

City of Milford



AGENDA

Council Meeting

April 23, 2012

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

7:00 p.m.

PUBLIC HEARINGS

Davis, Bowen and Friedel, Incorporated on behalf of Siobain-VI, LLC
Lot Consolidation and Final Minor Re-Subdivision of 19.15 +/- Acres
South side of Airport Road, 1,600 feet west of US Route 113, Milford, Delaware.
Tax Map MD 16-173.00-01 -04.03; -04.04; -04.05; -04.06; -04.07; -04.08; -04.09;
-04.10; -04.11; -04.12; -04.13; -04.14; -04.15; -04.16; -04.17; -

COUNCIL MEETING

Call to Order - Mayor Joseph Ronnie Rogers

Invocation

Pledge of Allegiance

Recognition - Proclamation 2012-5/Honoring Vivian F. Ginn

Communications

Unfinished Business

New Business

Bid Award/138 kV Substation, Switching Facilities, and 138 kV Tap Station

Bid Award/Mispillion Greenway Goat Island Nature Trail Design Phase*

Workforce Development Commission/Delaware Community Foundation Contract

Adoption of Ordinance 2012-8/Disorderly Establishments

Adjourn

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

This agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.

City of Milford



PUBLIC NOTICE

CITY COUNCIL HEARING DATE CHANGED

NOTICE IS HEREBY GIVEN that the City Council of the City of Milford will hold a Public Hearing on Monday, April 23, 2012* at 7:00 p.m., or as soon thereafter as possible, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware to consider final action on the following matter:

Davis, Bowen and Friedel, Incorporated on behalf of Siobain-VI, LLC requesting a Lot Consolidation and Final Minor Re-Subdivision of 19.15 +/- Acres into 3 lots to be known as Cascades. Property is located in an R-3 District on the south side of Airport Road, 1,600 feet west of US Route 113, Milford, Delaware. Tax Map MD 16-173.00-01 -04.03; -04.04; -04.05; -04.06; -04.07; -04.08; -04.09; -04.10; -04.11; -04.12; -04.13; -04.14; -04.15; -04.16; -04.17; -04.18.

All interested persons are hereby notified to be present and to express their views before a final decision is rendered. Written comments will be accepted up to one week prior to the hearing date.

Please direct all questions or comments to Christine Crouch at 302-424-3712 Extension 308.

By: Terri K. Hudson, CMC
City Clerk



Land Use Application Cover Sheet

CITY OF MILFORD

File Name: Cascades
 File Number: 11-176

MAR 01 2012

RECEIVED

Instructions for Applicants:

Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items. No applications will be accepted if violations exist or if any fees owed the City are delinquent.

Specify Type of Land Use Application to be submitted (check all that apply):

- Preliminary Site Plan
- Final Site Plan
- Change of Zone
- Preliminary Major Subdivision
- Final Major Subdivision
- Conditional Use
- Final Minor Subdivision
- Variance/Appeal

Please Type or Print Legibly

Property Owner: Siobain-VI, LLC			Phone: (302) 651-8575
Address: 1100 N. Market Street, 2nd Floor			Cell:
City: Wilmington	State: DE	Zip: 19890	Fax: (302) 651-1255
E-Mail: gnumemaker@mtb.com			
Contact Person For This Application: Ring Lardner, P.E.			Phone: 302-424-1441
Address: 23 N. Walnut Street			Cell: (302) 632-9779
City: Milford	State: DE	Zip: 19963	Fax: 302-424-0430
E-Mail: rwl@dbfinc.com			
Applicant Name and/or Company: Davis, Bowen, & Friedel, Inc.			Phone: 302-424-1441
Address: 23 N. Walnut Street			Cell: (302) 632-9779
City: Milford	State: DE	Zip: 19963	Fax: 302-424-0430
E-Mail: rwl@dbfinc.com			
Site Address: Airport Road, Milford, DE 19963			Zoning: R-3
Tax Map & Parcel Number (s): MD16-173.00-01-04.03 to 04.18			Acreage: 19.15
Description of Proposal: Reconsolidate all parcels into original parcel, Re-Subdivide Parcel with a Minor Subdivision and Obtain site plan approval for 76 units.			
I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.			
Signature of Applicant:			Date: 2/21/2012
Signature of Property Owner:			Date: 2/24/12

REVISED: 05.03.11



OFFICE OF STATE FIRE MARSHAL

Technical Services

2307 MacArthur Road
New Castle, DE 19720-2426
Phone: 302-323-5365
Fax: 302-323-5366

1537 Chestnut Grove Road
Dover, DE 19904-9610
Phone: 302-739-4394
Fax: 302-739-3696

22705 Park Avenue
Georgetown, DE 19947
Phone: 302-856-5298
Fax: 302-856-5800



FIRE PROTECTION PLAN REVIEW REPORT

Plan Review Number 2011-03-0285-MJS-02 Tax Parcel Number MD-16-173.00-01-04.03-000
Review Status APPROVED AS SUBMITTED Review Date 02/17/2012

PROJECT

CASCADES		
CASCADES		
Phase# 1	Building #	Unit #
AIRPORT RD		
MILFORD, DE 19963		

SCOPE OF PROJECT

Project Type <u>MJS Major Site</u>	
Number of Stories _____	Occupant Load _____
Square Footage _____	Occupancy Code _____
Construction Class _____	Fire District <u>42</u>

APPLICANT

OWNER

DAVIS BOWEN & FRIEDEL	SOIBAIN-VI LLC
23 N WALNUT ST	1100 N MARKET ST
PO BOX 809	WILMINGTON, DE 19801
MILFORD, DE 19963	

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

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

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

This Plan Review Project was prepared by:



 GARY LONG, SR. FIRE PROTECTION SPECIALIST

FIRE PROTECTION PLAN REVIEW COMMENTS

Project Name CASCADES

Plan Review Number 2011-03-0285-MJS-02

Tax Parcel Number MD-16-173.00-01-04.03-000

Review Status APPROVED AS SUBMITTED

Review Date 02/17/2012

PROJECT COMMENTS

- 1002 This project has been reviewed under the provisions of the Delaware State Fire Prevention Regulations (DSFPR) Effective November 11, 2009. The current Delaware State Fire Prevention Regulations are available on our website at www.statefiremarshal.delaware.gov. These plans were not reviewed for compliance with the Americans with Disabilities Act (ADA). These plans were not reviewed for compliance with any Local, Municipal, nor County Building Codes.
-
- 1180 This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.
-
- 1040 This site meets Water Flow Table 2, therefore the following water for fire protection requirements apply: Main Sizes: 6" minimum. Minimum Capacity: 1,000 gpm @ 20 psi residual for 1 hour duration. Hydrant Spacing: 800' on center. (DSFPR Regulation 702, Chapter 6, Section 3)
-
- 2710 The following items will be field verified by this Agency at the time of final inspection:
-
- 1119 All proposed fire hydrants and water mains shall be installed in accordance with the most current edition of the Delaware State Fire Prevention Regulations. (DSFPR Regulation 702, Chapter 6 & 7)
-
- 1132 Fire hydrants shall be color coded in accordance with the DSFPR Regulation 703, Chapter 3, Section 4. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.
-
- 1232 All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. (DSFPR Regulation 703, Chapter 1, Section 1.5)
-
- 1432 The steamer connection of all fire hydrants shall be so positioned so as to be facing the fire lane. (DSFPR Regulation 705, Chapter 5, Section 10)
-

Project Name CASCADES
Plan Review Number 2011-03-0285-MJS-02 Tax Parcel Number MD-16-173.00-01-04.03-000
Review Status APPROVED AS SUBMITTED Review Date 02/17/2012

PROJECT COMMENTS

-
- 1332 The distance between a fire hydrant and the fire lane shall not be greater than seven feet. (DSFPR Regulation 705, Chapter 5, Section 10)
-
- 1130 Provide a water flow test on the subdivision hydrant(s) once they have been installed, and before they are placed into service. Results are to be forwarded to this Agency for review.
-
- 1501 If there are any questions about the above referenced comments please feel free to contact the Fire Protection Specialist who reviewed this project. Please have the plan review number available when calling about a specific project. When changes or revisions to the plans occur, plans are required to be submitted, reviewed, and approved.
-



Please Print

OFFICE OF STATE FIRE MARSHAL

Please Print

APPLICATION FOR FIRE PROTECTION PLAN REVIEW - SITE

Sussex County
Delaware Fire Service Center
22705 Park Avenue
Georgetown, DE 19947-6303
302-856-5298/Fax 302-856-5800

Kent County
Delaware Fire Service Center
1537 Chestnut Grove Road
Dover, DE 19904-1544
302-739-4394/Fax 302-739-3696

New Castle County
Delaware Fire Service Center
2307 MacArthur Road
New Castle, DE 19720-2426
302-323-5365/Fax 302-323-5366

1. Project Name: Cascades¹ Phase 1¹
Subdivision/Complex / Address: Intersection of Airport Road and Cascades Lane¹
City: Milford¹ Zip Code: 19963¹ County (NC, K, S): K¹
Complete Tax Parcel Number: MD-16-173.00-01-04.03 to 04.18¹

2. Project Description: Residential Subdivision Commercial Other 1
Lot Consolidation and Resubdivision of land to build 142 total units. Phase 1 will consist of 76 units.¹

3. Fee Calculation: Site Plan Review Fee: \$150 Check # 16094¹ Deposit/Return Date: 12/27/11
Exempt Status: State County Federal DSHA Fire Company/Amb Municipality No Impact
(Check or Money Order made payable to the "State of Delaware") NO CASH ACCEPTED

4. Applicant/Engineer Phone: (302) 424-1441¹
Cell Phone: (302) 632-9779¹
*Signature required in Item #6 Fax: 302-424-0430¹
Applicant's Name: Ring W. Lardner, P.E.¹
Company Name: Davis, Bowen & Friedel, Inc.¹
Address: 23 North Walnut Street¹
City: Milford¹ State: DE¹ ZipCode: 19963¹
Email: rwl@dbfinc.com¹

5. Property Owner Phone: (302) 651-8575¹
Cell Phone: 1
Fax: (302) 651-1255¹
Name: Soibain-VI, LLC¹
Address: 1100 North Market Street¹
City: Wilmington¹ State: DE¹ ZipCode: 19801¹
Email: gnunemaker@mtb.com¹

6. Applicant Signature: [Signature] Date: 12/22/2011¹

Any approval of the submitted project documents does not relieve the owner, designer, contractor, or designated representative from their responsibility to comply with applicable provisions of the Delaware State Fire Prevention Regulation.

E-mail comments Fax comments Call for Pick up Rolled plans

[Signature]
FIRE PROTECTION SPECIALIST DATE 12-15-11

I.D. # 46780 Plan Review # 2011-03-0285-MJS





KENT CONSERVATION DISTRICT

800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

February 21, 2012

Mr. Ring Lardner
Davis, Bowen & Friedel, Inc.
23 North Walnut Street
Milford, Delaware 19963

Re: Cascades
Re-design



Dear Mr. Lardner:

Kent Conservation District has reviewed the sediment and stormwater management plans submitted for the above referenced project and find to be acceptable. Please submit 6 sets of signed and sealed plans for our final approval.

If the District does not receive a response within 6 months, this application will be considered withdrawn and all new information and fees must be submitted for review. If you should have any questions concerning these comments, please do not hesitate to call.

As a reminder, the Kent Conservation District is required to verify that a *Notice of Intent (NOI)* for Stormwater Discharges Associated with Construction Activity under a *NPDES General Permit* has been received by DNREC prior to District approval. The form is available on the DNREC web site. If you have any questions regarding the NOI, please contact DNREC - Division of Soil and Water Conservation at (302) 739-9921

Sincerely,
KENT CONSERVATION DISTRICT


David C. Cahill
Sediment & Stormwater Design Reviewer

cc: Mr. Mark Malamo, City of Milford Engineer
Mr. Glen Nunemaker, Owner



ENGINEERING DEPARTMENT
302.422.1110, FAX 302.422.1119

180 VICKERS DRIVE
MILFORD, DE 19963

www.cityofmilford.com

February 29, 2012
Ring Lardner
Davis Bowen and Freidel
23 North Walnut Street
Milford, DE 19963

RE: Cascades (Revised) Engineering Review

Dear Ring,

I have reviewed the plans for the Cascades residential development complex. No comments are provided on drawing sets completed for review by others such as the sediment and erosion control plans or State Fire Marshal. This review does not address comments from the City of Milford Electric Department. Overall the sewer and water utility plans and details as presented meet City standards. Therefore the project may proceed for final approval.

Prior to starting construction the City will require an executed Development Agreement and a performance bond for 125 % of the construction cost, and construction management and inspection fees at 4% of the construction cost. The bond and inspection fees are based on an engineers estimate to build the proposed infrastructure. The estimate must provide quantities and associated costs for all materials. The City will require 4 complete sets of construction drawings for our files and all drawings used for bidding or construction will need a City of Milford stamp indicating approved for construction. The City Electric Department will need AutoCAD files of the proposed project with sufficient detail to allow the design of the electrical distribution network. Please contact Rick Carmean at 422-1110 for this submission.

Best Regards,

Mark S. Mallamo P. E.
City Engineer

Cc: Brad Dennehy, Public Works Director
Rick Carmean, Electric Department Superintendent



ENGINEERING DEPARTMENT
302.422.6616, FAX 302.422.1119

180 VICKERS DRIVE
MILFORD, DE 19963

www.cityofmilford.com

February 28, 2012

State of Delaware
Department of Natural Resources and Environmental Control
Surface Water Discharges Section
89 Kings Highway
Dover, DE 19901

ATTN: Molly J. Mackil, P.E., LEED AP

RE: Cascades Tax Parcel #s: MD-16-173.00-01-04.03 to 04.18 Minor Subdivision

Dear Mrs. Mackil,

The sanitary sewer for the Cascades subdivision project was originally approved by the City included a gravity collection system along with a pump station and force main. I have reviewed the revised plans and find them in conformance with City of Milford Standards and Specifications and have granted Conditional Approval subject to administrative items. This letter is to serve as confirmation that the project has the proper zoning approvals and that the City system can accommodate the additional flows without causing or contributing to violations of Delaware's Environmental Protection Act (7 Del.C. Chapter 60) and regulations promulgated there under. The City of Milford will accept the sewerage flows from this project for transmission to the Kent County Regional Wastewater Treatment Facility in accordance with the City's agreement with Kent County. The wastewater from this site does not exceed our allocated flow rates from Kent County.

Please let me know if you have any questions or need additional information.

Sincerely,

Mark S. Mallamo, P.E.
City Engineer

Cc: Ring W. Lardner, P.E., Davis, Bowen & Friedel, Inc.



Chairman Rini stated 20 years down the road if they feel the traffic flow is too much for them, who do they go back to. He sees their concerns and he has concerns with the total closure of the entrance by the Donut Connection. He feels there should be a right in at that entrance for the fire department to go zip in front of Peeble’s instead of zig sagging through the parking lots; however that is, as Mr. Sharp stated, DelDOT’s magical wisdom. Chairman Rini doesn’t know that the City can get around it or if the developer can get around it. It’s a DelDOT decision. He suggested Mr. Sharp go back to the fire department and ask them to make a formal request to DelDOT to reconsider that entrance for emergency right in before the developer gets to the point of developing or constructing that piece of property. He doesn’t know how much pull the fire department has with DelDOT. Chairman Rini stated his motion was to adopt the resolution as is because the plans were submitted, they’ve met all the requirements, and while we don’t totally like what DelDOT did but that’s not the developers fault. They did what they were asked to do.

Mrs. McColley stated if there is a fire, Mr. Sharp has a valid point. She asked if there is any way to widen the service road that runs from Front Street and behind the shopping center. Chairman Rini stated he hates to put it back on the fire department but he thinks at this time they are the only ones that can. The City cannot override a DelDOT decision. They are the supreme commander in this. Our requirements include the DelDOT approval, and this is what DelDOT approved. Chairman Rini would like to see the fire department push as hard as possible for some kind of reconsideration from DelDOT.

Mr. Sharp raised his hand in the audience to speak again however Chairman Rini stated the public comments are closed.

Chairman Rini called for a poll of the commissioners. Motion carried with the following votes:

Mrs. McColley	Yes
Mr. Pilla	Yes
Mr. Lane	Yes
Mr. Campbell	Yes
Mr. Burk	Yes
Mr. Rini	Yes

At 7:44 pm Mr. Sharp announced he is done and resigned. Directing his comments in Chairman Rini’s direction, he stated he never considers anything the fire company ever asks for, he doesn’t need him, and he doesn’t need the fire company’s input, so he is done. He then exited the building.

**Davis, Bowen & Friedel Inc on behalf of Siobain-VI, LLC: Project No 11-176
 Preliminary Site Plan and Modification of a Conditional Use-Cascades
 Airport Road
 Tax Map MD-16-173.00-01-01.03 through -04.18; 19.15+/- Acres; R-3 Zoning
 Adoption of Resolution PC11-022**

Mr. Ring Lardner with Davis, Bowen & Friedel was present to represent on behalf of the the applicant. They are seeking a conditional use modification and preliminary site plan approval for phase I of II.

He then provided a history of the project explaining the project was originally approved in 2007 as a subdivision that included pod homes, meaning multiple single family homes on one lot. Upon that approval site work began to include electric, water, sewer and streets.

Currently the roads have been constructed up to base course and curbing. Storm drain infrastructure has been installed as has the stormwater management pond and the as-built has been accepted by Kent Conservation District. The sewer infrastructure has been installed and it is his understanding only the 10" main has been accepted by the City and is currently in use. The pump station has been installed and accepted by the City, and from his understanding the warranty period has expired. The water system has been installed yet not accepted by the City. The project has substantially begun although no homes have been built.

This will be a Delaware State Housing Authority project with a construction start date of May 2012.

Mr. Lardner explained what is being proposed as part of the conditional use modification is instead of 81 single family homes, there will be 16 buildings consisting of 142 dwelling units and a clubhouse including an after school care for the development residents.

Regarding the specifics of the site, Mr. Lardner explained the electric is to run behind all the buildings and all parking is in the rear and side of the buildings and none is located in front of the buildings. As part of the amended conditional use, a reduction in required parking is being sought. The proposal is for 248 spaces (1.75 spaces per unit) instead of the required 355 spaces (2.5 spaces per unit) for the dwelling units only. The clubhouse will have 16 parking spaces, bringing the total proposed parking spaces to 265.

The open space requirements are being met and noted their location on the plans as well as the proposed bus shelter and sidewalks on both sides of the streets. There will also be a connector sidewalk between this property and the one to the west. This is a very walkable community and in walking distance to local retail stores. He also noted all electric will run behind the buildings.

There is a 4' tall undulating berm along Airport Road to screen the development from traffic and it will be a very attractive method of landscaping along the roadway.

Mr. Lardner explained there will be an increase in traffic of 12%, which equates to 127 trips. According to DelDOT this is not considered substantial. The applicant is prepared to install a bypass lane on Airport Road in order to allow westbound traffic to pass on the right of traffic turning into the site.

This application will return to the Planning Commission for final site plan approval for Phase I and will require preliminary site plan and final site plan approval for Phase II. Upon return for final site plan approval for Phase II, the approval from Public Works, Fire Marshal and Conservation District will be submitted as well.

During the final review process, Mr. Lardner proposed a lot consolidation and re-subdivision into three lots. The intent is for the phase I to consist of 10.03 acres including buildings 1- 8 and the clubhouse. Phase II will consist of 8.91 acres to include buildings 10-16. Building 9 is the clubhouse.

Mr. James Haley with Haley-Donovan, the architects for the project, reviewed the layout of the different unit types, according to the plans provided. He also explained the clubhouse, which will house the after school care center to be administered by 4H Delaware, a tot lot facility, a warming kitchen, a leasing office, a full security system, a community garden, free wifi, etc.

Mr. David Holden with Ingerman Group explained this project is similar to Colony South, just north of Milford. There are state and federal funding sources being utilized, which puts the project on a time constraint to begin construction.

Mr. Norris asked Mr. Lardner to reiterate the acceleration/deceleration lane proposed on Airport Road, since it was not included in the packet. He understands this issue was raised prior to this meeting. Mr. Lardner explained it will not be an acceleration/deceleration lane, instead a bypass lane on the westbound lane. The bypass lane will allow traffic to pass cars turning into the development so that traffic is not backed up on Airport Road. The developer is proposing to install this bypass lane at the time of construction of phase I. It will require the widening of Airport Road in that one area but will be for the benefit of all. Because Airport Road is a City maintained road, the approval of the City Engineer will be obtained.

Mr. Campbell asked if the after school care is for Cascades residents only. Mr. Lardner stated it is.

Regarding the site specifications, Mr. Campbell asked if the parking will be adequate, since the proposal is for one parking space per bedroom. Mr. Lardner felt that the parking would be adequate. He also stated there will be security cameras installed throughout the site on each building and if possible, they are willing to have those linked to the Police Department. He also stated the clubhouse will be ADA compliant.

Mrs. McColley commended the presenters on their presentation and asked if there is a written agreement between the owners of Phase I and Phase II. She would not want to see a repeat of Milford Ponds.

Mr. Rini questioned what is full time personnel, referring to the sales office staff. Mr. Lardner explained the management and maintenance staff will work Monday through Friday from 9am until 5pm and one maintenance person will be on call.

Mr. Rini called for public comments.

Mr. Randy Marvel, 4 Archers Way, stated him and his wife ride down Bowman and Airport Roads multiple times a day and have seen the traffic increase. The sidewalks proposed are great as is the screening on Airport Road. He hopes to see sidewalks installed out to the Boys and Girls Club and recreational fields one day. He is concerned with the turn lanes and the increased traffic on Airport Road, since the unit count is going from 81 units to 142 units. Since this was approved originally, there has been an increase in traffic on Airport Road due to the construction of the Veterans Home, Boys and Girls Club, Hospice, parks and recreation fields, and the City offices relocated to the business park. The adjoining apartment complex, Milford Crossing, has a dedicated turn lane and he would like to see the same for this development or at least the bypass lane.

Hearing no further public comments, Mr. Rini closed the public hearing.

Mr. Rini made a motion to approve resolution PC11-022 with the amendment to the resolution that this be for preliminary site plan approval for Phase I and with the condition that a bypass lane on Airport Road be installed.

Mrs. McColley questioned the difference between a bypass lane and an acceleration/deceleration lane? Mr. Lardner explained this location would not be suitable for an acceleration/deceleration lane. The bypass lane would be 10' wide with another 5' wide shoulder which allows cars to pass around the travel lane, which is where the two to three cars are stopped to turn into Cascades.

Mr. Burk seconded the motion. Motion carried unanimously following a poll of the commission.

Mrs. McColley	Yes
Mr. Pilla	Yes
Mr. Lane	Yes
Mr. Campbell	Yes
Mr. Burk	Yes
Mr. Rini	Yes

Davis, Bowen & Friedel Inc on behalf of Silicato-Wood Partnership LLC: Project No 08-089
Preliminary Site Plan Extension #3-Comfort Inn
104 Silicato Parkway
Tax Map MD-16-174.15-01-01.03; 2.59+/- Acres; C-3 Zoning
Adoption of Resolution PC11-023

Mr. Tim Metzner with Davis, Bowen & Friedel was present on behalf of the owner. This is the third extension request and is because the owner is in negotiations with the purchaser of the Comfort Inn. Within the last month, the developer contacted the owner to ensure the project is still valid because the funding is still working to be secured. The developer, Dr. Awayes, owns another hotel in the area and is still interested in seeing this site developed. The applicant is seeking a one year extension in order to allow time for the developer to work with the banks.

Mr. Rini felt a third extension would be the limit. He asked if this will be the last extension. Mr. Metzner was unsure.

Mr. Norris questioned how long, in Mr. Metzner's opinion, it would take to get the outside agency approvals at this point in order to obtain final approval from the City. Mr. Metzner stated the entrance approvals are in hand, but maybe another six to seven month for the remaining approvals.

Mrs. McColley stated the code does not have a limit on the number of extensions that can be approved. Mr. Rini replied she is correct, but he is referring to his past experience with extension requests and knows the commission and council begin to get concerned at three.

Chapter 200 - SUBDIVISION OF LAND

[HISTORY: Adopted by the City Council of the City of Milford 11-10-2008 by Ord. No. 2008-12. ¹²⁸¹ Amendments noted where applicable.]

GENERAL REFERENCES

Building construction – See Ch. 88	Streets and sidewalks – See Ch. 197
Floodplain management – See Ch. 130	Trees – See Ch. 211
Property maintenance – See Ch. 174	Water – See Ch. 222
Sewers – See Ch. 185	Zoning – See Ch. 230

[§ 200-1. - Purpose.](#)

[§ 200-2. - Title.](#)

[§ 200-3. - Definitions.](#)

[§ 200-4. - Application procedure.](#)

[§ 200-5. - General requirements and design standards.](#)

[§ 200-6. - Variances and waivers.](#)

§ 200-1. - Purpose.

These regulations are adopted in order to promote and protect the public health, safety, convenience and general welfare; ensure the orderly growth and development of the City, the conservation, protection and proper use of land and adequate provision for housing, recreation, circulation, utilities and services; and safeguard the City from undue future expenditure for the maintenance of streets and public spaces.

§ 200-2. - Title.

These regulations shall be known and may be cited as the "City of Milford, Delaware, Land Subdivision Regulations."

§ 200-3. - Definitions.

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

ALLEY — A service roadway providing a secondary means of public access to abutting property and not intended for general traffic circulation.

