

**Planning and Zoning Commission Meeting
March 10, 2014 @ 7:00pm**

In attendance were Chairman Bob Linett, Commissioners Jim Koozer and Christine West, Town Code & Building Administrator Eric Evans, URS Representative Kyle Gulbranson, and Town Clerk Matt Amerling. Commissioner Susan Brewer 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 – December 9, 2013:** Commissioner Christine West motioned to accept the adoption of the minutes from the December 9, 2013, Planning & Zoning (P&Z) Meeting. Commissioner Jim Koozer seconded the motion. Motion was carried 3-0.
4. **NEW BUSINESS:**
 - A. To consider for discussion and possible approval a revision of a previously approved subdivision submitted by Dove Barrington LLC, in Bishop’s Landing, Phase 1B, tax map parcel #134-12.00-18.00, 384.00, 384.01, 385.00, and 385.01, to reduce the 28-foot-wide townhomes from 28 lots to 20 40-foot-wide villa lots. Synopsis: Dove Barrington is asking for revisions to the lot size and number of villa type units to be built in Phase 1B along Lone Cedar Landing to better serve the current housing market trends.

Mr. Steve Marsh, of GMB in Salisbury, Maryland, handed out the site plan for what was originally approved and what is being proposed tonight. Mr. Marsh stated Dove Barrington originally got Town Council approval back in February 2013, and Dove Barrington is now requesting a land plan revision of taking the twenty-eight (28) 28-foot townhome units along Burbage Road and reduce the density by putting in twenty (20) 40-foot villas instead, making reducing the total number of townhome units from 181 to 153, and increasing the number of villas from 66 to 86. Mr. Marsh stated GMB submitted plans to URS and the Town, which have been reviewed by both parties, as well as Sussex County for the sewer, and Tidewater Utilities for the water.

P&Z Chairman Bob Linett asked if the only change would be the number of homes and nothing else. Mr. Marsh stated yes, just the homes. Mr. Gulbranson, of URS, stated all of the engineering concerns have been addressed. Commissioner West stated her only concern was with lot number four (4) on the plans and what was the discussion for the driveway on lot number 4. Mr. Gulbranson stated the discussion was that lot number 4 was a strange configuration and it is almost as if it is a pipe-stemmed lot so, if one were to look at the original design, there has always been that configuration in place and in a perfect world, you want to avoid a situation like that; but since it has already been approved in that configuration, GMB and Beazer know what they’re doing so it should be laid out right. Mr. Marsh stated on page

two (2) of the plans, with lot number 4, the person has plenty of green space because of the switched location of driveways. Commissioner Koozer asked if the driveway for the villas is wider. Mr. Marsh stated the garages are bigger – making them two-car garages.

Commissioner Koozer motioned to recommend for approval by Town Council the previously approved subdivision plan submitted by Dove Barrington LLC, in Bishop's Landing, Phase 1B, to reduce the 28-foot-wide townhomes from 28 lots to 20 40-foot-wide villa lots. Commissioner Christine West seconded the motion. All present voted in favor. Motion passed 3-0.

5. OLD BUSINESS:

A. To consider for discussion and possible approval a preliminary site plan submitted by Millville Town Center, LLC, in Lakeside Village, formerly 2B-2 South, tax map parcel #134-16.00-02.01 (Part Of), to change the number of lots from 70 quad-plexes to 45 building lots. Synopsis: The 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; the Commission shelved the matter until Miller & Smith addressed various issues with the plan.

Mr. Chuck Ellison, of Miller & Smith, stated he was here tonight to talk about Lakeside Village – located to the west of Sand Dollar Lake – and after much discussion, Miller & Smith decided to change the quad-plexes to building lots because the “L” shape of the village is not a conducive layout location and it would be better to stick to a similar-style housing all around the lake. Mr. Ellison stated the new revised plan tonight is for 45 lots and some of the key elements of the plan are the connection going across the outfall on Sand Dollar Lake and it will tie into phase two of Sand Dollar Village; and there will be a road built through the permanent configuration of the other side of the creek and then through the short planetary there will be a temporary connection simply because Miller & Smith don't know where the ultimate street will be located, so it will provide the ability for people to circulate short-term and for Miller & Smith to continue the construction entrance they have built for phase two of Sand Dollar Village. Mr. Ellison stated most of the existing trail around Sand Dollar Lake will remain in the same location but there is a small segment south of the lake which will be slightly relocated, as well as a small bridge and gazebo, along with some park benches. Mr. Ellison further stated the existing road of Pembroke Lane will be extended into the property with some lots fronting the lake but pedestrian circulation will remain around the lake. Mr. Ellison stated there is one condition and it is the stream crossing which is across the waters of the U.S. and that permit takes a little bit longer to get than a normal Town permit, so Miller & Smith requested it and the recommendation is Miller & Smith be allowed no more than 26 building permits until that crossing is fully permitted and in place, but Miller & Smith can put up a temporary crossing for construction vehicles to access so that will not be an issue. Mr. Ellison stated the product being built is the same product Miller & Smith have been building for Sand Dollar Village (The Avalon, Sea Isle, and Chesapeake).

