

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING AGENDA  
\*\*REVISED\*\***

Meeting Date: Wednesday, February 22<sup>nd</sup>, 2017  
Location: Town Hall, 39 The Circle, Georgetown, DE  
Time: 6:30 P.M. Executive Session  
7:00 P.M. Regular Meeting

6:30 P.M. Executive Session

*Mayor and Council will meet in Executive Session pursuant to 29 Del. C. § 10004(b) (4) and (b) (9) for the purpose of strategy and advice from an attorney regarding pending or potential litigation. ~~and personnel matters in which the names, competency and abilities of individual employees are discussed.~~ (Deleted 2/16/17 as included in error)*

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of February 8<sup>th</sup>, 2017 Town Council Minutes
5. Rezone Application 2016-10
6. Broad Valley Presentation – Broadband to Town Offices
7. Resolution #2017-1 King Street Water Treatment Plant Upgrade Project – Issuance of General Obligation Bond  
(Amended 2/16/17 as information determined necessary for inclusion)
8. Departmental Reports
  - A. Town Manager – Gene Dvornick
9. Public Comment
10. Adjournment

The agenda items as listed may not be considered in sequence. This agenda is subject to change to include additional items including executive sessions or the deletion of items including executive sessions, which arise at the time of the meeting. Persons with disabilities requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the Americans with Disabilities Act (ADA).

TOWN COUNCIL  
AGENDA ITEM INFORMATION SHEET

ITEM: Zoning Amendment Application—Lynch’s Lane

ITEM NO: 5

DATE: February 22, 2017

PRESENTER: Lynch Lane, LLC/Chris Kalil

DESCRIPTION: An application by Lynch Lane, LLC, on behalf of Lynch’s Lane for an official zoning map amendment from Urban Residential (UR1) to Townhouse Residential (MR2). The properties are located on Lynch Lane +/- 90’ NE of Charles Way, Georgetown, DE identified as Sussex County Tax District 135 Map 20.09 Parcel 21.00 (Part of, 25’ x 104’); 22.00; 23.00; 24.00 and Map 20.05 Parcel 93.00.

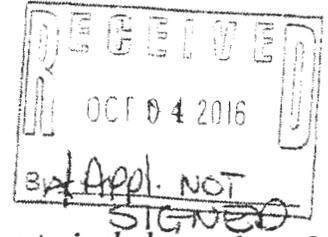
BACKGROUND: The application was forwarded to the Planning Commission for review and comment at their January 18, 2017 meeting. A copy of the Planning Commission draft minutes have been included for your review.

A Public Hearing was held at the February 8, 2017 Town Council Meeting and the record was kept open for 14 days.

A draft copy of the Town Council Minutes have been provided.



# Town of Georgetown Review Application



Check Type of Review Requested		Copies
	Category II Plan Review	5
	Category I Site Plan - Conceptual	11
	Category I Site Plan - Preliminary	11
	Category I Site Plan - Final	8
	Conditional Use	18
	Historic Review	8
	Subdivision/RPC Review - Conceptual	11
	Subdivision/RPC Review - Preliminary	18
	Subdivision/RPC Review - Final	18
	Utility Review	2
X	Zoning Amendment	18
	Other:	

All packages to include number of copies shown:

- Review Application
- Plans / Prints
- Supportive Materials
- One PDF of Site Plan

Note: One 11 x 17 copy of complete site plan to be provided with application packages.

Property Information	
Sussex County Tax Map/Parcel:	1-35-20.09 21, 22, 23, 24, and 20.05-93.00
Project Location:	Lynch Lane
Property Size/Dimension:	10.19 a. +/-
Project Title/Name:	TBD
Current Zoning District:	UR-1
Proposed Zoning (if applicable):	MR-2
Current Property Use:	Vacant
Proposed Property Use:	Multi family dwellings

Current Property Owner Information	
Current Owner Name:	Lynch Lane LLC
Phone Number:	cell #202-302-5735
Fax Number:	
Email Address:	chris.kali171@gmail.com
Mailing Address:	179 Rehoboth Aenue, Su. 1081
City, State, Zip Code:	Rehoboth Beach, DE 19971

Engineer / Surveyor Information	
Company Name:	Land Design, Inc.
Contact Name:	Thomas J. Ford
Phone Number:	#302537-1919
Fax Number:	#302-539-0328
Email Address:	tjford51@aol.com
Mailing Address:	53 Atlantic Avenue
City, State, Zip Code:	Ocean View, DE 19970

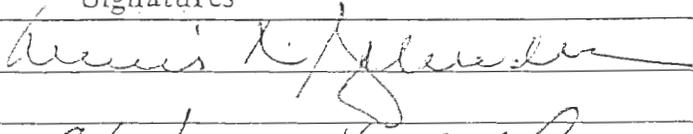
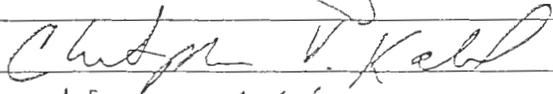
\*\* Dennis Schrader, Esquire - Applicant attorney

Developer Information	
Company Name:	Lynch Lane LLC
Contact Name:	(see info on other side)
Phone Number:	
Fax Number:	
Email Address:	
Mailing Address:	
City, State, Zip Code:	

Designated Primary Contact	
Contact Name:	Dennis L. Schrader, Esquire
Phone Number:	# 302-856-0010
Fax Number:	# 302-856-7217
Email Address:	dschrader@morrisjames.com
Mailing Address:	P.O. Box 690
City, State, Zip Code:	Georgetown, DE 19947

Please read and certify the following:

1. I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct.
2. This project was designed in accordance with the plan requirements in the Comprehensive Plan, Zoning Code, Design Standards as well as the Construction Standards for the Town of Georgetown.
3. I, or an agent on my behalf, will attend all public hearings/meetings necessary for this project in order to answer any questions to the best of my ability in respect to the present and future needs, health, safety, morals, convenience, order, prosperity and general welfare of the inhabitants of Georgetown.
4. I understand that any incomplete applications will not move forward in the review process and I will be notified in writing after a thorough review has been completed by the Planning Department.
5. It is understood that the Planning Department processes all applications in the order in which they were received. Each application will continue in the process once eligibility and the appropriate reviews have been completed.
6. I understand that only the designated primary contact listed on this application will receive any and all review comments, meeting information and correspondence to and from the Town of Georgetown.
7. I understand that the Engineer will be billed for the professional services rendered from the Town Engineer and/or the Town Solicitor, as required for my application, unless I notify the Town Planning Department in writing advising otherwise.

