

# Georgetown

## Town Council Meeting Agenda

Posted: 8/19/20 @ 11:35pm

Meeting Date: Wednesday, August 26, 2020

**1:45 PM Executive Session**

**Regular Meeting Immediately Following Executive Session**

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: 956 4060 9979**

**Follow Onscreen Instructions**



### 1:45 PM EXECUTIVE SESSION

*Strategy sessions, including advice or opinion from an attorney at law, regarding collective bargaining, pending or potential litigation; and discussion of the content of documents excluded from the definition of "public record" in 29 Del. C. §10002. 29 Del. C. §10004(b)(4); (b)(6)*

### REGULAR MEETING IMMEDIATELY FOLLOWING EXECUTIVE SESSION

#### 1. PLEDGE OF ALLEGIANCE

#### 2. INVOCATION

#### 3. ADOPTION OF AGENDA

#### 4. APPROVAL OF AUGUST 12, 2020 TOWN COUNCIL MINUTES

A.

#### 5. GREAT FUND REQUEST - TOWN MATCH FOR OUTDOOR RECREATION, PARKS AND TRAILS (ORPT) 2020 GRANT APPLICATION

3 A. Request

[GREAT Fund Request – 2020 OPRT Grant Match \(2020-08-21\)](#)

#### 6. CASE #2020-05 REZONE APPLICATION DECISION - 108 CEDAR STREET, IDENTIFIED AS SUSSEX COUNTY TAX MAP ID 135-14.20-304.00

4 - A. [2020-05 108 Cedar St Rezone Packet](#)

15

#### 7. CASE #2020-07 SHORE DISTRIBUTORS CONDITIONAL USE APPLICATION DECISION

16 - A. [Shore Distributors Memorandum \(2020-08-21\)](#)

92 [2020-07 Shore Distributors Conditional Use Packet](#)

[2020-07 Shore Distributors Conditional Use additional information provided July 15 PC meeting](#)

## 8. RESOLUTIONS

- 93 - A. Resolution 2020-06 Terms Resolution (Market and Bedford Street Water Main  
103 and Replacement Project)  
*Resolution approving the issuance of up to \$1,255,000 maximum principal amount general obligation bond, series 2020-srf, to the Delaware department of health & social services, drinking water state revolving fund, as registered owner, to finance the replacement of aging water mains and service lines along Market and Bedford streets to the Town of Georgetown's approved Market and Bedford street waterline and service lines replacement project; setting forth the form and details of the bond; determining that the bond will be sold by private sale and authorizing execution of a financing agreement; pledging the full faith, credit and taxing power of the town for the bond; and authorizing other necessary action*

[Resolution 2020-06 Terms Resolution \(Market and Bedford Streets Water Main and Replacement Project\)](#)

## 9. 1ST READING OF ORDINANCE

- 104 A. Ordinance 2020-03 Discharge onto Sidewalk  
- [Ordinance 2020-03 Discharge onto Sidewalk \(Final\)](#)  
105
- 106 B. Ordinance 2020-04 Zoning Map Amendment from Neighborhood Business  
- District (UB2) to Urban Business District (UB1) located at 108 Cedar Street,  
107 identified as Sussex County Tax Map ID 135-14.20-304.00  
[Ordinance 2020-04 Zoning Map Amendment from Neighborhood Business District \(UB2\) to Urban Business District \(UB1\) located at 108 Cedar Street 135-14.20-304](#)

## 10. 2ND READING & ADOPTION OF ORDINANCES

- 108 A. Ordinance 2020-02 Address Identification  
- [Ordinance 2020-02 Address Identification \(Final\)](#)  
110

## 11. DEPARTMENTAL REPORTS

- A. Town Manager - Gene Dvornick

## 12. PUBLIC COMMENT

## 13. 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).

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## TOWN OF GEORGETOWN MEMORANDUM

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TO: Mayor and Council  
FROM: Gene Dvornick, Town Manager  
RE: G.R.E.A.T. Fund Request - Outdoor Recreation, Parks and Trails (ORPT)  
2020 Park Grant Application  
DATE: August 21, 2020

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The Town is in the process of completing the Outdoor Recreation, Parks and Trails (ORPT) 2020 Park Grant Application for design and engineering of the trailhead/parking area on Parsons Lane as part of the Georgetown to Lewes Trail.

The total anticipated cost for the design and engineering is \$25,000 with funding through the ORPT Grant equal to \$12,500 (50%) and the required match from the Town equal to the remaining \$12,500 (50%). I am seeking approval for the match funds to be allocated from the Georgetown Recreation Education and Arts Trust (G.R.E.A.T.) Fund. This assistance consistent with the purpose the G.R.E.A.T. Fund.

The current Fund Balance is \$317,173.78.

### **Requested Action**

1. Approval of the request by the Mayor and Council



## 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@jlbriggscs.com
Mailing Address:	P.O. Box 90
City, State, Zip Code:	Georgetown, DE 19947

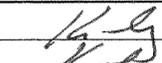
Engineer / Surveyor Information	
Company Name:	John B. Roach Engineering, LLC
Contact Name:	John Roach
Phone Number:	302-856-1565
Fax Number:	
Email Address:	jroachengr@netscape.net
Mailing Address:	22184 Melson Road
City, State, Zip Code:	Georgetown, DE 19947

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 #: _____
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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:

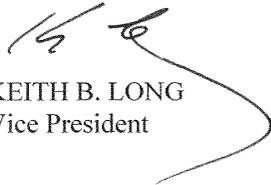
Dolson & Long LLC is requesting a zoning change for the property located at 108 Cedar Street from UB-2 to UB-1 in order to construct a duplex to provide housing for two single families. We would also like to enroll this project into the Downtown Development District. This project will provide safe, affordable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

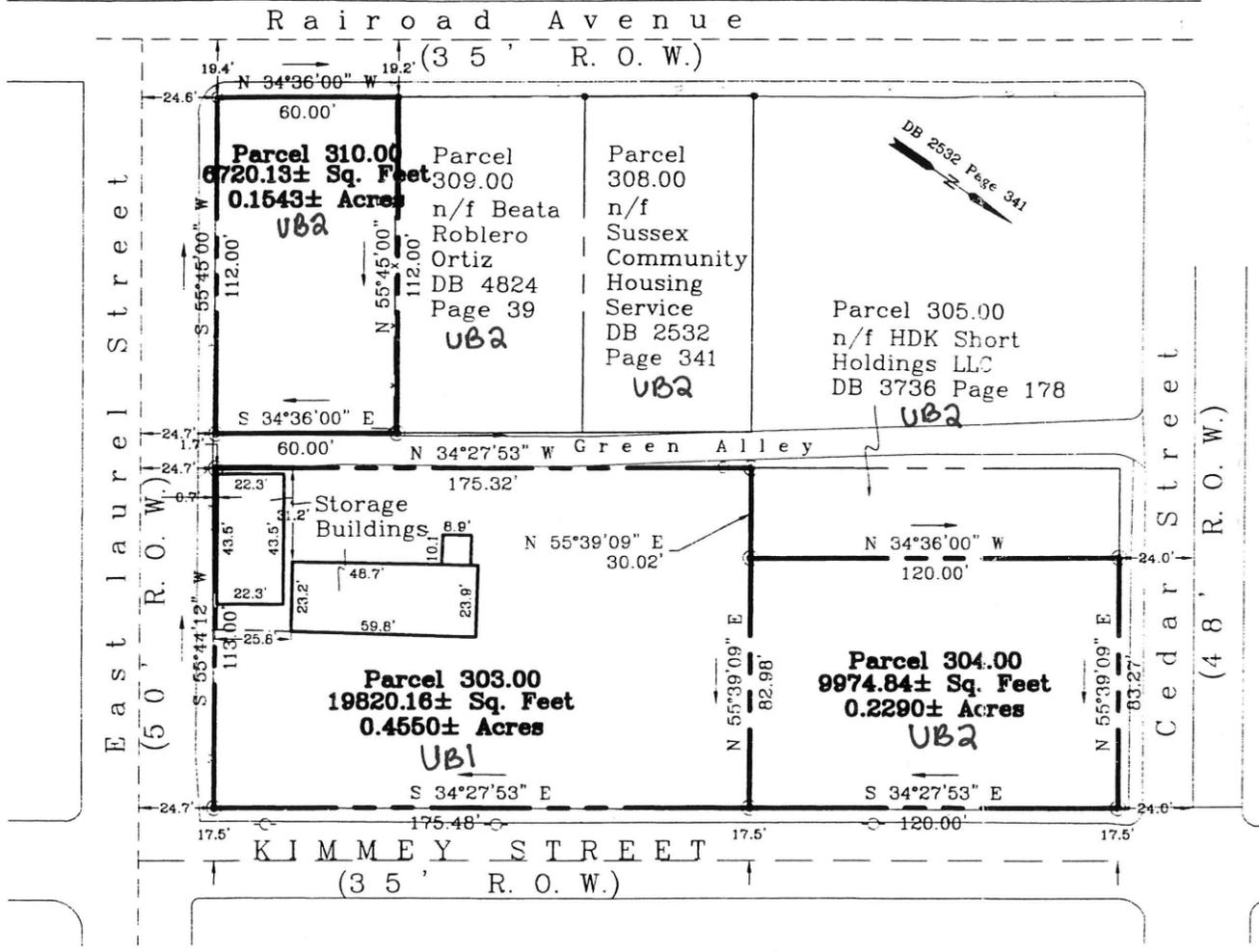


**BOUNDARY SURVEY PLAN**  
**LANDS OF "DOLSON & LONG LLC"**  
 ALSO KNOWN AS: "RAILROAD AVE, GEORGETOWN, DE"  
 SITUATE IN: "GEORGETOWN HUNDRED"  
 SUSSEX COUNTY \* STATE OF DELAWARE  
 TAX MAP #: 135-14.20-310.00  
 DEED REFERENCE: DB 4842 PAGE 325  
 PLAT REFERENCE: DB 85, PG 560

**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

 <p><b>JOHN B. ROACH</b> Engineering LLC</p>	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.

