

# TOWN OF GEORGETOWN - PLANNING COMMISSION

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## Meeting Minutes September 16, 2015

### ATTENDANCE

#### Commissioners

Gary Tonge  
Sue Barlow  
Linda Dennis  
John Painter  
Bob Ricker

#### Staff

Jocelyn Godwin, Planning  
Jamie Craddock, Planning

1. **CALL MEETING TO ORDER**

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

2. **APPROVAL OF AUGUST 19, 2015 MEETING MINUTES**

Commissioner Barlow moved, seconded by Commissioner Painter, to approve the August 19, 2015 regular meeting minutes as presented. **APPROVED** (Yeas – 4, Abstain – Ricker)

**PUBLIC HEARING:**

3. **ORDINANCE: Revision to § 230-5. Definitions**

Gene Dvornick, Town Manager, presented the current definition of Home Occupation and proposed modifications for it to include ‘The practice of cosmetology or barbering, limited to one chair’. The descriptions of cosmetology and barbering are specific as they are licensed by the State. The limitation of one chair keeps it a home occupation.

The Commission questioned if the ‘professional office’ was clear. Is it meant to be an office separate from the practice, such as for a physician. It was clarified that a home occupation is clearly where the office is in the home where the physician resides. No excessive traffic can be created.

The Commission was informed that the process for a Home Occupation includes a Business License to be issued as well as a Memorandum of Understanding is signed by the business owner that they understand the requirements of being classified as a Home Occupation.

The Commission suggested adding a tattoo parlor and massage as exclusions. Counseling/behavioral health was requested to be added as a professional office.

Chairman Tonge opened the hearing for public comment. No one was in attendance either for or against. Mrs. Godwin confirmed that no correspondence was received either for or against. The public hearing was closed.

**Commissioner Painter moved, seconded by Commissioner Barlow, to recommend approval by Town Council contingent upon the inclusion of counseling as a professional office and the exclusion of a tattoo parlor and massage. APPROVED (UNANIMOUS)**

**4. CASE #2015-18 Historic Review**

*An application by i3a Consulting Engineers, for approval of exterior renovations located at 101 East Market Street, identified as Sussex County Tax District 135 Map 14.20 Parcel 210.00 zoned HD (Historic District). This application was tabled at the July 15, 2015 Planning Commission Meeting.*

Ed Ide, of i3a Consulting Engineers, presented the application. Also in attendance was Joyce Talley, property owner. The building is currently brick, with T-111 siding. There is significant cracking on the structure and the steel support has failed causing the brick to fall forward. Structural reviews have been conducted. Applicant is looking to remove the brick and replace with cementitious siding (samples provided). The T-111 was removed to determine if taller windows remained underneath as requested by the Commission. The windows do not extend.

Following review of the Design Guidelines and review of neighboring buildings, it is proposed to use repainted, cementitious siding on the top half of the building and install an awning (as shown) with valence in place of the T-111 signage.

The Commission confirmed there will be structural modifications, as needed. The window frames will be kept, however the sills are rotted and will be replaced. The canvas awning is shown as blue (to pull from adjoining building) and additional colors were presented as options. It was asked if the awning could extend down the full length of the building to enhance the appearance. The lower portion of the building will be painted.

**Commissioner Painter moved, seconded by Commissioner Ricker, to APPROVE the application contingent upon the use of the beaded cementitious siding and with the proposed awning extended the full length of the building. Colors are to be reviewed by Planning Commission members prior to selection. APPROVED (UNANIMOUS)**

**5. CASE #2015-21 Historic Review**

*An application by Impact Graphix, on behalf of Delaware Community Foundations, for approval of signage and exterior painting located at 36 The Circle, identified as Sussex County Tax District 135 Map 14.20 Parcel 198.00 zoned HD (Historic District).*

Zeke Wing, of Impact Graphix, presented the application. Sample paint chips of the proposed color were presented to the Commission as the color is not accurate on printed paper. The application is for replacement of two signs (3' x 8' and 16" x 32") and the painting of two entry doors. The signage reflects the Foundation's new logo. The applicant stated portions of the signage would be raised.

The Commission expressed concern with the contemporary look of the sign and felt it did not look historical. The Commission asked if the Design Standards had been reviewed. Delaware blue was recommended as a more suitable color, warmer.

Mr. Wing stated he will address concerns with the applicant, as he did not design the sign.

**Commissioner Ricker moved, seconded by Commissioner Barlow, to DENY the application as presented. APPROVED (UNANIMOUS)**

**6. CASE #2015-10 Site Plan Review**

*An application by, Hoggard-Eure Associates, P.C., on behalf of BKGTT, LLC., for the conceptual and preliminary site plan review and approval for the construction of a 3,363 square foot fast food restaurant to be located at 20663 Dupont Boulevard, identified as Sussex County Tax District 135 Map 14.15 Parcel 53.03 zoned HC (Highway Commercial).*

Mark James, representing BKGTT, LLC, presented the application. The existing building will be taken down and replaced with a new Burger King and Philly Pretzel Factory along with a new parking lot, LED lighting, new landscaping and repaving of Burger King Drive. Color elevations were provided to the Commission.

There are five tenants to the road, each owning a percentage. The repaving will be done up to the car wash entrance. Mr. Dvornick commented that the Town has done a full title search for all of the owners. There are two easements, one for a utility pipe and one for maintenance of the roadway. The Town will contact all owners, ask that they abandon their claim to the roadway to the Town and the maintenance easement be abandoned so that the Town will secure funding and build the road to the Town standards. Contributions will be needed.

The Commission asked if the proposed elevations are the only option available. Mr. James stated Burger King instituted their standard across the board; however, if recommendations

are made by the Town, they could be addressed. The building is essentially on the same footprint. The dining room was reduced to provide space for the pretzel factory. There is a slight slope on the roof for run-off.

The applicant is asking for a waiver of the Design Standards regarding a minimum 10 foot wide planting area between the parking lot and the street right of way. There were no concerns expressed by the Commission with the request.

The dumpster location will be reviewed as it has shifted closer to Burger King Drive and may create problems if emptied during business hours. The dumpster is supposed to be emptied between 6 am and 8 am.

**Commissioner Painter moved, seconded by Commissioner Barlow, to APPROVE the application for preliminary approval and to grant the waiver requested contingent upon addressing the Town Engineer's comments. APPROVED (UNANIMOUS)**

**7. Planning Department Report**

Preliminary plans for Georgetown Marketplace and Seashore Crossing have been reviewed by the Town Engineer and could be coming before the Commission next month.

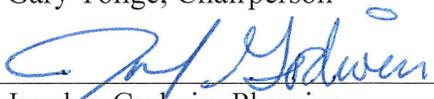
**8. ADJOURNMENT**

Commissioner Ricker moved, seconded by Commissioner Barlow, to adjourn the meeting at 7:13 p.m. **APPROVED (UNANIMOUS)**

APPROVED:

  
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Gary Tonge, Chairperson

ATTEST:

  
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Jocelyn Godwin, Planning