

**Town of Milton
Planning & Zoning Commission
February 19, 2008
7:00 p.m.**

Members Present:

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| Linda Rogers | Dean Sherman | Ted Kanakos |
| Louise Frey | Virginia Weeks | Michael Filicko |

Members Absent:

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| Bill Brierly | Gene Steele | Bernice Edwards |
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Others Present:

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| Robin Davis | Bob Kerr | Debbie Pfeil |
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Item #1 – Call Meeting to Order

Linda Rogers called the regular meeting to order at 8:09 p.m.

Item #2 & #3 – Additions/Corrections & Approval of Agenda

Linda Rogers: First item on the agenda is any additions or corrections to the agenda, and we are removing Item's D, E & F from the agenda. Are there any other changes? If not I'll entertain a motion to approve the agenda as amended.

Dean Sherman: So moved.

Linda Rogers: We have a motion is there a second?

Bill Brierly: Second.

Linda Rogers: All in Favor – "Aye". Opposed – None. Motion carried.

Item #4 – Approval of Minutes

Linda Rogers: Next item on the agenda is approval of the minutes. Does anyone have any additions, corrections or changes to the minutes? If not, would someone like to make a motion to approve the minutes as submitted?

Dean Sherman: So moved.

Linda Rogers: We have a motion is there a second?

Ted Kanakos: I'll second it.

Linda Rogers: We have a motion and a second to approve the minutes as submitted all in favor say "Aye". Opposed – None. Motion carried.

Item #5 – Business

Linda Rogers: First item is:

a. Revision to Approved Subdivision Plan - Cannery Village Phase 2B & Approval of Subdivision Plan - Cannery Village Phase 2C

The applicant, Chestnut Properties, is requesting a revision to the approved subdivision plan for Cannery Village Phase 2B & approval for the subdivision plan for Cannery Village Phase 2C. The property is identified by Sussex County Tax Map and Parcel # 2-35-20.00-52.00 & 57.00.

Linda Rogers: Anyone present on behalf? You want to state your name for the record please?

Mike Coban: Sure, my name is Mike Coban and I'm with GMB and really all I wanted to do was point out a couple of things that were done with reaction to our last visit here. I want to point out that the multi-family buildings have been sited to face the street now as was requested and there was a request for some bike racks at the community center and we ended up siting those both front and back. If there are any questions...

Linda Rogers: Okay. Does anyone have any questions of the applicant? If not, Bob?

Bob Kerr: Yes Ma'am. For the record, Bob Kerr, Cabe Associates. The applicant has submitted the construction drawings. All the comments that I returned to them have been corrected. The comments made at your previous meeting in December were incorporated in the drawings and they have completed the requirements for the subdivision plans.

Linda Rogers: Okay. Debbie?

Debbie Pfeil: Debbie Pfeil, URS Corporation. We did not review your Cannery Village.

Linda Rogers: Okay. Does anyone here have any questions or concerns?

Virginia Weeks: I wasn't here the last time this was presented. I understand, and maybe this is not the appropriate time, I just want to know if the agreement for the parking, since the clubhouse is on this site plan, can we have that agreement recorded with the site plan so there's a recording of the agreement for the parking?

Bob Kerr: I believe, and I'll turn to Mr. Dyer, but there is already an agreement between Cannery Village and Dogfish, do they own the...the owner of the parking lot is Dogfish, that gives them the right; it sets out the maintenance requirements and how the costs of maintaining it is shared and it has been recorded.

Virginia Weeks: Okay, so that cannot unilaterally or even bilaterally be undone? It can?

Mike Coban: No.

Virginia Weeks: We can reference that deeded agreement on the site plan so it's always there?

Mike Coban: That was also submitted in the original package too so you do have that.

Linda Rogers: If no one else has any questions or concerns, can we entertain a motion and this would be...

Ted Kanakos: Excuse me, I have one questions. On the letter from Cabe, there's a note regarding sanitary sewer service, what is that all about?

Bob Kerr: That's the one thing that I forgot. I'm sorry, the second item is that working on the record plan. There's a note on the record plan that sanitary sewer shall be provided by Town of Milton. The sanitary sewer system shall be dedicated to the Town of Milton. That note needs to be changed to Tidewater Environmental Services, Inc. In talking to Mr. Brady before this meeting, he indicated when we get to that, which is the second item, to have if you make a recommendation to approve, that it be subject to that

change and that the drawing be changed prior to going to Mayor and Council because a record plan does have to go to Mayor and Council for final approval.

Ted Kanakos: Okay. Thank you.

Linda Rogers: So, would someone like to entertain a motion, and this would be for a final?

Bob Kerr: Yes, final subdivision approval.

Linda Rogers: Okay, would someone like to entertain a motion to approve this as a final?

Dean Sherman: I'll make a motion to approve the revision of the final subdivision plan.

Linda Rogers: Do we have a second?

Michael Filicko: Second.

Linda Rogers: We have a motion and a second to approve the revision...

Robin Davis: I know, Mr. Brady, do you all still need to add in the motion that you recommend to forward to Council for their final approval?

Bob Kerr: That would be the B item.

Robin Davis: Okay.

