



# PLANNING & ZONING

## AGENDAS & MINUTES

### MINUTES OF THE REGULAR MEETING OF FEBRUARY 24, 2011

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, February 24, 2011, in the County Council Chambers, County Administrative Office Building in Georgetown, Delaware.

The meeting was called to order at 6:00 p.m. with Chairman Wheatley presiding. The following members of the Commission were present: Mr. Robert Wheatley, Mr. Rodney Smith, Mr. Michael Johnson, Mr. I. G. Burton III, and Mr. Martin Ross, with Mr. Vincent Robertson – Assistant County Attorney, Mr. Lawrence Lank – Director, and Mr. Shane Abbott – Assistant Director.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the agenda as posted. Motion carried 5 - 0.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the Minutes of February 3, 2011 as corrected. Motion carried 5 – 0.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried unanimously to approve the Minutes of February 10, 2011 as corrected. Motion carried 5 – 0.

### OLD BUSINESS

C/Z #1699 – application of **OLDE TOWNE POINT, LLC** for an Ordinance to Modify Condition No. 21 imposed on Ordinance No. 1377 for Change of Zone No. 1400, the application of Olde Towne Point, LLC, for “The Village at Five Points”, a MR-RPC Medium Density Residential District – Residential Planned Community, so that the limitation with regard to community use is only on 2.52 acres, thereby enabling Olde Towne Point, LLC to use the remaining portion of property, 1.52 acres, for a proposed pharmacy or related use.

The Commission discussed this application which has been deferred since January 27, 2011.

Mr. Burton stated that he would move that the Commission recommend denial of C/Z #1699 for an Ordinance to amend Condition No. 21 imposed on Ordinance No. 1377 for Change of Zone No. 1400 regarding the community use of 4.04 acres of land for Olde Towne Point, LLC, based upon the record and for the following reasons:

- 1) This site is the subject of Conditional Use No. 21 of Ordinance No. 1377, which states, “applicant will limit through deed restrictions the type of future use of 4.5 acres to community service (i.e. fire, police, EMS services, library, and museum).” This condition was proposed by the Applicant and its representatives, and it was incorporated into the approval of the Village at Five Points Development by Sussex County.
- 2) The Condition limiting the use of this property was relied upon by homeowners within the Village at Five Points.
- 3) The Applicant has stated that it has not been able to locate any viable community use for the site with the exception of the Lewes Library. Now, the Applicant seeks to donate part of the land to the Library, and allow the construction of a pharmacy on the remaining portion of the site.
- 4) It is commendable that the Hudson family (as the developer) wants to give part of this property to the Library. However, the Lewes Library has not accepted the donation, and no one from the Lewes Library has stated in these proceedings that the Library is in favor of a donation or that the Library has any intention of relocating to this site.
- 5) I believe that the whole site should remain available for community uses of the type promised by the Applicant at the time the Village at Five Points development was approved.

Motion by Mr. Burton, seconded by Mr. Johnson, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 4 – 1, with Mr. Ross opposing the motion.

C/U #1868 – application of **OLDE TOWNE POINT, LLC** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a pharmacy and community service facility to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 4.04 acres, more or less, lying at the northwest corner of Savannah Road (Business Route 9) and North Village Main Boulevard, the entrance into the Village of Five Points.

The Commission discussed this application which has been deferred since January 27, 2011.

Mr. Burton stated that for the reasons outlined in his motion on C/Z #1699, he would move that the Commission recommend denial of C/U #1868 for Olde Towne Point, LLC for a pharmacy and community service facility. Without a modification of the existing condition limiting the property to community use, there is no basis for recommending approval of the Conditional Use for a pharmacy.

Motion by Mr. Burton, seconded by Mr. Johnson, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 4 – 1, with Mr. Ross opposing the motion.

C/Z #1685 – application of **SHELAH BRANCH FARMS, LLC** 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 Dagsboro Hundred, Sussex County, land

lying north of Route 20 (Hardscabble Road) and 1,200 feet west of Road 431 (Shortly Road), to be located on 9.024 acres, more or less.

The Commission discussed this application which has been deferred since February 10, 2011.

Mr. Ross stated that he would move that the Commission recommend approval of C/Z #1685 for Mr. Johnson stated that he feels that this application is an appropriate change of zone.

Shelah Branch Farms, LLC based upon the record and for the following reasons:

- 1) The change in zone will not adversely affect neighboring and adjacent properties. The Applicant intends to continue using the site for its farming business while new structures will be added to promote the agribusiness and residential community surrounding the site.
- 2) Neighborhood business uses are appropriate at this site which is near the intersection of Hardscabble Road and Shortly and Conaway Roads where other B-1 and commercial uses exist.
- 3) Hardscabble Road is defined as a Major Collector Road by DelDOT, which is an appropriate location for B-1 zoning.
- 4) The intended use of the site has a public or semi-public character.
- 5) No parties appeared in opposition to the application.
- 6) Any proposed use of the property will require site plan review by the County Planning and Zoning Commission.

Motion by Mr. Ross, seconded by Mr. Smith, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 4 – 0 with Mr. Burton not participating since he was not present during the public hearing.

C/U #1869 – application of **JOHN AND NICOLE SCOTT** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for multi-family dwelling structure (5 units) to be located on a certain parcel of land lying and being in Little Creek Hundred, Sussex County, containing 5.09 acres, more or less, lying northeast of Road 494 (Airport Road) 1,400 feet east of Road 497 (Old Hickory Road).

The Commission discussed this application which has been deferred since February 10, 2011.

Mr. Smith stated that he does not feel that the use is compatible with the area.

Mr. Ross stated that he would move that the Commission recommend denial of C/U #1869 for John and Nicole Scott for a multi-family dwelling structure (5 units) in an AR-1 Agricultural Residential District based upon the record made at the public hearing and for the following reasons:

- 1) The Applicant acquired this property in 2004 or 2005. At that time, it contained a single story single family residence.
- 2) After acquiring the property, the Applicant has testified that he proceeded to convert the property to five (5) multi-family dwelling units through substantial expansion of the

structure, including the addition of a second floor and expansion of its footprint. No building permits were ever obtained for this construction, no structural inspections ever occurred and no Certificates of Occupancy have been issued.

