

Minutes of Meeting
Dagsboro Planning & Zoning Commission
Bethel Center-28307 Clayton Street
March 5, 2020

I. Call Meeting to Order:

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

Those in attendance were: Chairman Brad Connor, Co-Chairperson Cathy Flowers, Commissioner Cindy Gallimore, Commissioner Earl Savage, Commissioner Audrey Miller, Town Administrator Cindi Brought, and Town Engineer Kyle Gulbranson. 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 were in favor.

IV. Approval of Minutes:

A. February 6, 2020

Co-Chairperson Flowers made a motion to approve the minutes. Commissioner Gallimore seconded the motion. All were in favor.

V. New Business:

- A. Shaubach-Ankrom Subdivision – Richard Shaubach
- B. Morse Roofing – Vines Creek Road (29482)
- C. Old Firehouse Purchase – Jerry Green
- D. Tax Map Parcel (0 S. Clayton) 2-33-11.00-253.00; Warehouse/Office Space-Brian Florek
- E. Artesian Water – Final Site Plan

A. Shaubach-Ankrom Subdivision – Richard Shaubach

Mr. Shaubach, his wife, Marianne, along with Jerry Clark, with Bethany Area Real Estate, were present to discuss Mr. Shaubach's process of purchasing land off of Piney Neck Road. Mr. Clark stated that once Mr. Shaubach purchases the property the goal is to subdivide the property into five building lots. Chairman Connor stated that this had been brought up before; Jerry Clark stated "yes," but by Mr. Ankrom and it fizzled out. Mr. Ankrom is now ready to sell the property to Mr. Shaubach. Town Engineer Gulbranson stated that we have the updated subdivision plan and it looks good and there is water and sewer on both Waples and New Street. Mr. Gulbranson stated that this is a better configuration than what the Town saw a few years ago and Town Code states that anything more than four lots is a major subdivision, the next step would be to apply for subdivision approval through the Planning Commission and then to Town Council. Chairman Connor stated to just get the application filled out and come back next month. Mr. Gulbranson stated that in terms of water the Town has the capacity so that is not an issue and they would need to talk to Sussex County about sewer capacity. Mr. Shaubach is eager to go to settlement. Mr. Clark asked if P & Z sees any issues with him purchasing the lots. Town Administrator Brought stated that she did not and Mr. Gulbranson stated he did not either. All the lots are proposed to front town streets and therefore Del-Dot should not be involved.

B. Morse Roofing – Vines Creek Road (29482)

Tom Morse and, his wife, Tomie Kay Morse are the owners of Morse Home Improvement Roofing and Siding, currently with offices in Millsboro and Millville, stated that they have a contingency agreement with a property here in Dagsboro in the Town Center District. Mr. Morse stated they are seeking approval to build their own corporate office and design center studio and attached is a preliminary drawing. Mr. Morse stated that lots 149.01 and 150.00, which are the front two lots, with lot 150 being the larger lot with the house on it, will be the future build. They would like to build/construct a 40x80 stick frame single story earth tone building with attic space for office use. Mr. Morse stated that they have 14 employees and 24 sub-contractors, which meet on site, not at the office.

Mr. Morse received the survey yesterday and the property is labeled AR-1 with the County. He questioned if that is still within Town Code. Town Engineer Gulbranson stated that AR-1 is a County zoning category and it's definitely Town Center for Dagsboro. Mr. Morse stated that as far as square footage it is 3200 square feet and then a 16 foot wide storage spot for a total of 4,000 square feet. Mr. Gulbranson stated that the Town Center does have a cap on building size, which is that it cannot be over 10,000 square feet for a single building. There can be multiple buildings but one cannot be over the 10,000 square feet. Town Engineer Gulbranson stated that his only concern is Del-Dot and a commercial entrance. The plot plan shows the entrance between the existing house and the two lots. Mr. Morse stated that based on the guidelines, the parking needs to be towards the back and covered. They have an extension with a 16 foot fence on the side for employee and customer parking. The average customers that come in would be about 5-7 a day. They are primarily an in home consultation company.

Town Engineer Gulbranson advised that if they move forward they would need to go through the Site Plan process for the Town. Agency approvals (Del-Dot, Conservation District, Fire Marshal) need to be presented to the Planning Commission for review. Typically with the Site Plan, there is a preliminary plan and a final plan. The preliminary plan can be submitted with your application for the Planning Commission and then AECOM, the Town Engineer, gives suggestions and/or changes. Once that is squared away, you come back with final plans and agency approvals. At that point, hopefully, everything is good and Town Council will approve it.

Mr. Morse asked if there was anything that could be thought of as far as Town Council not approving. Mr. Gulbranson stated that not really, Town Council and the Planning Commission's main concern is that buildings fit in with the small town atmosphere of Dagsboro and try to look residential if at all possible. Mr. Gulbranson stated that there are design guidelines which are in Chapter 75 of The Code. The Town Center District is a mixed use, which is both commercial and residential.

Chairman Conner asked about the plans for the existing house. Mr. Morse stated that as part of the commercial loan application it cannot be leased out, therefore, it is undecided at this time. It may become an office space for some of the production guys until we can build something further in the back. Mr. Morse stated that they are eliminating the pool as well.

