

**Planning & Zoning Commission
Milton Library – 121 Union St
May 20, 2014 – 6:30 pm**

**Transcriptionist: Helene Rodgvile
[Minutes are not Verbatim]**

1. Call to order – Don Mazzeo
2. Roll call of members

Ted Kanakos	Present
Barry Goodinson	Present
Lynn Ekelund	Present
Linda Edelen	Present
Tim Nicholson	Present
Mark Quigley	Present
Don Mazzeo	Present

3. Additions/Corrections to agenda
Don Mazzeo: Do we have any additions or corrections to the agenda? Hearing none I'll ask for a motion to accept the agenda, as written.
4. Approval of agenda
Lynn Ekelund: So moved.
Tim Nicholson: Second.
Don Mazzeo: All in favor say aye. Opposed. Motion carried.
5. Business – Discussion and possible vote on the following items:

Review and update of Town of Milton's Comprehensive Plan to include a presentation from Lawrence Lank, Sussex County Planning & Zoning Director, regarding the uses/zoning of the lands adjacent to the town boundaries and located within the town's designated growth area.

- a. Don Mazzeo: To that I would ask that our leader for this particular meeting and in all of our meetings leading us down the path, hopefully the good path, that will be Mr. Godwin, please. Hal.

Hal Godwin: Thank you Mr. Chairman. I wanted to introduce Lawrence. He's been the Sussex County Director of Planning for more than 10 years. He has a birthday tomorrow, by the way, so be nice to Lawrence Lank. It doesn't have an "0" on the end. Anyway, I've learned an awful lot working with Lawrence over the last eight years, because he's like an institutional walking encyclopedia. He has a lot of information already in his head, so he can answer questions off the cuff about the County's Code and land use considerations around the entire County. But tonight he's going to focus on the growth area around Milton and explain to you how the different properties are zoned around the town and how some of them are already rezoned and being used and so forth and so on. So I think he can probably

field any questions that you have and with that I'll introduce Lawrence Lank. Before he gets started when we get down to the end of our meeting with Lawrence, Bobbie Guyer has also agreed to come tonight. She's a planner from DelDOT and we're all going to talk about transportation at our next meeting. At the end of our meeting tonight, she wants to just get some questions from you that will help her best address our meeting next month, so Bobbie will speak at the end of this.

Lawrence Lank: I'm not a public speaker and I don't like public speaking; I'm better at questions and answers. This is cold turkey, because I've been on vacation all of last week, so I am totally unprepared. The one thing I would like to note, Hal had, at his leisure, one of the staff create a map for us. This map shows the basic zoning that exists around the town; unincorporated area and if I can, real quick, the town map is in gray. Hopefully that boundary is correct. We have a few problems with some of the towns where they annex and they create little enclaves of parcels that aren't incorporated. We have a couple of examples here. Zoning to the north of town is yellow; SGR; General Residential; permits four units to an acre; it does also permit Manufactured Homes and the same is the _____ Russell development that previously existed, that was pretty much established on _____. There's a small commercial pockets of zoning. This map was just a couple of months off, as far as the information. There is a parcel right here, that you see in white, it's actually now commercial, the same as the two adjacent parcels, so basically it gets rid of an enclave of parcels and they're all three commercial now. The big piece, the scary one probably to a lot of you is the gold, which is Elizabethtown; both sides of Route 16 and east of 30 and these three red pieces is also part of Elizabethtown; they are General Commercial. The thing is about the gold, it's a residential planned community designation. That designation is only good, if they don't get substantially under way until January 1, 2016. If they don't develop it as a residential planned community, they lose that status, but they don't lose the zoning. The zoning is HR (High Density), so all this area in gold and red could be 12 units to an acre. I figured that would be a powerful map. So let me give you some numbers, just on this part and some of you already know it, because I recognize some faces. In 2007, Elizabethtown was approved. It's seven years old and nothing's happened. Some of the parcels have been taken back by the original owner's. Half of this parcel, let's just use that as a half as gone to Agricultural Preservation to the State, so that's not going to be developed and that AgPreservation District is good for at least 10 years; then it could go into the perpetual easement, which would go into perpetuity; so that would stay farmland. The other parcel is on this side. There were two parcels here, major parcels. It included both the commercial and the residential planned community. So on this side, there was a total of 435 acres and they proposed 1,676 units. That's only 3.85 units per acre. If they lose that status of a residential planned community, they would end up with a total of 5,228; that could get developed on that parcel, as a map. The other parcel, to the south, would be... they had originally proposed 1,004 units and if they lose their RPC status, they could get 2,716; you get in there with a total that's all this gold and those two reds, all of them at 12 units to the acre, with 9,049 units. How many units are in town? How many units total? Not close to that. That's a major number and a major impact to the Town of Milton. But they are zoned for that purpose and the difficulty is if we lose the RPC Status, it would be a lesser number at 3.85 units per acre. Given that, it could go to 12. Only because RPC is an overlay; you don't lose your base zoning. You retain it. So it takes some action by an individual or the

Council, on it's own, to say we're going to rezone this property back, but it's not being developed and that's rare, very rare and subject to appeal by the owners.

Hal Godwin: Just for reference, I wanted you to notice that this white line here is Route 16; this is 16 right through the top of town; the shopping center here and Route 30 is over here, so you have an idea of the proximity where this is located. I wanted Lawrence to take a minute and try to explain to you the difference between zoning and the RPC overlay.

Everybody might not understand how that works. He does it every day, so it's like it comes right out of his mouth, but a zone, as you all know that work with zoning, a zone usually includes density for homes or some sort of square footage or business and then it also has certain things that you are allowed to do in that zone and certain things that you are not allowed to do. If it's not mentioned here, you can't do it. An RPC – explain how RPC works on top of that Lawrence.

Lawrence Lank: Well you have the zoning and you have the residential planned community overlay. An RPC can get conditions placed on it. Well the applicant when he came to the public hearing, realized and applied for, basically, a medium density residential zoning category, as far as density goes; which would have been approximately 4; so he applied for 3.85. If he loses that RPC status, as I said a couple of times, he goes back to the original zoning, which is HR (high density residential), 12 units to the acre. That could really be a major impact on town, if that happens. We're almost better off to say Council don't void this RPC status and allow it to continue with the parcels; because you maintain that 1/3 density that could have been approved overall; difficult to do, because twice in the last year and a half or two years we've granted time extensions because of the economy, the way the market fell and we created two time extensions. One that went through 2011, or 2012 and the next one goes to 2016; so that way we don't have to go back to public hearings on the projects that have already been approved; zoning's already been approved; Conditional Use has been approved; sub-divisions have been approved. That means that we wouldn't have to go back through the whole process either. The other parts in the area are pretty easy to describe; you can see another small GR district outside of town; I don't know how far you're thinking about going out on your land use plan; two miles; just a guess; a mile and a half; just for two places in your plan. You would show annexation areas that you might want to consider.

Hal Godwin: What is a GR for?

Lawrence Lank: Oh, I said that's for permanent mobile homes, like this and permits 10,000 square foot lots, four to an acre.

Hal Godwin: That looks like Mariner Middle School is out here someplace?

Lawrence Lank: No, Mariner Middle School would be on...

Hal Godwin: So this is out past that?

Lawrence Lank: Right, this is Cave Neck Road. Most of the commercial pieces you see that are really small, the little red ones, existing; something's already there. A lot of them were picked up because they existed; the individual applied for it, because they wanted to expand in excess of 25%; so that way they had to go through zoning to get an expansion. Now that would be the opposite corner of 30 on the southwest side; that's the commercial, C-1 General Commercial; there's a small piece here. I think that's a small truck repair business; I believe that's what that one is. The one here on the corner is Kemp's Liquor Store; these are part of the RPC, as commercial pieces. Like is aid earlier, there's one out

there that's near the old Petrie's Garage, that will be that little white piece, that's an infill. I forget what that one is. I have to look it up when I get back.

Hal Godwin: Let's talk for a minute about this Elizabethtown project when it was done in 2007. I know there's a lot of concern about that in Milton. Wasn't there more than one developer involved in this, or just one?

Lawrence Lank: There were actually four applications. There were these two parcels and these three or four parcels under different ownership. They applied together. This was like _____ 16/17, basically would include all this. 16/18 included all this. These are two different owners also and then these parcels were mixed parcels from the same tracts, that went commercial to treat the commercial support, the business support, that would help support those RPC's.

Hal Godwin: So this was all approved at the same time and there were contracts of sale between all the property owners here to assemble these farms and open spaces, into one big project right?

Lawrence Lank: And there were two other applications and then a third one later. One was for the sewer treatment facility and then the spray irrigation on the Isaac's Farm and then a year or so later, they came back in and applied for a water treatment facility at the same location as the sewer treatment facility. So they would be up in this general area and across the branch, right in here and then the Isaac's Farm spread all out through these farms. Now that was for spray irrigation of the treatment from this _____.

Hal Godwin: The other point I wanted to make is that since this was all put together, assembled by the developer as he assembles property together; he gets all the others to agree. I think most of those sales agreements, have fallen apart; which means this is not going to be a project anymore. Now you don't have three or four developer's involved. You have a half a dozen property owners who have dismissed the idea, to some degree, of this thing actually happening. The problem is thought that could these private... I guess the question I wanted you to explain is, could this thing be done in pieces easily, or would it be very difficult for someone who owned say this corner here and he wanted to develop this as the plan allowed?

Lawrence Lank: It's somewhat difficult because they were created as one project, with a certain number of acres, a certain number of units, a certain amount of amenities that go with it. There would have to be a Master Plan to split it back out to what's left and come up with that magic number that's the percentage. As I stated, this parcel in here, approximate line, but that's been going to AgPreservation, so this is a lesser amount; rather than 435 acres, this piece over here is 207, so they would have to take the percentage that 207 vs. that 435 and figure out how many units would have been a part of that. That would be a reduced number.

Don Mazzeo: Could you repeat for me, for us, the term of the length of the term on the agricultural piece of property. You said 10 years?

Lawrence Lank: Yes. The agriculture piece and the AgPreservation District Program, it's a voluntary program; it's good for 10 years; once you're involved in that program, you stay in it for 10 years. So that's a 10 year program and that was actually adopted and accepted into that program on March 31, 2012; meaning it will go until 2022. And if they don't ask to get out of that program, it is an automatic extension. So they have to ask before it runs out. Or else they can apply also, now that it's in the district, they can apply for professional

easement, which makes it permanent. The only way to get out of a permanent easement is that you've got to go through a system to the Department of Agriculture, go through a system in the Courts and you pay a fee based on the real estate values current. It will be more than what they would get. You don't get anything for the district, originally, for the 10 year program; except you get some assessment reductions.

Mark Quigley: How long is the automatic extension?

Lawrence Lank: The extension will be for another 10 years. It doesn't go further. 10 years. 10 years. 10 years. I don't know how long you can carry it on. The AgPreservation Program, I believe started in 1992 and I've got three drawers of agricultural districts, file drawers with just small files full of all these districts and if I had the land use plan, I think, if you went further, it shows a lot of AgPreservation districts east of town and south of town; and further in this area. There may be some down here. There's quite a few around the Town of Milton; they're quite a distance out, but they are there and this one's almost in an area where you would be concerned that you could annex it, but it doesn't really do you any good because there's no assessments. That piece right here, that's 228 acres.

Hal Godwin: Lawrence, just one more question. This red, which is commercial all along Route 16, could that be built independently of the project; could somebody just build that piece?

Lawrence Lank: Sure, the red is zoned C-1; you create that parcel and develop it as commercial, or you could develop it at 12 units to the acre. Again, that's if you get sewer available to it and water, etc., get all the magic numbers and make it work. But at twelve units to the acre would be Residential. If you wanted _____ it could relate to the commercial activities also; that would be a lesser number, based on the number of stores, what the stores are used for, restaurants, all that. But most of these would be... this is all commercial. The piece on the north is actually, that piece right there, that's 35 acres of commercial; that's a lot of commercial. You could get a substantial size commercial shopping center, outlets, or whatever. On the south side is another 56 acres, larger, but it's more elongated; so it's more of the mall scheme you see down on Route 1. These would probably be developed separately because they are not physically connected, unless they get a street connection that would come through the back project, as far as connector; because it's all the same development; the line splits, pretty much down the center on this side. There was a condition of approval like eight acres would be offered to the school, H. O. Brittingham school. I don't think that ever took place. We've never received the revised Master Plan for this project, since it was approved in 2007; it's just basically been sitting in limbo. There were negotiation issue, they waited to see if it was going to be appealed, it wasn't appealed and it just keeps getting time and time and then the market busted and we didn't hear from anybody. Out of all these projects, of the four rezonings, I've been contacted by one of the owners here to see if he could break down and reduce the number, to be able to develop his portion, but I only talked to him once. He never came back. I guess he lost interest or had other offers or was going to apply for something different.

Ted Kanakos: If somebody wanted to put a 200 unit motel in there; does that qualify?

Lawrence Lank: In the commercial?

Ted Kanakos: In the commercial.

Lawrence Lank: Right, it would be a Permitted Use. It could be on either one of those pieces.

Ted Kanakos: That's a lot of EDU's right?

Lawrence Lank: That's a lot of EDU's. Trying to remember engineering documentation. An EDU for a motel is like 3 units of a motel, would be one EDU. So it could be a substantial size. But it would use up a small portion of your EDU's. So I don't know... Some of you I know have seen this, but I want to show you the layout for Elizabethtown and it's a whole lot of units. A lot of multi-family. They were restricted to a certain number of single family lots and then a maximum total lot for each phase. That's what we went through public hearings on in 2007 and again, 2007 is seven years ago. So you've got some commercial buildings here and it's mostly multi-family was intended, but he kept it separate and then there's commercial here, which is mostly multi-family also. There are some stores, little strip centers here, so there's two use sections and then there's a bigger; this is probably the drawer. I don't know how big that is, right off the top of my head, but it's a fairly good sized store.

