

JAMIE WHITEHOUSE, AICP  
DIRECTOR OF PLANNING & ZONING  
(302) 855-7878 T  
(302) 854-5079 F  
jamie.whitehouse@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE

ROBERT C. WHEATLEY, CHAIRMAN  
MARTIN L. ROSS, VICE CHAIRMAN  
R. KELLER HOPKINS  
DOUGLAS B HUDSON  
KIM HOEY STEVENSON



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F  
sussexcountyde.gov

# Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET  
Planning Commission Public Hearing Date July 28, 2022

Application: C/U 2309 Rockswitch Properties, LLC

Owners: Rockswitch Properties, LLC  
12300 Rockswitch Street  
Milton, DE 19968

Applicant: Rockswitch Properties, LLC  
12300 Rockswitch Street  
Milton, DE 19968

Site Location: 12537 Coastal Highway, Milton. The property is lying on the north side of Coastal Highway (Route 1), approximately 0.14 miles southeast of Deep Branch Road (S.C.R. 234).

Zoning: AR-1 (Agricultural Residential District)

Current Use: Residential

Proposed Use: Real Estate Office

Comprehensive Land Use Plan Reference: Low Density Area

Councilmatic District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Milton Fire District

Sewer: Septic

Water: Private Well

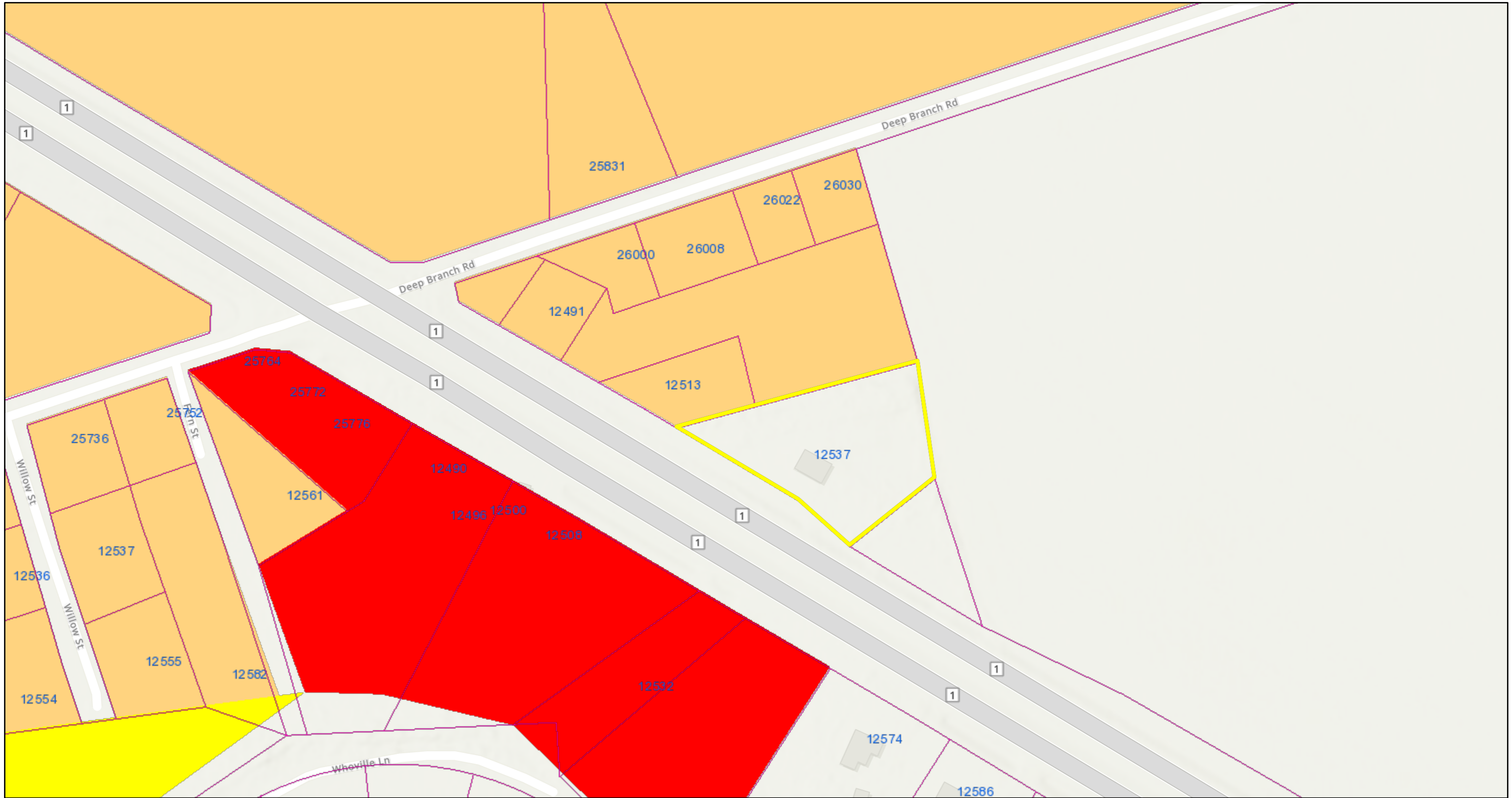
Site Area: 1.3802 ac. +/-

Tax Map ID.: 235-8.00-62.00



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE 19947

# Sussex County

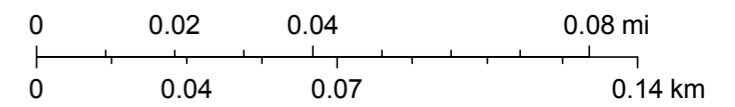


June 28, 2022

- Override 1
- Override 1
- Tax Parcels
- 911 Address
- Zoning**
- Agricultural Residential - AR-1

- |  |  |   |  |
|--|--|---|--|
| <span style="background-color: #ffffcc; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Agricultural Residential - AR-2 | <span style="background-color: #808000; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Vacation, Retire, Resident - VRP              | <span style="background-color: #f08080; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> General Commercial - C-2   | <span style="background-color: #000080; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Institutional - I-1       |
| <span style="background-color: #ffff00; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Medium Residential - MR         | <span style="background-color: #f08080; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Neighborhood Business - B-1                   | <span style="background-color: #f08080; border: 1px solid black; border-style: dotted; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> General Commercial - C-3                   | <span style="background-color: #008080; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Marine - M                |
| <span style="background-color: #ffcc99; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> General Residential - GR        | <span style="background-color: #f08080; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Neighborhood Business - B-2                   | <span style="background-color: #f08080; border: 1px solid black; border-style: dashed; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> General Commercial - C-4                   | <span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Limited Industrial - LI-1 |
| <span style="background-color: #cc9933; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> High Density Residential - HR-1 | <span style="background-color: #cccccc; border: 1px solid black; border-style: dotted; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Business Research - B-3 | <span style="background-color: #f08080; border: 1px solid black; border-style: solid; border-width: 2px; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> General Commercial - C-5 | <span style="background-color: #999999; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Light Industrial - LI-2   |
| <span style="background-color: #cc6633; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> High Density Residential - HR-2 | <span style="background-color: #ff0000; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> General Commercial - C-1                      | <span style="background-color: #800000; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Commercial Residential - CR-1                                    | <span style="background-color: #666666; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Heavy Industrial - HI-1   |

1:2,257



Sussex County, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sussex County Government, Sussex County Mapping and Addressing, Esri Community Maps Contributors, County of

# Sussex County

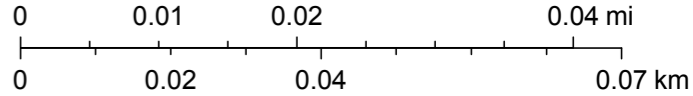


June 28, 2022

TP 235-8.00-62.00

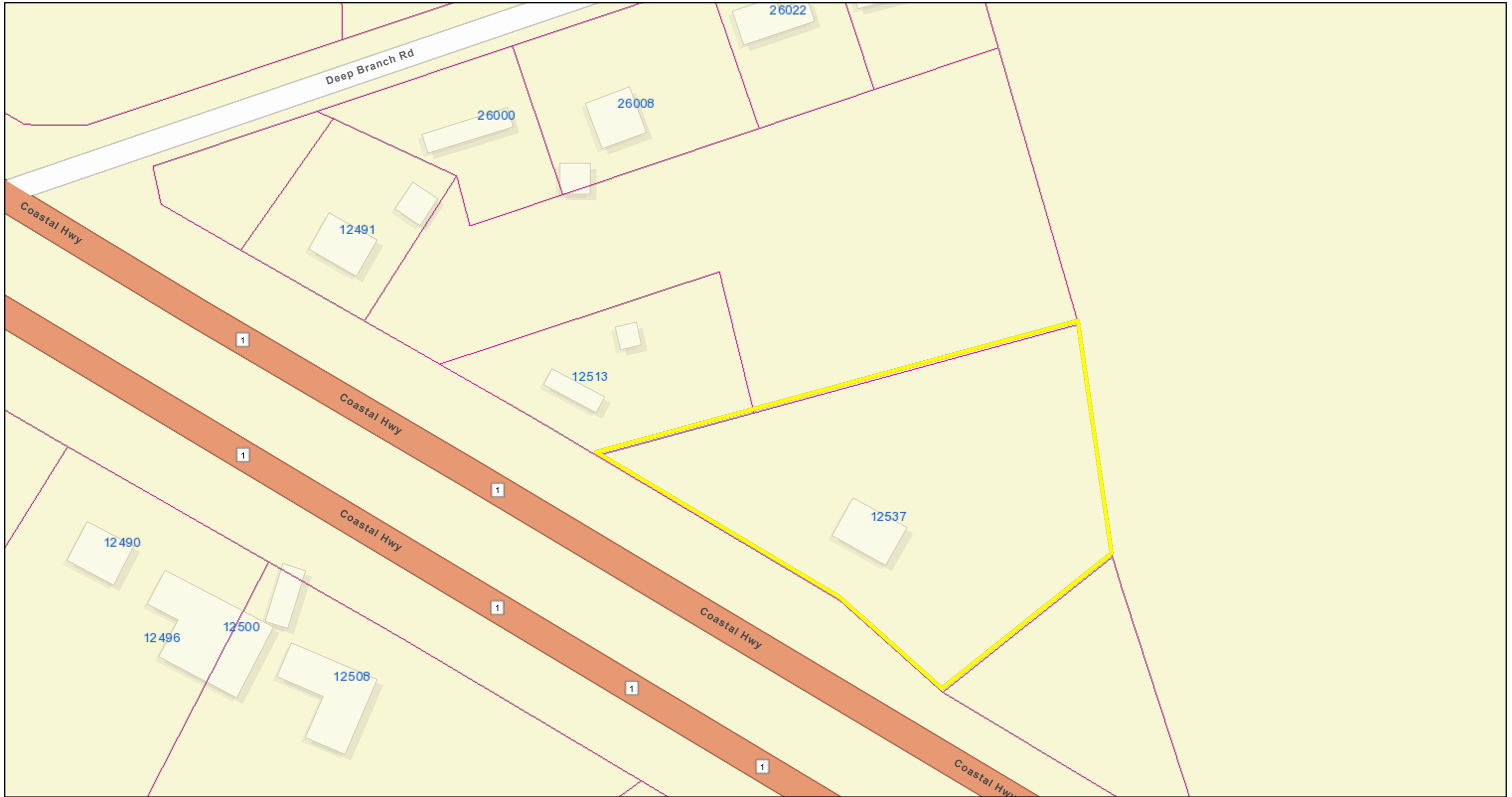
1:1,128

-  Override 1
-  Override 1
-  Tax Parcels



Maxar, Microsoft, Sussex County Government




# Sussex County

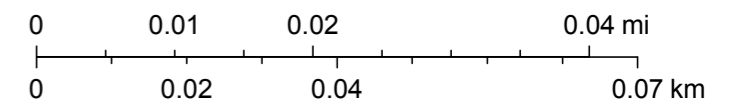


June 28, 2022

TP 235-8.00-62.00

1:1,128

-  Override 1
-  Override 1
-  Tax Parcels
- 911 Address



Sussex County Government, Sussex County Mapping and Addressing, Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

JAMIE WHITEHOUSE, AICP MRTPI  
PLANNING & ZONING DIRECTOR  
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**Sussex County**

DELAWARE  
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## Memorandum

To: Sussex County Planning Commission Members  
From: Michael Lowrey, Planner III  
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant  
Date: July 13, 2022  
RE: Staff Analysis for C/U 2309 Rockswitch Properties, LLC

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2309 Rockswitch Properties, LLC to be reviewed during the July 28<sup>th</sup>, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 235-8.00-62.00 to allow for a realty office use. The property is located on the north side of Coastal Highway (Route 1), approximately 0.14 miles southeast of Deep Branch Road (S.C.R. 234). The parcel is 1.3802 acres +/-.

### Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of “Low Density”, with the parcels immediately to the east and northeast also having a Future Land Use Map designation of “Low Density.” The adjacent parcels to the west and northwest of the subject property have the Future Land Use Map designation of “Existing Development Area” with properties on the opposite side of Coastal Highway (Route 1) also designated as “Existing Development Area.”

As outlined within the 2018 Sussex County Comprehensive Plan, Low Density Areas are areas zoned Agricultural Residential (AR-1). The Plan notes that retail and office uses in Low Density Areas should be focused on providing “convenience goods and services to nearby residents” as well as indicating that the commercial uses “should be limited in their location, size, and hours of operation.” (Sussex County Comprehensive Plan, 4-19) The Plan notes that these policy guidelines are provided to “maintain the rural landscape” in Low Density Areas (Sussex County Comprehensive Plan, 4-18).

### Zoning Information

The subject property is zoned Agricultural Residential (AR-1). The properties to the east on both sides of Coastal highway (Route 9) are also zoned Agricultural Residential (AR-1). The parcels immediately south across Coastal Highway (Route 9) and extending westward to the intersection with Deep Branch Road (S.C.R. 234) are zoned General Commercial (C-1). The remaining



properties adjacent to the west of the subject parcel on the north side of Coastal Highway (Route 9) and extending northwest to Deep Branch Road (S.C.R. 234), are zoned General Residential (GR).

Existing Conditional Uses within the Vicinity of the Subject Site

Since 2011, there has been one (1) Conditional Use application within a 0.5-mile radius of the application site. This application was Conditional Use No. 1992 for the lands of W. Ralph Brumbley to permit a vendor (lunch truck) to sell foods and beverages within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, January 13, 2015, and this was adopted through Ordinance No. 2383.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use to allow to allow for a real estate office use within an Agricultural Residential (AR-1) Zoning District could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: CU 2309  
202112175

**Planning & Zoning Commission Application**  
**Sussex County, Delaware**

Sussex County Planning & Zoning Department  
2 The Circle (P.O. Box 417) Georgetown, DE 19947  
302-855-7878 ph. 302-854-5079 fax

**Type of Application: (please check applicable)**

Conditional Use   
Zoning Map Amendment

**Site Address of Conditional Use/Zoning Map Amendment**

12537 Coastal Highway, Milton, DE

**Type of Conditional Use Requested:**

Operation of small office space for real estate service business pursuant to Sussex County Zoning Code 115-22.

**Tax Map #:** 235-8.00-62.00 **Size of Parcel(s):** 1.3802 Acres +/-

**Current Zoning:** AR-1 **Proposed Zoning:** C/U **Size of Building:** 1,250 S.F. +/- existing

**Land Use Classification:** Residential

**Water Provider:** Private Well **Sewer Provider:** Septic

**Applicant Information**

Applicant Name: Rockswitch Properties, LLC  
Applicant Address: 12300 Rock Switch Street  
City: Milton State: DE Zip Code: 19968  
Phone #: (302) 644-1405 E-mail: richr@atlanticmillwork.com

**Owner Information**

Owner Name: Rockswitch Properties, LLC  
Owner Address: 12300 Rock Switch Street  
City: Milton State: DE Zip Code: 19968  
Phone #: (302) 644-1405 E-mail: richr@atlanticmillwork.com

**Agent/Attorney/Engineer Information**

Agent/Attorney/Engineer Name: Baird Mandalas Brockstedt, LLC c/o Mackenzie M. Peet, Esq.  
Agent/Attorney/Engineer Address: 1413 Savannah Road, Suite 1  
City: Lewes State: DE Zip Code: 19958  
Phone #: (302) 645-2262 E-mail: mackenzie@bmbde.com





## Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- Completed Application**

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- Provide eight (8) copies of the Site Plan or Survey of the property**
  - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
  - Provide a PDF of Plans (may be e-mailed to a staff member)
  - Deed or Legal description
- Provide Fee \$500.00**
- Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- DelDOT Service Level Evaluation Request Response**
- PLUS Response Letter (if required)**

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

*[Handwritten Signature]*

Date: 08/10/2021

Signature of Owner

*[Handwritten Signature]*

Date: 8/10/21

For office use only:

Date Submitted: \_\_\_\_\_

Fee: \$500.00 Check #: \_\_\_\_\_

Staff accepting application: \_\_\_\_\_

Application & Case #: \_\_\_\_\_

Location of property: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Date of PC Hearing: \_\_\_\_\_

Recommendation of PC Commission: \_\_\_\_\_

Date of CC Hearing: \_\_\_\_\_

Decision of CC: \_\_\_\_\_

## Planning & Zoning Project Contact List

### Applicant Information

Applicant Name: Rockswitch Properties, LLC  
Applicant Address: 12300 Rock Switch Street  
City: Milton State: DE Zip: 19968  
Phone #: (302) 644-1405 E-mail: richr@atlanticmillwork.com

### Owner Information

Owner Name: Rockswitch Properties, LLC  
Owner Address: 12300 Rock Switch Street  
City: Milton State: DE Zip: 19968  
Phone #: (302) 644-1405 E-mail: richr@atlanticmillwork.com

### Engineer/Surveyor Information

Engineer/Surveyor Name: John B. Roach Engineering LLC  
Engineer/Surveyor Address: 22184 Melson Road  
City: Georgetown State: DE Zip: 19948  
Phone #: (302) 856-1565 E-mail: \_\_\_\_\_

### Agent/Attorney Information

Agent/Attorney/Name: Baird Mandalas Brockstedt, LLC c/o Mackenzie M. Peet, Esq.  
Agent/Attorney/Address: 1413 Savannah Road, Suite 1  
City: Lewes State: DE Zip: 19958  
Phone #: (302) 645-2262 E-mail: mackenzie@bmbde.com

### Other

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_



## Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

### Application Information:

Site Address: 12537 Coastal Highway, Milton, DE

Parcel #: 235-8.00-62.00

Site Address: \_\_\_\_\_

Parcel #: \_\_\_\_\_

Applicant Name: Rockswitch Properties, LLC

Owner Name: Rockswitch Properties, LLC

### Type of Application:

Conditional Use:   
Change of Zone:   
Subdivision:   
Board of Adjustment:

Date Submitted: \_\_\_\_\_

### For office use only:

Date of Public Hearing: \_\_\_\_\_

File #: \_\_\_\_\_

Date list created: \_\_\_\_\_

Date letters mailed: \_\_\_\_\_

List created by: \_\_\_\_\_

Letters sent by: \_\_\_\_\_

**BAIRD MANDALAS BROCKSTEDT, LLC**  
Attorney Operating Account

3670

Date : Aug 10, 2021  
Che # : 3670  
Amount: 500.00  
Paid To: Sussex County Council

Sussex County, DE  
Treasury  
P.O. Box 601  
Georgetown, DE 19947  
Welcome

Re: Conditional Use Application Fee

33020286-0051 Lindsey S 08/13/2021 12:34PM

PERMITS / INSPECTIONS  
CONDITIONAL USE - FEE  
2021 Item: 2021121751Z010 500.00

500.00

Subtotal 500.00  
Total 500.00

CHECK 500.00  
Check Number: 003670

Change due 0.00

Paid by: BAIRD MANDALS BROCKSTEDT LLC

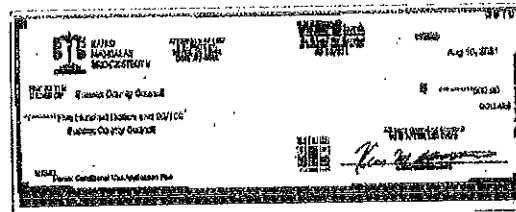
3670

**BAIRD MANDALAS BROCKSTEDT, LLC**  
Attorney Operating Account

Date : Aug 10, 2021  
Che # : 3670  
Amount: 500.00  
Account: 010  
Paid To: Sussex County Council

Contact: 20988; Reed, Richard  
File : 20988-001; Conditional Use/Rezoning

Re: Conditional Use Application Fee



Thank you for your payment

Sussex County, DE COPY  
DUPLICATE RECEIPT



STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. BOX 77B  
DOVER, DELAWARE 19903

NICOLE MAJESKI  
SECRETARY

July 27, 2021

Mr. Jamie Whitehouse, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Rockswitch Properties, LLC** proposed land use application, which we received on July 14, 2021. This application is for an approximately 1.38-acre parcel (Tax Parcel: 235-8.00-62.00). The subject land is located on the north side of Coastal Highway (State Route 1) about 0.1 mile south of the intersection with Deep Branch Road (Sussex Road 234). The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval to operate an office for property management/ construction company.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along Coastal Highway from Union Street Extended to Broadkill Road are 25,224 and 32,434 vehicles per day, respectively.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

Mr. Jamie Whitehouse  
Page 2 of 2  
July 27, 2021

The above-mentioned property is adjacent to State Route 1, making it subject to the Department's Corridor Capacity Preservation Program. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of high-density, direct access points on the arterial highway. According to the Office of State Planning Coordination's Strategies for State Policies and Spending document, the property is located in Investment Level 4. No new or expanded direct access to the State Route 1 will be permitted in these areas. Access will be permitted to existing secondary roads. If alternative access is determined to be reasonable but degrades the operation or safety of an adjacent intersection (as determined by a traffic engineering study), then direct access to the corridor may also be permitted by way of rights-in/rights-out access only. The Corridor Capacity Preservation Program policy can be viewed on the Department's website at [www.deldot.gov](http://www.deldot.gov). The manual is located under the publication link.

If the County approves this application, the applicant should be reminded that DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Rockswitch Properties, LLC, Applicant  
Russell Warrington, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furmato, Project Engineer, Development Coordination

**SUSSEX COUNTY ENGINEERING DEPARTMENT  
UTILITY PLANNING & DESIGN REVIEW DIVISION  
C/U & C/Z COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **7/8/2022**

APPLICATION: **CU 2309 Rockswitch Properties, LLC**

APPLICANT: **Rockswitch Properties, LLC**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **235-8.00-62.00**

LOCATION: **12537 Coastal Highway, Milton. Lying on the north side of Coastal Highway (Rt. 1), approximately 0.14 miles southeast of Deep Branch Road (SCR 234)**

NO. OF UNITS: **Real Estate Office**

GROSS  
ACREAGE: **1.3802**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

(1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes

No

a. If yes, see question (2).

b. If no, see question (7).

