

Town of Camden
Planning Commission
Wednesday, December 16, 2020 – 7:00 p.m.
Camden Municipal Complex
1783 Friends Way
Camden, DE 19934

A G E N D A

CALL TO ORDER

- a. Pledge of Allegiance
- b. Moment of Silence
- c. Roll Call
- d. Notice of Public Hearing:

“In compliance with Delaware State Law, advance notice had been posted in the following manner on December 10, 2020:

- The official bulletin boards,
- Posted on the official electronic sign, and
- Posted on the official website.

MINUTES

- a. Regular Meeting – November 18, 2020

ANNOUNCEMENTS

- a. None

OLD BUSINESS

- a. None

NEW BUSINESS

- a. The applicant is submitting final plans of approval for McDonald’s Restaurant, Tax map No. 7-02-094.00-01-15.02-000

The agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions, which arise at the time of the meeting/hearing. The Commission may vote on issues before them. If special accommodations are needed, please contact the Town Hall at 697-2299 at least 72 hours in advance.

POSTED: December 10, 2020

Next Scheduled Regular Meeting
January 20, 2021

Town of Camden
Regular Planning Commission Meeting
Camden Municipal Building
November 18, 2020

CALL TO ORDER

Chairwoman Grey led attendees in the Pledge of Allegiance.

Chairwoman Grey called the meeting to order at 7:07 p.m. and noticed that this regular Planning Commission Meeting is being held in compliance with Delaware Open Public Meeting Act by posting the agenda on November 12, 2020, in the following manner:

- The official bulletin boards,
- Posted on the official electronic sign, and
- Posted on the official website.

Members Attending: Chairwoman Gray, Commissioner Michael Johnson, Commissioner Colaprete and Commissioner Schock.

Members absent: Thomas Wanstall,

Staff Attending: Town Clerk Sarah Cahall, Town Manager Jason Stewart and Building Inspector/Code Enforcer Harold Scott

MINUTES

A motion was made by Commissioner Johnson, seconded by Commissioner Colaprete, to approve the minutes as written from the July 15, 2020 Planning Commission Meeting. All in favor; none opposed.

NEW BUSINESS

Application submitted for Final site plans review for parcel # 02-94.00-01.15.03; fast food/retail.

Ring Lardner – Representing Davis, Bowen & Friedel, explained there have been no changes on the plans. There will be a hitching post, dumpster enclosed and elevation on the west side. He added they are short 12 trees that are required because property frontage. He asks the commission to grant a waiver for the 12 trees to plant along East St. on the opposite side of the road.

Chairwoman Grey ask about the detail of the garbage enclosure.

Mr. Lardner stated there was no change from the preliminary application.

Chairwoman Grey ask the color of the brick work.

Mr. Lardner said he believes it is called a knight's armor which is a gray, charcoal, black and white color scheme.

Chairwoman Grey asked about the loading dock.

Mr. Lardner stated they have a flat drop off area.

Chairwoman Grey questioned if there was a bike rack.

Mr. Lardner said they will place a bike rack on the property.

Chairwoman Grey asked where the trees would be placed,

Mr., Lardner said there are no trees on the other side of West side of East St. If staff Members approve it.

Mrs. Cahall, Mr. Scott and Mr. Stewart had no objections to planting the trees on the West side of East St.

Commissioner Johnson asked what materials will be used for the garbage enclosure.

Mr. Lardner said it's a three-sided brick wall with a locking fence on the front.

A motion was made by Commissioner Johnson, seconded by Commissioner Schock, approve the Application submitted for Final site plans review for parcel # 02-94.00-01.15.03; fast food/retail. With the conditions to grant the 12 shortage of trees and bike rack. All in favor; none opposed.

Rushabh Maniar Camden Cigar

Mr. Stewart introduce that Mr. Maniar asked for recommendation from the Board of Adjustments to proceed to the Planning Commission with his business concept of opening a private cigar lounge in the C-2 zoning district. Board of Adjustments accepted his concept to allow him to move to the Planning Commission to vote on recommendation to change the ordinance for C-2 zoning district to conditional use to allow a private lounge.

