

Town of Cheswold
1856



State of Delaware
1787

**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, OCTOBER 28, 2021
691 Main Street
Cheswold, Delaware 19936**

ATTENDANCE VIA ZOOM AVAILABLE WAS AVAILABLE

Planning Commissioners In Attendance:

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

Also in Attendance:

**Mr. Thomas Wilkes, P.E., Town Engineer – via ZOOM
Mr. Ring Lardner, P.E., Davis, Bowen & Friedel – via ZOOM
Ms. Sam Callender, Land Use Administrator**

MEETING OPENING:

The meeting was called to order at 5:17 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 with Ms. Callender 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 a motion to revise the agenda to add the review of an Annexation Application was made by Commissioner Ostafy. A second to the motion was made by Commissioner Schultz and an unanimous roll call vote, passed the motion.

**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, OCTOBER 28, 2021**

MINUTES REVIEW:

The following minutes were reviewed and voted upon:

September 9, 2021 – Monthly Commission Meeting

A motion was made by Commissioner Ostafy 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 –

A. Application #: 2021-10-01-103

- **Application Type:** Lot Line Adjustment
- **Applicant:** McGinnis Green
- **Map ID:** 4-03-04700-01-0100-000; (Lot 3)
4-03-04700-01-0200-000; (Lot 4)
4-03-04700-01-0300-000; (Lot 2)
- **Acres:** 10.38
- **Zoned:** C-2 (Highway Commercial)
- **Represented by:** Mr. Ring Lardner, P.E.; DB&F Engineering

Mr. Lardner presented this application as a request to adjust the lot lines of the above identified lots. He explained that the resulting adjustment would result in the increase of Lot 4, while Lot 2 and 3 will shift by approximately 2 to 3 feet each.

Lot 4 will increase by approximately 2/5 acres. There are existing wetlands between Lots 2 and 4 and a road access between the lots is proposed to permit interconnection between the eventual commercial pads.

Plot Plan 101 was submitted as a potentially recordable representation of the requested lot line adjustment.

After review and discussion with and between the Commissioners, Town Engineer Wilkes, Land Use Administrator Callender and Mr. Lardner, a motion was made by Commissioner Ostafy to accept the Lot Line Adjustment Application and to recommend approval to the Town Council contingent upon the receipt of all required agency approvals by the Land Use Administrator. A second to the motion as submitted, was

made by Commissioner Cooper. A roll call vote of the Commissioners resulted the unanimous passage of the motion.

**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, OCTOBER 28, 2021**

NEW BUSINESS – *“continued”*

B. Application #: 2021-10-04-104

- **Application Type:** Preliminary Plan (Sub-division)
- **Applicant:** McGinnis Green
- **Map ID:** 4-03-04700-01-0100-000; (Lot 3)
4-03-04700-01-0200-000; (Lot 4)
- **Acres:** 3.3
- **Zoned:** C-2 (Highway Commercial)
- **Represented by:** Mr. Ring Lardner, P.E.; DB&F Engineering

Mr. Lardner then continued his presentation with a Preliminary Plan Application ,identified above as a request for the Sub-division of the Map IDs and Lots also shown above.

The request is to sub-divide Lot 3 into two, (2) lots, which will result in the creation of a Lot 6. The proposed lot line will run in an east to west direction and not perpendicular.

The Commissioners were concerned about the number of comments documented by Town Engineer Wilkes and not addressed prior to this review. Per Mr. Lardner all the major development processes and requirements were conducted and accomplished during the Wal-Mart construction, and these are just commercial pads which will be completed during the building permit process.

It was eventually agreed that all agency approvals must be documented, recorded, and received by the Town of Cheswold, prior to the Final Plan approval of this application.

A motion was made by Commissioner Valentine to recommend that the Town Council approve this application. However, the approval of the Final Plan of this application will be contingent upon receipt of all required agency approvals by the Land Use Administrator. Commissioner Ostafy made a second to the motion as submitted by

Commissioner Valentine and a unanimous roll call vote of the Commissioners passed the motion.

**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, OCTOBER 28, 2021**

NEW BUSINESS – *“continued”*

C. Application #: 2021-10-18-106

- **Application Type:** Annexation
- **Applicant:** Liborio III L.P.
- **Map ID:** 4-00-03700-01-1300-000
- **Acres:** 54.26 per applicant (*47.0 per Kent County*)
- **Currently Zoned:** BG (Business General per Kent County)
- **Requested Zoning:** C-2 (Highway Commercial)
- **Represented by:** Mr. Lou Ramunno

Ms. Callender, Land Use Administrator introduced the above Annexation Application to the Commissioners and Town Engineer, Tom Wilkes. She specified the exact location of the property and the desire of the applicant to be zoned R-3, (Multi-Family and Townhome Residential). She additionally explained that the property qualified to be annexed into Town.

After some discussion a motion was made by Commissioner Schultz to recommend to the Town Council that the application to Annex the property of Liborio III L.P., located at the above address into the corporate limits of the Town of Cheswold should be accepted.

The motion conforms to the Five Year Growth and Proposed Land Use Plan, (Map 7), for the property, as certified and approved by the current 2020 Comprehensive Plan by the Office of State Planning and Coordination and the current Governor of Delaware.

A second to the motion, as submitted was made by Commissioner Cooper and a roll call vote resulted in the unanimous approval of the motion.

OLD BUSINESS:

- Review of Section 4-4, Total Revision – *Land Use Administrator*
- Table 4-1; 4-2; 4-3; 4-4 - *Town Engineer*

A motion to table Old Business discussion was made by Commissioner Ostafy and seconded by Commissioner Schultz. A roll call vote passed the motion unanimously.

**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, OCTOBER 28, 2021**

COMMISSIONER COMMENTS:

Commissioner Ostafy - *NOTHING to REPORT*

Commissioner Schutlz – *NOTHING to REPORT*

Commissioner Cooper – *NOTHING TO REPORT*

Chairperson Valentine – *Thanked the Commissioners for the fruit basket. Really enjoyed it.*

Chairperson Jones – *NOTHING TO REPORT*

Town Engineer Wilkes – *Annexation is a good thing for the Town as it opens the availability to other parcels and extends water services.*

Land Use Administrator Comments: *Canteen Vending is leaving and there are two, (2), possible vendors interested in the property.*

**Next Meeting Date: Thursday, November 10, 2021; 5:00 p.m., Cheswold Town Hall
Commissioners and Applicants only**

- **ZOOM** will be available for all others

MOTION to ADJOURN:

A motion to adjourn was made by Commissioner Schultz at 6:32p.m. A second to the motion was made by Commissioner Valentine and a unanimous roll call vote passed the motion.

Minutes Submitted by: Land Use Administrator Sam Callender November 1, 2021