

Planning and Zoning Commission Meeting
February 11, 2013 @ 7:00pm

In attendance were Chairman Bob Linett, Commissioners Christine West, Susan Brewer, Steve Maneri, Code and Building Administrator Eric Evans, Town Manager Debbie Botchie, URS representative Kyle Gulbranson, and Town Clerk Matt Amerling. Commissioner Jim Koozer was absent.

1. CALL TO ORDER: Chairman Bob Linett called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. OLD BUSINESS:

A. To consider for recommendation to the Town Council the final site plan submitted by Millville Town Center LLC, identified as Sub-phase 2C-2 on Tax Map Parcels 134-12.00-380.00 (part of). Synopsis: The applicant is proposing an amenity center with 4 structures and an in ground pool. The amenity center is a part of the Master Plan Community known as Millville by the Sea (MBTS). Planning & Zoning (P&Z) reviewed the site plan on July 9, 2012. However, the Commission voted 3-0 with Commissioner Maneri abstaining to review the revised site plan prior to submittal to the Town Council.

Mr. Chuck Ellison, of Miller & Smith, presented the site plan the P&Z committee had previously approved and pointed out the four-building complex as being the same complex Mr. Ellison and the P&Z Board have been talking about. Mr. Ellison stated some parts of it are slowly under construction near the lake, with the complex – including a wellness building, community/social building, three-season building – and pool. Mr. Ellison stated the complex was served by a parking lot that goes along the complex with sufficient parking spaces. Mr. Ellison stated Miller & Smith also had a lawn area for lawn games (i.e., bocce, volleyball, badminton, croquet, etc.) and some type of “moveable shade structure.” Mr. Ellison stated the main entry feature which comes through was the terminus of the spine road, which will eventually go up through the entire property and comes in at the center with a highly-landscaped courtyard. Mr. Ellison stated Miller & Smith was trying to think of the courtyard as a bit of a “streetscape” with furniture such as tables, chairs, etc., as well as landscaping so Miller & Smith can encourage people to meet outside as well as inside. Mr. Ellison stated Miller & Smith did not have the architectural plans for the building and it’s not a part of the submission for this recommendation, but all of the buildings had numerous porches which look out on the lake and provide additional seating and lawn areas. Mr. Ellison stated Miller & Smith was planning for a facility on the lake so people may have access to it and Miller & Smith hopes to have some active recreational components to that facility, such as kayaks, canoes, paddleboats, etc. Mr. Ellison stated Miller & Smith was talking to the insurance company because of the cost concerns for homeowners. Mr. Ellison stated all of the buildings are front doors and one concern that came up was how Miller &

Smith were going to provide for necessary things such as “trash service and things like that.” Mr. Ellison stated, in several locations, Miller & Smith has designed enclosures where there can be individual trash cans into the buildings, thus staying away from dumpster use because “no matter how well you do it, you cannot really screen a dumpster well and enclose it because those big [garbage] trucks will eventually beat them [enclosures] up,” so Miller & Smith decided to stay with the more residential service.

Mr. Ellison stated Miller & Smith thinks the complex is going to be very economical in terms of the community in the future, with a golf course for seasonal activity so, out of season, MBTS can shut down the course, giving minimal electrical costs. Mr. Ellison further stated the pavilion is a three-season pavilion, which is not conditioned space so there will be a modest cost for it to be serviced, and includes an outdoor kitchen area so there may be family gatherings, weddings, etc. Mr. Ellison stated it is the two main buildings that are full-service, year-round buildings. Mr. Ellison stated as far as approvals go, Miller & Smith has all of its approvals in hand, in writing, from all the different agencies except Sussex County on the sanitary sewer; it is Miller & Smith’s understanding on the plan from them it is being signed but Miller & Smith is waiting on getting the approval letter back from them. Mr. Ellison stated he received an e-mail today from Mr. Eric Evans, Town of Millville Code & Building Administrator, with the bond amounts for Barnesville Drive because it is a public street that needs to be bonded before Miller & Smith begins reconstruction, but Miller & Smith are ready to move forward. Mr. Ellison stated, regarding the pond, there was separate approval and Miller & Smith thought they would be farther along on finishing it but the inclement weather so far this season has made it difficult to continue its creation, but work is under way. Mr. Ellison asked the commission for any questions they may have.

Mr. Linett stated he would like to turn to Mr. Evans and Mr. Kyle Gulbranson, of URS, to address some items regarding the site and site plan. Mr. Gulbranson stated Mr. Ellison covered the issues concerning the trash dumpster alternative, but, regarding the proposed signage, it is Mr. Gulbranson’s understanding Miller & Smith will be dealing with the signage issue when Miller & Smith submits the architectural drawings for the buildings. Mr. Ellison stated it is correct and Miller & Smith do not plan to do a large freestanding sign, however, Miller & Smith may place a large sign on the building which will be including in the architectural submission package. Mr. Gulbranson asked about the temporary access road and the pathway that is going to be built. Mr. Ellison stated Miller & Smith talked about two features: 1) temporary pedestrian bicycle trail that will connect the lifestyle center up to the existent Sand Dollar Village, and 2) a temporary emergency access road that would lead from Miller & Smith’s existing project office (the former sales center) to run cross-country, with a dual purpose of having pedestrian and emergency access. Mr. Gulbranson confirmed those two features are indicated on Miller & Smith’s plan.