(2). Which County Tier Area is project in? **Tier 4**

(3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.

(4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.

(5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Choose an item.** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **The proposed Conditional Use is not in an area where the Sussex County Engineering Department has a schedule to provide sanitary sewer service.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:

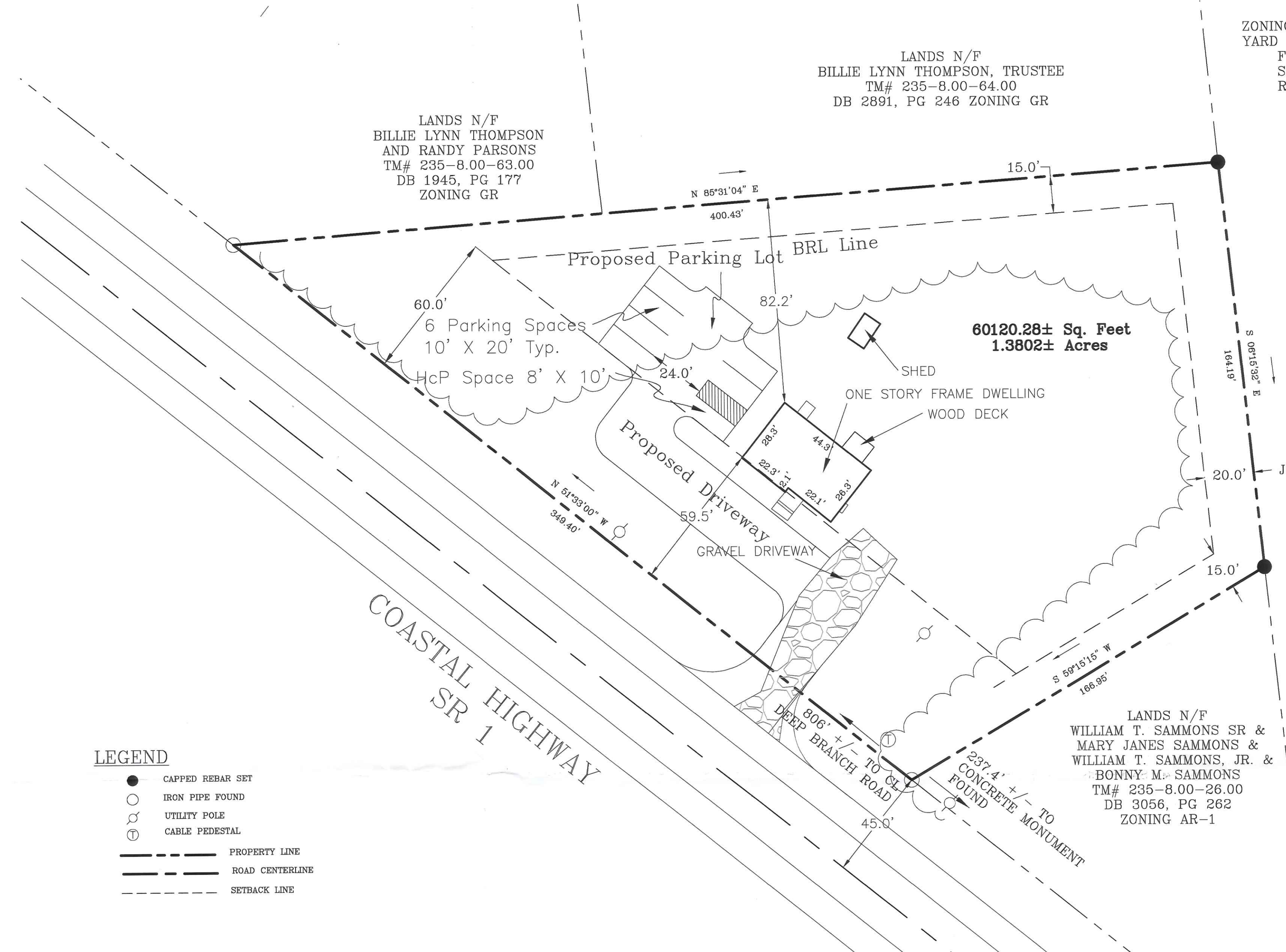


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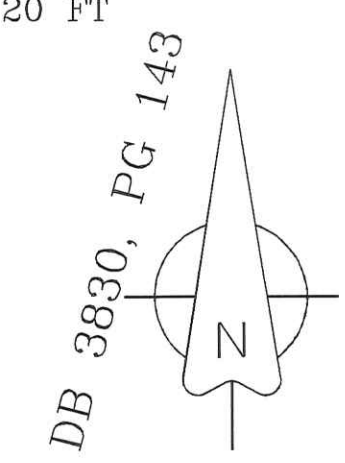
John J. Ashman  
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.  
Lisa Walls  
No Permit Tech Assigned





ZONING CLASSIFICATION: AR-1  
 YARD REQUIREMENTS:  
 FRONT YARD 60 FT  
 SIDE YARD 15 FT  
 REAR YARD 20 FT

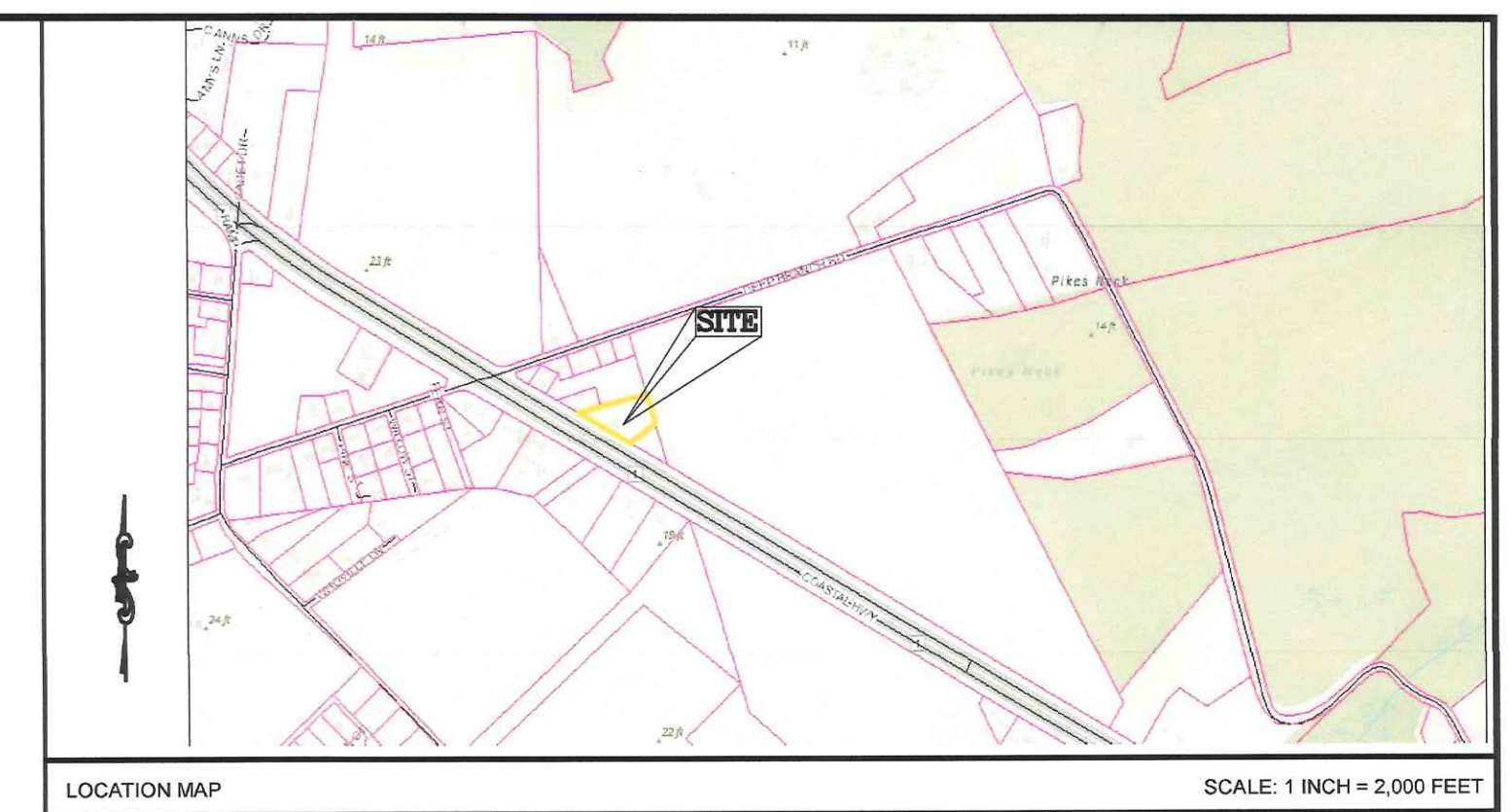


LANDS N/F  
 BILLIE LYNN THOMPSON  
 AND RANDY PARSONS  
 TM# 235-8.00-63.00  
 DB 1945, PG 177  
 ZONING GR

LANDS N/F  
 BILLIE LYNN THOMPSON, TRUSTEE  
 TM# 235-8.00-64.00  
 DB 2891, PG 246 ZONING GR

LANDS N/F  
 J.L. CARPENTER, SR. FAMILY  
 LIMITED PARTNERSHIP  
 TM# 235-8.00-60.00  
 DB 3032, PG 293  
 ZONING AR-1

LANDS N/F  
 WILLIAM T. SAMMONS SR &  
 MARY JANE SAMMONS &  
 WILLIAM T. SAMMONS, JR. &  
 BONNY M. SAMMONS  
 TM# 235-8.00-26.00  
 DB 3056, PG 262  
 ZONING AR-1

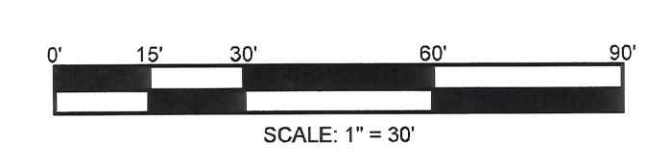


**PLAN DATA:**

PARCEL I.D. No	* 235-8.00-62.00
PLAT REFERENCE	* D.B. 3830, PAGE 143
ZONING DISTRICT	* AR-1 (ZONING CLASSIFICATION)
ROADWAY CLASSIFICATION	* ROUTE 1 (MAJOR HIGHWAY)
SEWERAGE DISPOSAL	* INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS (PRIVATE)
SEWERAGE	* SEWERAGE IS SUBJECT TO APPROVAL OF THE THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	* INDIVIDUAL ON-SITE WELLS (PRIVATE)
WATER	* WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
OWNER	* ROCKSWITCH PROPERTIES, LLC 12300 ROCK SWITCH STREET MILTON, DE 19968
LOT AREA RATIONALE	* AREA IN LOTS = 1.3802 ACRES
TOTAL No. OF LOTS	* 1 SINGLE FAMILY DWELLING UNITS
(TID) PROXIMITY	* 6.0 MILES
WETLANDS	* THERE ARE NO WETLANDS ON THIS SITE
100 YEAR FLOODPLAIN	* THIS PARCEL IS NOT WITHIN A 100 YEAR FLOOD PLANE

**LEGEND**

●	CAPPED REBAR SET
○	IRON PIPE FOUND
⊕	UTILITY POLE
⊖	CABLE PEDESTAL
---	PROPERTY LINE
---	ROAD CENTERLINE
---	SETBACK LINE



**ENGINEER'S CERTIFICATION**  
 I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.  
 Signature: *JBR* DATE: 8/07/2021  
 JOHN B. ROACH, JR., P.E.

**PROPOSED SITE PLAN**  
 FOR PROPERTY KNOWN AS:  
**LANDS OF "ROCKSWITCH PROPERTIES, LLC"**  
 ALSO KNOWN AS:  
 "12537 COASTAL HIGHWAY, MILTON, DE"  
 SITUATE IN:  
 BROAD KILL HUNDRED \* SUSSEX COUNTY  
 STATE OF DELAWARE  
 TAX MAP#: 235-8.00-62.00

Revision Number	Revision Date	Revision Description



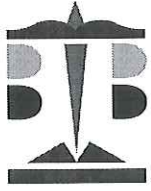
22184 MELSON ROAD GEORGETOWN, DELAWARE 19947 PHONE NO. 302-856-1565	
Drawn By: JBR	Date: 08-05-2021
Scale: 1"=30'	Sheet 1/1



BAIRD  
MANDALAS  
BROCKSTEDT LLP

## EXHIBIT A

# Property and Deed Information



BAIRD  
MANDALAS  
BROCKSTEDT LLC

# EXHIBIT B

## Survey

30680

BK: 3830 PG: 143

NO TITLE SEARCH REQUESTED  
NO TITLE SEARCH PERFORMED  
NO TITLE GUARANTEE  
DEED PREPARATION ONLY

Tax No.: 2-35 8.00 62.00  
PREPARED BY & RETURN TO:  
Tunnell & Raysor, P.A.  
30 E. Pine Street  
Georgetown, DE 19947  
File No. DO1652/HG/sgm

RETURN TO:  
Rockswitch Properties, LLC  
12300 Rockswitch Street  
Milton, Delaware 19968

THIS DEED, made this 5<sup>th</sup> day of October, 2010,

- BETWEEN -

RICHARD A. REED and KAREN J. REED, his wife, of 12300 Rockswitch Street, Milton, Delaware 19968, parties of the first part,

- AND -

ROCKSWITCH PROPERTIES, LLC, of 12300 Rockswitch Street, Milton, Delaware 19968, party of the second part.

**WITNESSETH:** That the said parties of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

**ALL** that certain tract, piece or parcel of land situate, lying and being in Broadkill Hundred, Sussex County, State of Delaware, fronting on the Northeasterly right-of-way line of U.S. Route 1, Northbound, being 45.00 feet from the centerline thereof, adjoining lands of Conrad H. Fassell, Sr., et al, lands of Carrie H. Leverage, lands of James Lee Carpenter, and lands of Henry E. Atkins and being more particularly described as follows, to wit:

**BEGINNING** at a set iron pipe on the aforementioned Northeasterly right-of-way line of U.S. Route 1, Northbound, and at a corner for lands of Henry E. Atkins; thence proceeding along said right-of-way line, North 51 degrees 33 minutes West 349.40 feet to a set iron pipe at a corner for lands of Conrad H. Fassell, Sr., et al, thence following said Fassell lands and partly with lands of Carrie H. Leverage, North 85 degrees 31 minutes 04

seconds East 400.43 feet to a set iron pipe on line of lands of James Lee Carpenter; thence running with said Carpenter lands, South 06 degrees 15 minutes 32 seconds East 164.19 feet to a set iron pipe at a corner for lands of Henry E. Atkins; thence finally proceeding along Atkins lands, South 59 degrees 15 minutes 15 seconds West 166.95 feet to the place of beginning. Containing 1.3804 acres of land, more or less, in accordance with a survey prepared by Charles D. Murphy, P.L.S., 291, dated August 25, 1980.

BEING the same lands conveyed to Richard A. Reed and Karen J. Reed, his wife, by deed of Albert C. Freischmidt, Jr., and Patricia M. Chapman, said deed dated December 22, 2004, and recorded on December 23, 2004, in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Deed Book 3079, Page 085.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Consideration: .00  
County .00  
State .00  
Town Total .00  
Received: Faith R Oct 06, 2010

Signed, Sealed and Delivered in the presence of:

Witness [Signature]  
Witness [Signature]

[Signature] (SEAL)  
Richard A. Reed  
[Signature] (SEAL)  
Karen J. Reed

RECEIVED

Recorder of Deeds  
John F. Brody  
Oct 06, 2010 02:28P  
Sussex County  
Doc. Surcharge Paid

STATE OF DELAWARE OCT 06 2010 : ss

COUNTY OF SUSSEX ASSESSMENT DIVISION OF SUSSEX COUNTY

BE IT REMEMBERED, that on the 5<sup>th</sup> day of October, 2010, personally came before me, the subscriber, Richard A. Reed and Karen J. Reed, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

HEIDI J. A. GILMORE  
ATTORNEY AT LAW WITH  
POWER TO ACT AS NOTARY PUBLIC  
PER 29 DEL. C SEC 4323 (A)3

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

Consideration: 3830 .00

County .00  
State .00  
Received: Date: Oct 06, 2010





STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. BOX 77B  
DOVER, DELAWARE 19903

NICOLE MAJESKI  
SECRETARY

July 27, 2021

Mr. Jamie Whitehouse, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Rockswitch Properties, LLC** proposed land use application, which we received on July 14, 2021. This application is for an approximately 1.38-acre parcel (Tax Parcel: 235-8.00-62.00). The subject land is located on the north side of Coastal Highway (State Route 1) about 0.1 mile south of the intersection with Deep Branch Road (Sussex Road 234). The subject land is currently zoned AR-1 (Agriculture Residential) and the applicant seeks a conditional use approval to operate an office for property management/ construction company.

Per the 2019 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along Coastal Highway from Union Street Extended to Broadkill Road are 25,224 and 32,434 vehicles per day, respectively.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips per day. This number of trips is below DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. DelDOT's regulations specify the minimum TIS warrants as 50 vehicle trips in any hour and/or 500 vehicle trips per day. Because the proposed land use would generate fewer than 50 vehicle trips per day, we consider the development's traffic impact to be **diminutive** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as diminutive with regard to warranting a TIS does not mean that it is diminutive in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

Mr. Jamie Whitehouse  
Page 2 of 2  
July 27, 2021

The above-mentioned property is adjacent to State Route 1, making it subject to the Department's Corridor Capacity Preservation Program. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. The main goal of the Program is to maintain the capacity of the existing highway by minimizing and consolidating the number of high-density, direct access points on the arterial highway. According to the Office of State Planning Coordination's Strategies for State Policies and Spending document, the property is located in Investment Level 4. No new or expanded direct access to the State Route 1 will be permitted in these areas. Access will be permitted to existing secondary roads. If alternative access is determined to be reasonable but degrades the operation or safety of an adjacent intersection (as determined by a traffic engineering study), then direct access to the corridor may also be permitted by way of rights-in/rights-out access only. The Corridor Capacity Preservation Program policy can be viewed on the Department's website at [www.deldot.gov](http://www.deldot.gov). The manual is located under the publication link.

If the County approves this application, the applicant should be reminded that DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

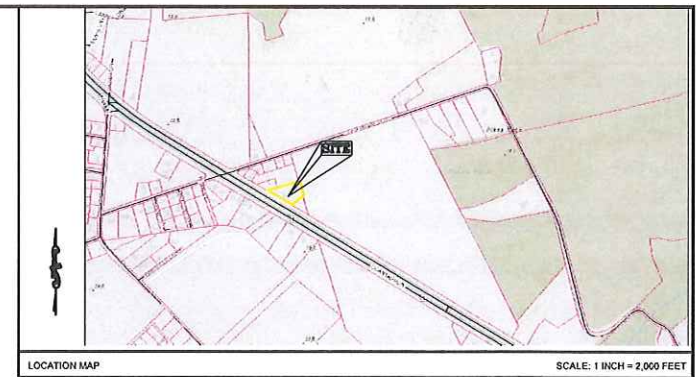
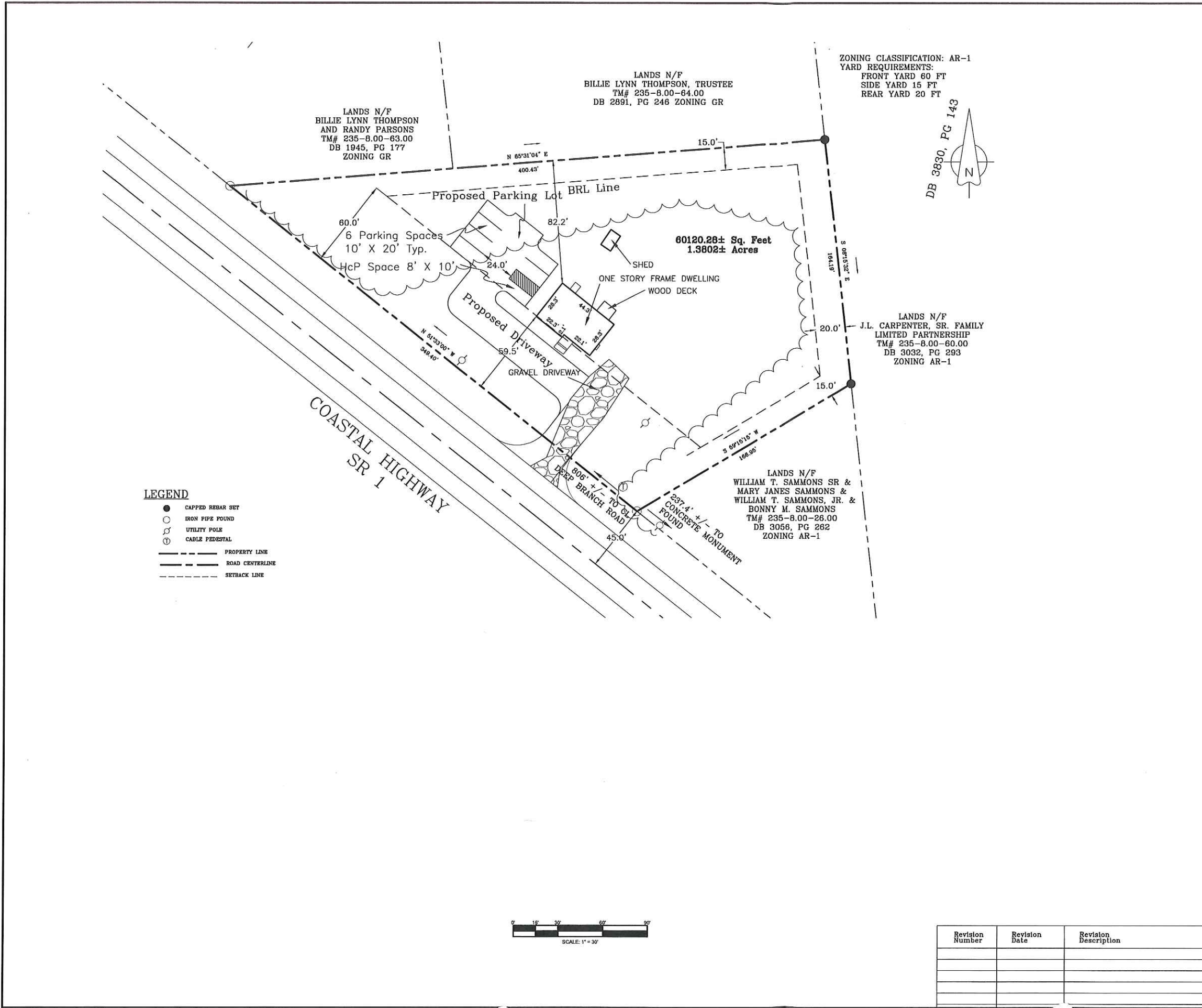
Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Rockswitch Properties, LLC, Applicant  
Russell Warrington, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furmato, Project Engineer, Development Coordination



