

**TOWN MANAGER'S REPORT**  
**FOR THE JULY 10, 2018 TOWN COUNCIL MEETING**

◆ **Planning, Zoning & Development Department Activities**

The Town is pleased to announce that Kenneth Cimino has been selected to replace Charles McMullen. He began his employment with the Town on June 25<sup>th</sup>. His previous work experience, knowledge and level of skills will be a true asset to the Town.

- ◆ The Board of Adjustments met on Thursday, June 21, 2018 to hear one variance request:  
**A. (V-370) 50 Bennett Point Lane (PIDN: 408.232/Sussex CTM#: 134-17.00-975.00)**

V-370, submitted by K Hovnanian Homes of DE, LLC, with the permission of the property owners JoAnn and Jeff TATNALL, seeking a variance from Article VII, § 140-50-B of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. §140-50-B sets some dimensional regulations for Planned Communities, allows Town Council to set other dimensional regulations and indicates that dimensional regulations not defined will comply with those set forth in §140-28 (R-2) for single family parcels. The required side yard setback for accessory structures, as defined in Ordinance 214 adopted by Town Council on March 6, 2007 is 3 feet in the Ocean View Beach Club, Residential Planned Community (R.P.C.).

This variance seeks to allow the applicant to maintain an existing mechanical unit within the required side yard setback on property zoned Residential Planned Community (RPC), at 50 Bennett Point Lane (PIDN: 408.232 / Sussex CTM#: 134-17.00-975.00).

The meeting minutes will be approved on July 19<sup>th</sup> and posted to the Town's website for review.

- ◆ The Planning & Zoning Commission met on June 21, 2018 to hear the following three applications:

**A. (P-311) 3 Town Road (PIDN: 284.080/Sussex CTM: 134-13.00-1100.00)**

Review of a Preliminary Land Development Site Plan submitted by Mr. Ronald Gay in conjunction with application P-311, to establish a general business on property zoned GB-1, located at 3 Town Road (PIDN: 284.080 / Sussex CTM#: 134-13.00-1100.00).

**B. (P-313) 14 Betts Avenue (PIDN: 127.000/Sussex CTM#: 134-12.00-320.00)**

Review of a Preliminary Land Development Site Plan for Application P-313, submitted by the property owners Jane Tribbitt, Nancy Rhodes and Laura Hickman, seeking the subdivision of a single improved lot to create five (5) lots on property zoned R-1, located at 14 Betts Avenue (PIDN: 127.000 / Sussex CTM# 134-12.00-320.00).

**C. (P-315) 44 Atlantic Avenue (PIDN: 305.000/Sussex CTM#: 134-12.00-657.00)**

Review of a revision to a Previously Approved Site Plan submitted by Keith & Bonnie Gordon of Bonkey's Ice Cream & Snoballs, with the permission of the property owners, D & B Ocean Gateway, LLC, in conjunction with application P-315, for the purpose of creating a general business on property zoned GB-1 (General Business District 1), located at 44 Atlantic Avenue (PIDN: 305.000 / Sussex CTM# 134-12 00-657.00).

The meeting minutes will be approved on July 19<sup>th</sup> and posted to the Town's website for review.

- ◆ Staff has processed 1,085 Business & Rental Licenses in 2018.
- ◆ Staff processed Gross Rental Receipt Tax for the period ending February 15, 2018 in the amount of **\$187,653.00**.
- ◆ Staff processed Gross Rental Receipt Tax for the period ending August 15, 2018 in the amount of **\$2,000.00**.

◆ **Ocean View Beach Club Community**

Staff met with representatives from Ocean View Beach Club to discuss changes that could be made to reduce the number of requests for variances by new homeowners. It was a good meeting and I feel like we cleared up a lot of murky issues. They will be meeting with their sales team to relay the new information.

