

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING MINUTES**

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

November 3, 2020

7:00 p.m.

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

Chairman: Will Hurd

Commissioners Present: Karl Kadar
Alan Silverman
Bob Stozek
Tom Wampler
Stacy McNatt
Allison Stine

Commissioners Absent: At-Large (Vacant)

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

Mr. Will Hurd called the Planning Commission meeting to order at 7:06 p.m.

1. CHAIR'S REMARKS.

Mr. Hurd: Good evening everyone and welcome to the November 3, 2020 City of Newark Planning Commission meeting. I hope everyone's voted cause we're probably going to run til polls close. This is Will Hurd, Chair of the Planning Commission. We are following the State and Council directives on remote meetings and holding this meeting through the GoToMeeting platform. Our goal is to support the participation of everyone in this meeting. Angela Conrad, our Administrative Professional, on loan, is the organizer for this meeting and will be managing the chat and general meeting logistics. At the beginning of each agenda item, I will call on the related staff member or applicant to present. Once the presentation is complete, I will call on each Commissioner in rotating alphabetical order to offer their comments. If a Commissioner has additional comments they would like to add afterwards, they can unmute themselves and I will call on them to make it clear who is speaking next. Angela will be keeping 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. We will then take public comment on each item, in accordance to the Governor's declaration on remote meetings. Everyone giving public comment will need to identify themselves. We will first read into the record comments received by email prior to the meeting. If members of the public would like to comment on an agenda item during the meeting, they should send a message through the chat function with their name, district or address, and which agenda item they wish to comment on. We are going to skip the next section cause I don't see anybody at the moment on the phone. Anyone giving oral comments will have the usual five minutes, comments must be germane to the agenda item and directed to the Planning Commission. Each person may only comment once per agenda item. Alright to start off, Chair's remarks. I think the only item I am going to mention is Item 3, Review and Consideration of the Project at 132 – 138 E. Main Street, has been withdrawn until further, until a future

meeting. Otherwise, nothing else. Item 2: The minutes of the October 6, 2020, Planning Commission Meeting. I just want to start by commending Angela, for really great first go at our minutes. I remember when we were trying to do minutes when Michelle was on leave or something and it was challenging to get those done. I reviewed them against the recording, and it is really difficult to get the words both correct and in the right order. So, all that, however, because there were significant edits both by me and by Angela done to the document and we don't have that back in our hands, I'm going to postpone approving the minutes until the next meeting so when we will, when we have copies in front of us, we can review. We will also in the December meeting be reviewing the CIP Meeting minutes, I'm assuming? Alright, that's Item 2, Item 3 is off the agenda. We are now on *Item 4: Review and Consideration of An Ordinance to Amend Chapter 32, Appendix XXV - Landscape Screening and Treatment*.

Mr. Spadafino: Thank you Mr. Chairman and members of the Planning Commission, my name is Joe Spadafino, the Director of Parks and Recreation, and earlier this summer I presented a draft proposal for revisions to Chapter 32, Article 25, Landscape Screening and Treatment Ordinance to the Planning Commission, the Conservation Advisory Committee and City Council and based on comments and suggestions from those meetings, we revisited the Landscape Screening Treatment Ordinance with the review committee and updated the draft document to make some additional updates and changes. So, the document that is on the screen now are all of the additional changes to the document and some of the revisions include lowering the mapping of all trees with diameter breast height of twenty-four inches or greater to twelve inches or greater, and the mitigation of value trees is now divided into three different categories. The 12" inches to the 17.99" diameter breast height. 18" to 23.99" diameter breast height, and twenty-four DBH and over. The designation of landmark tree has been removed from the previous draft. So, what we have done is created three areas of the value trees and then in the general provision for forested area the addition of the removal of invasive species with the approved management plan that is required in the forested area that is to remain within the subdivision. We also cleaned up some of the verbiage in the ordinance to make it more clear, to make clear or explain the process in a little more detail and then we also, in Section 32-90(B) removed the "Table for Recommending Ground Cover and Lower Evergreens." This tree and shrub list would be separate document that will be available on the Parks and Recreation Department website. It can be changed when needed as invasive planting designations, diseases and insect infestation require the planting list to be updated. So, hopefully everyone has had a chance to review the updated Landscaping Screening and Treatment Ordinance. I would be more than happy to take any questions on the documents.

Mr. Hurd: Alright, thank you, I guess we will begin with Commission Kadar.