Mr. Maniar explained he would like to open a private cigar lounge in the C-2 area. This would be a members only private lounge. Members will have key fobs to enter the business. He plans to have an outside patio, bourbon, espresso bar, wine, cigars, and library. He wants to provide an upscale and fun environment for the community. He explained members will have their own lockers where they can store their cigars to stay fresh. He feels as if this business has potential and will bring in class.

Commission Johnson asked him how much a membership will cost a year.

Mr. Maniar said \$800.00-\$1,000.00 a year and monthly would be \$100.00.

***Town of Camden
Wednesday, November 18, 2020***

Regular Meeting Minutes

Commissioner Johnson asked if there was a Cigar Lounge in Middletown.

Mr. Maniar said yes, and it has the same concept.

Mr. Stewart stated that in the State of Delaware with this type of business it does have to be private so it can be legal to smoke inside the club.

Chairwoman Grey asked if Middletown and Wilmington are under under a private club and they have that in their zoning ordinance,

Mr. Stewart and Mr. Maniar said yes.

Commissioner Johnson asked if security was needed.

Mr. Maniar stated that since it's a membership only/key fob entry security is not needed.

Commissioner Colaprete noticed that Middletown has a social club in their zoning district.

Mr. Stewart advised the Planning Commission that the Town Solicitor Craig Eliassen was there and reiterated that Mr. Eliassen stated we can make this conditional use with regulations and standards to include being so many feet apart from schools, churches and residential housing, as well as regulating the hours of operations and proximity of similar establishments. Mr. Stewart said that we could reduce similar business that could potentially come into town if we change C-2 to conditional use with stipulations.

Chairwoman Grey said Mr. Mainer would have to get documentation from Public Health to allow indoor smoking.

Mr. Maniar said he would be able to provide that.

Commissioner Schock asked how many members he is anticipating having.

Mr. Maniar said roughly 100.

A motion was made by Commission Johnson, seconded by Commission Colaprete to allow the Town of Camden staff to construct an ordinance in the C-2 zoning district that will allow a private club with conditional use. Ordinance must contain conditions such as set back from schools, churches, residential housing, similar business concept, liquor stores, hours of operations and other conditions that Town staff will construct. All in favor; none opposed.

PUBLIC COMMENT

None.

