



**PLANNING COMMISSION  
MEETING  
MINUTES  
Thursday, July 11, 2019**

**Meeting Held at: Cheswold Town Hall  
691 Main Street  
Cheswold, Delaware 19936**

**Planning Commissioners In Attendance:**

**Mr. Barry Jones, Chairperson  
Mr. Carl Schultz, Commissioner  
Mr. Reggie Valentine, Commissioner**

**Ms. Colleen Ostafy, Commissioner was excused.**

**Also in Attendance:**

**Ms. Sam Callender, Land Use Administrator**

**MEETING OPENING:**

The meeting was called to order at 6:12 p.m., by Chairperson Jones, and a Salute to the Flag and a Moment of Silence immediately followed.

Mr. Jones confirmed that the meeting had been properly posted and conducted a roll call. It was acknowledged that a quorum was in attendance and the meeting proceeded.

**AGENDA REVIEW:**

A call for a review of the agenda was made and a motion was eventually made by Commissioner Schultz to accept the agenda as submitted. Commissioner Jones made a second to the motion and the motion passed with a unanimous roll call vote.

**MINUTES REVIEW:**

The following minutes were reviewed and voted upon:

**JUNE 24, 2019**

A motion was made by Commissioner Schultz to approve the minutes as presented. Commissioner Jones made a second to the motion and it passed with a unanimous roll call vote.

**NEW BUSINESS:** Ms. Callender provided the Commissioners with a status report on the following:

**PLANNING COMMISSION  
MEETING MINUTES  
THURSDAY, JULY 11, 2019**

- **179 Commerce St.** – The Board of Adjustment meeting concerning a Variance request to return the property to its “grandfathered” status was held on Wednesday, July 10, 2019. The Board made the decision to return the status to the property and Mr. Dowd, the property owner will be permitted to restore the building to a multi-tenant dwelling in the R-1, Old Town, zone.
- **Preliminary Plan Review- Alston’s Walk – Appl.# 2019-06-06-075** - The plan submitted by Davis, Bowen & Friedel for review and approval by the Planning Commission, has been reviewed by our Town Engineer, Mr. June Andreas and a report of items that must be addressed prior to approval and submission to the Town Council, was forwarded to the Planning Commission, the Land Use Administrator and returned to the client and the engineer representative from DB&F.
- **Land Use Ordinance Revision – Article 5C-1, Termination of Legal Non-Conforming Status** – The ambiguity of the wording of this article, as it refers to the term reconstruction led to the Board of Adjustment approving the variance for 179 Commerce St.. There is no definition in the Ordinance that defines the scope or timing of reconstruction. Therefore, the Commission needs to either specifically define the term reconstruction or re-word Article 5C-1 to identify the term in such a way that it can be determined when and if reconstruction occurs and completes.

Ms. Callender informed the Commissioners that the term “reconstruction” does not exist in the International Residential and International Existing Building Codes, which have been approved and adopted for the Town of Cheswold. The Codes only recognize the terms “Alteration and Repair”. She provided the Commissioners with written descriptions of the terms and asked that each attempt a re-write.

**OLD BUSINESS:**

**Comprehensive Plan Survey** – Ms. Callender reported that survey was mailed to all property locations, owing taxes to the Town of Cheswold, with the yearly tax bills. To date, only three, (3), responses have been returned. Commissioner Jones encouraged Ms. Callender to have faith that many more responses will be received by August 30, 2019.

**Next Meeting Dates:**

- Monday, July 22, 2019 – Workshop Meeting, Noble’s Pond Clubhouse– 5:00 pm
- Thursday, August 8, 2019 – Monthly Meeting, Cheswold Town Hall – 5:00 pm

**MOTION to ADJOURN:**

A motion to adjourn was made by Commissioner Valentine at 7:21 p.m. A second to the motion was made by Commissioner Schultz and a unanimous roll call vote passed the motion.

**Minutes Submitted by: Land Use Administrator Sam Callender – July 18, 2019**

**TOWN of CHESWOLD**

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