



**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, JANUARY 14, 2021**
Face Masks Required
ATTENDANCE VIA ZOOM

Planning Commissioners In Attendance:

Mr. Barry Jones, Chairperson
Ms. Colleen Ostafy, Commissioner
Mr. Carl Schultz, Commissioner
Mr. Reginald Valentine, Commissioner
Ms. Barbara Cooper, Commissioner

Also in Attendance:

Mr. Thomas Wilkes, P.E., Town Engineer
Ms. Sam Callender, Land Use Administrator

MEETING OPENING:

The meeting was called to order at 5:10 p.m., by Chairperson Jones, and a Salute to the Flag and a Moment of Silence immediately followed.

After the moment of silence, he confirmed that the meeting had been properly posted and conducted a roll call, after which 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 Chairperson Jones requested a motion that it be accepted as presented or as amended, if required.

Commissioner Schultz made the motion to amend the minutes to include a review of a Proposed Revisions as presented by Land Use Administrator Callender. Commissioner Ostafy made a second to the motion. It was passed by a unanimous vote of the Commissioners in attendance. Chairperson Jones stated that the proposal should be added under New Business.

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MINUTES REVIEW:

The following minutes were reviewed and voted upon:

December 10, 2020 – Monthly Commission Meeting

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

NEW BUSINESS:

- **Proposed Revisions – *Land Use Administrator Sam Callender***

Land Use Administrator Callender informed the Commissioners and Mr. Wilkes that a question had been presented to the Code Enforcement Officer concerning the allowed construction workdays and hours in the Town. And that after research Mrs. Callender discovered that there is a lack of consistency within the Ordinances that are related to workdays and hours, specifically the Building Permit Ordinance; the Business License Ordinance and the Noise Ordinance. Add additionally, there are no instructions or directions concerning construction workdays or hours within the Land Use Ordinance.

Ms. Callender presented examples of three, (3), general statements that would be added to each Ordinance:

1. Before the hour of 7:00 a.m., and after the hour of 8:00 p.m., prevailing time no construction shall be conducted, on any day, which requires outside lighting or which produces noise which would reasonably be expected to disturb any person in the neighborhood.
2. No construction shall be conducted on a Sunday, except for instances that are proven necessary for the welfare, health and/or safety of the public.
3. No construction shall be conducted on a legal holiday, except for instances that are proven necessary for the welfare, health and/or safety of the public.

After some discussion, it was determined that a fourth statement should be added to address work constructed in the interior after normal work hours and on Sundays and legal holidays. The suggested statement is:

4. Interior construction is permitted on Sundays and legal holidays but must cease by 7:00 p.m.

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OLD BUSINESS

Review and Revision of Land Use Ordinance - Article 4. Section 4.1 to 4.5

Town Engineer Tom Wilkes led a section-by-section discussion of the sections to be reviewed. He advised that although there are references to **preliminary plans and final plans** there is no explanation of their meaning in **Article 2 – Definitions** and or of final plans in Article 4 Definitions.

It was agreed that the definitions are missing and that they **should be added**.

Ms. Callender stated that Ms. Cooper and she reviewed the Sections earlier in the day and decided that all reference to forms should be removed, as forms change and access to forms change and if included in the Ordinance, including such references will result in more revisions more often. In its place, they suggest adding Item #7 to Section C. Guidelines for Development Review as: All applicable forms can be obtained from the Town Hall Public Works Department. All Commissioners and Engineer Wilkes agreed to these suggestions.

The following revisions were also agreed upon:

Section 4-4.D-5 Preliminary Plan, Sub-Division Plan and Site Plan Approval

Remove "and permits"; insert "of Preliminary Plan approval" at end of sentence.

Section 4.4.D-6 Preliminary Plan, Sub-Division Plan and Site Plan Approval

Approved as revised.

Section 4.5.C. Required Information

Town Engineer Wilkes strongly suggested that all references to tables must be strenuously reviewed to ensure that they are accurate and that perhaps table titles associated with Tables 4-1 and 4-4 may need to be revised in depth.

Section 4.5. D. Final Plan Review Process

Item 2. Add "Contact Land Use Administrator at Town Hall for copy of Fee Schedule"

Section 4.5.D. Final Plan Review Process

Item 4a. Insert "Office of State Fire Marshal" between DNREC and Education

Section 4.5.D. Final Plan Review Process

Item 5c. Remove in its entirety

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COMMISSIONER COMMENTS:

Commissioner Ostafy - *NOTHING TO REPORT*

Commissioner Schutlz – *NOTHING TO REPORT*

Commissioner Cooper - *NOTHING TO REPORT*

Commissioner Valentine - *NOTHING TO REPORT*

Commission Chairperson Comments - *Chairperson Jones shared that he was glad that the Commission were able to meet consistently into the new year, as previously they had not been able to get together and left a lot of catching up to be done in the spring. He expressed his appreciation for the Commissioners and the work they do.*

Town Engineer – *Mr. Wilkes added that he was glad for the continuity of the membership of the Committee.*

Land Use Administrator Comments:

Ms. Callender provided the following updated information from the December Town Council meeting:

- 1. The **Cheswold Fire Prevention Project** started on Monday, January 11, 2021 and there is a potential for the water service to be extended to the Town Park.*
- 2. A **Community Garden in the Town Park** is continuing to be discussed.*
- 3. **Stonington** paving and framing of model homes has begun.*
- 4. **Alston's Walk** clearing is complete and a pre-con meeting is pending.*
- 5. An **Infrastructure Committee** is in the progress of finding a possible location for the construction of a new Police Department and Town Hall. There are difficulties that may prove unsurmountable in purchasing the property to the east of the current Town Hall, so other locations are being researched.*

Chairperson Jones suggested that a new building be erected on the current site, with the temporary movement of employees to another Town location. Ms. Callender promised to share this suggestion at the next Infrastructure Committee meeting.

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Next Meeting Date:

- Thursday, February 11, 2021 - Monthly Meeting, **via ZOOM ONLY** – 5:00 pm

MOTION to ADJOURN:

A motion to adjourn was made by Commissioner Schultz at 6:14 p.m. A second to the motion was made by Commissioner Cooper and a unanimous roll call vote passed the motion.

Minutes Submitted by: Land Use Administrator Sam Callender January 19, 2021