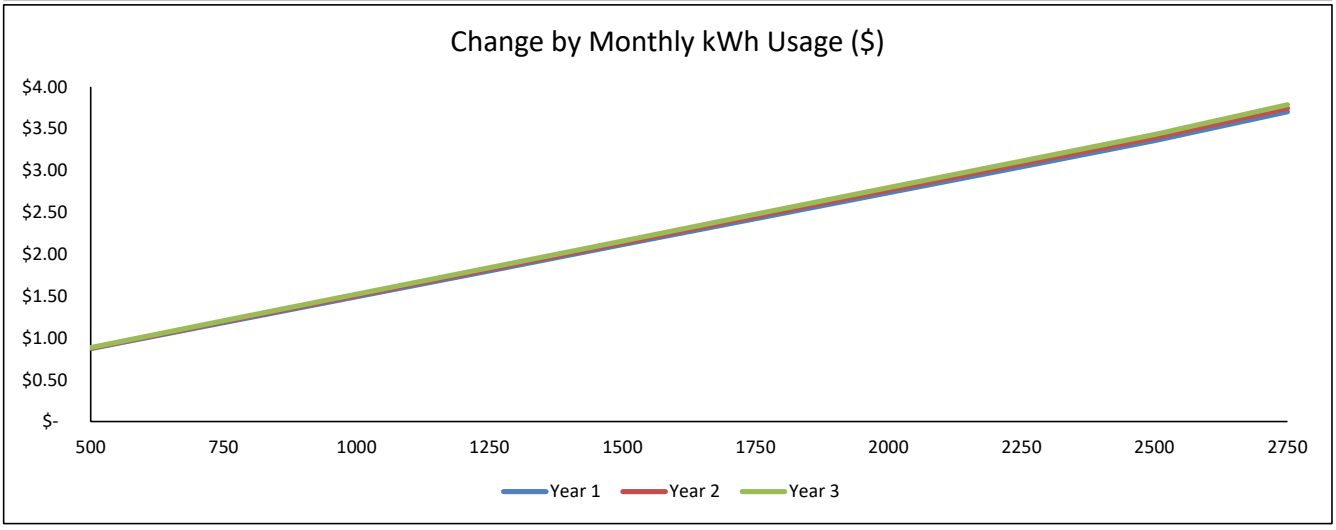
City of Milford
Rate Design
Rate Design Summary

Customer Class	Projected Revenues Under Current Rates	Projected Revenues Under Proposed Rates Year 1	Projected Revenues Under Proposed Rates Year 2	Projected Revenues Under Proposed Rates Year 3	Projected Revenue Change Year 1	Projected Revenue Change Year 2	Projected Revenue Change Year 3	Projected Percentage Change Year 1	Projected Percentage Change Year 2	Projected Percentage Change Year 3
Residential	$ 10,993,338	$ 11,111,674	$ 11,231,187	$ 11,351,891	$ 118,336	$ 119,513	$ 120,704	1.1%	1.1%	1.1%
Small General Service	1,341,144	1,359,491	1,377,914	1,397,358	18,348	18,423	19,443	1.4%	1.4%	1.4%
Private Area Lighting	39,962	39,962	39,962	39,962	-	-	-	0.0%	0.0%	0.0%
Municipal Street Lighting	83,382	83,382	83,382	83,382	-	-	-	0.0%	0.0%	0.0%
Medium General Service	5,569,359	5,636,877	5,704,396	5,771,914	67,519	67,519	67,519	1.2%	1.2%	1.2%
Large General Service	1,170,509	1,191,338	1,212,166	1,232,995	20,829	20,829	20,829	1.8%	1.7%	1.7%
General Service Primary	1,871,180	1,898,761	1,928,057	1,957,352	27,581	29,295	29,295	1.5%	1.5%	1.5%
Special Contract Primary	6,728,217	6,798,240	6,868,262	6,938,285	70,023	70,023	70,023	1.0%	1.0%	1.0%
Agricultural Service	61,378	62,124	62,870	63,616	746	746	746	1.2%	1.2%	1.2%
Totals	$ 27,858,469	$ 28,181,850	$ 28,508,197	$ 28,836,756	$ 323,381	$ 326,347	$ 328,559	1.2%	1.2%	1.2%

City of Milford - Electric
Rate Design
Projected Residential Rates

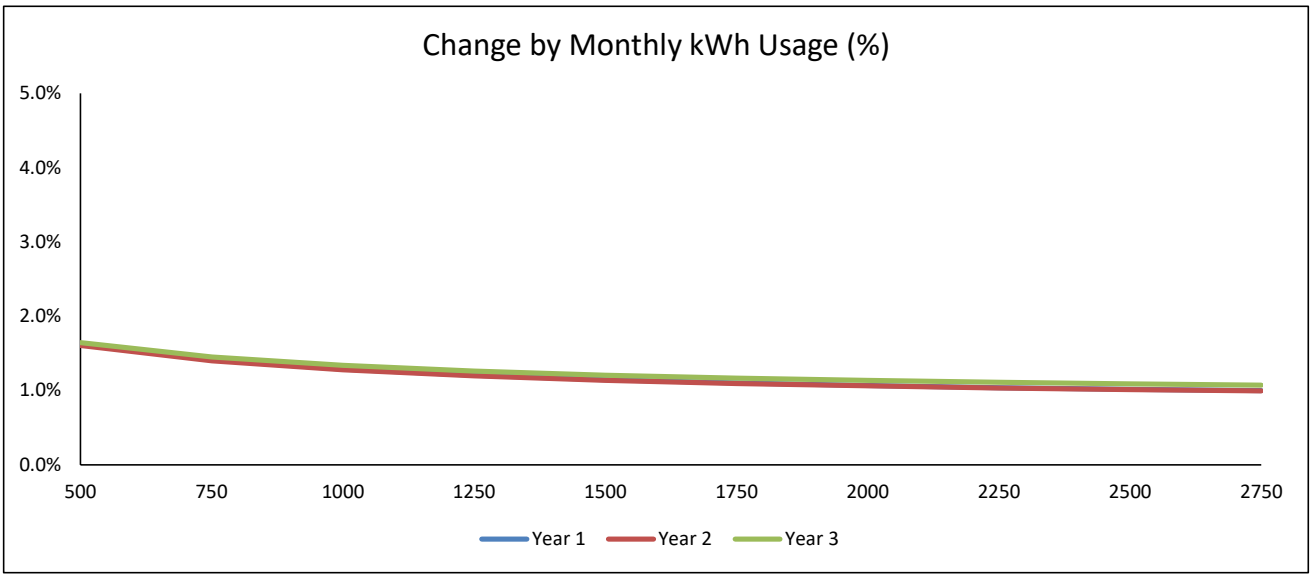
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	$ 21.00	$ 21.25	$ 21.50	$ 21.75
Energy Charge:				
Winter Block 1 (0 - 2,500 kWh)	$ 0.10353	$ 0.10477	$ 0.10603	$ 0.10730
Winter Block 2 (Excess)	$ 0.11553	$ 0.11692	$ 0.11832	$ 0.11974
Summer Block 1 (0 - 2,500 kWh)	$ 0.10353	$ 0.10477	$ 0.10603	$ 0.10730
Summer Block 2 (Excess)	$ 0.11553	$ 0.11692	$ 0.11832	$ 0.11974
Power Cost Adjustment:				
All Energy	$ 0.01438	$ 0.01438	$ 0.01438	$ 0.01438
Revenue from Rate	$ 10,993,338	$ 11,111,674	$ 11,231,187	$ 11,351,891
Change from Previous		1.1%	1.1%	1.1%





City of Milford - Electric
Rate Design
Projected Small General Service Rates

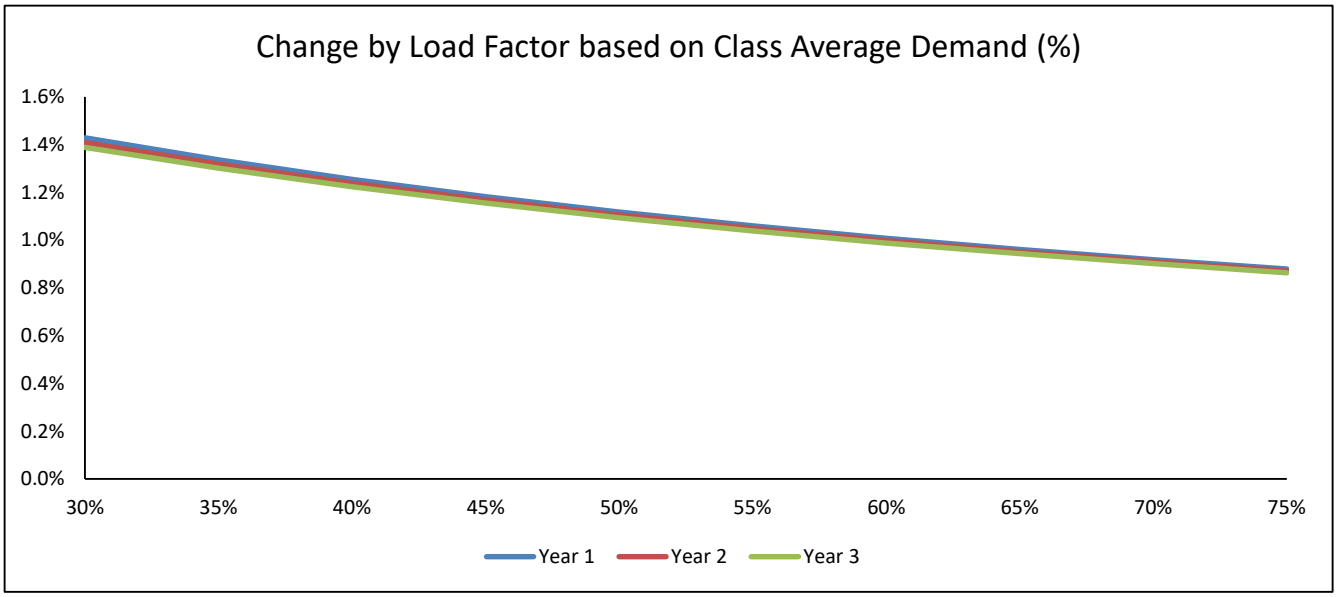
	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Customer Charge:				
All Customers	$ 29.00	$ 30.00	$ 31.00	$ 32.00
Energy Charge:				
Winter Energy	$ 0.10821	$ 0.10918	$ 0.11017	$ 0.11127
Summer Energy	$ 0.10821	$ 0.10918	$ 0.11017	$ 0.11127
Power Cost Adjustment:				
All Energy	$ 0.01438	$ 0.01438	$ 0.01438	$ 0.01438
Revenue from Rate	$ 1,341,144	$ 1,359,491	$ 1,377,914	$ 1,397,358
Change from Previous	-	1.4%	1.4%	1.4%



UTILITY FINANCIAL SOLUTIONS, LLC

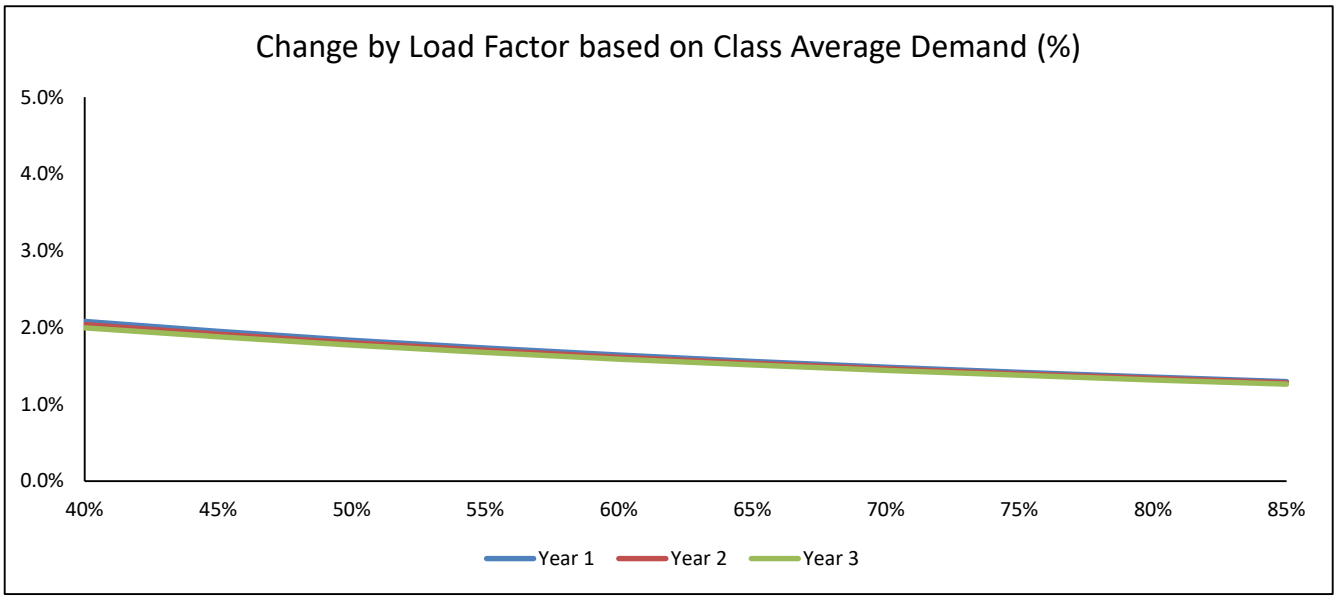
City of Milford - Electric
Rate Design
Projected Medium General Service Rates

	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	$ 97.50	$ 99.50	$ 101.50	$ 103.50
Energy Charge:				
Winter Energy	$ 0.04770	$ 0.04770	$ 0.04770	$ 0.04770
Summer Energy	$ 0.04770	$ 0.04770	$ 0.04770	$ 0.04770
Demand Charge:				
Winter Demand	$ 15.80	$ 16.20	$ 16.60	$ 17.00
Summer Demand	$ 15.80	$ 16.20	$ 16.60	$ 17.00
Power Cost Adjustment:				
All Energy	$ 0.01438	$ 0.01438	$ 0.01438	$ 0.01438
Revenue from Rate	$ 5,569,359	$ 5,636,877	$ 5,704,396	$ 5,771,914
Change from Previous		1.2%	1.2%	1.2%



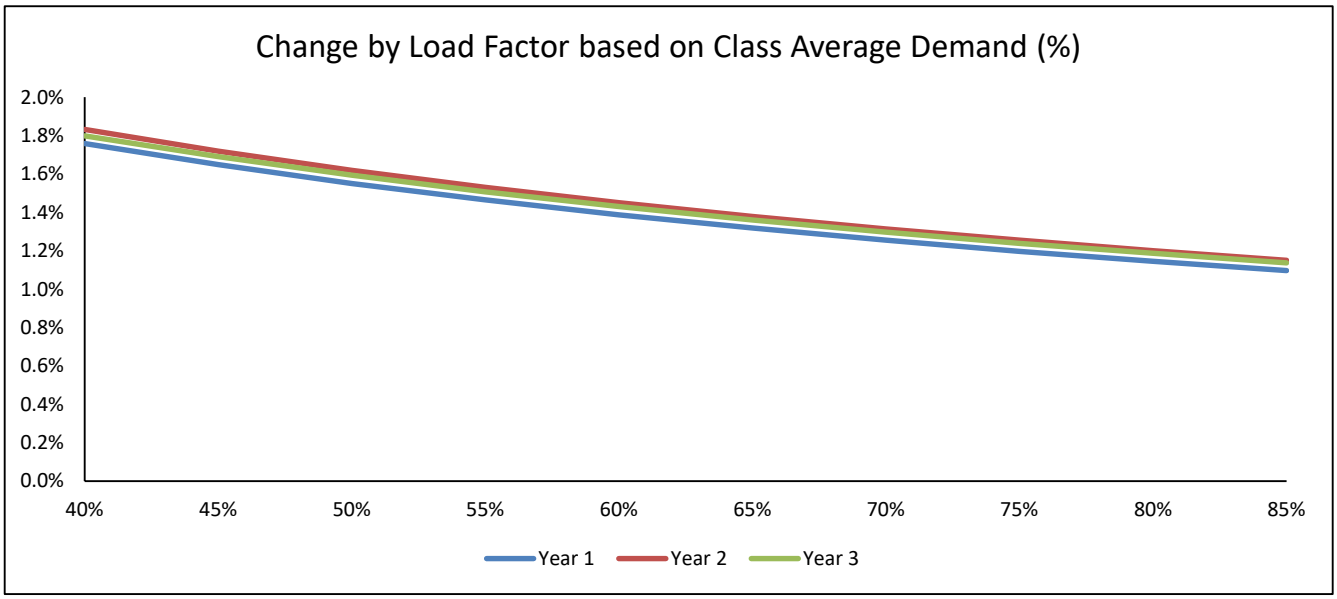
City of Milford - Electric
Rate Design
Projected Large General Service Rates

	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	$ 195.00	$ 200.00	$ 205.00	$ 210.00
Energy Charge:				
On-Peak Energy	$ 0.05906	$ 0.05906	$ 0.05906	$ 0.05906
Off-Peak Energy	$ 0.04906	$ 0.04906	$ 0.04906	$ 0.04906
Demand Charge:				
Winter Demand	$ 16.25	$ 17.00	$ 17.75	$ 18.50
Summer Demand	$ 16.25	$ 17.00	$ 17.75	$ 18.50
Power Cost Adjustment:				
All Energy	$ 0.01438	$ 0.01438	$ 0.01438	$ 0.01438
Revenue from Rate	$ 1,170,509	$ 1,191,338	$ 1,212,166	$ 1,232,995
Change from Previous		1.8%	1.7%	1.7%



City of Milford - Electric
Rate Design
Projected General Service Primary Rates

	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	$ 410.00	$ 420.00	$ 430.00	$ 440.00
Energy Charge:				
On-Peak Energy	$ 0.05997	$ 0.05997	$ 0.05997	$ 0.05997
Off-Peak Energy	$ 0.04997	$ 0.04997	$ 0.04997	$ 0.04997
Demand Charge:				
Winter Demand	$ 15.29	$ 15.90	$ 16.55	$ 17.20
Summer Demand	$ 15.29	$ 15.90	$ 16.55	$ 17.20
Power Cost Adjustment:				
All Energy	$ 0.01438	$ 0.01438	$ 0.01438	$ 0.01438
Revenue from Rate	$ 1,871,180	$ 1,898,761	$ 1,928,057	$ 1,957,352
Change from Previous		1.5%	1.5%	1.5%

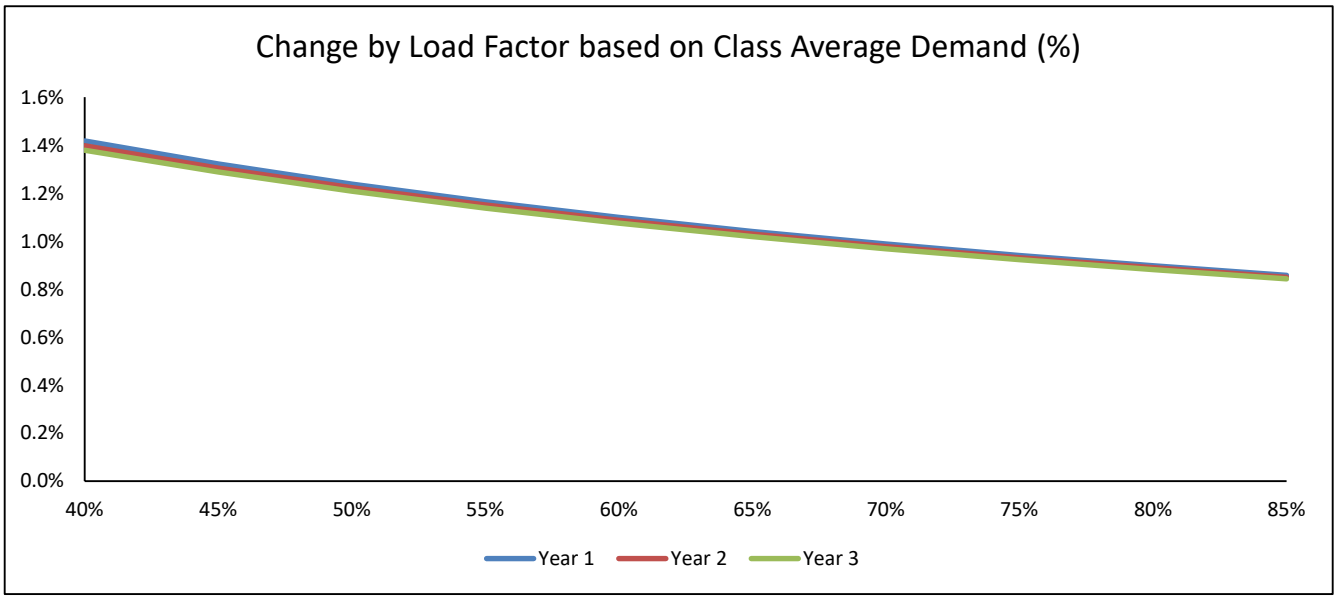


City of Milford - Electric

Rate Design

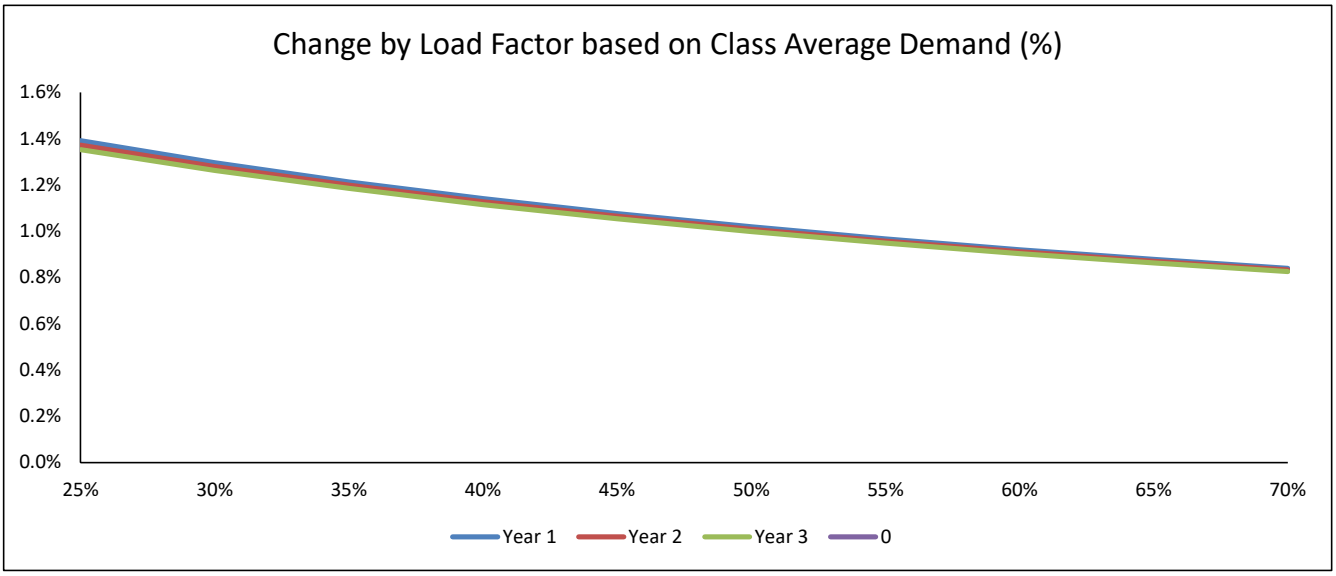
Projected Special Contract Primary Rates

	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	$ 415.00	$ 425.00	$ 435.00	$ 445.00
Energy Charge:				
On-Peak Energy	$ 0.06170	$ 0.06170	$ 0.06170	$ 0.06170
Off-Peak Energy	$ 0.05170	$ 0.05170	$ 0.05170	$ 0.05170
Demand Charge:				
Winter Demand	$ 14.68	$ 15.18	$ 15.68	$ 16.18
Summer Demand	$ 14.68	$ 15.18	$ 15.68	$ 16.18
Power Cost Adjustment:				
All Energy	$ 0.01438	$ 0.01438	$ 0.01438	$ 0.01438
Revenue from Rate	$ 6,728,217	$ 6,798,240	$ 6,868,262	$ 6,938,285
Change from Previous		1.0%	1.0%	1.0%



City of Milford - Electric
Rate Design
Projected Agricultural Service Rates

	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
All Customers	$ 97.50	$ 102.50	$ 107.50	$ 112.50
Energy Charge:				
Winter Energy	$ 0.04577	$ 0.04577	$ 0.04577	$ 0.04577
Summer Energy	$ 0.04577	$ 0.04577	$ 0.04577	$ 0.04577
Demand Charge:				
Winter Demand	$ 15.80	$ 16.05	$ 16.30	$ 16.55
Summer Demand	$ 15.80	$ 16.05	$ 16.30	$ 16.55
Power Cost Adjustment:				
All Energy	$ 0.01438	$ 0.01438	$ 0.01438	$ 0.01438
Revenue from Rate	$ 61,378	$ 62,124	$ 62,870	$ 63,616
Change from Previous		1.2%	1.2%	1.2%



City of Milford - Electric

Rate Design

Projected Municipal Street Lighting Rates - Draft

	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
City Security Lights - CISL	$ 1,101.71	$ 1,101.71	$ 1,101.71	$ 1,101.71
City Street Lights - CIST	$ 5,795.70	$ 5,795.70	$ 5,795.70	$ 5,795.70
Street Lights - State - STAT	$ 51.13	$ 51.13	$ 51.13	$ 51.13
Revenue from Rate	$ 83,382	$ 83,382	$ 83,382	$ 83,382
Change from Previous		0.0%	0.0%	0.0%

Final Rate Design to reflect 2.0% Recommended Increease

City of Milford - Electric

Rate Design

Projected Private Area Lighting Rates - Draft

	2023	2024	2025	2026
Rates	Current	Year 1	Year 2	Year 3
Monthly Facilities Charge:				
LED (100W)	$ 7.89	$ 7.89	$ 7.89	$ 7.89
LED (400W)	$ 10.85	$ 10.85	$ 10.85	$ 10.85
HPS (9500 Lumens)	$ 7.89	$ 7.89	$ 7.89	$ 7.89
HPS (16000 Lumens)	$ 10.85	$ 10.85	$ 10.85	$ 10.85
Mercury (22500 Lumens)	$ 22.69	$ 22.69	$ 22.69	$ 22.69
HPS (50000 Lumens)	$ 24.27	$ 24.27	$ 24.27	$ 24.27
Mercury (8600 Lumens)	$ 11.34	$ 11.34	$ 11.34	$ 11.34
250 Watt	$ 12.36	$ 12.36	$ 12.36	$ 12.36
MH (110000 Lumens)	$ 53.27	$ 53.27	$ 53.27	$ 53.27
MH (40000 Lumens)	$ 24.27	$ 24.27	$ 24.27	$ 24.27
Revenue from Rate	$ 39,962	$ 39,962	$ 39,962	$ 39,962
Change from Previous		0.0%	0.0%	0.0%

Final Rate Design to reflect 2.0% Recommended Increease

CITY OF MILFORD

APPENDIX B
ELECTRIC RULES AND REGULATIONS
Ordinance 2023-19

Whereas, the City of Milford provides utility services including electric, water and sewer to residents, businesses and industries within its service territory.
Whereas, Appendix B-Electric Rules and Regulations of the City of Milford Code provides that charges and rates for electric utility services be established and modified from time to time by City Council; and
Whereas, City Council authorized an Updated Cost of Services Analysis and Rate Study be performed by Utility Financial Solutions (UFS) for recommended electrical rates for City of Milford Customers in Fiscal Years 24, 25, and 26.
Whereas, the Study determined the total cost of providing electric services, the allocation of costs to the various customer classes, and the design of rates to safeguard the financial integrity of the utility.
Whereas, the total cost of providing services predominately includes operations and maintenance expenses, debt service, and cash capital outlays required to operate and maintain the Electric System with high reliability;
Whereas, the last rate change to electrical classifications in the City of Milford was established by Ordinance 2017-12 effective June 2017 providing for rate increases annually through Fiscal Year 2023.
Whereas, during its presentation on April 10, 2023, City Council was presented a final summary of the electric cost of service by UFS and based on the summary presented, agrees to adopt the recommendations of UFS for electric rates.

NOW, THEREFORE, BE IT RESOLVED that the City of Milford hereby adopt the following ordinance.

Section 1. Appendix B, Electric Rules and Regulations, of the Code of the City of Milford is hereby amended.

Section 2. Language shown as strikethrough indicates text to be removed and underlined text shows new language.

Section 3. Appendix B, Section 2, entitled Definitions, is hereby amended as indicated.

SECTION 2 DEFINITIONS

2.31 YEAR ONE

June 1, ~~2020~~ 2023 to June 30, ~~2021~~ 2024

2.32 YEAR TWO

July 1, ~~2021~~ 2024 to June 30, ~~2022~~ 2025

2.33 YEAR THREE

July 1, ~~2022~~ 2025 to June 30, ~~2023~~ 2026

Section 4. Appendix B, Section 2, entitled Fees, Classifications and Schedules, is hereby amended as indicated.

SECTION 24 FEES, CLASSIFICATIONS AND SCHEDULES

24-1. FEE SCHEDULE

SERVICE CLASSIFICATIONS

24-2. RES—RESIDENTIAL SERVICE SCHEDULE

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~19.00~~21.25	$~~20.00~~21.50	$~~21.00~~21.75
Energy Charge:			
Block 1 (0—2,500 kWh)	$0.~~10560~~ 10477	$0.~~10456~~ 10603	$0.~~10353~~ 10730
Block 2 (Excess)	$0.~~11760~~ 11692	$0.~~11656~~ 11832	$0.~~11553~~ 11974

24-3. SGS—SMALL GENERAL SERVICE SCHEDULE

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~25~~30.00	$~~27~~31.00	$~~29~~32.00
Energy Charge:			
All Energy	$ 0.~~11258~~ 10918	$ 0.~~11039~~ 11017	$ 0.~~10821~~ 11127

24-4. MGS—MEDIUM GENERAL SERVICE SCHEDULE

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~82~~99.50	$~~90.00~~101.50	$~~97.50~~103.50
Energy Charge:			
All Energy	$0.~~05246~~ 04770	$0. 04770 ~~05008~~	$0.04770
Demand Charge:			
All Demand	$~~14.80~~16.20	$~~15.30~~16.60	$~~15.80~~17.00

24-5 LGS—LARGE GENERAL SERVICE SCHEDULE

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			

All Customers	$~~165~~200.00	$~~180~~205.00	$~~195~~210.00
Energy Charge:			
On Peak	$0.~~06185~~ 05906	$0.~~06045~~ 05906	$0.05906
Off Peak	$0.~~05185~~ 04906	$0.~~05045~~ 04906	$0.04906
Demand Charge:			
All Demand	$~~15.25~~17.00	$~~15.75~~17.75	$~~16.25~~18.50

24-6. GSP—GENERAL SERVICE-PRIMARY VOLTAGE SCHEDULE

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~330.00~~420.00	$~~370.00~~430.00	$~~410.00~~440.00
Energy Charge:			
On Peak	$0.~~06290~~ 05997	$0.~~06143~~ 05997	$0.05997
Off Peak	$0.~~05290~~ 04997	$0.~~05143~~ 04997	$0.04997
Demand Charge:			
All Demand	$~~14.29~~15.90	$~~14.79~~16.55	$~~15.29~~17.20

24-7. SCS—SPECIAL CONTRACT SERVICE-PRIMARY VOLTAGE SCHEDULE

3. MONTHLY RATES

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~395.00~~425.00	$~~405.00~~435.00	$~~415.00~~445.00
Energy Charge:			
On Peak	$0.~~06595~~ 06170	$0.~~06382~~ 06170	$0.06170
Off Peak	$0.~~05595~~ 05170	$0.~~05382~~ 05170	$0.05170
Demand Charge:			
All Demand	$~~12.68~~15.18	$~~13.68~~15.68	$~~14.68~~16.18

24-8 PL—PRIVATE AREA LIGHTING SCHEDULE

PL—PRIVATE AREA LIGHTING SCHEDULE

7. Rate Schedules by equipment installation

Enclosed Asymmetric Luminaire with 2-1/2, 4 or 8 ft.

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
LED (100W)	$~~7.89~~8.05	$8.05 ~~$7.89~~	$8.05 ~~$7.89~~
LED (400W)	$~~10.85~~11.07	$11.07 ~~$10.85~~	$11.07 ~~$10.85~~
HPS (9500 Lumens)	$~~7.89~~8.05	$8.05 ~~$7.89~~	$8.05 ~~$7.89~~
HPS (16000 Lumens)	$~~10.85~~11.07	$11.07 ~~$10.85~~	$11.07 ~~$10.85~~
Mercury (22500 Lumens)	$~~22.69~~23.14	$23.14 ~~$22.69~~	$23.14 ~~$22.69~~

HPS (50000 Lumens)	$~~24.27~~24.76	$24.76 ~~$24.27~~	$24.76 ~~$24.27~~
Mercury (8600 Lumens)	$~~11.34~~11.57	$11.57 ~~$11.34~~	$11.57 ~~$11.34~~
250 Watt	$~~12.36~~12.61	$12.61 ~~$12.36~~	$12.61 ~~$12.36~~
MH (110000 Lumens)	$~~53.27~~54.34	$54.34 ~~$53.27~~	$54.34 ~~$53.27~~
MH (40000 Lumens)	$~~24.27~~24.76	$24.76 ~~$24.27~~	$24.76 ~~$24.27~~

24-9. AGR—AGRICULTURAL SERVICE SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City of Milford. Electric service will be rendered through a single metering installation for the general lighting and/or power requirements of active farms where the primary purpose of energy delivered is for the preparation of livestock.

Rates	Year 1	Year 2	Year 3
Monthly Facilities Charge:			
All Customers	$~~82.50~~102.50	$~~90.00~~107.50	$~~97.50~~112.50
Energy Charge:			
All Energy	$0.~~05141~~ 04577	$0.~~04847~~ 04577	$0.04577
Demand Charge:			
All Demand	$ ~~14.80~~16.05	$ ~~15.30~~16.30	$ ~~15.80~~16.55

Section 5. Dates.
Introduction: April 10, 2023
Public Comments/Projected Final Action: April 24, 2023
Ordinance becomes effective ten days following adoption by City Council.

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

THE CITY of Milford DELAWARE

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

TO: Mayor & City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: March 13, 2023

RE: SE Master Plan – Transportation Improvement District (TID)

Background

Below is an overview of planning activities related to the proposed TID that have occurred in the southeast neighborhood since 2008.

- *2008 Comprehensive Plan Update* - The 2008 Comprehensive Plan was adopted by City Council on January 26, 2009; however, the City signed a Memorandum of Agreement in 2008 with the State of Delaware which committed the City to partnering with State agencies to develop a master plan for the southeast neighborhood.

- *2011 SE Master Plan* - The SE Master Plan was adopted and certified as an amendment to the 2008 Comprehensive Plan on July 25, 2011 and was signed by the Mayor, DNREC, Department of Agriculture, DelDOT and the Office of State Planning.

  Implementation items within the SE Master Plan included designing and installing water infrastructure, designing and planning sewer infrastructure, establishing a Transfer of Development Rights (TDR) Program for agricultural preservation, and establishing a Transportation Improvement District (TID).

- *2018 Comprehensive Plan Update* – After an 18-month planning effort involving several public meetings and workshops with the Planning Commission, the 2018 Comprehensive Plan was adopted by City Council on January 22, 2018, which incorporated the SE Master Plan as an appendix.

- *April 22, 2019* – City Council authorized the execution of the initial TID agreement between DelDOT and the City. DelDOT began the preparation of a transportation model based on the future land use maps from the City's Comprehensive Plan and SE Master Plan.

- *May 24, 2021* – The City solicited public comment on proposed service standards and City Council authorized DelDOT to move forward with the preparation of cost estimates and renderings for the proposed improvements.

Updated Transportation Improvement District Agreement

Enclosed in your packet is an updated Transportation Improvement District Agreement that would replace the original that was executed in 2019. The agreement includes Exhibit A – TID Boundary Map, Exhibit B – Service Standards, Exhibit C – Land Use and Transportation Plan, Exhibit D – TID Capital Transportation Program (TID-CTP) and Exhibit E – Initial Contribution Rates.

Exhibits A and B remain unchanged from previous discussions.

Exhibit C incorporates a bicycle infrastructure plan that was developed during the preparation of concepts and cost estimates and is based on the City's adopted Bicycle Master Plan.

Concept renderings are provided in the PowerPoint presentation within the packet material.

Exhibit D incorporates the cost estimates that were developed based on the prepared renderings for the overall transportation improvements for the area.

Exhibit E provides for a range in developer contributions (30% to 35%) to fund the capital costs outlined in Exhibit D.

Exhibit E – Initial Contribution Rates

City Council will need to determine the preferred developer contribution rate. DelDOT has provided fee tables based on a 30% developer contribution and a 35% developer contribution. The primary benefit of the higher percentage developer contribution is that transportation projects within the TID-CTP could be funded sooner due to a larger local funding match.

Summary and Staff Recommendation

The SE Milford TID was a primary goal from the SE Master Plan which was approved by City Council in 2011. Since 2019, the City has been working with the DelDOT to forecast projected growth and development in the Southeast Neighborhood based on the City's adopted 2018 Comprehensive Plan Future Land Use maps to determine needed transportation improvements. Concept renderings and cost estimates have been developed and DelDOT has provided a draft TID fee schedule for the City's consideration.

Staff recommends City Council authorize the Mayor to execute the revised Transportation Improvement District (TID) with the desired developer contribution rate outlined in Exhibit E.

