

Planning & Zoning Commission Meeting
August 22, 2024
MEETING HELD IN-PERSON & VIA TELECONFERENCE

The regularly scheduled meeting of the Planning & Zoning Commission was held at Delmar Town Hall and via teleconference. Commission Members in attendance: Deputy Mayor Lenox, Vice Mayor Jones, Jonathan Layton, and Shawn Johnson. Key Personnel: Town Mgr. Jeff Fleetwood, Planning and Zoning Director Twain Evanson, Code Enforcement Officer Liz Peek and Clerk of Council Vondell Spencer; via teleconference: Commission Member Beverly Wilson. Guests: Rodney Brown, AJ Angello, Sandy Angello, John McClellan, Jerilisha Jones, Demetrius Jones, and Steven Fuller.

Called to Order:

Deputy Mayor Lenox called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

Deputy Mayor Lenox stated Commission Member Wilson is attending the meeting via teleconference.

Deputy Mayor Lenox noted the commission intended to have a continuation discussion with Mr. Horsey this evening about Whitetail Run. The commission made the decision not to schedule this evening as the commission does not have a complete report from the town's engineer. It is anticipated Whitetail Run will be on next month's agenda and hopefully Town Engineer, Josh Taylor will be have something to add to the next meeting.

Approval of Minutes –

A motion was made and seconded (Wilson/Jones) to approve the July 25, 2024 meeting minutes as circulated by a vote of 4 Ayes 1 Absent (Johnson).

New Business –

1. **Sandy Angello/Sandajorge LLC – Concept Plan for Fitness Center/Athletic Training Facility – Foskey Lane and Southbound US Rt.13, Delmar, MD** – Mr. John McClellan a from SVN-Miller Commercial Real Estate stated he represented Sandajorge, LLC who will be acquiring the property at the corner of Foskey Ln. and US Rt.13. He said Engineer, Mr. Steve Fuller from Solutions IPPEM, LLC is also present.

Mr. AJ Angello stated the vision of the project is to bring high quality sports performance to the shore. He further stated people from all sorts of sports can train at this facility, he described a 50,000 sq ft. building including a college style conditioning gym, turf for drills and testing for different colleges and students, showcasing colleges, Pop Warner, eventually building football fields, baseball and softball fields, pickle ball courts, basketball courts, and working with local organizations.

Commission Member Layton inquired about the entrance to the facility and timeline. Mr. Angello responded the entrance would be off of Foskey Ln. and they would like to get started as soon as possible. Deputy Mayor Lenox disclosed he did see the concept plan previously.

Deputy Mayor Lenox asked Mr. Angello what the particular challenges would be on this site. Mr. Fuller answered water and sewer are already at the site, denied access to US Rt.13, and stormwater being the biggest challenge and having to meet the requirements, and having wetlands delineated. He said the process for the wetland delineation has been started. He stated traffic would not be an issue. The intersection is a right turn only so the people could come in off of US Rt.13 but would not be able to go across the street and cause accidents.

Deputy Mayor Lenox asked Mr. Fuller if the wetlands changed. Mr. Fuller answered it has changed some but the National Wetland Inventory Guidance Maps show the entire wooded section where they do not have any proposed development as being wetlands although, it is not all wetlands.

Vice Mayor Jones inquired about the lighting at the facility and asked Mr. Fuller if the lighting would it be an issue. Mr. Fuller answered no, the lighting is not an issue, the technology with the lighting is less of a glare on the roadways. He added a row of trees on the US Rt.13 side may be thinned out as far as underbrush but the taller trees will be blocking the lighting.

Deputy Mayor Lenox asked Mr. Fuller if he anticipated needing State Highway approval for the driveway. Mr. Fuller answered no because it is a county or town road. The state highway's influence for this property ends where the right of way line comes back down to a 40 ft wide street. The approach to the intersection on US Rt. 13 is the only place they have control.

Deputy Mayor Lenox asked Mr. Fuller if he anticipated needing improvements in terms of turning lanes into the site. Mr. Fuller answered they will look at trip generation, and directions to see if it makes sense to have it. Leaving the site after an event is more of an issue. He further answered leaving the site is on the concept plan. Traffic internally will be able to choose to go left or right.

Town Mgr. Fleetwood asked Mr. Fuller how far off of Bi-State Blvd. and from Rt.13 coming back would the entrance be. Mr. Fuller answered he is unsure but it's two-thirds of the road frontage on Foskey Ln. before you get to the facility. A conversation occurred.

Commission Member Wilson asked Mr. Fuller if there is any concern with the intersection on Bi-State Blvd. and Foskey Ln. Mr. Fuller answered they are half a mile from it. If there is a problem there now then there would be a concern adding more traffic to it. Deputy Mayor Lenox explained it should not be an issue because the facility is about half a mile in reference to site distance and turning.

Commission Member Wilson asked Mr. Angello what would be the peak hours of operation, the most time for traffic. Mr. Angello answered the peak hours would probably be the afternoons during the weekdays because kids are at school. He further answered if they have to start their programs later, they could definitely do that and once the fields are put together or they host any local events having competitions they could start later.