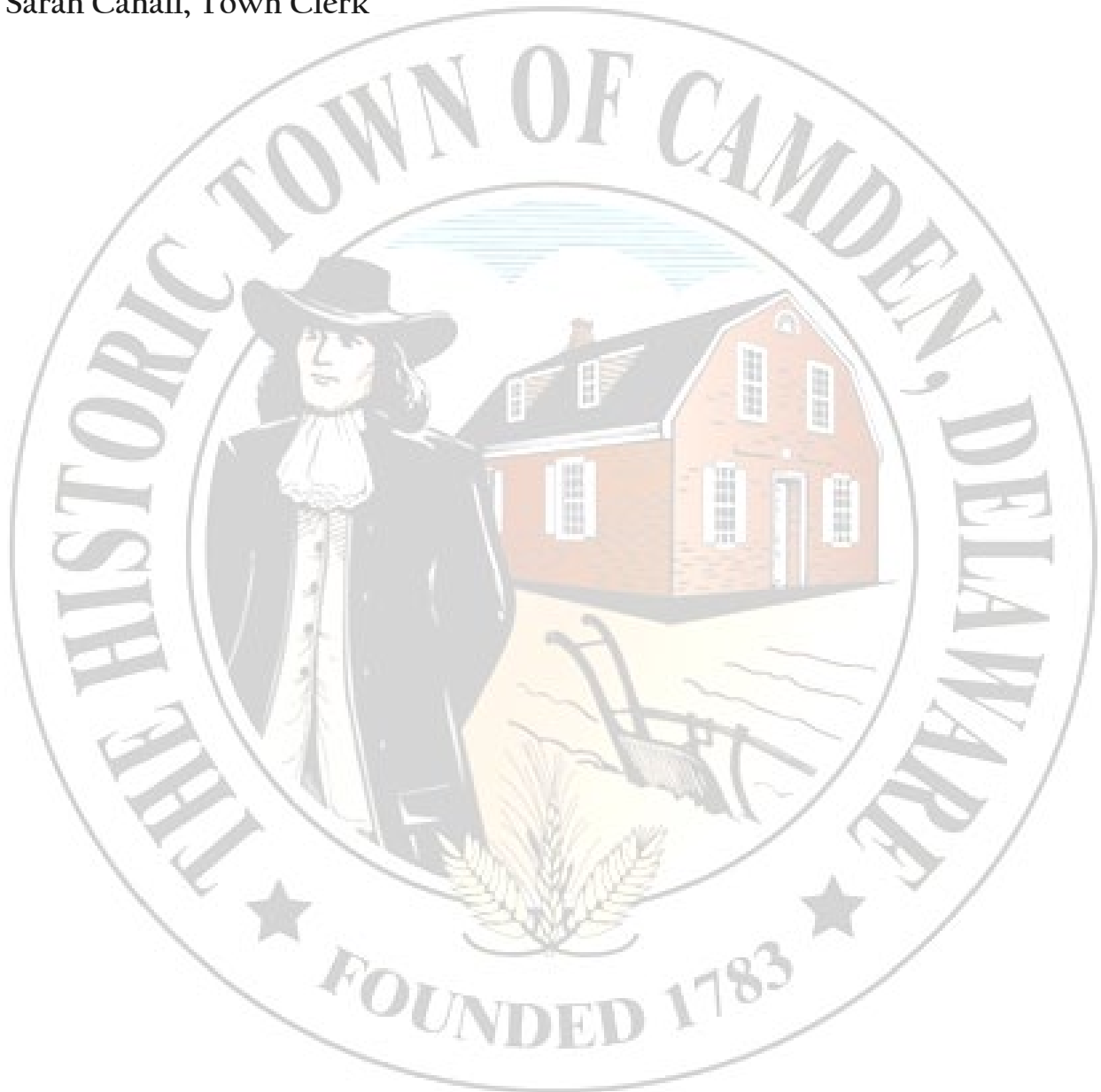
Town of Camden
Wednesday, November 18, 2020

Regular Meeting Minutes

ADJOURNMENT

At 7:52 p.m. a motion was made by Commissioner Johnson, seconded by Commissioner Schock, to adjourn the regular meeting. All in favor; none opposed.

Respectfully submitted,
Sarah Cahall, Town Clerk



July 31, 2020
Via FedEx

Minnich Engineering & Land Planning, Inc.
250A Camden Wyoming Avenue
Camden, DE 19934

Attention: Kevin R. Minnich, P.E.

RE: Site Improvement Plan
McDonald's Camden
Parcel #: 7-02-09400-01-1502-00001
Town of Camden
Kent County, DE
BEVA # DE190053

Dear Mr. Minnich:

Pursuant to the Preliminary Site Plan review letter for Site Plan, dated February 8, 2020, please find the following point by point response for your review.

Comment 1: Please dimension the building setback lines on the plan set.

Response 1: Building setback lines have been dimensioned.

Comment 2: The sewer line from the building to the grease trap should enter the grease trap in the back of the tank not on the side of the tank.


Response 2: The sewer line has been revised to enter the back of the grease trap.

Please find enclosed the following material for your review:

- Five (5) copies of the Final Site Plan, Sheet 1-8 of 8, prepared by Bohler, dated July 31, 2020.
- One (1) Land Use Application for Site Plan Review.
- One (1) copy of check no. 1544 in the amount of \$318.10
- One (1) CD with copy of PDFs submitted.

Upon your review of the above, should you have any questions or require additional information, please do not hesitate to contact this office at (302) 644-1155. Thank you.

