

**Planning and Zoning Committee Meeting**  
**March 1, 2016 @ 5:30pm**

In attendance were Town Manager Debbie Botchie, Town Code & Building Administrator Eric Evans, AECOM Representative Kyle Gulbranson, Committee Member Susan Brewer, and Executive Assistant Matt Amerling.

**1. CALL TO ORDER:** Town Manager Debbie Botchie called the meeting to order at 5:30 p.m.

**2. NEW BUSINESS:**

**A.** To consider for discussion and possible recommendation to Town Council a preliminary site plan submitted by Millville Town Center, LLC, for Topsail Village, located in Millville by the Sea (MBTS). The applicant is proposing one-hundred-three (103) lots in this next phase.

Mr. Chuck Ellison, of Miller & Smith, stated with him tonight is Ken Christenbury, the president of Axiom Engineering, the engineers on this phase. Mr. Ellison stated he brought some of the boards from the revised master plan, which was approved not too long ago, and the parcel for proposal tonight, named Topsail Village, should be noted that the name will have to be changed as there is a very small community in Bethany Beach which already has the name, so when the finals come in, there will be a different name. Mr. Ellison stated the land is an approximate 28.4-acre parcel which connects Lakeside Village to the south and Sand Dollar Village Phase Two (2) to the east, and is to the west side of Beaver Dam Creek. Mr. Ellison stated this board was the last sheet of the revised master plan, and from what he remembers about the discussion over the master plan was: (1) Miller & Smith did not want a straight connection from existing Pembroke Lane to the interior of Millville by the Sea (MBTS) because someone from outside of MBTS might use that as a shortcut; and (2) location of the pedestrian network, which will be shown in greater detail as Miller & Smith gets into the detailed plan.

Mr. Ellison further stated the plan is pretty straightforward, with the road within the community making a circular pattern to circumvent the tendency for people to come “roaring through the community” because drivers have to make a number of turns each way. Mr. Ellison stated the road network provides really good access to all of the different parcels, which front directly on each street because they have multiple ways of ingress and egress, and provides a good amount of parking in short distances of the units. Mr. Ellison stated Miller & Smith is planning a new lake and “the new concepts in stormwater management” on the interior of a particular block. Mr. Ellison stated the bioretention is still under design but Miller & Smith has had a preliminary review with Sussex Conservation District (SCD) and they’re on board with the concept and the approach Miller & Smith is taking on it. Mr. Ellison stated Beaver Dam Creek is located around the perimeter of the property and one of the large amenity features is the trail which will parallel Beaver Dam Creek from the existing crossing outside of Lakeside Village, all the way around the community, and tie down to the trail that is outside of Sand Dollar Village. Mr. Ellison stated he believes this trail will double MBTS’s existing trail system which is an extremely popular feature. Mr. Ellison further stated Miller & Smith will also have some kind of

interior loop going around the lake, and, on the final plan, Miller & Smith will be showing a number of amenity features, although they haven't decided exactly what they will be yet (i.e., gazebos, picnic areas, etc.). Mr. Ellison stated Miller & Smith likes to make the bioretention as part of the amenity package so they figure out first what it will look like, how it will be landscaped, and then how it can be made into an amenity package. Mr. Ellison stated there will also be some sitting areas along the trail.

Mr. Ellison stated Miller & Smith have three (3) types of product proposed: the brighter green color lots on the plan represent the existing cottages being built in Sand Dollar Village, but they have wider lots here; the green lots are sixty (60) feet wide which incorporates the requirement in the revised master plan for seven (7)-foot sideyards and allows the construction of the existing product Miller & Smith is using in Lakeside Village; and the green lots around the perimeter are seventy (70)-foot lots which are for a large product which has no design yet but would be in the same architectural style as what Miller & Smith has already done. Mr. Ellison stated there was one area to the east of the site of which he knows AECOM Representative Kyle Gulbranson had some comments. Mr. Ellison stated his short response to Mr. Gulbranson's comment is he agrees to do away with the two (2) estate lots which don't really fit in quite right with the cottage lots so that will be changed on the plan. Mr. Ellison further stated Miller & Smith has maintained a connection heading to the backside and across Beaver Dam Creek to the development area, which Miller & Smith has not quite decided what it will do with that space yet, but part of the area will be a "soft amenity," because there are small, existing bodies of water, but there is about nine-and-a-half (9 ½) or ten (10) acres which is fairly usable so there is potential to do something with that acreage. Mr. Ellison stated there is also a connection to the north which may get slightly adjusted as Miller & Smith are working on concepts for that part, but it will mostly be as it is represented in this plan, connecting to Summerwind Boulevard and going to the Lifestyle Center and out to Roxana Road.

