

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
March 10, 2020 @ 7:00 PM**

In attendance were Mayor Steve Maneri, Secretary Ronald Belinko, Council Member Sharon Brienza, Council Member Barbara Ryer, Town Solicitor Seth Thompson, Town Manager Debbie Botchie, and GMB Representative Andrew Lyons Jr. Treasurer Peter Michel and Town Clerk Matt Amerling were absent.

1. CALL MEETING TO ORDER

Mayor Steve Maneri called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

Mayor Steve Maneri stated everyone was present except Treasurer Peter Michel. Mayor Steve Maneri presented a park update.

4. SWEARING-IN OF COUNCIL MEMBERS – Town Solicitor

A. Steve Maneri

B. Ronald Belinko

5. TOWN COUNCIL APPOINTMENTS – Selection of Mayor, Deputy Mayor, Treasurer & Secretary

Council Member Sharon Brienza motioned to nominate Steve Maneri as mayor. Council Member Barbara Ryer seconded the motion. Motion carried 4-0.

Ms. Ryer motioned to nominate Ronald Belinko as deputy mayor. Ms. Brienza seconded the motion. Mayor Maneri stated he motioned to nominate Peter Michel as deputy mayor. Town Solicitor Seth Thompson stated the first vote will be for Mr. Belinko as deputy mayor. Ms. Ryer voted yes. Mr. Belinko voted yes. Ms. Brienza voted yes. Mayor Maneri voted no. Motion carried 3-1 for Ronald Belinko as deputy mayor.

Mayor Maneri motioned to nominate Sharon Brienza as treasurer. Ms. Ryer seconded the motion. Motion carried 4-0.

Mayor Maneri motioned to nominate Barbara Ryer as secretary. Deputy Mayor Ronald Belinko seconded the motion. Motion carried 4-0.

6. ADOPTION OF TOWN COUNCIL MINUTES

A. Adoption of Town Council Minutes – February 11, 2020

Treasurer Sharon Brienza motioned to approve the minutes. Mr. Belinko seconded the motion. Motion carried 4-0.

B. Adoption of Town Council Executive Session Minutes – February 11, 2020

Ms. Brienza motioned to approve the minutes as discussed. Ms. Ryer seconded the motion. Motion carried 4-0.

C. Adoption of Town Council Workshop Minutes – February 25, 2020

Treasurer Sharon Brienza motioned to approve the minutes. Mr. Belinko seconded the motion. Motion carried 4-0.

7. FINANCIAL REPORT – Mayor

A. February 2020

Mayor Maneri read the Financial Report for the month ending 2/29/20.

February 29, 2020:

General Revenue:	\$ 70,769.	Restricted Revenue:	\$ 36,287.
General Expenses:	44,832.	Restricted Expenses:	304,382.

8. ADMINISTRATIVE MATTERS

A. Administrative Report for February 2020

There were no comments.

MOTION TO ENTER PUBLIC HEARING

Mr. Belinko motioned to enter the public hearing at 7:07 p.m. Ms. Brienza seconded the motion. Motion carried 4-0.

8. NEW BUSINESS

A. Public Hearing Notice – Secretary

B. Written Comments

There were no written comments.

C. Discuss a Conditional Use Application submitted by Plitko LLC on behalf of Kevin Martin, for an auto repair shop. The proposed business is located on Tax Map Parcel #134-12.00-352.00, and zoned C1 - Commercial. *Synopsis:* The applicant currently leases the property known as Atlantic Auto Shop located on Route 26. At its February 13, 2020, meeting, the Town P&Z Commission voted 5-0 to recommend conditional use approval to Council.

Mr. Kevin Martin, owner of Atlantic Auto Shop, stated he would like to build another

shop on the property mentioned tonight so they can leave their current building (next to Lord Baltimore Elementary School) and make a newer, much better shop with more garage bays to help service the community a little better. Mr. Martin stated the parking in the auto shop's current location is simply horrendous which is a big reason for the relocation. Town Solicitor Seth Thompson stated in terms of the standard for a conditional use, the location has to be "appropriate and not in conflict with the Comprehensive Plan, and that the public health, safety, morals, and general welfare will not be adversely affected." Mr. Martin stated the new location will be in an industrial commercial-type setting, there are less homes around, and there are a number of tax ditches around to keep away overcrowding, and Mr. Martin thinks this new location is a "much better fit" compared to their current location. Treasurer Sharon Brienza stated the current location is a "dangerous corner."

