

## MINUTES OF THE REGULAR MEETING OF DECEMBER 9, 1999

The regular meeting of the Sussex County Planning and Zoning Commission was held on Thursday evening, December 9, 1999 at 7:30 P.M. in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

The meeting was called to order at 7:30 P.M. with Chairman Allen presiding. The following members of the Commission were present: Mr. Allen, Mr. Hastings, Mr. Johnson, Mr. Lynch, Mr. Wheatley, Mr. Schrader - Assistant County Attorney, Mr. Lank - Director, and Mr. Abbott - Assistant Director.

Motion by Mr. Wheatley, seconded by Mr. Johnson and carried unanimously to adopt the agenda as circulated.

Motion by Mr. Hastings, seconded by Mr. Lynch and carried unanimously to approve the minutes of November 18, 1999 as corrected.

Mr. Schrader explained how the meeting would be conducted.

### IV. PUBLIC HEARINGS

C/U #1313 -- application of APPLE ELECTRIC, INC. to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an electrical contractors office and to amend the stipulations on Conditional Use No. 1280 (Ordinance No. 1307) relating to parking and signage to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 20,250 square feet, more or less, lying north of Route 24, 150 feet west of Bryan Drive.

The Commission found that the Department of Transportation (DelDOT) granted an approval for the entrance on April 5, 1999.

The Commission found, based on comments received from the County Engineering Department, that the site is located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District; that the site was connected to the sanitary sewer system on April 4, 1996 by permit #942; that a 6-inch lateral serves the site; that capacity is not a concern; that the property owner should be aware that the assessment will change from residential to office space; that office space is assessed at 1,000 square feet per EDU, which may increase the assessment and require the payment of system connection charges; and that the current rate for these one-time charges is \$2,954.00 per EDU.

The Commission found that Daniel Meyers, Attorney, and Lisa Prestipino were present on behalf of the application and stated in their presentations and in response to questions raised by the Commission that they are requesting an amendment to the parking restrictions imposed on the application by C/U #1280; that C/U #1280 stipulated that no more than five parking spaces shall be permitted on the site; that 5 parking spaces is not enough to serve the business since employees stop by the office to pick up change orders



and paychecks; that the site is located between a C-1 General Commercial area and a B-1 Neighborhood Business area; that the site is across from a C-1 General Commercial area recently expanded; that they have not received any complaints from immediate neighbors; that they have received letters of support from the Maplewood Homeowner's Association and Maplewood Dental Associates, the neighbor to the west; that they would like to erect a 36 square foot lighted sign; that they have 3 full-time employees and 1 part-time employee at the office; that they have 18 employees working at job sites; that 1 or 2 service trucks may be parked on the site at night; and that adequate space is available on the driveway to turn around so that it is not necessary to back out into Route 24.

The Commission found that Mr. Meyers submitted letters in support from the Maplewood Homeowner's Association and Maplewood Dental Associates, a photograph of the front of the lot; and a copy of the Tax Map for the area showing commercial and business zonings.

The Commission found that there were no parties present in opposition to the 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.

Motion by Mr. Johnson, seconded by Mr. Wheatley, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved with the following conditions:

1. The maximum number of parking spaces shall be nine (9) 10' by 20' spaces. The spaces shall be placed from the front of the garage back toward Route 24. Screening shall be provided along the property line adjoining the parking area and shall consist of a 6' high solid fence, wall, or hedge.
2. The driveway width shall be 25'. A turn-around shall be provided on the west side of the driveway.
3. There shall be no amendment to the restrictions placed on the sign approved with C/U #1280.
4. The site plan shall be subject to review and approval by the Planning and Zoning Commission.

C/U #1315 -- application of CHESAPEAKE UTILITIES to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a bulk propane storage facility to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 3.66 acres, more or less, lying south of Road 361, 1,500 feet west of Road 363.



The Commission found, based on comments received from the County Engineering Department, that the site is contiguous to the South Bethany Sanitary Sewer District and is located in the South Coastal Planning Area; that if sewer service is requested, the project should be served through the extension of the South Bethany Sanitary Sewer District; that if the property is annexed, any improvements needed for connecting to the sewer system are the responsibility of the property owners; that system connection charges will be due for any improvements constructed in connection with this Conditional Use, if it is annexed; and that the current fee is \$2,159.00 per EDU.

