

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING MINUTES**

**MEETING CONDUCTED REMOTELY
VIA GO-TO-MEETING**

April 7, 2020

7:00 p.m.

Present at the 7:00 p.m. meeting:

Chairman: Will Hurd

Commissioners Present: Pete Drake
Karl Kadar
Stacy McNatt
Alan Silverman
Bob Stozek
Tom Wampler

Commissioners Absent: None

Staff Present: Mary Ellen Gray, Planning and Development Director
Mike Fortner, Planner
Tom Fruehstorfer, Planner
Paul Bilodeau, City Solicitor

Mr. Will Hurd called the Planning Commission meeting to order at 7:00 p.m.

1. CHAIR'S REMARKS.

Mr. Hurd: Alright, good evening. Welcome to the April 7, 2020 Planning Commission meeting, held here virtually on the GoToMeeting platform. I am Will Hurd, Chair of the Planning Commission. This is our first meeting with this group using this platform, so I wanted to inform everyone of the process for this meeting. Our goal is to have everyone who wants to be able to participate be able to do so, and that's including the public. Our department secretary, Michelle Vispi, is our organizer for this meeting and will be managing all of that. At the beginning of each agenda item, I will call on the related staff member to present first. Once the presentation is completed, I will call on each Commissioner in alphabetical order to offer their comments and I will be going last. If a Commissioner has additional comments they would like to add afterwards, they can unmute themselves in that open time. Michelle will be trying to keep all other attendees on mute to prevent background noise and echo. Please try to avoid talking over other people so that everyone listening in can hear clearly. If a member of the public would like to comment on an agenda item and they are connected to this meeting through their computer, they should also message Michelle through the chat function with their name, district or address, and the agenda item on which they'd like to comment. The chat window is accessed by clicking on the speech bubble icon on the top bar. You can select to send your chat comment to just the organizers using the pop-up list at the bottom of the chat screen. If you are connected to the meeting audio by phone only, your name only shows as Caller 01, 02, etc., so you need to let us know who you are when requesting to comment. All lines will be muted until individuals are called on to speak. To support any attendees who are connected to the meeting only through their phone, we will unmute each phone that is connected to the call one at a time to ask whether you have any comments. When you are unmuted, you will hear unmuted in your earpiece and that it your cue to know that your line is open. If you have no comments, please just say no comments, then we

can move to the next caller. Anyone giving oral comments will have the usual five minutes. All speaker, especially Commissioners, must identify themselves prior to speaking in compliance with the executive order on teleconference meetings by Governor Carney. Votes will be taken by roll call. If there are any issues during the meeting, we may adjust these guidelines if necessary. To begin, I will ask each Commissioner and staff member to identify where they are physically located, and I will begin. This is Will Hurd and I am connecting to this conference from my home in District 2.

Mr. Karl Kadar: This is Karl Kadar and I'm attending this conference from my home in District 6.

Mr. Hurd: Oh, sorry. I should have been doing this in order. Commissioner Drake?

Mr. Pete Drake: Hi, I am attending this meeting from my home in Newark, Delaware on Plymouth Drive.

Mr. Hurd: Commissioner McNatt? Commissioner McNatt?

Ms. Stacy McNatt: Are you there?

Mr. Hurd: Yes, I can hear you.

Ms. McNatt: Can you hear me? Okay, great. Sorry, I said I am in District 3 from my home on Braemar Drive.

Mr. Hurd: Thank you. Commissioner Silverman?

Mr. Alan Silverman: I am attending from my home at 23 Wakefield Drive in District 5.

Mr. Hurd: Thank you. Commissioner Stozek?

Mr. Bob Stozek: I'm attending from my home in District 1.

Mr. Hurd: And finally, Commissioner Wampler?

Mr. Tom Wampler: Hi, this is Tom Wampler and I'm at 39 East Park Place in District 4.

Mr. Hurd: Alright, thank you very much.

2. THE MINUTES OF THE MARCH 3, 2020 PLANNING COMMISSION MEETING.

Mr. Hurd: Alright, moving to Item 2 on the agenda, the minutes of the March 3, 2020 Planning Commission meeting. I will go in order if anyone has comments or corrections. Commissioner Drake?

