

MINUTES OF THE REGULAR MEETING OF APRIL 11, 1991

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, April 11, 1991, at 7:30 P.M. in the County Council Chambers, Room 115, the Courthouse, Georgetown, Delaware, with the following present:

Mr. Allen, Mr. Ralph, Mrs. Monaco, Mr. Hickman, Mr. Smith, Mr. Schrader - Assistant County Attorney, Mr. Lank - Director, and Mr. Abbott - Planning Technician.

Motion made by Mr. Smith, seconded by Mr. Hickman, and carried unanimously to approve the minutes of March 14, 1991, and March 21, 1991, as circulated.

PUBLIC HEARINGS

1. RE: C/U #963--Bonard Timmons, Jr.

Steve Parsons, attorney, and Bonard Timmons were present on behalf of this application to consider the Conditional Use of land in an AR-1 Agricultural Residential District in Baltimore Hundred for a Borrow Pit to be Excavated for Two Wildlife Management Ponds on the west side of Route 366 and north of Route 368, and to be located on a parcel containing 11.68 acres of a 31.96 acre tract more or less.

Mr. Lank summarized comments received from the D.N.R.E.C. Land Use Planning Act Coordinator, the Indian River School District, and the Sussex Conservation District.

Mr. Parsons stated there are presently two (2) ponds on the proposed site that were approved in April of 1983. The applicant plans to reclaim the proposed pits in the same way as he did the existing ponds.

Mr. Timmons stated he plans to sell the dirt and create two (2) wildlife ponds. He anticipates hours of operation will be 8:00 A.M. to 4:00 P.M. or 5:00 P.M., five (5) or six (6) days per week, with no work being done on Sundays.

Mr. Timmons stated the dirt at the proposed site is suitable for elevated sand mound septic systems. The dirt will be stockpiled on the site. All excavation will be done by the applicant or Ken Walsh.

Mr. Timmons stated he plans to excavate one pit and reclaim it before starting the next pit. Each pit will be approximately two and a half acres in size. When completed, the ponds will be stocked with fish.

Mr. Timmons exhibited pictures of his existing ponds and the wildlife that lives there.

Mr. Parsons read a copy of the letter the applicant sent to surrounding neighbors explaining his intent on this site.

Peter Loewenstein, surveyor, discussed the design of the proposed pits, and stated they will be designed according to the Division of Fish and Wildlife recommendations. The approximate water depth will be ten (10) feet.

Ken Walsh stated he would be purchasing the dirt for use in his business of installing septic systems.

Bill Crew spoke in favor of the application.

Gerald T. Smith spoke in opposition due to the danger to area children, and there are already several other borrow pits in this area.

At the conclusion of the public hearings, the Chairman referred back to this application.

The Commission discussed the points and issues raised during the public hearing.

The Commission found, based on comments received from the D.N.R.E.C. Land Use Planning Act Coordinator, that comments have been requested from the Bureau of Archaeology and Historic Preservation, the Department of Transportation, and the Sussex Conservation District.

The Commission found, based on comments received from the Indian River School District, that at this time, it does not appear that the proposed change will have a significant impact on the district.

The Commission found, based on comments received from the Sussex Conservation Service, that the soils on-site are mapped to be Pocomoke sandy loam, Osier loamy sand, Klej loamy sand, and Evesboro loamy sand; that in reference to erosion and sedimentation control, severe limitations can be anticipated during construction, and after completion of any construction unless adequate sediment and erosion control measures are taken; that a sediment and erosion

control plan must be approved by the Sussex Conservation District; that no storm flood hazard area or tax ditch is affected; that it may not be necessary for any off-site or on-site drainage improvements; that Beaver Dam Canal Tax Ditch main runs along the west side of the property, Prong No. 7 runs along the north side of the property, and Sub No. 1 of Prong No. 7 runs through the property. There is a 16.5 foot maintenance right of way from the top of the slope of the tax ditch in all cases.

The Commission found that the applicant was present with legal counsel, a surveyor, and a contractor, and plans to utilize the site for two (2) additional borrow pits for conversion to wildlife management ponds.

