



**BRIDGEVILLE PLANNING & ZONING COMMISSION
PUBLIC HEARING
October 15, 2019 – 6:00 P.M.**

I. Call to Order

The meeting was called to order at 6:00 P.M. by Planning and Zoning Commission (P&Z) Chairman Steve Dell.

II. Quorum Present

A quorum was present to hold the meeting (7 Members were present) along with Solicitor Dennis Schrader.

III. Approval of Minutes

Motion to approve the Minutes – Correll; 2nd – Whaley; motion carried (7-0)

IV. New Business (Discussion, Consideration, and possible voting on)

A. Minor Development Plan Application Review and Consideration-TNT Delaware Investments-Lot Subdivision

Jeff Tull, 10285 Redden Road Bridgeville, DE 19933, representing TNT Delaware Investments was present. Mr. Tull stated that they are proposing to subdivide the lot at 407 S. Main Street. Mr. Tull stated that currently it is a vacant lot.

Commissioner Matt Davis asked if the access road is the same for both lots and Mr. Tull stated that it is not. Mr. Tull stated that, that would have to be addressed at a later date and that there is currently an access road on the property for the old house but he is not sure if it is up to State code. Matt asked if there was an alley and Mr. Tull stated that there is not. Mr. Tull stated that the lot is very deep.

Chairman Dell asked if they were planning on selling the lots or building on them. Mr. Tull stated that they have not made a decision yet about that.

Solicitor Schrader asked if both lots faced on to a public street and Mr. Tull stated that yes, they do. Solicitor Schrader asked if they are served by public water and sewer. Mr. Tull stated that yes and that one lot already has water but no meter.

Commissioner Whaley asked if they sewer is lateral to both lots or just one. Mr. Tull stated that it was just one lot at one time, so there is only one.

Town Manager Savage stated that there was a house on the property about ten years ago and fell into disrepair. Mr. Savage stated that the Widow at the time demolished the home but kept the foundation, so it was just one large lot with one connection.

Commissioner Kelly Davis asked what the property backs up to. Mr. Tull believes it backs up to a field. Kelly asked if there was not access to the back. Mr. Tull stated that no there is not. Mr. Savage stated that there is an easement behind the property where the wastewater and sewer main goes to Heritage Shores.

Chairman Dell stated that there were a number of items on the check list that were deferred to later date and he wanted to make sure Mr. Tull was aware of that. Mr. Tull stated that when homes go on the lots then they will address those items. Mr. Tull stated that his engineer, Miller Lewis has addressed all of the items that are needed at this time.

Motion to approve TNT Delaware Investment's Lot subdivision - Cannon; 2nd – Davis; motion carried. (7-0)

B. Minor Development Plan Application Review and Consideration- Bridgeville Self Storage-Expansion

Roger Gross & Heather Gilbert with Merestone Consultants were present. Mr. Gross stated that the project is an existing commercial property that is approximately 5.2 acres. Mr. Gross stated that the project consists of expanding the mini storage element to the west side of the parcel which fronts on South Main Street. Mr. Gross stated that it would be five (5) buildings totaling 11,600 square feet. Mr. Gross stated that the plan has been reviewed and approved by Sussex Conservation District for storm water. Mr. Gross stated that the State Fire Marshall has approved it; DelDot has a letter of no objection for site plan approval and approved an entrance. Mr. Gross stated initially the project did not call for an entrance but you can see trying to get through here, the Fire Marshall had some concerns about it for accessibility. Mr. Gross stated that so now they have an alternate entrance with a fire line and hydrant being installed. Mr. Gross stated that in regards to storm water, there is no discharge and they are infiltrating all of the regulatory storms. Mr. Gross stated that the property will be fenced as well.

Chairman Dell asked, so this is not a subdivision plan, this is a development plan. Mr. Gross stated that no they will not be doing any subdivision work, just expansion of the self-storage.

Commissioner Cannon asked if they were going through Elm Street or Austin Lane for the access. Mr. Gross stated that they are actually putting in their own access. Mr. Cannon stated that he had spoken with Mr. Parnell, Property Owner, and that there was some concern about getting fire trucks in there with the turns.

Commissioner Correll asked how many feet it sets back from S. Main Street. Mr. Gross stated that from the right of way it is about 67+ feet.

Town Manager Savage asked about buffers on the property between neighboring properties. Ms. Gilbert stated that she believes the code calls for a screen every thirty feet or a fence. Ms. Gilbert stated that there was not a lot of room for plantings so they decided on the fence. Ms. Davis asked how high the fence would be. Ms. Gilbert stated that it would be six (6) feet.