Signatures	
Designated Primary Contact	
Developer	
All Current Property Owners	
Parcel -	AS TO ALL
Parcel -	
Parcel -	

OFFICE USE ONLY

Tax Parcel Nos.: 1-35-20.09-22.00,  
1-35-20.09-23.00, 1-35-20.09-24.00,  
1-35-20.05-93.00 and 1-35-20.09-  
21.00

Prepared By And Return To:  
COOCH AND TAYLOR, P.A. (DMH)  
P.O. Box 1680  
Wilmington, DE 19899-1680

**THIS DEED** is made this 9 day of June, 2016, between

**VIRGINIA C. BRIGHT, TRUSTEE OF THE ANTHONY V. BRIGHT FAMILY TRUST  
DATED APRIL 6, 2011**, party of the first part,

AND

**LYNCH LANE, LLC**, a Delaware limited liability company, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, the receipt of which is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and/or assigns, in fee,

Tax Parcel Nos.: 1-35-20.09-22.00, 1-35-20.09-23.00, 1-35-20.09-24.00 and 1-35-20.05-93.00

ALL that certain lot, piece and parcel of land situate, lying and being in the Town of Georgetown, Georgetown Hundred, Sussex County, State of Delaware being Lands of Richard Marvin Ingram, Trustee, as shown on the Boundary & Improvement Location Survey Plan, Plan No. 19780R-322809, dated June 28, 2004, prepared by Merestone Consultants, Inc. The said Property being more particularly bounded and described as follows, to wit:

BEGINNING at an iron pipe found on the southerly side of Lynch Lane, at 25 feet wide, a common corner of the Property herein being described and Lands of Mt. Zion Baptist Cemetery, said point being located 551 feet, more or less, in an easterly direction from the point of intersection formed by the easterly curb line of South Bedford Street, with the southerly side of Lynch Lane; Thence from the point and place of Beginning, continuing along the southerly side of Lynch Lane and along lands, now or formerly of Board of Trustees of Delaware Technical & Community College, North 80° 30' 00" East, 1,089.49' to an iron pipe found on the westerly line of lands, now or formerly of Consolidated Rail Corporation and a common corner of lands now or formerly of Board of Trustees of Delaware Technical & Community College, and the subdivision of The Meadows as shown in Plot Book 38, Pages 67 & 68; Thence leaving the lands, now or formerly of Consolidated Rail Corporation, along Lands of The Meadows, by the following four (4) courses and distances: 1) South 01° 56' 00" West, 433.37' to a capped rebar set, 2) South 80° 44' 09" West,

393.09' to a concrete monument found, 3) South 80° 40' 49" W 506.57' to a concrete monument found, and 4) South 80° 45' 05" West, 98.12' to an iron pipe found, a corner of Lands now or formerly of Mt. Zion Baptist Cemetery; Thence leaving the lands of The Meadows, along lands, now or formerly of Mt. Zion Baptist Cemetery North 10° 17' 24" West, 421.17' to the first mentioned point and place of Beginning said to contain an area of 10.1335 acres of land be the same more or less.

**BEING** a part of the same lands and premises which Virginia C. Bright, Trustee of the Living Trust Declaration of Anthony V. Bright and Virginia C. Bright, dated December 19, 2006, by Deed dated March 25, 2014 and recorded April 2, 2014 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 4244, Page 191, did grant and convey unto Virginia C. Bright, Trustee of the Anthony V. Bright Family Trust Dated April 6, 2011, in fee.

**Tax Parcel No.: 1-35-20.09-21.00**

**ALL THAT CERTAIN** lot, piece or parcel of land situate, lying and being in or near the Town of Georgetown, Sussex County, Delaware, in what was formerly called Campbell Town, as the same is more particularly described on a survey prepared by Merestone Consultants, Inc., dated November 29, 2006, as follows, to wit:

**BEGINNING** at a point marked by an iron pipe set in the southerly line of Lynch Lane, which said point is a common corner for these lands being conveyed and other lands of this grantee, thence by and with said other land of the grantee, South 10 degrees 17 minutes 25 seconds East 25.00 feet to a point marked by an iron pipe; thence South 80 degrees 30 minutes 00 seconds West 104.13 feet to a point set at a corner for these lands being conveyed, other lands of this grantor and lands now or formerly of David L. Hall and Diane G. Hall; thence by and with said Hall lands North 10 degrees 29 minutes 01 seconds West 25.00 feet to a point marked by an iron pipe set in the southerly line of Lynch Lane; thence by and with the southerly line of Lynch Lane North 80 degrees 30 minutes 00 seconds east 104.21 feet home to the place of beginning and containing 0.06 acres of land, be the same more or less.

