



Town of Townsend Code Review Committee Meeting
December 16th, 2025, @ 3:00pm
VIA Conference Call & Town Hall
141 Main St, Townsend, DE 19734

3:00 pm Code Review Committee Meeting

- I. Call to Order:**
- II. Opening Ceremonies**
 - A. Roll Call:**
 - B. Pledge of Allegiance:**
 - C. Recognition of Visitors:**
 - D. Announcements:**
- III. Citizens Comments & Participation.**
- IV. Adoption of Agenda.**
- V. ACTION ITEM:** Discussion and review of Municipal Code edits to reflect violation and penalties for encroachments.
- VI. ACTION ITEM:** Discussion and review of Section 4 of Townsend Municipal Code- Fee Schedule.
- VII. ACTION ITEM:** Discussion and review of Townsend Code requirements as it relates to legal cannabis and manufacturing.
- VIII.** Discussion regarding new business.
- IX.** Discussion regarding next meeting date.
- X.** Adjourn.

Committee Meetings will be held both in person and in a virtual format.

Those wishing to attend virtually may dial **1(301)715-8592**. When directed, provide following meeting ID **827-6421-7575#** and then the following password **361631#** to enter the meeting. If you choose to access the meeting online click the following link:
<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xjME1HV0ZOcHRxSHZ3QT09>

Residents will be able to view documents posted to the meeting tab on the Town website at <https://townsend.delaware.gov> or by joining the meeting via computer.

Kelsey Gallagher

From: Lisa Hatfield <lhatfield@connollygallagher.com>
Sent: Monday, December 8, 2025 10:37 AM
To: Julie Goodyear
Subject: Sample encroachment language

This message originated from outside the organization

Good morning Julie,

Below is the sample language that you requested with comments in Red.

NEWARK:

Sec. 2-71. - Rules and regulations for the use of parks owned by the City of Newark.

(a) In any park owned or operated by the City of Newark, no person shall cut, break, move, take or otherwise injure, destroy, or deface any trees, shrubs, plants, turf, rock, or any building, fence, bridge, sign, or other structure, nor foul any spring or stream, nor shall any person dump any earth, rubbish, or other substance or material in or upon any park without written permission of the department of parks and recreation.

Any person using City of Newark tennis courts shall be deemed to have read and understood the rules and regulations and agree to follow the letter and spirit of said rules and regulations.

(r) No person or persons shall willingly encroach upon lands administered by the department of parks and recreation. **The Newark code is specific to parks but this language is easily edited to "Town Property." I just copied the more relevant items and not the full code but the section is here is you want to review in full.**

(s) It shall be unlawful for any person to construct, erect or place any building or structure of any kind, including but not limited to skateboard or bicycle ramps or rails, whether permanent or temporary, or run or string any utility into, upon, or across any park without written permission of the department of parks and recreation.

(u) The City of Newark Police and the employees of the department of parks and recreation are authorized to enforce these rules and regulations and to prosecute violators thereof.

- **Sec. 2-72. - Penalty for violation of rules and regulations.**

Any person violating any of these rules and regulations shall be guilty of a misdemeanor and shall be fined not less than \$25.00 or more than \$50.00 for the first offense, and not less than \$50.00 or more than \$100.00 for each subsequent offense. Each violation shall be a separate offense.

OCEAN VIEW

§ 140-5 (d) Yards and open space.

(1)

No structure shall be located, no existing structure shall be altered, enlarged, moved or rebuilt, **and no open space surrounding any structure shall be encroached upon or reduced** in any manner that does not conform to the yard, lot, area, and building location regulations designated for the zoning district in which such building or open space is located, unless otherwise permitted. **Again, easy to add "encroach upon Town Property."**

(2)

A yard or other open space associated with a building on a lot shall not be considered as a required yard or open space for a building on any other lot.