Delaware Department of Transportation

March 13, 2023

Milford Transportation Improvement District (TID)

Council Briefing

Presented to: City of Milford City Council

Agenda

1. Background

2. Improvements

    - Cedar Creek Road
    - Wilkins Road
    - Cedar Neck Road
    - S. Rehoboth Boulevard

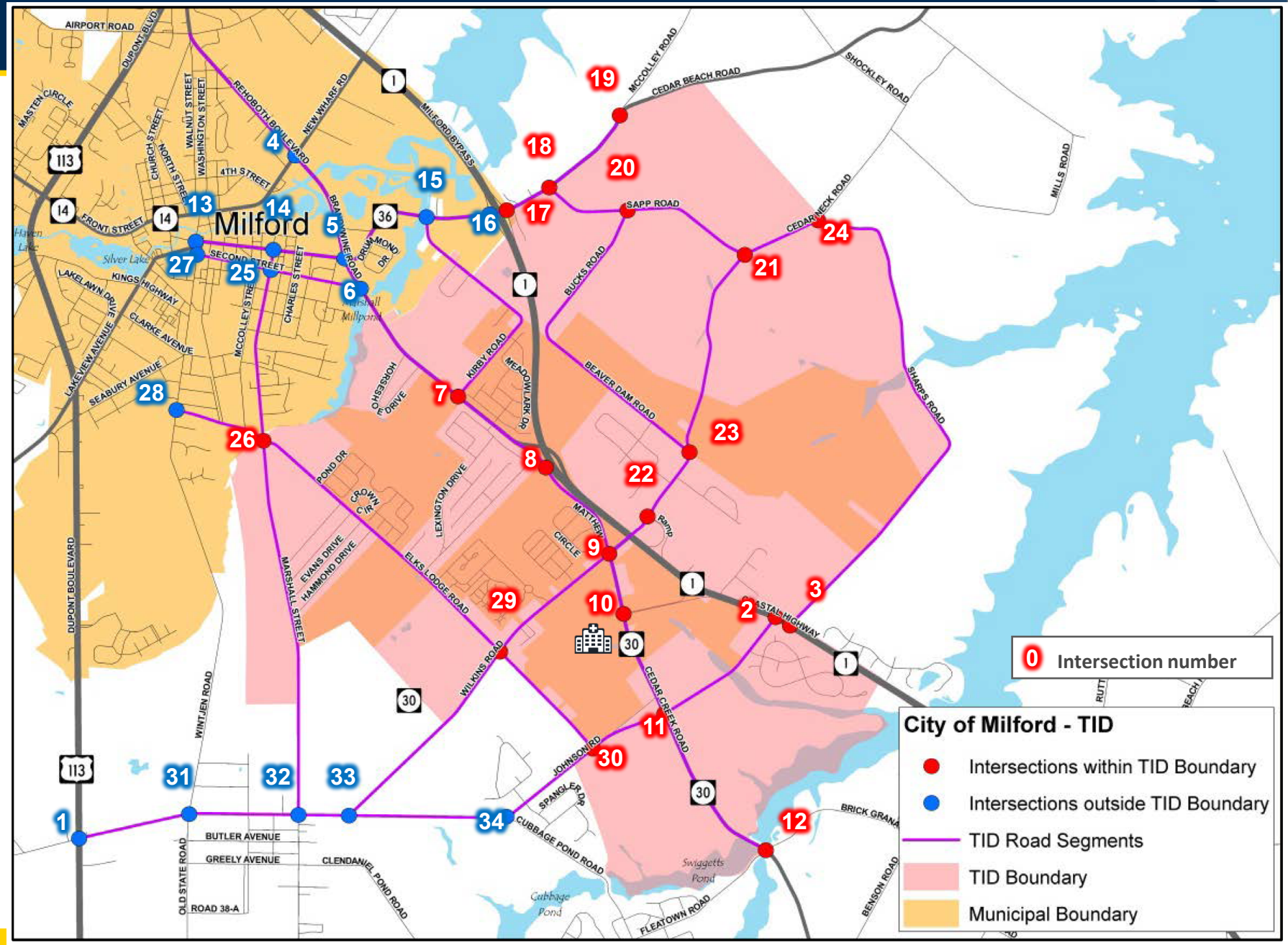
3. Additional Bicycle and Pedestrian Improvements

4. TID CTP and Infrastructure Fee Program

5. Next Steps

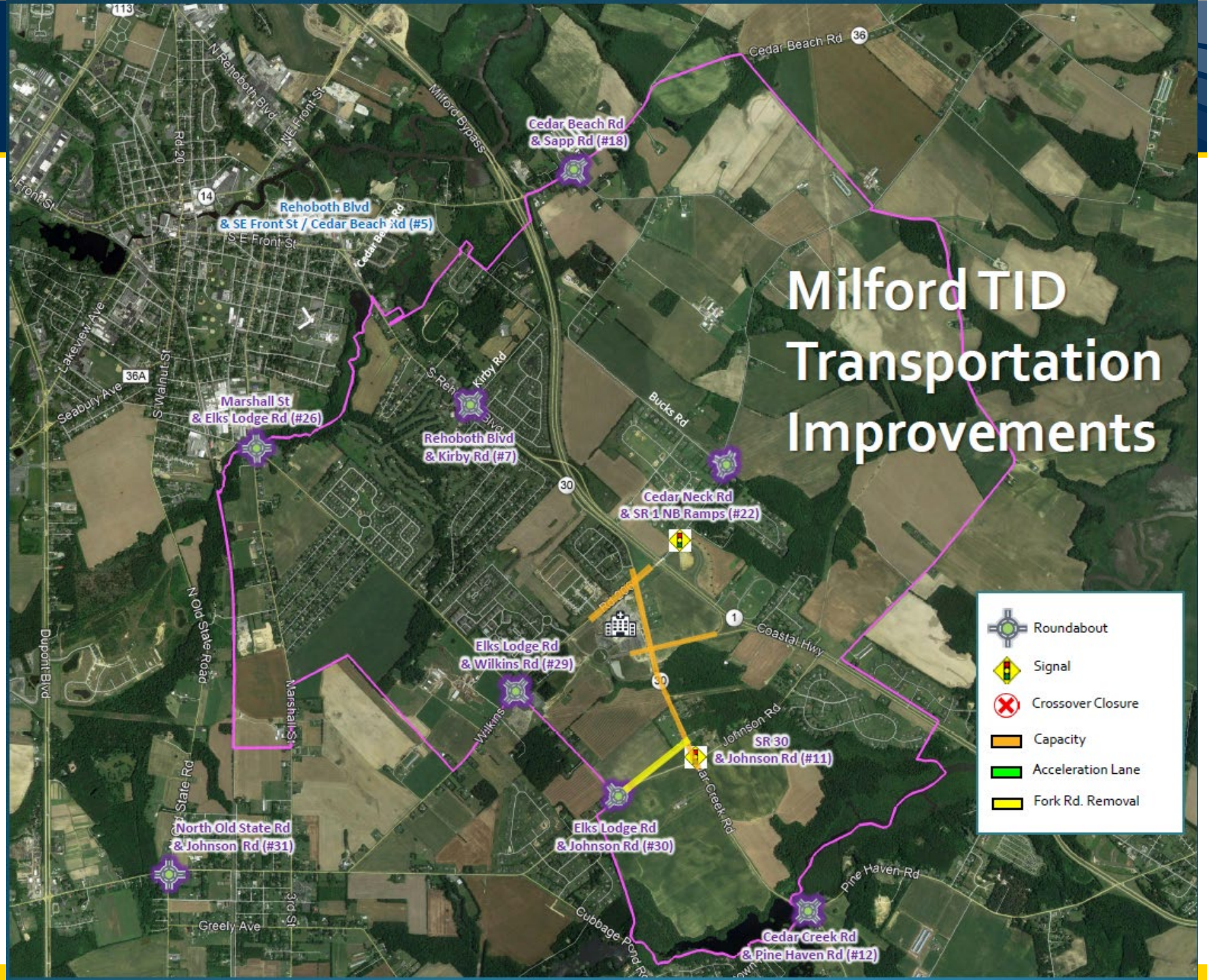
Background

- Project Area
  - ≈ 8.27 square miles
  - 35 total intersections
    - 7 signalized intersections
    - 1 additional intersection - Delaware Route 1/Slaughter Beach Road/Pine Haven Road
- 2045 Horizon Year
  - 26 committed developments
  - LOS E Service Standard



Improvements

- TID Improvements
  - 8 new single-lane roundabouts
  - 2 new signalized intersections
  - Capacity
    - Additional turn lanes and through lanes
  - Bicycle and pedestrian improvements
    - Consistent with City's Bike Plan

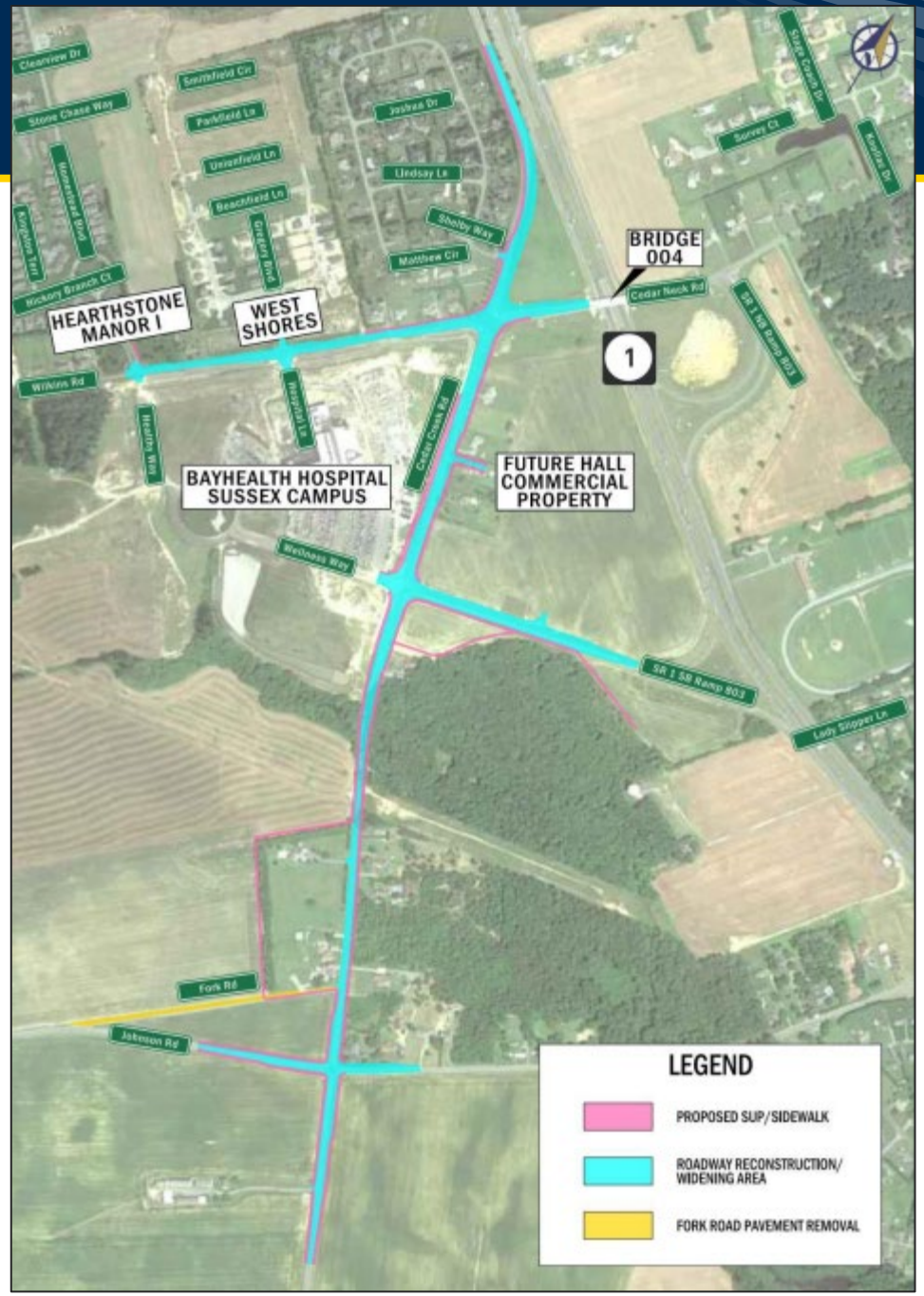


Improvements

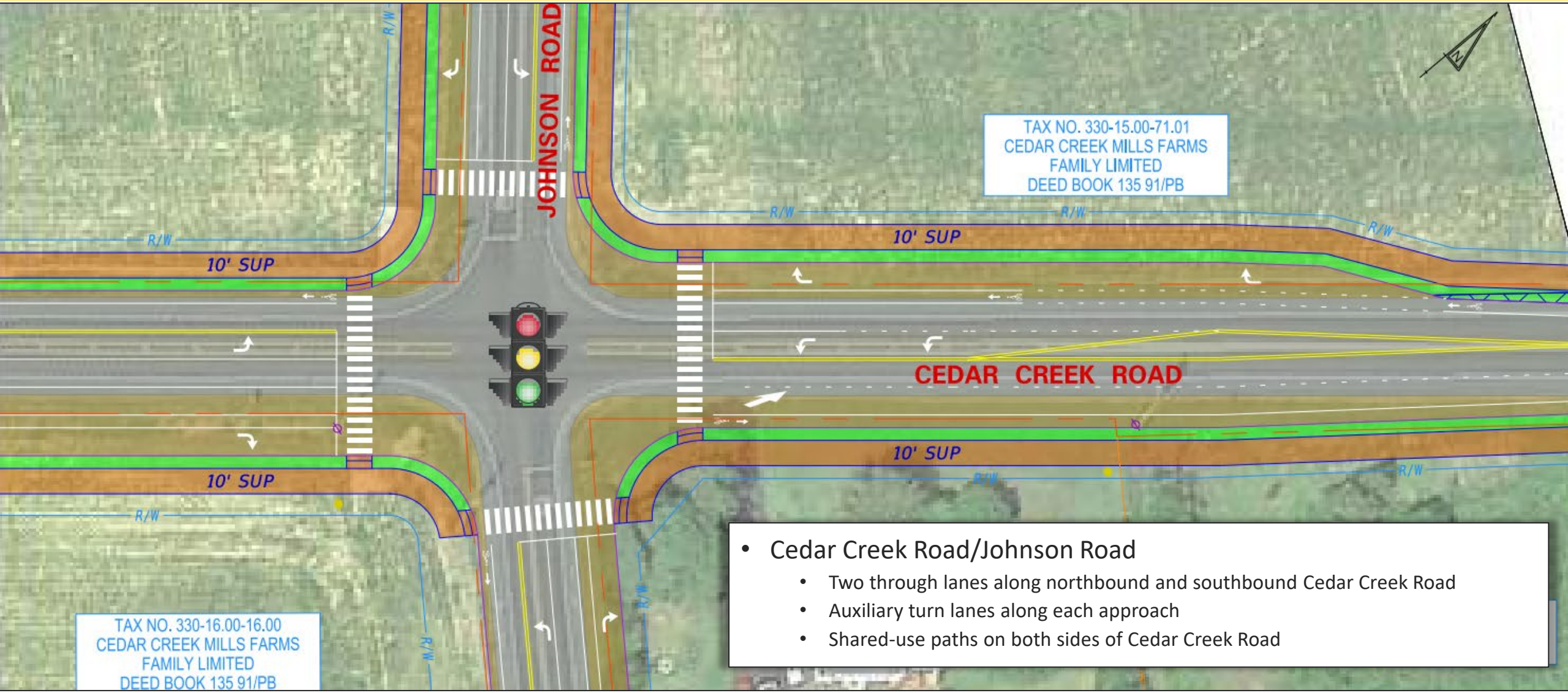
- Corridor Capacity Preservation Program (CCPP) Improvements
  - Service Road parallel to northbound SR 1
  - Acceleration Lane from Johnson Road onto southbound SR 1

Improvements
Cedar Creek Road/Wilkins Road

- ≈ 1.27 miles long, beginning at 1,095 feet south of Johnson and ending 1,607 feet north of Wilkins Road
- 4 Intersection Improvements along with associated roadway improvements
  - Cedar Creek Road and Johnson Road
  - Cedar Creek Road and Wellness Way/SR 1 Southbound Ramp 803
  - Cedar Creek Road and the proposed Hall Property Access
  - Cedar Creek Road and Wilkins Road
- Pedestrian/Bicycle Facility Improvements
- Widening to SR 1 Southbound Ramp 803
- Total Estimated Project Cost = $21,386,683

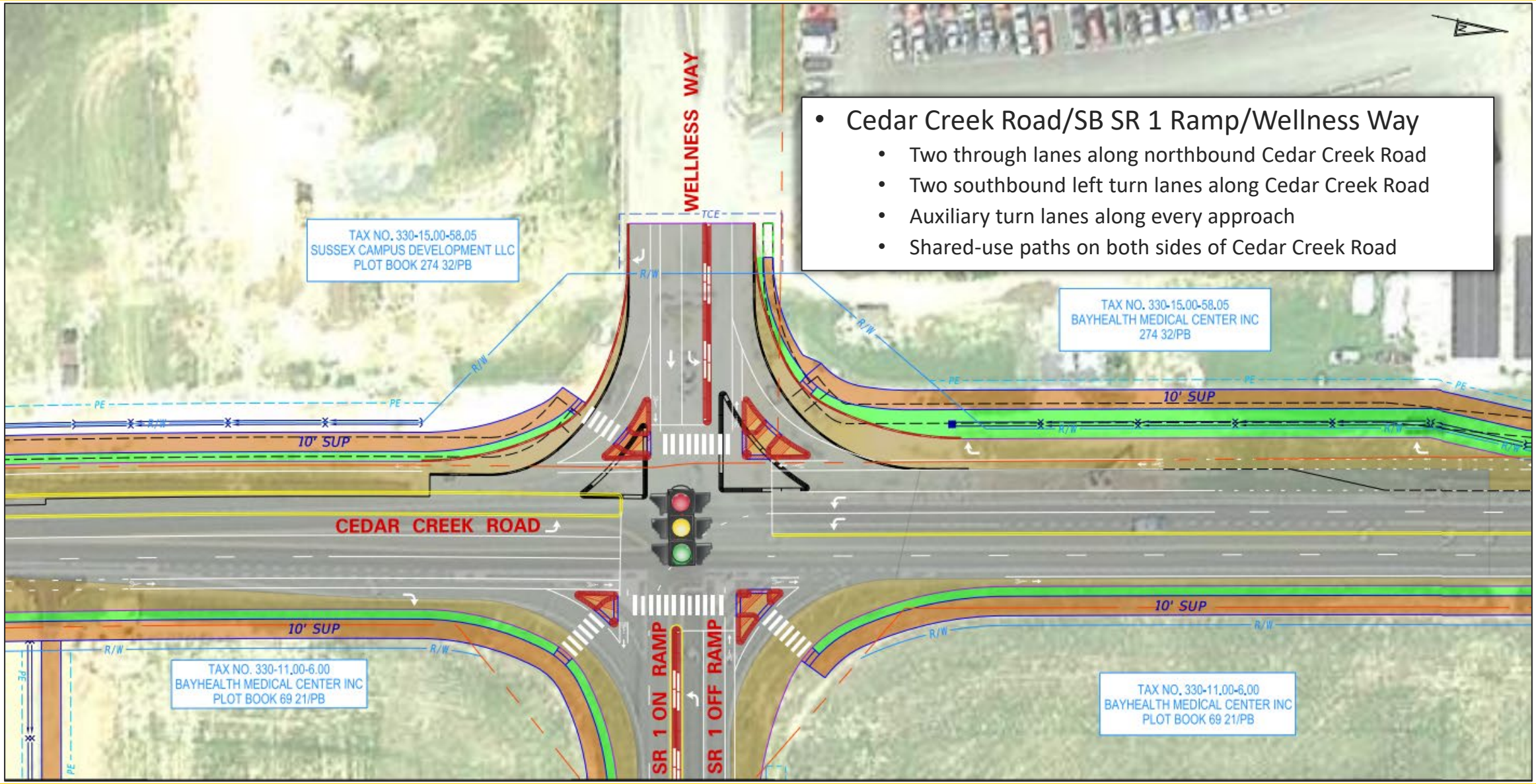


Improvements – Cedar Creek Road



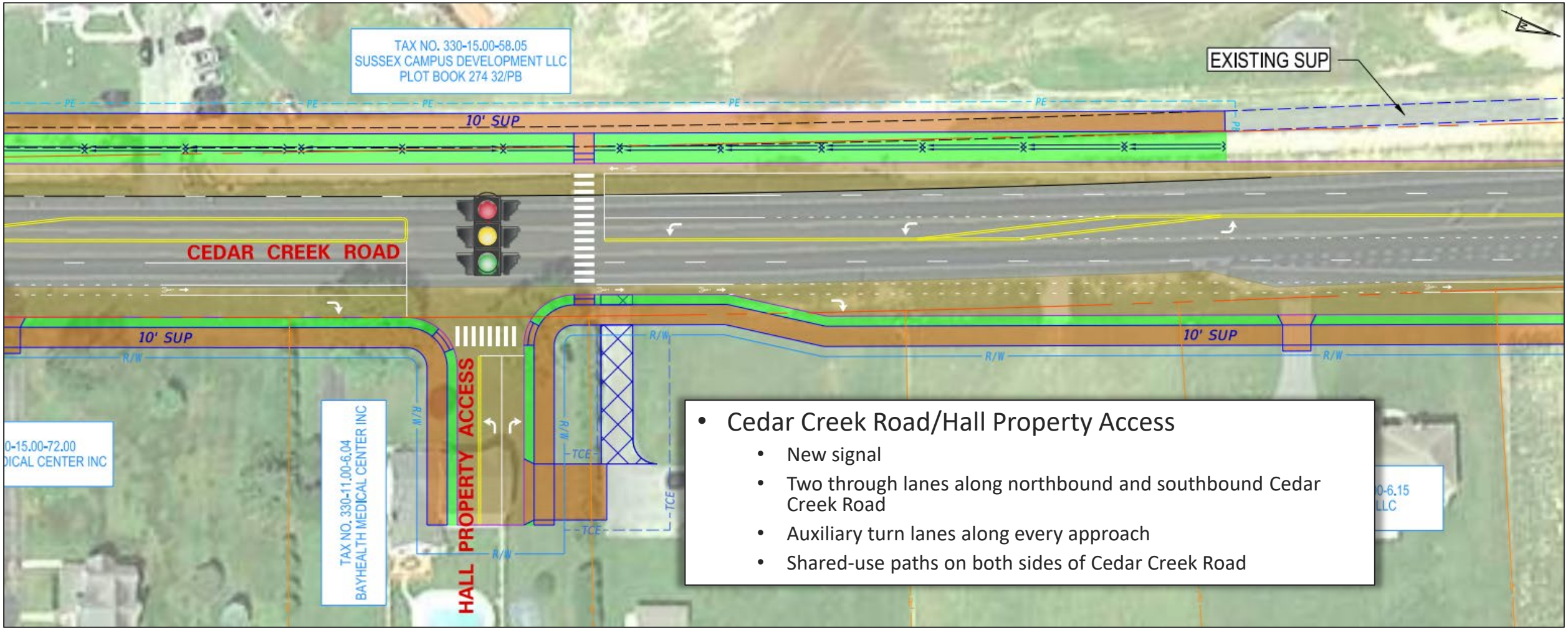
- Cedar Creek Road/Johnson Road
  - Two through lanes along northbound and southbound Cedar Creek Road
  - Auxiliary turn lanes along each approach
  - Shared-use paths on both sides of Cedar Creek Road

Improvements – Cedar Creek Road



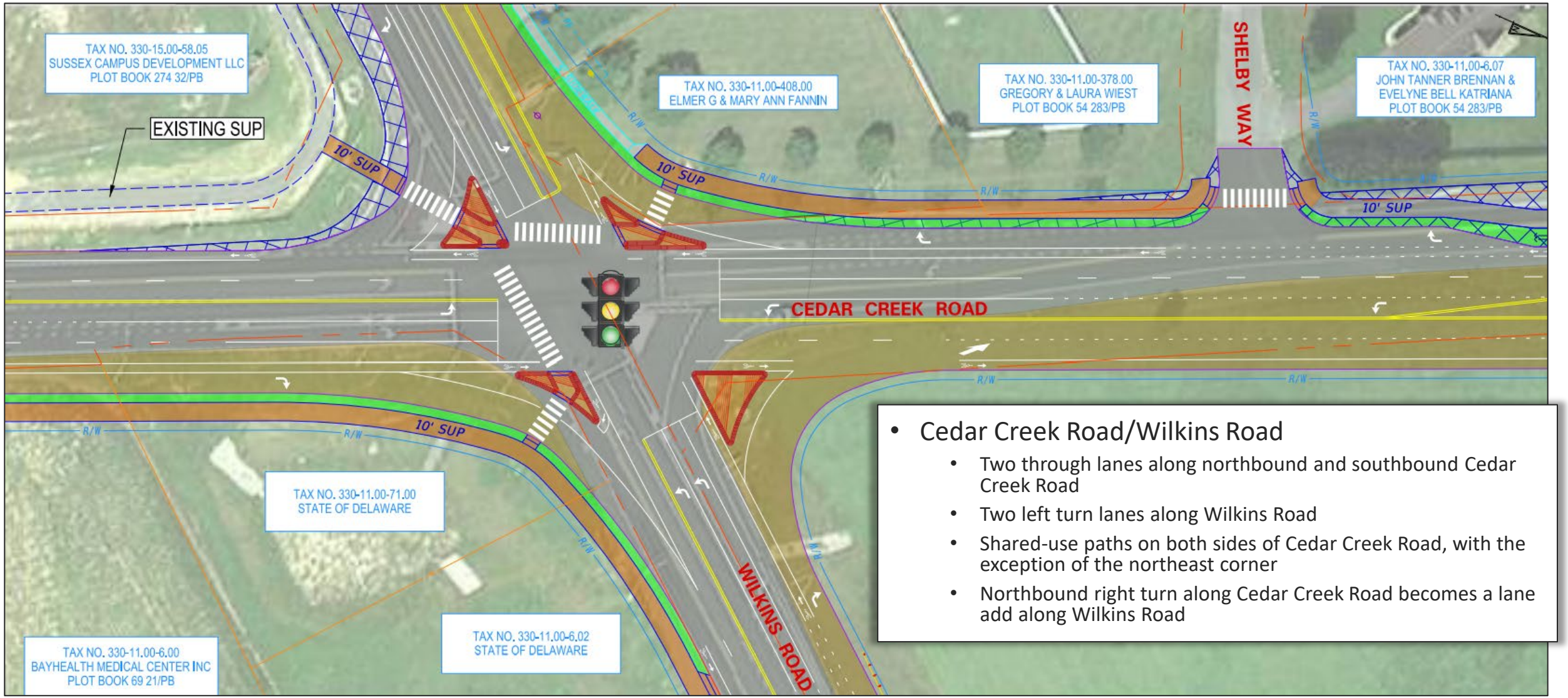
- Cedar Creek Road/SB SR 1 Ramp/Wellness Way
  - Two through lanes along northbound Cedar Creek Road
  - Two southbound left turn lanes along Cedar Creek Road
  - Auxiliary turn lanes along every approach
  - Shared-use paths on both sides of Cedar Creek Road

Improvements – Cedar Creek Road



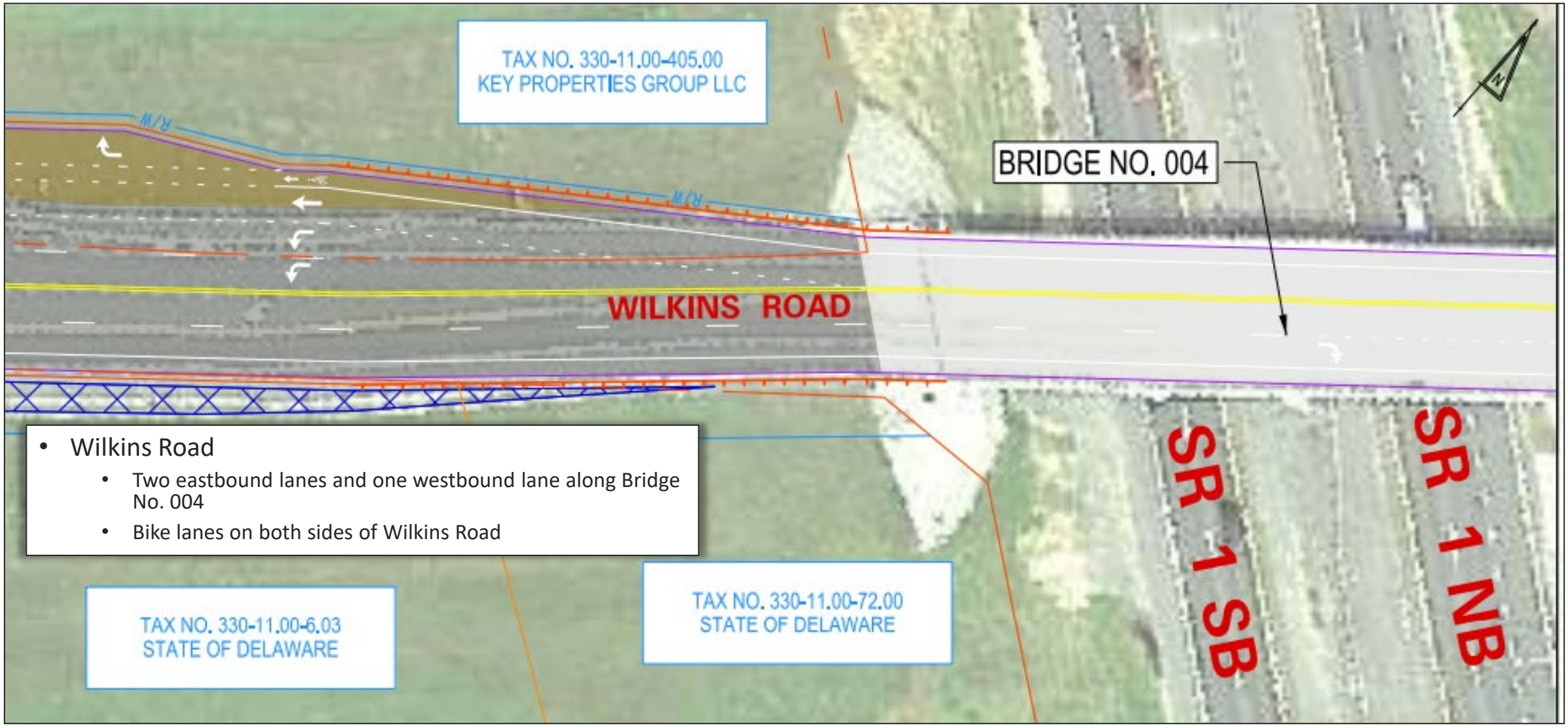
- Cedar Creek Road/Hall Property Access
  - New signal
  - Two through lanes along northbound and southbound Cedar Creek Road
  - Auxiliary turn lanes along every approach
  - Shared-use paths on both sides of Cedar Creek Road

Improvements – Cedar Creek Road



- Cedar Creek Road/Wilkins Road
  - Two through lanes along northbound and southbound Cedar Creek Road
  - Two left turn lanes along Wilkins Road
  - Shared-use paths on both sides of Cedar Creek Road, with the exception of the northeast corner
  - Northbound right turn along Cedar Creek Road becomes a lane add along Wilkins Road

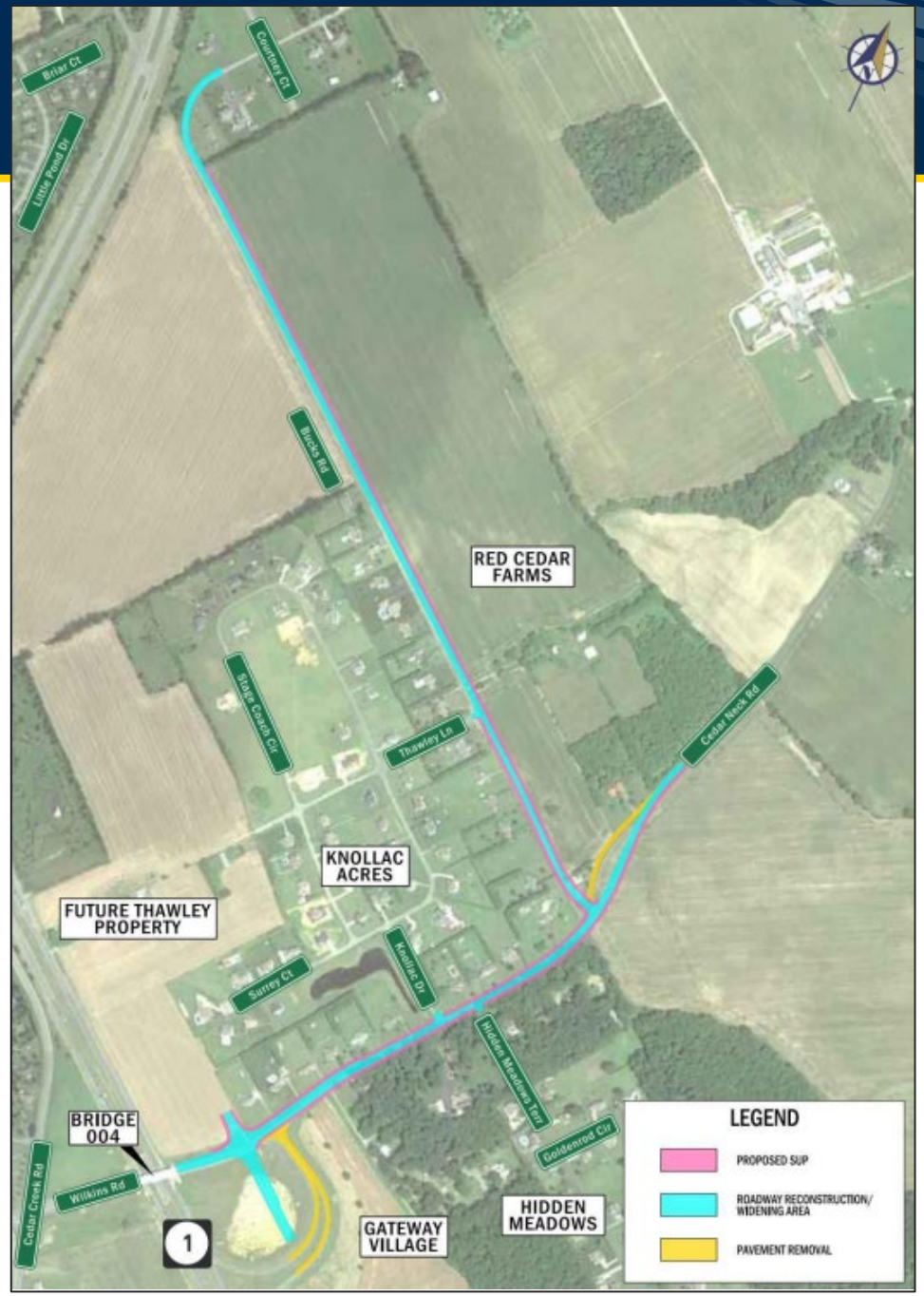
Improvements – Wilkins Road



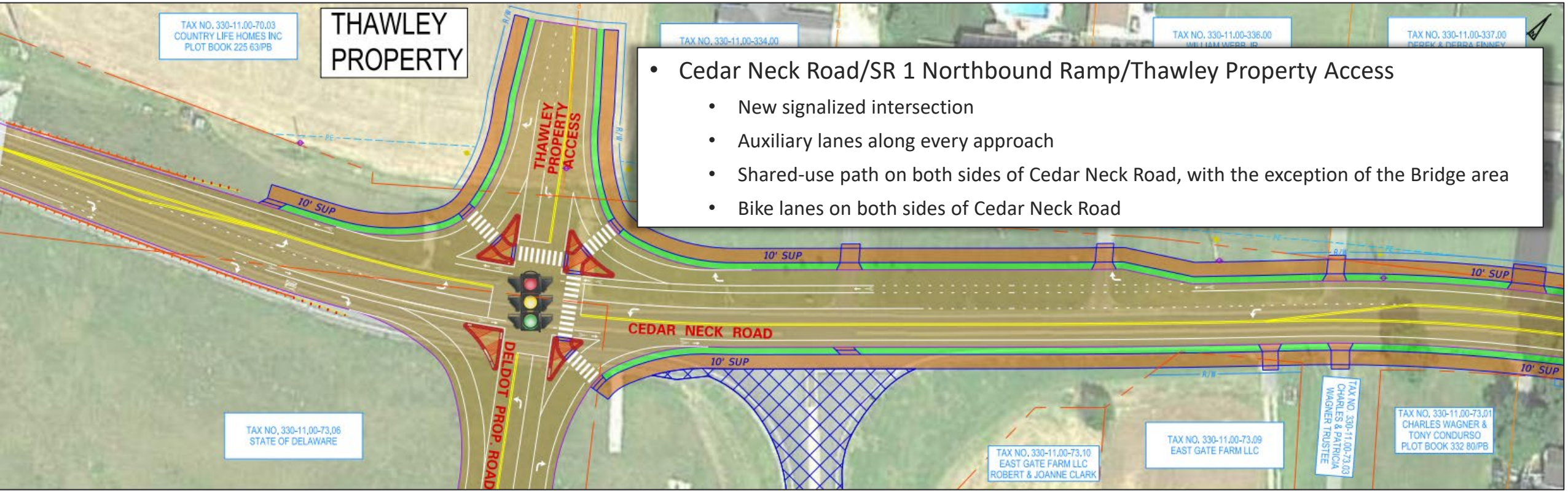
- Wilkins Road
  - Two eastbound lanes and one westbound lane along Bridge No. 004
  - Bike lanes on both sides of Wilkins Road

Improvements
Cedar Neck Road

- ≈ 1.67 miles long, beginning at Bridge No. 004 and terminating 845 feet east of Bucks Road.
- 2 Intersection Improvements along with associated roadway improvements
  - Cedar Neck Road and SR 1 Northbound Ramp/Thawley Property Access
  - Cedar Neck Road and Bucks Road
- Pedestrian/Bicycle Facility Improvements
- Total Estimated Project Cost = $17,437,908



Improvements – Cedar Neck Road

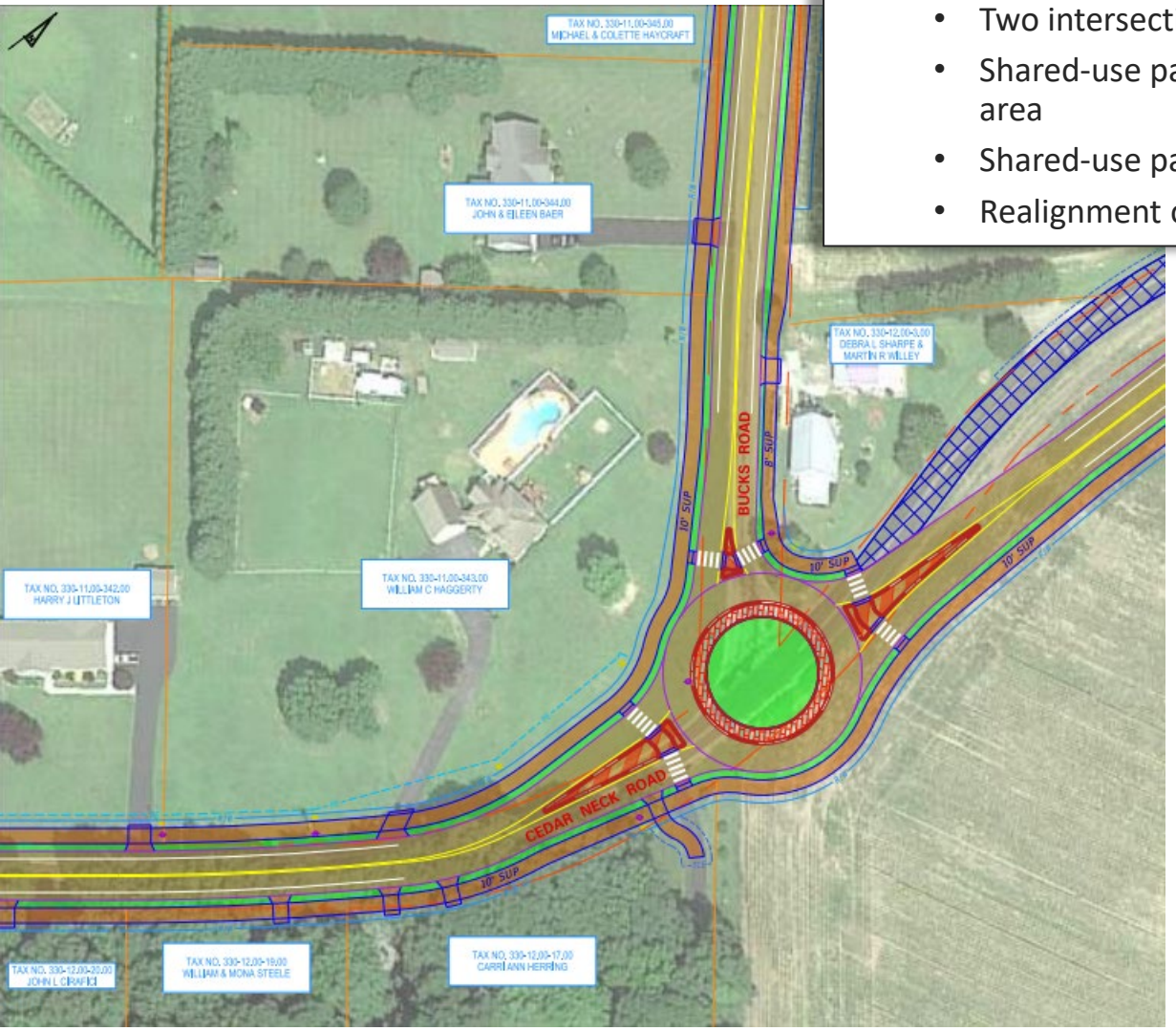


- Cedar Neck Road/SR 1 Northbound Ramp/Thawley Property Access
  - New signalized intersection
  - Auxiliary lanes along every approach
  - Shared-use path on both sides of Cedar Neck Road, with the exception of the Bridge area
  - Bike lanes on both sides of Cedar Neck Road

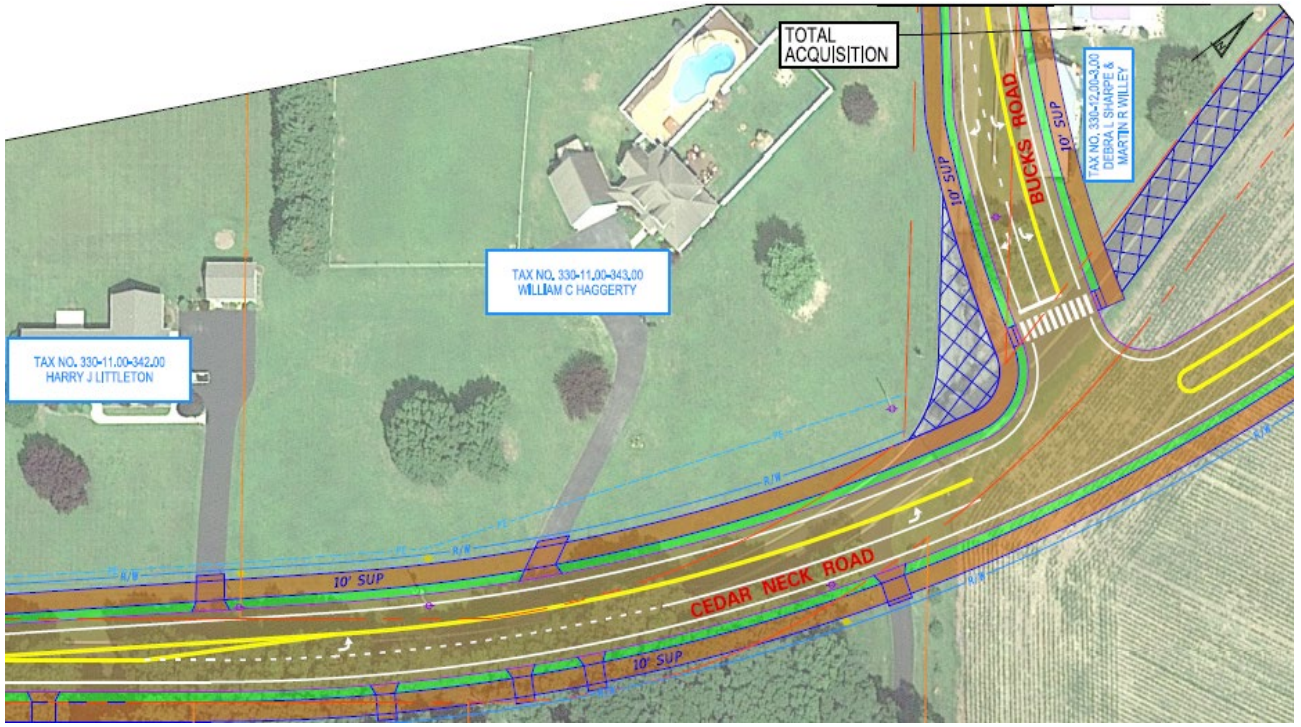
Improvements – Cedar Neck Road

- Cedar Neck Road/Bucks Road
  - Two intersection options – Roundabout or Minor Street Stop with Turn Lanes
  - Shared-use path on both sides of Cedar Neck Road, with the exception of the northeast area
  - Shared-use path on both sides of Bucks Road
  - Realignment of westbound Cedar Neck Road