Mr. Kadar: Yea, let me refer you to lines 197 to 210 and this is where we are working out formulas for valid tree replacement. Joe, can you explain to me, now I can see for an example, where it says a twelve to eighteen-inch trees, DBH trees, will be replaced by 1 1 ½ inch to 2-inch caliper tree. But then when we get into 18 – 24 and 24 plus the formula goes to like 2 every 6 inches. So, it goes an 18 – 24 would have 3 – 4 1 ½" DBH trees while a 24 would have 12 1 ½" trees. Why there is a discrepancy between the smaller trees and the larger ones?

Mr. Spadafino: Well the ah...

Mr. Kadar: The 12" DBH to an 18" DBH is a pretty significant tree.

Mr. Spadafino: Yes, so the DBH for the 18 – 24 would be two, one and one-half inch to two-inch caliper trees or five large shrubs and then for the next level breast tree would be every six inches, DBH 24 inches and over would be for three, one and one-half inch to two inch caliper trees. I believe you may have said twelve. So, it's progression up and we have gone from going from no value to the 12" to 18", or 17.99 to doing a one to one basis. Or pretty much one for one-one and a half inches to two inches caliper tree. We feel like that is still a significant move from going with to no values of those trees to going to one for every one of those trees, replacing it with one and one-half, two inches, two-inch caliper trees.

Mr. Kadar: Well, it but that is kind of a significant difference because if you go to point number 2 there, on line 199,

Mr. Spadafino: Yes.

Mr. Kadar: For every six inches of DBH for a minimum of two, so if it's 18 to 24 that's three, right? It's not two, it's three.

Mr. Spadafino: Yea.

Mr. Kadar: So, where's the two come in? A minimum of two?

Mr. Spadafino: No, a minimum of two for every six inches of caliper, the value would be two one-half inch to two-inch caliper trees I don't know if we are on the same page for that. But you are saying the value would be? So for an 18" tree they would owe six trees for eighteen-inch tree they would owe six.

Mr. Kadar: That's a massive jump. Let's be real, seventeen inches versus eighteen inches and the difference are six versus one. That's, that doesn't seem consistent to me and if our intention is to preserve the valued trees by replacing twelve to seventeen-inch tree with one tree versus an eighteen-inch tree with six that's a not, that's not equitable. We really want to keep the forested areas as healthy and in fact add to them over in the future. So,

Mr. Spadafino: Yea, this would not be for

Mr. Kadar: I know it's not forested areas. That's not what we'll talk about that later. But that seems way out of whack as far as I know. That's just my comment and will leave it up to the other commissioners when it's their turn to do so. Whatever I said to line 197 to 210 also would apply to line 277 to 291 which is essentially the same discussion.

Mr. Spadafino: Okay

Mr. Kadar: Okay? Now on line 243 forested area preservation am I missing something? Is there a definition for what a forested area is?

Mr. Spadafino: Yea, that is actually in the, that's going to be in addition onto the definition, Angela if you can, I don't know if you are able to pull up the Definition Area. That is something that is going to be in section Article II – Definitions Section 32-4, so 45.1 has the definition of, so this will be in the definition portion of the Section 32.

Mr. Kadar: Okay, so that, we don't have that, here right?

Mr. Spadafino: No, I apologize for that, that was an attachment I should have included the definitions.

Mr. Kadar: I'm fine here.

Mr. Spadafino: The forested area, what's that?

Mr. Kadar: I'm fine with that. As long as I know there is a definition area.

Mr. Spadafino: While I am on this page, if you don't mind, Angela, scrolling down to the other change update in here being Invasive Species definition. Which will be 62.1.

Mr. Kadar: Yea, so.

Mr. Spadafino: I apologize for not including the definition updates in this, in your packets.

Mr. Kadar: That is all I have. No further comments, thank you.

Mr. Spadafino: Okay, thank you.

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

Ms. McNatt: I appreciate the Invasive species inclusion into the document other than the similar question Mr. Kadar had which blew my mind as well, I couldn't wrap my head around it. That's the only concerns I have on it as well. So, I have no additional comment at this time.

Mr. Spadafino: Okay, thank you.

Mr. Hurd: Alright, Commissioner Silverman? Mr. Silverman, you are still on mote, mute. There you go.

Mr. Silverman: Thank you. Referring to the cover document and, containing the three bullet points; bullet point two they talk about removal of invasive species in an approved management plan. Does an approved management plan also extend to forest area preservation?

Mr. Spadafino: Yes, it does, we added that in the forested area. Preservation is where that was added to.

