

MINUTES OF THE SPECIAL MEETING OF MAY 18, 1989

The special meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, May 18, 1989, at 7:45 P.M. in the Court of Common Pleas, Courthouse, Georgetown, Delaware, with the following present:

Mr. Allen, Mr. Ralph, Mr. Hickman, Mrs. Monaco, Mr. Smith, Mr. Jones - Assistant County Attorney, and Mr. Lank - Director.

Motion made by Mr. Smith, seconded by Mr. Hickman, and carried unanimously to approve the minutes of May 11, 1989, as circulated.

PUBLIC HEARINGS

1. RE: C/U #904--Scott Wallace and Roy B. Cowdrey, Jr.

John Sergovic, attorney, Scott Wallace, and Roy Cowdrey, Jr. were present on behalf of this application to consider the Conditional Use of land in an MR Medium Density Residential District in Baltimore Hundred for Five Detached Single Family Dwelling Units located on the east side of Route One, 1.6 miles north of Route 350, and to be located on a parcel containing 1.86 acres more or less.

Mr. Lank summarized comments received from the LUPA agencies.

Mr. Lank stated comments were received from Indian River School District. They expect no significant impact on the school district as a result of this application.

Mr. Sergovic stated the proposed site is only 100 feet wide, but 800 feet long, with one existing dwelling.

Mr. Sergovic stated the applicants plan to develop the proposed site with five (5) single family dwellings. There would be a minimum of forty (40) feet between units. The proposed units would be compatible with the surrounding neighborhood.

Jeff Clark, Land Tech, Inc., stated there are sufficient E.D.U.'s available for the proposed units. Public water will be provided. The proposed 25 foot access would serve only the five (5) proposed units.

Mr. Cowdrey stated he and Mr. Wallace plan to use this site as a summer residence for their families.

Mr. Cowdrey stated the site has one (1) existing dwelling which has been remodeled. The proposed entrance is existing.

Kathy Karsnitz, attorney representing the Homeowners Association of Cotton Patch Hills, spoke in opposition, stating the application does not meet the requirements of a conditional use application, and would create problems with trash removal and emergency vehicles due to the proposed narrow access, parking problems, and the number of people which would utilize the site.

Roger Sprugs spoke in opposition due to the proposed density and the reasons already stated.

Louise Carey spoke in opposition and questioned access to the beach and whether wetlands exist on the site.

Merv Carey and Frank Stone spoke in opposition for similar reasons.

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, Division of Parks and Recreation, Division of Soil and Water Conservation, the Bureau of Archaeology and Historic Preservation, and the Department of Transportation.

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

The Commission found that the applicants were present with legal counsel and plan to utilize the site for five (5) single family detached condominium type dwellings.

The Commission found, based on comments in support of the application, that the site adjoins Cotton Patch Hills Development, which has five (5) lots adjacent, and Ocean Ridge Development, which has six (6) lots adjacent; that the five (5) dwellings will be a minimum of forty (40) feet apart, that the private restrictions for the property allows a maximum of five (5) units;

that the proposal will be compatible with the neighborhood; that the Coastal Sussex Land Use Plan recommends cluster housing for this area at a maximum of four (4) units per acre; that the North Bethany extension to the Bethany Sanitary Sewer District is designed to allow seven (7) units per acre; that public sewer and central water shall be provided; that the proposed 25 foot wide driveway exceeds the normal 20 foot wide paving section required by the Subdivision Ordinance; that the Land Use Plan suggests flexibility which the Conditional Use process allows; and that no Federal 404 Wetlands exist on site.

The Commission found that several parties were present with legal counsel and expressed concern that this application does not conform to the Conditional Use purpose of Ordinance No. 97 since the use is not of a public or semi-public character, is not essential and desirable for the general convenience and welfare; that questions were raised in reference to access, density, parking, beach access, and the existence of wetlands.

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 based on the record of opposition, and since concerns exist in reference to emergency equipment access.

2. RE: C/U #905--Cedars Academy, c/o Neal Swartz

Eugene Bayard, attorney, 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 a Private Boarding School located on the southeast side of Route 545, 3,500 feet west of Route 594, and to be located on a parcel containing 11.48 acres more or less.

Mr. Lank read into the record a letter from Woodbridge School District stating they have no objection to this application.

Mr. Lank summarized comments received from the LUPA agencies contacted.

James Hill, George & Lynch, stated on-site well and septic are proposed. They will use the existing entrance.

Mary Margaret Powers, Headmaster of the proposed school, stated the school will be a private secondary school for college bound students who have learning problems.