- 3) The Applicant testified that he constructed the five (5) multi-family dwelling units without any zoning approvals for them. Multi-family dwelling units are not a permitted use within an AR-1 District. The Applicant was violated for this illegal use.
- 4) Multi-family dwelling units in this location are inconsistent with the uses on neighboring and adjacent properties. There are no multi-family dwelling uses anywhere in the vicinity of this property, and there are no zoning districts nearby that would allow multi-family dwelling structures as a permitted use.
- 5) Two (2) neighbors appeared in opposition to the application, stating that the use is incompatible with the neighborhood, and that it adversely affects the use and enjoyment of their own neighboring properties.
- 6) No parties appeared in support of the application.
- 7) The Applicant stated his opinion that a denial would adversely affect the financing he has obtained for the property and the residences that have been established for his five (5) tenants. However, the Applicant purchased the property as a much smaller single family residence and proceeded, at his own risk, to construct the multi-family structure without any permits. Also, he alone entered into leases with his tenants even though the premises were illegal under the Sussex County Zoning Code.
- 8) There was no proof that the septic system was designed or permitted for five (5) separate dwelling units.

Motion by Mr. Ross, seconded by Mr. Smith, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 4 – 0 with Mr. Burton not participating since he was not present during the public hearing.

C/U #1877 – application of **TIDEWATER UTILITIES, INC.** to consider the Conditional Use of land in a GR-RPC General Residential District – Residential Planned Community for an elevated water storage tank/public utility to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 24,177 square feet, more or less, lying south of Angola Road (Road 277), approximately 710 feet west of Angola Beach Road (Road 278).

The Commission discussed this application which has been deferred since February 10, 2011.

Mr. Johnson stated that he would move that the Commission recommend approval of C/U #1877 for Tidewater Utilities, Inc. for an elevated water storage tank/public utility, based upon the record and for the following reasons:

- 1) This project benefits the health, safety and welfare of the residents in the area.
- 2) The elevated water storage tower will provide for water supply to current and future area residents.
- 3) Fire protection capabilities will be further enhanced to the area.
- 4) The project will not have an adverse impact on neighboring properties or community.

- 5) Water utility operations like those in this project are subject to substantial regulation by the Public Service Commission, DNREC, Public Health, State Fire Marshal, FAA, among others.
- 6) This recommendation for approval is subject to the following conditions:
  1. The maximum capacity of the tower shall not exceed 400,000 gallons.
  2. The maximum height of the tower shall be 160-feet.
  3. The lighting at the tower shall be limited to normal security lights which shall be shielded from nearby neighbors and roadways and safety lights will be provided as required by the Federal Aviation Administration on the tower.
  4. The tower shall be painted white or a sky neutral color and no signage or other lettering shall be permitted on it.
  5. The water facilities shall be surrounded by a security fence at least eight (8) feet in height.
  6. Structural design and operation of the water facility shall comply, at a minimum, with industry standards, such as The American Water Works Association.
  7. The Applicant has offered to allow placement of antenna on the tower by government and public safety agencies at no charge and will reserve 50 percent of antenna space for such use.
  8. One lighted ground-level sign shall be permitted identifying the owner and providing emergency contact information.
  9. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all applicable agency approvals.

Motion by Mr. Johnson, seconded by Mr. Smith, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons and with the conditions stated. Motion carried 4 – 0 with Mr. Burton not participating since he was not present during the public hearing.

## **PUBLIC HEARINGS**

C/U #1862 – application of **NANTICOKE SHORE ASSOCIATES, LLC** to consider the Conditional Use of land in an AR-1 Agricultural Residential District to replace 260 mobile home lots with 367 seasonal rv camper sites to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, 138 acres, more or less, lying at the northeast of Long Neck Road (Route 22) 1 mile east of Pot Nets Road (Route 22C).

The Commission found that on January 3, 2011 the Applicant provided Exhibit Booklets for the record and that the Exhibit Booklets contain a history of Rehoboth Shores, a copy of the application form, an area map, a copy of a portion of the Beers Atlas for the area, a copy of the PLUS review comments and the Applicant's response, a traffic analysis, references to water and sewer availability, a Wetlands Report, a Rare, Threatened and Endangered Species Report, a Forestry Report, references to compliance with the Environmentally Sensitive Developing District Overlay Zone, proposed Rules and Regulations for the proposed campground, photographs of amenities, a copy of a presentation to the Rehoboth Shores residents in Fall 2010, letters in support, and suggested proposed Findings of Fact and suggested proposed conditions.

The Commission found that on January 10, 2011 the Applicant submitted a conceptual drawing of Rehoboth Shores depicting the location of proposed bathhouses and a floor plan for a bathhouse.

The Commission found that DelDOT provided comments on February 5, 2010 in reference to this application which reference that a Traffic Impact Study is not recommended and that the Level of Service "D" of Long Neck Road will not change as a result of this application.

The Commission found that the Sussex County Engineering Department Utility Planning Division provided comments on January 6, 2011 on this application which reference that the site is located in the Long Neck Sanitary Sewer District; that wastewater capacity is available for the project; that Ordinance 38 construction will be required; that the current System Connection Charge Rate is \$3,472.00 per EDU; that potential gravity connection points are available within the existing Rehoboth Shores Community; that the proposal is to replace 260 previously approved lots (currently vacant and undeveloped) within the existing Rehoboth Shores community with 367 seasonal RV/Camper sites; that the proposed use equates to an estimated sewer assessment of 91.75 EDU; that the connection to the Long Neck Sanitary Sewer District is mandatory; that Sussex County requires design and construction of the collection and transmission system to meet County Engineering Department requirements and procedures; that the County Engineer must approve the connection points; that a sewer concept plan must be submitted for review and approval prior to any sewer connection; that conformity to the North Coastal Area Planning Study will be required; that a test and evaluation of the County's existing pump station within the Rehoboth Shores community is required to identify current deficiencies and determine upgrades that might be required for existing and proposed conditions for the station to meet current standards and specifications; that the evaluation must address all aspects of the station, including SCADA and PLC instrumentation, 3 phase power, emergency power and flood elevation; that testing and upgrades would be performed by the developer, at the developer's expense; that the developer must coordinate with the County to evaluate the pump station; that a contact person will be identified at the appropriate time; and that a concept plan is required.

