

# TOWN OF GEORGETOWN - PLANNING COMMISSION

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## Meeting Minutes October 16, 2013

### ATTENDANCE

#### Commissioners

Rodney Marvel  
Chris Lecates  
Diane Greenberg  
Gary Tonge  
Chester Johnson

#### Staff

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

#### 1. CALL MEETING TO ORDER

Commissioner Marvel called the meeting to order in the Town Hall at 6:00 p.m.

#### 2. APPROVAL OF AUGUST 21, 2013 MEETING MINUTES

Commissioner Johnson moved, seconded by Commissioner Lecates, to approve the August 21, 2013 regular meeting minutes as presented. **APPROVED (UNANIMOUS)**

#### 3. PUBLIC HEARING: Amendment to Comprehensive Plan

Gene Dvornick, Town Manager, presented a proposed Comprehensive Plan Amendment to the Transportation section of the Town's current plan. The verbiage to be added was read as provided in the Town's Preliminary Land Use Service (PLUS) application scheduled for review by the PLUS committee on October 23, 2013.

The amendment is being requested by DelDOT prior to a project proceeding at the intersection of Route 113 and Route 9. The financial impact to the developer to correct an already unacceptable level of service at the intersection would be detrimental to the project

The Commission Chair Marvel opened the meeting for public comment. No comment was received either for or against the amendment. Mrs. Godwin confirmed that no correspondence was received either for or against. The Commission Chair closed the public comment period.

The Commission members individually stated their support to the Town Council for the amendment as presented. Commission Chair Marvel suggested it would be beneficial if the local governments worked with the state Economic Development group to review DelDOT's impact on expenses to developers.

4. **CASE #2013-20** **Historic Review**

*An application by 226 Main Street, LLC, for approval of exterior renovations to be made at 130 East Pine Street, identified as Sussex County Tax District 135 Map 15.17 Parcel 153.00 zoned HD (Historic District).*

John Rishko, of 226 Main St. LLC, presented the application. Applicant would like to remove the exterior wooden staircase on the rear of the house and to cover the existing siding with vinyl siding of the same color. The Fire Marshal has no objection to the steps being removed.

The applicant confirmed there are asbestos shingles that will be covered up due to the expense to remove them. All architectural elements will be kept and painted to match existing colors. Railings are not required according to code, preexisting.

The Commission confirmed the building is going from four living units to two rental units. The applicant was commended by the Commission for tackling such a huge job and doing it right.

**Commissioner Tonge moved, seconded by Commissioner Lecates, to APPROVE the application for removal of the exterior stairs and the replacement of siding with vinyl siding as presented. APPROVED (UNANIMOUS)**

5. **CASE #2013-22** **Historic Review**

*An application by New England Tea and Bean, LLC, for approval of two historic signs and exterior alterations and furniture to be located at 21 East Market Street, identified as Sussex County Tax District 135 Map 14.20 Parcel 206.00 zoned HD (Historic District).*

Ted Ray, of New England Tea and Bean LLC, presented the application. Tables and chairs are no larger than 36" leaving seven feet of clearance for walking. The umbrellas would provide six feet of height clearance and if the width is a problem, the applicant offered to have the umbrellas cut in half and placed against the walls.

The Commission expressed concern about the replacement tree coming and clearance around it. Applicant was asked to keep furniture tight to the building to allow movement along the sidewalk, especially during Town events.

The sidewalk condition along North Race Street was questioned by the Commission. As the property owner is responsible, the Code Enforcer for the Town will address any concerns. The Commission confirmed the awnings will be burgundy, twenty occupants are permitted inside the business at a time, hours of operation will be 7 am until 7 pm (7 days a week) and all outdoor furniture will go in at night. The signs will be 1 1/2" thick and are metal with PVC in the middle.

The applicant stated that in addition to his request, he would like approval to place 12” decals of the ship logo on each window of the business. Visibility through would remain around the decal.

