

**MAYOR and COUNCIL
TOWN OF MILLSBORO
322 Wilson Highway
Millsboro, Delaware 19966 - 1216**

OFFICE HOURS
MONDAY — FRIDAY
8:00 a.m. to 4:30 p.m.



**Phone: (302) 934-8171
Fax: (302) 934-7682**

TOWN OFFICE
PARKS/RECREATION
STREETS
WATER/SEWER

POLICE DEPT. 934-8174

**Minutes
Millsboro Town Council
Regular Council Meeting
Millsboro Council Chamber
322 Wilson Highway
Millsboro, Delaware
December 2, 2013**

7:00 P.M. Meeting called to order by Mayor Robert Bryan in the Council Chambers located at 322 Wilson Highway Millsboro, DE. Present were Vice-Mayor John Thoroughgood, Secretary Greg Hastings, Treasurer Michelle Truitt, Councilpersons Tim Hodges, Jim Petruzella, Town Manager Faye Lingo, Assistant Town Manager Matt Schifano, Town Solicitor Mary Schrider-Fox, Development Coordinator Linda Johnson, and Town Clerk Tammy Phillips with Irene Keenan absent. Guests - see attached list.

Pledge of Allegiance

Public Comments - No comments

SECRETARY'S REPORT -Secretary Hastings presented the minutes from the November 4, 2013 council meeting for Council's approval. Hodges moved and Petruzella seconded to approve the minutes from the November 4, 2013 council meeting as written. Motion approved unanimously with Keenan absent.

TREASURER'S REPORT - Treasurer Truitt presented the bills and bank balances to Council for approval. Thoroughgood moved and Hastings seconded to pay the bills from the designated accounts as presented. Motion approved unanimously with Keenan absent.

Thoroughgood moved and Truitt seconded to approve to give the town employees a Christmas Gift \$100. Motion approved unanimously with Keenan absent.

MILLSBORO FIRE COMPANY - President Ron O'Neal presented.

Fire Prevention awards for posters and essays were presented at the firehouse ceremony on Saturday, November 16th, to 1st, 2nd and 3rd place

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winners for grades K thru 6 from East Millsboro Elementary. Even though none of the submissions from Millsboro were chosen to participate in the County level awards, all of the children are winners as far as their members are concerned.

Congratulations to the Town and everyone who worked on the Grand Opening of the renovated Town Center on November 17. The Town has done a tremendous job with the building and the museum is something to be very proud of.

Mr. O'Neal wants to thank the Mayor and the Council for their efforts in working with the fire company in 2013 and hope to continue that relationship in the coming year. Also want to wish everyone at the Town of Millsboro a Merry Christmas and Happy New Year.

GREATER MILLSBORO CHAMBER OF COMMERCE – Amy Simmons, Executive Director presented.

The Chamber Volunteer Appreciation Dinner and Installation of Officers will be held this Thursday, December 5 starting at 6 p.m. with appetizers and dinner will start at 6:30 p.m. Catering will be done by Jimmy's Grille. Mayor Bryan will be swearing in the new Chamber officers.

Christmas Parade will be held Wednesday December 11th starting at 7 p.m. Line-up will be at M&T Bank starting at 5:30 p.m. We have over 50 entries not including bands or fire companies.

Saturday February 1st we will be holding a Sock Hop from 6 p.m-10 p.m. at The Millsboro Town Center. Tickets will be available later this month. Tickets will be \$15/single and \$20 per couple. The price includes one 50's style platter. We are looking into selling beer and possible margaritas and will get the necessary licenses.

MILLSBORO POLICE DEPARTMENT – Chief Murphy absent.

PUBLIC HEARING – Brian McManus, Director Operations of Lennar, introduced Marty Collier, Senior Land Development Manager of Lennar, Brittaney Sink – Landscape Planner MRA, Inc, Ken Usab, Principal, of MRA, Inc., Sean Davis, Principal of MRA, Inc., and Chris Buczkowski, Project Manager of MRA, Inc. and Hunter Johnson, Architect of Tono Architects. Team List that has been working on the project is as follows: Lennar Homes, MRA, Inc., GTA, Inc., Tono Architects, Environmental Resources Management, Wadsworth Golf Construction Co., Melvin Joseph Construction, The Traffic Group, Hydro Designs, Inc., and Hills & Forrest. Plantation Lakes is an Arthur Hill Championship Golf Course. The history and status of the project original RPC approved October 2004; construction began September 2005; most recent RPC approved – February 2011 was for 2819 home sites; to date 250 homes built; 6 holes completed as well as the practice facility driving range and Community Center East completed two years ago.

