

BEFORE THE DELAWARE STATE FIRE COMMISSION

In re: Carlisle Fire Company

ORDER

At its meeting on January 21, 2025, the Delaware State Fire Prevention Commission (“the Commission”) held a hearing to consider a new substation. The Carlisle Fire Company (“CFC”) requested approval of a temporary substation and a temporary waiver of some requirements, pursuant to 1 DE ADMIN. CODE 709 Ch. 4 §§1.4 and 6.0. At the meeting the Commission voted to approve the temporary plan and the waivers, with stipulations.

Summary of the Evidence

The CFC presented a letter detailing the plan for a temporary substation, accompanied by 5 exhibits. CFC explained its intent to enter a 5-year commercial lease for property with existing buildings. The 5-year lease will allow CFC to determine whether the substation, in the chosen location, will support current and future operations.

CFC described the buildings on the property. The Building A is a single-story steel building with one bathroom with shower, heat, insulation, two electrically powered 14’ overhead doors, and two 3068-man doors. An engine, or similarly sized apparatus, can be pulled into the building with room for a brush type apparatus or

utility vehicle to be parked adjacent. Building B is similar but smaller and lacks a bathroom. CFC would utilize Building B for storage.

The property, 5 Cedar Beach Road, Milford has access to several main roadways in the City of Milford. CFC explained frequent and regular traffic congestion in Milford prevents some members from responding to calls. The location of this temporary substation will alleviate many traffic-related concerns for members and may make membership appealing to those living on the east or south sides of Milford.

Findings of Fact and Conclusions of Law

The Commission has the authority to authorize new fire companies or substations.¹ The Commission must consider, “the ability, financial or otherwise, of the company seeking authorization to maintain an effective fire company and the fire protection needs of the area involved.”² “High life hazards, concentration of values, topographical conditions, bridges, man-made barriers such as railways or limited access highways, and the location of neighboring”³ fire districts represent further concerns. Authorization requests must comply with the requirements listed in Chapter 4 of 1 DE ADMIN. CODE 709. Waivers or exemptions may be available for certain equipment during the authorization process.⁴

¹ 16 Del. C. §6607, 1 DE ADMIN. CODE 709, Ch 4.

² 16 Del. C. §6607(a)(1).

³ 1 DE ADMIN. CODE 709, Ch 4 §2.2.

⁴ 1 DE ADMIN. CODE 709, Ch 4 §6.1

The CFC was very candid in discussing the benefits of a temporary substation in providing the best service to its community and quicker arrival times. The CFC explained traffic as the most substantial barrier. The location of the new, temporary substation intends to alleviate the traffic concern. The letter from the CFC asserts compliance with the equipment standards in Sections 4.0 and 5.0 of Chapter 4 of 1 DE ADMIN. CODE 709.

The CFC sought a temporary waiver from Section 3.0 compliance. The CFC said, “[t]oward the end of the commercial leasing period, if the substation is determined to be successful on all aspects, we will provide a security system, fire alarm system, and an automatic sprinkler system to create a compliant Reg 709 Chap 4 substation. Some infrastructure improvements will be necessary to support the automatic sprinkler system and apparatus tank fill at the station.”⁵

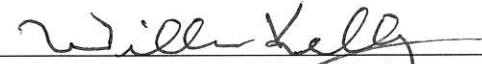
After due consideration, the Commission approved the request for a temporary substation as well as temporary waivers related to subsections 3.2, 3.4, and 3.5. The Commission requires an annual update from the CFC as to the progress of the temporary substation and suggests notifying neighboring fire companies and property neighbors of the anticipated substation. Finally, once the buildings are ready for occupancy, the Commission’s investigator will conduct appropriate inspections.

⁵ CFC’s letter.

IT IS SO ORDERED, this January 21, 2025 by the Commission:



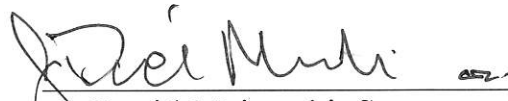
Ron Marvel, Chairman




William Kelly, Vice Chairman



Lynn Truitt



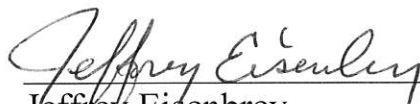
J. David Majewski, Sr.



Joe Leonetti, Sr.



Ron O'Neal



Jeffrey Eisenbrey