

MAYOR & COUNCIL

June 3, 2019

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. In attendance were Vice Mayor Pase, Council Members Smith, Boyan and Holmes (arriving late), Town Manager Bynum-King, Delmar Police Chief Barkley and Clerk of Council Fisher. Guests: Chris Densten, Chris Brown, Vernon Esham and Noah Hale.

The Council performed the Pledge of Allegiance.

Mayor's Comments

Mayor Houlihan welcomed everyone and asked if there was anyone who wished to address the Council to sign in at the podium.

Approval of Minutes

DE Council- May 2019-

Vice Mayor Pase made a motion to approve the Delaware Council's May, 2019 minutes as circulated. Council Member Smith seconded the motion which passed with 3 ayes, 1 absent and Council Member Boyan abstaining due to his absence last month.

Joint Council- May 2019-

Vice Mayor Pase made a motion to approve the Joint Council's May, 2019 minutes as circulated. Council Member Smith seconded the motion which passed with 3 ayes, 1 absent and Council Member Boyan abstaining due to his absence last month.

Old Business

Town Manager Bynum-King reported that Mr. Mills; owner of the Mills Building; 2 N. Pennsylvania Avenue, is working to finish enclosing the rear wall of the building. He is doing all the work himself and is constantly working on the restoration of the building. She hopes to have a report next month on the completion of the project.

New Business

Vernon Esham- Concept Plan for State Street Laundromat

Town Manager Bynum-King reported that last month she had a meeting with Mr. Esham in reference to the laundromat located at 9 E. State Street and the vacant building adjacent to it. The discussion was in reference to a concept plan that the owners of the property were considering demolishing the existing laundromat and building a new 2-story building with a laundromat on the first floor and apartments on the second floor. They are proposing to divide the adjacent vacant building into 3 office spaces.

Mayor Houlihan said that the Town has had an interest in purchasing the property with the vacant building to expand their municipal parking. The Town is not interested in the building. He also said that the concept with the new laundromat with apartments on the second floor is permissible in that particular zoning district. The only thing is that if the laundromat is demolished and rebuilt, the new laundromat would have to meet the current zoning and

set-back requirements. The parking requirements would also be applicable.

Mr. Esham presented 2 different concept plans for the property on State Street that has the laundromat and vacant building. He is asking for some sort of direction in which to move forward. In both plans, Mr. Esham states, that he is short on the required parking spaces. He is proposing a 2,000 sq. ft. laundromat which will have two apartments on the second floor, with 1,000 sq. ft. in each. The vacant building will be divided into 3 office spaces. The requirement will be for 19 parking spaces and in reality they would have 4 parking spaces.

Mayor Houlihan spoke about asking for a variance. Mr. Esham said that the customers who use the laundromat typically are there on the weekends and evenings. The people who come to the offices would be coming on weekdays. The needs for parking would be flip-flopped. Mr. Esham stated that the owners do have an interest in selling to the Town. They are showing the building divided in case the Town is not interested.

Mayor Houlihan said that the Town is looking for more municipal parking. The Town has been looking at the vacant building. The issue is with parking. Mayor Houlihan said that he sits on the Delaware Board of Adjustments and the petitioner would have to prove a hardship to be granted a variance.

Mr. Esham presented his second concept proposal. With this proposal, 3 more parking spaces have been added. Mr. Esham also said that there is a possibility of adding an additional 4 parking spaces on the left side of the laundromat.

When asked by Mayor Houlihan if anything in either proposal could be grandfathered in, the Town Manager responded that “no”, nothing can be grandfathered in as proposed. He said that the laundromat falls within the permissible use in the current zoning district. The only issue is for parking for the office building. He stated that he thought he heard that there were issues with the roof. The Town would have to incur the cost of demolition of the vacant building. Mr. Esham said that he would think it would be more about the appraised value rather than someone’s desire to have something. Mayor Houlihan said that he does like the idea of redoing the laundromat and having apartments on the second floor. Mayor Houlihan suggested that if the owners provide the Town with a figure for the purchase, it might make some decisions easier on which concept to go with. The Town Manager stated that in the past, when an appraisal is needed, both parties would do an appraisal and then do comparisons.

