**PUBLIC HEARING**

**MINUTES**

**MAY 6, 2024**

**TOWN COUNCIL**: Greg Welch President

 Pamela Davis Vice President

 John Wright Secretary/Treasurer

 James Sample Councilman

 Kyle Quillen Councilman

**TOWN EMPLOYEES:** Cheryl Lynch Town Clerk

 Sheldon Hudson Consultant Town Manager

 Tom Rozell Maintenance

**OTHERS:** George Harmon Chuck Coleman

 Pamela Hoban Bill Manzke

 Priscilla Schoolfield Kim Carey

 John Carey Lucinda Spence

 John West Jodi Burkett

 Matt Pagano Kyle Gulbronson

 Ryan Fiacco Nancy Fiacco

 Sheryl Lewis Penlope Pitts

 Bonnie Elliott Maria Townsend

 Bill Townsend Janet Hearn

 Ron Ott Trease Ott

 Vicki Schlegel Rick Schlegel

 Michelle Valentine Ed Ferencie

 George Wolford Ronald Hall

 Henry Mumford Joe Shanahan

 Cynthia

**MEETING CALLED TO ORDER:**

Greg called the meeting to order at 6:02pm

**MOTION TO APPROVE THE AGENDA WITH ANY ADDITIONS OR DELETIONS:**

John made the motion to approve the agenda and seconded by Kyle

Motion was unanimous

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**NEW BUSINESS:**

**DISCUSS THE SITE PLAN FOR A SOLAR FARM ON THE DUKES FAMILY LIMITED PARTNERSHIP**

**PROPERTY TAX MAP PARCEL 433-6.19-1.00 AND 433-6.14-37.00**

Joe Shanahan from RWE Clean Energy LLC gave the history on the company.

They have five projects approved by Sussex County.Planning and Zoning Commission and County Council. The County Council will vote on two of the projects on Tuesday. One of the projects is in the Town of Felton.

The project we applied for is at 19 Clayton Avenue.

Joe noted what Solar Projects do not do when they are compared to any other use.

This project doesn’t admit any noise, no glare, do no produce any trash or litter, no traffic,

No sanitary sewer service or water. The solar project does not create any burden to any

Fire Company or Police Department.

Joe noted what Solar Projects can do for the area. The first is it will raise tax revenue,

Property owners and renters seventy percent who can’t install solar on their homes ,community

Solar projects allows access to solar generate power for Delmarva Power customers.

The Delmarva customers would receive a discount on their Delmarva Power billing.

When the life of the solar project comes to an end the solar equipment is removed from

the property and the property is restored to its previous condition. The Town of Frankford

will see this is complete with a decommissioning plan. RWE proposes to provide a

decommissioning security, to be post prior to the issuance of any building permits, in the amount of $295,000.00 in the form of a long -term Surety Bond.

Joe noted he would like to discuss the property site at 19 Clayton Avenue. Currently the property

is being farmed. The site is owned by Burt and Hal Dukes. We would be using half of the

site and leaving 23 acres unused. The project would be enclosed with a seven and half foot chain link fence. We submitted this application over two years ago. The Town received a report

from their Town engineers AECom and met with Town officials. This site is sited as a

traditional Town Center which could lead to long economic growth.

Joe noted he contacted the owners and stated to them the town has stated in their Comprehensive

Plan this parcel was stated as a Town Center. The owners noted to Joe they were unaware the

Town had stated their parcel as a Town Center. We wouldn’t be filling in the streams on this parcel.

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Joe noted RWE committed to a wetland assessment to this parcel. The engineers stated

This parcel wouldn’t be a Town Center because the parcel is to wet and too many water

restrictions. There are four intermittent streams on the parcel and the ditches that run around the parcel. The significant issue is the four streams because you can’t fill the streams. This would

create a problem for anyone who would want to build on this parcel. There is a riparian buffer

which fifty feet of the buffer can’t be disturbed for development.

Joe noted the Town sent the companies report to their engineers. The Town Engineers

noted in their report you can develop this parcel if you want to put in the time effort and money.

The town looked at water levels and soil samples. The one thing missing in the report was the

four streams and the riparian buffer restrictions. The Town Planning and Zoning Commission

reviewed the plan and referred the project to the Town Council to move forward with a Public

Hearing.

Joe noted there would be additional tax for the Town if we placed a solar farm on this parcel.

There could be for a resident a 10,12,15 percent decrease in your electric bill. You would

need to subscribe to the company and we would forward the names to Delmarva Power.

Joe noted Delaware doesn’t do pilots. The company would pay $22,000.00 annually into

the community for the next twenty five years which is the life of the project. The total

would be over a half a million dollars. The company could allocate the annual funds to

different parts of the community.

Greg noted the unusuability of the parcel. Greg noted the streams on the parcel are really

Agricultural ditches and they can be altered.

Kyle noted these ditched can be moved because they are not a tax ditch.

Ed noted other developments have these ditches and they are moving those

Water ways into retention ponds.

Sheldon noted the Riparian buffer is a town requirement not a state requirement.

This fifty-foot buffer could be eliminated from the town and they makes more the land

to be used for commercial or residential. There is two or three high points on this parcel.

Greg noted this parcel is currently zoned Neighborhood Business.

Sheldon noted to the Town take the long view at this parcel. You will generate more income from this parcel as a residential/Commercial.

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Joe noted the Solar Farm would give a twenty -five year revenue to the town and after

the twenty five years the town then could move forward with a Town Center.

Greg noted Kyle reviewed our Comprehensive Plan.

Kyle read his letter of the Land Use of Neighborhood District and there is five criterias.

1. Is consistent with purpose statement in Section 6-1 herein and meets the said design

 Principles of traditional neighborhoods.

1. Is consistent with the policies set forth in the most recently Certified Comprehensive Plan
2. Maintains and helps preserve Frankford’s small-town atmosphere and traditions.
3. Includes a mixture of uses and housing types inspired from and integrated into the

Existing Town character and densities, as well as other neo-traditional design principles.

1. Will not hinder the provision of emergency access,emergency services, municipal service delivery, school bus access, trash collection, or other necessary public services to be

provided in the development.

Greg read a letter from Dean Esham opposing the project.

Ron Hall noted shouldn’t the owners been notified that their parcel was designated as

a town center.

Ed noted the Town Center could be a reality for the town. I think we shouldn’t give up

the vision for the town.

Mr Manzke why are you interested in this farm in the middle of town instead of something

on the outside of town?

Joe it was a site with the attributes for the solar farm.

Greg noted this is not a zoning change. This is a hearing to see if this project will move forward.

Ed noted would the residents vote on this project?

Greg noted this is not a referendum. The Council will vote possibly during the Town Council

Meeting after the Public Hearing.

Sheryl noted what is included in the town center?

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Greg noted mixed use of residents and businesses.

Kyle noted similar to the Town of Berlin.

Vickie noted where would we get the funds to build a Town Center?

Greg noted the developer would build the Town Center.

Ryan noted the town Center would bring mor revenue to the town rather than a

Solar Farm

Joe noted this property has been in the Dukes family for years. The family would not have

to give up ownership if this were a Solar Farm.

**ADJOURN:**

John made the motion to adjourn the Public Hearing and seconded by Kyle at 6:57pm.

**RESPECTFULLY**

**CHERYL A LYNCH**

**TOWN CLERK**