

**Planning and Zoning Commission Meeting**  
**September 9, 2013 @ 7:00pm**

In attendance were Chairman Bob Linett, Commissioners Christine West, Steve Maneri, and Susan Brewer, Town Code & Building Administrator Eric Evans, 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. **ADOPTION OF MEETING MINUTES – July 12, 2013:** Chairman Bob Linett stated he would like the word “gape” on page one of the minutes changed to “part,” the word “swail” was misspelled and should be corrected to “swale,” and note that the “Wesley House” is the same as the “Parsons House.” Commissioner Susan Brewer motioned to accept the adoption of the minutes from the July 12, 2013, Planning & Zoning (P&Z) Meeting with the noted corrections. Chairman Linett seconded her motion. Motion was carried 4-0.
4. **NEW BUSINESS:**
  - A. To consider for recommendation to the Town Council, a site plan submitted by Millville Town Center, LLC;
    - to relocate the existing Propane Tank Farm for Millville By The Sea (MBTS) located at the end of Huntington St. Parcel 1-34-16.00-3.02 (part of) to the parcel of 134-16.00-20.02 (part of), off Substation Road;
    - to approve the three (3) temporary propane tanks to be utilized prior to the construction of the actual Propane Tank Farm.

Synopsis: The Tank Farm was originally located at the end of Huntington Street. The property owners are requesting to relocate the tank farm to the new permanent location so the Tank Farm can serve the entire MBTS development.

Chairman Linett stated that Commissioner Steve Maneri would abstain from voting on the site plan because he is a resident of MBTS. Town Code & Building Administrator Eric Evans stated Miller & Smith has been proactive about this plan, so when Mr. Evans received comments back from URS, he submitted the comments to Miller & Smith’s Mike Hayman, who submitted it to Civil Engineering Associates (CEA), who, in turn, corrected everything and got it back to Mr. Evans. Mr. Evans stated the first item he is going to submit to the Commission is CEA’s comments, which he will explain to the Commission. Mr. Evans stated the other item he is passing around is the revised site plan. Mr. Linett requested Mr. Evans to show the Commission on a map the location of the relocation. Mr. Chuck Ellison, of Miller & Smith, introduced Mike Hayman, who is the land development superintendent and said the area which will be

discussed is phase two of Sand Dollar Village. Mr. Evans stated in relation to the relocation of the facility, prior to the site plan going to final approval, Miller & Smith need to have soil conservation approval, fire marshal approval, Delaware Department of Transportation (DelDOT) approval, which are all "givens" anyhow. Mr. Linett asked if all of those approvals are in process. Mr. Evans stated yes.

Mr. Evans stated on item four, it states "the site plan should indicate the size of material and the proposed gas main." Mr. Evans stated on C-1 of the sheet he gave the Commission, which identifies it as a four-inch main, it is highlighted in yellow. Mr. Linett asked Mr. Evans, regarding the gas main, of which material is it made. Mr. Evans stated medium-density polyethylene gas line, which is in the comment notes. Mr. Evans stated these plans have not been submitted to URS yet, but will be tomorrow, if approved. Mr. Evans stated item five is "the applicant should provide maximum size truck," with the largest maximum truck being a 68-foot-long tractor trailer and the smaller size being a dump-truck size. Mr. Evans further stated item six is "the proposed gas main is shown to extend south to connect to Sand Dollar Village and will cross an existing Delaware Power & Light (DPL) easement associated with major transmissions" which is another letter Miller & Smith need to get from DPL, stating DNL has no objection to Miller & Smith running the main under DPL's power lines. Mr. Evans stated item seven is "previous site plan showed connection route and to extend it." Mr. Evans stated if the Commission would turn to sheet "U1," it shows the gas lines being put into the new phase, four of which are currently under construction. Mr. Evans stated URS wanting something so the Town knew where the gas lines were going to be run in case there was an issue in the future. Mr. Evans stated sheet C-2 is the permanent tank site, and sheet C-1 is the temporary tank site. Mr. Evans further stated all of URS's questions have been answered.

Mr. Linett asked if the Fire Marshal and soil conservation approval have been started. Mr. Ellison stated yes, both are in the process of approval. Mr. Evans stated Miller & Smith have to make sure the gas lines do not run through the stormwater pond. Mr. Evans further stated if the Commission looks at the memo to the Commission, Miller & Smith has addressed URS's comments and recommendations very well, and still have to get Fire Marshal approval, Sussex Conservation approval, the DPL letter. Mr. Evans stated his recommendation to the Commission is Miller & Smith place concrete traffic barriers (Jersey barriers) around the temporary tanks for security – so no one can bump into the tanks. Mr. Ellison stated the temporary and permanent tanks are buried. Mr. Evans stated the plan says the tanks are "above ground." Mr. Ellison stated the note on the plan must be wrong and that the tanks are buried. Mr. Evans stated the other recommendation is to have CEA provide a detailed drawing to show a 68-foot tractor trailer able to make the turn into the entrance. Mr. Evans stated it is a 24-foot-wide road making a 90 degree turn into the gate, and URS had a question as to if an 18-wheeler truck could make the turn. Mr. Linett asked even if the tanks are buried, is there some kind of security. Mr. Ellison stated the security of a fence or gate is not required by any agencies. Mr. Linett asked what is to prevent someone from puncturing or vandalizing a tank and causing havoc. Mr. Ellison stated tanks of this size are normally not placed in enclosures. Mr. Evans stated Mr. Ellison is correct because, for instance, Bishops Landing is above-ground

and they have traffic barriers around them but nothing else. Mr. Evans further stated when the tanks are permanent, they are to be fenced in, with a gate, and have blacktop placed around them.

Commissioner Christine West asked what will be placed on top of the tanks once they are buried. Mr. Ellison stated they will be covered with grass. Commissioner Susan Brewer asked if there are safety locks placed on the temporary tanks. Mr. Ellison stated yes. Mr. Linett asked about the size of the utility area where the tanks and support services will be located. Mr. Ellison stated the total acreage will probably be about a half-acre, plus another acre or two for the water tower.

Mr. Linett motioned to provide for preliminary approval of the proposed propane tank utility subject to compliance of all URS comments, including receiving the Fire Marshal approval, DelDOT approval, Sussex Conservation approval, receipt of the DPL letter regarding passage along utility lines, the facility also provide a representation showing how 68-foot trucks can make the turns necessary in the space provided, should tanks not be buried that they be surrounded by Jersey barriers to prevent damage, and there can be no more than three temporary tanks and two permanent tanks. Ms. Brewer seconded his motion. Motion was carried 3-0.

**5. PROPERTY OWNER/AUDIENCE COMMENTS:**

Ms. Sally Griffin, of Huntington Street, asked how long the temporary tanks would be in place. Mr. Ellison stated there is no specific time, it depends on the amount of propane used in the community. Mr. Ellison stated for right now, he thinks it will be for a fairly long time. Ms. Griffin asked if the temporary is the same size as what Sand Dollar Village currently has. Mr. Ellison stated no, it is bigger, and the time frame is probably in the five- to ten-year range.

Mr. Richard Shoobridge, of Tybee Street, asked when the tanks are changed are the residents going to have to hire someone to come in and light the residents' pilot lights. Mr. Ellison stated the gas stays on, and the gas line will be crimped so it stays full and it only takes a day, plus there is no disruption in the gas supply to the homes.

**6. ADJOURNMENT:**

Ms. West motioned to adjourn the meeting at 7:27 p.m. Ms. Brewer seconded her motion. All present voted in favor. Motion passed 4-0.

Respectfully submitted and transcribed  
by Matt Amerling, Town Clerk