**Commissioner Lecates moved, seconded by Commissioner Greenberg, to APPROVE the application contingent upon the following:**

**A border is to be added to the sign design, the trash can is to be approved by the Town and removal of umbrellas from the application.**

**APPROVED (UNANIMOUS)**

**6. CASE #2013- 19 Site Plan Review**

*An application by Parker and Associates, on behalf of Franchise Management Services, Inc., for the conceptual site plan review of a 2,100 sq. foot drive thru donut shop. The property is located on RT 113 Southbound between Comfort Inn and Hardees, identified as Sussex County Tax District 135 Map 14.00 Parcel 35.02 zoned Highway Commercial (HC).*

Brock Parker, of Parker and Associates, presented the application. Nick Nistazos was also in attendance. The applicant gave an overview of the site. An existing stormwater pond will serve their site, as well as the hotel next door, and needs maintenance. The trees will be left in the back and the growth in the front will be thinned out. There is an existing outfall structure for discharge into the underground tax ditch system.

The Commission questioned the turn radius for fire trucks and deliveries. The applicant is currently working with DelDOT on the issue.

The Commission asked that the applicant ensure that the illumination from their lighting be kept on-site.

**7. CASE #2013-09 Site Plan Review**

*An application by Landmark Science & Engineering, on behalf of Beacon Hospitality II, for the preliminary site plan review and approval of a 78 room hotel. The property is located at the southeast corner of Old Laurel Road and US 113, identified as Sussex County Tax District 135 Map 19.00 Parcel 63.01 zoned Highway Commercial (HC).*

Keith Kooker, of Landmark Science & Engineering, presented the application. Also in attendance were Chad Moore, Bob Ruggio and Bob Stickels.

The hotel has been moved further south and centered on the property. For stormwater management, the pond has been reshaped; however there is no change in the discharge. The traffic generated by a hotel is less than the original plan with offices. Sewer will be extended from the manhole at the Easter Seal's entrance. There will be a five foot sidewalk across the front of the property.

There will be no cooking of food on the premises. Any food provided will be pre-packaged. The architectural drawings provided in blue have been changed to gray and were shown to the Commission.

Commission Chair Marvel stated that while the meeting is not a public hearing, due to the public attendance, public comment may be given.

Jack Hickey, resident of the Village of Cinderberry and president of the HOA and POA, stated that the Village was in opposition of the project. The residents have met with the developers and their major objection is with the height of the building.

Kathleen Pfeiffer, resident of Cinderberry and secretary of the HOA and POA, expressed concern on the substandard quality of the Microtel (in company with Super 8, Econolodge & Red Roof) and the height of the building. It was stated there are no four story buildings along Route 113. There are three story Microtels in Dover and Salisbury. Concern was also expressed regarding the dumpster and the noise from emptying it, as well as, the line of sight and that people would be looking into their backyards.

**Commissioner Tonge moved, seconded by Commissioner Lecates, to APPROVE the site plan application contingent upon outside agency approvals and satisfactory response to the Town Engineer's comments. Poll vote:**

**Commissioner Johnson – Yes**

**Commissioner Tonge – Yes, agrees with height concerns, however; site plan meets the criteria of the Code, no legal reason to deny.**

**Commissioner Lecates – Yes, same opinion on height, however; code allows it.**

**Commissioner Greenberg – Yes, same opinion on height and agrees with residents, however; due to site plan and no legal reason to deny.**

**Commission Chair Marvel – Yes, it meets the Zoning Code.**

**APPROVED (UNANIMOUS)**

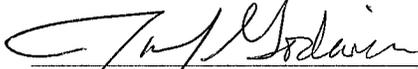
## **8. Planning Department Report**

No updates from the Planning Department.

9. **ADJOURNMENT**

Commissioner Tonge moved, seconded by Commissioner Lecates, to adjourn the meeting at 7:27 p.m. **APPROVED (UNANIMOUS)**

APPROVED:   
Rodley Marvel, Chairperson

ATTEST:   
Jocelyn Godwin, Planning