COMMISSION — The Planning Commission of the City of Milford, Delaware.

OPEN SPACE — Areas of land within residential subdivisions or developments including planned unit developments that are available to all residents and or the public and which have the purpose to provide active and/or passive recreational opportunities, maintain land in a predominantly undeveloped and natural state including lands used for:

- (1) Community gardens;
- (2) Promotion of conservation and protection of wildlife;
- (3) Perpetual conservation easements;
- (4) Parks, plazas, walkways, sidewalks and trails;
- (5) Buffers or forested areas; or
- (6) For recreational uses as defined herein.

Open space shall not include areas of land for the following unless otherwise approved by Council:

- (1) Wetlands or stormwater management facilities;
- (2) Drainage easements;
- (3) Flagpole areas;
- (4) Medians (unless designed as a park);
- (5) Signage areas;
- (6) Landscaping in parking areas;
- (7) Predominantly impervious surfaces such as streets and parking lots;
- (8) Required front, side, or rear yards;
- (9) Any land included within designated lot lines; or
- (10) Utility facilities for uses such as sewer, water, gas or electric.

PLAT — The final drawing on which the subdivision plan is presented to the City Council for approval and which is submitted to the County Recorder of Deeds for recording.

PROPERTY OWNERS' ASSOCIATION — An association established by the subdivider as a non-stock corporation to provide for the perpetual maintenance of the common property in the subdivision.

RECREATIONAL USE — Areas of land within residential subdivisions or developments including planned unit developments which have the purpose to provide active recreational opportunities that are available to all residents of the community and/or the public including lands used for:

- (1) Indoor club houses;
- (2) Swimming pools and pool houses;
- (3) Tennis courts;
- (4) Basketball courts;
- (5) Athletic fields;
- (6) Picnic areas with tables;
- (7) Ponds for recreational use (boat, fishing or swimming);
- (8) Playgrounds; and
- (9) Bike or multi-model trails.

RIGHT-OF-WAY — A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, gas pipelines, and water line, sanitary storm sewer, and other similar uses.

ROADWAY — The paved portion of the street primarily used for vehicular traffic.

- A. **ARTERIAL STREET and HIGHWAY** — A street primarily used for fast and/or heavy traffic.
- B. **COLLECTOR STREET** — A street carrying traffic from minor streets to arterial streets and highways, including the principal traffic and entrance streets of a residential development.
- C. **MINOR STREET** — A street primarily used for access to the abutting properties.
- D. **MARGINAL ACCESS STREET** — A minor street paralleling and adjacent to an arterial street or highway and providing access to abutting properties and protection from through traffic.
- E. **DEAD-END STREET or CUL-DE-SAC** — A street closed at one end and having only one connection with any other street.
- F. **HALF STREET** — A street paralleling the boundary of a subdivision and lying partly in an abutting tract.

STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION PROJECTS AND SUBDIVISION

PAVEMENT DESIGN — The current specifications regulating subdivision design and construction as adopted by the City.

STREET — All land between property lines, whether designated as a street, highway, throughway, thoroughfare, avenue, boulevard, road, parkway, right-of-way lane, place, court or any similar term.

SUBDIVIDER — Any person, firm, corporation, partnership or association or duly authorized agent who or which shall apply to the Commission for approval of the layout of any subdivision.

SUBDIVISION — The division or redivision of any tract of land into two or more lots or parcels for immediate or future sale or for building development.

SUBDIVISION, MINOR — Any subdivision fronting on an existing street, not involving any new street or road, not involving the extension of any municipal water or wastewater mains, not adversely affecting the development of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the development plan, Official Map, [Chapter 230](#), Zoning, or this chapter; limited to four lots.

SUPERBLOCK — An oversize residential block wherein private open spaces, closed to automobile traffic, are provided for the common use of all residents in the block.

[Ord. No. 2009-18, §§ 1, 2, 4-26-2010]

§ 200-4. - Application procedure.

- A. Preliminary approval.
 - (1) A preliminary plan and documents, as specified by the Planning Department, shall be prepared by the subdivider and submitted in accordance with the submission schedule as determined by the City Planner, along with the appropriate fees, as specified in [§ 230-57](#)
 - (2) The Development Advisory Committee (DAC) shall review the application and plan. Comments from the DAC must be addressed via either submitting revised plans and/or necessary documents or via a narrative submitted to the City Planner. Upon confirmation by the City Planner that all DAC issues have been addressed satisfactorily, the application will then be scheduled to be heard by the Planning Commission.
 - (3) The Planning Commission shall review the application and provide either a recommendation of preliminary approval with or without conditions, a recommendation of denial, or table the application. Upon a recommendation of approval with or without conditions or recommendation of denial, the application shall be scheduled to be heard by the City Council.
 - (4) City Council shall grant preliminarily approval of the application with or without conditions, deny the application, or table the application.
 - (5) Preliminary approval from City Council shall be void after one year, unless an extension is requested by the owner and approved by City Council prior to the expiration.
- B. Final approval.
 - (1) A final plat and documents, as specified by the Planning Department, shall be prepared by the subdivider and submitted in accordance with the submission schedule as determined by City Planner, along with the appropriate fees, as specified in [§ 230-57](#)
 - (2)

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

- (3) The Planning Commission shall review the application and provide either a recommendation of final approval with or without conditions, a recommendation of denial, or table the application. Upon a recommendation of approval with or without conditions, or recommendation of denial, the application shall be scheduled to be heard by City Council.
- (4) City Council shall approve the application with or without conditions, deny the application, or table the application.
- (5) Within 90 days of final approval from City Council, the subdivider shall record the plat at the County Recorder of Deeds office and provide the City Planner a receipt of the recordation including the deed book and page number. Prior to recording the plat, five copies of the plat must be submitted to the City Planner for stamping and signing. Four sets will be returned to the subdivider.
- (6) Upon recordation of the plat, the subdivider shall provide the Land Data Manager of the City a mylar copy of the plat including the deed book and page printed thereon.
- (7) Failure to record the approved plat within one year from the date of City Council approval shall void the final approval. In order to obtain final approval after it has been voided, the subdivider must make application for final approval again.
- (8) Failure to record the approved plat in more than one year from the date of City Council approval shall void the preliminary approval and final approval. In order to obtain preliminary and final approval after they have been voided, the subdivider must make application for and receive preliminary approval, then make application for and receive final approval.

§ 200-5. - General requirements and design standards.

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

A. Streets.

- (1) The layout, character, extent, width, grade and location of proposed streets shall be established with due regard to:
 - (a) Public convenience and safety.
 - (b) Proposed uses of the land to be served by said streets.
 - (c) Proper relation and connection with and continuation and projection of streets in the adjacent areas, whether these streets are existing or proposed in another subdivision in a neighborhood plan, in the development plan or in the Official Map, as approved or adopted by the Commission.
 - (d) Topography and other land features.
- (2) The layout of proposed streets shall furthermore be arranged in a manner acceptable to the Commission and City Council.
- (3) Minor streets shall be laid out so as to discourage their use by through traffic.
- (4) Where a subdivision abuts or contains an existing or proposed arterial street, limited-access highway or railroad, the City Council may require marginal access or service streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line and deep lots with rear service alleys or other treatment, such as parks, which may be necessary for the protection of residential properties and for separation of through and local traffic, with due regard for the requirements of future approach grades and grade separations.
- (5) Where a tract of land is subdivided into lots substantially larger than the minimum size required in the zoning district in which a subdivision is located, the Commission may require that streets and lots be laid out so as to permit future resubdivision in accordance with the requirements of this chapter.
- (6) Reserve strips controlling access to streets shall be prohibited except where the control and disposal of land comprising such strips has been placed in the governing body under conditions approved by the City Council such as provided in Subsection A(4) above.
- (7) Certain proposed streets may be required to be extended to the boundary line of the subdivision to provide access to tracts which may be subdivided in the future. Wherever necessary, when a street is carried to the boundary line of the subdivision, the City Council may require a temporary turnaround improved to the satisfaction of the City Engineer and of the size specified in Subsection A(16) below at the stub end.
- (8) The creation of dead-end or loop streets and superblocks will be encouraged wherever the City Council finds that such layout will not interfere with traffic convenience and safety. The City Council shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two such connections shall be provided, except where a proposed subdivision only contains one dead-end street.
- (9) Street jogs shall be prohibited. Street intersections, where center lines do not meet, shall have center-line offsets of 150 feet or more.
- (10) A tangent at least 100 feet long shall be introduced between reverse curves on arterial and collector streets and may be required on all other streets.
- (11) Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which for the inner right-of-way lines shall not be less than 750 feet on arterial streets, 300 feet on collector streets and 100 feet on minor streets. The outer right-of-way line shall be parallel to said inner right-of-way line.
- (12)

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

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

(14) Right-of-way widths.

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

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

Note:

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

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

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

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

(17) Street names.

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

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

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

(18) Street grades shall not exceed 5%.

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

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

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

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

B. Sidewalks and curbs.

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

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

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

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

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

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

D. Blocks.

- (1) The lengths, widths and shapes of blocks shall be determined with due regard to:
 - (a) The provision of building sites suitable to the needs of the type of use contemplated.
 - (b) Zoning requirements as to lot sizes and dimensions.
 - (c) The control, safety and convenience of pedestrian and vehicular traffic.
 - (d) The characteristics of topography.
 - (2) Block length shall not exceed 1,200 feet.
 - (3) Block widths shall be not less than 275 feet nor more than 450 feet and shall be planned to provide two rows of lots.
 - (4) Pedestrian walkways other than in streets may be required where deemed essential to provide for circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities. Said walkways shall be not less than four feet wide.
 - (5) Alleys shall be provided if required by the City Engineer.
- E. Lots.**
- (1) Lot width, depth, shape and orientation and the building setback lines shall be appropriate for the location of the subdivision, for the type of development and for the use contemplated.
 - (2) Lot sizes shall conform to the requirements of [Chapter 230](#), Zoning.
 - (3) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to comply with the off-street parking and loading requirements contained in [Chapter 230](#), Zoning.
 - (4) Corner lots shall have sufficient width to provide an adequate building site within all the yard requirements. Corner lots shall have two front yard setbacks fronting each street, one side yard setback, and one rear yard setback.
 - (5) All lots in a subdivision shall have frontage on a public street.
 - (6) Double-frontage lots shall be avoided. Reverse-frontage lots shall be provided where necessary for protection of residential properties from through traffic and adverse nonresidential uses, for separation of through and local traffic and to overcome difficulties of topography or other specific conditions. Screen planting and a fence or wall shall be provided along the rear property line within an easement 10 feet or more in width, across which there shall be no right of access.
 - (7) Side lot lines shall be at right angles or radial to street lines.
 - (8) No lots shall be platted on land subject to flooding for residential or any other use where danger to life or property or an aggravation of flood hazard may result. Such land should be set aside for uses which would not be endangered by periodic or occasional inundations.
 - (9) No lots shall be platted within 25 feet of land under the jurisdiction of the U.S. Army Corps of Engineers.
- F. Parks, playgrounds, open spaces, school sites and natural features.**
- (1) Parks and playgrounds. Where a proposed park or playground is located in whole or in part in a subdivision, the Commission may require the dedication or reservation of such area within the subdivision, in those cases in which the Commission deems such requirements to be reasonable.
 - (2) Open spaces. Where deemed essential by the Commission and City Planner, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale developments, the Commission or City Planner may require the dedication or reservation of sites of a character, extent and location suitable to the needs created by such development for playgrounds or parks. The Commission shall not require that more than 10% of the gross area of the open space of the subdivision to be so dedicated or reserved unless otherwise specified by the Zoning Code.^{2[29]} In case of a conflict, the requirement of the Zoning Code prevails. The Commission shall give due credit for the provision of open spaces reserved for the common use of all property owners within the proposed subdivision by covenants in the deeds. Generally, the minimum area of contiguous open space acceptable for dedication for public use shall be at least three acres and preferably five acres. Open spaces with a lesser area may be approved by the Commission whenever it deems that the difference between the area offered and three acres may be made up in connection with the future subdivision of adjacent land or added to an existing recreation area.
 - (3) School sites or sites for other public uses. The Commission may also require a subdivider to set aside such area as it may deem to be required for a school or other public use. Upon failure of the proper authorities to purchase such site within one year after the date of the approval of the plat, the subdivider, upon application to the Commission and approval of such application, shall be relieved of the responsibility of reserving such land for public purposes.
 - (4) Preservation of natural features. The Commission may require the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and historic spots and similar irreplaceable assets. In no case shall a tree over 12 inches in diameter measured three feet from the base be removed without prior approval by the City Arborist.
- G. General grading.** No final slope on the property shall exceed the normal angle of repose of the soil of said slope as determined by the City Engineer, except where said slope consists of a natural rock formation or is supported by a retaining wall or equivalent of a design acceptable to the City Engineer.
- H. Improvements.**
- (1) In major subdivisions the following improvements are required:
 - (a) Paved streets.
 - (b) Street signs.
 - (c) Curbs and gutters, or roadside swales. Curbs shall be required as per standard specifications to stabilize intersections, entrances, and parking areas, and where they are necessary for the conveyance of stormwater and protecting road surfaces and driveway surfaces from vehicular traffic.
 - (d) Sidewalks.
 - (e) Streetlighting.

- (f) Shade trees. Shade trees 150 feet on center each side of the road shall be located so as not to interfere with utilities or sidewalks and shall be of the types recommended by the City Arborist.
 - (g) Topsoil protection. No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed so as to provide at least six inches of cover to all areas of the subdivision and shall be stabilized by seeding or planting.
 - (h) Monuments. Monuments shall be of the type, size and shape required by the City Engineer.
 - (i) Water mains, culverts, storm sewers and sanitary sewers.
 - [1] All water installations shall be looped; all sewer and storm sewer systems shall be extended at minimum slope, maximum depth, and connected with an approved method and shall be adequate to handle all present and probable future development.
 - [2] All of the above-listed improvements shall be subject to inspection and approval by the City Engineer, who shall be notified by the subdivider at least 24 hours prior to the start of construction. No underground installation shall be covered until inspected and approved.
 - [3] Utility easements shall be required to be granted and recorded by the subdivider to allow extension of utilities to neighboring properties.
 - (j) Swales. Conveyance of stormwater is permitted by open drainage systems where appropriate for environmental and engineering integrity and design. Such systems shall be separated from the edge of road to the top of bank by a minimum five-foot shoulder. The depth of such systems shall not exceed two feet below crown of road. The side slope shall be a maximum of 4:1. The bottom of the system shall have a minimum width of two feet. The system slope shall be such that the maximum velocity does not exceed two feet per second. The system has to be designed in such a way as to incorporate driveway and crossroad drainage pipes; such systems shall be restored with topsoil and sod. Temporary check dams shall be placed in intervals not to exceed 300 feet.
 - (k) Headwalls. Storm drainage pipes which are part of an open swale drainage system shall be terminated with a headwall in accordance with standard specifications.
- (2) The developer shall complete all utilities and street improvements not specifically waived by the Commission in accordance with standard specifications as issued by the City Engineer and with any additional requirements specified by the Commission. Construction drawings shall be submitted in a form satisfactory to the City Engineer.
 - (3) When the Commission or the City Engineer, due to planning considerations extraneous to the subdivision, requires a standard of improvements higher than that which is sufficient to serve the subdivision, the amount of the bond to be posted shall be deemed to be satisfactory if it adequately covers the cost of improvements which would be normally required.
 - (4) The developer shall pay the review and inspection fees as set forth in [Chapter 230](#), Zoning, [§ 230-57](#), Planning and zoning fees. The cost for each segment or phase of the development shall be paid prior to commencement of utility construction.

§ 200-6. - 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.

FOOTNOTE(S):

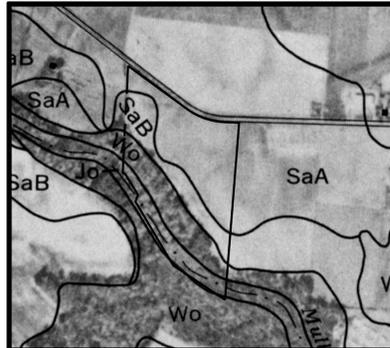
⁽²⁸⁾ 1. Editor's Note: This ordinance also repealed former Ch. 200, Subdivision of Land, adopted 12-10-2001 by Ord. No. 2001-8, as amended. ([Back](#))

⁽²⁹⁾ 2. Editor's Note: See Ch. 230, Zoning. ([Back](#))

CASCADES

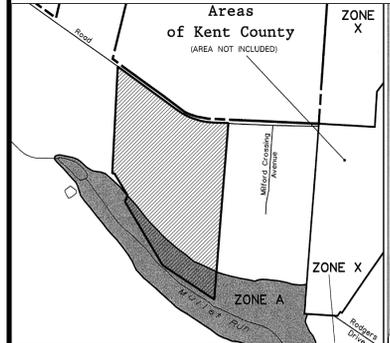
A PLANNED UNIT RESIDENTIAL DEVELOPMENT SITE PLAN SET

DBF # 2221A001



SOILS MAP

SCALE: 1" = 600'
 SaA - SASSAFRAS SANDY LOAM, 0 TO 2% SLOPES
 SaB - SASSAFRAS SANDY LOAM, 2 TO 5% SLOPES
 Wo - WOODSTOWN SANDY LOAM
 Jo - JOHNSTON SILT LOAM



FLOOD MAP

SCALE: 1" = 600'
 FLOOD PLAIN: THE PROPERTY LIES WITHIN ZONE A (NO BASE FLOOD ELEVATION DETERMINED) AS DETERMINED BY FLOOD MAP NO. FIRM 10005C0037H DATED MAY 5, 2003.



VICINITY MAP

SCALE: 1" = 2500'

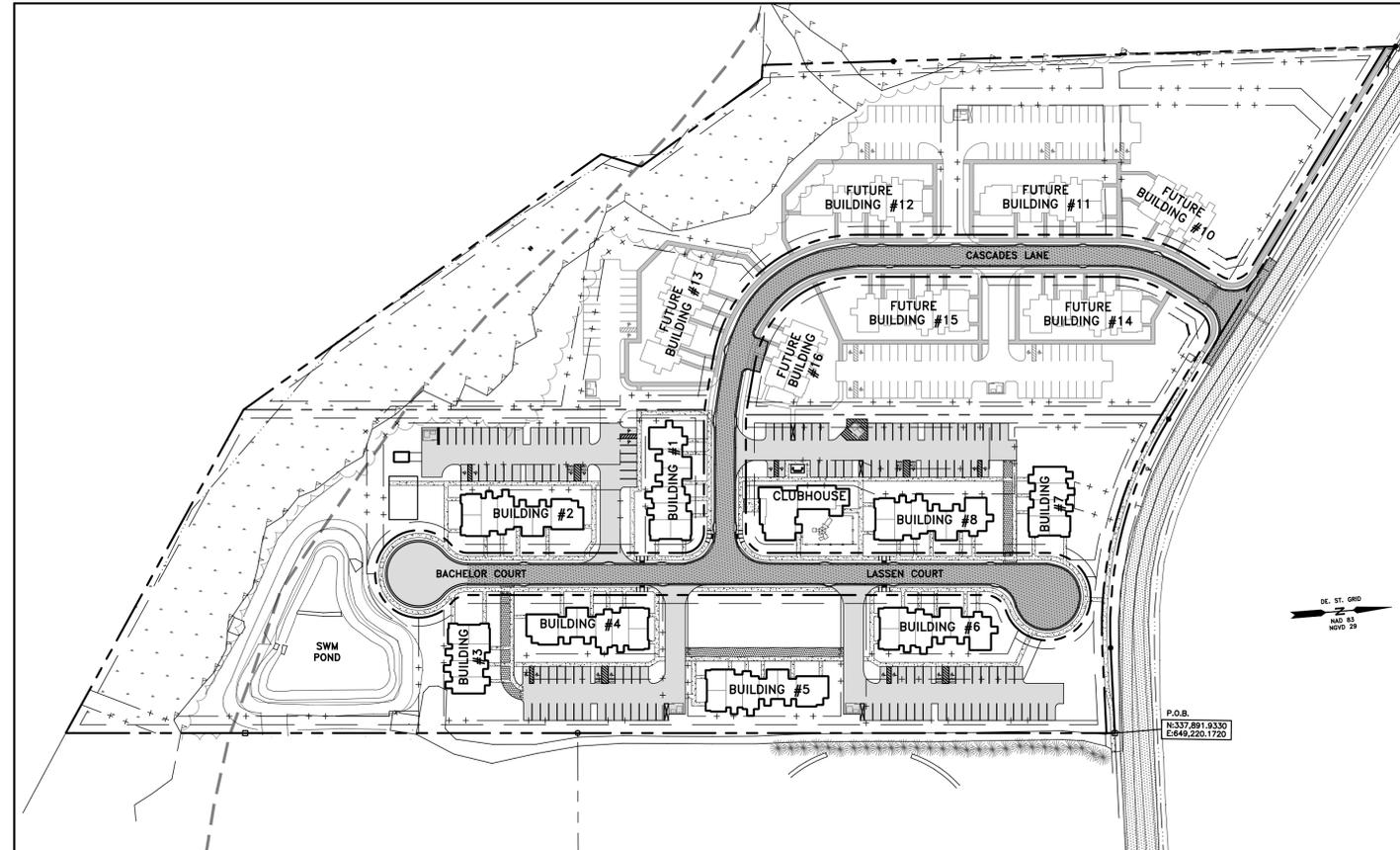
ENGINEERS STATEMENT

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

DATE: _____ SEAL SIGNATURE: _____

CITY ENGINEER APPROVAL

CITY PLANNER APPROVAL



OWNERS STATEMENT

WE, SIOBAIN-VI LLC, HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

DATE: _____ SIGNATURE: _____
 GLENN NUNEMAKER,
 SIOBAIN-VI LLC
 1100 N. MARKET ST.
 WILMINGTON, DE 19890

EQUITABLE OWNERS STATEMENT

WE, CASCADES, LLC, HEREBY STATE THAT WE ARE THE EQUITABLE OWNERS OF THE PROPERTY DESCRIBED ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

DATE: _____ SIGNATURE: _____
 DAVID HOLDEN,
 CASCADES, LLC
 725 CUTHBERT BOULEVARD
 CHERRY HILL, NJ 08002

WETLANDS STATEMENT

Environmental Resources, Inc. (ERI) completed an initial wetland delineation for the Cascades of Milford Subdivision, on the south side of Airport Road, in 2005. Background information indicated that wetlands may be present along the south side of the parcel. ERI inspected this site in Milford, Kent County, Delaware, for the presence of jurisdictional waters, including nontidal wetlands, according to the Corps of Engineers Wetlands Delineation Manual (1987), associated guidance in effect at that time and best professional judgment. This subdivision was designed and approved relying upon this wetland delineation.

Since that approval, most of the uplands had been regraded and/or filled and infrastructure was installed. On December 5, 2011, ERI reviewed this wetland boundary onsite in light of proposed redevelopment of the subdivision based around the existing infrastructure. There is an unofficial, variable width, wooded, upland buffer to the delineated wetlands that will remain part of the proposed plan. Approximately one third of the previous wetland boundary points were relocated inside the tree line; this is in agreement with existing plans. The wetland boundary was reviewed according to the Corps of Engineers Wetlands Delineation Manual (1987), the Atlantic and Gulf Coastal Plain Supplement (2010), associated guidance in effect at that time and best professional judgment. As a result of changes in plant community (FACU), soils, and elevation the wetland delineation was reconfirmed. Wetland flags that had been placed by ERI, surveyed and added to the plans by Davis, Bowen & Friedel, Inc. (DBF) are similar in extent to available National Wetland Inventory mapping. As of this date no jurisdictional determination verification has been requested from Corps of Engineers.

DATE: _____ SIGNATURE: _____
 Thomas D. Noble
 Professional Wetland Scientist: 000389
 Certified Wetland Delineator through the Corps of Engineers
 #WDCP93MD0310001A

SITE PLAN

SCALE: 1" = 100'

SHEET INDEX

SITE PLAN TITLE SHEET	C-1
SITE PLAN KEY SHEET / PHASING PLAN	C-2
SITE PLAN	C-3 TO C-5

STORMWATER IMPERVIOUS CALCULATION

ITEM	AREA (AC.)
BUILDING	1.06
IMPERVIOUS	1.88
POND	0.72
INTERNAL R.O.W.	2.19
AIRPORT ROAD	0.30
PHASE 1 TOTAL	6.15
RESIDUAL IMPERVIOUS AREA FOR FUTURE USE	9.28 - 6.15 = 3.13

DATA COLUMN

PARCEL NUMBER: _____
 RECORD OWNER: SIOBAIN-VI, L.L.C.
 1100 N. MARKET ST.
 WILMINGTON, DE 19890
 (302) 651-8070
 EQUITABLE OWNER: CASCADES, LLC
 725 CUTHBERT BLVD.
 CHERRY HILL, NJ 08002
 PHONE: (302) 661-1560
 FAX: (302) 661-1570
 DEVELOPER: MBI DEVELOPMENT COMPANY, INC.
 725 CUTHBERT BLVD.
 CHERRY HILL, NJ 08002
 PHONE: (302) 661-1560
 FAX: (302) 661-1570
 PREPARED BY: DAVIS, BOWEN, AND FRIEDEL, INC.
 23 NORTH WALNUT STREET
 MILFORD, DE 19963
 (302) 424-1441
 DATUM:
 VERT. NGVD 29
 HORZ. NAD 83 (STATE PLANE)
 CURRENT ZONING: R-3 (HIGH DENSITY RESIDENTIAL DISTRICT)
 CURRENT USE: PLANNED UNIT RESIDENTIAL DEVELOPMENT
 CODE REQUIREMENTS:
 BUILDING COVERAGE REQUIRED: 20% MAX.
 BUILDING SEPARATION DISTANCE: 25 FEET (MIN.)
 MINIMUM LOT WIDTH: 50 FEET
 MINIMUM LOT SIZE: 1 ACRE OR 2,500 SQ. FT. PER UNIT
 MINIMUM OPEN SPACE: 400 SQ. FT. PER UNIT
 MINIMUM RECREATIONAL SPACE: 50%
 PROPOSED CONDITIONS:
 PROPOSED DWELLING UNITS: 76
 BUILDING COVERAGE - 10%
 SETBACKS:
 FRONT YARD - 10' MIN.
 SIDE YARD - 10' MIN.
 REAR YARD - 10' MIN.
 HEIGHT - 25' MAX. OR 2 STORIES
 DENSITY - 7.5 DWELLING UNITS PER ACRE
 PARCEL 1:
 BUILDINGS: 1.06 AC.
 IMPERVIOUS AREA: 1.88 AC.
 RECREATIONAL AREA: 0.37 AC.
 OTHER GRASS AREA: 3.48 AC.
 STORMWATER MANAGEMENT: 0.72 AC.
 WETLANDS: 1.19 AC.