Lisa R. Hatfield

PARTNER

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Fee Schedule

		As of 12/4/2024			
		Suggested New:			
		2% Increase	5% Increase	10% Increase	New Charges
Contractors Fee	\$125.00	\$128	\$131	\$138	Remove charges
Board of Adjustment					
Application for variance hearing	\$500.00	\$510	\$525	\$550	
Application for variance hearing- Residential District	\$300.00	\$306	\$315	\$330	
Application for variance hearing- Non-Residential District	\$500.00	\$510	\$525	\$550	
Application for special exception hearing	\$350.00	\$357	\$368	\$385	
Application for waiver hearing	\$350.00	\$357	\$368	\$385	
Land Development					
Lot Consolidation Fee	\$200.00				
Minor Subdivision or Land Development Plan					
Residential Filing Fee	\$300.00	\$306	\$315	\$330	
	\$2000.00 (Plus \$115.00 per dwelling unit or acre, whichever is greater)	\$2,040	\$2,100	\$2,200	
Initial Engineering and Plan Review					
Non Residential Filing Fee	\$500.00	\$510	\$525	\$550	
Initial Engineering & Plan Review- less than 5 acres	\$3,000.00	\$3,060	\$3,150	\$3,300	
Initial Engineering & Plan Review- 5 acres and above	\$4,000.00	\$4,080	\$4,200	\$4,400	
Major Subdivision or Land Development Plan					
Residential Filing Fee	\$500.00	\$510	\$525	\$550	
	\$4,000.00 (plus \$115.00 per dwelling unit or acre, whichever is greater)	\$4,080	\$4,200	\$4,400	
Initial Engineering & Plan Review Fee Escrow		\$4,080	\$4,200	\$4,400	
Non Residential Filing Fee	\$600.00	\$612	\$630	\$660	
Initial Engineering & Plan Review- less than 5 acres	\$4,000.00	\$4,080	\$4,200	\$4,400	
Initial Engineering & Plan Review- 5 acres and above	\$5,000.00	\$5,100	\$5,250	\$5,500	
Land & Development Inspection Escrow Account/Guaranty Requirements					
Inspection Fee Escrow- 5% of the total cost estimate (for both on-site and off-site improvements)	5% of the total cost estimate (for both on-site and off-site improvements). \$500.00 minimum escrow deposit				
Performance Guarantee	120% of the total cost estimate in the form of cash, irrevocable letter of credit, certified check, or performance bond				
Maintenance Bond	15% of the total cost estimate				
Administrative Fees and Fines					
Administrative Fee	\$125.00	\$128	\$131	\$138	
Plan Revision for Previously approved construction permits	\$150.00	\$153	\$158	\$165	
Temporary Certificate of Occupancy	\$100.00	\$102	\$105	\$110	
Certificate of Occupancy	\$125.00	\$128	\$131	\$138	
Returned Check- 1st occurrence	\$60.00	\$61	\$63	\$66	
Returned Check- 2nd offense	\$75.00	\$77	\$79	\$83	
Light pollution Violation (Each Offense)	\$50.00	\$51	\$53	\$55	
Unlawful burning in Town Limits (each offense)	\$25.00 - \$100.00				
Unlawful use of Orchard Lane- 1st offense	5hrs Community Service + \$50.00 fine	\$51	\$53	\$55	
Unlawful use of Orchard Lane- 2nd offense	10hrs Community Service + \$100.00 fine	\$102	\$105	\$110	
Unlawful use of Orchard lane- Subsequent Offense	\$200.00	\$204	\$210	\$220	
Town Mowing of non-compliant properties	\$90/hr, minimum of 2hrs	\$90/hr, minimum of 2hrs			
General Office Fees					
Copies up to 10 pages	.10 per copy	.10 per copy			
Copies after 10 pages	.25 per copy after the first 10 pages	.25 per copy after the first 10 pages			
Fax	\$1.00 first 10 pages, \$1.00 per page after the first 10	\$1.00 first 10 pages, \$1.00 per page after the first 10			
Notary Services- Resident of Incorporated Townsend	FREE				
Notary Services- Non Resident	\$5.00	\$5			
Property Information Requests/Settlements / Refinance	\$10.00 per parcel/ per request (including updated information)	\$10.00 per parcel/ per request (including updated information)			
Permit Fees					
Building Fee (One & Two Family Dwellings)	\$15.00 per \$1,000.00 valuation based on current ICC Building Valuation Data Table applying a Local Factor of 0.75				
	\$15.00 per \$1,000.00 valuation based on current ICC Building Valuation Data Table applying a Local Factor of 0.75 \$8.00 per \$1,000.00 for anything exceeding \$1,000,000.00 based on the most current ICC Building Valuation Data Table				
Building Fee (Other than One & Two Family dwellings)					
Impact Fees- Public Works	\$3,550.00				
Impact Fees- Community Services	\$2,250.00				
Impact Fees- Community Investment	\$3,800.00				
Impact Fees- Roadway	\$2,750.00	\$2,805	\$2,888	\$3,025	
Impact Fees- General	\$3,500.00	\$3,570	\$3,675	\$3,850	
Impact Fees- Sidewalk	\$500.00	\$510	\$525	\$550	
Impact Fees- Public safety	\$1,500.00	\$1,530	\$1,575	\$1,650	
Impact Fees- Townsend Volunteer Fire Assistance	\$750.00	\$765	\$788	\$825	
Permit Extension (valid for 180 days)- 1st occurrence	\$50.00	\$51	\$53	\$55	
Permit Extension (valid for 180 days)- 2nd occurrence	\$75.00	\$77	\$79	\$83	
Permit Extension (valid for 180 days)- 3rd occurrence	\$100.00	\$102	\$105	\$110	
Lines and Grades (each review)	\$550.00	\$561	\$578	\$605	
Review of New Home Construction Drawings (each review)	\$650.00	\$663	\$683	\$715	
Gas Line Pressure Test- when required	\$75.00	\$77	\$79	\$83	
Re-inspection fee (due prior to re-inspection)	\$70.00	\$75			
Trade Permit Fees					
Mechanical Permit	\$100.00	\$102	\$105	\$110	
Plumbing Permit	\$100.00	\$102	\$105	\$110	