The Commission found, based on information provided by the representatives on behalf of the application, that two (2) wildlife ponds exist on-site that were originally borrow pits approved in 1983; that the borrow pit operation will be operated from 8:00 A.M. to 4:00 P.M. or 5:00 P.M., five to six days per week with no Sunday hours; that the materials on-site are ideal for elevated sand mound septic systems and for use in developments owned by the applicant; that 10 to 12 truck trips per day are anticipated; that one pond will be completed and reclaimed prior to starting operation of the second pond; that each pond will contain approximately 2.5 acres; that the ponds, once reclaimed, shall be stocked with fish and will provide additional resting places for water fowl; that the additional ponds will not affect property values; that no negative impact on traffic is anticipated; that the pit operation will be limited to the developer and one contractor; that no additional expansions are intended at this time; that the intended water depth is 8 to 10 feet; that appropriate slopes will be provided per suggestions of Fish and Wildlife specifications; that no material will be brought in from off-site for processing; and that the ponds will be at least 250 feet from a dwelling of other ownership.

The Commission found that one person spoke in support of providing additional sites for enhancement of wildlife and their habitats and stated that the existing ponds have already provided nesting sites for waterfowl.

The Commission found that one person spoke in opposition and expressed concern over the creation of additional borrow pits in the area; that a residential area exists across from the site that is expanding; questioning the depth of the existing ponds and their grade of slopes; and expressing concern for childrens' safety.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved based on the

record of support, and with the stipulations that the project be developed as submitted by the applicant, and subject to site plan review and approval by the Planning and Zoning Commission.

2. RE: C/U #964--Ockels Acres, A Delaware Partnership  
and Allen Chorman, Inc.

Jim Fuqua, attorney, and Allen Chorman were present on behalf of this application to consider the Conditional Use of land in an AR-1 Agricultural Residential District in Broadkill Hundred for an Airstrip, Storage Buildings, Hangar, and Office on the southwest corner of the intersection of Route 565 and Route 319, and to be located on a parcel containing 39.93 acres more or less.

Mr. Lank summarized comments received from the D.N.R.E.C. Land Use Planning Act Coordinator, the Department of Agriculture, the Division of Resource Management, the Sussex Conservation District, and the Georgetown Fire Company.

Mr. Fuqua stated the proposed site would be leased or sold to Allen Chorman, Inc. and would be used for his crop spraying business.

Mr. Chorman stated the site would be improved with a grass runway, a 70 foot by 120 foot building to be used as an office and hangar to store his planes, a 70 foot by 100 foot building to be used as a maintenance hangar, and a 16 foot by 20 foot building to be used for storage of supplies used in crop spraying and mosquito control spraying. The surrounding area is farmland and wood land. The site will have an on-site industrial well and on-site septic system.

Mr. Chorman stated his business is 80% agricultural spraying and 20% mosquito control spraying for the state. His business is presently operated from another location. The proposed site would be more centrally located. He presently has 868 agricultural customers. There would be a maximum of twenty (20) flights per day from this site. Chemicals used for this operation are ordered as needed, and none would be stored on the site over the winter. The proposed airstrip would be 100 feet wide with 500 feet cleared. Fuel would be kept on-site for the applicant's use only, not for resale.

Mr. Fuqua presented several letters in support of this application.

No one was present in opposition.

At the conclusion of the public hearings, the Chairman referred back to this application.

The Commission discussed the points and issues raised during the public hearing.

The Commission found, based on comments received from D.E.D.O.T., that the proposed action will have no significant impact on traffic.

The Commission found, based on comments received from the D.N.R.E.C. Land Use Planning Act Coordinator, that comments have been requested from the D.N.R.E.C. Division of Air and Waste Management, Waste Management Section, Hazardous Waste Branch, Solid Waste Branch, Environmental Response Branch, CERCLA/Superfund Branch, Underground Storage Tank Branch, the Bureau of Archaeology and Historic Preservation, the Department of Agriculture, the Department of Transportation, and the Sussex Conservation District.

The Commission found, based on comments from the Department of Agriculture, that a Land Evaluation and Site Assessment (LESA) analysis was performed and that the site scored 215 points out of 300 points, which is above average for Sussex County; that the area is predominantly agricultural; that this type of Conditional Use is in character and a necessary component of modern production agriculture; that the applicants company is a vital part of the agricultural infrastructure in central and southern Delaware; and that the Department supports this application.

The Commission found, based on comments received from the Sussex Conservation District, that the soils on-site are mapped as Evesboro loamy sand and Rumford loamy sand; that the suitability for the intended use may vary from none to slight limitations; that in reference to erosion and sedimentation control, severe limitations may be anticipated during construction and slight limitations after completion of any construction; that the farmland rating of the soil type is of statewide importance; that no storm flood hazard area or tax ditch is affected; and that it may not be necessary for any on-site or off-site drainage improvements.

