

**MINUTES –BUSINESS MEETING
NEW CASTLE COUNTY PLANNING BOARD
87 READS WAY, NEW CASTLE, DELAWARE
October 16, 2018**

The Business Meeting of the Planning Board of New Castle County was held on Tuesday, October 16, 2018 in the New Castle Room of the Government Center Building, 87 Reads Way, Corporate Commons in New Castle, DE.

The meeting was called to order by Acting Chair Sandra Anderson at 9:02 a.m.

The following Board members were present:

Sandra Anderson
Leone Cahill
Linda Porras-Papili
William McGlinchey
Joseph Montgomery

Robert Snowden
Ruth Visvardis
Kiana Williams

The following Board members were absent:

(1 vacant position)

Planning Board Attorney, Department of Law

Adam Singer

The following Department of Land Use employees were present at the meeting:

George Haggerty
Antoni Sekowski

Matthew Rogers
Marissa Lau

The following members of the public were in attendance:

None

MINUTES

September 18, 2018

DEFERRALS

None

BUSINESS -

App. 2018-0445-D: West side of Upper Pike Creek Road (TP: 08-036.10-237). 50 feet south of Granville Road. **485 Upper Pike Creek Rd.** deed restriction change to Amend Hunter's Ridge Subdivision deed restrictions to permit 73 lots in the Hunter's Ridge community. NC21 Zoning. CD 3. Mill Creek Hundred

The Department of Land Use has considered the standards in Section 40.31.130.D of the New Castle County Code and other public comments. Based on this analysis, the Department recommends **APPROVAL** of the deed restriction change as proposed by Ralph & Kathleen Degli Obizzi for 485 Upper Pike Creek Road.

At its business meeting held on October 16, 2018 the Planning Board considered the recommendation offered by the Department of Land Use. On a motion by Mr. Montgomery, and seconded by Ms. Cahill, the Planning Board voted to recommend **APPROVAL** of the Declarations of Restrictions change application. The motion was adopted by a vote of 7-0-0 (Yes: Anderson, Cahill, McGlinchey, Montgomery; Porras-Papili, Snowden, Visvardis; No: none; Abstain: none; Absent: Williams).

In discussion preceding the vote the Board members offered the following comments:

Ms. Papilli stated that they were told at the public hearing that the maintenance corporation did not need to do outreach or take a vote in order to support the applicant's proposal. However, the deed restriction seems to indicate that approval of two-thirds of its members is needed. Matt Rogers, Planner for the Department of Land Use, responded that the language she referred to applies to changes to the maintenance corporation itself, but not to the deed restriction as has been confirmed by the Department of Law. The Hunter's Ridge development is currently limited to 72 lots. Approval of the deed restriction change will permit the newly created lot, with frontage within the development to join the community and contribute towards maintenance of the development, should the Hunter's Ridge Maintenance Corporation agree to amend their maintenance agreements. Ms. Papili also voiced concern regarding public outreach for the application. Mr. Rogers stated that the applicant and Department had met the requirements in the UDC and that the applicants had worked with the president of the maintenance corporation. Ms. Anderson commented that the governance structure of the maintenance corporation should not be a factor in their evaluation of the application.

OTHER BUSINESS

None.

REPORT OF COMMITTEES

None.

REPORT OF GENERAL MANAGER

George Haggerty, Assistant General Manager for the the Department of Land Use, discussed the third LOS public meeting and invited Planning Board members to the Southern New Castle County Master Plan kickoff meeting to be held on October 17, 2018. He also mentioned progress on the 202 Master Plan, the Rt. 9 Study and the Reality Check Activity.

REPORT OF CHAIRPERSON

None.

OTHER BOARD MEMBER COMMENTS

None.

COMMENTS FROM THE PUBLIC

None

ADJOURNMENT

The Board voted to adjourn the meeting at 9:36 a.m.

ATTEST:

Richard E. Hall, AICP
General Manager
Department of Land Use

Sandra Anderson
Acting Chair
Planning Board