



# Georgetown

## Town Council Meeting Agenda

Meeting Date: Wednesday, August 12, 2020, **2:00 PM**

In accordance with the State of Emergency Declaration issued by Governor John Carney that became effective on March 13, 2020, and as extended, all public meetings of the Town of Georgetown shall be conducted electronically through Zoom until further notice to prevent unnecessary public gatherings.

[zoom.us/join](https://zoom.us/join)

**Zoom Meeting ID: 910 641 28625**

**Follow Onscreen Instructions**

### 2:00 PM - PUBLIC HEARINGS

- 3 - A. **CASE #2020-05 Rezone Application**  
18 *An application by Dolson & Long, LLC., for an official zoning map amendment from Neighborhood Business District (UB2) to Urban Business District (UB1). The property is located at 108 Cedar Street, identified as Sussex County Tax Map ID 135-14.20-304.00.*
- [2020-05 108 Cedar St Rezone Packet](#)  
[200715 DRAFT PC Minutes](#)
- 19 - B. **CASE #2020-07 Shore Distributors Conditional Use Application**  
96 *An application by W & C Fisher Properties I, LLC., for conditional use for wholesale distribution located at 211 West Market Street, identified as Sussex County Tax Map ID 135-19.08-127.00, zoned Medium residential District (UR2).*
- [2020-07 Shore Distributors Conditional Use additional information provided July 15 PC meeting](#)  
[2020-07 Shore Distributors Conditional Use Packet](#)  
[200715 DRAFT PC Minutes](#)

### REGULAR MEETING IMMEDIATELY FOLLOWING PUBLIC HEARINGS

1. PLEDGE OF ALLEGIANCE
2. INVOCATION
3. ADOPTION OF AGENDA
4. APPROVAL OF JULY 22, 2020 TOWN COUNCIL MINUTES
  - A.
5. CORONAVIRUS POLICY AMENDMENT - EFFECTIVE DATES
  - 97 - A. Amended Policy  
98 [Coronavirus \(COVID-19\) Policy Amendment \(2020-08-12\)](#)
6. RESOLUTIONS

- 99 - A. Resolution 2020-04 Charter Amendment (Sections 3..3 and 3.4 regarding  
103 Elections—correcting potential time conflict; ensuring compliance with State Code and modernizing notice requirements and action to be taken following tie votes)  
[Resolution 2020-04 Charter Amendment - Notice of Candidacy and Elections](#)
- 104 B. Resolution 2020-05 Submittal of 2020 Outdoor Recreation, Parks and Trail  
(ORPT) Grant Application  
[Resolution 2020-05 2020 Outdoor Recreation, Parks and Trail \(ORPT\) Grant Application](#)

## 7. 1ST READING OF ORDINANCES

- 105 A. Ordinance 2020-02 Address Identification  
- [Ordinance 2020-02 Address Identification \(FINAL\)](#)  
107
- B. Ordinance 2020-03 Discharge onto Sidewalk - ***Under internal review***

## 8. DEPARTMENTAL REPORTS

- 108 A. Town Manager - Gene Dvornick  
[Town Manager Report - 2020-08-12](#)

## 9. PUBLIC COMMENT

- 109 A. Correspondence  
- [Charles Mead-e E-mail \(2020-07-23\)](#)  
110

## 10. ADJOURNMENT

The agenda items as listed may not be considered in sequence. This agenda is subject to change, at or before the meeting, to include the addition or deletion of items, including executive sessions. Persons requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the American with Disabilities Act (ADA).



## Town of Georgetown Review Application

All submittals to include the number of copies shown below of the Review Application, Plans/Prints and any other supportive documentation that may be required with the appropriate fee as per Town Code, Chapter 98. Please note the number of copies listed below are for review purposes. Additional copies will be required prior to Planning Commission review or final signatures.

Check Type of Review Requested	Paper Copies	PDF/CD
<input type="checkbox"/> Category II Plan Review	2	2
<input type="checkbox"/> Category I Site Plan - Preliminary	2	2
<input type="checkbox"/> Category I Site Plan - Final	2	2
<input type="checkbox"/> Conditional Use	2	2
<input type="checkbox"/> Historic Review	2	1
<input type="checkbox"/> Subdivision/RPC Review - Conceptual	2	2
<input type="checkbox"/> Subdivision/RPC Review - Preliminary	2	2
<input type="checkbox"/> Subdivision/RPC Review - Final	2	2
<input type="checkbox"/> Utility Review	2	1
<input checked="" type="checkbox"/> Zoning Amendment	2	2
<input type="checkbox"/> Other:		

Property Information	
Sussex County Tax Map/Parcel:	1-35-14.20-304.00
Project Location:	108 Cedar Street
Property Size/Dimension:	87' Frontage Cedar X 120' on Kimmey
Project Title/Name:	Dolson & Long LLC, Duplex #1
Current Zoning District:	UB2
Proposed Zoning (if applicable):	UB1
Current Property Use:	Vacant Lot
Proposed Property Use:	One (1) Duplex Two Single Family Units

Current Property Owner Information	
Current Owner Name:	Dolson & Long, LLC
Phone Number:	302-856-7033
Fax Number:	302-856-7085
Email Address:	contact@jlbriggsc.com
Mailing Address:	P.O. Box 90
City, State, Zip Code:	Georgetown, DE 19947

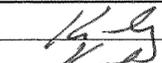
Engineer / Surveyor Information	
Company Name:	John B. Roach Engineering, LLC
Contact Name:	John Roach
Phone Number:	302-856-1565
Fax Number:	
Email Address:	jroachengr@netscape.net
Mailing Address:	22184 Melson Road
City, State, Zip Code:	Georgetown, DE 19947

Applicant/Developer Information	
Company Name:	Dolson & Long, LLC
Contact Name:	Keith Long
Phone Number:	302-856-7033
Fax Number:	302-856-7085
Email Address:	contact@jlbriggsco.com
Mailing Address:	P.O. Box 90
City, State, Zip Code:	Georgetown, DE 19947

Designated Primary Contact	
Contact Name:	Keith Long
Phone Number:	302-856-7033
Fax Number:	302-856-7085
Email Address:	contact@jlbriggsco.com
Mailing Address:	P.O. Box 90
City, State, Zip Code:	Georgetown, DE 19947

**Please read and certify the following:**

1. I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct.
2. This project was designed in accordance with the plan requirements in the Comprehensive Plan, Zoning Code, Design Standards as well as the Construction Standards for the Town of Georgetown.
3. I, or an agent on my behalf, will attend all public hearings/meetings necessary for this project in order to answer any questions to the best of my ability in respect to the present and future needs, health, safety, morals, convenience, order, prosperity and general welfare of the inhabitants of Georgetown.
4. I understand that any incomplete applications will not move forward in the review process and I will be notified in writing after a thorough review has been completed by the Planning Department.
5. It is understood that the Planning Department processes all applications in the order in which they were received. Each application will continue in the process once eligibility and the appropriate reviews have been completed.
6. I understand that only the designated primary contact listed on this application will receive any and all review comments, meeting information and correspondence to and from the Town of Georgetown.
7. I understand that the Applicant/Developer will be billed for the professional services rendered from the Town Engineer and/or the Town Solicitor, as required for my application, unless I notify the Town Planning Department in writing advising otherwise.

Signatures	
Applicant/Developer	
Designated Primary Contact	
All Current Property Owners	
Parcel -	
Parcel -	
Parcel -	

**OFFICE USE ONLY**

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Cash/Check #: \_\_\_\_\_

Submit all requests to the Planning Department, 37 The Circle, Georgetown DE 19947  
 Phone: (302)856-7391 Fax: (302)856-6348

# Dolson & Long LLC

106 E. Laurel Street  
P.O. Box 90  
Georgetown, DE 19947  
(P) 302-856-7033 (F) 302-856-7085

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February 10, 2020

Town of Georgetown  
Planning Department  
39 The Circle  
Georgetown DE 19947

Planning Review Committee:

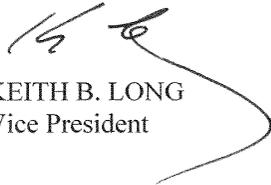
Dolson & Long LLC is requesting a zoning change for the property located at 108 Cedar Street from UB-2 to UB-1 in order to construct a duplex to provide housing for two single families. We would also like to enroll this project into the Downtown Development District. This project will provide safe, affordable housing near public transportation and laundromat as well as employment possibilities.

We are including the following form with this request:

- Town of Georgetown Review Application

Thank you for your consideration and please feel free to contact us at 302-856-7033 with any questions.

Sincerely,



KEITH B. LONG  
Vice President

Enclosure



# Town of Georgetown Predevelopment Meeting Request Form

A Predevelopment Meeting is required for all potential projects within the Town limits of Georgetown or for any project proposing to annex into the Town limits. The meeting will provide an opportunity for the developer to meet with Town officials responsible for the review of their project and discuss local government regulations. The developer/builder and the engineer/surveyor should attend the meeting. The Predevelopment Meeting Packet should be reviewed prior to the meeting and is available on the Town's website [www.georgetowndel.com](http://www.georgetowndel.com).

**Please provide a brief overview of the proposed project on the lines below:**

Build a duplex on Parcel 304.00 with future plans for duplexes on Parcel 303.00

*I understand that Predevelopment meetings are for informational purposes only and do not substitute for my own diligence in determining all requirements that may apply to my project. Nothing stated in the meeting exempts an applicant from the Town Code or guarantees a variance beyond staff control.*

[Signature]  
Signature of Requestor

7/30/19  
Submittal Date

**Type of Project: (Check all that apply)**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Annexation Request   | <input type="checkbox"/> Category II Site Plan | <input type="checkbox"/> Historic Review        |
| <input type="checkbox"/> Board of Adjustment  | <input type="checkbox"/> Conditional Use       | <input type="checkbox"/> Subdivision/RPC Review |
| <input type="checkbox"/> Category I Site Plan | <input type="checkbox"/> Demolition Request    | <input type="checkbox"/> Zoning Amendment       |

**Property Information**

Sussex County Tax Map/ Parcel: 1-35-14.20-304.00 & 1-35-14.20-303.00

Project Location/Address: 108 Cedar Street & 101 Kimmey Street

Property Size/Dimension: 120 X 83 & 175 X 113

Current Zoning District: UB1 & UB2 Proposed Zoning: \_\_\_\_\_

Current Property Use: Vacant Lot & Storage Buildings

Proposed Property Use: Duplex - Residential

Designated Primary Contact: Keith Long Phone: 302-856-7033

Engineering Company: John B. Roach Engineering

Engineering Contact: John Roach Phone: 302-856-1565

Developer Company: John L. Briggs & Co.

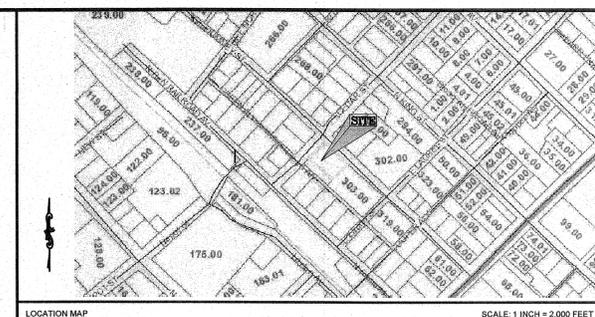
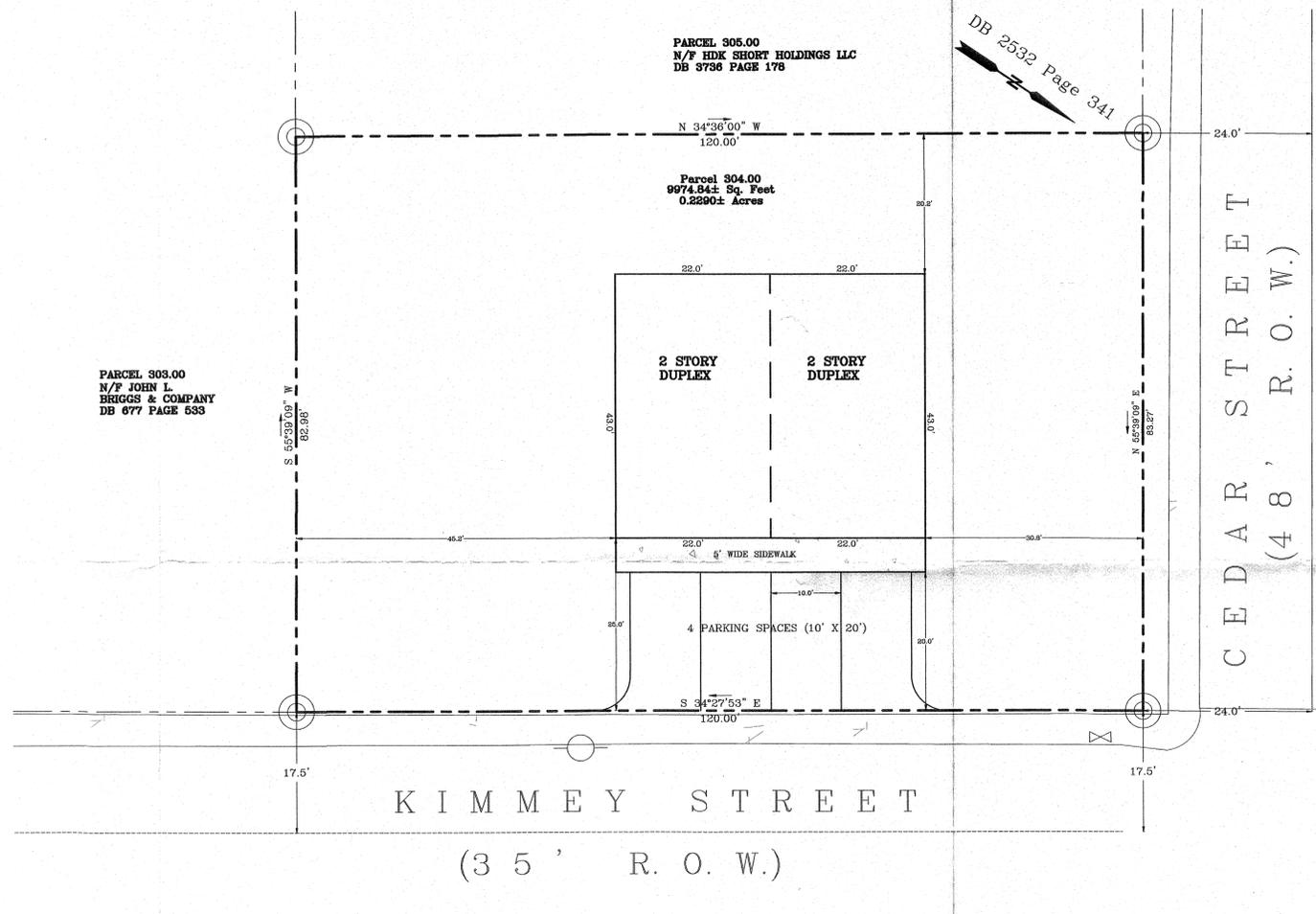
Developer Contact: Keith Long Phone: 302-856-7033

**For Office Use Only**

**For Office Use Only**  
Meeting Date: \_\_\_\_\_  
Meeting Time: \_\_\_\_\_  
Applicant Notified: \_\_\_\_\_

Submit all requests to the Planning Department, 39 The Circle, Georgetown, DE 19947

Phone: (302)856-7391 Fax: (302)856-6348



**PLAN DATA:**

PARCEL I.D. No \* 135-14-20-304.00  
PLAT REFERENCE \* D.B. 1277, PAGE 153  
D.B. 85 PAGE 560

EXISTING ZONING DISTRICT \* UB-2 (ZONING CLASSIFICATION)  
PROPOSED ZONING DISTRICT \* UB-1 (ZONING CLASSIFICATION)

ROADWAY CLASSIFICATION \* KIMMEY STREET - TOWN OF GEORGETOWN STREET  
CEDAR STREET - TOWN OF GEORGETOWN STREET

SEWAGE DISPOSAL \* CENTRAL SEWER - CITY OF GEORGETOWN  
SEWERAGE IS SUBJECT TO APPROVAL OF THE CITY OF GEORGETOWN

WATER SUPPLY \* CENTRAL WATER - CITY OF GEORGETOWN  
WATER IS SUBJECT TO THE APPROVAL OF THE CITY OF GEORGETOWN

OWNER \* JOHN L. BRIGGS & COMPANY  
106 E. LAUREL STREET  
GEORGETOWN, DE 19947

LOT AREA \* AREA IN LOTS = 0.2290 ACRES  
TOTAL No. OF LOTS \* FAMILY DWELLING UNITS

**OWNER'S CERTIFICATION**

I HEREBY CERTIFY THAT I AM THE LEGAL OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

MR. KEITH LONG  
JOHN L. BRIGGS & COMPANY  
106 E. LAUREL STREET  
GEORGETOWN, DE 19947

DATE

**ENGINEER'S CERTIFICATION**

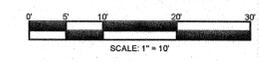
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

JOHN B. ROACH, JR., P.E.

DATE

**LEGEND**

- Iron Pipe
- Property Line
- x-x EX-FENCE
- Power Pole
- ⊙ Rebar and Cap Set
- ⊗ Fire Hydrant



**SITE PLAN**

FOR PROPERTY KNOWN AS:  
**LANDS OF "JOHN L. BRIGGS & COMPANY"**  
ALSO KNOWN AS:  
"CEDAR STREET"

SITUATE IN:  
**GEORGETOWN HUNDRED \* SUSSEX COUNTY  
STATE OF DELAWARE**  
TAX MAP#: 135-14-20-303.00



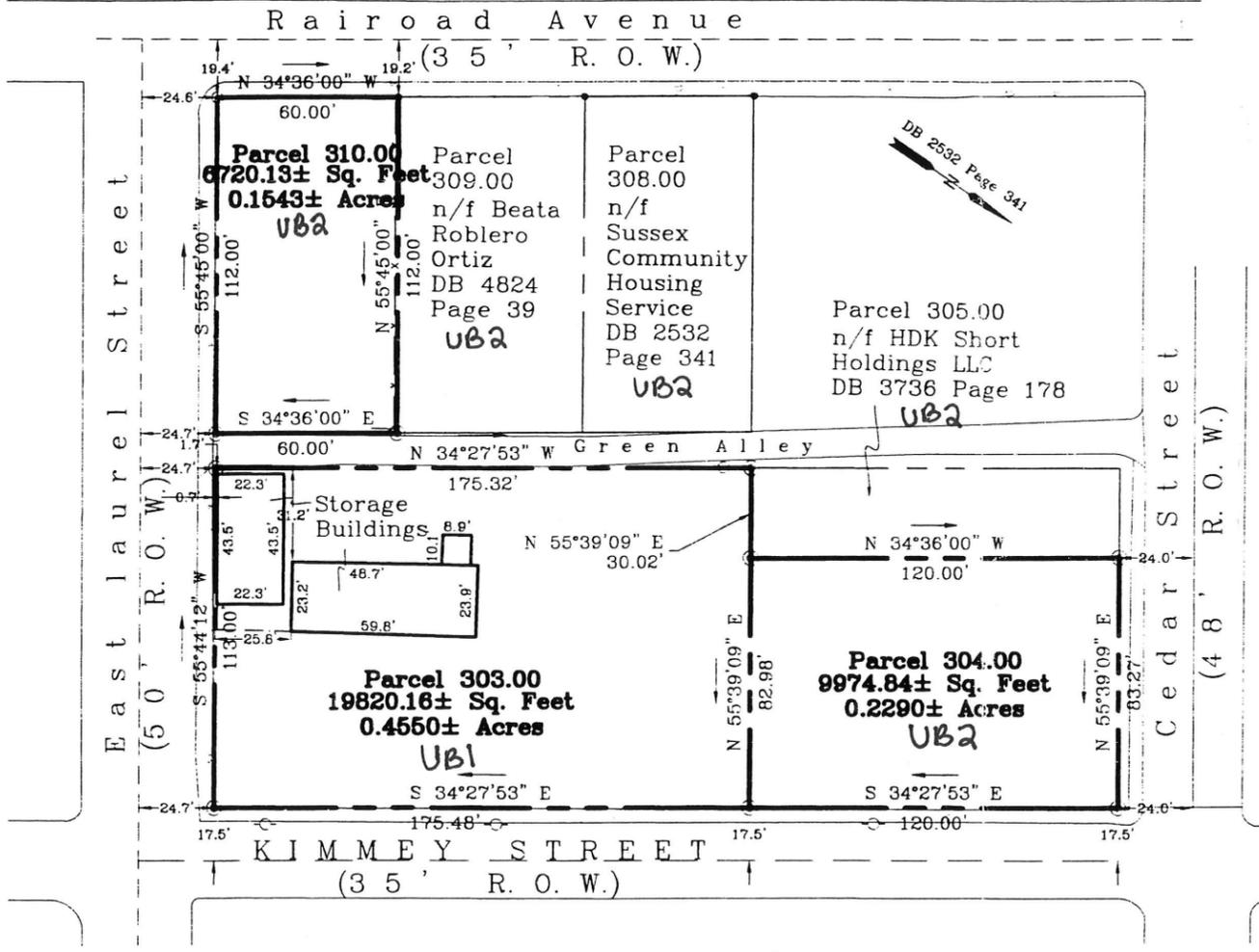
22184 MELSON ROAD GEORGETOWN, DELAWARE 19947 PHONE NO. 302-856-1565	
Drawn By: JBR	Date: 09-09-2019
Scale: 1"=10'	Sheet 1/1

**BOUNDARY SURVEY PLAN**  
**LANDS OF "DOLSON & LONG LLC"**  
 ALSO KNOWN AS: "RAILROAD AVE, GEORGETOWN, DE"  
 SITUATE IN: "GEORGETOWN HUNDRED"  
 SUSSEX COUNTY \* STATE OF DELAWARE  
 TAX MAP #: 135-14.20-310.00  
 DEED REFERENCE: DB 4842 PAGE 325  
 PLAT REFERENCE: DB 85, PG 560

**LANDS OF "JOHN L. BRIGGS CO."**  
 ALSO KNOWN AS: "101 E LAUREL ST., GEORGETOWN, DE"  
 SITUATE IN: "GEORGETOWN HUNDRED"  
 SUSSEX COUNTY \* STATE OF DELAWARE  
 TAX MAP #: 135-14.20-303.00  
 DEED REFERENCE: DB 677 PAGE 533  
 PLAT REFERENCE: DB 85, PG 560

**LANDS OF "DOLSON & LONG LLC"**  
 ALSO KNOWN AS: "CEDAR STREET, GEORGETOWN, DE"  
 SITUATE IN: "GEORGETOWN HUNDRED"  
 SUSSEX COUNTY \* STATE OF DELAWARE  
 TAX MAP #: 135-14.20-304.00  
 DEED REFERENCE: DB 1277 PAGE 153  
 PLAT REFERENCE: DB 85, PG 560

- 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.



**LEGEND**

- Iron Pipe
- Property Line
- - - EX-FENCE
- ⊙ Power Pole
- ⊙ Rebar and Cap Set

PROFESSIONAL ENGINEER

	22184 MELSON ROAD GEORGETOWN, DELAWARE 19947 PHONE NO. 302-856-1565
	DRAWN BY: JBR
SCALE: 1"=50'	SHEET 1/1



NOTE: EXTERIOR LIGHT LOCATIONS TO BE DETERMINED BY ELECTRICAL CONTRACTOR.