The Commission found that the Sussex Conservation District provided comments on February 16, 2011 on this application and that the site contains 9 soil types; that the Applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas are affected; that no off site drainage improvements will be necessary; that it is not likely that on-site drainage improvements will be necessary; and that no tax ditches are affected.

The Commission found that, in addition to the letters in support documented in the Exhibit Booklet, a letter was received from Wm. Jack Riddle in support and referencing that the application should be approved; that he has spent summers growing up on Long Neck Road working in a mobile home/RV park and has noted that RV tenants take pride in their units and the surrounding properties; that several RV parks in the County have been lost; that the proposed lots will bring quality tourists back into the area, as well as provide important economic benefits; and that he has spent the last 25 years in Sussex County doing business with campground owners

and notes that good operators bring in good tenants which has a favorable impact on the community.

The Commission found that letters and e-mail have been received in opposition from Dorothy Boucher, Gregory Wagman, Calvin P. Campbell and Elaine M. Campbell, Susan Biro, Dennis Raber, and Lew Delizio referencing that manufactured housing communities are communities where people live and raise their families; that manufactured housing is one of the last truly affordable opportunities for housing left in the County; that the median income in the County is below the median housing cost levels; questioning why would it be okay for 260 more affordable home sites be lost to residents; that home owners in the County have rights that the County is obligated to protect; that allowing campers and RV's to become a part of a housing community is not acceptable and even the County Code would not support than type of transition; that home owners care about their homes, their neighbors, their families and their communities; that most of the home owners live here, many more will eventually retire to live here and we expect our communities to be protected from temporary, part-time transients who have no regard for their temporary living area; that our serenity is threatened, our peace of mind would be eliminated and our security would be in danger; that there is nothing wrong with campers and RV's, but they belong in parks on sites that are intended from the start to answer their needs and requirements, not in a community where lives are lived on a permanent basis; that a covenant exists between park owners and home owners, they get wealthy on our lot rent and are expected to provide us with certain amenities, including a safe and secure place to put our homes; that the home owners are not responsible for economic hardships and we should not have our world turned upside down because of any financial problems that may spring up; that the entire situation is not of the home owners making, but we will be the ones to see our lives destroyed if the County allows this type of land use change; asking that the Commission put themselves in the home owners place, whether living in a dwelling or a manufactured home, what would happen to you and your family and your life if one day you woke up, walked outside to the mailbox, and there was an RV parked on the empty lot next door; that manufactured homes can be moved, but they will never be the same as previously placed; announcing for the sake of tens of thousands of manufactured home owners in the County that it would be the biggest mistake the Planning and Zoning Commission would ever make if this application was approved, and requesting denial of the application; that traffic is already heavy during the season, and approval of this request would cause traffic to be uncontrollable; questioning if water and sewer capacity can handle the increase; that home invasion is a concern; questioning what this increase of activity would bring; questioning if utilities would be upgraded; that the residents are already experiencing a reduced water flow issue in summer months; questioning if roads will be upgraded to handle the surplus of cars that will be traveling on Long Neck Road since problems already impact getting to the grocery store, church, etc. due to the backup between Massey's Landing and Route 24; questioning if additional police will be assigned to the area due to concerns about increased crime; referencing a fear of a precedent being set for more changes from manufactured home parks to campgrounds; that manufactured home communities, with long-term and full-time residents, should not morph into transient parks; questioning why anyone would want to mix and match permanent homes and this tax base with seasonal transient vehicles instead of creating more efficient parks for the RV's; requesting that the Commission consider the precedent and repercussions of such an important decision; that the proposed use could be a burden on the infrastructure in the area; and requesting denial of the application.

The Commission found that Richard Berman and David Podlaseck were present on behalf of Nanticoke Shores Associates, LLC, with Gene Bayard, Attorney with Wilson, Halbrook & Bayard, P.A., and Byron Jefferson, Professional Engineer, and that they stated in their presentations and in response to questions raised by the Commission that the Applicants are proposing to convert 260 manufactured home lease lots into 367 RV/camper sites; that DelDOT has determined that this proposal has a lesser impact on traffic; that Rehoboth Shores is already served with sewer from Sussex County; that Rehoboth Shores is already served with water from Long Neck Water Company; that Mr. Jefferson has participated in several campground designs and manufactured home park/campground designs in Sussex County; that the predominant zoning in the area is AR-1 Agricultural Residential with Conditional Use providing manufactured home parks and manufactured home parks/campgrounds; that they participated in a PLUS review; that they have addressed all of the concerns raised in the PLUS process; that DelDOT has determined that traffic will be decreased; that 260 manufactured home lots will generate more traffic than the proposed RV/camper sites; that entrance improvement plans approved by DelDOT in 1993 are adequate to handle the traffic for both the manufactured home park and the RV/camper sites; that it may be necessary to create signs to alleviate the possibility of RV's stopping in the entrance or at the existing park office are needed to ensure that no operational issues are created in the entrance limits; that aside from having a plan to document the change of use, the existing entrance is able to be used given the minor variation in traffic counts; that there are no wetlands affected by this application per a report prepared by McCarthy & Associates, Inc.; that a Forestry review was completed by Parker Forestry Services, Inc. and no rare plants or trees were found; that a Rare, Threatened and Endangered Species review was completed by JCM Environmental and Landmark Engineering and no rare, threatened or endangered species were found; that the site plan depicts the required buffering from the perimeter of the property and appropriate landscaping will be provided; that the entire perimeter is proposed to be fenced with split rail fencing; that the camping area will be gated; that two (2) bathhouses are proposed; that a separate park office will be provided for the camping area; that, at least, a 50-foot wide buffer will be provided from any camping site to any manufactured home lot; that some of the buffers equate to 100-foot separation; that stormwater management will be provided through green infrastructure; that all camping sites will meet or exceed County regulations; that all camping sites will be served with all available utilities; that Mr. Podlaseck is the Regional Manager for Rehoboth Shores and Tall Pines Park/Campsites; that the company operates Tall Pines, a mixed community with 480 RV/camper sites and 103 Manufactured home sites; that the unit types have mixed well in Tall Pines; that there are several mixed use parks in the area, i.e. Leisure Point and Oak Forest, both in the Long Neck area, and Big Oaks, off of Route One near Midway; that there are 494 lease lots within Rehoboth Shores of which 80 are vacant; that they leased 3 lots in 2009 and 1 lot in 2010; that the company has purchased some of the homes in the park and rehabilitated them for rentals; that the manufactured home sales market has gone flat in the County with at least eight (8) retail outlets closing or being combined with other retail sites of the same ownership; that 17 manufactured homes were repossessed in 2009 and 15 manufactured homes were repossessed in 2010; that 30 of the homes were purchased from lenders; that the factors that are affecting manufactured home sales include the current economic crisis, stringent lending requirements by lenders offering manufactured home loans, fewer lending institutions offering financing for manufactured homes at significantly higher interest rates, and the cost of purchasing a manufactured home on rented property versus

