

**Planning & Zoning Commission Meeting**  
**May 19, 2022**  
**MEETING HELD IN-PERSON & VIA TELECONFERENCE**

The regularly scheduled meeting of the Planning & Zoning Commission was held at Delmar Town Hall and via teleconference. Those in attendance: Council Member Odell Jones, Commission Members: Rochelle Outten and via teleconference: Beverly Wilson. Key personnel: CDC William Hardin and Clerk of Council Vondell Spencer. Guests: Trent Molnar, Dana Wright; via teleconference Lesly Marcelin, Tim Glass and Chris Brown. Absent: Deputy Mayor Lenox and CEO Liz Peek.

**Called to Order:**

Council Member Jones called the meeting to order at 7:00 p.m. and performed the pledge of allegiance.

Council Member Jones said Deputy Mayor Lenox is on vacation and Commission Member Wilson attendance via teleconference.

**Approval of Minutes –**

A motion was made and seconded (Wilson/Outten) to approve the March 24, 2022 meeting minutes as circulated by roll call vote with 3 Ayes 1 Absent (Lenox).

A motion was made and seconded (Outten/Jones) to approve the April 21, 2022 meeting minutes as circulated by roll call vote with 3 Ayes 1 Absent (Lenox).

**Old Business –**

None.

**New Business –**

1. **Trent Molnar – Subdivide Lots 4 & 8 – 507 Jewell Street, Delmar, DE** – Mr. Molnar presented a subdivide as referenced per the attached drawings. CDC Hardin said the lots are sufficient in size if divided to meet minimum area requirements.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission to the Mayor and Council for – Trent Molnar – Subdivide Lots 4 & 8 – 507 Jewell Street, Delmar, DE, per the attached drawings. A motion was made/seconded (Outten/Wilson) and carried by roll call vote of 3 Ayes 1 Absent (Lenox).

2. **Lesly Marcelin/Victory Auto Sales – New Shed – 38444 Sussex Highway, Delmar, DE** – Mr. Marcelin presented a shed addition as referenced per the attached documents. Council

Member Jones asked Mr. Marcelin if he received authorization from his landlord to have a new shed? Mr. Marcelin answered no sir. Commission Member Wilson inquired if there was a site plan for the shed. CDC Hardin responded no but the property is very large and the Commission on one other occasion made an exception where there was a very large plot and there would be no issue about whether the setbacks could be met waived that requirement; it is the Commissions decision.

Commission Member Wilson asked where the shed was going to be placed on the property? Mr. Marcelin answered the shed will be placed next to the building. Commission Member Wilson said per the procedures a site plan with the setback lines and placement of the shed should be submitted. CDC Hardin reiterated in the past the Commission waived that requirement for the placement of a shed behind First Baptist Church because of the size of the lot. He said he is suggesting that this lot is of such size that this shed will be easily placed and meet the setback requirements; but again, that is the Commissions decision. Commission Member Wilson replied as long as the motion has that it is within the setback lines then she would have no problem with that.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission on the condition a waiver of the site plan as long as the shed is within the setback requirements and landlord permission to the Mayor and Council for – Lesly Marcelin – New Shed – 38444 Sussex Highway, Delmar, DE, per the attached drawings. A motion was made/seconded (Wilson/Outten) and carried by roll call vote of 3 Ayes 1 Absent (Lenox).

- 3. Tim Glass – (Delmar Climate Control Storage) Concept Plan/New Construction – Lot 2, Sandbar Lane, Delmar, MD** – Mr. Glass presented a concept plan/new construction as referenced per the attached drawings. Mr. Glass said he spoke with CDC Hardin and Josh Taylor, Town Engineer about the 29,885 square foot single story pre-engineered metal building located on Lot 2 and associated single bathroom, sewer line connected to the existing utilities in the street, same with the water. He mentioned the building will be sprinklered. Mr. Glass described the concept plan.

Mr. Glass said for parking they are proposing 15 spaces including one required loading space. There will also be room to get in and out of the building through the three entrance doors and larger concrete pads just for a mobility standpoint.

He further said these facilities are not retail, office, sales, warehousing, manufacturing or really no employees whereby they are open to the members at any time during the day. There is not a lot of traffic or parking requirements. There is not a specific parking standard in the Delmar Zoning Regulations for ministorage, climate-controlled storage or anything similar to that.

Mr. Glass mentioned parking requirements for Salisbury, Easton, Caroline County, Denton, MD. The closest they could find that made the most sense is Caroline County which has a

ministorage parking requirement for a project like this. The parking requirement calculates out to one parking space per 2,000 square feet of gross floor area. For this building that equates to 15 spaces which in their view is more than adequate for the trip generation that this building is going to see especially at any coincidence time.