- 1.) Jim Lober will provide the builder with the Residential Planned Community District Ordinance 214 and KHov will provide the HOA documents for the community to the Town.
- 2.) KHov will request that "outdoor showers may not be enclosed" or some similar language to lines and grade plans that have a shower rough in near the setbacks. The buyer would be asked to sign off on the lines and grades plan. The Town will seek to find a way that the signed plan can be submitted as part of the building permit application to be on file with the Town.
- 3.) AC units were discussed and the general consensus was that AC units can be allowed but only if they are not interfering with drainage and are staggered with the AC units on the adjacent homes. AC units will not be considered accessory structures, which will permit them to project into side and rear setbacks.
- 4.) Knee walls on patios will no longer be considered an accessory structures but part of the patio.
- 5.) An average 8% slope on a driveway is okay, and in some circumstances, warping the driveway in a very small section to over 8% is okay if it must be done to meet a lead walk for example. Again, the emphasis is on small area.

◆ **Tidal Walk Community**

A pre-construction meeting for Phase I was held with representatives for the new community called Tidal Walk, consisting of 50 units, which will be built off of Muddy Neck Road. The Town will be represented in the field by The Kercher Group. Weekly activity reports from Kercher will be sent to Ken Cimino. Building permits will not be issued by the Town until the Conservation District is satisfied with the Erosions and Sediment controls in place. No work may proceed on-site until the Conservation District has signed-off on the installation of the perimeter controls. The bonding for Phase I has been received by the Town. A separate pre-construction meeting and bonding shall be required for each additional phase of construction. The Town will be asking the regional postal service in New Jersey for a zip code change from 19945 to 19970 for this community.

◆ **Silverwoods Community**

A bond has been posted for Phase 3A. An on-site inspection to reduce the bond for Phase 1 will be conducted by the Kercher Group on July 10. Bob Thornton has also requested that the council consider allowing a hotel or some type of lodging facility to be built in the community. The letter has been include in the council packet.

◆ **Fairway Village Road Paving & Utility Work – Revised Schedule**

Due to equipment problems, specifically the tack truck, paving did not begin the 1<sup>st</sup> week of July. The contractor will be mobilizing equipment into Fairway on Friday 7/6 and begin prep work and plans to pave the clubhouse parking areas on Monday 7/9. They will begin final paving on Tuesday on Fairway Drive from Masters Drive to Masters Drive, Golden Eagle Drive from Masters Drive to Fairway Drive and Josephine Lane from Fairway Drive to Augusta Drive.

When the contractor begins the final paving, the streets noticed will be blocked and no one will be allowed to travel on them, especially after the tack coat is applied. If driven on or walked in it will stick to everything.

◆ **Fairway Village Landscaping**

Passwaters Landscaping began planting the trees on Thursday, June 28<sup>th</sup>. The planting was due to be completed by June 15<sup>th</sup>. However, the heavy rains earlier in June changed many scheduled landscape projects. Several homeowner's raised concerns about the late planting of the trees and their ability to survive during the heat of the summer. Todd Moyer, Development Coordinator with Capano, LLC, has stated he shares the same concerns and that the trees will be kept watered. Any trees that do not make it through the summer will be replaced at by the contractor.

◆ **Drainage Issues/Complaints**

The office fielding many complaints from property owners throughout the Town regarding drainage issues due to the heavy rains during June. The DPW staff responded to several calls to remove debris from clogged pipes and down tree limbs.

- ◆ A meeting with the Sussex Conservation District has been scheduled July 11<sup>th</sup> to discuss storm water management and other drainage issues.

◆ **Re-Roofing Wallace A. Melson Municipal Building, Project 2018-03**

Received photos from EDiS of the condition that was noticed while installing flashing along the rear dormer walls. This condition was only noticed on the parking lot side dormer.

**Picture #1:** The existing drip edge does not return back on itself to create a closure at the end of the drip edge.

**Picture #2:** No cap trim was installed at plywood/fascia board.

The open end at the existing drip edge has been infilled with foam and caulked to help deter water infiltration. Currently this is a temporary fix and should be addressed when the work on the exterior building envelope proceeds. The cap trim issue will also be addressed during the restoration of the building envelope. We are waiting for the official report to determine if there is a material defect of the Hardie Plank on the outside of the building.