Town Manager Debbie Botchie asked if Miller & Smith is going to remove the two lots located next to the cottage lots as per Mr. Gulbranson's recommendation. Mr. Ellison stated yes, and redesign the interior lot. Mr. Gulbranson stated his view is the block should consist of all one kind of housing unit. Mr. Ellison stated he agrees and what he thinks they will do is have the cottage lots run north to south or vice versa, but also have some open space. Mr. Ellison stated one of the big challenges is Miller & Smith may have the back of one or two cottages facing out, but Miller & Smith can cover that with landscaping and some screening fence, sort of like what they did on Endless Summer Drive, where they fenced the rear yards. Mr. Gulbranson stated the only other issue he had was a couple of places where the lots crimp at seventy-five (75) percent or seventy-five (75)-foot wide tax ditch, which he knows was the same issue in Lakeside Village and doesn't go against any Town codes, but as long as the SCD is fine with it, then Mr. Gulbranson acquiesces. Mr. Ellison stated this happens because the seventy-five (75)-foot buffer is not exactly a straight line, so when it does happen, hopefully it's a very small amount within the building restriction lines so it doesn't negatively impact someone's use of the lot. Mr. Gulbranson stated, per his conversation with Ms. Botchie today, Mr. Gulbranson did check the distances for all of the open space areas and everything is fine.

Mr. Ellison stated what Miller & Smith did with this plan is break it up into three (3) major

sections because of the way the sewer lays out and the gridding lays out, so, at the final site plan review, the Town will be seeing a section one (1); section two (2), which is in the middle; and section three (3), which is about sixty (60) percent of the lots and the largest section. Town Code & Building Administrator Eric Evans asked Miller & Smith will come to Council to approve the entire site, but at the final, it will be in phases? Mr. Ellison stated yes, in three separate sections. Ms. Botchie asked Mr. Gulbranson if Miller & Smith can take that approach. Mr. Gulbranson stated yes, there is nothing in the Town Code to prohibit that approach, as long as the final three-section plans are fairly consistent with the preliminary plan. Mr. Ellison stated the three sections may be easier for everyone because this way, the Town's three separate bonds will all match up with the County's. Mr. Evans asked if Miller & Smith will incorporate all of Summerset Boulevard into this plan. Mr. Ellison stated yes. Mr. Evans stated there are only two (2) catch basins on Summerset Boulevard and the as-builts show the water is supposed to sheet off into lots 551 and all those lots, so Miller & Smith has to incorporate all of that into the plan. Mr. Christenbury stated his agreement. Mr. Evans stated, with lot 583, there is a twenty (20)-foot drainage easement which is down to the left corner, and asked for verification the lot will meet the setbacks with that easement and the houses being on it. Mr. Ellison stated they will double-check and make sure the lot has the seven (7)-foot sideyard setbacks.

Mr. Evans asked, on sheet P-6, if the pond will be fountained or aerated. Mr. Ellison stated it looks like the size ponds will be dropping from the number they used to have so there will be aeration. Mr. Evans asked if Miller & Smith is planning on having an irrigation system throughout the area. Mr. Ellison stated that has been an option for the homeowners to do on their own. Mr. Evans asked if Miller & Smith was not planning on putting in a well or something similar to irrigate the open space. Mr. Ellison stated no, not at this time.

Ms. Botchie stated she knows the final review will include the landscaping, but asked Miller & Smith to be aware of the types of trees which are planted. Mr. Ellison stated yes, they will certainly be giving that serious thought and might start a trend of distinguishing a village by a different tree. Ms. Botchie asked Mr. Gulbranson if the placement of the trees should still be at least forty (40) feet between each tree. Mr. Gulbranson stated that is fine and he thinks the selection of the type of tree is important. Mr. Ellison stated forty (40) feet is fairly traditional spacing but Miller & Smith will look into variety of types of trees. Committee Member Susan Brewer asked what will be done with the two estate lots. Mr. Ellison stated Miller & Smith will put more cottages on those lots, so it will be consistent all the way across.

Mr. Evans motioned to recommend to Town Council to approve the preliminary site plan with incorporated conditions, submitted by Millville Town Center, LLC, for Topsail Village, located in Millville by the Sea. Ms. Botchie seconded the motion. Motion was carried 4-0.

### **3. ADJOURNMENT:**

Mr. Evans motioned to adjourn the meeting at 5:52 p.m. Ms. Brewer seconded the motion. Motion passed 4-0.

Respectfully submitted and transcribed  
by Matt Amerling, Executive Assistant