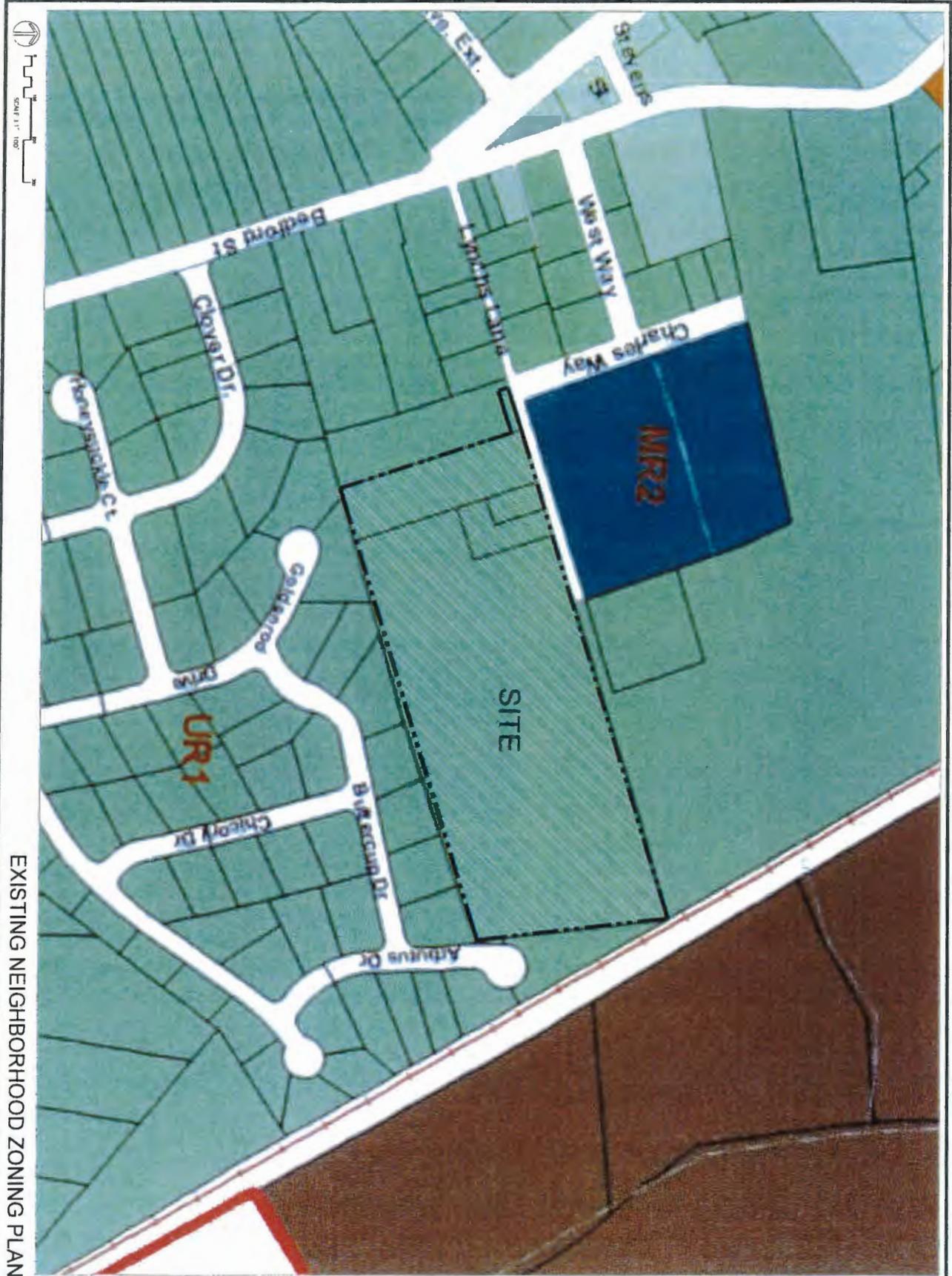
**BEING** the same lands and premises which Clarence Sample, Jr., Willie Hughes and Leroy Mann, Pastor and Successor Trustees of The First Baptist Church of Georgetown, now known as Mt. Zion Baptist Church, by Deed dated October 23, 2007 and recorded October 26, 2007 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 3514, Page 207, did grant and convey unto Anthony V. Bright, in fee. Thereafter, the said Anthony V. Bright did depart this life on April 6, 2011, as will more fully appear in the Office of the Register of Wills in and for Sussex County, Delaware, in Will Book 605, Page 61, and pursuant to the Living Trust Declaration and Last Will And Testament of Anthony V. Bright and Virginia C. Bright Dated December 19, 2006, the said lands and premises did pass to The Anthony V. Bright Family Trust Dated April 6, 2011, in fee.

**SUBJECT** to all easements, restrictions, reservations, agreements and covenants of record, if any, affecting the property or the title thereto, together with the benefits of the same.









EXISTING NEIGHBORHOOD ZONING PLAN

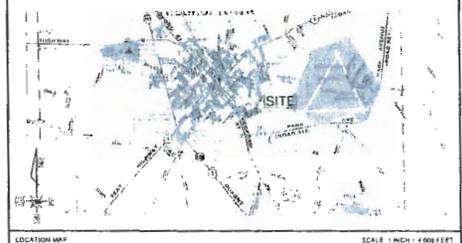
SHEET 1 OF 3 SHEETS	SITE PLAN FOR DOWNSIDE REVIEW	DATE 7/26/18	NEIGHBORHOOD ZONING <b>LYNCH LANE REZONING</b> LYNCH LANE TOWN OF GEORGETOWN SUSSEX COUNTY DELAWARE	 <b>LAND DESIGN</b> Surveying • Landscape Architecture • P.E. 33 Merritt Ave One Moore Drive #3 Dover, New Jersey 07801 908.320.1191 • 202.939.4289 FAX landdesign.com	REVISIONS
	REVIEW SU	DATE			

