



TOWN OF MILLVILLE
Planning & Zoning (P&Z) Commission Meeting Minutes
June 30, 2022 @ 7:00 p.m.

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:** Secretary Marshall Gevinson; Commissioner Michael Burgo; Commissioner Tim Roe; Commissioner Cathy Scheck; Town Manager Debbie Botchie; Town Clerk Wendy Mardini; GMB Representative Andrew Lyons, Jr.

2. **Approval of Meeting Minutes**

- A. April 14, 2022, Planning & Zoning Meeting Minutes

Motion by Commissioner Tim Roe to accept the minutes, seconded by Commissioner Cathy Scheck. Motion carried 5-0.

3. **New Business**

- A. *Review, discuss and possible vote on a recommendation to the Town Council on a Change of Zoning Application and Minor Subdivision Application, submitted by Civil Engineering Associates, LLC, on behalf of The Christopher Companies, Parcel 134-12.00-376, and Zoned C-1 Town Center Commercial District. The applicant is making the request to subdivide the parcel into two parcels (Parcel A - 2.163AC and Parcel B - 11.736AC) and change the Zoning of Parcel B to RPC-Residential Planned Community.*

Mr. Andrew Lyons started out by advising that this needed to be voted on as two different items, each portion of the subdivision and then the rezone is a separate vote.

The minor subdivision is addressed first. Mr. Ron Sutton with Civil Engineering Associates explains that this parcel is zoned C-1 Town Center Commercial, and the applicant is seeking to subdivide this parcel into two lots and then ultimately rezone. One lot will remain C-1 which is the 2.16-acre portion, and one lot would be zoned to Residential Planned Community (RPC).

Mr. Lyons commented that most of the parcels surrounding this property are either zoned residential or has residential uses and the request to change fits within the Millville limits.

A discussion was held among the Commissioners, Mr. Lyons, and Mr. Sutton about the rezoning, answering questions that the Commission had.

Commissioner Scheck made a motion to approve the Minor Subdivision Application, submitted by Civil Engineering Associates, LLC, on behalf of The Christopher Companies, Parcel 134-12.00-376, and Zoned C-1 Town Center Commercial District. Motion was seconded by Commissioner Gevinson. Motion carried 5-0.

Commissioner Gevinson made a motion to approve the Change of Zoning Application, submitted by Civil Engineering Associates, LLC, on behalf of The Christopher Companies, Parcel 134-12.00-376, and Zoned C-1 Town Center Commercial District. Motion was seconded by Commissioner Scheck. Motion carried 5-0.

- B. ***Review, discuss and possible vote on a recommendation to the Town Council a Conditional Use Application, submitted by Plitko, LLC, on behalf of Rickards Real Estate Delaware, LLC. The applicant is requesting to add 2 residential rental units as an additional use on Parcel 134-12.00-282.00, a/k/a 35715 Atlantic Ave., zoned C-1 Town Center Commercial District.***

Mr. Jim Rickards presented photos and explained that he wanted to give people coming to Millville a positive experience. He has a cottage on his commercial property that he wants to rent out short-term along with another building with storage on the first floor and apartment on the second floor with 2 bedrooms and 2 bathrooms.

He pointed out that he thinks it is convenient for anyone renting that they could go to Morning Buns for breakfast, then a short ride to the beach and then Perucci's for dinner eliminating the need to travel to dinner.

Mr. Lyons explained that as his property stands now, it is zoned C-1, and the apartment is allowed to be used as an accessory permitted use by an owner or employee.

Mr. Rickards said that he did not need the two buildings for that purpose and wanted to increase his income by renting the spaces.

Mr. Lyons advised that this was a conditional use review and gave a brief history saying that Council met and approved the site plan that was shown on July 15, 2021. Mr. Lyons continued to explain conditional use regarding the apartments.

There was an extensive question and answer period held by the Commissioners and Mr. Rickards where he answered concerns regarding the conditional use. Commissioner Plocek pointed out that during the July 2021 meeting, he asked Mr. Rickards to investigate the possibility of additional parking and landscaping the front lawn. Mr. Plocek went on to say that right now, it looks like there is insufficient parking for the original two buildings since the grass area has cars parked on it and that adding a third use would require additional parking which is not available. Mr. Lyons also noted that parking is a concern because if the two buildings were turned into rentals,

there would have to be required parking spaces for those rentals and could not be used for anything else according to the Code. Seth Thompson participated with explanations of conditional use, parking spaces, and what is permitted in the code.

Mr. Plocek feels that he would tend to deny the conditional use application because this was a change from what was originally approved which was just for employees and owners for residential use and he is afraid that approval will open the door for future conditional use applications. While he understands the reason Mr. Rickards is asking for the conditional use, its not something that he would recommend to Council for approval.

Mr. Roe said that he did not feel that it was the responsibility of the Commission to assist with financials of a property owner.

Mr. Burgo said that he was inclined to approve it with the understanding that the buildings would have to be brought up to Code before it would be approved.

Ms. Scheck advised that she was not against considering the conditional use application, but they did not know enough about what was needed to bring the buildings up to Code and would not feel right recommending this to Council for approval. She also said that it was not the Commissions purpose to help businesses generate revenue.

Commissioner Roe made a motion to recommend to Town Council the denial of a Conditional Use Application, submitted by Plitko, LLC, on behalf of Rickards Real Estate Delaware, LLC requesting to add 2 residential rental units as an additional use on Parcel 134-12.00-282.00, a/k/a 35715 Atlantic Ave., zoned C-1 Town Center Commercial District. The motion is seconded by Commissioner Gevinson. Chairman Pat Plocek - yes to deny, Mr. Roe yes to deny, Mr. Gevinson - yes to deny, Mr. Burgo - no to deny, and Ms. Scheck - no to deny. Motion carried 3-2.

4. **Citizens' Privilege:** None.
5. **Announcement of next meeting:** Not scheduled yet.
6. **Adjournment:** *Mr. Gevinson made a motion to adjourn at 8:02 p.m. Ms. Scheck seconded the motion. The motion carried 5-0.*

Respectfully submitted,

Wendy Mardini
Town Clerk