

MINUTES OF THE REGULAR MEETING OF MAY 10, 1990

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, May 10, 1990, at 7:45 P.M. in the County Council Chambers, Courthouse, Georgetown, Delaware with the following present:

Mr. Allen, Mr. Ralph, Mr. Hickman, Mrs. Monaco, Mr. Smith, Mr. Berl - Attorney, Mr. Lank - Director, and Mr. Moore - Planner I.

Motion made by Mr. Ralph, seconded by Mrs. Monaco, and carried unanimously to approve the minutes of April 26, 1990, as circulated.

PUBLIC HEARINGS

1. RE: C/U #933--Victor Laws, Sr./R & W Contractors

Eric Howard, attorney, Joel Rayne of R & W Contractors, and Victor Laws were present on behalf of this application to consider the Conditional Use of land in an AR-1 Agricultural Residential District and a GR General Residential District in Little Creek Hundred for an Office, Storage, and Parking for a General Contractor on the east side of Route 13A, 0.38 mile north of Route 452, to be located on a parcel containing 11.64 acres more or less.

Mr. Lank summarized comments received from the State Highway Department as a Support Facilities Report, the Department of Natural Resources and Environmental Control from the LUPA Coordinator, and the Sussex Conservation District.

Mr. Rayne stated he plans to construct a new office and storage building on this site. The rear of the property would remain wooded. Most materials are delivered to the job site. Most of the storage at the proposed site would be left over materials from jobs.

Mr. Rayne stated a back hoe and pickup trucks belonging to his business would be stored behind the proposed office building.

Mr. Rayne stated he presently has five (5) employees. The number of employees varies according to the season. The maximum number of employees anticipated is ten (10).

Mr. Rayne stated he plans to have a sign at this site approximately 4 feet by 6 feet.

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 State DelD.O.T., that the proposed action will have no significant impact on traffic.

The Commission found, based on comments 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 from the Sussex Conservation District, that the Evesboro loamy sand and the Woodstown sandy loam have good suitability for the intended use, that the Fallsington sandy loam has fair suitability for the intended use, that the Johnston silt loam is unsuitable for the intended use, that in reference to erosion and sediment control, moderate limitations may be anticipated during construction and slight limitations may be anticipated after completion of any construction, that the farm land rating of the soils on site are either prime or of State wide importance, that no storm flood hazard area is affected, that it may not be necessary for any off-site drainage improvements, that it may be necessary for some on-site drainage improvements and that no tax ditch is affected.

The Commission found that the application was represented by one of the applicants with legal counsel and that the applicants plan to utilize the site for a contractors office, storage area, and parking area for a residential and commercial contractor/builder.

The Commission found that Mr. Laws owns the property and that R and W Contractors leases the property for their contracting firm.

The Commission found, based on comments by representatives of the application, that a dwelling and manufactured home type office exist on the premises, that the majority of the site is wooded, that the area cleared, approximately three (3) acres, will be utilized for the business, that the business presently has five (5) employees, that a maximum of ten (10) employees are anticipated, that a new office is proposed to be built on-site within three (3) years, that the site was selected due to its close proximity to the business work area of lower Sussex and parts of Wicomico and Worcester Counties, that vehicles of the business will be parked

behind the office, that limited material storage will be on site, and that no objections have been reported by area residents.

The Commission found that no parties were present in opposition.

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 and with the following stipulations.

a. The Conditional Use area shall be limited to the cleared area squared off parallel to Route 13A at its deepest point on the sideline.

b. The site plan shall be subject to review and approval by the Planning and Zoning Commission.

2. RE: C/Z #1063--John H. Parker

Jim Griffin, attorney, and John Parker were present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to C-1 General Commercial in Dagsboro Hundred, located on the southwest side of Route 334, 600 feet southeast of Route 333, containing 5.62 acres more or less.

Mr. Lank summarized comments received from the State Highway Department as a Support Facilities Report, the Department of Natural Resources and Environmental Control from the LUPA Coordinator, the Sussex Conservation District, and the Indian River School District.