The Commission found, based on comments received from DelDOT, that a traffic impact study was not recommended, and that the existing level of service "C" of Road 361 will not change as a result of this application.

The Commission found, based on comments received from the Office of State Planning Coordination, that the State has no objections to the proposal; that the Department of Public Safety noted that the applicants will be required to satisfy any propane industry safety requirements and OSHA standards since the southwest corner of the site borders a residential use area; that the State DNREC has advised that there are three soil types on the site; that there are drainage ditches and farmed wetlands on the site; that the federal government regulates the wetlands on the site; that the State DNREC feels that the parcel could be developed if adequate pollution control measures are followed, such as buffers along the ditches; that stormwater management controls should be installed that address nutrients; and that all natural vegetation adjacent to the waterway/stream should be left undisturbed for a minimum of 50' on either side.

The Commission found that a letter in support of the application was received from Joseph DeMul.

The Commission found that a letter in support of the application was received from the South Bethany Property Owners' Association.

The Commission found that two letters in support of the application were received from the Town of South Bethany.

The Commission found that a letter was received from Delaware Environmental, Inc. describing some wetlands on the site and reference to ditch crossings.

The Commission found that a letter was received from George H. Bunting, Jr., State Senator, referencing concerns expressed by people in the area, especially potential public safety problems; concerns being raised by the Office of the State Fire Marshal; the need for local volunteer fire fighters to have additional specialized training to deal with the types of emergencies which could possibly arise in connection with this type of



facility; the fact that the proposed location is a residential area and not an industrial setting; and reminding the Commission of a near disaster which resulted from a propane leak at the former Collins & Ryan plant near Millsboro.

The Commission found that a letter was received from Shirley A. Price, State Representative, referencing concerns expressed by people in the area, including public safety; the location not being in an industrial area; the location being in a residential area and an environmentally sensitive area; that the facility should be located in a more isolated area away from residential areas; and that property values may be impacted.

The Commission found that a letter was received from Robert V. Witsil, Jr., Attorney, on behalf of a group of his clients that are opposed to the application.

Mr. Lank advised the Commission that one (1) letter was received in opposition from a resident in Bethany Meadows Subdivision, thirty-seven (37) letters were received in opposition from residents in Bahama Beach Condominiums; and forty-nine (49) letters were received in opposition from residents in Clearwater Development.

The Commission found that James Whaeler, Attorney, William Barefoot, Charles Russell, Dan McCann, Surveyor, Joseph Conaway, Rick Chatham, and Hal Cohen were present on behalf of the application and stated in their presentations and in response to questions raised by the Commission that the site will be leased from the Berzins family; that the site is located in a Development District; that the area is mixed agricultural and residential; that other utility facilities exists in the immediate area, and referenced the South Coastal Wastewater Facility, a water utility company, and power transmission lines that cross the property; that the use is compatible with other utility uses in the area; that the five (5) 30,000 gallon tanks are proposed to be partially buried underground within berms; that landscaping will be provided along with green vinyl fencing; that the site is designed to be non-intrusive; that the use will enable the company to connect to underground distribution lines that connect directly to homes and business uses in the area and should eliminate propane delivery trucks from traveling the roads in the area served; that it will be necessary that a tractor-trailer delivery be brought to the site approximately once a week; that the service will eliminate the use of small tanks at homes; that the service should lower prices since it eliminates truck deliveries; that the use is not anticipated to be a long term use, since it is proposed that once a customer base is established a natural gas line can be connected to and the tank facility eliminated; that the underground distribution lines have been created in a joint trench with Artesian Water Company; that they propose to serve communities within a three to five mile radius; that approximately 3,000 customers are possible within the proposed area; that the distribution system is designed larger for future conversion to natural gas; that the company presently operates 19 systems, including The Plantations near Lewes; that