He further mentioned they have done a little preliminary sizing for stormwater management with a couple of MD requirements with a couple of ESD features in the front and one in the back being a passive microbial retention facility. The subdivision was designed with a regional stormwater facility in place, forest conservation was already satisfied for this subdivision.

Mr. Glass described on the concept plan there is a lighter hatching which can be flipped to the south as a Phase 2 component and do a shared driveway between the two and ultimately extinguish that common lot between Lot 1 and Lot 2. The lot is wooded and what they are proposing is only clear out enough of the existing vegetations that necessary for the building construction to save the trees to act as a natural buffer between Rt. 13 in the back of the building as possible.

Mr. Glass further described the building sat back already about 100 feet off of the right away line, and about half of that 50 plus more feet should still be able to be easily obtained with existing forest vegetation that is currently there.

Commission Member Outten asked was the bathroom facility in site be a locked facility and how would it be managed? Mr. Glass answered as he understood this is a come and go facility, locked and secure facility. He further answered he unsure the patrons that are renting units have an opportunity to use the bathroom or if it's just internal for a part-time/full-time staff member. Commission Member Outten further asked Mr. Glass if he was aware currently the number of anticipated units on the interior and questioned the no dumpsters proposed. Mr. Glass responded it's not typical to see dumpsters on a site like this. He said he is unsure about the number of units but most of the units are 9 x 10, 7.5 x 10, and 10 x 15 inside 5 x 5.

Commission Member Outten questioned number eleven in his project notes pertaining to stormwater. Is the stormwater going to be contained onsite or will there be drainage to the state highway? Mr. Glass replied no, on the plans there are some storm drain lines that are on the southside of the building. All the infrastructure has already been put in Sandbar Lane and there is a stub off of that storm drain coming directly into their lot. So, they are just simply tying their on-site drainage into the public system that's already been constructed and that drainage will flow off to the regional stormwater facility that's within that Lighthouse Square subdivision.

Commission Member Wilson asked has Mr. Glass reached out to the residents of the subdivision about this project? Mr. Glass answered the only other resident would be the Holiday Inn Express at the north end of the subdivision and it is a commercial industrial subdivision zone community business district.

CDC Hardin added regarding to Mr. Glass's parking calculation there is a use that might be similar. CDC Hardin read a code from the Planning and Zoning Regulations but that determination is for the Commission and their recommendation as well as the Mayor and Commissioners for its approval of the final plan submitted. CDC Hardin explained the code to Mr. Glass.

Council Member Jones and Commission Member Outten thanked Mr. Glass for attending the meeting.

4. **Dana Wright – Addition (Deck and Railings) – Wood Creek – 9337 Mulligan Way, Delmar, MD** – Mr. Wright presented an addition as referenced per the attached drawings.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission to the Mayor and Commissioners for – Dana Wright – Addition (Deck and Railings) – Wood Creek – 9337 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Outten/Wilson) and carried by roll call vote of 3 Ayes 1 Absent (Lenox).

5. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 357, 9335 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build as referenced per the attached drawings. The site plan was received 5/23/2022. Commission Member Wilson commented there is a Hudson on one side and a Ballenger on the other side. She further commented the setback lines that are noted on the plans are the regular setback lines and not necessarily the ones for Wood Creek.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission on the condition the setback lines and variance approval are noted on the site plan for Wood Creek, to the Mayor and Commissioners for – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 357, 9335 Mulligan Way, Delmar, MD. A motion was made/seconded (Outten/Wilson) and carried by roll call vote of 3 Ayes 1 Absent (Lenox).

6. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 382, 9322 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build as referenced per the attached drawings. Commission Member Wilson noted there is an Allegheny on one side and a Hudson on the other side. She further noted the setback lines are appropriate on the site plan.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission to the Mayor and Commissioners for – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Columbia/Elevation A – Lot 382, 9322 Mulligan Way,

Delmar, MD, per the attached drawings. A motion was made/seconded (Outten/Wilson) and carried by roll call vote of 3 Ayes 1 Absent (Lenox).

7. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation A – Lot 393, 9354 Mulligan Way** – Ms. Brown presented a new home build as referenced per the attached drawings. The site plan was received 5/23/2022. Commission Member Wilson noted that there are vacant lots on either side of the property. She further noted that the preference is that the setbacks be correctly noted on the site plan.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission on the condition that the setback lines and variance approval are noted on the site plan for Wood Creek, to the Mayor and Commissioners for – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Allegheny/Elevation A – Lot 393, 9354 Mulligan Way, Delmar, MD. A motion was made/seconded (Outten/Jones) and carried by roll call vote of 3 Ayes 1 Absent (Lenox).

**Public Comments –**

None.

Council Member Jones called for a motion to adjourn the meeting. The motion was made/seconded (Outten/Wilson) and carried by roll call vote of 3 Ayes 1 Absent (Lenox).

Vondell Spencer

Clerk of Council