

**Planning & Zoning Commission Meeting**  
**February 20, 2025**  
**MEETING HELD IN-PERSON & VIA TELECONFERENCE**

The regularly scheduled meeting of the Planning & Zoning Commission was held at Delmar Town Hall and via teleconference. Commission Members in attendance: Deputy Mayor Lenox, Jonathan Layton, and Shawn Johnson. Key Personnel: Town Mgr. Jeff Fleetwood, Planning and Zoning Director, Twain Evanson, and Clerk of Council, Vondell Spencer. Guests: Bret Davis; via teleconference: Commission Member Beverly Wilson, and Rodney Brown. Absent: Vice Mayor Odell Jones.

**Call to Order:**

Deputy Mayor Lenox called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

Deputy Mayor Lenox noted Vice Mayor Jones is not in attendance due to a school obligation this evening. Also, Commission Member Wilson is present via teleconference.

**Approval of Minutes –**

A motion was made and seconded (Layton/Wilson) to approve the January 23, 2025 meeting minutes as circulated by a vote of 3 Ayes, 1 Abstain (Johnson), and 1 Absent (Jones).

**Unfinished Business –**

None.

**New Business –**

1. **Bret Davis – Conceptual Plan (Delmar Business Center, LLC.) – Lot 4, Parcels 86.00, 86.01, 86.03, 86.04, Delmar, DE** – Mr. Bret Davis owner of Davis Strategic Development presented a conceptual plan and is in partnership with Mr. Travis Martin owner of Chesapeake Companies as well as Ocean Crest Properties in Delaware. Mr. Davis, his brother, and Mr. Martin are in partnership for the Delmar Business Center, LLC as referenced per the attached drawings.

Mr. Davis provided a synopsis of bringing a wide variety of new businesses to the area, primarily building warehouse structures, the selected property being 75 acres, zoning for the property, completed initial site surveys, water and sewer access, water and sewer allocations being set aside for highway commercial use, a few bathrooms per building, composition of warehouses on the site plan, accuracy as they are planning to have stormwater, some warehouses shrinking or increased in size as they get new users, possibilities for a sports facility or highway pad sites being used for whatever comes along, 24 foot clear span construction of the first buildings with no interior poles, loading docks, various storefronts on the fronts on the buildings including a public

transportation terminal similar to the one in Lewes, DE., sidewalks, intent for the central road on the site plan to give to the town, applying for several grants including the TIFT Grant as well as the Site Readiness Grant for turn lanes and upgrades to Stage Rd. and grants through DelDot to allow upgrades to be done on behalf of the town, goals for the road, a small data center called Simple Fiber on the property that every person on the property will have access to internet that can eventually be expanded to the town, working with the town and DelDot to gain access to Rt.13, work in preparation for the Sussex Conservation District for stormwater which is in motion, and solar roof tops. Mr. Davis also mentioned they are open to a water tower that was mentioned on their property or any other public need.

Commission Member Layton asked Mr. Davis if they were planning on putting in a fence since the south end is located next to the school. Mr. Davis answered the intent was to put a large tree line but if that is what is recommended, they would have no problem doing so.

Deputy Mayor Lenox asked Mr. Davis to clarify the spine road as it were, the intent would be to build a connection road to standards. Mr. Davis answered that is correct. Deputy Mayor Lenox said to Mr. Davis what that allows you to do if they are going to do the road first is to divide lots off of that to suite whatever comes along and may wish to own their lot or not. Deputy Mayor Lenox further said the site plan shows a 30-foot travel way which will have to be modified, and it does seem like they will need assistance from the town in terms of lobbying for why this is to the town's benefit as well. Mr. Davis agreed. A conversation occurred.

Deputy Mayor Lenox asked Mr. Davis if it is their intention for the road to be constructed first. Mr. Davis answered yes, all of the infrastructure for the stormwater would be installed first and they would clear the entire site first and then they would put in the main road work will be done in phases.

Deputy Mayor Lenox asked Mr. Davis if the stormwater calculations were taken into consideration for all of the site development as well. Mr. Davis answered correct and they will build that right up front. Mr. Davis stated they will need the town's cooperation when applying for the Site Readiness Grant. They have successfully applied for it three times and received it three times. Their intent is to apply for a grant that would cover 50% of the public infrastructure portion. Their intent would be to donate the road as well as the sidewalks that would run on both sides of the road. A conversation occurred.

Commission Member Johnson asked Mr. Davis which building they would be constructing first. Mr. Davis answered the preliminary thought process would be the third building which is 54,000 square feet which will be built to SPECT because there is a zero percent chance of constructing the buildings on the highway first unless there is a user that demands it. He further answered what you would see from there is they would offer the pad sites. There is a possibility that DelDot could say no and the same plan would exist. They would run the spine, come from Stage Rd., build the entire infrastructure portion, and put a cul-de-sac portion at the end.