Option 1: Roundabout



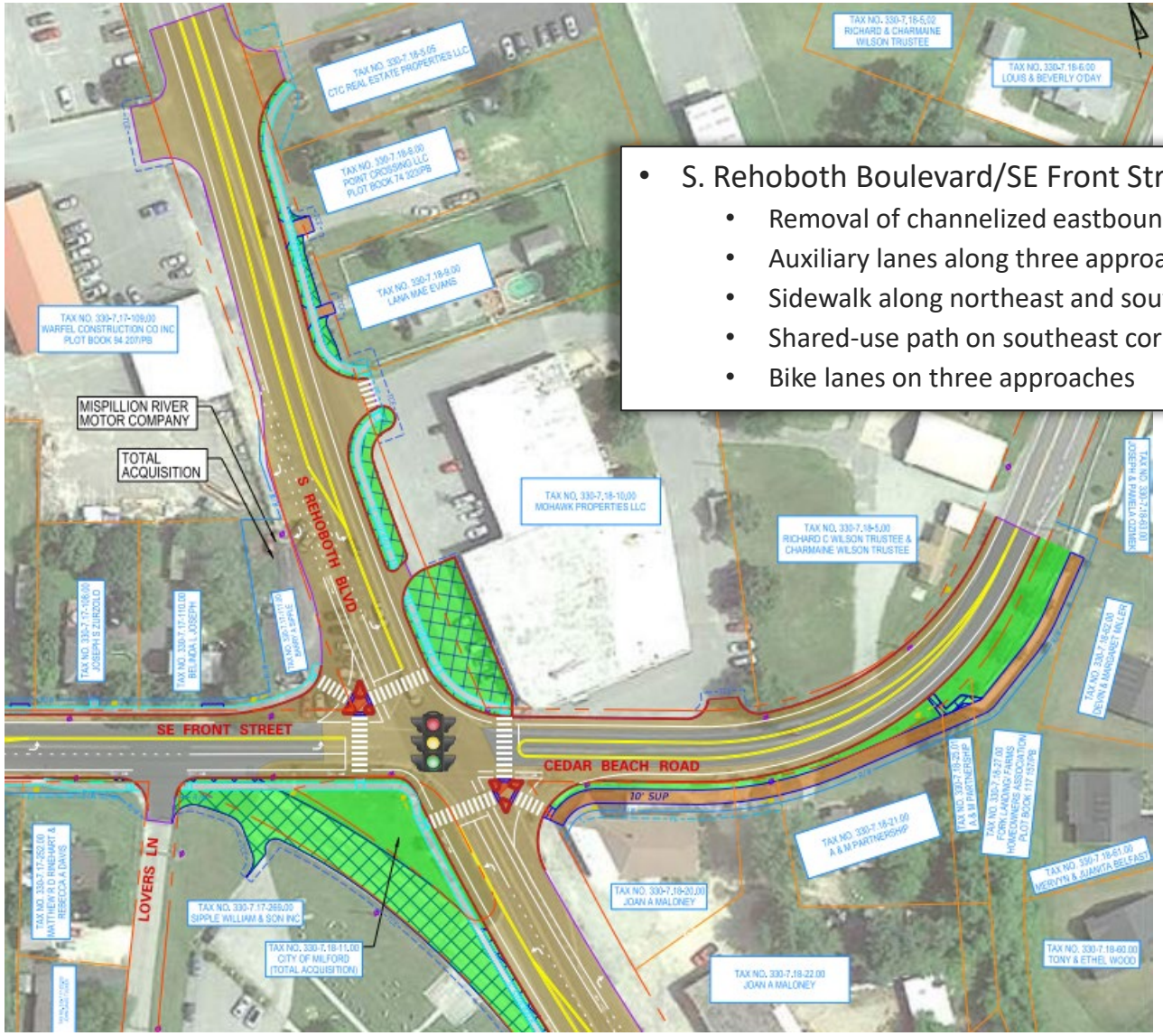
Option 2: Turn Lanes



Improvements
S. Rehoboth Boulevard

- S. Rehoboth Boulevard/SE Front Street/Cedar Beach Road Intersection
- Pedestrian/Bicycle Facility Improvements
- Total Estimated Project Cost = $5,236,830

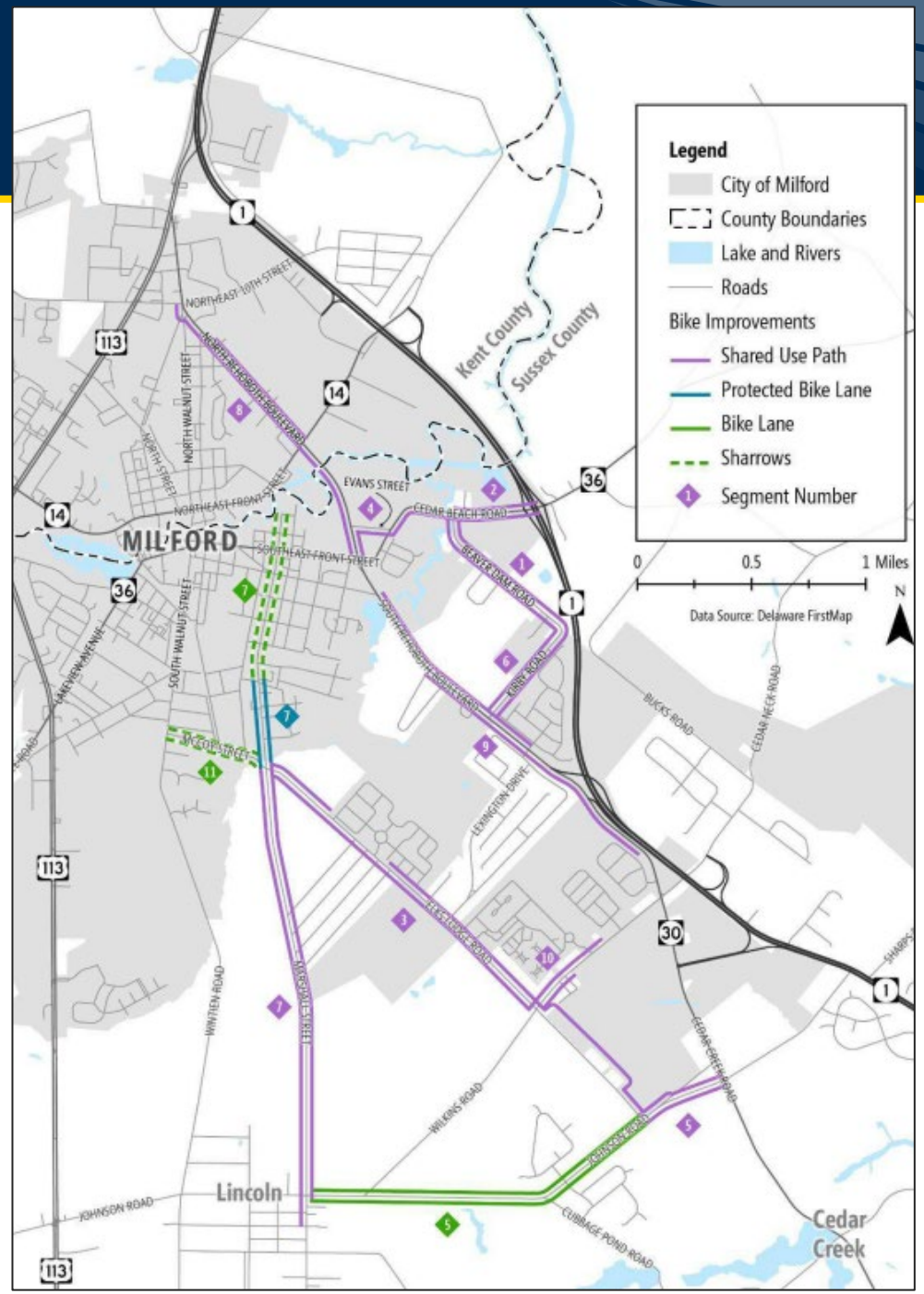
Improvements – S. Rehoboth Boulevard



- S. Rehoboth Boulevard/SE Front Street/Cedar Beach Road
  - Removal of channelized eastbound right turn lane
  - Auxiliary lanes along three approaches
  - Sidewalk along northeast and southwest corners
  - Shared-use path on southeast corner
  - Bike lanes on three approaches

Additional Bicycle and Pedestrian Improvements

- Additional pedestrian and bicycle facility improvements proposed along the following roadways (estimated cost in parenthesis):
  1. Beaver Dam Road – Shared Use Path ($2,599,133)
  2. Cedar Beach Road – Shared Use Path ($2,545,505)
  3. Elks Lodge Road – Shared Use Path ($4,157,880)
  4. Evans Street – Shared Use Path ($512,698)
  5. Johnson Road – Shared Use Path and Bike Lane ($1,072,548)
  6. Kirby Road – Shared Use Path ($1,086,443)
  7. Marshall Street – Shared Use Path, Protected Bike Lane, Sharrows ($4,517,980)
  8. N. Rehoboth Boulevard – Shared Use Path ($1,409,900)
  9. S. Rehoboth Boulevard – Shared Use Path ($2,635,420)
  10. Wilkins Road - Shared Use Path ($828,853)
  11. McCoy Street – Sharrows ($274,135)



TID Capital Transportation Program (TID-CTP)

Southeast Milford TID Improvements	
Project Description	**Current Cost Estimate, 2023**
Bicycle and Pedestrian improvements along TID roadway segments from City of Milford Bicycle Master Plan	$21,640,495.00
Cedar Beach Rd. and Sapp Rd. intersection: Install a single-lane roundabout with 65' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores; create a fourth leg for Pingue Drive across from Sapp Rd.	$2,587,955.00
Cedar Creek Rd. Corridor from Johnson Rd. to and including Wilkins Rd. intersections: Traffic signal, turn lanes, two northbound through lanes at Johnson Rd.; two northbound through lanes, two southbound left turn lanes at Wellness Way; traffic signal, turn lanes, two through lanes in both directions at Hall property access; two through lanes in both directions at Wilkins Rd; two lefts from Wilkins Rd; 10' wide SUP on both sides; remove Fork Rd. connection.	$21,386,683.00
Cedar Neck Rd. Corridor from just west of SR1 northbound ramp to Bucks. Rd. and Bucks Rd. between Cedar Neck Rd. and 290' west of Courtney Drive: Signal and turn lanes are SR1 ramp and Thawley property access; turn lanes and realignment at Bucks Rd. or install single-lane roundabout at Bucks Rd.; 10' Wide SUP on both sides.	$17,437,908.00
Elks Lodge Rd. and Johnson Rd. intersection: install single-lane roundabout with 66' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores; 10' wide SUP along northbound side of Elks Lodge Rd. and both sides of eastern approach of Johnson Rd.	$2,433,000.00
Elks Lodge Rd. and Marshall St. intersection: install single-lane roundabout with 65' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores; 10' wide SUP on all approaches; guardrail exit approaches and guardrail end anchorages will be installed and connected to the existing concrete parapets along the existing culvert.	$2,276,058.00
Elks Lodge Rd. and Wilkins Rd. intersection: install single-lane roundabout with 65' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores; 10' wide SUP on all approaches; install 10' wide SUP along the northwestern and southeastern sides of Wilkins Rd.	$2,814,860.00
N. Old State Rd. and Johnson Rd. intersection: install single-lane roundabout with 65' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores.	$2,447,833.00
S Rehoboth Blvd. and Kirby Rd. intersection: install single-lane roundabout with 66' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 48' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 38' radius. All pavement to be full-depth construction due to low OPC index scores; 10' wide SUP on all approaches.	$2,486,605.00
S Rehoboth Blvd. and SE Front St. intersection: Median, turn lane, shoulder and sidewalk improvements	$5,236,830.00
SR30 and Fleatown Rd. intersection: install single-lane roundabout with 65' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores; add right turn slip lane connecting Pine Haven Rd. with Cedar Creek Rd.; guardrail along slip lane; Open commercial access will be closed on Fleatown Rd. and channelized to a controlled entrance; Widen bridge on northbound side to allow for slip lane to be free flow.	$4,933,573.00
Total of all improvements	$85,681,800.00

Infrastructure Fee Program

Between 30% and 35% developer contributions

Southeast Milford TID Initial Fee Schedule 2023	
Residential Rates	
Single family detached residential	$2,750 per unit by phase
	$2,887 per unit by lot
Single family attached residential	$2,090 per unit by phase
	$2,194 per unit by lot
Multi-family residential, low-rise, 1-3 floors	$1,952 per unit by phase
	$2,049 per unit by lot
Multi-family residential, mid-rise, 4 or more floors	$1,320 per unit by phase
	$1,386 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	$1.00 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	$1.45 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	$2.90 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	$5.80 per sq ft
200 or more trips per 1,000 SF GFA	$6.80 per sq ft
Notes: Single family attached rate is 76% of single-family detached rate. Low-rise Multi-family rate is 71% of single-family detached rate. Mid-rise Multi-family rate is 48% of single-family detached rate. All non-residential rates are based on the number of daily trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 11th Edition.	

Southeast Milford TID Initial Fee Schedule 2023	
Residential Rates	
Single family detached residential	$3,250 per unit by phase
	$3,412 per unit by lot
Single family attached residential	$2,470 per unit by phase
	$2,593 per unit by lot
Multi-family residential, low-rise, 1-3 floors	$2,307 per unit by phase
	$2,422 per unit by lot
Multi-family residential, mid-rise, 4 or more floors	$1,560 per unit by phase
	$1638 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	$1.07 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	$1.58 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	$3.15 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	$6.30 per sq ft
200 or more trips per 1,000 SF GFA	$7.37 per sq ft
Notes: Single family attached rate is 76% of single-family detached rate. Low-rise Multi-family rate is 71% of single-family detached rate. Mid-rise Multi-family rate is 48% of single-family detached rate. All non-residential rates are based on the number of daily trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 11th Edition.	

Next Steps

- DelDOT and City negotiate the Infrastructure Fee Program
- Add to amended TID Agreement
  - Land Use and Transportation Plan
  - Revised Service Standards
  - TID-CTP
  - Infrastructure Fee Program
- TID Begins Implementation

Delaware Department of Transportation

Questions

Sarah Coakley, AICP
DelDOT Principal Planner
Sarah.Coakley@delaware.gov

AGREEMENT REGARDING

SOUTHEAST MILFORD TRANSPORTATION IMPROVEMENT DISTRICT

BETWEEN

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION,

AND

CITY OF MILFORD

PROJECT MANAGER: SARAH COAKLEY, AICP, PRINCIPAL PLANNER, DELDOT

THIS AGREEMENT, made and entered into this _____day of _____ 2023, by and between the State of Delaware, Department of Transportation, as First Party, hereinafter referred to as the **DEPARTMENT**, and the City of Milford, as Second Party, hereinafter referred to as the **CITY**.

WITNESSETH:

WHEREAS, the **DEPARTMENT** and the **CITY** established the Southeast Milford Transportation Improvement District, hereinafter referred to as the **TID**, for the purpose of securing required improvements to transportation facilities in that area; and

WHEREAS, the **DEPARTMENT** and the **CITY** entered into an initial agreement establishing the TID effective on May 16, 2019 (the **Prior Agreement**); and

WHEREAS, the **DEPARTMENT** and the **CITY** agreed to develop and adopt service standards, a Land Use and Transportation plan (LUTP), a TID Capital Transportation Program, an Infrastructure Fee Program, and a Monitoring Program as elements of the TID agreement; and

WHEREAS, the **DEPARTMENT** and the **CITY** hereby acknowledge and agree that this **Agreement** supersedes and replaces in its entirety the **Prior Agreement**. Upon the execution of this **Agreement** by all parties, the **Prior Agreement** shall no longer have any force or effect.

NOW, THEREFORE, for and in consideration of the mutual covenants, hereinafter stipulated to be kept and performed, it is agreed between the parties as follows:

SECTION 1. GEOGRAPHIC BOUNDARIES

A. The boundaries of the **TID** are shown on Exhibit A, attached hereto, and are described as follows:

1. Participant Boundary. Beginning in the northwest, where the municipal boundary intersects the Indian River Secondary Rail Line, the boundary follows Herring Branch north and east to Deep Branch, goes north along Deep Branch to Rehoboth Boulevard, runs east along the municipal boundary to Cedar Beach Road, and continues east along Cedar Beach Road to about 2,350 feet east of its split from McColley Road, follows parcel lines southeast about one mile to Cedar Neck Road, Cedar Neck Road west to Sharps Road, Sharps Road east and south to the parcel line immediately north of Beaverdam Branch, runs west and south along this parcel line and the adjacent parcel line back to Sharps Road, follows Sharps Road south and west to Coastal Highway (SR1), Coastal Highway southeast to the eastern boundary of Cedar Creek Landing, south and west along Cedar Creek and Swiggetts Pond, runs north along the eastern property line of Logans Run, east along Johnson Road, north along Elks Lodge Road to Wilkins Road, follows Wilkins Road west to the first parcel line on the north side of Wilkins Road, follows this parcel line northwest to the municipal boundary, runs north and west along the municipal boundary to Marshall Street, follows Marshall Street south to the first parcel line on the west side of Marshall Street, this parcel line west to the rail line, and north along the rail line to the point of beginning.

2. Facilities Boundary. Beginning in the northwest, at the intersection of Rehoboth Boulevard and Walnut Street, the boundary follows Rehoboth Boulevard southeast to Southeast Front Street, Southeast Front Street west to Walnut Street, Southeast Front Street back east to Rehoboth Boulevard, Cedar Beach Road east to McColley Road, Cedar Beach Road back west to Sapp Road, Sapp Road east to Cedar Neck Road, Cedar Neck Road east to Sharps Road, Sharps Road to Coastal Highway (SR1), Sharps Road back to Cedar Neck Road, Cedar Neck Road southwest to Cedar Creek Road, Cedar Creek Road south to Fleatown Road, Cedar Creek Road back north to Johnson Road, Johnson Road east to Coastal Highway (SR1), Johnson Road back west to Cedar Creek Road, Johnson Road west to Dupont Boulevard (US 113), Johnson Road back east to Marshall Street, Marshall Street north to Elks Lodge Road, Elks Lodge Road west to Walnut Street, Elks Lodge Road back east to Marshall Street, Marshall Street north to Second Street, Second Street west to Walnut Street, Second Street back east to Marshall Street, and Marshall Street north to Southeast Front Street.

B. The TID shall have both a Participant (inner) Boundary and a Facilities (outer) Boundary. The purpose of having two boundaries is to better provide for adequate infrastructure on all sides of developments inside the Participant Boundary. All land developments requiring a subdivision or land development plan within the City of Milford and within the Participant Boundary and all State-maintained capital transportation facilities (roads, bridges, sidewalks, bus stops, etc.) within the Facilities Boundary shall be subject to the terms of this agreement.

C. The boundaries of the **TID** may be amended at any time by mutual agreement of the parties in the form of a supplement to this **AGREEMENT**.

D. The **CITY** shall, at a minimum, evaluate the need to amend the boundaries of the **TID** in updating their Comprehensive Plan.

SECTION 2. TARGET HORIZON YEAR

A. The Target Horizon Year for which land use, or population and employment, was forecast in creating the TID is 2045.

B. The Target Horizon Year may be amended at any time by mutual agreement of the parties in the form of a supplement to this **AGREEMENT**, but shall ordinarily be at least 10 years after the most recent US Census.

C. The **CITY** shall, at a minimum, evaluate the need to amend the Target Horizon Year of the **TID** in updating their Comprehensive Plan.

SECTION 3. SERVICE STANDARDS

A. The parties hereby agree on a set of standards (Service Standards) for conditions in the **TID** in the Target Horizon Year, which is incorporated into this **AGREEMENT** as Exhibit B.

B. The Service Standards include minimum acceptable Levels of Service for the weekday evening peak hour.

C. Prior to incorporating Service Standards into this **AGREEMENT**, the parties solicited public comment on proposed standards at the May 24, 2021 meeting of the City of Milford City Council and considered the comments received.

D. The Service Standards may be amended at any time by mutual agreement of the parties in the form of a supplement to this **AGREEMENT**, provided that the public is first afforded an opportunity to review and comment on the proposed amendment.

E. The **CITY** shall, at a minimum, evaluate the need to amend the Service Standards of the **TID** in updating their Comprehensive Plan.

SECTION 4. LAND USE AND TRANSPORTATION PLAN

A. The parties agree to adopt as Exhibit C to this agreement the Land Use and Transportation Plan, hereinafter referred to as an **LUTP** for the **TID.**

B. When updating their Comprehensive Plan, the **CITY** shall consider the need to update the **LUTP** and shall initiate that effort if the land use forecast for the **TID** area has changed significantly. The parties hereto shall, upon review and approval, readopt the revised **LUTP** as an Appendix to this Agreement.

C. For updates to the **LUTP**, the **CITY** shall supply to the **DEPARTMENT** a parcel-level land use forecast for the **TID** area, composed of the following components:

1. Existing land use at the time of the update.
2. Development approved and/or recorded but not yet built as of that date, including any "sunset" provisions.
3. Development expected or in the land development process but not approved as of that date.
4. Development not yet proposed but projected by the Target Horizon Year, based on population and employment forecasts, and the current Comprehensive Plan and zoning map.

D. For updates to the **LUTP**, the **DEPARTMENT** shall inventory the existing transportation network and programmed improvements thereto within the **TID** area, which inventory shall include the following information:

1. Functional Class and Traffic Pattern Group;
2. Numbers, assignments and widths of lanes at each intersection;
3. Type of control at each intersection;
4. Typical section and type of pavement on each road segment;
5. Roadway geometry deficiencies in sufficient detail to determine whether the agreed upon Service Standards are met;
6. Roadway capacity and Level of Service conditions (to the extent known) in sufficient detail to determine whether the agreed upon Service Standards are met;
7. Presence, and frequency of transit service;
8. Any bicycle and pedestrian facilities not covered under Item 4 above.

E. For updates to the **LUTP**, the **DEPARTMENT** shall forecast traffic on the study area road network for the Target Horizon Year, shall determine what locations would need improvement to meet the Service Standards, in that year, and shall identify conceptually what improvements are needed in those locations.

F. The **DEPARTMENT** shall provide an updated Exhibit C each time the **LUTP** is amended.

SECTION 5. TID CAPITAL TRANSPORTATION PROGRAM (TID-CTP)

A. For the deficient locations identified in the adopted **LUTP**, the **DEPARTMENT** shall identify a set of projects needed to address those deficiencies and shall develop cost estimates for those projects. The **DEPARTMENT** shall update the cost estimates periodically as needed. Subject to review and approval by the **CITY**, this set of projects shall constitute the **TID** Capital Transportation Program (**TID-CTP**).

B. The **CITY** shall annually recommend projects from the **TID-CTP** for inclusion in the **DEPARTMENT**'s 6-year Capital Transportation Program. Inclusion of recommended projects shall be subject to the **DEPARTMENT**'s normal process for development of the 6-year program. Projects included in the **DEPARTMENT**'s 6-year Capital Transportation Program shall be eligible to receive funding from the **CITY** consistent with Paragraph 7D below, in addition to applicable State and Federal funds.

SECTION 6. DEVELOPMENTS EXCLUDED FROM PARTICIPATION

A. Where the **LUTP** has been agreed upon by the parties and a proposed development is determined by both the **DEPARTMENT** and the **CITY** to be both inconsistent with the land use element of the **LUTP**, and to generate sufficient traffic to warrant a Traffic Impact Study (TIS), the **DEPARTMENT** and the **CITY** shall require a TIS and, as necessary, additional off-site improvement contributions, beyond payment of the usual TID fee as a contribution to the TID-CTP projects, in accordance with the **DEPARTMENT**'s Development Coordination Manual.

B. Developments outside of the City of Milford shall be excluded from the requirements of this agreement.

C. Development applications submitted to either the **DEPARTMENT** or the **CITY** prior to City Council approval of this agreement shall be excluded from the requirements of this agreement.

SECTION 7. INFRASTRUCTURE FEE PROGRAM

A. The **CITY** shall require that any activity requiring a subdivision or land development plan within the Participant Boundary of the TID participate in the improvement of transportation facilities within the Facilities Boundary of the TID in accordance with the current LUTP and this Agreement. The **DEPARTMENT** and the **CITY** shall require that the manner and extent of that participation be documented on the record subdivision or land development plan. The manner of participation shall be through the payment of a fee, right-of-way dedication or the construction of physical improvements identified in the TID-CTP, or some

combination thereof. The extent of participation shall be in accordance with Paragraph E below. The **CITY** shall collect any fees prior to issuance of building permits. The schedule for construction of physical improvements shall be specified on the record subdivision or land development plan and shall be subject to approval by both the **DEPARTMENT** and the **CITY**.

B. Dedication of rights-of-way in lieu of some or all of the fee shall be by agreement between the developer, the **DEPARTMENT** and the **CITY**, with payment of the fee being required if any party is not amenable to the proposed dedication. The value of the rights-of-way to be dedicated shall be determined in accordance with **DEPARTMENT** policies and regulations. The creditable area shall be determined based on highway plans acceptable to the **DEPARTMENT** and shall exclude the standard dedications provided in **DEPARTMENT**'s Development Coordination Manual, rights-of-way for any proposed subdivision or city streets and any lands needed to accommodate the site entrance.

C. Design and/or Construction of physical improvements in lieu of some or all of the fee shall be by agreement between the developer, the **DEPARTMENT** and the **CITY**, with payment of the fee being required if any party is not amenable to the proposed construction. If a developer seeks to design and/or construct physical improvements in lieu of paying into the Fee, the developer shall be required to obtain a minimum of three bids for the work. The bids shall be subject to review and approval by the **DEPARTMENT**. Credit toward the fee shall be based on the developer's payments to the selected contractor. Design and Construction of improvements required by the **DEPARTMENT** and the **CITY** as part of the development's entrance construction or on-site infrastructure, e.g. subdivision streets, and curb ramps, turn lanes, acceleration lanes at development entrance, shall not be creditable toward the fee. At their discretion, the **DEPARTMENT** and the **CITY** may require improvements beyond the site entrance to correct an unsafe condition that they find would be created or worsened by the proposed development. Such improvements may include, but are not limited to, the addition or widening of shoulders, and/or the construction of a shared-use path or sidewalk along the development's frontage. In that case, the cost of that work shall be determined by the **DEPARTMENT**, using the Shared-Use Path and Sidewalk Fee Calculation Form for those items and current comparable contract bid prices as a guide for other items, and shall be creditable toward the fee.

D. The **CITY** shall create and administer a separate account or accounts expressly for the purpose of managing the funds needed to pay for design and construction costs of work identified in the **TID-CTP** under the terms of this Agreement. The account shall be funded by Infrastructure Fee payments from developers as called for by this Agreement. If a developer seeks to design and/or construct physical improvements in lieu of paying into the Fee, the developer shall be required to obtain a minimum of three bids for the work. The bids shall be subject to review and approval by the **DEPARTMENT**. Credit toward the fee shall be based on the developer's payments to the selected contractor, which payments shall

be subject to audit by the **CITY**. To the extent that the **CITY** finds that the developer has paid the contractor more than the fee that the developer would have paid per paragraph E below, the **CITY** may reimburse the developer, provided that the **CITY** shall maintain a positive balance in its account(s). The **CITY** may also pay the **DEPARTMENT** from the account(s) to design and build improvements identified in the **TID-CTP** sooner than the **DEPARTMENT** might otherwise construct them, again provided that the **CITY** shall maintain a positive balance in the account(s). The **CITY** shall, at the **DEPARTMENT**'s request, transfer funding from the **TID** account to the **DEPARTMENT** for the design and/or construction of the improvements identified in the **TID-CTP**.

E. As detailed in Exhibit C (to be attached), developers shall participate in the improvement of transportation facilities within the Facilities Boundary of the **TID** in accordance with the current **LUTP** as follows:

1. In the Target Horizon Year, the **LUTP** shows that a total number of trips will be generated within the Participant Boundary of the **TID** in an average weekday evening peak hour. The total estimated cost to construct the improvements identified in the **TID-CTP** can also be determined. Development within the Participant Boundary of the **TID** can be grouped into broad land use categories, each with an associated trip generation per square foot or per dwelling unit. The **DEPARTMENT** and the **CITY** will establish per unit costs for residential development and per square foot costs for non-residential development. Therefore, for each subdivision or site plan, the **CITY** shall require participation consistent with the established rates in Exhibit E, which amounts shall be adjusted annually as set forth in paragraph F below. Where there is a question as to how to characterize a specific development, the **CITY** shall refer to the **LUTP** and may consult the **DEPARTMENT** as necessary.

2. Improvements by the **DEPARTMENT**'s Division of Maintenance and Operations are excluded from the **TID-CTP** and are not eligible for funding through the Infrastructure Fee Program.

F. While transportation improvement projects await construction funding, the costs of constructing the project will escalate at the rate of inflation for highway construction projects. The amounts paid by developers, therefore, shall be subject to an annual increase, beginning on January 31, 2024 and increasing by the established amount on January 31 of each year thereafter. The actual amount of the increase shall be set by DelDOT in January of each year, based upon the average of the annual changes in the Consumer Price Index (CPI) for Delaware Region during the previous five years. Escalation shall only apply to contributions unpaid on January 31 of each year.

SECTION 8. TRANSITIONAL RULES FOR DEVELOPMENTS PRIOR TO EXECUTION OF THIS AGREEMENT

A. The property owner and/or developer of any subdivision or site plan, submitted to the **DEPARTMENT** and/or the **CITY** before the effective date of this **AGREEMENT**, may request participation in the **TID** for that subdivision or land development plan, in lieu of completing a Traffic Impact Study and/or making off-site contributions.

B. Should existing Record Plan transportation improvement requirements conflict with the requested participation in the **TID**, the **DEPARTMENT**, the **CITY,** and the Property Owner shall work together to expedite the modification(s) to the Record Plan notes. The revision will be a ministerial review, incorporating the **TID** participation into the Record Plan notes. The **DEPARTMENT** and the **CITY** review fees for this reconciliation will be considered satisfied from the initial Record Plan Review fees. For any other changes requiring a revised subdivision plan and review, the associated fees will be the responsibility of the legal owner.

SECTION 9. MONITORING PROGRAM

A. The **DEPARTMENT** shall monitor traffic volumes within the Facilities Boundary of the **TID** and shall provide the **CITY** with an annual report of their findings and their recommendations as to what improvements in the **TID-CTP** are needed at the time of the report and what improvements in the **TID-CTP** are likely to be needed in the next six years.

B. A comprehensive review of the **LUTP** and update of it to be consistent with the **CITY**'s Comprehensive Plan shall be completed by both parties in 2028 and every five years after that.

C. The extent of the monitoring effort shall be at the **DEPARTMENT**'s discretion but the **DEPARTMENT** will accommodate reasonable requests from the **CITY** for the inclusion of specific information.

SECTION 10. PUBLIC INVOLVEMENT

Absent a specific agreement to the contrary, to the extent that a public meeting, workshop or hearing is needed pertaining to procedural matters relating to this **AGREEMENT**, said public meeting, workshop or hearing shall be publicized and hosted by the **CITY**. Materials for said public meeting, workshop or hearing shall be provided by the **CITY** and/or the **DEPARTMENT**, with the other party having an opportunity to review and comment on them. The **DEPARTMENT** shall send appropriate representatives to such events as necessary. For specific improvements to be made in the **TID**, the **DEPARTMENT**'s Public Involvement Process shall govern.

SECTION 11. SCOPE OF AGREEMENT

This **AGREEMENT** constitutes the sole understanding by and between the **DEPARTMENT** and the **CITY** and nothing outside of this **AGREEMENT** shall be construed as an alteration, modification and/or revision hereof. This **AGREEMENT** shall not be modified except in writing subscribed by all parties.

SECTION 12. SUCCESSOR AND ASSIGNMENTS

The **DEPARTMENT** and the **CITY** each binds itself, its successors, legal representatives, agents, employees, officers, and assigns, to each other to this Contract.

SECTION 13. LAWS OF DELAWARE

This **AGREEMENT** and the terms thereof shall be construed in accordance with the laws of the State of Delaware.

IN WITNESS WHEREOF, the parties hereunto have caused this **AGREEMENT** to be executed, the date and year first above written.

FOR THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION:

_____ DATE:_____
Nicole Majeski, Cabinet Secretary

ATTEST:

_____ DATE:_____
Charlanne Clymer, Director, Finance

APPROVED AS TO FORM:

_____ DATE:_____
George T. Lees III, Deputy Attorney General

FOR THE CITY OF MILFORD:

ATTEST:

_____ (SEAL)
Honorable Arthur J. Campbell
Mayor DATE:_____

APPROVED AS TO FORM:

_____(SEAL)
Printed Name_____
Deputy Attorney General DATE:_____

_____ (SEAL)
Terri K. Hudson
City Clerk, City of Milford DATE:_____

Exhibit A to accompany Southeast Milford TID Agreement

TID Boundary Map

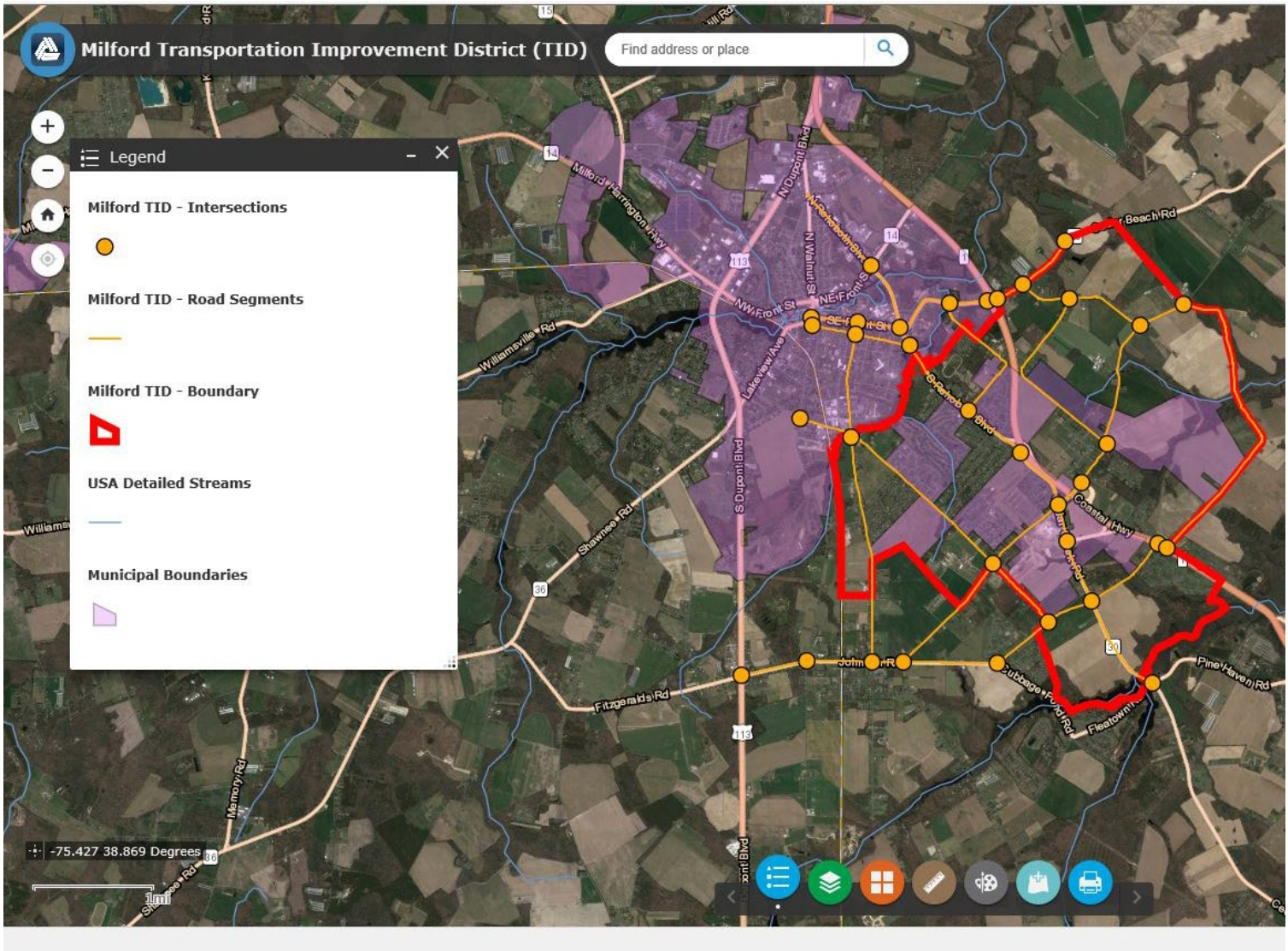


Exhibit B to accompany Southeast Milford TID Agreement

Service Standards

Draft Service Standards for Southeast Milford TID

These standards describe the standards to which DelDOT will work in developing transportation improvement projects that are to be built as part of the Southeast Milford TID. They in no way obligate DelDOT or the City to make specific improvements. They describe the form and function that improvements are to have if improvements are to be made.

I. Inside Participant Boundary

A. Capacity and Level of Service Standards

1. To account for seasonal variations in traffic, DelDOT shall adjust weekday traffic counts to approximate annual average volumes.

2. DelDOT may further adjust specific volumes to account for errors in the counted volumes where such errors become apparent and for instances where it is apparent that traffic has increased since the counts were done.

3. The same standards for all roads in the study area shall be assumed except:

   a. None at present.

4. Use of the procedures in the 6th Edition of the Highway Capacity Manual and applicability only to the Automobile Mode are assumed except as specified in this document. Those standards are summarized in the tables below for reference.

   Control delay is the delay associated with vehicles slowing in advance of an intersection, the time spent stopped on an intersection approach, the time spent as vehicles move up in the queue, and the time needed for vehicles to accelerate to their desired speed.

Signalized Intersections		
Control Delay (sec/veh)	Volume-to-Capacity Ratio ≤ 1.0	Volume-to-Capacity Ratio > 1.0
≤ 10	A	F
>10-20	B	F
>20-35	C	F
>35-55	D	F
>55-80	E	F
>80	F	F

Unsignalized Intersections		
Control Delay (sec/veh)	Volume-to-Capacity Ratio $\leq$ 1.0	Volume-to-Capacity Ratio > 1.0
$\leq$ 10	A	F
>10-15	B	F
>15-25	C	F
>25-35	D	F
>35-50	E	F
>50	F	F

5. Minimum intersection Levels of Service (LOS) are as follows:

   a. Overall Level of Service for Weekday (Monday through Friday) Morning and Evening Peak Hours at signalized, roundabout and all-way stop-controlled intersections: E. LOS for specific approaches and movements may be F.

   b. Level of Service for Weekday (Monday through Friday) Morning and Evening Peak Hours at two-way stop-controlled intersections: E for left turns from the major street. LOS for minor street approaches and movements may be F.

   c. For all facilities, 95th percentile queue lengths should not exceed available turning lane lengths and through movements should not queue through adjacent intersections.

   d. For unsignalized intersections where traffic on the major street does not stop or yield, an overall intersection LOS cannot be calculated. The minimum LOS standard for stop-controlled movements shall be E. However it is recognized that where traffic volumes are insufficient to warrant delaying the through traffic with an all-way stop, roundabout or signal, this standard may be unobtainable. In such situations DelDOT and the City shall agree on what, if any, remedies are appropriate to mitigate congestion.

6. In the following specific locations, DelDOT and the City agree that improvements outside the existing right-of-way will not be required, regardless of Levels of Service and queue lengths:

   a. None at present

7. Facilities to be analyzed shall include all at-grade intersections of one or more State-maintained roads with:

a. Other State-maintained roads;
b. Rail lines
c. City-maintained streets, excluding alleys;
d. Commercial or institutional driveways served by traffic signals.

B. Geometric Standards

1. Use of posted speed limits is assumed. The City requests consideration of reducing posted speed limits on the following roads;
   a. Cedar Creek Road – from Cedar Creek north should be reduced to 35 mph.
   b. Wilkins Road/Cedar Neck Road – from SR1 overpass to Elks Lodge Road stop sign should be reduced to 35 mph.
   c. Elks Lodge Road – from Wilkins Road to Marshall Street – should be reduced to 35 mph.

2. The DelDOT Functional Classification Map, applicable DelDOT design standards, and DelDOT's Complete Streets Policy are assumed.

3. With specific regard to typical sections on State-maintained roads, the following minimum widths are required:

   a. 11-foot through lanes;
   b. 10-foot turning lanes (12-foot for two-way left turn lanes, 15-foot for a right turn lane if a 5-foot bicycle lane is included);
   c. 5-foot shoulders on local roads;
   d. 8-foot shoulders on collector and minor arterial roads; and
   e. 10-foot shoulders on principal arterial roads.