Don Mazzeo: Where is Route 30 on the map?

Lawrence Lank: Route 30 is here.

Don Mazzeo: Yes, it's the one on the far left. Okay.

Lawrence Lank: Route 30 is right here and 16 goes right through the middle.

Don Mazzeo: 16 is dividing it right through the middle.

Lawrence Lank: These are the existing units and features that already exist. Basically, the brighter colors are _____ with them. This portion, as I said, would be somewhere along here where the break line is. Part of this and all this would be the part that's been AgPreservation.

Mayor Jones: I think it's two-fold. One I see on the south side, it is contiguous to our own town boundaries.

Lawrence Lank: It is, on the southeast side.

Mayor Jones: Does that make it possible to, even though the County has approved this; does it make it possible to include it in our Comprehensive Plan and would it be possible if those owners chose to annex into this town and just abandon the County's permit?

Lawrence Lank: Yes. Except it has the potential to be annexed. I don't know your Charters and your laws and all that, as far as what's required to annex. Typically most of the towns the applicant has to apply for it. You can't just go out and annex something because you want to. Being this is contiguous with town, normally it could be almost automatic. If it's annexed into town, the status that we have as HR RPC (High Density Residential, Residential Planned Community), that goes away; because now when you annex you also do a pre-zoning _____ correct?

Don Mazzeo: Yes.

Lawrence Lank: Yes, so when you look at this, you'd be considering an annexation; let's just look at this piece and the annexation would increase zoning, so you could utilize that _____ for that part.

Mayor Jones: Thank you.

Hal Godwin: Many towns will also consider sub-division at the same time. The person that owns the property will come to the town and say I would like to annex in, but I have a plan. You'll talk about the plan. You'll work out a plan that everybody likes and it might be whatever you folks all agree to. But let's say it's a plan just for a comparison for 100 homes; so you annex it in and you zone it whatever your friendly residential zoning would be for

that plan and then you sub-divide it all... you can't do it in the same motion, but you can do it almost simultaneously. You have to vote on the two issues separately, but that way you not only put a zoning on a piece of property, but you know exactly how it's going to be used once it comes in.

Lawrence Lank: When they applied for this, just using this for the example, being it's a Residential Planned Community, they tried to put in all the features that you would have in a community. For example, there's a church, there's a daycare, recreational amenities, with walking trails, the commercial activities, the single family residential, the multi-family residential, the townhouses and the condominiums. Then they throw in all the shopping availability to serve that community.

Hal Godwin: There's a bus stop somewhere.

Lawrence Lank: Yes, it's one of the conditions. We had 2 or 3 pages of conditions we put on this project. Of course, they never came back, so we didn't have a Master Plan proposed, but not a Master Plan that's been brought into compliance with the conditions of approval placed on it by Council. So that would be on the north side, south side. The commercial we can't put any conditions. Commercial rezoning, so it's zoned commercial; anything permitted in the Commercial District, becomes a Permitted Use. It's all against the acre. Now C-1 would allow service stations, shopping centers, pretty much a lot of commercial activity; so there was a list of 100 some uses.

Hal Godwin: Lawrence, help us understand again, that nobody could come in and apply for a building permit and build a house right there, because it's plan hasn't been recorded...

Lawrence Lank: It's just a raw piece of ground.

Hal Godwin: Can you explain the process?

Lawrence Lank: Some of you come in and apply for a building permit for a house on that parcel, right now, as a whole parcel. It has nothing to do with this project, because it's just a zoning category.

Hal Godwin: So it's been rezoned, and that runs with the property forever. Correct?

Lawrence Lank: The rezoning runs with the property forever, unless it's changed to applicant or processor. The Residential Planned Community can be voided, for lack of substantial development.

Don Mazzeo: Is there a time frame that that would be held?

Lawrence Lank: January 1, 2016.

Don Mazzeo: 2016?

Lawrence Lank: Right.

Ted Kanakos: What was the build out sign for; was there a limit so many hundred a year they would build?

Lawrence Lank: That was 250 permits a year.

Ted Kanakos: 250 a year and what was the total, 5,000 or something?

Lawrence Lank: Well it could have been for the whole project. I did the whole project it was 9,049, without taking the 200 some acres for the AgPreservation.

Ted Kanakos: So it would be a number of years, this ongoing... basically if they built that all out, Milton would just be a neighborhood; it would not be a town anymore.

Lawrence Lank: I messed around with the AgPreservation, that's why my notes are kind of confused. The original project was 435 acres at 1,676 units; that was their proposal. That's the point I tried to make several times; because that was their Residential Planned

Community. If that Residential Planned Community gets void, it never gets developed. They don't lose their HR zoning for High Density. That was the point I was trying to make; they've got 12 units to the acre, based on our regulations right now and if you annexed it, say a part of it or all of it; then it would be under your zoning category, your dense factor, you would have to go through your process, annexation, rezoning, site plan approval, subdivision approval or whatever.

Barry Goodinson: For the purpose of history, this was going to be a community out in the county's territory?

Lawrence Lank: Right.

Barry Goodinson: And it was not going to be part of Milton?

Lawrence Lank: Right. They were going to have their own water, their own sewer, for irrigation, for the commercial activity around Milton, the people could still utilize it, but the only thing they wouldn't have would be police protection, under the Town of Milton is the first responder for the State Police.

Barry Goodinson: Was there a plan to incorporate it as a Town?

Lawrence Lank: No. It could have been. It's big enough, that's for sure. The Town of Dewey Beach was the last town to incorporate in Sussex, I believe; and that's probably been 20 some years ago. They were under our jurisdiction. We did their zoning for them. We did their reviews and everything and then they went through legislation and were incorporated. They were the last one. Ellendale's been incorporated for years, but they just recently in the last five, took over their own zoning. Milton did. We used to have jurisdiction in Milton also. How many years ago? 25 maybe, plus or minus. I was here then.

Hal Godwin: I told him it was 10, he said to go to 25.

Lawrence Lank: I'm working on 45, but not as a director. I've been director since 1985. I don't brag about it, it's not my cup of tea.

Hal Godwin: We might want to show and talk a little bit about the other areas around the town, besides this one. We have other areas around the town that the town might want to think about; while most of this on the northeast corner is AgPreservation; it's always going to be farmland; but you've got land around this way... Will you talk to us Lawrence about this land around here?

Lawrence Lank: Oh sure. I'll go back to the beginning. I tried to talk about this, because that I figured was your point of interest, when you're looking at a Comprehensive Plan; that's the biggest impact to solve. The white area is agricultural, residential, basically all around town and that is agricultural, residential base are like 2 units to the acre, but on septic it would be three-quarter acre lots, so you're really not getting the major impact and density that would impact the town. Then they would have to have valid site evaluations, septic approvals, so the lots would be typically three-quarter acre, unless DNREC said they could build half acre lots. That would be two. Then you've got to take the streets out, so you wouldn't get a full two units to the acre in a flood _____. That's typically all the way around town. So I'll just go from the site. This is Baker's, the propane gas facility; railroad, you can see the railroad, which is up to here. This is being closed.

Don Mazzeo: That's already abandoned.

Lawrence Lank: That's abandoned, but it's going to be used for a walking trail, basically, of some sort?

Don Mazzeo: Ultimately that's the hope.

Lawrence Lank: Rails to Trails. Okay, there's property here for that. These are little commercial pieces, which you know what they are. The one thing different here, is you see a little bit of maroon, instead of red; Kent's Liquor Store is on B1; B1 neighborhood business; that's most restrictive, it's more offices and retail; it doesn't allow gas stations, doesn't allow mini stores, doesn't allow car sales, sheriff's sales... that's pretty much the Mom and Pop, the small stores and that's a small parcel. As I said GR permits mobiles, four units to the acre; again the four units to the acre at 10,000 square foot lots, so you're really going to not quite get four; you're going to get about 3-1/2, because you're going to have to put streets in, you're going to lose about 25%. That's pretty much it, other than the AgPreservation district that I said are scattered around. I brought this map. You can have it. It's about nine months old maybe. It shows all the zoning except that little one that I said earlier, right there. The land use plan map, we didn't get that one did we, big enough to see? I'll leave this with you all.

Hal Godwin: So the white area is basically the County's bulk zone which is AR-1, which means agriculture of any kind, pretty much. If it's got to switch to residential, there could be no more than two per acre. If they're on their own septic system, not DNREC, but the County rule is it has to be three-quarter acre lot; so it doesn't get too great. DNREC only requires you to have a half-acre. This is something the County did years and years ago. They made it more restrictive to build a home with a septic system. That was one of the first things they did, probably 30 years ago, or 40 years ago, to try to reduce the number of septic systems that bring your _____ out, but all this white is AR-1. With the exception of over in this corner, you're a farm in AgPreservation.

Lawrence Lank: There's been quite a big of AgPreservation Districts that are agricultural land preservation foundation that are used under that program for the ten year and permanent. Quite a few permanent easements around Milton and they go all the way out towards Prime Hook. The boundary that was submitted to the County back before 2008 when we were doing our land use plan for the town; gave us an area or met with our consultants and showed us where they felt the town center would be; where the town felt it would be; wanted to have some kind of control or have some kind of annexation in the future. It was an area that came in just off of here and followed probably this property line and comes on around and goes all the way around and comes up to an area just outside of here and goes across and picks up this roadway and all this _____ and then does the same thing; picks up this little area here out by the VFW out on the far side and then it goes back down here along the river, the Broadkill, and then comes back in over here. You can't see it very well, but you can see the little brown spot; it's an area about in total probably 2-1/2 times the size of the town; where the town wanted some kind of protection by putting that in the Town Center. The Town Center, if you didn't annex it, would allow people to apply for commercial rezoning; MR zoning, 4 units to the acre; High Density has got a lot of things to be applied for, under the County, if you didn't consider doing some kind of annexation. I haven't seen your land use plan that you have in existence, for quite awhile, but it interrelates, so I'll pass that down. Are there any more questions?

Elliot Whelan, 205 Heritage Boulevard: The question I have was when you were talking about this little parcel here of Elizabethtown and potentially being annexed by the town. When you do the Comprehensive Plan, do you have to put contingency in, if that was to

happen? Would the resources water, sewer and so forth currently in the town, be adequate or would we need to build additional resources?

Hal Godwin: What the State would like to see in the Comprehensive Plan is some mention in the Comprehensive Plan of what your plan would be for the area around your town, that's considered your growth area. We'll go out so far from the current boundaries and say we've determined that this is our growth area; where likely, or maybe, grow into this area sometime in the future. If we do, we would suggest it be zoned X or Y and you decide that. You say this is our growth footprint and if this piece would be annexed, we would ask the owner to consider an ABC zoning and so forth. You do that all around your town; just because these are in place, doesn't mean anything _____; if that property owner comes to Milton and says I've got 75 acres I want to annex in, then you sit down and talk to them and you let him know, my Comprehensive Plan says that we wanted to see X, Y, Z over here. What do you think of us coming in with that zone? So you try to work it out with the petitioner, which is usually a developer, but sometimes on a smaller piece with be...

Elliot Whelan: And he would want annex in to take advantage of the utilities.

Hal Godwin: Utilities. Yes, that's usually why they want to come in is for utilities. There are other benefits that you'll sell them on as the process goes through, but usually what brings them to the town is water and sewer.

Lawrence Lank: And to add to that, the way the Comprehensive Plan was done, what I referenced as the Town Center, trying to show you where the increasing sort of like the boundaries of the town, that's the area that was suggested by the Town; that they felt in the future would be an annexation area and it would become part of the town. But, again, you have to remember being that it's a Town Center there are certain things the individuals can apply for; without going for annexation; so they could do commercial, a higher density than what exists out there today, because it's in the Town Center; it's a growth area.

Hal Godwin: We labeled it that...

Elliot Whelan: Yes, we labeled it, but that's because the town supported it and said future growth might be here.

Hal Godwin: When the County does their Comprehensive Plan Review, they always go to the Towns and say what do you want around your town? So the County Plan, when the Plan is formed, they try to do it in cooperation with the towns, wherever the towns are, whatever the towns are thinking.

Ted Kanakos: The question I have is they would have annexed this piece of land; they annex of course to take advantage of water and sewer, etc., police protection. Since we don't own our treatment plant anymore, if they didn't annex in, could Tidewater still supply...

Hal Godwin: Tidewater would have to go to the Public Service Commission and the CPCN to do that; because their current district is the town boundaries.

Ted Kanakos: Okay, another question. If they decide to want to be annexed, would Tidewater charge them the regular rates or would everyone be paying higher for the new infrastructure?

Hal Godwin: That would be an agreement that you and Tidewater would have to worked out, I would hope; where you and Tidewater, in your contract to do business, you should have a paragraph or two that says, if we annex, you're going to serve it and then the specifications of how they're going to do that. That's one of the things we need to address in

the Comprehensive Plan is your wastewater and your drinking water, because once we start to get our heads wrapped around where we think the town might go or how many people might live here in ten years, we need to then say, well can we supply them with utilities? We need to get Tidewater in here and talk to them; talk to the folks, I think you have a Water Committee or your town folks, about the drinking water and bring everybody to the table to just discuss how we serve these new neighbor's. It's very important. That's why I started with the very first thing was population; because we're going to have to build, as we go through the Comprehensive Plan and share our vision of what we want the town to look like, then we go to _____ and say okay, well in order to do that, we've got to be this and this and this and this.

Ted Kanakos: The pieces of land, the large northern part, the part that is part of the AgPreservation Plan...

Lawrence Lank: That's 228 acres.

Ted Kanakos: If somebody else wanted to develop, there are a number of different people, I don't remember different parts of the ground; it's all included, would they have to be contiguous in order to be annexed in?