Mr. Fuller said the proposed intersection on the concept plan shows a deceleration lane into the site as well as a shorter acceleration lane as people are leaving turning right out of the site. He further said the facility's intersection is roughly 425 ft to 450 ft from the intersection when reaching US Rt.13. A conversation occurred.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Commissioners for – Sandy Angello/Sandajorge LLC - Concept Plan for a Fitness Center/Athletic Training Facility – Foskey Lane and Southbound US Rt.13, Delmar, MD with sports fields, tennis and pickleball courts as presented with the understanding that the future plans would have additional detail regarding the driveway intersection to Foskey Ln., retention of a buffer on US Rt.13, and also coordinating with the county on necessary improvements to the section of Foskey Lane just off US Rt.13. The motion was made/seconded (Layton/Jones) and carried by a vote of 5 Ayes.

2. **Demetrius Jones – New Home Build/Request for Easement – Corner of North Memorial Dr. and W. Jewell St., Delmar, DE** – Mr. Jones presented a new home build as referenced per the attached drawings. Mr. Jones stated he would like to put houses on the lots that he owns to improve the neighborhood. Commission Member Layton asked Mr. Jones if this is a resale. Mr. Jones answered yes.

Mr. Jones mentioned he will have to communicate with the church there because their gas tank is sitting on his lot. Also, there is a 12 ft wide utility easement for the benefit of lot 36 which another new home build will go there eventually. Deputy Mayor Lenox asked Mr. Jones about the access for town utilities. Deputy Mayor Lenox confirmed with Mr. Jones that he has to have something on record with Planning and Zoning in Georgetown, DE to that effect.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Demetrius Jones – New Home Build – Lot 37, Delmar, DE., per the attached drawings. The motion was made/seconded (Johnson/Layton) and carried by a vote of 5 Ayes.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for the proposed plan to define a 12-foot-wide utility easement for the benefit of Lot 36 across Lot 37 to North Memorial Drive. The motion was made/seconded (Jones/Johnson) and carried by a vote of 5 Ayes.

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 169, 38335 Stillwater Parkway, Delmar, DE** – Mr. Brown presented a new home build as

referenced per the attached drawings. Commission Member Layton noted there is a Cedar to the right and a Spruce on the left. The setbacks are all correct.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 169, 38335 Stillwater Parkway, Delmar, DE., per the attached drawings. The motion was made/seconded (Layton/Wilson) and carried by a vote of 5 Ayes.

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 84, 11867 Yellowwood Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is a Spruce on the left and a Spruce on the right. The setbacks are all correct.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 84, 11867 Yellowwood Dr., Delmar, DE., per the attached drawings. The motion was made/seconded (Jones/Johnson) and carried by a vote of 5 Ayes.

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 20, 11747 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is an Aspen on the left and a vacant lot on the right. The setbacks are all correct.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 20, 11747 Silverbell Dr., Delmar, DE., per the attached drawings. The motion was made/seconded (Wilson/Layton) and carried by a vote of 5 Ayes.

6. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 148, 11750 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there is a vacant lot on the left and a Spruce on the right. The setbacks are all correct. Commission Member Wilson noted this property is on a curve in the road.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 148, 11750 Silverbell Dr., Delmar, DE., per the attached drawings. The motion was made/seconded (Johnson/Jones) and carried by a vote of 5 Ayes.

7. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation L – Lot 110, 38490 Barberry St., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there are vacant lots on either side, a pond in the backyard, and the setbacks are correct. This lot is on a curve on the street.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation L – Lot 110, 38490 Barberrry St., Delmar, DE., per the attached drawings. The motion was made/seconded (Layton/Jones) and carried by a vote of 5 Ayes.

8. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 120, 38505 Barberrry St., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Commission Member Layton noted there are vacant lots on both sides. The setbacks are correct.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 120, 38505 Barberrry St., Delmar, DE., per the attached drawings. The motion was made/seconded (Jones/Wilson) and carried by a vote of 5 Ayes.

Commission Comments –

Commission Members Johnson, Layton, Wilson, and Vice Mayor Jones had no comment.

Deputy Mayor Lenox updated the commission about the talks the town has been having for the Delmar, Maryland Comprehensive Plan. He said Davis, Bowen and Friedel have recently signed a subcontract on the town’s behalf with Planner, Tim Bourcier. Mr. Bourcier previously worked as an employee with DBF and he was the primary planner involved in the town’s Comprehensive Plan in 2009. Deputy Mayor Lenox said Mr. Bourcier is excellent and will be starting next week on the staff level and then this commission will be involved closely. Delmar, Delaware updated their Comprehensive Plan in 2020. He further said there is money in the budget for this update.

Adjournment –

Deputy Mayor Lenox called for a motion to adjourn the meeting. The motion was made/seconded (Jones/Johnson) and carried by a vote of 5 Ayes.

Submitted by:

Vondell Spencer

Clerk of Council