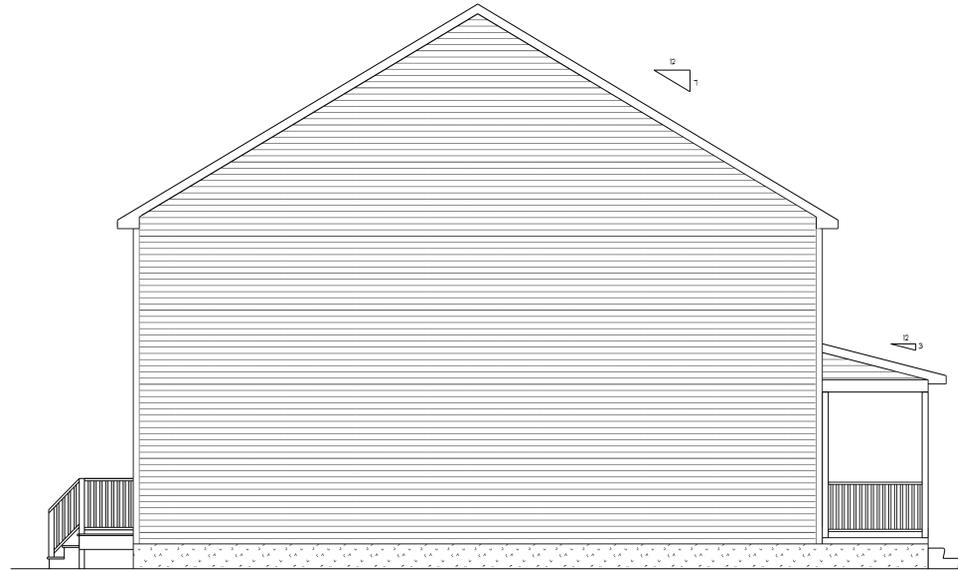
**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



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



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



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



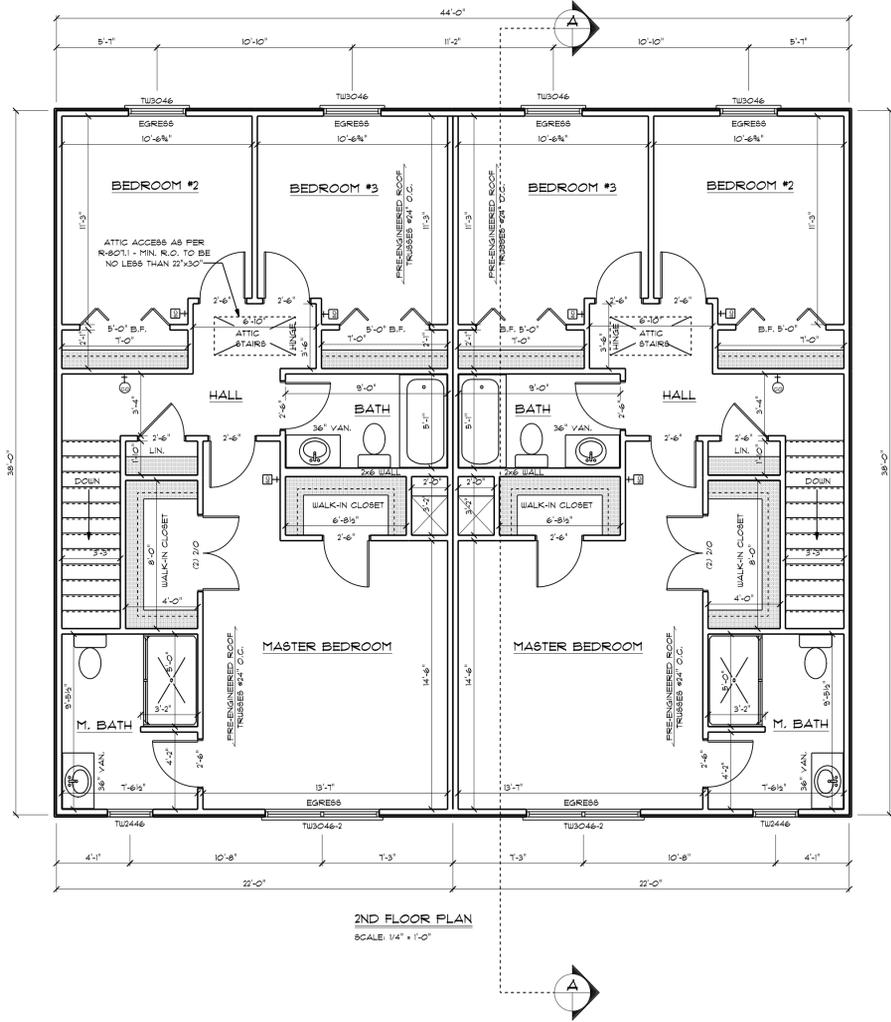
**CONCEPT RENDERING**  
N.T.S.

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		

<b>ELEVATIONS</b>	
<b>M.R. Designs, Inc.</b>	<b>DRAWING NO.</b>
2435 BROADKILL RD. GUILFORD, DE 19958 (302) 444-9852 www.mrdesigns.com	1 of 3



**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 BE 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-603.2 - R-603.4 FLASHING, ROOF DRAINAGE DOORS & WINDOWS UNWRAPPED, FLASHED & TAPED PER CODE.

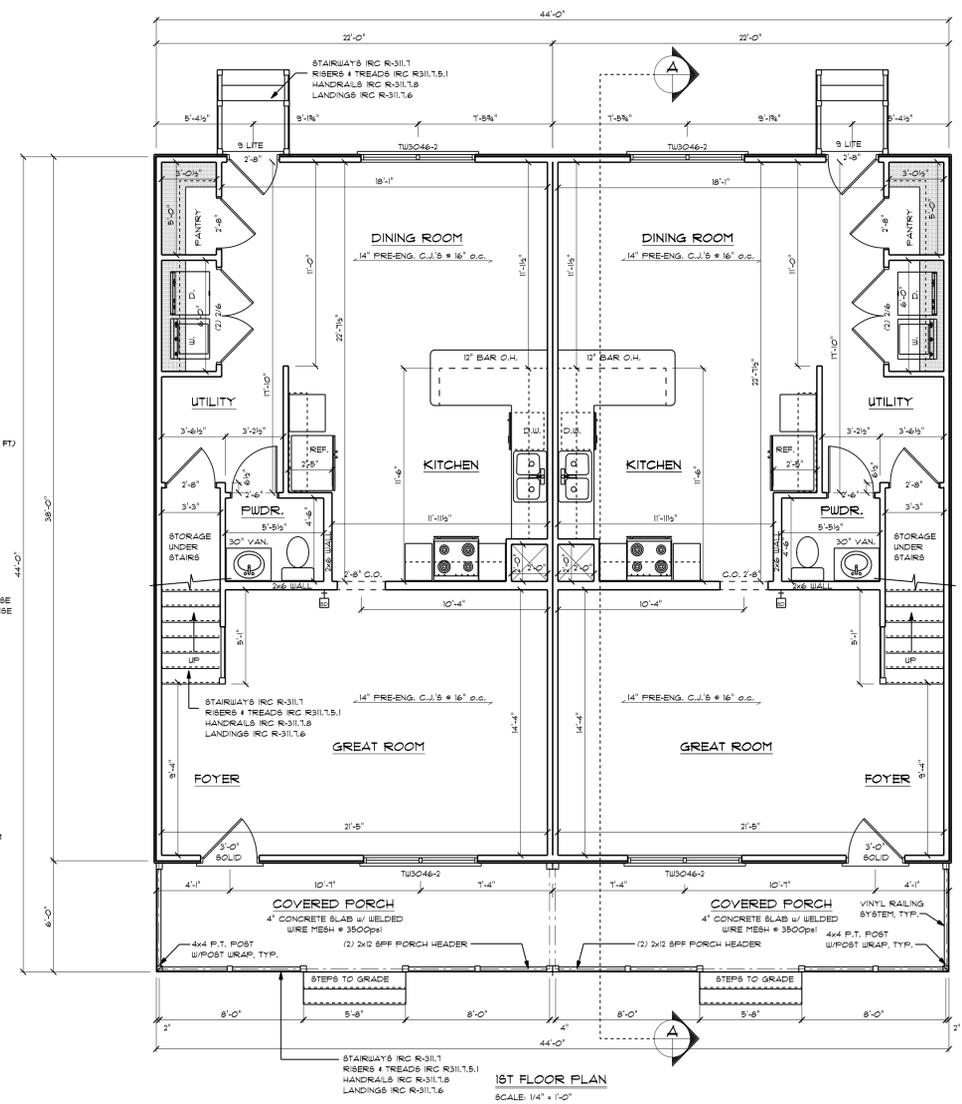
\* ALL WINDOWS ARE SPECIFIED AS ANDERSON 400 SERIES.

