

**Planning and Zoning Committee Meeting  
October 30, 2017 @ 5:00pm**

In attendance were Town Manager Debbie Botchie, Town Code & Building Official Eric Evans, GMB Representative Andrew Lyons Jr., Committee Member Peter Michel, and Code & Building Assistant Robin Caporaletti.

1. **CALL TO ORDER:** Town Manager Debbie Botchie called the meeting to order at 5:00 p.m.
2. **ROLL CALL:** Ms. Botchie stated all members are present.
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES - June 12, 2017**  
Code & Building Official Eric Evans motioned to adopt the meeting minutes from the June 12, 2017 Planning & Zoning Committee meeting. Mr. Michel seconded the motion. Motion carried 3-0.

**MOTION TO ENTER PUBLIC HEARING**

Mr. Evans motioned to go into public hearing at 5:02 p.m. Mr. Michel seconded the motion. Motion carried 3-0.

5. **NEW BUSINESS**
  - A. Public Hearing Notice - Debbie Botchie

B. Written Comments - Debbie Botchie

There were no submitted written comments.

- C. Review and discuss a preliminary subdivision site plan submitted by Morris & Ritchie Associates LLC, on behalf of Dr. James Schiff, for Peregrine Bay, located at Tax Map Parcels 134-12.00-394.00 and 394.04, Windmill Drive, which will consist of 92 single family units.

Mr. Phillip Tolliver, of Morris & Ritchie Associates LLC, stated the property under discussion tonight is about thirty-one-point-three (31.3) acres and was recently annexed into the Town on August 31, 2017. Mr. Tolliver stated the site plan here tonight is consistent with the Town's Comprehensive Plan, is consistent with the State Comprehensive Plan, and is consistent and compliant with the Town's zoning code and subdivision ordinance. Mr. Tolliver further stated a project like this is a multi-stepped kind of process as he met with the Town and several State and County agencies. Mr. Tolliver stated, from an engineering standpoint, there are ninety-two (92) lots, the site will be served by public water with Tidewater being the water service provider, and the sewer would be public and provided by County. Mr. Tolliver stated he has met with the County Engineer Hans Medlarz and

there is a large pump station nearby which was sized to handle this kind of development. Mr. Tolliver stated the roads will be designed in accordance with DelDOT as well as the Town standards; and the roads would be owned and maintained by the homeowners' association (HOA). Mr. Tolliver stated stormwater management onsite would be designed in accordance with the Delaware Department of Natural Resources and Environmental Control (DNREC) and Town standards. Mr. Tolliver stated there are tax ditches which will be tied into their drainage system and the actual right-of-way for it remains undisturbed. Mr. Tolliver stated the two (2) plots in the small cemetery will be cordoned off with a new fence and undisturbed.

Mr. Tolliver stated the first thing drivers will see will be the clubhouse and pool, which Mr. Tolliver refers to as the "inviteability factor," meaning when you come in, you're not looking into someone's house but looking to an open space. Mr. Tolliver stated there will be a small walking trail proposed which will connect to the adjacent park, which hopefully will be under construction shortly. Mr. Tolliver stated even though he is not required to provide a buffer, his company is doing so around most of the property. Mr. Tolliver stated the site does not require any variances or special exceptions and is built to the Town's Code.

GMB representative Andrew Lyons Jr. stated he has reviewed the plans and today's plan meets all of GMB's comments. Mr. Evans asked about establishing a walking trail to connect to the Town's park. Mr. Tolliver stated yes. Mr. Evans stated Mr. Tolliver will need to make sure of where exactly it will connect. Mr. Tolliver stated the roads will have a sidewalk on both sides and that sidewalk would tie into a path which would tie into the park. Mr. Michel asked where the pump station would be located. Mr. Tolliver stated after speaking with Mr. Medlarz, there are two (2) ideal locations for the pump station, and there would be a paved road back to the area, so if you go left, you'll go to the pump station, and if you go straight, you'll go to the park. Ms. Botchie stated she has gone through all of the comments from GMB as well as the responses and everything appears to be in order. Ms. Botchie asked Mr. Tolliver if they plan on combining the two (2) contiguous parcels. Mr. Tolliver stated yes. Ms. Botchie asked what size the clubhouse may be. Mr. Tolliver stated it has to be in scale with the community which is ninety-two (92) units so it would have to go with that in mind, and his approximate guess is two-thousand (2000) to three-thousand (3000) square feet.

