

**Planning Commission Meeting for New Castle City took place on  
May 18, 2009 at 6:30 p.m. in the City of New Castle's Town Hall.**

Members Present: David Bird, Chair  
Bill Simpson, Co-Chair  
Florence Smith  
Joe DiAngelo  
Dorsey Fiske  
Dan Knox

Members Absent: Dr. Jack Norsworthy  
Christine Masiello

Staff Present: Marian Hull, URS, City Planner

City Personnel: Cathryn Thomas, City Administrator  
John F. Klingmeyer, Mayor

Mr. Bird called the meeting to order at 6:40 p.m. Roll call was taken. Mr. Bird recognized the new City Council President, William Barthel. He also recognized Mr. Dan Knox as our newest member to the Planning Commission.

**Approval of Minutes – A motion was made and seconded to approve the 4/27/09 minutes of the Planning Commission Meeting. The motion was approved by unanimous vote.**

Budget Review – Expenses and budget information for last year and a proposed total amount for this year were reviewed by Commission members. Mr. Simpson voiced concern about this information not showing income along with expenses. Ms. Thomas explained how expenses that are received by the City for a Planning Commission-related item are treated. She can provide revenue figures which are taken into consideration during the budget process. *(Detailed discussion followed.)*

Mr. Bird suggested that going forward that revenue be shown because of the types of projects that come before the Planning Commission and for general information and asked that Mr. Simpson take on the task of tracking this. He added that this body has been asked if it is feasible for this body to reduce its budget up to 10% for the coming year.

We are looking at a proposed total budget next year of \$39,000 rather than \$43,500. Planning Commission members can attend City Council Budget Workshops that begin on Thursday, 5/21/09.

Mr. DiAngelo asked if any grant funds have been received. Mr. Bird responded that WILMAPCO had set aside \$15,000 and Ms. Thomas will be submitting the paperwork to receive those funds. She added that \$10,000 is a Livable Delaware grant that is still valid but we will not be able to receive those monies until the State has approved our plan. *(Discussion about grants followed.)*

Mr. Simpson inquired whether the Planning Commission can include funding for matching funds for grants in our budget. If we don't get the grant we wouldn't spend the money. Ms. Thomas confirmed that that funding may be added and City Council would decide if those monies will remain in the budget.

Discussion then turned to total expenses for FY2008. Mr. Bird will put together some information taking into consideration the items discussed this evening and send out to Commission members for their review. *(Additional discussion took place.)*

Discussion and Action to be Taken Concerning a Recommendation to the City Council on Adoption of the Update of the 2003 New Castle City Comprehensive Plan – Ms. Hull distributed information on priority implementation steps for the Comprehensive Plan.

Priority steps include redevelopment area/vision plan, updates to zoning and subdivision, transportation plan refinements and preparation of capital improvement plan. She detailed the types of tasks she feels can be undertaken in each area while trying to be conscious to our budget. She also provided approximate costs for each area.

Mr. Bird informed we have received correspondence containing comments regarding the proposed comprehensive plan update. He did express concern with having received this written correspondence the same day as the meeting where this item will be decided, thereby not allowing Commission members adequate time to review. In the future he would expect people who submit written documents in the future do so in a more timely manner to allow time to review. Ms. Fiske inquired whether there is any policy in writing addressing timelines for submission of correspondence. Mr. Bird responded that there is nothing in writing. Going forward there will be a transmittal of recommendations from the Planning Commission Chair to the City Council along with comments made on the website, public meetings and correspondence received to allow Council to have all information in one package to review before their meeting.

Mr. DiAngelo commented on the correspondence from URS that summarized the PLUS Review. We are in arrears three years (2006, 2007, 2008) as the PLUS process has informed. Comprehensive Plan Annual Reports should be tasked to a City employee. *(Discussion followed about who the appropriate person would be to assign this task.)*

Mr. Bird acknowledged the other comments that came from the PLUS review are optional. *(Lengthy discussion between Commission members and Ms. Hull concerning the State's written comments under the PLUS review followed.)*

Mr. Bird offered some observations about the Comprehensive Plan update process and asked if there were any concerns about Immanuel Episcopal Church and their comments. There were none. He asked about concerns with an email/memorandum that the Trustees had submitted.

Mr. Mike Alfree, Secretary for Trustees of New Castle Common, informed that the Trust acknowledges they should have been involved earlier than this evening but they wanted to make sure they are on record with their concerns. They understand the timeline involved in getting the comprehensive plan completed and submitted to City Council for review and finalization. The Trust is an entity of the City and they control the majority of the property that is undeveloped. They are concerned about declaring it open space. Their interests are to help the City and the citizens. They may be in a position in the future where they need to develop some of these properties to continue funding different things. They want to ensure that they can discuss further with City Council some of their issues.

Ms. Hull suggested that land use recommendations be separated from open space recommendations. *(Lengthy discussion between Commission members followed.)*

Mr. Bird referenced the letter submitted to the Planning Commission from Mr. William DiMondi concerning his property adjacent to the middle school. At a previous Planning Commission Meeting we said at this time the consensus was that this should be open space/residential. Mr. DiMondi would like to see the property rezoned at a higher density lower than R3 but more along R2. This Commission has indicated in past discussions that we wanted to keep it low density/residential going forward. As we look at the zoning code that is when the question will need to be asked about what to do with the property. *(Lengthy discussion about various zoning and flood plains followed.)*

Hunter Ficke of Immanuel Episcopal Church suggested having a group of people work on a proactive conservation or preservation plan with funding for sensitive properties in the City that allows for a win-win situation for those who wish to keep property as open space and those who wish to realize value for their property.