Mr. Linett inquired regarding the trail, and Mr. Gulbranson stated the trail with which he was referring was the path added to the plan recently. Mr. Gulbranson stated the inquiry the Commission and URS had with the pathway facility – the plans URS had said it was going to be a GABC pathway – is if it is now going to be a bikeway whereas on the original

plan submitted to URS, it was indicated as a walking trail. Mr. Gulbranson stated the Commission and URS's concern was it might not be a handicapped-accessible facility if it is to be a walking trail. Mr. Ellison stated the grades would be suitable. Mr. Gulbranson stated the material would not be. Mr. Ellison stated the discussion was always to do an "interpretive trail" because Miller & Smith does not know where the final location is going to be. Mr. Gulbranson stated the question URS and the Commission had was what is the status of that trail going to be and when will it be constructed? Mr. Gulbranson further asked if the trail will be constructed at the same time as when the amenity center is built or will it be built later; how do you see the timing of that? Mr. Ellison stated Miller & Smith did quite a bit of construction coming down to the area, and something Mr. Ellison and Mr. Evans had discussed is they need to coordinate it very carefully because the Town and Miller & Smith want to make sure everyone is safe. Mr. Ellison stated the construction of the trail is going to be in conjunction with all of the other work, and he hopes that Miller & Smith will have the trail in at about the same time the amenity center opens, but Miller & Smith may have to detour around or figure out adequate, safe procedures. Mr. Gulbranson stated he knows the roadway is a temporary situation, but, regarding the pathway, is it going to be open for business as soon as it's constructed or is it going to be a temporary facility to be used at a later date? Mr. Ellison stated Miller & Smith always envisioned it as a temporary pathway until they complete the construction. Mr. Gulbranson asked if the pathway will be open for access once it's constructed. Mr. Ellison answered yes. Mr. Gulbranson stated the construction and pathway are something the Town will have to look into and if it is a pathway, Miller & Smith will have to look into a different surfacing for it; if it is a bikeway, it will probably be fine in terms of ADA compliance. Mr. Ellison stated he can do some research on the pathway because Miller & Smith will lose most of the trail as they get further along into construction. Mr. Linett asked for confirmation if the trail will be constructed as the amenity center is opened. Mr. Ellison stated yes, assuming Miller & Smith can address the safety issues and concerns that have been expressed. Mr. Evans stated, as for outside agency approvals, Mr. Ellison said he had them in hand. Mr. Ellison stated he handed Mr. Evans the approvals when he came in tonight. Mr. Evans stated he will look at the approvals.

Mr. Linett stated, in terms of the lighting, he would like to see it consistent with Routes 17 and 26 design standards guides that the Commission put out about what lighting should look like, and he asked Mr. Ellison if he had looked at the guides. Mr. Ellison stated the lighting is provided by the co-op. Mr. Evans stated what he thinks the Commission was looking for was they did not want to see the lights out on Route 26 currently with lighting post arms sticking far out, and he thinks it would be more in line with the MBTS lighting features to be consistent with the Town. Mr. Linett stated the standards are pretty flexible. Mr. Ellison stated Miller & Smith will be using the same lights as they did in Sand Dollar Village. Mr. Linett stated Mr. Ellison provided recently a historical survey and Mr. Linett is not aware there is anything in this area; Mr. Ellison confirmed there is not. Mr. Linett asked if there will be a walkway around the pond. Mr. Ellison stated right now the walkway will come up across the top and turn on an island out in the pond, but eventually the walkway will go all the way around the pond but it is not a part of the plan presented tonight. Mr.

Linett asked Mr. Ellison what the timing is for the current, earlier part of the pathway. Mr. Ellison stated this goes in as part of the overall construction. Mr. Linett asked when the pathway will be done. Mr. Ellison stated the pathway will be done in conjunction with the villas. Mr. Linett stated the configuration of the pathway around the pond to the island is consistent with the construction of the villas.

Mr. Linett motioned for recommendation to Town Council to approve the site plan subject to the following conditions:

1. All URS comments are addressed; and
2. The buildings can be constructed and opened in sequence, but no building can be used until the emergency access road and walking trail from Sand Dollar Village to the amenity center are complete.

Ms. West seconded the motion. Ms. West voted yes. Ms. Brewer voted yes. Mr. Linett voted yes. Mr. Maneri abstained. Mr. Koozer was absent. Motion was passed 3-0.

4. NEW BUSINESS:

A. To consider for recommendation to the Town Council a revised concept plan submitted by Millville Town Center, LLC, to sub-phase 2B-2 South previously approved in April 2012 as part of an overall revision to Phases 2B and 2C master plan. Phase 2B-2 South in the April approved plans had 58 townhomes. The applicant is now proposing 70 quad-plex units for this sub phase. The total area of the project site is 19.40 +/- acres; this gives the site a density of 5.65 units/acre increase from the previously approved 4.68 units/acre. The quad-plex unit types are not located in any other phase of this development. Synopsis: The applicant is proposing a quad-plex unit which is a new type of housing unit. It appears that the perimeter lots will be duplexes. Since the previously approved MPC (Master Planned Community) did not include quad-plex units there are no previously approved MPC bulk standards for this type of unit. The Planning Commission and Town Council will need to review the proposed lot size and setbacks to determine appropriateness and recommend modification to the proposed standard.

