

Town of Greenwood
Public Hearing Minutes
Town Council Meeting Minutes
Wednesday, August 23, 2023

COUNCIL and STAFF PRESENT:

Mayor Donald Torbert, Vice-Mayor Norman Reed, Councilman Mike Moran, Councilwoman Dee Jones, Councilman Marshall Kemp, Town Manager Janet Todd, Police Chief Phillip Thomas, Town Clerk Carolyn Chisenhall, Administrative Assistant Amy Carey, Town Solicitor Stephani Ballard

CALL TO ORDER:

Mayor Torbert opened the meeting at the Greenwood VFW with the Pledge of Allegiance at 6:00 p.m.

PUBLIC HEARING:

A Public Hearing was held regarding a Conditional Use application made by Greenwood Associates LLC. The request is for a convenience store with fuel pumps, to be located on the following parcels: 530-10.13-75.00, 530-10.13-76.00, 530-10.13-77.00, and 530-10.13-79.01. A convenience store is already a permitted use at that location, but fuel pumps require conditional use.

James Taylor, P.E. with Verdantas and Fred Wittig of Greenwood Associates spoke for the Wawa conditional use proposal. Their plans include 8 fueling locations, for a total of 16 pumps. There will be landscape screening as well as 6-foot fencing. Pumps would be located 120 feet from other properties and 60 feet from the roadways.

A.J. Massey expressed concerns about trash, commercial vehicles, and traffic. Mr. Wittig explained there would just be diesel with the gas pumps, and no separate diesel island for big commercial trucks like Royal Farms has. Dean Bakas, Rebecca Hassinger, and Kelli Nuwer spoke in opposition to the conditional use due to traffic concerns at that location. Ron Freisleben opposed the closure of the current business operating there.

Attorney Ballard commented that legally, zoning comes first. Every project has to be zoned properly. They can have a convenience store today without asking. They want gas pumps, so that needs a conditional use. That is the first step, the site plans and traffic are considered later.

Mr. Taylor stated that traffic counts have been completed and a preliminary traffic study was submitted to DelDot. They expect comments back from DelDot by August 29, then they will begin the final TIS process, which looks at all the operational analyses of the intersections and the entrances. DelDot then prepares a list of improvements that are required. At this time, they don't know what those improvements will be, so they can't really discuss what the traffic is or isn't going to be. Both roads are DelDot roads and DelDot will have the final say.

Motion to adjourn public hearing made by Councilman Moran, Seconded by Vice-Mayor Reed.

Regular Monthly Council meeting immediately followed at 6:29pm.

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MEETING OPENED AT 6:29p.m.

APPROVAL OF MINUTES:

Motion to approve July 12, 2023, Town Council Meeting minutes by Councilwoman Jones, Seconded by Vice-Mayor Reed.

POLICE REPORT:

- Chief Thomas stated that Ms. Carey attended a safety seminar in Lewes.
- The Chief reminded everyone that school is starting back Monday. Please be careful, as children will be out walking to school and bus stops, and buses may stop abruptly.

Councilman Moran thanked Chief for National Night Out, saying that there were a lot of people, and everyone seemed to enjoy it. The Chief gave credit to Ms. Carey. He also stated that it was a group effort, and a lot of hard work was put into that.

TOWN MANAGER REPORT:

- Ms. Todd reported that she and Roger from Public Works have had meetings with various agencies since the flood, and ditch work will be starting in the fall. Funds were secured from DEMA to pay for dumpsters, sump pumps, and dehumidifiers. Representative Jesse Vanderwende's office is covering the dump fees.
- We now have a signed copy of the agreement between the Town of Greenwood and the Department of Elections for Sussex County. This, along with Ordinance C-14 which passed in November 2022, means that anybody that is a citizen of the United States, at least 18 years of age, a bonafide resident of the Town of Greenwood for at least 30 days, and is registered with the Delaware Department of Elections is eligible to vote in the Greenwood Town Council elections.
- Queena Mast is putting together a group of local artists to paint a mural spotlighting Greenwood. The mural will be in the Council room at Town Hall, with an unveiling expected around October 28.

OLD BUSINESS:

- Second reading of Ordinance A9A. An Ordinance amending Ordinance A-9 regulating the keeping and maintaining of animals within the Town of Greenwood, creating exceptions therefrom, and penalties for violation thereof. This Ordinance repeals and replaces Ordinance A-9 to amend the regulations for keeping and maintaining animals within the Town of Greenwood. Section 1 of this Ordinance establishes new definitions. Section 2 identifies illegal behaviors related to the keeping and maintaining of animals and sets forth enforcement rights including the imposition of fines. Section 3 outlines prohibited animals. Section 4 sets forth guidelines for horse-drawn carriages.

Motion to approve made by Councilwoman Jones, Seconded by Vice-Mayor Reed.
APPROVED Unanimously.

- Second reading of Ordinance D13A. An Ordinance establishing no parking zones within the corporate limits of the Town of Greenwood, prescribing penalties for violations thereof, and repealing prior Ordinance D13. This Ordinance prohibits overnight parking on Town properties and prohibits

parking along Route 13 and as set forth in Delaware Code Title 21 (4179. Stopping, standing, or parking).

Motion to approve made by Councilwoman Jones, Seconded by Mayor Torbert.
Councilwoman Jones – yes; Vice-Mayor Reed – yes; Councilman Moran – no;
Councilman Kemp – no; Mayor Torbert – yes.
APPROVED by a majority vote of 3-2.

NEW BUSINESS:

Conditional Use application by Greenwood Associates LLC for a convenience store with fuel pumps for the following parcel ID#:s: 530-10.13-75.00, 530-10.13-76.00, 530-10.13-77.00, 530-10.13-79.01.

Motion to approve the conditional use request for fuel pumps made by Councilwoman Jones, Seconded by Councilman Moran.
APPROVED Unanimously.

PUBLIC COMMENT:

Mr. Massey wanted to confirm that there is no longer a need to register with the Town to vote. The Town Manager confirmed. As long as you are registered to vote with the State and live in Town Limits, you can vote in Town elections. He also commented that the behavior of Councilman Kemp toward the Town Manager during the Public Hearing was inappropriate.

Mr. Bakas expressed his feeling that the people were being ignored with respect to the Wawa.

Ron Freisleben disagreed with the property where he resides being called a nuisance property.

ADJOURNMENT:

Meeting adjourned at 6:50 p.m. with a motion by Vice-Mayor Reed, Seconded by Councilwoman Jones.

Attested Janet Sebel _____, Town Manager