Mr. Morse asked if anyone foresees any issues being able to build on two of the lots. Town Engineer Gulbranson stated that they may need to be combined.

C. Old Firehouse Purchase – Jerry Green

Chairman Conner stated that this has been postponed to next month April 2nd as Jerry Green could not make it.

D. Tax Map Parcel (0 S. Clayton) 2-33-11.00-253.00; Warehouse/Office Space-Brian Florek

Brian Florek is looking to purchase a property in Dagsboro for a small business that he has had for ten years of building/selling trophy display shelves for different sporting events. It would be a storage, office and wood shop. He would like to build a facility that he could use for his company as well as a couple other facilities for small businesses in the area to rent out. He would like two pole buildings up front. Chairman Conner asked about the layout, Mr. Florek stated he did not plan to use the entire parcel and is not looking to crowd the area. Town Engineer Gulbranson stated that the same rules apply as did for Morse Roofing, with the building size of 10,000 square feet and he would go through the Site Plan process as well. Mr. Florek inquired about that. Town Engineer Gulbranson stated that on the website you go to Town Code then the section for zoning to learn the Site Plan process. Mr. Florek asked about Del-Dot approval. Mr. Gulbranson stated yes, a commercial entrance permit would be needed since that is a state maintained road and also the letter for sewer from County. Town Administrator Brought mentioned EDU's for water use. Mr. Gulbranson stated that the Town charges for EDU's (Each Dwelling Unit) by fixture count. The uses you are planning to have office/warehouse sounds like you won't use a lot of water so it probably will only be 1 to 2 EDU's per building, but he can't say for sure. Chairman Connor stated that it could be more depending on who the rental is, for example a restaurant.

E. Artesian Water – Final Site Plan

Rob Duma, DBF Consulting Engineer for Artesian, and Kathy & John Thaeder with Artesian appeared for contingent Final Site Plan approval. Mr. Duma stated that they have all of the required agency approvals (Del-Dot, Sussex Conservation District and Sussex County Sewer) and are currently addressing the comments from AECOM. Town Engineer Gulbranson stated that most of their comments were housekeeping issues and there was not anything seriously wrong with the plan, just general engineering questions as to placement of certain things, not enough information or something was missing. Mr. Gulbranson also stated that the Town requires a landscaping plan and we have not seen one yet. Mr. Gulbranson understands there were some issues with security and they did not want heavy landscaping around the facility. Mr. Gulbranson feels the Town would like to see a landscaping plan around the perimeter, as a buffer for the residents that live around here. Dagsboro is a Tree City and we have worked with the Department of Agriculture over the years to increase our tree canopy. Kathy and John Thaeder will look into the buffer prior to the upcoming Town Council meeting.

Kathy Thaeder asked for clarification on some of the questions that need to be addressed (onsite piping). For example, the type of bins and depth, she stated that typically this is their water system and the Town will never own it. They design their own water system. Town Engineer Gulbranson stated that this is a unique situation and you are a private water utility operating in a Town. You will be connecting and possibly supplying the Town with water. In terms of your system, on site you probably have discretion, but where it connects to the Town system, you do not. Mrs. Thaeder asked if Mr. Gulbranson's comments about the design of the water was something that they could take exception to. Mr. Gulbranson stated again that a lot of it was missing information, like tank locations or dialogue about what the tank was going to be sitting on, (if it will be on a concrete pad). We just need more detail. Rob Duma stated that he could clear a lot of that up for Artesian.

Mrs. Thaeder asked about the ADA requirements, and stated that they do not have the public in their buildings so therefore they do not typically design the building for ADA. Mr. Gulbranson asked if they would have employees there, and Mrs. Thaeder stated yes there would be employees in the building. Mr. Gulbranson stated then yes, they must meet ADA requirements.

Chairman Connor inquired about the water tower at the old firehouse on Waples Street once Artesian hooks up to the Town. He asked if the tower would still need to be there. Mr. Duma asked if he was talking about the current elevated tank and Chairman Connor stated yes. Mr. Duma stated that when this building is constructed there will be no elevated tank, so you will still need the tower. When Artesian builds their tower, it could become frivolous, but at that point we would need to sit down and make sure we are not being redundant and that we are complimenting each other. Chairman Connor stated that the firehouse is trying to sell the old firehouse and the Town has a 99 year lease on the tower, we just needed to know the importance of the existing tower.

William Chandler asked if there would be a sidewalk. Mrs. Thaeder stated that there would be a shared use path, which is 10 foot of asphalt, kind of like a bike lane.

Commissioner Savage made a motion to make the recommendation to Council to approve the Artesian Final Site Plan contingent upon adequately addressing AECOM's comments, submission of a Landscape Plan, and a recommendation for the color scheme (green roof, tan siding, green wainscoting with cupolas and shutters). Chairperson Miller seconded the motion. All were in favor.

VI. Old Business:

A. Comprehensive Plan Signed By Governor

Town Engineer Gulbranson presented the Committee with the Governor signed copy of the Comprehensive Plan.

VII. Public Comment:

No public comment was made.

VIII. Adjournment:

Commissioner Savage made a motion to adjourn. Co-Chairperson Flowers seconded the motion. All were in favor. Meeting adjourned at 7:00 p.m.

Respectfully Submitted,

Stacy West, Town Clerk