Ms. Powers stated the maximum number of students proposed is 75 to 100.

Ms. Powers outlined a typical student schedule and their proposed summer program.

Ms. Powers stated the proposed school will not be for drug abusers, wayward youth, or juvenile delinquents.

Mr. Bayard presented three (3) letters of support from area residents.

The developer of Country Glen and Knotts Landing spoke in favor of the application.

Steven Carey spoke in opposition questioning the past record of the school, the ratio of staff and students, type of septic proposed and where the students will be from.

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 Water Resources, Pollution Control Branch, Wetlands and Underwater Lands Branch, On-Site Wastewater Branch, Water Supply Branch, the Division of Air and Waste Management Air Resources Section and Waste Management Section, the Division of Fish and Wildlife, the Division of Parks and Recreation, the Division of Soil and Water Conservation, the Bureau of Archaeology and Historic Preservation, the Department of Transportation, and the Department of Agriculture.

The Commission found, based on comments received from the D.N.R.E.C. Land Use Planning Act Coordinator, that the May 4, 1989, Development Advisory Service (DAS) report can be substituted for the Land Use Planning Act comments requested.

The Commission found, based on comments received from Woodbridge School District, that the proposed program will have no deleterious affect on the district and may prove to have a quite positive affect.

The Commission found, based on comments received from the State Division of Highways, that an entrance approval has been granted for the intended use.

The Commission found, based on comments from the State Department of Agriculture, that an examination of the Sussex County LESA system on the site scored below average, and that the proposal should not have any impact on surrounding agricultural lands since the area for the buildings is surrounded by forested land and since this type of use should not generate any conflicts between neighbors.

The Commission found that the application was represented by a realtor, a contractor, the proposed head master of the academy and legal counsel.

The Commission found, based on comments by the realtor, that the area is generally agricultural and that no adverse impact on the neighborhood or property values is anticipated.

The Commission found, based on comments by the contractor, that the site is to be served by an individual well and septic, that fire protection shall be provided by the Bridgeville Fire Co., and that the proposed entrance is located at an approved location for visibility of the travelling public.

The Commission found, based on comments by the proposed head master of the academy; that the school is proposed to be a private boarding school for students with learning disabilities who may be college bound; that descriptions of general information, summer program, student information, and a daily schedule were provided; that the facility is planned to open for 20 to 30 students with a future maximum of 75 to 100 students; that the facility is not intended or planned for juvenile delinquents, drug rehabilitation, or wayward youth; that the site was chosen over several others due to its closeness to several metropolitan areas; and that students are age 10 through graduation.

The Commission found that three (3) letters of support from area residents have been received.

The Commission found that the developer of Country Glen and Knots Landing, subdivisions across the Nanticoke River Branch from the site, was present in support of the application.

The Commission found that one area resident was present in opposition due to concerns over the affect on property values.

Motion made by Mrs. Monaco, seconded by Mr. Ralph, 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 an ideal location for a private school which is not opposed by the area school district,

since no adverse impact is anticipated on the community or property values, and since the use is to be privately funded. The recommendation for approval carries the following stipulation:

The school shall not be oriented toward juvenile delinquents, drug rehabilitations or wayward youth.

3. RE: C/U #906--William Sammons

Bill Sammons, Sonny Reed, and Bruce Wharton were present on behalf of this application of William Sammons to consider the Conditional Use of land in an AR-1 Agricultural Residential District in Cedar Creek Hundred for a Radio Station and 322 Foot High Antenna Tower located at the southwest corner of the intersection of Route 42 and Route 624, and to be located on a parcel containing 2.28 acres more or less.

Mr. Lank summarized comments received from the LUPA agencies.

Mr. Lank stated comments were received from the State Highway Department. They expect no significant impact on traffic as a result of this application.

Mr. Lank read into the record a letter of opposition received from Marie Smith.

Mr. Sammons stated he plans to operate a commercial Christian radio station which will play mostly Christian music. The proposed station will be FM, stereo, licensed for 24 hours a day, and have six to eight employees.

Mr. Sammons stated he has an approved entrance permit and septic approval. The station will be operated from a 32 foot by 60 foot Nanticoke Home. The site will be landscaped. F.A.A. approval for the proposed tower has been obtained.

Mr. Sammons presented letters of support from 19 area churches.

Bruce Layton, Lynn Moore, Bill Davis, and Richard Morgan spoke in favor of the application.

Jeff Reed spoke in opposition due to TV interference and presented a petition of area residents opposed to this application.