Mr. Parker stated he plans to construct a building approximately 60 feet by 120 feet on the proposed site to be used as an office for his construction business with enclosed storage in the rear of the building.

Mr. Parker stated there would be no manufacturing on this site. Proposed hours would be 7:30 A.M. to 5:00 P.M., five and a half days per week. Security lighting would be used. There is sufficient area for parking on the site. The site would be fenced.

Dolores Dorman spoke in opposition due to the area being a residential area and increased traffic.

Gerald Dorman, adjoining property owner, spoke in opposition referencing a property line dispute, and concern that a plan has not been shown for the entire site.

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 State DelD.O.T., that a traffic impact study was not recommended, that a 1987 traffic summary indicates that Route 334 from U.S. Route 113 to the northwest Dagsboro limit had an 8,840 vehicle per day annual average daily traffic count, and that the level of service "D" of this road segment of Route 334 will not change as a result of this application.

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 Sussex Conservation District, that the Evesboro loamy sand on site has good suitability for the intended use and the Pocomoke sandy loam on site has fair suitability for the intended use, that in reference to erosion and sediment control, moderate limitations may be anticipated during construction and slight limitations may be anticipated after completion of construction, that the farm land rating of the soils are prime and of State wide importance, that no storm flood hazard area is affected, that it may not be necessary for any on-site or off-site drainage improvements, and that no tax ditch is affected.

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

The Commission found that the applicant was present with legal counsel and plans to utilize the site for a new office and warehousing for a construction business.

The Commission found, based on comments by representatives of the application, that a portion of the parcel is already zoned C-1 General Commercial, that other commercial uses exist in close proximity along Route 334, that the site has recently been cleared and ditched with appropriate permits, that the intended hours of operation are 7:30 A.M. to 5:00 P.M., 5 to 5 1/2 days per week, that security lighting will be provided, that adequate space on

site is available for parking, that on-site traffic will be minimal, that a 60 foot by 120 foot building is proposed, that fencing may be provided around the site, that no adverse impact is anticipated on property values, the neighborhood, or Route 334, that no State or Federal wetlands exist on-site, that the applicant will voluntarily landscape along adjoining lots, that the intended use is not a high traffic use, and that the use or zoning should not be detrimental to the area.

The Commission found that an area resident couple were present in opposition to the rezoning and expressed concerns in reference to the intended use and other possible uses permitted, that the immediate area is residential with numerous residences, that traffic is already heavy and will increase, that business attracts people and traffic, that enough business areas already exist, and questioned the location of survey markers and ditching.

Motion made by Mr. Ralph, seconded by Mrs. Monaco, and carried 4-0, with Mr. Hickman abstaining, to forward this application to the Sussex County Council with the recommendation that it be denied based on the record of opposition and since the property consists of five (5) lots and since only a small building is intended on such a large parcel, thereby questioning other intended uses.

3. RE: C/Z #1064--Carl M. Freeman Associates, Inc.

James Fuqua, attorney, Charles A. Shreeve, III, Charles Miller, and Mike Lynn were present on behalf of this application to amend the zoning map from MR Medium Density Residential to RPC Residential Planned Community in Baltimore Hundred, located on the east side of Route One, one mile north of Route 360, containing 20.67 acres more or less.

Mr. Lank summarized comments received from the State Highway Department as a Support Facilities Report, the Department of Natural Resources and Environmental Control from the LUPA Coordinator, and the Sussex Conservation District, the Indian River School District, and the Sussex County Engineering Office.

Mr. Fuqua stated the applicants are proposing sixty lots, (59 single family lots and one recreational lot). There would be no increase in the density allowed in MR Medium Density Residential Districts. There will be no multi-family units and no commercial or business areas. Central sewer and water are proposed. Streets will be private, and there will be strict restrictive covenants.