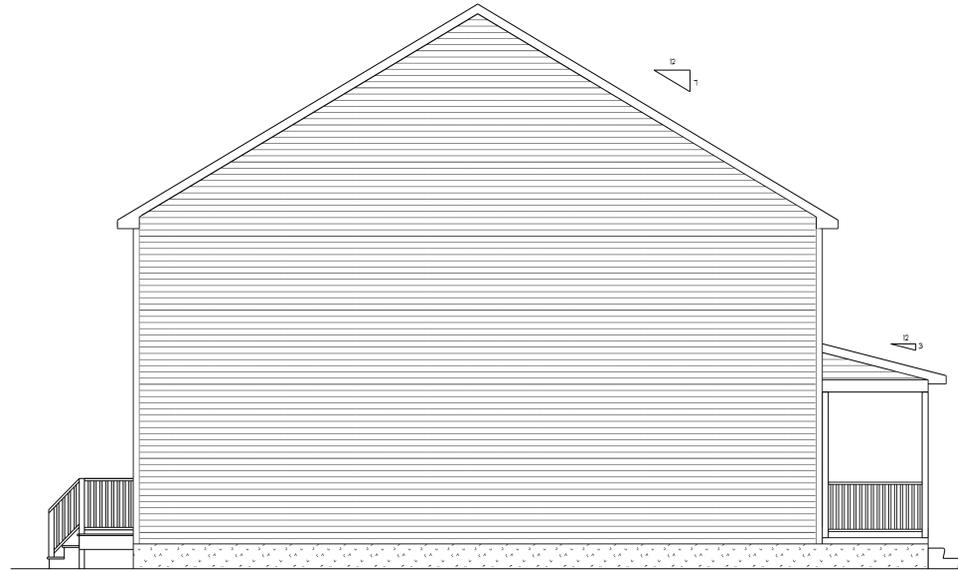
**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



**CONCEPT RENDERING**  
N.T.S.

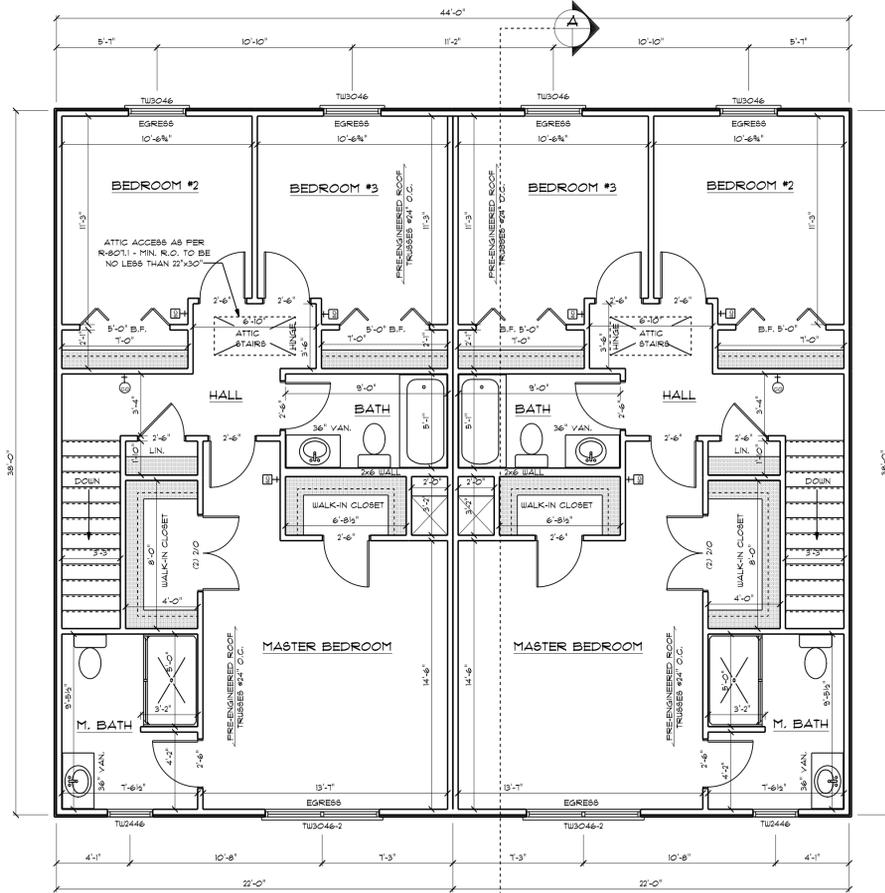
NOTE: ALL PRE-ENGINEERED MATERIALS TO BE SPECIFIED BY OTHERS.  
THESE PLANS, DESIGNS & SUBJECT MATTER ARE BASED ON INFORMATION SUPPLIED BY THE OWNER AND/OR CONTRACTOR. DRAFTSMAN, THEREFORE, TAKES NO RESPONSIBILITY FOR THEIR ACCURACY OR INTEGRITY. DRAWINGS ARE FOR DESIGN PURPOSES ONLY. ALL SPECIFICATIONS, DIMENSIONS & CONDITIONS SHOULD BE VERIFIED PRIOR TO COMMENCING CONSTRUCTION. THIS DRAWING, THE DESIGN & CONSTRUCTION FEATURES DISCLOSED ARE PROPERTY TO M.R. DESIGNS, INC. & SHOULD NOT BE COPIED IN PART OR WHOLE, WITHOUT THE EXPRESSED WRITTEN CONSENT OF M.R. DESIGNS, INC.

\*NOTE: THE FOLLOWING PLANS FOR KENT COUNTY ARE BASED ON 2012 IRC.

<b>PIERCE ST. DUPLEX</b>			
PIERCE STREET	MILFORD	DE	19952
SCALE: 1/4"=1'-0"	DRAWN BY: M. VOSHELL / M. DOTTERER		
DATE: 11/11	REVISED: Wednesday, February 25, 2015		

**ELEVATIONS**

**M.R. Designs, Inc.** 2435 BROADKILL RD. GREENSBORO, NC 27409 (336) 444-9852  
DRAWING NO. 1 of 3



2ND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

**HOUSE SPECIFICATIONS:**

- 2x6 EXTERIOR WALLS
- 1ST FLOOR CEILING HEIGHT: 8'-0"
- 2ND FLOOR CEILING HEIGHT: 8'-0"
- 1ST FLOOR AREA: 836 SQFT, EA. UNIT
- 2ND FLOOR AREA: 807 SQFT, EA. UNIT
- TOTAL HEATED: 1643 SQ FT (2 UNITS= 3278 SQ FT)
- FRONT PORCH AREA: 264 SQFT.
- HVAC SYSTEM(S), SPECIFICATIONS & LOCATIONS TO DETERMINED BY HVAC CONTRACTOR
- ALL WINDOWS ARE SPECIFIED AS ANDERSON 400 SERIES, UNLESS NOTED OTHERWISE.
- ALL INTERIOR DIMENSIONS ARE TO UNFINISHED WALLS (WITHOUT GYPSUM)
- ALL LEADER SIZES: 2x4 WALLS; (2) 2x2 SFF, UNLESS NOTED OTHERWISE; 2x6 WALLS; (3) 2x2 SFF, UNLESS NOTED OTHERWISE

**CODE NOTES:**

- ☑ SMOKE DETECTORS BATTERY BACK-UP AND INTER-CONNECTED. IRC R-314
- ☑ SMOKE DETECTOR/CARBON MONOXIDE COMBINATION UNITS TO BE LOCATED OUTSIDE OF BEDROOMS AND TO INCLUDE BATTERY BACK-UP AND INTER-CONNECTED. IRC R-315
- ALL WINDOWS LABELED "EGRESS" TO HAVE MIN. 5.7 SQ FT OF CLEAR OPENING AS PER R-310
- ALL BATHROOMS TO COMPLY WITH R301.1 FIXTURE CLEARANCE AND R303.3 BATHROOM CLEARANCE
- ALL EXTERIOR ELEVATIONS TO COMPLY WITH THE FOLLOWING:
  1. R-319.1- SITE ADDRESS
  2. R-602- ROOF VENTILATION
  3. R-603.1 - R603.4- FLASHING, ROOF DRAINAGE DOORS & WINDOWS UNWRAPPED, FLASHED & TAPED PER CODE.

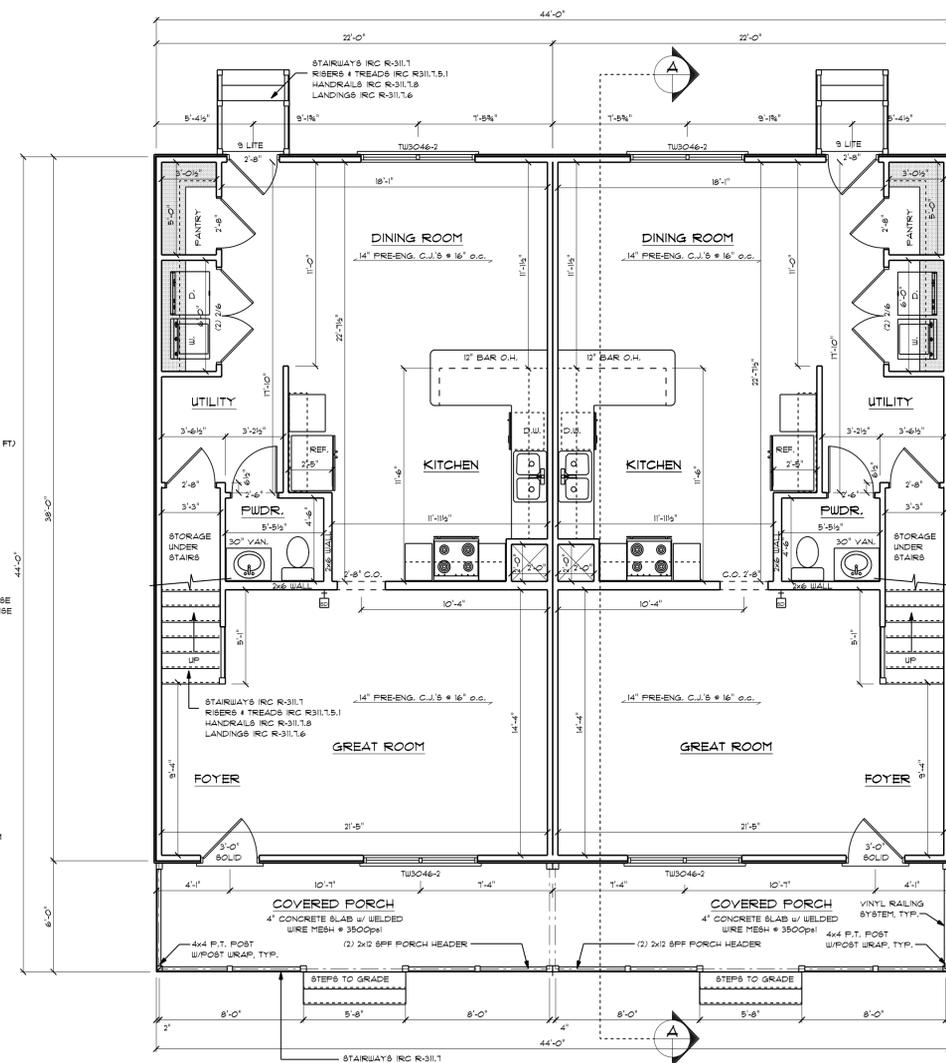
\* ALL WINDOWS ARE SPECIFIED AS ANDERSON 400 SERIES.

WINDOW SCHEDULE: 1ST FLOOR (TOTALS FOR BOTH UNITS)

PRODUCT CODE	COUNT	EGRESS	TEMPERED GLASS
TUSO46-2	4	YES	NO

WINDOW SCHEDULE: 2ND FLOOR (TOTALS FOR BOTH UNITS)

PRODUCT CODE	COUNT	EGRESS	TEMPERED GLASS
TU2446	2	NO	NO
TUSO46-2	2	YES	NO
TUSO46	4	YES	NO



1ST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

NOTE: ALL PRE-ENGINEERED MATERIALS TO BE SPECIFIED BY OTHERS. THESE PLANS, DESIGNS & SUBJECT MATTER ARE BASED ON INFORMATION SUPPLIED BY THE OWNER AND/OR CONTRACTOR. DRAFTSMAN, THEREFORE, TAKES NO RESPONSIBILITY FOR THEIR ACCURACY OR INTEGRITY. DRAWINGS ARE FOR DESIGN PURPOSES ONLY. ALL SPECIFICATIONS, DIMENSIONS & CONDITIONS SHOULD BE VERIFIED PRIOR TO COMMENCING CONSTRUCTION. THIS DRAWING, THE DESIGN & CONSTRUCTION FEATURES DISCLOSED ARE PROPERTY TO M.R. DESIGNS, INC. & SHOULD NOT BE COPIED IN PART OR WHOLE, WITHOUT THE EXPRESSED WRITTEN CONSENT OF M.R. DESIGNS, INC.

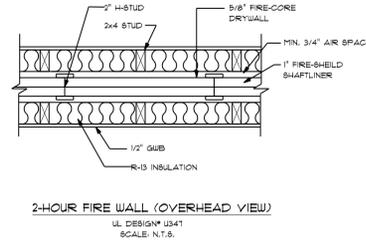
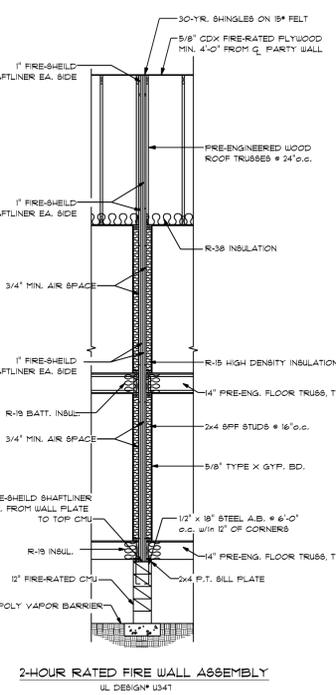
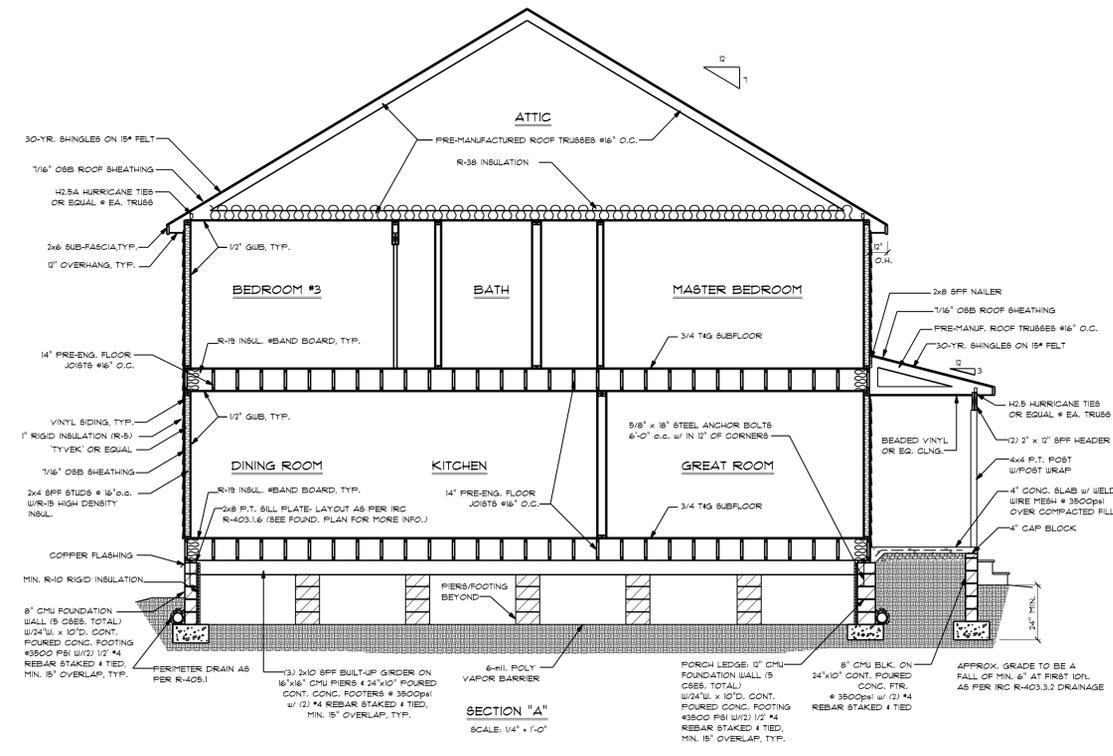
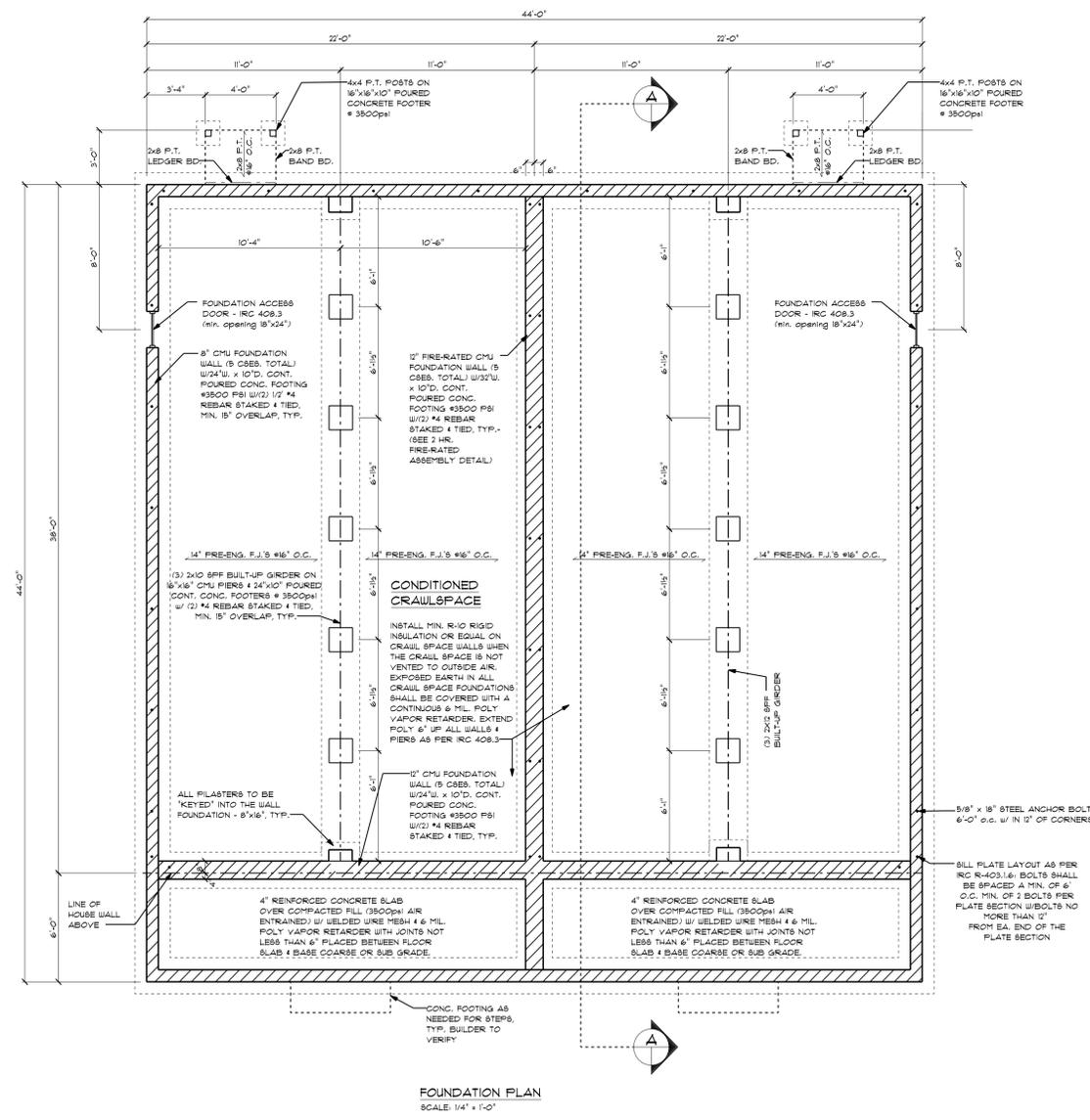
NOTE: THE FOLLOWING PLANS FOR KENT COUNTY ARE BASED ON 2012 IRC.

<b>PIERCE ST. DUPLEX</b>			
PIERCE STREET	MILFORD	DE	19952
SCALE: 1/4"=1'-0"	DRAWN BY: M. VOSHILL/ M.DOTTENER		
DATE: 10/11	REVISED: Wednesday, February 25, 2015		

**FLOOR PLANS**

**M.R. Designs, Inc.**  
3342 BROADBELL RD  
MILFORD, DE 19968  
(302) 446-8800  
www.mrdesigns.com

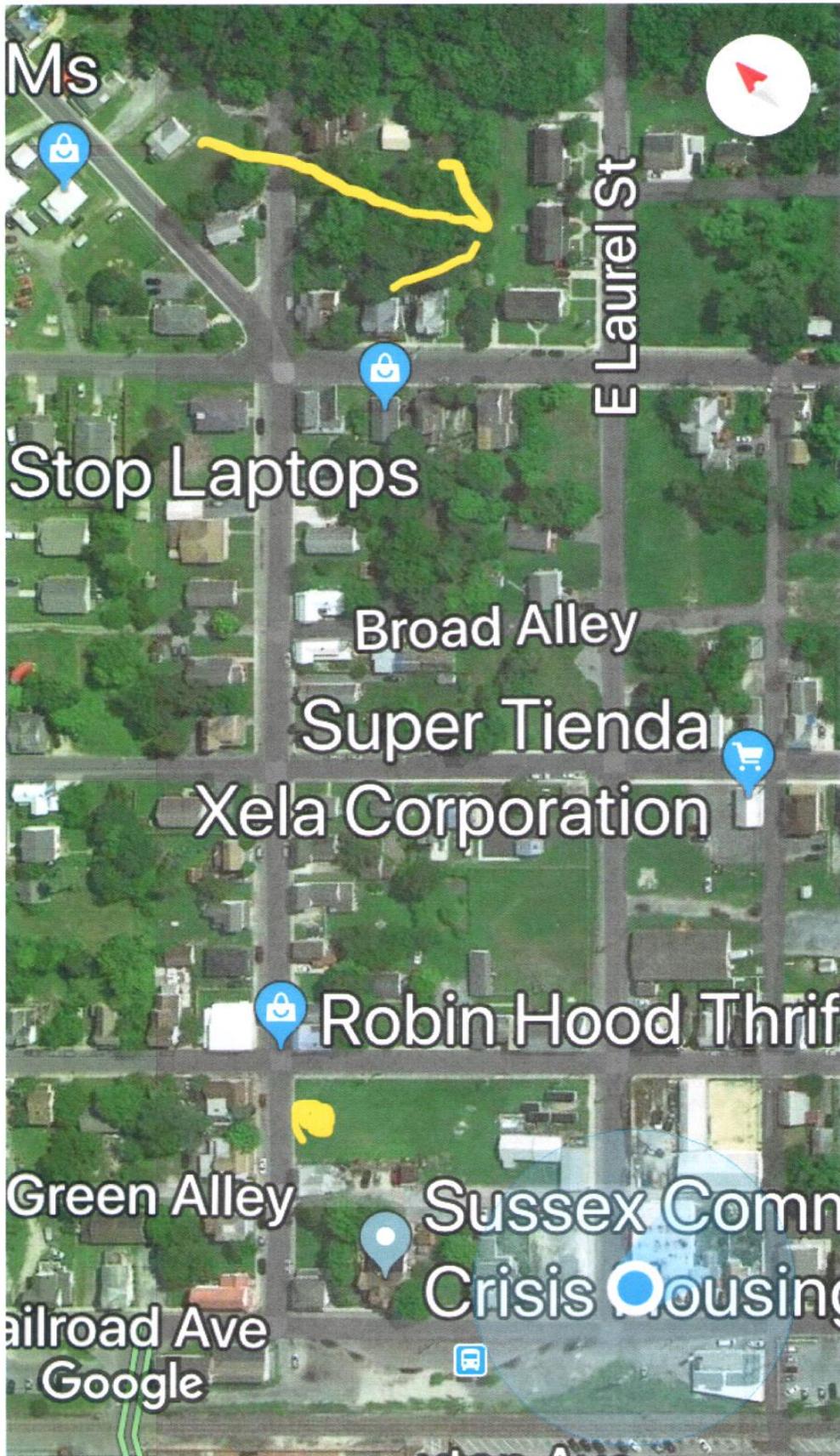
DRAWING NO.  
2 of 3



NOTE: ALL PRE-ENGINEERED MATERIALS TO BE SPECIFIED BY OTHERS. THESE PLANS, DESIGNS & SUBJECT MATTER ARE BASED ON INFORMATION SUPPLIED BY THE OWNER AND/OR CONTRACTOR. DRAFTSMAN, THEREFORE, TAKES NO RESPONSIBILITY FOR THEIR ACCURACY OR INTEGRITY. DRAWINGS ARE FOR DESIGN PURPOSES ONLY. ALL SPECIFICATIONS, DIMENSIONS & CONDITIONS SHOULD BE VERIFIED PRIOR TO COMMENCING CONSTRUCTION. THIS DRAWING, THE DESIGN & CONSTRUCTION FEATURES DISCLOSED ARE PROPERTY TO M.R. DESIGNS, INC. & SHOULD NOT BE COPIED IN PART OR WHOLE WITHOUT THE EXPRESSED WRITTEN CONSENT OF M.R. DESIGNS, INC.