Mr. Silverman: Okay, good. I'm glad to see that the invasive species has made its way into the document. I know when we considered O Paper Mill Road; I raised the issue with respect to that site and there was a lot of discussion with respect to invasive species and how they would be identified and calculated in the tree cover but I'm glad to see it there. Thank you very much. That's my comment.

Mr. Spadafino: Thank you.

Mr. Hurd: Okay, Commissioner Stine?

Ms. Stine: Thank you, I just have one question if you could clarify line 307. Where it talks about "In no case shall greater than 75% of the forested area be removed." Does that, I only see that type of language under the General Provisions for Forested Area Preservation. Does that, do they, does that apply anywhere else?

Mr. Spadafino: Yes, in the non-forested area it applies as well so you must, I'm sorry, I'm sorry, just in the forested area do we even have to leave at least twenty five percent of the, the forested area.

Ms. Stine: Okay, so that doesn't apply in any of the other categories like residential,

Mr. Spadafino: No, in the non-forested area it does not. The only thing we have is the seventy-five percent, you would have to mitigate seventy-five percent of the valued trees. But as far as the preservation, you would have to leave twenty-five percent of the forested areas would have to remain.

Ms. Stine: Okay, thank you. That's my only question.

Mr. Spadafino: Okay, thank you.

Mr. Hurd: Okay, Commissioner Wampler?

Mr. Wampler: There are a lot of changes here, I think all of which I think have been looked at pretty carefully and by us and other people as well. I think it's; I think a great job has been done here. In particular, I like the idea of putting the table of recommendations outside of the

document so that I assume that the motivation for that is that changes to be made to that without having to change the actual code as things come in and out of action. Is that right?

Mr. Spadafino: That is correct. We felt like it would be living document that we could make updates and changes for example, we are not recommending a lot of trees in the oak family because the Emerald Ash Borer, I'm sorry, because of the I can't think of the diseases there now, but ash trees as the last four so we are not recommending the ash trees right now in any of the landscape plans we see until that the insect infestation is over and then also the like I said the oaks have the bacterial leaf scorch that is killing a lot of the oaks. So, we're hoping that in a couple of years that will not, no longer be the case. But then as diseases come through like I said, or things are added to the invasive list, we can update the plan.

Mr. Wampler: Yea, I just I would have mentioned that. I think that was recommended last time we were talking about it. I'm glad to see that was done. I think that administratively that makes a lot of sense. It kind of streamlines things and that's, that's all I have.

Mr. Hurd: Okay, thank you. I would just like to note that I appreciated that we are now basically, all the math is on valued trees that are removed; instead of sort of counting all trees. So, that invasive species trees that are part of the invasive species plan aren't being considered in the mitigation. I think that is striking a nice balance between clearing the site of the unwanted trees basically for no penalty and then having an attached mitigation cost to the other ones. To dive into the replacement trees math a little bit, I'm kind of with Commissioner Kadar on the jump between the 12 to almost the 18 and the 18 and up. The one thing I will note is that because we now have that new category of 18 to almost 24 because of how we defined it, the math works out that you really only get, you get 3 six inch, six inches of diameter into that because you can't mathematically get the fourth one because we haven't gotten to 24. So, I almost say rewrite that to say you know the valued trees between 18 and 23.99 is replaced by 6 trees, there's no math involved there because there is only one calculation that is going to work. The twenty-four and up can stay what it is. So I think part of our discussion should be what should we replace at twelve inches to 17.99 tree with? Should it be a single tree, should it be four trees, if we followed the same math of saying it's that six-inch caliper is two trees. So, Mr. Spadafino, was there discussion about sort of how that kind of replacement value that led to this?

Mr. Spadafino: Yes, the committee did have, I can shed a little bit of light, thank you. The we talked to the committee and said we had a lot of discussion on that and we thought going from no value to those trees to going one and for one basis. Which is especially in forested area could add up quite significantly and then also in just in a regular landscape setting in a non-wooded would total pretty quickly and it would more than likely make the developer not be able to fit the number of trees into a subdivision or create it to be more challenging. Also would make the mitigation value go up and you know there is some talk about the value especially in the wooded area, you know which will already be thousands of dollars for mitigation value if we chose to go the \$500.00 per tree route and that's something that's not going to be eaten by the developer. That is something that is going to be passed onto the individuals moving into those developments and to the homeowners. Which is basically going to drive up, it will potentially drive up the cost of living in Newark or would have the potential somewhat drive up the cost of living at least, for that development. So, like I said some of those larger trees, you know we are talking about in the forested area could be as much as for one tree a \$10,000.00 value.

Mr. Hurd: Right, okay.