Sincerely,
Bohler Engineering VA, LLC



Steven T. Fortunato, P.E.
Project Manager



LAND USE APPLICATION

Cover sheet for applications to Planning Commission, Town Council or Board of Adjustment

Please check the appropriate action(s)

Date: 7/31/20

SITE PLAN FEE: SEE BELOW	X	CONDITIONAL USE FEE: SEE BELOW	ZONING AMENDMENT FEE: SEE BELOW	VARIANCE FEE: \$200.00
MINIMUM FEE: \$275.00 PLUS \$10.00 PER 1,000 SQUARE FT. OF FLOOR AREA FOR BUSINESS, COMMERCIAL AND INDUSTRIAL BUILDINGS.		\$200.00 PLUS \$10.00 PER DWELLING UNIT FOR: 1. Residential Cluster 2. Developments 3. Townhouses 4. Townhouse Developments 5. Two-Family and Multi-Family Dwellings 6. Multi-Family/Condominium Developments 7. Mobile or Manufactured Home Parks 8. Subdivisions	FROM ANY DISTRICT TO RESIDENTIAL \$50.00 PLUS \$ 5.00 PER ACRE OR PART OF AN ACRE \$1,250.00 MAXIMUM FEE. FROM ANY DISTRICT TO COMMERCIAL \$75.00 PLUS \$ 15.00 PER ACRE OR PART OF AN ACRE \$750.00 MAXIMUM FEE. FROM ANY DISTRICT TO INDUSTRIAL \$150.00 PLUS \$ 20.00 PER ACRE OR PART OF AN ACRE \$1,000.00 MAXIMUM FEE. FROM ANY DISTRICT TO PRESERVATION \$10.00 PLUS \$1.00 PER ACRE OR PART OF AN ACRE \$100.00 MAXIMUM FEE.	FEE: \$200.00 APPEAL: \$200.00
The undersigned hereby requests the Camden Planning Commission to grant Site Plan Approval.		The undersigned hereby requests Town Council Approval of a Site Plan for a Conditional Use.	The undersigned petitions Town Council to amend the Zoning District Map.	The undersigned hereby petitions the Board of Adjustment to grant a variance.

Property address:

Property location: Corner at South Dupont Highway & Road A & East Street

Lot number, subdivision name or other identification

Name and address of legal owner: CARL P. KING REAL ESTATE, LLC, 27690 Sterling Blvd., Millsboro, DE 19966

Lessee, Attorney, Engineer, or other interested party: Bohler Engineering VA, LLC
18958 Coastal Highway, Suite D, Rehoboth Beach, DE 19971

Present Zoning District: C-2 (Highway Commercial District)

Present Use: Vacant

Proposed Zoning District: C-2 (Highway Commercial District)

Proposed Use: Commercial / McDonald's Restaurant

Description of property subject to this request:

Area: 55,536 SF (1.28 Ac.)

Width: 183'

Depth: 305'

Setback: 40' Front, 10' Side, 20' Rear

Area of any adjacent property that is under the same ownership:

Existing Sanitary facilities: CWSWA

Existing Water Supply: CWSWA

Proposed sanitary facilities: CWSWA

Proposed water supply: CWSWA

Please describe any proposed new construction to be erected on the property:

Number of parking spaces: 43 Building size: 4,310 SF Building height: 1 story

Units per acre: 1 Number of units: 1 Number of buildings: 1

Applications to Planning Commission, Town Council or Board of Adjustment

SYNOPSIS OF REQUEST TO INCLUDE REASON(S) FOR APPLICATION:

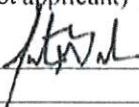
Applicant is proposing to develop the currently vacant subject site with a 4,310± SF McDonald's Restaurant with associated parking and access driveways.

Please list all attachments and documentation applicable to request:

- Coverletter
- Site Plan
- Review Fee

I/We certify that the above information and any attached information is true and correct to the best of my/our knowledge.

Signature of legal owner (if not applicant) _____

Signature of applicant:  MCDONALD'S US LLC.