Lawrence Lank: Well that would depend on your Charter. Typically the State requires that annexation be contiguous; sometimes they allow you to jump a road; sometimes they want to annex a road; DelDOT doesn't like people to annex roads. The one thing that we did in looking at the towns, we went to each town; typically the consultant went to each town and sat down with the Planning and Zoning Commission or the Town Council, or whichever, and discussed their thoughts. Then we went and created our land use plan and then we went on circuit and we would invite like five of the towns to one meeting, so we could get some input from the towns, with the Commission members or the Council present, for informational purposes. Then we would do the final plan based on what we heard and then we'd go to public hearing for the...

Ted Kanakos: So the fellow that owns that piece of land, western most piece of land, it would take him just to go into the County.

Lawrence Lank: For four or five parcels.

Ted Kanakos: Yes.

Hal Godwin: Now remember, they've got to keep that simple. They've got to keep that contract simple. Let's suppose there's one person in here, Mr. Smith owns a big piece of land here, and Mr. Smith moves to Idaho and he's not interested in doing anything and he told his kids just to handle it and they don't want to be bothered with it; so it can be very difficult to keep that together; to actually make it happen. I think what Lawrence was trying to explain a little earlier, is that it could be done in pieces, without the Smith's, but they've got to live by the conditions that they agreed to on the RPC.

Ted Kanakos: Well they applied as individuals, did they? And they could only use one vote?

Lawrence Lank: This is probably, actually, two corporations applied under contracts with five different parties.

Hal Godwin: The property owners sign sales contracts.

Lawrence Lank: There were two here and I think five over here and there's two down here. They were different owners and they had contracts to purchase from those different owners and then a couple of them fell through.

Hal Godwin: Many of those contracts had drop dead dates. You give a deposit of so many thousand dollars and if you haven't gotten all of the approvals done in two years, they keep the money and you've lost your property permanently and normally we have an expiration date on these Residential Planned Community's, though zoning is the zoning forever; but the Residential Planned Community's in the sub-divisions have to go through a final approval and then they have an expiration date on them; they have to be built. We don't want these parts sitting around sub-divided and nobody can build on them.

Ted Kanakos: But we've been extending that...

Hal Godwin: The Council has extended it because their mindset is the economy is stalled and when the economy comes back, we don't want those projects to not be built because there was this time lapse in the economy. The approvals have already been done. We probably think they stay for a few more years.

Lawrence Lank: Like I said, they were approved in 2007. They would have been good probably until 2012; because of the time extension, the ordinance is done twice. So now they're good until 2016. January 1st is the dead end date. They'll be _____ on the way, not completed, just _____ away.

Elliot Whelan: Will they be extended again?

Lawrence Lank: I can't answer that question. It's up to Council, they may or they may not. I have the feeling that they would not do it again, when they did the second one; but we have other market issues... I would like to be able to give you an answer.

Hal Godwin: There's an election between now and 2016.

Mark Quigley: The yellow parcel up there in the north. Are there roads currently going up through there? What is that corridor?

Hal Godwin: Isn't this 5 north? Because here's the shopping center.

Lawrence Lank: This is 5 north, going out to Waples Pond. This would be Pepper's Farm. It should be listed.

Mark Quigley: So it doesn't go as far as Sunland Ranch?

Lawrence Lank: Sunland Ranch? That's this parcel.

Barry Goodinson: Oh it does, it goes right up to it?

Lawrence Lank: It goes up to the intersection just south of Sunland Ranch; because that's already developed and that zoning pre-existed. Sunland Ranch was developed as an Agricultural/Residential sub-division and there's another sub-division right next to it.

Don Mazzeo: Mrs. Weeks you have a question. Please come to the mic.

Virginia Weeks: I just want to get something cleared in my own head. This is Elizabethtown. They came into the County as a corporation to have this built. Their sub-division plan was never finally approved?

Hal Godwin: No, it was not.

Virginia Weeks: So this is basically what is all that has happened is it has been rezoned?

Lawrence Lank: Right.

Virginia Weeks: So they can sell off this parcel or that parcel or this parcel and each of those can come in with a different plan and not be held to what the corporation asked for.

Lawrence Lank: It's possible, but it's difficult, because that process was approved with a certain number of units and a certain design and 20 or 30 conditions of approval and it would be difficult to break it down to make it match the numbers and the amenities and the _____ of activities relate.

Virginia Weeks: But it's been rezoned to High Density?

Lawrence Lank: The rezoning would stay. If they said the heck with the Residential Planned Community, they could come in and do a 20 acre parcel.

Virginia Weeks: And how many per acre in High Density?

Lawrence Lank: Twelve.

Virginia Weeks: Twelve. Thank you. And up here is Artesian, where they're going to build their sewer plant.

Lawrence Lank: That's supposed to serve this project.

Virginia Weeks: Right. It's a 76 acre sewer plant and 1,800 acres of spray irrigation...

Lawrence Lank: It's a smaller parcel for the sewer plant, but it's a substantial amount of acreage that would use it for irrigation.

Virginia Weeks: And now they're coming in for their own water.

Lawrence Lank: They came in for the same site and they applied for water also. They're both Conditional Uses, all three of them. One's for irrigation, one's for sewerage treatment and then they came back in and applied for water treatment, also. So they would be on two sites and the irrigation would be on Isaac's farm.

Virginia Weeks: Okay, so for this to annex in, the only thing that really attracts it to annexing into the town, is water and sewer, but that will be available through Artesian.

Lawrence Lank: That will be available through Artesian.

Virginia Weeks: So there's really no financial reason for them to annex in.

Lawrence Lank: Artesian, on both of their applications are subject to being able to start construction and get _____ away. Now Artesian was not only going to serve Elizabethtown, they were going to serve projects elsewhere; too far distance away, but they even talked about serving Ellendale.

Virginia Weeks: When this was approved by the County, was any consideration given to the traffic it was going to cause on Union and Mulberry?

Lawrence Lank: I'm trying to remember. There was a traffic impact study DeIDOT had to review; DeIDOT commented on the project; when the County approved it, one of the conditions was they had to make all the improvements as recommended and required by DeIDOT; which would be major entrance improvements; major roadway improvements; repaving of some of the service...

Virginia Weeks: Well there's no way to widen them, you'd have to take people's homes to do that.

Lawrence Lank: No, it would be typically that 16 would be improved, 30 would be improved, I don't know what this one says and then there would be major intersection improvements and not just here, but at different locations. Some might have been in the Town of Milton. I have that information on file, but I'd have to pull it.

Virginia Weeks: Just one other quick question. Can you tell me were they required to have entrances and exits on 30?

Lawrence Lank: There were, as I said there were a couple of pages of conditions of approval; that makes it more difficult. On their site plan that was suggested, there were entrances on Gravel Hill Road, being 30 on the south side...

Virginia Weeks: How many on Gravel Hill?

Lawrence Lank: They say one.

Virginia Weeks: Okay.

Lawrence Lank: And one on 30 north, passed the curve; probably in close proximity to the entrance where the Hudson...

Virginia Weeks: And can you tell me how many on 16?

Lawrence Lank: 16 was some smaller ones; there's a dual entrance to the east and a dual entrance on the south side; a dual entrance to the east and 1,2,3,4 entrances on the south and one major on the north and there was one entrance just past the Kwik Stop.

Virginia Weeks: So basically, all the traffic is going to enter onto 16.

Lawrence Lank: Excuse me, there's two on that road also. That was Cedar Creek Road.

Virginia Weeks: If I could address you for just a moment, I want to say something about this. That happened because our growth area map had that rezoned for that, in the growth area. It was already all LPD and it was all already mixed commercial/residential. Now this was done...

Lawrence Lank: This was dated 2011, the one I'm looking at.

Virginia Weeks: No, no, this was done in 2004. There is no commercial/residential zone and as you go forward I would ask you to please not put this density around our town any longer, because when this went to the County, one of the justifications for it was, Milton already likes it. They have it on their growth map. So please think wisely before what you do in growth areas. Thank you.

Hal Godwin: It may have been 2003, but I know it was either 2003 or 2004...

Virginia Weeks: Yeah, but nobody's cleaned it up since; we tried to clean it up in the 2010, but the Council at that time chose not to address that, so if you could get it cleaned up, it would be great. Thank you.

Hal Godwin: There's no doubt it's important to think long and hard about daring to run your town; what you want to do with it. You might not ever get that, but the fact is you have a plan and then you have a property owner who comes in and says I'd like to _____...

Jim Welu, 409 Union Street: I understand Mr. Lank that you were talking that there was a semi-circle around the town on the side. Is this land across from the school agricultural?

Lawrence Lank: It's agricultural zoned.

Jim Welu: But it's not in the land preservation agricultural, as far as you know.

Lawrence Lank: I don't believe so. We don't have that map with us. That's agricultural. A portion of this that came off into the growth area, then came around and then came off to that one side.

Jim Welu: So that's available for residential development across from the school which would help slow a lot of traffic in town there. Above the Grey Poupon piece here, is Clean Delaware right here? Do you know?

Lawrence Lank: It's actually here.

Jim Welu: It's in this parcel?

Lawrence Lank: This is the branch north of...

Jim Welu: That's England Branch.

Lawrence Lank: Clean Delaware, it's right in here.

Jim Welu: Oh, okay.

Lawrence Lank: They were part of the application.

Jim Welu: Now are they going to have to move if this is developed, or...

Lawrence Lank: If that was developed, I'm sure they would be.

Jim Welu: Okay. Third question, Artesian, how far does their public service area go

according to DNREC?

Lawrence Lank: That's handled through the Public Service Commission.

Jim Welu: Public Service Commission.

Lawrence Lank: I don't know what the boundary is. They were saying that they were going to go out and have a service area established; an area that they're going to serve and it can go out to any little project; they talked about going to Ellendale, so it's pretty substantial.

Jim Welu: Will there be any objection do you think, of the town having Tidewater here and Artesian here?

Lawrence Lank: That was a question that we had in the public hearing process because the Town was already being served by Tidewater and they were questioning why would Tidewater be the ____; so did the town have capacity to serve that project? Probably not at this time, but it may have been able to expand. That would have been a major expansion, because it's triple your size.

Jim Welu: But this town could be served by two different utilities. Possibly?

Lawrence Lank: Possibly.

Jim Welu: Just curious.

Lawrence Lank: It's up to the Town and the Public Service Commission.

Jim Welu: Right, okay. My last question is I think you call it an Residential Planned Community?

Lawrence Lank: This gold part is a Residential Planned Community, we call it an RPC. That was our choice of wording. New wording, not to get away from the question, but there are few words for an Residential Planned Community; RPC sounds better than, Planned Unit Development; so if you abbreviate you want to be RPC or do you want to be a PUD? We chose Residential Planned Community. It's one of my favorites, an RPC question.

Jim Welu: What is the time frame on this RPC?

Lawrence Lank: It's January 1st of 2016. It has to be substantially underway.

Jim Welu: 2016. If I owned one parcel of this, I think this is 3 or 4 parcels; if I owned one parcel...

Lawrence Lank: There are two parcels here that are in AgPreservation and I think there are five parcels and around the Hudson tract; there were a couple of small parcels on 30 and this area that were part of that same application.

Jim Welu: Say one of these owner's came in individually, could they abandon the RPC and just come in for town annexation and work with the town for their own sub-division plan?

Lawrence Lank: They would be applying either to the County for another rezone, or another type, or they would apply to the Town for annexation and rezoning and then development.

Jim Welu: Okay, I think that's all I have.

Lawrence Lank: Thank you.

Ted Kanakos: When Elizabethtown was conceptualized, they have a lot of the red area here for commercial zone; was the concept not to put any pressure on Milton. In other words, supply all of those folks with their own supermarkets, their own churches, their own fire and police?

Lawrence Lank: That was the plan for the development, not necessarily the plan for Milton. It may have interested Milton; it may have impacted your uptown; it may have impacted some of the stores that already exist.

Ted Kanakos: On 16 and things like that. Okay.

Lawrence Lank: The example I would have and I'll pick on the City of Seaford; the City of Seaford has uptown. I used to live in Seaford. They have uptown, Market Street, developed on both sides commercial; churches, Marshall's, the drugstore and the bank, the whole works. Then they developed in the 1950's, late 1950's, Nanticoke Shopping Center; that became the attraction; and we started to see some decline in this Market Street. Then they created the Ames shopping center, which is on Stein Highway, because Ace put Stein Highway in, to come in off 13 to get into Stein Highway and get to the DuPont plant. Then that created a little bit of impact on the _____ Capitol Shopping Center and again, Market Street. Then they built another shopping center which is the Food Lion, smaller, so it wasn't too bad. Then they built Sears, _____, Peebles and a lot of strip stores and again that pretty much put a major decline on the uptown. Then they built Lowes and etc., etc., and they just keep going, Wal*Mart; a big impact. When you get to the bigger cities, you see a big impact on changes where... That's typical. That happens everywhere. Still if you ride through the City of Seaford uptown, Market Street hasn't changed. It's still stores closed and they've been closed for years.

Don Mazzeo: Are there any other questions or comments?

Teresa Burnham, 308 Coulter Street: I just have a question; because I live up the hill from here, we have a proposed expansion around east village and I know that east village was built on an old landfill and those people are drinking the well water there; a lot of people don't realize that. They do not want to annex into the town. I know it's been a fight for years and years, but I'm not quite sure how this all works if the Planning and Zoning Commission went ahead and put them inside the boundary, would they have to follow town laws? Marion? I mean would it be no mobile homes; would it be no livestock, there's a live horse down there and a rooster every morning; so I guess my question is if you zone them into the town boundary, do their lives just totally change? If they're annexed?

Robin Davis: If I may. We cannot force them to annex in town. The property owners would have to come and request annexation.

Teresa Burnham: Okay.

