

**Town of Milton
Planning and Zoning Commission
Minutes
May 17, 2005**

Members Present:

**Linda Rogers
Eric Evans**

**Dean Sherman
Tim Willard**

Denny Hughes

Mike Filicko

Planning and Zoning held a public hearing on the following:

1. *An application from Milton Park Center Business Park for site plan change on an approved final site plan. The property is located behind the Food Lion Building identified by Sussex County Tax Map 2-35-14.15 Parcels 68.05.*

Linda Rogers introduced the application and asked if anyone was present representing the application. Ken Christenburry and Sal Leone stated they were here to represent the application. Mr. Christenburry proceeded to explain the changes. The approved site plan showed a dumpster pad to be located beside the transformer along the side of the building. This pad needed to be relocated and is now located at the end of the buildings. Mr. Christenburry stated that Eric Evans told them that they would need to buffer the pads with more landscaping along route 5 to shield the view from neighboring properties. This is all due to the transformer. The other change is the relocation of the loading space due to the new dumpster pads. Mr. Christenburry asked if P&Z could waive the loading space. The last thing on the site is the signage for the center. We would like to center the sign on the berm. Dean Sherman asked about the loading space and the need for it. Mr. Christenburry stated they feel the offloading of vehicles would probably take place in front of the units. It was asked if P & Z had the authority to waive off loading spaces. Tim Willard stated they did not. Dean Sherman stated he felt the off loading space is a necessity and would like to see it. The sign location was granted as well as the sign but the sign height for the bottom brick section shall be reduced to 36" vise 40".

Dean Sherman motioned to approve the changes with the recommendations as noted. The buffer of the dumpster pads will need to be sufficient to shield the pads. Mr. Leone stated they will plant 6 evergreens for the shielding. Seconded by Mike Filicko, all voted in favor.

2. Letter from Chestnut properties requesting an extension for final subdivision approval for phase 3 and 4 due to the length of time it is taking to receive the outside agency approvals. Chestnut Properties is currently working in phase 2A & 2B of the LPD Development. Eric Evans stated the P&Z has granted extensions for other sites under the current conditions. Dean Sherman motioned to grant the extension seconded by Denny Hughs all voted in favor.

3. *An application from Charles Turner for the annexation and zoning of Holly Lake Trailer Park further identified by Sussex County Tax Map 2-35-14.00 84.00. This workshop is for P&Z to confirm the Pros and Cons of annexing this parcel.*

Linda Rogers introduced the application. Eric Evans stated the members have received the State Planning Office's Plan of Services application and the item that is required from P&Z is the Pros and Cons of annexing the parcel and your recommendation there of.

Mr. Evans further stated:

1. The property is located within the future annexation area of the Town.
2. The property is contiguous with the Town.
3. There are additional Cons that could actually be Pros.
4. It was mentioned from the developer that the property if rezoned in the county it could possibly have as many as 12 units per acre versus 10 if zoned in the town. Which means it would be a lower density for the town. The developer is proposing 44 units total.
5. The town would benefit with the increase in property taxes. This property will impact the town by utilizing the Fire Department, Police Department, Ambulance and Town Streets and if not annexed in this impact will still take place. So the increase in property taxes will be an added benefit for the Town.
6. The current wastewater facilities cannot provide services at this time.
7. The Developer is requesting R-3 zoning in this area, which is permissible.
8. They are requesting a condominium association, which means the Town, will not be responsible for the streets, lighting, sidewalks and open space within this community.

Linda Rogers asked Tim Willard how do we annex a trailer park when trailers are not permitted. Mr. Willard stated the wording for the removal of the trailers would be included in the annexation agreement between the Town and the developer. It was further discussed on how to submit this recommendation to the state planning office and what they will require. Mr. Evans stated the property is located next to the pond and is basically a dead end property, which presents a good location for this type of zoning. Also if they would go before the county and receive a zoning at a higher density the property would have a greater impact on the town not being annexed in the town. There was further discussion in regards to how many trailers were on the property, how long do they have to remove the trailers, can the letter being mailed to the trailer owners be made in Spanish for the Spanish-speaking individuals. Tim Willard explained the use of the annexation agreement. After discussion it was motioned by Dean Sherman that the property would be best utilized by zoning it R-3 and have Eric Evans write a recommendation for P&Z to be reviewed on June 2, at a special meeting for P&Z review and recommendation to State Planning.

4. *An application from Mildred Giovannozi for the annexation and zoning of her property located at 14242 Union Street further identified by Sussex County Tax Map 2-35-14.11 14.00. This workshop is for P&Z to confirm the Pros and Cons of annexing this parcel.*

Linda Rogers introduced the application. Eric Evans stated the members have received the State Planning Office's Plan of Services application and the item that is required from P&Z is the Pros and Cons of annexing the parcel and your recommendation there of.

It was stated the property owner was willing to change their recommendation from R-3 Zoning to R-2 Zoning which would reduce the density to 1 unit per 10,000 sq ft or approximately 18 units. Dean Sherman motioned to have Eric Evans write the same for this property and have it ready for the June 2, meeting as well.