Mr. Drake: I'm sorry. No questions or comments.

Mr. Hurd: Thank you. Commissioner Kadar?

Mr. Kadar: No questions or comments.

Mr. Hurd: Thank you. Commissioner McNatt?

Ms. McNatt: No questions or comments.

Mr. Hurd: Thank you. Commissioner Silverman?

Mr. Silverman: No questions or comments.

Mr. Hurd: Thank you. Commissioner Stozek?

Mr. Stozek: No questions or comments.

Mr. Hurd: Thank you. Commissioner Wampler?

Mr. Wampler: No questions or comments.

Mr. Hurd: And I also have no questions or comments. So, I say that the minutes are approved by acclamation. I don't have a gavel. This is terrible. There, gaveled.

THE MINUTES OF THE MARCH 3, 2020 PLANNING COMMISSION MEETING ARE APPROVED.

Mr. Hurd: Alright, Items 3 and 4 have been withdrawn until a later meeting, as explained in the email to everyone where staff needed time to review the conditional use language and the affected party in Item 3 wished to move their agenda item to be in the same meeting as that work.

3. REVIEW AND CONSIDERATION OF THE ZONING DESIGNATION OF 19 AMSTEL AVENUE FROM RS (ONE-FAMILY DETACHED RESIDENTIAL) TO RM (MULTI-FAMILY DWELLINGS – GARDEN APARTMENTS). [WITHDRAWN UNTIL A FUTURE PLANNING COMMISSION MEETING.]

[Secretary's Note: Review and consideration of the zoning designation of 19 Amstel Avenue was withdrawn until a future Planning Commission meeting.]

4. REVIEW AND CONSIDERATION OF AN ORDINANCE TO ADD "FRATERNITY AND SORORITY" CLASSIFICATION AS NEW CONDITIONAL USE UNDER RM AND RA ZONING. [WITHDRAWN UNTIL A FUTURE PLANNING COMMISSION MEETING.]

[Secretary's Note: Review and consideration of an ordinance to add "fraternity and sorority" classification as a new conditional use under RM and RA zoning was withdrawn until a future Planning Commission meeting.]

5. REVIEW AND CONSIDERATION OF AMENDMENTS TO THE 2018 INTERNATIONAL ENERGY CODE.

Mr. Hurd: So, that moves us to Item 5, review and consideration of amendments to the 2018 International Energy Code. Alright, Director Gray, could you lead us off.

Ms. Mary Ellen Gray: Sorry, I started talking and I'm like why . . . yeah, I was muted. Let me start again. Planning and Development Director Mary Ellen Gray. Thank you, Commissioner Hurd. In your packet was the proposed Green Building Code in ordinance form. At our last meeting on March 3, we had reviewed, the Planning Commission had reviewed this energy code, proposed energy code, and Commissioner Hurd did a presentation and there were some questions regarding that. We have since not, we have not made any changes to the proposed ordinance since it was presented to the Planning Commission on March 3. Now I just want to, by way of background, mention that it was scheduled on the Planning, on the City Council agenda to be presented in concept form utilizing the same presentation that Commissioner Hurd presented to the Planning Commission on March 3, and that was scheduled to go to Council on March 16 just to get some general thoughts and input on this code provision before it went back to Planning Commission. For those who perhaps might not be aware, that agenda item, along with most other agenda items, were removed from that agenda to deal with the COVID-19 issue, and that was our first virtual Council meeting. It was like a hybrid virtual Council meeting because we livestreamed it from the Council Chambers, but we didn't have any public. We had public attending via livestream. So that was not heard. The first reading for the Green Building Code is still scheduled to go to Council on April 27, and that's certainly dependent upon if there are many

changes recommended by Planning Commission this evening. So, I would hand it back to you, Commissioner Hurd, on that. Thank you.

Mr. Hurd: Alright, thank you so much. This afternoon we circulated to the Commissioners a summary of the comments received so far on the language of the amendments to the 2018 IECC. It was just Alan and me who had provided the bulk of the comments. So, given that, I think I'm going to go in order for the Commissioners and basically let Alan and myself sort of explain the comments we have that you can see here in the document itself.

