

**Town of Milton
Planning and Zoning Commission
Minutes
October 4, 2005**

Members Present:

Linda Rogers	Dean Sherman	Mike Filicko	Denny Hughes
Bernice Edwards	Dick Greig	Carol Bruce	

Others Present:

Eric Evans
Tim Willard, Fuqua & Yori, P.A. **Bob Kerr, Cabe Associates**

Mrs. Rogers opened the meeting. The meeting was held so the commission could review comments and discuss the finding of facts of the applications and offer their recommendations to the State Planning Office for the annexation and rezoning of the following applications.

The first application was for James and Mary Beth Parker for the annexation and zoning of Sussex County Tax Map 2-35-14.11 Parcels 57.00, 58.00 and 60.00 located along County Road 228 (Morris Avenue Ext.).

Mrs. Rogers asked if everyone had a chance to read the findings of facts. Mr. Willard went on record to say all of the applications were sent to the Commission in August and since the three new members (Mrs. Edwards, Ms. Bruce and Mr. Greig) were added in September, they may listen in on the discussion but should refrain from voting on the issues.

Mr. Sherman made a recommendation to send the application to the State Planning office with the following finding:

Planning and Zoning finds that the referenced property would be best annexed into the town with a C-1 zoning. The annexation agreement should include a preliminary site plan (concept plan) establishing layout, number of units and commercial square footage. The Future Land Use Map and Comprehensive Plan should be updated and the property developed using the Town Standards.

Mr. Sherman made a motion to forward the application, seconded by Mr. Filicko. All those in favor. Aye.

The next application was for Sue G. Raley and BAR H-R LLC for the annexation and zoning of Sussex County Tax Map 2-35-14.16 Parcel 4.00 located along the North side of Bay Avenue.

Mrs. Rogers asked Mr. Willard if these individuals have been communicating with him in regards to the annexation agreements. He responded an attorney has contacted him for North Milton Development Group and 1630 Ventures. He believes it is the same attorney for the Hudson project. Mr. Willard also stated according to the ordinances, when recommendations are forwarded to Town Council, the annexation agreements should accompany the recommendation. Mr. Willard thinks it's best that he spend some time on the agreement before presenting it to Planning and Zoning. The commission would add their comments after the agreement is presented to them and before it is given to Town Council. This will give Mr. Willard time to make sure basic items are covered in the agreement.

The Planning and Zoning Commission gave the following findings:

Planning and Zoning finds that the referenced property would be best annexed into the town with R-3 zoning. The annexation agreement should include a preliminary concept plan establishing layout and number of units.

Mr. Sherman made a motion to forward the application to the State Planning office, seconded by Mr. Hughes. All those in favor. Aye. Mr. Filicko abstained.

The application was for North Milton Development Group, 1630 Ventures LLC and Wayne and Bonnie Hudson for the annexation of the following lands identified by Sussex County Tax Map 2-35-14.00 Parcels 1.00, 2.00, 3.00, 4.00, 6.00, 60.00 and 77.00 located north of Route 16 and west of Cedar Creek Road to the east side of Route 30 also the land south east of the intersection of Route 30 and Route 16.

Mrs. Rogers addressed the North Milton Development Group application. Mr. Willard stated the number of units could be addressed in the annexation agreement.

Planning and Zoning finds that the property would be best annexed into the town with R-1 zoning and the LPD overlay. The annexation agreement should include a preliminary master plan (concept plan) establishing layout, number of units and commercial square footage.

Mr. Sherman made a motion to forward the application to the State Planning Office.

It was noted that the town would be given a presentation from Mr. Ed McMahon, author of *Better Models for Development in Delaware*. Mr. Filicko stated he would like to go over these applications with Mr. McMahon before voting on sending them to the State Planning Office. Mrs. Rogers wanted to clarify that the meeting is only to sent the application to the State Planning Office and continue the annexation process. It does not mean the commission is approving the application. This application has already had a PLUS review.

Mrs. Rogers noted a motion was on the floor. Mr. Hughes seconded the motion. All those in favor. Aye.

The findings from the application of Wayne and Bonnie Hudson were reviewed next.

Mrs. Rogers asked if there were any questions. It was noted that the applicant is asking for 39 acres of commercial area. There was discussion on how the acreage is calculated for commercial development in a LPD plan.

Planning and Zoning finds that the property would be best annexed into the town with R-1 Zoning and the LPD overlay. The annexation agreement should include a preliminary master plan (concept plan) establishing layout, number of units and commercial square footage.

Mr. Hughes made a motion to forward the application to the State Planning office, seconded by Mr. Sherman. All those in favor. Aye.

The last application was from 1630 Ventures. Mrs. Rogers asked if there were any questions.

Mr. Sherman stated the density the applicant was asking for was low.

Planning and Zoning finds that the referenced property would be best annexed into the town with a R-1 Zoning and the LPD overlay. The annexation agreement should include a preliminary master plan (concept plan) establishing layout, number of units and commercial square footage.

Mr. Sherman made a motion to forward the application to the State Planning office, seconded by Mr. Hughes. All those in favor. Aye.

A motion was made and seconded to adjourn the meeting. The next meeting will be held October 11, 2005 at 7:00 P.M. at the Milton Fire Hall.