

Planning & Zoning Commission

October 25, 2018

The regularly scheduled meeting of the Planning & Zoning Commission was held at Town Hall on October 25, 2018. In attendance were Chairman Boyan, Commissioner Scholl, Commission Members Catellier and Wilson, Community Development Coordinator Hardin and Clerk of Council Fisher. Guests: Chris Brown, Michael Sullivan, Brock Parker and Joel Gallihue.

Call to Order

Chairman Boyan called the meeting to order. The Commission performed the Pledge of Allegiance. Chairman Boyan 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.

Approval of Minutes

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

New Business

Chairman Boyan announced that the regular November meeting date will be changed because it falls on the same day as Thanksgiving. The new November Planning and Zoning date is Thursday, November 15, 2018 and the deadline for requests is Monday, November 5th.

Chris Brown- Ryan Homes- New Home Style 1680- Lot 19 located at 13408 Grace Lane, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided, no one had any questions or concerns. Commissioner Scholl made a motion for a favorable recommendation to the Mayor and Council for the new home style 1680 on Lot 19 located at 13408 Grace Lane, 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- New Home Style 1296- Lot 126 located at 11635 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided, no one had any questions or concerns. Commission Member Wilson made a motion for a favorable recommendation to the Mayor and Council for the new home style 1296 on Lot 126 located at 11635 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- New Home Style 1440- Lot 127 located at 11639 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided, no one had any questions or concerns. Commissioner Scholl made a motion for a favorable recommendation to the Mayor and Council for the new home style 1440 on Lot 127 located at 11639 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- New Home Style 1296- Lot 128 located at 11645 Buckingham Drive, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided, no one had any questions or concerns. Commissioner Scholl made a motion for a favorable recommendation to the Mayor and Council for the new home style 1296 on Lot 128 located at 11645 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- New Home Style 1680- Lot 159 located at 38396 Elizabeth Lane, Yorkshire Estates, Delmar, DE

After reviewing the documentation provided, no one had any questions or concerns. Commission Member Wilson made a motion for a favorable recommendation to the Mayor and Council for the new home style 1680 on Lot 159 located at 38396 Elizabeth Lane 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- New Home Style 1296- Lot 161 located at 38390 Elizabeth Lane Yorkshire Estates, Delmar, DE

After reviewing the documentation provided, no one had any questions or concerns. Commission Member Wilson made a motion for a favorable recommendation to the Mayor and Council for the new home style 1296 on Lot 161 located at 38390 Elizabeth Lane Yorkshire Estates, Delmar, DE, per the attached drawings. Commission Member Catellier seconded the motion which passed with 4 ayes and 0 absent.

Michael Sullivan- Maszera Corp.- Concept Plan-Station Crossing Commons- formerly known as Pheasant Lake - Request for Special Exception

Mr. Sullivan introduced himself as being the attorney for the Maszera Corp. He is here this evening presenting the concept plan for Station Crossing Commons and seeking approval to move forward to the Maryland Board of Zoning Appeals for a Special Exception for apartments in an R-2 zoning district. He stated that it makes sense to see if they will get the Special Exception approval first before moving forward with the plan.

Mr. Sullivan introduced Joel Gallihue who is a certified planner and Brock Parker with the engineering staff of Parker and Assoc. Mr. Sullivan stated that the Town requested an extensive study detailing the impacts of traffic, roads, schools, water and sewer as a result

of the new development concept in comparison to the existing approved Pheasant Lake subdivision.

Mr. Sullivan noted that the owner of the development, due to the change from single family homes to apartment buildings, will provide onsite water and sewer construction and an onsite pump station and grinder. The pump facility will be privately owned by the developer. The property owner will also be responsible for maintaining the roads.

Commission Member Catellier asked Mr. Sullivan what percentage of the property is designated for this project. Mr. Sullivan responded that the entire parcel is 43 acres, so this project is a little less than 50% of the entire parcel. At this time he is not aware of what, if any, plans are for the rest of the land.

Mr. Sullivan explained that there will be 9 apartment buildings with 24 units in each along with a clubhouse which will be just for the use of the residents. The apartments will be a mix of 1, 2 and 3 bedrooms. Mr. Sullivan said that obtaining a traffic study will be contingent on the final approval.

Joel Gallihue, a certified planner, reviewed the overall findings of his preliminary impact project comparing the Pheasant Lake project to this Station Crossing Commons project. Mr. Gallihue said in reference to the traffic impact comparison, the new proposed development reduces the A.M. trip count from 180 with Pheasant Lake to 114 with Station Crossing Commons. With the P.M. trip count reduction of 144 verses 215 in Pheasant Lake.

Commission Member Catellier expressed his concern that Foskey Lane and Maryland Avenue are having trouble handling the traffic now, he's wondering what Foskey Lane and Maryland Avenue will be like with this additional traffic. Mr. Sullivan said that the criteria that impact is based on is what they used in this advance site plan.

Mr. Sullivan gave some history of the project and while the property sat, there was a change in requirements for the management of the storm water. To move forward with the Pheasant Lake site plan, they would have had to increase the storm water management facilities. The impact to Foskey Lane would have been greater than with this project.

Commission Member Catellier said that he is concerned with the traffic study and how it will affect the dropping off and picking up of the kids that go to Delmar, Elementary School. He noted that the traffic in and around the school is terrible.

Commission Member Catellier asked about a second exit. Engineer Brock Parker said that the property has no front footage anywhere else besides what is shown.

Mr. Gallihue stated that the reduction of school impact based on this project is about one-third. He stated that Delmar is a bedroom community. The apartments will be smaller. The Maryland Board of Education chose to renovate the Elementary School instead of expanding. The jurisdiction doesn't always have the tax base to provide a new building.

When asked, Mr. Sullivan said that the project should be completed by 2021. With the water and sewer usage, there will be less water usage since the number of occupants in the apartments will be less. The sewage production will be about seventy-five percent less.

Mr. Sullivan said that the 2009 Comprehensive Plan calls for growth to sub-divisions. It follows the growth pattern with the least amount of impact to community resources. It is a walkable location for the school and the plan offers for a variety of housing choices.

Commission Member Catellier stated that he understands and agrees that this Station Crossing proposal is an improvement over the Pheasant Lake proposal. He noted that he was not present at the December P&Z meeting when the Pheasant Lake proposal was given approval. He stated that he was not in favor of this subdivision being approved at all in either form and would not have voted favorably for this project in December. He recognized that "that ship has sailed" and stated that he would abstain from voting on this motion.

Commissioner Scholl made a motion for favorable recommendation for the concept plan for Station Crossing Commons to move forward to the Maryland Board of Zoning Appeals for a special exception request for having apartments in an R-2 zoning district. Commission Member Wilson seconded the motion which passed with 3 ayes and Commission Member Catellier abstaining.

Adjournment

Upon hearing no public comments, Commissioner Scholl 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