

**Town of Milton
Planning and Zoning Commission
Minutes
November 15, 2005**

Members Present:

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

Others Present:

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

Mrs. Rogers opened the Public Hearing and introduced the first applicant. *An application from Best Ace Hardware for the Site Plan addition of Clipper Square Shopping Center. The applicant is requesting to install a chain link fence for the purpose of an outside garden center. The property is located at 610 Mulberry Street further identified by Sussex County Tax Map and Parcel number 2-35-14.00 566.00.* Steve Himmelfarb and representatives from Best Ace Hardware addressed the commission.

Photos of the type of fence (8 foot chain link/green vinyl coating) were shown. The lighting would come from lights already in the parking lot and a few lights on the building. The lights are on a timer and would be on only during business hours. The store will be open seven days a week until 9:00 p.m. and may close earlier during the slow season. Sunday hours will be until 5:00 p.m. The recycling center will remain in the parking lot.

Mary Hudson stated she believes the business would be an asset to the community and would like to see plantings along the fence.

It was noted the shopping center will be re-landscaped once the Mulberry Street improvements are complete.

Ms. Bruce made a **motion** to close the public hearing, seconded by Dick Greig. All those in favor.

Motion passed

Mrs. Rogers closed the public hearing and opened the regular meeting.

Review the Special Permitted Use granted November 2004 on the application of Abraxas Hudson for the property located at 515 Federal Street further identified by Sussex County Tax Map 2-35-20.11 Parcel 33.00. The special permitted use was for a Home Occupation (Art Studio and Private Painting Lessons).

Mrs. Rogers stated she has not received any complaints and believes the business is an asset to the Town. Mr. Evans informed he has not received any complaints and no police reports have been filed against the business.

Mr. Hughes made a **motion** for the business to continue as is as long as there are no occurrences. The motion was seconded by Mrs. Edwards.

Motion passed

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The commission reviewed the comments from Mr. Evans. There was a concern to have access to the grease trap. The applicants agree to have the fence notched around the trap so it will be accessible to clean out. There was a request to have a landscape buffer along the property line. The shopping center owner stated there are landscaping plans in the future, possibly in the spring, after the Mulberry Street project has been complete.

The applicant agreed to shield the lighting, if needed, so it shines in the appropriate area. Mr. Hughes made a **motion** to approve the site plan to install an outside chain link fence for a garden center, the owner of the shopping center agreed to install the landscaping in the spring. The motion was seconded by Ms. Bruce. All those in favor.

Motion passed

Heritage Creek Subdivision update.

Mr. Bob Kerr stated there has been an update to the storm water pond on this project. The pond will not have a gradual slope as the commission has seen in the past. This pond will have a 2 ½ foot vertical wall. The bench area will be landscaped with plantings that are compatible with a storm water pond. He wanted to make the commission aware of the change to the pond and that the sidewalk has been moved back from the pond for safety reason. The storm water pond is on the far side of the property away from the school. The homeowners association will maintain the pond and the plantings.

Carol Bruce made a **motion** to adjourn the meeting, seconded by Mr. Greig.

The meeting was adjourned.