

Town of Cheswold
Planning Commission Meeting Minutes
April 18, 2013
Cheswold Fire Hall Conference Room

- I. Chairperson Dennis Coker called the meeting to order 7:15 pm**
- II. Salute the Flag**
- III. Moment of Silence**
- IV. Proper 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 and Councilperson Callender. Chairperson Coker thanked Ruthann Purchase for volunteering to take minutes.

VI. Review of Agenda

Commissioner Lambertson made a motion to accept the agenda as presented; seconded by Commissioner Scott. Motion carried unanimously.

VII. Review Minutes of the Previous Meeting

Commissioner Jones made a motion to accept the March 14, 2013 meeting minutes as corrected; Commissioner Lambertson seconded. Motion unanimously carried. Corrections noted are: 1.) Item VIII, 1st sentence, change spelling of 'Tolbert' to 'Torbert' 2.) Item IX, 3rd sentence, change the spelling of 'Councilperosn' to 'Councilperson' 3.) Item XII, 1st sentence, change 'Fred Voshell' to 'estate of Fred Voshell'.

VIII. Public Water Exemption Amendment

Chairperson Coker began this discussion by stating a change to Section 11-2 of the Land Use Ordinance would be the most efficient way to resolve this issue.

Commissioner Lambertson asked if 'municipally owned or approved' could be a well. Some discussion of the question ensued and it was agreed that wells would not meet the intent of the 'municipally owned or approved' standard. After additional discussion, Section 11-2 was interpreted to mean that if you are subdividing or developing a lot in town it must be connected to a water supply system.

It was agreed the purpose of an amendment would be to allow the existing lots in old town that have no system available to them to install a new well if theirs goes bad, or to install a well with the understanding they will have a certain amount of time to hook up to a system when a system becomes available.

All Commissioners agreed the renewed interest in developing in 'old town' has necessitated a solution to this issue.

It was agreed to add two sub-sections to 11-2 A of the Land Use Ordinance following sub-sections 1 and 2. Sub-section 3 would be worded as follows: **Existing Wells Requiring Replacement**- The replacement of an existing well, prior to the installation of either a municipally approved or municipally owned water supply and distribution system shall be exempt from the requirements of Article 11; Section 11-2; A-1 and A-2, above. Sub-section 4 would be worded as follows: **New and Existing Wells**- Properties requiring the installation of new wells, without access to a municipally approved or municipally owned water supply and distribution system shall be exempt from the requirements of Article 11; Section 11-2; A-1 and A-2, above, until such time as the installation of such water supply and distribution system. Each lot and each principal use not previously connected shall be required to connect to such system upon availability. Commissioner Scott made a motion to amend Section 11-2 of the Land Use Ordinance by adding sub-sections 3 and 4 as previously worded to Section 11-2 A; Commissioner Jones seconded. Motion unanimously carried.

IX. Fee Schedule Revision Update

Chairperson Coker requested this item be tabled until recently received information can be entered into our spread sheet. Chairperson Coker asked if the Commissioners were able to open and read the excel documents and work with the format.

There was some discussion concerning when the spread sheets were emailed and who may not have received their copies. Those who did not receive the email were advised to check their spam folders and let Chairperson Coker know if he needs to resend.

Councilperson Callender requested fees to be set up with the same name as the zoning codes. Also, Councilperson Callender was asked to give some thought to the administration fees for each fee line item.

Chairperson Coker commented we need to streamline our fee schedule wherever possible. Commissioner Lambertson made a motion to table this discussion until additional information has been entered into spreadsheet; Commissioner Jones seconded. Motion unanimously carried.

X. M1 Zoning District Update

Commissioners were informed the Town's building inspector had issued a stop work order on Lot 16 of the business park. A crushing operation had begun by a contractor without a business license or a site plan review for the proposed activity.

Chairperson Coker informed the Commissioners that Max Walton had agreed to consult and represent the planning commission in an effort to resolve the matter of operating crushing equipment

in the business park. In addition, Mr. Walton would assist in a complete review of the M-1 Zoning District. The meeting with Mr. Walton would take place on May 2nd.

Commissioner Lambertson made a motion to table this discussion until consultation with legal counsel has taken place; Commissioner Jones seconded. Motion carried unanimously.

XI. Zack Excavating, Inc. Conditional Use Request

No one representing Zack Excavating attended the meeting.

XII. Motion to Adjourn

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

Respectfully submitted,

Dennis J. Coker, Chairperson
Cheswold Planning Commission