[Secretary's Note: A link to the Planning and Development Department memorandum regarding amendments to the 2018 International Energy Conservation Code and the Planning Commission comments regarding the amendments to the 2018 International Energy Conservation Code can be found at the end of this document.]

Mr. Hurd: So, we will begin with Commissioner Drake.

Mr. Drake: I reviewed them, and I don't have any questions or comments.

Mr. Hurd: Alright, thank you so much. Commissioner Kadar?

Mr. Kadar: Reviewed, with no questions or comments.

Mr. Hurd: Alright. Commissioner McNatt?

Ms. McNatt: I have reviewed them, and I have no questions or comments.

Mr. Hurd: Okay, thank you. Commissioner Silverman?

Mr. Silverman: I have reviewed the document as presented and I'm totally in support of the proposal made, particularly as shown on Page 4 where the requirements for square footage for commercial are down to 5,000 square feet and the residential units are down to three residential unit subdivisions. I like the effort done by the committee by grouping the credits into three main categories of energy conservation, resource conservation, and indoor environmental quality. The way the work was done by the committee and the format makes the goals of this effort much more understandable. It takes it from the concepts of light-color roofs and solar panels out into literally the systems in the building. And not only does the program meet the green energy goals, it also makes the construction and the livability of the units provided and the square footage provided a much better quality. At the end of the document I had several questions referring to generally Line 655 and I don't know whether we need to explore whether graywater reuse is even permissible under DNREC regulations . . .

Mr. Hurd: Okay.

Mr. Silverman: Even what is a very good reuse of water and conserves a potable water source. And the site disturbance and elevation in the flood zone, whether there's any conflict between existing FEMA Codes and the City Code. If this is allowing extra points for exceeding those elevations, then that needs to be clarified in the language. And that's pretty much my comments. This is a very complete document . . .

Mr. Hurd: Okay.

Mr. Silverman: A very easy to read document and reflects highly on the people that put it together, including Mr. Firestone.

Mr. Hurd: Alright, thank you so much. I will say I don't believe . . .

Mr. Silverman: And that's the end of my comments.

Mr. Hurd: Thank you. I don't believe we had done any checking about graywater and DNREC so that's a valid question that we should probably research just to be sure that we're not proposing points for something that wouldn't be permissible in the state. And for the flood zone elevations, I think we looked into like five feet above base.

Mr. Silverman: I believe that's the reference to five feet . . .

Mr. Hurd: I believe the current code is 18 inches.

Mr. Silverman: Right, so what we're saying in the text is that if you have the first floor living elevation five feet or greater, you get these points.

Mr. Hurd: Correct.

Mr. Silverman: Okay.

Mr. Hurd: The intention is to exceed the current recommended guidelines for most everybody to remove the challenges or the issues with flood zones and having to tear down buildings and rebuild them and such. Alright, thank you. Commissioner Stozek?

Mr. Stozek: No other comments.

Mr. Hurd: Okay. Thank you. Commissioner Wampler?

Mr. Wampler: Yeah, I have just one question. I have a little background on one of the items and that is in the table, Lines 299 to 308 about bicycle storage. And in the original language, there is short-term storage and long-term storage, and I am assuming short-term storage refers to like just a regular bike rack. Is that right?

Mr. Hurd: That was correct. That was, when I re-read this last week, I picked that up, too, and that's why my edits were removing references to the short-term storage because the City already mandates one bike space for every five car spaces that you install. So, it's already in our Code that we provide short-term storage.

Mr. Wampler: Yeah, that was my question. Once that had been removed, it was probably covered by someplace else in the Code. I just wanted to be sure that I understood that correctly. But other than that, I think it's wonderful.