Dumpster Permit	\$0.00			
Dumpster Permit Extension Fee	\$50.00	\$51	\$53	\$55
Residential Permit Flat Fees				
Fence	\$125.00	\$128	\$131	\$138
Shed- 200 sqft or less	\$150.00	\$153	\$158	\$165
Shed- 200sqft or above	\$15.00 per \$1,000.00 valuation based on current ICC Building Valuatoin Data Table applying a Local Factor of 0.75			
Permanently Installed Generator	\$150.00	\$153	\$158	\$165
Fireplace	175.00 Plus HVAC & Plumbing	\$179	\$184	\$193
In-Ground Pool	\$525.00	\$536	\$551	\$578
Above-Ground Pool	\$175.00	\$179	\$184	\$193
Hot Tub	\$175.00	\$179	\$184	\$193
Flagpole (Inground)	100	\$102	\$105	\$110
Residential Permit Fees per square foot (all permit fees assessed by square foot shall be subject to the fees above, as applicable)				
Administrative Fee	\$125.00	\$128	\$131	\$138
Plan Revision Fee for Previously Approved Construction Permits	\$150.00	\$153	\$158	\$165
Temporary Certificate of Occupancy	\$100.00	\$102	\$105	\$110
Certificate of Occupancy	\$125.00	\$128	\$131	\$138
Patio	\$8.00/ square foot	\$8.00/ square foot	\$8.00/ square foot	\$9.00/ square foot
Sidewalk	\$8.00/ square foot	\$8.00/ square foot	\$8.00/ square foot	\$9.00/ square foot
Driveway	\$8.00/ square foot	\$8.00/ square foot	\$8.00/ square foot	\$9.00/ square foot
Basement	\$10.00/ square foot	\$10.00/ square foot	\$11.00/ square foot	\$11.00/ square foot
Deck	\$10.00/ square foot	\$10.00/ square foot	\$11.00/ square foot	\$11.00/ square foot
Addition	\$15.00/ per \$1,000.00	\$15.00/ per \$1,000.00	\$16.00/ per \$1,000	\$17.00/ per \$1,000.00
Garage	\$15.00/ per \$1,000.00	\$15.00/ per \$1,000.00	\$16.00/ per \$1,000	\$17.00/ per \$1,000.00
Enclosed Porch (No HVAC)	\$15.00/ per \$1,000.00	\$15.00/ per \$1,000.00	\$16.00/ per \$1,000	\$17.00/ per \$1,000.00
Open Porch	\$15.00/ per \$1,000.00	\$15.00/ per \$1,000.00	\$16.00/ per \$1,000	\$17.00/ per \$1,000.00
Carport	\$15.00/ per \$1,000.00	\$15.00/ per \$1,000.00	\$16.00/ per \$1,000	\$17.00/ per \$1,000.00
Rooftop Solar Panels	\$15.00/ per \$1,000.00	\$15.00/ per \$1,000.00	\$16.00/ per \$1,000	\$17.00/ per \$1,000.00
Ground-Mounted Solar Panels	\$15.00/ per \$1,000.00	\$15.00/ per \$1,000.00	\$16.00/ per \$1,000	\$17.00/ per \$1,000.00
Altering of existing spaces (moving of interior walls)	\$20.00/ square foot	\$20.00/ square foot	\$21.00/ square foot	\$22.00/ square foot
Non- Residential Fees				
Impact Fees- Commercial	\$2.00 per sq. ft. of building area	\$2.00 per sq. ft. of building area		
Impact Fees- Industrial	\$2.00 per sq. ft. of building area	\$2.00 per sq. ft. of building area		
Plan review Fees (Commercial/Industrial)	\$0.009 for each dollar of value with a minimum of \$300.00			
Inspection Fees (Commercial/Industrial)				
Valuation <\$1,000.00	\$100.00	\$102	\$105	\$110
Valuation >\$1,000.00 < \$1,000,000.00 Per \$1,000.00 or fraction thereof	\$20.00	\$20	\$21	\$22
Valuation > \$1,000,000.00 for each \$1,000.00 or fraction thereof	\$5.00	\$5	\$5	\$6
Fence	\$250.00	\$255	\$263	\$275
Fence (Replacement Only)	\$150.00	\$153	\$158	\$165
Signs (Permanent)	\$10.00 per/sq. ft	\$10.00 per/sq. ft	\$11.00 per/sq. ft	\$11.00 per/sq. ft
Signs (Temporary less than 30 days)	\$50.00	\$51	\$53	\$55
Signs (Temporary 30-90 days)	\$100.00	\$102	\$105	\$110
Temporary Office Trailers (<180 days)	\$60.00	\$61	\$63	\$66
Demolition Permit	\$600.00	\$612	\$630	\$660
Sketch Plan- Filing Fee	\$800.00	\$816	\$840	\$880
Grading Permit- Filing Fee	\$150.00	\$153	\$158	\$165
Initial Engineering and Plan Review Escrow	\$550.00	\$561	\$578	\$605
Dumpster Permit Fee	\$0.00			
Dumpster Fee Extension	\$50.00	\$51	\$53	\$55
First Violation Penalty	not less than \$100			
Each Subsequent violation penalty	not less than \$200			
Permit App- Resubmittal Fee	\$25.00	\$26	\$26	\$28
Rental Ordinance Fees				
License fee per building	\$60.00	\$61	\$63	\$66
additional fee for each rental unit (above 1) within building	\$10.00	\$10	\$11	\$11
Inspection Fee- Single Family Home	\$90.00	\$92	\$95	\$99
Inspection Fee- each residential unit with building	\$50.00	\$51	\$53	\$55
Re-inspection fee	\$110.00	\$112	\$116	\$121
Municipal Park Rentals				
	\$75.00 Townsend Resident/ 3hr block	\$80.00 Townsend Resident/ 3hr block		
	\$125.00 Non-Townsend Resident/ 3hr block	\$130.00 Non-Townsend Resident/ 3hr block		
	\$75.00 Non-Profit/ 3hr block	\$80.00 Non-Profit/ 3hr block		
Gazebo Rental	\$25.00/additional hour	\$30.00/additional hour		
	\$75.00 Townsend Resident/ 3hr block	\$80.00 Townsend Resident/ 3hr block		
	\$125.00 Non-Townsend Resident/ 3hr block	\$130.00 Non-Townsend Resident/ 3hr block		
	\$75.00 Non-Profit/ 3hr block	\$80.00 Non-Profit/ 3hr block		
Pavillion Rental	\$25.00/additional hour	\$30.00/additional hour		
	\$75.00 Townsend Resident/ 3hr block	\$80.00 Townsend Resident/ 3hr block		
	\$125.00 Non-Townsend Resident/ 3hr block	\$130.00 Non-Townsend Resident/ 3hr block		
	\$75.00 Non-Profit/ 3hr block	\$80.00 Non-Profit/ 3hr block		
Baseball/Multi-purpose Field	\$25.00/additional hour	\$30.00/additional hour		
	\$75.00 Townsend Resident/ 3hr block	\$80.00 Townsend Resident/ 3hr block		
	\$125.00 Non-Townsend Resident/ 3hr block	\$130.00 Non-Townsend Resident/ 3hr block		
	\$75.00 Non-Profit/ 3hr block	\$80.00 Non-Profit/ 3hr block		
Basketball Court	\$25.00/additional hour	\$30.00/additional hour		
All Park Ammenity Rentals require a \$100.00 refundable deposit pending satisfactory post inspection				
Business Licenses				
Licenses shall be required for the follwing trades, businesses and occupations and the lciense fee shall be set forth as reflected herein.				
The remaining provisions of the TMC 6.04, not conflicting herewith, remain in full force and effect.				
Advertising Agency	\$125.00	\$5.00 Increase for all licenses		
Amusement Operator	\$125.00			
Architect (Per Artichet)	\$250.00			