company headquarters are located in Dover; that the nearest natural gas line is on Route 13; that a new natural gas line will be completed to Milford in the year 2000; that all five tanks will be erected at the same time; that the company serves 22,000 customers from Dover to Delmar; that 20% of the users are commercial users; that the shallowness of the water table on this site will not allow the tanks to be completely buried underground; that the tanks are being buried and covered with the berm for safety reasons, fire protection and to be more aesthetically pleasing; that the tanks have been located as far away, as possible, from the residences in Clearwater; that the nearest dwelling is approximately 225 feet away; that the tanks are approximately 110 feet from the power-lines; that the covered tanks will appear to be similar to a mound septic system with landscaping with Leyland Cypress trees; that no wetlands exists within the 3.0 acre lease area; that the power-lines separate the site from the rest of the property; that the site was chosen close to the power-lines to establish a more industrial type setting; that they propose to cross two ditches with culverts; that a market analysis has been recently performed that identified the South Coastal Regional Wastewater Facility and Ocean Outfall pipeline, two wastewater pumping stations, a number of radio transmission towers, a public/private water company, and the two high voltage electric transmission lines; that the location of the facility is in keeping with the development of the area as a focal point for utility facilities; that with the landscaping proposed the facility will mirror the County wastewater pumping station adjacent to the site; that the facility will blend in with the other utilities in the area; that the placement of the other utility facilities in the immediate area has not slowed development; that most of the other utility facilities predate the existing development; that additional new construction is taking place in the immediate area at the present time; that apartments, directly across from the site, and agricultural uses, including the presence of both active and abandoned poultry houses, impact property values; that property values in the developments in the area are holding their own, even with the extraordinary number of utility facilities in the area; that the Plantations project was used as a comparison since it is served by an above ground propane storage tank facility and it is obvious that the tank facility has had little effect on property values and in fact new construction is moving in the direction of the tank facility; that the propane storage tank facility will have little effect on property values; that there may be some negative effect on property values during the construction phase, but once the facility is in place and constructed as proposed, the effect on property values will be minimal; that the company has an excellent safety record; that safety restrictions are more restrictive in Delaware than any other State; that DelDOT, DNREC, the Office of the State Fire Marshal, the Public Service Commission, and OSHA are some of the agencies that have jurisdiction over this type of facility; that there have been no incidents or accidents at their 44 plants; that there are quarterly inspections by DNREC; that the company has bermed or underground facilities in Ocean City, Berlin, and Pocomoke; that most of the facilities are within 100 feet of residences; that the company provides fire company training; that the only truck activity on the site will be for unloading; that



certain safety procedures are required of the truck driver when unloading; that emergency shut-off valves have been required since December 1980; that no employees will be permanently on the site; that the company is willing to provide a dry hydrant at the pond nearby; that the tanks will be approximately 1-foot below grade and then covered with a berm; that the maximum height of the berm will be 15-feet; that the Office of the State Fire Marshal provides propane training in their Dover and Georgetown training facilities; that for a fire to occur there would have to be an ignition source and a major leak at the same time; that the system has emergency shut-off valves; that the exposed parts on each tank are three relief valves, approximately 7-feet high; that leaks can be detected by smell; that risk is greater in smaller tanks; that the tanks are single-walled and are made better than gasoline tanks; that minimal risks are associated with mounded tanks; that the fire company could respond to a fire within 7 or 8 minutes; that regulations provide that tanks can be within 6-feet of high voltage lines; that lightning should not be considered a ignition source since the tanks are underground; that mounded tanks are not required to be monitored; that water supply requirements depend on whether tanks are mounded or exposed; and that off-site monitoring may be provided.

The Commission found that the representatives of the applicant submitted a brochure titled "Propane in the Community, a Guide for Regulatory Officials", a Fire Safety Analysis by HCC and Associates, Inc., a Current Market Analysis by Joseph T. Conaway of Cooper Realty Associates, a site plan, photographs of mounded tanks near a development, conceptual rendering of the site as proposed to be developed, 25 copies of photographs, and suggested stipulations.

The Commission found that Joe Shaffer, Mayor of South Bethany, and Ian Davidson, representing the South Bethany Property Owners Association, spoke in support of the application and stated that the town has experienced difficult conditions during coastal storms, referencing small propane tanks floating in the flood waters when flooding occurs, and feel that it is safer when underground gas lines or provided, rather than truck deliveries.