Mr. Thompson stated another item for the conditional use is to make sure that adequate off-street parking facilities will be provided, and Mr. Martin mentioned their current location doesn't really have great parking. Mr. Martin stated yes. Mr. Thompson asked Mr. Martin to explain to Council the current parking arrangement for the new location. Mr. Martin stated the parking for their current location has parking mostly on stone so it's very uneven and it is somewhat dangerous to have some people walking around that area. Mr. Martin stated the new shop parking will have approximately seventy-four (74) parking spots, which is more than enough for what he is proposing. Mr. Martin stated he currently has on average about eighteen (18) customers per day, which has been consistent since they opened for business in October 2010; so the new parking area will need at least about forty (40) to fifty (50) parking spots. Mr. Thompson asked how many employees the auto shop has on a typical given day. Mr. Rob Bochanski, of Atlantic Auto, stated they have about six (6) employees as well as Mr. Bochanski and a bookkeeper, who is part-time. Deputy Mayor Ronald Belinko asked if the new shop is increasing to ten (10) garage bays. Mr. Bochanski stated yes. Mr. Belinko asked if they will anticipate an increase in business and needing to hire more mechanics. Mr. Bochanski stated they initially are going to try to operate the new shop with the same amount of employees they currently have, there are five (5) mechanics which work in their bays; and they will double the bay size so they'll have more area to work in. Mr. Bochanski stated if their business does grow, they will hire people as they see fit. Mr. Belinko asked what direction the exhaust will be blowing out and just wants to know if there is any particular side which will receive the emissions being blown out. Mr. Bochanski stated within their shop, generally, the bay doors are open and there's not a whole lot of emissions coming out of the building itself for vehicles running inside and there's usually not a lot of vehicles inside running at one time. Mr. Belinko asked if there will be an exhaust system. Mr. Bochanski stated yes, there is an exhaust system at the end of the shop just to help with air flow but there's not really any major emissions from the shop itself. Mr. Martin stated when they have cars running inside the shop with the doors closed, they do have exhaust hoses attached to the cars which goes outside. Mayor Maneri asked what the hours of operation are going to be. Mr. Martin stated the same they are now, Monday through Friday, 8:00 a.m. until 5:00 p.m., closed Saturdays and Sundays. Mr. Maneri asked if the shop closes at 5 p.m., could the outdoor seating for the restaurant next door maybe start at

6 p.m.? Mayor Maneri stated he's asking because during the day when the shop is making noise, it might drive people a little nuts; and if there are restaurant patrons who have to park closer to the rear of the lot and they have a little kid who runs up and, at the same time, a mechanic is backing a car out and doesn't see the kid, it's a tragedy. Mr. Martin stated as far as the outdoor dining goes, since it is outdoors, it's a personal opinion as to whether people want to endure the noise of an auto shop, but Mr. Martin respects Mayor Maneri's judgement and they're doing everything they can to dampen the noise. Mr. Martin stated he wants to keep the trees around the outdoor dining for a natural environment and it's more for fun, with games such as cornhole, but Mr. Martin will serve "appetizers and things like that."

Mayor Maneri asked if there is a buffer on the west side of the building. Mr. Martin stated he believes there is a gentleman on the west side who is planning on building somewhat of a strip mall or a group of buildings called Millville Square. Mr. Lyons stated yes, to the west of Mr. Martin is where the proposed Millville Square will be located. Ms. Brienza asked what the hours of operation would be for the restaurant. Mr. Martin stated from 11 a.m. to 11 p.m. Ms. Brienza asked if there will be outside lights. Mr. Martin stated yes but it will all be "downlighting." Mr. Belinko asked if Mr. Martin has looked into what kind of food will be served. Mr. Martin stated he has not yet as right now he wants something family-oriented and will have only beer and limited liquor, and is looking to go a more healthy route in terms of types of food being offered and served. Mr. Thompson stated this conditional use is only for the auto shop and the outdoor seating of the restaurant as the restaurant itself is already permitted per the Town Code. Mr. Thompson asked Mr. Martin to describe why he thinks the outdoor seating for the restaurant is necessary and appropriate for the use of the parcel, as opposed to just a restaurant without outdoor seating. Mr. Martin stated he wants the restaurant to be a social, positive aspect for families so there's something for the kids and adults to do; and the outdoor seating won't so much have a table with chairs but would rather be outside furniture so as to provide a place for people to hang out with a table, so people can hang out with their friends to talk and set down drinks or appetizers while playing a game of cornhole. Mr. Thompson asked if it would be comparable to the Crooked Hammock (in Lewes). Mr. Martin stated he hasn't been to the restaurant. Mr. Rob Plitko stated this is the type of environment to give folks a chance to relax and play outdoors while enjoying refreshments and appetizers, to help satisfy some people who like to enjoy the outdoor weather but don't have to go to the beach to do so. Mr. Plitko stated whether people want to sit outside or not, even with an auto shop nearby, it's their decision to sit outside or not. Mr. Thompson asked if Mr. Martin thinks there will be more business for the restaurant on Saturdays and Sundays as opposed to during the week, when the auto shop is open. Mr. Martin stated part of the reason Mr. Martin thinks the restaurant and seating will work is because of the hours of the auto shop being closed on weekends. Mr. Thompson asked, regarding the auto shop hours, does the shop open at 8 a.m.? Mr. Rob Bochanski, of Atlantic Auto Repair, stated he usually gets in ten (10) minutes before opening at 8 a.m., and there will be a dropbox outside for those who need to drop off their vehicles before or after business hours.

