

1 CITY OF NEWARK  
2 DELAWARE

3  
4 PLANNING COMMISSION  
5 MEETING MINUTES

6  
7 MEETING CONDUCTED IN PERSON AND REMOTELY  
8 VIA MICROSOFT TEAMS

9  
10 APRIL 5, 2022  
11 7:00 P.M.  
12

13 Present at the 7:00 P.M. Meeting:

14 **Commissioners Present:**

15 Chairman: Willard Hurd, AIA

16 Vice-Chair: Alan Silverman

17 Secretary: Karl Kadar

18 Allison Stine

19 Chris Williamson

20 Mark Serva

21 Stacy McNatt

22  
23 **Staff Present:**

24 Paul Bilodeau, City Solicitor

25 Mary Ellen Gray, Planning and Development Director

26 Renee Bensley, Planning and Development Deputy Director

27 Michael Fortner, Planner

28 Katie Dinsmore, Administrative Professional I  
29

30 **Chair Hurd called the Planning Commission to order at 7:02 p.m.**

31 Chair Hurd: Alright, Good evening, everyone and welcome to the April 5<sup>th</sup>, 2022 City of Newark Planning  
32 Commission meeting. This is Will Hurd, chair of the Planning Commission. As we are conducting a hybrid  
33 meeting using the Microsoft Teams platform, I would like to provide some guidelines for the meeting  
34 structure so that everyone is able to participate. Katie Dinsmore, the department's Administrative  
35 Professional, will be managing the chat and general meeting logistics. At the beginning of each item, I will  
36 call on the related staff member to present and, once the presentation is complete, I will call on each  
37 Commissioner in rotating alphabetical order to offer their comments. If a commissioner has additional  
38 comments they would like to add later, they should ask the chair to be recognized again after all others  
39 have had the opportunity to speak. For items open to public comment, we will then read into the record  
40 items received prior to the meeting followed by open public comment. If members of the public would  
41 like to comment on an agenda item and are attending in person, they should sign up on the sheet at the  
42 entrance and will be called on to speak at the appropriate time. If members of the public attending  
43 virtually would like to comment they should use the hand raising function in Microsoft Teams to signal  
44 the meeting organizer that they would like to speak or message the meeting organizer through the chat  
45 function with their name, district or address, and the agenda item on which they would like to comment.  
46 All lines will be muted, and cameras disabled until individuals are called on to speak. At that point the  
47 speaker's microphone and camera will be enabled and they can then turn on their cameras and unmute  
48 themselves to give their comments. Public comments will be limited to 5 minutes per person, all speakers  
49 must identify themselves prior to speaking, comments in the Microsoft Teams chat will not be considered  
50 part of the public record for the meeting unless they are read into the record as part of the meeting. The  
51 City of Newark strives to make our public meetings accessible and while the City is committed to this  
52 access, pursuant of the Delaware code section 10006A, technological failure does not affect the validity  
53 of this meeting, or any actions taken at this meeting. On general items, we will follow public comment  
54 with further discussion and questions from the commissioners and then the motions and voting by roll  
55 call. Commissioners will need to articulate their reasons for their vote for particular items. If there are any  
56 issues during the meeting, we may adjust these guidelines if necessary.

57 **1. Chair's Remarks**

58 Chair Hurd: Alright, Item 1, Chair's remarks. I don't really have anything except it's kind of surreal to be  
59 back here after 2 plus years. So, moving on.

60 **2. Approval of the March 1<sup>st</sup>, 2022, Minutes**

61 Chair Hurd: We have the minutes from the March 1<sup>st</sup> meeting. There have been some comments and  
62 corrections from Renee and others. Are there any other comments and corrections that people would like  
63 to submit?

64 Commissioner Kadar: I have one Mr. Chairman; this is Karl Kadar. On line 91 that should be "chairing" not  
65 "sharing".

66 Chair Hurd: Ok, anyone else? Alright minutes are approved by acclimation with corrections. That takes us  
67 to item 3.

68 **3. Review and consideration of the draft Comprehensive Development Plan 2.0**

69 Chair Hurd: Review and consideration of the draft Comprehensive Development Plan version 2.0 per the  
70 5-year review. Now to Planner Fortner.

71 Planner Fortner: Alright am I picking up, it sounds like it. Are you hearing me online alright Alan?

72 Commissioner Silverman: I'm getting quite an echo.

73 Planner Fortner: Getting an echo? I'm supposed to talk right into this microphone but it's pretty sensitive.  
74 Alright thank you Mr. Chairman and Planning Commission. I'm here to present the Comprehensive  
75 Development Plan. I think there is – Katelyn if you wouldn't mind putting up the slide? We just have a  
76 few slides, to give some structure. Of course, the Planning Commission met on March 1<sup>st</sup>, and they gave  
77 a lot of comments to the plan and since then we've also had a project Steering Committee that met on  
78 the 17<sup>th</sup>, and they reviewed your comments and approved the draft to go forward to Planning Commission  
79 and also, we got the letter from the Office of State Planning Coordination. They also reviewed the plan  
80 the month previous, and we got their letter. And so, they provided some comments as well and so I tried  
81 to work all of these comments into this draft of the Comprehensive Plan review, and I can just sort of walk  
82 you through them and this is the things we'll just sort of go through. We'll keep it on that slide for now.  
83 So, you have a report dated March 29<sup>th</sup>, and if you go to...if you don't mind, I could just go chapter by  
84 chapter or?