SOUTH BEDFORD STREET

**LYNCH LANE**  
(EXISTING 24' WIDE RIGHT-OF-WAY)

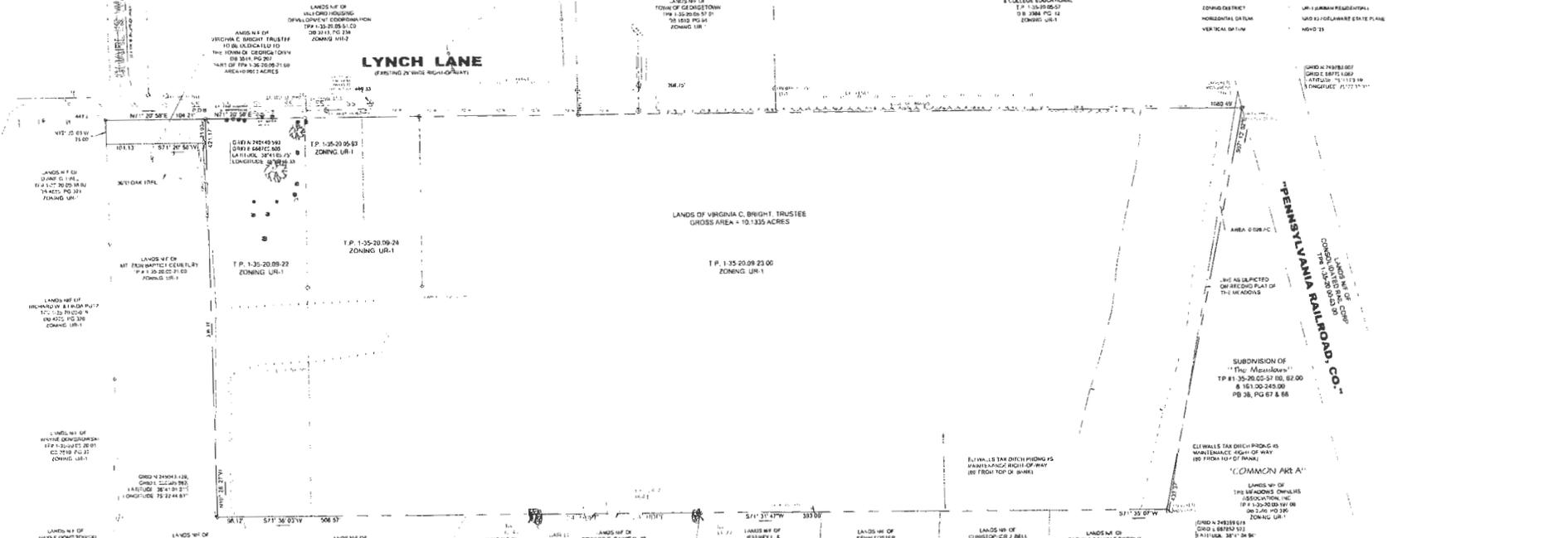
**LEGEND**

PROPERTY LINE	---
CENTRELINE	---
FENCELINE	---
TREELINE	---
CONCRETE	---
FOUNDATION FOUND	---
SEWER PIPE FOUND	---
REBAR FOUND	---
EMBEDDED REBAR ECT	---
SEW	---
UTILITY POLE	---
CATCH BASIN	---



**PLAN DATA:**

PARCEL TO BE: 10-24-23-02, 23-02, 24-02 PART OF 21-02 AND 22-02-02-02  
 DEED REFERENCE: 28-24-24 PG 87  
 OWNER: VIRGINIA C. BRIGHT TRUSTEE  
 44 HARRISON DRIVE  
 LOWER OF 1999  
 GROSS AREA: 10.1325 ACRES  
 ZONING DISTRICT: UR-1 (URBAN RESIDENTIAL)  
 HORIZONTAL CONTROL: 1983-1984 STATE PLAN  
 VERTICAL CONTROL: 1983-84



**BOUNDARY & TOPOGRAPHIC SURVEY PLAN**  
 FOR PROPERTY KNOWN AS  
**LANDS OF VIRGINIA C. BRIGHT, TRUSTEE**  
 PREPARED FOR  
**LAND DESIGN, INC.**  
 SITUATE IN:  
 TOWN OF GEORGETOWN \* SUSSEX COUNTY  
 STATE OF DELAWARE  
 TAX MAP# 1-35-20-09-22, 24, PART OF 21 & 1-35-20-05-03  
 SCALE: 1" = 50'

- NOTES:**
- 1 THIS PLAN IS VALID ONLY WHEN SIGNED IN RED INK AND EMBOSSED WITH A RAISED IMPRESSION SEAL
  - 2 THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARD OF ACCURACY FOR A SUBURBAN CLASSIFICATION
  - 3 NO TITLE SEARCH WAS PROVIDED OR PERFORMED
  - 4 AREA OF FUTURE LYNCH LANE DEDICATION (PART OF TP #1-35-20-09-21 00) LIES WITHIN AN EXISTING EASEMENT. THE EXISTENCE OR NONEXISTENCE OF HUMAN REMAINS IS NOT KNOWN AND PHYSICAL EVIDENCE WAS FOUND ON THE GROUND



APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
 PROFESSIONAL ENGINEER

DATE	REVISION	DRAWN BY	DATE

**MERESTONE CONSULTANTS, INC.**  
 ENGINEERS - PLANNERS - SURVEYORS

5215 W. WOODMILL DRIVE UNIT 1 FIVE POINTS CROSSING  
 WILMINGTON, DE 19806  
 PHONE 302-992-7900 LEWES, DE 19858 PHONE 302-262-7911  
 FAX 302-992-7811 FAX 302-262-7911

# TOWN OF GEORGETOWN - PLANNING COMMISSION

---

## Draft Meeting Minutes January 18, 2017

### ATTENDANCE

#### Commissioners

Gary Tonge  
Bob Ricker  
Linda Dennis  
John Painter

#### Staff

Jocelyn Godwin, Planning  
Tim Willard, Solicitor  
Jamie Craddock, Planning

#### 1. CALL MEETING TO ORDER

Chairman Tonge called the meeting to order in the Town Hall at 6:00 p.m.