Mr. Hurd: Okay, thank you. I honestly don't have a lot to say about this because we've been living this for a year. I just wanted to kind of point out the changes that I'd made, there are sort of three types. One was to remove provide and replace it with earn throughout the document because we were a little inconsistent on using that. The other was actually based on a comment that Nancy Payne, the director of the AIA of Delaware, she had been reviewing this document and had sent me some, talked to me a little bit, and when she was reading it, it wasn't clear to her if you did a stretch performance option how many points you still had to get if you did that. Because it looked like we said you get 30 points plus four and four and then you're done. So, my edits on that were language to make it clear that you get the 30 or 40 points, you still have to get 50, but now instead of a minimum of eight in the other two categories, it's a minimum of four in the other two categories. And then there was the slight edits to the bicycle storage to, instead of saying what we'd said before with commercial, institutional, residential and retail, connecting them to specifically called out uses that are in the current Zoning Code for off-street parking requirements so that we can use apples to apples. So, if someone says I have a professional office, you know, the Zoning Code says professional office and here's the parking spaces, this code will say professional office, and this is the long-term storage spaces that are required.

I do agree with Alan's comment that URLs and other information like that we should reference in an appendix or some other place outside of the actual enacted code so that than can change

on-the-fly more easily. Oh, this is one that, again, Ms. Payne picked up. At the very, very end, we talk about, it says . . . where did it go? Line 789 to 790, what we had written was that, let me try to flip to that fast while I'm talking, that a minimum of ten additional points is required for the site plan approval process. But that is counter to the site plan approval process which is to say here are areas of consideration that the City will use in determining whether to grant site plan approval. So, that was why I felt we needed to strike it out of this section of the code because right here it's a mandatory ten points, and while we want to encourage the ten points, we can't make it mandatory. And then rewriting, slightly editing the site plan approval language to pull back in that energy conservation paragraph so that it says one area of consideration is energy conservation demonstrated by providing ten additional points in the section and referring it back. So, I just wanted to be sure that that was clear about why I did that and what the intention was.

Alright, are there any further comments from Commissioners based on what I've said and other comments from Commissioners that they wish to raise? And you can just unmute yourself.

Mr. Drake: Peter Drake, no comments.

Mr. Hurd: Okay. And you don't have to, if you don't have anything to say, you don't have to chime in. But just an open space here. Okay.

Mr. Stozek: Will, Bob Stozek.

Mr. Hurd: Yes?

Mr. Stozek: Are you looking for comments about this, these changes or just the document in general?

Mr. Hurd: Well, my hope is that these changes would then be incorporated into the document that we've got. So . . .

Mr. Stozek: I didn't know if you were doing it like part one and part two, or we can just talk about anything about the document at this point.

Mr. Hurd: My hope was to try to do this with basically approval as amended using this as the amendments. So, if you have comments on these comments, changes and such, I'd be glad to hear them.

Mr. Stozek: I don't have any comments about these, I just have a couple of questions about the process and the overall document that was put together by the committee.

Mr. Hurd: Okay.

Mr. Stozek: Do you want me to go ahead now with those?

Mr. Hurd: Sure, sure.

Mr. Stozek: Okay. I noticed I think there were two members of the committee who represented builders in the area. Maybe Jeremy can answer this question, but I'm just curious, did they register any concerns about being able to work with this document or meet the requirements?

Mr. Hurd: I don't have a memory, I mean there was a few things that in the course of conversation we adjusted based on input from them. We had Ben Prettyman as a developer, and he does also construct, and we had Rob, I'm going to blank on the last name, but from Bancroft, I think, Construction, who is a GC, who provided, he wasn't at every meeting but he did provide some ideas about, some context around items that we were discussing in terms of

constructability or, you know, is that something that we can easily get if we're talking about materials or processes.

Mr. Stozek: So, were his concerns answered?

Mr. Hurd: I believe so.

Mr. Stozek: Okay. My second question was there was discussion about these stretch codes or whatever you want to call them . . .

Mr. Hurd: Stretch options, sure.

Mr. Stozek: And I think there was a reference made to New York and maybe it was Massachusetts has done something similar to this. And there were models, you referenced models that those states had done relative to what would be the cost and, you know, benefit ratio, the cost benefit numbers. Do we have any actual data from those states? Have those things been implemented in those states? Do we have actual data or are these just from models?

