



**TOWN OF GREENWOOD
Planning Commission Meeting
100 W. Market St. Greenwood De.
Thursday Nov. 20, 2024 6:30 p.m.**

AGENDA

PUBLIC COMMENT

APPROVAL OF MINUTES

- Planning Commission Meeting Minutes Oct. 23, 2024

OLD BUSINESS:

- Discussion of ordinance 2023-01: An ordinance amending ordinance A-1 ("Zoning Ordinance") to prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana test facilities and marijuana retail stores.

NEW BUSINESS:

- Application from Delaware Electric Cooperative for lot combining of tax parcels 530-9.16-17.01, 18.00, 19.01 and 30.00
- Application for zoning change from Delaware Electric Cooperative for lot combining of tax parcels 530-9.16-17.01, 18.00, 19.00, 19.01
- Referral regarding a proposal to vacate a paper alley existing between tax parcels 530-9.16-11.00 and 530-9.16-12.00

ADJOURNMENT

NOTE:

AGENDA SHALL BE SUBJECT TO CHANGE TO INCLUDE ADDITIONAL ITEMS OR THE DELETION OF ITEMS WHICH ARISE AT THE TIME OF THE MEETING. [29 Del. C. Sec.10004 (e)(3)].

AGENDA ITEMS MAY BE CONSIDERED OUT OF SEQUENCE.

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on 11/13/2024

TOWN OF GREENWOOD
100 WEST MARKET STREET
P.O. BOX 216
GREENWOOD, DE 19950
302-349-4534
302-349-9332 FAX

FEE _____

APPLICATION FOR ZONING CHANGE

Current Property Owner Information:

Current Owner Name(s)/Applicant(s):

Owner: Delaware Electric Cooperative, Inc.

Mailing Address:

P.O. Box 600 - Greenwood, DE 19950

Phone Number: 302-682-9819

Email Address: trutherford@delaware.coop

Contact Person: Tony Rutherford

Property Information:

Sussex County Tax Map/Parcel Number: 530-9.16-17.01, 18.00, 19.00, 19.01, 30.00

Property Location: North First Street, Greenwood DE

Total Lot Area: Sq. Ft. 205,733.9 Acres 4.723

Current Zoning District: R1-Parcels 17.01, 18.00, 19.00, & P/O 19.01, Utility-Parcels 30.00 & P/O 19.01

Proposed Zoning: Utility

Current Property Use: Electric Substation

Proposed Property Use: No Change

Re-zoning is requested for the following reasons:

1. Combine individual parcels into one parcel w/same zoning

2.

3.

I (We) hereby apply to the TOWN OF GREENWOOD, for a zoning change on the property described above. I (We) certify that all the information and attached documentation provided by me in this application is correct and I (We) further understand that a Public Hearing will not be scheduled until this application is complete as determined by the Greenwood Administrative Official.



Current Owner/Applicant

Current Owner/Applicant

Current Owner/Applicant

Current Owner/Applicant

TOWN OF GREENWOOD PLAN REVIEW

DAVIS, BOWEN & FRIEDEL, INC.
Project Review Comments

Submittal Phase: Lot Combining Project No.: _____

Date Submitted: 9/10/24 Project Title: Kratz Substation Lot Consolidation

Submittal No.: 1 Project A/E: GMB

DBF Job No.: 0347A027.004

Date Returned: 9/11/24

Distribution: P & Z Town Mgr _____ DPW _____ Town Engineer _____ Other _____

Name of Reviewer: Sharon Cruz Office: Miford, DE 302-424-1441

Documents Reviewed: Lot Consolidation Plan for the Lands of Delaware Electric Cooperative, Inc.