Motion to approve the Minor Development Plan for Bridgeville's Self Storage Expansion- Davis; 2nd – Cannon; motion carried. (5-0 with 2 abstentions)

C. Ordinance Review and Recommendation-An Ordinance Amending the Updated 2019 Comprehensive Plan for the Town of Bridgeville to correct Mapping Errors.

Town Manager Savage stated they are replacing three (3) maps, future land use, annexation and current zoning. Mr. Savage stated that there was an oversight in the 110-page document and that the Engineer inadvertently labeled the parcel across from Colter Passwaters on South Main Street, open space when in fact it has been commercial since it was annexed. Mr. Savage stated that the whole North side of Heritage Shores was labeled open space, when we know there is going to be future phases of development. Mr. Savage stated that both errors were on the annexation and future land use maps. Mr. Savage stated that on the current zoning map, there was one parcel to the East of Royal Farms that was labeled in town and commercial, when in fact it is not.

Commissioner Correll asked if this has to go back up to Dover. Town Manager Savage stated that the State is treating it as the Ordinance states, a house keeping issue, so it does not need to be approved by the Governor or the Office of State Planning. Mr. Savage stated that once the State receives the Ordinance showing they have had a Public Hearing and that Planning and Zoning has looked at it, they will be good to go.

Town Manager Savage stated that the Planning and Zoning will be offering a recommendation to the Commissioners in regards to this Ordinance. Mr. Savage stated that any time there is changes to the zoning maps or Chapter 234, Land Use Code, they must come first to Planning and Zoning for a recommendation.

Motion to recommend for the Ordinance Amending the Updated 2019 Comprehensive Plan for the Town of Bridgeville to correct Mapping Errors to be approved. - Correll; 2nd – Whaley; motion carried. (7-0)

D. Rules for the Planning & Zoning Commission, Discussion & Possible Voting.

Solicitor Schrader stated that they have rules that were proposed ten (10) or more years ago, that some where along the line never got adopted. Solicitor Schrader stated that they have revised them and that the list that the Committee has, there are a couple minor changes. Solicitor Schrader stated that on page 2, section 1.5, says Testimony at public hearings shall be taken under oath, that is being stricken because that is not the case before the Planning Commission. Solicitor Schrader stated that on

page 2, section 2.2, states that the meetings start at 7:00 pm, will be changed to 6:00 pm. Mr. Schrader went over the rest of the rules with the Commission such as a Quorum is three (3) members but for an item to be approved they must have majority vote, which is at least 4 members present, the Town Commission can appoint up to nine (9) members.

Patricia Correll stated that page 3, Section 3.3, requires at the time of an application that residents within 200 feet of the property address must be sent a public notice. Solicitor Schrader stated that yes it does require 200 feet notice and State law does for changes of zone. Solicitor Schrader stated that if these rules are adopted, any applications in the future would require residents within 200 feet of the property to be sent a public notice.

Solicitor Schrader stated that back when these rules were written, they used magnetic tape but they don't do that anymore, they use electronic recording. Solicitor Schrader stated that he would change it to recordings will be made and that the recordings will be custody of the Administrative Official.

Solicitor Schrader stated that these rules also require all of the Planning and Zoning Commissioners to attend the meetings.

Solicitor Schrader stated that Section 5.5 should read Majority vote shall be required instead of three (3) affirmative votes.

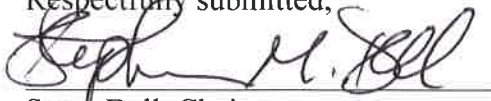
Chairman Dell stated that he saw that roll calls are required. Solicitor Schrader stated yes that is correct. Town Manager Savage stated that is required by law. Mr. Savage stated that if you abstain, you must give a reason why you are doing so. Mr. Savage stated by law there are only a few reasons why you can abstain, and it can not just be, because you do not want to vote. Solicitor Schrader stated that the two reasons that you may abstain are a conflict of interest or you are absent. Solicitor Schrader stated that if it is because of a conflict of interest, the member needs to excuse, recuse, and excuse them self from the room.

Solicitor Schrader stated that he will make the changes and provide a revised copy to the Commission for approval at a future meeting.

V. Adjournment

Motion to adjourn – Saunders; 2nd – K. Davis; motion carried. (7-0); the meeting was adjourned 6:49 P.M

Respectfully submitted,



Steve Dell, Chairman



Ashley Walls, Transcriptionist