◆ **Survey Results for Property Tax Assessment Providers**

I was asked to query other City and Town Managers to see who they use to determine property assessment values. The following responses were received:

- County Assessor's Office
- Tyler Technologies
- PTA/DeVal
- Trietley Appraisal Services

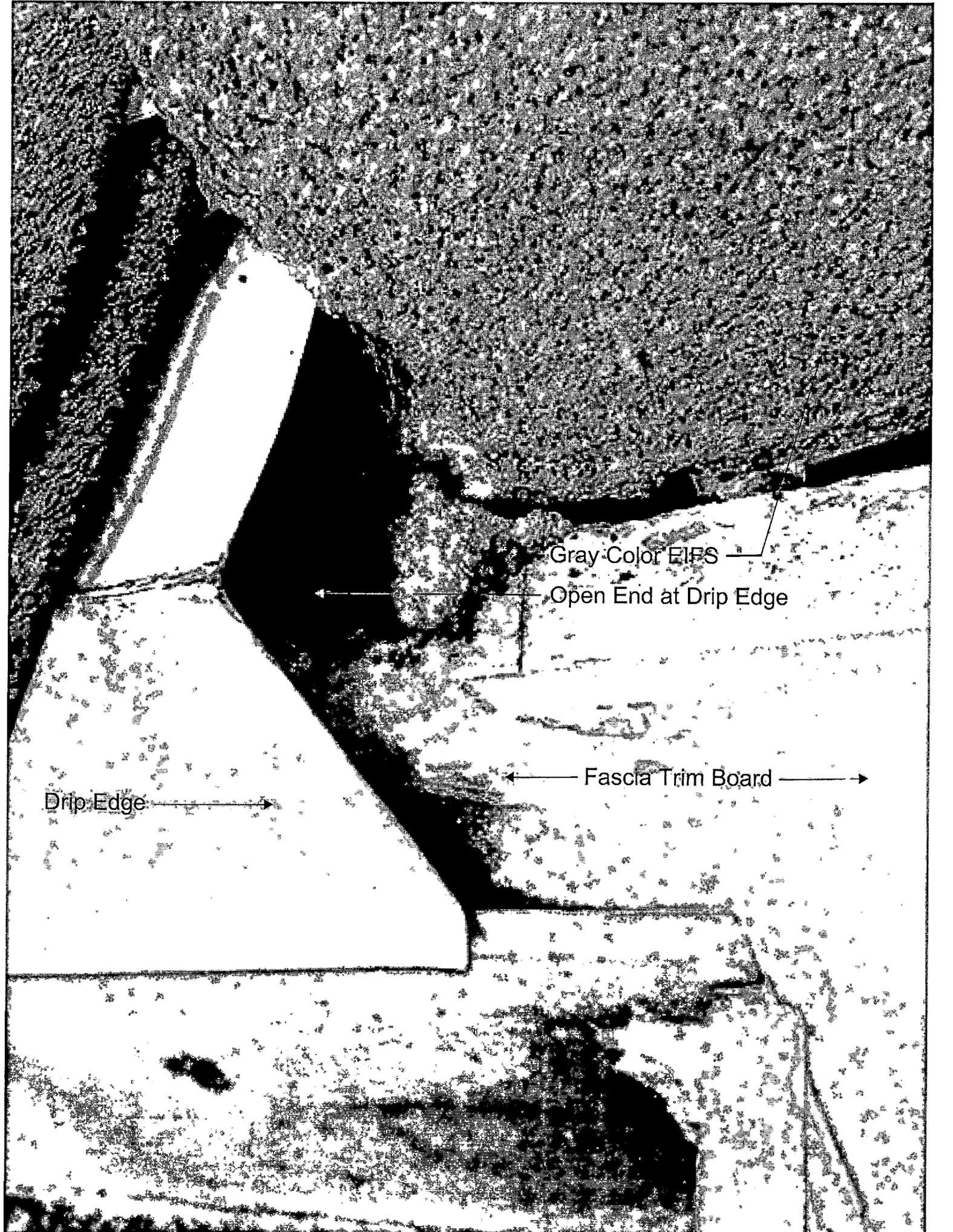
◆ **Parking Lots Adjacent to the Municipal Building**

The Lord Baltimore HOA board met on June 21<sup>st</sup> and agreed to allow the Town the use of their lot for overflow parking. Their attorney has drawn up an agreement for review by council.