DWG/SHEET NO.	COMMENT NO.	PROJECT REVIEW COMMENTS	REVIEWER RESPONSE
Plan Review Comments			
General Comments			
	1	Provide the Town Engineer's Certification block on the plan (see attached).	Attached
	2	Provide the area of the parcels in square feet as well as acres per the most current requirements of the County for recorded plats, surveys and drawings.	Provided in title block
	3	Provide the number of existing and proposed parcels in the Site Data.	Provided in Site Data Column
	4	Provide the total combined area for the consolidated parcel in the Site Data.	Provided in Site Data Column
	5	The zoning as listed in the Site Data is incorrect, the parcels are zoned either Utility or R1 per the Town Zoning Map.	Provided break down in the Site Data Column, graphically noted the zoning on each parcel

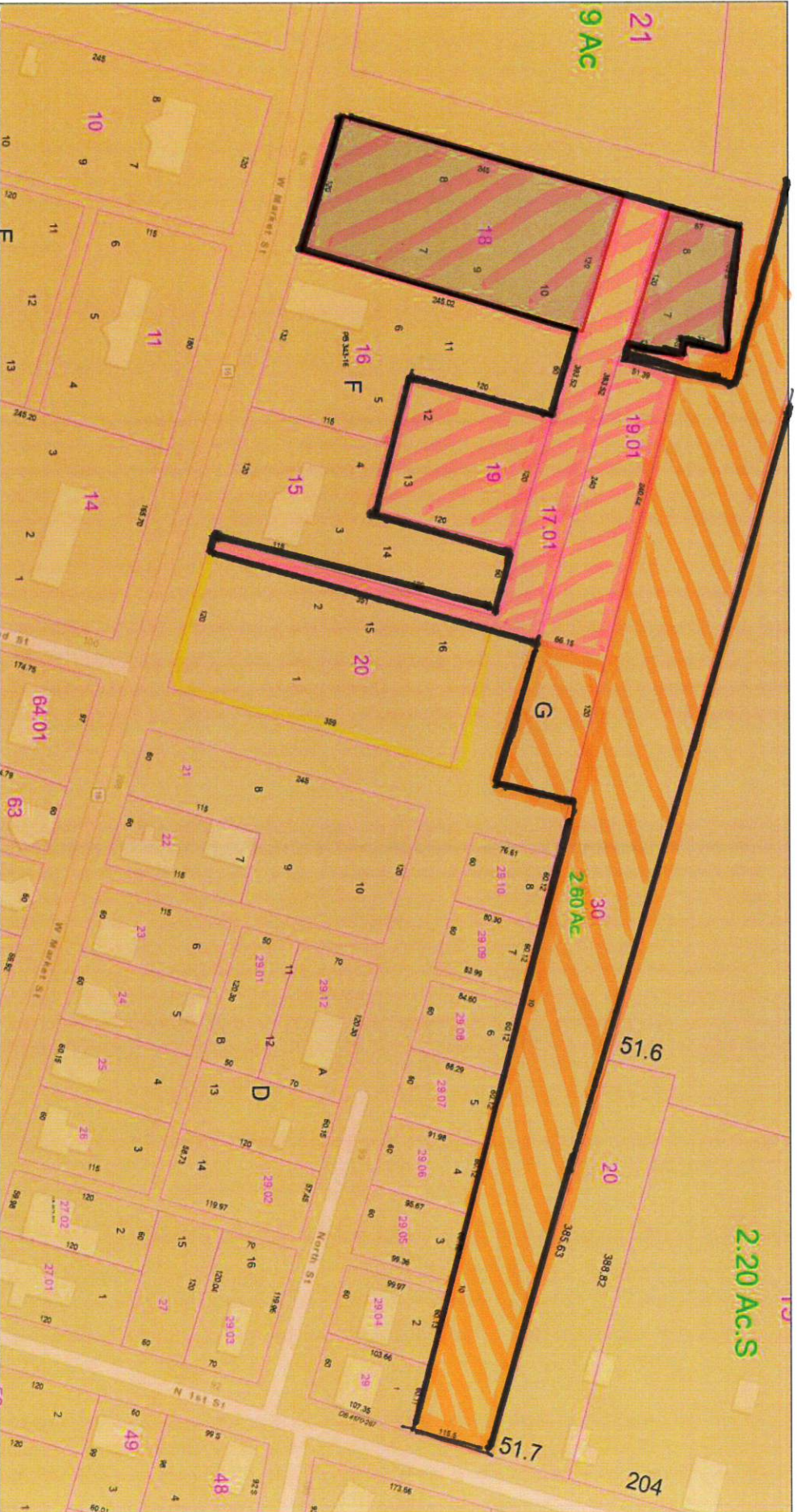
DAVIS, BOWEN & FRIEDEL, INC.
 Project Review Comments