Mr. Fuqua stated the recreational lot will have a pool, bath house, and deck area.

Mr. Fuqua stated wetlands area will be left undisturbed.

Charles Miller spoke in reference to environmental concerns and stated that the wetlands have been delineated.

Bernie Kostelnik, James Murray, Pat Ficken, and Gail Meucci and her husband spoke in opposition due to lot sizes, loss of wildlife, over-development of the area, setbacks from existing dunes, and location of proposed entrance.

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 D.N.R.E.C. Division of Air and Waste Management, the D.N.R.E.C. Division of Fish and Wildlife, the D.N.R.E.C. Division of Parks and Recreation, the D.N.R.E.C. Soil and Water Conservation, 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 D.N.R.E.C. Land Use Planning Act Coordinator, that the Waste Management Section regulations prohibit the burial of solid waste except at permitted disposal facilities, that the Department encourages the reuse and recycling of waste materials whenever feasible, that the Division of Fish and Wildlife reported that this project will further reduce the limited natural or wild area remaining along the ocean beach and that the site is of critical importance to shore birds, waterfowl and small mammals.

The Commission found, based on comments received from the State DelD.O.T., that a traffic summary indicates that a traffic impact study was not recommended, and that this proposed action will have no significant impact on traffic.

The Commission found, based on comments received from the Sussex Conservation District, that the Coastal Beach and dune line soils on-site have fair suitability for the intended use, that severe limitations may be anticipated during construction, that slight limitations may be anticipated after completion of any construction, that a storm flood hazard area may be affected, that it may not be necessary for any on-site or off-site drainage improvements and that no tax ditch is affected.

The Commission found, based on comments received from the Indian River school District, that the proposal may have an impact on the District since development of the site should provide a significant increase in the tax base and the district encourages approval.

The Commission found, based on comments received from the County Engineering Department, that fifty (50) foot rights of way shall be maintained, stub roads shall be replaced with cul-de-sacs, the bridge design will not be acceptable to Sussex County private road designs, that the roadway should be relocated on buildable upland, that construction to public street specification per DelD.O.T. would provide bridge standards if proposed, and that verification of D.N.R.E.C. permits and Army Corp. of Engineers permits are necessary.

The Commission found that the application was represented by a representative of Carl M. Freeman Associates, Inc. with legal counsel, an engineering consultant, and an environmental consultant.

The Commission found that a 29 page booklet was submitted by the applicants which included references to the site's location, the developers, the proposed development plan which included information on an overview, zoning, water, wastewater, stormwater, solid waste, utilities, traffic impact, environmental impact, recreational facilities, fire protection and attached documents which included comments from Sussex Shores Water Co. in reference to water supply, Sussex County in reference to sewer, White Line in reference to solid waste, Delmarva Power and Light in reference to electric utilities, Simmons Communications Company in reference to cable TV, DelD.O.T. in reference to traffic and entrances, D.N.R.E.C. in reference to dune construction, Bethany Beach Volunteer Fire Co., in reference to fire protection, a Development Advisory Service (D.A.S.) report, a reduced tax map in reference to existing development of the area, a site plan, and a recreational plan for Lot 46.

The Commission found, based on comments by representatives of the application, that 59 residential lots and one recreational lot are proposed; that no multi-family or commercial uses are planned or intended; that the overall density is 2.77 units per acre; that they anticipate no major impact since central water is proposed from Sussex Shores Water Co., central sewer is proposed through the North Bethany extension of the Bethany Beach Sanitary Sewer District, that fire protection will be provided by Bethany Beach Fire Co., that a significant impact is anticipated that benefits the tax base; that private streets are proposed; that deed restrictions will be similar to other subdivisions and residential

