

Minutes of Meeting  
Dagsboro Planning & Zoning Commission  
Bethel Center  
May 9, 2024

I. Call Meeting to Order

Commissioner Cathy Flowers called the meeting to order at 6:00 p.m.

Those in attendance were: Commissioner Brad Connor, Commissioner Cathy Flowers, Commissioner Cindy Gallimore, Commissioner Janice Kolbeck, Commissioner Will Labor, Town Administrator Cynthia Brought, and Engineering Consultant Kyle Gulbranson. Please see the sign in sheet for others in attendance.

II. Reorganization of P & Z Commission – Nominations and Vote

Commissioner Kolbeck nominated Brad Connor for Chairman. Commissioner Gallimore seconded the motion. All were in favor.

Chairman Brad Connor nominated Cathy Flowers for Vice-Chairperson. Commissioner Kolbeck seconded the motion. All were in favor.

III. Public Comment

Mayor Chandler stated that the Town Council recently invited a representative from the State Public Integrity Commission to present the Ethics Standard of Conducts that apply to any public body, who are governed by the Code of Conduct. He presented the P&Z Commission with the materials that Deborah Moreau, Council to the Public Integrity Commission, provided to the Council. He added that they are all members of a public body, duly appointed, and are governed by the Code of Conduct. Mayor Chandler wanted to remind them that they are an independent public body, obligated to make decisions independently and impartially. If for some reason, their judgement would be impaired or influenced improperly, then they should not vote on that issue.

Mayor Chandler also stated that the P&Z Commission plays an important role for the Town of Dagsboro and is relied upon to make important decisions for the residents of the Town. He wanted to emphasize how important their role is and if they are not in agreement with a particular issue that they are able to abstain their vote to show they are not in favor of an issue and at that point can bring their concerns to the Town Council on the issue.

IV. Approval of Minutes  
Meeting Minutes December 7, 2023

Commissioner Connor made a motion to approve the minutes. Commissioner Labor seconded the motion. All were in favor.

V. New Business  
Review and Discussion regarding the 2019 Comprehensive Plan

Engineering Consultant Gulbranson stated that a Comprehensive Plan is basically a roadmap for the future of the Town and it looks into the history of the Town, the Town's demographics, population growth, concerns that residents have about growth in and around the Town and identifies problems that the Town has and sets

up a series of goals for the Town to work towards. He also stated that the reason they must do a Comprehensive Plan is because in the 1980's, the State of Delaware enacted different legislative directives and in 1984 Governor Minner established the State Planning Series of Laws, which required all towns in the State to do a Comprehensive Plan every 10 years and review the plan every 5 years. As part of it, each year every town must create an Annual Comprehensive Plan Update Report, which the Town Administrator Brought completes and sends to the State each year. He added that the Office of State Planning monitors what the Town of Dagsboro is doing. With this report, the State wants to see how the Town is achieving the goals that were set.

Mr. Gulbranson stated that Dagsboro's 2019 Comprehensive Plan wasn't approved until 2021, which was during Covid. Once the Town approves a Plan, it is sent to the Office of State Planning, where it is reviewed, and then all the agencies review it and if they feel it achieves their goals, then the Governor will sign off on the plan to certify it. Dagsboro's first plan was completed in 2009 with slight modifications made to it in 2015 and now they have the 2019 plan, and it is time to start redoing the plan again.

Amy Mendelson, of AECOM, stated that the Town can choose to make/not make changes at this time. After reviewing the plan, if the Town chooses not to make any changes, then a letter and a copy of the meeting minutes would need to be sent to the Office of State Planning. She added that if the Town chooses to keep the plan the same but would like to add some priority topics that have been discussed, then a letter can still be sent to State Planning and include the priority topics that have been discussed. If minor changes want to be made, they will have to go through the plan amendment process, where the draft would need to be updated and submitted to State Planning, and then a PLUS Meeting would be held to discuss the changes and receive feedback. This process would not change the 10-year plan update and an update would still need to be made in 2030. If a major update is requested, it would require the full Comp Plan/PLUS process where the draft would be reviewed, and feedback given by different State Agencies and then the Town would make those changes. The Town would have a public process where workshops would be held to discuss changes. This process would give the Town a new full 10-year certification date.

Sherine High, of 29182 Shady Creek Lane, asked what the point of order would be for this process. Engineering Consultant Gulbranson stated that typically the process starts with the P&Z Commission. He added that when they completed the 2019 Plan, there were 3 public hearings held and 7-8 meetings were held with the P&Z Commission and then once P&Z is ready to complete a final draft, then the Town Council would review it. Sherine High asked since Board of Adjustment isn't included in the process, who would she present her ideas to? Town Administrator Brought stated that she would come to P&Z and express her thoughts.