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

PRODUCT CODE	COUNT	EGRESS	TEMPERED GLASS
TU3046-2	4	YES	NO

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

PRODUCT CODE	COUNT	EGRESS	TEMPERED GLASS
TU2446	2	NO	NO
TU3046-2	2	YES	NO
TU3046	4	YES	NO



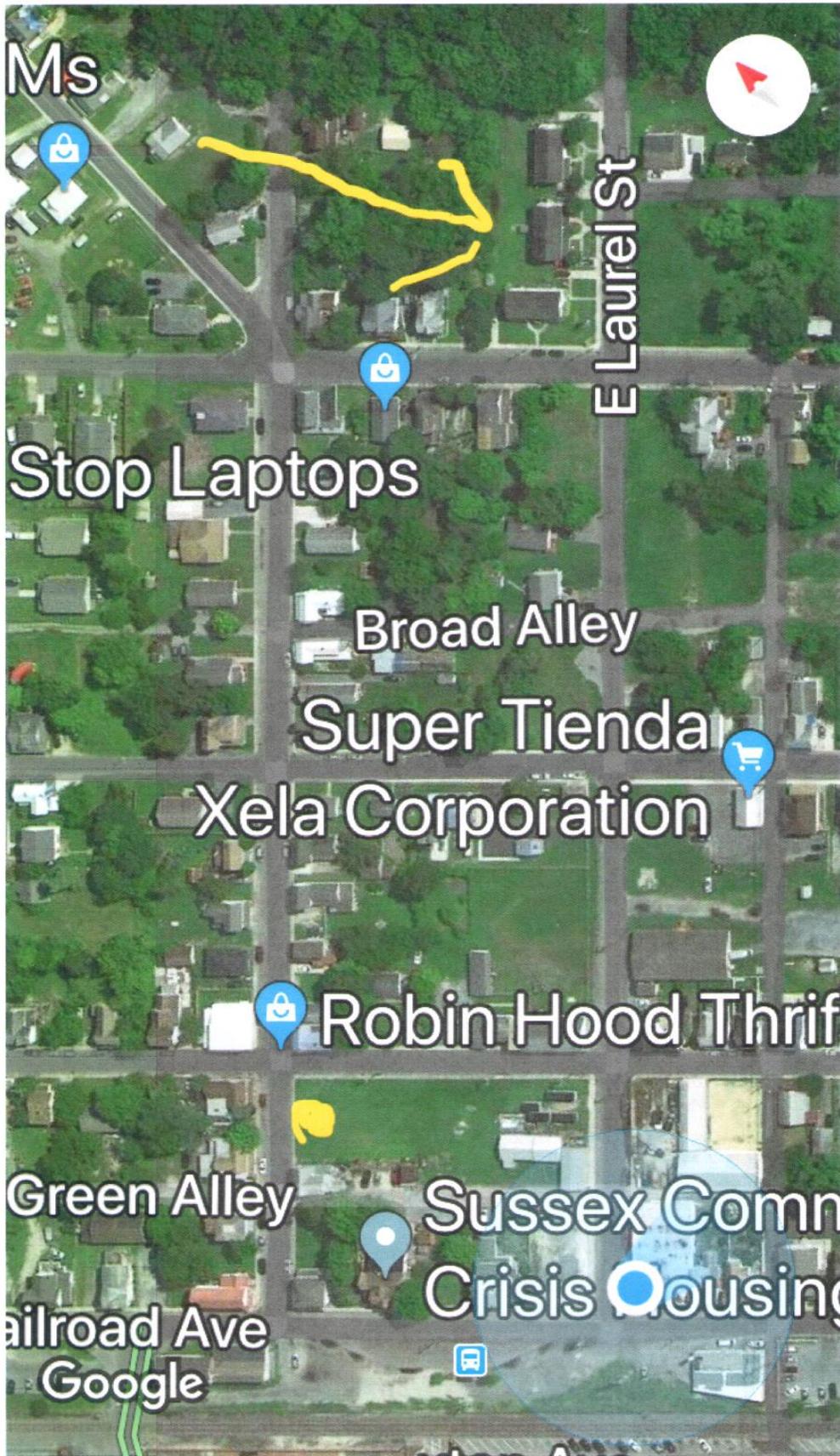
NOTE: ALL PRE-ENGINEERED MATERIALS TO BE SPECIFIED BY OTHERS.

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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		REVISED: Wednesday, February 25, 2015
DATE: 1/1/11			
<b>FLOOR PLANS</b>			
<b>M.R. Designs, Inc.</b>		3342 BROADBELL RD MILFORD, DE 19968 (301) 464-8800	DRAWING NO. 2 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.

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## TOWN OF GEORGETOWN MEMORANDUM

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TO: Mayor and Council  
FROM: Gene Dvornick, Town Manager  
RE: Shore Distributors, 211 West Market Street (1-35 19.08 127.00)  
DATE: August 21, 2020

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The Town Council held a properly noticed Public Hearing on Wednesday, August 12, 2020 to address an application for a conditional use for wholesale distribution at the above referenced property.

Since the Public Hearing, no correspondence with respect to the project has been received (positive or negative).

Attached are the twelve (12) proposed conditions for approval. These include the original conditions presented during the Public Hearing as well as incorporation of those suggested by the Town Solicitor (addressing modification) and the Town Manager (lighted sign time limitations).

**Requested Action**

1. Pleasure of the Mayor and Council to accept, reject, or modify the proposed conditions for the site.

**Case No. 2020-07**

**SHORE DISTRIBUTORS  
CONDITIONS OF APPROVAL**

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" (this sign shall be unlit from 10:30 p.m. until 5:30 a.m. each day);
One lighted, lettered sign on the side of the building, 2' x 30' 6" (this sign shall be unlit from 10:30 p.m. until 5:30 a.m. each day); 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.
12. Any modifications to the Conditional Use or to these Conditions of Approval shall be made in accordance with Town Code, and subject to approval by Mayor and Council.