The Commission found that there were 80 people present in opposition.

The Commission found that Robert V. Witsil, Jr., Attorney, Joe Teti, John Sabastian, Russell Zuback, Nancy Forsythe, Sally Walsh, Gerald Leonard, Charles Zerby, Marian Parrott, and Barbara Osbourne, of the 80 people present in opposition, expressed concerns that the use severely affects the health, safety, and welfare of the citizens in the area; that over 600-residents live in Clearwater; that crackling can be heard from the high tension power lines; that the Office of the State Fire Marshal has had a preliminary meeting with the engineering firm retained by the applicant, but has not received a formal submission for the project; that such facilities must conform to the provisions of the State Fire Protection Regulations; that the regulations provide specifications and standards for



minimum required distances for locating propane tanks from property lines; that there are additional concerns when such facilities are adjacent to residential development; that The Office of the State Fire Marshal has reservations with respect to the location of the facility in such close proximity to residential communities; that nothing has been submitted to the Millville Fire Company; that the site is located in a flood zone district; that they are concerned about flooding of the area and questioned if the tanks will stay in the ground if flooding occurs; that a previous application for a tank farm was denied in the Bridgeville area; that the use should be located in an industrial area; that the use does not comply with the Comprehensive Plan; that the use is not compatible to the area; that the use will impact property values; that the use constitutes spot zoning; that evacuation must be a concern; that the use is not a permitted use; that the environment, the farmland, and the residential uses in the area need to be protected; that anchoring of the tanks has not been presented; that children should not be raised in such close proximity to such a hazardous use; that the residents in the area purchased their homes for retirement, the ocean, the seashore parks, clean air, the civilized way of life in the area, and did not move here to have to deal with dust, fumes, odors, and noise from trucks delivering propane; that an environmental impact study should be performed; that the residents are concerned that a tank or tanks may explode; that vandalism should be a concern; and questioned if a traffic impact study was performed and if it included the impact of tractor-trailers hauling propane.

The Commission reviewed a video tape submitted by Mr. Witsil and Mr. Teti titled "BLEVE - Response and Prevention" prepared for Transport Canada, the Canadian Association of Fire Chiefs, and the Propane Gas Association of Canada.

The Commission found that the opposition submitted a proposed findings of fact for denial of the application; copies of the Minutes of the Commission, dated March 21, 1991, referencing the Bridgeville application; copies of the Minutes of the Commission, dated April 11, 1991, referencing the recommendation that the Bridgeville application be denied; excerpts from the Zoning Ordinance, referencing permitted uses in the AR-1 District and the HI-1 District; excerpts from the Comprehensive Plan; a copy of a letter from the Office of the State Fire Marshal; a copy of the Flood Map for the area and legend; a copy of a letter from Chesapeake Utilities to Joe & Kathy Teti; copies of studies on BLEVE Research, referencing observed projectile ranges from BLEVEs, and suggested safety distances vs tank size for BLEVEs; articles on potential hazards, public safety, and emergency response; an article on propane, butane and propylene; chemical incident reports referencing injuries and fatalities relating to propane accidents and explosions; photographs of the site, power lines, the adjoining development, and the Suburban Propane facility near Millsboro; petitions in opposition from residents in Bethany Meadows subdivision; and petitions in opposition from residents in the 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.

Motion by Mr. Lynch, seconded by Mr. Johnson, and carried unanimously to defer action.

C/Z #1391 -- application of LAWRENCE K. AND ROSALEE A. HUBER to consider a proposal to amend the Comprehensive Zoning Map from a GR General Residential District to a B-1 Neighborhood Business District for a certain parcel of land lying and being in Indian River Hundred, Sussex County, lying south of Route 5, 220 feet west of Road 306-A, to be located on 18,809.90 square feet, more or less.

The Commission found, based on comments received from DelDOT, that a traffic impact study was not recommended and that the level of service "C" of Route 5 at this location will not change as a result of this application.