85 Chair Hurd: Yeah, I suggest you review all the changes since we last looked at it.

86 Planner Fortner: Then we'll go through?

87 Chair Hurd: Yeah. I'll have the Commissioners take their turn after.

88 Planner Fortner: Alright, so the introduction there was added by staff – an update to the trends and it's  
89 in that yellow line right there. We just...it was just a comment about the redevelopment of College Square  
90 – this is another development that happened. When you get to pages 11 and 12, there was some  
91 discussion made by request of the Planning Commission and added an expansive definition of household,  
92 family household, household nonfamily in your report right there. Those are roughly taken from the U.S.  
93 census and that's the source we used. We wanted to provide those definitions and we added those. And  
94 that concludes Chapter 1.

95 Commissioner Kadar: One item on the non-family households definitions, line 46, there I think you meant  
96 "household or living alone" not "along".

97 Planner Fortner: Yes, I would have meant alone let me see..."living alone with people to whom he or she  
98 is not related".

99 Commissioner Kadar: No, down at the bottom of the page, line 46...just above line 46.

100 Planner Fortner: Oh, just above?

101 Commissioner Kadar: "A non-family household consists of a household or living along".

102 Planner Fortner: Oh, there it is, yep. Should be an "E" thank you. Ok, we get to Chapter 2, Community  
103 Profile. At the request of Steering Committee, there was a little wording change that will...first of all, this  
104 is added to the section on page 15 and 16. At the request of the Planning Commission, there was also a

105 slight wording change, just a syntax there, and that was on page 15 and 16 and it was a kind of an  
106 orientation to the census and how we collected or used that data. On Chapter 2 at the request of the  
107 Planning Commission, we added...there was a line where we said “less diverse” where originally, we said  
108 something along the lines of “we’re behind” but the Commission recommended “less diverse” or, I’m  
109 sorry, they recommended “different”. We put in “less diverse”, so we said that we are becoming more  
110 diverse, but are less diverse than the rest of Delaware and the United States. On page 25, again at the  
111 request of the Planning Commission, they requested, since data becomes out of date very quickly, that  
112 we provide links to the most up to date sources, so we provided that on page 25 for the Community Profile  
113 chapter and those are both the sources that we’ve used.

114 The next chapter would be Chapter 3. There was a request by the Planning Commission to change  
115 “exploit” to “utilize” – we used just a change of words there to clarify and use a more positive word. The  
116 big thing is that I tried to put that picture in the heading of the chapter, or I was going to do the picture  
117 with the laser beams coming out which is behind, but the Steering Committee didn’t like it, so I took it  
118 out. So, there’s nothing there.

119 That’s Chapter 3 and we’ll go to Chapter 4, Public Utilities. This is based on the DNREC...they  
120 recommended this little section. We added this section – they wrote this. It’s directly from their letter so  
121 we added this in, and they gave some additional information which will be for our records, but they asked  
122 us to put this paragraph in there in this new section, so we did that. And that concludes the major changes  
123 in Chapter 4. Also, in the letter, there was a request to clarify how we do recycling in Newark and that was  
124 clarified by Public Works.

125 So, the next chapter we go to chapter 5, again this is a Planning Commission request to update the map  
126 we used 2010. We talked with WILMAPCO, and they just had the data to do census blocks to break it down  
127 and so they inserted that map as more of a density map. And then we inserted this paragraph to just give  
128 a little more background on that thing. I notice there’s a typo and I’ve revised it should say on the first line  
129 there, 92, “the density from the 2010 census to the census map 2020” so that was just written confusingly,  
130 I think. I rewrote that to make it clearer and that will be in the final text. The next number on line 99 is at  
131 the request of the Planning Commission, some more clarification on University Housing so we added some  
132 extra text there. We talked about how they’re shifting more centralized and how the bedroom counts in  
133 terms of the University population the policy’s remained the same, but when they extended their  
134 dormitories, they actually purchased some of our rental housing that already existed and made it a  
135 dormitory, so really have a significant shortfall on the overall impact on housing through these university  
136 acquisitions. And so, we just tried to identify that in that paragraph. So, the next section line 104, the last  
137 bullet point on page 4, is based on a DNREC comment and they asked us, and this is inserted in Chapter  
138 5, they asked us to promote their Energy weatherization program, so we included that to a list of programs  
139 we already have in the City because Newark residents are eligible for that, so we put that in there at  
140 DNREC’s request.

