

Minutes of Meeting  
Dagsboro Planning & Zoning Commission  
Bethel Center-28307 Clayton Street  
September 14, 2017

I. Call Meeting to Order:

Chairman Brad Connor called the meeting to order at 6:00 p.m.

Those in attendance were: Chairman Brad Connor, Co-Chairperson Cathy Flowers, Commissioner Scott Crater, Commissioner Earl Savage, Town Administrator Cindi Brought, and Town Engineer Kyle Gulbranson. Commissioner Cindy Gallimore was absent. Please see the sign in sheet for others in attendance.

II. Public Comment:

No public comment was made.

III. Approval of Minutes:

A. July 13, 2017 – Planning and Zoning Meeting minutes

Commissioner Savage made a motion to approve the July 13, 2017 meeting minutes. Seconded by Co-Chair Flowers. All in favor.

IV. New Business:

A. Change of Use Application – Pat and Dana Miller

Pat and Dana Miller were present for the application of their Change of Use for their coffee shop. The building had been used for a restaurant, a deli, and most recently, a health food store. Dana has always had a dream of owning a coffee shop and the building became available so they bought the building. The rent from the tenants upstairs covers the mortgage. There was a coffee shop in Bethany Beach called The Artful Bean that closed and the Millers were able to purchase all of their equipment.

Mr. Miller informed the Commission that he has been in contact with Sussex County and they came and looked at the property and said that the Millers do not need to do anything for the county. They have been in touch with DeIDot, but are still awaiting their letter stating that DeIDot does not need to be involved with the parking. There are four spaces out front and at least four spaces out back, excluding the tenants. They have also received permission from Steve Parsons to use his property as overflow parking, if it would be needed. The Fire Marshall has also granted them their pre-approval. The application for the Health Department was submitted two days ago.

Their projected opening date is Black Friday. Chairman Connor asked Mr. Gulbranson if the Millers need to do anything else or what would be next. Mr. Gulbranson replied that the next step would be for the

Planning and Zoning Commission to decide if they approve the Change of Use and as soon as the Millers have all of their approvals, they can get a Certificate of Occupancy.

Commissioner Savage made a motion to approve the Change of Use for the Millers. Co-Chair Flowers seconded. All in favor.

#### B. Village on Pepper Creek – Preliminary Approval

Mr. Hal Dukes is a co-owner of the property seeking preliminary approval for the Village on Pepper Creek development. This project has come through a few times before. In the past, after it was planned, the highway department wanted them to re-do the entranceway. It took them a year to decide what they liked and ultimately decided they liked the old plans the best. Then the stormwater regulations were changed, but were changed back to the original regulations as well. Everything ended up being the same, but now the highway department has given them approval, but told them they need to be started by November 1<sup>st</sup> or they will need to go another two years and start with all of the permits again.

Chairman Connor read that they had sunsetted, but nothing has changed and asked what would need to be done. Mr. Gulbranson replied that it is still 87 lots and it is one of the only subdivisions that has come through town under the cluster provision, which allows for a smaller lot size in exchange for more open space. The plan meets all of the requirements as far as lot size and open space. The only thing that has changed is that Del-Dot wanted an additional entrance on the front so that has been reconfigured slightly. There were two open space pockets on either side of the entrance, but they had to reduce those down to move the property line back a little. It still meets the open space requirements. Some of the lots in the front had to be made wider, but shorter to allow for the open space. All of the lots still meet the 10,000 square foot requirement; the configuration just slightly changed.

Town Administrator Brought informed Mr. Dukes that the plans state “Clayton Avenue” but it is actually Main Street. Clayton Avenue is what the road is called in Frankford. Mr. Dukes is aware of that, but was just following Del-Dot.

Commissioner Savage and Commissioner Crater don’t see any reason to stop the preliminary approval. Commissioner Crater asked if the 75% would come into play for this project as far as finishing the roads. Mr. Gulbranson stated Mr. Dukes will fall under that provision.

Commissioner Crater made a motion for preliminary approval for the Village on Pepper Creek. Commissioner Savage seconded the motion. All in favor.

Mr. Dukes stated the only other thing would be that he would possibly come back in the future to see if they could add a pool. It would be after they have completed some houses. Mr. Gulbranson stated they will have to come back with final plans so a pool could always be added as an amendment. Chairman Connor stated Mr. Dukes will be going before Town Council on Monday and then get the rest of his approvals and then get on the agenda again.

V. Old Business:

VI. Public Comment:

The Commission discussed changing the meeting dates to be two weeks before Town Council meetings so that the Council can have Planning and Zoning recommendations a week earlier. This would mean they need to meet the first week of the month. The first Wednesday works for Co-Chair Flowers, but the first Wednesday does not work for Chairman Connor due to SCAT meetings. Commissioner Savage asked if Thursday is no longer good for other members. Everybody was in agreement that Thursday does work. The meetings will now be the first Thursday of the month, beginning October 5<sup>th</sup>.

VII. Adjournment:

Motion to adjourn was made by Commissioner Savage and seconded by Commissioner Crater. All in favor.

Respectfully Submitted,  
Megan Thorp, Town Clerk