

Planning & Zoning Commission Meeting
March 27, 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, Vice Mayor Odell Jones Jr., Jonathan Layton, and Beverly Wilson. Key Personnel: Town Mgr. Jeff Fleetwood, Planning and Zoning Director, Twain Evanson, Town Engineer, Nick Bradley, and Clerk of Council, Vondell Spencer. Guests: Carrie Lenox, Lloyd Unsell, Mary Lou Unsell, Carl Shapiro, Gretchen Hawkins, Juanita Terrell, Michele Baker, Commissioner Ron Nembhard, Sherill Nembhard, Janet Robinson, Quan Copeland, Roger Copeland, Commissioner Cory Shaffer, Rodney Brown, Jay Herlman, Danna Weaver, Cheton Mehta, Barry Mehta, Tracey Green, Tiff Chandler, Elizabeth Stripling, Theresa Souder, Maria Madero, William Madero, Marsha Hankerson, Tanesha Hankerson, Freddie Jacobs, Denise Jacobs, Bill Purnell, Elaine Purnell, Terrell Jones, Josh Joyner, and Robert Bolen; via teleconference: Commission Member Shawn Johnson.

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 informed the meeting attendees the Planning and Zoning Commission is a joint commission in terms of Delmar, Delaware and Delmar, Maryland.

Deputy Mayor Lenox acknowledged Vice Mayor Odell Jones Jr. who is this year's Delmar Citizen of the Year.

Approval of Minutes –

A motion was made and seconded (Wilson/Layton) to approve the February 20, 2025 meeting minutes as circulated by a vote of 4 Ayes, 1 Abstain (Jones).

Unfinished Business –

None.

New Business –

1. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation L – Lot 113, 38384 Yucca Dr, Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted this lot is on a corner with community open space next to it on Yucca Dr. and there is a Hazel next to it on Center Cir. 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 113, 38384 Yucca Dr., Delmar, DE, per the attached drawings. The motion was made/seconded (Jones/Wilson) and carried by a vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 133, 38383 Yucca Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted this is a corner lot on Yucca Dr. and Center Cir. There is a vacant lot on one side and Center Cir. on the other. The setbacks appear to be in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 133, 38383 Yucca Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Layton/Wilson) and carried by a vote of 5 Ayes.

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 158, 38454 Sandberry St., Delmar, MD** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted this is a corner lot on Sandberry St. and Center Cir. She further noted there is a Spruce on one side and Center Cir. on the other. The setbacks appear to be in order.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 158, 38454 Sandberry St., Delmar, DE, per the attached drawings. A motion was made/seconded (Wilson/Jones) and carried by a vote of 5 Ayes.

4. **Domingo Arriola – Home Addition – 9495 Mourning Dove Way, Delmar, MD** – Mr. Arriola was not in attendance. The commission moved forward with a motion.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Commissioners for – Domingo Arriola – Home Addition – 9495 Mourning Dove Way, Delmar, MD, per the attached drawings and subject to confirmation of approval received from the HOA. A motion was made/seconded (Wilson/Layton) and carried by a vote of 4 Ayes 1 Abstain (Johnson).

5. **Barry Mehta – Delmar Fairways, LLC (Conceptual Plan) – 108 Duplex Single-Family Homes – Long Iron Rd., Bunker Ln. etc., Delmar, MD** – Mr. Barry Mehta, Cheton Mehta, and Mr. Jay Herlman and Donna Weaver representatives from DR Horton presented the Delmar Fairways, LLC conceptual plan that included the unit design floor plans, elevations, and setbacks for the 108 townhomes presented as referenced per the attached drawings. Deputy Mayor Lenox stated for the record he has been a resident/owner in Woodcreek for 20 years, it is the only house that he and his wife own, and he is a distinct conflict of interest this evening. He further stated he will continue however, with the approval of the HOA board, and continue with the architectural committee for the community which he has done for the last ten years.

Deputy Mayor Lenox noted in his role as an elected official for the town he will not be participating in the discussion for this conceptual plan submittal. Vice Mayor Jones led the discussion for this conceptual plan submittal.

Town Mgr. Fleetwood informed the attendees the development that is on the back corner of Woodcreek, the streets that are undeveloped is what Horton Homes, Mr. Barry, and Cheton Metha are here for this evening. This plat/development was approved a number of years ago.

The Woodcreek HOA brought a contingent of people to have discussion about the actual HOA, pool, and clubhouse. There was a discussion following the meeting that the town facilitated for the HOA with the Davis, Bowen, and Friedel Town Engineer, Nick Bradley present.

Commission Member Wilson stated this area has already been approved for zoning for this type of unit and there are no actions this commission needs to take as far as approving or disapproving. She further stated she had no problem with making them duplex, having green space in between, and it would possibly make them look a lot nicer than eight homes in a block. Commission Member Wilson said in general, she has no problem with what they would potentially look like because they would look similar to what is in this area.

Vice Mayor Jones asked Town Mgr. Fleetwood if the EDU's have already been accounted for. Town Mgr. Fleetwood answered yes. They are being phased in at 48 per year. Town Mgr. Fleetwood noted the town has had multiple conversations regarding a number of issues with the Woodcreek development in itself with some infrastructure. He said to his knowledge and the knowledge of Davis, Bown, and Friedel the only street in Woodcreek that has been formally dedicated to the town is Executive Club Dr. He further noted there has been discussion of completing a walk-through of the Woodcreek's new portion with Davis, Bowen and Friedel to form a written plan for who will fix what needs to be fixed with the infrastructure as it relates to stormwater, water, sewer, and streets before any permit is issued.