Robin Davis: The town has in their growth area, which east village is a zoning which we would prefer, if they annexed into the town. So if they decided to annex into town and it was R-3, they would have to follow all the rules and regulations for R-3 zoning.

Teresa Burnham: Okay.

Robin Davis: And the town doesn't allow trailers, so they'd have to move.

Teresa Burnham: Exactly. You're not allowed to have livestock and you're not allowed to have this and that; so that's probably the main reason they're fighting annexation then.

Robin Davis: I don't know the reasoning.

Mark Quigley: Which area are we talking about?

Teresa Burnham: We're talking about east village; it's down along Front Street as you're going out to Cave Neck Road. On both sides of Front Street, that's not annexed in. You can see the boundary going right around it. So if we did make these boundary lines, would there be any mobile homes inside the boundary lines at all?

Robin Davis: Our Ordinances do not allow for mobile homes.

Don Mazzeo: I think the question that you're asking is, basically, will the town annex you in? The answer to that is if the property owners petition the town, it would go through the

process to determine if it's practical. It may not be practical for either party.

Teresa Burnham: I don't live there, but I've talked to many people that do.

Don Mazzeo: I understand. But the bottom line is...

Teresa Burnham: They're very worried about drinking the water along the Broadkill and drinking water out of the old landfill, but they also don't want to have to up and move their homes, because some of them are mobile homes down there.

Don Mazzeo: The annexation process starts with a petition of an applicant. Not the town.

Teresa Burnham: That's what I needed to know.

Lawrence Lank: If there's already a mobile home there, and they request to be annexed, could you annex and the mobile home become a part of the town? As a grandfathered unit?

Robin Davis: I'll use an example, Lavinia Street, Holly Lake Trailer Park. Mr. Turner, the owner, requested to annex in town; one of the conditions of approval was that he would have those trailers removed before the annexation would become complete.

Lawrence Lank: A couple of towns do the same thing. They won't take in mobiles.

Robin Davis: That's correct. The agreement was signed, or approved by Council, but that one condition was held out and the final signatures and approval weren't effective until he had the last trailer removed.

Lawrence Lank: They held it out from annexation until it was corrected?

Robin Davis: Correct.

Lawrence Lank: That's similar to a couple of towns. A couple of towns still allow manufactured homes in their boundaries, but most of them don't.

Don Mazzeo: Are there any other questions?

Mayor Jones: I think mine may be for Robin. The boundary for Milton right now of annexed land stops at the bridge going out Front Street; we do have the Key Ventures property, with 25 contiguous feet to a property on 88; but the corridor that Joyce speaks about, none of those are annexed. Are they?

Robin Davis: No, going from the marina out, all the way to Cave Neck Road until where Phase IV of Cannery Village touches some of it's on Front Street, some of it's on Cave Neck Road.

Don Mazzeo: Anyone else like to question? John, come on up.

John Oates: I would just like to get a clarification on the areas that have to be contiguous; I'm not clear on that. As an example, I say, only because I live there, the town boundary ends right where we are in the Heritage Creek developments. Now, the proposal on the possible annexation area goes down well past Bob Willey's place, down to... well, we're on the other side. It comes in there, but it's even beyond that, so my question is if for example the Willey family area, whatever, however you want to define it, does not want to be annexed into the town. Is that going to prevent anyone else from south of that area?

Robin Davis: Yes, the property does have to be contiguous with the town to be annexed; so our growth area should come somewhere in this area here, way down here. This individual owner of this parcel would not be eligible to annex in town, because the town boundary ends there. Whoever owned this parcel, this parcel, this parcel, all the way would have to come in to get that parcel in.

Ted Kanakos: Have we ever annexed the people in for let's say for utilities; in other words, their septic system fails, or water and they're not contiguous? Do we have some houses like that, where...

Robin Davis: No, they have to be contiguous. They have to be contiguous. We have annexed a couple of parcels on 16 that their septic's have failed or their well has failed and DNREC will ask or require them to check and see if it's feasible for the town to service them; but prior to them getting a new permit for their new septic or their well.

Ted Kanakos: Now we also supply water down Cave Neck Road. Right? To County people.

Robin Davis: To Front Street, yes.

Ted Kanakos: To Front Street? They're not annexed, but they can use our utilities?

Robin Davis: Correct. By Charter we're allowed to supply water and sewer to properties that are not annexed in town, if they request that. The Council has the right to approve that.

Lawrence Lank: Some of the towns they do that. They provide the service or the utility, but they're at inflated rates; the rate's not the same as what you did for _____. Basically, you're taking away from your own supply for the town to go outside the area; you're not really collecting anything but the fee for that water to be for that source.

Don Mazzeo: Any other comments, questions at this point?

Jim Welu: I have one more question. It's a question of really what you were just talking about. If east village has all septic fields, so they're polluting the Broadkill River; what would it take for them to be hooked into the sewer system? They probably would need State grants, because they couldn't afford it, probably; you know the cost of hooking in, but could they be hooked into the town Tidewater sewerage treatment system?

Robin Davis: Again, that would be something that Tidewater would have to work with each individual resident's owner; I'm pretty sure of that; it looks like they're parceled out; so you probably have 20 different owners. Tidewater would have to work out some agreement, because as you know, they do have their force main through there on Cave Neck Road; they would have to run up Front Street and tie into that somehow; but that would be something that would be done through DNREC and through Tidewater.

Jim Welu: Okay, so they... the town's not going to promote this, but, they could get Lopes and Smyk to go to the State Legislature to get them the money they need, probably. At the request of the Chairman could I have about a minute. I have this funny uniform on tonight, because I just got let out of the hospital at 2:00 today. I had my 10th surgery this morning at 9:30 and some of you may or may not know, my house burned down two months ago and I was anxious to get back into the throw of things here in town, so anyway; to answer some of the questions people may have; I'm out of the hospital and I'm back in action. Thank you.

Don Mazzeo: We welcome you to most of our public meetings.

Ted Kanakos: I have a questions. We're talking about the east village parcel. I know that in Ellendale they had a problem with their water supply; their wells were like 15' down and they wanted septic systems and the County came in and more or less put them in there and subsidized the kettles. If, in fact, east village is as much a problem for pollution in the Broadkill, etc., would the County not just come in and mandate that they get hooked up?

Lawrence Lank: Exactly, in this case it would be DNREC.

Ted Kanakos: DNREC? But they could mandate it, just to protect resources.

Lawrence Lank: But it would be negotiating with Tidewater to be able to serve that sub-division. East village, John Alford was the developer, probably 30 some odd years ago. I'm pretty sure. That's been there for 40 years basically, so it's an older sub-division.

Mark Quigley: I actually have a question again. I'm trying to figure out some of the history

here with Elizabethtown. I guess a group of investors got together back in 2006, or so; and worked with these landowner's and they put this parcel together.

Lawrence Lank: A group of different investor's and different private parcels.

Mark Quigley: Sure, okay, and I imagine they thought it was a good idea, because it was right next to Milton in a growth area, during a booming economy. They went through the steps with the County and they approved what we currently see here.

Lawrence Lank: They went through several months of several public hearings; Planning and Zoning Commission on each project. As I said, there was the northern piece Residential Planned Community, the northern commercial, the southern commercial, the southern Residential Planned Community, the sewer treatment facility and the spray irrigation were all heard at the same time; once before the Commission, with several many weeks of delay to get a decision and then the same thing with Council. It took several months to get it done.

Mark Quigley: For the whole package?

Lawrence Lank: For the whole package, but looking at each one of those, case by case.

Mark Quigley: I guess my question is then, I'm trying to figure, if the deal fell apart and the time extension runs out and then you give it another one or two time extensions, why wouldn't it revert back to agricultural, or what everything else around this?

Lawrence Lank: Because the learning runs with the length. The Residential Planned Community, is an overlay; that can be voided, because it's not _____. It's the difficulty of the project. This project had less than four units to the acre and by losing their Residential Planned Community status, it all of a sudden gets swept. That's the whole point and I said it _____ time.

Mark Quigley: I heard it. I guess what I'm trying to figure out, what was the history before that? Was it always that twelve to an acre?

Lawrence Lank: No. They rezoned from AR (Agricultural/Residential) to HR (High Density, Residential Planned Community).

Mark Quigley: Okay, my question is why wouldn't it go back to the AR?

Lawrence Lank: Because the rezoning goes with the land, the overlay can be removed and voided. So to rezone it back to AR, would require the County, for an application that could be accept, to rezone it back to what it was.

Mark Quigley: I just have another follow-up. How many things have changed in the zoning 2006 to today if a project like this were to go forward?

Lawrence Lank: How many things would change?

Mark Quigley: Yeah, how many different changes in the current zoning over the last 7-8 years?

Lawrence Lank: I could say typically we had... I could go back further then that, because I don't have that number; since January of 1971; we've done 1,970 some odd Conditional Use's; we've done 1,700 some odd Rezoning's; that's county-wide and some of that's included in some of the towns, because at one time we had jurisdiction, so we have... that's the best number I can give you; I would have to go back to get a number from 2006. 2006 was prime time; 2005-2006. In 2005, we had 100 sub-division applications county-wide, in the unincorporated area. A lot of sub-divisions. The majority of them were substantial in size; they weren't little; two or three lots... then as the economy started to fall, then we got less and less and less. Right now we're starting to pick up just a little bit, but not much and

the sub-division applications are very few; but we've got so many on the books because of that 2005, for that 100 in 2005, we've still got some that only have preliminary approval, because they got time extensions, County granted two more time extensions. Again January 1, 2016 is going to be a major deletion unless they come in and get final approval.

Mark Quigley: I appreciate the history. It helps me and possibly the folks in the audience also, that haven't been here for so long, to understand some of the recent history.

Lawrence Lank: The one other thing is you've got all... it used to take us about 10 weeks to go through the public hearing process. When 2005 hit us with the 100 sub-divisions, plus rezoning, plus Conditional Uses, by the time we got to 2008 or 2009, we were hitting 22 months to get through a process and not because we couldn't do it, because we'd meet twice a month; just think of the Commission having to meet twice a month for the Commission, so our schedule works with the Council's schedule. A few months ago we could do a rezoning back to the 10, 12, 15 weeks. Today, because we've changed our program, we're at 45 days minimum between Commission and Council, so now it's taking 15 to 18 weeks to go through the public hearing process and it could be more and we look at projects before we go to public hearing; we normally would schedule five public hearings if they look to be minor; we see something that's major, it might be by itself. We've got several major ones right now, that we consider major just to go over what they are and we do them on their own so we could get more input from the public; more input from the Commission, more consideration. So it's time.

Mark Quigley: Thank you.

Don Mazzeo: Mayor Jones.

Mayor Jones: Mr. Godwin may be, not the oldest historian here, but one with the most longevity, or perhaps Robin. Correct me if I'm wrong, either the developer's or the investor's in Elizabethtown came to the Town of Milton first and proposed this project and I don't know that they proposed it on this grand of a scale; but Milton turned them down before they went to the County. Is that correct?

Hal Godwin: I don't have a definite answer for you on that, do you?

Mayor Jones: Because at one point that was hitched to a \$10 million wastewater plant.

Hal Godwin: I know there was a plan in concept. I'm not sure if there was ever a formal presentation made to the Planning and Zoning Commission. Robin, do you remember?

Robin Davis: I don't think so. I think it ended up being some sort of...

Hal Godwin: There was definitely a concept plan; it was a vision that was shared by a number of the leader's in town. I don't know.

Robin Davis: Correct.

Don Mazzeo: Ms. Weeks come on up. I believe Ms. Weeks has some history there.

Virginia Weeks: Thank you. There was one meeting before the Planning and Zoning, one hearing. Then it was put to rest for a little while and within that time, Jack Bushey decided not to run for Mayor again and Mr. Lockwood withdrew his application for annexation. Jack Bushey announced that at a City Council Meeting.

Mayor Jones: He was actually going to propose annexation?

Virginia Weeks: He was. It was heard by Planning and Zoning at one meeting. There needed to be more meetings, but it was heard at one meeting.

Mayor Jones: Thank you.

Virginia Weeks: You're welcome.

Bob Howard, 217 Chandler Street: I just have a question about process. I'm looking at that map that shows the Town of Milton and the County area surrounding it with the county zoning. This map that was handed out this evening shows the Town of Milton and its boundaries and the surrounding area in the growth area, with, I think proposed zoning, if it were to be annexed at the town's preference and I guess my question is, is this process of rewriting the Comprehensive Plan going to make it possible to readdress the growth area and the town's preference for zoning, should that be annexed?

Robin Davis: Yes, that is correct.

Bob Howard: Then I guess my final question is, given the time in the future when someone wants to annex into town, the question of what zoning will happen for that parcel, when it's annexed, will be finally determined at that point and it won't necessarily have to comply with what's in the Comprehensive Plan. Is that correct, or would the Comprehensive Plan have a huge preference?

Robin Davis: The Town is required by law to follow the Comprehensive Plan. If an area being annexed is designated as R-1, the town is required to annex that in as R-1...

Hal Godwin: Or amend the Comprehensive Plan.

Robin Davis: Yes, correct. Or the owner has the opportunity to say...

Hal Godwin: ...because you have a school or something that you really love that doesn't fit the growth plan you've laid out in your Comprehensive Plan. We would love this, but darn we've got it zoned wrong. We've planned to do this. You go to the State Planning Office and petition to change your Comprehensive Plan and if you give them a good argument, usually they do that. They're likely to change your plan, annex in what you want and zone what you want.

Lawrence Lank: And annexation also goes to the State Planning Office before it goes to us.

John Oates: This is more of a generic question, if someone can explain to me what the difference between an LPD and a sub-division is and what is the relationship between those two terms, if any?