Attorney- At-Law (Per Attorney)	\$250.00
Auctioneer	\$125.00
Bank, trust, Loan * Credit Union	\$250.00
Barber- First 2	\$125.00
Barber- 3 or more	\$250.00
Beautician- First 2	\$125.00
Beautification- 3 or More	\$250.00
Bowling Alley	\$125.00
Broadcasting Station	\$125.00
Broker (Per Broker)	\$125.00
Car Wash	\$125.00
Certifieldd Public Accountant (Per Accountant)	\$250.00
Cesspool Cleaner	\$125.00
Chiropractor (Per Chiropractor)	\$250.00
Coin Operated Amusement Machine Owner	\$125.00
Coin Operated Electronic Video Machine	\$125.00
Coin Operated Vending Machine Owner	\$125.00
Commecial Sign Business	\$125.00
Computer related Services	\$125.00
Day Care Operator- 6 Children and under	\$125.00
Day Care Operator- 7 Children and above	\$250.00
Dental Lab	\$125.00
Dentist (Per Dentist)	\$250.00
Distributor	\$125.00
Drayman or Mover	\$125.00
Eating Establishment	\$125.00
Employment Agent	\$125.00
Entertainers	\$125.00
Entertainment Agent or Operator	\$125.00
Finance or Small Loan Agency	\$250.00
Gas, Light, Power, Cable TV and Television Company	\$825.00
General Repairman	\$125.00
Health Spa or Health Club	\$125.00
Income Tax Consultant	\$250.00
Incorporator	\$125.00
Insurance Adjustor Office	\$125.00
Insurance Agent	\$125.00
Janitorial & Cleaning Service	\$125.00
Laundry Service Operator	\$125.00
Linen Supplier	\$125.00
Manicurist	\$125.00
Manufactured Home Park (Per Space)	\$6.00
Manufacturer's Agent or Representative	\$125.00
Mercantile Agency or Collection Agency	\$125.00
Merchant	See below
Motel/Hotel (5 rooms - \$.00/Room)	\$125.00
Motion Picture Theater	\$125.00
Motor Vehicle Serviceman	\$125.00
Nursing, Rest or Convalescent Home	\$125.00
Open Market Operator	\$125.00
Optometrist (Per Optometrist)	\$250.00
Outdoor Music Festival Promoter	\$250.00
Parking Lot or Garage Operator	\$125.00
Pawnbroker	\$125.00
Pest Control Services	\$125.00
Pharmacist	\$250.00
Photographer	\$125.00
Physical Therapist (Per Therapist)	\$250.00
Physician and/or Surgeon (Per Doctor)	\$250.00
Plant Nursery and/or Florist	\$125.00
Podiatrist (Per Podiatrist)	\$250.00
Pool Table Operator	\$125.00
Printer	\$125.00
Private Detective Agency	\$125.00
Professional Engineer (Per Engineer)	\$250.00
Professional Land Surveyor (Per License)	\$250.00
Psychologist (Per Psychologist)	\$250.00
Public Accountant (Per Accountant)	\$250.00
Public Stenographer	\$125.00
Publishers	\$125.00
Real Estate Brokers, Appraisers & Managers	\$125.00
Real Estate Property Manager	\$125.00
Real Estate Salesperson or Associate Broker	\$125.00
Refuse Haulers	\$300.00 + \$75/truck
Rental Services	\$125.00
Sales Representative	\$125.00
Schools & Education Services	\$125.00
Scientific Laboratory	\$125.00
Scrap & Waste Material Services	\$125.00
Secondhand Dealer of Precious Metals	\$125.00
Security Services	\$125.00
Shoe Repairman	\$125.00
Tailor & Garment Services	\$125.00
Taxicab or Bus Operator	\$125.00
Taxidermist	\$125.00
Telephone Answering Service	\$125.00
Television Repairman	\$125.00
Tourist Home	\$125.00
Travel Agency	\$125.00
Undertaker	\$125.00
Veterinarian	\$250.00
Warehouseman	\$125.00
Wholesale News Agency	\$125.00
All Businesses Not Listed	\$125.00