Chairman Tonge announced the resignation of Commissioner Sue Barlow and thanked her for her many years of service to the Town.

Commissioner Ricker moved, seconded by Commissioner Dennis, to thank Sue Barlow for her service. **APPROVED (UNANIMOUS)**

The Commission would like to attend a Town Council meeting where the Council and Commission could present something to Mrs. Barlow.

#### 2. APPROVAL OF DECEMBER 21, 2016 MEETING MINUTES

Commissioner Ricker moved, seconded by Commissioner Dennis, to approve the December 21, 2016 regular meeting minutes as presented. **APPROVED (UNANIMOUS)**

#### 3. PUBLIC HEARING: Rezone Application CASE #2016-10

*An application by Dennis L. Schrader, Esquire, on behalf of Lynch Lane, LLC, for an official zoning map amendment from Urban Residential (UR1) to Townhouse Residential (MR2). The properties are located on Lynch Lane +/- 90' NE of Charles Way, Georgetown, DE identified as Sussex County Tax District 135 Map 20.09 Parcel 21.00 (Part of, 25' x 104'); 22.00; 23.00; 24.00 and Map 20.05 Parcel 93.00.*

Mrs. Godwin stated the public hearing was posted in the Countian on 12/22/16. The property was posted and the property letters mailed to neighboring properties on 1/6/17. Two pieces of correspondence were received. On 1/4/17 a letter from Eric Bodenweiser, 9 Lynch Lane, and four other residents within Cullen Acres, expressed concerns with the width of Lynch Lane and provided recommendations on how to route the traffic. On

1/17/17 an email from Josephine and John Waldecker with a list of questions and concerns regarding the Eli Walls tax ditch. Copies were provided to the Commissioners.

Dennis Schrader, of Morris, James, Wilson, Halbrook & Bayard, LLP, presented the application, along with Chris Kalil, Lynch Lane LLC, and Tom Ford of Land Design. A booklet was reviewed that had been provided to the Commissioners previously. The property had been addressed as a prior project known as Gingerberry. The property is 10.1335 acres with an additional .06 acres. The Comprehensive Plan designates the land as Medium High Density Residential.

Tom Ford provided a review of the site. The site is primarily open agricultural land with drainage outfall to the adjoining tax ditch. To the north is the Town water tower and the interfaith housing community. To the east is the railroad track. To the south is the Meadows community (single family homes). To the west is the Mt. Zion Baptist cemetery. Current zoning of UR1 allows 7,200 sf lots or density of 6 dwelling units per acre. Proposed zoning of MR2 allows for an increased density (up to 9/acre); however, proposing less than 5 units per acre. The zoning is in conformity with neighboring Acorn Acres (MR2) and the Town's 2010 Comprehensive Plan. The applicant will not be proposing any neighborhood business, as allowed.

The conceptual plan was shown of 12 buildings with 4 units. There would be 48 dwelling units which would be 4.8 units per acre. Greater than 70% of the site will be open space and less than 30% is impervious (which includes roads, buildings, parking, walkways and patios). The buffer will be addressed along the Meadows property line and the buildings will be set back greater than 100 feet from that property line.

Traffic pattern is to be determined. There are 3 ways to approach the site, West Way, Charles Way and Lynch Lane. A 50' wide ROW is needed and 25' will be added to the current 25'. A sewer manhole is available and a 12" water line. The water hydrant there now, would be moved.

The Commission questioned the tax ditch setback and the applicant stated they will request to reduce the 80' setback for the tax ditch to 25'. The traffic that will be generated is a concern, as well as the fact that the new Comprehensive Plan is being worked on and the future use of the land has not been addressed yet. The plan for Gingerberry was for 24 single family homes, approximately 48 vehicles, which now would be doubled to 96 vehicles for 192 trips per day. That volume would overburden Lynch Lane. The extension of Lynch Lane past Charles Way on the prior project created a dead end street with only one way to enter the property for emergency services. It creates a concern that one person could block the way in. Also, according to the Design and Construction Standards, any dead end street, which is what the extension of Lynch Lane will become, is supposed to have a cul-de-sac in it.

The Commission stressed that the intersection of Lynch Lane with South Bedford Street and South Front Street is a traffic problem now and a safety issue. The solicitor informed

the Commission that the traffic concerns would be addressed with the site plan. A traffic impact study could be requested for the site plan.

Chairman Tonge opened the meeting for public comment.

In Favor:

Eric Bodenweiser, of Lynch Lane, is concerned with traffic, the stop signs are not currently used, not against project, would like traffic to be routed to reduce concern as suggested in his letter.

Not in favor:

John Waldecker, of The Meadows, is concerned about the Eli Walls tax ditch and the children that cross through it. The overgrowth along the ditch needs to be cleaned out. Last clean out of the ditch was 10 years ago. Would like the impact to the Meadows to be considered.

Diane Hall, of Lynch Lane, expressed concern with the traffic on Lynch Lane which is not wide and has curbing on only one side.

Ed Dawicki, of The Meadows, asked if the units would be rented units or privately owned. (The applicant, Chris Kalil, stated that the units could be for sale or lease, depending on the market at the time.) Mr. Dawicki also expressed concern with the strain on the infrastructure, the schools are hurting now. There would also be a strain on the tax ditch. During storms, the ditch is to the top. The area is more suited to single family dwellings.

Karl Haller, used to live on Lynch Lane which is a very narrow road for traffic. Also the busy intersection will require consideration be given to the traffic flow.