Mayor Maneri asked Mr. Martin if he plans to put an outside fence up around the outdoor

seating area for the safety of patrons. Mr. Martin stated yes, it's what he plans to do. Mayor Maneri asked if there will be signs notifying which parking is for the restaurant only, since the lot will be shared with the auto shop. Mr. Martin stated he can put a gate on the bottom of the lot going toward the wooded area, which will confine the parking for the restaurant on the right side of the lot. Mr. Bochanski stated he understands as they've had a difficult time with parking at their current location, but Mr. Bochanski believes the peak hours for both of these businesses will be at different times, so the turn-around will be different. Secretary Barbara Ryer stated she thinks this is sufficiently planned and it is important to the residents of Millville, as well as having adequate parking and the idea of the trees planted is great.

Mr. Lyons stated he has reviewed both applications and plans, and they both meet the Town requirements for a conditional use. Mr. Lyons stated Mr. Martin is planning on using the existing vegetation in the area for the outdoor seating. Mr. Martin stated he doesn't want to put in too much hardscape for the outdoor seating. Treasurer Sharon Brienza stated she agrees with Ms. Ryer and thinks this is a great thing for that area. Mr. Lyons stated if these conditional uses are approved, both applications will go back before both the Town P&Z and Council again for their regular site plan application reviews.

D. Residents/Property Owner Comments & Questions

Mr. Frank Vigna, of Blue Heron Drive, stated he's known Mr. Bochanski and Mr. Martin for about ten (10) years and they've been an asset to the community. Mr. Vigna stated they are easy to work with and Mr. Vigna is grateful they're moving their auto shop to have more space available for everyone. Mr. Vigna stated he is in agreement of both conditional uses.

Mr. David Van Stone, of Brandywine Drive, asked what will be done with the existing property where the auto shop currently is located. Mr. Martin stated he's not sure yet but it may be simply an oil change and tire facility, so people can get in and get out as quickly as possible.

E. Discuss a Conditional Use Application submitted by Plitko LLC on behalf of Kevin Martin, for outdoor seating for a restaurant. The proposed business is located on Tax Map Parcel #134-12.00-352.00, and zoned C1 - Commercial. *Synopsis:* The restaurant is a permitted use but the applicant is requesting a conditional use for outdoor seating for said restaurant. At its February 13, 2020, meeting, the Town P&Z Commission voted 4-1 to recommend conditional use approval to Council.

There was no further discussion.

MOTION TO CLOSE PUBLIC HEARING

Ms. Brienza motioned to close the public hearing at 7:48 p.m. Ms. Ryer seconded the motion. Motion carried 4-0.

8. NEW BUSINESS

A. Discuss and possible vote on a Conditional Use Application submitted by Plitko LLC on behalf of Kevin Martin, for an auto repair shop. The proposed business is located on Tax Map Parcel #134-12.00-352.00, and zoned C1 - Commercial. Mayor Maneri requests individual vote.

- Mayor Maneri requests individual vote

Ms. Ryer voted yes. Mr. Belinko voted yes. Ms. Brienza voted yes. Mayor Maneri voted yes. Motion carried 4-0.

B. Discuss and possible vote on a Conditional Use Application submitted by Plitko LLC on behalf of Kevin Martin, for outdoor seating for a restaurant. The proposed business is located on Tax Map Parcel #134-12.00-352.00, and zoned C1 - Commercial.

- Mayor Maneri requests individual vote

Ms. Ryer voted yes. Mr. Belinko voted yes. Ms. Brienza voted yes. Mayor Maneri voted yes, with the condition of adding some sort of fencing around the restaurant's outdoor seating area, to ensure safety of patrons, especially children. Motion carried 4-0.

11. CITIZENS' PRIVILEGE

Mr. Dennis Hartline, of Blue Heron Drive, asked if there were any conditions for the conditional use that came out of the P&Z review and can the P&Z add conditions. Mr. Thompson stated P&Z can add conditions to their review of conditional uses, but they did not make any for these conditional use applications.

12. ANNOUNCEMENT OF NEXT MEETING - Town Council Workshop Mtg., March 24, 2020

13. ADJOURNMENT

Ms. Brienza motioned to adjourn at 7:51 p.m. Mr. Belinko seconded the motion. Motion carried 4-0.

Respectfully submitted,
Matt Amerling, Town Clerk