Manufacturers shall pay a license fee at the rate of .00046 of the aggregate gross receipts over \$400,000; provided, however, that the minimum license fee shall be seven hundred and fifty dollars (\$750.00)	Updated rate of .0005
Merchants and bottlers shall pay a license fee at the rate of .0046 of the aggregate gross purchases for resale over \$400,000; provided, however that the minimum license fee shall be seven hundred and fifty dollars (\$750.00). Businesses will sign an affidavit stating their aggregate gross receipts or aggregate gross purchases for resale	Updated rate of .0005
Exemption: Any manufacturer that has aggregate gross receipts or any merchant or bottler that has aggregate gross purchases for resale under \$100,000 will pay a license fee of one hundred twenty five dollars (\$125.00). However, the licensing office must receive a letter stating this by January 31 of the subject year.	
Administrative penalties for failure to obtain a permit and noncompliance with conditions or permit approval and zoning requirements. Hereof.	
For the following violations the penalty shall be that set forth in paragraph H,2.	
-Failure to obtain a building permit	
- Failure to schedule inspections	For the first violation a monetary penalty shall be assessed of not less than \$100 nor more than \$500. Each subsequent violation shall
-Failure to obtain a certificate of Occupancy	incur a penalty of not less than \$200 nor more than \$1,000
-Violations of permitting conditions or requirements	