CLUBHOUSE PARKING SPACE CALCULATION

LAUNDRY ROOM	252 SQ. FT.	1 SPACE
COMMUNITY ROOM	1200 SQ. FT.	8 SPACES
LEASING ROOM		1 SPACE
SOCIAL SERVICES ROOM		1 SPACE
MAINTENANCE OFFICE		1 SPACE
AFTER SCHOOL DAYCARE		3 SPACES
SICK ROOM		1 SPACE
TOTAL PARKING SPACES		16 SPACES

PARKING SPACE CALCULATION

1 BEDROOM UNITS	x	36	=	36 SPACES
2 BEDROOM UNITS	x	22	=	44 SPACES
3 BEDROOM UNITS	x	18	=	54 SPACES
CLUBHOUSE			=	16 SPACES
TOTAL PARKING SPACES REQUIRED				150 SPACES
TOTAL PARKING SPACES PROVIDED				150 SPACES

MINIMUM RECREATIONAL SPACE CALCULATION

MINIMUM OPEN SPACE	x	50%	=	MINIMUM RECREATIONAL SPACE
0.70 AC.	x	50%	=	0.35 AC.

MINIMUM LOT SIZE CALCULATION

PROPOSED DWELLING UNIT	x	LOT SIZE	=	MINIMUM LOT SIZE
76	x	2,500 SQ. FT. PER UNIT	=	190,000 SQ. FT. (4.36 AC.)

MINIMUM OPEN SPACE CALCULATION

PROPOSED DWELLING UNIT	x	OPEN SPACE REQUIREMENT	=	MINIMUM OPEN SPACE
76	x	400 SQ. FT. PER UNIT	=	30,400 SQ. FT. (0.70 AC.)

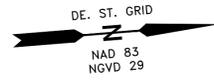
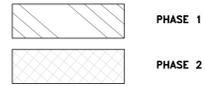
CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
 12-30-11 FIRE MARSHAL
 1-12-12 ACCESSIBILITY
 BOARD
 1-13-12 KCD
 1-23-12 CITY OF MILFORD
 1-30-12 INTERNAL
 COMMENTS
 2-14-12 KCD
 2-29-12 EASEMENT
 ADJUSTMENTS

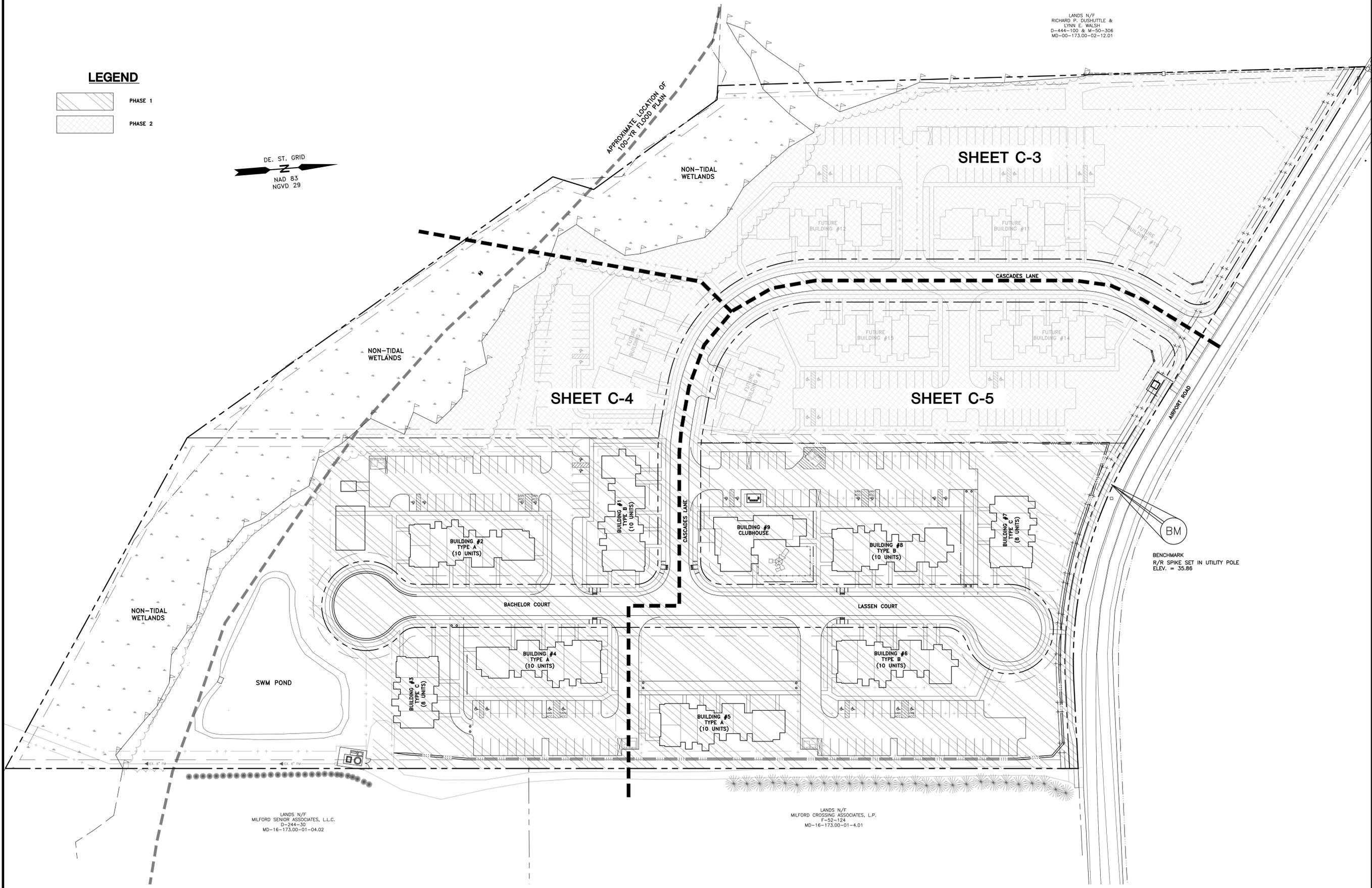
Date: DECEMBER 2011
 Scale: AS NOTED
 Dwn.By: RWL
 Proj.No.: 2221A001
 Dwg.No.:

C-1

LEGEND



LANDS N/F
RICHARD P. DUSHUTTLE &
LYNN E. WALSH
D-444-100 & M-50-306
MD-00-173.00-02-12.01



NON-TIDAL WETLANDS

NON-TIDAL WETLANDS

NON-TIDAL WETLANDS

SWM POND

BACHELOR COURT

LASSEN COURT

SHEET C-4

SHEET C-5

SHEET C-3

APPROXIMATE LOCATION OF
100-YR FLOOD PLAIN

CASCADES LANE

BM

BENCHMARK
R/R SPIKE SET IN UTILITY POLE
ELEV. = 35.86

LANDS N/F
MILFORD SENIOR ASSOCIATES, L.L.C.
D-244-30
MD-16-173.00-01-04.02

LANDS N/F
MILFORD CROSSING ASSOCIATES, L.P.
F-52-124
MD-16-173.00-01-4.01

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



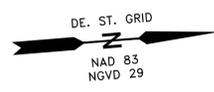
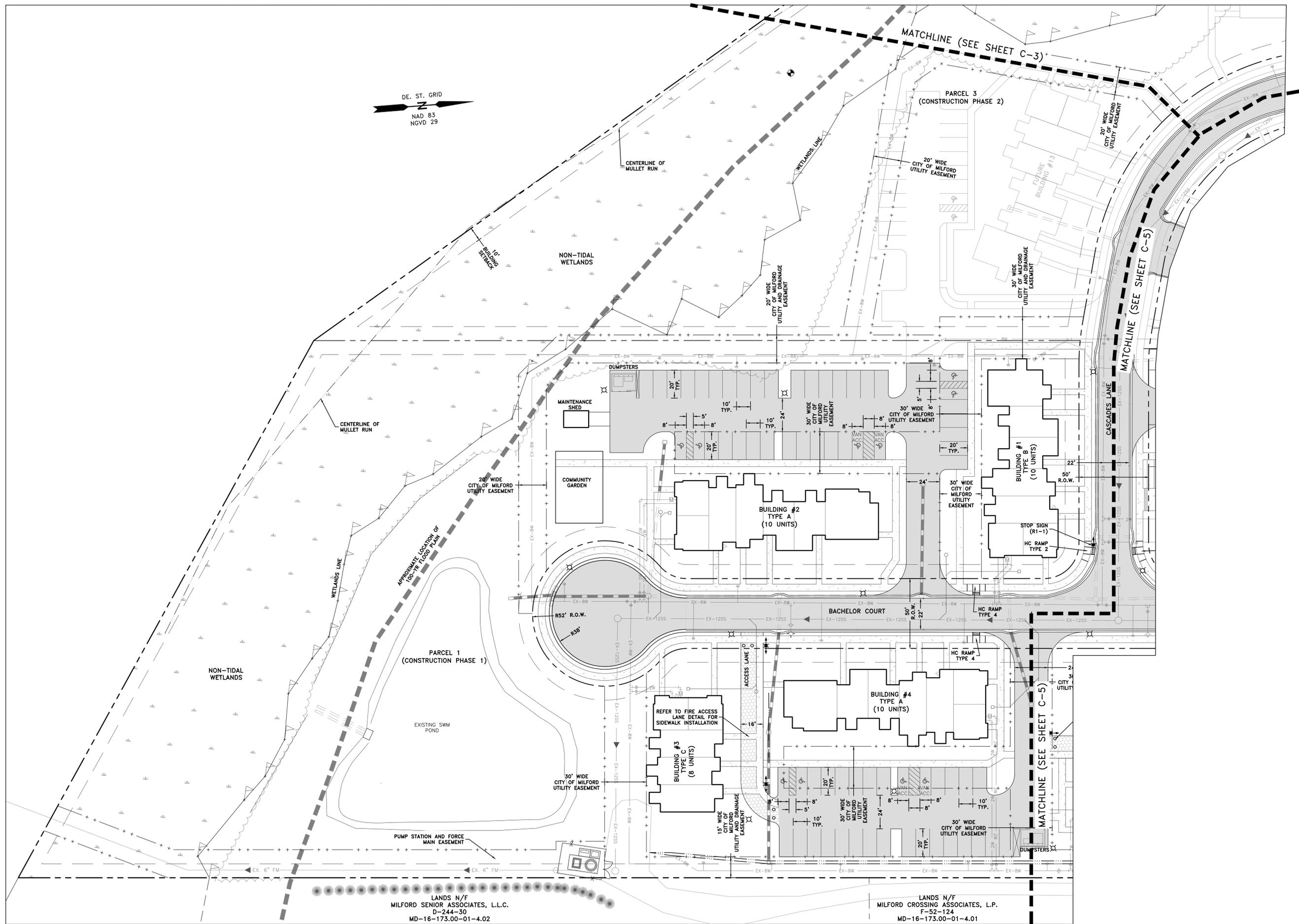
SITE PLAN KEY SHEET / PHASING PLAN

CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
12-30-11 FIRE MARSHAL
1-12-12 ACCESSIBILITY BOARD
1-13-12 KCD
1-23-12 CITY OF MILFORD
1-30-12 INTERNAL COMMENTS
2-29-12 EASEMENT ADJUSTMENTS

Date: DECEMBER, 2011
Scale: 1"=50'
Dwn.By: DJS
Proj.No.: 2221A001
Dwg.No.:

C-2



LANDS N/F
 MILFORD SENIOR ASSOCIATES, L.L.C.
 D-244-30
 MD-16-173.00-01-4.02

LANDS N/F
 MILFORD CROSSING ASSOCIATES, L.P.
 F-52-124
 MD-16-173.00-01-4.01

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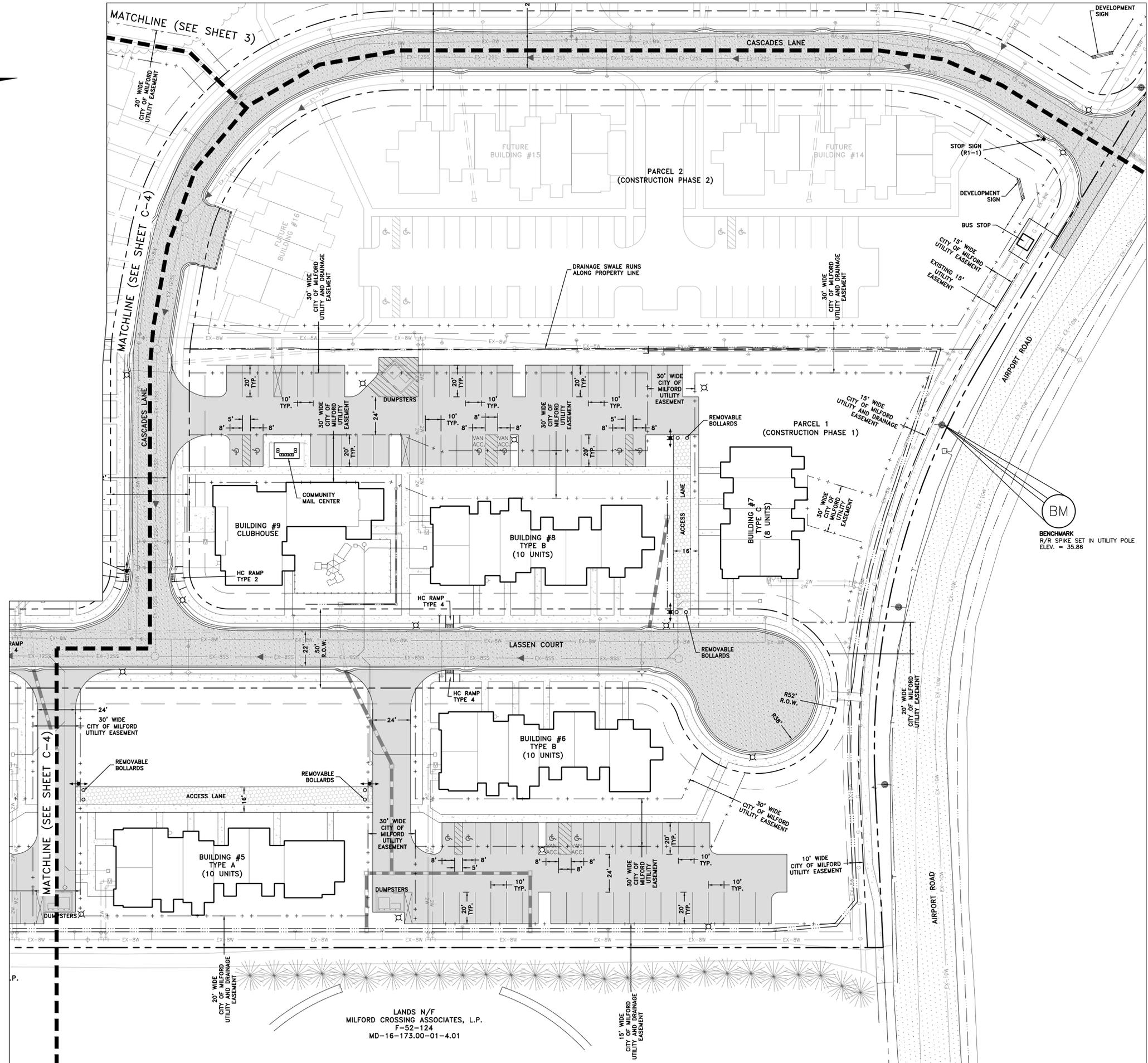
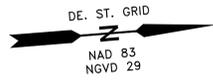
SITE PLAN

CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
 12-30-11 FIRE MARSHAL
 1-12-12 ACCESSIBILITY BOARD
 1-13-12 KCD
 1-23-12 CITY OF MILFORD
 1-30-12 INTERNAL COMMENTS
 2-29-12 EASEMENT ADJUSTMENTS

Date: DECEMBER, 2011
 Scale: 1"=30'
 Dwn.By: DJS
 Proj.No.: 2221A001
 Dwg.No.:

C-4



LANDS N/F
MILFORD CROSSING ASSOCIATES, L.P.
F-52-124
MD-16-173.00-01-4.01

BM
BENCHMARK
R/R SPIKE SET IN UTILITY POLE
ELEV. = 35.86

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



SITE PLAN

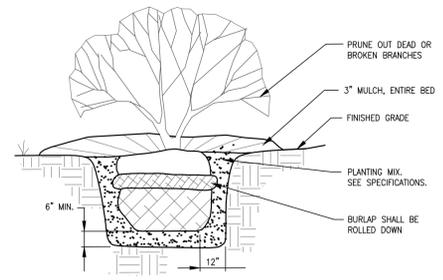
CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
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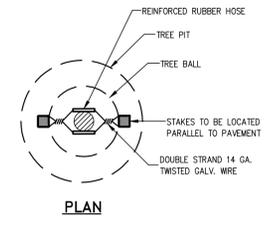
Date: DECEMBER, 2011
Scale: 1"=30'
Dwn.By: DJS
Proj.No.: 2221A001
Dwg.No.:

C-5

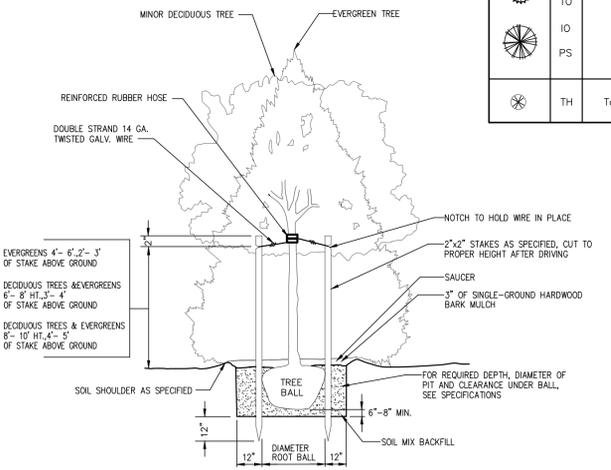
LANDSCAPE PLANT SCHEDULE					
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
DECIDUOUS TREE					
CC		<i>Crataegus crusgalli inermis</i>	THORNLESS COCKSPUR HAWTHORN	1 1/2" - 2" Cal., B&B	2
PK		<i>Prunus serrulata 'Kwanzan'</i>	KWANZAN CHERRY	1 1/2" - 2" Cal., B&B	7
PC		<i>Pyrus calleryana 'Cleveland Select'</i>	"CLEVELAND SELECT" CALLERY PEAR	5/6' Ht., B&B	12
QP		<i>Quercus phellos</i>	WILLOW OAK	1 1/2" - 2" Cal., B&B	6
TC		<i>Tilia cordata</i>	LITTLELEAF LINDEN	1 1/2" - 2" Cal., B&B	7
EVERGREEN TREE					
JV		<i>Juniperus virginiana</i>	EASTERN RED CEDAR	4/5' Ht., B&B	11
TO		<i>Thuja occidentalis</i>	EASTERN ARBORVITAE	4/5' Ht., B&B	17
IO		<i>Ilex opaca</i>	AMERICAN HOLLY	5/6' Ht., B&B	13
PS		<i>Pinus strobus</i>	EASTERN WHITE PINE	5/6' Ht., B&B	8
EVERGREEN SHRUB					
TH		<i>Taxus x media 'HICKSII'</i>	HICKS YEW	18-24", B&B	33



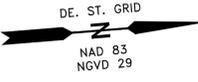
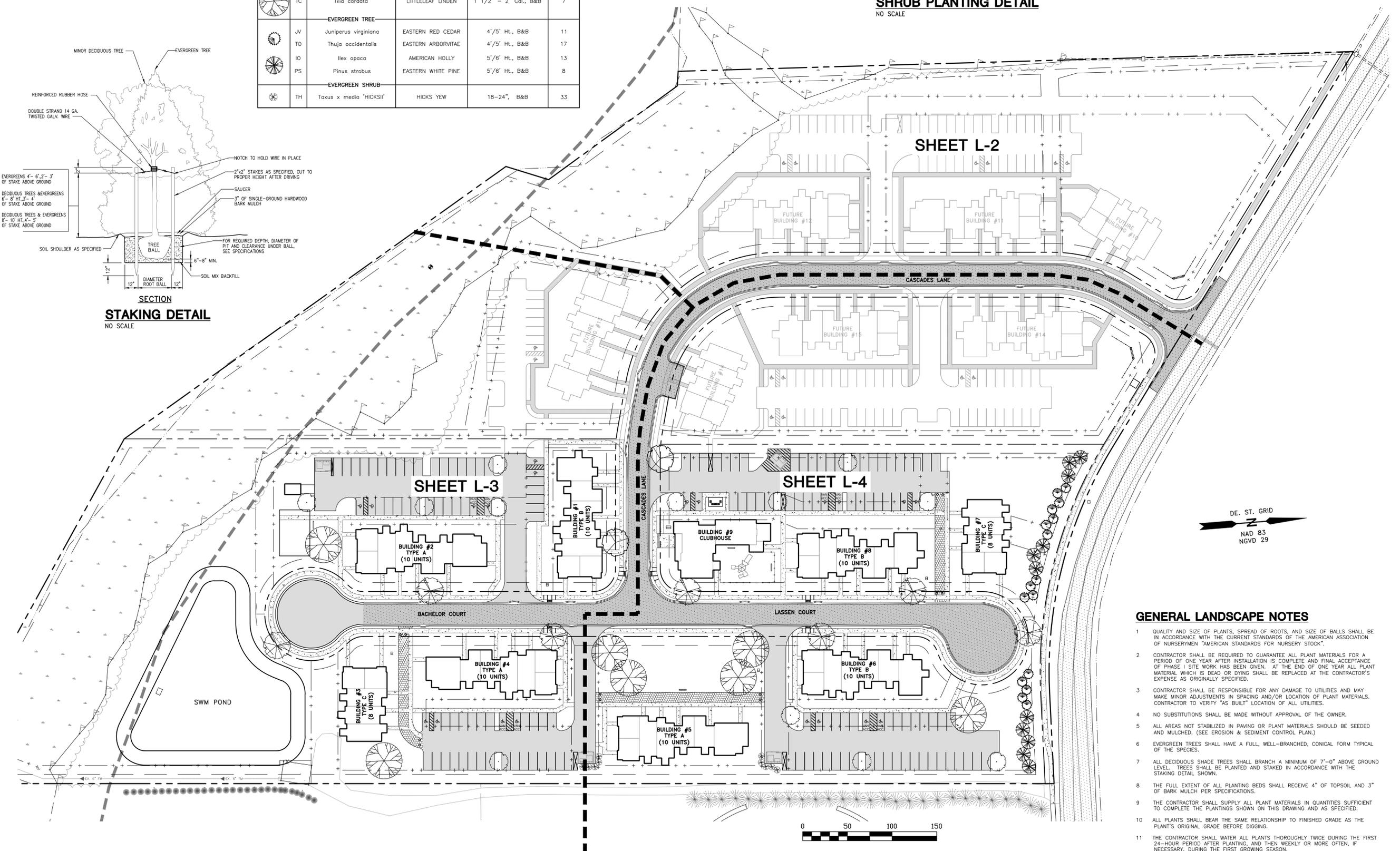
SHRUB PLANTING DETAIL
NO SCALE