planned communities in the Route One area; that wetlands are intended to be preserved in their natural state; that the dunes are proposed for reconstruction to conform to adjoining dune reconstruction on adjacent subdivisions with D.N.R.E.C. approval; that a bridge is proposed to cross wetlands; that 20 foot building restrictive buffers are proposed from all wetlands; that the recreation area proposes a 1,500 square foot pool, bathhouses and parking; that two (2) wooden dune crossings are proposed; that the entrance location at the proposed bridge is preferred due to close proximity of any fast land to the entrance to Bayberry Dunes Subdivision; that the proposed bridge is to be constructed of timber and elevated above the wetlands similar to the bridge at the University of Delaware College of Marine Studies on the access from Route 266 (New Road); that street drainage is proposed along grass swales and into the wetlands; that 40 foot wide cul-de-sac streets are requested with five (5) foot easements along each road for utilities; that a culvert is proposed to interconnect the two (2) wetland areas along Route One; that fill on the wetlands will create a greater impact than a bridge; that the Army Corp. of Engineers prefer wetlands being bridged for access rather than filled; that DelD.O.T. has been requested to compare an entrance at the fast land to an entrance at the bridge location; that the applicants propose a community, not a typical subdivision, with recreation areas and wetlands being the focal points of the project; that DelD.O.T. drains portions of Route One into the same wetlands; and that this project is not intended to be associated with Sea Colony projects south of Bethany Beach.

The Commission found that five (5) people spoke in opposition to this application and expressed concerns over RPC zoning, that an MR subdivision would be preferred, access for other communities to get to the beach, setbacks from a reconstructed dune; that the entrance should be over fast lands not wetlands, drainage of road system into wetland areas, size of ocean front lots, loss of fish and fowl by destruction of wetlands, the number of lots along the ocean front, and fear of additional projects in the area.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to defer action.

4. RE: C/Z #1065--John J. Barranger, II

Steve Parsons, attorney, and John Barranger were present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to C-1 General Commercial in Baltimore Hundred, located on the northeast side of Route 382, 400 feet southeast of Route 388, containing 2.72 acres more or less of a 5.44 acre tract.

Mr. Lank summarized comments received from the State Highway Department as a Support Facilities Report, the Department of Natural Resources and Environmental Control from the LUPA Coordinator, the Sussex Conservation District, and the Indian River School District.

Mr. Parsons stated the applicant plans to operate a garage for restoration and sale of automobiles.

Mr. Barranger stated he has operated his business, Coastal Recovery, for approximately 16 years. He works for numerous banks, repossessing cars, stores them for 15 days, and sends them to public auction.

Mr. Barranger stated he is proposing a metal pole-type building. The site will be fenced and landscaped, with security lighting. He anticipates 10 to 12 employees. Hours of operation would be 7:00 A.M. to 6:00 P.M., Monday through Friday, with no Sunday hours. He would offer towing service. There will be an area in the rear of the building enclosed with stockade fence. There would be no public sales.

Michael Townsend, Patricia Magee, Mike Magee, and others spoke in opposition due to additional traffic, noise, property devaluation, and hours of operation of a repossession business.

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 State DelD.O.T., that a traffic impact study was not recommended and that the level of service "A" of Route 382 may change to level of service "B" if the site is developed at an equivalent use in per acre trip generation to discount shopping.

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, 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 D.N.R.E.C. Land Use Planning Act Coordinator for the Waste Management Section of D.N.R.E.C., that Delaware regulations prohibit burial of solid waste except at disposal facilities permitted by D.N.R.E.C. This prohibition applies to trees, stumps,

and construction/demolition debris as well as municipal and industrial waste. D.N.R.E.C. encourages the reuse and recycling of waste materials whenever feasible.

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

The Commission found, based on comments received from the Sussex Conservation District, that the Evesboro loamy sand and Pocomoke sandy loam on-site have fair to good suitability for the intended use, that in reference to erosion and sediment control, moderate limitations may be anticipated during construction and slight limitations may be anticipated after completion of construction, that the farmland rating of the soils are prime and of State wide importance, that no storm flood hazard area is affected, that it may not be necessary for any on-site or off-site drainage improvements, and that no tax ditch is affected.