Mr. Hurd: I was not able to find anyone who has reported actual data yet, and I did go looking. This was all I had found was a study in New York and a study in Massachusetts. And I think the Massachusetts one might even have been a model done while they were considering the stretch code as a way to kind of explain the impact of the code change. It does seem to be in line, I think, within the committee, and I'll let the other committee members chime in, it did seem to be in the realm of what seemed feasible. That is, it will cost a little more but not a huge amount more. And it will provide a benefit but maybe not a completely offsetting benefit, you know, in the first year. But I think the challenge we recognized is that the City of Newark, for the most part, you know, buildings are being built for people who occupy them that don't own them mostly. So, we felt it was important for us to make sure that there was a push to make the building performance improve because if you don't occupy the building as the owner, the incentive isn't there necessarily for savings and energy and such.

Mr. Stozek: Okay. My last question has to do again with the stretch idea, and I haven't done an exercise to see whether this even makes sense but let me ask the question anyway. If you have to get, say, a minimum of 50 points, is it possible that somebody could take one of these areas and do a stretch item to get extra points but not do things in the basic requirements? In other words, it's like making change. You know, can you put extra effort in one area but not do it in other areas that might seem beneficial since there are no requirements to do a minimum number of points from the basic requirements?

Mr. Hurd: So, there is a requirement in, we're proposing a requirement in the code that they provide 24 points in the energy conservation category, 8 points in the resource conservation category, and 8 points in the indoor environmental quality, so that's a total of 32, I think. No, that's not right. Forty. So, there are 10 points left over. If they're just going down the checklist, there's 10 points left over that they can get from anywhere they want in this checklist. If they do either of the stretch performance options where they're documenting performance that is 20% better or 40% better than code, they get those 30 or 40 points and that covers the energy conservation category, but they still need to get points in the resource conservation and the indoor environmental quality category.

Mr. Stozek: Okay.

Mr. Hurd: That was something that we were very clear on. We wanted to be sure that they couldn't just fill it all up in one category and never touch the other ones.

Mr. Stozek: Okay. Yeah, that was my concern that they, you know, juggle things to their benefit and not do some basic things that made a lot of sense.

Mr. Hurd: Right.

Mr. Stozek: Okay, that's all I had.

Mr. Hurd: Okay. I don't want to feel like I'm misrepresenting anything so if anyone on the committee wants to jump in and correct or add to my comments, they are welcome to.

Mr. Reid Rowlands: So, can I chime in?

Mr. Hurd: Sure. Hi, Reid. Oh, yeah, can you announce yourself?

Mr. Rowlands: Reid Rowlands.

Mr. Hurd: We haven't been doing that.

Mr. Rowlands: Throughout the year process, I just want to make the members aware that it was always a discussion on is this feasible, can a builder build this, does it cost too much to get this point? So, we went back and forth and either added more points because it cost more, or we eliminated to try to make it a code that can be built to without an extreme amount of effort. Primarily it's really more, to me, it's more of an education that they'll be required to do. They'll have to learn this. They have to learn how to get airtightness down to 2 or 3, whatever they try to go for. And that's just the education. It doesn't really cost more in material necessarily, but they have to learn this. So anyway, it was always a banter back and forth to make sure that this is a cost-effective process.

Mr. Hurd: Alright, Will Hurd again. Thank you, Reid. I see, oh wait, I hope I'm not jumping in. Jeremy, it looks like you're ready to talk.

Mr. Jeremy Firestone: Yeah, I was pretty much just going to concur on Reid's assessment and say that I thought the group worked really well together. It was a very consensus driven process and we took our time, as you all know, and we went over things multiple times to ensure everyone was comfortable and everyone thought the items were both doable and really had the fairest assignment of points that we could come up with as a group based on our collective knowledge and expertise.

Mr. Hurd: I agree.

Mr. Rowlands: Can I chime back in?

Mr. Hurd: I think Tim looks like he wants to jump in on something but then I'll let you go, Reid. Yes, Tim?

Mr. Tim Poole: I just wanted to say that one of the other things that we tried to emphasize in this code is just the ability to build to the code and not require a bunch of engineering and additional costs involved in the planning of the buildings. That they could just be built to the code. So, that's all I wanted to add.

Mr. Hurd: Alright, thank you. Back to you, Reid.

