

Planning and Zoning Commission Meeting
July 9, 2020 @ 7:00pm

In attendance were P&Z Chairman Pat Plocek; P&Z Secretary Marshall Gevinson; Commissioners Cathy Scheck, Glen Faden and Tim Roe; Town Manager Debbie Botchie; GMB Representative Andrew Lyons, Jr.; and Town Clerk Matt Amerling.

1. **CALL TO ORDER:** P&Z Chairman Pat Plocek called the meeting to order at 7:00 p.m.
2. **ROLL CALL:** P&Z Chairman Pat Plocek stated everyone was present.
3. **PLEDGE OF ALLEGIANCE**
4. **ADOPTION OF MINUTES**
 - A. June 11, 2020

P&Z Secretary Marshall Gevinson motioned to adopt the June 11, 2020, P&Z minutes. P&Z Commissioner Glen Faden seconded the motion. Motion carried 5-0.

5. **NEW BUSINESS**

- A. Review, discuss and vote on a possible recommendation to the Town Council, a Preliminary Site Plan submitted by Colleen Windrow and Melissa Nalewaik for a 1200-square-foot office building. The proposed business is located at 35814 Atlantic Avenue, Tax Map Parcel #134-12.00-1739.00, and zoned C1 - Commercial.

Ms. Colleen Windrow stated this is one of the small cottages already on Route 26/Atlantic Avenue, and they are planning to put an office space in the current building on-site, and the original preliminary site plan she submitted came back to her with just a few modifications, and they have been approved in every aspect, from DeDOT to the Fire Marshal. Ms. Windrow stated Town Planner Andrew Lyons Jr. asked them to address two (2) issues on the preliminary site plan. Ms. Windrow stated one of the issues was the blacktop of the driveway was on the neighbor's property so she had it removed, altering the site plan. Ms. Windrow stated the second issue was a landscape buffer was requested to be added, which she has done.

Mr. Andrew Lyons Jr., of GMB, stated he reviewed the plan and this is an existing building with no changes to the building or site, and the site for the parking is already there. Mr. Lyons stated this is a non-conforming lot with a non-conforming building but it meets all of the Code requirements for non-conformity as the applicant is not enlarging the building or making the lot in any way more non-conforming. Mr. Lyons stated, regarding the shared driveway mentioned, the shared use agreement has been enclosed to P&Z, and it protects both property owners as well as the Town with that issue. Mr. Lyons stated the only thing he has for the final site plan is making sure there is landscaping in the rear.

Mr. Faden stated he noticed in the driveway shared use agreement there is language stating there is partial land located in the town of Ocean View, but should be corrected. Ms. Windrow stated that is an error with Scott & Shuman but can be modified and sent to Town tomorrow.

P&Z Commissioner Tim Roe stated on the lot there is a yellow building at the back of the lot and asked if the building is a part of this plan. Ms. Windrow stated the yellow building is not on this lot. Mr. Faden stated he would like to add the condition of making sure any outside lights are pointed to shine downward.

P&Z Chairman Pat Plocek asked Mr. Lyons if the landscaping on this will come in later. Mr. Lyons stated the landscaping buffer is there, shown on the plan, but the only thing that wasn't was the landscaping in the rear for the plan; but that is required for the final site plan. Mr. Plocek asked if there is any requirement for the landscaping at the main road in the front. Mr. Lyons stated no, and the only reason there is a requirement on this site is because this property is a commercial use surrounded on three (3) sides by residential lots. Ms. Windrow asked Mr. Lyons to explain the landscaping for the rear. Mr. Lyons stated it is the rear section where there is the last ten (10) feet of the lot. Mr. Lyons stated there is existing landscaping there, but it needs to be identified and explained as to what it is so Council will know when they review the final plan.

P&Z Commissioner Cathy Scheck motioned to recommend to Council for approval the preliminary site plan submitted by Colleen Windrow and Melissa Nalewaik for a 1200-square-foot office building with the addendums and modifications as discussed, specifically with any outside property lighting to be facing downwards, and landscaping added to the rear to meet the buffer requirements. Mr. Faden seconded the motion. Motion carried 5-0.

6. CITIZENS PRIVILEGE

There were no comments.

7. ANNOUNCEMENT OF NEXT MEETING

Mr. Plocek stated the next P&Z meeting is scheduled to be on Thursday, August 6, 2020.

8. ADJOURNMENT

Ms. Scheck motioned to adjourn the meeting at 7:11 p.m. Mr. Gevinson seconded the motion. Motion carried 5-0.

Respectfully submitted and transcribed
by Matt Amerling, Town Clerk