**PLAN DATA:**

PARCEL I.D. No	* 235-8.00-62.00
PLAT REFERENCE	* D.B. 3830, PAGE 143
ZONING DISTRICT	* AR-1 (ZONING CLASSIFICATION)
ROADWAY CLASSIFICATION	* ROUTE 1 (MAJOR HIGHWAY)
SEWAGE DISPOSAL	* INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS (PRIVATE) SEWERAGE IS SUBJECT TO APPROVAL OF THE THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
WATER SUPPLY	* INDIVIDUAL ON-SITE WELLS (PRIVATE) WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH.
OWNER	* ROCKSWITCH PROPERTIES, LLC 12300 ROCK SWITCH STREET MILTON, DE 19968
LOT AREA RATIONALE	* AREA IN LOTS = 1.3802 ACRES
TOTAL No. OF LOTS	* 1 SINGLE FAMILY DWELLING UNITS
(TID) PROXIMITY	* 6.0 MILES
WETLANDS	* THERE ARE NO WETLANDS ON THIS SITE
100 YEAR FLOODPLAIN	* THIS PARCEL IS NOT WITHIN A 100 YEAR FLOOD PLANE

**ENGINEER'S CERTIFICATION**

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

JOHN B. ROACH, JR., P.E. \_\_\_\_\_ DATE \_\_\_\_\_

**PROPOSED SITE PLAN**  
FOR PROPERTY KNOWN AS:  
**LANDS OF "ROCKSWITCH PROPERTIES, LLC"**  
ALSO KNOWN AS:  
"12537 COASTAL HIGHWAY, MILTON, DE"  
SITUATE IN:  
BROAD KILL HUNDRED \* SUSSEX COUNTY  
STATE OF DELAWARE  
TAX MAP#: 235-8.00-62.00

Revision Number	Revision Date	Revision Description

**JOHN B. ROACH**  
Engineering LLC

22184 NELSON ROAD  
GEORGETOWN, DELAWARE 19947  
PHONE NO. 302-856-1565

Drawn By: JBR Date: 08-06-2021  
Scale: 1"=30' Sheet 1/1



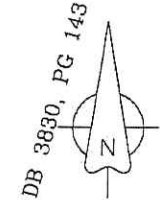
**BOUNDARY SURVEY PLAN  
LANDS OF ROCKSWITCH PROPERTIES, LLC**

ALSO KNOWN AS: 12537 COASTAL HIGHWAY  
SITUATE IN: BROADKILL HUNDRED  
SUSSEX COUNTY \* STATE OF DELAWARE  
TAX MAP #: 235-8.00-62.00  
DEED REFERENCE: DB 3830, PG 143

ZONING CLASSIFICATION: AR-1  
YARD REQUIREMENTS:  
FRONT YARD 40 FT  
SIDE YARD 15 FT  
REAR YARD 20 FT

LANDS N/F  
BILLIE LYNN THOMPSON  
AND RANDY PARSONS  
TM# 235-8.00-83.00  
DB 1945, PG 177

LANDS N/F  
BILLIE LYNN THOMPSON, TRUSTEE  
TM# 235-8.00-64.00  
DB 2891, PG 246



LANDS N/F  
J.L. CARPENTER, SR. FAMILY  
LIMITED PARTNERSHIP  
TM# 235-8.00-60.00  
DB 3032, PG 293

LANDS N/F  
WILLIAM T. SAMMONS SR &  
MARY JANES SAMMONS &  
WILLIAM T. SAMMONS, JR. &  
BONNY M. SAMMONS  
TM# 235-8.00-26.00  
DB 3056, PG 262

**LEGEND**

- CAPPED REBAR SET
- IRON PIPE FOUND
- ⊗ UTILITY POLE
- ⊙ CABLE PEDESTAL
- — — — — PROPERTY LINE
- — — — — ROAD CENTERLINE

COASTAL HIGHWAY  
SR 1



**NOTES**

1. THIS SURVEY IS CLASSIFIED AS A SUBURBAN SURVEY.
2. UNLESS THIS PLAT HAS A SEAL WITH AN ORIGINAL SIGNATURE OF ENGINEER, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.
3. THE SURVEY DOES NOT VERIFY THE EXISTENCE OF OR NONEXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS.



22164 MELSON ROAD  
GEORGETOWN, DELAWARE 19947  
PHONE NO. 302-856-1565

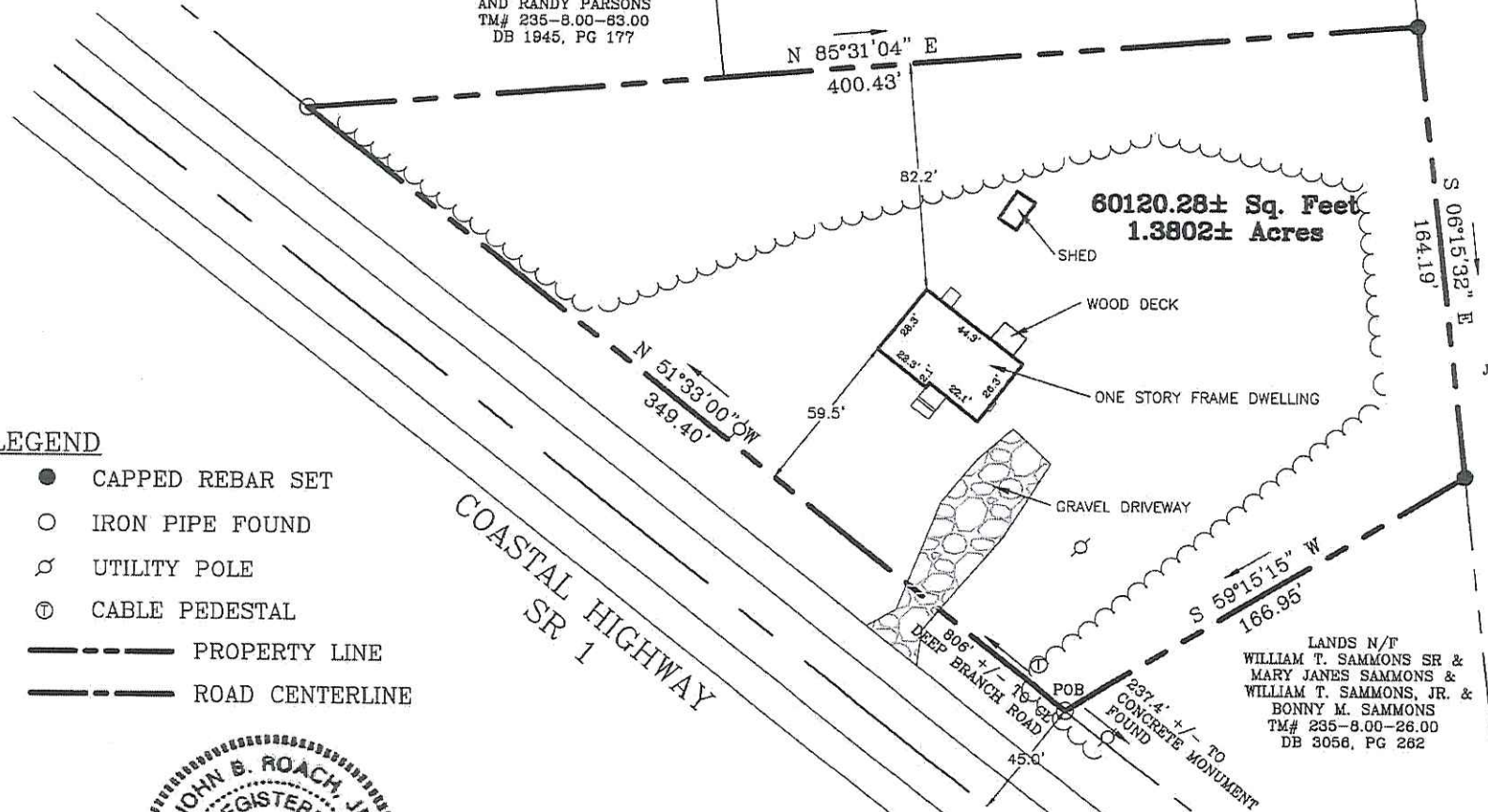
DRAWN BY: JBR

DATE: 02-17-2020

SCALE: 1" = 60'

SHEET 1/1

*John B. Roach, Jr.*  
PROFESSIONAL ENGINEER



**Property Information**

Property Location: 12537 COASTAL HWY  
 Unit:  
 City: MILTON  
 State: DE  
 Zip: 19968

Class: RES-Residential  
 Use Code (LUC): RS-RESIDENTIAL SINGLE FAMILY  
 Town: 00-None  
 Tax District: 235 - BROAD KILL  
 School District: 6 - CAPE HENLOPEN  
 Council District: 3-Schaeffer  
 Fire District: 85-Milton  
 Deeded Acres: 1.3800  
 Frontage: 0  
 Depth: .000  
 Irr Lot:  
 Zoning 1: AR-1-AGRICULTURAL/RESIDEINTIAL  
 Zoning 2: -  
 Plot Book Page: /PB

100% Land Value: \$3,000  
 100% Improvement Value: \$22,200  
 100% Total Value: \$25,200

**Legal**

Legal Description: RD 14

**Owners**

Owner	Co-owner	Address	City	State	Zip
ROCKSWITCH PROPERTIES LLC		12300 ROCK SWITCH ST	MILTON	DE	19968

**Sales**

Sale Date	Book/Page	Sale Price	Stamp Value	Parcels Sold	Grantee/Buyer
12/23/2004	3830/143	\$176,000.00	\$2,640.00	0	

**Owner History**

Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2021	ROCKSWITCH PROPERTIES LLC		12300 ROCK SWITCH ST	MILTON	DE	19968	3830/143
2020	ROCKSWITCH PROPERTIES LLC		12300 ROCK SWITCH ST	MILTON	DE	19968	3830/143
2019	ROCKSWITCH PROPERTIES LLC		12300 ROCK SWITCH ST	MILTON	DE	19968	3830/143
2018	ROCKSWITCH PROPERTIES LLC		12300 ROCK SWITCH ST	MILTON	DE	19968	3830/143
2017	ROCKSWITCH PROPERTIES LLC		12300 ROCK SWITCH ST	MILTON	DE	19968	3830/143
2011	ROCKSWITCH PROPERTIES LLC		12300 ROCK SWITCH ST	MILTON	DE	19968	3830/143
2005	REED RICHARD A KAREN J REED		12185 ROCKSWITCH RD	MILTON	DE	19968	3079/85
1900	FREISCHMIDT DOROTHY E					0	415/274

**Land**

Line	Class	Land Use Code	Act Front	Depth	Calculated Acres	Ag
1	RES	RS	0	0	1.3800	

**Land Summary**

Line 1  
100% Land Value 3,000

**100% Values**

---

100% Land Value	100% Improv Value	100% Total Value
\$3,000	\$22,200	\$25,200

**50% Values**

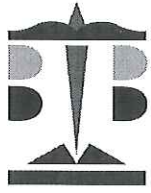
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50% Land Value	50% Improv Value	50% Total Value
\$1,500	\$11,100	\$12,600

**Permit Details**

---

Permit Date:	Permit #:	Amount:	Note 1
09-FEB-1983	60496-1	\$46,000	DWELLING-N/E 14 390' S/234



BAIRD  
MANDALAS  
BROCKSTEDT LLC

# EXHIBIT C

## Zoning Code

## Chapter 115. Zoning

### Article IV. AR-1 and AR-2 Agricultural Residential Districts

#### § 115-22. Conditional uses.

The following uses may be permitted as conditional uses when approved in accordance with the provisions of Article **XXIV** of this chapter:

Agricultural related industry, provided that such use is visually and acoustically screened from adjacent highways and property in such a manner that a reasonable passerby is not attracted to or aware of the establishment

[Added 1-27-2004 by Ord. No. 1658]

Airports and landing fields or seaplane bases, provided that they shall comply with the recommendations of the Federal Aviation Administration

Aquariums, commercial

Beaches, commercial

Biotech campus

[Added 1-27-2004 by Ord. No. 1659]

Biotech industry not located within a biotech campus provided that such use is visually and acoustically screened from adjacent highways and property in such a manner that a reasonable passerby is not attracted to or aware of the establishment.

[Added 1-27-2004 by Ord. No. 1659]

Cemeteries, including a crematorium if located at least 200 feet from the boundaries of the cemetery

Excavation or backfilling of borrow pits, extraction, processing and removal of sand, gravel or stone, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development. (See § **115-172B**.)

Exposition centers or fairgrounds

Heliports or helistops

Hospitals and sanitariums, but not animal hospitals

Institutions, educational or philanthropic, including museums, art galleries and libraries

Land application of sludge, treated sludge or any product containing these materials. For purposes of this section, "sludge" means the accumulated semiliquid suspension, settled solids or dried residue of these solids that is deposited from liquid waste in a wastewater treatment plant or surface or ground waters treated in a water treatment plant, whether or not these solids have undergone treatment. "Septage" is included herein as sludge. "Land application" means the placement of sludge, treated sludge or any other product containing these materials within two feet below the surface of land used to support vegetative growth.

[Added 5-8-1990 by Ord. No. 681]

Livestock auction markets in an AR District

Marinas or yacht clubs

Multifamily dwelling structures and/or townhouses and/or town homes, subject to the provisions of

this chapter when:

[Added 7-31-2007 by Ord. No. 1920]

- A. Said multifamily dwelling structures and/or townhouses and/or town homes, the owners of which would share and own in common the surrounding grounds (which may also be referred to herein collectively as "units"), lie within a Town Center, a Developing Area, or a Coastal Area as described within the Land Use Element and as shown on the Future Land Use Plan of the adopted Sussex County Comprehensive Plan; and  
[Amended 5-21-2019 by Ord. No. 2656]
- B. The developer has proffered to Sussex County for the purpose of creating open space for preservation and/or active and/or passive recreation areas a development fee per unit, as described in Chapter 62, § 62-7, for every unit in excess of two units per gross acre that is included in the application; and
- C. The Sussex County Council prior to the signing of a contract to purchase or lease open space for preservation and/or active and/or passive recreation areas shall approve all such land or conservation easement purchases which utilize monies paid to the County under the terms of this amendment. All such approvals by the Council shall be by a four-fifths majority vote and shall include a determination that the land and/or conservation easement to be acquired is located in the same watershed area as the land where the bonus density will be located; and
- D. It is understood that Sussex County shall control all monies paid to it under this amendment and that the Sussex County Land Trust may act as a recommending body and/or partner at the discretion of the Sussex County Council; and
- E. The maximum number of multifamily dwelling structures and/or townhouses and/or town homes, as defined in Subsection A above, included in the application, shall not exceed four dwelling units per gross acre, including land set aside for common open space and/or recreational uses; and
- F. The minimum percentage of the total site which shall be set aside as common open space shall be 40% of the total land area included in the application; and
- G. There shall be a vegetated buffer of not less than 75 feet, subject to the following conditions:
  - (1) The vegetated buffer shall be located adjacent to a numbered road shown on the General Highway Map for Sussex County and may include the required setback area from the road and shall be kept free of vehicle parking areas, buildings and structures; and
  - (2) The vegetated buffer shall include a mix of deciduous shade trees and evergreen trees, a majority of which shall be of common local species; and
  - (3) The deciduous shade trees shall include trees reasonably capable of attaining a minimum trunk diameter of two inches measured 3.5 feet above the ground within five years of being planted; and
  - (4) The evergreen trees shall include trees reasonably capable of attaining a minimum height of 10 feet above the ground within five years of being planted; and
  - (5) The goal of the landscape plan for the buffer area shall be include trees of the type indicated herein that will be planted in a natural manner, as they might appear in nature, as opposed to being planted in row fashion which will filter views from the road in such a manner that the dwelling units appear more green and less dense than if no landscaping had been required; and
  - (6) A further goal of the landscape plan would be to avoid placing plantings in an area adjacent to the entrance to the development in such a manner as to restrict the view of motorists entering or exiting from the development or restricting sight lines for motorists in such a manner as to create a potential safety hazard; and
  - (7) The landscape plan for the buffer area shall be designed and signed by a Delaware licensed landscape architect and approved by the Planning and Zoning Commission and County Council; and
- H. Council and/or the County Administrator may consider and authorize an expedited review of a conditional use application filed under this section; and
- I. Multifamily dwelling structures and/or townhouses and/or town homes shall not be considered as

a conditional use unless any other provision of this section which existed prior to the date of this amendment; and

- J. The density bonus fee for each multifamily and/or townhouse and/or town home dwelling unit in excess of two units per gross acre shall be determined by reference to and the use and application of the per-unit density bonus fees adopted as part of Ordinance 1842 and applicable to cluster developments and appearing in Chapter 62, Article III, § 62-7, as the same may hereafter be modified by Council, from time to time. Council will review the fees for a density bonus under the terms of this amendment on an annual basis and revise such fees as it deems necessary by an appropriate amendment.

Manufactured home parks

[Amended 10-12-2010 by Ord. No. 2152]

Nursing and similar care facilities

[Added 4-16-2019 by Ord. No. 2645]

Parks or campgrounds for mobile campers, tents, camp trailers, touring vans and the like

Private clubs

Public or governmental buildings and uses, including schools, parks, parkways, playgrounds and public boat landings

Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations or substations, but not telephone central offices

Racetracks, any type, including horses, stock cars or drag strip

Recreation facilities, privately or commercially operated, such as a fishing or boating lake, picnic grounds or dude ranch, and accessory facilities, including sale of food, beverages, bait, incidentals, supplies and equipment

Residential, business, commercial or industrial uses when the purposes of this chapter are more fully met by issuing a conditional use permit

[Added 4-6-2004 by Ord. No. 1677<sup>[1]</sup>]

Special events such as circuses or carnival grounds, amusement parks or midways, festivals, concerts, race/walks or any other special event or gathering being held outdoors or within a temporary structure or at a site and for a purpose different from the designated use and usual occupancy of the premises and located on unincorporated lands within Sussex County, permanently or for a temporary time period exceeding three days. Special events not approved by the Director as a permitted use under § 115-20 shall require a conditional use permit. All special events, regardless of duration, shall be subject to the requirements of the Sussex County Special Event Policy.

[Amended 5-1-1990 by Ord. No. 680; 11-10-1992 by Ord. No. 863; 8-20-2013 by Ord. No. 2316; 9-18-2018 by Ord. No. 2599]

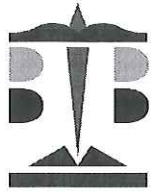
Sports arenas or stadiums, commercial athletic fields or baseball parks

Stores or shops for the sale of farm products, farm supplies, groceries, beverages, drugs and food and similar stores and shops

Structures for commercial poultry raising on farms of less than five acres

Swimming or tennis clubs, private, nonprofit or commercially operated

[1] *Editor's Note: This entry was previously repealed 1-27-2004 by Ord. No. 1658.*



BAIRD  
MANDALAS  
BROCKSTEDT LLC

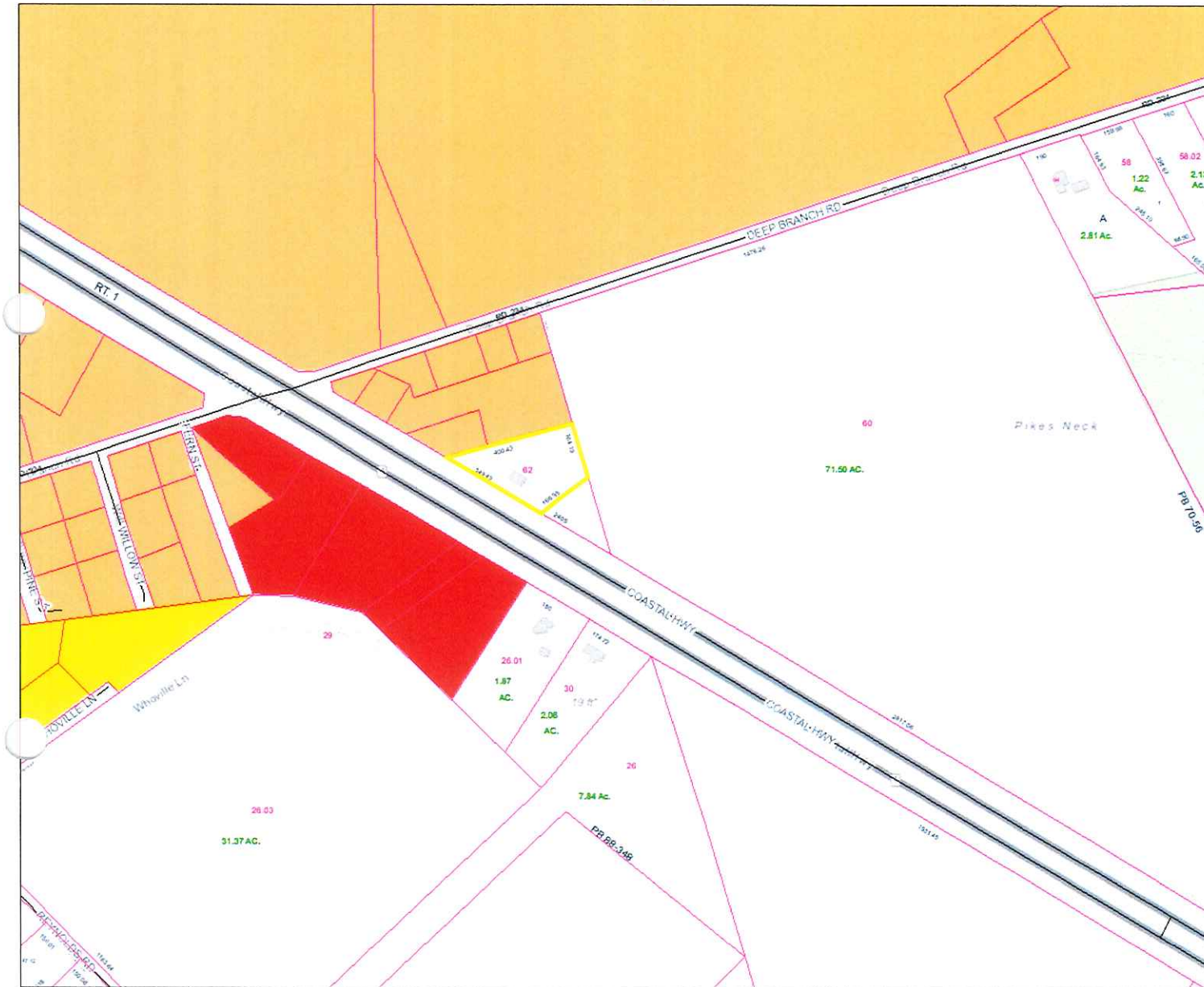
# EXHIBIT D

## Aerial Maps





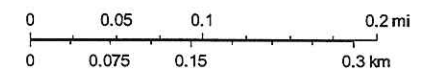
# Sussex County



<b>PIN:</b>	235-8.00-62.00
<b>Owner Name</b>	ROCKSWITCH PROPERTIES LLC
<b>Book</b>	3830
<b>Mailing Address</b>	12300 ROCK SWITCH ST
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	RD 14
<b>Description 2</b>	
<b>Description 3</b>	
<b>Land Code</b>	