Council Member Boyan asked if the building is currently divided into office spaces. The answer was “no”. Also he stated that currently this is all one parcel and that the Lot would have to be sub-divided for the Town to make a purchase. In his thoughts, the property after being sub-divided would not have a great deal of value because it is no longer a buildable Lot and could only be used for parking. The Town is interested in purchasing the property but the Town also has the power in influence. He also stated that he thinks it would be very difficult for the owners to get a variance. The property has been vacant for over one year.

The Town Manager said that if the Town could negotiate a fair purchase price with the owners based on the appraisal of the property, then there would be enough parking for everyone. There would be room on the west side of the laundromat to build office space.

Mayor Houlihan gave Mr. Esham details on the next steps involved to move forward through the process by attending the Planning and Zoning meeting and then moving to the Delaware Board of Adjustments.

Mr. Esham said that there was a lot to discuss and think about and he thanked the council for their time.

Committee Reports:

Student Advisory Report

Mr. Noah Hale reported that the Prom was successful. The school is closing in 2 weeks for the summer break. This Friday is graduation. He is currently looking for someone to replace him once he graduates on giving the Student Advisory Report.

Mayor Houlihan thanked him for his service and for serving on the Parks and Recreation Council.

Police Chief's Report

Chief Barkley reported that the Day in the Park went very well. His Department is looking forward to their Blue Light Night on August 2nd. They are getting ready for the end of the school year. He reported that the school crossing guard has been absent for a while. He had prior commitments for this week. But he will be available to be the crossing guard for the next school year.

Chief Barkley said that the driving concerns on Grove Street are being addressed. Council Member Boyan spoke of an incident that happened to him at the Food Lion parking Lot the other evening. A teenager on a bicycle was riding recklessly and doing wheelies and dropping the front of the bike right in front of cars. He did report it to Food Lion but not to the Police Department.

Code Enforcement Officer Report

Mayor Houlihan reviewed the report in the mail packets.

Fire Department Report

There was no one present to give a report and there was no report included in the mail packet.

Utility Commission

Vice Mayor Pase reported that the Grove Street water main project is going well.

She also reported that based on the recommendation by DB&F, the Utility Commission accepted the utilities associated with the Delmar Assisted Living Facility as of May 24th. Also, based on the recommendation from DB&F, the Utility Commission accepted the utilities associated with the Delmar Business Park contingent that the contractor provide the as-built for the utilities and execute the Delmar Utility Easement. One signature is missing from the Agreement.

Vice Mayor Pase continued by informing the Council that there has been sink- hole issues on Chestnut Street and 5th Street that is being addressed this week.

Public Works

Council Member Smith reviewed the report that was included in the mail packets.

Planning & Zoning

Council Member Boyan reported on the following:

Chris Densten- Aerial Signs and Awnings- Replace existing Wawa building sign, update pylon sign and existing monument sign- located at 38711 Sussex Highway, Delmar, DE

Mr. Densten stated that there will be a complete remodel of the Wawa in Delmar, as with the whole chain. They will be updating the signs to current standards and will be reusing the steel structures for the pylon and monument signs. The building sign will be completely removed and replaced when the exterior remodel is complete. There was some conversation in reference to keeping the base of the monument sign as it is currently. Mr. Densten assured the Council that they would.

Council Member Boyan stated that the Planning and Zoning Commission did give Mr. Densten a favorable recommendation. Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for Aerial Signs and Awnings to replace the Wawa building signage, update the pylon signage and the existing monument sign located at 38711 Sussex Highway, Delmar, DE per the attached documentation with the notation that the base of the monument sign remain the same. Council Member Boyan seconded the motion which passed with 5 ayes.

Chris Brown- Ryan Homes- Yorkshire Estates- Lot 192- 11724 Buckingham Drive, Delmar, DE- Home style # 1680, 2 story, elevation A

After reviewing the enclosed documentation and hearing no questions or comments, Council Member Boyan stated that this received a favorable recommendation from the Planning and Zoning Commission.

Council Member Smith made a motion to accept the favorable recommendation for Ryan Homes to build home-style # 1680, 2 story, elevation A on Lot 192, located at 11724 Buckingham Drive, Yorkshire Estates, Delmar, DE., per the attached documentation. Vice Mayor Pase seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- Yorkshire Estates- Lot 189- 11718 Buckingham Drive, Delmar, DE- Home style # 1296, 1 story, elevation B

After reviewing the enclosed documentation and hearing no questions or comments, Council Member Boyan stated that this received a favorable recommendation from the Planning and Zoning Commission.