The Commission found, based on comments received from the Georgetown Fire Company, Inc., that concerns and questions were raised in reference to the size and type of aircraft, the frequency of use, and time of day; the types of materials to be stored; the reactivity of the materials to fire, the size of any hangars, the type of aircraft to be housed, maintenance facilities, the accessibility around the buildings and runways for fire, rescue, and EMS vehicles; fuel storage type and quantity, if any, and the type of static water supply and/or foam system proposed for fire protection.

The Commission found that one letter was received from a contract purchaser in the immediate area who expressed no objection to the private airstrip, but preferring location of airstrip in a more north/south direction so that overflights would not cross the land.

The Commission found that the application was represented by Dale Ockels, Allen Chorman, and legal counsel.

The Commission found, based on comments by representatives of the application, that the property is owned by Ockels Acres Partnership, that the strip will be sold or leased to Allen Chorman, Inc.; that the surrounding area is typically farmland and woodlands; that the wooded area of the site will be cleared; that the area of the proposed airstrip will be 500 feet in width and 3,000 feet in length, that a 100 foot wide grass runway is proposed along the center of the width of the cleared area; that the primary purpose of the use is aerial application for agricultural services; that the buildings proposed are a 70 foot by 120 foot hangar with an office; a 70 foot by 100 foot maintenance hangar, and a 16 foot by 20 foot storage building; that an industrial water well will be driven on-site; that septic will be provided; that typically, agricultural spraying is performed from April to September, during daylight hours; that the use of the site is dependent upon the wind, the weather, and the time of year; that 80% of the business is agricultural oriented, and 20% mosquito control; that the business serves all of Sussex County and part of Kent County; that the project will be developed in compliance with F.A.A. requirements; that the state Fire Marshal's office has been contacted; that the applicants are working with D.N.R.E.C. and the Department of Agriculture in designing a wash down facility that recycles wash down materials from the tanks and aircraft; that the applicants have no objection to a condition being placed on the application that no dumping of materials from the planes will take place on-site; that an emergency plan shall be prepared to coordinate handling of hazardous waste in emergency situations; that the use will be relocated from Hudson's Airport near Route One; that the business provides services for 868 agricultural customers and all of the present mosquito control spraying contracts; that Allen Chorman, Inc. recently purchased the Nanticoke Homes Airport near Greenwood for its westerly facility; that the proposed site is more centrally located than Hudson's Airport; that the site is remote and isolated; that the maximum flights anticipated per day is 20; that the Sussex County Industrial Airport has been utilized previously, but long waits for flights have been experienced due to air traffic, and that a spray operation is not compatible to the Industrial Park; that chemicals used in the operation are ordered as needed and a minimum is stored; that no chemicals are stored in the off season; that the

chemicals are normally used within two (2) or three (3) days of receipt; that no retail sales of chemicals are proposed; that the majority of take offs will be westerly and the majority of landings will be easterly dependent on wind and weather; that no obstacles, wires or homes will be affected by take offs and landings; that the maximum number of aircraft on-site will be ten (10); that fuel will be stored in the future for use of the business, not retail sales; and that Abbott Aero will do maintenance on-site for the business and for others.

The Commission found that the applicant submitted a print out list of its agricultural customers, letters from the F.A.A. Federal Aviation Administration, the State Division of Fish and Wildlife, a State Representative, and five (5) agricultural businesses.

The Commission found, based on the letter submitted from the Division of Fish and Wildlife Mosquito Control Section, that their aerial spraying program will benefit by having a landing strip near the coast to spray when needed the resort communities from Broadkill Beach to Fenwick Island.

The Commission found, based on the letter submitted from the Federal Aviation Administration, that the agency has no objection to the project provided that it is operated as a daylight private use only airport; that the use should be coordinated with the management of the Wagner airstrip in Milton and the Sussex County Industrial Airport; and that an additional 40 foot setback from the proposed 200 foot setback at the easterly end of the runway should be provided.

Motion made by Mr. Smith, seconded by Mr. Hickman, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved based on the record of support and since the site is remote and compatible to the agricultural area, and with the stipulation that the site plan be reviewed by the Planning and Zoning Commission, that the application conform to the F.A.A. requirements, that the site be developed according to the presentations by the representatives of the application and with the condition that fuel storage may be permitted.