purchasing a site built home; that a prospective home buyer can now own a site built home on a lot that builds equity over time, versus purchasing a manufactured home on a rented lot that does not appreciate in value; that the developers did a presentation in October 2010 to the tenants to inform them of their intent to develop the RV/camper sites; that the seasonal sites will be available from April 1<sup>st</sup> to October 31<sup>st</sup>; that no tenants will be allowed on the RV/camper sites during the off season; that the minimum lot size is 2,000 square feet, approximately 40-feet by 50-feet; that the RV/camper sites will be landscaped and buffered from the manufactured home lots; that Tab "L" of the Exhibit Booklet contains proposed Rules and Regulations for the RV/camper sites and that the Rules and Regulations are similar to those used in Tall Pines; that the amenities proposed for the RV/camper sites will include the existing under-utilized pool in Rehoboth Shores, the existing marina, the existing community building, and existing playgrounds; that security will be provided; that a guard house will be built for the RV/camper sites area; that an on-site office will be provided; that a manager will be on-site; that the sites are intended to be seasonal, not transient; that they anticipate eight (8) additional jobs for the operation and maintenance of the RV/camper sites; that letters in opposition printed in local newspapers are very misleading; that no manufactured home lots will be impacted by RV/camper sites; that a vegetative buffer will separate the RV/camper sites from the existing manufactured home sites; that this proposal is not a conversion, it is a redevelopment of an undeveloped portion of the manufactured home park; that the developed portion of the park shall not have any RV/camper sites; that Oak Forest and Leisure Point have been successfully developed with a mix of manufactured homes and RV/camper sites; that DelDOT voiced no major objections; that the PLUS comments did not reference any major objections; that the State Department of Tourism supports the application; that the site plan indicates that no RV/camper sites are located within 400-feet of any residential dwelling of other ownership; that the park will not be providing any storage buildings on each lot; that tenants may be permitted to place storage buildings on each site based on a standard design; that storage buildings will conform to County specifications for storage building within campgrounds; that RV/campers will conform to the requirements of the Zoning Code as they relate to placement in floodplains; that the purpose of the proposed split rail fencing is to show separation from the manufactured home lots; that they have not planned on installing concrete pads on each site; that they will have to address stormwater quality and quantity; that stormwater will be directed toward tidal waters by use of an existing culvert at one location and an existing swale along the easterly side of the park; that more pervious surface can be maintained in a RV/camper area than a manufactured home park, which creates more impervious surfaces; that they do not intend to permit overnight or transient camping; that no retail use, i.e. campstore, is intended to be provided; that each lot will be monumented; that the existing pool and marina area are accessible from the camping area by existing roadways; that, if necessary, they can provide an additional pool for the camping area; that the existing pool is not being used to its capacity; that some of the RV/campers will move off of the site when traveling; and that the Exhibit Booklet contains suggested Findings of Fact and suggest Conditions of Approval.

The Commission found that there were no parties present in support of this application.

The Commission found that John Walsh, Vice President of the Delaware Manufactured Home Owners Association, Patricia Weyl, Vice President of Bay City Manufactured Homeowners Association, Ed Speraw, President of the Delaware Manufactured Home Owners Association

and a home owner in Rehoboth Shores, Vicky Rollison, Representative of the Rehoboth Shores Tenants Association, Nell Dickerson of Delaware Manufactured Home Owners Association, Gina Miserendino, Facilitator of the Sussex Housing Group, Barbara Duff, Treasurer of the Rehoboth Shores Homeowners Association, Susan Laushey, a home owner in Silver View Farms, Debbie Irwin, a home owner in Rehoboth Shores, Sandra Spence, a Board of Directors member of the Sussex Housing Group, Bruce Furry, a home owner in Rehoboth Shores, John Morris, a home owner in Camelot, Betty Greenwaer, a home owner in Pot Nets – Lakeside, Tom Hinderliten, a home owner in Pot Nets – Bayside, George Lobenhoffer, a home owner in White House Beach, Charles Kololeski, a Kent County resident, Roberta Hemmerick, a home owner in McNichol Place, and Al Burns, a home owner in Mariners Cove, were present and spoke in opposition to this application and expressed concerns that the overall traffic, per DelDOT, will be reduced on an annual average, but only because the RV/camper park will be seasonal; that during the season proposed traffic will be heavier; that the County gets very little benefit from campgrounds since the improvements are temporary and not assessed; that fencing and landscaping does not stop trespassing or provide security, fencing at other locations has been damaged, and security will be minimal; that traffic to the RV/camper sites will have to go through the manufactured home section of the park; that a precedent could be established by approval of this application causing additional application for similar uses in other parks; that the residents in Rehoboth Shores have invested their life earnings in making improvements on their lots; that FEMA trailers are being placed and rented in the park; that improvement values are depreciating due to the FEMA trailers being placed; questioning why the park management can rent out manufactured homes, but a tenant cannot rent out their manufactured home; that values are again being impacted; that Rehoboth Shores is not being properly maintained; that RV/camper sites will attract transient renters with no appreciation of the neighboring improvements; that current residents should not have to suffer by the impact generated by this proposal; that some RV tenants will be hauling boats, ATVs, and jet skis; that more than one car will need to be parked on the RV/camper sites; that some of the other mixed manufactured home/RV parks have RV and campers being lived in year round, not seasonal; that residents in Rehoboth Shores have to be background checked and questioning if the RV/camper site tenants will have to have background checks; that residents in Rehoboth Shores are trying to make improvements in the park that will benefit the park with little cooperation from the park; that they have been promised security and have only received little to no security; that a RV/camper park will only generate more crime; that the park is not maintained properly, and the playground is used at a minimum and is in need of repair; that rents seem to increase annually; that they were told by park management that a separate pool would be built to serve the RV/camper sites, and now we find that the developers are proposing that the RV/camper site tenants utilize the existing pool; that values in the park are depreciating; that a tenant makes a major investment by the purchase of a manufactured home, pays rent, makes improvements to the leased lot, and then all of a sudden they find an RV parked next door; that the RV/camper sites were reported to be kept separate from the manufactured home sites, now they are going to share the amenities, i.e. marina, pool, and clubhouse; questioning if security would be available 24 hours per day, 7 days per week; questioning the type of street construction that is proposed in the RV/camper area; that the Sussex Housing Group has concerns that: Sussex County has the highest median home price in Delaware, \$237,000.00; that this is a 59% increase since 2000; that an affordable house price to a moderate income household is \$156,925.00; that this leaves an \$80,046.00 gap between what a family can afford and the median house price; that the Fair Market Rent in

