

# **Planning Commission Minutes**

## **Thursday, December 21, 2023 - 7:00 PM**

Old Academy Building  
315 Main Street  
Odessa, DE

Those present at 7:00 P.M.

- Carole Coleman, Chairwoman
- Michael Callaghan
- Tom Carle
- Amanda Russell

Not Present:

- David Sydnor

Also Attending: Harvey C. Smith, Jr. - Mayor  
35 Town Residents and Interested Parties

I. Meeting called to order - 7:00 P.M.

II. Approval of Minutes

**MOTION BY AMANDA RUSSELL, SECONDED BY MICHAEL CALLAGHAN TO APPROVE THE MINUTES FROM NOVEMBER 16, 2023, AS WRITTEN.**

**MOTION CARRIED. VOTE 4 AYES (COLEMAN, CALLAGHAN, CARLE, AND RUSSELL), 0 NAYS, 0 ABSTAIN**

III. New Business

- a. Michael Hoffman of Tarabicos, Grosso & Hoffman, LLP, presented the new plan for the Osbourne Street Property on behalf of Barry Baker of Maple View LLC & Sylvan Valley Real Estate Investments, Inc., the owner of the Osbourne Street property.
  - i. Mr. Hoffman explained that the project had been reimagined to 14 lots, down from 26. It now has a grid pattern to match the rest of the town, different from the currently approved parcels. They lowered the number of homes to maintain the .5 acre lots that many residents requested.
  - ii. Mr. Hoffman stated that his client objects to upholding the Architectural Design Standards ("ADS"), as the property is outside of the Historic District.

- iii. He claims that the ADS do not apply to this project. They would have voluntarily applied to the ADS to the 26-lot plan but have now removed that application, citing cost concerns.
- iv. Mrs. Russell asked clarifying questions regarding how the currently approved plan runs their connection road over the Friends of Zoar property and would not be able to be built as currently planned. Mr. Hoffman stated that they were aware of that issue, and if necessary, would move the access road over a few feet to bypass the Zoar property.
- v. Mrs. Russell asked why Ordinance 2011-01, which states the goal is to have the ADS apply to all newly developed properties, even outside of the Historic District, would not apply to this property.
- vi. Mr. Hoffman claims that Ordinance 2011-01 states that the homes need to match the homes that are front-facing on the adjacent roads. Since there are no homes that are front-facing on Third Street, there are no homes to match.
- vii. Mrs. Russell asked about the home on the corner of High and Third Street (211 High Street). Mr. Hoffman claims that home is front-facing to High Street, not Third Street, so it is not applicable.
- viii. Neeka Grove suggested that we return to the 26 houses since Mr. Baker had stated that the developers would voluntarily abide by the ADS for that plan. She stated that that would give the town more control over the development.
- ix. Mrs. Russell asked Mrs. Grove to clarify that she had been the initial architect on the 26-home project before she made that suggestion for the sake of transparency.
- x. Mrs. Grove stated that she is no longer working on the project and was at the meeting tonight as a concerned resident, not in her professional capacity as an architect.
- xi. Many town members are concerned about giving up control of the ASD.
- xii. Mr. Baker stated that he is not willing to go back to the 26 homes, citing cost concerns. He would like to move forward with the new 14 home plan without the ASD.
- xiii. Nick Malone stated that he would prefer the 14-home plan over the 26-home plan. He is concerned about building "McMansions" but he would take those over the traffic 26 homes would create.
- xiv. One resident stated concern that this project will end up like the Fort DuPont project in Delaware City.
- xv. Carol Sheats and Michelle Burton brought up the petition that states the town residents do not want 26 houses.

- xvi. Carole Coleman stated that High Street needs to be paved and is concerned that the traffic created by the Osbourne Street development will make it worse.
- xvii. Mr. Hoffman said that the 14 homes would generate more tax revenue for the town.
- xviii. Mrs. Russell read from Mr. Baker's engineering report that the development would generate approximately \$5,000 per year in town taxes in addition to the one-time impact fees and transfer taxes.
- xix. One resident stated again that he would rather go with the 14 houses over having control with the ASD.
- xx. Mrs. Grove really wants the town to consider allowing more lots so that Mr. Baker will apply the ASD.
- xxi. It was suggested that we offer Mr. Baker an opportunity to build 20 lots with brick sidewalks and homes that abide by the ASD.
- xxii. The Odessa Commons property was brought up because they do have to apply the ASD but are outside of the Historic District. It was clarified by Bob Grove that they have to apply the ASD as part of their annexation agreement, not because of the Historic District.
- xxiii. The Planning Commission will meet again on the third Thursday in January to vote on whether to move the project forward to Mayor and Council.

IV. Old Business

- a. None

V. Public Comment

- a. Many residents expressed that they are concerned about the Osbourne Street project affecting the feel of the town.
- b. There was a discussion on the formation of the Historic District lines.

VI. Next Meeting: January 18, 2024 @ 7:00 PM

VII. Adjournment

**MOTION BY AMANDA RUSSELL, SECONDED BY MICHAEL CALLAGHAN TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:13 PM.**

**MOTION CARRIED. VOTED 4 AYES (COLEMAN, CALLAGHAN, CARLE, AND RUSSELL), 0 NAYS, 0 ABSTAIN.**