



TOWN OF MILLVILLE
Planning & Zoning Commission Meeting Minutes
April 14, 2022 @ 7:00 pm

1. **Call Meeting to Order:** P&Z Chairman Pat Plocek called the meeting to order at 7:00 p.m. with the *Pledge of Allegiance*. **Present:** Chairman Pat Plocek; Secretary Marshall Gevinson; Commissioner Michael Burgo; Commissioner Tim Roe; Commissioner Cathy Scheck; Code & Building Official Eric Evans; Town Clerk Wendy Mardini; GMB Representative Andrew Lyons, Jr.

2. **Approval of Meeting Minutes**
 - A. February 10, 2022, Planning & Zoning Meeting Minutes
*Motion by (inaudible) to accept the minutes, seconded by (inaudible).
Motion carried unanimously 5-0.*

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) West Village C-1. The 19.84 acres proposed subdivision consisting of 93 (20' wide) townhome lots is located on TMP# 134-15.00-19.00 and is zoned Master Planned Community (MPC).

Commissioners Tim Roe and Cathy Scheck recused themselves during this presentation.

Mr. Jeff Clark, registered landscape architect with the firm Atlantic Land Planning, Bethany Beach, DE. He began his presentation by referring to the rendered site plan.

Mr. Clark began by describing the site that is situated on Powell Farm Road about 1000 feet from the Burton Farm Road intersection. Burton Farm Road intersection is just north of the entrance into Villages C-1 one C-2 which represents one of the two major gateways in the Millville by the Sea West Villages on Powell Farm Road. Village C-1 proposes 98 townhomes situated on individual lots with buildings of four and five units each, 38 of those proposed new homes will face the two-and-a-half-acre pond that is in the center of this village. Each building will feature end units with a single car garage and some interior homes may have garages as well. The interior townhomes without garages will each have a private 4-foot by 12-foot shed

on a concrete slab and the rear yard. And those sheds will be set perpendicular to the townhomes on lot boundaries. In addition to serving the function of storage will also act as a privacy barrier to adjacent homes. No fences are permitted in Village C-1 and the purpose of that is to allow the community grounds maintenance crews to mow grass without any barriers and maintain the surface. The C-1 Village mail kiosk is centrally located in that lower central area along the end of the proposed village parking lot of the North Street parking for residents and/or guest. A handicap parking area was added to that parking area. Mr. Clark went on to point out that this phase is buffered from Powell Farm Road with an elevated earth berm planted with appropriate vegetation to screen this section of new development. Mr. Clark advised that there is a very specific plant list and planting plan that corresponds to that berm.

Mr. Clark advised that in keeping with the recently adopted revisions of the Millville By the Sea performance standards, this preliminary plan underwent a conceptual plan review on March 8th, attended by Town Manager, Debbie Botchie, Planning Commission Chairman, Pat Plocek, Town Code Official, Eric Evans, Town Engineering Consultant, Andrew Lyons, and myself. A number of issues were raised at that meeting to include a request to introduce a pathway connection between Powell Farm Road and the shared use path that is a DelDOT requirement. Also, request was made to place a detail within the preliminary site plan illustrating dimensions and how individual townhome units are placed on lots. Mr. Clark advised that those details were added. He went on to say that this village meets the development performance standards of setbacks and lot size requirements for townhouses. There was a discussion at the concept plan meeting about how parking in Village C-1 was to be accommodated, required parking per the standards would require 279 off street spaces or three per dwelling, and 288 spaces are illustrated. Mr. Clark also brought sample illustrations of the homes with garages and without garages that are going to be built there.

Mr. Clark went on to explain that the entire village will be maintained collectively by the HOA, for example, grass cutting, landscaping of plant material, trees, shrubs, ground covers will all be maintained collectively by the HOA so no individual homeowners are cutting grass or maintaining.

Mr. Lyons advised that he has reviewed the plans and all items of concern have been addressed. One thing specifically mentioned were parking spaces. Commissioner Burgo was concerned about the amount of parking spaces. Mr. Lyons advised that the Town requirement is two off-street parking; however, Millville by the Sea requirements three off-street spaces. Mr. Burgo also questioned about dog waste stations throughout the community and Mr. Hart confirmed that they will be installed.

Mr. Gevinson questioned about the location of amenities for this village. He was told by Jeff Clark that there is a pool for use in Village A-1 and there will be an amenity called Central Park close by.