The Commission found that the applicant was present with legal counsel and plans to utilize the site for an auto repair and body shop for antique and sports cars and sales of the same type of vehicles.

The Commission found, based on comments made by representatives of the application, that a metal structure is proposed, that the site will be fenced and landscaped, that security lighting will be provided, that the normal operating hours will be from 7:00 A.M. to 6:00 P.M., six (6) days per week, that other commercial uses exist in close proximity which include boat sales and service, apartments, offices and warehouse, auto service and repair, and ceramic sales, that no substantial impact on the neighborhood, property values, or traffic, are anticipated and that a precedent has been set for commercial uses in this area.

The Commission found, based on comments by four (4) persons present in opposition, that concerns were expressed in reference to noise, the location of the site at a curve, traffic increases and hazards, depreciation of residential property values, that other commercial garages in the area have recently closed, that C-1 General Commercial zoning will not aid in development of a subdivision across Route 382, and a 24-hour wrecker service.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried 4-0, with Mr. Allen abstaining, to forward this application to the Sussex County Council with the recommendation that it be approved based on the record of support and since other commercial uses and districts exist in the area.

5. RE: C/Z #1066--Dennis N. O'Neal

David Rutt, attorney, and Dennis O'Neal were present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to C-1 General Commercial in Little Creek Hundred, located on the east side of Route 13, 2,230 feet south of Route 462, containing 7.38 acres more or less.

Mr. Lank summarized comments received from the State Highway Department as a Support Facilities Report, and the Sussex Conservation District.

Mr. Rutt stated that the applicant has an agreement to lease the proposed site from his mother. There is an existing dwelling and barn on the site.

Mr. O'Neal stated that he plans to operate a radio station from the existing dwelling, and move their existing jewelry store from its present location to the existing barn.

Mr. O'Neal stated he has received all FCC approvals for the radio station. He has no plan for an antenna tower on this site. The station will offer community programming and operate from 5:30 A.M. to 1:30 A.M. The site will be fenced. There is sufficient area for parking.

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 D.N.R.E.C. Land Use Planning Act Coordinator, that comments have been requested from the D.N.R.E.C. Division of Fish and Wildlife, the Bureau of Archaeology and Historic Preservation, the Department of Transportation, the Sussex Conservation District, and State Police Communications.

The Commission found, based on comments received from the D.N.R.E.C. Land Use Planning Act Coordinator for the Division of Fish and Wildlife, that the Division submitted a "no comments" statement.

The Commission found, based on comments received from the State DelD.O.T., that a traffic impact study was not recommended, and that the level of service "A" of Route 13 may change to level of service "B" if the site is developed at an equivalent use in per acre trip generation to discount shopping.

The Commission found, based on comments received from the Sussex Conservation District, that the Evesboro loamy sand, Rumford loamy sand, and Kenansville loamy sand on site have good suitability for the intended use, that in reference to erosion and sediment control, moderate limitations may be anticipated during construction and slight limitations after completion of construction, that the farm land rating of the soils are prime and of state wide importance, that no storm flood hazard area is affected, that it may not be necessary for any on-site or off-site drainage improvements, and that no tax ditch is affected.

The Commission found that the applicant was present with legal counsel and a radio communications consultant, and plans to utilize the site for a radio broadcasting studio.

The Commission found, based on comments by representatives of the application, that the property is owned by the applicant's mother and that a lease agreement has been signed by both parties, that other commercial sites exist in close proximity which include furniture stores, indoor flea market, convenience stores, and a poultry plant equipment distributor, that the existing dwelling on-site is intended to be converted into the studio for the radio station and possible future jewelry store, that an existing barn on-site may be converted into a theater or similar use, that the studio will be utilized for making commercials, radio announcements and normal radio station activities, that a transmission tower with antenna are not proposed on-site since a site near the Maryland-Delaware line near Delmar is preferred, that transmission to tower antenna will probably be from a four (4) foot disc on-site aimed at the tower off-site, that the Federal Communications Commission has granted its approval for an FM Broadcast Station Construction Permit (File No. BPH-870914MA), that on-site sewer and water systems will be utilized, that no adverse impact on property values is anticipated, that this application will help promote health, safety, moral, and character of residents, that the proposed hours of operation are 5:30 A.M. to 1:30 A.M., that adequate parking space is available on-site, that the site will be adequately lighted, and that a need exists to serve Laurel and surrounding areas.