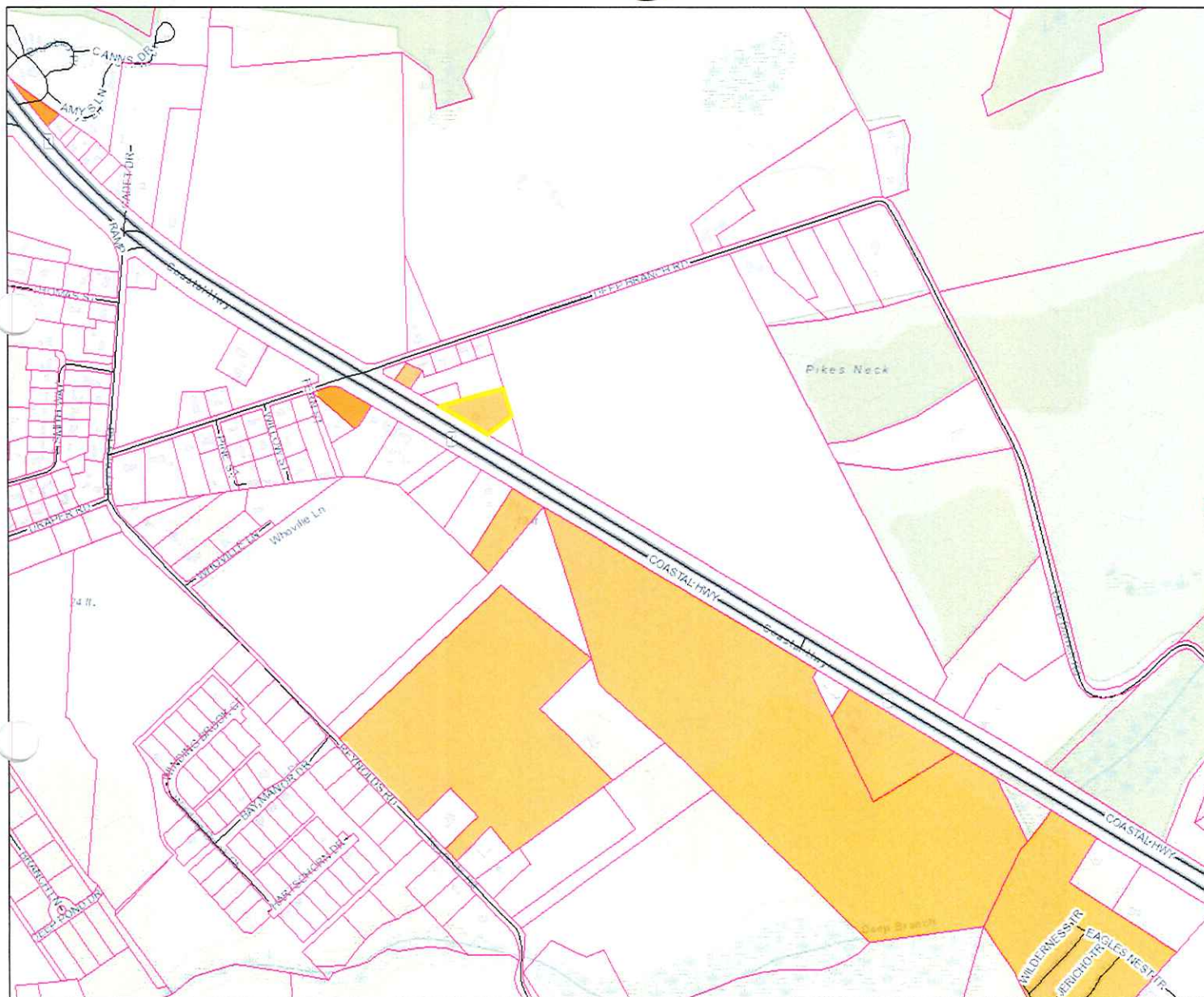
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  - Override 1
- Tax Parcels
- Streets

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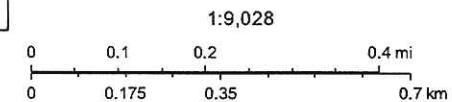


# Sussex County



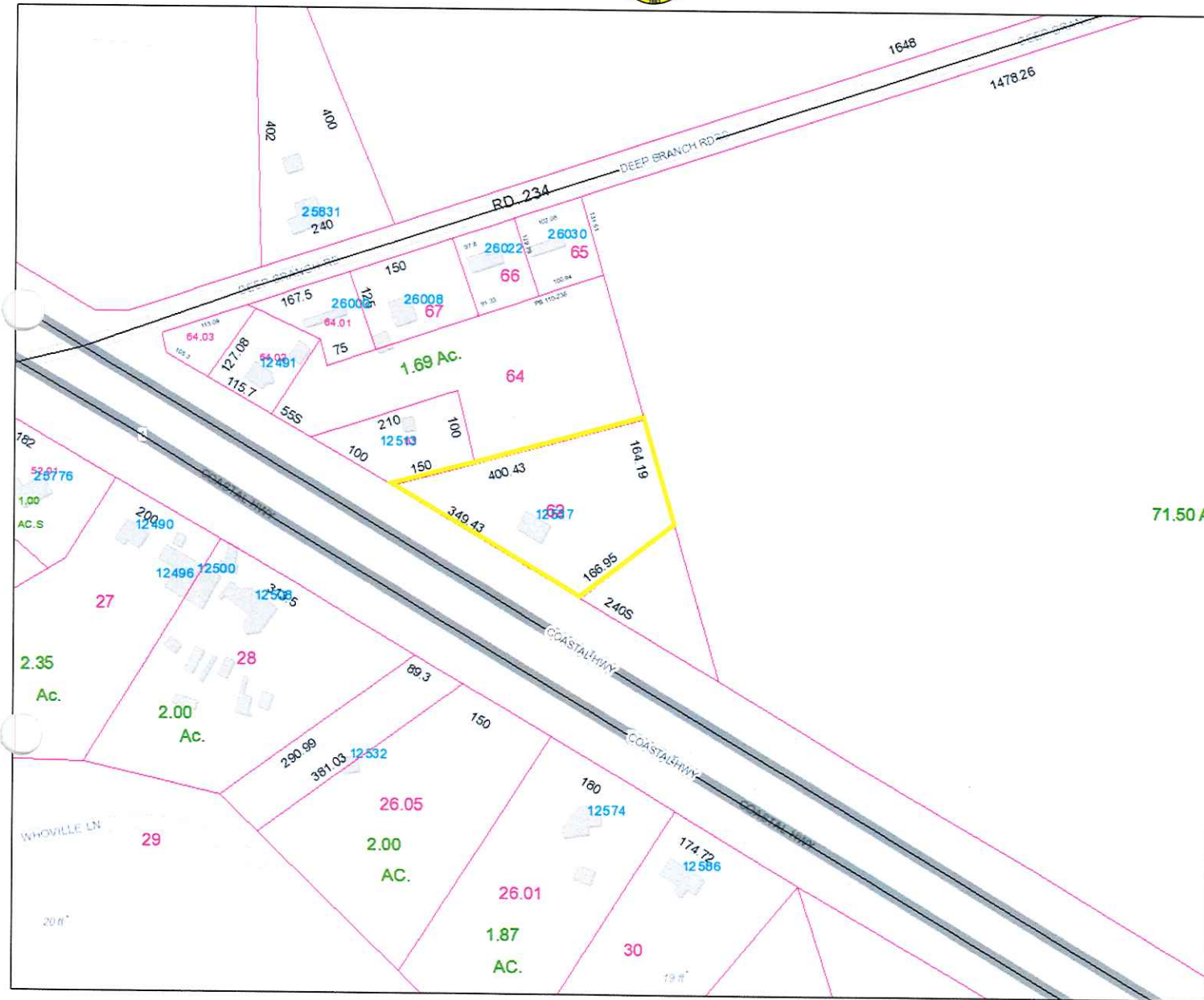
<b>PIN:</b>	235-8.00-62.00
<b>Owner Name</b>	ROCKSWITCH PROPERTIES LLC
<b>Book</b>	3830
<b>Mailing Address</b>	12300 ROCK SWITCH ST
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	RD 14
<b>Description 2</b>	N/A
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- Conditional Use





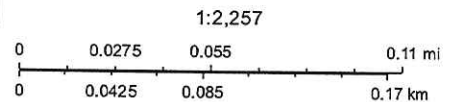
# Sussex County



<b>PIN:</b>	235-8.00-62.00
<b>Owner Name</b>	ROCKSWITCH PROPERTIES LLC
<b>Book</b>	3830
<b>Mailing Address</b>	12300 ROCK SWITCH ST
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	RD 14
<b>Description 2</b>	N/A
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**
  - Override 1
- polygonLayer**
  - Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

July 1, 2021



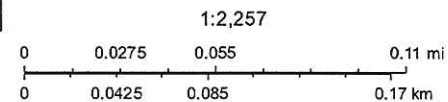


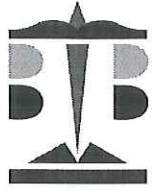
# Sussex County



<b>PIN:</b>	235-8.00-62.00
<b>Owner Name</b>	ROCKSWITCH PROPERTIES LLC
<b>Book</b>	3830
<b>Mailing Address</b>	12300 ROCK SWITCH ST
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	RD 14
<b>Description 2</b>	N/A
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries





BAIRD  
MANDALAS  
BROCKSTEDT LLC

# EXHIBIT E

## Land Use History

No. 609

16-17-13  
✓

Pages 1 234

or Haxlet Area WAPLES POND

Beginning point

Description:

RESOLUTION NO. R 020 81

A RESOLUTION TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MARINE SALES, SERVICE, AND STORAGE, SMALL ENGINE SALES AND SERVICE, AND PRODUCE SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.33 ACRES, MORE OR LESS.

235-8-62

WHEREAS, on the 12<sup>th</sup> day of November, A.D. 1980, an application for a Conditional Use of land in an AR-1 Agricultural Residential District for Marine Sales, Service and Storage, Small Engine Sales and Service, and Produce Sales, denominated C/U #609, was filed on behalf of Albert C. Freischmidt; and

WHEREAS, on the 18<sup>th</sup> day of December, A.D. 1980, a public hearing, after notice, was held before the Planning and Zoning Commission of Sussex County and said Commission recommended that C/U #609 be deferred; and

WHEREAS, on the 6<sup>th</sup> day of January, A.D. 1981, of Sussex County on C/U #609 said Council deferred action pending recommendation from the Planning and Zoning Commission of Sussex County; and

WHEREAS, on the 22<sup>nd</sup> day of January, A.D. 1981, the Planning and Zoning Commission recommended that C/U #609 be approved; and

WHEREAS, on the 24<sup>th</sup> day of February, A.D. 1981, the County Council of Sussex County Considered the public comments and the recommendations of the Planning and Zoning Commission and the County Council having found as follows:

- (a) That the Conditional Use applied for is for the general convenience and welfare of the inhabitants of Sussex County;
- (b) That the location is appropriate for the Conditional Use applied for and not in conflict with the Comprehensive Plan;
- (c) That the public health, safety, morals and general welfare of the inhabitants of Sussex County will not be adversely affected;
- (d) That adequate off-street parking facilities will be provided;
- (e) That the necessary safeguards will be provided for the protection of surrounding property, persons and neighborhood values; and

TW

(69)  
108.00 Ac.

GR

(70)  
6.24 Ac.

(71)  
1.45 Ac.

860 S  
1400

(5)  
11.40

(59)

234  
1648  
1478.26

(68)  
400  
240  
(67)  
(66)

(64) 2.28 Ac.  
(65)  
(64)  
(62)

CU#609  
ALBERT FRIESCHMIDT  
MARINE SALES & SERVICE; SMALL ENGINE SALES 71.50 Ac. & SERVICE; PRODUCE; BOAT STORAGE

ARI

EXISTING CU#269

(27)  
2.35 Ac.

(28)  
2.00 Ac.

(63)  
1.33 Ac.

(29)  
1.87 Ac.  
EXISTING CU#226  
(30)  
1.67 Ac.

14

2817.06  
1931.45

ARI

(26)  
77.26 Ac. S

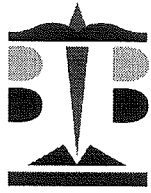
1"=400'

(32)

(31)  
62.79 Ac.

2345 S  
23

(25)



BAIRD  
MANDALAS  
BROCKSTEDT LLP

Mackenzie M. Peet  
[mackenzie@bmbde.com](mailto:mackenzie@bmbde.com)  
(302)645-2262

July 11, 2022

**VIA EMAIL ONLY**

Department of Planning and Zoning  
Attn: Jamie Whitehouse, Director  
2 The Circle  
P.O. Box 417  
Georgetown, DE 19947  
Email: [pandz@sussexcountyde.gov](mailto:pandz@sussexcountyde.gov)

RE: Conditional Use 2309 Rockswitch Properties, LLC

Property: 12537 Coastal Highway, Milton, Delaware

Director Whitehouse:

Enclosed please find proposed conditions of approval for CU 2309 Rockswitch Properties, LLC for office space for a real state service, property management and construction business.

Please include the proposed conditions of approval in the record for the July 28, 2022 Planning & Zoning Commission public hearing.

Sincerely,

*/s/ Mackenzie M Peet*

Mackenzie M. Peet, Esq.



**Proposed Conditions of Approval**

**Applicant: Rockswitch Properties, LLC**

**Property: 12537 Coastal Highway, Milton, DE 19968**

**TMP: 235-8.00-62.00**

- A. The Property shall be used for office space for a real estate service, property management and construction business.
- B. The use shall occur within the existing structure that will be renovated by the Applicant.
- C. The hours of operation shall be between 7 a.m. and 5 p.m., Monday through Saturday. There shall be no Sunday hours.
- D. Any dumpsters shall be located to the rear of the property and screened from view of neighboring properties and roadways.
- E. The Applicant intends to place a sign on the property as permitted by Sections 115-159 and 159.1 of the Zoning Ordinance for Sussex County, Delaware.
- F. The Final Site Plan shall designate all parking areas associated with this use.
- G. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

**PLANNING & ZONING COMMISSION**

ROBERT C. WHEATLEY, CHAIRMAN  
KIM HOEY STEVENSON, VICE-CHAIRMAN  
R. KELLER HOPKINS  
J. BRUCE MEARS  
HOLLY J. WINGATE



**Sussex County**

DELAWARE  
sussexcountyde.gov  
302-855-7878 T  
JAMIE WHITEHOUSE, AICP, MRTPI  
DIRECTOR OF PLANNING & ZONING

**PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET**  
Planning Commission Public Hearing Date: July 28th, 2022

Application: CU 2310 Milton Community Food Bank, Inc.

Applicant: Milton Community Food Pantry, Inc.  
12898 Union Street Ext.  
Milton, DE 19968

Owner: Elmer Smith  
12898 Union Street Ext.  
Milton, DE 19968

Site Location: Lying on the west side of Union Street Ext. (Rt. 5), approximately 0.24 mile south of Reynolds Pond Road (S.C.R. 231)

Current Zoning: General Residential (GR) District

Proposed Use: Food Bank

Comprehensive Land Use Plan Reference: Developing Area

Councilmanic District: Ms. Cynthia Green

School District: Cape Henlopen School District

Fire District: Milton Fire Department

Sewer: On-site

Water: Private Well

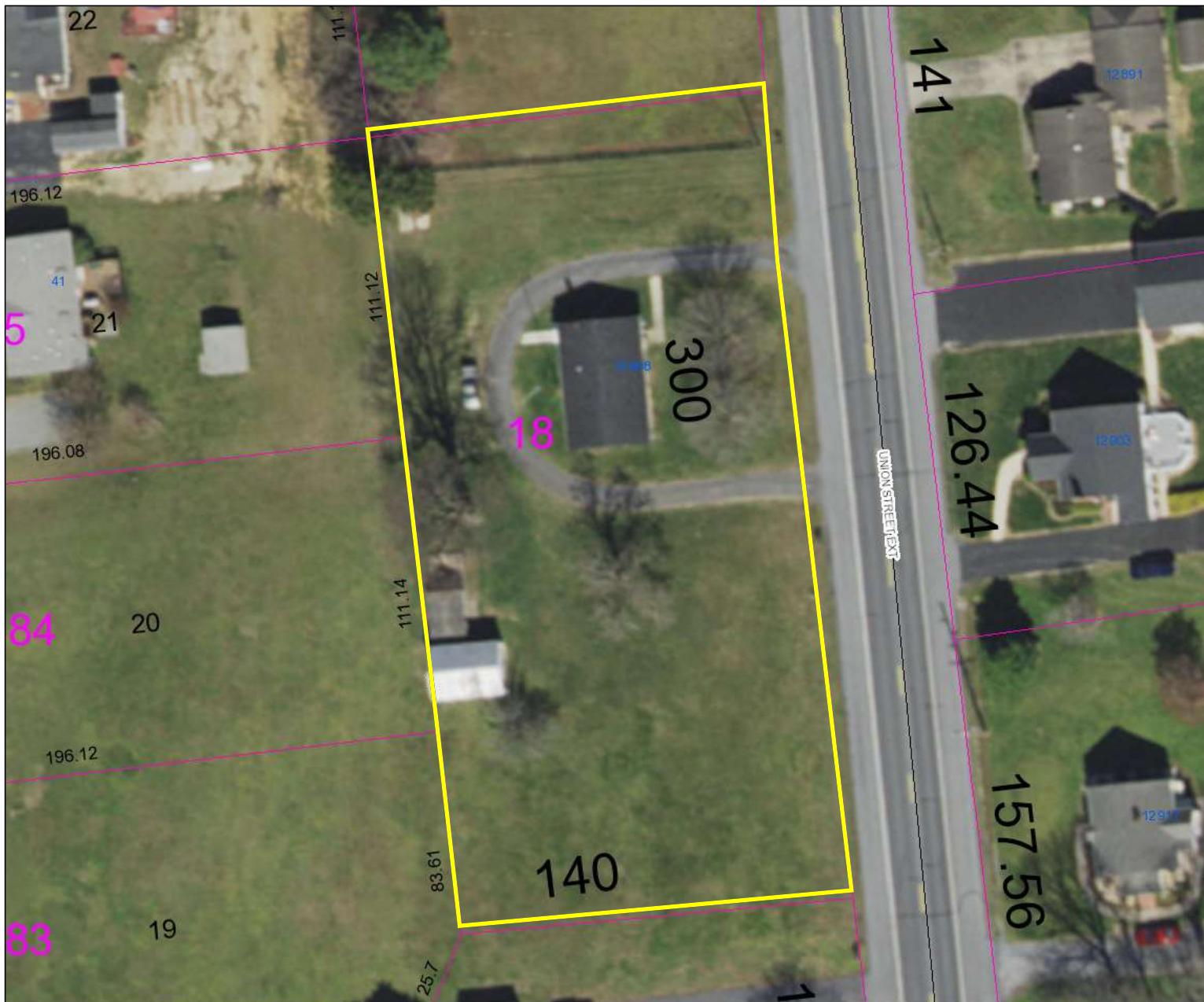
Site Area: 0.966 acres +/-

Tax Map IDs.: 235-7.00-18.00



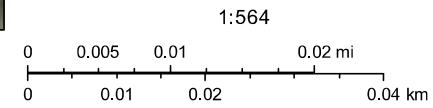


# Sussex County



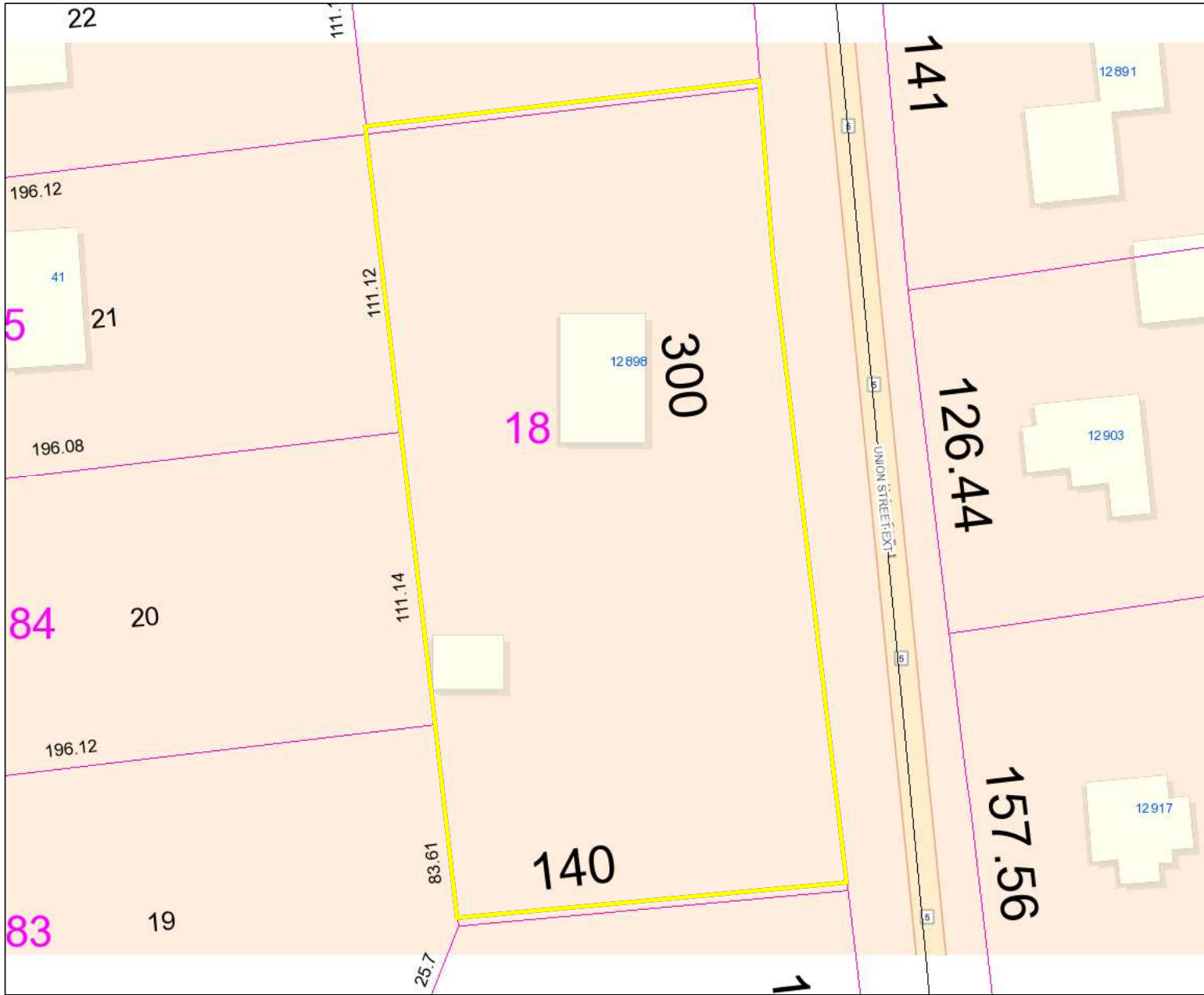
<b>PIN:</b>	235-7.00-18.00
<b>Owner Name</b>	MILTON COMMUNITY FOOD PANTRY INC
<b>Book</b>	5577
<b>Mailing Address</b>	PO BOX 84
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	W.SIDE HWY.MILTON
<b>Description 2</b>	TO WAPLES POND
<b>Description 3</b>	LOT WITH IMP.
<b>Land Code</b>	