## 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

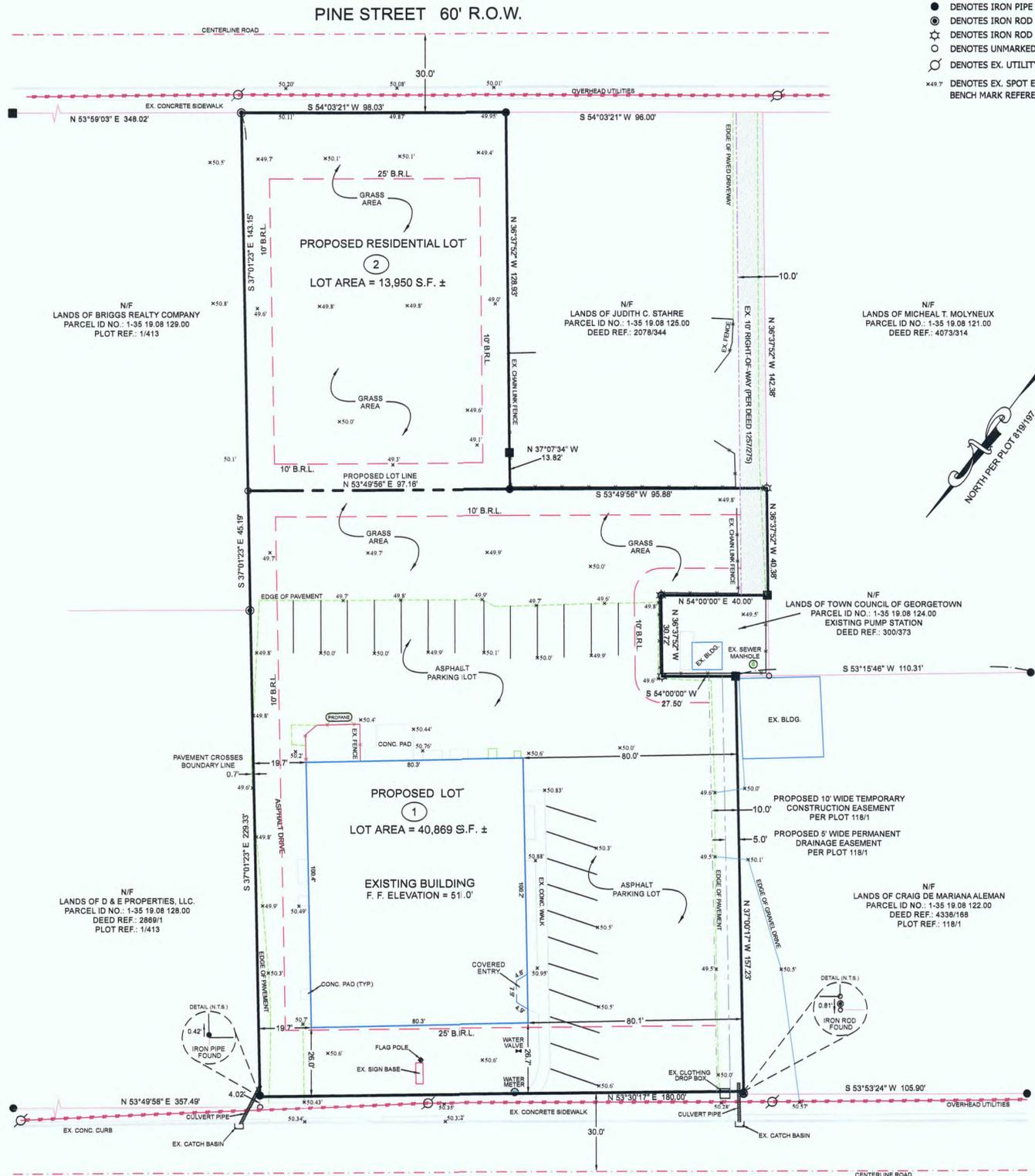
### 211 West Market Street Plans

- 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”***

DEED 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. Baynes

*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  
*W. P. Baynes*  
*W. P. Baynes* 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

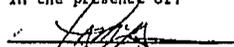
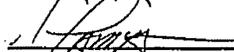
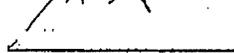
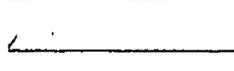
BOOK 650 PAGE 732

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:

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

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.

State of Delaware  
 REALTY TRANSFER TAX  
 JAN-77 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

RECORDS OF DEEDS  
 SUSSEX COUNTY  
 PURCHASE PRICE MADE  
 THE 3<sup>rd</sup> day of January 1970  
 Board of Assessment of Sussex County  
 Jimmie Brock, Clerk

JAMES E. LEHTON, JR.  
 Notary Public, State of New York  
 No. 66-749175  
 Qualified in Westchester County  
 Term Expires March 30, 71

***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 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 (SEAL) WILLIAM W. FISHER

Shirley A Friend (SEAL) CONSTANCE T. FISHER

(SEAL) (SEAL)

STATE OF DELAWARE I SS: 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

STATE OF FEB 18 10 30 AM '76 RECORDER OF DEEDS I SS: 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 HUNTER M. SUSSEX COUNTY ALDRIN E. SAVAGE

*Shirley A Friend - Clerk*  
3-3-76

***EXHIBIT “4”***

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

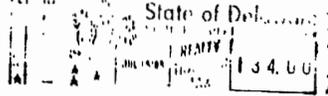
In Witness Whereof, The said party of the first part has hereunto set her hand and seal the day and year aforesaid.

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 and seal.

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

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

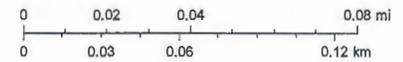
***EXHIBIT “5”***

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



February 3, 2019

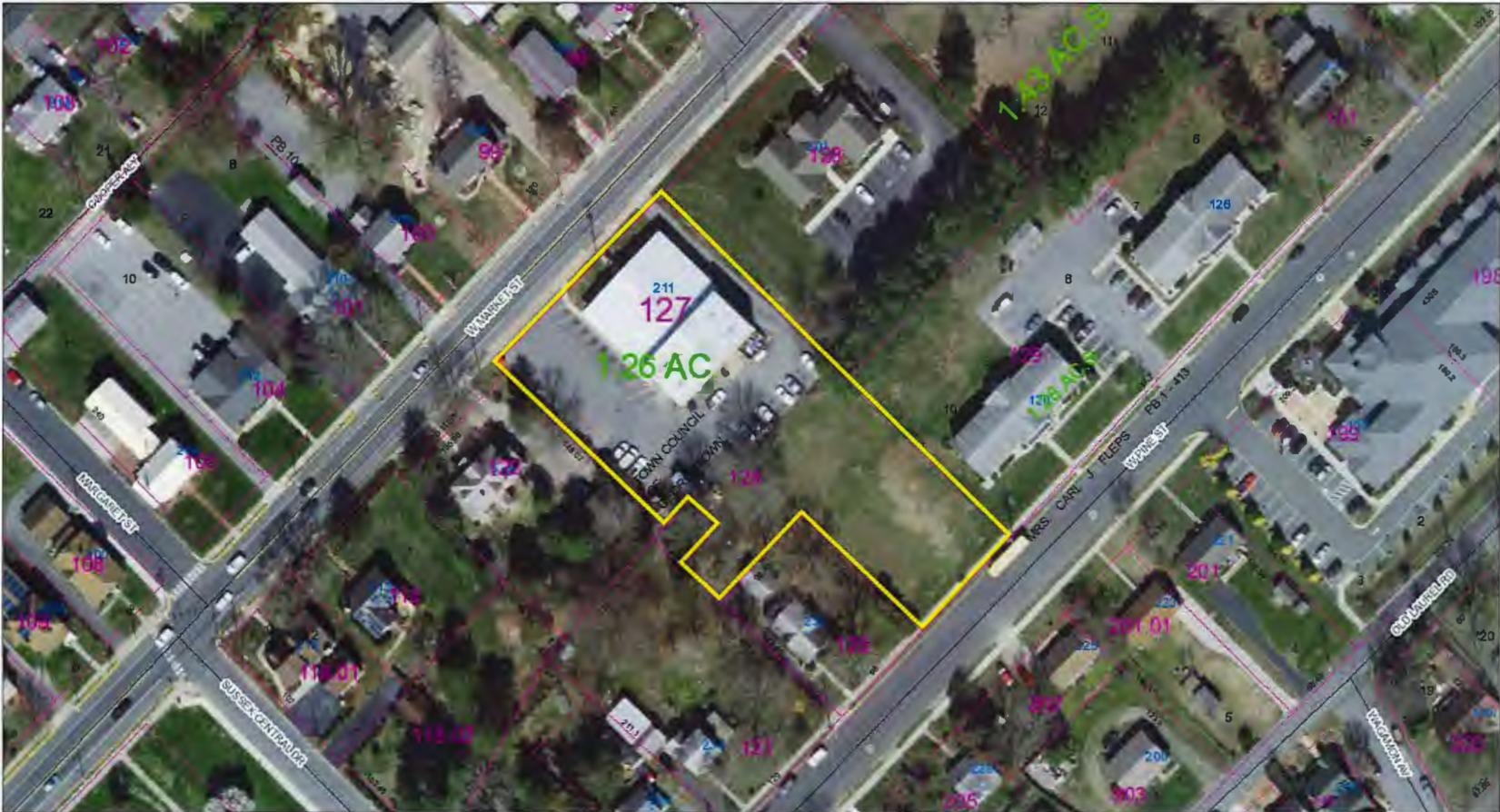
1:1,586



Sussex County Government  
FirstMap

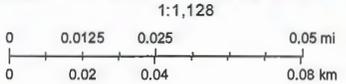
Property Tax Information - Sussex County DE

# Sussex County



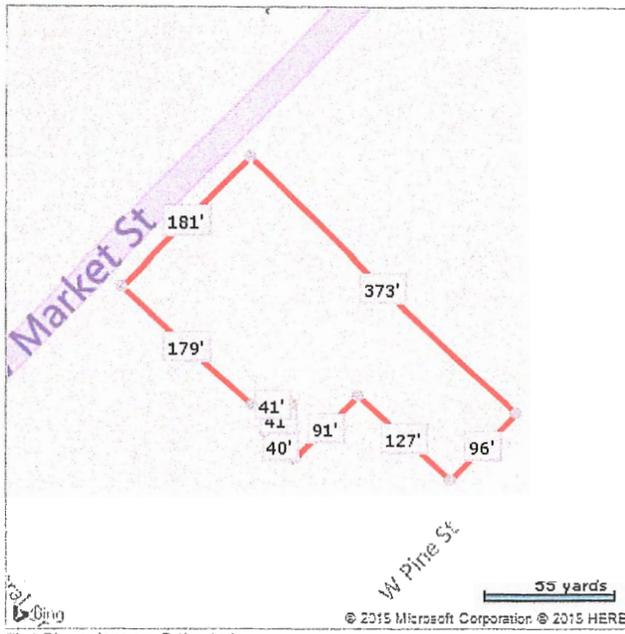
February 3, 2019

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

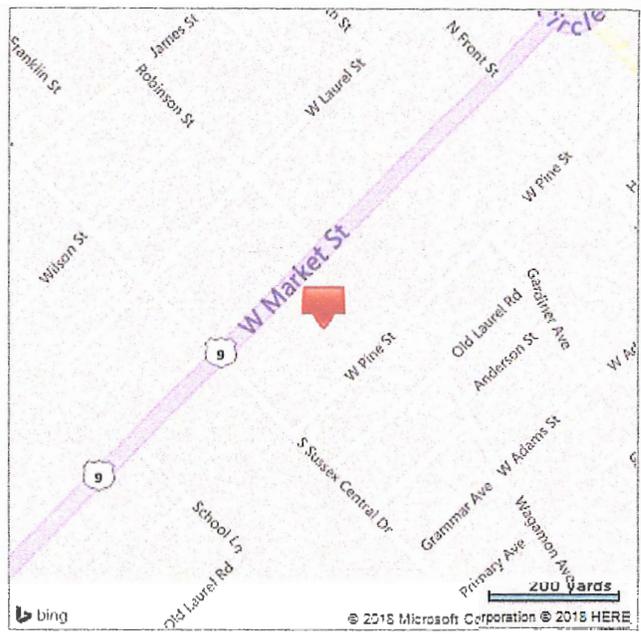


Delaware Department of Education  
 Sussex County  
 Sussex County Government  
 Sussex County Mapping and Addressing  
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics,

**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, et ux, 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 et ux, 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 et ux, 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  
19347

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.

