

**Town of Milton
Planning and Zoning Commission
Minutes
Apr 20, 2004**

Members Present:

Linda Rogers	Denny Hughes	Michael Filicko	Herb Dutt
Bob Kerr	Eric Evans		

1. *An application from Milton Park Center, LLC. for final site plan approval on Milton Park Center, LLC. Phase IV (contractor bays/offices) if all requirements are met. The property is located along Route 5. also identified by Sussex County Tax map 2-35-14.15 parcel 68.05.*

Linda Rogers introduced the application and asked if anyone was present on behalf of the application. Ken Christenbury from River Basin Engineering stated he was representing the application and proceeded to explain that all the outside agencies have been contacted and the approvals were granted to the site. Mr. Christenbury stated the parking design had to change do to a placement of a power transformer. Herb Dutt pointed out that the location of the sign for the site was not on the preliminary site plan and has not been reviewed for size or location. Discussion on the size and location took place and no determination was made. Denny Hughes questioned the water run off from route 5 and Mr. Christenbury stated he was in contact with DNREC in regards to adding an additional storm water catch basin between the sidewalk and route 5 to remove the water run off. After further discussion it was recommended by Denny Hughes to grant final site plan approval however the sign review shall come back before Planning and Zoning for their review and the water run off catch basins will be installed. As for the proposed restaurant that was granted preliminary approval Linda Rogers stated this final approval does not grant the restaurant location, site or use and final approval for the restaurant has not been granted. The motion was seconded by Herb Dutt. All voted in favor of granting final site plan approval as stated.

2. *An application from County Bank for final site plan approval on a 3,125 sq. ft. bank with a drive thru facility. The property is located at 140 Broadkill Road also identified by Sussex County Tax map 2-35-14.15 parcel 68.04.*

Linda Rogers introduced the application and asked if anyone was present on behalf of the application. Greg Moore from Becker Morgan Group stated he was representing the application and proceeded to explain that all the outside agencies have been contacted and the approvals were granted to the site. Mr. Moore displayed the architectures renditions of the site and explained the landscaping and fencing plan as per Planning and Zonings request. The fence will be a post & rail style fence. The sign location was added to the final site plan and Planning and Zoning agreed with the sign location and granted the Code Enforcement Officer the authority to review the signage for this site. Curb and sidewalk was discussed but it was determined that the County Bank was not required to extend or finish them. Herb Dutt made the motion to grant final approval and Denny Hughes seconded it. All voted in favor.

7:45 p.m.

3. *Public Hearing on Preserve on the Broadkill Phase II – 2-35-14.19 140.00*

The Planning and Zoning Commission will hold a public hearing on the major subdivision proposed by the Preserve on the Broadkill LLC. This will consist of 21 single family home lots.

Linda Rogers opened the public hearing and asked who was representing the application. Bob Blayney stated he was representing the Preserve on the Broadkill LLC. and proceeded to explain to the public the Major Subdivision. After giving a detailed orientation of the subdivision Mr. Blayney opened the floor for questions. There was concern and questions about the entrance, water run off, buffers and Mr. Blayney answered all the questions. After further discussions the public hearing was closed.

4. An application from Preserve on the Broadkill LLC. for preliminary approval on a major subdivision which will consist of 21 single family homes/building lots. The property is located and identified by Sussex County Tax map 2-35-14.15 parcel 68.04.

Linda Rogers introduced the application and asked if anyone was present on behalf of the application. Bob Blayney and Mr Carrol stated they are representing the Preserve on the Broadkill LLC. and proceeded to explain the major subdivision. Mr. Blayney explained that they have corrected the site plan based on the Town Council meeting held April 5, 2004. It was noted that the alley radius was widened and changed to a one way alley. The lots 1 & 2 became rear loading lots and the houses face Atlantic Ave. Sidewalk and curbing was added along the property and Atlantic Ave.. In depth discussion took place in regards to the width of the street. The preserve requests a 22' wide street inside of curb to inside of curb with on street parking spaces cut out for visitors. After further discussion and review, Planning and Zoning made the following requirements to be added to the site plan.