C. Access and intersection control

1. DelDOT's Development Coordination Manual shall apply to access on State-maintained roads. Subdivision streets within the City limits will be built to City standards and for private or municipal maintenance.

2. On state maintained roads roundabouts shall be considered first as a means of intersection control in accordance with DelDOT Design Guidance Memorandum Number 1-26, incorporated here by reference. This consideration shall be part of a larger intersection control evaluation. In the assessment of the proper intersection control several factors are to be considered, including but not limited to, safety, capacity, and right-of-way need and property impacts.

3. Proposed changes to intersection control shall be based on evaluation of crash data and designed in accordance with the Delaware Manual on Uniform Traffic Control Devices and other criteria as may be adopted by DelDOT for that purpose.

D. Fixed Route Transit

Existing DART First State bus service is assumed to continue. Addition of new stops and the amenities required at each stop shall be at the discretion of the Delaware Transit Corporation based on the goals and objectives of Milford's SE Master Plan.

E. Aesthetic Standards

With the possible exception of Scenic Byways, addressed, plain bituminous pavement with Portland cement concrete curbs and sidewalks, galvanized steel signal poles and streetlight heads, grass or concrete medians and grass or bituminous-paved shoulders are assumed.

F. Delaware Byways

If a road is designated by DelDOT as part of a Scenic Byway and there is a Corridor Management Plan, and/or a Master Plan, for that Byway, the Plan(s) shall govern the implementation of these standards with respect to that road.

G. Drainage

Where new road construction is proposed to address otherwise substandard conditions, adequate drainage shall be provided as part of that construction. In the following locations, inadequate drainage is known to exist and shall be addressed as part of this effort:

1. Wilkins Road between Elks Lodge Road and Cedar Creek Road

H. Pedestrian and Bicycle Facilities

1. The City's Bicycle and Pedestrian Master Plan should be referenced when making design decisions related to bike and pedestrian facilities.

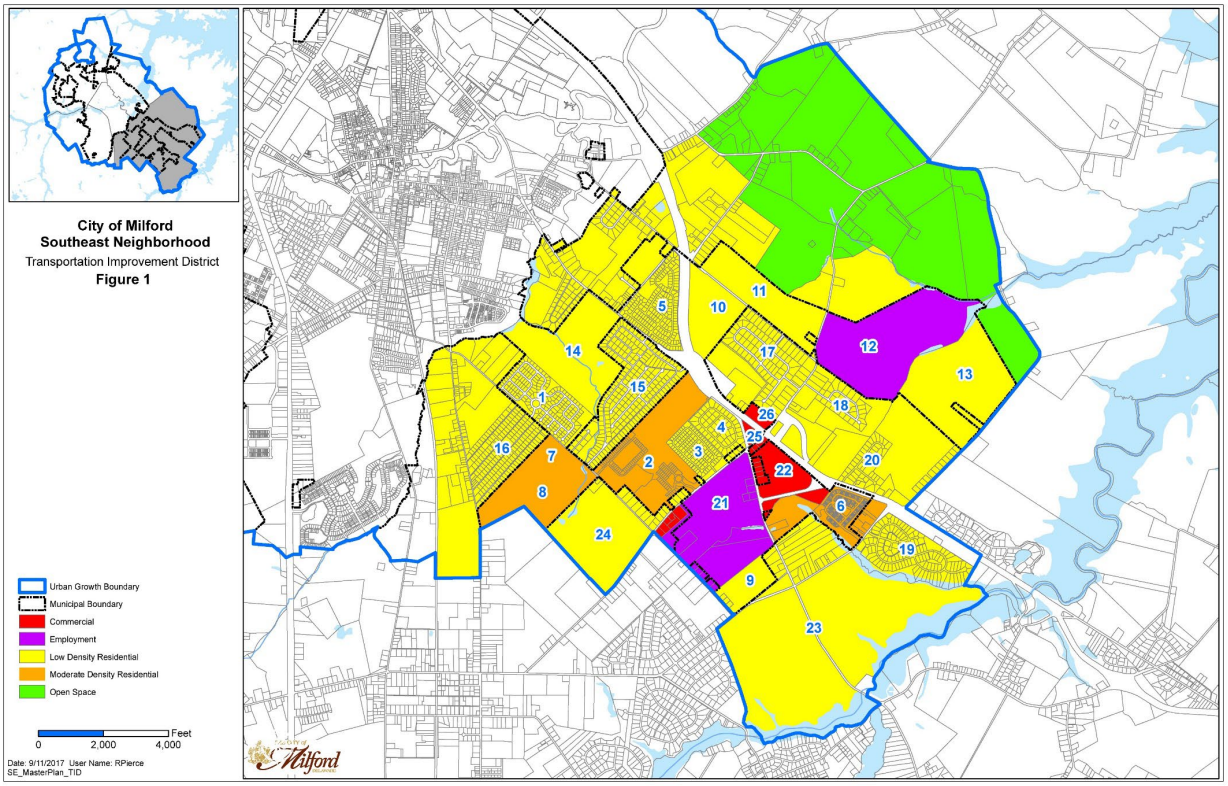
2. Existing and proposed pedestrian crossing treatments (at intersections and/or mid-block) should be evaluated and designed using national and local research. Preferred design is to incorporate a median refuge island to create a two-stage crossing.

3. Below are a list of proposed improvements or known areas of concern related to bike and pedestrian facilities;
    a. The City would like to see the shared use path extended along the south side of Wilkins Road from the Bayhealth property to Elks Lodge Road. The City owns a strip of land that extends from Elks Lodge to Wilkins Road that could be used as an alternative off-alignment route for the shared use path.
    b. The City would like to see a shared use path along Elks Lodge Road from Wilkins Road to Marshall Street.
    c. A shared use path should be considered along Cedar Neck Road and Bucks Road for any new development, connecting with Cedar Creek Road and Route 36.
    d. There is an existing bike lane in the shoulder of northbound Cedar Creek Road/S. Rehoboth Boulevard that ends abruptly at the SR1 flyover to S. Rehoboth Boulevard.

II. Outside Participant Boundary but within Facilities Boundary – Same as inside.

Exhibit C to accompany Southeast Milford TID Agreement

Land Use and Transportation Plan



ITE Trip Generation

Map #	Milford TID Development	Status	Existing Zoning	Acres	Single Family Detached Planned	Townhouse Planned	Condominium Planned	Commercial S.F. Planned	ITE Code	AM In	AM Out	AM Total	PM In	PM Out	PM Total
1	Orchard Hill	In Progress	R-2	n/a	20				210	5	14	19	14	8	22
2	Hearthstone Manor I	In Progress	PUD	n/a	94		536		210 and 221	78	226	304	212	122	334
3	West Shores at New Milford	In Progress	R-2	n/a	52				210	11	31	42	34	20	54
6	Wickersham	Recorded / In Play	R-3	n/a		200			220	21	71	92	69	40	109
7	Hearthstone Manor II - Phase I	Recorded / In Play	PUD	n/a	40		200		210 and 221	26	75	101	78	50	128
8	Hearthstone Manor II - Phase II	Recorded / In Play	PUD	n/a	83		815		210 and 221	86	246	332	257	160	417
9	Wilson Contracting	In Play	R-2	38	143				210	27	79	106	90	53	143
10	Mr. Wiggles	In Play	R-1	70	485				210	87	262	349	292	171	463
11	Red Cedar Farms	In Play	R-2	102	658				210	118	354	472	391	229	620
12	Innovation Park as Residential	In Play	IS	199	1194				210	213	640	853	692	406	1098
12	Innovation Park as Medical Office	In Play	IS	199				325,000	720	498	140	638	309	795	1104
13	Mills Property	In Play	R-1	176	528				210	96	285	381	316	186	502
14	Preserves at Shawnee		R-2	149.3	254				210	46	139	185	157	92	249
17	Knollac Acres	In Progress	Sussex	n/a	33				210	7	21	28	22	13	35
18	Hidden Meadows	n/a	Sussex	n/a	5				210	2	6	8	4	2	6
19	Cedar Creek Landing	n/a	Sussex	n/a								0			0
20	Saraglen Acres	n/a	Sussex	n/a								0			0
21	Bayhealth Health Campus	In Play	IS	110				650,000	720	993	280	1273	618	1589	2207
22	Hall Property (Commercial)	In Play	C-3	45				450,000	820	234	143	377	794	860	1654
23	Hall Property (Residential)	In Play	R-1?	565	2719				210	484	1451	1935	1525	895	2420
24	Wilkins Farm	In Play	R-1?	135	806				210	144	433	577	474	279	753
25	Key Properties	In Play	C-3	4.8				48,000	820	109	67	176	152	164	316
26	Thawley Commercial	In Play	C-3	9.2				92,000	820	123	75	198	245	266	511
	TOTAL (with Innovation Park as Residential)				7,113	200	1,551	1,240,000		2,910	4,898	7,808	6,436	5,605	12,041

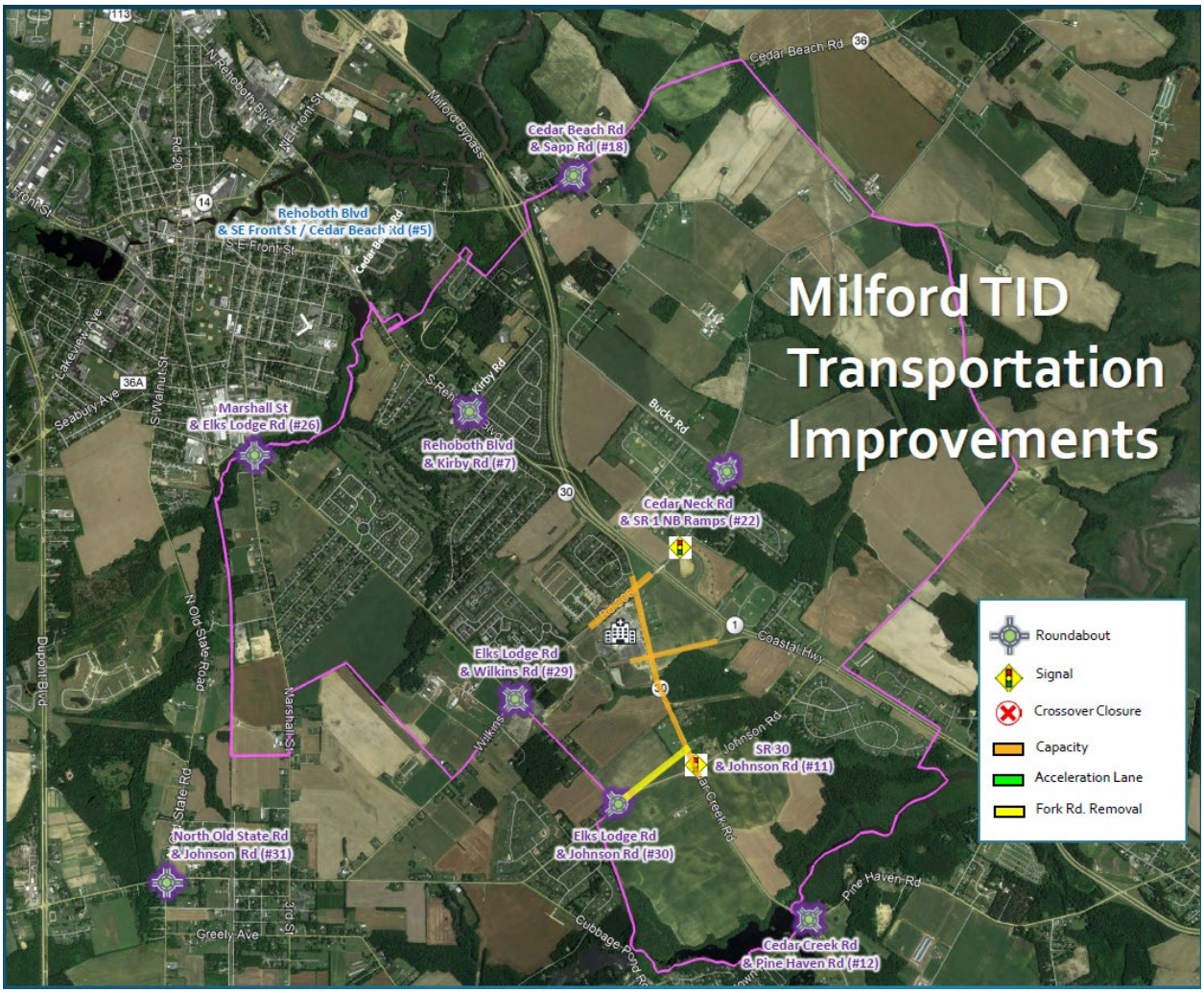
Does not include map numbers for developments designated as already completed by the City of Milford

+8,864 new residential units by year 2045
+1,240,000 new commercial square footage by year 2045

=

+7,808 AM peak hour trips by year 2045
+12,041 PM peak hour trips by year 2045

Maps showing all transportation improvements



Bicycle improvements

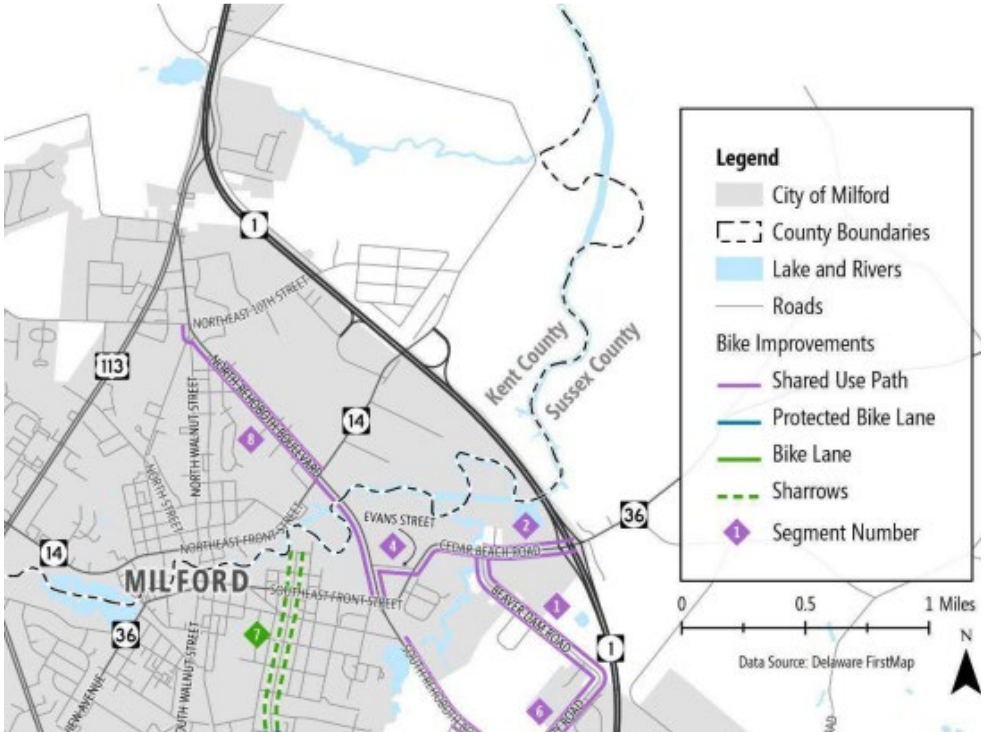


Exhibit D to accompany Southeast Milford TID Agreement

TID Capital Transportation Program (TID-CTP)

Southeast Milford TID Improvements	
Project Description	**Current Cost Estimate, 2023**
Bicycle and Pedestrian improvements along TID roadway segments from City of Milford Bicycle Master Plan	$21,640,495.00
Cedar Beach Rd. and Sapp Rd. intersection: Install a single-lane roundabout with 65' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores; create a fourth leg for Pingue Drive across from Sapp Rd.	$2,587,955.00
Cedar Creek Rd. Corridor from Johnson Rd. to and including Wilkins Rd. intersections: Traffic signal, turn lanes, two northbound through lanes at Johnson Rd.; two northbound through lanes, two southbound left turn lanes at Wellness Way; traffic signal, turn lanes, two through lanes in both directions at Hall property access; two through lanes in both directions at Wilkins Rd; two lefts from Wilkins Rd; 10' wide SUP on both sides; remove Fork Rd. connection.	$21,386,683.00
Cedar Neck Rd. Corridor from just west of SR1 northbound ramp to Bucks. Rd. and Bucks Rd. between Cedar Neck Rd. and 290' west of Courtney Drive: Signal and turn lanes are SR1 ramp and Thawley property access; turn lanes and realignment at Bucks Rd. or install single-lane roundabout at Bucks Rd.; 10' Wide SUP on both sides.	$17,437,908.00
Elks Lodge Rd. and Johnson Rd. intersection: install single-lane roundabout with 66' inscribed radius. The roundabout will have an 18' wide travel lane and modified type 2 curb with a 47' radius separating the travel lane and 10' concrete truck apron. Type 1 curb is proposed inside the truck apron having a 37' radius. All pavement to be full-depth construction due to low OPC index scores; 10' wide SUP along northbound side of Elks Lodge Rd. and both sides of eastern approach of Johnson Rd.	$2,433,000.00
Elks Lodge Rd. and Marshall St. intersection: install single-lane roundabout with 65' inscribed radius. The	

Exhibit E to accompany Southeast Milford TID Agreement

Initial Contribution Rates

Between 30% and 35% developer contributions

Southeast Milford TID Initial Fee Schedule 2023	
Residential Rates	
Single family detached residential	$2,750 per unit by phase
	$2,887 per unit by lot
Single family attached residential	$2,090 per unit by phase
	$2,194 per unit by lot
Multi-family residential, low-rise, 1-3 floors	$1,952 per unit by phase
	$2,049 per unit by lot
Multi-family residential, mid-rise, 4 or more floors	$1,320 per unit by phase
	$1,386 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	$1.00 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	$1.45 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	$2.90 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	$5.80 per sq ft
200 or more trips per 1,000 SF GFA	$6.80 per sq ft
Notes: Single family attached rate is 76% of single-family detached rate. Low-rise Multi-family rate is 71% of single-family detached rate. Mid-rise Multi-family rate is 48% of single-family detached rate. All	

Southeast Milford TID Initial Fee Schedule 2023	
Residential Rates	
Single family detached residential	$3,250 per unit by phase
	$3,412 per unit by lot
Single family attached residential	$2,470 per unit by phase
	$2,593 per unit by lot
Multi-family residential, low-rise, 1-3 floors	$2,307 per unit by phase
	$2,422 per unit by lot
Multi-family residential, mid-rise, 4 or more floors	$1,560 per unit by phase
	$1638 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	$1.07 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	$1.58 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	$3.15 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	$6.30 per sq ft
200 or more trips per 1,000 SF GFA	$7.37 per sq ft
Notes: Single family attached rate is 76% of single-family detached rate. Low-rise Multi-family rate is 71% of single-family detached rate. Mid-rise Multi-family rate is 48% of single-family detached rate. All non-residential rates are based on the number of daily trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 11th Edition.	

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS
Planning Commission Hearing: Tuesday, April 18, 2023 @ 6:00 p.m.
City Council Hearing: Monday, April 24, 2023 @ 6:00 p.m.

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and/or City Council. City Council has the option to approve or deny the ordinance. Not adopting the ordinance is the result of City Council rejecting the application. City Council adopting the ordinance is the result of the application being approved, thus the purpose of the notice being written in the affirmative. This form of writing is not intended to influence any decision of the Planning Commission and/or City Council:

ORDINANCE 2023-17

Application of Milford Corporate Center on behalf of City of Milford
for a Preliminary Major Subdivision
of 182 +/- acres of land located at the northwest corner of
Milford-Harrington Highway and Canterbury Road.
Comprehensive Plan Designation: Industrial Commercial
Zoning District: I-1 (Limited Industrial) BP (Business Park)
Present Use: Vacant Proposed Use: Industrial Park
Tax Parcel: MD-16-173.00-01-01.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Preliminary Major Subdivision of 182 +/- acres of land located at the northwest corner of Milford-Harrington Highway and Canterbury Road; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing to allow for public comment on April 18, 2023; and

WHEREAS, Milford City Council will hold a Public Hearing on April 24, 2023 to allow for public comment and further review of the application.

Section 1. The Preliminary Major Subdivision is consistent with the objectives, policies, general land uses and programs in the City of Milford Comprehensive Plan, Subdivision and Zoning Codes, in that it establishes obligations and conditions for the implementation of the Milford Corporate Center.
Section 2. The Preliminary Major Subdivision Plan is in conformity with public convenience, general welfare, and good land use practice.
Section 3. The Preliminary Major Subdivision Plan will not be detrimental to the public health, safety and general welfare of the community.
Section 4. These changes and additions will not adversely affect the orderly development of adjacent properties and will continue to maintain the preservation of property values.
Section 5. Dates.
City Council Introduction: April 10, 2023
Planning Commission Review & Public Hearing: April 18, 2023
City Council Final Review & Public Hearing: April 24, 2023
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.

Published: Delaware State News 04-04-2023

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

THE CITY of Milford DELAWARE

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

DATA SHEET FOR MILFORD CORPORATE CENTER

Development Advisory Committee: March 15, 2023

Planning Commission Meeting: April 18, 2023

Application Number / Name	:	23-008 / Milford Corporate Center
Applicant	:	City of Milford 201 S. Walnut Street Milford, DE 19963
Owner	:	Same
Application Type	:	Preliminary Major Subdivision
Comprehensive Plan Designation	:	Industrial Commercial
Zoning District	:	I-1 (Limited Industrial) BP (Business Park)
Present Use	:	Vacant
Proposed Use	:	Industrial Park
Area and Location	:	182 +/- acres of land located at the northwest corner of Milford-Harrington Highway and Canterbury Road.
Property Identification Numbers	:	MD-16-173.00-01-01.00

ENC: Staff Analysis Report
Exhibit A - Location & Zoning Map
Preliminary Major Subdivision Plans

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THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
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STAFF ANALYSIS REPORT
April 3, 2023

Application Number / Name	**:**	23-008 / Milford Corporate Center
Application Type	**:**	Preliminary Major Subdivision
Property Identification Numbers	**:**	MD-16-173.00-01-01.00
Area and Location	**:**	182 +/- acres of land located at the northwest corner of Milford-Harrington Highway and Canterbury Road.

I. BACKGROUND INFORMATION:

- The applicant proposes to subdivide the above referenced parcel into a 27-lot industrial and business park as shown on the provided Preliminary Major Subdivision plans. The site will also include the construction of a new water tower and sewage pumping station to serve the property and surrounding area.

- The applicant is also seeking approval of a Comprehensive Signage Plan associated with the large-scale development.

II. STAFF ANALYSIS:

Based on the information presented, the City of Milford Code and the Comprehensive Plan, staff submits the following regarding the request for a revised Preliminary Major Subdivision approval:

- The applicant is seeking a waiver from Chapter 200-8(D)(2) which states "block length shall not exceed 1,200 feet." The proposed layout would exceed the block length requirement.

- The applicant is seeking a waiver from Chapter 200-8(D)(3) which states "block widths shall be not less than 275 feet nor more than 450 feet." The proposed layout would exceed the block width requirement.

- Other than the above waiver requests, the application is consistent with Chapter 230 Zoning and Chapter 200 Subdivision of Land.

- The plans are consistent with the results of the concept master planning effort.

- The preliminary major subdivision plans have been reviewed for general compliance with the City's Construction Standards and Specifications. See enclosed City Engineer review letter.

- Evaluation of the Comprehensive Signage Plan based on Chapter 230-24.25

  (1) If approved, comprehensive signage plans may not be held to the size, height, numbers, and area regulations for signs found in other sections of this article provided that the number, type, and size of signs proposed shall not be excessive and must be in proportion to the scale of the buildings and uses planned for the site.

  The comprehensive sign plan proposes three separate monument signs. One sign would be constructed at each entrance and the third would be located at the northwest corner of the Milford-Harrington Highway and Canterbury Road intersection adjacent to the proposed stormwater management pond.

  (2) All proposed signage shall be designed and coordinated with the overall architectural concept for the buildings on the site. Sign type, color scheme, size, and illumination shall be coordinated and compatible with the architecture of the development so as to formulate a thematic sign plan for the site.

  The comprehensive signage plan only includes monument signs at the two entrances and at the southeast corner of the site. There are no proposed buildings at this time.

  (3) Wall-mounted signs shall be coordinated with the overall design theme of the site and designed as an integral component of the facades of buildings.

  The comprehensive signage plan only includes monument signs at the two entrances and at the southeast corner of the site. There are no proposed buildings at this time.

  (4) Site landscaping shall be designed to complement and not conflict with sign placements.

  There will be landscaping around the monument signs that will complement the feature.

  (5) No off-premises signage will be permitted as part of an application for a comprehensive signage plan.

  No off-premises signage is proposed as part of the submission.

- The following comments must be addressed prior to final major subdivision approval;
  - Final Major Subdivision Plan approval will require approvals or no objection letters from DelDOT, State Fire Marshal's Office and Kent Conservation District;
  - Applicant must address remaining Preliminary Major Subdivision review comments (copy of which is included 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 & DEPARTMENT COMMENTS:

- **Office of State Planning Coordination**
  See attached PLUS comments dated September 22, 2022.

- **DelDOT**
  See attached comments dated March 15, 2023.

- **Delaware Health and Social Services – Division of Public Health**
  No comments provided.

- **Department of Natural Resources and Environmental Control (DNREC), Division of Water, Surface Water Discharges Section (SWDS)**
  No comments provided.

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

- **Delaware State Fire Marshal's Office**
  See attached comments dated February 20, 2023.

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

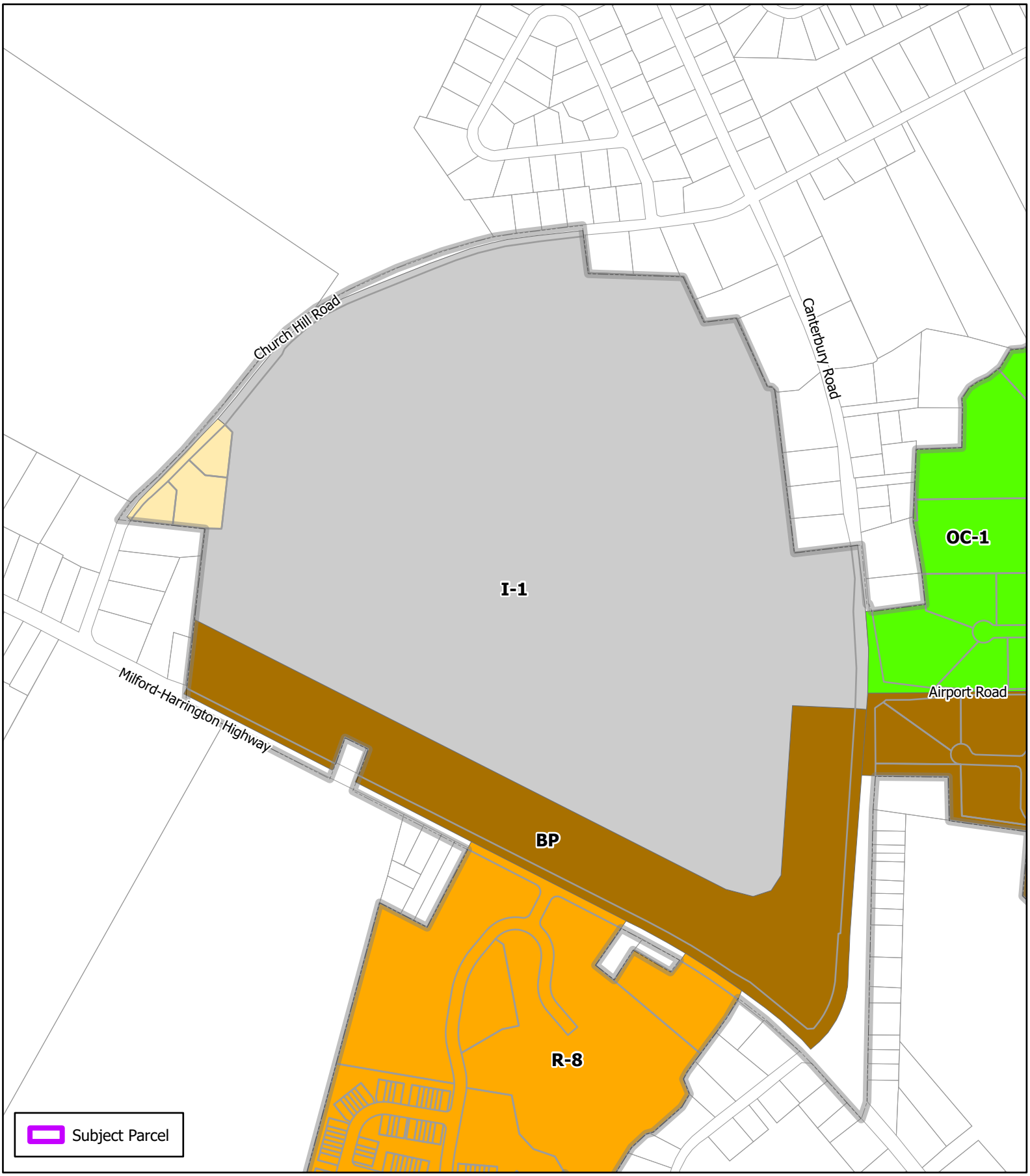
- **City Engineer**
  See attached comments dated March 10, 2023.

- **City of Milford Public Works Department**
  No comments provided.

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

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

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



THE CITY of Milford DELAWARE

Scale: 0 300 600 Feet

Drawn by: WRP

Date: 02/13/23

Filepath: MajorSub_MilfordCorporateCenter.aprx

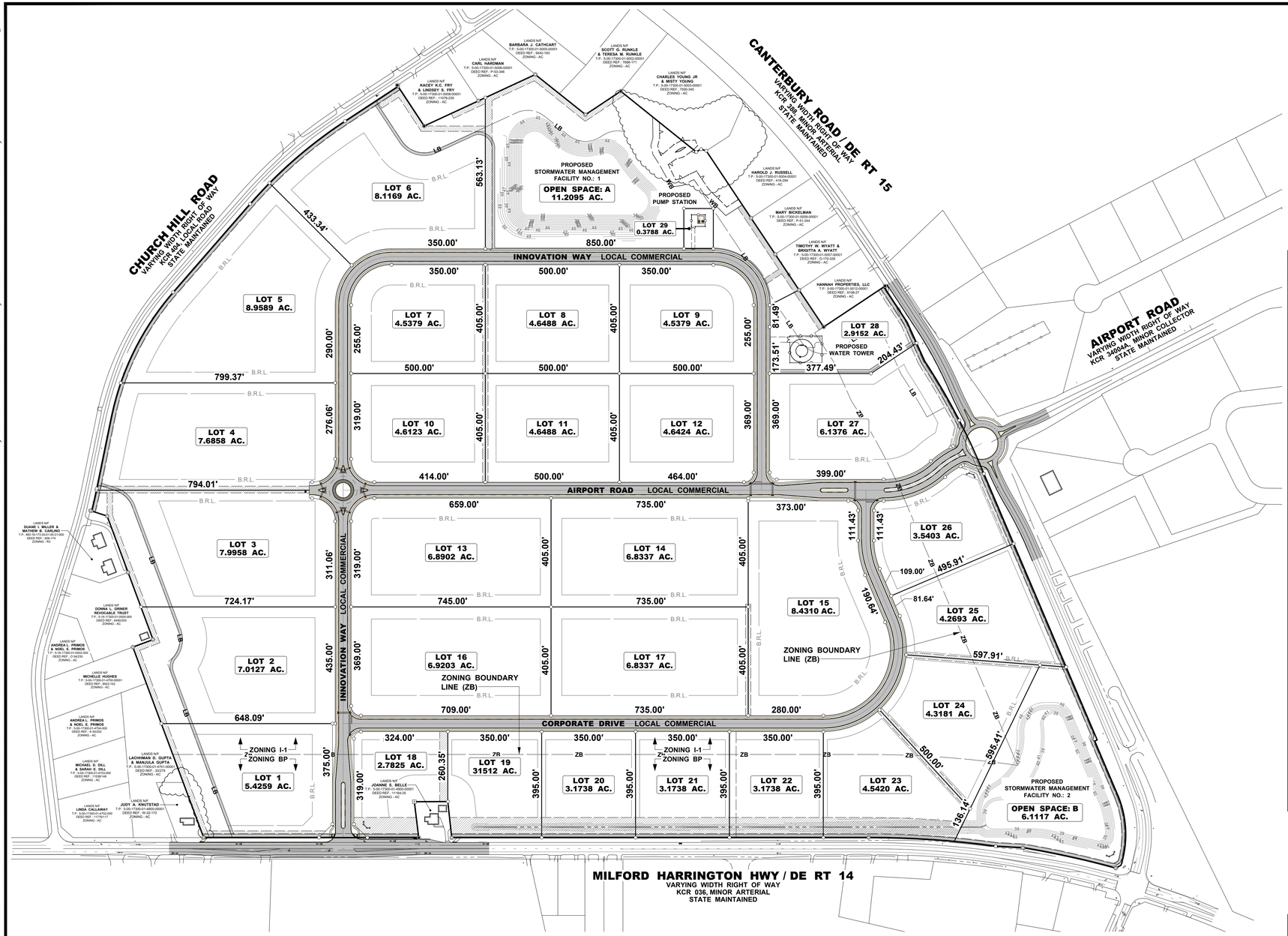
Title:

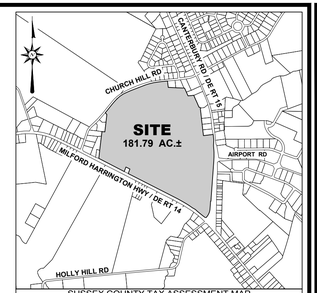
Preliminary Major Subdivision

Milford Corporate Center

Location & Zoning Map

BECKER MORGAN GROUP ARCHITECTURE - ENGINEERING DOVER, DE SALISBURY, MD WILMINGTON, NC www.beckermorgan.com





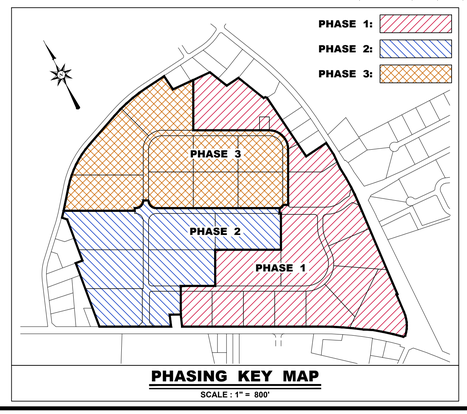
VICINITY MAP SCALE : 1" = 2,000'

SITE DATA

1.	OWNER OF RECORD:	CITY OF MILFORD 201 SOUTH WALNUT STREET MILFORD, DELAWARE 19963 PHONE: 302-424-8396	
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DELAWARE 19904 302-734-7950	
3.	PROPERTY LOCATION:	MILFORD HARRINGTON HIGHWAY LATITUDE N38° 56' 04.20" GRS80 - NAD83 LONGITUDE W 075° 27' 45.20" GRS80 - NAD83	
4.	TAX PARCEL NUMBER:	MD-16-173.00-01-01.00-000	
5.	DEED REFERENCE :	11650-25	
6.	PLAT REFERENCE :	P.B.: 132 PG.: 87	
7.	SITE AREA SUMMARY:	181.7935 ACRES±	
8.	ZONING CLASSIFICATION:	BP - BUSINESS PARK I-1 - LIMITED INDUSTRIAL	
9.	PRESENT USE:	VACANT LOT / AGRICULTURE	
10.	ROAD CLASSIFICATION:	MILFORD HARRINGTON HWY / DE RT 14 - MINOR ARTERIAL - 50 MPH CANTERBURY ROAD / DE RT 15 - MINOR ARTERIAL - 50 MPH AIRPORT ROAD (MUNICIPAL ROAD) - MINOR COLLECTOR - 45 MPH CHURCH HILL ROAD - LOCAL ROAD - 45 MPH	
11.	SURVEY DATUM:	NGS MONUMENTS VERTICAL: NAVD 88 HORIZONTAL: NAD 83 (2011)	
12.	MONUMENTATION:	31 FOUND	
13.	SURVEY UNIT:	LINEAR: US SURVEY FOOT ANGULAR: DEGREES MINUTES SECONDS (DMS) COORDINATE: GROUND	
14.	ZONING:	I-1; LIMITED INDUSTRIAL	BP: BUSINESS PARK
15.	MIN. LOT AREA:	REQUIRED: 2.0 ACRES PROPOSED: 4.5379 ACRES MIN.	REQUIRED: 1.0 ACRES PROPOSED: 2.7825 ACRES MIN.
16.	MAXIMUM IMPERVIOUS LOT COVERAGE:	75%	75%
17.	MIN. LOT DIMENSIONS:	REQUIRED: WIDTH: 150' PROPOSED: WIDTH: 350' MIN.	REQUIRED: WIDTH: 150' PROPOSED: WIDTH: 230'
18.	SETBACKS:	FRONT: 75' SIDE: 40' REAR: 45'	FRONT: 30' SIDE: 15' REAR: 25'
19.	BUILDING HEIGHT:	PERMITTED: 50' MAX.	PERMITTED: 50' MAX.
20.	LOT COVERAGE:	MAX ALLOWABLE: 75%	MAX ALLOWABLE: 75%
21.	UTILITY PROVIDERS:	SEWER: CITY OF MILFORD WATER: CITY OF MILFORD ELECTRIC: CITY OF MILFORD GAS: CHESAPEAKE UTILITIES	
22.	PROPOSED USE:	INDUSTRIAL / COMMERCIAL	

AREA SUMMARY

	ACRES
RIGHT-OF-WAY	14.1820
OPEN SPACE	17.3212
LOTS	150.2903
TOTAL	**181.7935**



PHASING KEY MAP
SCALE : 1" = 800'

CITY OF MILFORD APPROVAL

MARK WHITFIELD — CITY MANAGER — DATE

CITY PLANNING DEPARTMENT APPROVAL

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

CITY ENGINEER APPROVAL

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

CITY ENGINEER — DATE

OWNERS CERTIFICATION

WE, THE CITY OF MILFORD, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE — DATE

ENGINEERS CERTIFICATION

I, JONATHAN S. FALKOWSKI, P.E, 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.

JONATHAN S. FALKOWSKI — P.E. NO. 18828 — DATE

SHEET INDEX

COVER SHEET
C-001 PRELIMINARY SITE PLAN COVER SHEET
C-002 GENERAL NOTES & ROAD SECTIONS
EXISTING CONDITIONS AND DEMOLITION PLANS
C-101 EXISTING CONDITIONS PLAN
SITE PLANS
C-200 OVERALL PRELIMINARY SITE PLAN
C-201 - 209 PRELIMINARY SITE PLAN
LANDSCAPE PLANS
L-001 LANDSCAPE NOTES AND DETAILS
L-101 - 109 PRELIMINARY LANDSCAPE PLAN
SIGNAGE PLANS
S-001 SIGNAGE DETAILS
S-101 - 103 PRELIMINARY SIGNAGE PLAN

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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

www.beckermorgan.com

PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY. & CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN COVER SHEET

0 100 200 400
SCALE: 1" = 200'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: Cd01

PROJECT NO.:	2022083.00
DATE:	2023-04-04
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET
C-001

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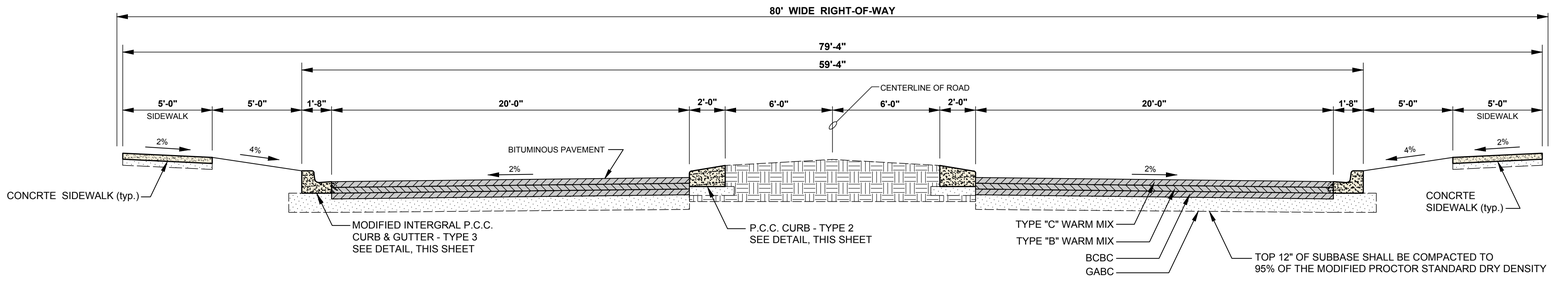
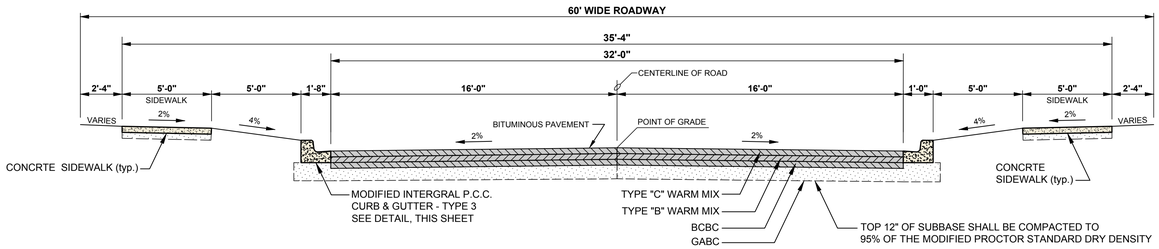


1. 6" TOPSOIL SEED & MULCH ALL DISTURBED AREAS
2. SUBGRADE TO BE PREPARED IN ACCORDANCE WITH THE CITY OF MILFORDS STANDARD SPECIFICATIONS & DETAILS.

