

TOWN OF OCEAN VIEW
DELAWARE

October 6, 2020

TO: Mayor and Council

FROM: Carol S. Houck, Town Manager 

SUBJECT: Ocean View Historical Society (OVHS) – Hall’s Store – As-Built Plan Review and Status

A recent submittal of the OVHS Hall’s Store as-built plan was reviewed and commented on by The Kercher Group, our Town Engineer. The as-built plan is typically the final step to obtaining a Certificate of Occupancy. Upon receipt of the review comments it became necessary to engage the OVHS Board and contractor regarding differences between the original approved plan from November 2017 and the 2020 as-built plan. The following outlines where this effort stands and your staff recommendations.

Site Improvements:

- a. The approved site plan called for a brick paver driveway. The as-built plan reflects a clamshell driveway. The driveway was approved as brick to provide both ADA compliant access to all the buildings on-site as well as emergency vehicle access. The clamshells do not provide an ADA compliant accessible path. The Town was never informed or consulted about the change to clamshells, however we have written documentation that the Millville Fire Chief feels the clam shell driveway is adequate for emergency vehicle access.

However, an ADA compliant accessible path needs to be provided between each of the primary function areas on-site. It is the intent of the Planning and Development Director and Town Manager to include sidewalk construction between the buildings, in its ADA sidewalk enhancement program for the Town. We believe this to be appropriate as the property is owned by the Town and connects to our park, providing additional ADA park access. Approval of the Mayor and Council is necessary to proceed with design and inclusion in our sidewalk program. **Afterwards, if approved, the OVHS will be required to have its contractor add a note to the final as-built plan stating that the Town accepts the approval of the clamshell driveway per agreement of the Millville Fire Department Chief and the sidewalk between buildings, is to be constructed by the Town, providing the ADA compliant path as required in the approved site plan .**

- b. The approved site plan called for a sidewalk across the frontage of the site. This was to be part of a long-term plan for providing sidewalks along the length of Central Avenue that was never carried out. The Town Planning and Development Director and Town Manager agree to recommend removal of this requirement from the original plan to the Planning and Zoning Commission **Afterwards, if approved, a note should be added to the final as built plan stating that the Town Planning Commission is no longer requiring the Central Avenue fronting sidewalk as part of the Hall's Store plan.**

- c. The submitted as built plan does not show that any landscaping has been installed per the approved site plan. The Town Planning and Development Director and Town Manager agree to recommend this requirement be waived in that the site is fairly well landscaped already. Approval of the Planning and Zoning Commission will be necessary. **Afterwards, if approved, a note should be added to the final as built plan submission stating that the Town Planning Commission accepts the elimination of the landscape plan from the Hall's Store plan.**

Recommendation:

It is therefore recommended that Mayor and Council authorize the Town Manager and Planning and Development Director to move forward as follows regarding the Ocean View Historical Society's Hall's Store Project As-Builts:

- Accept the determination of the Millville Fire Chief regarding emergency vehicle access over the clamshell driveway,
- Proceed with design of the sidewalk between OVHS buildings and construction of same to address ADA requirements of the Hall's Store As-Builts and provide additional benefit to our park,
- Recommend the removal of the requirement for Central Avenue fronting sidewalk as part of the Hall's Store plan to the Planning and Zoning Commission and,
- Recommend the removal of the requirement for additional landscaping as part of the Hall's Store plan to the Planning and Zoning Commission.

Support of the above recommended actions will afford the Ocean View Historical Society the opportunity to obtain its Certificate of Occupancy.