

Town of Cheswold
1856



State of Delaware
1787

**PLANNING COMMISSION
MEETING MINUTES
THURSDAY, October 13, 2022
691 Main Street
Cheswold, Delaware 19936**

ATTENDANCE VIA ZOOM WAS AVAILABLE

Planning Commissioners In Attendance:

Mr. Carl Schultz, Chairperson
Mr. Reginald Valentine, Vice Chairperson
Ms. Barbara Cooper Commissioner - via ZOOM
Mr. Dave Naples - Commissioner - via ZOOM

Excused: Ms. Colleen Ostafy, Commissioner
Mr. Thomas Wilkes, P.E., Town Engineer

Also in Attendance:

Mr. Max Walton, Esquire – Town Land Use Attorney - via ZOOM
Mr. Michael Callender, Public Works Director
Ms. Sam Callender, Town Land Use Administrator
Mr. Stephen Williams – Resident, Parkers Run
Mr. Tolano Anderson – Christian Crossroads Church

MEETING OPENING:

The meeting was called to order at 5:30 p.m., by Chairperson Carl Schultz. The Salute to the Flag and a Moment of Silence was omitted as it had been completed in the Public Hearing meeting, prior to this meeting at which all attendees were present.

MEETING PROPERLY POSTED

Chairperson Schultz asked if the meeting had been properly posted and Ms. Callender confirmed that it had.

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ROLL CALL:

Chairperson Schultz conducted a roll call, and it was acknowledged that a quorum of members were in attendance, and the meeting proceeded.

AGENDA REVIEW:

A call for a review of the agenda was made by Chairperson Schultz and a motion was made by Commissioner Naples to amend the agenda to include four, (4), Ordinances for review under New Business. Commissioner Cooper provided a second to the motion as presented and it passed with a unanimous roll call vote of the Commissioners.

MINUTES REVIEW:

The following minutes were reviewed and voted upon:

September 15, 2022 – Monthly Commission Meeting

A motion was called by Chairperson Schultz to approve the September 15, 2022 minutes as presented and it was made by Commissioner Cooper. With a second from Commissioner Naples the motion passed with a unanimous roll call vote.

The meeting continued with a review of the items posted under New Business.

NEW BUSINESS –

Ordinances for Review and Vote – *Land Use Administrator Sam Callender*

- a. 08-29-22-067 Ordinance to Re-Zone Parcels with Outdated M-1 Designations to I-1, (*Industrial*) Designations Consistent with the Current Land Use Ordinance and the 2020 Comprehensive Plan**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the rezoning designations of Map ID's identified within the Ordinance, and located in the Central Delaware Business Park, from a M-1, (*Industrial*), zoning code to the specific designation of I-1, (*Light Industrial*), zoning code to comply with the rezoning designations currently applicable to the zoning codes of the Town's Land Use Ordinance.

PLANNING COMMISSION

TOWN of CHESWOLD

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NEW BUSINESS – *“continued”*

Ordinances for Review and Vote – *Land Use Administrator Sam Callender*

- b. 08-29-22-068 Ordinance to Re-Zone Parcels with Outdated M-1 Designations to I-2 (Industrial) Designations Consistent with the Current Land Use Ordinance and the 2020 Comprehensive Plan**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the rezoning designations of Map ID's identified within the Ordinance, and located in the Central Delaware Business Park, from a M-1, (*Industrial*), zoning code to the specific designation of I-2, (*Heavy Industrial*), zoning code to comply with the rezoning designations currently applicable to the zoning codes of the Town's Land Use Ordinance.

- c. 08-29-22-069 Ordinance to Re-Zone Parcels with Outdated M-1 Designations to C-2, (Commercial) Designations Consistent with the Current Land Use Ordinance and the 2020 Comprehensive Plan**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the rezoning designations of Map ID's identified within the Ordinance, and located in the Central Delaware Business Park, from a M-1, (*Industrial*), zoning code to the specific designation of C-2, (*Highway Commercial*), zoning code to comply with the rezoning designations currently applicable to the zoning codes of the Town's Land Use Ordinance.

- d. 08-29-22-070 Ordinance to Amend the Town of Cheswold Land Use Ordinance to Delete Section 16-6 in its Entirety**

Purpose: This Ordinance is in accordance with the Charter and the amendment of the current 2020 Comprehensive Plan of the Town of Cheswold and is intended to provide for the removal of Section 16-6 in its' entirety from the Town Land Use Ordinance which is no longer applicable due to the passage and approval of Ordinances 07-28-22-065 and 07-28-22-066

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NEW BUSINESS – *“continued”*

Ordinances for Review and Vote – *Land Use Administrator Sam Callender*

After the review of the Ordinances, a motion was made by Commissioner Naples for Land Use Administrator Callender to prepare a Memo to the Town Council recommending the approval of the Ordinances as presented. A second to the motion was made by Commissioner Cooper and the motion passed as a result of an unanimous roll call vote of the Commissioners.

OLD BUSINESS:

a. Review of Article 7. Use Regulation Table

Table 7-2 Permitted Uses & Structures – The Commissioners and Land Use Administrator reviewed the current changes suggested for revision of the table. Mrs. Callender informed the Commissioners that due to a discussion with Mr. Wilkes, the Town Engineer it is additionally suggested that Cell Tower be added to the Use Category and that it be approved for all zones, except Residential. A site plan and conditional use review would also be required.

b. Comparison of R-3 in Article 6. Zoning Districts and Maps; District Purpose and Intent; Section 7-2 By District and Overlay Zone

Mrs. Callender requested the Commissioners to review the differences between the Designation titles for R-3 on different pages throughout the Land Use Ordinance and suggested that the designation be changed from Family Residential to Multi-Family Residential to make it consistent throughout the document. Commissioner Cooper also suggested that the age-defined communities term be removed from any descriptions of R-3, as now there is an approved specific R-5, (Age-Defined), Zoning Code.

The Commissioners agreed to the above suggested changes and Ms. Callender committed to making them and forwarding them to the Commissioners for review at next month's meeting.

COMMENTS:

Chairperson Schultz then asked for comments from the following:

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TOWN ENGINEER COMMENTS:

Thomas Wilkes, P.E. – EXCUSED - *NO COMMENTS*

LAND USE ADMINISTRATOR COMMENTS:

Sam Callender – Introduced Mr. Stephen Williams, resident of Parkers Run and replacement candidate for the Planning Commission due to Ms. Ostafy not being able to attend meetings and participate as she would like. Mr. Williams is a former Planning Commission and Town Council member and should fit in seamlessly. The Commissioners welcomed him warmly and it was noted that Mr. Williams will be formerly appointed at the November Town Council meeting.

COMMISSIONER COMMENTS:

Vice -Chairperson Reg Valentine – *Excused*

Commissioner Colleen Ostafy - *Excused*

Commissioner Barbara Cooper – *NO COMMENTS*

Commissioner Dave Naples - *NO COMMENTS*

CHAIRPERSON SCHULTZ – *Asked if Ms. Ostafy was being removed from the Commission and Ms. Callender responded that she wasn't being removed but replaced because she her other obligations are not permitting her to attend meetings as needed.*

Next Meeting Date: Thursday, 10, 2022; 5:30 p.m.,
Regularly Scheduled Planning Commission Meeting

Meeting to be Held at:

Cheswold Town Hall - Commissioners and Applicants only

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

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MOTION to ADJOURN:

A motion to adjourn was made by Commissioner Naples at 5:58 p.m. A second to the motion was made by Vice Commissioner Cooper and a unanimous roll call vote passed the motion.

Minutes Submitted by: Land Use Administrator Sam Callender – October 21, 2022