Robin Davis: To kind of be short on it. They're basically both the same; it runs through a process, but the LPD allows for flexibility on items that are required or mandatory under a certain type of zoning. Somebody having an R-1 zoning, has to meet all the requirements in the Code. If it's zoned R-1 LPD, that allows flexibility, the developer to come in and say, I'll give you more open space, but I want narrow streets. Something like that. It's more of a general question; it gives flexibility between the developer and the town that approves the plan, to say okay we're okay with instead of... I'll use the streets as an example. Instead of a required street having a 60' right-of-way, the developer comes in and says, I want some more open space, I'll give you more open space, if you'll let me have a 40' right-of-way and the town has the option to say yes.

Lawrence Lank: If I can answer that, that's the same or similar to an Residential Planned Community (RPC). It basically gives you a chance to do some designing, to know that you don't have to meet all the Code specifically; it allows you to do some changes; it allows flexibility; it allows you to have rather than say you just go an MR zoning or an HR zoning and you're permitted single family residential use; it allows you to add multi-family use or townhouses; it allows, even in our zoning, maybe not yours. If you have an Residential Planned Community and you apply for it specifically in your application, you can have one acre of commercial area for every 100 units; but they didn't apply for that, they specifically

applied for commercial, so that took them out of the other category.

John Oates: Again, I'm talking more in general. Robin, you're suggesting that the appeal of an LPD is flexibility and you're also suggesting that that works both ways to benefit the town, as well as the builder/developer.

Robin Davis: I think that's how it was basically designed to kind of have the option of making some suggested changes and revisions.

John Oates: Alright, but is that contingent on the town requiring conditions?

Robin Davis: The Town ultimately has the approval. If the developer comes in and says I want these 25 things, the Town has a right to say no. You're not getting those 25 things, we're only going to give you 5; or we're only going to give you some of what you want. I'm only going to give you a 50' right-of-way, instead of a 40' right-of-way. The Town ultimately is the one approving all this in an LPD. The developer suggests anything. As a developer I could come in and say I want to put 1,000 homes in there and I want them all multi-family; the town could say in an LPD, if it's allowed in our Code to do that, that you can do that; even though somebody might say that's not right.

John Oates: Again, if the Town just says okay, we're okay with that. That's the end of the story.

Robin Davis: Correct.

John Oates: The the developer can come back in, for instance, and say well the market has changed; we're going to put in single family homes.

Robin Davis: Yes. That's something called a Plan Modification. A lot of the conditions are approvals that we have for Heritage Creek and for Cannery Village says that the developer has the right to reasonably modify the count of homes, not the total, in the development. The original plan might have 100 multi-family, 25 single family homes, the developer can come in and say now I want 75 multi-family and 50 single family homes, as long as the total count doesn't exceed what was approved.

John Oates: Okay, I understand that. What I'm concerned about is in Heritage Creek, and in particular if you want to get specifically with the development, my understanding was that there were no conditions required by the town, in that particular development.

Robin Davis: Wrong.

John Oates: Okay, could you give me an example of what conditions were required?

Robin Davis: I would not even begin to try off the top of my head. Don't put me in a spot like that, no, I will not give you a... and I don't even know if that's really relevant to..

John Oates: Alright, let me rephrase then. Where I'm going with this is that it seems to me that an LPD going forward, if a developer were to come in front of Planning and Zoning that Planning and Zoning should be concerned about putting certain conditions on the development. You're telling me, if I understand what you're saying, that that is done routinely.

Robin Davis: Conditions are put on the LPD's. Yes. The two that we have, do have conditions of approval on them.

Ted Kanakos: Robin, I was on Planning and Zoning 3 or 4 years ago when Heritage Creek was conceived more or less. It was completely empty and they had a Master Plan. That plan had changed a number of times. I remember that they specifically wanted a row of houses, with no street down the middle. In other words, the front doors would face each other across a lawn and access to those houses would only be through alleys and that Planning

and Zoning said no. Because if you're going down the alleys to get to your houses and there's a moving van there and you need an ambulance to go through, it doesn't make any sense. We forced them, literally, to put a street, so that now all the houses open up their front doors to a street; which also gives you more parking. They also asked, if I recall, there was a change; they had I believe a 60,000 square foot section as you go in and to the right for a commercial use, stores or something like this and after awhile they came back and asked if they could suspend that and make it some open space and that was that and they would move the commercial space to the road. In other words, if you're going into Heritage Creek to the left, they I believe the opportunity to build some row stores in there, that's commercial for them. These were changes that we approved and there are things that we asked them to do and they wanted to lower the density I remember, because they weren't selling any houses; so there are a lot of things that people came to Planning and Zoning, especially Heritage Creek and the biggest one was the fact that we had a lot of egress and regress with streets. They had to put streets in. They were trying to just put alleys, but now if you open your front door, every front door opens to a street and there's parking on the street.

Don Mazzeo: Alright, do we have any other questions for Mr. Lank, particularly as it relates to our surrounding zoning by way of County?

Lawrence Lank: I'd like to apologize for one thing. I kind of over-emphasized Elizabethtown. I thought that was probably a major concern.

Don Mazzeo: No apology is necessary. I think the folks that are in here this evening are very happy to have heard what they heard.

Lawrence Lank: There was a lot of concentration on that, but it's a major impact on the town.

Don Mazzeo: It's a huge impact. Could be. Could be.

Ted Kanakos: Well in a year and a half, it can be, when it goes back to 5,000 homes, from 1,200 or 9,000 or something like that.

Robin Davis: Again, it shows that as Mr. Lank said, what it's been approved for and what it could be in 2017.

Lawrence Lank: Well Robin said one thing that I would agree upon; is that you're kind of Residential Planned Community is similar to your LPD; they're similar. The situation he talked about was mostly density oriented. We approved 1,550 units on one side or the other and it was limited to a certain number of single family, as a minimum and then multi-family would take up the rest. We would allow them to expand the single family homes, if they came in with revisions, but we would not... the County would not allow them to add more multi-family's, because the preference still to us, as a County, is single family homes. We would rather have single family lots than multi-family. [unintelligible.] That is something with all these projects, you have the same thinking and effort.

Don Mazzeo: Very good. Any other comments or questions?

Jim Welu: I have one question. If the town were to annex let's say the top section of the old Elizabethtown, does the zoning go away because it's now in the town?

Don Mazzeo: Yes.

Lawrence Lank: As far as the County is concerned, that no longer has jurisdiction and it now becomes the town's position they have to do an annexation and they should have to do a zoning also; so it could be totally different; it could be the same or similar.

Jim Welu: Does the Residential Planned Community go away then too?

Lawrence Lank: Residential Planned Community goes away also.

Don Mazzeo: Yes.

Jim Welu: So it all has to be redone if the town annexes it?

Lawrence Lank: Right.

Don Mazzeo: Yes.

Jim Welu: Okay, thank you.

Don Mazzeo: And recognize the fact that again, an applicant has to come to town with a request for that process to begin and it's minimally going to be 90 days, if I remember the numbers from one of our meetings along the way. Anyway...

Mark Quigley: I just have to say one more thing. So actually then the Town, in essence, could go to the adjoining land owner, a representative from the Town, would say would you like to be annexed in?

Lawrence Lank: Sure.

Mark Quigley: And if they say yeah great, they can put the paperwork in.

Lawrence Lank: Right. For example, as Robin said earlier this is a separate parcel, contiguous to town; you can apply for annexation of that portion, then this party, if you got annexed, then this portion could apply for annexation and you could end up taking in the whole project.

Ted Kanakos: Do we solicit annexation? Or we just want for them to come to us, I would think?

Hal Godwin: No, Towns go and talk to adjoining property owners, sure.

Ted Kanakos: And solicit?

Hal Godwin: Sure. It's an agreement. Annexation is like any other agreement; two parties agree.

Ted Kanakos: Would the Town solicit this type of thing to better use their utilities?

Hal Godwin: Sure, this is why we do a Comprehensive Plan; we try to think about how we would recommend the properties to be zoned if they were annexed in and like Robin said, it becomes part of the Plan and then if you get the opportunity to zone that in, you have to annex it in in that zone, unless you're ask the State the change your Comprehensive Plan; which they'll usually do that; but the point is you've got a fought through plan; you've fought this through; you say if this area were to join the town and be developed, we think it would be best if it was and you put that in your Comprehensive Plan. That's the purpose of this discussion. If you put that in the Comprehensive Plan, we make a map, we show different colors as to what we recommend; that becomes part of the Comprehensive Plan document when the State certifies it. But that's for you to decide, for the Planning and Zoning Commission to decide, along with the townspeople and the Town Council and so forth.

Ted Kanakos: I have to amend my comments about Heritage Creek. It appears that some of the houses do not open to streets and this might have... That was done afterwards, is what I wanted to say up to the point when we were on Planning and Zoning. We're very stringent now. I know these people come back with modified plans, Section A, Number 2, modify this and that; to the point where it's very confusing, so I do stand corrected if that's what is now. It was Planning and Zoning after us. It wasn't our fault. Thank you.

Hal Godwin: If you folks are done with Lawrence, I'm going to thank him for coming and

talking to us.

Lawrence Lank: No, it was my pleasure.

Hal Godwin: I'll just add that Lawrence has a birthday tomorrow, so we should all wish him happy birthday. Happy Birthday, Lawrence. Bobbie Guyer is here with us tonight. I'm sorry her name is Roberta Guyer. Her friends call her Bobbie. Anyway she's a Planner with DelDOT and she's going to talk to us at June 9th meeting primarily about transportation issues, but the reason she wanted to stop in tonight, just for a few minutes was to gather some questions from you, so that when she comes in June, she'll have come pre-prepared to answer those questions and maybe make some presentations about transportation options and some of the things that the smart Planner's do at DelDOT.

Bobbie Guyer, Planner at DelDOT: Before I get the questions, I just want to tell you a little bit of some of the things that we've been doing with other communities around the State. As Lawrence mentioned from 2006 to 2009 we were inundated with all kinds of sub-divisions coming in, especially in Sussex County. I work in Planning and we also have sub-division section with the Division of Planning, that we oversee and work with the State in looking at the transportation; affects of development on the transportation system. When we did the long range transportation plan, I think it was in 2009 or 2010. I can't even remember now, but one of the things that we saw that development was exceeding what the transportation system could keep up with, so we knew then that we had to change the way we did business, so we've been working with a lot of communities that have growth potential. I think this little recession that we're in now, is giving some of these communities time to do planning like you're doing; because it's just a matter of time that people are going to discover Delaware again. They're going to be able to sell their homes in other areas and they're going to want to retire here for the quality of life that we all know. I've lived in Delaware for almost 40 years and just recently moved to Sussex County, which is everybody's dream in the northern part of the State, so don't let them fool you. But we've been doing what we found in the long range transportation plan, we call that Transportation Investment Districts. We've also put that into Delaware Code, so what it is is working with communities, with the transportation system, with all the State Agencies in looking at areas that for annexation purposes, looking at traffic impacts to density's; what kind of density's. We have models and simulation of what it would mean if you were to get an Elizabethtown, what that would mean as far as traffic on 16 and we can simulate that and show it graphically and in a visual format, so that not only you, the public; but the people that are making the decisions can see what kind of impacts would be on the traffic, on the intersections, and also putting in sidewalks, bicycle lanes and transit, what that would do to mitigate some of those transportation issues. So that's one thing we've done. We've done a few. We did Middletown and actually Middletown and it's growth; and it has grown significantly over the last 10 years; prepared them for the Amazon business that has located there and they were prepared for those kind of businesses to come in, because they had the zoning in place; they had everything in place for those businesses to come in. We've since worked in the Town of Smyrna. We developed a plan for them in the 13 corridor to be ready for the same type of business opportunities and also for other multi-modal transportation issues along the corridor. Then we've just completed a transportation investment district in southeast Milford; because they're planning on annexing where the new overpass is in that area and planning a new health center facility, so we've looked at all

that development and we have all the model and simulation so that nothing's a surprise; so when you can plan your Elizabethtown, if that's what you decide to do and annex some of these areas in, you can actually see what the density will do and I know everybody thinks density is a bad word; but we moved down here because... I moved to Lewes and the density there I think is 6-8 units per acre; but we can walk everywhere and I think that's what the Town of Milton can offer to someone that would move into a development like Elizabethtown; to give people an opportunity to be able to walk and enjoy the downtown Milton area and plan medical facilities and all the things that that kind of development would bring. It just gives you an opportunity to plan for these events. I know Rehoboth and Lewes and I've said this time and time again; that they didn't have the foresight to look to annex out so they could control the growth that is now impacting their towns and I think exercise in developing your Comprehensive Plan, especially at this time, knowing that the people are coming, our population and employment projections show that that's what is going to happen. It's just that it's an again population, so those are the kinds of considerations you need to look out. The types of housing. I don't want to live on a half-acre lot. I want to live on a smaller lot and I think you're going to find that a lot of people moving into this area are looking for those same type of opportunities; so I'd be happy to take your questions now. I'm sorry. I didn't mean to go on so long.

Don Mazzeo: Any questions? Ms. Weeks.

Virginia Weeks: I'm very concerned about the traffic on 16 and on Mulberry and Union Street, which are State-owned streets. We don't control much here in the Town of Milton, with the building of Elizabethtown. That's why I asked Mr. Lank about where the exits from Elizabethtown are and as we saw there are only two onto 30 and four or five onto 16, which is a very narrow street. So in planning, if you could bring back a demonstration, as you say, of what that development is going to do to 16, to Mulberry and to Union Street, I, for one, would appreciate it.

Bobbie Guyer: I wouldn't be able to bring that to the next meeting, because it takes awhile to impact and again, we don't know what the densities are going to be, so I wouldn't know what to feed into that model, but when we do the traffic impact studies, we actually do that; but I don't know if we did the modeling for 16; we must have done something.

Virginia Weeks: You must have done something when DeIDOT had to do a traffic study and allow all those exits on 16.

Bobbie Guyer: And I'm surprised, because 16 I would think, would be sort of a limited access road.

Virginia Weeks: I'm surprised also.

