

City of Milford



AGENDA

Council Meeting

January 28, 2008

*Delaware Rural Water Association Meeting Room, 210 Vickers Drive,
Greater Milford Business Park, Milford, Delaware*

6:00 P.M. - Special Meeting

Call to Order-Mayor Joseph R. Rogers
Motion for Executive Session
Return to Regular Session
Adjourn

Executive Session
RE: Personnel Matter

7:00 P.M.

Public Hearing - Change of Zone
R. Calvin Clendaniel Associates on behalf of Kent Sussex Auto Care
914 North Walnut Street
Tax Map MD-16-174.18-01-15.00

Public Hearing - Minor Subdivision-Final
Lynn and Karen McColley
416 Northeast Tenth Street
R-2 District
Tax Map MD-16-174.19-01-01.00.

Meeting

Call to Order-Mayor Joseph R. Rogers
Presentation to Retired Milford Police Captain Chris Plack/Mayor Joseph Rogers
Appointment of City of Milford Planning Commissioners
Transfer of Property/Rear Entrance to High School/Sale or Lease
Introduction of Ordinance 2008-2/Amendment Chapter 230/Zoning Code/Water Source*
Request to Rename Games Drive*
Temporary Amendment to City of Milford Code/Chapter 21/Voter Registration Deadline/Special Election**
Adjourn

WorkShop

Call to Order - Mayor Joseph R. Rogers
Historic Preservation Ordinance Draft
Adjourn

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**

NOTICE IS HEREBY GIVEN that the City Council of the City of Milford will hold a Public Hearing on Monday, January 28, 2008 at 7:00 p.m., or as soon thereafter as possible, in the Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware to take final action upon the matter of:

R. Calvin Clendaniel Associates on behalf of Kent Sussex Auto Care for a Change of Zone from C-3 to R-3 for a portion (1.50 acres) of the 4.31 +/- acres located at 914 North Walnut Street, Milford, Delaware to permit low-rise apartments. Tax Map MD-16-174.18-01-15.00.

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 prior to the hearing date.

Please direct all questions or comments to the City Planner at 302-422-6616 extension 174.

By: Terri Hudson, CMC

11/15/07 11/16/07

City of Milford



PUBLIC NOTICE

CITY OF MILFORD PLANNING COMMISSION HEARING

NOTICE IS HEREBY GIVEN that the following applicant has filed an application for development with the Planning Department of the City of Milford:

R. Calvin Clendaniel Associates on behalf of Kent Sussex Auto Care for a Change of Zone from C-3 to R-3 for a portion (1.50 acres) of the 4.31 +/- acres located at 914 North Walnut Street, Milford, Delaware to permit low-rise apartments. Tax Map MD-16-174.18-01-15.00.

A Public Hearing is scheduled for Tuesday, December 18, 2007 at 7:00 p.m., or as soon thereafter as possible, in the Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware.

All parties of interest are hereby notified to be present for the review and recommendation by the Planning Commission to City Council. Final approval must be granted by City Council.

If unable to attend, written comments will be accepted in advance of the hearing. Questions or comments should be directed to the City Planner at 302-422-6616 extension 174.

By: Terri Hudson, CMC

11/15/07

CITY OF MILFORD
DELAWARE



THE GARDEN CITY OF TWIN COUNTIES

PLANNING AND ZONING DEPARTMENT
(302) 422-6616
FAX # (302) 424-5933

201 S. WALNUT STREET
PO BOX 159
MILFORD, DELAWARE 19963

SITE PLAN CONDITIONAL USE APPLICATION
SUB-DIVISION VARIANCE CHANGE OF ZONE

The undersigned hereby makes formal application to the City of Milford for the approval of change of zone for the property described below. Applications shall be represented at the appropriate meetings or hearing. The applicant is aware that no applications will be accepted if violations exist or if any service fees, including taxes, are delinquent.

OWNER NAME: Kent-Sussex Auto Care
SANJIV N. SHAH & PARESH G. PAREKH PHONE NUMBER: 422-3337
ADDRESS: 914 N. WALNUT ST., MILFORD, DE 19963

SIGNATURE: Sanjiv N. Shah, Parash G. Parekh DATE: Nov. 9, 2007
PLEASE NOTE: LEGAL OWNER MUST SIGN APPLICATION! FEE: \$ 1,150.-

APPLICANT NAME: R. CALVIN CLENDANIEL ASSOCIATES PHONE NUMBER: 422-5347
ADDRESS: P.O. BOX 125, LINCOLN, DE 19960

SITE LOCATION: ROAD SALEVAN PLACE N, S, E, W SIDE _____ FEET N, S, E, W OF _____
ROAD _____ SUBDIVISION NAME: _____ LOT NUMBER: _____
SITE ADDRESS: (EXISTING) 914 N. WALNUT ST.

ZONING: EXISTING: C-3 PROPOSED: R-3 TAX MAP NUMBER: 5-16-1748-01-1500-0000

PRESENT USE: UNDEVELOPED PROPOSED USE: LOW-RISE APARTMENTS

AREA OF PETITION: 4.31 ^{TOTAL:} / 1.50 ^{Change:} AC AREA OF ADJACENT LAND IN SAME OWNERSHIP: .313 AC

SANITARY FACILITIES:	EXISTING	<u>X</u>	PROPOSED	_____
ELECTRIC SUPPLY:	EXISTING	<u>X</u>	PROPOSED	_____
WATER SUPPLY:	EXISTING	<u>X</u>	PROPOSED	_____
DWELLING UNITS:	EXISTING:	<u>0</u>	PROPOSED:	<u>24</u>
FRONT SETBACK:	REQUIRED:	<u>30</u> FT	PROPOSED:	<u>30</u> FT
REAR SETBACK:	REQUIRED:	<u>15</u> FT	PROPOSED:	<u>15</u> FT
SIDE SETBACKS:	REQUIRED:	<u>8</u> FT	PROPOSED:	<u>8</u> FT

WETLANDS ON SITE? YES NO COMPREHENSIVE PLAN RECOMMENDATION: _____
ZONING CHAPTER 230, ARTICLE _____
VARIANCE INFORMATION (IF APPLICABLE): _____

CONTACT FOR APPLICATION: ROBERT C. CLENDANIEL PHONE: 422-5347

APPLICATION RECEIVED BY: Christine Crouch DATE: 11.9.07

DAC MTG: 11.28.07 P.C. MTG: 12.18.07 COUNCIL MTG: 01.28.08

B.O.A. MTG: _____



J. FRANK SALVENDY SUECTION
FIRST & SECOND ADDITION
R-2 ZONE

J. FRANK SALVENDY SUECTION
FIRST & SECOND ADDITION
R-2 ZONE

PROPOSED GRANTS OF ZONE AREA
PROPOSED LOT AREA: 61,846 S.F. (1.50 ACRES)

SANJIV N. SHAH &
PARESH G. PAREKH
C-3 ZONE

HEILARY KRIM
R-2 ZONE

NEW PEOPLES PLACE II, INC.
R-2 ZONE

AREA OF LOT TO REMAIN C-3 ZONE
PROPOSED LOT AREA: 122,865 S.F. (2.81 ACRES)

SANJIV N. SHAH
C-3 ZONE

PLOT PLAN SHOWING PROPOSED AREA OF SUBDIVISION
AND ZONE CHANGE OF PROPERTY OF
SANJIV N. SHAH & PARESH G. PAREKH

914 N. WALNUT ST., MILFORD, DE 19963
TAX MAP # 5-16-17418-01-1500-000



SCALE: 1" = 60'

City of Milford



PUBLIC NOTICE

CITY COUNCIL HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Milford will hold a Public Hearing on Monday, January 28, 2008 at 7:00 p.m., or as soon thereafter as possible, in the Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware, to take final action upon the matter of:

Lynn and Karen McColley for the Minor Subdivision of 53.20 +/- acres into two parcels at 416 Northeast Tenth Street, Milford, Delaware in an R-2 District. Tax Map MD-16-174.19-01-01.00.

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

Please direct all questions or comments to the City of Milford Planning Office at 302-422-6616 Extension 174.

By: Terri Hudson, CMC

10/29/07

City of Milford



PUBLIC NOTICE

CITY OF MILFORD PLANNING COMMISSION HEARING

NOTICE IS HEREBY GIVEN that the following applicant has filed an application for a Minor Subdivision with the Planning Department of the City of Milford:

Lynn and Karen McColley for the Minor Subdivision of 53.20 +/- acres into two parcels at 416 Northeast Tenth Street, Milford, Delaware. R-2 District. Tax Map MD-16-174.19-01-01.00.

A Public Hearing is scheduled for Tuesday evening, December 18, 2007 at 7:00 p.m., or as soon thereafter as possible, in the Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware.

All parties of interest are hereby notified to be present for the review and recommendation by the Planning Commission to City Council. A final decision on the application will be made by City Council.

If unable to attend, written comments will be accepted in advance of this hearing. Questions or comments should be directed to the Planning Department at 302-422-6616 Extension 174.

By: Terri Hudson, CMC

11/15/07

CITY OF MILFORD
DELAWARE



"THE GARDEN CITY OF TWIN COUNTIES"

PLANNING AND ZONING DEPARTMENT
(302) 422-6616
FAX # (302) 424-5933

201 S. WALNUT STREET
PO BOX 159
MILFORD, DELAWARE 19963

SITE PLAN CONDITIONAL USE

APPLICATION

SUB-DIVISION

(circle all that apply)

VARIANCE CHANGE OF ZONE

Final
Minor Subdivision

The undersigned hereby makes formal application to the City of Milford for the approval of Minor Subdivision for the property described below. Applications shall be represented at the appropriate meetings or hearing. The applicant is aware that no applications will be accepted if violations exist or if any service fees, including taxes, are delinquent.

OWNER NAME: LYNN & KAREN MCCOLLEY PHONE NUMBER: 302-393-1777
ADDRESS: 416 N.E. 10TH ST. MILFORD, DE 19963

SIGNATURE: [Signature] DATE: 11-08-07
PLEASE NOTE: LEGAL OWNER MUST SIGN APPLICATION! FEE: \$300 + \$50/unit

APPLICANT NAME: SAME PHONE NUMBER: SAME
ADDRESS: SAME

SITE LOCATION: ROAD NE 10TH ST. N (S,E,W) SIDE 0.2 MILES FEET N,S,E(W) OF
ROAD ROUTE 1 SUBDIVISION NAME: LANDS OF SAME LOT NUMBER: 1
SITE ADDRESS: 416 NE Tenth Street

ZONING: EXISTING: R-2 PROPOSED: R-2 TAX MAP NUMBER: MO-16-174.19-01-01.00

PRESENT USE: Residential & Ag. PROPOSED USE: same

AREA OF PETITION: 53.20 AC AREA OF ADJACENT LAND IN SAME OWNERSHIP: 26.5 AC

SANITARY FACILITIES:	EXISTING	<u>✓</u>	PROPOSED	<u> </u>
ELECTRIC SUPPLY:	EXISTING	<u>✓</u>	PROPOSED	<u>n/a</u>
WATER SUPPLY:	EXISTING	<u>✓</u>	PROPOSED	<u> </u>

DWELLING UNITS:	EXISTING:	<u>4</u>	PROPOSED:	<u> </u>
FRONT SETBACK:	REQUIRED:	<u>30</u> FT	PROPOSED:	<u>n/a</u> FT
REAR SETBACK:	REQUIRED:	<u>15</u> FT	PROPOSED:	<u> </u> FT
SIDE SETBACKS:	REQUIRED:	<u>8</u> FT	PROPOSED:	<u> </u> FT

WETLANDS ON SITE? YES NO COMPREHENSIVE PLAN RECOMMENDATION: _____
ZONING CHAPTER 230, ARTICLE _____
VARIANCE INFORMATION (IF APPLICABLE): _____

CONTACT FOR APPLICATION: Lynn McColley PHONE: 393-1777

APPLICATION RECEIVED BY: Christine Crouch DATE: 11-9-07

DAC MTG: 11-28-07

P.C. MTG: 12-18-07

Recp # 481387
COUNCIL MTG: 01-28-08

~~B.O.A. MTG.~~

Chapter 57: PLANNING COMMISSION

§ 57-1. Establishment.

There is hereby established, pursuant to 22 Del. C. § 701 et seq., the Milford Planning Commission.

§ 57-2. Membership; terms of office. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

The Commission shall consist of nine members to be appointed by the Council. The term of each member so appointed and confirmed shall be for three years, except that of the members first appointed, three shall be appointed to a term of three years, three shall be appointed to a term of two years and three shall be appointed to a term of one year.

§ 57-3. Removal; vacancies.

Any member of the Planning Commission may be removed for cause, after a public hearing, by the Mayor with the approval of the City Council. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as an original appointment.

§ 57-4. Ex officio members.

The Mayor and City Manager shall be ex officio members of the Planning Commission and may exercise all of the powers of the regular members; provided, however, that an ex officio member may not hold an office on the Commission and shall have no right to vote on matters coming before the Commission.

§ 57-5. Salaries and compensation.

All members of the Commission shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

§ 57-6. Officers; staff; custodian of records.

The Commission shall elect annually a Chairman and Secretary from among its own number and may employ experts, clerical help and other assistants. The Commission may appoint a custodian of its Comprehensive Plan and records, who may be the City Manager or other employee of the Council.

§ 57-7. Rules of procedure; meetings; records.

The Commission shall adopt its own rules of procedure and determine the times of its meetings and methods of notice thereof. All meetings of the Commission at which any official action is taken shall be open to the public, and all records of the Commission shall be public records.