141 Chair Hurd: One moment, Mark has a question. Commissioner Serva?

142 Commissioner Serva: Yes, thank you. I’m having trouble following because on my copy first of all there are  
143 no line numbers, you’re referring to line numbers and second of all the it’s hard to follow because there  
144 aren’t any line numbers on what you’re saying if you could also when you’re presenting you could also  
145 mention the page number that would really help, you’re referencing say page 4 but I’m on like 51 on my  
146 output so I’m trying to follow along with your presentation.

147 Planner Fortner: Ok, so I am on the memo dated March 29<sup>th</sup> and I am on page 4, I just finished covering  
148 the last bullet point on page 4 where I talk about adding the DNREC’s weatherization program for Newark  
149 residents.

150 Chair Hurd: And Commissioner Serva, Director Gray is going to email you.

151 Director Gray: Actually, I’m going to re-email the packet that was sent electronically to all of the  
152 Commissioners.

153 Chair Hurd: There were no line numbers in the Comp Plan but there are line numbers in the department  
154 report which Planner Fortner is using.

155 Commissioner Serva: Thank you, I’ll pull that up.

156 Planner Fortner: Alright, so now I’m moving to page 5, the first bullet on page 5. It starts with page 66.  
157 And then again this, how about this? Alright.

158 Chair Hurd: Commissioner Serva did you still have a question? No, alright thank you.

159 Planner Fortner: So again, I'm on the top of page 5 where I reference page 66. Like Chapter 2, I added this  
160 source information so, yeah, this was the information that we used. So it was the U.S. Census Bureau since  
161 information gets out of date quickly, so people can go to this site and get the most up-to-date information  
162 as the American Community Survey rolls and continues each year. There were also a few other suggestions  
163 added such as the Ford Foundation, and Zillow. I didn't add those because I didn't use those for data to  
164 add to the report, so I didn't feel it was appropriate. I wanted to stick to government sources I used for  
165 the report.

166 And that moves us on to Chapter 6. Chapter 6 is transportation, again I'm on the second bullet on page 5,  
167 page 71 on at the Planning Commission's request, the Commission asked for a summary paragraph about  
168 Newark transportation about how dynamic the city is in terms of the University and how that impacts our  
169 transportation needs and our downtown, local parks, so this is just a summary paragraph that I think fits  
170 well and kind of sets the framework for Newark transportation. On the third bullet down on page 5, is,  
171 again this is staff inserted this, it's just a paragraph that was slightly rewritten, there were some syntax  
172 errors in that, and it wasn't clear and so it was written to be clearer. The 4<sup>th</sup> bullet on page 5 starts out on  
173 page 79, we did a status update on the Library Avenue mid-block crossing which is part of the TID  
174 discussion later on in the chapter at the request of Planning Commission. The final bullet on page 5 at the  
175 bottom of the page, this is from DART asked us to add some information about some DART services and  
176 so we...under this we added a little about the bus routes and where the bus goes, direct bus routes go.  
177 We also added a section on the next bullet – we're going on to page 6 now – we have a little bit of  
178 information on the Newark Train Station and more of an update which is scheduled to be done as they  
179 say in December 2022. And we added a picture, which I'm surprised we didn't have a picture in there  
180 already, but we didn't. Continuing on page 6 to page 90 this is from staff and DelDOT, DelDOT  
181 requested...we didn't have any new action items for transportation but we are actively involved in TID  
182 and all that which are ongoing, but we did come up with the Newark Bike Plan so we did put that in as a  
183 status, the Newark Bike Plan is actually looking to do an update on that and then later on moving to  
184 Chapter 7, we included another action item that was sort of already in there but we pulled it out as action  
185 item 10 where we explore the feasibility of micro transit in the City of Newark and we are working actively  
186 with our DART partner to look at grant opportunities and plan on how micro transit could look in Newark,  
187 and we think that's a good opportunity so that's an action item we inserted in there.

188 And that concludes Chapter 6, again I'm on page 7 of the staff report, and I'm moving to Chapter 7,  
189 Environmental Quality and based on DNREC we inserted a section on page 93 that kind of starts off the  
190 chapter with a paragraph about climate change and sustainability and we included this new text that they  
191 provided for us and then that leads right into the Newark Sustainability Plan we also had some public  
192 input that was collected as part of the Charrette process, and Katelyn if I could get you to go to the next  
193 slide please? We received this and it's from John Mateyko, he's from the CAC, and he provided some text  
194 about climate change and the text is written in the yellow there and he goes on to say that you could add  
195 on the third line...staff reviewed this carefully. We liked the first sentence, we think that's appropriate and  
196 we're recommending, if Planning Commission would like to insert this, to put this at the end of the climate  
197 change chapter on page 93 just after the new text we added we would go with that sentence. And then  
198 instead of the sentence 2 and 3 – if you could go to the next slide – we're recommending this text. John's  
199 text cites the National Climate Assessment, which is a very good document. It's all the federal agencies  
200 that collect this data, but it's a very technical document and it's more of a global scope document and so,  
201 instead of citing that document, we thought we'd get the same impact as citing the Delaware Climate  
202 Action Plan. They've asked us to cite that which we've done already in the plan, cite the plan but also  
203 because it is an action plan more specific to Delaware, it studies the specific needs of Delaware and, if  
204 we're going to do any mitigation, we would most likely work with our state partners, so we thought it  
205 would make the most sense to cite again the Delaware Climate Action Plan as our scientific basis for why  
206 we believe climate change is real and it is a concern of our community. And so that's up to the Planning  
207 Commission if we'd like to insert that in. So that covers...I'm still on chapter 7. On page 7, the Planning  
208 Commission...let's see this is really the second bullet down, it would be line 172. On page 99, this was the  
209 correction – on the environmental equality map it said, "Chrysler Opportunity Zone" and we changed that  
210 to STAR Campus. That was the old name for it, but the new name for it is STAR Campus, so we did that.  
211 That concludes Chapter 7.