Submittal Phase: Lot Combining Submittal No.: 1
 Reviewer: Sharon Cruz Project Title: Kratz Substation Lot Consolidation

6	Clearly indicate on the plan the existing zoning of the various parcels and show the zoning boundary.	Provided break down in the Site Data Column, graphically noted the zoning on each parcel
7	Provide the setbacks on the plan for the consolidated parcel.	The setback information is listed in the Site Data Column. For Utility Zoning, the setbacks are 0; therefore, they are not graphically depicted on the plan.
8	Provide the horizontal datum for the survey.	Provided in the Site Data Column
9	Add the date of the field survey to Note #1	Added date of survey to note 1
10	Provide a vicinity map at a scale of 1" = 1000'	Replaced V. Map to 1" = 1000' scale
11	Metes and bounds information is missing for the southeasterly line of Parcel 5-30-9.16-19.00	Added Bearing/Distance
12	Application indicates the proposed zoning for the consolidated parcel is requested as Utility however a change of zone is not part of the combining process. A separate application for zoning change would need to be submitted for the entire combined parcel to be zoned Utility.	OK

Reviewer Signature: _____

530-9.16-18.00



November 15, 2024

Utility
 Residential

(also utility, but not co-op owned)



Sources: Esri, HERE, DeLorme, Swatchx, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Swatch, (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government

Property Tax Information - Sussex County DE

TOWN OF GREENWOOD
 DELAWARE, INCORPORATED
 100 WEST MARKET STREET
 P.O. BOX 216
 GREENWOOD, DE 19950
 (302) 349-4534

CHECK LIST

MINOR LOT LINE ADJUSTMENT
 COMBINING

Project Name DEC - KHATR SUBSTATION
 Location FIRST ST NORTH ST, MARKET ST - GREENWOOD, DE 19950
 Type of Application LOT CONSOLIDATION
 Existing Use ELECTRIC SUBSTATION Proposed Use NO CHANGE IN USE
 Existing Zoning UTILITY Proposed Zoning UTILITY Comprehensive Plan _____
 Tax Map Number S30-9-16-17a, 18a, 19a, 19a, 20a
 Number of copies needed for submission: Review _____ Commission _____ Council _____
 Owner DELAWARE ELECTRIC COOPERATIVE
 Address P.O. Box 600 - GREENWOOD, DE 19950
 Surveyor/Engineer GEORGE MILES & BUILD, LLC
 Address 400 HIGH ST - SEAFORD, DE 19972 Phone Number _____
 Outstanding fees on property _____ Existing violations at site _____

For All Minor Divisions

- Sketch Plan Review
- Plat (3 copies)
- Licensed Surveyor Address/Seal
- Project Name
- Property Boundary (deed plot or field survey)
- Adjacent Owners/Subdivision
- Existing and Proposed Streets
- Existing Watercourses and Tree Masses
- Proposed Lot Lines
- Existing Lot Lines to be removed or relocated shown as dotted lines (minor lot line adjustment, partitioning, combining)
- Utility Extensions

For Minor Subdivisions

- Certificate of Title
- Surveyors Certification
- Town Engineer's Certification
- HOA documents if required
- Deed of Subdivision
- PLUS review if required

4000

TOWN OF GREENWOOD
DELAWARE, INCORPORATED
100 WEST MARKET STREET
P.O. BOX 216
GREENWOOD, DE 19950
(302) 349-4534
(302) 349-9332 FAX