PROPOSED ENTRANCE BOULEVARD SECTION - 80 FT. R.O.W.

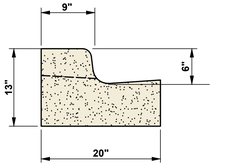
SCALE: 1" = 4'



1. 6" TOPSOIL SEED & MULCH ALL DISTURBED AREAS
2. SUBGRADE TO BE PREPARED IN ACCORDANCE WITH THE CITY OF MILFORDS STANDARD SPECIFICATIONS & DETAILS.

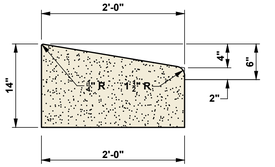
PROPOSED PARK ROAD SECTION - 60 FT. R.O.W.

SCALE 1" = 4'



CURB & GUTTER TYPE 3-6

DELDOT STANDARD C-1 (2022)



CURB & GUTTER TYPE 2

DELDOT STANDARD C-1 (2022) MEDIAN CURB

PAVEMENT LEGEND

BITUMINOUS PAVEMENT	
CONCRETE PAVING	

LEGEND

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	EVERGREEN DECIDUOUS	N/A
WIRE FENCE		
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE		N/A
CONTOUR	49	55
ELEVATION SPOT SHOT	43.55	25.50 T.C. 25.00 B.C.
BENCH MARK		25.15 N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

GENERAL NOTES

1. 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. A PREVIOUS BOUNDARY SURVEY WAS PERFORMED BY DAVIS, BOWEN & FRIEDEL, ON OCTOBER 2017 AND RECORDED IN THE KENT COUNTY RECORDER OF DEEDS OFFICE, PLATBOOK 132, PAGE 89.
2. A TOPOGRAPHIC SURVEY WAS PERFORMED BY BECKER MORGAN GROUP OF DOVER, DELAWARE IN DECEMBER 2022. ELEVATIONS ARE BASED ON CONTROL MONUMENT NGS-X35, WITH AN ELEVATION OF 39.97' NGVD88.
3. HORIZONTAL DATUM IS BASED ON DELAWARE STATE GRID, NAD83/91, CONTROL MONUMENTS NGS-X35.
4. EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETENESS OR CORRECTNESS THEREOF IS NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATION AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTOR'S EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY DELMARVA (800-282-8555) A MINIMUM OF THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO ANY EXCAVATION.
5. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. MATERIALS AND WORKMANSHIP SHALL MEET THE REQUIREMENTS OF THE CITY OF MILFORD STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION AND SUBDIVISION PAVEMENT DESIGN, AND ALL APPLICABLE AGENCIES HAVING JURISDICTION OVER THE PROPOSED IMPROVEMENTS.
6. USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACKFILLING TRENCHES.
7. THE CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ANY DISTURBED AREAS BEYOND THE RIGHT-OF-WAY OR EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
8. ALL VALVE CLOSURES AND CUT-INS SHALL BE COORDINATED WITH THE CITY. CITY OFFICIALS WILL CARRY OUT ALL NECESSARY VALVE CLOSURES. CONTRACTOR SHALL COORDINATE ISOLATION OF EXISTING WATER MAINS WITH THE CITY AND NOTIFY AFFECTED RESIDENTS AT LEAST 48 HOURS PRIOR TO CUT-IN.
9. PIPELINE DETECTION TAPE SHALL BE COLOR CODED, APPROPRIATELY LABELED, AND INSTALLED 18 INCHES BELOW THE GROUND SURFACE AND DIRECTLY ABOVE ALL PROPOSED NON-METALLIC WATER MAIN, SEWER MAIN; SEWER LATERALS, AND WATER SERVICES.
10. CONDUCTIVE TRACER WIRE SHALL BE INSTALLED WITH ALL NON-METALLIC WATER PIPE AND SERVICES; AND ALONG ALL SEWER LATERALS AND FORCEMAIN. WIRE SHALL BE SECURED TO THE PIPE AND SHALL BE SECURELY BONDED TOGETHER AT ALL WIRE JOINTS WITH APPROVED WATERTIGHT CONNECTORS. TRACER WIRE SHALL BE ACCESSIBLE AT ALL VALVE BOXES, METER PITS, CLEANOUTS, AND AIR RELEASE VALVES.
11. PRIOR TO ISOLATION AND CUT-IN PROCEDURES, CONTRACTOR SHALL EXCAVATE, LOCATE, AND OBSERVE FUNCTION OF ALL EXISTING VALVES TO ASSIST IN THE SYSTEM ISOLATION.
12. SHOP DRAWINGS FOR ANY ITEM(S) WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO THE ORDERING OF AND/OR INSTALLATION OF THE ITEM(S).
13. ALL SANITARY SEWER MAINS AND FORCEMAINS SHALL HAVE A MINIMUM COVER OF 36 INCHES AND ALL WATER MAINS SHALL HAVE A MINIMUM COVER OF 42 INCHES AS MEASURED FROM THE TOP OF PIPE TO PROPOSED GRADE. SEWER LATERALS SHALL HAVE A MINIMUM DIAMETER OF SIX (6) INCHES AND HAVE A MINIMUM COVER OF 36 INCHES.
14. THERE SHALL BE A MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWER MAINS AND FORCEMAINS OF 10 FEET, AS MEASURED FROM EDGE OF PIPE TO EDGE OF PIPE. THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 18 INCHES BETWEEN WATER MAINS AND SANITARY SEWER MAINS OR FORCEMAINS AT CROSSINGS. ONE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO THAT BOTH JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE AT CROSSINGS.
15. THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 12 INCHES BETWEEN ANY STORM DRAIN PIPE AND ANY WATER MAIN OR SEWER MAIN. IF 12 INCHES CANNOT BE MAINTAINED, A MINIMUM OF SIX (6) INCHES IS REQUIRED AND PROVISIONS SHALL BE MADE ACCEPTABLE TO THE CITY OF MILFORD FOR PROPERLY ENCASING THE PIPE IN CONCRETE.
16. PARCEL IS LOCATED WITHIN ZONE "X", AREA OF MINIMAL FLOODING HAZARD, BASED ON FEMA FIRM MAPS: 10005C0037J, EFFECTIVE 1/6/05, 10001C0368H, EFFECTIVE 5/5/03 & 10001C0355J, EFFECTIVE 7/7/14.
17. ALL ROADWAYS ARE TO BE SWEPT FREE OF SEDIMENT ON A DAILY BASIS.
18. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATIONAL SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
19. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER WILL OCCUR AFTER PAVING IS COMPLETE.
20. THE STORM DRAINAGE SYSTEM HAS BEEN DESIGNED USING THE CRITERIA OF THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION DEVELOPMENT COORDINATION MANUAL, LATEST EDITION.
21. ALL FIRE LANES, FIRE HYDRANTS, EXITS, AND STANDPIPES WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
22. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE OWNER.
23. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
24. CONTRACTOR SHALL GRADE, TOPSOIL, SEED AND MULCH ALL DISTURBED AREAS OF CONSTRUCTION, INCLUDING PIPE INSTALLATION OR DITCH CONSTRUCTION. EROSION CONTROL MATTING SHALL BE PROVIDED ON ALL SLOPES GREATER THAN 3:1.
25. A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF DELAWARE SHALL BE RESPONSIBLE FOR PERMANENTLY RE-ESTABLISHING ANY PROPERTY MARKERS OR MONUMENTS DISTURBED DURING CONSTRUCTION. A SURVEY AND METES AND BOUNDS THAT INCLUDES THE RE-ESTABLISHED MARKER(S) OR MONUMENT(S) SHALL BE PRESENTED TO THE PROPERTY OWNER FOR COMPARISON WITH THE ORIGINAL PLAT, FOR VERIFICATION.
26. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING THE SERVICES OF A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF DELAWARE FOR THE PLACEMENT OF PERMANENT MONUMENTS ON EACH CORNER OF ANY BUILDING LOT AND ALONG THE PROJECT BOUNDARY AND THE RIGHT-OF-WAY AT ALL CORNERS AND TANGENT POINTS PRIOR TO FINAL SETTLEMENT FOR THE PROPERTY.
27. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE SHORT-TERM MAINTENANCE (DURING CONSTRUCTION) OF THE STORMWATER MANAGEMENT AND STORM SEWER SYSTEMS.
28. MILFORD CORPORATE CENTER WILL BE RESPONSIBLE FOR THE LONG-TERM MAINTENANCE (AFTER CONSTRUCTION AND APPROVAL RECEIVED FROM THE CONSERVATION DISTRICT) OF THE STORMWATER MANAGEMENT AND STORM SEWER SYSTEMS.
29. THE CITY OF MILFORD WILL ASSUME OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF WATER AND SEWER PIPES AND APPURTENANCES, INSTALLED WITHIN CITY RIGHT-OF-WAY AND EASEMENTS DEDICATED TO THE CITY, STORM SEWER PIPES AND CATCH BASINS, INSTALLED FULLY WITHIN CITY RIGHT-OF-WAY; ONCE THE FOLLOWING CONDITIONS HAVE BEEN MET:
    A. ALL ITEMS HAVE PASSED CITY INSPECTION;
    B. THE CITY HAS RECEIVED AND APPROVED DIGITAL AND HARD COPIES OF THE RECORD DRAWINGS; AND
    C. THE RIGHTS-OF-WAY AND/OR EASEMENTS HAVE BEEN DEEDED TO THE CITY AND RECORDED WITH THE RECORDER OF DEEDS.
30. 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.
31. PRELIMINARY APPROVAL FROM PLANNING COMMISSION SHALL BE VOID 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.
32. THE APPROVAL OF A CONDITIONAL USE IN CONJUNCTION WITH A SITE PLAN APPLICATION SHALL EXPIRE UPON THE EXPIRATION OF THE ASSOCIATED SITE PLAN.
33. 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.
34. THE APPLICANT IS RESPONSIBLE TO ENSURE THAT ALL CITY AND/OR AGENCY CONSTRUCTION PERMIT APPLICATIONS HAVE BEEN COMPLETED, SUBMITTED, AND ALL APPLICABLE FEES HAVE BEEN PAID PRIOR TO COMMENCING CONSTRUCTION. THE CITY SHALL NOT BE HELD RESPONSIBLE FOR AN ANTICIPATED CONSTRUCTION START DATE THAT IS NOT MET DUE TO THE APPLICANT OR HIS/HER CONTRACTOR NOT HAVING MET THE CONSTRUCTION PERMITTING REQUIREMENTS.
35. AS A CONDITION OF THE APPROVAL OF THE CONSTRUCTION DRAWINGS, AND PRIOR TO THE 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.
36. A MAINTENANCE BOND IN THE AMOUNT OF 10% OF THE CONSTRUCTION VALUE FOR ANY CONSTRUCTED IMPROVEMENTS AND A PERFORMANCE BOND IN THE AMOUNT OF 125% OF THE CONSTRUCTION VALUE FOR ANY UNCOMPLETED WORK SHALL BE PROVIDED IN ORDER TO 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.
37. UPON COMPLETION OF THE CONSTRUCTION IMPROVEMENTS AND PRIOR TO THE RELEASE OF ANY DEVELOPER'S COMPLETION GUARANTEE, THE DEVELOPER SHALL PROVIDE THE CITY ENGINEER A DRAFT PAPER SET OF DETAILED RECORD PLANS (PLAN VIEW AND PROFILE SHEETS). RECORD INFORMATION SHALL BE PLACED ON THE APPROPRIATE APPROVED DRAWINGS. ORIGINAL DESIGN ELEVATION AND/OR DISTANCE INFORMATION SHALL BE STRUCK THROUGH WITH A FINE LINE AND THE RECORD INFORMATION SHALL BE INSERTED NEXT TO IT. WHEN THE DRAFT SET OF DRAWINGS HAS BEEN APPROVED BY THE CITY, THREE (3) FINAL PAPER COPIES SHALL BE SUBMITTED, SIGNED AND SEALED BY THE OWNER'S ENGINEER OR SURVEYOR. ADDITIONALLY, A CD SHALL BE PROVIDED WITH DIGITAL RECORD INFORMATION IN AUTOCAD FORMAT (VERSION 2018 OR LATER). THE DIGITAL INFORMATION SHALL BE ON DELAWARE STATE PLANE, NAD 83 HORIZONTAL CONTROL AND NAVD88 VERTICAL CONTROL. RECORD PLAN INFORMATION SHALL INCLUDE SURVEYED AS-BUILT ELEVATIONS AND HORIZONTAL LOCATIONS OF THE FOLLOWING:
    A. ALL PROPERTY MONUMENTS/MARKERS;
    B. SEWER MANHOLE RIM & INVERT ELEVATIONS, WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, PUMP STATION RIM, BOTTOM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED, FORCEMAIN INVERT ELEVATIONS EVERY 50 FEET, FORCEMAIN AIR RELEASE VALVE RIM & INVERT ELEVATIONS, SEWER CLEANOUT RIM & INVERT ELEVATIONS, AND GREASE TRAP RIM, BOTTOM & INVERT ELEVATIONS;
    C. WATER VALVES, FIRE HYDRANTS, METER VAULTS, METER PITS, AND CURB STOPS;
    D. STORM SEWER CATCH BASIN AND/OR MANHOLE GRATE, RIM & INVERT ELEVATIONS WITH ASSOCIATED PIPE SIZES & MATERIALS NOTED; AND
    E. ANY OTHER ITEM WHICH WILL BE TAKEN OVER BY THE CITY.
38. THE CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS DEPARTMENT AT (302) 422-1110 A MINIMUM OF TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SCHEDULE A PRE-CONSTRUCTION MEETING. THE SITE CONTRACTOR AND THE OWNER, OR HIS/HER REPRESENTATIVE SHALL BE IN ATTENDANCE.
39. A 5' GENERAL UTILITY EASEMENT WILL BE PROVIDED ON EACH SIDE LOT LINE, A 10' WIDE GENERAL UTILITY EASEMENT ALONG THE REAR PROPERTY LINE AND A 15' GENERAL UTILITY EASEMENT ALONG THE FRONT LOT LINE FOR INSTALLATION OF CITY UTILITIES AND CONVEYANCE OF DRAINAGE.

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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

GENERAL NOTES & ROAD SECTIONS

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER/STATE: C-002

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-002

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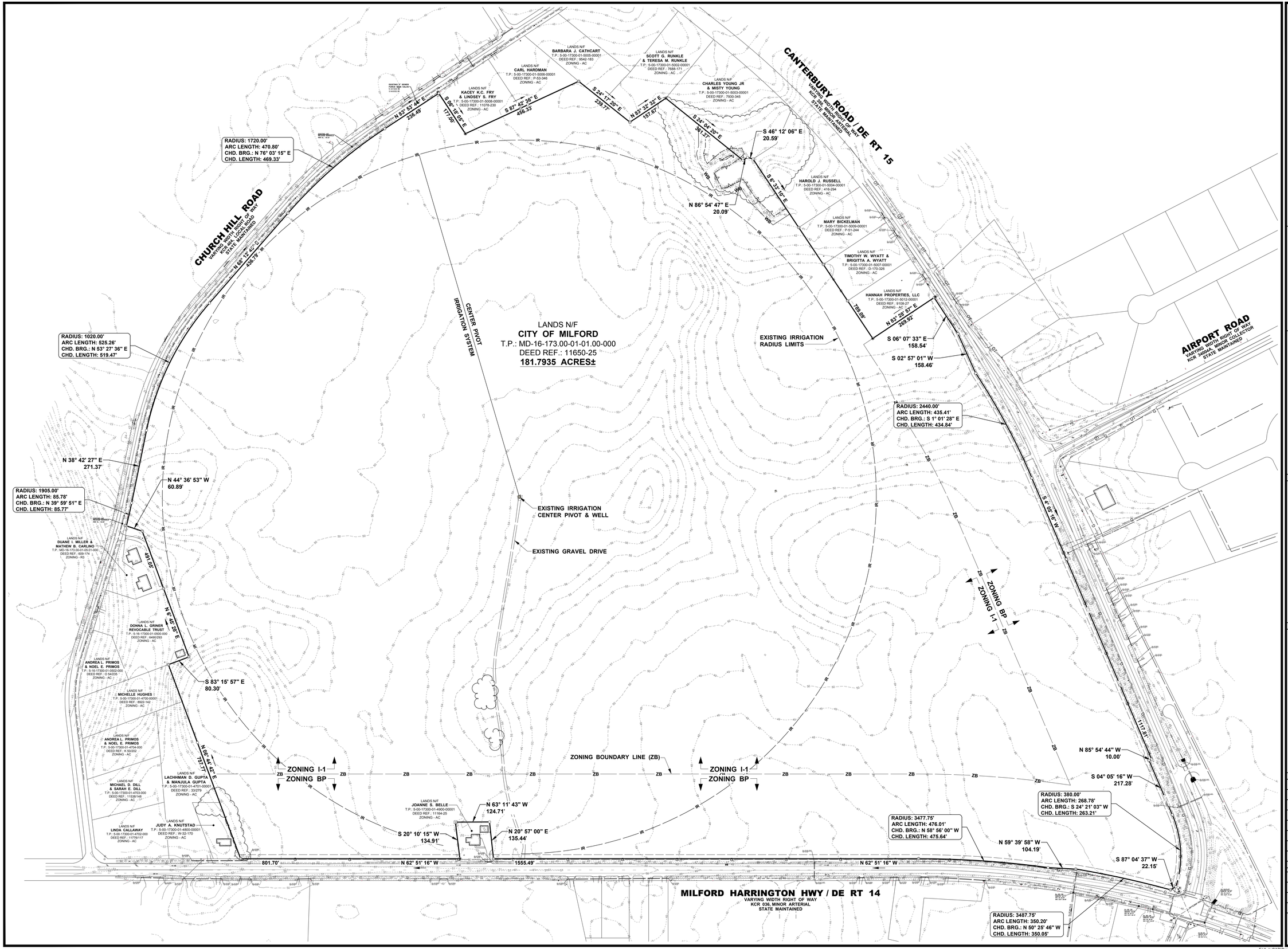

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910.341.7600

www.beckermorgan.com

PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

EXISTING CONDITIONS PLAN

0 75 150 300

SCALE: 1" = 150'

ISSUE BLOCK		
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10
MARK	DATE	DESCRIPTION

LAYER STATE: C-101

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-101

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PAVEMENT LEGEND

BITUMINOUS PAVEMENT	
CONCRETE PAVING	

LEGEND

ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE	x x x	x x x
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE		N/A
CONTOUR	49	55
ELEVATION SPOT SHOT	43.55	25.15 / 25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

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

CHURCH HILL ROAD
VARYING WIDTH RIGHT OF WAY
KCR 466, LOCAL ROAD
STATE MAINTAINED

CANTERBURY ROAD / DE RT 15
VARYING WIDTH RIGHT OF WAY
KCR 196, MINOR ARTERIAL
STATE MAINTAINED

AIRPORT ROAD
VARYING WIDTH RIGHT OF WAY
KCR 340/34, MINOR COLLECTOR
STATE MAINTAINED

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL
STATE MAINTAINED

INNOVATION WAY
LOCAL COMMERCIAL

AIRPORT ROAD
LOCAL COMMERCIAL

LOCAL COMMERCIAL
CORPORATE DRIVE

INNOVATION WAY

LANDS N/F
BARBARA J. CATHCART
T.P.: 5-00-17300-01-5005-00001
DEED REF.: 9542-183
ZONING - AC

LANDS N/F
CARL HARDMAN
T.P.: 5-00-17300-01-5005-00001
DEED REF.: P-53-346
ZONING - AC

LANDS N/F
KACEY K.C. FRY & LINDSEY S. FRY
T.P.: 5-00-17300-01-5008-00001
DEED REF.: 11078-230
ZONING - AC

LANDS N/F
SCOTT G. RUNKLE & TERESA M. RUNKLE
T.P.: 5-00-17300-01-5002-00001
DEED REF.: 7688-171
ZONING - AC

LANDS N/F
CHARLES YOUNG JR & MISTY YOUNG
T.P.: 5-00-17300-01-5003-00001
DEED REF.: 7800-345
ZONING - AC

LANDS N/F
HAROLD J. RUSSELL
T.P.: 5-00-17300-01-5004-00001
DEED REF.: 416-294
ZONING - AC

LANDS N/F
MARY BICKELMAN
T.P.: 5-00-17300-01-5009-00001
DEED REF.: P-51-244
ZONING - AC

LANDS N/F
TIMOTHY W. WYATT & BRIGITTA A. WYATT
T.P.: 5-00-17300-01-5007-00001
DEED REF.: D-170-326
ZONING - AC

LANDS N/F
HANNAH PROPERTIES, LLC
T.P.: 5-00-17300-01-5012-00001
DEED REF.: 9108-27
ZONING - AC

LANDS N/F
DUANE I. MILLER & MATHEW B. CARLINO
T.P.: MD-16-173.00-01-05.01-000
DEED REF.: 609-174
ZONING - RS

LANDS N/F
DONNA L. GRINER REVOCABLE TRUST
T.P.: 5-16-17300-01-0500-000
DEED REF.: 8490/293
ZONING - AC

LANDS N/F
ANDREA L. PRIMOS & NOEL E. PRIMOS
T.P.: 5-16-17300-01-0502-000
DEED REF.: O 54/235
ZONING - AC

LANDS N/F
MICHELLE HUGHES
T.P.: 5-00-17300-01-4700-00001
DEED REF.: 8922-142
ZONING - AC

LANDS N/F
ANDREA L. PRIMOS & NOEL E. PRIMOS
T.P.: 5-00-17300-01-4704-000
DEED REF.: K 50/202
ZONING - AC

LANDS N/F
MICHAEL D. DILL & SARAH E. DILL
T.P.: 5-00-17300-01-4703-000
DEED REF.: 11538/148
ZONING - AC

LANDS N/F
LACHHMAN D. GUPTA & MANJULA GUPTA
T.P.: 5-00-17300-01-4701-00001
DEED REF.: 33/279
ZONING - AC

LANDS N/F
LINDA CALLAWAY
T.P.: 5-00-17300-01-4702-000
DEED REF.: 11776/117
ZONING - AC

LANDS N/F
JUDY A. KNUTSTAD
T.P.: 5-00-17300-01-4800-00001
DEED REF.: W-32-170
ZONING - AC

LANDS N/F
JOANNE S. BELLE
T.P.: 5-00-17300-01-4900-00001
DEED REF.: 11164-25
ZONING - AC

LOT 1 5.4259 AC.
LOT 2 7.0127 AC.
LOT 3 7.9958 AC.
LOT 4 7.6858 AC.
LOT 5 8.9589 AC.
LOT 6 8.1169 AC.
LOT 7 4.5379 AC.
LOT 8 4.6488 AC.
LOT 9 4.5379 AC.
LOT 10 4.6123 AC.
LOT 11 4.6488 AC.
LOT 12 4.6424 AC.
LOT 13 6.8902 AC.
LOT 14 6.8337 AC.
LOT 15 8.4310 AC.
LOT 16 6.9203 AC.
LOT 17 6.8337 AC.
LOT 18 2.7825 AC.
LOT 19 31512 AC.
LOT 20 3.1738 AC.
LOT 21 3.1738 AC.
LOT 22 3.1738 AC.
LOT 23 4.5420 AC.
LOT 24 4.3181 AC.
LOT 25 4.2693 AC.
LOT 26 3.5403 AC.
LOT 27 6.1376 AC.
LOT 28 2.9152 AC.
LOT 29 0.3788 AC.

OPEN SPACE: A 11.2095 AC.
OPEN SPACE: B 6.1117 AC.

PROPOSED STORMWATER MANAGEMENT FACILITY NO.: 1
PROPOSED STORMWATER MANAGEMENT FACILITY NO.: 2
PROPOSED PUMP STATION
PROPOSED WATER TOWER
WETLAND BUFFER LINE (WB)
BUILDING RESTRICTION LINE
ZONING BOUNDARY LINE (ZB)
ZONING I-1
ZONING BP

563.13' 433.34' 799.37' 794.01' 724.17' 648.09' 709.00' 659.00' 745.00' 735.00' 373.00' 399.00' 377.49' 204.43' 81.49' 173.51' 111.43' 111.43' 109.00' 495.91' 81.64' 190.64' 597.91' 595.41' 500.00' 136.14' 280.00' 350.00' 850.00' 500.00' 414.00' 464.00' 735.00' 290.00' 276.06' 319.00' 311.06' 435.00' 375.00' 255.00' 405.00' 369.00' 395.00' 260.35' 324.00'

SCALE: 1" = 150'

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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410.546.9100

North Carolina
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY. & CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY OVERALL SITE PLAN

ISSUE	BLOCK	
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10
MARK	DATE	DESCRIPTION

LAYER/STATE: C-200

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET
C-200

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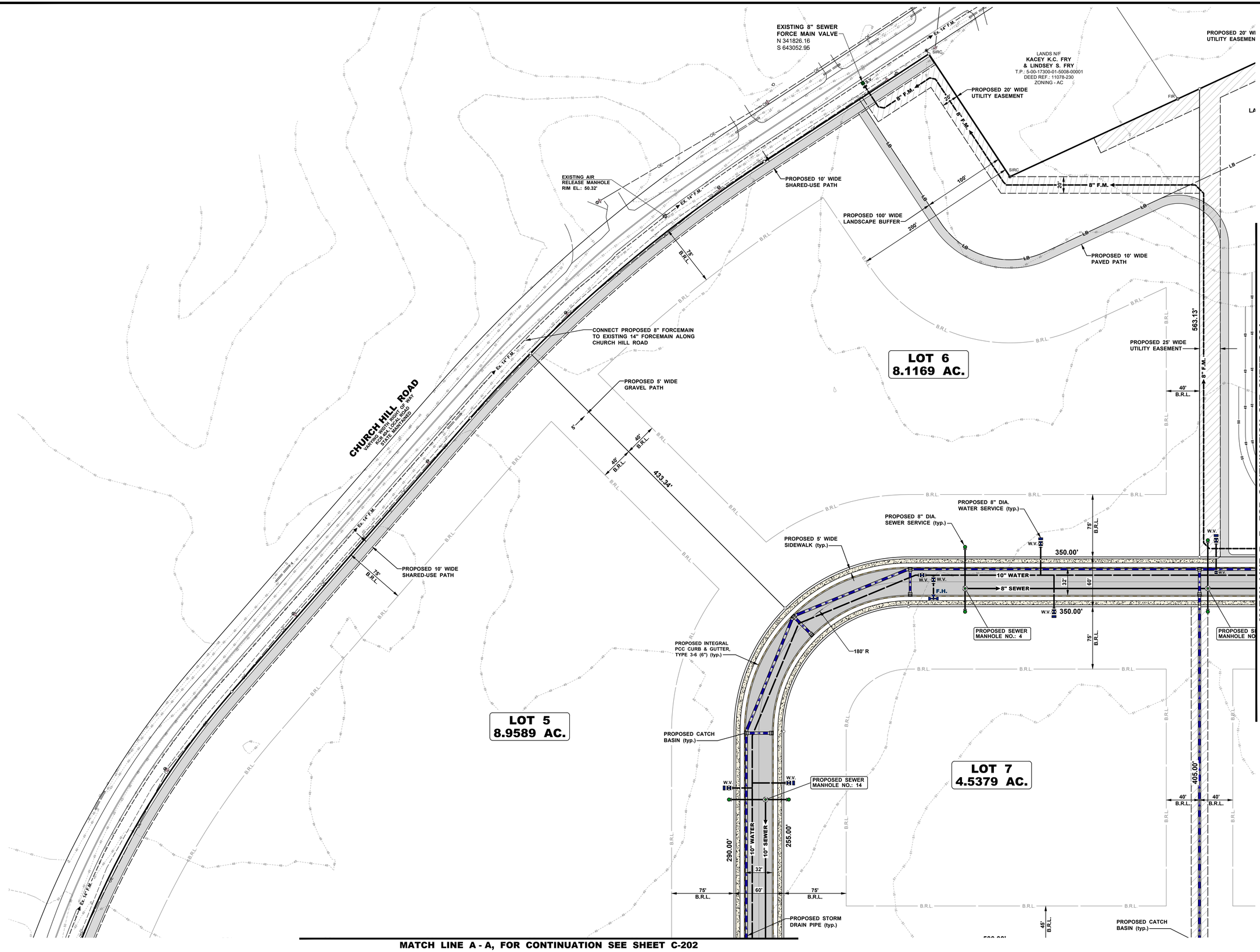

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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED 2023-03-10

LAYER/STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET
C-201

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MATCH LINE A - A, FOR CONTINUATION SEE SHEET C-201

CHURCH HILL ROAD
VARYING WIDTH RIGHT-OF-WAY
RESIDENTIAL LOCAL ROAD
STATE MAINTAINED

Ex. 14" F.M.

75' B.R.L.

PROPOSED 10' WIDE SHARED-USE PATH

PROPOSED 25' WIDE UTILITY EASEMENT

LOT 4
7.6858 AC.

799.37'

794.01'

PROPOSED 100' WIDE LANDSCAPE BUFFER

LANDS N/F
DUANE I. MILLER &
MATHEW B. CARLINO
T.P.: MD-16-173.00-01-05.01-000
DEED REF.: 609-174
ZONING - R3

PROPOSED 10' WIDE PAVED PATH

PROPOSED 20' WIDE UTILITY EASEMENT

LOT 3
7.9958 AC.

724.17'

LANDS N/F
DONNA L. GRINER
REVOCABLE TRUST
T.P.: 5-16-17300-01-0500-000
DEED REF.: 6490/293
ZONING - AC

PROPOSED INTEGRAL

MATCH LINE C - C, FOR CONTINUATION SEE SHEET C-203

PROPOSED STORM DRAIN PIPE (typ.)

PROPOSED CATCH BASIN (typ.)

500.00'

PROPOSED 8" DIA. WATER SERVICE (typ.)

PROPOSED 8" DIA. SEWER SERVICE (typ.)

PROPOSED SEWER MANHOLE NO.: 13

276.06'

319.00'

PROPOSED 5' WIDE SIDEWALK (typ.)

10" SEWER

LOT 10
4.6123 AC.

PROPOSED SEWER MANHOLE NO.: 30

PROPOSED SEWER MANHOLE NO.: 12

PROPOSED SEWER MANHOLE NO.: 11

414.00'

659.00'

10" WATER

PROPOSED CATCH BASIN (typ.)

10" WATER

10" SEWER

LOT 13
6.8902 AC.

311.06'

319.00'

PROPOSED SEWER MANHOLE NO.: 15

745.00'

PROPOSED STORM DRAIN PIPE (typ.)

MATCH LINE D - D, FOR CONTINUATION SEE SHEET C-205

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North Carolina
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET
C-202

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MATCH LINE C - C, FOR CONTINUATION SEE SHEET C-202

MATCH LINE E - E, FOR CONTINUATION SEE SHEET C-206

LOT 2
7.0127 AC.

LOT 16
6.9203 AC.

LOT 18
2.7825 AC.

LOT 1
5.4259 AC.

LOT 19
3.1512 AC.

724.17'

745.00'

648.09'

709.00'

324.00'

350.00'

435.00'

369.00'

375.00'

319.00'

260.35'

PROPOSED STORM DRAIN PIPE (typ.)

PROPOSED INTEGRAL PCC CURB & GUTTER, TYPE 3-6 (6") (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

10" WATER

10" SEWER

32'

60'

75' B.R.L.

PROPOSED 8" DIA. WATER SERVICE (typ.)

PROPOSED 8" DIA. SEWER SERVICE (typ.)

PROPOSED SEWER MANHOLE NO.: 16

PROPOSED SEWER MANHOLE NO.: 27

PROPOSED SEWER MANHOLE NO.: 17

50' R

PROPOSED CATCH BASIN (typ.)

8" SEWER

10" WATER

ZONING I-1

ZONING BP

ZONING BOUNDARY LINE (ZB)

PROPOSED 10' WIDE PAVED PATH

PROPOSED 100' WIDE LANDSCAPE BUFFER

PROPOSED 20' WIDE UTILITY EASEMENT

PROPOSED 30' WIDE UTILITY EASEMENT

PROPOSED 75' WIDE UTILITY / DRAINAGE EASEMENT

PROPOSED 10' WIDE SHARED-USE PATH

PROPOSED 10' WIDE UTILITY EASEMENT

PROPOSED SIGN

10" W

80'

16'

20'

15'

30'

100'

75'

LANDS N/F
GRINER
TRUST
01-0500-000
490/293
- AC

LANDS N/F
HUGHES
01-4700-00001
8922-142
- - AC

LANDS N/F
LACHHMAN D. GUPTA
& MANJULA GUPTA
T.P.: 5-00-17300-01-4701-00001
DEED REF.: 33/279
ZONING - AC

LANDS N/F
JUDY A. KNUTSTAD
T.P.: 5-00-17300-01-4800-00001
DEED REF.: W-32-170
ZONING - AC

LANDS N/F
JOANNE S. BELLE
T.P.: 5-00-17300-01-4900-00001
DEED REF.: 11164-25
ZONING - AC

Ex. 12" RCP INV: 49.82'
Ex. 12" RCP INV: 49.21'
Ex. 12" RCP INV: 50.01'
Ex. 12" RCP INV: 49.56'
Ex. 12" RCP INV: 49.38'
Ex. 15" RCP INV: 49.15'
Ex. 15" RCP INV: 48.65'
Ex. 15" RCP INV: 47.95'
Ex. 15" RCP INV: 47.92'
Ex. 12" RCP INV: 47.36'
Ex. 12" RCP INV: 47.32'
Ex. 12" RCP INV: 46.20'
Ex. 12" RCP INV: 48.24'

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL
STATE MAINTAINED

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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309 South Governors Avenue
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North Carolina
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-203

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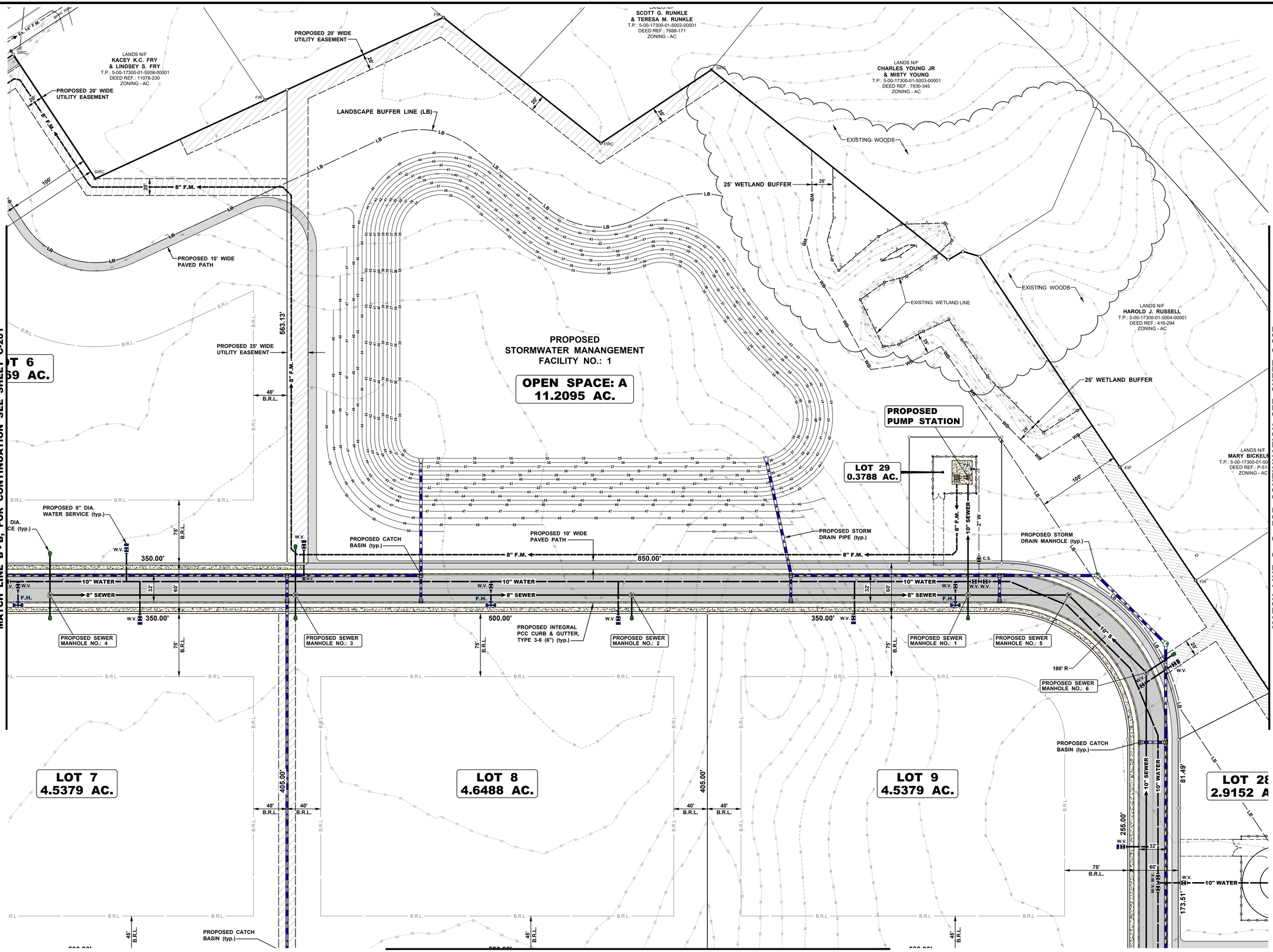

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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-204

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MATCH LINE F - F, FOR CONTINUATION SEE SHEET C-204

MATCH LINE D - D, FOR CONTINUATION SEE SHEET C-202

MATCH LINE I - I, FOR CONTINUATION SEE SHEET C-208

MATCH LINE H - H, FOR CONTINUATION SEE SHEET C-206

LOT 10
4.6123 AC.

LOT 11
4.6488 AC.

LOT 12
4.6424 AC.

LOT 13
6.8902 AC.

LOT 14
6.8337 AC.

PROPOSED CATCH BASIN (typ.)

PROPOSED 20' WIDE UTILITY EASEMENT

PROPOSED SEWER MANHOLE NO.: 11

PROPOSED SEWER MANHOLE NO.: 10

PROPOSED 8" DIA. SEWER SERVICE (typ.)

PROPOSED 8" DIA. WATER SERVICE (typ.)

PROPOSED SEWER MANHOLE NO.: 9

PROPOSED SEWER MANHOLE NO.: 7

PROPOSED SEWER MANHOLE NO.: 8

PROPOSED INTEGRAL PCC CURB & GUTTER, TYPE 3-6 (6") (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

10" WATER

10" SEWER

500.00'

405.00'

414.00'

659.00'

464.00'

735.00'

745.00'

369.00'

173.51'

373.00'

75' B.R.L.

45' B.R.L.

40' B.R.L.

50' R

F.H.

W.V.

32'

60'

80'

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ARCHITECTURE
ENGINEERING

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& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-205

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MATCH LINE F - F, FOR CONTINUATION SEE SHEET C-205

MATCH LINE E - E, FOR CONTINUATION SEE SHEET C-203

MATCH LINE L - L, FOR CONTINUATION SEE SHEET C-209

LOT 15
8.4310 AC.

LOT 16
6.9203 AC.

LOT 17
6.8337 AC.

LOT 19
3.1512 AC.

LOT 20
3.1738 AC.

LOT 21
3.1738 AC.

LOT 22
3.1738 AC.

745.00'

735.00'

709.00'

280.00'

350.00'

405.00'

395.00'

260.35'

PROPOSED CATCH BASIN (typ.)

PROPOSED 20' WIDE UTILITY EASEMENT

PROPOSED SEWER MANHOLE NO.: 26

PROPOSED SEWER MANHOLE NO.: 25

PROPOSED SEWER MANHOLE NO.: 24

PROPOSED SEWER MANHOLE NO.: 28

PROPOSED SEWER MANHOLE NO.: 29

PROPOSED 8" DIA. SEWER SERVICE (typ.)

PROPOSED 8" DIA. WATER SERVICE (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL PCC CURB & GUTTER, TYPE 3-6 (6") (typ.)

PROPOSED 30' WIDE UTILITY EASEMENT

PROPOSED 25' WIDE UTILITY EASEMENT

PROPOSED 75' WIDE UTILITY / DRAINAGE EASEMENT

PROPOSED 10' WIDE SHARED-USE PATH

ZONING BOUNDARY LINE (ZB)

ZONING I-1

ZONING BP

8" SEWER

10" SEWER

10" WATER

F.H.

W.V.