Mr. Fruehstorfer: If I could jump in here, I normally wouldn't but I was on the committee.

Mr. Hurd: Yes.

Mr. Fruehstorfer: I'm an engineer so deciding the proper true replacements values I didn't feel was, was my forte, I stayed out of it. But maybe Joe can mention the background on some of the people who are on the committee that came up with these numbers. One of them being someone

whose been developing potential code for New Castle County also. These were numbers that were come up with by biologists, professionals in the field, of what they thought were realistic and adequate replacement values. Maybe, maybe Joe you could mention what the background of the team members are.

Mr. Spadafino: Well we have the State Botanist is on the committee and then also a member of the CAC Committee and then also an Urban Forestry Professor from the University of Delaware, Tara Trammell. I can tell you that New Castle County the lowest they go for tree mitigation is 16" tree. So, we are well below what that would be, and I might, I have, I looked through other codes and throughout the country and you would be challenged to find, they are out there. Maybe your research may dig a little deeper than mine but there's not a lot of cities that I came across to go as low as twelve inch caliper trees for mitigation and I didn't see any other ones in the State of Delaware who went as low as the twelve inch mitigation. You know that's another item that we're not a cookie cutter operation that we do everything that New Castle County or Kent County or you know other states are doing. But we do look at that as sort of a resource to see what the [unclear] of mitigation is in other areas. As I said, there are one community I believe is as low as ten. That was in North Carolina. You are not going to find a lot of go down as low as twelve.

Mr. Hurd: Okay and I should have realized, thinking about the committee that you guys wouldn't be willfully going ah twelve-inch trees don't matter, like it matters some, but they don't matter as much as eighteen and up.

Mr. Spadafino: Yea, and we are going from, you know we are going from zero value of those trees to one for one. Those trees, like you said it's not you know it's not a, it might seem on the surface to be a, you know a minimal amount but when you start adding up the trees on a piece of property. Of course, every property is different. I will admit that, so, but has potential to drive that right up.

Mr. Hurd: And I do recognize the challenge in balancing what you would love to see which is like you know a full replacement of the, of the effective value of that tree in terms of its carbon, you know absorption. You know the potential with the cost to the developer and therefor the cost to the residents down the road and trying to strike a balance between those. So..

Mr. Spadafino: Exactly.

Mr. Hurd: I think I will just say the only thing I would recommend is that for 199 item 2, you can probably take out the math there about for every six inches of caliper and blah, blah because you are really talking about eighteen inch trees which is three – three six inch diameters which is six trees minimum.

Mr. Spadafino: Yeah.

Mr. Hurd: I mean there really isn't math involved there because you've constrained it so tightly.

Mr. Spadafino: Exactly.

Mr. Hurd: Which I think would be the same then on also page, line 279.

Mr. Spadafino: Okay.

Mr. Hurd: Where in the forested areas. I kind of agree with the other commissioners. I think this also is, I think that the effort made going back and kind of giving it a second look after everyone's had a go round on it really has made it stronger. Good job.

Mr. Spadafino: Thank you.

Mr. Hurd: Alright, let's see any further comment?

Mr. Silverman: Will I would like to congratulate Mr. Spadafino for the process that was used here, and the tracking of that process was represented in a paper trail. Very easy to follow what the group did. Very easy to follow the changes, very well-done presentation.

Mr. Hurd: I agree.

Mr. Spadafino: Thank you, I also want to thank the, I think we had some of every one of the committees and Council, I think we've have had some excellent discussion to get to this point. So, I do appreciate all of your input as well.

Mr. Hurd: So, you had council, CAC, and us all kind of looking at different, like I think you got a good to make it stronger. Alright, we will open the floor to public comment. However, there is, the call, alright, closing public comment and we can move, any further discussion? OK. Okay. Mr. Secretary, can you take us to the motion?

Mr. Wampler: Ugh, yea, do we want to include in the motion changing the wording in lines 199 and 279 to just indicate six trees without the math or, or approve as is?

Mr. Hurd: Yea, we can put it forward that way. I guess - Mr. Bilodeau, are you okay with that change in language?

Mr. Bilodeau: I'm sorry, were you, I heard mister, but I assumed you meant mister me.

Mr. Hurd: No, Mr. Spadafino, Director Spadafino.

Mr. Bilodeau: Yea. Okay.

Mr. Spadafino: For the language for the DBH totals that you had mentioned...

Mr. Hurd: Yeah.

Mr. Spadafino: Yea, I think that would make sense, math wise, make that update.