NOTE: THE FOLLOWING PLANS FOR KENT COUNTY ARE BASED ON 2012 IRC.

<b>PIERCE ST. DUPLEX</b>		DE 19952	
PIERCE STREET	MILFORD	DE	19952
SCALE: 1/4" = 1'-0"	DRAWN BY: M. VOSHALL, M. DOTTERER		
DATE: 11/11	REVISION: Wednesday, February 25, 2015		
<b>FOUNDATION PLAN, SECTIONS &amp; DETAILS</b>			
<b>M.R. Designs, Inc.</b>		3340 BRANFORD RD. MILFORD, DE 19968 (302) 444-8822	DRAWING NO. 3 of 3





## Town of Georgetown

Planning Department  
37 The Circle  
Georgetown, DE 19947



Telephone (302) 853-0104  
Fax (302) 856-6348  
[www.georgetowndel.com](http://www.georgetowndel.com)

July 29, 2019

### Zoning Verification Letter

Tax Parcel #: 1-35 14.20-304.00  
Property Location: 108 Cedar Street

This certifies that the above referenced property, is located within the corporate limits of the Town of Georgetown and is zoned UB2 – Neighborhood Business District. Permitted uses are provided in the Code of the Town of Georgetown, in Chapter 230, Section 82. The code is available on the Town website [www.georgetowndel.com](http://www.georgetowndel.com).

Should any additional information be required, please contact the Planning Department Staff at (302) 856-7391.

# TOWN OF GEORGETOWN - PLANNING COMMISSION

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## Draft Meeting Minutes July 15, 2020

### ATTENDANCE

#### Commissioners

Michael Barlow - absent  
Linda Dennis  
Penuel Barrett - absent  
Justin Illian  
Suraj Gyani

#### Staff

Jocelyn Godwin, Planning  
Tim Willard, Solicitor  
Jamie Craddock, Planning

### 1. CALL MEETING TO ORDER

Commission Vice Chairperson Dennis called the meeting to order at 6:00 p.m.

### 2. APPROVAL OF APRIL 15, 2020 MEETING MINUTES

Commissioner Illian moved, seconded by Commissioner Gyani, to approve the April 15, 2020 regular meeting minutes as presented. **APPROVED (UNANIMOUS)**

### 3. PUBLIC HEARING

#### A. CASE #2020-05 Rezone Application

*An application by Dolson & Long, LLC., for an official zoning map amendment from Neighborhood Business District (UB2) to Urban Business District (UB1). The property is located at 108 Cedar Street, identified as Sussex County Tax Map ID 135-14.20-304.00.*

Keith Long, of Dolson & Long, LLC, presented the application. The area has several projects improving the community and there is a strong need for housing.

The public hearing was opened for comments. No comments were made either for or against the project.

Planning confirmed that no correspondence has been received.

**Commissioner Illian moved, seconded by Commissioner Gyani, to recommend APPROVAL of the zoning map amendment to Town Council.  
APPROVED (UNANIMOUS)**

#### B. CASE #2020-07 Conditional Use Application - Shore Distributors

*An application by W & C Fisher Properties I, LLC., for conditional use for wholesale distribution located at 211 West Market Street, identified as Sussex County Tax Map ID 135-19.08-127.00, zoned Medium Residential District (UR2).*

David Hutt, representing Morris & Morris (contracted purchaser of the property), presented the application. Morris & Morris Limited Partnership owns the business Shore Distributors. Also in attendance is David Rutt, representing the property owners the Fishers. With the Morris & Morris team is the principal, John Morris, realtor John McClelland, and Scott Rogers, architect with Solutions IPEM. A packet of information, Exhibit 1, was distributed to the members.

Shore Distributors has been in business since the 1960's for wholesale plumbing supplies. There are 12 locations on the Delmarva peninsula, four in Delaware. Current location is at the intersection of Route 113 and Route 18. That location is shared with NAPA, who leases from them. DelDOT released plans for a flyover impacting their current location, so they are trying to stay in the Georgetown area.

The location at 211 West Market Street has been owned by the Fishers since 1961. The existing NAPA building was built in 1977. The business had been operating for 57 years, until November 2017.

The applicant reviewed the Town's code on the conditional use criteria of Section 230-231. The property is 1.26 acres and fronts on West Pine and West Market Streets. Just over 40,000 SF will apply to conditional use with the remainder to be subdivided off in the future for residential use. The zoning on either side of the property is UB3 and across the street is a blend of UR2 and UB3.

The existing structure, since 1977, is in need of repurpose and a facelift. The proposed use is similar to NAPA, but with less foot traffic. The structure will remain in the same footprint; however, will receive extensive exterior remodeling. The site plan shows that the angled parking has been straightened and the two spaces in the front yard setback have been removed. The dumpster will be placed next to the Town's pump station and screened with fence. Landscaping will be updated and include a type 3, 15' wide landscaping buffer from the remainder of the lot. Signage will be upgraded with wall signage on two facades, for visibility along West Market, and the existing ground sign will be utilized.

Recommended conditions were presented and discussed with the Commission. In summary, the Zoning Map shows similar uses in the area. There will be limited hours of operation and all operations will be indoors. The need for the use is proven by the company being in existence since 1960. There is minimum effect on neighbors as the building already exists, it will be spruced up and generate minimal traffic. The conditions offered provide sufficient safeguards and allow minimal impact to the neighbors.

Commissioner Illian expressed concern with the nearby school and safety of the kids. Consideration regarding timing of tractor trailer truck deliveries was requested. The exterior upgrade of the building is needed to conform to the surrounding area.

Mr. Morris explained that the typical truck route is from Salisbury distribution center to Dover, Milford Georgetown, etc. Summer is the heaviest demand, 80% to 90% of deliveries are from 10 am until 2 pm, fleet is being converted to box trucks, excellent driving record and safety meetings held regularly with their drivers.

Commissioner Gyani questioned the loading dock access and agreed with a box truck there should be sufficient room. The applicant also pointed out that it is one way around the building to ease flow of traffic and they have tested a tractor trailer and it maneuvered fine.

Vice Chairperson Dennis questioned noise and the applicant confirmed that all equipment is indoors and there will be no industrial processes onsite.

Vice Chairperson Dennis asked if anyone wished to speak for or against the application.

David Rutt, representing the owners (Fishers), confirmed that for the record the property had been owned and operated as NAPA store for 60 years as an almost identical operation with mostly wholesale vs retail generating little traffic. On a personal note, as the owner of 122 & 126 West Market Street since 1998, there have been no issues or concerns with the business and he has no objection to the application.

Janice Jones, representing 200 & 202 West Market Street, asked to confirm hours of operation and if there would be deliveries after hours. The hours were provided of M-F 6 am to 6 pm, Sat 6 am to 2 pm, Sun closed. Mr. Morris confirmed there would be no deliveries after hours.

Janice Jones also asked about improvements to be made to the building. The applicant provided the proposed elevations and confirmed no additions will be made to the building. The lot in the rear will be subdivided off for residential use.

**Commissioner Illian moved, to recommend APPROVAL of the application to Town Council.**

Solicitor Willard reviewed Conditional Use code noting that approval could be tied to the submitted site plan and with conditions.

Commissioner Illian withdrew his first motion.

**Commissioner Illian moved, seconded by Commissioner Gyani, to recommend APPROVAL of the application to Town Council contingent upon following the presented site plan, with the proposed conditions of Tab 9 presented by the applicant and satisfaction of the Town Engineer's comments.**  
**APPROVED (UNANIMOUS)**

**4. HISTORIC REVIEW  
CASE #2020-14**

*An application by Paynter House, LLC., for the approval of a 12.7' x 21.8' addition to an existing storage building at 26 The Circle, identified at Sussex County Tax District 135 Map 19.08 Parcel 76.00, zoned HD (Historic District).*

Tim Willard, of Paynter House LLC, presented the application. Addition to storage garage utilizing same semi hip roof design, and colors for structure and shingles. The addition will remove two parking spaces, reducing the count of parking from 14 to 12, which is still sufficient with nine employees. The whole structure will be insulated for climate control.

**Commissioner Illian moved, seconded by Commissioner Gyani, to APPROVE the application as presented.  
APPROVED (UNANIMOUS)**

**5. PUBLIC COMMENT**

No public comment was provided.

**6. Planning Department Report**

The Commission was provided updates on projects and the status of the Comprehensive Plan. Once remaining staff updates are provided to consultant, a draft plan will be provided for review.

**7. ADJOURNMENT**

Commissioner Illian moved, seconded by Commissioner Gyani, to adjourn the meeting at 7:07 p.m. **APPROVED (UNANIMOUS)**

APPROVED: \_\_\_\_\_

Linda Dennis, Vice Chairperson

ATTEST: \_\_\_\_\_

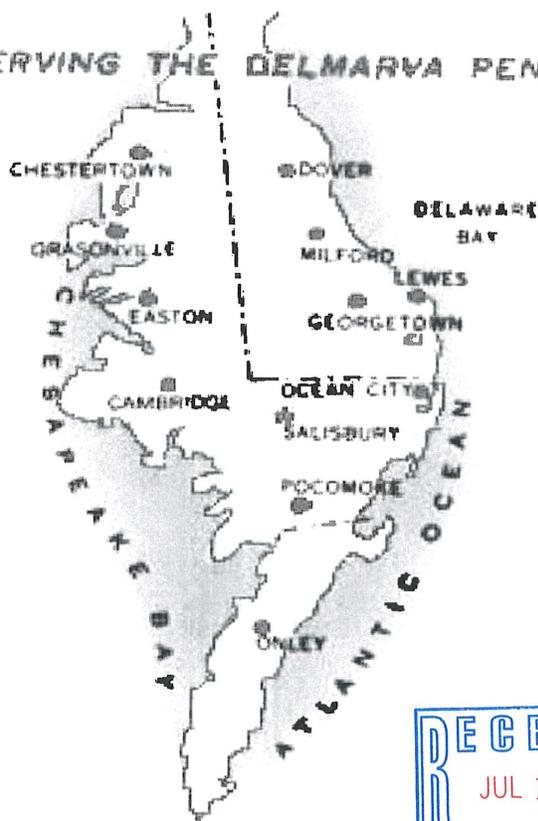
Jocelyn Godwin, Planning

CONDITIONAL USE APPLICATION  
Case No. 2020-07

**Shore Distributors  
W & C Fisher Properties I, LLC**

**SHORE  
DISTRIBUTORS**

SERVING THE DELMARVA PENINSULA



David C. Hutt, Esquire  
Morris James LLP

Public Hearing:  
Town of Georgetown  
Planning Commission  
July 15, 2020

11852059/1

## Table of Contents

1. Town of Georgetown Review Application – Conditional Use
2. Title to Property: Deed: Dated March 24, 2011, Deed Book 3876, Page 214
3. Zoning Map
4. Applicant’s Response to Town of Georgetown Plan Review
5. Conceptual Site Plan
6. Architectural Rendering
7. Exterior Elevations
8. Signage
9. Proposed Conditions

# TAB “1”



## Town of Georgetown Review Application

All submittals to include the number of copies shown below of the Review Application, Plans/Prints and any other supportive documentation that may be required with the appropriate fee as per Town Code, Chapter 98. Please note the number of copies listed below are for review purposes. Additional copies will be required prior to Planning Commission review or final signatures.

Check Type of Review Requested	Paper Copies	PDF/CD
<input type="checkbox"/> Category II Plan Review	2	2
<input type="checkbox"/> Category I Site Plan - Preliminary	2	2
<input type="checkbox"/> Category I Site Plan - Final	2	2
<input checked="" type="checkbox"/> Conditional Use	2	2
<input type="checkbox"/> Historic Review	2	1
<input type="checkbox"/> Subdivision/RPC Review - Conceptual	2	2
<input type="checkbox"/> Subdivision/RPC Review - Preliminary	2	2
<input type="checkbox"/> Subdivision/RPC Review - Final	2	2
<input type="checkbox"/> Utility Review	2	1
<input type="checkbox"/> Zoning Amendment	2	2
<input type="checkbox"/> Other:		

Property Information	
Sussex County Tax Map/Parcel:	135-19.08-127.00
Project Location:	211 West Market Street
Property Size/Dimension:	1.26 Acres
Project Title/Name:	Proposed Conditional Use - Shore Distributors
Current Zoning District:	UR2
Proposed Zoning (if applicable):	N/A
Current Property Use:	Commercial - Prior Nonconforming Before Code
Proposed Property Use:	Commercial - Conditional - Wholesale Distribution - Sale Pending

Current Property Owner Information	
Current Owner Name:	W & C Fisher Properties I, LLC
Phone Number:	(302) 684-4508
Fax Number:	
Email Address:	ctf19968@aol.com
Mailing Address:	103 Oysterman Drive
City, State, Zip Code:	Milton, DE 19968

Engineer / Surveyor Information	
Company Name:	Russell T. Hammond, Surveying, LLC
Contact Name:	Russell T. Hammond
Phone Number:	(410) 352-5674 (410) 726-8076
Fax Number:	
Email Address:	
Mailing Address:	10310 Hotel Road
City, State, Zip Code:	Bishopville, MD 21813

Applicant/Developer Information	
Company Name:	W & C Fisher Properties I, LLC
Contact Name:	Connie Fisher
Phone Number:	(302) 684-4508
Fax Number:	
Email Address:	ctf19968@aol.com
Mailing Address:	103 Oysterman Drive
City, State, Zip Code:	Milton, DE 19968

Designated Primary Contact	
Contact Name:	David N. Rutt, Esquire
Phone Number:	(302) 856-9568
Fax Number:	(302) 855-9803
Email Address:	dnrutt@mooreandrutt.com
Mailing Address:	122 W. Market Street
City, State, Zip Code:	Georgetown, DE 19947

**Please read and certify the following:**

1. I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct.
2. This project was designed in accordance with the plan requirements in the Comprehensive Plan, Zoning Code, Design Standards as well as the Construction Standards for the Town of Georgetown.
3. I, or an agent on my behalf, will attend all public hearings/meetings necessary for this project in order to answer any questions to the best of my ability in respect to the present and future needs, health, safety, morals, convenience, order, prosperity and general welfare of the inhabitants of Georgetown.
4. I understand that any incomplete applications will not move forward in the review process and I will be notified in writing after a thorough review has been completed by the Planning Department.
5. It is understood that the Planning Department processes all applications in the order in which they were received. Each application will continue in the process once eligibility and the appropriate reviews have been completed.
6. I understand that only the designated primary contact listed on this application will receive any and all review comments, meeting information and correspondence to and from the Town of Georgetown.
7. I understand that the Applicant/Developer will be billed for the professional services rendered from the Town Engineer and/or the Town Solicitor, as required for my application, unless I notify the Town Planning Department in writing advising otherwise.

Signatures	
Applicant/Developer	<i>Connie Fisher</i>
Designated Primary Contact	<i>David Rutt (RTA)</i>
All Current Property Owners	<i>Connie Fisher</i>
Parcel -	135-19.08-127.00
Parcel -	
Parcel -	

**OFFICE USE ONLY**

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Cash/Check #: \_\_\_\_\_

Submit all requests to the Planning Department, 37 The Circle, Georgetown DE 19947  
 Phone: (302)856-7391 Fax: (302)856-6348



807 Brown Street  
Salisbury, MD 21802  
Tel: 410-749-3121  
Toll Free: 800-338-7790  
Fax: 410-749-6081  
[www.shoredist.com](http://www.shoredist.com)

## CONDITIONAL USE

### Shore Distributors History

- Founded in 1946 by John E. & Margaret Morris
- Owned and managed by 3<sup>rd</sup> generation Morris family
- 12 locations on DelMarVa, 4 in Delaware
- Headquartered in Salisbury
- Established a Georgetown location in the 1960s
- Positive experiences in Georgetown for more than 50 years
- All Shore Distributors' properties are owned and managed by Morris & Morris Limited Partnership

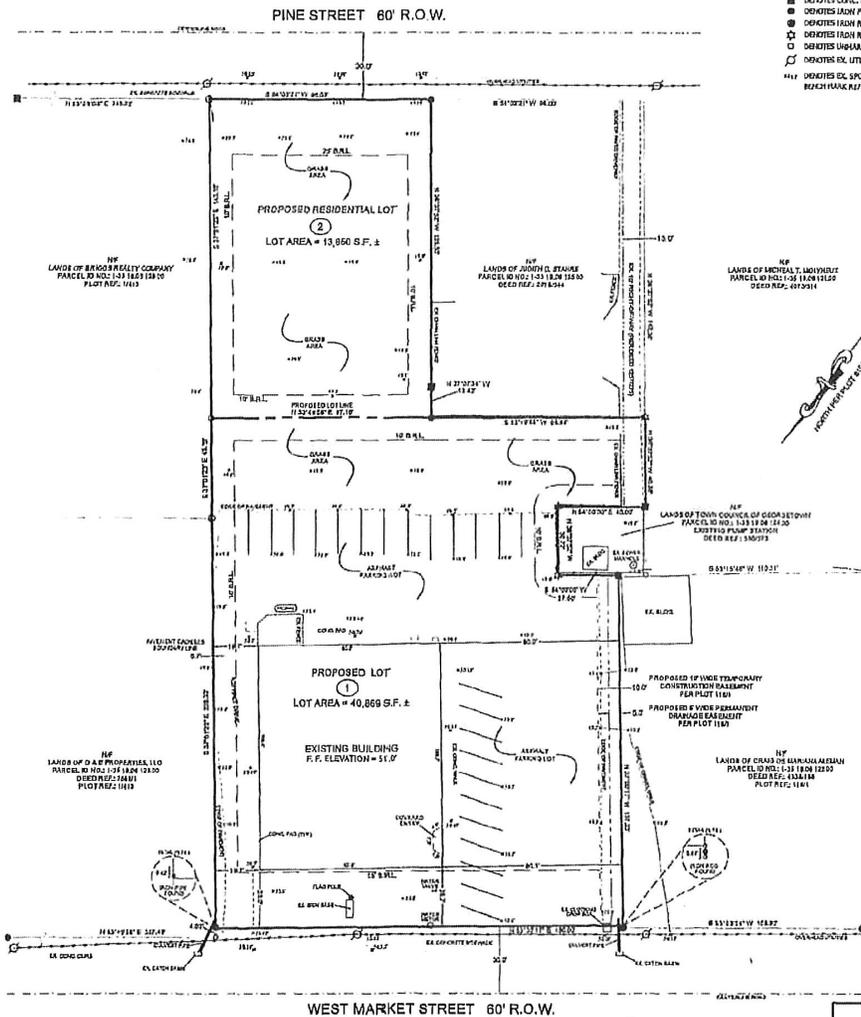
### 211 West Market Street Plans

- Shore Distributors requests a conditional use for wholesale distribution
- The need for this conditional use is created because DelDOT has informed Shore Distributors that its current location at the intersection of Rt. 113 and Rt. 18 will be part of the DelDOT fly-over scheduled for this intersection
- Shore Distributors' scope of business includes:
  - 1) Hours of operation: Weekdays (M-F): 6 a.m.- 6 p.m.;  
Saturday: 6 a.m. – 2 p.m.; and  
Sunday (closed)
  - 2) Daily truck delivery from our Salisbury distribution center to Georgetown, generally by tractor trailer
  - 3) Typically service 30-40 customers a day, who generally arrive in small work trucks or van, sometimes cars
- Scope of building rehabilitation will probably consist of, but not be limited to:
  - 1) Extensive exterior remodeling including repair and painting of exterior
  - 2) Updated landscape & signage
  - 3) Extensive interior remodeling including HVAC, lighting, floors, ceiling panels, etc.
  - 4) Shore Distributors is considering surveying, sub-dividing and requesting a zoning change to residential or multi-family residential for the rear portion of the lot that faces W. Pine St. for future sale or building potential
  - 5) It is Shore Distributor's intent to enhance this building's appearance and make it a more attractive part of the streetscape to all arriving or departing Georgetown on Market Street

NOTE THE PLAN REFLECTS THE ACQUISITION OF THE LOT PARCELS AS NOTED IN THE TITLE OF THE PLAN AS SHOWN ON THE SECOND PLAN ALSO  
 THIS DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS OF WAY, EASEMENTS, UTILITY OR GAS RIGHTS PERFORMED FOR THE  
 PURPOSES OF THIS PLAN. THE EXISTENCE OF SUCH RIGHTS IS THE RESPONSIBILITY OF THE CLIENT.



- (IN FEET)  
 1" = 30'  
 HOR. ACCURACY = 0.1/1"
- INDICATES CONC. FOUND
  - INDICATES IRON PIPE FOUND
  - INDICATES IRON ROD FOUND
  - ⊗ INDICATES IRON ROD FOUND
  - INDICATES UNMARKED POINT
  - INDICATES EX. UTILITY POLE
  - ▲ INDICATES EX. SPOT ELEVATION
- MEAN HANG REFERENCE: A 11-1155(1101) = 47.74'



**UR-2 MEDIUM RESIDENTIAL DISTRICT**

1. MINIMUM REQUIRED LOT AREA = 10,000 SQ. FT.
2. MINIMUM REQUIRED LOT WIDTH = 75'
3. MINIMUM REQUIRED LOT DEPTH = 100'
4. MINIMUM REQUIRED SETBACKS:
  - FRONT = 25'
  - SIDES = 10'
  - REAR = 10'

**GENERAL NOTES:**  
 ADDRESS: 311 WEST MARKET STREET  
 TAX ID NO. 135 13.06 127.00  
 DEED REF. 13918214  
 PLOT REF. 8131197  
 TOTAL LOT AREA: 1.26 ACRES  
 EX. ZONING: UR-2 (THROUGH LOT)  
 EXISTING SETBACKS:  
 FRONT 25', SIDES 10', REAR 10'  
 FLOOD ZONE: X  
 PER TOWN HD. 10061 0000 L  
 DATED JUNE 20, 2018.  
 CLASS "A" SURVEY

**CONCEPTUAL SITE PLAN**  
 LANDS OF W & C FISHER PROPERTIES, I, LLC.  
 GEORGETOWN HUNDRED, SUSSEX COUNTY, DELAWARE  
 TOWN OF GEORGETOWN

**RUSSELL T. HAMMOND**  
*Surveying, LLC*

SURVEYING - LAND PLANNING  
 10310 Hissel Road, Blaineville, MD 21813  
 (410) 333-9514 • (410) 336-4076

DESIGNED BY: JUA	SURVEYED BY: RSH/WR	FILE #	2018-2094
DRAWN BY: R. SAVAGE/JAT	DATE	10/31/2019	
CHECKED BY: A.T. Hammond	SCALE	1" = 30'	SHEET 1 OF 1



# TAB “2”

3/21/2019

Landmark Web Official Records Search

9713

BK = 3876 PG = 214

Tax Parcel # 1 - 35 - 19.08 - 123.00  
1 - 35 - 19.08 - 126.00  
1 - 35 - 19.08 - 127.00

PREPARED BY: David W. Baker, Esq., P.A.  
109 South Race Street  
P.O. Box 551  
Georgetown, Delaware 19947

RETURN TO: W & C FISHER PROPERTIES, I, LLC  
c/o WILLIAM W. FISHER  
CONSTANCE T. FISHER  
119 Bangor Lane  
Milton, Delaware 19968

NO TITLE OR LIEN SEARCH  
PERFORMED - NONE REQUESTED

**This Deed, made this** 24<sup>th</sup> **day of** MARCH,

in the year of our Lord Two Thousand Eleven.

