



**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, JUNE 10, 2021
691 Main Street
Cheswold, Delaware 19936**

ATTENDANCE VIA ZOOM AVAILABLE

Planning Commissioners In Attendance:

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

Excused: Mr. Reginald Valentine, Commissioner

Also in Attendance:

**Mr. Thomas Wilkes, P.E., Town Engineer *via* ZOOM
Ms. Sam Callender, Land Use Administrator
Mr. Michael Callender, Code Enforcement Officer**

Applicants:

**Ms. Nicky Hughes – Clayton Homes *via* ZOOM
Mr. F. Kale English – 262/278 Main Street**

MEETING OPENING:

The meeting was called to order at 5:15 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.

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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, as required.

Commissioner Cooper made the motion to accept the agenda as presented and Commissioner Schultz made a second to the motion. It was passed by a unanimous vote of the Commissioners in attendance.

MINUTES REVIEW:

The following minutes were reviewed and voted upon:

**April 8, 2021 – Monthly Commission Meeting
May 13, 2021 – Meeting Cancelled/No Minutes Available**

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

NEW BUSINESS:

- **Single Lot Development Plan**
Application #2021-05-10-100
Tbd Moorton Road
Map ID 3-03-04611-01-0100-00
Current Zone: R-2 (Single Family-Residential)
1.10 Acres
Applicant: CMH Homes
Represented by: Ms. Nicky Hughes
Property Status: Currently a vacant lot

Chairperson Jones presented the opportunity to Ms. Hughes to provide a description of this application to the Town Engineer; Land Use Administrator and members of the Planning Commission.

Ms. Hughes provided all of the details provided above, along with the required site plan identifying the setbacks and environmental location of the proposed home to be constructed on the lot.

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She also noted that the required documents from the office of the State Marshal; DelDot entrance permit; and well and sewer approvals, along with the building standards for the home were also submitted with the application.

Town Engineer Tom Wilkes stated that the presentation and application provided great information, but the site plan does not contain the owner's name and address; property address; and zoning information. Land Use Administrator acknowledged that she was aware that the owner and zoning information were missing, but it was provided as part of the application process, as she had designed it. Mr. Wilkes convinced Ms. Callender and the Commissioners that applicants should be required to follow the requirements of the site plan as specified by Table 4-1 of the Land Use Ordinance.

A motion was made by Commissioner Ostafy to approve the application, pending the revision of the site plan to include the owner's name and address; the property address and the zoning code, which will be verified by the Code Enforcement Officer at the time of the application for a building permit. Commissioner Schultz made a second to the motion as presented and it passed with a unanimous roll call vote of the Commissioners in attendance.

- **Lot Line Adjustment Application**
Application #: 2021-03-02-096
Address: 262/278 Main Street
Map ID: 4-03-04611-01-1000-000
Zoned: C-1 (Neighborhood Commercial)
Requested Zone: C-1 and R-2 (Residential)
Acreage: .47 Acres
Represented by: Mr. F. Kale English
Property Status: Currently consists of Post Office and Single-Family Home

Mr. English was then given the opportunity to present his application. He stated that the property is owned by Partners Real Estate with the intention of improving it and holding it for a long term. To re-finance it as a commercial property will be cost prohibitive and therefore they are seeking to divide the lot into two lots – one residential and the other commercial.

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He stated that their company is not typical, but they make extra efforts to rent and/or sell to veterans. There is also a plan to renovate the Post Office and to provide private parking for the residence and additional parking for the Post Office.

Town Engineer Wilkes asked a few questions and made a few suggestions that will assist in the potential approval of the application.

- Is the house fully occupied? YES, by a veteran.
- Neighboring driveway to the east is approximately 2' away from the property line and is not a part of this application.
- After paving, signage will be placed to restrict residents from parking in post office spaces and vice-versa.
- Does separate Zoning application have to be submitted? Per Land Use Administrator not in this case. Approval of the application includes the request for a zoning change, therefore approval of the application will approve the zoning change, unless specifically recommended for denial by the Planning Commission and agreed to by the Town Council.
- Applicant was instructed to review Table 8-3 to confirm the relationship between the tract size and the building coverage. The Town cannot approve a non-conforming situation, Therefore the applicant should be aware that the Rear Setback = 15'; Front Setback = 25'; C-1 Building Coverage = 40% and R-2 Building Coverage = 30%.
- Applicant is also required to provide 30% green space for the post office parcel.
- Applicant must indicate accessibility parking space on site plan.
- A recorded easement will be required between the two properties.

Mr. English accepted the review and committed to making the revisions and presenting his application again.

OLD BUSINESS:

- **Re-Review of Section 4-2, Part D, Single Lot Development Plan – Land Use Ordinance**
The Commissioners agreed to work on the paragraphs in Section 4-4.

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COMMISSIONER COMMENTS:

Commissioner Ostafy - *Thanked the Town for agreeing to hold a Meet and Greet Meeting at Nobles Pond.*

Note: It was suggested that all the members of the Planning Commission attend along with Town Engineer Tom Wilkes.

Acting Chairperson Commissioner Schutlz – ***NOTHING TO REPORT***

Commissioner Cooper – *Reported that she is moving from Nobles Pond back to Wilmington, but will continue to participate on the Commission via ZOOM>*

Commissioner Valentine - ***EXCUSED***

Commission Chairperson Jones Comments – *Reminded the Commissioners that he is resigning at the end of the year, and that a replacement is needed for him. Ms. Callender stated that she believes she has a replacement waiting in the wings to take his place. However, it was noted that we may need a replacement for Mr. Valentine if he decides to resign.*

Town Engineer – ***NOTHING TO REPORT***

Land Use Administrator Comments: *Reported that she was contacted by a Mr. Bob Rosenberger, 1-302-369-2900 x1022, of Karin's & Associates, who wants to know the Town's desire for development of B&E Farms. It was unanimously agreed that agricultural is the preference but single-family homes is what is desired if the property is to be developed.*

Next Regular Meeting Date:

Thursday, July 8, 2021 - 5:00 p.m.; 691 Main St., Cheswold Town Hall for **Commissioners**

- **ZOOM ONLY** will be available.

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MOTION to ADJOURN:

A motion to adjourn was made by Commissioner Schultz at 6:45 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 – June 21, 2021

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