

Planning & Zoning Commission

October 24, 2019

The regularly scheduled meeting of the Planning & Zoning Commission was held at Town Hall on October 24, 2019. In attendance were Chairman Boyan, Commission Members Catellier, Wilson and Outten, Code Enforcement Officer Peek, Community Development Coordinator Hardin and Clerk of Council Fisher. Absent: Commissioner Scholl. Guests: Chris Brown, Alan Perry, Matt Whalen and Jason Stimis.

Call to Order

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

Approval of Minutes

Commission Member Wilson made a motion to approve the September, 2019 minutes as circulated. Commission Member Catellier seconded the motion which passed with 4 ayes and 1 absent.

Chairman's Comments

Chairman Boyan stated that the meeting date in December for the Planning and Zoning Commission will be moved up one week and be held on Thursday, December 19, 2019 due to the Christmas holiday.

He also notated under "Old Business" the agenda reflects that Alan Perry is requesting an extension, but in reality it is the re-submittal of his original request.

New Business

Matt Whalen- Construction of 10' by 15' sunroom at 11665 Buckingham Dr., Delmar DE

Mr. Whalen described how the sunroom would be built and how the fascia, gutters and shingles will all match what is on the house and would be wood built.

Upon hearing no comments, Commission Member Catellier made a motion for favorable recommendation to the Delaware Mayor and Council for the construction of a 10' by 15' sunroom at 11665 Buckingham Drive, Delmar, DE per the attached drawings.

Commission Member Outten seconded the motion which passed with 4 ayes and 1 absent.

Jason Stimis- new home build at 9295 Stage Rd., Delmar, MD

Upon reviewing the documentation provided by Mr. Stimis, Commission Member Catellier stated that while Mr. Stimis has a certified site plan, it does not indicate any setbacks. That will be needed for the Mayor and Commissioners meeting before any final approvals are given.

Commission Member Wilson made a motion for a favorable recommendation to the Maryland Mayor and Commissioners for the new home build at 9295 Stage Road, Delmar, MD for Jason Stimis per the attached drawings with the contingency that a site plan showing the setbacks is provided prior to the Mayor and Commissioners meeting on November 12th. Commission Member Catellier seconded the motion which passed with 4 ayes and 1 absent.

Alan Perry- Re-submittal of original request for final approval for the Land Development Plan for Ponds Edge II, Delmar, MD

Mr. Perry stated that he is here this evening with the re-submittal of the original plans for Phase II of Pond's Edge II. This is the same plan that was previously approved. The first approval expired.

Phase II will sit immediately next to Phase I. There will be slight upgrades to the finishes to the interior. They have designed 3 new floor plans. They now offer a one bedroom apartment, and a 2 bedroom deluxe which many retirees are asking for. The deluxe is 2 bedrooms and another room that is usually used as a den. The exteriors are almost identical to Phase I.

Mr. Perry informed the Commission that there had been issues with the school district and then they were faced with the increase in construction costs and the increase interest rates and they had to revisit their construction plans and the expiration date passed. They now have everything lined up and have funding ready.

Mr. Perry said that he feels that they have been good neighbors to the Town of Delmar and when asked, Mr. Perry stated that he would like to start construction in January if it is a mild winter. If not, then by mid-March.

Mr. Perry informed the Planning and Zoning Commission that he is not planning on doing anything with the commercial portion of the property now. He is in discussion with one possible tenant for one pad but nothing that would make him want to move forward on his part.

He also stated that he has no plans on doing anything with the roadways until the commercial development out front takes off. They will be putting in a gravel road that does not extend to Rt. 13 for Delmarva Power to service the lines and breakers. They will also be putting in a temporary turn-around for fire trucks. The gravel road will have a chain and lock put across it so regular vehicular traffic will not be traveling down it.

They will have engineering drawings appendixes ready when they submit for their building permits.