Sussex County for a modest two-bedroom apartment is \$774.00/month; that there are 71,600 workers in the County; that the minimum wage is \$7.25/hour; that the deficit of affordable and available housing units is 1,900; that the American Community Survey of the US Census Bureau references selected housing characteristics (December 2010) and shows in Sussex County that 8.6% of renters are paying 30.0% and 34.9% of their income on housing, and that 40.8% of renters are paying more than 35% of their income on housing; that the data cited irrefutably demonstrates the challenges that families of modest means in the County face in securing decent, affordable housing; that the goals of the Housing Element of the 2008 Sussex County Comprehensive Plan references "Facilitate decent, safe, and sanitary housing for low and moderate income people throughout Sussex County."; that under this goal it is more specifically stated in Objective 2: "Encourage manufactured homes as an affordable housing tool."; that national and regional data show only a deteriorating situation for affordable housing and the looming storms of major budget cuts at the Federal level may only worsen Delaware's overall ability to address its affordable housing status; that the Sussex Housing Group believes it is counterintuitive, if not downright harmful, to approve any measure which would preclude the opportunity for affordable housing which is currently zoned correctly, appropriately, and clearly needed; that leases run for five (5) years in Rehoboth Shores; that retired people live on fixed incomes; that rental issues need to be addressed; questioning the number of people that may be using the shower facilities and where those people will park their vehicles when using the facilities; questioning how the streets in the RV/camper section will be improved and if parking will be allowed on those streets; that stormwater is a major issue; that the use could impact the flood plain; that there has been excessive flooding on the streets in the area; that the pool is utilized at a minimum since it is not maintained properly; that the beach area is eroding; that the marina is not properly maintained and has a very limited area for parking; that there are major concerns about safety on the streets since golf-carts are utilized to get around in the park and are sometimes driven very carelessly by under-aged drivers; that the park is being mis-managed and investments are down; that a lot of the residents will not speak out due to their concern of negativity from the park management; that there have been drug activities reported in the park; that security people can only do so much; that manufactured home sales dealers have questioned why anyone would want to live in the park; that the park is already approved for manufactured home use and should not be mixed with RV/camper sites; that the use does not comply with the Comprehensive Land Use Plan; that there is not enough room for parking vehicles and boat trailers at the marina; questioning the type of units that are proposed to be placed in the park, i.e. RV, park-model, camper trailer; that a part of another camping area has had camper trailers covered with tarps and sheds that do not match; that trash is a major concern; questioning if street lighting will be provided; questioning if there will be trash pickup and recycling; questioning if a septic dumping station will be provided; expressing concerns about the impact on the sewer system; that the park management should pay more attention to improving the park; that noise, parties and drugs are a concern; that the pool and amenities were developed to serve the residents in the manufactured home park and not for a proposed camping area; and that a separate pool and amenities should be provided to serve the camping area.

The Commission found that Mrs. Weyl submitted photographs, Ms. Rollison submitted photographs, Ms. Miserendino submitted a letter, and Ms. Duff submitted a petition containing 395 signatures in opposition.

For the purpose of a count, the Commission found that there were no parties present in support of the application other than the Applicant and representatives, and that 50 parties were present in opposition. This was determined by asking that parties to raise their hands in support or in opposition.

At the conclusion of the public hearings, the Commission discussed this application.

Motion by Mr. Johnson, seconded by Mr. Smith, and carried with 4 votes to defer action for further consideration and to allow Mr. Burton the opportunity to vote. Motion carried 4 – 0. Mr. Burton was not present for the discussion.

C/U #1881 – application of **HAROLD R. ENNIS, JR. & DICK ENNIS, INC.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District to operate businesses related to grass cutting, power washing, marine services and sales, and construction services to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, 1.5188 acres, more or less, lying southwest corner of Route 24 (John J. Williams Highway) and Route 277 (Angola Road).

The Commission found that on December 30, 2011 the Applicant provided an Exhibit Booklet for the record which contains copies of deeds to the properties, a site plan depicting existing and proposed buildings, a copy of the DelDOT Service Level Evaluation Request, DelDOT comments, a copy of the Application form, references to compliance with the Zoning Code and the 2008 Comprehensive Land Use Plan, suggested proposed Findings of Fact, and a letter in support from Barbara Dorman, neighbor.

The Commission found that on January 10, 2011 the County Engineering Department Utility Planning Division provided comments in the form of a memorandum referencing that the site is located in the Angola Neck Planning Area; that wastewater capacity is not available at this time; that the proposed use will use an on-site septic system; that the site is not capable of being annexed into a sewer district at this time; that when the County does provide sewer service, a connection to the system will be mandatory; that the County does not have a firm schedule to provide sewer service at this time; and that a concept plan is not required.