Bobbie Guyer: But I can check with the people in planning that have worked on that subdivision.

Virginia Weeks: Thank you. Also, it was very interesting what you said about walkability. About a year ago I approached the then Town Manager asking him to please look into applying to the EPA; I'm sure you're familiar with the walkability study that was done in Lewes. I worked on that with John Matteca and I would like to see that redone here, because I think it was Renaissance came in, out of Virginia and this was a study on walkability and it's important in your Comprehensive Plan when you do this, because walking is an important part of the quality of life and they had an amazing group there, from different hospitals, from Beebe, from Nemours, from different places and from the

EPA and this Renaissance Group and they came in and spoke about the importance of walkability; what you can do; how you can configure your traffic; how you do your planning of what makes it easier to walk and to make it a pleasant walk and then they went out and did a two-hour survey with members of the Team and walked all around Lewes and then about three weeks later Lewes received a report on their recommendations. It was all free from a grant from the EPA, so maybe you want to look at that into your Comprehensive Plan. Thank you.

Bobbie Guyer: We actually have maps of all the sidewalk connections and we've even, because we're under the Americans with Disabilities Act and the municipalities all have to come into code, as far as accessibility of their sidewalk, so we have actually done and we're updating our data right now, to show what areas have sidewalks. We already have that inventory in our file and where the gaps of the sidewalks are. What we may not have and I'm not sure what we did down in Milton, is to fine out what areas are accessible, even though it has sidewalk, it may not be to Americans with Disabilities Act guidelines. So that's something that we could work with the town to do...

Virginia Weeks: Bicycle paths and all that sort of thing.

Bobbie Guyer: Well we're updating our bicycle Master Plan too, on a statewide basis and what we're going to be doing this time is looking at low stress bicycle connections, so not necessarily looking at adding bike lanes which we would do anyway with a lot of projects on 16, but looking at how we can get through neighborhoods to make riding more acceptable to younger or older adults.

Virginia Weeks: I would love to see a walking bicycle path along the Broadkill River, all the way into Lewes. If you're going to do a bike path from Georgetown to Lewes; it seems to me you could do one from Milton.

Bobbie Guyer: Well first you need a plan and then you need a lot of money.

Virginia Weeks: First you have to have imagination.

Bobbie Guyer: That little segment along the Lewes Library, which we're doing as Phase I of the Georgetown/Lewes Rails to Trails, the design alone was \$600,000; the construction is over \$1 million. It's a lot of money, but you have to have it in a plan and I don't know if you've been reading the paper, but our budget is going to be really tight for the next couple of years, even on the Federal level, so...

Virginia Weeks: Doesn't have to be done tomorrow, but it has to be in the plan so it's addressed.

Bobbie Guyer: Exactly.

Jim Welu: I have a question, whether DelDOT is thinking about something that I think is very important. I experienced it a whole lot this week. State Farm put me up in one of the motels down on Route 1, but if you come on Route 1 from 24, you can go up maybe a half a mile and there's a turnaround. When you make that turnaround, there's got to be at least four or five entrances, like Pier One, Sakatumi, the motel and McDonald's. Now it seems to me it's too late to do this on Route 1 probably; but I'm thinking of commercial on 16. The developer's are going to have to give up some land, to have one entrance from here to here or from here to here, with a road that parallels 16, but you one road of access to get to all the little commercial and into the residential and it's going to mean that landowner's are going to give up some space to have that extra road in there, but to keep the turn offs limited.

Bobbie Guyer: Yes, it's a service road concept and we're doing that in Dover on Route 13 to make the connections from Dover Downs all the way down. I know Lawrence took a shot at me before, so I'll shoot back and say that it's a function of land use and we just happen to have to suffer through all those entrances, but granted, it's hard when you have all those entrances on a road like Route 1, to do anything; but to retrofit now to put in service roads, we'd have all kinds of businesses screaming and hollering at us, because I don't know if you recall when they did Route 50 and put limited access on Route 50 and closed off a lot of those businesses, including the McDonald's along there; I'm sure they heard a lot of yelling and screaming, but it works really well. Yes, we've talked about. We looked at it in the SR-1 land use and transportation study, but it's a very expensive proposition at this point in time.

Ted Kanakos: In expanding on Jim Welu's observation, I know that if you go into Super Fresh you can go through a number of parking lots, which actually become parallel roads; but then all of a sudden you find that you can't go into the next lot and you're forced out. Is there a reason that they don't have a continuous parking lot, one after the other; you go down four of them and then you have to stop.

Bobbie Guyer: Unfortunately, it can't be formalized, because it is through all private parking lots, so it just so happens that the locals find their way around by using these back road things, but again, we're looking... It's kind of hard when we see an area and that's why I say you have an opportunity here, if this area develops, for you to annex and make sure you have the service roads that would eliminate all the entrances onto Route 16, so that you have more control over that area, so I can't stress that enough, that the land use and transportation go hand in hand. If you don't plan it together, it doesn't work. Just like what happened on Route 1; just like what happened on Route 13, up in Dover. It just needs to be coordinated better.

Don Mazzeo: Councilman Collier do you have a question, comment?

Councilman Collier: I have some questions, Don. My question for you basically is, would you be able to return to us and project where in DeIDOT's planning future, particularly Routes like 16 stand, SR-30, SR-5, Sand Hill Road, Cave Neck Road? All these are roads. Cedar Creek Road is another one. All these are roads that serve people to come to Milton and to get around the perimeter of Milton. I know that we're bound by town agreements as far as once you cross into the town limits of Milton; the department's responsibility basically ends at the curb line, or that's the agreement that they have with the town and that was signed long before any of us got to this point in time. But I'd be interested to know where these are all, if any of them are in the planning pipeline. I realize that the Department of Transportation invested significant money in rebuilding the bridge at Reynold's Pond and improving Sand Hill Road, to create a truck alternate route around Milton; but there still seems that there's some work left to be done, because even though they did that, the access to particularly the intersections of 16 and 30; if they do make that turn, it's still difficult for them to route themselves to get to the rest of the truck route and going around Milton takes time and I think when we look at our growth areas, that these are important routes to consider, because they're in the outlying areas and we can either feed them from within the town or we can feed them from without the town. As it stands now, most of our major routes through the town are major thoroughfares are all state-maintained roads. There are feeders to our municipal streets.

Bobbie Guyer: And I'm sure that if any of these projects or any projects are in, it would be

in our capital transportation program. Off hand, I don't really know what's in there.

Councilman Collier: I asked when you came back if you could maybe give us some idea, because I realize you don't have that information on the top of your head.

Barry Goodinson: Just reiterating what Councilman Collier just said. I think we don't know what we don't know, so I think it will be helpful for us if when you come back, to kind of come and let us know what's planned from DelDOT's perspective for the roads in the area, for vehicles, for walking trails, for biking trails, everything that has to do with transportation; if you could come back with sort of an inventory of what's planned over the next several years, then we would have a baseline from which we can operate and we can say well you're going to do that; what we'd like to do is build on to it; but we don't know what you guys have planned, so we can't really put anything into our plan. That's what I would like to see.

Bobbie Guyer: I can tell you right now, as far as bicycle and pedestrian plans, we don't really have anything for the Town of Milton, right yet, because we haven't done a plan with the town to develop those things, but it's something that we could work on.

Barry Goodinson: If you could let us know, because I know there's the Georgetown/Lewes thing. If you could kind of let us know, generally what's in the area, so what are the systems that we might be able to tie into? That would be helpful.

Bobbie Guyer: Right now, in Sussex County, we're very limited. We have the Capitol City Trail in Dover, is what we're working on now; we're working on something from Newark to Wilmington up north; the Georgetown/Lewes is our major project downstate for trails, but that doesn't mean that we don't do smaller projects within municipalities. I know we did the project on Mulberry Street, through our transportation enhancement program; we've done some other things down in Ocean View; we're working in Bethany right now, so those little projects we can do, it just is a matter of putting together a plan for the town and then you prioritizing what projects that you want to do initially; because it's got to be broken up into small projects; because the million dollar projects are few and far between. So it's got to be something manageable, within the department.

Mark Quigley: How about if it's said this way; you mentioned earlier about if Lewes could do it over again. What about a wish list say for Lewes, but that we would use it. You mentioned it earlier, you live there, so from your experience, how could that help us?

Bobbie Guyer: Well I know that Lewes is looking at development along Freeman Highway and King's Highway, right now. To think that those farms are not going to be developed, is just not reasonable. If it were annexed into the City, they would have more control of the type of development that would happen and what kind of development. Right now the city and the developer are at odds, so is that going to happen? I doubt it. Even in fill, within the city, there's controversy over that and I think having development and residential development within the Town is a great thing for the towns; and again, the people that are going to be moving here are not going to be looking for the large three-quarter or half-acre lots. They're going to be looking for something a little bit more manageable that they can live and age in place and that's, I think, what a lot of these communities are planning for and the walkability is a big deal. Walkability, having healthcare, having the kind of retail that people could walk to, do a little grocery shopping, those kind of things. It's a big deal.

Hal Godwin: Bobbie I noticed some time ago DelDOT had designated 16 as an official evacuation route. Is it still considered an evacuation route?

Bobbie Guyer: I am not sure. I think probably all the East-West roads are evacuation routes.

Hal Godwin: The reason I raised that question and I think some years ago there was a plan to upgrade the evacuation routes. There's no money now, but that would improve the two major intersections that Milton sees on 16 and didn't you email me something about the Controller being recently upgraded from 16 and Union.

Bobbie Guyer: Yes, I thought I had sent you something that...

Unidentified Speaker: The put up the new post this week.

Bobbie Guyer: Right, I thought that was being worked on.

Hal Godwin: And the timer of lights was upgraded, wasn't it?

Bobbie Guyer: Right and it's rebuilt converting the span to mast arms; so that was supposed to be taken care of this past week, so I don't know.

Hal Godwin: And another question, is and I think I've heard that from our Planning and Zoning Commission, the Route 5 truck route is it clearly marked to take the trucks around Milton; or are there signs missing?

Barry Goodinson: It's clearly marked, I think.

Hal Godwin: I just wanted to make sure. I remember sometime back there was a sign missing and the truck's got confused.

Bobbie Guyer: You had also asked to about Brown Signs and if you can send the request to me, I will forward them on to our traffic section and they will... it says depending on the location, type of facility, whether there is an actual destination parking area, we may or may not be able to allow the signage. Any costs would be on the Town or others, meaning your legislators.

Barry Goodinson: I have two questions. One is, the list we received from the State says that we have to discuss the Corridor Capacity Preservation Program. I have no idea what that is. It references Routes 1, 13 and 113. What is that and what is expected of us, to address this Corridor Capacity Preservation Program?

Don Mazzeo: We're not looking for an answer this evening; it's just the kind of things we want you to bring back to us.

Bobbie Guyer: But I think the Corridor Capacity is basically the access issue; Route 1 and that's why we're doing all those separated interchanges, is to get away from having entrances on that type of facility. It's not going to be 100%, because of all the driveways that come out to Route 1, but at those intersections like at Cave Neck Road, there's a development proposed on the east side of Route 1; part of that development will be that the developer will have to build part of that overpass, so that you're not going to be crossing Route 1 and a dangerous situation; the same at 16.

Hal Godwin: Like what happened last week.

Don Mazzeo: And last year.

Bobbie Guyer: It happens every day. I travel down that road twice a day and there's always something.

Tim Allman: I'm currently in Admiral's Quarters, but I'm going to soon move over to Wagamon's and I just want to restate this walkability thing. It's not necessarily a question, but I mean this is something that we do need to plan for. One of the appeals for me, a Pennsylvania boy, came down to Delaware, is that my wife and I, we love to walk in the area, but going out to Wagamon's we can't do the things we used to do, which is walk to the Farmer's Market, visit the local shops and that's a huge appeal and my background is in

marketing and it's just one of those things when I have to sell the Town of Milton, because I work for Schell Brothers, so it's not about the Heritage Creek stuff. It's all good. I'm in marketing, I don't build anything or develop any plans, the community plans; I'm not taking anything back, you guys are alright. But when you have to sell towns like Milton, one of the the things we say is everything is within walking distance and I'm lying, all the time, but it would be nice if people could walk from Heritage Creek and Wagamon's without having the fear of getting hit on that blind turn, coming around the pond. I saw a woman with a stroller the other day. I saw a man with a small dog and he was walking his bike down the hill. That is an incredibly dangerous place. Again, the white elephant in the room, I'm very young. I'm the youngest man here, sorry, but it's just I wanted to get involved in this, so I wanted to come to the meeting. I'm going to rudely jet after my thing here, because I didn't eat dinner yet, but I just wanted to say my part.

Don Mazzeo: Thank you.

Mayor Jones: Tim, I think the answer to that is intended to be the Rails to Trails, which goes from Federal Street across that piece of water and connects to the backside of Wagamon's, which would make you finally have connectivity walking. My question for the DeIDOT Planner, since someone brought up the Route 16 being an evacuation corridor, it's kind of hard to accept that when Route 16 and 5 there, we have water problems. It's nice to plan for our future, but we can't seem to get a response or I haven't hit the right person at your facility to come and talk to us about how our roads are under the water already, in the storms that we have. So yes, I agree, service roads on 16, since you have plenty of time to plan, is an excellent, excellent recommendation. I happen to be the daughter of a Fire Chief who when we moved to Rehoboth Beach in 1959, one of his first comments when Route 1 began to develop, and the fire trucks used to still run down the grass median strip; was if you don't put service roads in this corridor right now, we're going to look like 202; so plenty of time I really encourage you to look at 16 with that point-of-view, but if you could also take back to your department that Milton has present issues that we need to take care of, outside of the Comprehensive Plan. I'd appreciate it.

Bobbie Guyer: Uh-huh.

