

New Castle City Planning Commission Meeting
Minutes
September 26, 2016 -- 6:30 p.m.
City of New Castle Town Hall

Members Present: David Baldini, Vice Chair
David Bird
Joseph DiAngelo
Jonathan Justice
Josephine Moore
Gail Seitz
Florence Smith

Members Absent: Michael Quaranta, Chair
Vera Worthy

Also present: Ryan Mawhinney, AECOM
Debbie Turner, Stenographer

Mr. Baldini called the meeting to order at 6:32 p.m. Roll call followed.

Minutes – Upon motion made and seconded, the minutes of the 8/22/16 meeting were approved.

Public Comments – Representatives from the State of Delaware Department of Natural Resources and Environmental Control (DNREC) Site Investigation and Restoration Office are seeking information about projects planned in the Downtown Gateway district along Route 9. Paul Will, Program Manager, and Patrick Boettcher, P.G., Hydrologist, are specifically looking to gain information about the redevelopment project involving a multi-use/mixed use building being constructed near the former Gambacorta dealership. Their office is concerned with potential releases. The area was a former industrial site. DNREC has a history with some projects adjacent to the Gambacorta site. The only way to determine if any release is present is to do a sampling of soils. Mr. Will reported that his office has received concerns from nearby neighbors about soil contamination since the property was formerly an industrial site. Mr. Will noted the project is new development that typically would go through their office. However, their office has not received any information about this project. They want to ensure that all appropriate investigations have taken place and to address the public's complaints accordingly.

Mr. Boettcher indicated there are several sites under DNREC's authority between South Street and Dobbinsville. Several of those sites overlap. The parcel in question lies within one of their sites, but the proposed building is not on their site. DNREC does not have the authority to stop work. It is the responsibility of the owner and developer (Route 9 Holdings, LLC) to do their due diligence.

Mr. Baldini is unsure what the status is with the Route 9 Holdings application. Mr. Bird reviewed what took place when the application came before the Planning Commission. The project is an apartment building. There was a parking issue that required the applicant to go before the Board of Adjustment for a waiver on parking. The Planning Commission

pushed for commercial on the ground floor, but as a matter of right under current zoning they could build apartments alone.

Mr. Will said they have no records for this parcel, but the whole area has undergone substantial fill in to make land to build on. Mr. Bird questioned whether DNREC has the authority to go onsite and take samples. According to Mr. Will, they can go onsite only if a release has occurred.

Alice Riehl of the *New Castle Weekly* informed there is a Board of Adjustment hearing scheduled on 10/10/16 for Route 9 Holdings seeking a variance for flooding.

Ms. Moore asked if the Planning Commission has a concern could we make a request that it be studied again. Mr. Baldini understands that this body would go through Jeff Bergstrom, Building Inspector, for that information. Mr. Baldini will send an email to Mr. Bergstrom requesting the status of the application and what site work has been done.

Update: 5-year Plan and Comprehensive Plan Dates and Deadlines – Planner Ryan Mawhinney distributed a Comprehensive Plan (Plan) Checklist to the group. Two amendments given to the Planning Commission at the last meeting were discussed.

5-Year Review (2009 Comprehensive Plan) – Required by State Planning. Commissioners need to look at what might need to be updated and if stated goals are still relevant. Any new issues are added to the update. Mr. Mawhinney attended a PLUS meeting for rezoning of the Little League property and State Planning commented that the City should amend the future land use plan in the Plan. State Planning would like to see every parcel have a future designation to the parcel. AECOM's position is that visions and goals are still applicable and the Plan is still passable. There is no need to amend any future land use map at this time, which should be part of every section. AECOM suggests holding off on this subject until the 10-year update.

Mr. Mawhinney said the 10-year update must be adopted by July 2019. He spoke with Commissioners about their timeline, noting they can begin their review now.

There was discussion about the neighborhood survey done in 2013. Information from that survey can be used in the Plan update. Mr. Mawhinney suggested a survey sent to property owners to identify new concerns. Commissioners should look into a special meeting with City Council. The Downtown Development Designation (DDD) should be part of the discussion.

Mr. Baldini wants to know the City's strategic vision for the future to include in the Plan update. He wants the update to be a useful tool for the City to use in its strategic direction. A lot of work is needed on transportation, demographics of the City, flood plain, ADA, and infrastructure repairs among others.

Mr. Bird wants to make sure that all information from City Council is made available to the Planning Commission so both groups are on the same page. At the next meeting he wants

to make a decision on when to meet with City Council, if we want to do a survey, and what additional issues, if any, should be part of discussion. He also suggested having a City Council liaison to work with the Planning Commission on the Plan update. Mr. DiAngelo does not think City Council has designated anyone to this body. A suggestion was made to ask City Council to appoint a member to work with the Planning Commission on the Plan update. Mr. Mawhinney recommended that Commissioners review the current Plan before the next Planning Commission meeting.

Mr. Baldini wants a realistic budget covering the next 2-2-½ years resulting with the Plan update. The Planning Commission Chair can discuss this with the City. Funds were previously available from the state. Mr. Mawhinney informed there are some grants to look at, specifically the Neighborhood Building Blocks Fund and the Coastal Management Assistance Program.

Mr. Bird said that WILMAPCO has provided some limited funding in the past. He suggested that Ms. Seitz look into whether any funds are available. Mr. Bird also suggested checking into the possibility of having students/interns from the University of Delaware provide assistance.

Public Comments – Resident Bob Thomas talked about his concerns with the apartment project (Route 9 Holdings, LLC) along Route 9. Concerns include the flood plain, traffic, and environmental impact. Mr. Thomas spoke about the flood plain requirements that were changed in February 2016 that impact the whole city. He is uncertain if the project area was grandfathered or if it will fall under new flood plain maps. He also talked about the traffic impact along Route 9, citing the lack of room for deceleration and acceleration lanes. Mr. Baldini informed that traffic studies are supposed to be done by DelDOT prior to the application reaching the Planning Commission. Traffic studies are part of the PLUS process. Mr. Thomas asked who is working with developers to ensure projects are being built safely. He also has questions about the type of fill used to build up the land. Ms. Moore asked if Mr. Bergstrom has the authority to request an environmental study if none has been done. She added that she had several concerns about the project and the Planning Commission has received no feedback from City Council.

Commissioners Comments

Mr. Bird – On a recent trip to Amsterdam he observed how bicycle friendly the city is and believes we should look at reasonable alternative means of transportation and accommodations for same as part of the next Plan. He added there needs to be a commitment by all stakeholders when working on the Plan update.

The Planning Commission's next meeting is 10/24/16. There being no further business the meeting was adjourned at 7:40 p.m.