§ 57-8. Powers and duties; reports. [Amended 2-13-1968]

The Milford Planning Commission shall have all the powers and authority vested in municipal planning commissions under the provisions of Title 22, Delaware Code, Chapter 7, subject to the same conditions and limitations set forth therein at the effective date of this chapter. The Planning Commission shall report at each monthly meeting of the Council and shall present copies of its minutes of the preceding month.



MILFORD SCHOOL DISTRICT

906 Lakeview Avenue • Milford, Delaware 19963-1799
(302) 422-1600 Fax (302) 422-1608
Robert D. Smith, Ed.D., Superintendent

Gary Annett, Ed.D.
Director of Personnel

Mark Dufendach, Ed.D.
Chief Financial Officer

Mary M. Herrera, Ed.D.
Director of Elementary Education

Heinz A. Retzlaff, M.Ed.
Director of Operations

Robert R. Sutcliffe, Ed.D.
Director of Secondary Education

January 11, 2008

Mr. Richard Carmean
City Manager
201 S. Walnut St.
Milford, DE 19963

Dear Mr. Richard Carmean:

The Milford School District is interested in leasing or purchasing the city property adjacent to the Milford High School property that includes the current roadway off North Walnut Street into that property and the land between that roadway and the fenced area containing the BMX track.

With either option, the District wishes to pave that road and provide extra parking for the District's new school and whoever is using the remainder of the city land. The District, of course, would grant the city and its land users full access to and use of the road and parking after regular school hours for so long as the City continues to own the remainder of that property.

If the City decides to lease the road and property, the District would need to be guaranteed long-term usage and access to the road and parking so we could justify the expense of the improvements to the State and our taxpayers. If the City decides to sell the District the road and adjacent land, we would ask that a per acre price be set and the amount of acreage determined to allow us to use our state and local land funds to purchase this property.

The District would also ask the City to grant the District first right of refusal on any or the entire city land adjacent to Milford High School if in the future the City decides that it wishes to sell that property.

We are currently in the design phase for the new school and would appreciate if a decision could be made on our request as soon as possible. Knowing if the District can utilize this road is critical to the next phase of our planning and approval process. Thank you for your consideration. We look forward to your decision.

Sincerely,

Robert D. Smith
Superintendent

PUBLIC NOTICE
City of Milford Zoning Chapter Amendment
Ordinance 2008-2

NOTICE IS HEREBY GIVEN the following amendment is currently under review by the City Council of the City of Milford:

ORDINANCE NO. 2008-2

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF MILFORD, CHAPTER 230, ZONING, FOR THE PURPOSE OF ESTABLISHING WATER RESOURCE PROTECTION AREAS.

WHEREAS, the City of Milford relies on groundwater as its sole source of drinking water; and

WHEREAS, the protection of existing and proposed sources of water for public consumption is critical to the protection of public health, the environment, and continued economic prosperity; and

WHEREAS, the United States Congress has mandated the assessment of drinking water supplies through the provisions of the Safe Drinking Water Act Amendments of 1996; and

WHEREAS, the United States Congress has encouraged the protection of drinking water supplies through the provisions of the Safe Drinking Water Act Amendments of 1996; and

WHEREAS, the State of Delaware requires counties and municipalities with a population of 2,000 or more to adopt overlay maps delineating, as critical areas, source water assessment, wellhead protection, and excellent groundwater recharge potential areas through the provisions of the Delaware Source Water Protection Law of 2001; and

WHEREAS the State of Delaware, through the provisions of the Source Water Protection Law of 2001, requires counties and municipalities with a population of 2,000 or more to adopt regulations governing the use of land within source water assessment, wellhead protection, and excellent groundwater recharge potential areas to protect those critical areas from activities and substances that may harm water quality and subtract from overall water quality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Amend §230-4 A by inserting the following definitions:

Aboveground Storage Tank (AST): An AST is a single containment vessel greater than 250 gallons as defined in the Delaware Regulations Governing Aboveground Storage Tanks. ASTs with a storage capacity greater than 12, 499 gallons containing petroleum or hazardous substances, and ASTs with a storage capacity greater than 39,999 gallons containing diesel, heating fuel or kerosene are subject to the design, construction, operation, and maintenance requirements of the Delaware AST regulations.

Applicant: A person, firm, or government agency that executes the necessary forms to obtain approval or a permit for any zoning, subdivision, land development, building, land disturbance, or other activity regulated.

Aquifer: A geological formation, group of formations or part of a formation composed of rock, sand, or gravel capable of storing and yielding groundwater to wells.

CERCLA Hazardous Substances: are defined in terms of either those substances specifically designated as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), otherwise known as the Superfund law, or those substances identified under other laws. In all, the Superfund law includes references to four other laws to designate more than 800 substances as hazardous, and identify many more as potentially hazardous due to their characteristics and the circumstances of their release.

Contamination: Any physical, chemical, biological, or radiological substance that enters the hydrological cycle through human action and may cause a deleterious effect on ground water resources; it shall include but is not limited to hazardous waste, limiting nutrients, and sanitary sewage.

Delineation: The process of defining and/or mapping a boundary that approximates the areas that contribute water to a particular water source used as a public water supply.

Environmental Impact Assessment Report (EIAR): A report required by this ordinance that assesses the environmental characteristics of a source water protection area and determines what effects or impacts will result if the area is altered or disturbed by a proposed action that would increase impervious cover beyond the recommended 20% threshold.

Excellent Ground-Water Recharge Potential Area: Those areas with high percentages of sand and gravel that have "excellent" potential for recharge as determined through a Stack Unit Mapping Analysis delineated by the Delaware Geological Survey and presented in the Report of Investigations No. 66, Ground-water Recharge Potential Mapping in Kent and Sussex Counties, Delaware, Geological Survey, 2004.

Geologist: An individual who is registered in the State of Delaware to practice the profession of geology.

Ground Water: The water contained in interconnected pores located below the water table in an unconfined aquifer or located in a confined aquifer.

Hazardous Substance UST System: means an underground storage tank system that contains a hazardous substance defined in 101(14) of the CERCLA (but not including any substance regulated as a hazardous waste under RCRA Subtitle C) or any mixture of such substances and petroleum, and which is not a petroleum UST system.

Hazardous Waste: A solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating irreversible, illness, or pose a substantial present or potential a hazard to human health or the environment when improperly treated,

stored, transported, or disposed of, or otherwise managed, Without limitation, included within this definition are those hazardous wastes described in Sections 261.31, 261.32, and 261.33 of the Delaware Regulations Governing Hazardous Waste.

Impervious Cover: Surfaces providing negligible infiltration such as pavement, concrete, graded aggregate, buildings, recreation facilities (e.g. tennis courts, swimming pools, etc.).

Natural Condition: Open space that is essentially unimproved and set aside, dedicated, designated, or reserved for public or private use.

Passive Recreation: refers to recreation that involves existing natural resources and has a minimal impact because they do not require the alteration of existing topography. Such passive recreation shall include but not be limited to non-motorized vehicles, hiking, bicycling, picnicking, and bird-watching.

Public Water Supply Well: Any well from which the water is used to serve a community water system by section 22.146 (Public Water Systems) in the Delaware State Regulations Governing Public Drinking Water Systems.

Public Drinking Water System: A community, non-community, or non-transient non-community water system, which provides piped water to the public for human consumption. The system must have at least 15 service connections or regularly serve at least 25 individuals daily for at least 60 days.

Redevelopment: Any proposed expansion, addition, or major facade change to an existing building, structure, or parking facility.

Runoff: That portion of precipitation or snow melt that has not evaporated or infiltrated into the soil, but flows on land or impervious surfaces and discharges to a swale, ditch or stream.

Sanitary Landfill: A land site at which solid waste is deposited on or into the land as fill for the purpose of permanent disposal, except that it will not include any facility that has been approved for the disposal of hazardous waste under the Delaware Regulations Governing Hazardous Waste.

Site plan approval: is a process for the review and approval of a development or redevelopment plan prior to the issuance of a development.

Source Water: refers to any aquifer from which water is drawn either periodically or continuously by a public water system.

Source Water Assessment Area: The area delineated by DNREC Source Water Assessment and Protection Program that contributes water to a public water supply system.

Source Water Assessment and Protection Program: Created by Congress as part of the Safe Drinking Water Act Amendments of 1996. The goal of the SWAPP is to better protect public drinking water resources by providing local and state governments, and the public more information about those resources. The

susceptibility of each source of public drinking water to various types of contamination will be determined and published.

Source Water Assessment Plan: The October 1999 U.S. EPA approved plan for evaluating the sources of public drinking water in Delaware for their vulnerability and susceptibility to contamination.

Source Water Assessment Report (SWAP): The identification and evaluation of the sources of water within the state used by public water systems in an effort to determine the vulnerability and susceptibility to contamination.

Stormwater: The runoff of water from the surface of the land resulting from precipitation or snow or ice melts

Stormwater Management:

A) for water quantity control, a system of vegetative, structural, and other measures that may control the volume and rate of stormwater runoff which may be caused by land disturbing activities or activities upon the land; and

B) for water quality control, a system of vegetative, structural, and other measures that control adverse effects on water quality that may be caused by land disturbing activities or activities upon the land.

Source Water Protection Area: Wellhead Protection Areas and Excellent Ground-Water Recharge Potential Areas.

Vacant Property: Lands or buildings that are not actively used for any purpose as designated in the underlying zoning district/overlay for one year.

Underground Storage Tank (UST): An UST is one or a combination of Tanks including underground Pipes, the volume of which is 10% or more belowground, as defined in the Delaware Regulations Governing Underground Storage Tank Systems. The following USTs are not subject to the design, construction, operation, and maintenance requirements of the Delaware UST Regulations: Residential Heating Fuel, Agricultural, and Residential Motor Fuel USTs less than 1,100 gallons and any UST less than 110 gallons.

Wastewater: Solid, semi-solid or water-carried waste from septic tanks, water closets, residences, building, industrial establishments, or other places, together with such groundwater infiltration, subsurface water, and mixtures of industrial wastes or other wastes as may be present.

Water Quality: Those characteristics of stormwater runoff from an impervious surface or a land disturbing activity that relate to the chemical, physical, biological, or radiological integrity of water.

Water Quantity:

1) Those characteristics of stormwater runoff that relate to the volume of stormwater runoff to downstream-gradient areas resulting from land disturbing activities.

2) Those characteristics of stormwater that relate to the volume of stormwater that infiltrates the land surface and enters the underlying aquifer.

Wellhead: The upper terminal of a well, including adapters, ports, seals, valves, and other attachments

Wellhead Protection Areas (WHPA): Surface and subsurface areas surrounding public water supply wells or well fields where the quantity or quality of ground water moving toward the wells or well fields may be adversely affected by land use activity.

Wellhead Protection Plan: The March 1990 U.S. EPA approved plan for protecting the quality of drinking water derived from public water supply wells in Delaware.

Section 2. Amend Chapter 230, Article III by adding a new section 19.2 to read as follows:

§230-19.2 Source Water Protection District

- A. The purpose of the Source Water Protection District is to protect public health and safety in the City of Milford by minimizing contamination of aquifers, preserving, and protecting existing and potential sources of drinking water supplies. The district shall be established in delineated wellhead protection areas around all public water wells and excellent groundwater recharge potential areas located within the corporate limits of the City of Milford.
- B. Superimposed district; effect on other provisions.
 - 1) To enable the Source Water Protection District to operate in harmony with the land use component of the City's Comprehensive Plan, subdivision and zoning regulations, the Source Water Protection District is created as a special district to be superimposed on other districts contained in the City of Milford's Zoning Ordinance.
 - 2) The requirements and provisions established in this district shall prevail over conflicting requirements of the zoning and subdivision ordinances.
- C. Source Water Protection Area Maps
 - 1) Overlay maps prepared or provided by the Department of Natural Resources and Environmental Control (DNREC) delineating wellhead protection and excellent groundwater recharge potential areas in the City of Milford are included as a part of the City's Official Zoning Map and shall be designated as the Source Water Protection District.
 - 2) The maps shall be utilized by the administrative official in determining whether a lot or parcel lies within the source water protection district as described in subparagraph D of this section. The lack of an indication on this map as to whether certain property is within or outside of the boundaries of this overlay district shall not be constructed as a conclusive determination that said property is within or outside the boundaries of the source water protection overlay district. Rather, the controlling factor in making such a determination shall be the description contained in subparagraph E of this section.

