

Planning & Zoning Meeting Minutes

February 28, 2024

Meeting called to order at 6:35 p.m.

Pledge of Alliance-Rebecca Marasco

Moment of Silence-Rebecca Marasco

Roll Call

Members Attending: Rebecca Marasco, Luke Thomas, Jilana Wilson

Absent: Jim Fennemore, John Willard

Jilana made a motion with a second by Luke to excuse Jim and John's absence. Rebecca, Luke, Jilana, Aye. None Opposed. Motion carried.

Staff Attending: Roseann Lamar-Town Clerk, Michael Wooleyhand-Town Manager

Council: Mayor Doug Denison

Attendees: James Winchell, Seth Shafer, Mike Marasco, Robert Pflumm

Note: Jim Fennemore and John Willard arrived after the meeting had already started.

Adoption of Agenda:

Luke made a motion with a second by Jilana to approve the agenda as presented. Rebecca, Luke, Jilana, Aye. None Opposed. Motion carried.

Adoption of Minutes:

Luke made a motion with a second by Jilana to approve the minutes as presented. Rebecca, Luke, Jilana, Aye. None Opposed. Motion carried.

New Business:

- Pivot Energy-Solar Farm
- The proposed location for Solar Farm is listed as residential (R1), which does not follow the Land Use and Development Code.
- Solar would be allowed as an accessory structure.
- A Solar Farm would be allowed under the Light Industrial (L1) zone.
- Mr. Seth Schaffer with Pivot Energy gave a little background on how they specialize in what is called Community Solar where the facility has subscribers (residents) within the DPL service territory for access to green energy with a reduction in their utility bill. Ten percent (10%).
- They are currently developing projects in both Kent and Sussex County.

- Usually utilize ten (10) to thirty (30) acres and solar panel are ten (10) to fifteen feet (15) off the ground.
- They are currently looking for municipal zoning relief to install.
- Since the applicant is in a Residential (R1) zone the only option would be to subdivide the lot and then rezone the other half to Light Industrial (L1).

Old Business:

- Marijuana Ordinance – An Ordinance amending the land use and development code of the town of Wyoming to authorize the use of land in certain zoning districts for Marijuana based businesses pursuant to conditional use approval.
- There can only be one of each type of the following establishments in town at a time: Marijuana cultivation facility, Marijuana establishment, Marijuana product manufacturing facility, Marijuana retail store, Marijuana testing facility, Registered Compassion center and Registered compliance facility. All six of the following listed will only be permitted in either the Commercial (C) or Light Industrial (LI) zone and must obtain conditional use.
- Mayor Denison proposed an ordinance to planning and zoning regarding allowing marijuana-based businesses/facilities into town.
- This will allow the town both present and future planning and zoning and the council the option to be able to control these types of facilities coming into town.
- Currently there is nothing outlining marijuana-based businesses/facilities in the land use and development code.
- Mayor Denison does not believe that we should, as a town should have a completely strict band, we should give the applicant a chance to state what they are proposing to do. Each applicant must obtain conditional use. This is a business that will continue to grow and evolve.
- These are tightly regulated facilities and must comply with all state and federal laws. They are not just a fly by night operation, they are professional.
- By having a conditional use, the town can limit hours for operations, oversee parking, how many square feet for buildings, etc.
- Discussion ensued.
- Even thou committee members understand where Mayor Denison is coming from, they do not feel this fits with the town's esthetics and small-town feel.
- The committee does not want these types of business/facilities in town.
- Mr. Fennimore suggested that a moratorium be placed on this ordinance for now until we can gather more information.
- The committee would like to see data from other towns regarding too has the crime rate gone up with these facilities in town.
- How do other municipalities handle this.

Next Regular Meeting:

Wednesday March 27, 2024 @ 6:30 p.m.

Public Comments:

- None

Adjourned:

John made a motion with a second by Luke to adjourn the meeting at 7:45 p.m. Rebecca, Luke, Jilana, John, Jim, Aye. None Opposed. Motion carried.

Roseann Lamar, CMC
Town Clerk