The Commission found that Lawrence K. Huber and Rosalee A. Huber were present on behalf of their application and stated in their presentations and in response to questions raised by the Commission that they are proposing an arts and crafts shop; that they make some of the crafts that they propose to sell; that the garage will be utilized for a work shop; that they live on the site; that parking may be utilized in the front yard off of the circular driveway; that they propose to build an addition over the patio on the north side of the dwelling; that there will be no outside displays; that they would like to have a 2' by 3' sign; that a beauty shop exists on the commercial lot adjoining to the south; and that their septic system is located in the rear yard.

The Commission found that no parties appeared in support of or in opposition to the 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.

Motion by Mr. Johnson, seconded by Mr. Lynch, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved, since the site is adjacent to a commercial district and in close proximity to other commercial activities in the area.

C/Z #1392 -- application of THOMAS MORRIS to consider a proposal to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to a B-1 Neighborhood Business District for a certain parcel of land lying and being in Nanticoke Hundred, Sussex County, lying at the northeasterly corner of the intersection of Route 9 and Road 46, to be located on 22,139 square feet, more or less.



The Commission found, based on comments received from DelDOT, that a traffic impact study was not recommended, that the level of service "C" of Route 9 will not change as a result of this application, and that the Department will allow access to the proposed use by way of the existing curbed entrance along Route 9 only.

The Commission found, based on comments received from the County Engineering Department, that the parcel is located in the Blades Sanitary Sewer District planning area, based on the Western Sussex Water and Sewer Plan, and that sewer service will not be available in the near future.

The Commission found that Michael McGroerty, Attorney, and Thomas Morris, were present on behalf of the application and stated in their presentations and in response to questions raised by the Commission that the applicant proposes to build a 40' by 50' building for his well drilling business; that a sporting goods business exists across Road 46; that a shooting range and defensive training center exists west of the site on the south side of Route 9; that the adjoining 0.75 acre portion of the site is zoned B-1 and is occupied by a building; that they would like to erect a 4' by 4' unlighted sign on the site to advertise the business; that the company has three full-time employees; that well drilling trucks will be parked inside the building; that service trucks will be parked outside; that security lighting will be directed away from roads and residences; and that the existing building may be the subject of a future application to the State Alcoholic Beverage Commission for a liquor store.

The Commission found that no parties appeared in support of or 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.

Motion by Mr. Johnson, seconded by Mr. Wheatley, and carried unanimously to forward this application to the Sussex County Council with the recommendation that it be approved since it is an extension to an existing B-1 Neighborhood Business District on the same parcel.

## V. OLD BUSINESS

Subdivision #99-22 - - application of DYER McCREA VENTURES, L.L.C. to consider the Subdivision of land in a C-1 General Commercial and AR-1 Agricultural Residential Zoning District in Lewes and Rehoboth Hundred, by dividing 19.19 acres into 4 lots, located at the northwest corner of the intersection of Route One and Road 268.



Pret Dyer, Gary McCrea, Mark Davidson and Ken Christenbury were present on behalf of this application.

Mr. Abbott advised the Commission that this application received preliminary approval on October 28, 1999; that the final plan is the same number of lots; that the plan meets the requirements of the subdivision code; and that all agency approvals or letters of no objections have been received.

William Press an adjoining property owner was present and raised questions concerning the legality of the proposed street being public or private.

Mr. Schrader summarized a written letter received from Richard A. Forsten, Attorney, and advised the Commission and Mr. Press that the street may be private but dedicated to public use.

Motion by Mr. Johnson, seconded by Mr. Wheatley, and carried unanimously to approve this application as a final.

Subdivision #99-8 - - application of WOLFE POINTE, LLC to consider the Subdivision of land in an AR-1 Agricultural Residential Zoning District in Lewes and Rehoboth Hundred, by dividing 172.57 acres into 188 lots, located east of Road 267, approximately 650 feet northeast of Spinnaker Drive within Wolfe Runne Subdivision.

Mr. Abbott advised the Commission that this application received preliminary approval for 188 lots on June 24, 1999; that the final record plan is the same; that the plan meets the requirements of the subdivision code; and that all agency approvals have been received.

Motion by Mr. Lynch, seconded by Mr. Hastings, and carried unanimously to approve this application as a final.

## VI. OTHER BUSINESS

1. Savannah East Apartments  
Multi - Family Site Plan  
Road 268

The Commission reviewed a multi - family site plan located off of Road 268 near Lewes.

