



TOWN OF MILLVILLE
Planning and Zoning Commission (P&Z) Minutes
November 10, 2021 @ 7:00pm

1. **CALL TO ORDER:** P&Z Chairman Pat Plocek called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance.** **Present:** P&Z Chairman Pat Plocek; P&Z Secretary Marshall Gevinson; Commissioner Tim Roe; Commissioner Cathy Scheck; Town Manager Debbie Botchie; Code & Building Official Eric Evans; Administrative Assistant Jennifer Ireland; GMB Representative Andrew Lyons, Jr.; Commissioner Glen Faden was absent. Wendy Mardini, Town Clerk was absent.

2. **APPROVAL OF P&Z MINUTES** - October 10, 2021
Motion by Commissioner Gevinson to accept the minutes. Seconded by Commissioner Scheck. The motion carried unanimously 4-0.

3. **NEW BUSINESS:**
A. Review, discuss, and possible vote on a recommendation to Town Council a preliminary subdivision site plan submitted by Land Tech Land Planning, LLC, on behalf of ASF MBTS, LLC for the proposed Millville by the Sea (MBTS) Village 2. The 32.79 acres proposed subdivision consisting of 120 lots is located at Tax Map Parcel #(s) 134-16.00-17.01, 134-16.00-19.00, 134-15.00-121.00, 134-16.00-3.02, 134-16.00-20.00, 134-15.00-120.00, and 134-12.00-3291.01.

On Oct. 7, 2021, the applicant presented the concept plan for this subdivision to the P&Z Commission. The Commission recommended more active amenities, increased overflow parking, bike racks, and to consider connecting roads 3 & 5 over the tax ditch. Also recommended was the trail system behind lots 900 through 910 remain.

Commissioners Tim Roe and Cathy Scheck abstained as they are residents of Millville by the Sea.

Mr. Ron Sutton of Civil Engineering Associates represented the applicant. He advised this is a 32.79-acre parcel project with several parcels. There are 120 lots, with an average of 3.66 lots per acre. There are 24 villa (duplex) units, 39 townhomes and 57 single homes. Mr. Sutton went over the revised plan wherein first he pointed out there are two separate mail kiosks with handicapped parking. The ponds have been modified from Peninsula Village to fit Village 2 advising that there is adequate stormwater management. The open space is 13.25 acres or approximately 40%.

Mr. Sutton stated they addressed concerns of the Commission. As far as overflow parking, there are 14 parking spots in the townhouse section and 11 overflow spots with handicap parking. That equates to 25 overflow parking spots all together, which is 20% of the lots, making a substantially high percentage for overflow parking as compared to other subdivisions, especially within Millville by the Sea.

Mr. Sutton also pointed out that the trail was adjusted. It will continue through the MPC buffer as discussed at the concept plan. The path will go through Peninsula Village, continue down to Huntington Park and the Sea Star area. Bike racks were added near the mail kiosk and near the new amenity.

The new amenity is a proposed open space with bike racks, picnic tables, firepit, hardscaping, pergola, and benches. The amenity by the townhouses will have a grilling station so that people in the townhouses will have grills that they can use.

Lastly, there is an amenity over by Lot 994. It's going to have a pergola that comes off the sidewalk with a swing so that you'll be able to overlook the edge of the pond.

Mr. Sutton then addressed continuing Roads 3 and 5 across the ditch, and said it is not cost effective, and the permitting from DNREC took almost eight months to get. There will be a collector road where there are six 16-foot lanes on either side which will provide a wider road with clear separation, there will be pedestrian access. There will be two ways in, and this road will eventually make its way out to Roxanna Road.

Mr. Lyons stated that he has reviewed the plans and his comments were very similar to those previously stated. The plans presented addressed his concern for keeping the pedestrian path in place. He also noted the Summerwind Connector Rd. was approved and should be started very soon. Concerning amenities, the plans presented actually showed one extra amenity.

Commissioner Gevinson wanted to know where the nearest amenity for children would be located. Mr. Clark (Land Tech Land Planning) replied that the tot lot equipment was viewed from a land use planning standpoint, as being more of a community amenity as opposed to a village amenity, primarily because the sound effects of having that in the midst of either the townhouse community or the single family would be better suited to the community rec center. There is a sizable green space on the right-hand side of Village 2 that is dedicated to children.

Mr. Clark advised that there are ongoing discussions with the community regarding the pickleball courts. That is slated as a Spring 2022 project.

Commissioner Plocek voiced his concern about the road crossing and mailbox location on the side of the ditch. Mr. Sutton pointed out kiosk locations for single family homes and townhomes.

Commissioner Plocek opened discussions to citizens.

Citizen: Tim Roe, 30035 Center Point Rd., Millville, DE 19967. Mr. Roe stated that there is a lot of prongs that are flowing into the Beaver Dam Tax ditch. He wanted to know what the last recent study regarding the flooding issue and water runoff regarding the ditch.

Mr. Lyons advised that all of that is looked at every time they get a SCD permit. All the runoff from that Village is taken into consideration. He advised that there is usually a tailwater analysis done on the receiving body very often.

Mr. Roe's other concern is regarding speed suppression. He pointed out that a 17-mph speed limit in the community is being considered and what was the plan going forward. He also pointed out that Substation Road is a concern since it has a 50-mph speed limit.