Mr. Hurd: Alright, so, doing the math line 199 it would be, to be removed, to be replaced with a minimum of six trees, and on line 279 it would be nine - because the forested area has a higher replacement.

Mr. Wampler: Yea.

Mr. Spadafino: Yes.

Mr. Hurd: Commissioner Wampler, you could just say as corrected or as modified and not have to list the modifications.

Mr. Wampler: Yea, I think that's, I think that's the best way.

Mr. Hurd: Okay.

Mr. Wampler: Okay, I move that the Planning Commission recommend approval to City Council for the proposed revisions to Chapter 32 Article 25 Landscape Screening and Treatment Ordinance dated October 26, 2020 with the discussed changes to lines 199 and 279.

Mr. Hurd: Excellent, do I have a second?

Ms. McNatt: I'll second.

Mr. Hurd: Thank you, McNatt. Any discussion on the motion?

Mr. Silverman: I'll second, Silverman.

Mr. Hurd: Any discussion on the motion? Alright, moving to the vote. Commissioner Wampler?

Mr. Wampler: I vote aye.

Mr. Hurd: Commissioner Kadar?

Mr. Kadar: Aye.

Mr. Hurd: Thank you. Commissioner McNatt.

Ms. McNatt: Aye.

Mr. Hurd: Commissioner Silverman? Commissioner Silverman how do you vote?

Mr. Silverman: I vote aye.

Mr. Hurd: Okay, there we go.

Mr. Silverman: You went digital.

Mr. Hurd: Yea, you cut out on us. Can you say again?

Mr. Silverman: I vote aye.

Mr. Hurd: Thank you and Commissioner Stine?

Ms. Stine: I vote aye.

Mr. Hurd: and I vote aye as well.

Vote: 5 Ayes – 0 Nay. Unanimous.

Mr. Hurd: Alright, moving on. Closing that. One of these days I will figure out how to make a gavel sound work. The one thing the virtual meeting lacks is a gavel tool. Alright, that takes us to *Item 5: The Status Update of the Steering Committee and meeting schedule for the 5-year review of the Comprehensive Development Plan V.*

Mr. Fortner: Alright, thank you, Mr. Chairman. Ugh, Angie either can you give me the shared screen access or share the document?

Ms. Conrad: Sure, let me share it with you. One moment please.

Mr. Fortner: Okay.

Ms. Conrad: You should have full access.

Mr. Fortner: I see it, I see it. And then you guys see the memo there that is all I am bringing up. So, making good progress on establishing the Steering Committee as it says in the memo, we will have two Planning Commissioners, right now, Alan Silverman and Karl Kadar will volunteer. Go ahead, what?

Mr. Hurd: I will just jump in quickly, so I made a, I goofed, when talking to Alan about this I had misinterpreted his enthusiasm for the project for a desire to volunteer. So, Alan is not there, as Alan is doing an yeoman's job on the TID.

Mr. Fortner: Understood.

Mr. Hurd: So, we will need additional Planning Commissioner.

Mr. Fortner: and we can, we don't have to decide that right now, if you want to think about it. University of Delaware, of course in contact with someone Katelyn Olsen, we have contacted her for recommendation on someone in the leadership, we also have a UD student, we contacted, Adam Foley, as Director of Diversity Education at the Biden School and they give us a name just today got a name recommendation and they found a student that does a, interested in doing it. Of course, Mary Ellen will be the staff and the Planning Department's staff, and I will be the committee's administrator. We have several at large candidates, have in the pipeline for consideration. We haven't necessarily talked to any of them yet, but we have names have been given to us, recommended and that includes two housing authority residents. One recommended by the Housing Authority and another one who reached out who is also a resident of the Housing Authority. Of course, the college student, previously mentioned. Partnership reaching out to them and we are trying to get someone that is in the nonprofit sector and someone is from the business sector in their organization. Finally, someone from the Development Community, we have a short list of names for that. So, we hope to have this sorted out and we of course have still have a different additional outreach out there, newsletter that went out, different, also different kinds of people we have contacted through other means and so we hope to get this flushed out and have a complete list of actual names for you that are confirmed that are able to do it by the December meeting. You will have that slate. Also, we are still on track to do a meeting in that December time frame too. Which will be kind of a general orientation meeting.

Mr. Hurd: Right. I think we meet the first of December so; we should be able to get the committee together and then still have time to advertise the committee meeting. (Inaudible). Actually, we should advertise it before we meet to approve the slate. Just still, okay. Alright, do we have any commissioner comments might have and I will start with Commissioner Stine.

