

Dagsboro Planning & Zoning Commission
Dagsboro Town Hall
Tuesday September 15, 2015

Call Meeting to Order: The regular meeting of the Dagsboro Planning & Zoning Commission was called to order at 6:00 p.m. by Chairman Scott Crater. Those in attendance were Chairman Scott Crater, Commissioner Connor, Commissioner Flowers, Town Administrator Stacey Long and Mr. Crane representing Savannah Square Business Park, LLC.

Approval of Agenda: A motion was made by Commissioner Flowers to approve the agenda and seconded by Commissioner Connor. All were in favor. Motion carried.

Approval of Minutes: March 11, 2015 Commissioner Connor made a motion to approve the minutes and it was seconded by Commissioner Flowers. All were in favor. Motion carried.

Chairman Crater states that a gentleman who attended a previous meeting never answered what percentage of his business is used to repairing engines. Chairman Crater wanted to clarify if Clayton Theatre was to be sold, the person who purchased it would then be responsible for bringing the sign into compliance with today's code. His intentions to recommend the compliance of all signs within so many years would exclude the Clayton Theatre. Stacey informed the Commission that the Council voted on a recommendation of a specific amount of years that a business had to bring their sign into compliance with the Code. At the end of the meeting the vote was rescinded. Chairman Crater states that it was rescinded because Mr. Witsil or the Council stated that the Planning Commission wasn't issuing code violations. Stacey said she would go back through the minutes to inform them of where this item stands.

New Business:

- A. Resignation letter- Nancy Marvel & Janice Kolbeck Chairman Crater wanted to thank them for their time serving on the Commission.

- B. Review and consideration of recommending the addition of "massage spas exclusively providing massage services performed by professionally licensed massage therapist" as a permitted use in the Highway Commercial Zoning District subsection (23) Mr. Crane informs the Commissioners that he signed a lease with Wang Ju Gen who is in business as Royal Spa LLC. They are a licensed massage therapy center. They have 6 businesses in several different states and they are licensed by the State of Delaware. He did not know the massage spa was not a permitted use under the Code. Mr. Crane states that Savannah Square is 71% full and he has two other tenants interested in placing businesses in Savannah Square. Royal Spa has provided all their licenses to the Council during the August meeting. Chairman Crater asked if Wang Ju Gen will hold a therapist license. Mr. Crane answered at some point she would obtain one. The company itself has individuals who have the principal licenses to work in a massage spa. Chairman Crater informs Mr. Crane that he has a problem with a business who just provides massaging. It doesn't fit with the setting of the Town. Mr. Crane informs the Commission that there was talk about changing the verbiage to say therapeutic massage services in a licensed environment.

Commissioner Flowers asked if they will be hiring local people. Mr. Crane states that the two individuals who attended the Council meeting will be working at the Dagsboro location and other than that he was unsure. Commissioner Flowers has talked with some residents and they have concerns about the business ending up like the situation in Rehoboth Beach and others hear good things about massage facilities. Mr. Crane states that he has done background checks on all parties involved.

Commissioner Flowers asked what kind of monitoring would be done if the business was to open. At this time Mr. Crane was not able to answer. Chairman Crater did contact the State and they informed him that they could not find that a technician could open a business and perform massages. Chairman Crater recommends to Mr. Crane that his tenant should provide another task within the therapeutic massage spa. Commissioner Connor has concerns that once the verbiage is written it allows other businesses to come in with the wrong intentions and they couldn't be turned away since it would be in the code. Stacey informs the Commission that they are tasked with adding this type of business as a permitted use in the Highway Commercial District. Commissioner Connor made a motion to deny the request to add the permitted use in the Highway Commercial District. It was seconded by Commissioner Flowers. All were in favor. Motion carried.

Old Business: Stacey informs the Commission that the gentleman wanting to do business on Piney Neck Road wants to move forward with retail sales of boat accessories which is a permitted use. He is going to forego the boat repair which was a concern. He will provide mobile repair to customers at their home and he will not have an on-site repair service.

Stacey states she will look into the sign situation to see why Council tabled the item. Commissioner Flowers said the issue was at a standstill because of the grandfathering clause.

The Commission should have 5 members. Chairman Crater suggests if a meeting is not held they could still have a workshop to discuss matters of the Town.

Adjournment: Commissioner Flowers made a motion to adjourn the meeting at 6:42 p.m. it was seconded by Commissioner Connor. All were in favor. Motion carried.

Respectfully Submitted,

Autumn Gardner, Town Clerk