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL
STATE MAINTAINED

FUTURE 4" DIA. PVC C900 DR18 FORCE MAIN FROM THE HICKORY GLEN PUMP STATION TO DESIGNED & INSTALLED BY OTHER

Ex. 12" RCP INV: 48.20'

Ex. 12" RCP INV: 46.90'

Ex. 12"x18" RCP INV: 43.96'

Ex. 12"x18" RCP INV: 43.65'

Ex. 12" RCP INV: 44.39'

Ex. 12" RCP INV: 44.48'

Ex. 12" RCP INV: 44.52'

SCALE: 1" = 50'

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
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The Tower at STAR Campus
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Newark, DE 19713
302.369.3700

Maryland
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Salisbury, MD 21801
410.546.9100

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

www.beckermorgan.com

PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-206

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MATCH LINE G - G, FOR CONTINUATION SEE SHEET C-204

EXISTING WOODS

EXISTING WETLAND LINE

EXISTING WOODS

LANDS N/F
HAROLD J. RUSSELL
T.P.: 5-00-17300-01-5004-00001
DEED REF.: 416-294
ZONING - AC

25' WETLAND BUFFER

PROPOSED PUMP STATION

LOT 29
0.3788 AC.

LANDS N/F
MARY BICKELMAN
T.P.: 5-00-17300-01-5009-00001
DEED REF.: P-51-244
ZONING - AC

PROPOSED STORM DRAIN PIPE (typ.)

8" F.M.

10" SEWER

2" W

8" F.M.

C.S.

PROPOSED STORM DRAIN MANHOLE (typ.)

10" WATER

W.V.

W.V. W.V.

8" SEWER

F.H.

350.00'

W.V.

32'

60'

75' B.R.L.

PROPOSED SEWER MANHOLE NO.: 1

PROPOSED SEWER MANHOLE NO.: 5

180' R

PROPOSED SEWER MANHOLE NO.: 6

PROPOSED CATCH BASIN (typ.)

LOT 9
4.5379 AC.

10" S

20'

W.V.

10" SEWER

10" WATER

81.49'

255.00'

W.V.

32'

75' B.R.L.

60'

W.V. W.V.

10" WATER

173.51'

LOT 28
2.9152 AC.

LANDS N/F
TIMOTHY W. WYATT &
BRIGITTA A. WYATT
T.P.: 5-00-17300-01-5007-00001
DEED REF.: D-170-326
ZONING - AC

LANDS N/F
HANNAH PROPERTIES, LLC
T.P.: 5-00-17300-01-5012-00001
DEED REF.: 9108-27
ZONING - AC

PROPOSED 20' WIDE UTILITY EASEMENT

20'

PROPOSED WATER TOWER

PROPOSED 10' WIDE UTILITY EASEMENT

PROPOSED 10' WIDE SHARED-USE PATH

100'

PROPOSED 100' WIDE LANDSCAPE BUFFER

PROPOSED 10' WIDE PAVED PATH

204.43'

377.49'

500.00'

45' B.R.L.

45' B.R.L.

40' B.R.L.

ZONING BOUNDARY LINE (ZB)

PROPOSED 100' WIDE LANDSCAPE BUFFER

100'

75' B.R.L.

PROPOSED 10' WIDE

CANTERBURY ROAD / DE RT 15
VARIABLE WIDTH RIGHT-OF-WAY
KNOWN AS DE RT 15
STATE MAINTAINED

Ex. 15" RCP INV: 42.85'

Ex. 15" RCP INV: 43.00'

Ex. 15" RCP INV: 42.95'

Ex. 15" RCP INV: 42.93'

Ex. 12" RCP INV: 44.50'

Ex. 12" RCP INV: 44.42'

Ex. 12" RCP INV: 45.80'

Ex. 12" RCP INV: 46.04'

SIRC

FIR

B.R.L.

LB

OE

OT

WB

MATCH LINE J - J, FOR CONTINUATION SEE SHEET C-208

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-04
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET
C-207

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MATCH LINE J - J, FOR CONTINUATION SEE SHEET C-207

MATCH LINE I - I, FOR CONTINUATION SEE SHEET C-205

MATCH LINE K - K, FOR CONTINUATION SEE SHEET C-209

PROPOSED WATER TOWER

PROPOSED 10' WIDE PAVED PATH

CANTERBURY ROAD / DE RT 15
VARYING WIDTH RIGHT OF WAY
KCR 3400 MINOR ARTERIAL

AIRPORT ROAD
VARYING WIDTH RIGHT OF WAY
KCR 3400 MINOR COLLECTOR

PROPOSED 100' WIDE LANDSCAPE BUFFER

PROPOSED 10' WIDE SHARED-USE PATH

ZONING BOUNDARY LINE (ZB)

ZONING BP

ZONING I-1

LOT 27
6.1376 AC.

LOT 26
3.5403 AC.

LOT 25
4.2693 AC.

LOT 15
8.4310 AC.

PROPOSED SEWER MANHOLE NO.: 7

PROPOSED SEWER MANHOLE NO.: 8

PROPOSED SEWER MANHOLE NO.: 18

PROPOSED SEWER MANHOLE NO.: 19

PROPOSED SEWER MANHOLE NO.: 20

PROPOSED CATCH BASIN (typ.)

PROPOSED 8" DIA. SEWER SERVICE (typ.)

PROPOSED 8" DIA. WATER SERVICE (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL PCC CURB & GUTTER, TYPE 3-6 (6") (typ.)

PROPOSED SIGN

PROPOSED 10' WIDE UTILITY EASEMENT

EXISTING BUILDING

REMOVE THE EXISTING FIRE HYDRANT AND CONNECT THE PROPOSED 10" WATERMAIN TO THE EXISTING 10" WATERMAIN. REINSTALL THE FIRE HYDRANT ALONG CANTERBURY ROAD

Ex. 15" RCP INV: 49.11'

Ex. 15" RCP INV: 48.20'

Ex. 15" RCP INV: 47.90'

Ex. 15" RCP INV: 47.99'

Ex. 15" RCP INV: 47.70'

Ex. 15" RCP INV: 48.11'

Ex. 15" RCP INV: 47.82'

Ex. 15" RCP INV: 47.67'

Ex. 15" RCP INV: 47.36'

Ex. 15" RCP INV: 47.44'

Ex. 15" RCP INV: 47.18'

BECKER MORGAN GROUP

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ENGINEERING

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& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-04
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-208

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MATCH LINE K - K, FOR CONTINUATION SEE SHEET C-208

MATCH LINE L - L, FOR CONTINUATION SEE SHEET C-206

LOT 15
8.4310 AC.

LOT 25
4.2693 AC.

LOT 24
4.3181 AC.

LOT 22
738 AC.

LOT 23
4.5420 AC.

PROPOSED SEWER MANHOLE NO.: 20

PROPOSED SEWER MANHOLE NO.: 21

PROPOSED SEWER MANHOLE NO.: 22

PROPOSED SEWER MANHOLE NO.: 23

PROPOSED CATCH BASIN (typ.)

PROPOSED 20' WIDE UTILITY EASEMENT

PROPOSED STORM DRAIN PIPE (typ.)

PROPOSED STORM DRAIN MANHOLE (typ.)

PROPOSED 8" DIA. SEWER SERVICE (typ.)

PROPOSED 8" DIA. WATER SERVICE (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL PCC CURB & GUTTER, TYPE 3-6 (6") (typ.)

PROPOSED 10' WIDE SHARED-USE PATH

PROPOSED 75' WIDE UTILITY / DRAINAGE EASEMENT

ZONING BOUNDARY LINE (ZB)

ZONING I-1

ZONING BP

CANTERBURY ROAD DE RT 15
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL
STATE MAINTAINED

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL
STATE MAINTAINED

PROPOSED STORMWATER MANANGEMENT FACILITY NO.: 2

OPEN SPACE: B
6.1117 AC.

PROPOSED OUTLET STRUCTURE

CONNECT THE PROPOSED 10" WATERMIAN TO THE EXISTING 10" WATERMAIN.

PROPOSED SIGN

TRAFFIC SIGNAL SPAN

280.00'

350.00'

395.00'

500.00'

597.91'

595.41'

136.14'

Ex. OUTLET
GRATE: 44.16'
INV. IN: 42.01'
INV. OUT: 41.43'

Ex. SD. CB
GRATE: 43.11'
INV. IN: 39.40'
INV. OUT: 39.40'

Ex. SD. CB
GRATE: 43.36'
INV. IN: 40.12'
INV. OUT: 40.12'

Ex. SD. CB
GRATE: 44.62'
INV. IN: 40.35'
INV. OUT: 40.35'

BECKER MORGAN GROUP

ARCHITECTURE
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& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

PRELIMINARY SITE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: C-201

PROJECT NO.:	2022083.00
DATE:	2023-04-03
SCALE:	AS SHOWN
DRAWN BY: M.A.R.	PROJ. MGR.: J.S.F.

SHEET

C-209

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GENERAL LANDSCAPE NOTES :

1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK."

   EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.

   ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 7'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE DETAIL SHOWN.

   PLANT MATERIALS DELIVERED TO THE SITE IN UNCOVERED TRUCKS WILL BE REJECTED.

   UNACCEPTABLE PLANT MATERIALS: MATERIALS WHICH HAVE DAMAGED OR CROOKED LEADERS, DEFORMED GROWTH HABIT, ABRASIONS OF THE BARK, SUN SCALD, WINDBURN, DISFIGURING NOT COMPLETELY CALLUSED WILL BE REJECTED. IN ADDITION, TREES HAVING THEIR CENTRAL LEADERS HEADED BACK WILL ALSO BE REJECTED. PLANTS WITH LOOSE OR CRACKED ROOT BALL OR CONTAINERS WILL BE REJECTED.

2. ALL PLANTS SHALL BE PLANTED IN TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACKFILLING PROGRESSES. NOTHING BUT SUITABLE TOPSOIL, FREE OF DRY SOD, STIFF CLAY, LITTER, STONES IN EXCESS OF ONE (1) INCH DIAMETER, ETC. SHALL BE USED FOR PLANTING.

   MULCH FOR PLANTING BEDS SHALL BE SHREDDED HARDWOOD BARK MULCH UNLESS OTHERWISE SPECIFIED ON THE PLANS AND SHALL HAVE NO LEAVES, YOUNG GREEN GROWTH, BRANCHES, TWIGS, GREATER IN DIAMETER OF ½". WEEDS, SHAVINGS OR FOREIGN MATERIAL SUCH AS STONES, ETC. SHALL BE MIXED WITH THE MULCH. ALL SHRUB MASSES SHALL BE PLANTED IN CONTINUOUS MULCHED BEDS WITH A LIGHTLY COMPACTED DEPTH OF THREE (3) INCHES. ALL CONTAINER PLANTS ARE TO HAVE ROOTS CUT ON FOUR SIDES AND/ OR SPREAD OUT IN NEW SOIL MIXTURE.

3. ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN AND NOTES.)

4. LANDSCAPE BEDS NOT DEFINED BY CURBS, SIDEWALKS, WALLS OR OTHER STRUCTURES SHALL BE ENCLOSED BY ALUMINUM EDGING UNLESS OTHERWISE INDICATED.

5. AREAS DISTURBED BY LANDSCAPE OPERATIONS SHALL BE GRADED TO MATCH EXISTING TOPSOIL AND SEED OR SOD AS REQUIRED.

6. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.

7. NO PLANT, EXCEPT GROUNDCOVERS, SHALL BE WITHIN THREE (3) FEET FROM SIDEWALKS.

8. NO TREE SHALL BE PLANTED CLOSER THAN TEN (10) FEET FROM ANY STRUCTURE OR BUILDING.

9. NO TREE SHALL BE PLANTED WITHIN TEN (10) FEET OF UNDERGROUND UTILITIES OR FIRE HYDRANTS.

10. ONLY TREES THAT REACH A HEIGHT AND SIZE AT MATURITY OF SMALL TO MEDIUM SHALL BE PLANTED UNDER POWER LINES.

11. THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON, UNLESS THE OWNER AGREES TO MAINTAIN AND WATER THEM.

12. TREES TO REMAIN ON-SITE SHALL BE PROTECTED WITH SNOW FENCE DURING CONSTRUCTION (SEE DETAIL). SNOW FENCING TO BE MAINTAINED DURING CONSTRUCTION BY CONTRACTOR.

13. THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER THE PLANT SCHEDULE SHOULD ANY PLANT QUANTITY DISCREPANCIES OCCUR.

14. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER AND/ OR THE LANDSCAPE ARCHITECT.

15. ALL NEW TREES SHALL BE GUARANTEED TO SURVIVE FOR ONE FULL YEAR AFTER INSTALLATION (FULL COST). ALL STAKES AND GUYS SHALL BE REMOVED FROM TREES AND SITE AS EARLY AS THREE (3) MONTHS, BUT NO LONGER THAN ONE (1) YEAR AFTER PLANTING.

TREE PRESERVATION & DENSITY REQUIREMENTS

1.	TOTAL SITE AREA :	181.73 AC
2.	EXISTING WOODLAND AREA :	1.73 AC
3.	WOODLANDS TO BE CLEARED :	0 AC
4.	TOTAL WOODLANDS REMAINING :	1.73 AC
5.	TOTAL NON-WOODLAND AREA :	180.00 AC
6.	TOTAL RIGHT OF WAY AREA:	14.11 AC
7.	TOTAL OPEN SPACE AREA :	20.62 AC
8.	TOTAL LOT AREA :	147.07 AC
9.	DENSITY : 1 TREE PER 3,000 SF OF LOT AREA 6,406,369.2 SF / 3,000 SF / TREE = 2,135.5	147.07 AC (6,406,369.2 SF) 2,136 TREES REQUIRED
10.	EXISTING TREES TO BE RETAINED :	0
11.	PROPOSED TREES :	
	CODE REQUIRED BUFFER ALONG RESIDENTIAL PROPERTIES: 113,707 SF / 6250 SF (BUFFER UNIT) = 18.19 BUFFER UNITS x 6 CANOPY TREES = 18.19 BUFFER UNITS x 12 EVERGREEN TREES = 18.19 BUFFER UNITS x 6 UNDERSTORY TREES = CODE REQUIRED BUFFER =	113,707 SF 18.19 BUFFER UNITS 109 CANOPY TREES 219 EVERGREEN TREES 109 UNDERSTORY TREES 437 BUFFER TREES
	ENHANCED BUFFER ALONG RESIDENTIAL PROPERTIES: 187,755 SF / 6250 SF (BUFFER UNIT) = 30.04 BUFFER UNITS x 4 CANOPY TREES = 30.04 BUFFER UNITS x 6 EVERGREEN TREES = 30.04 BUFFER UNITS x 6 UNDERSTORY TREES = ENHANCED BUFFER =	187,755 SF 30.04 BUFFER UNITS 120 CANOPY TREES 180 EVERGREEN TREES 180 UNDERSTORY TREES 480 BUFFER TREES
	STREET TREES - 1 TREE EVERY 150 LF OF RIGHT OF WAY:	136 STREET TREES
	CORNER 14/15 LANDSCAPING:	32 TREES
	TOTAL PROPOSED TREES:	1,085 TREES
12.	TOTAL TREES REMAINING:	1,165 REQUIRED
13.	TREES TO BE PLANTED WITHIN FUTURE DEVELOPMENT: 6,406,369.2 SF LOT AREA / 1,051 TREES =	1,051 TREES 1 TREE PER 6,000 SF OF LOT AREA

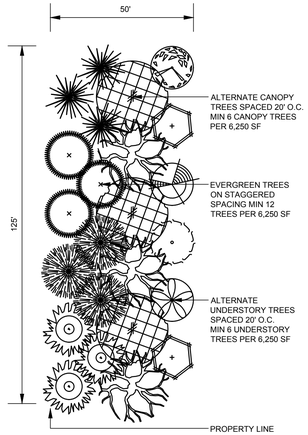
BUFFER PLANT LIST

BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
CANOPY TREES - ACCEPTABLE SPECIES				
ACER RUBRUM 'OCTOBER GLORY'	RED MAPLE	2 1/2" CAL	B&B	FHV
BETULA NIGRA 'HERITAGE'	RIVER BIRCH	2 1/2" CAL	B&B	FHV
GINKGO BILOBA 'AUTUMN GOLD'	GINKGO	2 1/2" CAL	B&B	FHV
GLEDITSIA TRIACANTHOS VAR 'SHADEMASTER'	HONEYLOCUST	2 1/2" CAL	B&B	FHV
QUERCUS RUBRA	NORTHERN RED OAK	2 1/2" CAL	B&B	FHV
TILIA TOMENTOSA 'GREEN MOUNTAIN'	'GREEN MOUNTAIN' LINDEN	2 1/2" CAL	B&B	FHV
ULMUS AMERICANA 'LIBERTY'	AMERICAN ELM	2 1/2" CAL	B&B	FHV
UNDERSTORY TREES - ACCEPTABLE SPECIES				
AMELANCHIER ARBOREA	SERVICEBERRY	1 1/2" CAL	B&B	FHV
CERCIS CANADENSIS	EASTERN REDBUD	1 1/2" CAL	B&B	FHV
CORNUS X RUTCAN	EASTERN DOGWOOD	1 1/2" CAL	B&B	FHV
CRATAEGUS VIRIDIS 'WINTER KING'	GREEN HAWTHORN	1 1/2" CAL	B&B	FHV
MAGNOLIA SOULANGIANA	SAUCER MAGNOLIA	1 1/2" CAL	B&B	FHV
EVERGREEN TREES - ACCEPTABLE SPECIES				
CRYPTOMERIA JAPONICA 'YOSHINO'	JAPANESE CEDAR	5' - 6' HT	B&B	
CEDRUS ATLANTICA	ATLAS CEDAR	5' - 6' HT	B&B	
ILEX OPACA 'JERSEY PRINCESS'	AMERICAN HOLLY	5' - 6' HT	B&B	
JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	5' - 6' HT	B&B	
PINUS STROBUS	EASTERN WHITE PINE	5' - 6' HT	B&B	
THUJA STANDISHII X 'GREEN GIANT'	GREEN GIANT ARBORVITAE	5' - 6' HT	B&B	

TOTAL: 249 CANOPY TREES, 289 UNDERSTORY TREES, 3990 EVERGREEN TREES
NOTE: NO SINGLE PLANTED SPECIES SHALL MAKE UP MORE THAN 40% OF THE TOTAL PLANTINGS PER CATEGORY.

PLANT LIST

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
STREET TREES						
AR	17	ACER RUBRUM 'SUNSET RED'	RED MAPLE	2 1/2" CAL	B&B	FHV
BN	10	BETULA NIGRA 'HERITAGE'	RIVER BIRCH	2 1/2" CAL	B&B	FHV
GB	42	GINKGO BILOBA 'AUTUMN GOLD'	GINKGO	2 1/2" CAL	B&B	FHV
NS	30	NYSSA SYLVATICA	BLACK GUM	2 1/2" CAL	B&B	FHV
QR	37	QUERCUS RUBRA	NORTHERN RED OAK	2 1/2" CAL	B&B	FHV
TOTAL: 136 STREET TREES						
CANOPY TREES						
GB	2	GINKGO BILOBA 'AUTUMN GOLD'	GINKGO	2 1/2" CAL	B&B	FHV
GT	6	GLEDITSIA TRIACANTHOS VAR 'SHADEMASTER'	HONEYLOCUST	2 1/2" CAL	B&B	FHV
QR	6	QUERCUS RUBRA	NORTHERN RED OAK	2 1/2" CAL	B&B	FHV
TOTAL: 14 CANOPY TREES						
UNDERSTORY TREES						
AB	4	AMELANCHIER ARBOREA	DOWNY SERVICEBERRY	1 1/2" CAL	B&B	FHV
TOTAL: 4 UNDERSTORY TREES						
EVERGREEN TREES						
JV	14	JUNIPERUS VIRGINIANA	RED CEDAR	5' - 6' HT	B&B	FHV
TOTAL: 14 EVERGREEN TREES						
TOTAL: 150 CANOPY TREES, 4 UNDERSTORY TREES, 14 EVERGREEN TREES						



NOTES:

LANDSCAPE BUFFER SHALL INCLUDE A VARIETY OF NATIVE EVERGREEN TREES. EXISTING NATIVE VEGETATION MAY BE USED TO ACHIEVE THE REQUIRED PLANTED BUFFER. NO PLANTED SPECIES SHALL MAKE UP MORE THAN 40% OF THE TOTAL PLANTINGS.

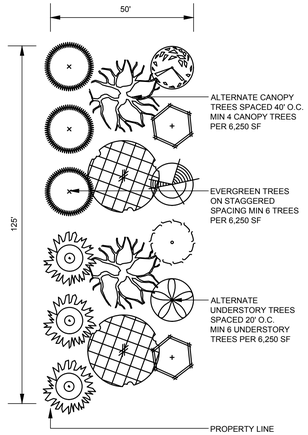
SEE BUFFER PLANT LIST FOR QUANTITIES AND ACCEPTABLE PLANT LIST.

BUFFER DIMENSIONS SHALL BE MEASURED FROM ADJACENT RESIDENTIAL PROPERTY LINE.

BUFFER SHALL NOT BE PLANTED WITHIN UTILITY EASEMENTS

CITY OF MILFORD BP ZONE BUFFER DETAIL

NO SCALE



NOTES:

PER CITY OF MILFORD COMMITMENT TO NEIGHBORING PROPERTIES, AN ADDITIONAL 50' OF BUFFER SHALL BE PROVIDED ALONG ALL ADJACENT RESIDENTIAL PROPERTIES.

BUFFER SHALL BE MEASURED FROM CODE REQUIRED BUFFER, SEE DETAIL THIS SHEET.

LANDSCAPE BUFFER SHALL INCLUDE A VARIETY OF NATIVE EVERGREEN TREES. EXISTING NATIVE VEGETATION MAY BE USED TO ACHIEVE THE REQUIRED PLANTED BUFFER. NO PLANTED SPECIES SHALL MAKE UP MORE THAN 40% OF THE TOTAL PLANTINGS.

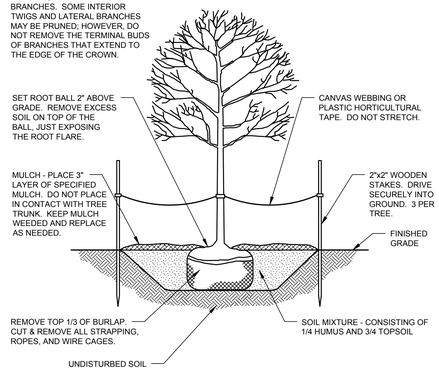
SEE BUFFER PLANT LIST FOR QUANTITIES AND ACCEPTABLE PLANT LIST.

BUFFER SHALL NOT BE PLANTED WITHIN UTILITY EASEMENTS

MCC ENHANCED BUFFER DETAIL

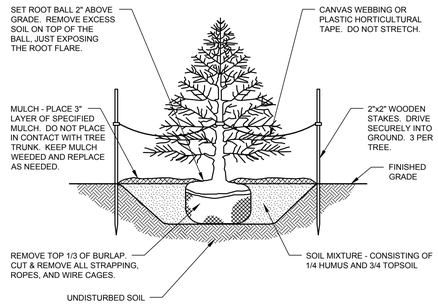
NO SCALE

NOTE:
DO NOT HEAVILY PRUNE THE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED; HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.



DECIDUOUS TREE PLANTING DETAIL

NO SCALE BMG NO. : L-01



EVERGREEN TREE PLANTING DETAIL

NO SCALE BMG NO. : L-02

DELAWARE LANDSCAPE ARCHITECTS CERTIFICATION

I, CHAD D. CARTER, RLA, ASLA, HEREBY CERTIFY THAT I AM A LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE LANDSCAPING INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF, REPRESENTS GOOD LANDSCAPING PRACTICES.

CHAD D. CARTER, RLA, ASLA S1-499 DATE

BECKER MORGAN GROUP

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Delaware
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Salisbury, MD 21801
410.546.9100

North Carolina
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Wilmington, NC 28403
910.341.7600

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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER/STATE: L-001

PROJECT NO.: 2022083.00
DATE: 02/27/2023
SCALE: N.T.S.
DRAWN BY: **A.J.D.** PROJ. MGR.: **J.S.F.**

SHEET
L-001

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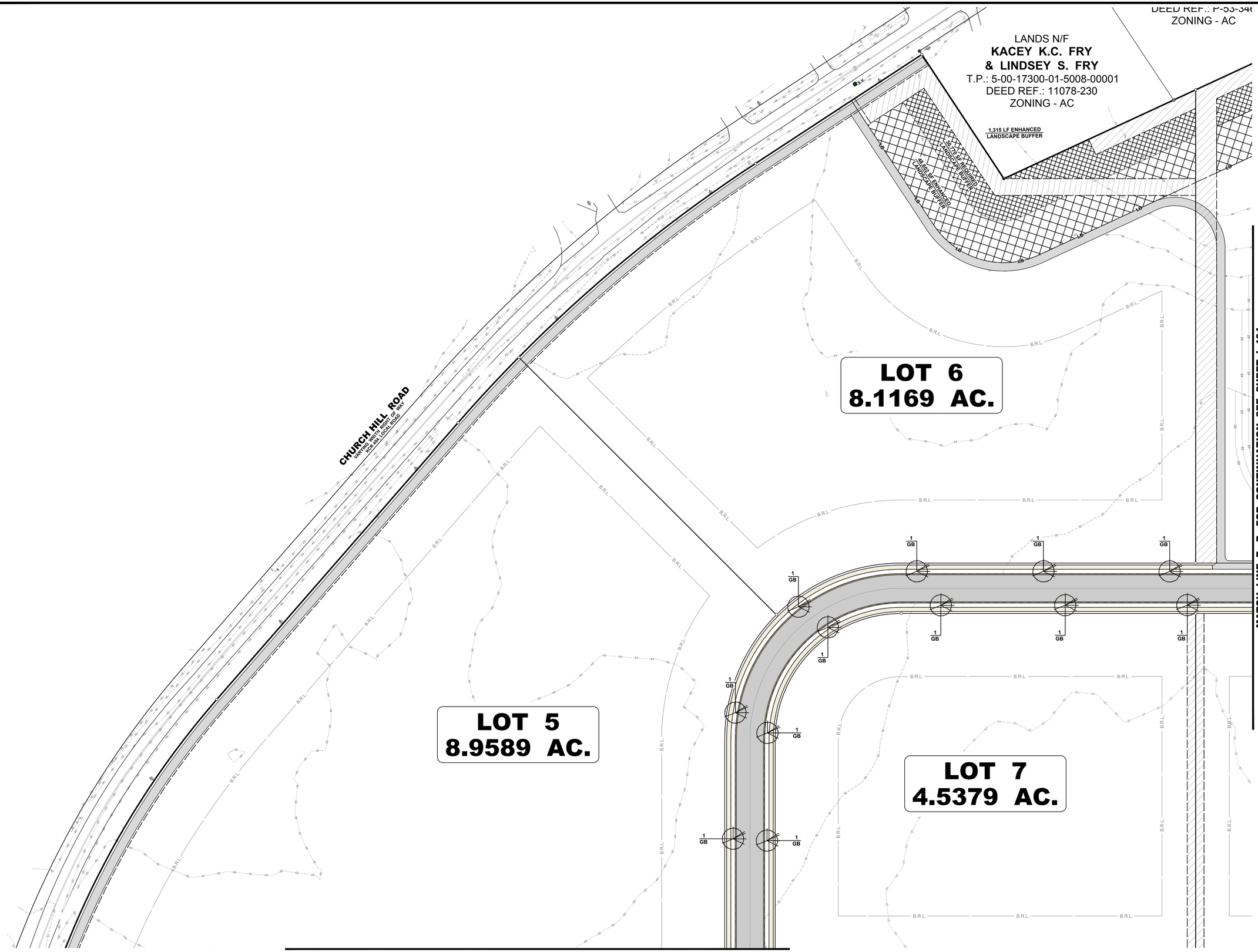

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PROJECT TITLE

MILFORD CORPORATE CENTER

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& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: L-101

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET

L-101

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MATCH LINE A - A, FOR CONTINUATION SEE SHEET L-101

CHURCH HILL ROAD
VARYING WIDTH RIGHT OF WAY
KOR MAJOR LOCAL ROAD

LOT 4
7.6858 AC.

LOT 10
4.6123 AC.

LOT 3
7.9958 AC.

LOT 13
6.8902 AC.

6963 SF ENHANCED LANDSCAPE BUFFER

UTILITY EASEMENT

4,186 SF REQUIRED LANDSCAPE BUFFER

LANDS N/F
DONNA L. GRINER REVOCABLE TRUST
T.P.: 5-16-17300-01-0500-000
DEED REF.: 6490/293
ZONING - AC

MATCH LINE D - D, FOR CONTINUATION SEE SHEET L-105

MATCH LINE C - C, FOR CONTINUATION SEE SHEET L-103

BECKER MORGAN GROUP

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ENGINEERING

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302.734.7950
The Tower at STAR Campus
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Newark, DE 19713
302.369.3700

Maryland
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Salisbury, MD 21801
410.546.9100

North Carolina
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Wilmington, NC 28403
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100
SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: L-102

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET
L-102

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MATCH LINE C - C, FOR CONTINUATION SEE SHEET L-102

N/F
GRINER
E TRUST
01-0500-000
6490/293
- AC

S
00001
2

LOT 2
7.0127 AC.

LOT 16
6.9203 AC.

LOT 18
2.7825 AC.

LOT 19
31512 AC.

LOT 1
5.4259 AC.

ZONING I-1

ZONING BP

68 SF ENHANCED LANDSCAPE BUFFER

UTILITY EASEMENT

1,824 SF REQUIRED LANDSCAPE BUFFER

LANDS N/F
LACHHMAN D. GUPTA
& MANJULA GUPTA
T.P.: 5-00-17300-01-4701-00001
DEED REF.: 33/279
ZONING - AC

LANDS N/F
JUDY A. KNUTSTAD
T.P.: 5-00-17300-01-4800-00001
DEED REF.: W-32-170
ZONING - AC

LANDS N/F
JOANNE S. BELLE
T.P.: 5-00-17300-01-4900-00001
DEED REF.: 11164-25
ZONING - AC

9,673 SF REQUIRED LANDSCAPE BUFFER

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL

MATCH LINE E - E, FOR CONTINUATION SEE SHEET L-106

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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309 South Governors Avenue
Dover, DE 19904
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: L-103

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET
L-103

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LANDS N/F
KACEY K.C. FRY
& LINDSEY S. FRY
T.P.: 5-00-17300-01-5008-00001
DEED REF.: 11078-230
ZONING - AC

DEED REF.: P-53-346
ZONING - AC

LANDS N/F
CHARLES YOUNG JR
& MISTY YOUNG
T.P.: 5-00-17300-01-5003-00001
DEED REF.: 7930-345
ZONING - AC

LANDS N/F
HAROLD J. RUSSELL
T.P.: 5-00-17300-01-5004-00001
DEED REF.: 416-294
ZONING - AC

LANDS N
MARY BICK
T.P.: 5-00-17300-01
DEED REF.: P
ZONING -

1,315 LF ENHANCED LANDSCAPE BUFFER

30,775 SF REQUIRED LANDSCAPE BUFFER

49,680 SF ENHANCED LANDSCAPE BUFFER

UTILITY EASEMENT

OPEN SPACE: A
11.2095 AC.

LOT 6
69 AC.

LOT 29
0.3788 AC.

LOT 7
4.5379 AC.

LOT 8
4.6488 AC.

LOT 9
4.5379 AC.

MATCH LINE B - B, FOR CONTINUATION SEE SHEET L-101

MATCH LINE G - G, FOR CONTINUATION SEE SHEET L-107

MATCH LINE F - F, FOR CONTINUATION SEE SHEET L-105

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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PROJECT TITLE

MILFORD CORPORATE CENTER

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CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100
SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: L-04

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET
L-104

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MATCH LINE F - F, FOR CONTINUATION SEE SHEET L-104

MATCH LINE D - D, FOR CONTINUATION SEE SHEET L-102

MATCH LINE I - I, FOR CONTINUATION SEE SHEET L-108

LOT 10
4.6123 AC.

LOT 11
4.6488 AC.

LOT 12
4.6424 AC.

LOT 13
6.8902 AC.

LOT 14
6.8337 AC.

MATCH LINE H - H, FOR CONTINUATION SEE SHEET L-106

BECKER MORGAN GROUP

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Salisbury, MD 21801
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
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CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED 2023-03-10

LAYER/STATE: L-105

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET

L-105

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MATCH LINE F - F, FOR CONTINUATION SEE SHEET L-105

MATCH LINE E - E, FOR CONTINUATION SEE SHEET L-103

MATCH LINE L - L, FOR CONTINUATION SEE SHEET L-109

LOT 15
8.4310 AC.

LOT 16
9203 AC.

LOT 17
6.8337 AC.

LOT 19
31512 AC.

LOT 20
3.1738 AC.

LOT 21
3.1738 AC.

LOT 22
3.1738 AC.

ZONING I-1

ZONING BP

UTILITY EASEMENT

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL

BECKER MORGAN GROUP

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PROJECT TITLE

MILFORD CORPORATE CENTER

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& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: L-106

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET

L-106

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MATCH LINE G - G, FOR CONTINUATION SEE SHEET L-104

LANDS N/F
HAROLD J. RUSSELL
T.P.: 5-00-17300-01-5004-00001
DEED REF.: 416-294
ZONING - AC

LANDS N/F
MARY BICKELMAN
T.P.: 5-00-17300-01-5009-00001
DEED REF.: P-51-244
ZONING - AC

LANDS N/F
TIMOTHY W. WYATT &
BRIGITTA A. WYATT
T.P.: 5-00-17300-01-5007-00001
DEED REF.: D-170-326
ZONING - AC

LANDS N/F
HANNAH PROPERTIES, LLC
T.P.: 5-00-17300-01-5012-00001
DEED REF.: 9108-27
ZONING - AC

CANTERBURY ROAD / DE RT 15
VARIES WIDTH RIGHT WAY
VARIES MINOR ARTERIAL

UTILITY EASEMENT

1,053 LF ENHANCED LANDSCAPE BUFFER

1,341 SF REQUIRED LANDSCAPE BUFFER

69,515 SF ENHANCED LANDSCAPE BUFFER

69,515 SF ENHANCED LANDSCAPE BUFFER

LOT 29
4.88 AC.

LOT 9
4.5379 AC.

LOT 28
2.5152 AC.

MATCH LINE J - J, FOR CONTINUATION SEE SHEET L-108

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
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302.369.3700

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Salisbury, MD 21801
410.546.9100

North Carolina
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910.341.7600

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PROJECT TITLE

MILFORD CORPORATE CENTER

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& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100
SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LWE/ESTATE: LSF

PROJECT NO.:	2022083.00
DATE:	2023-04-04
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET
L-107

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MATCH LINE J - J, FOR CONTINUATION SEE SHEET L-107

MATCH LINE I - I, FOR CONTINUATION SEE SHEET L-105

MATCH LINE K - K, FOR CONTINUATION SEE SHEET L-109

CANTERBURY ROAD / DE RT 15
VARYING WIDTH RIGHT OF WAY
KCR 38B MINOR ARTERIAL

AIRPORT ROAD
VARYING WIDTH RIGHT OF WAY
KCR 340B&A MINOR COLLECTOR

68,416 SF ENHANCED LANDSCAPE BUFFER

LOT 27
6.1376 AC.

LOT 26
3.5403 AC.

LOT 25
4.2693 AC.

LOT 15
8.4310 AC.

BECKER MORGAN GROUP

ARCHITECTURE
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Maryland
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Salisbury, MD 21801
410.546.9100

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

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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100
SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: L-108

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET
L-108

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MATCH LINE K - K, FOR CONTINUATION SEE SHEET L-108

MATCH LINE L - L, FOR CONTINUATION SEE SHEET L-106

LOT 15
8.4310 AC.

LOT 25
4.2693 AC.

LOT 24
4.3181 AC.

LOT 22
38 AC.

LOT 23
4.5420 AC.

OPEN SPACE: B
6.1117 AC.

CANTERBURY ROAD / DE RT 15
VARYING WIDTH RIGHT OF WAY
KCR 36A, MINOR ARTERIAL

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL

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Salisbury, MD 21801
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North Carolina
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PROJECT TITLE

MILFORD CORPORATE CENTER

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& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

LANDSCAPE PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	03/31/23	REVISED PER CITY OF MILFORD COMMENTS DATED: 2023-03-10

LAYER STATE: L-109

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET
L-109

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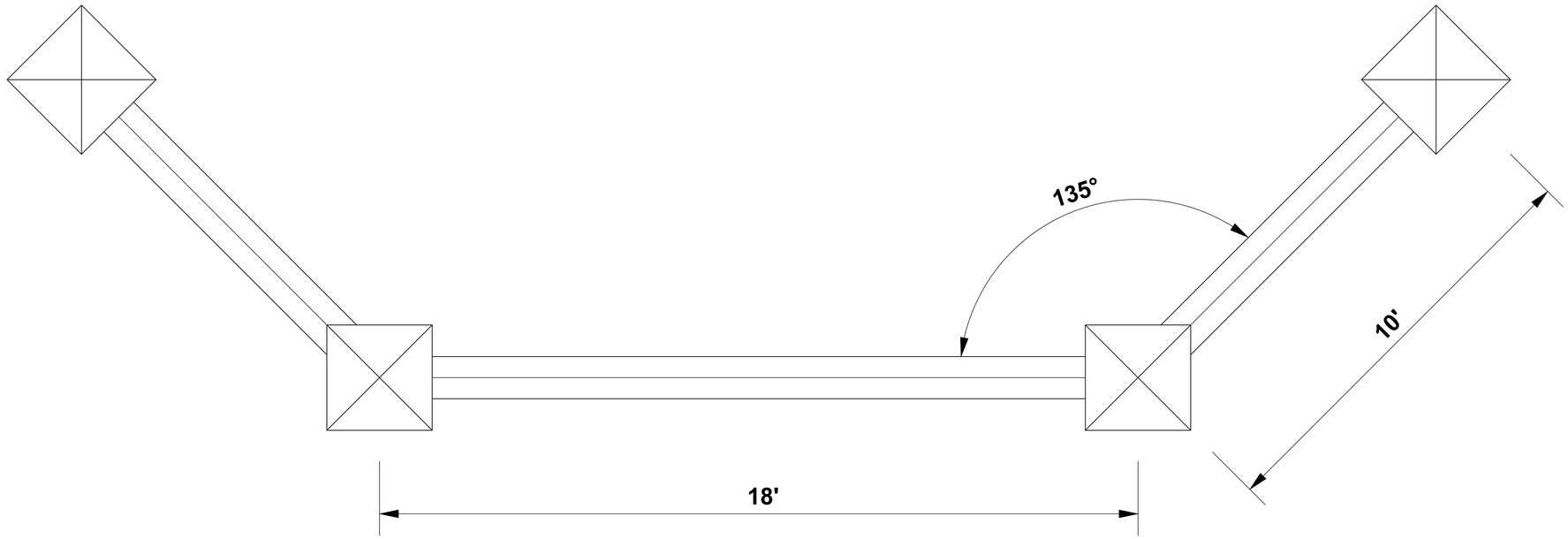

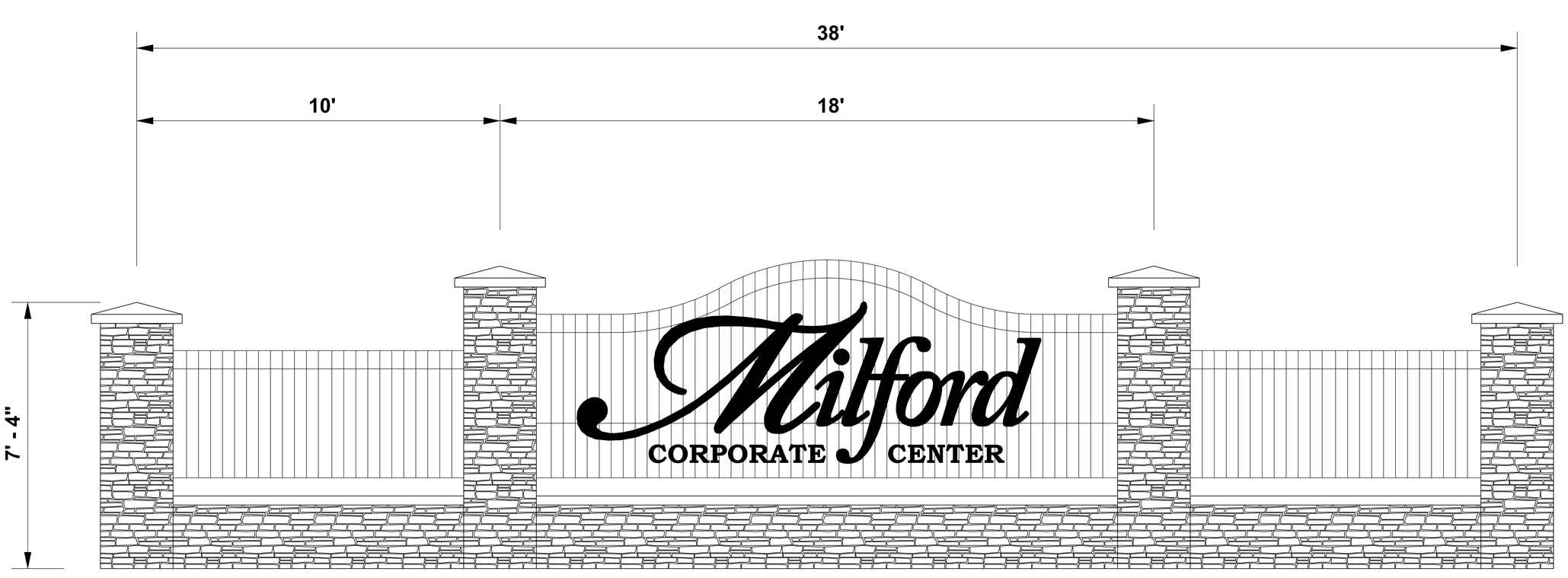

MONUMENT SIGNAGE DETAIL

SCALE: 1/2" = 10'

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North Carolina
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
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CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

COMPREHENSIVE SIGNAGE PLAN

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: S-001

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	N.T.S.
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET

S-001

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MATCH LINE C - C, FOR CONTINUATION SEE SHEET L-102

N/F
GRINER
TRUST
01-0500-000
490/293
- AC

FIR

FIPC

N/F
HUGHES
01-4700-00001
8922-142
- AC

LOT 2
7.0127 AC.

