

**MINUTES OF THE MILLVILLE  
TOWN COUNCIL MEETING  
September 9, 2014 @ 7:00PM**

In attendance were Mayor Gerry Hocker, Deputy Mayor Bob Gordon, Council Members Harry Kent, Steve Maneri and Susan Brewer; Town Solicitor Seth Thompson, URS representative Kyle Gulbranson; and Town Manager Debbie Botchie and Executive Assistant Matt Amerling.

**1. CALL TO ORDER:**

Mayor Gerry Hocker called the meeting to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

**3. ADOPTION OF TOWN COUNCIL MINUTES**

A. Adoption of Town Council Minutes – August 12, 2014

Council Member Harry Kent motioned to approve the Council minutes for August 12, 2014. Deputy Mayor Bob Gordon seconded the motion. Motion carried 5-0.

**4. FINANCIAL REPORT – Treasurer**

A. August 2014

Treasurer Harry Kent read the Financial Report for the month ending 8/31/14.

**August 31, 2014:**

General Revenue:	\$ 51,891.	General Expenses:	\$ 32,577.
Restricted Revenue:	923.	Restricted Expenses:	7,641.

Council Member Steve Maneri motioned to approve the Treasurer's Report for the month ending August 31, 2014. Deputy Mayor Gordon seconded the motion. Motion carried 5-0.

**5. ADMINISTRATIVE MATTERS**

A. Administrative Report for August 2014 – Town Manager

There were no comments made about the administrative report.

**MOTION TO ENTER PUBLIC HEARING**

Deputy Mayor Gordon motioned to enter the Public Hearing at 7:03 p.m. Mr. Kent seconded the motion. Motion carried 5-0.

**6. PUBLIC HEARING**

A. Public Hearing Notice – Secretary Steve Maneri

## B. Written Comments – Town Manager

There were no written comments to read. Council Member Maneri recused himself.

- C. Review and discuss a final site plan application, submitted by Millville Seaside Properties II, LLC; in Millville by the Sea (MBTS) / Lakeside Village. The applicant is requesting forty-five (45) single family lots. *Synopsis:* The Planning & Zoning (P&Z) Commission previously discussed and reviewed the Millville Town Center, LLC, site plan to build 70 quad-plexes in 2B-2 South of Millville by the Sea, now known as Lakeside Village; the Commission shelved the matter until Miller & Smith addressed various issues with the plan. On March 10, 2014, P&Z recommended for approval the preliminary site plan changing 70 quad-plexes into 45 single family lots to Council. On April 8, 2014, Council approved the preliminary site plan subject to the fact that P&Z review the revision to the trail bridge and submit a favorable recommendation for approval prior to final site plan approval; and that the permanent vehicular bridge be installed prior to the twenty-sixth C.O. issued for the subdivision. On May 12, 2014, P&Z approved the revised foot bridge.

Mr. Chuck Ellison, of Miller & Smith, introduced himself and his peers: Mr. Jack Tucker, of Miller & Smith; Mr. Scott Roberts, of Civil Engineering Associates (CEA); and Mr. Ron Sutton, of CEA. Mr. Ellison stated Miller & Smith have opened the lifestyle center this past spring as well as the pool and new model court and all have been received very well. Mr. Ellison stated since opening the model court, Miller & Smith have sold 25 homes through last weekend. Mr. Ellison stated the plan before Council tonight is the final approval of Lakeside Village, which originally had attached housing but was revised after Miller & Smith had some advisory meetings and realized the area was not the best for an attached product. Mr. Ellison stated Miller & Smith revised the plan and presented the revised preliminary plan to Council, changing the attached housing to 45 single family lots, which are designed to support the same housing product previously built in other phases. Mr. Ellison stated the lot sizes are very attractive and many of them back up to the perimeter of the property so, in addition to the normal backyard, the owner will also have the required buffer area alongside an exterior property line.

Mr. Ellison stated Miller & Smith did a few things they did not have to do, including a wider deck on the water of the lake as well as the addition of some recreational features. Mr. Ellison further stated with the stream crossing, Miller & Smith will have the crossing as part of Lakeside Village so they can loop a temporary access road around to Sand Dollar Village Phase 2, so Miller & Smith can bring construction traffic in the back way once the stream crossing is in place. Mr. Ellison stated Miller & Smith have requested they be given up to twenty-six (26) certificate of occupancy (C.O.) permits prior to the stream crossing being in place so Miller & Smith can “get moving.” Mr. Ellison stated Miller & Smith had a conference call with the U.S. Army Corps of Engineers today and the application for their approval has been submitted; the Delaware Department of Natural Resources and Environmental Control (DNREC) stated they have no real problem with the application and actually like how Miller & Smith will be laying some of the banks on the tax ditch back so there is a little better water quality control for the vegetation and such. Mr. Ellison stated Miller & Smith feel confident they meet all the criteria of the Corps of Engineers so there

