

Town of Greenwood
Special Town Council Meeting Minutes
Greenwood VFW
Thursday, July 18, 2024

COUNCIL and STAFF PRESENT:

Mayor Marshall Kemp, Vice-Mayor Mike Moran, Secretary Donnie Donovan, Councilor Brenda Tallent, Town Manager Janet Todd, Town Clerk Carolyn Chisenhall, Town Solicitor Jamie Sharp.

COMMISSIONERS and VISITORS PRESENT:

Anthony Massey (PC), Kirk Westfall (PC), Randy Willey (BOA), Kelli Nuwer (BOA), Pam Tijerino (BOA), John Schatzschneider, Eric Nowell, Jamie & Paul Webb, Andy Patel, Jay & Kathy Embleton

CALL TO ORDER:

Mayor Kemp opened the meeting with the Pledge of Allegiance at 6:00p.m.

NEW BUSINESS:

Presentation by Debbie Moreau of the Public Integrity Commission.

PUBLIC HEARING:

1. Conditional Use application from Schatz Messick Enterprises, for 3 W. Market St., parcel # 530-10.13-22.00, to permit a residential apartment in conjunction with a commercial use in the DC Downtown Commercial district.

Mr. Sharp read over the standards for conditional use, then recused himself from hearing this application.

Motion to approve the Conditional Use Application made by Vice-Mayor Moran.

Seconded by Councilor Tallent. Unanimously APPROVED.

2. Conditional Use application from Eric Nowell DBA Kent Sussex Seamless Gutters, for 300 E. Market St., parcel # 530-10.13-97.00, to permit storage of materials and commercial vehicles in the R-1 Residential district.

Moved to approve the Conditional Use Application for Eric Nowell for professional occupation in the R-1 district based upon the record made in the public hearing and the recommendation from the Planning Commission and for the following reasons:

1. The applicant seeks to store materials for his guttering business and his company vehicles on the property.
2. The primary use of the property is for residential use.
3. There are 3 off-street parking spaces in addition to those otherwise required.
4. No more than 2 persons are employed by the practitioner of the professional occupation at the site.
5. All storage of materials outside of the dwelling is completely housed.
6. The area used for the practice of a professional occupation occupies no more than 50% of the total floor area, including garages or accessory buildings.
7. The professional use is clearly incidental to the residential use of the dwelling and does not change the residential character of the dwelling.
8. No external alterations inconsistent with the primary residential use of the dwelling are allowed.
9. The products and materials are not visible from outside the building.
10. The property has been used in this fashion for many years without complaint.
11. There is sufficient area to screen the use from other uses. Notably, the materials are housed in the garage.
12. The use will not significantly detract from permitted uses in the district.
13. No parties appeared in opposition to the application.

Motion made by Secretary Donovan, Seconded by Councilor Tallent. Unanimously

APPROVED.

3. Conditional Use application from Jamie Webb, for 402 W. Market St., parcel # 530-9.16-11.00, to permit an in-home daycare in the R-1 Residential district.
Since 2 Councilors would be recusing themselves from hearing this application and 1 Councilor was not in attendance, there was no quorum. Mr. Sharp suggested leaving the record open until the August 14 Council Meeting.
Vice-Mayor Moran moved to put this on the agenda for the August meeting, Seconded by Councilor Tallent. The vote was Unanimous.
4. Conditional Use application from Steve Martin, for 6 E. Market St., parcel # 530-10.13-110.00, to permit residential apartments in conjunction with a commercial use in the DC Downtown Commercial district.

As Mr. Martin was not in attendance, Mr. Sharp suggested leaving the record open until the August 14 Council meeting.

Motion by Secretary Donovan to put on August 14's agenda, Seconded by Vice-Mayor Moran. The vote was Unanimous.

5. Conditional Use application from DRAB Properties, for 501 E. Market St., parcel # 530-10.13-82.00, to permit a liquor store in the HC Highway Commercial district.
Moved to approve the Conditional Use Application for DRAB Properties for a liquor store, based upon the record made during the public hearing and the recommendation from the Planning Commission and for the following reasons:
 1. The Applicant seeks a conditional use permit to allow for a liquor store.
 2. The property has been used as a liquor store since 2010.
 3. There are commercial uses in the area and the use is compatible with those uses. Notably, a portion of the property is used for a restaurant.
 4. There is sufficient area to screen the use from other uses.
 5. The use will not significantly detract from permitted uses in the district.
 6. No parties appeared in opposition to the Application.
 7. The Conditional Use is Approved subject to the following conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties:
 - A. **The liquor store is limited to its existing footprint and any additions to the liquor store shall require another conditional use.**

Motion made by Councilor Tallent, Seconded by Secretary Donovan. Unanimously APPROVED.

6. Conditional Use application from Jay and Kathy Embleton, for 12400 Sussex Hwy., parcel # 530-10.00-44.00, to permit a daycare/preschool in the HC Highway Commercial district.
Moved to approve the Conditional Use Application for Jay Embleton for a daycare, based upon the record made during the public hearing and the recommendation from the Planning Commission and for the following reasons:
 1. The Applicant seeks a conditional use permit to allow for a daycare center.
 2. The property has been used for a daycare center since 2000.
 3. There are residential properties in the area and the use is compatible with those uses.
 4. The use is consistent with the Town's comprehensive plan.
 5. There is sufficient area to screen the use from other uses.
 6. The use will not sufficiently detract from permitted uses in the district.
 7. No parties appeared in opposition to the Application.
 8. The Conditional Use is approved subject to the following conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties:
 - A. **This approval is conditional on the Applicant obtaining site plan approval from the Planning Commission.**

Motion made by Vice-Mayor Moran, Seconded by Secretary Donovan. Unanimously APPROVED.

PUBLIC COMMENT:

None.

ADJOURNMENT:

Adjourned at 7:49 p.m. with a motion by Vice-Mayor Moran, Seconded by Secretary Donovan.

Attested , Town Manager