Council Member Smith made a motion to accept the favorable recommendation for Ryan Homes to build home-style # 1296, 1 story, elevation B on Lot 189, located at 11718 Buckingham Drive, Yorkshire Estates, Delmar, DE., per the attached documentation. Council Member Boyan seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- Yorkshire Estates- Lot 179- 11656 Buckingham Drive, Delmar, DE- Home style # 1296, 1 story, elevation B

After reviewing the enclosed documentation and hearing no questions or comments, Council Member Boyan stated that this received a favorable recommendation from the Planning and Zoning Commission.

Mrs. Brown stated that she is withdrawing the request.

Chris Brown- Ryan Homes- Yorkshire Estates- Lot 152- 11725 Buckingham Drive, Delmar, DE- Home style # 1296, 1 story, elevation A

After reviewing the enclosed documentation and hearing no questions or comments, Council Member Boyan stated that this received a favorable recommendation from the Planning and Zoning Commission.

Vice Mayor Pase made a motion to accept the favorable recommendation for Ryan Homes to build home-style #

1296, 1 story, elevation A on Lot 152, located at 11725 Buckingham Drive, Yorkshire Estates, Delmar, DE., per the attached documentation. Council Member Smith seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- Yorkshire Estates- Lot 137- 11681 Buckingham Drive, Delmar, DE- Home style # 1918, 2 story, elevation A

After reviewing the enclosed documentation and hearing no questions or comments, Council Member Boyan stated that this received a favorable recommendation from the Planning and Zoning Commission.

Council Member Smith made a motion to accept the favorable recommendation for Ryan Homes to build home-style # 1918, 2 story, elevation A on Lot 137, located at 11681 Buckingham Drive, Yorkshire Estates, Delmar, DE., per the attached documentation. Council Member Boyan seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- Yorkshire Estates- Lot 134- 11667 Buckingham Drive, Delmar, DE- Home style # 2203, 2 story, elevation B

After reviewing the enclosed documentation and hearing no questions or comments, Council Member Boyan stated that this received a favorable recommendation from the Planning and Zoning Commission.

Vice Mayor Pase made a motion to accept the favorable recommendation for Ryan Homes to build home-style # 2203, 2 story, elevation B on Lot 134, located at 11667 Buckingham Drive, Yorkshire Estates, Delmar, DE., per the attached documentation. Council Member Smith seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- Yorkshire Estates- Lot 118- 11585 Buckingham Drive, Delmar, DE- Home style # 1680, 2 story, elevation A

After reviewing the enclosed documentation and hearing no questions or comments, Council Member Boyan stated that this received a favorable recommendation from the Planning and Zoning Commission.

Council Member Smith made a motion to accept the favorable recommendation for Ryan Homes to build home-style # 1680, 2 story, elevation A on Lot 118, located at 11585 Buckingham Drive, Yorkshire Estates, Delmar, DE., per the attached documentation. Council Member Boyan seconded the motion which passed with 4 ayes and Council Member Holmes abstaining.

Town Manager's Report

Town Manager Bynum-King reported that the Quarter Auction fundraiser for the Heritage Day event is Friday, June 14th. She is asking that anyone who signed up to assist to please attend the function.

She stated that the Town has gotten through the budget process and now they are getting ready for the audit. The preliminary auditing process will begin July 8th through the 10th. The auditors will again be on-site for the complete field audit in September.

She reminded the Elected Officials that the Town of Delmar is the host for this month's L.E.S.M.A. dinner meeting which will be held on Thursday, June 20th and will be at the V.F.W.

Commission Comments

Both Council Member Boyan and Smith stated how good the parks looked this weekend.

Vice Mayor Pase reminded everyone that in a few weeks the children will be out of school and to be mindful of them running in and about the streets.

The Town Manager asked everyone to keep the Virginia Beach Municipal families and victims in their thoughts and prayers.

Mayor Houlihan said that big things in Delmar are coming. The Quarter Auction is June 14th with the doors opening at 5:00 p.m. and the auction starting at 6:30 p.m. The Honor Society at the High School has been contacted to see if anyone would like to volunteer and receive Community Service hours.

Delmar is hosting L.E.S.M.A. the following Thursday. He also stated that he would not be at the July meeting.

Adjournment

Upon hearing no public comments, Vice Mayor Pase made a motion for adjournment which was seconded by Council Member Holmes. The motion passed with 5 ayes and 0 absent.

Submitted by;

Cindy Fisher
Clerk of Council