Mr. Rowlands: So, this basically is a stretch code and we referenced, or Will has referenced New York and a few other areas, but we have gone through multiple, I mean this is not, we're not reinventing the wheel here. This is probably 30, 40, 50 of them around the country that are being implemented – county, state, city by city. We're not the only ones doing this kind of code.

Mr. Hurd: Agreed. Alright, Michelle, I see one caller on the line, Caller 01. Let's unmute them and see if they have any comments. Caller 01, do you have any comments on this item? Is anyone on the line? Alright, I will take that as a no comment. Alright, so I will bring it back to the dais.

Any further comments before we move forward? I'm not seeing anyone jumping for the microphone. Okay. Secretary Wampler, could you read the motion please?

Mr. Wampler: Now I'm going to consider the print-out of the list as modifications and I'm going to make a motion that the modifications that we discussed tonight be added to the amendments and sent to the City Council, if that's what you're looking for.

Mr. Hurd: That is indeed. Thank you.

Mr. Wampler: Okay. Therefore, I move that the Planning Commission recommend that City Council adopt the amendments to the 2018 International Energy Code as modified in the April 7, 2020 Planning Commission meeting.

Mr. Hurd: Alright, thank you. Commissioner Drake?

Mr. Drake: I'm in agreement.

Mr. Hurd: Oh, sorry. We need a second.

Mr. Silverman: This is Commissioner Silverman. I'll second.

Mr. Hurd: Thank you. This is so weird. Okay, Commissioner Drake?

Mr. Drake: I vote in favor.

Mr. Hurd: Thank you. Commissioner Kadar?

Mr. Kadar: In favor.

Mr. Hurd: Thank you. Commissioner McNatt?

Ms. McNatt: In favor.

Mr. Hurd: Thank you. Commissioner Silverman?

Mr. Silverman: In favor.

Mr. Hurd: Thank you. Commissioner Stozek?

Mr. Stozek: In favor.

Mr. Hurd: Thank you. Commissioner Wampler?

Mr. Wampler: In favor.

Mr. Hurd: Thank you. And Commissioner Will Hurd votes in favor, as well. Motion is carried.

MOTION BY WAMPLER, SECONDED BY SILVERMAN THAT THE PLANNING COMMISSION MAKE THE FOLLOWING RECOMMENDATION TO CITY COUNCIL:

THAT CITY COUNCIL ADOPT THE AMENDMENTS TO THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE AS REVISED BY THE PLANNING COMMISSION AT THEIR APRIL 7, 2020 MEETING.

VOTE: 7-0

AYE: DRAKE, HURD, KADAR, MCNATT, SILVERMAN, STOZEK, WAMPLER

NAY: NONE

MOTION PASSED

6. REVIEW AND CONSIDERATION OF AN ORDINANCE TO AMEND CHAPTER 32 APPENDIX XXV-LANDSCAPE SCREENING AND TREATMENT. [WITHDRAWN UNTIL A FUTURE PLANNING COMMISSION MEETING.]

[Secretary's Note: Review and consideration of an ordinance to amend Chapter 32 Appendix XXV - Landscape Screening and Treatment was withdrawn until a future Planning Commission meeting.]

Mr. Hurd: Okay, Item 6, review and consideration of an ordinance to amend Chapter 32 for landscape screening and treatment was withdrawn by the City and hopes to be on the May agenda when they are not scrambling to deal with COVID-19 issues and can review their ordinance.

7. INFORMATIONAL ITEMS.

- a. PLANNING AND DEVELOPMENT DEPARTMENT CURRENT PROJECTS**
- b. PLANNING AND DEVELOPMENT DEPARTMENT LAND USE PROJECT TRACKING MATRIX**
- c. PLANNING DIRECTOR'S REPORT**

Mr. Hurd: Which moves us to informational items. The current projects and the land use project tracking matrix were included in your packets and we will now have the Planning Director's report. Director Gray, please.

Ms. Gray: Oh, now I'm unmuted. Sorry, I'll start my spiel again. Was I talked before or no? Are you just hearing me now?

Mr. Hurd: I didn't hear a thing.