Mr. Lyons remarked that the roads are designed to the required standards. He noted that there is only one possible straightaway which you might get some speeding, but you have parallel parking which is a deterrent for speeding.

Mr. Evans commented that if the residents know who is doing the speeding, they need to get a plate number and report it.

Eric Evans had a question regarding the walking trail behind the townhomes, was it going to be put back in. Mr. Sutton responded by saying that the path is there now, and it runs up through Summerwind and then will tie into the new road. Mr. Sutton also advised that they were asked to put the path back in the MPC buffer.

Commissioner Plocek mentioned about landscaping around the pond areas, suggesting maple trees for color and to bring some trees back into the community. Mr. Sutton responded by saying that they would look into that.

Commissioner Gevinson made the motion recommending the applicant move forward with the final subdivision site plan for the Town Council's approval. Commissioner Scheck seconded the motion. The motion carried unanimously 2-0-2.

B. Review, discuss, and possible vote on a recommendation to Town Council a preliminary subdivision site plan submitted by Land Tech Land Planning, LLC, on behalf of ASF MBTS, LLC for the proposed Millville by the Sea (MBTS) Village 5A model court. The 3.96 acres proposed subdivision consisting of 10 lots is located at Tax Map Parcel #(s) 134-12.00-380 and 134-15.00-120.01.

Commissioners Tim Roe and Cathy Scheck abstained as they are residents of Millville by the Sea.

On Oct. 7, 2021, the applicant presented the concept plan for this subdivision to the P&Z Commission. A resident voiced concern about roads encroaching on property

owned by Summerwind Village. He also felt the road access points should be changed due to high traffic volume already present on the existing roads, but the applicant felt that would cause a safety issue.

Appearing on behalf of Ardent Companies was Mr. Jeff Clark, a registered landscape architect, with the firm of Land Tech Land Planning. Mr. Rod Hart was also in attendance on behalf of the Ardent Companies.

Mr. Clark explained that Village 5A is a 3.14-acre piece of the greater Village 5 which totals 23.28 acres and is set at the intersection of the future Endless Summer Drive and Summerwind Boulevard across from Millville by the Sea main east side amenity with the pool and clubhouse parking area. Village 5A is also just east of what will become the main entrance to the Millville by the Sea project from Roxanna Road. The reason Village 5A is so modest in size is because it is intended to serve as the D.R. Horton model court to display their single-family, duplex, and townhome residential products. The preliminary site plan illustrates 4 single-family homes and are colored white and numbered 1 - 4, and 4 duplex homes are colored blue and numbered 5 - 8 on the plan. The 3 townhomes on the plan are red and number 9 - 11. This preliminary site plan is very similar to the conceptual plan presented in October with one notable change. The entrance into Village 5 has been relocated to the future Endless Summer Drive, away from Summerwind Boulevard and the intersection of Salty Air Drive, which is what was seen before and has now been rearranged, now making a direct connection to the north. This matter was raised during the testimony at the concept plan presentation, and so that adjustment was made to address the safety concern that was raised. As pointed out in the GMB review letter from Mr. Lyons, all the easements for utilities and stormwater piping have been illustrated on the preliminary site plan application. The gross density of Village 5A is 3.05 units per acre, the net density of Village 5A is 4.43 acres units per acre. The amenities for Village 5A, since it is a marketing courtyard, are the main clubhouse area directly across the street. Mr. Clark advised that a more well-developed amenity package will be introduced into the larger Village 5 land use plan when that comes before the Town in the near future. Open space provided is .92 two acres which represents 37% of the net area and 29% of gross area of the Village 5 site. There is a landscaping plan included with the preliminary site plan application. From the illustration, it is intended to buffer the Village 5A homes from Roxanna Road, Endless Summer Drive and Summerwind Boulevard. There will also be berms associated with that green space on the two sides both north and east over to the top right-hand side of this of the Village.

Andrew Lyons, with GMB, stated that he has reviewed the plan. The major change on this plan since concept is the relocation of the entrance. He has reviewed that entrance location with the preliminary plans that are under review for Endless Summer Drive and has checked those to make sure that is good and had no additional comments.

Commissioner Pat Plocek has a few questions. He had concern with the speed limit of 17 mph for the subdivision, that law enforcement is unable to enforce anything less

than 25 mph. Mr. Lyons advised that law enforcement can't enforce the speed limit since this is a private community. His other concern was the location of the mailbox kiosks. Mr. Clark advised that since it is a model court and no one will be living there at the moment, they have not addressed that yet. He said it will be addressed further when Village 5 is discussed.

Chris Buteas, 32111 Shorebreak Crossing., Millville, DE 19967 (Summerwind Village HOA). He wanted to thank Mr. Hart and his team for accommodating the Village along with the Planning and Zoning Commission for hopefully accepting this proposal is really appreciated by the members of the Village.

Commissioner Gevinson made the motion recommending the applicant move forward with the final subdivision site plan for the Town Council's approval. Commissioner Plocek seconded the motion. The motion carried unanimously 2-0-2.

4. CITIZENS PRIVILEGE - none

5. ANNOUNCEMENT OF NEXT MEETING

Commissioner Plocek stated the next P&Z meeting was to be November 18, 2021, at 7:00 p.m.

6. ADJOURNMENT

Commissioner Roe motioned to adjourn the meeting at 7:51 p.m. Commissioner Scheck seconded the motion. The motion carried unanimously 4-0.

Respectfully submitted,

Wendy Mardini
Town Clerk