



TOWN OF MILLVILLE

Planning & Zoning (P&Z) Commission Meeting Minutes March 9, 2023 @ 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:** Commissioner Michael Burgo; Commissioner Marshall Gevinson; and Commissioner Tim Roe; Town Clerk Wendy Mardini; and GMB Representative Andrew Lyons, Jr. Town Manager Debbie Botchie appeared by phone and Commissioner Cathy Scheck was absent.
2. **Approval of Meeting Minutes**
 - A. **February 9, 2023, Planning & Zoning Meeting Minutes**

A motion by Commissioner Michael Burgo to accept the minutes was made. The motion was seconded by Commissioner Tim Roe. Motion carried 4-0.
3. **New Business**
 - A. *Discuss and review, a preliminary Subdivision Site Plan submitted by Civil Engineering Associates, LLC on behalf of Christopher Companies, for a 50- lot major subdivision located on Burbage Rd, Tax Map Parcel 134-12.00-376.00, zoned Residential Plan Community (RPC).*

Mr. Ron Sutton appeared from Civil Engineering Associates and is representing Christopher Companies for the preliminary plan for the Toomey property. He focused on the 50-unit RPC subdivision, stating that there are twenty-six single family homes, eight villas and sixteen townhomes. He advised that there are 3.28 acres of open space, 29% active open space, two parking spaces per unit equating to one hundred spaces, and twenty-five overflow parking spaces for 125 parking spaces in total. Sussex County will be providing sewer services, Tidewater Utilities will be providing the water hookup along with typical utility hook-ups such as electric, internet, etc.

Mr. Andrew Lyons of GMB Engineering commented that the parcel was subdivided in June of 2022 where a rezone from commercial, to commercial and RPC. They have the appropriate mix of units. He recommended certain developmental standards regarding setback standards and that would be up to Council's approval. Parking and zoning requirements have also been met.

Commissioner Michael Burgo asked if natural gas would be installed and Mr. Sutton responded by saying if it is available, then yes. He was also concerned that there are no

continuous roads that go through the development. Mr. Lyons responded that none of the roads are long enough to require a turn around and that all roads meet fire marshal requirements. Mr. Burgo inquired about the mailbox coverage and Mr. Sutton said that it will be in line with the ones at Millville by the Sea and Hudson's Reserve. Additional landscaping along Burbage Road was recommended by Mr. Burgo and Mr. Sutton agreeing to install additional screening.

Commissioner Marshall Gevinson voiced some concerns regarding the "tot lot" and the location being close to the tax ditch. He recommended a fence for safety reasons. Mr. Sutton agreed. Mr. Gevinson also asked if there was going to be some sort of berm or foliage to separate them from Bishops Landing. Mr. Sutton replied "no" because there is a drainage swale there now and that runs between all the properties.

Chairman Plocek was concerned about the setbacks being six feet and not the standard seven feet. Mr. Sutton responded by pointing out the Millville by the Sea and Hudson's Reserve are seven feet and Bishops Landing is six feet. Mr. Lyons looked at the records and confirmed that six feet was approved many years ago. Presently, Bishops Landing North is seven feet and Bishops Landing South is six feet. Mr. Sutton confirmed that they would change the setback to seven feet.

Mr. Plocek also was concerned about the stormwater grates and suggested that they make sure whatever grates are installed are bicycle friendly.

Commissioner Burgo questioned if there was any consideration in putting some type of trees behind homes on lots 1 through 8. Mr. Sutton said that he will investigate adding some additional landscaping there if there is room.

Commissioner Tim Roe wanted to know if the mail kiosks were going to be covered. Mr. Sutton said they will be the same ones as in Millville by the Sea which are somewhat covered with a pergola off to the side.

Commissioner Burgo asked what the estimated timeline was from shovel in the ground to completion. Mr. Sutton replied that they typically have a year to get all the other approvals from other agencies, therefore, he could not give a definite timeline.

A motion was made by Commissioner Gevinson to approve a preliminary Subdivision Site Plan submitted by Civil Engineering Associates, LLC on behalf of Christopher Companies, for a 50-lot major subdivision located on Burbage Road with the following conditions:

- 1. Setbacks from a single-family home be changed from six feet to seven feet.***
- 2. The playground equipment would be fenced in for security and safety.***
- 3. More overflow parking for the townhomes; and***
- 4. Increase the landscaping along Burbage Road and between Bishops Landing***

North and the anticipated new 50-lot subdivision.

The motion was seconded by Commissioner Burgo. Motion carried 4-0.

5. **Citizens Privilege:** Carlos Melendez, 17057 Bellevue Court, Millville, DE. Mr. Melendez had a question regarding the roadway into and out of this new development. Mr. Plocek confirmed that was true. Mr. Lyons confirmed that it was only in larger communities, and you need two exits and entrances pursuant to the fire marshal. Mr. Melendez also asked about the commercial property located in that 50-lot community and what was going to go in there. Mr. Plocek responded that was not up for consideration or approval at this meeting and will be scheduled for another date.

Mr. Melendez continued by asking why a berm could not be put where the swale is presently between Bishop's Landing North and the new subdivision. Mr. Sutton explained that if you put a berm in, there will not be any drainage to the backyards to which it will abut. Mr. Sutton went on to explain that it is an existing drainage swale that sits between the two properties. The property line for Mr. Toomey's property runs right down the center of that swale. There is a space between that and the back of the lots on Bishop's Landing. That is a section of open space so that that swale maintains backyard drip runoff making its way to the tax ditch. It is a tributary that feeds the tax ditch, but it is not regulated by the tax ditch folks.

Mr. Melendez also pointed out his disagreement with the type of stormwater grates being used. It was explained to him that they are DeIDOT approved and that is what they must use.

Mr. Melendez also suggested regarding the mail kiosks should be like the ones in Bishops Landing South and suggested that new boxes being installed have the package storage at the bottom of the kiosk and not a separate section.

Mrs. Cathy Sarkis, 37128 Barrington Pkwy., Millville, DE. Mrs. Sarkis explained that there were about four homes that back-up to the tax ditch and was wondering if they intended to take down any of those trees. Mr. Sutton responded "no," they did not intend to take trees down, they just want to reduce the maintenance area from eighty feet to twenty-five feet.

4. **Announcement of next meeting:**
5. **Adjournment:** *Commissioner Gevinson made a motion to adjourn at 7:40 p.m. Commissioner Burgo seconded the motion. The motion carried 4-0.*

Respectfully submitted,

Wendy Mardini
Town Clerk