PLAN

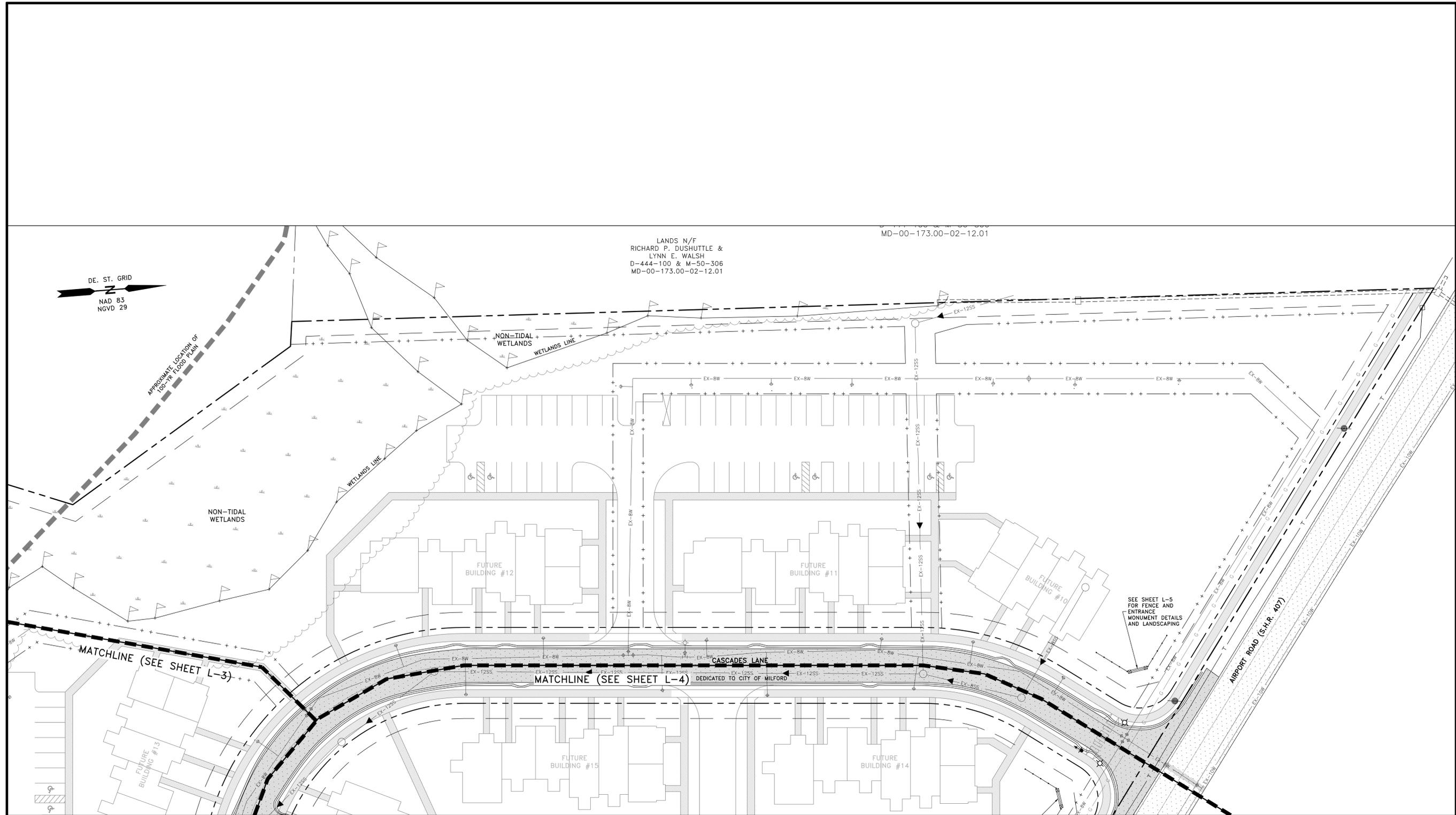


SECTION
STAKING DETAIL
NO SCALE



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



DE. ST. GRID
 NAD 83
 NGVD 29

LANDS N/F
 RICHARD P. DUSHUTTLE &
 LYNN E. WALSH
 D-444-100 & M-50-306
 MD-00-173.00-02-12.01

MD-00-173.00-02-12.01

SEE SHEET L-5
 FOR FENCE AND
 ENTRANCE
 MONUMENT DETAILS
 AND LANDSCAPING



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



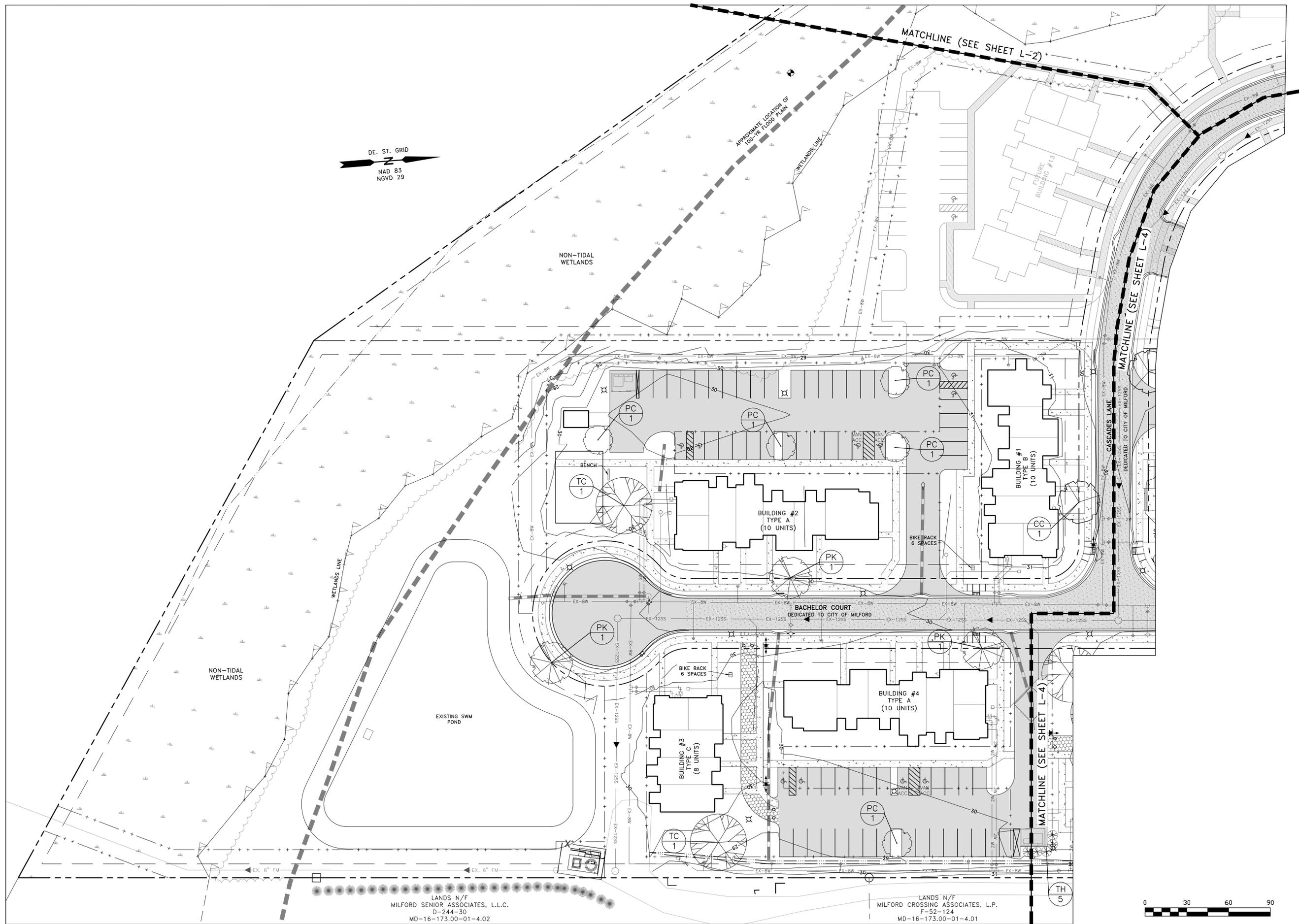
LANDSCAPE AND RECREATION PLAN

CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
 12-30-11 FIRE MARSHAL
 1-12-12 ACCESSIBILITY
 BOARD
 1-13-12 KCD
 1-23-12 CITY OF MILFORD
 1-30-12 INTERNAL
 COMMENTS
 2-29-12 EASEMENT
 ADJUSTMENTS

Date: **DECEMBER, 2011**
 Scale: **1"=30'**
 Dwn.By: **TMM**
 Proj.No.: **2221A001**
 Dwg.No.:

L-2



DE. ST. GRID
 NAD 83
 NGVD 29

LANDS N/F
 MILFORD SENIOR ASSOCIATES, L.L.C.
 D-244-30
 MD-16-173.00-01-4.02

LANDS N/F
 MILFORD CROSSING ASSOCIATES, L.P.
 F-52-124
 MD-16-173.00-01-4.01



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

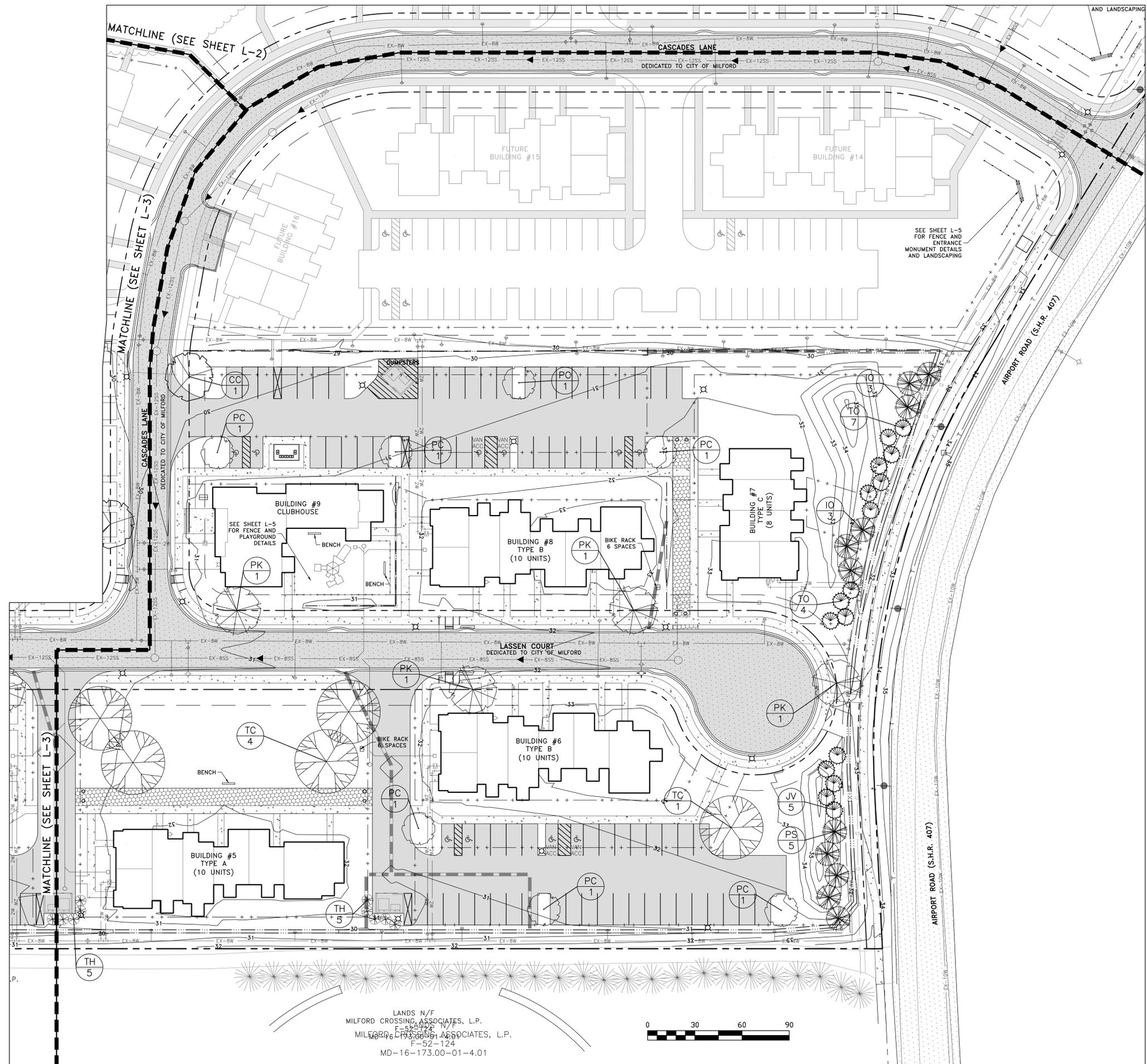


LANDSCAPE AND RECREATION PLAN

CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

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 2-29-12 EASEMENT ADJUSTMENTS

Date: DECEMBER, 2011
 Scale: 1"=30'
 Dwn.By: TMM
 Proj.No.: 2221A001
 Dwg.No.:



LANDS N/F
MILFORD CROSSING ASSOCIATES, L.P.
F-52-124
MILFORD CROSSING ASSOCIATES, L.P.
F-52-124
MD-16-173.00-01-4.01



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



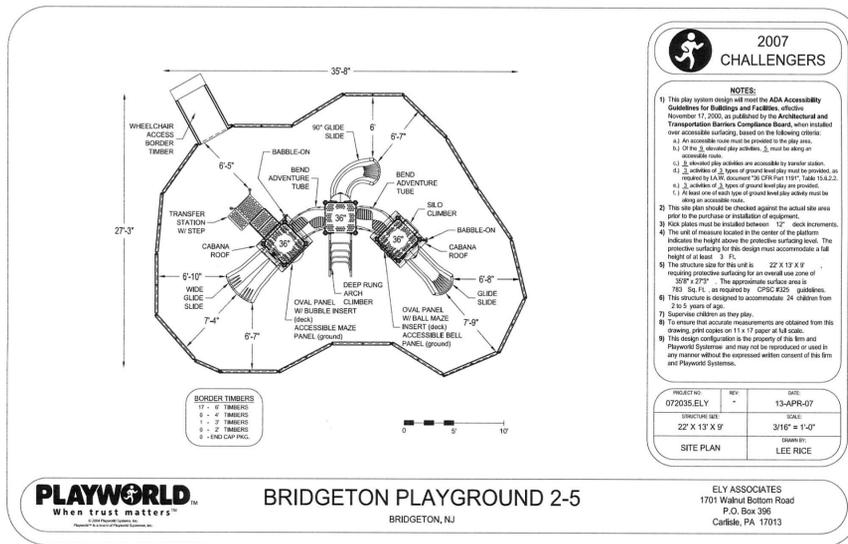
LANDSCAPE AND RECREATION PLAN

CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
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Date: DECEMBER, 2011
Scale: 1"=30'
Dwn.By: TMM
Proj.No.: 2221A001
Dwg.No.:

L-4



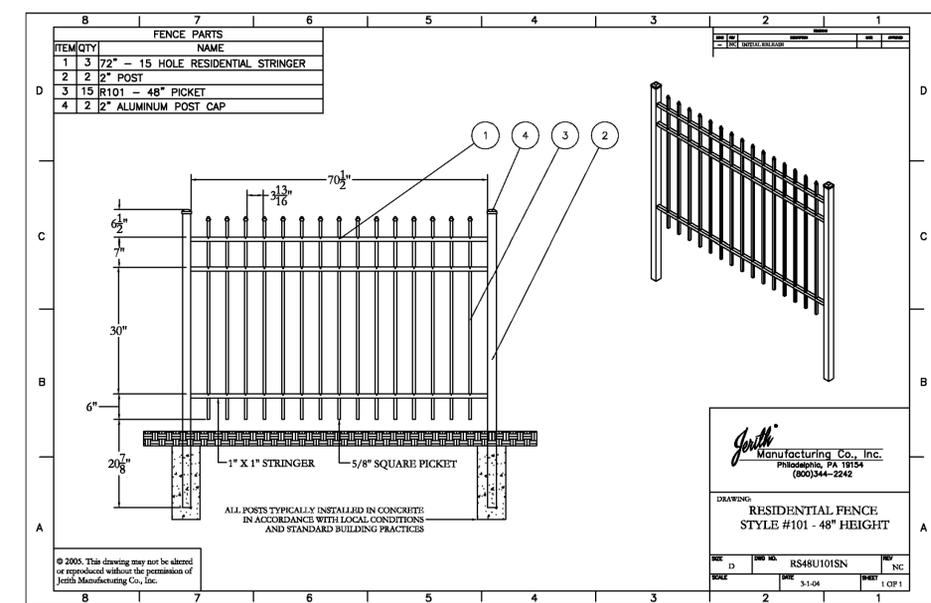
2007 CHALLENGERS

NOTES:

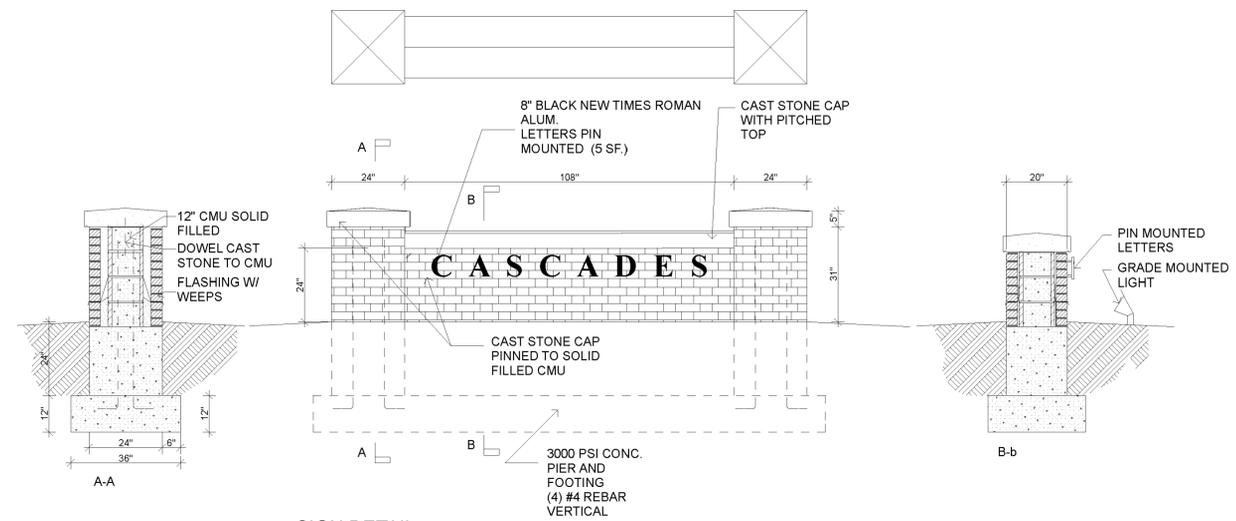
- This play system design must meet the ADA Accessibility Guidelines for Buildings and Facilities, effective November 17, 2002, as published by the Architectural and Transportation Barriers Compliance Board, when installed over accessible surfacing, based on the following criteria:
 - An accessible route must be provided to the play area.
 - Of the 2,000 play activities, 2,000 must be along an accessible route.
 - 2,000 play activities are accessible by transfer surface.
 - 2,000 activities of 2,000 types of ground level play must be provided, as required by L.A.C. document "2007 CHALLENGERS" Table 16A.2.2.2.
 - 2,000 activities of 2,000 types of ground level play are provided.
- At least one of each type of ground level play activity must be along an accessible route.
- The site plan should be checked against the actual site area prior to the purchase or installation of equipment.
- 4" kick plates must be installed between 12" deck increments.
- The unit of measure located in the center of the platform indicates the height above the protective surfacing level. The protective surfacing for this design must accommodate a full height of at least 3' 0".
- The structure size for this unit is 22' X 13' X 9' requiring concrete pad/footing for an overall area size of 30'0" X 27'0". The approximate surface area is 792' Sq. Ft., as required by C.R.S.C. 8202, guidelines.
- This structure is designed to accommodate 24 children from 2-5.5 years of age.
- Supervise children as they play.
- To ensure that accurate measurements are obtained from this drawing, print copies on 11 x 17 paper at full scale.
- This design configuration is the property of this firm and Playworld Systems and may not be reproduced or used in any manner without the expressed written consent of this firm and Playworld Systems.

PROJECT NO: 072035.ELV REV: 13-APR-07 DATE: 13-APR-07
 DRAWN BY: SCALE: 22' X 13' X 9' 3/16" = 1'-0"
 SITE PLAN DRAWN BY: LEE RICE

PLAYGROUND DETAIL
NOT TO SCALE



ENTRANCE MONUMENT & CLUBHOUSE FENCING DETAIL
NOT TO SCALE



ENTRANCE MONUMENT DETAIL
NOT TO SCALE

ATHLETIC / PARK EQUIPMENT

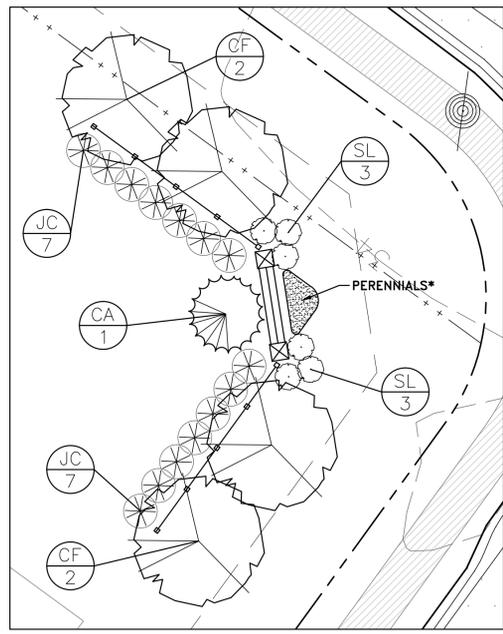
THE FOLLOWING ITEMS AND QUANTITIES FROM PATTERSON-WILLIAMS ATHLETIC MFG. COM. (OR EQUAL) ARE TO BE SUPPLIED BY THE CONTRACTOR:

- MODEL #1150 LITTER RECEPTACLE WITH RECYCLED PLASTIC PLANKS. (QTY. 8)
- MODEL #1607-06 HEAVY-DUTY STANDARD BIKE RACK, 6 SPACES. (QTY. 4)
- MODEL #1607-08 HEAVY-DUTY STANDARD BIKE RACK, 8 SPACES. (QTY. 1)
- MODEL #1107-08 RECYCLED PLASTIC BENCH WITHOUT BACK, 8'. (QTY. 4)

ENTRANCE MONUMENT LANDSCAPE PLANT SCHEDULE

Symbol	Code Name	Scientific Name	Common Name	Planting Size	Quantity
SMALL DECIDUOUS TREES					
CF	CF	Cornus florida 'Cherokee Brave'	CHEROKEE BRAVE FLOWERING DOGWOOD	5-6' Ht., B&B	8
EVERGREEN TREES					
CA	CA	Cedrus atlantica 'Glauca Pendula'	WEeping ATLAS CEDAR	1.5-2" Cal., B&B	2
DECIDUOUS SHRUBS					
SL	SL	Spiraea japonica 'LITTLE PRINCESS'	LITTLE PRINCESS SPIRAEA	15-18", Cont.	12
EVERGREEN SHRUBS					
JC	JC	Juniperus chinensis 'OLD GOLD'	OLD GOLD CHINESE JUNIPER	15-18", Cont.	28

* NOTE: CONTRACTOR TO COORDINATE WITH OWNER AS TO THE SELECTION OF PERENNIALS



TYPICAL ENTRANCE MONUMENT LANDSCAPE PLAN
SCALE: 1" = 10'

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

dbf

LANDSCAPE AND RECREATION DETAILS

CASCADES - PHASE I (PARCEL 1)
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
12-30-11 FIRE MARSHAL BOARD
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1-23-12 CITY OF MILFORD
1-30-12 INTERNAL COMMENTS
2-29-12 EASEMENT ADJUSTMENTS

Date: DECEMBER 2011
Scale: AS NOTED
Dwn.By: RWL
Proj.No.: 2221A001
Dwg.No.:

L-5



Typical Building Front Elevation

scale : 1/8" = 1'-00



Typical Building Side Elevation

scale : 1/8" = 1'-00



Typical Building Rear Elevation

scale : 1/8" = 1'-00



Community Building South Elevation

scale : 1/8" = 1'-00"



Community Building East Elevation

scale : 1/8" = 1'-00"



Community Building West Elevation

scale : 1/8" = 1'-00"



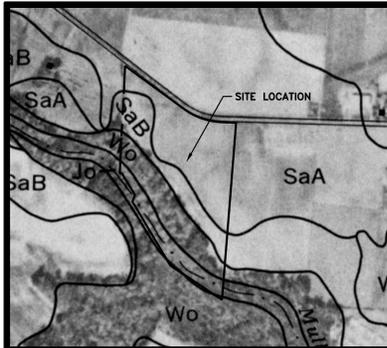
Community Building North Elevation

scale : 1/8" = 1'-00"

CASCADES

A PLANNED UNIT RESIDENTIAL DEVELOPMENT RECORD DOCUMENTS

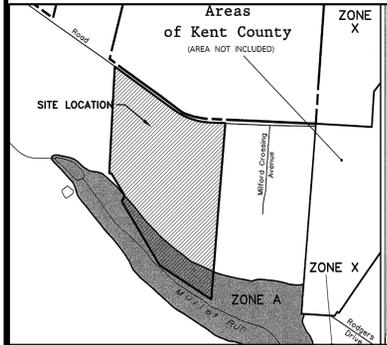
DBF # 2221A001



SOILS MAP

SCALE: 1" = 600'

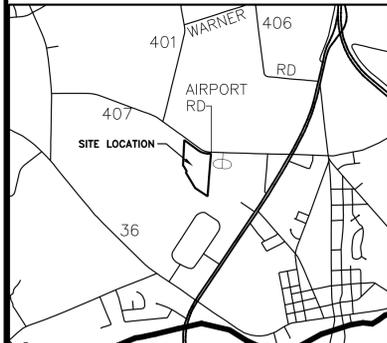
SaA - SASSAFRAS SANDY LOAM, 0 TO 2% SLOPES
SaB - SASSAFRAS SANDY LOAM, 2 TO 5% SLOPES
Wo - WOODSTOWN SANDY LOAM
Jo - JOHNSTON SILT LOAM