Mr. Chuck Ellison, of Miller & Smith, stated he came with some concept plans for an area called 2B-2 South, which is located down on Sand Dollar Village on the south side of the lake. Mr. Ellison stated Miller & Smith is proposing a dramatically different kind of dwelling unit, which Miller & Smith is calling a "four-plex" or "quad-plex," which means it can be attached in groups of four, and some of them are designed in a duplex kind of sequence. Mr. Ellison stated Miller & Smith is replacing traditional townhouses with this product, and Miller & Smith are asking the Commission to think of it as a new product, and think of it in that terminology. Mr. Ellison further stated he will go through the comments provided by URS and Mr. Evans, but some of the comments relate to the townhouses more rather than the quads, so Miller & Smith hopes the Commission will look at the design and think of it as something new. Mr. Ellison stated he invited Randy Creaser, an architect with Creaser/O'Brien in Washington, D.C., who has designed many homes for Miller & Smith

over the years and is the inspiration for the particular quad housing type.

Mr. Creaser stated he designed the quad idea in the late 1990s for a homebuilder in Ashburn, Virginia, that had a land bay to build 32 regular 20' by 35' townhouses. Mr. Creaser stated he set out to design a new townhouse, meaning it is a dwelling attached on two sides, and the market was for buyers looking for one-level building, with all utilities on the first floor, but also with the option of having a second floor added for visitors or children. Mr. Creaser stated the house, from the street, looks and lives like a single-family home, and the homes are very close to the street because it creates connectivity to the sidewalk and neighbors. Mr. Creaser stated there are six foot fences separating the yards which are rather big to make room for a little garden, deck, porch or patio. Mr. Creaser stated the Ashburn builder built 32 units at one location, and, at another location, in the first phase there were 70 units, which sold out before the model was opened.

Mr. Linett stated in the first handout, looking at the birds-eye A-1 view, there appeared to be a large public area or backyards belonging to the townhouses. Mr. Creaser stated the area belonged to another townhouse community. Mr. Creaser stated the townhouses were built at Easton Club as duplexes in Easton, Maryland. Mr. Linett asked if either of the communities did not have a public space. Mr. Creaser stated in Ashburn, the community required a tot lot (playground), but there was not one in Easton. Mr. Ellison stated Mr. Creaser should talk about the sheds on each property. Mr. Creaser stated each yard is proposed to have a gardener's shed which will be where the 6-foot-high fences intersect in the corner. Mr. Creaser stated each shed is 5x8' with a door, peekaboo window, a 4 and 12 monopitch roof, concrete slab, and 2x4 stud wall on the back, which does not have to be rated according to the 2009 IRC, so there is an exemption for tool sheds within 5 feet of a property line, and the builder was planning on building a stud wall with plywood on the side. Mr. Linett asked if the shed is four sheds or one shed divided into four. Mr. Creaser stated it is four separate sheds that are attached. Mr. Linett asked who would be responsible to maintain the shed. Mr. Creaser stated each individual homeowner owns and upkeeps his/her own shed. Mr. Linett asked if one homeowner could choose to paint his shed and another could choose not to paint. Mr. Creaser stated yes. Mr. Creaser further stated the builder contended to use the same side, window, door, and trim materials to build the shed as were used for the house. Ms. West asked if there was a firewall between the sheds. Mr. Creaser stated there was not because one is not required by the building code.

Mr. Ellison stated one thing he wanted to emphasize about Mr. Creaser's design with this style of home is "it's more than just looking at the house, but looking at the entire way the whole lot in the house lives," so the house comes complete with the fence and gardener's shed, and there are things through the Home Owners Association (HOA) that Miller & Smith can do to maintain quality, controls, etc. Mr. Ellison showed the before and after of site plans with the "before" being the latest plan Miller & Smith had in their files which was approved by the Town Council "some time ago," which was designed for classic townhomes. Mr. Ellison stated there was a time when the economy was much better and

the builder was much more optimistic about the amount of homes they could build, working toward getting a lot of approvals. Mr. Ellison stated Sand Dollar Lake was in the center, 20-foot wide townhomes on the side, 32-foot wide townhomes on the other side, and a couple of single family lots throughout, making a total of 71 units. Mr. Ellison stated on the new plan, Miller & Smith decided to go with 68 units, made up of a combination of four-plexes and duplexes. Mr. Ellison stated some of the big differences with the duplex are a much larger, more usable private backyard; more direct views of Sand Dollar Lake for more residents; and maintaining some open-space parcels where there will be facilities within. Mr. Ellison stated another attractive aspect is what the streetscape is going to look like – being “a little more relaxed.” Mr. Ellison showed the Commission pictures of “award-winning” townhouses in Maple Lawn in Fulton, Maryland, which showed the rows of townhouses have a “more urban in feel,” but the quads Miller & Smith are building will have a “much more relaxed style, more fitting to the area,” and first floor master bedrooms.