Commission Member Wilson brought up about the EDU's. CDC Hardin said that DB&F will review the plans and recommend to the Utility Commission for the amount of EDU's needed. All units will have sprinkler systems.

Commission Member Outten said that she was the one who wrote the original letter from the State Highway Administration in 2016. When asked by Commissioner Outten, Mr. Perry said that there would be no median changes on the road way at this point.

Commission Member Catellier made a motion for favorable recommendation to the Maryland Mayor and Commissioners for acceptance of the Final Land Development Plan for Pond's Edge, Phase II, Delmar, MD, per the attached drawings. Commission Member Wilson seconded the motion which passed with 4 ayes and 1 absent.

Chris Brown- Ryan Homes- New home build on Lot 110, 30735 Bobwhite Drive, Heron Ponds, Delmar, MD

Upon reviewing the documentation and hearing no comments, Commission Member Wilson made a motion for favorable recommendation to the Maryland Mayor and Commissioners for the new home build on Lot 110 located at 30735 Bobwhite Drive, Heron Ponds Delmar, MD, per the attached drawings. Commission Member Catellier seconded the motion which passed with 4 ayes and 1 absent.

Chris Brown- Ryan Homes- New home build on Lot 123, 9566 Mourning Dove Way, Heron Ponds, Delmar, MD

Upon reviewing the documentation and hearing no comments, Commission Member Wilson made a motion for favorable recommendation to the Maryland Mayor and Commissioners for the new home build on Lot 123 located at 9566 Mourning Dove Way, Heron Ponds Delmar, MD, per the attached drawings. Commission Member Outten seconded the motion which passed with 4 ayes and 1 absent.

Chris Brown- Ryan Homes- New home build on Lot 152, 30717 Hawks Way, Heron Ponds, Delmar, MD

Upon reviewing the documentation and hearing no comments, Commission Member Outten made a motion for favorable recommendation to the Maryland Mayor and Commissioners for the new home build on Lot 152 located at 30717 Hawks Way, Heron Ponds Delmar, MD, per the attached drawings. Commission Member Catellier seconded the motion which passed with 4 ayes and 1 absent.

Chris Brown- Ryan Homes- New home build on Lot 153, 11731 Buckingham Drive, Yorkshire Estates, Delmar, DE

Upon reviewing the documentation and hearing no comments, Commission Member Outten made a motion for favorable recommendation to the Delaware Mayor and Council for the new home build on Lot 153 located at 11731 Buckingham Drive, Yorkshire Estates, Delmar, DE per the attached drawings. Commission Member Wilson seconded the motion which passed with 4 ayes and 1 absent.

Chris Brown- Ryan Homes- New home build on Lot 186, 11700 Buckingham Drive, Yorkshire Estates, Delmar, DE

Upon reviewing the documentation and hearing no comments, Commission Member Catellier made a motion for favorable recommendation to the Delaware Mayor and Council for the new home build on Lot 186 located at 11700 Buckingham Drive, Yorkshire Estates, Delmar, DE per the attached drawings. Commission Member Wilson seconded the motion which passed with 4 ayes and 1 absent.

CDC Hardin asked Chris Brown to stay while he reviewed a Memorandum with the Commission Members. The memorandum is a brief summary of the protocol and procedure employed by the office and Town Manager to resolve a request received by NVR/Ryan Homes/Chris Brown regarding a new home build cancellation and a Lot transfer and how the permitting was handled. (The Memorandum will be attached to these minutes in the Minute Book.)

Commission Member Catellier made a motion for favorable recommendation to the Mayor and Council to approve the Memorandum presented by CDC Hardin for the revision of builds on Lots 142 and 143 in Yorkshire Estates, Delmar, DE. Commission Member Outten seconded the motion which passed with 4 ayes and 1 absent.

Adjournment

Motion for adjournment was made by Commission Member Wilson and was seconded by Commission Member Catellier. The motion passed with 4 ayes and 1 absent.

Respectfully submitted,



Cindy Fisher

Clerk of Council