**Between** WILLIAM W. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF WILLIAM W. FISHER DATED 9/23/93, as to an undivided one-half interest, and CONSTANCE T. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONSTANCE T. FISHER DATED 9/23/93, as to an undivided one-half interest, of 119 Bangor Lane, Milton, Delaware 19968, parties of the first part,

-and-

W & C FISHER PROPERTIES, I, LLC, a Delaware limited liability company, of 119 Bangor Lane, 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) and other valuable consideration, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey the hereinafter described property unto the said party of the second part, its Successors and Assigns,

1

BK: 3876 PG: 215

Tract No. 1:

ALL that certain Lot, piece or parcel of land situated in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, on the Northwesterly side of Pine Street Extended and more particularly described as follows:

BEGINNING at a post driven on the Northwesterly side of Pine Street Extended, it being the Northeasterly corner of lands of Edward Rogers; thence running in a northerly direction along the line of lands of Edward Rogers, North 38° 45' West 128.6 feet to corner stake in the line of lands of Edward Rogers, a corner for lands of Elmer Rogers; thence running in a northeasterly direction along the line of lands of Elmer Rogers, North 51° 45' East 98 feet to another stake, corner for lands of Dr. Joseph B. Waples; thence running in a southeasterly direction along the line of lands of Dr. Joseph B. Waples, South 38° 45' East 129.6 feet to a stake in the Northwesterly side of Pine Street Extended; thence in a southwesterly direction along and with Pine Street Extended, South 52° 27' West 98 feet home to the place of beginning, containing 12,642 square feet of land, +/-, according to survey made by E. L. Mustard, November 24, 1937.

Tract No. 2:

ALL that certain lot, piece, and parcel of land situate, lying and being in the corporate limits of Georgetown, Sussex County, Delaware, fronting on the southerly side of West Market Street in said town:

BEGINNING for the metes and bounds thereof at the northwest corner of a lot formerly of Dr. Joseph B. Waples, Sr., and in the line of the southerly side of Market Street; running in a westerly course with the line of the southerly side of Market Street, a distance of sixty (60) feet to lands now or formerly of Gordon E. Smack; thence at right angles with said Market Street and with lands now or formerly of Gordon E. Smack in a southerly direction, a distance of one hundred seventy (170) feet to lands now or formerly of John T. Wagoner; thence in an easterly direction and parallel with said Market Street a distance of sixty (60) feet to lot now or formerly of Joseph B. Waples, Sr., thence in a northerly course with line of lands now or formerly of Dr. Joseph B. Waples, Sr. a distance of one hundred seventy (170) feet to the place of beginning, containing ten thousand two hundred (10,200) square feet, more or less.

BK: 3876 PG: 216

Tract No. 3:

ALL that certain piece and parcel of land, lying and situated in Sussex County, State of Delaware, being a part of land now or formerly of Joseph Littleton, beginning at the north corner of the land now or formerly of Elmer Rogers, running parallel with the line of the said Elmer Rogers, in a southerly direction to the lands now or formerly of Dr. Joseph B. Waples, a distance of eighty-five (85) feet; thence in a westerly direction for sixty (60) feet adjoining the land now or formerly of Joseph Littleton to a post; thence North to the land now or formerly of Elmer Rogers for eighty-five (85) feet and thence sixty (60) feet in an easterly direction the place of starting, containing five thousand one hundred feet (5,100').

Tract No. 4:

ALL that certain lot of land, situate, lying and being in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, lying on the south side of West Market Street, and being a lot of land one hundred and twenty (120) feet in width and one hundred and seventy (170) feet in depth, improved with an L-shaped frame building, a part of which is one-story and a part two-story in height.

Tract 5:

ALL that certain lot, piece and parcel of land, situate, lying and being in the corporate limits of the Town of Georgetown, Sussex County, Delaware, located on the southerly side of West Market Street in said Town and more particularly described as follows, to wit:

BEGINNING at an iron pipe (found) located at the back side of the sidewalk running parallel to West Market Street, thence South 36 degrees 30 minutes 34 seconds East a distance of 242.23 feet to an iron pipe (found); thence continuing South 36 degrees 30 minutes 34 seconds East a distance of 57.53 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 60.00 feet to a concrete monument (set) thence continuing South 54 degrees 00 minutes 00 seconds West a distance of 37.24 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a distance of 85.00 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 82.76 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a

BK# 3876 PG# 217

distance of 157.23 feet to an iron pipe (set); thence North 54 degrees 00 minutes 00 seconds East a distance of 180.00 feet to an iron pipe, said iron pipe being the place of beginning, be the contents thereof what they may, as surveyed by J. J. McCann, P.L.S. 299, and dated November 12, 1976, a copy of which is attached to the Deed of Record, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 776, Page 212.

BEING the same lands conveyed unto WILLIAM W. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF WILLIAM W. FISHER DATED 9/23/93, and CONSTANCE T. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONSTANCE T. FISHER DATED 9/23/93, by deed of WILLIAM W. FISHER and CONSTANCE T. FISHER, husband and wife, dated the 23<sup>rd</sup> day of September, 1993, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1940, page 112.

3/21/2019

Landmark Web Official Records Search

BK: 3876 FG: 218

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

*[Signature]*  
Witness

*[Signature]* (Seal)  
WILLIAM W. FISHER, Trustee

*[Signature]*  
Witness

*[Signature]* (Seal)  
CONSTANCE T. FISHER, Trustee

Consideration: .00

STATE OF DELAWARE :  
: ss.  
COUNTY OF SUSSEX :

County .00  
State .00  
Town Total .00  
Received: Cindy R Mar 24, 2011

BE IT REMEMBERED, that on this 24<sup>TH</sup> day of MARCH, A.D. 2011, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, WILLIAM W. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF WILLIAM W. FISHER DATED 9/23/93, and CONSTANCE T. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONSTANCE T. FISHER DATED 9/23/93, parties 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.

*[Signature]* (SEAL)  
Notary Public

OK # 20110324  
AMT \$ 0.00  
MAR 24 2011  
TOWN OF GEORGETOWN  
TRANSFER TAX PAID

**RECEIVED**

MAR 24 2011

**ASSESSMENT DIVISION  
OF SUSSEX COUNTY**

5

Recorder of Deeds  
Scott Dalley  
Mar 24, 2011 04:06P  
Sussex County  
Doc. Surcharge Paid

# TAB “3”



11851374/1

# TAB “4”

**TOWN OF GEORGETOWN PLAN REVIEW**

DUFFIELD ASSOCIATES, INC. Project Review Comments		Submittal Phase:	Conditional Use	Project No.:	2020-07
Date Submitted:	2-27-2020	Project Title:	Proposed Conditional Use -- Shore Distributers		
Submittal No.:	1	Project A/E:	Russell T. Hammond, Surveying, LLC		
Duffield Project No.:	00.10730.BB Phase 55				
Date Returned:	3-16-2020				
Distribution: P & Z <input type="checkbox"/> Manager <input type="checkbox"/> DPW <input checked="" type="checkbox"/> Town Engineer <input checked="" type="checkbox"/> Other <input type="checkbox"/>					
Name of Reviewer:		Scott C. Hoffman, P.E. Office: Dover, DE 302-674-9280			
Documents Reviewed: Site Plan dated 10/31/2019					
DWG/PAGE NO.	COMMENT NO.	PROJECT REVIEW COMMENTS		APPLICANT RESPONSE	
General	1	Provide responses to these comments on this form with the submission of the revised plans.		Applicant's Responses are on this form and shown on the revised Conceptual Site Plan.	
	2	These plans were reviewed for completeness based on the Town's standards for Administrative Review, Town Code §230-213.1. See attachment for Category 2 Plan Review Requirements.		The Applicant reviewed the Town Code and requirements in making modifications to the Conceptual Site Plan.	
	3	If applicant is aware of a non-conforming situation based on the existing site elements or any proposed improvements, that situation should be brought to the attention of the Planning and Zoning Commission at the Conditional Use Hearing.		Applicant is unclear as to this comment. The Conditional Use application was filed to see if the Town would approve the nonconforming use for UR-2 with reasonable conditions.	
	4	Provide allowable and existing building height.		Now shown on the Conceptual Site Plan.	
	5	The applicant is encouraged to incorporate elements of the Town's Design Standards when designing building and site improvements.		The Applicant will carefully consider the Design Standards if additional building or other site improvements are added to the site.	

DUFFIELD ASSOCIATES, INC. Project Review Comments	Submittal Phase: Conditional Use - Category II	Submittal No.: 1
	Reviewer: Scott C. Hoffman, P.E.	Project Title: Proposed Conditional Use – Shore Distributors

6	Provide parking and loading space requirements and demonstrate compliance with the applicable portions of Town Code §230-148 to §230-152. Provide dimensions of parking spaces and drive aisles. There was not sufficient information to review this plan for parking and loading requirements. Applicant should present this information at the Conditional Use hearing.	Now shown on the Conceptual Site Plan.
7	The applicant is making landscaping improvements. Consider installing Type 3 buffer adjacent to residential parcels.	Now shown on the Conceptual Site Plan.
8	Provide sign details. Refer to Town Code §230-164 for sign requirements.	Proposed sign details are provided with this form.
9	Include certifications on cover sheet as shown in Construction Standards. The Town Engineer certification should state as follows: "This site plan has been reviewed and found to be in general conformance with the Town of Georgetown standards. The applicant assumes all responsibility for design and accuracy of information show hereon."	Now shown on the Conceptual Site Plan.
10	Provide the existing building square footage.	Now shown on the Conceptual Site Plan.
11	Consider installing screening for any dumpsters or trash receptacles in accordance with Town's Design Standards.	Now shown on the Conceptual Site Plan.
12	Provide zoning of adjacent properties.	Now shown on the Conceptual Site Plan.
13	Site Plan should demonstrate compliance with ADA requirements for parking and accessible pathways to building entrance.	Now shown on the Conceptual Site Plan.
14	Show existing water and sewer locations including the location of lines and tie ins.	Now shown on the Conceptual Site Plan.
15	Provide lighting plan to demonstrate compliance with requirement that lighting be arranged and installed to minimize glare on residential areas.	Now shown on the Conceptual Site Plan.

Reviewer Signature: \_\_\_\_\_  
Scott C. Hoffman, P.E.

# TAB “5”



# TAB “6”



# TAB “7”



# TAB “8”

48"

**SHORE  
DISTRIBUTORS**

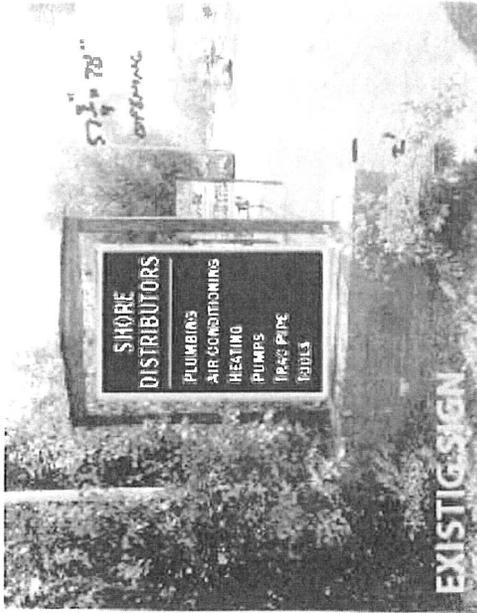
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**PLUMBING  
AIR CONDITIONING  
HEATING  
PUMPS  
TRAC PIPE  
TOOLS**

72"

78" OPENING

58" OPENING



EXISTING SIGN

**SCOPE OF WORK:**  
*Fabricate & Install*  
 New Acrylic Faces with  
 Applied Vinyl

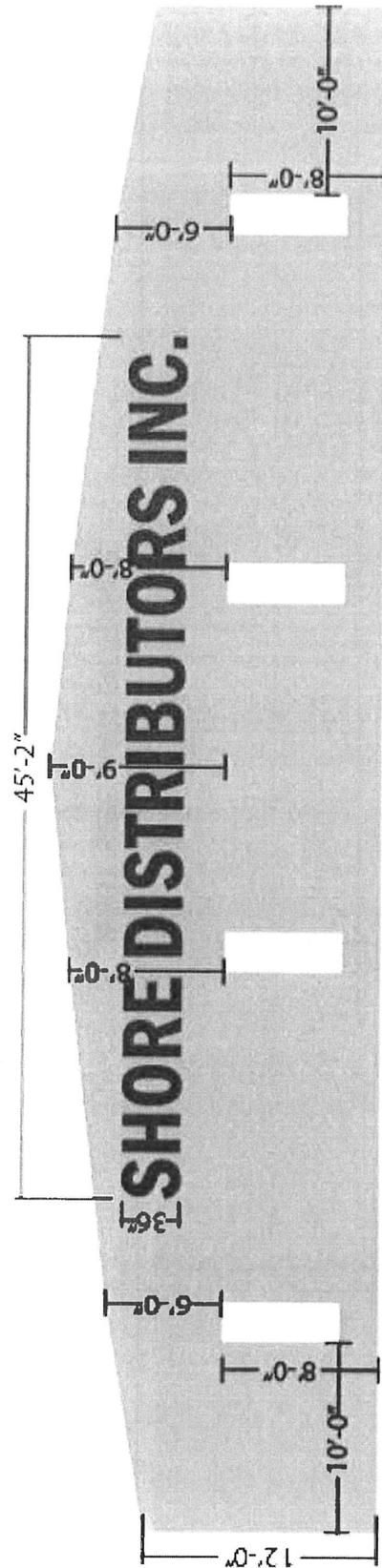
**PHILLIPS SIGNS**  
 THE DESIGN IS COPYRIGHTED AND IS THE EXCLUSIVE PROPERTY OF PHILLIPS SIGNS, INC. ALL RIGHTS TO THE DESIGN OR REPRODUCTION OF THIS DESIGN ARE RESERVED BY PHILLIPS SIGNS, INC. NO REPRODUCTION OF THIS DESIGN IS PERMITTED WITHOUT THE PERMISSION OF PHILLIPS SIGNS, INC. SEAFORD, DE. (302) 628-9062 FAX (302) 628-9062  
 PHILLIPS SIGNS, INC., SEAFORD, DE (302) 628-9062  
 IF APPLICABLE, THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 608 OF THE NATIONAL ELECTRICAL CODE, AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**CUSTOMER INFORMATION**  
 Customer: SHORE  
 Address: DISTRIBUTORS INC.  
 Date: 7.8.10.20  
 Site: Ben Phillips

**DRAWING INFORMATION**  
 Scale:  
 Rev/Date: 7.20.08 Illuminated  
 Sign Cabinet Faces

**CUSTOMER**  
 Signed: \_\_\_\_\_  
 Date: \_\_\_\_\_

IF APPROVED, PLEASE SIGN & DATE BACK TO 902-4-0011



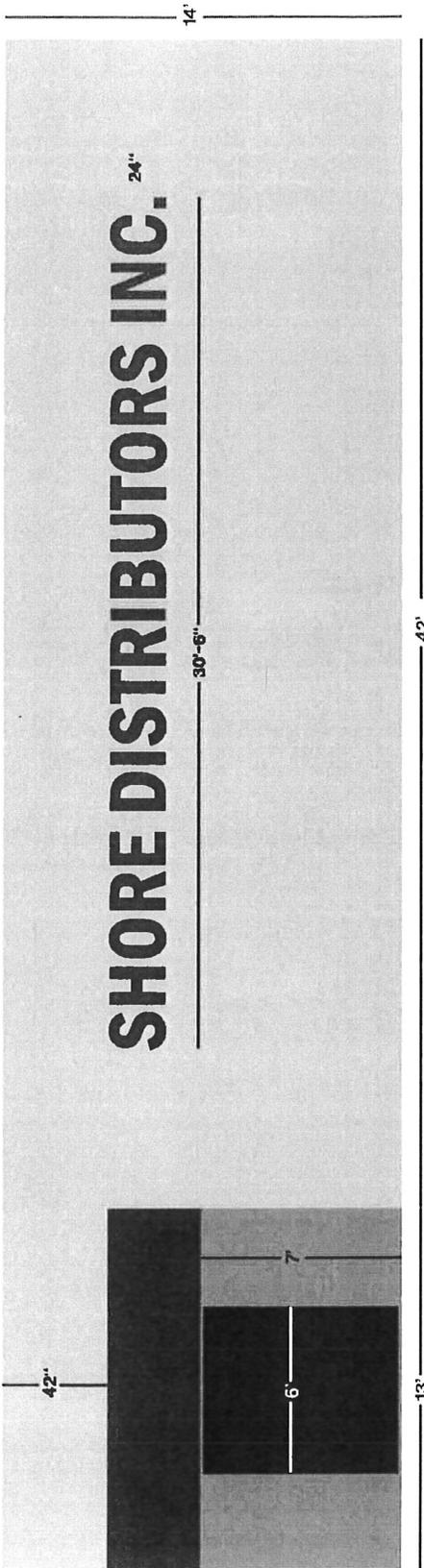
TAN BUILDING & GREEN LETTERS

**SCOPE OF WORK:**

*Fabricate & Install*

**NEW ILLUMINATED CHANNEL LETTERS**

<p><b>PHILLIPS SIGNS</b></p> <p>PHILLIPS SIGNS, INC., SEAFORD, DE (302) 629-3550/FAX (302) 628-9082</p> <p><small>IF APPLICABLE THE SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.</small></p>	<p><b>CUSTOMER INFORMATION</b></p> <p>Customer: SHORE</p> <p>Address: DISTRIBUTORS INC.</p> <p>Date: 7.8.2020</p> <p>Site: Ben Phillips</p>	<p><b>DRAWING INFORMATION</b></p> <p>Scale:</p> <p>PG. Name:</p> <p>Revisions: BULGANS LETTERS</p>	<p><b>CUSTOMER</b></p> <p>Customer:</p> <p>Signature:</p> <p>Date:</p>
	<p><small>THIS DESIGN IS COPYRIGHTED AND IS THE EXCLUSIVE PROPERTY OF PHILLIPS SIGNS, INC. ALL RIGHTS TO IT, DESIGN OR REPRODUCTION ARE RESERVED BY PHILLIPS SIGNS, INC. DESIGN OR REPRODUCTION OF THIS DESIGN OR NAME BE MADE WITHOUT THE PERMISSION OF PHILLIPS SIGNS, INC. SEAFORD, DE. (302) 629-3550/FAX (302) 628-9082</small></p>		



WEST SIDE MAIN ENTRANCE

# TAB “9”

**Case No. 2020-07**

**SHORE DISTRIBUTORS  
CONDITIONS OF APPROVAL (PROPOSED)**

1. The conditional use shall be limited to the applicant's wholesale distribution business, which includes, but is not limited to, sales, equipment/supply storage and cutting/sizing of materials by and for customers/contractors.
2. The hours of operation shall be limited to the following:

Monday-Friday:	6:00 a.m. through 6:00 p.m.,
Saturday:	6:00 a.m. to 2:00 p.m., and
Sunday:	NONE (closed).
3. All materials, supplies and equipment shall be stored indoors.
4. All cutting or sizing involved with the materials and supplies shall occur indoors.
5. All maintenance of vehicles and equipment shall be performed indoors.
6. A Type 3 landscaped buffer shall be installed and maintained beyond the rear of the building and parking area shown on the Final Site Plan.
7. All exterior lighting shall be downward screened so that it does not shine directly onto neighboring properties.
8. The Final Site Plan shall clearly show all areas for vehicle parking, and these areas shall be clearly marked on the property itself.
9. The signage permitted for the conditional use shall be as follows:

One lighted ground sign, 4' x 6';
One lighted, lettered sign on the front of the building, 3' x 45' 2";
One lighted, lettered sign on the side of the building, 2' x 30' 6"; and
Appropriate Instructional Signage (e.g., entrance, exit).
10. The property owner shall be responsible for compliance with all other statutes, laws ordinances, rules or regulations of any federal, state, county, or other governmental entity having subject matter jurisdiction over the proposed use of the property.
11. The Final Site Plan shall be subject to the review and approval of the Town of Georgetown.



## Town of Georgetown Review Application

All submittals to include the number of copies shown below of the Review Application, Plans/Prints and any other supportive documentation that may be required with the appropriate fee as per Town Code, Chapter 98. Please note the number of copies listed below are for review purposes. Additional copies will be required prior to Planning Commission review or final signatures.

Check Type of Review Requested	Paper Copies	PDF/CD
<input type="checkbox"/> Category II Plan Review	2	2
<input type="checkbox"/> Category I Site Plan - Preliminary	2	2
<input type="checkbox"/> Category I Site Plan - Final	2	2
<input checked="" type="checkbox"/> Conditional Use	2	2
<input type="checkbox"/> Historic Review	2	1
<input type="checkbox"/> Subdivision/RPC Review - Conceptual	2	2
<input type="checkbox"/> Subdivision/RPC Review - Preliminary	2	2
<input type="checkbox"/> Subdivision/RPC Review - Final	2	2
<input type="checkbox"/> Utility Review	2	1
<input type="checkbox"/> Zoning Amendment	2	2
<input type="checkbox"/> Other:		

Property Information	
Sussex County Tax Map/Parcel:	135-19.08-127.00
Project Location:	211 West Market Street
Property Size/Dimension:	1.26 Acres
Project Title/Name:	Proposed Conditional Use - Shore Distributors
Current Zoning District:	UR2
Proposed Zoning (if applicable):	N/A
Current Property Use:	Commercial - Prior Nonconforming Before Code
Proposed Property Use:	Commercial - Conditional - Wholesale Distribution - Sale Pending

Current Property Owner Information	
Current Owner Name:	W & C Fisher Properties I, LLC
Phone Number:	(302) 684-4508
Fax Number:	
Email Address:	ctf19968@aol.com
Mailing Address:	103 Oysterman Drive
City, State, Zip Code:	Milton, DE 19968

Engineer / Surveyor Information	
Company Name:	Russell T. Hammond, Surveying, LLC
Contact Name:	Russell T. Hammond
Phone Number:	(410) 352-5674 (410) 726-8076
Fax Number:	
Email Address:	
Mailing Address:	10310 Hotel Road
City, State, Zip Code:	Bishopville, MD 21813

Applicant/Developer Information	
Company Name:	W & C Fisher Properties I, LLC
Contact Name:	Connie Fisher
Phone Number:	(302) 684-4508
Fax Number:	
Email Address:	ctf19968@aol.com
Mailing Address:	103 Oysterman Drive
City, State, Zip Code:	Milton, DE 19968

Designated Primary Contact	
Contact Name:	David N. Rutt, Esquire
Phone Number:	(302) 856-9568
Fax Number:	(302) 855-9803
Email Address:	dnrutt@mooreandrutt.com
Mailing Address:	122 W. Market Street
City, State, Zip Code:	Georgetown, DE 19947

**Please read and certify the following:**

1. I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct.
2. This project was designed in accordance with the plan requirements in the Comprehensive Plan, Zoning Code, Design Standards as well as the Construction Standards for the Town of Georgetown.
3. I, or an agent on my behalf, will attend all public hearings/meetings necessary for this project in order to answer any questions to the best of my ability in respect to the present and future needs, health, safety, morals, convenience, order, prosperity and general welfare of the inhabitants of Georgetown.
4. I understand that any incomplete applications will not move forward in the review process and I will be notified in writing after a thorough review has been completed by the Planning Department.
5. It is understood that the Planning Department processes all applications in the order in which they were received. Each application will continue in the process once eligibility and the appropriate reviews have been completed.
6. I understand that only the designated primary contact listed on this application will receive any and all review comments, meeting information and correspondence to and from the Town of Georgetown.
7. I understand that the Applicant/Developer will be billed for the professional services rendered from the Town Engineer and/or the Town Solicitor, as required for my application, unless I notify the Town Planning Department in writing advising otherwise.

