

MINUTES OF THE REGULAR MEETING OF JUNE 22, 1995

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, June 22, 1995, at 7:30 PM, in Room 115 of the Courthouse, Georgetown, Delaware, with the following present:

Mr. Allen, Mr. Lynch, Mr. Ralph, Mr. Wheatley, Mr. Schrader - Assistant County Attorney, and Mr. Lank - Director.

Mr. Lank introduced Austin Short, who was recently appointed as an ex-officio member of the Commission by Secretary Tarburton of the Delaware Department of Agriculture.

Motion by Mr. Lynch, seconded by Mr. Ralph, and carried unanimously to approve the minutes of May 25, 1995 and June 8, 1995 as revised.

II. OTHER BUSINESS

1. RE: Ernest & Nelsa Hosse

The Commission reviewed the site plan for Conditional Use #1094 for a Garden Center south of Route 18.

Mr. Lank advised the Commission that the staff had reviewed the site plan, that all appropriate agency approvals/permits have been received, and that the site plan complies with the Zoning Ordinance.

Motion by Mr. Ralph, seconded by Mr. Wheatley, and carried unanimously to approve the site plan as a final.

2. RE: John Marsh

The Commission reviewed a revised site plan for Conditional Use #521 for a warehouse on Route 274.

Mr. Lank advised the Commission that the staff had reviewed the site plan, that all appropriate agency approvals/permits have been received, and that the site plan is acceptable for approval of the additional warehouse building as submitted.

Motion by Mr. Lynch, seconded by Mr. Wheatley, and carried unanimously to approve the site plan as submitted with the understanding that the structure is approved for storage and/or warehousing only.

3. RE: C/Z #1240 -- Indian River Associates

The Commission reviewed the conceptual Master Plan for the MR-RPC Residential Planned Community for 113 single family detached units north of Route 351.

Mr. Lank summarized the stipulations of the County Council stipulated on December 20, 1994 and described the site plan and layout of the project.

Mr. Lank advised the Commission that the staff had reviewed the project and find it acceptable for recording as a conceptual master plan of the project. Mr. Lank added that each phase of the project will be submitted to the Commission for final approval upon receipt of all appropriate agency approvals/permits.

Motion by Mr. Lynch, seconded by Mr. Wheatley, and carried unanimously to approve the conceptual master plan as submitted.

II. OLD BUSINESS

1. C/Z #1260 -- Helena Chemical Company

No one was present on behalf of this application to amend the zoning from C-1 General Commercial to LI-2 Light Industrial in Northwest Fork Hundred, located on the east side of U.S. Route 13, 600 feet south of Road 40, to be located on a parcel containing 5.5 acres more or less.

Mr. Ralph announced that he would not be participating in the decision on this application.

Mr. Wheatley stated that he inspected the site and the existing site utilized by the applicants, and reviewed the record of the proceedings of public hearing, and has some difficulties with the proposed location.

Motion by Mr. Wheatley, seconded by Mr. Lynch, and carried with three (3) votes, with Mr. Ralph not voting, to forward this application to the Sussex County Council with the recommendation that this application be denied.

2. RE: Subdiv. #94-4 -- Timothy S. Johnson

Robert Nash, Surveyor, was present on behalf of this application to consider the Subdivision of land in an AR-1 Agricultural Residential District in Cedar Creek Hundred by dividing 43.30 acres into 55 lots, located on the northwest side of Route 206, 550.66 feet southwest of Route One.

The Commission reviewed the final site plan for the subdivision.

Mr. Nash advised the Commission that the Route 30 extension will be built by the applicant from the present right of way of Route 206 to a point of tangency north of the entrance to the subdivision, and that the streets will be private.

Mr. Lank advised the Commission that the staff had reviewed the subdivision plans and that all appropriate agency approvals/permits have been obtained.

After some discussion between the Commission, Mr. Nash, Mr. Schrader, and Mr. Lank it was determined that the triangular parcel east of the proposed Route 30 extension should be described as other lands of Timothy S. Johnson, as revised and reassembled into one parcel.

Motion by Mr. Lynch, seconded by Mr. Wheatley, and carried unanimously to approve the subdivision plan as a final subject to the staff's receipt of revised plans depicting the other lands of Timothy S. Johnson as a revised and reassembled parcel with all appropriate dimensions and square area noted.

3. RE: Subdiv. #94-6 -- Donald K. Miller

No one was present on behalf of this application to consider the Subdivision of land in a GR General Residential District in Broadkill Hundred by dividing 44.01 acres into 80 lots, located on the northside of Route 16, 600 feet east of Route One.

Mr. Lank summarized a comment received from the State DNREC Soil Assessment Branch advising that the Branch believes that the wastewater disposal plan for a community wastewater disposal system is feasible.

Motion by Mr. Lynch, seconded by Mr. Ralph, and carried unanimously to approve the Subdivision as a preliminary. Final plans shall be submitted to the Planning and Zoning Commission upon receipt of all appropriate agency approvals/permits.

Meeting adjourned at 8:20 P.M.