Ms. Stine: Thank you, I'm good. Thank you.

Mr. Hurd: Okay, Commissioner Wampler?

Mr. Wampler: My only comment is good start.

Mr. Hurd: Okay, great. Commissioner Kadar?

Mr. Kadar: No comments.

Mr. Hurd: Sorry, I missed that.

Mr. Kadar: It's breaking up a little bit.

Mr. Hurd: Yea, having some, kind of fuzzy today. Commissioner McNatt?

Ms. McNatt: I have no comments.

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

Mr. Silverman: I have no comment.

Mr. Hurd: Alright, my only comment is I think I'm really pleased that we have got a large list of residents to kind of work through. Cause I think our earlier discussions have been that is a crucial piece of this process. Both to provide perspective and I think help, I don't know help give the process some, I don't know, to help Council see it as being a real publicly sourced and involved process. So that will be good. Alright, as I said in my email that I sent earlier, if all of you could just consider is serving on this, if you would have the energy for, it would be greatly appreciated. Our intention is to keep it on schedule for six months, it might go to eight if anything gets carried over and needs a little extra time, but the intention fully is to get it done quickly. Quickly but

effectively. Okay, I think that's it. There's no action that we are going to need tonight on this. Alright, so we can move on that, I will open the floor for any public comment. I'm seeing none, so I will close public comment. Alright, that is that, thank you. It takes us to *Item 6: Informational Items*.

Mr. Fortner: How do I get rid of this screen, Angie can you take it back from me?

Mr. Hurd: Alright, I will just start, you will be noting in your informational packets I'm starting to send more articles in for inclusion that deal with the changes that other municipalities are doing to deal with the issues around single-family zoning. Because as we start to prepare to wrestle with recommendations with the rental housing subcommittee and ways to incorporate and accommodate affordable housing in the city. I want us to be aware that this is part of a larger conversation that is being, that's taking place throughout the country. Additionally, I am also including, sort of, because this is something that was opened to me from reading Color of Law. - which is the only book I've read so far on that - but that is still helping to break apart some of the ways that single-family zoning has disproportionately affected people of color through exclusion from generational wealth accumulation. So, looking at some of the things we are doing as remedies to help counteract. So, just kind of again a broader (inaudible) starting to take root and something that we need to be kind of aware of, what is going on out there that people are wrestling with and coming up with solutions. (inaudible). That takes us to the Planning Director's Report. Which would be Director Gray.

Ms. Gray: Thank you Chairman Hurd, I was finding my unmute button and let me find my report. I have about eighty-five windows opened here.

Mr. Hurd: Only eighty-five?

Ms. Gray: I know, I am a little low this today. Alright, so this is Mary Ellen Gray, so I want to start with approved projects and projects that went to Council and I just noticed that projects going to Council I left off. So, I will pull up my calendar too. So, on October 12th we, Chairman Hurd and I, presented to Council the Annual Report and Workplan that include the 5-year plan for the review of the Comprehensive Plan and I thought, we had a very good discussion with Council. I mean Chairman Hurd, what do you think?

Mr. Hurd: I think we did a good job. I will say I had casual meetings with two members who we expected, who have historically had strong opinions about the Comp Plan. Mitigate some of their sort of, gave them a chance to talk out some of the larger concerns and so that we didn't hear those in this process. As this was about the review and not about the comp plan and its how things are such though.

Ms. Gray: Well, to answer those questions little more one on one so that was a certainly helpful, helpful thing. I think it was overall a helpful discussion and we have since have not heard back Councilman Hamilton and Mayor Clifton both indicated that they thought they might have some names for us for the Steering Committee. But they haven't gotten back to us yet so, maybe there were folks who were thinking, have backed out. We don't know, but we have certainly followed up with them and waiting to hear back so, so that was a very helpful and good discussion. On October 6th there was a 2nd reading for the FEMA Floodplain Ordinance and the 2nd reading of the Zoning table and they both unanimously approved. Last night the Council this isn't Planning but Planning is part of it, Council approved the city budget. So, yay! So that was exciting. Coming up, between now and next Planning Commission meeting, well so we don't since Council approved the budget, we don't have a meeting on November 16th. So that is very exciting. On November 23rd we had the 2nd reading for Planning Area 7 as well as Milford Run. If you recall way back, it seems like so far ago, long, long time ago Planning Commission heard the Subdivision and we were in that, remember by the time when we met in the same room? And we did.

Mr. Hurd: I think it was February.