****APPLICATION****

**MINOR LOT LINE ADJUSTMENT
COMBINING**

The undersigned hereby make formal application to the Town of Greenwood for the approval of a minor lot line adjustment or combining of the property described below. Applications should be represented at the appropriate meetings or hearings. The applicant is aware that no applications will be accepted if violations exist on the property or if any service fees, including taxes, are delinquent. (Account must be in Good Standing)

- Signed Application (3)
- Three (3) copies of a final plat prepared in accordance with the Land Subdivision Ordinance
- Payment of Fee

OWNER NAME DELAWARE ELECTRIC COOP. PHONE NUMBER () _____
 ADDRESS P.O. Box 600 - GREENWOOD, DE 19950
 SIGNATURE _____ DATE _____
 Please note: Legal Owner must sign application! Consent of property owner must be attached

APPLICANT NAME DELAWARE ELECTRIC COOP PHONE NUMBER () _____
 ADDRESS P.O. Box 600 - GREENWOOD, DE 19950

SITE LOCATION: ROAD FIRST ST (N)(S)(BY)(W) SIDE, MARKET ST (N)(S)(BY)(W)
 ROAD THIRD ST (E) LOT # _____

ZONING: EXISTING UTILITY PROPOSED: UTILITY TAX MAP NUMBER 530-9-16-17.01, 18.00, 19.00, 19.01, 30.00

PRESENT USE: ELECTRIC SUBSTATION PROPOSED USE: NO CHANGE

AREA OF PROPERTY: 4.73 AC AREA OF ADJACENT LAND IN SAME OWNERSHIP N/A

SANITARY FACILITIES: EXISTING _____ PROPOSED _____
 WATER SUPPLY: EXISTING _____ PROPOSED _____

FLOOD PLAIN ZONE: "X" F.I.R.M. PANEL: 10005-C-0115-K

WETLANDS ON SITE: YES _____ NO X COMPREHENSIVE PLAN RECOMMENDATION _____

VARIANCE INFORMATION (IF APPLICABLE) N/A

CONTACT PERSON FOR APPLICATION: TONY RUTKOWSKI PHONE: 302-652-9819

APPLICATION RECEIVED BY	RECEIPT#
APPLICATION #	DATE
FEE: \$	

MINOR LOT LINE ADJUSTMENT/COMBINING APPLICATION 409

Surrounding Property:

Describe buildings and land uses on adjacent property and give their approximate distance from existing and proposed property lines.

SUBJECT PARCEL IS AN ELECTRIC SUBSTATION WHICH SPANS OVER
(5) TAX PARCELS - THERE IS CHURCH LAND ON THE NORTH, WEST
THERE ARE RESIDENTIAL LOTS TO THE SOUTH

Describe how this request meets the following review criteria found in the Greenwood Land Subdivision Ordinance:

The proposed subdivision is in conformance with all standards of the TOGLSO and applicable state statutes:

WE ARE SEEKING TO COMBINE THE (5) INDIVIDUAL
PARCELS INTO ONE PARCEL w/ THE SAME ZONING (UTILITY)

Surveyor:

Name: STEVEN ADKINS Phone: 302-258-7893
Address: 400 HIGH ST
SEAFORD, DE 19973

I (We) the undersigned legal owner (s) of the subject property, certify that the statements and information contained in this application are true and correct to the best of our knowledge.

Printed: Tony Rutherford
Signed: [Signature] Date: 8/23/2024

Printed: _____
Signed: _____ Date: _____

We (I) the undersigned applicant, certify that the statements and information contained in this application are true and correct to the best of my knowledge.

Printed: STEVEN M. ADKINS
Signed: [Signature] Date: 8/21/2024

Printed: _____
Signed: _____ Date: _____

For additional area to answer each question, please attach pages as needed.

NOTE: ALL FINAL PLATS MUST BE STAMPED "APPROVED" BY THE TOWN OF GREENWOOD AND RECORDED WITH THE OFFICE OF THE RECORDER OF DEEDS IN SUSSEX COUNTY.