Linda Rogers: So we're good? Okay, we have a motion and a second to approve Phase 2B and Phase 2C as a final. All in favor, roll call vote:

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| Ted Kanakos: | Yes |
| Dean Sherman: | Yes |
| Linda Rogers: | Yes |
| Michael Filicko: | Yes |
| Louise Frey: | Yes |
| Virginia Weeks: | Yes |

Linda Rogers: Motion Carried. Next item on the agenda:

b. Approval to Revision of Overall Record Plan for Cannery Village Phase 1C, 2A, 2B & 2C

The applicant, Chestnut Properties, is requesting approval of the revised record plan for Cannery Village Phase 1C, 2A, 2B & 2C. The property is identified by Sussex County Tax Map and Parcel # 2-35-20.00-52.00 & 57.00.

Linda Rogers: Go ahead Bob.

Bob Kerr: Okay. The applicant has met the requirements of the subdivision. The next step is the approval of the record plan. As part of the approval or the preliminary approval we ask that a revised record plan for more than what was just being proposed be done, and that's why this record plan shows all of 2A, all of 2B, all of 2C. They also incorporated a little bit of 1C and that has to do with the way it matches up with a future Phase 3 along Round Pole Branch, where there's a curve behind Dogfish going into the Phase 3. That was not specifically shown on the preliminary plan but it's just how the road happened to end up. They would have been back next month or the month after to make that small minor change so the applicant, the engineer and I discussed it and decided to go ahead and clean it up at this time so that it's all on one drawing. It will make it much easier for the Town staff to track what's going on on that property. As I said before, the one change that needs to be part of your motion if you choose to forward

this to Mayor and Council is that the Town of Milton be replaced with Tidewater Environmental Services on the sewer note before it goes to Mayor and Council, so Mr. Brady said you could vote on it this evening, recommend to Mayor and Council that they accept it with that one condition and I've already talked to the person developing that plan and informed them they have to make the change prior to Council meeting.

Linda Rogers: Does anyone have any questions?

Virginia Weeks: I have one question please? In which phase is the 1-story, L-shaped building please? This one here, the commercial building?

Mike Coban: That's in Phase 2B.

Linda Rogers: Does anyone else have any questions? Does anyone out there have any questions? Someone like to make a motion?

Dean Sherman: I can make a motion that we approve the revision to the overall record plan and forward it to Mayor and Council and recommend a change of language to indicate that the Tidewater Utilities is providing the sewer and not the Town of Milton.

Linda Rogers: Okay, we have a motion, is there a second.

Ted Kanakos: I'll second it.

Linda Rogers: We have a motion and a second to forward this to Mayor and Council with approval as a final with one change and that is to change verbiage to be Tidewater Services, all in favor, roll call vote:

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| Ted Kanakos: | Yes |
| Dean Sherman: | Yes |
| Linda Rogers: | Yes |
| Michael Filicko: | Yes |
| Louise Frey: | Yes |
| Virginia Weeks: | Yes |

Linda Rogers: Motion Carried. Next item on the agenda:

c. Final Site Plan Approval for Clubhouse – Cannery Village Phase 2C

The applicant, Chestnut Properties, is requesting a final site plan approval for a clubhouse in Cannery Village Phase 2C. The property is identified by Sussex County Tax Map and Parcel # 2-35-20.00-52.00 & 57.00.

Linda Rogers: Bob.

Bob Kerr: The clubhouse site plan was also part of the preliminary approval given in December. The applicant has incorporated the changes made provided the construction drawings that have been reviewed and accepted by my office and met all the conditions of the preliminary approval and its recommended that you approve the site plan for the clubhouse.

Linda Rogers: That's it?

Bob Kerr: Unless you have any questions.

Linda Rogers: Does anyone have any questions?

Bob Kerr: I could probably make some snide remarks!

Linda Rogers: No. (Laughter) If you can't say something nice, don't say anything at all.

Michael Filicko: Does Tidewater need to be in there in any way?

Bob Kerr: No, the record plan was what Mr. Brady said would cover it. The site plan is actually one of the sheets of the first drawings that you just approved as A, but was felt that the site plan should have a separate action as far as the approval.

Linda Rogers: Does anyone have any questions?

Virginia Weeks: I do, thank you. I read the minutes from the December meeting and this clubhouse and this pool will be for the exclusive use of the folks at Cannery Village, correct? You're not entertaining having this open to the development of Dr. White's property? You had said that in the past and I just wanted that clarified. No, it will not be open to the...it will be exclusively for the use of the people at Cannery?

Mike Coban: That is correct.

Virginia Weeks: Thank you.

Linda Rogers: Does anyone else have any questions? Would someone like to make a motion?

Michael Filicko: I make a motion that we approve final site plan approval for the clubhouse at Cannery Village Phase 2C.

Linda Rogers: We have a motion, is there a second?

Ted Kanakos: I'll second.

Linda Rogers: We have a motion and a second to approve this as a final for the clubhouse at Cannery Village Phase 2C. Roll call vote please:

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| Ted Kanakos: | Yes |
| Dean Sherman: | Yes |
| Linda Rogers: | Yes |
| Michael Filicko: | Yes |
| Louise Frey: | Yes |
| Virginia Weeks: | Yes |

Linda Rogers: Motion Carried. Oh my God. (Laughter) Is there any other items that need to be discussed? If not, can we entertain a motion to adjourn?

Item #6 – Adjournment

Ted Kanakos: I make a motion that we adjourn.

Louise Frey: So moved.

Motion to adjourn at 7:23 p.m.