◆ **Concerts in the Park 6:00 pm – 8:00pm**

Friday, July 13th – Overtime Band

Friday, August 10th – Jean Lenke Therapy Band

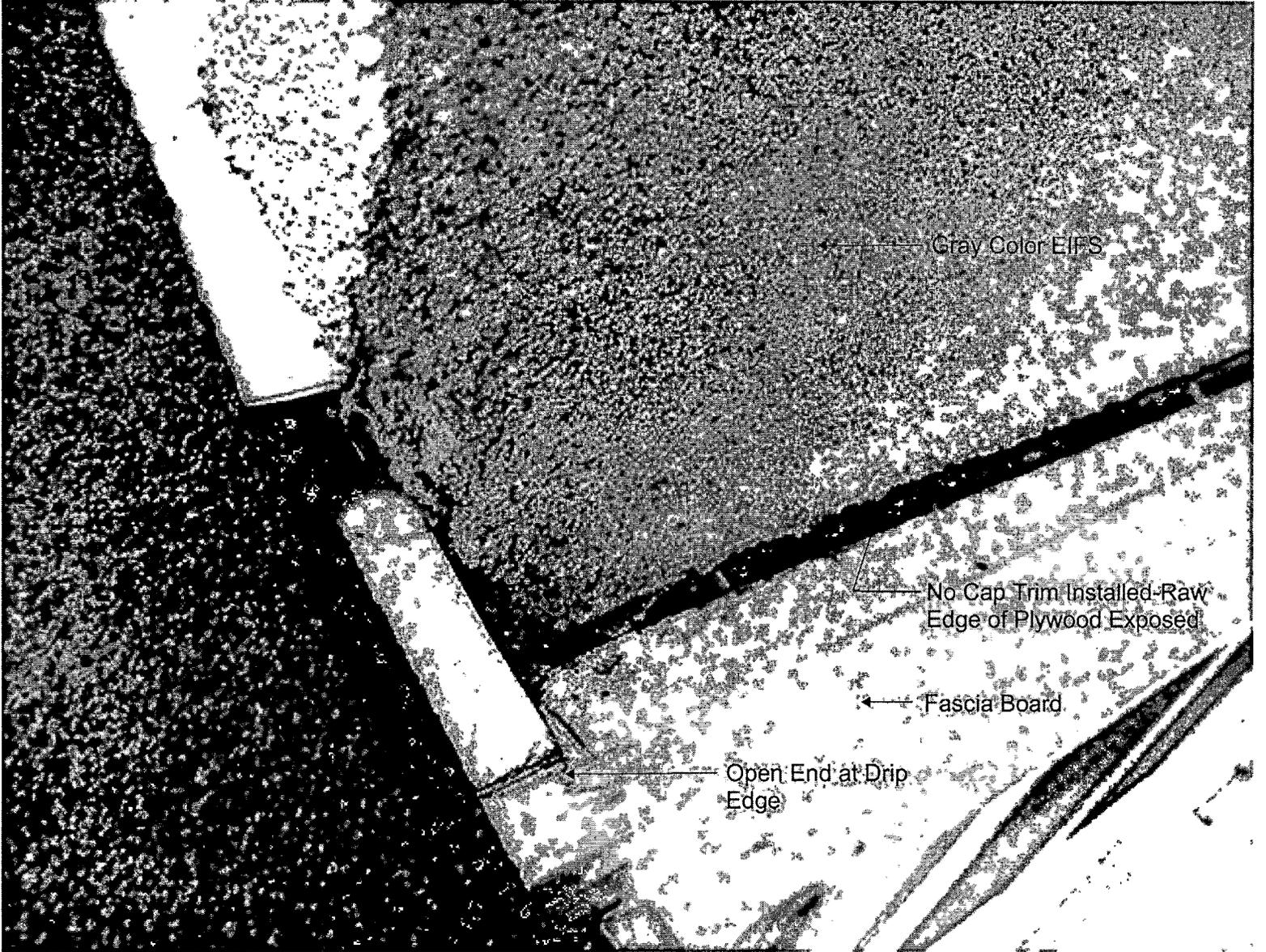


Gray Color EIFS

Open End at Drip Edge

Fascia Trim Board

Drip Edge



Gray Color EIFS

No Cap Trim Installed - Raw Edge of Plywood Exposed

Fascia Board

Open End at Drip Edge