Ms. Gray: Yes, it was. It was the last meeting we had together. That was for Milford Run. The subdivisions, the major subdivision Milford Run and where Planning Commission recommended approval and then, but Council has not heard that subdivision. So, that is on the same night as Planning Area 7 November 23rd and there is no meeting on November 30th and that brings us to December 1st meeting. So that is past Council meetings and upcoming Council meetings between now and the next Planning Commission meeting. Other meetings we have had, we had a virtual public workshop on October 14th that was our TID Public Workshop. I thought that we did a great job and it was, you know, it was a highly technical matter. The TID the (Transportation Improvement District) that we were working on for Newark, City of Newark. It wasn't as highly attended as we had hoped. But the meeting was recorded, and that recording is available on our website should anybody wish to listen to it. So, there you have it, we certainly will be using portions of that, not the recording part but the part that we prepared for the in future presentations to Council because parts of the next steps will include coming back to Planning Commission for recommendation for Council on the next steps would be on service, not the service agreements, Mike help me out I'm getting the wrong term on that. The service standards, thank you. Service Standards that will be coming back to the Planning Commission for recommendations and to Council to be incorporated into the TID Agreement with DelDot. So, stay tuned on that. The Delaware Chapter, the American Planning Association had their virtual annual meeting on October 29 and 30th and our Mayor Clifton was a panelist on our first day, our first day we had panel discussion on COVID-19 and how it's impacted the Planning Landscape and we started with subject matter, keynote speaker, DH (Delaware Health & Social Services) Secretary, Molly Magarik, and she did a beautiful key note and we had started with the signs of COVID and we worked our way down from the national to local perspective. Closing with Mayor Clifton on the first day and he gave a perspective on what the City of Newark is doing regarding COVID and the response to it and the second day we did "How COVID Has Impacted Transportation and Transportation Has Been Impacted by COVID" and our keynote was by Secretary Cohen which was her last day. DelDot Secretary Cohen. Jennifer Cohen. She has since retired and is now moving onto Leadership Delaware, I think, her new position, and so then we here again the same model we did national perspective on down to the local perspective and I thought it was a great conference, it was well attended. We had up to 87 people participating that doesn't include the panelist. So, I think it was a record breaker. We have our debrief tomorrow. So, I will have the final numbers on that, so I thought it was a good conference. I will be sending it out to the Planning Commissioners you guys you might be interested in this. Our next meeting, I don't think you would be interested in the annual meeting but part of the annual meeting for the Delaware Chapter American Planning Association We're piggy backing it with our annual law review. Which is about a, it will be about an hour presentation and some questions, and Max Walton gives that every year. That will virtual meeting and that will be on December 2nd. So, we will be sending out the meeting invites on that here real soon or like if you would like to save the date so we will start to work in earnest on that. So, folks might find that of interest. Here again we will be recording that as well. So, stay tuned for that. Our little chapter is a chapter that could and the chapter that can. We do a lot of things that are all volunteer basis, so hopefully we are educating folks and getting folks together. Which is our goal. I will be sending, I sent it out to you, Will and I will be sending out to the rest of the Planning Commission. New Castle County is having a series of meetings on the Comprehensive Plan and they are really ramping up on earnest. I thought I probably should be forwarding those informational meetings to you all just in case you want to participate in those meetings. I will be forwarding those to you. You haven't missed much; I think that there have been one or two meetings before this one. This set of meetings, so I here again will be forwarding those out to you all in case you want to follow along or participate on any of them. I think they are really doing an outstanding job on public outreach. Some models to follow when we do an update here in a couple of years. Couple of years, not yet. So, some land use projects, that so we haven't had any land use project, the bridge project was last one, last couple of months and we have a bunch coming up. So, December, January, February, you'll be seeing land use projects. Probably at least one or two on the agendas coming up. Cause we had a bunch, bunch, bunch, they are all bunched like the python, something in a python? What's a thing in a python? And they all went out for comment and they all came back in and so not a bunch of them, but we have it appears we will have at least two ready to go for December. Never say never until it's actually being done. We most likely will have two ready for January,

most likely. We just got in two projects, two projects today. One on and we will be posting it since we don't have Michelle, might be a couple of days 'til we get it posted. But I will describe them to you. One is at 25 N. Chapel Street that is a major subdivision and special use permit. That's with the Chapel Street Players, Chapel?

Mr. Hurd: Chapel Street Players.