Mary Haller, lives on South Bedford, about a block from the intersection. Traffic is very bad, difficult to get out of the driveway. Need to address the congestion and speeding of cars. Children and buses are a concern. There is a big difference between rentals and property owners such as number of cars. Pricing of the units can determine who lives there. Also concern if a fire and access to the fire by the fire department.

**Commissioner Dennis moved, seconded by Commissioner Ricker, to recommend DENIAL of the application due to serious concerns and approval would be for an unknown result. APPROVED (UNANIMOUS)**

**Poll vote:**

**Commissioner Painter – No (nay), against motion, the application is in line with the Comprehensive Plan and it looks fine.**

**Commissioner Dennis – As stated (yea), traffic, safety, in addition timing is everything and the Town is very close to having a new Comprehensive Plan and would feel better if it could be completed first.**

**Commissioner Ricker – Yes (yea), in favor of denial, for the reasons of traffic and issues discussed and even if it leans toward the Comp Plan, as said, things have changed since then in the last ten years and it will probably change with the update.**

**Chairman Tonge – No (nay), against motion, request to change zone meets the current Comprehensive Plan in place, concerns shared about traffic and tax ditch**

**that are to be addressed with the site plan process and by the different agencies involved with that process.**

**Motion to deny fails. Tie 2 yeas – 2 nays.**

Chairman Tonge closed the public hearing.

#### **4. BOA CASE #2016-15**

*An application by La Red Health Center, Inc., requesting from the Code of the Town of Georgetown a use variance from §230-170 E. to allow for two additional wall signs. The property is located at 21444 Carmean Way, identified as Sussex County Tax District 135 Map 14.00 Parcel 35.09, zoned HC (Highway Commercial).*

Kevin Loftus, of La Red Health Center, presented the application. The applicant stated that due to the size of the building, 25,000 sf, the existing sign on the front of the building is not adequate. Additional signage is needed to compete with their neighbors. There is competition for walk-in services. Additional signage would create awareness of those on 113 and 404. When the building was constructed, it was the only building in College Park in that section. The proposed signs are within the character and architecture of the building.

Chairman Tonge confirmed with the applicant that the Planning Commission does not make the decision, but a recommendation.

The Commission asked about the dimensions of the signs and how many complaints had been received in locating the building. The applicant stated the signs are 30” tall and 306” across and that no tracking had been done regarding complaints. Current signage is a small sign on the front and then the electronic sign out in front of the building.

Mrs. Godwin confirmed that the proposed signs do meet the Development Design Standards as far as the aesthetics with the building and percent of façade.

**Commissioner Dennis moved, without a second to recommend approval of the signs as presented. Motion failed.**

**Commissioner Painter moved, seconded by Commissioner Ricker, to recommend denial of the application as presented.**

**Poll vote:**

**Commissioner Painter – deny (yea), feels the request is based solely on the competitors signage. Not enough reason to grant the request.**

**Commissioner Dennis – in support of application (nay). They provide an important service to those in need and if they need a louder voice, she has no problem with that.**

**Commissioner Ricker – deny (yea), they have adequate signage including a digital sign that no one else has.**

**Chairman Tonge – in support (nay), no issue with the request, in Highway Commercial zoning, signage is not negative.**

**Motion to recommend denial fails. Tie 2 yeas – 2 nays.**

**5. Discussion: §230-179 A.**

The Commission discussed the requirement of the Commission making recommendation on Board of Adjustment cases. The Commission asked that the Board of Adjustment be asked if there is a value to the comments provided. No other municipality is known of that does the same process.

**6. Planning Department Report**

Mrs. Godwin reported that a Category 1 site plan for the Shops of College Park outpads was submitted for review. A predevelopment meeting has been scheduled for 20691 Dupont Blvd. A sign was approved by Planning for 133 East Market Street, same color scheme as previous. A reminder was given for the workshop on the Comprehensive Plan to take place on 1/31/17.

**7. ADJOURNMENT**

Commissioner Ricker moved, seconded by Commissioner Dennis, to adjourn the meeting at 7:47 p.m. **APPROVED (UNANIMOUS)**

APPROVED:

\_\_\_\_\_  
Gary Tonge, Chairperson

ATTEST:

\_\_\_\_\_  
Jocelyn Godwin, Planning

## Jamie Craddock

---

**From:** JOSEPHINE WALDECKER [jjwaldecks2@comcast.net]  
**Sent:** Sunday, January 15, 2017 3:50 PM  
**To:** Jamie Craddock  
**Subject:** Rezone Application Case #2016-10

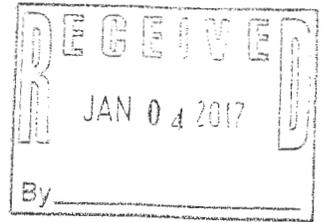
My husband John and I reside at 12 Goldenrod Drive, Georgetown, Delaware, (The Meadows of Georgetown). The Eli Walls Tax Ditch borders the back of our home and the adjoining property in this rezone application. The proposal to build multi-family homes brings up a lot of questions concerning the tax ditch.

Our concerns are as follows:

- \* With multi-family homes, probably means a lot of children
- \* Suppose home owners in the new development decide to put fences in their backyards, how will that affect ditch maintenance?
- \* Ditch maintenance should be done before any construction begins
- \* A right-of-way to maintain the ditch is on the field side and must be kept available
- \* Children crossing through the ditch is a major concern
- \* Why can't steps be taken to tile (pipe) the ditch?
- \* Why is it so long before each clean out of the ditch?
- \* The ditch is open down at Park Avenue and cleaned
- \* What impact will the buildings have on the ditch?
- \* Will water from the streets be diverted to the Eli Walls Tax Ditch?
- \* How will grading be done?