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 and since other commercial uses and districts exist in the area.

OTHER BUSINESS

1. RE: Daniel McMunn

The Commission reviewed the site plan for a proposed hunting supply store, Conditional Use No. 930.

No one was present on behalf of the site plan.

Mr. Moore stated that Mr. McMunn had requested a stone drive and parking area as opposed to the required surface treatment for the required five (5) parking spaces.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to approve the site plan as a final and to approve the stone parking area.

2. RE: Bronberg, Inc.
Dormitory Discussion

John Sergovic, attorney, was present on behalf of the proposal.

Mr. Moore stated that Mr. Sergovic had submitted a proposal to construct a dormitory style residence, being three floors and having communal baths and kitchens on each floor.

Mr. Moore stated that a determination would be needed as to what review standard should be applied to the proposal.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to defer action and refer the proposal to Mr. Berl for a determination.

3. RE: Ocean Outlets - North Bound

The Commission reviewed the final site plan for the proposed retail outlet center.

Mr. Moore stated that all approvals had been obtained.

No one was present on behalf of the site plan.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to approve the plan as a final.

4. RE: Massey's Landing Shopping Center

The Commission reviewed the preliminary site plan for a proposed retail shopping center on Route 5 and Route 24.

Paul West, Land Tech, Inc., was present on behalf of the project.

Mr. Moore stated that the parking layout needed to be revised.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to approve the project as a preliminary.

5. RE: Delaware Electric Cooperative
Subdivision Question

Mr. Moore stated that a proposed expansion to the existing parcel owned by the Cooperative would result in creating a 96 foot frontage and a 224 foot frontage on the residue of the property being conveyed to the Cooperative.

By consensus, the Commission deferred action, pending a determination as to whether or not access could be denied from the 96 foot frontage.

OLD BUSINESS

1. RE: Subdiv. #90-7--Wind Mill II

The Commission reviewed the preliminary plot for the proposed 10 lot subdivision, Windmill Section II.

Mr. Moore stated that the subdivision had been deferred pending delineation of any wetlands and for obtaining a feasibility for on-site wastewater disposal.

Mr. Moore stated both had been completed and are satisfactory.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to approve the subdivision as a preliminary.

2. RE: Subdiv. #89-21--Lake View Estates II

The Commission reviewed the final plot plan for the proposed Phase II of Lake View Estates.

Mr. Moore stated that all approvals had been obtained.

Motion made by Mr. Ralph, seconded by Mrs. Monaco, and carried unanimously to approve the subdivision as a final.

3. RE: Subdiv. #88-36--Swann Estates

The Commission reviewed the final plot for the proposed 38 lot addition to Swann Estates.

Mr. Moore stated that all necessary approvals had been obtained.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to approve the subdivision as a final.

4. RE: 3 Lot, 600 Foot Cul-De-Sac Discussion

Mr. Berl presented a letter addressed to Robert Stickels, Sussex County Administrator, regarding the three (3) lot subdivision policy.

It was the consensus of the Commission to send the letter as presented requesting action to correct the policy, and it was the consensus of the Commission to indefinitely defer any action on three (3) lot subdivisions.

5. RE: Borrow Pits
A. Lands of Harvey Justice
B. Lands of Gerald Hickman

The Commission discussed the above referenced borrow pits.

Motion made by Mr. Hickman, seconded by Mr. Ralph, and carried unanimously to defer action.

Meeting Adjourned 11:50 P.M.

Lawrence B. Lank, Secretary