Engineering Consultant Gulbranson stated that with the 2019 Plan, they had a kick-off meeting to discuss ideas and concerns about the current plan and completed a community survey that was sent to all residents asking what their concerns were and what they wanted to see in Dagsboro and then a Public Hearing was held to discuss the survey results. After that, they began drafting sections of the plan to be reviewed by the Planning Commission and two additional Public Hearings were held, one when the Draft Plan was complete and one with the Town Council to approve the final plan. Once the Town approves the Draft Plan, then it would be reviewed by State Agencies and updated based on their comments and then Town Council would adopt the plan and send it back to the Office of State Planning for the Governor's approval.

Mayor Chandler asked, "What is the timeline for the plan to be submitted and what happens if you miss the deadline?" Engineering Consultant Gulbranson stated that they need to let State Planning know what they are proposing by January 1, 2025. He added that if the deadline is missed, State Planning would reach out to Town Administrator Brought to see what the Town is proposing to do.

Commissioner Labor asked, "Do we track the growth based on the projections that we projected?" Mr. Gulbranson stated that they have been, and the Town hasn't grown as much as the Plan predicted. In the 2009 Plan, Dagsboro was estimated to have 6000 residents in Town, and currently have less than 1000 residents. The population projections come from the Delaware Population Consortium, and they are required to use their numbers in the Plan. Commissioner Labor asked if they are given the input criteria on how the populations are calculated. Amy Mendelson, of AECOM, stated that the information is listed on the State Planning website. Commissioner Labor asked how often the populations are updated. Amy Mendelson replied that the decennial Census would be listed and then with Dagsboro's population, they would be under the 5-year American Community Survey which is an estimate.

Commissioner Connor asked how many meetings are estimated to complete reviewing the Plan. Engineering Consultant Gulbranson replied that first they need to discuss the plan and see if there are any concerns. He added that when they completed the 2019 Plan, they held approximately 10 meetings from start to finish. Councilman Russell asked if they should just be focusing on the Goals and Objectives because he felt that there wasn't much to change with the those but some of the other information is outdated. Mr. Gulbranson stated that it would depend on what everyone decides. He added that they could just update the goals or update all the information. Vice-Mayor Truitt stated that there is a big change with the water because it isn't supplied by Millsboro anymore.

Sherine High, of 29182 Shady Creek Lane, asked for confirmation that the Plan they have is without the annual updates. Engineering Consultant Gulbranson stated that the Annual Report that the Town sends to the State each year is not put into the current Comp Plan. Sherine High suggested that they review annual updates to see what is included in those.

Engineering Consultant Gulbranson referred to Map 4 in the back of the Comp Plan and stated that that map shows potential growth for the Town and the area adjacent to the Town on the map are annexation areas. These are lands that the Town thinks may be annexed at some point and if the County gets a development proposal in that area, they are supposed to notify the Town. Mr. Gulbranson added that the map also includes an area of concern, which is the larger area shown around Town. These are lands that the Town is concerned about with potential development. He added that this map is something that they really should look at. Commissioner Connor asked if they should be concerned with the developments that the Town of Frankford has approved? Mr. Gulbranson replied, "No, one development that has been approved is on the South side of town and the other large annexation that is South of the elementary school haven't had any definite action on the property yet.

Commissioner Labor asked how much land the Town has annexed in the past 1-2 years. Engineering Consultant Gulbranson replied that there was one de-annexation and they had received a couple applications for annexation, but they didn't move forward. Commissioner Labor stated that he looked at the goals/strategies that are listed but doesn't see any results listed. Mr. Gulbranson stated that those results would be listed in the annual report where they measure what has been achieved towards the goals. Mayor Chandler stated that he feels some of the goals are aspirational and thought they may need to make changes to make them more realistic. Mr. Gulbranson stated that the goals might be what they need to focus on and see if they are relevant/specific enough. Mayor Chandler added that if they can make them specific enough, then they would be able to track them better and have them implemented. Commissioner Labor stated that they need to have a way to measure the goals, or it will be hard to tell if they are tracking towards the goal. Mr. Gulbranson stated that they are asked every year, "Where are you on your implementation methods?"

