

Planning & Zoning was held on Wednesday, September 8, 2021, at 7:00 p.m. in the Mayor & Council Chambers at Laurel Town Hall. The following members were in attendance Planning Chair Brent Boyce, Planning Members: Angie Calio-Quillen, Bill Hearn, Randy Radish, and Dan Ash. Also in attendance were Director of Code Enforcement Ken West, Recording Secretary Alexis Oliphant, and Town Manager Jamie Smith. It was noted that Planning Members Bill Martin and Randy Hill were absent.

Planning Chair Boyce stated the purpose of September 8, 2021 Planning & Zoning is to decide the Preliminary Approval regarding the Mariana Laurel Residential, Subdivision +LPD-OD Request, Discount Land Road, Tax Map # 232-12.00-65.00.

Planning Chair Boyce advised a public hearing was held on Wednesday, August 11, 2021 regarding the Mariana Laurel Residential, Subdivision + LPD-OD Request, Discount Land Road, Tax Map #232-12.00-65.00. Planning Chair Boyce stated a presentation was made by Mr. Dave Kuklish from Boehler and comments were made by the public that were addressed by Town Manager Smith, Mr. Kuklish, and developer Mr. Lou Ramunno. Planning Chair Boyce addressed the largest concern pertaining the public is the impact on Discount Land Road due to traffic. Planning Chair Boyce stated the fire departments concern is on-street parking. Planning Chair Boyce advised the developer has met the preliminary requirements and as growth comes departments grow. It was explained Discount Land Road is under the authority of Del-DOT. The issue of the Fire Department is addressed in the conditions.

Town Manager Smith stated a list of conditions were provided to Planning & Zoning for their review. The list of conditions mimics the previous development proposed in 2010. She advised Planning & Zoning can review the conditions and propose changes to guidelines if they choose. **Town Manager Smith reviewed the list of conditions below.**

- 1. Maximum number of residential units shall not exceed 410, consisting of 63 single family homes, 179 town homes, and 168 condominium units. There shall be no changes to the maximum units as broken down, without approval from the Laurel Planning & Zoning.**
- 2. All entrances, etc. shall be completed by applicant in accordance with Del-Dot.**
- 3. Laurel Planning & Zoning is requesting that the developer work with DelDOT to establish an emergency entrance for emergency vehicles only.**
Planning & Zoning proposed to utilize the area of the Right of Way to Utilities regarding Emergency Entrance/Exit.
- 4. All Stormwater Management, etc, in accordance with State of Delaware & Sussex Soil Conservation District Req. The storm water pond maintenance will be the responsibility of the developer.**
- 5. Streets when completed in accordance with the Town of Laurel Utility Ordinance and accepted by the town shall be dedicated to the Town of Laurel (Final decision on condominium parking areas to be determined).**

- 6. All curbs and sidewalks shall be the responsibility of the homeowners or homeowners' association.**
- 7. The water utility system infrastructure shall be installed to the Town of Laurel's Utility Ordinance specification throughout the entire LPD. The infrastructure when completed (does not include private property or common areas/amenity areas/inside condominiums), shall be dedicated to the Town of Laurel.**

Town Manager Smith advised the water system infrastructure will be inspected by the towns engineer and the costs would be covered by the developer.

- 8. The sanitary sewer system infrastructure shall be installed to the Town of Laurel's Utility Ordinance specification throughout the entire LPD. The infrastructure when completed (does not include private property or common areas/amenity areas/inside condominiums), shall be dedicated to the Town of Laurel. . Inspection throughout the install of the infrastructure shall be conducted by the Town of Laurel's engineer, at the expense of the developer.**
- 9. Community residential trash containers shall be stored in garages or fully enclosed cabinets or corrals.**
- 10. Community commercial trash dumpsters shall be stored in fully enclosed pens or corrals.**
- 11. Street lighting within the community shall be standard Town of Laurel "Granville" Fixture on fluted 12' poles as supplied by Delmarva Power.**
- 12. All signage shall adhere to Laurel Zoning Ordinance Standards.**
- 13. All house numbers must be of a permanent type, securely fastened on front of buildings and comply with the specifications of the Laurel Town Code.**
- 14. All accessory buildings shall comply with the Laurel R-1 residential height, area, and bulk requirements.**
- 15. Street trees planted between the curb & sidewalks or within median planting strips shall be installed at the minimum rate of two (2) tree per residential unit.**
Planning & Zoning recommended 2 trees per residential single unit. Planning Chair Boyce advised a Landscape Plan will be submitted with their Final Plan.
- 16. There shall be no off street parking. The Home Owners Association can work with the Town of Laurel Planning & Zoning to allow for special limited hour parking for events, etc.**

