

# TOWN OF GEORGETOWN - PLANNING COMMISSION

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## Meeting Minutes July 15, 2020

### ATTENDANCE

#### Commissioners

Michael Barlow - absent  
Linda Dennis  
Penuel Barrett - absent  
Justin Illian  
Suraj Gyani

#### Staff

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

#### 1. CALL MEETING TO ORDER

Commission Vice Chairperson Dennis called the meeting to order at 6:00 p.m.

#### 2. APPROVAL OF APRIL 15, 2020 MEETING MINUTES

Commissioner Illian moved, seconded by Commissioner Gyani, to approve the April 15, 2020 regular meeting minutes as presented. **APPROVED** (UNANIMOUS)

#### 3. PUBLIC HEARING

##### A. CASE #2020-05 Rezone Application

*An application by Dolson & Long, LLC., for an official zoning map amendment from Neighborhood Business District (UB2) to Urban Business District (UB1). The property is located at 108 Cedar Street, identified as Sussex County Tax Map ID 135-14.20-304.00.*

Keith Long, of Dolson & Long, LLC, presented the application. The area has several projects improving the community and there is a strong need for housing.

The public hearing was opened for comments. No comments were made either for or against the project.

Planning confirmed that no correspondence has been received.

**Commissioner Illian moved, seconded by Commissioner Gyani, to recommend APPROVAL of the zoning map amendment to Town Council.**  
**APPROVED** (UNANIMOUS)

##### B. CASE #2020-07 Conditional Use Application - Shore Distributors

*An application by W & C Fisher Properties I, LLC., for conditional use for wholesale distribution located at 211 West Market Street, identified as Sussex County Tax Map ID 135-19.08-127.00, zoned Medium Residential District (UR2).*

David Hutt, representing Morris & Morris (contracted purchaser of the property), presented the application. Morris & Morris Limited Partnership owns the business Shore Distributors. Also in attendance is David Rutt, representing the property owners the Fishers. With the Morris & Morris team is the principal, John Morris, realtor John McClelland, and Scott Rogers, architect with Solutions IPEM. A packet of information, Exhibit 1, was distributed to the members.

Shore Distributors has been in business since the 1960's for wholesale plumbing supplies. There are 12 locations on the Delmarva peninsula, four in Delaware. Current location is at the intersection of Route 113 and Route 18. That location is shared with NAPA, who leases from them. DelDOT released plans for a flyover impacting their current location, so they are trying to stay in the Georgetown area.

The location at 211 West Market Street has been owned by the Fishers since 1961. The existing NAPA building was built in 1977. The business had been operating for 57 years, until November 2017.

The applicant reviewed the Town's code on the conditional use criteria of Section 230-231. The property is 1.26 acres and fronts on West Pine and West Market Streets. Just over 40,000 SF will apply to conditional use with the remainder to be subdivided off in the future for residential use. The zoning on either side of the property is UB3 and across the street is a blend of UR2 and UB3.

The existing structure, since 1977, is in need of repurpose and a facelift. The proposed use is similar to NAPA, but with less foot traffic. The structure will remain in the same footprint; however, will receive extensive exterior remodeling. The site plan shows that the angled parking has been straightened and the two spaces in the front yard setback have been removed. The dumpster will be placed next to the Town's pump station and screened with fence. Landscaping will be updated and include a type 3, 15' wide landscaping buffer from the remainder of the lot. Signage will be upgraded with wall signage on two facades, for visibility along West Market, and the existing ground sign will be utilized.

Recommended conditions were presented and discussed with the Commission. In summary, the Zoning Map shows similar uses in the area. There will be limited hours of operation and all operations will be indoors. The need for the use is proven by the company being in existence since 1960. There is minimum effect on neighbors as the building already exists, it will be spruced up and generate minimal traffic. The conditions offered provide sufficient safeguards and allow minimal impact to the neighbors.

Commissioner Illian expressed concern with the nearby school and safety of the kids. Consideration regarding timing of tractor trailer truck deliveries was requested. The exterior upgrade of the building is needed to conform to the surrounding area.

Mr. Morris explained that the typical truck route is from Salisbury distribution center to Dover, Milford Georgetown, etc. Summer is the heaviest demand, 80% to 90% of deliveries are from 10 am until 2 pm, fleet is being converted to box trucks, excellent driving record and safety meetings held regularly with their drivers.

Commissioner Gyani questioned the loading dock access and agreed with a box truck there should be sufficient room. The applicant also pointed out that it is one way around the building to ease flow of traffic and they have tested a tractor trailer and it maneuvered fine.

Vice Chairperson Dennis questioned noise and the applicant confirmed that all equipment is indoors and there will be no industrial processes onsite.

Vice Chairperson Dennis asked if anyone wished to speak for or against the application.

David Rutt, representing the owners (Fishers), confirmed that for the record the property had been owned and operated as NAPA store for 60 years as an almost identical operation with mostly wholesale vs retail generating little traffic. On a personal note, as the owner of 122 & 126 West Market Street since 1998, there have been no issues or concerns with the business and he has no objection to the application.

Janice Jones, representing 200 & 202 West Market Street, asked to confirm hours of operation and if there would be deliveries after hours. The hours were provided of M-F 6 am to 6 pm, Sat 6 am to 2 pm, Sun closed. Mr. Morris confirmed there would be no deliveries after hours.

Janice Jones also asked about improvements to be made to the building. The applicant provided the proposed elevations and confirmed no additions will be made to the building. The lot in the rear will be subdivided off for residential use.

**Commissioner Illian moved, to recommend APPROVAL of the application to Town Council.**

Solicitor Willard reviewed Conditional Use code noting that approval could be tied to the submitted site plan and with conditions.

Commissioner Illian withdrew his first motion.

**Commissioner Illian moved, seconded by Commissioner Gyani, to recommend APPROVAL of the application to Town Council contingent upon following the presented site plan, with the proposed conditions of Tab 9 presented by the applicant and satisfaction of the Town Engineer's comments.**  
**APPROVED (UNANIMOUS)**

**4. HISTORIC REVIEW  
CASE #2020-14**

*An application by Paynter House, LLC., for the approval of a 12.7' x 21.8' addition to an existing storage building at 26 The Circle, identified at Sussex County Tax District 135 Map 19.08 Parcel 76.00, zoned HD (Historic District).*

Tim Willard, of Paynter House LLC, presented the application. Addition to storage garage utilizing same semi hip roof design, and colors for structure and shingles. The addition will remove two parking spaces, reducing the count of parking from 14 to 12, which is still sufficient with nine employees. The whole structure will be insulated for climate control.

**Commissioner Illian moved, seconded by Commissioner Gyani, to APPROVE the application as presented.  
APPROVED (UNANIMOUS)**

**5. PUBLIC COMMENT**

No public comment was provided.

**6. Planning Department Report**

The Commission was provided updates on projects and the status of the Comprehensive Plan. Once remaining staff updates are provided to consultant, a draft plan will be provided for review.

**7. ADJOURNMENT**

Commissioner Illian moved, seconded by Commissioner Gyani, to adjourn the meeting at 7:07 p.m. **APPROVED (UNANIMOUS)**

APPROVED:



Linda Dennis, Vice Chairperson

ATTEST:



Jocelyn Godwin, Planning