Mr. Ellison stated he and Mr. Creaser would like to go through Mr. Gulbranson’s and Mr. Evans’ comments and let the Commission know how they see the comments and the thoughts they have. Town Manager Debbie Botchie asked Mr. Ellison if the design of the quad-plexes was Miller & Smith’s. Mr. Ellison stated yes. Mr. Creaser stated, addressing “Model C,” he wanted to architecturally connect to the folk-Victorian style with the two-over-two windows, more simple forms – not a lot of decoration – and using a 4” horizontal siding compatible with the 6” siding which turns the corner on the side and comes back over the garage. Mr. Linett asked what kind of siding it would be used. Mr. Creaser stated he did not know and the builders have not decided as of yet. Mr. Ellison stated this is MBTS’s entry-level home so it will not be a Hardi Plank. Mr. Linett asked Mr. Ellison when he said the models were “entry-level,” did he mean “entry-level” for all of MBTS or for just the particular section. Mr. Ellison stated Miller & Smith sees the buyer as someone who wants a first-floor master and generally tends to want a smaller unit, and in that sense Miller & Smith see it being at “the lower end of the sales price range,” whereas detached homes are at the higher end of the price range. Mr. Ellison stated it does not mean that the buyer is not “pretty well off” but, because of the square-footage, it’s less expensive. Mr. Evans asked if it was comparable to a townhouse unit. Mr. Ellison stated he hoped it would be more, but that is a fair statement; comparable to a 28- to 32-foot wide villa townhouse. Mr. Gulbranson asked Mr. Creaser how many square feet did Mr. Creaser believe the townhouses will be. Mr. Creaser stated the smaller one is 1700 square feet and the larger one is 2300 square feet, with no basements.

Mr. Ellison stated he would start through the February 7, 2013, letter from URS, which had a total of 9 comments. Mr. Ellison stated regarding comment number one (see attached Feb. 7, 2013, URS letter):

1. Mr. Ellison stated this is one of the most important because the original master plan did not envision this particular type of product, so it is incumbent Miller & Smith set some standards with that and they look forward to the discussion.

2. Mr. Ellison told Mr. Gulbranson he still did not find where Mr. Gulbranson got the 68 feet from seeing how Miller & Smith always filed and intended for 63 feet. Mr. Gulbranson stated he thinks that was just scaling the plan URS had. Mr. Ellison stated there is a five-foot porch that, by the Town Code, could encroach into the front setback and he would like Mr. Creaser to discuss it a little regarding the design. Mr. Creaser stated most of the base unit has a 4x4 or 4x5 small stoop but each house comes with three elevation types with the higher the number, the more expensive the house – so elevation one is the least expensive, elevations two and three has an eight-foot deep porch, which vary in terms of details. Mr. Creaser stated the porches are three feet from the front lot line, and, with his “current philosophy of doing some housing,” having a porch and outdoor space close to the sidewalk engages the neighborhood, making the people feel more comfortable, being able to “people watch.”
3. Mr. Ellison stated this is a drafting comment and Miller & Smith need to double-check all of their dimensions and make sure they have them correct.
4. Mr. Ellison stated Mr. Gulbranson had noted Miller & Smith extended the road back up so it could go up into the interior of the property and it will be a part of the spine road system which will eventually go down to the community center. Mr. Ellison stated Miller & Smith were concerned with some of the environmental constraints on the gulf stream because they are waters of the U.S., and there will have to be a bridge built to get across it, which will go on the final plans.
5. Mr. Ellison stated on the new sheet he gave the Commission there was a mislabeling of the models and Miller & Smith did change the model numbers as he was preparing the plans, but the mistakes have been corrected.
6. Mr. Creaser stated Model A and B is a one-car garage, and part of the concern was the program required that Miller & Smith wanted to have Model C (which is more expensive) have a two-car garage. Mr. Creaser stated his concern was to have a lot of garage walls on the streetscape, so he did 18 feet to the one-car garage for Model A and B, and, for the two-car garage, he had the 18 feet in front of the one-car parking space inside the two-car garage. Mr. Creaser further stated with this he moved the garage forward to give a good break to the elevation and in the elevation for Model C, the second floor comes over the garage so it creates a deeper shadow line to break up the massing of the three garages put together. Mr. Gulbranson stated his – and the Town’s – concern is in a resort situation sometimes there are several cars and where would the extra vehicles be parked. Mr. Gulbranson asked if the driveway itself is not large enough to park a car in and not block the sidewalk, then there will be a parking crunch throughout the community. Mr. Ellison stated there will be the two garage spaces in the Model C unit and one surface driveway space, and Miller & Smith does have the ability through the HOA to put restrictions on that particular parking/driveway space. Mr. Creaser stated there are two parking spaces per unit. Mr. Gulbranson asked if people will actually use the garage just for parking. Most of the Commission answered no. Mr. Gulbranson stated the garage will most likely become storage when there is no basement or attic. Mr. Creaser stated there will be the gardener’s shed. Mr. Linett

stated the shed would be insufficient for large objects such as a boat or kayak. Mr. Gulbranson asked if there was not any other plan for additional parking in the community in this phase. Mr. Ellison stated no, other than the street parking, Miller & Smith is not filing for additional parking at this time.

7. Mr. Ellison stated comments 7 and 8 were from an original version where Miller & Smith were considering a separate mechanical room that would go into the side yard, however, Miller & Smith has decided to eliminate that plan, so comments 7 and 8 are no longer valid.
8. See above.
9. Mr. Ellison stated comment 9 is correct in that this plan does have less public open space but it has greater private yard space. Mr. Ellison stated Miller & Smith is trying to make these yards a little more private, a little more usable than a townhouse.

Mr. Ellison stated he would move on to the Planning & Zoning review by the Town, dated December 2012 (see attached "December 2012 Planning & Zoning 2B2 South Review").

