

Minutes of Meeting
Dagsboro Planning & Zoning Commission
Bethel Center-28307 Clayton Street
July 5, 2018

I. Call Meeting to Order:

Chairman Brad Connor called the meeting to order at 6:03 p.m.

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

II. Public Comment:

Jim Thompson from The Woodlands at Peppers Creek was present. He shared pictures that he took recently behind lots 25 and 26. He is concerned that none of the work being done will pass inspection from the soil and conservation district or DNREC requirements. The parcel for the community itself is owned by the property owners, not Fernmoor, so if severe erosion occurs on that property, the bill to fix it goes to the homeowners. Mr. Thompson asked who issues the building permits. Chairman Connor replied it is the town so he should go to the next Town Council meeting.

III. Approval of Agenda

Co-Chairperson Flowers made a motion to approve the agenda. Commissioner Crater seconded the motion. All in favor.

IV. Approval of Minutes:

A. June 7, 2018 – Planning and Zoning Meeting minutes

Commissioner Crater made a motion to approve the June 7, 2018 meeting minutes. Seconded by Co-Chairperson Flowers. All in favor.

V. New Business:

A. Two Farms – Royal Farms Preliminary Plans presented by Becker Morgan Group

Jonathan Street from Becker Morgan Group presented the Commission with their Preliminary Site Plan application and their Comprehensive Sign Plan application for Royal Farms. This site has a few complicated issues that they are trying to work through right now. There is one tax ditch on site that bisects the property. They have had two meetings with DNREC and are working that out. The plan is to reduce the tax ditch right-of-way. DNREC has talked with the tax ditch manager for the area and they are okay with this. They have also talked with Public Works in Sussex County because they have to move their sewer line and that has been approved. They just met with Del-Dot earlier in the week. They will

be extending the current left turn lane for crossing Route 113. They will not be putting a right turn lane in on Clayton Street because the speed limit is only 25 miles per hour and there is a seven foot shoulder there for extra space. They will be putting in a right turn lane for those coming in off of Route 113.

Mr. Gulbranson asked if they have a striped island at the entrance on Clayton Street. Mr. Street answered it is. Commissioner Crater asked if there will be an acceleration lane. Mr. Street replied that Del-Dot has done away with acceleration lanes. They will not be moving the curb out so there will be eight feet there, but they are not putting an acceleration lane in. They have approached the town about possibly reducing the speed limit on the highway through town.

Town Administrator Brought asked about the traffic on Clayton Street because currently there is no turn lane and it backs up. Mr. Street replied that they are going to be widening the road. Co-Chairperson Flowers asked if there will be separate turn lanes for left, straight, or right turns. Mr. Street replied they are not – that would be a total change to the intersection and Del-Dot would not approve that. Del-Dot also wants pedestrian crossing across Clayton Street.

Mr. Gulbranson asked about the current store. Mr. Street replied that he cannot say for certain, but in the past, they use it for something, just not for gas; it won't just sit there vacant.

Co-Chairperson Flowers expressed concern about the traffic going north on Route 113 – many are trying to get through the light at high speeds. She asked Chief Toomey if the intersection is a concern and if there are a lot of accidents there. Chief Toomey replied that it is a concern, but to his knowledge, Town Council has been in support of sending a letter to Del-Dot requesting the speed reduction. They are requesting to reduce it to 45 miles per hour for many reasons, including the number of accidents. Becker Morgan did a traffic study and collected data. They found the average speed for traffic going northbound is 56 to 65 miles per hour.

Chief Toomey stated that these plans do not change the traffic much from how it currently is and reducing the speed limit will help cars be able to get out onto the highway. He is concerned about the entrance and exit on Clayton Street. Cars leaving Royal Farms to go east won't have a clear line of vision around the other traffic on Clayton Street. Mr. Street agreed that is a valid point, but he does not have an answer at this point. Chief Toomey replied that he isn't sure there is a good answer. Mr. Street stated they would have to look at the distribution of traffic – how much traffic will actually use that exit and go left to come into town. Chief Toomey believes they would be surprised how much traffic goes to Royal Farms and then goes east to go to work (customer service, construction, etc. workers that are employed at the beaches). Co-Chairperson Flowers uses the Royal Farms off of Route 24 and stated they only allow traffic to exit in certain directions. Mr. Gulbranson stated the new Royal Farms on Route 54 is also that way.

Chief Toomey also expressed concern about the crosswalk – he asked if the crosswalk is going to be a protected crosswalk. Mr. Street replied that crosswalk will be going away as a result of their recent meeting with Del-Dot. The crosswalk will now be at Route 113.

Commissioner Crater asked about the diesel pumps and if there will be access for a tractor trailer. Mr. Street replied it is and pointed out the offset of the pumps to the entrance, which is to make it accessible for tractor trailers. Mr. Street informed the commission that the lengths of the right turn lanes are based on speeds and the amount of traffic projected. Del-Dot has a table to determine the length of turn lanes based on that information and that is what was used.