- D. Source Water Protection Standards.
- 1) For a confined wellhead the wellhead protection area shall be 150 feet from the wellhead.
 - 2) For an unconfined wellhead generating less than 50,000 gallons a day the wellhead protection area shall be 150 feet from the wellhead.
 - 3) For an unconfined wellhead generating greater than 50,000 gallons a day the wellhead protection area shall be delineated by the State of Delaware, Department of Natural Resources and Environmental Control, Division of Water Resources, Source Water Assessment and Protection Program.
 - 4) The area contained within a source water protection area shall be divided into zones:
 - a. Zone 1: A surface area extending in a 150 foot radius around the wellhead.
 - b. Zone 2: The remaining surface area of a delineated wellhead protection area outside of Zone 1 or an area identified as an excellent groundwater recharge potential area.
 - 5) Zone 1 Requirements
 - a. Permitted Uses
 1. Infrastructure, equipment, buildings, access and other uses associated with the well, distribution and treatment facilities of the water system and their maintenance.
 - 6) Zone 2 Requirements
 - a. Permitted Uses
 1. Uses permitted in the underlying zoning district may be permitted under an approved Conditional Use that protects the public drinking water supply for the City and meets the minimum requirements for stormwater management, impervious cover, above ground and underground storage tanks.
 - b. Stormwater Management
 1. Stormwater shall be treated by an approved stormwater quality management practice in accordance with current requirements of the *Delaware Sediment and Stormwater Regulations* dated October 11, 2006 or as later revised.
 2. For all new construction, all structures shall be required to discharge roof drains into recharge systems. Recharge systems shall be in accordance with Section 10.0 of the *Delaware Sediment and Stormwater Regulations* dated October 11, 2006 or as later revised.

c. Impervious Cover

1. Wellhead Protection Areas should not exceed 20% impervious cover. New development in this Zone may exceed the 20% impervious cover threshold within Wellhead protection Areas , but shall be no more than 50% impervious cover, provided the applicant submits an Environmental Assessment Impact Report as provided for in §230-19.2F indicating the additional impervious area will not have an adverse impact on the drinking water supply.

d. Underground Storage Tanks (UST)

1. Underground storage tanks with a capacity greater than 110 gallons containing petroleum, and Residential and Agricultural USTs with a capacity greater than 1,100 gallons containing heating fuel or motor fuel shall be permitted in a designated wellhead area if the USTs are designed, constructed, maintained, and operated in accordance with the Delaware *Regulations Governing Underground Storage Tank Systems*, or as later revised. (NOTE: Regulated USTs must be constructed with secondary containment of the tanks and piping and must have continuous monitoring for releases.) The property owner shall be required to submit an annual report, prepared by a licensed tank inspector, certifying the UST meets the criteria established herein.
2. Underground storage tanks with a capacity greater than 110 gallons containing a hazardous substance as defined in CERCLA §101(14) shall be permitted in a designated wellhead area if the USTs are designed, constructed, maintained and operated in accordance with the Delaware *Regulations Governing Underground Storage Tank Systems*. (NOTE: Regulated USTs must be constructed with secondary containment of the Tanks and piping and must have continuous monitoring for releases.) The property owner shall be required to submit an annual report, prepared by a licensed tank inspector, certifying the UST meets the criteria established herein.

c. Above Ground Storage Tanks

1. Aboveground storage tanks with a capacity greater than 12,499 gallons containing petroleum or hazardous substances, and ASTs with a storage capacity greater than 39,999 gallons containing diesel, heating fuel or kerosene shall be permitted in a delineated wellhead area if the ASTs are designed, constructed, operated and maintained with the applicable requirements in the Delaware *Regulations Governing Aboveground Storage Tanks*.

E. Boundary Determination for Source Water Protection Areas

- 1) All subdivision and land development plans depicting development or land disturbance submitted for City review shall be evaluated for the existence of source water protection areas. All such areas are as depicted on Source Water Protection Area maps Maps/overlays are

available from Delaware Department of Natural Resources and Environmental Control (DNREC), Division of Water Resources, Source Water Assessment and Protection Program (SWAPP). If a SWPA exists within a proposed development site, the boundaries of these areas shall be delineated on the plan by the applicant's State of Delaware Professional Engineer or Professional Geologist.

- 2) DNREC SWAPP may, when based on sound science and information, revise and update the overlay maps of wellhead protection areas.
- 3) The Delaware Geological Survey (DGS) may, when based on sound science and information, revise and update the overlay maps of good or excellent ground-water recharge potential areas.
- 4) When there appears to be a conflict between the mapped boundary and actual site conditions, the applicant may engage the services of Professional Geologist to prepare a report intended to determine more accurately the precise boundary of the Source water Protection Area. The Report shall include:
 - a) A detailed topographic layout of the subdivision and/or area to be developed and prepared by a State-registered professional land surveyor or Professional Geologist;
 - b) Evidence derived from a site-specific investigation that may include aquifer testing, test borings, test pits, observation wells, groundwater elevations, and topography surveys as appropriate for the type of source water protection area that clearly demonstrate that the area in question does not meet the definition of a source water protection area as defined.
 - c) Any challenges to the delineations of the good or excellent ground-water recharge potential areas must follow the methods used in the Delaware Geological Survey publication: *Report of Investigations No. 66, Ground-Water Recharge Potential Mapping in Kent and Sussex Counties, Delaware*. The challenge must be approved by DGS and DNREC SWAPP.
 - d) Notwithstanding any other section of this Chapter, if an owner initiates a precise boundary delineation pursuant to this section, any and all time review limitations shall be stayed pending the submission of the complete report contemplated by this section. Following submission of the report and all supporting documents, DNREC shall have ninety (90) days to finally approve or disapprove the exploratory sketch plan submission or such further time as deemed necessary by the Department, but not to exceed an additional ninety (90) days.

F. Environmental Impact Assessment Report

New development may exceed the 20% impervious cover threshold within the Source Water Protection Area Zone 2, but be no more than 50% impervious, provided the applicant submits an environmental assessment report including a climatic water budget and systems to augment recharge that assure water quality as well as quantity. The environmental impact assessment must document that post-development recharge will be no less than predevelopment recharge when computed on an annual basis.

Commonly, the applicant offsets the loss of recharge due to impervious cover by constructing recharge basins that convey pretreated rooftop runoff for infiltration to ground water. Refer to Supplement 1 entitled *Ground-Water Recharge Design Methodology* for the details of how to design recharge facilities in Delaware source water protection areas.

A Delaware Registered Professional Engineer and/or Professional Geologist prepares an environmental assessment report, usually containing the following elements of planning, design, construction, and maintenance of ground-water recharge facilities:

- 1) Site description of proposed development within the water resource protection area
- 2) Climatic water balance comparing predevelopment and post-development recharge potential
- 3) Subsurface exploration including borings, test pits, and infiltration tests
- 4) Design of ground-water recharge facilities that assure water quality as well as quantity
- 5) Construction and maintenance considerations
- 6) Recommended ground-water monitoring plan
- 7) Water management agreement between the applicant and the town, city, or county providing for monitoring and maintenance of the recharge system. The applicant will abide by the Ground Water Management Agreement as written in DNREC *Supplement 1 to the Source Water Protection Guidance Manual for the Local Governments of Delaware: Ground-Water Recharge Design Methodology*, dated May 2005 or as later revised.

G. Nonconforming Uses

Nonconforming uses may continue in a source water protection area in the form in which they existed at the time of the adoption of this ordinance, unless they pose a direct hazard to the city's water supply, as determined by the water and waste water department upon advice from the Delaware Division of Public Health, or are causing some foreign substances (oil, salts, chemicals, or other substances) to be introduced into the city's water supply, as determined by the water and waste water department upon advice from DNREC's Division of Air and Waste Management and/or Division of Water Resources. In the latter case, the building department shall issue a mandatory cease and desist to stop the offending activity within the area. Nonconforming existing underground or above-ground storage of oil, petroleum, and petroleum products shall require secondary containment pursuant to the State of Delaware regulations governing underground storage tanks or for above-ground storage of petroleum

products secondary containment facilities capable of capturing the material stored on the site, for existing facilities that are proposed either to be upgraded or replaced.

H. Replacement and New Wells

- 1) The replacement of any existing public water supply well that was not required to meet this wellhead protection requirement at the date of its original installation and that has failed shall be exempt from meeting this wellhead protection requirement.
- 2) All public water supply wells within a housing development, subdivision, or strip development recorded on or after the implementation of the *Delaware Regulations Governing the Construction and Use of Wells*, dated April 6, 1997 or as later revised, shall be located at least one-hundred fifty (150) feet within the subdivision's or development's outermost property lines.

Section 3. Dates.

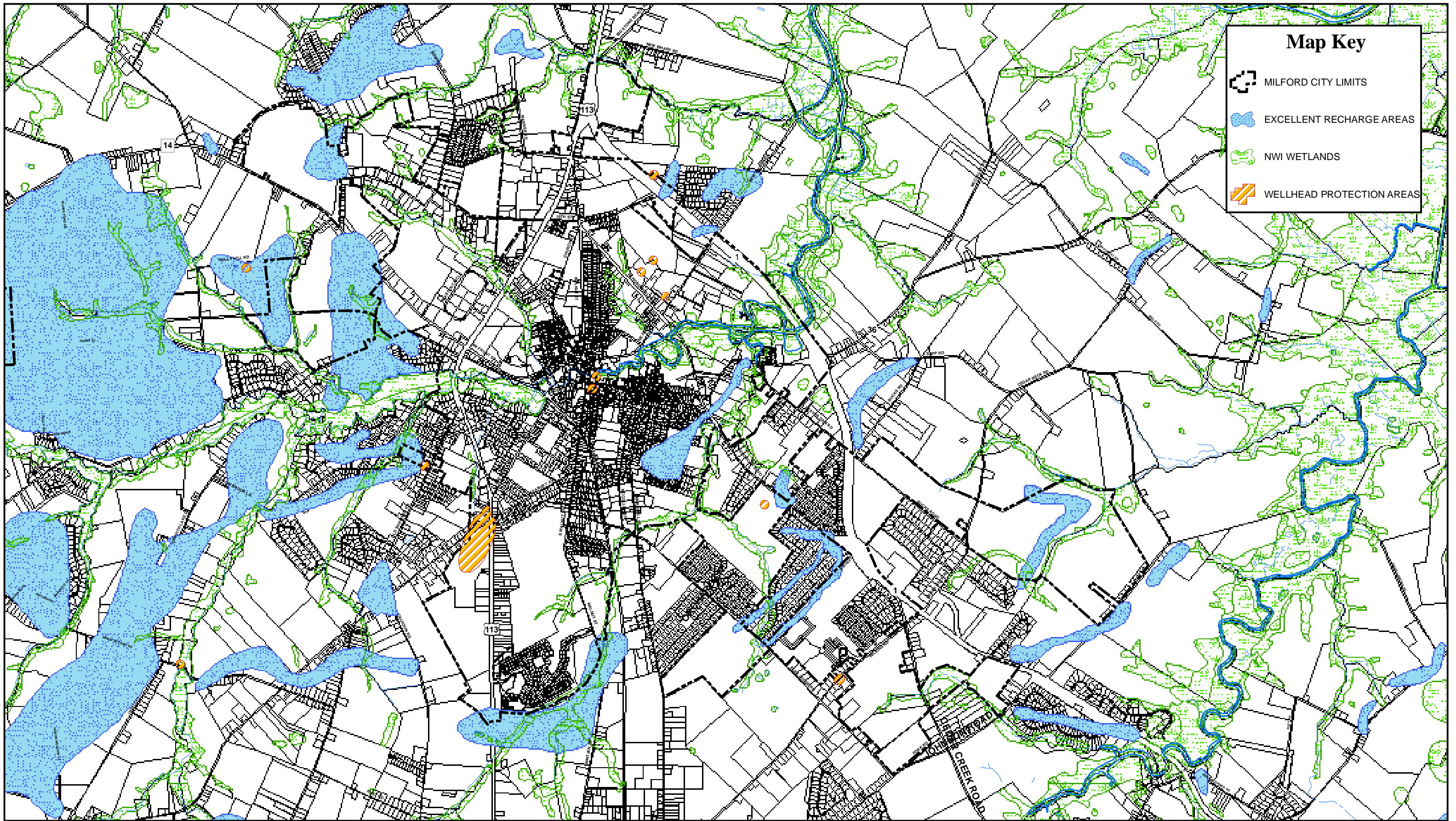
Planning Commission Public Hearing: February 19, 2008 (Recommendation to City Council)

City Council Public Hearing & Projected Adoption Date: March 24, 2008





Projected Effective Date: April 3, 2008

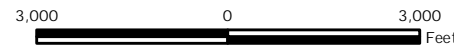
A complete copy of the Code of the City of Milford is available by request through the City Clerk's Office at the City of Milford Public Works Facility, 180 Vickers Drive, Milford, Delaware, 19963 or by accessing its website at cityofmilford.com

By: Terri K. Hudson, CMC



Map Key

-  MILFORD CITY LIMITS
-  EXCELLENT RECHARGE AREAS
-  NWI WETLANDS
-  WELLHEAD PROTECTION AREAS

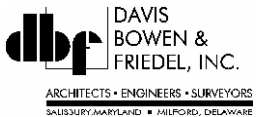


CITY OF MILFORD RECHARGE AREAS/WETLANDS/WELLHEAD PROTECTION

Kent and Sussex
Counties

Wetlands mapped per National Wetlands Inventory

This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed reliable for conceptual planning purposes, Davis, Bowen & Friedel, Inc., cannot verify its accuracy and assumes no responsibility for any errors or omissions incorporated into it.



1 Games Drive
Milford, DE 19963
(302) 422-2825

January 3, 2008

Mayor and Council
City of Milford
201 South Walnut Street
Milford, DE 19963

Dear Sir or Madam:

We, Jason and Pamela James, the residents of 1 Games Drive, request that the street currently named Games Drive to be changed to James Drive; a change to James Street or James Avenue would be welcome, also. Our home is the only residence that is physically on this street and is the only dwelling within the city of Milford that bears the address of Games Drive.

We plan to live on this street for the remainder of our lives and will do all in our power to keep this street clean and presentable. The James family would like to thank you in advance for your consideration of our request.

If you have any further questions, please feel free to contact us:

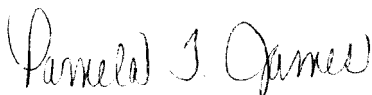
Jason- work 839-5119
Cell 222-3079

Pamela- work 430-5581
Cell 222-3078

Sincerely,



Jason L. James, Sr.