Gene Smith, Carol Evans, Scott Rose, Don Green, and Bill Dudley spoke in opposition due to interference with TV and radio reception, home computers, and cordless phones, danger to aircraft from the proposed tower, and the proposed use is out of character with the surrounding residential area.

Forty (40) persons were present in opposition to this application.

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 Division of Fish and Wildlife, the Department of Transportation and the Dover Air Force Base. On a later comment, the Division of Fish and Wildlife had no response.

The Commission found, based on comments from the State Division of Highways, that this application will have no significant impact on traffic.

The Commission found that the applicant, his partner, and his engineer were present in support of the application.

The Commission found, based on comments by the applicant, that the station proposed is a 3,000 watt FM stereo station licensed to broadcast 24 hours a day; that no Christian radio station is available in the area; that entrance approval has been granted; that site evaluation for septic has been obtained; that an F.C.C. license has been obtained; that F.A.A. approval has been confirmed but not received; that the tower will be safety painted and lighted per F.A.A. requirements; that no interference for electronic equipment is anticipated; that the area is low density; and that the use intended is a public service.

The Commission found that 19 letters have been received in support of a Christian broadcasting radio station.

The Commission found that 88 persons were present in support.

The Commission found, based on a report by a realtor in support, that no detrimental long term affect on land values is anticipated.

The Commission found that 41 area residents were present in opposition and expressed concern over television interference, traffic, traffic safety, effect on military slow speed, low altitude training routes in the area of the tower, air traffic hazards, depreciation of property values, unsightliness of an antenna on the residential character of the area, the historical

significance of the area, the lack of available information on permits and license in the application file, and that towers should be located in commercial or industrial areas, not residential areas.

The Commission found that five (5) letters have been received in opposition.

The Commission found that a petition containing 150 signatures was submitted in opposition.

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

4. C/Z #1000--J. Melvin, Jr. and Janet L. Ware

Melvin Ware was present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to C-1 General Commercial in Georgetown Hundred, located on the south side of Route 527, 1,200 feet west of Route 113, containing 1.64 acres more or less.

Mr. Lank stated comments were received from Indian River School District. They feel this application will have no significant impact on the school district.

Mr. Lank stated comments were received from the State Highway Department. They will not request a traffic impact study and expect no change in the existing level of service "A" of Route 527 as a result of this application.

Mr. Lank read into the record a letter received in opposition from Deborah Mae Sparklin.

Mr. Ware stated he plans to operate an automotive repair shop. He would be open from 8:00 A.M. to 5:00 P.M., five days a week and a half day on Saturdays. Most of the repair work would be done inside. The surrounding area is wooded with some residences.

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 Indian River School District, that it does not appear that this application will have a significant impact on the district.

The Commission found, based on comments from the State Division of Highways, that a traffic impact study was not recommended and that the level of service "A" of Route 527 will not change as a result of this application.

The Commission found that the applicants were present and plan to utilize the site for an automotive mechanic's shop.

The Commission found, based on comments by the applicant that a thirty (30) foot by fifty (50) foot, four (4) bay building is proposed, that the normal work hours are 8:00 A.M. to 5:00 P.M., five (5) days per week, and 1/2 day on Saturday, that the area is predominantly residential, that the nearest commercial activity is a day care center, that no auto salvage work is intended, and that no impact on property values or the neighborhood is anticipated.

The Commission found that one letter was received in opposition which referenced traffic increases, junk cars, noise, and reduction of property values.

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.

5. RE: C/Z #1001--Ivan M. Bailey and Carolyn Sue Bailey

Ivan and Carolyn Bailey were present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to B-1 Neighborhood Business in Georgetown Hundred, located on the east side of Route 113, 1,065 feet south of Route 244, containing 37,785 square feet more or less.

Mr. Lank stated comments were received from the Indian River School District. They expect no significant impact on the school district as a result of this application.

Mr. Lank stated comments were received from the State Highway Department. They will not request a traffic impact study and expect no change in the existing level of service "B" of Route 113.

Mr. Bailey stated they plan to operate a variety and craft store. They plan to sell crafts made by them, household articles, and antiques. There will be no gas sales. They plan to be open from 8:00 A.M. to 5:00 P.M., six days per week.

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 it does not appear that this application will have a significant impact on the district.

The Commission found, based on comments received from the State Division of Highways, that a traffic impact study is not recommended and that the level of service "B" of Route 113 will not change as a result of this application.

The Commission found that the applicants were present and propose to utilize the site for a craft and/or variety shop.