Mr. Alfree said that currently the Trust's properties are zoned HR or a version of that and the suggestion is open space. Their wish is to keep the properties the way they are and permit the 13 members of the Trust to do the work they were elected by the citizens to do. The Trustees would not be opposed to someone coming before them with a concept for conservation and development. The Trust is elected by the citizens of the City to care for these properties, but we are concerned with them all becoming open space. This is the reason we want our letter in the official record, as a Board, leaving Trust properties as they are currently.

Mr. DiAngelo does not have any problem with the Trustees' request and we need to address their questions (in the letter). He did question why they have not appeared before this body before tonight. There have been numerous meetings where the Comprehensive Plan has been discussed along with public hearings to receive public input about the plan.

Mr. Bird asked the Commission what concerns they have about the Comprehensive Plan process. Ms. Fiske commented that she would like to see a bypass road request included. *(Discussion followed.)* Mr. Simpson likes the idea of having a list of suggested land use and land use that would be very beneficial to the community. This is a way of implementing open space and recreational with an R1 or R2 type of development.

Based on discussion to this point, Ms. Hull believes the Commission has addressed comments from the DNREC reviewer contained in the PLUS review. These include things to include in zoning to be more protective of natural resources, prohibiting building in certain areas, looking at natural features and building around them.

Ms. Thomas offered Environmental Protection Overlay District (EPOD) as a good model for zoning purposes so you can see where all of the environmentally-sensitive areas are overlaid on the regular zoning and restrictions you place in certain areas. They are very useful and Delaware does permit overlay districts.

Mr. Bird stated that he agrees with Ms. Hull's concept of separating open space and land use using some of the latest trends in zoning to redo our zoning code to allow some of the things we have discussed. At the same time make development economically attractive while being sensitive to the needs of the community.

Ms. Hull asked for clarification of what changes the Commission wants to see on the plan based on discussion this evening and cited those changes. Pertaining to Comprehensive Plan land use recommendations for 0-901 Delaware Street property, how does the Commission want her to proceed? Mr. Bird said the consensus is open space, low density residential.

**Mr. Simpson made a motion to have Ms. Hull make the changes that were discussed this evening along with the public's comments that have been received and incorporate the PLUS review comment that we review the memorandum of understanding. The motion was seconded and a roll call vote was taken.**

**Mr. DiAngelo – voted in favor stating it is in the best interest of the City to make these changes.**

**Ms. Smith – voted in favor and feels it is a positive for the community.**

**Ms. Fiske – voted in favor stating that we have been very thorough throughout the process.**

**Mr. Simpson – voted in favor and feels we are moving into the 21<sup>st</sup> century with some of the changes we are making.**

**Mr. Knox – voted in favor**

**Mr. Bird – voted in favor citing the process we have used has been very deliberative with a large amount of community participation. What we are recommending to Council best reflects the sense of the Commission.**

Clarification – this Commission has approved the current document with the changes to be made and that document then becomes the current draft plan recommended by approval of this body to the City Council.

**The motion was approved by unanimous vote.**

General Discussion – Ms. Hull informed that she, Mr. Dave Athey of URS, and Ms. Dorsey Fiske met with representatives of 0-901 Delaware Street that addressed what the representatives' progress is to date in reference to our memorandum of 2008. They are making progress and we did ask that they put together a document describing what has been done to date. They are very concerned about the zoning of this property and two letters Ms. Hull received today were from representatives of those properties. Ms. Fiske will be preparing a report on the meeting for distribution as well.

Mayor Klingmeyer expressed concern about a slide presentation on detailed plans of a roadway around New Castle given to two members of Council by DeIDOT and their consultants. No one from the Planning Commission had been made aware of this meeting and those plans should have been presented to this body first. Ms. Thomas addressed the Mayor's comments. The meeting took place about one month ago. She has inquired with DeIDOT about a meeting with the Planning Commission. Council is constantly discussing traffic issues and Messrs. Reese and Gaworski were appointed to a committee to contact DeIDOT and meet with them and Ms. Thomas to discuss problem areas and issues related to traffic. The primary item we have pressed DeIDOT on is the problem with cut-through traffic through the City and downtown area. DeIDOT requested a follow-up meeting to the initial meeting held last fall. Senator Connor was invited to the follow-up meeting also. Ms. Thomas informed she was unaware of the type of meeting that DeIDOT actually presented. They presented a very elaborate plan for the City

giving attention to our traffic issues. Ms. Thomas has requested that DeIDOT make this presentation to the Planning Commission at the next monthly meeting. The Mayor reiterated his concern that no one from the Planning Commission was aware of the follow-up meeting. Mr. Bird welcomes DeIDOT making a presentation to this body at the July meeting (he will be absent from our June meeting). He is disappointed that a State agency that commented in PLUS and was working with WILMAPCO on improvements bypassed the Planning Commission and went to the City without telling them what they have in mind.

Next Meeting -- Our next meeting is scheduled for 6/22/09 at 6:30 p.m.

Adjournment – **It was moved and seconded that the meeting be adjourned.** The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Debbie Turner  
Stenographer