Pamela T. James

Cc: Rep. Robert Walls

Terri - 01-22-08

Select Parcel

Land	Building Data	Sketch	Out Buildings	Income / Market	Profile
Owner / Values	Owner History	General Data	Permit / Sales	Notes	

PARCEL ID	OWNERS NAME 1	PPN NUMBER	SORT PROPERTY LOC
MD-16-183.05-01-27.01-000	JAMES, JASON L & PAMELA T	712	1 GAMES DRIVE
MD-16-183.05-01-09.04-000	INTERSTATE BUILDERS, INC		2 GAMES DRIVE
MD-16-183.05-01-27.03-000	JAMES, JASON L. SR & PAMELA T		3 GAMES DRIVE
MD-16-183.05-01-09.03-000	INTERSTATE BUILDERS, I INC		4 GAMES DRIVE
MD-16-183.05-01-27.02-000	JAMES, JASON L SR & PAMELA T		5 GAMES DRIVE
MD-16-183.05-01-09.02-000	INTERSTATE BUILDERS, I INC		6 GAMES DRIVE
MD-16-183.05-01-27.00-000	JAMES, JASON L SR & PAMELA T	711	7 GAMES DRIVE
MD-16-183.05-01-09.01-000	INTERSTATE BUILDERS, I INC		8 GAMES DRIVE
MD-16-183.06-05-02.00-000	BIRGENSMITH, KEVIN	959	1 GENERAL TORBEF
MD-16-183.06-05-73.00-000	CLINE, SARAH E	1030	2 GENERAL TORBEF
MD-16-183.06-05-03.00-000	MARCELLE, CAMERON G & PAMELA S	960	3 GENERAL TORBEF
MD-16-183.06-05-72.00-000	GIBBS, FRANKIE W JR & MELISSA A	1029	4 GENERAL TORBEF
MD-16-183.06-05-04.00-000	POLITE, RICHARD L & JOSEPHINE H	961	5 GENERAL TORBEF
MD-16-183.06-05-71.00-000	REYNOLDS, RALPH & SUZANNE	1028	6 GENERAL TORBEF
MD-16-183.06-05-08.00-000	CARPENTER, LOUIS H JR	965	9 GENERAL TORBEF
MD-16-183.06-05-09.00-000	STEELE, CHARLES & SANDRA J	966	11 GENERAL TORBE
MD-16-183.06-05-10.00-000	NICHOLS, JOHN H & ANDREA S	967	13 GENERAL TORBE
MD-16-183.06-05-11.00-000	WEST, DORIS W	968	15 GENERAL TORBE
MD-16-183.06-05-36.00-000	LEWIS, BOBBY L & LILLIAN	993	16 GENERAL TORBE
MD-16-183.06-05-12.00-000	BAYNARD, SHELLY	969	17 GENERAL TORBE

VACANT

Parcel Control Center

Exit ? Add

Save Calc

Photo PRC

Delete Cancel

Parcel Index

SORT PROPERTY LOC

Query List

Enter Criteria to choose

Owner Name

PPN NUMBER

Property Address

PARCEL ID

ROUTING NO

Class

What If

Card: Load Total

CLTATA

Previous Next OK Return

Building Permit Template

C of O template

Size: 575 bytes

TEMPORARY AMENDMENT TO CHAPTER 21/ELECTIONS:

List of registered voters; registration dates and times.

An initial list of registered voters for the 1982 municipal election will be prepared by the Registrar and submitted to the Mayor and Council. This list will be comprised of residents who voted in any one of the last two city elections and who continue to reside in the city. The Mayor and Council will review and validate the qualifications of each name on the list. This initial list will be made available for review by January 1, 1982. All persons not on the above list will be required to register in person at City Hall, 201 South Walnut Street, or at such other places as the Mayor and Council shall direct. The City Hall office will be open for the purpose of registering persons who are qualified to be voters during normal working hours, Monday through Friday, except holidays, starting December 1, 1981. The Mayor and Council, at their discretion, may prescribe additional dates, times and places for the conduct of registration so long as the registration dates, times and places are published in a newspaper of general circulation in the city at least once per week for two weeks preceding the supplementary date for the registration of qualified voters. **Registration will be closed as of midnight 30 days prior to the election.**

**RECOMMENDATION FOR
REGISTRATION DEADLINE
for
SPECIAL ELECTION:
FRIDAY, FEBRUARY 8, 2008 at 4:30 P.M.**

THE CITY OF MILFORD HISTORIC PRESERVATION REGULATIONS

Purpose; Definitions.

- A. These regulations are applicable to structures used for residential purposes.
- B. The purpose of this Article shall be to accomplish the following:
- (1) To assist in preserving the historic character and the historic fabric of the City of Milford.
 - (2) To safeguard the heritage of the City by preserving the elements which reflect the cultural, social, economic, political or architectural history of the City.
 - (3) To promote the use and preservation of the values as established by the City of Milford Comprehensive Plan.
 - (4) To recommend alteration or new construction in keeping with the Historic District.
 - (5) To recommend restoration rather than demolition of contributing structures or historic properties.
 - (6) To encourage the proper maintenance, preservation and, when necessary, alteration of structures in the Historic District.
- C. Definitions. In this Article, the following definitions shall be applicable unless the context clearly indicates to the contrary:

ALTERATION(S): Any activity requiring a building permit, the approval of the Building Official, and/or any change in the exterior appearance (other than maintenance) or structural change, including but not limited to construction, reconstruction, renovation, modification, alteration, moving or demolition to a non-commercial structure within the Historic District of the City of Milford.

COMMERCIAL STRUCTURE/SITE: Any structure or site which is currently used primarily for commercial activities and not primarily for residential uses.

CONTRIBUTING STRUCTURES: Structures that are judged to add to the Historic District's sense of time, place and historic development under criteria established by the HPC including historical significance, integrity and context. Such structures

are so designated because they meet an architectural test (i.e., compatible with surrounding buildings or represent an architectural style identified with the City of Milford's history) and a longevity test (more than fifty (50) years old). No buildings individually listed on the National Register of Historic Places or listed as a Historic Property within or without the designated Historic District, or those buildings that may be candidates or are currently pending for such status, will be approved for demolition unless deemed by the Building Official to be a public hazard.

DEMOLITION: Destruction, razing, commencement of the work or steps of total or partial destruction with the purpose of completing the same, includes any willful neglect in the maintenance and repair of a structure, that does not result from a financial inability to maintain and repair the structure and threatens to result in substantial deterioration of the exterior features or the structural integrity of the building.

HISTORIC DISTRICT: An overlay zoning district on the City of Milford Zoning Map designating that area of the City identified and designated as having historic importance and included in Appendix A. (Historic District Map)

HISTORIC PROPERTIES: Non-commercial structures and sites, public rights of way or areas designated by City Council as having importance in the history of the City of Milford as listed in Appendix B. These properties may be within or not within the designated Historic District (see Appendix A, to be added).

IN PUBLIC VIEW: That portion of a structure that is visible or could be visible but for a fence or landscaping from a public right of way or public or Private Street.

MAINTENANCE/REPAIR: Ordinary repairs and maintenance, including, design, materials, features or finishes of a structure which do not alter the exterior appearance of the structure and have no material effect on the historical, archaeological or architectural significance of the structure. Paint color is included in this definition regardless of the effect on exterior appearance.

MAYOR AND CITY COUNCIL: Hereinafter known as City Council.

NON-CONTRIBUTING STRUCTURE: Structures that do not add to the Historic District's sense of time, place and historic development. Such structures are so designated because they are not listed or pending to become listed on the National Register of Historic Places or do not meet either an architectural test (i.e., compatible with surrounding buildings or represent an architectural style identified with history) or longevity test (more than 50 years old). **Non-**

contributing structures will be identified by the Historical Society/Historical Society member or by a Historical Preservation Official selected by the Historical Preservation Committee.

RESIDENTIAL STRUCTURE: Any structure or site currently used primarily for residential living.

STRUCTURE: A combination of materials to form a construction that is stable, including, but not limited to: buildings, sheds, outbuildings, fences.

Historic Preservation Commission, composition, qualifications, appointment.

A. There is hereby established a commission to be called the "Historic Preservation Commission" (hereafter "HPC").

B. The HPC shall consist of seven (7) members to be appointed by the Mayor of the City of Milford, subject to confirmation by a majority of the elected members of the City Council for a term of three (3) years. The terms of the members of the HPC first appointed pursuant to this Chapter shall expire as follows: three (3) members shall be appointed for a term of three (3) years; two (2) members shall be appointed for a term of two (2) years; and two (2) members shall be appointed for a term of one (1) year. Appointments shall be made with consideration of the diverse talents and communities represented in the City of Milford; priority consideration for appointments shall be given to representatives from the field of building construction and architectural design, as well as a representative of the Milford Historical Society and the Milford Museum. At least three (3) members shall be residents of, or own property in the Historic District, and all members shall be residents of, own property in or be leaseholders of public lands within the City of Milford.

C. The City Planner shall be an ex officio member of the HPC. An ex officio member may exercise all the powers of the regular members of the HPC except that he/she shall not have a vote. No ex officio member shall hold an office on the HPC.

D. The HPC shall elect annually a chairperson, vice-chairperson, and a secretary from among its own members and may utilize experts, clerks and such other assistance that its fiscal appropriations may permit. The HPC may also appoint, by and with the prior approval of the City Council, a custodian of its plans and records who may be the City Manager or his/her designee or the City Planner.

E. The HPC shall establish its own rules and procedures and determine the times of its meetings. All meetings and actions of the HPC shall be open to the public except appropriate executive sessions. All records of the HPC shall be public except those otherwise required to be confidential.

F. The HPC shall schedule semi-monthly meetings. If no agenda items are available or requested three (3) days prior to the time of the scheduled meeting, such meeting may be cancelled.

G. The HPC will hear all applications that meet the above criteria at its regularly scheduled meetings. The Chair will establish the meeting agenda for reviewing applications according to the scope of the project in the following order: minor changes, resubmissions, major changes, and new construction or demolition. The Chair will reserve the right to modify the sequence when necessary.

Procedures.

A. Before the construction, alteration, reconstruction, moving or demolition of any dwelling, residence or related structures on property within the Historic District or on Historic Properties not within the Historic District (see Appendix A) that would affect the exterior appearance of a structure visible or intended to be visible from an adjacent public way, the owner, agent or representative proposing to construct or change shall file with the Building Official of the City of Milford an application for permission from the HPC to construct, build, alter, reconstruct, move, demolish or make the addition.

B. Actions not requiring review by the HPC. Ordinary repairs and maintenance that do not constitute a change to the appearance of the structure include:

(1) Repair of existing windows and doors, using the same material, including the installation of storm windows that will not alter the exterior appearance of the structure.

(2) Maintenance and repair of existing roof material, involving no change in the design, scale, material or appearance of the structure.

(3) Repair of existing roof structures, such as cupolas, dormers and chimneys, using the same materials that will not alter the exterior appearance of the structure. **These types of repairs and materials will be left up to the owner of the property**

(4) Replacement of existing shingles, clapboards, or other siding, maintaining the exterior appearance of the structure. These types of repairs and materials will be left up to the owner of the property.

(5) Maintenance and repair of existing shingles, clapboard or other siding, using the same materials that are being repaired or maintained.

(6) Repairs to existing shutters, fences, or retaining walls, using the same materials for those items being repaired.

(7) Change of paint color.

C. Application and approval procedures

(1) The applicant shall apply for a Building Permit; if the proposed site is in the Historic District, the Building Official will notify the applicant that his/her project must be approved by HPC (unless the project falls under Subsection B above) and will give him/her a HPC application and a "user friendly" brochure describing the application process. (To be developed)

(2) For the initial application, the applicant shall fill out the application, attach four (4) copies of plans that include a site plan along with all existing structures, changes, and elevation drawings, of the proposed change, construction, alteration, or modification including a description of the type and texture of the materials to be used for the exterior; current photographs of the property in question and of adjacent and neighborhood properties, including the streetscape of both sides of the street on which the subject property is located. An application is deemed complete when these items have been submitted. After the review process is completed, the HPC will return two (2) sets of plans to the applicant and retain two (2) for its records.

(3) The HPC will meet at regular intervals to ensure timely consideration of all applications pending before the HPC. Completed initial applications submitted to the Building Official two weeks (10 working days) prior to a regular scheduled meeting will be heard at that next scheduled meeting.

(4) The HPC shall endeavor to arrive at a decision at the first meeting at which the application is presented; however, if the HPC decides that it needs more information or time in which to make a decision, it shall either place the application on the agenda for the next meeting or schedule a special meeting. The HPC shall grant or deny the application as expeditiously as possible, but in no event later than the second meeting at which the application is on the agenda

and the applicant appears; failure to act within said time frame shall be deemed to be approval of the application as submitted; however, an extension may be granted if agreed to by both the applicant and the Commission.

(5) If, after review of the application by the Building Official, he/she determines that the proposed activity will require a variance, the Building Official shall notify the applicant and provide information on the process for application to the Board of Adjustment. If no application to the Board of Adjustment is made by the applicant within thirty (30) days after notice has been given by the Building Official, the application shall be deemed to have been withdrawn. However, if the applicant desires to have the HPC review an application prior to applying to the Board of Adjustment, the applicant shall request the Building Official to forward the application to the HPC.

(6) As its decision, the HPC may either grant approval, grant approval with conditions, or deny the application. A denial shall include the reasons that the proposal does not meet the criteria in this Article. The applicant shall have the opportunity to resubmit his/her application with modifications; such resubmissions shall meet the same requirements as the original. If the second submission of the application is denied, the applicant may either modify the application for another submission or appeal the denial to the Board of Adjustment. In no event may the HPC make recommendations for changes that will require violation of other requirements of this chapter.