They are trying to get approved for "Golf Benefit Community" concept. There are going to be 1250 memberships to golf course, 400 homes for 9 holes. People move to Millsboro, DE. because it's close to everything and far from ordinary. The membership will be tied to the house deed

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just like a HOA, but with member fees, operations fees, and maintenance fees are mandatory.

Sean Davis, Principal, MRA, Inc., presented that all townhomes are completed in Phase 1.1 and construction is underway for Phase 1.2. Lennar wants to take advantage of the two amenities on the site 1) Betts Pond 2) golf course. They want to maximize the prior approved plan to include lots along the water frontage on Betts Pond. The proposal is to relocate Sheep Pen Road from Godwin to Hardscrabble Road navigating around the community and down Godwin School Road. The Golf Course already has holes # 10, 11, 12, 13, 14 & 15 all constructed remaining holes # 16, 17, 18 & 1 are to be constructed. Lennar wants to create small neighborhoods through the golf course. Entering the community off Sheep Pen Road feature will be water view, west Godwin School Road will see Community Center. They're goal is to focus on the amenities on the site more than the homes. The total open space 200 acres preserve variety areas, buffer, pocket parks, golf course, trail system, multi-purpose center. The Great House view will be over looking the golf course, near four (4) tennis courts, community access, sidewalk, walkway adjacent for golf cart path and driving course. The Lodge overlooking Betts Pond with patios attached, trail way, small boat dock down to Betts Pond.

Hunter Johnson, Architect, Tono Architect, Recreational Amenities. The Great House to clarify is the golf central with components that will have pro shop, golf carts, golf carts storage, indoor/outdoor dining feature, outdoor recreational facility and will be an estimated 6,000 sq. ft. with extended porches and landscaping. The Lodge will be used for community gatherings, small group function building, will be 100,000 sq. ft. community activities daily, game activities, catering, crafts, banquet hall, daily functions to accommodate approximately 200 people.

Sean Davis presented future development of Community Center West entrance from Godwin School Road will be approximately 4,200 sq. ft. used for a quiet zone, meetings, activities, Pilates, yoga, lockers and restroom and Community Center East will be family activities, outdoor amenities.

Presently, the approved RPC existing has 2819 homes and are now proposing 2287 homes which is a reduction of 532 less than what was approved back in February 2011.

Ken Usab, Principal, MRA, Inc., presented the Duplex units to vary from 32 wide to 40 ft. wide. There will be approximately 40 duplex units on the site plan.

Ms. Truitt, councilperson - The current homeowners are concerned about the Special Development District Tax, how does this affect them with the reduction of homes? McManus, Lennar, it will not affect them at all.

Mr. Petruzella, councilperson - The HOA fees with the Lodge and Great House how will this affect the HOA fee? McManus, Lennar, Approximately \$250 a member. Mr. Petruzella, How about they don't play golf? McManus, will reduced by \$ 100 for non-member.

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Mr. Hastings - councilperson - The Lodge that views the Betts Pond that is currently there what will happen to the vegetation and trees. Usab, MRA, Inc., the vegetation will not be disturbed that much only enough to get down to Betts Pond, small boat dock and small open space. Mr. Hastings - Betts Pond was the water tested, what was the quality and will it be tested over the next 20 years where it leading to Indian River baseline? Usab, DNREC inland bay has designated that there be 40% reduction of nitrogen and nitrate.

Hastings- Does the town get the reports? Usab - The reports have been and will be submitted to the town.

Hastings- the HOA and amenities for Single Family home 2500 - 2800 sq. ft. what is the cost of the home, HOA fees? McManus - It depends on the product that you choose from could be 71, 83 or 110 product \$ 110' - 150' inclusion. Single family 2500-2800 sq. ft. cost in 2012 \$ 173,000 and 2013 \$200,000 to \$ 275,000.

Truitt - The amenities, how did it come about? McManus - Global golfing research program and also the website we had over 110 comments.

Prehm - resident - 22962 Surry Lane, The three (3) clubhouses that they are proposing, when Lennar tells you what is going to be in the clubhouse, just make sure it's done as proposed to you.

McCombs- resident -24843 Magnolia Circle, The HOA fees will they increase because of the new amenities. McManus - if you are not a golfer then No.

Clark- resident - 22956 Surry Lane - The golf benefited community, does the town deed have to approve? Schrider-Fox - town solicitor the deed preparation has already been when you complete purchased the property. McManus - certain properties will be in golf benefited community and the current resident can have the option to opt in or opt out with reduced rates. If they happen to sell the house in two (2) years and the prior owner has chosen to opt out than it stays out.

