

**Planning and Zoning Commission Webinar Meeting
January 14, 2021 @ 7:00pm**

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

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 except Commissioner Cathy Scheck; and Commissioner Glen Faden is on the webinar call, but is having audio problems. Mr. Plocek stated Town Manager Debbie Botchie would fill in for Commissioner Faden in order to have a quorum.
3. **PLEDGE OF ALLEGIANCE**
4. **ADOPTION OF MINUTES**
 - A. October 8, 2020
 - B. October 14, 2020

P&Z Secretary Marshall Gevinson motioned to adopt the October 8, 2020, and October 14, 2020, P&Z minutes. P&Z Commissioner Tim Roe seconded the motion. Motion carried 4-0.

5. **NEW BUSINESS**
 - A. Review, discuss and possible vote on a recommendation to Town Council a preliminary plan for the Summerwind Connector Road. *Synopsis:* The application is for a proposed Millville by the Sea (MBTS) Summerwind Connector road, which will connect the proposed Peninsula Village to Summerwind Village within MBTS.

P&Z Commissioner Tim Roe abstained from the discussion. Mr. Ron Sutton, of Civil Engineering Associates (CEA), stated he is representing the applicant and they are requesting a preliminary plan recommendation to Town Council for this connector road, which will connect (MBTS's) Sea Star Village up to Summerwind Village, and it includes stormwater management which will be put in on the west side of the connector road and the stormwater management for Peninsula Village. Mr. Sutton stated the connector road ties into the south into Peninsula Village, which was approved in December. Mr. Sutton stated the road progresses to the north and east and ties into Summerwind Boulevard. Mr. Sutton stated they are leaving some tie-ins as they make their way up for the other proposed villages. Mr. Sutton stated the stormwater management area is to the west, and there is also some realignment of walking trails. Mr. Sutton stated there are two stub streets off the road which will connect to Village 2, which has not come before the Town yet. Mr. Sutton stated on the northern point there is another connection to a road leading to Village 2, as well as a future connection going out to Roxana Road/Route 17. Mr. Sutton stated the northeast point ties back into Summerwind Boulevard at Summerwind Village. Mr. Sutton stated this is a collector road so it will be sixteen (16)-foot-wide travel lanes, with thirty-two (32) feet of pavement, and thirty-six (36) feet from outside of curb to outside of curb, and a sixty (60)-foot right-of-way (ROW). Mr. Sutton stated in the next week or two, they will be submitting preliminary plans for the connection of Endless Summer Drive

to Roxana Road, and it would close out the interconnectivity as they roll up through Summerwind Village towards the lifestyle center. Mr. Sutton stated there are no lots on this plan so there are no amenities other than the walking trails.

Mr. Andrew Lyons Jr., of GMB, stated he reviewed the plans a few times and most of the comments listed on the plan are for final review. Mr. Lyons stated the only big comment was to show the area for the coordination between this and the future Egret Shores development, and the interconnection there – at least the ROW plan and its coordination before the applicant comes back for final review. Mr. Lyons stated mostly everything else he saw in error was for before final. Mr. Lyons stated the applicant meets all of the preliminary comments except the applicant is not showing any preliminary street lights. Mr. Sutton stated he can have the lights added before they come back for final, and they'll be on the construction drawings. Mr. Lyons stated he wanted to point out to P&Z some of the walking trails are temporary. Mr. Sutton stated yes, the ones to the south, but the one around the stormwater management area is permanent, and the one to the right will be adjusted to fit the lot area. Mr. Sutton stated the developer is committed to make sure the trails are connected and usable during the construction process. Mr. Plocek asked if the temporary trails are paved or are they gravel. Mr. Sutton stated if they are temporary, the applicant would like to have them gravel so there's no wasting of funds on pavement, but the permanent trails will be paved.

