

**Town of Bethany Beach  
Planning Commission Meeting  
January 16, 2016**

The Bethany Beach Planning Commission held a meeting on Saturday, January 16, 2016 at 9:00 a.m. in the Town Meeting Room.

Present: Lew Killmer, Chairman, who presided: Mike Boswell, Diane Fogash; Fulton Loppatto; Larry Fishel and Susan Frederick (Building Inspector). The following member was excused: John Gaughan.

Also present: Lisa Kail, Town Clerk; Molly Daisey, Assistant Town Clerk and interested members of the public.

Mr. Killmer called the meeting to order at 9:00 a.m.

Approval of the Agenda

Ms. Fogash made a motion to approve the agenda. Seconded by Dr. Fishel, the motion was unanimously approved.

Discussion/Approval of the Planning Commission Minutes of August 22, 2015

Mr. Loppatto made a motion to approve the minutes. The motion was seconded by Ms. Fogash and unanimously approved.

Discussion/Approval of the Planning Commission Minutes of October 17, 2015

Dr. Fishel made a motion to approve the minutes. Seconded by Ms. Fogash, the motion was unanimously approved.

Announcements/Comments /Updates

Mr. Killmer advised that the Non-Residential Design Review Committee held a meeting on January 8, 2016. The purpose of the meeting was to discuss and vote on an application submitted by Mari Thompson requesting approval for a new/revised facades and signs for two (2) businesses – “Kites, Tails and Toys” and “Bethany Trading Company.” The businesses are located at 110 and 112 Garfield Parkway, Lots 12 & 14, Block 107 in the C-1 Commercial Zoning District, Bethany Beach, DE. The application was unanimously approved.

**A request and a possible vote to partition Lots 14 and 16 Block 109, known as 310 Garfield Parkway into two 5,000 square feet lots.**

Mr. Killmer advised that all notice requirements were met and Ms. Frederick confirmed.

Ms. Frederick read the following into the record:

*Clement and Christina Edgar, owners of Lots 14 and 16, Block 109, known as 310 Garfield Parkway are requesting that the lots be partitioned into two lots. Based upon the information provided:*

- 1. The property is zoned R-2 Residential.*
- 2. The lots are currently improved with a single family dwelling at or near the center of the lots and a garage at the rear of Lot 14. All improvements will be removed upon the granting of the portioning with designated time period.*
- 3. Lot 14 consists of 5,000 square feet and has 40.03 feet of frontage on Garfield Parkway. Setbacks would be 20 feet in the front, 7 feet on each side and 15 feet in the rear.*
- 4. Lot 16 consists of 5,000 square feet and has 39.95 feet of frontage on Garfield Parkway. Setbacks would be 20 feet in the front, 7 feet on each side and 15 feet in the rear.*
- 5. Pursuant Appendix 3, Table of Dimensional Requirements, in the R-2 District, the minimum street frontage for the interior lots is 60 feet and the minimum lot area for single dwelling lots is 7,000 square feet. However these lots were once two separate lots, but were combined when the house was moved to this location. The lots, if partitioned will be similar in width and size to the lots east and on Hollywood Street behind them. If partitioned the new address will be 308 Garfield Parkway (Lot 14) and 310 Garfield Parkway (Lot 16).*

Mr. Boswell questioned when this parcel was originally created. Mr. Killmer advised it was created in 1901, when the Town was originally designed.

Tracy Mulligan, 98A Central Boulevard, was recognized. He stated that he supports the partitioning, because it is consistent with R1 Zoning. It is consistent with the original intent of the Town's Zoning plans. He thinks that this is totally appropriate.

Dr. Fishel moved the approval of the application as filed by Clement and Christina Edgar, Lots 14 and 16, Block 109, known as 310 Garfield Parkway. Mr. Loppato seconded the motion and it was unanimously approved.

**Discuss and possibly vote to update Section §425-64(B) of the Towns Zoning Code to remove the following permitted uses: Hotels, Motels, Boarding Houses and Tourist Homes in the C-1 Commercial Zoning District.**

Mr. Killmer stated that Section 425-64(B) of the Town Code needs to be amended because hotels, motels, boarding houses and tourist homes are no longer permitted uses in the C-1 Zoning Code.

Mr. Loppato made a motion to update Section 425-64 (B) of the Towns Zoning Code to remove the following permitted uses: Hotels, Motels, Boarding Houses and Tourist Homes in the C-1 Commercial Zoning District. Dr. Fishel seconded the motion and it was unanimously approved.

**Discuss and possibly vote on adding Freeboard to Footnote (p) to the table of dimensional requirements of the Town's Zoning Code.**

Ms. Fogash made the motion to adding Freeboard to Footnote (p) of the Table of Dimensional Requirements of the Town's Zoning Code. Dr. Fishel seconded the motion and it was unanimously approved.

Old Business:

**Open Nominations And Voting To Determine The Chairperson and Deputy Chairperson For The Planning Commission For The 2015/2016 Term.**

Dr. Fishel nominated Mr. Killmer to serve as the Chairperson. There were no other nominations. Mr. Killmer was selected to serve as Chairman of the Planning Commission.

Mr. Loppatto nominated Mr. Gaughan to serve as the Deputy Chairperson. There were no other nominations. Mr. Gaughan was selected to serve as Deputy Chairperson of the Planning Commission.

Adjourn:

Ms. Fogash made a motion to adjourn the meeting. Dr. Fishel seconded the motion and it was unanimously approved. The meeting was adjourned at 9:18 a.m.

Respectfully submitted:

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Molly Daisey  
Assistant Town Clerk