

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JULY 6, 2020**

Mayor Murray called the Regular Meeting of the Mayor and Council of the Town of Selbyville to order at 7:00 o'clock p.m. Councilmen Jay Murray, Frank Smith, Clarence Tingle and Richard Duncan were in attendance.

The meeting was properly posted.

1. Opening of the Regular Meeting –

- A. Call to order. Mayor Murray opened the meeting and welcomed everyone.
- B. Mayor Murray led the audience in the Pledge of Allegiance.
- C. Reading of the Certificate of Election by Town Administrator, Stacey Long. There was a total of 182 votes with Jay Murray receiving 85 votes, Richard Duncan, Sr. receiving 75 votes and William Thompson receiving 22 votes.
- D. Due to the absence of Councilman Richard Duncan at the last meeting, Mayor Murray swore him in at this meeting.
- E. Presentation of the Minutes of the June 22, 2020 meeting by Mayor Murray. Councilman Smith made a motion to dispense with the reading of the minutes and to approve them as presented. Motion seconded by Councilman Tingle and carried by all.
- F. Presentation of the July 1, 2020 bills by Mayor Murray. Councilman Smith made a motion to pay all bills as presented. Motion seconded by Councilman Tingle and carried by all.

2. Mayor's Report & Comments:

Mayor Murray had nothing to report at this time.

3. Visitors in Attendance:

Everyone in the audience attended pertaining to the previous Planning & Zoning meeting which was held on June 30, 2020.

4. Reports:

A. Police Report – J. Murray.

Councilman Murray reported there were 463 calls for service, 270 tickets and 19 various arrests issued in the month of June and the fine money for the month of May has not been received yet.

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Chief Collins reported everything is nice and quiet.

B. Code Enforcement – S. Long

See report for the month of June.

C. Water Report – R. Duncan

See report for month of June. Councilman Duncan reported that the town continues to meet all State and Federal testing requirements. All the dead ends are being flushed continually to keep the water clear. The CCR report is finished and is available at the Town Hall. He stated the operators are doing a good job.

D. Public Works – R. Duncan

Councilman Duncan stated the street department has been busy cutting grass, reading meters, painting and other odd jobs around town. The storm drain on Hall St. has been repaired which eliminated a problem we had on McCabe St. with drainage.

E. Recreation Dept. – R. Duncan

Councilman Duncan reported Chief Collins has been using the ball field. A few more things have been added to make it more attractive and hopefully that will encourage more usage of the field. A grant has been applied for a Pickle Ball court and equipment.

F. Sewer Report – F. Smith

See report for the month of June. Councilman Smith reported that the plant performed within the required permit parameters for the month.

Councilman Smith asked Jason Loar, the town's engineer about the pipe force main. Jason reported the pump station upgrades has been submitted to DNREC for permit & approval. They are still working in conjunction with DelDOT on the actual pipeline. He hasn't heard anything from them in approximately three months.

In order to inform Jay Griffith of Mountaire, Councilman Smith reported they have switched from oxidation ditch #1 to oxidation ditch #2 and have incurred some expenses. One of the mixers needs to be replaced and also the clarifier needs to be cleaned.

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G. Planning & Zoning – J. Murray

Councilman Murray reported that the Planning & Zoning Commission met on June 30, 2020 to discuss numerous items. (See minutes)

Councilman Murray reported the first item on the agenda was a Conditional Use request for parking and storage in the rear of the property located at 32 Clendaniel Avenue, TMP #5-33-16.11-35.00. Brandon Doyle is the property owner and he is selling his property to Haines Fabrication which is located next door. They want to extend their business to allow for storage and parking of equipment on the rear of the adjacent property. It is the recommendation of the Planning & Zoning Commission that the Mayor & Council grant this Conditional Use request. Councilman Tingle made a motion to grant this Conditional Use request for parking and storage. The motion was seconded by Councilman Duncan and carried by all.

Councilman Duncan explained the second item on the agenda was for a boundary line adjustment and preliminary plan approval for Creekhaven, a 72 lot single family subdivision with an RPC overlay on Polly Branch Road. Chris Carbaugh, engineer with the Atlantic Group, stated the boundary line adjustment is to combine parcels 5-33-16.00-92.00 and 81.01 together to allow for the subdivision, however, they are retaining a small lot where the previous house was and that would remain parcel 81.01.

Also, Mr. Carbaugh stated they are seeking preliminary plan approval for the Creekhaven subdivision. It is currently zoned R-4 and they are requesting an RPC overlay on the subdivision. There's over 40% open space retained with a community park. The developer believes there is a significant demand for single family homes on smaller lots than other types of housing. That being said, they are requesting the following waivers as permitted within Section 200-36.D of the Zoning Code:

1. Minimum lot size for single family home
 - a. Reduced from 9,000 sf to 7,320 sf
2. Minimum lot width for single family home
 - a. Reduced from 75 feet to 61 feet
3. Rear yard setback
 - a. Reduced from 30 feet to 20 feet
4. Number of RV and boat parking spaces required
 - a. Reduced from 15 spaces to 8 spaces

Daniel Bunting, the developer, stated that the homes will be between 1,500 sf -2,200 sf and will start in the \$225,000 and up to attract those in the workforce. He explained there has been a Traffic Impact Study completed and shows that a development of this size will not be a huge impact on this road. The speed limit has been extended to 25 MPH past the curve heading out of town. It is the recommendation of the Planning & Zoning Commission that the Mayor and Council approve this request. Councilman Smith questioned about the impact of traffic in that area. Mr. Bunting stated they are working diligently with DeIDOT to address the situation. Councilman Smith asked if they were

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going to do any landscaping on the front of the property. Mr. Bunting stated they are considering an entrance monument and some landscaping on the side.

