

Town of Milton
Planning and Zoning Commission
Minutes
April 15, 2003

Members Present:

Linda Rogers
Mick Filicko

Dean Sherman
John Hopkins

Denny Hughs

1. *An application from Marvin Ingram for preliminary site plan Review on a Commercial site to be located at 901 Palmer Street Extended also identified by Sussex County Tax map 2-35-14.00 parcel 114.02.*

Linda Rogers introduced the application and asked if anyone was present to represent the application. Mr. Marvin Ingram introduced himself and stated he would be representing the application. Mr. Ingram stated he would like to construct a building to hold five (5) different retail storefronts.

The following information was addressed from the site plan and needs to be corrected:

Mr. Ingram stated the building is going to face Palmer St. and that would be the front of the building.

- As per article 4 Table 2 Item 7.a - Side yard set back should be 25'
- As per article 4 Table 2 Item 8.a – Rear yard set back should be 15'
- No exterior lighting of the parking lot shown. Exterior lighting must be located, designed and shielded so that it will not cause a glare hazard to passing motorists and annoy the adjacent properties.
- Screening required of at least 6' in height along the adjoining properties north and west. Article 5 Sec 4 Item 8.
- Curbing needs to be located along the edge of the parking lot and around the landscaping. Curbing to be concrete.
- No detail as to the size or type of trees to be planted. A clear vision of 25' needs to be adhered to at the intersections. Article 14 Sec 7
- Off Street Parking – 1 space per 200 sq ft plus 1 space per every 2 employees required.
- Designated Off Street Loading/Unloading space required (12'x40').
- Proposed location of signage and sizes. Mr. Ingram stated the signage would be along the front of the building. (Show examples)
- Sidewalk and curbing along route 16 the length of the property. (Sidewalk shown) The sidewalk needs to be 5' wide. Design standards for curbing shall be those of DELDOT. Offset from the centerline of the road to curb shall be per DELDOT. A letter from DELDOT should be provided stating that the developer has met DELDOT requirements.

- Screening around dumpster needs to be provided (type, size, height)
- Storm drainage not shown.
- Proposed and existing grades need to be provided on the final site plan
- A letter from Soil Conservation District verifying the existing storm water system is adequate before final site plan approval

Mr. Ingram stated the doors to the rear of the building are a requirement from the Fire Marshal's office.

The Planning and Zoning Committee deferred granting preliminary approval.

2. *An application from Richard Bryan for preliminary and final site plan approval if all requirements are met for a change of use from a repair garage to an office which is located at 211 Broadkill Road further Identified by Sussex County Tax map 2-35-14.15 parcel 94.00. Property currently owned by Russell Benson.*

Linda Rogers introduced the application and asked if anyone was present to represent the application. Mr. Richard Bryan introduced himself and stated he would be representing the application.

Mr. Bryan presented a landscaping plan for the parcel. The fence along the back of the property will be removed and landscaping provided in its place. Mr. Bryan also stated that the dumpster shown on the first site plan has been removed and no dumpster will be used, it would be more like a trash can.

Denny Hughs asked if the sidewalk issue should be enforced since the Council just passed the new definition for sidewalks. The committee discussed the issue and decided that because this application was before them prior to the definition being approved by council that the applicant need not be required to sidewalk and curb.

Discussion took place in regards to getting DELDOT approval between the Committee and Mr. Bryan. It was determined that DELDOT approval for the change of use along a state maintained road is required.

John Hopkins made the motion and seconded by Mike Filicko that the final site plan be approved contingent upon the developer receiving the appropriate approvals from DELDOT and State Fire Marshal's Office. No permit will be issued until these agencies have review the site plan and their approval granted. All voted in favor of the motion.

3. *Board of Adjustment Review for application received from Warren Builders requesting a 1.5' set back variance from the rear yard on property 106 Sailor Lane.*

Linda Rogers introduced the application and asked if anyone was present to represent the application. Mr. Bill Warren introduced himself and stated he would be representing the application.

Mr. Warren stated that he is asking for a variance for a rear yard setback. Mr. Warren stated that the development is zoned R-3 but the homes are being built using the R-1 setback requirements. These lots are very small and on average no deeper than 80'. A letter of no objection was read from Mr. McElduff. Denny Hughes made a motion to that the variance be granted and the BOA be informed of their recommendation John Hopkins seconded the motion. All voted in favor of the motion.