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- polygonLayer**
  - Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Municipal Boundaries





# Sussex County

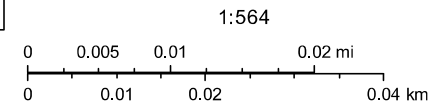


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<b>Owner Name</b>	MILTON COMMUNITY FOOD PANTRY INC
<b>Book</b>	5577
<b>Mailing Address</b>	PO BOX 84
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<b>Description</b>	W.SIDE HWY.MILTON
<b>Description 2</b>	TO WAPLES POND
<b>Description 3</b>	LOT WITH IMP.
<b>Land Code</b>	

- polygonLayer**

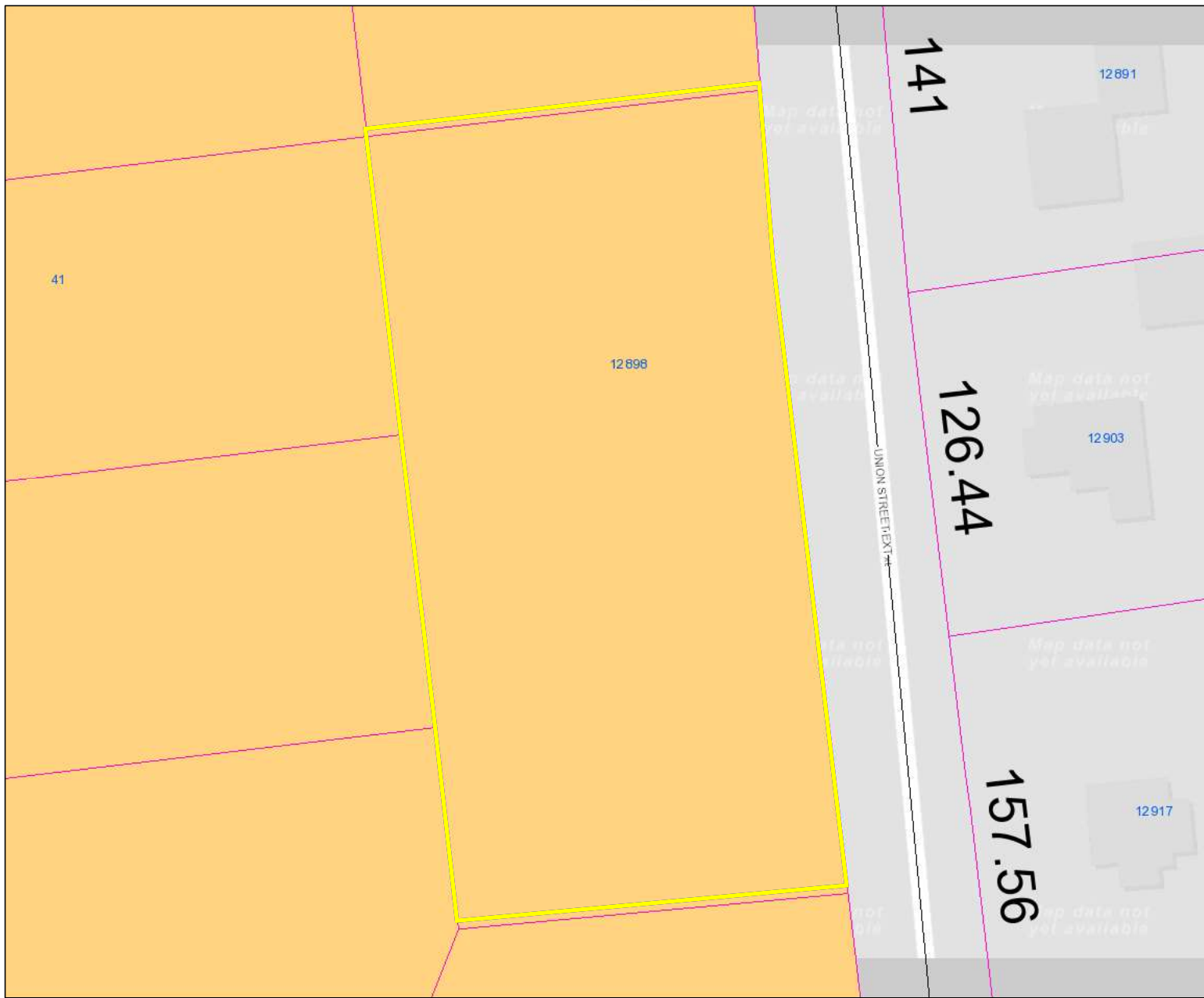
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- polygonLayer**

  - Override 1
  - Tax Parcels
  - 911 Address
  - Streets
  - County Boundaries
  - Municipal Boundaries



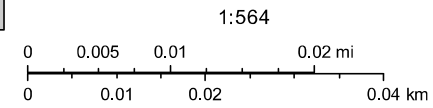


# Sussex County



<b>PIN:</b>	235-7.00-18.00
<b>Owner Name</b>	MILTON COMMUNITY FOOD PANTRY INC
<b>Book</b>	5577
<b>Mailing Address</b>	PO BOX 84
<b>City</b>	MILTON
<b>State</b>	DE
<b>Description</b>	W.SIDE HWY.MILTON
<b>Description 2</b>	TO WAPLES POND
<b>Description 3</b>	LOT WITH IMP.
<b>Land Code</b>	

- polygonLayer  
Override 1
- polygonLayer  
Override 1
- Tax Parcels
- 911 Address
- Streets



JAMIE WHITEHOUSE, AICP MRTPI  
PLANNING & ZONING DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F  
jamie.whitehouse@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning and Zoning Commission Members  
From: Mx. Jesse Lindenberg, Planner I  
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant  
Date: July 18<sup>th</sup>, 2022  
RE: Staff Analysis for CU 2310 Milton Community Food Pantry, Inc.

---

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2310 Milton Community Food Pantry, Inc. to be reviewed during the July 28<sup>th</sup>, 2022, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 235-7.00-18.00, to allow for a food pantry, to be located at 12898 Union Street Ext., Milton. The property is lying on the west side of Union Street Extension (S.C.R. 22), approximately 0.21 mile south of the intersection of Union Street Extension (S.C.R. 22) and Reynolds Pond Road (Rt. 231). The parcel consists of 0.96 acres +/-.

### Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of “Developing Area.” The parcels to the north, south, west, and east across Union Street Extension (S.C.R. 22) also have a Future Land Use Map designation of “Developing Area.”

As outlined within the 2018 Sussex County Comprehensive Plan, The Developing Areas are newer, emerging growth areas that demonstrate the characteristics of developmental trends. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers. – A range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home (Sussex County Comprehensive Plan, 4-14).

### Zoning Information

The subject property is zoned General Residential (GR) District. All adjacent properties to the north, south, and west of the subject property are zoned General Residential (GR) District. The



parcel east of the subject property, on the opposite side of Union Street Extension (S.C.R. 22), is zoned Agricultural Residential (AR-1) District.

Existing Conditional Uses within the Vicinity of the Subject Property

Since 2011, there has been one (1) Conditional Use application within a one (1) mile radius of the application site. This application was Conditional Use No. 1911 for Forrest Webster to allow for mini storage locker units to be permitted within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, January 17<sup>th</sup>, 2011, and this change was adopted through Ordinance No. 2234.

Based on the analysis provided, the Conditional use to allow for a food pantry in this location could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

RECEIVED

# Planning & Zoning Commission Application

## Sussex County, Delaware

Sussex County Planning & Zoning Department  
2 The Circle (P.O. Box 417) Georgetown, DE 19947  
302-855-7878 ph. 302-854-5079 fax

SUSSEX COUNTY  
PLANNING & ZONING

AUG 17 2021

**Type of Application: (please check applicable)**

Conditional Use

Zoning Map Amendment

**Site Address of Conditional Use/Zoning Map Amendment**

12898 Union Street Ext., Milton, DE 19968

**Type of Conditional Use Requested:**

The Applicant proposes a food pantry to serve those in need. See Attached

**Tax Map #:** 235-7.00-18.00

**Size of Parcel(s):** \_\_\_\_\_

**Current Zoning:** GR

**Proposed Zoning:** C/U

**Size of Building:** approx. 1500 square feet

**Land Use Classification:** Coastal

**Water Provider:** Well

**Sewer Provider:** On Site

**Applicant Information**

**Applicant Name:** Milton Community Food Pantry, Inc. c/o Donna Murawski

**Applicant Address:** P.O. Box 84

**City:** Milton

**State:** DE

**Zip Code:** 19968

**Phone #:** \_\_\_\_\_

**E-mail:** pantrymilton@gmail.com

**Owner Information**

**Owner Name:** Elmer Smith

**Owner Address:** 12898 Union Street Ext.

**City:** Milton

**State:** DE

**Zip Code:** 19968

**Phone #:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Agent/Attorney/Engineer Information**

**Agent/Attorney/Engineer Name:** Timothy G. Willard, Esquire

**Agent/Attorney/Engineer Address:** 26 The Circle

**City:** Georgetown

**State:** DE

**Zip Code:** 19947

**Phone #:** 856-7777

**E-mail:** tim@fwsslaw.com





# Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

**Completed Application**

**Provide eight (8) copies of the Site Plan or Survey of the property**

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

**Provide Fee \$500.00**

**Optional - Additional information for the Commission/Council to consider** (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

**Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**

**DeIDOT Service Level Evaluation Request Response**

**PLUS Response Letter** (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

*Tin Willard* 8-17-21

Donna Murawski President  
Milton Community Food Pantry  
Signature of Owner

Date: 8/16/21

Date: \_\_\_\_\_

*For office use only:*

Date Submitted: 08/17/2021 Fee: \$500.00 Check #: 19237  
Staff accepting application: chase Phillips Application & Case #: 20212292 CU 2310  
Location of property: 12898 Union street extended  
Milton Tmp: 235-700-1800

Subdivision: \_\_\_\_\_  
Date of PC Hearing: \_\_\_\_\_ Recommendation of PC Commission: \_\_\_\_\_  
Date of CC Hearing: \_\_\_\_\_ Decision of CC: \_\_\_\_\_

FUQUA, WILLARD, STEVENS & SCHAB, P.A. TRUST ACCOUNT RULE  
145A

DATE 08/16/2021 TRUST NAME Donna Murawski  
Account: 16220.048387-1

PAY TO SUSSEX COUNTY COUNCIL  
DESCRIPTION

08/16/2021

19237

Filing Fee for the Mil. 1 Community  
Food Pantry  
Residential to a Non Profit

500.00

CHECK DATE	CHECK NO.	CHECK AMOUNT
08/16/2021	19237	500.00

Sussex County, DE  
Treasury  
P.O. Box 601  
Georgetown, DE 19947  
Welcome

33020310-0319 Lindsey S 08/17/2021 01:36PM

PERMITS / INSPECTIONS  
CONDITIONAL USE - FEE  
2021 Item: 202112292|2010 500.00

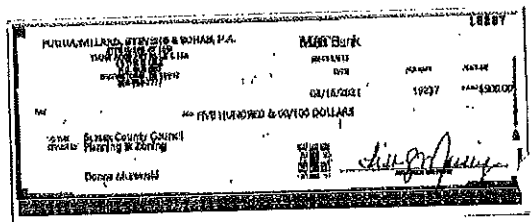
500.00

Subtotal 500.00  
Total 500.00

CHECK 500.00  
Check Number 019237

Change due 0.00

Paid by: FUQUA WILLARD STEVENS & SCHAB



Thank you for your payment

Sussex County, DE COPY  
DUPLICATE RECEIPT



STATE OF DELAWARE  
DEPARTMENT OF TRANSPORTATION  
600 BAY ROAD  
P.O. BOX 77B  
DOVER, DELAWARE 19903

RECEIVED

AUG 17 2021

SUSSEX COUNTY  
PLANNING & ZONING

NICOLE MAJESKI  
SECRETARY

May 20, 2021

Mr. Jamie Whitehouse, Director  
Sussex County Planning & Zoning  
P.O. Box 417  
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Milton Community Food Pantry, Inc c/o Tim Willard** proposed land use application, which we received on May 12, 2021. This application is for an approximately 0.9642-acre parcel (Tax Parcel: 235-7.00-18.00). The subject land is located west of Union Street Extended (Sussex Road 22). The subject land is currently zoned GR (General Residential) and the applicant seeks a conditional use approval to operate a food pantry and distribute from the site.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Union Street Extended, from Delaware Route 1 to Beach Highway (Sussex Road 16), is 4,511 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be **negligible** in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse  
Page 2 of 2  
May 20, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.  
County Coordinator  
Development Coordination

TWB:afm

cc: Milton Community Food Pantry, Inc. c/o Tim Willard, Applicant  
Russell Warrington, Sussex County Planning & Zoning  
David Edgell, Coordinator, Cabinet Committee on State Planning Issues  
Todd Sammons, Assistant Director, Development Coordination  
Scott Rust, South District Public Works Manager, Maintenance & Operations  
Steve McCabe, Sussex County Review Coordinator, Development Coordination  
Derek Sapp, Subdivision Manager, Development Coordination  
Kevin Hickman, Subdivision Manager, Development Coordination  
Brian Yates, Subdivision Manager, Development Coordination  
John Andrescavage, Subdivision Manager, Development Coordination  
James Argo, South District Project Reviewer, Maintenance & Operations  
Troy Brestel, Project Engineer, Development Coordination  
Claudy Joinville, Project Engineer, Development Coordination  
Annamaria Furmato, Project Engineer, Development Coordination

**SUSSEX COUNTY ENGINEERING DEPARTMENT  
UTILITY PLANNING & DESIGN REVIEW DIVISION  
C/U & C/Z COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **7/8/2022**

APPLICATION: **CU 2310 Milton Community Food Bank, Inc.**

APPLICANT: **Milton Community Food Pantry, Inc**

FILE NO: **NCPA-5.03**

TAX MAP &  
PARCEL(S): **235-7.00-18.00**

LOCATION: **Lying on the west side of Union Street Ext. (Rt. 5),  
approximately 0.24 mile south of Reynolds Pond Rd. (SCR 231)**

NO. OF UNITS: **Food Bank**

GROSS  
ACREAGE: **0.966**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **2**

**SEWER:**

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?  
Yes  No
- a. If yes, see question (2).  
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Municipal Growth & annexation Area**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A**. Is it likely that additional SCCs will be required? **N/A** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **N/A** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **The proposed Conditional Use is within the boundaries of the Town of Milton's Growth and Annexation Area. Contact the Town of Milton concerning the availability of sanitary sewer and water.**
- (9). Is a Sewer System Concept Evaluation required? **Not at this time**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Not at this time**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman  
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.  
Lisa Walls  
No Permit Tech Assigned

**DATA COLUMN**

TAX MAP NUMBERS: 2-35-7.00-18.00  
 SITE ADDRESS: 12898 UNION ST. EXT. MILTON, DE 19968

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

EX. ZONING: GR  
 PROP. ZONING: GR (CU)  
 EX. USE: RESIDENTIAL  
 PROP. USE: COMMERCIAL  
 SITE AREA: 0.966 ACRES

BUILDINGS:  
 EXIST. HOUSE: 1,086 SQFT  
 PROPOSED POLE BARN: 1,320 SQFT

FLOOD HAZARD MAP: THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP 10005CD165JK, DATED JANUARY 6, 2005

PARKING:  
 REQUIRED: 5 SPACES (1 PER 200 SQFT. OF USEABLE FLOOR AREA (923 SQFT.))  
 PROVIDED: 6 SPACES INCLUDING 1 HANDICAPPED ACCESSIBLE

GR SETBACK REQUIREMENTS:  
 FRONT SETBACK: 40'  
 SIDE SETBACK: 10'  
 REAR SETBACK: 10'

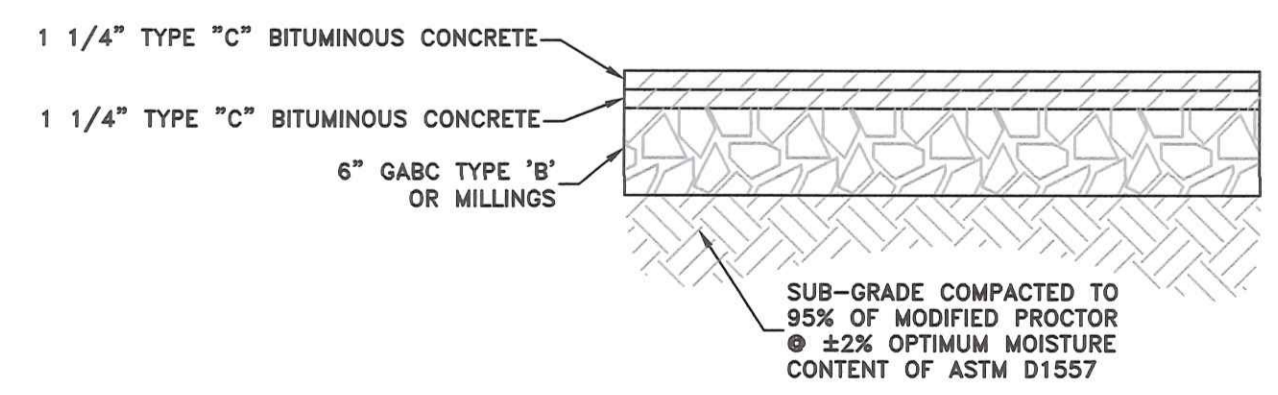
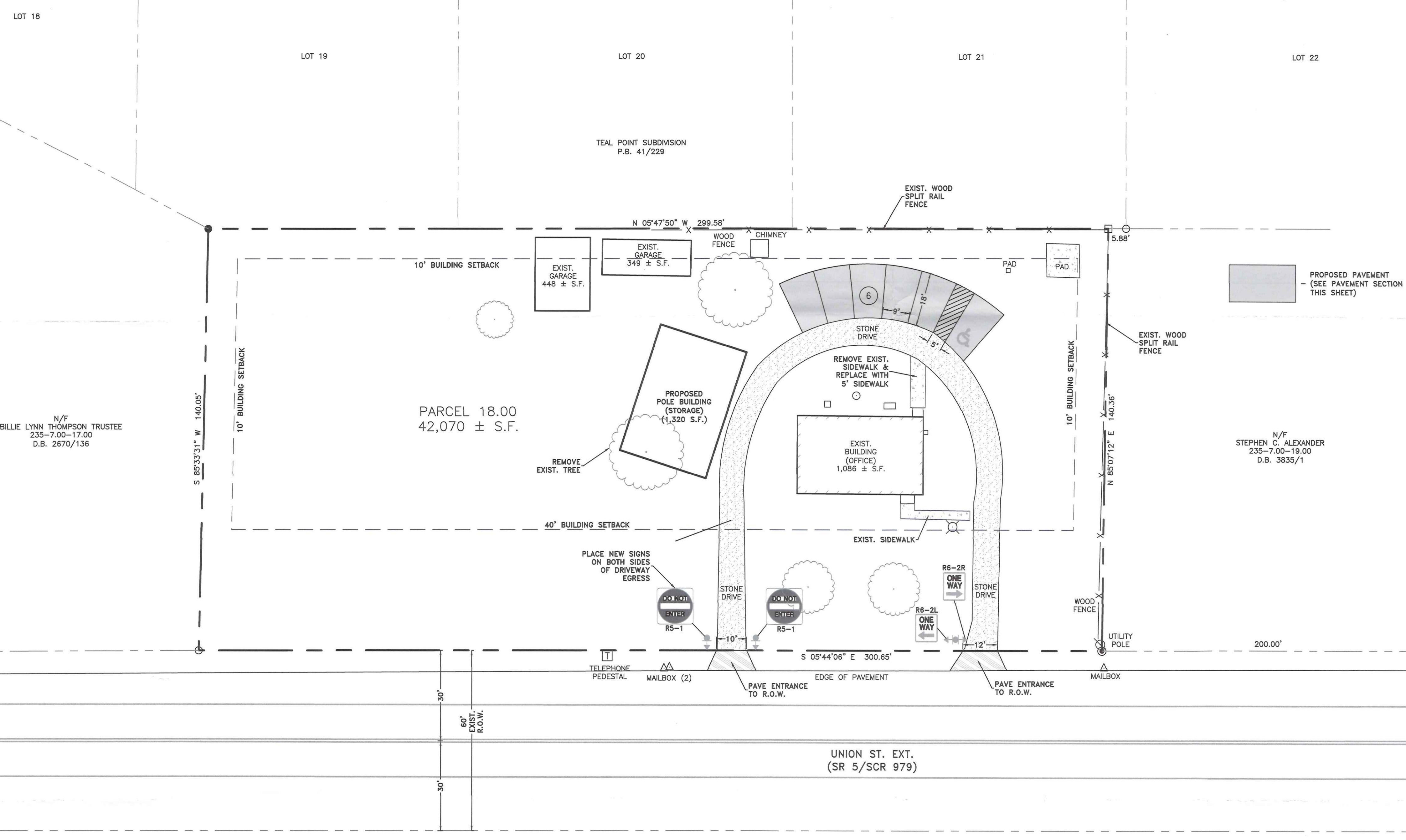
UTILITIES:  
 SEWER: PRIVATE (SEPTIC)  
 WATER: PRIVATE (WELL)

MAXIMUM PERMITTED BUILDING HEIGHT: 42'

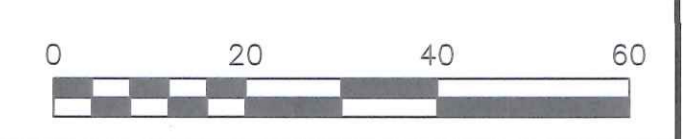
PROPOSED BUILDING CONSTRUCTION: WOOD CONSTRUCTION

OWNER/DEVELOPER: MILTON FOOD PANTRY  
 114 FEDERAL ST.  
 MILTON, DE 19968

PREPARED BY: DAVIS, BOWEN & FRIEDEL, INC.  
 23 NORTH WALNUT STREET  
 MILFORD, DE 19963  
 (302) 424-1441



**PAVEMENT SECTION**  
 NOT TO SCALE



ARCHITECTS ENGINEERS SURVEYORS  
 DAVIS, BOWEN & FRIEDEL, INC.  
 SALISBURY, MARYLAND (410) 543-8001  
 MILFORD, DELAWARE (302) 424-1441  
 EASTON, MARYLAND (410) 770-4744

**FOOD BANK OF MILTON**  
**SITE REVISIONS**  
**SUSSEX COUNTY, DELAWARE**

Revisions:

Date:	AUGUST 2021
Scale:	1" = 20'
Dwn.By:	DJR
Proj.No.:	2916A016
Dwg.No.:	1













P:\Lighthouse\Food Bank Milton\Final\2916A016 - CONCEPT 1.dwg Aug 13, 2021 - 10:35am read

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**Tim Willard**

---

**From:** Tim Willard  
**Sent:** Monday, July 18, 2022 1:55 PM  
**To:** Jamie Whitehouse; pandz@sussexcountyde.gov  
**Cc:** Chase Phillips  
**Subject:** C/U 2310 Milton Community Food Pantry, Inc. schedule for 7/28

-  updated 7.22  
Pantry informati...
-  Copy of  
Survey\_cid43E06...
-  Food Pantry letter  
from DelDOT...
-  2916A016 - SITE  
PLAN (AERIAL)...
-  Food Pantry  
Comp Plan.pdf
-  Food Pantry  
Zoning Map.pdf
-  FOOD PANTRY  
NEIGHBOR SUP...
  