The Commission found that on February 16, 2011 the Sussex Conservation District provided comments in the form of a memorandum referencing that the site contains one soil type; that the Applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas or tax ditches are affected; that it will not be necessary for any off-site drainage improvements; and that it may be necessary for some on-site drainage improvements.

The Commission found that six letters and/or e-mails have been received in support of this application from Catherine M. Stube, Ron and Darlene Peragallo, Charles and Dorothy Grose and Betty Miller, Dian Benevento, Keith G. Anderson and Peter A. Bish, and Charles Brown.

The Commission found that the Dick Ennis was present with Shannon Carmean, Attorney with Sergovic & Carmean, P.A. and that they stated in their presentations and in response to questions

raised by the Commission that the property is zoned AR-1 Agricultural Residential and that a Conditional Use is allowed pursuant to the Code and could include residential, business, commercial or industrial uses when the purpose of the chapter is more fully met by issuing a Conditional Use permit; that the 1.5188 acre site includes two parcels, one improved with a dwelling/office with accessory buildings and one vacant; that the Applicant proposes to construct a one story structure on the vacant parcel so that he may separate his businesses from his home; that AR-1 Agricultural Residential District provides for low-density single-family residential development, together with such churches, recreational facilities and accessory uses as may be necessary or are normally compatible with residential surroundings; that the property is located in an Environmentally Sensitive Developing Area and that permitted uses include retail and office uses; that a careful mixture of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home; that the use should not adversely affect neighboring uses; that the Applicant has been operating his businesses for the past ten (10) years; that the Applicant does repair boats, but there is no storage of boats on the property; that the Applicant intends to have no more than five employees at the property at any one time; that proposed hours of operations are seven days per week with hours Monday through Saturday from 8:00 a.m. to 5:00 p.m. and on Sunday from 9:00 a.m. to 2:00 p.m.; that the Applicant removed this signage per the County request; that the Applicant seeks to replace his previous sign with an illuminated sign similar in size to advertise his four businesses; that there are a variety of business uses in close proximity, including retail, office and related uses; that the proposed use should be considered in character with the surrounding area due to these other uses; that the other uses in the area include produce sales, lawn care, a fire sub-station, churches, shopping, and boat storage; that the Applicant has not received any complaints from surrounding property owners with regard to his uses; that the proposed use should not have an adverse impact on traffic; that DelDOT did not request a traffic impact study; that a neighboring property owner has written a letter of no objection to the use; that most of the uses provided by the Applicant are seasonal uses; that the Applicant does not have any intent to expand the businesses; that a mature stand of evergreen trees exist on the site and additional evergreen trees are proposed to be planted; that the site is served by a septic system and a well; that according to the Applicant he was cited for operating businesses three times; that the existing buildings on the residential lot will convert to residential accessory uses when the project is completed; that boat repairs are performed off-site 90% of the time; that the proposed building will be used for storage of equipment related to the business uses and for marine services; that some boats will be on display for sale, and that there will not be any boat storage; that there will not be any parking in the front yard setback; that there may be a portable toilet utilized for a short time; and that the Applicant has provided suggested proposed Findings of Fact in the Exhibit Booklet.

The Commission found that Charles Grose was present and spoke in support of the Applicant's business, hard work, honesty and assistance. Mr. Grose had also submitted a letter in support prior to the meeting.

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

At the conclusion of the public hearings the Commission discussed this application.

Motion by Mr. Johnson, seconded by Mr. Smith, and carried with 4 votes to defer action for further consideration and to allow Mr. Burton the opportunity to vote on the application. Motion carried 4 – 0. Mr. Burton was not present for the discussion.

\*\*\*Mr. Burton excused himself from the remainder of the public hearings\*\*\*

C/Z #1700 – application of **STEPHEN BILOBRAN** to amend the Comprehensive Zoning Map from AR-1 Agricultural Residential District to B-1 Neighborhood Business to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 1.3328 acres, more or less, lying south of Road 353 (Burbage Road) 0.25 mile west of Road 352 (Windmill Road).

The Commission found that the Applicant provided a conceptual site plan for a retail building with residential use above it.

The Commission found that on September 29, 2009 DelDOT granted a “Letter of No Objection” to the entrance location.

The Commission found that on January 10, 2011 the County Engineering Department Utility Planning Division provided comments in the form of a memorandum which references that the site is located in the North Millville Expansion of the Bethany Beach Sanitary Sewer District; that wastewater capacity is available to the project as long as the parcel does not exceed 8.25 EDU if annexed into the Town of Millville or 5.32 EDU if the parcel is developed under county Zoning; that the current System Connection Charge Rate is \$5,768.00 per EDU; that the parcel has been provided with two 6-inch laterals along the parcel’s frontage on Burbage Road; that sewer service is not available at this time; that additional off-site construction must be completed; that conformity to the South Coastal Area Planning Study 2005 Update will be required; that connection to the sewer system is mandatory when sewer service becomes available; that parcels must connect within one year of sewer service becoming available; that the County recently completed construction of dry sewer in Burbage Road; that the pipelines were installed as part of the North Millville Expansion area and with the expectation that additional gravity sewer, a pump station and a force main will be constructed in the future by the developers of a nearby project; that sewer service will not be available until the additional construction is completed; that 6-inch laterals may not be adequate for the proposed commercial use and a lateral upgrade may be required at the expense of the property owner; and that a concept plan is required.

The Commission found that on February 16, 2011 the Sussex Conservation District provided comments in the form of a memorandum which reference that the site contains one soil type; that the Applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas or tax ditches are affected; that it is not likely that off-site drainage improvements will be required; and that it will be necessary for on-site drainage improvements.

