

Planning and Zoning Commission
August 23, 2018

The regularly scheduled meeting of the Planning & Zoning Commission was held at Town Hall on August 23, 2018. In attendance were Chairman Boyan, Commissioner Scholl, Commission Members Catellier and Wilson and Community Development Coordinator Hardin. Guests: Chris Brown.

Call to Order

Chairman Boyan called the meeting to order. The Commission performed the Pledge of Allegiance. He asked anyone who would be addressing the Commission to sign in at the podium and that anyone with a cell phone to either turn it off or put it in silent mode. Chairman Boyan suggested that there be a conversation with the Mayors on getting a better recording system for the meetings.

Approval of Minutes

Commissioner Scholl made a motion to approve the July, 2018 minutes as circulated. Commission Member Wilson seconded the motion which passed with 4 ayes and 0 absent.

Commission Member Wilson Comments

Commission Member Wilson informed the Commission that she attended the Maryland Department of Planning Workshop on August 15th. There were a few topics that she wanted to mention this evening. She said that there needs to be written rules on how Planning and Zoning runs its meetings. The Commission should try not to table any actions. She also said that the petitioner for a Maryland Board of Zoning Appeals hearing has the right to ask for a court recorder taking the minutes during the meeting.

Commission Member Wilson also stated that, by law, the Planning and Zoning Commission must review the Comprehensive Plan once a year. Also in a matter of a conflict of interest- the Commission Member is expected to leave the room to avoid any interpretation of their body language. The revisions to a change of zoning for a property must already be drafted in the Comprehensive Plan. She stated that the presenters were very good and knowledgeable.

New Business

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 1680 built on Lot 47-11793 Buckingham Drive, Delmar, DE

After reviewing the documentation provided, Commission Member Wilson made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 1680 on Lot 47 located at 11793 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Commission Member Catellier seconded the motion which passed with 4 ayes and 0 absent. Ms. Brown was informed by Chairman Boyan that Labor Day falls on the regularly scheduled day for the Mayor and Council

meeting. She would need to attend the Mayor and Council meeting now scheduled for Tuesday, September 4th at 7:00 p.m.

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 1918 built on Lot 48-11785 Buckingham Drive, Delmar, DE

After reviewing the documentation provided, Commission Member Wilson made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 1918 on Lot 48 located at 11785 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Commission Member Catellier seconded the motion which passed with 4 ayes and 0 absent.

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 1296 built on Lot 119-11593 Buckingham Drive, Delmar, DE

Commission Member Wilson stated that looking at Lots 118 and 119, they have the same house style plan. If it is the same style house without the external options, then she felt that these homes should not be next to each other. Clerk of Council Fisher checked and verified that the Town has no record that Lot 118 has been built upon. Commission Member Catellier said that the plat shows the parcels with the house style number. Those with A-B instead of just A or B, are place holders for that Lot. Ms. Brown said that she would confirm that information prior to the Council meeting in September. Commission Member Catellier stated that the surveyor should edit the submittal site plans so that the Lots with unsold properties are left blank, in order to alleviate any confusion for the Council.

Commissioner Scholl made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 1296 on Lot 119 located at 11593 Buckingham Drive, Delmar, DE, per the attached drawings and with the contingency that Lot 118 is an unsold Lot. Commission Member Catellier seconded the motion which passed with 4 ayes and 0 absent.

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 2203 built on Lot 120-11599 Buckingham Drive, Delmar, DE

After reviewing the documentation provided, Commission Member Catellier made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 2203 on Lot 120 located at 11599 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Commission Member Wilson seconded the motion which passed with 4 ayes and 0 absent.

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 1918 built on Lot 121-11605 Buckingham Drive, Delmar, DE

After reviewing the documentation provided, Commission Member Wilson made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 1918 on Lot 121 located at 11605 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Commission Member Catellier seconded the motion which passed with 4 ayes and 0 absent

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 2203 built on Lot 173-11624 Buckingham Drive, Delmar, DE

After reviewing the documentation provided, Commission Member Catellier made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 2203 on Lot 173 located at 11624 Buckingham Drive, Yorkshire Estates, Delmar, DE, per the attached drawings. Commissioner Scholl seconded the motion which passed with 4 ayes and 0 absent

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 1296 built on Lot 174-11630 Buckingham Drive, Delmar, DE

Commission Member Wilson stated that upon looking at the plat provided, both Lots 174 and Lot 175 have the same house style. The plat indicates that Lot 175 has both elevations A and B which might be a placeholder for that Lot and it actually hasn't been sold yet.

Commission Member Wilson made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 1296 on Lot 174 located at 11630 Buckingham Drive, Delmar, DE, per the attached drawings and with the contingency that Lot 175 can be confirmed as an unsold Lot. Commissioner Scholl seconded the motion which passed with 4 ayes and 0 absent.

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 1918 built on Lot 162-38386 Elizabeth Lane, Delmar, DE

There was some discussion about Lots 162 and 164. One has a covered stoop and the other does not. They are both the same house style but are mirrored image. Chairman Boyan said that the slight modification is considered to be different styles. Commission Member Catellier said that there are quite a few 1918 home styles from Lot 161 and Lot 165. He suggested that the sales personnel should be aware of what style homes have already been sold. Chairman Boyan said that coming before Planning and Zoning to be allowed to put the same houses next to each other puts Ryan Homes in a bad situation. The person buying the home has already chosen the style of home that they want. Even though Ryan Homes agreed not to put the same style homes next to each other, sometimes it could happen and will happen as the development gets closer to being finished. Commission Member Catellier said that while that may be the case, he still doesn't like nor sees a need for 3 of the same home styles being next door to each other.

Chris Brown said that the homebuyers are aware when the same style homes are next to each other. Commission Member Catellier said that in a perfect world this would not be acceptable but he does see where Ryan Homes have been making an effort to keep the same style homes apart from one another. Commission Member Wilson said that she, also, is not in favor of having 3 of the same style houses next door to one another.

Commissioner Scholl made a motion for favorable recommendation to the Mayor and Council for Ryan Homes to build home style 1918 on Lot 162 located at 38386 Elizabeth Lane, Delmar, DE, per the attached drawings and with the contingency that Lot 163 is confirmed as an unsold Lot. Commission Member Catellier seconded the motion which passed with 4 ayes and 0 absent.

Chris Brown- Ryan Homes- Yorkshire Estates- New Home Style 1918 built on Lot 164-38380 Elizabeth Lane, Delmar, DE

After reviewing the documents provided and after the discussion on 3 of the same style homes together, Commission Member Catellier made a motion for favorable recommendation to the Mayor and Council for new home style 1918 built on Lot 164 located at 38380 Elizabeth Lane, Delmar, DE per the attached drawings and contingent that Lot 163 is confirmed as an unsold Lot. Commission Member Wilson seconded the motion which passed with 4 ayes and 0 absent.

Adjournment

Upon hearing no public comments, Commission Member Wilson made a motion for adjournment which was seconded by Commission Member Catellier. The motion passed with 4 ayes and 0 absent.

Respectfully submitted,

Cindy Fisher

Clerk of Council