3. RE: C/U #965--Joseph H. Smith

Joseph Smith was present on behalf of this application to consider the Conditional Use of land in an AR-1 Agricultural Residential District in Baltimore Hundred for an Office on the east side of Route 432 and northwest of Route 433, and to be located on a parcel containing 26.5 acres more or less.

Mr. Lank summarized comments received from the Indian River School District and the Sussex Conservation District.

Mr. Smith stated he plans to change the existing dwelling on the proposed site into an office for his existing manufactured home park. His present office is too small. There is sufficient space for parking.

Mr. Smith stated he plans to construct a building to the rear of the existing dwelling approximately 40 feet by 80 feet to be used as a shop for maintenance.

Mr. Smith stated the remainder of the parcel will remain as farmland at the present time.

No one was present in opposition.

At the conclusion of the public hearings, the Chairman referred back to this application.

The Commission discussed the points and issues raised during the public hearing.

The Commission found, based on comments received from the Indian River School District, that at this time, it does not appear that the proposal will have a significant impact on the district.

The Commission found, based on comments received from the Sussex Conservation District, that the soils on-site are mapped to be Evesboro loamy sand; that in reference to erosion and sedimentation control, severe limitations may be anticipated during construction and slight limitations may be anticipated after completion of any construction; that the farmland rating of the soil type is of statewide importance; that no storm flood hazard area or tax ditch is affected; and that is may not be necessary for any on-site or off-site drainage improvements.

The Commission found that DelD.O.T. voices no objections to this application and have conceptually approved the entrance location.

The Commission found that the applicant was present and plans to utilize the site for an office for operation and management of Country Living Mobile Home Park; that adequate space is available for parking on-site; that no negative impact is anticipated on property values or the neighborhood; that no additions are proposed on the structure; and that a 40 foot by 80 foot maintenance shop is proposed for park maintenance equipment.

Motion made by Mr. Ralph, seconded by Mrs. Monaco, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved based on the record of support as submitted by the applicant and with the stipulation that a maintenance shop building not exceeding 40 feet by 80 feet shall be permitted.

4. RE: C/Z #1121--Grover Robert Langshaw

Grover Robert Langshaw was present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to C-1 General Commercial in Indian River Hundred, located on the south side of Route 22, 1,000 feet east of Route 298, Lot No. 1, within Julia's Place Subdivision, and to be located on a parcel containing 39,132 square feet more or less.

Mr. Lank summarized comments received from the Department of Transportation, the Sussex Conservation District, the Indian River School District, and the Sussex County Engineering Department.

Mr. Langshaw stated he plans to use the proposed site to store equipment used in his portable welding business. Some work would be done on-site. His hours of operation would be 8:00 A.M. to 5:00 P.M., five (5) days per week, with no work done on weekends. The business would be operated by the applicant and his son, with no other employees.

Mr. Langshaw stated he is aware of no deed restrictions with Julia's Place Subdivision.

No one was present in opposition.

At the conclusion of the public hearings, the Chairman referred back to this application.

The Commission discussed the points and issues raised during the public hearing.

The Commission found, based on comments received from DelD.O.T., that a traffic impact study was not recommended, and that the level of service "C" of Route 22 will not change as a result of this application.

The Commission found, based on comments received from the Sussex Conservation District, that the soils on-site are mapped as Evesboro sandy loam; that the suitability for the intended use may vary from none to slight limitations; that in reference to erosion and sedimentation control, moderate limitations may be anticipated during construction and slight limitations after completion of any

construction; that the farmland rating of the soil type is of statewide importance; that no storm flood hazard area or tax ditch is affected; and that it may not be necessary for any on-site or off-site drainage improvements.

The Commission found, based on comments received from the Indian River School District, that at this time, it does not appear that the proposal will have a significant impact on the district.

The Commission found, based on comments received from the County Engineering Department, that the site is located in the Long Neck Sanitary Sewer District and that the tentative date for completion of the sewer project is March 1992.

The Commission found that the applicant was present and plans to utilize the site for equipment storage for a portable welding business; that some welding will be performed on-site; that the business is intended to be primarily mobile year round, with hours 8:00 A.M. to 5:00 P.M., five (5) days per week and no week end business hours intended; that the only intended employees are the applicant and his son; that no other business is intended on-site; that no adverse impact is anticipated on property values, traffic, or the neighborhood; and that no private deed restrictions are known within Julia's Place Subdivision.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be denied since the parcel is located in the entrance to and is a part of a residential subdivision.