We plan to attend the rescheduled meeting on January 18th.

Eric R. Bodenweiser  
9 Lynchs Lane  
Georgetown, DE 19947  
ericbodie@comcast.net  
302 856 9395



1/4/17

Planning Department and Planning Commission  
Town of Georgetown  
39 The Circle  
Georgetown, DE 19947

Re: Lynch Lane, LLC Rezone Application Public Hearing scheduled for 1/18/17

Dear Planning Department and Planning Commission,

I am writing to you on behalf of myself and four other residents of Lynch Lane; Patty Bodenweiser, Diane Hall, Emily Brock and Debbie Jarvis. Together, we represent over 100 years of residency on this quiet little narrow road.

All of us agree that a person should be able to do whatever they want with their property so long as it is within reason. Generally speaking, we are not against the above referenced application. We all knew that growth would come to that property someday. Our tiny development is called Cullen Acres (the area including West Way, Charles Way and Lynch Lane) and it is a modest modular home development. Multi-Family Residential zoning is most certainly the best way for a developer to maximize the Lynch Lane, LLC property potential and in our opinion, the rezoning fits into the overall scheme of the area.

Our only concern is the additional vehicle and pedestrian traffic that will be generated from the addition of 50 homes and approximately 200 people that will eventually live there. A "lane", by definition, is a narrow road or alley. Lynch Lane is 20 feet wide, with little or no room for potential widening. Putting in curbing and a sidewalk seems to be about all that could be done there. A "way", by definition, is a road, path, track or street for traveling on. Charles Way is 19 feet wide but has plenty of room for potential widening along with the addition of curbing and sidewalks. West Way is 40 feet wide along and has an existing sidewalk and curbing.

We would like to see all the construction, vehicle and pedestrian traffic be caused to use West Way and Charles Way (not Lynch Lane) as “the way” to get to the townhouses. Also, we would like to see all vehicle traffic caused to travel slowly through Cullen Acres. Below is a proposal that might make these things happen:

1. Leave Lynch Lane exactly the way it is all the way from South Bedford to Charles Way by making Lynch Lane a dead-end street at the corner of Lynch and Charles. If you cannot make Lynch a dead-end street, then make it a one-way street, with vehicles traveling west to east only (from South Bedford Street towards the town’s water tower).
2. Put stop signs at all the corners of Charles, West and Lynch in every direction.
3. Build curbing and sidewalks along Lynch from the new townhouses all the way to Charles.
4. Build curbing and sidewalks along Charles from Lynch to West Way.

We hope you will seriously consider this proposal and will contact us with any comments or questions. We look forward to amicably working with you and the project’s developers.

Sincerely,

Eric R. Bodenweiser



Town Council of Town of Georgetown  
Public Hearing  
February 8, 2016  
Case #2016-10 Rezone Application  
Lynch Lane, LLC

We oppose the rezoning for the following reasons:

The owner does not know if the Townhouses are to be owner occupied or leased.

Traffic – there will be 96 parking spaces on the property. Lynch Lane is only a little larger than an ally with cars parked along one side. The owner says he will widen the road in front of his property that will not change the original Lynch Lane between South Bedford & the owner's property. Using Lynch as an entrance/exit to South Bedford Street, across from South Front St is a hard intersection to navigate with a lot of traffic both day and night. The other entrance/exit to South Bedford is Charles Way to West Way to South Bedford Street. Both of these streets have stop signs that are currently ignored. Acorn Acres uses the same streets to enter/exit. It has 24 units with an additional 48 parking spaces. This development would bring the total to approximately 144 vehicles make about 2 trips per day. That's a total of 288 trips. That will create a tremendous burden on those streets.

There is not be room for emergency vehicles to operate in case of emergency.

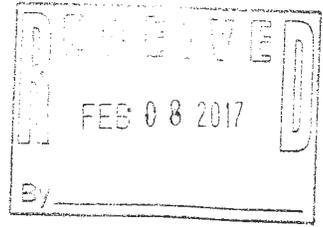
The families in the 48 townhouses/apartment would be a huge burden on our the schools, police, fire, all infrastructure.

The 48 townhouses/apartments would be a big burden on Eli Wallace tax ditch.

They would take away the area for wildlife.

Thank you for your consideration on this case.

Rosemary D. & Edward C. Dawicki Jr  
10 Buttercup Dr.  
Georgetown, DE 19947



Planning Department  
39 The Circle  
Georgetown, De 19947

February 6, 2017

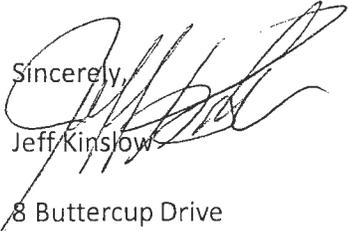
Dear Planning Department,

Please accept this letter in response to the notice we received dated Jan. 27, 2017 for an application by Dennis L. Schrader to change the zoning on Lynch Lane, Georgetown.

We want it on record we are very much opposed to the change. Our property backs to this property and when we purchased our property knowing the existing zoning. Also the addition of another townhouse community will bring even more problems and most of them most likely will be rentals. We already have people roaming in our yards at night and our vehicles have been broken into 4 times.

It just is not right to change zoning just so someone can make more money. The original zoning was set of a reason and we do not want to see it changed.