#### D. Residents/Property Owner Comments & Questions

Ms. Sue Seeley, of River Birch Lane, Ocean View, asked how much of a buffer of trees will the developer leave between Peregrine and the existing Windmill Woods. Mr. Tolliver stated it will vary, it really depends on the area under discussion, and there are really a lot of trees in the area that will be saved. Mr. Tolliver stated the reason why they're saving those trees is because by keeping them there, it lends a sense of maturation, as if the development has been there

a long time, so the developer will try to save a lot of trees located behind Ms. Seeley. Mr. Tolliver stated there is a wooded buffer on the Seeley's property already and Peregrine will not touch that buffer, it will remain the same. Mr. Brian Seeley, of River Birch Lane, asked, from the property line to where the land meets, how close is the developer allowed to clear the property. Mr. Tolliver stated, theoretically, you could clear all the way up to the track boundary, and that is not the developer's intention, but their intention is be off of that, and he cannot give an exact footage right now. Mr. Tolliver stated it makes sense to have a buffer because of the two different uses of residential product. Ms. Seeley asked what the price point is for the homes. Mr. Tolliver stated that is a tricky question to answer because a lot of that is based on the market, but, based on how the market is going right now, it will be more of an upscale community, so Mr. Tolliver's guess would be mid-four-hundred thousand dollars (\$400,000.00) to six-hundred-thousand dollars (\$600,000.00), and an average home size would be approximately "north of three-thousand (3000) square feet on up to five-thousand (5000) square feet," but that is just an approximation at this point.

Mr. Ed Graybeal, of Ridgeshore Lane, asked what is the average lot size. Mr. Tolliver stated the smallest lot size is seventy-five-hundred (7500) square feet, and the largest is about seventeen-thousand (17,000) square feet. Mr. Graybeal asked if a builder has been chosen yet. Mr. Tolliver stated they are talking to a number of builders but the exact builder and details are a bit confidential right now.

Mr. Evans stated, regarding the wooded buffer area, if someone was to purchase lot forty-eight (48), it is possible that trees could be cleared out, so don't hold Mr. Tolliver's "feet to the fire" because it is the property owner's right to cut down trees on his lot. Mr. Seeley stated he understands. Mr. Seeley asked if the bike trail in his community will continue through to - and have access to - the Town park. Mr. Tolliver stated DeDOT will require them to have a multi-modal path along their frontage, so Peregrine will have to do that, and there will also be another bike trail which basically follows the track boundary. Mr. Seeley asked about some of the properties along the road. Mr. Tolliver stated he doesn't own those properties so it will not be touched by them. Ms. Botchie stated a lot of those properties are not in Town limits. Ms. Seeley asked when the developer may start clearing the area. Mr. Tolliver stated they would like to get started as soon as possible, and if everything keeps progressing the way it is, then maybe a year or year-and-a-half, hopefully, they can start construction. Ms. Botchie stated the developer still has to go through the final site plan review before Town Council. Ms. Seeley asked which amenities the community may have. Mr. Tolliver stated there will be a small clubhouse, a small pool, maybe a fire pit, some pergolas, some decking and so forth, but the exact look is just an approximation right now. Mr. Seeley asked if the HOA will be responsible for cutting everyone's grass. Mr. Tolliver stated right now it could be either or, and those kinds of logistics are not currently set up. Ms. Seeley asked Mr. Tolliver if he perceives all of the lots having premiums above the price sale. Mr. Tolliver stated they didn't

want somebody's rear lot line butting up to someone else's rear lot line so there is an open space strip behind their lots, but whether these are premium is something the developer will have to work out with the builder.

### **MOTION TO CLOSE PUBLIC HEARING**

Mr. Evans motioned to go into public hearing at 5:28 p.m. Mr. Michel seconded the motion. Motion carried 3-0.

6. Discuss and possible vote on the preliminary subdivision site plan with recommendation regarding the Town Council's review of the final site plan submittal.

Mr. Evans motioned to approve the preliminary subdivision site plan and recommend the applicant move forward with the final site plan for Town Council's public hearing review. Mr. Michel seconded the motion. Motion carried 3-0.

### **7. ADJOURNMENT**

Mr. Evans motioned to adjourn the meeting at 5:30 p.m. Mr. Michel seconded the motion. Motion carried 3-0.

Respectfully submitted and transcribed  
by Matt Amerling, Town Clerk