

PLANNING AND ZONING COMMISSION
MEETING MINUTES
April 20, 2023

1. Chairperson Liddle called the meeting to order at 4:00 p.m. with the Pledge of Allegiance. Commission Members Curran and Nicholson were in attendance. Planning, Zoning & Development Director Ken Cimino, Planner Jill Oliver, Town Solicitor Veronica Faust, Town Engineer Jim Lober, and Town Clerk Donna Schwartz were also in attendance. The meeting was held at 32 West Avenue. Ken Sigvardson was not in attendance.
2. **APPROVAL OF AGENDA**
A motion was made by Mr. Curran, seconded by Mr. Nicholson, to approve the agenda as presented. The motion was carried unanimously 3/0.
3. **APPROVAL OF MINUTES**
A motion was made by Mr. Curran, seconded by Mr. Nicholson, to approve the minutes of February 16, 2023. The motion was carried unanimously 3/0.
4. **NEW BUSINESS**

**P-344 - Minor Subdivision 31 Woodland Ave and 28 Central Ave Tax Map ID:
134-12.00-319.00 & 560.01**

Mr. Cimino read the following comments from Mr. Lober:
Dimensional Regulations

1. Addressed
 - It appears that the lots have been reconfigured to provide the minimum 75 ft. of lot width. Label the front lot line for each parcel.
 - The minimum lot width for a single-family lot in R-1 zoning is 75 ft. There is sufficient distance along the Woodland Avenue frontage of the subject parcel to provide at least 75 ft. of width for each lot. Provide a code compliant lot configuration in accordance with §140-28 & §140-78. Variances from the Board of Adjustment would be required for each proposed lot not meeting the required lot standards.
2. The variance application has been received and the request will be heard at the Board of Adjustment Hearing Scheduled for 4/20/23
 - a. Please contact the Town regarding the variance previously described.
 - i. The proposed subdivision line through parcel 134-12-319 places the existing accessory structure on the proposed lot 3 with no primary structure. §140-25 requires that accessory structures be incidental and subordinate to primary structures. The pole barn will need to be removed prior to recordation of the final plan, or a variance will need to be

obtained from the Board of Adjustment to allow it to remain.

3. No further action required
 - a. Addressed
 - i. Show the setbacks on each lot.

Topography

1. No further action required
 - a. Addressed
 - i. Include topographic contours on the plan at vertical intervals of 0.5 ft.

Floodplain

1. Addressed
 - a. Depict the boundary of the floodplain on the plan.
 - i. Depict the boundary of the floodplain on the plan.

Utilities

1. Given the depth of the lots and the potential distance from the sanitary main to the constructed homes, verification of the invert of the sanitary main will be required in order to ensure that connection is feasible. Please contact the County for assistance with removal of the manhole lids so that the invert information can be collected.
 - a. Invert information for the sanitary sewer main will be required to be included on the plan so that feasibility of connecting to the main can be established. Show the water main across the frontage of the subject parcel. A copy of the as-built plan is attached to this correspondence.
 - i. Show both the sanitary sewer main, including detailed as-built information, and the water main across the frontage of the subject parcel. Contact Sussex County for sanitary sewer as built information. Contact Tidewater Utilities for water main information.
2. The sanitary lateral shown at the northeast corner of the parcel appears to be intended for connection by lot 1. Previously approved plans for construction of the new home on the adjoining lot appear to show the same lateral being used. Verify if the lateral in question was used for connection by the adjoining property and propose a new lateral connection to the main as necessary.
 - a. Show proposed tie-ins for both sewer and water for each lot.
 - i. Show proposed tie-ins for both sewer and water for each lot.

Mr. Liddle asked if the pole barn would be incorporated into lot #3. Mr. Curran asked if the pole barn was part of 28 Central Avenue. Mr. Cimino said it would become part of lot #3, if the property is subdivided. He said they can approve subdivision with conditions as outlined in Mr. Lober's comments. Ms. Jill Oliver was sworn in and said that a note must be added to the site plan about the variance that was granted by the Board of Adjustment earlier in the day.

Ms. Gichner was sworn in and said her intention was to divide the property into 3 lots for her three children who would eventually build houses.

Mr. Liddle questioned whether the pole barn could be used for a business even though it is in a R-1 district. Ms. Oliver noted that some home based businesses can be approved. Mr. Curran asked if there were any R-1 businesses. Ms. Oliver replied that it was subject to code.

A motion was made by Mr. Curran, seconded by Mr. Liddle, to approve the minor subdivision application P-344 subject to final site plan approval on recordable plan. The motion was carried unanimously 3/0.

6. ADJOURNMENT

A motion was made by Mr. Curran, seconded by Mr. Nicholson, to adjourn the meeting at 4:27pm. The motion was carried unanimously 3/0.

Respectfully submitted,
Donna M. Schwartz, MMC.
Town Clerk