Town Mgr. Fleetwood thanked Mr. Barry Mehta, Office Manager, Kimberly Layton, and Davis, Bowen and Friedel for all the work they put in and providing the knowledge to him for this project.

Vice Mayor Jones made a motion to suspend the rules and asked for public comments only about this conceptual plan. A motion was made/seconded (Wilson/Layton) and carried by a vote of 4 Ayes 1 Abstain (Lenox).

- 1.) Mr. Bill Purnell inquired if parts of what was the existing golf course was included to make the open space that they need so they can provide the 108 townhomes. Mr. Mehta answered the golf course land is totally separate from the lots presented tonight. Town Mgr. Fleetwood responded they were platted in 2001.

- 2.) Mr. Carl Shapiro asked if the new 108 townhomes are being sold as a golf community. Mr. Jay Herlman answered no, they have no implications of any golf aspect. He said they are simply buying the lots from the landowner.
- 3.) Ms. Maria Madero commented the exterior of the new townhomes do not resemble what has currently been built in that area. She asked Mr. Herlman if they were going to look like Ryan Homes with the design concept. Ms. Weaver answered they are going to get visuals and they will have to submit the exterior designs to this commission.
- 4.) Ms. Madero commented all of the 108 units have only one car garages which are taking away the overflow parking that Woodcreek residents have because a unit will be built there. Ms. Weaver responded the requirement is to have a garage because they wanted that ability for the occupying families and to have a driveway to accommodate the occupying families. She further responded they could talk to the town about the road situation and they do plan on having the pad in the front next to the model that will remain parking for that area. Mr. Herlman added because the setbacks of these homes are not maxing out the building envelope there is going to be a different length of the driveway as well so they can always shift it back for more parking.
- 5.) Ms. Tanesha Hankerson asked Mr. Herlman if Villa A and Villa B are single family homes or townhomes. Mr. Herlman answered they are duplexes so they are connected. She further asked him if the Delmar model was connected. He further answered the Delmar can be a duplex or a single family. Right now, there are only four single family homes planned so whatever can fit they will add that to the single-family route otherwise the majority will be duplexes. Ms. Hankerson inquired more about Villa A and Villa B's square footages, bedrooms and the price ranges of the homes.
- 6.) Ms. Hankerson commented her concern is adversely affecting the property value of the current homes there because the townhomes are smaller. Ms. Weaver responded their price ranges are to the market starting at the low \$300,000's but can change. A conversation occurred.
- 7.) Ms. Hankerson asked Ms. Weaver the buyer profile they were interested in. Ms. Weaver answered anyone that does not want stairs in their house for options. They will offer 2-stories and ranch style. She further asked her if DR Horton will be able to provide plans so everyone can see what they plan to build. Ms. Weaver further answered yes. A conversation occurred.
- 8.) Mr. Ron Nembhard asked Mr. Herlman how the townhomes were going to be marketed and if the townhomes would be marketed as a golf community. Mr. Herlman answered the townhomes will not be marketed as a golf community.

- 9.) Ms. Martha Hankerson commented she is completely opposed to the building of the townhomes because they are too small. She said she does not understand why they could not be refigured to make them larger so they would be more comparable to the homes already there. She asked if investors would be able to come in and buy and sell them as rental properties? She asked Mr. Barry Mehta if he would be buying any of the townhomes and renting them out. He answered no.
- 10.) Mrs. Mary Lou Unsell asked Mr. Herlman if the streets would be wide enough because they only have a one garage. Mr. Herlman answered the roads are already in and they are meeting the code requirements for parking that the town has.
- 11.) Ms. Denise Jacobs asked Mr. Herlman if they were going to build a playground because they are building duplexes and townhomes and there is no recreation in the development for children and the pool will be too small to accommodate 108 townhomes. Mr. Herlman answered it's feasible.
- 12.) Mr. Carl Shapiro asked Mr. Helman what target salary they are going after, and what type of customers. Mr. Herlman answered what they underwrite it for is completely separate from what they can sell it for. He further answered they have a starting price at \$300,000 and that is what they are allocating for but that is to meet their matrix that is required to be given the funding from their corporation. He said if they can sell the homes for more, they will increase the amount.

Vice Mayor Jones called for a motion to go back into the regular session. The motion was made/seconded (Wilson/Layton) and carried by a vote of 4 Ayes 1 Abstain (Lenox).

Vice Mayor Jones stated this submittal is a conceptual plan so no action will be taken until further investigation is done along with the repairs that need to be done.

Commission Comments –

Deputy Mayor Lenox and Commission Member Johnson had no comment.

- 1.) Commission Member Wilson congratulated Vice Mayor Jones on his selection for Citizen of the Year. Town Mgr. Fleetwood added the Citizen of the Year Banquet will be April 22nd. He said if the world had ten more of Vice Mayor Jones' it would be a better world.
- 2.) Commission Member Wilson informed the commission she may or may not be present at the next meeting. She said she will see where she is located.

Public Comments –

None.

Adjournment –

Deputy Mayor Lenox called for a motion to adjourn the meeting. The motion was made/seconded (Lenox/Layton) and carried by a vote of 5 Ayes.

Submitted by:

Vondell Spencer

Clerk of Council