1. Mr. Ellison stated on the first comment on the density, Miller & Smith does think the Town for the plan of 71 was approved somewhere in the Town system. Mr. Ellison stated this is a very light density for attached housing product, and normally there would be up in the 8-10 acre range. Mr. Ellison stated even at the 5.75 this is a light density for this kind of housing, and Miller & Smith is very comfortable with the density and they think it is appropriate for the land use and the product type.
2. Mr. Ellison stated this item is similar to the URS comment on side setbacks and front setbacks, and it is certainly something to be discussed. Mr. Ellison stated Miller & Smith did have a little concern with the recommendation they have a 20-foot front yard setback and Miller & Smith could probably not build these units if the 20-foot setback is applied because there would be jogs in the way Miller & Smith can set the garages back and move the houses forward, which allows them to achieve the current layout. Mr. Ellison stated if Miller & Smith had to have 20 feet from the property line to the front of the house that is actually a bigger front yard than Miller & Smith have in a lot of its single family product today, making it impossible to do this layout, and Miller & Smith will probably have to go back to a townhouse design. Mr. Ellison stated Miller & Smith had maintained the distance to the garage for the parking space, but he thinks jogging out the front works with the streetscape and the concept Miller & Smith is trying to achieve. Mr. Evans stated the single family homes are currently 18-foot front yard setback and they have a 5-foot encroachment if a front porch is desirable, so that gives a 13-foot remaining setback, however, all the garages are 20 feet – and that is with single family homes. Mr. Evans stated when he reviewed this plan, he reviewed the site as a single family home because the product is good, but he thinks the setbacks are the issue at hand. Mr. Evans further stated if Miller & Smith move the second garage back to 20 feet, the front can still be designed with 18 feet from the property line and, with the 5-foot porch, there will still be undulation in the home. Mr. Evans stated the design is so a car can be parked without being on the sidewalk; 20 feet was the idea

of the Town Council long ago so the 20-foot parking spot was so the owner could park on their property and not the sidewalk. Mr. Creaser asked if Mr. Evans meant 20 feet from the garage. Mr. Evans stated yes, and not from the house. Mr. Gulbranson stated on the image Mr. Creaser gave of Ashburn, it appeared as if the yard is deeper in that layout. Mr. Evans stated what he noticed on the pictures submitted to him was if it was a 26-foot-wide street, the setbacks were greater, but if they were alleys or dead-end roads, they were moved in but they were dead-end alleys and they fit two homes on each side. Mr. Ellison stated Mr. Evans was correct and the private drive concept is one Miller & Smith would enjoy discussing because they think it would be appropriate, is used in many locations, and is a good way to get some additional frontage and more green space. Mr. Evans stated in discussing the alley concept, all homes have to face a street and not an alley, so, in the townhouse aspect, a lot of the townhouses are rear-load and come off of an alley, all the fronts facing major street within the subdivision. Mr. Ellison stated Mr. Evans is correct and that is why Miller & Smith designed the layout the way it is presented. Mr. Gulbranson stated Mr. Ellison said he wanted to make the most of the view of the lake, and in doing that, wouldn't Miller & Smith want all of the units on the main road which circles the lake facing the lake so there would be a front view? Mr. Gulbranson stated his concern was Miller & Smith would have the houses have a view of the fence between the two units, fronting on the lake drive. Mr. Ellison stated the fence runs from the corner to the corner so the view should be fine. Mr. Gulbranson stated he thinks it would look better if the houses fronted the lake. Mr. Linett asked if the fence does not cross the whole block. Mr. Ellison stated the lake is enclosed with the fence. Mr. Linett asked Mr. Ellison how can the homeowner see the lake if the fence is there? Mr. Ellison stated the owner can see the lake from the windows of their house, and if the house were rotated, the owner would not see the lake from their yard in any case. Mr. Gulbranson asked if the front of the house would front the road. Mr. Linett asked if he is walking around the lake, it would look like an ice-skating rink with a fence or wall around the lake. Mr. Gulbranson stated if, along the perimeter drive which fronts the lake, all the units fronted on the street and the front of the house faced the lake, the streetscape would be more attractive. Mr. Ellison stated it would be more attractive but there would need to be more lanes so it could serve the back-end units and the view would not be behind the units. Mr. Gulbranson stated that is why he brought up the issue. Mr. Ellison stated it is an example of where the lanes could be a positive thing to provide some access and is Miller & Smith's way of doing things. Mr. Evans stated he agreed with the lane aspect but he thinks Miller & Smith would need to get Planning & Zoning to say the houses face an alley, a lane, but it does not face a road. Mr. Evans stated a road is 26 feet and a lane is 12 feet, and the houses would not face a road of 26 feet wide, but rather a lane of 12 feet that would separate the properties. Mr. Ellison stated between houses would be greater than that, and Miller & Smith would have to sit down and design a solution but it would probably be wider than a 12-foot parkway because they would need room for 2-way traffic.

