

PLANNING AND ZONING COMMISSION
MEETING MINUTES
December 18, 2025

1. The meeting was called to order by Kent Liddle at 4:00pm with the Pledge of Allegiance. Commission Members Maly, Sigvardson, DiNoto, and Nicholson were in attendance. Planning, Zoning & Development Director Ken Cimino, Town Solicitor Max Walton, and Planner Jill Oliver, Engineer Jim Lober were present. Donna Schwartz, Town Clerk, was also present. The meeting was being held at 32 West Avenue.

2. **APPROVAL OF AGENDA**

A motion was made by Mr. Maly, seconded by Mr. Sigvardson, to approve the agenda. The motion was carried unanimously 5/0.

3. **APPROVAL OF MINUTES**

A motion was made by Mr. Nicholson, seconded by Ms. DiNoto, to approve the minutes of November 20, 2025. The motion was carried unanimously 5/0.

4. **NEW BUSINESS**

A. P-362 100 Atlantic Avenue (PIDN:083.000/CTM#134-12.00-429.00)

Mr. Liddle said Application P-362, a land development site plan submitted by Plitko, LLC, on behalf of the property owner, A-1 100, LLC, for the purpose of establishing a general business (design showroom open by appointment only), in an existing structure at 100 Atlantic Avenue.

Mr. Lober read his comments for the Concept Site Plan A1 100 LLC Property, by Plitko Engineering, dated 10/27/25

Based on our review we have the following comments.

General

1. The plan proposes an overall lot coverage of 79.8%. The maximum allowable lot coverage for GB-1 zoning is 50%. A variance will be required to allow coverage beyond 50%.
2. Correct the maximum building area coverage listing under the building setbacks to read "maximum lot coverage." The 50% coverage includes all buildings, structures, and impervious cover.
3. Field shot topography will be required on the preliminary plan.
4. §140-79-B(6) requires a 10 ft. wide easement around the perimeter of the property. Given the existing developed condition of the site, and the fact that the on-lot drainage will not need to be redesigned, the Department has discretion over the easement requirement. Provide the perimeter drainage easement to the

greatest extent possible given the location of the existing building up to the 10' required.

5. Should it be deemed that a dumpster is necessary it will need to be depicted on the plan and located and screened in accordance with code requirements.
6. The existing paver walk will need to be deemed ADA compliant in order to remain as the only access to the front of the building.
7. It appears that a portion of the entrance drive around the building exists outside of the property boundary. The plan will need to propose the removal of any improvements beyond the property line.
8. Provide the height of the existing building on the plan.
9. Depending on the type of sign proposed for the use, a variance may be required given the limited space at the front of the site to locate the sign.
10. Provide dimensions from the property line to each of the walls of the structure that encroach into the required setback.
11. Although it is not a requirement of the plan, a breakdown of the gross floor area addressing each use, e.g., office space, showroom space, storage, etc. would be helpful to support a parking analysis and/or variance application.
12. Moving forward, additional comments will be provided regarding specific plan requirements as each level of plan review is achieved through the process.

Parking and Loading

1. The use, as proposed, of a by-appointment only builder design center showroom qualifies as a service use that requires one parking space for each 250 square feet of floor area. The parking space requirements are based on the entire gross floor area of the building. The required parking for the proposed use in the existing building requires 15 parking spaces. If the required number of spaces cannot be provided, Planning and Zoning may consider a parking study prepared by a qualified traffic analyst justifying that fewer spaces are sufficient to provide parking for the use as proposed.
2. The parking spaces, as currently shown in the front of the property, cannot be utilized without potentially obstructing the use of the public sidewalk in the right-of-way along Atlantic Ave. Provide only 1 ADA compliant parking space in the front of the building and ensure that it can be accessed from within the bounds of the subject parcel.
3. Any parking spaces proposed in the gravel area to the rear of the building will need to be diagrammatically depicted on the plan to

verify dimensional compliance and delineated in the field with parking bumpers.

4. One (1) separate loading space is required by §140-60 for service uses between 2,000 and 10,000 sq.ft. §140-60-B(3) allows the loading space requirement to be eliminated if it can be shown that the character of the particular use makes loading facilities unnecessary. Given the proposed use as by-appointment only, the Department would be willing to eliminate the requirement for the loading space should the applicant be willing to commit to notes on the recorded plan requiring that loading take place outside of appointment hours.

Landscaping, Screening and Lighting

1. Landscaping, screening, and lighting will be required to comply with the code. Variances will need to be obtained for relief from any requirements that cannot be met. Existing vegetation on-site can be utilized to support the landscaping and screening requirements should it be proposed to be maintained.

Floodplain

1. The building will need to comply with the requirements of §116-5(C). Variances will need to be obtained for relief from any requirements that cannot be met.

Wetlands

1. Delineate the wetland buffers as required by the code. Any existing structures, impervious cover, within the buffer area will be required to be removed in accordance with §116-16B.

Outside Agency Approvals

1. Given the unique nature of the existing condition of the site, and the number of variances that will be required to permit the proposed use to be approved, approvals from DelDOT and the State Fire Marshal will be required prior to the acceptance of the preliminary plan and any variance requests, as any site plan modifications required by those approvals will need to be incorporated into the site layout prior to final variance determination, hearing by the Board of Adjustment, and potential preliminary plan approval.

Variances

1. At this point, the Department has identified that variances from the following categories may be required. We will not be able to

complete the variance list or the specific variance descriptions until the site layout has been finalized.

- a. Maximum lot coverage
- b. Sign location
- c. Minimum screening width
- d. Parking area design standards
- e. Setbacks (driveway, steps, building)

Mr. Cimino noted that this property was vacant, dormant and an eyesore. The applicant has cleaned up the property; it will be a productive property.

Mr. Ray Blakely, Plitko, was present and spoke briefly about the property. He said he was in receipt of Mr. Lober's letter. He noted that the plan was for a builder custom design center, which would be ADA compliant in front of the building, they will add an addition in the rear possibly. Mr. Blakely stated that he will identify variances needed and get Fire Marshal approval.

Mr. Lober noted that a study was needed for parking. Mr. Liddle inquired about the setbacks, asking if they were too close. Mr. Lober replied, yes, on the front and sides.

Property owner Mr. Mark Engle noted that the property was in disrepair when he purchased it. He said he is respectful of the code, and he will work with the challenges. It will be an appointment only business, The building is structurally sound and meets FEMA requirements.

PUBLIC COMMENTS -None

PUBLIC COMMENT CLOSED

No vote taken, concept plan only.

5. ADJOURNMENT

A motion was made by Ms. DiNoto, seconded by Mr. Maly, to adjourn the meeting at 4:19pm. The motion was carried unanimously 5/0.

Respectfully submitted,
Donna M. Schwartz MMC