FLOOD MAP

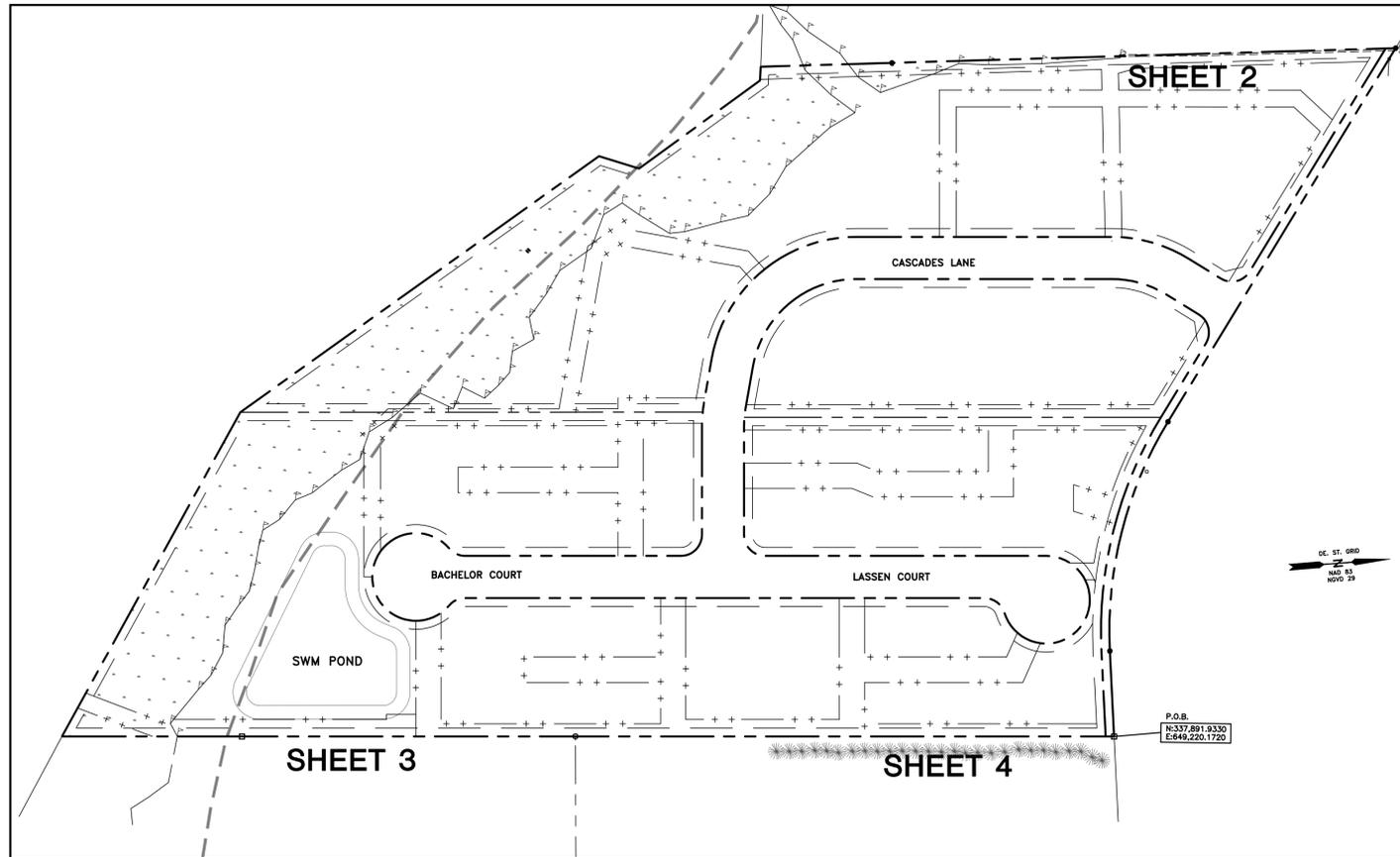
SCALE: 1" = 600'

FLOOD PLAIN: THE PROPERTY LIES WITHIN ZONE A (NO BASE FLOOD ELEVATION DETERMINED) AS DETERMINED BY FLOOD MAP NO. FIRM 10005C0037H DATED MAY 5, 2003.



VICINITY MAP

SCALE: 1" = 2500'



SITE PLAN

SCALE: 1" = 100'

SHEET INDEX	
RECORD DOCUMENT TITLE SHEET	R-1
RECORD DOCUMENT GENERAL INFORMATION	R-2
LOT CONSOLIDATION PLAN	R-3
MINOR SUBDIVISION PLAN	R-4
EASEMENT PLAN - PARCEL 1	R-5
EASEMENT PLAN - PARCELS 2 & 3	R-6

ENGINEERS STATEMENT

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

DATE: _____ SEAL SIGNATURE: _____

CITY OF MILFORD PLANNING APPROVAL STAMP



OWNERS STATEMENT

WE, SIOBAIN-VI LLC, HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT ALL STREETS SHOWN HEREON ARE DEDICATED TO THE PUBLIC USE AND THAT ALL PROPOSED MONUMENTS AND MARKERS SHOWN HEREON WILL BE SET AT THE LOCATIONS INDICATED, 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.

DATE: _____ SIGNATURE: _____
GLENN NUNEMAKER,
SIOBAIN-VI LLC
1100 N. MARKET ST.
WILMINGTON, DE 19809

EQUITABLE OWNERS STATEMENT

WE, CASCADES, LLC, HEREBY STATE THAT WE ARE THE EQUITABLE OWNERS OF THE PROPERTY DESCRIBED ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT ALL STREETS SHOWN HEREON ARE DEDICATED TO THE PUBLIC USE AND THAT ALL PROPOSED MONUMENTS AND MARKERS SHOWN HEREON WILL BE SET AT THE LOCATIONS INDICATED, 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.

DATE: _____ SIGNATURE: _____
DAVID HOLDEN,
CASCADES, LLC
725 CUTHBERT BOULEVARD
CHERRY HILL, NJ 08002

WETLANDS STATEMENT

Environmental Resources, Inc. (ERI) completed an initial wetland delineation for the Cascades of Milford Subdivision, on the south side of Airport Road, in 2005. Background information indicated that wetlands may be present along the south side of the parcel. ERI inspected this site in Milford, Kent County, Delaware, for the presence of jurisdictional waters, including nontidal wetlands, according to the Corps of Engineers Wetlands Delineation Manual (1987), associated guidance in effect at that time and best professional judgment. This subdivision was designed and approved relying upon this wetland delineation.

Since that approval, most of the uplands had been regraded and/or filled and infrastructure was installed. On December 5, 2011, ERI reviewed this wetland boundary onsite in light of proposed redevelopment of the subdivision based around the existing infrastructure. There is an unofficial, variable width, wooded, upland buffer to the delineated wetlands that will remain part of the proposed plan. Approximately one third of the previous wetland boundary points were relocated inside the tree line; this is in agreement with existing plans. The wetland boundary was reviewed according to the Corps of Engineers Wetlands Delineation Manual (1987), the Atlantic and Gulf Coastal Plain Supplement (2010), associated guidance in effect at that time and best professional judgment. As a result of changes in plant community (FACU), soils, and elevation the wetland delineation was reconfirmed. Wetland flags that had been placed by ERI, surveyed and added to the plans by Davis, Bowen & Friedel, Inc. (DBF) are similar in extent to available National Wetland Inventory mapping. As of this date no jurisdictional determination verification has been requested from Corps of Engineers.

DATE: _____ SIGNATURE: _____
Thomas D. Noble
Professional Wetland Scientist: 000389
Certified Wetland Delineator through the Corps of Engineers
#WD0CP93M00310001A

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



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

RECORD DOCUMENT TITLE SHEET

CASCADES
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
12-30-11 FIRE MARSHAL
1-12-12 ACCESSIBILITY
BOARD
1-13-12 KCD
1-23-12 CITY OF MILFORD
1-30-12 INTERNAL
COMMENTS
2-29-12 EASEMENT
ADJUSTMENTS

Date: DECEMBER 2011
Scale: AS NOTED
Dwn.By: RWL
Proj.No.: 2221A001
Dwg.No.:

R-1

GENERAL NOTES

- ALL FIRE LANES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS. BUILDING CONSTRUCTION TO BE MASONRY AND WOOD. MAXIMUM BUILDING HEIGHT IS 35' WITH MAXIMUM ACCESSORY BUILDING HEIGHT OF 20'. THE PAVING RADIUS ON CUL-DE-SAC STREETS IS 38'.
- THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURES AS THEY DEEM NECESSARY.
- THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
- ALL MATERIALS AND WORKMANSHIP SHALL MEET THE CITY OF MILFORD STANDARDS AND SPECIFICATIONS.
- ALL DISTURBED AREAS WITHIN THE CITY RIGHT-OF-WAY, BUT NOT IN PAVEMENT, SHALL BE TOPSOILED (6" MINIMUM), FERTILIZED AND SEEDDED.
- A 72 HOUR (MINIMUM) NOTICE SHALL BE GIVEN TO THE CITY OF MILFORD PUBLIC WORKS DEPARTMENT PRIOR TO STARTING ENTRANCE CONSTRUCTION.
- MISS UTILITY SHALL BE NOTIFIED THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO EXCAVATION, AT 1-800-282-8555.
- ALL SIGNING AND MAINTENANCE OF TRAFFIC IS THE CONTRACTORS RESPONSIBILITY AND SHALL FOLLOW THE 2011 DELAWARE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION).
- DESIGN, FABRICATION, AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE 2011 DELAWARE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION).
- SUBMISSIONS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY AND DEDICATED TO PUBLIC USE SHOWN ON THIS PLAN ARE TO BE MAINTAINED BY THE CITY OF MILFORD FOLLOWING THE COMPLETION OF THE STREETS BY THE DEVELOPER TO THE SATISFACTION OF THE CITY. THE CITY OF MILFORD ASSUMES NO MAINTENANCE RESPONSIBILITIES WITHIN THE DEDICATED RIGHT-OF-WAY UNTIL THE STREETS HAVE BEEN TURNED OVER TO THE CITY OF MILFORD.
- ALL PROPOSED RIGHTS-OF-WAY SHOWN ON THIS PLAN ARE HEREBY DEDICATED TO PUBLIC USE.
- ALL LOTS SHALL HAVE ACCESS FROM INTERNAL SUBDIVISION STREETS ONLY. DIRECT ACCESS TO AIRPORT ROAD FROM INDIVIDUAL LOTS IS PROHIBITED.
- THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS, THE USE OF AGRICULTURAL CHEMICALS, AND NIGHTTIME FARMING OPERATIONS.
- NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL EITHER ALL REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED, CONSTRUCTED, OR PLACED FOR THE BUILDING FOR WHICH THE BUILDING PERMIT IS TO BE ISSUED IN A MANNER ACCEPTABLE TO THE CITY OF MILFORD, OR UNTIL THE DEVELOPER FILES A PERFORMANCE BOND OR OTHER GUARANTEE WITH THE CITY FOR ANY UNCOMPLETED PUBLIC OR PRIVATE STREET OR OTHER REQUIRED IMPROVEMENT.
- THE OWNER/DEVELOPER UNDERSTANDS THAT THE TRACT OF LAND DEPICTED HEREON IS IMPACTED BY WETLANDS REGULATED BY THE ARMY CORPS OF ENGINEERS AND IS ADVISED TO CONTACT THE ARMY CORPS OF ENGINEERS FOR INFORMATION AND GUIDANCE IN REGARD TO JURISDICTIONAL DETERMINATIONS AND FEDERAL PERMITS PRIOR TO THE START OF CONSTRUCTION.
- THIS SITE IS IMPACTED BY THE 100-YEAR FLOOD PLAIN AS DEPICTED ON FEMA MAP PANEL NUMBERS 10005C03037H, DATED MAY 5, 2003.
- WETLANDS DELINEATION PERFORMED BY ENVIRONMENTAL RESOURCES, INC. IN APRIL 2003. NON-TIDAL WETLANDS WERE DETERMINED ACCORDING TO THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (1987) AND ASSOCIATED DOCUMENTS.
- OPEN SPACE, LANDSCAPING AND ZONING DISTRICT LANDSCAPING BUFFER AREAS: ALL REQUIRED LANDSCAPE BUFFERS SHALL BE PLANTED PRIOR TO ISSUANCE OF 20% OF THE CERTIFICATES OF OCCUPANCY AND MAINTAINED BY THE DEVELOPER UNTIL ALL OF THE CERTIFICATES OF OCCUPANCY HAVE BEEN ISSUED. THE LANDSCAPE BUFFER AREA AND ANY OTHER LANDSCAPE PLAN DEPICTED ON THE RECORD PLAN SHALL BE MAINTAINED IN PERPETUITY BY THE OWNER.
- OWNER HEREBY GRANTS TO THE CITY OF MILFORD, ITS ASSIGNS AND SUCCESSORS, THE RIGHT PRIVILEGE AND AUTHORITY TO ENTER UPON SAID PREMISES AND INSPECT ALL THE OPEN SPACES FOR CONFORMITY WITH THE PROVISIONS OF THE CITY CODE AT THE EXPENSE OF THE OWNERS OF SAID LOTS. IN THE EVENT THAT THE CITY OF MILFORD DETERMINES THAT MAINTENANCE OF THE OPEN SPACES, AS SET FORTH ABOVE, IS REQUIRED, ALL EXPENSES OF MAINTENANCE SHALL BE COLLECTIBLE BY THE CITY OF MILFORD IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE CITY OF MILFORD FOR THAT PURPOSE. ANY LIEN FOR SUCH EXPENSES UNDER THE PROVISIONS OF THIS DECLARATION ASSERTED BY THE CITY AND FILED WITH THE RECORDER OF DEEDS, SHALL BE A LIEN FROM THE TIME OF RECORDING AND SHALL HAVE PRIORITY IN RELATION TO OTHER LIENS, EITHER GENERAL OR SPECIAL INCLUDING MORTGAGES AND OTHER LIENS ACCORDING TO THE TIME OF RECORDING OF SUCH LIENS.
- OWNER HEREBY GRANTS TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF SOIL AND WATER CONSERVATION SEDIMENT AND STORMWATER PROGRAM OR ITS DELEGATED AGENCY, THE RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON SAID PREMISES AND INSPECT STORM WATER MANAGEMENT AREAS WITHIN STORM WATER MANAGEMENT EASEMENTS. IN THE EVENT THAT THE DELEGATED AGENCY DETERMINES THAT MAINTENANCE IS REQUIRED WITHIN SAID STORM WATER MANAGEMENT AREAS, ALL EXPENSES OF MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER.
- A TEN (10) FOOT STRIP IS HEREBY RESERVED AS AN EASEMENT FOR DRAINAGE AND UTILITIES ALONG ALL FRONT, SIDE AND REAR LOT LINES.
- BOUNDARY AND TOPOGRAPHICAL SURVEY PERFORMED BY DAVIS, BOWEN & FRIEDEL, INC. BENCHMARK AS NOTED ON PLAN.
- NO CERTIFICATE OF OCCUPANCY PERMITS WILL BE ISSUED FOR ANY LOT UNTIL ALL STREET SIGNS ARE IN PLACE FOR TRAFFIC LEADING FROM THE ENTRANCE OF THE DEVELOPMENT TO THE LOT FOR WHICH THE PERMIT IS TO BE ISSUED.
- PAVEMENT MARKING MATERIAL WILL MATCH EXISTING, DURABLE MARKINGS (I.E. THERMO, EPOXY) WILL BE REQUIRED FOR NEW STRIPING, IF THEY EXIST IN THE FIELD.
- ALL STEEL USED IN CATCH BASINS SHALL BE 60 ksi.
- ALL ROADWAYS ARE TO BE SWEPT FREE OF SEDIMENT ON A DAILY BASIS BY THE CONTRACTOR DURING CONSTRUCTION.
- 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. THE COST SHALL BE INCLUDED IN THE COST OF ITEMS BID.
- DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE OWNER.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- ALL SEALS MUST BE WATER-TIGHT AND CONCRETE STRUCTURES MUST BE PRECAST OR POURED IN PLACE.
- ALL BUFFER AREAS, LANDSCAPE, COMMUNITY MAILBOX AND THE STORMWATER MANAGEMENT AREA SHALL BE OWNED AND MAINTAINED BY THE OWNER.
- THE DEVELOPER WILL BE RESPONSIBLE FOR MAINTENANCE OF SEDIMENT AND STORMWATER CONTROLS DURING CONSTRUCTION. RESPONSIBILITY FOR LONG TERM MAINTENANCE OF STORMWATER CONTROLS SHALL BE ASSUMED BY THE OWNER AFTER APPROVAL OF THE STORMWATER MANAGEMENT BASIN BY THE KENT CONSERVATION DISTRICT.
- THE CATCH BASINS LOCATED OUTSIDE OF THE CITY OF MILFORD'S RIGHT-OF-WAY WILL BE MAINTAINED BY THE OWNER.
- ALL CATCH BASINS EXCEPT FOR THOSE DESCRIBED IN NOTE 33 ARE TO BE OWNED AND MAINTAINED BY THE CITY OF MILFORD.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL APPRAISE AND COORDINATE DURING ALL PHASES OF CONSTRUCTION:

MINIMUM LOT SIZE CALCULATION				
PROPOSED DWELLING UNIT	x	LOT SIZE	=	MINIMUM LOT SIZE
142	x	2,500 SQ. FT. PER UNIT	=	355,000 SQ. FT. (8.15 AC.)

MINIMUM OPEN SPACE CALCULATION				
PROPOSED DWELLING UNIT	x	OPEN SPACE REQUIREMENT	=	MINIMUM OPEN SPACE
142	x	400 SQ. FT. PER UNIT	=	56,800 SQ. FT. (1.30 AC.)

MINIMUM RECREATIONAL SPACE CALCULATION				
MINIMUM OPEN SPACE	x	50%	=	MINIMUM RECREATIONAL SPACE
1.30 AC.	x	50%	=	0.65 AC.

PARKING SPACE CALCULATION				
1 BEDROOM UNITS	x	68	=	68 SPACES
2 BEDROOM UNITS	x	42	=	84 SPACES
3 BEDROOM UNITS	x	32	=	96 SPACES
CLUBHOUSE			=	16 SPACES
TOTAL PARKING SPACES REQUIRED				264 SPACES
TOTAL PARKING SPACES PROVIDED				285 SPACES

CLUBHOUSE PARKING SPACE CALCULATION				
LAUNDRY ROOM	252 SQ. FT.	1 SPACE		
COMMUNITY ROOM	1200 SQ. FT.	8 SPACES		
LEASING ROOM		1 SPACE		
SOCIAL SERVICES ROOM		1 SPACE		
MAINTENANCE OFFICE		1 SPACE		
AFTER SCHOOL DAYCARE		3 SPACES		
SICK ROOM		1 SPACE		
TOTAL PARKING SPACES				16 SPACES

ALLOWABLE DENSITY CALCULATION				
TOTAL AREA	-	WETLANDS	=	GROSS AREA
18.94 AC.	-	3.01 AC.	=	15.93 AC.
GROSS AREA	-	(GROSS AREA * 25%)	=	NET DEVELOPMENT AREA
15.93 AC.	-	3.98 AC.	=	11.95 AC.
NET DEVELOPMENT AREA	*	16 DU PER ACRE	=	ALLOWABLE DENSITY
11.95	*	16	=	191 UNITS

STORMWATER MANAGEMENT NOTES

- THE EXISTING STORMWATER MANAGEMENT POND WAS DESIGNED WITH A DRAINAGE AREA OF 14.28 ACRES WITH A MAXIMUM IMPERVIOUS AREA OF 65% OR 9.282 ACRES.
- ADDITIONAL STORMWATER MANAGEMENT IS NOT REQUIRED AS LONG AS TOTAL SITE IMPERVIOUS AREA REMAINS UNDER 9.282 ACRES.
- EACH PHASE SHALL DEMONSTRATE COMPLIANCE WITH IMPERVIOUS COVERAGE.

APPROVED P.U.R.D. CONDITIONS

- MAXIMUM NUMBER OF UNITS IS: 142
- SETBACKS:
FRONT: 10'
SIDE: 10'
REAR: 10'
- OFF STREET PARKING IS 1 SPACE PER 1 BEDROOM.
- A BY-PASS LANE DESIGNED FOR FULL BUILD OUT SHALL BE CONSTRUCTED PRIOR TO PHASE 2.

DATA COLUMN

PARCEL NUMBER: MD-16-173.00-01-04.03 TO 04.18

RECORD OWNER: SIOBAIN-VI, L.L.C.
1100 N. MARKET ST.
WILMINGTON, DE 19890
(302) 651-8070

EQUITABLE OWNER: CASCADES, LLC
725 CUTHBERT BLVD.
CHERRY HILL, NJ 08002
PHONE: (302) 661-1560
FAX: (302) 661-1570

DEVELOPER: WBI DEVELOPMENT COMPANY, INC.
725 CUTHBERT BLVD.
CHERRY HILL, NJ 08002
PHONE: (302) 661-1560
FAX: (302) 661-1570

PREPARED BY: DAVIS, BOWEN, AND FRIEDEL, INC.
23 NORTH WALNUT STREET
MILFORD, DE 19865
(302) 424-1441

DATUM:
VERT. NGVD 29
HORZ. NAD 83 (STATE PLANE)

CURRENT ZONING: R-3 (HIGH DENSITY RESIDENTIAL DISTRICT)
CURRENT USE: PLANNED UNIT RESIDENTIAL DEVELOPMENT

PROPOSED ZONING: R-3 (HIGH DENSITY RESIDENTIAL DISTRICT)
PROPOSED USE: PLANNED UNIT RESIDENTIAL DEVELOPMENT

CODE REQUIREMENTS
BUILDING COVERAGE REQUIRED: 20% MAX.
BUILDING SEPARATION DISTANCE: 25 FEET (MIN.)
MINIMUM LOT WIDTH: 50 FEET
HEIGHT - 35' MAX. OR 3 STORIES
MINIMUM LOT SIZE: 1 ACRE OR 2,500 SQ. FT. PER UNIT
MINIMUM OPEN SPACE: 400 SQ. FT. PER UNIT
MINIMUM RECREATIONAL SPACE: 50%

PROPOSED DWELLING UNITS: 142
DENSITY - 7.5 DWELLING UNITS PER ACRE
ORIGINAL SITE AREA: 19.15 ACRES

PREVIOUS ROW DEDICATION: 0.21 ACRES

TOTAL SITE AREA: 18.94 ACRES

PARCEL 1
DEVELOPABLE LAND: 7.51 AC.
WETLANDS: 1.19 AC.
TOTAL: 8.70 AC.

PARCEL 2
DEVELOPABLE LAND: 1.87 AC.
TOTAL: 1.87 AC.

PARCEL 3
DEVELOPABLE LAND: 4.36 AC.
WETLANDS: 1.82 AC.
TOTAL: 6.18 AC.

RIGHT-OF-WAY: 2.19 AC.

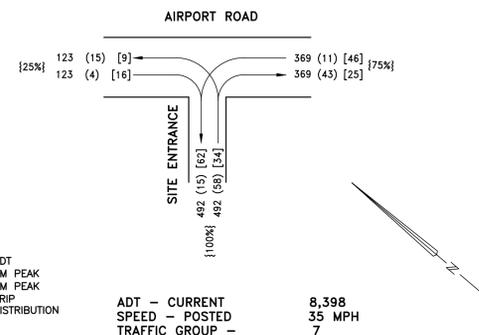
ROAD DATA: AIRPORT ROAD
FUNCTIONAL CLASSIFICATION
AADT (ROAD TUBE COUNT WEEK ENDING 12/19/2011)
10 YR PROJECTED AADT = 1.20 X 8,998
10 YR PROJECTED AADT + SITE ADT
DIRECTIONAL SPLIT
PEAK HOUR = 16.25% X 11,062
5.36% TRUCK % X 1,798
SPEED - POSTED
TRAFFIC PATTERN GROUP

CITY MAINTAINED
8,998
10,078
11,062
56.40% / 43.60%
1,798
96
35 MPH
7

SITE TRIPS GENERATED

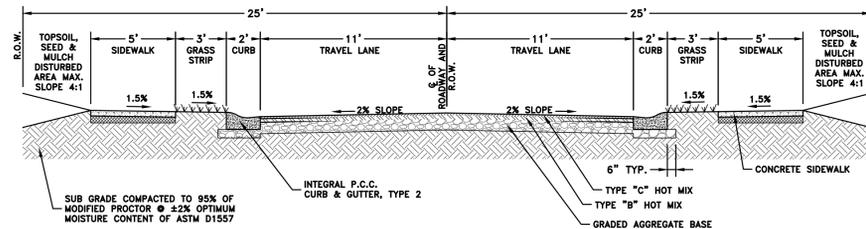
TYPE OF DEV.	ITE	CODE	UNITS	AM	PM	ADT
APARTMENTS	220	142	75	96	984	

LEGEND
- ADT
- AM PEAK
- PM PEAK
- TRIP DISTRIBUTION



**TRAFFIC FLOW SCHEMATIC
AIRPORT ROAD AND CASCADES LANE**

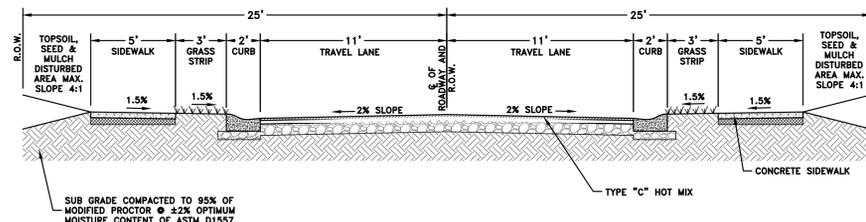
NO SCALE



NEW 22' PAVEMENT SECTION

NO SCALE

- NOTES:
1. 6" TOPSOIL, SEED AND MULCH.
A - COMPACTED HOT MIX ASPHALT SURFACE AND BASE COURSE PER DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS.
B - SUB BASE COURSE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.
C - SUBGRADE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.