Chief Toomey stated that if the speed limit is reduced and with the crosswalk being moved, most of his concerns were addressed, with the exception of the blind spot for those turning east onto Clayton Street from Royal Farms.

Mr. Gulbranson asked Mr. Street to explain the buffer to the commission. Mr. Street informed the commission that the buffer requirements between residential and commercial zones is twenty five feet. In this case, they can't plant because there is a tax ditch and the tax ditch association won't be able to maintain it if there are trees and shrubs planted in the easement. Becker Morgan is proposing a six foot, vinyl fence, but they cannot landscape it. DNREC wants them to actually pull down trees that are already there, but Becker Morgan is hoping to discuss that with them so they do not have to. The DNREC maps all show the tax ditch going the other direction so Becker Morgan is going through the process to reduce the right of way on one section and remove it on one section and then DNREC will need to change the drainage map for the tax ditch association because it is wrong. The buffer they are proposing will actually be twenty eight feet from the property line so it will be larger than the required. Mr. Gulbranson replied that he just wanted it explained because Cea-Dag is right behind the parcel so the buffer is important. He also suggested when the final site plan comes for approval, they will need to be careful lighting won't be shining into the houses back there. Commissioner Crater asked how deep the property is because less buffer might be required. It was determined that allowance might be for Town Center, not Commercial districts. Mr. Street replied that Royal Farms is fine with the current buffer.

Co-Chairperson Flowers asked about the music at the pumps because it can get loud and the Cea Dag houses are behind there. Mr. Gulbranson asked if the diesel pumps have music too. It was unknown, but Mr. Street stated he can take any concerns back to Royal Farms to be addressed. Mr. Street said that part of the pumps will also be blocked by the building itself.

Chief Toomey asked if it is code to have just two handicapped spots. Mr. Street replied that the number of handicapped spots is based on the total number of parking spaces and they do have a third in the back. This store will have a rear and front entrance. The threshold for three handicapped spaces is seventy five parking spaces. Town Administrator Brought asked how close it is to the Savannah Square entrance because of cars going in and out to both locations. Mr. Street and Mr. Gulbranson replied there is quite a distance (at least five hundred feet) because the Savannah Square entrance is at the northern end of the shopping center.

Mr. Gulbranson directed the commission to look at the Comprehensive Sign Plan application that was submitted. A large, commercial complex is allowed to submit a comprehensive sign plan and then the Planning and Zoning Commission reviews the signs to make sure they are appropriate because they are not compliant with the traditional signs. Mr. Street informed the commission that currently what is out

on the highway is circa early 2000's. He doesn't think there is much of a difference. The only noticeable difference is that the pilings for the sign are pushed out further. They have added two directional signs that are eighteen inches by four feet high that say "Royal Farms Entrance." Other than that, the canopy signage and building signs are roughly the same.

Commissioner Crater asked what is not following the code. Mr. Gulbranson replied the height and amount of signage. The sign is twenty five feet high and sixteen is what the code allows. Commissioner Crater asked how high the sign is at Savannah Square. Mr. Gulbranson couldn't say for sure without looking, but estimated it is at least twenty feet because they did a Comprehensive Sign Plan also. Savannah Square's sign is also much wider than what Royal Farms is proposing. Chairman Connor stated the sign where they post about the gasoline was allowed before so it should be allowed again. Mr. Gulbranson feels that for the type of business this is, the signs proposed are not excessive. He looked at the current Royal Farms today and the signs are very similar. The new ones will be more modern and upgraded, but in terms of the numbers and scale, it will be about the same.

Chairperson Connor asked what the Commission needs to do to allow the signs. Mr. Gulbranson replied that the Commission would just need to make a recommendation to approve the Comprehensive Sign Plan. Co-Chairperson Flowers asked if that would affect any of the town's discussions with Bodie's regarding signs. Mr. Gulbranson stated that Bodie's would not qualify because there are certain thresholds that allow a person to go through the Comprehensive Sign Plan process. Royal Farms qualifies because the site has four hundred feet of highway road frontage. Co-Chairperson Flowers stated she is not opposed to the plan, she just didn't want it to cause issues with Bodie's.

Commissioner Crater made a motion to recommend approval for the preliminary site plan to Town Council and also to recommend approval for the Comprehensive Sign Plan to Town Council. Co-Chairperson Flowers seconded the motion. All in favor.

VI. Old Business:

VII. Public Comment:

No public comment was made.

VIII. Adjournment:

Motion to adjourn was made by Co-Chairperson Flowers and seconded by Commissioner Crater. All in favor. Meeting adjourned at 6:40 p.m.

Respectfully Submitted,

Megan Thorp, Town Clerk