(7) Written notice of the decision of the HPC will be forwarded promptly by the HPC to the applicant and to the Building Official. Upon approval by the HPC, the applicant will be advised. The notice will inform the applicant to meet with the Building Official to complete the application for a building permit. Approval shall be valid for one (1) year for the approved project; if the project is commenced but not completed before the end of that period, the owner shall apply to the Building Official for an extension that may not exceed an additional period of one (1) year.

(8) Substantive changes to the HPC approved project prior or during construction shall require review and approval by the HPC. For such changes, the applicant shall submit one (1) copy of the original application and a description of the proposed changes as well as any supporting documentation to illustrate the effect or non-effect of such proposed changes. A subcommittee of the HPC may be designated to handle the review of such changes. If, in the view of the members of the subcommittee, the changes require the attention of the full HPC, consideration of those changes shall be placed at the top of the HPC's agenda at the next regularly scheduled meeting, or at a special meeting, if appropriate.

D. Demolition. If the structure or any part thereof is deemed to be “contributing” and therefore has historic and architectural significance, no demolition may take place for up to sixty (60) days from the date the application is placed on an agenda of the HPC, during which period the HPC shall meet and discuss with the owner to find a means either to mitigate or to eliminate the demolition. The HPC shall schedule a public hearing before the end of the sixty (60) day period. A decision shall be made at the end of the sixty (60) day period; provided, however, that such time may be extended by mutual agreement of the applicant and the HPC. If the HPC finds that the structure has no historic or architectural significance or is noncontributing, the HPC may approve the application for demolition.

E. Interior features. The HPC shall consider only exterior features and shall not consider interior arrangements except to the extent that an interior alteration affecting the exterior is required by law or disability of owner or tenant.

F. Designation of Historic Properties. Owners of property outside the boundaries of the Historic District may request his/her/their property be designated a Historic Property. Before any such designation may be assigned, specific procedures, information required and recordation procedures and requirements shall have been determined. Such procedures shall include reference to the guidelines of the Preservation Office of the State of Delaware and National Register of Historic Places.

G. Appeals. Any person aggrieved by a decision rendered by the HPC shall have a right to appeal to the Board of Adjustment of the City of Milford.

Criteria; standards.

A. Criteria. In reviewing the plans for any construction, change, or demolition, the HPC shall give consideration to:

(1) Historic or architectural value and significance of the structure and its relationship to the historic value of the surrounding area;

(2) Relationship of the exterior architectural features of the structure to the remainder of the structure and to the surrounding neighborhood. Distinctive stylistic features or examples of skilled craftsmanship shall be preserved, if possible and left up to the property owner *Please review and make sure this is satisfactory to all.*

(3) General compatibility of exterior design, arrangement, texture and materials proposed to be used with other structures contributing to the established character of the Historic District of Milford;

(4) When application is made to demolish a structure of any part thereof, the impact of its removal from the area in which it is located, and its structural condition and the economic feasibility of alternatives to the proposed demolition.

(5) When application is made to move an historic structure, the potential loss of history to its original site and to the Historic District as a whole, and the reasons for not keeping the structure at its present location.

(6) The effect of the structure on the health, safety and general welfare of the City.

(7) Other factors that the HPC deems to be pertinent, consistent with the Code of the City of Milford.

(8) When owners of structures in the Historic District that have been or are designated as "non-contributing" make application to the HPC for approval for alteration or demolition, the HPC evaluation shall be based on the potential impact on the streetscape setting of the property, rather than the potential impact on the property itself. When owners of structures in the Historic District designated as "contributing structures" make application to the HPC for alteration or demolition, preserving the property will be the HPC's primary criterion in evaluating the application. The HPC may require the applicant to submit both financial and construction details in support of any proposed demolition.

(9) A proposed new structure or any alteration to an existing Historic Property shall be permitted to expand to the height and yard setbacks permitted in the underlying district.

B. Standards. A proposed new structure or any alteration to an existing structure or Historic Property shall conform to the Code of the City of Milford. The following standards shall be used by the HPC in preserving the District's architectural integrity and insuring the compatibility of new construction and alterations with the existing body of distinctive Milford's historic building styles. (The Secretary of the Interior's Regulations, "Standards for Rehabilitation" including Reference Drawings, as designated in Appendix C include broad guidelines covering rehabilitation projects of historic buildings and should be referred to in a reasonable manner, taking into consideration economic and technical feasibility. (To be included).

(1) Roofs, Pitch, Dormers and Types: The roof and the pitch of the roof shall be in keeping with traditional roof types and styles in use in Milfords in new structures and alterations. The roof types traditionally found in Milfords include:

[1] Gable including such variations as the "clipped gable" and the "saltbox";

[2] Gambrel or "barn roof";

[3] A traditionally framed mansard with dormers incorporated into the roof design; and

[4] Hip including variations on hip roofs such as "gable on hip". Any of these traditional roof types is acceptable without the need to duplicate the predominant roof type of a specific neighborhood since part of the charm of the Milfords streetscape lies in the variation of roof styles and pitches within these basic roof types. Modern variations of these roof types that clearly bear no resemblance to the traditional styles and pitches will not be approved.

(2) Roofing materials: Acceptable materials include wood, slate, metal, asphalt shingles. Repair materials shall be compatible with the existing roofing material. When a flat roof is otherwise consistent with the design criteria established in this Article, i.e., porches, decks, widow's walks or cupolas, then rubber membrane or similar material may be used.

(3) Siding material: All materials used shall be consistent with and appropriate in design, texture and other visual qualities to the style and period of the structure. Man-made siding (brick, stucco and cedar shake could all be considered man-made or manufactured) is acceptable, although, if used, it should have a traditional profile.

(4) Foundation material: The traditional type of foundation in use in the Milfords Historic District is brick or ballast stone. The use of brick, or a brick veneer over a block foundation is strongly recommended. Other acceptable materials are natural stone and pargeting (stucco) sufficient to disguise the block joints.

(5) Chimney styles and materials: Chimneys in public view should be of brick or pargeting (stucco). Metal chimneys are acceptable for use in non-public view.

(6) Porches: If a porch is to be included in new construction or alteration, it shall adhere to the height line and average depth of other porches in the surrounding neighborhood. When existing structures with traditional porches, either one of two story are renovated, owners are encouraged to preserve both the porch and

its architectural detailing. An open porch in public view that encroaches into the setback shall not be converted into living space.

(7) Windows: New structures or alterations to existing Historic Properties and construction or alterations of structures in the Historic District shall have windows that are compatible with existing and surrounding structures. Vinyl clad windows may be acceptable after review by the HPC

(8) Architectural details: The term "architectural details" applies to such building features as window and door trim styles, cornices, ornamental brackets, porch and entrance balustrades, porch pillars, corner pilasters, gable peak ornamentation, lattice work, traditional paneled and louvered wooden shutters and similar details. The applicant is encouraged to extend the design motif of the existing structure to any addition, and, in the case of alteration of an existing structure, the architectural details on the exterior shall be preserved.

(9) Walls, fences and gates: Materials shall be of a type compatible with the architecture of the Historic District and Historic Properties. Natural materials are recommended; chain link fences are prohibited.

(10) The current or future color of a structure of any part of the exterior of a structure in the Historic District shall not be reviewed or considered by the HPC.

(11) The HPC shall not deny the addition of items such as solar panels or other inventions that are designed to generate or conserve energy except to designate reasonable alternative design and/or placement.

(12) The HPC shall not deny any reasonable accommodation for a disability, compatible with this Ordinance; however, the HPC may suggest reasonable alternative design and/or placement.

CITY OF MILFORD PLANNING COMMISSION

*Minutes of Meeting
January 15, 2008*

The regular monthly meeting of the Milford Planning Commission was held in the conference room of Rural Water at 210 Vickers Drive on Tuesday evening, January 15, 2008.

PRESIDING: Vice Chairman Brendon Warfel

IN ATTENDANCE: Commissioners Kim Stevenson, Dirk Gleysteen, Veronica Austin, Sam Johnson and Chuck Rini

Also: Gary Norris, City Planner
Mayor Joseph Rogers
Richard Carmean, City Manager
Tim Willard, City Solicitor
John Kramlich, Liaison
Lisa A. Obermire, Recording Secretary

Vice Chairman Warfel called the meeting to order @ 6:58 p.m. Since our last meeting the previous Chairman has resigned. According to our charter, we need to elect a new chairperson before we move forward. This is something new to many of us but we need to make a recommendation and vote on who we want to be our chairperson.

Mrs. Stevenson made a motion to appoint Mr. Warfel as Chairperson. Mrs. Austin seconded the motion. The commissioners were poled. The motion passed unanimously at 6:58 p.m.

Mr. Warfel stated that the charter did not clearly say a vice chair but he felt the commission should elect a vice chair.

Mr. Johnson made a motion to appoint Mrs. Stevenson as Vice Chair. Mrs. Austin seconded the motion. The commissioners were poled. The motion passed unanimously at 6:59 p.m.

Mr. Willard expressed that the statute actually says that you should elect a chair and a secretary. It does not state what a secretary would do. Since you are in a groove here, you might want to pick a secretary.

Mrs. Stevenson made a motion to appoint Mr. Rini to Secretary. Mr. Johnson seconded the motion. The commissioners were poled. The motion passed unanimously at 7:00 p.m.

Richard Carmean stated that he and the mayor are really poor members of this commission. He read the charter recently to find out what to do now that Chairman Marvel had resigned. About eleven years ago when he took the job as City Manager he did come to Planning and Zoning fairly often at the request of the Mayor. Quite frankly, it came to him pretty quickly that it was well run and that there was a Chairperson that was knowledgeable and did a great job of handling the meetings and taking care of things. Sometimes he felt as though his presence was saying something to the order that he was there to keep an eye on the commission. Perhaps he is wrong in that respect. He will try to make a few more meetings and he thinks the mayor will to and we certainly welcome you to come to some of ours. The last few months have been pretty rough with publicity and talk on the street. For all the growth you hear about, Milford is still a small town. He has known some of the people sitting on the commission for many, many years. He wanted to apologize publicly for the whole debacle over the Christmas party and the hams. It is not funny. He is here to eat crow over hams. We moved out here last April and things are really discombobulated and he does not get his mail until five or six days later. He is finally getting the City Clerk out there next week because the carpenters are throwing her out of the building. In years past, Mrs. Hudson usually handled the invitations and ordered the hams. This year he had other employees do that. They set up the Christmas party. The poor woman that ordered the hams simply went through payroll and got all the payroll names and ordered that number of hams. Quite frankly Councilman Brooks had found out that you folks had not gotten your ham.

He called me and was pretty upset. Mr. Carmean stated that he went out and purchased the hams. Believe me, you deserve a ham. You get no pay at this point; although that may change in the future. The commission should receive some type of stipend for the time that is put in. The Christmas Party, he wants to blame it on the guy who set it up. He has never done it before. He did a great job, it was a great party but he did not know that he was supposed to get invitations out to the commission. Mr. Carmean did not know it. The night of the party he thought the commission was boycotting the party. He felt it was strange that not one commissioner came to the party. He thought about Sam Johnson and thought Sam would not miss a meal. Mr. Kramlich brought to our attention that perhaps council should start attending a few more of these and he feels it would be a good idea. Chairman Marvel was very good about attending the council meetings and basically knew the direction that council was taking or their thought process on certain things. There has been a lot of criticism rolling around here in the last few weeks. He would like to see that all put to bed and stopped. He thinks the council is really going to make an effort to choose the three new serving members. They will have to make an application and will be interviewed and voted on by the council. He thinks they will be people that want to work on Planning and Zoning. He does not think it has ever been the desire of council to load this commission with people who get in lock step with everything the council wants. We need people from all walks of life and so forth and so on. We all get criticized and it is tough sometimes to do it and it is tough to work on projects and have them turned down. He works for nine people and has done it for many, many years – it is hard. He jokingly said he knows how to count to five because that is how many votes it takes to get anything done. Part of his job is to keep nine people and direct them towards a consensus. He feels that is part of management for his job. He had to help the council reach a consensus on certain things. He thinks the council and the commission have got to really start communicating about what direction the council is taking and not to feel when council does not go in the direction the commissioners want that it is criticism and vice versa. The council cannot be thinned skinned. When you folks have ideas and so forth and so on, it is not necessarily criticism. You have ideas and thoughts that you want to be aired in the council chambers; we have to do a better job of making sure that happens. Randy and John both apologized publicly for an issue where the commission did not think the council was properly advised. He thinks the council did have the minutes and hopefully they did read them before they made an effort to take a vote and to adopt a zone that basically the commission was against. But again, you were not all against it, some of you were against it and some of you were not. Mr. Carmean read a story on criticism. The moral of the story was if you try to please everyone you will eventually lose your ass. He tries to please everybody. The council is not always going to take the direction that you give them and the commission is not always going to take the direction they give but you both are here to balance each other out. He hopes that we can start out fresh. We have lost some good members who felt that they wanted to move on. He enjoyed working with those members; Randy and Jason have served many years. The commission will be the guest of honor at the Christmas party. Please stay, don't resign and miss the Christmas party. (Mr. Gleysteen entered the meeting at 7:09 p.m.) We will be attending more of your meetings and we do invite you to attend more of ours.