Councilman Duncan made a motion to accept the Planning & Zoning Commission's recommendation to approve the boundary line adjustment for Creekhaven for the two above mentioned lots. The motion was seconded by Councilman Tingle and carried by all.

Councilman Duncan made another motion to accept the Planning & Zoning Commission's recommendation to approve the preliminary site plan as presented. The motion was seconded by Councilman Tingle. **It is noted in the Minutes that Councilman Jay Murray and Councilman Frank Smith abstained from the vote. Therefore the motion was carried by Mayor Murray.**

The next item on the agenda was a request for final plan approval for Schooner Landing which consists of 129 lots on 65 acres located at the corner of Polly Branch Road and Lighthouse Road. Chad Warren, the developer's engineer, stated that this development has the RPC overlay district, with a clubhouse and pool area with 20 parking spaces and required boat and RV storage. This project was granted preliminary approval in November 2018 by the town. All state agency approvals have been received for the project. The town's engineer has reviewed the final plan and recommends final plan approval since the project meets all the requirements of the RPC district. Alan Halle, the developer, stated there will be sufficient amount of street lighting and the cemetery will be cleaned up and landscaped with parking next to it for anyone visiting the cemetery. They plan on starting site work on this project around the first of the year. It is the recommendation of the Planning & Zoning Commission that the Mayor and Council grant the final site plan approval. Councilman Duncan added that Mr. Halle has taken into consideration the water run off issue and it has been addressed. A motion was made by Councilman Duncan to approve the final plans for Schooner Landing. The motion was seconded by Councilman Tingle and carried by all.

The third item on the agenda was for placement of an accessory storage building at 38070 DuPont Blvd. for X Squad Dance Studio. Mr. Bob Palmer of Beacon Engineering stated that the business needs a storage building to store equipment associated with their business. Sussex Conservation and Fire Marshal approvals have been issued and DelDOT has emailed a Letter of No Contention approval. DelDOT has requested that the north driveway be ingress and the south driveway be egress. He stated the storage building will be approximately 3,000 sf and will be of the same material and colors of the existing dance studio. Our engineers have reviewed the site plan and has recommended this minor modification to the site plan be approved as it meets all requirements of the General Commercial zoning district. It is the recommendation of the Planning & Zoning Commission that the Mayor and Council approve this request for an accessory storage building. A motion was made by Councilman Tingle. It was seconded by Councilman Duncan and carried by all.

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The last item on the agenda was for a preliminary plan approval for Selbyville Self Storage on Hosier St., Baker Alley and Dukes St. Ext. for four 2,400 sf self-storage buildings. Mr. Palmer explained the preliminary plan has been submitted to Soil Conservation District and they are proposing to do some upgrades to the existing drainage system surrounding the property for better drainage. The plan has also been submitted to the Fire Marshal and is currently being reviewed. The town's engineer has reviewed the plans and are recommending preliminary plan approval. Mr. Palmer stated the existing storm drain goes down Dukes Street Extended and flows into the creek. They are planning to remove and replace this with new pipes to meet elevation requirements and to provide better drainage. Councilman Murray stated that there needs to be some screening between the residential homes on the south side of the property. Mr. Palmer continued by stating that the plans are to have lighting over the garage doors and one illuminating their sign. There will be 2 buildings first and the other 2 buildings at a later time and with no water or sewer connection being proposed. There will be 2 entrances and exits and will be two-way traffic on both. They will also have 2 retention ponds. It is the recommendation of the Planning & Zoning commission for the Mayor and Council to approve the preliminary plans for Selbyville Self Storage. A motion was made by Councilman Duncan, seconded by Councilman Smith and carried by all.

H. Industrial Park – C. Tingle

Councilman Tingle reported a meeting has been scheduled for July 15th for one applicant.

I. Annexation Report – C. Tingle

No report at this time.

J. Administration – C. Tingle

No report for the month of June.

K. Administration – S. Long

Stacey reported on the demolition of the old Town Hall. She has received two quotes. One was from L & H Excavating, Inc. in the amount of \$19,000 which includes labor, material, and demolition, removal of all debris, concrete block and footing. The other quote was from Mitchell's Excavating. He submitted two options, one was to demolish the building and clean up the debris but leaving the front part of the building in the amount of \$15,600 and the other option was to completely demolish the building and clean up the debris in the amount of \$20,600. Councilman Smith stated it would be nice to put up a nice pole building for storage of their equipment. Councilman Duncan stated it was put in the budget to put up a pole building with an office for the water treatment employees and public works. He stated it would be nice to get all of our equipment out of Site B and store it close by without having to move it around. Councilman Tingle made a motion to table the issue at this time. The motion was seconded by Councilman Smith and carried by all.

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In conclusion, Stacey reported on the status of Old Timer's Day. It has been cancelled for this year due to the limited restrictions because of the COVID-19 pandemic. It will continue next year and we are hoping to incorporate the 90th anniversary of the police department along with it and the Chamber is looking forward to getting prepared for that.

Mayor Murray asked if anyone had any other concerns they wanted to discuss.

There being no further business to discuss Councilman Smith made a motion to adjourn the Regular Session and go into Executive Session to discuss legal and personnel matters. Motion seconded by Councilman Tingle and carried by all.

Mayor Murray adjourned the regular session to go into executive session and thanked everyone for attending.

Respectfully submitted,

Deborah L. McCabe
Secretary/Treasurer

EXECUTIVE SESSION