-  letters of  
support-202207...
-  FOOD PANTRY  
PRESS & DONA...
-  Food Pantry CU  
2310 Proposed ...
  
-  2916A016 - SITE  
PLAN.pdf
-  2916A016 - SITE  
PLAN (CAR OVE...

Jamie-

I represent the Food Pantry. Please find enclosed supplemental material in support of this application.

To review, the Food Pantry, a non-profit operated by volunteers, collects, stores and prepares food packages for those in need. Their application is for a conditional use to have a location for their operation. They plan to have only one weekly delivery date for clients, tentatively planned for Mondays from 9AM to 1PM. The Pantry is well established in the community and serves a vital need.

Kindly forward this email and attachments to members of the Commission. In addition, please have these attachments available for the Food Pantry's presentation. In addition, below are links to a short video and some photos if they could also be available as well for the presentation. Finally, if multiple sets of hard copies are necessary, let me know; otherwise, I will assume this digital correspondence is sufficient.

[https://drive.google.com/file/d/1aW6eMbbHrL9LYZILQhkdaJKNd8WdVGod/view?usp=drive\\_web](https://drive.google.com/file/d/1aW6eMbbHrL9LYZILQhkdaJKNd8WdVGod/view?usp=drive_web)

[https://drive.google.com/file/d/1QIiLUxlLsueezWI8hK33Aigipq32AQQ/view?usp=drive\\_web](https://drive.google.com/file/d/1QIiLUxlLsueezWI8hK33Aigipq32AQQ/view?usp=drive_web)

As always. Thanks. -Tim



Timothy G. Willard, Esq. 302-856-7777

**FUQUA, WILLARD & SCHAB, P.A.**

26 The Circle, Georgetown, DE 19947

*This correspondence may contain  
attorney client privileged information.*



**Milton Community Food Pantry**  
**PO Box 84**  
**Milton, DE 19968**

**(302) 278-9557**  
**pantrymilton@gmail.com**

### **PANTRY HISTORY / WHO WE ARE**

In the winter of 2014, a woman came to the door of Reverend Diane Davis, pastor of Goshen United Methodist Church, asking not for money, but for some food for her family. Reverend Diane went to her pantry and put together whatever she could find. That night, Reverend Diane realized that there was poverty hidden in the town of Milton that most people were unaware of. She put together a small group of volunteers and the Milton Community Food Pantry (MCFP) first opened its door in June of 2014, at which time they served 5 families for a total of 9 people that day. Since then, the pantry has grown substantially. Up until the pandemic, we were serving 70-80 families per week, with 130 families at and around the holidays.

At present, we feed approximately 50 families per distribution on the first and third Monday of each month. The MCFP provides food for 3 meals a day, 3 days a week to help supplement a family's food budget. In spite of the pandemic, in 2021 we provided food for 60,000 meals. The MCFP feeds all who ask for food. We service not only the town of Milton, the 19968 zip code, but all surrounding areas including parts of Georgetown, Lewes, Lincoln, Ellendale, Broadkill Beach, Slaughter Beach, as well as many others. We have never turned anyone away. Many of our clients are senior citizens, people who have recently lost their jobs, people with disabilities, and young families struggling to put food on the table.

The MCFP is an independent 501(c)(3) organization that is run entirely by volunteers. Our mission is to combat hunger in Northeastern Sussex County. We rely totally on in-kind donations (e.g. canned/packaged goods and food rescue) as well as monetary donations from individuals and groups within the community. We also receive some foundation funding through various grants.

## **OUR CURRENT METHOD OF OPERATION**

The Covid 19 pandemic has forced the Milton Community Food Pantry to make changes in its food delivery model. Prior to the pandemic, the MCFP had always worked out of Goshen Hall, 114 Federal Street, in Milton. Since changing to our drive-through model of distribution, we have worked out of the Milton municipal parking lot, the parking lots at Goshen Church and hall and outdoors at the Water's Edge Church on Reynolds Road. We currently distribute on the first and third Mondays of the month, from 10 AM to 12 PM. We distribute food to approximately 50 families during that time many of whom carpool. A core group of 10-12 volunteers work the parking lot, handle registration, pack fresh produce, meats, and bakery items, and carry the fresh food as well as the boxes of canned goods to the cars. Clients never leave their cars as they are registered at the car and move forward through the line where volunteers pack the food directly into their vehicles.

The Pantry is also open on Saturdays from 10:00-12:00 for donations and packing of canned goods. There are usually 3 volunteers there at that time. Volunteers (1-2 at a time) shop for canned/dry goods at stores such as Save a Lot, Walmart, and Dollar Tree, pick up pre-made boxes from the Food Bank of Delaware, and do food rescue at Food Lion. As food has been difficult to obtain since the start of the pandemic, the Pantry turned to the Food Bank of Delaware as an emergency partner to get pre-packed boxes to distribute as well. In order to receive the government-issued boxes, clients must answer a brief question regarding their income. However, even if they do not qualify for those boxes, no one leaves us without food.

## **WHY WE NEED OUR OWN BUILDING**

Since our start, the MCFP has been reliant on the generosity of local churches and the town of Milton to provide us with a location from which to operate. We currently have food stored in refrigerators, freezers and the garages at various homes of our volunteers as well as in outdoor storage pods on the property of The Water's Edge Church. On the day of distribution, volunteers must collect the food from all these various locations, and then work packing and distributing it outside in all types of weather - a model which is unsustainable in the long run. Having a central location where we can store, pack and from which we can distribute will allow us to continue to provide this vital service to the Milton area in a safe and efficient manner. It will also provide us with the opportunity to take advantage of sales and expand our food rescue efforts.

Therefore, we are in need of our own building with ample space for storage of canned/dry goods and a central location for fresh/frozen food storage. We need a large enough lot that would provide some parking and would support our drive-through model of distribution. We also need to be fairly close to the town of Milton our core service area.

### **CHANGES TO / USE OF PROPERTY**

We are proposing the following changes to the property at 12898 Union Street, Extended:

- The circular driveway is already set up for the drive-through model we currently use. We normally have no more than 11-12 cars in line at one time. We would be able to accommodate these cars on the driveway. We will have a volunteer placed at the entrance as well as the exit to direct cars safely. The cars would enter on one side of the driveway and exit the other. Volunteers will register the clients at their cars, and then fresh food and canned goods/boxes would be loaded into their cars as they proceed through the driveway. They would then exit the property.
- We would knock down the old garage and shed and build a pole barn which would blend in with the property and be similar to those in the neighborhood. This structure would be climate controlled and is where we will store the canned/dry goods.
- We would clean up the property and put in some landscaping.
- The house would remain unchanged from the outside, but just spruced up a little. On the inside, we plan on redoing the kitchen and bathroom and opening up the living room to the kitchen, creating an open floor plan for packing fresh foods.
- A cement "patio" would be poured behind the house where a walk-in refrigerator/freezer would be housed.
- Our goal is to distribute from this location one day per week. On a distribution day, volunteers are present from about 8 AM until early afternoon. Clients are served from 9:30 until noon. This goal may need to be amended based on safety considerations and the number of families in need. Our distributions typically run for 2-3 hours on a weekday, when most people are at work and children are at school.
- Other than the distributions, activity on the property (including traffic and deliveries) will be minimal. Small deliveries by car or pickup truck would take place several times a week (usually 2-3 volunteers).

Donna Murawski, Board President, Milton Community Food Pantry



**DATA COLUMN**

TAX MAP NUMBER: 2-35-7.00-18.00  
 SITE ADDRESS: 1206 IRON ST. EXT. MILTON, DE 19968

DATE: NOV 88  
 HORIZONTAL: NAD 83 (DE STATE PLANE)  
 OR  
 EX. ZONING: OR (C2)  
 PROP. ZONING: OR (C2)  
 EX. USE: RESIDENTIAL  
 PROP. USE: COMMERCIAL  
 SITE AREA: 0.888 ACRES

BUILDINGS:  
 EXIST. HOUSE: 1,088 SQFT  
 PROPOSED POLE BARN: 1,320 SQFT

FLOOD HAZARD MAP: THIS PROPERTY IS NOT IMPACTED BY THE 100-YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP 1000502163AR, DATED JANUARY 6, 2005

PARKING:  
 REQUIRED: 5 SPACES (1 PER 200 SQFT OF USABLE FLOOR AREA (923 SQFT))  
 PROVIDED: 8 SPACES INCLUDING 1 HANDICAPPED ACCESSIBLE (1,270 SQFT)

TOTAL PROPOSED IMPROVEMENTS:  
 PROPOSED PAVEMENT: 1,270 SQFT  
 PROPOSED POLE BARN: 1,320 SQFT  
 PROPOSED SIDEWALK: 22 SQFT

TOTAL IMPROVEMENTS: 2,612 SQFT

OR SETBACK REQUIREMENTS:  
 FRONT SETBACK: 40'  
 SIDE SETBACK: 10'  
 REAR SETBACK: 10'

FLOOD ZONE:  
 BASED ON FEMA FIRM MAPS XXXXXX DATED 4/20/2004 THE PROPERTY LIES IN ZONE 1 WHICH HAS NO FLOOD HAZARD, HIGHER THAN ELEVATION OF THE 5.00 PERCENT ANNUAL-CHANCE-FLOOD (FOR 500-1548)

WETLANDS:  
 DO NOT EXIST ON SITE

UTILITIES:  
 SEWER: PRIVATE (SEPTIC)  
 WATER: PRIVATE (WELL)

MAXIMUM PERMITTED BUILDING HEIGHT: 42'

PROPOSED BUILDING CONSTRUCTION: WOOD CONSTRUCTION

OWNER/DEVELOPER: MILTON FOOD PANTRY  
 114 FEDERAL ST.  
 MILTON, DE 19968

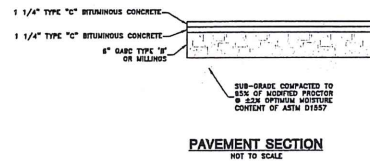
PREPARED BY: DAVIS, BOWEN & FRIEDEL, INC.  
 23 NORTH HANCOCK STREET  
 MILFORD, DE 19913  
 (302) 424-1441

**LEGEND**

PROPERTY BOUNDARY LINE: ---  
 RIGHT-OF-WAY LINE: ---  
 EXISTING ADJOINING PROPERTY LINE: ---  
 BUILDING SETBACK LINE: ---  
 LIMIT OF DISTURBANCE/SALT FENCE: ---  
 STABILIZED CONSTRUCTION ENTRANCE: [SC] (with symbol)  
 TEMPORARY STOCKPILE AREA: [Symbol]

- EROSION & SEDIMENT CONTROL NOTES**
1. THE DIRECT, SEDIMENT AND STORMWATER PROGRAM (OR DELEGATED AGENCY) MUST BE NOTIFIED IN WRITING (5) DAYS PRIOR TO COMMENCING CONSTRUCTION. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED SEDIMENT AND STORMWATER MANAGEMENT PLAN.
  2. REVIEW AND OR APPROVAL OF THE SEDIMENT AND STORMWATER MANAGEMENT PLAN SHALL NOT RELIEVE THE CONTRACTOR FROM HIS OR HER RESPONSIBILITIES FOR COMPLIANCE WITH THE REQUIREMENTS OF THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS, NOR SHALL IT RELIEVE THE CONTRACTOR FROM ERRORS OR OMISSIONS IN THE APPROVED PLAN.
  3. IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DETERMINED NECESSARY BY DIRECT OR THE DELEGATED AGENCY.
  4. FOLLOWING SOIL DISTURBANCE OR RESTORATION, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED FOR ALL PERMITTED SEDIMENT CONTROL, SOIL STOCKPILES, AND ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE WITHIN 14 CALENDAR DAYS UNLESS MORE RESTRICTIVE FEDERAL REQUIREMENTS APPLY.
  5. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL COMPLY WITH THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.
  6. AT ANY TIME A DETERMINED OPERATION IS USED, IT SHALL BE PREVIOUSLY APPROVED BY THE AGENCY CONSTRUCTION SITE REVIEWER FOR A NON-EROSIVE POINT OF DISCHARGE, AND A DETERMINING PERMIT SHALL BE APPROVED BY THE AGENCY WELL PERMITTING DIVISION.
  7. APPROVAL OF A SEDIMENT AND STORMWATER MANAGEMENT PLAN DOES NOT GRANT OR IMPLY A RIGHT TO DISCHARGE STORMWATER RUNOFF. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ACQUIRING ANY AND ALL NECESSARY PERMITS, EASEMENTS, ETC., NECESSARY TO COMPLY WITH STATE DRAINAGE AND OTHER APPLICABLE LAWS.
  8. THE CONTRACTOR SHALL AT ALL TIMES PROTECT AGAINST SEDIMENT OR DEBRIS LADEN RUNOFF OR WIND FROM LEAVING THE SITE. PERIMETER CONTROLS SHALL BE CHECKED DAILY AND ADJUSTED AND/OR REPAIRED TO FULLY CONTAIN AND CONTROL SEDIMENT FROM LEAVING THE SITE. ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN IT HAS REACHED HALF OF THE EFFECTIVE CAPACITY OF THE CONTROL. IN ADDITION, THE CONTRACTOR MAY NEED TO ADJUST OR ALTER MEASURES IN TIMES OF ADVERSE WEATHER CONDITIONS, OR AS DIRECTED BY THE AGENCY CONSTRUCTION SITE REVIEWER.
  9. BEST AVAILABLE TECHNOLOGY (BAT) SHALL BE EMPLOYED TO MANAGE TURBID DISCHARGES IN ACCORDANCE WITH REQUIREMENTS OF 7 DEL. C. CH 55, REGULATIONS GOVERNING THE CONTROL OF WATER POLLUTION, SECTION 2.1.2.2, IN ADDITION AS SPECIAL CONDITIONS FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES, AND DEPARTMENT POLICIES, PROCEDURES, AND GUIDANCE.

- FIRE PROTECTION NOTES**
1. ALL FIRE LANES, HYDRANTS, EXITS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS (DSFPR, 703, CHAPTER 5).
  2. WATER PROVIDER: DUSHE WELL.
  3. PROPOSED BUILDING CONSTRUCTION: TYPE V (000)
  4. INTENDED USE: STORAGE
  5. PROPOSED BUILDING HEIGHT: 42 FEET
  6. PROPOSED BUILDING SQUARE FOOTAGE: 1,320 ± S.F.
  7. SITE WILL BE SERVED BY AN UNDERGROUND CLOSED PIPE NATURAL GAS OR PROPANE SYSTEM.
  8. AUTOMATIC FIRE SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.



**OWNER'S STATEMENT**

"I, THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED STANDARD PLAN AND THAT RESPONSIBLE PERSONNEL, (I.E., BLUE CARD HOLDERS INVOLVED IN THE LAND EXISTENCE) WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT. AS A SOURCE PROVIDED ON APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DIRECT, SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEW."

MILTON FOOD PANTRY  
 114 FEDERAL ST.  
 MILTON, DE 19968

DATE: \_\_\_\_\_

**ENGINEER'S STATEMENT**

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

BY JAMES L. SECHELER, P.E.  
 DAVIS, BOWEN & FRIEDEL, INC.  
 1 PARK AVENUE  
 MILFORD, DELAWARE, 19968

DATE: \_\_\_\_\_

**SUSSEX CONSERVATION DISTRICT**

Date: AUGUST 2021  
 Scale: 1"=20'  
 Drawn By: RPK  
 Proj No.: 2318A016  
 Dwg No.: 1

DAVIS, BOWEN & FRIEDEL, INC.  
 ARCHITECTS ENGINEERS SURVEYORS  
 114 PARK AVENUE  
 MILFORD, DELAWARE 19968  
 (302) 424-1441

MILTON COMMUNITY FOOD PANTRY  
 SITE REVISIONS  
 SUSSEX COUNTY, DELAWARE

Revisions:

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**DATA COLUMN**

TAX MAP NUMBER: 2-25-7200-1820  
 SITE ADDRESS: 12818 UNION ST. EXT. MILTON, DE 19968

DATE: VERTICAL: NAD 83 (DE STATE PLANS)  
 HORIZONTAL: NAD 83 (DE STATE PLANS)

EX. ZONING: CR  
 PROP. ZONING: CR (C1)

EX. USE: RESIDENTIAL  
 PROP. USE: COMMERCIAL

SITE AREA: 0.884 ACRES

BUILDINGS:  
 EXIST. HOUSE: 1,068 SQFT  
 PROPOSED POLE BARN: 1,330 SQFT.

FLOOD HAZARD MAP: THIS PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP 10005020182K, DATED JANUARY 6, 2005

PARKING:  
 REQUIRED: 5 SPACES (1 PER 200 SQFT. OF USABLE FLOOR AREA (923 SQFT.))  
 PROVIDED: 6 SPACES INCLUDING 1 HANDICAPPED ACCESSIBLE

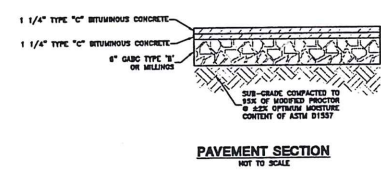
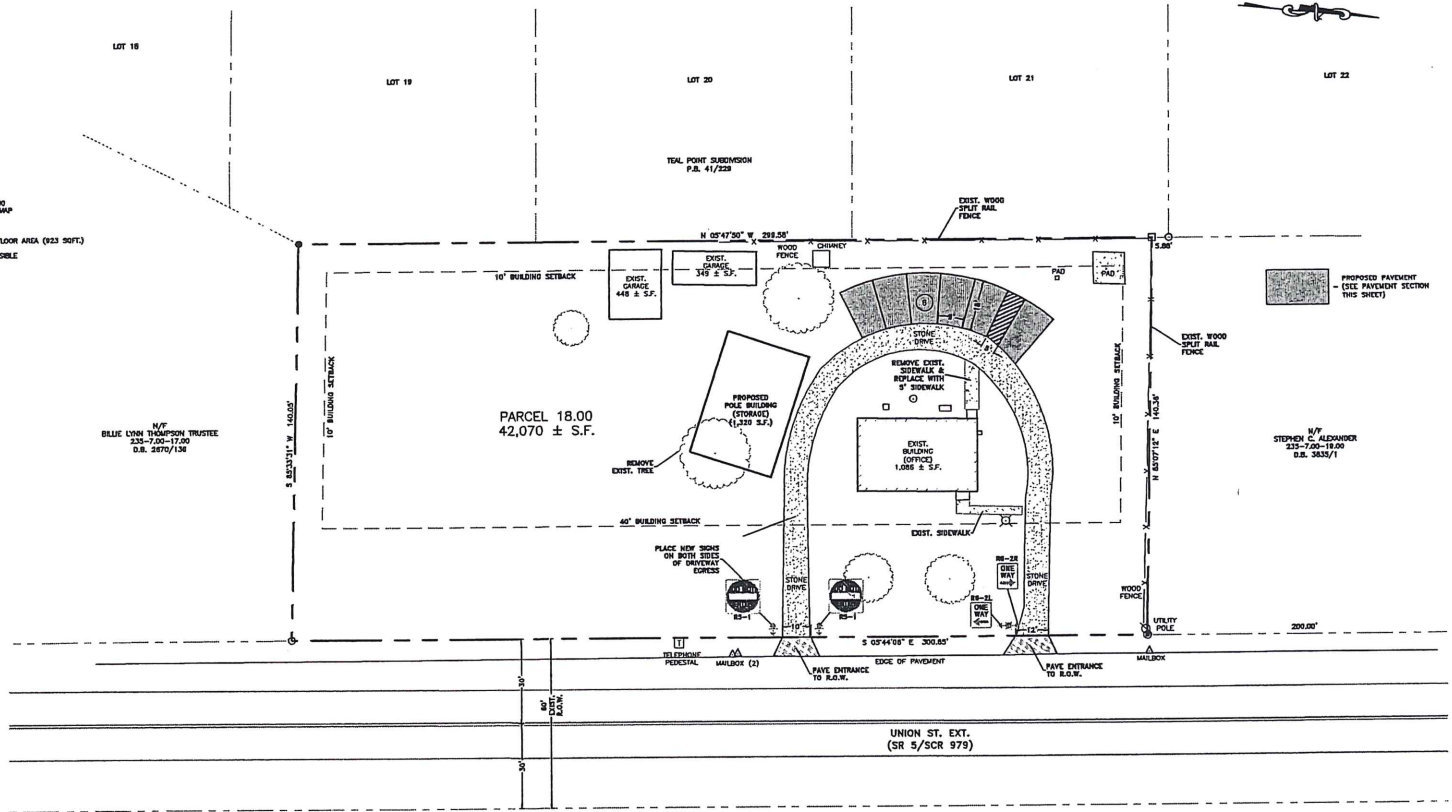
OR SETBACK REQUIREMENTS:  
 FRONT SETBACK: 40'  
 SIDE SETBACK: 10'  
 REAR SETBACK: 10'

UTILITIES:  
 SEWER: PRIVATE (SEPTIC)  
 WATER: PRIVATE (WELL)

MAXIMUM PERMITTED BUILDING HEIGHT: 45'  
 PROPOSED BUILDING CONSTRUCTION: WOOD CONSTRUCTION

OWNER/DEVELOPER: MILTON FOOD PARTNRY  
 114 FEDERAL ST.  
 MILTON, DE 19968

PREPARED BY: DAVIS, BOWEN & FRIEDEL, INC.  
 22 NORTH BALLOT STREET  
 MILFORD, DE 19963  
 (302) 634-1441



P:\Lighting\Food Bank of Milton\Preliminary\29164016 - CONCEPT - July 13, 2021 - 10:55am.rvt

**DAVIS BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 22 NORTH BALLOT STREET  
 MILFORD, DELAWARE 19963  
 (302) 634-1441

**FOOD BANK OF MILTON**  
 SITE REVISIONS  
 SUSSEX COUNTY, DELAWARE

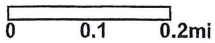
Revisions:  
 Date: AUGUST 2021  
 Scale: 1"=20'  
 Des. By: DJR  
 Proj. No.: 29164016  
 Dwg. No.: 1

CONCEPT 1

Layers Search Basemaps Select Area Search Results



COMP Plan - Developing

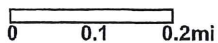


Layers

- General Commercial - C-5
- General Residential - GR
- Heavy Industrial - HI-1
- High Density Residential - HR-1
- High Density Residential - HR-2
- Institutional - I-1
- Light Industrial - LI-2
- Limited Industrial - LI-1
- Marine - M
- Medium Residential - MR
- Neighborhood Business - B-1
- Neighborhood Business - B-2



ZONING DISTRICT - GR







*Town of Milton*

115 Federal Street, Milton, Delaware 19968

[www.milton.delaware.gov](http://www.milton.delaware.gov)

Phone: 302-684-4110 Fax: 302-684-8999

June 30, 2022

Sussex County Planning and Zoning Commission  
P. O. Box 589  
Georgetown, Delaware 19947

RE: Conditional Use Permit for 12898 Union Street Ext. Sussex County Tax Parcel ID 235-7.00-182.00

Dear Commissioners,

I am writing this letter to encourage the Commission to approve the conditional use request for the Milton Community Food Pantry at the above referenced location.