Mayor Rogers stated he wanted to thank each and every member for serving. It is not an easy job to do. He found that out himself. If he makes it till April, it will be his 36th year. He has filed again to run for mayor because he still feels he has something to give to the community. He wanted to publicly thank Mr. Marvel, Mr. James and Mr. Masten for serving. It is not an easy job to serve. His wife does not like to go shopping with him because someone has always got him and she has to do the shopping on her own. The decisions that you all have to make are not always popular. The hardest part of his job is when he has to break a tie; he has four people happy and four people mad. Mr. Norris and he had talked about a year ago and we decided that from now on we would take applications for planning and zoning commission. Those applications would be reviewed and brought before council so that they can identify them. He just wants the commission to know as Mayor of the City of Milford he appreciates what the commission does. It is not a popular job. He also has talked with Mr. Carmean and a couple members of the Council and we believe you should get a little something. He knows the commissioners are not doing the job to get rich but he feels there should be some type of compensation. The council receives \$50.00 which is not a lot but he feels it is something that should be considered. There are three or four applicants already and he apologized for dragging his feet but a couple of the applicants had not firmly committed. He also apologized to Mrs. Austin because he was not aware that she had contacted Mr. Marvel regarding her illness and missing

meetings. We are glad you are a part of the commission. The other thing he would like to say is that he has always tried to appoint the people from the ward they live in. It makes it hard sometimes because the ward has changed a bit. We are going to have to reallocate but if he can't balance it this time he will still go ahead and appoint because it is important to have a full quorum. He also thinks it is very important that you know that the City of Milford is behind you. We don't like to override you but he only votes when it is a tie. Sometimes the council feels differently. He does not always attend the meetings because sometimes they end up at the Board of Adjustment and he does not want a conflict of interest. Also, if there are five council members at a meeting it is considered a quorum. You will be seeing more of us. He is sorry about what has happened. He thinks the members just got burned out and that happens. They were good people, you are good people and we are going to move on.

Mr. Warfel thanked Mr. Carmean and the Mayor for their thoughts. He wanted to commend Mr. Marvel for his many years. He probably will not be able to run a meeting as smoothly as Mr. Marvel has for the past twenty years. He will give it his best.

APPROVAL OF MINUTES

With no amendments a motion to approve the December 18, 2007 minutes as written was made by Mr. Johnson and seconded by Mr. Rini. Motion carried.

UNFINISHED BUSINESS

1. Lynn & Karen McColley
Final Minor Subdivision
416 NE Tenth Street
R-2 District
TAX MAP # MD-16-174.19-01-01.00

Mr. Norris expressed that Mr. and Mrs. McColley were in the audience. At the last meeting, Mr. McColley was not here and the commission tabled the application.

Lynn McColley stated that basically all we want to do there is, right now there is a total of 91 acres and we want to slice out a 20 acre parcel. This is so that if we ever want to refinance we can. We just want to slice out 20 acres. A little later tonight there is a C-3 application and we may take part of it and do a C-3 but for right now we want to slice out that 20 acres. Mr. Warfel expressed that they are taking their existing property and dividing it up. Mr. Norris asked if they were aware that in order to develop it, it would have to come back before the Planning Commission. Mr. McColley stated he understood that.

Mr. Warfel opened the discussion up to the commissioners. No comments were received. Mr. Warfel opened the discussion up to the public.

Mr. Webb stated that Mr. McColley's property is one of the great properties in Milford. It has tremendous character. When he first saw it forty some years ago he could not believe that some place like this was in Milford. He is hoping that Mr. McColley is not going to divide it up so he destroys the character of the mansion. That is one of the truly beautiful spots in Milford. Mr. Warfel expressed that everyone appreciated the Sunny Brae mansion and property.

Mrs. Stevenson made a motion to grant final minor subdivision of the property. Mrs. Austin seconded the motion. The commissioners were poled. The motion passed unanimously at 7:19 p.m.

- 2. Kent-Sussex Auto Care
 Change of Zone C-3 to R-3 (portion of 4.31 acres)
 914 N Walnut Street
 TAX MAP # MD-16-174.18-01-15.00

Mr. Norris commented that it was a change of zone to rezone part of the property from C-3 to R-3. At the last meeting, the Planning Commission tabled that application. He has not received any communication from the applicant.

Mr. Willard stated that as he recalled they were trying to rezone a portion of the property and they wanted it to be residential. We cannot just arbitrarily zone a portion. He recommended that the property be subdivided and legally identify the portion they want to come before the commission. Rather than deny the application it was tabled. Since they have not come forward, he feels the commission can deny it or table it one more time and draft a letter.

Mr. Johnson made a motion to table the application. There was no second.

Mrs. Stevenson made a motion to deny the application. Mrs. Austin seconded the motion. The commissioners were poled.

Mrs. Stevenson	YES
Mr. Gleysteen	YES
Mrs. Austin	YES
Mr. Johnson	NO, feels the commission has tabled other things before and the applicant deserves a chance.
Mr. Rini	YES
Mr. Warfel	YES, feel if they wanted it tabled the applicant should have been present.

The motion passed with a 5 to 1 vote. The motion passed at 7:20 p.m.

Mr. Willard interjected that the procedure with a “no” vote has been to state the reason. It is a good idea on any poled vote to state the reason. It does not have to be a speech. Feel whether it is a yes or no vote, commissioners should make a statement as to why.

NEW BUSINESS

- 1. Steve Buckles on behalf of Joy Courtney
 Change of Zone R-1 to OC-1
 820 Seabury Avenue
 TAX MAP # 1-30-3.11-055.01

Mr. Norris commented that the application is a change of zone from R-1 to OC-1 for a medical facility. It was noted that there was no one in the audience to represent the application. He stated the applicant did not show at the DAC meeting either.

Mr. Willard stated that in his review of the application, he noted that the application was for R-1 to OC-1. The comprehensive plan identifies this parcel as residential. It is pretty clear in the Delaware Code that you cannot zone something that contradicts your comp plan. So when an applicant comes in like this they need to know that the first step would have to be that the comp plan is amended. The council would have to initiate that. Regardless of what your actions are, perhaps there should be some correspondence stating the issue. Mr. Warfel questioned if the application needed to be tabled. Mr. Willard stated it could be tabled or denied. Mrs. Stevenson asked if the hearing should still be held in case someone was in audience to speak for or against the application. Mr. Willard stated absolutely.

Mr. Warfel opened the discussion up to the public. No comments were received.

Mr. Rini stated that the DAC minutes reflect that the applicant was to contact the state. Mr. Norris stated that he wanted to make sure that they had contacted the state. At this point they have not contacted that state.

Mr. Gleysteen stated that everything on the north side of Seabury in this area is OC-1. How can it be inconsistent with the comp plan? Mr. Norris stated that the property that is zoned OC-1 was rezoned a couple of years ago. Mr. Gleysteen stated they just built some medical to the right of the property. Mr. Norris expressed that this is a single-family detached residence. It is there now.

Mrs. Stevenson questioned if the applicant could be given a break on the fee. It seems like this area is going OC-1 and that is not a bad use for that land there. Our comp plan could go that way and if it does could we give them a break on the fee? Mr. Carmean stated that perhaps he needed to look at the policy for accepting applications on requests that do not fit within the scope of the comp plan. It certainly behooves you and the council to keep us out of court – not to approve zone changes that are not in conjunction with the comp plan. Mrs. Stevenson, your point is well taken. We have taken this fee and we cannot legally grant them this anyone under the present comp plan. Mr. Willard stated that is correct. Mr. Carmean promised that they will take a look at the money that they have paid. This is an ideal time if the city would like to amend the comp plan. Mr. Norris expressed that no one had talked with him about the application. This is one where they just filled out the application and submitted it. Mr. Carmean expressed that he had all kinds of egg to wear home on his face. The board can certainly deny and explain to the applicant why and they can talk with Mr. Norris.

Mr. Rini asked if this could be sent back to the applicant without any decision pending changes to the comp plan. Perhaps the applicant was not aware of the procedure and not aware of what the comp plan states. In other words, keep the application active. Mr. Willard stated he would recommend either denying or tabling the application. Perhaps invite them in for a conference.

Mrs. Stevenson made a motion to table the application for one month and attach a letter explaining why. Mr. Johnson seconded the motion. The commissioners were poled.

Mrs. Stevenson	YES, does not conform to the comp plan
Mr. Gleysteen	YES, does not conform to the comp plan.
Mrs. Austin	YES, does not conform to the comp plan.
Mr. Johnson	YES, does not conform to the comp plan.
Mr. Rini	YES, does not conform to the comp plan.
Mr. Warfel	YES, for reasons stated.

The motion passed unanimously at 7:34 p.m.

- 2. Tutse Tonwe, M.D.
 Conditional Use
 1011 N Walnut Street
 TAX MAP # MD-16-174.14-01-31.00

Mr. Norris stated that he had spoken with Dr. Tonwe a couple of times. The property is located on Walnut Street. Believe there was a particular use there prior. Dr. Tonwe bought the property. According to the zoning ordinance, the proposed use would be a conditional use. The property is zoned R-2 but it says in R-2 that all the conditional uses are applicable in the R-1 zone and he believes in his opinion it would be a professional occupation. Therefore it would need a conditional use approval by the Planning Commission as well as Council. Again, he has talked with him several times and he was to be here tonight.

Mr. Warfel questioned if Dr. Tonwe had given a letter stating how many employees because in the R-1 you are only allowed two. Mr. Norris stated as far as he knew Dr. Tonwe would be the only practitioner there. He was going to live in the property and have office hours one afternoon and one day a week. In his opinion it would be a conditional use. Mr. Rini asked if the letter had been provided explaining the site. Mr. Norris stated the letter was not provided. The letter was asked for twice but never received.

Mr. Warfel stated that even without someone there to present the application, the commission could still make a motion on the conditional use. However, he would like to have something in writing limiting the amount of employees that he could have there. Mrs. Stevenson expressed that she did not see how the commission could do anything without having some clue as to what he wants to do. Maybe he wants to do one day a week; maybe he wants all days of the week. Without him being here or without having something telling us, we need to deny or table it. Mr. Johnson felt it was a lack of cooperation on his part when Mr. Norris has spoken with him and requested a letter twice. Mr. Willard expressed that he did not know if this was because of the change in venue, it looks like proper notification was sent out. Feels strongly in his advice that these applicants are proponents of their change especially on a conditional use which is pretty discretionary on your part. You need to hear what they want to do and based on that testimony you may react and add conditions or custom fit that use for that property. Certainly do not think the commission should act favorably without any testimony on it.

Mr. Johnson made a motion to deny the application. Mr. Rini seconded the motion. Mr. Johnson withdrew his motion.

Mr. Duplechain spoke up and stated the he was not aware that the meeting location had been changed either. Perhaps that is the reason why the applicant is not here. Mrs. Stevenson felt perhaps they should be given the benefit of the doubt for one month.

Mrs. Stevenson made a motion to table the application for one month. Mr. Johnson seconded the motion. The commissioners were poled.

Mrs. Stevenson	YES, due to change of venue.
Mr. Gleysteen	YES, due to insufficient information on the application.
Mrs. Austin	YES, due to lack of information.
Mr. Johnson	YES, due to lack of information and change of venue.
Mr. Rini	YES, due to address change.
Mr. Warfel	YES, due to lack of information.

The motion passed unanimously at 7:41 p.m.

- 3. Andrew J. Lyons, Jr., On Behalf of Unity Development LLC
 Final Site Plan – Residential Apartment
 608 NE Front Street
 TAX MAP # MD-16-183.07-01-24.00, -27.00; -27.01; -27.02

Mr. Dusbiber with GMB stated he was representing the application. We have all of our approvals and permits. The project is ready to begin. We have responded to all the DAC comments as well as comments from Mr. Norris.

Mr. Warfel expressed that at a previous meeting there was a discrepancy on the property line adjacent to your property and you were supposed to contact that owner and discuss the matter with him. Has that been done? Mr. Dusbiber asked if he remembered what property. Mr. Warfel stated the Hitchens property. Mr. Dusbiber stated that they have been working on this project for three years but all that was researched through our client’s council which is Gary Dodge out of Dover. Also during that same time period, our client purchased the front property that bordered Northeast Front Street which cancelled out the private access that used to go down to the marina. The dispute over the property line has been worked out. Mr.

Warfel stated that the dispute was not on the last property that was purchased. Mr. Dusbiber stated no it was on the Hitchens side and all that was taken care of. We have executed final deed for all of the properties.

Mr. Norris asked Mr. Dusbiber to explain the road system into the property and the easement. Mr. Dusbiber stated there is no longer an easement. It is all deeded to our client. There is no longer an easement. Mr. Norris stated he was talking about the pump station. Mr. Dusbiber expressed that there is a city easement for maintenance of the pump station but it is not a public road. We have done the easement plan and have sent that in and again our client's council has prepared all the easement agreements and turned them into the city.

Mr. Norris asked Mr. Dusbiber if he presented the planning commission with a representation of what is going to be built there. Mr. Dusbiber stated yes. Mr. Norris stated it would be three stories. Mr. Dusbiber stated it would be three story apartment buildings with parking underneath.

Mr. Warfel stated that the site plan along the Hitchens property remained the same which is why he was questioning that. He did see Mr. Hitchens in the audience. Mr. Hitchens stated what came up was the buffer zone on the east side of the road. Mr. Marvel at the end of that meeting asked them to contact me to resolve the issue because his property goes right across that road. To this day, they have not contacted him. The issue has not been resolved. Mr. Dusbiber stated that it is his understanding that his client's council has taken care of the property issue. He is not aware of any outstanding issues. We have been through all the preliminary approvals and all the city approvals and the DAC meetings and everything else. If there is an issue that still needs to be worked out, he is not aware of it. Mr. Hitchens expressed that the issue is who owns the road. The county owns part of the road and his survey goes right across that road. The survey on his property has been done twice because someone kept removing the stakes. Mr. Dusbiber stated that his client owns the road and it is part of the parcel. It has been confirmed with the client and it is all deeded in his client's name. The people that owned the boatyard always appreciated him letting them put the boat on his property and advertise their business. Mr. Warfel stated that at the previous meetings it was agreed that Mr. Hitchens would be contacted. Mr. Dusbiber stated that it was left to his client's attorney to resolve this. The attorney did research this and he can assure the commission that all parcels are in his client's name. His client is in the audience tonight.

