

Planning & Zoning Commission Meeting

June 24, 2021

Via Teleconference

The regularly scheduled meeting of the Planning & Zoning Commission was held June 24, 2021 at 7pm. Those in attendance: Chairperson Donald Scholl, Council Member, Commission Members: Doug Kemp, Beverly Wilson and Rochelle Outten. Key personnel: CDC William Hardin, CEO Liz Peek, and Clerk Donna James. Guests: Tanja Giles, Dipal Patel, V. Patel Glenn Clutter

Chair Person _Donald Scholl, called the meeting to order at 7:00 p.m. He conducted a roll call of Commission members to confirm a quorum. Four members were present and the quorum was established.

Approval of Minutes:

A motion was made by Wilson and seconded Kemp and carried to accept the May 20, 2021 meeting minutes as circulated by roll call vote with 4 Ayes.

Old Business –None

New Business –

- 1. Glenn Clutter/Cunningham Piano Co. – New Signage – 38661 Sussex Highway, Units 5-6, Delmar, DE**

Mr. Clutter stated they opened for business on June 1st with a temporary banner. The banner-lights up white at night. Gary Spencer with Phillips Sign, made the sign, he has made other signs in the plaza and he is familiar with the Town's ordinances.

Commission Member Wilson asked if there was a sign on the glass and Mr. Clutter replied-the hours of business.

There was no further questions or discussion.

Chairperson Scholl called for a favorable recommendation to the Mayor and Council for the approval of new signage at 38661 Sussex Highway, Units 5 -6, Delmar, DE, per the attached drawings the motion was made/seconded (Outten/Kemp) and carried by roll call vote 4 Ayes.

- 2. Tanja Giles/Delmar Fitness – New Signage – 38613 Benro Drive, Suite 1, Delmar, DE**
Commission Member Wilson asked if Tanja has been advised about the signage on the door. Tanja stated that once they receive approval on the permanent sign, they will remove the sign on the door.

There were no further questions or discussion.

Chairperson Scholl called for a favorable recommendation to the Mayor and Council for the approval of a new signage at 38613 Benro Drive, Delmar, DE per the attached drawings the motion was made/seconded (Kemp/Outten) and carried by roll call vote 4 Ayes.

- 3. Dipal Patel – presented a new home build at Bridgewood Estate subdivision on Lot 35 – 9137 Drawbridge Dr.**

Chairperson Scholl asked if Mr. Patel has a buyer. Mr. Patel stated he is going to build the house and then sell. Commission Member Outten asked if the front set back lines were on the drawing. Mr. Hardin stated it is showing 25 ft. but not using arrows to designate it.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of a new home build at Bridgewood Estates subdivision on Lot 35 – 9137 Drawbridge Dr, with the condition the site plan is modified having the measurements from the property lines to the building and the front corners within the front set back clearly identifiable. The motion was made/seconded (Kemp/Outten) and carried by roll call vote 4 Ayes.

- 4. Dipal Patel – presented a new home build at Bridgewood Estates subdivision on Lot 28 – 9082 Newbridge Dr.**

There were no questions or discussion from the Commission Members.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of a new home build at Bridgewood Estates subdivision on Lot 28 – 9082 Newbridge Dr., per the attached drawings. The motion was made/seconded (Kemp/Outten) and carried by roll call vote 4 Ayes.

- 5. Dipal Patel presented a new home build at Bridgewood Estates subdivision on Lot 27 – 9137 Newbridge Dr.**

There were no questions or discussion from the Commission Members.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of a new home build at Bridgewood Estates. - Lot 27 – 9137 Newbridge Dr., per the attached drawings. The motion was made/seconded (Kemp/Outten) and carried by roll call vote 4 Ayes.

Following the votes, Code Enforcement Officer Liz Peak noted for the record that lots 27 and 28 has a large forest conservation to the rear of both properties.

6. **Chris Gilkerson**- presented a new home build, at Yorkshire Estates subdivision, Model - The Griffin on 13403 Grace Lane, Delmar, DE

Chairperson Scholl commented that this was one of the last lots in Yorkshire Estates.

Chairperson Scholl called for a favorable recommendation to the Mayor and Council for the approval of a new home build, at Yorkshire Estates subdivision, Model - The Griffin- 13403 Grace Lane, Delmar, DE per the attached drawings. The motion was made/seconded (Kemp/Outten) and carried by roll call vote 4 Ayes.

7. **Brock Parker** presented on behalf of his client Blair Carey, a proposed subdivision of 24 Lots on Parcel 5.00 located on N. Second Street and Old Racetrack Road, Delmar, DE Mr. Parker stated that the property of the proposed subdivision was previously zoned industrial and they sought permission to rezone the property to residential. His client was waiting for the State of Delaware to authorize a zoning change as part of the comprehensive plan update. This evening the proposed subdivision is being presented as a preliminary plat seeking P&Z's approval so they can proceed to work with DBF. The lots are in conformance with the zoning code there are 15 lots on the south side of Old Racetrack Rd with another nine lots on the north side. They left 50 ft right of ways to get into the residential properties. The residue lands will probably be meadow, lightly trimmed or forest. They are seeking favorable consideration to proceed with 24 lots on these two parcels.

They have the same parcel numbers but, essentially are two different parcels the southern parcel they are denoting Quinn's Landing and the northern portion is Heacock Crossing.