Until recently the Food Pantry operated within the corporate limits of the Town of Milton. While operating within Milton, they were found to be well organized, conscientious, and able to operate in harmony with the day-to-day activities within the Town.

Having had the opportunity to observe their operation firsthand, I believe the site they have chosen is ideal to support their operation without any significant inconvenience to neighboring properties. Also, it is my opinion there will be no disruption to the flow of traffic on the road that serves this property.

The Milton Community Food Pantry is a non-profit organization which provides a valuable no cost service to those in need in the surrounding area. I strongly urge the Commission to give a positive response to their request.

Sincerely,

A handwritten signature in cursive script that reads "John R. Collier".

John R. Collier  
Mayor  
Town of Milton



## The Water's Edge Church

Reynolds Road, Milton Delaware 19968

Rev. Tim Wilson 302/604-4147 [revttww@gmail.com](mailto:revttww@gmail.com)

March 18, 2022

To Whom It May Concern:

My name is Tim Wilson, and I am the pastor of The Water's Edge Church. I just wanted to write a brief recommendation letter about the Milton Community Food Pantry. I have had the privilege over the last eight years to see the amazing and selfless ministry of the food pantry. This ministry is truly a labor of love and is a benefit to our town and the surrounding area. If it were not for this food pantry, I feel that there would be many families that would go without the basic dietary needs that their bodies require. Thank you for taking time to read this letter and I pray that you would be favorable to whatever this ministry is in need of.

Sincerely,

Rev. Tim Wilson

Denise Suthard  
Betty Holmes  
12842 Union Street, Ext.  
Milton, DE 19968

May 21, 2022

To Whom It May Concern:

My partner and I live down the street (12842 Union Street, Extended) from the proposed Food Pantry. We welcome this opportunity to have the home of MCFP in our neighborhood and support its work in caring for the people of our community.

Thank you,

Denise Suthard & Betty Holmes

July 7, 2022

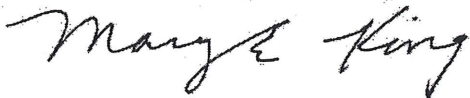
To Whom it may concern

It is my understanding that the Milton Food Pantry is requesting permission to change its location in order to improve its operational goals and objectives. On behalf of the Milton Garden Club Board of Directors and the members of the Club, I give our full support to the relocation of the Food Pantry to 12898 Union Street, Milton, Delaware.

I am also told that the current location is inadequate for the growing needs of the people served by the Food Pantry. The storage space is limited and access for the client is difficult. With the change to the new location, there will be room for expansion and the ability to increase the number of distribution days. These factors make it vitally important in this day and age, when inflation is out of control, gas prices are the highest they've ever been, and families are having to decide whether to purchase food for their tables or pay their rent. It is heart-wrenching to imagine the suffering our community would endure without the nourishment that the Food Pantry provides each year; supplying over 60,000 meals in 2021 alone.

I implore you to make the just and human decision to support the Milton Food Panty and their desire to move its location. By doing so, you become a champion of the many Food Pantry volunteers, who give so freely of their time to help those in need.

I thank you for your attention to this very important matter.



Mary Ellen King, President, Milton Garden Club

6/20/2022

I am writing to inform you of the wonderful work that the food pantry does for many families that need help. I started going there when I needed help for myself and my son who is terminally ill with 3 children. I, like many people, decided having to go there for help. The volunteers there changed all that. They were so welcoming and understanding that after a few months I looked forward to it. One of the volunteers there is a grandmother to my neighbor. She collected clothes and household items to put out for anyone who needed them. I started helping her sort through the items and helped put them out. When the virus hit they did not stop giving out food. They figured out how to do it safely. Some of my neighbors cannot get there to get the food because of their work schedules. They are nice enough to bring

it to my home so that I can keep it until they can pick it up. One family only has a small refrigerator and cannot keep alot of food in it, so I keep it in my freezer until they need it. Any clothes or leftover food is taken to the Good Shepard house. They give it to the homeless.

The volunteers at the pantry work in the rain, snow and heat to make sure anyone who needs food gets it. They are truly angels on this earth.

Gavin Mooney

To whom this may concern,

We moved to Milton over 7 years ago to 111 Federal Street. During the entire time that the Milton Food Pantry operated out of Goshen Hall across the street, we never had any issues regarding noise, congestion, or problems with the staff or their patrons. The entire operation was very well-run.

In addition, I never heard any of my neighbors complain about the presence of the Pantry. The town has always considered the operation a plus for the Milton area.

Sincerely,

Mae Lucier

A handwritten signature in cursive script, appearing to read "Mae Lucier", written in dark ink.



July 15, 2022

To Whom It May Concern:

I am very pleased to share that the Matt Haley Trust has been a lead supporter of the Milton Community Food Pantry for the past several years. Over time, our financial commitment to the Food Pantry has increased, due to both our confidence in the Pantry's capable leadership as well as growing food insecurity within the community. The Matt Haley Trust very much carries forward the high standards, no BS, and full accountability spirit of our founder, Matt Haley. In the Pantry we found a partner that is very much aligned with our organizational commitment and values. Simply said, even in the most challenging of times the Pantry consistently, thoughtfully, delivered on its obligations to its beneficiaries, its donors, and its neighbors. By doing good and doing it so well in harmony with the community the Pantry has made Milton and Sussex County a better place to live and a community that walks the talk of its principles.

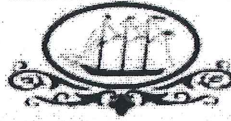
The Matt Haley Trust fully supports the Pantry's efforts to secure a more permanent, better functioning location and looks forward to many more years of sharing the commitment of doing good within Sussex County.

With gratitude,  
Matt Haley Trust

A handwritten signature in black ink, appearing to read 'Steven Himmelfarb', written in a cursive style.

Steven Himmelfarb  
Trustee





**MILTON COMMUNITY FOUNDATION**  
**"SERVING OUR TOWN"**  
P.O. Box 12, Milton, DE 19968  
*A 501c3 Non-Profit Organization*  
*Donations are tax deductible*

July 14, 2022

To: The Sussex County Planning and Zoning Planning Commission

Re: Support of Conditional Use Request by the Milton Community Food Pantry

Dear Commissioners,

This letter is in support of the Milton Community Food Pantry request to grant a Conditional Use of the property at 12898 Union Street, Extended.

The MCFP is one of the most important, if not the most important, non-profits that serves the Milton community.

To demonstrate how important we, The Milton Community Foundation, think the Food Pantry is to the community, we have been a supporter of them for over 10 years. The MCF has donated a freezer, large food scale, Food Lion gift cards and monetary donations all to support their mission of helping to ensure that those in our community who are food-insecure are able to obtain a basic need.

We ask that you grant this Conditional Use request so that the MCFP has the facility needed to allow them to continue to provide a vital necessity to the community.

Thank you for your consideration.

Respectfully,

Steve Crawford  
President - MCF

*2022 Officers and Members of the Board*

*President - Steve Crawford, Vice President - Vacant, Secretary - Al Benson, Treasurer - Claire Porterfield,  
Records - Beverly White, Tom Arkinson, Kenneth Brittingham, Bill Byrnes, Lisa Falzarano,  
Victor Gomez, Joan Martin-Brown, Melanie Oliver, John Potocki, Stel Parker-Selby*

*MiltonCommunityFoundation.org*

July 23, 2021

To whom it may concern,

This letter is in regard to the Milton Community Food Pantry, currently located at Goshen Hall, 114 Federal Street, Milton, DE. We are direct neighbors to Goshen Hall, residing at 120 Federal St. for the past 2.5 years.

Our experience with the Milton Community Food Pantry has been a positive one. They have always been kind and respectful as they provide a vital outreach service for our community members in need.

Distribution days are very organized, with orange cones set out and lots of on-site help directing patrons for pick up. If we are in our side yard during distribution hours we may hear voices in conversation, some laughter, and vehicles pulling in/out which are at low speeds and hardly impactful.... It's actually nice to have the lively activity next door for a few short hours each week.

As far as other times when the volunteers are working in preparation we don't even notice that, no impact on us at all - other than the occasional friendly wave 'hello' if we are in the front yard area of our home.

Using Google Maps street view we looked at the property proposed for the relocation of the Milton Community Food Pantry. Given the space around the building and the circular driveway, the access and flow will be much improved compared to the Federal St. location, especially with their drive-through model of distribution which is very quick and efficient. The neighboring properties are quite a distance away so any impact should truly be negligible.

We wish the Milton Community Food Pantry organization all the best, and hope that their new neighbors will be welcoming and supportive.

Sincerely,

The Dangers

*Beth & Chuck Dangers*

2.

# SOCIETY OF ST. VINCENT De PAUL



St. Jude the Apostle Conference  
P.O. Box 94  
Lewes, De. 19958

Tel 302-249-4664

To Whom It May Concern:

My name is Steve Kittka, and I am the President of the St Vincent DePaul Society at St Jude Church in Lewes. Please accept this letter as our recommendation and support of the Milton Pantry's request to move their operations to the Union Street Extended location.

We have partnered with the Milton Pantry for several years and have supported their mission to help feed our neighbors in need. They have consistently met the challenge in servicing the community through their hard work and extraordinary volunteers.

I feel strongly that the Milton Pantry is a valuable asset, and without their service, the community would surely suffer. With today's inflation and high cost of food, more community members than ever benefit from their generosity and their devotion.

In closing, I ask that you please consider and approve their request for the benefit of all our Neighbors.

If you have any questions, please do not hesitate to call my cell phone at 814-421-0434.

Sincerely,

Steven J. Kittka  
SVDP Society

*Serving in Hope*



*Town of Milton*

115 Federal Street, Milton, Delaware 19968

[www.milton.delaware.gov](http://www.milton.delaware.gov)

Phone: 302-684-4110 Fax: 302-684-8999

MARCH 29, 2022

TO WHOM IT MAY CONCERN;

I AM WRITING ON BEHALF OF THE MILTON COMMUNITY FOOD PANTRY. THE "PANTRY" IS AN EXTREMELY VALUABLE COMMUNITY RESOURCE DISTRIBUTING FOOD, SINCE 2014, TO THOSE MOST VULNERABLE TO FOOD INSECURITY, ESPECIALLY THE ELDERLY AND CHILDREN.

THE "PANTRY'S" DISTRIBUTION OF OVER 14,000 MEALS IN A FIVE YEAR PERIOD (2014-2019) SPEAKS TO THE EFFICIENCY AND PROFESSIONALISM OF THE GROUP, BUT MOST OF ALL THE REAL NEED TO FEED PEOPLE.

MOST RECENTLY, FROM 2019 TO 2022, THE COVID PANDEMIC, HAS DRAMATICALLY CHANGED HOW THE "PANTRY" DISTRIBUTES ITS' FOOD TO THE PUBLIC FROM WALK IN SERVICE TO DRIVE THRU ONLY. THIS HAS CREATED A MORE LOGISTICALLY CHALLENGING SITUATION AND ONE THAT NOW REQUIRES A FREE STANDING BUILDING FOR THE "PANTRY" TO DO IT'S BEST WORK.

I WOULD ASK ANYONE WITH THE ABILITY TO ENDORSE AND SUPPORT THE "MILTON COMMUNITY FOOD PANTRY" TO DO SO.

SINCERELY,

A handwritten signature in black ink, appearing to read "Ted Kanakos". The signature is fluid and cursive, written over a light blue horizontal line.

TED KANAKOS

MAYOR, MILTON, DE 19968

DATE: February 21, 2022

RE: Milton Community Food Pantry, Milton, DE

TO WHOM IT MAY CONCERN:

During a difficult time in our lives, while we were raising our two grandchildren, we were made aware of the Milton Community Food Pantry. While we were reluctant to try this at first, we were amazed at the efficiency with which it was run. They had a finely tuned process which allowed the cars to move in quickly and quietly. We have continued going back twice a month, and each time we moved through the line, the workers have been polite and friendly!

This is a valued part of the community and provides food distributions to many in Sussex County. The volunteers are dedicated to providing access to healthy foods to those that might not otherwise have such access.

As Jesus said, "For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in." Matthew 25:35

Isaiah 58:10: "And if you spend yourselves in behalf of the hungry ....then your light will rise in the darkness, and your night will become like the noonday."

We totally support the work of the Milton Community Food Pantry!!

David & Kathy MacCord  
34010 Harvard Ave.  
Unit 1105  
Millsboro, DE 19966

February 7, 2022

Milton Community Food Pantry does an excellent job in providing food to those in need. I first found out about the pantry from County Bank in Milton, which has a basket for food donations. Even throughout the pandemic they continue to distribute food, simply amazing.

I am happy to support the food pantry knowing that many people are being helped when they need it the most.

Lois Downing

Milton

## Milton food pantry prepares for future

Distributions to start at Water's Edge Oct. 4



Milton Community Food Pantry is set to move on from its former home at Goshen Hall to new, temporary quarters at Water's Edge church off Route 16. The first distribution there will be Monday, Oct. 4. The pantry is close to obtaining its own facility just outside of Milton, although that is not expected to open until next year. Pantry leadership team members shown are (l-r) Ken Sosne, Tom DiDrio, Donna Murawski and Lawrence Bivens. RYAN MAVITY PHOTO

By Ryan Mavity September 23, 2021

This fall will bring a time of change for Milton Community Food Pantry as the organization transitions out of its longtime home at Goshen Hall to new, temporary quarters at Water's Edge church and finally to its own facility.

Donna Murawski, pantry president, said after Goshen Church put its Federal Street fellowship hall up for sale, Water's Edge reached out to allow the organization to use its building at 13275 Reynolds Road for storage and distribution. She said the facility also has a large parking lot, which will be very helpful to conform with COVID-19 guidelines.

For most of the last year and a half, the pantry has been doing drive-thru food distributions at the municipal parking lot on Magnolia Street.

Murawski said those events at Goshen Hall finished Sunday, Sept. 19. The first distribution at Water's Edge will be Monday, Oct. 4, and future events will take place on the first and third Monday of every month.

Throughout the pandemic, the pantry has continued operating as an independent nonprofit with regular distributions, which leadership views as a major accomplishment.

Ken Sosne, MCFP development volunteer, said, "A lot of the pantries out there, they give, but it's not regular. Knowing that we are on every first and third Monday, plus we do some additional, that's a testament to our clients and to the pantry for operating. People are going to get fed."

Tom DiOrio, special projects coordinator, said the pantry does not just serve the Milton ZIP code; it has clients from all around Sussex County and even into Kent County.

Prior to the pandemic, Murawski said the pantry relied on what she called food rescue donations from Food Lion, and purchases from low-price stores like Save-A-Lot and Dollar General.

"Once COVID hit, we couldn't get food anymore," she said. "Food Lion didn't have anything for us. All the stores and shelves were empty. We partnered with the Food Bank of Delaware on an emergency basis. And because of COVID, we have less volunteers."

Murawski said Food Lion has begun donating again as its supplies have shored up.

While the parking lot distributions have kept the pantry going, DiOrio said they are not ideal logistically, as the pantry has to haul boxes from Goshen Hall to the parking lot using volunteers to do the trucking.

"They had to load up 2,000 pounds or more of food on distribution day and truck it down to the lot, distribute it and bring it back," he said. "We've continued to operate, but under more difficult conditions than we had been."

All involved thanked Goshen Church for letting the pantry use the fellowship hall for the last seven years.

"They've been incredibly kind to us," Sosne said.

But as one door closes, another opens. While Water's Edge will be a temporary home, the pantry is getting closer to opening its own facility, a project that has been nearly two years in the making. DiOrio said finding the right spot was a challenge, given how hypercharged the real estate market is right now.

"Every place that we looked, by the time we looked at it, it was gone. And the prices have escalated in the last eight or 10 months. We don't have benefactors with unlimited funds," he said.

Murawski said the pantry now has an agreement for a new facility outside Milton town limits, but a conditional-use approval from Sussex County will be needed before it can open, a process that would take anywhere from six to 12 months. She said the new building is nice because there is space for expansion and for parking, so if the pantry needs to continue its drive-thru model, it can.

Pantry officials did not wish to disclose the location of the new building for two reasons – they did not want to cause confusion for those seeking food from the pantry, and the sale has not officially closed. Murawski said she expects to close on the building purchase by Tuesday, Oct. 26.

"It was important to stay near Milton. We have people who walk. We have people who bike. We couldn't get anything in town. As close to town as we could get, that was favorable," she said.

For more information on food distributions or donations, visit [miltonpantry.org](https://www.miltonpantry.org/) (https://www.miltonpantry.org/). Anyone wishing to donate money should do so by mail at P.O. Box 84, Milton, DE 19968.

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### CALENDAR OF EVENTS

**Today**  
12:00 am to 2:00 pm

Single Seniors Beach Club

**Tomorrow**  
7:45 am to 8:15 am

Walk Aerobics Class DVD Led



# Milton Food Pantry seeks larger downtown

## Nonprofit seeks more freezer, storage space

By Ryan Mavity  
ryanm@capegazette.com

Milton Community Food Pantry is heading into its sixth year, but this year is different because the pantry plans to expand to a new building.

The pantry's leadership is exploring a move from its current home in Goshen Hall on Federal Street to a new location with permanent on-site storage.

Board President Donna Murawski said, "The church has been very good to us, and we're appreciative of everything they've done. But we are outgrowing it."

Pantry board member Tom DiOrio said when the pantry started, it served nine people. Last year, it served 14,590 people.

Ken Sosne, pantry development advisor, said the need continues to grow.

"Five months ago we were serving 60 to 65 clients a week," he said. "Today we're up to a little over 70 and sometimes up to 100 clients. We don't have enough capacity to service the clients."

"We're increasing our volume by 12 to 14 percent per year," DiOrio said.

At any one time, Sosne said, the pantry has more than 100 cases of food. Since the hall is owned and operated by Goshen United Methodist Church, it holds events at the Federal Street building and to make room, the pantry has to move all of its frozen and dry goods out. Sosne said volunteers store food in their garages or in their home freezers and then bring it all over. The pantry operates on Mondays from 10 a.m. to noon, packaging three days of meals for needy clients, not just in Milton but also in Harbeson, Slaughter Beach and Ellendale. While there are pantries in Lewes and Rehoboth Beach, Milton's pantry is the only one in northeast Sussex County.

The pantry would like to find space in downtown Milton that is

larger than the 2,000-square-foot Goshen Hall. Many clients do not have cars, so they walk, bike or rideshare, making a centralized location key.

Sosne said traffic flow at the

hall is also a concern as the parking lot is small, and street parking is limited given the number of people who come to the pantry each Monday.

"We need a good egress and

exit  
he:  
It  
ren  
fro:



RYAN MAVITY PHOTOS

MILTON COMMUNITY FOOD PANTRY has begun the process of looking for a larger building. The pantry has been held every Monday at Goshen Hall on Federal Street since 2014, but pantry leaders say they have outgrown the building. Shown are (l-r) Tom DiOrio, Barbara Wright, Ken Sosne and Donna Murawski.

# Pantry

Continued from page 57

grams because it does not have a walk-in freezer.

"We're servicing our clients well, but we could do better if we had the space," he said.

DiOrio said the pantry has established a building fund, but it will take at least a year to meet

the cost of renting or building a new building.

Sosne said the pantry has looked at commercial space around Milton, but those spaces have been scooped up quickly. Ideally, the pantry would want space for a kitchen, food storage capacity and enough space for a freezer.

Sosne said the pantry has received a \$25,000 grant from the Matt Haley Trust that will pro-

vide food for 2020. One of the first donors was Milton Theatre, which in November donated \$500 raised during this year's Zombie Fest.

Theater spokesman JP Lacap said, "We were very happy to have chosen them. They're doing an exceptional job here."

Sosne said the pantry has also received a \$3,000 grant from the county and \$1,000 from SoDel Cares, the charity arm of SoDel

Concepts.

He said the pantry hopes to pay operating expenses using grants so unrestricted money can then go into a capital fund for a new facility. The capital fund is already at \$10,000, he said.

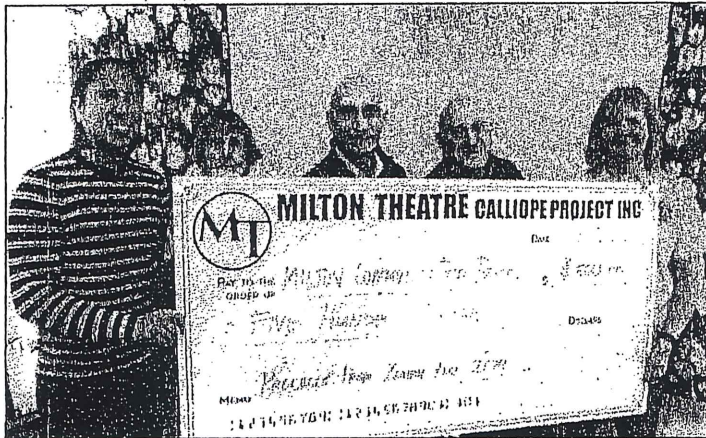
Murawski and DiOrio said they hope to find a new facility in 2021.

"We're not being naive. We know even if we have a building, we're going to have to support

that building," Murawski said.

The pantry is a member of the United Way and is now a 501(c)3 nonprofit operating weekly, year-round. It runs entirely on food and monetary donations.