REVIEW AND APPROVAL MAY BE REQUIRED FROM THE FOLLOWING REVIEW AGENCIES TO DETERMINE IF THE SUBDIVIDED LOTS ARE BUILDABLE:

- DelDOT (if property is located on a State maintained road)
- Sussex Conservation District
- Office of State Fire Marshall
- Greenwood Fire Company
- Department of Natural Resources and Environmental Control (D.N.R.E.C.)
- Greenwood Police Department
- Woodbridge School District
- Greenwood Water/Wastewater Department
- Town Engineer (Daft McCune Walker, Inc.)
- Greenwood Parks and Recreation Department
- _____
- _____
- _____

NOTE:

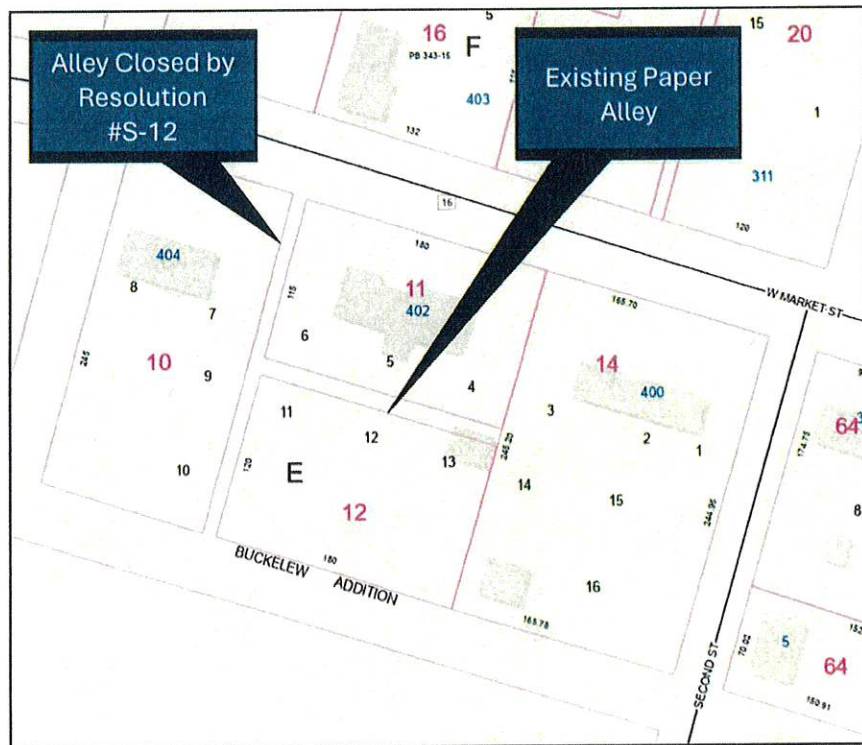
(1) NO APPLICATION WILL BE ACCEPTED UNLESS ALL TAXES, ASSESSMENTS, WATER, SEWER, TRASH CHARGES OR ANY OTHER FEES DUE THE TOWN, ARE PAID AND IN GOOD STANDING.

GREENWOOD REFERRAL

A REFERRAL OF THE TOWN OF GREENWOOD, DELAWARE, TOWN MANAGER TO THE GREENWOOD PLANNING COMMISSION REGARDING A PROPOSAL TO VACATE A PAPER ALLEY EXISTING BETWEEN SUSSEX COUNTY TAX MAP PARCELS 530-9.16-11.00 AND 530-9.16-12.00.

WHEREAS, on July 11, 1995, by Resolution #S-12 (attached hereto as Exhibit 1), the Town Council of the Town of Greenwood (“Town”) vacated and closed certain paper alleys, including a paper alley extending from W. Market Street to Buckelew Addition and adjacent to the western property lines of Sussex County Tax Map Parcels 530-9.16-11.00 and 530-9.16-12.00;

WHEREAS, as illustrated below a 10-foot-wide unnamed paper alley approximately 180.02 feet in length exists between Sussex County Tax Map Parcels 530-9.16-11.00 and 530-9.16-12.00;



WHEREAS, Sussex County Tax Map Parcels 530-9.16-11.00 and 530-9.16-12.00 are in common ownership by Ms. Jamie Warner (Webb), and the owner has requested that the subject paper alley be closed and vacated so that she may advance efforts to bring the tax parcels into compliance with current zoning regulations;

WHEREAS, Section 708 of Title 22 of the Delaware Code requires that before a paper alley may be closed and vacated, the proposal must first be referred to the Planning Commission for a report:

§ 708. Reference of certain matters to planning commission.