Ms. Gray: Okay, I'll start again. Thank you, Chairman Hurd. Director Mary Ellen Gray of the Planning and Development here and I will have, I have a brief Director's report. Since the April, excuse me, since the March meeting, starting March 13, the City was going to do a pilot for working at home due to the COVID-19 situation and that became a stay at home from March 13. So, the bulk of our activities, at least my activity, has been focused on the transition to working from home. Not just me but having the Planning and Development Department work from home, keeping staff safe as well as productive. So, I had articulated in the last two weekly reports that I'm happy to report that we have successfully transitioned to working in home and working in the field because certainly we have our Code Enforcement officials and our Property Maintenance Inspectors working in the field. So, our construction projects are moving forward, the rental inspections, the regular rental inspections are postponed until further notice due to an abundance of caution which, well, now at the Governor's direction we should not be going into people's homes, but they are certainly busy at work doing property maintenance things. Other related issues, we are now able to take, we put together a drop-box in the lobby so that plans and permits and applications . . . and actually we just received the land-use application for a special use permit today . . . so we set up a process where we can take things in. Certainly, we prefer things by email now but there are situations where you have a big roll of plans, so we have that drop-box. We're also able to process affidavits remotely and we're taking calls at our homes. The phone systems have been transferred to home so when you're calling the City, you're still getting an answer. There has been a couple of hiccups with that but, by and large, that has been working as well.

So, some non-COVID related issues that we've been working on, tomorrow we have a virtual meeting on the Transportation Improvement District Committee and that's at 1:30. We're utilizing a slightly different platform that is Microsoft Team Meeting and that's going to be organized by Dave Athey from AECOM. And we just had a practice session today that went well,

so we're optimistic that that meeting is going to be a successful virtual meeting. Some other, a couple of other issues we've been working on, we're coordinating with some DART folks regarding a grant. We are not applying for it, but the DART folks are applying for the grant for federal transit on, to complement Unicity. It's called micro-transit and we're very excited to be part of that effort and we're hopeful that we'll be successful in getting that. Micro-transit is kind of a combination of a bus system with like a paratransit system and Uber where it's a crowd-sourced transportation system where it would be on-call. So, you would call ahead and say I want to go to the Food Lion at 10 o'clock and that pick-up would be coordinated with other people who are going in the same, a similar direction, and the drivers would be contracted. So, it would be a driving service, not a private entity like somebody pulling up in a Toyota Camry or something. So, here again, we're not exactly sure how that's all going to work out, but we're excited to be part of that.

So, coming up at Council, the meeting before the March 16 meeting when things kind of took a turn for the worse regarding the COVID-19 situation, March 9, Margherita's Pizza's special use permit to serve wine and beer was approved and there was a big cheer for that. And March 16, as I mentioned, not only the Green Building Code issue was continued but also the Unicity discussion. We had planned a demonstration of the kneeling bus that University of Delaware uses and a security camera system as well as a GPS and phone app. So, we're still trying to work to move that forward. We're also looking to try to pilot the UD bus system, the kneeling bus system, in the summer when UD buses are driving once again. So, we're excited about that opportunity. The Planning Area 7, excuse me, the proposed amendment to the Comp Plan to add Planning Area 7 was tabled at the March 16 meeting and to be rescheduled at a later time. We are, in talking with Councilman Markham, he had asked for and we are planning to have like a public meeting, a virtual public meeting on April 30 to discuss, there was concern articulated by Council that there was still some questions regarding that and they didn't want to have the first virtual meeting on a topic that there were a lot of questions. So, here again, they tabled it. So, on April 30 we are planning to have a virtual meeting to present, again, the proposed Planning Area 7 from a, staff will be doing that. And that will be the first half of the meeting and then the second half of the meeting will be a, staff will step out, and Councilman Markham will be having a community meeting on the proposed Milford Run subdivision. So, there are a couple of other items coming up on Council. On April 27, which will be the next Council meeting, we are hopeful to have a, propose a recommended contractor or contractors for a request for planning professional services. Council had approved in the budget for 2020 some consultant money to help assist the Planning staff with some additional resources. So, were optimistic that that will be able to be presented on April 27 and approved. Yeah, I think I mentioned this, also at the April 27 meeting is the first reading for the Green Building Code, and I did not mention this, it will be the second reading for the fee revisions. Moving forward, for the May 11, excuse me, the May 4 Council meeting is the proposed second reading for the Green Building Code, and May 11 is the Twin Lakes subdivision. Oh, and also looking at my calendar, May 18 is also a Council meeting where we'll be proposed to talk about the recommendations from the Rental Housing Workgroup. And that concludes my remarks.