Signatures	
Applicant/Developer	<i>Connie Fisher</i>
Designated Primary Contact	<i>David Rutt (RTA)</i>
All Current Property Owners	<i>Connie Fisher</i>
Parcel -	135-19.08-127.00
Parcel -	
Parcel -	

**OFFICE USE ONLY**

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Cash/Check #: \_\_\_\_\_

Submit all requests to the Planning Department, 37 The Circle, Georgetown DE 19947  
 Phone: (302)856-7391 Fax: (302)856-6348



807 Brown Street  
Salisbury, MD 21802  
Tel: 410-749-3121  
Toll Free: 800-338-7790  
Fax: 410-749-6081  
[www.shoredist.com](http://www.shoredist.com)

## CONDITIONAL USE

### Shore Distributors History

- Founded in 1946 by John E. & Margaret Morris
- Owned and managed by 3<sup>rd</sup> generation Morris family
- 12 locations on DelMarVa, 4 in Delaware
- Headquartered in Salisbury
- Established a Georgetown location in the 1960s
- Positive experiences in Georgetown for more than 50 years
- All Shore Distributors' properties are owned and managed by Morris & Morris Limited Partnership

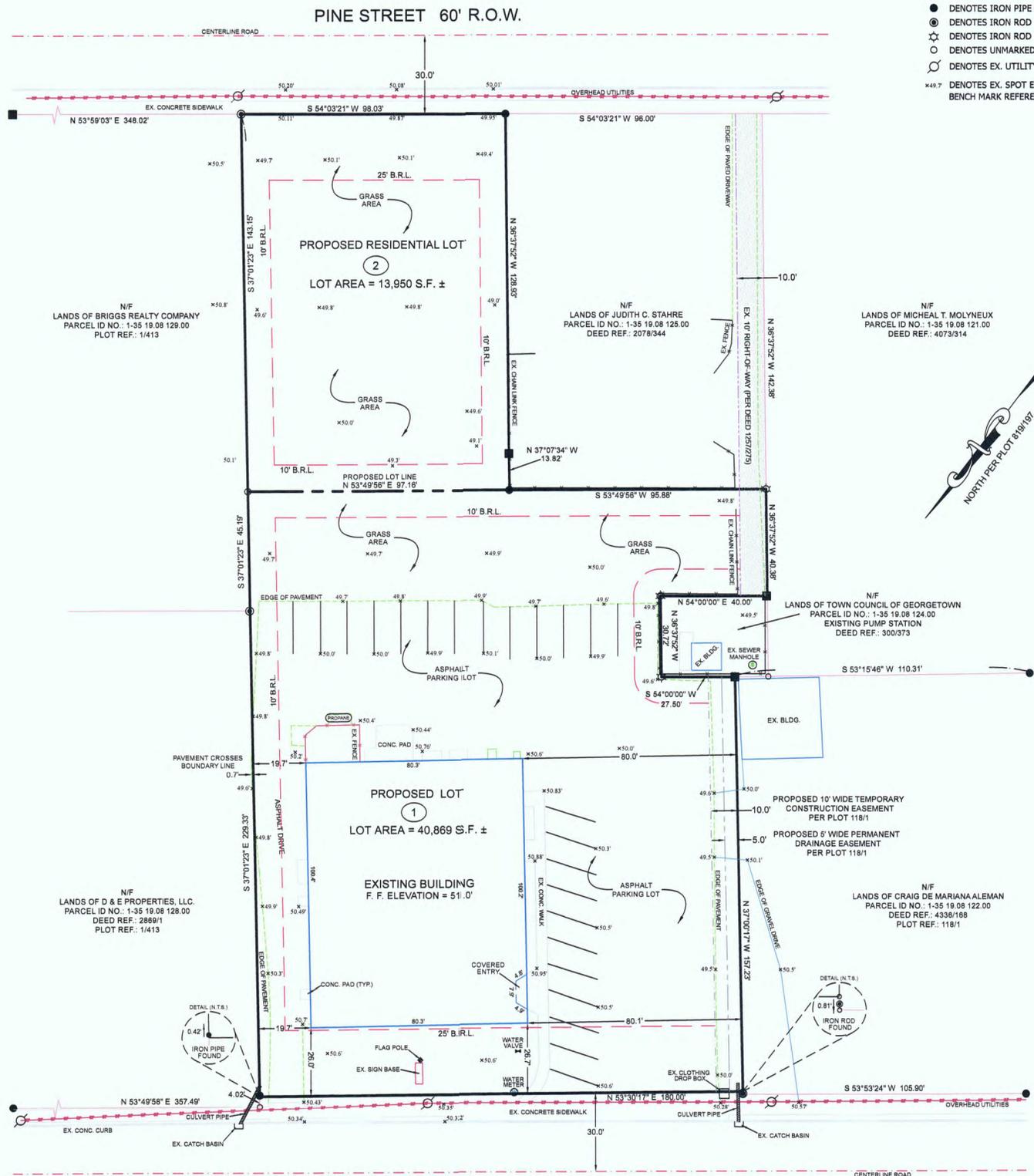
### 211 West Market Street Plans

- Shore Distributors requests a conditional use for wholesale distribution
- The need for this conditional use is created because DelDOT has informed Shore Distributors that its current location at the intersection of Rt. 113 and Rt. 18 will be part of the DelDOT fly-over scheduled for this intersection
- Shore Distributors' scope of business includes:
  - 1) Hours of operation: Weekdays (M-F): 6 a.m.- 6 p.m.;  
Saturday: 6 a.m. – 2 p.m.; and  
Sunday (closed)
  - 2) Daily truck delivery from our Salisbury distribution center to Georgetown, generally by tractor trailer
  - 3) Typically service 30-40 customers a day, who generally arrive in small work trucks or van, sometimes cars
- Scope of building rehabilitation will probably consist of, but not be limited to:
  - 1) Extensive exterior remodeling including repair and painting of exterior
  - 2) Updated landscape & signage
  - 3) Extensive interior remodeling including HVAC, lighting, floors, ceiling panels, etc.
  - 4) Shore Distributors is considering surveying, sub-dividing and requesting a zoning change to residential or multi-family residential for the rear portion of the lot that faces W. Pine St. for future sale or building potential
  - 5) It is Shore Distributor's intent to enhance this building's appearance and make it a more attractive part of the streetscape to all arriving or departing Georgetown on Market Street

NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS OF WAY, WETLANDS, UTILITIES OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.



- (IN FEET)  
1" = 30'  
MIN. ACCURACY = 0.1'±
- DENOTES CONC. MON. FOUND
  - DENOTES IRON PIPE FOUND
  - ⊙ DENOTES IRON ROD FOUND
  - ⊛ DENOTES IRON ROD SET
  - ☆ DENOTES UNMARKED POINT
  - DENOTES UNMARKED POINT
  - DENOTES EX. UTILITY POLE
  - x49.7 DENOTES EX. SPOT ELEVATION
  - BENCH MARK REFERENCE: A 42 (ELEVATION = 47.76')



- UR-2 MEDIUM RESIDENTIAL DISTRICT**
1. MINIMUM REQUIRED LOT AREA = 10,000 SQ. FT.
  2. MINIMUM REQUIRED LOT WIDTH = 75'
  3. MINIMUM REQUIRED LOT DEPTH = 100'
  4. MINIMUM REQUIRED SETBACKS:  
FRONT = 25'  
SIDES = 10'  
REAR = 10'

GENERAL NOTES:  
ADDRESS: 211 WEST MARKET STREET  
TAX ID NO.: 1-35 19.08 128.00  
DEED REF.: 3876/214  
PLOT REF.: 819/197  
TOTAL LOT AREA: 1.26 ACRES±  
EX. ZONING: UR 2 (THROUGH LOT)  
ZONING SETBACKS:  
FRONT: 25', SIDES: 10', REAR: 10'  
FLOOD ZONE: X  
PER FIRM NO. 100062 0300 L  
DATED JUNE 20, 2018.  
CLASS "B" SURVEY

**CONCEPTUAL SITE PLAN**  
LANDS OF W & C FISHER PROPERTIES, I, LLC.  
GEORGETOWN HUNDRED, SUSSEX COUNTY, DELAWARE  
TOWN OF GEORGETOWN

**RUSSELL T. HAMMOND**  
Surveying, LLC

SURVEYING - LAND PLANNING  
10310 Hotel Road Bishopville, MD 21813  
(410) 352-5674 - (410)726-8076

DESIGNED BY	N/A	SURVEYED BY	RS/BO/JR	FILE #	2018-2094
DRAWN BY	R. SAVAGE/RT HAMMOND	DATE	10/31/2019	SHEET 1 OF 1	
CHECKED BY	R.T. Hammond	SCALE	1" = 30'		



RUSSELL T. HAMMOND SURVEYING, LLC. RESERVES ITS COMMON LAW COPYRIGHT IN THESE PLANS, PLATS, OR OTHER DOCUMENTS. ANY AMENDMENTS, COPYING OR DISTRIBUTION, INCLUDING COMPUTER GENERATED AMENDMENTS, IS PROHIBITED UNLESS PERMITTED IN WRITING BY RUSSELL T. HAMMOND SURVEYING, LLC.

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF DELAWARE LICENSE NO. 56-0000761. EXPIRATION DATE 06/30/2018.

### EXHIBITS

1. Deed from Pittards to Fishers dated June 7, 1961. Deed Book 535, page 447
2. Deed from Straub and Kimmerly to Fishers dated December 30, 1969 for two adjacent parcels. Deed Book 650, page 731
3. Deed from Fishers to themselves dated February 18, 1976. Deed Book 776, page 212
4. Deed from Sara A. Hill to Fishers dated July 12, 1985 for property in West Pine Street. Deed Book 1352, page 71
5. Sussex County Tax Maps showing all parcels for Exhibits 1-4 combined into Tax Map Parcel 135-19.08-127.00
6. Deeds from Fishers individually to current owner, W & C Fisher Properties I, LLC. Deed Book 1257, page 87; Deed Book 1940, page 112; Deed Book 3876, page 214

***EXHIBIT “1”***

BOOK 535 PAGE 447

DEED—Typewriter  
Sold by YOUNG & REVEL, Inc., Plotters  
MILFORD, DELAWARE**This Deed, MADE THE**

*7th* day of June, in the year of our LORD,  
one thousand nine hundred and sixty-one.

**Between** GEORGE ROBERT PITTARD and VIRGINIA W. PITTARD, his wife, of Georgetown, Sussex County, Delaware, parties of the first part;

And

WILLIAM M. FISHER and CONSTANCE T. FISHER, his wife, of 715 Chestnut Street, Milton, Broadkill Hundred, Sussex County, Delaware, parties 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) and other valuable consideration lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said parties of the second part, their heirs and assigns, as tenants by the entirety.

**All** that certain lot of land, situate, lying and being in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, lying on the South side of West Market Street, and being a lot of land one hundred and twenty (120) feet in width and one hundred and seventy (170) feet in depth, improved with an ell shaped frame building, a part of which is One Story and a part two story in height.

Recital: Being the same lot of land that was conveyed to George Robert Pittard by deed of John I. Cannon, Sheriff, selling lands of Richard F. Hourdequin and Walter B. Shockley, said deed bearing date November 20, 1950, and recorded December 5, 1950, in the office of the Recorder of Deeds in and for Sussex County, in Deed Book Vol. 397, Page 545 etc.

BOOK 535 PAGE 448

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SEALED AND DELIVERED in the presence of  
W. P. Bayard

*George Robert Pittard* (Seal)  
*Virginia W. Pittard* (Seal)  
\_\_\_\_\_  
\_\_\_\_\_  
(Seal)  
(Seal)



State of Delaware, Sussex County. } ss.

Be It Remembered, That on this 7th day of June, in the year of our Lord one thousand nine hundred and sixty-one, personally came before me, the Subscriber, George Robert Pittard and Virginia W. Pittard, his wife.

Parties to this Indenture, known to me personally to be such, and they acknowledged this Indenture to be their Deed. GIVEN under my hand and Seal of Office, the day and year aforesaid.

PURCHASERS REPORT MADE  
This 7th day of June 1961  
Board of Assessors of Sussex County  
By *Walter T. Veasey*  
*Walter T. Veasey* Notary Public

RECEIVED FOR RECORD  
June 7 A. D. 1961  
EDWARD VEASEY, Recorder



***EXHIBIT “2”***

03423

TEASE, FAULKNER & DUNLAP  
ATTORNEYS AT LAW  
GEORGETOWN, DELAWARE

BOOK 650 PAGE 731

**This Deed**, made this 30th day of December, 1969, by

and between: DOROTHY E. STRAUB and EUGENE D. STRAUB, her husband, 4823 LaSalle Road, Washington, D.C. 20018, and BARBARA E. KIMMERLY and FRED E. KIMMERLY, her husband, 391 North Ridge Road, Fort Chester, New York, 10573, parties of the first part,

- AND -

WILLIAM W. FISHER and CONSTANCE T. FISHER, his wife, 715 Chestnut Street, Milton, Delaware,

parties of the second part;

Witnesseth, that the said parties of the first part, for and in consideration of the sum of four thousand eight hundred dollars (\$4,800.00) current lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said parties of the second part, their heirs and assigns,

ALL that certain lot, piece, and parcel of land situate, lying and being in the corporate limits of Georgetown, Sussex County, Delaware, fronting on the southerly side of West Market Street in said town: BEGINNING for the mates and bounds thereof at the northwest corner of a lot formerly of Dr. Joseph B. Waples, Sr., and in the line of the southerly side of Market Street; running in a westerly course with the line of the southerly side of Market Street, a distance of sixty (60) feet to lands now or formerly of Gordon E. Smack; thence at right angles with said Market Street and with lands now or formerly of Gordon E. Smack in a southerly direction, a distance of one hundred seventy (170) feet to lands now or formerly of John T. Wagon; thence in an easterly direction and parallel with said Market Street a distance of sixty (60) feet to lot now or formerly of Joseph B. Waples, Sr., thence in a northerly course with line of lands now or formerly of Dr. Joseph B. Waples, Sr. a distance of one hundred seventy (170) feet to the place of beginning, containing ten thousand two hundred (10,200) square feet, more or less.

ALL that certain piece and parcel of land, lying and situated in Sussex County, State of Delaware, being a part of land now or formerly of Joseph Littleton, beginning at the north corner of the land now or formerly of Elmer Rogers, running parallel with the line of the said Elmer Rogers, in a southerly direction to the lands now or formerly of Dr. Joseph B. Waples, a distance of eighty-five (85) feet; thence in a westerly direction for sixty (60) feet adjoining the land now or formerly of Joseph Littleton to a post; thence north to the land now or formerly of Elmer Rogers for eighty-five (85) feet and thence sixty (60) feet in an easterly direction the place of starting, containing five thousand one hundred feet (5,100').

The above tracts of land were conveyed to Constance B. Brown, by deed of George Cregg and Kathryn Cregg, his wife, dated April 2, 1954, and of record in the office of the Recorder of Deeds at Georgetown in volume 432 at page 241.

Constance Brown departed this life testate on April 20, 1967 and devised the above properties unto her daughters, Dorothy D. Straub and Barbara Kimmerly, by Item Fifth of her last will and testament which is of record in the office of the Register of Wills

BOOK 650 PAGE 732

at Georgetown in will book 63 at page 1. By Item Fourth of her will she devised a life interest in the aforesaid properties to her husband, J. Edward Brown.

Jay Edward Brown conveyed his life interest in the above described properties unto the present owners by deed dated July 7, 1969, and of record in the office of the Recorder of Deeds in volume 645 at page 524.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:

_____ DOROTHY E. STRAUB (SEAL)	_____ EUGENE D. STRAUB (SEAL)
_____ BARBARA E. KIMMERLY (SEAL)	_____ FRED E. KIMMERLY (SEAL)

STATE OF MARYLAND I  
I SS:  
COUNTY OF Prince Georges

BE IT REMEMBERED, that on this 30<sup>th</sup> day of December, 1969, personally came before me, the subscriber, a notary public in and for the county and state aforesaid, Dorothy E. Straub and Eugene D. Straub,

parties to this indenture, known to me personally to be such, and they acknowledged this indenture to be their act and deed.

Given under my hand and seal of office the day and year aforesaid.

320722  
State of Delaware  
REALTY TRANSFER TAX \$ 48.00

Notary Public

STATE OF NEW YORK I  
I SS:  
COUNTY OF Westchester

BE IT REMEMBERED, that on this 30<sup>th</sup> day of December, 1969, personally came before me, the subscriber, a notary public in and for the county and state aforesaid, Barbara E. Kimmerly and Fred E. Kimmerly,

parties to this indenture, known to me personally to be such, and they acknowledged this indenture to be their act and deed.

Given under my hand and seal of office the day and year

RECEIVED  
JAMES V. RAYTOR, JR.  
JAN 7 12 24 PM '70  
Notary Public

RECORDED IN DEEDS  
SUSSEX COUNTY  
JAMES E. LEHTON, JR.  
Notary Public, State of New York  
No. 66-749175  
Qualified in Westchester County  
Term Expires March 30, 1971

FORGONE FEES MADE  
THE STATE OF NEW YORK  
Board of Assessment of 1970  
James Brock, Clerk

***EXHIBIT “3”***

NO LIEN OR TITLE SEARCH WAS DONE AS NONE WAS REQUESTED.

DUNLAP, HOLLAND & EBERLY  
A PROFESSIONAL ASSOCIATION  
ATTORNEYS AT LAW  
GEORGETOWN, DELAWARE 19847

BOOK 776 PAGE 212

661

**This Deed**, made this 18<sup>th</sup> day of February, 1976, by  
and between: WILLIAM W. FISHER and CONSTANCE T. FISHER, his wife,  
Milton, Sussex County, Delaware,  
parties of the first part,

- AND -

WILLIAM W. FISHER and CONSTANCE T. FISHER, his wife, of  
Milton, Sussex County, Delaware,  
parties 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) and other good  
and valuable considerations-----, current lawful money of the  
United States of America, the receipt whereof is hereby acknow-  
ledged, hereby grant and convey unto the said parties of the  
second part, their heirs and assigns,

TRACT NO. 1: ALL that certain lot, piece, and parcel  
of land situate, lying and being in the corporate limits of  
Georgetown, Sussex County, Delaware, fronting on the southerly  
side of West Market Street in said town; BEGINNING for the  
metes and bounds thereof at the northwest corner of a lot  
formerly of Dr. Joseph B. Waples, Sr., and in the line of  
the southerly side of Market Street; running in a westerly  
course with the line of the southerly side of Market Street,  
a distance of sixty (60) feet to lands now or formerly of  
Gordon E. Smack; thence at right angles with said Market  
Street and with lands now or formerly of Gordon E. Smack in  
a southerly direction, a distance of one hundred seventy  
(170) feet to lands now or formerly of John T. Wagamon;  
thence in an easterly direction and parallel with said  
Market Street a distance of sixty (60) feet to lot now or  
formerly of Joseph B. Waples, Sr., thence in a northerly  
course with line of lands now or formerly of Dr. Joseph B.  
Waples, Sr. a distance of one hundred seventy (170) feet to  
the place of beginning, containing ten thousand two hundred  
(10,200) square feet, more or less.

TRACT NO. 2: ALL that certain piece and parcel of  
land, lying and situated in Sussex County, State of Delaware,  
being a part of land now or formerly of Joseph Littleton,  
beginning at the north corner of the land now or formerly of  
Elmer Rogers, running parallel with the line of the said  
Elmer Rogers, in a southerly direction to the lands now or  
formerly of Dr. Joseph B. Waples, a distance of eighty-five  
(85) feet; thence in a westerly direction for sixty (60)  
feet adjoining the land now or formerly of Joseph Littleton  
to a post; thence North to the land now or formerly of Elmer  
Rogers for eighty-five (85) feet and thence sixty (60) feet  
in an easterly direction the place of starting, containing  
five thousand one hundred feet (5,100').

BEING the same land conveyed unto William M. Fisher and  
Constance T. Fisher, his wife, by deed of Dorothy E. Straub,  
et al, dated December 30, 1969 and filed for record in the  
Office of the Recorder of Deeds, Georgetown, Sussex County,  
Delaware, in Deed Book 650, Page 731.

BOOK 776 PAGE 213

TRACT NO. 3: ALL that certain lot of land, situate, lying and being in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, lying on the South side of West Market Street, and being a lot of land one hundred and twenty (120) feet in width and one hundred and seventy (170) feet in depth, improved with an ell shaped frame building, a part of which is one-story and a part two-story in height.

BEING the same lands conveyed unto William W. Fisher and Constance T. Fisher, his wife, by deed of George Robert Pittard and Virginia W. Pittard, his wife, dated June 7, 1961, and filed for record in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 535, Page 447.

This conveyance is made in accordance with 25 Del.C. §311 with the intention of vesting an estate in joint tenancy with right of survivorship in the Grantees named, as if the same had been conveyed by this Grantor to a third party and by such third party to these Grantees.

State of Delaware  
STATE TAX DEPT. - SUSSEX  
REALTY TRANSFER TAX \$0.00  
APR 18 1976

BOOK 776 PAGE 214

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of:

Shirley A Friend, WILLIAM W. FISHER (SEAL)

Shirley A Friend, CONSTANCE T. FISHER (SEAL)

(SEAL)

(SEAL)

STATE OF DELAWARE I
COUNTY OF SUSSEX I

BE IT REMEMBERED, that on this day of February, 1976, personally came before me, the subscriber, a notary public in and for the county and state aforesaid, WILLIAM W. FISHER and CONSTANCE T. FISHER, his wife,

parties to this indenture, known to me personally to be such, and they acknowledged this indenture to be their act and deed.

Given under my hand and seal of office the day and year aforesaid.

Shirley A Friend Notary Public

RECEIVED MARY ANN McCABE
STATE OF FEB 18 10 30 AM '76
RECORDER OF DEEDS I
COUNTY OF SUSSEX COUNTY I

BE IT REMEMBERED, that on this day of 19 , personally came before me, the subscriber, a notary public in and for the county and state aforesaid,

part to this indenture, known to me personally to be such, and acknowledged this indenture to be act and deed.

Given under my hand and seal of office the day and year aforesaid.

Notary Public

PURCHASERS REPORT MADE
THIS 19th DAY OF February 1976
ASSESSOR, COUNTY OF SUSSEX COUNTY
MILDRED E. SAVAGE

Shirley A Friend - Shirley A Friend
3-3-76

***EXHIBIT “4”***

DE 1352 PAGE 71

11574

**This Deed, made this**

12th day of July, in the year of  
our LORD one thousand nine hundred and eighty-five,

**BETWEEN**, SARA A. HILL, Widow, of 109 Norfolk Street, Rehoboth Beach,  
Sussex County, DE 19971, party of the first part,

- A N D -

WILLIAM W. FISHER and CONSTANCE T. FISHER, his wife, (as  
Tenants by the Entirety, with Right of Survivorship), of 211 West Market Street,  
Georgetown, Sussex County, DE 19947, parties of the second part.

**Witnesseth**, That the said party of the first part, for and in consideration of  
the sum of-----\$6,700.00-----lawful money of the United  
States of America, the receipt whereof is hereby acknowledged, hereby grants  
and conveys unto the said parties of the second part.

**ALL** THAT CERTAIN Lot, piece or parcel  
of land situated in the Town of Georgetown, Georgetown Hundred, Sussex County,  
Delaware, on the Northwesterly side of Pine Street Extended and more particularly  
described as follows: BEGINNING at a post driven on the Northwesterly side of  
Pine Street Extended, it being the Northeasterly corner of lands of Edward Rogers;  
thence running in a northerly direction along the line of lands of Edward Rogers,  
North 38° 45' West 128.6 feet to corner stake in the line of lands of Edward  
Rogers, a corner for lands of Elmer Rogers; thence running in a northeasterly  
direction along the line of lands of Elmer Rogers, North 51° 45' East 98 feet  
to another stake, corner for lands of Dr. Joseph B. Waples; thence running in  
a southeasterly direction along the line of lands of Dr. Joseph B. Waples, South  
38° 45' East 129.6 feet to a stake in the Northwesterly side of Pine Street  
Extended; thence in a southwesterly direction along and with Pine Street Extended,  
South 52° 27' West 98 feet home to the place of beginning, containing 12,642  
square feet of land, ±, according to survey made by E. L. Mustard, November 24,  
1937.

