

Minutes of Meeting
Dagsboro Planning & Zoning Commission
Bethel Center
December 7, 2023

I. Call Meeting to Order:

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

Those in attendance were: Commissioner Brad Connor, Commissioner Cathy Flowers, Commissioner Cindy Gallimore, Commissioner Carol Thompson, Town Administrator Cindi Brought, and Engineering Consultant Kyle Gulbranson. Commissioner Janice Kolbeck was absent. Please see the sign in sheet for others in attendance.

II. Public Comment:

No public comment was made.

**III. Approval of Minutes:
September 7, 2023, Meeting Minutes**

Commissioner Thompson asked for confirmation on the third paragraph under new business where it states bocce and asked what that means. Engineering Consultant Gulbranson stated that it is a bocce court. Commissioner Thompson asked if it is bocce or hibachi. Town Administrator Brought stated that it is bocce ball.

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

**IV. New Business:
Jerry Clark – Proposed business/apartments at his property
on Lingo Street (Rezoning Application)**

Jerry Clark, of 32170 Lingo Street, stated that the house has been gutted and his office is located downstairs, and upstairs is used for storage. He stated that he wanted to rezone the property from Commercial to Town Center to have a daycare center. He added that his mother started Discovery Island Learning Center 25 years ago and the current owner has had the daycare in Town for 18 years, but her lease was not renewed. He stated that originally his plan was to expand the block building on his property for a daycare center and have 4 apartments on the top level, but he has now decided to purchase the house next door to him from Glenn Cave. Mr. Clark stated that now he would like to rezone the additional property to go with the property he already has and then expand the daycare center instead of using the block building.

He also stated that he will be settling on the Glenn Cave property in January and once he helps relocate the current tenant, his plan is to demolish the house and sheds. Once the property is cleaned up, Mr. Clark plans to build the daycare center on the property.

Engineering Consultant Gulbranson stated that the process for this rezoning would be if a recommendation is given, it would go to the Town Council for approval. The next step would be to amend the Comprehensive Plan Future Land Use Map since this property is listed as commercial property. He recommended that the

Town ask for a waiver instead of going through the PLUS application. He added that typically if it is in Town, and the boundary of the Town isn't being changed, it won't be an issue. He stated that they can send a letter to Dorothy Morris at State Planning and ask for a waiver and that the process should take about 30 days. Town Administrator Brought stated that once the waiver is received, they can have the Public Hearing.

Engineering Consultant Gulbranson stated that they need to have a Public Hearing to change the Comp Plan and then right after that one, they need to have a second Public Hearing to change the zoning of the property. He stated that Mr. Clark should modify his Zoning Application to include both parcels. Jerry Clark asked if he needed to wait until after settlement on the Cave property. Town Administrator Brought stated that he could get the current owner to sign a letter stating that he agrees to the rezoning of the property. Mr. Clark replied that the current owner would agree to that.

Commissioner Connor asked if they would need to wait to approve this until everything is completed. Engineering Consultant Gulbranson stated that they can recommend approval and add that there is a second parcel being added to the application. Commissioner Thompson asked, "All we would be doing is approving the rezoning?" Engineering Consultant Gulbranson replied that they would be making a recommendation to the Town Council for rezoning. He added that once the property is rezoned, then a Site Plan Application would need to be submitted. Commissioner Connor asked if Mr. Clark had spoken to any neighbors about his plan. Jerry Clark replied, "No." Jason Russell, who lives 2 houses away from Mr. Clark, stated that he has no issues with the plan.

Commissioner Thompson asked what ages would be attending the daycare. Jerry Clark stated that it would include all the way up to school aged children and possibly a small program for after school children. Commissioner Flowers stated that Discovery Island had been doing well when they had to close. Jerry Clark stated that the owner has 3 other daycares in western Sussex County, and she is excited with his plan because it will be a larger facility. Commissioner Thompson asked, "What was the capacity of Discovery Island and what will the new daycare's capacity be?" Jerry Clark stated that Discovery Island accommodated 40 children and the new one should be able to accommodate 72. Mr. Clark's architect, Daniel, stated that by adding the additional property, they will be making some changes to the plan. Jerry Clark added that they will be able to expand now.

Commissioner Thompson asked about the process of parking and having room to drop children off. Jerry Clark stated that with daycares, most of the parking is for the staff since parents just drop the children off. Commissioner Thompson asked if there would be room for a playground. Mr. Clark replied, "Yes, there has to be a playground." Commissioner Thompson asked what the projected time frame for completion would be. Mr. Clark stated that he would like to see the daycare up and running by September.

Commissioner Thompson asked for confirmation that this is just the beginning, and the project would be coming back for more approval. Engineering Consultant Gulbranson stated that Mr. Clark is going to modify his application to include the additional property that he is purchasing and then it could go to the Town Council this month for approval. If approved by the Town Council, then a Public Hearing could be scheduled for January and then a letter will be sent to State Planning requesting a waiver. He added that a Site Plan Review Application will need to be submitted and would come before P&Z for their Preliminary Recommendation and then go to Town Council for Preliminary Approval and once all agency approvals have been obtained, then they would come back for Final Approval.

Commissioner Thompson made a motion to make a Recommendation to the Town Council to approve the rezoning from Commercial to Town Center for the initial parcel and there will be an additional parcel added to the application that will be Residential that needs to be rezoned to Town Center as well. Commissioner Gallimore seconded the motion. All were in favor.

V. Old Business

Commissioner Connor stated that Commissioner Thompson turned in her resignation to the Planning & Zoning Commission as of December 8, 2023. Carol Thompson will be joining the Town Council.

VI. Public Comment:

There was no public comment.

VII. Adjournment:

Commissioner Flowers made a motion to adjourn. Commissioner Thompson seconded the motion. All were in favor.

Meeting was adjourned at 6:18 p.m.

Respectfully Submitted,
Wendy Rayne, Finance Clerk