Sherine High asked, "When the Town of Frankford approves 500 new homes, and the traffic comes through Main St. in Dagsboro, where does Dagsboro come in because the State just approved these homes and now

our roads will need to be improved?" Engineering Consultant Gulbranson replied that there is no coordination between the two towns, but the project had to complete a traffic study and many of the intersections on the traffic study were in Dagsboro. He added that this is how DelDOT comes up with the traffic improvements that the developer must comply with. Commissioner Kolbeck asked if DelDOT considers the busy summer months or winter months? Mr. Gulbranson stated that DelDOT does have winter and summer traffic counts and usually has a summer weekend traffic count in July/August. Sherine High asked if there is anyone to contact at the State level, or is DelDOT the only connector? Mr. Gulbranson stated that major developments also must complete the PLUS process with the State also. He added that there is coordination, but they don't require neighboring towns to be involved. He stated that when they adopt the Comp Plan, they must send it out to surrounding towns and they have an opportunity to review it. Neighboring towns have input on larger plans but not individual development projects.

Mayor Chandler stated that he feels different parts of the Plan need updated information and that some of the goals need to be made more specific. He added that he hopes there is a way to get more of the residents involved because the Town tries to follow the guidelines listed in the Comp Plan. Commissioner Labor stated that there are consultant services available to help them build a better communication plan with the residents. Sherine High stated that there are grants available to help with the cost of those services. Mayor Chandler stated that they need to contact residents quickly to get their thoughts before the deadline. Engineering Consultant Gulbranson stated that last time, they started the process with sending out a community survey to all Town residents but feels that they have more tools now to get the information out to residents. Commissioner Labor stated that having the survey tied into another Town event could be helpful since there are so many people at those events. Mr. Gulbranson replied, "That is a great idea because most people aren't aware of what a Comprehensive Plan is and to have that information tied into a public event would be helpful."

Sherine High stated that they could add the survey in with the Town's monthly water bill and as an incentive for turning the survey back in, they could be a drawing for a \$50 gift card (Young Adventurers). Commissioner Flowers asked if they would be able to hand the surveys out at church. Commissioner Connor suggested asking Town businesses to have the surveys available at their business for residents to take. Vice-Mayor Truitt stated that he liked the idea of having an incentive for residents who turn their survey back in. Sherine High stated that a Facebook Poll could be used to ask questions concerning the Comp Plan. She added that from her perspective, it's important for P&Z to determine what the top 5 questions would be to ask on the survey.

Engineering Consultant Gulbranson stated that they have used Survey Monkey, an online survey company, and it can be used by email and by adding the survey link to the Town's Facebook page. He added that they would need to develop the survey first. Commissioner Flowers stated that at their next meeting they can come up with the survey questions. Commissioner Connor agreed.

Engineering Consultant Gulbranson stated that between now and 2025 they need to decide what they are going to do, whether they are going to adopt a new plan or make amendments. Commissioner Flowers stated that they only have 6 months to get it all completed. Mr. Gulbranson replied, "No, we have until 2025 to let the State Planning Commission know what we are going to do and have until 2030 to complete the Plan."

Sherine High asked Engineering Consultant Gulbranson about putting together a Project Plan to present to P&Z so they are aware of what they will be discussing each time. Mr. Gulbranson replied that they can put together a timeline if that would be helpful. He added that at the next meeting they should work on the survey questions.

Mayor Chandler asked if there were any other steps in the process that they should be thinking about at this time. Engineering Consultant Gulbranson stated that they should review the goals and see if the goals are still relevant because that would dictate everything else that is in the Plan. Commissioner Labor asked if the goals are prioritized? Mr. Gulbranson replied, "Yes, they are listed by high, medium and low."

Engineering Consultant Gulbranson stated that some of them have of the Comp Plan that has the Downtown Development Plan attached to it, which is a separate document. He added to make sure they are looking at the goals for the actual Comp Plan. He added that the State has a program called the Downtown Development Program and it's designed to offer incentives for redevelopment of downtowns. When the program was first initiated, Dagsboro decided to put in an application, but they weren't chosen because the State thought they were too small. If accepted for it, the State offers developers incentives to redevelop the downtown area.

VI. Old Business:  
N/A

VII. Public Comment:

Commissioner Connor welcomed Will Labor to the P&Z Commission. Commissioner Labor was appointed as Commissioner by the Mayor and Town Council on 3/28/24 to replace Carol Thompson.

VIII. Adjournment:

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

Meeting was adjourned at 7:00 p.m.

Respectfully Submitted,  
Wendy Rayne, Finance Clerk