Mr. Warfel stated that this was the only plan received and it was kind of hard to read without a magnifying glass to make sure all the parking spaces are the proper size and so forth. Asked Mr. Norris if all the density calculations have been reviewed. Mr. Norris stated yes. Nothing has changed from the preliminary approval that was granted by the Planning Commission and City Council. Mr. Warfel asked if all setbacks have been met. Mr. Norris stated yes, it is exactly as was preliminarily approved.

Mr. Warfel opened the discussion up to the commissioners.

Mr. Rini stated that at the DAC meeting, the City Engineer wanted confirmation that the Marina View Lane right-of-way was 50 feet. Was that resolved? Mr. Dusbiber stated it used to be a 40 foot right-of-way there but then our client bought both parcels and the 40 foot right-of-way was non-applicable at that point. It is all one parcel now. Mr. Warfel believed at a previous meeting that is where they were using some of Mr. Hitchens property to achieve that and we need to make sure that has been resolved. Mr. Johnson stated that the owner of the property states that the issue has not been resolved. Mr. Hitchens stated that Mr. Marvel wanted the applicant to contact me to resolve and to this day that has not happened. When the For Sale sign went up he just assumed that this whole development was cancelled and that was why he was not contacted.

Mr. Dusbiber expressed again that they have obtained all their permits and have been working diligently on this process. We even had to get an extension on the preliminary approval and there were no comments brought forth at that time.

Mr. Warfel opened the discussion up to the public.

Mr. Hitchens of Hitchens Properties explained at the meeting he heard the word buffer and it was on his side of the property. When it came time to speak he brought this up and that is when Mr. Marvel said as we rezone the one parcel of land to residential it would not infringe on any other commercial property. At the meeting it was tabled for ninety (90) days and they were supposed to contact me and work it out. As far as he knows, his property per his survey goes right across that road. He knows that he owns a part of that road. Mr. Warfel expressed that he remembered that the applicant was supposed to get with him and discuss the matter. At the time he did not think they could get their fifty (50) or their total buffer without possibly going on his property. Mr. Warfel tried to look back through his copies of the minutes to find the discussion but was unsuccessful. Mr. Norris stated that he had the plans which had been done by a registered surveyor and engineer.

Mr. Warfel asked Mr. Willard if the commission was to make a motion to vote on this and approve this and it has been done by licensed engineer, the responsibility would lie with them. Mr. Willard stated that you are not equipped to resolve title issues. Mr. Willard asked Mr. Hitchens if he had seen the site plan as it exists and his question would be are you claiming that some of the site plan is on your property. Mr. Hitchens stated they are using his property – they are going from the east side of the road instead of the west side of the road. Mr. Hitchens approached the table to view the site plan. Mr. Willard asked if Mr. Hitchens had a survey of his property. Mr. Hitchens expressed that it was located at his office. It has been done twice.

Mr. Warfel stated the commission is not equipped to settle this type of disagreement. Mr. Willard stated that the code tells you what you need for site plan such as plans, drawings and surveys and what needs to be on them. That is the guidelines that you have to go on. If there is a federal dispute there are ways to deal with it. He did a rather large subdivision in the county on Millsboro Pond and the state was making noise that they owned a portion of the property. The Planning Commission said they did not have a dog in that fight. We have to rely on the engineers and surveyors.

Mrs. Austin felt the application needed to be tabled to allow time to resolve the property line dispute. Mr. Warfel stated the issue is that this is something that is not our profession here. We have to go with the professional engineers and surveyors. If it is wrong it could potentially cost them a lot of money if it was developed wrong. His opinion is that we have to trust the engineers and surveyors. It is their job to bring us the site plan that is legal and binding; however, he does know that it was in the minutes that this would be discussed with Mr. Hitchens.

Mr. Hitchens offered to go get his survey. Mr. Warfel expressed that the commission could not make the determination. Mr. Rini stated that the commission needed to vote on the application under the merits of the paperwork that we have with the application.

Mr. Willard expressed that he wanted to ask the owner of the property some questions. He asked Mr. Simeone if he owned the property. Mr. Simeone stated yes. Mr. Willard asked if a title search was done on the property. Mr. Simeone stated as far as he knew it was. Mr. Willard asked if the property had been surveyed. Mr. Simeone stated he believed so but his engineer could answer better than he could. Mr. Dusbiber asked permission to do one of two things. First we will resolve it and perhaps table it for one month – he does not know if that would do anything other than delay us. We do want to resolve this.

Mr. Warfel stated again that it was agreed that they would contact Mr. Hitchens. Mrs. Stevenson stated that she did not want to get into a case where the county is now where the people put in the buffer and they found out later the buffer was not big enough – it is just bad press for everybody. Mr. Warfel stated what the applicant is looking for is final site plan approval. If we were to approve it they would still be legally bound to make sure the development was on their property. Mr. Johnson expressed that he always likes to air on the side that is safest. Mr. Willard commented that you can always be sued. He believes strongly that the commission should not be getting into a title dispute because that is not our job. You can be sued for making opinions on that quite frankly. The practical hitch here seems to be that this commission in their review process said to get together and they didn't. Perhaps a reasonable motion would be to table it for

one month and report back to the commission about their meeting. At least you would satisfy a condition that was set. Mr. Warfel expressed if there was a motion to table it, we would want to have something on record that they got together and that the issue was resolved. Mr. Willard stated that he hoped that the motion would include that they meet to resolve the issue.

Mr. Warfel expressed that preliminary approval was given based on the fact that both parties would get together to resolve the issue and come back for final approval. It is not the decision of the commission to decide if the document is right or wrong. Mr. Hitchens commented that with the amount of time that has already passed, what is one more month so that everyone can get their eggs in a row.

Mrs. Austin made a motion to table the application for one month to allow both parties to discuss the property line dispute. Mrs. Stevenson seconded the motion.

Mr. Warfel asked Mr. Willard if there would be anything official the commission would need back from their meeting. Mr. Willard stated that the request is to just honor the previous request and report the efforts to address the issue.

The commissioners were poled.

Mrs. Stevenson	YES, in the interest of getting things cleared up.
Mr. Gleysteen	YES, it is the responsibility of the developer to get with Mr. Hitchens to resolve any type of property dispute.
Mrs. Austin	YES, to allow both sides to meet and solve the dispute.
Mrs. Johnson	YES, to allow both sides to meet.
Mr. Rini	YES, based on both sides getting together.
Mr. Warfel	YES, per reasons stated.

The motion passed unanimously at 8:10 p.m.

- 4. Silicato-Wood Partnership, LLC
Annexation
Requested Zoning C-3
TAX MAP # MD-00-174.00-02-50.01-000

Mr. Warfel noted that the annexation committee made a motion to approve the annexation of this property.

Randy Duplechain with Davis, Bowen & Friedel stated he was representing the application. This is a request to annex in approximately 2 ¼ acres of property. It is adjacent to property that Mr. Silicato already owns that is zoned C-3, highway commercial. So we are requesting that this piece be brought into the City and zoned as highway commercial. There are three parcels being requested; this is one of three. He reviewed a map showing the properties. The boundary that you see in orange is actually the city boundary.

Mr. Johnson questioned if this was the start of the service road that is being talked about. Mr. Duplechain stated it is part of a discussion that occurred and is ongoing related to a service road. The access road would be from Front Street over to Tenth Street. The location of that and where it goes and when it happens is still up in the air. These two pieces are actually being proposed to be developed as commercial. What is proposed here is to annex these properties and develop. Mr. Rini questioned what might go there. Mr. Duplechain stated that the NKS property would be a beer distribution center. Basically they want to enlarge their facility. They are proposing to lease this property from the state and they have purchased this strip of property here to allow them to build the facility. As far as Mr. Silicato's property, what is proposed here is some out lots, perhaps four or five that would be developed into such things as a hotel or convenience store. Obviously all that would come before this body again.

Mr. Norris stated that the Planning Commission will make a recommendation for the zoning and that is all they are going to do. It is being requested as C-3. He explained further that the proposed use would require a conditional use under the C-3. Mr. Duplechain stated he understood that later in the meeting there would be some discussion related to the C-3 zoning. Mr. Norris stated he did not feel it was applicable. Mr. Duplechain expressed that they do understand that it would have to come through as a conditional use.

Mr. Willard expressed that you could almost deal with all three of these at once. In the comp plan all three are identified as commercial.

Mr. Duplechain expressed there is a piece that is not part of the city that belongs to the McColley's. Do not know how it was set up that way. Mr. Willard stated that by annexing these properties, will it create an island within the city. Mr. Duplechain stated yes. Mr. Willard stated that was interesting. The only requirement for annexation is that it is contiguous and it is consistent with the comp plan and it is. What is before the commission tonight is what zoning it should be.

Mr. Warfel opened the discussion up to the commissioners. No comments were received.

Mr. Warfel opened the discussion up to the public. No comments were received.

Mr. Warfel stated it is consistent with the comp plan and it is contiguous to the city limits. Any changes to the property would be subject to planning commission review. There was no opposition to the annexation.

Mrs. Stevenson made a motion to recommend C-3 as the zoning of the property. Mrs. Austin seconded the motion. The commissioners were poled.

Mrs. Stevenson	YES, consistent with comp plan.
Mr. Gleysteen	YES, consistent with comp plan.
Mrs. Austin	YES, consistent with comp plan.
Mr. Johnson	YES, consistent with comp plan.
Mr. Rini	YES, consistent with comp plan.
Mr. Warfel	YES, consistent with comp plan.

The motion passed unanimously at 8:22 p.m.

- 5. State of Delaware
- Annexation
- Requested Zoning C-3
- TAX MAP # MD-00-174.00-02-50.00-000

Mr. Warfel expressed that this application is similar to the previous one just discussed. This application is also for annexation at the C-3 zone.

Mr. Duplechain stated he was representing the application. Pretty much what he stated before is what is being requested. There is a letter that is really not supporting but not against. The letter does state that the department is not seeking the annexation but is not opposed to this annexation either.

Mr. Warfel stated this property is a little different in that the State of Delaware cannot request annexation; however, the city says they require a request. It was moved at the Annexation Committee meeting to annex the property in. Here again we are just here to make a recommendation on the zoning.

Mr. Warfel opened the discussion up to the commission.

Mr. Willard questioned who applied for the application. Mr. Duplechain stated the state.

Mr. Warfel opened the discussion up to the public. No comments were received.

Mr. Rini made a motion to recommend C-3 as the zoning for this property. Mrs. Austin seconded the motion. The commissioners were poled.

Mrs. Stevenson	YES, consistent with comp plan.
Mr. Gleysteen	YES, consistent with comp plan.
Mrs. Austin	YES, consistent with comp plan.
Mr. Johnson	YES, consistent with comp plan.
Mr. Rini	YES, consistent with comp plan.
Mr. Warfel	YES, for reasons stated.

The motion passed unanimously at 8:27 p.m.

- 6. NKS Distributors, Inc.
Annexation
Requested Zoning C-3
TAX MAP # MD-00-174.00-02-57.01-000

Mr. Warfel stated this application for annexation is requesting the C-3 zoning as well.

Mr. Duplechain stated he was representing this application as well. Because of the narrowness of this piece of property, NKS purchased the strip of property which you see here adjacent to the state property. There are representatives in the audience from NKS. Mr. Warfel expressed that this piece needs to be annexed in to build their new warehouse.

Mr. Warfel opened the discussion up to the commission. No comments were received.

Mr. Warfel opened the discussion up to the public. No comments were received.

Mrs. Stevenson made a motion to recommend C-3 as the zoning for this property. Mr. Johnson seconded the motion. The commissioners were poled.

Mrs. Stevenson	YES, consistent with comp plan.
Mr. Gleysteen	YES, consistent with comp plan.
Mrs. Austin	YES, consistent with comp plan.
Mr. Johnson	YES, consistent with comp plan.
Mr. Rini	YES, consistent with comp plan.
Mr. Warfel	YES, for reasons stated.

The motion passed unanimously at 8:31 p.m.

- 7. City of Milford Zoning Chapter 230
Amendment/Ordinance 2008-1

Mr. Norris expressed that Mr. Willard has prepared an amendment in response to the Laundromat question. Mr. Willard stated this was brought about because of an application presented to the city. There were a bunch of conditional uses that were permitted in the C-3 but he added one catch all. That is residential, business, commercial or industrial uses that do not adversely affect neighboring properties. That catch all gives the council and applicants a lot of flexibility in coming to council. The determination being that it does not adversely affect surrounding properties. You won't get in that bind where there might be a good use that you did not contemplate.

Mr. Norris stated it would be up to the commission but his comments would be that in the zoning ordinance there is a criteria for a conditional use. His opinion would be that if the conditional use comes before the Planning Commission they should look at the criteria and go down those criteria and see if the conditional use meets the criteria. Likewise, he thinks council should do the same. His comment would be to follow the criteria that are outlined in the zoning ordinance for a conditional use. Mr. Willard stated that is a good point. The criteria apply to all conditional uses; conditional use is a list of uses that are allowed in a specific zoning area. Mr. Norris stated that the criteria are listed on 230-48.

Mr. Warfel stated just to be clear, if we were to amend this, in the C-3 zoning pretty much any residential, business, commercial and industrial use would be approved. Mr. Willard stated if it does not adversely affect neighboring properties and go through the list of criteria. Mrs. Stevenson questioned if it needs to specifically state to look at the criteria for evaluation. Mr. Willard stated no.