Chairperson Scholl stated that his opinion from the last meeting is not going to change, due to our schools are at capacity as well as our water and sewer treatment facilities. He stated; therefore, he is going to be a no vote as previously discussed. He also added, that was before the tragedy with Corporal Heacock the feedback from the town is that they don't want any more development.

CDC Mr. Hardin, stated that a formal letter from Ms. Bynum-King will come to Mr. Carey reiterating the Town's limited sewer capacity and its impact on new development is contingent upon us being able to allocate EDU's to new sewer connections.

Commission Member Outten asked if lots 5-9 are they outside of town limits? Brock stated he believes the entire property is within the town limits, it shows the corporate limits line running with the northern property line.

Commission Member Wilson mentioned that it was hard for her to see the numbers on the lot line. Mr. Parker responded most of the lots on our plot are 60 ft. wide by 150 ft. deep, a total of 9000 sq. ft. which is pursuant to your zoning code as the minimal or larger as prescribed by the code.

Chairperson Scholl called for a favorable or unfavorable recommendation to the Mayor and Council for the proposal presented by – Mr. Brock Parker – Subdivision of Parcel 5.00 into 24 Lots – Second Street and Racetrack Road, Delmar, DE, per the attached drawings. No motion was made. Chairperson Scholl stated hearing no motion this submittal will move forward with no recommendation from Planning and Zoning.

8. **Heather Estep or Mickie Hughes** – presented a new modular home build on Lot 6, Maryland Ave., Delmar, MD

The proposal includes a Clayton Homes 28x44 modular home on lot 6 to be constructed. Commission Member Wilson asked if there were any pictures of the home. Building plans were submitted with front back and side elevations. They have a large copy for the record and will have available at the council meeting. Commission Member Wilson wanted to clarify that a modular home is not a manufactured home. Mr. Hardin stated that was correct, a manufactured home is considered a mobile home and would be restricted to a mobile home park. Wilson asked if it was a one story home and it was confirmed as one story rancher a little over 1200 sq ft.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of –Heather Estep or Mickie Hughes – New Modular Home Build – Lot 6, Maryland Ave., Delmar, MD, per the attached drawings. A motion was made/seconded (Kemp/Outten) and carried by roll call vote of 4 Ayes.

9. **Heather Estep or Mickie Hughes** – presented a new modular home build on Lot 7, Maryland Ave., Delmar, MD

The house will be the same style and size as on Lot 6. Commission Member Wilson asked if there is any elevation change. She was advised no because two sisters wanted the same size and design. Commission Member Wilson asked Chairperson Scholl to address the fact that the houses are the same design next door to each other. He is in favor of the neighbors signing a piece of paper stating that they are aware that the homes are the same. He asked Commission Member Wilson if she wanted them to sign a form. Commission Member Wilson stated since they are sisters she is assuming they know that.

They also own lot 5 and there is no lot 8. Scholl asked if there was anyone who did not feel comfortable with sisters building identical houses.

A favorable recommendation to the Mayor and Commissioners for the approval of – Heather Estep or Mickie Hughes – New Home Build – Lot 7, Maryland Ave., Delmar, MD, per the attached drawings. A motion was made/seconded (Kemp/Outten) and carried by roll call vote of 4 Ayes.

10. Chris Brown/Ryan Homes – New Home Build – Heron Ponds/Hudson – Lot 280, 9527 Song Sparrow Circle, Delmar, MD –

There were no questions or discussion from the Commission Members.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds/Hudson – Lot 280, 9527 Song Sparrow Circle, Delmar, MD, per the attached drawings. A motion was made/seconded (Kemp/Outten) and carried by roll call vote of 4 Ayes.

11. Chris Brown/Ryan Homes -New Home Build – Heron Ponds/Hudson – Lot 283, 9539 Song Sparrow Circle, Delmar, MD –

There were no questions or discussion from the Commission Members.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Heron ponds/Hudson – Lot 283, 9539 Song Sparrow Circle, Delmar, MD, per the attached drawings. A motion was made/seconded (Outten/Kemp) and carried by roll call vote of 4 Ayes.

12. Chris Brown/Ryan Homes – New Home Build – Woodcreek/Hudson – Lot 353, 9343 Mulligan Way, Delmar, MD –

There were no questions or discussion from the Commission Members.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek/Hudson – Lot 353, 9343 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Kemp /Outten) and carried by roll call vote of 4 Ayes.

- 13. Chris Brown/Ryan Homes – New Home Build – Woodcreek/Hudson – Lot 358, 9333 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build as referenced per the attached drawings.

There were no questions or discussion from the Commission Members.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek/Hudson – Lot 358, 9333 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Outten /Kemp) and carried by roll call vote of 4 Ayes.

- 14. Chris Brown/Ryan Homes – New Home Build – Woodcreek/Allegheny– Lot 404, 9449 Rolling Green Drive, Delmar, MD** –

There were no questions or discussion from the Commission Members.

Chairperson Scholl called for a favorable recommendation to the Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek/Allegheny – Lot 404, 9449 Rolling Green Drive, Delmar, MD, per the attached drawings. A motion was made/seconded (Outten/Kemp) and carried by roll call vote of 4 Ayes.

Public Comments – No comments

A motion to adjourn (Outten/Kemp) and carried by a roll call vote with 4 Ayes.

Donna James
Clerk II