Cover sheet for applications to Planning Commission, Town Council or Board of Adjustment

FOR OFFICE USE ONLY

Application or Petition Number: _____ Zoning District Map Number: _____

Site Plan Number: _____ Modified Grid Number: _____

SITE PLAN REVIEW:

Preliminary site plan reviewed by: _____ Date: _____

Recommendation: _____

HEARING AND MEETING SUMMARY:

Planning Commission Hearing Date: _____ Planning Commission Meeting Date: _____

Action taken by Planning Commission: _____

Town Council Hearing Date: _____ Town Council Meeting Date: _____

Action taken by Town Council: _____

Board of Adjustment Hearing Date: _____

Action taken by Board of Adjustment: _____

Appeal Board of Adjustment Date: _____

Result of Appeal: _____



FINAL PLAT CHECKLIST

**SUBMISSION DEADLINE:
THIRTY (30) DAYS PRIOR TO NEXT MEETING**

(Planning Commission Meetings are held the 3rd Wednesday of each Month)

Project Name: McDonald's

Date of Submission: 7/4/2020

Project Location: East Street, Camden

Type of application: Final Site Plan

Existing use: Vacant

Proposed use: Commercial / McDonald's Restaurant

Existing zoning: C-2

Proposed zoning: C-2

Tax map number: 7-02-09400-01-1502-00001

Kent County:

Number of copies needed for submission: 5

PLUS:

Commission: X

Council:

Owner: CARL P. KING REAL ESTATE, LLC

Officers of INC or LLC if Applicable:

Address: 27690 Sterling Blvd., Millsboro, DE 19966

Certificate of formation for INC or LLC if Applicable:

Surveyor/Engineer: Bohler Engineering VA, LLC

Address: 18958 Coastal Highway, Suite D, Rehoboth

Phone number: 302-644-1155

Outstanding fees on property *

Existing violations at site*

Data Column Information Required

N/A	Total Dedicated Right-of-Way	✓	Total Open Space
✓	Proposed Building Type and Building Material	✓	Total Lot Area
N/A	Total Storm water Management Area	✓	Total Site Area
✓	Land Use On Site (i.e. single family, multi, etc.)	✓	Total Number of Proposed Lots
✓	Building Material Type	✓	Maximum Building Height
✓	Setbacks Required (Front, Back, Side, Corner)	✓	Minimum Lot Frontage

✓	Horizontal Datum	✓	Benchmark Description and Elevation
✓	Vertical Datum	✓	100 Year Flood Status (including FEMA, map panel number)
✓	Required and Proposed Parking	✓	Number of Dwelling Units Per Gross Acre
✓	Developer Name, Address, Phone Number	✓	Engineer/Surveyor Name, Address, Phone Number

General Notes Must Include:

N/A	Right of Way Dedication Note	✓	Storm water Maintenance Note (short term and long term)
✓	Open Space Management Responsibility Note	✓	Note specifying any typical utility and/or drainage easements around the perimeter of lots
✓	Boundary Surveyor Note (if different than Engineer/Surveyor of Record)	✓	Wetlands Investigation Note (Where applicable)

Plan Information Required

✓	Project Name	✓	Owners Certification Statement
✓	Engineer's/Surveyors Certification Statement	✓	Town approval signature block (One Line each for Planning Commission Chairman and Planning Commission Member)
✓	Camden Wyoming Sewer and Water Authority Signature Block	✓	Legend (Including all existing and proposed line types and symbols)
✓	Scale	✓	North Arrow
✓	Site Boundary with bearings and distances	✓	Existing and Proposed Utility, Drainage, Access Easements
N/A	Bearings and Distances of irregular easements	✓	Existing and proposed monuments
N/A	Line and Curve Tables	✓	Owners names, Tax Parcel Numbers and Zoning of adjoining properties
✓	Name, Right of Way width, County Number (where applicable) of bordering streets	N/A	Proposed Street Names
✓	Proposed Lots, Lot Numbers and Lot Areas	✓	Proposed Right of Way and Lot Boundary Bearings and Distances
N/A	Proposed Storm water Management Facility Location and Areas	N/A	Proposed Open Space Locations and Areas
✓	Benchmark	N/A	Delineation Line for 100 Year Flood Plain (where applicable)

Jena Cooper

From: Kathleen Andrews <kathy@cswa.com>
Sent: Monday, December 07, 2020 2:06 PM
To: Jena Cooper
Cc: Sarah Cahall
Subject: McDonalds - Camden DE

EXTERNAL: Use caution with attachments and links.