BEING the same land conveyed to William L.  
Hill by Deed of Anna Short, Widow, dated the 20th day of October, 1945, and of  
record in the Office of the Recorder of Deeds in and for Sussex County, George-  
town, Delaware, in Deed Book 354, at Page 593. THE SAID William L. Hill died  
on the 22nd day of June, 1966, and under Item 1 of his Last Will and Testament,  
of record in the Office of the Register of Wills in and for Sussex County, George-  
town, Delaware, in Will Book 58, at Page 525, he devised said land to his wife,  
Sara A. Hill, the above Grantor.

LAW OFFICES OF  
**Maul & Maul**  
EAST MARKET STREET  
GEORGETOWN, DELAWARE 19947

BOOK 1352 PAGE 72

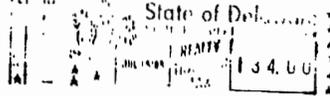
In Witness Whereof, The said party of the first part has hereunto set her hand and seal the day and year aforesaid.

SIGNED, SEALED, DELIVERED, and Witnessed in the presence of

Witness signatures and seals, including Sara A. Hill (Seal)

STATE OF DELAWARE, SUSSEX County, ss.

BE IT REMEMBERED, that on this 12th day of July, in the year of our Lord one thousand nine hundred and eighty-five, personally came before me, a Notary Public in and for the State and County aforesaid, SARA A. HILL, Widow,



Party to this Indenture, known to me personally to be such, and she acknowledge this Indenture to be her Deed. GIVEN under my hand and Seal of Office, the day and year aforesaid,

RECEIVED MARY ANN... 1985 JUL 15 PM 2:04 SUSSEX COUNTY

LAW OFFICES OF Maul & Maul, P.A. P.O. BOX 500 EAST HARRINGTON STREET GEORGETOWN, DEL.

Notary Public signature

PURCHASERS REPORT MADE DAY OF July 1985 ASSESSMENT DIVISION OF SUSSEX COUNTY

Handwritten notes: Sara A. Hill, 7-23-85

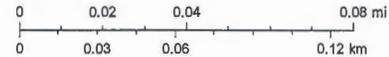
***EXHIBIT “5”***

135-19.08-127.00 211 W MARKET ST, GEORGETOWN, DE, 19947



February 3, 2019

1:1,586



Sussex County Government  
FirstMap

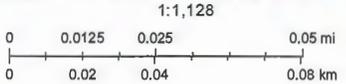
Property Tax Information - Sussex County DE

# Sussex County



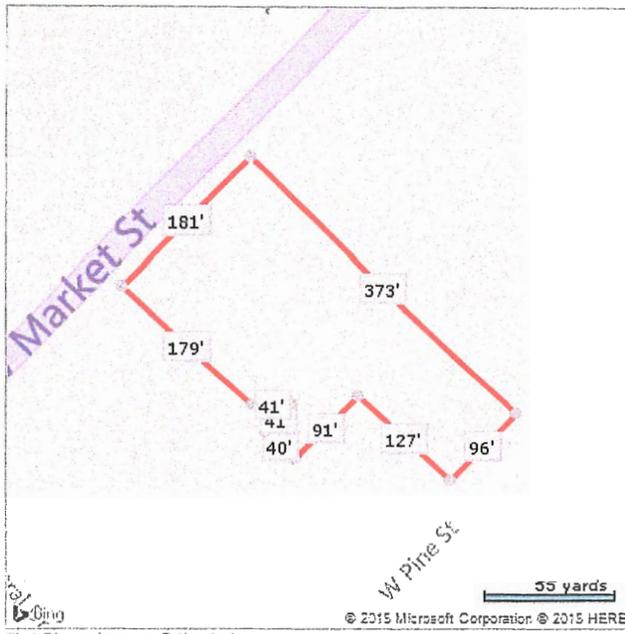
February 3, 2019

- |              |   |                   |
|--------------|---|-------------------|
| polygonLayer | — | Streets           |
| Override 1   | □ | County Boundaries |
- |              |   |             |
|--------------|---|-------------|
| polygonLayer | □ | Tax Parcels |
| Override 1   |   | 911 Address |

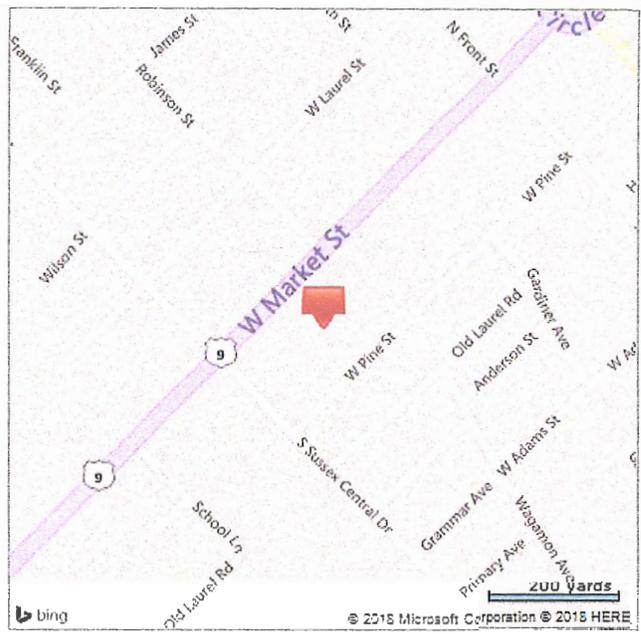


Delaware Department of Education  
 Sussex County  
 Sussex County Government  
 Sussex County Mapping and Addressing  
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics,

## Property Map



\*Lot Dimensions are Estimated



Courtesy of TYSON MAYERS, Sussex County Association of REALTORS

The data within this report is compiled by CoreLogic from public and private sources. The data is deemed reliable, but is not guaranteed. The accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

**Property Detail**

Generated on 04/05/2018  
Page 2 of 2

***EXHIBIT “6”***

BOOK 1257 PAGE 87

3935

**This Deed, made this**

26th day of April in the year of our

LORD one thousand nine hundred and eighty-four

**BETWEEN.** WILLIAM W. FISHER and CONSTANCE T. FISHER, of 715 Chestnut Street, Milton, Delaware, parties of the first part,

-and-

WILLIAM W. FISHER and CONSTANCE T. FISHER, of 715 Chestnut Street, Milton, Delaware 19968, as tenants in common, parties 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 acknowledge, hereby grant and convey unto the said parties of the second part, their Heirs and Assigns, as tenants in common, and not as tenants by the entirety,

**ALL**

those certain lots, pieces, and parcels of land, being described more fully as follows, to wit:

**Tract 1** ALL that certain lot, piece and parcel of land, situate, lying and being in the corporate limits of the Town of Georgetown, Sussex County, Delaware, located on the Southerly side of West Market Street in said Town and more particularly described as follows, to wit: BEGINNING at an iron pipe (found) located at the back side of the sidewalk running parallel to West Market Street, thence South 36 degrees 30 minutes 34 seconds East a distance of 242.23 feet to an iron pipe (found); thence continuing South 36 degrees 30 minutes 34 seconds East a distance of 57.53 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 60.00 feet to a concrete monument (set); thence continuing South 54 degrees 00 minutes 00 seconds West a distance of 37.24 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a distance of 85.00 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 82.76 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a distance of 157.23 feet to an iron pipe (set); thence North 54 degrees 00 minutes 00 seconds East a distance of 180.00 feet to an iron pipe, said iron pipe being the place of beginning, be the contents thereof what they may, as surveyed by J. J. McCann, P.L.S. 299, and dated November 12, 1976, a copy of which is attached to the Deed of Record, in the Office of the Recorder of Deeds, in and

DAVID W. BAKER, Esq., P.A.  
100 SOUTH RACE STREET  
P. O. BOX 861  
GEORGETOWN, DELAWARE  
19947

NO TITLE SEARCH REQUESTED - NONE PERFORMED

## BOOK 1257 PAGE 86

for Sussex County, Delaware, in Deed Book 776, Page 212.

BEING the same lands conveyed to William W. Fisher and Constance T. Fisher, husband and wife, by deed of William W. Fisher, etux, dated December 3, 1976, and of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 819, Page 196.

Tract 2 ALL that certain lot, situate, lying and being in Broadkill Hundred, Sussex County, Delaware, more fully described as follows: Lot No. 11, Section 1, as shown by signature of Alfred W. Joseph and approved by the County Planning & Zoning Commission of Sussex County, on the plot attached hereto, in SuSax Acres, a development of the grantors, located approximately one (1) mile South of Milton, Delaware, on the south side of the road leading from Milton to Georgetown, said Lot No. 11 being on the north side of the "Mill Pond", the exact courses and distances of which more fully appear on the plot attached to the Deed of Record, in Deed Book 724, Page 842 &c. This conveyance is subject to the reservations and restrictions set forth in the Deed of Record, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 724, Page 841 &c.

BEING the same land conveyed to William W. Fisher and Constance T. Fisher, husband and wife, by deed of Richard R. Draper etux, dated January 2, 1974, and of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 724, Page 841.

Tract 3 ALL that certain lot situate, lying and being in Broadkill Hundred, Sussex County, Delaware, more fully described as follows: Lot No. 10 in SuSax Acres, a development of the grantors located approximately one mile south of Milton, Delaware, on the south side of the road leading from Milton to Georgetown, said Lot No. 10 being on the north side of the "Mill Pond" the exact courses and distances of which more fully appear on the plot attached to the Deed of Record, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

This lot herein conveyed is subject to the reservations and restrictions attached to the Deed of Record, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_. (This conveyance is subject to the reservations and restrictions set forth in the Deed of Record) in the office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

BEING the same land conveyed to William Fisher and Constance T. Fisher, husband and wife, by deed of Richard R. Draper etux, dated \_\_\_\_\_, 1969, and of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

Tract 4 ALL that certain tract, piece or parcel of land situate, lying and being in Broadkill Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

BEING Lot No. 3, Block 13 of "Extension to the South" of Old Broadkill Beach, commencing at a point South 19 degrees East a distance of 106.6 feet from the southwest corner created by the intersection of Filmore Avenue and a certain 12 ft. drive; thence with the edge of said 12 ft. drive South 19 degrees East a distance of 53.3 feet to a stake; thence South 51 degrees West a distance of 100 feet to a stake; thence North 19 degrees West a distance of 53.3 feet to a stake; thence with the line of Lot 2, Block 13, North 51 degrees East a distance of 100 feet to a stake, the place of beginning, be the contents thereof what they may; EXCEPTING AND RESERVING, however, a five ft. easement adjoining the aforesaid 12 ft. alley for the purpose of expansion of the said 12 ft. alley for ingress and egress to other lands of this grantor.

DAVID W. BAKER, ESQ., P.A.  
100 SOUTH RACE STREET  
P. O. BOX 861  
GEORGETOWN, DELAWARE  
19947

BOOK 1257 PAGE 89

BEING the same land conveyed to William W. Fisher and Constance Fisher, husband and wife, by deed of Conrad R. Travers etux, dated August 1, 1978, and of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 909, Page 4.

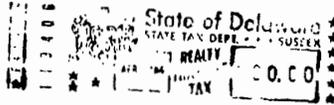
This conveyance is made subject to the following restrictions:

- 1. To not maintain chicken houses, pig pens or nuisances of any variety on these premises;
- 2. To not excavate or remove sand from these premises;
- 3. To use the premises for residential purposes only and to maintain no trade or business of any nature whatsoever thereon.

**Tract 5** ALL that certain lot of ground with the buildings and improvements thereon erected, situate, lying and being in the Town of Laurel, Little Creek Hundred, Sussex County, State of Delaware, Being composed of Lots 3, 4, 5 and 6 Lands of John M. Collins, recorded in Office of Recorder of Deeds at Georgetown, Delaware in FMO Vol.403, page 69.

BEGINNING at a point on the westerly side of State Highway Route 13A, at its intersection with the easterly side of a 20 foot wide alley, thence extending in a curve along the line of said Highway the distance of 278.6 feet to a point a concrete marker set for a corner of this and land of C. C. Oliphant and Son, Inc.; thence extending along the said land of Oliphant South 70 degrees 55 minutes West the distance of 110 feet to a point on the easterly side of said 20 foot wide alley, the last mentioned line being at right angles thereto; thence extending along the said alley South 19 degrees 05 minutes East the distance of 255 feet to the point of intersection with said State Highway and first mentioned place of beginning.

BEING the same land conveyed to William W. Fisher, by deed of GETTY OIL COMPANY (EASTERN OPERATIONS), INC., dated August 16, 1973, an of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 715, Page 982.



DAVID W. BAKER, Esq., P.A.  
100 SOUTH RACE STREET  
P. O. BOX 161  
GEORGETOWN, DELAWARE  
19847

BOOK 1257 PAGE 90

In Witness Whereof, The said parties of the first part have hereunto set their hand and seal, the day and year aforesaid.

SIGNED, SEALED, DELIVERED, and Witnessed in the presence of

D. W. Baker  
as to both  
\_\_\_\_\_  
\_\_\_\_\_

William W. Fisher (Seal)  
William W. Fisher (Seal)  
Constance T. Fisher (Seal)  
Constance T. Fisher (Seal)

STATE OF DELAWARE,

SUSSEX

County, ss.

BE IT REMEMBERED, that on this 26<sup>th</sup> day of April in the year of our Lord one thousand nine hundred and eighty-four personally came before me, a Notary Public in and for the State and County aforesaid, WILLIAM W. FISHER and CONSTANCE T. FISHER,

THIS 1<sup>st</sup> PURCHASERS REPORT MADE DAY OF May 1984 ASSESSMENT DIVISION OF SUSSEX COUNTY

Parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

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

David W. Baker  
Notary Public



RECEIVED  
MARY ANN HARRISON  
1984 APR 30 PM 4:20  
SUSSEX COUNTY

My Commission expires June 20, 1985  
DAVID W. BAKER, ESQ., P.A.  
100 SOUTH RACE STREET  
P. O. BOX 851  
GEORGETOWN, DELAWARE  
19847

David Baker, Atty.  
5-11-84

23110

#01940 112

3-34-13-1050	2-35-20-28	2-35-10-10
1-35-1908-123	2-32-12.19-2	10.00
126 x 127	1-33-17.14-26	

Prepared by: David W. Baker, Esq., P.A.  
 P O Box 551, 109 S. Race St.  
 Georgetown, Delaware 19947

**This Deed, made this** 23rd day of September,

in the year of our Lord One Thousand Nine Hundred Ninety-Three.

**BETWEEN WILLIAM W. FISHER and CONSTANCE T. FISHER, husband and wife, of RD 2, Box 121, Milton, Delaware 19968, parties of the first part,**

-and-

**WILLIAM W. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF WILLIAM W. FISHER DATED 9/23/93 as to an undivided one-half interest, and CONSTANCE T. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONSTANCE T. FISHER DATED 9/23/93, as to an undivided one-half interest, of RD 2, Box 121, Milton, Delaware 19968, parties of the second part,**

WITNESSETH, that for the sum of One Dollar (\$1.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, the said WILLIAM W. FISHER and CONSTANCE T. FISHER, do hereby grant and convey an undivided one-half interest in the hereinafter described property unto WILLIAM W. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF WILLIAM W. FISHER DATED 9/23/93 and an undivided one-half interest in the hereinafter described property unto CONSTANCE T. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONSTANCE T. FISHER DATED 9/23/93, their respective successors and assigns,

**PARCEL ONE:**

ALL THAT certain lot, piece or parcel of land, situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, State of Delaware, being known and designated as LOT NO. ONE HUNDRED FORTY-ONE (141), SECTION FOUR (4), KINGS CREEK COUNTRY CLUB RESIDENTIAL COMMUNITY, as more particularly bounded and described on a Plot of Kings Creek Country Club & Residential Community, prepared by Land Tech, Inc., Surveyors, Planners, Consulting Engineers, of record in the Office of the Recorder

NO LIEN OR TITLE SEARCH PERFORMED - NONE REQUESTED



8209 111	10/15/93	CTY-EX	BU	.00
5494 332	10/15/93	TX-EX	ST	.00

*SDUM*

01940 113

of Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 42, Page 42, &c., as amended as to Sheets 4 and 8 in Plot Book 43, Page 111, and Page 112, respectively.

SUBJECT TO the restrictions and easements as contained in a Deed from Kings Creek Associates, a Delaware general partnership, to Katharine D. Cannon, dated March 17, 1988, and now of record in the office of the Recorder of Deeds, aforesaid, in Deed Book 1658, Page 1, &c., as the same are amended from time to time; and as contained on the Plot of record in Plot Book 42, Page 42, &c., as amended as to Sheets 4 and 8 in Plot Book 43, Page 111 and 112, respectively.

THE STREETS, roads, and ways in Kings Creek Country Club Residential Community are private and shall be maintained, used, and enjoyed in accordance with the Restrictions, Conditions, Covenants, Agreements, Easements, Reservations, Changes, etc. of Kings Creek Country Club Residential Community; said streets, road, and ways are not maintained by Sussex County or the State of Delaware.

BEING the lands conveyed to William W. Fisher and Constance T. Fisher by Deed of Kings Creek Associates, dated May 14, 1990, and of record in the Office of the Recorder of Deeds, in and for Sussex County, in Deed Book 1716, Page 76, &c.

**PARCEL TWO:**

ALL That Certain tract, piece or parcel of land situate, lying and being in Dagsboro Hundred Sussex County and State of Delaware, and being more particularly described as follows, to-wit:

BEGINNING at a pipe found along the right-of-way of Sussex County Road #339 (30' R/W) (Old Landing Road), said pipe forming a corner for this tract and lands now or formerly of John Raymond Burton; thence running by and with the said Burton Lands North 04 degrees 44 minutes 05 seconds West, 300 feet to a pipe; thence continuing along the same course 9 feet to a point at the center of a ditch which forms the boundary between this tract and the lands of Millsboro Cemetery, Inc.; thence turning and running by and with the centerline of the ditch the following four (4) courses and distances: (1) North 61 degrees 36 minutes 21 seconds East 27.69 feet; (2) North 32 degrees 07 minutes 36 seconds East 90.68 feet; (3) North 13 degrees 58 minutes 46 seconds East 72.36 feet; and (4) North 50 degrees 52 minutes 08 seconds East 45.00 feet to a pipe placed at the back of a four (4') foot walk adjoining Sussex County Road #331 (50' R/W); thence turning and running by and with the said walk South 37 degrees 46 minutes 50 seconds East, 114.85 feet to a point; thence continuing to run along the said walk by and with a curve to the left with the following measurements: R=1899.00', Delta=09 degrees 04 minutes 02 seconds, A=300.52', C=300.21' and BRG=8 42 degrees 18 minutes 51 seconds E, to another point along the said walk; thence running South 46 degrees 50 minutes 52 seconds East, 205.48

#01940 2114

feet to a point at the intersection of the right-of-way of Sussex County Road #331 and the right-of-way of Sussex County Road #339; thence turning and running by and with the right-of-way of Sussex County Road #339, South 85 degrees 15 minutes 55 seconds West, 348.62 feet to a concrete monument found, said concrete monument forming a corner for this tract and lands now or formerly of Will Roy Justice; thence turning and running by and with the said Justice Lands the following three (3) courses and distances: (1) North 04 degrees 48 minutes 04 seconds West, 150.00 feet to a concrete monument found; (2) South 85 degrees 15 minutes 55 seconds West, 75.00 feet to a concrete monument found; and (3) South 04 degrees 48 minutes 04 seconds East, 150.00 feet to a concrete monument set along the aforesaid right-of-way of Sussex County Road #339; thence turning and running by and with the said right-of-way of Sussex County Road #339, South 85 degrees 15 minutes 55 seconds West, 100.00 feet, home to the point and place of Beginning, and said to contain 2.9863 acres, more or less, as shown on a plat of survey prepared by Donald K. Miller, Professional Land Surveyor, dated January 16, 1991, said survey now being of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Plot Book 46 page 169.

**SUBJECT** to all easements and restrictions of record.

**BEING** the same land conveyed to William W. Fisher and Constance T. Fisher, by deed of Meyer Ablemen, et al., dated June 5, 1991, and of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1785 page 282.

**PARCEL THREE:**

**ALL THAT CERTAIN** Lot, piece or parcel of land situated in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, on the Northwestern side of Pine Street Extended and more particularly described as follows:

**BEGINNING** at a post driven on the Northwestern side of Pine Street Extended, it being the Northeast corner of lands of Edward Rogers; thence running in a northerly direction along the line of lands of Edward Rogers, North 38° 45' West 128.6 feet to corner stake in the line of lands of Edward Rogers, a corner for lands of Elmer Rogers; thence running in a northeasterly direction along the line of lands of Elmer Rogers, North 51° 45' East 98 feet to another stake, corner for lands of Dr. Joseph B. Waples; thence running in a southeasterly direction along the line of lands of Dr. Joseph B. Waples, South 38° 45' East 129.6 feet to a stake in the Northwestern side of Pine Street Extended; thence in a southwesterly direction along and with Pine Street Extended, South 52° 27' West 98 feet home to the place of beginning, containing 12,642 square feet of land, +/-, according to survey made by E. L. Mustard, November 24, 1937.

#01940 2115

BEING the same lands conveyed to William W. Fisher and Constance T. Fisher, by deed of Sara A. Hill, dated July 12, 1985, and of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1352 page 71.

PARCEL FOUR:

Tract No. 1:

ALL that certain lot, piece, and parcel of land situate, lying and being in the corporate limits of Georgetown, Sussex County, Delaware, fronting on the southerly side of West Market Street in said town:

BEGINNING for the metes and bounds thereof at the northwest corner of a lot formerly of Dr. Joseph B. Waples, Sr., and in the line of the southerly side of Market Street; running in a westerly course with the line of the southerly side of Market Street, a distance of sixty (60) feet to lands now or formerly of Gordon E. Smack; thence at right angles with said Market Street and with lands now or formerly of Gordon E. Smack in a southerly direction, a distance of one hundred seventy (170) feet to lands now or formerly of John T. Wagoner; thence in an easterly direction and parallel with said Market Street a distance of sixty (60) feet to lot now or formerly of Joseph B. Waples, Sr., thence in a northerly course with line of lands now or formerly of Dr. Joseph B. Waples, Sr. a distance of one hundred seventy (170) feet to the place of beginning, containing ten thousand two hundred (10,200) square feet, more or less.

Tract No. 2:

ALL that certain piece and parcel of land, lying and situated in Sussex County, State of Delaware, being a part of land now or formerly of Joseph Littleton, beginning at the north corner of the land now or formerly of Elmer Rogers, running parallel with the line of the said Elmer Rogers, in a southerly direction to the lands now or formerly of Dr. Joseph B. Waples, a distance of eighty-five (85) feet; thence in a westerly direction for sixty (60) feet adjoining the land now or formerly of Joseph Littleton to a post; thence North to the land now or formerly of Elmer Rogers for eighty-five (85) feet and thence sixty (60) feet in an easterly direction the place of starting, containing five thousand one hundred feet (5,100').

Tract No. 3:

ALL that certain lot of land, situate, lying and being in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, lying on the south side of West Market Street, and being a lot of land one hundred and twenty (120) feet in width and one hundred and seventy (170) feet in depth, improved with an ell shaped frame building, a part of which is one-story and a part two-story in height.

#01940 2116

Tracts 1, 2 and 3 BEING the same lands conveyed to William W. Fisher and Constance T. Fisher, by deed of William W. Fisher and Constance T. Fisher, dated February 18, 1976, and of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 776, page 212.

