

**Town of Milton  
Planning and Zoning Commission  
Minutes  
Mar 16, 2004**

**Members Present:**

**Linda Rogers  
Herb Dutt**

**Dean Sherman  
Bob Kerr**

**Denny Hughes  
Eric Evans**

**Michael Filicko**

1. *An application from Cannery Village LLC. for preliminary and final site plan approval if all requirements are met and contingent on the Board of Adjustments decision on the minor subdivision of the property located along Chestnut St. also identified by Sussex County Tax map 2-35-20.11 parcels 52.00.*

Dean Sherman introduced the application and asked if anyone was present for the application. Dennis Sabato stated he was representing the application and proceeded to explain the minor subdivision. The minor subdivision is for properties addressed as 511, 515, 517 & 519 Chestnut Street. Mr. Sabato proceeded to handout additional back ground information relating to the homes and their location. These homes are being separated into separate parcels so they can be sold at a later date. Dean Sherman asked if there were any comments. Eric Evans stated that the lots meet the minimum requirements for the LPD district except for the sq ft. on lots 3 & 4 and the applicant has applied to the BOA for a variance on the minimum sq ft on these 2 lots and the BOA will hear the application on 3-23-04. Mr. Kerr asked if the applicant had any idea as to the original size of the lots prior to the combining. Mr. Dvornick stated they had researched the property files back to 1963 on the tax maps and could not find any data into the parcel sizes however the history does show the houses were located on there present locations. Mr. Kerr asked if the lots are the same size or larger than previous and Mr. Dvornick stated they would be clearly smaller than originally. Denny Hughes made the motion to grant the minor subdivision contingent on the BOA decision. Mike Filicko seconded the motion. All voted in favor to grant the minor subdivision based on the BOA decision.

2. *An application from Cannery Village LLC. for preliminary and final site plan approval if all conditions are met for the Cannery Village Center Building and Parking Area. This area being reviewed is part of the LPD master plan for Cannery Village. The property is located along Draper Blvd. also identified by Sussex County Tax map 2-35-20.11 parcels 52.00.*

Dean Sherman introduced the application and asked if anyone was present for the application. Dennis Sabato stated he was representing the application and proceeded to explain the site plan and presented a preliminary architectural rendering of the building.

Mr. Kerr stated:

1. The front entrance to the Dogfish Head area shows a ramp that needs to be readdressed. The elevations show that the top of the ramp is approx. 3' higher than the top of the curb/street. The plans do not show what this will look like (i.e. railing). Mr. Dvornick stated the entrance to the plaza is 5' higher than the entrance to the brewery. It will be looked at by the developers engineer and the handrail may be intended but not shown on the site plan.

2. On C1.1 shows a crosswalk on the left side of the building but on the right side it does not show a crosswalk for pedestrians. Mr. Dvornick stated he would include a crosswalk at the right side of the building next to the bump out.
3. A second access should be considered for the parking lot out to Cannery Village Blvd. south (right side) of the building. Also widen the access drive. It was stated that access drive has been widened to 24' as per Fire Marshal review and the proper signage will be installed stating no parking and fire lanes as per the Fire Marshal. Mr. Dvornick stated that they did not want two accesses's to create a through way for the development.
4. The lots located on this plat 214 through 217 is not being reviewed with this site plan however the requirement for a parking lot is to have a 6' landscape buffer between the parking lot and residential use. Mr. Evans stated that since these lots are not being reviewed and that the lots have not been reviewed by P & Z as of yet and that when they come before P & Z the lots will either need to be shown as commercial/business use, remove the lots entirely or a 6' buffer will be required. Mr. Dvornick stated he would add additional landscaping in the area by these lots along the parking area.
5. A question came up about the sewer line and it was stated by Mr. Dvornick that the sewer line would not go through the parking area or along access drive to satisfy DNREC.
6. The parking lot and the islands will be type 1 curbing with planter beds in the parking lot.
7. A side walk will be installed to allow access from the parking lot to the sidewalk for access to the club house area. Mr. Dvornick stated it would be installed between the bushes at the north corner of the parking lot.
8. Developer will provide a couple of access areas through the curbing along access drive for pedestrian crossing.
9. P & Z requires plan notes to reflect lights to be maintained by the developer and lights to be maintain by the town.

Linda Rogers made a motion to grant the preliminary and final approval with the recommendations made by Mr. Kerr. Denny Hughes seconded the motion. All voted in favor.

*3. An application from Pettinaro Enterprises for final site plan approval on a major subdivision title Wagamons West Shores. The property is located along Lavinia St. also identified by Sussex County Tax map 2-35-20.00 parcels 8.00 and 66 through 304 inclusive.*

Dean Sherman introduced the application and asked if anyone was present for the application. Martin Dusbiber stated he was representing the application and proceeded to present the final site plan. The landscaping plan was presented and the buffer area was discussed. The buffer area along Lavinia St. and the side walk shown was required by DELDOT. The buffer around the homes was required by P&Z. The main entrance will have an entrance feature which will include a rot iron fence, urn and signage placed on the fence which will be 8' long by 2' high on each side of the fence with a opening to walk through fence area and the urn will be in the middle of the fence area separating the words Wagamon's and West Shores.

Mr. Dutt asked if the landscaping buffer will be the type to be from the ground up and it was stated it would be.

Mr. Kerr stated that there were a couple of details that need to be corrected prior to going before Mayor and Council on the construction drawings.

The mail delivery building and bus stop was discussed and displayed for the P&Z.

The developer stated they would correct the construction drawings and show the lighting locations as required by the town on the plats for the Mayor and Council.

Mike Filicko made a motion to grant final approval, Herb Dutt Seconded the motion, Mr. Kerr stated he would like the motion to include that the drawings need to be corrected and lighting plan shown prior to going before Town Council. All voted in favor.

*4. An application from Becker Morgan Group, Inc. representing County Bank, for final site plan approval, for a 3,125 sf. Bank with a drive thru facility located along Broadkill Rd in the Milton Park Center Plaza also identified by Sussex County tax map and parcel number 2-35-14.15 68.01.*

This application was pulled and requested to be heard in April.

*5. An application from Richard Bryan for a conceptual review on the conversion of an existing garage into 3 rental units. The property is located at 202 Union St. also identified by Sussex County tax map and parcel number 2-35-14.19 100.00 and 101.00.*

Richard Bryan explained his thoughts on the building and asked P&Z for their thoughts on the site. Much discussion took place in regards to the site. Some ideas were to:

1. Close access to the front along Union St except for one entrance to the site by the Historic Society property.
2. Curb the front along Union and pull a sitting area / patio area closer to the road.
3. Think about creating an easement across the back property for an exit road.
4. Close off the entrance from Magnolia St.
5. Provide brick sidewalk along Union St.
6. Provide barrier between parking area and stores to protect pedestrians.