

116 Front Street Unit 16
Lewes, DE 19958
March 11, 2019

Mr. Darrin Gordon, General Manager
Board of Public Works
107 Franklin Avenue
Lewes, DE 19958

Sent via E-Mail to: dgordon@lewesbpw.com

Reference: Waiver Request for Parcel 335-8.00-9.00

Dear Mr. Gordon:

The following waiver request addresses utility supply to Sussex County Tax Parcel 335-8.00-9.00 that is an undeveloped lot along New Road opposite Captains Circle. I entered in a lot purchase agreement with Edith Cross (Seller) on February 1, 2019. She sold the lot with the understanding from the City of Lewes officials that the lot is in Sussex County and was not encumbered with requirements of the City and that utilities were available for purchase from the Board of Public Works (BPW). As a condition of purchase, I stipulated that I needed time to establish that details of electricity, water and sewer services at the lot. My working assumption was that I would purchase electricity from BPW as your power lines border the property, provide drinking and irrigation water from onsite wells whose primary purpose would be to run a geothermal heat pump system, and provide sewage disposal using an onsite septic system that is common in the area.

My first contact with BPW ended with Kristina Keller, of your Office, informing me that I must sign a pre-annexation agreement as a condition to purchase any utility from BPW and I must purchase all utilities from BPW. This was unexpected by Mrs. Cross, her Realtor and me, as none of the previous meetings with BPW disclosed these requirements nor does your website. This then caused me to explore the basis of these requirements, resulting in this waiver request.

My understanding is that the BPW Board acts on waiver requests during their regularly scheduled meetings. Please add my waiver request to the agenda of your March meeting that I understand is scheduled at 4:00 PM, Wednesday, March 27, 2019. Please let me know the meeting location and if the meeting time and date has changed as I plan to attend the meeting to address questions from the Board. My waiver request includes:

- Removing the requirement to sign a pre-annexation agreement as a prerequisite to purchase any utility from BPW, and
- Removing the requirement to purchase water and sewer services from BPW.

The basis, rationale and specifics of these requests are attached to this letter.

Please contact me should you want to discuss this matter in advance of the Board meeting.

Sincerely,



J.F. Peter

202-853-0789 Cell E-mail: jfpeter@comcast.net

CC: Edith Cross, Kathy Engel, Timothy Willard, Esquire

Enclosures: Waiver Basis, Rationale and Specifics