The Commission found, based on comments by the applicants, that the anticipated shop hours would be 8:00 AM. to 5:00 P.M., six (6) days per week primarily during the summer season, that the use would be compatible to the area, that 13 commercial uses exist from Route 114 to Route 16, that no adverse or negative impact on Route 113, the neighborhood, or property values is anticipated.

No parties were present in opposition.

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.

6. RE: C/Z #1002--Conn-E Construction Company

Connie Lewis was present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to C-1 General Commercial in Broad Creek Hundred, located on the south side of Route 488, 0.4 mile east of Route 13, containing 6.8 acres more or less.

Mr. Lank summarized comments received from the LUPA agencies contacted.

Mr. Lank stated comments were received from the State Highway Department. They will not request a traffic impact study and feel the existing level of service "A" of Route 488 could increase to level of service "B" if this site is fully developed at its maximum use.

Ms. Lewis stated they are presently renting a site to operate their construction company. They have been notified they will have to move.

Ms. Lewis stated they plan to construct a 6,000 square foot building for equipment storage between jobs and repairs to their own equipment only. There will be a fenced in area. They would consider planting a buffer of trees along the property line of the adjoining residence. The proposed entrance will be at the westerly side of the site.

Paul Gilmore spoke in opposition to placing a commercial use in a quiet residential neighborhood and additional truck traffic, and questioned what plans the applicants have for the remainder of the property.

Joyce Thomas spoke in opposition for similar reasons.

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. Air Resources Section and Waste Management Section, the Bureau of Archaeology and Historic Preservation, and the Department of Transportation.

The Commission found, based on revised comments received from the State Division of Highways, that a traffic impact study was not recommended and that the level of service "A" of Route 488 could change to level of service "B" if the site were to be developed at an equivalent in per acre trip generation to discount shopping.

The Commission found that one of the owners was present on behalf of the application and plans to utilize the site for a contractor's office and equipment storage yard.

The Commission found, based on comments by the applicant, that no adverse impact is anticipated, that a 6,000 square foot building is proposed, that fencing will be provided for security purposes, that the entrance will be located on Route 488 at the westerly end of the property, and that the site does not extend to Route 485.

The Commission found that several parties were present in opposition and expressed concern over loss of the quiet residential neighborhood, truck traffic, access to Route 485, children's safety, and the environmental impact of the greases and oils from the heavy equipment on the water supply of neighbors.

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

7. RE: C/Z #1003--Charles R. and Marie E. Bradley

John Sergovic, attorney, and Charles Bradley were present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to B-1 Neighborhood Business in Broad Creek Hundred, located on the north side of Route 20, 500 feet west of Route 516 (also called Route 485A), containing 1.52 acres more or less.

Mr. Lank stated comments were received from the State Highway Department. They will not request a traffic impact study and expect no change in the existing level of service "B" of Route 20 as a result of this application.

Mr. Sergovic stated the applicants operate a nonconforming convenience store. The applicants plan to construct a new building which meets current setback requirements and remove the existing structure.

Mr. Bradley stated they plan to install a new well and septic system, new lighting, and increase the parking area. They plan to build a new store 1/3 larger than the existing store.

Levin Williams, realtor, spoke in favor of the application.

Levi Hughes spoke in opposition due to traffic accidents at that location, trash, and customers of the present store park in his yard and use his driveway to turn around.

Mr. Hughes presented a petition in opposition containing 94 signatures of area residents.

Mrs. Hughes spoke in opposition for similar reasons.

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 Division of Highways, that a traffic impact study was not recommended and that the level of service "B" of Route 20 will not change as a result of this application.

The Commission found that the applicant was present with legal counsel and plans to utilize the site for removal of a non-conforming structure and building of a new convenience store.

The Commission found, based on comments by the applicant, that a store has existed on the premises for approximately 35 years, that no adverse impact on property values is anticipated, that a new building will enhance the neighborhood, that the existing store serves 550 to 700 customers per day, that they are trying to modernize the facility, that the number of customers generate the need to modernize.

The Commission found, based on comments of a realtor in support, that the new facility will enhance the neighborhood.

The Commission found that two (2) parties were present in opposition and expressed concern over trash, traffic, noise, safety, traffic accidents, and illegal vehicle parking. A petition containing 94 signatures in opposition was submitted.

Motion made by Mrs. Monaco, seconded by Mr. Ralph, 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 a need will continue to exist for a convenience store in the area, and since a new building will enhance the area.