Ms. Gray: Chapel Street Players, thank you, are currently, is that they are being combined with a property just south of that. Two major subdivisions, special use permit parking on the first floor and fourteen two-bedroom units on the second and third floor. At this same time and there's reason for this the project at The Mill at White Clay Creek is being proposed to construct a restaurant and a 4,400-foot studio and 6,013 square foot arts, theater and a 3,420 square foot arts office. So, what are you thinking, we are thinking that the Chapel Street is going to be moving to White Clay Creek?

Mr. Hurd: Right.

Ms. Gray: That's what we're thinking. So, haven't talked to the applicant yet, haven't read through any of it. It just came in. So, that combined with some of the other projects; we have two projects that are in the flood plain, one on Casho Mill and one on Elkton Road that is in the FEMA. We have to send them to FEMA for some FEMA stuff. So, as soon as those come back, they are ready to go on our end, but we need to get some FEMA work done. Those will be ready to go. We have a project up on Capitol Trail that looks like it's going to be reworked. So that might be another month or two before that we get new plans for that. So, got a lot of land use activity going on. So, activities of the Planning Director for the past month. I didn't realize this but the IPA (Institute for Public Administration) they have a podcast? Who knew? It's called First State Insights and if you just google UDIPA First State Insights Podcast. Sharon O'Neil, the Policy Scientist there he asked to interview me for one of their future podcasts. So, it hasn't been edited and stuff or posted. So about, basically why I became a planner, what keeps me passionate about my work, about the, our, my DEAPA work, experience in leadership especially being as a female in this, you know in the field, and things like that. It's interesting my first interview as a podcast person. I thought that was interesting. So, that was the thing I did last month. I just want to let you guys know, just in case, Unicity is, it follows with UD bus service. So, as you all know UD is closing down their fall semester on November 20th and they are starting back up there, then they are having a winter session and then they are starting back their other, I guess their spring session on February 15th. So, between November 21st and February 14th they are not having bus service. So, we have an arrangement with UD, that they supply the bus drivers for Unicity. So, we will not be running Unicity between those times, so we will be updating, we already have that notice on our website, but we will be updating our website. We will use this time to reach out as best we can to our ridership and to see how our pilot, we did a pilot bus route between September 5th and now, we did a whole new route to see how that route is doing and how people liked it and to do a public outreach effort on that and we are also be looking to post bus stops throughout that area if folks like that and they will be doing bus stops throughout that route and just doing a better public outreach on that end in the age of COVID. We'll see how that goes. Delaware Population Consortium: we get our population figures from them, we are a member. Newark is a member of the Delaware Population Consortium I represent Newark on there. They meet monthly for about six months out of the year, we are looking to review and adopt the population figures for this coming year, this month on November 19th, so it's very exciting some people don't get jazzed about population figures; they tend to excite me. What can I say? One last thing before I wrap up, I mentioned New Castle County Comp Plan effort, we are working, we being the Delaware Chapter, The American Planning Association, I don't know why I didn't mention this last month? We applied for a grant and we were successful in getting a grant to help defray some costs working with New Castle County. New Castle County has formed what's called a Youth Planning Board, and it's they formed it, ages between, ages between sixteen and college age to be a planning board to help put together, or give comments on the comp plan and so these kids are getting training and lots of input and lots of interaction. Socially distant and virtual. I participated in social distant exercise about a month or so ago, about six weeks ago now and we

are helping, we are using the monies to help on some training effort and what we would like to do with this and have this be a model for other youth planning boards throughout the state. So, one of our thoughts is that if this is successful then when Newark does their, when we do our Comp Plan update, we can potentially have a youth planning board as well. Which would be, I think, super cool.

Mr. Hurd: Yea.

Ms. Gray: I know that's really technical planning term but I think, I think that would be good, combined with the University cause I met these kids and they were really enthusiastic and it's a way to get diversity, age diversity and these kids are from all over New Castle County and gosh golly gee they have way different perspective then some fifty-eight year old, you know. They are kind of fun. So anyway, that's enough from me, thank you Mr. Chair.

Mr. Hurd: Alright, thank you. We will move to Item 7, New Business. Anyone got thoughts on their mind? Okay, closing that one. Moving to general public comment, Item 8, I'm still seeing no public. Alright, close that. Which means we'll take; I'll take a motion for adjournment.

Mr. Wampler: So, moved.

Mr. Hurd: Any discussion or I'll take a second.

Ms. McNatt: Second.

Mr. Hurd: Alright. And if there's no dissent we are adjourned by acclamation. Thank you everyone.

THE PLANNING COMMISSION MEETING WAS ADJOURNED BY ACCLAMATION.

The November 3, 2020 Planning Commission meeting adjourned at 8:00 p.m.