In a city or town having a planning commission established under this chapter, but which has not adopted an official map, no public way shall be laid out, altered, relocated or discontinued unless the proposed laying out, alteration, relocation or discontinuance has been referred to the planning commission of such city or town and such commission has reported thereon or has allowed 45 days to elapse after such reference without submitting its report. Any city or town having a planning commission established under this chapter may, by ordinance, bylaw or vote, provide for the reference of any other matter or class of matters to the planning commission before final action thereon with or without provision that final action shall not be taken until the planning commission has submitted its report or has had a reasonable fixed time to submit such report. Such planning commission shall have full power to make such investigations, maps and reports and recommendations in connection therewith, relating to any of the subjects referred to under this section, as it deems desirable.

THEREFORE, I, Janet Todd, Town Manager of the Town of Greenwood, hereby refer the proposal to close and vacate the subject alley to the Greenwood Planning Commission for its report within 45 days of the effective date of this Referral.

TOWN MANAGER

Janet Todd

This Referral is effective as of:

_____, 2024

EXHIBIT 1

RESOLUTION PROPOSING TO CLOSE AND VACATE
A PART OF AN UNNAMED ALLEY AND PORTIONS OF
CERTAIN STREETS KNOWN AS SOUTH AND THIRD STREETS

WHEREAS, The Town of Greenwood has received a petition to vacate and abandon portions of a certain unnamed alley and streets known as South and Third Streets located between certain lands belonging to Minton, Porter and Williamson, which are unused and have not been opened (the "alley and streets"); and

WHEREAS, it is, in the opinion of the individual members of the Town Council of The Town of Greenwood, based upon the report of the committee appointed to investigate the requested abandonment and vacation, that it is advantageous and in the best interest of The Town of Greenwood to close and vacate the referenced alley and streets which are unused and has never been opened.

NOW THEREFORE, BE IT RESOLVED that the Town Council of The Town of Greenwood proposes to close and vacate, and does by this resolution authorize the closure and vacation of, the aforesaid unnamed alley color-coded yellow and the portions of South and Third Streets color-coded light blue and orange on the plot attached hereto as Exhibit "A" and incorporated herein by reference.

BE IT FURTHER RESOLVED that upon the closing of the said alley and streets, each of the adjoining property owners shall own to the center line thereof, with the commensurate right to convey such interests among themselves or to others.

AND BE IT FURTHER RESOLVED that the Town Council will sit at 7:00 p.m. on Tuesday, August 15, 1995, at the Town Hall to hear objections and to award just and reasonable compensation to any person who will be deprived of his or her property because of the closing and vacating of the referenced alley and streets, at which time and place any

person who believes that he or she will be deprived of property because of the closing and vacating of the referenced alley and streets may appear and object to the closing and vacating of the referenced alley and streets, as well as for the purpose of demanding just and reasonable compensation in the event of such vacation and closing.

AND BE IT FURTHER RESOLVED that the Town Manager be and she is hereby authorized and directed to cause a Notice which shall consist of a true copy of this Resolution to be posted in five (5) public places in the Town of Greenwood, at least one week prior to the date set forth in this Resolution for the said Public Hearing.

I, Willard Russell, Secretary of the Town Council of the Town of Greenwood, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Town Council at its meeting held on July 11, 1995, at which a quorum was present and voting throughout and that the same is still in full force and effect.

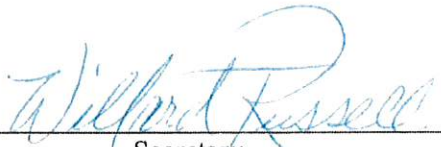

Secretary

EXHIBIT "A"