The Commission found that on February 17, 2011 the Town of Millville provided comments which reference their caution in rezoning this property; that the property is located in the Town’s

future development area and borders a large residential development on two sides and is adjacent from an additional development across the street, both of which are located within the Town's current boundaries; that the property is located in a future growth area for the Town; that it is possible that the project will not conform to the development standards established for properties in the Town; that the Town is concerned should the applicant change the intended use after the rezoning is completed which would permit all the uses within the B-1 zone; that several uses listed in the B-1 zone would not be a good fit within the Town's Comprehensive Plan and does not fit within the Future Land Use Plan for the Town; that the Town should be included in the review process on properties located within the Town's future growth area; that the two agencies working together in reviewing these properties in the future may be able to provide the developers with the best product which will benefit the County and the Town.

The Commission found that Stephen Bilobran was present on behalf of his application and stated that he is a licensed Real Estate Agent and proposes to relocate his office and a shop; that the parcel is located across the street from a 13 acre commercial zoned parcel; that he will be conforming to seven other commercial/business uses along Burbage Road; that a master plan community, Millville-By-The-Sea, is being developed immediately adjacent to his property; that the master plan community also permits business activities; that he did not apply for a conditional use since he had no firm commitment from the County as to when sewer would be available; that the master plan community is proposed 3,500 homes; that only 14 homes are currently being built per year based on the current market; that the real estate business is very limited and will not impact traffic on public roads or the neighborhood; that the proposed building will contain his real estate office, his wholesale business which is operated on-line, and a 3<sup>rd</sup> rental store front; that Burbage Road is being widened; that there are 13 parcels in close proximity that are not within the boundaries of the Town of Millville and that some of those parcels are utilized for a repair shop, storage, commercial, real estate, mini-storage, carpet sales and installation, scooter shop and storage, and some conditional uses and general business uses; that the existing dwelling on the site will be expanded and altered to provide for the store fronts and residential use above; and that the site is located in an area where the Town wants to expand.

The Commission found that Mr. Bilobran submitted copies of letters from County Engineering, dated July 15, 2005, December 5, 2005, and December 7, 2005; a map showing existing uses in the area with ownership noted; and a "Letter of No Objection" from DelDOT, dated September 29, 2009, in reference to the entrance location.

The Commission found that there were no parties present in support of this application.

The Commission found that Eric Evans was present on behalf of the Town of Millville, referenced the letter received from the Town in opposition and stated that the Town is willing to consider annexation; that the Town would prefer residential use of the property; that B-1 zoning is not conducive to the area due to the permitted uses, i.e. ice vending stations, parking lots, banks, filling stations, laundromats, private clubs, and radio/TV stations with high towers; that the adjacent properties are considered to be residential planned community and residential, not commercial; that the developers of Barrington Park are dealing with County Engineering for sewer service and hopefully that construction will start in June 2011; that the rezoning to B-1 could be considered spot zoning in a residential/agricultural area; that Burbage Road is being

widened as a by-pass road during construction on Route 26; that Town zoning has been completed as it relates to the Town Comprehensive Plan; that a site for a Home Depot was proposed in close proximity on Route 17 and that the site plan for the Home Depot is now void; and that the site borders the town boundaries of the Town of Millville.

The Commission found that Mr. Evans submitted a copy of the Future Land Use and Annexation Map from the Town of Millville Comprehensive Plan.

At the conclusion of the public hearings the Commission discussed this application.

Motion by Mr. Smith, seconded by Mr. Ross, and carried with 4 votes to defer action for further consideration and to allow Mr. Burton the opportunity to participate in the vote if he wishes to review the record. Motion carried 4 – 0. Mr. Burton was not present for the discussion.

C/Z #1701 – application of **CMF BAYSIDE, LLC**, to amend the Comprehensive Zoning Map from AR-1 Agricultural Residential District to MR-RPC Medium Density Residential District – Residential Planned Community District to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 20.94 acres, more or less, lying northeast of Road 394 (East Sand Cove Road) and east of Mastiff Way, a private road and being approximately 0.3 mile east of Signature Boulevard.

The Commission found that on January 3, 2011 the Applicant provided an Exhibit Booklet for the record and that the Booklet contains a cover letter from George Miles & Buhr, LLC and a copy of the application form, an Environmental Assessment and Public Facility Evaluation Report, copies of the PLUS application, the PLUS comments, and a response to the PLUS comments from George Miles & Buhr, LLC, a series of maps relating to land use, a copy of the deed to the property, a listing of the adjoining property owners, a letter from George Miles & Buhr, LLC relating to the stormwater conceptual plan and approach, a “Letter of No Objection” to the entrance location from DelDOT, a Willing and Able to Serve letter from Tidewater Utilities, Inc., and three letters between County Engineering and George Miles & Buhr, LLC.

The Commission found that on January 10, 2011 the County Engineering Department Utility Planning Division provided comments in the form of a memorandum and advised that this site is located in the Fenwick Island Sanitary Sewer District; that wastewater capacity is available for the project; that Ordinance 38 construction will be required; that the current System Connection Charge Rate is \$4,820.00; that the proposed project will connect to two existing manholes in Sand Cove Road, in accordance with the approved sanitary sewer concept plan; that conformity to the South Coastal Area Planning Study, 2005 Update, will be required; that the connection to the sewer system is mandatory; that the project is within planning study and system design assumptions for sewer service; that County Engineering has no objection to the proposed development so long as sewer service is in accordance with the sanitary sewer concept plan that was approved December 29, 2010; that the County requires design and construction of the collection and transmission system to meet County Engineering Department standards and procedures; that the County Engineer must approve connection points; that all cost associated with extending sewer service will be the sole responsibility of the developer; that the approved sanitary sewer concept plan was approved on the basis of the proposed units; that the change of

zone application indicates a proposed project of 59 units; and that the developer's engineer shall provide the Engineering Department with a letter and sketch that outlines the number of units to determine if a revised concept plan is required.

The Commission found that on February 16, 2011 the Sussex Conservation District provided comments in the form of a memorandum and advised that this site has four soil types; that the Applicants will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that there are no storm flood hazard areas or tax ditches affected; that it is not likely that any off-site drainage improvements will be required; and that on-site drainage improvements will be required.

The Commission found that George Miles & Buhr, LLC submitted some corrections in calculations for the cover sheet.

Mr. Lank submitted a series of four photographs that were submitted by the Applicants showing different areas of landscaping within the Bayside Americana project for exhibit purposes.