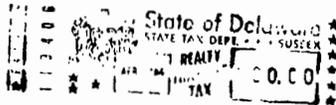
This conveyance is made subject to the following restrictions:

- 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

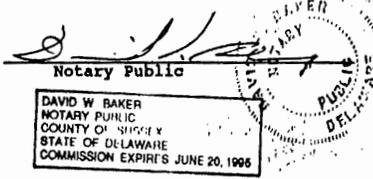
Kimberly C. Beauchamp  
David W. Baker

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  
TRANSFERRED TO: 93  
CANCELED BY: [Signature]  
AMOUNT: [Signature]  
DATE: 10-18-93

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:

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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.

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BK: 3876 PG: 216

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BK: 3876 PG: 217

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**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

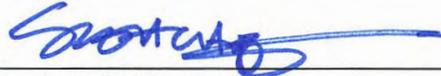
Name of Reviewer: Scott C. Hoffman, P.E. Office: Dover, DE 302-674-9280

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.	

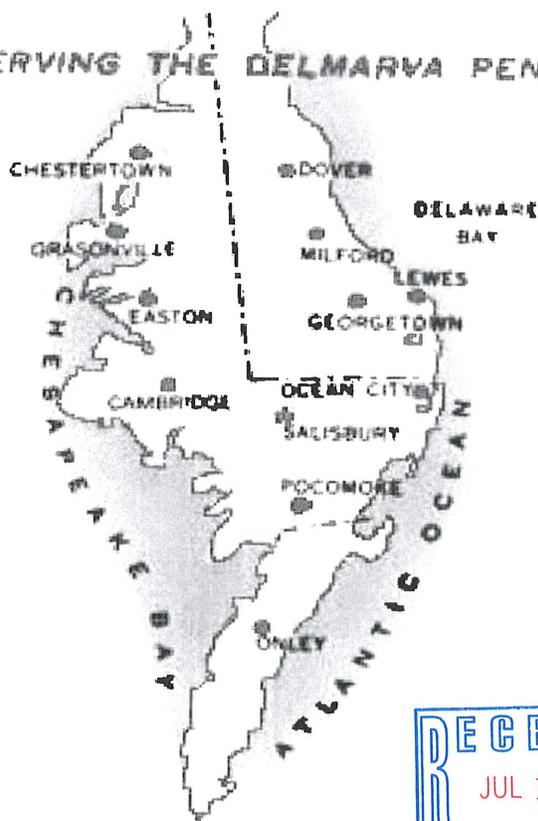
Reviewer Signature:   
 Scott C. Hoffman, P.E.

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

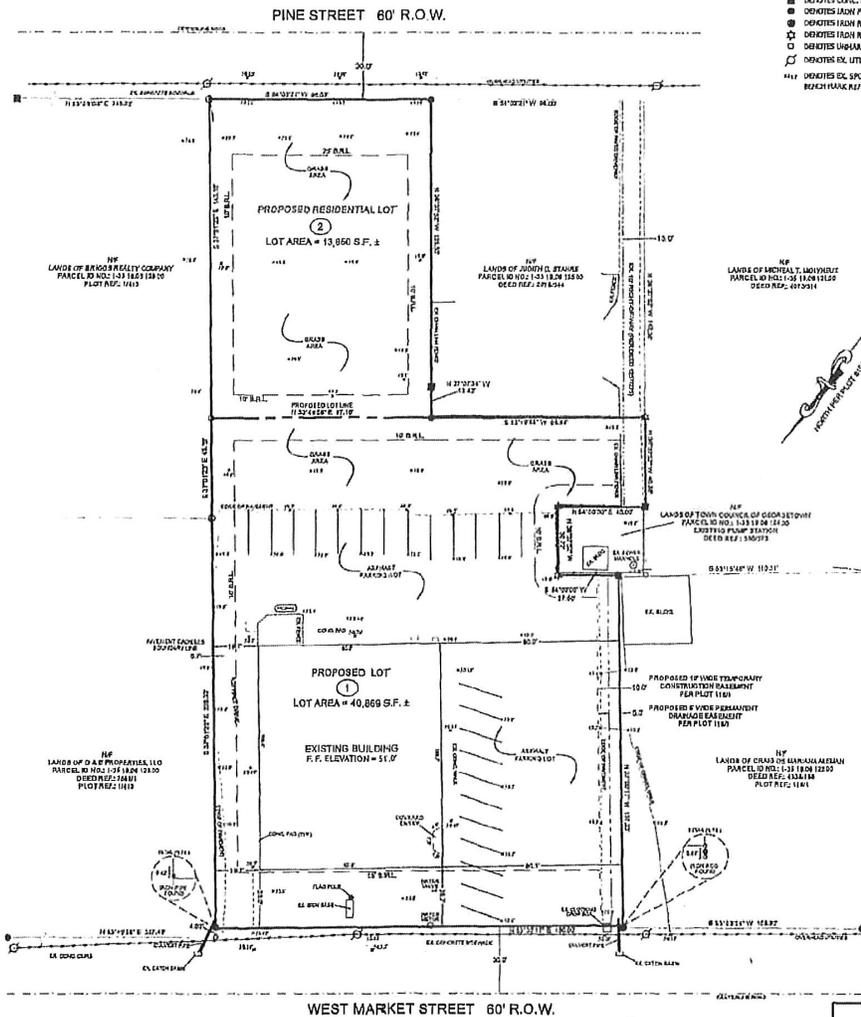
### 211 West Market Street Plans

- 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 PLAT REFLECTS THE ACQUISITION OF THE LOT PARCELS AS NOTED IN THE TITLE OF THE PLAT AS SHOWN ON THE SECOND PLAT ALSO THIS NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS OF WAY, EASEMENTS, UTILITY OR CASUALTY RIGHTS FOR THE PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD FILE NO. THE BOUNDARY CONTROLS SHOWN ON THIS PLAT



- (IN FEET)  
1" = 30'
- MIN. ACCURACY = 0.1%
- INDICATES CONC. FOUND
  - INDICATES IRON PIPE FOUND
  - INDICATES IRON ROD FOUND
  - ⊗ INDICATES IRON ROD SET
  - INDICATES UNMARKED POINT
  - ⊕ INDICATES EX. UTILITY POLE
  - ⊕ INDICATES EX. SPOT ELEVATION
- MEAN HANG REFERENCE: A 11-1155(1101) = 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: 311 WEST MARKET STREET  
 TAX ID NO.: 135 13.06 127.00  
 DEED REF.: 2018214  
 PLOT REF.: 813/157  
 TOTAL LOT AREA: 1.26 ACRES ±  
 EX. ZONING: UR-2 (THROUGH LOT)  
 SURVEY 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 Island Road, Blaineville, MD 21813  
 (410) 333-2514 • (410) 336-4076

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



THIS DOCUMENT HAS BEEN PREPARED BY A LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE SUPERVISION OF THE STATE OF DELAWARE. THE SURVEYOR'S NAME AND LICENSE NUMBER ARE SHOWN ON THIS DOCUMENT.