212 Next we move on to Chapter 8, Parks and Recreation. The map on page 108 – this had to do with...they  
213 had numbers that didn't really coincide with anything. It was just a map and so I worked with our GIS staff,  
214 so we got those numbers taken off and so that map was replicated without the numbers. Moving to page

215 8...let's see...on page 120, a new action item was added based on the comments from the PLUS letter and  
216 it was about wetlands and buffers. DNREC made a recommendation and acknowledged that we had a 50-  
217 foot vegetation buffer zone. They recommended we do a 100 feet vegetation buffer zone. So, I consulted  
218 with Thomas Fruehstorfer and Parks and Recreation, and Public Works and their thought was that the  
219 100-foot buffer zone was too much for an urban area and they recommended this action item 7 which  
220 would be more a policy...to develop a policy to develop a 100-foot vegetation buffer from all wetlands,  
221 waterbodies, waterways, and city parkland that we would, in the land we already own, create these  
222 buffers. And also explore removing invasive plants in those areas where appropriate. That concludes  
223 Chapter 8.

224 Now we're on to Chapter 9 which is Economic Development. I'm on page 8 of the staff report, page 122 –  
225 based on staff review, text was added to update on the recently updated development on the Mill at  
226 White Clay Creek, so we just added some language that was done recently because it's a narrative of the  
227 different types of development happening around. And that concludes Chapter 9.

228 On page 8, next we're on to Chapter 10. The first bullet was part of a discussion from the Planning  
229 Commission meeting this had to do with the University and clarifying that, so we took out the language –  
230 we took out the previous definition to clarify single family homes purchased by UD for residential purposes  
231 do not automatically become designated as University Comp Plan designation. So the purpose of this is  
232 that this does provide protection for areas such as where the ELI Center is because, if that was to sell, we  
233 have it designated that it would be low density residential. Of course the University is exempt from our  
234 zoning code per se, but if they did try to sell that we have these kind of protections in it now, it  
235 acknowledges that because it's a single family house doesn't mean we automatically zone it to University  
236 for a single family home. We're on the 4<sup>th</sup> bullet down on page 8, page 139 based on staff review of the  
237 Comp plan, Omnibus corrections we originally had them, but I took them out but what you approved in  
238 October all of those corrections, we added that to the list of just sort of Comp Plan changes in the update.  
239 The final bullet on page 8 was just a wording clarification that was requested by the Planning Commission  
240 because we say "the focus areas give direction" I think we said these "guidelines" give directions instead.  
241 Now I'm on page 9, first bullet, where we created a new action item and I forgot to insert this but for each  
242 of the themes in the Newark Sustainability Plan we inserted it as an action item that covers sort of all the  
243 policy recommendations in the Newark Sustainability Plan. And so, theme 2 was about land use and how  
244 to use land use to develop good transportation policies to promote alternative transportation and electric  
245 cars and so we put that as action item number 2 because a big part of that theme is land use and using  
246 land use effectively. And that concludes Chapter 10 changes.

247 And finally, we go to Chapter 11. The main change was done by staff, and it has to do with Planning Area  
248 4. As you notice from the report, this is called the Stopyra Tract. This is something that's designated in the  
249 plan as "out of play". And because at the time of the plan there was legislation that if the city annexed it  
250 would have to pay back all of the reservoir money that it was granted and so that was considered out of  
251 play. well we just learned as of [2022] that has been taken out that provision. So, it is actually eligible to  
252 be annexed. So, staff's recommendation for the Comp Plan is that if we ever get an application, because  
253 of the size and scale of the property the Planning Department recommends that if the City receives an  
254 annexation proposal for the property, the project would be submitted to the Office of State Planning  
255 Coordination for an amendment to the Comp Plan and it would go through a similar process to what the  
256 Walton Farm went through. We would just go through that process again because we know that would  
257 be a very difficult process and we don't want to, if we put in an annexation now, it would make controversy  
258 we don't need right now. So that's our recommendation, so the plan just acknowledges that it could be,  
259 that it's no longer out of play.