**PARCEL FIVE:**

ALL those certain lots, pieces and parcels of land situate, lying and being in Broadkill Hundred, Sussex County, State of Delaware, being more particularly described as follows, to wit:

BEING all of Lots 35 and 36, Block A, as shown upon a plot of Old Inlet Beach, Section II, Broadkill Beach, as revised and finalized by E. H. Richardson and Associates, dated May 16, 1969, be the contents what they may.

BEING the lands conveyed to William W. Fisher and Constance T. Fisher, by deed of Thomas S. Shull and Agnes M. Shull, dated October 15, 1984, of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1297 at page 214.

THIS CONVEYANCE is made subject to the restrictions of record in the Office of the Recorder of Deeds, aforesaid, in Deed Book 673 at page 971.

**PARCEL SIX:**

ALL those certain lots, pieces, and parcels of land, being described more fully as follows, to wit:

**Tract 1:**

ALL that certain lot, piece and parcel of land, situate, lying and being in the corporate limits of the Town of Georgetown, Sussex County, Delaware, located on the Southerly side of West market Street in said Town and more particularly described as follows, to wit:

BEGINNING at an iron pipe (found) located at the back side of the sidewalk running parallel to West Market Street, thence South 36 degrees 30 minutes 34 seconds East a distance of 242.23 feet to an iron pipe (found); thence continuing South 36 degrees 30 minutes 34 seconds East a distance of 57.53 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 60.00 feet to a concrete monument (set) thence continuing South 54 degrees 00 minutes 00 seconds West a distance of 37.24 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a distance of 85.00 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 82.76 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a distance of 157.23 feet to an iron pipe (set); thence North 54 degrees 00 minutes 00

#01940 2117

seconds East a distance of 180.00 feet to an iron pipe, said iron pipe being the place of beginning, be the contents thereof what they may, as surveyed by J. J. McCann, P.L.S. 299, and dated November 12, 1976, a copy of which is attached to the Deed of Record, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 776, Page 212.

**Tract 2**

ALL that certain lot, situate, lying and being in Broadkill Hundred, Sussex County, Delaware, more fully described as follows: Lot No. 11, Section 1, as shown by signature of Alfred W. Joseph and approved by the County Planning & Zoning Commission of Sussex County, on the plot attached hereto, in SuSax Acres, a development of the grantors, located approximately one (1) mile South of Milton, Delaware, on the south side of the road leading from Milton to Georgetown, said Lot No. 11 being on the north side of the "Mill Pond", the exact courses and distances of which more fully appear on the plot attached to the Deed of Record, in Deed Book 724, Page R42 &c. This conveyance is subject to the reservations and restrictions set forth in the Deed of Record, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 724, Page 841 &c.

**Tract 3**

ALL that certain lot situate, lying and being in Broadkill Hundred, Sussex County, Delaware, more fully described as follows: Lot No. 10 in SuSax Acres, a development of the grantors located approximately one mile south of Milton, Delaware, on the south side of the road leading from Milton to Georgetown, said Lot No. 10 being on the north side of the "Mill Pond" the exact courses and distances of which more fully appear on the plot attached to the Deed of Record, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

This lot herein conveyed is subject to the reservations and restrictions attached to the Deed of record, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_. This conveyance is subject to the reservations and restrictions set forth in the Deed of Record, in the office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

**Tract 4**

ALL that certain tract, piece or parcel of land situate, lying and being in Broadkill Hundred, Sussex County, State of Delaware, more particularly described as follows, to wit:

BEING Lot No. 3, Block 13 of "Extension to the South" of old Broadkill Beach, commencing at a point South 19 degrees East a distance of 106.6 feet from the southwest corner created by the intersection of

#01940 2118

Filmore Avenue and a certain 12 ft. drive; thence with the edge of said 12 ft. drive South 19 degrees East a distance of 53.3 feet to a stake; thence South 51 degrees West a distance of 100 feet to a stake; thence North 19 degrees West a distance of 53.3 feet to a stake; thence with the line of Lot 2, Block 13, North 51 degrees East a distance of 100 feet to a stake, the place of beginning, be the contents thereof what they may; EXCEPTING AND RESERVING, however, a five ft. easement adjoining the aforesaid 12 ft. alley for the purpose of expansion of the said 12 ft. alley for ingress and egress to other lands of this grantor.

THIS CONVEYANCE is made subject to the following restrictions:

1. To not maintain chicken houses, pig pens or nuisances of any variety on these premises;
2. To not excavate or remove sand from these premises;
3. To use the premises for residential purposes only and to maintain no trade or business of any nature whatsoever thereon.

Tract 5

ALL that certain lot of ground with the buildings and improvements thereon erected, situate, lying and being in the Town of Laurel, Little Creek Hundred, Sussex County, State of Delaware, Being composed of Lots 3, 4, 5 and 6 Lands of John M. Collins, recorded in office of Recorder of Deeds at Georgetown, Delaware in FMO Vol. 403, page 69.

BEGINNING at a point on the westerly side of State Highway Route 13A, at its intersection with the easterly side of a 20 foot wide alley, thence extending said Highway the point a concrete this and land of thence extending South 70 degrees of 110 feet to a in a curve along the line of distance of 278.6 feet to a marker set for a corner of C. C. Oliphant and Son, Inc.; along the said land of Oliphant 55 minutes West the distance point on the easterly side of said 20 foot wide alley, the last mentioned line being at right angles thereto; thence extending along the said alley South 19 degrees 05 minutes East the distance of 255 feet to the point of intersection with said State Highway and first mentioned place of beginning.

PARCEL SIX BEING the lands conveyed to William W. Fisher and Constance T. Fisher, by deed of William W. Fisher and Constance T. Fisher, dated April 26, 1984, and of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1257 page 87.

Said Trustees shall have and hold the herein described property in fee simple and with full power and authority in said Trustees to sell, contract, exchange, convey, mortgage, encumber, lease, subdivide, or otherwise dispose of and deal with said property.

#01940 #119

No party dealing with the Trustees in relation to said property in any manner whatsoever shall be obligated to (a) see to the application of any purchase money, rent or money borrowed or otherwise advanced on the property, (b) to see that the terms of this trust have been complied with, (c) to inquire into the authority, necessity or expediency of any act of the Trustees, or (d) be privileged to inquire into any of the terms of the trust agreement.

Every deed, mortgage, lease, or trust or other instrument executed by the Trustees in relation to the property shall be conclusive evidence in favor of every person claiming any right, title or interest thereunder (a) that at the time of the delivery thereof, this deed was in full force and effect, (b) that such instrument was executed in accordance with the trust, terms and conditions thereof and of the trust agreement and is binding upon all beneficiaries thereunder, (c) that the Trustees were duly authorized and empowered to execute and deliver every such instrument, and (d) if such conveyance has been made by a successor or successors in trust, or a Trustee or Trustees have been substituted, that such successor or successors have been properly and are fully vested with all the right, title, estate, powers and duties of his or her predecessor in trust. The Trustees shall have no individual liability or obligation whatsoever arising from their ownership as Trustees of the legal title to said property or with respect to any act done or contract entered into or indebtedness incurred by their dealing with said property or in otherwise acting as such Trustees except only so far as said trust property and any trust funds in actual possession of the Trustees shall be applicable to the payment and discharge thereof.

#01940 2120

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED, and Witnessed in the presence of

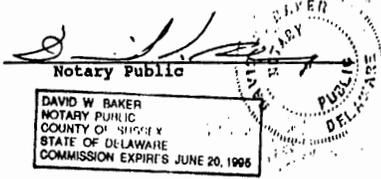
Kimberly C. Beauchamp  
David W. Baker

William W. Fisher (SEAL)  
Constance T. Fisher (SEAL)

STATE OF DELAWARE :  
: ss.  
SUSSEX COUNTY :

BE IT REMEMBERED, that on this 23rd day of September, in the year of our Lord one thousand nine hundred and ninety-three personally came before me, a Notary Public in and for the State and County aforesaid, WILLIAM W. FISHER and CONSTANCE T. FISHER, parties to this Indenture, known to me personally to be such, and acknowledge this Indenture to be their Deed.

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

  
 Notary Public  
 DAVID W BAKER  
 NOTARY PUBLIC  
 COUNTY OF SUSSEX  
 STATE OF DELAWARE  
 COMMISSION EXPIRES JUNE 20, 1995

David W. Baker, attyp. 11/15/93

DALLAS D. GREEN  
DOC. SURCHARGE PAID  
93 OCT 15 AM 11:43  
RECORDER OF DEEDS  
SUSSEX COUNTY

PURCHASERS REPORT  
MADE THIS DATE  
OCT 18 1993  
ASSESSMENT DIVISION

TOWN OF LAUREL  
REALTY TRANSFER TAX  
TRANSACTION NO. 93  
CANCELED BY [Signature]  
AMOUNT \$ [Amount]  
DATE [Date]

9713

BK: 3876 PG: 214

Tax Parcel # 1 - 35 - 19.08 - 123.00  
1 - 35 - 19.08 - 126.00  
1 - 35 - 19.08 - 127.00

PREPARED BY: David W. Baker, Esq., P.A.  
109 South Race Street  
P.O. Box 551  
Georgetown, Delaware 19947

RETURN TO: W & C FISHER PROPERTIES, I, LLC  
c/o WILLIAM W. FISHER  
CONSTANCE T. FISHER  
119 Bangor Lane  
Milton, Delaware 19968

NO TITLE OR LIEN SEARCH  
PERFORMED - NONE REQUESTED

**This Deed, made this** 24<sup>TH</sup> day of MARCH,

in the year of our Lord Two Thousand Eleven.

**Between** WILLIAM W. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF WILLIAM W. FISHER DATED 9/23/93, as to an undivided one-half interest, and CONSTANCE T. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONSTANCE T. FISHER DATED 9/23/93, as to an undivided one-half interest, of 119 Bangor Lane, Milton, Delaware 19968, parties of the first part,

-and-

W & C FISHER PROPERTIES, I, LLC, a Delaware limited liability company, of 119 Bangor Lane, 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) and other valuable consideration, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey the hereinafter described property unto the said party of the second part, its Successors and Assigns,

K5

BK: 3876 PG: 215

Tract No. 1:

ALL that certain Lot, piece or parcel of land situated in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, on the Northwesterly side of Pine Street Extended and more particularly described as follows:

BEGINNING at a post driven on the Northwesterly side of Pine Street Extended, it being the Northeasterly corner of lands of Edward Rogers; thence running in a northerly direction along the line of lands of Edward Rogers, North 38° 45' West 128.6 feet to corner stake in the line of lands of Edward Rogers, a corner for lands of Elmer Rogers; thence running in a northeasterly direction along the line of lands of Elmer Rogers, North 51° 45' East 98 feet to another stake, corner for lands of Dr. Joseph B. Waples; thence running in a southeasterly direction along the line of lands of Dr. Joseph B. Waples, South 38° 45' East 129.6 feet to a stake in the Northwesterly side of Pine Street Extended; thence in a southwesterly direction along and with Pine Street Extended, South 52° 27' West 98 feet home to the place of beginning, containing 12,642 square feet of land, +/-, according to survey made by E. L. Mustard, November 24, 1937.

Tract No. 2:

ALL that certain lot, piece, and parcel of land situate, lying and being in the corporate limits of Georgetown, Sussex County, Delaware, fronting on the southerly side of West Market Street in said town:

BEGINNING for the metes and bounds thereof at the northwest corner of a lot formerly of Dr. Joseph B. Waples, Sr., and in the line of the southerly side of Market Street; running in a westerly course with the line of the southerly side of Market Street, a distance of sixty (60) feet to lands now or formerly of Gordon E. Smack; thence at right angles with said Market Street and with lands now or formerly of Gordon E. Smack in a southerly direction, a distance of one hundred seventy (170) feet to lands now or formerly of John T. Wagamon; thence in an easterly direction and parallel with said Market Street a distance of sixty (60) feet to lot now or formerly of Joseph B. Waples, Sr., thence in a northerly course with line of lands now or formerly of Dr. Joseph B. Waples, Sr. a distance of one hundred seventy (170) feet to the place of beginning, containing ten thousand two hundred (10,200) square feet, more or less.

BK: 3876 PG: 216

Tract No. 3:

ALL that certain piece and parcel of land, lying and situated in Sussex County, State of Delaware, being a part of land now or formerly of Joseph Littleton, beginning at the north corner of the land now or formerly of Elmer Rogers, running parallel with the line of the said Elmer Rogers, in a southerly direction to the lands now or formerly of Dr. Joseph B. Waples, a distance of eighty-five (85) feet; thence in a westerly direction for sixty (60) feet adjoining the land now or formerly of Joseph Littleton to a post; thence North to the land now or formerly of Elmer Rogers for eighty-five (85) feet and thence sixty (60) feet in an easterly direction the place of starting, containing five thousand one hundred feet (5,100').

Tract No. 4:

ALL that certain lot of land, situate, lying and being in the Town of Georgetown, Georgetown Hundred, Sussex County, Delaware, lying on the south side of West Market Street, and being a lot of land one hundred and twenty (120) feet in width and one hundred and seventy (170) feet in depth, improved with an L-shaped frame building, a part of which is one-story and a part two-story in height.

Tract 5:

ALL that certain lot, piece and parcel of land, situate, lying and being in the corporate limits of the Town of Georgetown, Sussex County, Delaware, located on the Southerly side of West market Street in said Town and more particularly described as follows, to wit:

BEGINNING at an iron pipe (found) located at the back side of the sidewalk running parallel to West Market Street, thence South 36 degrees 30 minutes 34 seconds East a distance of 242.23 feet to an iron pipe (found); thence continuing South 36 degrees 30 minutes 34 seconds East a distance of 57.53 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 60.00 feet to a concrete monument (set) thence continuing South 54 degrees 00 minutes 00 seconds West a distance of 37.24 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a distance of 85.00 feet to a concrete monument (set); thence South 54 degrees 00 minutes 00 seconds West a distance of 82.76 feet to a concrete monument (set); thence North 36 degrees 30 minutes 34 seconds West a

BK: 3876 PG: 217

distance of 157.23 feet to an iron pipe (set); thence North 54 degrees 00 minutes 00 seconds East a distance of 180.00 feet to an iron pipe, said iron pipe being the place of beginning, be the contents thereof what they may, as surveyed by J. J. McCann, P.L.S. 299, and dated November 12, 1976, a copy of which is attached to the Deed of Record, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 776, Page 212.

**BEING** the same lands conveyed unto WILLIAM W. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF WILLIAM W. FISHER DATED 9/23/93, and CONSTANCE T. FISHER, TRUSTEE UNDER REVOCABLE TRUST AGREEMENT OF CONSTANCE T. FISHER DATED 9/23/93, by deed of WILLIAM W. FISHER and CONSTANCE T. FISHER, husband and wife, dated the 23<sup>rd</sup> day of September, 1993, and filed of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Deed Book 1940, page 112.



## Town of Georgetown Department Plan Review Report

Please be sure to complete this form and return by the due date

Department Name:	Engineer/Planner
Reviewer Name:	Scott Hoffman
Project #:	2020-07
Project Name:	Proposed Conditional Use - Shore Distributors
Project Location:	135-19.08-127.00

- I have reviewed the above mentioned application and have no comments to submit.
- I have reviewed the above mentioned application and have comments that need to be incorporated in the next submittal. See the attached written comments.
- I have reviewed the above mentioned application and have comments that need to be addressed, please resubmit before moving forward. See the attached written comments
- I do not need to see this project in the future as it has no/minimal impact on the Dept.
- I have reviewed and agree with the Town Engineer's comments.

I may be contacted directly by the point of contact on the application for questions/clarification on the comments that I have produced for this project. I further understand that I may also be requested to attend a technical evaluation meeting in the Planning Department to discuss any comments with the applicant.



Signature of Reviewer



Completion Date

**TOWN OF GEORGETOWN PLAN REVIEW**

DUFFIELD ASSOCIATES, INC. Project Review Comments	Submittal Phase: <u>Conditional Use</u>	Project No.: <u>2020-07</u>
	Date Submitted: <u>2-27-2020</u>	Project Title: <u>Proposed Conditional Use – Shore Distributers</u>
	Submittal No.: <u>1</u>	Project A/E: <u>Russell T. Hammond, Surveying, LLC</u>
	Duffield Project No.: <u>00.10730.BB Phase 55</u>	
	Date Returned: <u>3-16-2020</u>	

Distribution: P & Z  Town Manager  DPW  Town Engineer  Other

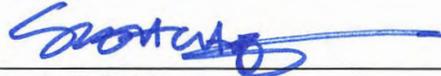
Name of Reviewer: Scott C. Hoffman, P.E. Office: Dover, DE 302-674-9280

Documents Reviewed: Site Plan dated 10/31/2019

DWG/PAGE NO.	COMMENT NO.	PROJECT REVIEW COMMENTS	APPLICANT RESPONSE
General	1	Provide responses to these comments <u>on this form</u> with the submission of the revised plans.	
	2	These plans were reviewed for completeness based on the Town's standards for Administrative Review, Town Code §230-213.1. See attachment for Category 2 Plan Review Requirements.	
	3	If applicant is aware of a non-conforming situation based on the existing site elements or any proposed improvements, that situation should be brought to the attention of the Planning and Zoning Commission at the Conditional Use Hearing.	
	4	Provide allowable and existing building height.	
	5	The applicant is encouraged to incorporate elements of the Town's Design Standards when designing building and site improvements.	
	6	Provide parking and loading space requirements and demonstrate compliance with the applicable portions of Town Code §230-148 to §230-152. Provide dimensions of parking spaces and drive aisles.	

DUFFIELD ASSOCIATES, INC. Project Review Comments	Submittal Phase: Conditional Use - Category II	Submittal No.: 1
	Reviewer: Scott C. Hoffman, P.E.	Project Title: Proposed Conditional Use – Shore Distributors

		There was not sufficient information to review this plan for parking and loading requirements. Applicant should present this information at the Conditional Use hearing.	
	7	The applicant is making landscaping improvements. Consider installing Type 3 buffer adjacent to residential parcels.	
	8	Provide sign details. Refer to Town Code §230-164 for sign requirements.	
	9	Include certifications on cover sheet as shown in Construction Standards. The Town Engineer certification should state as follows: "This site plan has been reviewed and found to be in general conformance with the Town of Georgetown standards. The applicant assumes all responsibility for design and accuracy of information show hereon."	
	10	Provide the existing building square footage.	
	11	Consider installing screening for any dumpsters or trash receptacles in accordance with Town's Design Standards.	
	12	Provide zoning of adjacent properties.	
	13	Site Plan should demonstrate compliance with ADA requirements for parking and accessible pathways to building entrance.	
	14	Show existing water and sewer locations including the location of lines and tie ins.	
	15	Provide lighting plan to demonstrate compliance with requirement that lighting be arranged and installed to minimize glare on residential areas.	

Reviewer Signature:   
 Scott C. Hoffman, P.E.

# TOWN OF GEORGETOWN - PLANNING COMMISSION

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## Draft Meeting Minutes July 15, 2020

### ATTENDANCE

#### Commissioners

Michael Barlow - absent  
Linda Dennis  
Penuel Barrett - absent  
Justin Illian  
Suraj Gyani

#### Staff

Jocelyn Godwin, Planning  
Tim Willard, Solicitor  
Jamie Craddock, Planning

#### 1. CALL MEETING TO ORDER

Commission Vice Chairperson Dennis called the meeting to order at 6:00 p.m.

#### 2. APPROVAL OF APRIL 15, 2020 MEETING MINUTES

Commissioner Illian moved, seconded by Commissioner Gyani, to approve the April 15, 2020 regular meeting minutes as presented. **APPROVED (UNANIMOUS)**

#### 3. PUBLIC HEARING

##### A. CASE #2020-05 Rezone Application

*An application by Dolson & Long, LLC., for an official zoning map amendment from Neighborhood Business District (UB2) to Urban Business District (UB1). The property is located at 108 Cedar Street, identified as Sussex County Tax Map ID 135-14.20-304.00.*

Keith Long, of Dolson & Long, LLC, presented the application. The area has several projects improving the community and there is a strong need for housing.

The public hearing was opened for comments. No comments were made either for or against the project.

Planning confirmed that no correspondence has been received.

**Commissioner Illian moved, seconded by Commissioner Gyani, to recommend APPROVAL of the zoning map amendment to Town Council.  
APPROVED (UNANIMOUS)**

##### B. CASE #2020-07 Conditional Use Application - Shore Distributors

*An application by W & C Fisher Properties I, LLC., for conditional use for wholesale distribution located at 211 West Market Street, identified as Sussex County Tax Map ID 135-19.08-127.00, zoned Medium Residential District (UR2).*

David Hutt, representing Morris & Morris (contracted purchaser of the property), presented the application. Morris & Morris Limited Partnership owns the business Shore Distributors. Also in attendance is David Rutt, representing the property owners the Fishers. With the Morris & Morris team is the principal, John Morris, realtor John McClelland, and Scott Rogers, architect with Solutions IPEM. A packet of information, Exhibit 1, was distributed to the members.

Shore Distributors has been in business since the 1960's for wholesale plumbing supplies. There are 12 locations on the Delmarva peninsula, four in Delaware. Current location is at the intersection of Route 113 and Route 18. That location is shared with NAPA, who leases from them. DelDOT released plans for a flyover impacting their current location, so they are trying to stay in the Georgetown area.

The location at 211 West Market Street has been owned by the Fishers since 1961. The existing NAPA building was built in 1977. The business had been operating for 57 years, until November 2017.

The applicant reviewed the Town's code on the conditional use criteria of Section 230-231. The property is 1.26 acres and fronts on West Pine and West Market Streets. Just over 40,000 SF will apply to conditional use with the remainder to be subdivided off in the future for residential use. The zoning on either side of the property is UB3 and across the street is a blend of UR2 and UB3.

The existing structure, since 1977, is in need of repurpose and a facelift. The proposed use is similar to NAPA, but with less foot traffic. The structure will remain in the same footprint; however, will receive extensive exterior remodeling. The site plan shows that the angled parking has been straightened and the two spaces in the front yard setback have been removed. The dumpster will be placed next to the Town's pump station and screened with fence. Landscaping will be updated and include a type 3, 15' wide landscaping buffer from the remainder of the lot. Signage will be upgraded with wall signage on two facades, for visibility along West Market, and the existing ground sign will be utilized.

Recommended conditions were presented and discussed with the Commission. In summary, the Zoning Map shows similar uses in the area. There will be limited hours of operation and all operations will be indoors. The need for the use is proven by the company being in existence since 1960. There is minimum effect on neighbors as the building already exists, it will be spruced up and generate minimal traffic. The conditions offered provide sufficient safeguards and allow minimal impact to the neighbors.

Commissioner Illian expressed concern with the nearby school and safety of the kids. Consideration regarding timing of tractor trailer truck deliveries was requested. The exterior upgrade of the building is needed to conform to the surrounding area.

Mr. Morris explained that the typical truck route is from Salisbury distribution center to Dover, Milford Georgetown, etc. Summer is the heaviest demand, 80% to 90% of deliveries are from 10 am until 2 pm, fleet is being converted to box trucks, excellent driving record and safety meetings held regularly with their drivers.

Commissioner Gyani questioned the loading dock access and agreed with a box truck there should be sufficient room. The applicant also pointed out that it is one way around the building to ease flow of traffic and they have tested a tractor trailer and it maneuvered fine.

Vice Chairperson Dennis questioned noise and the applicant confirmed that all equipment is indoors and there will be no industrial processes onsite.

Vice Chairperson Dennis asked if anyone wished to speak for or against the application.

David Rutt, representing the owners (Fishers), confirmed that for the record the property had been owned and operated as NAPA store for 60 years as an almost identical operation with mostly wholesale vs retail generating little traffic. On a personal note, as the owner of 122 & 126 West Market Street since 1998, there have been no issues or concerns with the business and he has no objection to the application.

Janice Jones, representing 200 & 202 West Market Street, asked to confirm hours of operation and if there would be deliveries after hours. The hours were provided of M-F 6 am to 6 pm, Sat 6 am to 2 pm, Sun closed. Mr. Morris confirmed there would be no deliveries after hours.