# 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.  
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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**

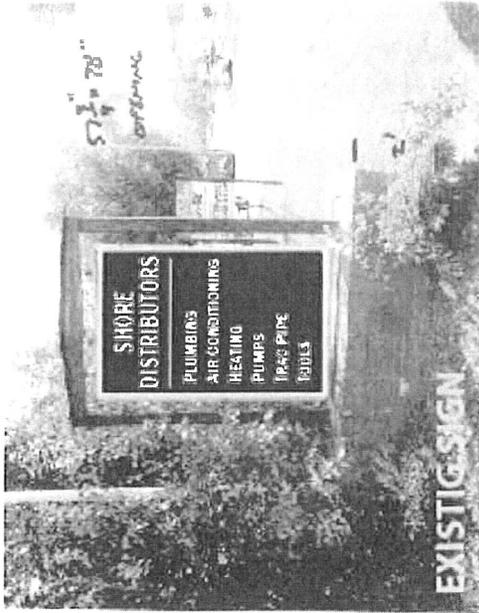
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**PLUMBING  
AIR CONDITIONING  
HEATING  
PUMPS  
TRAC PIPE  
TOOLS**

72"

78" OPENING

58" OPENING



EXISTING SIGN

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

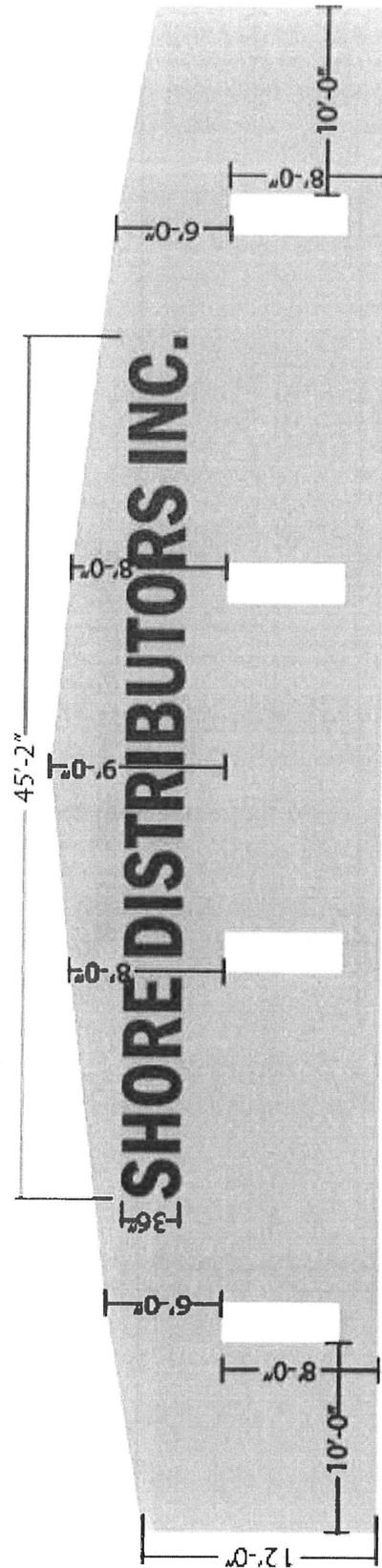
**PHILLIPS SIGNS**  
 THE DESIGN IS COPYRIGHTED AND IS THE EXCLUSIVE PROPERTY OF PHILLIPS SIGNS, INC. ALL RIGHTS TO THE DESIGN OR REPRODUCTION OF THIS DESIGN ARE RESERVED BY PHILLIPS SIGNS, INC. NO REPRODUCTION OF THIS DESIGN IS PERMITTED WITHOUT THE PERMISSION OF PHILLIPS SIGNS, INC. SEAFORD, DE. (302) 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 NATIONAL ELECTRICAL CODE, 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  
 Sales: Ben Phillips

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

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

IF APPROVED, PLEASE SIGN & DATE BACK TO 902-24-0011



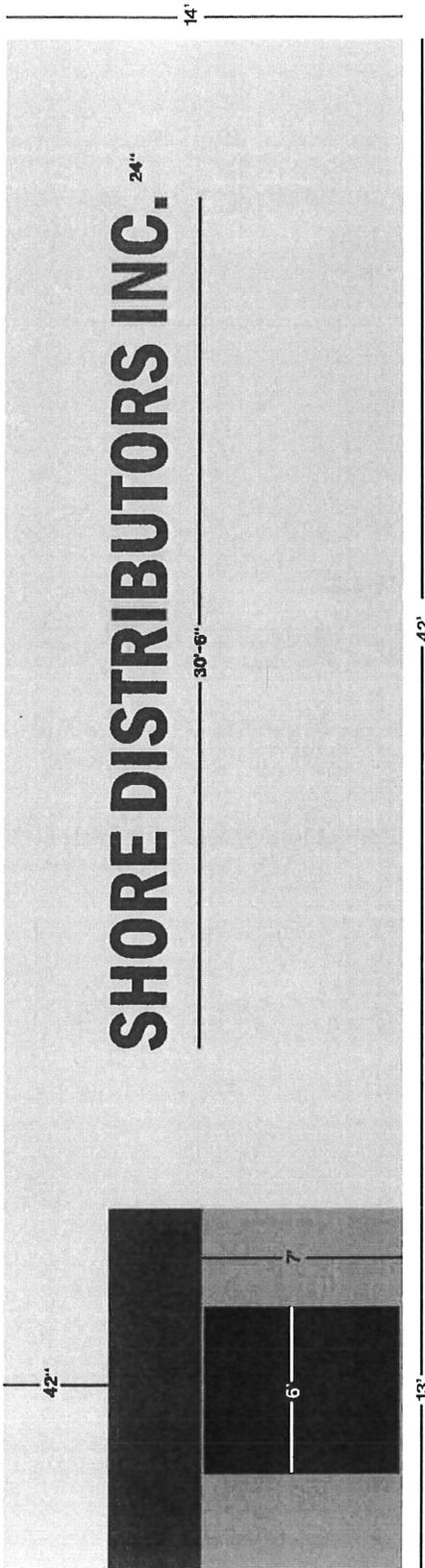
TAN BUILDING & GREEN LETTERS

**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 Address: DISTRIBUTORS INC.</p> <p>Date: 7.8.2020 Sales: Ben Phillips</p>	<p><b>DRAWING INFORMATION</b></p> <p>Scale: Rev A/Rev: BUILDING LETTERS</p>	<p><b>CUSTOMER</b></p> <p>Customer: Signak Date:</p>
	<p><small>IF APPROVED, PLEASE SIGN &amp; FAX BACK TO 302.629.9082</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.

August 3, 2020

To whom it may concern.

Be advised that since Shore Distributers is a business comparable to the Napa business that was in the building, I do not oppose their business going there.

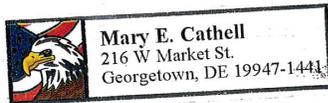
Mary E. Cathell  
216 W. Market St  
Georgetown DE 19947

RECEIVED

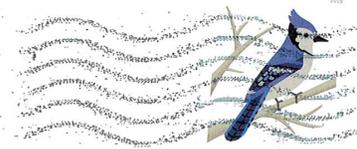
AUG 24 2020

BY: CA

King  
C. L.



WILMINGTON DE 197



FOREVER / USA

Town of Georgetown  
Town Hall  
39 The Circle



IA

Ref: Shore Distributers



#### RESOLUTION 2020-04

RESOLUTION APPROVING THE ISSUANCE OF UP TO \$1,255,000 MAXIMUM PRINCIPAL AMOUNT GENERAL OBLIGATION BOND, SERIES 2020-SRF, TO THE DELAWARE DEPARTMENT OF HEALTH & SOCIAL SERVICES, DRINKING WATER STATE REVOLVING FUND, AS REGISTERED OWNER, TO FINANCE THE REPLACEMENT OF AGING WATER MAINS AND SERVICE LINES ALONG MARKET AND BEDFORD STREETS TO THE TOWN OF GEORGETOWN'S APPROVED MARKET AND BEDFORD STREET WATERLINE AND SERVICE LINES REPLACEMENT PROJECT; SETTING FORTH THE FORM AND DETAILS OF THE BOND; DETERMINING THAT THE BOND WILL BE SOLD BY PRIVATE SALE AND AUTHORIZING EXECUTION OF A FINANCING AGREEMENT; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWN FOR THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

#### RECITALS

WHEREAS, The Town Council (the "Town Council") of The Town of Georgetown (the "Town") pursuant to 65 Del. Laws Ch. 276, as amended (the "Charter"), by Resolution adopted February 26, 2020 (the "Resolution 2020-01"), previously proposed to borrow up to \$1,255,000 in order to finance the additional construction costs associated with the replacement of aging water mains and service lines along Market and Bedford Streets (the "Project"), and fixed a time, date and place for a public hearing on Resolution 2020-01. Notice of hearing on the Resolution 2020-01 was properly placed as required by the Charter; and

WHEREAS, the public hearing was held in accordance with the Charter on March 11, 2020 and the Town Council by affirmative vote of its members thereafter passed a second resolution on March 11, 2020 ("Resolution 2020-02," and together with Resolution 2020-01, the "Prior Resolutions") in which the Town Council determined to proceed with the proposed

borrowing as authorized by the Charter and ordered a special election to be held on July 20, 2020<sup>1</sup> (the “Special Election”) for the purpose of voting for or against the proposed loan; and

WHEREAS, the Special Election was held on July 20, 2020 and notice was properly given for the Special Election, whereby a majority of the electors approved the borrowing by voting in the Special Election which was conducted and certified in accordance with the provisions of the Charter; and