3. Mr. Ellison stated regarding the side yard setback, Miller & Smith had requested the

standard of 5 feet. Mr. Evans stated the side porch is 1 ½ feet. Mr. Creaser stated on Model C, which is the only unit to have the side porch, the way the house works is the owner would enter the house through the side porch and the door would not be visible from the street. Mr. Creaser stated he borrowed something from Charleston, South Carolina, where they had narrow lots and put in a “street door,” where, from the street, one would see a solid door, however, it opens to a side porch. Mr. Creaser stated he used this side porch as an inspiration for Model C so, from the street, one could not only see the door but it would also open into one’s own private porch. Mr. Creaser stated he thinks there might need to be some consideration in terms of not having a Model C too close to another house model so that it takes up a lot of space between the houses. Mr. Evans stated the spacing issue is his fear. Mr. Creaser stated there are many reasons why it would not be a good idea and the models need to be thoughtfully located. Mr. Evans stated he thinks if two buyers were side by side and both asked for Model C’s then they would be sold that way, which is why Mr. Evans put in the recommendation for a greater setback. Mr. Ellison stated if a situation arose where two houses side by side were requested by the owner to be Model C’s then the builder would “just have to say no.” Mr. Evans stated he understands but like with a single family 5-foot setback, nothing should encroach the five feet, so Mr. Evans’ thought process is to move the property line so the porch is within the seven feet which Mr. Evans recommended. Mr. Evans stated he recommended the seven feet side setbacks so the porch would be moved to the right seven feet from the property line or adjust the property line accordingly. Mr. Creaser asked if this setback recommendation would be for the Model C. Mr. Evans stated his recommendation would be for every model. Mr. Evans stated his concern is having minimum setbacks fit the product on the lot and a minimum sideyard setback with nothing encroaching on it. Mr. Evans stated now the way Model C is designed, the whole porch is going to have to be fire rated with steel columns, and because it has to be fire rated, he is not sure how Miller & Smith is going to have 4x4 posts and wrap them in drywall. Mr. Creaser stated his company has done porches like this in Loudon County, Virginia, with overhangs where they rate the underside of soffits. Mr. Evans stated yes but what about the columns that are going to be holding up the porch? Mr. Creaser stated the columns are going to be solid wood. Mr. Evans stated those would be fire-rated. Mr. Creaser stated yes, they can be fire-rated. Mr. Evans stated he knows it can be fire-rated, but move back the porch so it does not have to be done. Mr. Creaser stated if the porches are moved back, then the entire density goes away. Mr. Ellison stated it is an architectural feature to have something a little different on the market and is something Miller & Smith wanted to propose.

4. Mr. Ellison stated comment #4 applies more toward the perimeter of a duplex situation, and all of the proposed units have a regular rear yard. Mr. Ellison stated most of the walls do not have windows and are solid walls because there are bathrooms or closets up against them. Mr. Ellison stated Miller & Smith has one option with Model C where the master bedroom would be located, and Miller & Smith has no problem on Model C enlarging the backyard a little bit but they think if

it is a windowless wall, the five-foot setback should be fine.

5. Mr. Ellison stated comment #5 was for the road connections, which was covered. Mr. Linett stated regarding the bridge in comment #5, he asked Mr. Ellison if he said the bridge would cross the federal waterway. Mr. Ellison stated yes. Mr. Linett asked Mr. Ellison if he had a 404 permit or if he was going to obtain one. Mr. Ellison stated he did not have a 404 permit yet, but Miller & Smith has had some initial reviews done so Miller & Smith is pretty comfortable they can get the approval, especially since they plan on using a bridge.
6. Mr. Ellison stated comment #6 was for the amenities around the lake, which Miller & Smith has not yet designed and will be put on the plans at a later date, so Miller & Smith will be looking more into those details in the near future.
7. Mr. Evans stated regarding comment #7 about the amenity trail and walking paths, he realizes this is a concept, but he would like to see the actual walking trail in relation to what it is now on a plan and show what the proposal is in terms of whether the trail is changing because Planning & Zoning has approved the walking trail "as is." Mr. Evans asked Mr. Ellison if the trail is changing or staying the same. Mr. Ellison stated the trail is going to have to move. Mr. Evans stated Planning & Zoning is going to have to see the "before and after." Mr. Ellison stated the trail is going to be more formal.
8. Mr. Ellison stated comment #8 was also about the walking trail and the original concept does show it. Mr. Ellison stated Miller & Smith will probably be approaching Planning & Zoning because there is a dead end leg where Mr. Ellison said he is not sure is a good location for a short extension trail. Mr. Ellison stated along the area where the ditch on Beaver Dam Road can go up along the property and it is just a matter of reserving the space on the one leg and the state or county could extend the trail farther down Beaver Dam Road to connect them very easily.
9. Mr. Ellison stated roads certainly have to be 26 feet according to the ordinance.
10. Mr. Ellison stated comment #10 is talking about the square footage of the units and the interior townhouse units are not anywhere near as big. Mr. Ellison stated he thinks Miller & Smith's lot size is appropriate for these particular units. Mr. Evans stated with this comment he was trying to compare a model to model, and he was trying to compare with what a villa end unit might be since they are all end units. Mr. Linett asked Mr. Ellison if he skipped comment #6. Mr. Ellison stated he was addressing comment #7 when he thought he was doing #6. Mr. Ellison stated, regarding #6, Miller & Smith would be sharing an amenity plan with the lake at the future planning stages, and Miller & Smith does not usually do that at the concept stage.
11. Mr. Ellison stated comment #11 was about the garden sheds and he thinks they have addressed that issue. Mr. Evans stated he is going to argue that because he thinks in the IRC it states the building official can require additional and if Miller & Smith is going to construct sheds, Mr. Evans stated the sheds will be fire-rated. Mr. Evans stated because of the high likelihood homeowners would store gasoline and/or propane, if a fire were to start, the homes are too close together to risk a huge fire. Mr. Evans stated he wants to protect everyone as best he can so he thinks

the 2-hour fire wall would be the way to go. Mr. Creaser stated he hopes nobody is going to be living in the shed. Mr. Evans stated if a fire starts in one shed, it is better to try and keep it contained on one lot rather than the fire spreading. Mr. Ellison stated the code will be what the code will be and Miller & Smith will follow it.