Janice Jones also asked about improvements to be made to the building. The applicant provided the proposed elevations and confirmed no additions will be made to the building. The lot in the rear will be subdivided off for residential use.

**Commissioner Illian moved, to recommend APPROVAL of the application to Town Council.**

Solicitor Willard reviewed Conditional Use code noting that approval could be tied to the submitted site plan and with conditions.

Commissioner Illian withdrew his first motion.

**Commissioner Illian moved, seconded by Commissioner Gyani, to recommend APPROVAL of the application to Town Council contingent upon following the presented site plan, with the proposed conditions of Tab 9 presented by the applicant and satisfaction of the Town Engineer's comments.**  
**APPROVED (UNANIMOUS)**

**4. HISTORIC REVIEW  
CASE #2020-14**

*An application by Paynter House, LLC., for the approval of a 12.7' x 21.8' addition to an existing storage building at 26 The Circle, identified at Sussex County Tax District 135 Map 19.08 Parcel 76.00, zoned HD (Historic District).*

Tim Willard, of Paynter House LLC, presented the application. Addition to storage garage utilizing same semi hip roof design, and colors for structure and shingles. The addition will remove two parking spaces, reducing the count of parking from 14 to 12, which is still sufficient with nine employees. The whole structure will be insulated for climate control.

**Commissioner Illian moved, seconded by Commissioner Gyani, to APPROVE the application as presented.  
APPROVED (UNANIMOUS)**

**5. PUBLIC COMMENT**

No public comment was provided.

**6. Planning Department Report**

The Commission was provided updates on projects and the status of the Comprehensive Plan. Once remaining staff updates are provided to consultant, a draft plan will be provided for review.

**7. ADJOURNMENT**

Commissioner Illian moved, seconded by Commissioner Gyani, to adjourn the meeting at 7:07 p.m. **APPROVED (UNANIMOUS)**

APPROVED:

\_\_\_\_\_  
Linda Dennis, Vice Chairperson

ATTEST:

\_\_\_\_\_  
Jocelyn Godwin, Planning



# Town of Georgetown Coronavirus (COVID-19) Policy

This policy is hereby AMENDED by Town Council, effective August 12, 2020, as to dates of applicability only.

## PURPOSE

The Town's priorities in setting this workplace policy is to:

- Maintain a safe and healthy workplace, including minimizing the potential for transmission of contagious disease;
- Maintain operational continuity;
- Encourage fairness, open communications and concern for the wellbeing of our employees, residents, and visitors.

## CONSIDERATION

Whereas, domestic and foreign health authorities have issued guidance to citizens within their respective jurisdictions, both recommending and mandating precautionary measures to defend against the spread of COVID-19, the Town of Georgetown hereby implements the following policy:

## POLICY

Employees who have symptoms of acute respiratory illness are strongly recommended to stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, cough, shortness of breath, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick.

- A. **Well Employees:** Employees who are well are expected at work as usual, even if they have been in contact with or caring for someone who is ill with an ordinary respiratory illness (in which case, typical preventive measures are recommended for them as care givers). Well employees are expected at work unless they have been:
  - a. caring for someone with a confirmed case of COVID-19, in which case they are required to self-isolate and follow any measure implemented by any regulatory authority;
  - b. in a CDC Level 3 area of concern for COVID-19; or
  - c. instructed to refrain from attending work by their personal physician or public health officials, in which case documentation must be provided.
- B. **Sick Employees:** Employees who have symptoms of respiratory illness must stay home and not come to work until they are free of fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g.,

cough suppressants). A fever is defined as a temperature of 100.4 degrees Fahrenheit or 38 degrees Celsius taken by an oral thermometer.

Any employee who is diagnosed with, or is under observation or quarantine for COVID-19 must stay home and may not come to work until fully released for duty in writing by a competent medical provider or public health authority, submitted to and approved by the Town Manager prior to returning to work.

- C. **Non-Chargeable Sick Time:** Employees will not be required to use their accrued sick leave or vacation time should they be required to be quarantined as a result of exposure to or complications from coronavirus/COVID-19.
- D. **Non-Chargeable Family and Dependent Care Time:** Employees with dependent children, partners, household members, or elders under their care who are ill or quarantined in the manner described at Section C above will not be required to use sick leave or vacation time should they be required to provide care. Appropriate documentation may be required.
- E. **Coverage Period:** Employees will be afforded their regular wages for up to 14 work days to recover from any exposure. Should a time period greater than 14 days be required, the employee shall notify their supervisor and the Town Manager immediately. Each case greater than 14 days will be handled on a case by case basis.
- F. **Reporting Sick Time:** Employees who are out sick are asked to enter absences (using COVID POLICY) on their respective timesheet. Public health authorities may ask employers like the Town of Georgetown to monitor and report trends in employee absenteeism.
- G. **Return to Work:** In general, written medical clearance will not be required for return to work from ordinary illness of brief duration. This is being done to avoid overtaxing health care resources. However, the Town reserves the right to request confirmation of COVID-19, ongoing illnesses or that of family members. Documentation for any absences will be handled on a case by case basis.

#### EFFECTIVE DATES

This policy shall become effective upon an affirmative vote of adoption by a majority of the Town Council. The policy shall remain in effect for the duration of the COVID-19 State of Emergency, as declared by the Governor of the State of Delaware, or until such time as it shall be affirmatively terminated by Town Council, whichever is sooner.

ADOPTED

AMENDED

March 11, 2020

August 12, 2020



## RESOLUTION 2020-04

### AMENDING THE CHARTER OF THE TOWN OF GEORGETOWN, BEING CHAPTER 14, VOLUME 79, OF THE LAWS OF DELAWARE, BY AMENDING THE NOTICE OF SOLICITATION OF CANDIDATES: NOTICE OF CANDIDACY AND ELECTIONS

WHEREAS, the Town of Georgetown is looking to update various sections of its Charter to more clearly define compliance with municipal election requirements; and

WHEREAS, the timing for the filing of Statements of Candidacy is adjusted to be reflective of and in alignment with other timelines as currently specified; and

WHEREAS, the handling of a tie vote via special election in lieu of Board of Election decision is more democratic;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Georgetown that proceedings should be initiated so that the Charter may be amended in substantially the manner below:

#### 3.3. Notice of Solicitation of Candidates: Notice of Candidacy

3.3.1 Notice of Solicitation of Candidates. Not less than twenty (20) calendar days prior to the filing deadline for Notices of Candidacy, the Town shall post a 'Notice of Solicitation of Candidates' in at least two (2) public places in the Town, one of which shall be at the Town Hall. If the Town has a website, such notice shall also be posted on the website. The Town shall provide a copy of such notice to the Department of Elections. Such notice shall include the term or terms of each office up for election, the deadline and procedure for declaring candidacy for an office up for election, and the qualifications for holding each office. If the Town permits absentee ballots, the notice shall also include information concerning how to obtain an absentee ballot. **Pursuant to State Code, 15 Del.C. §7553, the Town shall provide a copy of such notice to the Department of Elections.**

3.3.2 Statement of Candidacy. In order to be listed on the ballot at any regular or special election of Town Council members, each candidate shall file a Statement of Candidacy on a form as prescribed by the Town of Georgetown, with the Town Manager. Such statement shall contain an affirmation that the candidate meets all of the qualifications for holding office. The Statement of Candidacy shall be submitted on or before 5:00 p.m. on the ~~fourth~~ **third** Friday in April. If such day be a legal holiday, the last day for filing notification of candidacy shall be the last business day immediately preceding the ~~fourth~~ **third** Friday in April.

The Town Manager shall present all timely received Statements of Candidacy to the Town Council for certification at a special meeting to be held after the filing deadline.

Upon the submission of a Statement of Candidacy, the candidate shall file a Certificate of Intention with the State of Delaware, Department of Elections, no later than seven (7) calendar days after the declaration of candidacy.

3.3.3 Compliance with Municipal Election Statutes. Every candidate for Town office, and every affected Town Official, shall comply with the provisions of 15 Del.C. § 7555 (d) through (h) as amended, **and other applicable state laws**, as regards to the filing of 'Certificates of Intention' or 'Statements of Organization'. ~~In accordance with 15 Del.C. § 7555 (I), the Town shall submit the names of candidates for each office up for election to the Department of Elections no later than one (1) business day following the deadline for filing a Statement of Candidacy under Section 3.3.2 above.~~

#### 3.4. Elections.

3.4.1 Voter Qualifications. Any person shall be qualified to vote who, on the date of the election, is:

- (1) A United States citizen;
- (2) Has attained eighteen (18) years of age;
- (3) Is a bona fide resident of the Town, as defined in Section 3.2 (g);
- (4) Has not been adjudged a mentally incompetent person by a court of competent jurisdiction;
- (5) Has not been disenfranchised pursuant to Sections 3 or 7 of Article V of the Constitution of the State of Delaware.

3.4.2 Voter Registration. Registration of voters in Georgetown municipal elections shall be administered and conducted by agreement with and pursuant to regulations promulgated by the Department of Elections for Sussex County.

#### 3.4.3 Uncontested Elections; write-in candidates.

- (1) Where there is only one (1) official candidate for each office up for election, the Board of Elections shall declare those candidates elected without the holding of a formal election.
- (2) No person or candidate whose name does not appear on the ballot shall be eligible for election, and votes for 'write-in' candidates shall not be counted.
- (3) In the event that no person files for office for which an election is to be held within the time set forth in Section 3.3 of this Charter, the incumbent shall be deemed to be reelected for a full term and it shall not be necessary to have an election.
- (4) In the event that only one person files or is nominated for office for which an election

is to be held within the time set forth in Section 3.3 of this Charter, the person who files or who is nominated shall be deemed to be elected for a full term and it shall not be necessary to have an election.

#### 3.4.4. Date, Time, and Place and Manner of Conducting.

(1) Date, Time, and Place. The annual town election shall be held on the second Saturday in May of each year at such time and place, within the town, as shall be determined by the Town Council. The polls shall remain open for not less than six (6) hours, the times to be determined by the Town Council.

(a) At the Annual Municipal Election held on even years, the Mayor and one (1) Council member from the Third Ward and one (1) Council member from the Fourth Ward shall be elected. The Mayor and each of the Council members who are elected shall serve for a term of two (2) years, or until their successor has been duly elected.

(b) At the Annual Municipal Election held on odd years, one (1) Council member from the First Ward and one (1) Council member from the Second Ward shall be elected. Each of the Council members so elected shall serve for a period of two (2) years or until their successor has been duly elected.

(2) Notice of Elections. Notice of town elections, including the date, time, and place thereof, the names of the candidates for each office to be filled, and the qualifications to vote in the election shall be given by posting notice thereof in at least two (2) public places in the town, one (1) of which shall be at the Town Hall, not less than twenty (20) calendar days before the day of such election and by publishing notice thereof **prominently on the Town's website**, ~~in a newspaper of general circulation in the town at least seven (7) calendar days prior to the date of the election. The published notice shall be in bold print or bordered in black in such manner as to call attention thereto.~~

(3) Voting Machines, Paper Ballots, Electronic Voting System. Elections shall be by voting machine, electronic voting system, or by paper ballot as the Town Council shall determine; provided however that voting machines or electronic voting systems shall be used if required by general statute.

(4) Absentee Voting. The Town Council may, by ordinance, provide for a qualified voter (duly registered if required by ordinance) who shall be unable to appear in person, to cast his or her ballot at any municipal election by absentee ballot. In such event, the Town shall comply with the Delaware Code's Municipal Election statute regarding absentee voting as amended, or in accordance with any future corresponding provision of law.

(5) Rules Governing Conduct of Elections. All elections for Town Offices shall be conducted in accordance with the provisions of 15 Del.C. § 7557 regarding, among other things, training of Election Officers, persons who may be admitted into the voting room, electioneering, challengers and challenges, oath of office for Election Officers, bribery, polling places and the preparation thereof, voting procedures, closing of the polls, and unofficial results; provided however that the Board of Elections shall fulfill the role of 'Inspector' of the election. The Town Council may, by ordinance or resolution, adopt such

other additional rules, not inconsistent with the provisions of this Charter or with controlling state or federal law, governing the conduct of elections.

(6) Board of Elections. Every election shall be held under the supervision of the Board of Elections. The Board of Elections shall consist of three (3) ~~or five (5)~~ persons (as determined by the Town Council) who shall be qualified voters of the town and who shall not themselves be an elected official or candidate or an immediate family member of an elected official or candidate (mother, father, son, daughter, brother, sister, including half-brothers and half-sisters, stepfamily members, and in-laws). ~~The~~ A Board of Elections shall be appointed ~~for~~ **prior to** each Town Council election by the Town Council at least twenty (20) calendar days before such election. Members of the Board of Elections shall be issued a Certificate of Appointment and shall take the oath or affirmation set out in 15 Del.C. § 7551(d). Members of the Board of Elections shall not engage in 'electioneering' as defined in 15 Del.C. § 7551(e). After installation of the Board of Elections, the Town shall notify the Commissioner of Elections and the Department of Elections of the Board's members, and post the names and contact information for the Board of Elections in the Town Hall and, on the Town's website (~~if it has one~~). The Town Council may, at the same time it appoints the Board of Elections, appoint up to three 'alternate' members (designated as 'first', 'second', and 'third' alternate) to assume office in the event that one or more of the original Board of Elections resigns, is disqualified, or is otherwise unable to serve. Each alternate member shall meet all the qualifications for serving on the Board of Elections and shall conduct themselves in the manner required for members of the Board of Elections. In the event that it becomes necessary for one or more of the alternates to serve, they shall be provided a Certificate of Appointment, administered the oath or affirmation, and notice of their appointment provided as in the case of the original members of the Board of Elections. Members of the Board of Elections shall be the sole and final judges of the conduct of the election and of the legality of the votes offered. The Board of Elections shall determine all challenges and other issues involving the conduct of the election at the polling place. The Board of Elections shall keep a list of all voters voting at said election. The Board of Elections shall have the power to administer oaths, subpoena persons, and officers of the town, and books, records and papers relative to the determination of the qualifications of voters and the legality of any vote or votes offered.

(7) Election Officers. As defined in 15 Del.C. §7556 **and §7557**, the Board of Elections shall appoint a sufficient number of Election Officers to assist in conducting the Town Election in a fair and equal manner. Any Election Officer who violates the provisions of the Municipal Election statutes shall be forthwith removed by the Board of Elections.

(8) Election Results. The Board of Elections shall tabulate the votes and announce the results of the election as soon as possible following the closing of the polls. Following the resolution of any contest and the certification of the election results, the Board of Elections shall audit the election records in order to reconcile the number of voters who cast ballots as compared to the number of voters who returned absentee ballots and voted on voting machines. The tabulated results shall be made available for public review.

(9) Recounts. The Board of Elections shall recount the absentee ballots (if any) if the difference between the top two candidates is one half (1/2) of one percent (1%) or less than the total votes cast for that office. Where citizens vote for more than one candidate for an

office, the Board of Elections shall recount absentee ballots if the difference between the last candidate elected and the next closest candidate are one-half (1/2) of one percent (1%) or less than the total votes cast for the office.

(10) Ties. ~~In the event of a tie vote for any office, the Board of Elections shall determine such tie by a majority vote of the entire Board of Elections.~~ **In the event of a tie vote for any office, a special election for said office(s) only shall be held within thirty (30) days and the registration books shall remain closed until the outcome of the special election is determined.**

(11) Preservation of Ballots and Records. All ballots cast and all records of the election kept by the Board of Elections shall be preserved in the custody of the Town Manager, following the Board of Election's announcement of the election results, unless an appeal is filed in a court of appropriate jurisdiction, in which case such ballots and records shall be preserved until further direction of the court having jurisdiction.

3.4.5 Time Limit to Challenge Election. No action to challenge the election of any member of the Town Council may be filed after the expiration of thirty (30) calendar days from the date the Board of Elections announces the results of the election.

**RESOLVED** by the Town Council of the Town of Georgetown, Delaware on the 12<sup>th</sup> day of August, A.D., 2020.

\_\_\_\_\_  
William E West, Mayor

\_\_\_\_\_  
Robert L. Holston, Jr., Secretary



**RESOLUTION 2020-05**

**A RESOLUTION TO ACKNOWLEDGE THE SUBMITTAL OF THE  
OUTDOOR RECREATION, PARKS AND TRAILS (ORPT)  
2020 PARK GRANT APPLICATION**

WHEREAS, the Town of Georgetown continues to plan and develop recreational opportunities for residents and visitors; and

WHEREAS, the Town of Georgetown has land along Parsons Lane which it desires to be developed as a trailhead/parking area for the Georgetown to Lewes Trail; and

WHEREAS, the Town of Georgetown has filed a ORPT Grant pre-application with the Delaware Division of Parks and Recreation for design and engineering of the trailhead/parking area and has been authorized to submit a formal application in the amount of \$12,500 and the Town has funds in the Georgetown Recreation, Education, Arts Trust (GREAT) Fund to support this effort; and

WHEREAS, the Town of Georgetown designated Eugene S. Dvornick, Jr., Town Manager, to manage the project and coordinate ORPT Program requirements for reporting and reimbursement; and

WHEREAS, the Town understands that these improvements funded through the ORPT Grant Program will remain in outdoor recreation uses in perpetuity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Georgetown that the application for ORPT Grant funding for the Parsons Lane Trailhead/Parking Area is authorized and the Town of Georgetown shall abide by all the requirements of the ORPT Grant Program for reimbursements and stewardship responsibilities.

**RESOLVED** by the Town Council of the Town of Georgetown, Delaware on the 12<sup>th</sup> day of August, A.D., 2020.

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William E West, Mayor

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Robert L. Holston, Jr., Secretary



**ORDINANCE 2020-02**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN,  
CHAPTER 116 THEREOF, ENTITLED HOUSING STANDARDS**

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND  
HEREBY ORDAINS:

Chapter 116 Housing Standards § 116-147 of the Code of the Town of Georgetown is  
hereby amended as follows:

§ 116-147 ~~Addressing of buildings.~~

~~It shall be the duty of each owner or occupant of each building or structure to place or cause to  
be placed thereon, in a place near the main entrance, in a manner visible from the street and in a  
contrasting color with the building or structure, numbers which shall not be less than three inches  
high showing the Town-approved street numbers of the building or structure.~~

**Address identification.**

**New and existing buildings shall display clear and visible address identification. The  
address identification shall be legible and placed in a position that is visible from the street  
or road fronting the property. Address identification characters shall contrast with their  
background. Address numbers shall be Arabic numerals or alphabetic letters. Numbers  
shall not be spelled out. Character size and stroke shall be as specified in the tables below.  
Address identification shall be maintained.**

**Table A – Address and Premises Identification for Single-Family Dwellings**

<b><u>LOCATION</u></b>	<b><u>MINIMUM HEIGHT (INCHES)</u></b>	<b><u>MINIMUM STROKE (INCHES)</u></b>
<b><u>House</u></b>	<b><u>3</u></b>	<b><u>0.5</u></b>

**Table B – Address and Premises Identification for Multi-Family Dwellings**

<b><u>LOCATION</u></b>	<b><u>MINIMUM HEIGHT (INCHES)</u></b>	<b><u>MINIMUM STROKE (INCHES)</u></b>
<b><u>Building</u></b>	<b><u>12</u></b>	<b><u>1</u></b>
<b><u>Unit Numbers Visible from Walks and Drives</u></b>	<b><u>6</u></b>	<b><u>0.5</u></b>
<b><u>Interior Doors</u></b>	<b><u>4</u></b>	<b><u>0.5</u></b>

**Table C – Address and Premises Identification for Commercial, Industrial, and Office Buildings**

<b><u>LOCATION</u></b>	<b><u>MINIMUM HEIGHT (INCHES)</u></b>	<b><u>MINIMUM STROKE (INCHES)</u></b>
<b><u>Building</u></b>	<b><u>12</u></b>	<b><u>1</u></b>
<b><u>Suites (Front and Rear)</u></b>	<b><u>6</u></b>	<b><u>0.5</u></b>
<b><u>Interior Hallway Suites</u></b>	<b><u>4</u></b>	<b><u>0.5</u></b>

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware  
on the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2020.

\_\_\_\_\_  
William E. West, Mayor

\_\_\_\_\_  
Robert L. Holston, Jr., Secretary

1<sup>st</sup> Reading: August 12, 2020

2<sup>nd</sup> Reading: August 26, 2020

Adoption: August 26, 2020

## **TOWN MANAGER REPORT**

### **August 12, 2020**

#### **2020 – 2021 Worker’s Compensation**

The Town has received notice that our 2020/2021 Workers Compensation renewal and I pleased to report the following:

- Our expiring premium (2019/2020) is \$80,798 and the renewal is \$71,320 (a reduction of \$9,478, or 11.7%)
- The premium is based on total payroll which increased by 5.0%
- Our experience modification (claims) decreased from 0.878 to 0.874, or 0.5%

#### **Sandhill Fields – CTF Funding**

DelDOT has amended the original funding for the Sandhill Fields Entrance adding an additional \$75,000 towards the project. This increases the total funding from \$90,000 to \$165,000. The Town is serving as the pass through for this funding.

#### **Project Updates**

- Storm Water Conveyance Pipe Lining – ProShot Concrete completed James Street – we will be considering a proposal for Franklin Street in the Spring of 2021.
- North Race Street (Pepper to Douglas) – engineering of street improvements (curb, gutter, sidewalk, pavement rehabilitation) is in process with Beacon Engineering
- North Race Street (Laurel to Depot) – pavement rehabilitation will be included as part of the Pepper Street to Douglas Street improvements

#### **Comprehensive Plan Information Submission**

Town Staff has completed and submitted to KCI the information update (development projects, infrastructure improvements, initiatives, code enforcement, other information) required for the Comprehensive Plan.

#### **Miscellaneous**

- Reminders:
  - **Municipal Election:** Saturday, August 15, Polls open 8:00 AM to 6:00 PM
  - **Delaware League of Local Governments:** Cancelled until further notice
  - **Sussex County Association of Towns:** Cancelled until further notice

Reviewed by Town Solicitor

**Eugene Dvornick**

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**From:** Charles Mead-e <meadce@yahoo.com>  
**Sent:** Thursday, July 23, 2020 11:49 PM  
**To:** Eugene Dvornick  
**Cc:** HSPContact@delaware.gov  
**Subject:** COVID and Town Park Permits

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Gene;

As the Town Manager, in my absence, would you read the following at the next Town Council Meeting.

Thanks,

Chuck

Honorable Council Members.

We are in a Historic Public Health Crisis. As many of you know, I am a RN and have filed a complaint against the Town of Georgetown over their handling of the COVID virus with the Delaware of Public Health.

Old Business Models DO NOT WORK and WILL NOT WORK and new business models will be required to battle this Virus Beast. At tonight's weekly concert series the Mayor stated that 37 people from Georgetown had died from COVID 19. As of this writing there have been 180 deaths in this county which amounts to 20% for Georgetown.

At the Weekly Concert Seies last night, the Mayor eloquently spoke that we are to be watchful of our families, our neighbors and also our community and also relayed the story about an individual associated with the weekly concert series who had caught the virus (at the time from an unknown carrier). He had been hospitalized and his spouse was unable to visit him in the hospital.

You can also be a watchful eye for our families, our neighbors and also our community by simply making a change to the Town Park Permit.

It should be modified to also include a plan on how will the applicant maintain and enforce the wearing of masks and social distancing during the duration when the Park is to be used as set forth by the appropriate State Agency. If the application does not have such a plan or the plan cannot be enforced, the application for the Town Park Permit should be denied and/or revoked.

Sincerely,

Charles Mead-e, RN

302.245.5578

Previous owner of The Upper Crust.

*I wish you enough sun to keep your attitude bright.*

*I wish you enough rain to appreciate the sun more.*

*I wish you enough happiness to keep your spirit alive.*

*I wish you enough pain so that the smallest joys in life appear much bigger.*

*I wish you enough gain to satisfy your wanting.*

*I wish you enough loss to appreciate all that you possess.*

*I wish you enough hellos to get you through the final good-bye.*