WHEREAS, the Delaware Department of Health and Social Services, Division of Public Health (the “Department”) has authorized a loan (the “Loan”) to the Town from the Delaware Drinking Water State Revolving Fund (the “Fund”) in an amount not to exceed one million two hundred fifty-five thousand dollars (\$1,255,000), at an interest rate of one and three hundred seventy-five thousandths percent (1.3775%) and principal forgiveness of the entire amount advanced to the Town under the Loan up to \$1,255,000 upon completion of the Project, with a repayment term equal to the construction period plus twenty (20) years in the event the Project is not completed and any amount advanced under the Loan up to \$1,255,000 needs to be repaid; and

WHEREAS, Section 5.9(b) of the Charter authorizes the Town to borrow sums, not exceeding in the aggregate 75% of the assessed value of real property situate within the limits of the Town as shown by the last assessment preceding the creation of the said indebtedness; and

WHEREAS, pursuant to and in accordance with the Charter, the Prior Resolutions and this Resolution, the Town now desires to borrow ONE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$1,255,000) principal amount in order to finance the replacement of water mains and service lines along Market Street and Bedford Street and additional costs associated with the Project; and

WHEREAS, the Town desires to issue its General Obligation Bond, Series 2020-SRF in the maximum principal amount not to exceed \$1,255,000 (the “Bond”) and authorize the Mayor, Town Manager and Secretary of Town Council (the “Town Officials”) to determine the final terms and conditions of the Bond and to sell the Bond in a negotiated sale to the Fund, acting by and through the Department; and

WHEREAS, the Bond will be issued under, and subject to, the terms and conditions contained in a Financing Agreement dated as of the date of closing, by and between the Town and the Fund (the “Financing Agreement”); and

WHEREAS, the Town has determined that it is not necessary to appoint a fiscal agent or paying agent in connection with the issuance of the Bond; and

---

<sup>1</sup> Due to the Public Health Threat issued by Governor Carney on March 24, 2020, the Special Election scheduled for April 13, 2020 was cancelled. The Town Manager recommended the Special Election to be rescheduled for Monday, July 20, 2020 and Town Council approved the new date at its June 10, 2020 meeting.

WHEREAS, by the adoption of this Resolution, the Town Council desires to exercise the authority delegated to it under the Charter, and on behalf of the Town, to approve the execution and delivery of the Bond and the Financing Agreement.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. Authorization of the Incurrence of Indebtedness. The Town shall borrow an amount not to exceed ONE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$1,255,000), as approved by referendum of the electors in the Special Election held on July 20, 2020 by the issuance of the Bond, which together with other indebtedness of the Town does not exceed in the aggregate 75% of the assessed value of real property situate within the limits of the Town as shown by the last assessment preceding the creation of the said indebtedness.

Based on the assumption that certain conditions will have been satisfied, specifically, the full completion of the Project, the entire principal amount of the loan will be forgiven after completion of the Project, with any principal amount advanced and not forgiven, should the Projects not be completed, to be paid for a term equal to the (1) earlier of the date the Town notifies the Department of its intent to not complete the Project or (2) the third (3rd) anniversary from issuance of the Bonds (defined herein) plus twenty (20) years. The interest rate for the Loan is 1.3775%, payable semi-annually during project construction based on cumulative principal loan draws, and any accrued, but unpaid, interest shall be due as directed by the Department if repayment on the Loan shall become necessary due to the Project not being completed.

Section 2. Authorization of Issuance of the Bond. The Town shall issue, pursuant to the Charter and this Resolution, up to \$1,255,000 aggregate principal amount of its General Obligation Bond, Series 2020-SRF for the purpose of financing (i) the Project and (ii) the costs associated with issuing the Bond.

Section 3. Form and Terms of the Bond. The Bond shall be substantially in the Form of Bond provided in **Exhibit A** with appropriate omissions, insertions and variations. The actual Bond will contain the terms of the Bond as required by Section 5.9 of the Charter. The Bond will be issued for the aforementioned term in the event the Project is not completed at an interest rate of one and three thousand seven hundred seventy-five thousandths percent (1.3775%), such interest to be payable semi-annually during project construction based on cumulative principal loan draws and semi-annually during its twenty (20) year repayment term should such repayment become necessary if the Project is not completed.

Section 4. Sale of Bond. The Bond shall be sold at a private sale by negotiation to the Delaware Department of Health & Social Services, Division of Public Health, Delaware Drinking Water State Revolving Fund pursuant to the terms of the Bond and the Financing Agreement, as herein defined.

Section 5. Covenant to Pay Debt Service - Pledge of Full Faith, Credit and Taxing Power. The Town hereby covenants with the registered owner of the Bond (the Department) pursuant to this Resolution as follows: that the Town will include in its budget for each fiscal year during the life of the Bond, the amount of the debt service on the Bond issued

hereunder which will be payable in each such fiscal year so long as the Bond shall remain outstanding; that the Town shall appropriate such amounts from its general revenues to the payment of such debt service; that the Town shall duly and punctually pay or cause to be paid the principal of the Bond at the dates and places and in the manner stated in the Bond according to the true intent and meaning thereof; and for such budgeting, appropriation and payment the Town hereby pledges its full faith, credit and taxing power. The covenant contained in this Section 5 shall be specifically enforceable should the Loan need to be repaid if the Project is not completed.

Section 6. Authorization of the Financing Agreement. The Mayor and the Secretary of Town Council are hereby authorized to execute and deliver the Financing Agreement by and between the Town and the Department setting forth the terms of the Loan and the Town's obligation to repay the Loan, which will be evidenced by the execution of the Financing Agreement and delivery of the Bond.

Section 7. No Paying Agent. The Town hereby determines that it is not necessary to appoint a paying agent in connection with the issuance of the Bond and declines to make such appointment.

Section 8. Further Action. The Town Officials are hereby authorized to approve or execute such other documents and to take such other actions as shall be necessary or appropriate for the issuance of the Bond, or to implement the terms of the Financing Agreement, as contemplated by the Prior Resolutions and this Resolution of the Town.

Section 9. Charter Applicable to Bond. This Resolution is adopted pursuant to, and the Bond issued hereunder shall be subject to, the provisions of the Charter and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

Section 10. Contract with Bondholder. This Resolution constitutes a contract with the Department as registered owner of the Bond and shall be enforceable in accordance with the provisions of the laws of the State of Delaware.

Section 11. Severability. In case any one or more of the provisions contained in this Resolution or in the Bond issued pursuant hereto shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Resolution or of said Bond and this Resolution or said Bond shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

Section 12. Repealer. All Resolutions and parts of Resolutions heretofore adopted to the extent that the same are inconsistent herewith are hereby repealed.

Section 13. Effective Date. This Resolution shall become effective immediately upon its approval by the Town Council.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Adopted by the Town Council of The Town of Georgetown, Delaware this 26<sup>th</sup> day of August, 2020.

\_\_\_\_\_  
Name: William E. West  
Title: Mayor

[TOWN SEAL]

Attest:

\_\_\_\_\_  
Name: Robert L Holston Jr.  
Title: Secretary of Council

**Exhibit A  
Form of Bond**

**REGISTERED  
R-1**

**\$1,255,000**

**UNITED STATES OF AMERICA  
STATE OF DELAWARE  
TOWN OF GEORGETOWN**

**GENERAL OBLIGATION BOND  
(MARKET AND BEDFORD STREET WATERLINE AND SERVICE LINES  
REPLACEMENT PROJECT)  
SERIES 2020-SRF**

FINAL MATURITY DATE: \_\_\_\_\_, 20\_\_<sup>1</sup>

REGISTERED OWNER: Drinking Water State Revolving Fund, Delaware Department of Health & Social Services, Division of Public Health

PRINCIPAL AMOUNT: ONE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$1,255,000)

THE TOWN OF GEORGETOWN, DELAWARE, a municipal corporation and political subdivision of the State of Delaware (hereinafter referred to as the "Town"), for value received hereby acknowledges itself indebted and promises to pay, as hereinafter set forth if necessary, to the DRINKING WATER STATE REVOLVING FUND, or to any other registered owner hereof, the principal sum of ONE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$1,255,000) or so much thereof as shall actually be advanced to the Town by the Drinking Water State Revolving Fund, acting by and through the Delaware Department of Health & Social Services, Division of Public Health (the "Department") pursuant to the Financing Agreement dated \_\_\_\_\_, 2020 (the "Financing Agreement") between the Town and the Department.

The Bond is being issued in order to provide funds to finance all or a portion of (i) the replacement of water mains and service lines along Market Street and Bedford Street, as more fully described in Exhibit A to the Financing Agreement (collectively, the "Project") and (ii) the costs of issuing the Bond.