12. Mr. Ellison stated comment #12 is regarding drainage and Mr. Evans is correct in that Miller & Smith will make sure the proper drainage is provided and most likely will be with some type of yard drain and access going out to the public road.
13. Mr. Ellison stated comment #13 is the final recommendation, making sure the plans are corrected to include all Planning & Zoning recommendations.

Mr. Ellison stated he would be happy to keep answering questions about any of the housing products, and Miller & Smith is more than happy to discuss all of the different permutations and variations that can apply to this new living style. Mr. Ellison stated Miller & Smith is trying to avoid doing the “same ‘ol, same ‘ol” of original townhouses and move toward something a little different. Mr. Evans stated he thinks the floorplan layout is very nice but his issues are the zoning setbacks. Mr. Gulbranson stated Mr. Evans’ concerns are a part of the discussion for MPC coordinates, since this is a new unit type, part of the deliberation will be to discuss the bulk standard setbacks to determine what the appropriate standard should be. Mr. Gulbranson stated Miller & Smith are presenting a certain standard and Planning & Zoning need to make a recommendation on this standard.

Mr. Linett stated he wanted to make sure everybody understands how the quad-plex stands up to the current townhouses in Sand Dollar Village in terms of space. Mr. Linett stated for comparison purposes, he understands it is a substantially different housing unit and he understands what Mr. Creaser was saying about bringing the houses closer to the street, the community feel, and making an economic product that will sell, but, personally, Mr. Linett is very edgy about this, especially the 1 ½-foot difference of the Model C level between houses. Mr. Linett stated the architecture looks great but he is taken aback by the density of the area. Mr. Linett stated he also understands what Mr. Creaser was saying about the urban townhouse feel and he sees the value of that feel but he’s not sure about this whole thing. Ms. West stated she thinks Planning & Zoning needs to discuss this issue further. Mr. Linett stated he thinks the main issue is the issue around the setbacks. Mr. Linett stated the setbacks and the parking are the Commission’s main issues. Mr. Linett further stated some people may park in their garage, but a majority of people use their garage only for storage and he does not think that is going to change. Mr. Linett stated it would be an issue of attractiveness and public safety to have cars parked all over the place. Mr. Evans stated when it comes to the parking, his biggest concern is if he has two A/B units side by side, and a front porch that sticks out and it’s three feet from the property line on both units, plus there is a car beside him, he would have to back out into the road to get a clear sight across his property because he has a porch he’s trying to see through – and if there are plant hangers – there is a safety issue backing onto the road. Mr. Evans stated the parking needs to be at least 20 feet back from the property line. Mr. Evans stated if everything

was moved back, even if the front of the building was 18 feet back, with the porch extended five feet, there would be 13 feet. Mr. Evans stated there is a five-foot sidewalk, three-foot strip of grass, and the dimensions to back his car in and out. Mr. Evans stated, however, when it is down to three feet, he does not have the dimensions to back his car out, and his biggest concern is someone's car will get hit by another car. Mr. Linett stated he knows it is a resort community and with visitors coming in from Washington, D.C., New Jersey, Maryland, and/or Pennsylvania, there will not be enough parking. Ms. Brewer stated she agrees with Mr. Evans because of the parking and with additional cars from visitors, they will be parked in the street and someone is going to get hit. Ms. Brewer stated she thinks the setback needs to be moved further back. Mr. Gulbranson asked if the porch is an option. Mr. Ellison stated yes. Mr. Gulbranson stated not all of the units will have the porch. Mr. Creaser stated the elevation one has just a stoop, but elevations two and three both have porches. Mr. Gulbranson stated the examples from Easton, MD, and Ashburn, VA, did not have porches that encroach into the setback. Mr. Creaser stated they did not. Mr. Gulbranson stated he lives in a development locally and no one uses their front porch, but rather the back deck where it is private. Mr. Linett stated this is a nice-looking product, but the Commission is concerned about the setback issue. Mr. Linett suggested Miller & Smith "go back to the drawing board" and made some minor revisions so the Commission and Miller & Smith can move ahead. Ms. Botchie stated regarding the 2009 plan, it was submitted but was not approved. Ms. Botchie stated with the previous developer, when she told them they had to pay \$450 per lot, the developer withdrew it, so it is not an approved plan. Ms. Botchie stated the density on this plan was 72, and the plan approved by the Town Council in April was for 58 units, whereas now, Miller & Smith is proposing 68 units. Ms. Botchie stated she feels like everyone is toying with the setback issue and the product is good. Ms. Botchie asked how difficult it would be for Miller & Smith to reduce the density on this with the setbacks in a range with which the Commission is comfortable. Mr. Ellison stated he did not know, and one feeling he wanted to get from the Commission regarding the lane was whether it would interest the Commission because it would give Miller & Smith flexibility and additional options to work with. Mr. Gulbranson stated he thinks it will aid in the streetscape if Miller & Smith could have the units facing the lake and doing a private courtyard road behind the units, but he is wondering how the fire marshal would respond. Mr. Ellison stated it is something Miller & Smith would have to definitely check on. Mr. Ellison stated Miller & Smith do have alleys now the fire marshal has approved.

