

Minutes of Meeting  
Dagsboro Planning & Zoning Commission  
Bethel Center-28307 Clayton Street  
October 4, 2018

I. Call Meeting to Order:

Co-Chairperson Cathy Flowers called the meeting to order at 6:00 p.m. The Commission held a moment of silence in memory of Scott Crater.

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

II. Public Comment:

No public comment was made.

III. Approval of Agenda

Commissioner Savage made a motion to approve the agenda. Commissioner Gallimore seconded the motion. All in favor.

IV. Approval of Minutes:

A. September 6, 2018 – Planning and Zoning Meeting minutes

Commissioner Gallimore made a motion to approve the September 6, 2018 meeting minutes. Seconded by Co-Chairperson Flowers. All in favor.

V. New Business:

There was no new business; however, Audrey Miller was introduced. She is the new member of the Planning and Zoning Commission. Also, the November meeting will be November 8<sup>th</sup> instead of the first Thursday. Town Administrator Brought informed the commission that the real estate agent for the old fire hall wants to come to the next meeting. The person buying the building will not be coming, but it seems to be light industrial. Town Administrator Brought will send out his website so the commission can look at it and be familiar with it before the meeting.

VI. Old Business:

A. Continue Reviewing Comprehensive Plan – Update due by April 2019

At the last meeting, the commission had just started the comprehensive plan process and decided to send the 2015 plan to the state for review. Mr. Gulbranson informed the commission that has been done and it is scheduled for a meeting on October 31<sup>st</sup>. Co-Chairperson Flowers asked for more details as to what they will do. Mr. Gulbranson replied that they will distribute the plan to all of the state

agencies for review. The agencies will attend the meeting and go through what updates they would like to see in the plan and any new regulations that were not in effect when the last plan was adopted. After that meeting, they have 30 days to draft a letter back to the town stating the suggestions they have and what needs to be incorporated. Mr. Gulbranson attended a meeting for Millsboro a few months ago and it included a representative from Del-Dot, DNREC, housing development, and historical cultural affairs.

Mr. Gulbranson informed Commissioner Miller that they have been working on the Comprehensive Plan. It was first adopted in 2003 and the state requires it to be updated every ten years and review it every five years. The community can also review it on the fifteenth year and if they think it is still relevant, they don't have to do anything – this was done in 2015. Now that 2019 is approaching, it is time to do a new plan.

At the last meeting, the commission tasked themselves with reviewing sections one and two. Mr. Gulbranson suggested that not much needs to be done with chapter one. It is mostly about the legislation that requires the plan to be reviewed and updated and the location and history. Section 1-3 is the make-up of the town and it will need to be updated a little because there has been some residential growth and new businesses in town, but most of the section will remain the same.

The commission also reviewed some tables on page four of the plan. Commissioner Savage asked who compiles the information. Mr. Gulbranson replied the town, the census, and the county and town building permit records all contribute. He informed the commission that the 2009 plan was done right at the peak of the building boom and at that time, Dagsboro was going to be the next little boom town in Sussex County. There were 2,600 residential units approved for the town in the time frame from about 2007 to 2010, but only about a handful of those were actually constructed. In the 2015 plan, the population projection was scaled back.

The next section is the community vision and goals. There isn't much to change with the goals, which is "to encourage residential and business growth, but protect the small town atmosphere." The information from the Downtown Development Committee does need to be added to the plan.

Next, was the public participation section. Town Administrator Brought asked if another mass mailing would be sent out. Mr. Gulbranson informed the commission that the last time the plan was reviewed, a questionnaire was sent out to residents asking for the positive and negative things about the town, what type of residences and businesses they would want to see, etc. It was sent with the water bill and about 16% were sent back. The state requires at least one public meeting or workshop and then to adopt the plan, there needs to be a public hearing. The public workshop needs to be advertised in two papers. Mr. Gulbranson recommends that once there is a draft ready, they have the public workshop and then the results of the workshop can be incorporated in before it goes back to the state for review. The state will review the plan before the town adopts it. Commissioner Savage asked for clarification on when the workshop would be. Mr. Gulbranson replied that it would be after they have a draft ready so probably around February.

