

Planning & Zoning Commission

May 27, 2010

The regularly scheduled meeting of the Planning & Zoning Commission was held at Town Hall on May 27, 2010. In attendance were Chairman Houlihan, Commissioner Anderton, Commission Members Dixon, Boyan, Luffman and Ring, and Community Development Coordinator Hardin, Clerk of Council Fisher. Absent: Commission Member Ferro, Guests: Howard Dickerson, Kevin Gleason, Thomas Knorr, and John Knorr.

Call to Order

Chairman Houlihan called the meeting to order. He asked that if anyone wished to address the Commission to sign in. He also reported that Commission Member Ferro would not be present this evening due to an engagement at the High School.

He reported that any approvals or non-approvals from this Commission will be made as a motion and all the motions will then be presented to the Joint Council as a favorable or non-favorable recommendation from this Commission for the Joint Council to have the final say.

Chairman Houlihan reported that at last month's meeting, there had been an error in some of the motions made. The motions were made for the Doug Marshall property. The address is not 203 State Street as stated at that meeting. The legal address for the property is Lot #1, N/W State Street, 57' W/N Memorial Drive, Lot #1, Deed Book # 3727, Page 171. He said that all motions made for 203 State Street, Delmar, Delaware will be referred as to the new address.

Approval of Minutes

Commissioner Anderton made a motion for the approval of the April, 2010, Planning and Zoning minutes as circulated. The motion was seconded by Commission Member Boyan and passed with 5 ayes, one absent, and Commission Member Dixon abstaining due to his absence last month.

New Business

Tim Bourcier- DB&F- DE Comprehensive Plan Review

Mr. Bourcier from DB&F was not present and Chairman Houlihan expressed concern and hoped that he would be present on Tuesday, for the Joint Council meeting.

Kevin Gleason- Signage for Gateway Subaru

Mr. Gleason reported that the sign letters and the Subaru logo would both be 24 inches tall. He said that the sign would be put up exactly like the drawings depicted. Chairman Houlihan and Commission Member Ring reported that at the last meeting, there had been some discussion of adding the words “of Delmar” to the name of the business. Commission Member Ring even referenced paragraphs from that meeting. Mr. Gleason reported that he has spoken with Philadelphia Signs, the company who is making the signs, and the signs presented this evening are the only signs they are making for Subaru.

There was some discussion on whether the name was Gateway Subaru or Subaru Gateway and where does “of Delmar” fit in. Mr. Gleason said that it might have been something that the owner of Subaru had said at the last meeting, but it had never been relayed to him or to the sign company.

Chairman Houlihan informed Mr. Gleason that the sign company can go ahead and build the signs, but it will need to be made clear exactly what will be on the sign so that the motion will be correct in what exactly is being approved. Mr. Gleason said that he will be back in June to clear this up.

Chairman Houlihan reported that no motion will be made this evening and it will be tabled until June so that Mr. Gleason can have time to clear up some concerns.

First Baptist Church- 501 Bi-State Blvd. Delmar, MD.- Request for a Pavilion

The representatives of the First Baptist Church of Delmar requested to build a pavilion on the property and stated that it would either have a stone or earth floor. Chairman Houlihan said that the Church property is very large and the building along with the property has been very well maintained.

Commission Member Luffman made a motion to accept the building plans for the addition of a pavilion for the First Baptist Church, located at 501 Bi-State Blvd., Delmar, Md., per the attached drawings. Commission Member Dixon seconded the motion which passed with 6 ayes and 1 absent.

Thomas Knorr- Patio for Evolution Brewery

Mr. Knorr explained the reason as to why they are requesting a patio is that they have been asked to participate in the Delaware Wine and Ale Trail. The Delaware Tourism Department has set up (bus) trails between wineries and breweries. It was kicked off by a Governors Tea along with Dogfish Brewery a few weeks ago. They feel it will bring a lot of tourists into lower Sussex County and through Delmar, Delaware.

There was discussion that the drawings provided did not show a roof over the proposed patio. Mr. Knorr said for right now, there would not be one, but if it works out well, they would probably put one on. He said that he would most likely put a roof over the patio that resembled the one that The Fountains in Salisbury did for their outside deck.

Mr. Knorr also commented that things are going very well and financially, they are just about where they need to be. They are actually outgrowing the building. They already have to outsource the storing of their barrels. They would like to expand and maybe build off the back. Chairman Houlihan said that the Brewery has been a great asset to the Town. That building had been vacant for a very long time. He also commented that he liked the idea of the Wine and Ale Trail. He said that it would put Delmar on the map.

Commission Member Dixon made a motion for the approval for Evolution Craft Brewery for a patio in front of their building, per the attached drawing. Commission Member Boyan seconded the motion which passed with 6 ayes and 1 absent.

Abandoned Building Ordinance- Review

Chairman Houlihan reported that this Smyrna, Delaware ordinance had been presented to the Joint Council and they suggested that Planning and Zoning review it to see if could be made suitable for Delmar.

Commissioner Anderton said that he is in favor of having such an ordinance for Delmar. He said he felt it was long overdue. Chairman Houlihan stated that it would go before both Town Attorneys for their comments.

Commission Member Luffman reported that he had contacted Smyrna and spoke with the individual who is in charge of enforcing the ordinance and that person said the one problem he had was the definition of “vacant”. He said the wording needed to be more specific as to describing what vacant should look like.

There was some discussion on if it should apply to both residential as well as commercial properties. There was also some discussion on the wording of a “waiver” as found on page 3 of the sample ordinance. He said that this should not be a money-maker for the Town, but to keep everyone on their toes. He said that property needs to be a true eyesore where no one is taking care it. Commission Member Luffman commented that there are also statements in the sample ordinance that speak of market value of the property and asked how the Town would decide that for a vacant property.

Community Development Coordinator Hardin stated that he would make some calls and gather more information for their next meeting.

Resident Howard Dickerson stated that he has a vacant property since his house caught on fire. But he does agree that maybe the homes that have boarded up windows should have at least the windows replaced so that it doesn't look as bad. Some suggestions were to maybe paint the boards white and board them up from the inside so that it may look like shades in the windows. Everyone commented that the Lecates building is an eyesore.

The consensus of the Planning and Zoning Commission is that they do want to pursue this for abandoned buildings and will look at other jurisdictions and their ordinances along with getting comments from the legal authorities.

Chairman Houlihan reported that the next meeting has been moved forward to Thursday, June 17, 2010. The reason for the earlier date is that the Maryland Municipal League will be having their Conference in Ocean City the last week of the month, so all meetings in June have been moved forward so all Elected Officials can attend them.

Adjournment

Commission Member Dixon made a motion for adjournment which was seconded by Commission Member Boyan. The motion passed with 6 ayes and 1 absent.

Respectfully submitted,

Cindy Fisher

Clerk of Council