LOT 16
6.9203 AC.

LOT 18
2.7825 AC.

LOT 19
3.1512 AC.

LOT 1
5.4259 AC.

LANDS N/F
LACHHMAN D. GUPTA
& MANJULA GUPTA
T.P.: 5-00-17300-01-4701-00001
DEED REF.: 33/279
ZONING - AC

LANDS N/F
JUDY A. KNUTSTAD
T.P.: 5-00-17300-01-4800-00001
DEED REF.: W-32-170
ZONING - AC

FCM
LANDS N/F
JOANNE S. BELLE
T.P.: 5-00-17300-01-4900-00001
DEED REF.: 11164-25
ZONING - AC

MONUMENT SIGN LOCATION #1

SIRC

FIP

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL

BECKER MORGAN GROUP

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PROJECT TITLE

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CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

SIGN LOCATION PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER:STATE_S-101

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET

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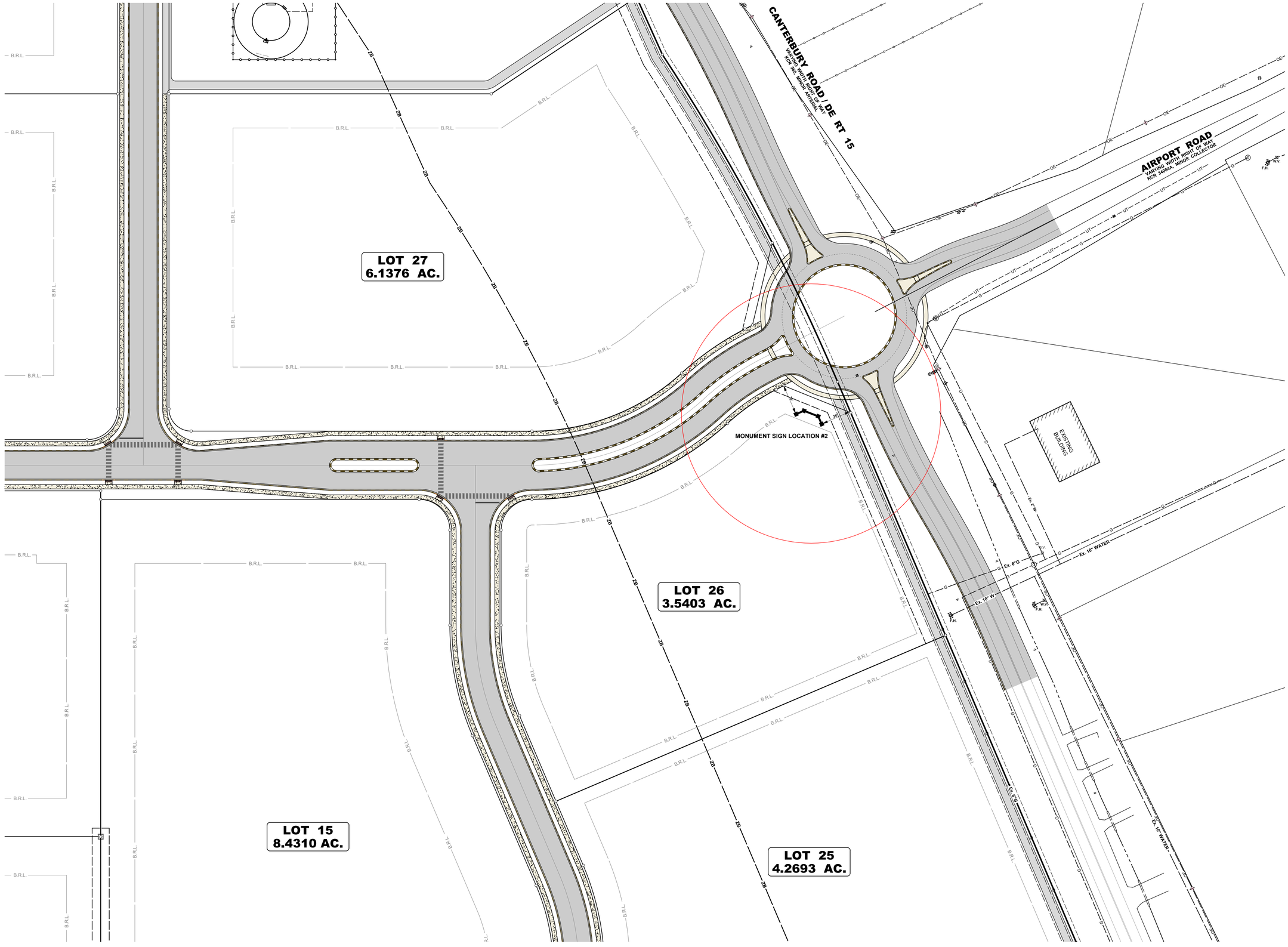

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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309 South Governors Avenue
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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

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

SIGN LOCATION PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: S-102

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET

S-102

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LOT 15
8.4310 AC.

LOT 25
4.2693 AC.

LOT 24
4.3181 AC.

LOT 22
738 AC.

LOT 23
4.5420 AC.

OPEN SPACE: B
6.1117 AC.

CANTERBURY ROAD / DE RT 15
VARYING WIDTH RIGHT OF WAY
KCR 36, MINOR ARTERIAL

MILFORD HARRINGTON HWY / DE RT 14
VARYING WIDTH RIGHT OF WAY
KCR 036, MINOR ARTERIAL

MONUMENT SIGN LOCATION #3

Ex. SD. CB
GRATE: 43.11'
INV. IN: 39.40'
INV. OUT: 39.40'

Ex. SD. CB
GRATE: 43.36'
INV. IN: 40.12'
INV. OUT: 40.12'

Ex. SD. CB

Ex. OUTLET
GRATE: 44.
INV. IN: 42.01
INV. OUT: 41.

Ex. 18"x34" R.C.P.

Ex. 22"x34" R.C.P.

Ex. 22"x34" R.C.P.

Ex. 22"x34" R.C.P.

Ex. 18"x30" R.C.P.

Ex. 6" G

Ex. 12" W

Ex. 10" W

TRAFFIC SIGNAL SPAN

F.H.

BECKER MORGAN GROUP

ARCHITECTURE
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PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON HWY.
& CANTERBURY ROAD
CITY OF MILFORD
KENT COUNTY DELAWARE

SHEET TITLE

SIGN LOCATION PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: S-103

PROJECT NO.:	2022083.00
DATE:	02/27/2023
SCALE:	1" = 50'
DRAWN BY: A.J.D.	PROJ. MGR.: J.S.F.

SHEET

S-103

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WAIVER REQUEST
Milford Corporate Center

Maximum Block Width Length

REQUEST:

We request relief from the minimum width of block length as outlined in chapter 200-8(d)(2) which requires "Block length shall not exceed 1,200 feet or be less than 500 feet in length between street lines" and 200-8(d)(3) which requires "block widths shall not be less than 275 ft. and not more than 450 ft. and shall be planned to provide two rows of lots". This specific request will apply to the project in general, as all block lengths within the project area exceed block length requirements.

EXTENT OF THE REQUEST: City of Milford code, Part II, Chapter 200-8 Item D(2)&(3). This specific request will apply to the project in general, as all block lengths within the project area exceed block length requirements.

BASIS FOR REQUEST:

In accordance with City of Milford code, Part II, Chapter 200-9, "Applicants may request, at the time of application submission, the varying or waiving of requirements of Chapter 200, and the Planning Commission may, at its discretion, recommend to City Council the varying or waiving of said requirements and request conditions that substantially secure the objectives of the requirements so waived. Upon the findings of the City Council that, due to special conditions peculiar to a subdivision or a site, certain requirements of these regulations are inappropriate or that strict compliance with said requirements may cause extraordinary and unnecessary hardships, the City Council may vary or waive said requirements, provided that such variance or *waiver* shall not be detrimental to the public health, safety or general welfare or have the effect of nullifying the intent and purpose of the Official Map, Chapter 230, Zoning, the Development Plan or this chapter.

In varying or waiving certain requirements, the City Council may specify such conditions at will, in its judgment, secure substantially the objectives of the requirements so varied or waived.

The overall project in nature does not comply with this constraint in order to provide maximum flexibility of users within the corporate center. As the end user is not currently known, the project has been designed in a way to allow lots to be combined for a multitude of uses. To comply with the block lengths would not allow for such flexibility.

We do not believe that this request will be detrimental to the public health, safety or general welfare of the public. This request will not have the effect of nullifying the intent and purpose of the Official Map.

NOTE:
FINAL LOT NUMBERS AND AREAS ARE SUBJECT TO CHANGE ONCE SURVEY DATA AND ZONING LINES ARE REFINED. OVERALL CONCEPT APPROACH SHALL REMAIN.

BECKER MORGAN GROUP

ARCHITECTURE
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Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

MILFORD CORPORATE CENTER

MILFORD HARRINGTON WAY
CITY OF MILFORD
KENT COUNTY, DE

SHEET TITLE

CONCEPT MASTER PLAN

0 100 200 400

SCALE: 1" = 200'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: CONCEPT

PROJECT NO.:	2022083.00
DATE:	04/21/22
SCALE:	1" = 200'
DRAWN BY: CDC	PROJ. MGR.: JMR

SHEET

CONCEPT

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ARCHITECTURE ENGINEERING

PLANNING OUR CLIENTS' SUCCESS

April 3, 2023

Mr. Rob Pierce – Planning Director
City of Milford Planning & Zoning
Public Works Facility
180 Vickers Drive
Milford, Delaware 19963

RE: **Preliminary Major Subdivision Application - Submission #2**
MILFORD CORPORATE CENTER
Milford, Delaware
BMG Project No.: 2022083.00

Dear Mr. Pierce:

On behalf of our client, City of Milford, Becker Morgan Group, Inc. is hereby submitting revised Preliminary Major Subdivision Plans for the above referenced project. We have addressed the comments provided to us on March 10, 2023 as follows:

1. Currently, some of the City of Milford Major Subdivision General Notes are missing from the plan. Replace general notes with attached.
BMG Response: *The General Notes were replaced with the provided Notes.*

2. Update the record plan notes with the attached.
BMG Response: *The Record Notes will be provided on the Record Plan at the time of submission.*

3. Provide requested variances or waivers on the plans per the City of Milford Checklist. It appears a waiver from Chapter 200-8(D)(2) and 200-8(D)(3) is needed.
BMG Response: *Waiver requests for the block lengths and widths provided.*

4. Provide a phasing plan.
BMG Response: *A phasing plan is provided.*

5. There are two sheet "C-209" included in the set. Verify if there are any differences and remove the duplicate sheet.
BMG Response: *Addressed. Duplicate sheet accidentally provided.*

6. According to the title for sheet "C-101" in the sheet index is different than the title on that sheet. The current listed title on sheet C-101 is "Overall Preliminary Site Plan". Revise this title to be correct. Additionally, anything that is to be removed or demolished should be marked and called out as such.
BMG Response: *Addressed.*

7. Provide a separate parcel for the proposed sewage pumping station.
BMG Response: *Addressed. Lot 29 created.*

8. Provide a separate parcel for the proposed water tower and well facilities. Extend a line from the proposed right-of-way perpendicular to the northwest corner of Lands of Hannah Properties LLC to create the separate lot.
BMG Response: *Addressed. Lot 28 created.*

BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
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PORT EXCHANGE
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3333 JAECKLE DRIVE, SUITE 120
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615 SOUTH COLLEGE STREET, SUITE 8-158
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9. Verify the acreage for lot 19.
BMG Response: *Addressed. A decimal point was missing.*

10. Since the site is currently spilt zoned, provide a zoning line where the zoning boundaries meet and label it accordingly. If the zoning is to change note the zoning accordingly.
BMG Response: *Addressed. Zoning boundary added.*

11. Make the follow revisions to the Site Data column on the cover sheet:
    a. Add the Owner's phone number per the City's checklist.
    b. Verify the total acreage of the site. According to the Kent County GIS website the total site acreage is 182.30 acres.
    c. Verify what the x's are that follow the survey datum under site data number 11.
    d. Provide the total number of set/provided monuments for site data number 12.
    e. Provide the proposed lot coverage. Additionally, the maximum allowable lot coverage for I-1 is 75%.
    f. The minimum proposed lot size within the I-1 district is 4.5379 acres for site data number 14.
    g. The minimum proposed lot size within the BP district is 2.7825 acres for site data number 14.
    h. Verify the minimum lot width for both I-1 and the BP district.
    i. Provide the required and proposed open space. Label on the plans with a unique identifier (e.g. A,B,C,D, etc.).
    j. Provide the proposed use(s).
    k. Provide the proposed zoning(s).
    l. Provide the proposed building height(s)
    m. Revise the required side and rear year setbacks for BP to state from the berm not the property line per the City's Zoning Code.
    n. Add the projected flow to the plan. Per Kent County code, the total EDUs is calculated as 1 EDU is equal to 6 fixture units. Refer to Kent County code Article IV section 128-18 to calculate the total proposed EDUs for the site improvements.

BMG Response: *Addressed. All items above addressed with the exception of "n". BMG is currently analyzing sewer flows and further coordination efforts are necessary.*

12. The FEMA map numbers listed in general note number 3 on sheet "C-002" does not match the information that is given on the FEMA website. Verify the FEMA map numbers and effective dates.
BMG Response: *Addressed. We believe the correct maps were listed.*

13. Show and label all existing agricultural wells and irrigation equipment. The wells are to remain through the construction of Phase I.
BMG Response: *Addressed.*

14. Show and label the 200' setback per Chapter 230-16(D)(2) for I-1 Parcels adjacent to residential uses.
BMG Response: *Addressed.*

15. Provide a 20' wide easement between lots 2 & 3 and along a portion of the back of lots 1-3 to serve parcels 47.00, 47.01, 48.00, 05.00 and 05.01 with sewer. Add new MH in street and extend 8" stub into the easement beyond the limits of the roadway and sidewalk to facilitate future connection of parcels above.

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16. Provide a 10' wide easement between lots 3 & 4 for a future water main extension to Church Hill Road.
BMG Response: *Addressed. Easements added where specified.*

17. Provide a 20' wide easement along the east side of lot 6 and along the northern side of the stormwater management pond to provide sewer service to parcels 50.08, 50.06, 50.05 and 50.02. Add new MH in street and extend 8" stub into the easement beyond the limits of the roadway and sidewalk to facilitate future connection of parcels above.
BMG Response: *Addressed. Easements added where specified.*

18. Provide a 20' wide easement from proposed manhole 6 to the rear of lot 50.07, then extend the easement to serve parcels 50.07, 50.04, 50.09 and 50.12 with sanitary sewer service. Extend 8" stub into easement beyond the limits of the roadway and sidewalk to facilitate future connection of parcels above.
BMG Response: *Addressed. Easements added where specified.*

19. Provide a 30' wide sewer and water easement between lots 18 & 19 in order to provide sewer and water service to parcel 49.00.
BMG Response: *Addressed. Easements added where specified.*

20. Provide water and sewer stubs outside of the paved surface, curbing and sidewalk areas on all of the above easements for future extensions. Ensure that the sewer system is designed deep enough to serve the adjacent parcels, including the three parcels at northeast corner of Church Hill Road and Route 14.
BMG Response: *Addressed.*

21. Shift proposed manhole 29 to the north side of the proposed swale and install one stick of 6" PVC with a cleanout for future forcemain connection from the Hickory Glenn pump station, Show Hickory Glenn forcemain and label size, material and to be installed by others.
BMG Response: *Addressed. Additional coordination necessary to determine exact method.*

22. There is an existing tee and valve on the 14" forcemain on Church Hill Road that can be used for connection. Double check the location and add a note regarding how the connection will be made. Pump Station and forecemain design will need to be coordinated with Kent County Public Works Department.
BMG Response: *Addressed.*

23. Provide their classification based on Chapter 200. The roads would be considered Local Commercial. Label the roads per the following:

a. Airport Road – From the entrance at Canterbury Road to the internal roundabout.
b. Innovation Way – From the entrance on Route 14 around the North side of the industrial park, wrapping around next to the water tower.
c. Corporate Drive – The road that runs behind the zoned BP strip lots.

BMG Response: *Addressed. Do these need to be approved by 911.*

24. Currently, there are no provided thickness for the pavement section. Provide thicknesses for each section of the pavement per Section 7 of the City's Standard Specifications.
BMG Response: *Pavement sections will be provided based on geotechnical engineers recommendations.*

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25. Per the City of Milford's Subdivision code each lot within a subdivision shall provide a 5-foot general utility easement on each side lot line, a 10 foot wide general utility easement along the rear property line, and a 15 foot general utility easement along the frontage of the lot for installation of City utilities and conveyance of drainage. Show these easements on the plan and add a note.
BMG Response: *Addressed.*

26. A 50-foot visual and sound buffer area is required on all non-residential use properties when abutting a residential use. Screening shall consist of an opaque barrier of at least six feet in height accompanied by landscaping. Revise the plans so that all properties that abut a residential property provide this requirement. Per the City of Milford an agreement to provide 100' is required.
BMG Response: *Addressed. Buffers added to the Subdivision Plans and Landscape Plans.*

27. Provide the buffer against the residential property along Route 14 adjacent to lots 18 & 19.
BMG Response: *Addressed.*

28. Verify the existing contours are extended at least 50' outside of the site to demonstrate the existing drainage conditions of the site and the adjacent properties.
BMG Response: *Addressed. LiDAR contours were added to extend the contours onto private property.*

29. Clarify on the plan who owns/maintains Milford Harrington Hwy and Canterbury Road.
BMG Response: *Addressed.*

30. All existing conditions including but not limited to contours, utilities, etc. should be shown in grey on all the proposed sheets within the plans set. Revise as necessary.
BMG Response: *Addressed.*

31. Include the subject parcel boundary lines, including bearings and distances.
BMG Response: *Addressed. However, the bearings will be provided with the Record Plan upon receipt.*

32. Dimension all the property setbacks.
BMG Response: *Addressed.*

33. Lots 4, 5, and 6 should all have a front yard setback along Church Hill Road. Revise the setback for these lots accordingly.
BMG Response: *Addressed.*

34. Replace the 5' wide gravel walking path behind lots 1, 2 & 3 with a 10' wide paved shared use path, connecting Church Hill Road with Route 14.
BMG Response: *Addressed.*

35. Remove the 5' wide gravel path between lots 5 & 6. Replace with a 10' wide paved shared use path outside of the buffer area on the east side of Lot 6 and connect to the internal roadway network.
BMG Response: *Addressed.*

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36. Replace the proposed 5’ wide sidewalk from Lot 6 to the Water Tower with a 10’ wide sidewalk network.
BMG Response: *Addressed.*

37. Replace the proposed 5’ wide gravel path south of the Water Tower with a 10’ wide shared use path connecting the internal roadway with Canterbury Road.
BMG Response: *Addressed.*

38. Extend the shared use path on Canterbury Road through the west side of the roundabout.
BMG Response: *Additional clarification necessary. These details will be worked out with DelDOT as further coordination develops.*

39. Extend the shared use path on the south side of the roundabout from the Industrial Park to Airport Road. If possible, extend the shared use path along the south side of Airport Road to Delaware Veterans Boulevard to the east.
BMG Response: *It appears as if existing drainage swales will make the installation of the path in this location difficult. We suggest constructing in the future.*

40. Add a western leg to the internal roundabout between lots 3 & 4.
BMG Response: *Addressed.*

41. There are multiple lots that have two water and sewer services going to the lot. Clarify if this is correct otherwise revise the plans as needed.
BMG Response: *Noted. As discussed, several lots were provided with more than one service due to the size of the lots, to provide ultimate flexibility in the future with the development of each lot.*

42. Add a crosswalk to the east and west side of the internal roundabout.
BMG Response: *Addressed.*

43. All water valves that are not located within the pavement and are to be maintained by the City are required to be concrete encased. Verify who is to maintain the services and revise the plans accordingly.
BMG Response: *Addressed. A note and detail will be added once the project proceeds to the Construction Document level of detail.*

44. Maximum spacing between fire hydrants is 600 feet. Currently, some of the hydrants exceed this spacing. Revise the plans to meet this requirement.
BMG Response: *Addressed. We have moved the hydrants although please confirm where this requirement comes from. Our understanding is that the Fire Marshal limits to 800’ spacing. We were unable to find this requirement in the City of Milford standards.*

45. Sewer laterals are required to come directly off the sewer gravity main and cannot come off a manhole. Revise the plans accordingly.
BMG Response: *BMG recommends connecting these services directly to the manholes as these are technically stubbed mains, not simply lateral services.*

46. Currently, there is a proposed catch basin located directly in front of the proposed ADA ramp to the west of the entrance off of Milford Harrington Hwy. Revise the location of the basin to not be directly in front of the ramp.
BMG Response: *Addressed.*

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47. The shared use path on the west side of Canterbury Road should have ramp tie-ins similar to what was done for the shared use path along Milford Harrington Hwy.
BMG Response: *Addressed.*

48. The stormwater pond #1 is missing the proposed 51 contour to the south of the pond. Revise the grading as needed.
BMG Response: *Addressed.*

49. Currently, there is an inline fire hydrant where the proposed 10" water main is to tie into the existing 10" water main along Canterbury Road. This may be able to be removed. If so, update the note to reflect the removal of the hydrant and extension of water main. Indicate the connection method in the note. The hydrant should be returned to the City of Milford and possibly used internal to the site.
BMG Response: *Addressed. Note added to the plan to specify its removal and return to the City.*

50. Stub the water main north along Canterbury Road on proposed lot 27 for future extension.
BMG Response: *Addressed.*

51. Extend the water main south to Route 14 along lot 1 on the west side of the internal road to Route 14 and add tee for stub to east and west. We would anticipate serving the adjacent properties by extending a water main west along Route 14 to Church Hill Road, north on the east side of Church Hill Road and coming back into the industrial park between lots 3 & 4 in the future.
BMG Response: *Addressed.*

52. The proposed grading for the conveyance swale along the south of the property between the proposed lots and Milford Harrington Hwy is not graded correctly. Revise the grading and clarify how the tie ins are to work.
BMG Response: *Addressed. More detail will be provided once the grading and stormwater designs progress during the Construction Document phase.*

53. Show the required 25' wetland buffer area. This should be shown on other sheets as well.
BMG Response: *Addressed.*

54. Show the proposed stormwater outfall location.
BMG Response: *Addressed. Additional coordination necessary with DelDOT and KCD.*

55. Add a crosswalk on the east side of the intersection shown on sheet C-205.
BMG Response: *Addressed.*

56. Provide additional landscaping from the north side of the entrance along Canterbury Road, north to the residential lot. This was shown during the Concept phase.
BMG Response: *Addressed.*

57. Provide profiles for sewer and storm drain that include crossings, inverts, slopes, etc. with the final submission.
BMG Response: *Noted. This information will be provided as the project progresses into Construction Documents and that level of detail is developed.*

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ARCHITECTURE ENGINEERING

58. Add the pipe type and sizes of all existing utilities.
BMG Response: *Noted. This information will be provided as the project progresses into Construction Documents and that level of detail is developed.*

59. Provide a proposed preliminary landscaping plan that includes at a minimum:
a. Shade trees along the street every 150 linear feet as required by City of Milford Chapter 200.
b. Provide trees along the shared use paths,
c. Show plantings within the landscape buffer areas separating the industrial park from the adjacent residential properties.
BMG Response: *Addressed. Landscape Plans are provided with this submission.*

60. Provide a signing and striping plan which allows deviations from the sign ordinance found under City of Milford Chapter 230.
BMG Response: *Addressed. Signage Plans provided on sheet S-001-103.*

61. Add signage on the east side of the Route 14 entrance facing west. We should consider a comprehensive signage plan submission as part of the major subdivision application.
BMG Response: *Addressed. Signage Plans provided on sheet S-001-103.*

62. Add signage to the industrial park entrance facing north on Canterbury Road.
BMG Response: *Addressed. Signage Plans provided on sheet S-001-103.*

63. Label the water main connection at Route 14 and Canterbury Road. Provide a note with the connection method.
BMG Response: *Addressed.*

64. Show the proposed" Milford Corporate Center" sign at the intersection of Canterbury Road and Route 14and provide a detail as part of the comprehensive signage plan,.
BMG Response: *Addressed. Signage Plans provided on sheet S-001-103.*

65. Submit following with the final major subdivision submission:
a. Kent Conservation District Approval for the Stormwater and Erosion & Sediment Control Plans.
b. Fire Marshal Approval.
c. DelDOT Approval.
BMG Response: *Noted. Approvals will be provided upon receipt.*

Feel free to contact me with any questions or concerns.

Sincerely,

BECKER MORGAN GROUP, INC.

Jon Falkowski

Jon S. Falkowski, P.E.
Senior Associate

Cc: Mark Whitfield – City Manager (mwhitfield@milford-de.gov)

KCI TECHNOLOGIES

ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

1352 Marrows Road, Suite 100 • Newark, DE 19711 • Phone 302-731-9176 • Fax 302-731-7807

March 10, 2023

City of Milford
201 South Walnut Street
Milford, Delaware 19963

Attention: Rob Pierce

Subject: **Milford Corporate Center – Preliminary Plan**
KCI Job No. 131803632 – Task 54

Dear Mr. Pierce,

As requested, KCI Technologies reviewed the Preliminary Plans for the Milford Corporate 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 February 10, 2023.

We offer the following comments for your consideration:

1. Currently, some of the City of Milford Major Subdivision General Notes are missing from the plan. Replace general notes with attached.
2. Update the record plan notes with the attached.
3. Provide requested variances or waivers on the plans per the City of Milford Checklist. It appears a waiver from Chapter 200-8(D)(2) and 200-8(D)(3) is needed.
4. Provide a phasing plan.
5. There are two sheet "C-209" included in the set. Verify if there are any differences and remove the duplicate sheet.
6. According to the title for sheet "C-101" in the sheet index is different than the title on that sheet. The current listed title on sheet C-101 is "Overall Preliminary Site Plan". Revise this title to be correct. Additionally, anything that is to be removed or demolished should be marked and called out as such.
7. Provide a separate parcel for the proposed sewage pumping station.
8. Provide a separate parcel for the proposed water tower and well facilities. Extend a line from the proposed right-of-way perpendicular to the northwest corner of Lands of Hannah Properties LLC to create the separate lot.

9. Verify the acreage for lot 19.
10. Since the site is currently spilt zoned, provide a zoning line where the zoning boundaries meet and label it accordingly. If the zoning is to change note the zoning accordingly.
11. Make the follow revisions to the Site Data column on the cover sheet:
    a. Add the Owner's phone number per the City's checklist.
    b. Verify the total acreage of the site. According to the Kent County GIS website the total site acreage is 182.30 acres.
    c. Verify what the x's are that follow the survey datum under site data number 11.
    d. Provide the total number of set/provided monuments for site data number 12.
    e. Provide the proposed lot coverage. Additionally, the maximum allowable lot coverage for I-1 is 75%.
    f. The minimum proposed lot size within the I-1 district is 4.5379 acres for site data number 14.
    g. The minimum proposed lot size within the BP district is 2.7825 acres for site data number 14.
    h. Verify the minimum lot width for both I-1 and the BP district.
    i. Provide the required and proposed open space. Label on the plans with a unique identifier (e.g. A,B,C,D, etc.).
    j. Provide the proposed use(s).
    k. Provide the proposed zoning(s).
    l. Provide the proposed building height(s)
    m. Revise the required side and rear year setbacks for BP to state from the berm not the property line per the City's Zoning Code.
    n. Add the projected flow to the plan. Per Kent County code, the total EDUs is calculated as 1 EDU is equal to 6 fixture units. Refer to Kent County code Article IV section 128-18 to calculate the total proposed EDUs for the site improvements.
12. The FEMA map numbers listed in general note number 3 on sheet "C-002" does not match the information that is given on the FEMA website. Verify the FEMA map numbers and effective dates.
13. Show and label all existing agricultural wells and irrigation equipment. The wells are to remain through the construction of Phase I.
14. Show and label the 200' setback per Chapter 230-16(D)(2) for I-1 Parcels adjacent to residential uses.
15. Provide a 20' wide easement between lots 2 & 3 and along ~~a portion of~~ the back of lots 1-3 to serve parcels 47.00, 47.01, 48.00, 05.00 and 05.01 with sewer. Add new MH in street and extend 8" stub into the easement beyond the limits of the roadway and sidewalk to facilitate future connection of parcels above.

16. Provide a 10’ wide easement between lots 3 & 4 for a future water main extension to Church Hill Road.
17. Provide a 20’ wide easement along the east side of lot 6 and along the northern side of the stormwater management pond to provide sewer service to parcels 50.08, 50.06, 50.05 and 50.02. Add new MH in street and extend 8” stub into the easement beyond the limits of the roadway and sidewalk to facilitate future connection of parcels above.
18. Provide a 20’ wide easement from proposed manhole 6 to the rear of lot 50.07, then extend the easement to serve parcels 50.07, 50.04, 50.09 and 50.12 with sanitary sewer service. Extend 8” stub into easement beyond the limits of the roadway and sidewalk to facilitate future connection of parcels above.
19. Provide a 30’ wide sewer and water easement between lots 18 & 19 in order to provide sewer and water service to parcel 49.00.
20. Provide water and sewer stubs outside of the paved surface, curbing and sidewalk areas on all of the above easements for future extensions. Ensure that the sewer system is designed deep enough to serve the adjacent parcels, including the three parcels at northeast corner of Church Hill Road and Route 14.
21. Shift proposed manhole 29 to the north side of the proposed swale and install one stick of 6” PVC with a cleanout for future forcemain connection from the Hickory Glenn pump station, Show Hickory Glenn forcemain and label size, material and to be installed by others.
22. There is an existing tee and valve on the 14” forcemain on Church Hill Road that can be used for connection. Double check the location and add a note regarding how the connection will be made. Pump Station and forecemain design will need to be coordinated with Kent County Public Works Department.
23. Provide their classification based on Chapter 200. The roads would be considered Local Commercial. Label the roads per the following:
    a. Airport Road – From the entrance at Canterbury Road to the internal roundabout.
    b. Innovation Way – From the entrance on Route 14 around the North side of the industrial park, wrapping around next to the water tower.
    c. Corporate Drive – The road that runs behind the zoned BP strip lots.
24. Currently, there are no provided thickness for the pavement section. Provide thicknesses for each section of the pavement per Section 7 of the City’s Standard Specifications.
25. Per the City of Milford’s Subdivision code each lot within a subdivision shall provide a 5-foot general utility easement on each side lot line, a 10 foot wide general utility easement along the rear property line, and a 15 foot general utility easement along the frontage of the lot for installation of City utilities and conveyance of drainage. Show these easements on the plan and add a note.
26. A 50-foot visual and sound buffer area is required on all non-residential use properties when abutting a residential use. Screening shall consist of an opaque barrier of at least six feet in height accompanied by landscaping. Revise the plans so that all properties that

abut a residential property provide this requirement. Per the City of Milford an agreement to provide 100' is required.

27. Provide the buffer against the residential property along Route 14 adjacent to lots 18 & 19.
28. Verify the existing contours are extended at least 50' outside of the site to demonstrate the existing drainage conditions of the site and the adjacent properties.
29. Clarify on the plan who owns/maintains Milford Harrington Hwy and Canterbury Road.
30. All existing conditions including but not limited to contours, utilities, etc. should be shown in grey on all the proposed sheets within the plans set. Revise as necessary.
31. Include the subject parcel boundary lines, including bearings and distances.
32. Dimension all the property setbacks.
33. Lots 4, 5, and 6 should all have a front yard setback along Church Hill Road. Revise the setback for these lots accordingly.
34. Replace the 5' wide gravel walking path behind lots 1, 2 & 3 with a 10' wide paved shared use path, connecting Church Hill Road with Route 14.
35. Remove the 5' wide gravel path between lots 5 & 6. Replace with a 10' wide paved shared use path outside of the buffer area on the east side of Lot 6 and connect to the internal roadway network.
36. Replace the proposed 5' wide sidewalk from Lot 6 to the Water Tower with a 10' wide sidewalk network.
37. Replace the proposed 5' wide gravel path south of the Water Tower with a 10' wide shared use path connecting the internal roadway with Canterbury Road.
38. Extend the shared use path on Canterbury Road through the west side of the roundabout.
39. Extend the shared use path on the south side of the roundabout from the Industrial Park to Airport Road. If possible, extend the shared use path along the south side of Airport Road to Delaware Veterans Boulevard to the east.
40. Add a western leg to the internal roundabout between lots 3 & 4.
41. There are multiple lots that have two water and sewer services going to the lot. Clarify if this is correct otherwise revise the plans as needed.
42. Add a crosswalk to the east and west side of the internal roundabout.
43. All water valves that are not located within the pavement and are to be maintained by the City are required to be concrete encased. Verify who is to maintain the services and revise the plans accordingly.
44. Maximum spacing between fire hydrants is 600 feet. Currently, some of the hydrants exceed this spacing. Revise the plans to meet this requirement.
45. Sewer laterals are required to come directly off the sewer gravity main and cannot come off a manhole. Revise the plans accordingly.

46. Currently, there is a proposed catch basin located directly in front of the proposed ADA ramp to the west of the entrance off of Milford Harrington Hwy. Revise the location of the basin to not be directly in front of the ramp.
47. The shared use path on the west side of Canterbury Road should have ramp tie-ins similar to what was done for the shared use path along Milford Harrington Hwy.
48. The stormwater pond #1 is missing the proposed 51 contour to the south of the pond. Revise the grading as needed.
49. Currently, there is an inline fire hydrant where the proposed 10" water main is to tie into the existing 10" water main along Canterbury Road. This may be able to be removed. If so, update the note to reflect the removal of the hydrant and extension of water main. Indicate the connection method in the note. The hydrant should be returned to the City of Milford and possibly used internal to the site.
50. Stub the water main north along Canterbury Road on proposed lot 27 for future extension.
51. Extend the water main south to Route 14 along lot 1 on the west side of the internal road to Route 14 and add tee for stub to east and west. We would anticipate serving the adjacent properties by extending a water main west along Route 14 to Church Hill Road, north on the east side of Church Hill Road and coming back into the industrial park between lots 3 & 4 in the future.
52. The proposed grading for the conveyance swale along the south of the property between the proposed lots and Milford Harrington Hwy is not graded correctly. Revise the grading and clarify how the tie ins are to work.
53. Show the required 25' wetland buffer area. This should be shown on other sheets as well.
54. Show the proposed stormwater outfall location.
55. Add a crosswalk on the east side of the intersection shown on sheet C-205.
56. Provide additional landscaping from the north side of the entrance along Canterbury Road, north to the residential lot. This was shown during the Concept phase.
57. Provide profiles for sewer and storm drain that include crossings, inverts, slopes, etc. with the final submission.
58. Add the pipe type and sizes of all existing utilities.
59. Provide a proposed preliminary landscaping plan that includes at a minimum:
    a. Shade trees along the street every 150 linear feet as required by City of Milford Chapter 200.
    b. Provide trees along the shared use paths,
    c. Show plantings within the landscape buffer areas separating the industrial park from the adjacent residential properties.
60. Provide a signing and striping plan which allows deviations from the sign ordinance found under City of Milford Chapter 230.

61. Add signage on the east side of the Route 14 entrance facing west. We should consider a comprehensive signage plan submission as part of the major subdivision application.
62. Add signage to the industrial park entrance facing north on Canterbury Road.
63. Label the water main connection at Route 14 and Canterbury Road. Provide a note with the connection method.
64. Show the proposed" Milford Corporate Center" sign at the intersection of Canterbury Road and Route 14and provide a detail as part of the comprehensive signage plan,.
65. Submit following with the final major subdivision submission:
    a. Kent Conservation District Approval for the Stormwater and Erosion & Sediment Control Plans.
    b. Fire Marshal Approval.
    c. DelDOT Approval.

If you have any questions or comments regarding this letter, please do not hesitate to contact at (302) 318-1094.

Sincerely,

Thomas Fruehstorfer
Senior Project Manager

Theresa Colombo
Engineering-in-Training

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

September 22, 2022

Chad Carter
Becker Morgan Group, inc.
309 S Governors Avenue
Dover, DE 19904

RE: PLUS review – 2022-08-10; Milford Corporate Center

Dear Mr. Carter:

Thank you for meeting with State agency planners on August 24, 2022 to discuss the proposed plans for the Milford Corporate Center. According to the information received, you are seeking review of a site plan for a commercial business park.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as the City of Milford is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.**

Strategies for State Policies and Spending

This project is located in Level 1 and Level 2 investment areas, which is consistent with the 2020 Strategies for State Policies and Spending. This site is also located in the City of Milford.

Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Development in Levels 1 and 2 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this site plan provided it meets the relevant codes and ordinances and is compatible with the Comprehensive Plan of the City of Milford.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The site is proposing access on Milford Harrington Highway (Delaware Route 14) or Church hill Road (KCR 404) and Canterbury Road (Delaware Route 15) and must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017. The project coordination meeting held on 8/24/2022 is not sufficient for this purpose.

- Section 1.6.5 of the Manual addresses access onto arterials. The proposed accesses are located on Delaware Route 14 and Delaware Route 15, both classified as Minor Arterials. The property has frontage on Church Hill Road, classified as a Local Road. Therefore, based on the road's functional class the proposed development should have access on Church Hill Road as opposed to a Delaware Route 14. DelDOT is amiable to allowing access onto Delaware Route 15 in addition to access on Church Hill Road. Exceptions may be considered by the Subdivision Engineer.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development, consisting of 3,000,000 square foot of general office space, would generate 22,317 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 3,120 and 2,894, respectively. The Fry Property TIS Letter was issued in May 2006 on the property for the for 151 single family houses, 238 single family clusters, 276 townhouses, and 400 condominiums with the weekday morning and evening peak hour trip ends analyzed at 541 and 672, respectively. Therefore, the previous TIS would not be sufficient for this purpose because of the change in use and possible trip distribution pattern, and the increase in trips from the original analysis. A new TIS specific to the site would be required.

    - The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or

contribute toward. In addition to whatever other offsite improvements may be identified, DelDOT anticipates requiring the developer to improve Delaware Route 14, Delaware Route 15, and Church Hill Road within the limits of their frontage, to meet DelDOT's standards associated with their Functional Classifications. Delaware Route 14 and Delaware Route 15 are Minor Arterials, for which the standard includes 12-foot lanes and 8-foot shoulders. Church Hill Road is a Local Road, for which the standard includes 11-foot lanes and 5-foot shoulders, DelDOT anticipates requiring extending the improvements along Church Hill Road from DE Route 14 to DE Route 15. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway.

  - Questions regarding the requirement to improve the site frontage should be directed to the Kent County Review Coordinator, Mr. Olayiwola Okesola. Mr. Okesola may be reached at Olayiwola.Okesola@delaware.gov or (302) 760-2409.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of Church Hill Road. This dedication is to provide a minimum of 50 feet of right-of-way from the physical centerline of Delaware Route 14. This dedication is to provide a minimum of 50 feet of right-of-way from the physical centerline of Delaware Route 15. The following right-of-way dedication note is required, "**An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation.**"

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation.**"

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:

  - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

  - Depiction of all existing entrances within 600 feet of the proposed entrance on Delaware Route 15 and 450 feet of the proposed entrance on Church hill Road or 600 feet of the proposed entrance on Delaware Route 14.

- Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required.

- Section 3.5.4.4 of the Manual addresses accessways, paved pathways connecting a sidewalk or path along a road frontage to an internal sidewalk or path. DelDOT anticipates requiring accessways for Church Hill Road, Delaware Route 14, and Delaware Route 15 with sections between accessways no longer than 660 feet from a near side right-of-way line of an intersecting street to the near side right-of-way line of another intersecting street, an access-way shall be required through and near the middle of the block.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Church Hill Road, Delaware Route 14, and Delaware Route 15.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. DelDOT acknowledges that the site entrance on Delaware Route 15 is proposed to be a roundabout and the worksheet does not directly apply. DelDOT anticipates requiring the proposed entrance to comply with geometric design requirements addressing roundabouts.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

DART First State – Contact Jared Kaufman 302-576-6062

- DTC is still evaluating the need for service in this area. In order for DTC to construct stops that service this site and the surrounding area when DTC deems it necessary, the following infrastructure is needed: first, a shared use pathway along SR 14 and Canterbury Road; second, a crosswalk over SR 14 to allow for the construction of a

companion stop; and finally, pedestrian accessways leading to the site's internal pedestrian network.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Concerns Identified Within the Development Footprint

Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site. The application indicates that wetlands have not been delineated. The application does not propose direct impacts to the wetlands.