Co-Chairperson Flowers suggested that with Facebook, the questionnaire might be better publicized or the fire hall could maybe put it on their sign. Mr. Gulbranson suggested an online survey on the town's website and it can be referenced on Facebook and then send out a paper survey with the water bills. Town Administrator Brought thinks that may be difficult because the water bills are postcards now – she suggested doing a separate mailing from the water bills. Mr. Gulbranson clarified that they would want to do the survey both ways – online and paper. Town Administrator Brought confirmed that would be

good. Mr. Gulbranson asked if they think just one public workshop is enough (that is all they did last time). Co-Chairperson Flowers agreed – she feels they don't get enough attendance to make it worth doing more. Others agreed. Commissioner Savage found a section that he thought could include parking or lack thereof. Mr. Gulbranson confirmed and asked the commission what they think the big issues are that they should include in the survey. He informed them that last time there was demographic information about where the person lives, their age, etc. and then there was a section about what they would like to see in town. Parking was addressed then also. Co-Chairperson Flowers stated it has been talked about, even at Town Council. The lot next to Bodie's would be ideal for parking. Town Administrator Brought informed everyone that the Masonic Lodge is planning on rebuilding and they are talking about having parking in the front and their building further back, which they would allow the town to use. She recommended they still include parking because this isn't definite yet.

Co-Chairperson Flowers noted the questionnaire mentioned property maintenance. She feels that has been an issue. Commissioner Savage noted the traffic being an issue at that time also and asked if there has been any concern or solutions to that. Mr. Gulbranson replied that the previous plan was done when there was talk of doing a Route 113 bypass east of Millsboro and Dagsboro and connecting back to Route 113 in Frankford and the plan advocated for that. However, the Town Council at that time changed and went against that idea. Del-Dot did not get much support for the bypass idea; it was almost all negative except for the section around Millsboro. Co-Chairperson Flowers expressed concern that anytime they ask for anything such as red light cameras, crosswalks, etc., it gets ignored. There was a feeling among the commission that Del-Dot doesn't care. Mr. Gulbranson explained it's a matter of getting to the right person. Mr. Gulbranson stated the plan also talked about a connecting road between Dagsboro and Frankford to help with traffic. Co-Chairperson Flowers mentioned speed bumps being put in. Mr. Gulbranson replied that would be Del-Dot because Main Street and Clayton Street are state maintained roads. He stated it's even more challenging because not only are they state maintained roads, they are state numbered highways so Del-Dot would be very hesitant to do anything that would restrict them, even restricting truck traffic. He informed them that Millsboro was trying to restrict truck traffic on State Street in front of the middle school and they were told that federal law makes it very difficult to restrict interstate commerce by truck. Co-Chairperson Flowers expressed concern because the plan talks about growth, but the only roads are small. Mr. Gulbranson replied that a lot of people complain about traffic, but then when Del-Dot talks about expanding roads, nobody wants them to expand the roads. Speed bumps on the town streets are an idea though. Commissioner Savage believes a larger highway toward the beach will be inevitable one day. Mr. Gulbranson stated that he believes Del-Dot's plan, since the bypass was not supported, is to build the section around Millsboro and then improve Route 113 and make it limited access as much as possible. It was agreed that transportation is definitely an issue to be discussed in detail with regards to the comprehensive plan.

The demographic section, which comes next, will all be updated with numbers collected from the census. Commissioner Savage noticed that one page stated the town would employ a part-time code enforcement officer – he asked if that was Town Administrator Brought. She replied that is her.

The next section discusses future land use and annexation. Mr. Gulbranson reviewed the zoning map with the commission. He explained that the comprehensive plan looks at future uses. The future land use from earlier has an Institutional category, which includes the high school, Dagsboro Church of God, the Armory, and the old fire hall. The annexation area from the previous planning commission is also very large and could be scaled back or left alone. Co-Chairperson Flowers expressed concern that people that are currently just in the county would be opposed to being annexed into town where they would then have to be on town water and have to follow the town "rules." Mr. Gulbranson replied that

typically the incentive for annexing into town is the water and sewer service and police coverage. Commissioner Savage questioned where the botanic garden will be when annexation down Piney Neck Road was discussed as he believes that may have an impact to the town. Mr. Gulbranson did point out that in order to annex into the town, the property has to be contiguous. As far as Piney Neck Road, in order to annex the gardens or near it, all of the properties in between there and the town limits would need to annex in. Town Administrator Brought replied that there have been some people out Piney Neck Road that have inquired. Co-Chairperson Flowers stated there is a neighborhood behind Bunting's Garage that came to a town council meeting once because they wanted police coverage. The Del-Dot facility was interested in getting town water at one time, but the properties in between did not and since then, one property in between has de-annexed.

Mr. Gulbranson informed the commission they should keep in mind that the town does not provide its own sewer services – it is in the Dagsboro/Frankford Sewer District with the county. It includes the town boundary of Dagsboro and Frankford. If someone wants to annex into town, they would need to petition the county also for the sewer. Commissioner Savage asked if there would still be some capacity to add more users to the sewer. Mr. Gulbranson thinks there would be because they have recently completed some major upgrades.

