

**Planning and Zoning Commission Meeting
May 9, 2019 @ 7:00pm**

In attendance were Town Manager Debbie Botchie; P&Z Chairman Pat Plocek; Commissioners Glen Faden, Tim Roe; GMB Representative Andrew Lyons, Jr.; Town Code & Building Official Eric Evans, and Town Code & Building Administrator Robin Caporaletti. P&Z Secretary Marshall Gevinson and P&Z Commissioner Cathy Scheck were absent.

1. **CALL TO ORDER:** P&Z Chairman Pat Plocek called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Mr. Plocek stated all were present except for P&Z Secretary Marshall Gevinson and Commissioner Cathy Scheck.
4. **ADOPTION OF MINUTES**
 - A. March 26, 2019

P&Z Commissioner Timothy Roe motioned to adopt the March 26, 2019, P&Z minutes. Mr. Plocek seconded the motion. Motion carried 3-0.

B. April 15, 2019

P&Z Commissioner Glen Faden motioned to adopt the April 15, 2019, P&Z minutes. Mr. Roe seconded the motion. Motion carried 3-0.

Town Manager Debbie Botchie suggested items 5-A and 5-B be switched as the first applicant, Mr. Cummings, was not yet at the meeting on time.

5. **NEW BUSINESS**
 - A. Review, discuss and vote on possible recommendation to the Town Council a revision to the Millville by the Sea (MBTS) master planned community (MPC) submitted by Civil Engineering Associates LLC on behalf of Millville Town Center LLC, to change 3.86 acres in area 2 and 6.4 acres in area 3 from Residential to Commercial B, located at Tax Map Parcel 134-15.00-93.01.

P&Z Commissioner Timothy Roe abstained from the vote and dais; and due to needing a quorum due to abstention and absent Commissioners, Town Manager Debbie Botchie stepped in as a recommending body for this item. Mr. Al Ruble, of Millville by the Sea (MBTS), stated he is here tonight to convert the section highlighted to a “town center” to match the one area so anything butting up to Beebe is all the same zone. Mr. Ruble stated the area is currently zoned residential and there are easements for Delmarva Power. Mr. Ruble stated the whole section is one (1) parcel now but the strip is zoned residential. Mr. Ruble stated there is no change in the size. GMB Representative Andrew Lyons Jr. stated he reviewed the master plan revision and there is one vehicle access point which is being taken out due to wetlands, and there was a small sliver on the other side of the tax ditch which was found to not be MBTS property so that is being corrected. Mr. Lyons stated both comments on his letter have been addressed – specifically the change in the tax map parcel

and showing clarification of the requesting of the easement area as a mixed use on the map. Mr. Lyons stated he knows there is a question on the acreage presented on the map as not matching the acreage on the application. Mr. Plocek stated the map shows basically eight-point-eight (8.8) acres and the application shows ten-point-two-six (10.26) acres. Mr. Plocek stated P&Z could make a recommendation tonight but it would be with the condition that MBTS correct either the acreage on the map or application to match each other. Mr. Ruble stated MBTS probably did the application before the engineers made the map, but it's no problem, MBTS can verify it and get it all corrected. Mr. Plocek stated MBTS needs to get this all corrected before coming before Council at their meeting in June. Mr. Ruble stated that is no problem.

Mr. Plocek motioned to recommend Council for approval with the condition the correct acreage is represented on both the application and site plan map. Mr. Faden seconded the motion. Motion carried 3-0-1 abstention. Mr. Roe returned to the dais.

- B.** Review, discuss and vote on possible recommendation to the Town Council a subdivision preliminary plan submitted by Miken Builders, for the subdivision of one (1) parcel located on Tax Map Parcel 134-12.00-419.01, to separate this house and lot from the rest of the Southern Landing parcel.

Mr. Michael Cummings, of Miken Builders, stated he has already submitted for the Southern Landing subdivision but tonight's request is to subdivide the existing house lot within that subdivision, so the house can be kept as a "family house" and it will eventually be an "Airbnb," as well as building a prairie home for the community which, if approved, is in the process of being developed. Town Code & Building Official Eric Evans stated this application meets all of the minimum requirements in regards to front yard setback, property depth, lot area, maximum lot coverage, and the rest of the setbacks. Mr. Evans stated he has a note on his comment letter which states the site plan presented to the applicant for the subdivision, in sections 125-22 and 155-66 in the Code, there are requirements for a subdivision, but because this is a minor subdivision with no new roads or streets, a lot of the requirements don't apply here. Mr. Roe asked if the detached garage and storage shed comply with the Code. Mr. Evans stated those two (2) buildings will be removed prior, and prior to recordation, the demolition of the buildings will need to be done. Mr. Plocek asked, with regards to the gravel driveway, if the entranceway for the lot has been approved by DelDOT. Mr. Cummings stated yes, he has all of the driveways proposed approved and is currently under final review. Mr. Evans stated the main driveway was already existing for the house currently on location.

Mr. Faden motioned to approve the subdivision plan and recommend to Council for approval. Mr. Roe seconded the motion. Motion carried 3-0.

6. CITIZENS PRIVILEGE

Ms. Valerie Faden, of Beach Plum Drive, asked if the motion for Miken Builders application should include the condition of having the two (2) buildings removed. Mr. Cummings stated the buildings fall outside of the boundary line of the lot which was considered tonight.

7. ANNOUNCEMENT OF NEXT MEETING

Mr. Plocek stated the next P&Z meeting will be a concept plan meeting on Thursday, May 23,

at 7 p.m., and the normal P&Z meeting on Thursday, June 13, at 7 p.m.

8. ADJOURNMENT

Mr. Faden motioned to adjourn the meeting at 7:15 p.m. Mr. Roe seconded the motion. Motion carried 3-0.

Respectfully submitted and transcribed
by Matt Amerling, Town Clerk