5. RE: Andy Ercole, Jr. and Rose Romano

Andy Ercole was present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to C-1 General Commercial in Indian River Hundred, located on the north side of Route 47, east of Route 290 and south of Route 5, and to be located on a parcel containing 2.46 acres more or less.

Mr. Lank summarized comments received from the Sussex Conservation District and the State Division of Highways.

Mr. Ercole stated they plan to operate a pet supply business. They would offer unusual pet supplies, cedar items, dog houses, and pet foods. There would be no pet sales or pet grooming done at this location.

Mr. Ercole stated they plan to sell small shrubbery for landscaping during the spring and fall only. The shrubbery would not be grown at this location. No structure is proposed for shrubbery sales.

Mr. Ercole stated they will reside on this property.

Wayne Storey, Elizabeth Hurdle, William Bass, and Verdell Johnson spoke in opposition due to additional traffic, no need has been shown for the proposed use, no use is proposed for the remaining land covered by this application, and the area is a residential area.

At the conclusion of the public hearings, the Chairman referred back to this application.

The Commission discussed the points and issues raised during the public hearing.

The Commission found, based on comments received from DelD.O.T., that a traffic impact study was not recommended; and that the level of service "C" of Route 5 may not change but the level of service "A" of Route 47 may change to level of service "B" if the site is developed at an equivalent use per acre to discount shopping.

The Commission found, based on comments received from the Sussex Conservation District, that the soils on-site are mapped as Evesboro loamy sand and Fallsington sandy loam; that the suitability for the intended use may vary from none to slight limitations on the Evesboro soils and severe limitations on the Fallsington soils, if not drained; that in reference to erosion and sedimentation control, moderate limitations may be anticipated during construction and slight limitations after completion of construction; that the farmland rating of the soil types is of statewide importance; that no storm flood hazard area or tax ditch is affected; and that it may not be necessary for any on-site or off-site drainage improvements.

The Commission found that the applicants were present and plan to utilize the site for a pet supply business and seasonal nursery stock sales; that a foundation exists on-site to support a building for the pet supply business; that pet foods, dog houses, cedar items, and landscaping shrubbery are proposed for retail sales; that no pet sales or grooming are proposed; that several businesses exist in excess of one (1) mile from the site; that no adverse impacts are anticipated on traffic, the neighborhood, or property values.

The Commission found that four (4) people spoke in opposition and expressed concerns over loss of the country and residential atmosphere of the immediate area; commercial uses permitted in C-1 General Commercial districts; that a small business is proposed using a small portion of the 2.4 acres for commercial uses, and that no need has been shown for additional commercial uses in the area.

Motion made by Mr. Smith, seconded by Mr. Hickman, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be denied based on the record of opposition and since C-1 General Commercial would be out of character with the agricultural residential area.

#### OTHER BUSINESS

1. RE: Townsends Farm Market

The Commission discussed a site plan, previously approved for a seasonal produce market on Long Neck Road, to consider a waiver in the parking lot pavement type.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to permit a crusher run parking lot since the use is seasonal and leased land.

2. RE: Owens Station Sporting Club  
Board of Adjustment Case No. 4362

The Commission reviewed a site plan for a sporting clays shooting range on Route 602. The use was recently approved by the County Board of Adjustment, who stipulated that the Commission review the site plan.

Mr. William Wolter, owner, was present and presented photos of a sporting clay range.

Motion made by Mrs. Monaco, seconded by Mr. Hickman, and carried 4-0, with Mr. Allen not participating, to approve the site plan for the sporting clays range.

3. RE: Shirley Fritz

The Commission reviewed a concept to revise two (2) lots on Route 297, also called Route 5, by increasing one lot width by ten (10) feet and the remaining lot to retain 83.75 feet.

It was noted that Board of Adjustment action was necessary as proposed, and that the lots may be revised without changing the lot width.

It was the consensus of the Commission that action be deferred. The staff to contact the owners to discuss revisions.

4. RE: Donna Thomas

The Commission reviewed a concept to create an additional lot with access to an existing fifty (50) foot right of way easement.

It was noted that only twenty five (25) feet of direct access to the fifty (50) foot right of way is available.

Motion made by Mrs. Monaco, seconded by Mr. Ralph, and carried unanimously to defer action for legal opinions on access.