Lea- 22968 Surry Lane - What is the time frame in order to opt in or opt out? McManus - We are aiming for January 7 for golf fees and 9 holes approval.

Ripkin - resident - 24829 Magnolia Circle, The Great house is golf use and benefit memberships only. McManus - That is correct and the Lodge can be used by everyone in the community.

Thoroughgood moved and Hastings seconded to approve to close public hearing. Mayor Bryan called for a roll call. Thoroughgood-yes, Hastings -yes, Hodges-yes, Truitt-yes, and Mayor-yes, therefore the motion was approved with councilperson Petruzella abstaining and Keenan absent.

Hodges committee chair, the committee recommendations are to approve the Great House as presented; consider the three unit townhouse; consider the realignment of Sheep Pen Road once all approvals are place; additional lot changes regarding the duplexes will be required to come back for Public Hearing. The road issues still need to be sorted out.

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Hodges motion, Truitt second to approve contingent on the road issues still to be resolved. Mayor Bryan called for a vote. Thoroughgood aye, Hastings aye, Petruzella abstain, Hodges aye, Truitt aye, Bryan aye. Approved with Keenan absent.

Plantation Lakes - Development Agreement. Hodges moved and Truitt seconded to approve the Third Amendment to Plantation Lakes Annexation and Development Agreement. Mayor Bryan called for a roll call. Thoroughgood-yes, Hastings -yes, Hodges-yes, Truitt-yes, and Mayor-yes, therefore the motion was approved with councilperson Petruzella abstaining and Keenan absent.

Plantation Lakes - Amendment the Conditions of RPC. Hodges motioned, Thoroughgood second to approve the Amendment to the Conditions of Residential Planned Community (RPC) overlay District for Plantation Lakes. Mayor Bryan called for a roll call. Thoroughgood-yes, Hastings -yes, Hodges-yes, Truitt-yes, and Mayor-yes, therefore the motion was approved with councilperson Petruzella abstaining and Keenan absent.

Plantation Lakes - Dukes Property Thoroughgood moved and Hastings seconded to approve one (1) year extension to the previously approved Preliminary Plan for Plantation Lakes - Dukes Property. Mayor Bryan called for a roll call. Thoroughgood-yes, Hastings -yes, Hodges-yes, Truitt-yes, and Mayor-yes, therefore the motion was approved with councilperson Petruzella abstaining and Keenan absent.

STREETS - Truck Traffic downtown, tabled until the January meeting.

Irons Avenue - Mr. Klemash property owner of 132 Irons Avenue, complaining of truck traffic and traffic short cutting to WAWA and speeding. Mary Schrider-Fox, town solicitor stated that Irons Avenue already has weight limit 10,000 lbs. / 5 tons except for the pickup and delivery of materials on Irons Avenue. The town will make sure signage is in place and notify the police department to patrol the area with more frequency.

WATER AND SEWER REPORT -

Sewer adjustments - The sewer adjustments on accounts for 70 Kyle Circle and 132 Laurel Road have been approved according to ordinance.

MAYOR' S REPORT-

Gary Ewell, Jr. - requesting a partitioning of property on West State Street, Sussex County Tax Map # 1-33-17.09-12.00 zoned medium density residential. There is an existing building on the site used as a warehouse. Mr. Ewell would like the properties divided so he may sell one of the properties. The site plan shows a cement pad in the setback area. It is required that the pad be removed. Mr. Ewell advised that this is not a problem and he will have it removed. Thoroughgood moved and Hastings seconded to approve partition property on West State Street with the requirement that the cement pad must be removed. Motion approved unanimously with Keenan absent.

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Liborio Louviers - preliminary plan approval of minor subdivision of property Sussex County Tax Map 2-33-5.00 parcel 10.00. Hodges moved and Petruzella seconded to approve the preliminary plan approval of minor subdivision of property Sussex County Tax Map 2-33-5.00 parcel 10.00 ss long as CABE's comments are satisfied. Motion approved unanimously with Keenan absent.

Vendor Truck - Mayor appointed a committee Thoroughgood (chair), Petruzella and Keenan.

Thoroughgood moved and Truitt seconded to recess the Regular Council meeting and to enter into an Executive Session. Motion approved unanimously with Keenan absent at 8:50 p.m.

Regular Session
Reconvene @ 9:50 p.m.

No action taken.

Truitt moved Petruzella second to adjourn.

Respectfully Submitted,


Greg Hastings
Secretary