Bob Howard, 217 Chandler Street: My question has to do and it's a request that perhaps you'd come back and talk to us about in the future, but one of my visions for Milton is improved traffic by routing traffic down Union Street one way and Mulberry Street the other way. One way on each street, to take some of the pressure off the streets to provide more area for parking and to make it safer for pedestrians. When I've expressed this in the past, I've always been told that that's something DeIDOT would never consider, but my question is what are the problems with that and is that something that might be done in the future?

Barry Goodinson: One thing I'd like to hear about is from a planning standpoint, from a transportation standpoint, what the conventional wisdom or the emerging wisdom is about the constant cul-de-sac-ification of communities where you keep on developing communities where you have one entrance and then they're all sort of a bunch of interrelated roads, but only one way out and what is the impact on traffic; and I guess also what is the impact on the inner-connectivity within the communities? So I think we heard that Wagamon's... how do you get from Wagamon's to the rest of the town and similarly, we've got a bunch of these developments happening and what does that do inner-

connectivity to traffic, to the sense of an overall integrated community; so if you could come prepared to talk a little bit about that, that would be helpful.

Bobbie Guyer: Well that's a land use issue. Basically, when the development comes in and they design a cul-de-sac, that's something that the land use agency either say no, you need to connect to the other development, or we're going to be okay with the cul-de-sac.

Barry Goodinson: That leads to another question that I wanted to ask earlier. You had asked what are the questions we have and it feels like we're getting a lot of push back, so I want to turn it on you and ask when you go into a community at the beginning of a planning process, what can you bring to the table? What are you able to bring to us? What information can you bring to bear and what can we expect to learn from you as we go into this, because I'm not catching it right now.

Bobbie Guyer: One of the things we do and we work with the County; we work with all the other State Agencies, when a development comes in, like that particular development, we would make comments about connectivity, inner-connectivity with other developments and I'm going to give you a concrete example of something that we proposed, but that the County didn't adopt; was a development right off by Midway, down on Route 1. It's Bay Crossing. Senior development that has access in and out onto Route 1. We proposed that they bring in a connection to connect to the Midway light there and there were a couple of people who were up in arms that live in that area there, that said no. So what did we create? A very unsafe environment for elderly people that are coming in and out, that have to turn north onto Route 1, go across three lanes of highway, to make a U-turn to head south. So we can only make these suggestions when we do our plan reviews, but again, it's the land use agencies that have to either move our comments forward and make sure that they happen; but even in the Comprehensive Plan that the County has, calls for inner-connectivity and that's a perfect example, because you build Wagamon's Pond and then there will be another development next to it and the people that are in Wagamon's Pond say well we don't want those people coming through our neighborhood. So again, unless it's in the plan and it shows that connectivity when you're doing that; otherwise it's so hard to get those inner-connections. We see them all over the state.

Robin Davis: I'll follow up on what she's saying. That's a prime example that we have here in town, Cannery Village, Heritage Creek. When the design phase, or through the process of Cannery Village, again I'm just getting bits and pieces because I wasn't involved in it, there's a round about in the area of the school, on Summer Walk Boulevard. Heritage Creek, when Heritage Creek came in, there is a road that's going to be coming from in Heritage Creek towards Cannery Village. It's going to stop at the property line at Cannery Village. Cannery Village did not want to connect into Heritage Creek because that's what the builder said. I don't want those people running through my development and the town allowed it. So it's not a DelDOT issue, it's a Town issue. The Town should have, if we were hard-pressed and really wanted to push that, should have said no, you will put a connecting street in there; but there is a road that's going to come up within 50' of the roundabout that is going to stop coming from Heritage Creek.

Bobbie Guyer: And that's what creates a lot of the traffic issues, because then you're forced to have inter areas, instead of making those trips through communities, you're forced out onto the major roads for the local trips.

Barry Goodinson: We know that and we see it anecdotally; I guess what I was wondering is

is there data available to us that when people come and say we don't want to connect, because we don't want those people coming through our community, we would have an opportunity to counter and say yes, but the larger impact is X and the larger benefits are Y. We just don't have that information.

Bobbie Guyer: That's why I suggest that if you're thinking of annexing any area, into the town, that we can come and show what the development and we can project all the traffic impacts to all the intersections and the areas around and show you; because we can actually quantify now the trips that could be taken off the road; that people would be walking, biking or if there were transit service. Again, if you ever wanted transit service, you need to think density; because two units per acre does not make for a good transit service, so just keep that in mind, because when we get older we're all going to lose our driver's license, so transit looks very appealing at that time, but we have the modeling and the capabilities to show that simulation, so if there are doubters, they can see what an inner-connection could be that would take traffic away from the main road and just have the local traffic through some of these sub-division streets. We didn't do a lot of that planning years ago and we're paying for it now, unfortunately.

Jim Welu: A thought occurred to me. I just want to bring this up and I don't know how we're going to address this, but at the last Council Meeting a woman was supposed to have come up; I think it was Dr. Michela Coffaro, and said where are all the flowers? My question tonight is where are all the citizens? We've got to get more citizens involved in these meetings. We've got to somehow do a round-up, block by block, or whatever. What I really came up here to talk about was something that I think Ted had alluded to, and a couple of other people. The Town of Milton is trying talk about it's business-friendliness. We have a new, exciting, opening of the Theater coming up. Irish Eyes are expanding their space, with the hopes that the theater will produce more business for them. We have new restaurants. We have people that can come to Milton easily from the north and from the south and from the west. Coming from the east, we want to get all the people from Rehoboth Beach, Lewes coming to visit Milton. The biggest drawback is Cave Neck Road and Route 1 and we can't wait for DelDOT to put an overpass there. They've done the one at 30, that's going to take a long time to get down to Cave Neck Road. I think we need some traffic lights there, to allow people coming from Lewes or Rehoboth to make a left hand turn, safely, onto Cave Neck Road to be able to get into town and I think the business people in town would certainly promote that as much as possible and I think the citizens ought to push that. So that's my challenge to DelDOT tonight. Thank you.

Don Mazzeo: Any other questions or comments for our DelDOT representative here? And Roberta, I would guess that you've heard enough of the input from our fine citizens and anyone else? That's it? Okay, well that is going to be the conclusion of the business portion. We do have another item to discuss this evening. Again, I thank our guests that came in from both State and County; perhaps we'll see you again here some evening, as a visitor. Very good. Thank you.

- b. Potential dates for additional public hearings/meetings and possible changes to approved schedule.

Don Mazzeo: We have multiple meetings that had been originally set up and we have one major conflict right now and that's the third meeting, which was set up originally for July

12th; which is a Saturday. It also coincides with I believe with the Garden Tour in town and we feel it's unfair to those who would like to participate in either/or both; preferably both, so that we would entertain a change of date if we have an ability to do that. If we want to maintain Saturday and this is to our Commission members, we either have to move it to the 19th or one week further to the 26th to keep it in July and keep it in a Saturday timeframe. And I will defer to Robin, if there's any time available in the Library for that activity.

Robin Davis: That's what I was going to follow-up on. I actually did run down to the Library staff. Sandy, who usually handles the scheduling wasn't available, but Donna looked at the book. Saturday, the 19th they have something in half of this room. So we would only be... the 12th was scheduled at 10:30; they have something going on in Room 3, or just half of this; so we would only have this half available. If we feel that's large enough, then we can do it; if not we would have to try to find another venue. The Fire Department is usually available, but I think at this point now, they're starting to charge.

Don Mazzeo: Last time I checked the Commission had no budget.

Robin Davis: The next weekend both rooms are full, on the following weekend.

Don Mazzeo: Okay, so what you're indicating then would have to be July 19th; it would be in half this amount of space and if our participation in the last two sessions, is any indication, and we move back a little bit, I think we might have enough room.

Barry Goodinson: On the 26th?

Don Mazzeo: The 26th is unavailable. On a personal basis, it's unavailable.

Barry Goodinson: I would propose the 19th and I'm not sure if we have to worry too much about... because we did talk about moving these meetings to other venues; so we don't always have to be in the Library and if we're discussing a particular topic, whether it be the river, or downtown, or the arts in town, we could move it either to the theater or outside and have a walking around meeting. These meetings have got to be more rolling up your sleeves and planning, rather than kind of sitting here listening.

Robin Davis: That's great. I just want to follow up. The walking around meetings means we need to walk around with these things, the microphones, so that's the problem.

Barry Goodinson: Okay.

Don Mazzeo: The gazebo doesn't move.

Robin Davis: That's correct. I understand that, it's just that we've got to be careful and there is a tendency of rain. I'm open to anything. That's fine. It's just moving it, like to the theater; used to; I don't know about now they used to charge. The school was the same thing, we had to get out at a certain time because of the custodial. So, it's possible, but it's just something that needs a little bit more thought.

Don Mazzeo: Do we have any other suggestions, if we do not hold it on July 19th, which is a Saturday at 10:30 in this space.

Unidentified Speaker: Excuse me, could we hold it later in the day on Saturday, the 12th?

Don Mazzeo: Again, on a personal basis, I would not be here. Cannot be here, but that doesn't mean that the meeting cannot go forward without me, certainly. We have a Secretary who can run the meeting and actually Hal is participatory.

Lynn Ekelund: But if you're not going to be here on the 19th, I'm not going to be here on the 19th either.

Don Mazzeo: Well I'm here on the 19th.

Lynn Ekelund: Settled. Okay.

Barry Goodinson: The 19th is good for me.

Tim Nicholson: I'm fine with it.

Linda Edelen: I think it's fine.

Don Mazzeo: Okay, because we have already published this, then I need a motion to make that change in the publications.

Lynn Ekelund: So moved.

Tim Nicholson: Second.

Don Mazzeo: All in favor of July 19th, 10:30 a.m. in the Library say aye. Opposed. Motion is carried. We have now changed our third meeting to July 19th. It will be put up on the website accordingly and for edification, our next public hearing meeting is June 9th; it's again a Monday night. It is here at 6:30 p.m. and I believe, Barry, you put together a very thorough draft schedule; that's what I'll call it. A very aggressive one at that.

Barry Goodinson: What I was trying to do is incorporate all of the required components from the State into a schedule, where we would take each component and discuss them one by one. So we would talk about growth areas, as we did tonight; it was suggested at our last meeting that we discuss Core Values, which I think is an important conversation to have early on, because I think it forms the basis for our subsequent conversations and then moving onto Historic Districts and Community Design Guidelines; discussing the Town Center, the River. It goes on and on and on and it's going to require many more meetings than the four that we've scheduled, but I think this is a big project and we need to dig down deeply into each of these, to develop a really substantive plan, which would probably mean that we would have to meet more than once a month; we'd have to double-up and meet probably twice a month, if we want to get this done at least by December, I guess. Then there would be one meeting built in that doesn't have a topic assigned to it, in case something comes up that we want to have some time scheduled and the final meeting would be a review of the plan, with the community, so we could kind of build and build and build as we go through.

Don Mazzeo: Let me ask a question.

Unidentified Speaker: Is the _____ housing on here, at all?

Don Mazzeo: Yes, it's in there.

Barry Goodinson: Yes it is.

Don Mazzeo: I saw it, I don't remember where. Let me ask Hal a question from your experience, what would be a drop dead date that there should be a document presented to the State level.

Hal Godwin: Well you need to have a cushion of time between the time that you have to send it Town Council...

Don Mazzeo: I'm looking at it from the other standpoint, backing it out.

Hal Godwin: The Town Council will need to advertise it, review it and possibly more than once. They might have a public hearing and someone might come and say, I watched you go through this, but you've got to change X, Y and Z and the Council might think, that's a good idea. So the point I was saying was to at least two Town Council meetings, before they're going to send it to the State. Marion, what's the deadline on sending it off to the State, is it March?

Mayor Jones: May.

Don Mazzeo: May.

Barry Goodinson: May. Okay.

Don Mazzeo: That's the date I'm looking for.

Hal Godwin: So I would think that if you had a document that the Planning and Zoning Commission could send to Town Council in early March, you'll have plenty of time to get through with what they've got to do with it and get it off to the State Planning Office.

Don Mazzeo: Okay, so if Planning and Zoning Commission shoots for the first week in March, to have a completed draft and that's all it can be at this point, would be a completed draft and that's all it can be at this point, would be a draft.

Hal Godwin: It's going to be your recommended document to them.

Don Mazzeo: Well it's a draft for recommendation to Mayor and Council for approval or suggestions.

Hal Godwin: And you may have a document that you think, wow, I'm glad we're done with this and you have a public hearing and find out, we're not done with it. So I would give yourselves a meeting or two to have with your finished document, which might be January; so Barry's schedule might not be all that bad. If he's shooting at December, that might be a good date to try and have your first draft ready. Okay, we've got it all done, let's read through it.

Sam Garde, 115 Sassafras Lane: I just want to ask the question about maps to be included. Do we have a contractor to make correct maps? And if so, please consider correct maps when you're scheduling this, because the map maker needs time and he's going to charge us some money to make proper maps.

Don Mazzeo: Okay, what kind of monies do we have, if any.

Hal Godwin: I would think that that might be a function you want Pennoni Associates to do, because they probably have access to that and that would be a function that they could fit right into with their planner.

Don Mazzeo: Their planner. Mayor?

Mayor Jones: Thank you. Keep in mind, you have until October the 1st to spend the present budgeted amount of money, of \$10,000; if you let that lapse, I don't think that's very good judgment, so if we need to bring in some of the professionals and review your professional planner; any map that you identify by that time and we can use up some of that present budget money that would be helpful, I'm sure, to the Comprehensive Plan Review.

Don Mazzeo: October 31st?

Mayor Jones: October 1st. No, not Halloween. Alright we've had a lot of input this evening from a lot of different areas. We do have DeIDOT coming back to us on June 9th, with hopefully some of the questions that have been posed, with answers; maybe she'll poll some additional questions to us, Barry. I heard what you were saying. What is it you're going to give to us that might help us and I'll just leave it at that. But I think for the purposes of our next meeting, that if there's any additional questions, either from the public or certainly from the Commission, let's have them prepared while she's here and I understand that there may be a second person that may attend, as well.