22' PAVEMENT SECTION OVERLAY

NO SCALE

- NOTES:
1. 6" TOPSOIL, SEED AND MULCH.
A - COMPACTED HOT MIX ASPHALT SURFACE AND BASE COURSE PER DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS.
B - SUB BASE COURSE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.
C - SUBGRADE MATERIAL COMPACTED TO 95% OF ASTM D1557 MODIFIED PROCTOR METHOD.

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



RECORD DOCUMENT GENERAL INFORMATION

CASCADES
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
12-30-11 FIRE MARSHAL BOARD
1-12-12 ACCESSIBILITY BOARD
1-13-12 KCD
1-23-12 CITY OF MILFORD
1-30-12 INTERNAL COMMENTS
2-29-12 EASEMENT ADJUSTMENTS

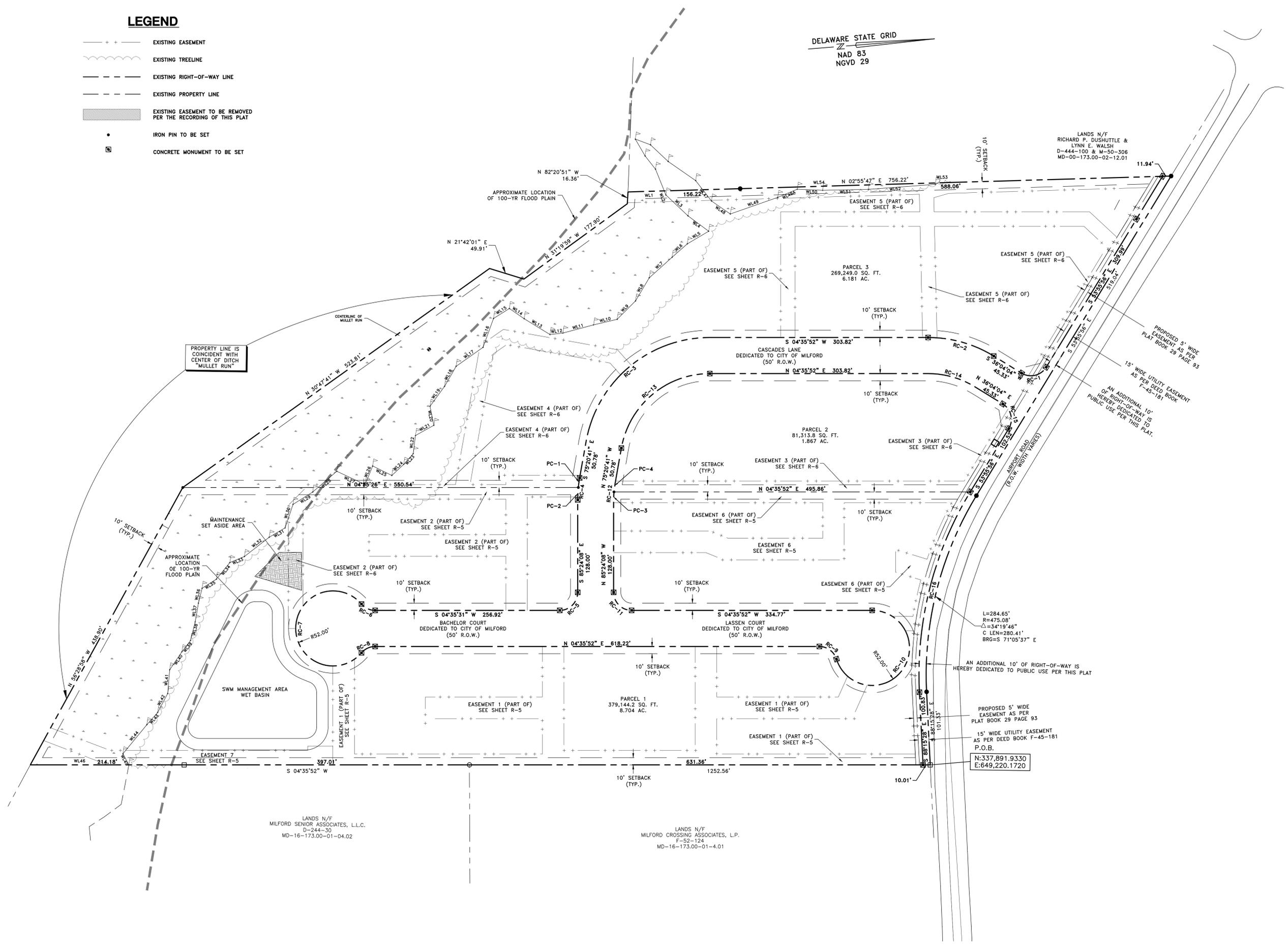
Date: DECEMBER 2011
Scale: AS NOTED
Dwn.By: RWL
Proj.No.: 2221A001
Dwg.No.:

R-2

LEGEND

- +---+--- EXISTING EASEMENT
- EXISTING TREELINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING PROPERTY LINE
- EXISTING EASEMENT TO BE REMOVED PER THE RECORDING OF THIS PLAT
- IRON PIN TO BE SET
- CONCRETE MONUMENT TO BE SET

DELAWARE STATE GRID
NAD 83
NGVD 29



DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
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MINOR SUBDIVISION PLAN

CASCADES
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

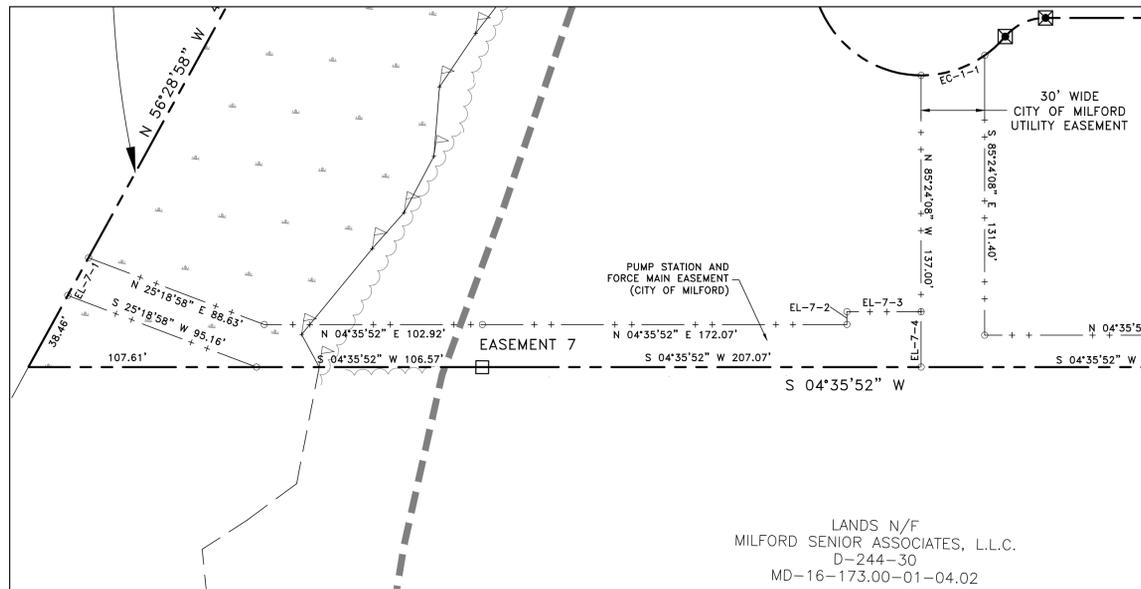
REVISED:
12-30-11 CITY OF MILFORD
1-12-12 INTERNAL COMMENTS
1-13-12 FIRE MARSHAL
1-23-12 ACCESSIBILITY BOARD
1-30-12 PER KCD
2-29-12 EASEMENT ADJUSTMENTS

Date: DECEMBER, 2011
Scale: 1" = 60'
Dwn.By: DJS
Proj.No.: 2221A001
Dwg.No.:

R-4

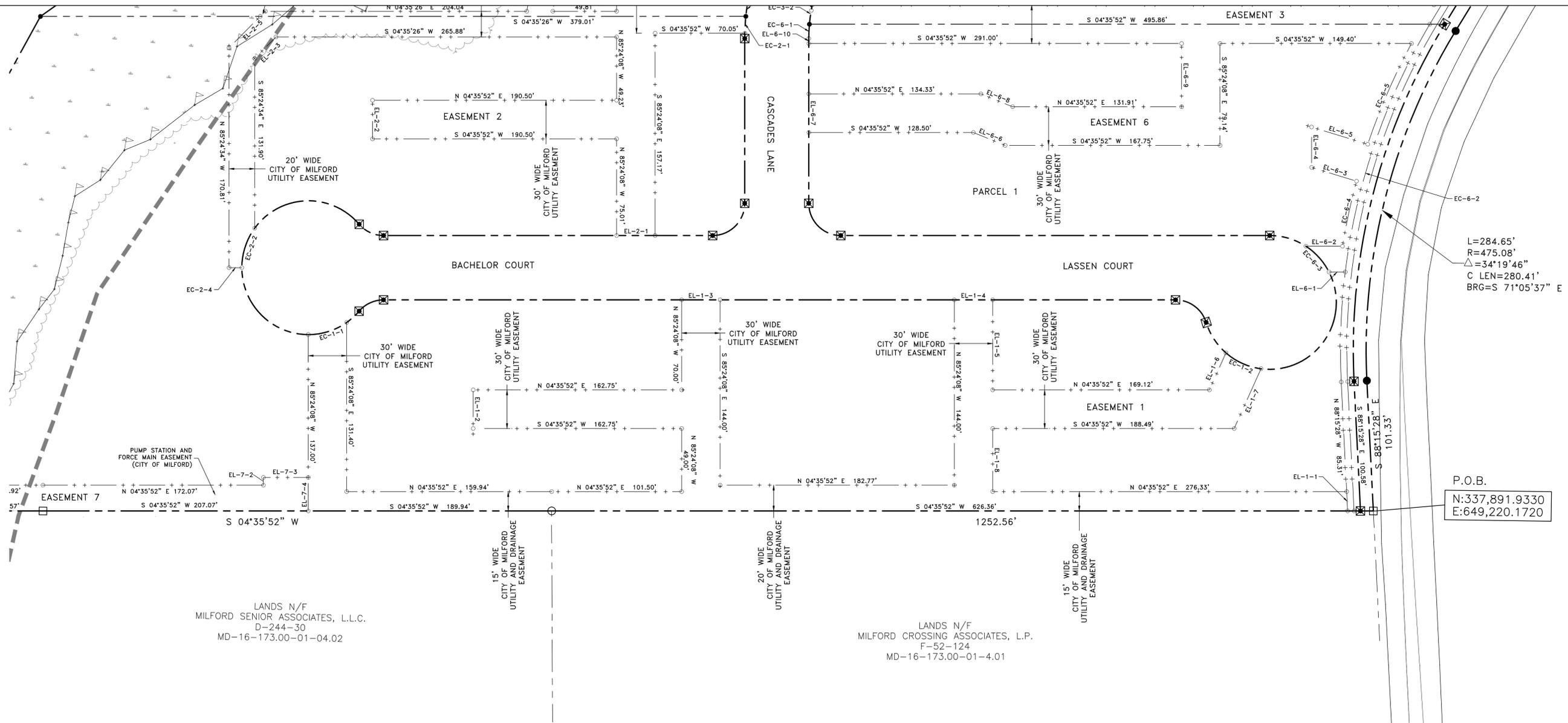
LEGEND

- +---+---+ EXISTING EASEMENT
- EXISTING TREELINE
- - - - - EXISTING RIGHT-OF-WAY LINE
- - - - - EXISTING PROPERTY LINE
- ▨ EXISTING EASEMENT TO BE REMOVED PER THE RECORDING OF THIS PLAT
- IRON PIN TO BE SET
- ▣ CONCRETE MONUMENT TO BE SET



DELAWARE STATE GRID
 NAD 83
 NGVD 29

LANDS N/F
 MILFORD SENIOR ASSOCIATES, L.L.C.
 D-244-30
 MD-16-173.00-01-04.02



LANDS N/F
 MILFORD SENIOR ASSOCIATES, L.L.C.
 D-244-30
 MD-16-173.00-01-04.02

LANDS N/F
 MILFORD CROSSING ASSOCIATES, L.P.
 F-52-124
 MD-16-173.00-01-4.01

P.O.B.
 N:337,891.9330
 E:649,220.1720

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



EASEMENT PLAN - PARCEL 1

CASCADES
 AIRPORT ROAD, CITY OF MILFORD
 KENT COUNTY, MILFORD HUNDRED, DELAWARE

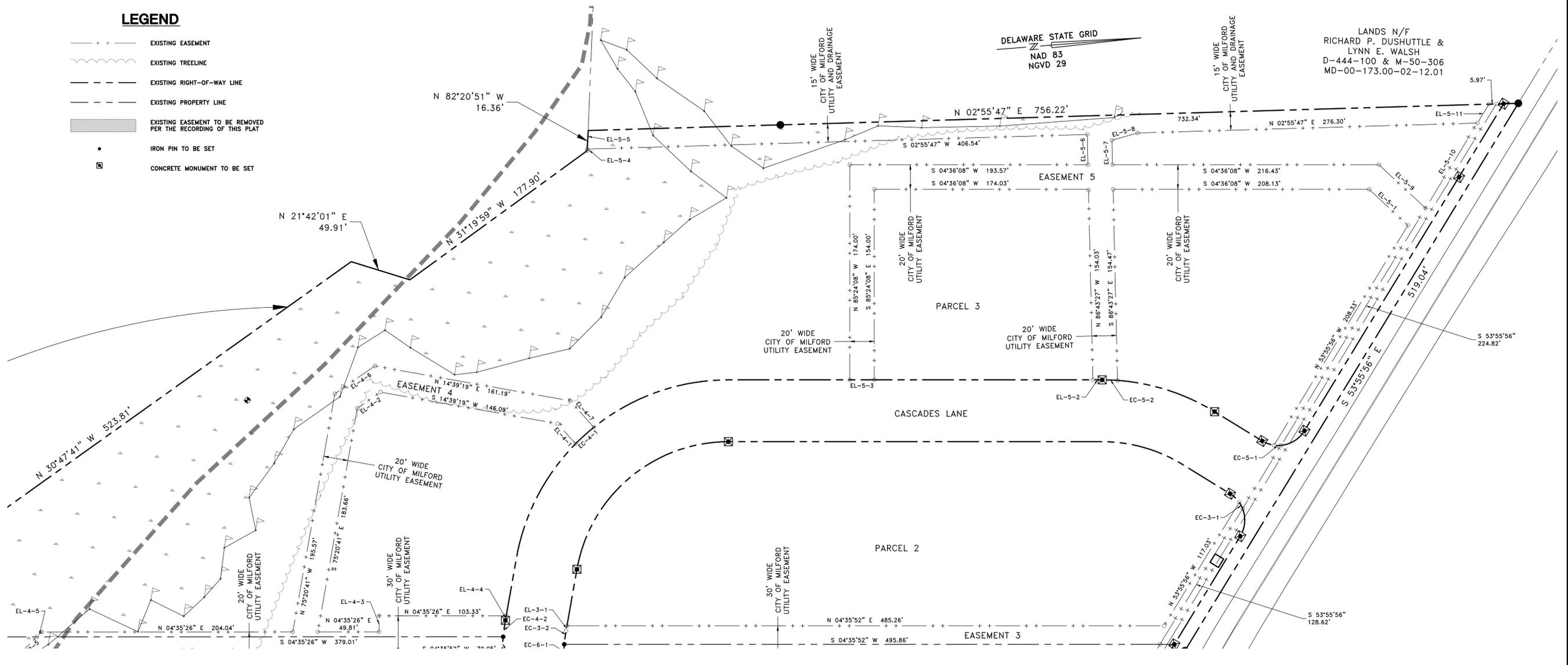
REVISED:
 12-30-11 CITY OF MILFORD
 11-12-12 INTERNAL COMMENTS
 1-13-12 FIRE MARSHAL
 1-31-12 ACCESSIBILITY BOARD
 1-30-12 PER KCD
 2-29-12 EASEMENT
 ADJUSTMENTS

Date: DECEMBER, 2011
 Scale: 1" = 40'
 Dwn.By: DJS
 Proj.No.: 2221A001
 Dwg.No.:

R-5

LEGEND

- +---+---+ EXISTING EASEMENT
- EXISTING TRELLINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING PROPERTY LINE
- EXISTING EASEMENT TO BE REMOVED PER THE RECORDING OF THIS PLAT
- IRON PIN TO BE SET
- CONCRETE MONUMENT TO BE SET



WETLAND LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
WL1	N 02°55'47" E	50.51'	WL29	S 27°16'16" E	32.35'
WL2	N 72°28'25" E	5.98'	WL30	S 66°43'35" E	34.42'
WL3	N 47°54'39" E	42.30'	WL31	S 25°36'39" E	25.52'
WL4	N 41°08'09" E	35.88'	WL32	S 33°10'28" E	43.79'
WL5	S 25°44'28" E	34.57'	WL33	S 17°46'26" E	21.76'
WL6	S 36°42'18" E	28.03'	WL34	S 46°14'42" E	29.88'
WL7	S 37°14'23" E	42.69'	WL35	S 27°42'48" E	23.56'
WL8	S 54°35'41" E	37.33'	WL36	S 71°32'08" E	21.05'
WL9	S 40°21'06" E	36.10'	WL37	S 75°34'36" E	26.39'
WL10	S 08°29'06" E	33.68'	WL38	S 71°27'34" E	26.56'
WL11	S 10°17'30" E	44.14'	WL39	S 47°43'24" E	19.71'
WL12	S 01°54'08" E	18.13'	WL40	S 51°11'01" E	30.43'
WL13	S 35°54'40" W	42.13'	WL41	S 80°47'00" E	32.72'
WL14	S 39°02'34" W	24.99'	WL42	S 57°23'44" E	29.90'
WL15	S 27°38'05" E	26.03'	WL43	S 43°46'25" E	22.61'
WL16	S 65°18'52" E	42.46'	WL44	S 45°47'37" E	52.30'
WL17	S 30°27'57" E	45.80'	WL45	N 66°10'09" E	17.49'
WL18	S 55°22'31" E	32.01'	WL46	S 04°35'52" W	137.27'
WL19	S 49°04'50" E	34.37'	WL47	S 56°39'32" W	19.74'
WL20	N 82°59'02" E	26.85'	WL48	S 39°09'45" W	31.77'
WL21	S 24°21'56" E	29.20'	WL49	S 14°36'13" E	70.02'
WL22	S 78°19'15" E	25.32'	WL49A	S 18°08'20" E	29.35'
WL23	S 43°41'12" E	19.81'	WL50	S 07°01'47" W	35.31'
WL24	S 38°17'44" E	22.70'	WL51	S 03°27'50" W	63.05'
WL25	S 30°52'26" W	29.76'	WL52	S 00°20'06" W	93.35'
WL26	S 63°07'43" E	27.84'	WL53	S 87°04'13" E	1.94'
WL27	S 29°42'09" W	43.46'	WL54	N 02°55'47" E	323.59'
WL28	S 36°04'22" E	44.15'			

EASEMENT CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EC-1-1	52.00'	31.94'	31.44'	S 12°47'37" E	35°11'21"
EC-1-2	52.00'	30.43'	30.00'	S 28°52'41" W	33°31'54"
EC-2-1	175.00'	13.11'	13.10'	N 81°53'39" W	04°17'27"
EC-2-2	52.00'	32.76'	32.22'	N 67°19'44" W	36°05'48"
EC-3-1	25.00'	5.80'	5.79'	N 66°17'30" E	13°17'30"
EC-3-2	125.00'	10.79'	10.79'	N 77°49'05" W	04°56'48"
EC-4-1	175.00'	20.01'	20.00'	S 37°20'53" E	06°33'06"
EC-4-2	175.00'	13.45'	13.45'	S 77°32'48" E	04°24'14"
EC-5-1	25.00'	5.80'	5.79'	S 05°50'37" W	13°17'30"
EC-5-2	175.00'	12.43'	12.43'	S 06°37'58" W	04°04'12"
EC-6-1	125.00'	11.15'	11.15'	N 82°50'49" W	05°06'39"
EC-6-2	495.08'	204.92'	203.46'	N 66°29'33" W	23°42'55"
EC-6-3	52.00'	27.28'	26.96'	N 52°30'00" E	30°03'16"
EC-6-4	500.08'	51.75'	51.72'	N 73°08'29" W	05°55'43"
EC-6-5	500.08'	85.45'	85.35'	N 61°50'39" W	09°47'26"

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
EL-1-1	S 88°15'28" E	15.02'
EL-1-2	N 85°24'08" W	30.00'
EL-1-3	N 04°35'52" E	30.00'
EL-1-4	N 04°35'52" E	30.00'
EL-1-5	S 85°24'08" E	70.00'
EL-1-6	N 61°07'19" W	31.58'
EL-1-7	S 61°07'19" E	50.95'
EL-1-8	S 85°24'08" E	49.00'
EL-2-1	S 04°35'51" W	30.00'
EL-2-2	N 85°24'08" W	30.00'
EL-2-3	S 40°24'34" E	23.53'
EL-2-4	S 04°37'22" W	10.00'
EL-2-5	N 40°24'34" W	34.45'
EL-3-1	N 75°20'41" W	4.37'
EL-4-1	S 52°39'07" W	21.93'
EL-4-2	S 30°00'00" E	22.94'
EL-4-3	N 85°24'34" W	12.93'
EL-4-4	S 75°20'41" E	3.67'
EL-4-5	N 40°24'34" W	5.66'
EL-4-6	N 30°00'00" W	39.51'
EL-4-7	N 52°39'07" E	28.82'
EL-5-1	N 47°25'42" E	42.84'
EL-5-2	S 04°35'52" W	7.59'
EL-5-3	S 04°35'52" W	20.00'
EL-5-4	N 82°20'51" W	1.31'
EL-5-5	N 82°20'51" W	15.05'
EL-5-6	S 86°43'27" E	24.43'
EL-5-7	N 86°43'27" W	19.75'
EL-5-8	N 11°08'28" W	21.63'
EL-5-9	N 47°25'42" E	51.76'
EL-5-10	N 53°55'56" W	80.74'
EL-5-11	N 53°55'56" W	17.91'
EL-6-1	S 04°37'24" W	12.66'
EL-6-2	N 04°37'24" E	28.56'
EL-6-3	S 21°32'30" W	36.72'
EL-6-4	N 85°24'08" W	31.36'
EL-6-5	N 21°32'30" E	45.86'
EL-6-6	S 26°36'28" W	26.70'
EL-6-7	N 85°24'08" W	30.00'
EL-6-8	N 26°36'28" E	26.70'
EL-6-9	N 85°24'08" W	49.14'
EL-6-10	N 85°24'08" W	3.86'
EL-7-1	N 56°28'58" W	20.21'
EL-7-2	N 85°24'08" W	6.00'
EL-7-3	N 04°35'52" E	35.00'
EL-7-4	N 85°24'08" W	26.00'

RIGHT-OF-WAY CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
RC-1	25.00'	39.27'	35.36'	S 08°55'56" E	90°00'00"
RC-2	175.00'	96.12'	94.92'	S 20°19'58" W	31°28'12"
RC-3	175.00'	244.17'	224.84'	S 35°22'25" E	79°56'33"
RC-4	175.00'	30.72'	30.68'	N 80°22'25" W	10°03'27"
RC-5	24.98'	39.27'	35.35'	S 40°24'06" E	90°04'28"
RC-6	25.00'	21.62'	20.95'	S 29°21'41" W	49°32'20"
RC-7	52.00'	253.25'	67.51'	S 85°23'22" E	279°02'26"
RC-8	25.00'	21.60'	20.94'	N 20°09'21" W	49°30'26"
RC-9	25.00'	31.69'	29.61'	N 40°54'29" E	72°37'13"
RC-10	52.00'	229.27'	63.81'	N 40°03'31" W	252°37'13"
RC-11	25.00'	39.27'	35.36'	S 49°35'52" W	90°00'00"
RC-12	125.00'	21.91'	N 80°22'25" W	10°03'27"	
RC-13	125.00'	174.41'	160.60'	N 35°22'25" W	79°56'33"
RC-14	125.00'	68.66'	67.80'	N 20°19'58" E	31°28'12"
RC-15	25.00'	39.27'	35.36'	N 81°04'04" E	90°00'00"
RC-16	485.08'	290.64'	286.31'	S 71°05'37" E	34°19'46"

PROPERTY CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
PC-1	175.00'	13.45'	13.45'	S 77°32'48" E	04°24'14"
PC-2	175.00'	17.26'	17.26'	S 82°34'32" E	05°39'13"
PC-3	125.00'	11.15'	11.15'	N 82°50'49" W	05°06'39"
PC-4	125.00'	10.79'	10.79'	N 77°49'05" W	04°56'48"

CASCADES
AIRPORT ROAD, CITY OF MILFORD
KENT COUNTY, MILFORD HUNDRED, DELAWARE

REVISED:
 12-30-11 CITY OF MILFORD
 11-12-12 INTERNAL COMMENTS
 1-13-12 FIRE MARSHAL
 1-23-12 ACCESSIBILITY BOARD
 11-30-12 PER KCD
 2-29-12 EASEMENT ADJUSTMENTS

Date: **DECEMBER, 2011**
 Scale: **1" = 40'**
 Dwn.By: **DJS**
 Proj.No.: **2221A001**
 Dwg.No.:

R-6

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

EASEMENT PLAN - PARCELS 2 & 3

LANDS N/F
 RICHARD P. DUSHUTTLE &
 LYNN E. WALSH
 D-444-100 & M-50-306
 MD-00-173.00-02-12.01

**CITY OF MILFORD
PLANNING COMMISSION**

RESOLUTION NO. PC12-010

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILFORD,
DELAWARE, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF
MILFORD
THE APPROVAL OF A FINAL MINOR SUBDIVISION FOR
SIOBAIN-VI, LLC
AT AIRPORT ROAD
FOR A THREE LOT SUBDIVISION
IN AN R-3 ZONING DISTRICT
TAX MAP MD-16-173.00-01-04.03 THROUGH -04.18; 19.15+/- Acres**

WHEREAS, the owner and applicant has made application with the City of Milford; and,

WHEREAS, the proposed application shall comply with the standards and regulations of the Code of the City of Milford; and,

WHEREAS, the Planning Commission met and heard said application during a public hearing on April 17, 2012; and,

WHEREAS, by a vote of 8 to 0 recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission has recommended approval of the application to the Mayor and City Council of the City of Milford, Delaware with the following recommendations:

1. n/a

APPROVED: _____
Charles Rini,
Planning Commission Chairman

SIGNED: _____
Christine Crouch,
Planning Commission Rec Secretary

City of Milford



PROCLAMATION 2012-5

TO HONOR AND COMMEND VIVIAN F. GINN FOR MERITORIOUS SERVICE TO THE PEOPLE OF MILFORD, DELAWARE

WHEREAS, Milford's heritage is based on citizen involvement and participation and is essential to its spirit; and

WHEREAS, it is fitting that the City of Milford salute those citizens, who, through their extraordinary efforts, have distinguished themselves as community leaders of whom we can be proud; and

WHEREAS, before moving to Milford in January 2006, Vivian F. Ginn volunteered at numerous women shelters and orphanages; and

WHEREAS, while raising two sons on her own, Ms. Ginn committed countless hours as a volunteer mentor to our nation's soldiers; and

WHEREAS, having earned the respect of those she worked with, Ms. Ginn received the distinct honor of being named the employee of the year at Fort Monroe, Virginia; and

WHEREAS, Ms. Ginn continues to dedicate her efforts to local organizations, most notably the Carlisle Fire Company and Elks Lodge No. 2401; and

WHEREAS, Ms. Ginn was presented the Elks Distinguished Citizenship Award for Outstanding and Meritorious Service to Humanity by Milford Lodge No. 2401 and the Grand Lodge Benevolent and Protective Order of Elks on March 31, 2012; and

WHEREAS, Vivian F. Ginn is always willing to give of herself to others who can benefit from her life-learned experiences and consistently demonstrates her unfailing support and assistance in providing a voice and help for those in less than fortunate circumstances and ideal situations; and

WHEREAS, her time, so willingly devoted over the years as a volunteer on various committees, organizations and humanitarian efforts has not only identified her as a person of character and humility but also as a compassionate, caring human willing to give to others, unconditionally.