Co-Chairperson Flowers asked what the drawback would be if they scaled back the annexation area. Mr. Gulbranson explained how the process is supposed to work to try to answer that question. The map shows a primary annexation area and a secondary annexation area. If there is any development going on in the area of concern, the county is supposed to notify the town. Town Administrator Brought replied that the county recently did work on the sewer at the Route 113 and Clayton Street annexation area, but the town was not notified and it would have been the perfect time to work on water there as well. Mr. Gulbranson agreed that is how it is supposed to work. There was a time in the past when Mr. Gulbranson was sent to the county as a development was put in that was in the primary annexation area and the town wasn't notified, but the town council at that time told him to let the county do whatever they wanted. Part of the state planning office's goals is to push development towards the incorporated towns. Mr. Gulbranson believes the primary annexation area is still good. Some commission members feel the rest of the annexation area is overboard. Town Administrator Brought asked if the state planning office would have a problem if the annexation area is scaled down. Mr. Gulbranson replied that he doesn't think so; they did have a concern with some overlapping areas, but he isn't sure how they would avoid that. Commissioner Savage doesn't see a need to change anything; he feels they can just wait and see. It was discussed that they can keep it as it is.

Mr. Gulbranson asked the commission how they feel about the future land use. They do need to discuss an RPC zone – a residential planned community. It is a piece of property scheduled for residential development made of different housing types. The last town council and planning commission allowed for flexibility with design and lot size. Mr. Gulbranson stated that this was the General's Green community in the past. Town Administrator Brought asked if they came to Mr. Gulbranson recently and stated they were no longer going to develop. Mr. Gulbranson replied they did not – they actually came back with another plan about five years ago where they scaled things back. He pointed out another property that was The Highlands at Pepper Creek – it was mixed with townhomes and condos. The developer then wanted to do apartments because of the lack of apartments in the area, but after looking at the town's requirements, they decided it wouldn't work. Assisted living options were discussed. Mr. Gulbranson informed the commission that the town got rid of the high density residential district so it reverted back to the medium density residential requirements. Commissioner Savage noted that medical facilities were addressed on the survey. Mr. Gulbranson showed the existing land use map

that was done in 2001 so that will need to be updated. The future annexation areas they will keep the same and the future land use they will keep the same.

The next sections on utilities will all be updated with new information. The public safety section will need some adjustments with the new fire house being added and the police department has more than two officers. Town Administrator Brought stated the job positions section will need to be updated. Co-Chairperson Flowers questioned the number of community meeting spaces since the Armory was listed – that may not be the case anymore. She also stated they no longer have a book mobile. Mr. Gulbranson asked if they wanted to discuss a possible new Town Hall under community facilities since it is needed. Town Administrator Brought stated they should – and include new facilities for the police department also since they have such a small space and no holding room when they have a person under arrest, etc.

The commission moved onto the next page which covers storm water. DNREC will probably have comments on this section. Mr. Gulbranson suggested they re-visit this section after getting comments from the state because regulations have changed.

In regards to the Parks and Recreation section, Mr. Gulbranson stated that in the past it was discussed that the town could be more walking friendly and linking it to the park, replacing damaged sidewalks and adding sidewalks as needed, etc.

Commissioner Gallimore questioned the comment in the Economic Development section about the town having a Chamber of Commerce. Commissioner Miller stated they are working on that with the Dagsboro Business Alliance. They just started it in the past few months and they meet monthly. They won't be considered a "chamber" though because they don't want the dues associated with it. Mr. Gulbranson stated that will all need to be added in and the information from the downtown development plan will be added in also.

Town Administrator Brought asked if there has been any interest in the past in organizing a historic district. It was discussed that there are several buildings that would qualify and it could be a group of people or a town orchestrated group. Mr. Gulbranson informed the commission that Millsboro is looking into setting up a town orchestrated historic district because they are trying to open the theater back up. If a building is historic, but not in a historic district, it has to follow all of the new construction standards, fire marshal standards, etc., but if it is part of a town designated historic district, there is some leniency. Town Administrator Brought stated that would be a benefit as there have been some businesses in town that ran into a lot of expense from fire marshal regulations. Commissioner Gallimore stated that the building that was Beach Uniques is an old building. It was discussed that one of the consigners at Jayne's Reliable will be moving into the old Beach Uniques mostly for weekends until she retires. Commissioner Gallimore stated she remembers it being a hardware store. Mr. Gulbranson stated it probably is one of the older buildings in town. It was decided the town may want to discuss this further.

Commissioner Miller asked about the part that states a brochure would be distributed to homeowners informing them of programs available to help maintain their properties. Mr. Gulbranson stated it was discussed in the past. Town Administrator Brought stated the one program now has so many requirements; it makes it difficult to nominate homeowners.

VII. Public Comment:

No public comment was made.

VIII. Adjournment:

Motion to adjourn was made by Commissioner Gallimore and seconded by Commissioner Miller. All in favor. Meeting adjourned at 7:29 p.m.

Respectfully Submitted,

Megan Thorp, Town Clerk