Sincerely,

  
Jeff Kinslow

8 Buttercup Drive

Georgetown, DE 19947



RESOLUTION 2017- 1

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$500,000 MAXIMUM PRINCIPAL AMOUNT OF A GENERAL OBLIGATION BOND IN ORDER TO FINANCE THE ADDITIONAL CONSTRUCTION COSTS ASSOCIATED WITH NECESSARY UPGRADES AND IMPROVEMENTS TO THE TOWN OF GEORGETOWN'S APPROVED KING STREET WATER TREATMENT FACILITY PROJECT AND ESTABLISHING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON.**

**WHEREAS**, The Town of Georgetown (the "Town") pursuant to Sections 5.9(a) (1 and 2) and 5.9(c), 65 Del. Laws Ch. 276, as amended (the "Charter") proposes to issue up to \$500,000 maximum principal amount of the Town's general obligation bond (the "Bond") in order to: (i) finance unanticipated, additional construction costs associated with upgrades and improvements to the Town's existing King Street Water Treatment Facility; and (ii) pay the costs of issuance of the Bond (collectively, the "Project");

**WHEREAS**, the Town has applied for a loan through the Delaware Department of Health and Social Services (the "Department") in order to provide additional funds to pay for the Project;

**WHEREAS**, the Department has issued a commitment letter authorizing a loan (the "Loan") to the Town from the Delaware Drinking Water State Revolving Fund (the "Fund") in an amount not to exceed FIVE HUNDRED THOUSAND DOLLARS (\$500,000) in order to supplement a prior loan received from the Fund in the amount of \$3,300,000, which closed on June 8, 2012 and which was provided to the Town for the primary purpose of financing the upgrades and improvements to the King Street Water Treatment Facility;

**WHEREAS**, the Loan will be at an interest rate of zero percent (0%) and principal forgiveness of the entire amount advanced to the Town under the Loan up to \$500,000 upon completion of the Project, with a repayment term equal to the construction period plus thirty (30) years in the event the Project is not completed and any amount advanced under the Loan up to \$500,000 needs to be repaid; and

**WHEREAS**, to authorize the borrowing of up to \$500,000 through the issuance of the Bond for the Project and in order to comply with the requirements of Sections 5.9(a) (1 and 2) and 5.9(c) of the Charter, the Town Council of the Town (the "Town Council"), through its adoption of this Resolution, hereby gives notice to the electors of the Town that the Town Council proposes to borrow an amount of money, not to exceed \$500,000 principal amount, to fund the Project, which is a permitted purpose under Section 5.9 of the Charter, and hereby establishes that a public hearing on the matter be fixed on **March 8, 2017, at 6:45 p.m., prevailing time**, in the Georgetown Town Hall located at 39 The Circle, Georgetown, Delaware 19947.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of The Town of Georgetown as follows:

1. The Town Council hereby gives notice to the electors of the Town that the Town proposes to borrow an amount of money, not to exceed \$500,000 principal amount, to fund the Project.

2. Pursuant to Sections 5.9(a) (1 and 2) and 5.9(c) of the Charter:

**Amount of Borrowing:** Total principal amount not to exceed \$500,000.

**Purpose for Borrowing:** The Town Council hereby finds that the Project constitutes the following, which is a permitted purpose for which money may be borrowed under Section 5.9 of the Charter:

Finance the unanticipated, additional costs associated with upgrades and improvements to the Town's existing King Street Water Treatment Facility, including, but not limited to, necessary upgrades to allow the Town to be in compliance with newly-enacted drinking water standards for PCE, TCE and VC.

**Manner of Securing the Same:** The Town will borrow the funds through the issuance of a general obligation bond of the Town to finance the Project and the full faith, credit and taxing power of the Town will be pledged to pay the principal and interest on the bond should such repayment become necessary due to non-completion of the Project.

**Amount Not to Exceed:** The amount of all other bonds, certificates of indebtedness, notes and other obligations of the Town issued and outstanding pursuant to Section 5.9(c) of the Charter does not exceed \$5,000,000.

**Other Facts Deemed Pertinent by the Town Council and in its Possession at the Time of This Resolution:** The Town anticipates that the Department will lend the Town the aggregate principal amount of up to \$500,000 at an interest rate of zero percent (0%) and principal forgiveness of the entire amount advanced to the Town under the Loan up to \$500,000 upon completion of the Project, with a repayment term equal to the construction period plus thirty (30) years in the event the Project is not completed and any amount advanced under the Loan up to \$500,000 needs to be repaid. This loan will enable the Town to complete the Project in order to ensure that the Town can comply with drinking water standards and regulations.

3. The Town Council hereby establishes that a public hearing on this Resolution and the proposed borrowing described herein shall be held on **March 8, 2017, at 6:45, prevailing time**, in the Georgetown Town Hall located at 39 The Circle, Georgetown, Delaware 19947, and hereby directs that notice of such hearing be published and/or posted as required by Section 5.9(a) of the Charter, by publication in a newspaper having a general circulation in the Town at least one (1) week before the time set for the public hearing.

ADOPTED AND RESOLVED this 22nd day of February, 2017.

By: \_\_\_\_\_  
Name: William E. West  
Title: Mayor

(TOWN SEAL)

Attest: \_\_\_\_\_  
Name: Stephen M. Hartstein  
Title: Secretary of Council

DRAFT

CERTIFICATE OF SECRETARY OF COUNCIL

The undersigned, Secretary of the Town Council of The Town of Georgetown, HEREBY CERTIFIES that:

The foregoing Resolution proposing borrowing a sum of money and authorizing a public hearing on such borrowing of the Town was duly moved and seconded and adopted by a majority vote of the Town Council of said Town at a duly called and convened public meeting of said Council held on April 25, 2012; and that the roll of the Town Council was called and such members voted or were absent as follows:

<u>Name</u>	<u>Vote</u>
William E. West, Mayor	(if tie)
Stephen M. Hartstein	
Rebecca Johnson-Dennis	
Chris Lecates	
Robert Holston	

and that such Resolution and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the Town this 22nd day of February, 2022.

(TOWN SEAL)

\_\_\_\_\_  
Stephen M. Hartstein  
Secretary of Council