

**Town of Milton  
Planning and Zoning Commission  
Minutes  
September 20, 2005**

**Members Present:**

**Linda Rogers  
Carol Bruce**

**Dean Sherman  
Dr. Richard Greig**

**Mike Filicko  
Eric Evans**

**Denny Hughes**

*An application from James and Nancy White, for the annexation and zoning of Sussex County Tax Map 2-35-14.00 Parcels 132.00, 132.01, 132.02 and 132.03 located along Atlantic Street. The property is currently zoned in Sussex County and the applicant is requesting to be zoned R-3 (General and Multi-Family Residential) in the Town of Milton.*

Mrs. Rogers introduced the application and asked if there was anyone present on behalf of the application. Pret Dyer, a member of Chestnut Properties LLC addressed the board and stated that 14.01 acres of the property are located within the town limits and they would like to annex the remaining 62.04 acres. He explained to the commission how the 62 acres would be divided and developed. This includes 25 acres to be annexed and zoned R3. Mr. Dyer introduced Dave Ager from Townscape Designs. Dave reviewed the aspects of the design. The plan has been compressed to the middle of the property with single-family homes near their neighbors and includes open space. Mark Davidson of Design Consultants Group explained the density areas of the property, which had an average of approx. 6.65 units per acre. The group is proposing 6.49 units per acre units as a net density for the site. The proposal shows the area tying into the surrounding Atlantic Avenue homes and the Preserve on the Broadkill homes. They have viewed the project both internally and externally and want to keep the view pleasant to those purchasing the future homes and also the view from the Town Center. There are a series of walking trails and a boardwalk for public access. They may at some point ask for a marina but they have not gathered enough information on the impact of the project to make the request so it is possible they may not seek the permit for the marina. They are however looking for water dependent, marine dependent activities for the project. There are 7.91 acres of the Clean Water Act, Section 404 wetlands. There will not be any construction in this area. The only commercial area of the project would be a restaurant proposed for the area along the Broadkill River. The group will voluntarily deed restrict the project to no more than 370 units. They will never allow more than 25 acres to be zoned R3. The open space areas will be owned by the Homeowners Association and will be maintained by that Association. The project will include a community center for the development.

Mrs. Rogers asked if the commission had any questions for the applicant. It was noted that the project does not fall under the affordable housing classification but the LPD plan does offer a number of different housing options. The three story town homes will meet all the towns' height requirements. The Homeowners Association would govern the recreation center and the community pool. Ms. Bruce stated she feels that looking at the package, the houses look jammed up. Through Livable Delaware tells the developer it is not unreasonable to have 10 to 12 units per acre. Ms. Bruce stated she does like the look of the perimeter of the property.

Mrs. Rogers asked if the audience had questions for the applicant. There was concern expressed for the impact the project would have on the Broadkill River. It was stated

there might be marine dependant activities in the area of the lagoon. Mr. Ed Harris felt there was a lot of information for the public to digest and suggested the item be tabled for one to two weeks to allow the public to do some research and come up with their questions and ideas. Mr. Harris commended the developer on lowering the density and removing the majority of the commercial area and respecting the water line.

Mary Ann Stewart asked if the community would be gated. Mr. Dyer stated it would not. Ellen Passman asked if the developer if the shoreline would be protected and would there be a buffer from the homes to the shoreline. The developer stated they would discuss the option of a footbridge over the Broadkill and would allow the landing on their property. The walking trail is purposely connected so the public can access the restaurant. There will be some walkways on the water and some set back in the wooded area.