Permit Pricing

Permit Type	Average Engineering Review Costs/Time	# of inspections & type	Notes
Plumbing		3 - Underground, rough, final	
Fence		1 - Final	Typically exempted under IRC R105 if under 7 ft.
Shed- 200 SqFt or Less		see below (type is more relevant than size)	Typically exempted under IRC R105
Shed- 200SqFt or Above		see below (type is more relevant than size)	
Shed - pre-fab		1 - Final	
Shed - stick-built		2 - Framing, final	
Permanently Installed Generator		1 - Final	
Fireplace		1 - Final	
In-Ground Pool		2 - Rebar, final	rebar if concrete, not if liner
Above-Ground Pool		1 - Final	
Hot Tub		1 - Final	
Flagpole (Inground)		1 - Final	
Demolition		1 - Final	
Patio		1 - Final	
Sidewalk		1 - Final	Typically exempted under IRC R105
Driveway		1 - Final	Typically exempted under IRC R105
Basement		3 - Framing, insulation, final	
Deck		3 - Footer, framing, final	
Addition		5 - Footer, foundation, framing, insulation, final	
Garage - stick built		5 - Footer, foundation, framing, insulation, final	
Pole building		3 - Footer, framing, final	
Enclosed Porch (No HVAC)		3 - Footer, framing, final	
Open Porch		3 - Footer, framing, final	
Carport		3 - Footer, framing, final	
Rooftop Solar Panels		1 - Final	
Altering of existing spaces (Moving of interior walls)		3 - Framing, insulation, final	
Roof - simple replacement		1 - Final	
Roof - replacement with structural		2 - Framing, final	
NEW CONSTRUCTION		5 - Footer, foundation or pre-slab, framing, insulation, final	
Sign - on-building		1 - Final	
Sign - in-ground		2 - Footer, final	
Miscellaneous			
HVAC		2 - Rough, final	