5. RE: Diamond Acres

The Commission reviewed a concept to interconnect two (2) existing streets within Diamond Acres, near Dagsboro, for creation of a through street.

It was noted that the existing streets are state maintained public streets, and that the state proposes to upgrade the entire street project by creating the through street.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to approve the concept with the condition that receipt of approval shall be required from DelD.O.T. prior to approval to record the revised plat.

OLD BUSINESS

1. RE: C/U #960--Chesapeake Utilities Corporation/  
Eastern Shore Natural Gas Co.

No one was present on behalf of this application to consider the Conditional Use of land in an AR-1 Agricultural Residential District in Northwest Fork Hundred for Bulk Storage of Propane Gas 1,800 feet south of Route 584, and east of Conrail Railroad, and to be located on a parcel containing 8.51 acres more or less.

The Chairman referred back to this application which has been deferred since March 21, 1991.

The Commission discussed the points and issues raised during the public hearing.

Motion made by Mrs. Monaco, seconded by Mr. Hickman, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be denied based on the record of opposition, since the site is close to residential areas, close to a kindergarten school, concerns for childrens safety, and since other commercial and industrial lands along or near Route 13 or the railroad would be more remote for this type of activity.

2. RE: ORDINANCE AMENDING CHAPTER 115  
(Campgrounds)

AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, DELAWARE, RELATING TO SPECIAL REQUIREMENTS FOR CONDITIONAL USES FOR A PARK OR CAMPGROUND FOR MOBILE CAMPERS, TENTS, CAMP TRAILERS, TOURING VANS AND THE LIKE.

The Chairman referred back to this Ordinance deferred since March 21, 1991.

The Commission discussed the points and issues raised during the public hearing and the amendments suggested.

The Commission reviewed an amended version of the Ordinance in its entirety which included amendments referenced.

Motion made by Mr. Ralph to deny the Ordinance. No second followed.

The motion died for lack of a second.

Motion made by Mr. Hickman, seconded by Mrs. Monaco, and carried 4-0, with Mr. Ralph not voting, to forward the Ordinance to the Sussex County Council with the recommendation that it be approved with amendments as proposed in Sections One, Two, Three, Five, Six, Seven, Eight, and Nine. Section Four's amendment to change the setback between existing dwellings and site areas from 400 feet to 100 feet was not supported. Section One and Section Six amendments, suggested by representatives of the camping community, for a revised definition of a recreational vehicle and the size of portable platforms was supported. Section Seven was amended to permit site constructed screen structures that can be readily dismantled.

3. RE: Subdiv. #90-2--Nero Acres

This is an application to consider the Subdivision of land in an AR-1 Agricultural Residential Zoning District in Little Creek Hundred by dividing 50.5 acres into 25 lots, located on the west side of Route 70, 2,135 feet north of Route 64.

The Commission reviewed final plans for the revised subdivision of 64.36 acres into 9 parcels.

Motion made by Mr. Ralph, seconded by Mrs. Monaco, and carried unanimously to approve the subdivision as a final subject to receipt of corrective plats which delete a note in reference to a borrow pit and placement of notes in reference to curve data.

4. RE: Subdiv. #90-32--The Pines

This is an application to consider the Subdivision of land in an MR Medium Density Residential Zoning District in Baltimore Hundred by dividing 19.95 acres into 47 lots, located on the west side of Route One, 5,900 feet north of Route 360.

Jeff Clark and Michael Badger, developer, were present to discuss a condition placed with preliminary approval that required Corp. of Engineers approval.

Mr. Clark advised the Commission that Corp. comments were requested in November 1990, and that no response has been received to date.

It was requested that the project be placed on the agenda for April 25, 1991, for final consideration.

5. RE: Subdiv. #90-13--Red Mill Associates

This is an application to consider the Subdivision of land in an MR Medium Density Residential Zoning District in Broadkill Hundred by dividing 51.5 acres into 131 lots, located on the west side of Route One, 1,050 feet north of Route 88.

Mr. Lank advised the Commission that the developers have requested a one year time extension of their preliminary approval.

Motion made by Mr. Smith, seconded by Mr. Hickman, and carried unanimously to grant a one year extension.

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6. RE: Robert Wilson  
Streets in Dunlap Court

Mr. Lank reported to the Commission that the streets in Dunlap Court near Milford were going to be improved by regrading, compaction, and placement of 4 inches of crusher run for a roadway.

Meeting Adjourned 10:50 P.M.

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Lawrence B. Lank, Secretary