- 17. The height area and bulk requirements shall conform to the Zoning Ordinance or as specified by the P&Z Commission.**
- 18. Both a Landscaping Plan and a plan specifying the style of architecture, including fencing, throughout the entire community, which should reflect and complement the existing residences in downtown Laurel, shall be developed and submitted to P&Z for approval prior to issuance of building permits.**
- 19. Phasing of construction of improvements including roads with estimated timeline shall be submitted to P&Z for approval.**
- 20. Restrictions shall provide for establishment of Homeowners Association to maintain common areas and such restrictions shall be executed & recorded prior to settlement on sale of the first unit and/or lot.**
- 21. The Restriction/Maintenance Declaration shall be submitted to the Planning & Zoning and Town of Laurel's attorney prior to execution and recordation.**
- 22. The common areas shall be deed restricted to remain in perpetuity as open, common, & recreational areas for residents to be maintained by Homeowners Assoc; etc.**
- 23. Bike paths & sidewalks shall be designed so as to be tied in with similar amenities on adjoining properties when & if they are developed.**
- 24. All water meters and sewer clean outs must be 2 feet out by the curb.**
Planning & Zoning recommended water meters and sewer cleans outs to be 2 feet from the backside of the curb.
- 25. All state agency approvals must be obtained from that controlling state agency (DelDOT, DNREC, Soil Conservation, Etc.) which the Town of Laurel has no control or authority over and final approvals of those agencies must be supplied with the submission of the final site plan.**
- 26. Any hazardous bulk storage must be removed from the LPD or amendment to Zoning Ordinance approved by the Mayor and Council.**
- 27. All streets, sidewalks, utilities, etc. must meet all town codes as specified in the Town Utility Ordinance**
- 28. All stie plans must meet requirements in Zoning Ordinance.**

Town Manager Smith inquired if Planning & Zoning had any questions or any other proposed guidelines. Planning Member Calio-Quillen inquired about the design process. Town Manager Smith stated the design phase is listed as a condition on the list. Planning Member Hearn proposed to list a 5-inch Fire Hydrant quartz valve requirement. Planning Member Radish inquired the status on the state approvals pertaining the development. Mr. Kuklish stated the Del-DOT Traffic Study

is under review. Mr. Kuklish advised once they receive Mayor & Council approval, they can begin receiving further approvals from the state. Town Manager Smith advised once they receive the Del-DOT Traffic Impact Study they will make the necessary requirements needed. Planning Member Radish advised with those conditions the Planning & Zoning Committee has done our due diligence and the proposed development meets our town zoning codes and the developer has been very respectful to our community.

Planning Member Radish made a motion to approve the Preliminary Plan regarding Mariana Laurel Residential, Subdivision, + LPD-OD Request, Discount Land Road, Tax Map #232-12.00-65.00 with conditions to recommendation for Mayor & Council approval. Planning Member Calio-Quillen seconded the motion. Vote was 5-0, with Planning Member Martin and Planning Member Hill absent.

Town Manager Smith stated the proposed Preliminary Plan will go in front of Mayor & Council on Monday, October 18, 2021. Town Manager Smith advised a public hearing will not be held and Mr. Kuklish will make his presentation to Mayor & Council. Once Mayor & Council approves recommendation from Planning & Zoning, they will come back with Final Site Plan to Planning & Zoning.

The Planning & Zoning Minutes of Wednesday, August 11, 2021 were presented for review and adoption. Planning Member Radish made a motion to accept the August 11, 2021, minutes with the proposed amendments. Planning Member Ash seconded the motion. Vote was 5-0, with Planning Member Martin and Planning Member Hill absent.

Town Manager Smith stated the town is looking into updating their Zoning Ordinance regarding Special Use Permits. Town Manager Smith advised any zoning recommendations will go in front of Mayor & Council and a public hearing will be held.

A resident near Discount Land Road questioned if the town has inquired anymore food stores in our area. Town Manager Smith advised a business looks at growth in a town and businesses will not come if the area can't sustain it.

A resident near Discount Land Road inquired if the proposed development will over-flow the sewer the system. The resident advised he read an article regarding an over-flow that happen in the town in the Laurel Star. Director of Code Enforcement West stated there was no, sewer over-flow and if an over-flow occurs it must be reported to the state. Town Manager Smith stated the towns wastewater plant is at 55% and when the town is at 80% the town must submit a plan for improvements to DNREC. Town Manager Smith advised developers must pay impact fees that goes into an escrow account which helps with upgrades and repairs to the wastewater plant.

With there being no further matters to discuss, Planning Member Radish made a motion to adjourn the meeting. Planning Member Ash seconded the motion. Vote was 5-0, with Planning Member Martin and Planning Member Hill absent.

Meeting Adjourned at 7:51 p.m.