Mr. Abbott advised the Commission that 72 units are proposed; that there are 6 buildings with 12 units each; that the setbacks and parking meet the requirements of the zoning code; and that all agency approvals have been received.



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

2. Marvin's Market  
Commercial Site Plan  
Route 54

The Commission reviewed a commercial site plan for a convenience store with a laundry mat located off of Route 54 near Keenwick.

Mr. Abbott advised the Commission that the site plan meets the requirements of the zoning code except for the proposed canopy over the gas pumps; that the developer has applied for a variance from the Board of Adjustment and that the hearing is scheduled for January 24, 2000; and that no agency approvals have been received.

Motion by Mr. Lynch, seconded by Mr. Hastings, and carried unanimously to approve the site plan as a preliminary. Final approval shall be subject to the Board of Adjustment granting a variance and receipt of all agency approvals.

3. Russell R. Palmer  
Commercial Site Plan  
Road 269

The Commission reviewed a commercial site plan for offices located off of Road 269 and Road 268 near Lewes.

Mr. Abbott advised the Commission that the setbacks and parking meet the requirements of the zoning code; that the Commission would have to grant a waiver for parking within the front yard setback; and that only preliminary approval should be considered.

Motion by Mr. Johnson, seconded by Mr. Wheatley, and carried unanimously to approve the site plan with parking located in the front yard setback as a preliminary. Final approval shall be subject to the review and approval of the Commission upon receipt of all required agency approvals.

4. Robert A. Willey  
C/U #1083 - Revised Site Plan  
Route 5

The Commission reviewed a revised site plan for truck sheds located off of Route 5 near Milton.



Mr. Abbott advised the Commission that the owner would like to build 2 canopies for parking trucks for a gas company; that the canopies are 36 feet by 90 feet and 36 feet by 50 feet; and questioned if the proposed canopies would require another conditional use application.

Motion by Mr. Johnson, seconded by Mr. Lynch and carried unanimously to approve the amended site plan as a preliminary. Final approval shall be subject to the Board of adjustment granting a variance and receipt of all agency approvals. It was the consensus of the Commission that another conditional use application is not necessary.

5. Bethany Bay RPC  
Revised Master Plan  
Road 350

Jeff Clark of Land Tech was present as the Commission reviewed a revised master plan for Bethany Bay.

Mr. Clark advised the Commission that the density is remaining the same; that the homes are being moved to the north end of the site; that the southern portion will remain as it is; that multi-family units are replacing single family units; and that this is the second time that the master plan has been revised.

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

6. Jerry L. Green  
3 lots on existing private road

The Commission reviewed a concept to create 3 lots off of an existing 50-foot private road near Millsboro.

Mr. Abbott advised the Commission that the Commission has approved two other subdivisions off of this road in the past; that the lots would have to be a minimum of 3/4 acres and 100 feet in width.

Motion by Mr. Johnson, seconded by Mr. Hastings and carried unanimously to approve the request as a concept.



7. Al Casapulla, Jr.  
Salt Pond - Lot 332

The Commission discussed setbacks requirements in the Salt Pond development.

Mr. Abbott advised the Commission that the owner of lot 332 proposes to build a new dwelling and would like for the dwelling to be able to encroach into the wetlands; that the approval by the County Council was with a stipulation that setbacks meet the requirements as submitted on the preliminary plan; and that an application for a variance has been filed.

The Commission discussed other lots located in this development.

Motion by Mr. Lynch, seconded by Mr. Hastings and carried unanimously to recommend that the applicant go forward with the variance request from the Board of Adjustment.

8. Robert P. Short  
C/U #983 - Time Extension

The Commission reviewed a request for a time extension for C/U #983.

Mr. Abbott advised the Commission that the application was approved on October 15, 1991; that the preliminary site plan was approved by the Commission on January 27, 1997; that the developer still has not gotten entrance approval from DelDOT; and that the developer has a new attorney trying to obtain the entrance approval.

Motion by Mr. Wheatley, seconded by Mr. Johnson, and carried unanimously to approve a one-year time extension. The Commission noted that this would be the last time extension granted.

Meeting adjourned at 12:30 A.M.