Hal Godwin: I don't know if she's going to bring someone else with her, or not.

Don Mazzeo: Well, either way, but if we're looking for some direction, then this is the person we should probably ask. And if we're trying to get some answers, it sounds like this is the person to ask. If we're looking for some signs, maybe she's also the person to ask.

Hal Godwin: And Bobbie's local. She lives in Lewes. This is her neighborhood. You don't

have to just talk with her regarding your Comprehensive Plan. She's available for transportation issues on the planning mode, anytime.

Don Mazzeo: Within reason.

Barry Goodinson: Just for our planning purposes, I'll move, because I had Core Values slated to be discussed on June 9th. Because she's been invited, I'll put transportation on June 9th and I'll readjust the schedule a little bit. Would you all be comfortable in following this schedule, because what I want to then do is start... we'll publicly announce than on such and such a date, on June 9th we're going to discuss transportation. I can send out a Press Release; we can put it on the Town website. That way people will know what to expect to discuss when they come on June 9th and then subsequently on other dates we'll be discussing the Historic District and Community Design Guidelines; because I want people to know, in advance, what we're going to be discussing and then also we can invite the appropriate stakeholders, or really reach out to the appropriate stakeholders, whether it be business owners; downtown, if we're discussing downtown; or the historic folks when we're discussing...

Don Mazzeo: The Historic Preservation Commission would be more than welcome to attend this meeting. In fact, I would encourage them to come. They probably have better input.

Barry Goodinson: So we also need to schedule additional meetings then.

Don Mazzeo: At this point I would suggest that we just maintain the four that we have and I believe at the end of next session, we should probably start looking forward to the next two meetings thereafter.

Barry Goodinson: Okay.

Elliot Whalen, 205 Heritage Boulevard: When I was reading through the documents that you handed out at the last meeting, the State Recommendations and so forth. A good chunk of the pages that were given to us from the State for recommendations, how to deal with DNREC. Do we have experts here that know how to do environmental control and all that other stuff that they're looking for on that? There's a lot in here that they need done.

Hal Godwin: I know. Robin and I discussed that the day that we went up for that review. There are certainly folks from DNREC that would come talk with us about the issues listing in the review, or other issues that you want to talk about. DNREC's a big organization and they have a lot of different experts, on different fields. I've already spoken to Ed Lewandowski, who does the Sustainable Coastal Communities Initiative. He works with University of Delaware now, but he would be willing to come. DNREC has a lady that specializes in sea level rise; I've spoken with her. She would come talk about the flooding in the river and there are others that we can contact, geared against the issues that they raised. One of the issues that we have to do is we have to formulate a Source Water Protection Ordinance and Council is required to adopt some kind of an ordinance. DNREC is not going to word it for you, but they'll give you examples of other ordinances; Lewes has one. By the way, last night I was at Lewes City Council for a meeting and they have their Core Values, Ginny, on the wall. I think it was pretty impressive, reflective of what you were saying. They have about 5 or 6 issues; that says this is what Lewes is about.

Virginia Weeks: That can't be done at one meeting.

Hal Godwin: I know. I understand. But it was a reflection of what you were talking about.

Barry Goodinson: I just have a question, because we're talking about bringing people in;

which I think is helpful, because we want to be going through this process with real information from real experts; but when are we doing the actual planning? Tonight we talked about the outlying areas and when and if we would annex and what would happen if we did. When do we sit down and start making decisions about do we want to change this plan? When does that...

Don Mazzeo: Specifically when, I can't tell you that.

Barry Goodinson: When does the planning take place?

Don Mazzeo: From my perspective, it's going to have to be when we've heard from the perspective representatives of the concerns that we're talking about. We have the traffic people, we have DNREC folks, we need to have their input; from my perspective again; and then we spread it all out in front of us. It's not going to be an open forum, per se, it's going to be a workshop and we're going to sit there and kick this all around; the table will be closed in; folks can certainly sit out there, they're going to hear us; if they want to say something, depending upon how we're going to focus our groups, but it's going to have to happen certainly in November/December. We're going to start to take pieces of this, because we heard and will be hearing about traffic and such starting June 9th. Some time in the month of June thereafter, we have to sit down and start working on that portion of it and formulating either plans, sub-plans, or changes or modifications to an existing Comprehensive Plan. To your point, specifically, when we have this wonderful map that was here today and these are our growth areas and this is me talking, this is not the Commission talking, per se; but maybe this growth area shouldn't be where the growth area is today. We pull it off, change it; with the input from inside, outside and experts. That work?

Barry Goodinson: Oh yes.

Hal Godwin: I think Mr. Chairman, that you hit the nail on the head. I think this document lives as you go through the review process and you mold it and shape it to be what you want and you come to a finished product in November or so to review, but you've fashioned this baby as you went along with it.

Don Mazzeo: And that's what we need to do.

Hal Godwin: Tonight we heard a lot about the growth area, but you didn't say anything about it; you heard about what's there that you can't change. You heard about what's there that you could change. So now you need some think time, to think about what is our vision.

Don Mazzeo: Exactly.

Hal Godwin: You're right, come back to the table as a group and you start fashioning it together and Barry's an excellent writer. You've got a talent sitting right there. And he also listens.

Don Mazzeo: He can write all this stuff down for us, Barry and time.

Mayor Jones: One last thing. I would encourage you and I can't say enough about your summer schedules, everybody likes that time, but you are talking about a gap of June the 9th to July the 19th and although you have a required now on your list of DelDOT on the 9th, it's hard to say how your planned meeting on the 17th will play out in July; whether you will be able to utilize that date or not; but that is a very large gap and I wonder if you could schedule something in there for your Vision or your Core Values; something where it's really abstract. If that's what you have in mind for the meeting on Core Values.

Barry Goodinson: Well I had built in a meeting on the week of June 23rd and I penciled in

additional meetings for the week of June 23rd, the week of July 21st; in addition to the ones that we've got set already. I would love to have these meetings set, that way, Hal, when you're reaching out to the experts that you know, you can tell them well in advance that we're going to be discussing the river and then we could have DNREC folks here and we've got the experts well in advance; because the more advance time we have, the better the chances are that we're going to have the experts we need around the table.

Hal Godwin: While you've got that on the table, the night that you're talking about the River, I would recommend a number of experts. You want Tidewater here, you want DNREC; you want to have those folks here because they're very connected to the river and anything it might be in the future and then you also need... a lot of folks talked about this Rails to Trails and development along the river, so you need to get, if you can, that thought process together. I think it might be very productive if you had 3 or 4 entities in the room talking about their different visions and it might help you really form the rough thoughts that you've had in your head all along.

Barry Goodinson: That document that I sent, there's a section that says Invited Resources and that's where I need your input in telling me who the Invited Resources need to be for each of these subject areas.

Hal Godwin: Okay. I'll be sure to help you. The DNREC thing I'll need to spend an afternoon on the telephone and make sure I can connect to the right people that I want. What I want to do is go through the PLUS comments and make sure I'm addressing all those comments with experts from DNREC; sometimes you have to have 2 or 3 people to cover that big picture like that.

Don Mazzeo: Also, take note that we do have regularly scheduled Planning and Zoning Commission meetings, for which there may or may not be any applications; or the applications are such that we can quickly go through that particular application in an appropriate fashion; if it's just a final and everything has been met, it should take minimally 15 minutes, maximally 16 minutes; and then we can move on and add some of this to it. Your point on the river, that's one of my highlights, by the way, it's the river and it's capacity to sustain not only the life of the fish, but the life of Milton. I think that needs to be heavy hitter early on and you have a draft that's indicating the week of July 21st; perhaps we could get it sooner. I don't know. That's my problem, because the availability... I think when we talk about river and it's significant impact to Milton, I think you're going to need every sit in here and then some.

Barry Goodinson: I agree. I had put the Town Center and the river toward the beginning of the planning process, because I think those are things that really stir people's passions and we'll get people here and probably engage the in the process earlier.

Hal Godwin: And they're connected to.

Don Mazzeo: I noticed a gentleman standing over there in the corner would be here for that meeting; at least that meeting.

Hal Godwin: I like the fact, Barry, that you've incorporated the required reading, if you will, into these larger topics, because then you can have an open discussion about your vision for something and you've got the required State layer in there too.

Don Mazzeo: Which goes back to your original statement that the next meeting should be the Core Values, because if we don't know what our values are, where we're going, where we're heading, we're walking down a path that is wandering every possible direction. We

need to be more focused.

Hal Godwin: Like a Mission Statement.

Don Mazzeo: We've really locked in DelDOT for June 9th, I believe and I don't really think I want to push that one too far back, but I don't know if there's a way we can get another meeting in between; no there's no way.

Barry Goodinson: Well we could do it the week of June 23rd; we could do DelDOT the 9th and then the Core Values on the 23rd.

Don Mazzeo: Which we may be able to tie something else in at the same time.

Barry Goodinson: Yes.

Don Mazzeo: Which if we could put that on the agenda, Robin, for the June 9th meeting that we would have two portions of that meeting; we'll have DelDOT and then try to perhaps move into the Core Values. At least get it started, because I think you're going to get a lot of input from the public, as well. I hope.

Robin Davis: Yes, I think the way I've got it worded it says Review and Update of Town's Comprehensive Plan, to include a presentation, as it said tonight, from Lawrence Lank. It doesn't say that's all we were going to talk about.

Don Mazzeo: And it wasn't, because we've expanded upon that.

Robin Davis: I wanted to put in there, what our highlights going to be, but it doesn't limit it to say that's all. I'll put in there that DelDOT is coming up and leave it like that so if there's time we can move onto something else.

Don Mazzeo: We can go onto another topic. Okay. Alright so we have a...

Hal Godwin: So the other date is June 23rd?

Barry Goodinson: That would be the week of.

Don Mazzeo: The week of...

Barry Goodinson: I didn't want to presume to pick a date.

Don Mazzeo: Well we can look at it anyway. The calendar of events, if I have a calendar.

Robin Davis: And just the big thing that I'll go back to again. It's assuming the availability of anyplace; that's the hardest part of all this, since we don't have...

Linda Edelen: When is the Planning and Zoning meeting?

Don Mazzeo: It would be the 15th; it's the third Tuesday.

Barry Goodinson: The 17th.

Linda Edelen: 17th?

Barry Goodinson: Yes.

Don Mazzeo: Yes, the 17th would be the regular June meeting. Nobody says we can't move it ahead of that; we already have the 9th; push it into exactly what you said, the week of the 23rd. We're right where we started. Should we try for the 23rd or the 24th and I'll leave that up to Robin to confirm back, which date the Library will be available, can be available.

Robin Davis: We have a regularly scheduled Historic Preservation and Board of Adjustment meetings on the 2nd Tuesday for Historic Preservation and the 4th Tuesday for Board of Adjustment. It's almost a guarantee that we always have an Historic Preservation Commission meeting. That's almost an automatic.

Don Mazzeo: But the 24th being the 4th Tuesday.

Robin Davis: It's very rare that we ever have a Board of Adjustment meeting, like this one.

Don Mazzeo: By Charter, we can't change that around either, so I think we're kind of stuck. If they were to have a meeting and we say no you can't have it because we want it, that's

not going to happen. How about the Wednesday? Do Wednesday's work?

Linda Edelen: What date is that?

Don Mazzeo: It would be Wednesday the 25th of June.

Linda Edelen: What is the topic?

Don Mazzeo: Okay, we're going to flip the topics, slightly.

Barry Goodinson: Originally, it was going to be Historic District and Community Design Guidelines; but would it be the Core Values or would we...

Don Mazzeo: We can start with DeIDOT on the 9th and depending upon the length of the meeting, perhaps we could start Core Values and then move right into... we have the Core Values would then be on the 25th; but if it happens that there's time available on June 9th, I think we should probably be able to do that too. At least start it, if nothing else, throw the topic out, people can hear it and bring back their thoughts and comments.

Barry Goodinson: Okay, so I'll move the Core Values to the 25th.

Don Mazzeo: And basically just slide everything around. Town Center and River I think back to back, is perfect; they tie together. Alright.

Barry Goodinson: Okay.

Don Mazzeo: We have calendars. Everybody understands?

Hal Godwin: So you're going to try to tie the Core Values into the DeIDOT meeting on the 9th?

Don Mazzeo: Right, if it doesn't work out because of time constraints, then we'll do it on June 25th; that will be a Wednesday, assuming Robin can confirm that we have meeting space.

Hal Godwin: Your planning on meeting on the 25th, regardless of the topic at this point?

Barry Goodinson: Yes.

Hal Godwin: You're trying to pin the night.

Don Mazzeo: We're trying to pin the night, so that we can actually get space. Then we can discuss the further ones out.

Ted Kanakos: One question. All the Committee's should weigh in on our Comprehensive Plan?

Don Mazzeo: Absolutely.

Ted Kanakos: I haven't heard Streets and Sidewalks.

Don Mazzeo: Well Barry has Invited Resources. I'm not sure... did you by-pass that by mistake? You got transportation.

Barry Goodinson: Yes, transportation. I would assume so.

Don Mazzeo: Well, we can send out a message; we can do that through Robin, actually. Wait a minute, we have Councilman Collier back there. You are now duly notified you are invited and encouraged to attend, with your committee members, June 9th. Do I hear any other comments, questions about this evening's meeting?

7. Adjournment

Don Mazzeo: Do I hear a motion to adjourn?

Ted Kanakos: I make a motion to adjourn.

Lynn Ekelund: Second.

Don Mazzeo: All those in favor say aye. Opposed. Motion is carried. Meeting ended at 9:16 p.m. Thank you again for all who have attended.