Chairman Plocek suggested that the landscape people look into something other than Sycamore trees since they are a very messy tree to maintain.

Mr. Plocek opened the meeting to public comment. Mr. Tim Roe, 30035 Center Point Road, Millville, DE was first to speak. He had a question of Mr. Lyons regarding the difference between a tax ditch and a prong and who is to maintain each. Mr. Lyons answered by saying that the tax ditch is governed by the court system, and they are a corporation. The corporation is run through the DNREC program. Mr. Lyons went on to explain that a tax ditch is a legal entity that is its own organization and is funded by all the property owners. Mr. Roe wanted to know if the tax ditches were identified in this plan and Mr. Lyons said that the tax ditches were all identified in this plan. Mr. Burgo suggested that from a “good will” perspective, the builders can make sure there are no invasive grasses growing since they are maintained by DNREC every 15-20 years. Mr. Hart said that he would suggest that the Tax Ditch Association keep an eye on the tax ditches and prongs for them and that would be helpful to the developer.

Code Enforcement Officer, Eric Evans questioned Mr. Clark as to the size of the sheds that were going to be installed at the units that did not have garages. Mr. Clark advised that they are 4’ x 12’ on a concrete slab, being perpendicular to the townhome unit to serve as a privacy barrier. Mr. Evans pointed out setbacks in the building code along with fire walls needed to be installed.

Mr. Plocek suggested that before this goes to the Town Council, that the developer supply a rendering of the layout showing where the storage units fit on the lot and rendering of the shed itself to see what it looks like. Mr. Hart agreed.

A motion to approve the preliminary subdivision site plan with comments for the proposed Millville by the Sea West Village C-1 was made by Mike Burgo and seconded by Marshall Gevinson. The motion carried 3-0-2 abstentions.

- 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 4. The 37.20 acres proposed subdivision consisting of 144 lots; Single Family (63), Duplex 32’ wide (46), Townhome 28’ wide (35) is located on TMP# 134-16.00-19.01, 19.02, 20.00, 20.01 and is zoned Master Planned Community (MPC).**

Mr. Jeff Clark, registered landscape architect with the firm Atlantic Land Planning, Bethany Beach, DE. He began his presentation by referring to the rendered site plan.

Mr. Clark gave details of the upcoming Millville by the Sea Village 4 community. He pointed out the location and increase in the size of the mail kiosk, off street parking, elevated berms with appropriate/specific vegetation for buffers, and walking trails. He addressed specific concerns regarding introduction of a playground for kids approximately 5 - 12 years old near the mail kiosk. Mr. Clark discussed the intention of introducing a pollinator habitat near the power line easement as requested by the Mayors for Monarchs program along with the intention of introducing more trees on the streetscape along with a bench near the fishing pond.

Andrew Lyons commented on the proposed approved plans. He pointed out that there might be too many trees and it was recommended that they be spaced approximately 60' apart. He advised that the plan meets all the requirements of the Millville by the Sea development standards and he compared it against the amenity plan submitted for this area.

Commissioner Mike Burgo suggested more benches near the walking path since there is only one by the mail kiosk and fishing pier. There was a discussion between Rod Hart, Mr. Burgo and Mr. Clark about infringing on the privacy of residents if benches were to be put behind their homes and agreed as to where to locate them. Mr. Burgo also suggested that more dog waste stations be added and questioned if the playground will be fenced in.

A discussion was had about the common area and irrigation. Mr. Hart commented that they would defer to the builder, D.R. Horton, as it is a large area and needs a lot of irrigation.

A motion to approve the preliminary subdivision for the proposed Millville by the Sea (MBTS) Village 4 was made by Commissioner Burgo and seconded by Chairman Plocek. The motion carried 3-0-2 abstentions.

4. Citizens' Privilege:

Ms. Cathy Scheck of Millville by the Sea commented that she hoped they are careful as to the placement and installation of the benches. She was concerned as to them becoming unsightly.

Mr. Tim Roe of Millville by the Sea commented that the Village was well planned and aesthetically pleasing. He mentioned the point of concern about the speed limit on Substation Road and that it is a safety issue, hoping it would be addressed with a speed limit reduction.

5. Adjournment:

Mr. Gevinson made a motion to adjourn at 8:08 p.m. Mr. Roe seconded the motion. The motion carried unanimously 5-0.

Respectfully submitted,

Wendy Mardini
Town Clerk