260 And then finally Chapter 12 page 9, no changes were made to that. And that concludes my presentation  
261 and now I can go to the question phase.

262 Chair Hurd: Thank you Planner Fortner, we will begin with Commissioner Kadar.

263 Commissioner Kadar: As I said at the last meeting Michael, excellent job I appreciate all of your work on  
264 this, and you deserve a hell of a lot of credit for it.

265 Planner Fortner: Thank you.

266 Commissioner Kadar: I was impressed with the depth of the state review. I mean we all have visions of  
267 the autocrats down in Dover and some of them are very positive and some of them might be a little less  
268 positive. However, they did a really good job and a really deep dive in reviewing this Comprehensive Plan

269 and I think you've done an admirable job rolling all of those comments into the draft. I have no comments  
270 other than we're good as far as I'm concerned.

271 Planner Fortner: Thank you.

272 Chair Hurd: Alright, thank you. Commissioner McNatt if you're able? Alright I'll move on and maybe come  
273 back to Commissioner McNatt. Commissioner Serva?

274 Commissioner Serva: Yeah, I also want to echo the comments that Commissioner Kadar made. I think it's  
275 a really interesting presentation and I don't have too many comments here. The only thing I might suggest  
276 is that in Chapter 7, the additional text you were going to add regarding climate change, I think that could  
277 be worded a little better something about the best available science. I'm not sure if you could bring that  
278 up?

279 Planner Fortner: Could you bring that up Katelyn?

280 Commissioner Serva: I was just going to suggest something along the line of "the overwhelming  
281 consensus", "the overwhelming scientific consensus". "Best available science" to me just doesn't sound  
282 like the appropriate tone, but it's just a minor comment. It's just a wording preference as opposed to  
283 anything major. So, I would just suggest along the line "the overwhelming scientific consensus" as  
284 opposed to "best available science". I think it's a little more on point but again, I think it was a great  
285 presentation. It's just a minor comment.

286 Planner Fortner: That's a good suggestion, that text works too. I know that the person who made this  
287 comment – the "best available science" was important aspect of his comment, but I think there are other  
288 ways to say that that might be clearer.

289 Commissioner Serva: I will defer to you. I just wanted to offer this as a suggestion. If you think that's the  
290 best wording, I will defer to you.

291 Planner Fortner: Ok.

292 Chair Hurd: Commissioner Silverman?

293 Commissioner Silverman: I echo the other comments of the Commissioners on a job well done, I'd like to  
294 go back to...let's talk about the climate change suggestions that were just up. Would an example of  
295 Newark's heavy reliance on surface water be appropriate there with respect to climate change and  
296 drought in our region?

297 Planner Fortner: You're not talking about John's comment you're talking about just the comment on the  
298 DNREC lines?

299 Commissioner Silverman: Yes, that's correct. Is a risk and danger to the public and health safety welfare  
300 to the City of Newark, Delaware, and maybe insert an example of Newark's very heavy reliance on surface  
301 water as part of its public water system.

302 Planner Fortner: So, the idea is that we have less rainstorms, we have droughts?

303 Commissioner Silverman: That's correct.

304 Planner Fortner: Ok.

305 Commissioner Silverman: Because I remember some of the public comments who went around with FEMA  
306 maps and flooding and the public had some notions about the Delaware River extending out of its banks  
307 and we had to point out the overflow from our local streams. And another comment going back to line  
308 14, in the Housing and Community Development section. We had talked around providing the public who  
309 would read this document direction to other contemporary sources. We all know that sometimes the  
310 Census Bureau is lagging greatly and perhaps we could put a statement in there – I understand your  
311 reluctance to deal with commercial sources, but just referring readers to searches on the internet for  
312 Newark, Delaware can provide additional information about the Newark community.

313 Planner Fortner: Ok.

314 Commissioner Silverman: And my final comment is I concur with the staff with respect to action item 7 in  
315 the area of line 185, that a 100-foot vegetation buffer just is not appropriate for an urban area. And I could  
316 picture the number of housing units along Rahway Drive for example that would end up non-conforming  
317 because of this particular proposal. And Will, that's the end of my comments.

318 Chair Hurd: Ok, thank you. Commissioner Stine?

319 Commissioner Stine: Thank you, and congratulations on a really nice final work. I just to clarify had two  
320 sort of items checked and I think you addressed one. The issue of electric vehicles this is in the State's  
321 review, and they talk about electric vehicles. Are you saying that was addressed in action item number 2  
322 in chapter 10?

323 Planner Fortner: So, yes. That includes electric vehicles, so we feel like we referenced it there.

324 Commissioner Stine: Ok, that's great. So, the Department of Agriculture gave some pretty interesting  
325 comments, and I don't see that any of those were considered or were adopted.

326 Planner Fortner: I don't think we adopted any of those. We had trouble with staff fitting that into what  
327 we are doing. We are an urban and suburban community, and this was talking about farmland  
328 preservation, so we didn't. It's important but...