In appreciation of her efforts to ensure the vitality of this community and her contribution to the citizens of Milford, it is hereby proclaimed by Joseph Ronnie Rogers, Mayor of the City of Milford, that the week of April 22 - April 28, 2012 is hereby declared "Vivian F. Ginn Appreciation Week" in the City of Milford.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 23rd Day of April in the Year of our Lord Two Thousand and Twelve.



Mayor Joseph Ronnie Rogers

Attest:

City Clerk Teresa K. Hudson, MMC



Sussex County Association of Towns

P.O. Box 589 Georgetown, DE 19947

Town of Bethany Beach

Town of Bethel

Town of Blades

Town of Bridgeville

Town of Dagsboro

Town of Delmar

Town of Dewey Beach

Town of Ellendale

Town of Fenwick Island

Town of Frankford

Town of Georgetown

Town of Greenwood

Town of Henlopen Acres

Town of Laurel

City of Lewes

City of Milford

Town of Millsboro

Town of Millville

Town of Milton

Town of Ocean View

City of Rehoboth Beach

City of Seaford

Town of Selbyville

Town of Slaughter Beach

Town of South Bethany

Sussex County Council

MEETING NOTICE

LOCATION: Mango's
Garfield Parkway and The Boardwalk
Bethany Beach

DATE: May 2, 2012

TIME: 6:00 p.m. – Social
6:30 p.m. – Dinner

HOST: Town of Bethany Beach

SPEAKER: Staff of the University of Delaware

PROGRAM: The WeTable:
Participatory Mapping for Planning Officials

COST: \$24.00

MENU – PLEASE SELECT ONE ENTREE

- 1- Strip Steak with garlic mashed potatoes and vegetable
- 2- Salmon filet with black beans and rice and vegetable
- 3- Jerk Chicken with black beans and rice and vegetable
- 4- Veggie Pasta, linguine w/veggies, olive oil and parmesan cheese

For reservations, please call Lindsey Good at Bethany Beach Town Hall at 537-3771 no later than Wednesday, April 25th (with menu choice).

Please make checks payable to the Town of Bethany Beach.

***NOTICE ***

The Steering Committee will meet on Friday, May 4, 2011 at 9:00 a.m. at the Lighthouse Restaurant at the Sussex County Airport.

RSVP to Robin at 855-7743 or rgriffith@sussexcountyde.gov.

The cost of breakfast is \$9.00. Checks can be made payable to Lighthouse Landing Restaurant.

CITY OF MILFORD, DELAWARE
LIST OF BIDDERS - SUBSTATION AND SWITCHING FACILITIES

Associated Substation Engineering
919 Alabama Ave., South
Bremen, GA 30110
Mr. Shane Smith
770-537-0033 ext. 204 / fax 770-537-0029
ssmith@aseng.com

Distran Products, Inc.
4725 Hwy 28 E.
Pineville, LA 71360
Attn: Mr. David Ducote
318-448-0274 / fax 318-445-7240
david.ducote@distran.com

Hamby Young
1245 Danner Drive
Aurora, OH 44202
330-562-8444

Shealy Electric Wholesalers, Inc.
422 Fairforest Way
Greenville, SC 29607
Attn: Mr. Todd Ferrell
800-868-7248 / fax 864-235-6097
tferrell@shealyelectrical.com

Utility Resource Associates
3720 Camden Hwy
Dalzell, SC 29040
Attn: Mr. Reggie Kerns
803-469-3321 / fax 803-469-3322
reggie@utilres.com

Aubrey Silvey Enterprises, Inc.
371 Hamp Jones Rd.
Carrollton, GA 30117
Attn: Mr. Vann Pelt
770-834-0738 ext. 134 / fax 770-834-1055
vpelt@silvey.com

Ensales, Inc.
P.O. Box 332
Beulaville, NC 28518
Attn: Mr. Fred Murray
910-298-3305 / fax 866-589-2099
FMurray@ensales.com

M.D. Henry Company
120 Clark Street
Pelham, AL 35124
Attn: Ms. Sharon Boutwell
205-663-6711 ext. 229 / fax 205-663-6718
sboutwell@mdhenryco.com

Substation Enterprises
145 Commercial Court
Alabaster, AL 35007
Attn: Mr. Michael Zarichnak
205-685-2755 / fax 205-685-2753
mgzsubenterprises.com

V & S Schuler Engineering, Inc.
2240 Allen Avenue S.E.
Canton, Ohio 44707
Attn: Mr. Warren Nadler
330-452-5200 / fax 330-452-8717
wnadler@vsschuler.com

H D Supply Utilities, Ltd
51 Steel Drive
New Castle, Delaware 19720
Attn: Ms. Cheryl Conaway (Inside Sales)
302-325-2590 / fax 866-254-9304
Cheryl.Conaway@hdsupply.com

R.W. Chapman
P.O. Box 240748
Charlotte, NC 28224
Attn: Ms. Kelly Tippins
704-525-2421 / fax 704-523-4708
ktippins@rwchapman.com

Tatman Associates, Inc.
29015 Solon Road
Solon, OH 44139
Attn: Mr. Ed Tatman
440-248-0644 / fax 440-248-0649
tatmansub@sbcglobal.net

WESCO
2902 North Blvd.
Richmond, VA 23230
Attn: Ms. Mary Faye Leap
804-340-9511 / fax 804-359-8397
bbtitler@wesco.com

CITY OF MILFORD, DELAWARE
BID TABULATION

**138 KV SUBSTATION, SWITCHING FACILITIES,
AND 138 KV TAP STATION**

BID DATE: 2:00 PM
TUESDAY, APRIL 3, 2012
PAGE 1 of 3

BIDDER	<u>Tatman Associates</u>	<u>Substation Enterprises</u>	<u>Distran</u>	<u>Associated Substation Engineering</u>
BID BOND	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>BASE BID</u>				
<u>Section 1:</u>				
138 kV Deacend Structure, High Side Bus and Switches as specified	<u>\$120,300.00 Lot</u>	<u>\$137,850.00</u>	<u>\$154,378.00</u>	<u>\$598,000.00</u>
<u>Section 2:</u>				
25 kV Switching Station: 6 Outgoing Circuits 3 Main Bus Tie Switches 36 Circuit Disconnect Switches 6 Transfer Bus Switches 18 Lightning Arresters as specified	<u>\$251,000.00 Lot</u>	<u>\$230,885.00</u>	<u>\$402,066.00</u>	<u>Included Above</u>
<u>Section 3:</u>				
138 kV Tap Station as specified	<u>\$121,500.00 Lot</u>	<u>\$127,805.00</u>	<u>\$170,540.00</u>	<u>\$129,000.00</u>
TOTAL	<u>\$492,800.00 Lot</u>	<u>\$496,540.00</u>	<u>\$726,984.00</u>	<u>\$727,000.00</u>

CITY OF MILFORD, DELAWARE
BID TABULATION

**138 KV SUBSTATION, SWITCHING FACILITIES,
AND 138 KV TAP STATION**

BID DATE: 2:00 PM
TUESDAY, APRIL 3, 2012
PAGE 2 of 3

BIDDER	<u>Tatman Associates</u>	<u>Substation Enterprises</u>	<u>Distran</u>	<u>Associated Substation Engineering</u>
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ALTERNATE BID

Section 1:

138 kV Deadend Structure,
High Side Bus and Switches
as specified

	<u>\$126,900.00 Lot</u>	<u>\$139,250.00</u>	<u>\$154,378.00</u>	<u>\$683,000.00</u>
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Section 2:

25 kV Switching Station:
8 Outgoing Circuits
5 Main Bus Tie Switches
48 Circuit Disconnect Switches
8 Transfer Bus Switches
24 Lightning Arresters
as specified

	<u>\$311,800.00 Lot</u>	<u>\$290,505.00</u>	<u>\$470,967.00</u>	<u>Included Above</u>
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Section 3:

138 kV Tap Station
as specified

	<u>\$121,500.00 Lot</u>	<u>\$127,805.00</u>	<u>\$170,540.00</u>	<u>\$129,000.00</u>
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TOTAL	<u>\$560,200.00 Lot</u>	<u>\$557,560.00</u>	<u>\$795,885.00</u>	<u>\$812,000.00</u>
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CITY OF MILFORD, DELAWARE
BID TABULATION

**138 KV SUBSTATION, SWITCHING FACILITIES,
AND 138 KV TAP STATION**

BID DATE: 2:00 PM
TUESDAY, APRIL 3, 2012
PAGE 3 of 3

BIDDER Tatman Associates Substation Enterprises Distran Associated Substation Engineering

MANUFACTURER:

Steel	<u>Tatman/Whitlow</u>	<u>Midsouth Fab.</u>	<u>Dis-Tran</u>	<u>ASE, Inc.</u>
138 kV Switches	<u>USCO</u>	<u>USCO</u>	<u>USCO</u>	<u>USCO/Southern States</u>
25 kV Bus Switches	<u>Cleveland-Price</u>	<u>Cleveland-Price</u>	<u>USCO/Southern States</u>	<u>USCO/Southern States</u>

DELIVERY:

Anchor Bolts	<u>10 weeks</u> Static Mast 28 wks.	<u>6-8 weeks ARO</u> after approved design	<u>5-6 weeks</u>	<u>4-6 weeks ARO</u>
Balance of Structure/ Bus/Switches	<u>24 weeks</u>	<u>12-20 weeks ARO</u>	<u>20-24 weeks</u> after award	<u>18-22 weeks ARO</u>

**APPLICABLE
PRICE TERMS:**

<u>Net 30 Days</u>	<u>Price valid 30 Days</u>	<u>*See Letter</u>	<u>Net 30 Days</u> <u>Pre-Paid Freight</u>
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EXCEPTIONS:

Work to be done under supervision of Ohio PE <u>not Delaware PE</u>	Drawing Schedule PE Stamp <i>*See Attached Letter</i>	<i>*See Exceptions on bid document</i>	NONE
---------------------------------------------------------------------------	-------------------------------------------------------------	--------------------------------------------	------

Progressive Engineering Consultants, Inc.

P.O. BOX 690638 CHARLOTTE, NC 28227 - 7011
TELEPHONE (704) 545 - 7327 FACSIMILE (704) 545 - 2315
progress@pecinc.net

April 18, 2012

Mr. Rick Carmean
City of Milford
201 S. Walnut Street
Milford, DE 19963

Re: Award Recommendation – 138 kV Substation, Switching Facilities, and 138 kV Tap Station

Dear Mr. Carmean:

Sealed bids were received, publicly opened, and read on April 3, 2012 for furnishing the substation and switching facilities for the 138 kV Tap Station and Delivery #2 Substation. As shown by the enclosed tabulation of bids received, Tatman Associates, Inc. submitted the lowest cost proposal for the base bid in the amount of \$492,800.00. Tatman Associates, Inc. does not maintain a Professional Engineering license for the State of Delaware, but has agreed, in writing, to obtain a Delaware license should they be awarded the contract. Therefore it is our recommendation that the City accept the proposal from Tatman Associates, Inc. and purchase the substation and switching facilities in the amount of \$492,800.00.

Please notify us of your decision in order that we may prepare the necessary contract documents for execution.

Should you have questions or comments, please call.

Very Truly Yours,

PROGRESSIVE ENGINEERING CONSULTANTS, INC.

By: Michael A. Dawson, P.E.
Via Electronic Email

Enclosures

mad/MAD
041812RC



Milford
Parks & Recreation
Department

Gary L. Emory, *Director*
Mary Glennen Betts, *Recreation Superintendent*
Carroll B. Jester, *Park Superintendent*
Keith Short, *Parks & Recreation Supervisor*
Doreen Wrightsman, *Office Manager*

visit the City of Milford at www.cityofmilford.com

April 18, 2012

Mayor Joseph "Ronnie" Rogers
Milford City Council

Dear Mayor Rogers and Milford City Council,

The Milford Parks and Recreation Department requests approval for the Mispillion Greenway Goat Island Nature Trail Design Phase be awarded to Landscape Architectural Services. The proposed design fee totals \$114,984.00. Please see attached packet.

Thank you for your consideration in this matter.

Sincerely,

Gary L. Emory, Director
Milford Parks and Recreation



**LANDSCAPE
ARCHITECTURAL
SERVICES, L.L.C.**

Matthew T. Spong, R.L.A., ASLA
Trisha Sawicki, ASLA

City of Milford
Dept. of Parks & Recreation
207 Franklin St.
Milford, DE 19963
Attn: Mr. Gary Emory, Director

HAND DELIVERED
April 18, 2012

Dear Gary,

Landscape Architectural Services, LLC is thrilled to have been selected to provide professional services for the Goat Island Nature Trail.

Attached please find the following items to be submitted to the City Council and Mr. Jeff Niezgoda, Planning supervisor and TE Administrator at DelDOT, to move this project forward.

1. Standard Form of Agreement Between Owner (City of Milford) and Architect (Landscape Architectural Services, LLC) for Project of Limited Scope dated 4/16/12.

Please note the following:

1. Landscape Architectural Services, LLC will provide the following professional services.

Landscape Architectural Services, LLC will prepare design development documents, will attend public and client meetings, prepare final cost estimates, assist in agency permit acquisition for DNREC, Subaqueous Lands, U.S. Army Corp of Engineers, Kent Conservation District, State Architectural Accessibility Board, compliance with Section 1-A of the Historic Preservation Act, prepare wetland delineation, prepare construction documents, prepare advertisement for bids, review bids and recommend contract award, coordinate with DelDOT for approvals for Owner administrated TE projects and provide contract administration services and meetings during the construction of the 1-mile Goat Island Nature Trail, Boardwalk and associated site improvements. Consultants will be hired by the Architect and utilized for land surveying, geotechnical analysis, Phase 1-A Historic and Cultural Analysis, structural engineering review and arborist (see article 4 and article 11.1 as well as attachments 1-5 of this agreement.

P.O. Box 293, Dover, DE 19903
e-mail: matt@las-llc.net

phone: 302-284-4578 fax: 302-284-0301
website: www.las-llc.net

The total fees for these services are \$114,984.17 and are broken down as follows;
Landscape Architectural Services, LLC fee for preparing all documents listed above ,
attending meetings, processing permits, coordinating with DeIDOT for approvals for an
Owner Administrated project, assisting the Owner with contract administration during
construction and coordinating with the needed consultants is \$87,440.53

The cost for our consultants for land surveying, geotechnical analysis, Phase 1-A
Historical and Cultural analysis, geotechnical analysis, structural engineering and arborist
is \$24,873.14

Other Costs for permitting, recorder of Deeds and notary (required for subaqueous lands
agreement), advertising for bids and printing costs \$2,670.50

Total Above is \$114,984.17

Please note that since this is a Transportation Enhancement (TE) funded project, we were
required to provide the Phase 1-A Historical and Cultural Resources analysis.
Additionally, we have included land surveying and geotechnical analysis services in our
fee, which are generally an owner provided cost. We additionally added the service of
Bill Pike because of this knowledge of the project. However, since these services are
needed for the project and we would like them to be utilized as a part of the project
sponsors match for construction funding, it should be easier to manage these match
costs by having them all under our contract.

2. A revised concept cost estimate :

This estimates the total project cost of \$1,035,868.10. Please note since we do not
have actual project survey data or a final design, these costs may vary due to final
design, material selections, etc. Of course we will keep you and the City Council up-
dated on the design options, costs , etc. as the project progresses. NOTE: removal of
the causeway is not included in this phase of the project, but may need to be
addressed in the future per discussions with DNREC.

3. A revised project schedule:

The schedule has been up-dated with the anticipation of approval of the professional
services contract in early May 2012. We still think that pending permit and DeIDOT
Approvals that construction may still begin in late 2012 and be completed in early
2013.

We area truly excited to have been selected to continue our 20-year history of assisting
the City of Milford in creating the Mispillion Greenway. We are anxious to help make
this challenging project a success that provides the recreational, educational and eco-

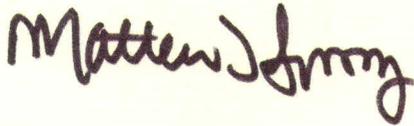
Goat Island Nature Trail
Landscape Architectural Services, LLC professional services agreement
page 3 of 3
4.18.12

tourism opportunities to residents and visitors to Milford, while protecting it's unique natural resources.

We think this project will become the crown jewel of the greenway and could become a major attraction in DNREC's proposed "Delaware Bay Shore Initiative"

Please contact me if you have any questions or if you need my assistance in moving this project forward.

With Best Regards,

A handwritten signature in dark ink, reading "Matthew T. Spong". The signature is written in a cursive, flowing style.

Matthew T. Spong, R.L.A., A.S.L.A., Principal

**BY-LAWS
OF
DELAWARE COMMUNITY FOUNDATION**

ARTICLE I

Membership

A. Qualifications. The Corporation's members (the "Members") shall consist of (1) the Corporation's directors (the "Directors"), (2) ten individuals, each of whom is a distribution advisor or other representative of a donor-advised or endowment fund held by the Corporation, selected by the Directors, and (3) all of the Corporation's past Directors (other than any such past Director who was removed from office by the Board of Directors (the "Board")) who indicate, in writing, a willingness to serve as Members. In selecting distribution advisors and other fund representatives to serve as Members, the Directors, acting in their sole discretion, shall select persons representing a broad cross section of the Corporation's donor-advised and endowment funds.

B. Term. A Member described in clause (1) of Section A above shall serve as a Member for so long as such person serves as a Director. A Member described in clause (2) shall serve as a Member for a term of three years or, if sooner, until such person ceases to be a distribution advisor or other representative of a donor-advised or endowment fund held by the Corporation. A Member described in clause (3) shall serve as a Member at the annual meeting of Members and for the ensuing twelve months if such person has indicated, in a writing delivered to the Corporation no more than ninety (90) days and no less than sixty (60) days prior to the annual Members meeting, a willingness to serve as a Member at that meeting and for the ensuing twelve months.

C. Powers and Duties. The Members shall elect the Directors and perform such other duties as the Directors determine from time to time.

ARTICLE II

Meetings of Members

A. Annual Meetings. The annual meeting of the Members shall be held at such time and place in Delaware as the Directors may from time to time determine.

B. Special Meetings. Special meetings of the Members may be called by the Chair or, in the case of the Chair's absence by the Vice Chair authorized to exercise the authority of the Chair, by the Directors by action at a meeting, by a majority of the Directors acting without a meeting, or by not fewer than 10% of the Members.

C. Notice of Meetings of Members. Notice of all meetings of Members shall be given not fewer than ten (10) days nor more than fifty (50) days before the date of such meeting by mailing the same to the usual business or residence address of each Member, but such notice may be waived by any Member. All such notices shall state the time, place, and purposes of the meeting. The Directors may provide for additional notice by publication or otherwise.

D. Voting. Each Member shall be entitled to one vote on each matter properly submitted to the Members. Except as otherwise specifically provided in these By-laws or as required by law, the Members shall act by the affirmative vote of a majority of the Members present at a meeting. The Members present at a meeting shall constitute a quorum, provided that no less than thirty-five Members (or, if less, one-third of the Members) are present at the meeting. Meetings of the Members may be held through any communication equipment if all persons participating can hear each other and such participation in a meeting shall constitute presence at such meeting.

ARTICLE III

Nominating Committee

A. Selection. The Directors shall appoint a Nominating Committee of at least five (5) persons who shall hold office until their successors are appointed.

B. Duties. The Nominating Committee shall offer the names of nominees for election as Directors or to fill vacancies on the Board at the annual or any special meeting of the Members. The Nominating Committee shall offer the names of the persons to be elected or to fill vacancies as officers and/or members of the Executive Committee at an annual, regular or special meeting of the Board. All nominees offered by the Nominating Committee shall be selected with a view to carrying out and accomplishing the purpose stated in Section A of Article IV pertaining to qualifications of Directors.

ARTICLE IV

Directors

A. Number and Qualifications of the Board of Directors. The Board shall consist of not less than ten (10) or more than thirty-five (35) individuals who shall reside in or near or otherwise be closely identified with the State of Delaware. One Director shall represent the Fund For Women held by the Corporation and shall be appointed by the Advisory Committee of the Fund For Women or, if there is no Advisory Committee then serving, the Director shall be appointed by the Chair of the Corporation's Board of Directors from among the Founders of the Fund For Women. The Governor of the State of Delaware shall appoint one Director. The President of the United Way of Delaware shall serve, ex officio, as a Director. Directors shall be elected on the basis of their knowledge of the educational, cultural, civil, moral, public and other charitable needs of the Delaware community, and on the basis of their activity in or representation of community or charitable institutions or organizations in the area. The

purpose of this provision is to make the Board of Directors generally representative of the public interest in these needs within the State of Delaware. Directors shall serve without compensation but may be reimbursed for reasonable expenses incurred for the Corporation.

B. Term of Office. Except as otherwise expressly provided in this Section B, the term of the Directors shall be for three years, except in the case of Directors elected to fill vacancies, who shall serve for the unexpired term of their predecessors. Except in the case of an officer who is automatically serving as a Director in accordance with the last sentence of this Section B, no person shall succeed himself or herself as Director after serving two full consecutive three-year terms. Twelve full months must elapse before such person is again eligible for appointment or re-election to the Board of Directors. The United Way of Delaware President shall serve as a Director for so long as such person serves as the United Way of Delaware President. The Director appointed by the Governor of the State of Delaware shall serve as a Director until the earlier of the date upon which such person is replaced by the Governor or the date upon which the Governor's term of office expires. The Corporation's immediate Past Chair, Chair, Vice Chair, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer, and all of the Corporation's other officers shall automatically serve as Directors for so long as they hold such offices and shall not be counted for the purpose of determining the maximum number of Directors.

C. Termination. The Directors, by majority vote of the entire Board, may remove any Director who ceases to qualify as a Director. Vacancies on the Board shall be filled by the majority vote of the Directors then serving, although less than a quorum.