Requirements:

- If the site design changes and dredge or fill of wetlands or subaqueous lands becomes necessary, permitting and/or authorization requirements may apply.
- A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. For a list of consultants and engineers who can conduct wetland delineations, please visit the DNREC Wetlands and Subaqueous Lands Section link: http://www.dnrec.delaware.gov/wr/Documents/WSLS/Consultant%20List.pdf

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.
Website: https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.
Website: https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/

Vegetated Buffer Zones

Site plans do not show a vegetated buffer along non-tidal wetlands. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

Requirements:

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management
This application proposes greater than 5000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's *Sediment and Stormwater Regulations*.

Requirements:

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Kent Conservation District.

- Work with the plan review agency to check offsite stormwater conveyance for the proposed north and south stormwater management facilities.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (https://apps.dnrec.delaware.gov/enoi/, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Excellent Groundwater Recharge Area
An Excellent Groundwater Recharge Area is located on the eastern portion of the site. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater. Preservation of these areas is important for replenishing groundwater supplies and ensuring drinking water for future generations.

Requirements:

- The applicant must comply with all county and municipal requirements for construction and uses in Excellent Groundwater Recharge Areas.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.
Website: https://dnrec.alpha.delaware.gov/water/supply/ground-water-protection/

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- This/These parcel(s) are located within an area of **Minimal Flood Concern of 1000 years or greater**.

Parcel Status within County Evacuation Zone Location

- The parcel(s) are located within **Kent** County and **are not** a part of an Evacuation Zone

***DEMA recommends and encourages the County Evacuation Zone Location to be made publicly available to businesses and patrons through signs, pamphlets, or other means.

Delaware Department of Agriculture – Contact Milton Melendez 302-698-4500

- The proposed project is adjacent to a property protected through the State's Agricultural Lands Preservation Program (Holly Hill Exp. K-15-12-070B parcel # 5-00-17300-01-6800, and Lednum Branch Exp K-16-02-070C Parcel # 5-00-17300-01-6900). Therefore, the activities conducted on this preserved property are protected by the agricultural use protections outlined in Title 3, Del. C., Chapter 9. These protections effect adjoining developing properties. The 300 foot notification requirement affects all new deeds in a subdivision located in whole or part within 300 feet of an Agricultural District/Easement. Please take note of these restrictions as follows:

  § 910. Agricultural use protections.

  (a) Normal agricultural uses and activities conducted in a lawful manner are preferred and priority uses and activities in Agricultural Preservation Districts. In order to establish and maintain a preference and priority for such normal agricultural uses and activities and avert and negate complaints arising from normal noise, dust, manure and other odors, the use of agricultural chemicals and nighttime farm operations, land use adjacent to Agricultural Preservation Districts shall be subject to the following restrictions:

  For any new subdivision development located in whole or in part within 50 feet of the boundary of an Agricultural Preservation District, no improvement requiring an occupancy approval shall be constructed within 50 feet of the boundary of the Agricultural Preservation District.

> (b) Normal agricultural uses and activities conducted in accordance with good husbandry and best management practices in Agricultural Preservation Districts shall be deemed protected actions and not subject to any claim or complaint of nuisance, including any such claims under any existing or future county or municipal code or ordinance. In the event a formal complaint alleging nuisance related to normal agricultural uses and activities is filed against an owner of lands located in an Agricultural Preservation District, such owner, upon prevailing in any such action, shall be entitled to recover reasonably incurred costs and expenses related to the defense of any such action, including reasonable attorney's fees (68 Del. Laws, c. 118, § 2.).

- In addition, if any wells are to be installed, Section 4.01(A)(2) of the Delaware Regulations Governing the Construction and Use of Wells will apply. This regulation states:

> (2) For any parcel, lot, or subdivision created or recorded within fifty (50) feet of, or within the boundaries of, an Agricultural Lands Preservation District (as defined in Title 3, Del. C., Chapter 9); all wells constructed on such parcels shall be located a minimum of fifty (50) feet from any boundary of the Agricultural Lands Preservation District. This requirement does not apply to parcels recorded prior to the implementation date of these Regulations. However, it is recommended that all wells be placed the maximum distance possible from lands which are or have been used for the production of crops which have been subjected to the application of land applied federally regulated chemicals.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- The potential for prehistoric sites is high based on a number of environmental factors conducive to human habitation, including well drained soils, dry upland areas, and proximity to perennial water sources. In addition, the potential for historic resources is also high based on sites within and around the parcel indicated on historic maps. Historically, the area in question has seen significant agricultural use. An agricultural complex is located within the parcel and dates to as far back as the mid-late 19th century (K04930, McGregg Gen. D House). Therefore, there are most likely archaeological resources associated with this agricultural complex.

- It is important that the developers be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Delaware Code: Title 7, Chapter 54), which pertains to the discovery and disposition process of such remains. Abandoned or unmarked family cemeteries are very common in Delaware, especially on historic farm sites, rural areas or open space lands. Disturbing unmarked burials triggers Delaware's Unmarked Human Burials and Human Skeletal Remains Law, and such discoveries can result in substantial delays while the procedures required under this law are carried out.

- This office recommends that an archaeological consultant investigate the project area for the presence of such a cemetery, and that an archaeological survey be completed prior to any ground disturbing activities.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office

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):

Fire Protection Water Requirements

- Water distribution system capable of delivering at least 1,500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for business occupancy sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

- Buildings greater than 10,000 Sq. Ft., 3-stories or more, over 35 feet in height, 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.

- All mini-storage buildings greater than 2,500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance–rated barrier shall require an automatic sprinkler system be installed throughout.

> *Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:*
>
> *(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,*
>
> *(2) the owner of the facility does not have unrestricted*

access to the storage units, and

(3) the items being stored are concealed from view from outside the storage unit.

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 site must be constructed so fire department apparatus may negotiate it. If a "center island" is placed at an entrance road, it shall be arranged in such a manner that it will not adversely affect quick and unimpeded travel of fire apparatus into the site.

- 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.

Gas Piping and System Information

- Provide type of fuel proposed and show locations of bulk containers on plan.

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

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- DelDOT anticipates requiring the water tower access be outside the clear zone and the road to access the water tower not be open for public access.

- The applicant is suggested to anticipate discussions regarding the locations of the storm water management zones. In specific, no stormwater management space is shown on the east side of the property.

- DelDOT anticipates suggesting to the Town to require cross access connections between the individual lots shown within the plan.

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Church Hill Road, Delaware Route 14, and Delaware Route 15.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022. The notes can be found at https://www.deldot.gov/Business/subdivisions/

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

Wetlands and Subaqueous Lands

- As proposed for this project, do not disturb wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants, and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.
Website: https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/

State Contact: DNREC Wetlands and Subaqueous Lands Section at (302) 739-9943.
Website: https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/

Vegetated Buffer Zones

- Incorporate a 100-foot vegetated buffer zone from the edge of wetlands to protect water quality and to provide an additional margin of safety for flooding.

- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.

- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.
Website: https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/

Drainage

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.alpha.delaware.gov/drainage-stormwater/

Water Quality (Pollution Control Strategies)
This site lies within the Mispillion River Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.

- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.

- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939.
Website: https://dnrec.alpha.delaware.gov/watershed-stewardship/

Excellent Groundwater Recharge Area

- For Excellent Groundwater Recharge Areas, limit impervious surfaces to no more than 20% of the entire area designated as having excellent recharge.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.
Website: https://dnrec.alpha.delaware.gov/water/supply/ground-water-protection/

Additional Sustainable Practices

- Install electric vehicle charging stations for employees. Installation costs can vary significantly depending on the parking and electricity distribution at a given location, so it is often easier and cheaper to plan for the installation at construction, rather than doing costly retrofits later. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 90% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/).

- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/).

- On large expanses of impervious surfaces and asphalt, design parking areas to include trees for shading.

- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.

- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.

- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.
Website: https://dnrec.alpha.delaware.gov/climate-coastal-energy/

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

First Street Foundation Community Risk Level

- The First Street Foundation Community Risk Level considers a Flood Factor, which stems from rain, rivers, tidal, and storm surge, to determine the risk of water reaching the building over a 30 year period.

- The First Street Foundation rates the community risk level of (**3**) for that immediate area of **Milford,** which suggests a **major** risk from flooding, combining risks associated between residential properties, commercial properties, critical infrastructure facilities, social infrastructure facilities, and roads. It is expected to increase between now and the next 30 years.

  "Community Risk levels represent a risk as Minimal (0), Minor (1), Moderate (2), Major (3), Severe (4), and Extreme (5). Overall Community Risk accounts for combined flood risk to residential properties, commercial properties, critical infrastructure facilities, social infrastructure facilities, and roads."

Population

- The county has a population density of **184,286** per square mile based on the US 2020 Census report, an increase from 2010 at **271.30** persons per square mile.

- The specific census block(s) the project is located on has a total population of (**13**), though, with development, this will undoubtedly change.

- The adjacent blocks aggregate brings the area to a total population of **576**.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk of 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hal, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

Expected Annual Loss
× Social Vulnerability
÷ Community Resilience
= Risk Index

- According to FEMA's National Risk Index, the parcel(s) **are** considered **relatively low** for overall natural hazards risks.
- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience is rated as **relatively high,** while its social vulnerability is rated as **relatively high**.

Potential Parcel Solar Panel Capabilities

- Regarding energy use and consumption, the parcel utilizes **electricity** as the predominant fuel for heating purposes.

- However, for electricity generation via solar panels, the parcels have an average photovoltaic power potential of **1496 kWh/kWp**. As such, should solar panels be utilized, we recommend an optimum tilt of the photovoltaic modules at approximately **35°**, which could provide a potential of **1811 kWh/m2.**

Renewable Energy Commitment

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities.

- Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems: the closer to 99%, the better as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters and battery backup systems for sump pumps to reduce potential water damage from power failure.

- Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.

Delaware Department of Agriculture – Contact Milton Melendez 302-698-4500

- The Department of Agriculture strongly encourages the developer to work with the Department's Forestry Section during the design and implementation of the project to plant an effective forested buffer between the proposed project and existing preserved properties. It is important that suitable tree species be selected and planted to create an effective mitigation barrier between this new project and the existing agricultural operation enrolled in the Agricultural Lands Preservation Program. This farm generates dust, noise and odors that new residents may not be familiar with.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- 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.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

David L. Edgell, AICP
Director, Office of State Planning Coordination

CC: City of Milford

City of Milford, Delaware
Development Advisory Committee

Comment Sheet

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DATE OF REVIEW: February 20, 2023

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

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

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

RE: MILFORD CORPORATE CENTER (23-008)

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

****

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

a. **Fire Protection Water Requirements**:
- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Mercantile and Storage)
- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Assembly and Townhouses)
- 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 Milford Harrington Hwy & Canterbury 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

§ 200-8. General requirements and design standards.

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

A. Streets.

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

(a) Public convenience and safety.

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

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

(d) Topography and other land features.

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

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

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

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

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

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

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

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

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

(11) Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which for the inner right-of-way lines shall not be less than 500 feet on arterial streets, 300 feet on collector streets and 100 feet on local streets. The outer right-of-way line shall be parallel to said inner right-of-way line.

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

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

(14) Street rights-of-way and roadway widths shall be as shown on the official map or development plan and, if not shown thereon, said widths for the various street types, shall not be less than as follows:

(a)

Street Type (feet)	Right-of-Way Width (feet)	Pavement Width (feet)	Pavement Width with Parking One-Side (feet)	Pavement Width with Parking Both Sides (feet)
Arterial	80 to 110	60 to 80	N/A	N/A
Collector	60	38	38	38
Local for all residential areas	60	24	30	36
Local for commercial areas	60	26	32	38
Cul-de-sac and Dead-ends	60	24	30	36
Marginal access	60	24	30	36
*Alley, one-way	20	12	18	24

Note:

* The City reserves the right to modify the minimum right-of-way and roadway widths where utilities or other items exist which would necessitate a wider access.

(b) Proposed subdivision streets serving lots with a lot width of less than 60 feet shall be required to provide on-street parking as outlined Chapter 200-8(A)(14)(a). On-street parking for each side of the street shall be determined based on the proposed minimum lot width for each side of the street.

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

(16) Dead-end streets, designed to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of 80 feet and a street right-of-way diameter of 100 feet. Dead-end streets are prohibited in alleys where public services are to be provided.

(17) Street names.

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

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

(18) Street grades shall not exceed 5%.

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

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

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

(22) All required roads shall be constructed in accordance with the City Standard Construction Specifications.

B. Sidewalks, curbs and shared-use paths.

(1) Sidewalks shall be required in all subdivisions on both sides of the street and shall have a minimum width of 5 feet.

(2) Curbs shall be required in all subdivisions to ensure proper drainage of stormwater.

(a) Where rolled curb is proposed, a minimum 3-foot-wide reserve grass strip shall be required between the sidewalk and the curb.

(b) Sidewalk may be placed directly against upright curb.

(3) All required sidewalks shall be constructed in accordance with the City Standard Construction Specifications.

(4) Shared-use paths shall be connected with existing paths and shall be consistent with the City's Bicycle Master Plan and Comprehensive Plan.

C. Easements.

(1) A stormwater or drainage right-of-way with adequate width shall be provided where a subdivision is traversed by a watercourse, drainageway, channel, pipe or stream. Parallel streets, parkways or greenways may be required in relation thereto.

(2) Each lot in a proposed subdivision shall provide a 5-foot-wide general utility easement on each side lot line, a 10-foot-wide general utility easement along the rear property line, and a 15-foot general utility easement along the frontage of the lot for the installation of City utilities and conveyance of drainage.

D. Blocks.

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

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

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

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

(d) The characteristics of topography.

(2) Block length shall not exceed 1,200 feet or be less than 500 feet in length between street lines.

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

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

E. Lots.

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

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

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

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

(5) All lots in a subdivision shall have frontage on a public street meeting the minimum lot width requirements of the zoning code.

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

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

(8) No lots shall be platted on land subject to flooding by the 100-year flood elevation for residential or any other use where danger to life or property or an aggravation of flood hazard may result. Such land should be set aside for uses which would not be endangered by periodic or occasional inundations.

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

F. General grading.

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

G. Improvements.

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

(a) Paved streets.

(b) Street signs meeting the State of Delaware, Department of Transportation, Manual on Uniform Traffic Control Devices, latest edition.

(c) Curbs and gutters. Curbs shall be required on both sides of proposed streets as per the City Standard Construction Specifications.

(d) Sidewalks or shared use paths located on both sides of the street.

(e) Streetlighting.

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

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

(h) Monuments. Permanent monuments shall be placed on each corner of any building lot by the developer and along the project boundary and the right-of-way at all corners and tangent points prior to final settlement for the property.

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

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

[2] Water and sewer services shall be made available to all adjacent properties.

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

[4] No underground utility installation shall be covered until inspected and approved by the City.

(2) The developer shall complete all utilities and street improvements not specifically waived by City Council in accordance with the City Standard Construction Specifications and with any additional requirements specified by the City Council. (3) The developer shall pay the review and inspection fees as set forth in Chapter 230, Zoning, § 230-57, Planning, Zoning and Engineering Fees. The cost for each segment or phase of the development shall be paid prior to commencement of utility construction.

[Ord. No. 2013-7, § 1, 9-23-2013; Ord. No. 2019-13, § 1, 7-22-2019; Ord. No. 2022-05, § 3, 1-24-2022]

§ 200-9. Variances and waivers.

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

[Ord. No. 2019-13, § 2, 7-22-2019]

§ 230-16. 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) Wholesale storage, warehousing and distribution centers.

C. Conditional uses. All uses specified as conditional uses in the OC-1 and BP zoning districts and the following uses are permitted in the I-1 District, in accordance with the provisions within Article IX 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] Permanent and temporary outdoor seating and gathering areas shall be subject to building permit application and approval requirements.

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

D. 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.

(1) 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.

(2) 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.

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

(4) 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.

(5) 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).

(6) 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.

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

(8) 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.

(9) 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.

E. Area regulations.

(1) Minimum lot area shall be two acres.

(2) Maximum lot coverage shall be 75%.

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

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

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

(11) Accessory structures in aggregate shall occupy no more than 10 percent of the required rear and side yard of the lot 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.

[Ord. No. 2022-06, 1-24-2022]

§ 230-19.1. BP Business Park District.

In a BP 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 indicated:

A. The purpose of a Business Park 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 while still providing attractive landscaping, on-site recreation and a better working environment. The emphasis will be on employment rather than warehouse space. 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 BP District shall be as follows:

(1) Manufacturing, assembling, converting, altering, finishing, cleaning, cooking, baking or any other type of manufacturing or industrial processing 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 and cafeterias for the exclusive use of in-house staff and employees.

(2) Research, design, testing and development laboratories.

(3) Printing, publishing, binding, packaging, storage, warehousing, distribution and trucking terminal operations and trucking schools.

(4) Business, professional or administrative offices.

(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 any closer than 500 feet from existing residence, residential district, school or building(s) used for assembly.

(7) Farm machinery manufacture, sales, storage and repairs.

(8) Heating, ventilating, cooling and refrigeration manufacturing.

(9) Building contractor yards.

(10) Veterinary clinics.

(11) Beverage blending, bottling (all types).

(12) Boat manufacture and repair (vessels less than five tons), boat sales and service.

(13) Dairy operations and dairy products, ice cream and cheese.

(14) Fruit and vegetable processing, including canning, preserving, drying and freezing.

(15) Greenhouses, commercial, wholesale or retail.

(16) Ice manufacture, including dry ice.

(17) Sign fabrication and painting shops.

(18) Wood product manufacture, including baskets, boxes, crates, barrels and veneer.

C. Conditional uses. The following uses are permitted in the BP District in accordance with the provisions within Article IX (conditional use portion) of this chapter:

(1) Public, private or professional schools.

(2) Schools for vocational training.

(3) Day-care centers.

(4) Radio-television facilities.

(5) Indoor or outdoor recreation.(6) 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:

i. Permanent and temporary outdoor seating and gathering areas shall be subject to building permit application and approval requirements.

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.

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.

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.

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.

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.

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

D. 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 City Council.

(1) All uses must 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 that may include a fence or wall.

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

(3) All loading and unloading operations shall be conducted at the side or rear of the building. In the loading and unloading 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.

(4) 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).

(5) Dust or particle 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 set forth by the State of Delaware, Department of Natural Resources and Environmental Control (DNREC).

(6) 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.

(7) 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.

(8) Walls.

(a) Exterior front and side walls are subject to site plan approval and must be finished on the exterior with the following:

[1] Architectural masonry units, excluding concrete block and cinder block.

[2] Natural stone.

[3] Precast concrete.

[4] Steel.

[5] Aluminum.

[6] Glass materials or their equivalent.

(b) Rear walls may be masonry block if the masonry block wall is appropriately painted. Finished building materials shall be applied to all sides of a building which are visible to the general public as well as from adjacent residential property and streets. Colors shall be harmonious and compatible with colors of the natural surroundings and other adjacent buildings. The Planning Commission shall have the sole right to approve or disapprove materials and colors.

(9) No pipe, conduit, cable or line for water, gas, sewerage, steam, electricity or any other energy or service shall be installed or maintained upon a parcel outside of the building above the surface of the ground. All auxiliary machinery, equipment or facilities used on any parcel outside of any building in connection with such energies or services shall be located upon the parcel in such manner and upon such conditions as may be specifically approved by the Planning Commission and/or City Council during site plan or conditional use review.

E. Area regulations.

(1) Minimum area for a business park will be 40 acres.

(2) Minimum lot area shall be one acre (43,560 square feet).

(3) Maximum impervious lot coverage shall be 75%.

(4) Minimum lot width shall be 150 feet.

(5) Maximum building height shall be 50 feet.

(6) Minimum front yard setback shall be 30 feet.

(7) Minimum side yard setback shall be 15 feet. The setback shall be computed from the berm line, not the property line.

(8) Minimum rear yard shall be 25 feet. The setback shall be computed form the berm line, not the property line.

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

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

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

(12) 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.

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

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

[Ord. No. 2022-06, 1-24-2022]

§ 230-19.8. Tree Planting and Preservation.

A. Purpose. The purpose of this section is to establish standards and requirements for the protection and planting of trees and woodlands because it is recognized that woodlands and trees are not only desirable, but are essential to the health, safety, and welfare of the population in that they provide oxygen, reduce carbon dioxide, stabilize soil, cleanse the air by transpiring clean water into the atmosphere, cleanse water passing into the ground through the root system, provide protection for wildlife and their habitats, provide shade, reduce noise and glare, increase property values, and provide an important physical, aesthetic, and psychological balance to the built environment.

B. Definitions.

CALIPER DIMENSION — The term "caliper dimension" means an outside diameter measurement of the trunk of a tree measured at a vertical distance of three feet above grade.

CLEARING — The removal of trees from an area of 5,000 square feet or greater, whether by cutting or other means. The term "clearing" shall not include the removal of trees for landscaping purposes by individual lot owners.

DESIGN PROFESSIONAL — The term "design professional" shall be any person licensed as a landscape architect or architect, or Delaware certified nursery professional.

DEVELOPMENT AREA — The area containing all new site features (buildings, parking and drive areas, pedestrian walks, stormwater management areas, buffer areas etc. but not underground utilities) proposed

by a plan. The development area shall be delineated using property lines and lines run straight across the property from one property line to another without bending or curving.

DRIPLINE — A line on the ground established by a vertical plane extending from a tree's outermost branch tips to the ground, i.e., the line enclosing the area directly beneath the tree's crown, from which rainfall would drip.

TREE — Any self-supporting, woody perennial plant, usually having a main stem or trunk and many branches and at maturity normally attaining a trunk diameter greater than three inches at any point and height of over ten feet.

TREE PROTECTION AREA — Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the requirements of this section. The tree protection area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.

WOODLAND — An area of contiguous wooded vegetation (7,500 square feet or greater), where trees exist at a density of at least one tree with a caliper dimension of six inches or greater per 375 square feet of land and where the tree branches form a contiguous canopy.

C. Applicability. The terms and provisions of this section shall apply to any activity on real property which requires conditional use, site plan or subdivision approval of the Planning Commission or City Council as set forth in Chapter 200 and Chapter 230, except the provisions in [sub]section 19.8(D) which shall apply to all real property.

D. Tree preservation.

(1) Trees required by the City to be replaced. Trees required by the City as a part of a conditional use, subdivision, or site plan approval shall not be removed unless they are diseased or infested, or present a danger to life and property. In cases where such trees are removed, they must be replaced with a tree planting in accordance with the table of trees standards kept in the Planning Department.

(2) Trees of special value. Trees having a historic value, as determined by the state historic preservation officer, or that are of an outstanding nature due to type or species, age, or other professional criteria, may be required by the City to be preserved. Such trees may be prohibited from being removed by the Planning Director until such time that the City has granted approval to remove such trees.

(3) Tree preservation in wetlands. No portions of wetland areas shall be developed or cleared of vegetation unless granted permission under state and/or federal permit; and they shall remain as essentially undisturbed areas protected under the provisions set forth in Chapter 230.

(4) Clearing prohibited without approval. Clearing, as defined by this section, for any purpose whatsoever, except the establishment of trails and pathways (not greater than eight feet in width) and open yard areas, shall be prohibited unless approved by the City through the site plan, conditional use, or subdivision review process.

E. Woodland preservation.

(1) Tree preservation and selective clearing plan required. All site development proposals which involve the development of woodland areas and require City approval shall include a tree preservation and selective clearing plan as part of the preliminary submission plan. The tree preservation and selective clearing plan shall be prepared in accordance with the provisions of subsection 19.8(E), subsection 19.8(G) and subsection 19.8(H) of this section.

(2) Limited clearing for site development allowed. Generally, site development plans for the construction of a new building within existing woodland areas shall limit clearing of the land to those areas necessary to provide for the placement of the building or group of buildings, adequate access onto the

property and to the proposed building or group of buildings, utility placement, off-street parking and yard areas to allow for daylight infiltration and building maintenance. When woodland areas are proposed to be cleared to allow for new construction, clearing within the area of the proposed construction shall be limited to an area of 30 feet from proposed building foundation, and 15 feet from off-street parking lots, and utility placement.

(3) Maximum clearing requirement. Specifically, no more than 50 percent of a lot, parcel or tract of land occupied by woodland vegetation may be cleared for any purpose.

F. Tree preservation and planting in nonwoodlands.

(1) Tree preservation and planting plan required. All developments requiring approval of the City shall be required to submit, with its application and plans, a tree preservation and planting plan as set forth in subsection 19.8(H), and shall conform with the following provisions.

(2) Tree density. For each property required to submit a tree preservation and planting plan, a development area as defined in this section shall be delineated within the nonwoodland area of the property. Within this development area, existing trees may be retained and new trees shall be planted such that the development area shall attain or exceed a tree density of one tree per 3,000 square feet or fraction thereof.

(3) Minimum standards for new trees. For new trees to be counted toward the required tree density, they must be of a species and size as set forth in the table of trees approved by the City and kept on file in the office of the Planning Director, or be of an alternate species found acceptable by the City.

(4) Minimum standards for existing trees. For existing trees to be counted toward the required tree density, the tree shall have a minimum caliper dimension of two inches. No trees over eight inches in caliper dimension shall be removed unless within an area of 30 feet from the proposed building foundation, off-street parking lot, and utility placement.

G. Tree protection and planting requirements.

(1) Application. The following guidelines and standards shall apply to activities regulated under Chapter 200 or Chapter 230:

(2) Protection required. To protect the required trees or woodland and their critical root zone, a tree protection area delineated by the dripline of a tree or group of trees to be retained, shall be established. The protection area shall not be disturbed by site utility and grading work, by construction activities such as parking, material storage, concrete washout, sedimentation intrusion or erosion, or other activity. Damage to trees or woodlands and their critical root zones shall require tree plans to be revised to compensate for the loss as determined by the City Arborist or a qualified professional/consultant.

(3) Protection measures. Tree protection areas shall be protected by fencing, staking, or continuous ribbon and, where necessary, silt screens which shall be situated to coincide with the dripline of the tree or group of trees to be preserved. Protection measures shall be erected prior to construction, and must remain until final landscaping is installed.

(4) Planting requirements. New trees proposed to be planted for credit toward the density requirement shall have spacing that is compatible with the spatial site limitations and with responsible consideration toward species size when mature. Species selected for planting must be ecologically compatible with the specifically intended growing site. Trees selected for planting shall be free from injury, pest, disease, and disorders.

H. Tree preservation, planting and selective clearing plans.

(1) Plan specifications. A tree preservation and planting plan or a preservation and selective clearing plan, prepared by or in conjunction with a design professional, shall be shown on a copy of a preliminary major subdivision plat, or site plan, as appropriate to the proposed development, drawn to the same scale and covering the same area as the other plan documents prepared for the Planning Commission or City Council meeting. The plan may be combined with a required buffer and landscape plan for the project, at the option of the developer. The plan shall provide sufficient information and detail to clearly demonstrate that all applicable requirements and standards of this section will be fully satisfied.

I. Tree mitigation.

(1) City Council or Planning Commission waiver. The City Council or Planning Commission may waive the provisions of subsections 19.8(E)(2), 19.8(E)(3), and 19.8(F)(2), and require replacement planting for mitigation purposes should the City Council or Planning Commission determine, after demonstration by the applicant, that due to physical limitations of the land which would otherwise prohibit the reasonable use of the land, or for purposes of preserving, protecting and promoting the interest of public health, safety, welfare and/or public convenience. All tree mitigation plantings must occur within the corporate limits of the City of Milford. Tree mitigation may occur off-site in accordance with the provisions listed below in this ordinance:

(a) If a waiver is sought from the provisions of subsection 19.8(F)(2), new tree plantings are required at a rate of 1:1. All new tree plantings shall meet the minimum size at planting requirements of the City of Milford table of trees.

(b) If a waiver is sought from the provisions of subsection 19.8(E)(2) and/or subsection 19.8(E)(3), then mitigation must be in the form of newly created woodland areas. New woodlands shall be created at a rate of 1.25 times the amount of woodlands to be removed. A woodland mitigation plan shall be prepared by a licensed forester, landscape architect, or certified nursery professional, for the consideration of the City Council or Planning Commission.

(c) All tree mitigation must occur on-site unless an off-site location is specifically approved by the City Council or Planning Commission. When considering off-site locations for tree mitigation, the City Council or Planning Commission shall consider:

[1] A physical hardship related to the land which would otherwise prohibit compliance on the subject site.

[2] Whether the mitigation plan proposed by the applicant is superior in terms of environmental benefits, tree quality, or aesthetic qualities compared to strict compliance with the ordinance on-site.

(2) Tree mitigation required for unauthorized clearing. In the event that trees or woodland areas to be preserved under this ordinance or as a condition of a site plan, subdivision, or conditional use approval are illegally removed, tree mitigation shall be required. All tree mitigation plantings must be placed on the same lot, parcel, or tract on which the illegal clearing occurred. All replacement trees must be of the same or a similar variety as the trees illegally removed.

(a) If trees have been removed from non-woodland areas, new tree plantings shall be provided in accordance with the table below:

Caliper Dimension of Trees Removed	Number of Trees Required	Caliper dimension at Planting
25” or larger	5 trees	3”
17” to 24”	3 trees	3”
9” to 16”	3 trees	3”
8” or less	2 trees	3”

* Note—All trees replanted must be guaranteed to survive a minimum of one year.

(b) If trees have been removed from woodland areas, then mitigation must be in the form of newly created woodland areas. New woodlands shall be created at a rate of 1.75 times the amount of woodlands that were illegally removed. The woodland unlawfully removed must be replanted to satisfy a portion of this requirement. A woodland mitigation plan shall be prepared by a licensed forester, landscape architect, or certified nursery professional, for review and approval by the Planning Director.

(c) If the applicant wishes to provide replacement plantings on any property other than the one on which illegal clearing occurred, the mitigation plan must be reviewed and approved by the City Council or Planning Commission. When considering off-site locations for tree mitigation, the City Council or Planning Commission shall consider:

[1] A physical hardship related to the land which would otherwise prohibit compliance on the subject site.

[2] Whether the mitigation plan proposed by the applicant is superior in terms of environmental benefits, tree quality, or aesthetic qualities compared to strict compliance with the ordinance on-site.

(3) The City Council or Planning Commission may require tree mitigation areas to be planted in permanent conservation through deed restrictions, conservation easements, or donations to land trusts.

[Ord. No. 2022-06, 1-24-2022]

§ 230-22. District requirements.

A. Residential districts.

(1) In any R-1, R-2, R-3 and R-8 District, a landscape screen and/or fence or wall a minimum of six feet in height shall be planted and/or erected to separate any permitted nonresidential use from any existing residential use on a contiguous lot. Such landscape screen and/or fence or wall may extend into the lot setback, side yard and rear yard.

(2) In any R-3 or R-8 District, for any lot developed for garden apartments or townhouses, a landscape screen and/or fence or wall a minimum of six feet in height shall be planted or erected to separate any contiguous lot developed as a single-family detached or semidetached residential dwelling on any contiguous lot zoned R-1 or R-2. Such landscape screen and/or fence or wall may extend into the lot setback, side yard and rear yard.

(3) Buffers along arterial streets. Where development proposals front on an arterial street, a landscape buffer shall be required along the arterial road frontage. These buffer areas shall be a minimum of 30 feet in depth, measured from the right-of-way line of the arterial street, and shall, at the time of development of the property, be planted with a variety of trees, shrubs and ground cover so as to create a distinctive and consistent visual character of the arterial street. The landscape design and planting plan for these arterial street buffer areas shall be subject to the approval of the Planning Commission or City Council as an integral part of the site development plan. When it can be demonstrated to the satisfaction of the Commission or City Council through the plan review process that, due to specific constraints related to existing lot size, lot configuration or the orientation of existing buildings on adjoining properties, compliance with this section would severely limit the development potential of the property or would cause the property to be out of character with the

surrounding built environment, the Commission or City Council may approve a lesser amount of buffering, provided that the basic objective of establishing landscaped green space along arterial roadways is achieved.

B. Commercial districts. In any C-1, OB-1, OC-1, C-2 or C-3 District, a fifteen-foot visual and sound buffer area shall be provided on non-residential use properties (other than agricultural uses) when abutting a residential use. Screening shall consist of an opaque barrier at least six feet in height accompanied by landscaping.

(1) Opaque barrier options. The requirement for the opaque barrier may be met by choosing one of the following:

(a) An opaque wooden fence.

(b) A wall constructed of masonry materials, either stucco, brick, split-faced block, or decorative concrete.

(c) An earthen berm (4:1 maximum side slopes).

(d) Dense, durable and continuous evergreen tree planted screen of at least six feet in height at the time of planting and arranged to effectively achieve an opaque visual buffer.

(e) Any combination of fencing, landscaping and/or berming that achieves a six-foot-high opaque barrier.

C. Institutional, Industrial and Business Park Districts: H-1, IM, IS, I-1, I-2, and BP.

(1) Each use established in these districts shall set aside at least 20 feet in width immediately adjacent to any street upon which the lot has frontage, and extending for the full frontage of the lot, for purposes of providing for proper site distance and buffering from the public road. Within such area, the owner shall establish and maintain a planting of grass and/or horticultural ground cover. Other landscape materials may be incorporated, provided that there is no obstruction to vision, other than a tree trunk, in the area between two feet and seven feet above ground level.

(2) Each use established in these districts shall provide a 50-foot visual and sound buffer area on non-residential use properties (other than agricultural uses) when abutting a residential use. Screening shall consist of an opaque barrier at least six feet in height accompanied by landscaping.

(a) Opaque barrier options. The requirement for the opaque barrier may be met by choosing one of the following:

[1] An opaque wooden fence.

[2] A wall constructed of masonry materials, either stucco, brick, split-faced block, or decorative concrete.

[3] An earthen berm (4:1 maximum side slopes).

[4] Dense, durable and continuous evergreen tree planted screen of at least six feet in height at the time of planting and arranged to effectively achieve an opaque visual buffer.

[5] Any combination of fencing, landscaping and/or berming that achieves a six-foot-high opaque barrier.

[Ord. No. 2022-06, 1-24-2022]

§ 230-24.14. Standards in business park and office zones.

A. General standards and sign features: Permanent on-premise signs in the Business Park and Office Zones, as identified herein, shall be subject to the standards set forth in this section.

(1) BP Business Park District.

(2) OC-1 Office Complex District.

B. Subject to the regulations in this section, Business Park and Office Zone properties are limited to a combination of two signs per street frontage.

(1) Freestanding Signs

(a) Freestanding signs shall be limited to one per street frontage.

(b) Freestanding signs shall not exceed 10 feet in height and shall not exceed 48 square feet of sign area per side.

(c) Freestanding signs shall have a minimum setback of 10 feet from the front lot line and a minimum setback of 15 feet from adjacent property lines.

(2) Projecting Signs: Prohibited.

(3) Building Signs.

(a) Building signs include wall or fascia signs, and signs otherwise permanently applied to walls or other building surfaces.

(b) The total sign area of all parallel wall signs applied to any given façade shall not exceed 10% of the building façade in elevation view, including window and door areas and cornices to which they are affixed or applied.

(4) Canopy Signs: Prohibited.

(5) Awning Signs: Prohibited.

(6) Electronic Message Centers are prohibited except that electronic message centers may be permitted by conditional use approval from City Council on properties used for any of the following uses

(a) Public and private schools.

(b) Churches and other places of worship.

(c) Social clubs or fraternal, social service, union, or civic organizations.

[Ord. No. 2022-06, 1-24-2022]

§ 230-24.25. Comprehensive signage for major subdivisions and complexes.

A. Purpose. In recognition that large developments and complexes have signage needs that may not be adequately addressed by the standard sign regulations of Chapter 230, this section is specifically intended to establish an optional procedure for approval of comprehensive signage plans for such projects.

B. Qualifications. Comprehensive signage plans may only be submitted in conjunction with the following types of development projects:

(1) Major subdivisions and residential developments involving more than one entrance or involving 200 or more dwelling units;

(2) Planned unit developments;

(3) Shopping centers;

(4) Groups of three or more nonresidential principal structures under common management and located on one or more contiguous properties; or

(5) Any institutional complex, professional office, medical or educational campus, or business park.

C. Standards. Comprehensive signage plans shall comply with the following standards:

(1) If approved, comprehensive signage plans may not be held to the size, height, numbers, and area regulations for signs found in other sections of this article provided that the number, type, and size of signs proposed shall not be excessive and must be in proportion to the scale of the buildings and the uses planned for the site.

(2) All proposed signage shall be designed and coordinated with the overall architectural concept for the buildings on the site. Sign type, color scheme, size, and illumination shall be coordinated and compatible with the architecture of the development so as to formulate a thematic sign plan for the site.

(3) Wall-mounted signs shall be coordinated with the overall design theme of the site and designed as an integral component of the facades of buildings.

(4) Site landscaping shall be designed to complement and not conflict with sign placements.

(5) No off-premises signage will be permitted as part of an application for a comprehensive signage plan.

D. Approval process.

(1) Comprehensive signage plans shall be submitted for review by the Planning Commission for the purpose of providing commentary and recommendation to the City Council, if applicable. The City Council shall have authority to approve or deny the comprehensive signage plans, except for applications that are not required to be reviewed by City Council, in which case the Planning Commission shall have the authority to approve or deny the comprehensive signage plans.

(2) Applicants may submit a comprehensive signage plan in conjunction with, and as a component of, any Preliminary Site Plan or Preliminary Major Subdivision application, for review and consideration by the Planning Commission and City Council, if applicable.

(3) Owners of existing developments or previously approved but not completed developments, or successors in interest thereto, including but not limited to legally created homeowners associations, that own and control subdivision identification signage in subdivision that meet the qualifications of Chapter 230-24.25(B) may submit a comprehensive signage plan for consideration as a conditional use site plan in accordance with the procedures set forth in Chapter 230 of this Code.

(4) Sign permits shall be obtained for each sign approved for installation as part of a comprehensive signage plan prior to the installation or placement of the sign.

E. Submission requirements. The following minimum submission materials shall accompany any request for consideration of a comprehensive signage plan.

(1) A site plan which details the signage proposed to include the physical location of all existing and proposed signs on the property and their relationship to all existing and proposed buildings, structures, streets, parking areas, stormwater management ponds, and all other physical features of the site.

(2) Fully dimensioned elevation drawings of each proposed sign. Proposed wall-mounted signs shall be illustrated as a component of the architectural elevation drawing of the building façade.

(3) Colored renderings of each proposed sign.

(4) Miscellaneous specifications to include proposed illumination type, mounting details, and materials proposed.

F. Planning Commission and City Council considerations. In considering approval of comprehensive signage plans, the Planning Commission and City Council shall take into consideration the public health, safety, and

welfare, the comfort and convenience of the public in general, and the residents, businesses, and property owners in the immediate vicinity in particular, and shall ensure that qualifying developments are afforded adequate, but not excessive, signage.

[Ord. No. 2022-06, 1-24-2022]

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS
Planning Commission Hearing: Tuesday, April 18, 2023 @ 6:00 p.m.
City Council Hearing: Monday, April 24, 2023 @ 6:00 p.m.

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and/or City Council. City Council has the option to approve or deny the ordinance. Not adopting the ordinance is the result of City Council rejecting the application. City Council adopting the ordinance is the result of the application being approved, thus the purpose of the notice being written in the affirmative. This form of writing is not intended to influence any decision of the Planning Commission and/or City Council:

ORDINANCE 2023-17

Application of Milford Corporate Center on behalf of City of Milford
for a Preliminary Major Subdivision
of 182 +/- acres of land located at the northwest corner of
Milford-Harrington Highway and Canterbury Road.
Comprehensive Plan Designation: Industrial Commercial
Zoning District: I-1 (Limited Industrial) BP (Business Park)
Present Use: Vacant Proposed Use: Industrial Park
Tax Parcel: MD-16-173.00-01-01.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Preliminary Major Subdivision of 182 +/- acres of land located at the northwest corner of Milford-Harrington Highway and Canterbury Road; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing to allow for public comment on April 18, 2023; and

WHEREAS, Milford City Council will hold a Public Hearing on April 24, 2023 to allow for public comment and further review of the application.

Section 1. The Preliminary Major Subdivision is consistent with the objectives, policies, general land uses and programs in the City of Milford Comprehensive Plan, Subdivision and Zoning Codes, in that it establishes obligations and conditions for the implementation of the Milford Corporate Center.
Section 2. The Preliminary Major Subdivision Plan is in conformity with public convenience, general welfare, and good land use practice.
Section 3. The Preliminary Major Subdivision Plan will not be detrimental to the public health, safety and general welfare of the community.
Section 4. These changes and additions will not adversely affect the orderly development of adjacent properties and will continue to maintain the preservation of property values.
Section 5. Dates.
City Council Introduction: April 10, 2023
Planning Commission Review & Public Hearing: April 18, 2023
City Council Final Review & Public Hearing: April 24, 2023
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.

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

CITY COUNCIL MEETING

Executive Session has concluded. Council has returned to *Open Session*