Town Code and Building Administrator Eric Evans asked Mr. Ellison if Miller & Smith were going to put the walking trail in first and then put a safety barrier up so people can continue to use the walking trail while construction is going on. Mr. Ellison stated yes, that is the plan, and the barriers will be the safety nets seen around most construction sites. Mr. Gulbranson stated URS

has been working with CEA and all of the engineering issues have been addressed, and Mr. Gulbranson likes the landscape and trail plan better than what was originally proposed. Mr. Gulbranson further stated the only question that continues to come forward is: Where is the road on the north side going to eventually end up? Mr. Gulbranson stated that has no bearing on this plan, specifically. Chairman Bob Linett asked Mr. Evans if he was satisfied that all the URS comments had been addressed. Mr. Evans stated yes. Commissioner Christine West asked if there will be lighting. Mr. Ellison stated yes, there will be street lights put in, the same as the other communities so there will be continuity throughout MBTS.

Commissioner Koozer asked Mr. Gulbranson he was comfortable with the setback with 20 and 10 feet. Mr. Gulbranson stated yes, the previous sections (community) have the same configuration, which is for all interior lots, there is a 20-foot rear setback, but there is a perimeter buffer which goes along the perimeter of this project, so for all intents and purposes, Miller & Smith still have a 20-foot setback but 10 feet of that is restricted as buffer. Mr. Linett asked Mr. Ellison if he had started the stream crossing permits. Mr. Ellison stated yes, the designs are complete but the application will go into the Army Corp. of Engineers this week. Mr. Linett asked what the usual time is to get a permit. Mr. Ellison stated it could take up to 3 to 6 months, but if something unexpected happens, Miller & Smith have the option to build a bridge. Mr. Linett further stated just outside the zone there is a proposed future MBTS salt-water management area. Mr. Ellison stated yes, in future sections that have not yet been constructed. Mr. Linett asked if that area will be a dry pond, wet pond or what. Mr. Ellison stated the regulations are changing so Miller & Smith are going to have to address that "when we get there." Mr. Ellison further stated in the future, one will not be able to do the quality control aspect of stormwater management in a wet pond so what most of these will probably end up being is a combination of some type of dry feature which provides a filtration and a wet feature which provides for the quantity aspect of stormwater management. Mr. Linett stated at this point, this is not to be viewed as an amenity and simply pure stormwater management. Mr. Ellison stated yes. Mr. Evans asked, realizing Miller & Smith have to get over in the area and start grubbing, once the equipment gets in, all traffic will be coming across the temporary bridge from 2B-2 North to 2B-2 South; so a temporary bridge will be put in? Mr. Ellison stated yes. Mr. Evans asked if traffic would not be moving through Pembroke Lane. Mr. Ellison stated no, it would not go through Pembroke.

Mr. Linett motioned to recommend for approval by Town Council the preliminary site plan submitted by Millville Town Center, LLC, in Lakeside Village, formerly 2B-2 South, tax map parcel #134-16.00-02.01 (Part Of), to change the number of lots from 70 quad-plexes to 45 building lots. Ms. West seconded the motion. Motion carried 3-0.

6. PROPERTY OWNER/AUDIENCE COMMENTS:

Sally Griffin, of Huntington Street, asked if there will be all trail around the lake or will part of the trail be sidewalk. Mr. Ellison stated the first portion, which today is trail and will run along Pembroke Lane, will be the traditional sidewalk you find adjacent to a roadway, and then, once we leave the right-of-way, then it will go back to the asphalt trail which is out there today, so there will be about 150 feet or so that will be converted from just a trail to a sidewalk. Ms. Griffin asked if it will be the same width. Mr. Ellison stated yes, the sidewalk will be consistent

with the trail and will flair out at some point. Ms. Griffin stated the last survey Miller & Smith took of the current residents listed the number one amenity as the walking and hiking trails and to her, a hiking trail is different from a sidewalk, and she would hate to see a sidewalk being used as a trail. Mr. Ellison stated that trail now ties into the sidewalk in Sand Dollar Village so it is really just moving the transition about 150 feet. Ms. Griffin stated it changes where the street ends. Mr. Ellison stated that is correct and Miller & Smith are talking about going 150 feet down the street, plus the Town Code does require a sidewalk and right-of-way. Ms. Griffin asked what the small dark green triangular lot was on the site plan. Mr. Ellison stated the lot is a part of Lakeside Village and will be used as a reforestation area. Ms. Griffin asked if part of that lot could be taken out to make the trails the same. Mr. Ellison stated Miller & Smith have to tie in to the existing road.

Steve Maneri, of Pembroke Lane, asked regarding the drainage if it was going to go into the pond. Mr. Ellison stated yes, it will drain into the pond. Mr. Maneri stated when there are very heavy rains, the pond floods and where will the drainage end because the banks are not very high. Mr. Ellison stated this pond was designed to provide stormwater management from this area from day one so the capacities within the pond for the quantity control and there are regulations on the rainfall and there is a safety bench so it is kept track of how high the water can rise. Mr. Ellison further stated the pond should handle a heavy storm without topping or flooding. Ms. Griffin stated the north end has topped so much that the dock has been underwater. Mr. Ellison stated the pond was designed that way because a designer does not want the dock five feet above the water.

Chairman Bob Linett stated it was wonderful to have Steve Maneri on the P&Z Commission and although he is sorry to see Steve go, Mr. Linett knows Mr. Maneri will be moving on to greater things.

7. ADJOURNMENT:

Chairman Linett stated the next P&Z Meeting would be April 14, 2014. Mr. Linett motioned to adjourn the meeting at 7:25 p.m. Ms. West seconded the motion. All present voted in favor. Motion passed 3-0.

Respectfully submitted and transcribed
by Matt Amerling, Town Clerk