Town Mgr. Fleetwood asked Mr. Davis if they do not get clearance from DelDot to run the road would they be open to going from Stage Rd. and head south to the school property. Mr. Davis answered initially the answer is yes, he would have to have that conversation with Mr. Martin. He further answered if they do not get access from DelDot they will work with them until they get it. A conversation occurred.

Mayor Bauer asked Mr. Davis the timeline projected to buildout. Mr. Davis answered the construction would start in Q3 of 2025. They would construct the first building in under nine months, all the infrastructure will be in place at that time period, and multiple buildings would be up in a year to a year and a half. The total project can be finished in easily five years which could be based upon demand. Mayor Bauer further asked Mr. Davis if the through road will be 30 feet wide as shown. Mr. Davis further answered they will build the through road as to what the town suggests. Mayor Bauer suggested to Mr. Davis to have the road at least 35 feet wide or more.

Mayor Bauer asked Mr. Davis if any of the property besides buildings will have a rec center or sports facility. Mr. Davis answered there is no exact plans for anything outdoors but it depends on if someone wants one then they would be able to backtrack from there. A conversation occurred.

Commission Member Layton asked Mr. Davis what is the price per square foot. Mr. Davis answered probably \$11.00 to \$12.00 per square foot.

Deputy Mayor Lenox suggested in addition to the site plans a subdivision plan fully designed because that would address some of the questions about the width of the street that way the stormwater can be reviewed and this commission will see each building as submitted. A conversation occurred.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Bret Davis – Conceptual Plan (Delmar Business Center, LLC.) – Lot 4 Parcels 86.00, 86.01, 86.03, and 86.04, Delmar, DE, per the conceptual Plan. A motion was made/seconded (Layton/Johnson) and carried by 4 Ayes 1 Absent (Jones).

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation L – Lot 108, 38510 Barberrry St., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Deputy Mayor Lenox noted this is a resubmission with a different house type. Commission Member Layton noted there is a Cedar on the corner and a Hazel on the left. The setbacks are in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation L – Lot 108, 38510 Barberrry St., Delmar, DE, per the attached drawings. A motion was made/seconded (Johnson/Layton) and carried by a vote of 4 Ayes 1 Absent (Jones).

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 116, 38479 Barberrry St., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is a Hazel on the right and a Spruce to the left. The setbacks are in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 116, 38479 Barberrry St., Delmar, DE, per the attached drawings. A motion was made/seconded (Johnson/Layton) and carried by a vote of 4 Ayes 1 Absent (Jones).

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 110, 38490 Sandberry St., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Deputy Mayor Lenox stated this is a resubmission with a different house type. Commission Member Layton noted there is a Cedar on the right and a Hazel on the left. The setbacks appear in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 110, 38490 Sandberry St., Delmar, DE, per the attached drawings. A motion was made/seconded (Johnson/Layton) and carried by a vote of 4 Ayes 1 Absent (Jones).

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 156, 38449 Sandberry St., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is a Cedar on the right and a Hazel on the left. The setbacks are in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 156, 38449 Sandberry St., Delmar, DE, per the attached drawings. A motion was made/seconded (Johnson/Layton) and carried by a vote of 4 Ayes 1 Absent (Jones).

Planning and Zoning Director, noted the four submittals submitted tonight will bring the total of dwellings to 82 and there are currently 80 permits out there.

#### **Public Comments –**

1. Town Mgr. Fleetwood informed the commission he received correspondence dated February 5<sup>th</sup> and the topic is Kylan Barn which is Mr. Kyle Hughes's property. He said Mr. Hughes came before the Mayor and Commissioners some months ago with a concern that he would not be able to have parking coming north from the barn in that open field which he has used for overflow parking since he has had the property. Mr. Hughes did seek legal counsel and Town Mr. Fleetwood acknowledged that he agreed with the legal counsel that the open field is approved for event parking only.
2. Mayor Bauer thanked Clerk of Council, Vondell Spencer, Planning and Zoning Director, Twain Evanson, Town Mgr. Fleetwood, and the commission for coming in on their day off.

He said he is aware the weather was bad this morning. He thanked everyone for making this meeting possible.

**Commission Comments –**

Commission Members Wilson, Layton and Deputy Mayor Lenox had no comment.

1. Commission Member Johnson commented Brick Row is looking good.

**Adjournment –**

Deputy Mayor Lenox called for a motion to adjourn the meeting. The motion was made/seconded (Johnson/Layton) and carried by a vote of 4 Ayes 1 Absent (Jones).

Submitted by:

Vondell Spencer

Clerk of Council