8. RE: C/Z #1004--Donald L. Ward and Wayne E. Pepper

David Rutt, attorney, Donald Ward, and Wayne Pepper, were 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 24, 500 feet east of Route 30, containing 5.29 acres more or less.

Mr. Lank stated comments were received from the Indian River School District. They expect no significant impact on the school district as a result of this application.

Mr. Lank summarized comments received from the LUPA agencies contacted.

Mr. Lank stated comments were received from the State Highway Department. They will waive their requirement of having a traffic impact study if the developers enter into an agreement with the State Highway Department.

Mr. Ward stated they plan to operate a manufactured home sales facility. They will sell new homes and may take trade-ins.

Mr. Ward stated the site will have an individual septic system. The proposed entrance would be from Route 24. Barriers will be placed around the site. There are other businesses in the area.

Millard Murray and Mike Marciano spoke in favor of the application.

Eleanor Butler spoke in opposition due to additional traffic, children's safety, and placing a commercial use in a residential area.

Jim Waehler, attorney, spoke in opposition stating the proposal is contrary to the Comprehensive Development Plan, would decrease surrounding property values, and increase traffic congestion.

Richard Haber, Nick Varrato, Edward Siedel, Norman Betts, Roland VanSant, Lawrence Cowdrey, and Willie May Johnson spoke in opposition for similar reasons.

Virginia Cordrey spoke in opposition for similar reasons and presented a petition in opposition containing approximately 50 signatures of area residents.

Twenty-three persons were 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 from the State Division of Highways, that a traffic impact study will not be required since the applicants are willing to enter into an agreement with the Division of Highways to limit the use of the parcel to mobile home sales. If the use is proposed to be changed, a traffic impact study will be required.

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. Waste Management Section, 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 it does not appear that this application will have a significant impact on the district.

The Commission found that the applicants were present with legal counsel and plan to utilize the site for a manufactured home sales lot.

The Commission found that no access is intended to Route 305 (Jersey Road), that private on site septic and well will be provided, that State Police will provide police protection, that Millsboro Fire Co. will provide fire protection, that several C-1 General Commercial Districts and several commercial and business uses exist in close proximity, that no adverse impact is anticipated on the neighboring land values, and that some of the parties opposed have commercial uses in the area.

The Commission found, based on two (2) separate letters from realty firms, that rezoning of this parcel will not adversely effect land values and that values may rise.

The Commission found that three (3) area residents spoke in support of the application and the applicants.

The Commission found that twenty-three (23) area residents were present, some with legal council, and expressed concern that the rezoning would not comply with the Land Use Plan which referenced the area for agricultural residential; that enough land in the area is commercial, that concerns were expressed in reference to traffic, traffic safety, sight distances from the entrance, children's safety, the impact on the area if a storm hit the site with unanchored mobile homes and materials, and depreciation of property values.

The Commission found, based on comments by Richard Haber, a consultant on traffic and road systems, that the site is on the inside curve of Route 24, that the topographic elevations of the site vary, that it may be difficult to manuver manufactured homes onto the site from Route 24, and that the difficulty to manuver manufactured homes may create a traffic safety hazard to the travelling public.

The Commission found, based on comments from a real estate broker and appraiser, that property owners can suffer property value loss if this application is approved.

The Commission found that a petition was submitted in opposition which contained fifty (50) signatures.

Motion made by Mr. Hickman, seconded by Mrs. Monaco, 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 due to concern expressed referencing the present level of service "E" of Route 24 and the traffic safety concerns for manufactured homes entering the site from Route 24.

OTHER BUSINESS

1. RE: Marina Town Homes

The Commission reviewed a revised multi-family development plan which relocated one structure of eight (8) units due to an existing easement.

Motion made by Mr. Hickman, seconded by Mr. Smith, and carried unanimously to approve the revised site plan as a final with the stipulation that verification be obtained from the State D.N.R.E.C. that the existing sewerage treatment system can still serve the use intended, and receipt of the Fire Marshal's approval.

OLD BUSINESS

1. RE: C/Z #995--Woodin, Wentling & Associates, Inc.

No one was present on behalf of this application to amend the zoning map from AR-1 Agricultural Residential to RPC Residential Planned Community in Lewes and Rehoboth Hundred, located on the west side of Route 274, 1.5 miles south of Route One, containing 90.01 acres more or less.

Mr. Lank advised the Commission that a letter had been sent on Tuesday to the State D.N.R.E.C. for verification of the allowable lot size and that no response is expected for a week.

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

Meeting Adjourned 1:35 A.M.