329 Commissioner Stine: But it does not apply, got it.

330 Planner Fortner: Except for the one farm that was just annexed, I mean we do have a farmland zoning, so  
331 we just didn't feel like it was applicable.

332 Commissioner Stine: Alright, I didn't know if they knew something we didn't know.

333 Planner Fortner: It's an analysis that we did maybe more for the update rather than the review and some  
334 of the stuff in the State letter was more for an update appropriate than a review.

335 Commissioner Stine: Right, that was fun to read. And that's all I had – thank you.

336 Chair Hurd: Thank you, Commissioner Williamson?

337 Commissioner Williamson: Thank you Chair Hurd, I just had a couple of style comments, but yeah kudos  
338 to your staff putting together a plan and document. It's always planning, and plan are both a verb and a  
339 noun and this is the plan. When we do these, it's a big deal and you have to be patient to see what happens  
340 over time. Just in general, a style in the list of tables, in the titles of tables some have dates, and some  
341 don't and that's probably ok, I'm just looking say in the table of contents. I suggest you revisit, make sure  
342 there's a date reference somewhere either in the text or the footnote otherwise people will assume it's  
343 the day they read it, or the date has something to do with when the plan was adopted and that may not  
344 be accurate. So just be aware sometimes it's a good idea to put the date in the title. But that's a style  
345 preference, up to you. On another style note, in Chapters 11 and 12 where you have the definitions, the  
346 U.S. Census, the agency is actually Bureau of the Census, but it's often always goes by Census Bureau and  
347 that's fine. U.S. Census might confuse people because they think of the Census 2020 or the Census 2010  
348 and you know you might just say the Census Bureau, because it's really the agency that's the source, not  
349 the actual annual census

350 Planner Fortner: Ok.

351 Commissioner Williamson: Ok, and on page 20 just a typo under Age and Characteristics, bullet number  
352 1, third line "residents under the age of 6 as rebounded" should that be "has rebounded"? On the second  
353 bullet there just a question really, the last sentence talks about "Newark's birth rate anticipated remains  
354 comparable to the national average over the next 10 years". The national average has been going down  
355 significantly so I don't know if that's still true you might just want to check that just a note. And let's see I  
356 had one or two more, again no criticism here. On page 54, the demographic shifts – it kind of looks like a  
357 population pyramid, which is a great graphic, showing ages of households as well as types of units, it only  
358 goes to 2020 is it possible to get that extended to 2030? Because this...

359 Planner Fortner: (inaudible)

360 Commissioner Williamson: Ah yes, of course, it just would have been useful to 2030, I understand  
361 completely. On page 105, at the end of Healthy Community referencing the parks and Map 8-1 – would it  
362 be useful to note when you look at the map downtown is kind of a hole, but the university has a lot of  
363 open space. So maybe a sentence that says the university campus has a lot of open space that acts like a  
364 park or something like that.

365 Planner Fortner: Ok, and that might be referring to active open space. So, a lot of university land might  
366 not qualify as active.

367 Commissioner Williamson: It is public though?

368 Planner Fortner: Yeah, but active space has to have like a tennis court or something, it's kind of just a  
369 weird thing.

370 Commissioner Williamson: Right, on that same Map, 8-1, I just noticed there's about 5 white blank spots.  
371 I didn't know if that's a GIS boo-boo, is there something that's supposed to be in them? If not if we could  
372 just correct them?

373 Planner Fortner: Ok.

374 Commissioner Williamson: Just little boxes of nothing they look like they should have text. And just one  
375 more, I think. I share with the other Commissioners on page 120, action item 7 regarding buffers and the  
376 idea that in an urban area you want to have access to the water, so that a buffer area doesn't prevent  
377 good public access so maybe put something in there about public access, but that'll be in your policy. And  
378 I think that's all – thank you.

379 Planner Fortner: Ok, thank you.

380 Chair Hurd: I have nothing really bad except for I completely concur with everyone's comments. This was  
381 a huge undertaking and I greatly appreciate that you took it on and I'm glad we're reaching the end of it.

382 Planner Fortner: Well, you are.

383 Chair Hurd: Right. Ok, that moves us to public comment. Katie, was there any public comment received  
384 on this item?

385 Ms. Dinsmore: No Chairman.

386 Chair Hurd: Alright, we have no one in person, we have no one online.

387 Solicitor Bilodeau: Mr. Hurd, could you check and see if Commissioner McNatt is available?

388 Chair Hurd: Oh right. Commissioner McNatt, are you available to comment?

389 Commissioner McNatt: Hi, I'm here. I agree with everybody's comments, I have no additional comments  
390 and thank you for including me.

391 Chair Hurd: Thank you. Alright so we're going to close public comment and bring it back...I'm going to  
392 assume there's not any final stuff so we can move to the motion.

393 Commissioner Kadar: I was just going to say that this is...I'm just checking with our Solicitor, there's no  
394 legal requirement for a motion at this point but I think we ought to introduce one that just gives the City  
395 Council a feel that the Planning Commission has approved something in its capacity.

