

Town of Cheswold
Planning Commission Meeting Minutes
May 9, 2013
Cheswold Fire Hall Conference Room

- I. Chairperson Dennis Coker called the meeting to order 7:15 pm**
- II. Salute the Flag**
- III. Observed Moment of Silence**
- IV. Confirmed Proper Meeting Notice was Posted**

V. Roll Call of Commissioners to ensure a quorum

Present

Barry Jones

Martha Scott

Albert Lambertson

Dennis Coker

Chairperson Coker acknowledged the presence of Mayor Tinari, Councilperson Callender and Tom Wilkes of Remington, Vernick & Beach. Chairperson Coker thanked RuthAnn Purchase for volunteering to take meeting minutes.

VI. Review of Agenda

Commissioner Lambertson made a motion to accept the May 7, 2013 revised agenda as presented; seconded by Commissioner Scott. Motion carried unanimously.

VII. Review Minutes of the Previous Meeting

Commissioner Jones made a motion as accept the April 18, 2013 meeting minutes as presented; Commissioner Lambertson seconded. Motion unanimously carried.

VIII. M-1 Zoning District Discussion and update

Chairperson Coker informed the Commissioners a meeting was held with Max Walton, the attorney representing the Planning Commission. Mr. Walton advised there was more information needed before an opinion could be stated. In addition, Mr. Walton said he was certain the M-1 zoned areas of the business park had an unusual level of court protections which may require the Town to utilize the same administrative process in use when the M-1 district was created or which was available at the time. Councilperson Callender was able to obtain a copy of the county zoning ordinance and it also lacked an identifiable process.

Chairperson Coker stated until the Town started its own permitting process they were using the county process which had evolved.

Mr. Walton advised the meeting attendees there were three lots and not two which were subject to review. It was not clear when the second lot began its current use. The third lot was purchased in the fall of 2012 and is the current location of a crushing operation.

Mr. Walton's next consultation will be at the Planning Commission meeting.

Councilperson Lambertson asked if the Town had ever issued a permit to Atlantic Concrete to crush concrete. There was no clear answer to this question.

Chairperson Coker emphasized the importance of protecting the rights of the property owners as well as addressing the stated goals of the comprehensive plan.

Commissioner Scott made a motion to table this discussion; seconded by Commissioner Jones. Motion unanimously carried.

IX. Discussion of Fee Schedule Revisions and update

Chairperson Coker began discussion by asking Mr. Wilkes if there was any flexibility in Remington, Vernick & Beach's fee schedule as proposed to the Town. Mr. Wilkes responded by saying the proposed fee schedule will be reviewed and adjusted as necessary.

Chairperson Coker told the Commissioners it is his intention to have an updated fee comparison spread sheet and the Town's administrative adjustments for review at the June commission meeting.

Commissioner Lambertson made a motion to table this discussion until more information is compiled; Commissioner Jones seconded. Motion carried unanimously.

X. Review Land Use Ordinance Revision Log

A brief discussion of this subject ensued and it was determined Article 4, Figure 4.2 had not been completed for review. Chairperson Coker said he would complete the unfinished section of the flow chart for review at the June commission meeting.

A question arose concerning the recommended actions to be taken by the Town Council.

Councilperson Callender indicated the Town Council had addressed all recommendations from the Planning Commission. Section 11-2 was the last revision made by Council which was recommended by the Planning Commission.

Commissioner Lambertson made a motion to table this discussion of the revision log until such time as further information is available; seconded by Commissioner Scott. Motion carried unanimously.

XI. New Business

A. Town Hall Park Lot – Concept Plan Review; Tom Wilkes

Mr. Wilkes presented two scenarios for parking options. Mr. Wilkes emphasized the need for a survey and a final site plan. Additional comments addressed buffer areas, grading for storm water drainage and acquiring an entrance permit. Kent Conservation wants us to capture our storm water. Mr. Wilkes will solicit more comments, finalize and make a formal presentation for approval by the Planning Commission. If Town Council approves, plans and contract documents will be advertized for construction.

Councilperson Callender commented concerning the possibility of rezoning the Town office property or applying for a variance.

Commissioner Lambertson asked if there was a possibility of acquiring the land behind the Town Hall from Parker’s Run since it appears to be unused. This possibility will be researched.

Commissioners were urged to review information supplied for this project. This discussion will remain as an open agenda item.

B. Shoreline Business Supply (Atlantic homes)

Chairperson Coker informed the commissioners this project is at the site of the current Atlantic Homes. There has not been a formal application for review submitted. However, informal discussions have been initiated. This property is an I-1 zoned parcel. Issues such as outside material storage, truck parking and perimeter fencing have been brought up. We anticipate an application which is in compliance with our land use ordinances. This discussion will remain as an open agenda item.

C. Family Dollar (opposite Town Hall)

Chairperson Coker informed commissioners a formal application has not been received. Possible issues may include sign sizing on the building. A brief discussion of the sign issue ensued with an outcome to review signage requirements.

D. Knight’s Carpet Property

Trinity Church is proposing to develop a place of worship. A concept plan application was presented to commissioners. Property is currently zoned C-1 and a conditional use permit with site plan are required for places of worship in this zoning district.

Chairperson Coker asked commissioners to review informational packet for further discussion at the June meeting. This discussion will remain as an open agenda item.

E. Torbert Property Sub-Division

A concept sub-division plan drawn up by Mountain Engineering, Inc. for Lisa Torbert was supplied to commissioners.

Councilperson Callender asked Chairperson Coker what was needed to move forward on this proposal. Chairperson Coker replied formal sub-division application with plot plan is required for review.

Chairperson Coker inquired as to how much time is needed for review and public hearing notification. Mr. Wilkes said he usually request two weeks but due to his familiarity with the proposal it would take less time. Mr. Wilkes commented it would be good to have the public hearing on the same night as the council meeting. It was agreed we could do nothing till a formal application was sub-mitted. This discussion will remain as an open agenda item.

XII. Motion to Adjourn

Commissioner Jones made a motion to adjourn at 9:00 pm; seconded by Commissioner Scott. Motion carried unanimously.

Respectfully Submitted,

Dennis J. Coker, Chairperson
Cheswold Planning Commission