D. Powers and Duties of the Board of Directors.

1. Except as otherwise provided in the Certificate of Incorporation or these By-laws, all of the powers of the Corporation shall be exercised by the Board. Without limiting the generality of the foregoing:

a) The Directors shall have general responsibility for the affairs, property and assets of the Corporation. The Directors shall carry out the aims and purposes of the Corporation and manage and control all the Corporation's assets.

b) The Directors shall exercise, in the best interest of the Corporation, the powers described in Treasury Regulation § 1.170A-9(e)(11)(v)(B), (C), and (D). The Directors shall obtain information and take other appropriate steps to reasonably assure that each trustee, custodian or agent having custody of funds of the Corporation described in Treasury Regulation § 1.170A-9(e)(11)(v)(F) shall administer such funds in accordance with the provisions of that Treasury Regulation. The Directors shall take appropriate actions to make the Corporation and its purposes known within Delaware and in that connection shall seek gifts to the Corporation from a wide range of potential donors within Delaware.

2. The Directors may, from time to time, consult persons whose advice, assistance and support may be deemed helpful in determining policies and formulating programs for carrying out the Corporation's purposes. The Directors are authorized to engage such persons, including an executive director and assistants, attorneys, trustees, custodians and agents, as in their opinion are needed for the administration of the Corporation and to pay reasonable compensation for services and expenses thereof.

3. The Directors shall have the authority to form, or enter into relationships with, other organizations described in Section 501(c)(3) of the Internal Revenue Code of

1986, as amended (the “Code”), including organizations operated for the benefit of and to carry out the purposes of the Corporation, in which case the Corporation may exercise such supervision and control over any such organization as is necessary to qualify that organization as an organization described in Section 509(a)(3) of the Code and the regulations thereunder.

E. Meetings.

1. An annual meeting of the Directors for the election of officers and transaction of such business as may properly come before the meeting shall be held within twenty-one (21) days following the annual meeting of Members. The Directors shall hold such regular meetings at such time and place as may be fixed by the Directors or the Chair. Special meetings of the Directors may be called by the Chair and shall be called by the Chair upon the request of any two Directors. One-third of the Directors shall constitute a quorum.

2. Notice of all Directors meetings, except as herein otherwise provided, shall be given by mailing the same at least ten (10) days before the meeting to the usual business or residence address of each Director but such notice may be waived by any Director. At any meeting at which every Director shall be present (even though without any notice or waiver thereof) any business may be transacted. Presence at any meeting shall constitute a waiver of notice for that meeting.

3. Except as otherwise specifically provided in these By-laws or as is required by law, the Directors shall act by majority vote at a meeting at which a quorum is present.

4. Meetings of the Directors may be held through any communications equipment if all persons participating can hear each other and such participation in a meeting shall constitute presence at such meeting.

5. The Directors may act without a meeting by unanimous written consent.

F. Miscellaneous.

1. The independent auditor appointed or approved by the Directors shall, at least annually, prepare for the Corporation a financial statement, including a statement of assets and liabilities, and a statement of income, expenses, and distributions, and a list of projects and/or organizations to, or for, which funds were used or distributed for charitable purposes, and such additional reports or information as may be ordered from time to time by the Directors. The auditor shall also prepare such financial data as may be necessary for returns or reports required by the state or federal government to be filed by the Corporation.

2. The Directors shall distribute an annual written report of the Corporation's financial condition and activities to the Members, the Advisory Council (as described in Article VII), and such other persons in the State of Delaware as will, in the opinion of the Directors, reasonably inform the interested public of the operations of the Corporation.

ARTICLE V

Officers

A. The officers of the Corporation shall be a Chair who shall be a Director and who shall chair the Board of Directors and chair the Executive Committee, a Vice Chair, a Secretary, and a Treasurer. The Directors may also elect Vice Presidents, an Assistant Secretary, an Assistant Treasurer, and such additional officers as the Directors deem desirable. The officers shall be chosen by the Directors and the Directors may choose one person to hold two offices except the offices of Chair and Secretary, and the offices of Chair and Vice Chair. Officers shall hold office until the date fixed pursuant to these By-laws for the annual meeting of the Directors next following the election of such officers, and until their successors are elected and qualified. No person shall serve as an officer for more than six (6) consecutive one-year terms. Twelve full months must elapse before such person is again eligible for re-election as an

officer of the Corporation. In the case of any person appointed as an officer while serving as a Director, service as an officer during the remainder of his or her unexpired term as a Director shall not be taken into account for purposes of the foregoing limitation upon the number of consecutive terms one may serve as an officer.

B. The officers of the Corporation shall have such authority and shall perform such duties as are customarily incident to their respective offices and such other and further duties as may from time to time be required of them by the Directors or the Chair.

ARTICLE VI

Committees

A. Executive Committee. The Directors may create an Executive Committee of five (5) or more Directors, including the Chair, Vice Chair, and immediate Past Chair, the members of which shall be elected by the Directors from a slate presented by the Nominating Committee to serve at the pleasure of the Directors for a term of one year. Members of the Executive Committee, all of whom shall be members of the Board, shall be elected on the basis of criteria that will insure that the Executive Committee is representative of the public interest in the charitable needs of the Delaware community. Except for the power to fill vacancies in the Nominating Committee or the Board of Directors and as may otherwise be provided by the Board, the Executive Committee shall, during intervals between the meetings of the Board, possess and may exercise all of the powers of the Board in the management of the affairs of the Corporation, including the responsibility and power to determine the distribution of property of the Corporation as provided in Article IX of these By-laws (subject to the provisions of the Certificate of Incorporation and these By-laws), authority over the investment policies with respect to the property of the Corporation, whether held directly or through trustees, custodians, or agents, and such other duties and authority as may be delegated to it by the

Board. A majority of the members of the Executive Committee present at any meeting shall constitute a quorum. The Executive Committee shall keep full records and accounts of its proceedings and transactions. All actions by the Executive Committee shall be reported to the Board at the Board's meeting next succeeding such action and shall at all times be subject to control, revision and alteration by the Board, provided that no rights of third persons shall be prejudicially affected thereby. Vacancies in the Executive Committee shall be filled for the unexpired term by the Board, and the Board may appoint one or more Directors as alternate members of the Executive Committee who may take the place of any absent member or members at any meeting.

B. Other Committees of the Board. In addition to the Nominating Committee and the Executive Committee, the Board may appoint an Investment Committee, an Audit Committee, a Finance Committee, a Grants Committee, a Development Committee, and such other standing or special committees as the Board deems desirable and discontinue the same at its pleasure. Each such committee shall consist of one (1) or more Directors elected by the Board, and such other persons as shall be selected by the committee's chair. Each such committee shall have such powers and perform such duties as may be delegated to it by the Board.

C. Advisory and Other Committees. The Board may provide for such other committees and advisory groups consisting in whole or in part of non-Directors, as it deems desirable, and discontinue the same at its pleasure. Each such committee shall be advisory to the Board and have such powers and perform such duties or functions as may be prescribed for it by the Board. Appointments to and the filling of vacancies on such committees shall be made by the Chair unless the Board otherwise provides. All actions by each such committee shall be

reported to the Board at the Board's meeting next succeeding such action and shall at all times be subject to control, revision, and alteration by the Board, provided that no rights of third parties shall be prejudicially affected thereby.

ARTICLE VII

Advisory Council

A. The Corporation shall have an advisory council comprised of such number of advisors (the "Advisors") as the Directors determine from time to time.

B. Qualifications. The Directors shall, from time to time, establish the requirements for qualification as an Advisor.

C. Term. Each Advisor shall remain an Advisor for so long as he or she continues to satisfy the requirements for qualifications as an Advisor.

D. Annual and Special Meetings. The Advisors shall meet annually. The annual meeting of the Advisory Council shall be held at such time and place in Delaware as the Directors shall determine. The Directors shall inform the Advisors at the annual Advisory Council meeting concerning the Corporation's actions taken subsequent to the most recent prior annual Advisory Council meeting. The Directors may call special meetings of the Advisors from time to time.

E. Powers and Duties. The Advisors shall:

1. Upon the request of the Directors, consult with the Directors and advise the Directors about any matters affecting the Corporation.

2. Explain the purposes and method of operation of the Corporation to others and seek to promote the Corporation's growth.

3. Advise the Directors and staff of the Corporation of the resources, needs, problems, and conditions that exist in the Delaware community, and, to the extent possible as a

result of the Advisors' familiarity with such community, assist the Corporation, and its Directors and staff in their activities and contacts in the community.

4. Be available to serve on committees established by the Directors such as, but not limited to, Nominating, Grant Making, and Investment.

ARTICLE VIII

Gifts to the Corporation

A. Donors may make gifts to the Corporation outright or in trust. Gifts shall vest in the Corporation upon acceptance.

B. Donors may designate, subject to the approval of the Board of Directors, one or more persons to have custody of and administer the investment of a gift.

C. Each donor, by making a gift to the Corporation, accepts and agrees to all the terms of the Corporation's Certificate of Incorporation and these By-laws, including those terms providing for possible modification or termination of restrictions or conditions placed upon the gift by the donor.

D. If a gift is made in trust, the trust fund shall not be treated as a component part of the Corporation for purposes of Treasury Regulation § 1.170A-9(e)(11).

E. Any donor, with respect to a gift made by such donor to the Corporation and within such limits of policy as the Corporation from time to time may declare in writing, may give directions in the instrument of gift or transfer as to (i) field of charitable purposes or particular charitable organizations or purposes to be supported, (ii) manner of distribution including amounts, times, and conditions of payments and whether from principal and/or income, and (iii) a name (as a memorial or otherwise) for a fund given, or addition to a fund previously held, or anonymity for the gift.

F. No gift shall be required to be separately invested or held unless the donor so directs, or it is necessary to do so in order to follow any other direction by the donor as to purpose, or in order to prevent tax disqualification, or it is required by law. In the absence of contrary instructions from its donors, directions for naming a fund as a memorial or otherwise may be satisfied either by keeping under such name accounts reflecting appropriately the interest of such fund in each common investment or by commingling the fund with others but referring in the Corporation's literature and other commemorative communications to the amount of the gift at the time it was received by the Corporation.

ARTICLE IX

Administration of Funds

A. Each fund of the Corporation shall be (i) used solely for charitable purposes, (ii) invested to produce a reasonable return of net income over a reasonable period of time which net income shall be distributed annually (or if accumulated is to be accumulated only in a reasonable amount and for a reasonable period for a charitable purpose or purposes), and (iii) used only for such purposes and in such manner as not to disqualify the gift from deduction as a charitable contribution, gift, or bequest in computing any federal income, gift, or estate tax of the donor or the donor's estate and not to disqualify the Corporation from exemption from federal income tax as an organization described in Sections 501(c)(3) and 509(a)(1) of the Code. A donor may not impose any material restriction or condition that prevents the Corporation from freely and effectively employing the transferred assets or the income derived therefrom, in furtherance of the Corporation's charitable purposes. If a direction by the donor, however expressed, would, if followed, result in a violation of the provisions of these By-laws, or if the Board is advised by counsel that there is substantial risk of such result, the direction shall not be followed, but shall be varied by the Board so far as necessary to avoid such result

except that if the donor has clearly stated that compliance with the direction is a condition of the gift then the gift shall not be accepted unless an appropriate judicial or administrative body first determines that the condition and direction need not be followed. For purposes of these By-laws, “charitable purposes” includes educational, religious, scientific, public and other purposes contributions for which are deductible under Sections 170(c)(1) and 170(c)(2)(B) of the Code and “qualified charitable organization” means an organization which is described in Section 170(c)(1) or (2) of the Code.

B. Notwithstanding any provision in these By-laws or in any instrument of transfer creating or adding to a fund of this Corporation, the Board shall have the power to modify any restriction or condition on the distribution of funds for any specified charitable purposes or to specified organizations if in the sole judgment of the Board (without the necessity of the approval of any other person), such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the charitable, benevolent, cultural, civic, health, scientific and educational needs of the Delaware community. The Board shall exercise this power at a meeting by the affirmative vote of a majority of the members of the Board. The Board shall have the power to replace any trustee, custodian, or agent holding or administering any fund of the Corporation for breach of fiduciary duty under the laws of the State of Delaware; and to replace any such trustee, custodian, or agent for failure to produce a reasonable (as determined by the Board of Directors) return of net income (or appreciation when not inconsistent with the Corporation’s need for current income) with due regard to safety of principal, over a reasonable period of time (as determined by the Board of Directors). In determining whether there is a reasonable return of net income with respect to the exercise of the power described above, (i) there shall be excluded from such determination such assets as are

held for the active conduct of the Corporation's exempt activities; and (ii) such determination shall be made separately with respect to each restricted fund and shall be made in the aggregate with respect to the unrestricted funds of the Corporation. A "restricted fund" means a fund, any income of which has been designated by the donor of the gift or bequest to which such income is attributable as being available only for the use or benefit of a named charitable organization or agency or for the use or benefit of a particular class of charitable organizations or agencies, the members of which are readily ascertainable and are less than five in number. If it appears that there may be grounds for exercising the power described above with respect to any fund, the Board of Directors shall notify the trustee, custodian, or agent involved and provide a reasonable opportunity for explanation and/or correction. Before exercising the powers granted to the Board of Directors hereunder, the Board of Directors may seek advice of legal counsel as to whether a breach or failure to produce a reasonable return has been committed under the laws of the State of Delaware. The Board of Directors shall exercise a power described herein only upon the vote of a simple majority of the members of the Board of Directors. Upon the exercise of the powers described herein to replace any trustee, custodian, or agent, the Board of Directors shall have the power to select a successor trustee, custodian, or agent to whose custody the fund or funds held by the former trustee, custodian, or agent shall be transferred.

ARTICLE X

Grants and Fund Distributions

A. The Directors shall determine the amounts and recipients of grants made by the Corporation. These grants shall be made at such times and with the accompanying restrictions, if any, as the Board deems necessary to assure use for the charitable purposes and in the manner intended.

B. The Board shall gather and analyze facts and conduct investigation and research as from time to time is necessary in order to determine the most effective agencies and means for meeting the needs of the Delaware community through application of funds for charitable purposes and may direct disbursements for such fact gathering and analysis, investigation, and research from funds given for such purposes or from funds given without designation as to purpose. Disbursements for other proper administrative expenses incurred by the Board of Directors, including salaries for such professional and other assistance as the Board from time to time deems necessary, shall be directed to be paid so far as possible, first from any funds designated by the donor for such purpose, and any balance out of income of the funds of the Corporation or such of its principal as is not specifically restricted from such use.

C. The Board may, in furtherance of the Corporation's charitable purposes when needs therefore have been determined and with appropriate provisions to assure use solely for such purposes, direct distributions to such persons, organizations, governments, or governmental agencies as in the opinion of the Board can best carry out such purposes or help create new qualified charitable organizations to carry out such purposes.

ARTICLE XI

Indemnification

The Corporation shall indemnify to the fullest extent permitted by law any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he or she is or was a director, officer or employee of the Corporation or any predecessor of the Corporation or serves or served any other organization, trust or enterprise as a director, officer or employee at the request of the Corporation or any predecessor of the Corporation.

ARTICLE XII

Books and Records

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Members, Board of Directors, Advisory Council and committees having any of the authority of the Board.

ARTICLE XIII

Corporate Seal

The Board may provide a seal for the Corporation, which shall be in the charge of the Secretary or such other officer as the Board may from time to time direct, and shall be affixed to such documents as may require the corporate seal.

ARTICLE XIV

Fiscal Year

The fiscal year of the Corporation shall be the twelve-month period ending on the last day of June, or such other period as may be designated by the Board.

ARTICLE XV

Amendments

These By-laws may be amended or repealed by a majority vote of the Directors present at a meeting of the Board provided that no proposed amendment to, or proposal for repeal of, these By-Laws may be presented for a vote at a meeting of the Board unless (i) the notice of the meeting, given in accordance with Section E of Article IV, expressly states that a vote upon the proposed amendment or proposal for repeal, as the case may be, shall be called at the meeting, and (ii) the proposed amendment or proposal for repeal, as the case may be, was presented, in writing, to the Directors at a prior meeting of the Board with copies of the writing provided with the notice of the meeting at which the vote is to be held.



Milford Workforce Development Commission Scholarship Fund
Organization Advised Designated Fund Agreement

We, the City of Milford, desire to establish the Milford Workforce Development Commission Scholarship Fund (hereinafter called the "Fund"), at the Delaware Community Foundation (hereinafter called the "DCF").

To launch the fund we transfer, convey and pay over to the DCF the assets described below:

We desire that the income and principal from the Fund be available for disbursement to the City of Milford in accordance with the charitable purposes set forth in the Bylaws of the DCF. Disbursements shall be made by designated officers of the Board of Directors of the DCF after receiving the advice in writing from a designated individual (or the City Manager or the Finance Director) of the City of Milford, who has been authorized to provide instructions to the DCF. Recommendations for grants, expenses and other distributions shall be made in writing by letter delivered to DCF stating how the funds are recommended to be used. Should the designated individual(s) be unable or unwilling to perform its duties, we wish that the DCF form an Advisory Committee to recommend grants which are consistent with the purposes as stated above. DCF agrees to provide written notice to the City of Milford at least 60 days before forming an Advisory Committee.

The DCF is authorized to accept additional contributions to the Fund in terms substantially similar to those set forth herein. All earnings on contributions to the fund, if any, shall be deemed additions to the fund. The DCF will provide gift acknowledgement letters to donors if it has been provided with the correct names and address, the gift amounts and what portion is tax deductible. The DCF, if requested, will provide a periodic list of individual donor names and the total fund balance to the individual(s) authorized to provide instructions to the DCF. The amounts of individual donor contributions are confidential and will not be disclosed.

We request that DCF create a system to track and report gifts received from students, employers and the public. We further understand that DCF, upon request as outlined above, will make distributions to the City of Milford, or other such eligible recipients, who will determine grantees and amounts based on the parameters of the Scholarship Program, as we may determine from time to time.

Investment of Assets: We understand that the assets of the fund will be invested in the DCF Money Market Fund.

Administrative Fees: Administrative Fees for this special purpose fund are based on projected administrative requirements. For this Fund, the administrative fee shall be: 5% percent of disbursement(s), charged to the Fund at the time of disbursement(s). Fees are subject to a mutually agreed upon adjustment if there are material changes in the level of activity or services rendered.

The DCF is a tax-exempt public charity as defined by Sections 501(c) (3) and 509(a) (1) of the Internal Revenue Code. Nothing contained in this Agreement shall be construed in such a way as to jeopardize the DCF's tax-exempt status. The Fund shall be subject to the DCF's Articles of

Milford Workforce Development Commission Scholarship Fund

Page 2

Incorporation and Bylaws, each as amended and restated from time to time, consistent with Delaware Law regarding fiduciary responsibilities and with the preservation of the DCF's status as an organization described in sections 509(a)(1) and 170(b)(1)(A)(iv) of the Internal Revenue Code of 1986.

We are familiar with and accept the terms of the Procedures for Establishment and Operations of Funds and Article VIII of the Bylaws of the DCF. We also understand that the DCF, through its duly authorized officers of the Board of Directors, reserves the right to make the final decision regarding distributions from the Fund. If the Organization specified above or their legal successors cease to exist or are unable to perform its charitable purposes, the Fund shall benefit similar organizations with comparable missions.

The DCF shall appropriately memorialize the Fund for as long as the Fund remains in existence. All distributions shall be identified as provided through the Milford Workforce Development Commission Scholarship Fund.

Signed this _____ day of _____, 2012

CITY OF MILFORD, DELAWARE

By: _____

By: _____

Accepted this _____ day of _____, 2012

DELAWARE COMMUNITY FOUNDATION - TIN: 22-2804785

By: _____

Fred C. Sears, II
President and CEO
Delaware Community Foundation
PO Box 1636
100 W. 10th Street, Suite 115
Wilmington, DE 19899

Fund # _____

PUBLIC NOTICE

Notice of City of Milford Ordinance Review

The following ordinance is currently under review by Milford City Council:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF MILFORD BY ADDING A NEW CHAPTER ENTITLED DISORDERLY PREMISES.

ORDINANCE 2012-08

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

Amend the City of Milford Code by adding a new Chapter entitled Disorderly Premises to read as follows:

Disorderly Premises.

§1. Definitions.

For purposes of the "Disorderly Premises" ordinance, the following definitions shall apply:

(a) "Person" shall be defined as "any owner, owner's agent, manager, caretaker, tenant, occupant and/or Person occupying and/or responsible for any residential, commercial or any other premises located in the City of Milford regardless of whether it be a Person or artificial entity.

(b) "Unauthorized Conduct" shall be defined as "any conduct which causes public inconvenience, annoyance, alarm or danger to a reasonable Person, has the reasonable likelihood of causing public inconvenience, annoyance, alarm or danger or disrupts the quiet use, enjoyment and good order of adjoining and surrounding properties including, but not limited to, engaging in fighting or in violent, tumultuous, or threatening behavior, making unreasonable noise or an offensively coarse utterance, gesture or display or addressing abusive language to any person present, obstructing vehicular traffic or pedestrian traffic, creating a hazardous or physically offensive condition which serves no legitimate purpose or engaging in any unlawful conduct.

§2. Violations.

It shall be unlawful for any Person to engage in any Unauthorized Conduct at any time on any premises located in the City of Milford. Any Person who fails to obey the order of a Police Officer to dispel and disperse or otherwise discontinue the Unauthorized Conduct

may be cited for an additional violation of this Chapter.

§3. Presumptions.

Any Person who occupies or exercises any control over the premises where the violation of Subsection B hereof has occurred, or where the violation of Subsection B originated should the violation move immediately to another public venue, shall be presumed to allow, suffer or permit such conduct after receiving notice that such conduct has occurred and shall be in violation of this Chapter if a further violation of Subsection B occurs within one hundred eighty (180) days of receiving said notice.

§4. Notice of Violation.

(a) Notice is properly served upon a Person if a copy of such notice is:

- (1) delivered to the Person personally;
- (2) hand delivered to the Person's registered office ;
- (3) left at the Person's usual place of abode or business, in the presence of an employee or family member who has reached the age of majority, whichever the case may be, who shall be informed of the contents of such notice;
- (4) sent by certified mail, return receipt requested addressed to the Person at the Person's last known address; or
- (5) sent by certified mail, return receipt requested to the mailing address of the owner of the subject premises as recorded on the City of Milford Assessment Records.

(b) After service of notice, the Person shall make a good faith effort to develop a plan of action with the City Council of Milford and the City of Milford Police Department to prevent further violation of Subsection B. Failure to make such effort to develop the plan shall be considered a violation of Subsection B.

§5. Fines and Penalties.

Any Person convicted of a violation of this Chapter shall be fined no more than one thousand dollars (\$1,000.00) for any offense but no less than one hundred dollars (\$100.00) for the first offense, no less than three hundred dollars (\$300.00) for the second offense, and no less than five hundred dollars (\$500.00) for each subsequent like offense.

In the event the Person convicted is a minor, the minor's parents or guardian, shall be financially responsible for the payment of any and all fines assessed under this provision. In any prosecution for any offense under this Chapter, it shall be an affirmative defense, which must be proved by the preponderance of the evidence, that the tenant or occupant has been evicted and is no longer on the premises, or if there is pending at the time of trial an eviction action against the tenant or occupant of the premises which action is being

pursued in good faith. Otherwise the fines imposed under this Subsection shall not be suspended.

§6. Additional Expenses.

Any Person convicted of a violation of this ordinance shall be responsible for any and all additional expenses incurred by the City of Milford as a result of the Person's Unauthorized Conduct and shall indemnify the City of Milford and its personnel from any claims for loss or damage to person or property (real or personal) that may directly or indirectly be occasioned by the Unauthorized Conduct. In the event the Person convicted is a minor, the minor's parent or guardian shall be financially responsible for the payment thereof.

Additional expenses shall include, but shall not be limited to, attorneys' fees, court costs and expenses incurred in conjunction with any such claim, removal of all debris and litter from public property and surrounding properties affected by the Unauthorized Conduct, damage to personal property located on public property and surrounding properties, the cost of retaining outside law enforcement and/or other emergency assistance, the cost for police officers or other emergency personnel to appear in court, damages to personal or real public property, and personal injury damages (including death) to City of Milford employees and other outside law enforcement and/or emergency personnel.

§7. Non-Payment of Fines and Additional Expenses; Lien on Real Estate and Cause of Action for Recovery.

In the event a Person convicted of a violation of this ordinance fails or refuses to comply with a order of the City of Milford Police Department and/or the City of Milford Code Enforcement Officer, after due notice thereof, either actual or constructive, to remit payment for any fines or additional expenses owed in accordance with Subsections E and F. Hereof, said amounts shall be charged against the real estate upon which the violation occurred and shall be a lien upon such real estate. Upon certification of a lien to the appropriate City or Official by the City of Milford Police Department and/or the City of Milford Code Enforcement Officer, the amount of such lien shall be recorded in the Office of the Recorder of Deeds in the County where the property is located. The City Manager, in the name of the City of Milford, may institute suit before any Justice of the Peace within Kent County or Sussex County, or in the Court of Common Pleas in and for Kent or Sussex County, or in the Superior Court of the State of Delaware, for the recovery of the unpaid additional expenses in an action of debt, and upon judgment obtained, may sue out writs of execution as in case of other judgments recovered before a Justice of the Peace or in the Court of Common Pleas or in the Superior Court as the case may be.

§8. Enforcement.

This Chapter shall be enforced by the City of Milford Police Department and/or the City

of Milford Code Enforcement Officer. Jurisdiction for violations of this ordinance shall be in the Justice of the Peace Court.

Section 2. Dates.

Introduction: 04/19/2012

Adoption: 04/23/2012

Effective: 05/03/2012

041912