396 Solicitor Bilodeau: That makes eminent sense. So, I would make a motion something along the lines of  
397 "the Planning Commission..."

398 Commissioner Kadar: So, let me introduce a motion then. Bear with me – I kind of scribbled it as we went  
399 along. **We move that the April 2022 draft of the City of Newark Comprehensive Development Plan**  
400 **version 2.0 be accepted by the Planning Commission as supported by the Planning and Development**  
401 **Department report dated March 29<sup>th</sup>, 2022 along with the comments and corrections noted at this**  
402 **meeting of the Planning Commission on April 5<sup>th</sup>, 2022 and the additional paragraph for page 94**  
403 **regarding climate change as submitted by the Planning Department be forwarded to the City Council**  
404 **for their review and approval.**

405 Commissioner Silverman: I'll second that.

406 Chair Hurd: Ok, I'll just add if we could in the text of the motion, it's the Comprehensive Development  
407 Plan, you left that out. Alright, we are moved in second, any discussion on the motion? Alright seeing none  
408 I'll move to the vote. Commissioner Kadar?

409 Commissioner Kadar: I vote aye.

410 Chair Hurd: Commissioner McNatt?

411 Commissioner McNatt: Aye.

412 Chair Hurd: Thank you. Commissioner Serva?

413 Commissioner Serva: Aye.



414 Chair Hurd: Commissioner Silverman?

415 Commissioner Silverman: Aye.

416 Chair Hurd: Commissioner Stine?

417 Commissioner Stine: Aye.

418 Chair Hurd: Commissioner Williamson?

419 Commissioner Williamson: Aye.

420 Chair Hurd: And I vote aye as well. Motion passes, congratulations. And that closes item 3.

421 **4. Informational Items**

422 Chair Hurd: That takes us to item 4, informational items the Planning Director's report.

423 Director Gray: Thank you Chairman Hurd, this is Mary Ellen Gray, Planning and Development Director. I've  
424 got a couple items to review, can you hear me?

425 Commissioner Silverman: Coming through loud and clear.

426 Chair Hurd: Ok, thank you.

427 Director Gray: Ok, and also Deputy Director Bensley will be adding on to the report as well. So, projects  
428 that went and are going to Council – on March 7<sup>th</sup>, the Downtown Parking Plan Phase 1 and 2 were  
429 presented to Council and the recommendations. And the recommendations were generally approved with  
430 some caveats. Currently compiling the notes and we'll be meeting internally to suss those out and then  
431 Council asked us to come back at a future date hopefully May/June timeline with an implementation work  
432 plan for those recommendations. I thought it was a very good discussion and happy to move onto the  
433 next step in that project. On March 14<sup>th</sup>, the Mill/Creekview/500-700 Creek View Road application for  
434 development was approved by Council. On March 28<sup>th</sup>, there was a second reading for the microbreweries  
435 and craft distilleries and Council approved the amendments to add both of those uses to the BB zoning  
436 district. Also, that night was a special use permit for Wooden Wheels which is the BB district up in the  
437 Shops at Louviers and that was approved as well. The third item on the March 28<sup>th</sup> agenda was the second  
438 reading to add the George Reed Village development into the Comprehensive Plan and that was approved  
439 by Council. Next Council meeting, we have off the next couple of weeks and the next Council meeting will  
440 be April 25<sup>th</sup>, where the land use item will be 132-138 East Main.

441 Some other happenings and meetings, it was all about the Charrette last week, all hands-on deck, and  
442 that's the Charrette revisions to the RA and BB zoning code, I thought it was a fabulous event, it was a  
443 classic Charrette yet with an update, modernization. My first Charrette a long time ago was you were  
444 around a big table, you have a bunch of maps, and you've got that tracing paper, you've got stickies,  
445 you've got markers, you've got dots – we didn't do any of that we did it all virtually. But I thought and in  
446 talking with AECOM this was their first virtual Charrette that they have done, and it took a lot of up-front  
447 work including a virtual walking tour and people also were allowed since it was hybrid, were allowed to  
448 come in, we had some folks come into the meeting live with us. But I thought it was a really great event  
449 and the advantage of doing this virtually is that we were able to record them. So, if you have some time,  
450 maybe not look at all of them, but look at the virtual walking tour and the final presentation which was  
451 made on Friday afternoon that was probably about an hour or hour and a half of presentation/discussion.  
452 And that's where the final designs were presented as well as the recommended tenets that we came up  
453 with as a result of the Charrette and that's all on our website – on the Charrette website. So, the next step  
454 for the Charrette is that we are currently working with the Charrette team to finalize the report that will  
455 summarize the happenings of the Charette and make recommendations on the main tenets for the RA  
456 and BB zoning code, and that we're looking to go May/June as well depending upon the availability of the  
457 agenda. I think this is going to have to take up most of the Council agenda for that night. So, stay tuned  
458 on that.