The Town shall pay to the Department, on the principal amount drawn down and outstanding hereunder from the date(s) drawn, interest at the rate of 0.68875% per annum and an administrative fee at the rate of 0.68875% per annum (collectively, interest and the

<sup>1</sup> Should repayment become necessary.

administrative fee are referred to herein as “Fee”). Such Fee shall accrue starting on the date hereof (the “Closing”) through the completion of the Project or through the final maturity date or prepayment in full hereof. The Borrower shall pay Fee hereunder initially on \_\_\_\_\_, 20\_\_\_\_ and semiannually thereafter on each \_\_\_\_\_ and \_\_\_\_\_ (each, a “Payment Date”). The Town shall pay only Fee and no principal during the period commencing with the Closing through the earlier of (i) the Payment Date next succeeding the date on which the Project is actually completed or (ii) \_\_\_\_\_, 20\_\_ (which, as of the Closing, is the date by which the Project is projected to be completed (the “Anticipated Project Completion Date”).

The Town has agreed to complete the Project by \_\_\_\_\_, 20\_\_, at which time the Town will have fulfilled its obligation under this Bond. Upon completion of the Project, the entire principal amount advanced to the Town and outstanding will be forgiven by the Department.

Should the principal amount advanced and outstanding not be forgiven as a result of non-completion of the Project, such outstanding principal amount will be payable immediately following the earlier of (1) the date the Town notifies the Department of its intent to not complete the Project or (2) the third (3rd) anniversary from issuance of the Bond, such date currently expected to be \_\_\_\_\_, 20\_\_ (herein referred to as the “Amortization Start Date”). After the Amortization Start Date, Fee and principal shall be payable on the outstanding principal amounts drawn hereunder semiannually, on each Payment Date, commencing on the Payment Date next succeeding the Amortization Start Date and continuing on each of the next 39 following Payment Dates, in an amount sufficient to amortize all principal drawn with substantially equal semiannual payments of principal and Fee over twenty (20) years. Once determined, Payment Dates shall remain the same throughout the term of this Bond.

If by \_\_\_\_\_, 2021, which is one year from the date of Closing, (i) the Town has not drawn down the principal amount of this Bond by more than ten percent (10%) of the Project costs, and (ii) the Department has not received a Notice to Proceed as required by the Financing Agreement, the Department may in its discretion assess a penalty of one percent (1%) of the total principal amount authorized by this Bond (the “Penalty”). Such Penalty may be drawn by the Department from the principal amount allocated to this Bond. It is within the Department’s complete discretion whether to impose the Penalty based upon its review of affirmative steps taken by the Town to complete the Project and the totality of the circumstances surrounding any such delay in making draws on the principal amount of this Bond.

Notwithstanding the foregoing, all unpaid principal shall be paid in full on the Final Maturity Date. The Fee hereon shall be calculated on the basis of a 360-day year consisting of twelve 30-day months. The principal of this Bond is payable in lawful money of the United States of America. Principal of this Bond shall be paid by check or draft mailed or remitted electronically on the payment date to the Registered Owner, as shown on the books and records of the Town.<sup>1</sup>

This Bond is authorized and issued pursuant to the Laws of the State of Delaware, including Section 5.9, 65 Del. Laws Ch. 276, as amended, resolutions adopted by the Town on

February 26, 2020, March 11, 2020 and August 26, 2020, a public hearing held on March 11, 2020 and a favorable special election conducted on July 20, 2020.

At the option of the Town and upon providing prior written notice to the Registered Owner hereof, as shown on the books and records of the Town, this Bond may be prepaid or redeemed in whole or in part, without penalty, at any time, and any prepayment in part of this Bond shall be applied to all or a portion of the principal installments then outstanding as shall be specified by the Town.

It is hereby certified and recited that all conditions, acts, and things required by the Constitution, statutes or laws of the State of Delaware to exist, be performed or happen, precedent to or in the issuance of this Bond, do exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the Town, is within every debt and other limit prescribed by said Constitution, statutes or laws. This Bond is a valid and legally binding general obligation of the Town and, unless paid from other sources, the principal payable hereon will be paid from ad valorem taxes levied upon all real property subject to taxation by the Town. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of this Bond according to its terms.

This Bond may be transferred by the Registered Owner hereof in person or by its attorney duly authorized in writing. The Town may deem and treat the Registered Owner as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and for all other purposes.

The provisions of this Bond shall be construed and enforced under the laws of the State of Delaware.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, The Town of Georgetown has caused this Bond to be signed by the Mayor and attested by the Secretary of Town Council, and the official corporate seal of the Town to be imprinted or impressed hereon, and this Bond to be dated \_\_\_\_\_, 2020.

(TOWN SEAL)

THE TOWN OF GEORGETOWN, DELAWARE

By: \_\_\_\_\_  
William E. West  
Mayor

Attest:

\_\_\_\_\_  
Robert L Holston Jr.  
Secretary of Town Council

[END OF FORM OF BOND]

CERTIFICATE OF SECRETARY

The undersigned, Secretary of the Town Council of The Town of Georgetown, HEREBY CERTIFIES that:

The foregoing Resolution authorizing the issuance of General Obligation Bond, Series 2020-SRF of the Town was duly moved and seconded and adopted by a majority vote of the Town Council of said Town at a duly called and convened public meeting of said Board held on August 26, 2020; and that the roll of the Town Council was called and such members voted or were absent as follows:

<u>Name</u>	<u>Vote</u>
William E. West, Mayor	
Stephen M. Hartstein	
Rebecca Johnson-Dennis	
Chris Lecates	
Robert Holston	

and that such Resolution and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the Town this 26th day of August, 2020.

\_\_\_\_\_  
Robert L Holston Jr.  
Secretary of Town Council

(TOWN SEAL)



**ORDINANCE 2020-03**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN,  
CHAPTER 190 THEREOF, ENTITLED STREETS AND SIDEWALKS**

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

Chapter 190 Streets and Sidewalks of the Code of the Town of Georgetown is hereby  
amended to add a new Article, as follows:

**Article V. Discharge of Water onto Sidewalk**

**§190-26 Discharge onto sidewalk prohibited.**

**A It is unlawful and a public nuisance to permit rainwater or water to be discharged from any building in the Town through a spout or drain or outlet of any kind which discharges or flows directly upon the sidewalk or any sidewalk in the Town. All rainwater or water spouts, drains or outlets existing as of the effective date of this ordinance which permit rainwater or water to be discharged from any building onto any sidewalk shall be repaired and constructed, such that the rainwater or water is carried under the sidewalk and/or discharged into a gutter and to the street without flowing over or upon the sidewalk.**

**B. All rain spouts, drains or other outlets designed for rainwater or water to be discharged from any structure in the Town, which may be built after the effective date of this ordinance, shall be constructed so that they discharge their water under the sidewalk and/or into a gutter or other sub-surface structure so that the water does not flow upon the sidewalk.**

**§190-27 Violations and penalties.**

**Any person violating any provision of this article shall be subject to such fines as are set forth in Chapter 1, Article III, General Penalty.**

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

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

\_\_\_\_\_  
, Secretary

1<sup>st</sup> Reading: August 26, 2020

2<sup>nd</sup> Reading: September 9, 2020

Adoption: September 9, 2020



**ORDINANCE NO. 2020-04**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN, CHAPTER 230 THEREOF, ENTITLED ZONING, TO CHANGE THE ZONING MAP FOR THE PROPERTY KNOWN AS 108 CEDAR STREET (135-14.20-304.00) FROM NEIGHBORHOOD BUSINESS DISTRICT (UB2) TO URBAN BUSINESS DISTRICT (UB1).**

WHEREAS, the Town Council of the Town of Georgetown received an application to amend the zoning map of the Town of Georgetown from UB2 to UB1 for the property located at 108 Cedar Street and further identified as Sussex County Tax Map 135-14.20-304.00, and;

WHEREAS, the Planning Commission of the Town of Georgetown has reviewed the application and has recommended approval by the Town Council, and;

WHEREAS, the Town Council of the Town of Georgetown held an advertised public hearing on August 12, 2020 to allow for public comment on the application, and;

WHEREAS, the Town Council finds the proposed use is compatible with the Town of Georgetown Comprehensive Plan and the permitted uses described for the area are consistent with the intent of Chapter 230 Zoning, Article XII UB1 – Urban Business District, and;

WHEREAS, the Town Council finds the proposed use is compatible with existing adjoining uses, and;

WHEREAS, the Town Council has reviewed comments received with respect to this application and find them to be in support of the application, and;

WHEREAS, it is the opinion of the Town Council of the Town of Georgetown that the amendment will not have an adverse effect on adjacent properties and is in the spirit of the Georgetown Zoning Code and voted to approve the zoning change on August 26, 2020;

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN, HEREBY ORDAINS:

Section 1. The Georgetown Zoning Map be amended by zoning the property identified as Sussex County Tax Map 135-14.20-304.00, with approximately 0.24 +/- acres, to a classification of UB1 (Urban Business District).

Section 2. This Ordinance shall take effect immediately upon its adoption by a majority of the vote of all members of the Town Council of the Town of Georgetown

ADOPTED by the Town Council of the Town of Georgetown, Delaware on the 23<sup>rd</sup> day of September, A.D., 2020.

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

\_\_\_\_\_  
Secretary

Public Hearing: August 12, 2020

1<sup>st</sup> Reading: August 26, 2020

2<sup>nd</sup> Reading: September 23, 2020

Adoption: September 23, 2020

DRAFT



**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