Those wishing to donate can do so to Milton Community Food Pantry, P.O. Box 84, Milton, DE 19968. Those seeking to donate food or volunteer can call 278-9557 or email [mcfp.delaware@gmail.com](mailto:mcfp.delaware@gmail.com).



In November, Milton Theatre donated \$500 to the pantry from last year's Zombie Fest. At the check presentation are (l-r) JP Lacap, Barbara Wright, Tom DiOrio, Ken Sosne and Donna Murawski.

# Milton Community Food Pantry gets \$40,000 grant

By Ryan Mavity  
ryanm@capegazette.com

Milton Community Food Pantry recently received a \$40,000 grant from ChristianaCare that will allow the pantry to do four food distributions a month and set up referral software to help those in need find the pantry.

Ken Sosne, the pantry's volunteer coordinator, said the grant is important for the organization, especially for the referral system supplied by the national company Unite Us, which can help find people who live in remote areas. In addition, Sosne said, the system will enable the pantry to be connected with other non-profits to share services.

He said similar grants were given to other organizations such as Boys & Girls Clubs and Sussex County Habitat for Humanity.

Two of the on-the-ground personnel from Unite Us, De-

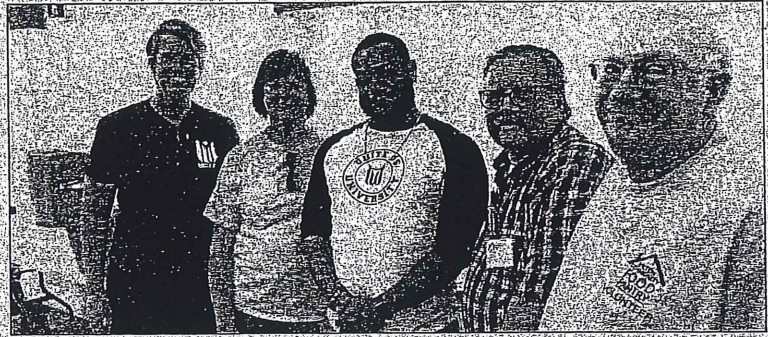
metrius Frazier and Lindsay Hebert, were at the pantry's May 16 food distribution to see the pantry in action and hand out meals.

Hebert said, "It's a nice analytic tool that will give beautiful visuals of how many food boxes they've given away and how many people they have served."

She said the way the referral system works is if people in the area need food and they are referred to the pantry, the pantry will easily be able to get information to those people on the dates of food distribution.

"It takes off some of the edge. We see people in the community that are embarrassed that they have a need. Because of that, they think it's too complicated. But it's really easy to get your need met, and that information is kept totally confidential in our system," Hebert said.

Food pantry President Don-



RYAN MAVITY PHOTO

MILTON COMMUNITY FOOD PANTRY recently received a \$40,000 grant from ChristianaCare to increase food distribution and set up a new software system through Unite Us that will allow for a referral system to help serve clients in more remote areas. Shown are (l-r) Lindsay Hebert of Unite Us, pantry President Donna Murawski, Demetrius Frazier of Unite Us, Lawrence Bivens and Ken Sosne.

na Murawski said, "I think this will be better organized. We just like the idea that if there is someone we haven't reached, we will be able to reach them."

The new system comes at a time of transition for the food pantry, which recently uprooted its operations from Goshen Hall in downtown

Milton to Water's Edge church on Route 16. However, in June the church will be demolishing a portion of its property, which includes the storage area the pantry is using.

In addition, in July, the pantry is scheduled to be heard by Sussex County Planning & Zoning Commission on a

new facility, which requires extensive renovation to be fitted for the pantry's use. Pantry leadership has not disclosed where the new facility is to keep clients from mistakenly going there for food distributions, which will continue to take place at Water's Edge on Mondays.

## DON-LEE MARGIN DONATES PACKAGING BAGS TO MILTON FOOD PANTRY



SUBMITTED PHOTO

**DON-LEE MARGIN CORPORATION** owner Denise Dickerson-Tull recently visited Milton Community Food Pantry and donated a year's supply of packaging bags.

This in-kind donation will save the pantry the cost of purchasing items needed to package meats and bakery products donated in bulk.

Based in Seaford, Don-Lee Margin provides janitorial and maintenance supplies to businesses of all sizes on Delmarva.

The generosity and kindness of the local community including individuals and businesses like Don-Lee Margin allows the pantry to feed 100 families per week. Pantry board and volunteers thank Dickerson-Tull and her Don-Lee Margin team for the visit and their kind donation.

For more information, go to [www.don-leemargin.com](http://www.don-leemargin.com) and [www.miltonfood-pantry.org](http://www.miltonfood-pantry.org).

Displaying donated packaging bags are (l-r) Courtney Norman, Don-Lee Margin Corporation; Ken Sosne, Milton Community Food Pantry board member; Denise Dickerson-Tull, Don-Lee Margin Corporation owner; and MCFP President Donna Murawski.

*Editor's note: The pantry has temporarily closed due to inadequate supply.*

To Whom it may concern

My partner and I  
live down the street, 12842  
from the proposed Food  
Pantry and welcome this  
opportunity to have something  
that care for the people  
of our community

Thank you

Betty Holmes and

Denise Stuber

## Home Depot donates to Milton Food Pantry

Due to the pandemic, the Milton Community Food Pantry has switched to single-use recyclable paper bags for its food distributions. The pantry had not previously budgeted for this cost.

To assist the pantry, Home Depot in Rehoboth Beach has donated three cases of paper bags to be used for packing food.

Lindsey Fry, Rehoboth Beach Home Depot manager, presented the bags to the pantry as part of the retailer's commitment to help serve the communities in which they operate.

Home Depot operates on a set of core values that includes Respect for All People, Doing the Right Thing, and Giving Back.

The Milton Community Food Pantry team thanks the local Home Depot for this generous donation. Those in need of food assistance can call Delaware 211 or contact the pantry team at 302-278-9557 or [pantrymilton@gmail.com](mailto:pantrymilton@gmail.com).

# Milton food pantry to offer emergency boxes

## Emergency supply available April 13

By Ryan Mavity

ryanm@capegazette.com

Milton Community Food Pantry will hold an emergency food box giveaway from 10 a.m. to noon, Monday, April 13, in the Magnolia Street municipal parking lot.

Food pantry President Donna Murawski said the pantry, which has largely been unable to operate for lack of a food supply, has secured 144 boxes of food from Delaware Food Bank through a U.S. Department of Agriculture program intended to get emergency food to people whose income has been affected by shutdowns to slow the spread of coronavirus.

Murawski said those seeking a food box must meet certain requirements mandated by USDA. First, they must have a Delaware driver's license and must meet income standards, which go from a single person up to a family of eight.

While income requirements vary, Murawski said a single person must show they make no more than \$23,000 per year or \$1,900 per month or \$445 per

week. A couple would have to make no more than \$31,000 per year, \$2,600 per month or \$602 per week. For a family of four, the limits are no more than \$47,000 per year, \$3,900 per month or \$917 per week.

Murawski said while food pick-up will be drive-thru, someone

will have to get out to fill out the income requirements and show identification.

The box giveaway is planned for 10 a.m. to noon or until supplies run out. Murawski said the pantry is still only operating on an emergency basis, but the plan is to do box giveaways whenever supplies are available.

The pantry has scheduled a rain date for Tuesday, April 14. More information will be posted at the pantry's usual home, at Goshen Hall on Federal Street, and can also be found at the pantry's Facebook page or at [www.miltonfoodpantry.org](http://www.miltonfoodpantry.org).



DENY HOWETH PHOTO  
Milton Community Food Pantry volunteers hand out food at a previous giveaway. The emergency food box giveaway is from 10 a.m. to noon, Monday, April 13, in the Magnolia Street municipal parking lot, across from the library.

# Milton pantry forced to suspend operations

## Empty supermarket shelves contribute to closure

By Deny Howeth  
sdeny@capegazette.com

An announcement on the Milton Community Food Pantry Facebook page alerted clients to the fact the pantry is closing down until further notice.

Donna Murawski said volunteers went to three to four stores to get products, and because of the rush on groceries by the public, they could no longer fill the pantry. Many donations from supermarkets have also dried up, she said.

According to the Facebook page, "The board of directors held an online meeting March 20 to discuss how to move forward in the coming weeks in order to protect the health and safety of all of our volunteers as well as the community we serve."

As a result, dry goods and meats were distributed March 23 in a cold, pouring rain, using a drive-through model at the municipal parking lot

across from the Milton library.

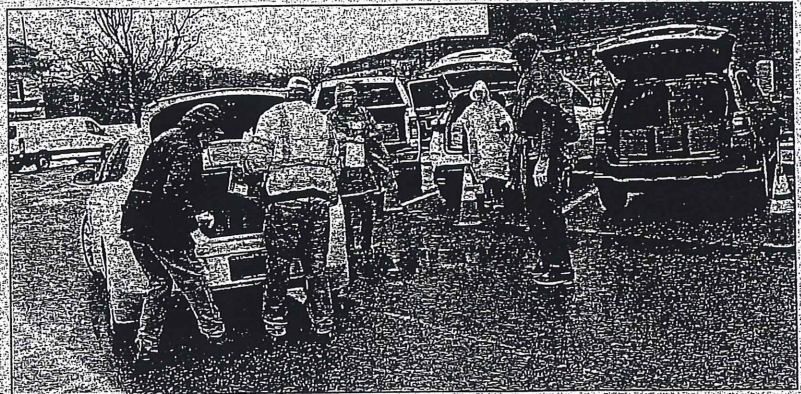
Clients remained in their cars, were checked in electronically, and received their final box of food until further notice.

Murawski said, "We will do our best to direct our clients to larger food distribution operations being conducted by the state."

"The Food Bank of Delaware, located in Milford, is still serving the hungry."

"As soon as we can, we will resume our work. Thank you all for your continued support of the Milton Community Food Pantry! We couldn't do it without your generous donations of time, food, and money!" the Facebook post reads.

The board will continue to monitor the situation and post updates on the website [www.miltonpantry.org](http://www.miltonpantry.org) and the Facebook page to keep the community informed. The Food Bank of Delaware website is [www.fbd.org](http://www.fbd.org).



DENY HOWETH PHOTOS

MILTON COMMUNITY FOOD PANTRY volunteers line up in a cold, pouring rain to load client cars with the final offering until further notice. Shown are (l-r) Lucien Ingrassia, Robert Lacey, Donna Murawski, Bobbie Hemmings and Tom Murawski.



Bobbie Hemmings puts gloves on for safety. She is checking in clients on a laptop in the back of her car.



For families of four and five, this car is stocked with pantry items.



Donna Murawski still has a smile despite the difficult situation. Nancy Lacey checks the number of boxes.



In the cold and pouring rain, Tom Murawski carries a box for eight to a car.



### MILTON LIONS DONATE TO PANTRY



SUBMITTED PHOTO

**THE MILTON LIONS CLUB** recently donated funds to the Milton Community Food Pantry.

Pantry volunteers use the funds to purchase protein items to supplement the boxes of food that are given out once a month.

The Lions collected nonperishable food items for the pantry in February and are planning another collection when the club resumes regular meetings.

Milton Lions President Daniel Harper, right, presents a check to Milton Community Food Pantry President Donna Murawski.

## Milton Community Food Pantry to distribute boxes April 27

By Ryan Mavity  
ryanm@capegazette.com

Milton Community Food Pantry will be distributing emergency food boxes from 10 a.m. to noon, Monday, April 27, at the municipal parking lot on Magnolia Street in Milton. The boxes are distributed through a U.S. Department of Agriculture pro-

gram intended to get emergency food to people whose income has been affected by shutdowns to slow the spread of COVID-19. Those seeking a food box must show a Delaware driver's license and meet income requirements, which vary but apply to a single person up to a family of eight. The box giveaway will run until noon or until supplies run out.



FILE PHOTO

# Milton Community Food Pantry marks 5-year anniversary

Charity has served more than 450K meals

By Ryan Mavity  
ryanm@capegazette.com

In its five-year history, Milton Community Food Pantry has helped serve 450,000 meals to needy families and individuals.

For the 50 dedicated volunteers of the pantry, serving the community is all in a day's work. On June 17, 245 people, including 70 families, came to pick up meals, a far cry from when the pantry began in 2014 and served only nine people.

The pantry was started by Goshen United Methodist Church, which teamed with nine other area churches to provide food to people who need it. Every Monday from 10 a.m. to noon, cars pack the tiny parking lot at Goshen Hall on Federal Street to pick up bags of food.

President Barbara Wright, who has been working at the pantry since June 2014, said all items are 100 percent donated, through donated items or monetary donations, used to buy more food to stock the pantry. The pantry also provides bags.

Almost everything is available: canned goods, vegetables, breads, spaghetti, meats, soups, even diapers. When asked what

doesn't the pantry have, Wright cracked, "A bigger room."

"If you use it at your house, we can use it," she said. "Doesn't matter if it's laundry detergent, Dog food, Books. We take everything."

Wright said any excess food left over on Mondays is donated to Casa San Francisco on Broad Street.

"Nothing goes to waste," Wright said.

Wright said the pantry helps people subsidize their budget by giving out three days of meals. The pantry passes out chicken donated by Mountaire Farms of Delaware, and Food Lion in Milton gives packaged meats.

"From June 2014 to now we have packaged enough food for 450,000 people," Wright said.

One of the longest-running visitors is Brenda Moffett of Lincoln, who has been coming since the pantry opened. She said she found out about the pantry through word of mouth.

"They do a very good job. You couldn't ask for better people. I love all of them. They're like family."

Donations may be made in person at 114 Federal St. or via mail at P.O. Box 84 in Milton.



BRENDA MOFFETT holds her bags of food from Milton Community Food Pantry, with anniversary. The pantry has served 450,000 meals since 2014.



Volunteer special advisor Kerri Sosne shows off bags of food lined up for pickup.

## CONDITIONAL USE #2310

### Milton Community Food Pantry, Inc.

#### PROPOSED FINDINGS

1. This is an application for a Conditional Use for a Food located on the West side of Union Street Ext. (Rt. 5) approximately .24 miles south of Reynolds Pond Road (SCR 231), 911 address 12898 Union Street Ext., Milton, Tax Mpay Parcel 235-7.00-18.00.

2. Under the Sussex County Comprehensive Plan Update Future Land Use Map, the parcel is located in the Coastal Area which is a Developing District. These areas are generally near municipalities and are suited for a variety of uses including business and commercial.

3. Under the Zoning Code, this parcel is located in the General Residential (GR) district which recognizes Conditional Uses when *residential, business, commercial or industrial uses when the purposes of this chapter are more fully met by issuing a conditional use permit.*

4. This application fits the purpose of Conditional Uses in that it: *provides for certain uses which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations; is a public or semipublic character; is essential and desirable for the general welfare; and because of the nature of the use, the importance of the relationship to the Comprehensive Plan and possible impact not only on neighboring properties but on a large section of the county, requires the exercise of planning judgment on location and site plan.*

5. Therefore, the proposed Conditional Use with the conditions imposed by the Sussex County Council will not have any adverse affect on the uses or

values of area properties, will contribute to the convenience and welfare of the county and its residents and is consistent with the purposes and goals of the Sussex County Zoning Ordinance and Comprehensive Plan Update.

## **CONDITIONAL USE #2310**

### **Milton Community Food Pantry, Inc.**

#### **PROPOSED CONDITIONS**

1. The Site shall be the home of the Milton Community Food Pantry, Inc..
2. The property shall be improved consistent with the submitted site plan.
3. Volunteers may work on site to collect, store and distribute food to clients.
4. On site delivery to clients will only take place one day weekly between the hour of 9AM and 1PM. An additional day weekly may be added after six months of operation if merited.
5. During delivery times all vehicles must be located on the site.
6. The entrances shall will be subject to the approval of DelDot.
7. Lighting shall be inward facing.
8. Only one lighted 2 foot by 3 foot sign shall be permitted on the building.
9. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

















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SUPPORT EXHIBIT

**FILE COPY**

**Mt. Zion Holy Church**



☎ 302-684-3143

✉ [secretary@mtzionholychurchde.org](mailto:secretary@mtzionholychurchde.org)

📍 308 Front St., Milton DE 19968

RECEIVED

JUL 28 2022

SUSSEX COUNTY  
PLANNING & ZONING

To Whom It May Concern

The Milton Food Pantry is an integral part of the community where they help to meet the needs of our community in terms of providing the necessary food and items to enhance the cabinets and refrigerators of so many families and individuals who have been hit by hard times or have limited resources to provide for themselves as needed.

Our church has included the Milton Food Pantry as one of our Outreach Ministries where the members do internal food drives to help them to continue their services of helping to feed the physical bodies of so many in need.

The Mt. Zion Holy Church is in support of any initiative that the Milton Food Pantry desires or seeks to expand and enhance its services. We have seen and have experienced the great work that they do and would like to see it continued!

Sincerely,

*Bishop Grace R. Batten*

**The Pastor and Members  
of the Mt Zion Holy Church**



**Jesse Lindenberg**

---

**From:** SHARYN WARWICK <sunshine129@comcast.net>  
**Sent:** Wednesday, July 27, 2022 10:32 AM  
**To:** Planning and Zoning  
**Subject:** Milton Food Pantry

**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

TO WHOM IT MAY CONCERN:

I would like to submit that I completely support the Milton Food Pantry for conditional use at the property of 12898 Union St. Ext.

Thank you,  
Sharyn Warwick

**SUPPORT EXHIBIT**

**Amy Hollis**

---

**From:** Milton Pantry <pantrymilton@gmail.com>  
**Sent:** Tuesday, July 26, 2022 12:41 PM  
**To:** Planning and Zoning  
**Subject:** Support letters for Milton Community Food Pantry hearing  
**Attachments:** MCFP Support letter C Taylor.pdf; MCFP Support Letter S Stringfield.pdf

**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Dear Mr. Whitehouse,

Attached are two additional letters of support for the Milton Community Food Pantry for your viewing. Thank you.

Donna Murawski, Board President  
Milton Community Food Pantry

**SUPPORT EXHIBIT**

**From: John Starr**

12903 Union Street Ext.  
Milton, Delaware 19968

**Opposition  
Exhibit**

TO WHOM IT MAY CONCERN:

The people who have signed the petition to oppose the rezoning at 12898 Union Street Ext. Milton, Delaware live in close proximity to the property ( all but one live within a quarter mile).

Did the residents on East Greenwing Drive in Teal Point get a written notification of the zoning changes.

Is there provisions in the zoning changes that the Milton Food Pantry can or cannot use the house as a soup kitchen, or any other entity while using the Pole Building as their Distribution Center.

As this zoning change may also set a precedent for future commercial Development in a residential area as all the petitioners are opposed

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JUL 25 2022

SUSSEX COUNTY  
PLANNING & ZONING

We the under signed below are opposed to the zoning change at 12898 Union Street Extended Milton, Delaware.

Opposition  
Exhibit

A FEW ISSUES OF CONCERN:

- 1) TRAFFIC - THE SAFETY OF PEDESTRIANS, BICYCLIST, TRAVELING NORTH AND SOUTH ON ROUTE 5.
- 2) CARS, TRUCKS, TRACTOR TRAILERS GOING AROUND WAITING CARS MAKING LEFT HAND TURNS HEADING NORTH TO ENTER FOOD PANTRY ON A TWO LANE HIGHWAY.
- 3). CARS LEAVING FOOD PANTRY TO ENTER HIGHWAY HAVING TO SEE AROUND CARS WAITING TO ENTER FOOD PANTRY. CARS TRAVELING 50 MPH OR MORE CANNOT SEE CARS LEAVING BECAUSE OF CARS SETTING ALONG HIGHWAY FACING SOUTH ON HIGHWAY 5.
- 4). ALL OF THE ISSUES LISTED ABOVE ARE WITH THE FOOD PANTRY POSSIBILITY OPEN 2 OR MORE DAYS A WEEK.
- 5). IN THE TRAFFIC ISSUES, THE RESIDENTS WITHIN CLOSE PROXIMITY TO FOOD PANTRY WILL HAVE ISSUES TRYING TO ENTER ROUTE 5 FROM THEIR DRIVEWAYS.
- 6). IN THE FUTURE THEY ARE CONSIDERING CONSTRUCTING A POLE BUILDING WAREHOUSE WHICH WILL CAUSE DELIVERY TRUCKS AND / OR TRACTOR TRAILER TRAFFIC IN A RESIDENTIAL AREA.
7. ALL OF WHICH THOSE FOR AND VOLUNTEERING PROBABLY DO NOT LIVE IN CLOSE PROXIMITY TO THE PROPOSED FOOD PANTRY TO REALIZE ALL OF THESE ISSUES.

WE THE UNDER SIGNED BELOW ARE OPPOSED TO THE ZONING. CHANGE AT  
12898 UNION STREET EXTENDED, MILTON, DELAWARE 19968

35 signatures

NAME.	ADDRESS
Walter Reynolds	12854 Union St. Ext. Milton
Jay Jordan	25456 Emihway Milton
Justin Reynolds	12854 Union St. Ext Milton
Maria Dorser	12917 Union St Ext Milton
Andrew E. Cohen	51 E. GREENWING DR MILTON
Philip Henry Cohen	51 E Greenwing Dr
Michael Rodriguez	47 E. Greenwing Dr.
Yvonne M. M. M.	413 E. Greenwing Dr.
Marion B. B.	43 E. Greenwing Dr.
Kathleen Wise	18 E Greenwing Dr.
Zlton Wise	18 E. Greenwing Dr.
Elizabeth Adams	31 E. Greenwing Dr.
Mary Ann W.	39 E. Greenwing Dr
Julian	29 East Greenwing dr.
Gene Banting	14 E. Greenwing Dr
Jeff Dorsett	12917 UNION ST EXT
Beverly Starn	12903 Union St. Ext.
John W. H.	12903 Union St. Ext Milton

WE THE UNDER SIGNED BELOW ARE OPPOSED TO THE ZONING. CHANGE AT  
12898 UNION STREET EXTENDED, MILTON, DELAWARE 19968

NAME.	ADDRESS
Andrew Feder	23 W Greenwing Dr
Nadine Feder	23 W Greenwing DR, DE Milton
Paul Cox	12 W. GREENWING DRIVE
Maryjane Compton	12 W. GREENWING DR.
James Foster	8 W. Greenwing Dr
Kathy	10 W. Greenwing Dr
Jim Spurr	6 W. Greenwing Dr
John C Spurr	6 W. Greenwing Dr.
Kathy Hoffmann	4 W. Greenwing Dr
Ronald Johnson	4 W. Greenwing Dr.
John Veith	2 W Greenwing Dr.
Jan Smagala	7 W. Greenwing Dr.
John T Smagala	7 W Greenwing Dr
Jeanne McDonough	5 W. Greenwing Dr.
James McDonough	5 W. Greenwing Dr.
Susan Cully	3 W greenwing Dr
Rht WB	12891 Union St. Ext