Mr. Warfel opened the discussion up to the public.

Mr. Duplechain stated he would like some clarification. His question is are you saying you will allow these uses to occur without a conditional use. Mr. Willard stated no. It is a catch all phrase. If you are more comfortable with just having them restrictive and specific, that is fine. Mr. Duplechain questioned who would determine what adversely affects neighboring properties. Mr. Willard stated the commission. That is what they do on every application. Mr. Duplechain stated what he is trying to make sure the wording is correct. Mr. Norris stated his only comment would be to include something about residential because you may want to put a residence above commercial. Right now it is not permitted. Mr. Willard stated his suggestion would be to table it and he would mess with it some more and send to Gary. Mr. Warfel commented that the idea is a good one.

Mr. Rini made a motion to table the amendment. Mrs. Stevenson seconded the motion. The commissioners were poled.

Mrs. Stevenson	YES, good work but needs more work.
Mr. Gleysteen	YES
Mrs. Austin	YES, good work but needs more work
Mr. Johnson	YES
Mr. Rini	YES
Mr. Warfel	YES, for reasons stated.

The motion passed unanimously at 8:42 p.m.

MISCELLANEOUS

Mr. Norris stated that sometime this month he would be sending out draft copies of some of the chapters for the comp plan. Take a look at them and we can discuss at February's meeting.

Mr. Warfel thanked the commission for voting him as chairman of the commission. He will not let the commission down.

ADJOURNMENT

With no further business, Mr. Johnson moved to adjourn which was seconded by Mrs. Austin.

Meeting adjourned at 8:44 p.m.

Respectfully submitted,

Lisa A. Obermire
Recording Secretary

City of Milford



PUBLIC NOTICE ***Board of Adjustment Hearing***

The Board of Adjustment of the City of Milford will hold a Public Hearing on Thursday, February 21, 2008 at 10:00 a.m., or as soon thereafter as possible, in the Parks and Recreation Meeting Room at 207 Franklin Street, Milford, Delaware to consider the following variance to the City of Milford Zoning Code:

Application of John R. Morse, Jr. requesting a 10-foot encroachment into a 15-foot rear yard setback to allow for a two-car garage. Property is located an R-2 District at 701 North Street Extended, Milford, Delaware, Tax Map MD-16-183.06-02-02.000.

All interested persons are hereby notified to be present. Comments may be in writing or presented orally at the hearing. Written comments will be accepted if received prior to the Public Hearing. Questions should be directed to 302-422-6616 Extension 164.

By: Terri Hudson, CMC

01/23/08

SITE PLAN CONDITIONAL USE

APPLICATION
SUB-DIVISION
(circle all that apply)

(VARIANCE) CHANGE OF ZONE

The undersigned hereby makes formal application to the City of Milford for the approval of Variance for the property described below. Applications shall be represented at the appropriate meetings or hearing. The applicant is aware that no applications will be accepted if violations exist or if any service fees, including taxes, are delinquent.

OWNER NAME: John R. Morse Jr PHONE NUMBER: 422 8024
ADDRESS: 701 NORTH ST.

SIGNATURE: [Signature] DATE: 12-14-07
PLEASE NOTE: LEGAL OWNER MUST SIGN APPLICATION! FEE: \$300.00

APPLICANT NAME: John R. Morse Jr PHONE NUMBER: 422 8024
ADDRESS: 701 North St.

SITE LOCATION: ROAD _____ N.S.E.W SIDE _____ FEET N.S.E.W OF _____
ROAD _____ SUBDIVISION NAME: _____ LOT NUMBER: _____
SITE ADDRESS: 701 North Street Ext

ZONING: EXISTING: R-2 PROPOSED: R2 TAX MAP NUMBER: MD-116-183.06-02-02.00

PRESENT USE: Single family dwelling PROPOSED USE: same w/ 2 car garage

AREA OF PETITION: .39 AC AREA OF ADJACENT LAND IN SAME OWNERSHIP: 0 AC

SANITARY FACILITIES: EXISTING X PROPOSED _____
ELECTRIC SUPPLY: EXISTING X PROPOSED _____
WATER SUPPLY: EXISTING X PROPOSED _____

DWELLING UNITS: EXISTING: 1 PROPOSED: same
FRONT SETBACK: REQUIRED: n/a FT PROPOSED: n/a FT
REAR SETBACK: REQUIRED: 15 FT PROPOSED: 5 FT
SIDE SETBACKS: REQUIRED: 5 FT PROPOSED: 5 FT

WETLANDS ON SITE? (YES) NO COMPREHENSIVE PLAN RECOMMENDATION: _____
ZONING CHAPTER 230 ARTICLE _____

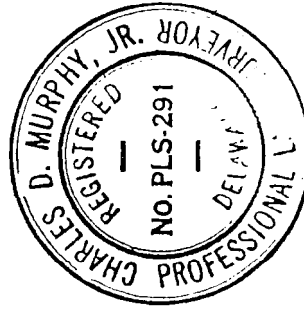
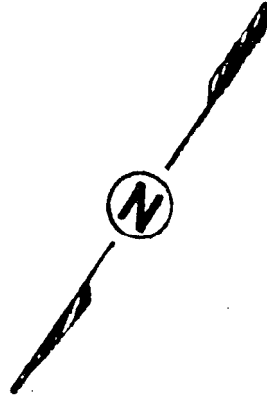
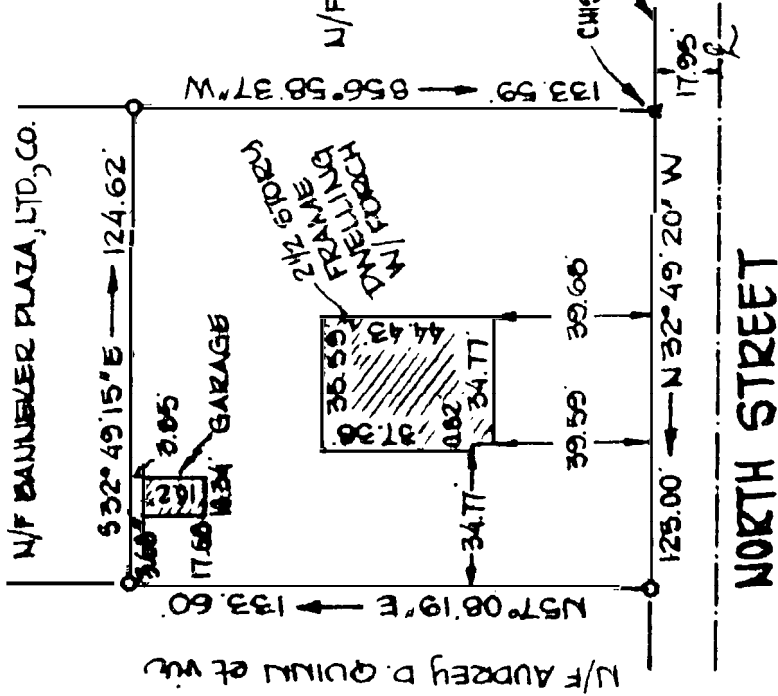
VARIANCE INFORMATION (IF APPLICABLE): requesting relief of a 10' encroachment into a 15' rear yard setback for the purpose of a 2 car detached garage.

CONTACT FOR APPLICATION: _____ PHONE: _____
APPLICATION RECEIVED BY: Christine Cronch DATE: 12-21-07

DAC MTG: _____ P.C. MTG: _____ COUNCIL MTG: _____

B.O.A. MTG:
2-21-08

Existing



AREA: 16,674.1 SQ. FT. ±

Legend
○: IRON PIPE SET

Property to be conveyed to: **JOHN T. BREWER**

CITY OF MILFORD
188.08 MD 16.2.2
88-7-251

KENT COUNTY DELAWARE F.B. 153 PG. 41

Scale: 1" = 50'

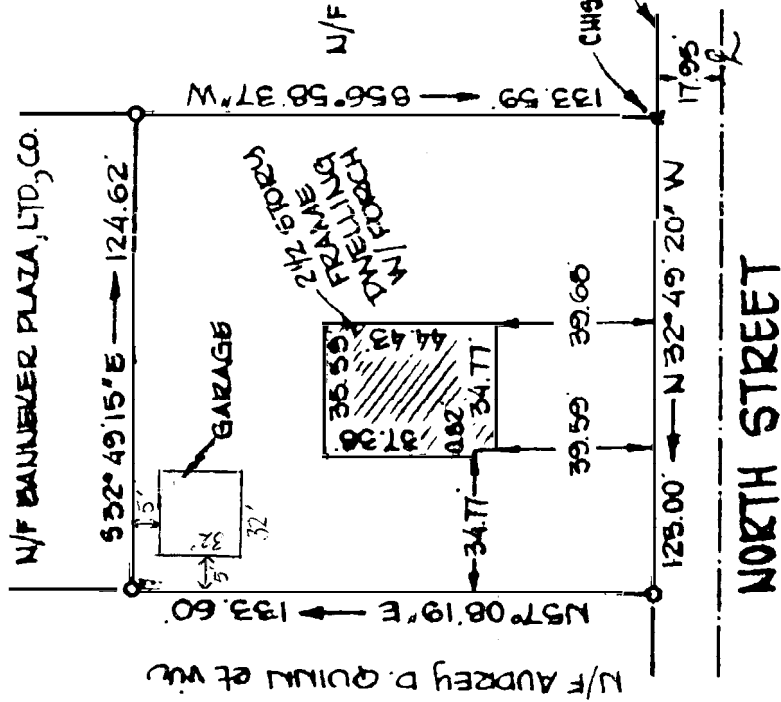
Surveyed By:

Date: 28 July 1988

Charles D. Murphy, Jr.

P.L.S. 291

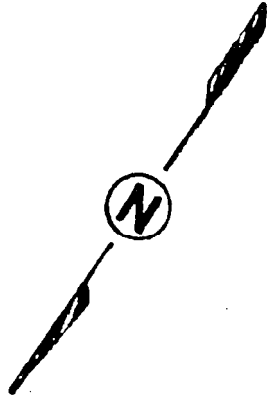
PROPOSED



N/F PRICILLA E. FOUNTAIN

CHISEL MARK BACK OF CURB
BACK OF CURB

NORTH STREET



AREA: 16,674.1 SQ. FT. ±

Legend
○: IRON PIPE SET

Property to be conveyed to:

JOHN T. BREWER

CITY OF MILFORD

183.08 MD 16.2.2
88-7-251

KENT COUNTY DELAWARE

F.B. 183 R9.41

Scale: 1" = 50'

Surveyed By:

Date: 28 July 1988

Charles D. Murphy, Jr.

P.L.S. 291

From: CCGM [milford@milfordchamber.com]
Sent: Thursday, January 10, 2008 4:40 PM
To: ksalevan@milfordchamber.com
Attachments: DT March E Blast.doc

Dear Chamber Members,

Please see the attached flyer. There will a special section about Kent County, and highlighting Milford as "*the most livable town*".

Have a great day,

jo

DELAWARE TODAY®

Arriving in March:

- ⇒ Kent County Guide: Latest in things to do, places to see and newest development of Kent County.
- ⇒ Real Estate: Hottest Condo living, Most Charming Neighborhoods.



Promotional Supplements:

- ⇒ Delaware Home Builders Association — distributed at the Spring 2008 Home Show.
- ⇒ Kent County Guide — Eco-tourism, Smyrna grows and Milford rated most livable town!

Special Advertising Sections:

- ⇒ Real Estate Profiles

Special Event & Sponsorship Opportunities:

- ⇒ Delaware Bridal Show, April 20, 2008.
Noon-3:30 at The Clubhouse at Baywood.

Space reservation deadline: January 14, 2008

For more information, please call 302.656.1809 ext. 235 or e-mail sales@delawaretoday.com



Chamber of Commerce
for Greater Milford

P.O. Box 805, Milford, DE 19963
(302) 422-3344

MIXER ... JANUARY ... MIXER

Hosted by: Addus Health Care

Where: Frederica Senior Center
216 S. Market Street, Frederica

Date: Wednesday, January 23

Time: 5:00 to 7:00 p.m.

~Door Prizes ~ Networking ~Hors D'oeuvres & Beverages

Bring your Business Card and a Friend...

Please RSVP by Monday, January 21, 2008

Chamber of Commerce for Greater Milford - 422-3344 or fax to - 422-7503

Name of business: _____

Individual(s): _____

_____ Number attending: _____

(List all names for name tags)

Will you be bringing a door prize: Yes _____ No _____



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: Sussex Pines Country Club, Georgetown

DATE: Wednesday, February 6, 2008

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

PROGRAM: Citizen Corps
Carl Davis (Sussex County Paramedics)

HOST: Town of Milton

COST: \$29.50

MENU: Baked Ziti
Baked Ham with Pineapple Sauce
Chef's Choice Vegetables
Chef's Choice Potatoes
Salad
Rolls
Assorted Desserts

For reservations, please call Stephanie or Julie at the Milton Town Hall at 684-4110 no later than Friday, February 1, 2008 by 12:00 noon. Please make checks payable to the Town of Milton.

PLEASE, CALL YOUR RESERVATIONS IN BY THE DEADLINE !!

REMINDER

The Steering Committee will meet on Friday, February 8th at 9:00 a.m. at the CHEER Center in Georgetown. Representatives from the Delaware Economic Development Office and Sussex Chambers of Commerce will be in attendance to discuss collaboration options regarding economic development.

The cost of breakfast will be \$9.00 per person. Monies will be collected at the meeting.