Mr. Linett stated he wanted to propose to table this and "go back to the drawing board" to come back to have discussions with Mr. Evans and Mr. Gulbranson about the setbacks, parking, trail, garden shed building for safety, and the overall impact on density. Mr. Linett motioned this item be tabled and request MBTS work with Town Code & Building Administrator Mr. Evans on issues related to setback, trail, parking, the durability of the sheds, and the overall impact of the units and placement on density. Ms. Brewer seconded the motion. Ms. West voted yes. Ms. Brewer voted yes. Mr. Linett voted yes. Mr. Maneri abstained. Mr. Koozer was absent. Motion carried 3-0.

5. PROPERTY OWNER/AUDIENCE COMMENTS:

Penny McCormick, of Tybee Street, stated she is curious as to why Miller & Smith would build a less expensive home in a very desirable area by the water when you could take advantage of the water view and get more money. Mr. Linett stated it is not his decision but the builder's decision. Mr. Ellison stated unfortunately that was on the original master plan. Ms. McCormick asked Mr. Ellison if Miller & Smith just decided not to do it. Mr. Evans stated originally it was supposed to be all townhouses similar to what is along Substation Road. Ms. McCormick asked if Miller & Smith decided to change it. Mr. Evans stated yes. Ms. McCormick stated, regarding the setback, she has lived in the city and had stoops, and it is too "citified," reminding her of Georgetown in Washington, D.C., looking so congested, and she doesn't think it lends to the beach lifestyle.

Sally Griffin, of Huntington Street, stated she likes the idea of the quad-plex, but with the quads, there is a lot less green space, which concerns her. Ms. Griffin stated regarding the trail around the lake, she is very discouraged to even hear the mention of part of the trail being removed. Ms. Griffin stated there is not a lot of realignment room there and in terms of lighting for child safety so the kids would not fall off the trail, if there is a spine road, the road will have a fair amount of traffic on it and with the trail right next to the road, there is another safety concern. Ms. Griffin stated she would like to see a buffer between the road and the trail, as well as see the trail stay because of its popularity. Mr. Linett asked Mr. Ellison if Miller & Smith is going to take out the trail where it thins out. Mr. Ellison stated the trail will have to shift some. Ms. Griffin stated with the major flooding/storms, Hurricanes Irene and Sandy, she looked where the pier was on the lake and noticed the pier was submerged underwater. Ms. Griffin stated even though the water did not get close to any of the homes but, with a flat road, the water will zip across.

Steve Maneri, of Pembroke Lane, asked if there is going to be a road going across as this is being built or is everything going to come out on one street, which would be Pembroke, because there is only one way in and one way out on that street. Mr. Maneri asked if the bridge would be go through first before the development gets put in. Mr. Ellison stated the bridge would be a part of the development. Mr. Evans stated as Council approves the site plan, the work will begin north, which might be good because Miller & Smith can use the construction entrance MBTS is just about done making so they do not have to use Huntington Street, and they can use the road going around the development to go from north to south. Mr. Maneri asked why the number is changing from 58 townhouses to 70+ quad-plex units when there is more green space with the townhouses. Mr. Gulbranson stated there is just one acre being lost. Mr. Ellison stated it is important to remember the density of MBTS is controlled overall, so each time Miller & Smith use more units on a given area, there is freeing up of more open space. Mr. Maneri stated regarding the sheds and fireproofing them, he cannot see sharing something because someone may make a mistake. Mr. Maneri stated the fumes alone will drift to the other side, and if a fire starts, the other person will lose their tools and other belongings. Mr. Maneri stated the parking, especially in the summer time, will be a big problem, and most uses for garages are for storage. Mr. Maneri stated if there is a five-foot

porch, then the house will be three feet from the road. Mr. Maneri stated in the city a homeowner may like that closeness, but he feels this is the country, and most owners want more space and to sit back further. Mr. Maneri stated the walkway around the lake will have to change.

Patricia Moulder, of Tybee Street, asked if the quad-plex property will be maintained through the HOA or is each person responsible for maintaining his/her yard. Mr. Ellison stated each person owns their yard. Ms. Moulder asked if it is not so much the way the current townhouses are graded now. Mr. Ellison stated those townhouses have their own yard today and they pay an additional fee to have the yard maintenance done on the front. Ms. Moulder asked if the quads will have a front like that. Mr. Ellison stated Miller & Smith has not gotten to that level of detail yet. Ms. Moulder asked if the homeowner would be responsible for his/her own backyard. Mr. Ellison stated yes, they are responsible. Mr. Linett stated if the yards were connected, he would assume the HOA would be responsible for the exterior maintenance. Mr. Evans stated no. Mr. Gulbranson stated it all depends on how the quads and yards are structured. Mr. Ellison stated he is a proponent of having the front yard maintenance because it is all done at one time and looks cleaner.

6. ADOPTION OF MEETING MINUTES:

Mr. Linett motioned to accept the minutes of the December 10, 2012, meeting, with the change of the phrase “showing on the plans” on page 2, paragraph 2, to “appearing on the plans,” and Mr. Linett’s name properly spelled on page 4, paragraph 3. Mrs. West seconded his motion. Mr. Maneri voted yes; Ms. Brewer voted yes; Ms. West voted yes; and Mr. Linett voted yes. All present voted in favor. Motion passed 4-0.

7. ADJOURNMENT:

Mrs. West motioned to adjourn the meeting at 8:55 p.m. Mr. Linett seconded her motion. All present voted in favor. Motion passed 5-0.

Respectfully submitted and transcribed
by Matt Amerling, Town Clerk