459 Deputy Director Bensley and I met with the City Manager to have a discussion about Council priorities. At  
460 the last Planning Commission meeting, I discussed that Council had come up with 14 project priorities that  
461 they would like the city staff to undertake this year and 8 of them are in the Planning Department, so we  
462 are starting to put together a work plan to present to Council and that is May 2<sup>nd</sup>. So, stay tuned for that.

463 We continue to do the preliminary planning work on the transition to EnerGov, we had a meeting on a  
464 meeting with a lot of people virtually to meet with the EnerGov team about some questions we had about

465 the proposed statement of work and the budget and we're starting to discuss what's called our workflow,  
466 how a permit goes from application to approval and all the steps that have to happen and how this  
467 database management system will address that. So, we had a demonstration and good conversation and  
468 we're super excited about the potential that the system has. Especially the front facing potential, meaning  
469 someone from the public accessing information. It's a journey and not a sprint, so that's going to take us  
470 a while but that's ok.

471 So also, along those lines we, with Katie Dinsmore's able assistance, we have not only have the active  
472 rental permits listed online but now we have a map which is super awesome, so I recommend folks going  
473 online and checking that out if you're interested in where all the rental properties are located in our city.  
474 And that is updated on a monthly basis.

475 We sent out a bunch of SAC letters between last meeting and now, 25 North Chapel, the 349, 341 and  
476 339 East Main Street, the 10 & 16 Benny Street, and 30 South Chapel project and also the 65 South Chapel  
477 which is otherwise the Continental apartments. So, we have received a response from the 10 and 16  
478 Benny folks, and we're currently reviewing that response so we're hoping that application will be ready  
479 to go by May for the May Planning Commission. We're waiting to hear back from a few departments on  
480 whether or not they can get their revisions done and into us. So now I'm going to hand it over to Deputy  
481 Director Bensley for her report thank you.

482 Deputy Director Bensley: Evening Everyone, this is my first time on this side of the dais at a meeting in a  
483 while and thank you very much for having me. For the record, I am Renee Bensley, Deputy Director of the  
484 Planning and Development Department and I just wanted to give some quick updates on what we've been  
485 up to in the Land Use Division. So, in addition to the projects that Director Gray listed for SAC letters, we  
486 also on Friday got out the 1119 South College SAC letter for the proposed hotel redevelopment that's  
487 down there. Additionally, we've been working on the preliminary research and potential paths forward  
488 for an accessory dwelling unit ordinance which was a recommendation from the Rental Housing  
489 Workgroup. A discussion will be brought to Planning Commission and Council prior to a formal ordinance  
490 being introduced. We are working on having that ready to cue up for the May Planning Commission  
491 meeting if the 10 and 16 Benny project isn't ready to come forward at that point, but we would push that  
492 back if there was a large development project on that agenda. We're also continuing training and  
493 realignment of tasks, in the division to maximize the contributions of our two new Planner 1s that came  
494 on in the end of November and the Deputy Director position coming on mid-February. We're reviewing  
495 our internal processes and procedures to see if there are improvements to the turnaround times for  
496 reviews particularly, we're looking at our development intake process in collaboration with other  
497 departments. So, we are ensuring that everything that is needed for an initial review is being collected at  
498 the original submission time and being reviewed at the time of intake. This will prevent incomplete  
499 submissions from sitting in the review queue, and then we get to review it, we can say "we don't have  
500 everything we need so please send us that and we'll start you again" so we're trying to cut out that delay  
501 in the review process. We're also looking at the Planning and Development Department website to update  
502 and correct content so we can provide a better public facing product. And I'm happy to take any questions  
503 that you guys have. Alright, thank you very much.

504 Commissioner McNatt: Can you hear me?

505 Chair Hurd: Yes.

506 Commissioner McNatt: Ok, sorry was I supposed to be speaking? I don't know what's happening.

507 Chair Hurd: If you have any questions for the staff?

508 Commissioner McNatt: No, I'm good, thank you, sorry.

509 Chair Hurd: Ok, no worries. (inaudible) Alright thank you, that concludes informational items.

## 510 **5. New Business**

511 Chair Hurd: That takes us to item 5, New Business. Anything on the Commissioner's minds that need to  
512 be brought up that we can bring back at a later meeting as an agenda item? That you didn't feel  
513 comfortable talking about at any other time? Ok, that concludes new business.

## 514 **6. Public Comment**

515 Chair Hurd: That takes us to general public comment. Katie, have we received any written general public  
516 comment?

517 Ms. Dinsmore: No Chairman Hurd we have not.

518 Chair Hurd: Alright, and there is no one in person, and there was no one online. So that closes general  
519 public comment, and then we have reached the end of the agenda, so the meeting is concluded.

520 **Chair Hurd adjourned the meeting at 8:10 p.m.**

521

522 Respectfully submitted,

523 Karl Kadar, Secretary

524

525 As transcribed by Katie Dinsmore

526 Planning and Development Department Administrative Professional I

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