Good afternoon Jena,

Comments submitted on 9/15/20 have been corrected as indicated.
Plans submitted with revision date of 11/17/20 have been reviewed and conceptually approved by Mr. Scott Sr.; Superintendent.

Thank you,

<----->

Kathleen Andrews

CAMDEN-WYOMING SEWER
& WATER AUTHORITY
PO Box 405
16 S. West St
Camden, DE 19934
[302-697-6372](tel:302-697-6372)
[302-697-2735](tel:302-697-2735) (fax)
visit: www.cswa.com
email: kathy@cswa.com



KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

December 8, 2020

Bruce King
Carl P. King Real Estate, LLC
27690 Sterling Blvd, Suite D
Millsboro, DE 19966

re: McDonald's Camden
Sediment and Stormwater Management Plan Approval

Dear Mr. King:

The Kent Conservation District has reviewed and approved the sediment and stormwater management plans for the above referenced project. An electronically approved plan has been returned to your engineer, who will be responsible for distributing copies of the approved plan to the owner and contractor. A printed copy of the approved plan must be kept on site at all times during construction. Kent Conservation District has no objection to recordation of the site plan. Conditions of this approval are as follows:

1. The Kent Conservation District reserves the right to add, modify, or delete any sediment control and stormwater management measures as deemed necessary.
2. The total construction inspection fee for this project is \$ 2,250. The fee is based on 1.40 acres of disturbance. The construction inspection fee must be submitted to our office prior to any land disturbing activity (clearing, filling, grubbing, grading, etc.). The inspection fee is valid for the five-year life of the plan approval.
3. The conditional approval for this site is valid for five (5) years from the approval date stamped on the plan by Kent Conservation District and will expire on **December 8, 2025**.
4. A Certified Construction Reviewer (CCR) is required for this project unless waived. The CCR will be responsible for attending the pre-construction meeting and submitting weekly inspection reports to the Kent Conservation District.
5. A pre-construction meeting must take place before any earth disturbing activity begins. The meeting must be attended by an owner's representative, contractor, CCR, and Kent Conservation District inspector. Please contact our office to schedule a preconstruction meeting.
6. Approval of a Sediment and Stormwater Management Plan does not grant or imply a right to discharge storm water runoff. The owner/developer is responsible for acquiring any and all agreements, easements, etc., necessary to comply with State drainage and other applicable laws.

If you should have any questions, please don't hesitate to contact the office at (302) 608-5370.

Sincerely,
KENT CONSERVATION DISTRICT

p.p. Katherine Owens

Jared C. Adkins, P.E.
Sediment and Stormwater Program Manager

cc: Stephen Fortunato, P.E., Bohler
Jason Stewart, Town Manager, Town of Camden
Olayiwola Okesola, Planning Development Coordination, DelDOT



**OFFICE OF THE STATE FIRE MARSHAL
Technical Services**

1537 Chestnut Grove Road
Dover, DE 19904-1544



SFMO PERMIT

Plan Review Number:

2020-03-204705-MJS-01

Tax Parcel Number:

7-02-09400-01-1502-00001

Status: Approved as Submitted

Date: 09/15/2020

Project

McDonald's - Camden - MJS

Corner at South DuPont Highway & Road A & East Street
Camden DE 19934

Carl P. King Real Estate LLC

Scope of Project

Number of Stories:

Square Footage:

Construction Class:

Fire District: 41 - Camden Wyoming Fire Co Inc

Occupant Load Inside:

Occupancy Code: 9623

Applicant

McDonald's USA LLC
Harbor Drive
Hammonton, NJ 08037

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

The owner understands that this construction start approval is limited to preliminary site construction and foundation work only. No other construction of any kind shall be permitted until the required building plan review is completed.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

This Plan Review Project was prepared by:

Jefferson Cerri
Fire Protection Specialist II