The Commission found that Doug Brown was present on behalf of CMF Bayside, LLC with Jim Fuqua, Jr., Attorney with Fuqua, Yori & Willard, P.A., Jim Willey, Professional Engineer, and Steve Marsh, Professional Engineer, with George Miles & Buhr, LLC, and Ed Launay, Environmental Scientist with Environmental Resources, Inc. and that they stated in their presentations and in response to questions raised by the Commission that they are now proposing a total of 55 residential units, 17 townhouses and 38 single-family detached condominiums with an overall density of 3.0 units per acre; that the site is in the middle of the Americana Bayside RPC project; that the Applicants are the same developer; that the existing RPC has extensive recreational facilities throughout the project; that they attempted to purchase this site as a part of their original application, but were unsuccessful; that central water with fire protection capabilities will be provided by Tidewater Utilities, Inc., that public central sewer will be provided by Sussex County; that the approved concept plan for sewer allows more units than now proposed; that the site is located within the Indian River School District; that the site is located within the Roxana Volunteer Fire Company service area; that shopping areas are in close proximity; that this project will be an extension to the existing RPC and the residents will be allowed to utilize the existing recreational facilities and other amenities; that sidewalks and paths are proposed throughout the project; that wetlands have been delineated and that the Army Corp. of Engineers has verified those wetland areas; that 50-foot buffers will be provided from State designated wetlands and 25-foot buffers will be provided from all non-tidal Federal wetlands; that roadway improvements have already been completed; that DelDOT has issued a "Letter of No Objection" for the site entrance; that the project will have a separate condominium association with membership in the Americana Bayside Master Association; that the use complies with the Environmentally Sensitive Developing District Overlay Zone; that an Environmental Assessment Report was prepared and submitted; that the proposed MR-RPC zoning is consistent with the MR-RPC adjacent zoning and should be considered an in-fill; that the site is located in an Investment Level 3 according to the State Strategies; that the PLUS review and comments seemed positive in nature; that they have provided suggested proposed Findings of Fact and Conditions of Approval for consideration; and that Units 1 through 17 are townhouses and Units 18 through 55 are single-family detached condominium dwellings.

The Commission found that there were no parties present in support of or in opposition to this application.

At the conclusion of the public hearings the Commission discussed this application.

Motion by Mr. Smith, seconded by Mr. Ross, and carried with 4 votes to defer action for further consideration and to allow Mr. Burton the opportunity to participate in the vote if he wishes to review the record. Motion carried 4 – 0. Mr. Burton was not present for the discussion.

#### **AN ORDINANCE PROVIDING FOR A SIX MONTH MORATORIUM ON APPLICATIONS FOR CASINO AND/OR GAMBLING OR GAMING VENUES IN SUSSEX COUNTY**

Mr. Lank summarized the proposed Ordinance which references that there is a need for regulations on casinos, gambling and gaming.

The Commission found that there were no parties present in support of or in opposition to this Ordinance.

At the conclusion of the public hearings the Commission discussed the proposed Ordinance.

Motion by Mr. Ross, seconded by Mr. Smith, and carried with 4 votes to forward this Ordinance to the Sussex County Council with the recommendation that the County Council not act on this Ordinance and to encourage the County Council to put forward an actual Ordinance on casinos, gambling and gaming, rather than a moratorium. Motion carried 4 – 0. Mr. Burton was not present.

#### **OTHER BUSINESS**

Swann Cove MR/RPC  
Final Record Plan Phases 6 and 7 – Route 54

Mr. Abbott advised the Commission that this project originally received final approval by the Commission on November 12, 2009 but was not recorded; that Phase 6 contains 34 single-family lots and Phase 7 contains 30 single-family lots; that the final record plan complies with the Subdivision and Zoning Codes and the conditions of approval; and that all agency approvals have been received.

Motion by Mr. Smith, seconded by Mr. Johnson, and carried with 4 votes to approve the record plan as a final. Motion carried 4 – 0. Mr. Burton was absent.

Subdivision #2006 – 66 - - Trap Investments, LLC  
Time Extension

Mr. Abbott advised the Commission that this is a request for a one-year time extension; that the Commission granted preliminary approval on November 12, 2008 and granted a one-year time

extension on January 20, 2010; that this is the second request for an extension; that if an extension is granted, it shall be retroactive to the anniversary date of preliminary approval; and that if an extension is granted, preliminary approval will be valid until November 12, 2011.

Motion by Mr. Ross, seconded by Mr. Smith and carried with 4 votes to grant a one-year time extension retroactive to the anniversary date of preliminary approval. Preliminary approval is valid until November 12, 2011. Motion carried 4 – 0. Mr. Burton was absent.

Truman B. Mason, Sr. and Tanya Y. Mason  
3 Parcels and 50' Right of Way – Road 541

Mr. Abbott advised the Commission that this is a request to subdivide a 23.37-acre parcel into 3 lots with access from a 50-foot right of way; that 2 lots will contain 2.50-acres and the residual lands will contain 18.37-acres; that the owner is proposing to create the 50-foot right of way over an existing driveway; that the request can be approved as submitted or an application for a major subdivision can be required; that if the request is approved as submitted, it should be stipulated that any further subdivision of the property will require an application for a major subdivision; and that the Commission originally approved the request as submitted on February 17, 2010 but the record plan was not recorded.

Motion by Mr. Smith, seconded by Mr. Ross and carried with 4 votes to approve the request as submitted in concept with the stipulation that any further subdivision of the site will require an application for a major subdivision. Motion carried 4 – 0. Mr. Burton was absent.

#### ADDITIONAL BUSINESS

Mr. Lank advised the Commission that the Sussex County Council has asked that the Commission review issues and Ordinances that may need to be addressed in the future and that the Council was requested suggestions and comments in a report from the Commission for the Council's review.

Mr. Robertson provided the Commission with a copy of a memorandum that he prepared for the Commissions consideration during future discussions. Mr. Robertson stated that the Cluster Ordinance could be one of the Sections of the Code that needs review.

There was a consensus that a Special Meeting might be scheduled for such a discussion.

Meeting adjourned at 10:48 p.m.