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Mayor
Richard A. Duncan, Sr.
Council
Dr. Carol R. Cary
Monroe B. Hudson, Jr.
Chris S. Snader, Sr.
Gary L. Steffen
Town Administrator
Stacey L. Long

Report of the Annexation Committee Meeting August 29, 2023

Chairwoman Carol Cary called the meeting to order at 2 o'clock p.m. Also in attendance were Councilmen Chris Snader and Gary Steffen and Town Administrator Stacey Long.

The meeting was properly posted.

Re: Investigate the possibility of annexing certain territory, contiguous to the present limits of the Town of Selbyville, owned by Selbyville Partners, LLC, identified as Sussex County Tax Map and Parcel No. 5-33-18.00-18.00, containing 47.734 acres, more or less; and to amend the Zoning Map and Zoning Ordinance of the Town of Selbyville to include said territory in the R-4 Residential District, with a Residential Planned Community (RPC) overlay.

Re: Investigate the possibility of annexing certain territory, contiguous to the present limits of the Town of Selbyville, owned by Bunting Holdings, LLC, identified as Sussex County Tax Map and Parcel No. 5-33-18.00-11.00, containing 36.592 acres, more or less; and to amend the Zoning Map and Zoning Ordinance of the Town of Selbyville to include said territory in the R-4 Residential District, with a Residential Planned Community (RPC) overlay.

Chairwoman Cary read the requests as presented. She then turned the meeting over to Daniel Bunting to detail and describe the parcels. Daniel introduced Coleman Bunting and John Hoffman, also members of the development team. Daniel stated that they have a 48-acre parcel to the north and a 36-acre parcel to the south, located directly across from Bunting Construction and the Merritt Marine office on east Route 54. He stated that both parcels are within the town's annexation limits and have been identified as priority for annexation by the town in the town's Comprehensive Plan. Daniel stated that the project includes subdividing the southernmost parcel to include 10 acres of future commercial. As a whole, the project is approximately 149 single family lots with a 2,500 square foot commercial hub, a smaller coffee shop or fast-food space and a 9,000 square foot restaurant space in the back. He noted that the property is contiguous to the town through the Kingfisher development.

Daniel provided a rendering of the proposed commercial area for the committee to review. He stated that they have been in talks with local brewer Jeff Hammer from Big Oyster Brewery. Daniel provided a copy of a commitment letter from Mr. Hammer stating that he is excited to work with both the developer and the town to bring this possibility to fruition. Daniel stated that Mr. Hammer's Lewes locations are barn style brewing operations. The proposed rendering was designed to his specifications and includes a 9,000 square foot facility with abundant parking and outdoor playground space. In the future commercial area, Daniel stated that they'd like to bring in businesses to serve the surrounding residents, such as dry cleaning or gym, along with a coffee shop, such as Starbucks, and another restaurant option. Daniel acknowledged that it's a long view plan but that they're very excited about it.

Daniel went on to discuss the annexation process. He stated that they have been in communication with Town Manager Stacey Long and that they have also received a letter from the town's attorney. He stated that they are slightly uncomfortable with the attorney's recommendation to annex both parcels as R-4 Residential and to then come back later with a subdivided plan with the hope of getting Commercial zoning. He stated that the risk as the developer is that if they never get the Commercial zoning they need, then the whole project is mute. He stated that that risk is just too great to take for this particular project. Referencing both the town's Future Land Use Map and the County's Future Land Use Map, Daniel stated that County's Future Land Use Map deems it more favorable for what they're trying to do. The county's developing area can have mixed commercial and residential use.

Daniel stated that they are here today to see how the project can be brought into the town in a way that satisfies both the town and the developer. As the developer, he stated that they'd like to bring both parcels in at once. Daniel requested the town to amend the Comprehensive Land Use Plan to change the Residential/Agricultural parcels to Residential/Commercial before annexing them into town. The parcels would then appear as Residential/Commercial on the town's Future Land Use Plan prior to annexation.

On an additional note, Daniel stated that Sussex County has agreed to release both parcels to the town of Selbyville to be served for sewer. He added that both properties are in Artesian's CPCN to be served by water and that they do not want to release the CPCN for water. Daniel referenced the current inter-connect with the Town of Selbyville and Artesian. It would take additional communication and effort from all parties, but town engineer Jason Loar believes the properties could receive sewer service from the town and water service from Artesian. Daniel concluded by acknowledging it is a lot to consider.

Town Administration Stacey Long explained that the town's Comprehensive Plan is the number one rule. You can't annex a piece of property into town and zone it differently than what our Comprehensive Plan says it is. The Comprehensive Plan must be changed to reflect the desired zoning prior to the annexation. She stated that the town petitions the Preliminary Land Use Service (PLUS) for review by all applicable state agencies, a process takes 30 to 45 days.

All committee members believe the proposed location is ideal for commercial growth.

Stacey stated that the Annexation Committee will need to make a recommendation to the Mayor and Council to amend the town's Comprehensive Land Use Plan. Councilman Snader made a motion to amend Map 8 of the town's Comprehensive Land Use Plan entitled Areas of Potential Annexation from Residential to Mixed Residential and Commercial identified as Tax Map and Parcel 533-18.00-11.00. Motion seconded by Councilman Steffen and carried by all.

Chairman Cary read the letter from Jeffrey Hammer of Big Oyster Brewery into the record. A copy of that letter is attached to these Minutes. Optimistically, Daniel stated that he would like to break ground on the project within 4 years, following the development of the Kingfisher project and increased sewer capacity. Mr. Hoffman stated that it will be a huge amenity for the surrounding communities. Chairman Cary stated that the beauty of the potential annexation is that it completes the town's annexation to the east. She thinks it will be a welcome addition with the commercial development.

Stacey advised Daniel that he would have to present all information, including the letter from John Ashman concerning the county's sewer requests, to the Mayor and Council at the September 11, 2023 meeting so that they can make an informed decision.

There being no further business to discuss, Councilman Snader made a motion to adjourn the meeting. Motion seconded by Chairman Steffen and carried by all.

Respectfully submitted by the Annexation Committee.



Carol R. Cary



Christopher S. Snader



Gary L. Steffen



TOWN OF SELBYVILLE
MEETING SIGN-IN SHEET

Annexation Committee

Type of Meeting

Date: 8/29/23

	Name (Please Print)	Representing
1.	<u>COLEMAN BUNTING</u>	<u>SELBYVILLE PARTNERS LLC</u>
2.	<u>JOAN HOFFMAN</u>	<u>"</u>
3.	<u>DANIEL BUNTING</u>	<u>"</u>
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