Ms. Botchie asked where the connection will be from Summerwind Boulevard to the new Egret Shores community. Mr. Sutton stated the most logical point is where the ROW kind of touches the buffer to the northeast of the Egret Shores property. Mr. Lyons stated he believes that is where the Egret Shores applicants have shown on their plans as well. Ms. Botchie asked if the applicant has started any conversations with the new property owner. Mr. Rod Hart, of Ardent Companies, stated he has and the principal of the engineering firm has sent him their plan, and it is where Mr. Sutton just located. Mr. Hart stated the MBTS residents are not in favor of this connection at all, regardless of where it is. Ms. Botchie stated the connection is a part of DelDOT's requirement. Mr. Lyons stated yes. Ms. Botchie stated it is also the Town's requirement. Mr. Sutton stated it is not a DelDOT requirement, but a DelDOT preference. Ms. Botchie stated she knows DelDOT's requirements and preferences can often be the same. Ms. Botchie stated on the landscaping plan, when the applicant presents the final site plan, the Town has found it's more helpful to the applicant if they sit with Mr. Lyons and Ms. Botchie on it to make sure it's not over-planted, as well as where the landscaping is being placed and the type of species being planted. Mr. Sutton stated that's fine. Mr. Plocek stated on the landscaping plan, the applicant is showing a future gas line and right now, there will be trees on top of it, and Mr. Plocek would like to know why. Mr. Plocek stated they also need two (2) cross-sections showing both types of cross-sections (trail and sidewalk).

Mr. Gevinson motioned to recommend to Council for approval a preliminary plan for the Summerwind Connector Road. Ms. Botchie seconded the motion. Motion carried 3-0-1 abstention from Commissioner Tim Roe. Mr. Roe rejoined the meeting.

B. Review, discuss and possible vote on a recommendation to Town Council a preliminary site plan for Excel Property Management. *Synopsis:* The applicant is requesting to construct a three-hundred-eighty-four (384) square-foot conference room addition to the existing building located at Tax Map Parcel #134-12.00-358.00, 35370 Atlantic Avenue.

Mr. David Baldo, the owner of the parcel in review tonight, stated to the right of the existing building, there is the proposed conference room which is up for review tonight. Mr. Baldo stated they have met the impervious requirements as well as the handicapped requirements.

Mr. Lyons stated he has reviewed the preliminary site plan and the applicant is showing the changes they needed for the impervious. Mr. Lyons stated this is a legal non-conforming site and structure. Mr. Lyons stated the impervious which is at the top of the plan, which has been removed, is to keep within the existing impervious and since it is non-conforming, you cannot add more to the site. Mr. Lyons stated the applicant had to remove the amount which is for the proposed addition to remain a legal non-conforming use. Mr. Lyons stated after reviewing everything and the site itself, the only comment was to show for final the landscaping which is going to be in the ten (10)-foot buffer planting strip located in the rear of the property, which is required. Mr. Baldo asked for clarification. Mr. Lyons stated if Mr. Baldo looks at his comment, it shall be a screening which is effective in the winter and summer, in areas where vegetation does not exist. Mr. Lyons further stated additional landscaping shall be provided, utilizing earth mounds or plant material or both; and the plantings should be indigenous to local areas and provide a soft visual buffer between the commercial use and the residential. Mr. Lyons stated he knows what is shown is Whites Creek tax ditch, and if there are existing plantings there, that will suffice; but this plan doesn't show enough to know that, and it's required for final to show it. Mr. Lyons stated the applicant may have to add to it, especially over at the area next to Brad Absher's property where the stone area goes pretty much into it. Mr. Baldo stated Mr. Absher's plan was to put a landscaping buffer down along the easterly border. Mr. Lyons stated he is talking more about the northern border, so it is the rear of the property which is required to have a ten (10)-foot buffer; and it's ten (10) feet within the thirty (30)-foot setback. Mr. Baldo asked if the Town would like to see the applicant provide a species and spacing and number of plants. Mr. Lyons stated yes, that would be sufficient. Mr. Lyons stated the landscaping plan would be a separate plan sheet but it would be attached to the final site plan submitted to Council.

Mr. Roe motioned to recommend to Council for approval a preliminary site plan of a conference room for Excel Property Management, with the condition of adding the landscaping plan to the final site plan, and showing the large existing trees on the final landscaping site plan. Mr. Gevinson seconded the motion. Motion carried 4-0.

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, February 11, 2021, at 7 p.m.

8. ADJOURNMENT

Mr. Gevinson motioned to adjourn the meeting at 7:36 p.m. Mr. Roe seconded the motion. Motion carried 4-0.

Respectfully submitted and transcribed
by Matt Amerling, Town Clerk