

April 20, 2021
Planning and Zoning Meeting Summary

Members Present: Dick Trask, Lynn Ekelund, Larry Lieberman, George Cardwell, Don Mazzeo, Andy Gogates, Maurice McGrath

Also Present: Seth Thompson - Town Solicitor, Tom Quass - Project Coordinator, Robert Burns - Owner CNR Properties and C&R Electric, Brandon Mace - DBF Engineering, Bruce Lambly - Property Owner 609 Bennet ST., Maureen Gross - Property Owner 616 Palmer Rd., Randall Preston - Property Owner 203 Lavinia ST., Chris Derbyshire - GMB Engineers and representatives of Tidewater Environmental.

Call to Order: Dick Trask Chairman

Roll Call of Members: All Present

Additions and Corrections to Agenda: None, Motion to Accept, By George Cardwell 2nd by Lynn Ekelund. Vote, Unanimous

Approval of Agenda: Motion by George Cardwell 2nd by Lynn Ekelund

Approval of Synopsis minutes 16 March 2021 motion to accept by George Cardwell 2nd by Lynn Ekelund. With amendment to some typographical errors. Vote Unanimous.

Public Hearing: 301 Broadkill Road CNR Properties

Applicant is requesting a preliminary site plan review to construct a 5,500 sqft commercial building.

DBF Engineering representing the applicant stated that the building will be primarily for storage of electrical supplies, with a small office. Robert Burns, owner stated that there would typically be one to two people on site. With company trucks coming in for materials, typically deliveries would be once or twice a week with trucks being fifteen to twenty foot in length. Heating and cooling will be from an electrical system, no flammables will be stored on site.

Maureen Gross asked if a buffer zone between her property and hers would be put in place.

Chairman Trask explained that this would be discussed at a later hearing.

Bruce and Dale Lambly Had a question on the size of the building proposed. Mr. Nance stated the building would be thirty to forty foot high, fifty five foot wide, and one hundred and ten foot long.

Motion to close the public hearing by George Cardwell 2nd Larry Lieberman Vote: Unanimous

Applicant CNR Properties seeking preliminary site plan approval to construct a 5,500 sqft commercial building. With conditions of plantings alongside the Gross property and non-obtrusive lighting, and no outside storage allowed. Motion to approve with conditions applied by George Cardwell 2nd Larry Lieberman

A request from George, Miles and Buhr, LLC on behalf of Tidewater Environmental Service Inc. requesting final site plan approval for a proposed public utility at 16185 Sam Lucas Road.

Chris Derbyshire, GMB engineer, referred to three conditions applied to the application. A revised landscaping plan, North side site lighting plan, lighting spread to be contained to the site. Vegetation planted to be native plants.

Dick Trask commented that when looking at the plans presented to the commission, he was unable to find plans referred to on the plans provided. He questioned how the commission was supposed to sign off on plans that were not fully presented. George Cardwell referred to the list of drawings on the cover sheet, and asked who would have a full set of plans.

Seth Thompson Asked about the letter from Sussex Conservation, applicant stated that it had been received.

George Cardwell Questioned on the swales shown on the access road and the outfall swale. Who will maintain them?

Seth Thompson Stated that the town has done a lot line adjustment, where the outfall swale exits to the pipe. Tidewater will maintain both swales, according to Chris Derbyshire GMB.

All letters of approval from all the various agencies concerned have been obtained.

Motion to accept Final Site Plan Approval for the Wastewater Treatment Plant Subject to all conditions and any letters of approval needed. By George Cardwell 2nd by Larry Lieberman

Randall Preston Appealing the Project Coordinator denial of a building permit for 203 Lavinia Street.

Mr. Preston felt that he was being denied his permit, when other much older homes had buildings built on their properties, similar to what he wanted. It was explained to him that the commission could not take those into consideration as they were built before the building code had been enacted or recently changed.

Mr. Preston stressed the aesthetics of looking at his property differently. Because of its placement adjacent to Wagamons Pond. As he described it, your front yard is your backyard.

Mr. Preston came to the commission looking for a major exception to the building code, and wanted to know why we could not give it to him because sometimes things were done that way. It was explained to him by various members of the Commission that we went strictly by the code and that we could not deviate from it. After much discussion with the applicant pertaining to his application. Mr. Thompson counseled him that he should apply to the board of adjustment.

Motion to accept the recommendation of Mr. Quass to deny the applicants appeal. And advise the applicant to apply to the Board of Adjustment. By George Cardwell 2nd by Lynn Ekelund

Vote: Unanimous

Motion to Adjourn, by George Cardwell 2nd by Lynn Ekelund, Vote: Unanimous

Submitted by Maurice J. McGrath