should be no problem getting the approvals, and think Miller & Smith will have that approval by December. Mr. Ellison further stated Miller & Smith have always been conscious of construction traffic impact and even though it is not a requirement, Miller & Smith always try to minimize the traffic within the community. Mr. Ellison stated Miller & Smith have approached the Timmons family and they have been kind enough to let Miller & Smith use an existing farm driveway on their property that comes off the back lots. Mr. Ellison stated between the two access points, Miller & Smith thinks there will be less likely traffic back-ups or mishaps.

Mr. Kyle Gulbranson, of URS, stated all of the engineering issues have been addressed and all of the conditions are in place for the permanent vehicular crossing and everything is in order. Council Member Harry Kent asked regarding the access road – one of which will be through the Timmons property – when will the other road be provided and at what time. Mr. Ellison stated once Miller & Smith have the stream crossing in place and are able to utilize that crossing, Miller & Smith will no longer use the Timmons access. Mr. Kent asked if Miller & Smith would have the permits by the first of the new year (January). Mr. Ellison stated yes. Mr. Kent asked how long it would take to build the stream crossing. Mr. Ellison stated as soon as Miller & Smith know the permit is in good shape, they will pre-order the pipe and have it all on place so he would say between thirty (30) and forty-five (45) days. Mr. Kent asked Mr. Ellison if Miller & Smith could have the other access opening done by spring time. Mr. Ellison stated yes, and, given the time to develop this portion, there is a good chance Miller & Smith will not build any homes until they have that access in place. Mr. Gulbranson stated the pedestrian bridge was inspected by URS's engineer and has been approved.

#### **D. Property Owner Comments & Questions**

Ms. Penney McCormick, of Tybee Street, asked, since this is prime space, is there going to a premium assessment to the lots. Mr. Ellison stated yes, many of them will have a premium on them.

### **MOTION TO EXIT PUBLIC HEARING**

Deputy Mayor Gordon motioned to exit the Public Hearing at 7:17 p.m. Mr. Kent seconded the motion. Motion carried 4-0.

### **7. NEW BUSINESS**

- A.** To consider for possible vote the final site plan application, submitted by Millville Seaside Properties II, LLC; in Millville by the Sea (MBTS) / Lakeside Village. The applicant is requesting forty-five (45) single family lots.
  - 1.) Mayor Hocker request individual vote.

Deputy Mayor Gordon motioned to approve the final site plan application submitted by Millville Seaside Properties II, LLC, for 45 single family lots in Lakeside Village. Council Member Susan Brewer seconded the motion. Mr. Gordon voted yes. Mr. Kent voted yes. Ms. Brewer voted yes. Mayor Hocker voted yes. Motion carried 4-0.

## **8. PROPERTY OWNERS/AUDIENCE COMMENTS AND QUESTIONS**

Linda Kent, of Cypress Point Trail, stated, as head of the Farmer's Market, the last market day will be this Thursday, September 11, 2014, and wanted to give a big thanks to the Town, communities and other locals. Ms. Kent stated so far, they have collected \$125 to Camp Barnes, and through volunteer Pat Moulder, they have collected \$10,000 from ACTS donations. Ms. Kent further stated a full truckload of furniture, games, etc. have also been donated to Camp Barnes. Ms. Kent stated, as the head of the volunteers, there will be the stockings for soldiers on Thursday, September 18, at 9 a.m. Ms. Kent stated on September 19, at 2 p.m., they need people here to move in tables for the Blackwater Village safety preparedness program happening at Town Hall on Saturday, September 20. Ms. Kent stated the Matter of Balance classes will start in January.

Town Manager Debbie Botchie stated on Saturday, September 20, the Blackwater Village Association of CERTS is going to be holding a safety and health fair at Town Hall, and several vendors as well as the State Police will be attending, as well as Beebe Medical Center with free health screenings and flu shots.

**9. ANNOUNCEMENT OF NEXT MEETING** – The next meeting will be the Town's workshop on September 23, 2014.

## **10. ADJOURNMENT**

Mr. Kent motioned to adjourn the meeting at 7:23 p.m. Mr. Gordon seconded the motion. Motion carried 5-0.

Respectfully submitted,  
Matt Amerling, Executive Assistant