- The width of the road will be 32' wide back of curb to back of curb. This will start at the radius of the circle located on the south east side of the property and extend to Atlantic Ave. The circle will be one way and 16' wide inside curb to inside curb as per drawing submitted.
- The sidewalk along south side of valley road will be extended to Chandler St. and crosswalk removed from the middle of the road between circle and Chandler St.
- Driveways for lots 11 through 13 will be added.
- Provide more details for the parking spaces along the alley.
- Houses on lots 1 & 2 will face Atlantic Ave.
- Lighting plan required for final approval.
- Change the wording to open space to read Public open space.
- File a copy of the Home Owners Association Declaration with the Town.
- Ensure the center line of Valley road is in the center line of the right of way
- The sidewalk along Atlantic Ave will be concrete
- Identify all open space.

- Storm Water Management not shown, It was stated by developer that a waiver was going to be asked for.
- Any Signage and details will need to be shown on finale site plan.
- Lot 14 will only have right turn access onto valley road.
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A note from the Maintenance Department is that the Town of Milton does not except the alley as a town road and this recommendation will be made to the Town Council.

Also the Planning and Zoning Commission cannot grant variances to street widths.

It was stated that if the developer chooses to agree with these recommendations then preliminary approval can be granted.

Preliminary approval for the site plan was recommended with the changes to be entered on the final site plan as stated at this meeting by Herb Dutt, Seconded by Denny Hudges, all voted in favor for preliminary approval.

5. An application from Cannery Village LLC. for preliminary approval on a major subdivision Phase IIIA which will consist of 54 townhouses and 110 single family homes. The property is located and identified by Sussex County Tax map 2-35-20.00 parcels 53.00, 48.00 and 43.00.

Linda Rogers introduced the application and asked if anyone was present on behalf of the application. Colby Cox stated he was representing the application and proceeded to explain phase IIIA. Mr. Cox stated there was a change to the site plan that Planning and Zoning has which is a 25' permanent easement to the existing structure off Chester Alley and sidewalks has been included to lots 252 & 253. The housing count has been updated and modified. Mr. Cox stated that the neo-traditional design is contingent with what the commission has approved in the other phases. Rogers Design went into detail of the site lay out.

The following recommendations were made.

- There will be a 50' right of way connecting properties along the Avalon Reach Briarwood Drive intersection and the property to the south. Creating a four way intersection. Rogers design stated he will investigate the option of creating a circle instead of a four way stop.
- A fire lane/emergency egress (fire access) will be created along the mew between Avalon Reach and Ashberry Alley
- Lot 307 needs a trash coral
- Need to show the connection of Avalon Reach and Draper Blvd
- Clarify set backs on front page 5' setback for homes & 3' setbacks for garage.
- Planning and Zoning has not reviewed phase 2C
- Make the widths at the knock downs consistent 21' back of curb to back of curb.
- Final drawings will be given to Milton P.D., F.D. & 911 Center.
- Sidewalk and curb along the lots on Atlantic St.
- The alley along the Reed property will be connected but access will not be permitted into the cannery village. A barrier will be placed to prevent access.
- It was noted for the record that sewer capacity does not exist for phase 3A development at this time. Mr. Cox stated he would like the opertunity to purchase EDU's if available.

The motion was made by Denny Hughes to grant preliminary approval for phase 3A with the corrections added. Seconded by Mike Filicko. All voted in favor for.

6. *An application from Cannery Village LLC. for preliminary approval on the revision to phase 2A. This revision is based on Town Councils decision on March 1, 2004, in regards to street widths and design.*

Linda Rogers introduced the application and asked if anyone was present on behalf of the application. Colby Cox stated he was representing the application and proceeded to explain the revision to phase 2A. The reason this site is back before P & Z is to add the bump outs to the street design. All other conditions agreed upon and the conditions established by P & Z at a previous meeting will be met prior to final approval.

Denny Hughes made the motion to grant preliminary approval to phase 2A showing the Bump outs. Mike Filicko seconded the motion, all voted in favor of the motion.

7. Gary Couples from Chestnut Crossing Explained the site plan for Chestnut Crossing and asked P & Z for recommendation to Council on permitting the street off set not being 125' and no sidewalk along the south side of the entrance if the trees remain. If the trees do not make it during construction then the sidewalk will be constructed. Planning and Zoning approved recommendations