Mr. Hurd: Alright, thank you so much.

8. NEW BUSINESS

Mr. Hurd: Moving to Item 8, new business. It's slow but I'm just going to poll every Commissioner to see if you have anything new business-wise to add for us to consider. I'll start with Commissioner Drake.

Mr. Drake: No new business.

Mr. Hurd: Thank you. Commissioner Kadar?

Mr. Kadar: No new business.

Mr. Hurd: Thank you. Commissioner McNatt? Commissioner McNatt? Stacy, do you have anything to add?

Mr. Tom Fruehstorfer: She commented, No.

Mr. Hurd: Okay. Still having microphone problems, I guess. Yeah, I didn't have my chat window up, sorry. Alright, Commissioner Silverman?

Mr. Silverman: No new business.

Mr. Hurd: Thank you. Commissioner Stozek?

Mr. Stozek: No new business.

Mr. Hurd: Thank you. Commissioner Wampler?

Mr. Wampler: No new business.

Mr. Hurd: Alright. And finally, me, Commissioner Hurd. Just a heads-up for people, I think we discussed this at a meeting or two ago, I will be drafting a set of bylaws for the Planning Commission to fill in some gaps in operational stuff that we're finding between what the Code lays out and sort of what our accepted practices are. But we have a gap of we don't have full authority sort of laid out for some of the things we think we should be able to do. So, this was a chance to get some of that down on paper, have some conversations about it, and hopefully get that set up so that we don't have issues going forward. So, we hope to have that on the May agenda if we can.

9. GENERAL PUBLIC COMMENT

Mr. Hurd: Alright, that moves us to Item 9, general public comment. I think we are still, we still only have Caller 01 as the only unidentified person. Michelle, can we unmute them, please?

Ms. Michelle Vispi: I think Caller 01 is Commissioner McNatt.

Mr. Fruehstorfer: Caller 01 is Stacy.

Mr. Hurd: Oh, that's Stacy. Okay. Stacy, is that you on Caller 01 on the phone? Okay, we don't seem to have the person. Okay, I just wanted to be sure we got a chance for everybody. That brings us to the end of our incredibly short meeting. I really do want to thank everybody for taking the time to come to the practice meetings to get set up, to make sure everything was working well. This is a work in progress, of course, and we're still figuring it out, but I think this went pretty smoothly. So, with that, I will accept a motion to adjourn.

Mr. Wampler: So moved.

Mr. Hurd: Do I have a second?

Mr. Drake: Second.

Mr. Hurd: Alright. Oh darn, here we go with roll call. Commissioner Drake?

Mr. Drake: Yes, I agree to adjourn.

Mr. Hurd: Okay. Commissioner Kadar?

Mr. Kadar: Aye, I agree to adjourn.

Mr. Hurd: Commissioner McNatt?

Mr. Paul Bilodeau: She agrees.

Mr. Hurd: She agrees, okay. Commissioner Silverman? Commissioner Silverman, voting Aye or Nay on adjourning.

Mr. Silverman: Aye.

Mr. Hurd: Okay. Commissioner Stozek?

Mr. Stozek: Aye.

Mr. Hurd: Commissioner Wampler?

Mr. Wampler: Aye.

Mr. Hurd: And Commissioner Hurd say Aye, as well. Thank you all. We are adjourned.

There being no further business, the April 7, 2020 Planning Commission meeting adjourned at 7:43 p.m.

Respectfully submitted,
Tom Wampler
Planning Commission Secretary

As transcribed by Michelle Vispi
Planning and Development Department Secretary

Attachments

Exhibit A: [Planning and Development Department memorandum \(Amendments to 2018 IECC\)](#)

Exhibit B: [Planning Commission comments \(Amendments to 2018 IECC\)](#)